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SENATE—*Friday, January 3, 1969*

The 3d of January being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the first session of the 91st Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The Senate was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God whose law is truth and whose statutes stand forever, we beseech Thee to grant unto us, who seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

By tasks too difficult for us, we are driven unto Thee for strength to endure and wisdom to interpret rightly the signs of these testing times.

In this high hour, may there be lifted at the very beginning of this session the fervent petition whose melody makes us one—God bless America.

As in this shrine of each patriot's devotion, public servants will take upon their lips this day the solemn words of the oath of office, "So help me God," may that battle cry be like the sound of a great amen.

In an hour when such vast issues are at stake for all the world, may those here serve, conscious of the great tradition in which they stand, rise to greatness of vision and soul, as the anxious eyes of all the nations are fixed upon this Chamber. For—

"We are watchers of a beacon
  Whose light must never die.
We are guardians of an altar
  That shows Thee ever nigh.
We are children of Thy freemen
  Who sleep beneath the sod.
For the might of Thy arm we bless
    Thee,
  Our God, our Father's God."

In the dear Redeemer's name we ask it. Amen.

DEATH OF SENATOR BARTLETT

Mr. MANSFIELD. Mr. President, it is with deep regret that I announce to the Senate the death on Wednesday, December 11, 1968, of our beloved colleague the senior Senator from Alaska Mr. Bartlett.

For the information of the Senate, I state now that a formal resolution on his death will be submitted for action later today.

CREDENTIALS—RESIGNATIONS AND APPOINTMENTS

The VICE PRESIDENT. The Chair lays before the Senate the following matters: Copies of the resignations of Senators Morton, of Kentucky, and Long, of Missouri, and the certificates of appointment of Marlow W. Cook, of Kentucky; Thomas F. Eagleton, of Missouri; and Theodore F. Stevens, of Alaska.

The clerk will read the communications.

The legislative clerk (Edward E. Mansur) read as follows:

U.S. Senate,
Washington, D.C., December 3, 1968.
Hon. Hubert H. Humphrey,
President of the U.S. Senate,
U.S. Capitol,
Washington, D.C.

My Dear Mr. President: I herewith tender my resignation as a Member of the United States Senate from Kentucky to become effective at the close of business on Monday, December 16.

Respectfully yours,
Thruston B. Morton.

U.S. Senate,
Washington, D.C., December 3, 1968.
Hon. Louie B. Nunn,
Governor of the Commonwealth of Kentucky,
Frankfort, Ky.

My Dear Governor: I herewith tender my resignation as a Member of the United States Senate from Kentucky to become effective at the close of business on Monday, December 16.

Respectfully yours,
Thruston B. Morton.

Frankfort, Ky.,
December 10, 1968.
To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the Commonwealth of Kentucky, I, Louie B. Nunn, the Governor of said State, do hereby appoint Marlow W. Cook, a Senator from the State to represent said State in the Senate of the United States, to fill the vacancy caused by the resignation of Thruston B. Morton, effective at the close of business December 16, 1968, to hold said office for the unexpired term ending at noon on the third day of January, 1969.

Witness, his Excellency, our Governor, Louie B. Nunn, and our seal affixed at Frankfort, Kentucky, this 11th day of December, in the year of our Lord nineteen hundred sixty-eight and in the one hundred seventy-seventh year of the Commonwealth.

[seal] Louie B. Nunn,
Governor, Commonwealth of Kentucky.
Attest:
Elmer Begley,
Secretary of State.
By Mary R. Galvez,
Assistant Secretary of State.

U.S. Senate,
Washington, D.C., December 27, 1968.
Hon. Warren E. Hearnes,
Governor,
Jefferson City, Mo.

Dear Governor: This letter is to confirm my telegram to you of today resigning as United States Senator of Missouri, effective immediately.

Copy of such telegram is enclosed.

Sincerely,
Edward V. Long,
U.S. Senator.

Executive Office,
Jefferson City, Mo., December 31, 1968.
Hon. Francis R. Valeo,
Secretary, U.S. Senate,
Capitol Building,
Washington, D.C.
Attention: Floyd M. Riddick, Parliamentarian.

Dear Sir: Confirming your conversation of yesterday with my legal assistant, this letter will confirm that it was the intention of Senator Edward V. Long to resign as of the close of business December 27, 1968, as per photocopy of his letter to me which is enclosed.

Thomas F. Eagleton was appointed by me to fill the unexpired term of Senator Edward V. Long, effective December 28, 1968.

Sincerely,
Warren E. Hearnes.

U.S. Senate,
Washington, D.C., December 27, 1968.
Hon. Hubert H. Humphrey,
The Vice President,
Washington, D.C.

Dear Mr. Vice President: This letter is to confirm my telegram to you of today resigning as United States Senator of Missouri, effective immediately.

Copy of such telegram is enclosed.

Sincerely,
Edward V. Long,
U.S. Senator.

Hon. Hubert H. Humphrey,
The Vice President,
Washington, D.C.

This telegram will serve as my resignation as U.S. Senator of Missouri effective immediately. Letter of confirmation follows.

Edward V. Long,
U.S. Senator.

Executive Office,
Jefferson City, Mo.
To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Missouri, I, Warren E. Hearnes, the Governor of said State, do hereby appoint Thomas F. Eagleton, United States Senator elect from Missouri, as Senator from said State to represent said State in the Senate of the United States to fill the vacancy created by the resignation of Edward V. Long, United States Senator from Missouri.

In witness whereof, I hereunto subscribe my name and cause the Great Seal of the State of Missouri to be affixed at the City of Jefferson, State of Missouri, this 28th day of December, A.D., Nineteen Hundred and Sixty-eight.

Warren E. Hearnes,
Governor.

Attest:
[seal] James C. Kirkpatrick,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Alaska, I, Walter J. Hickel, the Governor of said State, do hereby appoint Theodore F. Stevens a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of E. L. Bartlett, is filled by election as provided by law.

Witness: His excellency our Governor Walter J. Hickel, and our seal hereto affixed at Juneau this 24th day of December, in the year of our Lord 1968.

By the Governor:
Walter J. Hickel,
Governor of Alaska.

Attest:
[seal] Keith H. Miller,
Secretary of State.

CREDENTIALS—CERTIFICATES OF ELECTION

The VICE PRESIDENT. The Chair lays before the Senate the credentials of 34 Senators-elect, duly chosen by the qualified electors of their respective States, for a term of 6 years, beginning on January 3, 1969.

The Chair is advised that all the certificates are in the form suggested by the Senate. If there be no objection, the reading of the certificates will be waived, and they will be printed in full in the Record.

The certificates of election are as follows:

State of Vermont,
U.S. Senator.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November 1968 George D. Aiken was duly chosen by the qualified Electors of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1969.

His Excellency our Governor Philip H. Hoff and our seal hereto affixed at Montpelier, Vermont this 26th day of December in the year of Our Lord 1968.

[seal] Philip H. Hoff,
Governor.
Harry H. Cooley,
Secretary of State.

Witness:
[seal] Priscilla Laplante,
Byran M. Callins.

State of Alabama,
Governor's Office,
Montgomery, November 22, 1968.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, James B. Allen was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Albert P. Brewer,
Governor.

Witness: His excellency our governor, Albert P. Brewer, and our seal hereto affixed this 22nd day of November, in the year of our Lord 1968.

[seal] Mabel Amos,
Secretary of State.

State of Indiana,
Executive Department,
Indianapolis, Ind.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred sixty-eight, Birch E. Bayh, Jr. was duly chosen by the qualified electors of the State of Indiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred sixty-nine

Witness: His excellency our Governor Roger D. Branigin nad our seal hereto affixed at Indianapolis, Indiana, this 19th day of November, in the year of our Lord nineteen hundred sixty-eight

By the Governor:
Roger D. Branigin,
Governor.
[seal] Edgar D. Whitcomb,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Henry Bellmon was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness: His excellency our governor Dewey F. Bartlett, and our seal hereto affixed at Oklahoma City this 20th day of November, in the year of our Lord 1968.

By the Governor:
Dewey F. Bartlett,
Governor.
[seal] John Rogers,
Secretary of State.

State of Utah,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Senator Wallace F. Bennett was duly chosen by the qualified electors of the State of Utah as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor, Calvin L. Rampton, and our seal hereto affixed at Salt Lake City, Utah this Twentieth day of December, in the year of our Lord, 1968.

By the Governor:
Calvin L. Rampton,
Governor.
[seal] Clyde L. Miller,
Secretary of State.

State of Nevada,
Executive Department.

To the President of the Senate of the United States:

This is to certify, That at a general election held in the State of Nevada on Tuesday, the fifth day of November, nineteen hundred and sixty-eight Alan Bible was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the third day of January, nineteen hundred and sixty-nine, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified Board of Canvassers now on file in the office of the Secretary of State at Carson City, Nevada.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of State to be affixed at Carson City, this tenth day of December, in the year of our Lord one thousand nine hundred and sixty-eight.

Paul Laxalt,
Governor.

By the Governor:
[seal] John Koontz,
Secretary of State.

State of Idaho,
Department of State,

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Frank Church was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor Don Samuelson, and our seal hereto affixed at Boise this 6th day of December, in the year of our Lord 1968.

By the Governor:
Don Samuelson,
Governor.
[seal] Pete T. Cenarrusa,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Marlow W. Cook was duly chosen by the qualified electors of the Commonwealth of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor Louie B. Nunn, and our seal hereto affixed at Frankfort, Kentucky, this 29th day of November in the year of our Lord nineteen hundred sixty-eight and in the one hundred seventy-seventh year of the Commonwealth.

Louie B. Nunn,
Governor, Commonwealth of Kentucky.

Attest:
[seal] Elmer Begley,
Secretary of State.

The State of New Hampshire,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and sixty-eight Norris Cotton was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-nine.

Witness: His Excellency our Governor John W. King, and our seal hereto affixed at Concord this twenty-seventh day of November, in the year of our Lord nineteen hundred and sixty-eight.

By the Governor, with advice of the Council:

John W. King,
Governor.
[seal] Robert L. Stark,
Secretary of State.

State of California,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the Fifth day of November, 1968, Alan Cranston was duly chosen by the qualified electors of the State of California a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness: His excellency our Governor Ronald Reagan, and our seal hereto affixed at

Sacramento, California this Sixteenth day of December, in the year of our Lord 1968.

By the Governor:

Ronald Reagan,
Governor of California.

Attest:
[SEAL] Frank M. Jordan,
Secretary of State.
H. P. Sullivan,
Assistant Secretary of State.

State of Illinois.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundrel sixty-eight, Everett McKinley Dirksen was duly chosen by the qualified electors of the State of Illinois, a Senator from said State, to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred sixty-nine.

Witness: His excellency our Governor Samuel H. Shapiro, and our seal hereto affixed at Springfield this third day of December, in the year of our Lord nineteen hundred sixty-eight.

By the Governor:

Samuel H. Shapiro,
Governor.
[SEAL] Paul Powell,
Secretary of State.

State of Kansas,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred sixty-eight Bob Dole was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred sixty-nine.

Witness: The Honorable Robert B. Docking, our Governor, and our seal hereto affixed at Topeka, this twenty-third day of December, in the year of our Lord nineteen hundred sixty-eight.

By the Governor:

Robert Blackwell Docking,
Governor.
[SEAL] Elwill M. Shanahan,
Secretary of State.

State of Colorado,
Executive Chambers, Denver.

To the President of the Senate of the United States:

This is to certify that on the Fifth day of November, 1968, Peter H. Dominick was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Third Day of January, 1969.

Witness: His excellency our Governor, John A. Love, and our seal hereto affixed at Denver, Colorado, this Eleventh Day of December, in the year of our Lord 1968.

By the Governor:

John A. Love,
Governor.

Attest:

Byran A. Anderson,
Secretary of State.

Executive Office,
Jefferson City, Mo.

To the President of the Senate of the United States:

This is to certify that on the Fifth day of November, 1968, Thomas F. Eagleton was duly chosen by the qualified electors of the State of Missouri a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness: His excellency, our governor Warren S. Hearnes, and our seal hereto affixed at Jefferson City, Missouri, this Thirtieth day of December, in the year of our Lord 1968.

By the Governor:

Warren E. Hearnes,
Governor.
[SEAL] James Kirkpatrick,
Secretary of State.

State of North Carolina,
Department of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Sam J. Ervin, Jr. was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His Excellency our Governor Dan K. Moore, and our seal hereto affixed at Raleigh, North Carolina, this 29th day of November, in the year of our Lord, 1968.

By the Governor:

Dan K. Moore,
Governor.
[SEAL] ——— ———,
Secretary of State.

State of Arkansas,
Office of the Governor,
Little Rock.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, J. W. Fulbright was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 3d day of January, 1969.

Witness: His excellency our Governor Winthrop Rockefeller, and our seal hereto affixed at Little Rock this 16th day of December, in the year of our Lord 1968.

W. Rockfeller,
Governor.
Killy Bryant,
Secretary of State.

State of Arizona,
Office of the Secretary.

To the President of the Senate of the United States:

This is to certify that on the 25th day of November, 1968, Barry Goldwater, was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness: His excellency our Governor, Jack Williams, and our seal hereto affixed at Phoenix, Arizona, this 25th day of November, in the year of our Lord 1968.

By the Governor:

Jack Williams,
Governor.
Wesley Bolin,
Secretary of State.

In Witness Whereof I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at Phoenix, the capital, this 25th day of November A.D. 1968.

[SEAL] Wesley Bolin,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Mike Gravel was duly chosen by the qualified electors of the State of Alaska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our Governor Walter J. Hickel, and our seal hereto affixed at Juneau this 23rd day of December, in the year of our Lord 1968.

By the Governor:

Walter J. Hickel,
Governor of Alaska.

Attest:
[SEAL] Keith H. Miller,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, A.D., 1968, Edward J. Gurney was duly chosen by the qualified electors of the State of Florida a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, A.D., 1969.

Witness: His excellency our Governor Claude R. Kirk, Jr., and our seal hereto affixed at Tallahassee, The Capitol, this fourteenth day of November, A.D., 1968.

By the Governor:

Claude R. Kirk, Jr.,
Governor.
[SEAL] Jim Adams,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, 1968, Ernest F. Hollings was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor Robert E. McNair, and our seal hereto affixed at Columbia, South Carolina, this twentieth day of November, in the year of our Lord 1968.

By the Governor:

Robert E. McNair,
Governor.
[SEAL] O. Frank Thornton,
Secretary of State.

State of Iowa,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, 1968, Harold E. Hughes was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness: His excellency our governor Harold E. Hughes, and our Seal hereto affixed at Des Moines, Iowa, this 16th day of December, in the year of our Lord 1968.

By the Governor:

Harold E. Hughes,
Governor.

Attest:
[SEAL] ——— ———,
Secretary of State.

State of New York,
Executive Chamber.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Jacob K. Javits was duly chosen by the qualified electors of the State of New York a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness His excellency our governor Nelson A. Rockefeller, and our seal hereto affixed this 10th day of December, in the year of our Lord 1968.

By the Governor:

Nelson A. Rockefeller,
Governor.
[SEAL] John P. Lomenzo,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Daniel K. Inouye was duly chosen by the qualified electors of the State of Hawaii a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1969.

Witness His excellency our governor, John A. Burns, and our seal hereto affixed at Honolulu, Hawaii, this 29th day of November, in the year of our Lord 1968.

By the Governor:

John A. Burns,
Governor of Hawaii.
[seal] Arthur Y. Park,
(For Lieutenant Governor of Hawaii).

State of Louisiana,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and sixty-eight Russell B. Long was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the ~~term~~ of six years, beginning on the third ~~day of~~ January, nineteen hundred and sixty-nine.

Witness: His Excellency, our Governor John J. McKeithen, and our Seal hereto affixed, at Baton Rouge, this 23rd day of November, in the year of our Lord, nineteen hundred and sixty-eight.

John J. McKeithen,
Governor.

By the Governor:
[seal] Wade O. Martin, Jr.,
Secretary of State.

State of Maryland.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Charles McC. Mathias was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His Excellency our Governor Spiro T. Agnew and our Seal hereto affixed at the City of Annapolis, this 10th day of December, in the year of Our Lord, One Thousand Nine Hundred and Sixty-eight.

Spiro T. Agnew,
Governor.
[seal] C. Hank Blair,
Secretary of State.

State of Washington,
Office of the Governor, Olympia.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and sixty-eight Warren G. Magnuson was duly chosen by the qualified electors of the State of Washington a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-nine.

In witness whereof I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this ninth day of December, A.D., nineteen hundred and sixty-eight.

Daniel J. Evans,
Governor of Washington.

By the Governor:

——— ———,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Robert W. Packwood, was duly chosen by the qualified electors of the State of Oregon a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our Governor, Tom McCall, and our seal hereto affixed at Salem, Oregon, this 4th day of December, in the year of our Lord 1968.

By the Governor:

Tom McCall,
Governor.
[seal] Clay Myers,
Secretary of State.

State of South Dakota,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, George McGovern was duly chosen by the qualified electors of the State of South Dakota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor Nils A. Boe, and our seal hereto affixed at Pierre this 30th day of December, in the year of our Lord Nineteen Hundred and Sixty-Eight.

By the Governor:

Nils A. Boe,
Governor.
[seal] Alma Larson,
Secretary of State.

State of Connecticut,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, nineteen hundred and sixty-eight Abraham A. Ribicoff was duly chosen by the qualified electors of the State of Connecticut a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-nine.

Witness: His Excellency our Governor, John Dempsey, and our seal hereto affixed at Hartford, this twenty-seventh day of November, in the year of our Lord nineteen hundred and sixty-eight.

John Dempsey,
Governor.
[seal] Ella T. Grasso,
Secretary of the State.

State of Wisconsin,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the Fifth day of November, nineteen hundred and sixty-eight, Gaylord Nelson was duly chosen by the qualified electors of the State of Wisconsin a Senator from said State to represent said State in the Senate of the United States for the full term of six years, commencing on the Third day of January, A.D., 1969.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this 27th day of November, in the year of our Lord one thousand nine hundred and sixty-eight.

Warren P. Knowles,
Governor.

By the Governor:
[seal] Robert C. Zimmerman,
Secretary of State.

State of Ohio.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November, 1968, William B. Saxbe was duly chosen by the qualified electors of the State of Ohio a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1969.

Witness: His Excellency our Governor James A. Rhodes, and our Seal hereto affixed at Columbus, Ohio, this thirteenth day of December, in the year of Our Lord nineteen hundred sixty-eight.

By the Governor:

James A. Rhodes,
Governor.
[seal] Ted W. Brown,
Secretary of State.

Commonwealth of Pennsylvania.

To the President of the Senate of the United States:

This is to certify that on the fifth day of November 1968, Richard S. Schweiker was duly chosen by the qualified electors of the State of Pennsylvania a Senator from said States to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1969.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-seventh day of December, in the year of our Lord one thousand nine hundred and sixty-eight, and of the Commonwealth the one hundred and ninety-third.

By the Governor:

Raymond P. Shafer,
Governor.
[seal] Joseph J. Kelley, Jr.,
Secretary of the Commonwealth.

State of Georgia.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Honorable Herman Eugene Talmadge was duly chosen (elected) by the qualified electors of the State of Georgia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

In witness whereof, I have hereunto set my hand and caused the Seal of the State to be affixed hereto, this 9th day of December, 1968.

Lester Maddox,
Governor.

Attest:
[seal] Ben W. Fortson, Jr.,
Secretary of State.

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 1968, Milton R. Young was duly chosen by the qualified electors of the State of North Dakota as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1969.

Witness: His excellency our governor William L. Guy, and our seal hereto affixed at this 26th day of November, in the year of our Lord 1968.

By the Governor:

William L. Guy,
Governor.
[seal] Ben Meier,
Secretary of State.

ADMINISTRATION OF OATHS

The VICE PRESIDENT. The Senators to be sworn in will now present themselves at the desk in groups of four, as their names are called, in alphabetical order. The Chair will administer the oath of office.

The clerk will call the names.

The legislative clerk called the names of Mr. Aiken, Mr. Allen, Mr. Bayh, and Mr. Bellmon.

These Senators, escorted by Mr.

Prouty, Mr. Sparkman, Mr. Hartke, and Mr. Harris, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Bennett, Mr. Bible, Mr. Church, and Mr. Cook.

These Senators, escorted by Mr. Moss, Mr. Cannon, Mr. Jordan of Idaho, and Mr. Cooper, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Cotton, Mr. Cranston, Mr. Dirksen, and Mr. Dole.

These Senators, escorted by Mr. McIntyre, Mr. Murphy, Mr. Percy, and Mr. Pearson, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Dominick, Mr. Eagleton, Mr. Ervin, and Mr. Fulbright.

These Senators, escorted by Mr. Allott, Mr. Symington, Mr. Jordan of North Carolina, and Mr. McClellan, respectively, advanced to the desk of the Vice Persident; the oath perscribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Goldwater, Mr. Gravel, Mr. Gurney, and Mr. Hollings.

These Senators, escorted by Mr. Fannin, Mr. Jackson, Mr. Holland, and Mr. Thurmond, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Hughes, Mr. Inouye, Mr. Javits, and Mr. Long.

These Senators, accompanied by Mr. Miller, Mr. Fong, Mr. Goodell, and Mr. Ellender, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Magnuson, Mr. Mathias, Mr. McGovern, and Mr. Nelson.

These Senators, escorted by Mr. Jackson, Mr. Tydings, Mr. Mundt, and Mr. Proxmire, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Packwood, Mr. Ribicoff, Mr. Saxbe, and Mr. Schweiker.

These Senators, escorted by Mr. Hatfield, Mr. Dodd, Mr. Young of Ohio, and Mr. Scott, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Stevens, Mr. Talmadge, and Mr. Young of North Dakota.

These Senators, escorted by Mr. Dirksen, Mr. Russell, and Mr. Burdick, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 1 Leg.]

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John J. Sparkman and James B. Allen.

Alaska.—Ted Stevens and Mike Gravel.

Arizona.—Paul J. Fannin and Barry Goldwater.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—George Murphy and Alan Cranston.

Colorado.—Gordon Allott and Peter H. Dominick.

Connecticut.—Thomas J. Dodd and Abraham A. Ribicoff.

Delaware.—John J. Williams and J. Caleb Boggs.

Florida.—Spessard L. Holland and Edward J. Gurney.

Georgia.—Richard B. Russell and Herman E. Talmadge.

Hawaii.—Hiram L. Fong and Daniel K. Inouye.

Idaho.—Frank Church and Len B. Jordan.

Illinois.—Everett M. Dirksen and Charles H. Percy.

Indiana.—Vance Hartke and Birch E. Bayh.

Iowa.—Jack Miller and Harold E. Hughes.

Kansas.—James B. Pearson and Robert Dole.

Kentucky.—John Sherman Cooper and Marlow W. Cook.

Louisiana.—Allen J. Ellender and Russell B. Long.

Maine.—Margaret Chase Smith and Edmund S. Muskie.

Maryland.—Joseph D. Tydings and Charles McC. Mathias, Jr.

Massachusetts.—Edward M. Kennedy and Edward W. Brooke.

Michigan.—Philip A. Hart and Robert P. Griffin.

Minnesota.—Eugene J. McCarthy and Walter F. Mondale.

Mississippi.—James O. Eastland and John Stennis.

Missouri.—Stuart Symington and Thomas F. Eagleton.

Montana.—Mike Mansfield and Lee Metcalf.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Norris Cotton and Thomas J. McIntyre.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Clinton P. Anderson and Joseph M. Montoya.

New York.—Jacob K. Javits and Charles E. Goodell.

North Carolina.—Sam J. Ervin, Jr., and B. Everett Jordan.

North Dakota.—Milton R. Young and Quentin N. Burdick.

Ohio.—Stephen M. Young and William B. Saxbe.

Oklahoma.—Fred R. Harris and Henry Bellmon.

Oregon.—Mark O. Hatfield and Robert W. Packwood.

Pennsylvania.—Hugh Scott and Richard S. Schweiker.

Rhode Island.—John O. Pastore and Claiborne Pell.

South Carolina.—Strom Thurmond and Ernest F. Hollings.

South Dakota.—Karl E. Mundt and George S. McGovern.

Tennessee.—Albert Gore and Howard H. Baker, Jr.

Texas.—Ralph W. Yarborough and John G. Tower.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Winston L. Prouty.

Virginia.—Harry F. Byrd, Jr., and William B. Spong, Jr.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—William Proxmire and Gaylord Nelson.

Wyoming.—Gale W. McGee and Clifford P. Hansen.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 1) which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints the Senator from Montana (Mr. MANSFIELD) and the Senator from Illinois (Mr. DIRKSEN) as the members of the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. DIRKSEN submitted the following resolution (S. Res. 2), which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. KENNEDY submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 3

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

COUNT OF ELECTORAL VOTES

Mr. JORDAN of North Carolina submitted the following concurrent resolution (S. Con. Res. 1), which was read, considered by unanimous consent, and agreed to, as follows:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Monday, the 6th day of January 1969, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President pro tempore of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President pro tempore of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A": and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President pro tempore of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The VICE PRESIDENT. In accordance with the provisions of Senate Concurrent Resolution 1, the Chair appoints the Senator from North Carolina (Mr. JORDAN) and the Senator from Nebraska (Mr. CURTIS) as tellers on the part of the Senate to count the electoral votes for President and Vice President of the United States on January 6, 1969.

CERTIFICATION OF ELECTORS FOR PRESIDENT AND VICE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a number of communications from the Administrator of General Services Administration, transmitting certified copies of the final ascertainment of the electors for President and Vice President from the several States. Without objection, these communications will be placed on file; and without objection, these communications, with the accompanying papers, will lie on the table.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in accordance with the established practice of the Senate, I wish to inform the Senate, in cooperation with the distinguished minority leader, that there will be no introduction of bills or resolutions or other matters of business transacted until after the President has delivered his annual message to the Congress.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I submit a resolution to elect a President pro tempore and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The clerk will state the resolution.

The legislative clerk read the resolution as follows:

S. RES. 4

Resolved, That the Honorable Richard B. Russell, a Senator from the State of Georgia, be, and he is hereby, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of the Senate adopted on the 12th day of March 1890 on the subject.

Without objection, the Senate proceeded to consider the resolution.

Mr. DIRKSEN. Mr. President, I submit an amendment to the resolution.

The VICE PRESIDENT. The amendment will be stated.

The legislative clerk read as follows:

Strike the name of Richard B. Russell and insert in lieu thereof the name of George D. Aiken.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Illinois.

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 4) was agreed to.

NOTIFICATION TO THE PRESIDENT OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I submit a resolution to notify the President of the United States of the election of our new President pro tempore, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 5

Resolved, That the President of the United States be notified of the election of Richard B. Russell, a Senator from the State of Georgia, as President of the Senate pro tempore.

Without objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 5) was agreed to.

NOTIFICATION TO THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I submit a resolution to notify the House of Representatives of the election of our new President pro tempore, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 6

Resolved, That the House of Representatives be notified of the election of Hon. Richard B. Russell, a Senator from the State of Georgia, as President of the Senate pro tempore.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 6) was considered and agreed to.

REPORT OF JOINT COMMITTEE ON NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD. Mr. President, for the committee appointed to join a similar committee on the part of the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and ready to proceed to business, I report that the President will deliver his message to Congress on the state of the Union at an appropriate time.

DEATH OF SENATOR E. L. BARTLETT

Mr. GRAVEL. Mr. President, I submit a resolution expressing the profound sorrow of the Senate upon learning of the death of the late Senator E. L. BARTLETT, of Alaska, and ask unanimous consent for its immediate consideration.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. Does the submission of the resolution represent the end of the phase of the organization of the Senate, and the beginning of the business of the Senate?

I ask that question because it is the understanding of the Senator from Michigan (Mr. Hart) and myself, as well as other Senators, that the rights of Senators who desire to seek a change in rule XXII under the Constitution of the United States will be preserved, notwithstanding these proceedings. I would greatly appreciate, therefore, the appropriate information from the Chair.

The **VICE PRESIDENT.** The Chair informs the Senator from New York that all of this action is being taken under a unanimous-consent resolution, by unanimous consent of the Senate, and in no way affects any of the rights of any Senator under the rules or under his constitutional rights. So it in no way impairs the opportunity of the Senator from New York or other Senators to offer resolutions which may be pertinent to proposed rule changes.

Mr. JAVITS. I am grateful to the Chair.

The **VICE PRESIDENT.** The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. Res. 7

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. E. L. Bartlett, late a Senator from the State of Alaska.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn.

The **VICE PRESIDENT.** Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 7) was considered and agreed to.

PROPOSED MODIFICATION OF RULE XXII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that notwithstanding the Senate's having convened to commence the 91st Congress, all proceedings, rights, and privileges concerning the effort to change rule XXII of the Standing Rules of the Senate be reserved, and that the proponents of such change not be prejudiced in any way pending the actual commencement or transaction of Senate business, provided that such action be proposed not later than Thursday next.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I am happy to yield.

Mr. HOLLAND. Does this mean that whether the President's state of the Union message has been delivered or not prior thereto, the resolution proposing a change of rule XXII must be filed on or before next Thursday, in order not to come after the present rules of the Senate are applicable?

Mr. MANSFIELD. It does.

Mr. HOLLAND. Mr. President, those of us who may oppose vigorously the change of rule XXII are quite agreeable to the Senate transacting its own business, and also handling the business in connection with the counting of the electoral vote. We have been informed that there will be some debate in connection with one feature of the tabulation of that vote. We would not want to interfere with that in any way, and it has seemed to us that agreeing to this unanimous-consent request requiring that any proposed resolution to change rule XXII must be filed on or before next Thursday, regardless of anything else that may occur, should adequately preserve all appropriate rights of every Senator and of the Senate.

In accordance with that view, we do not object to this unanimous-consent request.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. JAVITS. I merely wanted to express to the majority leader by appreciation of the accommodation of every Senator in this fashion.

The **VICE PRESIDENT.** Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

PAYMENT OF EXPENSES OF SENATORS ATTENDING THE FUNERAL OF THE LATE SENATOR BARTLETT

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The **VICE PRESIDENT.** The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. Res. 8

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of the Honorable E. L. Bartlett, late a Senator from the State of Alaska, on vouchers to be approved by the chairman of the Committee on Rules and Administration.

The **VICE PRESIDENT.** Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 8) was considered and agreed to.

PROGRAM

Mr. MAGNUSON. Mr. President, I wish the majority leader and the minority leader would, if they could, give the Members of the Senate a general, rough idea of what may be going on next week. I believe Senators on both sides of the aisle would be somewhat interested in that information, if the majority leader and the minority leader can give us such an idea.

Mr. MANSFIELD. May I say, in response to the request of the distinguished Senator from Washington, that neither the minority leader nor I have any clear idea of just what will happen next week, except that by Thursday a motion to change rule XXII will be filed. On Monday, at the joint session, a motion will be made by the distinguished Senator from Maine relative to the electoral college and its application. We have received no word from the President as yet as to when he will deliver the state of the Union message, or how, and therefore we can only say that we do not look forward to a great deal of activity next week.

Mr. MAGNUSON. I thank the Senator on behalf of myself and the other Senators.

CHALLENGE TO THE FAITHLESS ELECTOR

Mr. MUSKIE. Mr. President, I should like to take just a moment to alert my fellow Senators on both sides of the aisle to the questions which will be raised on Monday with respect to the challenge of the electoral vote of a North Carolina presidential elector.

On Monday, January 6, the Senate and the House of Representatives will meet in joint session to determine the count of electoral votes for President and Vice President of the United States.

Under ordinary circumstances this would be a ceremonial function. But this year, in the midst of increasing demands for reform of the presidential election system, for only the sixth time in the history of the Republic we are confronted with a presidential elector who rejected the mandate of the people who elected him.

Representative O'Hara, of Michigan, and I, together with a number of our colleagues, intend to challenge the vote of that elector.

The elector in question, Dr. Lloyd W. Bailey, of Rocky Mount, N.C., was appointed by the Republican Party of North Carolina to cast his vote for the Republican nominees for President and Vice President, should they be the choice of a plurality of the voters of North Carolina. A plurality of North Carolina voters did vote for Richard M. Nixon and Spiro T. Agnew, but Dr. Bailey chose to substitute his own judgment for that of the voters of North Carolina.

He did so in defiance of the voters of his State, the 12th amendment to the Constitution, and North Carolina law.

Dr. Bailey's vote does not affect the outcome of the 1968 presidential election. It does have implication for future elections.

I intend to work with Senators in correcting the present limitations on the public will in our Presidential selection process. But while we are preparing for that reform we should serve notice that Congress will not countenance efforts to upset the results of a popular election of the President.

Dr. Bailey was not elected by the voters of North Carolina to exercise his independent judgment. His name did not appear on the ballot. His qualifications to make an independent judgment were not an issue.

I do not intend to discuss the substance of that question in the Senate today, but I should like to alert Senators to the fact that under the statute which now governs the procedure to be followed, the requirements governing debate are very rigid. For example, debate may not continue for more than 2 hours.

Second, no Senator may speak for more than 5 minutes nor more than once. Obviously, unless some way is found, with the cooperation of the Parliamentarian, to liberalize those conditions, the debate, once the issue has been laid before the Senate, will be under very difficult circumstances, circumstances with which Senators are not accustomed to deal.

So in order to perform the educational function which those of us who raise the issue desire to perform, it has been agreed by the leadership that the Senate will meet at 10:30 on Monday morning. That will be before the issue is laid before the Senate. Thus we shall have an hour and a half for the purpose of exposing the issue without the limitations on debate which I think we shall be faced with on Monday afternoon. So if Senators desire to participate in the exposure of this issue, I would urge their attendance at 10:30 Monday morning.

If it is possible, in the meantime, to find a way to liberalize the conditions of debate on Monday afternoon, we will implement them. But I am rather pessimistic about that.

Nevertheless, we have an opportunity, acting from nonpartisan considerations and proceeding at a time when our decision will not disturb the choice of the next President of the United States, to establish a precedent which can lead us closer to a more democratic, responsive, and safe system for selecting the Chief Executive of our Nation.

The year 1968 was a year of turmoil and anxiety, in which many of us feared for the safety of the Republic. The voters made their choice, and fortunately the choice was clear enough to avoid a constitutional crisis.

Remembering what might have been, however, we have an obligation to do everything we can to insure against such a crisis in the future, by voting next Monday to reject the vote of the "faithless elector."

Mr. President, I ask unanimous consent to have printed in the RECORD certain material bearing on the substance of this question, so that Senators may have easy access to it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Raleigh (N.C.) News-Observer, Dec. 16, 1968]

STATE ELECTOR TO BACK WALLACE

ROCKY MOUNT.—Dr. Lloyd W. Bailey, a Republican presidential elector who intends to withhold his vote from President-elect Richard Nixon and cast it for George Wallace, said Sunday he is still a Republican but is "an American and a concerned father first."

The Republican elector said he kept a Wallace sticker on the bumper of his car during the campaign, but said, "I was not an active campaigner for any candidate." He added, "My position is my own and I have no idea if any of the other electors intend to cast their vote for Wallace." Dr. Bailey said he does not personally know any of the other electors.

The Rocky Mount physician, father of three children, said his decision to vote for third-party candidate Wallace was based on three factors:

1. An effort to stress his belief in the importance of the Electoral College.

2. His conviction that Nixon does not intend to produce changes in Washington which are desired by the people.

3. The strong vote Wallace received in the 2nd Congressional District, from which Bailey had been chosen by the Republican party as a presidential elector. Wallace carried the district.

Dr. Bailey agreed it was premature to speculate what action the Republican party might take against him later.

The State's 13 Republican electors will meet at noon today in the House of Representative chambers in Raleigh to cast the State's electoral votes for president and vice-president. A similar process will be carried out in all other states.

President-elect Nixon and his running mate Agnew won North Carolina's 13 electoral votes in the Nov. 5 election. He is the first Republican to carry the State since 1928.

One Republican elector was selected at each of the GOP's 11 district conventions, with two selected at-large by the State Republican Convention. They were officially proclaimed by Democratic Governor Moore on Dec. 4.

The electors are:

A. W. (Billy) Houtz, 1st District; Dr. Bailey, 2nd District; Sam E. Godwin, 3rd District; Russell N. Barringer, 4th District; H. F. Stanley, 5th District; James Rodgers, 6th District; J. T. Clemons, 7th District; W. S. Bogle, 8th District; R. Powell Majors, 9th District; Edward H. Smith, 10th District; R. Curtis Ratcliff, 11th District; and H. J. Liverman and Mrs. Dorothy Presser Furr, at-large.

[From the Raleigh (N.C.) News-Observor, Dec. 17, 1968]

STATE ELECTORS GIVE NIXON 12, WALLACE ONE

(By Russell Clay)

North Carolina's Electoral College delegation voted 12–1 for President-elect Richard M. Nixon here Monday at a session plagued by a leadership vacuum as well as a defection to George Wallace.

Dr. Lloyd W. Bailey, a Rocky Mount physician and member of the rightist John Birch Society, voted for the third party ticket of Wallace and Gen. Curtis LeMay.

The meeting, first of its kind in 40 years at which Republicans have held sway, was delayed an hour and a quarter by the absence of anyone acquainted with the procedures involved, the absence of a judge to administer the electors; oaths, and by an error in the minutes which had been prepared in advance.

State GOP Chairman Jim Holshouser of Boone had the flaws in the minutes corrected, rounded up a judge—Chief Judge Raymond Mallard of the Court of Appeals—and got the meeting under way as temporary chairman.

"I really shouldn't be standing up here—this is a function which for years has been a function of the State government" Holshouser told the gathering in the House chamber of the State Legislative Building. "I'm sorry the secretary of state or somebody from the Governor's office is not here."

EURE SICK

Democratic Secretary of State Thad Eure, who usually gives direction to the quadrennial proceedings, was home with the Hong Kong flu. Tom Walker, an aide to Democratic Governor Moore, delivered the prescribed documents to the meeting at the appointed hour of noon, gave an oral rundown on the order of business to be followed and then left.

It was 1:15 p.m. before Mallard administered the oaths, first to a group of 12 electors and then to a last-minute substitute.

The 12 piled their hands atop the only Bible available—one Mallard brought with him—and took their oaths.

The 13th, sworn separately, was Mrs. R. Curtis Ratcliff of the 11th Congressional District, who was elected to replace her husband rather than have him lose his job.

Ratcliff is clerk of the Buncombe County Superior Court and, under the double office-holding prohibitions of State law, would have vacated his oath as court clerk if he had taken the oath as presidential elector.

MINUTES CHANGED

The minutes of the meeting, prepared in advance by the State attorney general's office, were drafted on the assumption that all 13 of the GOP electors would cast their votes for the GOP ticket of Nixon and Spiro Agnew.

Dr. Bailey, elector from the Second Congressional District, held out for the American Party ticket, saying in a prepared statement that Nixon "has already clearly shown to us that we are going to have more of the same thing."

Bailey, questioned in an interview, said he is "a proud member of the John Birch Society" as well as "the Republican Party, the Boy Scouts, the Rotary Club and the Medical Society."

Bailey prefaced his comment by asking if his membership in the Birch group "is important" to the issue at hand. Afterwards, he observed that certain groups are "always trying to smear the John Birch Society."

Some sharp criticism of Bailey's position was voiced in interviews by fellow members of the delegation of electors.

Seventh District Elector J. T. Clemons of Shallotte said: "I think he's all wet, publicity hungry, radical . . ."

Fourth District Elector Russell Barringer Sr. of Durham, who served as permanent chairman of the meeting, said, gesturing upward with both hands: "I just don't know."

Party Chairman Holshouser commented:

"I think it's unfortunate that Dr. Bailey did not see his duty to the people of the State of North Carolina to cast his vote in accordance with the vote of the people in the General Election. It actually points out another defect in the Electoral College system. I think it illustrates a need for some serious consideration of at least some reforms in the Electoral College system and possibly in State law."

North Carolina, unlike some states, has no legal requirement for the electors to vote for the ticket which carries the State in the general election.

CARE IN FUTURE

First District Elector A. W. (Billy) Houtz of Elizabeth City said of Bailey's position: "It will be incumbent upon future Republican district conventions to be a little more careful in the election of electors . . . I can't criticize him too much, except that I don't agree with him."

Nixon was nominated by Sixth District Elector James Rodgers. Houtz nominated Agnew for vice president.

Dr. Bailey nominated Wallace for President and LeMay for vice president but did not get a second to either motion. Four separate roll call votes were taken, however, with only Bailey voting against Nixon and Agnew and only Bailey voting for Wallace and LeMay.

Bailey, who said he plans to remain a registered Republican, issued a statement saying: "Though it may not be the popular thing to do, I humbly take this position with the firm belief that it is my moral obligation to do so."

Some of Nixon's appointees to staff positions "are members of the un-American and infamous Council on Foreign Relations," Bailey said. They include Paul W. McCracken, Henry Cabot Lodge, Robert Murphy and Henry A. Kissinger. This organization, called the Invisible Government by Dan Smoot in his book by this title, is one which seeks to undermine our national sovereignty and merge us with the other nations under a world government, perhaps like the United Nations . . .

"It is apparent that we are going to have the same men running our government in spite of the large vote against their policies. Daniel Moynihan, a national board member of the Americans for Democratic Action, a leftwing Democrat, is another appointee to a high position and it is abundantly clear from his record that he would not want to make any change toward Americansim and constitutional government for our Republic. . . .

DEFENDS ELECTORAL COLLEGE

"The Electoral College is under fire as being antiquated. However, I wonder how many people stop to think of the fact that if it were not for the Electoral College, the federal government would run the elections and would be responsible for counting the votes. . . .

"In view of these facts, and in view of the fact that Mr. Wallace polled 46.1 per cent of the vote in my district, I find that I cannot support Mr. Nixon until he gives definite evidence that he intends to make the changes which the people are demanding," Mr. Bailey said.

Bailey, who had been expected to hold out for Wallace, said: "I have been harassed and threatened all day (Sunday) by anonymous telephone calls." The callers, he said, "told me I'd better change my mind."

Wallace, Bailey said, "more nearly reflects the attitude toward our Constitution that is needed today."

The sealed vote of the Tar Heel electors, like that cast at simultaneous meetings held in all other state capitals, was sent to Washington. The votes will be tabulated Jan. 6 by Congress.

MEMORANDUM IN SUPPORT OF AN OBJECTION TO COUNTING THE VOTE OF A NORTH CAROLINA ELECTOR, JANUARY 6, 1969

I. HISTORICAL BACKGROUND

The office of Presidential elector was undeniably visualized by Article II, Section 1 of the Constitution as being one of judgment and independence. The Founding Fathers clearly intended that the electors should be chosen for their good judgment and discerning knowledge of public men and issues, and that they should elect the President, in fact as well as in form.

But the electoral function began to evolve in another direction almost as soon as the Constitution was put into effect. In the first two elections, it was clearly understood that the electors would cast one vote for George Washington, and limit their discretion to their second choice—who would, under the original Constitutional provisions, become Vice-President. The electors in 1788 and 1792 did precisely this.

In 1796, the party system had begun to develop, and electors were uniformly chosen pledged to particular candidates. The first "faithless elector" case arose in Pennsylvania in that year when one Samuel Miles, chosen as a Federalist, pledged to John Adams, voted instead for Thomas Jefferson. One of his constituents voiced the view which was already current among the American people and which has since become a universal assumption when he said:

"Do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chuse him to act, not to think."

In the election of 1800, the principle of the pledged elector was so firmly established that 73 electors, chosen in States ranging the length and breadth of the Union, cast their votes uniformly for Jefferson and Burr, giving rise to an unexpected tie for the Presidency, which had to be resolved by the House of Representatives.

Far from looking upon the 1800 deadlock as some strange anomaly, the people of the time assumed that unless some action were taken every Presidential election would, under the provisions of Article II, Section 1, be thrown into the House of Representatives. To avoid this, the Congress in 1803 submitted to the States the Twelfth Amendment, altering the original Constitutional provisions and instructing the electors to distinguish in their votes between the Presidential and Vice-Presidential candidates. The Twelfth Amendment continues to be the basis for the operation of the electoral college, and for the count of the electoral vote in a joint session of the Congress.

The Members of the Congress who participated in the debates on the Twelfth Amendment made it perfectly clear that they understood the electors to be instructed "agents" of the people—and that the choice of a President was to be made by the people themselves.

In 1826, the present system of bound electors, without a will of their own, was so thoroughly engrafted upon the system that Senator Thomas Hart Benton, speaking for a select Committee appointed to consider proposed amendments to the Constitution, could say in a Report to the Senate:

"(The electors) have degenerated into mere agents, in a case which requires no agency, and where the agent must be useless if he is faithful, and dangerous if he is not." (Senate Report No. 22, 19th Congress, 1st Session. January 19, 1826.)

In 1876, the present electoral system, faithfully adhered to on all sides, resulted in the controversial near-deadlock of Hayes and Tilden. In that tense year, with the possibility openly discussed that civil war might be resumed, a very intricate system of testing the validity of electoral votes was devised, and far-reaching political understandings were made to resolve the impasse. But even in this critical juncture, appeals to electors to change their votes and to exercise an independent judgment were wholly unsuccessful. James Russell Lowell, a Hayes elector from Massachusetts, was urged to change his vote to Tilden, but rejected the suggestion with these words:

"In my own judgment, I have no choice, and am honor bound to vote for Hayes, as the people who chose me expected me to do. They did not choose me because they had confidence in my judgment, but because they thought they knew what the judgment would be. If I had told them that I would vote for Tilden, they would never have nominated me. It is a plain question of trust."

Since the foundation of the Republic, 16,510 electors have been chosen to perform this formal duty. Only six of these votes have been cast in derogation of that duty.

II. LEGAL AND CONSTITUTIONAL ISSUES

Clearly the provisions of Article II and the 12th amendment do not require that electors be permitted to exercise independent judgment. In the 1952 case of *Ray* v. *Blair* (343 U.S. 214) the Supreme Court upheld the Alabama practice of requiring pledges of persons seeking nomination as presidential electors against such a claim.

The North Carolina law governing this situation certainly contemplates that the electors will vote for the nominees of their party.

In 1933 that state removed the names of candidates for elector from the ballot and instituted a system under which candidates for elector are named by party convention and are deemed to be appointed if the nominees of their party receives a plurality of the votes cast for President and Vice President. (N.C. Gen. Stats. (Supp. 1967 Sec. 163–209)).

In a contemporary comment on the purpose of the change the *North Carolina Law Review* said:

"Here, the legislature, acting under its plenary power of determining the method of appointing Presidential electors has attained the desirable object of direct voting for President and Vice President . . ." (11 *N.C. Law Review* 229)

Obviously North Carolina voters have been led to believe that they are voting for the presidential candidates named upon the ballot, a fact that we cannot in good conscience ignore.

Indeed, just a few months ago the Supreme Court directed that the name of George Wallace be placed on the Ohio ballot in spite of his failure to submit his petitions by the deadline or to hold a primary election as required by state law. The Court based its ruling upon the "equal protection" provision of the Fourteenth Amendment holding that it protected the right of voters "to cast their votes effectively". (*Williams* v. *Rhodes*, Nos. 543 to 544, Oct. 1968)

The failure of a presidential elector to support the candidate the people thought, with good reason, that they had supported is a more blatant violation of their right "to cast their votes effectively" in a presidential election.

III. POWER OF CONGRESS TO ACT

The Congress has the power and the duty to act in such a situation and has, in the past, settled disputes about electoral votes, most notably in the count of electoral votes in the Hayes-Tilden election of 1876.

This congressional duty arises from its constitutional role in the counting of electoral votes and from Article I, Section 8 of the Constitution which authorizes the Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any Department or officer thereof." That this applies to the election of a President is clearly confirmed by the decisions in *Ex Parte Yarborough*, 110 U.S. 651 and *Burroughs* v. *U.S.* 290 U.S. 534.

The Electoral Count Law (3 USC, Chapter I) under which we shall proceed was enacted in 1887 in an effort to codify congressional proceedings in electoral count cases which had been, prior to that time, undertaken under a set of Joint Rules. Section 15 of the Electoral Count Law (3 U.S.C. 15) provides:

"Upon such reading of any such certificates or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any state which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified."

It is our position that the vote of the faithless elector of North Carolina was not "regularly given" and that it should not be counted. We propose instead that all thirteen of North Carolina's electoral votes be awarded to the candidate for whom a plurality of North Carolinians actually voted—Richard M. Nixon.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING THE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be empowered to receive messages from the House of Representatives or any other source during the period of adjournment between now and Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10:30 A.M. ON MONDAY, JANUARY 6, 1969

Mr. MANSFIELD. Mr. President, in accordance with Senate Resolution 7, and as a further mark of respect to the memory of the late Senator BARTLETT, I move that the Senate do now adjourn until 10:30 a.m. on Monday next.

The motion was unanimously agreed to; and (at 12 o'clock and 53 minutes p.m.) the Senate adjourned until Monday, January 6, 1969, at 10:30 a.m.

HOUSE OF REPRESENTATIVES—*Friday, January 3, 1969*

This being the day fixed by the 20th amendment of the Constitution for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 91st Congress met in their Hall, and at 12 o'clock noon were called to order by the Clerk of the House of Representatives, Hon. W. Pat Jennings.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

"Behold," saith the Lord, "I have set before thee an open door."—Revelation 3: 8.

Eternal God, our Father, as we enter the door of a new year and of a new Congress we pause in Thy presence to offer unto Thee the devotion of our hearts and to pray for guidance, strength, and wisdom as we face the crucial days that lie ahead.

In this high hour of a new beginning give to us, the leaders of our people, a deep sense of humility, a broad spirit of understanding, a great attitude of good will, and a real faith in Thee that we may govern well for the good of all and that freedom and justice may live long in our land.

Bless Thou our President as he leaves office ere long and our President-elect as he assumes his responsibilities. In this time of transition may there be a spirit of unity among us and may we go forward together to a greater nation and a better world.

We pray in the name of Him who taught His disciples to pray, "Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, in earth as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen."

The CLERK. Representatives-elect to the 91st Congress: This is the day fixed by the 20th amendment of the Constitution for the annual meeting of the Congress of the United States and for the 91st Congress.

As the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect.

Credentials covering the 435 seats in the 91st Congress have been received and are now on file with the Clerk of the 90th Congress.

The names of those persons whose credentials show they were regularly elected in accordance with the laws of the several States and of the United States will be called; and as the roll is called, following the alphabetical order of the States, beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether or not a quorum is present.

The reading clerk will call the roll.

The Clerk called the roll by States and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA

Edwards, Jack
Dickinson
Andrews, George W.
Nichols
Flowers
Buchanan
Bevill
Jones, Robert E., Jr.

ALASKA

Pollock (at large)

ARIZONA

Rhodes
Udall
Steiger, Sam

ARKANSAS

Alexander
Mills
Hammerschmidt
Pryor, David

CALIFORNIA

Clausen, Don H.
Johnson, Harold T.
Moss
Leggett
Burton, Phillip
Mailliard
Cohelan
Miller, George P.
Edwards, Don
Gubser
McCloskey
Talcott
Teague, Charles M.
Waldie
McFall
Sisk
Anderson, Glenn M.
Mathias
Holifield
Smith, H. Allen
Hawkins
Corman
Clawson, Del
Lipscomb
Wiggins
Rees
Reinecke
Bell
Brown, George E., Jr.
Roybal
Wilson, Charles H.
Hosmer
Pettis
Utt
Wilson, Bob
Van Deerlin
Tunney

COLORADO

Rogers, Byron G.
Brotzman
Evans, Frank E.
Aspinall

CONNECTICUT

Daddario
St. Onge
Giaimo
Weicker
Monagan
Meskill

DELAWARE

Roth (at large)

FLORIDA

Sikes
Fuqua
Bennett
Chappell
Frey
Gibbons
Haley
Cramer
Rogers, Paul G.
Burke, J. Herbert
Pepper
Fascell

GEORGIA

Hagan
O'Neal, Maston
Brinkley
Blackburn
Thompson, Fletcher
Flynt
Davis, John W.
Stuckey
Landrum
Stephens

HAWAII

(at large)

Matsunaga
Mink

IDAHO

McClure
Hansen, Orval

ILLINOIS

Dawson
Mikva
Murphy, William T.
Derwinski
Kluczynski
Ronan
Annunzio
Rostenkowski
Yates
Collier
Pucinski
McClory
Rumsfeld
Erlenborn
Reid, Charlotte T.
Anderson, John B.
Arends
Michel
Railsback
Findley
Gray
Springer
Shipley
Price, Melvin

INDIANA

Madden
Landgrebe
Brademas
Adair
Roudebush
Bray
Myers, John T.
Zion
Hamilton
Dennis
Jacobs

IOWA

Schwengel
Culver
Gross
Kyl
Smith, Neal
Mayne, Wiley
Scherle

KANSAS

Sebelius
Mize
Shriver
Winn
Skubitz

KENTUCKY

Stubblefield
Natcher
Cowger
Snyder
Carter
Watts
Perkins

LOUISIANA

Hébert
Boggs
Caffery
Waggonner
Passman
Rarick
Edwards, Edwin W.
Long, Speedy O.

MAINE

Kyros
Hathaway

MARYLAND

Morton
Long, Clarence D.
Garmatz
Fallon
Hogan
Beall
Friedel
Gude, Gilbert

MASSACHUSETTS

Conte
Boland
Philbin
Donohue
Morse
Bates
Macdonald, Torbert H.
O'Neill, Thomas P., Jr.
McCormack
Heckler, M. M.
Burke, James A.
Keith

MICHIGAN

Conyers
Esch
Brown, Garry
Hutchinson
Ford, Gerald R.
Chamberlain
Riegle
Harvey, James
Vander Jagt
Cederberg
Ruppe
O'Hara
Diggs
Nedzi
Ford, William D.
Dingell
Griffiths
Broomfield
McDonald, Jack H.

MINNESOTA

Quie
Nelsen
MacGregor
Karth
Fraser
Zwach
Langen
Blatnik

MISSISSIPPI

Abernethy
Whitten
Griffin
Montgomery
Colmer

MISSOURI

Clay
Symington
Sullivan
Randall
Bolling
Hull
Hall
Ichord
Hungate
Burlison, Bill D.

MONTANA

Olsen
Battin

NEBRASKA

Denney
Cunningham
Martin

NEVADA

Baring (at large)

NEW HAMPSHIRE

Wyman
Cleveland

NEW JERSEY

Hunt
Sandman
Howard
Thompson, Frank
Frelinghuysen
Cahill
Widnall
Joelson
Helstoski
Rodino
Minish
Dwyer
Gallagher
Daniels, Dominick
Patten

NEW MEXICO

Lujan
Foreman

NEW YORK

Pike
Grover
Wolff, Lester
Wydler
Lowenstein
Halpern
Addabbo
Rosenthal
Delaney
Celler
Brasco
Chisholm
Podell
Rooney, John J.
Carey
Murphy, John M.
Koch
Powell
Farbstein
Ryan, William F.
Scheuer
Gilbert
Bingham
Biaggi
Ottinger
McKneally
Fish
Button, Daniel

King
McEwen
Pirnie
Robison
Hanley
Stratton
Horton
Conable
Hastings
McCarthy
Smith, Henry P.
Dulski

NORTH CAROLINA

Jones, Walter B.
Fountain
Henderson
Galifianakis
Mizell
Preyer, Richardson
Lennon
Ruth
Jonas
Broyhill, James T.
Taylor

NORTH DAKOTA

Andrews, Mark
Kleppe

OHIO

Clancy
Whalen
McCulloch
Latta
Harsha
Brown, Clarence
Betts
Ashley
Miller, Clarence E.
Stanton
Devine
Ayres
Wylie
Bow
Ashbrook
Hays
Kirwan
Feighan
Stokes
Vanik
Minshall

OKLAHOMA

Belcher
Edmondson
Albert
Steed
Jarman
Camp

OREGON

Wyatt
Ullman
Green, Edith
Dellenback

PENNSYLVANIA

Barrett
Nix
Byrne, James A.
Eilberg
Green, William J.
Yatron
Williams
Biester
Watkins
McDade
Flood
Whalley
Coughlin
Moorhead
Rooney, Fred B.
Eshleman
Schneebeli
Corbett
Goodling
Gaydos
Dent
Saylor
Johnson, Albert W.
Vigorito
Clark
Morgan
Fulton, James G.

RHODE ISLAND

St Germain
Tiernan

SOUTH CAROLINA

Rivers
Watson
Dorn
Mann
Gettys
McMillan

SOUTH DAKOTA

Reifel
Berry

TENNESSEE

Quillen
Duncan
Brock
Evins, Joe L.
Fulton, Richard
Anderson, William R.
Blanton
Everett
Kuykendall

TEXAS

Patman
Dowdy
Collins
Roberts
Cabell
Teague, Olin E.
Bush
Eckhardt
Brooks
Pickle
Poage
Wright
Purcell
Young
de la Garza
White
Burleson, Omar
Price, Robert
Mahon
Gonzalez
Fisher
Casey
Kazen

UTAH

Burton, Laurence J.
Lloyd

VERMONT

Stafford (at large)

VIRGINIA

Downing
Whitehurst
Satterfield
Abbitt
Daniel, W. C.
Poff
Marsh
Scott
Wampler
Broyhill, Joel T.

WASHINGTON

Pelly
Meeds
Hansen, Julia B.
May, Catherine
Foley
Hicks
Adams

WEST VIRGINIA

Mollohan
Staggers
Slack
Hechler, Ken
Kee

WISCONSIN

Schadeberg
Kastenmeier
Thomson, Vernon W.
Zablocki
Reuss
Steiger, William A.
Laird
Byrnes, John W.
Davis, Glenn R.
O'Konski

WYOMING

Wold, John (at large)

The Clerk. The rollcall discloses that 430 Representatives-elect have answered to their names.

A quorum is present.

STATEMENT REGARDING CERTAIN CREDENTIALS

The Clerk. The Clerk will state that credentials are on file showing the election of the Honorable Jorge L. Cordova as Resident Commissioner from the Commonwealth of Puerto Rico.

ELECTION OF SPEAKER

The Clerk. The next order of business is the election of a Speaker of the House of Representatives for the 91st Congress.

Nominations are now in order.

Mr. ROSTENKOWSKI. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the vote of the caucus to present for election to the office of the Speaker of the House of Representatives of the 91st Congress the name of the Honorable John W. McCormack, a Representative-elect from the Commonwealth of Massachusetts.

Mr. ANDERSON of Illinois. Mr. Clerk, as chairman of the House Republican conference and by authority, by direction, and by unanimous vote of the Republican conference, I nominate for Speaker of the House of Representatives, the Honorable Gerald R. Ford, a Representative-elect from the State of Michigan.

The Clerk. The Honorable John W. McCormack, a Representative-elect from the State of Massachusetts, and the Honorable Gerald R. Ford, a Representative-elect from the State of Michigan, have been placed in nomination.

Are there further nominations? (After a pause.) There being no further nominations, the Clerk will appoint tellers.

The Clerk appoints the gentleman from Maryland (Mr. Friedel), the gentleman from California (Mr. Lipscomb), the gentlewoman from Missouri (Mrs. Sullivan), and the gentlewoman from Illinois (Mrs. Reid).

Tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their name will indicate by surname the nominee of their choice.

The reading clerk will call the roll.

The tellers having taken their places, the House proceeded to vote for Speaker.

The following is the result of the vote:

[Roll No. 2]

McCormack

Abbitt
Abernethy
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Aspinall
Baring
Barrett
Bennett
Bevill
Biaggi
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Cabell
Caffery
Carey
Casey
Celler
Chappell
Chisholm
Clark
Clay
Cohelan
Colmer
Conyers
Corman
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flood
Flowers
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Hagan
Haley
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Howard
Hull
Hungate
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Kirwan
Kluczynski
Koch
Kyros
Landrum
Leggett
Lennon
Long, La.
Long, Md.
Lowenstein
McCarthy
McFall
McMillan
Macdonald, Mass.
Madden
Mahon
Mann
Marsh
Matsunaga
Meeds
Mikva
Miller, Calif.
Mills
Minish
Mink
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Podell
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Randall
Rarick
Rees
Reuss
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Satterfield
Scheuer
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taylor
Teague, Tex.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Watts
White
Whitten
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young
Zablocki

Ford, G. R.

Adair
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Beall
Belcher
Bell
Berry
Betts
Biester
Blackburn
Bow
Bray
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Camp
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Cunningham
Davis, Wis.
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fish
Foreman
Frelinghuysen
Frey
Fulton, Pa.
Goodling
Gross
Grover
Gubser
Gude
Hall
Halpern
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Heckler, Mass.
Hogan
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King
Kleppe
Kuykendall
Kyl
Laird
Landgrebe
Langen
Latta
Lipscomb
Lloyd
Lujan
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McKneally
MacGregor
Mailliard
Martin
Mathias
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Mizell
Morse
Morton
Myers
Nelsen
O'Konski
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Reid, Ill.
Reifel
Reinecke
Rhodes
Riegle
Robison
Roth

Roudebush
Rumsfeld
Ruppe
Ruth
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Weicker
Whalen
Whalley
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

ANSWERED "PRESENT"—2

Ford, Gerald R.
McCormack

The Clerk. The tellers agree on their tallies. The total number of votes cast is 428, of which the Honorable John W. McCormack, of Massachusetts, received 241 and the Honorable Gerald R. Ford received 187.

Therefore, the Honorable John W. McCormack, of Massachusetts, is the duly elected Speaker of the House of Representatives for the 91st Congress, having received a majority of the votes cast.

The Clerk appoints the following committee to escort the Speaker-elect to the chair: the gentleman from Michigan (Mr. Gerald R. Ford), the gentleman from Illinois (Mr. Arends), the gentleman from Oklahoma (Mr. Albert), the gentleman from Louisiana (Mr. Boggs), and the gentleman from Massachusetts (Mr. Philbin).

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 91st Congress, who was escorted to the chair by the committee of escort.

Mr. GERALD R. FORD. Mr. Speaker, and old friends and new friends on both sides of the aisle, I stand before you today as the acknowledged champion among those who have tried to unseat the gentleman from Massachusetts from the Speaker's chair. There is nobody in this room who has tried harder nor oftener than I have, so I speak with the voice of experience when I say it is not an easy task. But I refuse to admit that three times is out.

Ever since the early morning hours of November 6, when like many Americans I had some difficulty getting to sleep, I have been pondering what I might say today that I have not already said on previous occasions about the pleasure of being defeated by our beloved Speaker. It is not an easy task to be gracious and magnanimous in defeat, although I may say in passing that both of our political parties in recent years have produced high examples of good losers in close presidential elections. But, it is an even sterner test of statesmanship and character to be magnanimous and gracious in victory—and for whatever comfort and consolation it may be to any of my colleagues I can testify that the distinguished gentleman from Massachusetts has always been magnanimous and gracious to me—every time I have tried to take his gavel from him in the American political arena.

Reserving the right to try again in 1970, Mr. Speaker, may I congratulate you most warmly on behalf of myself and my Republican colleagues who voted against you. I assure you that as far as we are concerned, certainly, you may believe that we hold you in the highest respect and regard. There was absolutely nothing personal in the rollcall just recorded. Naturally, I hope it is not habit forming, but if I have to lose any election, there is nobody I would rather lose to than the gentleman from Massachusetts. In passing, let me add I have gained on him a little every time.

The 1968 election is behind us, the American people have spoken, and the 91st Congress is going through its birth pains. In this body, at least, each new Congress is a new creation of the electorate. It bears a strong family resemblance to its ancestors, but it is also different and unique. It comes, as the late, great Sam Rayburn said, every 2 years fresh from the American people. And the people will, I am sure, be as gratified as I was to read in this morning's Washington newspaper that they, and we, Mr. Speaker, have moved a fraction of an inch into the 20th century.

I did not have time to read the whole newspaper analysis, and I choose to hope that this headline referred to the somewhat increased ratio of Members on my side of the aisle, though I am not certain this was precisely Dave Broder's line of thought.

But I, for one, believe I see the 20th century mirrored in this room today. I can almost feel the tremendous problems and difficult challenges that the old year left upon all our doorsteps. As I see among us today many of our young sons and daughters, through the thoughtfulness of our Speaker, I think that we are not only seized of the 20th century but closing fast upon the 21st. And I think we are all, regardless of age or party or the constituency from which we come, determined to resolve for the 21st century and that generation our pressing national problems and to manfully meet for them the severe challenges of our own 20th century.

Nobody is more dedicated to this monumental task than you, Mr. Speaker, and I pledge myself once again to work with you and with the new administration toward the goal of a better and more unified America. I was delighted to hear the Speaker pledge on television last night that the majority Members in this body will be cooperative and constructive in their attitude toward the new Republican administration which the American people have chosen to lead us in the years ahead. I was delighted, but not surprised, because I know that our Speaker has never been a sunshine soldier or a summer patriot.

My congratulations to all of my colleagues who have successfully submitted their record of service to their constituents, and a very special welcome to the new Members of the 91st Congress on both sides of the aisle. You are embarking upon a most exciting, a most demanding, and a most satisfying job—one which demands an extra measure of energy and judgment and plain hard work—the job of speaking for hundreds of thousands of Americans who have given you their verdict of trust. Never let them and their best interests out of your mind, and you cannot go far wrong in this, the people's House.

Fellow Members, once more it is my profound personal pleasure and distinct honor to present to you an outstanding son of Massachusetts, a distinguished holder of the highest confidence this body can bestow, and above all a great gentleman and a great American, the Speaker of the House of Representatives, the Honorable John W. McCormack. [Applause, Members rising.]

Mr. McCORMACK. My distinguished colleagues, I am deeply moved by the generous sentiments expressed by my good friend, the able and dedicated minority leader, Gerry Ford. His friendship has meant much to me during the years of our service together, and his courtesy and good will toward me have been unfailing.

I appreciate very much the confidence of my colleagues in the caucus and my election in the House again as Speaker of the 91st Congress.

Our relationship is symbolic of the spirit which pervades this historic Chamber. Partisan differences are not permitted to overcome personal respect and mutual regard. Here in the greatest legislative body in the world we meet for the purposes of accommodating differences, of informing ourselves about the problems of our troubled times, of evaluating the merits of proposed solutions to some of these critical issues, of enacting legislation for the good of the American people, and for the national interests of our country, and of offering to the world an example of the way in which a free people goes about the incredibly difficult task of governing themselves.

Each of us represents a different district. We are from different States and different regions of our vast country. We are members of different political parties. We are of different opinions, conscientiously held, on many matters. Yet, for all of these differences, here in this House we strive to achieve accommodations on complex issues. We resolve some of our thorny problems by compromises openly reached after extensive hearings in committee and after debate in the House, and after painstaking consideration of the wishes and the views of the people of our districts and of the best interests of our country.

Reasonable compromise under a precious parliamentary tradition of majority rule is the means by which we preserve our cherished freedom. Compromise and good will, not confrontation, emotionalism, and hate, are the means by which the legislative affairs of the greatest nation on earth are conducted. "Confrontation," a newly popular term for ancient evil, would destroy our freedom.

You, my friends, have chosen me to perform the parliamentary functions of Speaker. I am grateful for that high honor and, as in the past, which I emphasize, I am resolved to conduct this great office impartially and always protecting the prerogatives and the rights of the House of Representatives and its Members. Our parliamentary usages, arrived at after generations of experience, make a legislative assembly of what otherwise would be a crowd—a crowd whose members, however able and patriotic, would be unable to perform their representative functions. Our rules of order, which I have been chosen to apply and interpret, make possible the pooling of the human insight of which we have such rich stores in this Chamber.

Progress in legislation is possible only when there is order in deliberations. Partisanship has no place in insuring that order. There was no middle of the aisle in the applications of the standards of fairness and rectitude through our deliberation.

I welcome the new Members today to their participation in one of the great achievements of the human mind and spirit, to traditions that are the very essence of legislative government. The personal respect that Members of this House have for each other is part of the tradition of procedural fairness that makes possible liberty under law.

I pledge to each of you—to the new and to the experienced Members alike—my utmost exertion and devotion to the responsibilities of the Office of Speaker.

And, may I say a few words about a man who is retiring, or who will retire on January 20 as President of the United States, voluntarily retiring, whom I have known for over 30 years. His life shows the strength of America, his life shows that opportunity is open to everyone to reach the highest possible within the goal of our people. Many of the children of Members who are here today and others of their generation throughout the country who will be leaders of our country tomorrow should have the ambition, the determination and the willingness to make all sacrifices, because the opportunity exists under our form of government.

I have known President Johnson for over 30 years. He served in this House, he served in the other body, he served as the Vice President of the United States and has served as President of the United States. When he first came to Congress he was an Assistant Doorkeeper in the House of Representatives, showing that the doors of opportunity are open to all, to all Americans, not only this generation but all generations to come. And, while there are honest differences about this or that problem, I believe we can all agree that he dedicated himself to the service of our people as our Chief Executive, that his motives were of the highest. He always had uppermost in his mind on the domestic level, the strength and progress of our people, and on the international level the national interest of our country.

When emotionalism of a period has gone by one can be judged with calmness and from a rational angle, particularly when the historians of tomorrow interpret the events which have transpired during the tenure in office of President Johnson as our Chief Executive.

Further, it is my confident opinion that he will go down in history as one of the great Presidents of American history.

Again, I express my sincere thanks to my colleagues and I also want to assert that I had rather be known as the Members' Speaker than any other characterization that could be given to me, because I love this body; I deeply respect every Member of this body.

The greatest tribute that could be paid to me in the years that lie ahead would be that John McCormack was a Member's Speaker.

I now ask the dean of the House of Representatives, the Honorable Emanuel Celler, of New York, to administer the oath.

Mr. CELLER then administered the oath of office to Mr. McCormack, of Massachusetts.

SWEARING IN OF MEMBERS

The **SPEAKER.** According to the precedent, the Chair will swear in all Members of the House at this time.

If the Members will rise, the Chair will now administer the oath of office.

OBJECTION TO ADMINISTRATION OF OATH

Mr. **GROSS.** Mr. Speaker.

The **SPEAKER.** For what purpose does the gentleman from Iowa rise?

Mr. **GROSS.** To state an objection to the seating of a Member-elect.

The **SPEAKER.** The gentleman will state his objection.

Mr. **GROSS.** Mr. Speaker, upon my responsibility as a Member-elect of the 91st Congress, I object to the oath being administered at this time to the gentleman from New York (Mr. Powell). I intend at the proper time to offer a resolution to exclude the gentleman from New York (Mr. Powell) from membership in the House of Representatives.

The **SPEAKER.** Under the precedents, the Chair will ask the gentleman from New York (Mr. Powell) not to rise to take the oath when the other Members rise, at least for the present.

SWEARING IN MEMBERS

The **SPEAKER.** The Chair will now administer the oath of office.

The Members-elect, other than the gentleman from New York (Mr. Powell) and the Resident Commissioner-elect rose, and the Speaker administered the oath of office to them.

The **SPEAKER.** The Chair recognizes the gentleman from New York (Mr. Celler).

RESOLUTION AUTHORIZING AND DIRECTING THE OATH OF OFFICE TO BE ADMINISTERED TO ADAM CLAYTON POWELL

Mr. **CELLER.** Mr. Speaker, I offer a privileged resolution (H. Res. 1) which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

H. Res. 1

Resolved, That the gentleman from New York, Mr. Powell, be now permitted to take the oath of office.

The **SPEAKER.** The gentleman from New York (Mr. Celler) is recognized for 1 hour.

Mr. **GROSS.** Mr. Speaker, a parliamentary inquiry.

The **SPEAKER.** Does the gentleman from New York yield to the gentleman from Iowa for the purpose of making a parliamentary inquiry?

Mr. **CELLER.** I yield to the gentleman from Iowa for the purpose of making a parliamentary inquiry, and for that purpose only.

Mr. **GROSS.** The matter pending before the House at this time is the consideration of a resolution, is that correct?

The **SPEAKER.** The Chair will state, in answer to the inquiry of the gentleman from Iowa, that it is a resolution.

Mr. **GROSS.** If I may proceed further, is the resolution subject to amendment, or must the previous question be voted down?

The **SPEAKER.** The Chair will state, in reply to the inquiry of the gentleman from Iowa, that the resolution is not subject to amendment unless the gentleman from New York should yield for that purpose during the hour's time and, in the absence of that, then the previous question would have to be voted down.

Mr. **MacGREGOR.** Mr. Speaker, a parliamentary inquiry.

The **SPEAKER.** Does the gentleman from New York yield to the gentleman from Minnesota for the purpose of making a parliamentary inquiry?

Mr. **CELLER.** I yield to the gentleman from Minnesota for the purpose of making a parliamentary inquiry.

The **SPEAKER.** The gentleman will state his parliamentary inquiry.

Mr. **MacGREGOR.** Mr. Speaker, is it my understanding that under the rules of the House we will have 1 hour of debate on this resolution, the time to be controlled by the gentleman from New York (Mr. Celler)?

The **SPEAKER.** In response to the parliamentary inquiry of the gentleman from Minnesota, the Chair will state that the gentleman is correct, the gentleman from New York will be recognized for 1 hour.

Mr. **MacGREGOR.** I thank the Speaker.

Mr. **CELLER.** Mr. Speaker, I urge my colleagues today to support the resolution which I have offered to seat the Member-elect, the gentleman from New York, Mr. Adam Clayton Powell.

Members will recall that on a day similar to today in the 90th Congress the same man who today has been made to stand aside, was made to stand aside pending an inquiry by a select committee into his qualifications for membership in the House of Representatives.

You will recall that after 5 weeks of study, this nine-member committee, of which it was my privilege to serve as chairman, submitted its report on the qualifications of Member-elect Adam Clayton Powell.

The committee found that Adam Clayton Powell met the qualifications of age, citizenship, and residency and that he had filed a certificate of election from the State of New York.

Despite the careful and laborious efforts of that committee, Adam Clayton Powell was "excluded" from the 90th Congress.

Mr. Speaker, much water has gone

over the dam since then. Time is a mighty healer. It must be remembered, that we are at the threshold here, to decide whether a man shall be admitted to membership. We are solely asked and can only be asked to pass upon qualifications under the Constitution. There are only three qualifications—age, residency, and citizenship. We cannot constitutionally add—we cannot constitutionally subtract from those qualifications.

ADAM CLAYTON POWELL in the 90th Congress satisfied those three qualifications.

ADAM CLAYTON POWELL today is seeking to enter the 91st Congress and satisfies again those three qualifications.

Since the action we took on March 1, 1967, the Member-elect, the gentleman from New York (Mr. POWELL), has twice been overwhelmingly reelected by his constituency, the 18th Congressional District of New York. The record is manifestly clear. His constituents have repeatedly and forcefully expressed their desires. With the whole record before them, they have again and again made their choice. The district, the State of New York, are entitled to his representation.

If we keep him out of the 91st Congress as we kept him out of the 90th Congress, it would be like piling Pelion on Ossa. We deny indeed the democratic process if we exclude him. If we again deny him his seat, there would be a special election in New York declared by the Governor of the Empire State, and he would again be reelected overwhelmingly, as was the situation in the special election determined previously by the Governor.

In a sense, therefore, if we would exclude him, our action would be abortive, just about as useless as looking through a telescope with a blind eye. We must not, we cannot disregard, as I said before, the choice expressed so often and so clearly by the people of the 18th Congressional District of New York.

ADAM CLAYTON POWELL has been guilty of some derelictions. He has been guilty of some lapses from grace, some departures from the rules. But he has been punished, and in my opinion he has been punished enough. Any additional punishment would be vindictive. Any additional punishment would be Draconian. We have taken away his seniority after 22 years of service. That is real punishment. He starts in as a freshman. That loss of chairmanship as a result of the loss of seniority is a severe blow, a severe blow to any one of us if we were in his position. Think of the power and the prestige and the privileges that go with seniority. Then you realize how serious the loss of chairmanship is, and he has lost his chairmanship. It is indeed a bitter pill for anyone to swallow. He had climbed the greasy pole, as it were, as Disraeli called it, and he ascended to the top. Now he has plunged down below to the very bottom and he must start over anew. That is a wound to his pride. That is injuring his dignity. There is nothing more serious than injuring one's dignity, and that is a very, very serious denigration of ADAM CLAYTON POWELL.

We discovered in our inquiry, and so indicated in our report, that there were financial irregularities, something in the nature of $40,000. But ADAM CLAYTON POWELL has lost 2 years' salary. The Government paid him in January, February, and 1 day in March 1967, his salary. He therefore had lost not $60,000, but approximately $55,000. He has more than paid up, therefore, the $40,000 to which there has been a charge of irregularity. So the Government in a certain sense is not out, if I may use that term, any sum of money.

He has satisfied the civilian judgments against him in the State of New York, particularly the defamation judgment. He has made himself amenable to the jurisdiction of the New York courts. A grand jury in the District of Columbia has returned no true bill against him—in other words, there could not be substantiated against him any criminal charge growing out of his conduct.

I now read to you a letter which I received from the Attorney General, dated January 2.

> DEAR CONGRESSMAN CELLER: This letter is in further reply to the material you transmitted to the Department of Justice by letter dated February 24, 1967, with respect to Mr. ADAM CLAYTON POWELL.
>
> This material and other conduct of Mr. POWELL was investigated by the Federal Bureau of Investigation and extensive inquiry was made by a Federal grand jury in the District of Columbia. The grand jury which considered the matter expired on December 9. On the recommendation of the Department, the grand jury did not return an indictment. Our recommendation was based on the conclusion that the available evidence did not warrant prosecution.
>
> The Department is continuing to study the matter to determine whether there is civil liability.
>
> Sincerely yours,
>
> RAMSEY CLARK,
> *Attorney General.*

Now, there is no criminal liability apparently. I think that even if there is civil liability, and that is very, very questionable—as a lawyer, I can say it is very questionable—it involves travel, it involves payment to his wife. And he who is without sin in this Chamber, let him cast the first stone. Judge not lest ye be judged—particularly with reference to dear ones on the payroll, with reference to travel, and with reference to travel documents.

The charge is made that when Mr. POWELL left, he took certain personal papers which may not necessarily have been personal papers. They may have been committee papers. Where is the line to be drawn between what is personal and what is committee? I am chairman of a committee. It would take a set of "Jay's Journals" for me to determine in every instance what is a committee paper and what is personal.

Those charges all would fall to the ground. The charges with reference to his wife would fall to the ground. We have many, many imponderables there. The wife could not testify against her husband. The husband could not testify against his wife. The entire matter is replete with legal intricacies, and it is very easy cavalierly to come on in this Chamber and make charges of all sorts—but try to prove them in a court of law. The Attorney General felt he could not prove the charges criminally.

But Mr. POWELL has had a loss of $55,000, which is more than would pay the alleged $40,000 concerning which there have been charges of dereliction.

For those reasons, I do hope that the membership of the House will vote the previous question and then will vote in support of the resolution to seat ADAM CLAYTON POWELL.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Mr. Speaker, what is the question of the gentleman?

Mr. GERALD R. FORD. Mr. Speaker, as the gentleman from New York knows, I fully supported the recommendations of the select committee which the gentleman chaired in the 90th Congress. We lost. But the gentleman, along with the eight other members of that committee, persuaded me that their findings and recommendations were fair and proper.

I must confess, on January 3, 1969, in light of the remarks just made by the distinguished chairman of the Committee on the Judiciary, that I am perplexed as to how he is now drawing the line between the findings of that committee in February of 1967 as to the misappropriation of funds and other matters, and his comments at the present.

Mr. CELLER. Because I had conferences with the Attorney General and the Assistant Attorney General, Criminal Division, and the members of their staff, who had winnowed through these documents which we had sent them, and in addition a great many other documents; and they came to a conclusion different from the one the committee had come to. I was persuaded by the Attorney General and his assistants that the evidence did not support the prosecution of a criminal charge.

Mr. GERALD R. FORD. Would the distinguished chairman yield for one more question?

Mr. CELLER. Yes, I yield to the gentleman.

Mr. GERALD R. FORD. Has the gentleman from New York then in effect repudiated the findings of the select committee as shown on pages 31 and 32 of the select committee report?

Mr. CELLER. I am not impugning the findings of the select committee, which I endorsed at that time, but there is a period of time difference. As I indicated a moment ago, I was in conference with Mr. Fred Vinson, Assistant Attorney General, and Mr. Ramsey Clark, Attorney General, and members of their staff who had very carefully gone into all these documents, and in answering questions which I propounded to them they convinced me that there would be great difficulty, as I have indicated.

Mr. GERALD R. FORD. I concede there is a difference between a criminal indictment and a civil suit to recover. I am primarily interested in this point: Does the gentleman from New York still subscribe to the findings of the select committee, of which he was the chairman?

Mr. CELLER. I subscribe to them with the addenda that to prove successfully the charges would involve considerable difficulty because of the burden of establishing criminal guilt beyond a reasonable doubt.

The SPEAKER. The gentleman from New York has consumed 18 minutes.

Mr. MacGREGOR. Mr. Speaker, will the gentleman from New York yield me 10 minutes?

Mr. CELLER. I yield to the gentleman from Minnesota, a member of the select committee, for whom I have profound respect because he has made a great contribution in that committee.

Mr. MacGREGOR. I thank the distinguished gentleman, the dean of the House, very kindly for those remarks. Would he be so kind as to yield me 10 minutes?

Mr. CELLER. I did not hear the last remark.

Mr. MacGREGOR. Would the gentleman be so kind as to yield me 10 minutes?

Mr. CELLER. I will yield 5 minutes, and we will see what happens.

Mr. ALBERT. Does the gentleman yield for the purposes of debate only?

Mr. CELLER. I yield only for debate, yes.

The SPEAKER. The gentleman from Minnesota is recognized for 5 minutes.

Mr. MacGREGOR. Mr. Speaker, there are Members of this body, both new and old, who believe that Adam Clayton Powell should be seated and all past transgressions should be forgiven. They are entitled to that viewpoint as a matter of individual conscience.

There are Members of this body, Mr. Speaker, who believe that Adam Clayton Powell should be excluded from membership in the 91st Congress as indeed he was excluded on March 1, 1967, from service in the 90th Congress. Members holding that viewpoint are entitled to it, and I am sure they hold it as a matter of deep individual conscience.

I cannot subscribe to either viewpoint, just as I could not subscribe to either viewpoint when I served as a member of the nine-man select committee in January and February 1967, the select committee headed by the distinguished dean of the House of Representatives and chairman of the Committee on the Judiciary, Emanuel Celler.

The members of that select committee, composed of five Democrats and four Republicans, recommended unanimously that Adam Clayton Powell, having met the constitutional qualifications for membership in this body, and being the clear choice of the electorate in the 18th Congressional District of New York, be seated but that the House of Representatives exercise its power to punish Members as explicitly set forth in the U.S. Constitution.

We unanimously recommended that he be punished in that he pay a fine in the sum of $40,000.

We recommended as further punishment that he be ranked as a freshman Member of the 90th Congress.

We recommended that he be taken by the Sergeant at Arms into the well of the House to be censured by the Speaker for his conduct.

The gentleman from New York (Mr. Celler), the majority leader of the Democratic Party here in the House (Mr. Albert), the very distinguished gentleman from California (Mr. Corman), and the gentleman from Indiana (Mr. Jacobs) all argued for the acceptance of the select committee's recommendations. Today the gentleman from New York takes a different viewpoint and he says to you, "Yes, I agree that Adam Clayton Powell has been guilty of some derelictions, irregularities, and violations, as I found some 22 months ago, but he has been punished enough because he did not serve in this body for 22 months and therefore lost $55,000 in salary."

May I point out to you, although I think it is largely an irrelevancy, that he also did no work as a Representative for 22 months, for which he would be entitled to receive the statutory pay. But, more important than that, I do not think this issue here today turns on the question of how many dollars have been taken out or put back into the Treasury of the United States as a result of Adam Clayton Powell. If that were a valid argument, if we could offset $55,000 in pay that he did not receive against the some $50,000 of committee funds that he had willfully and wrongfully taken from the Treasury, then we ought to consider that as of the present date the lawsuit which Adam Clayton Powell has brought against the Speaker and other officers of this House has cost the taxpayers of the United States over $213,000. Now, I do not think this is important. I do not think we ought to try to offset the $213,000 that has been paid out of the Treasury as a result of Adam Clayton Powell's lawsuit against the $55,000 of uncollected salary.

I find today, as I found 22 months ago, and as our select committee report amply documents, that there have been serious, willful, and wrongful conversions from public funds by Adam Clayton Powell to his own private and personal uses. If the parliamentary situation presents itself and if I am so recognized, I will offer a resolution, copies of which are at the counsel tables on both the majority and minority sides of the House. May I suggest to you also that copies of the select committee's report are available for your review or, in the case of new Members, are available for your consideration also at the counsel tables.

This resolution I speak of contains the bulk but not all of the "whereas" findings of the select committee as presented by Mr. Celler on March 1, 1967. It also recommends that Adam Clayton Powell be seated. It further recommends that he be fined $30,000 and that, if not otherwise paid, the Sergeant at Arms shall deduct $1,250 a month from his pay for a period of 24 months, and that will take care of the cost. It further specifies that his seniority shall rank as of the date when he takes the oath of office in this Chamber, in this Congress. As a final point, consistent with our recommendations of 22 months ago, if the Member-elect from the 18th Congressional District of New York shall not present himself to take the oath of office by January 15, his seat shall be declared vacant.

I urge you to take a middle course. Do not vote for exclusion. Do not vote to deny the will of the people of the 18th Congressional District. Do vote to uphold the Constitution and the dignity of this body.

Thank you.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. Findley) for the purpose of debate only.

Mr. FINDLEY. I thank the distinguished chairman for yielding this time to me.

I agree in part with the distinguished chairman of the Committee on the Judiciary and disagree in part, and I take the same position with respect to my distinguished friend, the gentleman from Minnesota (Mr. MacGregor).

It is my opinion that the proper approach for us today is to seat Mr. Powell, but to keep open the question as to whether he should have further punishment.

In addition to the thoughts that have been expressed already, I add these few of my own. I feel that the disposition of individual rights in this body is a matter of supreme importance to the Nation and must be undertaken with delicacy, with dispassion, and a sense of history. Otherwise we risk injury not only to present interests but, more important, to those of the future.

If we jealously protect the rights of the minority, even when the minority consists of only one person, we serve as a worthy example to other legislative chambers and also in other places where minority rights may be challenged.

If we do less, we set a bad example for other places and times, and may well set in motion a series of regressive events that will seriously weaken the civil rights so fundamental to everything expressed in the word "America."

The Constitution and history itself place upon us the grave responsibility to protect minority rights even when the act of protection may give the appearance of condoning conduct that we all deplore—conduct that is personally offensive, abusive of public trust, and even legally questionable.

The minority rights involved in the question of seating Mr. Powell go far beyond his immediate rights as one American citizen among 200 million—important as these rights are.

He acquired additional minority rights on November 5 when citizens of the 18th District of New York—despite charges previously brought against him in this Chamber and elsewhere—made him a Member-elect of the 91st Congress. His constituency even though consisting of less than one-quarter of 1 percent of the total population of this land, nevertheless has the vital right of representation in this body, a right clearly set forth in the Constitution itself.

This district has been without representation in the past for 2 years. As has been mentioned, Mr. Powell has not received pay and the chairmanship he once held is in other hands. Two grand juries competent to bring indictments against him took no such action. Most important, his constituency not once but twice has reelected him as its Representative.

Now the question before us today, is the denial of seating the proper way to dispose of charges and complaints against him? I say "No." The proper procedure is to accord him his seat. Then the appropriate committee of this body can make inquiry and recommendations as to censure, withholding of pay, or other matters.

This would protect minority rights and our constitutional traditions, while providing for disposition of charges.

I would especially hope that other members of the party of Lincoln, a party which has done so much to establish and advance these traditions, will join me in an affirmative vote on this question.

Mr. CELLER. Mr. Speaker, we have heard the gentleman from Minnesota say, in a word, that the House should not expend any money for counsel to go to court to defend itself. It would have been just as easy for the House leadership, when the summons was served upon the Speaker, to let the Department of Justice proceed to defend the privileges of the House and the rights of the House of Representatives, but before counsel was retained the Republican leadership was in conference with the Democratic leadership, and it was agreed that private counsel would be retained to defend the rights and the privileges of the House of Representatives in the lawsuit that was brought.

Mr. Speaker, it might be interesting to state that when it comes to expenditures of money, the action of excluding Adam Clayton Powell in the first instance caused the State of New York to expend over $200,000 in a special election, and if we exclude him again then there will be another special election and another expenditure of some $200,000.

So the Members would be placing a burden of over $400,000, if they were to exclude Mr. Powell, upon the Empire State of New York.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield 4 minutes to the gentleman from Arizona (Mr. Udall).

Mr. UDALL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, sometimes there is a difference between what is popular and what is right. I do not have a very large Negro constituency, or a very large civil rights constituency in my district, and I would be perhaps better off politically to sit down and be quiet on this issue. However, I rise to say to my colleagues: Do not close the doors for a third time on the 500,000 constituents of the 18th District of New York. If we do then we will be making a mistake, and we will be violating a sound tradition of 180 years that has served this institution well.

Mr. Speaker, let me make clear that Adam Clayton Powell is not my idea of an ideal Congressman. He has been guilty of some indiscretions, as the gentleman has described. I heartily deplore Mr. Powell's prior actions which have been discussed here today.

Two years ago I made the motion in the Democratic caucus to remove Mr. Powell as chairman of one of our great committees, and the following day I made the motion in the House similar to the motion the gentleman from New York is now making. That was a difficult decision for me, but the decision was based on this: When we send a man to Congress shall he possess these three constitutional qualifications, or shall we permit the Congress to go beyond that and set additional qualifications?

Go back and read the Federalist Papers, and see what the Founding Fathers, Madison and Hamilton, had to say at that time. We could have had a system whereby we would check a man's church attendance, for example, or whether he pays his taxes, or maybe to pass judgment on his personal morals or drinking habits in deciding whether he might possess the standards that a Congressman is supposed to have.

But after considerable thought they made the decision, and that decision was to leave it to the constituency. Each constituency judges the ethics of its representation. This is a kind of an ethics committee which meets in the fall of the even-numbered years, in November, and most of us are kept pretty well in line by that ethics committee that is comprised of the people in each particular area. But once in a while we get an odd case or an unusual case where his constituency does not have the same standards that perhaps our constituencies would apply. I know that I could not do one-tenth of the things that have been charged against this particular gentleman in the last few years and hope to get a third of the votes necessary for election. But this principle is a sound principle. They felt that possibly Delaware might be in an unpopular position some time and its Representative would be excluded by a majority taken from Representatives of South Carolina, Georgia, and New York. Therefore they said in this diverse Federal union leave it to each constituency, and that is where it should be.

This is really a bulwark in the Constitution against oppression by a majority—a white majority in this case—against a minority from determining the kind of character that a Representative of that constituency should have. The issue is not whether Powell is the kind of a person you or I would vote for in our districts.

Now, under this sound principle we have a fine and a noble membership in this House, and I am proud of the people I serve with, their character and their integrity.

But under this principle, we over a period of 180 years, have seated Confederate generals. We have seated integrationists and segregationists. We have seated in those years men just out of mental institutions, alcoholics, tax evaders, and people who did not go to church—we have seated young men just out of college and old men with one foot in the grave. We have seated the halt, the lame, and the blind—and men with one eye as well as with two and men with one leg and men with none.

We have seated all kinds of characters over these 180 years under this fundamental principle which is, Let the local people decide.

If we violate this principle in this case, we make a martyr out of the man. I suspect that in deciding this, if we let him take his place with us, the people up there may send somebody down one of these days differently.

But as long as we make a martyr out of the man, they will send him back—and back—and back.

My friends, the thread and fabric of this country that binds us all together is getting pretty frayed nowadays.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. UDALL. Mr. Speaker, I want to make one more point.

Our new President said that one of his aims was to bring us together and to unite us. There are about 20 million citizens in this country who have black skins; and rightly or wrongly—and I think wrongly—but rightly or wrongly it is a fact that they see this case as a critical test of the attitude of the majority race in this country toward that minority, compared with other races and other nationalities.

If we close these doors again, I think we are going to fray that fabric even further.

What harm can possibly be done in seating this Member and then if we see fit have an investigation. We can have lawsuits and we can have select committees and we can do as we have done for 180 years—seat him and then take all action necessary to correct any transgressions that have occurred and collect any money due the Treasury.

So I say to my colleagues, do not close these doors again to the people of the 18th District. It is them you punish, not Powell. This is not the way.

Let us enforce the sound constitutional principle that has served us so well for 180 years. Let us put this matter to rest.

The SPEAKER. The time of the gentleman from Arizona has expired.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Michigan (Mr. Gerald R. Ford) 5 minutes for the purpose of debate only.

Mr. GERALD R. FORD. Mr. Speaker, all of us are deeply cognizant of the absolute constitutional right that each congressional district has the right to be represented in this body. On the other hand, the Constitution equally says that the House of Representatives, or each body of the legislative branch, shall be the judge of the elections, returns, and qualifications of its own Members—article I, section V of the Constitution.

We went through this constitutional debate and discussion back on January 10, 1967. At that time the House worked its will and approved a resolution sponsored by me which established a nine-member committee, five from the majority and four from the minority, which committee had the responsibility of thoroughly investigating all the facts to the best of its ability and to make findings and recommendations to the Members of the 90th Congress.

On March 1, 1967, that bipartisan committee brought to the floor of the House its unanimous recommendations.

I have in my hand a copy of the report of that select committee pursuant to House Resolution 1 of the 90th Congress, first session.

If you will turn to page 31 and page 32 of that report, you will find where there are six findings—findings by a nine-member group—five Democrats and four

Republicans—which, as far as I know today, have not changed one iota.

I would ask any one of the members of that committee who signed this report if they have found anything different today from what they said were the findings then. At this time I ask them to rise and give me any new information which would change their previous judgment.

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am delighted to yield to the gentleman from Michigan.

Mr. CONYERS. I appreciate the opportunity to comment on the findings in this report, of which I was a member of the select committee, as Members of this body will recall, and you will recall that of all the Members that I, alone, signed some additional views which set forth four statements which were critical of the way in which these hearings had proceeded.

I would like to read them at an appropriate time. I shall not take the time that the gentleman has so graciously yielded to do so at this time. But I would like to point out that although this one Member signed the report, he did file an exception to the report. One of the bases for that exception, in addition to the four points raised, was the way in which these findings were reached—and I make this statement fully recognizing that I served and still serve very proudly under one of the most distinguished Members of this House, the chairman of the Committee on the Judiciary. But I was very unhappy with the procedure under which we arrived at some of the facts stated.

As Members can see at that time I stated:

> Any Member or any Member-elect and his counsel should be afforded the right to cross-examine all witnesses brought before this committee or any other committee inquiring into the qualifications, punishment, final right of a Member to be seated, or other related question.

In other words, I say to my colleague that I was completely disturbed about the way in which we came to these facts, and by signing this report I have not in any way ever attempted to indicate that I support all the facts and every sentence in this report. I thank the gentleman for yielding.

Mr. GERALD R. FORD. May I reiterate, however, that at the time the report was brought to the floor of the House, on March 1, 1967, other than the additional views expressed by the distinguished gentleman from Michigan, no person from the committee denied the accuracy of the findings in this report and, to my best recollection, no Member of the House on either side of the aisle at that time, March 1, 1967, denied the accuracy of the findings of this committee.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from New York, under the circumstances, yield me 2 additional minutes?

Mr. CELLER. I yield 2 additional minutes to the gentleman from Michigan.

Mr. GERALD R. FORD. In conclusion—and then I shall yield to the gentleman from Minnesota—I believe today we should vote down the previous question in order to give the gentleman from Minnesota the opportunity to submit to the House for approval again the findings of the committee chairman, the gentleman from New York (Mr. CELLER) with some minor modifications to be explained by the gentleman from Minnesota.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. During the remarks of the gentleman from New York (Mr. CELLER) he said the grand jury to investigate ADAM CLAYTON POWELL expired December 9.

I cannot agree that that is an accurate or factual statement.

The Powell grand jury was convened in early October of 1967, and under the then applicable rule 6(g) of the Federal Rules of Civil Procedure was to run until April 1968. Evidence on the Powell matter was taken by that jury up through March of 1968. The jury then heard some other matters up through May of 1968 after which no more meetings were held until December 9, 1968. On that date a short meeting was held and thereafter the Department of Justice attorneys presented the chief judge of the District of Columbia District Court, Edward Curran, with a draft order dismissing the grand jury. The order was entered that same date. It is set out immediately below:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ORDER DISMISSING GRAND JURY

It appearing to the Court that the October Special Grand Jury 1967 has compieted the cases pending before it and the public interest no longer requires its continued existence, it is by this Court this 9th day of December, 1968, pursuant to Rule 6(g) of the Federal Rules of Criminal Procedure,

Ordered that the above named Grand Jury be and it is hereby dismissed from further service.

EDWARD M. CURRAN,
Judge.

Filed Dec. 9, 1968, Robert M. Stearns, Clerk.

The key question is why was the grand jury dismissed—it had not expired—on motion of the Department of Justice without making the determination that it was convened to make. If insufficient evidence to establish probable cause as to the guilt of ADAM C. POWELL with respect to criminal conduct did not exist or could not be found then he is entitled to a "clean bill"—that is a vote of "ignoramus" or no indictment. For the grand jury to make no determination leaves the original question of probability of guilt or innocence still open.

I also include herein a copy of a news report concerning the grand jury investigation of Mr. POWELL that appeared in yesterday's St. Louis Globe Democrat:

[From the St. Louis (Mo.) Globe Democrat, Jan. 2, 1969]

TOP JUSTICE OFFICIALS VETOED POWELL INDICTMENT

WASHINGTON.—Adam Clayton Powell was saved from a Federal indictment by the action of top-ranking Justice Department officials in vetoing a proposed criminal prosecution of the Harlem Congressman for misuse of $38,000 in government funds and removal of Congressional financial records.

Attorneys in the department who worked on the case in connection with its presentation to a special grand jury here recommended an indictment charging Powell with three violations involving possible penalties of 25 years in jail and $25,000 in fines.

But Attorney General Ramsey Clark and others in the high command declined to clear the recommendation for submission to the grand jury when it convened for the last time on Dec. 9.

Late on that day, the department's press office issued a statement saying the department "concluded the available evidence did not warrant prosecution."

"The grand jury which investigated the allegations against Mr. Powell expired today," the statement said.

"The department of justice did not recommend an indictment and none was returned."

The grand jury had convened on Oct. 9, 1967, to consider possible violation of six Federal laws by the flamboyant Congressman when he was riding high as a senior House member and chairman of the House Committee on Education and Labor, with control over the committee's sizable budget.

Federal court records here do not show that the Powell grand jury "expired," as the press statement asserted.

Court files contain an order signed on last Dec. 9 by Chief Judge Edward M. Curran in which he "dismissed" the grand jury because it had "completed the cases pending before it and the public interest no longer requires its continued existence."

The judge noted he was acting under a court rule providing that the life of a grand jury is 18 months unless the jury is discharged earlier.

When the Powell jury was put out of business, it had been in existence 14 months.

The indictment sought unsuccessfully by the Justice Department lawyers would have accused Powell of misuse of $28,000 in government funds in paying salary to his wife as a Congressional employe when she was actually performing no work, and fraudulent use of $10,000 in government funds in connection with personal travel.

The indictment also would have charged Powell with the crime of obstruction of justice or theft of government property in connection with removal of key House records dealing with his travel vouchers.

A Justice Department spokesman, questioned Wednesday about the handling of the Powell case, said that four attorneys had been involved in the handling of the case and that there had not been any unanimous recommendation from them, although some did favor an indictment.

The spokesman also said that the position of the Criminal Division, headed by Assistant Attorney General Fred M. Vinson Jr., was against indictment and that Clark, who bore final responsibility, agreed.

The indictment sought by the working-level attorneys would have paralleled the unanimous findings on Feb. 25, 1967, by a special bipartisan House committee which investigated Powell's actions at length and concluded he had "wilfully and wrongfully" misappropriated $44,401 in government funds to his own use.

In an unusually hard hitting and explicit report, the committee declared that Powell had filed false expense vouchers with the House, refused to cooperate with the investigation, was "contemptuous," and should be "censored and condemned" for his "gross misconduct."

The committee also demanded "prompt and appropriate action" by the Justice Department and sent its files to the department.

But now, almost two years later, the only possible Justice Department action still hanging over Powell is a sentence in the Dec. 9 statement saying "the department is studying the matter to determine whether there is civil liability."

Following the report of the special House investigation committee early in 1967, the House itself took even stronger action against Powell, voting to exclude him from that Congress.

President-elect Nixon is understood to be alert to the potential dynamite for his Administration and to believe that House Republicans should avoid taking a policy position as a party in opposition to Powell.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished chairman of the Judiciary Committee yield me 1 additional minute?

Mr. CELLER. I yield 1 additional minute to the gentleman from Michigan.

Mr. GERALD R. FORD. I am very grateful. I yield 30 seconds to the gentleman from Massachusetts (Mr. Conte).

Mr. CONTE. Mr. Speaker, I would like to direct my remarks to the gentleman from New York. He was one of the 116 Members of this House who joined in the effort not to exclude Adam Clayton Powell last March, or March of 1967. But I resent his remarks—and I do not think he intended a blanket indictment of all Members of this House—that all Members of the House have violated the rules of this House with regard to nepotism. I have no relatives on the payroll. Neither have I ever violated a rule of this House in regards to travel. I am sure the gentleman from New York did not mean to indict this House.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New York.

Mr. CELLER. Of course, there was no such implication in my remarks, and I hope the gentleman did not infer that I intended such. I am sure the gentleman from Massachusetts did not infer from my remarks that all Members of the House were guilty of any such dereliction.

Mr. CONTE. I thank the gentleman from New York.

Mr. GERALD R. FORD. Mr. Speaker, I reiterate what I said before. I intend to support a resolution such as the MacGregor resolution because it coincides with what we decided in 1967, based on the recommendations of the gentleman from New York, the recommendations of the majority leader and the unanimous recommendations of the select committee.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. Albert).

Mr. ALBERT. Mr. Speaker, it seems to me that the one issue before the House—and there is only one issue before the House—is a very simple one. That issue is representative government itself. What we are deciding here is whether under the Constitution the people of the 18th Congressional District of New York have the right to decide who shall represent them in this Chamber, subject, of course, to the constitutional requirements of age, citizenship, and residency.

Mr. Speaker, all of these other issues becloud the central issue and should be dealt with under separate proceedings.

We tax the people of the 18th New York District; we draft their sons; and they are entitled to have their representation in this body.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. Conyers).

Mr. CONYERS. Mr. Speaker, I am not going to try to go over the very excellent argumentation that has gone on, explaining the chain of circumstances that now permits the chairman of the select committee on the seating of Adam Clayton Powell, our distinguished chairman of the Judiciary Committee, and, incidentally, many of the Members who served on that committee, to come now before this new session of Congress and argue in behalf of the seating of Adam Clayton Powell.

I have yet to hear a Member argue contrary to the question that we are to examine three qualifications: age, residency, and citizenship. When our distinguished minority leader refers in the Constitution to the statement that each House shall be the judge of its elections and qualifications, I argue now, as many of us argued then, that the qualifications referred to are with respect to age, citizenship, and residency. When the Constitution asks that each House be the judge of its elections, it is referring to a question of dispute in an election.

In both of these instances, Adam Clayton Powell, in his numerous elections, has had no question raised of fraud of any sort. And there have been no questions ever presented in or out of committee about his qualifications. So unless we are going to go into this old bromide of whether we can add to the three enumerated qualifications I think this House has no further alternative today, even without forgiving him of his transgressions, as my good friend on the committee suggested. Members can vote to seat Adam Powell, and they do not have to forgive him of all his transgressions. They can join with those of us who are more worried, as opposed to any individual Member of this House, about the half million citizens of New York in the 18th District who so desperately need representation in this House, perhaps more so than any other congressional district in this Nation.

So I say to you, from the sincerity of being in this case since its inception, join in with those of us who are going to prove to the American people that the House of Representatives is responsive in 1969 to the request for seating of Adam Clayton Powell.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. Hays).

Mr. HAYS. Mr. Speaker, probably the most difficult duty I have had in 20 years in this House was chairing the original inquiry into the Adam Clayton Powell matter. It was a thankless job, as everybody on the committee can testify. We received no encomiums and a good deal of criticism. It would not have mattered what we had done or what we had said. I think the outcome would have been the same; we would have been criticized and not praised.

There was some sentiment on the subcommittee to turn the entire findings of the subcommittee over to the Department of Justice with recommendations. I took the position that we were a fact-finding committee, that we were not the judge or the jury or the grand jury or the prosecutor or the whole ball of wax, but we were simply a congressional subcommittee which had set out to find out certain facts.

Subsequently the entire transcript—all of the evidence, all of the vouchers, all the pieces of paper that were accumulated by that committee—was turned over to the Department of Justice, without our telling them what to do or telling a grand jury what to do.

Now, I understand there was a grand jury which studied this matter for about a year, and they apparently have found nothing of a criminal nature for which to indict Mr. Powell.

This being the case, I intend to vote to seat him, and I intend to vote for the previous question.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from South Carolina (Mr. Watson) 1 minute.

Mr. WATSON. Mr. Speaker, did the chairman say 1 minute?

Mr. CELLER. One minute.

Mr. WATSON. I yield back the balance of my time.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. Corman).

Mr. CORMAN. Mr. Speaker, may I first say I was somewhat surprised that my colleague and fellow lawyer and a gentleman that I greatly respect, the gentleman from Minnesota (Mr. MacGregor), took the trouble to find out how many dollars have been spent in court and quickly added that it was very irrelevant to him. I take it he would not have gone to all of that trouble and used some of his precious moments if he thought it was irrelevant to all of us, but I do believe it is irrelevant.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield for one question?

Mr. CORMAN. I yield to the gentleman.

Mr. MacGREGOR. Does the gentleman also believe the $55,000 of his uncollected salary is irrelevant?

Mr. CORMAN. I think it is irrelevant, but I did not bring it up.

Mr. MacGREGOR. Nor did I.

Mr. CORMAN. I think that the great mistake that the 90th Congress made was in failing to seat Adam Clayton Powell on the day when all the rest of the Members were seated. I voted for that, as did many others. I served on the committee, appointed to investigate and make recommendations to the House in this matter. We did our best in what was admittedly a brief time to get the facts together as best we could and to come up with reasonable findings of fact and conclusions and recommendations to bring back to this House.

I, for one, and I believe all of the other members of the committee, also, felt very shortly after we started meeting, that the most important single thing so far as this country is concerned, so far as our Constitution is concerned, and so far as the integrity of this House is concerned, was that Adam Clayton Powell be seated as a Member. We recognized that there were divergent views and we recognized that feelings were running rather high as to some of the misconduct that appeared on the record as we had it. I do not think that any one of the nine of us would have come up with precisely the recommendations that we did. It was a compromise and I must say it was a tribute to the able gentleman from New York (Mr. CELLER) who has been a great compromiser on legislative matters over the years in this House.

I was very disturbed at the severity of the punishment. Yet I felt strongly that ADAM POWELL ought to be seated because I felt so strongly that the people ought to be represented and that we ought to respect the constitutional requirement that he be seated.

In answer to the gentleman from Michigan as to whether any Member would now deny the validity of the findings, I would have to say that based on the knowledge I had then—and I have no more now—I do not refute those findings, but I have to tell the gentleman also that if I served as a member of a petit jury, I would not convict a man of the simplest misdemeanor based on the procedures which we followed. It did not seem to me that that was the paramount issue. It was essential that we bring back to this House a resolution that would be accepted by a majority of the Congress so that the people of the 18th District of New York could be represented. However, the 90th Congress decided that it would not follow our recommendations, and it did not. I do not think it is proper that we try to impose those recommendations on the 91st Congress, which is a different Congress made up in part of different people. I feel today, as I have throughout this case, that the paramount problem is the seating of ADAM CAYTON POWELL. The House may subsequently decide to appoint a committee or refer the matter to a standing committee to mete out whatever punishment the facts might indicate—that would be proper. I think it would be completely improper to attempt to impose on the 91st Congress the recommendations which were arrived at with poor procedures which were a matter of compromise and which were rejected by the body that appointed that committee.

I urge that the previous question be voted up and the Celler resolution be adopted.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, the fundamental question before us is the right of the people of a particular constituency to be represented by a person of their choice. It was ably stated by the majority leader (Mr. ALBERT) and by the gentleman from Arizona (Mr. UDALL).

It is conceded that ADAM CLAYTON POWELL meets the constitutional qualifications of age, citizenship, and inhabitancy. There has been no challenge to the validity of his election; and, therefore, under the Constitution he should be seated.

This is not similar to the Mississippi delegation challenge which I initiated at the beginning of the 89th Congress on January 4, 1965. In that case there was a clear disenfranchisement of a substantial number of voters through the denial of the right to register and vote in violation of the 14th and 15th amendments to the Constitution. Nevertheless, the House voted 276 to 149 to seat them—a marked contrast to January 10, 1967, when ADAM CLAYTON POWELL was not seated and today when again it is proposed to refuse to administer the oath to a Representative-elect who has been duly elected by his constituents.

The people of the 18th Congressional District of New York overwhelmingly elected him in November 1966 and overwhelmingly elected him again in a special election in 1967. They overwhelmingly reelected him in November 1968.

Mr. Speaker, for 2 years 400,000 residents of the 18th Congressional District, residents of the ghetto known as Harlem, have been disenfranchised—disenfranchised at a time when the crises of the cities deepened, at a time when many of their sons were drafted to fight an undeclared war, at a time when questions of war and peace and of race and poverty were paramount issues before the Congress. Those consigned to live in the ghetto, in the subbasement of our society, with inadequate housing and educational opportunity and a lack of job opportunities desperately need their voice in Congress. That voice has been denied them throughout the 90th Congress. It is past time to recognize the right of the people of the 18th Congressional District to representation in the House of Representatives.

Mr. Speaker, it has been said that ADAM CLAYTON POWELL has been punished enough. That is beside the point. The point is that the people of that district have been punished and have been punished long enough.

I understand that, if the previous question is defeated, an effort will be made to condition the administration of the oath of office to ADAM CLAYTON POWELL upon the imposition of a punitive fine and a denial of seniority. As far as I am concerned, this would be an unconstitutional action. The House is neither judge nor jury, and it is in no position today to make findings of fact. If today the House imposes a fine, tomorrow it may impose some other condition upon the seating of a duly elected Member. It would be a dangerous precedent to set.

Let me conclude by saying that to exclude any longer the duly elected Representative of the people of the 18th Congressional District, a large portion of whom are black and Puerto Rican, or other Spanish speaking citizens, would only make more apparent their exclusion from the mainstream of American society.

The House should not again substitute its judgment for that of the voters. It should no longer deprive them of their constitutional right of representation.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from California.

Mr. BURTON of California. I thank the gentleman from New York for yielding to me at this time. I commend the gentleman and wish to associate myself with his remarks. I urge my colleagues to vote up the previous question and seat Congressman ADAM CLAYTON POWELL, the Member-elect from the 18th Congressional District of New York.

Mr. RYAN. I thank the gentleman from California.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. MONTGOMERY) for a unanimous-consent request.

Mr. MONTGOMERY. Mr. Speaker, on March 1, 1967, the House of Representatives voted to exclude Representative-elect POWELL from its membership during the 90th Congress by a vote of 307 to 116. The vote was a repudiation of the recommendations made by a select committee created to study the case of Mr. POWELL pursuant to House Resolution 1, 90th Congress. The resolution was adopted by the House on January 10, 1967, by a vote of 364 to 64. It denied a seat to Mr. POWELL and provided for the special committee, requiring that it report within a 5-week period. It also provided that until the question of Mr. POWELL's right to a seat had been determined he would receive the salary, allowances, and emoluments authorized for a Member of the House.

In addition to an inquiry into Mr. POWELL's age, citizenship, and inhabitancy, the constitutionally stated qualifications for Members, the select committee also conducted an investigation into the status of legal proceedings to which Mr. POWELL was a party in New York State and the Commonwealth of Puerto Rico with particular reference to the instances in which he had been held in contempt of court, and into matters of Mr. POWELL's alleged official misconduct since January 3, 1961—the date when he became chairman of the Committee on Education and Labor. The alleged official misconduct involved alleged misuse of Government funds by Mr. POWELL both in his capacity of chairman of the committee during the 87th through 89th Congresses and as a Member of the House of Representatives. Particular attention was given to allegations of use of committee funds to pay for personal travel by Mr. POWELL and others, and to allegations that Mr. POWELL's wife had remained on his clerk-hire payroll until December 1966, although she had allegedly performed no official duties since the summer of 1965 and had not performed any official services in Washington or in Mr. POWELL's district in New York since 1961. Evidence was presented that Mr. POWELL had for several years deposited in his own bank account salary checks issued to Mrs. Powell.

Mr. Speaker, nothing has changed about the circumstances of Mr. POWELL's alleged misconduct since March 1, 1967, when this body voted to exclude him.

The Constitution clearly provides:

> Each House shall be the judge of the elections, returns, and qualifications of its own members.

A select committee has reviewed the case and determined that Mr. POWELL is a fugitive from the justice of his own State, that he has wrongfully and willfully appropriated $46,228.48 of public funds for his own use, and that his refusal to cooperate with two investigative committees authorized by the House of Representatives was contemptuous and was conduct unworthy of a Member.

Mr. Speaker, I think it is a solemn duty of the Members of this body to vote down the previous question and adopt a substitute excluding ADAM CLAYTON POWELL from the 91st Congress.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. JOELSON).

Mr. JOELSON. Mr. Speaker, when I was elected last November I believe I was elected to be a legislator and not a judge or a collection agency. I believe the courts are able to do that.

Today we are talking about a man who has been elected by his constituency to a seat representing the 18th Congressional District of New York, not only on one occasion but upon many occasions. I urge that it would be arrogant on our part, and patronizing on our part to say to the people of the 18th District of New York, "We know better than you do what is good for you." If we so stated, we would be declaring that we do not believe in democracy. Such a declaration would be a denial and a perversion of democracy itself. We should not say to the voters of New York's 18th District that we will refuse to seat the Representative of their own choosing.

I know it is easy to be smug and self-righteous. It is tempting to parade one's self-righteousness. But I say the overriding issue here is whether we are going to have democratic processes or not. Therefore, I would ask you to forgo this demagoguery and vote for democracy.

We have been elected to be legislators. There are pressing problems facing this Nation of ours. Let us get on with the business of solving them.

Mr. CELLER. Mr. Speaker, I yield one-half minute to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Speaker, our colleague, Mr. POWELL, has won three elections in 2 years. We have been through this debate for the second time in 2 years. Nothing has changed in that 2-year period. Yet 400,000 people in the 18th Congressional District continue to be unrepresented.

Mr. Speaker, the people in my district just reelected for the third time a candidate perhaps deemed out of tune by many—yes, a harmonica player. Yet they voted for, and had seated, the candidate—yea, the cacophonous scoundrel—of their choice.

Having seated me, the House may dampen my rhythms or mute my reeds, if they like not my musical style. But seat me they must.

I do not suggest that all districts must—or even ought—to be represented by harmonica players. I do suggest that all districts are entitled to the Member of their choice.

For too long the voters of the 18th District in New York—having voted overwhelmingly for a candidate meeting the three constitutional requirements for office—remain unrepresented.

Mr. POWELL should be promptly seated.

Mr. CELLER. Mr. Speaker, I yield the balance of the time to myself.

Mr. Speaker, there is a great constitutional question involved here, and that must be made as crystal clear as possible, and that is that the only issue at this point is in determining whether or not ADAM CLAYTON POWELL fits the qualifications laid down in article I, section 5 of the Constitution; namely, inhabitancy, age, and citizenship.

He satisfies those three conditions. He therefore should be admitted to membership in the House of Representatives. Any other qualifications are illegal as far as this House is concerned at this time.

It is true that article I, section 5, of the Constitution provides that the House shall be the judge of the qualifications of its Members.

But we have no right at this juncture to add to the qualifications of article I, section 5 of the Constitution. Make him a Member and then offer a resolution to make inquiry as to his conduct and as to his fitness. That resolution will be referred to an appropriate committee by the Speaker, and inquiry can be made. But what does the MacGregor resolution do?

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Mr. Speaker, I refuse to yield at this time.

The MacGregor resolution says that in addition to the three qualifications there shall be another qualification, a judgment shall be entered against ADAM CLAYTON POWELL in the sum of $30,000. In other words, in addition to the three qualifications, the MacGregor resolution adds sanctions, adds punishment, and adds a judgment. We have no right to do that, and I am certain the Supreme Court when it makes a decision on ADAM CLAYTON POWELL will so decide.

We have no right, none whatsoever, to enlarge the constitutional qualifications at this juncture, at this time.

Therefore, Mr. Speaker, I hope that the Members will vote for the resolution, the simple resolution that I have offered.

Therefore, Mr. Speaker, I move the previous question.

The SPEAKER. All time has expired.

The gentleman from New York (Mr. CELLER) has moved the previous question on the resolution.

The question is in ordering the previous question.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution in which the concurrence of the House is requested:

S. Con. Res. 1. Concurrent resolution to provide for the counting on January 6, 1969, of the electoral votes for President and Vice President of the United States.

The message also announced that the Senate had passed sundry resolutions, as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

S. RES. 6

Resolved, That the House of Representatives be notified of the election of Hon. Richard B. Russell, a Senator from the State of Georgia, as President of the Senate pro tempore.

S. RES. 7

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. E. L. Bartlett, late a Senator from the State of Alaska.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate, at the conclusion of its business today, do adjourn.

The message further announced that the Vice President, pursuant to Senate Resolution No. 1, appointed Mr. MANSFIELD and Mr. DIRKSEN, on the part of the Senate, to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

RESOLUTION AUTHORIZING AND DIRECTING THE OATH OF OFFICE TO BE ADMINISTERED TO ADAM CLAYTON POWELL

The SPEAKER. The question is on ordering the previous question.

The question was taken; and there were—yeas 177, nays 248, not voting, 4, not sworn, 6, as follows:

[Roll No. 3]

YEAS—177

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bell, Calif.
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Chisholm
Clark
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daddario
Daniels, N.J.
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Helstoski
Hicks
Holifield
Howard
Hungate
Jacobs
Joelson
Johnson, Calif.
Karth
Kastenmeier
Kirwan
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCarthy
McClory
McCloskey
McDonald, Mich.
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Moss

Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Podell
Price, Ill.
Railsback
Rees
Reuss
Riegle
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Sisk
Smith, Iowa
Smith, N.Y.
Staggers
Steiger, Wis.
Stokes
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Whitten
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Zablocki

NAYS—248

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Baring
Bates
Battin
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett
Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Gibbons
Goodling
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hogan
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
McClure
McCulloch
McDade
McEwen
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Mizell
Montgomery
Morton
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Young
Zion
Zwach

NOT VOTING—4

Chappell
Dawson
Dwyer
Laird

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the previous question was not ordered.

Mr. GAYDOS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

SUBSTITUTE AMENDMENT OFFERED BY MR. M'GREGOR

Mr. MacGREGOR. Mr. Speaker, I have at the Clerk's desk a resolution in the nature of a substitute which I offer as an amendment for House Resolution 1.

The Clerk read as follows:

Amendment offered by Mr. MacGregor as a substitute for the resolution offered by Mr. Celler:

Whereas Adam Clayton Powell possesses the requisite qualifications of age, citizenship and inhabitancy for membership in the House of Representatives and holds a certificate of election from the State of New York.

Whereas as a member of this House, Adam Clayton Powell improperly maintained on his clerk-hire payroll Y. Marjorie Flores (Mrs. Adam C. Powell) from August 14, 1964 to December 31, 1966, during which period either she performed no official duties whatever or such duties were not performed in Washington, District of Columbia or the State of New York as required by law;

Whereas as chairman of the Committee on Education and Labor, Adam Clayton Powell permitted and participated in improper expenditures of government funds for private purposes; and

Whereas the 1967 and 1966 refusal of Adam Clayton Powell to cooperate respectively with the select committee and the Special Subcommittee on Contracts of the House Administration Committee in their lawful inquiries authorized by the House of Representatives was contemptuous and was conduct unworthy of a Member: Now, therefore, be it

Resolved—

(1) That the Speaker administer the oath of office to the said Adam Clayton Powell, Member-elect from the Eighteenth District of the State of New York.

(2) That as punishment Adam Clayton Powell be and he hereby is fined the sum of $30,000 said sum to be paid to the Clerk to be disposed of by him according to law. The Sergeant-at-Arms of the House is directed to deduct $1,250 per month from the salary otherwise due the said Adam Clayton Powell and pay the same to said clerk until said $30,000 fine is fully paid.

(3) That as further punishment the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a Member of the 91st Congress.

(4) That if the said Adam Clayton Powell does not present himself to take the oath of office on or before January 15, 1969, the seat of the Eighteenth District of the State of New York shall be deemed vacant and the Speaker shall notify the Governor of the State of New York of the existing vacancy.

Mr. CELLER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York (Mr. Celler) rise?

Mr. CELLER. Mr. Speaker, I make the point of order that the substitute amendment offered by the gentleman from Minnesota to the simple resolution offered by myself to seat Adam Clayton Powell is not in order, and it is not germane in that it provides for a fine or judgment in the sum of $30,000 against Adam Clayton Powell and in that sense it is irrelevant, immaterial, and not germane to the resolution originally introduced.

The SPEAKER. Does the gentleman from Minnesota (Mr. MacGregor) desire to be heard?

Mr. MacGREGOR. Yes, Mr. Speaker.

Mr. Speaker, I must confess I am at a loss to understand the use of the word "judgment" by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. Celler).

Nowhere in my proposed resolution does the word "judgment" appear. A reading of the proposed resolution makes it clear that no judgment is contemplated and, indeed, this House has no power to enter judgment in any court, to my knowledge.

What the resolution does contain, Mr. Speaker, is in substance the same as contained in the resolution presented by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York (Mr. Celler), as chairman of the 1967 select committee to this House on March 1, 1967.

I call the attention of the Members and the attention of the Speaker and of the Parliamentarian to page 34, House Report No. 27, in re Adam Clayton Powell—the report of the select committee pursuant to House Resolution 1 of the 90th Congress.

On page 34 there appears the text of the resolution offered to this House as punishment of Adam Clayton Powell by the gentleman from New York (Mr. Celler) on March 1.

That resolution, and I quote from the indicated report, reads as follows:

Now, therefore be it resolved,

(1) That the Speaker administer the oath of office to the said Adam Clayton Powell, Member-elect from the 18th District of the State of New York.

Then, Mr. Speaker, skipping to the third item of the Celler resolution, I quote:

(3) That Adam Clayton Powell, as punishment, pay to the Clerk of the House to be disposed of by him according to law, $40,000. The Sergeant-at-Arms of the House is directed to deduct $1,000 per month from the salary otherwise due the said Adam Clayton Powell and pay the same to said Clerk, said deductions to continue while any salary is due the said Adam Clayton Powell as a Member of the House of Representatives until said $40,000 is fully paid.

It is resolved in the resolution to which the gentleman from New York now objects that:

(2) That as punishment Adam Clayton Powell be and he hereby is fined the sum of Thirty Thousand Dollars ($30,000.00), said sum to be paid to the Clerk to be disposed of by him according to law. The Sergeant-at-Arms of the House is directed to deduct One Thousand Two Hundred Fifty Dollars ($1,250.00) per month from the salary otherwise due the said Adam Clayton Powell, and pay the same to said clerk until said Thirty Thousand Dollar ($30,000.00) fine is fully paid.

Mr. Speaker, the only differences, other than differences of style, between the indicated portions of the Celler resolution of March 1, 1967, and the resolution that I have now offered, are that I have reduced to $30,000 the $40,000 proposed punishment by way of fine and that I have increased from $1,000 per month to $1,250 per month the amount authorized to be deducted by the Sergeant at Arms from the salary of ADAM CLAYTON POWELL if he is seated.

Mr. Speaker, the power of the House of Representatives to punish by way of a fine is amply established by the precedents.

May I, for the benefit of the Members of the House as well as the Chair, read respectfully from page 24 of the select committee's report, House Report No. 27, of late February 1967:

> The power of each House of Congress to punish its Members "for disorderly behavior" is found in article I, section 5, clause 2 of the Constitution.
>
> The nature of the power of the House to punish for disorderly behavior has been described as follows:
>
> * * * the power of the House to expel or otherwise punish a Member is full and plenary and may be enforced by summary proceedings. It is discretionary in character, and upon a resolution for expulsion or censure of a Member for misconduct each individual Member is at liberty to act on his sound discretion and vote according to the dictates of his own judgment and conscience. This extraordinary discretionary power is vested by the Constitution in the collective membership of the respective Houses of Congress, restricted by no limitation except in case of expulsion the requirement of the concurrence of a two-thirds vote.

Mr. Speaker, referring to page 27 of the select committee's report, permit me, in conclusion, to quote the previous authorities with respect to our power to punish by way of a fine. On page 27 of the Celler committee's report:

> Although, there has been a divergence of views concerning the power of a House to expel a Member for acts committed during a preceding Congress, the right of a House to censure a Member for such prior acts is supported by clear precedent in both Houses of Congress—namely, the case of Ames and Brooks in the House of Representatives and the case of Senator McCarthy in the Senate. In Ames and Brooks the acts for which censure was voted occurred more than 5 years prior to censure and two congressional elections had intervened.

Mr. Speaker, a reading of the precedents and authorities set forth in House Report No. 27, the report of the Celler select committee, amply demonstrates the proven power of the House to exercise its constitutional power by the levying of a fine such as is recommended and contained in my resolution.

Mr. GERALD R. FORD. Mr. Speaker, I ask to be heard on the objection of the gentleman from New York (Mr. CELLER).

The SPEAKER. The Chair will hear the gentleman from Michigan.

Mr. GERALD R. FORD. I think it is highly important and extremely significant that at this point in time in the House of Representatives, in 1969, the House has not adopted any rules for parliamentary procedure whatsoever. So we are not operating under any rules upon which a previous precedent must be used for decision. The House should, and I hope, will work its will on this issue on the basis of its judgment today not predicated on any rules of the past.

Mr. Speaker, if that is the case, we must turn, of course, to the Constitution of the United States, which is the basis upon which the House of Representatives and the legislative branch exist. What does the Constitution provide? In article I, section 5, the provision appears that the House shall, among other things, be the judge of the qualifications of its own Members. Using that as the foundation from which I shall argue, it means, then, that the House under the resolution offered by the gentleman from Minnesota is passing judgment on the qualifications and says that the gentleman from New York, the elected Representative from the 18th District, may be seated providing he meets the test of qualifications of having paid a fine.

Therefore, it seems to me, based on the previous precedents cited by the gentleman from Minnesota, where the House has censured and the House has taken other comparable or similar actions, we now have the right to act outside of any rules of the past, but on the rules we establish right now. The parliamentary precedents predicated on the rules are not binding. The precedents we must follow are in the Constitution of the United States.

Mr. CELLER. Mr. Speaker, may I be heard further?

The SPEAKER. The Chair will hear the gentleman from New York.

Mr. CELLER. Mr. Speaker, in answer to the arguments offered by the gentleman from Minnesota and the gentleman from Michigan, I wish to state that there is a great difference between the resolution we acted upon in the 90th Congress and the resolution we are called upon to act on today. The resolution in the 90th Congress was a formal and complete resolution which set forth the matter of seating and set forth in detail the matters of punishment. I think the matters of punishment were of four or five categories. The question of fine was one of the categories in that 90th Congress resolution.

The resolution I offered today is a very narrow resolution. It provides only for seating and the administration of the oath. The resolution in its wording says nothing about punishment, it says nothing about sanctions, it says nothing about a judgment, and it says nothing about a fine. Just as oil does not mix with water, just so a fine will not mix with seating, and a fine, therefore, is not germane to seating. For that reason, I hope the point of order will be sustained.

Mr. MACGREGOR. Mr. Speaker, may I be heard briefly in rebuttal?

The SPEAKER. The Chair will hear the gentleman from Minnesota.

Mr. MACGREGOR. Mr. Speaker, may I say in response to the argument made by the gentleman from Michigan, that my resolution is patterned after the resolution authorized by our select committee presented to the House on March 1, 1967. There is no call for a judgment in my resolution. Rather, there is a call for punishment by way of the fine, as there was in the resolution offered by the gentleman from New York.

Finally, Mr. Speaker, although rarely exercised, the power of the House to impose upon a Member—and I propose to seat ADAM CLAYTON POWELL, so that he will be a Member—punishment other than censure, but short of expulsion, seems to be established.

There is little reason to believe that the framers of the Constitution would empower Members to punish a Member for disorderly behavior, and to expel a Member if they intended to limit punishment to censure. Among other types of punishment mentioned by the authorities are fine and suspension.

Mr. WAGGONNER. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER. The Chair will hear the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, the substitute resolution offered by the gentleman from Minnesota (Mr. MACGREGOR) clearly sets forth that the gentleman from New York (Mr. POWELL) meets the constitutional requirements for seating. But as another very vital part of this resolution, it imposes punishment for actions previously committed. It is just that simple. This House does have that right. It did the same thing 2 years ago. The point of order is a mistake.

Mr. JOELSON. Mr. Speaker, I desire to be heard on the point of order.

The SPEAKER. The Chair will hear the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, with regard to the point of order, the resolution offered proposes to find Mr. POWELL in contempt. It specifically says that his actions were contemptuous.

The gentleman from Minnesota (Mr. MACGREGOR) said censure is not involved here. I would like to urge the support of the point of order, that this is an attempt to hold Mr. POWELL in contempt, and as such he is entitled to a hearing and all the other protections of any other Member of this Congress before he could be censured and held in contempt of Congress.

I reiterate that the words in this resolution are that Mr. POWELL will be held as in contempt of Congress.

Mr. PUCINSKI. Mr. Speaker, may I be heard on the point of order?

The SPEAKER. The Chair will hear the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, it occurs to me what we have here before us now in the substitute resolution really is composed of two provisions.

The first provision finds that the gentleman from New York meets the constitutional qualifications of age, of residency, and of citizenship, and should be seated.

It is the second part of the resolution that is creating the question here.

There are two ways this House can punish a Member. One: it could have voted up the previous question on the resolution offered by the gentleman from New York (Mr. CELLER) and proceeded to seat the Member, and then any Member could offer a resolution, which would go through the normal legislative process, to impose whatever punishment this House wanted upon that Member. That would be one way of doing it.

Obviously, what the gentleman from Minnesota is attempting to do is to apply two principles in a single resolution, totally unrelated. The resolution offered by the gentleman from Minnesota has a separability clause clearly dealing with two distinct actions in one resolution. The first part of that resolution states that the gentleman from New York meets the constitutional requirements for serving in Congress, that is of age, residency, and citizenship. It instructs that he be seated because he does meet those constitutional requirements.

The second portion of this resolution chooses not to wait for the parliamentary procedures and machinery set by this House for punishing a Member and instead, provides for punishment after the Member-elect from New York has been seated. The second part in no way disturbs or sets any precedent for future qualification of Members of the House. The gentleman from Minnesota does not address himself to disturbing the constitutional provision that the basic qualifications for serving in the House are age, citizenship, and residency. He provides a second paragraph, or a second provision in the same resolution, totally unrelated to the first, saying that for previous acts committed against this Government, against this Congress, the gentleman from New York is to be punished to the tune of $30,000 but only after he has been seated as a Member of Congress.

The two actions have no relation to each other; are clearly two separate provisions; and in no way affect the Constitution. By adopting this resolution and by overruling the point of order the Chair does not in any way disturb the constitutional provision, which clearly spells out the qualification of a Member. Those constitutional qualifications were properly established by the Founding Fathers. As has been said in previous debate, they have been stated that way for a definite purpose and the substitute offered by the gentleman from Minnesota in no way changes or modifies these basic constitutional requirements.

I do not construe the MacGregor amendment to in any way disturb the basic constitutional requirement of only three things; age, residency, and citizenship. Therefore, it occurs to me that the point of order should be overruled. The proposal by the gentleman from Minnesota would provide the people of the 18th District Representation in Congress but it would also provide restitution to the Federal Government for the acts of the Member-elect after he is sworn in as a Representative. Those of us who believe there should be restitution would hope the point of order is overruled.

The SPEAKER. The Chair is prepared to rule.

The gentleman from New York (Mr. CELLER) has offered a resolution providing that the gentleman from New York (Mr. POWELL) be now permitted to take the oath of office.

The previous question was moved and defeated by a vote of 176 ayes to 248 noes.

The gentleman from Minnesota (Mr. MACGREGOR) has offered an amendment in the nature of a substitute for the Celler resolution.

The gentleman from New York (Mr. CELLER) raises a point of order against the substitute on the ground that it is not germane to the resolution.

The Chair has examined the proposed substitute. It provides in part:

> (1) That the Speaker administer the oath of office to the said Adam Clayton Powell, Member-elect from the Eighteenth District of the State of New York.
>
> (2) That as punishment Adam Clayton Powell be and he hereby is fined the sum of $30,000 said sum to be paid to the Clerk to be disposed of by him according to law. The Sergeant-at-Arms of the House is directed to deduct $1,250 per month from the salary otherwise due the said Adam Clayton Powell, and pay the same to said clerk until said $30,000 fine is fully paid.
>
> (3) That as further punishment the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a Member of the 91st Congress.
>
> (4) That if the said Adam Clayton Powell does not present himself to take the oath of office on or before January 15, 1969, the seat of the Eighteenth District of the State of New York shall be deemed vacant and the Speaker shall notify the Governor of the State of New York of the existing vacancy.

The Chair will state in relation to the remarks made by the distinguished minority leader that while we are operating under general parliamentary law, which is correct, that volume VIII, section 3384 of Cannon's Precedents states:

> While the House is governed by general parliamentary usage prior to the adoption of rules, the Speakers have been inclined to give weight to the precedents of the House in the interpretation of that usage.

The Chair anticipated that the question of germaneness would be raised and has had the precedents of the House thoroughly researched.

The Chair might state there was no comparable case that the Chair can ascertain as a result of research in the annals of the House. However, it appears to the Chair that the punishment of Mr. POWELL for acts committed in the 88th or 89th Congresses, or declaring his seat vacant in the 91st Congress, is not germane to the proposition that he be now sworn in.

The Chair sustains the point of order.

Mr. CELLER. Mr. Speaker, I move the previous question on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, the House just a few moments ago defeated the previous question on the resolution offered by the gentleman from New York, and under the rules of the House and under the discretion given to the Speaker, the Speaker has the right to recognize the principal opponent of the resolution for 1 hour.

At the time the Chair recognized the gentleman from Minnesota, the gentleman from Minnesota (Mr. MACGREGOR), sought to offer a resolution, but the Chair has just now ruled against the germaneness of the resolution. I ask the question does the gentleman from Minnesota under this set of circumstances lose the right to offer a substitute and also to have 1 hour's time?

The SPEAKER. The Chair will state in response to the parliamentary inquiry that at this point the motion on the previous question takes precedence over the motion to amend, and if the House wants to consider further amendment, the House can vote down the previous question.

Mr. CELLER. Mr. Speaker, I move the previous question.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Louisiana will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, the Chair has sustained a point of order against the substitute resolution, the point of order having been made by the gentleman from New York (Mr. CELLER). The point of order was that the substitute was not germane. I listened carefully to the decision of the Chair, and I found nowhere in that decision from the Chair a clarification as to why it was not germane.

A statement has been made but no explanation has been given. I would like to know in what way it is not germane.

The SPEAKER. The Chair feels that in making the ruling on the point of order that the Chair stated the reasons upon which the point of order was sustained. The Chair has gone into that question in the ruling already made.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Iowa will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, is the Celler resolution now not subject to a substitute?

The SPEAKER. Not if the previous question is ordered.

Mr. GROSS. Mr. Speaker, I desire to offer a substitute which I have at the Clerk's desk.

The SPEAKER. The gentleman from New York (Mr. CELLER) has moved the previous question and the question now pending is on ordering the previous question.

Mr. MACGREGOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MACGREGOR. Mr. Speaker, as the distinguished Speaker was pronouncing judgment in favor of the gentleman from New York and against the gentleman from Minnesota, the gentleman from Minnesota——

The SPEAKER. The Chair has not done that.

Mr. MACGREGOR. I did not imply, Mr. Speaker, that you did.

The SPEAKER. The Chair had made a ruling which was justified.

Mr. MACGREGOR. Then, Mr. Speaker, I ask to revise my remarks to state that the Chair ruled in favor of the gentleman from New York (Mr. CELLER) and against the gentleman from Minnesota. Should the gentleman from Minnesota be on his feet seeking recognition for the purpose of offering a substitute to the resolution which I have offered and which was ruled out of order and should there be a rollcall vote and should it be identical to the earlier rollcall vote, is it correct that I might be looked upon favorably as being recognized if I am on my feet once again?

The **SPEAKER**. The gentleman from Minnesota is well aware of the fact that the Chair cannot make any commitments before the fact. All the gentleman from Minnesota can rely upon is the fairness of the present occupant of the chair.

Mr. **WATSON**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **WATSON**. Mr. Speaker, perhaps I may be alone in my lack of understanding as to exactly what is transpiring at the moment, but, perhaps, there may be some others who might be in a similar situation.

My parliamentary inquiry is this: Once the previous question has been rejected as it was a moment ago on the original Celler resolution, is it not in order for a substitute resolution to be offered by another Member of this body?

The **SPEAKER**. The Chair will state in response to the gentleman's parliamentary inquiry that an amendment in the nature of a substitute was offered and a point of order was made against it. The Chair sustained the point of order, and at this point a motion to move the previous question is again in order.

Mr. **WATSON**. Further, Mr. Speaker, there having been no further business having transpired between that vote which we took a moment ago, and by a vote of almost 2 to 1 rejected the previous question, is it not in order for another substitute to be offered?

The **SPEAKER**. The Chair will state that business has been transacted during that period of time.

Mr. **WATSON**. But a point was raised, Mr. Speaker, and the Speaker sustained it.

The **SPEAKER**. The Chair will protect the gentleman. The gentleman from Minnesota had been recognized to offer his amendment in the nature of the substitute and a point of order was made and the Chair has made its ruling. Now a motion has been made to order the previous question.

Mr. **WATSON**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **WATSON**. Mr. Speaker, could I be recognized at this time to offer an amendment in the way of a substitute?

The **SPEAKER**. The Chair will state in reply to the inquiry of the gentleman from South Carolina that the gentleman could not be recognized unless the previous question is voted down. It then becomes a matter of discretion on the part of the Chair, if it is voted down, as to who would be recognized.

Mr. **WATSON**. In other words, Mr. Speaker, we must again vote down the previous question and then it would be in order for a Member of this House, such as myself, to offer an amendment in the way of a substitute?

The **SPEAKER**. The Chair will state that the gentleman is correct in his statement.

On the question of recognition, if the gentleman is recognized, or any other Member is recognized, it would be in order to offer a germane amendment.

Mr. **WATSON**. Mr. Speaker, there are some Members who are prepared to offer such a substitute amendment.

Mr. **CELLER**. Regular order, Mr. Speaker.

Mr. **HAYS**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **HAYS**. Mr. Speaker, if the gentleman from New York were to withdraw his motion moving the previous question, would it then be within the province of the Speaker to recognize a Member to offer an amendment in the nature of a substitute?

I understand that there is some area of agreement whereby there will be a motion offered to refer to a standing committee of the House this matter, so that it may be determined.

But my question is this: If the motion for the ordering of the previous question were withdrawn, would not the Speaker have the right to recognize a Member, any Member whom he chooses, to offer such an amendment?

The **SPEAKER**. The Chair will state that if the motion ordering the previous question were withdrawn, then we would be back to the situation that existed prior to that motion being made.

Mr. **ALBERT**. Mr. Speaker, a further parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **ALBERT**. Mr. Speaker, pursuing the point made by the gentleman from Ohio (Mr. HAYS) should the gentleman from New York withdraw his motion ordering the previous question, would an amendment then be in order that the question of the amount of any fine as punishment assessed against the said ADAM CLAYTON POWELL be referred to the House Committee on Administration with instructions to report back its recommendations to the House of Representatives within 30 days?

The **SPEAKER**. Would the gentleman from Oklahoma kindly repeat his parliamentary inquiry?

Mr. **ALBERT**. Mr. Speaker, the parliamentary inquiry is this:

Should the gentleman from New York withdraw his motion on the previous question, would an amendment be in order to the original resolution of the gentleman from New York to the effect that the question of the amount of any fine as punishment assessed against the said ADAM CLAYTON POWELL be referred to the Committee on House Administration with instructions to report back its recommendations to the House of Representatives within 30 days?

The **SPEAKER**. The Chair will state in reply to the inquiry of the gentleman from Oklahoma that the Chair does not wish to pass upon any question prior to the question being presented. Further, the Chair does not feel that it should give an anticipatory opinion.

Mr. **WAGGONNER**. Mr. Speaker, a further parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **WAGGONNER**. The gentleman from New York (Mr. CELLER) has moved the previous question. Has the Chair ordered the previous question?

The **SPEAKER**. The Chair will state to the gentleman that the gentleman from New York has moved the previous question.

Mr. **CELLER**. Mr. Speaker, I move the previous question and insist upon the previous question.

Mr. **ALBERT**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 252, not voting 4, not sworn, 6, as follows:

[Roll No. 4]

YEAS—172

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bell, Calif.
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Chisholm
Clark
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daddario
Daniels, N.J.
Dawson
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Helstoski
Hicks
Holifield
Howard
Hungate
Jacobs
Joelson
Johnson, Calif.
Karth
Kastenmeier
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCarthy
McCloskey
McDonald, Mich.
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Mikva
Miller, Calif.
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Podell
Price, Ill.
Rees
Reuss
Riegle
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Sisk
Smith, Iowa
Smith, N.Y.
Staggers
Steiger, Wis.
Stokes
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Whitten
Wilson, Charles H.
Wolff
Wright
Yates
Yatron

NAYS—252

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Baring
Bates
Battin
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett

Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Gibbons
Goodling
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hogan
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
McClory
McClure
McCulloch
McDade
McEwen
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Mizell
Montgomery
Morton
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NOT VOTING—4

Dwyer
Everett
Kirwan
Laird

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the previous question was not ordered.

The result of the vote was announced as above recorded.

SUBSTITUTE AMENDMENT OFFERED BY MR. MAC GREGOR

Mr. MACGREGOR. Mr. Speaker, I have pending at the Clerk's desk a resolution which I offer as a substitute for the resolution ruled out on the point of order, as an amendment to House Resolution 1.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR as a substitute for the resolution offered by Mr. CELLER:

"*Resolved*, That the question of the right of Adam Clayton Powell to be sworn in as a Representative from the State of New York in the Ninety-first Congress, as well as his final right to a seat therein as such Representative, be referred to a special committee of nine Members of the House to be appointed by the Speaker, four of whom shall be Members of the minority party appointed after consultation with the minority leader. Until such committee shall report upon and the House shall decide such question and right, the said Adam Clayton Powell shall not be sworn in or permitted to occupy a seat in this House.

"For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

"Until such question and right have been decided, the said Adam Clayton Powell shall be entitled to all the pay, allowances, and emoluments authorized for Members of the House.

"The committee shall report to the House within three weeks after the members of the committee are appointed the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House."

The SPEAKER. The gentleman from Minnesota is recognized for 1 hour.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MACGREGOR. I will yield to the gentleman for a question.

Mr. CELLER. Will the gentleman yield for a question?

Mr. MACGREGOR. I yield for the purpose of asking a question.

Mr. CELLER. Mr. Speaker, do I understand—if I may ask the gentleman from Minnesota—that this amendment to my original resolution provides that the entire matter, including the question as to whether or not ADAM CLAYTON POWELL shall be seated as a Member, shall be referred to a committee?

Mr. MACGREGOR. The answer in substance is, "Yes."

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. MACGREGOR. Mr. Speaker, I yield for a parliamentary inquiry to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, this proposition, which apparently was drafted during the last rollcall is somewhat lengthy.

Mr. MACGREGOR. No—let me interrupt, if I may, so that I may save the time of the Members—and of course I mean no disrespect to my colleague, the gentleman from New Jersey.

This amendment was not drafted during the rollcall. I endeavored to accomplish an honorable compromise and the effort was not successful. The resolution that the Clerk has just read is identical with the resolution offered by the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), on January 10, 1967, and was adopted in the 90th Congress by this body by an overwhelming vote.

I have said that it is identical. Obviously, there are two very minor changes. Instead of 90th Congress, it reads 91st Congress. Instead of providing 5 weeks for the select committee to deliberate and report, that period is reduced to 3 weeks.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield further?

Mr. MACGREGOR. I yield to the gentleman.

Mr. THOMPSON of New Jersey. The gentleman has answered what I was about to attempt to propound in a parliamentary inquiry. In other words, except for those two minor changes, we are going through the same process again, if this is approved, as we did the last time around; is that correct?

Mr. MACGREGOR. You mean by "the last time around"—2 years ago?

Mr. THOMPSON of New Jersey. Yes.

Mr. MACGREGOR. The gentleman is substantially correct.

I deeply regret that is so. I deeply regret that the House did not have the opportunity on the resolution offered earlier, to which the distinguished gentleman from New York made a successful point of order, to settle this matter today. Hopefully, it would have settled the matter today, but since it has not seen fit to do so at least insofar as my resolution is concerned, I thought it might advance this matter to an honorable and expeditious conclusion, if we took the Ford resolution which was overwhelmingly approved by this body 2 years ago and apply it to our present situation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MACGREGOR. I yield to the distinguished gentleman from New York.

Mr. CELLER. In other words, your resolution now is similar or identical to the so-called Ford resolution except with respect to the time within which a report shall be made?

Mr. MACGREGOR. The gentleman from New York is correct.

Mr. CELLER. As a result of the passage of the Ford resolution, a select committee was formed of which you and I were members and we made a report. That report was not acceptable to the House.

Now you offer a resolution which would set up another committee to go over the same ground as did the committee which was selected as a result of the Ford resolution. Am I correct in that?

Mr. MACGREGOR. I would not agree that the proposed select committee would be confined to going over the same ground.

The gentleman well knows that almost 2 years have passed since the Celler select committee studied this question. Events have occurred in this period and circumstances have changed which a new committee might well wish to consider and evaluate.

Mr. CELLER. Is it not rather unusual to traverse this ground all over again and go over what the first committee did correct that I might be looked upon favorably as being recognized if I am on my feet once again?

The SPEAKER. The gentleman from Minnesota is well aware of the fact that the Chair cannot make any commitments before the fact. All the gentleman from Minnesota can rely upon is the fairness of the present occupant of the chair.

Mr. WATSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WATSON. Mr. Speaker, perhaps I may be alone in my lack of understanding as to exactly what is transpiring at the moment, but, perhaps, there may be some others who might be in a similar situation.

My parliamentary inquiry is this: Once the previous question has been rejected as it was a moment ago on the original Celler resolution, is it not in order for a substitute resolution to be offered by another Member of this body?

The SPEAKER. The Chair will state in response to the gentleman's parliamentary inquiry that an amendment in the nature of a substitute was offered and a point of order was made against it. The Chair sustained the point of order, and at this point a motion to move the previous question is again in order.

Mr. WATSON. Further, Mr. Speaker, there having been no further business having transpired between that vote which we took a moment ago, and by a vote of almost 2 to 1 rejected the previous question, is it not in order for another substitute to be offered?

The SPEAKER. The Chair will state that business has been transacted during that period of time.

Mr. WATSON. But a point was raised, Mr. Speaker, and the Speaker sustained it.

The SPEAKER. The Chair will protect the gentleman. The gentleman from Minnesota had been recognized to offer his amendment in the nature of the substitute and a point of order was made and the Chair has made its ruling. Now a motion has been made to order the previous question.

Mr. WATSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WATSON. Mr. Speaker, could I be recognized at this time to offer an amendment in the way of a substitute?

The SPEAKER. The Chair will state in reply to the inquiry of the gentleman from South Carolina that the gentleman could not be recognized unless the previous question is voted down. It then becomes a matter of discretion on the part of the Chair, if it is voted down, as to who would be recognized.

Mr. WATSON. In other words, Mr. Speaker, we must again vote down the previous question and then it would be in order for a Member of this House, such as myself, to offer an amendment in the way of a substitute?

The SPEAKER. The Chair will state that the gentleman is correct in his statement.

On the question of recognition, if the gentleman is recognized, or any other Member is recognized, it would be in order to offer a germane amendment.

Mr. WATSON. Mr. Speaker, there are some Members who are prepared to offer such a substitute amendment.

Mr. CELLER. Regular order, Mr. Speaker.

Mr. HAYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HAYS. Mr. Speaker, if the gentleman from New York were to withdraw his motion moving the previous question, would it then be within the province of the Speaker to recognize a Member to offer an amendment in the nature of a substitute?

I understand that there is some area of agreement whereby there will be a motion offered to refer to a standing committee of the House this matter, so that it may be determined.

But my question is this: If the motion for the ordering of the previous question were withdrawn, would not the Speaker have the right to recognize a Member, any Member whom he chooses, to offer such an amendment?

The SPEAKER. The Chair will state that if the motion ordering the previous question were withdrawn, then we would be back to the situation that existed prior to that motion being made.

Mr. ALBERT. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ALBERT. Mr. Speaker, pursuing the point made by the gentleman from Ohio (Mr. HAYS) should the gentleman from New York withdraw his motion ordering the previous question, would an amendment then be in order that the question of the amount of any fine as punishment assessed against the said ADAM CLAYTON POWELL be referred to the House Committee on Administration with instructions to report back its recommendations to the House of Representatives within 30 days?

The SPEAKER. Would the gentleman from Oklahoma kindly repeat his parliamentary inquiry?

Mr. ALBERT. Mr. Speaker, the parliamentary inquiry is this:

Should the gentleman from New York withdraw his motion on the previous question, would an amendment be in order to the original resolution of the gentleman from New York to the effect that the question of the amount of any fine as punishment assessed against the said ADAM CLAYTON POWELL be referred to the Committee on House Administration with instructions to report back its recommendations to the House of Representatives within 30 days?

The SPEAKER. The Chair will state in reply to the inquiry of the gentleman from Oklahoma that the Chair does not wish to pass upon any question prior to the question being presented. Further, the Chair does not feel that it should give an anticipatory opinion.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. The gentleman from New York (Mr. CELLER) has moved the previous question. Has the Chair ordered the previous question?

The SPEAKER. The Chair will state to the gentleman that the gentleman from New York has moved the previous question.

Mr. CELLER. Mr. Speaker, I move the previous question and insist upon the previous question.

Mr. ALBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 252, not voting 4, not sworn, 6, as follows:

[Roll No. 4]

YEAS—172

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bell, Calif.
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Chisholm
Clark
Clay
Cohelan
Conte
Conyers
Corman
Coughlin
Culver
Daddario
Daniels, N.J.
Dawson
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Helstoski
Hicks
Holifield
Howard
Hungate
Jacobs
Joelson
Johnson, Calif.
Karth
Kastenmeier
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCarthy
McCloskey
McDonald, Mich.
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
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Miller, Calif.
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Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Podell
Price, Ill.
Rees
Reuss
Riegle
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Sisk
Smith, Iowa
Smith, N.Y.
Staggers
Steiger, Wis.
Stokes
Sullivan
Symington
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
Whitten
Wilson, Charles H.
Wolff
Wright
Yates
Yatron

NAYS—252

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Baring
Bates
Battin
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Corbett

Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Fish
Fisher
Flowers
Flynt
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Gibbons
Goodling
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hogan
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Kee
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
McClory
McClure
McCulloch
McDade
McEwen
McKneally
McMillan
MacGregor
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Mizell
Montgomery
Morton
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wold
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NOT VOTING—4

Dwyer
Everett
Kirwan
Laird

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the previous question was not ordered.

The result of the vote was announced as above recorded.

SUBSTITUTE AMENDMENT OFFERED BY MR. MAC GREGOR

Mr. MacGREGOR. Mr. Speaker, I have pending at the Clerk's desk a resolution which I offer as a substitute for the resolution ruled out on the point of order, as an amendment to House Resolution 1.

The Clerk read as follows:

Amendment offered by Mr. MacGregor as a substitute for the resolution offered by Mr. Celler:

"*Resolved*, That the question of the right of Adam Clayton Powell to be sworn in as a Representative from the State of New York in the Ninety-first Congress, as well as his final right to a seat therein as such Representative, be referred to a special committee of nine Members of the House to be appointed by the Speaker, four of whom shall be Members of the minority party appointed after consultation with the minority leader. Until such committee shall report upon and the House shall decide such question and right, the said Adam Clayton Powell shall not be sworn in or permitted to occupy a seat in this House.

"For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

"Until such question and right have been decided, the said Adam Clayton Powell shall be entitled to all the pay, allowances, and emoluments authorized for Members of the House.

"The committee shall report to the House within three weeks after the members of the committee are appointed the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House."

The SPEAKER. The gentleman from Minnesota is recognized for 1 hour.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I will yield to the gentleman for a question.

Mr. CELLER. Will the gentleman yield for a question?

Mr. MacGREGOR. I yield for the purpose of asking a question.

Mr. CELLER. Mr. Speaker, do I understand—if I may ask the gentleman from Minnesota—that this amendment to my original resolution provides that the entire matter, including the question as to whether or not Adam Clayton Powell shall be seated as a Member, shall be referred to a committee?

Mr. MacGREGOR. The answer in substance is, "Yes."

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. MacGREGOR. Mr. Speaker, I yield for a parliamentary inquiry to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, this proposition, which apparently was drafted during the last rollcall is somewhat lengthy.

Mr. MacGREGOR. No—let me interrupt, if I may, so that I may save the time of the Members—and of course I mean no disrespect to my colleague, the gentleman from New Jersey.

This amendment was not drafted during the rollcall. I endeavored to accomplish an honorable compromise and the effort was not successful. The resolution that the Clerk has just read is identical with the resolution offered by the distinguished minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), on January 10, 1967, and was adopted in the 90th Congress by this body by an overwhelming vote.

I have said that it is identical. Obviously, there are two very minor changes. Instead of 90th Congress, it reads 91st Congress. Instead of providing 5 weeks for the select committee to deliberate and report, that period is reduced to 3 weeks.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield further?

Mr. MacGREGOR. I yield to the gentleman.

Mr. THOMPSON of New Jersey. The gentleman has answered what I was about to attempt to propound in a parliamentary inquiry. In other words, except for those two minor changes, we are going through the same process again, if this is approved, as we did the last time around; is that correct?

Mr. MacGREGOR. You mean by "the last time around"—2 years ago?

Mr. THOMPSON of New Jersey. Yes.

Mr. MacGREGOR. The gentleman is substantially correct.

I deeply regret that is so. I deeply regret that the House did not have the opportunity on the resolution offered earlier, to which the distinguished gentleman from New York made a successful point of order, to settle this matter today. Hopefully, it would have settled the matter today, but since it has not seen fit to do so at least insofar as my resolution is concerned, I thought it might advance this matter to an honorable and expeditious conclusion, if we took the Ford resolution which was overwhelmingly approved by this body 2 years ago and apply it to our present situation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the distinguished gentleman from New York.

Mr. CELLER. In other words, your resolution now is similar or identical to the so-called Ford resolution except with respect to the time within which a report shall be made?

Mr. MacGREGOR. The gentleman from New York is correct.

Mr. CELLER. As a result of the passage of the Ford resolution, a select committee was formed of which you and I were members and we made a report. That report was not acceptable to the House.

Now you offer a resolution which would set up another committee to go over the same ground as did the committee which was selected as a result of the Ford resolution. Am I correct in that?

Mr. MacGREGOR. I would not agree that the proposed select committee would be confined to going over the same ground.

The gentleman well knows that almost 2 years have passed since the Celler select committee studied this question. Events have occurred in this period and circumstances have changed which a new committee might well wish to consider and evaluate.

Mr. CELLER. Is it not rather unusual to traverse this ground all over again and go over what the first committee did and all its labor that we have done and trod this same path again?

Mr. MacGREGOR. May I say to the distinguished gentleman from New York that it is unusual. In fact, in the words of the Speaker of the House, no case like this has ever been presented to this Chamber before.

Mr. GROSS. Mr. Speaker, will the gentleman yield for the purpose of a parliamentary inquiry?

Mr. MacGREGOR. I yield to the gentleman for a parliamentary inquiry.

Mr. GROSS. Mr. Speaker, is the Celler resolution as proposed, if amended by the MacGregor amendment, subject to substitution at this point?

The SPEAKER. Does the gentleman inquire whether or not it is in order to offer an amendment to the MacGregor amendment?

Mr. GROSS. Whether it is in order to offer a substitute, Mr. Speaker, for the Celler resolution and the pending amendment.

The SPEAKER. The Chair will state that such an amendment is not in order at this time unless the gentleman from New Jersey yields for that purpose, or unless the previous question is defeated.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. MacGREGOR. I yield to the gentleman from New Jersey (Mr. Thompson) only for the purpose of a parliamentary inquiry.

Mr. THOMPSON of New Jersey. Mr. Speaker, in the event that, following the hour's debate on the MacGregor motion, the previous question is defeated, would there not be another opportunity for another Member to offer an amendment to the Celler resolution?

The SPEAKER. The answer is that it would be in order, assuming that those things happened, to offer another amendment to the Celler resolution.

Mr. THOMPSON of New Jersey. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMPSON of New Jersey. If the previous question on the MacGregor amendment is defeated, could a Member be recognized for the purpose of offering a simple substitute to the Celler amendment directing that the House do seat the gentleman from New York?

The SPEAKER. The Chair does not want to pass on any further questions before they actually arise. But in making an observation it would seem to the Chair that if the previous question should be defeated, that could be accomplished by adopting the Celler resolution.

Mr. HAYS. Mr. Speaker, will the gentleman yield for a question?

Mr. MacGREGOR. I yield to the gentleman from Ohio for a question.

Mr. HAYS. Did I correctly understand your resolution when it was read that the Member in question, Mr. Powell, would not be seated in the interim?

Mr. MacGREGOR. That is correct. Matters would be held in abeyance. But Mr. Powell's case would not be prejudged. He would, as he did 2 years ago, receive the pay and emoluments of his office until the select committee whose formulation is envisaged by the resolution made its recommendations and the House determined the matter.

Mr. HAYS. Mr. Speaker, will the gentleman yield for a further question?

Mr. MacGREGOR. I yield to the gentleman from Ohio for a further question.

Mr. HAYS. Would the gentleman be inclined to yield for an amendment stating that the gentleman be seated, and the matter be referred to a select committee to determine what his punishment, if any, should be, and the matter reported back to the House in a stated time?

Mr. MacGREGOR. The gentleman from Minnesota respectfully declines to yield for that purpose.

Mr. GROSS. Mr. Speaker, will the gentleman yield for one more question?

Mr. MacGREGOR. I will yield to the gentleman from Iowa, who was on his feet before the gentleman from New York, for the purpose of asking a question.

Mr. GROSS. For the purpose of a question.

Mr. MacGREGOR. I yield for the purpose of a question.

Mr. GROSS. Would the gentleman yield to me to offer a substitute?

Mr. MacGREGOR. It is the intention of the gentleman from Minnesota, without being rude to any of his colleagues, to move very promptly the previous question on the substitute and on the amendment.

Mr. GROSS. The answer is "No." Is that correct? He would not at this time yield to me to offer a substitute?

Mr. MacGREGOR. The gentleman from Iowa is correct.

I indicated I would yield to the distinguished chairman of the Committee on the Judiciary (Mr. Celler).

Mr. CELLER. Do I correctly understand that there is a clause in your resolution that is identical with the clause in the so-called Ford resolution to the effect that until such question has been decided, Adam Clayton Powell shall be entitled to all the pay, allowances, and emoluments authorized to Members of the House?

Mr. MacGREGOR. The gentleman is correct. When the point of order was raised against my previous resolution, there was no time to prepare a new text, and we therefore took from the Congressional Record of January 10, 1967, the exact text of the then Ford resolution with the exception of the change from the 90th to the 91st Congress, and from 5 to 3 weeks. The gentleman from New York may be assured that the resolution which is now pending is identical with the Congressional Record report of the resolution offered by the gentleman from Michigan (Mr. Ford) and adopted by this House on January 10, 1967.

Mr. CELLER. One more question: Would he be permitted to assemble a staff and have the staff paid by the Government?

Mr. MacGREGOR. He would be permitted exactly and precisely those things which he was permitted for the period from January 10, 1967, until March 1, 1967. The precise details of what he enjoyed during that period are not within my memory.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. The gentleman from South Carolina (Mr. Watson) wishes me to yield for what purpose?

Mr. WATSON. For a question.

Mr. MacGREGOR. Mr. Speaker, I yield to the gentleman for a question.

Mr. WATSON. Mr. Speaker, will the gentleman help me to understand, since the gentleman's resolution provides that the Member-elect from New York is to receive all pay and emoluments of the office during this period of 3 or 5 weeks—I believe it is 5 weeks?

Mr. MacGREGOR. Three weeks.

Mr. WATSON. Since it provides that, under what constitutional authority or under what logic can we as a House authorize the payment of the salary to a person who is not a Member of this House?

Mr. MacGREGOR. As the gentleman from South Carolina is a distinguished lawyer, and he has been kind enough in the past to say that I am, I will respond. The principle of stare decisis is an important principle in the field of law, and I think it has a place in this body.

Two years ago, the House in its wisdom saw fit to act as I now urge it to act today. That is my response to the gentleman.

Mr. WATSON. Mr. Speaker, one further comment. I believe someone said that a wise man will change his mind when he sees the error of his ways, but a fool never will.

Mr. Speaker, I thank the gentleman very much.

Mr. MacGREGOR. Mr. Speaker, I sought to bring about an opportunity where this House could exercise the wisdom it has acquired over the past 2 years, but I was thwarted in that effort.

Mr. STRATTON. Mr. Speaker, will the gentleman from Minnesota yield for a parliamentary inquiry?

Mr. MacGREGOR. I yield to the gentleman from New York for a parliamentary inquiry.

Mr. STRATTON. Mr. Speaker, in the event the previous question—which the gentleman from Minnesota has just said he intends to move very shortly—is voted down, would it then be in order to recognize some Member of this House to move that the gentleman from New York be seated and that the question of any possible disciplinary action against the gentleman from New York be referred to an appropriate committe of the House? Would that, may I ask the Chair, be in order and would it also be germane?

The SPEAKER. The Chair will state if the previous question is voted down, any germane amendment would be in order.

On the question the gentleman is asking as to whether the proposition he refers to would be germane, the Chair would not express an opinion on that, because the matter is not raised and before the Chair for an opinion.

Mr. STRATTON. I thank the Speaker.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. Mr. Speaker, may I say to the gentleman from Illinois, it is my strong desire to bring this colloquy at least to a temporary resolution and to final decision within a short period of time. With that in mind, I will be pleased to yield to the gentleman from Illinois for a question or for a parliamentary inquiry.

Mr. PUCINSKI. For a question. Mr.

Speaker, the gentlemen on both sides of the aisle have established throughout the afternoon that the gentleman from New York is qualified within the Constitution in that he is old enough, he is a resident, and he is a citizen.

The question is now one of judgment. I do not understand how this House can now, when both sides of the aisle have agreed he is qualified under the Constitution, deny the people of the 18th District of New York representation in this Congress as of today. I do not understand how we can say the gentleman is qualified constitutionally, but we will not seat him. Will the gentleman please address himself to that question?

Mr. MacGREGOR. Mr. Speaker, if we had unlimited time, I would. But I have already responded to that many times. The gentleman knows my view in this matter by reason of my service on the select committee, and by reason of the fact that I helped to write the report of the select committee, and by reason of my participation in the debate today.

Mr. Speaker, I now move the previous question on the amendment and the resolution.

The SPEAKER. The gentleman from Minnesota moves the previous question on the amendment and the resolution. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the substitute amendment offered by the gentleman from Minnesota (Mr. MacGregor).

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 292, not voting 6, not sworn, 6, as follows:

[Roll No. 5]

YEAS—131

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ashbrook
Bates
Battin
Beall, Md.
Bennett
Berry
Blanton
Bow
Bray
Brock
Broomfield
Brown, Mich.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Caffery
Cahill
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Cowger
Cunningham
Davis, Wis.
Dellenback
Derwinski
Dorn
Downing
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Evins, Tenn.
Fish
Ford, Gerald R.
Frelinghuysen
Fulton, Tenn.
Green, Oreg.
Grover
Gubser
Gude
Hansen, Idaho
Harsha
Harvey
Hastings
Hébert
Heckler, Mass.
Hogan
Horton
Hosmer
Ichord
Johnson, Pa.
Kazen
Kee
Keith
Kyl
Kyros
Landgrebe
Langen
Latta
Lipscomb
Lloyd
McClory
McCulloch
McDade
McEwen
McKneally
MacGregor
Mailliard
Marsh
May
Mayne
Mills
Minshall
Morton
Myers
Nelsen
Passman
Patman
Pelly
Pickle
Pirnie
Poff
Pryor, Ark.
Reid, Ill.
Reinecke
Rhodes
Roberts
Robison
Roth
Rumsfeld
Schadeberg
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Skubitz
Smith, Calif.
Springer
Stafford
Stanton
Steed
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Ullman
Vander Jagt
Waggonner
Weicker
Whalley
White
Widnall
Wilson, Bob
Wyatt
Wydler
Zion
Zwach

NAYS—292

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Andrews, Ala.
Annunzio
Ashley
Aspinall
Ayres
Baring
Barrett
Belcher
Bell, Calif.
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Byrne, Pa.
Camp
Carey
Carter
Casey
Celler
Chappell
Chisholm
Clark
Clay
Cohelan
Collins
Colmer
Conyers
Corbett
Corman
Coughlin
Cramer
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Dennis
Dent
Devine
Dickinson
Diggs
Dingell
Donohue
Dowdy
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flowers
Flynt
Foley
Ford, William D.
Foreman
Fraser
Frey
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Pa.
Griffin
Griffiths
Gross
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Howard
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones,N.C.
Karth
Kastenmeier
King
Kleppe
Kluczynski
Koch
Kuykendall
Landrum
Leggett
Lennon
Long, La.
Long, Md.
Lowenstein
Lujan
McCarthy
McCloskey
McClure
McDonald, Mich.
McFall
McMillan
Madden
Mahon
Mann
Martin
Mathias
Matsunaga
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Mize
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Pettis
Philbin
Pike
Poage
Podell
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reifel
Reuss
Riegle
Rivers
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roybal
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scherle
Scheuer
Scott
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Staggers
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taylor
Teague Tex.
Thompson, N.J.
Tiernan
Tunney
Udall
Utt
Van Deerlin
Vanik
Vigorito
Wampler
Watkins
Watson
Watts
Whalen
Whitehurst
Whitten
Wiggins
Williams
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wylie
Wyman
Yates
Yatron
Young
Zablocki

NOT VOTING—6

Dwyer
Fountain
Kirwan
Laird
Macdonald, Mass.
Waldie

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the substitute amendment was rejected.

Mr. WHALLEY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question recurs on the adoption of the resolution offered by the gentleman from New York (Mr. Celler).

Mr. GROSS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. GROSS. I have a substitute at the Clerk's desk.

The SPEAKER. The Chair will state that the previous question has been ordered not only on the amendment but also on the resolution. Therefore, a substitute is not in order at this time.

The question is on the resolution offered by the gentleman from New York (Mr. Celler).

The resolution was rejected.

RESOLUTION PROVIDING FOR ADMINISTERING OATH OF OFFICE TO ADAM CLAYTON POWELL

Mr. CELLER. Mr. Speaker, I offer a resolution.

The Clerk read the resolution as follows:

H. Res. 2

Resolved—

(1) That the Speaker administer the oath of office to the said Adam Clayton Powell, Member-elect from the Eighteenth District of the State of New York.

(2) That as punishment Adam Clayton Powell be and he hereby is fined the sum of $25,000, said sum to be paid to the Clerk to be disposed of by him according to law. The Sergeant at Arms of the House is directed to deduct $1,150 per month from the salary otherwise due the said Adam Clayton Powell, and pay the same to said Clerk until said $25,000 fine is fully paid.

(3) That as further punishment the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a Member of the 91st Congress.

(4) That if the said Adam Clayton Powell does not present himself to take the oath of office on or before January 15, 1969, the seat of the Eighteenth District of the State of New York shall be deemed vacant and the Speaker shall notify the Governor of the State of New York of the existing vacancy.

Mr. CELLER. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. WATSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WATSON. Mr. Speaker, in the event this vote on the previous question is again voted down, will it be in order for the Speaker to give consideration to the recognition of a Member who wants to propose a resolution to exclude the Member-elect from New York?

The SPEAKER. If the previous question is voted down, any amendment or an amendment in the nature of a substitute that is brought up would be in order.

Mr. WATSON. It would be in order.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. GERALD R. FORD. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Is this yea-and-nay vote on the previous question?

The SPEAKER. It is.

Mr. GERALD R. FORD. I thank the Chair.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 249, nays 171, not voting 8, not sworn, 6, as follows:

[Roll No. 6]

YEAS—249

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ayres
Barrett
Bates
Battin
Beall, Md.
Bell, Calif.
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Celler
Chisholm
Clark
Clay
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cunningham
Daddario
Daniels, N.J.
Davis, Wis.
Dawson
Delaney
Dellenback
Dent
Derwinski
Diggs
Dingell
Donohue
Dulski
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Howard
Hungate
Hutchinson
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Karth
Kastenmeier
Kazen
Kee
Keith
Kluczynski
Koch
Kyros
Leggett
Long, Md.
Lowenstein
McCarthy
McClory
McCloskey
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mailliard
Marsh
Matsunaga
May
Meeds
Meskill
Mikva
Miller, Calif.
Mills
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Nedzi
Nix
O'Hara
Olsen
Ottinger
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Railsback
Rees
Reifel
Reinecke
Reuss
Rhodes
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scheuer
Schneebeli
Schwengel
Sisk
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stokes
Stratton
Symington
Talcott
Teague, Calif.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Weicker
Whalen
Whalley
White
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wold
Wolff
Wright
Wyatt
Wydler
Wyman
Yates
Yatron
Zablocki
Zwach

NAYS—171

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Ashbrook
Ashley
Aspinall
Baring
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bray
Brinkley
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Cabell
Caffery
Camp
Carter
Casey
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Collins
Colmer
Cowger
Cramer
Culver
Daniel, Va.
Davis, Ga.
de la Garza
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edwards, Ala.
Edwards, La.
Everett
Fisher
Flowers
Flynt
Foreman
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Gibbons
Goodling
Griffin
Gross
Hagan
Haley
Hall
Hammerschmidt
Harsha
Hébert
Henderson
Hogan
Horton
Hosmer
Hull
Hunt
Jarman
Joelson
Jonas
Jones, Ala.
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
McClure
McCulloch
McMillan
Mahon
Mann
Martin
Mathias
Mayne
Michel
Miller, Ohio
Minshall
Mize
Mizell
Montgomery
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Poage
Poff
Pollock
Preyer, N.C.
Price, Tex.
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Rivers
Roberts
Rogers, Fla.
Roudebush
Ruth
Satterfield
Scherle
Scott
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Utt
Waggonner
Wampler
Watkins
Watson
Watts
Whitehurst
Whitten
Williams
Winn
Wylie
Young
Zion

NOT VOTING—8

Dwyer
Fountain
Grover
Kirwan
Laird
O'Neill, Mass.
Sullivan
Waldie

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the previous question was ordered.

Messrs. ECKHARDT, CULVER, and ASHLEY changed their votes from "yea" to "nay."

Mr. BURKE of Massachusetts changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution offered by the gentleman from New York (Mr. CELLER).

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, I assume that the ordering of the previous question would preclude an amendment designed to fix the price of a seat, would it not?

The SPEAKER. It excludes all amendments.

Mr. WATSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WATSON. Mr. Speaker, since those of us who were against the resolution as offered by the gentleman from New York (Mr. CELLER) had such an extended time during which to debate the issue, I wonder if it would be appropriate to ask unanimous consent that at least the resolution be read again so that the Members may be apprised of its contents?

The SPEAKER. Without objection, the Clerk will report the resolution.

There was no objection.

Mr. GROSS. Mr. Speaker, I believe most of the Members of the House are acquainted with the history of this case. It was fully debated here nearly 2 years ago and the will of the House was that ADAM CLAYTON POWELL was not fit to sit in this body.

Mr. Speaker, nothing has changed in the intervening time. ADAM CLAYTON POWELL is as unfit to enjoy the privilege of being a Member of the House of Representatives today as he was unfit on March 1, 1967.

Let me remind Members of the conclusions reached by the select committee which investigated his flagrant misconduct while a Member of the House.

This committee, having pored over the voluminous records detailing the utter disregard of the law, of the House, of the people of this country, and of even basic public morality, found that his conduct had brought "discredit" and "disrepute" to this body and "was contemptuous and was conduct unworthy of a Member."

What had he done?

Actually, it is a question of how much is known about what he has done. The evidence strongly suggests that ADAM CLAYTON POWELL has taken the American people and this House for a far greater ride than anyone yet knows.

For example, the committee found that POWELL, by fraud and forgery, obtained well over $40,000 of Government funds.

His so-called staff members included one woman who was introduced onto the payroll of his Education and Labor Committee when POWELL knew that her only duties were service as a cook and cleaning woman at his house on the island of Bimini.

Further, the select committee investigating his contemptible conduct found that:

First. He used an assumed name on many airline tickets purchased with Education and Labor Committee credit cards, thus deceiving the approving authority as to the number of trips made by him as an individual.

Second. That a staff member—Miss Corrine A. Huff—made a number of similar trips using an assumed name, and for the same purpose.

Third. That he favored at least one member of his staff with personal vacation trips, the transportation for which was procured by using committee credit cards.

Fourth. That for years, POWELL kept his wife on his payroll when, in fact, she was living in Puerto Rico and doing little, if any, work in connection with his congressional office. Mrs. Powell herself testified that for 6 years, with possibly a few exceptions, she did not receive the salary checks made payable to her as a member of his congressional staff.

Moreover, when the select committee showed her photocopies of some of these checks she stated that the endorsements were not in her handwriting.

This, Mr. Speaker, is open and shut forgery.

Now, Mr. Speaker, much was made 2 years ago of the contention that ADAM CLAYTON POWELL had somehow been deprived of his rights by the action of the House in, first, refusing to seat him until the select committee had finished its work and, second, in excluding him from the Congress.

This contention was soundly rejected by the Members, and for good reason. POWELL not only has a long history of flagrantly flouting the law and the courts established to administer the law, he flatly and contemptuously refused to appear before the investigating authorities of this House to answer the charges against him. He had every opportunity to do so; every conceivable chance.

Mr. Speaker, it is this man's unbelievable disregard—no, contempt—for law, that is perhaps most appalling of his characteristics.

As Members will recall, POWELL has a lengthy history of ignoring those courts and those laws which he chooses to ignore. He has set himself above the law time and again. Perhaps no other man—and certainly no other public official—has displayed such disdain of the very laws and the principles of morality that are the foundations of this Nation.

I do not make this statement on my own authority alone. Let me quote a few of the statements of men who have had occasion to know him best on this score. I speak of the justices of the courts of the State of New York where, since 1960, this man has been involved—at arm's length, to be sure, since he chose to appear before these courts rather less often than he appeared in the well of this House during his membership—in protracted litigation involving a libel case and a fraudulent transfer of assets case.

Extensive civil and criminal contempt proceedings have resulted there because of his calculated disobedience to court orders. These are no light charges, unless you happen to be ADAM CLAYTON POWELL, to whom the whole thing appears a huge joke.

On November 4, 1966, New York Supreme Court Justice Matthew Levy presented a summary of the remarks concerning POWELL that had been made by his colleagues and by justices of the New York appellate division.

In December of 1965 one justice said:

> It seems to me that the blatant cynicism on the part of Mr. Powell, his disregard for the law, for the ministry and for justice and decency, as far as I can see, is monstrous defiance of everything that is decent in this community, sets a very bad example for the youth of this city and this country.
>
> The blatant, cynical disregard for the law on the part of a U.S. Congressman is detrimental to the law, to the ministry, and to democracy.
>
> This man is supposed to be a Member of the Congress, which makes laws, yet he seems to show rank and monstrous defiance to the law. I don't understand it at all.

Another justice of the New York Court said this in August of 1966:

> Considering the disdainful and demeaning and despising attitude of (Powell) toward the authority and dignity of the court, as reflected by the voluminous files of this court which include several civil adjudications of contempt, on a proper and satisfactory jurisdictional basis there is no doubt nor would there be any hesitancy to adjudge the alleged misconduct criminal.

In October 1966, commenting on the unusual appearance of POWELL in his court, still another justice commented:

> This marked departure from his hitherto elusiveness was not, unfortunately, accompanied by a similar departure from his policy of ignoring, evading or abusing legal procedures in a campaign of relentless defiance designed to frustrate and impede the judgment creditor in the lawful collection of her judgment.
>
> It was merely another ploy in the seemingly endless series of maneuvers and dilatory tactics by which (Powell) manifests his distaste and disrespect for our judicial processes.

On October 25, 1966, the appellate division of the court said this:

> As the long and ugly record in this matter shows, this failure to obey is consistent with (Powell's) cynical refusal to honor his own promises together with a total disregard of any and all process that has been served upon him.

Mr. Justice Levy himself, decrying POWELL's "willful flouting" of the law, commented upon the "attendant deleterious and corroding impact upon the judicial system as a whole and its serious consequential effect upon the general maintenance of law and order in our community."

He went on to observe:

> What the defendant (Powell) presumes to do with impunity cannot go unpunished. Else the average person may rightly assume that he may do the same, and feel that when not permitted by the courts thus to act, there is discrimination against the less powerful persons, who rely, and justly rely, upon the courts for the due and impartial administration of justice.

The comments of these judges are even more interesting in the light of the spineless refusal of the Justice Department to press for a decision from the grand jury in the Powell case.

It is inconceivable that any panel of jurors would, of their own volition, refuse to act on the massive evidence supplied them by this House unless blinders were put on them by the Justice Department or its attorneys were under orders to sit on their hands and do nothing.

The House of Representatives found ADAM CLAYTON POWELL guilty of the charges against him before this grand jury was in existence. If he was guilty then—and there is no argument that he was—he is just as guilty now, the nonfeasance of the Justice Department notwithstanding.

Mr. Speaker, I submit that the people of this Nation have had enough of scofflaws such as POWELL. They have had enough—more than enough—of men who choose to obey only those laws they find convenient to obey. They have had enough of those who openly brazenly flout the rules under which all others are expected to live.

For too long have they heard the shrill exhortations to the young minds of this country to damn the law. To put themselves above the law as if it did not apply to them but only to those who choose to obey it.

And in ADAM CLAYTON POWELL, who stands condemned by the New York courts for precisely this type of advocacy, the scofflaw has his champion and his hero.

Mr. Speaker, there are those who have argued, and may well do so again today, that POWELL has already been sufficiently punished and humiliated by his exclusion from the 90th Congress. Where is the proof of this?

Has anyone heard POWELL express regret for his fraudulent acts?

Has anyone seen any evidence of contriteness on his part for his monstrous conduct?

Has he made the slightest show of repaying the $40,000 he was found to have fraudulently obtained?

And why not?

The reason is plain. It is because the morality of ADAM CLAYTON POWELL is not the morality of the vast majority. This man has shown time and time again that he thinks himself above the law, and certainly as being above the rules of this House. It was true in the years that he was a Member. It is every bit as true now.

Does anyone in this Chamber really believe that POWELL has been humiliated by his exclusion? There is not a shred of evidence to support such a belief. There is not a cell in his body capable of humiliation. So I hope that no one will try to use that specious argument for seating him.

It has been argued that POWELL's punishment would consist, in part, in the select committee's recommendation that the $40,000 be docked from his pay. There is no punishment in this, of course.

In the first place, the return of money fraudulently taken is not a punishment. And in the second place, by docking his pay, the taxpayers of this country would be replacing the money taken by POWELL.

I do not believe for a minute that the people of this Nation are ready to pay for POWELL's wrongdoings.

I do not believe for a minute that the people of this Nation want a man helping to write their laws who has proved himself a scofflaw.

If there had been the slightest evidence of contrition on his part, if he had been willing to admit his guilt, if he had even been willing to contest the charges against him, I am sure the Members of this House would feel more willingness to forgive.

But POWELL is manifestly unable or unwilling to see any wrong in what he has done, despite the great weight of the unrefuted evidence to the contrary, and despite the overwhelming judgment of his peers to the contrary.

He would, on the other hand, have the

people of this Nation believe that he did nothing that all the rest of us here in this Chamber have done and are still doing—lying, cheating, and stealing.

If Powell thinks every Member of this House is a crook, he has presented the best argument that can be made for excluding him from the 91st Congress.

Mr. Speaker, if a Member of this body can by the process of fraud and forgery convert $40,000 to $60,000 of Government funds to his own use and that of his friends and escape punishment then there is little integrity left in the House of Representatives. To seat Adam Clayton Powell today, on the basis of the evidence against him, will make a sham and a pretense of any ethics committee and will be an act that is inexplicable to the public.

Mr. WATSON. Mr. Speaker, those who argue that time has erased Powell's guilt are indulging in camouflage of the worst sort. No one should be misled into believing that Powell has had a change of heart or that he is now prepared to seek the forgiveness of the American people and the House of Representatives which he has so grievously wronged.

The issue before us is whether one Member of Congress has the right to set himself above the law while his colleagues look the other way. If we choose to look the other way, representative government will have been dealt a severe blow. The average citizen of this country in the past few years has been subjected to some rather adverse publicity about the House. By seating Adam Clayton Powell, the House will be justifying that bad publicity.

No one has advanced any argument or shown any evidence to refute the charges brought against Adam Clayton Powell. The select committee appointed to investigate his activities in 1967 clearly showed that he misappropriated public funds. How far would a Government clerk get if he so much as misused $400 in public money? Why, of course—the Justice Department would prosecute with all possible speed. Yet Adam Clayton Powell illegally spent $40,000 belonging to the Government, and there are those who would welcome him with open arms in our midst.

What kind of double standard is this? What manner of hypocrisy? Are we to say to the American taxpayer that $40,000 of his hard-earned money goes as a gift to a flamboyant Congressman who happens to enjoy the good life while at the same time warning that taxpayer not to fudge on his deductions?

Adam Clayton Powell is not on trial here. The House of Representatives is on trial. A mere slap on the wrist, a directive to pay back the $40,000—all of these efforts at making a haughty man atone for past sins are absolutely superfluous.

The great majority of our constituents know full well that Powell has no feeling of guilt. For the past 2 years he has arrogantly turned his back on the House. Repentant? There is not a repentant bone in his body. If anything, the past 2 years have made him more adamant in his disdain for the Members of this body, his own constituency, and every loyal, dedicated, and patriotic American.

Adam Clayton Powell does not deserve to sit in the House of Representatives. His very presence here is an affront to the House and representative government everywhere. Two years ago we courageously stood up and showed Powell the exit. Surely we have not become so indifferent, so insipid in 2 years' time that we now have a change of heart. Powell is still guilty in the eyes of the American people. By accepting him we too must share that guilt. When the votes are counted people only want to know how you voted on the question of seating Powell. They only want to know if you compromised what is right and proper. I want to be able to say that I stood for exclusion of a man who defrauded the American taxpayer.

Mr. WIGGINS. Mr. Speaker, I wish to speak to the following question: Is the "fine" imposed by House Resolution 2 to be allowed as an offset against any sum which may be determined in a subsequent proceeding to be owed by Mr. Powell to the people of the United States?

The answer to this query is not explicit in the text of the resolution, but it is implicit from a review of the history of that resolution. The answer is, "No."

The point of beginning must be the report of the select committee created in the 90th Congress to investigate the conduct of Mr. Powell. That committee recommended the imposition of a fine of $40,000 as a penalty against Mr. Powell. Both the resolution proposed by that committee and its report to the House specified that the fine imposed would be considered as partial payment of any civil liability of Mr. Powell to the United States.

The present resolution is silent on that question. I believe, Mr. Speaker, that the silence of the resolution on the issue is pregnant with meaning.

The power of Congress is to punish a Member. We are told that this power—short of exclusion—is plenary and may be exercised by majority vote. We are told that the power includes the imposition of a fine as punishment.

And now I ask, Mr. Speaker, "Have we punished Mr. Powell by requiring him to pay a just debt?" Of course not.

Should this question arise at any time in the future—and I suspect that it will—I wish the record to reflect that in voting to support House Resolution 2 it was my intention that:

First. The $25,000 fine is not a compromise settlement of all money claims against Mr. Powell;

Second. The $25,000 fine is not intended as partial payment of any liability which may be determined at a later time; and

Third. It is intended as a fine to punish Mr. Powell for his well-documented misdeeds, and is imposed in addition to any civil liability of Mr. Powell to the United States.

Mr. HUNGATE. Mr. Speaker, were this Russia or Czechoslovakia, the decision on the seating of Adam Clayton Powell would be a simple one. Those of us who disapprove of his behavior could simply deny him a seat. However, this is not Russia, and the 18th Congressional District of New York is not Czechoslovakia. Its constituents have not once, but three times, indicated Adam Clayton Powell as their choice to represent them.

A statement of Voltaire frequently found on the mastheads of our newspapers is:

> I disapprove of what you say, but I will defend to the death your right to say it.

This is our opportunity to demonstrate whether we really believe this proposition—or merely think it sounds good.

A final point depends on your view of crime and punishment. I supported the motion in the 90th Congress which excluded, properly I think, Mr. Powell from membership in this body for 2 years. The present motion requires a fine of $25,000, a not insubstantial amount. Appropriate punishment is in order. Further retribution would be vindictive, and vengeance does not become the Congress of the United States.

Mr. KOCH. Mr. Speaker, I should like to take a moment to comment on the matter of the seating of Mr. Adam Clayton Powell and my position on his right to be seated without prior conditions being imposed by this body.

The Constitution has only three requirements for Membership in the House of Representatives; they are age, residency, and citizenship. Mr. Powell qualifies with respect to all of them. The judgment as to whether or not a person is "fit" to represent the people is left to the voters, and rightly so. Mr. Powell was duly elected by the people of New York's 18th District, not once but twice since the charges against him were reported to the public. There has not been any question about the propriety of the ballots cast in his behalf nor about the majorities given him.

I would like to make it clear, Mr. Speaker, that I have disapproved of many of Mr. Powell's actions while a Member of the Congress and particularly those violations found by the special committee created to study the case of Mr. Powell. But, I am not one of his constituents, and the final judgment should be theirs.

In my opinion, any punitive action taken in Mr. Powell's case should have come only after his immediate seating and upon the recommendation of a special committee established for such purposes.

Therefore, the record shows my voting for Mr. Celler's resolution, House Resolution 1, providing for Mr. Powell's seating. But, my vote, unfortunately, was in the minority on this rollcall.

Despite my feelings about the imprudence of attaching a condition to Mr. Powell's seating, I believed it to be of paramount importance that he be seated and that the people of his district again be represented in the House, an axiomatic right of all people in this country. And so, on the final vote on House Resolution 2, providing for Mr. Powell's seating with a fine and loss of seniority, I first voted "yea." But, when it was established that there were sufficient votes to have him seated—and that my vote was not necessary for this purpose—I joined five others in voting "present" to indicate my opposition to the $25,000 fine and other sanctions.

Mr. SCHWENGEL. Mr. Speaker, I would like to take this opportunity to further comment on, and explain my position on the seating of Adam Powell.

Any scholarly analysis of this question must begin with a review of the pertinent constitutional provisions.

Article I, section 2, of the U.S. Constitution provides in part:

> No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Article I, section 5, of the U.S. Constitution provides in part:

> Each House shall be the judge of the elections, returns and qualifications of its own Members, . . .

Section 2, quoted above, clearly sets forth the only qualifications for membership in the U.S. House of Representatives. It is my position that any person presenting a duly certified certificate of election from his State, and meeting the constitutional requirements set forth in section 2, to wit, age, residence, and citizenship, must be seated by the House of Representatives. Mr. Powell presented the required certificate of election, and no serious question has been raised with respect to his meeting the qualifications of age, residence, or citizenship. Thus it is my opinion, that from a legal standpoint, there was no basis for excluding Mr. Powell from the 91st Congress. For this reason I voted to seat Mr. Powell. But, to fully explore this question, we must look to still another constitutional provision.

Article I, section 5 further provides:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

It is under this provision of the Constitution that the House must control the conduct of its Members. There is little doubt that Mr. Powell has been guilty of a good number of indiscretions in his personal life, and in respect to his official duties. It is my feeling that it was incumbent on the House to "punish" Mr. Powell for this "disorderly behavior" pursuant to the provisions of section 5, article I.

It is for this reason that I urged a $40,000 fine be imposed. When this motion was unsuccessful, I agreed to support a fine of $30,000. It should be made clear that the $30,000 fine was imposed pursuant to the punishment provisions of article I, section 5, and not as an additional qualification for seating superimposed on the requirements of article I, section 2, of the Constitution. The failure to make this distinction has resulted in a good deal of the confusion on this question.

Mr. Powell was further "punished" by being relegated to so-called freshman status, and being stripped of all seniority. Mr. Powell had served 22 years in the House, and was chairman of the powerful Education and Labor Committee. This additional punishment is far from being inconsequential. Mr. Powell also lost approximately $55,000 in salary during the years he was excluded. It should also be clear that the action of the House does not bar civil litigation to recover any moneys which may be found to be due the Congress from Mr. Powell. And, it would be my hope that the new administration will carefully review the actions of the Justice Department, and if the facts warrant to reopen the criminal aspects of the case, it would further be my position that the House has a duty to continue to "police" the behavior of Mr. Powell, just as is the case with all other Members. If Mr. Powell's conduct in the future is such as to be classified as "disorderly behavior," he would still be subject to punishment by the House, and if the circumstances warranted, he could be expelled.

We must not confuse the question of Mr. Powell's fidelity to his constituents with his fidelity to the U.S. House of Representatives. The people of his district have reelected him twice since he was originally excluded from the House. It would be unconscionable to deny the people of his district representation under the circumstances. In this respect he has settled his legal problems within his district, particularly the defamation judgment. Although I question some of the actions of the Justice Department in this respect, Mr. Powell has apparently been cleared of all criminal charges. To this end, I quote from a letter to Congressman Celler from the Attorney General dated January 2:

> Dear Congressman Celler: This letter is in further reply to the material you transmitted to the Department of Justice by letter dated February 24, 1967, with respect to Mr. Adam Clayton Powell.
>
> This material and other conduct of Mr. Powell was investigated by the Federal Bureau of Investigation and extensive inquiry was made by a Federal grand jury in the District of Columbia. The grand jury which considered the matter expired on December 9. *On the recommendation of the Department*, the grand jury did not return an indictment. Our recommendation was based on the conclusion that the available evidence did not warrant prosecution.
>
> The Department is continuing to study the matter to determine whether there is civil liability. (Emphasis added.)
>
> Sincerely yours,
>
> Ramsey Clark,
> *Attorney General.*

I would also like to emphasize the fact that my action in voting to seat Mr. Powell was based in part on the advice of some of the most respected attorney Members of the House.

For the foregoing reasons, I feel the House was correct and fair in the action taken with respect to the seating of Mr. Powell.

The Clerk reread the resolution, as follows:

H. Res. 2

Resolved—

(1) That the Speaker administer the oath of office to the said Adam Clayton Powell, Member-elect from the Eighteenth District of the State of New York.

(2) That as punishment Adam Clayton Powell be and he hereby is fined the sum of $25,000, said sum to be paid to the Clerk to be disposed of by him according to law. The Sergeant-at-Arms of the House is directed to deduct $1,150 per month from the salary otherwise due the said Adam Clayton Powell, and pay the same to said clerk until said $25,000 fine is fully paid.

(3) That as further punishment the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a Member of the 91st Congress.

(4) That if the said Adam Clayton Powell does not present himself to take the oath of office on or before January 15, 1969, the seat of the Eighteenth District of the State of New York shall be deemed vacant and the Speaker shall notify the Governor of the State of New York of the existing vacancy.

The SPEAKER. The question is on the resolution.

Mr. MYERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MYERS. Mr. Speaker, paragraph No. 3 of the resolution relative to seniority, it is not clear to me what the intent of this action is. What about the 24 years of seniority? Would this resolution, if adopted, place the gentleman from New York (Mr. Powell) at the same starting point as a freshman that is taking over today?

The SPEAKER. The Chair will state to the gentleman what is in the resolution:

> (3) That as further punishment the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the day he takes the oath as a Member of the 91st Congress.

Mr. MYERS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MYERS. Does this apply to office space and so forth and does he take his position along with the other freshmen today for office space?

The SPEAKER. The Chair has read the resolution to the gentleman. Does the gentleman wish the Chair to repeat what is in the resolution?

Mr. MYERS. Mr. Speaker, I have read the resolution.

The SPEAKER. The resolution states: "as of the date he takes the oath as a Member of the 91st Congress."

The question is on the resolution.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 254, nays 160, answered "present" 6, not voting 10, not sworn, 6, as follows:

[Roll No. 7]

YEAS—254

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Aspinall
Ayres
Barrett
Bates
Battin
Beall, Md.
Bell, Calif.
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Burke, Mass.
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Cahill
Carey
Casey
Cederberg
Celler
Chisholm
Clark
Clay
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cunningham
Daddario
Daniels, N.J.
Davis, Wis.
Dawson
Delaney
Dellenback
Dent
Derwinski
Diggs
Dingell
Donohue
Dulski
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzales
Gray
Green, Oreg.
Green, Pa.
Griffiths

Gubser
Gude
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hogan
Holifield
Horton
Howard
Hungate
Hutchinson
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Karth
Kastenmeier
Kazen
Kee
Keith
Kluczynski
Kyros
Langen
Leggett
Long, Md.
McCarthy
McClory
McCloskey
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mailliard
Marsh
Matsunaga
May
Meeds
Meskill
Mikva
Miller, Calif.
Mills
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nelsen
Nix
O'Hara
Olsen
Ottinger
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Price, Ill.
Pryor, Ark.
Pucinski
Quie
Railsback
Rees
Reifel
Reinecke
Reuss
Rhodes
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scheuer
Schneebeli
Schwengel
Shriver
Sisk
Smith, Calif.
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stokes
Stratton
Symington
Talcott
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Weicker
Whalen
Whalley
White
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wold
Wolff
Wright
Wyatt
Wydler
Wyman
Yates
Yatron
Zablocki
Zwach

NAYS—158

Abbitt
Abernethy
Adair
Alexander
Anderson, Tenn.
Andrews, Ala.
Ashbrook
Ashley
Baring
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Camp
Carter
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Collins
Colmer
Cowger
Cramer
Culver
Daniel, Va.
Davis, Ga.
de la Garza
Denney
Dennis
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Fisher
Flowers
Flynt
Foreman
Frey
Fulton, Tenn.
Fuqua
Galifianakis
Gaydos
Gettys
Gibbons
Goodling
Griffin
Gross
Hagan
Haley
Hall
Hammerschmidt
Harsha
Henderson
Hosmer
Hull
Hunt
Jarman
Joelson
Jonas
Jones, Ala.
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lujan
McClure
McCulloch
McMillan
Mahon
Mann
Martin
Mathias
Mayne
Michel
Miller, Ohio
Minshall
Mize
Mizell
Montgomery
Myers
Natcher
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Poage
Poff
Pollock
Preyer, N.C.
Price, Tex.
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Rivers
Roberts
Rogers, Fla.
Roudebush
Ruth
Satterfield
Scherle
Scott
Sebelius
Shipley
Sikes
Skubitz
Slack
Smith, Iowa
Snyder
Steiger, Ariz.
Stephens
Stubblefield
Stuckey
Taylor
Teague, Tex.
Thompson, Ga.
Utt
Waggonner
Wampler
Watkins
Watson
Watts
Whitehurst
Whitten
Williams
Winn
Wylie
Young
Zion

ANSWERED "PRESENT"—6

Brown, Calif.
Burton, Calif.
Eckhardt
Koch
Lowenstein
Ryan

NOT VOTING—10

Dwyer
Everett
Evins, Tenn.
Fountain
Grover
Kirwan
Laird
O'Neill, Mass.
Sullivan
Waldie

NOT SWORN—6

Hanna
Lukens
Mosher
Powell
Reid, N.Y.
Taft

So the resolution was agreed to.

Messrs. KOCH and BROWN of California changed their votes from "yea" to "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SWEARING IN OF A MEMBER

Mr. POWELL appeared at the bar of the House and took the oath of office.

MAJORITY LEADER

Mr. ROSTENKOWSKI. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as majority leader the gentleman from Oklahoma, the Honorable CARL ALBERT.

MINORITY LEADER

Mr. ANDERSON of Illinois. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to officially notify the House that the gentleman from Michigan, the Honorable GERALD R. FORD, has been selected as the minority leader of the House.

MINORITY WHIP

Mr. ANDERSON of Illinois. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House officially that the Republican Members have selected as minority whip the gentleman from Illinois, the Honorable LESLIE C. ARENDS.

MAJORITY WHIP

Mr. ALBERT. Mr. Speaker, I have the honor of advising the Members of the House that the distinguished gentleman from Louisiana (Mr. BOGGS) has been selected to serve as majority whip during the 91st Congress.

ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, DOORKEEPER, POSTMASTER, AND CHAPLAIN

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That W. Pat Jennings, of the Commonwealth of Virginia, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the Commonwealth of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Edward G. Latch, of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. ANDERSON of Illinois. Mr. Speaker, I have a substitute to offer to the resolution, but before offering the substitute I request that there be a division on the question on the resolution so that we may have a separate vote on the office of Chaplain.

The SPEAKER. The gentleman from Illinois demands a division in relation to the election of the Chaplain.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

SUBSTITUTE AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a substitute amendment for the remainder of the resolution.

The Clerk read the substitute amendment, as follows:

Amendment offered by Mr. ANDERSON of Illinois as a substitute for House Resolution 3:

"That Harry L. Brookshire, of the State of Ohio, be, and he is hereby, chosen Clerk of the House of Representatives;

"That Richard T. Burress, of the State of Maryland, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

"That William R. Bonsell, of the Commonwealth of Pennsylvania, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

"That Tony Lee Winebrenner, of the State of Indiana, be, and he is hereby, chosen Postmaster of the House of Representatives."

The SPEAKER. The question is on the substitute amendment.

The substitute amendment was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from Illinois (Mr. ROSTENKOWSKI).

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Will the officers elected present themselves in the well of the House?

The officers-elect presented themselves at the bar of the House and took the oath of office.

NOTIFICATION TO SENATE OF ORGANIZATION OF THE HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 4

Resolved, that a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that John W. McCormack, a Representative from the Commonwealth of Massachusetts, has been elected Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninety-first Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 5

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to join the committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make, the gentleman from Oklahoma (Mr. ALBERT), the gentleman from Louisiana (Mr. BOGGS), and the gentleman from Michigan (Mr. GERALD R. FORD).

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. MAHON. Mr. Speaker, I offer a resolution (H. Res. 6) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 6

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected John W. McCormack, a Representative from the Commonwealth of Massachusetts, Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninety-first Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. COLMER. Mr. Speaker, I offer a resolution (H. Res. 7) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 7

Resolved, That the Rules of the House of Representatives of the 90th Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby adopted as the Rules of the House of Representatives of the 91st Congress, with the following amendment as part thereof, to wit:

In Rule XV, clause 1, strike out "voting;" and all that follows and insert in lieu thereof the following: "voting. Members appearing after the second call, but before the result is announced, may vote or announce a pair.".

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMPENSATION OF CERTAIN MINORITY EMPLOYEES

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, six minority employees authorized therein shall be the following-named persons, effective January 3, 1969, until otherwise ordered by the House, to-wit: Harry L. Brookshire and Richard T. Burress to receive gross compensation of $28,000, respectively; William R. Bonsell to receive gross compensation of $22,757.86 per annum; Tommy Lee Winebrenner, to receive gross compensation of $19,508.27 per annum; Walter Patrick Kennedy (minority pair clerk), to receive gross compensation of $22,184.85 per annum; and Robert T. Hartmann (legislative assistant to minority leader) to receive gross compensation of $21,792.12 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEES ON APPROPRIATIONS AND ARMED SERVICES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 9) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 9

Resolved, That during the Ninety-first Congress the Committee on Appropriations shall be composed of fifty-one members and the Committee on Armed Services shall be composed of forty members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON WAYS AND MEANS

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a resolution (H. Res. 10) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 10

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committee of the House of Representatives on Ways and Means:

Wilbur D. Mills (chairman), of Arkansas; Hale Boggs, of Louisiana; John C. Watts, of Kentucky; Al Ullman, of Oregon; James A. Burke, of Massachusetts; Martha W. Griffiths, of Michigan; Dan Rostenkowski, of Illinois; Phil M. Landrum, of Georgia; Charles A. Vanik, of Ohio; Richard H. Fulton, of Tennessee; Jacob H. Gilbert, of New York; Omar Burleson, of Texas; James C. Corman, of California; William J. Green, of Pennsylvania.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. GROSS. Mr. Speaker, I was unable to obtain recognition this afternoon and ask recognition now to make a point of order that a quorum is not present.

The SPEAKER. The Chair will count. A quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Abbitt
Ashbrook
Ayres
Barrett
Betts
Biaggi
Broomfield
Burton, Utah
Cahill
Cederberg
Celler
Clay
Conyers
Corbett
Cowger
Daniel, Va.
Delaney
Dent
Diggs
Donohue
Dorn
Dwyer
Edwards, Calif.
Everett
Evins, Tenn.
Fallon
Farbstein
Findley
Fisher
Flowers
Flynt
Ford, William D.
Fountain
Grover
Harsha
Hawkins
Hays
Hull
Hutchinson
Jones, Ala.
Karth
Kirwan
Kluczynski
Kuykendall
Laird
Long, Md.
McDade
McMillan
Martin
Michel
Morse, Mass.
Nelsen
Nichols
Nix
O'Neill, Mass.
Ottinger
Patman
Philbin
Pike
Podell
Powell
Rooney, Pa.
Rosenthal
Ruppe
St. Onge
Sisk
Smith, Calif.
Springer
Stuckey
Sullivan
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Utt
Waggonner
Waldie
Watkins
Watson
Watts
Widnall
Williams
Wydler
Yatron
Zwach

The SPEAKER. On this rollcall 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Note: The following five Members have not yet taken the oath of office: Hanna, Lukens, Mosher, Reid of New York, and Taft.

ELECTION TO COMMITTEE ON WAYS AND MEANS

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEES ON APPROPRIATIONS, ARMED SERVICES, HOUSE ADMINISTRATION, AND RULES

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 11) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 11

Resolved, That the following-named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Appropriations: George H. Mahon (chairman), Texas; Michael J. Kirwan, Ohio; Jamie L. Whitten, Mississippi; George W. Andrews, Alabama; John J. Rooney, New York; Robert L. F. Sikes, Florida; Otto E. Passman, Louisiana; Joe L. Evins, Tennessee; Edward P. Boland, Massachusetts; William H. Natcher, Kentucky; Daniel J. Flood, Pennsylvania; Tom Steed, Oklahoma; George E. Shipley, Illinois; John M. Slack, West Virginia; John J. Flynt, Jr., Georgia; Neal Smith, Iowa; Robert N. Giaimo, Connecticut; Julia Butler Hansen, Washington; Charles S. Joelson, New Jersey; Joseph P. Addabbo, New York; John J. McFall, California; W. R. Hull, Jr., Missouri; Jeffery Cohelan, California; Edward J. Patten, New Jersey; Clarence D. Long, Maryland; John O. Marsh, Jr., Virginia; Sidney R. Yates, Illinois; Bob Casey, Texas; David Pryor, Arkansas.

Committee on Armed Services: L. Mendel Rivers (chairman), South Carolina; Philip J. Philbin, Massachusetts; F. Edward Hébert, Louisiana; Melvin Price, Illinois; O. C. Fisher, Texas; Charles E. Bennett, Florida; James A. Byrne, Pennsylvania; Samuel S. Stratton, New York; Otis G. Pike, New York; Richard H. Ichord, Missouri; Lucien N. Nedzi, Michigan; Alton Lennon, North Carolina; Wm. J. Randall, Missouri; G. Elliott Hagan, Georgia; Charles H. Wilson, California; Robert L. Leggett, Californa; Frank E. Evans, Colorado; Floyd V. Hicks, Washington; Speedy O. Long, Louisiana.

Committee on House Administration: Samuel N. Friedel (chairman), Maryland; Wayne L. Hays, Ohio; Frank Thompson, Jr., New Jersey; Watkins M. Abbitt, Virginia; Joe D. Waggonner, Jr., Louisiana; John H. Dent, Pennsylvania; Sam M. Gibbons, Florida; Lucien N. Nedzi, Michigan; John Brademas, Indiana; John W. Davis, Georgia; Kenneth J. Gray, Illinois.

Committee on Rules: William M. Colmer (chairman), Mississippi; Ray J. Madden, Indiana; James J. Delaney, New York; Richard Bolling, Missouri; Thomas P. O'Neill, Jr., Massachusetts; B. F. Sisk, California; John Young, Texas; Claude Pepper, Florida; Spark M. Matsunaga, Hawaii; William R. Anderson, Tennessee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEES ON APPROPRIATIONS, HOUSE ADMINISTRATION, RULES, AND WAYS AND MEANS

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a resolution (H. Res. 12) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 12

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: Frank T. Bow, Ohio; Charles Raper Jonas, North Carolina; Melvin R. Laird, Wisconsin; Elford A. Cederberg, Michigan; Glenard P. Lipscomb, California; John J. Rhodes, Arizona; William E. Minshall, Ohio; Robert H. Michel, Illinois; Silvio O. Conte, Massachusetts; Odin Langen, Minnesota; Ben Reifel, South Dakota; Glenn R. Davis, Wisconsin; Howard W. Robison, New York; Garner E. Shriver, Kansas; Joseph M. McDade, Pennsylvania; Mark Andrews, North Dakota; Louis C. Wyman, New Hampshire; Burt L. Talcott, California; Charlotte T. Reid, Illinois; Donald W. Riegle, Jr., Michigan; Wendell Wyatt, Oregon.

Committee on House Administration: Glenard P. Lipscomb, California; Robert J. Corbett, Pennsylvania; Charles E. Chamberlain, Michigan; Samuel L. Devine, Ohio; William L. Dickinson, Alabama; James C. Cleveland, New Hampshire; John Kyl, Iowa; Albert H. Quie, Minnesota; Fred Schwengel, Iowa; William O. Cowger; Kentucky; Robert C. McEwen, New York.

Committee on Rules: H. Allen Smith, California; John B. Anderson, Illinois; Dave Martin, Nebraska; James H. Quillen, Tennessee; Delbert L. Latta, Ohio.

Committee on Ways and Means: John W. Byrnes, Wisconsin; James B. Utt, California; Jackson E. Betts, Ohio; Herman T. Schneebeli, Pennsylvania; Harold R. Collier, Illinois; Joel T. Broyhill, Virginia; James F. Battin, Montana; Barber B. Conable, Jr., New York; George Bush, Texas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING OF HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, I offer a resolution (H. Res. 13) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 13

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read:

House of Representatives,
Washington, D.C., December 17, 1968.

Hon. John W. McCormack,
U.S. House of Representatives,
Washington, D.C.

My Dear Mr. Speaker: In view of my election as a Justice of the Supreme Court of the State of New York, I hereby tender my resignation as a Member of the House of Representatives from the 24th District of New York, effective December 31, 1968.

It has been a great honor and privilege for me to have served in Congress. The 16 years that I spent in the House have been rewarding and I shall never forget them.

I am grateful to you, Mr. Speaker, and all of my colleagues who have extended their kindness, consideration and friendship during those 16 exciting years.

With warmest regards, I am
Sincerely yours,
Paul A. Fino.

PROVIDING FOR A JOINT SESSION TO COUNT ELECTORAL VOTES

Mr. ALBERT. Mr. Speaker, I call up a Senate concurrent resolution (S. Con. Res. 1) and ask for its immediate consideration.

The Clerk read the Senate concurrent Resolution, as follows:

S. Con. Res. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Monday, the 6th day of January 1969, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President pro tempore of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handled, as they are opened by the President pro tempore of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President pro tempore of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 1, the Chair appoints as tellers on the part of the House to count the electoral votes on January 6, 1969, the gentleman from Maryland (Mr. Friedel) and the gentleman from California (Mr. Lipscomb).

AUTHORIZING SPEAKER TO DECLARE A RECESS ON MONDAY, JANUARY 6, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Monday, January 6, 1969, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRESIDENTIAL INAUGURATION

Mr. ALBERT. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read as follows:

H. Con. Res. 1

Resolved by the House of Representatives (the Senate concurring), That effective from January 3, 1969, the joint committee created by Senate Concurrent Resolution 73, of the Ninetieth Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1969, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 73, of the Ninetieth Congress.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of Concurrent Resolution No. 1, 91st Congress, the Chair appoints as members of the joint committee to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States on the 20th day of January 1969, the following Members on the part of the House: Mr. Gerald R. Ford, of Michigan; Mr. McCormack of Massachusetts; and Mr. Albert of Oklahoma.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS AND SUBCOMMITTEES THEREOF TO SIT DURING SESSIONS AND RECESSES OF 91ST CONGRESS

Mr. MAHON. Mr. Speaker, I offer a resolution (H. Res. 14) and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 14

Resolved, That the Committee on Appropriations and the subcommittees thereof be authorized to sit during sessions and recesses of the Ninety-First Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE PRODUCTION OF DOCUMENTS UNDER PRIVILEGES OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 15) and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 15

Whereas by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

Resolved, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That during any recess or adjournment of the Ninety-first Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That when any said court determines upon the materialty and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied, nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I will yield briefly.

Mr. HALL. Mr. Speaker, I am not sure how brief it will be, but if we are going to pass this by unanimous consent, it would be in order to have some explanation.

My question is simply this: Mr. Speaker, would the effect of this resolution blanket in all authority which previously we have considered as far as individual cases are concerned for subpenas of Members or subpenas duces tecum as affects documents of individual Members of the House or of the House of Representatives itself?

Mr. ALBERT. Mr. Speaker, of course, the resolution, as the gentleman knows by its reading, refers to any case that might take place during the recesses or adjournment of the Congress. It has no application in any other case. It is a standard resolution which has been used, as far as I know. The only reason for the resolution is to protect Members of the House.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, what he is saying is that this is only in cases where subpenas were served while the Congress was in recess?

It is the blanket form of resolution we have adopted in the past?

Mr. ALBERT. The gentleman is correct, but this is not a blanket resolution. This is a resolution to cover the situation if subpenas had been issued, so that the papers and privileges of the House would be protected against the process of the court. It is a protection of the House.

Mr. HALL. This is exactly the basis for my query, the coequal legislative branch vis-a-vis the judicial branch and their rights and demands on this House of Representatives. Am I assured by the distinguished gentleman from Oklahoma that if such a subpena would be applied by any branch of the judiciary in the future, it would be considered individually when we are in session?

Mr. ALBERT. The gentleman is correct. This is only to protect in those instances which might occur during adjournment.

Mr. HALL. I thank the gentleman.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTRODUCTION AND REFERENCE OF BILLS TODAY

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills today.

As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress, several thousand bills have been introduced. It will be readily apparent to all Members that it may be a physical impossibility for the Speaker to examine each bill for reference today. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the Record as of today will be included in the next day's Record and printed with a date as of today.

APPOINTMENT AS MEMBERS OF HOUSE OFFICE BUILDING COMMISSION

The SPEAKER. Pursuant to the provisions of title 40, United States Code, sections 175 and 176, the Chair appoints the gentleman from New York (Mr. Celler), and the gentleman from Florida (Mr. Cramer) as members of the House Office Building Commission to serve with himself.

LEGISLATIVE PROGRAM FOR NEXT WEEK AND AUTHORITY FOR SPEAKER TO DECLARE A RECESS ON JANUARY 9, 1969, TO RECEIVE APOLLO 8 ASTRONAUTS

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I should like to have the attention of the distinguished acting minority leader.

Mr. Speaker, I take this time to give Members as much notice as I can of the business contemplated for next week.

Monday, of course, is the regular day for the counting of the electoral votes. That will take place on Monday.

Monday also is suspension day. There is one suspension—the bill to increase the per annum rate of compensation of the President of the United States.

Also on Monday, for the information of Members, all Members have received, I believe, invitations from the Speaker and myself regarding the reception to be held in the Longworth Building cafeteria at which the President of the United States will be the guest of Members of the House. That will be on Monday at 4:30 or immediately following the adjournment of the House. All Members on both sides of the Capitol, on both sides of the aisle, are invited.

Mr. Speaker, may I advise we also intend on Thursday to honor the astronauts, the Apollo 8 astronauts.

In that regard, Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, January 9, 1969, for the Speaker to declare a recess for the purpose of receiving in joint meeting the Apollo 8 astronauts: Col. Frank Borman, U.S. Air Force; Capt. James A.

Lovell, Jr., U.S. Navy; and Lt. Col. William A. Anders, U.S. Air Force.

The SPEAKER pro tempore (Mr. Roberts). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished Speaker.

Mr. McCORMACK. I believe a little explanation should be made to my colleagues on the bill which is coming up Monday under the suspension of the rules procedure, and the necessity for it.

In connection with the recommendations from the Commission to the President about increases in salaries, all Members of the Congress and the judiciary and the other officers in the executive branch are covered, except that the Vice President, the Speaker, and the leaders of both branches do not come within the purview of the proposal, because the Commission did not feel it had jurisdiction to make recommendations with reference to the Vice President, the Speaker, or the leaders of both branches.

However, if later any increase in salary is provided for them, that can be done and it would not prevent the increase from taking effect during their term of office. That is the information we have received. However in the case of the next President of the United States, unless something is done with reference to increasing his salary on or before January 20, even if we pass the bill later, he could not take advantage of it during his term of office for a period of 4 years.

We are faced with a very practical situation here with respect to the organization of the committees. This will take time, and 12 o'clock January 20 is the deadline. So, if we are going to take any action in connection with an increase in salary for the next President of the United States, it has to be done on or before noon of January 20. If we took action afterwards, then during his term of office he could not take advantage of the increase in salary that the Congress might provide. We feel it is only fair and just.

This action was initiated by the majority leader and myself in conference with the minority leader and the whip and the chairman of the House Committee on Post Office and Civil Service and the ranking member of that committee. It was decided that every effort should be made to try to put a bill through before January 20 providing for an increase in salary for the President of the United States.

The last increase for the President was almost 20 years ago, if I remember correctly. Is that correct?

Mr. ALBERT. 1949.

Mr. McCORMACK. So it is simply a matter of justice. That is the reason why the bill was introduced by the majority and the minority leaders and the chairman of the Committee on Post Office and Civil Service and its ranking member. It was introduced and sponsored by all of them. Now, next Monday is the only suspension day that we could take advantage of. So the leadership and I felt that we should do so at this opportunity. Otherwise, in spite of every effort we might make, the chances are it would be difficult to get a bill through before January 20.

I thought that I should take my colleagues into complete confidence as to the reason for this action that we are taking.

Mr. GROSS. Will the distinguished gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. GROSS. Will this be a simple bill, simply changing the money figure?

Mr. McCORMACK. Yes. It will have to be, because he is the only one, as I understand it, whose salary must be increased on or before January 20 in order to take advantage of the increase during the next 4 years. It would not apply to the Vice President or to the Speaker or to the leaders of both branches of the Congress. They can be picked up later in a separate bill if an increase goes through for the Members of Congress and others covered by the Commission's report and the President's recommendation. Our information is that if an increase is provided for us we would not be precluded from receiving it during our term of office.

Mr. GROSS. I can say to the distinguished Speaker that my only concern, really, is that this will be used as a lever to pry loose outlandish pay increases for the other officials of the Government.

Mr. McCORMACK. I am sure the gentleman would not impute such a motive to my distinguished friend from Oklahoma and the distinguished minority leader and the chairman of the Committee on Post Office and Civil Service or its ranking member. I am not going to defend myself against that charge. You will have to prove me guilty.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Illinois.

Mr. ARENDS. Is it contemplated that we will go over from Monday to Thursday next week?

Mr. ALBERT. I should think so, but that is not definite yet.

Mr. ARENDS. I thank the gentleman.

ADJOURNMENT TO MONDAY, JANUARY 6

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GLARING AND GROWING DEFICIENCIES IN OUR NAVY

(Mr. RIVERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. RIVERS. Mr. Speaker, the Committee on Armed Services has long been pointing out the glaring and growing deficiencies in our Navy. It is not enough to say that two-thirds of our fleet is now over 20 years old. What must be pointed out is that some of the ships we are now using in the seas of Southeast Asia are so old that they are kept in operation only by the hard work and devotion to duty of the men who are on board them—often working over 80 hours a week. When the ships return for overhaul and are sandblasted to remove the barnacles, the sandblasting sometimes goes right through the hull. If this happened to a commercial ship, there would be an immediate Coast Guard investigation. With the Navy ships, it is so usual that a plate is just welded over the hole and the ship is sent back to the battle. How long can we continue to rely on such ships? How long can the rest of the ship be depended upon if the hull is showing these effects of age?

At the same time that we are relying upon our sailors to keep these old hulks running, they are being asked to live in quarters which are unbearably overcrowded and uncomfortable. Air conditioning is a sometime thing on ships which have to man battle stations in tropical weather. Ship by ship, as the crews make do, air conditioning is being installed in space after space—but the living quarters are usually the last to get it. Other crew facilities are often inadequate. Recently we found a ship where three of only six toilets provided for 144 men were out of use because there were not enough shipfitters to fix them and repair the boilers on the ship at the same time. The boilers, of course, received priority.

The exact status is classified, but let me tell you that our recent examinations of the readiness of our Atlantic fleet and of our Mediterranean fleet is shocking. Nor do we have any cause to be satisfied with the readiness of our Pacific fleet. The basic cause is overaged ships which have not been able to get the necessary upkeep and maintenance.

At the same time that our fleet is being run to exhaustion, the Soviets are building a new modern navy with fast ships and modern equipment. Recently I asked the American Security Council to examine this situation in the unclassified literature. Its report was recently published by our committee as a committee print entitled, "The Changing Strategic Naval Balance, U.S.S.R. versus U.S.A." Part of the report says:

> Thus, if the United States fails to maintain a clear lead in all significant forms of naval power, if the strategic naval balance is not in its favor, the United States will be unable to fulfill its role as leader of the free and independent nations emphasizing strategic naval forces—shifting much of their increasing missile power to sea—it is imperative that the United States have superior naval forces with which to deal with the new Soviet threat.
>
> In recent years, despite the tremendous growth of the Soviet naval and maritime establishment and the continuing growth that the U.S.S.R. has planned for the Soviet Navy, there continues to be inadequate U.S. response to the new Communist challenge on and under the seas. The inadequate level of response to challenge gives cause for concern in view of the ample evidence of increasing Soviet naval capabilities and the bold employment of Soviet naval forces in crisis situations.

Much of the free world could not retain its security and independence without U.S. support. In a military sense, particularly, there is no other present source for this support. Thus, a burden in defense of world freedom is thrust upon us whether we wish it or not. The Soviets already have a fleet of several ships in the Indian Ocean, moving to fill the vacuum left by the withdrawal of the British. We now have only one or two small ships in this area. In the Mediterranean, the Soviets are not only maintaining a sizable fleet, but they are building naval bases there as the British leave.

The time has come to do more than merely talk about the sad shape of our Navy—and the immensity of the task which it must perform. The time has come to do something about it. Therefore, I am today introducing a bill which would be the start of a program for the construction of a new Navy.

The bill I am introducing will authorize the construction of Navy ships costing $3.8 billion in fiscal year 1970. In fiscal year 1969 the naval shipbuilding program was only $1.3 billion. Only with a new program can we begin to replace old ships at an adequate rate. Only with such a program can we begin to have a Navy with adequate modern equipment. Only with such a program can we really begin to have a nuclear Navy—the way that the Congress, the Navy, and the Joint Chiefs have been demanding for years.

Since the Navy must have ships able to go into any part of any ocean on a moment's notice, the necessity of having nuclear propulsion in our Navy is greater than ever before. While it may cost more, the necessity of being free from the black oil logistics train is an overwhelming requirement.

Hence in the new shipbuilding program there will be one nuclear-powered aircraft carrier, two nuclear-powered guided missile frigates, and three nuclear-powered attack submarines.

I want to make special mention of the nuclear attack submarines. Since World War II, the Soviets have built up a submarine fleet of 350, of which over 50 are nuclear powered. The first line of defense against these submarines is our own attack submarine, of which we now have only about 100, and of which only about 40 at this moment are nuclear powered. Up until the past few months there was a ceiling of 69 nuclear attack submarines arbitrarily imposed by the systems analysis group in the Pentagon upon the Navy. Now that limit has been broken. The new submarine construction program will begin to bring our nuclear attack submarine capability up to the range which has been requested by the Navy and approved by the Joint Chiefs of Staff.

The new program will also permit the construction of eight new escort destroyers of nonnuclear propulsion. This part of the program may begin to give the Navy some experience with gas turbine engines—a powerplant that other navies have begun to find useful and flexible for their ships.

The program would also look to the construction of 17 support ships and the conversion of 21 present ships, including the conversion of six Polaris submarines to carry the Poseidon missiles. There will also be included in the program the necessary additions to round out the program, such as the provision of spares.

With the enactment of this kind of a program, the shipbuilding industry will be able to make such plans as may be needed to complete the modernization of its plant.

More importantly, it will be able to make better long-range plans for utilization of its working force—a working force which is as highly skilled as any in the country. With long-range plans, it will now be able to attract and retain the kind of talent which is needed to design and build the highly complex ships required by our Navy.

And the Navy will be better able to attract and retain sailors and officers who have the skills and talents needed by our career forces.

Mr. BATES, the ranking minority Member, and I recognized the need for a reexamination of the full problems involved in seapower last fall. Consequently I designated a Special Subcommittee on Sea Power, chaired by the Honorable CHARLES E. BENNETT.

I hope that the Members of Congress will study this program seriously—a study which will result, I am sure, in overwhelming legislative support.

To sum up, the bill I am introducing would provide for 19 new warships including one nuclear-powered aircraft carrier, two nuclear-powered guided missile frigates, three nuclear-powered attack submarines, and eight destroyers of the new class; 17 new support ships, 21 conversions including six Polaris submarine conversions, and modernization of three missile escorts.

The funds will also cover necessary spare parts and design efforts, as well as the purchase of long lead time items for further nuclear attack submarines and nuclear frigates. This is but a start for a new modern Navy.

WILLIAM M. McMILLAN—A DEDICATED PUBLIC SERVANT

(Mr. BROOKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOKS. Mr. Speaker, last evening, January 2, 1969, I, along with colleagues from both sides of the aisle in this House, joined with a host of friends and fellow workers to pay tribute to one of the great career public servants of this Nation—William Marvin McMillan, Assistant Postmaster General for the Bureau of Operations of the Post Office Department.

On December 30, 1968, Mr. McMillan retired from our great postal service after a long and distinguished career of more than two score years. A career that spanned—

More than one-fifth of the independent existence of this great Republic of ours;

The administration of seven Presidents—Coolidge, Hoover, Roosevelt, Truman, Eisenhower, Kennedy, and Johnson;

The tenure of 11 Postmasters General—New, Brown, Farley, Walker, Hannegan, Donaldson, Summerfield, Day, Gronouski, O'Brien, and Watson; and

The period from July 1, 1927, through December 30, 1968.

The career of William Marvin McMillan is a living example of the great American dream—the limitless opportunity to succeed. His is a story of a career public servant who entered the postal service as a substitute postal clerk in Albany, Tex., and subsequently rose through the ranks of that great Department of our Government to become a postal inspector, inspector-in-charge of the Fort Worth Division, regional director of the Wichita and then the Dallas region and finally to be nominated by President Johnson and confirmed by the Senate to be Assistant Postmaster General for Operations.

Mr. Speaker, needless to say I am proud that such a man comes from my native State of Texas. Such men as William Marvin McMillan are the kind of leaders that this Nation has produced over our long history.

I can think of no better words to describe the kind of dedication, loyalty, integrity, and service as demonstrated by Bill McMillan than the lines of Josiah Gilbert Holland, who wrote:

> God give us men! A time like this demands
> Strong minds, great hearts, true faith and ready hands;
> Men whom the best of office does not kill:
> Men whom the spoils of office cannot buy;
> Men who possess opinions and a will;
> Men who have honor; men who will not lie;
> Men who can stand before a demagogue
> And damn his treacherous flatteries without winking!
> Tall men, sun-crowned, who live above the fog
> In public duty and in private thinking.

Mr. Speaker, I submit that William Marvin McMillan is such a man.

"HE SERVED US ALL"

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include an editorial.)

Mr. GERALD R. FORD. Mr. Speaker, the man who helps his friends and neighbors and seeks constantly to improve his community renders a great service to mankind. C. H. Runciman, of Lowell, Mich., a constituent of mine, was just such a man. He gave unstintingly of his time and energies to the betterment of the community of Lowell and the State of Michigan. It was altogether fitting, therefore, that the Grand Rapids, Mich., Press should have eulogized Mr. Runciman after his recent death. Mr. Runciman's death left a void in his community and his State. The Grand Rapids Press editorial follows:

HE SERVED US ALL

The death of Carlton H. Runciman Sr. of Lowell has been ruled a suicide. But the circumstances of his death cannot alter the fact that in life he devoted a large share of his immense energy and zest for living to public causes, especially social welfare.

Carl Runciman was a charter member of the State Welfare Commission and he served on it longer than any other person. Although a Republican, he was appointed to the commission by Democratic as well as Republican governors, in plain recognition of his valuable leadership. He worked in harness with the other commission members regardless of their party affiliation. As long as they were devoted to improving the lot of the state's less fortunate citizens that was good enough for him.

His contributions to his community and to education were proportionately as large. Though he was immersed in his own business interests and took great pride in his business operations, he seemed always to have time to spare to work for the betterment of his community, his neighbors and his state. He never was too busy to turn away anyone with a problem or any person who wanted help in improving the school system, making the community a better place to live or looking after the needs of others.

Mr. Runciman was not well in late years, and it was obvious when one talked with him. But the grin was as broad as ever, the handshake as firm as it had been, and the desire to be of help to others as strong and instinctive as always. He lived a full life and a good one. And that is what all of his relatives, friends and acquaintances always will remember.

LEGISLATION INTRODUCED TO MODERNIZE OUR PRESIDENTIAL ELECTION PROCESS

(Mr. ULLMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ULLMAN. Mr. Speaker, today I have introduced legislation which will modernize our presidential election process. One part of my proposal would amend the Constitution to abolish the electoral college, provide for the direct election of the President, and call for a national presidential primary election. This is supplemented by a bill which outlines the procedures for doing this.

I make these proposals because I believe that in the wake of the events of the 1968 presidential election, the American people are ready for a complete reform of the electoral process. Several piecemeal approaches which would partially update the electoral system have been offered, but I believe it is necessary that we make a complete revision while we are addressing ourselves to the need for reform.

The violence of dissenters in Chicago; the circus atmosphere which surrounded the Republicans at Miami; the sizable protest vote for George Wallace; and the near miss on election night when it appeared that a deadlock in the electoral college was in the making were all highlights of the presidential election of 1968. These are also indications of the troubled state our antiquated presidential election procedures have helped to create.

The time for academic discussion and rhetorical debate is past. We must act now to alter the dangerous and unresponsive institutions which have allowed this situation to grow. Abolition of the electoral college and providing for the direct popular election of the President is a good beginning, but it does not go far enough. We must supplement such reform by abandoning the convention method of nominating candidates and instituting a direct national presidential primary election.

Those who are backing the abolition of the electoral college admit that it will start a trend of bringing the people more directly into all steps of the election of the President. If we intend to do an honest job of making the people the source of electoral power, we must extend direct democracy to the nomination process. I think that we can trust the people to register their mood in the selection of candidates as well as in the election of the President. For this reason, I have included the provisions for a national presidential primary election in my proposed constitutional amendment.

By including it in the amendment, we also will avoid the possibility of facing months of litigation which could stall the use of the new system indefinitely. The constitutionality of the primary would possibly be questioned if it were provided completely by statute, but if it is built into the Constitution, it will have a solid legal base.

There are many reasons for bringing the people more directly into the electoral process. Most important, it would help curb the alienation which many of our citizens feel for our existing political institutions. This sense of remoteness breeds suspicion and apathy. It manifests itself in violence by some, in protest votes for minority candidates by others, while others fail to vote at all. All of these attitudes are equally corrosive to our society. There has been much discussion that the key to ending these destructive forces in the country is to give the people a stake in society. They must have effective means of registering their dissatisfaction peacefully but effectively so that they will want to preserve the system rather than destroy it. Alterations in the electoral system which would give the voter an actual voice in the selection of candidates and in the election of the President would certainly help to achieve this. In addition, if the President were actually more responsible to the people for his election, acceptance of his election and unification of the factions in society would be more easily achieved.

The legislation which I have introduced addresses itself to achieving this and to the difficulties Congress may face when it ventures into the electoral process. My bill would establish a national presidential primary election to be administered by a National Presidential Elections Commission. Safeguards for the States' right to conduct elections are included in this proposal. Candidates wishing to participate in the election must qualify in at least two-thirds of the States. They do this either by fulfilling the qualifications laid down in State law for getting on the ballot, or if no such law exists, they must file a petition containing at least 25,000 signatures of qualified voters in that State. The bill does nothing to interfere with the States' rights to conduct the kind of primary they wish, to outline voter qualifications, or to hold elections for other offices in the accustomed manner. The States' machinery will be used to conduct the national primary.

Nothing in this act would weaken the viability of our two-party system. Provisions have been included to discourage the proliferation of splinter movements but still provide a vehicle for serious new party movements. To participate, a political party must show that it has sufficient backing in two-thirds of the States, either by having received 25 percent of the vote in the previous election or by filing a petition containing signatures of at least 5 percent of the voters in each of those States. Candidates must declare their affiliation with one of these qualified parties to appear on the ballot.

Only the names of those who have met the candidate qualifications and are affiliated with qualified parties will appear on the primary ballot in all the States on the third Tuesday of September. A candidate must receive a plurality of the vote cast nationwide for the party's candidates to be nominated. The parties retain the right to nominate the vice-presidential candidate by any means they wish.

The names of the qualified nominees and their running mates would appear on the ballot for the general election to be held on the first Tuesday after the first Monday in November. Because the modern President assumes one of the most difficult jobs in the world, and therefore, I believe, he must have substantial public support when he goes into office, my proposal requires that a candidate receive a plurality of at least 45 percent of the vote to win. It is possible that, if more than two parties were competing in the general election, no party's candidates would receive this plurality. In this case, there would be a runoff election 2 weeks later between the two slates receiving the highest vote. The winner would only have to receive a simple plurality in this race to be elected.

I know that we must be careful and thoughtful before we enact these electoral reforms, but I firmly believe that we must act before the next presidential election. The arguments for changes have a long history, and there is no need to continue to stall the issue with endless debate. Since its conception, the electoral college has been questioned. Congressional committees to study the possibility of abolishing it date back to the last century. Likewise, the first proposal for a national presidential primary election was made by President Woodrow Wilson early in this century. Many Congresses have studied proposals since then. I think that we have had enough discussion and should start looking for practical means of implementing these reforms now.

With today's unprecedented tensions at home and abroad, we should never again risk the possibility of experiencing the chaos that threatened our system this year. Public opinion polls show that the people are anxious for this change; nearly 80 percent now favor the abolition of the electoral college and would like to bring the people more directly into the selection of the President. We should listen to this public opinion and respond by making the needed changes as soon as possible.

COMMITTEE ON URBAN AFFAIRS

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, today I have reintroduced my resolution to create a standing Committee on Urban Affairs in the House of Representatives. Eight Members of Congress have joined me in sponsoring this measure: Representative JOHN CONYERS, of Michigan; Representative JOHN DUNCAN, of Tennessee; Representative DON EDWARDS, of California; Representative JACOB GILBERT, of New York; Representative WILLIAM HATHAWAY, of Maine; Representative BERTRAM PODELL, of New York; Representative CLAUDE PEPPER, of Florida; and Representative CHARLES WHALEN, of Ohio.

I believe it is urgent that a Committee on Urban Affairs be established early in the 91st Congress.

During the past 4 years the Congress has given increasing recognition to the severity of the crisis in our urban areas. During the 89th Congress the Department of Housing and Urban Development was created to provide a more integrated approach to the multitude of problems confronting the cities. I supported and fought for that legislation throughout my tenure in Congress. During the 90th Congress the landmark Housing and Urban Development Act of 1968 was passed, which provided new programs to make decent housing available to low- and moderate-income Americans. I supported that legislation and several amendments of mine were included to expand the scope of the 1968 act's provisions.

The passage of these two acts has enabled the executive branch to develop a more integrated approach to the problems of the cities. However, at a time when conditions in our cities grow worse daily, we cannot afford to rely upon the executive branch to provide solutions, particularly when we recall that the incoming administration showed remarkably little interest in urban problems during the recent presidential campaign. The Congress must develop an adequate affirmative program for combating urban problems on its own initiative. If the House is to exert the kind of leadership that the future will require, it should be organized to do so.

The present outmoded congressional committee structure is wholly inadequate to the task of creating a coordinated and imaginative attack on the problems of our cities. During the period in which we have struggled with a system that scatters interrelated urban issues throughout several standing committees of the House, our cities have been poisoned by pollutants in the air and water, clogged by traffic, and plagued by inadequate housing for low- and middle-income residents. Slums have made the inner city a nightmare for millions of black and Spanish-speaking Americans, and rising crime rates have terrorized both black and white. In spite of these difficulties, 130 million Americans live in urban or metropolitan areas, and that figure will rise to an even greater total by the end of this decade. It is apparent that the future welfare of America will depend on the welfare of her cities.

Congress must confront these pressing problems. In order to do so effectively, there should be a single committee which can comprehensively consider the multitude of urban problems facing us. The jurisdiction of the Committee on Urban Affairs, which I am proposing, would parallel the activities of the Department of Housing and Urban Development. It would consider public and private housing, air and water pollution, water supplies and sewage facilities, and urban mass transit. Under the present system, these issues are distributed throughout several congressional committees, where they are considered piecemeal. By utilizing a single committee, the Congress could more effectively supervise the numerous Federal programs which already deal with urban issues. Once a standing House Committee on Urban Affairs is operating, then it would be logical for the Committee on Appropriations to set up a parallel subcommittee which would deal with urban matters. Additionally, cities in need of Federal assistance would no longer have to negotiate the maze of several committees with overlapping responsibilities but could instead make their needs known to a single committee familiar with urban problems.

There is no more crying need in the Congress today than for a coordinated and creative approach to interrelated problems of the cities. In several vital areas the Committee on Urban Affairs would facilitate the development of that kind of coordinated approach. It would consider the related programs of urban renewal, slum clearance, code enforcement, and the model cities program. Bad housing is the constant reminder to the slumdweller of his condition of poverty.

Transportation planners must give greater attention to the need for rapid systems of urban mass transit. Urban highway projects and urban mass transportation would be considered by the same committee in an effort to develop a greater degree of coordination between these two transportation programs.

Air and water pollution, which have had disastrous effects upon the environment of my own city of New York, and other cities, must receive a high priority on the list of problems most in need of immediate attention. For if we do not soon act to stem the escalating pollution of our atmosphere and water supplies, we may soon find our cities totally unviable places. Again, the Committee on Urban Affairs would more effectively give systematic attention to waste disposal and sewage which threatens to poison our metropolitan river systems.

Mr. Speaker, all of these problems require well-coordinated and creative planning on the part of the Congress. If we are to develop the kind of concentrated effort necessary, we need new internal mechanisms that will better facilitate a coordinated attack on urban problems. The establishment of a Committee on Urban Affairs will assist the House of Representatives in confronting effectively the growing crisis in our cities.

CATV: WHAT IS CONGRESS GOING TO DO ABOUT IT?

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, a revolution is taking place in the world of communications, and Congress is sitting idly on the sidelines. I refer to the great advances in community antenna television—CATV—perhaps the most significant development in communications since the discovery of television itself.

We are just beginning to have an inkling of the full potential of CATV. Its capabilities in providing information and entertainment to the American public appear almost unlimited. Yet we in Congress have been largely ignoring our responsibilities to set policies for this potent new medium. We have been leaving all the big decisions to the courts and the Federal Communications Commission, while, ironically, a city such as New York has been able to produce a well-formulated CATV code of its own.

Lacking legislative guidance, the Federal rulemakers outside Congress have surrounded CATV with a mishmash of occasionally conflicting decisions. The cable systems have been allowed to expand freely in some areas, and hobbled in others. Because of regulations issued in fits and starts, we now have glaring inconsistencies which appear ridiculous on their face and can be infuriating to the viewing public. Take the South San Diego Bay area, in my own congressional district: Residents of most parts of the city of Chula Vista are entitled to unlimited CATV; yet in National City—separated only by a dry riverbed from Chula Vista—and in neighboring Imperial Beach, FCC orders last June effectively blocked new hookups.

I hear a great deal from my constituents who can neither understand nor sympathize with the flats now governing the growth of cable television. I share their resentment, but I also recognize where much of the blame for the current confusion rests.

As a member of the Communications Subcommittee, and as a former broadcaster, I have often been less than enchanted by the way the FCC tackles its work. In assigning frequencies, awarding broadcast licenses, and carrying out other statutory chores, the Commission has sometimes seemed to place private interests ahead of those of the public. But it is not fair to rap the Commission for the CATV actions. I personally doubt that the Commission wanted to plunge as far as it has into the CATV thicket without guidelines from Congress. In fact, in its second report and order of March 6, 1966, the Commission implored Congress to act on a wide range of matters directly affecting the future of cable television. When Congress failed to act, the U.S. Supreme Court finally stepped in to uphold the Commission's authority to regulate CATV.

Like it or not, the FCC, an appointive body, is today writing substantive laws by issuing rules and regulations for CATV.

It is not, however, too late for Congress to act.

Accordingly, I have introduced today a simple resolution calling for a thorough investigation by the Interstate and Foreign Commerce Committee of the Federal CATV regulations promulgated thus far. At the conclusion of this study, the committee would make appropriate recommendations to the House.

I personally do not pretend to know all—or even any—of the answers to the CATV dilemma. The technical and legal problems surrounding CATV are enormously complex, and it would be presumptuous of me to attempt to spell out solutions before these problems have been properly defined by expert witnesses in testimony to the Commerce Committee.

Under my resolution, the committee's probe will focus on the highly controversial CATV rules proposed by the FCC last December 12. Some of these rules would further restrict the carriage of distant signals by CATV, require the cable systems to originate their own programing and bar cross-ownership of cable systems and television stations in the same market area. The reaction of cable and conventional television interests to these proposals has been distinctly mixed, with factions inside both industries registering a variety of claims as to the impact.

Now it may be that the FCC, in attempting to chart a long-range program for the cable industry, has prescribed exactly what is needed to permit CATV and broadcasters not only to coexist, but actually to complement each other and in the process provide new benefits to the viewing public.

The FCC suggestions might also be inequitable—they might well be weighted against either the broadcasters or the cable operators.

A penetrating look by the Congress at the rulemaking and inquiry proposed by the FCC could well be just a necessary preliminary to a thorough revision—by Congress—of the Communications Act to cover the potent new medium of cable television.

We must regain the initiative—really our constitutional responsibility—to control, guide, and direct the destiny of CATV—which is already a fixture in some 3 million American homes.

To do less would be to renege on our sworn obligations to the public we serve.

NOT YOURS TO GIVE

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent material.)

Mr. HALL. Mr. Speaker, every Member of the 91st Congress, both new and old, will sooner or later have to face up to the questions of how far he or she can go in appropriating funds from the Public Treasury for nonpublic uses. I suppose every Congress and every Congressman must wrestle with their own conscience in determining the constitutional limitations on their right to appropriate public funds. I suggest that there is no better precedent to abide by in this regard than the one established by a former Member of this House, the Honorable Davy Crockett.

Davy Crockett's dilemma and the manner in which he resolved it are poignantly portrayed in an article distributed by the Foundation for Economic Education, Inc., entitled, "Not Yours To Give," and taken from "The Life of Colonel David Crockett." I hope every Member of this House, both veterans and freshmen, will take a few minutes of their time to read the article, which I insert at this point in the RECORD:

NOT YOURS TO GIVE

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

" 'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

" 'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate $20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of; it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States who can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at libery to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men in and around Washington who could have given $20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

" 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

" 'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you have said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgment of it will do no more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

" 'If I don't,' said I, 'I wish I may be shot; and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

" 'No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

" 'Well, I will be here. But one thing more before I say good-by. I must know your name.'

" 'My name is Bunce.'

" 'Not Horatio Bunce?'

" 'Yes.'

" 'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd I had met, and to every man I stayed all night with, and I found that it gave the people an interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

" 'Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgement is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

" 'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

" 'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came upon the stand and said:

" 'Fellow-citizens—it affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress."

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as $10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

ASSISTANT SECRETARY OF DEFENSE FOR HEALTH AFFAIRS

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD).

Mr. HALL. Mr. Speaker, I am reintroducing a bill that would create an Assistant Secretary of Defense for Health Affairs.

Briefly, this bill would amend the provisions of existing law relating to the organization of the Department of Defense to provide that one of the assistant secretaries would have to be the Assistant Secretary of Defense for Health Affairs, whose principal duty would be overall supervision of health affairs of the Department of Defense. The bill also provides that within the Office of the Assistant Secretary of Defense for Health Affairs there would be a Deputy Assistant Secretary of Defense for Dental Affairs who would have to be appointed from civilian life by the President, by and with the advice and consent of the other body. The Deputy Assistant Secretary would be subject to the supervision and control of the Assistant Secretary of Defense for Health Affairs and would be responsible for all matters relating to dental affairs within the Office of the Assistant Secretary.

Mr. Speaker, this bill came before the House as an amendment to the military procurement bill last year. It passed both the House and the other body. However, its youthful and untimely demise came when it did not survive conference last fall. The bill has gained the endorsement of a large segment of the medical profession and has been staffed with the three surgeon generals of the armed services. Finally, this legislation will provide the armed services the needed supervision and coordination that is required in this technical and professional field, so as to give our fighting men quality health and dental care.

WILSON'S CREEK BATTLEFIELD NATIONAL PARK

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, I am introducing a bill that would authorize funds for the development of Wilson's Creek National Battlefield Park, located near Springfield, Mo. Similar legislation was endorsed at the 58th annual meeting of the Advisory Board on National Parks, Historical Sites, Buildings, and Monuments last spring.

The State of Missouri has completed the land acquisition of this joint Federal-State project. Therefore, Federal funds would be earmarked for further development of the park so as to accommodate the increasing number of park visitors.

The second section of the bill would change the name of the park from Wilson's Creek Battlefield National Park to Wilson's Creek National Battlefield. The purpose of this change is to conform with uniform nomenclature for all national parks.

Mr. Speaker, as one of the major engagements west of the Mississippi River during the Civil War, Wilson's Creek merits the fullest development in the preservation of our great heritage.

ORDERLY TRADE IN TEXTILES

(Mr. BROYHILL of North Carolina asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROYHILL of North Carolina. Mr. Speaker, today I am reintroducing legislation to provide for orderly trade in textiles. Except for some updating and revisions in the definitions section, this is essentially the same bill which almost 200 of us sponsored in the last Congress.

I feel certain that most of us are familiar with President-elect Nixon's pledge to restore reason into our textile trade picture. My purpose in offering this legislation now is twofold: First, it is intended to support Mr. Nixon in his efforts to obtain international arrangements providing for reasonable restraints on U.S. textile imports. Second, I think it important that our major trading partners understand that this Congress retains its interest in seeing this growing problem solved equitably. And, it is a problem that has become much more alarming.

For the first 10 months of 1968, total textile imports reached almost 2.8 billion square yards—an annual rate of 3.3 billion square yards. This would exceed the previous record volume for any year by 500 million square yards or a huge 18 percent. Our textile trade deficit in 1968 will be more than $800 million.

Why does this situation exist? Stripped of all rhetoric, it boils down to this: There is a large and growing wage gap between the United States and the major trading nations of the world. Added to this is another factor that compounds the seriousness of the situation—a narrowing of the technology gap. Through the years, American industry, in large measure, has relied upon technological superiority to offset the wage gap. But it was, and still is, inevitable that other nations will gain on us in technology. This is made even more certain by the fantastic revolution taking place in the communication of information and ideas and in the transportation of people and materials.

In the textile industry this widening of the wage gap and narrowing of the technological gap has had an enormous impact. What is happening in the textile industry is also occurring in various degrees to a number of other major American industries. Yet, so far as I can see, those people currently in Government who are responsible for planning and executing trade policy either are unaware of, or choose to ignore, these facts. It is time that we recognize that our trade policies are both unrealistic and unresponsive to the needs of our economy.

It is inconceivable that we should continue to slavishly accept an unrealistic trade policy that undermines our other efforts to create job opportunities for so many of our people. There is no doubt that the textile industry has a far-reaching potential for contributing to sound economic advancement in areas of this country and among people where such advancement is most needed. How well it can achieve this potential will depend to a great extent on the growth of imports.

It is time, Mr. Speaker, that we took account of the fact that importing goods with a high labor content and exporting products with a low labor content, must inevitably mean the exportation of American jobs. It is against this development that we should all seek to protect.

Unless positive steps are taken, we will, by our inaction, continue the policy of self-destruction which our Nation has been following for the past several years. Employment opportunities in the textile industry will be lost and we will encourage American textile plants to move abroad. If this occurs, we will have ourselves to blame for failing to take reasonable steps to preserve one of the largest and most important industries in our domestic economy.

What we are seeking is not a subsidy. It is asking only that it be allowed to operate in a competitive environment of fair trade. We ask that international agreements already made be honored by the nations which voluntarily entered into them.

Certainly, as the new administration takes office, the textile industry can well see a spark of optimism that a solution to its problem can be found using administrative authority the White House possesses and through legislation of the kind I have introduced today.

The 2.5 million employees of this great industry deserve to know if their future is on the trading block. There is surely only one satisfactory answer. This demands action without further delay.

STUDENT SPEAKS OUT

(Mr. BROYHILL of North Carolina asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROYHILL of North Carolina. Mr. Speaker, the past year was one that held few high spots for our Nation. The emphasis seemed to be on the grave problems facing our country. Every day from the morning paper through the late night news program, we were constantly reminded of our rising crime rate, a war that showed no promise of ending, and turmoil in our cities and on our campuses. Deeply involved in these problems is the youth of our country.

These problems and the constant publicity they received made us stop and wonder if this is the total picture or if somewhere there is stability and understanding of our institutions by the young people of the country. Recently, I had an opportunity to have a look at the brighter side.

I wish to commend to the Congress an essay written by Bobby Smith, a 10-year-old student, in Hudson, N.C. This young man's observations are an affirmation that there is a deep awareness in the youth of this country of our proud history and the heritage that is their legacy. I hope that this bright spot on the somewhat gloomy horizon will make us more mindful of our own responsibilities and obligations to our young people.

The essay is as follows:

Student Speaks Out

I'm proud that I am an American. It strikes me that today some people seem so ungrateful to the many lives that were given so there could be a country as great as America. Think of the battles of the War for Independence, the battles of Lexington and Concord, Bunker Hill, Saratoga and Yorktown, just to name a few.

It took brave men to go into those battles. But as many as were lost, our fight for freedom was won. Think of the lives that were given during the War of 1812, just so that all nations could have use of the high seas.

We must not forget the Civil War and the terrible four long years it raged, but we came out of the conflict united. Think also, my friends, of the Alamo, when 200 Americans held off the Mexican army for 12 days. We finally lost this battle, but soon the cry went up, 'Remember the Alamo', and the Mexicans were defeated, giving new land to America.

Also, remember the First and Second World Wars. Our men died by the hundreds of thousands, but our friends are yet free. Then also there was the Korean War. Thousands of our young men were killed, but South Korea is yet free.

Now during the Vietnam War, more brave men are dying so that South Vietnam may be free.

Now remember again the handful of patriots who laid the footstones for our great nation and the millions who have died so that we may live. I think we should pause and pay honor to our servicemen. But, above all, we should not forget God, the One who has allowed the song of freedom to yet ring in our ears.

And now, as it is unsafe to walk on our city streets and in our parks, I say stand up for your country and let us work to keep America united so that ever we may live. For this is your land as it is my land.

Let us keep it free so the lives given will not have been given in vain.

TRIBUTE TO THE MOON ASTRONAUTS

(Mr. REINECKE asked and was given permission to extend his remarks at this point in the Record.)

Mr. REINECKE. Mr. Speaker, on Friday, December 27, three American space pioneers splashed down in the Pacific Ocean after a fantastically successful voyage around the moon.

Their motivations can be attributed to man's constant search for knowledge even at the risk of his life. But in today's world of security-seeking men, astronauts Borman, Anders, and Lovell are rare indeed.

These men trained for months to prepare for their historic mission. Their performance was not spur-of-the-moment heroism against an enemy that leads to a heroic deed. The three astronauts were not required to risk their lives under orders as are men in combat, yet risk them they did, willingly, courageously, splendidly.

Nor do men in combat have to face the awesome and fearful infinity of outer space. Human fear is greatest, after all, when man faces the unknown. This fear our moon astronauts conquered without flinching.

Borman, Anders, and Lovell believed that man's ability and knowledge could conquer the dangers of a trip to the moon. Now others will follow and land on the moon's surface.

Their courage, their dedication to man's progress, their tenacity in the face of overwhelming odds deserve recognition.

I have today introduced legislation calling for the awarding of the Medal of Honor to the three moon-flight astronauts.

I realize that the medal has, in the past, been awarded only to those who have distinguished themselves in wartime combat.

However, the astronauts' deed was of such a daring nature that I feel certain all Americans wish to recognize their gallantry by awarding them the Congressional Medal of Honor. The American people should grant our highest honor to those who have furthered the knowledge and humane pursuits of mankind.

I urge my colleagues to join me in this effort to award our three brave astronauts the Medal of Honor.

A BILL TO STABILIZE THE PUBLIC DOMAIN

(Mr. REINECKE asked and was given permission to extend his remarks at this point in the Record.)

Mr. REINECKE. Mr. Speaker, today I have introduced a bill specifically designed to help solve some of the problems we face in the management of our public domain and other Federal lands. The bill provides for procedures by which the Federal Government would not own, in the aggregate, more public domain and acquired land value than that owned by the United States on the effective date of the proposed act. The bill would make it the policy of the Congress that land be acquired and disposed of in the same real estate taxing jurisdiction to insure equitable treatment under this act. This simply means that the Federal Government would sell out of its land inventory an amount of land value equal to the cost of land to be acquired for any purpose.

The amount of land already in Federal ownership is 770 million acres, or about one-third of the Nation's total area. It is time that the public domain and other Federal lands be stabilized. It is for this reason that I again introduce this same bill that I introduced in the previous session of Congress on August 1, 1968.

As I see it, this proposed legislation would have several advantages to city planners, conservationists, and taxpayers. To the city planners, this means that land taken off the tax rolls of his county due to Federal procurement will be replaced in equal value, and hence approximately equal tax base will be added back onto the tax rolls. If land is not available in the immediate tax jurisdiction, then the bill instructs the Secretary of the Interior to dispose of land in the same State first, and only in another State as a last resort.

To the conservationist, this bill offers the possibility of solving the massive financial problem of funding the authorization for new national parks, new national recreation areas, new wilderness areas, and other Federal land acquisitions. Essentially, this proposal will provide an automatic safeguard against inflation which has stalled the progress on so many fine parks and recreation areas.

To the taxpayers, this bill offers a relief from additional taxation by simply selling off some of the untaxed Federal land and putting it on the local tax rolls.

This bill in no way duplicates or conflicts with Public Law 90–401, the new law passed last year which provides up to $200,000,000 annually from offshore revenues to be placed in the land and water conservation fund. Revenues from the sale of Federal property will be placed in the same fund but will act to relieve the necessity of using offshore revenues that would otherwise be placed in the general funds of the Treasury. Thus the land assets will simply be converted from a given status to a more desirable status with little or no cost to the taxpayer.

ON REVENUE SHARING

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHWENGEL. Mr. Speaker, I have today introduced a bill for revenue sharing. This has been prompted by my conviction of long standing that we ought to find other and better means of resolving the problems that the many Federal programs, in cooperation with the State, envision resolving. The bill I have introduced is a copy of a bill that was introduced by Congressman Melvin Laird, of Wisconsin, in the last session. The Members of the House, and all students of government finances, will know, of course, that Mr. Laird has pioneered in this area, and has given much time in research and study to this matter.

The chapter entitled, "The Case for Revenue Sharing," published in the Republican Papers, is one of the best arguments for the bill and for this new approach that I have seen. I commend its reading to every Member of the House.

I think it is clear today that there is a need for rethinking basic, realistic, sound approaches to problem solving. As the record shows, the enormous increase of financial commitments of the Federal Government toward solving the problems of hard-core poverty, education, housing, and crime, it becomes clear that the present programs, at best, put us in a position where we are actually making no progress, and in some instances, I think we are losing ground.

Detroit has become the classic example of a city held up as a model both in terms of the amount of Federal aid provided, and in terms of the use to which that Federal aid was put. Yet Detroit experienced what has been described as the worst riot in our Nation's history. New Haven—another model city—Newark, Watts, and a host of others experienced similar turbulence in varying degrees during the past three summers.

There is a growing interest in revenue sharing, as evidenced by the many articles, some books and much discussion on the subject. This has focused a great deal of attention on ways and means of meeting our goals. This has been good, for it means that we are departing finally from the irrational debate over which side cares more about the many important and complex problems that are presented to us. Fortunately, it means that emphasis has shifted to the more relevant confrontation on how best to attack commonly recognized problems. We fortunately are finally recognizing that there are more than just one answer to our problems. For far too many years American leadership has seen our domestic problems as a series of many little problems and so we have evolved a program of what some have called "shin plasters for sore spots," rather than treating the basic causes. Now, I hope, we will start thinking more about getting at the basic and total problem.

The passage of the revenue-sharing bill such as I propose will aid and abet our thinking and our willingness to find some new and better approaches to the solution of serious domestic problems.

It is my feeling that with the instituting of a revenue-sharing program, we can look forward to replacement for the many existing categorical grants and to a time when we will be less tempted to create many new programs, and hopefully encourage us to do a lot more studying before we launch out on new programs and into new areas.

It behooves us all to recognize that we have some tremendous problems before us. The programs we suggest must be broad ones and focus on the total problem. We must use all the talent available at every level of government. But we cannot focus just on the cities and ignore the other problems outside the metropolitan centers. The revenue-sharing idea is designed to help with the solution of the basic problem and the total problem by enlisting the talents, the capabilities, and the resources of local, State, and Federal governments.

It is timely also to consider this type of approach because the one-man, one-vote principle in government at the State level, has been adopted in the future the State legislatures are going to be more sensitive to the problems and needs of their people. They will be confronted however, with the problem of financing the cost of these programs, that they want to implement, and will be able to implement, more effectively if they have the financial resources. The revenue-sharing idea will give them a large percentage of the resources they need.

The legislation I am introducing today combines percentage rebates with tax credits for State and local taxes paid, could and should be implemented in the immediate future. It would return 5 percent of the income taxes collected by the Federal Government to the States. Ten percent of the total rebate in any given year would be distributed among the poorest one-third of the States in the form of supplementary grants. Ninety percent would be distributed on the basis of a tax effect ratio which is the ratio between the sum of all taxes collected by the State and its subdivisions and the total personal income for the State.

The tax credit portion of my bill would work in the following way: beginning with a 10-percent credit for State and local taxes paid in the first year of operation, it would increase each year by 10 percent until a full 40-percent credit is available in the fourth year.

The distinction between a tax credit and a tax deduction is a simple one. The tax deduction permits an individual to lower his net income for computing his Federal income tax liability. A tax credit, on the other hand, is applied to the total tax obligation of an individual and is treated in the same manner as if it were a cash payment on the Federal income tax which an individual must pay.

The tax credit portion of my bill is primarily designed to return additional tax sources to the States and localities by reducing the Federal tax burden on individual taxpayers. Under the provision of the bill, the decision to utilize the tax credit in place of the deduction is an optional one for the individual taxpayer.

It is indicated that at 10 percent, no matter what the level of income, every taxpayer would be better off taking the deduction provided under existing law. This was done in order to preclude any drain on the Federal Treasury the first year, both because of the Vietnam war and in order to provide time for the States to plan their own tax programs after the legislation is enacted.

The revenue-sharing package is designed to provide an orderly transition to a more rational and effective fiscal arrangement among the various levels of government. It will: first, stop or greatly slow the creation of large numbers of new categorical programs; second, provide additional tax sources to State and local governments; and third, maintain the present flow of Federal dollars to the States, but in a combination that gradually removes the Federal strings on many of these programs. Such a package implemented immediately would provide a rational framework for the longer range actions to follow.

Mr. Speaker, in the days ahead I will be commenting further on this proposed legislation and will show how the revenue-sharing idea could be helpful and how it could more effectively save money for the taxpayer in the long run, while at the same time improving and upgrading most of the present programs.

It should be made clear at this point, Mr. Speaker, that the basis for my statement and argument today came largely from the material I have collected from the office of Congressman Melvin Laird and others who have given special study to this matter, as well as from my own convictions about this matter.

To aid and abet this total program, especially in the field of education, I think we ought to give serious consideration to a tax-credit program for education.

THE RECOMMENDATIONS OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES

The SPEAKER pro tempore (Mr. Albert). Under a previous order of the House the gentleman from Wisconsin (Mr. Steiger) is recognized for 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I want to take this opportunity to call to the attention of my colleagues on this first day of business for the 91st Congress a matter which I believe should receive early consideration and positive action: The recommendations of the National Advisory Commission on Libraries.

As you know, the report of the Library Commission was submitted to the President on October 15, 1968, the day after Congress adjourned—too late for us to take any action. The text of the report was included in the Congressional Record of October 21, 1968, pages 31717 to 31730.

For the benefit of our new Members, I should say that my interest in the quality and availability of essential library resources and services for all our citizens has been a longtime and continuing one. Those on the House Education and Labor Committee know that I supported an amendment to the Vocational Education Act to provide adequate library materials and personnel to serve our young people enrolled in vocational schools.

In addition, when the House considered the bill to extend and amend the Higher Education Act, I offered the amendment to make new institutions of higher education eligible for basic grants for the acquisition of books and other library materials under the HEA title IIA library program in the fiscal year preceding the first year in which students are to be enrolled. I am proud to say that this amendment was approved without any opposition. We were unanimous in our recognition of the fact that it is in this developmental stage—before students arrive—that money is most needed, when the core of the library is being built and when the expenditures are probably greater than will ever be required again at any one time.

Another important amendment to the Higher Education Act, "Title VIII—Networks for Knowledge," will encourage colleges and universities to enter into cooperative arrangements for a variety of programs. First, to share classroom, laboratory, library facilities, and the necessary books, materials and equipment, and second, to afford access to specialized library collections through the preparation of interinstitutional catalogs. In addition, this program is designed to encourage the establishment of jointly operated closed circuit television facilities and, also, to establish and provide for the joint operation of electronic computer networks for such purposes as financial and student records and student course work and the transmission of library materials.

Unfortunately, this program with such potential was not funded in the last session. But when it is, it will permit universities to enter into compacts and agreements to exchange the wealth of knowledge that they have in their respective libraries. It will add another dimension to the library-information-media resources of our country.

Consider the fantastic breakthrough we will make for our students—indeed, for all our people, whatever their informational or library needs—when all of the intellectual resources of this Nation and of the world are linked into one coordinated informational media resource network to transmit knowledge. I see this as a reciprocal system; the network will benefit the local library user, and the input from the local library will benefit the network.

I am proud to say that in my own State of Wisconsin a good deal of effort is going to planning programs to encourage comprehensive interlibrary cooperation. A splendid example of the sort of work necessary for the establishment of a network can be found in a recent—1968—report of the Wisconsin Library Association, "Public Library System Development for Wisconsin: An Action Program." Of course, public libraries are only one component in the network we envision, but they are a vital part.

For the information of my colleagues, I will insert in the Record at this point an explanation of the Wisconsin action program for public library systems as a part of a statewide network:

Systems as Part of a Statewide Network

Wisconsin has long recognized its responsibility "for the extension and improvement of library services throughout the State in order to bring within the reach of all the people of the State increased opportunities for reading, study, and free inquiry (Wis. Stats. 43.09). If present inadequacies and inequities in public library service are to be removed, all citizens of the State must be served by a network of public library systems. The State's responsibility may be met by development of a statewide plan and by commitment of funds made available through a combination of planning grants, operational grants for approved public library systems, and grants to resource libraries for serving as state-level resource centers for public library systems.

According to the Wisconsin Division for Library Services' *Service Record* of 1966, 3,626,182 of the State's population live in communities with public library service. Using the 1960 adjusted census figure of 3,952,765 for Wisconsin's total population, this would leave 326,583 persons without legal access to library service in 1966; allowance for population growth might, of course, increase that figure. This means that slightly

> over 8 percent of the population has no access to legal library service.
>
> The additional number of residents receiving only marginal service cannot be readily ascertained, but it is probably substantial. Only by establishment of systems that will provide complete coverage of the State, will the objectives of the present plan be achieved.
>
> No public library system can be an isolated unit, but must be backstopped in both materials and specialized services by statewide resources. The information and reference service network must inevitably involve libraries of all types within the State: school, public, college and research libraries. The handicaps that Garrison noted for the Wisconsin Valley Library Reference Service are typical library problems: lack of adequate backstopping service at the State level, and lack of access to academic and special library resources.
>
> If the public libraries are to make their most effective contribution to the most efficient use of such a developing network, their organization into systems is a prior step. The chain of book resources designed for public library users must have its sound development within the public library structure, from local community, to system area, to statewide and national resources. Without such a network, which will link the local library user to the State and national resources, questions remain unanswered, curiosity unsatisfied, and general information ill-disseminated.
>
> Wisconsin cannot afford to limit the growth of competence of its citizens in their economic, civic, or personal interests. It must assure not only appropriate local library resources but full access to the specialized and technical resources which the human enterprise requires.
>
> Wisconsin's library needs and present resources have been assessed: the need for major collections, specialized services, and adequate materials and information networks is clear. The concept of library systems, and of participation through these systems in a statewide library network, has become central in Wisconsin's library planning.
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> System development has begun in several rural areas of Wisconsin. The beginnings of rural multi-county systems have been made in the counties surrounding Wausau, in the Southwest area with its processing center, in the northwestern six counties served out of Ashland, and in the multi-county demonstration cooperatives among libraries in the La Crosse and Eau Claire areas.
>
> Various system patterns are developing in the more populous areas of the State, as well, notably in the Milwaukee, Dane County, and Fox Valley areas. Milwaukee Public Library extends its services by contract to a number of neighboring municipalities, both within and outside Milwaukee County. It also provides bookmobile service to rural areas in the County. The Dane County Library Service, supported by a variety of tax sources and working through contracts with all public libraries in the County, supplies direct service through bookmobile and supports local library service with materials and consultant services. In the Fox Valley, municipal libraries are cooperating in a program of library collection development, while the Type I libraries offer professional reference and training services by contract to smaller libraries in the area.
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> Such developments as these are the first steps in the direction of adequate public library service for these areas and have begun to structure public library service in Wisconsin within systems.
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> Now a statewide plan for systems is proposed to provide the citizens of Wisconsin greater equality in access to library resources and services, so that education, the economy, and the culture may prosper.
>
> ORGANIZATION AND FINANCING OF SYSTEMS
>
> Public library systems represent total coverage of broad geographic areas with adequate library service, differentiating the functions of community libraries, system headquarters, and statewide library networks. Planning and administration of such systems require library boards representative of the total system area. With such boards, full coverage and adequate adaptation to local communities is assured.
>
> Because public library system service enables differentiated function and specialization, the system structure must be viewed as a whole. Each part of the system—whether community library, interlibrary information network, or specialized children's service—has its unique role within the system. Policy for each area of system function must be planned within the system framework. Planning has been shown to be the key to proper growth of public library systems.
>
> "Fair share" financial contribution as a basis for "full share" in library resources and services is a key element in financing of systems. County and local "fair share" effort must inevitably be supplemented by State and federal funds. No one of these sources alone is sufficient to develop an adequate *minimum level* library service program. Local support (by county and municipality) will continue to be the essential base of support. State and federal support are needed to provide breadth and depth of materials and services in a library network that assures an adequate library program for library users wherever they may live.

With all this background, I am sure that you can understand my profound interest in the findings and recommendations covered in the report of the National Advisory Commission on Libraries. You may recall that it was in September of 1966 that the President formed the National Advisory Commission on Libraries "to appraise the role and adequacy of our libraries, now and in the future, as sources for scholarly research, as centers for the distribution of knowledge, and as links in our Nation's rapidly evolving communications networks."

After 2 years of research and regional hearings on the role and needs of libraries as a national resource, the Commission transmitted its report to the President, and it was released on October 15, 1968. But those of you who have given even cursory attention to this report will be quick to agree—the study is only a beginning. We cannot stop with that; the needs of our people in all walks of life for library, information, and media services are already enormous and they are increasing daily.

In order to maintain and improve the resources and services of school, college, public, research and special libraries, national assessment and long-range planning are needed. Although libraries have traditionally been locally controlled, and should remain so, they are nevertheless national resources to be shared as necessary by all who need them.

In order to implement the basic recommendations of the Commission, I am introducing today a bill to establish a National Commission on Libraries and Information Science as a continuing Federal planning agency. I would like to emphasize the words "planning agency." This Commission will not control or direct the activities of State and local libraries.

At this time I urge you to join me by lending your support to this important legislation which is designed to benefit all our people. The rationale for such action may be found in the report itself:

> We should look at the value to our people and our culture that accrues from the activities of the user whose functions are to be enhanced by improved availability of library and information services. A library can be understood only as it enhances a socially valuable function, one of which—and one that all libraries can enhance—is the personal intellectual and ethical development of every individual in our society. The variety of the other socially valuable functions determines the need for variety in kinds of libraries.

In order for all our people to benefit from the information in our libraries, there must be some evaluation of the needs of users, the effectiveness of present-day libraries in meeting those needs, and the impact of Federal legislation on library development. Once the strengths and weaknesses are identified in the areas of resources, manpower, program development, interlibrary cooperation, and so on, recommendations can be made regarding ways to correct the deficiencies. To this end, the Commission would be able to recommend legislation to the proper authorities concerning new legislation.

TAX RELIEF FOR AMERICA'S HARD-PRESSED MIDDLE-INCOME TAXPAYERS

The **SPEAKER** pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from New Jersey (Mr. DANIELS) is recognized for 15 minutes.

Mr. **DANIELS** of New Jersey. Mr. Speaker, during the 90th Congress I introduced a bill, H.R. 12681, to provide tax relief for America's hard-pressed middle-income taxpayers.

As I see it, individuals who are in the middle-income tax bracket are paying a grotesquely unfair part of the total tax load. And anyone who is even reasonably fairminded would have to assume that a tax system which requires an underemployed person to pay 14 percent of his taxable income and, on the other hand, permits persons with a gross income of $1 million or more to pay no income tax at all richly merits the word "grotesque."

It is for this reason that today I have reintroduced my tax reform bill which would obviate the necessity for continuing the 10-percent surcharge and possibly might lead to a meaningful tax cut for almost all Americans.

Mr. Speaker, during the interval between the end of the 90th and the beginning of the 91st Congress, I have talked with hundreds of persons in the 14th District of New Jersey on legislative matters. I have found that the greatest interest is in the area of tax reform.

I think my constituents in the 14th District are typical Americans in that they are willing to pay their fair share of taxes but are reluctant to pay more than persons with far greater incomes.

I assure all Members of this House, Mr. Speaker, that our present Tax Code is riddled with exemptions in favor of the very rich and against our middle-income taxpayers.

What my bill proposes is that nine of the most outrageous tax loopholes be closed.

The tax loophole which screams the loudest for action is the 27.5 percent oil depletion allowance. There can be no question in anyone's mind that this figure is nothing short of an outrage and is totally unrelated to any national need.

I propose cutting the oil depletion allowance to 15 percent and pegging the depletion allowance for other minerals at this same figure.

I would like to end the unlimited charities deduction and the stock option gimmick which are devices giving a tax break to some but by no means all Americans.

In addition, my bill would eliminate the provision in the Internal Revenue Code exempting property passing by probate from the 25 percent capital gains tax and the so-called $100 dividend exclusion which provides a large tax break for the rich and a tiny one for small investers.

Another tax dodge which ought to be curbed is the gimmick whereby a large corporation splits into several smaller units each of which is eligible for a lower tax rate than a single entity would be.

Similarly, Mr. Speaker, the tax-exempt status given to municipal bonds is designed to assist our hard-pressed local governments raise money. In practice, many municipalities are floating bonds for private firms well able to compete on the bond market. This ought to be forbidden.

My bill also would set the same rate for gifts passing inter vivos and those which pass by probate proceedings.

Similarly, I think that we ought to forbid the payment of estate taxes by the redemption of Government bonds at par value.

This Mr. Speaker, is my proposal to the Ways and Means Committee. Perhaps it is not the final answer but it certainly is worthy of study and I hope that the Committee on Ways and Means will give top priority to tax reform during this 91st Congress.

ABOLISH CAPITAL PUNISHMENT

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker, today I am introducing legislation to abolish capital punishment and replace it with life imprisonment for all Federal crimes punishable by death.

Capital punishment is not consistent with the moral and humane goals of our society. There is no moral justification for a government to take a life regardless of the crime committed. Human life is sacred and deliberately destroying it in the name of the state is as much a moral offense for the Nation as it is for an individual.

The assumption on which capital punishment is based, that it acts as a deterrent to crime, has been proven false by numerous statistical studies. As a matter of fact, States in which the death penalty has been abolished reflect a lower homicide rate than the national average.

We should also take into consideration the probability of error, for the death penalty makes it impossible for society to correct life-and-death mistakes once they are made. Furthermore, the victims of this barbarous form of retribution disproportionately tend to be the uneducated, the poor, and minority group members.

Fortunately, modern penology is now moving away from a system seeking retribution for crimes to one rehabilitating the offender. This is emphasized by the dramatic decline in the use of the death penalty in recent years. Although Federal law still includes capital punishment, no Federal prison maintains the means to carry out the death penalty, and 1968 became the first year on record in which no executions took place in the United States.

Thirteen States have abolished capital punishment completely or have severely limited its application. My own State of Wisconsin abolished it in 1853. However, it is shocking that it is still countenanced in the courts of the United States.

Mr. Speaker, Congress must outlaw the death penalty, thus putting the Federal Government in the vanguard of this reform so that it can help in leading the way to a heightened respect for the sanctity of human life.

APOSTLE ISLANDS NATIONAL LAKESHORE

(Mr. KASTENMEIER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KASTENMEIER. Mr. Speaker. I am introducing a bill today to establish an Apostle Islands National Lakeshore in northern Wisconsin.

My bill would create a 57,500-acre national recreation area in Wisconsin's Ashland and Bayfield Counties, including 30 miles of Lake Superior shoreland, 21 wild islands, and a 10,000-acre wild rice marsh.

This is the only area of the Great Lakes region that combines shorelines, islands, marshes, and highlands in one complex. This beautiful and unspoiled backyard of our great Midwest, only hours away from heavily populated areas, is readily accessible to millions of Midwesterners and offers the visitor a complete variety of recreational opportunities, such as hunting, fishing, boating, camping, hiking, and nature study.

The designation of this site as a national lakeshore, with its magnificent white sand beaches and wild islands, will be a fitting recognition of the unique character and beauty of Wisconsin's magnificent outdoor resources. The prospect of preserving this treasured lakeshore and island resource now is within our reach. At the initial hearings held last year by the House Interior's Subcommittee on National Parks and Recreation, Secretary of the Interior Stewart Udall warmly endorsed the Apostle Islands proposal, and it has the support of numerous conservation groups, as well as the Governors of Michigan, Minnesota, and Wisconsin.

The 91st Congress now has an excellent opportunity to preserve the precious assets of one of America's most scenic areas. In addition, the recreational activities of such a national lakeshore will stimulate the tourist industry in the economically depressed upper portions of Michigan, Minnesota, and Wisconsin.

The Apostle Islands also are part of our American heritage for their earlier pages form one of the most interesting chapters in the history of our Nation. It was on these Lake Superior shores that the early French explorers, in 1665, planted the seeds of the great Northwest empire.

Mr. Speaker, at a time when the problems of congestion and pollution, manmade noise and dirt are a national concern, the Apostle Islands area still retains its striking wild beauty. We must act to preserve this valuable asset.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Steiger of Wisconsin (at the request of Mr. McCloskey), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Daniels of New Jersey (at the request of Mr. Alexander), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Brooks and to include a copy of a bill.

(The following Members (at the request of Mr. McCloskey) to extend their remarks and include extraneous matter:)

Mr. Duncan.

Mr. McDonald of Michigan.

Mr. Mize in two instances.

Mr. Scherle.

Mr. Bob Wilson in two instances.

Mr. Shriver in two instances.

Mr. Kleppe.

Mr. Rhodes in three instances.

Mr. Thompson of Georgia.

Mr. Ashbrook in two instances.

Mr. Reinecke in two instances.

Mr. Keith.

Mr. Derwinski in two instances.

Mr. Horton in five instances.

Mr. Springer.

Mr. Hosmer in three instances.

Mr. Berry in two instances.

Mr. Quillen in four instances.

Mr. Brotzman.

Mr. Wyman in three instances.

Mr. Pettis.

Mr. Fulton of Pennsylvania in five instances.

Mr. Rumsfeld in three instances.

(The following Members (at the request of Mr. Alexander) and to include extraneous matter:)

Mr. Boland.

Mr. TEAGUE of Texas in 12 instances.

Mr. CHARLES H. WILSON in two instances.

Mr. ULLMAN in five instances.

Mr. DE LA GARZA in four instances.

Mr. DANIELS of New Jersey in six instances.

Mr. KASTENMEIER in two instances.

Mr. CORMAN in five instances.

Mr. ANDREWS of Alabama.

Mr. BURKE of Massachusetts in four instances.

Mr. DINGELL.

Mr. TIERNAN in six instances.

Mr. FRASER.

Mr. FALLON in two instances.

Mr. RARICK in two instances.

Mr. CELLER in two instances.

Mr. EVINS of Tennessee in three instances.

Mr. JOHNSON of California in two instances.

Mr. DULSKI.

Mr. ROGERS of Florida in six instances.

Mr. GONZALEZ in three instances.

Mr. BENNETT in three instances.

Mr. PATMAN.

Mr. VANIK in two instances.

Mr. MILLER of California in five instances.

Mr. RYAN in three instances.

THE LATE HONORABLE E. L. BARTLETT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alaska (Mr. POLLOCK).

Mr. POLLOCK. Mr. Speaker, on this the 10th anniversary of our achievement of statehood for Alaska—the 10th birthday for our 49th State—Alaskans look with pride upon our great accomplishments in so short a period of history; and we look with confidence and courage toward the future, notwithstanding the substantial problems yet to be resolved. But our task will indeed be far more difficult, for we have lost an invaluable friend and advocate, Alaska's most beloved citizen, Senator E. L. "BOB" BARTLETT, a man who served in this body with distinction for seven terms as the delegate for the territory of Alaska, and thereafter for 10 years as the senior Senator for Alaska. Senator BARTLETT died on Wednesday, December 11, 1968.

It was my privilege, my honor, to have served with this outstanding gentleman, to have had the opportunity to know him well and to have become his friend despite our political differences. BOB BARTLETT was Alaska's most revered citizen, and I will urge the Governor and the Legislature of Alaska to authorize a statue to be cast and placed in Statuary Hall of this U.S. Capitol in honor of this man who enjoyed more frequent and more solid support than any public figure in Alaskan history.

No words of mine would be adequate to sufficiently honor BOB BARTLETT on this occasion, nor to assuage the anguish of bereavement which his widow, Vide, and his family and friends have sustained in his loss.

Mr. Speaker, I insert in the RECORD two very fine editorials from two of Alaska's largest newspapers, the Anchorage Daily Times of December 12 and the Fairbanks Daily News-Miner of December 14:

[From the Anchorage (Alaska) Daily Times, Dec. 12, 1968]

BOB BARTLETT

The book was closed on a life that was beloved in Alaska when Senator Bartlett died Wednesday following heart surgery in Cleveland, Ohio.

We know of no one who was as loved by Alaskans as was Senator Bartlett. We know of no one who has ever been recognized, trusted and revered as was he.

The people of this state who loved him are known for their individualism, divisiveness, sectionalism, arrogance and clannishness. Yet he held them united behind him for 24 years—a longevity in public office that is unequaled. On 10 different occasions the stubborn, unmanageable, belligerent and politically erratic populace of Alaska handed him the crown with election returns as much as 81 per cent in his favor.

No one in all the state's history has ever enjoyed such frequent and solid support from Alaskans.

That approbation was no gift to the Senator because he earned it.

He earned it by hard work, sincerity, consistency, enthusiasm, and loyal devotion. His service to Alaskans went far beyond the normal duties of a public official.

He had the unique quality of humility that graced him with an enduring warmth and friendliness for mankind. He was sought after by Alaskans whether or not they needed his help or wanted him to do something.

Indeed, every Alaskan who came near him found him a warm human being.

There was no limit to the time and energy that Senator Bartlett was willing to expend in behalf of an Alaskan.

It was as though every one of us was a member of his closest family and he was concerned for the total welfare of each.

Alaskans mark the death of Bob Bartlett with sorrow but historians will note it as the end of an era.

It is the end of an era of transition, one of the most thrilling chapters in Alaska history—one that is virtually a summary of the life and public service of Bob Bartlett.

The transition involved Alaska's change from territorial status—that of the misunderstood, red-haired stepchild of the nation—to acceptance as a full-fledged, first-class member of the family of states.

Senator Bartlett played a key role before, during and after the attainment of statehood;. Without his dependable and constant efforts in winning special measures from Congress and the Chief Executive in Washington, the revolutionary changes experienced by Alaskans would have been more difficult.

The loss of our friend is overwhelming. We are so blinded by our sorrow that we tend to overlook the great victory that his life exemplifies and our good fortune in having him so long.

[From the Fairbanks (Alaska) News-Miner, Dec. 14, 1968]

BOB BARTLETT, ALASKAN

Wednesday night in Cleveland, Ohio, a long ways from the land he loved so well, death stilled the weakened heart of Alaska's most revered citizen, Edward Lewis (Bob) Bartlett.

It is not often that a man, especially a politician, can reach the plateau of devotion that Alaskans held for Sen. Bob Bartlett. It was a devotion, however, that was well-founded, and returned in kind.

For Bob Bartlett was that kind of man. He never received for what he gave many times over. He devoted the last quarter of a century of his life to his fellow Alaskans. This was 25 years virtually in exile as he was far away from his beloved Alaska in the nation's capital.

In 1933 as secretary to the late Delegate Tony Dimond he gave Washington, D.C., a try for a year and found it wanting. There was no place like home. But 10 years later he was again called into service against his every wish and ran for Dimond's seat as delegate. He won this, and six succeeding elections, and when statehood came 10 years ago he became Alaska's senior senator.

The cold, hard facts of the matter may be that he lived well as a congressional figure—for 14 years the lone voice of Alaska in the give-and-take world of professional politics at the highest level in the country—and for the next 10 years as a member of the U.S. Senate, the most exclusive deliberating body in America. But what are material things when your heart and every thought are in a far distant place?

Financially, Bob Bartlett was a virtual pauper in the land of wealthy U.S. senators. His total worth can probably be summed up as a recently purchased home in Washington, a mail box in Juneau, and two plots of ground he bought some years back in the North Star cemetery in Fairbanks which will be his final resting place.

But Bob Bartlett had more than this—things that few people, living or dead, ever enjoyed. He had the unending devotion of his beloved Vide, and his daughters, Doris Ann and Sue. He had the complete respect of his colleagues in Washington where he served so ably since 1944. He had close personal friendships with presidents. His staff, if it is possible to love one's employer, did this to Bob Bartlett—dozens of whom he has launched on their own successful personal careers.

What one rarely has, however, in his particular field of endeavor, was the respect of those he served in Washington. No problem was too small, or too large for Senator Bartlett to consider, or to do his utmost to overcome.

His overwhelming victories were an expression of the esteem his fellow citizens showed Bob Bartlett the only way they knew how—at the polls. The triumphs were not necessarily because he was the greatest U.S. senator who ever walked the halls of Washington, but because Alaskans knew they had a true friend representing them.

The son of a pioneer miner and mail carrier, Bob Bartlett probably would have been more than satisfied to have lived out his life as his father did—as a miner on the creeks of the Circle area.

Mining was where he found his true happiness. This was evident in May of 1965 when all Alaska saluted Senator Bartlett for his then 20 years of service in Congress. The leading people of the state were in attendance that night in Anchorage—people from all walks of life, but seated at the two tables reserved for his special guests were his old mining partners and his life-long friends, regardless of their station in life.

Much to his own chagrin, Bob Bartlett was born of Alaskans, Edward and Ida Bartlett, in Seattle. However, Alaska has always been his home and not far from his thoughts.

This is expressed in what he once wrote:

"I love Alaska. My attachment for it, my concern for it, is so deeply imbedded that it is a very part of me. There I have grown, studied, married and worked. I have toiled in her beautiful natural setting as a gold miner. I have learned the life of her towns as a reporter. I have met her people as an appointed administrator and again as Delegate and Senator. As years pile upon years there is a greater personal insistence in drawing upon memory's treasure trove."

To his last breath it can be assured that Bob Bartlett drew upon this "memory's treasure trove."

Now he is returning home for the last time and it is we who will draw upon our own recollections of this man—an Alaskan youngster who grew into a miner, a reporter, a statesman and most important a respected revered and beloved friend of us all.

[From the Anchorage (Alaska) Daily Times, Dec. 12, 1968]

BARTLETT REFLECTED PEOPLE OF STATE

As the son of pioneer Alaskans, E. L. "Bob" Bartlett became a living example, even as a U.S. Senator, of the rugged individualism of his Arctic frontier constituency.

His dress, on most occasions in Alaska, was strictly informal.

He was not a man of eloquent speech, yet he was a man to whom Alaskans listened, because he seldom spoke unless he felt he had something he deemed important to say.

With 35 years of public life behind him, Bartlett knew, personally, literally thousands of Alaskans.

Rarely did he forget a name or a face, regardless of whether it was one first met in a large city or one first encountered in a remote village.

On his frequent trips to Alaska, Bartlett could most commonly be found contacting Alaskans in their own environment, most of the time wearing the wool shirts he favored.

He was at his best talking with individuals or to small groups. To all, he was simply Bob Bartlett.

As the Territory of Alaska's delegate to Congress and later as one of its two senators, Bartlett commanded national attention on rare occasions, preferring to direct his efforts to the problems of Alaska and her people.

Though he was a staunch Democrat, his wide circle of friends included many Republicans, who were candid in admitting, privately, that he was unbeatable at the polls.

The results of the 1966 election, when Bartlett received his second six-year term in the U.S. Senate, serve to illustrate the point.

In that election, with 65,250 votes cast, Bartlett ran up more than 75 per cent of the vote, one of the most lopsided election victories in Alaskan history.

Born Edward Lewis Bartlett in Seattle on April 20, 1904, Bartlett was the son of Ed and Ida Bartlett, Klondike pioneers.

A native of Texas, father Ed Bartlett followed the gold rush to Dawson, Y.T., where he operated a firm using mule pack trains to freight goods to the gold fields.

In Dawson he married a Wisconsin girl who had come north for adventure. Their first child, a daughter, was born in San Francisco. Following Bob's birth in Seattle, Ed Bartlett moved to Fairbanks and his family joined him there the following year.

Bob Bartlett attended elementary and high school in Fairbanks and later attended both the University of Alaska and the University of Washington.

During the tenure of W. F. "Wrong Font" Thompson as editor of the Fairbanks Daily News-Miner, Bartlett joined the reporting staff as a summer vacation replacement, becoming a full-time reporter in 1927.

In 1930, he married the former Vide Marie Gaustad, a native of Dawson who also attended Fairbanks schools and the University of Alaska, where they first met.

Bartlett remained with the News-Miner until 1933, when he was appointed congressional secretary to Anthony J. Dimond, elected the previous fall as Alaska's delegate to Congress.

Bartlett stayed with Dimond until 1934, when he returned to Alaska to become assistant territorial director of the Federal Housing Administration.

Bartlett's father died in 1935 and during the next three years he operated the small placer gold mine his father had worked near Miller House, in the Circle District.

In January of 1939, Bartlett left active mining for good when he received an appointment from Franklin D. Roosevelt as secretary of the Territory of Alaska, at Juneau.

In 1944, Bartlett sought and won election as territorial delegate to Congress from Alaska, after Dimond announced he would not seek re-election. Bartlett was re-elected delegate for six subsequent terms.

After Congress approved statehood for Alaska in 1958, Bartlett entered the race for U.S. senator and won handily, picking up more than 81 percent of the total votes cast for himself and two opponents.

When Alaska was formally admitted to the union in 1959, he became the state's senior, senator by the toss of a coin. He drew a two-year term and the other U.S. senator elected in 1958, Ernest Gruening, also a Democrat, became junior senator from Alaska, with a four year term.

In 1960, Bartlett went before the voters again and was elected to a full six-year term in the U.S. Senate, defeating Republican Lee McKinley, the man he again faced in 1966, by a vote of 38,041–21,937.

Although Bartlett did not win an academic degree from the University of Washington or the University of Alaska, he did hold, among others, an honorary doctor of law degree from Union College, at Schenectady, N.Y.

This is the same college from which graduated William H. Seward, the man who negotiated Alaska's purchase from Russia in 1867, and Dr. Sheldon Jackson, the pioneer Alaska missionary whose name is being perpetuated by a high school and junior college at Sitka.

As a member of the Senate, Bartlett served on the Appropriations Committee, the Commerce Committee and the Select Committee on Small Business.

Bartlett and his wife had two daughters, Doris Ann, now married to Burke Riley, chairman of the Interior Department's Alaska Field Committee, and Sue, a nurse.

[From the Anchorage (Alaska) Daily Times, Dec. 12, 1968]

MAN TO MATCH MOUNTAINS

Alaska's Bob Bartlett was a man to match the state's mountains.

President Johnson saw this, according to a wire he sent when Bartlett was feted in May 1965 for having served Alaska in Congress for 20 years.

"Bob Bartlett, working quietly, gets things done," wired the President. "His accomplishments in both houses of Congress match the high mountains and broad plains of Alaska."

Mr. Speaker, I have a resolution at the desk on the death of Alaska's most beloved citizen, the distinguished Senator E. L. "BOB" BARTLETT.

The Clerk read the resolution, as follows:

H. RES. 16

Resolved, That the House has heard with profound sorrow of the death of the Honorable E. L. Bartlett, a Senator of the United States from the State of Alaska.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT

Accordingly (at 8 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until Monday, January 6, 1969, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

The following reports were filed subsequent to the adjournment of the 90th Congress, second session:

On October 21, 1968:

Mr. EVINS of Tennessee: Select Committee on Small Business. A report, entitled "The Position of Small Business in Government Procurement" (Rept. No. 1975). Referred to the Committee of the Whole House on the State of the Union.

On December 5, 1968:

Mr. DULSKI: Committee on Post Office and Civil Service. Report on manpower management in the Federal Government (Rept. No. 1976). Referred to the Committee of the Whole House on the State of the Union.

On December 18, 1968:

Mr. EVINS of Tennessee: Select Committee on Small Business. A report, entitled "Small Business in Smaller Cities and Towns" (Rept. No. 1977). Referred to the Committee of the Whole House on the State of the Union.

On December 23, 1968:

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "The Allocation of Radio Frequency and its Effect on Small Business" (Rept. No. 1978). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "Organization and Operation of the Small Business Administration (1968)" (Rept. No. 1979). Referred to the Committee of the Whole House on the State of the Union.

On December 24, 1968:

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "The Use of Games of Chance in Gasoline Marketing and Their Impact Upon Small Business" (Rept. No. 1980). Referred to the Committtee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "The Effect Upon Small Business of Voluntary Industrial Standards" (Rept. No. 1981). Referred to the Committee of the Whole House on the State of the Union.

On December 30, 1968:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Activity Report of the Committee on Interstate and Foreign Commerce, 90th Congress, second session (Rept. No. 1982). Referred to the Committee of the Whole House on the State of the Union.

On December 31, 1968:

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "Small Business Problems in the Drug Industry" (Rept. No. 1983). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report, entitled "Promotional Practices by Public Utilities and Their Effect Upon Small Business" (Rept. No. 1984). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Final report, 90th Congress (Rept. No. 1985). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Communication, pursuant to clause 2, rule XXIV, and House Resolution 1323, 90th Congress, received subsequent to sine die adjournment, was referred as follows:

2273. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Federal Housing Administration, Department of Housing and Urban Development, for the fiscal year ended June 30, 1967 (H. Doc. No. 401); to the Committee on Government Operations and ordered to be printed.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports which it is the duty of any officer or department to make to Congress, pursuant to rule III, clause 2, of the Rules of the House of Representatives (H. Doc. No. 91–31); to the Committee on House Administration and ordered to be printed.

2. A letter from the Chief Justice of the United States, transmitting a copy of the report of the proceedings of the annual meeting of the Judicial Conference of the United States held at Washington, D.C., on September 19 and 20, 1968, pursuant to the provisions of 28 U.S.C. 331 (H. Doc. No. 91–32); to the Committee on the Judiciary and ordered to be printed.

3. A letter from the Comptroller General of the United States, transmitting a report on the compilation of General Accounting Office findings and recommendations for improving Government operations, fiscal year 1968 (H. Doc. No. 91–33); to the Committee on Government Operations and ordered to be printed.

4. A letter from the Chairman, National Commission on Urban Problems, transmitting the report of the Commission, pursuant to the provisions of the Housing and Urban Development Act of 1965 (H. Doc. No. 91–34); to the Committee on Banking and Currency and ordered to be printed with illustrations.

5. A communications from the President of the United States, transmitting the first assessment of the Nation's water resources under the Water Resources Planning Act of 1965; to the Committee on Interior and Insular Affairs.

6. A letter from the Secretary of Agriculture, transmitting a report on the status of research facilities funds as of June 30, 1968, pursuant to the provisions of section 10, Public Law 88–74; to the Committee on Agriculture.

7. A letter from the Chairman, Migratory Bird Conservation Commission, transmitting the report of the Commission for the fiscal year ended June 30, 1968, pursuant to the provisions of 45 Stat. 1222 (16 U.S.C. 715b); to the Committee on Agriculture.

8. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in September and October, 1968, for the use of foreign currencies, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

9. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Defense for "Operation and maintenance, Air National Guard," for the fiscal year 1969, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

10. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Defense for "Operation and maintenance, Army National Guard," for the fiscal year 1969, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

11. A letter from the Secretary of Transportation, transmitting a report on a violation by the Federal Aviation Administration of section 3679 of the Revised Statutes, as amended, pursuant to the provisions of 31 U.S.C. 665(i)(2); to the Committee on Appropriations.

12. A letter from the Administrator, Veterans' Administration, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, pursuant to the provisions of 31 U.S.C. 665(i)(2); to the Committee on Appropriations.

13. A letter from the Acting Assistant Administrator, Agency for International Development, Department of State, transmitting the semiannual report of the Agency on architectural and engineering fees in excess of $25,000, for the period of January 1 to June 30, 1968, pursuant to the provisions of section 102 of the Foreign Assistance and Related Agencies Appropriations Act of 1968; to the Committee on Appropriations.

14. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1968, pursuant to the provisions of section 4 of Public Law 520, 79th Congress; to the Committee on Armed Services.

15. A letter from the Secretary of Defense, transmitting the report of real and personal property of the Department of Defense, as of June 30, 1968, pursuant to the provisions of section 410, National Security Act of 1947, as amended (10 U.S.C. 2701); to the Committee on Armed Services.

16. A letter from the Secretary of the Air Force, transmitting a report, by grade and age, of the number of Air Force officers on flying status above the grade of major receiving flight pay as of October 31, 1968, and the average monthly flight pay authorized by law to be paid to such officers during November 1, 1967, through October 31, 1968, pursuant to the provisions of 37 U.S.C. 301(g); to the Committee on Armed Services.

17. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff, on September 30, 1968, pursuant to the provisions of 10 U.S.C. 3031(c); to the Committee on Armed Services.

18. A letter from the Deputy Under Secretary of the Army (International Affairs), transmitting an index of legislation enacted by the Ryukyuan Legislature during 1968; to the Committee on Armed Services.

19. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending September 30, 1968, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

20. A letter from the Director of Civil Defense, Department of the Army, transmitting the report on property acquisitions of emergency supplies and equipment for the quarter ending September 30, 1968, pursuant to the provisions of section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

21. A letter from the Director of Civil Defense, Department of the Army, transmitting the report of Federal contributions program equipment and facilities for the quarter ending September 30, 1968, pursuant to the provisions of section 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

22. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

23. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Naval and Marine Corps Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

24. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a supplemental report showing an increase in the cost of a construction project proposed to be undertaken for the Air Force Reserve, notice of which was transmitted pursuant to the provisions of 10 U.S.C. 2233a(1) on May 2, 1968; to the Committee on Armed Services.

25. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Naval Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

26. A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting a list of purchases and contracts made by the U.S. Coast Guard ununder 10 U.S.C. 2304a (11) and (16), since April 30, 1968, pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Armed Services.

27. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a list of Department of Defense contracts negotiated under the authority of 10 U.S.C. 2304(a) (11) and (16), for the period January to June, 1968, pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Armed Services.

28. A letter from the national quartermaster, Veterans of World War I of the U.S.A., Inc., transmitting the financial report for the year ended September 30, 1968, pursuant to Public Law 85–530; to the Committee on Armed Services.

29. A letter from the Secretary of Commerce, transmitting the 85th quarterly report on export control, covering the third quarter, 1968, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

30. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting the report of Department of Defense procurement from small and other business firms for July–August 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

31. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the report on Department of Defense procurement from small and other business firms for July-September 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

32. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of actions taken by the Bank relative to export expansion during the quarter ended September 30, 1968, pursuant to the provisions of Public Law 90–390; to the Committee on Banking and Currency.

33. A letter from the Secretary of the Treasury, Chairman of the Joint Commission on the Coinage, transmitting recommendations relative to proposed legislation, pursuant to the Coinage Act of 1965 (79 Stat. 258); to the Committee on Banking and Currency.

34. A letter from the Secretary of Labor, transmitting his recommendation with respect to the appropriateness of the lower and upper age limits incorporated in the Age Discrimination in Employment Act of 1967 (Public Law 90–202); to the Committee on Education and Labor.

35. A letter from the Secretary of the Treasury, transmitting a report on foreign credits by the U.S. Government as of June 30, 1967, pursuant to the provisions of section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

36. A letter from the Secretary of the Treasury, transmitting the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of June 30, 1968, pursuant to the provisions of section 613(c) of the Foreign Assistance Act of 1961 (Public Law 87–195); to the Committee on Foreign Affairs.

37. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in July and August 1968 in connection with U.S. exports to Yugoslavia, pursuant to title III of the Foreign Assistance and Related Agencies Appropriation Act of 1968 and the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

38. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in September 1968 in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

39. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in October 1968 in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Act of 1945, as amended; to the Committee on Foreign Affairs.

40. A letter from the Assistant Administrator for Program and Policy, Agency for International Development, Department of State, transmitting a quarterly report on the programing and obligation of contingency funds covering the first quarter of fiscal year 1969, pursuant to the provisions of section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

41. A letter from the Chairman, Board of Foreign Scholarships, transmitting the Sixth Annual Report of the Board, pursuant to the provisions of the Mutual Educational and Cultural Exchange Act of 1961; to the Committee on Foreign Affairs.

42. A letter from the Assistant Secretary of Defense, transmitting the annual report of the Department of Defense relative to its disposition of foreign excess personal property outside of the United States, Puerto Rico, and the Virgin Islands for the fiscal year 1968, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

43. A letter from the Comptroller General of the United States, transmitting report on the negotiation of contracts for water from the Central Valley project, Bureau of Reclamation, Department of the Interior; to the Committee on Government Operations.

44. A letter from the Comptroller General of the United States, transmitting report on the procurement of certain products from private industry by the Atomic Energy Commission; to the Committee on Government Operations.

45. A letter from the Comptroller General of the United States, transmitting report on the savings attainable by preventing condemnation of economically repairable equipment, Department of the Air Force; to the Committee on Government Operations.

46. A letter from the Comptroller General of the United States, transmitting report on the increased costs to the Government attributed to leasing rather than purchasing land and buildings by Department of Defense contractors; to the Committee on Government Operations.

47. A letter from the Comptroller General of the United States, transmitting the examination of financial statements of the Federal Home Loan Bank Board, year ended December 31, 1967; to the Committee on Government Operations.

48. A letter from the Comptroller General of the United States, transmitting report on the examination of financial statements, U.S. Government Printing Office, fiscal year 1967; to the Committee on Government Operations.

49. A letter from the Comptroller General of the United States, transmitting report on the need to improve procurement procedures for outfitting vessels activated for use in Southeast Asia, Maritime Administration, Department of Commerce; to the Committee on Government Operations.

50. A letter from the Comptroller General of the United States, transmitting report on the review of the procedures and practices for control of materials under the Apollo program, National Aeronautics and Space Administration; to the Committee on Government Operations.

51. A letter from the Comptroller General of the United States, transmitting report on savings available in Federal share of cost of demolishing buildings, Department of Housing and Urban Development; to the Committee on Government Operations.

52. A letter from the Comptroller General of the United States, transmitting report on U.S. construction activities in Thailand, 1966 and 1967, Department of Defense, Department of State, and Agency for International Development; to the Committee on Government Operations.

53. A letter from the Comptroller General of the United States, transmitting report on the difficulties encountered in arranging air support services for U.S. contractors in Vietnam; to the Committee on Government Operations.

54. A letter from the Comptroller General of the United States, transmitting report on the differences in allowing corporate expenses as charges to Government contracts at Government-owned, contractor-operated plants, Department of Defense, Atomic Energy Commission, and National Aeronautics and Space Administration; to the Committee on Government Operations.

55. A letter from the Comptroller General of the United States, transmitting report on the need to improve the management of the detailing of civilians employed at military installations, Department of Defense; to the Committee on Government Operations.

56. A letter from the Comptroller General of the United States, transmitting report on the opportunity for economies in counseling services provided under children's educational assistance program, Veterans' Administration; to the Committee on Government Operations.

57. A letter from the Comptroller General of the United States, transmitting report of the need for improved appraisal practices for right-of-way acquisitions in Rhode Island; to the Committee on Government Operations.

58. A letter from the Comptroller General of the United States, transmitting report on the need to improve procedures for reporting individuals as rehabilitated under the vocational rehabilitation program, Department of Health, Education, and Welfare; to the Committee on Government Operations.

59. A letter from the Comptroller General of the United States, transmitting report on the improvements needed in contracting for on-the-job training under the Manpower Development and Training Act of 1962, Department of Labor; to the Committee on Government Operations.

60. A letter from the Comptroller General of the United States, transmitting report on the review of payroll activities, Architect of the Capitol; to the Committee on Government Operations.

61. A letter from the Comptroller General of the United States, transmitting report on the need to improve the management of ammunition research and development at Picatinny Arsenal, Dover, N.J., Department of the Army; to the Committee on Government Operations.

62. A letter from the Comptroller General of the United States, transmitting report on the problem areas in implementing amendatory legislation affecting railroad retirement annuities, Railroad Retirement Board; to the Committee on Government Operations.

63. A letter from the Comptroller General of the United States, transmitting report on the cost reductions obtainable by improving the management of maintenance of commercial vehicles, Department of Defense; to the Committee on Government Operations.

64. A letter from the Comptroller General of the United States, transmitting a report on an examination of financial statements of the Southwestern Federal Power System, fiscal year 1967, Department of the Interior, Department of the Army; to the Committee on Government Operations.

65. A letter from the Comptroller General of the United States, transmitting a report on an audit of the financial statements of the Veterans' Canteen Service, Veterans' Administration, for the fiscal year 1968; to the Committee on Government Operations.

66. A letter from the Comptroller General of the United States, transmitting a report on the need for strengthening controls for determining compliance with statutory restrictions on the use of academic facilities constructed with Federal financial assistance, Office of Education, Department of Health, Education, and Welfare; to the Committee on Government Operations.

67. A letter from the Comptroller General of the United States, transmitting a report on the need for further action to determine allowable costs and recover overpayments under general clinical research center grants, National Institutes of Health, Department of Health, Education, and Welfare; to the Committee on Government Operations.

68. A letter from the Comptroller General of the United States, transmitting a report on the need for improvements in certain Neighborhood Youth Corps program operations in Detroit, Mich., Department of Labor; to the Committee on Government Operations.

69. A letter from the Comptroller General of the United States, transmitting a report on the need for timely action in resolving problems affecting the eligibility of hospitals under the medicare program, Social Security Administration, Department of Health, Education, and Welfare; to the Committee on Government Operations.

70. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report on disposal of foreign excess property during fiscal year 1968 under title IV of the Federal Property and Administrative Services Act of 1949, pursuant to the provisions of section 404(d) of such act; to the Committee on Government Operations.

71. A letter from the Assistant Secretary of the Interior, transmitting determinations relating to partial deferment of the scheduled 1969, 1970, 1971, 1972, and 1973 installments payable by the Vermejo conservancy district toward repayment of the reimbursable cost of the Vermejo project, New Mexico, pursuant to the provisions of Public Law 86–308; to the Committee on Interior and Insular Affairs.

72. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract under which the Utah Parks Co. will be authorized to continue to provide accommodations and service for the public in Grand Canyon National Park (North Rim), Bryce Canyon and Zion National Parks, Utah, and Cedar Breaks Na-

tional Monument, Utah, for a 15-year term from January 1, 1969, through December 31, 1983, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

73. A letter from the Assistant Secretary of the Interior, transmitting a determination relating to deferment of the 1969–73 construction charge installments due the United States on behalf of a part of the land in the Brewster Flat irrigation district, Foster Creek division, Chief Joseph Dam project, Washington, pursuant to the provisions of 73 Stat. 584; to the Committee on Interior and Insular Affairs.

74. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract under which Verkamp's a partnership, will be authorized to continue to provide merchandising facilities and services for the public on the south rim of Grand Canyon National Park, Ariz., for a 10-year period from January 1, 1968, through December 31, 1977, pursuant to the provisions of 67 Stat. 271 as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

75. A letter from the Assistant Secretary of the Interior, transmitting copies of orders and supporting documents covering cancellations of reimbursable charges existing against Indian tribes or individuals for fiscal year 1968, pursuant to the provisions of 47 Stat. 564 (25 U.S.C. 386a); to the Committee on Interior and Insular Affairs.

76. A letter from the Assistant Secretary of the Interior, transmitting a copy of the proposed concession contract under which Best's Studio, Inc., will operate a business for the public in Yosemite National Park, Calif., for a 15-year period from October 1, 1968, through September 30, 1983, pursuant to the provisions of 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

77. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been concluded with respect to dockets Nos. 47, 147, 160, and 164, *The Yakima Tribe of Indians, Plaintiffs*, v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055 (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

78. A letter from the Chairman, Indian Claims Commission, transmitting a letter requesting a correction be made in a previous report relative to disposition of dockets Nos. 47, 147, 160, and 164, *The Yakima Tribe of Indians, Plaintiffs*, v. *The United States of America, Defendant*; to the Committee on Interior and Insular Affairs.

79. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 96, *The Citizen Band of Potawatomi Indians of Oklahoma, Plaintiff*, v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055 (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

80. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 256, consolidated with dockets Nos. 124–D, 124–E, and 124–F, *The Miami Tribe of Oklahoma, et al.; Ira S. Godfroy, et al., The Miami Indians of Indiana, Petitioners*, v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055 (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

81. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 255, consolidated with docket No. 124–C, *The Miami Tribe of Oklahoma, et al.; Ira S. Godfroy, et al.; The Miami Indians of Indiana, Petitioners*, v. *The United States of America, Defendant*, pursuant to the provisions of 60 Stat. 1055 (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

82. A letter from the Secretary of Transportation, transmitting a copy of the 1968 amendment to the national airport plan, pursuant to section 3(a) of the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

83. A letter from the Secretary of Transportation, transmitting a report of Federal Aviation Administration commissary operations for fiscal year 1968, pursuant to the provisions of Public Law 90–112; to the Committee on Interstate and Foreign Commerce.

84. A letter from the Executive Director, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of September 30, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

85. A letter from the Executive Director, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of October 31, 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

86. A letter from the Executive Director, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of November 30. 1968, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

87. A letter from the Chairman, Civil Aeronautics Board, transmitting the 1968 Annual Report of the Board, pursuant to the provisions of section 205 of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

88. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication, "Statistics for Interstate Natural Gas Pipeline Companies, 1967"; to the Committee on Interstate and Foreign Commerce.

89. A letter from the Chairman, Federal Power Commission, transmitting a copy of the map, "Major Natural Gas Pipelines, as of June 30, 1968"; to the Committee on Interstate and Foreign Commerce.

90. A letter from the Chairman, Federal Power Commission, transmitting copies of the publications "Sales of Firm Electric Power for Resale, 1965–1966", and "Statistics of Privately Owned Electric Utilities in the United States, 1967"; to the Committee on Interstate and Foreign Commerce.

91. A letter from the Chairman, National Commission on Product Safety, transmitting an interim report containing recommendations for a comprehensive program to eliminate refrigerator entrapment deaths among children, pursuant to the provisions of section 2(c) of Public Law 90–466; to the Committee on Interstate and Foreign Commerce.

92. A letter from the Attorney General, transmitting a report on identical bidding in advertised public procurement, pursuant to section 7 of Executive Order 10936, issued April 24, 1961; to the Committee on the Judiciary.

93. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act of 1938, as amended, covering the calendar year 1967, pursuant to the provisions of the act; to the Committee on the Judiciary.

94. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce; to the Committee on the Judiciary.

95. A letter from the Acting Comptroller General of the United States, transmitting a report and recommendation concerning the claim of the United States against Clifford L. Petty and his claim against the United States, pursuant to the provisions of 31 U.S.C. 236; to the Committee on the Judiciary.

96. A letter from the Secretary of the Army, transmitting a report of claims settled during fiscal year 1968 by the Department of the Army under the Military Personnel and Civilian Employees' Claims Act, pursuant to the provisions of 31 U.S.C. 241(e); to the Committee on the Judiciary.

97. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which have been approved pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

98. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

99. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

100. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

101. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

102. A letter from the Administrator, Veterans' Administration, transmitting a report of personnel claims paid by the Veterans' Administration during the fiscal year ending June 30, 1968, pursuant to the provisions of the Military Personnel and Civilian Employees Claims Act of 1964; to the Committee on the Judiciary.

103. A letter from the Deputy Assistant Secretary for Administration, Department of the Interior, transmitting a report of receipts and expenditures by the Department of the Interior in connection with the administration of the Outer Continental Shelf Lands Act of 1953, pursuant to the provisions of 43 U.S.C., section 1331, et seq.; to the Committee on the Judiciary.

104. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide for the appointment of additional district judges, and for other purposes; to the Committee on the Judiciary.

105. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act; to the Committee on the Judiciary.

106. A letter from the Chairman, National Commission on Reform of Federal Criminal Laws, transmitting an interim report of the Commission, pursuant to the provisions of

section 8 of Public Law 89–801; to the Committee on the Judiciary.

107. A letter from the executive vice president, Agricultural Hall of Fame and National Center, transmitting the annual audit and report to the board of governors for the fiscal year ended August 31, 1968, pursuant to Public Law 86–680; to the Committee on the Judiciary.

108. A letter from the treasurer, American Historical Association, transmitting the audit of the association for the 10-month period ended June 30, 1968, pursuant to the provisions of section 3 of Public Law 88–504; to the Committee on the Judiciary.

109. A letter from the national adjutant paymaster, Marine Corps League, transmitting the annual audit of the league for the period ending July 31, 1968, and the minutes of its 1967 convention, pursuant to the provisions of Public Law 88–504; to the Committee on the Judiciary.

110. A letter from the honorary executive director, National Conference on Citizenship, transmitting the annual audit of accounts and the executive officer's annual report for the fiscal year 1968, pursuant to the provisions of section 2 of Public Law 88–504; to the Committee on the Judiciary.

111. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a)(1) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

112. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to permit tacking of citizen ownership of vessels for trade-in purposes; to the Committee on Merchant Marine and Fisheries.

113. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

114. A letter from the Librarian of Congress, transmitting a report on scientific and professional positions for 1968, pursuant to the provisions of 5 U.S.C. 3104(c); to the Committee on Post Office and Civil Service.

115. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report relative to new contracts negotiated under 10 U.S.C. 2304(a) (11) and (16) for the period January 1, 1968, through June 30, 1968, pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Science and Astronautics.

116. A letter from the Chairman, Subversive Activities Control Board, transmitting the 18th annual report of the Board, pursuant to the provisions of the Subversive Activities Control Act, as amended; to the Committee on Un-American Activities.

117. A letter from the Director, Bureau of the Budget, Executive Office of President, transmitting a report on the number of civilian officers and employees in the executive branch for the calendar quarter ending September 30, 1968, pursuant to the provisions of Public Law 90–364; to the Committee on Ways and Means.

118. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of grants approved which are financed wholly with Federal funds for the period July 1, 1968, to September 30, 1968, pursuant to the provisions of section 1120b of the Social Security Act; to the Committee on Ways and Means.

119. A letter from the Special Assistant to the Secretary (for Enforcement), Treasury Department, transmitting the annual report of the Federal Bureau of Narcotics, for the calendar year ended December 31, 1967, pursuant to section I of the act of June 14, 1930; to the Committee on Ways and Means.

120. A letter from the Comptroller General of the United States, transmitting a report of opportunities for improving reliability evaluation of nuclear weapons, Atomic Energy Commission, Department of Defense; to the Committee on Government Operations.

121. A letter from the Comptroller General of the United States, transmitting a report on the need for central control and coordination in the use of transportation resources in Europe, Department of Defense; to the Committee on Government Operations.

122. A letter from the Secretary of the Army, transmitting a report on Department of the Army aviation personnel above the grade of major by grade and age group, with the average monthly flight pay authorized by law to be paid such officers, for the period July 1 to December 31, 1968, pursuant to the provisions of 37 U.S.C. 301(g); to the Committee on Armed Services.

123. A letter from the Acting Secretary of Housing and Urban Development, transmitting those portions of the report of the National Commission on Urban Problems that deal with codes, zoning, taxation, and development standards, pursuant to the provisions of section 301(b) of the Housing and Urban Development Act of 1965; to the Committee on Banking and Currency.

124. A letter from the Director, U.S. Information Agency, transmitting the Agency's 30th semiannual report, for the period January 1 to June 30, 1968, pursuant to the provisions of section 1008 of Public Law 402 (80th Cong.); to the Committee on Foreign Affairs.

125. A letter from the Comptroller General of the United States, transmitting a report on the need to improve policies and procedures for relocating railroad facilities at Federal water resources projects, Bureau of Reclamation, Department of the Interior; to the Committee on Government Operations.

126. A letter from the Comptroller General of the United States, transmitting a survey of policies, procedures, and practices for developing and reviewing proposed military hospital construction projects, Department of Defense; to the Committee on Government Operations.

127. A letter from the Public Printer transmitting the annual report of the Government Printing Office for fiscal year 1968; to the Committee on House Administration.

128. A letter from the Administrator, General Services Administration, transmitting copies of various States certificates of ascertainment of the electors of President and Vice President of the United States, pursuant to the provisions of 3 U.S.C. 6; to the Committee on House Administration.

129. A letter from the Assistant Secretary of the Interior, transmitting the determination of the Department of the Interior relating to deferment of a portion of the scheduled construction charge installments due the United States during the period 1969 through 1985 on behalf of the Georgetown Divide Public Utility District, El Dorado County, Calif.; to the Committee on Interior and Insular Affairs.

130. A letter from the Assistant Secretary of the Interior, transmitting the 12th annual report on the status of the Colorado River Storage project and participating projects pursuant to section 6 of the authorizing act of April 11, 1956 (70 Stat. 105); to the Committee on Interior and Insular Affairs.

131. A letter from the Secretary of Health, Education, and Welfare, transmitting copies of recommendations of the Board of Regents of the National Library of Medicine; to the Committee on Interstate and Foreign Commerce.

132. A letter from the Secretary of Transportation, transmitting the 23d Annual Report of the Federal Aviation Administration's operations under the Federal Airport Act for the fiscal year ending June 30, 1968, pursuant to the provisions of section 18, Public Law 377, 79th Congress; to the Committee on Interstate and Foreign Commerce.

133. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings; to the Committee on Interstate and Foreign Commerce.

134. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may require the repayment of charges in excess of those in lawfully filed tariffs; to the Committee on Interstate and Foreign Commerce.

135. A letter from the Chairman, Federal Power Commission, transmitting a report on permits and licenses for hydroelectric projects issued by the Commission during fiscal year 1968; financial statements of proceeds derived from licenses issued by authority of the Federal Power Act; and the names and compensation of persons employed by the Commission during that period; pursuant to the provisions of section 4(d) of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

136. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

137. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d) (3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d) (6) of the act; to the Committee on the Judiciary.

138. A letter from the Secretary of Commerce, transmitting a proposed draft of legislation, to amend section 212(B) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

139. A letter from the Deputy Assistant Secretary for Administration, Department of the Interior, transmitting a report on scientific or professional positions in the Department, pursuant to the provisions of 5 U.S.C. 3104; to the Committee on Post Office and Civil Service.

140. A letter from the Chairman, John F. Kennedy Center for the Performing Arts, transmitting a status and financial report on the Center for fiscal year 1968, pursuant to the provisions of Public Law 85–874; to the Committee on Public Works.

141. A letter from the Board of Directors, Tennessee Valley Authority, transmitting the 35th Annual Report of the Tennessee Valley Authority for the fiscal year ending June 30, 1968 (pursuant to the provisions of 16 U.S.C. 831(h)); to the Committee on Public Works.

142. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of a study relating to the inclusion under the supplementary medical insurance program of services of additional types of licensed practitioners performing health services in independent practice, pursuant to the provisions of section 141, Public Law 90–248; to the Committee on Ways and Means.

143. A letter from the Secretary of Health, Education, and Welfare, transmitting a feasibility study on preventive services and health education for medicare recipients; to the Committee on Ways and Means.

144. A letter from the Chairman, the Renegotiation Board, transmitting the 13th Annual Report of the Renegotiation Board, pursuant to section 114 of Public Law 870, 84th

Congress; to the Committee on Ways and Means.

145. A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to allow certain deductions to banks for cooperatives which are subject to income taxes, and for other purposes; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HÉBERT:

H.R. 1. A bill to establish a Uniformed Services Academy of Health Sciences; to the Committee on Armed Services.

By Mr. PATMAN:

H.R. 2. A bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

By Mr. MORGAN (for himself, Mr. Barrett, Mr. Nix, Mr. Byrne of Pennsylvania, Mr. Eilberg, Mr. Schneebeli, Mr. Green of Pennsylvania, Mr. Yatron, Mr. Williams, Mr. Biester, Mr. Watkins, Mr. McDade, Mr. Flood, Mr. Whalley, Mr. Moorhead, Mr. Rooney of Pennsylvania, Mr. Eshleman, Mr. Goodling, Mr. Gaydos, Mr. Dent, Mr. Saylor, Mr. Johnson of Pennsylvania, Mr. Vigorito, Mr. Clark, and Mr. Fulton of Pennsylvania):

H.R. 3. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 4. A bill to modernize the U.S. postal establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 5. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 6. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 7. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 8. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative to the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 9. A bill to provide compensation for firemen not employed by the United States killed or injured while fighting fires on Federal property, and for other purposes; to the Committee on the Judiciary.

By Mr. ALBERT (for himself, Mr. Gerald R. Ford, Mr. Dulski, and Mr. Corbett):

H.R. 10. A bill to increase the per annum rate of compensation of the President of the United States; to the Committee on Post Office and Civil Service.

By Mr. PATMAN:

H.R. 11. A bill to make the Federal Reserve System responsive to the best interests of the people of the United States and to improve the coordination of monetary, fiscal, and economic policy; to the Committee on Banking and Currency.

By Mr. ROONEY of Pennsylvania:

H.R. 12. A bill to amend the Library Services and Construction Act to extend the benefits of the State institutional library services program to the staffs of State institutions; to the Committee on Education and Labor.

H.R. 13. A bill to amend the Internal Revenue Code of 1954 to provide for the suspension of interest on late payments of estate tax in certain cases; to the Committee on Ways and Means.

H.R. 14. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 15. A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL (for himself, Mr. Erlenborn, Mr. Nedzi, Mr. Halpern, Mr. Edwards of California, Mr. Kyros, Mr. Karth, Mr. Mailliard, Mr. Perkins, Mr. Galifianakis, Mr. Pepper, Mr. Barrett, Mr. Fulton of Pennsylvania, Mr. Vander Jagt, Mr. Davis of Georgia, Mr. Hosmer, Mr. Olsen, Mr. Matsunaga, Mr. Burke of Florida, Mr. Bevill, Mr. Feighan, Mr. Reinecke, Mr. Eshleman, Mr. Sikes, and Mr. Pelly):

H.R. 16. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. FASCELL (for himself, Mr. Clark, Mr. Minshall, Mr. Duncan, Mr. Eilberg, Mr. Winn, Mr. Addabbo, Mr. Howard, Mr. Derwinski, Mr. Pucinski, Mr. Button, Mr. Baring, Mr. Murphy of Illinois, and Mr. Johnson of California):

H.R. 17. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. ULLMAN:

H.R. 18. A bill to provide for the selection of candidates for President of the United States in a national presidential primary election, and for the election of a President and a Vice President by direct vote of the people, and for other purposes; to the Committee on House Administration.

By Mr. FULTON of Tennessee:

H.R. 19. A bill to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 20. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 21. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 22. A bill to amend titles, I, IV, X, XIV, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to, such titles must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 23. A bill to amend title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the voluntary program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 24. A bill to provide a program of national health insurance, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself and Mr. Karth):

H.R. 25. A bill to establish a Council on Environmental Quality, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BURKE of Massachusetts:

H.R. 26. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 27. A bill to provide for the retirement of $50 billion of interest-bearing obligations of the United States held by the 12 Federal Reserve banks; to the Committee on Banking and Currency.

H.R. 28. A bill to restore the constitutional authority of Congress over expenditures by agencies of the United States having jurisdiction over bank mergers, and for other purposes; to the Committee on Banking and Currency.

H.R. 29. A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100-percent reserve basis, and for other purposes; to the Committee on Banking and Currency.

H.R. 30. A bill to amend the Federal Reserve Act with respect to the terms of office of the Chairman and members thereof, and for other purposes; to the Committee on Banking and Currency.

H.R. 31. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

H.R. 32. A bill to provide for the issuance of nonnegotiable U.S. bonds to finance certain war and defense expenditures for the duration of hostilities in Vietnam, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN (for himself and Mr. Reuss):

H.R. 33. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes; to the Committee on Banking and Currency.

H.R. 34. A bill to authorize the appropriation of $200 million for a U.S. contribution to multilateral special funds of the Asian Development Bank; to the Committee on Banking and Currency.

By Mr. MILLER of California (for himself and Mr. Daddario):

H.R. 35. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. PATMAN:

H.R. 36. A bill to prohibit the unauthorized disclosure of credit information by insured banks and institutions, and for other purposes; to the Committee on Banking and Currency.

H.R. 37. A bill to prohibit federally insured banks from voting their own stock and to provide for cumulative voting in federally insured banks; to the Committee on Banking and Currency.

H.R. 38. A bill to require that each bank insured by the Federal Deposit Insurance Corporation be audited triennially, and for other purposes; to the Committee on Banking and Currency.

H.R. 39. A bill to amend the Federal Reserve Act to provide for Federal Reserve support of Government bonds when market yields equal or exceed 4¼ percent; to the Committee on Banking and Currency.

H.R. 40. A bill to amend the Federal Deposit Act with respect to the scope of the audit by the General Accounting Office; to the Committee on Banking and Currency.

H.R. 41. A bill to amend the Federal Reserve Act to broaden eligibility for use of the discount privilege; to the Committee on Banking and Currency.

H.R. 42. A bill to establish a Federal Banking Commission to administer all Federal laws relating to the examination and supervision of banks; to the Committee on Banking and Currency.

By Mr. GONZALEZ:

H.R. 43. A bill to amend the Internal Revenue Code of 1954 to provide that a family's homestead shall be exempt from levy for Federal taxes; to the Committee on Ways and Means.

H.R. 44. A bill to increase from $600 to $900 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 45. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

H.R. 46. A bill to regulate the procedures of congressional investigating committees; to the Committee on Rules.

By Mr. RYAN:

H.R. 47. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 48. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 49. A bill to authorize assistance under the FHA section 236 program and the rent supplement program with respect to qualified rental and cooperative housing projects financed with aid under State or local programs even though construction or rehabilitation was completed prior to approval for such assistance; to the Committee on Banking and Currency.

By Mr. MESKILL (for himself, Mr. Williams, Mr. Shriver, Mr. Thomson of Wisconsin, Mr. Leggett, Mr. Galifianakis, Mr. Griffin, Mr. Halpern, Mr. Mikva, Mr. Weicker, Mr. Addabbo, Mr. Garmatz, Mr. Bevill, Mr. Blackburn, Mr. McDonald of Michigan, Mr. Price of Texas, Mr. Foreman, Mr. Snyder, Mr. Hogan, Mr. Cowger, Mr. Duncan, Mr. Wydler, Mr. Burton of Utah, Mr. Conyers, and Mr. Cunningham):

H.R. 50. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 51. A bill to provide Federal assistance to enable tenants of multifamily housing in low- and moderate-income urban areas, organized as cooperatives, to acquire and rehabilitate such housing; to the Committee on Banking and Currency.

H.R. 52. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 53. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 54. A bill to amend the Internal Revenue Code of 1954 to raise the income limitation with respect to a dependent from $600 to $1,000; to the Committee on Ways and Means.

H.R. 55. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in monthly benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. Corman, Mr. Talcott, Mr. Bates, Mr. Boland, Mr. Conte, Mr. Cunningham, Mr. Poff, Mr. Broyhill of Virginia, Mr. Price of Illinois, Mr. Pelly, Mr. Teague of Texas, Mr. Waggonner, Mr. Horton, Mr. Annunzio, Mr. Ullman, Mr. Casey, Mr. Morgan, Mr. Matsunaga, Mr. Donohue, Mr. Addabbo, Mr. Blatnik, Mr. Langen, Mr. Keith, and Mr. Broomfield):

H.R. 56. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 57. A bill to amend title IV of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

H.R. 58. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. PRICE of Illinois:

H.R. 59. A bill to amend title 10, United States Code, to provide for the rank of major general for the Chief of the Dental Service of the Air Force; to the Committee on Armed Services.

By Mr. ZABLOCKI:

H.R. 60. A bill to amend the act, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 61. A bill to amend title 10, United States Code, to provide for the rank of brigadier general for an officer of the Air Force while serving as Assistant Surgeon General for Veterinary Services; to the Committee on Armed Services.

H.R. 62. A bill to amend chapter 55 of title 10, United States Code, to authorize subsistence without charge to air evacuation patients; to the Committee on Armed Services.

H.R. 63. A bill to provide equitable burial reimbursements and allowances for military personnel killed while on active duty and to provide for the orderly determination of such reimbursements and allowances; to the Committee on Armed Services.

H.R. 64. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

H.R. 65. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

H.R. 66. A bill to provide for the issuance of a special postage stamp honoring the coal miners and coal industry of America; to the Committee on Post Office and Civil Service.

H.R. 67. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

H.R. 68. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 69. Poverty area amendment; to the Committee on Public Works.

By Mr. RARICK:

H.R. 70. A bill relating to the conservation of natural resources upon lands of the United States and amending certain provisions of the Outer Continental Shelf Lands Act and the Mineral Leasing Act; to the Committee on the Judiciary.

H.R. 71. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 72. A bill to amend title 14, United States Code, to require the marking of certain underwater structures for the protection of the commercial fisheries of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. BROYHILL of Virginia (for himself and Mr. Mills):

H.R. 73. A bill to amend the Internal Revenue Code of 1954 to provide for correction of inequities respecting losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 74. A bill to provide for the administration and discipline of the National Security Training Corps. and for other purposes; to the Committee on Armed Services.

By Mr. TEAGUE of Texas (by request):

H.R. 75. A bill to establish September 17 of each year as a legal public holiday known as Constitution Day; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 76. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 77. A bill to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois:

H.R. 78. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 79. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

H.R. 80. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ANDERSON of Tennessee:

H.R. 81. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

H.R. 82. A bill to amend title 37, United States Code, to modify requirements necessary to establish entitlement to incentive pay for members of submarine operational command staffs serving on submarines during underway operations; to the Committee on Armed Services.

H.R. 83. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 84. A bill to amend the act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 85. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 86. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 87. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

H.R. 88. A bill to amend section 8338, title 5, United States Code, to correct inequities applicable to those employees or Members separated from service with title to deferred annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 89. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 90. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 91. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

H.R. 92. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 93. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 94. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

H.R. 95. A bill to regulate imports of ferroalloys and related products into the United States; to the Committee on Ways and Means.

H.R. 96. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 97. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 98. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 99. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 100. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Education and Labor.

By Mr. ANDREWS of North Dakota:

H.R. 101. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

H.R. 102. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 103. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

H.R. 104. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

By Mr. ASPINALL (for himself, Mr. Saylor, Mr. Carey, Mr. Morton, and Mr. Perkins):

H.R. 105. A bill to amend the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

H.R. 106. A bill to amend the Organic Act of Guam; to the Committee on Interior and Insular Affairs.

By Mr. BATTIN:

H.R. 107. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 108. A bill to provide for the establishment of a U.S. Armed Forces Medical School, and for other purposes; to the Committee on Armed Services.

H.R. 109. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal buildings shall be designed and constructed to maximize fallout protection and that non-Federal construction financed in whole or in part with Federal funds may be designed to maximize fallout protection; to the Committee on Armed Services.

H.R. 110. A bill to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control; to the Committee on Armed Services.

H.R. 111. A bill to amend title XVIII of the Social Security Act to provide coverage under the supplementary medical insurance program for the cost of certain services furnished an eligible individual at his place of residence by a medical technician or registered nurse; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. Downing, Mr. Fascell, Mr. Baring, Mr. Byrne of Pennsylvania, Mr. Addabbo, Mr. Hays, Mr. Friedel, Mr. Clark, Mr. Waldie, Mr. Ottinger, Mr. Leggett, Mr. Tiernan, Mr. Howard, Mr. Matsunaga, and Mr. Pucinski):

H.R. 112. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. BEVILL:

H.R. 113. A bill relating to the prohibition of riots and incitement to riot in the District of Columbia; to the Committee on the District of Columbia.

H.R. 114. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

H.R. 115. A bill to amend title VI of the Civil Rights Act of 1964 to require that hearings on the discontinuation of Federal assistance be held in the State affected; to the Committee on the Judiciary.

H.R. 116. A bill to amend title VI of the Civil Rights Act of 1964 to terminate the authority of Federal agencies to prescribe by regulation the manner in which such title must be complied with; to the Committee on the Judiciary.

H.R. 117. A bill to amend section 2385 of title 18 of the United States Code to prohibit any citizen of the United States from advocating the violent overthrow of the Government of the United States while traveling abroad under a valid U.S. passport; to the Committee on the Judiciary.

H.R. 118. A bill to amend the Immigration and Nationality Act to prohibit travel under a U.S. passport in violation of certain passport restrictions; to the Commitee on the Judiciary.

H.R. 119. A bill to amend the River and Harbor Act of 1958 with respect to control and eradication of obnoxious aquatic plants; to the Commitee on Public Works.

H.R. 120. A bill to amend the Federal Water Pollution Control Act relating to area acid and other mine water pollution control demonstrations; to the Committee on Public Works.

H.R. 121. A bill prohibiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, creating a Joint Committee on Grievances, and for other purposes; to the Committee on Public Works.

H.R. 122. A bill to amend title 38 of the United States Code to provide for payments to educational institutions for reports made by them with respect to eligible veterans enrolled therein; to the Committee on Veterans' Affairs.

H.R. 123. A bill to amend title II of the Social Security Act to provide that a woman otherwise qualified may become entitled to receive widow's insurance benefits, specially reduced, at age 35 (while retaining her right to receive regular widow's insurance benefits upon attaining the age presently required therefor); to the Committee on Ways and Means.

H.R. 124. A bill to amend title II of the Social Security Act to provide successive annual increases in all benefits payable to individuals age 70 or over (leading to a maximum primary benefit of $200 a month and maximum derivative benefits in correspondingly increased amounts), and to liberalize the retirement test; to the Committee on Ways and Means.

H.R. 125. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 126. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low income, and for other purposes; to the Committee on Ways and Means.

H.R. 127. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 128. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 129. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

H.R. 130. A bill to amend the Internal Revenue Code of 1954 to add social security benefits to the annuity and pension payments which are exempt from levy thereunder; to the Committee on Ways and Means.

H.R. 131. A bill to impose, under certain conditions, import limitations on metal ores or metals during labor disputes affecting domestic production of such articles; to the Committee on Ways and Means.

By Mr. BEVILL (for himself, Mr. Nichols, Mr. Andrews of Alabama, Mr. Edwards of Alabama, Mr. Dickinson, and Mr. Flowers):

H.R. 132. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 133. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 134. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

H.R. 135. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 136. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain educational expenses; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 137. A bill to amend section 72 of the Internal Revenue Code of 1954 to permit retired employees to elect use of either subsection (b) or subsection (d) to report income from employees' annuities; to the Committee on Ways and Means.

By Mr. BRINKLEY:

H.R. 138. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 139. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 140. A bill to authorize the establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 141. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 142. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in areas having high proportions of persons with low incomes, and for other purposes; to the Committee on Ways and Means.

H.R. 143. A bill to amend the Internal Revenue Code of 1954 to provide a trade or business deduction to firemen for meals which they eat while at their post of duty overnight; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 144. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress, and to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 145. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continential Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROWN of Ohio:

H.R. 146. A bill to amend section 1072(2) (F) of title 10, United States Code, to include other than natural parents and parents-in-law within the category of dependents eligible for medical care; to the Committee on Armed Services.

By Mr. BUCHANAN:

H.R. 147. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 148. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 149. A bill to designate the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin as wilderness; to the Committee on Interior and Insular Affairs.

H.R. 150. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 151. A bill to prohibit political influence in the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 152. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 153. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. CAREY (for himself, Mr. Bennett, Mr. Fuqua, Mr. Kee, Mr. Leggett, Mr. Matsunaga, Mrs. Mink, Mr. Ronan, Mr. St Germain, and Mr. Charles H. Wilson):

H.R. 154. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CASEY:

H.R. 155. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 156. A bill to require the inspection of certain towing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. CONTE:

H.R. 157. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

H.R. 158. A bill to prohibit the further use of silver for coinage; to the Committee on Banking and Currency.

H.R. 159. A bill to remove the authority of the Secretary of the Treasury to prohibit, curtail, or regulate the melting or treating of coins of the United States; to the Committee on Banking and Currency.

H.R. 160. A bill to provide for the appointment of postmasters by the Postmaster General, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 161. A bill to protect consumers by requiring that imported meat and meat food products made in whole or in part with imported meat bear a label showing the country of origin of such imported meat; to the Committee on Interstate and Foreign Commerce.

H.R. 162. A bill to require that motorbuses be equipped with seat belts; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS of New Jersey:

H.R. 163. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 164. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. RYAN (for himself, Mr. Carey, Mr. Tiernan, Mr. Addabbo, Mr. Annunzio, Mr. Barrett, Mr. Bingham, Mr. Boland, Mr. Bow, Mr. Brasco, Mr. Burke of Massachusetts, Mr. Burton of California, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Daniels of New Jersey, Mr. Delaney, Mr. Farbstein, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Giaimo, Mr. Halpern, Mrs. Heckler of Massachusetts, Mr. Joelson, and Mr. Kluczynski):

H.R. 165. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN (for himself, Mr. Long of Maryland, Mr. Macdonald of Massachusetts, Mr. McCarthy, Mr. Meskill, Mr. Minish, Mr. Murphy of Illinois, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Patten, Mr. Podell, Mr. Pucinski, Mr. Wolff, and Mr. Wydler):

H.R. 166. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 167. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 168. A bill to provide for the establishment of a U.S. Diplomatic Academy; to the Committee on Foreign Affairs.

H.R. 169. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 170. A bill to establish a Joint Committee on Organized Crime; to the Committee on Rules.

H.R. 171. A bill to provide for national cemeteries in the central west coast area of the State of Florida; to the Committee on Veterans' Affairs.

H.R. 172. A bill to provide for Federal tax sharing with the States; to the Committee on Ways and Means.

H.R. 173. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

H.R. 174. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 175. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from the gross income for contributions to local, State, and National candidates for public office or to political parties; to the Committee on Ways and Means.

H.R. 176. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction for pollution control facilities, a tax credit for expenses of employee training programs and for expenses of higher education, a deduction for teachers' educational expenses, special rules for the income tax treatment of business development corporations, and an income tax incentive for employment of older workers; to the Committee on Ways and Means.

H.R. 177. A bill to amend title II of the Social Security Act to provide benefits for certain disabled widows without regard to their age, to increase the outside earnings permitted without loss of benefits, to provide for cost-of-living increases in benefits, and to pay benefits despite marriage or remarriage if it occurs after attainment of age 55; and to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. de la GARZA:

H.R. 178. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on Judiciary.

H.R. 179. A bill to amend the Social Security Act; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 180. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 181. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may become entitled to full wife's insurance benefits or widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 182. A bill to amend title II of the Social Security Act to provide that full old-age, survivors, and disability insurance benefits (when based upon the attainment of retirement age), and medicare benefits, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 183. A bill to amend title II of the Social Security Act to provide a more liberal definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. DORN:

H.R. 184. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 185. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mrs. DWYER:

H.R. 186. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 187. A bill to require disclosure by each executive agency of the status of development of its accounting system for the implementation of planning-programing-budgeting systems; to the Committee on Government Operations.

H.R. 188. A bill to establish in the Executive Office of the President an Office of Urban Affairs and Community Development; to the Committee on Government Operations.

H.R. 189. A bill to establish a system for the sharing of certain Federal revenues with States and local governments for priority purposes; to the Committee on Ways and Means.

H.R. 190. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 191. A bill providing for the use of money received by the United States from oil shale; to the Committee on Interior and Insular Affairs.

H.R. 192. A bill to establish a self-supporting Federal reinsurance program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Ways and Means.

H.R. 193. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

H.R. 194. A bill to amend title II of the Social Security Act to increase the maximum amount of the lump-sum death payment; to the Committee on Ways and Means.

H.R. 195. A bill to amend title XVIII of the Social Security Act to permit payment thereunder in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 196. A bill to provide a deduction, for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 197. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 198. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 199. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 200. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 201. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 202. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded or has a neuromuscular disease or disorder; to the Committee on Ways and Means.

By Mr. FASCELL:

H.R. 203. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

By Mr. FASCELL (for himself, Mr. Dawson, Mr. Poage, Mr. Garmatz, Mr. Bingham, Mr. Burton of California, Mr. Cederberg, Mr. Evans of Colorado, and Mr. Dent):

H.R. 204. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. FEIGHAN:

H.R. 205. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

H.R. 206. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H.R. 207. A bill to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

By Mr. GARMATZ:

H.R. 208. A bill to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 209. A bill to improve the laws relating to the documentation of seamen and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 210. A bill to eliminate requirements for disclosure of construction details on passenger vessels meeting prescribed safety standards; to the Committee on Merchant Marine and Fisheries.

H.R. 211. A bill to amend title V of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 212. A bill to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 213. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 214. A bill to unify and consolidate the rules for navigation on the waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT (for himself, Mr. Olsen, Mr. Rosenthal, Mr. Giaimo, Mr. Howard, Mr. Karth, Mr. Daniels of New Jersey, Mr. Hanley, Mr. Eilberg, Mr. Joelson, Mr. Biaggi, Mr. Tiernan, Mr. Hanna, Mr. Charles H. Wilson, Mr. Kyros, Mr. Waldie, Mr. Burton of California, Mr. Leggett, Mr. Adams, Mr. Brasco, Mrs. Hansen of Washington, Mr. Murphy of Illinois, Mr. Morgan, and Mr. Davis of Georgia):

H.R. 215. A bill to amend title II of the

Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. GRIFFITHS:

H.R. 216. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit certain short storage or shelf life property to be declared excess, and for other purposes; to the Committee on Government Operations.

H.R. 217. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

H.R. 218. A bill to amend the Internal Revenue Code of 1954 to provide tax-exempt status for nonprofit nurses' professional registries operated by nurses' professional associations; to the Committee on Ways and Means.

H.R. 219. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. GUBSER (for himself, Mr. Anderson of Illinois, Mr. Bates, Mr. Bray, Mr. Broyhill of Virginia, Mr. Burke of Florida, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Cowger, Mr. Donohue, Mr. Duncan, Mr. Edwards of California, Mr. Fisher, Mr. Halpern, Mr. Hanna, Mr. Leggett, Mr. McCloskey, Mr. MacGregor, Mr. Randall, Mr. Rogers of Colorado, Mr. Schwengel, Mr. Steiger of Arizona, Mr. Teague of California, Mr. Tiernan, and Mr. White):

H.R. 220. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. HECHLER of West Virginia:

H.R. 221. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to make such act applicable to Federal employee unions; to the Committee on Education and Labor.

H.R. 222. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 223. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemptions for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 224. A bill to amend title II of the Social Security Act to permit a married couple to earn jointly, in any proportion, the amount of outside earnings now allowable separately, without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 225. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

H.R. 226. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 227. A bill to authorize the Secretary of the Interior to construct and to provide for operation and maintenance of the peripheral canal unit of the Delta division and to construct, operate, and maintain the Kellogg unit of the Delta division of the Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOWARD:

H.R. 228. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 229. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 230. A bill to provide for the establishment of an institute on retirement income which shall conduct studies and make recommendations designed to enable retired individuals to enjoy an adequate retirement income; to the Committee on Ways and Means.

H.R. 231. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

H.R. 232. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 233. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 234. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 235. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Allen Camp unit, Pit River division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 236. A bill to amend the Military Selective Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the equal application of deferment policies, to authorize an investigation of the feasibility of establishing a volunteer army, and for other purposes; to the Committee on Armed Services.

H.R. 237. A bill to amend the Community Mental Health Centers Act to make provision for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 238. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

H.R. 239. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 240. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

H.R. 241. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 242. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 243. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 244. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 245. A bill to amend the Marine Resources and Engineering Development Act of 1966 and the National Sea Grant College and Program Act of 1966 in order to provide financing for programs under such acts; to the Committee on Merchant Marine and Fisheries.

H.R. 246. A bill to promote safety in the operation of submersible vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 247. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. LENNON (for himself, Mr. Dingell, Mr. Pelly, and Mr. Karth):

H.R. 248. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Maryland (for himself, Mr. Reuss, and Mr. Whalen):

H.R. 249. A bill to provide for U.S. participation in a free trade association, and for other purposes; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 250. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widow's benefits, to provide for the payment of benefits to widowed fathers with minor children, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. McDONALD of Michigan:

H.R. 251. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 252. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H.R. 253. A bill to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program; to the Committee on Agriculture.

H.R. 254. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

H.R. 255. A bill to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments; to the Committee on the District of Columbia.

H.R. 256. A bill to provide that a reasonable attorney's fee will be awarded to members or officers of the Metropolitan Police force in certain civil actions brought against them; to the Committee on the District of Columbia.

H.R. 257. A bill to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church in the District of Columbia; to the Committee on the District of Columbia.

H.R. 258. A bill to amend chapter 19 of title 20 of the District of Columbia Code to provide for distribution of a minor's share in a decedent's personal estate where the share does not exceed the value of $1,000; to the Committee on the District of Columbia.

H.R. 259. A bill to amend the Fair Labor Standards Act of 1938 to exclude from that act's minimum wage coverage persons employed in agriculture; to the Committee on Education and Labor.

By Mr. McMILLAN (by request):

H.R. 260. A bill to authorize the Administrator of General Services Administration to contract for the construction of certain parking facilities on federally owned property in the District of Columbia; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 261. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McMILLAN (by request):

H.R. 262. A bill to encourage and assist private industry to provide needed new parking facilities, employment opportunities, and housing units, and a strengthened and expanded tax base in the District of Columbia, and for other purposes, pursuant to skyline studies for the National Capital Planning Commission in 1964, and parking studies for the Bureau of the Budget to provide needed parking facilities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MACDONALD of Massachusetts:

H.R. 263. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. MAILLIARD:

H.R. 264. A bill to amend section 511 of the Merchant Marine Act, 1936, relating to authority for establishment of construction reserve fund for the construction or acquisition of certain vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 265. A bill to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD (for himself, Mr. Pelly, Mr. Mosher, Mr. Grover, Mr. Morton, Mr. Keith, Mr. Edwards of Alabama, Mr. Watkins, Mr. Reinecke, Mr. Schadeberg, Mr. Roth, Mr. Dellenback, Mr. Pollock, Mr. Ruppe, Mr. Chamberlain, and Mr. Don H. Clausen):

H.R. 266. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARSH:

H.R. 267. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 268. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the O'Neill unit, Missouri River Basin project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 269. A bill to amend title 37 of the United States Code in order to provide an allowance for members of the Armed Forces wounded in Vietnam while on convalescent home leave for certain travel to medical facilities of the Armed Forces; to the Committee on Armed Services.

H.R. 270. A bill to amend title 10 of the United States Code to exempt reservists who are local law enforcement officers from active duty; to the Committee on Armed Services.

H.R. 271. A bill to prohibit national banks from engaging in the travel agency business; to the Committee on Banking and Currency.

H.R. 272. A bill to prohibit banks from performing professional accounting services; to the Committee on Banking and Currency.

H.R. 273. A bill to permit payments under the program for the support of education in federally impacted areas for children of parents residing on Wake Island who attend private nonprofit secondary schools off such island; to the Committee on Education and Labor.

H.R. 274. A bill to provide for the adoption of the perpetual calendar; to the Committee on Foreign Affairs.

H.R. 275. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce, Labor, and Health, Education, and Welfare, and other agencies, and for other purposes; to the Committee on Government Operations.

H.R. 276. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

H.R. 277. A bill to amend the Federal Aviation Act of 1958 to authorize rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 278. A bill to amend the Immigration and Nationality Act to facilitate the entry into the United States of children adopted by U.S. citizens; to the Committee on the Judiciary.

H.R. 279. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 280. A bill to repeal the "coolie trade" laws; to the Committee on the Judiciary.

H.R. 281. A bill to amend title 5 of the United States Code to provide that retired officers of the uniformed services shall not suffer diminution of pay while holding civilian positions or offices with the Government of the United States or the District of Columbia; to the Committee on Post Office and Civil Service.

H.R. 282. A bill to amend the Annual and Sick Leave Act of 1951 to prevent loss of annual leave by employees in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 283. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 284. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for contributions to political parties or candidates; to the Committee on Ways and Means.

H.R. 285. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 286. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes; to the Committee on Ways and Means.

H.R. 287. A bill to extend health insurance benefits under title XVIII of the Social Security Act, without regard to age or entitlement to monthly cash benefits, to individuals over 21 who are disabled; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 288. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 289. A bill to provide that the majority of the membership (including the chairman) of the Committee on Government Operations of the Senate and House of Representatives, respectively, shall be composed of members of a major political party other than the political party of which the President of the United States is a member; to the Committee on Rules.

H.R. 290. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

H.R. 291. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for certain State and local utility taxes; to the Committee on Ways and Means.

H.R. 292. A bill to amend section 218 of the Social Security Act to provide that a policeman or fireman who has social security coverage pursuant to State agreement as an individual employee and not as a member of a State or local retirement system may elect to terminate such coverage if he is subsequently required to become a member of such a retirement system; to the Committee on Ways and Means.

H.R. 293. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 294. A bill to amend title II of the Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 295. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 296. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MICHEL (for himself and Mr. Railsback):

H.R. 297. A bill to amend the River and Harbor Act of 1958 to authorize the appropriation of $10 million for the repair and modification of certain structures along the Illinois and Mississippi Canal in the State of Illinois; to the Committee on Public Works.

By Mr. MINSHALL:

H.R. 298. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education, or the education of any of his dependents, at an institution of higher learning; to the Committee on Ways and Means.

H.R. 299. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 300. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. MURPHY of New York, for himself (Mr. Halpern of New York, Mr. O'Neill of Massachusetts, Mr. Tunney, Mr. Rostenkowski, Mr. Rosenthal, Mr. Helstoski, Mr. Nix, Mr. Yatron, Mr. Hathaway, Mr. Meeds, Mr. Gallagher, Mr. Foley, Mr. Cunningham, Mr. Downing, Mr. Reinecke, Mr. Murphy of Illinois, Mr. Adams, Mr. Cahill, Mr. Farbstein, Mr. Clark, Mr. Culver, and Mr. Thompson of New Jersey).

H.R. 301. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 302. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of the retirement benefits of a public employee shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 303. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to all single persons who have attained age 30; to the Committee on Ways and Means.

H.R. 304. A bill to amend the Internal Revenue Code of 1954 to increase the present dollar limits on the amount allowable as a child care deduction, to eliminate all income limits on eligibility for such deduction, and to increase the maximum age of a dependent child with respect to whom such deduction may be allowed; to the Committee on Ways and Means.

H.R. 305. A bill to amend the Internal Revenue Code of 1954 to increase (by providing an additional $600 exemption) the personal income tax exemptions allowable with respect to certain dependents; to the Committee on Ways and Means.

H.R. 306. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education or the education of his spouse or any of his dependents at an institution of higher learning, with the right to postpone such deduction and claim it in subsequent taxable years to the extent necessary to obtain the full benefits thereof; to the Committee on Ways and Means.

H.R. 307. A bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 7½ percent, and for other purposes; to the Committee on Ways and Means.

H.R. 308. A bill to amend the act of October 19, 1949, entitled "An Act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 309. A bill to conserve and protect Pacific salmon of North American origin; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 310. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 311. A bill to provide that a Federal tax lien shall not be valid against a purchaser of civil aircraft unless notice of such lien has been recorded under the Federal Aviation Act of 1958; to the Committee on Ways and Means.

H.R. 312. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 313. A bill to permit certain individuals who are forced to retire at age 60 under Federal law or regulation to continue to pay social security taxes, and receive appropriate benefit credit therefor, until they reach age 65; to the Committee on Ways and Means.

H.R. 314. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 315. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 316. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 317. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

H.R. 318. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 319. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

H.R. 320. A bill to establish a Joint Committee on Organized Crime; to the Committee on Rules.

H.R. 321. A bill to amend title 18, United States Code, to provide for improved criminal procedure, and for other purposes; to the Committee on the Judiciary.

H.R. 322. A bill to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

H.R. 323. A bill to amend title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of persons charged with noncapital offenses who are determined to pose a danger to the community or persons or property in the community, and for other purposes; to the Committee on the Judiciary.

H.R. 324. A bill to amend title 18 of the United States Code to establish extended terms of imprisonment for certain offenders convicted of felonies in Federal courts; to the Committee on the Judiciary.

H.R. 325. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 326. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 327. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 328. A bill to amend title 18 of the United States Code to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of any riot; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 329. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 330. A bill to amend the Military Selective Service Act of 1967 to provide for the uniform application of the position classification and general schedule pay rate provisions of title 5, United States Code, to all employees of the Selective Service System; to the Committee on Armed Services.

By Mr. RANDALL:

H.R. 331. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 332. A bill to encourage and aid the revitalization of rural America; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 333. A bill to prevent the application or exercise of monopoly power by employers and labor organizations in employing or representing labor, to amend the Labor Management Relations Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 334. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 335. A bill to amend section 3146 of title 18, United States Code, to provide that a person who poses a danger to any other person or to the community shall not be admitted to bail; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 336. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 337. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Gerald R. Ford, Mr. Biester, Mr. Blackburn, Mr. Conable, Mr. Dellenback, Mr. Derwinski, Mr. Donohue, Mr. Eshleman, Mr. Gallagher, Mr. Halpern, Mr. Kleppe, Mr. Lennon, Mr. Lukens, Mr. McClure, Mr. Meskill, Mr. Michel, Mr. Pirnie, Mr. Podell, Mr. Quie, Mr. Schwengel, Mr. Shriver, Mr. Stanton, Mr. Steiger of Wisconsin, and Mr. Williams):

H.R. 338. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Broyhill of North Carolina, Mr. Button, Mr. Duncan, Mr. Eilberg, Mr. Fraser, Mr. Fulton of Pennsylvania, Mr. Giaimo, Mr. Hamilton, Mrs. Heckler of Massachusetts, Mr. Hunt, Mr. McClory, Mr. Mathias, Mr. Pettis, Mr. Price of Texas, Mr. Pryor of Arkansas, Mr. Ruppe, Mr. Saylor, Mr. Scheuer, and Mr. Wyman):

H.R. 339. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Bennett, Mr. Biester, Mr. Blackburn, Mr. Conable, Mr. Dellenback, Mr. Derwinski, Mr. Donohue, Mr. Eshleman, Mr. Gallagher, Mr. Halpern, Mr. Kleppe, Mr. Lennon, Mr. Lukens, Mr. McClure, Mr. Meskill, Mr. Michel, Mr. Pirnie, Mr. Quie, Mr. Schwengel, Mr. Shriver, Mr. Stanton, Mr. Steiger of Wisconsin, Mr. Williams, and Mr. Talcott):

H.R. 340. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Broyhill of North Carolina, Mr. Duncan, Mr. Fulton of Pennsylvania, Mr. Giaimo, Mrs. Heckler of Massachusetts, Mr. Hunt, Mr. McClory, Mr. Pettis, Mr. Podell, and Mr. Price of Texas):

H.R. 341. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. RUPPE:

H.R. 342. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 343. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 344. A bill to amend title II of the Social Security Act to provide an increase in benefits, reflecting the length of time spent in covered employment or self-employment, for individuals having more than 40 quarters of coverage; to the Committee on Ways and Means.

H.R. 345. A bill to amend the Internal Revenue Code of 1954 to provide for an excise tax on electrical energy produced in nuclear powerplants; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 346. A bill to require the Secretary of the Navy to retrocede certain jurisdiction with respect to the Dahlgren Naval Weapons Laboratory; to the Committee on Armed Services.

By Mrs. SULLIVAN:

H.R. 347. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to any individual who may not make a joint return but maintains his own household as his home; to the Committee on Ways and Means.

H.R. 348. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 349. A bill to enable honey producers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for honey; to the Committee on Agriculture.

H.R. 350. A bill to amend section 39–201 of the District of Columbia Code; to the Committee on Armed Services.

H.R. 351. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Education and Labor.

H.R. 352. A bill to provide for the grading by the Department of Commerce of all softwood lumber and all plywood sold in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 353. A bill to amend title 18 of the United States Code to prohibit certain activities in time of war or armed conflict; to the Committee on the Judiciary.

H.R. 354. A bill to impose certain safeguards on investigations carried out by Federal agencies; to the Committee on the Judiciary.

H.R. 355. A bill to provide career status as rural carriers without examination to certain qualified substitute rural carriers of record in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 356. A bill to authorize the Secretary of the Army to make certain changes in the roads located in Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

H.R. 357. A bill to authorize the Secretary of the Army to make certain adjustments in lands or interests therein acquired in connection with the Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

H.R. 358. A bill to authorize the Secretary of the Army to lease under certain conditions property acquired for flood control projects to the children of the former owners of such property; to the Committee on Public Works.

H.R. 359. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to grant leaves of absence with pay to personnel of the Department of Medicine and Surgery in certain instances if he determines that it will serve the national interest, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 360. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 361. A bill to amend title 38 of the United States Code to provide a paraplegia rehabilitation allowance of $100 per month for veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 362. A bill to amend title 38 of the United States Code in order to extend to certain veterans who served in the Mexican border conflict the benefits enjoyed by veterans who served during periods of war; to the Committee on Veterans' Affairs.

H.R. 363. A bill to amend section 4107(c) of title 38 of the United States Code with respect to the minimum rate of salary payable to directors of Veterans' Administration hospitals, domiciliaries, and who are not physicians; to the Committee on Veterans' Affairs.

H.R. 364. A bill to amend title 38 of the United States Code so as to make certain widows of veterans of periods of war and certain children of such veterans who are deceased eligible for care in Veterans' Administration hospitals; to the Committee on Veterans' Affairs.

H.R. 365. A bill to amend title 38 of the United States Code to provide for additional compensation for veterans who have suffered the loss or loss of use of both kidneys; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 366. A bill to amend title 38 of the United States Code to provide that payments of annuities under the retired servicemen's family protection plan shall not be considered in computing annual income for the purpose of determining eligibility for pension and of parents for dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 367. A bill to amend section 411 of title 38, United States Code, to provide additional dependency and indemnity compensation payments to widows with one or more children; to the Committee on Veterans' Affairs.

H.R. 368. A bill to amend title 38 of the United States Code to provide that the amount of the proceeds of mortgage insurance paid to the insured or his beneficiary equal to the indebtedness against the property insured shall be excluded from determinations of annual income for pension or dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 369. A bill to amend title 38 of the United States Code to provide that amounts inherited from bank accounts jointly or separately owned shall not count as income for death or disability pension or for dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 370. A bill to amend chapter 39 of title 38, United States Code, to increase the amount allowed for the purchase of specially equipped automobiles for disabled veterans, and to extend benefits under such chapter to certain persons on active duty; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 371. A bill to define the terms "widow," "widower," "child," and "parent" for servicemen's group life insurance purposes; to the Committee on Veterans' Affairs.

H.R. 372. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 373. A bill to amend title 38 of the United States Code to provide more equitable standards under which the liability of veterans with respect to certain loans made under chapter 37 of such title may be released or waived, and under which recovery of payments and overpayments of veteran's benefits may be waived; to the Committee on Veterans' Affairs.

H.R. 374. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

H.R. 375. A bill to revise the quota control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 376. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

H.R. 377. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Ways and Means.

H.R. 378. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 379. A bill to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg.; to the Committee on Interior and Insular Affairs.

H.R. 380. A bill to repeal section 7 of the act of August 9, 1946 (60 Stat. 968); to the Committee on Interior and Insular Affairs.

By Mr. WAGGONNER:

H.R. 381. A bill to amend the Communications Act of 1934 in order to provide that product advertising shall not be deemed to constitute the discussion of issues of public importance; to the Committee on Interstate and Foreign Commerce.

H.R. 382. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 383. A bill to restrict travel in violation of area restrictions; to the Committee on the Judiciary.

H.R. 384. A bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes; to the Committee on Un-American Activities.

H.R. 385. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 386. A bill to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance; to the Committee on Armed Services.

H.R. 387. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

By Mr. WYDLER:

H.R. 388. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. YOUNG:

H.R. 389. A bill to amend the Social Security Act; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 390. A bill to amend title VI of the Public Health Service Act in order to provide priority for grants under that title for projects for the construction of hospital facilities damaged or destroyed by tornadoes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.R. 391. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. BARING:

H.R. 392. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 393. A bill to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forest, in Montana, and for other purposes; to the committee on Agriculture.

H.R. 394. A bill to prohibit questions relating to production, acreage, operation, or finances of any farm or farmer in an agricultural census; to the Committee on Post Office and Civil Service.

By Mr. BENNETT:

H.R. 395. A bill to amend title V of the Housing Act of 1949 to modify the definition of rural area, and for other purposes; to the Committee on Banking and Currency.

H.R. 396. A bill to provide that the United States shall reimburse the States for that portion of the construction cost of certain schools which is attributable to Negroes; to the Committee on Education and Labor.

H.R. 397. A bill to provide for a device for recording and counting votes in the House of Representatives; to the Committee on House Administration.

H.R. 398. A bill to provide consumer protection in the purchase of lumber and homes built with lumber; to the Committee on Interstate and Foreign Commerce.

H.R. 399. A bill to require consultation with local planning agencies with respect to proposed Federal construction projects within their jurisdiction; to the Committee on Public Works.

H.R. 400. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to deny employment in defense facilities to certain individuals, to protect classified information released to U.S. industry, and for other purposes; to the Committee on Un-American Activities.

By Mr. BERRY:

H.R. 401. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Pollock-Herraid unit, South Dakota pumping division, Missouri River Basin project, South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BINGHAM:

H.R. 402. A bill to amend section 236 of the National Housing Act and section 101 of the Housing and Urban Development Act of 1965 to authorize assistance thereunder with respect to certain rental and cooperative housing projects financed under State or local programs even though construction or rehabilitation was completed prior to approval for such assistance; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 403. A bill to amend section 201 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. BROOKS:

H.R. 404. A bill to amend the Budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems, and for other purposes; to the Committee on Government Operations.

By Mr. BROOMFIELD:

H.R. 405. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of Ohio:

H.R. 406. A bill to authorize the Secretary of the Interior to establish and operate a National Museum and Repository of Negro History and Culture at or near Wilberforce, Ohio; to the Committee on Education and Labor.

H.R. 407. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years; to the Committee on Government Operations.

H.R. 408. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

H.R. 409. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BROWN of Ohio (for himself and Mr. BROYHILL of North Carolina):

H.R. 410. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. BROYHILL of North Carolina:

H.R. 411. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 412. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 413. A bill to amend titles X and XVI of the Social Security Act to permit blind persons to earn up to $300 a month without any reduction in the aid payable to them thereunder; to the Committee on Ways and Means.

H.R. 414. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 415. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education, or the education of his spouse or any of his dependents, at an institution of higher learning; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 416. A bill to prohibit payments, under programs administered by the Department of Agriculture, in excess of $10,000 to any one producer in any 1 year; to the Committee on Agriculture.

By Mr. CONTE:

H.R. 417. A bill to increase the investment credit allowable with respect to facilities to control water and air pollution; to the Committee on Ways and Means.

H.R. 418. A bill to amend title XVIII of the Social Security Act so as to include, among the health insurance benefits covered under part B thereof, coverage of certain drugs; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 419. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 420. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself and Mr. KARTH):

H.R. 421. A bill to amend section 11 of the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 422. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

By Mrs. DWYER:

H.R. 423. A bill for the establishment, on a continuing basis, of the Commission on the Organization and Operation of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. MILLS:

H.R. 424. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 425. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 426. A bill to amend title 10 United States Code, to provide for the rank of major general for the Chief of the Dental Service of the Air Force; to the Committee on Armed Services.

H.R. 427. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 428. A bill to provide for the disposition of funds appropriated to pay a judgment awarded to the Creek Nation or Tribe of Oklahoma and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 429. A bill to further extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 430. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 431. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 432. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 433. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 434. A bill to amend title 5, United States Code, with respect to civil service retirement credit for employees injured in line of duty, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 435. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

H.R. 436. A bill to designate lock and dam No. 17 on the Verdigris River, Okla., as the Chouteau lock and dam; to the Committee on Public Works.

H.R. 437. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

H.R. 438. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

H.R. 439. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 440. A bill to authorize the Catholic War Veterans to erect a statute of St. Sebastian in the District of Columbia; to the Committee on House Administration.

H.R. 441. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

H.R. 442. A bill to amend the Federal Water Pollution Control Act to establish standards and programs to abate and control water pollution by synthetic detergents; to the Committee on Public Works.

H.R. 443. A bill to provide matching grants for the construction of athletic facilities constructed in accordance with Olympic standards; to the Committee on Public Works.

H.R. 444. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H.R. 445. A bill to amend the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

H.R. 446. A bill to amend section 341 of the Immigration and Nationality Act to require the Attorney General to furnish a certificate of citizenship to a person holding certification of birth issued by the Secretary of State; to the Committee on the Judiciary.

H.R. 447. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

H.R. 448. A bill to impose, under certain conditions, import limitations on metal ores or metals during labor disputes affecting domestic production of such articles; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 449. A bill to amend title 10 of the United States Code to provide more liberal annuities for survivors of certain retired members of the Armed Forces; to the Committee on Armed Services.

H.R. 450. A bill to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

H.R. 451. A bill to establish the Amistad National Recreation Area in the State of Texas; to the Committee on Interior and Insular Affairs.

H.R. 452. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 453. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes; to the Committee on the Judiciary.

H.R. 454. A bill to amend title 18 of the United States Code to make it a Federal crime to transport stolen sheep or goats in interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 455. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 456. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 457. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 458. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 459. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 460. A bill to prohibit officers and employees of the United States from dumping or permitting the dumping of dredgings and other refuse materials into any navigable water; to the Committee on Public Works.

H.R. 461. A bill to amend title II of the Social Security Act to increase the amount of outside income which a widow with minor children may earn without suffering deductions from the benefits to which she is entitled thereunder; to the Committee on Ways and Means.

H.R. 462. A bill to amend title II of the Social Security Act to include Michigan among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. GERALD R. FORD (for himself and Mr. Vander Jagt):

H.R. 463. A bill to amend the Community Mental Health Centers Act to permit staffing grants to be made to certain mental health centers; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 464. A bill to establish a Department of Science, Research, and Technology; to the Committee on Government Operations.

By Mr. GALLAGHER:

H.R. 465. A bill to amend section 341 of the Public Health Service Act to authorize not more than six additional hospital centers for the treatment and care of drug addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRIFFITHS:

H.R. 466. A bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services; to the Committee on Armed Services.

H.R. 467. A bill to amend section 806 of the Public Health Service Act to provide that partial reimbursement by the Federal Government for costs attributable to nurse training shall be made available to collegiate and associate degree schools of nursing on the same basis as diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

H.R. 468. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers of certain employees who die in service; to the Committee on Post Office and Civil Service.

H.R. 469. A bill to provide equality of treatment for married women employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 470. A bill to amend the act of September 30, 1950, to authorize reimbursement of overtime pay for police and firemen for extra services performed because of a major disaster; to the Committee on Public Works.

By Mr. HALEY:

H.R. 471. A bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108); to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 472. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. HICKS:

H.R. 473. A bill to permit the State of Washington to use certain donated land for the promotion of public health, education, and recreation; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD (for himself, Mr. Blatnik, Mr. Reuss, Mr. Rosenthal, Mr. Erlenborn, Mr. Edwards of Alabama, and Mr. Horton):

H.R. 474. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. HORTON:

H.R. 475. A bill to amend the Federal Water Pollution Control Act in order to establish an incentive award program for industries, municipalities, and other political subdivisions of States which demonstrate excellence in waste treatment and pollution abatement programs; to the Committee on Public Works.

By Mr. HOSMER:

H.R. 476. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (for himself, Mr. Holifield, Mr. Price of Illinois, Mr. Aspinall, Mr. Young, Mr. Bates, Mr. Anderson of Illinois, and Mr. McCulloch):

H.R. 477. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HOSMER (for himself and Mr. HAMMERSCHMIDT):

H.R. 478. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 479. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 480. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce; Labor; and Health, Education, and Welfare; and other agencies; and for other purposes; to the Committee on Government Operations.

H.R. 481. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

H.R. 482. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 483. A bill to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes; to the Committee on Public Works.

H.R. 484. A bill to provide for the adjournment of Congress in the summer vacation period, and for other purposes; to the Committee on Rules.

By Mr. JOHNSON of California:

H.R. 485. A bill to amend the Agricultural Adjustment Act of 1938 with respect to wheat; to the Committee on Agriculture.

By Mr. KEITH (for himself and Mrs. HECKLER of Massachusetts):

H.R. 486. A bill to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. LONG of Maryland:

H.R. 487. A bill to authorize a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmission; to the Committee on Interstate and Foreign Commerce.

H.R. 488. A bill to authorize a program of research to determine the effect of overhead electric transmission lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country; to the Committee on Interstate and Foreign Commerce.

H.R. 489. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 490. A bill to amend the Internal Revenue Code of 1954 to permit the withholding of Federal income taxes for employees of certain water districts; to the Committee on Ways and Means.

By Mr. MARSH:

H.R. 491. A bill to provide that a "qualified nonprofit organization," for purposes of title 39, section 4452, United States Code, shall include volunteer fire departments and rescue squads not organized for profit; to the Committee on Post Office and Civil Service.

By Mr. MEEDS:

H.R. 492. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. MICHEL:

H.R. 493. A bill to authorize the Secretary of State to provide free transportation to Cuba for certain Cuban refugees in the United States, and for other purposes; to the Committee on Foreign Affairs.

H.R. 494. A bill to repeal the authorization for the purchase, maintenance, operation, and driving of an automobile for any Member of the House of Representatives who has previously served as Speaker of the House of Representatives; to the Committee on House Administration.

By Mr. MINSHALL:

H.R. 495. A bill to create a commission to study the system of selecting presidential and vice-presidential candidates and the system of electing the President and Vice President; to the Committee on House Administration.

By Mr. NATCHER:

H.R. 496. A bill to extend veteran benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans' Affairs.

By Mr. O'HARA:

H.R. 497. A bill to amend section 301 of the Manpower Development and Training Act of 1962 as amended; to the Committee on Education and Labor.

By Mr. OLSEN:

H.R. 498. A bill to remove the condition subject to which certain real property of the United States was heretofore granted to the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 499. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

H.R. 500. A bill to authorize a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmission; to the Committee on Interstate and Foreign Commerce.

H.R. 501. A bill to authorize a program of research to determine the effect of overhead electric transmission lines upon the health and welfare of citizens, community planning and zoning, real estate values and tax revenues, and the natural beauty of our country; to the Committee on Interstate and Foreign Commerce.

H.R. 502. A bill to amend title 39, United States Code, to provide for the elimination of political influence in the appointment of postmasters, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 503. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 504. A bill to amend the Surplus Property Act of 1944 to authorize certain surplus property of the United States to be donated for park or recreational purposes; to the Committee on Government Operations.

H.R. 505. A bill to protect consumers by requiring that imported fish and fish food products made in whole or in part with imported fish bear a label showing the country of origin of such imported fish; to the Committee on Interstate and Foreign Commerce.

H.R. 506. A bill to establish fishing zones of the United States beyond its territorial seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 507. A bill to prohibit processing of fish in the territorial waters of the United States by vessels other than vessels of the United States except where there is a determination that no adequate American processing facilities are available; to the Committee on Merchant Marine and Fisheries.

H.R. 508. A bill to amend the Merchant Marine Act, 1936, so as to decrease the permissible minimum downpayment with respect to fishing vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 509. A bill to amend the act prohibiting fishing in the territorial waters of the United States by vessels other than vessels of the United States in order to expand the definition of the term "fisheries;" to the Committee on Merchant Marine and Fisheries.

H.R. 510. A bill to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

H.R. 511. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 512. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution; and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 513. A bill to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to provide for adequate leadtime, and for planning and evaluation, in such programs, and for other purposes; to the Committee on Education and Labor.

H.R. 514. A bill to extend programs of assistance for elementary and secondary education and for other purposes; to the Committee on Education and Labor.

H.R. 515. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions; to the Committee on Education and Labor.

H.R. 516. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced price meals to needy children not now being reached; to the Committee on Education and Labor.

H.R. 517. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers, and for other purposes; to the Committee on Education and Labor.

By Mr. PETTIS:

H.R. 518. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 519. A bill to increase the maximum amount of public land which the Secretary of the Interior may sell to a religious or fraternal association for cemetery purposes from 80 acres to 160 acres; to the Committee on Interior and Insular Affairs.

H.R. 520. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

H.R. 521. A bill to establish the Railroad Study Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 522. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

H.R. 523. A bill to amend title 5, United States Code, to provide annuities for surviving spouses without reductions in the annuities of retired employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 524. A bill to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 525. A bill to amend the Internal Revenue Code of 1954, to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 526. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

By Mr. PIKE:

H.R. 527. A bill to provide for the appointment of postmasters without regard to political considerations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 528. A bill to amend titles 11 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 529. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 530. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 531. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. POAGE:

H.R. 532. A bill to amend section 201 of the Agricultural Adjustment Act of 1938, as amended, in order to require the Secretary of Agriculture in certain cases to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of farm products; to the Committee on Agriculture.

By Mr. POFF:

H.R. 533. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 534. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 535. A bill to amend the Railroad Retirement Act of 1937; to the Committee on Interstate and Foreign Commerce.

H.R. 536. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 537. A bill concerning a Federal Tax Fairness Act; to the Committee on Ways and Means.

H.R. 538. A bill to amend the Internal Revenue Code of 1954, to provide for an amortization deduction for pollution control facilities, a tax credit for expenses of employee training programs and for expenses of higher education, a deduction for teachers' educational expenses, special rules for the income tax treatment of business development corporations, and an income tax incentive for employment of older workers; to the Committee on Ways and Means.

H.R. 539. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 540. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 541. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to a taxpayer who is a student at a college for certain expenses incurred in obtaining a higher education; to the Committee on Ways and Means.

H.R. 542. A bill to provide a credit against the Federal income tax for additional State and local taxes imposed for school purposes; to the Committee on Ways and Means.

H.R. 543. A bill to amend title II of the Social Security Act to provide for cost-of living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 544. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 545. A bill to amend the Internal Revenue Code of 1954, to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 546. A bill to amend the Internal Revenue Code of 1954, to provide that the deduction for charitable contributions will not be allowable with respect to contributions to certain charitable organizations which fail to make full disclosure to the public; to the Committee on Ways and Means.

H.R. 547. A bill to provide a tax incentive for the employment of older workers; to the Committee on Ways and Means.

H.R. 548. A bill to amend the Internal Revenue Code of 1954, to provide interest on certain amounts withheld from wages and certain estimated payments of tax for purposes of the Federal income tax; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 549. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture.

H.R. 550. A bill making it a felony to carry or attempt to carry firearms or explosives on board commercial aircraft and to amend the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

H.R. 551. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 552. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 553. A bill to amend section 22 of the Agricultural Adjustment Act of 1933, as amended; to the Committee on Ways and Means.

H.R. 554. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 555. A bill to provide for the establishment of the Apostle Islands National Seashore in the State of Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PRICE of Texas:

H.R. 556. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

H.R. 557. A bill to amend the Internal Revenue Code of 1954, to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 558. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 559. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 560. A bill to amend and extend the provisions of law relating to education of handicapped children, and for other purposes; to the Committee on Education and Labor.

By Mr. PURCELL (for himself, Mr. Rogers of Colorado, Mr. Evans of Colorado, Mr. Aspinall, Mr. Steed, Mr. White, Mr. Burleson of Texas, Mr. Fisher, and Mr. Mahon):

H.R. 561. A bill to amend section 16 of the Soil Conservation and Domestic Allotment Act, as amended, to extend the Great Plains conservation program; to the Committee on Agriculture.

By Mr. QUILLEN:

H.R. 562. A bill to exempt ambulance drivers and attendants from the minimum wage and overtime provisions of the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

By Mr. RANDALL:

H.R. 563. A bill to regulate the granting of permits for private use of publicly owned lands within the District of Columbia; to the Committee on the District of Columbia.

H.R. 564. A bill to regulate the granting of permits for private use of public lands; to the Committee on Interior and Insular Affairs.

H.R. 565. A bill to amend title 39, United States Code, to provide for door delivery mail service for certain city delivery service areas without door delivery service inhabited by senior citizens, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 566. A bill to require persons holding demonstrations on Federal property or in the District of Columbia to post bond to cover certain costs of such demonstrations; to the Committee on Public Works.

H.R. 567. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 568. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 569. A bill for the relief of certain individuals who received benefit overpayments under title 38, United States Code, in connection with the Tangipahoa (La.) Parish School Board on-farm training program; to the Committee on the Judiciary.

H.R. 570. A bill to cause a study to be made on the advisability of connecting Lake Pontchartrain, La., with the Gulf of Mexico; to the Committee on Public Works.

H.R. 571. A bill to impose import limitations on fresh, prepared, or preserved strawberries; to the Committee on Ways and Means.

H.R. 572. A bill to amend the Tariff Schedules of the United States with respect to the rates of duty on fresh, prepared, or preserved strawberries; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 573. A bill to authorize the transfer of a vessel to the Los Angeles Unified School District for nontransportation use in the training of merchant marine personnel; to the Committee on Merchant Marine and Fisheries.

By Mr. RIVERS:

H.R. 574. A bill to authorize appropriations for naval vessels for fiscal year 1970; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 575. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 576. A bill to provide for the establishment, under the National Science Foundation, of a National Science Academy; to the Committee on Science and Astronautics.

H.R. 577. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Florida:

H.R. 578. A bill to amend title 18 of the United States Code to provide that persons charged with an offense punishable by death or an offense involving the use of a deadly or dangerous weapon shall not be admitted to bail; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 579. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 580. A bill to amend the Economic Opportunity Act of 1964 to prohibit programs and projects involving the publication of newspapers in competition with private newspapers; to the Committee on Education and Labor.

H.R. 581. A bill to amend the Economic Opportunity Act of 1964 to prohibit projects and programs which compete with private retail and wholesale businesses; to the Committee on Education and Labor.

H.R. 582. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions of $125 per month to World War I veterans, subject to a $2,400 and $3,600 annual income limitation; to provide that retirement income such as social security shall not be counted as income; to provide that such pension shall be increased by 10 percent where the veteran served overseas during World War I; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 583. A bill to amend section 501 of title 38, United States Code, to provide that active military service on the Mexican border before World War I by persons who performed active service during World War I shall be included in determining eligibility of World War I veterans, their widows, and children for pension; to the Committee on Veterans' Affairs.

H.R. 584. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. RUPPE (for himself, Mr. Vander Jagt, Mr. Cederberg, Mr. Broomfield, Mr. Hutchinson, Mr. Chamberlain, Mr. Harvey, Mr. Brown of Michigan, Mr. Diggs, Mr. Dingell, Mr. Nedzi, Mr. McDonald of Michigan, Mr. Conyers, Mr. William D. Ford, Mr. Gerald R. Ford, Mr. Esch, Mrs. Griffiths, Mr. O'Hara, and Mr. Riegle):

H.R. 585. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. RYAN:

H.R. 586. A bill to provide for a comprehensive income maintenance program; to the Committee on Ways and Means.

H.R. 587. A bill to authorize participation by the United States in the construction of a dual-purpose electrical power generation and desalting plant in Israel; to the Committee on Foreign Affairs.

H.R. 588. A bill to amend the United Nations Participation Act of 1945, to provide for reimbursement to the city of New York of certain unusual expenses incurred by that city during the meeting of the United Nations in September and October 1960; to the Committe on Foreign Affairs.

H.R. 589. A bill to provide reimbursement for New York City for the portion of the costs of its police department attributable to providing protection to the United Nations and delegates thereto; to the Committee on Foreign Affairs.

H.R. 590. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

H.R. 591. A bill to amend the Central Intelligence Agency Act of 1949 to prohibit the Agency from contributing funds to domestic organizations; to the Committee on Armed Services.

H.R. 592. A bill to provide for the establishment of an American Council on International Exchange to give open support to the overseas activities of private American voluntary associations, and for other purposes; to the Committee on Foreign Affairs.

H.R. 593. A bill to provide educational assistance under chapter 35 of title 38, United States Code, to children of civilian employees of the United States killed abroad as a result of armed hostilities or civil disorder; to the Committee on Veterans' Affairs.

H.R. 594. A bill to amend title 38 of the United States Code to specifically provide for the guarantee of loans made to veterans to purchase dwellings in multifamily structures which are owned cooperatively or are condominiums; to the Committee on Veterans' Affairs.

H.R. 595. A bill to amend title 38 of the United States Code in order to increase the amount of the spouse's income which may be excluded in determining a veteran's annual income for determining his eligibility for pension; to the Committee on Veterans' Affairs.

H.R. 596. A bill to amend title II of the National Housing Act to provide FHA mortgage insurance for individuals purchasing dwelling units in cooperative housing projects in the same way that such insurance is provided for individuals purchasing other single-family residences; to the Committee on Banking and Currency.

H.R. 597. A bill to amend title I of the Housing Act of 1949 to prohibit the construction of luxury housing in the redevelopment of urban renewal areas; to the Committee on Banking and Currency.

H.R. 598. A bill to amend title I of the Housing Act of 1949 to require the establishment of more effective procedures for the relocation of individuals, families, and business concerns from the area of urban renewal projects; to the Committee on Banking and Currency.

H.R. 599. A bill to amend title I of the Housing Act of 1949 to provide that individuals, families, and business concerns displaced by an urban renewal project shall have a priority of opportunity to relocate in the project area after its redevelopment; to the Committee on Banking and Currency.

H.R. 600. A bill to amend title I of the Housing Act of 1949 to provide more adequate relocation payments for individuals, families, and business concerns displaced from urban renewal areas; to the Committee on Banking and Currency.

H.R. 601. A bill to amend the United States Housing Act of 1937 to remove the existing 15 percent limit on the amount of assistance which may be provided thereunder for low-rent public housing in any one State; to the Committee on Banking and Currency.

H.R. 602. A bill to amend the United States Housing Act of 1937 to remove the existing dollar limit on the amount of annual contributions which may be contracted for by the Public Housing Administration to assist low-rent public housing; to the Committee on Banking and Currency.

H.R. 603. A bill to amend the United States Housing Act of 1937 to increase by $1,000 per room the statutory limit on the cost of a low-rent housing project; to the Committee on Banking and Currency.

H.R. 604. A bill to amend the United States Housing Act of 1937 to provide that a tenant in a low-rent public housing project may not be evicted therefrom without a public hearing; to the Committee on Banking and Currency.

H.R. 605. A bill to amend the Internal Revenue Code of 1954 to require the owner of an apartment building or other multifamily structure to establish and utilize a repair, replacement, and maintenance reserve as a condition of the allowance of a depreciation deduction with respect to such structure; to the Committee on Ways and Means.

H.R. 606. A bill to amend the Housing Act of 1949 to remove the 12.5 percentage limit on the amount of grant assistance which may be provided thereunder for urban renewal in any one State; to the Committee on Banking and Currency.

H.R. 607. A bill to amend the United States Housing Act of 1937 to provide additional opportunities for occupants of dwelling units in low-rent housing projects to purchase such units; to the Committee on Banking and Currency.

H.R. 608. A bill to amend section 101 of the Housing and Urban Development Act of 1965 to provide increased rent supplement payments in the case of tenants with larger families; to the Committee on Banking and Currency.

H.R. 609. A bill to amend title I of the Housing Act of 1949 to provide more adequate relocation payments, to extend the requirement of such payments to persons displaced under all Federal and federally aided programs, and to establish in the Department of Housing and Urban Development a central relocation agency which will actually make such payments and provide assistance to displaced persons in obtaining them; to the Committee on Banking and Currency.

H.R. 610. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 611. A bill to amend the Social Security Amendments of 1965 to eliminate the provisions which deny hospital insurance benefits to uninsured individuals who are members of certain organizations or have been convicted of certain offenses, and to eliminate the provisions which deny supplementary medical insurance benefits to persons who have been convicted of certain offenses; to the Committee on Ways and Means.

H.R. 612. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 613. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for qualified dependent relatives of certain insured individuals; to the Committee on Ways and Means.

H.R. 614. A bill to amend the public assistance provisions of the Social Security Act to prohibit the imposition of any durational residence requirement as a condition of eligibility for aid or assistance thereunder; to the Committee on Ways and Means.

H.R. 615. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 616. A bill to amend section 203 of the Social Security Act to provide that the amount of an individual's medical, dental, and related expenses shall be subtracted from his outside earnings before determining under such section the amount of any reduction in his benefits by reason of such earnings; to the Committee on Ways and Means.

H.R. 617. A bill to amend title 38 of the United States Code as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

H.R. 618. A bill to eliminate certain limitations and restrictions (added by the Social Security Amendments of 1967) relating to aid to families with dependent children under title IV of the Social Security Act and medical assistance under title XIX of that act; to the Committee on Ways and Means.

H.R. 619. A bill to amend the public assistance provisions of the Social Security Act to assure all recipients of such assistance (in conjunction with recent social security benefit increases) an average increase of $7.50 in the total amount of their income from such assistance and other sources; to the Committee on Ways and Means.

H.R. 620. A bill to amend title II of the Social Security Act to remove certain limitations (added by the Social Security Amendments of 1967) on the payment of benefits to aliens; to the Committee on Ways and Means.

H.R. 621. A bill to assure the fair selection of jurors and enforce the equal right to jury service, and for other purposes; to the Committee on the Judiciary.

H.R. 622. A bill to protect against violence and intimidation in the exercise of civil rights; to the Committee on the Judiciary.

H.R. 623. A bill to provide protection against lynchings; to the Committee on the Judiciary.

H.R. 624. A bill to protect the constitutional rights of individuals irrespective of race, creed, color, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 625. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

H.R. 626. A bill to amend the Communications Act of 1934 to prohibit discrimination in employment practices by broadcast station licensees; to the Committee on Interstate and Foreign Commerce.

H.R. 627. A bill to amend the Urban Mass Transportation Act of 1964 to remove the existing percentage limit on the amount of regular grant assistance which may be provided thereunder for projects in any one State; to the Committee on Banking and Currency.

H.R. 628. A bill to amend section 128 of title 23 of the United States Code to require at least 30 days' notice before any public hearing is held under that section, and for other purposes; to the Committee on Public Works.

H.R. 629. A bill to amend titles 10 and 37 of the United States Code to permit members of the Armed Forces to provide for their dependents in certain circumstances; to the Committee on Armed Services.

H.R. 630. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an Armed Force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 631. A bill to amend section 212(a) (14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 632. A bill to amend section 204(a) of the Immigration and Nationality Act to eliminate the offer of employment required with respect to any alien desiring to be classified as a preference immigrant under section 203(a)(6); to the Committee on the Judiciary.

H.R. 633. A bill to repeal subsection (c) of section 245 of the Immigration and Nationality Act, to permit adjustment of status of persons from the Western Hemisphere on the same basis as other aliens; to the Committee on the Judiciary.

H.R. 634. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

H.R. 635. A bill to amend the Public Health Service Act to make aliens admitted for permanent residence eligible for appointment as commissioned officers in the service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 636. A bill to amend the Public Health Service Act to make aliens admitted for permanent residence eligible for appointment as commissioned officers in the service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 637. A bill to amend section 2(2) of the National Labor Relations Act to provide that the definition of "employer" therein shall include certain corporations or associations operating a hospital; to the Committee on Education and Labor.

H.R. 638. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 639. A bill to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Education and Labor.

H.R. 640. A bill to amend the Clean Air Act to repeal the State expenditure limitation on grant funds; to the Committee on Interstate and Foreign Commerce.

H.R. 641. A bill to establish a Federal Water Commission to provide for the development, utilization, and control of the water resources of the United States for beneficial uses and for their protection in the interest of the public health, safety, and welfare, and for other purposes; to the Committee on Public Works.

H.R. 642. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 643. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 644. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 645. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

H.R. 646. A bill to amend the Internal Revenue Code of 1954 to require each tax-exempt organization to file an annual information return showing each source (including governmental sources) of its income and other receipts, and to provide for a loss of tax exemption in the case of willful failure to file, or fraudulent statements made in connection with, such return; to the Committee on Ways and Means.

H.R. 647. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 648. A bill to amend the Public Works and Economic Development Act of 1965 to authorize parts of counties and municipalities to be designated as redevelopment areas; to the Committee on Public Works.

H.R. 649. A bill to authorize the Small Business Administration to indemnify corporate sureties on bonds covering contracts of sound small business concerns where such action will further the purposes of the Economic Opportunity Act of 1964; to the Committee on Banking and Currency.

H.R. 650. A bill to study the advisability of establishing an International Development Corp.; to the Committee on Foreign Affairs.

H.R. 651. A bill to amend section 4544 of the Revised Statutes of the United States to remove the 60-day restriction with respect to the distribution of the effects of a deceased seaman; to the Committee on Merchant Marine and Fisheries.

H.R. 652. A bill to amend the Atomic Energy Act of 1954 to provide that hearings on applications for construction permits for certain facilities must be held at or near the places where such facilities are to be located; to the Joint Committee on Atomic Energy.

H.R. 653. A bill to curb monopolistic control of professional boxing, to establish within the Department of Justice the Office of the National Boxing Commissioner, and for other purposes; to the Committee on the Judiciary.

H.R. 654. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

H.R. 655. A bill to require certain uniform lighting of taxicabs for hire in the District of Columbia; to the Committee on the District of Columbia.

H.R. 656. A bill to establish a Federal oil shale development program, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 657. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 658. A bill to establish and develop the Chesapeake and Ohio Canal National

Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 659. A bill to provide for the cooperation between the Secretary of the Interior and the States with respect to the future regulation of surface mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 660. A bill to establish the Capital National Park in the District of Columbia, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 661. A bill to establish a uniform Federal policy for repayment of costs of Federal electric power projects and to provide the Secretary of the Interior with authority to carry out this policy; to the Committee on Interior and Insular Affairs.

H.R. 662. A bill to require congressional approval before a license may be granted for the construction of any facility for the commercial generation of electricity from nuclear energy; to the Joint Committee on Atomic Energy.

By Mr. SCHWENGEL:

H.R. 663. A bill to provide appropriations for sharing of Federal taxes with States out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures and to amend the Internal Revenue Code of 1954 to permit individuals to claim a credit against Federal income tax; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 664. A bill to authorize the Commissioner of the District of Columbia to convey to Prince William County, Va., certain real property of the District of Columbia located in that county; to the Committee on the District of Columbia.

H.R. 665. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 666. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 667. A bill to equalize the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

By Mr. SISK:

H.R. 668. A bill to direct the Council of the District of Columbia to prescribe regulations to control radiation in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 669. A bill authorizing the residents of the District of Columbia to make known their preference on the question of home rule and, if they wish, to create a board for the purpose of preparing a municipal charter for submission to the voters and to Congress, and for other purposes; to the Committee on the District of Columbia.

H.R. 670. A bill to amend section 19(a) of the District of Columbia Public Assistance Act of 1962; to the Committee on the District of Columbia.

H.R. 671. A bill to compensate the Indians of California for the value of land erroneously used as an offset in a judgment against the United States obtained by said Indians; to the Committee on Interior and Insular Affairs.

H.R. 672. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 673. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 674. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Commission on Ways and Means.

By Mr. SMITH of Iowa:

H.R. 675. A bill to authorize the establishment and maintenance of reserve supplies of soybeans, corn, grain sorghum, barley, oats, and wheat for national security and to protect domestic consumers against an inadequate supply of such commodities; to maintain and promote foreign trade; to protect producers of such commodities against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing such commodities; to assure the availability of commodities to promote world peace and understanding; and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Iowa (for himself and Mr. FOLEY):

H.R. 676. A bill to amend the Packers and Stockyards Act of 1921, as amended, to prohibit the slaughter of livestock under certain conditions which reduce the bargaining power of livestock producers generally and interfere with a free market, and for other purposes; to the Committee on Agriculture.

By Mr. SPRINGER:

H.R. 677. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 678. A bill to create a Department of Peace; to the Committee on Government Operations.

By Mr. STEIGER of Arizona:

H.R. 679. A bill to authorize the acquisition of a village site for the Payson Band of Yavapai-Apache Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STRATTON:

H.R. 680. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require safety standards for tractors used for agricultural purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. SULLIVAN:

H.R. 681. A bill to provide for the adjournment of Congress in the summer vacation period, and for other purposes; to the Committee on Rules.

By Mr. TEAGUE of California (for himself, Mr. SISK, Mr. JOHNSON of California, and Mr. MATHIAS):

H.R. 682. A bill to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported olives; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H.R. 683. A bill to amend section 138 of the Legislative Reorganization Act of 1946 so as to provide for the reduction of the public debt by at least 10 percent of the estimated overall Federal recipts for each fiscal year; to the Committee on Rules.

By Mr. TEAGUE of Texas (by request):

H.R. 684. A bill to amend title 38 of the United States Code in order to make certain technical corrections therein, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 685. A bill to amend title 38 of the United States Code so as to permit the Administrator of Veterans' Affairs to provide medical and hospital care to the widows and children of persons who died of service-connected disabilities and to wives and children of persons who have service-connected disabilities rated as total; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 686. A bill to authorize hospital and medical care for widows and children of certain service-connected veterans; to the Committee on Veterans' Affairs.

H.R. 687. A bill to liberalize certain eligibility requirements for payment of benefits to widows aged 60 or more of veterans under title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 688. A bill to amend section 1811 of title 38, United States Code, to increase the dollar limitation on direct loans under the veterans' home loan program; to the Committee on Veterans' Affairs.

H.R. 689. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 690. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of pension, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 691. A bill to amend title 38 of the United States Code in order to provide for the payment of an additional amount of up to $100 for the acquisition of a burial plot for the burial of certain veterans; to the Committee on Veterans' Affairs.

H.R. 692. A bill to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States; to the Committee on Veterans' Affairs.

H.R. 693. A bill to amend title 38 of the United States Code to provide that veterans who are 70 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMSON of Wisconsin:

H.R. 694. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

By Mr. UTT:

H.R. 695. A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes; to the Committee on Foreign Affairs.

H.R. 696. A bill to abolish the Arms Control and Disarmament Agency, and repeal the Arms Control and Disarmament Act; to the Committee on Foreign Affairs.

H.R. 697. A bill to establish the Rancho Guajome National Historic Site in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 698. A bill to amend the United States Code, to promote the availability of postage stamps to the public by sale through vending machines, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VANIK:

H.R. 699. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. WAGGONNER:

H.R. 700. A bill to create a commission on the establishment of a Council of Free Nations; to the Committee on Foreign Affairs.

H.R. 701. A bill relating to the conservation of natural resources upon lands of the United States and amending certain provisions of the Outer Continental Shelf Lands Act and the Mineral Leasing Act; to the Committee on the Judiciary.

H.R. 702. A bill to amend and clarify section 4(a) of the Voting Rights Act of 1965; to the Committee on the Judiciary.

H.R. 703. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

H.R. 704. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 705. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

H.R. 706. A bill to amend the Public Health Service Act to provide for the establishment of a National Kidney Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 707. A bill to cut off Federal benefits for conviction of rioting and prohibiting entitlement to such benefits thereafter; to the Committee on the Judiciary.

H.R. 708. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 709. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 710. A bill to amend title III of the Trade Expansion Act of 1962 to establish more effective criteria for a finding of serious injury to domestic industry as a result of concessions granted under trade agreements, to make mandatory the findings of the Tariff Commission with respect to the necessity for tariff adjustment, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 711. A bill to provide for the establishment of the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 712. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. BOB WILSON:

H.R. 713. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

H.R. 714. A bill to amend the Civil Service Retirement Act to allow retirement credit for service performed for the University of California, Division of War Research, in World War II; to the Committee on Post Office and Civil Service.

By Mr. BOB WILSON (for himself, Mr. Utt, Mr. Van Deerlin, and Mr. Tunney):

H.R. 715. A bill to provide for the appointment of three additional district judges for the Southern District of California; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 716. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYMAN:

H.R. 717. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 718. A bill to prohibit sales of gold to foreign countries in default or arrears in the payment of indebtedness to the United States; to the Committee on Banking and Currency.

H.R. 719. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 720. A bill to amend the act of January 12, 1895, to provide for the distinctive printing in the Congressional Record of remarks actually spoken during proceedings and debates on the floor of the House of Representatives; to the Committee on House Administration.

H.R. 721. A bill to deter the hijacking of commercial aircraft of U.S. registry; to the Committee on Interstate and Foreign Commerce.

H.R. 722. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 723. A bill to amend chapter 1 of title 18 of the United States Code to permit the publication and dissemination of information relating to the sweepstakes conducted by any State or the District of Columbia; to the Committee on the Judiciary.

H.R. 724. A bill to exempt receipts, tickets, and other acknowledgments of any State or the District of Columbia in connection with any sweepstakes operated by such State or the District of Columbia from the provisions of section 1953 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 725. A bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities; to the Committee on the Judiciary.

H.R. 726. A bill to amend title 18 of the United States Code to authorize a Federal law enforcement officer to detain and question a person suspected of committing a Federal crime; to the Committee on the Judiciary.

H.R. 727. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 728. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 729. A bill to amend title 39, United States Code, to provide for the mailing of mail matters by relatives to members of the Armed Forces overseas at no cost to such relatives; to the Committee on Post Office and Civil Service.

H.R. 730. A bill to require the words "In God We Trust" on the Supreme Court Building; to the Committee on Public Works.

H.R. 731. A bill to name the Veterans' Administration hospital located in Manchester, N.H., the Styles Bridges Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

H.R. 732. A bill to amend the Internal Revenue Code of 1954 to provide one additional personal exemption for each $1,200 the taxpayer spends during the taxable year for the educational expenses of his dependent children; to the Committee on Ways and Means.

H.R. 733. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

H.R. 734. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 735. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 736. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 737. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 738. A bill to repeal the Civil Rights Act of 1964; to the Committee on Judiciary.

By Mr. BATTIN:

H.R. 739. A bill to create a National Services Corporation to provide a central location for various training centers and programs, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 740. A bill to amend the act of February 24, 1925, incorporating the American War Mothers, to permit certain stepmothers and adoptive mothers to be members of that organization; to the Committee on the Judiciary.

H.R. 741. A bill to exclude in national cemeteries the burial of persons convicted of treason and similar crimes; to the Committee on Veterans' Affairs.

H.R. 742. A bill to permit the release of certain veterans from liability to the United States arising out of loans made, guaranteed, or insured under chapter 37 of title 38, United States Code, and to eliminate fraud from the Federal home loan and mortgage insurance programs; to the Committee on Veterans' Affairs.

H.R. 743. A bill to provide for a Veterans' Administration general medical and surgical hospital of 500 beds at Jacksonville, Fla.; to the Committee on Veterans' Affairs.

By Mr. BINGHAM:

H.R. 744. A bill to amend section 13a of the Interstate Commerce Act, relating to the discontinuance or change of certain operations or services of common carriers by rail, in order to require the Interstate Commerce Commission to give full consideration to all financial assistance available before permitting any such discontinuance or change; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM (for himself, Mr. Conyers, Mr. Diggs, Mr. Farbstein, Mr. Gilbert, Mr. Hawkins, Mr. Moorhead, Mr. Nix, Mr. Ottinger, Mr. Reuss, Mr. Scheuer, and Mr. Wolff):

H.R. 745. A bill to provide for the designation of the Veterans' Administration hospital in Jackson, Miss., as the "Medgar Evers Memorial Veterans Hospital"; to the Committee on Veterans' Affairs.

By Mr. BROCK:

H.R. 746. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina:

H.R. 747. A bill to amend the Internal Revenue Code of 1954 to provide that an individual's foster child may in certain cases be treated as his natural child for purposes of determining his entitlement to a personal exemption for such child; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 748. A bill to amend the tariff schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

H.R. 749. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 750. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 751. A bill to consent to the New Hampshire-Vermont interstate school compact; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 752. A bill relating to certain Indian claims; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 753. A bill to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 754. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement work over a period of 36 months; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 755. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 756. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 757. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

H.R. 758. A bill to authorize the coinage of 50-cent pieces in recognition of the outstanding services of the Reverend Dr. Martin Luther King, Jr., to the cause of the individual rights and the equality of men; to the Committee on Banking and Currency.

By Mr. CRAMER:

H.R. 759. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 760. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 761. A bill to authorize the Coast Guard to study methods of preventing casualties involving vessels carrying certain contaminants; to authorize the Coast Guard to conduct continuing research on the removal of contaminants from beaches and waters; to authorize the examination of routes used by vessels carrying certain contaminants; and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 762. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 763. A bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps; to the Committee on Education and Labor.

H.R. 764. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

H.R. 765. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

H.R. 766. A bill to amend title 39, United States Code, to provide an established work week, a new system of overtime compensation for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 767. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

H.R. 768. A bill to amend the age and service requirements for retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DANIELS of New Jersey (for himself, Mr. Dulski, Mr. Henderson, Mr. Olsen, Mr. Udall, Mr. Nix, Mr. Hanley, Mr. Charles H. Wilson, Mr. White, Mr. William D. Ford, Mr. Tiernan, Mr. Cunningham, Mr. Johnson of Pennsylvania, Mr. Broyhill of North Carolina, Mr. Button, Mr. Scott, and Mr. Thompson of Georgia):

H.R. 769. A bill to amend title 5, United States Code, to facilitate the operation of the Federal employees group life and health insurance programs by the exemption of such programs from certain taxes by States and political subdivisions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DANIELS of New Jersey (for himself, Mr. Henderson, Mr. Udall, Mr. Nix, Mr. Hanley, Mr. Charles H. Wilson, Mr. Waldie, Mr. White, Mr. William D. Ford, Mr. Tiernan, Mr. Cunningham, Mr. Johnson of Pennsylvania, Mr. Broyhill of North Carolina, Mr. Button, and Mr. Thompson of Georgia):

H.R. 770. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. de la GARZA:

H.R. 771. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 772. A bill to amend section 312 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 773. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 774. A bill to amend the Social Security Act to require States to disregard proceeds of insurance in determining eligibility for public assistance where the insured died in the active military or naval service; to the Committee on Ways and Means.

H.R. 775. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the armed forces in Vietnam; to the Committee on Armed Services.

By Mr. DELANEY:

H.R. 776. A bill to authorize a 2-year program of financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mr. DELLENBACK (for himself, Mr. Wyatt, Mrs. Green of Oregon, and Mr. Ullman):

H.R. 777. A bill to provide for holding terms of the U.S. District Court for the District of Oregon at Coquille; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 778. A bill to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 779. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Olalla division of the Umpqua project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 780. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 781. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DOWNING:

H.R. 782. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title I to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

By Mrs. DWYER:

H.R. 783. A bill to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes; to the Committee on Government Operations.

H.R. 784. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 785. A bill to amend the Interstate Commerce Act to prevent the discontinuance of certain commuter operations which could benefit from new governmental programs for the improvement of commuter services, or from the merger of the carrier or carriers responsible for such commuter operations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 786. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 787. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 788. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 789. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 790. A bill to amend the Internal Revenue Code of 1954 to provide a $100 deduction for the landowner for each producing oil and gas well where the mineral rights are reserved to the United States and the landowner does not receive income from the production of the well; to the Committee on Ways and Means.

H.R. 791. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

H.R. 792. A bill to establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedures for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 793. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

H.R. 794. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 795. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and for other purposes; to the Committee on the Judiciary.

H.R. 796. A bill to amend the act of May 14, 1948, in order to exclude from burial in national cemeteries the remains of persons determined to have been subversive; to the Committee on Veterans' Affairs.

H.R. 797. A bill to amend title 38 of the United States Code in order to provide additional beds in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism; to the Committee on Veterans' Affairs.

H.R. 798. A bill to amend the Internal Revenue Code of 1954 to include certain joint hospital laundry ventures among the cooperative hospital service organizations entitled to tax exemption thereunder; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 799. A bill to encourage national development by providing incentives for the establishment of new or expanded job-producing and job-training industrial and commercial facilities in rural areas having high proportions of persons with low incomes or which have experienced or face a substantial loss of population because of migration, and for other purposes; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 800. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 801. A bill to amend title 38 of the United States Code in order to provide additional beds in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism; to the Committee on Veterans' Affairs.

H.R. 802. A bill to amend section 13(b) of title 15 of the United States Code; to the Committee on the Judiciary.

H.R. 803. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

H.R. 804. A bill to authorize the Secretary of the Interior to establish and operate a National Museum and Repository of Negro History and Culture at or near Wilberforce, Ohio; to the Committee on Education and Labor.

H.R. 805. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 806. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 807. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Veterans' Affairs.

H.R. 808. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

H.R. 809. A bill to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 810. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to deny employment in defense facilities to certain individuals, to protect classified information released to U.S. industry, and for other purposes; to the Committee on Un-American Activities.

H.R. 811. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to bar the employment in defense facilities of individuals believed disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on Un-American Activities.

H.R. 812. A bill to amend the Fair Labor Standards Act of 1938 to maintain at $500,000 the annual dollar volume test for coverage by that act of the employees of certain enterprises engaged in commerce; to the Committee on Education and Labor.

H.R. 813. A bill to amend title 23 of the United States Code to add 1,726 miles to the National System of Interstate and Defense Highways, and to designate such additional mileage as the route for a highway on such Interstate System from Brownsville, Tex., to the North Dakota-Canadian border; to the Committee on Public Works.

H.R. 814. A bill to amend the Internal Revenue Code of 1954 to provide that the value of a decedent's real property (or interest in real property) which was used as a ranch or farm or in some other trade or business may at the election of the executor be determined, for estate tax purposes, solely by reference to its value for such use; to the Committee on Ways and Means.

H.R. 815. A bill to limit and prevent certain concerted activities by labor organizations which interfere with or obstruct or impede the free production of goods for commerce or the free flow thereof in commerce, and for other purposes; to the Committee on Education and Labor.

By Mr. FLYNT:

H.R. 816. A bill for the relief of the State of Georgia; to the Committee on the Judiciary.

H.R. 817. A bill to amend section 1346, title 28 of the United States Code; to the Committee on the Judiciary.

H.R. 818. A bill to amend title 38 of the United States Code with respect to the payment of certain benefits under that title; to the Committee on Veterans' Affairs.

H.R. 819. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

H.R. 820. A bill to amend the Social Security Act to provide that delayed birth certificates and similar documents issued under State law shall constitute prima facie evidence of age for purposes of establishing eligibility for benefits or assistance under that act; to the Committee on Ways and Means.

H.R. 821. A bill to amend title II of the Social Security Act to provide that a beneficiary who dies shall (if otherwise qualified) be entitled to a prorated benefit for the month of his death; to the Committee on Ways and Means.

H.R. 822. A bill to permit injured Federal employees to receive the benefits of the Federal employees compensation program notwithstanding they are in receipt of military retired pay, and for other purposes; to the Committee on Education and Labor.

H.R. 823. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 824. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 825. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 826. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

H.R. 827. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 828. A bill to amend the Internal Revenue Code of 1954 to encourage the construction and installation of facilities to abate water and air pollution by allowing a tax credit for certain expenditures incurred in constructing and installing such facilities; to the Committee on Ways and Means.

H.R. 829. A bill to amend the National Defense Education Act of 1958 to permit a reduction in institution contributions to student loan funds on account of expenditures in administering the program; to the Committee on Education and Labor.

H.R. 830. A bill to create a national commission to study quality controls and manufacturing procedures of medical devices, surgical instruments, artificial organs and limbs, therapeutic instruments and devices, and other medical and hospital equipment; to determine the need for and the extent of Federal regulation of such medical devices; to recommend to the President and to the Congress methods for determining constructive minimum performance standards, and feasible methods for Federal regulation; to the Committee on Interstate and Foreign Commerce.

H.R. 831. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to bar the employment in defense facilities of individuals believed disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on Un-American Activities.

H.R. 832. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

H.R. 833. A bill to amend the River and Harbor Act of 1958 with respect to control and eradication of obnoxious aquatic plants; to the Committee on Public Works.

H.R. 834. A bill to extend the provisions of the Commercial Fisheries Research and Development Act of 1964; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 835. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 836. A bill to consolidate and reenact certain of the shipping laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. GRIFFITHS:

H.R. 837. A bill to amend the Civil Rights Act of 1957 to extend the duties of the Civil Rights Commission; to the Committee on the Judiciary.

H.R. 838. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Veterans' Affairs.

H.R. 839. A bill to amend title 38 of the United States Code to provide that monthly social security benefit payments shall not be considered as income in determining eligibility for pensions under that title; to the Committee on Veterans' Affairs.

H.R. 840. A bill to amend title 38 of the United States Code to provide equality of treatment for married female veterans; to the Committee on Veterans' Affairs.

H.R. 841. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate the special dependency requirement for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. HAMMERSCHMIDT:

H.R. 842. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATHAWAY:

H.R. 843. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes; to the Committee on Education and Labor.

By Mr. HOSMER:

H.R. 844. A bill to amend the Internal Revenue Code of 1954 to provide that mutual fund shares and securities trust agreements shall be valued at their bid price, rather than at their asked price, for estate and gift tax purposes; to the Committee on Ways and Means.

H.R. 845. A bill to amend title 38 of the United States Code to provide for a pension of $100 per month for widows of veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 846. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

H.R. 847. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Veterans' Affairs.

By Mr. HUNT:

H.R. 848. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 849. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 850. A bill to designate the Desolation Wilderness, Eldorado National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. KEITH:

H.R. 851. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 852. A bill to provide for a national cemetery at Fort Bragg, N.C.; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 853. A bill to amend section 620 of title 38 of the United States Code to permit the Administrator of Veterans' Affairs to share with public or private persons the cost of nursing home care for veterans in Alaska and Hawaii; to the Committee on Veterans' Affairs.

By Mr. MILLER of Ohio:

H.R. 854. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 855. A bill to amend section 1257 of title 28, United States Code, to provide that the Supreme Court shall not have jurisdiction to review a State court final judgment or decree that an act or publication is obscene; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 856. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction and an increased tax credit for certain underground electrical transmission lines, and for other purposes; to the Committee on Ways and Means.

H.R. 857. A bill to amend the Fish and Wildlife Coordination Act to provide for more effective protection of fish and wildlife resources from the effects of projects licensed by Federal agencies and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 858. A bill to restrict the mailing of credit cards; to the Committee on the Judiciary.

H.R. 859. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce, Labor, and Health, Education, and Welfare, and other agencies, and for other purposes; to the Committee on Government Operations.

By Mr. PERKINS:

H.R. 860. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances; to the Committee on Education and Labor.

By Mr. PETTIS:

H.R. 861. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

H.R. 862. A bill to designate the third Sunday in October of each year, as "Foster Parents Day," and for other purposes; to the Committee on the Judiciary.

H.R. 863. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernardino area of the State of California; to the Committee on Veterans' Affairs.

H.R. 864. A bill to provide for the establishment of a national cemetery in San Bernardino County in the State of California; to the Committee on Veterans' Affairs.

By Mr. PIRNIE:

H.R. 865. A bill to amend the joint resolution designating June 14 of each year as Flag Day (37 U.S.C. 157) to provide appropriate recognition of the Pledge of Allegiance to the Flag and its author, Francis Bellamy; to the Committee on the Judiciary.

H.R. 866. A bill to provide that for Federal estate and gift tax purposes the value of tangible personal property and of shares of mutual funds shall be determined by the price obtainable on their sale by the executor or donor; to the Committee on Ways and Means.

H.R. 867. A bill to repeal the authority for the current wheat and feed grain program and to authorize programs that will permit the market system to work more effectively for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. POAGE:

H.R. 868. A bill to provide for a national cemetery at or near Fort Hood, Tex.; to the Committee on Veterans' Affairs.

By Mr. POFF:

H.R. 869. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 870. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.R. 871. A bill to amend title 38, United States Code, in order to credit physicians and dentists with 20 or more years of service in the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

H.R. 872. A bill to amend chapter 73 of title 38, United States Code, to credit physicians and dentists in the Department of Medicine and Surgery of the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

By Mr. PUCINSKI:

H.R. 873 A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 874. A bill to provide that any alien in the United States in whose behalf a petition for sixth preference is filed under the Immigration and Nationality Act shall be permitted to remain in the United States until a sixth preference immigrant visa becomes available to such alien; to the Committee on the Judiciary.

H.R. 875. A bill to amend the Trade Expansion Act of 1962 to provide judicial review of certain determinations of the Tariff Commission, and for other purposes; to the Committee on Ways and Means.

H.R. 876. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 877. A bill to make it a Federal offense to loot interstate facilities during a riot; to the Committee on the Judiciary.

H.R. 878. A bill to provide for the transportation of parcels at no cost to the sender from the United States to combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 879. A bill to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation; to the Committee on Post Office and Civil Service.

H.R. 880. A bill to establish a sonic boom damage fund to provide for the payment of damages caused by sonic booms; to the Committee on the Judiciary.

H.R. 881. A bill to amend section 4 of the act of March 3, 1905, to prohibit the dumping of certain spoil into the Great Lakes; to the Committee on Public Works.

H.R. 882. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

H.R. 883. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

By Mr. RARICK:

H.R. 884. A bill to repeal the Civil Rights Act of 1968; to the Committee on the Judiciary.

H.R. 885. A bill to amend section 5 of the United Nations Participation Act of 1945 to require approval by the Congress of orders, rules, and regulations issued by the President to implement certain decisions of the Security Council of the United Nations; to the Committee on Foreign Affairs.

H.R. 886. A bill to repeal the United Nations Participation Act of 1945; to the Committee on Foreign Affairs.

By Mr. RODINO:

H.R. 887. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 888. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Veterans' Affairs.

By Mr. ROUDEBUSH:

H.R. 889. A bill to amend title 13, United States Code, to limit the catagories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RUPPE:

H.R. 890. A bill to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during civil disorder, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 891. A bill to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 892. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

H.R. 893. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. SCHWENGEL:

H.R. 894. A bill to establish the Capitol Guide Service, and for other purposes; to the Committee on House Administration.

By Mr. SISK:

H.R. 895. A bill to amend title II of the act of September 19, 1918 (40 Stat. 960) as amended, relating to industrial safety in the District of Columbia; to the Committee on the District of Columbia.

H.R. 896. A bill to amend section 175 of the Internal Revenue Code of 1954 to include lined or unlined drainage ditches, pipes, or channels as soil conservation expenditures, and for other purposes; to the Committee on Ways and Means.

H.R. 897. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the East Side division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 898. A bill to amend the Consolidated Farmers Home Administration Act to provide an alternate method of making loans for the acquisition and improvement of farms, and for other purposes; to the Committee on Agriculture.

H.R. 899. A bill to amend section 301(a)(7) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 900. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 901. A bill to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against alcoholic beverages under title I of such act; to the Committee on Agriculture.

H.R. 902. A bill to clarify the status of certain U.S. citizens performing services for the Trust Territory of the Pacific Islands; to the Committee on Post Office and Civil Service.

H.R. 903. A bill to provide for deferment of construction charges payable by Westlands Water District attributable to lands of the Naval Air Station, Lemoore, Calif., included in said district, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of California:

H.R. 904. A bill relating to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

H.R. 905. A bill to amend section 3 of title 4, United States Code, relating to the use of the U.S. flag, making its provisions applicable outside the District of Columbia, and for other purpose; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 906. A bill to regulate and prevent burdens upon commerce among the States by providing a system for the taxation of money earned outside of a State; to the Committee on the Judiciary.

By Mr. SNYDER:

H.R. 907. A bill to cut off Federal benefits for conviction of rioting and prohibiting entitlement to such benefits thereafter; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin:

H.R. 908. A bill to establish a National Commission on Libraries and Informative Science; to the Committee on Education and Labor.

By Mrs. SULLIVAN:

H.R. 909. A bill to provide reasonable safeguards for employees working with or exposed to the dangers of hazardous materials; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas:

H.R. 910. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

H.R. 911. A bill to transfer control of Pershing Hall to the Secretary of State; to the Committee on Veterans' Affairs.

H.R. 912. A bill to transfer control of Pershing Hall to the Administrator of Veterans' Affairs in order that such building may be preserved as a memorial to General of the Armies of the United States John J. Pershing while being utilized in the best interests of the United States; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 913. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 914. A bill for the relief of Hood River County, Oreg.; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.R. 915. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to deny employment in defense facilities to certain individuals, to protect classified information released to U.S. industry, and for other purposes; to the Committee on Un-American Activities.

H.R. 916. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 917. A bill to amend and clarify section 4(b) of the Voting Rights Act of 1965 with respect to review of certain determinations and certifications thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 918. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

H.R. 919. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 920. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 921. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 922. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 so as to provide that certain surplus property of the United States shall be offered for sale to the States; to the Committee on Government Operations.

H.R. 923. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 924. A bill to promote private U.S. participation in international organizations and movements, to provide for the establishment of an Institute of International Affairs, and for other purposes; to the Committee on Foreign Affairs.

H.R. 925. A bill to promote the foreign policy of the United States by authorizing the Secretary of State to restrict the travel of citizens and nationals of the United States where unrestricted travel would seriously impair the conduct of foreign affairs, and for other purposes; to the Committee on the Judiciary.

H.R. 926. A bill to open U.S. Information Agency materials distributed abroad to public inspection; to the Committee on Foreign Affairs.

By Mr. ABERNETHY:

H.R. 927. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 928. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ADDABBO (for himself, Mr. Annunzio, Mr. Delaney, Mr. Dent, Mr. Farbstein, Mr. Gallagher, Mr. Helstoski, Mr. Minish, Mr. Moorhead, Mr. Pike, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Wolff, Mr. St. Onge, Mr. Gettys, Mr. Waggonner, Mr. Hébert, Mr. Feighan, Mr. Podell, Mr. Clark, Mr. Burke of Massachusetts, and Mr. Blanton):

H.R. 929. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of Illinois:

H.R. 930. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 931. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 932. A bill to amend the Universal Military Training and Service Act; to the Committee on Armed Services.

H.R. 933. A bill to protect the safety and welfare of American workers by providing for a uniform system of identification for all receptacles containing compressed gas; to the Committee on Interstate and Foreign Commerce.

H.R. 934. A bill to amend title 18 of the United States Code to promote civil responsibilities, insure domestic tranquility, and foster the general welfare by making unlawful certain acts which foment domestic disorder, and for other purposes; to the Committee on the Judiciary.

H.R. 935. A bill to guarantee that every employee of the Federal Government shall have the right to refrain from union activity; to the Committee on Post Office and Civil Service.

H.R. 936. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 937. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 938. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 939. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education, and an additional credit for gifts or contributions made to any institution of higher education; to the Committee on Ways and Means.

H.R. 940. A bill to provide direct aid to the States and territories for educational purposes only for the benefit of the taxpayers and local governments; to the Committee on Ways and Means.

H.R. 941. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 942. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

H.R. 943. A bill to amend title 10, United States Code, to limit the separation of members of the Armed Forces under conditions other than honorable, and for other purposes; to the Committee on Armed Services.

H.R. 944. A bill to amend section 404(d) of title 37, United States Code, by increasing the maximum rates of per diem allowance and reimbursement authorized, under certain circumstances, to meet the actual expenses of travel; to the Committee on Armed Services.

H.R. 945. A bill to amend title 10, United States Code, to provide scholarships to selected persons for education in medicine, dentistry, and other health professions; to the Committee on Armed Services.

H.R. 946. A bill to eliminate discriminatory exemptions in the Bank Holding Company Act; to the Committee on Banking and Currency.

H.R. 947. A bill to amend the Manpower Development and Training Act of 1962 to provide for programs of job training and education of inmates of correctional institutions; to the Committee on Education and Labor.

H.R. 948. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 949. A bill to establish the U.S. Agency for World Peace within the Department of State; to the Committee on Foreign Affairs.

H.R. 950. A bill to provide for financing the construction of public buildings, and for other purposes; to the Committee on Government Operations.

H.R. 951. A bill to provide for a congressional budgetary information service to promote fiscal responsibility in the Federal Government; to the Committee on Government Operations.

H.R. 952. A bill to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 953. A bill to provide more effective control of lobbying activities; to the Committee on the Judiciary.

H.R. 954. A bill to correct inequities in the Civil Service Retirement Act, the Retired Federal Employees Health Benefits Act, and in other laws governing civil service retirement benefits, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 955. A bill to designate the authorized Cross-Florida Barge Canal as the John F. Kennedy Canal; to the Committee on Public Works.

H.R. 956. A bill to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Buckman lock"; to the Committee on Public Works.

H.R. 957. A bill to authorize the Administrator of General Services to construct, operate, and maintain a parking facility in Jacksonville, Fla.; to the Committee on Public Works.

H.R. 958. A bill to provide for public disclosure by Members of Congress of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction; to the Committee on Rules.

H.R. 959. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 960. A bill to assure adequate grave sites for overseas wartime veterans in Arlington National Cemetery; to the Committee on Veterans' Affairs.

H.R. 961. A bill to amend title 38 of the United States Code to prohibit the award of contracts by the United States to certain persons; to the Committee on Veterans' Affairs.

H.R. 962. A bill to provide assistance to individuals with low incomes by reducing the amount of income tax on individuals; to the Committee on Ways and Means.

H.R. 963. A bill to require imported foodstuffs to meet standards required by the Federal Government for domestic foodstuffs; to the Committee on Ways and Means.

H.R. 964. A bill to amend title II of the Social Security Act to provide that the remarriage of a widower or parent, or the marriage of a child, shall not prevent the payment of benefits if the marriage is annulled; to the Committee on Ways and Means.

H.R. 965. A bill to provide that the income-averaging provisions of the Internal Revenue Code of 1954 shall not apply to income attributable to crime; to the Committee on Ways and Means.

H.R. 966. A bill to amend the Internal Revenue Code of 1954 to provide deductions for persons who provide new jobs for domestics and the unskilled; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 967. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

H.R. 968. A bill to amend the Internal Revenue Code of 1954 to provide deduction from gross income for additional commuting expenses of handicapped persons; to the Committee on Ways and Means.

By Mr. BINGHAM (for himself and Mr. Scheuer):

H.R. 969. A bill to provide for reimbursement of U.S. cities for a portion of expenses incurred in connection with the entertainment of foreign officials; to the Committee on Foreign Affairs.

By Mr. BOGGS:

H.R. 970. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

H.R. 971. A bill to provide for the control of mosquitoes and mosquito vectors of human disease through research, technical assistance, and grants-in-aid for control projects; to the Committee on Interstate and Foreign Commerce.

H.R. 972. A bill to create a Marine Resources Conservation and Development Fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

H.R. 973. A bill to authorize the construction of bridges across the Harvey Canal and the Bayou Segnette in Jefferson Parish, La.; to the Committee on Public Works.

H.R. 974. A bill to authorize the widening of the channel of the Gulf Intracoastal Waterway in the vicinity of Wagoner Bridge on Bayou Barataria in Jefferson Parish, La.; to the Committee on Public Works.

H.R. 975. A bill to authorize a high-level bridge over Bayou Barataria, La.; to the Committee on Public Works.

H.R. 976. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Veterans' Affairs.

H.R. 977. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

H.R. 978. A bill to amend the Internal Revenue Code of 1954 to permit a gift to an educational institution to be deducted as a charitable contribution even though it is made to provide a scholarship for a specified individual so long as such individual is not a relative of the donor; to the Committee on Ways and Means.

H.R. 979. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 980. A bill to amend the Internal Revenue Code of 1954 to provide for correction of inequities respecting losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

H.R. 981. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

H.R. 982. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for expenditures for reconversion of structures in a slum clearance program or rehabilitation project; to the Committee on Ways and Means.

H.R. 983. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and means.

By Mr. BOLAND:

H.R. 984. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 985. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 986. A bill to authorize the acquisition and maintenance of the Goddard Rocket Launching Site in accordance with the act of August 25, 1916, as amended and supplemented; to the Committee on Interior and Insular Affairs.

H.R. 987. A bill to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

H.R. 988. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 989. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 990. A bill to amend section 201(d) of the Immigration and Nationality Act to provide that quota numbers transferred to the immigration pool shall be available for issuance of visas to nonpreference immigrant aliens; to the Committee on the Judiciary.

H.R. 991. A bill to authorize the Coast Guard to study methods of preventing casualties involving vessels carrying certain contaminants; to authorize the Coast Guard to conduct continuing research on the removal of contaminants from beaches and waters; to authorize the examination of routes used by vessels carrying certain contaminants; and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 992. A bill to prevent the importation of endangered species of fish and wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 993. A bill to provide for an equitable sharing of the U.S. market by electronic articles of domestic and of foreign origin; to the Committee on Ways and Means.

H.R. 994. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 995. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 996. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 997. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 998. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 999. A bill for the establishment of the Commission on the Organization and Administration of Federal Social Programs; to the Committee on Government Operations.

By Mr. BROYHILL of North Carolina:

H.R. 1000. A bill to amend the Universal Military Training and Service Act with respect to the exemption of certain individuals from induction under that act; to the Committee on Armed Services.

H.R. 1001. A bill to amend title 38 to provide that service in the Women's Army Auxiliary Corps shall be considered active duty in the Armed Forces of the United States; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 1002. A bill to amend section 5701 (a) (2) of the Internal Revenue Code of 1954 so as to adjust the rates of tax on cigars; to the Committee on Ways and Means.

H.R. 1003. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 1004. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

H.R. 1005. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 1006. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 1007. A bill to establish the Fort Point National Site in San Francisco, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1008. A bill to amend the Immigration and Nationality Act to authorize the Attorney General to waive the exclusionary provisions of section 212(a) (19) with respect to certain additional alien relatives of U.S, citizens and permanent resident aliens; to the Committee on the Judiciary.

H.R. 1009. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

H.R. 1010. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 1011. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CHAMBERLAIN:

H.R. 1012. A bill to create and prescribe the duties of a commission to investigate electoral college reform; to the Committee on House Administration.

H.R. 1013. A bill to establish the Capitol Guide Service, and for other purposes; to the Committee on House Administration.

H.R. 1014. A bill to provide a residence for pages; to the Committee on House Administration.

H.R. 1015. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1016. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Veterans' Affairs.

H.R. 1017. A bill to provide a program of tax adjustment for small business and for persons engaged in small business: to the Committee on Ways and Means.

H.R. 1018. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1019. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces traveling in uniform on official leave, furlough, or pass shall be exempt from the tax on transportation of persons by air; to the Committee on Ways and Means.

H.R. 1020. A bill to amend the Internal Revenue Code of 1954 to provide a deduction up to $100 for political contributions; to the Committee on Ways and Means.

H.R. 1021. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN (for himself, Mr. Cramer, Mr. Blatnik, Mr. Harsha, Mr. Wright, Mr. Cleveland, Mr. McEwen, Mr. Edmondson, Mr. Johnson of California, Mr. Duncan, Mr. Schwengel, Mr. Schadeberg, Mr. Snyder, Mr. McDonald of Michigan, Mr. Kee, Mr. Hammerschmidt, Mr. Miller of Ohio, Mr. Wyatt, Mr. Kleppe, Mr. Pollock, Mr. Burton of Utah, Mr. Battin, Mr. Denney, and Mr. Brown of Ohio);

H.R. 1022. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

By Mr. COLMER:

H.R. 1023. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 1024. A bill to establish rules of interpretation of the effect of acts of Congress on State laws; to limit the appellate jurisdiction of the Supreme Court in certain cases; and to provide that confessions and other evidence shall be admissible in U.S. Courts; to the Committee on the Judiciary.

H.R. 1025. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1026. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. Conyers:

H.R. 1027. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

H.R. 1028. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 1029. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. Cramer:

H.R. 1030 A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

H.R. 1031. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 1032. A bill to amend section 1346 of title 28 of the United States Code in order to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; to the Committee on the Judiciary.

H.R. 1033. A bill to amend the Bail Reform Act of 1966 to allow for the consideration of danger to the community in determining conditions of release of a person charged with a crime; to the Committee on the Judiciary.

H.R. 1034. A bill to amend the Civil Service Retirement Act and the Retired Federal Employees Health Benefits Act to provide certain additional retirement benefits and retired employees health insurance benefits, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1035. A bill limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes; to the Committee on Public Works.

H.R. 1036. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 1037. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. DANIELS of New Jersey:

H.R. 1038. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1039. A bill to raise additional revenue by tax reform; to the Committee on Ways and Means.

H.R. 1040. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

H.R. 1041. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. de la GARZA:

H.R. 1042. A bill to authorize the Donna-Rio Bravo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Donna, Tex.; to the Committee on Foreign Affairs.

H.R. 1043. A bill to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.; to the Committee on Foreign Affairs.

By Mr. DENT:

H.R. 1044. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

H.R. 1045. A bill to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Commitee on Education and Labor.

H.R. 1046. A bill to amend the Welfare and Pension Plans Act; to the Committee on Education and Labor.

By Mr. DENT (for himself, Mr. Perkins, Mr. Pucinski, Mr. Daniels of New Jersey, and Mr. Brademas):

H.R. 1047. A bill to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. DINGELL (for himself and Mr. Karth):

H.R. 1048. A bill to amend the act of September 2, 1937, to provide for a program of Federal financial assistance to establish hunter safety programs in the several States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself, Mrs. Griffiths, Mr. O'Hara, Mr. Nedzi, Mr. William D. Ford, Mr. Karth, Mr. Reuss, Mr. Vigorito, and Mr. Vander Jagt):

H.R. 1049. A bill to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself and Mr. Karth):

H.R. 1050. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, to authorize the Secretary of the Interior, in his discretion, to establish the fee for such stamp; to the Committee on Merchant Marine and Fisheries.

H.R. 1051. A bill to amend the act of June 15, 1935, to provide for the disposition of moneys in the migratory bird conservation fund, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1052. A bill to amend the Oil Pollution Act, 1924; to the Committee on Merchant Marine and Fisheries.

H.R. 1053. A bill to amend the Merchant Marine Act, 1936, to make construction and operation differential subsidies available to persons engaged in certain commerce on the Great Lakes; to the Committee on Merchant Marine and Fisheries.

H.R. 1054. A bill to require the Secretary of the Interior to make a comprehensive study of the polar bear and walrus for the purpose of developing adequate conservation measures; to the Committee on Merchant Marine and Fisheries.

H.R. 1055. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself, Mr. Karth, and Mr. Ottinger):

H.R. 1056. A bill to amend the Fish and Wildlife Coordination Act to provide for more effective protection of fish and wildlife resources from the effects of projects licensed by Federal agencies, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself and Mr. Karth):

H.R. 1057. A bill to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1058. A bill to amend the Fish and Wildlife Coordination Act to protect fish, wildlife, and recreation from damages resulting from the discharge of heated effluents into certain waters; to the Committee on Merchant Marine and Fisheries.

H.R. 1059. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; to the Committee on Merchant Marine and Fisheries.

H.R. 1060. A bill to require certain vessels operating on the navigable waters of the United States to conform to standards of waste disposal; to the Committee on Merchant Marine and Fisheries.

H.R. 1061. A bill to amend the Fish and Wildlife Coordination Act to require certain permits for exploring or mining oil and gas underlying the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 1062. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself, Mr. Moss, and Mr. Ottinger):

H.R. 1063. A bill to amend the Communications Act of 1934 to provide for regulation of television networks to assure that their operations are in the public interest; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 1064. A bill to provide for improved development of public airports and related facilities, and for other purposes; to the Committee on Ways and Means.

H.R. 1065. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to assist in providing means for portability of credits under certain private pension plans, and for other purposes; to the Committee on Ways and Means.

H.R. 1066. A bill to amend title II of the Social Security Act to provide that the benefits payable thereunder shall be exempt from all taxation; to the Committee on Ways and Means.

H.R. 1067. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 1068. A bill to provide that the appropriation requests of certain regulatory agencies be transmitted directly to Congress; to the Committee on Government Operations.

By Mr. DOWNING:

H.R. 1069. A bill to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 1070. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

H.R. 1071. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DUNCAN:

H.R. 1072. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a dependent who is aged 65 or more or is blind; to the Committee on Ways and Means.

H.R. 1073. A bill to amend title II of the Social Security Act to reduce from 20 to 10 years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for wife's or widow's benefits on his wage record; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 1074. A bill to authorize appropriations for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 1075. A bill to amend the Subversive Activities Control Act of 1950; to the Committee on Un-American Activities.

H.R. 1076. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat of imminence of condemnation; to the Committee on Ways and Means.

H.R. 1077. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 1078. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 1079. A bill to amend section 336(c) of the Immigration and Nationality Act so as to authorize any petitioner for naturalization to take the oath of allegiance at a final hearing held upon his petition within 30, rather than 60, days preceding a general election; to the Committee on the Judiciary.

H.R. 1080. A bill to amend the Higher Education Act of 1965 to authorize assistance to law schools for training programs in the conduct of criminal cases involving indigent persons; to the Committee on Education and Labor.

H.R. 1081. A bill to amend the prevailing wage provisions of the Davis-Bacon Act to include subsistence allowances; to the Committee on Education and Labor.

H.R. 1082. A bill to amend the Davis-Bacon Act to extend its protection to workers employed in the demolition, dismantling, removal, and/or salvaging of public buildings; to the Committee on Education and Labor.

H.R. 1083. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

H.R. 1084. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 1085. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements; to the Committee on Education and Labor.

H.R. 1086. A bill to revise the selective service laws of the United States, and for other purposes; to the Committee on Armed Services.

H.R. 1087. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1088. A bill to establish a Department of Education, and for other purposes; to the Committee on Government Operations.

H.R. 1089. A bill to establish a Department of Consumers Affairs in order to secure within the Federal Government effective representation of the interest of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce, Labor, and Health, Education, and Welfare, and other agencies, and for other purposes; to the Committee on Government Operations.

H.R. 1090. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 1091. A bill to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards; to the Committee on Education and Labor.

H.R. 1092. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

H.R. 1093. A bill to amend the act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon", approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 1094. A bill to amend the Public Health Service Act so as to help secure safe community water supplies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FEIGHAN:

H.R. 1095. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

H.R. 1096. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 1097. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1098. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1099. A bill to amend the Internal Revenue Code of 1954 to allow credit against income tax to individuals for certain expenses incurred in providing for higher education; to the Committee on Ways and Means.

H.R. 1100. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 1101. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 1102. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 1103. A bill to amend the public assistance provisions of the Social Security Act to assure all recipients of such assistance (in conjunction with recent social security benefit increases) an average increase of $7.50 in the total amount of their income from such assistance and other sources; to the Committee on Ways and Means.

H.R. 1104. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

H.R. 1105. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 1106. A bill to amend title II of the Social Security Act to increase old-age disability insurance benefits by $35 a month and other monthly benefits proportionately, and to provide that full benefits (when based upon attainment of retirement age) will be payable to men at age 62 and women at age 60; to the Committee on Ways and Means.

H.R. 1107. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

H.R. 1108. A bill to limit Federal financial assistance otherwise available for the construction or operation of nursing homes to nursing homes in States which have in effect a program which provides for the licensing of the operators of such homes and which meets certain requirements; to the Committee on Interstate and Foreign Commerce.

H.R. 1109. A bill to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 1110. A bill to provide greater opportunity for participation in rulemaking by and on behalf of persons of limited means; to the Committee on the Judiciary.

H.R. 1111. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 1112. A bill to amend the Internal Revenue Code of 1964 to allow a credit against the truck use tax where, during the taxable period, a truck is sold, destroyed, or otherwise disposed of and the taxpayer acquires another truck; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 1113. A bill to incorporate the Currie Woods Violet Flower Club; to the Committee on the Judiciary.

H.R. 1114. A bill to amend title 38, United

States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and function; to the Committee on Veterans' Affairs.

H.R. 1115. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

H.R. 1116. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain amounts paid as expenses of higher education; to the Committee on Ways and Means.

H.R. 1117. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus personal property to State and local governments, Indian groups under Federal supervision, and volunteer firefighting and rescue organizations at 50 percent of the estimated fair market value; to the Committee on Government Operations.

H.R. 1118. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

H.R. 1119. A bill to raise additional revenue by ~~tax reform~~; to the Committee on Ways and Means.

H.R. 1120. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

H.R. 1121. A bill to amend section 226 of the Social Security Act to provide coverage under the hospital insurance benefits program for retired policemen and firemen who have attained age 65 but do not otherwise qualify for such coverage; to the Committee on Ways and Means.

H.R. 1122. A bill to authorize the Civil Aeronautics Board to relieve congestion at certain airports having a high density of air traffic by designating the specific airport to be utilized by air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1123. A bill to establish a Department of Consumer Affairs in order to secure, within the Federal Government, effective representation of the interests of consumers; to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce; Labor; and Health, Education, and Welfare; and other agencies; and for other purposes; to the Committee on Government Operations.

By Mr. GARMATZ:

H.R. 1124. A bill to amend the Merchant Marine Act of 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 1125. A bill to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom; to the Committee on Merchant Marine and Fisheries.

By Mr. GROSS:

H.R. 1126. A bill to amend section 1905 of title 18, United States Code; to the Committee on the Judiciary.

H.R. 1127. A bill to provide for the appointment of persons to grades GS–16, GS–17, and GS–18 in the competitive civil service based solely on merit and competitive Civil Service standards; to the Committee on Post Office and Civil Service.

H.R. 1128. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

H.R. 1129. A bill to prohibit travel at Government expense outside of the United States by defeated or retiring Members of Congress, and for other purposes; to the Committee on Foreign Affairs.

H.R. 1130. A bill to revise certain provisions of law governing contests of elections of Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

H.R. 1131. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

H.R. 1132. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GROSS (for himself, Mr. Schwengel, Mr. Kyl, Mr. Mayne, Mr. Scherle, Mr. Bush, Mr. Cunningham, Mr. Derwinski, and Mr. Quie):

H.R. 1133. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GROSS (for himself, Mr. Corbett, Mr. Schwengel, Mr. Kyl, Mr. Mayne, Mr. Scherle, Mr. Bush, Mr. Pettis, Mr. Price of Texas, Mr. Quie, and Mr. Ruppe):

H.R. 1134. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service; to revise the laws governing the appointment of postmasters and rural carriers; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 1135. A bill to establish a Federal Commission to formulate and revise from time to time recommended goals requiring attention by the Federal Government, and for other purposes; to the Committee on Government Operations.

H.R. 1136. A bill to amend the Internal Revenue Code of 1954 to provide that the Secretary of the Treasury or his delegate shall be bound by decisions of certain Federal courts; to the Committee on Ways and Means.

H.R. 1137. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 1138. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansions of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

H.R. 1139. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 1140. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

H.R. 1141. A bill to provide for the erection of a monument on Alcatraz Island to serve as a western counterpart to the Statue of Liberty and commemorate the achievement of American independence; to the Committee on Interior and Insular Affairs.

H.R. 1142. A bill to provide for the appointment of postmasters by the Postmaster General in accordance with the civil service laws, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1143. A bill to establish a permanent Commission on Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 1144. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for certain expenses of repair and maintenance of a home owned by a taxpayer who has attained the age of 65; to the Committee on Ways and Means.

H.R. 1145. A bill to amend the Internal Revenue Code of 1954 to eliminate the 3- and 1-percent floors on deductible medical expenses in the case of individuals who have attained age 65 and are not covered for hospital insurance benefits under the Social Security Act; to the Committee on Ways and Means.

H.R. 1146. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 1147. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

H.R. 1148. A bill to amend section 5042 of the Internal Revenue Code of 1954 to provide an exemption from tax for certain wine produced for personal use; to the Committee on Ways and Means.

H.R. 1149. A bill to authorize the Secretary of the Interior to designate the Skyline National Parkway in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R.1150. A bill relating to the income tax treatment of contributions to the Sierra Club; to the Committee on Ways and Means.

H.R. 1151. A bill to provide for the establishment of a national wildlife refuge in the south San Francisco Bay area; to the Committee on Merchant Marine and Fisheries.

H.R. 1152. A bill to amend the act of August 24, 1935, to require certain contractors with the United States to give an affadavit with respect to payment of subcontractors; to the Committee on the Judiciary.

H.R. 1153. A bill to direct the District of Columbia Council to prescribe regulations relating to the newspaper advertising of apartments in the District of Columbia as air conditioned; to the Committee on the District of Columbia.

H.R. 1154. A bill to authorize the establishment of the site of the discovery of San Francisco Bay as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1155. A bill to create a commission on the establishment of a Council of Free Nations; to the Committee on Foreign Affairs.

H.R. 1156. A bill authorizing the Secretary of the Army to establish a national cemetery at Camp Parks, Calif., for northern California; to the Committee on Veterans' Affairs.

H.R. 1157. A bill to repeal the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950); to the Committee on Un-American Activities.

H.R. 1158. A bill to amend title 5, United States Code, to permit retired officers of the uniformed services employed in civilian positions under the Federal Government or the government of the District of Columbia to receive the full amounts of their retired or retirement pay in addition to the pay of the civilian positions; to the Committee on Post Office and Civil Service.

By Mr. HALL:

H.R. 1159. A bill to amend title 10, United

States Code, to authorize an Assistant Secretary of Defense for Health Affairs, and for other purposes; to the Committee on Armed Services.

H.R. 1160. A bill to amend the act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park; to the Committee on Interior and Insular Affairs.

By Mr. HAMMERSCHMIDT:

H.R. 1161. A bill to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HECHLER of West Virginia:

H.R. 1162. A bill to name the Veterans' Administration hospital located in Clarksburg, W. Va., the "Louis A, Johnson Memorial Veterans' Hospital"; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI:

H.R. 1163. A bill to require that impact-resistant eyeglasses be issued under the medical program for members of the uniformed services on active duty; to the Committee on Armed Services.

H.R. 1164. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 1165. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

H.R. 1166. A bill to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1167. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1168. A bill to designate the Tuesday next after the first Monday in November in every even-numbered year as Election Day and to make it a legal public holiday; to the Committee on the Judiciary.

H.R. 1169. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 1170. A bill to provide for the issuance of a commemorative stamp marking the centennial of American college football; to the Committee on Post Office and Civil Service.

H.R. 1171. A bill to provide for the issuance of a commemorative stamp honoring the Independent Order of Odd Fellows; to the Committee on Post Office and Civil Service.

H.R. 1172. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

H.R. 1173. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 1174. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

H.R. 1175. A bill to increase the personal income tax exemption (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,200 for 1969 and succeeding years; to the Committee on Ways and Means.

H.R. 1176. A bill to prohibit the sale or importation of eyeglass frames made of cellulose nitrate; to the Committee on Ways and Means.

H.R. 1177. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

H.R. 1178. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. HELSTOSKI (by request):

H.R. 1179. A bill to provide a pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. HOSMER (for himself, Mr. Wyatt, Mr. Steiger of Arizona, Mr. Thomson of Wisconsin, Mr. Addabbo, Mr. Anderson of Illinois, Mr. Leggett, Mr. Charles H. Wilson, Mr. Smith of California, Mr. Horton, Mr. Randall, Mr. Dellenback, Mr. Railsback, Mr. Hicks, Mr. Garmatz, Mr. Burton of Utah, Mr. Corman, Mr. Reinecke, Mr. Betts, Mr. Baring, Mr. Derwinski, Mr. Gubser, Mr. Bob Wilson, Mr. Duncan, and Mr. Brown of California):

H.R. 1180. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 1181. A bill to amend sec. 838 of the Internal Revenue Code of 1954 with respect to exemption from taxation of earnings of ships under foreign flags; to the Committee on Ways and Means.

By Mr. HULL:

H.R. 1182. A bill to authorize the Secretary of Agriculture to cooperate with the States in providing for the prevention and suppression of structural and wild fires in rural areas; to the Committee on Agriculture.

H.R. 1183. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 1184. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 1185. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 1186. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 1187. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

H.R. 1188. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

H.R. 1189. A bill to provide for the establishment of the Plymouth Rock National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUYKENDALL:

H.R. 1190. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 1191. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KYL:

H.R. 1192. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1193. A bill to create and to provide for the development and administration of the Upper Mississippi Valley National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. LIPSCOMB:

H.R. 1194. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 1195. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland:

H.R. 1196. A bill prohibiting the use for demonstration purposes of any federally owned property, requiring the posting of a bond, creating a Joint Committee on Grievances, and for other purposes; to the Committee on Public Works.

H.R. 1197. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

H.R. 1198. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction and an increased tax credit for certain underground electrical transmission lines, and for other purposes; to the Committee on Ways and Means.

H.R. 1199. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sale of alcoholic beverages to and by persons under 21 years if age; to the Committee on the District of Columbia.

H.R. 1200. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 1201. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

H.R. 1202. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

H.R. 1203. A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1204. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McFALL:

H.R. 1205. A bill to amend title II of the Social Security Act to permit retirement of all persons in the United States at the age of 60 years with benefits sufficient, in the absence of any other resource, to assure elderly persons freedom from poverty and also to assure elderly persons generally full participation in prevailing national standards of living, to provide like benefits for physically, mentally, or vocationally disabled persons aged 18 and over, and to provide benefits for certain full-time students aged 18 to 25, and to provide benefits for certain female heads of families and for certain children, and to provide for the establishment and operation of this system of social security by an equitable gross income tax and for other purposes; to the Committee on Ways and Means.

By Mr. MARSH:

H.R. 1206. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 1207. A bill to authorize acquisition by the United States of certain real property adjacent to the National Cemetery at Culpeper, Va.; to the Committee on Veterans' Affairs.

H.R. 1208. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

H.R. 1209. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 1210. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

H.R. 1211. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 1212. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

H.R. 1213. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 1214. A bill to amend section 101 of title 23 of the United States Code to prohibit the impoundment of apportionments for the Federal-aid highway systems and to provide that no amounts shall be reserved from expenditure from the highway trust fund; to the Committee on Public Works.

By Mrs. MAY:

H.R. 1215. A bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1216. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1217. A bill to permit the administrative adjustment of certain wheat acreage allotment reductions resulting from action taken by farmers prior to 1965 in good faith reliance upon representations or advice of authorized representatives of the Secretary of Agriculture; to the Committee on Agriculture.

H.R. 1218. A bill to require the Secretary of Agriculture to compensate certain permittees where permits for summer or recreation-type residences on national forest lands are terminated and not renewed, and for other purposes; to the Committee on Agriculture.

H.R. 1219. A bill to provide for delivery of irrigation water to certain lands on the Columbia Basin project, Washington; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of Ohio:

H.R. 1220. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. MINSHALL:

H.R. 1221. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1222. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

H.R. 1223. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 1224. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1225. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 1226. A bill to amend the Internal Revenue Code of 1954 to increase from 13 to 16 the maximum age of a dependent child with respect to whom the deduction for child-care expenses may be allowed; to the Committee on Ways and Means.

H.R. 1227. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Veterans' Affairs.

H.R. 1228. A bill to make it a crime to give false information in connection with registering to vote, to pay or accept payment for registering or for voting, or to alter any ballot or voting record, with respect to a Federal election; to the Committee on the Judiciary.

H.R. 1229. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

H.R. 1230. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

H.R. 1231. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 1232. A bill to amend title 18 of the United States Code to prohibit the transportation or use in interstate or foreign commerce, with unlawful or fraudulent intent, of counterfeit, fictitious, altered, lost, stolen, wrongfully appropriated, unauthorized, revoked, or canceled credit cards; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 1233. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

H.R. 1234. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 1235. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to amend certain labeling provisions of the food, drug, and cosmetic chapters to assure adequate information for consumers, including cautionary labeling of articles where needed to prevent accidental injury; prohibit worthless ingredients in special dietary foods; authorize the establishment of standards for medical devices; require medical devices to be shown safe and efficacious before they are marketed commercially; require all antibiotics to be certified; provide for the certification of certain other drugs; require records and reports bearing on drug safety; limit the distribution of sample drugs; require cosmetics to be shown safe before they are marketed commercially; clarify and strengthen existing inspection authority; make additional provisions of the act applicable to carriers; provide for administrative subpenas; provide for strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration of that act and of related State and local laws; prohibit the use of carcinogenic color additives in animal feeds; safeguard the health of children by banning sweetened or flavored aspirins from commerce; establish a United States Drug Compendium; provide additional authority to insure the wholesomeness of fish and fishery products; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 1236. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1237. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Interstate and Foreign Commerce.

H.R. 1238. A bill to prohibit the Civil Aeronautics Board from regulating the charges made by air carriers for certain in-flight services made available to passengers; to the Committee on Interstate and Foreign Commerce.

H.R. 1239. A bill to authorize and direct the General Services Administration to make payment in lieu of taxes to the city of Sacramento, Calif.; to the Committee on the Judiciary.

H.R. 1240. A bill to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salary of employees from withholding for tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence; to the Committee on Interstate and Foreign Commerce.

H.R. 1241. A bill to amend the Federal Aviation Act of 1958 to prohibit State taxation of the carriage of persons in air transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 1242. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. MURPHY of New York:

H.R. 1243. A bill to amend the act of September 2, 1958, to further strengthen scientific accomplishment in our Nation; to the Committee on Education and Labor.

H.R. 1244. A bill to amend the Federal Power Act with respect to the jurisdiction of the Federal Power Commission over streams and other bodies of water the navigable portions of which lie within a single State; to the Committee on Interstate and Foreign Commerce.

H.R. 1245. A bill to strengthen and clarify the law prohibiting the introduction or manufacture for introduction of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 1246. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 1247. A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of consumers: to coordinate the administration of consumer services by transferring to such Department certain functions of the Departments of Commerce; Labor; and Health, Education, and Welfare; and other agencies; and for other purposes; to the Committee on Government Operations.

H.R. 1248. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

H.R. 1249. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1250. A bill to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax; to the Committee on Ways and Means.

H.R. 1251. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 1252. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1253. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

H.R. 1254. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 1255. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 1256. A bill to authorize the Secretary of Commerce to conduct research and development of precision equipment and systems for utilizing radio signals from space satellites to improve navigation of nonmilitary vessels at sea; to the Committee on Merchant Marine and Fisheries.

H.R. 1257. A bill to amend title I of the Tariff Act of 1930 with respect to the rate of duty on parts of geared temperature and pressure gages; to the Committee on Ways and Means.

H.R. 1258. A bill to amend the provisions of section 18 of the Shipping Act, 1916, to require the filing of tariffs by terminal operators; to the Committee on Merchant Marine and Fisheries.

H.R. 1259. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 1260. A bill authorizing the admission of two citizens and subjects of the Republic of Korea to the U.S. Military Academy, the U.S. Naval Academy, and the Air Force Academy; to the Committee on Armed Services.

H.R. 1261. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Merchant Marine and Fisheries.

H.R. 1262. A bill relating to the appointment and promotion of deputy U.S. marshals; to the Committee on the Judiciary.

H.R. 1263. A bill to provide that any person who illegally sells a narcotic drug to a minor shall be imprisoned for not less than 20 years; to the Committee on Ways and Means.

H.R. 1264. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MYERS:

H.R. 1265. A bill to provide for the issuance of a special postage stamp to commemorate the memory of Ernie Pyle; to the Committee on Post Office and Civil Service.

By Mr. NATCHER:

H.R. 1266. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NEDZI:

H.R. 1267. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

By Mr. O'NEILL of Massachusetts:

H.R. 1268. A bill to authorize liens of value of secured equipment used solely for navigation or fishing on a vessel of the United States and to permit the recording of such liens; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 1269. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 1270. A bill to amend title 14, United States Code, to authorize the Coast Guard to provide protection and assistance to U.S. vessels engaged in commercial fishing on the high seas; to the Committee on Merchant Marine and Fisheries.

H.R. 1271. A bill to amend the Migratory Bird Treaty Act to prohibit the baiting of waterfowl, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1272. A bill to prevent certain foreign-flag vessels to land their catches of fish in ports of the United States, its territories and possessions and the Commonwealth of Puerto Rico; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER (for himself and Mr. DINGELL):

H.R. 1273. A bill to amend the Social Security Act to increase OASDI benefits and raise the earnings base, with subsequent adjustments as the cost of living rises, to increase widows' and widowers' benefits, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, to finance the medical insurance program entirely from general revenues, and to cover prescription drugs; and to provide for a study of child health care; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 1274. A bill to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. POFF:

H.R. 1275. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois:

H.R. 1276. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 1277. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 1278. A bill to provide additional dental care for dependents of members of the uniformed services; to the Committee on Armed Services.

H.R. 1279. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 1280. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

H.R. 1281. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 1282. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1283. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 1284. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 1285. A bill to consider children living in federally assisted public housing as federally connected children for purposes of educational assistance to federally impacted areas; to the Committee on Education and Labor.

H.R. 1286. A bill to direct the Attorney General to establish six centers to provide facilities for conducting research into the motivations and behavioral patterns of persons who have been convicted of crimes of violence; to the Committee on the Judiciary.

H.R. 1287. A bill to amend the War Claims Act of 1948 to provide for the payment of benefits under such act to certain citizens and permanent residents of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1288. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 1289. A bill to amend title XI of the Federal Aviation Act of 1958 to establish liability on the part of the United States for the taking of easements in the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1290. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 1291. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction for expenses incurred in making repairs and improvements to his residence; to the Committee on Ways and Means.

H.R. 1292. A bill to amend section 610 of the Federal Aviation Act of 1958 so as to establish minimum standards for operation of civil supersonic aircraft through the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1293. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 1294. A bill to amend the Internal Revenue Code of 1954 to allow an investment credit to retailers with respect to their advertising and other ordinary and necessary expenses for increasing their retail sales; to the Committee on Ways and Means.

H.R. 1295. A bill to provide for the establishment of a mint of the United States in the State of Illinois; to the Committee on Public Works.

H.R. 1296. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

H.R. 1297. A bill to amend section 4(e) of the Fair Labor Standards Act of 1938 to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; to the Committee on Education and Labor.

H.R. 1298. A bill to amend the Urban Mass Transportation Act of 1964 to provide a priority in the allocation of funds thereunder to those cities which will permit senior citizens to use the facilities involved at specially reduced fares during nonrush hours; to the Committee on Banking and Currency.

H.R. 1299. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 1300. A bill to amend title 28, United States Code, to permit the Attorney General of the United States and State attorneys general to obtain orders from U.S. district courts placing reasonable limitations on the conduct of certain public mass demonstrations; to the Committee on the Judiciary.

H.R. 1301. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain other educational expenses paid by him for the education of a dependent at a private nonprofit elementary or secondary school; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 1302. A bill to repeal the Civil Rights Act of 1964; to the Committee on the Judiciary.

H.R. 1303. A bill to repeal the Voting Rights Act of 1965; to the Committee on the Judiciary.

H.R. 1304. A bill to amend section 4(c) of the Voting Rights Act of 1965 with respect to the definition of the phrase "test or device"; to the Committee on the Judiciary.

H.R. 1305. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons; to the Committee on Interstate and Foreign Commerce.

H.R. 1306. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 1307. A bill to amend title 38, United States Code, to provide that educational allowances for flight training be paid on a monthly basis; to the Committee on Veterans' Affairs.

H.R. 1308. A bill to amend title 37, United States Code, to provide members of the uniformed services with travel and transportation allowances for ordinary leave to their homes taken during or after a change of permanent station from overseas to within the United States, and for emergency leave travel within the United States if stationed overseas; to the Committee on Armed Services.

H.R. 1309. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1310. A bill to prohibit the redemption in gold of any obligations of the United States for, and to prohibit the sale of any gold of the United States to, any nation which is indebted to the United States; to the Committee on Banking and Currency.

H.R. 1311. A bill to permit American citizens to hold gold in the event of the removal of the requirement that gold reserves be held against currency in circulation, and for other purposes; to the Committee on Banking and Currency.

H.R. 1312. A bill to amend section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 to permit Federal acquisition of properties situated at or near National Aeronautics and Space Administration installations which have been ordered to be closed (as well as of properties at or near military installations), in order to avoid hardship and excessive losses to the property owners involved; to the Committee on Banking and Currency.

H.R. 1313. A bill to prohibit the import and export of articles to countries selling or furnishing materiel to North Vietnam; to the Committee on Interstate and Foreign Commerce.

H.R. 1314. A bill to amend and clarify section 4(b) of the Voting Rights Act of 1965 with respect to review of certain determinations and certifications thereunder, and for other purposes; to the Committee on the Judiciary.

H.R. 1315. A bill to amend and clarify section 4(a) of the Voting Rights Act of 1965; to the Committee on the Judiciary.

H.R. 1316. A bill to amend sections 1331 and 1332, title 28, chapter 85, United States Code, dealing in part with the jurisdiction of district courts of the United States; to the Committee on the Judiciary.

H.R. 1317. A bill to impose certain restrictions upon the appellate jurisdiction of the Supreme Court; to the Committee on the Judiciary.

H.R. 1318. A bill to amend section 242 of title 18, United States Code, to prohibit deprivation of rights under color of any statute, treaty, order, rule, or regulation implementing decisions of the United Nations; to the Committee on the Judiciary.

H.R. 1319. A bill to amend the Internal Revenue Code of 1954 to include the sintering and burning of clay, shale, and slate used as lightweight aggregates as a treatment process considered as mining; to the Committee on Ways and Means.

H.R. 1320. A bill to give farmers an additional month in which to meet the requirements of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required; to the Committee on Ways and Means.

H.R. 1321. A bill to amend title II of the Social Security Act to provide that farmers may drop out an additional 2 years of low earnings in the computation of their benefits under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 1322. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of elementary and secondary schoolteachers; to the Committee on Ways and Means.

H.R. 1323. A bill to amend the Economic Opportunity Act of 1964 to prohibit use of Federal funds in programs utilizing the services of persons who engage in certain disloyal, disrespectful, or antireligious conduct; to the Committee on Education and Labor.

H.R. 1324. A bill to amend the Communications Act of 1934 to establish a statutory policy governing the broadcasting of views on issues of public importance; to the Committee on Interstate and Foreign Commerce:

H.R. 1325. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus real and personal property to State and local juvenile correctional and rehabilitative agencies; to the Committee on Government Operations.

H.R. 1326. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 1327. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate Commerce.

H.R. 1328. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

H.R. 1329. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1330. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

H.R. 1331. A bill to amend title 28, United States Code, relating to the power of the Supreme Court to pass on the constitutionality of provisions of State and Federal statutes and of State constitutions; to the Committee on the Judiciary.

H.R. 1332. A bill to prohibit the use of the Federal Bureau of Investigation to investigate claims brought against the United States under the Federal tort claims procedure contained in title 28, United States Code; to the Committee on the Judiciary.

H.R. 1333. A bill to provide criminal penalties for certain travel under a U.S. passport in violation of certain passport restrictions; to the Committee on the Judiciary.

H.R. 1334. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

H.R. 1335. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under that title; to the Committee on Veterans' Affairs.

H.R. 1336. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for physicians' charges under the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved, and to amend title XIX of such act to permit payment to a recipient of assistance for physicians' charges under the medical assistance program; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 1337. A bill to stabilize the public domain and acquired landholdings of the United States of America, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 1338. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, New Jersey; to the Committee on Veterans' Affairs.

By Mr. ROONEY of New York:

H.R. 1339. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 1340. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 1341. A bill to amend the Civil Sevice Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 1342. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

By Mr. ROTH:

H.R. 1343. A bill to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RUPPE:

H.R. 1344. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if relative of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 1345. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 1346. A bill to amend title XVIII of the Social Security Act to include payment under part A thereof for the costs of hospital inpatient professional services in the fields of pathology, radiology, physiatry, and anesthesiology furnished by a hospital or by others under mutually agreeble ararangements between the persons providing such services and the hospital; to the Committee on Ways and Means.

H.R. 1347. A bill to amend title II of the Social Security Act to provide that the entitlement of a beneficiary who dies shall (if he is otherwise qualified) extend through the month of his death; to the Committee on Ways and Means.

H.R. 1348. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age, and to reduce from $50 to $25 the annual deductible imposed under the supplementary medical insurance program; to the Committee on Ways and Means.

H.R. 1349. A bill to amend the National Labor Relations Act to give to employers and performers in the performing arts the same rights given by section 8(f) of such act to employers and employees in the construction industry; to the Committee on Education and Labor.

H.R. 1350. A bill to amend title II of the Social Security Act, to liberalize the retirement test, and to provide monthly benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 1351. A bill to provide for the payment of a transportation allowance to permit a member of the immediate family of a serviceman hospitalized in the United States from a combat wound or illness to visit such serviceman, and for other purposes; to the Committee on Armed Services.

H.R. 1352. A bill to amend the Social Security Act of 1967 by repealing the limitation on the number of children with respect to whom Federal public assistance payments may be made and the limitation on Federal participation in medical assistance payments; to the Committee on Ways and Means.

H.R. 1353. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 1354. A bill to provide for specific employment policies in order to promote maximum employment, to reduce unemployment to its minimum acceptable levels, to promote an adequate rate of economic growth, and to preserve reasonable price stability; to the Committee on Government Operations.

H.R. 1355. A bill to remove certain restrictions of Federal law from lotteries conducted by States for the support of public education; to the Committee on the Judiciary.

H.R. 1356. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. SCOTT:

H.R. 1357. A bill to provide for the establishment of a national cemetery within the Manassas National Battlefield Park, Va.; to the Committee on Interior and Insular Affairs.

H.R. 1358. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness; to the Committee on Ways and Means.

H.R. 1359. A bill to amend the Internal Revenue Code of 1954 to provide that Federal tax may not be collected by levy and distraint until after a court determination that the taxpayer is liable therefor; to the Committee on Ways and Means.

H.R. 1360. A bill to amend title 13, United States Code, to provide certain limitations with respect to the types and number of questions which may be asked in connection with the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SISK:

H.R. 1361. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. SLACK:

H.R. 1362. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER:

H.R. 1363. A bill to amend the Internal Revenue Code of 1954 to allow a tax credit for certain tuition and fees paid by individuals to institutions of higher education and to allow a tax credit for certain contributions made by individuals or corporations to institutions of higher education; to the Committee on Ways and Means.

H.R. 1364. A bill to assist the States in raising revenues by making more uniform the incidence and rate of tax imposed by States on the severance of minerals; to the Committee on Ways and Means.

H.R. 1365. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 1366. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

H.R. 1367. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

By Mr. STEIGER of Arizona:

H.R. 1368. A bill to authorize the Commissioner of the District of Columbia to utilize volunteers for active police duty; to the Committee on the District of Columbia.

By Mr. STEIGER of Wisconsin:

H.R. 1369. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1370. A bill to amend the Federal Water Pollution Control Act, as amended, to authorize a program of research and demonstration for the control of pollution in lakes; to the Committee on Public Works.

By Mr. TALCOTT (for himself, Mr. Cederberg, Mr. Cunningham, Mr. Del Clawson, Mr. Tunney, and Mr. McClory.

H.R. 1371. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.R. 1372. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 1373. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower middle-income persons; to the Committee on Ways and Means.

H.R. 1374. A bill to develop business and employment opportunities in smaller cities and areas of unemployment and underemployment by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on the Judiciary.

H.R. 1375. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 1376. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1377. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

H.R. 1378. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 1379. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

H.R. 1380. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

H.R. 1381. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. UDALL (for himself, Mr. Waldie, and Mr. Hamilton):

H.R. 1382. A bill to create a Postal Service Corporation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WATKINS:

H.R. 1383. A bill to provide for the establishment of a national cemetery in the Ninth Congressional District of the State of Pennsylvania; to the Committee on Veterans' Affairs.

H.R. 1384. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 1385. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 1386. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 1387. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CHARLES H. WILSON:

H.R. 1388. A bill to amend title 39 of the United States Code to strengthen provisions for modernization in the postal service; to the Committee on Post Office and Civil Service.

By Mr. BINGHAM:

H.R. 1389. A bill to provide for the election of President and Vice President as required by the article of amendment to the Constitution proposed by House Joint Resolution 6 of the 91st Congress; to the Committee on House Administration.

My Mr. FEIGHAN:

H.R. 1776. A bill to provide greater opportunity for participation in rulemaking by and on behalf of persons of limited means; to the Committee on the Judiciary.

By Mr. BOGGS (for himself, Mr. Sikes, Mr. Matsunaga, and Mr. Wolff):

H.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. PEPPER (for himself, Mr. Bennett, Mr. Carey, Mr. Casey, Mr. Daniels of New Jersey, Mr. Friedel, Mr. Gibbons, Mr. Howard, Mr. Kee, Mr. Latta, Mr. Madden, Mr. Matsunaga, Mr. Moss, Mr. Morgan, Mr. Patman, Mr. Pickle, Mr. Sikes, Mr. Staggers, Mr. Teague of Texas, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Wright, Mr. Whitten, and Mr. Wolff):

H.J. Res. 2. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PATMAN:

H.J. Res. 3. Joint resolution providing for annual audits of the Federal Reserve System by the General Accounting Office; to the Committee on Banking and Currency.

By Mr. ANDREWS of Alabama:

H.J. Res. 4. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. BENNETT:

H.J. Res. 5. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President and to authorize Congress to establish procedures relating to the nomination of presidential and vice presidential candidates; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.J. Res. 6. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 7. Joint resolution to provide for the administration and development of Pennsylvania Avenue as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.J. Res. 8. Joint resolution establishing a Commission on Art and Antiquities of the Capitol, and for other purposes; to the Committee on House Administration.

H.J. Res. 9. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

H.J. Res. 10. Joint resolution authorizing the President to proclaim the second week of March in every year as "Volunteers of America Week"; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 11. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

H.J. Res. 12. Joint resolution to amend the Constitution to provide for the direct popular election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.J. Res. 13. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. COLMER:

H.J. Res. 14. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 15. Joint resolution proposing an amendment to the Constitution of the United States relating to prayer and Bible reading; to the Committee on the Judiciary.

H.J. Res. 16. Joint resolution to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of law-enforcement officers and firemen from training and service under such act; to the Committee on Armed Services.

H.J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 18. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. de la GARZA:

H.J. Res. 19. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 20. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations shall not exceed revenues of the United States, except in time of war or national emergency; to the Committee on the Judiciary.

By Mr. DULSKI:

H.J. Res. 21. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mrs. DWYER:

H.J. Res. 22. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the U.S. Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 24. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 25. Joint resolution proposing an amendment to the Constitution of the United States providing that prayer on a voluntary basis shall be permitted in public schools and educational institutions; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 26. Joint resolution to adopt a specific version of the Star-Spangled Banner as the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. EILBERG:

H.J. Res. 27. Joint resolution to authorize the President to proclaim the Volunteer Ambulance Corps and Fire Company Week; to the Committee on the Judiciary.

H.J. Res. 28. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

H.J. Res. 29. Joint resolution to authorize and direct the Public Printer to supply each Member of Congress with five copies of the Annotated U.S. Constitution; to the Committee on House Administration.

By Mr. FALLON:

H.J. Res. 30. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virgina and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on Public Works.

By Mr. FEIGHAN:

H.J. Res. 31. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

H.J. Res. 32. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens 18 years old or members of the Armed Forces of the United States shall not be prevented from voting in certain elections on grounds of their age; to the Committee on the Judiciary.

H.J. Res. 33. Joint resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment; to the Committee on Post Office and Civil Service.

By Mr. FISHER:

H.J. Res. 34. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. FLYNT:

H.J. Res. 35. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.J. Res. 36. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.J. Res. 37. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

H.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. GUBSER:

H.J. Res. 39. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.J. Res. 40. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 41. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.J. Res. 42. Joint resolution designating March 30 of each year as "Shut-In's Day"; to the Committee on the Judiciary.

H.J. Res. 43. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 44. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H.J. Res. 45. Joint resolution proposing an amendment to the Constitution relating to terms of Judges of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. KARTH:

H.J. Res. 46. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources; to the Committee on Merchant Marine and Fisheries.

H.J. Res. 47. Joint resolution to establish a joint investigatory committee on the U.S. civic action program in Vietnam; to the Committee on Rules.

H.J. Res. 48. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. LONG of Maryland:

H.J. Res. 49. Joint resolution to provide for a study of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD of Massachusetts:

H.J. Res. 50. Joint resolution proposing an amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 51. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 52. Joint resolution providing for the preparation and submission to the Congress of a master ground transportation plan for the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS:

H.J. Res. 53. Joint resolution to provide for the designation of the first week of August as "National Clown Week"; to the Committee on the Judiciary.

By Mr. OTTINGER (for himself, Mr. Dent, Mr. Scheuer, Mr. Edwards of California, Mr. Eilberg, Mr. Podell, Mr. Grover, Mr. Button, Mr. Cleveland, Mr. Saylor, and Mr. Farbstein):

H.J. Res. 54. Joint resolution proposing an amendment to the Constitution of the United States relating to the conservation of the natural resources and natural beauty of the United States; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.J. Res. 55. Joint resolution to establish a commission to review the Federal income tax structure and recommend revisions to redistribute the burden of taxes so as to remove inequities adversely affecting the middle-income family in America, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. Adams, Mr. Anderson of Tennessee, Mr. Ashley, Mr. Baring, Mr. Barrett, Mr. Bell of California, Mr. Bevill, Mr. Bingham, Mr. Blatnik, Mr. Boland, Mr. Broomfield, Mr. Brown of California, Mr. Burke of Massachusetts, Mr. Button, Mr. Casey, Mr. Cederberg, Mr. Cleveland, Mr. Cowger, Mr. Delaney, Mr. Denney, Mr. Dent, Mr. Dingell, Mr. Donohue, and Mr. Downing):

H.J. Res. 56. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Duncan, Mr. Edwards of California, Mr. Eilberg, Mr. Feighan, Mr. William D. Ford, Mr. Fulton of Tennessee, Mr. Galifianakis, Mr. Garmatz, Mr. Green of Pennsylvania, Mr. Halpern, Mr. Hanley, Mr. Hanna, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hicks, Mr. Hungate, Mr. Joelson, Mr. Johnson of California, Mr. Kyros, Mr. Langen, Mr. Leggett, Mr. McCarthy, Mr. McDade, and Mr. Moorhead):

H.J. Res. 57. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Nedzi, Mr. Nix, Mr. Olsen, Mr. Ottinger, Mr. Patten, Mr. Perkins, Mr. Pettis, Mr. Philbin, Mr. Pirnie, Mr. Podell, Mr. Pucinski, Mr. Reuss, Mr. Rooney of Pennsylvania, Mr. Roybal, Mr. Ruppe, Mr. St Germain, Mr. Schwengel, Mr. Scott, Mr. Stanton, Mrs. Sullivan, Mr. Tiernan, Mr. Vigorito, Mr. Winn, and Mr. Zablocki).

H.J. Res. 58. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PETTIS:

H.J. Res. 59. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 60. Joint resolution to authorize and direct the Public Printer to supply each new Member of Congress with five copies of the Annotated United States Constitution; to the Committee on House Administration.

H.J. Res. 61. Joint resolution Neighborhood Action Crusade; to the Committee on Banking and Currency.

H.J. Res. 62. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois:

H.J. Res. 63. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PUCINSKI:

H.J. Res. 64. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiicary.

H.J. Res. 65. Joint resolution to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL:

H.J. Res. 66. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. RARICK:

H.J. Res. 67. Joint resolution to prevent the subversion of the United States and the American continents as proposed by the Communist government of Cuba under Castro, and for other purposes; to the Committee on Foreign Affairs.

H.J. Res. 68. Joint resolution proposing an amendment to the Constitution of the United States relating to the approval of Justices of the Supreme Court; to the Committee on the Judiciary.

H.J. Res. 69. Joint resolution proposing an amendment to the Constitution of the United States relating to subversive activities; to the Committee on the Judiciary.

H.J. Res. 70. Joint resolution proposing an amendment to the Constitution of the United States relating to employment of subversives in defense facilities; to the Committee on the Judiciary.

H.J. Res. 71. Joint resolution proposing an amendment to the Constitution of the United States to provide that appointments of Judges to the Supreme Court and judges to all other Federal courts, as established under section 1 of article III, be reconfirmed every 6 years by the Senate and to require 5 years' prior judicial experience as a qualification for appointment to said offices; to the Committee on the Judiciary.

H.J. Res. 72. Joint resolution proposing an amendment to the Constitution of the United States providing that treaties, international agreements, executive agreements, and Executive orders must be made in pursuance of the Constitution; to the Committee on the Judiciary.

H.J. Res. 73. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

H.J. Res. 74. Joint resolution proposing an amendment to the Constitution of the United States relating to subversive activities; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 75. Joint resolution creating a

Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. RODINO (for himself, Mr. Widnall, Mr. Frelinghuysen, Mr. Thompson of New Jersey, Mrs. Dwyer, Mr. Cahill, Mr. Daniels of New Jersey, Mr. Gallagher, Mr. Joelson, Mr. Minish, Mr. Patten, Mr. Helstoski, Mr. Howard, Mr. Hunt, and Mr. Sandman):

H.J. Res. 76. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 77. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.J. Res. 78. Joint resolution designating July 25 of each year as "Puerto Rican Day in the United States of America"; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.J. Res. 79. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. RYAN:

H.J. Res. 80. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. SAYLOR (for himself and Mr. Skubitz):

H.J. Res. 81. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.J. Res. 82. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

H.J. Res. 83. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. SCHEUER:

H.J. Res. 84. Joint resolution proposing an amendment to the Constitution of the United States to grant citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 85. Joint resolution proposing an amendment to the Constitution of the United States to permit the offering of prayer in public schools; to the Committee on the Judiciary.

H.J. Res. 86. Joint resolution proposing an amendment to the Constitution requiring that Federal judges be reconfirmed by the Senate every 10 years; to the Committee on the Judiciary.

H.J. Res. 87. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.J. Res. 88. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. SNYDER:

H.J. Res. 89. Joint resolution proposing an amendment to the Constitution of the United States to preserve and protect references to reliance upon God in governmental matters; to the Committee on the Judiciary.

H.J. Res. 90. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.J. Res. 91. Joint resolution to authorize the President to proclaim the fourth Sunday in November in each year as "John Fitzgerald Kennedy Day"; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 92. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States who are 18 years of age or older and are members of the Armed Forces of the United States shall not be prevented from voting in certain elections on grounds of their age; to the Committee on the Judiciary.

H.J. Res. 93. Joint resolution proposing an amendment to the Constitution providing that certain activities shall be prohibited during a period of war or armed conflict; to the Committee on the Judiciary.

H.J. Res. 94. Joint resolution proposing an amendment to the Constitution of the United States to require the concurrence of not less than two-thirds of the Supreme Court for the purpose of deciding whether an act of Congress or an act of a State legislature is unconstitutional; to the Committee on the Judiciary.

H.J. Res. 95: Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

H.J. Res. 96. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

H.J. Res. 97. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 98. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of postmasters; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.J. Res. 99. Joint resolution proposing an amendment to the Constitution of the United States regarding the election of the President and Vice President and the nomination of candidates for the Presidency; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.J. Res. 100. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. WHITTEN:

H.J. Res. 101. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 102. Joint resolution to establish a commission to investigate the increase in riots and law violations, including loss of life and property, damage to, or threat of damage to, or destruction of the economy of States, counties, municipalities, or other political subdivisions, the causes thereof, and to recommend legislation that would grant States, counties, municipalities, or other political subdivisions additional rights to obtain injunctive and other relief to the end that the public welfare be protected; to the Committee on the Judiciary.

By Mr. ABBITT:

H.J. Res. 103. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.J. Res. 104. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 105. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person may be a Member of Congress unless such person, when elected or appointed, possesses the qualifications of electors of the most numerous branch of the legislature of the State from which he is chosen, and has been an inhabitant for at least 5 years of such State; to the Committee on the Judiciary.

H.J. Res. 106. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

H.J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 108. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.J. Res. 109. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Tennessee:

H.J. Res. 110. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.J. Res. 111. Joint resolution to provide for the issuance of a special postage stamp in commemoration of Dr. Enrico Fermi; to the Committee on Post Office and Civil Service.

By Mr. ASHBROOK:

H.J. Res. 112. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

H.J. Res. 113. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 114. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 115. Joint resolution proposing an amendment to the Constitution of the United States relating to the authority of the President to dispatch the Armed Forces of the United States outside of the United States; to the Committee on the Judiciary.

By Mr. BENNETT:

H.J. Res. 116. Joint resolution to establish a court of ethics to hear complaints of unethical conduct in Government service; to the Committee on the Judiciary.

H.J. Res. 117. Joint resolution establishing the Commission on Art and Antiquities of the Capitol, and for other purposes; to the Committee on House Administration.

H.J. Res. 118. Joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriations; to the Committee on the Judiciary.

By Mr. BEVILL:

H.J. Res. 119. Joint resolution proposing an amendment to the Constitution of the United States relating to the employment of subversives in the public schools; to the Committee on the Judiciary.

H.J. Res. 120. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

H.J. Res. 121. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

H.J. Res. 122. Joint resolution proposing an amendment to the Constitution of the United States relating to employment of subversives in defense facilities; to the Committee on the Judiciary.

H.J. Res. 123. Joint resolution proposing an amendment to the Constitution of the United States prohibiting the use of the U.S. mails for the transmission of communication hostile to the Constitution, laws, and form of government of the United States or any State; to the Committee on the Judiciary.

H.J. Res. 124. Joint resolution proposing an amendment to the Constitution requiring that Justices of the Supreme Court be reconfirmed by the Senate every 10 years; to the Committee on the Judiciary.

H.J. Res. 125. Joint resolution proposing an amendment to the Constitution of the United States to provide for the mandatory retirement of judges of the Supreme Court at the age of 70; to the Committee on the Judiciary.

By Mr BRINKLEY (for himself, Mr. STUCKEY, and Mr. THOMPSON of Georgia):

H.J. Res. 126. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BROCK:

H.J. Res. 127. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 128. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.J. Res. 129. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.J. Res. 130. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.J. Res. 131. Joint resolution to amend the Constitution to enable the Congress to function effectively in time of emergency or disaster; to the Committee of the Judiciary.

H.J. Res. 132. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 133. Joint resolution proposing an amendment to the Constitution relating to terms of judges of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. CONYERS:

H.J. Res. 134. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the Congress to the District of Columbia; to the Committee on the Judiciary.

H.J. Res. 135. Joint resolution authorizing the President to proclaim annually the week including February 14 (the birthday of Frederick Douglass) as Afro-American History Week; to the Committee on the Judiciary.

H.J. Res. 136. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 137. Joint resolution amending the Public Health Service Act to provide for an institute on gerontology which shall, among other things, carry out research and training with respect to chronic disease and to accident prevention among our senior citizens, and shall be located on the grounds of the Bay Pines Veterans' Administration Center, St. Petersburg, Fla.; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS of New Jersey:

H.J. Res. 138. Joint resolution authorizing the President to proclaim the third Sunday in May of each year as Grandmother and Grandfather's Day; to the Committee on the Judiciary.

H.J. Res. 139. Joint resolution authorizing the President to proclaim the 24th day of April of each year as Armenian Martyr's Day; to the Committee on the Judiciary.

H.J. Res. 140. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.J. Res. 141. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. DOWNING:

H.J. Res. 142. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources; to the Committee on Merchant Marine and Fisheries.

By Mr. EVINS of Tennessee:

H.J. Res. 143. Joint resolution to amend the Rules of the House of Representatives and the Standing Rules of the Senate to allow former Presidents to participate in debate in both Houses, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FUQUA:

H.J. Res. 144. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 145. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

H.J. Res. 146. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H.J. Res. 147. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H.J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 149. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 150. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 151. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 152. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

H.J. Res. 153. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.J. Res. 154. Joint resolution proposing an amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the Office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

By Mr. LENNON:

H.J. Res. 155. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 156. Joint resolution to provide for a study of the resources of the ocean floor by the National Council on Marine Resources and Engineering Development, and to prevent certain premature actions which might adversely affect the interests of the United States in such resources; to the Committee on Merchant Marine and Fisheries.

By Mr. MARSH:

H.J. Res. 157. Joint resolution placing a limitation on the use of park lands of the United States and other public space situated within the District of Columbia; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.J. Res. 158. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on House Administration.

H.J. Res. 159. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Robert Francis Kennedy; to the Committee on Post Office and Civil Service.

H.J. Res. 160. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Amerigo Vespucci; to the Committee on Post Office and Civil Service.

By Mr. OTTINGER:

H.J. Res. 161. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

H.J. Res. 162. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

H.J. Res. 163. Joint resolution to provide for a study of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois:

H.J. Res. 164. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in all elections; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.J. Res. 165. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

H.J. Res. 166. Joint resolution proposing an amendment to the Constitution of the United States relating to employment of subversives in defense facilities; to the Committee on the Judiciary.

By Mr. RANDALL:

H.J. Res. 167. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. RUPPE:

H.J. Res. 168. Joint resolution to establish a Commission on Balanced Economic Development; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.J. Res. 169. Joint resolution proposing an amendment to the Constitution of the United States providing that the Supreme Court may not render an opinion or decision in cases in which less than a certain number of Justices concur; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 170. Joint resolution proposing an amendment to the Constitution of the United States to confer upon Congress the power to enact reasonable laws defining obscenity and regulating the publication, both spoken and written, of obscene material; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.J. Res. 171. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. WATKINS:

H.J. Res. 172. Joint resolution proposing an amendment to the Constitution of the United States to limit the power of the States and their political subdivisions to tax the salaries and wages of persons who are not domiciliaries or residents thereof; to the Committee on the Judiciary.

H.J. Res. 173. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 174. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 175. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

H.J. Res. 176. Joint resolution proposing an amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the Office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

H.J. Res. 177. Joint resolution to require that reports on imports into the United States include the landed value of articles imported, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. Bennett, Mr. Carey, Mr. Casey, Mr. Daniels of New Jersey, Mr. Friedel, Mr. Gibbons, Mr. Howard, Mr. Kee, Mr. Latta, Mr. Madden, Mr. Matsunaga, Mr. Moss, Mr. Morgan, Mr. Patman, Mr. Pickle, Mr. Sikes, Mr. Staggers, Mr. Teague of Texas, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Wright, Mr. Whitten, and Mr. Wolff):

H. Con. Res. 2. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Con. Res. 3. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. ANDERSON of Illinois:

H. Con. Res. 4. Concurrent resolution expressing the sense of the Congress with respect to an international convention on aircraft hijacking; to the Committee on Foreign Affairs.

By Mr. BOLAND:

H. Con. Res. 5. Concurrent resolution expressing the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. COLMER:

H. Con. Res. 6. Concurrent resolution expressing the sense of the Congress with respect to the United Nations sanctions against Rhodesia; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H. Con. Res. 7. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 8. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lost their lives in the line of duty; to the Committee on Rules.

By Mr. de la GARZA:

H. Con. Res. 9. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mrs. DWYER:

H. Con. Res. 10. Concurrent resolution expressing the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H. Con. Res. 11. Concurrent resolution declaring the sense of Congress on the use of a Great White Fleet and a Joint Task Force for Peace in support of American foreign policy; to the Committee on Armed Services.

H. Con. Res. 12. Concurrent resolution declaring the sense of Congress on the closing of Indian hospitals; to the Committee on Interior and Insular Affairs.

By Mr. EILBERG:

H. Con. Res. 13. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

H. Con. Res. 14. Concurrent resolution expressing the sense of the Congress with respect to the establishment of permanent peace ambassadors by the United Nations; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Con. Res. 15. Concurrent resolution expressing the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. FISHER:

H. Con. Res. 16. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. KARTH:

H. Con. Res. 17. Concurrent resolution expressing the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H. Con. Res. 18. Concurrent resolution expressing the sense of Congress with respect to the rotation of members of the Armed Forces of the United States in their assignments to serve in combat zones; to the Committee on Armed Services.

By Mr. OTTINGER:

H. Con. Res. 19. Concurrent resolution expressing the sense of Congress with respect to an international convention on aircraft hijacking; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself, Mr. Adams, Mr. Anderson of Tennessee, Mr. Ashley, Mr. Baring, Mr. Barrett, Mr. Bell of California, Mr. Bevill, Mr. Bingham, Mr. Blatnik, Mr. Boland, Mr. Broomfield, Mr. Brown of California, Mr. Burke of Massachusetts, Mr. Button, Mr. Casey, Mr. Cederberg, Mr. Cleveland, Mr. Cowger, Mr. Delaney, Mr. Denney, Mr. Dent, Mr. Dingell, Mr. Donohue, and Mr. Downing):

H. Con. Res. 20. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Duncan, Mr. Edwards of California, Mr. Eilberg, Mr. Feighan, Mr. William D. Ford, Mr. Fulton of Tennessee, Mr. Galifianakis, Mr. Garmatz, Mr. Green of Pennsylvania, Mr. Halpern, Mr. Hanley, Mr. Hanna, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hicks, Mr. Hungate, Mr. Joelson, Mr. Johnson of California, Mr. Kyros, Mr. Langen, Mr. Leggett, Mr. McCarthy, Mr. McDade, and Mr. Moorehead):

H. Con. Res. 21. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Nedzi, Mr. Nix, Mr. Olsen, Mr. Ottinger, Mr. Patten, Mr. Perkins, Mr. Pettis, Mr. Philbin, Mr. Pirnie, Mr. Podell, Mr. Pucinski, Mr. Reuss, Mr. Rooney of Pennsylvania, Mr. Roybal, Mr. Ruppe, Mr. St Germain, Mr. Schwengel, Mr. Scott, Mr. Stanton, Mrs. Sullivan, Mr. Tiernan, Mr. Vigorito, Mr. Winn, and Mr. Zablocki):

H. Con. Res. 22. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PETTIS:

H. Con. Res. 23. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

H. Con. Res. 24. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy or support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. POFF:

H. Con. Res. 25. Concurrent resolution to establish a joint congressional committee to investigate riots and violent civil disorder; to the Committee on Rules.

By Mr. PUCINSKI:

H. Con. Res. 26. Concurrent resolution expressing the sense of the Congress with respect to an international convention on aircraft hijacking; to the Committee on Foreign Affairs.

By Mr. RARICK:

H. Con. Res. 27. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

H. Con. Res. 28. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. RYAN:

H. Con. Res. 29. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

H. Con. Res. 30. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 31. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. SIKES:

H. Con. Res. 32. Concurrent resolution expressing the sense of the Congress with respect to the repayment by France of amounts owed to the United States; to the Committee on Ways and Means.

By Mr. SNYDER:

H. Con. Res. 33. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. STAGGERS:

H. Con. Res. 34. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Con. Res. 35. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator; to the Committee on House Administration.

By Mr. TEAGUE of California:

H. Con. Res. 36. Concurrent resolution expressing the sense of the Congress with respect to the rotation of members of the Armed Forces of the United States in their assignments to serve in combat zones; to the Committee on Armed Services.

By Mr. WAGGONNER:

H. Con. Res. 37. Concurrent resolution to require France to pay its World War I debt; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H. Con. Res. 38. Concurrent resolution creating the Joint Select Committee on Government Program Analysis and Evaluation; to the Committee on Rules.

H. Con. Res. 39. Concurrent resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments; to the Committee on Foreign Affairs.

H. Con. Res. 40. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Tennessee:

H. Con. Res. 41. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ASHBROOK:

H. Con. Res. 42. Concurrent resolution authorizing and requesting the President to take such steps as may be necessary to have placed on the agenda of the General Assembly of the United Nations at the next regular session, the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Con. Res. 43. Concurrent resolution concerning the development of the ocean floor through international cooperation; to the Committee on Foreign Affairs.

By Mr. CONYERS:

H. Con. Res. 44. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. DANIELS of New Jersey:

H. Con. Res. 45. Concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment; to the Committee on Post Office and Civil Service.

H. Con. Res. 46. Concurrent resolution requesting the President to take certain actions in regard to the fulfillment of the United Nations Charter with respect to captive nations; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H. Con. Res. 47. Concurrent resolution expressing the sense of the Congress with respect to the occupation of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. DOWNING:

H. Con. Res. 48. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H. Con. Res. 49. Concurrent resolution reaffirming the support of Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FLYNT:

H. Con. Res. 50. Concurrent resolution expressing the sense of Congress that the Federal-aid highway program should continue without interruption; to the Committee on Ways and Means.

By Mr. FUQUA:

H. Con. Res. 51. Resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H. Con. Res. 52. Concurrent resolution creating the Joint Select Committee on Government Program Analysis and Evaluation; to the Committee on Rules.

By Mr. GARMATZ:

H. Con. Res. 53. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H. Con. Res. 54. Concurrent resolution expressing the sense of Congress that the United States and the political entities thereof should adopt "911" as the uniform, single, nationwide emergency telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H. Con. Res. 55. Concurrent resolution expressing the sense of Congress with respect to the New York City commuter tax; to the Committee on the Judiciary.

By Mr. KEITH:

H. Con. Res. 56. Concurrent resolution creating the Joint Select Committee on Government Program Analysis and Evaluation; to the Committee on Rules.

By Mr. LENNON:

H. Con. Res. 57. Concurrent resolution to express the sense of the Congress with respect to an International Decade of Ocean Exploration during the 1970's; to the Committee on Merchant Marine and Fisheries.

H. Con. Res. 58. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. MINSHALL:

H. Con. Res. 59. Concurrent resolution to instruct the U.S. Ambassador to the United Nations to insist on fulfillment of charter provisions based on self-determination of all peoples, and that the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H. Con. Res. 60. Concurrent resolution expressing the sense of Congress with respect to reducing the balance-of-payments deficit by encouraging American industry and the American public to ship and travel on American ships; to the Committee on Merchant Marine and Fisheries.

By Mr. PRICE of Texas:

H. Con. Res. 61. Concurrent resolution expressing the sense of Congress that certain meat imports be prohibited until the exporting country satisfies the President that no livestock in such country is infected with hoof-and-mouth disease; to the Committee on Ways and Means.

By Mr. RARICK:

H. Con. Res. 62. Concurrent resolution expressing the sense of Congress with respect to the entry into the United States of deserters from the Armed Forces; to the Committee on Armed Services.

By Mr. PEPPER (for himself, Mr. Bennett, Mr. Carey, Mr. Casey, Mr. Daniels of New Jersey, Mr. Friedel, Mr. Gibbons, Mr. Howard, Mr. Kee, Mr. Latta, Mr. Madden, Mr. Matsunaga, Mr. Moss, Mr. Morgan, Mr. Patman, Mr. Pickle, Mr. Sikes, Mr. Staggers, Mr. Teague of Texas, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Tunney, Mr. Wright, Mr. Whitten, and Mr. Wolff):

H. Res. 17. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. MORSE:

H. Res. 18. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. RYAN (for himself, Mr. Barrett, Mr. Conyers, Mr. Duncan, Mr. Edwards of California, Mr. Gilbert, Mr. Hathaway, Mrs. Hansen of Washington, Mr. Pepper, Mr. Podell, and Mr. Whalen):

H. Res. 19. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. ANNUNZIO:

H. Res. 20. Resolution to authorize the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 21. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. BENNETT:

H. Res. 22. Resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions; to the Committee on Rules.

By Mr. COLMER:

H. Res. 23. Resolution amending the Rules of the House of Representatives relating to germaneness; to the Committee on Rules.

By Mrs. GRIFFITHS:

H. Res. 24. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

H. Res. 25. Resolution amending the Rules of the House of Representatives with respect to demands for the yeas and nays on certain days; to the Committee on Rules.

By Mr. KARTH:

H. Res. 26. Resolution concerning Rhodesia; to the Committee on Foreign Affairs.

By Mr. LIPSCOMB:

H. Res. 27. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of

1949, and related acts; to the Committee on Rules.

H. Res. 28. Resolution creating a Select Committee To Conduct a Study of the Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

By Mr. MIKVA:

H. Res. 29. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MORSE:

H. Res. 30. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 31. Resolution creating a Select Committee To Conduct an Investigation and Study of the Problems of Urban Areas; to the Committee on Rules.

By Mr. MOSS:

H. Res. 32. Resolution to create a Select Committee on Public Opinion Polls; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Adams, Mr. Anderson of Tennessee, Mr. Ashley, Mr. Baring, Mr. Barrett, Mr. Bell of California, Mr. Bevill, Mr. Bingham, Mr. Blatnik, Mr. Boland, Mr. Broomfield, Mr. Brown of California, Mr. Burke of Massachusetts, Mr. Button, Mr. Casey, Mr. Cederberg, Mr. Cleveland, Mr. Cowger, Mr. Delaney, Mr. Denney, Mr. Dent, Mr. Dingell, Mr. Donohue, and Mr. Downing):

H. Res. 33. Resolution creating a Select Committee of the House To Conduct an In-Depth Investigation of Crime in the United States; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Duncan, Mr. Edwards of California, Mr. Eilberg, Mr. Feighan, Mr. William D. Ford, Mr. Fulton of Tennessee, Mr. Galifianakis, Mr. Garmatz, Mr. Green of Pennsylvania, Mr. Halpern, Mr. Hanley, Mr. Hanna, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hicks, Mr. Hungate, Mr. Joelson, Mr. Johnson of California, Mr. Kyros, Mr. Langen, Mr. Leggett, Mr. McCarthy, Mr. McDade, and Mr. Moorhead):

H. Res. 34. Resolution creating a Select Committee of the House To Conduct an In-Depth Investigation of Crime in the United States; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Nedzi, Mr. Nix, Mr. Olsen, Mr. Ottinger, Mr. Patten, Mr. Perkins, Mr. Pettis, Mr. Philbin, Mr. Pirnie, Mr. Podell, Mr. Pucinski, Mr. Reuss, Mr. Rooney of Pennsylvania, Mr. Roybal, Mr. Ruppe, Mr. St Germain, Mr. Schwengel, Mr. Scott, Mr. Stanton, Mrs. Sullivan, Mr. Tiernan, Mr. Vigorito, Mr. Winn, and Mr. Zablocki):

H. Res. 35. Resolution creating a Select Committee of the House To Conduct an In-Depth Investigation of Crime in the United States; to the Committee on Rules.

By Mr. PUCINSKI:

H. Res. 36. Resolution to include drum and bugle corps under the Mutual Educational and Cultural Exchange Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

H. Res. 37. Resolution providing for the reading of the Declaration of Independence in the House of Representatives each year in celebration of the Fourth of July; to the Committee on Rules.

By Mr. RARICK:

H. Res. 38. Resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

H. Res. 39. Resolution creating a select committee to conduct an investigation and study of tax-exempt organizations; to the Committee on Rules.

By Mr. REES:

H. Res. 40. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. RODINO:

H. Res. 41. Resolution expressing the sense of the House of Representatives with respect to U.S. ratification of the Conventions on Genocide, Abolition of Forced Labor, Political Rights of Women, and Freedom of Association; to the Committee on Foreign Affairs.

H. Res. 42. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RONAN:

H. Res. 43. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SAYLOR:

H. Res. 44. Resolution to create a special committee on the physically handicapped; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 45. Resolution to amend the Rules of the House of Representatives to abolish the Committee on Un-American Activities and to enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. SNYDER:

H. Res. 46. Resolution to authorize the Committee on Government Operations to conduct an investigation and study with respect to competition of the Federal Government with private business; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 47. Resolution to authorize the Committee on Veterans' Affairs to conduct an investigation and study with respect to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 48. Resolution creating a select committee to conduct an investigation and study of the retirement benefits available to Members of the House of Representatives; to the Committee on Rules.

H. Res. 49. Resolution amending rule XXIII of the Rules of the House to permit a yea-and-nay vote while the House is in a Committee of the Whole; to the Committee on Rules.

H. Res. 50. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. WHITTEN:

H. Res. 51. Resolution to amend the Rules of the House of Representatives to create a standing Committee on the Constitution; to the Committee on Rules.

By Mr. WYMAN:

H. Res. 52. Resolution to authorize the Committee on Science and Astronautics to conduct an investigation and study of unidentified flying objects; to the Committee on Rules.

By Mr. YATES:

H. Res. 53. Resolution to authorize the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

By Mr. ABERNETHY:

H. Res. 54. A resolution expressing the sense of the House with respect to the use of certain Government property; to the Committee on Public Works.

By Mr. ASHBROOK:

H. Res. 55. A resolution providing for investigation of National Labor Relations Board; to the Committee on Rules.

H. Res. 56. A resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; to the Committee on Rules.

By Mr. BARING:

H. Res. 57. A resolution expressing the sense of the House of Representatives with respect to the responsible exercise of certain freedoms guaranteed by the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BENNETT:

H. Res. 58. A resolution authorizing and directing the Committee on House Administration to rent or otherwise acquire a suitable residence, within a reasonable distance from the Capitol, to be maintained as a home for pages employed by the House, and to appoint an individual or individuals of mature years to act as supervisor of the home and to be responsible for its operation under rules and regulations made by the committee; to the Committee on House Administration.

By Mr. BINGHAM:

H. Res. 59. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BUCHANAN:

H. Res. 60. A resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. BURTON of California:

H. Res. 61. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CONYERS:

H. Res. 62. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 63. A resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. DIGGS:

H. Res. 64. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DINGELL:

H. Res. 65. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. EVINS of Tennessee:

H. Res. 66. A resolution creating a select committee to conduct studies and investigations of the problems of small business; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 67. A resolution to amend the Rules of the House of Representatives to abolish the Committee on Un-American Activities and to enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. FULTON of Pennsylvania:

H. Res. 68. A resolution authorizing the appointment of a select committee; to the Committee on Rules.

By Mr. GROSS:

H. Res. 69. A resolution to amend clause 6 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 70. A resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. HAYS:

H. Res. 71. A resolution relating to the management of the House restaurant and the cafeteria and other food service facilities of the House of Representatives; to the Committee on House Administration.

By Mr. HELSTOSKI:

H. Res. 72. A resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

H. Res. 73. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HOLIFIELD:

H. Res. 74. A resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HORTON:

H. Res. 75. A resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 76. A resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; to the Committee on Rules.

By Mr. MINSHALL:

H. Res. 77. A resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. RYAN:

H. Res. 78. A resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

H. Res. 79. A resolution concerning Rhodesia; to the Committee on Foreign Affairs.

H. Res. 80. A resolution expressing the sense of the House of Representatives with respect to U.S. ratification of the Conventions on Genocide, Abolition of Forced Labor, Political Rights of Women, and Freedom of Association; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H. Res. 81. A resolution to change House rules relating to election of committee chairmen; to the Committee on Rules.

By Mr. SMITH of Iowa:

H. Res. 82. A resolution authorizing the Speaker of the House of Representatives to appoint a special committee to investigate, recount, and report on contested elections and campaign expenditures of candidates for the House of Representatives; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 83. A resolution authorizing the payment of not to exceed $15,000 from the contingent fund for expenses incurred by Congressional Medal of Honor holders incident to their attendance at the presidential inauguration; to the Committee on House Administration.

By Mr. VAN DEERLIN:

H. Res. 84. A resolution to direct the Committee on Interstate and Foreign Commerce to conduct an investigation and study of Federal regulation of community antenna television systems; to the Committee on Rules.

By Mr. HULL:

H. Res. 85. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

1. By the SPEAKER: Memorial of the Legislature of the State of Louisiana, relative to intergovernmental cooperation; to the Committee on Government Operations.
2. By the SPEAKER: Memorial of the Legislature of the State of Louisiana, relative to curruption in Vietnam; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 1390. A bill to provide compensation to certain silver-dealer claimants by authorizing the sale of silver bullion; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 1391. A bill for the relief of Remedios dela Cruz Abella; to the Committee on the Judiciary.

H.R. 1392. A bill for the relief of Dionisio Pajimola Almirol; to the Committee on the Judiciary.

H.R. 1393. A bill for the relief of Eng Jen Hung; to the Committee on the Judiciary.

By Mr. ADAMS (by request):

H.R. 1394. A bill for the relief of Eladio Pasamba Amador; to the Committee on the Judiciary.

H.R. 1395. A bill for the relief of Celso B. Binas; to the Committee on the Judiciary.

H.R. 1396. A bill for the relief of Ricardo R. Calma; to the Committee on the Judiciary.

H.R. 1397. A bill for the relief of Julian M. Castillo; to the Committee on the Judiciary.

H.R. 1398. A bill for the relief of Mrs. Fausta David Lopez; to the Committee on the Judiciary.

H.R. 1399. A bill for the relief of Carlina F. Santillian; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 1400. A bill for the relief of Bernardo Maria Foto; to the Committee on the Judiciary.

H.R. 1401. A bill for the relief of Merickston L. Nicholson; to the Committee on the Judiciary.

H.R. 1402. A bill for the relief of Benny Ove Nielsen; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 1403. A bill for the relief of George Panourgias; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H.R. 1404. A bill for the relief of Sidney W. Douglas; to the Committee on the Judiciary.

H.R. 1405. A bill for the relief of Olaf G. Hanson; to the Committee on the Judiciary.

H.R. 1406. A bill for the relief of Oi Soon Kim; to the Committee on the Judiciary.

H.R. 1407. A bill for the relief of Robert H. Russell; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 1408. A bill for the relief of Georgios Andrianopoulos; to the Committee on the Judiciary.

H.R. 1409. A bill for the relief of Vincenzo Angelilli; to the Committee on the Judiciary.

H.R. 1410. A bill for the relief of Everado Aranda-Acosta; to the Committee on the Judiciary.

H.R. 1411. A bill for the relief of Helen Bantounas, Frank Bantounas, and Nicholas Bantounas; to the Committee on the Judiciary.

H.R. 1412. A bill for the relief of Teresa De Benedetto; to the Committee on the Judiciary.

H.R. 1413. A bill for the relief of Giacomo La Bianca; to the Committee on the Judiciary.

H.R. 1414. A bill for the relief of Silvia Boaro; to the Committee on the Judiciary.

H.R. 1415. A bill for the relief of Eleutherios Bozionelos; to the Committee on the Judiciary.

H.R. 1416. A bill for the relief of Francesco Branca; to the Committee on the Judiciary.

H.R. 1417. A bill for the relief of Giuseppe Cerin and Mafalda Cerin; to the Committee on the Judiciary.

H.R. 1418. A bill for the relief of Anna Maria Chilelli; to the Committee on the Judiciary.

H.R. 1419. A bill for the relief of Mr. and Mrs. Vincenty Chudy; to the Committee on the Judiciary.

H.R. 1420. A bill for the relief of Paolo DelleGrazie, Antonia DelleGrazie, Paolo DelleGrazie, Jr., Francesco DelleGrazie, and Roseanna DelleGrazie; to the Committee on the Judiciary.

H.R. 1421. A bill for the relief of James Demos and Kathleen Demos; to the Committee on the Judiciary.

H.R. 1422. A bill for the relief of Emanuel Ebroon; to the Committee on the Judiciary.

H.R. 1423. A bill for the relief of Thelma Fuentes; to the Committee on the Judiciary.

H.R. 1424. A bill for the relief of Salvatore Gagliardo; to the Committee on the Judiciary.

H.R. 1425. A bill for the relief of George Georgakopoulos; to the Committee on the Judiciary.

H.R. 1426. A bill for the relief of Elena Giacometti; to the Committee on the Judiciary.

H.R. 1427. A bill for the relief of Ruggiero Gonino; to the Committee on the Judiciary.

H.R. 1428. A bill for the relief of Konstantinos Kangles; to the Committee on the Judiciary.

H.R. 1429. A bill for the relief of Mariano LaBarbera; to the Committee on the Judiciary.

H.R. 1430. A bill for the relief of Pasquale Lombardi, Angela Lombardi, Maria Carmela Lombardi, and Stella Francisca Lombardi; to the Committee on the Judiciary.

H.R. 1431. A bill for the relief of Antonio Moretti; to the Committee on the Judiciary.

H.R. 1432. A bill for the relief of Giuseppina Morosi; to the Committee on the Judiciary.

H.R. 1433. A bill for the relief of Andrew Panothiocas; to the Committee on the Judiciary.

H.R. 1434. A bill for the relief of Rosaria Prunotto and Roberto Prunotto; to the Committee on the Judiciary.

H.R. 1435. A bill for the relief of Antonietta Rossi; to the Committee on the Judiciary.

H.R. 1436. A bill for the relief of Oriono Rossi and Anna Rossi; to the Committee on the Judiciary.

H.R. 1437. A bill for the relief of Cosmina Ruggiero; to the Committee on the Judiciary.

H.R. 1438. A bill for the relief of Jean George Taglis; to the Committee on the Judiciary.

H.R. 1439. A bill for the relief of Peter K. L. Tan; to the Committee on the Judiciary.

H.R. 1440. A bill for the relief of Jean Lee Toy and John Toy; to the Committee on the Judiciary.

H.R. 1441. A bill for the relief of Pantelis Vakidis; to the Committee on the Judiciary.

H.R. 1442. A bill for the relief of Giovannanangelo Zucchini; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 1443. A bill for the relief of Francisco Becerra; to the Committee on the Judiciary.

H.R. 1444. A bill to confer jurisdiction upon the District Court of the United States for the District of Hawaii to hear, determine, and render judgment upon the claim of Christel Guessefeldt, a natural-born American citizen, executrix and sole heir of her father, Richard Guessefeldt, late a resident of Hawaii; to the Committee on the Judiciary.

H.R. 1445. A bill to require, in the alternative, delivery and return of property of the estate of John F. Hackfeld, deceased, vested by the Alien Property Custodian, on the basis of ownership by an enemy alien, or the repayment of income and estate taxes to said estate, collected on the basis of American citizenship; to the Committee on the Judiciary.

H.R. 1446. A bill for the relief of Gitta Kollish Stein; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 1447. A bill for the relief of Vittorio Brunelli; to the Committee on the Judiciary.

H.R. 1448. A bill for the relief of Giovanni Buonincontro and family; to the Committee on the Judiciary.

H.R. 1449. A bill for the relief of Murat Caglar; to the Committee on the Judiciary.

H.R. 1450. A bill for the relief of Annibale Cuozzo; to the Committee on the Judiciary.

H.R. 1451. A bill for the relief of Emilio Garcio-Sumayod; to the Committee on the Judiciary.

H.R. 1452. A bill for the relief of Hertz family; to the Committee on the Judiciary.

H.R. 1453. A bill for the relief of Capt. Melvin A. Kaye; to the Committee on the Judiciary.

H.R. 1454. A bill for the relief of Marianna Marino; to the Committee on the Judiciary.

H.R. 1455. A bill for the relief of Antonio Mattaliano; to the Committee on the Judiciary.

H.R. 1456. A bill for the relief of Concetta Mattaliano; to the Committee on the Judiciary.

H.R. 1457. A bill for the relief of Rose Niro; to the Committee on the Judiciary.

H.R. 1458. A bill for the relief of Maria Sesto; to the Committee on the Judiciary.

H.R. 1459. A bill for the relief of Catalina Valeriano; to the Committee on the Judiciary.

H.R. 1460. A bill for relief of Apostolos Vardakis; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 1461. A bill for the relief of Joaquin, Gracinda, Vera, and Luis Antunes; to the Committee on the Judiciary.

H.R. 1462. A bill for the relief of Mrs. Vita Cusumano; to the Committee on the Judiciary.

H.R. 1463. A bill for the relief of Antonio Guarino; to the Committee on the Judiciary.

H.R. 1464. A bill for the relief of Giovanni Mastrangelo; to the Committee on the Judiciary.

H.R. 1465. A bill for the relief of Mrs. Ana Augusta Lourenco Pereira; to the Committee on the Judiciary.

H.R. 1466. A bill for the relief of Elias J. Sgouritsas; to the Committee on the Judiciary.

H.R. 1467. A bill for the relief of Demetrios Zamakis; to the Committee on the Judiciary.

By Mr. BELL of California:

H.R. 1468. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

H.R. 1469. A bill for the relief of Theodore J. Bartz; to the Committee on Armed Services.

H. R. 1470. A bill for the relief of Jeanine Bigazzi; to the Committee on the Judiciary.

H.R. 1471. A bill for the relief of Leonard Alfred Brownrigg; to the Committee on the Judiciary.

H.R. 1472. A bill to authorize the Comptroller General of the United States to settle and adjust the claim of the L. R. Daniel Co., Inc.; to the Committee on the Judiciary.

H.R. 1473. A bill for the relief of Mrs. Kornelia Pari-rokh Afshar-Djarfari; to the Committee on the Judiciary.

H.R. 1474. A bill for the relief of Eufemio Decanay Felix; to the Committee on the Judiciary.

H.R. 1475. A bill for the relief of Augstina Felipe Fiesta; to the Committee on the Judiciary.

H.R. 1476. A bill for the relief of Felix Kimpo Gonzales; to the Committee on the Judiciary.

H.R. 1477. A bill for the relief of Jamie Caro Gregorio and Helen Ilan Gregorio; to the Committee on the Judiciary.

H.R. 1478. A bill for the relief of Claricia B. Joven; to the Committee on the Judiciary.

H.R. 1479. A bill for the relief of Chai Chang Kim; to the Committee on the Judiciary.

H.R. 1480. A bill for the relief of Vilis Lapenieks; to the Committee on the Judiciary.

H.R. 1481. A bill for the relief of Rogelio V. Lapuz; to the Committee on the Judiciary.

H.R. 1482. A bill for the relief of Houston Lee; to the Committee on the Judiciary.

H.R. 1483. A bill for the relief of Sang In Lee; to the Committee on the Judiciary.

H.R. 1484. A bill for the relief of Mr. and Mrs. Dimitrios Likomitros and Panagiotis Likomitros; to the Committee on the Judiciary.

H.R. 1485. A bill for the relief of Mr. and Mrs. Joseph R. McGarry; to the Committee on the Judiciary.

H.R. 1486. A bill for the relief of Laura Massaglia and certain other persons; to the Committee on the Judiciary.

H.R. 1487. A bill for the relief of Gabriel Munoz-Amezquita (also known as Tony Ruiz Castro); to the Committee on the Judiciary.

H.R. 1488. A bill for the relief of Yoko Sato; to the Committee on the Judiciary.

H.R. 1489. A bill for the relief of Miss Eleni Spanopulo; to the Committee on the Judiciary.

H.R. 1490. A bill for the relief of Mr. and Mrs. Nicolae I. Spuza, Ana Spuza, Diana Spuza, Decebal Spuza, and Maria Spuza; to the Committee on the Judiciary.

H.R. 1491. A bill for the relief of Yerk-Fei Sze; to the Committee on the Judiciary.

H.R. 1492. A bill for the relief of Antoine Samuel Taimana and Toimata Teraiefa Taimana, and Gilbert Taimana; to the Committee on the Judiciary.

H.R. 1493. A bill for the relief of Mrs. Hatsue Taniguchi; to the Committee on the Judiciary.

H.R. 1494. A bill for the relief of David Man-Kwang Tseng; to the Committee on the Judiciary.

H.R. 1495. A bill for the relief of Mrs. Sharadha Viswanathan and her children, Usha Viswanathan and Meera Viswanathan; to the Committee on the Judiciary.

H.R. 1496. A bill for the relief of Patrick Hua-Pu Wang; to the Committee on the Judiciary.

H.R. 1497. A bill to permit the vessel *Marpole* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. BENNETT:

H.R. 1498. A bill for the relief of Angel Aguilus and his wife, Lydia Solomon Aguilus; to the Committee on the Judiciary.

H.R. 1499. A bill for the relief of Dr. Antonio Rafael Castillo Borges; to the Committee on the Judiciary.

H.R. 1500. A bill for the relief of Dr. Nazir Ahmed Bhatti; to the Committee on the Judiciary.

H.R. 1501. A bill for the relief of Benjamin Visaya Caoile; to the Committee on the Judiciary.

H.R. 1502. A bill for the relief of Raymond A. Key; to the Committee on the Judiciary.

H.R. 1503. A bill for the relief of Maria Pagano; to the Committee on the Judiciary.

H.R. 1504. A bill for the relief of Dr. Bhojraj Thakurdas Paryani and his wife, Sarswati Bhojraj Paryani, and their children, Gulabray Bhojraj Paryani, Asha Bhojraj Paryani, and Shyam Bhojraj Paryani; to the Committee on the Judiciary.

H.R. 1505. A bill for the relief of Carmen Pinto; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1506. A bill for the relief of Dr. Fe O. Isla; to the Committee on the Judiciary.

H.R. 1507. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight; to the Committee on the Judiciary.

H.R. 1508. A bill for the relief of Drago Miklausic; to the Committee on the Judiciary.

H.R. 1509. A bill for the relief of Angeliki Perivoliotis; to the Committee on the Judiciary.

H.R. 1510. A bill for the relief of Dr. Antonio C. Quiroz; to the Committee on the Judiciary.

H.R. 1511. A bill relating to the transportation and gas distribution facilities operated by New Orleans Public Service, Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 1512. A bill for the relief to authorize the Secretary of the Interior to reinstate oil and gas lease 0313189 (State: Wyoming; county: Sublette); to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California:

H.R. 1513. A bill for the relief of Benedetto Cortegiani; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 1514. A bill for the relief of Asuncion V. Anonuevo; to the Committee on the Judiciary.

H.R. 1515. A bill for the relief of Atanacia E. Bondoc; to the Committee on the Judiciary.

H.R. 1516. A bill for the relief of Carmela DeFalco Bottiglieri and Fiorella Bottiglieri; to the Committee on the Judiciary.

By Mr. BURLESON of Texas:

H.R. 1517. A bill for the relief of Luis Chavez Guerrero, Guadelupe Chavez Guerrero, Alfredo Chavez Guerrero, Amador Chavez Guerrero, and Erineo Chavez Guerrero; to the Committee on the Judiciary.

H.R. 1518. A bill for the relief of Comdr. Hobert May, U.S. Navy (retired); to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 1519. A bill for the relief of Christine Bit Abraham; to the Committee on the Judiciary.

H.R. 1520. A bill for the relief of Mohammed Ali Amooi and his wife, Sedighi Tan Hai; to the Committee on the Judiciary.

H.R. 1521. A bill for the relief of Giana Antonietta; to the Committee on the Judiciary.

H.R. 1522. A bill for the relief of Isola Arrighi; to the Committee on the Judiciary.

H.R. 1523. A bill for the relief of Jaime R. Bagis; to the Committee on the Judiciary.

H.R. 1524. A bill for the relief of Brenda C. Bala; to the Committee on the Judiciary.

H.R. 1525. A bill for the relief of Jose Ylaya Bayani; to the Committee on the Judiciary.

H.R. 1526. A bill for the relief of Rosalia Alcantara Belen; to the Committee on the Judiciary.

H.R. 1527. A bill for the relief of Gaetano Biradelli; to the Committee on the Judiciary.

H.R. 1528. A bill for the relief of Galicano Miguel Bondoc; to the Committee on the Judiciary.

H.R. 1529. A bill for the relief of Eduardo Yerro Cabindol and his wife, Edith Legaspi Cabindol; to the Committee on the Judiciary.

H.R. 1530. A bill for the relief of Benjamin Mueca Cadalin; to the Committee on the Judiciary.

H.R. 1531. A bill for the relief of Leonardo Capirone and his wife, Tonino Iolanda Capirone; to the Committee on the Judiciary.

H.R. 1532. A bill for the relief of Giuseppina Cardella; to the Committee on the Judiciary.

H.R. 1533. A bill for the relief of Cecilia Frances Chan; to the Committee on the Judiciary.

H.R. 1534. A bill for the relief of Lung Chan; to the Committee on the Judiciary.

H.R. 1535. A bill for the relief of James C. Y. Chen; to the Committee on the Judiciary.

H.R. 1536. A bill for the relief of Mo Lau Cheong; to the Committee on the Judiciary.

H.R. 1537. A bill for the relief of John Benedict Chiu (also known as Chen-Tien-Chiu) and his wife, Theresa Chiu (also known as Theresa Hsiao-Wen Chiu); to the Committee on the Judiciary.

H.R. 1538. A bill for the relief of Sau Lin

Chu (also known as Sow Sam Chu); to the Committee on the Judiciary.

H.R. 1539. A bill for the relief of Pearl K. H. Chun; to the Committee on the Judiciary.

H.R. 1540. A bill for the relief of Elie Louis Charalabopoulos; to the Committee on the Judiciary.

H.R. 1541. A bill for the relief of Quan Woon Chee; to the Committee on the Judiciary.

H.R. 1542. A bill for the relief of Catalino V. Concepcion; to the Committee on the Judiciary.

H.R. 1543. A bill for the relief of Mrs. Teresita Pena Corteza; to the Committee on the Judiciary.

H.R. 1544. A bill for the relief of Branko Cusak; to the Committee on the Judiciary.

H.R. 1545. A bill for the relief of Kin Thi Dang; to the Committee on the Judiciary.

H.R. 1546. A bill for the relief of Norma de Castro; to the Committee on the Judiciary.

H.R. 1547. A bill for the relief of Evangelina de la Vega; to the Committee on the Judiciary.

H.R. 1548. A bill for the relief of Adelina Del Barrio; to the Committee on the Judiciary.

H.R. 1549. A bill for the relief of Bartolome A. Federico; to the Committee on the Judiciary.

H.R. 1550. A bill for the relief of Louis Kai Fei; to the Committee on the Judiciary.

H.R. 1551. A bill for the relief of Tom Keng Foo; to the Committee on the Judiciary.

H.R. 1552. A bill for the relief of Emedrita G. Francisco; to the Committee on the Judiciary.

H.R. 1553. A bill for the relief of Alan Charles Austin Gabriel; to the Committee on the Judiciary.

H.R. 1554. A bill for the relief of Michele Galante; to the Committee on the Judiciary.

H.R. 1555. A bill for the relief of Hector Guerrero Garcia; to the Committee on the Judiciary.

H.R. 1556. A bill for the relief of Manuel Laygo Gillermo (also known as Manuel Guillermo Laygo); to the Committee on the Judiciary.

H.R. 1557. A bill for the relief of Jesusa Lizada Golez; to the Committee on the Judiciary.

H.R. 1558. A bill for the relief of Marie Paz Gomez (also known as Tita Gomez); to the Committee on the Judiciary.

H.R. 1559. A bill for the relief of Caterina Grimaldi; to the Committee on the Judiciary.

H.R. 1560. A bill for the relief of Nemesio Berino Gubatan, Jr., and his wife, Perla Santos Gubatan; to the Committee on the Judiciary.

H.R. 1561. A bill for the relief of Constantina L. Guerrero, and her daughter, Marie Evelyn Guerrero; to the Committee on the Judiciary.

H.R. 1562. A bill for the relief of Cheng Ken Han; to the Committee on the Judiciary.

H.R. 1563. A bill for the relief of Chizuko Hanai; to the Committee on the Judiciary.

H.R. 1564. A bill for the relief of Alexis Jack Henry; to the Committee on the Judiciary.

H.R. 1565. A bill for the relief of Brandy Shek-Ching Ho; to the Committee on the Judiciary.

H.R. 1566. A bill for the relief of Fong Hong; to the Committee on the Judiciary.

H.R. 1567. A bill for the relief of Tetsuko Hori; to the Committee on the Judiciary.

H.R. 1568. A bill for the relief of Edward Victor Howard; to the Committee on the Judiciary.

H.R. 1569. A bill for the relief of Hui Kwock Ying, his wife Lee Pui Chan, and their children, Hui Man Kwan, Hui Yueng Yin, Hui Ching Yin, Hui Man Ha, Hui Man Hung, Hui Man Yee, and Hui Man Lee; to the Committee on the Judiciary.

H.R. 1570. A bill for the relief of Abdulla Ali Hussein; to the Committee on the Judiciary.

H.R. 1571. A bill for the relief of Isidro M. Jimenez (also known as Sid Jimenez); to the Committee on the Judiciary.

H.R. 1572. A bill for the relief of Moon Yam Jew (also known as Kee Won Jang and Kee W. Jang); to the Committee on the Judiciary.

H.R. 1573. A bill for the relief of Kaneaki Kamei; to the Committee on the Judiciary.

H.R. 1574. A bill for the relief of Karen Woo Ping Kan (also known as Woo Ping Kan); to the Committee on the Judiciary.

H.R. 1575. A bill for the relief of Hyun Oak Kim; to the Committee on the Judiciary.

H.R. 1576. A bill for the relief of Anna M. Knips and her daughter, Patrizia Knips; to the Committee on the Judiciary.

H.R. 1577. A bill for the relief of Kam Yee Ko; to the Committee on the Judiciary.

H.R. 1578. A bill for the relief of Wai Sing Ko; to the Committee on the Judiciary.

H.R. 1579. A bill for the relief of Yung Kuo; to the Committee on the Judiciary.

H.R. 1580. A bill for the relief of Tuen Kwok; to the Committee on the Judiciary.

H.R. 1581. A bill for the relief of Gloria Gau Lai; to the Committee on the Judiciary.

H.R. 1582. A bill for the relief of Margherita Sarfatti Larson; to the Committee on the Judiciary.

H.R. 1583. A bill for the relief of Mrs. Kay Sue Lee; to the Committee on the Judiciary.

H.R. 1584. A bill for the relief of Pius Siu-Cheung Lee; to the Committee on the Judiciary.

H.R. 1585. A bill for the relief of Nora Bik-Shu Li; to the Committee on the Judiciary.

H.R. 1586. A bill for the relief of Shirley Evelyn Lim; to the Committee on the Judiciary.

H.R. 1587. A bill for the relief of Shui Ho Lin, his wife, Chen Fu Hui Lin, and their son, Tsu Liu Lin; to the Committee on the Judiciary.

H.R. 1588. A bill for the relief of Kurt Friedrich Link; to the Committee on the Judiciary.

H.R. 1589. A bill for the relief of Proserfina Natividad Llanes; to the Committee on the Judiciary.

H.R. 1590. A bill for the relief of Antonino Lococo; to the Committee on the Judiciary.

H.R. 1591. A bill for the relief of Matthew Louie; to the Committee on the Judiciary.

H.R. 1592. A bill for the relief of Norma M. Lucas; to the Committee on the Judiciary.

H.R. 1593. A bill for the relief of Lawrence Luk; to the Committee on the Judiciary.

H.R. 1594. A bill for the relief of Sofia F. Macababbad; to the Committee on the Judiciary.

H.R. 1595. A bill for the relief of Dditha Alumisim Madrona; to the Committee on the Judiciary.

H.R. 1596. A bill for the relief of Teresita Magaway; to the Committee on the Judiciary.

H.R. 1597. A bill for the relief of Franco Magnani; to the Committee on the Judiciary.

H.R. 1598. A bill for the relief of Francisco A. Magno (also known as Frank Magno); to the Committee on the Judiciary.

H.R. 1599. A bill for the relief of Yolanda Alamares Malasmas; to the Committee on the Judiciary.

H.R. 1600. A bill for the relief of Estela Villarojo Maracha (also known as Estela E. Villarojo); to the Committee on the Judiciary.

H.R. 1601. A bill for the relief of German Mauleon; to the Committee on the Judiciary.

H.R. 1602. A bill for the relief of Fernando Enrique Mayorga; to the Committee on the Judiciary.

H.R. 1603. A bill for the relief Francisco K. Melich (also known as Franz Kuntner Melich) and his wife, Maria Melich (also known as Maria Toth De Melich); to the Committee on the Judiciary.

H.R. 1604. A bill for the relief of Roberta Figueroa Mercado; to the Committee on the Judiciary.

H.R. 1605. A bill for the relief of Barbara Milner; to the Committee on the Judiciary.

H.R. 1606. A bill for the relief of Joaquin Morales Monterrey and his wife, Dora Morales Monterrey, and their child, Cynthia Morales Monterrey; to the Committee on the Judiciary.

H.R. 1607. A bill for the relief of Peggy Moran (nee Miles); to the Committee on the Judiciary.

H.R. 1608. A bill for the relief of Claude Rene Marc Moreau; to the Committee on the Judiciary.

H.R. 1609. A bill for the relief of Bartolome M. Moreto; to the Committee on the Judiciary.

H.R. 1610. A bill for the relief of Edmond Sae Nee; to the Committee on the Judiciary.

H.R. 1611. A bill for the relief of Shek Chi Ng; to the Committee on the Judiciary.

H.R. 1612. A bill for the relief of Roberto D. Nubla; to the Committee on the Judiciary.

H.R. 1613. A bill for the relief of Takehiko Oda; to the Committee on the Judiciary.

H.R. 1614. A bill for the relief of Michael Oyebode Oyelakin; to the Committee on the Judiciary.

H.R. 1615. A bill for the relief of Choon Ki Paik; to the Committee on the Judiciary.

H.R. 1616. A bill for the relief of Aryirios Vasiliou Petropolulos; to the Committee on the Judiciary.

H.R. 1617. A bill for the relief of Antonino Piazza; to the Committee on the Judiciary.

H.R. 1618. A bill for the relief of Socorro Guillen Picado; to the Committee on the Judiciary.

H.R. 1619. A bill for the relief of Clementine U. Vander Porten; to the Committee on the Judiciary.

H.R. 1620. A bill for the relief of Dr. Prachaya Prachayakool; to the Committee on the Judiciary.

H.R. 1621. A bill for the relief of Porfiria Pantas Pragasa; to the Committee on the Judiciary.

H.R. 1622. A bill for the relief of Francisco Rados, his wife, Dragica Krog Rados, and their son, Damir Orlovic Rados; to the Committee on the Judiciary.

H.R. 1623. A bill for the relief of Sillas Raisakis; to the Committee on the Judiciary.

H.R. 1624. A bill for the relief of Fortunato C. Rana; to the Committee on the Judiciary.

H.R. 1625. A bill for the relief of Grace M. Reyes; to the Committee on the Judiciary.

H.R. 1626. A bill for the relief of Luz Mayugba Reyes; to the Committee on the Judiciary.

H.R. 1627. A bill for the relief of Pedro Garcia Reyes; to the Committee on the Judiciary.

H.R. 1628. A bill for the relief of Eduvigis Tobak Rosner; to the Committee on the Judiciary.

H.R. 1629. A bill for the relief of Jesus Mora Ruiz; to the Committee on the Judiciary.

H.R. 1630. A bill for the relief of Jose Aquino Ruperto; to the Committee on the Judiciary.

H.R. 1631. A bill for the relief of Norma J. Salunga; to the Committee on the Judiciary.

H.R. 1632. A bill for the relief of Romeo de la Torre Sanano and his sister, Julieta de la Torre Sanano; to the Committee on the Judiciary.

H.R. 1633. A bill for the relief of Ponciano Salvador; to the Committee on the Judiciary.

H.R. 1634. A bill for the relief of Gianfranco Sandri, and his wife, Fiorella Borgatti Sandri; to the Committee on the Judiciary.

H.R. 1635. A bill for the relief of Roger David Scullion; to the Committee on the Judiciary.

H.R. 1636. A bill for the relief of David Kenneth Sham, and his wife, Juliet L. K. N Sham; to the Committee on the Judiciary.

H.R. 1637. A bill for the relief of Lee Bon Sheung; to the Committee on the Judiciary.

H.R. 1638. A bill for the relief of Siu Won Shew; to the Committee on the Judiciary.

H.R. 1639. A bill for the relief of Tony

I-Tson Soo and his wife, Adelaide Y. Tsao Soo; to the Committee on the Judiciary.

H.R. 1640. A bill for the relief of Benedetto Spoletini, his wife, Maria Spoletini, and their children, Tommas Spoletini and Marco Spoletini; to the Committee on the Judiciary.

H.R. 1641. A bill for the relief of Catherine Maria Szonyi; to the Committee on the Judiciary.

H.R. 1642. A bill for the relief of Ali Mohammad Tabatabaian-Kashani; to the Committee on the Judiciary.

H.R. 1643. A bill for the relief of Paula Mapa Tonga, his wife, Tupou Naeta Tonga, and their minor daughter, Tamasita Tonga; to the Committee on the Judiciary.

H.R. 1644. A bill for the relief of Julie Van (also known as Ping Lang Van) and her minor son, Robert Van (also known as Pak Hyun Choi and Robert Giordano); to the Committee on the Judiciary.

H.R. 1645. A bill for the relief of Mrs. Andree Simone Van Moppes and her children. Alain Van Moppes and Didier Van Moppes; to the Committee on the Judiciary.

H.R. 1646. A bill for the relief of Carmen Esperanza Centeno Vasquez; to the Committee on the Judiciary.

H.R. 1647. A bill for the relief of Miss Apollonia Redy Vettore; to the Committee on the Judiciary.

H.R. 1648. A bill for the relief of Catalina Rubang Villaluz; to the Committee on the Judiciary.

H.R. 1649. A bill for the relief of Yu Sau Wah; to the Committee on the Judiciary.

H.R. 1650. A bill for the relief of Maung Win; to the Committee on the Judiciary.

H.R. 1651. A bill for the relief of Bing Kuey Wong (also known as Moon Kuey Wong and Sing Cheong Wong); to the Committee on the Judiciary.

H.R. 1652. A bill for the relief of Wong Hong, his wife, Chung Choi Kum, and their children, Wong Yiu Chung, Wong Lai Mui, and Wong Ching Man; to the Committee on the Judiciary.

H.R. 1653. A bill for the relief of Cecilia Hsiao-Teh Wu; to the Committee on the Judiciary.

H.R. 1654. A bill for the relief of Hee Ngew Yee; to the Committee on the Judiciary.

H.R. 1655. A bill for the relief of Miss Mamako Yoneyama; to the Committee on the Judiciary.

H.R. 1656. A bill for the relief of Kiyoko Yoshizawa; to the Committee on the Judiciary.

H.R. 1657. A bill for the relief of Helen E. Zamora; to the Committee on the Judiciary.

H.R. 1658. A bill for the relief of Galal Hassanein Zanati; to the Committee on the Judiciary.

H.R. 1659. A bill for the relief of Gilberto Oropa Zapanta and his wife, Lilia Ong Zapanta; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 1660. A bill for the relief of J. Burdette Shaft; to the Committee on the Judiciary.

H.R. 1661. A bill for the relief of Sparton Corp.; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 1662. A bill for the relief of Silvino Amaral; to the Committee on the Judiciary.

H.R. 1663. A bill for the relief of Jose Antonio Almeida; to the Committee on the Judiciary.

H.R. 1664. A bill for the relief of Fernando Batista; to the Committee on the Judiciary.

H.R. 1665. A bill for the relief of Manuel Mendoca Bolieiro; to the Committee on the Judiciary.

H.R. 1666. A bill for the relief of Antonio Cabral Caetano; to the Committee on the Judiciary.

H.R. 1667. A bill for the relief of Ilda Marie Horta Pereira; to the Committee on the Judiciary.

H.R. 1668. A bill for the relief of Joaquim Antones Pereira; to the Committee on the Judiciary.

H.R. 1669. A bill for the relief of Marie de Trindade; to the Committee on the Judiciary.

H.R. 1670. A bill for the relief of Francesco Viera; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 1671. A bill for the relief of Joaquim Miranda Flores; to the Committee on the Judiciary.

H.R. 1672. A bill for the relief of Mrs. Margaret Marieh Guirguis and Alfy Ebeidalla Guirguis; to the Committee on the Judiciary.

H.R. 1673. A bill for the relief of Su-er Chai Lu; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1674. A bill for the relief of Ramon Angeles, Jr., M.D., to the Committee on the Judiciary.

H.R. 1675. A bill for the relief of Anna Maria Arcangeletti and daughter, Antonella Arcangeletti; to the Committee on the Judiciary.

H.R. 1676. A bill for the relief of Mrs. Joan Bramwell; to the Committee on the Judiciary.

H.R. 1677. A bill for the relief of Anne Berthe Calon; to the Committee on the Judiciary.

H.R. 1678. A bill for the relief of Florimundo Batista Cerveira; to the Committee on the Judiciary.

H.R. 1679. A bill for the relief of Lugino Dario; to the Committee on the Judiciary.

H.R. 1680. A bill for the relief of Jean-Yves Dejax; to the Committee on the Judiciary.

H.R. 1681. A bill for the relief of Eva Maria Kleczkowska; to the Committee on the Judiciary.

H.R. 1682. A bill for the relief of Maria Manzo; to the Committee on the Judiciary.

H.R. 1683. A bill for the relief of Michael Thomas Murrihy; to the Committee on the Judiciary.

H.R. 1684. A bill for the relief of Antonio Penna; to the Committee on the Judiciary.

H.R. 1685. A bill for the relief of Miss Evelina Persello; to the Committee on the Judiciary.

H.R. 1686. A bill for the relief of Genowefa Pogoda; to the Committee on the Judiciary.

H.R. 1687. A bill for the relief of Filomena Quaranta; to the Committee on the Judiciary.

H.R. 1688. A bill for the relief of Eduardo C. Robreno; to the Committee on the Judiciary.

H.R. 1689. A bill for the relief of Jose de Almeida Sousa, Maria Alsuina Sousa, Dina Maria Sousa, and Jose Manuel da Costa e Sousa; to the Committee on the Judiciary.

H.R. 1690. A bill for the relief of John J. Stetz; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 1691. A bill for the relief of Jesus J. Rodriguez; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 1692. A bill for the relief of Ladislas G. Kerenyi, Claire Kerenyi, and Ladislas G. Kerenyi, Jr.; to the Committee on the Judiciary.

H.R. 1693. A bill for the relief of Manuk Yilmaz, also known as Manoog Yilmazian; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 1694. A bill for the relief of Hanne Moussa Alwan; to the Committee on the Judiciary.

H.R. 1695. A bill for the relief of Alfredo Caprara; to the Committee on the Judiciary.

H.R. 1696. A bill for the relief of Aldo Lombardo; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 1697. A bill for the relief of Jack Brown; to the Committee on the Judiciary.

H.R. 1698. A bill for the relief of Joeck Kuncek; to the Committee on the Judiciary.

H.R. 1699. A bill for the relief of Kwong Kwok Bun (also known as Raymond Kwong) and his wife, Virginia Juvier Kwong; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 1700. A bill for the relief of Alfonso De Laurentiis and Irma Irene De Laurentiis; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.R. 1701. A bill for the relief of Emma Exconde; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 1702. A bill for the relief of Richard H. Novak; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 1703. A bill for the relief of the Clayton County Journal and Wilber Harris; to the Committee on the Judiciary.

H.R. 1704. A bill for the relief of John H. Long; to the Committee on the Judiciary.

H.R. 1705. A bill for the relief of Nguyen Van Hue; to the Committee on the Judiciary.

H.R. 1706. A bill to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga.; to the Committee on Interior and Insular Affairs.

By Mr. GERALD R. FORD:

H.R. 1707. A bill for the relief of Miss Jalileh Farah Salameh El Ahwal; to the Committee on the Judiciary.

H.R. 1708. A bill for the relief of Ai Bok Chun; to the Committee on the Judiciary.

H.R. 1709. A bill for the relief of Mrs. Thaddeus Ohta; to the Committee on the Judiciary.

H.R. 1710. A bill for the relief of Gene W. Vogel; to the Committee on the Judiciary.

By Mr. FOREMAN:

H.R. 1711. A bill for the relief of Arun Kumar Pattni; to the Committee on the Judiciary.

H.R. 1712. A bill for the relief of Dr. Jagir Singh Randhawa; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 1713. A bill for the relief of Dr. Fausto Dimzon Garcia; to the Committee on the Judiciary.

H.R. 1714. A bill for the relief of Jose M. Quintana and Mrs. Lilia M. Quintana; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 1715. A bill for the relief of Michele S. Gusto; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 1716. A bill for the relief of Miss Estelita Cabacungan; to the Committee on the Judiciary.

H.R. 1717. A bill for the relief of Caroline Elizabeth Adora Rebitt and Doris Elenore Davey; to the Committee on the Judiciary.

H.R. 1718. A bill for the relief of Milanka Djordjevic; to the Committee on the Judiciary.

H.R. 1719. A bill for the relief of Hans Joaquin Felsch; to the Committee on the Judiciary.

H.R. 1720. A bill for the relief of Milford W. Henry to the Committee on the Judiciary.

H.R. 1721. A bill for the relief of William J. Hurley; to the Committee on the Judiciary.

H.R. 1722. A bill for the relief of Hui Wai Kay; to the Committee on the Judiciary.

H.R. 1723. A bill for the relief of Mrs. Mannig Keshkekian and Miss Shoushig Keshkekian; to the Committee on the Judiciary.

H.R. 1724. A bill for the relief of Chee Chui Lum; to the Committee on the Judiciary.

H.R. 1725. A bill for the relief of Michael James Meara; to the Committeee on the Judiciary.

H.R. 1726. A bill for the relief of Norman N. Nilsen; to the Committee on the Judiciary.

H.R. 1727. A bill for the relief of Dionisio Sabio Radoc and Espirita Cuntapay Radoc; to the Committee on the Judiciary.

H.R. 1728. A bill for the relief of Capt. Norman W. Stanley; to the Committee on the Judiciary.

H.R. 1729. A bill for the relief of Gordon and Rose Turner; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 1730. A bill for the relief of Mrs. Yoshi Kitao Brown and her son Alfred Brown; to the Committee on the Judiciary.

H.R. 1731. A bill for the relief of Dr. Orlando S. Cabula and his wife, Rosita S. Cabula; to the Committee on the Judiciary.

H.R. 1732. A bill for the relief of Dr. Anacleto Capua and his wife, Erlinda Castillo Capua; to the Committee on the Judiciary.

H.R. 1733. A bill for the relief of Dr. Tristan M. Gale and his wife, Daci M. Gale; to the Committee on the Judiciary.

H.R. 1734. A bill for the relief of Zarifa Serhan; to the Committee on the Judiciary.

H.R. 1735. A bill for the relief of Dr. Elisa Tan; to the Committee on the Judiciary.

H.R. 1736. A bill for the relief of Gracia Tongol; to the Committee on the Judiciary.

H.R. 1737. A bill for the relief of Dr. Osias M. Villaflor; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 1738. A bill for the relief of Fedor Frank Bacskai and his wife, Susanne Kostyal Bacskai; to the Committee on the Judiciary.

H.R. 1739. A bill for the relief of Jesus Manuel Cabral; to the Committee on the Judiciary.

H.R. 1740. A bill for the relief of Ernesto G. Domenden; to the Committee on the Judiciary.

H.R. 1741. A bill for the relief of Angelo Domizio Mancini; to the Committee on the Judiciary.

H.R. 1742. A bill for the relief of Clemencia Olan; to the Committee on the Judiciary.

H.R. 1743. A bill for the relief of Ladislao Toth and Tsuzsanne Patkos de Toth; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 1744. A bill for the relief of Robert Joel Barack; to the Committee on the Judiciary.

H.R. 1745. A bill for the relief of Sister Amelia Callegarin; to the Committee on the Judiciary.

H.R. 1746. A bill for the relief of Giuseppe D'Amico; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 1747. A bill for the relief of Jose Luis Calleja-Perez; to the Committee on the Judiciary.

H.R. 1748. A bill for the relief of Maria da Conceicao Durante; to the Committee on the Judiciary.

H.R. 1749. A bill for the relief of Eagle Lake Timber Co., a partnership, of Susanville, Calif.; to the Committee on the Judiciary.

H.R. 1750. A bill for the relief of Yolanda Carlotta Oneto; to the Committee on the Judiciary.

H.R. 1751. A bill for the relief of Hwa Bum Song; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 1752. A bill for the relief of Josephine Mickhail Ziade; to the Committee on the Judiciary.

By Mr. KING:

H.R. 1753. A bill for the relief of John E. Abbott and others; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 1754. A bill for the relief of Dr. Bernardino Aragon Alonso; to the Committee on the Judiciary.

H.R. 1755. A bill for the relief of Flordeliz R. Rodriguez and Cynthia Z. Beltran; to the Committee on the Judiciary.

H.R. 1756. A bill for the relief of Miss Bernardita Barrientos Bollosos; to the Committee on the Judiciary.

H.R. 1757. A bill for the relief of Amelia Martinez Castillo; to the Committee on the Judiciary.

H.R. 1758. A bill for the relief of Dr. Oh Young Chung and his wife, Hae Son Lee; to the Committee on the Judiciary.

H.R. 1759. A bill for the relief of Ilona Diaz; to the Committee on the Judiciary.

H.R. 1760. A bill for the relief of Anthony Di Russo; to the Committee on the Judiciary.

H.R. 1761. A bill for the relief of Dr. Nemesio Elefante; to the Committee on the Judiciary.

H.R. 1762. A bill for the relief of Maria Felicia; to the Committee on the Judiciary.

H.R. 1763. A bill for the relief of Cristina Rubio Gonzalez; to the Committee on the Judiciary.

H.R. 1764. A bill for the relief of Halina Jefimik; to the Committee on the Judiciary.

H.R. 1765. A bill for the relief of Bok Sin Kim; to the Committee on the Judiciary.

H.R. 1766. A bill for the relief of K. S. Krishnaswami; to the Committee on the Judiciary.

H.R. 1767. A bill for the relief of Miss Filomena del Rosario Lazaro; to the Committee on the Judiciary.

H.R. 1768. A bill for the relief of Dr. Lolita Lerma; to the Committee on the Judiciary.

H.R. 1769. A bill for the relief of Dr. Thamnoon Penroach; to the Committee on the Judiciary.

H.R. 1770. A bill for the relief of Dr. Imelda Salanio; to the Committee on the Judiciary.

H.R. 1771. A bill for the relief of Valentina Samson; to the Committee on the Judiciary.

H.R. 1772. A bill for the relief of Dr. Danilo Victoria Santos; to the Committee on the Judiciary.

H.R. 1773. A bill for the relief of Eleftheria rganis; to the Committee on the Judiciary. Skarganis; to the Committee on the Judiciary.

H.R. 1774. A bill for the relief of Hideo Uchiyama; to the Committee on the Judiciary.

H.R. 1775. A bill for the relief of Dr. Nieva Gorospe Valle; to the Committee on the Judiciary.

H.R. 1777. A bill for the relief of Dr. Eduard Cruz Yatco and his wife, Vivien A. Yatco; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 1778. A bill for the relief of Severiano Abaunza Bilbao and others; to the Committee on the Judiciary.

H.R. 1779. A bill for the relief of B. J. Carney & Co.; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 1780. A bill for the relief of Roufan J. Balich; to the Committee on the Judiciary.

H.R. 1781. A bill for the relief of Mehmet Cengiz; to the Committee on the Judiciary.

H.R. 1782. A bill for the relief of Irving M. Sobin Co., Inc., and/or Irving M. Sobin Chemical Co., Inc.; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 1783. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the District of Columbia.

H.R. 1784. A bill for the relief of D. M. Dew & Sons, Inc., and Dewey Campbell; to the Committee on the Judiciary.

H.R. 1785. A bill for the relief of Benjamin Warren Moore; to the Committee on the Judiciary.

H.R. 1786. A bill for the relief of Mrs. Raleigh Newton; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 1787. A bill for the relief of George K. Aikala, Lu Ella Marie Aikala, Vernis J. K. Fish, Vernon S. Fish, Vivian A. Ahmad, and Velma Solomon; to the Committee on the Judiciary.

H.R. 1788. A bill for the relief of Tamekichi Yasusato Asato; to the Committee on the Judiciary.

H.R. 1789. A bill for the relief of Dr. Jae Eun Bahng; to the Committee on the Judiciary.

H.R. 1790. A bill for the relief of Anastacia C. Bala; to the Committee on the Judiciary.

H.R. 1791. A bill for the relief of Maria Cabbab; to the Committee on the Judiciary.

H.R. 1792. A bill for the relief of Nestor Pasion Calilao; to the Committee on the Judiciary.

H.R. 1793. A bill for the relief of Robert Cheng; to the Committee on the Judiciary.

H.R. 1794. A bill for the relief of Hiroyuki Furukawa; to the Committee on the Judiciary.

H.R. 1795. A bill for the relief of Mariano Acasio Juan; to the Committee on the Judiciary.

H.R. 1796. A bill for the relief of Tony S. Kinoshita; to the Committee on the Judiciary.

H.R. 1797. A bill for the relief of Lai Hin Lee, Lai Sun Lee, and Yuk Sun Lee; to the Committee on the Judiciary.

H.R. 1798. A bill for the relief of Yoichiro Matsumura; to the Committee on the Judiciary.

H.R. 1799. A bill for the relief of Keitaro Nomura, his wife, Iyoko Nomura, and their minor sons, Chiyotaka Nomura and Koji Nomura; to the Committee on the Judiciary.

H.R. 1800. A bill for the relief of Cary M. Ogawa; to the Committee on the Judiciary.

H.R. 1801. A bill for the relief of Irene G. Queja; to the Committee on the Judiciary.

H.R. 1802. A bill for the relief of Dr. Rajendar M. Saini and his wife, Indira Saini; to the Committee on the Judiciary.

H.R. 1803. A bill for the relief of Matsu Tengan and his wife, Kama Tengan; to the Committee on the Judiciary.

H.R. 1804. A bill for the relief of Dr. Ignacia A. Torres, his wife, Rolanda Torres, and their minor children, Naro Luke Torres and Roselle Anne Torres; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 1805. A bill for the relief of Eulogio Lizarraga Eusa and others; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1806. A bill for the relief of Mid-States Steel & Wire Co.; to the Committee on the Judiciary.

H.R. 1807. A bill to provide for the free entry of certain tunics, busbies, and sporrans for the use of the Mohammed Kiltie Band, Post Office Box 177, Peoria, Ill.; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 1808. A bill for the relief of Capt. John W. Booth III; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 1809. A bill for the relief of Aristide Roberto Ricci; to the Committee on the Judiciary.

H.R. 1810. A bill for the relief of Dr. Nora L. Vasquez; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 1811. A bill for the relief of Rosamond H. Campopiano; to the Committee on the Judiciary.

H.R. 1812. A bill for the relief of Rosa Capodilupo; to the Committee on the Judiciary.

H.R. 1813. A bill for the relief of Antonio M. daCunha; to the Committee on the Judiciary.

H.R. 1814. A bill for the relief of Maria A. Ferrara; to the Committee on the Judiciary.

H.R. 1815. A bill for the relief of Jiann Huang and Mrs. Irene Fu-Uen Huang; to the Committee on the Judiciary.

H.R. 1816. A bill for the relief of James W. Jadul; to the Committee on the Judiciary.

H.R. 1817. A bill for the relief of Vasilios Karanastasis; to the Committee on the Judiciary.

H.R. 1818. A bill for the relief of Sarah McPherson; to the Committee on the Judiciary.

H.R. 1819. A bill for the relief of Noel Anne Mann; to the Committee on the Judiciary.

H.R. 1820. A bill for the relief of Alfredo Mazzoni; to the Committee on the Judiciary.

H.R. 1821. A bill for the relief of Rosaria Meo; to the Committee on the Judiciary.

H.R. 1822. A bill for the relief of Angelo Battista Nolli; to the Committee on the Judiciary.

H.R. 1823. A bill for the relief of Felice Orlandella; to the Committee on the Judiciary.

H.R. 1824. A bill for the relief of Maria A. Reis; to the Committee on the Judiciary.

H.R. 1825. A bill for the relief of Owen Rogers and Mrs. Joyce Rogers; to the Committee on the Judiciary.

H.R. 1826. A bill for the relief of Gillian Gail Stohlner; to the Committee on the Judiciary.

H.R. 1827. A bill for the relief of Minda Y. Tolentino; to the Committee on the Judiciary.

H.R. 1828. A bill to confer U.S. citizenship posthumously upon James F. Wegener; to the Committee on the Judiciary.

H.R. 1829. A bill for the relief of Chang Ghoone Yi; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 1830. A bill for the relief of Bernard O'Connor; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 1831. A bill for the relief of Cristina, Guiseppe, Agostino, and Francesco Abbate; to the Committee on the Judiciary.

H.R. 1832. A bill for the relief of Sebastiano Agozzino; to the Committee on the Judiciary.

H.R. 1833. A bill for the relief of Angela Alamia; to the Committee on the Judiciary.

H.R. 1834. A bill for the relief of Rocco Alfonzetti; to the Committee on the Judiciary.

H.R. 1835. A bill for the relief of Salvatore Allegra; to the Committee on the Judiciary.

H.R. 1836. A bill for the relief of Ilyas Josef Al-Tawil; to the Committee on the Judiciary.

H.R. 1837. A bill for the relief of Elenita Alvarez; to the Committee on the Judiciary.

H.R. 1838. A bill for the relief of Joseph Assal; to the Committee on the Judiciary.

H.R. 1839. A bill for the relief of Michelangelo Barravecchia; to the Committee on the Judiciary.

H.R. 1840. A bill for the relief of Dr. Gulam R. Bazaz; to the Committee on the Judiciary.

H.R. 1841. A bill for the relief of Juan Battista Biazzo, Margarita Biazzo, Juan Tomas Biazzo, and Carlos Antonio Biazzo; to the Committee on the Judiciary.

H.R. 1842. A bill for the relief of Mark Bitar; to the Committee on the Judiciary.

H.R. 1843. A bill for the relief of Rev. Frank A. Burton; to the Committee on the Judiciary.

H.R. 1844. A bill for the relief of Pietro Calvo; to the Committee on the Judiciary.

H.R. 1845. A bill for the relief of Guiseppe and Nicola Caputo; to the Committee on the Judiciary.

H.R. 1846. A bill for the relief of Bartolome Catelo and Marietta Alonso De Castro; to the Committee on the Judiciary.

H.R. 1847. A bill for the relief of Ali Muhieddine Chaaban; to the Committee on the Judiciary.

H.R. 1848. A bill for the relief of Rita Louise Clarke; to the Committee on the Judiciary.

H.R. 1849. A bill for the relief of Vincenzo Covello; to the Committee on the Judiciary.

H.R. 1850. A bill for the relief of Paulina Crisci; to the Committee on the Judiciary.

H.R. 1851. A bill for the relief of Lauretta Cunningham; to the Committee on the Judiciary.

H.R. 1852. A bill for the relief of Shlomo Bella, and Rachel Dagan; to the Committee on the Judiciary.

H.R. 1853. A bill for the relief of Radouan G. Dakki; to the Committee on the Judiciary.

H.R. 1854. A bill for the relief of Maria Denaro; to the Committee on the Judiciary.

H.R. 1855. A bill for the relief of Michele Derosa; to the Committee on the Judiciary.

H.R. 1856. A bill for the relief of Eliyahu Dolms; to the Committee on the Judiciary.

H.R. 1857. A bill for the relief of Dr. Azak Serf Eryol; to the Committee on the Judiciary.

H.R. 1858. A bill for the relief of Assuntina, Angela, and Raimondo Fiorica; to the Committee on the Judiciary.

H.R. 1859. A bill for the relief of Joseph Ghazar; to the Committee on the Judiciary.

H.R. 1860. A bill for the relief of Yocheved Gorash; to the Committee on the Judiciary.

H.R. 1861. A bill for the relief of Gerlando Quarantino Iacono; to the Committee on the Judiciary.

H.R. 1862. A bill for the relief of Franco Iannace; to the Committee on the Judiciary.

H.R. 1863. A bill for the relief of Maria Caterina and Giovanni Intoci; to the Committee on the Judiciary.

H.R. 1864. A bill for the relief of Michel G. Issa; to the Committee on the Judiciary.

H.R. 1865. A bill for the relief of Mrs. Beatrice Jaffe; to the Committee on the Judiciary.

H.R. 1866. A bill for the relief of Alan Kaadi; to the Committee on the Judiciary.

H.R. 1867. A bill for the relief of Mary J. Keohane; to the Committee on the Judiciary.

H.R. 1868. A bill for the relief of Fayez Khanji; to the Committee on the Judiciary.

H.R. 1869. A bill for the relief of Simone Laboeuf; to the Committee on the Judiciary.

H.R. 1870. A bill for the relief of Rosa E. Llobell; to the Committee on the Judiciary.

H.R. 1871. A bill for the relief of Calogero Mallia; to the Committee on the Judiciary.

H.R. 1872. A bill for the relief of Chrisanto G. Mamaril; to the Committee on the Judiciary.

H.R. 1873. A bill for the relief of Domenico Mammana; to the Committee on the Judiciary.

H.R. 1874. A bill for the relief of Mr. and Mrs. Domenico Marino and their children, Ciriaco, Adelaide, Gaetano, Elvira, Gerardo, and Carmine; to the Committee on the Judiciary.

H.R. 1875. A bill for the relief of Oussama Mohamed Naja; to the Committee on the Judiciary.

H.R. 1876. A bill for the relief of Emilia Oliveri; to the Committee on the Judiciary.

H.R. 1877. A bill for the relief of Stefano and Rose Perrone; to the Committee on the Judiciary.

H.R. 1878. A bill for the relief of Domenico Pidoto; to the Committee on the Judiciary.

H.R. 1879. A bill for the relief of Marina B. Profeta; to the Committee on the Judiciary.

H.R. 1880. A bill for the relief of Aurora Ramos; to the Committee on the Judiciary.

H.R. 1881. A bill for the relief of Carmelo Rodio; to the Committee on the Judiciary.

H.R. 1882. A bill for the relief of Mouhamad Safa; to the Committee on the Judiciary.

H.R. 1883. A bill for the relief of Dr. Lalendra Kumar Sinha; to the Committee on the Judiciary.

H.R. 1884. A bill for the relief of Margherita Suglia; to the Committee on the Judiciary.

H.R. 1885. A bill for the relief of Afif Mohamed Ramedan Toutounji; to the Committee on the Judiciary.

H.R. 1886. A bill for the relief of Juan Artavia Villarreal; to the Committee on the Judiciary.

H.R. 1887. A bill for the relief of Francesco Vultaggio; to the Committee on the Judiciary.

H.R. 1888. A bill for the relief of Jock Min Woo; to the Committee on the Judiciary.

H.R. 1889. A bill for the relief of Elizabeth Angtuaco Yap; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 1890. A bill for the relief of Catherine Pamela Beaudoin; to the Committee on the Judiciary.

H.R. 1891. A bill for the relief of Josef Enzinger; to the Committee on the Judiciary.

H.R. 1892. A bill for the relief of Michael Roumanes (also known as Mike Rouman); to the Committee on the Judiciary.

H.R. 1893. A bill for the relief of Dr. Muthu S. Udayamurthy; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 1894. A bill for the relief of Salvatore and Rosa Cassero; to the Committee on the Judiciary.

H.R. 1895. A bill for the relief of Joaquin Da Costa; to the Committee on the Judiciary.

H.R. 1896. A bill for the relief of Teresa Galli D'Aleo; to the Committee on the Judiciary.

H.R. 1897. A bill for the relief of Dr. Athanassios Tsamtsouris and Mrs. Anthi Tsamtsouris; to the Committee on the Judiciary.

H.R. 1898. A bill for the relief of Maria Teresa Cabral Valente; to the Committee on the Judiciary.

H.R. 1899. A bill for the relief of Chi Len Yong; to the Committee on the Judiciary.

H.R. 1900. A bill for the relief of Lina Zaretto; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 1901. A bill for the relief of Croce Amato; to the Committee on the Judiciary.

H.R. 1902. A bill for the relief of Dr. Reynaldo A. Aseron; to the Committee on the Judiciary.

H.R. 1903. A bill for the relief of Francesco Buzzetta; to the Committee on the Judiciary.

H.R. 1904. A bill for the relief of Osmundo A. Calip; to the Committee on the Judiciary.

H.R. 1905. A bill for the relief of Giacomo Di Maio and his wife, Maria Di Maio; to the Committee on the Judiciary.

H.R. 1906. A bill for the relief of Salvatore Di Maria; to the Committee on the Judiciary.

H.R. 1907. A bill for the relief of Inger J. Ladegaard; to the Committee on the Judiciary.

H.R. 1908. A bill for the relief of Michele Lombardi; to the Committee on the Judiciary.

H.R. 1909. A bill for the relief of Lidia Lovas and her son, Joseph Lovas; to the Committee on the Judiciary.

H.R. 1910. A bill for the relief of Konstantinos Maniatakos; to the Committee on the Judiciary.

H.R. 1911. A bill for the relief of Francesco Micale; to the Committee on the Judiciary.

H.R. 1912. A bill for the relief of Dr. Pedro Baudilio Napoles (Fernandez); to the Committee on the Judiciary.

H.R. 1913. A bill for the relief of Edward J. Reese, Jr.; to the Committee on the Judiciary.

H.R. 1914. A bill for the relief of Dr. Pedro M. Reyes, Jr., and his wife, Dr. Hannelore Day Reyes; to the Committee on the Judiciary.

H.R. 1915. A bill for the relief of Chin Wing Teung; to the Committee on the Judiciary.

H.R. 1916. A bill for the relief of Antonino Troia; to the Committee on the Judiciary.

H.R. 1917. A bill for the relief of Calogero Troia; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1918. A bill for the relief of Peter Ludwig Balss; to the Committee on the Judiciary.

H.R. 1919. A bill for the relief of Maurice W. Campton; to the Committee on the Judiciary.

H.R. 1920. A bill for the relief of Mun-Bae Chong; to the Committee on the Judiciary.

H.R. 1921. A bill for the relief of Elbert M. Crofoot and Roberta Crofoot; to the Committee on the Judiciary.

H.R. 1922. A bill for the relief of Deb Kumar Das; to the Committee on the Judiciary.

H.R. 1923. A bill for the relief of Yuda Galazan; to the Committee on the Judiciary.

H.R. 1924. A bill for the relief of Athanasais Giannaros; to the Committee on the Judiciary.

H.R. 1925. A bill for the relief of Ioannis (John) Gioulis, Despina Gioulis, his wife, and Helen Gioulis, Nicholas Gioulis, and Prodromas-Ioannis Gioulis, his minor children; to the Committee on the Judiciary.

H.R. 1926. A bill for the relief of Michio Kobayashi and Hisako Ohata Kobayashi, his wife; to the Committee on the Judiciary.

H.R. 1927. A bill for the relief Romeo Oreiro Pagaduan; to the Committee on the Judiciary.

H.R. 1928. A bill for the relief of Rosario Pozas; to the Committee on the Judiciary.

H.R. 1929. A bill for the relief of Corazon G. Santos; to the Committee on the Judiciary.

H.R. 1930. A bill for the relief of Norma M. Sasi; to the Committee on the Judiciary.

H.R. 1931. A bill for the relief of Simplicio Velasco; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 1932. A bill for the relief of Fred A. Altstadt; to the Committee on the Judiciary.

H.R. 1933. A bill for the relief of Mrs. Edith H. Amos; to the Committee on the Judiciary.

H.R. 1934. A bill for the relief of Walter L. and Thelma M. Bossard; to the Committee on Interior and Insular Affairs.

H.R. 1935. A bill for the relief of Mrs. Amparo A. Clemente; to the Committee on the Judiciary.

H.R. 1936. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

H.R. 1937. A bill for the relief of Rafael Espitia Cruz; to the Committee on the Judiciary.

H.R. 1938. A bill for the relief of Susan Helario; to the Committee on the Judiciary.

H.R. 1939. A bill for the relief of Mrs. Marjorie J. Hottenroth; to the Committee on the Judiciary.

H.R. 1940. A bill for the relief of Jozsef Jutasi and his wife, Gizella Jutasi; to the Committee on the Judiciary.

H.R. 1941. A bill for the relief of Hong Quing Lee (also known as Ngun Cheong Wong); to the Committee on the Judiciary.

H.R. 1942. A bill for the relief of Our Lady of Guadalupe School in San Bernardino, Calif.; to the Committee on the Judiciary.

H.R. 1943. A bill for the relief of Della B. Perdue; to the Committee on the Judiciary.

H.R. 1944. A bill for the relief of Luis Salvago-Toledo; to the Committee on the Judiciary.

H.R. 1945. A bill for the relief of Mrs. Violeta Q. Sipus; to the Committee on the Judiciary.

H.R. 1946. A bill for the relief of Hooshang (Hushang) Tohidloo; to the Committee on the Judiciary.

H.R. 1947. A bill for the relief of Wah Fat Won (also known as Suey Hong Won); to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 1948. A bill to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 1949. A bill for the relief of Chau Cheng; to the Committee on the Judiciary.

H.R. 1950. A bill for the relief of Emma Falco; to the Committee on the Judiciary.

H.R. 1951. A bill to confer U.S. citizenship posthumously upon Spec. 4 Aaron Tawil; to the Committee on the Judiciary.

H.R. 1952. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 1953. A bill for the relief of certain members of the American Hull Insurance Syndicate; to the Committee on the Judiciary.

H.R. 1954. A bill for the relief of Aurea Casas; to the Committee on the Judiciary.

H.R. 1955. A bill for the relief of Aydee Cordero; to the Committee on the Judiciary.

H.R. 1956. A bill for the relief of Carminda Tavares Da Silva; to the Committee on the Judiciary.

H.R. 1957. A bill for the relief of Sister Josephine Di Guida, Sister Louise Gargione, Sister Angelina Mele, and Sister Rose Ricciardelli; to the Committee on the Judiciary.

H.R. 1958. A bill for the relief of Olimpia Da Silva Elias; to the Committee on the Judiciary.

H.R. 1959. A bill for the relief of Luise Goeringer; to the Committee on the Judiciary.

H.R. 1960. A bill for the relief of Mario Santos Gomes; to the Committee on the Judiciary.

H.R. 1961. A bill for the relief of George Napier, Sr.; to the Committee on the Judiciary.

H.R. 1962. A bill for the relief of Joao Correia Pinto; to the Committee on the Judiciary.

H.R. 1963. A bill for the relief Enzo Piombetti; to the Committee on the Judiciary.

H.R. 1964. A bill for the relief of Daniel Sriqui; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 1965. A bill for the relief of Athanasia Hionis; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 1966. A bill for the relief of Nicolo Avvocato; to the Committee on the Judiciary.

H.R. 1967. A bill for the relief of Guido Barone; to the Committee on the Judiciary.

H.R. 1968. A bill for the relief of Mr. and Mrs. Mario Buraglia and their children, Concetta and Giuseppe Buraglia; to the Committee on the Judiciary.

By Mr. ROTH:

H.R. 1969. A bill for the relief of Augusto A. Amurao; to the Committee on the Judiciary.

H.R. 1970. A bill for the relief of Mrs. Augusto A. Amurao; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 1971. A bill for the relief of Abdallah Hanna Bhi-Mansour; to the Committee on the Judiciary.

H.R. 1972. A bill for the relief of Carmen Aguilar (nee Carino); to the Committee on the Judiciary.

H.R. 1973. A bill for the relief of Chun Myung Bai; to the Committee on the Judiciary.

H.R. 1974. A bill for the relief of Miss Corazon Chu Cea; to the Committee on the Judiciary.

H.R. 1975. A bill for the relief of Tung Yick Chin; to the Committee on the Judiciary.

H.R. 1976. A bill for the relief of Kang-Be Chu; to the Committee on the Judiciary.

H.R. 1977. A bill for the relief of Dr. Epifanio Catalon and Priscilla Catalon; to the Committee on the Judiciary.

H.R. 1978. A bill for the relief of Amelia Concepcion Cubid; to the Committee on the Judiciary.

H.R. 1979. A bill for the relief of Miss Constancia De Castro; to the Committee on the Judiciary.

H.R. 1980. A bill for the relief of Sebastian Gaspar Domingo; to the Committee on the Judiciary.

H.R. 1981. A bill for the relief of Deo Obidos German and Charito Ortiz German; to the Committee on the Judiciary.

H.R. 1982. A bill for the relief of Dr. Claudio Hoegel and Luba Hoegel; to the Committee on the Judiciary.

H.R. 1983. A bill for the relief of Stephen Ge-Key Hong; to the Committee on the Judiciary.

H.R. 1984. A bill for the relief of Young Kue Jin and his wife, Mary Bocktari Jin; to the Committee on the Judiciary.

H.R. 1985. A bill for the relief of Choi Bok Kim; to the Committee on the Judiciary.

H.R. 1986. A bill for the relief of Mrs. Soo Ja Kim; to the Committee on the Judiciary.

H.R. 1987. A bill for the relief of Johng Ook Lee; to the Committee on the Judiciary.

H.R. 1988. A bill for the relief of Juan Valladolid Lukban and his wife, Expectacion Lukban; to the Committee on the Judiciary.

H.R. 1989. A bill for the relief of Dr. Alfonso P. Miguel, Jr., and Loida M. Miguel; to the Committee on the Judiciary.

H.R. 1990. A bill for the relief of Kook Myung; to the Committee on the Judiciary.

H.R. 1991. A bill for the relief of Dai Sik Park; to the Committee on the Judiciary.

H.R. 1992. A bill for the relief of Mrs. Carmen Prado; to the Committee on the Judiciary.

H.R. 1993. A bill for the relief of Primitivo Manalo Santos; to the Committee on the Judiciary.

H.R. 1994. A bill for the relief of Heung Book Song; to the Committee on the Judiciary.

H.R. 1995. A bill for the relief of Art Kit Wong (also known as Ark Kit Wong and Art Sheung Wong); to the Committee on the Judiciary.

H.R. 1996. A bill for the relief of Ngon Suey Wong; to the Committee on the Judiciary.

H.R. 1997. A bill for the relief of Henry Huai-Tseung Mu and his wife, Lee Jun-Chin; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 1998. A bill for the relief of Bienvenido Turla Capul; to the Committee on the Judiciary.

H.R. 1999. A bill for the relief of Mrs. Aili Kallio; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 2000. A bill authorizing the President of the U.S. to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

By Mr. SCHADEBERG:

H.R. 2001. A bill for the relief of Hermine Grigorian, nee Minassian; to the Committee on the Judiciary.

H.R. 2002. A bill for the relief of Mrs. Ewa Kraus Hann; to the Committee on the Judiciary.

H.R. 2003. A bill for the relief of Dr. Marek J. Hann; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 2004. A bill for the relief of Theodore A. R. Khan and his wife, Eileen Karamchand Khan, and their children, Ann Khan, Donald Khan, Ronald Khan, Ben Khan, and Christine Khan; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 2005. A bill for the relief of Lourdes M. Arrant; to the Committee on the Judiciary.

H.R. 2006. A bill for the relief of Jose Bettencourt de Simas; to the Committee on the Judiciary.

H.R. 2007. A bill for the relief of Nemesio Gomez-Sanchez; to the Committee on the Judiciary.

H.R. 2008. A bill for the relief of Jagjit Singh; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 2009. A bill for the relief of Mrs. Ida Maud McLean; to the Committee on the Judiciary.

H.R. 2010. A bill for the relief of Deward E. Quarles; to the Committee on the Judiciary.

H.R. 2011. A bill for the relief of Mrs. Maria Magdalena Widmann; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 2012. A bill to amend the act of October 25, 1949 (63 Stat. 1205), authorizing the Secretary of the Interior to convey a tract of land to Lillian I. Anderson; to the Committee on Interior and Insular Affairs.

By Mr. STEIGER of Wisconsin:

H.R. 2013. A bill for the relief of Dr. Elsa B. Horn; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 2014. A bill for the relief of Marin Ciceric; to the Committee on the Judiciary.

H.R. 2015. A bill for the relief of Dr. Raymond W. Ferrier; to the Committee on the Judiciary.

H.R. 2016. A bill for the relief of Santiago Hallazgo, Epifania Hallazgo, and Janet Lynn Hallazgo; to the Committee on the Judiciary.

H.R. 2017. A bill for the relief of Dr. Masashi Kawasaki; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 2018. A bill for the relief of Dimitrios and Lena Arvanitis; to the Committee on the Judiciary.

H.R. 2019. A bill for the relief of Frank Brothers; to the Committee on the Judiciary.

H.R. 2020. A bill for the relief of Stevan S. Udicki and Sekula Churchich; to the Committee on the Judiciary.

H.R. 2021. A bill for the relief of Radomir and Ruzica Mihaljlovic; to the Committee on the Judiciary.

H.R. 2022. A bill for the relief of Olivera Milivojevich; to the Committee on the Judiciary.

H.R. 2023. A bill to adjust the immigration status of George, Robert, Daniel, and Nicholas Panagopoulos; to the Committee on the Judiciary.

H.R. 2024. A bill for the relief of Michel Mihailovic Predrag; to the Committee on the Judiciary.

H.R. 2025. A bill for the relief of Demetrios Souvatzis; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 2026. A bill for the relief of Antonino Calamina, his wife, Antonina Calamina, and their minor daughter, Claudia Calamina; to the Committee on the Judiciary.

H.R. 2027. A bill for the relief of Ann R. Faggella; to the Committee on the Judiciary.

H.R. 2028. A bill for the relief of Mrs. Martha Geaneas; to the Committee on the Judiciary.

H.R. 2029. A bill for the relief of Luigi Giuliano and his wife, Giuseppina Testa Giuliano, and their children, Michelina Giuliano and Magdalena Giuliano; to the Committee on the Judiciary.

H.R. 2030. A bill for the relief of Mordichai Greenstein; to the Committee on the Judiciary.

H.R. 2031. A bill for the relief of Paul Sungkill Kim and his wife, Young Ja Ooh Kim; to the Committee on the Judiciary.

H.R. 2032. A bill for the relief of Santo Midulla; to the Committee on the Judiciary.

H.R. 2033. A bill for the relief of Lucas R. Tapias and his wife, Ana Valencia Hernaiz Tapias; to the Committee on the Judiciary.

H.R. 2034. A bill for the relief of Dr. Sing San Yang; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 2035. A bill for the relief of Evangelos Perrakis; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 2036. A bill to remove a cloud on the titles of certain property all located in Malin, Oreg., and owned by the city of Malin, Marian H. Peck, Merrill, Oreg., Marion R. Rupert, Malin, Oreg.; and Blanche Fields, Malin, Oreg.; to the Committee on the Interior and Insular Affairs.

By Mr. UTT:

H.R. 2037. A bill for the relief of Robert W. Barrie and Marquerite J. Barrie; to the Committee on the Judiciary.

H.R. 2038. A bill for the relief of Marta Julia Lopez: to the Committee on the Judiciary.

H.R. 2039. A bill for the relief of Il Sun Lovett; to the Committee on the Judiciary.

H.R. 2040. A bill for the relief of George Roger Ernest Williams, Marie Marguerite Cecile Jeannette Williams, Keith Albert Williams, Glynnis Marie Elizabeth Williams, Trevor Joseph Williams, Derek Arthur Williams, and Ruth Anne Williams; to the Committee on the Judiciary.

H.R. 2041. A bill for the relief of Harry Woo, Margaret Woo, and Paul Woo (alias Woo Yee Chien, Woo Cheong Yow Dai, and Woo Diu Kuo); to the Committee on the Judiciary.

By Mr. VANDER JAGT:

H.R. 2042. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (BLM-A-080769); to the Committee on Interior and Insular Affairs.

H.R. 2043. A bill for the relief of Keum Jo Kim; to the Committee on the Judiciary.

By Mr. WHALEN: .

H.R. 2044. A bill for the relief of Maureen Gray; to the Committee on the Judiciary.

H.R. 2045. A bill for the relief of Dr. Rodrigo L. Jaballas and his wife, Dr. Elvira Rosca-Jaballas; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 2046. A bill for the relief of Horace H. Easterday; to the Committee on the Judiciary.

H.R. 2047. A bill for the relief of Roseanne Jones; to the Committee on the Judiciary.

H.R. 2048. A bill for the relief of Moktar Kourda; to the Committee on the Judiciary.

H.R. 2049. A bill for the relief of John E. Tucker; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 2050. A bill for the relief of Jakob Dek; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 2051. A bill for the relief of Chayon Husbumrer; to the Committee on the Judiciary.

H.R. 2052. A bill for the relief of Elon Ting; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 2053. A bill for the relief of Pietro Commodaro and his wife, Vittorio Commodaro; to the Committee on the Judiciary.

H.R. 2054. A bill for the relief of Dr. Ibrahim Faruk Sarac, his wife, Fatma Nukhet Sarac, and their two daughters, Ayes Hulya Sarac and Fatma Nil Sarac; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H. Res. 86. Referring the bill (H.R. 1691) to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By the **SPEAKER**: Petition of the Pi Kappa Phi Fraternity, Charlotte, N.C., relative to maintaining order on college campuses; to the Committee on Education and Labor.

2. Also, petition of the New England Theatre Conference, Waltham, Mass., relative to appropriations for the Endowments for the Arts and Humanities; to the Committee on Education and Labor.

3. Also, petition of Jose Vizcarra Estrada, San Fernando, Calif., relative to redress of grievances; to the Committee on Education and Labor.

4. Also, petition of the United-Italian American Labor Council, Inc., New York, N.Y., relative to Czechoslovakia; to the Committee on Foreign Affairs.

5. Also, petition of the Council of Jewish Federations and Welfare Funds, Inc., New York, N.Y., relative to Soviet Jewry; to the Committee on Foreign Affairs.

6. Also, petition of the National Conference of Lieutenant Governors, Atlanta, Ga., relative to new directions in Federal-aid policies; to the Committee on Government Operations.

7. Also, petition of Roberto (Bobby) Jones, Washington, D.C., relative to redress of grievances; to the Committee on House Administration.

8. Also, petition of the National Recreation and Park Association, Washington, D.C., relative to the apportionment of funds by the Bureau of Outdoor Recreation, Department of the Interior; to the Committee on Interior and Insular Affairs.

9. Also, petition of the American Park and Recreation Society, Washington, D.C., relative to legislation affecting the park, recreation, and conservation movement; to the Committee on Interior and Insular Affairs.

10. Also, petition of the Second Mariana Islands District Legislature, Trust Territory of the Pacific Islands, relative to expressing appreciation for extending the benefits of the Federal Housing Authority and the Small Business Administration to the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

11. Also, petition of the Second Mariana Islands District Legislature, Trust Territory of the Pacific Islands, relative to reunification of the northern Mariana Islands with the territory of Guam; to the Committee on Interior and Insular Affairs.

12. Also, petition of August Mauer Post 286, American Legion, Newark, N.Y., relative to consumer protection; to the Committee on Interstate and Foreign Commerce.

13. Also, petition of the Delaware Valley Council, Philadelphia, Pa., relative to a proposal for an intercontinental jetport and system of general aviation facilities for New Jersey; to the Committee on Interstate and Foreign Commerce.

14. Also, petition of the South Jersey Chamber of Commerce, Pennsauken, N.J., relative to a proposal for an intercontinental jetport and system of general aviation facilities for New Jersey; to the Committee on Interstate and Foreign Commerce.

15. Also, petition of Guy H. Rouse, Miami, Fla., relative to redress of grievances; to the Committee on the Judiciary.

16. Also, petition of Benjamin Lewis Erlich, Joliet, Ill., relative to redress of grievances; to the Committee on the Judiciary.

17. Also, petition of Sertoma International, Kansas City, Mo., relative to respect for law and order; to the Committee on the Judiciary.

18. Also, petition of Thomas Bauer Grayson, Scarborough, Ontario, Canada, relative to constitutional taxation; to the Committee on the Judiciary.

19. Also, petition of the city council, Elizabeth, N.J., relative to voting qualifications; to the Committee on the Judiciary.

20. Also, petition of Kasper van Heise, Lancaster, Calif., relative to redress of grievances; to the Committee on the Judiciary.

21. Also petition of the National Restaurant Association, Washington, D.C., relative to attacks upon forces of law and order by various groups and communication media; to the Committee on the Judiciary.

22. Also, petition of the Rochester Police Locust Club, Rochester, N.Y., relative to the report of the President's Commission on the Causes and Prevention of Violence; to the Committee on the Judiciary.

23. Also, petition of William B. Coleman, Jacksonville, Fla., relative to a constitutional amendment to lower the voting age to 18; to the Committee on the Judiciary.

24. Also, petition of Henry Stoner, Portland, Oreg., relative to prosecution of the alleged assassin of Senator Robert F. Kennedy; to the Committee on Rules.

25. Also, petition of the Veterans of World War I of the U.S.A., Washington, D.C., relative to proposed legislation; to the Committee on Veterans' Affairs.

26. Also, petition of the Board of Chosen Freeholders, County of Essex, N.J., relative to the tax-exempt status of certain bonds; to the Committee on Ways and Means.

27. Also, petition of the National Association of State Departments of Agriculture, Harrisburg, Pa., relative to dairy product imports; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

TAX INCENTIVES NEEDED TO ATTRACT INDUSTRY TO RURAL AMERICA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I am today introducing a bill that could well be the economic salvation for our small town and rural areas—and the basic solution to the problem of outmigration to our metropolitan areas.

I refer to the Rural Development Incentive Act of 1969 which I am introducing today to utilize the creative energies of our great free enterprise system to provide jobs and opportunities for our people in rural America.

This bill provides for tax incentives to encourage business and industry to locate or expand in our rural and smalltown areas.

The bill specifically provides that those areas certified by the Bureau of the Census as hard hit by outmigration will be eligible under the provisions of the act.

The bill provides for an added 7-percent investment tax credit—in addition to the existing 7-percent credit—for those industries locating or expanding in low-income rural areas.

The bill provides the alternative of accelerated tax amortization over a period of 60 months of investment in buildings and depreciable real estate.

We must all recognize the fact that our major cities are caught in a population strangulation, and that our small towns are caught in a population decimation.

This bill would help to ease the urban strangulation by alleviating the causes of the rural outmigration.

I want to point out, Mr. Speaker, that President-elect Nixon has endorsed the general principle of tax incentives to encourage employment through our free enterprise system.

Our House Small Business Committee has recommended this concept in a current report on problems and progress in smalltown America, Secretary of Agriculture Orville Freeman has advocated this approach, and the President's Commission on Rural Poverty has given its support to this concept.

At my request, Mr. Speaker, the Library of Congress recently prepared a comprehensive report on the concept of tax incentives as related to rural development.

I am placing excerpts of this report in the RECORD at the conclusion of my remarks.

Mr. Speaker, this is an important bill—a significant bill. This bill is responsive to the needs of our time and it is my belief that the new tax revenues generated by the increased business activity and employment will more than offset the revenue loss through tax credits to business and industry participating in this program.

I strongly urge that hearings be held on this matter and that this basic principle of full employment through tax incentives be adopted and endorsed by the Congress.

The above-mentioned excerpts follow:

A BRIEF FAVORING TAX INCENTIVES FOR THE DEVELOPMENT OF RURAL AREAS

INTRODUCTION

This paper was prepared at the request of a Congressional office desiring to support the ideal of tax incentives for the development of rural areas.

I. The development problem in rural areas

The rural areas of our Nation have held their own in population but have grown more slowly than any other sector. Between 1960 and 1965, the greatest population growth, over 15 percent, was experienced in the metropolitan suburbs. The next greatest growth (6 percent) occurred in non-metropolitan towns with over 10,000 population. The central cities in metropolitan areas followed with 3.5 percent, Finally, with 3.3 percent came the "non-metropolitan remainders," or rural areas, consisting of towns below 10,000 population, rural villages and farms.

The slow rate of growth in rural areas was due to a decline of 4 million in farm population during the period and a considerable out-migration from rural areas generally. According to an April 1968 report of the Advisory Commission on Intergovernmental Relations, entitled, "Urban and Rural America: Policies for Future Growth," the migrants from depressed areas included more than a proportionate share of the better educated and skilled, leaving behind an over-representation of the less productive sector of the work force: blue collar workers, the less skilled, Negroes and the aged. The migrants from rural areas, particularly the less skilled, have migrated to the central cities where they have contributed to the economic and social problems of the urban ghettoes. It has been estimated that over ⅓ of the growth of the central cities has been due to in-migration, almost entirely from the rural areas.

The result has been a less-than-desirable rate of economic growth in rural areas. This is so because economic growth is related directly to rates of increase in total population and inversely to rates of increase in the nonwhite proportion. The ACIR report points out also that rural America is consistently in the disadvantaged position, compared with urban areas, by such indexes as educational and health facilities, housing and income levels.

It has been estimated that for rural America as a whole, about 5.3 million rural young men are becoming adults in this decade as against only about 3 million men who are dropping out of the labor force. In addition, farm jobs are declining at a rate of perhaps 300,000 a year. To compensate, there is need to create each year about 550,000 rural nonfarm jobs or jobs accessible to rural residents by commuting. The alternative is continued heavy migration from the countryside to the already overcrowded cities.

A continuation of past trends, according to the ACIR report, will have these results:

(1) a widening gap between the economies of the central cities and their surrounding surburban neighbors, intensifying the problems of the central cities, and

(2) an eventual by-passing of the nation's small urban places to the point where they will be less and less able to offer enough jobs to their residents and those of the surrounding rural areas. This will cause an even greater out-migration from rural areas than we have witnessed in the past. Then these areas will be left with an over-concentration of less productive people and will find it increasingly difficult to support basic public services.

Thus, the problem is a critical one.

II. Some existing programs and new proposals for rural development

The Area Redevelopment Act of 1961 (P.L. 87–27) helped to alleviate unemployment in economically depressed rural areas. It provided occupational training and encouraged the development of physical plant and industrial expansion in an effort to reduce outmigration. By 1965, when it was terminated and basically replaced by the Public Works and Economic Development Act of 1965 (P.L. 89–136), it was credited with some 65,000 new jobs in rural areas.

The Appalachian Regional Development Act of 1965 (P.L. 89–4) established a program Appalachian region. It is designed to im- of cooperative development of the depressed prove the public facilities and service-base of the Region to support private investment rather than directly to finance industries. It encourages coordinated programs for overall development of the region, including highways, health facilities and vocational and technical schools.

The Public Works and Economic Development Act of 1965 (P.L. 89–136), provided some regional development for other areas like that for the Appalachian region (the mountainous portions of Missouri, Arkansas and Oklahoma, the Upper Great Lakes Region and portions of New England). It also provided some direct assistance. By June 1968, some 1,300 local areas had some kind of EDA assistance or development program. In about 600 areas some 560 million had been put into public works projects to improve the infrastructure necessary for business growth. Some 60 percent of the projects and 80 percent of the over $100 million of business loans went to areas under 10,000 population and to firms employing less than 250. (EDA may lend up to 65 percent of aggregate cost, at least 20 percent must come from private lenders, and at least 5 percent from a State or a public community or area organization). It has been estimated that 70,000 to 75,000 jobs in rural areas have been developed since 1965.

The Department of Agriculture administers many community development programs. These include loans and grants for water and sewer systems, telephone and electric systems, housing, roads, schools, watershed development, flood prevention, recreational facilities, etc. There are also numerous loan programs to strengthen family farms, improve rural communities and alleviate rural poverty. The rural non-farm programs include rural renewal loans to renew the economy of rural areas where family incomes are abnormally low, community facility loans for water and waste disposal systems and community recreation areas in communities up to 5,500 population, rural housing loans, resource development loans, and economic opportunity loans to help low income rural families develop enterprises to raise their level of living. It has been reported that rural electric cooperative associations have created employment for about 30,000 rural residents. Additional employment opportunities were created by the over 300,000 commercial and industrial customers, mostly small businesses, served by REA systems. Electric and telephone systems financed by the Rural Electrification Administration work with local groups, generally in locating technical advice or lending sources, to help launch new or expanded industries in their areas. Surveys indicate that from

1961 to 1967 more than 2,700 such enterprises have been launched creating an estimated 216,000 new rural job opportunities.

It is clear, however, that much more needs to be done. In recent testimony, the Assistant Secretary of Agriculture for Rural Development and Conservation, Dr. John A. Baker stated that:

"The rural forces for progress, who want to help industry thrive in the countryside, are getting organized. In thousands of rural communities, they are putting together their resources, putting their plans on paper and into action. Counties are getting together and working in harmony on a multi-county basis."

The Small Business Administration has a local development company loan program, known as the 502 program. Between 1959 and 1967 a total of 1,556 loans have been made totalling $305 million. Local groups get together, incorporate, and then raise a percentage (generally 20 percent) of the needed funds from the community. Banks may participate to the extent of 20 to 40 percent of the total and hold a first morgage on the property, 502 loans can be used only for land, buildings and machinery but not working capital (which can, however, be provided by an accompanying SBA business loan of up to $350,000). Of the 1,556 loans over 900 were in communities under 5,000 population and over 200 more were in communities of 5,000 to 10,000. About 31,000 job opportunities are estimated to have resulted.

There is some conflict among experts as to the efficacy of industrializing non-metropolitan areas. Some maintain that only industry based on natural resources of the area will be successful and then only until the natural resource is exhausted. Others suggest that industries not based on natural resources can be successful. Research is fragmentary and more is needed. There are some practical indications from existing programs, however, that industrialization of rural areas is worthwhile.

Moreover, States and localities have experienced some success in their industrial development efforts. Thus, the textile industry was attracted to the South from its former base in New England. Not only manufacturing, but services and investment of public funds in government facilities such as schools, research centers and military posts are thought to yield important renewal stimulus.

Compared with the need for an estimated 550,000 new rural jobs annually, the problem, however, is a huge one. It involves, moreover, in addition to problems of financial stimulus by government such as loans, grants and tax incentives, numerous issues of overall planning, the respective roles of governmental and private sectors, intra-governmental cooperation within the Federal Government and intergovernmental cooperation between the various levels of government.

In its report on "Urban and Rural America: Policies for Future Growth" the Advisory Commission on Intergovernmental Relations recommended a national policy on urban growth. Such a policy would, among other things, conform governmental institutions to a nation which is no longer primarily agricultural; strengthen governmental institutions in impoverished rural areas, promote equality of opportunity regardless of race; encourage Negro and other migrants from rural areas to move to growth centers outside metropolitan areas; and develop a viable ntaion-wide pattern of urban growth in a healthy economy—both rural and urban.

The recommendation for a national policy on urban growth was reached after consideration of such negative factors as the waste of money involved in combating inevitable trends, the lack of data on which to base a policy, the practical difficulty of inducing industry to locate where jobs are needed and of inducing unemployed people to move where the jobs exist; the political difficulty of pinpointing action to limited areas; the healthiness of the natural distribution of people and jobs; the superiority of a frontal attack on the problem of impoverished Negroes; the undesirability of shoring up businesses and government units better left to die; and the likelihood of creating big-spending programs.

The Commission identified national government policies which can influence the location of people and industry and the resulting patterns of urban growth. These include: policies and programs to neutralize factors producing excessive population concentrations (resettlement allowances, training allowances, inter-area job placement information, reduced interstate variations in public assistance eligibility and benefit standards); placement of Federal procurement contracts to foster growth in certain areas; and Federal financial incentives (loans, direct payments, and tax incentives).

The financial incentives, said the Advisory Commission, should encourage business to locate in small rural growth centers and in urban neighborhoods of concentrated unemployment. These incentives would be preferential financing arrangements in the form of below market-rate loans, location cost offsets in the form of direct payments or preferential tax treatment in the form of a Federal income tax credit. If this is done, the dollar amount of any tax credits or preferential financing arrangements should be included for informational purposes in the President's budget. Also the enabling legislation should have an expiration date of 5 to 7 years so that Congress and the Executive might assess the cost and benefits of the subsidy approach.

Thus, we have a tremendous problem requiring over ½ million new rural non-farm jobs annually and all efforts to date have fallen short by a considerable margin. Moreover, the suggestions for new approaches still offer no guarantee of fully meeting the need. Consequently, it would be desirable to consider seriously any new policy proposal, including tax incentives. Much experimentation and development may be required, but this should be encouraged in the interest of solving this critical problem.

APOLLO 8: FANTASTIC VOYAGE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, in a year characterized by national self-doubt and inner turmoil, the triumph of Apollo 8 has given rise to hope and pride. In 1931, Lincoln Steffens said:

> I have been over into the future and it works.

In 1968 three valiant men went physically into the future and it did indeed work.

The whole world stands awed at the precision of the Apollo voyage—a work of scientific art that reflects the brilliance and dedication of the largest task force ever assembled for a space mission: 300,000 engineers, technicians, and workers, and 20,000 contractors. Indeed, our $33 billion space effort over the last 10 years has climaxed in this supreme moment when both imagination and invention met and soared.

Projecting their views of the earth as seen from the moon, the moon photographed from 70 miles away, and the backside of the moon, the Apollo 8 flashed its splendor around the world. Its voyage was so flawless that even the Russians had to concede their admiration and respect.

Many other critics of our space program have also been silenced by Apollo's success and the doubting Thomases have seen their doubt and cynicism dispelled by this triumph of organization and cooperation. For, in a manner of speaking, Apollo 8 arose, like the phoenix, from the ashes—the ashes of Apollo 204 which burned on its pad in January 1967. A tragic event, surely, but certainly not just cause for indictment of our whole space program, as some demagogs will claim.

After this tragedy, the Apollo vehicle was extensively overhauled; no detail was overlooked, and every component was checked and double checked. The many dedicated men and women of NASA and its contracting companies sought perfection—and achieved it. All of these people deserve our heartfelt thanks for helping America realize an impossible dream.

With Martin Luther King and Robert F. Kennedy taken from us this year, we were sorely in need of a hero. The gap was filled by the expertise and courage of three men—Col. Frank Borman, Capt. James Lovell, and Maj. William Anders—who undertook the arduous 147-hour voyage. These three men, in daring to meet the spiritual, intellectual, and physical challenge of space, can truly be regarded as modern Columbuses.

Yet, while the astronauts gain the limelight, countless others have played a great part—either directly or indirectly—in the adventure of Apollo. For example, just recently, Mr. Lee Atwood, president of North American-Rockwell, and Mr. Henry Lacayo, president of the UAW-Aerospace Workers in my district, cooperated in negotiating a contract beneficial to both labor and management at North American. As one of NASA's prime contractors, North American's ability to run a smooth, efficient organization is one of the major factors in its success. It is to companies such as these, where management and labor have worked for the mutual benefit of one another in a true demonstration of confidence and cooperation, that we owe the triumph of Apollo 8.

Success in America is often measured in one's ability to get things off the ground. Using this criteria, Apollo 8 is one of our magnificent successes. For, as Joseph Conrad wrote:

> The ship, a fragment detached from the earth, went on lonely and swift like a small planet.

ARMISTEAD SELDEN, A TRUE STATESMAN

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, the 91st Congress begins its work without the services of many former

Members, and one of the most distinguished is the Honorable Armistead I. Selden, Jr., who so ably represented the Fifth Congressional District of Alabama for 16 years before giving up his seat to run for the U.S. Senate.

Tributes to Armistead Selden were given by his colleagues in the House during the closing days of the 90th Congress. However, the esteem in which he was held by his constituency was never expressed more clearly and sincerely than in the following editorial written recently by Dick Smith, editor and publisher of the Sumter County Journal in York, Ala.:

> ARMISTEAD SELDEN: A TRUE STATESMAN
>
> Representative Armistead Selden officially retires from Congress in January of the new year. He did not seek another term as Representative from Alabama's Fifth Congressional District and was very narrowly defeated in a statewide race for the U.S. Senate.
>
> For 16 years Armistead Selden has done an outstanding job of representing this district, the State of Alabama and our Nation. In an era where the politician is common and a true statesman rare, he is in every sense a true statesman along with being a Christian, family loving, down-to-earth citizen.
>
> His record in Congress is just as outstanding as the man who made it. He has been a member of the powerful House Committee on Foreign Affairs for 14 years and since 1959, has been chairman of the Subcommittee on Inter-American Affairs. In this latter capacity, Selden gained national and international recognition for his fight against communism in the Western Hemisphere.
>
> His many accomplishments are too numerous to list, but he will be long remembered for his leadership in the development of Alabama's waterways and natural resources.
>
> We wish him well as he enters private law practice in January, but we hope that he will consider public office again. He is too young and his vast knowledge and experience too valuable for us to lose his services, and we sincerely hope that he will offer them again in some capacity.

JOSEPH V. FERRINO, NATIONAL COMMANDER OF AMVETS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, I take this opportunity to call to the attention of the House of Representatives the recent election of Joseph V. Ferrino, of Winthrop, Mass., as the national commander of AMVETS, at the 24th annual national convention in New Orleans, La.

AMVETS is one of the four congressionally chartered major veterans' organizations, and its membership is open to honorably discharged men and women who served since World War II. The national headquarters is located here in Washington, D.C.

Mr. Ferrino served with both the U.S. Maritime Service and the U.S. Navy during World War II, and is now a prominent Boston attorney.

The national commander began his early education in Boston, attending Boston English High School, and broadened his knowledge by receiving his A.B. degree from the University of Alabama, majoring in government and history. Later he received his LL.B. degree from Boston University. The commander is active in the Boston University Law Alumni and the Boston Bar Association.

He was recently honored by the Italian Government with the Star of Solidarity with Knighthood and the rank of commander for outstanding service to the community and the Nation.

He has long been personally involved in veterans' and community affairs and serves as a member of the executive board of the Boston Council of the Boy Scouts of America. Mr. Ferrino has served as chairman of the annual pilgrim awards dinner for several years, as moderator for the American Heritage Foundation, and as chairman of the Red Cross and Salvation Army fund drives.

Other community interests include participation in the Red Cross Disaster Committee, the Chamber of Commerce, and the Kiwanis. He has served as military aide to former Gov. Foster Furcolo, as well as having served on the Evaluation Committee of the Boston Public Library.

Mr. Ferrino served AMVETS at post, State, and National levels for the past 20 years, and more recently as national judge advocate, and on the national foreign relations committee and the national advisory board. His duties include twice serving as delegate to the World Veterans' Federation conventions, once at The Hague, Netherlands, and another time at Lausanne, Switzerland.

Mr. Ferrino is married to the former Marie LeBruto of Boston and has four children, Joseph, 13; Joanne, 11; Paula, 9, and Richard, 6.

Joseph Ferrino became the 23d national commander of AMVETS with the following words:

> Amvets must assume their share of the responsibility in the reestablishment of their communities of the returning Viet Nam veterans, the enforcement of law and order, the fight against poverty, and above all, the safeguarding and continuance of our American ideals. I mandate each of you delegates, first as an American, and secondly as an AMVET, to accept the challenge of these problems in this Year of 1968–69.

EXEMPTION OF HEALTH AND LIFE INSURANCE PROGRAMS FROM CERTAIN TAXATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, in the final days of the 90th Congress I brought to the attention of the House a situation which, in my judgment, constitutes a critical danger to the conduct of the health benefits programs of our great postal and other Federal employee organizations.

My attention had been directed to a suit being prosecuted by the State of Wisconsin in which the National Association of Letter Carriers is the defendant. I understand the controversy to be whether the NALC is in fact an insurance company not admitted to do business in the State of Wisconsin, or is a trustee of an employee welfare fund within the meaning of section 211.02(1) of the Wisconsin statute. In substance, the suit charges NALC with "selling insurance" in that State without having obtained the license or permit required by the State law for firms engaged in selling insurance.

Since the State law also requires the payment of certain fees or charges by firms engaged in this business in the State, it follows that a judgment in favor of the State in this case would pave the way for demands for payment of substantial sums of money by NALC—both retroactively and prospectively.

Moreover, if the State of Wisconsin prevails in the instant case under the present condition of the law, its success will provide precedent for many other States to file successful suits of the same kind. If this comes to pass, it undoubtedly would lead to bankruptcy for the NALC health benefits program—and very possibly for similar programs of other Federal employee organizations.

As most of the senior Members will recall—and as my own research has demonstrated—the Federal Employees' Health Benefits Act of 1959 was broadened from original administration proposals to affirmatively include, as part of this great Federal program, participation by programs of recognized organizations of postal and other Federal employees.

This enunciation of congressional policy clearly imparts to the employee organization programs full stature and character as part of the master Federal Government programs for its employees and retired employees. Such Federal programs—and all parts of them—should not be subject to State regulation or taxation—whether in the form of licensing requirements or the imposition of fees or charges for doing business within a State. But, unfortunately, neither the Federal statutes concerned nor the legislative history contained positive statements or proscriptions in this respect.

Therefore, in order to respond to the emergency and to provide the permanent relief for our Federal employee organizations which obviously is needed, I am again introducing appropriate legislation. In sum and in substance, this legislation will suitably amend title 5, United States Code, to include provisions stipulating that the policies and provisions contained therein supersede any State law which purports to regulate any program, activity, or business proceeding authorized by the pertinent Federal statutes.

Mr. Speaker, I believe that all Members will recognize the need to continue and affirm the policies and principles which were intended by the Congress to govern the conduct of these Federal employees' fringe benefits programs when they were enacted. I am confident that the legislation I am introducing will receive the same strong bipartisan support indicative of its cosponsorship by Members on both sides of the aisle at the earliest possible date.

PROPOSED ABOLITION OF ELECTORAL COLLEGE

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BOLAND. Mr. Speaker, I am introducing today a proposed constitutional amendment calling for the abolition of the electoral college—a dangerous and antiquated institution that was of questionable value even when it was created nearly 200 years ago.

My bill, substantively identical to one introduced in the Senate by Mr. BAYH, of Indiana, proposes direct popular elections among presidential and vice-presidential candidates linked together on national tickets.

The bill's provisions, excerpted from its text, are as follows:

SECTION 1. At a time determined by the Congress there shall be held in each State and in the District of Columbia an election in which the people thereof shall vote for President and for Vice President. In such election, each voter shall cast a single ballot for two persons who shall have consented to the joining of their names on the ballot for the offices of President and Vice President.

The legislature of each State shall prescribe the places and manner of holding such election thereof and shall include on the ballot the names of all pairs of persons who have consented to the joining of their names on the ballot for the offices of President and Vice President but the Congress may at any time by law make or alter such regulations. The voters in each State shall have the qualifications requisite for persons voting therein for Members of the Congress, but nothing in this article shall prohibit a State from adopting a less restrictive residence requirement for voting for President and Vice President than for Members of the Congress, or prohibit the Congress from adopting uniform residence and age requirements for voting in such election.

The Congress shall prescribe the qualifications for voting and the places and manner of holding such elections in the District of Columbia.

Within forty-five days after the election, or at such time as the Congress may direct, the official custodian of the election returns of each State and the District of Columbia shall prepare, sign, certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and for Vice President, together with the number of votes cast for each.

SEC. 2. On the 6th day of January following the election, unless the Congress shall by law appoint a different day not earlier than the 4th day of January, the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates, and the votes shall then be totaled. The persons joined as candidates for President and Vice President, having the greatest number of votes shall be declared elected President and Vice President, respectively, if such number be a plurality amounting to at least 40 per centum of the total number of votes certified. If none of the pairs of persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified, then Congress shall provide by law, uniform throughout the United States, for a runoff election to be held between the two pairs of persons joined as candidates for President and Vice President, respectively, who received the highest number of votes certified.

SEC. 3. If, at the time fixed for the counting of the certified vote totals from the respective States, the presidential candidate who would have been entitled to election as President shall have died, the vice presidential candidate entitled to election as Vice President shall be declared elected President.

The Congress may by law provide for the case of the death or withdrawal, prior to the election provided for in section 1, of a candidate for President or Vice President and for the case of the death of both the persons who, except for their death, would have been entitled to become President and Vice President.

SEC. 4. The Congress shall have power to enforce this article by appropriate legislation.

The need for abolition of the electoral college is clear and pressing: every 4 years the American people run the risk of being thrown into a constitutional crisis that could threaten public confidence in the basic processes of government. For almost 200 years the election of the President has been carried out through the use of the electoral college system. The close elections of 1960 and 1968 have again raised a number of long-standing questions about the value of a system that is so capable of distorting or completely betraying the very will of the majority. The present electoral college system is subjected to valid criticism, but the problem is far from simple.

The actual working of the Constitution appears to have departed far from the intentions of its framers as to the provisions for electing the Chief Executive. The Constitution's draftsmen displayed great foresight but they could not know that the development of organized political parties and the development of a literate and informed electorate would so change their conception of the role of elections.

In essence, as Prof. James E. Kirby has stated, we have subjected ourselves to an "ox-cart method of selecting space-age Presidents." The prospect of an indecisive election, serious enough in the 19th century, has become wholly unacceptable in the 20th when a nation of great power and worldwide responsibility demands continuity in the executive leadership.

A product of compromise, the electoral college was settled upon at the Constitutional Convention only after much discussion. Although more than 15 proposals for electing the President were presented to the Convention, one of the most frequently suggested was a plan entailing election by Congress. Fear of an executive dominated by the legislative body as well as fear of cabal and intrigue brought rejection of this method. Deadlocked on this and other proposals, including a direct election plan advocated by James Madison, the Convention devised the electoral college as a method most acceptable to the people. Reflecting the apprehension of the colonists based on experiences with a dominant executive, the plan was devised by men who envisioned a system under which persons of the highest caliber would be chosen as electors. The Founders contended that it was impossible for the people to know the candidates, reinforcing the hesitancy expressed by Elbridge Gerry to subject the election of the President to the "ignorance of the people."

Yet the men designated as electors today function for the most part under a cloak of anonymity. In fact, in 35 States no attempt is made to inform the voters just who is representing them. Instead, these States use what is referred to as "the short ballot" listing only the names of the party candidates. Only 14 States place on the ballot with the candidates the names of all the electors pledged to each. Alabama prints only the names of the electors.

Stemming from compromise between large and small State factions, the electoral college gave something to both. All States, regardless of size, received a minimum of three electoral votes, corresponding to the two Senators and one Representative to which they were entitled. The large States won the right to have the element of population recognized, since the assignment of electoral votes depended on the size of the State's representation in the House. With many delegates of the opinion that some elections might be thrown to the House, small States were given assurance that, providing no candidate received a majority of the electoral votes, the House would select the President with all States having equal voting power; that is, one vote each.

While small States today may express fear at relative loss of power without the electoral college, we need only mention the 1968 election, as in other recent elections, where even with the electoral college system, most of the emphasis of campaigning focused on the larger States that have the power to throw large blocs of electoral votes to one candidate or the other.

Throughout previous elections numerous instances have occurred in which all electoral votes of large States were cast for a candidate who won only by a small majority or plurality. For example, elections in which the national outcome depended on a single large State are numerous: a shift of 2,555 votes in New York could have reversed the electoral college outcome to make Henry Clay President instead of James K. Polk in 1844. In 1880 Winfield S. Hancock would have been made President instead of James A. Garfield if there had been a vote shift in New York of 10,517 votes. A shift of 575 votes in New York during the election of 1884 would have made James G. Blaine President instead of Grover Cleveland. In 1888 a shift of 7,189 votes in New York could have changed the electoral vote to favor Grover Cleveland instead of Benjamin Harrison—Cleveland actually won a popular vote plurality but lost in the electoral college vote. A California shift in the election of 1916 of 1,983 votes would have made Charles Evans Hughes President instead of Woodrow Wilson, although President Wilson still would have had a half million more popular votes.

Under the present system a candidate can win the Presidency by concentrating on and winning the electoral votes of 11 large States plus one small State. The electoral votes of New York, California, Pennsylvania, Illinois, Ohio, Texas, Michigan, New Jersey, Florida, Massa-

chusetts, and Indiana total 268. Only one more State with 12 electoral votes would be necessary to win with the required 270.

On the other hand it is of interest to note that the five smallest States, with one Representative each and a combined population of about 1,700,000, would have the same voting power as the five largest States, with a total of 154 Representatives and a combined population of 64 million, if an election were thrown into the House. The 26 smallest States, with 76 Representatives and a total population of about 31 million out of 200 million would thus be able to elect the President.

The means whereby all of a State's electoral votes go to the candidate polling the largest vote, even when that vote is only a plurality, exaggerates concentration on the large-population States with their large blocs of electoral votes. This "winner take all" approach is responsible for the discouragement of political activity in States considered safely in the pocket of either major party and leaves the door open for a President to be elected who has received fewer popular votes than his leading opponent. The "winner take all" procedure in effect disenfranchises voters on the losing side by giving their votes to the candidate they opposed.

In the "winner take all" approach a candidate's popular vote is isolated in one State from those cast for him in another State. For example, in 1960 John F. Kennedy received 2,377,846 popular votes in the State of Illinois while Richard M. Nixon received 2,368,988 votes. The late President received all the electoral votes in Illinois. Nixon received the 13 electoral votes in Indiana where he obtained 1,175,120 popular votes and Kennedy, 952,358 votes. Although Mr. Kennedy received more than two-thirds of the combined electoral votes of the two States, Mr. Nixon actually received a substantial majority of the popular votes cast.

This disproportion between the popular vote and the electoral vote is to be found in every presidential election. For example, in the 1964 election, President Johnson received 61.1 percent of the popular, or 43,128,958 votes, yet Mr. Johnson received 486 electoral votes to Mr. Goldwater's 52. In 1944 Franklin D. Roosevelt received 53.4 percent of the popular vote and 81 percent of the electoral vote. In 1936 Alfred M. Landon received 36.5 percent of the popular vote and only 2 percent of the electoral vote. In 1912 Woodrow Wilson received 41.9 percent of the popular vote and 82 percent of the electoral vote.

The fact that a State's electoral votes remain the same regardless of voter turnout is a significant factor. Thus, in the 1964 election with the total popular vote cast in New Jersey substantially more in number than that cast in Texas, the winning candidate in Texas received 25 electoral votes while the winning candidate in New Jersey was awarded only 17 electoral votes. In that same election, the three electoral votes in Alaska were decided by 67,259 votes at a ratio of one electoral vote for every 22,419 voters. In the same election, New York citizens voted at a ratio of one electoral vote for every 166,657 voters with 7,166,275 people voting.

These are the sorts of problems with which the American people are confronted every time they vote for the President. If the people fail to cast a decisive presidential vote on election day, the consequences of a constitutional crisis could very well become a reality in the balloting of the electoral college. With no candidate receiving the majority of the electoral votes, selection of the President would be forced upon the House of Representatives. The possibility of such a crisis is increased by the strength of a third party candidate, whose momentum is capable of upsetting the machinery of the college. This submits the electoral college to the level of bargaining, with a third party holding a balance of power.

These inequities of the present system have underscored the necessity of fundamental changes in the election process. If we are to have true presidential elections we must focus on the elimination of the undemocratic and complex system that exists. This need for reform is magnified by the perpetual risk of deadlock—a risk heightened by the emergence of third party movements and the use of uncommitted electors in recent years.

This danger has become a reality twice in American history in 1800 and 1824 when electoral deadlocks have placed the election of the President in the House.

While in 1800 it was generally assumed that the Democratic-Republican electors were voting for Thomas Jefferson for President and Aaron Burr for Vice President, this was in no way specified on their ballots. The Constitution prior to this time provided that each elector should vote for two candidates, the one receiving the highest number of votes to be declared the elected President, the next highest, Vice President. With a tie of 73 votes for Jefferson and 73 for Burr, the House took 36 ballots to choose between them. Jefferson was elected President only after arduous and vociferous debate. By the time of the next election the 12th amendment had been ratified, providing that electors cast separate votes for President and Vice President.

The electoral college again deadlocked in the election of 1824 when John Quincy Adams, Andrew Jackson, Henry Clay, and William Crawford vied for the Presidency. When thrown into the House the election went to Adams; in this instance he was the candidate receiving the second highest number of popular and electoral votes.

In the recent presidential elections of 1948, 1960, and 1968, the college was again threatened with deadlock. In 1948, the Dixiecrat Party and the Progressive Party siphoned off enough normally Democratic votes to cost President Truman the States of New York, Michigan, and Maryland. The switch of only a few popular votes in California and Ohio would have put those States' electoral votes in another column and deadlocked the college.

Dissident Democrats in 1960 ran slates of uncommitted electors in the Deep South, and these slates were successful in Alabama and Mississippi. With the popular vote split more closely than ever before in history, the switch of fewer than 5,000 votes in Illinois and Missouri would have required the House to pick among John F. Kennedy, Richard Nixon, and Virginia's Senator Harry Byrd, who received the votes of the uncommitted electors.

Just how close the Nation came to an electoral deadlock in 1968 is evident from an examination of the returns. With 270 electoral votes needed for victory, Richard Nixon received 302 and the shift of a relative handful of popular votes in Illinois, which gave him 26 electoral votes, and Missouri, which gave him 12, would have produced the deadlock. Only through Mr. Nixon's capture of a clear-cut majority of electoral votes was a major political crisis averted.

Although electors normally cast their ballots for their State's winner, most are not required to do so. Only 17 States and the District of Columbia are for the winner. Only in three of these States, Florida, New Mexico, and Oklahoma, are penalties provided for electors who choose not to do as instructed. However, the Constitution appears to leave the electors as free agents, and it is highly questionable whether these instructions and laws have any real meaning or could be enforced. The issue has never been adjudicated.

As long as the elector retains the constitutional power to exercise his own judgment, the voter reckons with the eventuality of disfranchisement. Voters who cast a ballot for candidates who do not carry the State are disfranchised at the State level in the sense that their ballots do not figure in the national tabulations. Under the winner-take-all rule, the candidate who carries a State no matter how small his popular vote margin receives that State's total electoral vote. The relatively high voter turnout in pivotal States may flow in part from the mathematics of this disfranchisement. When the voter believes he has the chance to influence the selection process, then he will go to the poll.

For most citizens the electoral college is a meaningless institution which only confuses the presidential election process. Often the voter is unaware that his vote is one cast for electors and that he is not voting directly for President.

The people themselves in a democratic society should have a more direct choice of the head of their Government. The election process should reflect a clear expression of the public will, with every voter exercising equal weight. The process should eliminate the chances of putting in the White House someone who is not truly the first choice of the American people.

If we want true presidential elections, then we must do away with the present electoral college system. Otherwise the American people will continue to be subject to an undemocratic process with a potential for a constitutional crisis of paramount significance. The health and strength of American democracy demands reform of a system undemocratic and dangerous in both theory and practice.

TOMORROW'S SPACE BENEFIT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the December 2 issue of Aviation Week & Space Technology republished a portion of a speech given at the National Space Club by Dr. George E. Mueller, Associate Administrator for Manned Space Flight, NASA. Because of the importance of these remarks which are directed to the future of our national space effort, they are included in the RECORD. If our national space effort is to derive a maximum benefit from the investment which has already been made it is important that the Congress consider carefully the views expressed by Dr. Mueller.

The speech follows:

TOMORROW'S SPACE BENEFITS

The three-man workshop which will orbit the earth, now under development in the Apollo Applications Program, will be a space station utilizing equipment developed in the Apollo program. It will provide accommodations for three people and their equipment for several months in orbit. We will be asking the 91st Congress to continue this development program for the early accomplishment of this forward step in space exploration.

The orbital workshop is the forerunner of space stations that will be used as laboratories in orbit for the conduct of the many scientific, technological, and commercial experiments and processes which planners are now describing. They will be observatories to view the sun, the planets and the stars, beyond the atmospheric veil of earth. Stations in orbit will be bases for continuous observations of the earth for meteorological and oceanographic uses, for earth resource data gathering and evaluation, for communications and broadcasting, for space and air traffic control and for national security.

Farther down the time line are some provocative possibilities. For instance, the unique conditions of space suggest that certain kinds of manufacturing should be carried out in space stations.

Weightlessness in orbital flight, a phenomenon regarded with apprehension before man ventured into space, offers intriguing possibilities; new materials could be produced, products made more precisely and materials of all kinds processed in different ways. For instance, liquid floating in a weightless environment takes the shape of a perfect sphere. Thus, it is conceivable that metal ball bearings could be manufactured in space to tolerances impossible on earth, yet at a cost, including transportation, less than we can now achieve. Perfect bearings would reduce friction and noise levels to the vanishing point.

Free-fall casting techniques could be utilized to cast large flawless optical blanks for telescopes, and by proper combinations of spinning and electrostatic forces we should be able to shape the surface as well.

Stable foams for mixtures of liquefied materials and gases offer exciting possibilities. Such foams cannot be satisfactorily produced on earth. In weightlessness, the mixing and equal distribution of gas bubbles in any liquid can be stabilized and moved into a desired pattern. Using this technique, we can produce a steel foam almost as light as balsa wood with many of the properties of solid steel. Of even more importance, composite materials like steel and glass of drastically different densities and properties can also be produced.

Some potential applications of these foam materials are extremely lightweight construction components, variable-density turbine blades and versatile insulating composites to withstand extreme temperatures.

But the realization of these exciting possibilities must await new developments.

The uses of space have been limited in concept and extent by the high cost of putting a payload into orbit, and the inaccessibility of objects after they have been launched. Today we have in sight the technology necessary for reusable space vehicles. This knowledge, together with awareness of the logistics requirements of continuing space activity, leads me to conclude that the next major thrust in space should be the development of an economical space vehicle for shuttling between earth and the installations, such as orbiting stations, which will be operating in space.

Only a decade ago, technology was pushed to its very limits in order to barely achieve orbital flight. Our first Vanguards and Explorers cost in the order of a million dollars per pound of payload to fly into space. A "space shuttle" which we can now foresee, should evolve into a system which can deliver usable payload at a cost that might approach $5 per pound.

Ideally, the space shuttle would be able to operate in a mode similar to that of large commercial air transports and be compatible with the environment of major airports, taking off vertically from a small pad, dispatched by crews similar in size to those required for intercontinental jets, and upon its return from orbit, re-entering the atmosphere and gliding to a horizontal runway landing.

Interestingly enough, the basic design for an economical space shuttle could also be the progenitor of an aircraft for terrestrial point-to-point transport. No place on earth would be more than 1 hr. from any other.

Over the past several years studies have progressed to the point where several promising concepts for an economical, reusable space vehicle already exist.

However, the germination period of new designs is from 7 to 15 years. Jet power, available in 1946, came into commercial use on the Boeing 707 in 1958. Driving against traditional time lags, the Saturn 5 system has been developed and used within eight years of its conception.

It is reasonable to conclude then, that a space shuttle development program, initiated now, could probably be brought to fruition before the end of the 1970s.

Unfortunately, a critical need for such a transportation system will exist before then. We already know that crews and materials will need to be shuttled between earth and laboratories in space. Men and materials will be flown back and forth to the space stations which are scheduled to begin solar investigations in 1971. Communications, navigation and earth-sensing satellites will probably require maintenance or refit. In its role as a global transport, the space shuttle could go to work tomorrow.

No really meaningful estimate of the number of space shuttle vehicles which will be required can be given at this time, for that number is a function not only of the various missions which it will be called upon to perform, but also a function of the existence of the machine itself. After all, no one needed an airplane, a computer or a telephone before they existed.

The space shuttle is, in my opinion, the key to our efficient utilization of the capability we now have and to the application of the knowledge we have already gained. I believe it will be the bridge which will carry space-gained knowledge across the gap between the public and private sectors for profitable earth applications.

APOLLO 8 EXCITES IMAGINATION OF WORLD—JOHNSON ADMINISTRATION DRAWS PRAISE FOR LEADERSHIP IN SPACE EXPLORATION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, certainly we are all proud of our three distinguished and courageous astronauts—Frank Borman, James Lovell, and William Anders—who have made history as 20th-century Magellans by circling the moon and returning.

This was a magnificent feat—and this combination of courage and competence has unquestionably thrust the United States far ahead in space exploration.

I join with my colleagues in congratulating and commending the three astronauts; James Webb, the retiring Administrator of National Aeronautics and Space Administration; Dr. Thomas O. Paine, the Acting Administrator, and the great space team that together has accomplished this remarkable success in the space program.

And certainly President Johnson must be credited with great foresight and dedication in his championship of the space program, leadership which goes back to the formation of NASA with President Johnson's encouragement and support as then Senate majority leader.

In this connection the Knoxville News-Sentinel, in an editorial entitled "L. B. J. and Apollo 8," has pointed out that the Apollo 8 success is a fitting climax to the Johnson administration.

Because of the interest of my colleagues and the Nation in the space program, I herewith place this editorial in the RECORD:

[From the Knoxville (Tenn.) News-Sentinel, Dec. 29, 1968]

L. B. J. AND APOLLO 8

President Johnson, who has had more than his share of disappointments, is especially entitled to rejoice over the spectacular Apollo 8 circumnavigation of the moon and return to earth.

Taxpayers provided the money, scientists the brains and Astronauts the skills to bring off the Apollo success, but it is only giving due credit to acknowledge that there would have been no such Apollo flight—at least not at this early a date—without Johnson's political leadership.

The beginning of LBJ's intimate, intense, yet unique, involvement in the space program goes back to the autumn of 1957, when the Russians startled the world by orbiting their first Sputnik. The men running the Eisenhower Administration didn't seem quite to know how to react to the Soviet scientific breakthrough. Defense Secretary Charlie Wilson referred to Sputnik as a "basketball" in space.

LBJ, vacationing on his Texas ranch, didn't like what he saw of the disarray in Washington. With his instinct for action, he returned to the capital city, summoned the members and staff of the Senate Military Preparedness subcommittee, of which he was chairman, to go to work finding out what was not being done right in our own faltering space program.

When Congress reconvened in January 1958, he was ready to step forward as a shaker and mover of events, a shaper of action. As Democratic leader, he delivered his own State-of-the-Union address to the Senate Democratic caucus.

The USSR, he said, had gained a shocking lead in space exploration.

"There is something more important than any ultimate weapon," he said. "That is the ultimate position—the position of total control over earth that lies somewhere out in space . . . Whoever gains that ultimate position gains control over the earth, for purposes of tyranny or for the service of freedom . . . Our national goal and the goal of all free men must be to win and hold that position."

He crowded Congress and the Eisenhower Administration into action. First through the Special Committee on Space and Astronautics, LBJ chairman; then the Committee on Aeronautical and Space Sciences, LBJ chairman. Under his prodding came a flood of legislation, including the creation of the National Aeronautics and Space Administration, and a flood of appropriations.

When he was elected vice president, President Kennedy rewarded LBJ by making him chairman of the National Aeronautics and Space Council, and set the goal of getting an American to the moon in this decade.

Thousands of others earned credit in this great undertaking, but there is no question that from the start President Johnson has been the principal political spark-plug.

The Apollo 8 exploit is a fitting climax to his Administration.

We congratulate him, and all hands.

MEDICARE FOR THE DISABLED OF ALL AGES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. VANIK. Mr. Speaker, during the past two and a half years, millions and millions of America's senior citizens have benefited from medicare. Without medicare, many of these beneficiaries would not have been able to pay for the services which they received, many would have dangerously neglected their health. Medicare has been a tremendous success. It is a program dearly treasured by those eligible for its coverage.

But there is one group of Americans who are frequently in need of medical assistance and whose income is generally limited. This group is the 1.5 million seriously disabled Americans under 65 who receive social security and railroad retirement benefits but who are not covered by medicare. This group is made up of 1.2 million disabled workers, 200,000 people getting disabled child's benefits, and 100,000 disabled widows under the age of 65.

The disabled citizens need for medicare coverage was well documented in a survey conducted by the Social Security Administration in 1960 which revealed that 1 out of 5 disability beneficiaries under social security received care in short-stay hospitals during that year. Not counting those in long-term institutions, at least half of those disabled who were hospitalized were in the hospital for 3 weeks or more.

Although frequently in need of extensive health services, the disabled person may be less able to afford such services. In addition, the totally disabled person often finds it almost impossible to obtain private health insurance.

The problem of providing adequate health assistance for the disabled is a difficult one. In Cuyahoga County alone, in which Cleveland is located, there are some 13,754 citizens receiving disability insurance. Extension of medicare coverage to these people is the best and most efficient method of meeting the health needs of these citizens.

To meet this pressing need, I am introducing today, on the opening day of this new Congress, legislation to extend medicare to these disabled citizens. It is my hope that early hearings can be held on this legislation by the Ways and Means Committee and that this legislation can be enacted within this session of Congress.

MR. REUBEN A. GROSSMAN

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, it is my sad duty to bring to the attention of Members of the U.S. Congress the death of Mr. Reuben A. Grossman, of Quincy, Mass.

Mr. Grossman was a kindly man who exhibited on many occasions his concern for the plight of his fellow man. He had great respect for human dignity and his passing leaves a great void in the South Shore area of Massachusetts. My sympathy goes out to his loved ones.

Mr. Speaker, I take this opportunity to include the following news articles from papers in the Boston area about Mr. Grossman:

[From the Quincy (Mass.) Sun, Nov. 14, 1968]

REUBEN A. GROSSMAN: A SUCCESS AS A MAN

The passing of Reuben A. Grossman takes from the Quincy scene one of those rare men who seem to come along just once in your lifetime.

His was a rags-to-riches Horatio Alger-like success story. Actually, a more fantastic one.

He left the John Hancock School in the sixth grade to help his father, Louis, an immigrant door-to-door peddler.

Last week (Nov. 6) he died at age 82—a founder, senior member and chairman of the board of directors of Grossman's Inc., a family commercial empire.

During most of those 82 years, he was a living memorial to his father.

The latter emigrated from Podeski, Russia in 1890—paying $17 for his passage. And within just six months—working as a peddler with a sack on his back—saved enough money to send for his family.

The family at that time consisted of his wife, Hia, Pearl Grossman, Reuben, four, Jacob, two, and infant Bessie.

What was to become one of the great building materials firms in the nation—now a chain of 75 stores throughout the Northeast—had its humble start in a little store at 10 Jackson St., South Quincy.

Reuben, Jacob and Quincy-born Joseph B. and Sidney Grossman, all played key roles in the company's growth.

As eldest son, Reuben left school and at the age of 12 became a full partner in his father's then scrap material business driving a horse-drawn wagon filled with scrap and bottles to Boston.

Today, the company has a fleet of more than 550 vehicles servicing the 75 lumber and building materials outlets in New England, New York and Pennsylvania.

It was Reuben who came up with the now famous Grossman trademark: orange colored trucks with the slogan on front and rear: "Here Comes Grossman's" . . . "There Goes Grossman's."

That was 1920. Eight years later he became president of the company when his father retired.

Reuben Grossman was a sharp businessman as competitors with all kinds of fancy college degrees frankly admitted.

He early saw the value of off-street parking, converting the old Edwards Meadow into one which later became the Ross Parkingway in downtown Quincy. It triggered the development and expansion of the multi-million dollar retail district of today.

He was an outstanding leader in merchandising, salvage-surplus operations, real estate management, sales promotions and rehabilitation of one-mill towns in New England.

But Reuben Grossman was more than that. He was also a success as a human being.

He was a civic leader, humanitarian and philanthropist. He was often on the giving end.

He presented Quincy City Hospital with a Medical Library. Provided nursing scholarships for members of Grossman employes' families and more scholarships for thousands of high school students.

Profits from sale of Christmas trees go to Cardinal Cushing's charities.

And there were many more charitable deeds known only to him and those who benefited.

On March 8, 1964, the esteem in which he was held was quite evident at a dinner in his honor at the Quincy Jewish Community Center.

It was an appropriate site.

The building was Quincy's first telephone facility. Reuben Grossman and his brothers purchased it in 1944, remodeled it and presented it to Quincy's Jewish families for social, educational, cultural and leisure activities.

By that time, there was a need for such a facility. There were only three Jewish families in Quincy when the Grossmans arrived in 1890. By 1944 there were more than 300 Jewish families here.

Among those honoring Reuben Grossman on the night of that dinner in 1964 were a Governor (Endicott Peabody); a Lieutenant Governor (Francis X. Bellotti) and a Mayor, (Amelio Della Chiesa).

They and the lesser known were there that night to honor not just Reuben Grossman, business leader, but Reuben Grossman, the man.

For as a man, he was even a bigger success in life.

[From the Quincy (Mass.) Patriot Ledger]

REUBEN A. GROSSMAN

This community has lost a remarkable individual with the death of Reuben A. Grossman at the age of 82.

He lived a long and useful life, one dedicated to the Quincy community and to his religious faith, and marked by an outstanding business career. The city and its neighboring communities have been enriched by his achievements and through his confidence in the future of the area.

The economic life of Quincy owes much to Reuben Grossman's foresight. When the Ross Parkingway was built, for example, Mr.

Grossman developed properties in and about the area, often without a commitment for a tenant. He pioneered in persuading Boston department stores to come to Quincy—at the time, an unusual business concept. Now, it is commonplace.

The story of the Grossman's firm is one of the great American success stories. It began on a modest scale with his father's scrap material business. When he was 12 Reuben became a full partner. Through the efforts of Reuben Grossman and his family, Grossman's has become a major enterprise in the Northeast, with more than 75 branches in New England, New York and Pennsylvania.

In many ways, Reuben Grossman served his community through personal service and philanthropy. We join with others in mourning his death.

[From the Quincy (Mass.) Patriot Ledger, Nov. 8, 1968]

Overflow Crowd Attends Reuben Grossman Services

(By Angus D. MacDonnell)

Quincy.—An overflow crowd, some of them standing an hour in the rain, attended the funeral services held yesterday afternoon in Ahavath Achim Synagogue, 139 School Street, for Reuben A. Grossman, 82, of 37 Hancock Court. He was a founder, senior member and chairman of the board of directors of Grossman's Inc., a chain of 75 building materials stores throughout the Northeast.

Mr. Grossman, who was born in Russia, was highly respected as a civic leader, humanitarian and philanthropist. He died Wednesday in Peter Bent Brigham Hospital, Boston, after a long illness. Leaders in business, professional and public life, headed by Mayor James R. McIntyre, filled the synagogue where rites were conducted by Rabbi David Jacobs of Temple Beth El, Quincy Center, with Rabbi Jacob Mann of Temple Beth Israel, Quincy Point, and Rabbi Levi Horowitz of Congregation Beth Pinchas, Brookline.

About 600 employees at noon yesterday attended a memorial service for Mr. Grossman in Grossman's main plant warehouse off Union Street.

Associates and employes eulogized "Mr. Reuben" in a brief ceremony before the shutdown of the chain's stores and operations for a four-hour memorial.

The Rev. J. Irving Fletcher of 192 School St., Quincy, a Congregational minister who had retired to work as Grossman's paymaster for 24 years, gave the invocation and final prayer.

John Herbert, editor of The Boston Herald Traveler and former editor of The Patriot Ledger, cited Mr. Reuben's vision in planning shoppers parking for the City of Quincy.

He noted Mr. Reuben's respect for human dignity by his activities in visiting and preparing "life saver" packages for old people in institutions; his collection and distribution of day-old bread to the poor from the bakery under the old synagogue on School Street, Quincy and the four beds in the synagogue for vagrants.

If he couldn't convince them to take a job, he fed, clothed and provided them with funds before they left. Mr. Herbert said.

Mr. Herbert recalled how "Mr. Reuben" sold out surplus shortsized "2 x 4s" by combining them with standard sizes.

"His sales methods, ahead of his time, are now adopted by modern motivation research experts," Mr. Herbert said.

Most of Mr. Reuben's philanthropies were not publicized, but, Mr. Herbert said, quoting from the epitaph on British architect Christopher Wren's tomb, "If you want to see the monument of the man, just look around."

Other speakers included Cornelius O'Reilly, head of the lumber and building materials department, and employes Paul Shauck, Hank Williams, Tom Maskilieson, Gladys Lambie and Harry Lubar.

Burial was in Grove Cemetery, West Roxbury.

[From the Boston (Mass.) Globe, Nov. 8, 1965]

Reuben Grossman Rites: Three Rabbis Eulogize Quincy Industrialist, 82

Quincy.—The small, simple synagogue which his father, Louis Grossman, founded, and which he headed since his father's death 20 years ago, was the setting for the funeral services for Reuben A. Grossman, Quincy industrialist and humanitarian, on Thursday afternoon.

It was the Jewish house of worship in which every male member of the large Grossman family has been Bar Mitzvah for the past 60 years.

"He lived with a good name and he died with a good name," said Rabbi David Jacobs of Temple Beth El, Quincy, who, with Rabbi Jacob Mann of Temple Beth Israel, Quincy, and Rabbi Levi Horowitz of Congregation Beth Pinchas, Brookline, extolled the religiously sensitive senior member and chairman of the board of directors of Grossman's, Inc., a lumber and building materials store chain.

The little synagogue, which holds no more than 250 persons called Congregation Ahavath Achim, "Brotherly Love," was filled to overflowing, with people, from all walks of life who wanted to pay tribute to the 82-year-old man described as one who had consistently displayed high character, nobility and humility, throughout his life.

Despite his wealth, Mr. Grossman, a man with a warm smile that was a "trademark," used to be seen carrying two bags filled with challah, the specially-baked braided Sabbath bread, to distribute to poor families so they could enjoy the Sabbath tradition, noted Rabbi Mann.

He told of Mr. Grossman's visits to the Home for the Aged with candy and other sweets and of sharing experiences with them, of his pleasure at seeing small children learn about Judaism at yeshivas, and his love of his family.

"His life was worthwhile. He shared it with others. May it set an example for those who follow," he prayed.

"I shudder at the thought that Reuben Grossman is no more. He symbolized so much and gave so much meaning to life," Rabbi Horowitz said.

He, too, spoke of Mr. Grossman's friendliness and dedication to worthwhile causes and religious functions, particularly Jewish institutions of learning, and of his single-handed efforts to make certain that there were daily "minyans"—the required number of 10 men—to pray each day in the synagogue.

"But of all his jewels of service, the greatest adornment of his crown was his family life. He was deeply proud and devoted to every member of his family. And the loving care, devotion and sacrifice was returned by them. What a man he was to elicit such loyalty," Rabbi Horowitz exclaimed.

Prior to the service a group of students and faculty from the Boston Lubavitz Yeshiva, led by Rabbi Joshua T. Kastel, executive director of the school of which Mr. Grossman was board chairman, recited from the Book of Psalms, next to the plain oak casket draped in black cloth with the Star of David in the center.

The memorial prayer was intoned by Cantor Moshe Semigran of Temple Beth El.

Eight grandsons served as bearers. They were: Max and Seth Stadfeld, Brookline; Robert S., James B., James E. and Thomas Grossman, Alan Siegel and Michael Soble.

Among those attending the services were: Quincy Mayor James R. McIntyre, former Mayor Emilio Della Chiesa, former Massachusetts Banking Commissioner and Boston Mayor John B. Hynes, Rabbi Leib Hyman, dean of the Boston Rabbinical Seminary; Rabbi Aaron Kra, Hebrew Rehabilitation Center for Aged, and Heslip Sutherland, president, Quincy Cooperative Bank.

Interment was at the family plot in Dedham.

YOUTH CAMP SAFETY SURVEY ACT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on August 5, 1965, a horrible but apparently avoidable tragedy occurred. A camp truck overturned and five were killed. Sixty-two children and eight counselors had been loaded on a flat-bed truck and a 20-year-old counselor had been permitted to drive. The crushed speedometer read 58 miles an hour. It was reported that the truck actually somersaulted. Four children and one counselor were killed instantly. All the children had to be taken to the hospital. The police on duty that night said it was the worst accident they had ever seen.

In 1966, the division of accident prevention in the public health service reported on a survey of deaths and injuries resulting from camping and recreational activities. This report indicated that congressional action was urgent and essential.

Today, I am introducing the "Youth Camp Safety Survey Act," a bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps.

We live in an era of enormous growth and affluence where people can afford to send their children to camps. This growth is continuing at a tremendous rate. More than 6 million children enjoy the benefits of being campers throughout the United States. While many camps provide these children with the basic security of family living, too many camps do not. Those acquainted with camping life know the potential threat to a camper's health and safety, especially without proper supervision of skillful and mature counselors and directors.

In the 90th Congress at hearings held on similar legislation before the Select Subcommittee on Education, Mr. P. Frederick Delliquadri, Chief of the Children's Bureau of the Social and Rehabilitation Service, Department of Health, Education, and Welfare, stated:

> It has been evident for some years that there is need for a national inventory of camping. It is also evident that provision should be made for guidelines to camp standards. This is a complicated task requiring a variety of standards by types of camps and services.

In 1940, a national voluntary association, the American Camping Association, was developed to accredit camps with suitable health and safety standards. Although this organization's work has been highly commendable, its accreditation system has its weaknesses. Of the estimated 11,200 camps operated in the United States, only 27.4 percent, or 3,069 camps are members of the American

Camping Association. Unfortunately, the only penalty for noncompliance is that the delinquent camp cannot use the American Camping Association seal on its literature and advertising, and it is dropped from the American Camping Association's national directory of accredited camps.

Camps have been in operation over 100 years and camping is approaching the status of big business. Resident camps alone have tripled in number in the last 10 years. Obviously, camping is now a national concern as well as a local responsibility. With this view, the Federal Government must provide the leadership to establish State licensing procedures and standards to protect the health and safety of children.

This bill in no way is intended to interfere with the curriculum or program at a youth camp. Specifically, this bill would direct the Secretary of Health, Education, and Welfare to undertake a study of State and local laws and regulations governing the operation of youth camps to determine the extent, effectiveness and enforcement of these laws and regulations. In addition, the Secretary will be directed to make a study of the operation of camps and campgrounds conducted by Federal agencies. The bill also provides for an 18-member advisory council to develop recommendations in concert with the Secretary. Within 1 year from the date of enactment of this act, the Secretary shall submit to the President a comprehensive and detailed report of his findings, including such recommendations as he may deem necessary or desirable to insure the safe operation of youth camps. The amount of $175,000 has been authorized to carry out the purposes of this bill.

Summer camps deal in what is perhaps the most precious commodity we have—the lives of our youngsters. This legislation will take a giant step forward to guide parents in determining that the camp they select for their children will provide the high standards which the children of our Nation deserve.

CHAIRMAN DULSKI COMMENDS POST OFFICE DEPARTMENT MOVES AGAINST MAILERS OF OBSCENE MATERIAL

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DULSKI. Mr. Speaker, the problem of controlling the distribution of obscene material through the mails has been of continuing concern over the years to both the Congress and the Post Office Department.

I want to commend Postmaster General Watson and his staff for their vigilance and their sincere efforts to deal with this most frustrating problem, which is complicated by general laws involving individual rights and the privacy of the mails.

The Department has made an administrative ruling in a California case under the law which our Committee on Post Office and Civil Service has strengthened. This is one more step in the effort to curb use of the mails for distributing obscene matter.

Our committee has been pursuing this problem on a continuing basis and will continue its study in the hope that we can give further legislative backing to the efforts of the Department.

For the information of the Members, I am including the text of a press release dealing with the Department's latest action, as follows:

POST OFFICE DEPARTMENT GENERAL PRESS RELEASE NO. 1, ISSUED ON JANUARY 2, 1969

In a case which could result in a test of the Postmaster General's authority to administratively halt mail-order sales of obscene materials, the Department denied Tuesday a Southern California firm the right to receive funds through the mails for magazines found obscene.

Acting under a civil statute authorizing the Department to bar mail-order sales of obscene matter (Title 39 U.S.C., Section 4006), Judicial Officer Peter R. Rosenblatt found seven magazines sold by The Mail Box of North Hollywood appeal "to the prurient interest in sex, are patently offensive to contemporary community standards . . . and are utterly without redeeming social importance."

Concerned by the increasingly shocking nature of the materials now sent through the mails, Postmaster General W. Marvin Watson says:

"Certain dealers have cast aside all restraints and are indiscriminately flooding the mails with offensive, sexually oriented materials by means of mailing lists to millions of young and old alike."

Mr. Watson expressed the hope that the reactivation of the Department's enforcement procedures under the civil obscenity law (Section 4006) will bring about further clarification of the Department's authority to administratively curb allegedly obscene materials.

The Department will move in two ways against the firm, General Counsel Timothy J. May explained:

Its incoming mail containing payments and new orders will be returned to senders marked "unlawful."

Postmasters will refuse to cash money orders the firm has received.

General Counsel May also moved quickly to stop the mail-order sales of this obscene material by requesting Attorney General Ramsey Clark to seek an order to impound all receipts for the questionable materials pending the administrative decision. This restraining order was granted by a U.S. district court December 3.

An administrative hearing was held in Los Angeles December 3–5 before the Judicial Officer and attorneys for the mailer and the Department.

In his decision the Judicial Officer noted that:

"The Congress has also long imposed upon this Department the right and duty of exercising a certain limited scrutiny over materials distributed through the mails, and the Supreme Court has not specifically relieved us of that function.

"Since the concept of obscenity as an offense to society's standards and best interests yet remains in our system of law, it would be logically inconsistent to deprive it of any meaningful content. No fair-minded observer could possibly conclude that these Magazines with their page upon endless page of pictures of naked women with spread thighs, are designed for any purpose other than as an appeal to the prurient interest; and one would have to be prepared to conclude that the prurient appeal is of itself socially important in order to discern the element of redeeming social value in the Magazine . . . The evidence as a whole amply established the fact that Americans as a whole are not yet prepared to grant such grossly commercial, artistically worthless, socially unexpressive and otherwise valueless erotica an accepted place in the panoply of diverse utterances which flourish in a free society.

"Hence until such time as the concept of obscenity has been abandoned for good and all . . . or until this Department is conclusively stripped of its legal duties in regard to obscenity, there can be no doubt that prevailing norms require the findings and conclusions contained herein."

Postmaster General Watson said the Department is also moving vigorously in two other areas to curb a rising flow of questionably obscene material through the mails:

Possible criminal violations of anti-obscenity statutes are being presented constantly by postal inspectors to U.S. attorneys and local authorities.

Citizens receiving pandering advertisements are obtaining prohibitory orders against mailers in large numbers.

In the first area, postal inspector investigations in fiscal 1968 led to 263 convictions in Federal and state courts. Inspectors are handling citizen complaints at the rate of about 150,000 a year.

In the second area—under the "Anti-Pandering Act" of last April—the Department already has issued more than 95,000 prohibitory orders through its general counsel's office and 100,000 more are expected during the current 1969 fiscal year.

In enforcing the prohibitory order the Department has referred several hundred cases to the Department of Justice to obtain Federal court orders commanding mailers to comply. Violators of the court order are subject to criminal contempt proceedings.

ON TO THE MOON

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the flight of Apollo 8 is now an unqualified success. The brilliant and heroic performances of Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders are now a part of the proud history of our Nation. An editorial by Robert Hotz, prepared prior to the successful flight of Apollo 8 and published in the December 16, 1968, issue of Aviation Week & Space Technology, not only describes well what was accomplished by the Apollo astronaut-NASA-industry team, but draws a significant comparison between their voyage and that of Columbus. I commend this article not only to the Members but to the general public as an excellent summary of what our capable space team has accomplished in the Apollo 8 flight:

ON TO THE MOON

(By Robert Hotz)

The flight of the Apollo 8 spacecraft, now poised on Pad 39A at Cape Kennedy, will mark the beginning of a new era of man's exploration of space. For the first time, man will set a course beyond his planet. Almost everything about the Apollo 8 mission will be different from that which has gone before—the velocities, the distances, the celestial mechanics and the re-entry technique.

Start with the launch window—a 5-hr. period calculated to put the three astronauts approaching the moon three days later with the sun at a low enough angle behind their backs to throw deep shadows on the lunar surface. This will be the approach situation of the later lunar landing mission. It is designed to give the descending astronauts the best possible visual conditions for maneuvering their landing craft to the moon's surface.

No men have ever blasted off before with the 7.5-million-lb. thrust of the Saturn 5 first stage or ever before ridden a booster of its power and complexity. Near the middle of the spacecraft's second orbit of the earth, it must reach the antipode—a precise bullseye in space from which the mighty thrust to overpower the earth's gravitational pull must be made. Here, the spacecraft will accelerate to some 24,000 mph. to initiate its 66-hr. journey across the quarter million miles to the moon.

As the Apollo spacecraft approaches the moon, it must lead the onrushing mass of the moon by only 68 mi. in a daring maneuver to put it close enough to enter the gravitational field of the moon but not so close that it can be run down by the advancing satellite. The Apollo spacecraft will be making its deflection shot at the leading edge of the moon at a velocity of about 5,600 mph. while the moon whirls toward it at its orbital speed of 2,287 mph. As one space engineer described this exercise in orbital mechanics:

"It is like running in front of a locomotive close enough to get a paint sample off its bumper without getting hurt."

At the same time this maneuver is transpiring at the leading edge of the moon, another interesting exercise will occur off the trailing edge. There, the spent and separated S-4B stage, which has accompanied the Apollo spacecraft along the translunar journey, will be flipped past the moon in a "slingshot maneuver." This brings it close enough in passing to be bent by the lunar gravitational field. This will deflect the S-4B onto a trajectory that will trap it in an orbit around the sun.

Maneuvering the empty S-4B booster stage is designed to keep this piece of debris, about the size of a five-story oil storage tank, from translunar space where it could be a hazard to future lunar missions. As one Apollo engineer explained:

"The solar orbit will become the city dump of the space age where we can safely dispose of most dangerous debris."

Once around the dangerous curve of the onrushing moon and flying along its backside, the Apollo 8 mission will approach its peak of suspense. For the spacecraft will be blacked out by the mass of the moon from all tracking and communication contact from earth for nearly an hour. While the whole world waits in ignorant suspense, the Apollo astronauts will finish their precise calculations and make burns of the service module rocket to decelerate to 3,628 mph. into orbit around the moon. On each of their 10 planned lunar orbits, they will disappear behind the backside of the moon while the world waits anxiously for the spacecraft to appear on the tracking radars and the radio to crackle again with reassuring communications that all is still well.

After completing the lunar-orbital portion of the mission, the Apollo 8 is scheduled to accelerate out of the moon's pull onto transearth trajectory. This maneuver, too, will be done on the backside of the moon. The spacecraft should come hurtling into view already on its earthly course at about 6,000 mph. This is a relatively speedy return made possible by extra fuel carried instead of the lunar landing vehicle. By burning a good bit of this extra fuel, the transearth flight can be made in about 57 hr. instead of the 82-hr. normal coasting mode.

From a quarter million miles away, the Apollo 8 crew will be aiming their spacecraft at a 2-deg. re-entry corridor—a 26-mi. slot at an altitude of about 400,000 ft. After separating the command module from the service module, the spacecraft will hit the outer fringe of the earth's atmosphere at 24,700 mph. To maintain a relatively constant g-loading during re-entry, the crew will make a 30,000-ft. "skip" from about 180,000 ft. back up to 210,000 ft., before pushing over into their final descent. If all goes well, they will splash down in a festive mood not too far from Christmas Island in the Pacific.

The giant Saturn 5 booster and the Apollo spacecraft are certainly eons away technologically from the simple wooden ships in which Columbus sailed from Palos harbor to explore the unknown oceans of the West. But in comparison to the environment and unknown hazards it must brave and the uncharted distances it must travel, the Apollo spacecraft is about as frail an explorer's cockleshell as the Nina, Pinta and Santa Maria were in their era. Success of the lunar exploratory voyages of the Apollo spacecraft and its doughty crews can open an era of expanding vistas for man comparable to the changes wrought in the world by those who followed the pioneering path of Columbus. Apollo 8 is truly the beginning of a new era in the history of man.

QUESTIONNAIRE RESULTS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. ROGERS of Florida. Mr. Speaker, I would like to thank the residents of the Ninth District of Florida for their excellent response to my annual questionnaires.

Their participation in Government has been most helpful, and I want to report here the results of the questionnaires for the first and second sessions of the 90th Congress:

QUESTIONNAIRE RESULTS

[In percent]

FIRST SESSION QUESTIONS

	Yes	No	No reply
1. Do you support U.S. military activity in Vietnam?	75	22	3
2. Would you favor prohibiting wiretapping and bugging in all cases except national security?	57	39	4
3. Do you favor the current "war on poverty"?	23	73	4
4. Should the United States increase trade with Communist countries?	24	72	4
5. Do you support foreign aid?	28	62	10
6. Would you support a program to improve health, education, and housing for migrant farmworkers?	74	21	5
7. Are you in favor of increasing social security taxes to provide increased social security benefits?	54	43	3
8. Do you favor "open housing" legislation?	18	73	9
9. Would you favor a constitutional amendment to prohibit Federal control of school curriculum, and teacher qualifications?	74	24	2

SECOND SESSION QUESTIONS

1. Which one of the following most accurately reflects your solution for Vietnam?			
(a) Immediate United States withdrawal	31		
(b) Halt U. S. bombing	9		
(c) Full military effort to win then withdraw	60		
2. Do you favor foreign aid?	18	76	6
3. Should a tax be imposed on Americans traveling abroad?	46	50	4
4. Do you support a balanced budget even if this means a major cut in domestic programs?	83	13	4
5. Is law enforcement being hindered by court decisions?	91	4	5
6. Do you favor my bill to limit the power of the Supreme Court by requiring a ⅔ds vote on constitutional questions?	94	5	1
7. Do you support the proposed 10 percent surtax on income?	28	67	5
8. To reduce the danger of riots this summer would you—			
(a) Pass new civil rights bills?	10	90	
(b) Continue the war on poverty?	23	87	
(c) Strictly enforce all laws with firm police action	94	6	

LEGISLATIVE PROGRAM, 91ST CONGRESS, CONGRESSMAN HASTINGS KEITH

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday; January 3, 1969

Mr. KEITH. Mr. Speaker, during my past five terms as a Member of the House of Representatives, a number of bills which I have introduced have been enacted into law. Included among them are the Cape Cod National Sea Shore Act, establishment of a New England Regional Commission, and the Bilingual Education Act which was incorporated into the Elementary and Secondary Education Amendments. On the other hand, action on several measures which I have introduced or cosponsored in recent years has not been completed, and today I am reintroducing some of those which are of major general interest both to my constituents and to the Nation. It is my hope that during the course of the 91st Congress these measures, and others which I plan to introduce in the near future, will receive full hearings and appropriate consideration and action by both Chambers of Congress.

At this point, Mr. Speaker, I would like to point out that the bills I am introducing today by no means constitute my entire legislative program for the 91st Congress. Major bills which will come before my committee, the Merchant Marine and Fisheries Committee and the Interstate and Foreign Commerce Committee, are still in the process of being drafted and improved. Among those which I will soon introduce are measures to aid our fishing industry, to prevent or at least minimize the effects of oil disasters such as the *Torrey Canyon*, and to protect our offshore areas from indiscriminate oil exploration. The National Advisory Commission on Marine Resources and Engineering Development is due to release a report affecting this last proposal within a week.

In addition, Mr. Speaker, I am joining my distinguished colleague from Massachusetts (Mr. BURKE) in reintroducing legislation to provide for tax deductions for legitimate reimbursed moving expenses. I have cosponsored this legislation in the past, and share my colleague's conviction that such expenses, incurred by increasing numbers of our mobile society, should be treated as business expenses and thus deductible.

I am also cosponsoring, with the ranking Republican member of the House Merchant Marine and Fisheries Committee (Mr. MAILLIARD) and other committee colleagues, the reintroduction of the bill to create an independent Maritime Commission. You will recall that this measure, after passing both Chambers last year, was pocket-vetoed in the closing days of Congress.

The first bill which I am reintroducing is of special interest to some of my constituents living on the lower cape, but is also of major significance to all Americans concerned with the conservation of our fast-dwindling natural resources. In 1961, after years of controversy and attempts at compromise, Congress authorized the establishment of the Cape Cod National Seashore. The original act authorized the expenditure of $16,000,000 for purchase of lands to be incorporated in the seashore. However, due to the soaring cost of land, authorized funds were exhausted before all of the designated land had been acquired. Thus, in June 1967 I introduced H.R. 10914, increasing the authorization to $28,000,000. Although I had a chance to testify before the House Interior Committee as to the urgency of the need for additional funds before land prices soar out of reach, no action was taken during the closing days of the 90th Congress. Thus, I am reintroducing a bill to increase the authorization for the Cape Cod National Seashore to $28,000,000.

Another measure of particular importance to my constituents but also of general interest to millions of Americans is my bill to create the Plymouth Rock National Memorial. Each year thousands of Americans make the trek to the site of our forefathers' landing, yet traffic conditions and visitor facilities are far from adequate. Hearings were held on my proposal last year on the Senate side, but due to the lack of any decision concerning what was to be done about parking no further congressional consideration was accorded the measure. I hope that intensive discussions with the townspeople as well as with representatives of the National Park Service will soon lead to resolution of that problem so that Congress can act to provide easy and pleasant access to that historic spot.

A measure of major national scope which has received a good deal of consideration but no final action is tax sharing. Although in many cases State and local governments can deal more effectively than can the Federal Government with problems such as sewerage, poverty, or pollution, the fact is that they lack the financial resources to do so. The Federal Government is certainly the most efficient collector of taxes—but it is becoming increasingly evident that it is not the most effective allocator of funds collected. Tax sharing would return a portion of Federal taxes to the State and local governments so that they would have the funds with which to attack local problems, according to local priorities and needs. Given the support of the tax-sharing proposal by our President-elect, I have great hopes that this Congress will enact a bill similar to the one which I am introducing today.

A fourth measure of major general significance concerns the organization of the executive branch. Ever-multiplying bureaucratic structures have made dealing with the Federal Government a special art, known only to the initiated few. Duplication of effort, overlapping functions, and inefficient use of available resources have seriously hampered the effectiveness of the executive branch. The bill which I introduced last year, and which I am reintroducing today, would simply set up a select committee of Congress to choose from among various proposals to reform and improve our Federal bureaucracy. Among those proposals are two I have sponsored in the past: the establishment of a Hoover-type Commission, and the establishment of a National Commission on Public Management. The select committee I propose would study the pros and cons of these and other alternative plans of action and present its suggestions to Congress for action.

Another measure of importance to both constituents and conservationists is a bill to designate Monomoy Island a national wildlife refuge. Although the Senate passed a measure similar to mine last year, the House did not have time to act. I am revising my original bill, H.R. 16996, to agree with the Senate version, and hope that the improved bill will receive expeditious consideration and approval.

Two bills I am reintroducing today are more limited in appeal, but would be of great benefit to two growing groups of Americans. One would provide for a cost-of-living increase for social security beneficiaries. The inflation which is felt by every housewife as she shops for groceries, every husband as he buys the new family car, is experienced to a far greater degree by the senior citizen living on a fixed pension. Even the increases voted by Congress during the 90th Congress have been all but wiped out by the rising cost of living. My bill, which has widespread support among many of my colleagues, would provide a measure of security to our senior citizens faced with increasing costs of living.

At the other end of the spectrum, I have long supported a tax credit for the costs of higher education. With the costs of education past high school mounting each year, and with more and more jobs requiring such education, it is becoming increasingly difficult to finance the further education of one child or two—not to mention that of four or five or more. A tax credit would be one way of easing the burden of financing a college or vocational education, without the costly, time-consuming, inefficient bureaucratic machinery which would be necessary to administer direct grants on a large scale. At the same time, it would encourage investment in higher education by offering economic incentives.

Mr. Speaker, as I stated earlier, these bills are but part of my legislative program for the 91st Congress. In the coming weeks I will be introducing new bills, or reintroducing revised versions of bills I formerly sponsored. The bills I am putting in the hopper today are, in my view, those whose early consideration would seem merited, both because they are not new to the congressional calendar and because of their importance to large segments of our population.

WHAT DEMOCRACY MEANS TO ME

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. PETTIS. Mr. Speaker, Miss Karen Tally, a student at Victor Valley College in Victorville, Calif., in a speech she entered in the California voice of democracy program, expresses a thought which has renewed my faith in the young people of America. Miss Tally's speech entitled "What Democracy Means to Me," is far more representative, I believe, of the vast majority of the Nation's youth than are those few whose unpatriotic actions are so much in the headlines. She summarized the hope and idealism characteristic of young Americans in saying:

> The important thing . . . is not just what democracy means to me alone, but rather what you and I can make democracy mean to the world.

I am most pleased to bring these refreshing remarks to the attention of my colleagues in the House, as follows:

> Yesterday, it must have been yesterday, for it is just the other side of today in my mind, I was walking, going no where specifically and everywhere in particular. It was one of those tingling cold windswept November days, when the whole universe seems deserted and the sky is angry at the world. As I walked down a street called Anywhere in a town known as Somewhere, huge drops of water began to fall sporadically one by one.
>
> As I wandered by the houses with their blank expressions I came upon three children playing at sailing. It must have been sailing for they had overturned a bicycle and were using the front wheel as a sea captain might hold the wheel of his vessel. Suddenly a loud dispute broke out among the shipmates. Evidently there was a matter of some name calling involved, but this would have been of little consequence had not above the bickering rose the words, "Well, It's a free country, isn't it?" Those words ignited my mind as surely as if a match were struck to a fuse.
>
> Those six words with such meaning, "It's a free country, isn't it?" and yet thrown into a conversation with such apparent flippancy. I continued to wander and in my mind wandered beside me.
>
> Have we grown so accustomed to these words that they fall from the tongues of our children as nonsense words? Have words like freedom and democracy become so common that they have no meaning?

For three hundred men and women crossing the Atlantic in a small vessel in 1620, they must have had some meaning. For the 126,000 dead who lay in the trenches of France in 1917, they must have had some meaning. For the wives and mothers of those now in Viet Nam, they must hold some meaning. And yet how many of us give democracy even a first thought? I began to question what democracy meant for me.

For me democracy isn't just a bill of rights, or just a "government of the people, by the people, and for the people." It is first, a spirit moving as an active force within a people. It is that spirit which allows the Jew, the Catholic, and the Protestant to live side by side and on their Sabbaths, go their respective ways to worship. It is that spirit which rises up in the hearts of men when the policy of our nation is challenged, and yet it is the same spirit which challenges that policy before its inauguration. It is the spirit that speaks out without fear; that reaches out with understanding. Democracy is a spirit.

Second, Democracy is people; millions of them raising their voices in a great tumult of equality and justice. "We hold these Truths to be self-evident . . ." the words resound as if formed by one single voice, "All men are created equal and that they are endowed with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness." Millions of individuals working within the framework of the masses, yet remaining individuals. Democracy is people.

It is the right to choose between good and evil as long as that choice doesn't injure another individual. Without fear I may choose. My life is mine to cast off or draw on as I see fit. I owe no part of myself to any man, yet may give freely to all.

Third, democracy is an ideal as free as the north wind and as new and fresh as a crisp December morning. It is the ideal that to be unhampered by man-made bars will cause us to grow in wisdom and knowledge as no other people have grown before.

Though Democracy is all of these it is only what I make it. Democracy is an ideal.

The important thing, my friend, is not just what democracy means to me alone, but rather what you and I can make democracy mean to the world.

A TRIBUTE TO CONTINENTAL AIRLINES

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, recently a resolution was passed by the city of Los Angeles commending Continental Airlines for its achievement in job training of persons who, because of race or education, had previously been denied employment in industry. Continental Airlines, an equal opportunity employer in every sense, has exerted every effort to recruit untrained persons through Federal assistance programs who, by means of on-the-job training, can find gainful employment in the airline industry.

Along with Continental Airlines, Councilman Billy G. Mills, of Los Angeles, devoted countless hours in the city council to working for increased utilization by industry of the untapped resources of minority groups. Much of the credit for the readiness of industries in the Los Angeles area to take advantage of on-the-job training for disadvantaged persons rightly belongs to Councilman Mills' singular efforts in this direction.

The resolution follows:

RESOLUTION OF THE CITY OF LOS ANGELES

Whereas, Continental Airlines has established itself as an Equal Opportunity Employer through their continuing efforts to recruit, train, and employ persons of minority races; and

Whereas, with Continental, recruitment means seeking out prospective employees by taking personnel representatives into high schools and colleges in the minority community to encourage an interest in and to give assurance of the possibilities for airline careers for hesitant minority youth; and

Whereas, Continental Airlines also advertises and promotes this interest to the public through minority group publications and in the general media; it includes all positions in the Company from Air Hostesses and Mechanics to Clerical and Administrative personnel; and

Whereas, the Company employs an Equal Opportunity Coordinator and regularly reviews all hiring patterns to ensure prevention of any form of discrimination—equal opportunity statements are included in all union contracts, and representatives of minority group agencies have a standing invitation to tour the Company's facilities; and

Whereas, employees, regardless of race or level of advantage, undergo basic and recurrent training in the new $3.5 million Louis H. Mueller Training Center at the Los Angeles International Airport where the latest, most advanced instructional aids and techniques are being used—employees maintain their individuality, interest, and involvement in how the airline is run—most of all they are taught pride—pride in their jobs, pride in their airline, and pride in themselves; and

Whereas, the growth of Continental Airlines has been steady—it was organized in 1934 in El Paso, Texas, with three single-engine aircraft—in 1963 it moved its headquarters and main base from Denver, Colorado, to Los Angeles International Airport—now with more than half of its 7,000 employees located in Los Angeles, it has become a true Californian; and

Whereas, Continental is now one of the major trunklines and the only all fan-jet airline in the United States, providing service throughout the Southwest and Midwest; it is one of the major airlines in the world, with its familiar black, gold and white "Proud Birds" flying in faraway places such as Europe, parts of Asia and the Orient; and

Whereas, Mr. Robert Six is the executive officer of the airlines; he was the 16th employee of the Company, and has served as its President for the past 30 years:

Now, therefore, be it resolved that the Los Angeles City Council, by the adoption of this resolution does hereby commend Continental Airlines for the extra effort they have made to utilize the human resources of the minority community and for the outstanding example they have set in the recruitment and training of various ethnic employees, to the benefit of the community and the nation.

A BIT OF POISON

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DINGELL. Mr. Speaker, I have long been convinced that pesticides pose a very significant threat to the continued well-being of all forms of wildlife, as well as to mankind itself. The need for action to control the use of pesticides was strongly endorsed in an editorial carried in the Christian Science Monitor on December 3, 1968. So that my colleagues may have an opportunity to be familiar with this editorial, with unanimous consent I place it at this point in the RECORD.

A LITTLE BIT OF POISON

We welcome the suggestion of very strict controls for pesticides. They are long overdue.

And the fact that the suggestion comes from an eminent wildlife biologist, Dr. Howard E. Johnson of Michigan State University, adds to its weight.

Dr. Johnson recently told a group of American and Canadian science writers that he considers pesticides such dangerous contaminants in our environment that they should be sold only on prescription. He urged strict procedures to account for their use and disposal. The only widely used materials so tightly controlled today are radioactive substances.

Dr. Johnson isn't talking about the massive fish kills or poisoned bread that have made headlines in recent years. Reassuringly, he tells us that such gross mishandling of pesticides is coming under more effective control. He's concerned about long-term effects of the low-level contamination which now permeates our world.

In his wildlife work, he has seen how insidious these effects can be. For example, adult salmon may happily tolerate low levels of DDT in their water only to spawn eggs with poison concentrations that kill their young.

The long-term hazards of low-level contamination are largely unknown. But research such as that of Dr. Johnson should alert all of us to the danger of taking false comfort in our ignorance. We may be building up poison levels that could eventually kill off many species and even endanger men.

Under the circumstances, would it not be wise to institute tighter pesticide controls? All of us with our household and garden sprays contribute to the contamination just as do the farmers. And most of us tend to be much more careless about these things than do big pesticide users who have technical help.

The world badly needs better knowledge of the long-term dangers of these useful poisons. Research on this should be stepped up. Meanwhile, it would behoove everyone to use restraint with the chemicals.

This is an area in which the United States—a major pesticide producer, user, and contaminator—could lead the world. We urge the Departments of Agriculture and Interior, the Public Health Service, and the new Congress to consider seriously Dr. Johnson's suggestion.

VOLUNTARY RETIREMENT CONDITIONS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, under present civil service retirement law, Federal employees may retire at their own option with immediate annuity if they have reached age 55 and have served for at least 30 years, or at age 60 after at least 20 years of service.

For many years Federal employee organizations have advocated the adoption of a provision to permit voluntary retirement, regardless of age and with unreduced annuity, upon completion of 30 years' Federal employment. Organization representatives have held that such a provision would make it more economically feasible for workers with partial disability, or declining capacity or interests, to withdraw from active service at some additional cost to the civil service retirement system, but with an overall gain in Government efficiency. Many Federal employees contend that 30 years is a full career, justifying retirement without penalty, and that the present law discriminates against employees who came into Federal service at an early age. It is further contended that early retirement will somewhat ease the Nation's unemployment problem by making room for new hires.

There is merit, I believe, in a proposal to ease retirement opportunity for partially disabled or superannuated workers with substantial periods of service. I feel that there would probably be mutual advantage, also, in facilitating the retirement of long-service employees whose skills are supplanted by new technologies, or who have simply lost interest in their Government work. On the other hand, a retirement benefit of unreduced annuity would be equally available, and perhaps more attractive to the fully productive long-service employees. The probability of losing the wrong people would become even greater if eligibility were based only on a 30-year service requirement and not at all on age.

Accordingly, I am offering a bill which would permit exercising the right to voluntarily retire when the employees' combined age and length of service totals the sum of at least 80. For example, an employee who has attained age 50 would be able to retire after having served for a period of 30 years, or an employee age 55 could retire after service of at least 25 years.

In order to minimize the drift to other employment by the more productive workers, my bill provides that the annuity of any employee retiring prior to the attainment of age 55 be reduced by one-twelfth of 1 percent for each full month he or she is under age 55—the equivalent of 1 percent per year. As a matter of consistency and equity, a corresponding change in the annuity reduction formula applicable to early involuntary separation retirements is also provided.

"THE 13TH JUROR"

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to call the attention of the Members to the following article entitled "The 13th Juror," which was written for the Portia Law Journal of the Portia Law School in Boston by the Honorable Foster Furcolo.

Many of us remember when Mr. Furcolo was a Member of this esteemed body as well as when he was Governor of Massachusetts. He is presently assistant district attorney of Middlesex County, Mass.

I know that the membership will find this a most interesting and informative critique:

The 13th Juror: A Critique on the Occasional Deprivation of the Impartial Jury

(By Foster Furcolo)

(Editor's Note.—This article was written and prepared for publication prior to the author's appointment to his present position of Assistant District Attorney.)

The law says that any person charged with a crime shall be tried by a jury composed of twelve of his peers. The law also provides a method by which any juror may be challenged "for cause." However—to our shame, —in some cases the defendant is deprived of these sacred safeguards.

Why? The answer is probably that in certain types of cases there is no such thing as a jury of "twelve good men and true." In such trials there is always the Thirteenth Juror. Who is the Thirteenth Juror? How did he get there? When and why did it happen? And, what should be done about it?

The Thirteenth Juror has no standing in any constitution; nor is he recognized by any common or statutory law, yet he has always existed. Without kith or kin, unseen and unseeing, unclothed in any authority, faceless, nameless—even chairless The Thirteenth Juror nevertheless dominates the jury box. The Thirteenth Juror is sired by what is known as "The Climate of Opinion." He is the man at the bar, the passenger on the street-car, the fellow being shaved, the after-dinner speaker, the butcher, the baker, the candlestick maker. He is also a she, the housewife chatting with the mailman and milkman, the beauty-parlor operator, the bridge player, the parent-teacher, the clerk, the waitress, the voice on the telephone.

The omnipresent Climate of Opinion is also inanimate such as radio, television, newspapers, magazines, the printed or spoken word anyplace. At any time The Climate of Opinion may through any prejudice, hate, fear or lack of knowledge and information develop. The Thirteenth Juror as the Mr. Hyde of the courtroom, warping and cajoling the jury to carry out his desires. All the bailiffs in the world cannot bar The Thirteenth Juror from the court room, nor can the sternest judge control him. No one knows when he enters the courtroom. But when he is there, he exists with greater prominence and stature than any physical being. Let us examine this interloper as he has appeared over the years.

Every era has a Climate of Opinion—not always about the same subject, of course. For example, it was on religion that people were focusing their attention during the last years of Christ's life—the result being a Climate of Opinion that was affected by any new voice in the religious field. In another age and another setting, a person accused of being unpatriotic might find himself in a Climate of Opinion that had abandoned religion to develop nationalism. In comparatively more recent times, the mists of opinion were a shroud around those accused of witchcraft. In the seventeenth century, witchcraft was the nirvana of The Thirteenth Juror. Woe betide the poor lady who was accused of it by anyone from the minister to the village rumdum or idiot. The Climate of Opinion was functioning efficiently and all-pervasively. The Thirteenth Juror had been formed.

But have we not progressed considerably since the days of witchcraft? Of course the twentieth century Thirteenth Juror would laugh a charge of witchcraft right out of court. But what about some other charge? The Climate of Opinion when it is observed in close quarters is not quite so obvious—perhaps politics or social change, for example?

Let me cite Massachusetts as an example (although the basic point is the same for all states). In Massachusetts during the early nineteen twenties a person accused of radicalism, Bolshevism or Socialism would find that the Thirteenth Juror was deaf to arguments of reason or logic though there was no Climate of Opinion about witchcraft. Just as there is a time and tide in the fortunes of men so, too, is there one in Climates of Opinion. What was the magic word in Massachusetts (and undoubtedly in other states) in the late nineteen forties and fifties? Certainly not "Christian" or "Rebel"; nor was it "Witch" or "Socialist." But what about the word "Communist?" What a word that was in the fifties! And quickly it was forgotten in the sixties!

In many areas during the nineteen fifties the appellation of Communist, if uttered by Senator Joseph McCarthy, was sufficient to clothe The Thirteenth Juror in a toga of the stars and stripes as the protector of the American cause. Yet ten short years after McCarthy's death, the Climate of Opinion had veered into another direction completely: political corruption. That Climate of Opinion, too, will eventually be dissipated so that ten or fifteen years from now we may all look back and wonder if its madness had been but a bad dream. Perhaps you would say, "Oh, but political corruption is different!" Sure it is—in the nineteen sixties. Just as every charge was "different" in its day.

John Q. Public under Caesar could perhaps have been objective about witches or Communists—but not about Christianity. The Puritan had no trouble with persecution of Christianity but, witchcraft could not be tolerated. The common man after World War One could take witchcraft in his stride but Socialist membership was without absolution. A generation later Communism sympathy with soul staining redness demanded the ultimate penalty. Just ten short years later, there was no particular danger in being labelled a Communist—but the public figure accused of graft or corruption was similarly burnt at the stake. And now though war has always been preached against and held as an illogical irrational act, those who protest against its support are again to be fed to the lions. Whenever The Thirteenth Juror is riding high, the accusation itself literally becomes the proof. The protections of liberty of the Constitution are rapidly side stepped by the dedicated Thirteenth Juror. His goal is plain and simple. Conviction! Guilty! Punish! Hang! Electrocute! Guillotine! Burn! Brand! Death! Life in Prison! Banishment! Hemlock! The Thirteenth Juror does not desecrate Justice in all cases but only where directed by The Climate of Opinion. Justice as complete as civilization knows, may be taking place in other courtrooms in other types of cases at the very same time that The Thirteenth Juror is functioning in only one type of case.

Let us analyze the problem in terms of the situation existing in the early sixties. First of all, ask yourself this question: When I read in the newspaper, that Politician Jones is charged with having accepted a bribe, do I immediately tend to accept the charge as true? (You will notice that the question does not even require you to "tend to *think* the charge *may* be true"—the situation in the Sixties is such that the average person simply *accepts* the charge as *being* true.)

What has happened to a sacred concept called "the presumption of innocence?" What has happened to a legal mantle of protection known as "proof beyond a reasonable doubt?" What has become of the Constitution?

In Massachusetts—in the enlightened year of 1965—an actual poll was taken on this question: "Representative Peter Martin had been charged with accepting a bribe to vote a certain way on a bill pending in the Legislature. Do you believe he is probably guilty or innocent of the charge?" Some seventy-one percent of those polled gave "Guilty" as their answer. "I don't know", was the reply of sixteen percent. The substance of the answers of the remaining thirteen percent must be summarized by a collective paraphrase: "The presumption of innocence protects him unless more facts are given." But think of those figures: seventy-one percent of those asked were willing to condemn on simply the bald accusation! Apparently not one person was willing to grant the supposition of innocence—even the thirteen percent who spoke of the presumption of innocence still demanded something more before they would make an affirmative concession of innocence. In most cases, the burden of proving the guilt of one accused of the commission of a crime beyond a reasonable doubt is upon the prosecution; in this type of case where The Climate of Opinion has a vested interest, apparently the accused has the burden of proving his innocence.

In the above mentioned survey, there was no such person as Representative Peter Martin! There was no one in the Legislature even bearing the name of Peter Martin. A fictitious name had been purposely selected to see if The Climate of Opinion in Massachusetts was such that people were willing to accept any accusation against a political figure as proof. It is unfortunate that the pollsters not think to take another survey about Representative Peter Martin being accused of something other than political corruption—murder or rape or robbery, for example. I am convinced that the mantle of presumption of innocence would protect even a politician against a crime that did not have its roots in an abstract area such as politics. It is only that type of offense where The Climate of Opinion has a greater chance of entering to fester and contaminate with half truths or implications for the so called "protection and good of the public welfare."

If the individual has no protection against an inflamed public that readily accepts an accusation as proof of guilt, can anything done in the courts to prevent miscarriage of justice occasioned by the presence of The Thirteenth Juror? What about the Judge? We must remember that Judges themselves are human beings who live in the state where they preside, who talk to neighbors and friends, who read newspapers and listen to the radio and television, and who feel the cold and warmth of the climate in which they live, just as everyone else does—and that also includes the Climate of Opinion. In short, Judges—with or without black robes—are human beings. When he presides over juries, a Judge may try to conceal his own beliefs and opinions and he undoubtedly will at least utter words that command the jurors to disregard passions and prejudices and preconceived opinions and anything else that does not emanate from the witness stand. But the poor Judge is too often himself the victim of the unseen mesmerism of The Thirteenth Juror.

Under our system of jurisprudence, the Judge rules on the law, and the jury's function is to determine the facts. If there is nothing for the jury to decide, then the Judge so rules as a matter of law. Whenever a case is submitted to a jury, it seems that there is some issue of fact to be decided. Even if the evidence of guilt is overwhelming, the Judge still must submit the matter to the jury for its determination. After hearing all the evidence, it frequently happens that the Judge and jury might differ in their opinions on the facts. There have been cases where the Judge has disagreed so violently that he has even "fired" the jury—publicly chastised them and accused them of stupidity or indifference or of violating their oaths as jurors. Countless news articles are published regarding such action in a variety of cases throughout the states. Yet all share a common characteristic—the jury that aroused the Judge's wrath had always found the defendant Not Guilty. I have never seen a case where the Judge "fired" a jury that returned a finding of Guilty against a defendant. Not only have I never seen any report of such a case but diligent search and inquiry among lawyers in many states has failed to disclose even a rumor of such an event. Why is it that there is nothing unusual about a Judge tongue-lashing a jury for a "wrong" verdict (Not Guilty) and yet no case can be found where a Judge lacerated a jury for finding someone Guilty as the state had charged? In both cases there is an issue of fact that is submitted to the jury for the decision of the twelve good men and true. Why do Judges abuse juries only when the verdict is Not Guilty? The answer is not that the Judge directs a verdict for the defendant when there is insufficient evidence to justify submitting the case to the jury. The Judge must do that in such a case—otherwise the appellate court will rule that the Judge was in error. If there is insufficient evidence, the defendant does not have to look to anyone except the law for help. What we are talking about here is the case where there is some evidence sufficient to raise the question of whether the defendant did or did not commit the crime with which he stands accused by the state. In such cases, there are scores of instances where the Judge has publicly castigated a "Not Guilty" jury but apparently none where a "Guilty" jury was meted out such treatment.

Why? I can think of no answer other than the probability that subconsciously the Judge identifies himself with the state's case (the state being the prosecuting party on the side of law and order). It is true that consciously the average Judge thinks of himself as someone who protects the rights of the defendant—and in most cases his description is accurate. He will even deeply and passionately believe that complete neutrality is his function but yet, when the chips are down, *when public opinion is aroused*, the Judge subconsciously tends to take the viewpoint of the prosecution. (Remember that we are talking about a very limited type of case—a Climate of Opinion offense). The Judge in a state court is a part of the judicial system of the state. He is, in fact, a state official. It is only natural for him to identify himself with the state. What about the prosecuting attorney (sometimes called District Attorney or Attorney General, etc.)? Whenever the influence of The Thirteenth Juror is overwhelming on the twelve official jurors, it is usually even more irresistible to the Prosecuting Attorney. Add to that, of course, the most vital element in the mind of all but the most conscientious prosecuting officials: conviction means votes means election. If the Judge is rare who seeks to oust The Thirteenth Juror from the jury box even more rare is the Prosecuting Attorney.

Can we keep The Thirteenth Juror out of the court room by questioning jurors as to whether they have preconceived beliefs about the case at hand? In theory, the defendant is thus assured of his right to have jurors excluded if they have already formed an opinion. To cite the kind of protection that such a defendant *may* have, let me quote verbatim from a 1933 case, *Commonwealth of Massachusetts v. Snyder*, 282 Mass. 401:

"The record as to the Venireman Edward B. Geldert was as follows:

"The Judge. Have you formed or expressed any opinion in reference to this case?

"Geldert. No, only at home, I suppose, talking it over after reading the papers.

"The Judge. Well, is the opinion you have expressed or formed at home an opinion that would preclude you from relying solely on the evidence presented here in court, so far as the rendering of your verdict was concerned? In other words, would you rely solely on the evidence here, and ignore anything that you have read in the papers?

"Geldert. Well, I think I have my mind made up after reading the papers about the case.

"The Judge. Do you think your mind is made up so that it is unalterably made up?

"Geldert. Well, I couldn't just say to that.

"The Judge. That is, made up to such an extent that it would be difficult for you to follow the evidence and rely on the evidence?

"Geldert. Well, I don't know what to say about that. I don't think so.

"The Judge. You say you do think so, or do not think so?

"Geldert. I do not think so.

"The Judge. That is, you would be able to follow the evidence and disregard anything you had read in the papers?

"Geldert. Yes, your Honor, — . . . .

"The Judge. The juror stands indifferent."

The defendant Snyder was refused permission to interrogate Geldert as to the nature of the opinion he had formed and saved an execption. He then challenged him. The defendants on May 24, 1932, were found guilty of *Murder in the first degree* and on June 7th and June 10th, respectively, appealed.

The Massachusetts Supreme Court held that there was no prejudicial error by the Superior Court which had ruled that the juror Geldert was qualified to be seated as an "indifferent" juror. The highest court of Massachusetts said: "The ruling was free from legal error." That is a fairly modern ruling of the highest court in Massachusetts, a state which has more than ordinary concern about protecting its defendants in criminal cases. The United States Supreme Court in 291 US 97 reviewed the case but apparently did not pass upon the point of whether or not the Massachusetts state court had erred in ruling that the juror Geldert stood "indifferent." The United States Supreme Court affirmed the decision of the Massachusetts Supreme Court. Had you perhaps expected better protection than that from the state or the United States if *you* were the defendant? And don't overlook the fact that the charge was murder and the defendant in the actual case was electrocuted in the state's electric chair on February 22, 1934.

Another interesting but seldom recognized aspect of the frequent perversion of justice by The Thirteenth Juror is found in the way that legal technicalities are used to undermine the constitutional right to a fair trial. In the ordinary case it is only the defendant who benefits by the use of technicalities; conversely, in Climate of Opinion cases, it is the prosecution that uses technicalities to the fatal disadvantage of the defendant.

It is not uncommon for John Q. Public to be aroused by cases where some defendant wins his freedom on the basis of a legal technicality. Whenever that happens, there is almost certain to be an outcry that condemns acquittal by technicality (This has not yet come to pass in outrageous suppression of evidence cases in the U.S. Supreme Court, but it will). The other side of the coin is finding the defendant guilty for the most technical of reasons. Have you ever heard anyone condemn conviction by technicality? Yet that frequently happens in the Climate of Opinion case where the irate juror is quick to convict if there be even a scintilla or feather of evidence against the defendant. When public opinion is aroused to the point that the mere accusation is accepted as proof, most Judges and juries are willing to condone conviction by technicality. The result is that legal technicalities—which historically are supposed to be a shield for the benefit of the defendant—are actually turned into a sword to be used against him (I am not referring to suppression of evidence cases where the prosecuting authorities are victimized by technicalities).

The time-honored amount of evidence required for a conviction has always been described as proof "beyond a reasonable doubt". Courts usually talk about "moral certainty" when characterizing the degree of proof necessary to satisfy the criterion. But the fact is that in Climate of Opinion cases the test has now degenerated into virtually no protection at all. "Reasonable doubt" in such cases merely means there is a scintilla or feather of evidence. The once sacred "beyond a reasonable doubt" has become a hollow, meaningless, and empty phrase that mocks our whole concept of justice—in Climate of Opinion cases. Our most resourceful Thirteenth Juror is truly the father of paradoxical situations.

I think it is belaboring the point to argue further that Climate of Opinion is a real, specific, and identifiable condition that exists about certain types of offenses. The real question is: How do we cope with it? How do we prevent the Thirteenth Juror from defeating justice? First of all, Judges should themselves realize that there is a Climate of Opinion about a particular kind of case. Once they have recognized it, they then should address the jury in words that are not simply mouthed platitudes about impartiality, lack of bias, and not being swayed by anything other than the evidence. Normal procedure may be all right in an ordinary case but in a Climate of Opinion case, the jurors need to have the facts of life pounded into their heads. They should be told that in this type of case there is every probability that the jurors have come into court with preconceived opinions, which may very likely influence the rendering of injustice (rather than justice). They should be alerted to the situation and consciously take steps to avoid such a pitfall. It should be emphasized that they are not being good citizens if they do not realize how unfair that is to the defendant. The Judge should stress that they must recognize their almost certain lack of impartiality and consciously try to correct it. And they should be advised to keep in mind the effects of that Climate of Opinion on themselves when they begin their deliberations. (Remember that these suggestions are not for *all* cases, merely Climate of Opinion ones).

There is one outstanding place where a Judge has every opportunity and complete power to strike a blow for a fair trial for the defendant. That is in cases where several defendants are being tried jointly. In such cases, testimony that is admissible against only one defendant and inadmissible against another is not only a common occurrence but is actually the usual situation. The prosecution is very apt to try to bolster a weak case by tying it to a strong case or if it be a political prosecution where an immediate trial win is wanted (perhaps an election is coming up) regardless of what happens to it on appeal, the prosecution may hope to obtain a conviction even in a case where there is virtually no evidence. The method used is to tie such a case to other cases that are tried jointly, then to introduce a scintilla of evidence sufficient to make a bare presentation of implicating facts, and then lay it to the defendant with testimony in the "other" cases that mention him (although not admissible against him in his won case). It is a naive assumption that prejudicial effects can be overcome by instructions to the jury, all practicing lawyers know to be unmitigated fiction. A Judge can do a great deal to insure justice by granting a separate trial in any case where it is certain that testimony is going to be offered against one of the defendants that will be inadmissible but nevertheless highly prejudicial against any co-defendant.

Why should a defendant charged with a crime not have the right to be tried alone? The prosecution is not harmed; in fact, the prosecution is benefitted because it has no right to call a co-defendant as a witness in a joint trial whereas it can call him against a defendant who has a separate trial. (He may have the right to refuse to answer as as a witness but the prosecution can nevertheless still call him to the stand, which it cannot do in the joint trial). The actual cost of a separate trial should not be appreciably more; in fact, it often might very well be less. But whether the cost is more or less is unimportant and should not be the deciding factor when a person's liberty is at stake. The sole question should be: What form of trial will come closest to guaranteeing justice for this defendant? Since when has it been: How much will it cost to guarantee that the defendant gets a fair trial? Unfortunately, too many courts too often have been swayed by the cost factor.

There is a simple but effective method by which the Judge can quickly determine if the prosecution seeks to convict a defendant by inadmissible evidence. All he has to do is request the prosecutor to make a binding agreement that there are no statements or other evidence to be offered against just one defendant that also mention or affect the other co-defendant. If the prosecutor is not willing to do so, then a separate trial should be granted. During the trial itself, there usually are countless occasions where the Judge is under a legal duty to instruct the jury to disregard something that has been said from the witness stand. Most Judges do this in a very perfunctory way. Nevertheless, no matter how the words have been "thrown away", the mere fact that they have been spoken has the legal effect of "correcting" the record so that the defendant has no basis for an appeal. Yet, as every trial lawyer will tell you, the Judge's instructions to disregard some inadmissible evidence that has been uttered from the witness stand is usually completely meaningless to the jurors. They are either confused or they misunderstand the situation or they have not even heard the instructions to disregard the inadmissible testimony—in any event, they are influenced by something that is inadmissible and has no place in the case. *And there is nothing the defendant can do about it,* because the record shows that the Judge told the jury to disregard the item. There are occasions when it is not only inadmissible testimony in the courtroom that is highly prejudicial: what happens outside may be equally damaging. I am reminded of a recent federal case in Massachusetts where the jury had to take a view of real estate that was the subject of alleged collusion by land-taking authorities. As the jury was taking its view, a next-door neighor shouted down to them: "They're all crooks! They all ought to go to Jail!" After the jury had returned to the courtroom, the Judge gave the usual instructions to disregard such comments. How much more effective it would have been if the Judge had gone even further and used the incident as an illustration of how a Climate of Opinion has prejudiced people who know nothing about the case—how unpatriotic and disgraceful such an attitude is—and how a miscarriage of justice would result if such people were on the jury—*and does this apply to the jurors themselves even without their realization of it?* Was there not an opportunity for an even more dramatic act by the court—and one, incidentally, that might have had future beneficial preventive effects—if the person who had uttered the accusatory words had been brought right into court? "Do you have any personal knowledge of this matter? Have you been in the courtroom and heard even one iota of evidence?" Such questions would stamp indelibly on the minds of the jurors the grave damage that can be done by the ignorance and prejudice created by The Climate of Opinion. Perhaps such action by the Judge himself might not only do much to have each juror search his own conscience a little more carefully but it might also help to still the howl of the mob in future cases.

After the trial, the last person in the world to be asked about its fairness is probably the juror himself (if you are asking about his own participation in the verdict). I remember well, a survey published in the New Bedford Standard Times (Simmons, *Recollections of the Jurors,* Nov. 12, 1950, p. 12) many years after the verdict of the Sacco-Vanzetti case. Each juror was questioned as to whether the Judge had shown any hostility to the defendants and similar questions tending to elicit answers that would corroborate or repudiate the death verdict that jury returned. It was done in all seriousness and was offered to prove that the jurors had not been swayed by The Climate of Opinion or anything except hard and cold factual evidence. What it actually accomplished was to ask a person who had voted to condemn a defendant to death this question: "Were you fair in your decision?" The situation is ludicrous once it is analyzed. I am sure the average person believes he has a fair and unbiased opinion toward anyone accused of crime. Would you convict a man without proof? Of course not—that is, of course not, *you say.* But how often in the nineteen fifties, when someone was named as a Communist agent or spy, did you not say: "They ought to take them all out and shoot them!" And I mean say it even *before* the trial. Or (in any year) when someone holding public office was *accused* of accepting a bribe or violating his oath of office—"They're all a bunch of crooks!" Again, I am referring to expressed opinion *before* the trial.

The average juror probably wants to be fair but of course he is also a creature of his time. He does not completely shed his beliefs or passions or prejudices when he sits down in the jury box—granted that he undoubtedly *tries* to do so. And he does not know everything. Most jurors know that the defendant may lie to save himself, but they usually are completely ignorant of the fact that the prosecution *may* have an axe to grind, too. Jurors often realize in a vague way that the prosecutor may have political ambitions that require court victories; but rarely do they have any true comprehension of exactly what that means. This is particularly true when a prosecutor has constantly made speeches on the banquet circuit stressing that he would never seek a conviction unjustly, and so on. What is never said is that his position is on the side of justice in any case he prosecutes. A prosecutor may be zealous for reasons other than political ambition: he may genuinely believe that his theory of the case requires certain actions by him. Ideally, the prosecuting attorney should have an obligation to be fair and protect the defendant in every way, however, ideal situations rarely persist.

The average jury is also frequently misled by the testimony of witnesses who turn state's evidence in return for consideration granted to them. Juries are entitled to consider such testimony, and they do, but should they not also know the consideration or reward such witnesses are getting? The fact is, the jury usually does not know because most of the time the witness testifies that he has not been promised anything. It is only after the case is all over (and the jury dispersed) that the prosecution's star witness has his indictment nol prossed or sentence suspended or some other reward. Or it may even be months later when his parole comes up for consideration that calls for a good or a bad word from the prosecuting attorney. Rare is the case where a prosecuting attorney will frankly tell the jury that he is going to forgive a witness's crime in return for testimony against the defendant. Equally rare is the case where the defendant can establish this without such revelation by the prosecution.

The defense attorney knows what will happen after the jury's verdict is in—the cooperative witness will be "paid off" by a lighter punishment—but he has no proof to offer before the jury begins its deliberations.

What difference does it make? What difference would it make to *you* as a juror if you knew that one side was paying its star witness five thousand dollars for his testimony? Ironically, it is considered perfectly proper and ethical for the prosecution to bargain with a witness by excusing him from serving two years in prison in return for testimony favorable to the prosecution's viewpoint—whereas if the defense offered that same witness a hundred dollars for testimony favorable to its viewpoint, the defense attorney would be jailed and disbarred for such conduct. (We are not talking about expert witnesses—doctors and scientists, etc., who legitimately command such fees—we are talking about the law witness). How easily we overlook the fact that the offer to suspend a five-year sentence instead of requiring it to be served in prison is certainly a bribe or payoff that far exceeds money. How would you measure it? Twenty-five thousand dollars? More than that, because the average man would earn at least that amount outside of prison in five years. Add to that whatever you think five years of freedom is worth. Yet who realizes—or even cares—that every day in the year some prosecutor is offering such an inducement (a euphemism for bribe) to some witness. And for one time when the jury knows about it, there are fifty when it does not. If the jury wants to convict a defendant on the testimony of some witness who has been bribed by the prosecution, that is the jury's right. *But the jury should at least know of the inducements or influences that have been brought to bear on that witness.* Is that unreasonable?

Most Judges seem to "go along" with the prosecution's attempts to keep from the jury any knowledge that consideration is being offered to a state's witness. Again this is in line with the theory advanced earlier in this paper that the average Judge, as an official of the state, consciously tends to think of himself as an arm of the state rather than a neutral arbiter who stands indifferent between the two contesting parties. If you ask a Judge why, he will deny it. Then when you cite some examples, he will usually take refuge in the theory that he is there to see that justice is done. Perhaps as a "good citizen" the average Judge cannot help putting himself on the side of the "good guys"—but should that be his role as a theoretically neutral and impartial referee? If that be desirable, then let the change be made publicly and officially—but that is not the Judge's function at the present time.

As it was so well expressed in *Eisenlohr* v. *Kalodner*, 145 F. 2d 316 (3rd Cir. 1944): ". . . The Judicial Power is limited to deciding controversies. That has been its function historically; that is its function under the Constitution of the United States. No doubt a great deal goes on in the world which ought not go on. If courts had general investigatory powers, they might discover some of these things and possibly right them. Whether they would do as well in this respect as officers or bodies expressly set up for that purpose may be doubted, but until the concept of judicial power is widened to something quite different from what it now is, courts will better serve their public function in limiting themselves to the controversies presented by parties in litigation". Those words constitute a legalistic euphemism that may be summarized in layman's language: the Judge should mind his business. In other words, the Judge is not an advocate who should either prosecute or defend; neither is he an investigator or a witness; nor an arm of "Law and Order" or a henchman of the wrongdoer. He is—or should be—exactly and solely what his title indicates, Judge: the presiding officer of the court who must draw a critical conclusion on the law as it pertains to the facts of a case before him.

Lastly, what about "outside" influences?—the press, radio and TV commentators, and others whose influence theoretically does not reach into the courtroom? No less an authority than the publisher of an influential chain of newspapers (the Knight chain) stated flatly in 1965: "It is contended that pre-trial publicity can influence a juror's decision. Yet there are no known instances to support such a position" (Miami Herald, Editorial, 1965). Of course that statement is absurb, but how do you disprove it? (And, incidentally, who without even one newspaper is going to challenge someone with a string of them?) Very few jurors will say they rendered an unjust verdict because they were influenced by newspaper publicity. Such an admission not only means the juror was taken in (and very few people care to admit they are so gullible) but also that a miscarriage of justice resulted because of his stupidity—and is there *anyone* who wants to acknowledge that he unjustly caused someone to go to prison or to death?

It is almost impossible to *prove* that pre-trial publicity influenced a juror's decision—but everyone close to the courts knows how often it happens. In 1965, the National Broadcasting Company had a superb documentary giving many shocking cases of admittedly unjust convictions, but how many people saw it? And do you think many newspapers are going to acknowledge that pre-trial publicity resulted in unjust convictions? On the contrary, almost every newspaper will contend that the press has never erred in that regard. Everyone believes in freedom of the press, but the press also owes a duty to the defendant and the courts. Is there not some context that can reconcile freedom of the press with justice for the defendant who is either to be tried or is actually on trial? Freedom of the press may have something to do with the *time* of the newspaper article or the *place*. As United States Supreme Court Justice Holmes pointed out in *Shenck* v. *U.S.* 249 U.S. 47 (1919), freedom of speech does not permit you to cry "Fire"! in a crowded theater. Why not? Because it impairs the rights of others. Probably no one could stop that shout in a vacant lot—the distinction being that your right of free speech must be taken in conjunction with the right of your neighbor not to be injured through any reckless disregard of his own privileges. Freedom of the press—like freedom of speech—should be considered within a framework of *time* and *place*. Does anyone contend that the press does not have a right—even a duty, in fact—to fully report to the public all the details of a crime? I have heard no defense attorney make such a claim. But why cannot that report be made at a time and in a way that will not unfairly prejudice the defendant? No defendant can be prejudiced in his legal defense by the fullest (or even unfairest) kind of report *after* the trial; but he can be fatally hurt by inflammatory *pre-trial* reporting. No one says not to inform the public—the sole question is the time to do it. If one purpose of full publicity is to deter crime, is the deterrent value not fully as effective after the trial as before it? There is no disagreement about freedom of the press—the only point in controversy is *when* to exercise it. If a time is chosen that fully protects the public but without abridging any rights of the defendant on trial, does not that resolve any possible conflict between freedom of the press and the right of a defendant to a fair trial?

When a vicious crime or some other heinous offense has been committed, of course the public has a paramount interest in seeing that the culprit is brought to justice. Does anyone object to editorials to "arouse" the police? But once the defendant is in court, who are the editorials intended to arouse? Obviously they are intended to affect the public—which means the jury. And why? Unquestionably the answer is to help the jury convict the person charged with the crime. Why should some outside influence brainwash any jury? Why should anything other than evidence adduced at the trial have any bearing on the verdict? Newspapers will argue that it is permissible to use the power of the press to "get" a mad dog. Granted. But should it not first be decided that *this* particular defendant is the mad dog?

Judges in this country would do well to take a page from the book of their counterparts in England. Our British cousins brook no interference from a newspaper that prejudices a defendant by overstepping the bounds of a proper exercise of freedom of the press. The erring journalist finds himself hauled before an angry jurist who regards the constitutional right of the defendant to life, liberty, and a fair trial as being at least equal to that of the newspaper's enjoyment of freedom of the press. Where there are conflicting constitutional guarantees that can be resolved time-wise, why is the British solution not a practical and just one? The British courts do not permit any prejudical publicity before the trial begins, although they do allow a factual report as to what actually transpires in the courtroom during the trial. The time to protect the defendant is through the completion of his trial. If he tries to interfere with the press *after* his case, the British Judges will slap him down just as quickly as they do the press *before* his trial. Very few Judges in this country—even including those who are completely protected by life tenure—will tangle with any newspaper if the only thing at stake is the life or liberty of some defendant. Incidentally, it is not only to juries that the newspaper speaks. Journalists often seem to forget that they also "speak" to the Judge—Judges do read and are not impervious to the printed word. The same editorialists who tell a Judge what to do would be shocked if an individual went into the Judge's lobby and tried to sway his sentiments in a case. Is there a difference between the person who walks into the lobby and the newspaper that is delivered? One tells the Judge orally, the other in print. Is the saving grace of the newspaper that it advises the Judge publicly? If so, what about an individual who notifies the press that he is going in to talk to the Judge about a pending case. Does that make the attempted exertion of influence any less objectionable?

Looking at the matter from the point of view of the defendant on trial—and the aim in mind of securing him a fair trial insofar as keeping anything other than evidence from influencing the Judge or jury—the defendant's rights can be jeopardized as easily by a well-meaning newspaper with a public trust as they can by the villainous blackguard prompted by evil motives. The Climate of Opinion is a powerfully influential force. There may be very little about it in the law books but it is of vital significance in the courtroom. It has probably decided more cases (i.e., where the case is of the type about which there is an inflamed public opinion) than Judges or juries. Of course that result is completely contrary to our way of life because it violates every fundamental concept of justice. No one should want to see the American public be "used" to deprive any defendant of his constitutional rights. The question is: How do we prevent it? The question is as easy as the answer is difficult.

The objective of this article is to reveal The Thirteenth Juror, to determine how he got into the jury box, and to analyze the steps that may be taken to lessen The Thirteenth Juror's influence on the legally constituted twelve peers of the defendant. Its aim is also to make it clear that we cannot depend solely upon the mass media to control The Thirteenth Juror; the press either cannot or will not. The same is true of our bar associations and, to a lesser extent, of such associations as civil rights groups. To illustrate the point, let me cite from the experience in Massachusetts under its Crime Commission. Although scores of lawyers and "liberals" in government and elsewhere knew of the reprehensible tactics and methods used by the Crime Commission—bribing and blackmailing witnesses, for example—the record is barren of any protest (or even interest) by any civil rights group or bar association. This is in strange contrast to the impassioned defense and denunciation that were heard in an earlier decade when there were accusations of "Communist" or "fellow-traveler" (as the Pinks were known in the McCarthy era). Of course, individuals may speak out but, unfortunately, when The Thirteenth Juror is riding high, the individual who does so is immediately tainted with guilt. When The Climate of Opinion is against corruption, for example, the person who advocates fair play and justice for someone charged with it is himself automatically deemed to be in favor of corruption.

Of course no generation can recognize the error of its own ways. We can easily see what The Climate of Opinion did about 2,000 years ago in the lifetime of Christ—but we comfort ourselves with the knowledge that we today are too tolerant to allow the prosecution of anyone for religious beliefs. We are easily convinced that The Thirteenth Juror legally murdered many "witches" in colonial days—but we are not disturbed about any repetition in the twentieth century. And indeed no jury today would put a witch to death—but men with the purest motives and kindest hearts hanged or burned scores of them in the name of Justice only three centuries ago. Why? The Thirteenth Juror smiles at the very question. It is hoped that the reader will realize that it *can* happen today. Only the trappings are different: The Thirteenth Juror no longer champions the People against Christians or Witches or Bolsheviks. Today the victims are those accused of political corruption—they get as little absolution as did those buffeted by the winds of The Climate of Opinion in earlier days. Tomorrow it can easily be someone else. While the play and the personnel are different in every age, one characteristic is constant—that at the time either no one really cares or it is not expedient to raise a voice against the particular injustice. Perhaps it is on the theory that nine out of ten are guilty, so why bother? Well, we should regard it as a matter of vital concern, because such indifference becomes a cancer that can eat away at the very foundations of our society. The only preventative is to protect the individual even when it is unpopular to do so.

The tragedy is that it is the public that has created or allowed The Climate of Opinion that makes it possible for The Thirteenth Juror to undermine our judicial system. The need is really for the public to be protected from itself. Nothing can make a person more unpopular than to try to protect another from himself, especially when the other does not realize the need of such protection. If that be true of the individual, it is a thousand times more true when it is "The People" who need to be protected from themselves. The attempt can easily destroy those who command the waves to recede.

This article obviously cannot answer the question of how to protect the public from itself or, to put it in clearer focus: How do we keep The Thirteenth Juror out of the jury box? Perhaps there is no one answer or even any complete answer. However, there can be no question of the fact that there can be at least a partial answer. The media of information can be of great help on a voluntary basis. So, too, can the Judges of our courts. The people themselves—provided they know about the situation and have some comprehension of its significance—can help, too.

It is hoped that the mere posing of the question will stimulate thought, discussion, and action on the part of those in a position to do something about it. That is perhaps the major purpose of this paper, "The Thirteenth Juror."

CHAIRMAN PATMAN INTRODUCES H.R. 2 IN 91ST CONGRESS PROVIDING FOR INDEPENDENT CREDIT UNION AGENCY LEGISLATION

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. PATMAN. Mr. Speaker, during the 90th Congress I introduced legislation, H.R. 14030, providing for an independent Federal agency for the supervision of federally chartered credit unions.

The legislation was widely discussed in credit union circles and was endorsed by a vast majority of credit unions.

The purpose of introducing the bill in the 90th Congress was not so much to enact the bill at that time but, rather, to provide a broad concept for the creation of an independent credit union agency with the thought that credit unions and credit union organizations would make recommendations for improving the bill. All of the recommendations that were received from those interested in credit unions were carefully considered and, wherever possible, have been incorporated into the independent credit union agency bill that I have introduced today.

One of the concerns expressed over the initial bill was that it provided for State and Federal representatives on the board of directors of the independent credit union agency. It was felt that the makeup of the board could be dominated by State-chartered credit union representatives. This problem has been corrected in the new bill and gives credit union organizations an opportunity to recommend individuals to serve on the board.

There was also a fear by some that the new agency might interfere with the operation of State-chartered credit union regulatory agencies. This was not the intent of the legislation, nor is it my desire to in any way interpose the independent Federal credit union administration on the operation of State-chartered credit unions. Consequently, in order to avoid misunderstanding, all mention of State-chartered credit unions has been eliminated from the bill.

The new legislation would create a National Credit Union Administration, which would be headed by an Administrator who will be appointed by the President, with the advice and consent of the Senate. In addition, the Administration will be guided by a Board of Governors, consisting of nine members, which will also be appointed by the President, by and with the advice and consent of the Senate. The members of the Board will serve for a 6-year period, while the Administrator, in order to insure continuity with the President, shall serve at the pleasure of the President.

On the surface, the establishment of the National Credit Union Administration may appear to be a complicated procedure. In actuality it is a very simple one. The establishment of the Administration will not cost the taxpayers a single penny, since all the operating costs of the agency will be borne by fees and assessments paid by the more than 12,000 Federal credit unions in our country. In actuality, my legislation merely provides for an upgrading of the status of the Bureau of Federal Credit Unions, the present regulatory agency for all credit unions. At the present time there are more federally chartered credit unions than any other federally chartered institution, and there are more credit unions—some 23,000—than all other financial institutions combined. Yet, despite the magnitude of credit unions, the Bureau of Federal Credit Unions does not function on its own, but lies buried in the Department of Health, Education, and Welfare. The Bureau is not even allowed to have a full-time general counsel, but must borrow the legal services of a lawyer in the Childrens' Bureau of the Social Security Administration. In addition, when the Banking and Currency Committee seeks to obtain the Bureau's position on a matter of legislation, the committee does not receive an answer from the Bureau, but from the Department of Health, Education, and Welfare. The independent credit union administration bill would correct these problems and, in addition, would prevent the questionable treatment of credit union affairs that has occurred recently in the Department of Health, Education, and Welfare.

The Department of Health, Education, and Welfare recently announced a reorganization of the Bureau of Federal Credit Unions' territorial boundaries, reducing the number of regions from nine to seven, and transferring some of the offices to new locations. One of the reasons given for this change was to comply with the Government spending reductions that are taking place throughout the various Government agencies. However, since the Bureau of Federal Credit Unions does not derive any funds from tax revenues but, rather, is supported entirely by fees from Federal credit unions, it is impossible to see how the reorganization would in any way affect the Government's cost-saving program. Another reason given for the changes was that it would serve as an economy measure to prevent increased cost to the credit unions. In regard to this, it should be noted that not a single credit union had complained about the cost of the services. In addition, although the credit unions foot all the bills, not a single credit union or credit union organization was consulted prior to the Department's decision to revamp the regional structure.

This type of operation would not have been possible had an independent Federal credit union administration been in operation. Such a change would have had to be discussed with the Board of Governors, who would be representatives of credit unions across the country and, since they are the ones who are paying the bills, they should be consulted.

Some have said that the enactment of the independent credit union administration bill would provide increased cost to the credit unions. While there may be some additional costs in the initial stages, I do not feel that they will be of a substantial nature, and I feel that the services rendered by the new agency would more than justify any increased costs. However, those who say that there would be increased costs have never documented the area in which the increased cost would lie. On several occasions, when Mr. Deane Gannon, Director of the Bureau of Federal Credit Unions, has appeared before the Banking and Currency Committee, I have questioned him at length about the costs of operating his agency. He steadfastly maintains that the Bureau of Federal Credit Unions pays for everything it receives, and that all of these costs are absorbed by the fees assessed against Federal credit unions. Time and time again he has told the committee that no taxpayers' funds are spent for the operation of his agency. Thus, I cannot see where there would be any significant increased costs arising from the enactment of the independent credit union administration legislation.

THE 1970 CENSUS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. McDONALD of Michigan. Mr. Speaker, few issues have stirred the people of my district in Michigan as has the proposed 1970 census.

As director of the 1960 census in Wayne County, Mich., I had become acutely aware of the big brother turn that was occurring in this so-called nose count.

Indeed, in recent decades the census has strayed far afield of being a simple count of the population—its statutory purpose—and has taken on the aspect of an in-depth report on the lives and living habits of the American people.

To ask a person such questions as how many share his shower is impudent in itself. To require an answer under penalty of law is intolerable invasion of privacy.

In December of 1967 I introduced legislation designed to restore the census to its intended role—a count of the population to determine congressional and legislative districts and provide a basis for allotments under Federal grant-in-aid programs.

Unfortunately, this legislation has been bottled up in the House Subcommittee on Census and Statistics. Only 1 day of hearings has been conducted.

In the year since I introduced H.R. 14361, I have received thousands of letters urging action to limit mandatory answers in the census to the seven basic categories of name and address, relationship to head of household, sex, date of birth, race or color, marital status, and visitors in home at time of census.

Under H.R. 14361, other answers would be provided on a voluntary basis. There is no time to wait. Action must be taken quickly. I am today reintroducing my bill and hope that the subcommittee, taking notice of my heavy mail on the subject as well as that of other Members, will schedule early hearings.

MAYOR WASHINGTON'S MESSAGE ON THE CITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. FRASER. Mr. Speaker, on November 26 the mayor of the District of Columbia, Walter E. Washington, reported at some length on the first year of operation of the reorganized city government. He addressed the annual meeting of the Washington Home Rule Committee.

Mayor Washington devoted a large share of his remarks to the numerous accomplishments of his administration. At the same time, he reemphasized the growing need for home rule in the Capital City.

This message is worth reading, Mr. Speaker, because the responsibility for bringing the District government's goals closer to fulfillment rests on the Members of the Congress. The text follows:

I want to congratulate the Washington Home Rule Committee for wasting no time in proposing that home rule legislation be submitted quickly in the 91st Congress and for sponsoring a meeting on the subject here in the District Building next month.

I must also admit that we are flattered by your proposal to keep our present form of city government in office until a home rule bill can be passed and a new government can be elected. We regard this as a vote of confidence in our reorganized city administration.

It is my hope that the efforts for self government will go forward with strength and unity. As a result of my experience of more than 25 years in this movement, including a term as committee president, I would only caution against the development of interim proposals that may deter or slow down our effort to achieve a complete and meaningful format of self government for our city.

The important consideration even now is not who the people will elect. The important consideration is that our citizens have the opportunity to make the choice.

Our reorganized government has just completed its first full year of operation. Although we were a new government, we realized that the problems we faced were monumental—a mirror of the entire urban crisis. We also realized that many of the serious and complex problems that we inherited developed over many generations.

However, it is significant to note that the Mayor and the City Council undertook to determine and understand the nature and scope of our city's problems with a unified commitment to do something about them. It is significant that the Mayor and the City Council did not complain or point fingers of blame for the plight of our city. We realized that a good deal of the blame obviously relates to the lack of self government and a kind of community apathy that can accompany this condition if it persists over the years.

The challenge we accepted jointly was to move forward, to develop priorities and attack forthrightly the problems with as much citizen involvement and citizen participation as we could engender in a short period of time.

We have been mindful that, to the extent that we could develop citizen involvement and participation in programs, we were, in fact, creating one more clear opportunity for our voteless citizens fully to demonstrate their ability to govern themselves. We have come of age during this year. And I am prepared to rest my case, based on my faith in the people of this city and their ability to function as 100 per cent Americans with all the rights, privileges, and responsibilities pertaining thereto.

We have sustained some criticism for the length of time that it has taken to get some programs fully activated. To this I would say, certainly, you can move much faster if you develop and produce programs without *people involvement*. The question before you then is: are the programs relevant to the people without the participation of people?

To be sure, we have not been perfect. But we have established a process, an attitude of involving people in the programs of our city. And we continue to work to develop formats and mechanisms that will produce this kind of involvement and this kind of participation in a city that does not have self government.

To me, it is significant that government takes the initiative in this area; that government seeks the involvement of the people; that government creates an attitude of responsiveness to the people even in the absence of a mandate at the polls. We cannot afford to lose this attitude or this direction.

During the past year, I have seen greater civic interest among the people of this city than I have ever seen in all my years here. I have seen a greater willingness of people to involve themselves in the affairs of their municipality. I see a new awareness, feel a new optimism because people are now more willing than ever before to identify with their government—a government which, despite the lack of home rule, has begun to respond visibly to the needs of the people.

Although we have just begun to fully develop this response capability, I believe that we can soon achieve a massive delivery of services that will actually make substantial inroads on the basic problems that plague our town.

Despite the staggering setback we all suffered during the April disturbances, and despite other extraordinary problems that have unfolded during the past months, we have—working together, achieved substantial and wide-ranging community improvements.

This is not to say, of course, that we are within days—or even within sight—of reaching our goal of a community that is a source of pride to us all. But it is my belief that our new city government first overcame a massive existing inertia, then dealt with a series of stunning problems, and is now gaining momentum in an overall attack on the city's ailments.

The goal which our administration is pursuing is total and comprehensive economic, social and physical development of the city. This includes planning and coordination of all necessary public services and facilities, development of automatic and increased revenue processes and the building of a sound economic base for the well-being of our citizens.

We have established both the process and the initial capability to allow our city to approach this goal. We have obtained a designation of the city as an economic development area, which makes us eligible for what could be millions of dollars in grants, loans and technical assistance.

We also have established two extremely significant citizen action committees and the staff to make them functional. These are the Mayor's Economic Development Committee and the Community Development Committee.

The Economic Development Committee, in presenting to the community an overall economic development program, is acting as a citizen focus for this activity. It is working closely with other agencies in the District, such as the National Capital Planning Commission, Office of Community Renewal and the Model Cities Citizens Committee. The Economic Development Committee already has received a $306,000 Federal grant in order to begin developing a program and approving applications for grants to support projects which have been developed in the community.

The Community Development Committee has already begun—with initial funding and seed money provided by a $600,000 grant from the Ford Foundation—a program to rebuild areas severely damaged in the April disorders.

Though these two functions are very new, they already have accomplished much and promise great potential.

Our urban renewal program, which was operating at a deficit, now is in the black. This came automatically with the designation of the city as an economic development area. This action increased the Federal payments in urban renewal projects from a ⅔ matching basis to ¾ and solved some of our problems of local matching funds. The promise for the future is even greater.

I want to emphasize what I consider a highly significant thrust in our Administration—the broad effort to decentralize government services to the community and thus give our citizens a better opportunity to utilize those services. Decentralization literally means delivering assistance to the doorstep of the people who need the aid so urgently.

This involves the establishment of neighborhood multi-service centers that combine under one roof all of the essential citizen aid offered by our government, including welfare, employment counseling, vocational rehabilitation, parole, homemaker guidance, health care recreation, child day care. We recently opened the first such center and plans have been made to have eight of them in operation by next summer.

Another innovation we intend to employ is systems management. In an urban setting such as Washington, a systems approach to managing government activities is absolutely essential.

Historically, we have, more or less, used systems "engineering" in physical (public works) planning and programming. Highway and bridge design, water supply and traffic engineering are typical examples.

However, it is relatively recent that a systems approach to social planning has been attempted. Moreover, in social planning, where the variables are endless and the opportunity for precise measurement and definition is limited, the application of the systems concept is far more complex and complicated.

Nevertheless, we believe this approach holds great potential. The important consideration here is to make sure that the use of computer systems is "humanized." That is to say that we use systems to improve our delivery of services to people and that these services are delivered in an atmosphere of human sensitivity.

I would now like to go into some of the key developments during our Administration over the past year.

Immediately after taking office in November of 1967, we commissioned a thorough study of city problems by a number of experts in municipal government, experts who came to us without charge because of their interest in the nation's capital and its reorganized government. The result was a fresh and objective look at our situation and many imaginative and innovative problem-solving proposals, a number of which have been adopted.

At the same time, we began pulling together the fragments of government which had proliferated over the years, trying to eliminate duplication of effort and streamline our Administration so it could respond quickly and efficiently to the needs of all citizens.

We established an Office of Program Development Control to centralize and coordinate our program thrusts.

We placed our police and fire departments under the centralized control of a Director of Public Safety, working directly under my office. The man who gave us outstanding performance in that post has now moved up to deal with crime on the national level and we are seeking a successor of equal stature.

We created a Youth Program Unit which produced through the Neighborhood Planning Councils a massive and highly diversified program of recreation, cultural enrichment, entertainment and employment. This unit also put together an Easter vacation package of youth activities literally overnight in the wake of the April disturbances. It is now developing a comprehensive program designed to offer our young people positive alternatives not just during the summer but throughout the year.

We placed the activities of the Redevelopment Land Agency directly under the Mayor to give this vital function centralized direction, control and closer cooperative relationship to other housing and development activities.

We established the D.C. Manpower Administration to pull together and coordinate the resources of all of the various training and employment activities in the city. Developing permanent jobs for the unemployed and underemployed is one of our most urgent priorities. We expect the Manpower Administration to give us the muscle we need to tackle that task. Incidentally, we have already shown what we can do in this area. We were the only city in the country to fulfill the President's job quota last summer.

A vital part of the effort to create jobs is to persuade industry to locate in the inner city. Among our successes in this endeavor are Fairmicco, a joint enterprise of Fairchild-Hiller Corporation and the Model Inner City Community Organization, an International Telephone and Telegraph Corporation plant, and the recent decision of Control Data Corporation to locate in the inner city. In addition, Gulf, Atlantic and American Oil Companies have embarked on programs designed to promote black entrepreneurship in deprived or scarred areas of our city. We hope that other firms will follow their footsteps.

We also appointed a new Community Recreation Advisory Board with youth representation for the first time.

One of our major thrusts in the area of community development is under the Federal Model Cities Program, which approved our application for a grant to design a model inner city community. We have moved to give residents of the area concerned a major role in the planning of their own neighborhoods through an elected Model Cities Commission. The election campaign is now under way. Never before have people in our city had the opportunity to play such a large role in a government program.

Another key urban development initiative is our program to build a new, attractive and well-balanced residential community at the 335-acre Fort Lincoln site of the former National Training School for Boys. With the aid of another Federal planning grant and with maximum citizen participation, we intend to design a community that offers a full range public service to citizens of every station. An appropriation of $7.5 million will permit us to build a new school complex which should relieve the school congestion problem in the first phase as we move to develop this sub-town within our town.

One of the most satisfying community development undertakings of my administration was to put out the fires at the Kenilworth Dump and start turning it into a sanitary landfill, which will eventually become a park for the thousands of residents in the Far Northeast area. Again, this project is being conducted with Federal aid, and will be developed so as to promote program cooperation with Prince Georges County.

Early in our administration, a group of concerned citizens asked me to help them lead an effort to form a Metropolitan Washington Urban Coalition in response to the National Urban Coalition's call for the creation of local affiliates to deal with local problems. It is of great personal satisfaction to me that our efforts led to the creation of a local coalition that performed so magnificently in marshalling community resources to help meet human needs during the April emergency and during difficult periods thereafter. That strong performance augurs well for the Coalition's future as a powerful and positive force in our community.

In the housing field, the National Capital Housing Authority is aggressively pursuing a program to improve existing public housing dwellings and build and acquire more in order to reduce the waiting list of some 6,000 families. We are using to the fullest extent possible the innovative "turnkey process" to expand and disperse the supply of good housing for elderly and low income families. We have made a breakthrough in air rights housing. We are also engaged in an effort to enable low income families to purchase their own homes under the 1968 Federal housing law.

The Archdiocese of Washington deserves great credit for demonstrating what can be accomplished in home ownership in the inner city. The Archdiocese inaugurated its first home ownership program for low income families a few weeks ago on K Street near North Capitol.

Perhaps the most urgent problem facing our city is crime. My administration is firmly committed to taking every step possible to make our city a safer place in which to live, a place in which the administration of justice is swift and sure.

After decades of neglect, our new city government has embarked on an ambitious attack on crime—and its root causes. But we cannot win the battle without the cooperation and involvement of our citizens.

We intend to provide stronger law enforcement on the streets of our city, enforcement that includes protection for all our people.

We intend to aid the courts in bringing offenders to justice quickly so that fair and speedy trials will be provided.

We intend to develop a correctional system that succeeds in its purpose—the return of rehabilitated offenders to the law-abiding community.

We have taken a major step in our law enforcement program by filling existing vacancies on the police force and obtaining the authorization of one thousand additional police officers, a one-third increase in the size of the force. Recruitment and training of these men is already under way. We expect to deploy the additional men where they can do the most good—on the street.

We have also obtained an increase in starting salary for policemen and firemen to $8,000 per year. We expect this will be an important recruitment incentive. Our recruitment effort, incidentally, is primarily aimed at young men and women in our own community.

Under new Federal programs, more money is being made available to our Police Department for improved training and equipment and to insure that our police officers will have the benefit of scientific and technological advances in their fight against crime.

No matter how effective our Police Department may be, delays in the courts can strike crippling blows to any effort to curb lawlessness. Statistics show that many suspected offenders are released on bond pending trial only to be charged with additional crimes in the ever-increasing period during which they await trial.

Our new Criminal Justice Planning Agency is now preparing a comprehensive plan to help improve the criminal justice process, and the courts themselves are making substantial efforts to reduce their criminal backlog. We are asking Congress to make such changes in the Bail Reform Act as are necessary to protect both the individual's right to be free until he is judged guilty of a crime and the society's right to be protected against criminals prior to conviction.

Police-community relations is a critical area of concern to us. Too often police and citizens regard each other with mutual suspicion instead of the mutual respect that is necessary for a good law enforcement program. We are developing new programs in police-community relations which can reengender cooperation between police and citizens.

The Pilot Precinct Project, funded by the Office of Economic Opportunity, offers a tremendous chance to demonstrate how police officers and citizens can pull together to make our community safe. The Project will serve as a research and development laboratory to try new techniques for improving police services, restoring public confidence in the police and involving civilians more closely in police operations. We hope to make the Pilot Project a model for our Police Department and those of other cities.

Recent unrest in our corrections system has underscored the fact that here, too, after years of neglect, we must make fundamental and far-reaching improvements. Washington, D.C. is high on the list of cities in which new jail facilities are urgently needed. We expect to move forward expeditiously in this area.

Also in the enforcement field we are adding 55 housing inspectors to step-up our code enforcement efforts. We are also making significant improvements in our rodent control program. We will make available to all sections of our city new and innovative techniques designed to rid us of this terrible hazard to our health and safety.

We are also providing for further involvement of the Department of Licenses and Inspections in the city's first Federally Assisted Code Enforcement Program in the Trinidad neighborhood. Begun in August of this year, this project—the first of many, I hope—furthers the city's housing improvement objectives and provides a myriad of services heretofore unavailable to us, such as low interest loans, outright grants for home improvements, rehabilitation advice, home management aid and legal services.

In the public health field, our administration is determined to provide families with comprehensive care. This health care is being provided by the Public Health Department, participating hospitals and private practitioners to those unable to meet the spiralling cost of medical care. The Department will continue to provide the leadership for this total service, assisted by a health planning advisory committee composed largely of community representatives.

The Department has just instituted a trilevel health program in six neighborhood centers. This is a new concept to provide comprehensive health services for all segments of the populace at times and at places where those services are needed. At the first level, neighborhood health centers will care for less complicated ailments. At the second level, area health centers will provide specialized care, such as mental health treatment. At the third level, hospitals will continue to provide intensive care when necessary.

We also have undertaken, in cooperation with the Department of Health, Education, and Welfare and the National Institute of Mental Health, a comprehensive mental health clinic and a neighborhood health facility within the Saint Elizabeths Hospital complex in Anacostia.

In the welfare sector, there are 36,000 people in the District of Columbia now receiving public assistance. Contrary to a widespread misconception, less than 4 per cent of our welfare recipients are able to work: 22,000 of them are young children, 2,400 are old people, 4,400 are disabled and 191 are blind. There are only slightly more than 1,000 persons receiving general public assistance because they are temporarily ill or physically incapacitated, making it impossible for them to accept employment.

For the coming fiscal year we are asking Congress to update the payments made to welfare families to reflect what it actually costs to rent decent housing, buy nourishing food and clothe a growing family in this community.

Today a welfare family of four in the District receives $194 a month. If Congress grants our request, this same family will receive 85 per cent of the updated standards, or $233 a month beginning October 1, 1969. In the next fiscal year, we will ask Congress to grant our welfare families 100 per cent of these updated standards which would bring this same family $274 a month.

The District's Work Incentive Program, established by Congress under the 1967 Social Security Amendments in an effort to provide increased opportunities for job training and employment to welfare families, is far ahead of any such program in the nation.

Under the administration of the Labor Department, the District Government established a WIN Center in Southeast Washington in the beginning of July.

Our Administration's policy is to give rehabilitation the highest possible priority in the programs for the needy, disadvantaged children, aged and mentally retarded.

We also plan to expand our Day Care Program, making it available to more than 3,000 children of participating parents.

In education, we are undertaking a broad program of improvement largely in direct response to the Passow Report's recommendations. This will include, for the first time, pre-kindergarten classes for about 3,900 children, all from the less affluent, so-called "Impact Aid" areas of the city.

The Model School Program is a permanent part of the school system and will serve as a prototype for decentralization.

We have also proposed a program providing for teacher aides for the first time to relieve teachers of many routine tasks so they may concentrate on instruction. We plan to make the very successful STAY School, which has been funded experimentally with Federal aid to encourage dropouts to return to school, a permanent program.

I am also happy to say that we achieved an increase in starting teachers' pay to $7,000 per year. This is a significant step in recognizing that teaching is one of the most vital professions in our society and those who pursue it should be paid accordingly.

In the field of higher education, we intend to make the Federal City College and the Washington Technical Institute the very finest academic institutions of this kind in the country.

I wish to again call particular attention to the role and contributions of the City Council, an integral part of our new government. The members of the Council, supposedly "part-time," have devoted endless hours to public hearings and have worked selflessly and vigorously to initiate new rules and regulations in many areas affecting the public good. In the absence of an elected legislative body, the Council strives very hard to represent all segments of the population of our city. In order to be more immediately responsive, the members have assured responsibility for specific geographic areas of the city, insuring maximum availability. It has sought to exercise to the fullest extent the powers assigned to it. The Council also has contributed significantly to increased citizen awareness of the many problems we face and citizen involvement in developing solutions within a democratic framework.

Perhaps our government's most fundamental problem is money. We have recently completed final action on a proposed 1970 budget which will now go to the President and the Federal Bureau of the Budget and then to the Congress early next year.

Our spending proposals total nearly $700 million. It is the largest budget in the District's history because it mirrors the magnitude of our hopes and aspirations.

We again propose that the annual Federal contribution to the costs of the Capital City be determined under a formula—the contribution equal to 30 percent of local taxes. This local-Federal partnership approach is a responsible way of financing the District Government. I hope Congress will accept this formula because it will allow us better to plan for the years ahead.

We have given a priority to improvements in the budget process in the District. The 1970 budget does represent a meaningful improvement over 1969. The City Council participation has brought strength, integrity, and commitment to the budget process. Moreover, public hearings held by the Council concerning the budget have allowed for active citizen participation in the budget process.

The 1970 Budget Request of the District Government does not go as far as the Council and I would like it to. We simply do not have the resources to do all that could be done under ideal financial circumstances. We simply cannot overcome the result of years, even generations, of inadequate funding in one budget period.

But we can chart a realistic course for the future.

The new District Government has just completed its first year of operation. In this period we have seen much change and progress as well as considerable turmoil and tumult.

We can take pride in our accomplishments, but we cannot rest.

Every day we face in our city problems of crisis proportion—problems of inadequate housing, unemployment and underemployment, deadend jobs, lack of adequate and equal job opportunities, a rise in crime rate, polarization and separation between races, and an endless list of difficult and seemingly insolvable problems.

The time is now late indeed. The Honorable Senator Mathew M. Neely of West Virginia thought the time was late in 1950 when he said of the work and effort to bring democracy to Washington, "Blessed are we who expected nothing, for we have not been disappointed."

We have not moved far from that condition but I am hopeful that we have moved far from the attitudes that prevailed at that time.

We will have to rededicate and recommit ourselves to the cause of self-government. We will have to work together even harder than ever before to achieve it.

RETIREMENT FINANCING

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, I take this time to advise the House that today I have reintroduced a measure similar to that which was unanimously passed by this body last October 1, but, regretfully, failed to be considered by the Senate. I refer to a bill representing the end product of the Subcommittee on Retirement, Insurance, and Health Benefits' paramount legislative efforts of the 90th Congress, the major purpose of which is to improve the financing and funding practices of the civil service retirement system.

The magnitude of the problem of retirement financing is such that it is imperative that Congress take action toward a prompt and positive solution. While the budgetary impact of this legislation will be sudden and sharp, it will, nevertheless, be far less drastic than if present financing practices continue unchanged.

Mr. Speaker, in view of the urgency to enact a definite program of action to insure the system's ability to fulfill its future obligations, I contemplate the prompt consideration of this legislation and strongly urge its early adoption.

IN THE BEGINNING

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. ASHBROOK. Mr. Speaker, certainly one of the most inspiring and edifying episodes of the thrilling Apollo 8 flight occurred on Christmas Eve when astronauts Frank Borman, James Lovell, and William Anders sent a message to all of us "on the good earth." Reflecting the religious heritage which has been the foundation of this Nation they placed in proper perspective their awesome feat in acknowledging the primacy of the God of creation by quoting the first 10 verses of Genesis. How reassuring it was to be reminded, in the midst of this unique technological venture, that man does not live by science alone.

Of course, not all were happy with this infraction of the principle of the separation of church and state. Mrs. Madalyn Murray O'Hair of school prayer fame, indicated that she would complain to NASA about the reference to the Bible, and would initiate a mail campaign of protest.

I am sure the overwhelming majority of Americans, in contrast to the sentiments of Mrs. O'Hair, would support Dr. Thomas O. Paine, acting administrator of NASA, who emphasized the compatibility of religion and science:

> It may show the restless students of the world the benefit and the triumph of the squares who work with computers and slide rules, of engineering and science and of men who read from the Bible on Christmas Eve.

Earlier on the day before Christmas, Colonel Borman reiterated the desires shared by all sane men for "the coming day of universal peace." As in the tradition of our forefathers he called upon divine assistance to help us bring to our troubled world an era of tranquillity once again:

> Give us the knowledge that we may continue to pray with understanding hearts, and show us what each one of us can do to set forward the coming of the day of universal peace. Amen.

Under unanimous consent I submit the article, "Genesis: A Beginning," from the Washington News of December 25, 1968, for inclusion in the CONGRESSIONAL RECORD, as follows:

GENESIS: A BEGINNING

SPACE CENTER, HOUSTON, December 25.—The men who took mankind to a new world Tuesday closed out their Christmas Eve special telecast live from the moon with a simple Biblical message and best wishes for "all of you on the good earth."

Apollo 8 astronauts Frank Borman, James Lovell and William Anders chose the first 10 verses of the Book of Genesis—the story of the first days of creation—for their message on the eve of the day commemorating Christ's birth.

It was hardly a surprising thing for them to do. Col. Borman and Capt. Lovell are both strong Episcopalians and Maj. Anders is a devout Catholic. Col. Borman serves regularly as a lay reader in his home church, and the three astronauts read one after the other from the Bible for their brief service.

Col. Borman opened by saying: "for all the people back on earth the crew of Apollo 8 has a message that we would like to send to you." Then Maj. Anders read:

"In the beginning God created the heaven and the earth. And the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters.

"And God said, let there be light and there was light. And God saw the light, that it was good; and God divided the light from the darkness."

Then Capt. Lovell took the Bible and read, beginning with the fifth verse of Genesis I: "and God called the light day, and the darkness he called night. And the evening and the morning were the first day.

"And God said, let there be a firmament in the midst of the waters, and let it divide the waters from the waters. And God made the firmament, and divided the waters which were under the firmament from the waters which were above the firmament: and it was so.

"And God called the firmament heaven. And the evening and the morning were the second day."

Then Col. Borman, Apollo 8 commander, finished: "and God said, let the waters under the heaven be gathered together unto one place, and let the dry land appear; and it was so.

"And God called the dry land earth: and the gathering together of the waters he called seas: and God saw that it was good."

The service ended with a special personal message from all three spacemen, which Col. Borman delivered in his level and rapid voice:

"And from the crew of Apollo 8 we close with a good night, good luck and a Merry Christmas. And God bless all of you . . . all of you on the good earth."

PRAYER FOR PEACE

Earlier in the day, Col. Borman had said he wanted to deliver a prayer for peace to "St. Christopher's Church (his own) and to all the people of the world."

He commented that "I was supposed to lay read tonight, and I couldn't quite make it." Then from 230,000 miles in space, with a small, blue-and-brown earth glob far outside his window, he prayed:

"Give us, O God, the vision which can see Thy love in the world in spite of human failure.

"Give us the faith to trust Thy goodness in spite of our ignorance and weakness. Give us the knowledge that we may continue to pray with understanding hearts, and show us what each one of us can do to set forward the coming of the day of universal peace. Amen."

"Amen." repeated ground communicator Mike Collins.

DISTRIBUTION OF OBSCENE AND LEWD MATERIALS

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, one of the foremost issues facing us as Members of a lawmaking body is where to draw the line between the rights of individuals as contrasted with the rights of society. On too many occasions in the past we have seen the so-called rights of individuals superimposed on the rights of the law-abiding public to their detriment. This is especially true in regard to obscenity and the publication and distribution of obscene materials.

In a series of decisions, the U.S. Supreme Court has struck down practically all laws dealing with obscene matters, citing their opinion that such laws interfere with a person's right of free speech and freedom of the press. Yet, I do not believe the founders of this country and the drafters of our Constitution intended that the right of free speech would ever be so interpreted as to make impossible the right of the people to protect their children and loved ones from exposure to dirty, filthy, pornographic, and obscene matters.

Mr. Speaker, following the recess of the 90th Congress, I met with a number of ministers and other concerned citizens who were outraged over the distribution of obscene and lewd materials. During the year I received numerous letters, telegrams, and telephone calls from constituents protesting their unsolicited receipt in the mails of obscene literature, which I promptly called to the attention of the Postmaster General.

On examining the decisions of the Supreme Court on the question of obscenity, however, I came to the conclusion that the best solution to the problem is to grant to the Congress the right to define obscenity and to regulate the publication of obscene materials. It is for that purpose that today I am introducing a constitutional amendment. When this amendment has received the requisite number of votes from this and the other body, and when it has been approved by the constitutionally required number of State legislatures, then we shall have the power to control a problem which the Supreme Court has held we are powerless at present to control.

Mr. Speaker, I am offering this amendment with the hope that it will receive broad support from both sides of the aisle so we can rid our Nation of the published filth which now is flowing in a steady stream through our mails.

TECHNOLOGY GAINED FROM APOLLO TO BENEFIT MANKIND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, our national space program has already made many contributions to our daily life here on earth. The potential for utilitarian applications from our national space program is even greater in the future. Joyce Jones, Birmingham Post-Herald correspondent, summarized these possibilities well in an October 23 article describing several of the significant contributions already made by our national space effort and the potential for the future:

TECHNOLOGY GAINED FROM APOLLO TO BENEFIT MANKIND

(By Joyce Jones)

CAPE KENNEDY.—When members of the press gathered to watch the Apollo-Saturn IB take off with its three astronauts—Schirra, Eisele and Cunningham—among the newsmen was Y. Egamir of Japan.

What made Egamir different from the rest of us was that his method of transmitting news of the firing was done—not by telephone or telegraph—but by a communication satellite. Thus, as he witnessed the rocket's ascent, Japanese, half way around the world, were hearing his voice and watching the lift off at the exact same time.

Such an example proves that end results from building machines that can operate and keep men alive in weightless, airless space is stretching the skills and expanding the knowledge of our scientists and engineers in practically every field of technology.

Though the average citizen may feel that the space program is too far out to have any immediate effect on his daily life, hundreds of items are being developed as "spin off" from space-designed technology—which will make for better living conditions for us earth-bound creatures who never plan personally to reach the moon in any way other than with a telescope.

FIERCE DESIRE

Today, because Americans have a fierce desire to have some of our number explore the lunar orb, crippled men, women and children will be provided with "walking wheel-chairs," battery powered, which will allow the handicapped to move across rough or sandy terrain clear curbs and climb stairs. The original model of this Buck Rogers type walker was first designed as an unmanned, radio directed instrument carrier for exploring the rough surfaces on the moon. It is presently being tested at a rehabilitation center in Southern California.

Due to the development of Mercury, Gemini and Saturn rockets, women will have better support in brassiers because of filament-winding techniques used for astronauts' suits . . . By means of a tape recorder developed for space traversing purposes, calls will soon be monitored for telephone owners who are away from home at the time.

In order to distribute this vast store of knowledge gleaned from space research, NASA set up a Technology Utilization Program in 1962. Money used to support the space program is returned to the taxpayer in the form of government research passed on to the public and used widely to provide vital transfusions into the lifeblood of industry.

COMPLETE SYSTEM

James O. Harrell, technology utilization officer at the Kennedy Space Center (and a former Huntsvillian) told us that NASA has devised a complete system to transmit results of research to industry for private use. This is done by the distribution of technological publications, answers to individual inquiries and by the publication of Tech Briefs, for which industrial leaders may subscribe for a nominal fee.

Thus industry is able to take advantage of wide government research in various fields. Therefore, it has been proven that there is gold to be found at the end of the NASA research rainbow. But of course, it takes a certain amount of hard cash to mine it.

To an economy-minded Congress with eyes also on Vietnam and problems of cities, the reduced budget of $4,390,000,000 which NASA asked for the fiscal year of 1969 could sound like a lot of money.

Yet Arthur E. Were, a Saturn engineer here, pointed out the interesting fact that the pro rata price of the space program is mere pennies a day for the average citizen. Divide, he said, the estimated 200 million citizens in our country into the daily amount needed to meet our proposed budget, and it ends up to be a mite over 6 cents each. Thus, for less than the price of a daily newspaper or a candy bar, with the needed approval of Congress, U.S. citizens will have unlimited opportunities provided for them—opportunities with practical, earth bound application for use in daily life.

LEGISLATION TO CREATE THREE ADDITIONAL JUDGESHIPS IN SOUTHERN CALIFORNIA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BOB WILSON. Mr. Speaker, three of my colleagues are joining with me today in introducing legislation to create three additional judgeships for California's southern Federal court district.

The need for these additional judges is critical. The two active judges now permanently assigned to the district are carrying the heaviest caseloads in the country, according to records kept here by the Administrative Office of the U.S. Courts. In 1967 the caseload per judge in this district was 826, more than three times the national average of 252.

The district is comprised of San Diego and Imperial Counties, which border on the Republic of Mexico. By reason of this location on the international boundary, the incidence of immigration, customs, and narcotics cases in the district is inordinately high. In 1968 the number of criminal cases filed in the district was about 2,500, compared with 2,094 in 1967. As a result of this heavy burden of criminal cases, only a handful of civil cases have been processed during the past year. Needless to say, the wheels of justice are grinding too slowly in the district, and this can only be corrected through the assignment of additional permanent judges. Some assistance has been achieved through the use of one and occasionally two visiting judges. However, visiting judges are not sufficient substitutes for local judges, for they seldom handle pleas, arraignments, pretrials, or motions. This is the way one visiting judge, after completing a 5-week assignment in San Diego, summed up his experience:

It has been the roughest assignment I have ever undertaken. I have never been to a court where the volume of criminal work is so great.

You will recall that last year my colleagues joined with me in introducing legislation to add two more judges to the district. Since then, the U.S. Judicial Conference has recommended to Congress that three additional judges are needed. Since this is the year Congress is scheduled to consider an omnibus judgeship bill, we urge that our legislative proposal for three additional judges be incorporated in the omnibus judgeship package that emerges from the 91st Congress.

OPEN LETTER TO MY BEST FRIEND

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BERRY. Mr. Speaker, during the past few weeks much has been written and said about Christmas. Robert Holsworth, editor of the Bowdle, S. Dak., Pioneer has written a letter which I commend to my colleagues.

The letter entitled "Open Letter To My Best Friend" follows:

OPEN LETTER TO MY BEST FRIEND

DEAR JESUS: Happy Birthday, Lord!

Being that this is the Christmas greeting edition, I sorta felt while everyone is greeting everyone else, I'd drop a birthday note to You, just in case You might be overlooked in the rush and fuss that always develops in this period of the year.

So many times when You and I are visiting, I get carried away in asking for things, and unloading my woes and wants that I'm afraid I dominate the conversation, and fail to listen closely for Your answer.

I guess I really know that You answer all my beggings and pleadings, only sometimes I forget to recognize the fact that the answer is "No" and that You have a valid reason for the answer.

Then, too, a lot of times I'm afraid I've failed to recognize Your affirmative answers, and taken all the credit for myself.

I want to apologize for this Lord, and by so doing maybe make Your birthday a little happier. I'm not griping Lord, but couldn't you exert a little more pressure and get a couple million others to apologize to each other—and You—so we could celebrate Your birthday with a little more gusto? I know that's Your business, but I'm an inveterate meddler in other people's business.

I know You can't be entirely happy as Your birthday rolls around, what with all the stuff happening around the world. I know You're a peace advocate, Lord, so forgive me if I meddle a little more and suggest You work Your way into that game of musical chairs going on in Paris. I think You could teach those dudes a thing or two.

And all these four-letter words kickin' around in even the "best" places. I think maybe You'd have a much happier birthday, Lord, if You and I could somehow help substitute a few other four-letter words, kinda put 'em back in the vocabulary—Words like "love" and "work" and "pray" and a few others.

And some of the other things that are goofin' up our young people, Lord; what are we gonna do about that, so You could have a happier birthday? Like LSD. I think You and I are both in favor of LSD—but only when it stands for Labor, Service and Devotion. But, then, we are a couple of old fogies and what we believe in is square and doesn't fit in the round holes the world is diggin' these latter days.

Well, Lord, that's about all I had to say, but I do want to thank You for Your great gift, and hope that You have the happiest birthday ever—and many happier returns.

Your friend,

Bob.

A TRIBUTE TO BOB HOPE FOR ENTERTAINING AMERICAN SERVICEMEN ABROAD AT CHRISTMASTIME

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. REINECKE. Mr. Speaker, I would like at this time to commend the patriotism, the generosity, and the good fellowship of that outstanding American, Comedian Bob Hope, for the remarkable record he has established over the years as an entertainer of American troops abroad, especially at Christmastime.

He has been at it for many years. Unquestionably, many of the troops who are hearing his jokes today, in Vietnam and other far off places, are the sons of men who enjoyed his overseas performances back in World War II. Twenty-eight years ago this March, Bob Hope staged his first show for servicemen. Since then, under the joint sponsorship of the USO and the Defense Department, he has flown more than 2 million miles to entertain almost 12 million soldiers, sailors, marines, and airmen. As the enemy of loneliness, he has become the best friend a homesick servicemen could hope to have. And by working overtime, at Christmas—contrary to all the traditions of his trade—he has established himself as a jet-propelled Christmas present, to thousands upon thousands of Americans away from home.

Last May, at West Point, Bob Hope was presented with the Sylvanus Thayer Award for giving "freely of his time and talents to raise the morale and warm the hearts of two generations of servicemen." The occasion marked the first time an entertainer had ever won this particular award, which was named for the Academy graduate who became superintendent in 1817. Bob Hope also has received the Congressional Gold Medal, in recognition of distinguished public service. And in 1962, in due respect to his worldwide activities, the Screen Producers Guild facetiously voted him the Milestone Award. By recent count, he had received more than 800 awards from many and varied sources.

It is noteworthy that the presence of Bob Hope in Vietnam, in 1967, brought forth an indignant denunciation from the Soviet newspaper Izvestia. With enemies like that, you can see how important he has become to the American military position abroad.

With his gallant band of faithful performers and technicians he recently has played to troops in Europe and Japan, Thailand, Guam, and the Philippines, and it is commonly believed that so long as he is able to get up on a stage, he will keep on doing so for the benefit of our fighting men.

I would like at this time to express my admiration for this remarkable American, who has done more for the morale of our servicemen abroad than any other single living soul.

NEED FOR A NEW HOOVER COMMISSION

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BROTZMAN. Mr. Speaker, with the beginning of a new Congress and administration, I can think of no better time to pause and reexamine the profusion of Federal welfare measures which enacted by the New Deal of Franklin Roosevelt have been immensely expanded under the Kennedy and Johnson administrations.

The compelling reason for this pause is not that the country cannot afford to proceed with its social programs because of the cost of the war in Vietnam, or for that matter, the cost of any other foreign or domestic venture. The reason is that the country is concerned about many aspects of the welfare program.

Prof. Daniel P. Moynihan, the man selected by President-elect Nixon to lead to a new attack on the problems of our urban population and an outstanding specialist in urban affairs suggested back in 1966:

> Congress might now establish an Office of Legislative Evaluation which would have the task of systematically evaluating the results of the social and economic programs enacted by it and paid for out of public monies. Such an office would be established as a separate agency, or it could be located in the Library of Congress of the General Accounting Office. But the essential feature must be that it will be staffed by professional social scientists who will routinely assess the results of government progress programs in the same manner that the General Accounting Office routinely audits them.

Today I am introducing a bill which will accomplish the aim outlined by Dr. Moynihan. My bill, similar to one which I introduced in the 90th Congress, will enable us to evaluate our myriad of social programs and then cut out duplications, eliminate ineffectual programs, and improve good ones.

The bill would establish a Commission for the Organization and Administration of Federal Social Programs.

Generally, the bill provides for a 16-member commission with membership made up of State Governors, U.S. Senators, U.S. Representatives, representatives of the executive branch, and persons from private life.

The commission and its professional staff would give the Congress a preliminary report on its findings in 6 months, and again at the end of its 1-year lifetime. Recommendations for reforms would be made to provide the groundwork for legislative and administrative remedies.

Most of the attention of this commission would be directed to recently spawned and sometimes ill-conceived programs of the war on poverty. But its scope would include all of the Federal programs concerned with social problems.

A commission, created in the spirit of the Hoover Commission, can give us a positive means of redirecting the war on poverty and other social programs and at the same time, can assist the Congress in seeking an answer to the crying need for improvement in the administration of Federal social and welfare programs. I urge the early enactment of this measure.

UNITED STATES GETS MODEL CITY BID WITH PROSTITUTION PLAN

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. SCHERLE. Mr. Speaker, surely one of the most flagrant examples of the moral bankruptcy which exists among some of the creators of the Great Society and its programs was brought to the public's attention through an article in the Des Moines Register under a January 2 dateline.

Under the model cities program, which is financed with Federal funds, a proposal was made to provide economic aid to promote prostitution in Detroit, Mich.

Even more incredible is that this plan was approved by the Detroit, Mich., City Council as part of a $100 million request to the Department of Housing and Urban Development as a model cities plan.

The council voted 6 to 2 to submit the model cities plan in hopes of getting a 5 year, $100 million grant. Detroit would receive $20.5 million in the first year.

Mr. Speaker, it is outrageous that anyone connected with the Federal Government would have the gall to allow this proposal to build a red light district for Detroit with the revenue provided by the taxpayers of this country.

If our goal is to improve the quality of life in our urban areas, it is unbelievable to think that such a program would in any sense be a step forward. It would legalize the very forces of crime and corruption.

I sincerely hope that the House Committee on Banking and Currency will investigate how such a fantastic proposal was permitted to develop and to reach this stage of submission to Washington for final approval.

I also intend to ask the Acting Secretary of Housing and Urban Development for a full report on this sordid affair.

The article follows:

[From the Des Moines (Iowa) Register, Jan. 2, 1969]

UNITED STATES GETS MODEL-CITY BID WITH PROSTITUTION PLAN

DETROIT, MICH.—A Model Cities program that includes a proposal for legalized prostitution in isolated areas of the city won approval from the Detroit Common Council Monday by a 6–2 vote.

The council voted to submit the Model Cities plan to the federal Department of Housing and Urban Development (HUD) in hopes of getting a five-year, $100 million grant. Detroit would receive $20.5 million in the first year.

The council did not have time to delete the controversial "red light district" recommendation from the proposal because of a Tuesday deadline for submission of the entire plan.

All six councilmen who voted for the plan expressed confidence the prostitution provision can be withdrawn later.

The two dissenters said the vote condoned legalized prostitution in Detroit and said they doubted the recommendations can be changed.

Under federal rules the council had to approve all portions of the program, written by a citizens' group from the inner city, to enable granting of any federal funds.

Even Mayor Jerome Cavanagh's personal appeal to HUD officials in Washington failed to obtain a partial waiver of the rule.

WALTER TROHAN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DERWINSKI. Mr Speaker, one of the greatest observers of the Washington scene is Walter Trohan, the highly respected chief of the Washington Bureau of the Chicago Tribune, who retired from that position at the close of the year.

I feel that the editorial in the Chicago Tribune commenting on his retirement expresses the respect in which he is held among fellow journalists and I insert it into the RECORD.

The editorial and companion news story point out that Walter Trohan will continue to write a column for the Tribune and I also include at this point his column of Wednesday, January 1, 1969, which displays the penetrating writing skill that is a Trohan trademark.

I am sure that the Members of the House who know Walter Trohan are pleased that he will continue his active coverage of the Washington scene. The articles follow:

A FEW LINES TO A VALUED FRIEND

This will be Walter Trohan's last day as chief of the Washington bureau of THE TRIBUNE. We could not let the occasion pass without mentioning that the association has been long and fruitful, and we are happy to inform our readers that Mr. Trohan's "Report from Washington" will continue in our pages, as Walter will with us.

The coming year will be his 40th with THE TRIBUNE, and in none of these has Walter failed to achieve a standard of excellence which has made him a delight to his editors and one of the most respected members of his craft. His national column is unfailingly informative and incisive, and his wide acquaintanceship with leaders in the nation's affairs has given him some of the most notable news beats that this newspaper has been privileged to publish.

Walter's is one of our two Washington columns which readers cherish. His long time associate, Willard Edwards, one of the most perceptive observers of the Washington scene, will also continue his column while joining Walter in retirement. With this team, we believe that we are able to bring unmatched insight to our readers from the nation's capital.

Walter's generosity of spirit has enabled him to report the news with such evenhanded balance that even Presidents have written him unsolicited testimonials of their esteem. As president of the Gridiron club, the select organization of capital correspondents, he received the accolade of his peers. No man in or about public affairs has ever enjoyed a wider friendship or commanded more confidences.

Walter's by-line has not been limited to Washington. He has traveled widely and has covered international conferences from Geneva to Buenos Aires. He is known to Americans not only thru his writings but from his weekly Washington radio broadcast, which commands a faithful audience.

We are pleased that Walter remains as part of our family, and that he is succeeded in his challenging post by an able member of our Washington staff, Russell Freeburg. When and if Walter ever gets to a time when memoirs seem appropriate, the events which have crowded upon him all these years should be fascinating reading. But what we emphasize now is that Walter is an active and continuing TRIBUNE contributor, and that is as we would have it.

REPORT FROM WASHINGTON

(By Walter Trohan)

WASHINGTON, December 31.—The first day of the New Year marks the 74th birthday of the most unassailable man in American public life, but that doesn't keep some from trying to tear him down.

On Jan. 1, 1895, John Edgar Hoover was born in northeast Washington. He spent all his adult life working for the government and is likely to end his life in that service, because he is the most irremovable man in America.

It isn't so much that J. Edgar isn't willing to step down after almost 45 years as the world's No. 1 policeman, whose No. 1 objective has been not to permit the powerful Federal Bureau of Investigation to edge this country toward a police state. It's just that no President wants to have any part of removing this man of enormous prestige.

No one commands greater respect in Congress and with the people for the great service he has performed under five Presidents and is about to continue, for at least a year, under a sixth. In 1924, after the Teapot Dome scandals, Harlan Fiske Stone, then attorney general and later chief justice, asked Hoover to take over and rebuild the department's bureau of investigation, which he later renamed the Federal Bureau of Investigation.

How well he succeeded is common knowledge. Hoover has ruled the FBI with an iron hand, but the powerful fist is covered by a glove of loyalty and devotion to duty. He created a loyal and dedicated team.

Hoover has done some things that he didn't like for various Presidents and attorneys general, including wire tapping, pressuring editors to vote for press service admission of a favored newspaper, and undertaking various investigations that belonged properly to other departments or other police units.

ASKED AND GOT AUTHORIZATION LETTERS

In every such case, Hoover insisted on a letter of authorization from his chiefs, Presidents or attorneys general. These are buried in the files of the FBI, along with records of past affiliation or flirtation with communism, which many would like to get their hands on and destroy.

They have never been used for blackmail under J. Edgar and never will be as long as he is director, but they are part of a record, available to Presidents, so that they might think twice about employing a man in a confidential post, who once made a mistake and may be likely to make another or may be open to blackmail.

When Franklin D. Roosevelt became President in 1933, he and his team thought of removing Hoover, looking on his post as a means of rewarding a deserving Democrat. The plan was abandoned when the reaction in Congress was a torrent of disapproval.

One of the first acts of the administration of John F. Kennedy was to announce that J. Edgar Hoover would remain as FBI director. No one has leaned on the FBI more than Lyndon Baines Johnson. And the other day, Richard M. Nixon announced he intends to retain Hoover.

The most important thing about Nixon's announcement is that Hoover is not being dismissed at the outset of a new administration, but can pick and choose his own time of retirement, and obviously will have a voice to the selection of his successor. Few men, except members of Congress have remained in federal service after 75. Hoover is aware of this and may step down for one of his bright young men, one who he can be sure will continue his policies.

TARGET OF COMMUNISTS AND OTHERS

Life hasn't been one swift flowing river of praise for J. Edgar. There have been many turbulent falls and rapids. He has long been the target of so-called liberals to say nothing of Communists and fellow travelers. They have encouraged books and columns denouncing the director. Of course, he has had his defenders, too.

In his determination not to permit his unit to operate with police state tactics, Hoover has let these flow like water off a duck's back. The attackers have been free to continue their drive to frustrate him out of business.

And Hoover has continued to say his say. He criticized the Supreme court in 1958 for wiping out 49 of the 108 convictions of Communists under the Smith act ban on teaching and advocating overthrow of the government. He clashed with superiors over wire tapping and survived other political upheavals, for which law abiding Americans can give thanks.

TRIBUTE TO GUY LINCOLN SMITH: GREAT AMERICAN AND OUTSTANDING JOURNALIST

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. EVINS of Tennessee. Mr. Speaker, as dean of the Tennessee House delegation I take this means of paying a brief but sincere tribute to the memory of Mr. Guy Lincoln Smith, the distinguished and dedicated editor of the Knoxville Journal.

The passing of Mr. Smith removes from American journalism one of its most articulate and effective editors. Mr. Smith was "Mr. Republican of Tennessee."

And yet he was highly regarded and respected by leaders of both parties and by fellow editors—and his friendships knew no party lines. He was a man of his word—a man's man whose kindness and courage were a remarkable blend, in the great tradition of the Tennessee frontiersman.

Guy L. Smith was an independent thinker and an independent American. He believed deeply in the right of every

American to achieve success and fulfillment, based on his personal abilities and talents.

He believed deeply in democracy and in our free enterprise system. He stood foursquare for his beliefs and his editorials knew no compromise with his principles.

And yet he respected the right of every man to his personal beliefs based on his individual philosophy, developed through experience and background.

Guy Lincoln Smith was a great American and a great editor—and his passing leaves a void in Tennessee journalism that will be difficult to fill. Mrs. Evins joins me in extending to Mrs. Smith and other members of the family our deepest and most sincere sympathy in their loss and bereavement.

JOHN AND ANDREW CHMIELINSKI DAY

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, I am very proud to bring to the attention of the Members of the House of Representatives the recent, unprecedented action in the history of Massachusetts which took place in the town of Dedham.

John and Andrew Chmielinski, residents of Dedham and members of the Boy Scouts of America, Troop No. 1 were given the Eagle Award, the highest award a Boy Scout can obtain.

The board of selectmen in the following proclamation called upon the citizens of Dedham to observe Friday, November 15, 1968, as John and Andrew Chmielinski Day.

Mr. Speaker, I feel that these two young men represent all that we feel proud of in the American youth today. They have set a worthy example for other youngsters throughout the Nation.

The proclamation follows:

A PROCLAMATION BY THE BOARD OF SELECTMEN, TOWN OF DEDHAM, COMMONWEALTH OF MASSACHUSETTS, 1968

Whereas, John and Andrew Chmielinski, residents of the Town of Dedham and members of the Boy Scouts of America, Troop No. 1, Dedham, having received the Eagle Award, the highest award a Boy Scout can obtain; and

Whereas, the requirements of said award are as follows:

He has to have had an active registered relationship to scouting.

He has to serve as a Warrant Officer.

He has to have planned, developed and carried out a service project helpful to his church, school or community, approved in advance by his unit leader.

He has to have earned at least 21 merit badges.

He does his best to live up to the ideals of scouting in his daily activities.

He submits in his own words what it means to him to become an Eagle Scout.

He has to write a composition on his service project; and

Whereas, John A. Chmielinski, Jr., has been a Patrol Leader, Assistant Senior Patrol Leader of Troop No. 1, Dedham; Senior Patrol Leader, Troop No. 1, Dedham; Den Chief of Pack No. 1, Dedham and now is a Junior Assistant Scoutmaster, has obtained a sports certificate from Junior High School in spring track and from Dedham High School for spring track and also indoor track; and

Whereas, Andrew Chmielinski, has been an Assistant Senior Patrol Leader, Troop No. 1, Dedham; Senior Patrol Leader, Troop No. 1, Dedham; and has obtained a sports certificate for Junior High School hockey and spring track and a Scholarship Certificate from the Dedham Junior High School.

Therefore, be it resolved that in appreciation we, the Board of Selectmen hereby call upon all residents of the town to join us in saluting these brothers, who have brought great honor to their family, themselves and the town. The Town of Dedham is justly proud of John and Andrew Chmielinski and wish them well in all future endeavors; and

Now, therefore, we, the Selectmen of the Town of Dedham after due deliberation and by unanimous vote do hereby declare Friday, November 15, 1968, John and Andrew Chmielinski Day in Dedham.

Declared November 12, 1968 at the Town Office Building in the Town of Dedham, County of Norfolk.

FRANCIS W. O'BRIEN.
WILLIAM P. BROWNE.
CHARLES M. MCGOWAN.

WHERE NIXON IS HEADED

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. MIZE. Mr. Speaker, the responsibilities of the American Presidency would stagger any single individual. The measure, therefore, of a man's fitness to serve as President may, to a certain extent, be assessed by the nature of those he chooses to assist him in his tasks.

Mr. Nixon, in his Cabinet and sub-Cabinet selections, has chosen exceedingly well. Because America is dynamic, expanding, restless, and imaginative as a people, effective leadership can only come from proven leaders who exhibit those singular American qualities. Such men make up the Nixon team.

Roscoe Drummond, in his December 28, 1968, column in the Christian Science Monitor, has provided an excellent analysis of the measured, reasoned, activism we can expect from the Nixon administration.

Because Mr. Drummond's column provides exceptional insight, I insert it at this point in the RECORD:

WHERE NIXON IS HEADED

(By Roscoe Drummond)

WASHINGTON.—The kind of men Richard Nixon is picking to run his administration tells a good deal about the kind of president he expects to be and the direction he's headed.

Nixon's team is experienced, competent, knowledgeable—and that is a good beginning. But it is far too early to greet them with uncritical praise because performance will be the only valid test. And their performance will be determined more by the leadership and the initiative which Nixon himself generates than by anything else.

POLITICAL CENTER

Will this be a bland, do-little, don't-rock-the-boat administration?

The evidence is to the contrary. California's Lt. Gov. Robert Finch, who got a bigger vote than Ronald Reagan, Gov. George Romney of Michigan, former Attorney General William Rogers, urban affairs expert Daniel Moynihan, and foreign affairs specialist Henry Kissinger and others did not give up their dynamic careers to join Nixon in any hold-the-line presidential operation.

They joined up to do things, not to undo things nor to be merely placid administrators in an administration which one quick-on-the-trigger critic described as nothing more than "the bland leading the bland."

Is the Nixon administration traditional Republican and, if not, what is it? It seems to me that the Cabinet and the White House staff show that it will function primarily at the political center. It will be more activist than the Eisenhower administration and somewhat to the right of what would have been expected from a Humphrey administration.

"ACTIVIST" PRESIDENCY

On Nov. 5, the electorate came to rest predominantly at the political center and that is where Nixon is most at home.

The new administration aims to utilize state and local government and private enterprise more fully and more energetically to solve the problems of the urban ghettos, the hard-core unemployed, poverty, education, and housing. This is what Nixon means when he talks about using conservative principles to get things done. But he doesn't intend to let things slide or be neglected, and it can be said with knowledge that he will not hesitate to turn back to federal programs if other methods fail to yield results.

Example: Four of his five top men in the field of economic and fiscal policy—David Kennedy, a progressive Chicago banker as Secretary of Treasury, Prof. Paul McCracken as chairman of the Council of Economic Advisers, Dean George Shultz of the University of Chicago graduate school of business as Secretary of Labor and Robert Mayo, banker and former Treasury official, as Director of the Budget, all believe that the federal government must be the balance wheel of the economy, stimulating it when it is sluggish and restraining it when it is overheated. They are apostles of the "new economics" as is Nixon himself. Maurice Stans as Secretary of Commerce is on the more conservative side.

Another example: When you figure that Finch, Moynihan, and Romney will be working together in the area of human resources and urban development, things are likely to be moving.

Rep. Melvin Laird, one of the best minds in the Republican Party in Congress, and who is to be Secretary of Defense, is one of the least bland men in Washington.

CONTROVERSIAL

Some have suggested that this can't be a very strong Cabinet because it won't be "controversial." This depends on what kind of controversy the critics are talking about. This is not the kind of Cabinet which will be engaging in public controversy over the President's head. But it is the kind of Cabinet which will not hesitate to advance and argue unconventional and controversial ideas with the President.

That's what Nixon says he wants and he chose a Cabinet and staff to help him get it.

LAW AND ORDER OFFER SOCIETY'S BEST HOPE, ESSAY WINNERS SAY

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DUNCAN. Mr. Speaker, at a time when there is a lack of respect for law and order among certain segments of our society, it gives me great pleasure to call attention to the ideas of five patriotic young Tennesseans.

These young people are from Knoxville, Miss Vicky Reese, Billy Jones, Phil Walker, Miss Jane Nichols, and Miss Carol Underwood. At this point I insert in the RECORD their essays on "Respect for Law: Cornerstone of Citizenship":

[From the Knoxville (Tenn.) News-Sentinel, Dec. 22, 1968]

LAW AND ORDER OFFER SOCIETY'S BEST HOPE, ESSAY WINNERS SAY

(By John Torzilli)

"Law and order" are words on everyone's lips, and thoughts on everyone's minds—and that includes the young people of Knoxville.

Five of them won trophies last month for their ideas on law and order in a contest sponsored by the 20 Optimist Clubs in the Knoxville area. They topped hundreds of other students in writing essays on "Respect for Law—Cornerstone of Citizenship" for the Optimists' annual "Youth Appreciation Week."

The winning essays also served to help launch the Optimists' year-round "Respect for Law" campaign, and the clubs will sponsor an oratorical contest on the same topic early next year.

Vicky Reese, 13, took top honors in the grades 1-through-8 category. She writes:

"We are living under a system, based on law, that enables us through our own efforts to better our conditions. Such a system, however, is only as good as the value and confidence the people place in it.

"If laws are not respected and court verdicts are not accepted, our democracy cannot endure. Respecting the law and upholding it is a citizen's first duty.

"In these troubled times there seems to be more and more people who want to set the law aside for their own purposes. Surely we must respect the right to dissent . . . There are limits, however, to the ways these rights can be exercised. Protest by emotion rather than reason is one of the present-day events which violate those limits.

"We must create a new awareness of individual responsibility. We must insist with more determination that laws be enforced, courts be respected and due procedures be followed."

Vicky, an eighth-grade student at Sterchi School, is the daughter of Mr. and Mrs. John H. Reese, 5817 Nottingham Road.

Turning to the high school winners, Billy Jones, 14, writes: "There is a danger that 200 million Americans will suffer because of spreading fear that could paralyze the will of both our people and our leaders. A rapidly spreading wave of hysteria threatens to cancel out the powerful and effective American quality of calm and logical reasoning.

"At least 5 million Americans are potential victims of criminals. Lawlessness seems to be sweeping the country. A minority of people who can't be called criminals and be put into jail give (the police) as much trouble as convicts. People like these are terrible citizens and don't deserve citizenship.

"If we had followed the rules laid down by our God, our forefathers and our Constitution, we would never have had this problem. Pressure must be brought on the courts to back law enforcement and to hand down sentences that will deter crime. Criminals should be taught a trade and respect for law during their time in the penitentiary.

"The police force is the friend of the law-abiding citizen. Help combat crime!"

Bill is a 9th-grade student at Powell High School, and the son of Mr. and Mrs. William L. Jones Sr., Copeland Road, Powell.

Phil Walker, 15, writes: "A loyal American is a good citizen, and he has respect for law and order. The intelligent men who founded our nation knew that human freedom can exist only in an orderly society that stresses a respect for law among all its citizens. The legal barrier between right and wrong helps all good citizens realize the rights and privileges of their citzenship.

"Far from being a great society, ours is becoming a lawless society. To heal the wounds that have torn this nation apart, there must be a new respect for law and the principles that have long been the source of America's growth and greatness.

"It has been said that a chain is only as strong as its weakest link. A nation, also, is only as strong as its citizens."

Phil, a 10th-grader at South High School, is the son of Mr. and Mrs. Claude M. Walker, 2118 McClung Ave.

Jane Nichols, 16, writes: "Laws are made for the protection of all the people. If everyone followed the teaching in the Bible, 'Do unto others as you would have them do unto you,' laws would not be essential. But people do not voluntarily follow this, and laws are necessary in the complex society we have today.

"If we think a law is unjust, we have been given the privilege of changing the law by due process as provided in our Constitution.

"If a child learns the habit of respecting people and obeying rules when he is young, he will probably respect the laws as he grows older. If a child sees his parents (lose respect) for the law by breaking it and getting away with it, he may feel that laws are made for some people but not for others.

"If you recognize and respect the rights of others, obeying the law becomes automatic and you will find it easy to become a good citizen."

Jane, the daughter of Dr. and Mrs. Ralph G. Nichols, 1623 Fairmont Blvd., is an 11th-grade student at Fulton High School.

Carol Underwood, 17, writes: "Man realized from the dawn of civilization the necessity of a written and enforced authority of law if a group of people were to live together peacefully and prosperously. He learned that obedience to authority by a majority consequently enabled economic, agricultural and educational growth of the civilization.

"Disrespect for the law has gradually seeped into the American society from the time it was founded. America was conceived by men who stood against the law—the British law. However, the disrespect for law seen in the 20th century America is of a destructive attitude.

"The destruction of free America can be checked if the people realize that the most important obligation of a citizen is to respect the law . . . that the only effective way to abolish an unjust law is through the judicial system.

"Perhaps the most important form of respect for law is respect for the men who enforce the law—the policemen. The American citizen must realize that unity through law and order is the only way to attain a better society."

Carol, a 12th grader at Gibbs High School, is the daughter of Mr. and Mrs. E. R. Underwood, Corryton.

There they are, winners all. The ideas of these young people, whether or not you agree with them, have made you think. For that alone, they deserve their honors.

LEGISLATION TO HELP SERVICE FAMILIES

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BOB WILSON. Mr. Speaker, I am today reintroducing a bill which I feel is of great importance, particularly in view of our continuing commitment in Vietnam. Literally thousands of families are deprived of their husbands and fathers for periods of at least a year. No one can estimate the amount of hardship this separation causes each family, but at present the law does not treat all those in this situation equitably. Basically, the problem is simple. According to the Uniformed Services Pay Act of 1963, members of the armed services above grade E–4—with more than 4 years' service—who are stationed apart from their families, may receive a $30 per month family separation allowance. However, only those individuals receiving basic allowance for quarters are authorized such a separation allowance.

This is based on the unrealistic theory that the family living in Government housing does not need this separation allowance because housing maintenance services are provided by the military. The theory, I submit, is full of holes. In reality, service families, whenever the head of the house is required to be away, encounter the same expenses for auto repairs and maintenance, upkeep of appliances and other household services regardless of whether they are in Government quarters. The law, as it reads at present, is unfair and unrealistic.

For this reason, I am today reintroducing a bill which would make those families in Government housing eligible for this separation allowance, provided they would otherwise be so entitled. In 1967 the Air Force, reporting for the Department of Defense, endorsed this bill and my colleagues in the House recognized the need for this legislation and approved it in the 89th Congress. I sincerely hope that we will be able to secure rapid passage in the House and Senate this year since the need for this legislation is becoming increasingly critical.

VON BRAUN LOOKS AHEAD TO NEXT DECADE—NASA SEEKS GIANT ORBITING SPACE STATIONS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. B. J. Richey, Times science editor, recently discussed with Dr. Wernher von Braun of the Marshall Space Flight Center, the future of our national space program. Mr. Richey, in an article in the November 3 issue of the Huntsville Times, quotes Dr. von Braun on the importance and significance of developing a large earth orbital space station which will allow a significant return on the investment in science and technology that has been made in our national space effort. Dr. von Braun's comments have special significance at this time because of the importance of finding and alleviating environmental pollution and improving the world food situation. I commend this brief but significant article to your attention:

> ### Von Braun Looks Ahead to Next Decade: NASA Seeks Giant Orbiting Space Station
>
> (By B. J. Richey)
>
> Key officials of the National Aeronautics and Space Administration are convinced that the next national space goal after Project Apollo should be the orbiting of huge space laboratories, Dr. Wernher von Braun says.
>
> Uses for these large stations—which would hold 20 or more spacemen—could range all the way from traffic control to astronomy to world-wide crop prediction to medical research, the Marshall Space Flight Center director said in an interview with The Times last week.
>
> He said such orbiting workshops, which would put the United States into another era of manned space flight, could be ready to fly by the late 1970s.
>
> But the space scientist did not say that NASA would ask Congress in January to approve money to begin this major new national effort. Indications from other sources, however, are that the space agency intends to seek approval to begin working next year toward flying these gigantic laboratories by 1977.
>
> Dr. von Braun's space team at MSFC is currently working on what he calls a "pilot model" of the more elaborate space station of the future. Named the Saturn I Workshop, the embryonic space workshop is set to fly in 1972, von Braun said. It is assigned as part of the Apollo Applications Program (AAP)—and will house three astronauts in earth orbit for periods ranging from 28 to 56 days.
>
> "I believe if AAP comes off we will emerge with a much better understanding of how to build a good space station," he said.
>
> If Congress should approve such a new objective, von Braun said, the huge shops could be flying within five to seven years after the Saturn 1 Workshop.
>
> The Saturn 1 Workshop—or "wet workshop," as it is sometimes called, because it is converted, liquid-fueled, Saturn rocket stage—is "not a lavish laboratory," von Braun said, "but it is essentially a temporary science encampment."
>
> "But we hope to learn from it how proficiently man can do work in space," he added.
>
> Moving into the large laboratory class, though, can have world-wide technological applications, von Braun contends.
>
> For example: Scientists may be able to help developing countries feed their people by turning deserts into crop-producing lands, he says. Also, there is the worldwide weather-watching potential which could save estimated millions of dollars in damages to crops.
>
> "We are convinced we can detect underground water currents (from the stations)," he said.
>
> In the desert there is a steady rise and fall of the earth as the ground heats up and cools off. But in the areas where underground rivers wind underneath, there is less rise and fall because the water cools the surface.
>
> "These waters, which we could trace with radar, could be used to irrigate . . ." he said.
>
> By use of special photography, scientists would be able to tell which crops were going to produce a bountiful harvest and which were not. "The results of this photography are downright amazing," von Braun said.
>
> By ultimately running this special film through a computer, some estimate of abundance of the world's crop yield could be made.
>
> "Then we can advise developing countries that are having a perennial problem of feeding their people," he adds. "Some countries just don't know what their potential is."
>
> He also said that if certain crop areas continued to show up as poor producers, teams could be dispatched into the area to find out why.
>
> The real question of any new space effort, von Braun pointed out, is still up in the air until after Tuesday's election.
>
> Should the large laboratory effort win approval from the new administration, and eventually Congress, the way would open up again for a number of other new space projects, including the possibility of a low-cost launch vehicle and a spacecraft which would carry six or more men between earth and the laboratory.
>
> Up and down the aerospace industry, companies are shuffling old and new plans and jockeying for position just in case these new projects win approval and the money starts rolling in again.
>
> There are plans also to continue exploring the moon after the initial manned landing next year, but NASA has not asked for any certain number of exploration trips each year.
>
> The space agency also is facing the question of how extensively it will explore the planets. If there is to be any concentrated effort aimed at Mars and Venus in the 1970s, funds almost have to be approved in the fiscal 1970 budget to get these efforts started.
>
> Most observers agree that next year is the time when NASA must make the transition into new areas of exploration or face long periods of inactivity while it attempts to get its projects moving again.

TITLE I SCHOOL AID PROGRAM FALLS SHORT OF OBJECTIVES

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. KLEPPE. Mr. Speaker, the Washington Post of January 2, 1969, published a rather disheartening report on the operation of title I of the 1965 Elementary and Secondary Education Act under which about $1 billion a year is being expended to upgrade educational opportunities for children of the poor. The Post reports:

> Federal evaluators have found individual schools districts where the Federal investment appears to be paying off, and children are doing measurably better than before. But several overall studies of Title I's first year—1966–67—have found little if any marked improvement in school districts and schools getting the Federal money. One such study, made available last week, actually showed a slight decline in average pupil achievement in 132 schools the year the Federal funds started coming in.

Recently I received a letter from Mr. Thomas P. Lenhardt, superintendent of Parshall Public Schools, in North Dakota's Second District, which I represent, commenting on the failure of title I to provide the kind of assistance which would help to meet the problems of his school district. A system of block grants, with local school districts making the determination as to how the Federal moneys would be programed, would help to meet the needs of many hard-pressed districts which have already exhausted all possible local revenue sources. Mr. Lenhardt says:

> I am writing this letter in a state of utter frustration and anxiety. This is in regard to the financial situation of Parshall School District No. 3, and many other school districts, I am sure, in North Dakota.
>
> Since the inception of Title I, Public Law 89–10, this school district has received many thousands of dollars to be used for services above and beyond what our school district was already offering. My programs have varied from Basic Skills to Summer Make-Up, Enrichment, Recreation and Music. In other words, I have taken advantage of nearly all of the money given to this district according to the federal laws and state and federal guide lines. Here is where the frustration enters in. While we are receiving thousands of dollars every year and spending it according to federal laws, our school district is *broke.*
>
> When the 89th Congress passed this law several years ago, this school district was granted better than $30,000.00 for the first program. The last two succeeding years we were granted over $20,000.00 each year. But what has happened to our schools in this district and other schools in North Dakota since then?
>
> 1. In my opinion, inflationary prices hit textbooks, school supplies and equipment because of Title I.
>
> 2. Our high school which was offering 37 units of study, is now this year offering 30 units because we have had to cut back in staff.
>
> 3. Our elementary school, grades 1–8, which employed 16 classroom teachers and which included a junior high principal, had to cut back to 13 teachers which forced us to combine one 3rd and 4th grade classroom and sectionalize grades 5–8. This move also eliminated the hiring of a junior high principal and this extra burden was added to the high school principal's duties.
>
> 4. Where we used to have a nearly full time librarian we now have only a part time one with teaching duties. Foreign language was dropped from the curriculum as was creative writing, drama, speech, citizenship, advanced mathematics, and business arithmetic. Home economics had to be cut back to a half time position. The reason for all of this was because we had to cut back in staff in order to keep up with the other rising salaries and to try to get this district out of the red because of the inflationary prices of school materials.
>
> Other school districts in North Dakota found themselves doing the same thing.
>
> 5. Where we used to have a full time high school principal, he now teaches several classes and, as mentioned, had to assume the duties of the junior high principal. Our future plans were to release our elementary principal from his classroom duties for a half of day every day so that he could do his paper work and observe the classrooms and counsel both teachers and students. He now is released one period a day and nothing in the future indicates that he will get more time. The superintendent in this district used to be an administrator and educational leader. With the mounds of paper work involved in the Title I program he is now only a part time leader while the rest of the time he is a glorified office clerk.
>
> 6. While we were receiving thousands of dollars of federal monies to be spent according to federal law and federal and state guide lines, this district was going further into the red to the point where we now have approximately $40,000.00 in unpaid bills—some dating back to better than two years ago. Rescue is not in sight for us unless something different is going to be done on the federal level. Had the monies from Title I, Public Law 89–10, been turned over to the local district, we and others could have worked miracles instead of struggling now and trying to figure out *further* cut-backs. In these trying times, when education should be advancing, ours in Parshall is retreating, as are others in North Dakota, while in still others, educational advancement is grinding to a standstill.

7. This school district raised its mill levy to the permissable 34 mills as was allowed by our State Legislature and again to 51 mills by vote of the school district patrons. The election for the 50% increase carried by only 1.8 votes. This leads us to believe that it would be useless to try for a 75% increase. In other words, our patrons have had it taxwise.

It all boils down to this Representative Kleppe, that Title I, Public Law 89–10, has created a financial chaos. I feel it did not have enough research on the federal and state level. I feel that there was no foresight in the research of this law or else at least some of the money would have been allocated for the district to spend as it saw fit to spend. Only the local district knows its immediate problem while State Departments of Public Instruction are somewhat removed and the United States Office of Education is completely removed.

It seems ironic and absurd (like a man being run over by his own automobile), to see thousands of dollars pouring into our school district with federal restrictions while we are going broke and can use this money only as dictated. It makes me ill to see an excellent staff leaving and a likewise excellent curriculum disintegrating because of finances when federal finances are available. I appeal to you Representative Kleppe, to reevaluate the advantages and disadvantages of Title I. I appeal to you also to use your influence with your constituents in Congress to bring about a revision of Title I, P.L. 89–10, so that the monies can be used as the local district sees fit without strings and with the minimum amount of red tape. There is a bill pending in Congress now which would make per pupil payments available to the states which would be channeled into the local school districts. I appeal to you for your support on this bill. This bill makes much more sense than Title I does now and would make more sense yet on the national financial level if Title I were completely abolished.

In summary, Representative Kleppe, had Title I funds been given to this district without the federal and state restrictions, coupled with the tremendous effort our patrons have made, we, and I repeat, could have worked miracles. We could have retained some of the excellent staff members we lost. We would not have had to combine two grades at the academic expense of the children involved. Our science department, math department, English and foreign language departments, to mention a few, would have expanded and grown. Now they are sliding backwards, or, as is the case of the latter, eliminated entirely. Our elementary program would have expanded into remedial aid for students in academic need in the fields of reading, language, mathematics, etc. What I mean by the last statement is that eventually the programs that are a "must" offering now in order for us to get Title I funds would have come about—but, they would have come about with more research, thought, and planning and would have been bigger, better, and more efficient. As it was for almost everyone in a school district of this size, there was just a schamble to get all of the money that was available. I might add that this was a great delight to the salesman who filled schools with equipment that began gathering dust after the first year.

In conclusion, I might add, that because of the red tape, the paper work, and the accounting procedures involved; because of the absurdity of the Title I program as mentioned previously; because of the inflation it caused in school supplies, textbooks, and equipment; this school district is giving serious thought to not accepting any more Title I funds after the 1968–69 school year until such time as Title I funds become available without strings attached and with a minimum of red tape and paper work involved.

I wish to thank you, Representative Kleppe, for any consideration you will give to this matter and for any action that you can take in improving Title I, Public Law 89–10.

SAM P. WALLINGFORD

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. SHRIVER. Mr. Speaker, during the adjournment period and shortly following the national elections Mr. Sam P. Wallingford, of Wichita, a distinguished American and good friend of many of us in this body passed away.

Sam worked hard for causes in which he believed—education, civic development, and good government. He was an ardent and active Republican and he worked hard for the election of our President-elect, Richard M. Nixon, as well as other Republicans at the local, State, and national levels.

He also was dedicated to working for quality education for our children. He was a successful grain and oil man who had a deep understanding of the problems of the underprivileged.

Sam Wallingford was the kind of citizen described by President Theodore Roosevelt:

> The first requisite of a good citizen in this Republic of ours is that he shall be able and willing to pull his weight.

Sam Wallingford pulled more than his share of the weight during his long and active life. We shall miss him greatly.

Under leave to extend my remarks in the RECORD, I include the following appropriate editorial published by the Wichita, Kans., Eagle on November 19, 1968, following the death of Mr. Wallingford:

SAM P. WALLINGFORD

Any conscientious catalog of the enthusiasms and beneficences of Sam P. Wallingford would fill this page, and to very little avail because they are well known.

Mr. Wallingford lived a long and active and uncommonly useful life. He never sought publicity for his good works. In fact, he tried to avoid it. But the deeds of more than half a century can't be kept secret, particularly if all those years are spent in one community.

Although he rose to national prominence in the grain business and in Republican politics, Mr. Wallingford never was so absorbed in the larger world as to lose interest in Wichita and its problems. Over many years on the school board he was largely responsible for much of the progress of our schools in the Twenties and Thirties. An accomplished fund raiser, he was the mainstay of many an organization and institution and remained vigorous in the pursuit of money for worthy causes to the very end of his life.

He was particularly attached to Southwestern College in Winfield, where a woman's dormitory bears his name, and where he was a trustee for more than 20 years. He had served in some capacity at the YMCA since he came to Wichita in 1911. He had been on the Salvation Army's advisory board for nearly 40 years. In 1960 he was presented the annual brotherhood award of the National Conference of Christians and Jews. His latest big fund drive was last spring for Friends U., and it raised about $2-million, which assured that the university would remain in Wichita. At the Republican convention in Miami Beach the party faithful honored him on his 84th birthday.

That's the kind of man Sam Wallingford was—a responsible activist who saw needs and promptly did something about them. In addition he had enormous enjoyment from life, loved gatherings of all kinds, and his courtly manner and enthusiasm made him widely liked and much sought after.

No community can ever have enough people like Mr. Wallingford, and Wichita will miss him for years to come.

STATEMENT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES ON THE MIDDLE EAST

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. CELLER. Mr. Speaker, 63 Members have joined in a statement concerning the Middle East. The statement, which follows, should be carefully studied:

The United States must continue the pursuit of an honorable Arab Israel peace in her highest national interest. Accordingly, we believe that the one-sided decision of the United Nations Security Council to censure Israel and to ignore Arab terrorism is prejudicial to the attainment of a genuine peace. It is difficult to understand why the international community remains mute when Arab terrorists commit murder and finds its voice only when Israel undertakes to put an end to such atrocities.

The recent unfortunate incidents at Athens and Beirut have been torn out of context. *Since the cease-fire* after the six-day war of June 1967 to last December 20, there were 1,002 incidents of guerrilla attacks against Israel; 259 Israelis were killed, one-fourth of them civilians; and 1,005 wounded, all of whom required hospitalization. Since the United Nations Security Council resolution, six more Israelis have been killed by terrorist attacks.

In a parallel war against Israel's economy, the Arab states have maintained their boycotts and blockades, have tried to deny Israel the use of international waterways and to divert her life-giving water supply. Arab terrorists hijacked an El Al plane and forced it to go to Algeria. Last week, Arab terrorists from Beirut attacked the same El Al plane in Athens with guns and Molotov cocktails, killing one of the passengers, wounding another, and endangering the lives of 49 others, including some American citizens.

Three days later, the Israel air force struck back at Arab airlines, destroying 13 planes at the international airport at Beirut. Great care was taken by the Israelis to protect human life. This has been described as a retaliation. In truth, this was a dramatic effort by Israel to inform the Arab governments, which have been supporting the terrorists, that Israel was prepared to defend her skylanes to the outside world, and that she would not allow her enemies to isolate and strangle her.

Both Israel and Lebanon complained to the UN Security Council. But the world body was silent and indifferent when the El Al plane was attacked. It was vociferously indignant when Israel replied. The Israelis have been unable to win UN Security Council support for their complaints because the Arabs are twice protected: the Soviet Union vetoes any resolutions directed against them and there are six members who do not have diplomatic relations with Israel.

In Jerusalem several weeks ago, 12 Israelis were killed and scores wounded, as a truckload of dynamite exploded in a crowded market street. We were astonished that this outrage evoked no echo from the world's civilized capitals—neither sympathy for the victims, nor condemnation for the criminals.

The Arab governments have taken pride publicly in aiding and abetting the guerillas. Lebanese Premier Abdullah Yafi has recently reaffirmed his country's support for terrorist activity against Israel, calling it "legitimate and sacred." By relocating in Lebanon, which enjoys the reputation of a pro-Western moderate, allegedly aloof from the Arab-Israel conflict, Arab terrorists—such as the Palestine Liberation Organization, which used to have its headquarters in Cairo—obviously felt that here they would be immune from Israeli counter-terrorist measures.

The UN resolution will encourage, we fear, the Arabs to intensify their terrorism, secure in the knowledge that a sympathetic Security Council will protect them by punishing anyone who tries to resist them. Since the UN Security Council decision, Israel has counted more civilian casualties, and has buried six more dead. Some of the dead lost their lives to terrorists whose weapons were aimed and fired from Lebanon, a few hours after the UN censure vote.

So the threat to the peace will grow and there are ominous signs that the Soviet Union will exploit the censure of Israel to whip up international opinion against Israel and to intensify pressures for a Soviet-dictated settlement which would force Israel to withdraw from occupied territories, without requiring the Arab states to enter into a genuine peace with her.

We hope that our government will not participate in a dangerous collaboration with Israel's enemies which will prove subversive to the peace and inimical to the best interests of our own ocuntry. It is in America's interest to insure that the Soviet Union does not gain a dominant influence in the Middle East, and it is in America's interest that Israel be strong enough to insure her independence.

There must be no retreat from the struggle for a genuine Arab-Israel peace in the Middle East. Arab terrorism is gaining ground in Arab countries and if it continues to intimidate Arab rulers, then the Arab peoples themselves will be the worst victims. We owe it to the Arab peoples, as well as to the Israelis, to take strong measures to curb terrorism and to bring Arabs and Jews to the peace table.

We have not given up hope for an Arab-Israel peace. We believe that there are peace-loving Arabs who would welcome mutual cooperation. We must help the Arab peoples to strengthen the hand of those who will vote for Arab-Jewish cooperation and peace.

SIGNERS OF STATEMENT

- Addabbo, Joseph P. (N.Y.)
- Annunzio, Frank (Ill.)
- Ayres, William H. (Ohio)
- Barrett, William A. (Pa.)
- Bell, Alphonzo (Cal.)
- Biaggi, Mario (N.Y.)
- Bingham, Jonathan B. (N.Y.)
- Brasco, Frank J. (N.Y.)
- Burke, James A. (Mass.)
- Burton, Phillip (Cal.)
- Button, Daniel E. (N.Y.)
- Byrne, James A. (Pa.)
- Carey, Hugh L. (N.Y.)
- Celler, Emanuel (N.Y.)
- Clark, Frank M. (Pa.)
- Cohelan, Jeffery (Cal.)
- Conyers, John (Mich.)
- Dent, John H. (Pa.)
- Diggs, Charles C., Jr. (Mich.)
- Edwards, Don (Cal.)
- Eilberg, Joshua (Pa.)
- Farbstein, Leonard (N.Y.)
- Fascell, Dante B. (Fla.)
- Fish, Hamilton (N.Y.)
- Fraser, Donald M. (Minn.)
- Friedel, Samuel N. (Md.)
- Fulton, James G. (Pa.)
- Garmatz, Edward A. (Md.)
- Gilbert, Jacob H. (N.Y.)
- Green, Edith (Oreg.)
- Green, William J. (Pa.)
- Halpern, Seymour (N.Y.)
- Hays, Wayne L. (Ohio)
- Helstoski, Henry (N.J.)
- Horton, Frank (N.Y.)
- Joelson, Charles S. (N.J.)
- Kluczynski, John C. (Ill.)
- Koch, Edward I. (N.Y.)
- Lowenstein, Allard K. (N.Y.)
- McCarthy, Richard D. (N.Y.)
- Madden, Ray J. (Ind.)
- Mikva, Abner J. (Ill.)
- Minish, Joseph G. (N.J.)
- Moorhead, William S. (Pa.)
- Murphy, John M. (N.Y.)
- Nix, Robert N. C. (Pa.)
- Ottinger, Richard L. (N.Y.)
- Patten, Edward J. (N.J.)
- Pepper, Claude (Fla.)
- Podell, Bertram L. (N.Y.)
- Price, Melvin (Ill.)
- Rees, Thomas M. (Cal.)
- Rodino, Peter W., Jr. (N.J.)
- Rosenthal, Benjamin S. (N.Y.)
- Ryan, William F. (N.Y.)
- Scheuer, James H. (N.Y.)
- Stratton, Samuel S. (N.Y.)
- Symington, James W. (Mo.)
- Tiernan, Robert O. (R.I.)
- Vanik, Charles A. (Ohio)
- Wilson, Charles H. (Cal.)
- Wolff, Lester L. (N.Y.)
- Yates, Sidney R. (Ill.)

DATA-PROCESSING TECHNIQUES TO AID CONGRESS

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BROOKS. Mr. Speaker, today I am introducing legislation to facilitate the use of modern information and data processing techniques to help us carry out the substantive responsibilities of Congress.

The state of the art in data processing and information handling has reached the point of development that they can be of material assistance to the Congress in coping with the constantly increasing complexity and volume of data inherent in the legislative process.

The time has come for us to make full use of these new capabilities. Information handling and data processing systems are either in use or under development at Government expense to meet lower priority demands than those confronting us in the Congress. In the executive establishment, there are approximately 4,000 data-processing systems now in use—with applications of these techniques running from the most routine administrative tasks, such as reconciling the Federal Government's checkbook, to control of space capsules in orbit around the earth and the moon.

In the Defense Department, we are developing complex command and control systems to process data of military significance. These systems will cope with the vast and heretofore almost unmanageable flow of data inherent in tactical and strategic planning to assist our military leaders in making better, quicker, more responsive military decisions. In business and industry, there is no large corporation in America that can survive in the competitive world of today without extensive data processing capacity.

Meanwhile, in Congress every day we witness increasingly serious symptoms of the inadequacies of traditional information handling techniques to meet present and future demands.

In substance, the legislation I am introducing corresponds to title 2, entitled "Fiscal Controls," of the proposed Legislative Reorganization Act of 1968, with two exceptions. First, rather than set forth explicit descriptions of the data to be submitted to the Congress as provided in the reorganization bill, I have made this a matter within the discretion of the President pro tempore of the Senate and the Speaker of the House. Congress has a constitutional right to require the submission of data from the executive branch, and the General Accounting Office is a creature of Congress. Accordingly, it is not necessary that this detailed description of data be stated in statutory form. Furthermore, there are practical reasons for avoiding this approach. The legislative needs for data and the format and the time phase in which it is to be produced will be subject to constant change. It is appropriate for this reason that these factors be subject to alteration without amendment of the Budget and Accounting Act.

The second respect in which this legislation differs from the reorganization bill is that I have not included certain provisions which relate principally to committee procedures. Such provisions dealing with internal matters of committees would be more germane to consideration in the environment of a reorganization bill rather than in the proposal I am introducing today. My proposal is for a specific and limited purpose—to authorize the orderly and economical introduction of computers into the legislative process.

This proposal stands on its own. But, to those who consider computer use in Congress within the environment of a reorganization bill—my proposal covers what we sometimes catagorize as long leadtime items—items that will require years to implement on which no further delay should be allowed.

During the last several months, controversy has raged over the level of Federal expenditures—whether it would be wise to cut present spending levels—and, if so, whether the President or the Congress should have made these difficult decisions—and what proposed expenditures can be reduced without compromising programs vital to our Nation's welfare.

Close examination of this controversy reveals a fundamental problem, for neither the executive or legislative branches of the Government have the means at this time to make significant changes on short notice in the Federal budget without undue delay and endangering the funding of priority programs.

In a world where circumstances change with breathtaking suddenness—where the imponderables in economic forecasts are as unpredictable as ever—and when countless considerations may dictate alterations in national goals and priorities, we must have a budget and appropriation system capable of immediate reaction to change.

Development of an information system utilizing data processing to support the budget and appropriations cycle will give the President and the Congress increased flexibility in altering the budget and appropriation level on short notice. Funds budgeted for various purposes, even though they may be scattered through dozens of Federal agencies, could be adjusted overnight without across-the-board slashes in Federal expenditures and without unintentional interference in programs of high priority.

Furthermore, such a system would allow for more effective, detailed control over the entire budget and appropriations process. With a flow of more accurate, up-to-date information on Government operations serving as the base of our budgetary and appropriation effort, better decisions could be made throughout the cycle that could account for billions in savings each year. Higher quality information on government activities and operations would make deficiencies more apparent and susceptible to prompt correction. Duplications and waste which now might get past the watchful eye of the Bureau of the Budget, the President, and Congress, could be more easily avoided.

Based upon sound experience in business, industry, and Government, a significant increase in operational efficiency can be expected incident to the efficient and effective introduction and use of data processing. If data processing were to provide us with only a 5-percent increase in efficiency in handling budget and appropriation matters, the annual saving under present budgetary levels would exceed $5 billion annually.

Use of data processing and other modern information handling techniques in the budget and appropriation cycle will not in any way compromise or disrupt the traditional routines of the appropriations or other congressional committees. Data processing will simply make it easier to do our present jobs better, faster, and with greater accuracy. Data processing usage would also, through necessity, be tailored to meet the requirements of the individual committees, and the committees would determine the nature and the frequency of the data they would receive.

Furthermore, system development is a difficult and time-consuming process, which means that application of these new techniques would be preceded by an extensive period during which all the committees of Congress would have ample opportunity for incorporation of their views and recommendations and criticisms in the system under development.

Also, coordination with the executive branch in system development is imperative. For ultimate efficiency and effectiveness, we cannot duplicate budgetary and appropriation information systems in the executive and legislative branches of government. We must have one basic compatible system to serve both the executive and legislative branches. And the prompt and effective development of such a compatible system reflecting all of the needs and the requirements of Congress requires that the legislative branch participate and be effectively represented during every stage in the formulation and the design of such a system. Under the long-range plans of President Johnson, the Bureau of the Budget is presently in the initial stages of developing such a system. On June 20, 1968, the Bureau released a request for initial proposals for such a system. It is of paramount importance that the capabilities and the character of this system reflect the requirements of the Congress. We cannot delay participation in this effort any longer.

Separate and apart from the maintenance of an information system to support the budgetary and appropriations cycle, there is a need for a legislative capability in advanced cost analysis techniques. We not only need to make our own cost evaluations, we must have the capability to analyze those of the executive branch. As recent congressional hearings have so clearly indicated, cost effectiveness studies remain an art rather than a science. They cannot provide the answers to complex and difficult problems with mathematical certainty. They must be considered in the light of sound judgment and commonsense. However, the basic concept of cost effectiveness studies, despite all of the numerous problems involved in its application, is too vital and too important to be ignored by the Congress. We need the benefit of this capability. Furthermore, to properly evaluate the work of the cost analysis experts of the executive branch and particularly the Department of Defense, we need our own experts.

Mr. Speaker, there are other areas of a more routine and less complicated nature where Congress can effectively and efficiently utilize modern information handling and data-processing techniques. Well within present capabilities would be a system to provide congressional committees and individual members and their staffs with immediate information on the status of legislation. Such a system could be designed and installed within a period of from 12 to 15 months. Similar systems have either been installed or are in the design stage for use in several State legislatures. The potential increase in efficiency, not only to Congress, but to departments and agencies of the executive branch concerned with legislative matters, would amply justify installation of such a system at this time.

At present, several sources must be contacted to determine the status of a particular proposal among the thousands introduced during each Congress—a time-consuming operation often involving considerable delay. Under a data-processing system, a member or his staff could find out within minutes the nature and status of any of the thousands of proposals that are introduced during any particular Congress, together with the action taken on amendments. This would be of material assistance as we seek to give these proposals the fullest consideration.

Initially, such information could be obtained via telephone to a central office, or through a printout on teletypes located strategically at various locations on the Hill. Later, as the system is perfected and necessary improvements and changes are made as the result of operational experience, direct printout or readout capability could be provided for each member's office if necessary. And, of course, as each Congress came to an end, the history of earlier legislation would remain in storage subject to immediate access.

This basic system could be extended to cover other related requirements. It would be relatively inexpensive, for example, to keep the index of the CONGRESSIONAL RECORD on the system instantly and immediately available. Furthermore, this system could be further implemented by storage of the entire United States Code, the Statutes at Large and other data of this type. As indicated in recent hearings before the House Government Operations Committee, the U.S. Air Force has funded under "Project Lite" the placement of the entire United States Code in computer memory. This type data base, modified or redesigned to meet legislative as well as general government needs, could be added to our legislative system.

To accomplish all of these results, Congress should delegate specific authority to some particular office to oversee the development of the legislative data processing effort and to represent us in the development of compatible data processing systems for the executive and legislative branches.

In my opinion, of the possible candidates, the best choice is to lodge this responsibility at this time in a special office under the Comptroller General. The reason is that the overall responsibilities of the general accounting office most closely coincide with the operations to be established. Data systems of this type will be needed to fulfill the responsibilities Congress has delegated to the GAO.

Accordingly, I am introducing legislation today extending these responsibilities to the Comptroller General—to be exercised after consultations and in cooperation with the Director, legislative reference service of the Library of Congress, and the clerks of the two Houses, and as the President pro tempore of the Senate and the Speaker of the House may direct. By this means, we will acquire the expertise the general accounting office has built up over the years in the complex and costly application of data processing. It will further develop the GAO staff capabilities in these areas, which will be of direct benefit in the performance of the other responsibilities extended the Comptroller General by the Congress. And yet, it will provide the necessary coordination with other officials of the Congress having significant responsibilities in the areas to be affected.

The proposal I introduce is as follows:

H.R. —

A bill to amend the Budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 312 of the Budget and Accounting Act, 1921 (31 U.S.C. 53), is amended by adding at the end thereof the following new subsections:

"(f) The Comptroller General shall—

"(1) develop, establish, and maintain data processing and information systems necessary for the effective and efficient fulfillment of the substantive responsibilities of the Congress as may be determined by the President pro tempore of the Senate and the Speaker of the House;

"(2) cooperate with the Director of the Bureau of the Budget in the development, establishment, and maintenance of a standard data processing and information system (including uniform classifications of programs, activities, receipts, costs, and expenditures, as well as other necessary standards) for budgetary and fiscal data for use of the Federal Government;

"(3) have available in the General Accounting Office employees qualified to conduct and to analyze cost effectiveness studies at the request of committees of the House or Senate;

"(4) to the extent feasible, provide committees of the House or Senate with data and information from such systems or with data otherwise available to the General Accounting Office;

"(5) enter into contracts with organizations or individuals, or employ individual experts and consultants in accordance with section 3109 of title 5 of the United States Code, to assist in the development and establishment of such systems, at rates not in excess of those prevailing at the time for comparable services in private industry, and acquire data processing capacity to carry out the responsibilities delegated him under this part and to meet any additional requirements for data processing capacity the President pro tempore of the Senate or the Speaker of the House may determine is required; and

"(6) submit recommendations at such times as he deems appropriate to the President pro tempore of the Senate and the Speaker of the House as to the most effective and efficient manner by which the data processing and systems design requirements of the Congress can be fulfilled.

"(g) To assist in the performance of the duties and functions extended the Comptroller General under this part, there is hereby established in the General Accounting Office a Division for Budget Information and Analysis. The Division shall be headed by a Director who shall be appointed by the Comptroller General and shall receive compensation at the rate provided for GS–18 under the classified Civil Service."

EFFICIENCY, ECONOMY BILLS INTRODUCED BY BENNETT

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BENNETT. Mr. Speaker, in today's fast-moving world there are great demands upon our executive and legislative branches of Government. We must have greater efficiency and cut the redtape of bureaucracy throughout the Federal Government, including the Congress.

We have been running a multibillion-dollar business in horse-and-buggy style in the space age, and something must be done to assure the taxpayers their money's worth.

I have introduced three pieces of legislation, which I have sponsored and supported in previous Congresses, which will give our Government a 20th-century outlook and help save tax dollars and streamline our many functions in the executive and legislative branches.

First, I believe we need a new Hoover Commission to study existing Federal programs and activities to determine if full advantage is being taken to benefit the American people at the lowest possible cost. My bill would establish a Commission for the Improvement of Government Management and Organization. This group would make detailed studies of Government functions and recommend necessary changes. Twenty years ago when the Hoover Commission reported ideas for updating the Federal Government, I was successful in sponsoring and passing several money-saving bills suggested by the Hoover Commission.

Second, the Congress itself needs to modernize its procedures. My bill, which I have introduced in the last two Congresses, would provide for a Congressional Budgetary Information Service, to promote fiscal responsibility in the Federal Government, and computerize the congressional committees giving them the ability to analyze administration programs to determine costs, scope, and possible results on a long-range basis. The Budgetary Information Service would report on every bill reaching the floor of the House and Senate. It would contain a cost-effectiveness analysis of the proposal in relationship to other programs on the books and what could be expected of the program when it is operational.

Third, is a bill I first introduced in the House to provide for a mechanism or device for recording and automatically counting votes in 1949—my first year in Congress. I thought it was a sound and efficient way to conduct business, and in light of recent irregularities in voting, believe we should have a modern system for recording and counting votes. There is nothing more important than the casting of a vote by a representative.

The American people are demanding that their Government be run in the most responsible way. They are against waste, inefficiency, corruption, and sloppy handling of their tax funds. The Congress has a responsibility in the 91st Congress to react to this demand from our citizens. To do less would be a cruel hoax on those who placed responsibility in their elected national officials. I am hopeful for speedy action on these two bills.

MR. NIXON AND THE BLACKS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. MIZE. Mr. Speaker, during recent years, our Nation has witnessed the agony of unfulfilled promises within the black community. The result has been frustration and rebellion among Negroes. Riot has torn many of our cities. Despair has overwhelmed the occasional spark of optimism among the blacks, leading in extreme cases to wanton destruction.

The Nation, as the 91st Congress convenes today, looks to its President-elect for leadership in approaching this most exacting domestic challenge.

An excellent editorial appeared in the December 28, 1968, issue of the Christian Science Monitor. Entitled "Mr. Nixon and the Blacks," the editorial applauds Mr. Nixon in his call for "patience"—but at the same time demands of his administration the answers to some very tough questions. These answers, we all pray, will lead to effective programs commanding business, local, and State participation, as well as the Federal involvement. There can be no acceptable substitute for tangible progress within the Negro community during coming years. Mr. Nixon has demonstrated his understanding of this goal as he builds his administration and its priorities.

I insert the editorial in the RECORD at this point:

MR. NIXON AND THE BLACKS

"Patience" is what President-Elect Richard Nixon is counseling the American Negro community. But "patience" isn't easy to come by, in this era of aroused expectations, black militancy, multiple programs and insufficient results.

Yet what Mr. Nixon is essentially asking of the black community is that he be given time—time for his men to familiarize themselves with the needs, time for ideas to flow, time for the new Council on Urban Affairs to get cracking, time for old policies to be restructured. The end results may be far better, if the black community will give the Nixon administration this essential time element.

Mr. Nixon made few promises to the Negro community during the election campaign. Few blacks voted for him. But he would probably not disagree with what a Kennedy-Johnson Democratic official, McGeorge Bundy, now head of the Ford Foundation, said back in the riot-torn summer of 1966: "We believe that full equality of all American Negroes is now the most urgent domestic concern of this country." Mr. Nixon would also doubtless agree with black leaders that the need is for jobs, for job-training, for low-cost housing, for uplifted educational standards, for better transport from ghetto to job.

What can the Nixon team now promise to the black community, so that they will be patient with their demands? He can promise a winnowing-down of the over-extended programs of the Johnson years. He can promise a more efficient management and follow-through, on each program which passes muster. He can promise the utilization of new concepts—decentralized controls, federal grants to local agencies, more involvement by the business community in jobs, housing, training, and tax credits to encourage this involvement.

Domestically, the Nixon administration quite evidently aims to give first priority to rehabilitation of the cities, to effective handling of their manifold problems. Mr. Nixon intends actively to head the Council on Urban Affairs, just as he will head the old and more prestigious National Security Council.

It will not be simple to satisfy the Negro community while simultaneously seeking to make peace in Vietnam, curb the missile race, cool inflation, defend the dollar. But Mr. Nixon's organization of this new Council on Urban Affairs, directed by Daniel Patrick Moynihan, has been commendably brisk and efficient. The new ideas, recently churned out, may be insufficient to see the "Negro revolution" through to a harmonious outcome. But we feel that Mr. Nixon has, thus far, earned the right to ask for "patience" while the assault on the urban problem is being fully mobilized.

ROBERT ELLSWORTH

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. SHRIVER. Mr. Speaker, I take this opportunity to extend congratulations to Robert Ellsworth, a former colleague in the House and a fellow Kansan, upon his selection by the President-elect to serve as an assistant in the administration beginning January 20. Mr. Ellsworth is highly qualified and capable to fulfill this challenging national assignment in the White House.

Kansas is proud of its native son, and those of us who served with Bob Ellsworth in the House of Representatives know that the President-elect has chosen well.

Under the leave to extend my remarks in the RECORD, I include editorial comments from various Kansas newspapers regarding the appointment of Bob Ellsworth to the President-elect's staff:

[From the Wichita (Kans.) Eagle]

THE ELLSWORTH APPOINTMENT

Kansas friends of Robert Ellsworth, who are many, are rejoicing in the important assignment he has won with the Nixon administration.

It is a credit to the state to have one of its sons rise so high in the councils of government—particularly by appointment. A President has the nation to choose from, and from all these people he chooses the best he can find.

That Mr. Nixon has seen fit to choose Ellsworth is really not surprising. Ever since his university days it has been clear that Ellsworth was extraordinary. He served Kansas with distinction as a congressman from the Third District. He proved his political acumen by casting his lot with Nixon long before this was the popular thing to do, and his tireless and intelligent efforts in behalf of his man doubtless had much to do with Mr. Nixon's victory this year.

As a special presidential assistant his incisiveness undoubtedly will serve Mr. Nixon well. His position of intimacy with the chief executive also insures that the so-called liberal wing of the Republican party will have the presidential ear.

It is a good appointment.

[From the Topeka (Kans.) Daily Capital]

ELLSWORTH TO TOP JOB

President-elect Richard M. Nixon's appointment of Robert F. Ellsworth, former Kansas congressman, as a presidential assistant on his White House staff is being received with hearty approval by those who know him best, his friends in the Sunflower State.

Ellsworth will be higher in White House echelons than any Kansan since Dwight D. Eisenhower was president.

It has been known for some time that Ellsworth was due for a high level appointment, despite his disclaimers he would prefer to return to his law practice. His name had been mentioned for several positions, from a cabinet post to Republican national chairman.

The Kansan earned his appointment by two years of service with Nixon during the arduous months he was directing his course to the presidency. Frequently, Ellsworth was Nixon's sole companion on trips abroad and in this country. During Nixon's campaign and the Republican national convention, Ellsworth was one of his top advisers.

Service to his country is not new to the 42-year-old Lawrence attorney. In the Korean War he was a lieutenant commander in the Navy. Later he was on the faculty of the University of Kansas school of business. At KU the Ellsworth name has been familiar for years, first because of the long service Robert's father, Fred, performed as alumni secretary, later because of the son.

For six years Robert Ellsworth served in Congress, first elected from the old 2nd District in 1960 and twice reelected before losing the GOP nomination for U.S. senator to Sen. James B. Pearson two years ago.

Kansans are proud that one of their own has attained such a lofty position. Although he must serve the entire country—as he will—his home state should benefit from Ellsworth being close to the center of power.

[From the Newton (Kans.) Kansan]

NIXON HONORS KANSAN

The appointment by President-Elect Richard Nixon of former Kansas Rep. Robert F. Ellsworth to a White House post has been received with praise from fellow Kansans. The President-Elect has named Ellsworth as a presidential assistant.

Ellsworth has been working with Nixon for the past 2 years, and on some of the President-Elect's trips he was his sole companion.

The former member of the House of Representatives denied he was under consideration for a top post in the new administration, but it has been known that he was under consideration. Ellsworth had told others that he would prefer to return to his law practice.

Ellsworth has been serving his country in one capacity or another for a number of years.

He served in the navy during the Korean war; he was on the faculty of the K. U. school of business at one time; and he served in congress for 6 years in the old 2nd district. He tried for the U.S. Senate against Sen. James B. Pearson 2 years ago and was defeated.

There is no doubt that Ellsworth will give valuable service to his country again as he assists the new president in the hard job of running the executive branch of the federal government.

His fellow Kansans are proud that he has been elevated to this high post.

OUR OWN ROBERT ELLSWORTH

(By Charles Pearson)

It was a rather quiet week, in the main, on the state's editorial pages. There was, to be sure, still some rejoicing about the appointment of our own Robert Ellsworth to be a top Nixon aide.

Said the Kansas City Kansan:

"Proud Kansans feel that Pres.-elect Richard Nixon showed discernment and wisdom, also appreciation, in appointing Robert Ellsworth his assistant. The former Lawrence young man made a good impression at home in Washington while he was a member of Congress.

"Ellsworth joined up with Nixon long before there was any assurance that Nixon would be nominated, much less elected President. The Kansan not only was an early joiner but served the Nixon organization energetically.

". . . He has not been far removed from governmental goings-on in the past two decades. Now he will be right in the middle of it and for the foreseeable future. An activist, he will relish it."

The Newton Kansans was pleased, too. Said Jack Lander:

"There is no doubt that Ellsworth will give valuable service to his country again as he assists the new President in the hard job of running the executive branch of the federal government. His fellow Kansans are proud that he has been elevated to this high post."

In Ellsworth's home town, Dolph Simons said in the Lawrence Journal-World:

"Ellsworth is not a man who wants to remake America. What he wants primarily is to preserve what is good in our country, drive out what is bad, and look forward to progress . . . If all of Nixon's appointments are as good . . . as the selection of Ellsworth, our country is in for better days."

LEGISLATION TO BENEFIT THE AVERAGE TAXPAYER

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. GONZALEZ. Mr. Speaker, I am today introducing three bills to benefit the average taxpayer and homeowner. I have chosen these bills to reintroduce first because, of all the ones I sponsored last year, they have the broadest application.

The first bill would exempt a family's homestead from levy for failure to pay Federal income taxes. Under present law, a worker could lose his home to the Federal Government through a forced sale because of a lien against him personally. It does not matter how many years a worker has met his tax responsibilities, nor indeed how long he might have been struggling to pay for his home.

I do not belittle the importance of the income tax and the need to enforce it fairly and uniformly, but to me it is a harsh and unjust remedy for the Federal Government to deprive a worker of his investment in shelter for himself and his family because of insufficient funds to meet the taxes on his income.

Providing opportunities for homesteading for our common citizens was a cherished principle during the settling of our vast frontiers. The pioneering Homestead Act is still on the books. I do not think the Federal Government should retreat from the encouragement of homesteading to the opposite course of depriving citizens of their homes, even to satisfy a tax debt.

A homestead in my bill is any urban lot or rural property under 200 acres upon which a head of family dwells. I drafted and introduced this legislation in the last Congress, when I realized that while my home State of Texas, among others, protects the homes of her citizens from non-Federal tax liens, homeowners are not protected against Federal action. I submit that this situation should be changed.

My second bill would increase from $600 to $900 the amount of personal income tax exemptions. Personal exemptions apply to the taxpayer himself, his spouse and dependents, with additional exemptions for old age and blindness.

The need for this break to the American taxpayer is obvious: inflation and the cost of living have together risen rapidly since 1954 when $600 was established as the nontaxable amount allowed for the support of each individual. For dependents who are college students, the $600 exemption has become even more unrealistic.

One of my first actions as a freshman Member of Congress in 1962 was to sponsor this bill. Many of my colleagues have introduced this legislation over the years, and I hope that this measure of tax relief for the average American will be enacted promptly.

My third bill would establish a Small Tax Division within the Tax Court of the United States. It is designed to offer a simplified and understandable avenue of relief for the small taxpayer who has run afoul of one of the many and sometimes bewildering array of tax regulations.

It is estimated that 55 million Americans with incomes under $10,000 pay claims to the Internal Revenue Service which they consider unjust. This means the average breadwinner who fills out his own tax report and then finds the IRS claiming more from him because he misapplied the regulations does not feel it is worthwhile to hire a lawyer and maybe an accountant to fight a large bureauracy.

But my bill would establish up to 20 Small Tax Commissioners who would give a fair and independent hearing to any taxpayer with an assessed deficiency under 2,500, without the need of a lawyer and an accountant in attendance. Tax reform and simplification of the tax regulations are needed, but in the meantime a Small Tax Court would be a boon to the "little fellow."

Mr. Speaker, these bills are the farthest thing from "special interest" legislation. They are designed to benefit the vast segment of our population which is rarely the target of special legislation. But I believe my three bills are of special interest to a great multitude of American taxpayers and homeowners.

THE NEXT 10 YEARS IN WATER DEVELOPMENT

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. JOHNSON of California. Mr. Speaker, a month ago, Mr. Floyd E. Dominy, who has served this Nation in such an outstanding capacity as Commissioner of Reclamation, was a principal speaker at the annual meeting of the Irrigation Districts Association of California. Although I was unable to personally attend this meeting due to other commitments, I did have the privilege of reading Commissioner Dominy's remarks in which he looked ahead into the next decade and discussed a subject of tremendous importance to the State of California and to the Nation and also of great interest to me personally, namely, the future of water development in this Nation.

Commissioner Dominy's qualifications to discuss this subject are unequaled for he has served in the Bureau of Reclamation for more than 35 years and has been the Commissioner of Reclamation in the past three administrations serving under Presidents Eisenhower, Kennedy, and Johnson. I thought his predictions and comments were of such merit that I wanted to share them with my colleagues on this opening day of the 91st Congress. Accordingly, Mr. Speaker, I insert his remarks in the RECORD, as follows:

THE NEXT 10 YEARS

The title of my speech today is "The Next Ten Years." Perhaps you have asked yourself or your neighbors, "How can he possibly predict what will happen much beyond the next 10 weeks, with a new President and a new Cabinet prepared to take office next month?"

Certainly the new President, the new Secretary of the Interior and the realignment of Congress, including changes in some committee chairmanships and assignments, are going to have an important effect on Reclamation development in the next 10 years. I am a career employee of 35 years experience, who has served as Commissioner of Reclamation under three Presidents, but I can assure you that I have no political crystal ball. I have every confidence that the administration and the Congress will take positive action to maintain an orderly Reclamation program to meet the water needs of the West.

But regardless of political change, there are still some basic facts about water shortages and water development that must be faced up to by all of us without regard to partisan considerations.

Aside from limited opportunities to conserve available water supplies within a region through water salvage measures, there are only three ways in which a water-short region such as central and southern California can be helped. They are:

1. Through major importation of surface water from areas of surplus to the areas of shortage.
2. Through the treatment of water unfit for use (sea water, brackish water, waste water) to make it useable, and/or
3. Through the augmentation of natural runoff by weather modification and other means.

The Bureau of Reclamation is already engaged in all three of these methods of helping water-deficient areas and will continue to expand its activities in all three areas during the next 10 years.

Let's get back for a moment to that title—"The Next Ten Years.' As a title, it is especially appropriate because the Colorado River Basin Project Act of 1968 establishes a 10-year moratorium on studies of any plan for importing water to the Colorado River Basin from any natural river drainage basin lying outside the States of Arizona, California, Colorado, New Mexico and those portions of Nevada, Utah, and Wyoming which are in the natural drainage basin of the Colorado River.

In case the implication of that proviso was not too clear, let me spell it out for you. It means H-a-n-d-s o-f-f t-h-e C-o-l-u-m-b-i-a. During the next 10 years there will be no studies by the Bureau of Reclamation of possible imports from the Columbia River into the Colorado River Basin. That is the key element in the reconciliation of interests in the Colorado Basin States and the Northwest in order to proceed with further development of the Colorado.

I will discuss the benefits to California and the rest of the Colorado River Basin States a bit later. But right now, I want to talk about what affect this moratorium is going to have on California.

First of all, you can expect that the 10-year interim will be used to excellent advantage by all concerned to make thorough studies of the long term growth potentials of the Colorado River Basin States and the Columbia River Basin States and the water resources and long-term needs of each region. It also will be a period for intensive study of the opportunities for augmentation of the Colorado River supply through other means. Such means, of course, will include atmospheric modification and water purification, and the studies will necessarily take into account the latest developments in technology as well as alternative costs and the many legal and environmental problems.

It is possible that when all this work is done and the Northwest area has made an inventory of possible long-term needs and uses for the waters of the Columbia River and its tributaries, there may still be water in the Northwest surplus to these foreseeable needs.

Under those circumstances, as I said in October in Vancouver before an entirely different audience, I do not see how the Northwest can politically defend a denial of the use of its waters actually in surplus. *Provided*—and I underscore the word *Provided*—that diversion from the Columbia River proves to be the most feasible method of augmenting the supply for the arid areas.

Let me say to you with an equal candor that I am not at all sure that diversion of water from the Columbia River to the Colorado River will prove to be the most economically feasible way of meeting the water shortages of the Colorado Basin.

There are still many things which must be done in the Colorado River Basin before it can be proven beyond doubt that surplus water should be sought elsewhere.

There are two basic points which apply to the movement of huge quantities of water over long distances between any political subdivision—whether they be counties, states or nations.

One is that interregional movement of water should not be contemplated to a degree that the basin of origin would be deprived of water which it could reasonably and rationally expect to need as a basin for its own economic growth.

Now, if it should be found that there is water in the Northwest surplus to the region's foreseeable needs, does that mean that the Colorado Basin is automatically entitled to the use of that surplus water?

I say no, not at least, until all local resources have been developed fully and efficiently. I don't believe any State or region has a right to seek the resources of another until it has exhausted all of its own capabilities. This is the second basic point that must be applied to any proposal for the movement of water. California itself has recognized this principle in its precedent-setting "county of origin" policy with respect to intra-State movement of water.

Therefore, during the next 10 years, California and the other Colorado Basin States must exhaustively explore and consider all methods of augmenting existing water supplies—including water savings and movement within the region, water purification, weather modification, and more efficient use of water—before they can legitimately seek to use by virtue of need, water which flows in other basins.

Now let me discuss briefly some of the specific ways in which the Bureau of Reclamation may be able to help.

1. INITIATION OF CONSTRUCTION OF THE COLORADO RIVER BASIN PROJECT

A highlight of the Reclamation program during the coming decade will be the initiation of construction of the $1.3 billion Colorado River Basin development, which includes the long-sought Central Arizona Project and also a number of other projects in Colorado, New Mexico, and Utah. The Central Arizona Project will enable Arizona to divert an estimated annual average of 1.2 million acre-feet out of the State's legal allocation of 2.8 million acre-feet of water from the Colorado River.

However, the authorizing act established a priority of 4.4 million acre-feet for California. This water is used for irrigation purposes in the southern part of the State and to serve the municipal and industrial water needs of that region's 10 million residents, a population expected to double before the end of the century. Diversions to the CAP will be limited when necessary to assure delivery of the Golden State's priority allotment as well as deliveries to other holders of perfected water rights in the lower basin.

California and the other basin States will realize a major gain from the Colorado River Project Act as a result of a provision that the Mexican Water Treaty will be regarded as a National obligation. This means that costs for developing that amount of water needed for compliance with the Treaty will be regarded as non-reimbursable. Moreover, the project act establishes a Lower Colorado River Basin development fund, comprised mainly of certain surplus revenues from projects in the area after costs of these projects have been repaid. The fund eventually will be used to build works for augmenting the Colorado River to meet the critical needs in the Lower Basin States.

2. WATER SALVAGE PROGRAMS ALONG THE COLORADO RIVER

The Secretary is specifically directed to undertake programs for water salvage and groundwater recovery along and adjacent to the main stream of the Colorado River. This work has been in progress for some time, with water already having been salvaged through construction of the offstream Senator Wash Reservoir near Imperial Dam, through our Colorado River Front Work and Levee System works and channel improvement along the Colorado River, and through the development of wells in the groundwater recovery program on the Yuma Mesa near Yuma, Arizona. We are presently developing plans for removal of phreatophytes from selected areas along the lower Colorado River. These programs will result in additional water supplies being made available to serve demands on the Colorado River flows while at the same time providing for the needs for fish preservation and wildlife and recreation enhancement.

Local, State, and Federal agencies are making studies of ways and means of capturing the remnants of flood flows available for use for irrigation and municipal purposes. Reclamation's study of the Santa Margarita Project in the south coastal area of California is one example. With construction of this project, hopefully in the near future, the unused flood flows of the Santa Margarita River will be stored to provide municipal and industrial water for both the Fallbrook Public Utility District and the huge Marine Corps Base at Camp Pendleton.

Local and State agencies are also taking advantage of new technological advances in continuing studies of plans for the reclamation of sewage effluent for use in recharging groundwater basins and to serve irrigation, recreation, and other water needs.

3. CENTRAL VALLEY PROJECT PLANNING AND CONSTRUCTION

Construction of the initial units of the Central Valley Project started in 1937 and the first units became fully operational in 1941. However, the project has been expanded several times by major authorizations and today only about half the authorized construction has been accomplished. During the next 10 years, assuming the availability of appropriation, I see a strong need for another billion dollars of Federal funds to be invested in construction on CVP features already authorized, such as Auburn Dam, the Folsom South Canal, and the San Felipe Division.

Also in the planning pipeline for future construction are proposed units of the Central Valley Project, the California State Water Project, and the flood control, navigation, and conservation projects of the Corps of Engineers. Future additions to the CVP, for example, include the Kellogg Unit, the Peripheral Canal Unit (jointly with the State), and the East Side and Consumnes River Divisions. If these plans meet the approval they certainly deserve, and if the State Legislature and the Congress appropriate funds, the next decade will witness further large-scale transfers of water from areas of surplus to areas of deficiency within California.

4. NORTHWEST CALIFORNIA PLANS

Many of the future plans look to the North Coast of California—with its Eel, Mad, Trinity, Van Duzen and Klamath Rivers—as an area of water surplus to needs for in-basin development. These rivers, with a combined flow of some 25 million acre-feet per year, could well serve as a source for the export of million of acre-feet of surplus water a year to less favored areas. Plans for the Eel River have reached the stage where local debate has begun over routes, and over the amounts of flows and types of construction which would preserve or enhance the ecology of the area. The next ten years should see the resolution of these questions.

Northwestern California studies are being coordinated through a State-Federal Interagency Group including the California Department of Water Resources, the Bureau of Reclamation, the Soil Conservation Service, and the Corps of Engineers, assisted by other agencies. There is a growing trend for more intensive use of coordinating groups, and increasingly, agencies and organizations have interested themselves in water development and its impact not only on the economy, but also upon the individual and his environment. The next ten years will doubtless see this trend accelerate.

5. GENERAL RECONNAISSANCE PLANS

Reconnaissance studies of means of halting and possibly reversing the trends toward salinity of the Salton Sea were started this year. The problem is a difficult one, but if it can be solved the social and economic rewards will be far-reaching.

6. FRAMEWORK STUDIES IN PROCESS

A major step toward the solution of the problem of inventory of the water supplies and requirements of the Western States was the enactment and implementation of the Water Resources Planning Act in 1965. Under that Act, the Water Resources Council was formed on the National level, and State-Federal interagency committees were assigned planning responsibilities on the regional level. Coordinated river basin studies have been undertaken in the Columbia-North Pacific, California, Upper and Lower Colorado, Great Basin, and Missouri River Basin regions, all of which are scheduled for completion in about four years. These studies will bring together the plans and goals of all the State and Federal agencies involved in water resources development and present them in a comprehensive "framework" report which will demonstrate the availability of water resources to accomplish those goals to the maximum practicable extent. These reports may well become the basis for detailed planning of future projects for all agencies for decades to come.

7. ATMOSPHERIC WEATHER MODIFICATION PROGRESS AND FUTURE POTENTIAL

Atmospheric water research appears to offer real promise for tapping the rivers of the sky to increase the runoff in the Colorado River Basin and elsewhere. Our progress in preliminary research is very encouraging and we can expect to go operational within the next few years in the high Rockies of Colorado. There is a strong likelihood that as much as 2 million acre-feet can be added annually to the runoff within the Colorado River watershed. Obviously, this could have far-reaching consequences not only for California and the Colorado River Basin, but for the entire Western area.

8. MISCELLANEOUS PROGRAMS

Significant developments in the conversion of sea and brackish water are also taking place. Joint U.S.-Mexico studies are continuing on the possibility of desalting sea water on the Gulf of California, and carrying it inland to augment the Colorado River and serve other areas along the route. Similarly, the treatment of brackish water both for water reclamation and to improve the quality of available water supplies is being studied, as is the economics of desalting for irrigation use. The Bureau of Reclamation, in cooperation with the Office of Saline Water, is conducting theoretical economic studies on the agricultural value of desalted water for the Coachella Valley and the Yuma areas in California and for the Buckeye area in Arizona. Within the next 10 years, great strides can be expected in the technology for desalting sea water and brackish water.

It is recognized that many of the potential plans for augmenting the water supplies for the Colorado River Basin and other areas of the Pacific Southwest will require considerable amounts of low-cost power and energy either for use in desalting processes or to provide energy to operate pumping plants required to deliver water to areas of use. Existing hydroelectric power sources and those in the planning stages will not be able to provide the large additional quantities of power which will be required.

Nuclear power, of course, would most likely be utilized to provide much of that future requirement. This, however, would be base power supply. Sources of peaking power must also be developed. To this end, the Bureau of Reclamation, as well as privately and publicly-owned utilities, are considering pump-back storage projects which can be used in conjunction with the base load plants to meet the expanding total power demands.

The Bureau also has been cooperating with the University of California at Riverside in a study of the development of geothermal sources of steam energy in the Imperial Valley. If some of the present indications are substantiated, there is a possibility of utilizing this power and thermal water source to provide electric power and desalted water at low cost.

You can see that a most ambitious program faces California and the Southwest for the next 10 years.

It is possible, of course, that even with the most complete and extensive development of local resources, people of California and the Southwest will still find themselves short of enough water to meet all of their growth needs. If that should be the case, then 10 years from now, provided such a local development and use program has been carried out, and provided there is water in the Northwest surplus to that area's foreseeable needs, you would certainly be in a position to go to Congress and say truthfully, "We have done everything we can to help ourselves—now we must have help from areas of clearly defined surplus."

POTOMAC RIVER SANITATION COMPACT

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. FALLON. Mr. Speaker, I have the pleasure to introduce a bill providing for the consent of Congress to revision of the interstate compact on the Potomac

River Basin. The signatories to this compact—Maryland, Pennsylvania, Virginia, West Virginia, and the District of Columbia—have approved these revisions.

This compact has a long, illustrious history, in water pollution abatement, dating back to 1940. When plans were being made in the late 1930's some people wanted a water resources compact not limited to pollution abatement. However, the majority felt that water pollution conditions were such that concentration was essential and that a broadened compact should come later.

The record would indicate that this was good judgment. In 1940 only 9 percent of the sewered population of 1,500,000 had secondary type waste treatment; 75 percent, mostly in the District of Columbia, had primary treatment; while 15 percent had no treatment of any kind. Today 97 percent of a sewered population of nearly 3 million, twice as many people, are served by at least secondary type plants. Industry, which in 1940 provided little waste treatment now provides treatment equivalent to the municipal levels.

This record has been achieved through wholehearted cooperation of the States and the District of Columbia with the assistance of Federal grant-in-aid and other programs. The State of Maryland has been a leader. Governor O'Conner in 1941 became the first chairman of the Interstate Commission on the Potomac. Recent correspondence from Gov. Spiro Agnew reaffirms Maryland's continuing interest and concern.

In view of the record compiled to date, and in view of the complexities of the water problems of today in the Potomac, the signatories have agreed that now it is necessary and desirable to broaden the authority of the compact to allow it to operate in the total area of water and associated land resources. The proposed revision of the compact law is for this purpose.

First. The commission will be authorized to cooperate, assist, and provide liaison for and among public and nonpublic agencies in the formulation and coordination of plans, programs, and other activities relating to stream pollution or to the utilization, conservation, or development of water and associated land resources.

Second. The Commission will be authorized to review and comment on any plan or program of any public or private agency or organization relating to stream pollution or the utilization, conservation, or development of water or associated land resources.

Third. The Commission will have authority to establish reasonable standards of water quality as developed by the responsible signatory agencies.

Many problems remain to be solved in the Potomac and its tributaries. Acid mine drainage in the north branch of the Potomac, sediment in all parts of the basin, land runoff, both rural and urban, and nutrient control represent some of the major challenges. Both critical water supply problems and flood control will require basinwide leadership for their solution.

The Interstate Commission on the Potomac River Basin with this revised charter, which also eliminates a restrictive ceiling on signatory contributions, is the Potomac's only basinwide authority. Its past record would indicate that with its new authority and potential resources it will be able to provide the leadership so badly needed to protect the river and to develop its full potential.

I include a memorandum explaining the background and provisions of the proposed bill, together with an article published in the newsletter of the Interstate Commission on the Potomac River Basin, entitled "ICPRB Revised Compact Has All but Congressional OK," in the RECORD, as follows:

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

ADDITIONAL ITEMS RELATING TO THE COMPACT AMENDMENT

1. This Amendment was adopted in the Basin by all of the States (Maryland, Pennsylvania, Virginia, and West Virginia) and was formally endorsed by the Commissioners of the District of Columbia. It cannot become operative until ratified by the Congress of the United States.

2. Under present thinking, this will be an interim action which will allow sufficient time for the various Legislatures to study proposals for a brand-new Compact, without delaying detailed planning and decision-making with respect to urgent water supply, water quality and other problems.

3. With the present extreme limitation ($30,000) on the total sum of the annual Signatory contribution and the severe limitation of its authority and scope, it is becoming more and more difficult to secure an annual program grant from the Federal Water Pollution Control Administration.

Without this program grant it would be almost impossible for the Commission to continue its operations, as long as the $30,000 limitation exists. We would anticipate, under new authority provided by this Amendment, to request a total of approximately $60,000–65,000 per year from the Signatories.

EXPLANATION OF WHAT THE PROPOSED COMPACT AMENDMENT WOULD DO

1. Broadened Scope: The existing Compact restricts the scope of authority to the abatement and control of pollution. The Amendment recognizes that the utilization and development of the water and associated land cannot be separated from pollution in today's society. Therefore the authority of the Commission would be amended to allow the Commission to engage in water and associated land resource matters generally. The preamble to the Compact Law still indicates that the prime purpose of the Commission is the control and prevention of pollution.

2. Planning Authority: New Section (A) Article II would allow the Commission to conduct detailed studies and issue reports on pollution and other water problems in the Conservancy Districts.

New Section (D) Article II would authorize the Commission to cooperate, assist and provide liaison for and among public and non-public agencies in the formulation and coordination of plans, programs and other activities relating to stream pollution or to the utilization, conservation, or development of water or associated land resources.

3. Budget Ceiling Removal: Removal of the $30,000 ceiling on the total sum of the annual contributions by the Signatories. Normal budgeting processes of each Signatory would be followed.

4. Water Quality Standards: To establish, through appropriate state agencies, standards of water quality. The Commission would not be able to impose standards on a state. Rather the responsible State agency would be required to submit standards for Commission review and recommendation. The Federal Water Quality Act of 1965, which requires "Water Quality Standards," will make it necessary for the Commission to accept "Standards" which the States were required to adopt in 1967.

5. Sections of the Commission (Article III): For the purpose of dealing with problems of pollution and of water and associated land resources in specific areas which directly affect two or more, but not all, Signatory Bodies, the Commission may establish Sections of the Commission, consisting of Commissioners from such affected Signatories, provided, however, that no Signatory Body may be excluded.

Under this Article the Commission may perform any power or function vested in the Commission, and in addition, may exercise other powers and functions as may be vested in such Section by the laws of any Signatory or the laws of the United States. The exercise of any powers vested solely in a Section shall be financed through funds provided in advance by the Bodies, including the United States, participating in such Section.

The original purpose of the Article was to provide the Washington-Metro Region an opportunity for inter-jurisdictional cooperation for concerted action. The organization of the Metropolitan Council of Governments has since limited the need for this opportunity. However, the authority to establish Sections may still be useful in water supply matters in several Basin areas.

ICPRB REVISED COMPACT HAS ALL BUT CONGRESSIONAL OK

COMPACT: REPRINTED, EXPLAINED

The Interstate Commission on the Potomac River Basin Compact, the legal instrument which has delimited the powers of the Commission for the past 27 years has been amended by the four member-States of the compact organization and approved by the District of Columbia. The amendments increase the responsibilities and scope of operations of the organization. Final sanction of the changes, however, rests with the U.S. Congress. The Congress is, as a matter of form, the guarantor of interstate compacts.

It was a committee of the Commission, aided by a consulting group, which originally formulated the revisions to the Commission Compact. The committee submitted its report in 1959. During the years from 1959 to the present, the parties to the Compact, one by one have weighed, considered and finally approved the changes. Maryland, the District of Columbia, Pennsylvania and West Virginia had all recorded themselves in favor by 1962–63, or six years ago. Virginia brought all the base runners home very recently when Governor Mills E. Godwin fixed his signature to Virginia Assembly—S. 436. The bill had passed the 1968 Assembly in March. State Senators Robert Fitzgerald, Omer Hirst and Adelard Brault, all of Fairfax County, had introduced it.

INQUIRIES

The Interstate Commission Compact, amended and approved by all of the signatories, is reprinted in full on the inside pages of this Newsletter. The amendments (deletions in italic; additions in bold face) speak quite plainly for themselves. Very little explanation would seem to be required; yet this reasonable assumption does not square with a sizable demand for "information" on the matter of the changes. This demand, manifest in a steady stream of letter and telephone inquiries directed to the Commission's office at Washington, D.C., is the more significant, because—as noted before—the changes have not been finally ratified by the Congress.

The questions, in their turn, are operating on the reasonable assumption that nothing happens in a vacuum; least of all, perhaps, the resurrection of the Proposed

Amendments to the original 1940 interstate Compact for the Potomac.

The amendments read the same as they did six years ago, yet the Potomac Basin is considerably changed after six years. It is this changed relationship which injects the amendments with significance. The contemporary meaning of an amended Compact must lie in the Compact's contemporary application.

The amendments were originally proposed with the view that they would permit the compact-organization, the Commission, to better perform its role of advisor to the Potomac States on corporate, basin-wide efforts to clean up streams and deal with other water matters. Six years ago, the Potomac States were not, perhaps, in desperate need of better advice on how to proceed with a concerted attack on Basin stream pollution. because in truth they were collectively making very few decisions to abate pollution on an interstate or drainage-basin basis. Rather, their abatement efforts and programs were, by and large, ones which they undertook individually for the satisfaction of ends within their own boundaries. These individual efforts, of course, indirectly benefited the Basin as a whole.

The Potomac Basin six years ago was virtually Homestead land for any public agency or governmental team that wanted to write a total plan to upgrade and conserve the water (and related land) resources of the region. It was a time when comprehensive planners were just starting to get their feet wet in the Potomac. The Army Corps of Engineers was just in the first motions of organizing the giant data-gathering effort that led to its controversial 1963 scheme, and the U.S. Dept. of Interior with a recreational development design and a water quality concordat. (Ideally these will be integrated in the forthcoming Interdepartmental Task Force Final Report.)

Already, basin-planning has gone as far in actuality as to roughly predicate the function and use of large water and shoreland segments of the Basin. Environmental zoning is the immediate, practical outcome of the Water Quality Standards Act of 1965. Very recently Senator Daniel Brewster of Maryland introduced a bill (S. 3157) which would bestow on the "main stem of the Potomac River and adjacent land areas in Maryland, Virginia, and West Virginia" perhaps one of the most exclusive zoning classifications possible for settled areas which "possess unusual natural, scenic, historic, fish and wildlife, and recreational values." Senator Brewster would have the Main Stem Potomac designated a National River.

NEVER BETTER

Prospects to develop and conserve the Potomac on a unified basis have never seemed better. How cautious the thinking of six years ago seems now. But where are the Potomac States (outside of their U.S. Congressional delegations) in this rush of Potomac planning? What have they done in six years to stay in the running?

States all across the country, with new budget allocations, new programs and new or revamped natural resources and water resources agencies, are answering the demands of modern America that the environment stay clean and continue to offer opportunity, inspiration and health. The Potomac States have created energetic conservation and pollution abatement programs, each State operating within its own boundaries. All want to carry the same conservationist methods over to the watershed as a unit. Their in-state programs have already clearly benefited the waters of the Potomac system and the obvious way to enlarge these gains is to enlarge the scope of rational management. The States of the Potomac apparently want to ride the planning wave of the future.

Naturally, they require a vehicle in order to do this. A committee of Governors' representatives (the Potomac River Basin Advisory Committee) has devised and recommended to the attention of the several State legislatures a most advanced Compact-instrument allowing for mutual assistance and consultation in the conservation and development of the Potomac. It is the most sophisticated of its type in the country; but for the time being it is only a proposal, not a fact. By the most optimistic count, approval by all of the State legislatures can not be had for two years (1970). When this new Compact does come into being it will absorb and replace the present Interstate Commission.

Of course the States are consulted on the Basin planning (by others) that is going forward. The Governors' Advisory Committee entered some marginal comments in the Interdepartmental Staff Task Force Interim Report, for example. Senator Brewster, in his bill, establishes a nine-member Potomac National River Advisory Council with two members for each of the Potomac jurisdictions: District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia. The ninth member would be designated from the general public. The Secretary "will be required to consult with the Council on matters relating to the development of the (National River) project."

The position of the States today is small in relation to where they would like to be—a position outlined unambiguously in their ambitious, new Potomac Compact proposal. They can make their collective voice and their individual voices heard through quite a few channels, but a stronger voice would be welcome.

CLEAR

Given the contemporary Potomac scene, the significance of the move to modestly enlarge the responsibilities of the present Interstate Commission is clear.

The hope of the States lies in an altogether different Compact, but an improved Interstate Commission will permit the States a single and influential voice in Potomac planning for the next few years. Assuming favorable action by the Congress, the Commission can serve as an interim coordinating agency. In the manner of a reliable lead-off batter it can move the Basin States' Potomac planning to first base. The built-in limitation on the Commission's life span means that it can, in a certain sense, be sacrificed—that it, too, can "take itself out of politics." Thus, before its useful life is over, it may be able to lay down a sacrifice bunt that will move unified State planning to second base. At that point, even a long single by the totally new Compact-organization proposed as a replacement can bring State planning for the Potomac home.

The present Commission, the interim agency—strengthened by amendments to its Compact—will strive to muster to the cause of Potomac planning the citizens by two's and three's at the local level. Local indifference or local resistance will break the back of any plan for the Potomac no matter how reasonable, no matter how obvious its merits. There are no substitutes for individual citizens convinced on their own terms of the rightness of the plan. Those who plan for the development of the great watersheds of the West may perhaps enjoy the luxury of concentrating exclusively on the engineering and the dollar problems—and never mind the buzzards, the cactus and the petrified forests. Basin planning in the East is nothing less than planning for people, who are numerous, alive, and talk back.

The Commissioners of the Interstate Commission will meet shortly to define in detail a new posture and policies for the Commission, which it could assume and adopt after the Congress acts favorably, as expected.

Without prejudicing the decisions of the Commissioners by speculating over-much in advance, several actions of an improved Commission may be predicted. It seems reasonable to assume that the Commission will assimilate the new State-Federal Water Quality Standards and codify them in the Commission by-laws. Thus the power newly granted to the Commission, in the amended version of its Compact, to set standards for the Basin is not one due for a great deal of exercise.

What use will be made of the new power to form "Sections" is uncertain. The provision was originally conceived to enable Virginia, Maryland and the District of Columbia to cooperatively expend extra effort to solve problems of the Washington Metropolitan region. In the period since the provision was conceived, the Metropolitan Council of Governments has been formed to serve this purpose.

The Commission with its new authorities could help bring about solutions to Basin water supply problems. While the large need is in the Metro region, critical water supply problems exist in many upstream communities. Also the Metro needs are to a considerable degree dependent on upstream solutions. This is a total Basin problem which cries for a basin-wide solution soon.

The proposed new Potomac River Basin Compact calls for development of a large detail-plan for the protection and development of the Basin's water and related land resources. Federal plans, referred to earlier will be essentially "framework" plans which will need to be translated into detailed working plans. It seems reasonable to assume that with its new powers the Interstate Commission should begin the development of a large working plan; pending the final formulation and adoption of a new Compact as recommended by the Potomac River Basin Advisory Committee.

In the final analysis the scope of endeavor of the Interstate Commission with its new authorities will depend on the intentions of the Signatory Bodies insofar as the development of the Potomac is concerned. In recent years the Federal Government has maintained the initiative in planning, with the States to a large degree being interested spectators. We are now at the action stage. Any voids will undoubtedly be filled.

Report. (Other Federal agencies subsequently were to help the Corps in writing its definitive survey of the Basin—more than two shelf-yards of bound pages.)

While Federal agencies were pulling on hip boots six years ago, for a deep wade into Potomac data, the States apparently were yielding to the rule "don't go near the water."

If the States, on the other hand, had seized the initiative in comprehensive planning, there would certainly have been a use for an unencumbered, knowledgeable, representative organization to advise them. A Commission, strengthened by an amended Compact would have made a combined State assault on watershed water-quality problems possible.

Certainly the Federal agencies expected a State instrumentality to appear. With no organization to turn to that was energetically representative of the Basin States, how could the Federal agencies bring State and local thinking into the "policy" stages of their planning?

Assuming that the Commission had been given the larger responsibilities conferred by the Compact amendments, it is reasonable to imagine the Basin citizenry even cheering the Corps' Report on the occasion of its launching in 1963. As it was, fundamental citizen opinion was not coaxed to the surface during the plan-drafting process and was not given outlet for sufficient open expression. Rather, public opinion was permitted to grow, by dark processes, negative and chilly under the surface. Of course, it was precisely on a large, sullen iceberg that the Corps' plan ended its voyage; unexpectedly, without warning.

Speculating even further—had the Corps' plan proved popular and seaworthy, there would have been little need for the recent re-edition of a Federal plan for the Potomac; the Federal agencies working this time under the nominal direction of the Dept. of Interior.

The States six years ago got no vehicle for improving water-quality over the Basin and the Federal comprehensive planners got no seismic instrument for recording State and local opinion, as Virginia's affirmative action, only now, on the Compact amendments reveals. (Any amendments to the Compact—to take effect—must be approved by all the signatories.)

SIX YEARS LATER

Six years later, an amended Compact has a different promise and different application from what it would have had six years ago. America is a different nation and the Potomac Basin a different place in 1968. Today there is an altogether new understanding and will to do something about the natural environment. A whole generation of Americans has revolted against indifference and waste and demands a reclamation job on the water, air and landscape.

Concern for the quality and utility of water has prompted passage of progressive legislation in the State legislatures and major legislation at the Federal level controlling water pollution and promoting watershed planning and water research. People generally are aware that population and waste products of new technology threaten the natural environment in more powerful and sophisticated ways, and that the environment is vulnerable.

As a consequence of the "New Conservation," the Potomac Basin, once an unlikely subject for the comprehensive planners, is now singled out as a subject that will one day model for the Nation. Its natural beauty is praised at the highest level and its recreational and historical assets are studied and appreciated on every side.

Today there are several agencies practicing basin planning in the Potomac watershed on a more or less permanent basis, whereas there was no such planning six years ago. There is the U.S. Dept. of Agriculture advancing a small watersheds scheme for the Basin, the U.S. Corps of Engineers with its major-dam.

THE REVISED COMPACT

(This printing of the Compact shows deletions, which appear in italic, and differentiates between new sections, in black brackets, and unchanged sections, in plain type.)

Whereas it is recognized that abatement of existing pollution and the control of future pollution of interstate streams can best be promoted through a joint agency representing the several states located wholly or in part within the area drained by any such interstate stream; and

Whereas the Congress of the United States has given its consent to the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia to enter into a compact providing for the creation of a conservancy district to consist of the drainage basin of the Potomac River and the main and tributary streams therein, for "the purpose of regulating, controlling, preventing, or otherwise rendering unobjectionable and harmless the pollution of the waters of said Potomac drainage area by sewage and industrial and other wastes"; [and]

[Whereas the regulation, control and prevention of pollution is directly affected by the quantities of water in said streams and the uses to which such water may be put, thereby requiring integration and coordination of the planning for the development and use of the water and associated land resources through cooperation with, and support and coordination of, the activities of Federal, State, local and private agencies, groups, and interests concerned with the development, utilization and conservation of the water and associated land resources of the said conservancy district.]

Now therefore the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and the District of Columbia, hereinafter designated signatory bodies, do hereby create the Potomac Valley Conservancy District, hereinafter designated the Conservancy District, comprising all of the area drained by the Potomac River and its tributaries; and also, do hereby create, [as an agency of each signatory body,] the Interstate Commission on the Potomac River Basin, hereinafter designated the Commission, under the articles of organization as set forth below.

ARTICLE I

The Interstate Commission on the Potomac River Basin shall consist of three members from each signatory body and three members appointed by the President of the United States. Said Commissioners, other than those appointed by the President, shall be chosen in a manner and for the terms provided by law of the signatory body from which they are appointed and shall serve without compensation from the Commission but shall be paid by the Commission their actual expenses incurred and incident to the performance of their duties.

(A) The Commission shall meet and organize within thirty days after the effective date of this compact, shall elect from its number a chairman and vice-chairman, shall adopt suitable by-laws, shall make, adopt, and promulgate such rules and regulations as are necessary for the management and control, and shall adopt a seal.

(B) The Commission shall appoint and, at its pleasure, remove or discharge such officers and legal, engineering, clerical, expert and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. Such personnel as may be employed shall be employed without regard to any civil service or other similar requirements for employees of any of the signatory bodies. The Commission may maintain one or more offices for the transaction of its business and may meet at any time or place within the area of the *Conservancy District* [signatory bodies.]

(C) The Commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report thereof and shall in such report set forth in detail the operations and transactions conducted by it pursuant to this compact. The Commission however, shall not incur any obligations for administrative or other expenses prior to the making of appropriations adequate to meet the same nor shall it in any way pledge the credit of any of the signatory bodies. Each of the signatory bodies reserves the right to make at any time an examination and audit of the accounts of the Commission.

(D) A quorum of the Commission shall, for the transaction of business, the exercise of any powers, or the performance of any duties, consist of at least *a majority of the* [six] members of the Commission [who shall represent at least a majority of the signatory bodies;] provided, however, that no action of the Commission relating to policy [or stream classification or standards] shall be binding on any one of the signatory bodies unless at least two of the Commissioners from such signatory body shall vote in favor thereof.

ARTICLE II

The Commission shall have the power *and its duties shall be:*

(A) To coordinate, tabulate, and summarize technical and other data now available, or as shall become available in the future from any source, on the pollution of the streams of the Conservancy District and on the character and conditions of such streams, and to prepare reports thereon annually and at such other times as may be deemed advisable by the Commission.

[To collect, analyze, interpret, coordinate, tabulate, summarize and distribute technical and other data relative to, and to conduct studies, sponsor research and prepare reports on, pollution and other water problems of the Conservancy District.]

(B) To supplement existing information and data, and to secure new data by such investigations, analyses, or other means as may be necessary to secure adequate information on the character and condition of the streams of the Conservancy District as they now exist or may be affected by the future discharge of sewage and industrial and other wastes into the said stream.

(C) [*(B)*] To cooperate with the legislative and administrative agencies of the signatory bodies, or the equivalent thereof, and with other *interested* commissions and *similar organizations* [Federal, local governmental and non-governmental agencies, organizations, groups and persons] for the purpose of promoting uniform laws, rules or regulations for the abatement and control of pollution of streams [and the utilization, conservation and development of the water and associated land resources] in the said Conservancy District.

[(C)] *(D)* To disseminate to the public information [in relation to stream pollution problems and the utilization, conservation and development of the water and associated land resources of the Conservancy District and] on the aims *and,* [views,] purposes [and recommendations] of the Commission *and on the harmful and uneconomical results of stream pollution* [in relation thereto.] *through the issuance of bulletins, circulars, correspondence, literature and reports.*

(E) To cooperate with other organizations engaged in fact-finding and research activities on the treatment of sewage and industrial wastes or other wastes, and if deemed advisable, to institute and conduct such research and fact-finding activities.

[(D) To cooperate with, assist, and provide liaison for and among, public and non-public agencies and organizations concerned with pollution and other water problems in the formulation and coordination of plans, programs and other activities relating to stream pollution or to the utilization, conservation or development of water or associated land resources, and to sponsor cooperative action in connection with the foregoing.

[(E) In its discretion and at any time during or after the formulation thereof, to review and to comment upon any plan or program of any public or private agency or organization relating to stream pollution or the utilization, conservation or development of water or associated land resources.]

[(F) (1)] To make and, if needful from time to time, revise and to recommend to the signatory bodies, reasonable minimum standards for the treatment of sewage and industrial or other wastes now discharged or to be discharged in the future to the streams of the Conservancy District, and also for cleanliness of the various streams in the Conservancy District.

[(2) To establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various classifications of use. It is agreed that each of the signatory bodies through appropriate agencies will prepare a classification of its interstate waters in the District in entirety or by portions according to present and proposed highest use, and for this purpose technical experts employed by appropriate state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more states. Each signatory body agrees to submit its classification of its interstate waters to the Commission with its recommendations thereon.

[The Commission shall review such classification and recommendations and accept or return the same with its comments. In the event of return, the signatory body will consider the comments of the Commission and re-submit the classification proposal, with or without amendment, with any additional comments for further action by the Commission.

[It is agreed that after acceptance of such classification, the signatory body through its appropriate state water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet or exceed standards established by the Commission for classified waters. The Commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity and in a manner similar to that in which these standards and classifications were originally established.

[It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this Compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, bathing and other recreational purposes, maintenance and propagation of fish life, industrial and agricultural uses, navigation and disposal of wastes.

[ARTICLE III

[For the purpose of dealing with the problems of pollution and of water and associated land resources in specific areas which directly affect two or more, but not all, signatory bodies, the Commission may establish Sections of the Commission consisting of the Commissioners from such affected signatory bodies, provided, however, that no signatory body may be excluded from any Section in which it wishes to participate. The Commissioners appointed by the President of the United States may participate in any Section. The Commission shall designate, and from time to time may change, the geographical area with respect to which each Section, shall function. Each Section shall, to such extent as the Commission may from time to time authorize, have authority to exercise and perform with respect to its designated geographical area any power or function vested in the Commission, and in addition may exercise such other powers and perform such functions as may be vested in such Section by the laws of any signatory body or by the laws of the United States. The exercise or performance by a Section of any power or function vested in the Commission may be financed by the Commission, but the exercise or performance of powers or functions vested solely in a Section shall be financed through funds provided in advance by the bodies, including the United States, participating in such Section.]

ARTICLE III [IV]

The moneys necessary to finance the Commission in the administration of its business in the Conservancy District shall be provided through appropriations from the signatory bodies and the United States, in the manner prescribed by the laws of the several signatory bodies and of the United States, and in amounts as follows:

The pro rata contribution shall be based on such factors as population, the amount of industrial and domestic pollution; and a flat service charge, as shall be determined from time to time by the Commission, subject, however, to the approval, ratification and appropriation of such contribution by the several signatory bodies. *And, further provided, that the total of such sums from signatory bodies shall not exceed a total of $30,000 per annum.*

ARTICLE IV [V]

Pursuant to the aims and purposes of this compact, the signatory bodies mutually agree:

1. Faithful cooperation in the abatement of existing pollution and the prevention of future pollution in the streams of the Conservancy District [and in the planning for the utilization, conservation and development of the water and associated land resources thereof.]
2. The enactment of adequate and, in so far as is practicable, uniform legislation for the abatement and control of *such* pollution [and control and use of such streams.]
3. The appropriation of biennial sums on the proportionate basis as set forth in Article *III* [IV.]

ARTICLE V [VI]

This compact shall become effective immediately after it shall have been ratified by the majority of the legislatures of the States of Maryland and West Virginia, the Commonwealths of Pennsylvania and Virginia, and by the Commissioners of the District of Columbia, and approved by the Congress of the United States; provided, however, that this compact shall not be effective as to any signatory body until ratified thereby.

ARTICLE VI [VII]

Any signatory body may by legislative act, after one year's notice to the Commission, withdraw from this compact.

RESPONSIBLE YOUTH IN ACTION—NEWARK Y-TEENS PETITION CONGRESS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. ASHBROOK. Mr. Speaker, I have always placed a great deal of faith and trust in the ability of youth to assume the responsibilities which today are being placed on their shoulders in increasingly heavy loads. And I am continually justified by their acceptance of the burden.

Just recently I received from the 17th District a set of petitions calling for the continued enforcement of existing regulations applying to the use and possession of marihuana.

More than 1,400 persons signed the petitions, and of this total nearly 500 of the names were those of young people. The petitions represent not only the opinions of the significant number of persons but a concerted effort to investigate a current and pressing problem, to arrive at conclusions based on the investigation, and finally to take action—in this instance in the form of writing and circulating a petition.

It is important to emphasize that this whole task was not the work of concerned adults but of concerned youth. Specifically, it was a project conducted by the Y-Teens of the Licking County YWCA.

In conveying the petitions to me, Diane Reid, committee chairman, explained the steps taken by the Y-Teens. Her letter recounts the thought and activity involved and I insert it into the RECORD at this point:

YOUNG WOMEN'S CHRISTIAN
ASSOCIATION,
Newark, Ohio.

Hon. JOHN ASHBROOK,
Johnstown, Ohio

DEAR MR. ASHBROOK: Recently the Y-Teens of the YWCA of Licking County studied Marijuana with a program at Newark High School which included a film supplied by the Ohio State Pharmacy Board and speakers, Mr. Frank Kunkle, of the Pharmacy Board; Dr. R. F. Sylvester of Newark and Police Chief Charles Spurgeon.

To further show interest on the subject the Y-Teens circulated petitions at the United Appeal Parade in Newark and door to door on Sunday, October 6, 1968 in locals near schools having Y-Teen clubs in Newark and Licking County.

A total of 907 adults and 498 (13–21) teenagers signed our petition to retain the present marijuana laws. The weather was bad (raining) on the planned day of circulation so not many girls were allowed to go out.

We hope this will let you know that people are thinking about the subject, some felt the laws should be more strict and some that the laws should be less severe.

Sincerely,
DIANE REID,
Teen-age Program Director.
Mrs. RONALD DEMENT,
Chairman, Blast Off Committee.

Not only have these petitions let me know the feelings of many people, they have also provided solid evidence that the Newark Y-Teens, and the 4–H members, and the Scouts and other groups of service and dedication—not the Yippies and dropouts—will provide the Nation with its solid citizens of tomorrow.

I commend the action of the Newark Y-Teens, and I believe the parents, advisers and fellow citizens should be proud of their efforts.

There can be no more encouraging national prognosis than that revealed by the conscientious, active participation of people in their Government and community, especially if they are young people.

While the news media overflow with examples of ill-mannered, unapprised, radical misfits, we too often fail to remember that the vast majority of young men and women are morally and mentally prepared to step in at any time as outstanding voters, citizens, and civic leaders.

Mr. Speaker, at this point I insert the text of the resolution on control of marihuana and the names of the petition signers:

RESOLUTION ON CONTROL OF MARIJUANA

Whereas, The using of marijuana constitutes an increasing threat to the welfare of children and youth; and

Whereas, some users of marijuana become law violators and narcotic addicts because of such use; and

Whereas, increasing public attention is being given to proposals which would legalize the use of marijuana;

Therefore be it resolved, that the Teenage Department of the Licking County YWCA supports continued enforcement of existing regulations regarding the possession and use of marijuana, and that they discourage any rejection in such regulations and their enforcement.

PETITION SIGNERS

Jerry Markle, Kathy George, Marilynn Crawford, McClellan Montgomery, Patti

Anderson, Dixie Romine, Mike Graham, Ted Collins, Jim Daugherty, Mike Dolan.

Tom Shepard, Rick Morin, Chuck Hupp, Bob Wolfe, Kenny Stoneburner, Tanya Loughman, Peggy Renner, Kathy Flukart.

Kathy Buckingham, Karen Bennett, Dave Dunlap, Daniel Leroy McCoy, Dave Dales, Walter Prince Jr., Ron Miller, Herb Keck, Barbara J. Jones, Sheila M. Dolan.

Cindy Montgomery, Robin S. Chaney, Barbara Esworthy, Donna Keller, Bob Ritzius, Don E. Jones, Tom L. Craig, Dave Shannon, Jerry Sheppard.

Bunny Cornwell, Jill Pumphrey, Debbie Volla, Denise Dudgeon, Brenda Ayers, Theresa Sajatorrik, John Parr, Greg Woolard, Larry Walpole, Nancy Wills.

Vickie Wible, Linda Jenkins, Linda Martin, Tom Hykes, Bob Hoyt, Mike Rauch, Ray Spries, Carolyn Williams, and George Abatoosy.

Deborah Small, Carol Oliver, Fonda Allbritain, Eugene Keyes, Tom Humphries, David Nicholson, Linda Toon, Cathy Burch, Jane Mears, and Susi Workman.

Joan Skan, Karen Johnson, Michele Resta, Amy Caliander, Lori Resta, Robert Showers, Christine Rechel, Cecelia Rowland, Art Hysell, Carole Galbraith.

Del Betts, Paula Cochran, Betty Jakeway, Susan Gibboney, Debra Hideg, Anne Bevard, Mike Thornton, Nellie I. Bevard.

Dee Hildeg, Ruth Gibboney, Russell Livingston, Larry Thompson, Don Strawser, Dave Wakley, Mike Stradley, Betty Border, David Linne, Jean Schorger.

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Lynne Brown, Ron McLeish, Beth O'Dell, Charles Osborn, Gary Smith, F. Kramer, Kathi Boylar, Linda Vogel, Steve Martin, Dave Shannon.

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Debbie Hill, Paula Pettibone, Chris Wilson, Connie Ford, Linda Brown, Darla Wells, Jane Victor, Jackie Glaub, Denise Dungeon, Charlene Livingston, Gary Mitchner Chaconas, Sherry Galloway.

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Cindy Vermillian, Mary Johnson, Cheryl Patterson, Donna Morlen, Lisa Wessinger, Grace Williams, Christine Gray, Cathy Forgrove, Sara Brucker.

Mike Payne, Jeri Good, Cindy Maring, Debra Schilling, Anna Lockwood, Terri Buzolich, Leanna Clark, Cheri Irwin, Pat Moore, Sarah Reese, Margaretta Brede, Leslie Idle, Sharon Lybarger, Deborah Helms.

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Kristy Nugent, Kathy O'Hare, Jim Black, Renu Taylor, Connie Angus, Brenda Johnson, Chris Wood, Dianna Freeman.

Pat Fedo, Debbie Pound, Sue Mills, Vicki Daniels, Linda Conner, Elizabeth Eis, Jerry Roche, Ann Floyd, Karen Roll.

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Mrs. Paul Schorger, Paul R. Schorger, Mrs. Irene Fink, Klo Klinesman, Mr. and Mrs. C. F. Grandstaff, Mr. and Mrs. J. M. Kessler, Mr. and Mrs. Thomas Shomberger, Mr. and Mrs. H. K. Smith, Mr. and Mrs. Robert McDonald, Mrs. Thomas Floyd.

Mrs. Dale Evans, Mrs. John N. Warmy, Mrs. Garnes Slayter, Mrs. Dale Bryson, Mrs. Harold Gigly, Edith M. Fleming, Jean W. Curtis, Davie W. Stair.

Frances O'Dell, Lelia Shomaker, Donald H. Dorsey, Bertha Dixon, Della Warfel, Nellie C. Bennett, Eleanor B. Eppley, Carrie F. Yingling, Gertrude M. Phillips.

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Robert E. Embrey, Joseph F. Williams, Charlotte L. Embrey, Bernice Williams, Mrs. E. L. Van Horn, Mr. Keith Seymour, Mrs. J. Grundies, Mrs. Harold Mullett, Mrs. W. Levering, D. A. Eby, Harry S. Fleek, Dwight M. Cottritt.

ELECTION REFORM NEEDED

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BENNETT. Mr. Speaker, we, the people, should nominate and elect the President and Vice President of our Nation. We need, and must have before the 1972 elections, reform in two major areas of our governmental process.

First, we should abolish the electoral college, which has never worked like its authors meant it to, and we should have direct election of the President and Vice President.

Second, we should put the responsibility and authority on Congress to find a better way to nominate presidential and vice presidential candidates, possibly by a national primary or some democratic improvement of the convention system.

I have introduced a constitutional amendment on the first day of the 91st Congress including direct election for the President and Vice President and authorizing Congress to provide a better nomination process. I have been a proponent of both ideas for two decades, and I believe the time has come for one man, one vote procedures for this most important office in the world.

A modern law in this field will truly bring about representative government in our land. The present system has caused near chaos in the past and is not democratic.

My constitutional amendment is based on the American Bar Association's proposal for direct election. I believe it represents the greatest thrust for democracy since the days of our Founding Fathers. The amendment would require a joint vote for the election of President and Vice President, who would have to receive a plurality of at least 40 percent of the votes cast in an election. In the event no joint candidacy received 40 percent, a further election would be held between the two highest candidates. This suggestion has wide support, in and out of Congress, and a recent Harris poll showed 79 percent of the people favor direct election, and a Gallup poll found 81 percent in favor of direct voting.

I first introduced a bill providing for national presidential primaries in 1952, along with former Senator Paul Douglas of Illinois. I have included this provision in my constitutional amendment on direct election, and specified that the Congress could establish procedures for holding nominations for the President and Vice President, including national primaries.

I urge the appropriate committees of the Congress to act on this important measure as soon as practicable so that the Congress and the State legislatures might have an opportunity to vote on the amendment prior to the 1972 elections.

A copy of the amendment follows along with support for presidential election reform:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"SECTION 1. The President and Vice President of the United States shall be chosen in an election by the people of the several States and the District constituting the seat of Government of the United States. In such an election, a vote may be cast only as a joint vote for the election of two persons (referred to in this article as a 'presidential candidacy') one of whom has consented that his name appear as candidate for President on the ballot with the name of the other as candidate for Vice President, and the other of whom has consented that his name appear as candidate for Vice President on the ballot with the name of the said candidate for President.

"SEC. 2. If a presidential candidacy receives a plurality of at least 40 per centum of the votes cast, the persons comprising such candidacy shall become the President and the Vice-President-elect. In the event that no candidacy receives 40 per centum of the votes, a further election shall be held in which the people of the several States and the District of Columbia shall choose between the two candidacies receiving the largest number of votes.

"SEC. 3. An election held pursuant to this article shall be held on a day which is uniform throughout the United States, determined in such manner as the Congress shall by law prescribe.

"SEC. 4. The law of each State shall govern within such State as to any matter with respect to which the Congress is granted legislative power under this section, but only to the extent that such State law is not inconsistent with any Act of Congress in effect pursuant to this section. In the case of any election under this article, the Congress shall have power to provide by law for the manner in which the candidacies to appear on the ballot shall be determined, for the places at which and the manner in which the election shall be held, and the manner in which its outcome shall be determined.

"SEC. 5. The qualifications for voters in any State in any election under this article shall be the same as apply in the case of voters in such State in elections of Senators, except that the Congress may by law prescribe uniform qualifications as to age and residence, and whenever no qualification so prescribed by Congress as to residence is in effect, any State may prescribe a residence qualification less restrictive than that which applies in such State with respect to voters in elections of Senators.

"SEC. 6. The Congress shall by law provide procedures to be followed in consequence of the death or withdrawal of a candidate on or before the date of an election under this article.

"SEC. 7. This article shall not apply to any election for a term of office beginning earlier than two years after the date on which the ratification of this article by a sufficient number of States is completed.

"SEC. 8. The Congress shall have power to establish, by appropriate legislation, procedures relating to the nomination of Presidential and Vice Presidential candidates by primary elections or otherwise."

[From Florida Times-Union and Jacksonville Journal, Nov. 24, 1968]

ELECTORAL COLLEGE REFORM

The early morning hours of November 6, when the threat lingered that the next President of the United States might be chosen not by the people but by an inequitable vote in the House of Representatives, have not been forgotten. Leaders of both major parties have called for reform of our present unsatisfactory electoral college system as a first order of business next January.

There is indeed overwhelming popular support for change—the only question is "how?" Unfortunately "how?" is not so simple a question as it might seem at first glance.

The most-frequently voiced proposal is to simply abolish the electoral college and elect the President and Vice President by direct popular vote.

The advantages of this are many. It would sweep away abuses of the present method including: the possibility of the man getting the most votes not being elected; an election by the House not reflecting public sentiment; the disproportionate advantage now enjoyed by minority blocs in pivotal big states; the possibility that electors might disobey the public's instruction; and the chance that a vote fraud in one city might swing an entire national election (as was charged in Cook County, Ill. in 1960).

Requiring more search and thought are the also considerable disadvantages to this plan. It would strike a perhaps-fatal blow to the already declining concept of federalism, the clear Constitutional intent that this nation be a federation of states. It inevitably would lead to pressure for national voting qualifications (taking one more prerogative away from the states).

Further it would weaken the checks and balances so carefully built into the Constitution. Mere popular vote total would greatly enhance the chance of some future-day demagogue, whose sole appeal was to big city masses, and who conceivably could therein gather the most votes despite being rejected by the vast majority of the states and sections of the nation.

There is the further (and as a practical matter the most important) consideration that, while Congress might pass such an amendment to the Constitution, it would be virtually impossible to obtain ratification.

The small states would lose their present advantage (Delaware, with fewer people than Jacksonville, has three electoral votes). Since about two-thirds of the states have a stronger voice under the electoral college system, many political realists consider efforts to abolish the electoral college as foredoomed to failure.

Which brings up the alternate proposal most commonly heard—the proportional method of allocating a state's electoral vote in ratio to its popular vote.

Again, the advantages are impressive: this is the nearest possible approach to electing a President through popular vote while retaining the federation concept of the Constitution. It would encourage a strong two-party system, since a party weak in one state could still have its vote there influence the national outcome. Again, the possibility of vote fraud in one city affecting the state's entire bloc of electoral votes would be avoided. And under this system the electoral vote would conform far more closely to the popular vote.

Arguments so far voiced against this proposal are: that it would still be possible (although much less likely) for the man getting the largest popular vote to lose; and that the smaller states (Florida is no longer one) have disproportionate strength—but few realists expect this to be changed anyway.

This proportional vote method, in fact, almost passed Congress in 1950 when the Senate approved it but the House eventually turned it down.

There are, of course, other proposals. But these two are the most often mentioned (quite possibly because they offer the greatest advantages).

There are also additional refinements proposed, such as a "40 percent plurality" rule, which makes the man with the most votes the winner if his total is above 40 percent (otherwise calling for a runoff between the top two). An alternate is the provision that, if there is no majority, Congress decides—but with both houses meeting in joint session and each member having one vote (infinitely more representative of the people than the present system where each state has one vote).

There have already been numerous studies, in detail and in depth, of each method proposed. There is now, as the shadow of last Nov. 6 lingers, a popular mandate for change.

The task of this next Congress is to weigh the long-available facts, against a background of a true national dialogue on the topic, and then approve the plan which meets these twin requirements: (1) offering the most advantages and the fewest disadvantages; and (2) appearing certain not only of passage but of ratification.

For adopting a plan, however idealistic, which could never be ratified would serve only to "freeze" the present admittedly-inequitable system which few citizens want.

[From the Jacksonville (Fla.) Journal, Nov. 12, 1968]

Electoral Changes

The 91st Congress will face the almost unprecedented challenge of being comprised of a majority of the "loyal opposition" to the newly elected president in January. One of their foremost tasks should be to approach, ironically, the problem of just how we should go about electing a president in the future.

The question of the Electoral College, kicked around like an old tin can in the streets for years, can no longer be postponed or ignored if Congress is to face the cold facts that threaten to turn our presidential election into a hollow joke.

There was speculation for weeks about what would or could happen if neither Richard Nixon nor Hubert Humphrey attained the magic number of 270 electoral votes on Nov. 5. Happily, this speculation remains speculation. The nation was spared, by a nose, the ordeal of waiting months to learn who would be the next president. It has been spared the burden and anguish of witnessing partisan wheeling and dealing, either in the Electoral College or the House of Representatives. It is difficult to estimate how much such an eventuality could have shaken the nation's faith in its own electoral process.

If the election had been thrown into the House of Representatives, and even had there not been evidence of manipulation, tens of millions of American voters who cast their ballots on Nov. 5 would have had no say at all in his final selection on Jan. 6.

To illustrate how outmoded the system is, the five smallest states—Alaska, Delaware, Nevada, Vermont and Wyoming—have but one representative each. Yet those five men, representing states whose combined population is less than one-hundredth of the total U.S. population, would have cast one-tenth of the ballots for president.

Some of the largest states, on the other hand, such as Illinois, could have conceivably been deadlocked on their votes since their delegations in the New Congress will be evenly divided between Democrat and Republican, and have cast no vote at all.

The argument for years supporting the Electoral College is that the lopsided electoral vote that usually goes to the winner somehow legitimatizes a close popular vote. It is supposed to reconcile the nation to a president who may have been elected by a bare majority, or by an actual minority.

We do not believe that argument is valid in the modern communication days of 1968. The American people are mature enough to abide by a popular vote decision, no matter how narrow.

It is not exaggerating to imagine that some day we might wake up after election and discover our votes meant nothing.

While the 91st Congress is preparing to face the mightiest of challenges in January, it should also be planning a constitutional amendment, either abolishing the Electoral College outright, or revising it to meet the demands of today.

The chances are growing greater that more than two candidates will be running in 1972, just as in 1968. Four years from now that deadlock could become reality.

[From WJXT-TV, Jacksonville, Fla., Nov. 6, 1968]

Abolish Electoral College

As dawn ended a very long election night, Americans still had not learned all the results. But they should have learned a lesson.

Very clear now is how ancient, unsatisfactory and potentially dangerous is our system of choosing a president, the electoral college.

Selection of the President nearly was thrust into a two-month limbo in which the basest political maneuvers could have made a sham of everyone's ballot.

The electoral college was conceived in a day when democracy was too new to be fully trusted, when the identities and interests of states still outweighed the importance of national union, and when the strength and stability of a two-party system could not be foreseen.

The electoral college permits the election of a minority president even when only two candidates run. Worse still, it tantalizes potential third-party candidates with the promise of influence far out of proportion to their proven places in the hearts of the people. In this way, it perilously resembles the worst features of the multi-party parliamentary systems of Europe.

To replace the electoral college with direct popular election of the president would not automatically preclude the election of minority presidents. But it would tend powerfully toward that end by reducing the temptations for would-be third and fourth-party candidates. And it would put the concerns of people above the circumstances of geography—which is only simple justice when you reflect that in the last analysis the votes of Floridians for Humphrey and of New Yorkers for Nixon did not count at all.

In the same election, Floridians demonstrated their demand for modern government by approving a new state constitution. Now, they should extend that spirit by making their voices heard in Washington for a constitutional amendment to abolish the electoral college.

This was a WJXT Editorial.

Eighty-one Percent Said To Back Electoral Reform: Gallup Notes a Sharp Rise After This Year's Campaign

Princeton, N.J., November 23, 1968.—The Gallup Poll reported today that 81 per cent of the public favored basing the election of the President on the popular vote throughout the nation rather than the present system where a candidate can be elected President even though he runs behind in the popular vote total.

This new post-election percentage represents a dramatic rise in the proportion in favor of such a change since a September survey. That survey showed 66 per cent in favor.

The American public has approved reform of the Electoral College on 18 different occasions. Majorities in every survey—as long ago as 1948—have either favored abandonment of the present system or a radical change to make it reflect more accurately the sentiment registered at the polls.

With the 1968 campaign still fresh in the minds of the voters, the Gallup Poll sought to find out what changes they would like to see in the electoral process. In the latest nationwide Gallup survey, 1,530 adults were interviewed in person in over 300 localities across the nation. Interviewing was conducted between Nov. 8 and 16.

COMPARISON OF OPINION

Following is the question asked about the Electoral College and a comparison of opinion before and after the Nov. 5 election:

"Would you approve or disapprove of an amendment to the Constitution which would do away with the Electoral College and base the election of a President on the total vote cast throughout the nation?"

Postelection:	*Percent*
Approve	81
Disapprove	12
No opinion	7

Preelection:	Percent
Approve	66
Disapprove	19
No opinion	15

The electorate would also like to see another basic change in the electoral process—cutting the 10-week campaign period in half. If this were done it would bring the United States more in line with the practice of Britain, Canada, Israel and other democratic countries.

The objection has been raised that shortening the campaign would deny voters a chance to get to know the candidates. But advocates of a shorter campaign answer that the candidates start campaigning, not at the beginning of September, but in early spring.

Here is the question asked and the results: "Presidential campaigns now last 10 weeks—from the beginning of September to election day. Would you favor or oppose shortening presidential campaigns to five weeks?"

	Percent
Favor	60
Oppose	27
No opinion	13

A third reform favored by a majority of the public (68 per cent) is a law that would put a limit on the amount of money that can be spent for or by a candidate in his campaign for public office.

The exact amount of money spent in this year's election campaign is not yet known, but all records are expected to be broken.

Although present laws are designed to control the amount that any person can contribute to a campaign, these laws can be avoided or evaded in many different ways.

This question was asked of the public in the latest survey:

"Would you favor or oppose a law which would put a limit on the total amount of money which can be spent for or by a candidate in his campaign for public office?"

	Percent
Favor	68
Oppose	24
No opinion	8

The list of electoral reforms supported by a majority of the public is a long one. For example, earlier surveys have found a majority in favor of the selection of Presidential candidates in a nationwide primary instead of by party convention, and in favor of lowering the voting age requirement to 18.

Considerable support, too, is found for a change in the way campaigns are conducted. Nearly half of all persons talked to in the latest survey (44 per cent) said they would favor confining campaigning largely to TV and radio appearances instead of the traditional method of barnstorming.

Many political observers believe that the present type of campaign overtaxes the health of the candidates, as well as tempts them to go too far in whipping up partisan feelings.

FAIR AND UNIFORM PROCEDURES FOR CONGRESSIONAL INVESTIGATING COMMITTEES

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. GONZALEZ. Mr. Speaker, I am today reintroducing in the 91st Congress a comprehensive bill to provide fair and uniform procedures for congressional investigating committees.

Chairmen of Senate and House investigating committees have the power, if they choose to wield it, to defame witnesses without regard of the rights of the accused as guaranteed in our Constitution. Congressional investigating committees are public forums which can, in effect, convict witnesses in the public eye through accusations of misconduct or even treason, without giving the accused any right to face his accusers or to present a defense.

Joseph R. McCarthy's heyday as chairman of the Senate's Permanent Subcommittee on Investigations demonstrated this, but the procedures of Senate and House investigating committees have not been adequately reformed. Charges that investigating committees abuse individual liberties continue to be levied against these committees on occasion.

My bill in no substantial way inhibits the power of Congress to subpena witnesses and documents in its legitimate pursuit of drafting legislation and exercising legislative oversight. Nor does my bill in any way attempt to transform committees into courts of law.

The bill defines such matters as the proper subjects for investigations, the right of witnesses to counsel and their rights while testifying, and the rights of persons defamed by public testimony. It would insure that the will of the majority of the committee be determined on such investigative issues as whether to hold hearings, publish reports or issue subpenas.

Mr. Speaker, I believe that by extending on a uniform basis the essential and traditional safeguards of public witnesses, my bill will install public confidence in congressional investigating committees and actually increase the effectiveness of their investigations.

WHY OUR GOVERNMENT SEEMS LIKE OUR ENEMY

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. BERRY. Mr. Speaker, I ask unanimous consent to insert in the RECORD two articles by Harold Scales, editor of the American Fur Breeder. Part I appeared in the November 1968 issue of that magazine, part II in the December 1968 edition.

The articles deal with the history of tariff and quota legislation in this country and should be of great interest to every Member of Congress. The articles are as follows:

[From the American Fur Breeder, November 1968]

WHY OUR GOVERNMENT SEEMS LIKE OUR ENEMY—PART I

(By Harold Scales)

The 90th Congress has adjourned for the elections without passing the mink import quota bill. It is unlikely that President Johnson will call it back into session. Certainly he will never do so for the purpose of considering import quota legislation, to which his and all administrations of the last one-third century have been unalterably opposed.

So now the weary process of getting new sponsors and co-sponsors for a new mink import bill must be started again. This time, however, The National Board of Fur Farm Organizations may find it more difficult to generate enthusiasm for a continuation of the struggle—for two primary reasons. One is that too many casualties have been sustained—ranchers here who have pelted out no longer care whether a quota is passed or not. The second is that the brightening prospects for good prices this fall will lull many into complacency.

I am convinced, however, that if an import quota is not passed, an even more disastrous period than that behind us is inevitably somewhere ahead. Perhaps no American mink ranching business (nor mink industry magazine) can survive this next sickening thud against and through economic bedrock.

Why has our government become our enemy in the struggle to get a quota? I think that a brief review here of some of the historical facts in this matter can make us all better able to sustain and plead for a cause that is just.

Import duties were once considered as morally right as any other form of taxation by our nation's leaders. In fact, import duties and the sale of new lands were our government's primary source of income until the Civil War. Need for additional revenue then forced imposition of a federal income tax. But after that war's end, tariff duties and the sale of new lands again brought in ample income. The income tax was discontinued in 1872.

By the late 1880s, our federal government was so financially sound it was embarassing. That is, the national debt had been reduced to such a low figure that "it had the undesirable result of forcing a contraction in the volume of circulating currency, since it (the debt) formed the basis for the issuance of bank notes."[1] This meant that with less money circulating it was harder for most people to get hold of any of it. And so, in 1887, President Grover Cleveland devoted his entire annual message to Congress to the need for reducing tariff rates.

In addition to the fact (which now seems so very strange!) that a high tariff brought too much money into the federal treasury, President Cleveland argued that it raised the prices of all goods. Even the protective schedules (to protect American workmen against low European wages) were unnecessary, he claimed, since only about 15 percent of the 17.3 million American work force then was employed in protected industries.

Cleveland's annual message of 1887 was branded as a "free trade document," by his political opposition. His views cost him reelection.

The Republican party (again, this seems so strange now!) also recognized the federal income surpluses as an economic evil. Leaders of the party went about solving the problem in two ways. First, they went on a "spending spree."[2] (Actually!) Second, they set about in their own quite serious way to lower the revenue from the high tariff on imports. They did this by raising the tariff even higher. The theory was that this would reduce intake from duties because very little goods would come in. And it would at the same time afford more protection to domestic industries and result in a more prosperous America.

This high tariff, passed just before the Congressional elections of 1890, had a very dramatic effect. Indeed, traumatic might be a better word, insofar as the Grand Old Party was concerned. For it caused an almost immediate sharp rise here in the price of many widely used, imported commodities.

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[1] Harold F. Williamson: "The Growth of the American Economy," page 683.

[2] Philip Schriver Klein, The Billion Dollar Congress, "Europe and Two World Wars," page 173.

This made the voters so angry that they turned Republican congressmen out of office in wholesale numbers. Among them was the author of the high tariff bill—William McKinley, who had been chairman of the House Ways and Means Committee. He went home to Ohio. (Later, of course, he became the 25th U.S. president.)

It is believed by most economists that the high tariff thus initiated had much to do with the rough going the American economy and the world economy then experienced.

After four years out of office, Cleveland was again re-elected president. One of his campaign pledges was tariff reform—seeing that duty rates were lowered. But the American economy was then going from bad to worse and many more industries here were clamoring for higher protection from foreign imports. The result was that the Democrats in Congress rebelled against Cleveland's leadership. The new tariff bill had some mild reforms, but generally maintained quite high rates. Cleveland was so angry that he let it become law without his signature . . .

Now let's skip a long turbulent period of time—up until the Hoover Administration years. It was the year 1930 and times again were very tough. This was when the highest protective tariff in American history—the Smoot-Hawley tariff—became law. And the claimed catastrophic effects of that tariff on the entire world is the specter we are fighting today. (I will conclude this next month.)

[From the American Fur Breeder, December 1968]

WHY OUR GOVERNMENT SEEMS LIKE OUR ENEMY—PART 2

Last month we mentioned a few of the salient points in America's history of international trade which led to our government adopting a policy which seems at conflict with the best interest of our industry.

As then pointed out, the invisible factor that impedes the quest of the American ranch mink industry for an entirely justifiable quota on mink imports is the specter, the grim memory, of the Smoot-Hawley Tariff.

The Smoot-Hawley Tariff, which raised duties higher than at any time in America's history, was signed into law in March 1930 by President Hoover. More than 1000 economists in this country had gone on record urging him to veto it. They foresaw disaster.

The United States, then as now the world's greatest industrial nation, was already suffering severe economic malaise following the 1929 stock market crash. Those of you who remember those days will recall how the newspapers so often quoted President Hoover's day brightener phrase, "Prosperity is just around the corner." But the promised prosperity remained elusive year after year.

In the cold light of history, most economists today blame the Smoot-Hawley Tariff for prolonging our depression until the beginning of World War II and for fixing the same blight on the world. In the early 1930s, you'll recall, many nations owed the United States World War I debts. But in order to pay they would have to earn dollars in trade with us. This meant they not only would have to pay their debt to us, but a high tariff to us on top of it. Naturally they couldn't pay. Further, and understandably now, they wouldn't pay under such circumstances. Quickly, something similar to economic rigor mortis set in all around the world. The framework of this economic rigidity was reflected by the fact that within two years after the Smoot-Hawley Tariff became law 20 nations had adopted high (retaliatory) tariffs.

Suddenly, unable to trade with each other because of the high tariff barriers, populous nations without colonies or large domestic trade areas were forced to turn on a "self sufficiency" philosophy which became ruthless. Thus began Italy's drive into Ethiopia. So also Germany's terrible drive for "Lebensraum" into Europe. Likewise Japan's bloody efforts to take over all of Asia.

Undoing the damage the Smoot-Hawley Tariff apparently triggered has taken a lot of years. It was, incidentally, a very long legal document of about 200 pages, a hodgepodge of protective rates for our various industries. This reflected how effectively or ineffectively each lobbied in its own behalf.

These gross inequities still are carried over, in modified form, in our tariff laws today. For example, the steel industry (from which the mink industry must buy wire, etc.) enjoys the protection of a 6 percent duty on foreign steel coming in, plus the great natural protection of massive transportation costs. Silver fox ranchers in this country still enjoy the protection afforded by a 17½ percent duty on foreign Silver fox pelts. (It was 35 percent, but was reduced by one-half in the initial Kennedy round of tariff reductions.) Mink brought into this country never has had a duty on it because there was no real mink industry when the Smoot-Hawley Tariff was written.

Very briefly to touch on the historic purposes of the U.S. Tariff Commission, it was originally set up to bring some order into the chaos that had characterized our foreign trade policies. In the early 1920s it was empowered to set flexible tariffs. This was in line with the so-called "Scientific Tariff" principle, which is to add enough duty to incoming goods so that they are forced on a competitive par basis with like goods produced in this country. The Scientific Principle, it was felt, would take the Tariff Commission out of politics and make it immune to the pressure of lobbyists. "Far from taking 'the tariff out of politics' it put the Tariff Commission squarely in politics and made it the center of unsavory political intrigue," a respected Prentice Hall economic text, "The Growth of the American Economy," notes. This comment may help explain the strange, mutually conflicting statistics the Tariff Commission came up with in its mink industry hearings of 1959 and 1967.

The American ranch mink industry deserves as much reasonable protection as any other domestic industry. It should not be penalized because it was not an industry and had no voice when the Smoot-Hawley Tariff was being written. The Smoot-Hawley Tariff carried a wise idea (giving domestic industries reasonable protection) to unwise extremes.

Within reason, all foreign imports should be subject to duties or quotas the same way we are all subject to taxes and other reasonable levies and restraints. Our government owes our industry a present and long overdue debt in protection, machiavellian machinations of the Tariff Commission notwithstanding. The American ranch mink industry must continue to seek protection as long as there are enough survivors to raise their pleas for help through the National Board of Fur Farm Organizations.

BEYOND THE MOON, MARS?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. TEAGUE of Texas. Mr. Speaker, 1969 looms as a crucial year in our national space program. Some of the most important decisions of this century may well be necessary in the next year with regard to our space effort. An editorial in the Christian Science Monitor of November 8, 1968, goes far to outline the current conditions and to define the issues which must be faced in the year ahead. I commend this editorial to my colleagues as defining those issues which we as legislators should take the lead in considering and solving so that our Nation may continue to be the technological leader in the world:

BEYOND THE MOON, MARS?

One of the livelier problems to which the next president will need to address his attention is: the extent and direction of the American space program.

Is the United States prepared to fall behind the Russians, during the 1970's, in the conquest of space? Surely there are some projects right here on earth, such as the conquest of poverty, which demand immediate attention! If the American space probes thus must be curtailed, which of many proposals shall have priority?

Should the National Aeronautics and Space Administration continue to explore the nearer planets—Mars and Venus—in particular plumbing the intriguing possibility of life on Mars? Or would a deep space probe—say, a flypast of the four outer, giant planets—yield a larger dividend of findings from a smaller budgetary investment?

Federal space funds have been trimmed to $3.85 billions for fiscal 1969, compared to the five billions and more expended in the earlier, enthusiastic years. Some 1,600 employees have been dropped. Beyond the current moon landing program, missions for the 1970's have undergone serious slimming and discarding.

Moscow seems to place fewer limitations on its space funding. The Soviets have resumed manned space flight and their recent astronaut-in-orbit was practicing rendezvous with a second space-craft. Moscow has dropped a space probe onto Venus and will probably do the same for Mars next year. The United States has shown special prowess with deep-space probes, where the instrumentation must survive over periods of several years. So some experts are urging the United States to take advantage of the favorable conjunctions of the late 1970's, when a single planet-trekker could fly past Jupiter, Saturn, Uranus, and Neptune on a 12-year voyage.

Meanwhile, the prospects for an American moon landing in 1969 look good. The Saturn rocket is moonworthy. The Apollo VII's voyage tested two of the three units of the moon spaceship. (The third component, the lunar module, requires final refinement: its blast-off rocket, which will hoist two astronauts off the moon's surface, obviously must work flawlessly.) At Christmastime this year, a manned flight looping the moon is very possible. And next summer, or autumn, the landing itself!

But what happens after that? How soon another moon landing? How soon the instrumental exploration of Mars? How soon an actual landing, by American astronauts, on the red planet? How soon the probes of the distant outer planets? How much, if any, cooperation with the Soviet rivals? These are the decisions looming for the president on his interplanetary calendar.

RISING HEALTH CARE COSTS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, the substantial increases, effective on January 1, 1969, should heighten the awareness of each and every Member of the House of the disproportionately large share of the premium charges imposed upon employees and retirees for participation under the Federal employees' health benefits program.

When the enabling legislation was implemented in 1960 to provide the important fringe benefit of health insurance for Federal workers, the funding formula assessed approximately 62 percent of premium costs to employees and 38 percent to the Government. Over the period of the past 8½ years, however, medical care costs have soared, coverage has been liberalized, and, due to a greater awareness of health care, utilization of benefits has grown. These are but a few of the factors which have played a part in the alarming increase in the dollar output to provide health benefits, and which result in employees paying an average of 72 percent of current costs.

The Subcommittee on Retirement, Insurance, and Health Benefits' public hearings conducted last year most assuredly demonstrates the urgency for the adoption of a new funding formula to require the Government to match the participation of private industry in the vital area, and to relieve employees and annuitants of the unfair burden of continuing to assume the lion's share of constantly spiraling costs.

Therefore, Mr. Speaker, I have today introduced a bill which would require the Government to eventually assume the full costs of the program. My bill proposes that the Government's contributions to subscription charges be increased to 50 percent in July 1969; to 75 percent in July 1970; and that it eventually assume the responsibility for payment of total costs in July 1971.

I believe, Mr. Speaker, that this legislation will put meaning into the costing formula by updating it in a manner to assure that the Government is striving to match the experience which has been demonstrated industrywide in providing cost-free health insurance to its workers. Action should not be delayed on this important matter since the cost situation, serious as it now is, will inevitably grow worse with the passing of time.

HOUSE OF REPRESENTATIVES—*Monday, January 6, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord give thee wisdom and understanding . . . that thou mayest keep the law of the Lord, thy God.—1 Chronicles 22: 12.

O Lord of love and God of all goodness, in this sacred moment we bow at the altar of prayer thanking Thee for this glorious land in which we live. May we now and always prove ourselves a people mindful of Thy presence, eager to do Thy will, and ready to serve our fellow men. Save us from violence and discord. Mold us into a people united in purpose and principle, in faith and fortitude.

Endue with Thy wisdom all Members of Congress, especially this House of Representatives, and particularly our beloved Speaker. Direct their decisions, prosper their planning, and expedite their efforts as they seek to promote the welfare of our country and the good of all our citizens.

As a result of our endeavors may peace come to our world, justice rise to new life in our Nation, and happiness live in every human heart.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, January 3, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to Senate Concurrent Resolution 1, appointed Mr. JORDAN of North Carolina and Mr. CURTIS as tellers on the part of the Senate to count the electoral votes for President and Vice President of the United States on January 6, 1969.

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will any Member-elect who has not been sworn come to the well of the House and take the oath of office.

Mr. MOSHER appeared at the bar of the House and took the oath of office.

VIOLATION BY SOME OF THE NEWS MEDIA OF RESTRICTIONS ON PICTURE TAKING

The SPEAKER. The Chair is troubled over the flagrant violation by some of the news media of the restrictions on the taking of pictures during the organization of the House on last Friday.

All segments of the news media were thoroughly familiar with the rules that taking any pictures—still, moving, TV, or tape—are prohibited except during the period when the klieg lights are turned on.

Some members of the news media who were granted the privilege of attending the opening session of the 91st Congress and permitted to bring their cameras into the galleries ignored the restrictions in complete violation of the agreement upon which they were admitted.

The Chair is calling this matter to the attention of the news media galleries and will expect a report from each on the action taken by them with respect to the violations of the regulations as well as to what provisions they are making to prevent such violations in the future.

RECESS

The SPEAKER. The Chair wishes to make a statement.

The Chair desires deferment of unanimous-consent requests and also 1-minute speeches until after the formal ceremony of the day, which is the counting of the electoral votes for President and Vice President. Therefore, pursuant to the order adopted on Friday last, the Chair declares the House in recess until approximately 12:45 p.m.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 o'clock and 55 minutes p.m.

COUNTING ELECTORAL VOTES—JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 1

At 12 o'clock and 55 minutes p.m., the Doorkeeper, Mr. William M. Miller, announced the President pro tempore and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the President pro tempore and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The President pro tempore took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left.

The joint session was called to order by the President pro tempore.

The PRESIDENT pro tempore. The hour of 1 o'clock having arrived, the joint session will now be in order.

Mr. Speaker and Members of the Congress, the Senate and the House of Representatives, pursuant to the requirements of the Constitution and laws of the United States, have met in joint session for the purpose of opening the certificates and ascertaining and counting the votes of the electors of the several States for President and Vice President.

Under long-established precedents, unless a motion shall be made in any case, the reading of the formal portions of the certificates will be dispensed with. After ascertainment has been made that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

The tellers on the part of the two Houses will take their respective places at the Clerk's desk.

The tellers, Mr .CURTIS and Mr. JORDAN of North Carolina on the part of the Senate, and Mr. FRIEDEL and Mr. LIPSCOMB on the part of the House, took their places at the desk.

The PRESIDENT pro tempore. The Chair hands to the tellers the certificates of the electors for President and Vice President of the State of Alabama, and they will count and make a list of the votes cast by that State.

Senator **JORDAN** of North Carolina (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic and it appears therefrom that George C. Wallace of the State of Alabama, received 10 votes for President and Curtis E. LeMay of the State of California, received 10 votes for Vice President.

The **PRESIDENT** pro tempore. There being no objection, the Chair will omit in further procedure the formal statement just made for the State of Alabama and we will open the certificates in alphabetical order and pass to the tellers the certificates showing the vote of electors in each State; and the tellers will then read, count, and announce the result in each State as was done in the State of Alabama.

The Chair hears no objection.

There was no objection.

The tellers then proceeded to read, count, and announce, as was done in the case of Alabama, the electoral votes of the several States in alphabetical order.

During the proceedings of the count of the electoral vote.

Senator **JORDAN** of North Carolina (one of the tellers). Mr. President, the certificate of the electoral vote of the State of North Carolina seems to be regular in form and authentic and it appears therefrom that Richard M. Nixon, of the State of New York, received 12 votes for President, and George C. Wallace, of the State of Alabama, received one vote for President, and Spiro T. Agnew, of the State of Maryland, received 12 votes for Vice President, and Curtis E. LeMay, of the State of California, received one vote for Vice President.

Mr. **O'HARA**. Mr. President——

The **PRESIDENT** pro tempore. For what purpose does the gentleman from Michigan rise?

Mr. **O'HARA**. For the purpose of objecting to the counting of the vote of North Carolina as read.

The **PRESIDENT** pro tempore. Has objection been reduced to writing?

Mr. **O'HARA**. It has, Mr. President, and I send to the Clerk's desk a written objection signed by Senator Muskie and myself, in which 37 Members of the House and six Members of the Senate have joined.

The **PRESIDENT** pro tempore. The Clerk will read the objection.

The Clerk of the House read as follows:

> We object to the votes from the State of North Carolina for George C. Wallace for President and for Curtis E. LeMay for Vice President on the ground that they were not regularly given in that the plurality of votes of the people of North Carolina were cast for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and the State thereby appointed thirteen electors to vote for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and appointed no electors to vote for any other persons. Therefore, no electoral vote of North Carolina should be counted for George C. Wallace for President or for Curtis E. LeMay for Vice President.
>
> James G. O'Hara, M.C.
> Edmund S. Muskie, U.S.S.

ADDITIONAL SIGNERS ON THE PART OF THE SENATE

Fred R. Harris, U.S.S.
Gale W. McGee, U.S.S.
Warren G. Magnuson, U.S.S.
Walter F. Mondale, U.S.S.
Jennings Randolph, U.S.S.
Hugh Scott, U.S.S.

ADDITIONAL SIGNERS ON THE PART OF THE HOUSE

Joseph P. Addabbo, M.C.
Edward P. Boland, M.C.
William S. Broomfield, M.C.
Garry E. Brown, M.C.
George Bush, M.C.
Jeffrey Cohelan, M.C.
John R. Dellenback, M.C.
Edward J. Derwinski, M.C.
Ed Edmondson, M.C.
Joshua Eilberg, M.C.
Leonard Farbstein, M.C.
Dante B. Fascell, M.C.
Donald M. Fraser, M.C.
Seymour Halpern, M.C.
William D. Hathaway, M.C.
Floyd V. Hicks, M.C.
Lawrence J. Hogan, M.C.
James J. Howard, M.C.
Frank Horton, M.C.
Joseph E. Karth, M.C.
Thomas S. Kleppe, M.C.
Edward I. Koch, M.C.
Peter N. Kyros, M.C.
Abner J. Mikva, M.C.
William S. Moorhead, M.C.
Thomas P. O'Neill, Jr., M.C.
Richard L. Ottinger, M.C.
Howard W. Pollock, M.C.
William F. Ryan, M.C.
Peter W. Rodino, M.C.
William L. St. Onge, M.C.
Fred Schwengel, M.C.
Louis Stokes, M.C.
Lionel Van Deerlin, M.C.
Lowell P. Weicker, M.C.
James C. Wright, Jr., M.C.
Sidney R. Yates, M.C.

The **PRESIDENT** pro tempore. The objection submitted by the Representative from Michigan, Mr. O'Hara, signed by himself and the Senator from Maine, Mr. Muskie, complies with the law, having attached thereto the signatures of a Member of each of the bodies of Congress.

Are there any further objections to the certificates from the State of North Carolina? The Chair hears no further objection.

This objection having been submitted in writing and being properly attested to by a Member of each House of the Congress, pursuant to the law in such cases made, it is provided that the Senate will now withdraw and determine the position of the Senate on this objection, after which, in the words of the statute, we will immediately meet again and the presiding officer shall then announce the decision on the questions submitted.

The Senate will now repair to the Senate Chamber.

(Thereupon, at 1 o'clock and 32 minutes p.m., the Senate retired from the Hall of the House of Representatives.)

OBJECTION TO COUNTING ELECTORAL VOTES FROM NORTH CAROLINA

At 1 o'clock and 41 minutes p.m., the House was called to order by the Speaker.

The **SPEAKER**. Pursuant to the provisions of Senate Concurrent Resolution 1 and section 17, title 3, United States Code, governing the procedure for counting the electoral votes, when the two Houses separate to decide upon an objection that has been made to the counting of any electoral votes from any State, each Representative may speak to such objection for 5 minutes, and not more than once. Under the law, debate is limited to not to exceed 2 hours.

The Chair now asks the Clerk to report the objection which was made in the joint session to the vote of the State of North Carolina.

The Clerk read the objection, as follows:

> We object to the votes from the State of North Carolina for George C. Wallace for President and for Curtis E. LeMay for Vice President on the ground that they were not regularly given in that the plurality of votes of the people of North Carolina were cast for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and the State thereby appointed thirteen electors to vote for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and appointed no electors to vote for any other persons. Therefore, no electoral vote of North Carolina should be counted for George C. Wallace for President or for Curtis E. LeMay for Vice President.
>
> James G. O'Hara, M.C.
> Edmund S. Muskie, U.S.S.

The **SPEAKER**. The question is, Shall the objection submitted by the gentleman from Michigan (Mr. O'Hara) and the Senator from Maine (Mr. Muskie) be agreed to.

The Chair will attempt to divide the time equally between those Members wishing to speak in support of or in opposition to the objection.

The Chair recognizes the gentleman from Texas (Mr. Wright) for 5 minutes.

Mr. **WRIGHT**. Mr. Speaker, in opening debate on this issue, I shall attempt to put into some perspective the basic position held by those of us who object to the vote of the faithless North Carolina elector.

This is a truly historic decision that confronts us. The Congress, for good or for ill, will establish a major precedent today. In carrying out our legal mandate to canvass the votes of the electors, and to ascertain that those votes were "regularly given," we face the one fundamental issue which lies at the very heart of the system by which the President and Vice President of the United States are chosen.

The basic question is that of sovereignty. Who, under the American system, is sovereign? In whom does the ultimate right and the power of decision reside?

Are the people sovereign? Do they have the right to expect—indeed, to insist—that their clearly expressed wishes shall be faithfully carried out by the college of electors, that strangely anomalous and almost anonymous appendage which the Constitution rather awkwardly interposed between them and their chosen leaders?

Or shall we determine today that the people, in the final analysis, have no such right at all? Shall we declare that they have no authority whatever to require that their votes be faithfully reflected by their agents, the electors—no right, no remedy, no recourse and no protection against the faithless elector who betrays their trust, abuses his office, disdains their wishes, and cavalierly substitutes his will for theirs?

Think what a dangerous precedent that would be. And that is precisely the precedent which we shall ratify if we vote down this resolution today. That is the precedent we approve if we by our action interpret the palpable betrayal by the faithless elector of North Carolina as a vote "regularly given."

Obviously, there is nothing regular about it. Since the beginning of the Republic, 16,510 electors have been chosen to perform this formal and now presumably perfunctory duty. Only six of the more than 16,000—only six in all these years—have miscast the ballot with which their people entrusted them. Each of these instances has been deplored, but never has one been rectified. Happily none of them has altered the outcome of a presidential election.

But this is not to say that it could not happen if we, by our inaction today, should tacitly sanction the practice. Consider the consequences in the case of some future third party candidate who might succeed in preventing either of the major candidates from receiving a majority of the electoral votes—and then might crassly attempt to barter away to the highest bidder the votes of the electors pledged to him—and thus the Presidency of the United States. Who is to say that this could not happen—if publicly pledged electors are to be permitted to change their votes by no more authority than their own whim?

The electoral college is a creaky and antiquated bit of machinery, a relic of the powdered wig and snuffbox era. We have long since outgrown it. Personally I think we should be done with it entirely. As early as 1826, Thomas Hart Benton described the office of elector as "useless if he is faithful, and dangerous if he is not."

Until we can reform the electoral system by constitutional amendment, we shall have to put up with this quaint old custom. But we do not have to put up with fraud. We do not have to condone deliberate betrayal of the wishes of the people by one who accepted their appointment in token of his pledge to carry out their wishes.

Perhaps there is no more dangerous flaw in our electoral system than that of a faithless elector ready to ignore the clearly expressed will of the electorate and to substitute his judgment for theirs.

We have the legal and constitutional power, and indeed the duty, to prevent faithless electors from corrupting the election of a President. While independent electors admittedly were contemplated by the Constitutional Convention, we will demonstrate that the adoption of the 12th amendment, and more than a century and a half of constitutional usage have so modified that intent that the Supreme Court rejected such a claim 16 years ago and we should reject it today.

We will show that the "equal protection" provisions of the 14th amendment guarantee every voter the right to an "effective" vote in presidential elections, that the faithless elector dilutes their right, and that it is the Congress and not the States nor the courts which has the statutory duty to protect the constitutional right of every citizen from the actions of an elector who betrays it.

We have filed a formal objection to the vote of the faithless elector. We ask that his vote not be counted for the candidates selected by him because they are not the candidates for whom he was appointed to vote and for whom he assumed a clear obligation to vote.

If we fail to sustain this objection, the consequences of our failure will be much more serious than simply depriving Mr. Nixon of a vote he does not need. For if one elector of North Carolina, nominated by political party convention as an elector for his party's nominees and elected by votes cast not for him—his name did not even appear on the ballot—but for his party's nominees can abrogate his duty, then all 13 North Carolina electors could do so. And if North Carolina's electors have this privilege so do the electors of every other State and there are many of them who appoint their electors by this method.

By every rightful and proper expectation of our political heritage, the vote of the faithless elector from North Carolina was improperly given. Today we have the opportunity—and, I believe, the responsibility—to brand it as such, to disallow it, and to establish once and for all that no elector shall arrogantly flout the will of the people of any State in this Union.

The SPEAKER. The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONAS. Mr. Speaker, I intended to vote to count the ballot for former Governor Wallace which was cast by the elector from North Carolina's Second Congressional District. I shall do so, however, with grave misgivings about the possible consequences of the precedent that will be established if his right to do so is sustained today.

Fortunately we can debate this issue dispassionately and objectively because the result of the election in the electoral college will not be affected regardless of the outcome of the contest today. If the House votes today to sustain Dr. Bailey's right to cast his vote for Wallace, a precedent will be established and, unless electoral college reform occurs between now and the next presidential election, or unless the States affirmatively act, a Pandora's box will have been opened and in the next election there is a possibility that electors will go running all over the lot casting votes for candidates for the Presidency who did not carry their states. Chaos would result from this action.

Suppose in the next presidential election there should be a very close division in the electoral college so that the outcome may turn on a few or even one vote. Just imagine the pressures that might be exerted on individual electors to cast their votes for someone who was not the choice of the people who elected them.

It must be remembered that the elector in question was not elected as elector by the voters of North Carolina's Second Congressional District. He did not become an elector until the votes were counted on election day, and he was elected by the voters from all over North Carolina. One of the reasons given by Dr. Bailey for his defection to Wallace was that the latter received a majority of the votes in the Second Congressional District, but in my judgment that is beside the point. If Dr. Bailey's election had turned on the votes of his district, he would never have been an elector. His election as an elector was made possible by the votes of the people in other districts than his own. As an elector, therefore, he was not representing the people of the Second Congressional District but the people of North Carolina as a whole. It seems to me that his obligation was to the people of the State who gave Nixon more votes than either of the other two candidates, and his defection to Wallace amounted to a repudiation of the wishes of the very people who elected him and who clearly indicated their desire that North Carolina's 13 electoral votes be cast for Nixon.

It must also be remembered that since 1933 the names of the appointed electors have not appeared on our presidential ballot in North Carolina. North Carolina is among the States which list the names of the candidates for President on the ballot, and this year those names were HUMPHREY, Nixon, and Wallace. So the voters of North Carolina were not directly voting for electors but for the candidates for President, and it seems to me that the 627,192 voters in North Carolina who cast their votes for Nixon had a right to expect that the electors would vote for their man if he carried the State. When the elector in question defected to Wallace, in effect he was repudiating the mandate given him by the people who elected him to represent them and he did so in derogation of their wishes that all of North Carolina's 13 votes should be cast for Nixon.

While I personally believe that Dr. Bailey had an obligation to vote in accordance with the expressed will of the people of the State who elected him an elector, nevertheless I do not find anything in the Constitution of the United States that requires him to do so nor do I find any statute in North Carolina that expressly requires him to do so.

In the absence of a constitutional amendment which will change the electoral college system, it is my opinion that the responsibility rests on the State of North Carolina and the other States of the Union to make it impossible in the future for the election of a President of the United States to turn on the whim or predilection of individual electors.

Fortunately the country through the Congress or through the legislatures of the several States will have an opportunity to avoid the confusion and chaos that might result in some future close election in the electoral college. The Legislature of North Carolina will soon be meeting and I trust that some corrective action will be taken to prevent such a situation from arising in future elections.

In the meantime, I think it is incumbent on this Congress to begin prompt hearings on the subject of general electoral reform so that a constitutional amendment may be presented to the States for effective action to be taken before the next general election.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from North Carolina has expired.

The Chair recognizes the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, I can sympathize a little bit with the gentleman from the State of North Carolina who just preceded me, because in my own State of Oklahoma we had a similar situation in 1960 in which an elector, chosen in the State that voted by an overwhelming majority for President-elect Nixon, in the 1960 canvassing of the electoral college voted for Senator BYRD of Virginia instead of following the State's decision for Mr. Nixon. There was some consideration given at that time to some type of contest in connection with the canvassing of his ballot. I think it is rather unfortunate that this debate did not take place at that time, because I think we had at that time a very clear instance—and we have had six of them in history—of an elector who did not follow the decision of his State in connection with the presidential election.

Mr. Speaker, I support the objection of Congressman O'HARA and Senator MUSKIE at this time, and I agree wholeheartedly with my good friend from North Carolina that we are dramatizing today very clearly the need for reform in the electoral college system. I cannot think of any other way that would demonstrate more clearly the need for reform than the issue which is before us today.

The 12th amendment to the constitution specifies:

> The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted.

This power of the Congress to count the electoral vote is the only constitutional power specifically granted to anybody or agent to protect the electoral system against arbitrary or unlawful action to thwart the popular will of the people of the States in electing the President of the United States.

This power conferred by the Constitution on the Congress is not in strict terms a legislative power. It requires no Executive approval and is not subject to the Presidential veto as in the case of legislative enactments. When the action of Congress in rejecting the certified electoral votes of certain States was transmitted to President Lincoln in 1865, he said:

> The two Houses of Congress, convened under the twelfth article of the Constitution, have complete powers to exclude from counting all electoral votes deemed by them to be illegal and it is not competent for the Executive to defeat or obstruct the power by a veto * * * or to interfere in any way in the matter of canvassing or counting the electoral votes.

Mr. Speaker, this is an absolute power possessed by the House and the Senate and it is this power which we seek to invoke today.

Mr. Speaker, in the exercise of this power the Congress is to be guided by what the Constitution requires with respect to the electoral process.

In this regard the Constitution in article II, section 1, provides:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Mr. Speaker, each State under the Constitution directs the manner of the selection and, hence, the Congress in its powers to count the .electoral votes is giving effect to and protecting the constitutional right of the States in their functions with respect to the electoral process.

To me it is significant that the names of the electors did not even appear on the November ballot in the State of North Carolina. The voters had nothing before them except the names of the presidential and vice-presidential candidates for each party.

Those voters were entitled to assume when they voted for the presidential candidate and vice-presidential candidate of their choice, that their votes would be made effective by the electors.

I think we can take congressional notice of the plurality that was cast for President-elect Nixon and for Vice President-elect Agnew. We can take congressional notice of the fact that the North Carolina vote was for them and was intended to be cast for them.

The Congress has not been blind to the potential dangers to the electoral process with respect to protecting the rights of citizens of the States casting their ballots for electors in that phase of the electoral process, and the courts have sustained the validity of congressional enactments in this area—Ex parte Yarborough 110 U.S. 651.

Surely the Congress will not be blind to a flagrant and audacious violation of the North Carolina electoral law in the case of Dr. Bailey, who has decided to substitute his own judgment for that of the voters of North Carolina and has thereby violated his trust.

Mr. Speaker, Congress has the ultimate power to protect the integrity of the electoral process, and the objection of Mr. O'HARA and Senator MUSKIE should be and must be sustained.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Ohio (Mr. MCCULLOCH) for 5 minutes.

Mr. McCULLOCH. Mr. Speaker, I rise in opposition to the objection. I sincerely wish that I could support the objectors because I believe that the elector from North Carolina should have voted as the people of North Carolina instructed him.

However, my study and my reading of history of the Constitution requires me to oppose the objection. Both article II and the 12th amendment which superseded it state:

> The electors shall . . . vote by ballot for President and Vice President.

I understand that language to mean that the electors are constitutionally free and independent in choosing the President and Vice President. Several State courts have said so—*Opinion of the Justices, No. 87*, 250 Ala. 399, 34 So. 2d 598 (1948); *Breidenthal* v. *Edwards*, 57 Kans. 332, 339, 46 P. 469, 471 (1896); *State ex rel. Beck* v. *Hummel* 150 Ohio St. 127, 146, 80 N.E. 2d 899, 909 (1948). *Contra, Thomas* v. *Cohen*, 146 Misc. 836, 841–42, 262 N.Y.S. 320, 326 (Sup. Ct. 1933)—although the U.S. Supreme Court has never passed on the question—Cf. *Ray* v. *Blair*, 343 U.S. 214 (1952).

It should be especially clear to the Members of the House that the concept of "voting by ballot" implies that the voter has a real choice. This was the original understanding, as the debates of the Constitutional Convention—two records of the Federalist Convention of 1787, at 501 (M. Farrand ed. 1937)—and No. 68 of the Federalist, demonstrate beyond doubt. Even the objectors admit this in the materials they have circulated to the Members of this body.

But what has happened since those early days to alter the constitutional freedom of the elector? Nothing. Electors have been "faithless" as early as 1796 and as late as 1960. And each time the Congress counted the vote as actually cast by the elector—Rosenthal, *The Constitution, Congress, and Presidential Elections* 67 Mich. L. Rev. 25, n. 97 (1968). Moreover, hundreds of Congressmen have reacted to such perfidy by introducing resolutions to amend the Constitution by abolishing the office of elector. And why? Because only a constitutional amendment can change the constitutional independence of the elector.

Today, the objectors ask us to circumvent the amending process. They ask us to do what we have criticized so often before—to read into the Constitution what we wish the law to be. They ask us to transform independent electors into rubber stamps. They ask us to adopt a view which not only differs from but which is diametrically opposed to the way the Constitution was written.

But the Congress has previously indicated that the elector must be free to vote his own mind. In the election of 1872, the Democratic presidential candidate, Horace Greeley, won the popular vote of six States. Shortly after the election, he died. When the Democratic electors voted in the electoral college, they scattered their votes among several persons. Three votes were cast for the deceased Greeley. Congress refused to count those three votes because they were not cast for a "person," as the 12th amendment required. See "Electing the President," 33 American Bar Association 1967.

Thus the present system which separates the appointment of electors from the election of a President by over a month necessitates that the electors remain free and independent because the people's choice may have died.

In 1912, it was the defeated Republican vice presidential candidate who died before the electoral college met. Lest their votes be not counted, the Republican electors voted for someone else, and Congress counted the votes. See "Electing the President," 33 American Bar Association 1967.

We cannot have it both ways—electors who are bound if the candidates live and electors who are independent if the candidates die.

The history of this issue in the Congress reveals the consistent application of the rule of law that electors are independent.

Section 15 of title III which is being invoked today was enacted in 1887 in order to establish a procedure for determining how the chosen electors voted. The Congress wished to provide against a repetition of the Hayes-Tilden dispute of 1876 and 1877. In that election, some States sent two sets of returns. Which set was real? That was the question. Section 15 is the procedure for answering that question.

But once the real set is determined, the votes must be counted. Nothing in title III empowers Congress to change or disregard votes because an elector has been unfaithful.

Note that title III allows the State of North Carolina to object. However, North Carolina does not object—and rightly so. Mr. Bailey is an elector and his vote was reguarly given. The laws of North Carolina and the United States were complied with.

Of course, Mr. Bailey violated an agreement with the Republican Party in North Carolina. But what law—State or Federal—did he violate?

I find none. So how can we tamper with the vote?

The objection, however, serves to underscore the need for immediate affirmative action by the Congress in fashioning a resolution for a constitutional amendment to reform the electoral college. I wholeheartedly call for such reform and urge prompt action in this body.

However, that reform must be achieved honestly—by the amendment process. It should not be achieved by ignoring the Constitution and the steady precedents of the Congress.

I urge that the objection be defeated.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. CELLER) for 5 minutes.

Mr. CELLER. Mr. Speaker, at the time of the framing of the Constitution, our Founding Fathers, led particularly by Hamilton and partly by Jefferson, felt that the hoi polloi, the unwashed masses, and the rustics, they called them, were not educated enough or did not have intelligence enough to select the President and Vice President; that there was to be a barrier between them and the Presidency. Therefore they set up an elite class to be voted on by the general voters, which we call the electoral college.

That process did not over the course of history seem to work too well. It was not long before changes were effectuated. So that during most of the 19th century and all of the past 20th century this system went into limbo, as it were, that is, the idea of the Founding Fathers, and it became the common understanding and usage that the electorate expects that its votes will be cast for the candidate of its choice without the intervention of another judgment and in a manner contrary to their expressed wishes.

Whether or not electors are pledged, whether or not they are named, whether or not their names appear on the ballot, whether or not the law provides sanctions if they should fail to vote in accordance with the electorate's wishes, the universal—and I say "universal"—understanding in the United States today and in the the 20th century particularly is that the electoral college exercises a ministerial, an agency function and effectuates the expressed wishes of the people. Indeed most electors consider themselves irrevocably committed to support the presidential candidate on whose ticket they were elected or on which they were elected.

This traditional ministerial function of the electors has become sacred. Any departure from that tradition must be challenged as it is today. It must be successfully challenged.

James Russell Lowell, a Republican elector in Massachusetts, in the famous Hayes-Tilden election of 1876, was urged to switch his vote from Hayes to Tilden, which would have made Tilden the victor, since only one vote divided the men in the national count. Lowell refused to do so and stated significantly:

> In my own judgment I have no choice, and am bound in honor to vote for Hayes, as the people who chose me expected me to do . . . They did not choose me because they have confidence in my judgment but because they thought they knew what the judgment would be. If I had told them that I should vote for Tilden, they would never have nominated me. It is a plain question of trust.

So, my good friends, what this man Dr. Bailey did was contrary to that tradition which is sacred in this Nation of ours—a tradition that we must respect. While we have the electoral college we must protect the integrity of the electoral college.

And so the issue here is joined.

Mr. Speaker, Members of this House undoubtedly are aware that it is my plan to hold hearings on electoral college reform early in the present Congress. But no one can predict what the outcome of our deliberations will be.

Meanwhile, I intend to support the proposed challenge to the vote cast by the elector from North Carolina. I do so recognizing that the disposition of this challenged vote will not affect the result of the presidential election. However, I believe it most appropriate and essential that the Congress give effect to the view now held by the overwhelming majority of our people that when the vote of an electorate is cast for President, it shall not be nullified or abrogated by any elector.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. The gentleman stated that when the Founding Fathers set up this system that they provided that the actual election of the President should be made by the electors. Now, that was constitutional, was it not?

Mr. CELLER. That was in the Constitution.

Mr. ABERNETHY. All right; now, would the gentleman tell us when and where it was changed?

Mr. CELLER. Where they changed it?

Mr. EDMONDSON. In the 12th amendment.

Mr. CELLER. The change came by tradition and practice. Also, there is not necessarily any violation of the Constitution in what we are seeking to do today because the Constitution says, for example, that the House has the right to count the vote and the right to count the vote implies a right to say there shall be no vote and, therefore, we have a right to say, "No vote."

Mr. ABERNETHY. Mr. Speaker, if the gentleman will yield further, there is a difference between counting votes and casting votes.

Mr. CELLER. Yes, there is a difference in counting votes and casting votes.

Mr. ABERNETHY. This House has no right to cast a vote. The only right the House has is to count the votes.

Mr. CELLER. I admit the line of difference is slender, but one which I believe can be stretched a little. Hence I think it can be understood that we can cast the vote for Mr. Nixon. Remember, Dr. Bailey, the elector, was nominated and elected for that purpose; namely, to elect Mr. Nixon. He had a trust to vote for Nixon. He cannot disavow that trust. We, therefore, correct his breach of trust or, in other words, cause the ministerial act of voting for Mr. Nixon to be consummated.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Speaker, I would like to make it crystal clear in the beginning, that as an individual I do not agree with the elector from the Second Congressional District of North Carolina. I think he had a moral obligation to vote for the candidate who received the highest vote throughout the State of North Carolina.

But, if I may read to you gentlemen—if I may have your attention for a minute or two because North Carolina is involved and I do think you ought to listen to us from North Carolina on this subject matter—I read from the 12th amendment:

> The President of the Senate shall in the presence of the Senate and the House of Representatives open all of these certificates and the votes shall then be counted.

It does not mention the fact that they may be changed. That is what is proposed here in the objection of the gentleman from Michigan and the Senator from Maine.

Mr. Speaker, I was quite interested in finding in the Library of Congress on Saturday afternoon a very comprehensive article on this subject matter, which appeared in the State of Michigan Law Review published in November 1968 subsequent to the election. If one gets that document, a fine article written by one of the most eminent professors of law in the Nation, Mr. Albert J. Rosenthal, you will find on page 17 a very significant statement. If you will bear with me and listen to me, please, I shall read:

> If we assume that discretion on the part of electors to override the expectations of their constituents must be eliminated, there are three possible ways in which this may be accomplished: by the courts under existing law, by statute, or by constitutional amendment.

No. 1, "by the courts under existing law"—under existing law the courts have not spoken to this subject matter—"by statute"—in 23 States of our Nation they have by statute mandated the electors to cast their vote.

After passing of the 21st amendment which gave the right to the District of Columbia to participate in the presidential election, the Congress immediately implemented the 21st amendment in its capacity acting as a State legislature for the District of Columbia and mandated and required the electors to take a written pledge and oath to support the nominee of the party at the national level who received a majority or plurality in the District of Columbia.

So, then, it becomes crystal clear that until such time as the State legislatures of the several States act, unless the court at the highest level, the Supreme Court acts, or unless the Congress through constitutional amendment by two-thirds of the votes of the two bodies, and ratification by three-fourths of the legislatures of the 50 States, we are powerless to do anything.

If we could do what is suggested here today, then we can void, if you please, the votes for Richard M. Nixon, all of his votes, and give them to Mr. HUMPHREY, or vice versa, we could void the votes of Mr. HUMPHREY and give them to Mr. Nixon.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I thank the gentleman for yielding.

The gentleman has made a fine point, and that is that the only power we have here today is to count the votes.

Mr. LENNON. That is all.

Mr. ABERNETHY. And not to cast or void votes. Is that not right?

Mr. LENNON. That is correct.

Now, I want to tell the Members of the House of Representatives what the official position of the State of North Carolina is. This is a statement that was issued through the news media this morning by the chairman of the State Board of Elections of the State of North Carolina. I shall read it:

> It is simply beyond reasonable comprehension that the Federal Congress or any segment thereof would presume to alter the electoral vote from North Carolina or any other state. There is no constitutional authority for such action nor is there any basis in law for the Congress to disrupt this due process.
>
> If there is need for alteration to preclude the eventuality of any elector casting his vote contrary to the political party which elected him then it can and should be done within the state either by the General Assembly of this state or through the respective representative "plans of organization of each political party". Either approach can be accomplished with relative ease under the existing statutes and constitutional provisions in this or in any other state.
>
> Any attempt by Congress to usurp this authority from our state would in my judgment demonstrate again that emotionalism in Washington causes over-reaction and often prescribes a cure much worse than the alleged illness.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from North Carolina has expired.

Mr. LENNON. Mr. Speaker, would I be permitted to yield to someone sharing my belief for 5 minutes?

The SPEAKER pro tempore. The Chair will state that it has no discretion in this matter, inasmuch as the time is set by law.

Mr. LENNON. I thank the Chair for its ruling.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Speaker, as each of us in this Chamber has come here by virtue of free and fair constitutional machinery for direct representation elections, I feel we owe the American people a duty to support the objection raised by the gentleman from Michigan and the Senator from Maine and in which I have joined.

Our democratic republic has limped along for nearly two centuries with a system for presidential election which is inherently undemocratic and wholly unsuited to the needs of a well-informed electorate in the 1960's and 1970's. But despite its serious weaknesses, the system has somehow survived by yielding up only infrequently the inequitable results and the potential electoral disasters inherent within it. The principal reason that our electoral system has muddled through for so long is that there has grown up a general expectation that presidential electors would and must follow the will of their constituencies in casting their ballots for President and Vice President. This expectation is becoming a part of the judicial and, I believe, the statute law that has grown up around the electoral system.

Today, in one of the most troubled hours of this Nation, we are seeing, for only the sixth time in our Nation's history, the betrayal of this essential trust between the people of a State and one of their electors. As the duly elected Republican elector from North Carolina's Second Congressional District, Dr. Lloyd W. Bailey was both faceless and nameless to the vast portion of that State's voters. They were aware of only one fact about him—that he was part of a slate of electors who would cast all of their ballots for Richard M. Nixon should he win a plurality of North Carolina's popular votes.

Mr. Speaker, the false argument has been raised by Dr. Bailey that he was casting his vote in accordance with the will of the people in his congressional district whom he was selected to represent. This is an outrageous contention. Dr. Bailey was indeed nominated by a district caucus at his party's State convention, but he was elected on a statewide basis. A vote cast for Mr. Nixon was a vote for the Republican electors as a group, and their election turned upon the statewide results—not the vote of their congressional districts. In fact, were the selection by congressional district, Dr. Bailey, as a Republican elector, would not have been chosen.

A great many years ago it was not unusual for electors to be chosen by the voters of each congressional district, with two electors elected at large. But as political parties grew in strength this system fell out of favor. By 1832, it remained in only four States. The principal objection to this method was that it more often than not divided a State's vote. With specific reference to North Carolina, it is interesting to note a contemporary comment on the statutory change of 1933 which removed the names of electors from the ballot. The commentator remarked that change was intended, in part, to "preclude the bare possibility" that the State's electoral count would be split.

We might ask Dr. Bailey if he advocates Republican electors casting their votes for HUBERT HUMPHREY where he carried their congressional districts.

There are 13 presidential electors from North Carolina. They hold among them all of the voting power of the 5,000,000 people of that State in selecting a President and Vice President. Regardless of whom he cast his individual vote for, each North Carolina citizen expects that the winning candidate in his State will receive all 13 electoral votes.

By breaking the faith of his "agency" for the people of the State, Dr. Bailey, who claims to have cast his ballot for George C. Wallace through personal "moral obligation," in effect nullified the "effective votes" of one-thirteenth of all North Carolinians.

Thus, by this reasoning, Dr. Bailey's failure to vote for the President-elect effectively disenfranchised nearly 400,000 citizens of North Carolina.

It is only by our good fortune that this man's vote by "moral obligation" did not change the winner of the national election, nor throw the vote into the House of Representatives for decision under a blatantly undemocratic set of constitutional rules, but it certainly could have been otherwise. In this election it would take only 30 Dr. Baileys to nullify the wishes of a plurality of Americans or to throw the vote into the House. Our good fortune should not cause us to overlook the mockery which has been made of the electoral system as we understand it; it must not cause us to overlook the fraud which was worked on the people of North Carolina.

Title 3, United States Code, section 15, establishes the procedure of the congressional count of electoral votes. It clearly spells out the procedure for objecting to electoral ballots "not regularly given." Cogent arguments for not narrowing the meaning of this phrase to include only formal and procedural regularity have been ably presented here this afternoon. Dr. Bailey had both a moral and legal duty, in my judgment, to the people of his State, of a far higher order than any "moral obligation" he claims to himself to vote for Mr. Wallace. His disavowal of that duty stands as a misuse of the office of elector, and, I believe, renders his ballot highly "irregular."

I implore my colleagues to sustain the objection.

If there is any gain to be had from the action of this faithless elector, it is the hope that its potential consequence will shock our colleagues and this Nation to rebuild the national election procedures of America on sound, modern, and democratic foundations, so that the whimsical actions of one or a few men no longer have the potential of breaking down our great system of government.

The SPEAKER pro tempore (Mr. AL-

BERT). The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, there is a saying, of course, among lawyers, of whom there are a goodly number in this body, that hard cases make bad law.

It seems to me perhaps regardless of the outcome and regardless of the decision that we make here today that there may be an unfortunate result because we do face a truly Draconian choice.

There are those who fear that in supporting the objection submitted by the junior Senator from Maine, Senator MUSKIE, and the distinguished gentleman from Michigan (Mr. O'HARA) that we would be doing violence to the Constitution, article II and the 12th amendment.

There are those who fear that unless we do take that step and unless we do vote affirmatively on this resolution that we are encouraging the proliferation of faithless electors in elections to come.

I was interested when the distinguished gentleman from Texas (Mr. WRIGHT) drew the issue for us this afternoon in terms of the sovereignty of the people. He said that is the issue, and that we should carry out the will and wishes, and honor the sovereign right of the people as to who their choice in this last election was.

It seems to me that the gentleman from Texas (Mr. WRIGHT), when he answers that question in the affirmative, is ignoring the fact that the basic defect and the basic vice of the present system of the electoral college, is that it is possible for us to find ourselves in this very unpleasant and uncomfortable position in which we find ourselves today. For it is inherently possible that the will of the popular majority can be thwarted under the system of the electoral college.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield at that point?

Mr. ANDERSON of Illinois. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. It only makes it possible if this House will not do what it is in a position to do and has the power to do; that is, to throw out the vote of the faithless elector.

Mr. ANDERSON of Illinois. Of course, I am surprised that no one this afternoon has discussed the statute of 1887, which is really the statute under which these proceedings are being conducted this afternoon. As I interpret not only the language of the statute but the legislative history that surrounds that statute, it was intended to circumscribe to the very narrowest limits the power of the Congress to do anything other than to certify the results in the States. I believe some significance has to be attached to the language that was monotonously intoned a few minutes ago by the tellers who read—

> The certificate of the State of—

And I quote—

> seems to be in regular form and authentic.

Is the certificate in regular form and authentic? It seems to me, whether we like it or not, we have to concede that is so with respect to the certificate from the State of North Carolina.

I would suggest that the proper action might have been for an action of mandamus to be commenced in the proper forum—in the Federal court in the State of North Carolina—to there challenge the certification of the vote of this faithless elector by the State officer charged with that responsibility.

But I would submit that under the Constitution and under the plain language of the statute of 1887 we cannot taken affirmative action on the resolution offered by the Senator from Maine, (Mr. MUSKIE), and the gentleman from Michigan (Mr. O'HARA). I make that statement because I think it is important that we keep the pressure on for the reform of the present electoral college system. I, for one, favor the direct election of a President. I, for one, believe that we ought to abolish the electoral college rather than to try to put some kind of plaster, some kind of a Band-Aid on the situation and suggest that we in the Congress have the power, on an ad hoc basis, every 4 years, to deal with the kind of situation that confronts us today.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Florida.

Mr. PEPPER. I just inquired of two able gentlemen on both sides of the aisle from North Carolina, and I find that, as has already been stated, that there were no electors voted for in the North Carolina election, but that the names of the presidential and vice-presidential candidates appeared on the ballots. If we wish to be technical, there were no electors elected in the State of North Carolina. I learned from those gentlemen that the names of the electors were submitted by the Democratic Party, the Republican Party, and the Wallace Party to the secretary of state pursuant to the statute law of North Carolina.

Mr. ANDERSON of Illinois. If the gentleman will suspend briefly, I should like to point out that the Library of Congress Legislative Reference Service has documented the proposals for the reform of our electoral system. That work indicates that presently about 35 States authorize the use of the so-called presidential short ballot on which the names of the presidential and the vice-presidential candidates are printed in lieu of presidential electors. That action carries with it the implication, perhaps, that they will then vote for the candidate of their respective parties, but it is an implication only and is not supported by the law or by the Constitution.

The SPEAKER pro tempore (Mr. ALBERT). The Chair recognizes the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I rise in support of the protest submitted by the gentleman from Michigan and Senator MUSKIE. I was very much interested in the colloquy which occurred here a moment ago with respect to counting and casting votes. In the counting of votes, the question of the legality of the votes being counted is always in order. As I understand it, we are not casting votes; we are counting votes.

As I further understand it, if the vote of the faithless elector from North Carolina is repudiated by this body, it will not be counted for President-elect Nixon. It will simply not be counted for the former Governor of Alabama, who did not carry his State.

Mr. Speaker, I submit that this is a very serious matter. I am glad that we can debate it dispassionately.

I wonder, however, what would be the case if there had been enough faithless electors to put this matter into the House of Representatives. If one could be faithless, then 535, the total number of electors, could also be faithless. The net effect, of course, would be the complete repudiation of the will of the electorate throughout our country.

I realize, of course, that there is a serious constitutional question here. I have been tremendously interested in this matter for a great many years, because I have known people who have deliberately tampered with this system in its present condition of uncertainty in order to throw the election into this body, and therefore act as power brokers and achieve concessions that they could not achieve otherwise.

But even in those cases I have not known of these groups advocating faithless electors. They have invariably put their own electors on the ballot.

For instance, some years ago, in 1964, in my State we had so-called independent electors. In 1960 when former President Kennedy carried my State by a clear majority, there was some question about the legality of the election in some other States, and there were some groups who wanted to change the electors in Louisiana, but they did not suggest by the furthest stretch of the imagination doing what the gentleman from Oklahoma did that year—I think his name was Harris—when he voted for former Senator Byrd, or what the gentleman from North Carolina did last month. They were going to ask the State legislature to instruct the electors to change their votes.

What this really points up, Mr. Speaker, is the crying need to amend the Constitution and once and for all get rid of this anachronistic system which every 4 years puts us in the position of playing Russian roulette with the election of the President of the United States. I hope this Congress will expeditiously adopt a constitutional amendment, because even if we do vote with the gentleman from Michigan—which I shall do—it will certainly not resolve the problem of the electoral college, which must be abolished.

With respect to the idea of throwing a presidential election into the House of Representatives, I cannot imagine a more chaotic situation existing than if on November last, the election of the President of the United States had not been resolved and we, today, rather than having a President elected, would be debating who the President might be—and this with the crisis in the Middle East, and with problems all over the world, as well as countless domestic problems—this is an invitation to anarchy. I hope, Mr. Speaker, that this House in its wisdom and with bipartisan support will adopt a sensible constitutional amendment.

I believe in the federal system. I have proposed an amendment which would maintain our federal system—by giving each State the same number of votes as that State now has under the electoral college system. But the electoral college would be abolished and no election would ever again be determined by the House of Representatives.

I would use the same formula that the American Bar Association adopts in the Bayh amendment; that is, unless a candidate gets 40 percent of the electoral vote, then there would be a quick runoff to determine the winner. That would resolve the question of the unfaithful elector and that would once and for all remove the matter from the House of Representatives and the Senate.

Thus the weaknesses would be removed without weakening the federal system.

I hope that my amendment, House Joint Resolution 1, will be adopted and I hope the objection of the gentleman from Michigan will be sustained, because I think there is ample constitutional basis for it in the 12th amendment and in two Supreme Court decisions.

I include the following at this point:

Congress of the United States,
House of Representatives, Office of the Democratic Whip,
Washington, D.C.

Washington, D.C., January 3.—U.S. Representative Hale Boggs (D. La.), House Majority Whip, Friday introduced a Constitutional Amendment with the opening of the 91st Congress which would take the pitfalls out of electing Presidents.

Boggs, joined by several of his colleagues, introduced a measure which would abolish the Electoral College in its present form, while retaining a modified electoral system. Boggs was joined by Congressmen Lester L. Wolff (D., N.Y.), Robert L. F. Sikes (D., Fla.), and Spark M. Matsunaga (D., Hawaii).

House Joint Resolution No. 1, as it has been designated, would also remove from the House of Representatives the power to select a President when a candidate fails to receive a majority of electoral votes.

Boggs said that the Presidential elections of 1968 "brought the Nation to the brink of a catastrophic Constitutional crisis."

"Because we so narrowly succeeded in avoiding such a crisis last fall, it is mandatory that we now take steps to alter our process of electing Presidents."

"The Fact that President-elect Nixon fell far short of receiving a majority of the popular vote and scarcely received a plurality, demonstrates how very real the danger is," Boggs said.

Under the present system, Boggs said, if the election were thrown into the House of Representatives, a small State, such as Delaware, would have the same power in electing the President as would have large States such as New York and California.

"The American Bar Association has proposed a Constitutional Amendment which would provide for the popular election of a President receiving 40% of the popular vote. Without that percentage, under the ABA proposal, a quick run-off would be required. The Electoral College and House determination would be eliminated.

The Boggs proposal provides for the automatic election of a President if he receives more than 40% of the electoral vote. If he does not, a run-off would be required between the two leading candidates. The House of Representatives would play no role in the selection of Presidents, he said.

Although the Electoral College would be abolished, the system of assigning votes on the basis of the number of its Representatives in the House and Senate would be retained, he said.

Boggs emphasized that his proposal would remove the evils of the present system while maintaining the Nation's tradition of Federalism.

Boggs said that he doubted that Federalism could be maintained with a system providing for the direct popular vote of Presidents.

"I see no other logical approach, in view of the fact that the candidates of our two major parties are nominated by convention in the respective 50 States and the District of Columbia."

"Federalism is an integral part of our form of government, and a direct popular vote would not be in that tradition," Boggs said.

In order to be adopted, a Constitutional Amendment must be approved by two-thirds of the House and Senate and be ratified within seven years by the legislatures of three-fourths of the States.

Mr. Speaker, Neal R. Peirce, the noted authority of the electoral system, recently wrote a book entitled, "The People's President." He did a remarkable job of demonstrating how loosely held are the reins of power in the Federal Government.

To recognize the weakness of the electoral college system, one need do no more than read his catalog of 20 national elections beginning in 1828, the Jackson-Adams contest and continuing through 1960, the Kennedy-Nixon election—in each instance where a shift of a few votes would have changed the results.

The book interested me especially because I have spent a great number of years searching for an acceptable alternative. As a matter of fact, in 1951 I was one of those who introduced one of the constitutional amendments. This one proposed keeping the form of the electoral college system but removing any discretion in the electors.

There have been countless other amendments introduced seeking a whole variety of changes, the most frequent ones being: removing discretionary power; distributing the electoral votes on the basis of results in congressional districts; and a nationwide popular vote.

Mr. Peirce catalogs more than 500 proposed amendments, which have been introduced in the course of our history. Many of these, of course, were identical in content but their sheer number points up the concern felt in the Nation since the inception of the system. Of the 500 amendments which have been proposed, about 100 have suggested election of the President and Vice President by direct ballot.

Few Americans realize that even to this day in many places, including my own State, the presidential elector is not an agent of the electorate, but is in fact free and independent to vote for whom he pleases regardless of the popular vote in a given State. This fight has occurred over and over again in many States in the Deep South and it is still with us.

In 1960, even though John F. Kennedy had carried my State by a clear majority and a heavy plurality, when returns from other States were in doubt, notably Illinois, there was talk of the legislature instructing the electors to vote against Kennedy.

The author notes the first faithless elector picked as one of the two Federalist electors in Pennsylvania in 1796. He was expected to vote for Adams but he voted for Jefferson. A Federalist mentioned him in the United States Gazette:

> What, do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President. No! I chuse him to *act*, not to *think*.

And again as recently as 1960, an elector from Oklahoma, which had cast its popular vote for Vice President Nixon, felt free to vote for Senator Harry Byrd who had not been a candidate.

"The People's President" is very timely. With the withdrawal of President Johnson as a candidate, the Democratic Convention was wide open. Gov. George Wallace has indicated his intention of running for the Presidency as an independent. And the 1968 election as of this writing could very well end up in the House of Representatives if any of the candidates fails to receive a majority of the electoral college vote.

Since 1824, when the House of Representatives had to decide between Andrew Jackson who had received 152,933 popular votes and 99 electoral votes, and John Quincy Adams who had received 115,696 popular votes and 84 electoral votes, conditions have changed immensely. In 1824, a frontier nation, sparsely settled and recently independent, could afford to let the House of Representatives wrangle over who might lead it. Federal power was loosely held and of no great consequence on a day-to-day basis. Since then, however, the Presidency has become the most important power center on earth. The office is awesome and staggering in its responsibilities. It is the President and only the President who, among other things, determines whether or not the country becomes involved in a nuclear contest. We face dangers at home and abroad unlike anything dreamed of in 1824, or for that matter, at any previous time. To delay naming the President while the House of Representatives debated could indeed be disastrous.

The House procedure, to say the least, is ill-defined and the idea that a State with one Congressman should have the same voice as New York or California, is the very antithesis of the theory now accepted that each vote should have equal weight.

I find it difficult, however, to accept as the ultimate answer the amendment drafted by the American Bar Association, which would provide for the election of the President by direct popular vote by all of the people of all of the States, just as we elect a Governor in New York or a Senator in California.

The author has done a commendable job in tracing the growth of universal suffrage in the United States, starting with the initial property requirements for voting. He cites acts of Congress, State legislatures, Supreme Court decisions, which have now made suffrage almost universal. It is argued that this makes the popular election of the President the only answer to the electoral college problem. The President, under the proposed amendment, could be elected by a plurality of 40 percent.

As thorough and complete as the book is, however, it leaves a number of questions unanswered. The two major parties nominate by conventions with delegates selected either in primaries or by appropriate appointment by State agencies. In any event, the State system or the federal system is still basic in the nomination of presidential candidates. Whether or not this system could be maintained with a direct popular vote is problematical.

Is it not possible that the matter could be resolved first by removing any discretion from the elector and by employing the same pluralities, say 40 percent, in electoral votes as is proposed in the direct election amendment? Could not the fear of resolution by the House of Representatives be determined by removing the choice from the House and requiring a runoff within a short time if the 40 percent of the electoral votes were not obtained, just as would be required under the proposed direct election amendment? Would this not preserve the federal system and lay to rest forever the fear of an election in the House of Representatives?

The problem is indeed a difficult one. Mr. Peirce, with his admirable knowledge and skill, shows why it has been with us so long and continues to plague us.

The text of House Joint Resolution 1 and other material follows:

H.J. Res. 1

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE —

"Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President chosen for the same term, be elected as provided in this Constitution.

"The President and Vice President shall be elected by the people of each State in such manner as the legislature thereof may direct, and by the people of the District constituting the seat of the Government of the United States (hereafter in this article referred to as the 'District') in such manner as the Congress shall by law prescribe. The Congress may determine the time of the election of the President and Vice President, which day shall be the same throughout the United States. In such an election, a vote may be cast only as a joint vote for the election of two persons (referred to in this article as a 'presidential candidacy') one of whom has consented that his name appear as candidate for President on the ballot with the name of the other as candidate for Vice President, and the other of whom has consented that his name appear as candidate for Vice President on the ballot with the name of the said candidate for President. No person may consent to have his name appear on the ballot with more than one other person. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President. In each State and in the District the official custodian of election returns shall make distinct lists of all presidential candidacies for which votes were cast, and of the number of votes in such State for each candidacy, which lists he shall sign and certify and transmit to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral votes shall be computed in the manner provided in section 2.

"Sec. 2. Each State shall be entitled to a number of electoral votes for each of the offices of President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District shall be entitled to a number of electoral votes for each such office equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. In the case of each State and the District, the presidential candidacy receiving the greatest number of votes shall be entitled to the whole number of the electoral votes of such State or District. If a presidential candidacy receives a plurality of at least 40 per centum of the electoral votes, the persons comprising such candidacy shall be the President-elect and the Vice President-elect. If no presidential candidacy receives a plurality of at least 40 per centum of the electoral votes, a run-off election shall be conducted, in such manner as the Congress shall by law prescribe, between the two presidential candidacies which received the greatest number of electoral votes. The persons comprising the candidacy which receives the greatest number of electoral votes in such election shall become the President-elect and the Vice President-elect.

"Sec. 3. The Congress shall by law provide procedures to be followed in consequence of the death or withdrawal of a candidate on or before the date of an election under this article, or in the case of a tie.

"Sec. 4. The twelfth article of amendment to the Constitution, the twenty-third article of amendment to the Constitution, the first four paragraphs of section 1, article II of the Constitution, and section 4 of the twentieth article of amendment to the Constitution are repealed.

"Sec. 5. This article shall not apply to any election of the President or Vice President for a term of office beginning earlier than one year after the date of ratification of this article."

General Summary of Differences and Similarities Between American Bar Association Proposal, as Contained in House Joint Resolution 470, 90th Congress, Mr. Celler, and House Joint Resolution 1, 91st Congress, Mr. Boggs

1. *Voter Qualification.*—The ABA proposal provides that the electors in each State shall have the qualifications requisite for electors of Senators and Representatives in Congress from that State. It further provides the States may prescribe lesser qualifications with respect to residence and that Congress may establish uniform residence and age qualifications. The Boggs resolution is silent on voter qualifications as is the Constitution.

2. *Time, Manner and Place of Holding the Elections.*—The ABA proposal provides that the time, place, and manner of holding elections will be regulated by the States with authority in the Congress to revise such regulation. In addition, the States shall prescribe regulations (subject to Congressional revision) relating to entitlement to inclusion on the ballot. Mr. Boggs' resolution (following the present provisions of the Constitution) provides only that the manner in which elections will be conducted shall be prescribed by the States (and the Congress in the case of the District of Columbia) and that the Congress shall prescribe the time of the election of the President and the Vice President.

3. *"Ticket" Requirements.*—Both the ABA proposal and Mr. Boggs' resolution provide that in a Presidential election each elector shall cast a single vote jointly applicable to the President and the Vice President. They further provide that the names of candidates shall not be joined unless they shall have consented thereto and that no candidate shall consent to his name being joined to more than one other person.

4. *Requirements for Election.*—The ABA proposal requires that a Presidential candidacy must receive at least 40% of the popular vote. Mr. Boggs' resolution retains the present assignment of electoral votes to the States and the District but does away with the electoral college. The Presidential candidacy that receives the most votes in a State will receive that State's electoral votes. A Presidential candidacy must receive at least 40% of the electoral vote to be elected.

5. *Runoffs and Ties.*—Both the ABA proposal and Mr. Boggs' resolution require a runoff election if the requirements for election are not met in the general election. Such runoff election shall be held in such manner as the Congress shall by law prescribe. In both proposals the Congress shall by law provide the procedures to be followed in the case of a tie vote in any general election or runoff election.

6. *Death or Withdrawal of a Candidate.*—The ABA proposal provides that Congress may by law provide for the death of a candidate on or before the date of an election. Mr. Boggs' resolution provides that Congress may also provide for the withdrawal of a candidate before such day.

7. *Effective Date.*—The ABA proposal has no provision for an effective date. Mr. Boggs' resolution provides that the proposed amendment to the Constitution will not apply to any election of the President or Vice President for a term of office beginning earlier than one year after the date of the ratification of the amendment.

[From the Washington (D.C.) Evening Star, Dec. 12, 1968]

Why Not Let States Choose Without Electors?

(By Crosby S. Noyes)

Before everybody forgets about the recent election scare and turns his attention to other problems, at least one more serious effort will be made to change the rules under which American presidents are elected.

On the opening day of the 91st Congress, Rep. Hale Boggs, D–La., the assistant majority leader, is ready to introduce the latest of more than 500 proposed constitutional amendments to revamp the election procedure. His proposal, in the form of a joint Senate-House resolution ,is likely to provide an early subject of controversy.

Boggs is proceeding on the sensible premise that the way to succeed where others have failed in trying to change the system is to change it as little as possible. His proposal is likely to disappoint crusading critics who want the whole electoral system done away with and the president chosen by a direct, nationwide popular vote.

As he sees it, the major evils of the existing system are the electoral college and the role of the House of Representatives in choosing a president when no candidate wins a majority of electoral votes. In the November election, it was these two provisions, given the candidacy of Alabama's George C. Wallace, that threatened the nation with a full-fledged constitutional crisis.

The electoral college system has been causing problems for the country at least as far back as 1796, when a Federalist elector from Pennsylvania outraged some of his constituents by casting his vote for Thomas Jefferson instead of John Adams. It is still causing problems today in states where these largely faceless electors are theoretically free to vote as they please, regardless of the popular vote.

But the greater evil undoubtedly is the

election of the president in the House if no candidate wins a majority of electoral votes. In this case, each state would have one vote, with Delaware weighing exactly as much as New York or California and a state with an evenly split delegation not counted at all.

The validity of an election carried out on this basis would be doubtful, to say the least. And the possibility that no candidate could win a clear majority is a danger which in this nuclear age is simply not tolerable.

The Boggs amendment is the simplest possible remedy for this state of affairs. Under his proposal, the electoral college system would be abolished once and for all. So would the power of the House to choose a president from minority candidates. But the same proportional distribution of votes among the states, based on the numbers of senators and representatives, would be retained. If no one candidate won more than 40 percent of the whole electoral vote, a runoff election would be held between the two leading candidates.

There are many people who would prefer to see the election of presidents by direct popular vote. But Boggs, as a practical politician, understands the enormous difficulty of this kind of radical reform of a system that has endured for almost two centuries.

In his view, there is little chance—and also little justification—for doing away with the federal system of choosing candidates for the presidency. The convention system, with all its obvious imperfections, is likely to remain as a permanent feature of the American political landscape. Since the candidates of the two major parties will continue to be nominated by delegates representing the 50 States and the District of Columbia, the election also should follow the principle of federalism, Boggs contends.

Apart from retaining the present distribution of electoral votes, the new amendment is similar in many respects to the proposals drawn up by the American Bar Association and submitted to the last Congress by Rep. Emanuel Celler, D-N.Y. Under that proposal, the president would be elected by direct popular vote, with a runoff election held if no candidate received more than 40 percent of the ballots.

The virtue of the Boggs amendment is that it is perhaps more likely to win the required majority of two-thirds in the House and Senate and, ultimately, ratification by three-quarters of the states.

At this point, there is undoubtedly very strong popular support in the country for electoral reform. But there is also an enormous inertia to be overcome in any amendment of the Constitution. And the dangers of the present system, so clearly revealed in November, may seem less compelling as time goes by.

[From the Associated Press, Dec. 17, 1968]

Nixon's Officially in With 301 Electoral Votes

The Electoral College has made it official—Richard M. Nixon will be the 37th president of the United States.

But many of the 538 members who cast their ballots yesterday also made something else clear—they think the college is outdated.

Balloting by the college went pretty much according to script as members met in the 50 state capitals and District of Columbia to fulfill the tasks voters chose them for Nov. 5.

An exception in North Carolina left Nixon with 301 votes instead of 302—giving George C. Wallace, the American Independent candidate, 46, one more than originally expected. Democrat Hubert H. Humphrey wound up with the expected 191.

A simple majority of 270 electoral votes was needed to elect.

In North Carolina, Dr. Lloyd W. Bailey of Rocky Mount, cast his ballot for Wallace while the other 12 electors followed the state's majority and voted for Nixon.

"The Electoral College is one part of the system of checks and balances which guarantees that the minority voice can be heard," Bailey said.

In Michigan, former Democratic State Chairman Zolton Ferency, something of a political maverick, refused to cast his ballot for Humphrey. The other electors picked a replacement to keep the delegation's 21 Humphrey votes intact.

The U.S. Constitution allows the electors to vote for any candidate they choose. But tradition dictates, and some state laws demand, that the electors follow the result of the popular vote in their states.

There were some other minor foulups. North Carolina's electors found themselves without someone to administer an oath for more than an hour.

And in North York, one bloc of electors got delayed in a stackup of commuter trains and the man who was supposed to preside was delayed at crowded Kennedy International Airport.

A spot check of electors across the land showed many unhappy with a system that may be on its last legs.

Suggestions run from direct popular election to choosing electors by congressional district.

"The system is outmoded. I would go the popular vote way," said O. M. Travis, one of Kentucky's nine electors.

GOP Gov. Raymond P. Shafer of Pennsylvania said he would recommend to the next General Assembly that it "lead the nation in a call to Congress for a constitutional amendment to abolish the Electoral College."

"We should no longer permit ourselves to be imprisoned by the fears of yesterday," Shafer said, "for they might well thwart the national will tomorrow."

Six of Maryland's electors, who cast the state's votes for Humphrey, said they think the system should be changed.

"It's not a good system but I don't know what the solution is" said Mrs. Esther Kominers of Bethesda. "A direct popular vote would probably be the most reasonable, but there are so many ways of cheating on that, too."

Mrs. Anette Helen Wheatley of Baltimore also said she prefers a direct vote. "I think a lot of people feel they've been shortchanged by this system," she said.

Joseph E. Bean of Great Mills is one of the four Maryland electors who thinks the electoral system should be retained. "We've been doing it for so many years I guess we ought to keep on doing it."

Attorney L. Shields Parsons, one of the 12 Virginia electors who cast the state's votes for Nixon, said he favors a change to a direct popular vote.

Samuel T. Emory of Fredericksburg, an associate professor at Mary Washington College, said he would retain the Electoral College but divide a state's electoral votes for each presidential candidate according to his percentage of the state's popular vote.

[From the National Civic Review, February 1968]

Down With This "College"

Use of the Electoral College to choose a President is "archaic, undemocratic, complex, ambiguous, indirect and dangerous," the American Bar Association warned early in 1967. "It gives too much weight to some voters and too little to others; gives excessive power to organized groups in states where the parties are evenly matched; places an undue premium on the effects of fraud, accident and other factors; and allows for possible abuse and frustration of the popular will."

The ABA warning attracted considerable attention but not, perhaps, as much as it deserved. For at least a century and a half, people have been crying wolf about the Electoral College and joking about it—wasn't it Will Rogers who noted its strange absence of campus, courses and athletic teams?—but out of inertia or possible erroneous calculation of advantage by some states, nothing substantial has been done in the way of reform.

The situation at the start of another presidential election year is not reassuring. Experts fear that, for the first time in 144 years, Congress may be called on to say who is to be the new President. With the prospect of splinter candidates on the right and left opposing major-party choices, the situation this time may well be more precarious than in 1948 when Harry S. Truman survived a three-way split in the Democratic party, losing 1,100,000 votes to J. Strom Thurmond of the States Rights party, who carried four states, and about the same number of votes to Henry A. Wallace of the Progressive party, who did not carry any state.

George Wallace of Alabama, an early starter, is already talking openly of his chances of moving into the White House with a minority of the vote. While this seems unlikely to most observers, Wallace just might, by carrying six or seven states, make it impossible for either major-party candidate to obtain the required majority of 270 of the 538 votes in the Electoral College. The decision would then pass to the House of Representatives, with each state delegation casting a single vote.

The last time this happened was in 1824. The electoral vote was then divided: Andrew Jackson of Tennessee, 99; John Quincy Adams of Massachusetts, 84; William H. Crawford of Georgia, 41; and Henry Clay of Kentucky, 37. On a single ballot, the House chose Adams, though he received 105,321 votes to 155,872 for Jackson.

In 1876, Rutherford B. Hayes won the electoral majority even though Samuel Tilden received more popular votes. Similarly, in 1888, Grover Cleveland, the popular winner, was defeated in the Electoral College by Benjamin Harrison. Supporters of these losers accepted the verdict with grumbling, but nowadays the discord and confusion over such arbitrary negation of the popular will certainly would be greater.

There has been a continuous expansion of the franchise and equality in voting in the United States. Today, no one would dream of barring Catholics or Jews from voting, but some colonial governments did so; or suggest requiring a voter to own property, but it was not until 1851 that all the states dropped property requirements. All women could not vote until 1920. The "one man, one vote' principle enunciated by the U.S. Supreme Court did more than democratize the democratic process. It spotlighted the presidential election as the only one of such importance in which some votes are not equal to others and where millions of votes may not necessarily count.

In recent years, Americans have taken comfort in the notion that free elections give us an advantage over our global rival, the Soviet Union, in the orderly transfer of national power. Any revelation that this supposed advantage was illusory would be humiliating. It might even precipitate the violence which lurks just beneath the surface of modern political life.

Perhaps the Electoral College was the best and even the only compromise which could have been accepted at the 1787 constitutional convention in view of the irreconcilable differences of opinion then existing over the role of the states in a national union. Some of the more glaring inequities of the Electoral College have been tidied up over the years, but the basic flaw remains: It awards the electoral vote of each state, calculated on the basis of the total of that state's congressmen and U.S. senators, on a winner-take-all basis to the candidate receiving the most votes in that state. This almost inevitably forces candidates to concentrate on the larger states and leads to all the abuses catalogued by the 15-member ABA Commission on Electoral College Reform. The public itself is reasonably aware of the difficulty; a Gallup poll last June showed 63 per cent in favor of direct election of the President to 20 per cent opposed.

Since a constitutional amendment takes years to pass, nothing can be done about this perilous condition in time to deal with the contingencies of 1968. But this does not justify further delay. Of various amendments introduced in Congress on this subject, four have attracted particular attention. They are:

1. President Johnson's plan to keep the College but do away with electors. This would prevent a repetition of what has happened often in modern times: the disregarding of the popular vote by one or more electors determined to express their personal preference for President.

2. The district plan, providing that electors be chosen like congressmen and senators—two statewide and the rest from districts—and that they be required to vote for the candidate for whom they are chosen to vote. This plan would not correct the present over-representation of sparsely populated states in the Electoral College, however.

3. A proportional plan, abolishing electors but not electoral voting. The electoral vote in each state would be divided according to the popular vote. This plan was passed by the Senate two decades ago, but not by the House.

4. The ABA plan for abolition of the Electoral College in favor of popular election. Under this plan, a presidential winner must poll at least 40 per cent of the vote, or there is a run-off.

The assassination of President Kennedy, several serious illnesses of President Eisenhower and illness of President Johnson were required to prod the country into doing something about the unsatisfactory line of presidential succession. It should not be necessary to undergo a disaster before the Electoral College is reformed or, better yet, eliminated.

[From Saturday Review, Feb. 18, 1967]

The Direct Vote and the Electoral College

The President and Vice President of the United States are, of all elected federal officers, the only ones not chosen by direct vote of the American people. As almost everybody knows, and too few seem to care, the President and Vice President are elected by a vote of the Electoral College, an antique American institution which has since 1789 survived more than a hundred Congressional attempts to abolish, or modify it. Members of the House of Representatives always have been elected directly by the people and, since 1913 when the Seventeenth Amendment to the Constitution became effective, all U.S. Senators have been elected by the direct popular vote. Prior to that—which wasn't so very long ago—Senators were chosen by the legislature in each state, with understandable anomalies.

Three nineteenth-century Presidential candidates were defeated in the Electoral College though they received the largest popular vote. Andrew Jackson failed to win an Electoral College majority over Henry Clay and John Quincy Adams in 1824, but Adams was elected President by the House of Representatives in a political deal with Clay. In 1876, Rutherford B. Hayes thought he had lost the Presidency to Samuel J. Tilden, Democrat, by 184 to 163 electoral votes, but, in a fraudulent and farcical Republican recount in the Electoral College, Tilden was ousted and Hayes went to the White House. In 1888, President Cleveland received a larger popular vote than Benjamin Harrison, but the Republican upset the Democrat in the Electoral College, 233 to 168. Four years later Cleveland became President for a second time, beating the incumbent and becoming our only eight-year President whose terms of office did not run consecutively.

The theory behind the Electoral College is that our country is a commonwealth of the several states and by Constitutional law each state gives all of its electoral votes to the winning candidate within its borders, whether he has won by a million votes or a hundred. The losing candidate gets no electoral votes at all. This by itself is debatable democracy. As *The New York Times* recently pointed out, other dangers inherent in the present Electoral College system were painfully illustrated as recently as the Nixon-Kennedy election of 1960, when electors in some of the Southern states exploited the technical fact that those who actually vote in the Electoral College are not bound specifically by law to cast their ballots precisely as the voters ordered them to. Theoretically, the "electors" have the right to vote independently; in 1960 this loophole was utilized in an attempt to throw the closest Presidential vote in our history into the House of Representatives. Last year President Johnson suggested a Constitutional amendment requiring that the electoral vote of each state be cast automatically for the candidate who polled the most popular votes in that state, but nothing has come of it so far—an extremely dangerous federal oversight.

A committee of experts from the American Bar Association has long been studying the possibility of reform in the Electoral College and came recently to the conclusion that the best way to reform it is to get rid of it completely and substitute a political system by which Presidents and Vice Presidents would be chosen directly by the total national popular vote. This direct, one-man-one-vote system has the virtue of simplicity, but is a waterway fraught with dangerous shoals. Had we moved away from the Electoral College to direct popular election of the President in 1960, the votes might still be in the counting process in New Mexico, Alabama, Texas, and such urban centers as Chicago and Los Angeles, where charges of fraud were legion.

The election commission suggests further that if there are more than two major candidates, and if none of them receives 40 percent of the total popular vote, a national run-off election then be held. All we have to do is think back quickly to any one of the Presidential campaigns within our lifetime to realize what a botched anticlimax a national run-off election would be. Another argument, the oldest one but still valid, against direct popular choice of our President and Vice President has always been fear that the enormous urban areas of the country would dictate every election. Though somewhat undemocratic in concept, the alternative electoral choice by individual states at least keeps a balance between the small and large, urban and agrarian, North and South, East and West that the amazing Constitutional Convention foresaw.

The best plan we have yet come across for reforming the Electoral College is still some form of the Lodge-Gossett Amendment, which would have divided each state's electoral votes in proportion to that state's popular vote. If, for example, a state had fifteen votes in the Electoral College and the popular vote was very close, the winning popular candidate would receive eight electoral votes and the loser seven. This use of the exact ratio to the popular vote (plus an amendment requiring that the electoral vote be cast precisely as the voters voted) has never been given a fair hearing, in our view, though it was killed by the House in 1950 after the Senate had approved it. With the Presidential nominating conventions only a little over a year away, to be followed by the hectic fall campaign of 1968, reconsideration of the Lodge-Gossett Electoral College reform bills, plus President Johnson's proposal, seems very much in order and not a moment too soon for the nation's welfare.

[From the Wall Street Journal,
Nov. 7, 1968]

Electoral College System May Be Changed Due to the Narrowness of Nixon's Margin

(By Fred L. Zimmerman)

WASHINGTON.—The narrowness of Richard Nixon's victory may finally spell doom for the nation's archaic and potentially dangerous method of choosing Presidents.

A major political crisis, which many Constitutional experts had considered highly possible, was averted by Mr. Nixon's capture of a small but clear-cut majority of electoral votes. But through the long hours of vote-tallying that kept the result in doubt until late yesterday morning, the situation verged on a deadlock that could have sent the election into the House, where chaos probably would have ensued while the Representatives were trying to pick a President.

That danger having passed, Congress is likely to devote major attention next year to overhauling the system. The reform proposal that has the most supports is to replace the present Electoral College mechanism with direct, popular election of a President.

DEVISED IN 1787

The indirect, two-step selection process in use today was devised in 1787 by men who thought the choice of a President was too important to trust to ordinary voters. Thus, instead of picking a President, voters choose a group of "electors" from each state, the number to be equal to that state's Congressional delegation.

These electors were supposed to be the best and wisest men available but today are mainly small-time politicians given the pro forma positions as a reward for party service. They vote for President following the general election, with a simple majority in the Electoral College being sufficient for election. Their vote takes place on the first Monday after the second Wednesday in December, this year on Dec. 16.

Unlike what was envisioned by the Founding Fathers, however, the electors don't make an independent choice but merely ratify the popular-vote decisions in their states. Thus, in most elections the vote in the Electoral College has been a pointless, but fairly harmless, exercise that doesn't have any bearing on the Presidential outcome.

What engendered all the fear of chaos this year was the possibility, made strong by the third-party candidacy of George Wallace, that neither Mr. Nixon nor Vice President Humphrey would receive in Tuesday's balloting a majority of the 538 electoral votes.

WALLACE'S HOPE

That would have plunged the nation into a confused period of maneuvering aimed at the Dec. 16 Electoral College vote. The two other candidates—especially the one placing third—would have been pressured to yield their electoral votes to the front-runner, giving him an electoral majority. Mr. Wallace always hoped that during this period he could assume a crucial role as kingmaker.

In the event that none of the candidates swung his electoral support to another, the choice of a President would have been dumped into the House, whose members are a lively group of politicians capable of a rousing fight even over something as mundane as whether to waive the reading of yesterday's Journal of Proceedings. Twice, in 1801 and 1825, the nation has watched in near-panic as the House, amid great wheeling and dealing, has chosen the President.

Intensifying the confusion in an election by the House is the fact that each state would have one vote and that 26 votes would elect the President. This would make the lineup between Republicans and Democrats in state Congressional delegations crucial.

Although Mr. Humphrey ostensibly would have had the advantage, because Democrats control more state delegations than Republicans do, it was by no means certain that Southern Democratic Representatives would have voted for Mr. Humphrey—who ran third in many of their districts. Beyond that, some state delegations would be evenly divided (Tuesday's vote deadlocked the Maryland and Virginia party lineups in the House) and that would have increased the difficulty of winning a majority of 26 states' votes.

FEW DEFENDERS

Not surprisingly, hardly anyone defends the Electoral College system. But although reform proposals have kicked around Capitol Hill for years, the inertia that is endemic to the legislative process always has held them back. This year's widely publicized narrow escape, which some observers are calling a "civics lesson," may have made enough people familiar with the weaknesses of the present system so that Congress will be pressured into action.

Last year, the American Bar Association threw its considerable weight in such matters behind a proposal to junk the mechanism and provide for the election of the President on the basis of a direct, nationwide popular vote. Under the plan, a front-runner could be elected with at least 40% of the total popular vote. In the rare event that no candidate received 40%, there would be a runoff election between the top two.

Mr. Nixon previously has stated he favors the so-called "district vote" reform proposal, which would divide each state into electoral districts comparable to Congressional districts. The winner of the popular vote in each district would get its electoral vote, and two additional electoral votes would go to the winner of the state's popular vote.

[From the Washington Post]

LAST ELECTORAL MEETINGS?

If all goes well, Richard M. Nixon will be elected President of the United States today. Most citizens have been laboring under the illusion that that event took place nearly six weeks ago when voters in the 50 states and the District of Columbia cast 31,770,237 votes for Mr. Nixon and 31,270,533 for Hubert H. Humphrey. But actually these votes were cast and counted only by way of advising the electors of the various states as to what they should do when they meet today.

Rumor has it that at least one elector will disregard the popular vote in his state, perhaps as just another reminder of the fallibility of the present system. Fortunately, most of the electoral votes will be cast in accord with the dominant wishes of voters in the respective states, but it might easily have been otherwise. If Mr. Nixon's thin margin over his Democratic rival had left him without a majority of electoral votes, the 45 electoral votes won by George Wallace would have been on the auction block. The country would have witnessed the strange spectacle of a minority candidate trying to determine the outcome of an election by swinging the electoral votes won in his name to another candidate who might be or might not be approved by the rank and file who had supported Mr. Wallace.

As the electors meet today, therefore, the country ought to be more conscious than it has ever been before of the defects in its presidential electoral system. There is much impatience over the fact that "dummy" electors stand between the people and the presidential candidates, with some asserting the right (which the Constitution unfortunately gives them) to thwart the will of the people. There is much concern over the fact that California, with a close popular vote, should give all its 40 electoral votes to Mr. Nixon and Texas, with a still closer popular vote, should give all its 25 electoral votes to Mr. Humphrey. Positive fright arises from the prospect that any close presidential contest may be thrown into the House of Representatives.

Much rejoicing will be heard, therefore, if Congress and the states decide that today's meeting of the electors should be the last. A constitutional amendment will be required, of course, and there is still much disagreement over the precise form it should take. We hope that these differences can be ironed out and that a new electoral system can be devised early in the new Congress so that the states will have plenty of time to ratify it before the election of 1972.

[From the Washington Post, Dec. 15, 1968]

THE DEFECTOR ELECTOR

In deserting Richard Nixon and his fellow Republican electors to vote for George C. Wallace, Dr. Lloyd W. Bailey of Rocky Mount, N.C., joins a handful of other electors from the past who have made footnotes to history by violating the wishes of the voters who selected them. Dr. Bailey's action also exposes other flaws in the anachronistic Electoral College system and underlines the reasons for its reform.

This system of picking Presidents and Vice Presidents violates fundamental democratic principles in a number of ways. Under its winner-take-all rule for allocating a state's electoral votes a candidate could win an electoral victory and yet receive fewer popular votes than his opponent. It quadrennially disfranchises millions of voters in the sense that their ballots do not count in the final selection process. In New York, for example, the 3,007,938 voters who cast ballots for Richard Nixon might as well have stayed home, if one judges from the electoral vote. Vice President Humphrey barely carried the state but received all of New York's 43 electoral ballots.

The constitutional independence of an elector risks voter disfranchisement in an even more direct way. In North Carolina not only were all the Humphrey voters in a sense disfranchised when Nixon carried the state, but the defection of Dr. Bailey as a Nixon elector also more pointedly disfranchised the Nixon voters. Despite party discipline, custom and state laws which tend to bind electors to the candidates to whom they are pledged, the Constitution grants them a discretion that they sometimes insist on exercising.

The Electoral College system violates democratic principles by making the votes of some voters count for more than the votes of other voters. While more voters go to the polls in the larger states, they are able to influence more electoral votes. Studies show that, on balance, the voters in larger states have a better chance of influencing the outcome of an election. Wallace's third-party candidacy raised the risk of an electoral deadlock in which no candidate would have commanded an electoral vote majority. The decision would then have fallen to the Congress, with the consequent risk of political deals and possibly serious delay in naming the nation's chief executive, who conceivably would not have been the one a plurality of voters wanted.

Dr. Bailey becomes one of only five electors in American history who have voted clearly contrary to the wishes of voters selecting them, but other electors have switched in slightly different circumstances. There have also been independent elector movements as well as third-party candidacies. In 1796 a Federalist elector switched to vote for Thomas Jefferson rather than John Adams, and history records a voter then as complaining in language appropriate for many North Carolinians now:

"I chuse him to act, not think."

But, from then until now, the Electoral College system has resisted basic change. Dr. Bailey remains free to ignore the wishes of the voters. His defection, coupled as it is with Wallace's third-party candidacy which could have created a constitutional crisis, should alert the nation. It should produce new efforts for fundamental electoral reform.

[From the New York Times, Nov. 11, 1968]

ENDING ELECTORAL CHAOS

The nation's near-miss on an electoral deadlock has made plain the need for Congressional action to rule out more such flirtation with disaster in Presidential elections. Both Senator Bayh of Indiana and Representative Celler of New York plan hearings on electoral reform; democracy will be the gainer if no paralysis of will impedes action by their Congressional colleagues when a reform plan is presented.

The shift of a relative handful of votes in Illinois and Missouri last week would have put those states in the Humphrey column and thus denied President-elect Nixon the Electoral College majority he now clearly has. In such a deadlock, the power of picking a President might well have been shifted from the 72 million Americans who went to the polls to one man—George C. Wallace. The third-party candidate had exacted from all his electors a sworn commitment to vote for him "or for the candidate he shall direct."

But even if Mr. Wallace proved unsuccessful in his kingmaker role and the decision went to the House of Representatives, a period of confusion and cynical political maneuvering almost surely would have ensued before the country knew who its President would be.

Under the Constitution, each state would have but one vote in the Presidential balloting in the House. How that vote would be cast would be decided by a majority of each state's delegation. Had an electoral deadlock thrown that responsibility into the new House, maximum uncertainty would have clouded the outcome.

Twenty-six state votes are needed to elect a President. The Democrats would start with clear control of only 21 delegations. The Republicans control nineteen. Five delegations are evenly split between Democrats and Republicans, and a crucial five are nominally Democratic—but from states which went to Mr. Wallace. Many Southern Congressmen—especially incumbent Democrats—promised their constituents that, if the decision fell to them, they would vote for the Presidential candidate who carried their district, regardless of party label.

The potentialities for chaos that existed this year in both Electoral College and House—plus the virtual certainty that a deadlock would have made the Presidency a commodity for political barter—should be all the evidence Americans need that no similar risks must be run again. The answer lies in a system that will guarantee the right of the people to choose their own Chief Executive, not rely on the roulette wheel that the present electoral system has become.

[From the Washington Post]

NEW ELECTORAL SYSTEM

Senator Bayh quite properly emphasizes that popular sentiment for abolition of the obsolete electoral college, following the narrow escape from a national crisis on Nov. 5, is not enough. If a new system for election of the President is to be in effect by 1972, an enormous amount of work will have to be done. The Gallup Poll showing 81 per cent of those interviewed in favor of basing the election of the President on the popular vote throughout the Nation is merely a favorable base for the operation.

It is a good sign that conservatives as well as liberals are in favor of a change. Senator Thurmond, for example, wants to abolish the electors and divide each state's electoral votes among the candidates on the basis of the popular votes cast. He seems to think this would lend encouragement to a third party in case the two major parties fail to offer a meaningful choice. But this, with nothing more, would leave three-cornered races, when no one had a clear majority, to be decided by possibly a small fractional vote or be thrown into the House of Representatives, with all the evils that the process might entail.

The first step toward a new system should be additional hearings that would explore the relative merits and defects of each proposal, to be followed by the drafting of an appropriate constitutional amendment. Fortunately, Mr. Bayh's Subcommittee on Constitutional Amendments will not be writing on a blank page. It will have before it the extensive hearings of 1966 and 1967, a wide assortment of resolutions on the subject, several books, many articles and the highly useful report of the American Bar Association's Commission on Electoral College Reform in 1967. No doubt many members of Congress will be seeking additional information. But the big problem now lies in drafting a set of principles that will command support by two thirds of the Senate and House and win ratification by three fourths of the states.

In our view the new system should provide:

1. Abolition of the electors who now stand between the voter and the candidate of his choice and in some instances threaten to take the right of choosing the President away from the people.

2. Abolition of the contingent election of a President in the House of Representatives and of a Vice President in the Senate.

3. Machinery for election of the President and Vice President, standing as a team on the ballot, by direct popular vote throughout the Nation.

4. In a two-way race the candidate with a majority of the votes would be the winner. If three or more candidates were running, a plurality vote of at least 40 per cent would be necessary to win. If no one had such a plurality, a runoff election would be held.

5. Authority of Congress to fix the date for the election and the runoff, if any, by law.

6. Authority for Congress to fix uniform age and residence requirements and other qualifications for voting in national elections.

7. Authority for Congress to require the use of voting machines in all presidential elections, probably with Congress providing funds for the same, and to require bipartisan or civil service watchers in every polling place to avoid fraud.

8. Authority for Congress to determine what presidential candidates should be entitled to a place on the ballot. This is essential to prevent Alabama and possibly other States from keeping the names of major candidates off the ballot so as to deny people of the state an opportunity of voting for them.

9. Provision should also be made for the possible death of a presidential candidate before the election.

Any such shift in the mode of electing the President would be, of course, an immense undertaking. The importance and complexity of the job are not an argument against undertaking it. But they do underline the need for a prompt beginning so that the new system can be approved and the necessary legislation passed before the 1972 political pots begin to boil.

The SPEAKER. The gentleman from Virginia (Mr. POFF) is recognized for 5 minutes.

Mr. POFF. Mr. Speaker, I will vote against the objection. This does not mean that I approve Mr. Bailey's conduct. I disapprove. The system should be changed. The change should make such conduct impossible. Such change can be made, however, not by mere legislative pronouncement but by constitutional amendment only.

Thus, my position is based upon the Constitution and the law as it now exists. But it is also based upon a deep concern for the national consequences which a vote for the new objection might have.

Frankly, I fear that if the House were to sustain this challenge, it might defeat or defer chances for electoral reform. The impression would soon get abroad that Congress, without benefit of constitutional amendment, has solved the problem of the defecting elector. I would not want to be the instrument of such a gross misimpression.

Worse than this, I foresee another potential mischief in sustaining this challenge. If the Congress can look behind the solemn certificate of the Chief Executive of a State, reject that certificate and by a simple majority vote decide what electoral votes were "regularly given" and which were given irregularly, then the Congress can expropriate from the people their power to elect their President. Ordinarily, such a danger is too remote to be credible. But who is bold enough to say that in some future election, the results will not be so close, the personalities so controversial, and the temper of the times such that political fervor, malice or sheer caprice will not dominate respect for the will of the people?

According to the prevailing viewpoint, the present state of the law is such that:

First. The Federal Constitution does not bind electors to vote for the nominee of their party;

Second. The States cannot bind electors;

Third. The law of the State of North Carolina does not attempt to bind electors; and

Fourth. The Federal statute requires the Congress to count all electoral votes which "have been regularly given by electors whose appointment has been lawfully certified to" by the Governor of the State.

An analysis of each proposition is indicated. The Federal Constitution does not bind electors. The converse is so. Both article II, section 1 and the 12th amendment provide that electors shall "vote by ballot." The naked language clearly implies a written, secret vote, inherent in which is the notion of untrammeled discretion. Beyond the language of the Constitution itself, there are several references in the Federalist Papers, including prominently the much quoted comment of Hamilton in No. 68 of "The Federalist," to the independent status of the elector. The Congress has honored the same viewpoint. Congress has counted the vote actually cast by every defecting elector in history. Moreover, in proposing the 12th and 23d amendments, Congress retained the concept and procedure of electors voting by ballot.

Can the States by law bind electors? Article II, section 1, clause 2 of the Federal Constitution empowers the States to appoint electors "in such manner as the Legislature thereof may direct." However, this language does not empower the States to deprive electors, once appointed, of their free choice in the electoral college. With only one exception, all decisions of State courts have said so.

The Supreme Court of the United States has never said otherwise. The Supreme Court in the Alabama case of Ray against Blair has said that a State has the power under article II when fixing the "manner" of appointment of electors to permit political parties to extract a loyalty pledge before the elector is "appointed." But that decision does not give States the power, once the pledge is given and the elector is appointed, to bind the elector to honor his pledge when he votes in the electoral college. Indeed, in the 1956 election, 4 years after the decision and in the same State, one appointed elector, having publicly given his pledge before appointment, violated his pledge in the electoral college, and the Congress counted his vote accordingly.

While there is, then, a minority viewpoint reflected in the legislative opinions of 13 State legislatures and the District of Columbia, the majority viewpoint of the courts holds that even State legislatures have no constitutional power to divest an appointed elector of his unfettered discretion in the electoral college.

Whether one embraces the minority viewpoint or the majority viewpoint, the controlling fact remains that North Carolina has not attempted by law to bind North Carolina presidential electors. Under the circumstances and the law governing the circumstances, that is a controlling fact. It remains only to inquire whether the electoral vote cast by elector Bailey, having been lawfully certified by the Governor of his State, must be counted by the Congress as it was cast. The language of title 3, United States Code, section 15, answers in the affirmative.

After defining procedures to be followed when an electoral vote is challenged in the Congress the language reads as follows:

> No electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to . . . from which but one return has been received shall be rejected.

It is argued that Bailey's vote was not "regularly given" because it was not the vote that those who "appointed" him thought he would give. What the words "regularly given" were intended to connote must be distilled from the history of the statutory enactment. Congress passed this statute in 1887 with the problem pictured by the Hayes-Tilden election contest in mind. Seeking to avoid for all time the cumbersome commission procedure Congress employed to resolve that contest, Congress wrote a statute designed to require all future contests to be resolved in the State or States where they developed. It was intended that when Congress receives only one return of electoral votes from a State and the electors have been certified by the Governor as properly appointed, Congress will not reject that return. The certificate and transmittal were intended to signify that the electors had been appointed in the "manner" directed by the legislature and that the votes had been "regularly given" under the law of the State.

If the action of this House is to uphold the literal language of the Constitution, if it is to honor its manifest purpose, if it is to abide by the pronouncements of the scholars and the decisions of the courts, then the House must reject the objection to the Bailey vote.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to my distinguished friend from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I believe the gentleman's first point has some validity, but I question the second point with regard to the claim of expropriation of power by the Congress from the people.

Are we not confronted here with a situation in which an elector is expropriating for himself, for a candidate of his choice, the power of the people of the State of North Carolina.

Mr. POFF. The gentleman will recall that my preface was that Mr. Bailey should have expressed the will of the people in the vote he cast in the college of electors. But my further statement is, and I abide by it, that under the Constitution and the law as it exists today he has an untrammeled discretion. And on that I am obliged to make my decision today.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. POFF. I am glad to yield to my colleague.

Mr. ABERNETHY. With the Constitution giving the Congress the authority and also the direction to count these votes, if we did other than count them, that is, if we voided a vote, then would it not be possible for this Congress to void enough votes so as to elect a man other than Richard Nixon?

Mr. POFF. The gentleman expressed in more eloquent terms than I the same proposition that I suggested earlier.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. CORMAN) for 5 minues.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Speaker, I support the objection to the count of the electoral vote of the elector from North Carolina, Dr. Lloyd W. Bailey. I do so with a full realization of the constitutional thicket, because of the overriding principle—also imbedded in the Constitution and recently elaborated upon by the Supreme Court—that one man must be fully equal to another man in exercising his franchise.

The independent elector, as the Constitution foresaw, has run counter to the responsibilities of universal suffrage which this country has been perfecting since the inception of the Constitution itself.

The real question before us is whether we shall be bound by a practice that has never been accepted by the people, or whether we shall now move to assure the people of North Carolina, and indeed voters throughout the United States, that their vote cannot be faithlessly negated by an elector who changes his mind. Since the early 1800's electors have been understood to be "agents" of the people—to act on their behalf, and not to decide their franchise for them. This issue goes tc the heart of the concept of democracy, which we all so proudly and so often hail—to our own people and to the people throughout the world.

Even if the objection is sustained by our vote today, we will only be plugging a glaring loophole, for the purposes of the 1968 election only, in a system that cries out for fundamental reform. Such reform, I would hope, will be a priority item on the agenda of the 91st Congress. And if the issue before us now serves to further focus our attention upon the need for reform the time spent now will be well worth it.

I have wondered often how Members of Congress would react if they were obliged to be elected under the provisions of the electoral college. Think for a moment how you would feel if the people of your congressional district wisely chose to send you to Congress, only to find that just as you had moved into your Washington office, moved your family, adjusted your business and personal affairs, an "independent elector" dissatisfied with your choice of office staff cast his vote for your opponent.

Under that system, by 1969, we would find more than enough outraged "elected" non-Congressmen to perhaps overthrow the Government. Does the Presidency, the highest office in the land, deserve less?

Mr. Speaker, a vote to sustain the objection is a vote for basic honesty, for honor, for responsibility and reliableness, and most of all a vote that upholds the most fundamental principle of our system of government—that this Government is of, by, and for the people.

Mr. CORMAN. Mr. Speaker, I rise to support the challenge to the vote cast by the North Carolina elector. I do so to effectuate the express wishes of the North Carolina electorate as well as the universal understanding of electorates throughout the Nation. In the latter half of the 20th century we cannot afford the fiction of an independent elector exercising his own judgment in derogation of the will of the people.

I would like to commend the gentleman from Illinois (Mr. ANDERSON) for pointing up, as have others, the need to move expeditiously on reform in this area, but do not think that we can hide behind a fiction today to frustrate one of the most basic rights of the American people, that is, to vote and to have their vote given efficacy in the election of the person to hold highest office in the land.

The laws of North Carolina are clear. They contemplate that a presidential elector will cast his ballot for the party candidate designated on the ballot. The challenge before us implements not merely the Federal interest in the selection of our President and Vice President, but also is the last means of enforcing the rights of the citizens of North Carolina. I recognize that there is no precedent in the Congress for challenging an elector who has been unfaithful to his electorate. Indeed, the success of this challenge may have limited effect as precedent since the vote challenged will not be determinative of the final result. However, we must also comprehend how serious the consequences will be if the Congress, squarely confronting the issue of an unfaithful elector, rejects the challenge now raised to the vote cast by a North Carolina elector. A refusal by the Congress to reject an electoral vote cast in defiance and derogation of the will of the electorate may encourage increasing numbers of electors to disregard the will of the voters in the future.

Mr. Speaker, in 144 years—1820 to 1964—out of 15,245 electoral votes cast there have only been four "unfaithful" electors. Adherence to the will of the people has been the norm. Manifestly, the people believe they are voting for the President and Vice President. The almost unbroken chain of fidelity on the part of electors to the will of the people should not be rejected by the Congress.

The Constitution is an evolving instrument. Almost two centuries of our history reflect a nearly consistent practice. It makes clear that the preference of the voters does take precedence over independent decisions by electors.

Today, the Congress sits as a court of last resort. No other forum is presently available in this case to effectuate the express wishes of the North Carolina electorate.

It is not enough, however, merely to reject the vote cast for George Wallace. To do only that would be to deprive the citizens of North Carolina of the full weight and effect of their votes. It would be to deprive them of equal protection of the law. A citizen of North Carolina is certainly entitled to have his vote counted in the same manner as the vote is counted of a citizen from California. It is not enough merely to reject the challenged vote. We must also act affirmatively and count the vote exactly as though it had been cast in accordance with the wishes clearly expressed by the people of North Carolina.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding, because a little bit ago we had cited a Law Review article from another State. It is interesting that the North Carolina Law Review commenting on the 1933 North Carolina statute which took the names of the electors off the ballot had this to say:

> Here, the legislature, acting under its plenary power of determining the method of appointing Presidential electors has attained the desirable object of direct voting for President and Vice President (11 N.C. Law Review 229).

This was the clear intent of the North Carolina Legislature by the enactment of this law, and it seems to me that we have a moral obligation as well as a legal one in seeing that that intent by the legislature in connection with this law is being carried out.

Mr. CORMAN. I thank the gentleman.

For those who support reform in this matter I would hope that you would not so strain the facts today and make a wrong decision to dramatize the need for electoral reform.

I urge that we support the resolution, and I yield back the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from Illinois (Mr. Pucinski).

Mr. PUCINSKI. Mr. Speaker, there is no question that the distinguished gentleman from Michigan (Mr. O'Hara) and the distinguished Senator from Maine have performed a valuable public service by bringing this action and challenging the vote for George Wallace. It helps to focus upon yet another dilemma of our democracy. They have placed this issue into the spotlight of public debate, and I hope such debate will hasten the day when we will be able to effectuate electoral reforms in this country in a constitutional manner.

Mr. Speaker, the distinguished gentleman from New York (Mr. Celler) has placed his finger on the issue here when he reminded us that the Founding Fathers conceived this concept of the electoral college because at that time they did not believe the voters of this country were capable of selecting a President through general elections. Of course, the gentleman from New York (Mr. Celler) quite properly pointed out that this ancient idea is totally alien to us today. But there can be no question—and there has been ample debate here—that the Constitution does provide that the elector is a free agent. Repugnant as this may be to representative government, the principle is clear that under the meaning of the Constitution he is a free agent—free to vote as he wishes. This is one of the sad dilemmas of our democracy and must be corrected.

There is always a tendency to seek change through expediency.

I believe it has been properly stated that nothing moves more slowly than a democracy, but move it does and, in its seemingly cumbersome movement, this slow process has brought us to the highest standard of human dignity and freedom ever conceived by man.

There is no question that we need a change. That change will come through the constitutional amendment process only if we reject this resolution today.

Mr. Speaker, we have adopted only 25 amendments to our Constitution since the birth of the Republic. Since the very birth of the Republic we have lived without the 25th amendment, which finally provides the machinery for succession. We even had an occasion where a President's wife managed the affairs of government simply because there was no machinery available for succession when the President was incapacitated. It was not until last year that the Congress faced this issue and adopted the 25th anniversary on succession as it will this electoral college issue.

But I say to you when we try to alter the Constitution through legislative fiat we invite great difficulties.

It seems to me that there will be a 26th amendment, as the distinguished gentleman from Louisiana (Mr. Boggs) so eloquently stated. There will be electoral reform, but it will come only when we demonstrate that we cannot meet the challenge through resolutions such as the one proposed here today.

Mr. Speaker, no one argues the fact that we need a basic electoral change, and I do support electoral change. I do realize the great danger that this country faced on the morning after election when we were not quite certain how the President was going to be selected.

I say to the House that by adopting this resolution we clearly indicate that there is a legislative way to correct the change, while indeed the country cries out for a constitutional change to once and for all get this problem settled so that the President may be elected by popular vote.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Texas.

Mr. WRIGHT. I thank my distinguished colleague from Illinois for yielding to me at this time.

I am sure that the gentleman from Illinois agrees with us that this action under question represented a derogation of the elector's duty and that the North Carolina elector had a strong moral and ethical obligation if not an absolutely binding legal obligation to cast his vote for Nixon?

Mr. PUCINSKI. There is no question about it.

Mr. WRIGHT. And so the gentleman would agree, also, that the vote the faithless elector cast was a most irregular procedure to our basic system?

Mr. PUCINSKI. I agree with the gentleman on that. But the fact of the matter is I do not believe we can adjust his actions through this resolution.

Mr. WRIGHT. The gentleman is familiar, I am sure, with the statute of 1887 which conferred upon the two Houses of the Congress the responsibility of canvassing the votes and of determining whether they were regularly given?

Mr. PUCINSKI. As the gentleman has heard in the previous debate there is a serious question as to just exactly where and when that statute begins and ends. I believe the statement was made here earlier that the statute provides for the Congress merely to confirm. I do not believe the Congress, within the framework of the Constitution, has the right to change any of the votes.

Mr. WRIGHT. Would the gentleman conclude that this vote by this elector who flouted the will of his electorate and abused the obligation that he assumed was "regularly given?" Would the gentleman characterize this as a regular action or an acceptable action to which the people do not deserve remedy?

Mr. PUCINSKI. I would say to the gentleman that we have come to this high pinnacle of man's achievement in this country simply because we have resisted changing our Constitution with the shifting sands of public opinion which ebb and flow like the tide. We really should not try to meet this problem through the resolution method, but through a proper constitutional amendment, so that once and for all we can have order out of chaos in the election of our Presidents.

The SPEAKER. The time of the gentleman from Illinois has expired.

The Chair now recognizes the gentleman from Illinois (Mr. Derwinski).

Mr. DERWINSKI. Mr. Speaker, some Members argue that it would be unconstitutional to sustain this objection: I say that the truly unconstitutional action would be to count the North Carolina elector's vote for Wallace. I shall not repeat the detailed legal analysis which other Members have made on this subject. My position is fundamental. The major function of the Constitution is to distribute the powers of government, and its great unifying principle is to affirm the ultimate power of the people as voters.

The framers of the Constitution may have believed that the electors would make independent judgments, and would be chosen for their individual wisdom, but this never became practice. In the first election in which there was an active contest for the Presidency, a Pennsylvania voter criticized the first faithless elector in these words:

> Do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No I chuse him to *act*, not to *think*.

And that has been the expectation of voters ever since. The Nixon voters, who by their plurality enabled Dr. Bailey to become an elector from North Carolina, chose him to act for them by casting his vote for Nixon on December 16. After all, the voters in North Carolina who wanted Wallace to receive the State's electoral votes marked their ballots for Wallace. Thus Dr. Bailey exercised an authority to think for himself which the voters did not intend to give him.

The State of North Carolina has legislation on this subject. In exercising its constitutional power of determining how electors are to be appointed, the State adopted a ballot in which the names of the presidential and vice-presidential candidates would appear, not those of the electors. This is a clear expression of the States' will that its electoral votes be counted according to the choice of the voting public. To count a North Carolina elector's vote for Wallace would make a mockery of this law, an instrument to deceive voters into thinking they were helping elect the man whose name they marked on the ballot, whereas they were actually casting their vote for an unknown person who in turn could choose for President a person against whom they had voted.

Now what are the facts:

On December 16, 1968, Dr. Lloyd W. Bailey, a duly elected Republican elector from North Carolina cast his vote for George C. Wallace stating that he considered it "my moral obligation to do so." Bailey was selected as a Republican elector by the Second Congressional District Republican Convention prior to the Republican National Convention.

A person who cast his vote for Nixon on election day was not wholly conscious that he was actually voting for an intermediary or expected that that intermediary would vote for Wallace and not for

Nixon. If he wanted the elector to vote for Wallace, he would so mark his ballot, or pull his lever. Putting it in another way, unless the Nixon electors are bound to vote for Nixon in the electoral college, there is no way in which the citizens who wish to choose Nixon for President can effectuate that choice.

To reemphasize, North Carolina statutes do provide that the names of electors shall not appear on the election ballot. Only the names of the presidential and vice-presidential candidates appear on such ballots. The law provides that a vote for such candidates shall be counted as a vote for the electors of the party by which such candidate was named. Certainly this in turn implies an obligation on the part of the elector to cast his vote for the candidate of his party. Not to do so destroys the effectiveness of the citizen's choice.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. CHAMBERLAIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to state I am in sympathy with the objective of the gentleman from Michigan (Mr. O'Hara) and associate myself with his position.

I would further like to say that this is an issue that does not give me any trouble, as apparently it is giving some Members here today.

Out our way when we count ballots, if we find one that is irregular on its face—or fraudulent in this case may be a better word—we do not count it. I cannot imagine a ballot being more irregular, or more fraudulent, than the one that we have before us today. This is a fraud that has been perpetrated before all the people of this whole United States. It is not right to count this ballot and we should not do so.

Mr. DERWINSKI. The gentleman from Michigan is certainly one of the most profound Members of this House and he has just proved it by that statement.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. Burton). Is the gentleman opposed to the motion?

Mr. BURTON of California. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. BURTON of California. Mr. Speaker, I rise in opposition to the resolution.

As one of the coequal branches of the Government, we have the continuing responsibility to measure our actions by the power granted to us under the Constitution as well as the limitations on our power as spelled out by the Constitution.

It is essential that we recognize that this body cannot amend the Constitution of the United States by either statute or resolution. The Constitution can only be amended in the manner specified by this basic charter. In other words, by amendment to the Constitution and concurrence by the requisite number of the several States. It has been clear for some time that our electoral procedures contain some rather significant—perhaps even dangerous—defects. Some of these defects can be remedied by the enactment of a Federal statute; however, in the instant case of the "faithless elector," the Constitution appears to me to be quite clear and therefore we are without authority—in the absence of an amendment changing this provision of the Constitution—to either ignore or invalidate the vote cast by Mr. Bailey, of North Carolina.

I hope that the 91st Congress comes to grips with and resolves our electoral imperfections and I should like to commend the gentleman from Michigan (Mr. O'Hara) and our colleague in the other body—Senator Muskie—for giving us an opportunity to debate and highlight this important issue. This debate should add a further note of urgency to the cause of electoral reform.

As the Constitution now stands, my research has led me to believe that the Founding Fathers, for whatever reasons, decided that presidential electors were to exercise their own independent judgment.

On the first day of this session, last Friday, in my view, we ignored our constitutional responsibility and duty in the matter of seating the gentleman from New York. In my view we were mandated by the Constitution to seat Mr. Powell, after ascertaining that he met the basic qualifications set forth in the Constitution; and that we exceeded our authority when we imposed, in effect, a condition of a fine on his being seated. Although I have little doubt that this body has the authority after observing procedural and substantive due process to discipline one of our Members, the constitutional course in that instance was to first seat the gentleman from New York and subsequent to the seating determine what, if any, discipline should be imposed upon him.

Similarly today, I urged my colleagues to resist the temptation to impose our collective will by majority vote on the judgment exercised—no matter how ill advised or lamentable we may deem it to be—by the so-called faithless elector from North Carolina. It appears to me that this gentleman was exercising his right granted to him under the basic charter. While it may be argued that this elector misled those who selected him and further that the judgment of those who decided he should be an elector is open to some question, all of this is irrelevant. The fact of the matter remains that the present provision of the Constitution must be honored until that provision is altered or deleted in the manner set forth in the Constitution of the United States. I shall not belabor the point of how very important it is that we maintain a government of laws and not of men, and that we, as Members of the U.S. Congress, abide by this provision, as well as all others, until that point in time that we are successful in deleting this archaic procedure from the framework of our presidential elections.

For these reasons, I urge my colleagues to vote with me in opposition to the pending motion.

Mr. JONES of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman.

Mr. JONES of North Carolina. Mr. Speaker, it appears to me that this House is attempting to involve itself in matters which are clearly covered by the U.S. Constitution as well as the election laws of the State of North Carolina. I agree with those who state that the electoral college is filled with imperfections and is in dire need of reforms as soon as possible. But, Mr. Speaker, to take an isolated case from the State of North Carolina which can in no way possibly affect the outcome of the presidential election, is to say the least, out of order. I think statements taken from yesterday's Washington Post, January 5, 1969, can best express my feelings, and they are as follows:

> The Muskie-O'Hara challenge assumes that the vote of Elector Bailey is illegal because it was cast contrary to the wishes of the voters who chose him at the polls. But North Carolina did not challenge the vote for this reason. That state certainly contemplates that Republican electors chosen by the voters shall vote for the Republican presidential candidate, for it puts the name of the candidate (not that of the electors) on its ballot. Yet it does not require them by law to be faithful to their trust.
>
> It is interesting to note that Bailey explained his vote as conforming to the will of the voters in his district. He said that he was nominated as a district elector and that his district went for Wallace. This did not, of course, release him from his moral obligation to vote for the winning candidate in the state under the general ticket system. But the basic fact is that North Carolina did not legally bind him to support the winner of the popular vote in the state, and the Constitution leaves him free to make his own choice.
>
> Under the Twelfth Amendment, Congress seems to have the duty of counting this vote as it was cast. Even if Congress should assert the right not to count it on the rather far-fetched assumption that it was not legally given, where could Congress find any authority to change it from a vote for Wallace to a vote for Nixon? The duty imposed by the Twelfth Amendment and the act of 1887 is merely to count the votes—not to say for whom they should have been cast.
>
> Since Congress itself has no right to intervene, it is scarcely persuasive to say that it can do so by pretending to enforce a North Carolina law that does not exist. To say the least, it is a very strange undertaking.
>
> Congress has been importuned on many occasions to amend the Constitution so that there would be no possibility that "dummy" electors might frustrate the will of the people in choosing the President. But Congress has failed to do so. It can scarcely excuse that neglect or overcome its unfortunate consequences now by asserting the right to count votes so as to deprive electors of the discretion the Constitution gives them.

I hope this House will vote down this resolution which to me is totally irrelevant and unnecessary.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. O'Neill).

Mr. O'NEILL of Massachusetts. Mr. Speaker, we are called upon today to exercise our constitutional obligations in the counting of the electoral vote. What in the past was mere formality, becomes much more as we consider our legal duty to judge the regularity of votes cast.

In the past, the Congress has acted under the provisions of the Constitution as amended and the 1887 electoral count law. Today's action is a first only in that we are using that provision of the law that describes the method for objecting to an elector's vote. Regardless of the outcome of this debate, I believe our action today is correct and obligatory. The phrase "regularly given" is vague; therefore, it is incumbent upon us to discuss, at least in this instance, what may or may not be considered regular.

There is no direct precedent to which we can turn; nor is the law so explicit and defined that we can look solely to it. We must look to related cases and the history of the electoral college and consider constitutional custom.

I support the objection of the gentleman from Michigan. I believe the intent of the people of North Carolina to cast their electoral vote for Richard Nixon has been thwarted, and that the elector, Dr. Bailey acted as an individual and not as an agent of the people of his State.

There are two views of the role or power of the elector. The first is that electors are appointed by the parties in the States to exercise their own judgments with regard to the selection of the President. In this opinion, the electors are not bound by law or morality to select that man chosen by the people of their State. The other view is that electors are agents of the people of their States, the formal means by which the people's vote is recorded. They have no independent existence, and are asked neither to decide or even to think; they merely transmit the vote of their State.

Although there is ample evidence that many of the authors of the Constitution favored the former view, practice among those men who have been privileged to be electors, from the beginning, has conformed to the latter view. By now, we all know the views of that anonymous constituent in 1796 who chose the elector Samuel Miles "to act, not to think." In the entire history of our Nation, only six men have voted against the wishes of their constituencies.

The Supreme Court in Ray against Blair upheld the right of a State to require that electors pledge themselves before the general election. I believe we all support this decision. However, the case of the North Carolina elector is not quite so easy. The 1933 electoral law of the State of North Carolina does not, on its face, require pledged electors. However, I believe that this was the intent of the law.

The North Carolina law states that the names of electors shall not be placed on the ballot, and only the names of presidential and vice-presidential candidates shall appear. A vote for the candidates is counted as a vote for the electors of the party by which the candidate was named. The elector does not exist except through the presidential candidate. This is not a case, as in some States, where voters vote for electors who it is assumed will vote for certain candidates. The voter casts his ballot for the President, and it is deemed that the electors of that candidate's party are chosen. Dr. Bailey only existed as an elector for the people of North Carolina in terms of his party's support for Richard Nixon. He had no individual standing.

If we accept his vote, we are denying the vote of the people of his State. They did not vote for Dr. Bailey—his name was not even on the ballot. Other nations have electoral systems wherein people vote for parties and not people. However, we have always deemed it the right of the people to choose their government. If Dr. Bailey's vote is upheld, we are saying that it is right, it is fair, and it is legal that the people of North Carolina vote blindly. Obviously, if this is the case, they did not vote for Richard Nixon; neither did they vote for Dr. Bailey. In a sense they voted for a party, but that party could not guarantee that their vote would be cast for the candidate of their choice.

I believe the 1933 North Carolina law meant to bring the people's vote closer to a direct vote for President, and not remove it one more step from an effective vote.

More than 20 States do not print the names of electors on the ballot. In one way or another, a vote for a candidate is deemed a vote for electors who are assumed to support that candidate. If we sustain Dr. Bailey's vote, we are saying to the people that it is legal to imply an elector's preference for a candidate—by associating him with a candidate's party—without putting any obligation on that elector to concur with the wishes of the people. Intimation becomes fact; appearance becomes reality.

We are making the voting process a game, as things are not what they seem. We are asking people to make vital decisions but we do not let them know what the choices are, nor are we allowing them to really decide.

I do not think our action here today is any substitute for electoral reform. There looms the possibility that such decisions as this one could be made every 4 years, with each State's laws making an entirely new case. But separate from the great need for changing our electoral process, for making clear the provisions of the law, for translating votes into electoral choice, there is a need to uphold the dictates and the intent of the Constitution and the North Carolina electoral law of 1933. The people of the State of North Carolina voted for Richard Nixon. That vote placed Dr. Bailey in a position to transmit their vote to the electoral college. Dr. Bailey has no standing and no identity as an elector apart from the people's vote for Richard Nixon. He is the people's agent; he is obligated to represent the people and the State of North Carolina in the electoral college. If we allow his vote to stand today, we have allowed the votes of the people of North Carolina to disappear, to become void. We have an obligation to guarantee that the people's vote is meaningful, that it exists. Therefore, I support the objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Speaker, I rise in opposition to the objection. I wish to state affirmatively early that in so doing, I do not approve of our present system of electing the President of the United States. Three times in our history the popular will of our people has been defeated—in the infamous elections of 1824, 1876, and 1888.

In six instances we have had the "unfaithful elector" situation which we are discussing at this point. This demonstrates the great potential for absolute repudiation of the popular will of our people. So I think most of us must conclude that the electoral college is a reprehensible and an undemocratic anachronism.

This brings us to the question of whether the remedy submitted by the distinguished gentleman from the other body and the distinguished gentleman from Michigan is the appropriate one. In my humble judgment, it is not.

In the first place, it is illegal. Both article II of the Constitution and the 12th amendment thereto make it clear, as well as the arguments that were submitted at the Constitutional Convention, that it was the intent of the drafters of our Constitution that the elector would have an independent judgment which he should and could exercise.

Ironically, the law which the gentleman from Michigan and the gentleman from the other body seek to invoke is a law passed to prevent a recurrence of that greatest miscarriage of the popular will that has ever happened in this Nation—the election of Hayes over Tilden in 1876. Ironically, they invoke in this instance a law which was passed to cure that situation. By their own admission, in a document put out by the gentleman from Michigan and the gentleman in the other body—and I refer to the "memorandum in support of an objection to counting the vote of a North Carolina elector"—paragraph 10 of that document—"In 1876 the present electoral system faithfully was adhered to on all sides," so the situation in 1876 had no instance of the "unfaithful elector" that we are debating on this occasion.

My conclusion, Mr. Speaker, is two-pronged:

First. The objection offered by the gentleman from Michigan and the gentleman from the other body is constitutionally invalid and is not remedied by an inapplicable law passed in 1887 for a different purpose, to remedy the situation which existed in 1876.

Second. The second facet of my conclusion, Mr. Speaker, is that our system for electing a President is woefully inadequate. But let us not approach the problem piecemeal as here proposed. Let us in this first session of the 91st Congress discharge our full responsibility by starting the turn of the wheels which will mean amendment to our Constitution and elimination of the innocuous electoral college system for electing a President.

I have introduced legislation to this effect. Many others have and will. Whether you prefer the proportionate system, or the district system, or the popular system—which I prefer—let us do away with our present inadequate system; but let us not compound our past errors by approving the objection.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BURLISON of Missouri. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I

commend the gentleman on the splendid presentation he has made.

The SPEAKER. The time of the gentleman from Missouri has expired.

The Chair recognizes the gentleman from North Carolina (Mr. GALIFIANAKIS).

Mr. GALIFIANAKIS. Mr. Speaker, I rise to oppose the resolution.

Mr. Speaker, the vote case by presidential elector, Dr. Lloyd Bailey of North Carolina, raises many interesting questions, some of which deserve careful and deliberate consideration by this Congress. Unfortunately, by law we are required to count the electoral votes today, January 6. This provides very little—indeed inadequate—time to consider thoroughly the many implications of Dr. Bailey's act.

Suppose the resolution rejecting Dr. Bailey's vote is passed by this Congress today. And suppose Dr. Bailey decides tomorrow, as he might very well do, to test his constitutional right to vote as he did. We shall then be no closer to resolving this particular problem than we are now. Indeed, the problem will be further complicated by the intervention of the courts and may well interfere with the ultimate adoption of a more adequate, permanent solution to the fundamental problem presented here.

At the outset, I must emphatically differentiate between my personal feelings on the matter and what I perceive to be the controlling law. I believe Dr. Bailey had a moral commitment, as a Republican elector, to cast his vote for the Republican candidates, President-elect Nixon and Vice President-elect Agnew. I have no doubt that the voters whom Dr. Bailey represented as elector confidently anticipated that their expression of preference would be preserved by the North Carolina electors should the Republicans carry the State, as they did. I feel this assumption is particularly valid since the third party candidate, George Wallace, also appeared on North Carolina's presidential ballot, providing those voters who preferred him ample opportunity to choose his slate of electors.

Furthermore, if it is the intention, in whole or in part, of Senator MUSKIE and Congressman O'HARA to question the presidential elector system, I am entirely in accord with their motives. I feel the entire electoral system needs the most careful reexamination and consideration.

But at the same time, I do not see that these gentlemen have made a legal case for their challenge. The first question is whether or not there are, in the laws of the State of North Carolina, provisions which require an elector to cast his vote for the candidates of the party he represents. It appears that the North Carolina constitution and statutes are entirely silent on this point. I am confident that the Supreme Court of North Carolina would hold, in construing the laws of the State, that in the absence of express language or clear implications in the law, no such interpretation can prevail. I find neither such express language nor such clear implication in the laws of North Carolina.

Also, I do not see that the Federal laws will help their case. The statute which authorized Congress to reject electoral votes does so in a very limited and specific way. I quote:

> No electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified.

Clearly, our only basis for rejecting Dr. Bailey's vote under this section would be upon the determination by this Congress that his was not a lawfully certified appointment or that his vote was not cast in a regular manner. There apparently is no contention raised as to the first point, and to argue that the fact of Dr. Bailey's vote in itself made it irregular, I believe, assumes the questions rather than answering them.

As I understand it, the duty of Congress under the law is, of course, to count electoral votes, not to cast them, nor to ignore them, nor to recast them. There may be flaws in the scheme which produces these votes, but these must be traced to the Constitution of the United States and to the several State codes. It is hardly appropriate for Congress to try to amend the Constitution of the United States by custom.

Mr. HENDERSON. Mr. Speaker, will the gentleman from North Carolina yield?

Mr. GALIFIANAKIS. I yield to my distinguished colleague.

Mr. HENDERSON. I should like to commend the gentleman from North Carolina for the statement he is making. I join him in his remarks.

Mr. Speaker, when the House sits to receive the electoral vote cast by the electors duly chosen in the various States to serve in the electoral college to elect the President of the United States, our duty is similar to that of a local board of elections which canvasses and certifies the returns.

Our function is solely to receive the votes, count them, and certify the result.

It is not to determine whether the votes were properly cast.

I do not believe our laws should permit an elector to disregard the expressed will of the voters and cast the electoral vote entrusted to him as a representative of his political party for a candidate other than the candidate of his party. Nevertheless, our present law does permit such action and the Congress has no legal authority to change the vote cast by a duly qualified elector or to refuse to consider and count it.

I expect to support a constitutional amendment which would change our electoral system to prevent such actions in the future, but in the absence of such an amendment, or a State law spelling out clearly the duties of an elector, he has the legal, if not the moral, right to vote as he chooses.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. GALIFIANAKIS. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I join my friend in commending the gentleman from North Carolina for a splendid speech.

I ask unanimous consent to insert in the RECORD at this point a statement with regard to the 12th amendment and the manner in which it does direct that the electors act as agents for the people.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The statement is as follows:

THE 12TH AMENDMENT

In 1800, the electors met and cast their votes, each voting for two candidates, without distinction as to a Presidential and Vice-Presidential choice, as then prescribed by the Constitution. The result was a tie for first place between Jefferson and Burr, the two Democratic-Republican candidates, each of whom received 73 votes. John Adams received 65 votes, his "official" Federalist running mate, Pinckney, received 64, and one Federalist elector voted for John Jay. This left Jefferson and Burr tied for President, and after considerable cliff-hanging, the House elected Jefferson over Burr. Subsequently, in order to prevent the possibility—which was close in the House—of the election as President of an unintended candidate through wheeling and dealing among the State delegations—the Congress submitted to the States, the twelfth amendment, which was ratified in time to govern the casting of the electoral votes for President and Vice-President, and makes other changes in the electoral college procedure, is the language which now governs the choice and operation of electors. In the debates preceding its adoption by the Congress, there is ample rhetorical evidence that it was the intent of the framers of the amendments to provide for as direct a Presidential election as they deemed possible, and that they viewed the electors as mere agents of the voters. Their speeches, from which I quote below, are favorable to our cause. But the environment in which they were delivered poses some questions since most electors immediately prior to the adoption of the Amendment were not chosen by direct election at all, but by the State Legislatures.

I. THE RHETORIC

A. *In the Senate.* Senator Jackson of Georgia. "You must keep the election out of the House of Representatives if you wish to keep the Government from civil war, from the danger of having a man not voted for by the people proposed to be placed over your head, as you are plainly told has been proposed. We are but the servants of the people, and it is our duty to study their wishes."

Senator Nicholas, of Virginia: "By taking the number three instead of five, you place the choice with more certainty in the people at large, and render the choice more consonant with their wishes. . . . The people hold the sovereign power, and it was intended by the Constitution that they should have the election of the Chief Magistrate."

Senator Samuel Smith, of Maryland: . . . the Constitution; which if (I understand) is right, intended that the election of the Executive should be in the people, or as nearly as was possible, consistent with public order and security to the right of suffrage. . . . Our object in the amendment is or should be to make the election more certain by the people."

Senator Breckinridge of Kentucky: "If any principle is more sacred and all-important for free government it is that elections should be as direct as possible; in proportion as you remove from direct elections you approach danger. And if it were practicable to act without any agents in the choice, that would be preferable even to the choice by Electors."

B. *In the House.* Rep. Clopton of Virginia: "he believed the provision, if conformed to the ideas suggested by him, would be more likely to insure the ultimate election of President and Vice-President according to the will of the people, as the electoral votes are to be considered as their expression of the public will."

Rep. G. W. Campbell of Tennessee: "He considered to be the duty of this House, in introducing an amendment to the Constitution on this point, to secure to the people the benefits of choosing the President, so as to prevent a contravention of their will as expressed by Electors chosen by them."

Rep. Clopton (further): "The Electors are the organs, who, acting from a certain and unquestioned knowledge of the choice of the people, by whom they themselves are appointed and under immediate responsibility to them, select and announce those particular citizens, and affix to them by their votes and evidence of the degree of public confidence which is bestowed upon them. The adoption of this medium through which the election should be made, in preference to the mode of immediate election by the people, was no abandonment of the great principle, that the appointment of the constituted authorities ought to be conformable to the public will. It was no abandonment of that principle in respect to the President and Vice President. The adoption of this medium in the first resort, and the adoption of this alternative of a Legislative election in the last resort, were not intended as disparagements to the energy of that principle—were not intended to operate any diminution of its force. The spirit, the genius of the Government, is the same. The same principle was intended to influence its elections, although in a different form and after a different manner. It is a great characteristic feature of the Government. It is a primary, essential, and distinguishing attribute of the Government, that the will of the people should be done; and that the elections should be according to the will of the people."

Rep. Holland of North Carolina: "Sir, I am one of those who have been early taught to respect the will of the people, and notwithstanding what has been said, I still retain an opinion that the public will is of binding obligation and I hope I shall continue to regard it. The Constitution itself is predicated upon the will of the people, and in order to ascertain this will at all times, the framers were obliged to resort to elections and delegations of power by which agents were to be appointed to express and execute their will, whether acting in a Legislative or Executive capacity. But the delegation of power ought to be imposed only in cases where the will of the people cannot be otherwise known. Under these impressions, I have not admired the plan adopted in the Constitution of electing those high officers by Electors. I should have preferred an immediate suffrage to this indirect mode of electing by Electors; but as the framers of the Constitution have thought proper to ascertain the public will through the medium of Electors, I am unwilling that they also should be under any unnecessary trammels whereby the will of their constituents should be impeded.

The SPEAKER. The gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, I regret that parliamentary considerations have led to a limited challenge today; one which, if sustained, will only disqualify the vote of the defecting elector. I would have gone further and required the defector's vote to be counted in accordance with the pledge that he carried. At a future time that further result should be urged.

Does the Constitution confer upon an elector the unrestricted right to exercise his discretion regardless of the system used to elect him, and without reference to firm, public pledges to vote for a particular candidate which were the sole basis of his election? I think not, although I must confess that until I reviewed the language of the Constitution and read some of the court decisions I had a contrary view.

Mr. Speaker, it is true that the drafters of the Constitution contemplated that presidential electors would use their own judgment and discretion in voting for a President. Presumably this intent was expressed by calling for the elector to "vote by ballot." But the same article of the Constitution contains a further provision which must be examined.

The critical language is found in article II, section 1 of the Constitution, which provides that each State shall appoint presidential electors "in such manner as the Legislature thereof may direct." This language is a general grant of power, broadly drawn, which does not circumscribe the procedures under which the States may choose electors.

In truth, the courts have repeatedly upheld a variety of procedures for the appointment of electors, including election by the legislature, by statewide vote, and by district votes. Moreover, the courts have sustained the validity of the procedure used in North Carolina and in at least 34 other States. In these States only the names of the presidential and vice-presidential candidates appear on the ballot, and not the names of the electors. It is beyond dispute that the latter system contemplates that the electors will vote for the candidates on whose behalf they were filed. The electors are under an explicit pledge in some of those 35 States and under an implied pledge in the others to vote for those candidates. The creation of the implied pledge has been explicitly referred to by the U.S. Supreme Court.

Thus, for over a century and a half, both practice and the courts have sanctioned a system of appointing electors who carry either an explicit or an implied pledge to vote for a certain candidate. Thus, a system of appointing electors has prevailed for over 150 years which explicitly follows a system outside the contemplation of the original drafters of the Constitution. Nevertheless, this system appears to come within the broad grant of power afforded each State to appoint these electors in "such manner as the legislature may direct."

The only question which remains is whether or not the Congress shall give full force and effect to the system followed by almost all of the States. There is no reason why we should not. If we sustain this challenge, we will be upholding the exercise by the States of their general power to determine the procedures to be used in selecting electors; we will carry forward the will of the voters rather than permitting that will to be frustrated; and we will insure the integrity of the election system which is so essential to a free society.

If Congress sustains this challenge, it does not in any way impair the rights of third parties to present themselves to the voters, nor does it bar a State from following a method of selecting electors who are free to exercise discretion. If we sustain the challenge today, we simply affirm the right of the States to make effective one system of selecting electors which in no way detracts or erodes their right to adopt other systems.

I urge that the challenge be sustained.

The SPEAKER. The Chair recognizes the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I doubt if anyone in this Chamber today is happy with the prospect of having to make a decision on this matter at this time. But on the other hand we are awfully fortunate that we are not making another decision, that other decision being who would be the next President of the United States. As we all know, we came dangerously close to having to face up to that problem as the closeness of the election in November became more obvious to every one of us. So, although we have the lesser of the two challenges pending before us, I think we ought to take a look at some of the problems that face us in trying to resolve in our minds how each of us should vote.

In December 1967 I first raised the question before a Republican Governors' conference in Florida of the possibility of the House of Representatives having to decide who might be the next President. Quite frankly I was disappointed with the response that I received from even Members of this body. I was disappointed with the interest on the part of the press. The news media discounted the possibility of this constitutional crisis. However, I do not believe that many people were discounting this serious problem as the election night wore on, believe me.

And, perhaps, the mere fact that we have this issue pending before us today is yet another incentive for the Congress to initiate some affirmative action to avoid the possibility of a constitutional crisis in November 1972.

I am all for a change in the method by which we select the President. I have some views favoring one method over another, but I am willing to moderate these personal views in order to achieve a solution. Therefore, I urge immediate action in the Committee on the Judiciary and on the floor, and the sooner we get together the better. But we have a concrete problem before us today as to what we should do about this specific issue raised by the gentleman from Michigan (Mr. O'HARA) and Senator MUSKIE.

Constitutionally, the gentleman from Ohio is right, the gentleman from Virginia is right, and the gentleman from North Carolina is right. I cannot argue with the freedom of choice of the elector predicated upon a strict interpretation of the Constitution. On the other hand it is my opinion that we have to weave into our decisionmaking the question of the moral issue.

Our function today is to decide what votes we count. Do we count the vote of the faithless elector from the State of North Carolina or do we count the votes of the people of North Carolina who voted in the plurality for the President-elect? And, when I weigh on the scales under these circumstances whose vote or votes I am going to count today, I am going to vote for the vote of the people of North Carolina who voted for Dick Nixon.

Now, some will say that is a bad precedent. Well, I hope it is a precedent in a moot case, because, in the next 4 years, I hope we have found a better way to select a President of the United States than the manner in which we do it today. Therefore, whether it is a precedent under this procedure or not, I am not concerned about it.

I am concerned about affirmative action on our method of electing a President. I hope that whatever the precedent is today that it certainly will be moot, and that we will soon have a new method and a new means of choosing a President so as to be effective in November of 1972.

Therefore, Mr. Speaker, may I conclude with this final observation—for obviously I am going to vote for the resolution if we get to that question, and I hope we do not—and in order to obviate a precedent which I believe would be bad, even though I would hope it would not be applicable in 1972, I am going to move, or seek to move to table the resolution. As soon as we conclude the debate, I am going to move to table the resolution, and I hope it is in order.

The SPEAKER. The time of the gentleman from Michigan has expired.

The Chair would like to inquire if there are any other Members who are going to speak in opposition to the objection. At present the Chair has one Member on the list who is going to speak in opposition, and three or four Members who will speak in behalf of the objection. The Chair is making the inquiry in order that the Chair can protect the Members on the question of equality in the debate.

The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. JONES of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. ECKHARDT. Mr. Speaker, I yield to the gentleman from North Carolina.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

I would like to insert into the RECORD at this point—and I would also like to read—a telegram received by me today which is as follows:

RALEIGH, N.C.

Hon. WALTER B. JONES,
Representative of North Carolina,
House Office Building,
Washington, D.C.:

Pursuant to your request you are advised that under the North Carolina statutes a presidential elector is not required to cast his vote for any particular candidate.

JAMES F. BULLOCK,
Deputy Attorney General.

I thank the gentleman from Texas for yielding to me.

Mr. ECKHARDT. Mr. Speaker, I would be reluctant to appear here to oppose a resolution with such honorable intent against one guilty of such dishonorable conduct if I did not consider it incumbent on me to do so under my oath of office.

Last Friday I voted "present" upon that basis, and today I shall vote "no" upon the same basis.

There are twin derelictions that I consider to be the highest crimes of a representative official. The first is lack of fidelity to the people, and the second is lack of fidelity to the Constitution of the United States.

On so thorny a constitutional question as the basic one raised in debate here today one would be bold, indeed, if he were so sure of his correctness as to say the opposite conclusion defied the Constitution. And though, on the constitutional objection that I shall raise here, I feel that Congress' authority is clearly and expressly limited short of judging a hypothetical question of Dr. Bailey's authority to defy the voters' mandate, I concede that others may come to a contrary conclusion. If they do, they are upholding the Constitution as they see it, and this is what they should do.

My arguments against this resolution do not rest upon the basis of any of the constitutional arguments that have heretofore been raised. I do not believe it is so clear as the very able chairman of the Committee on the Judiciary contends that the electoral college is a mere conduit of the will of the persons who select them.

I do not, on the other hand, believe it is so clear, as the gentleman from California said, that the electors may vote without restraint their true and independent views. But I do believe that there is one thing that is beyond question in the Constitution, and that is that the joint session of the House and the Senate has no power whatsoever other than to hear the returns of the electors read, until it is shown that there is at least a possibility that one of the candidates does not have a majority.

The time we reach the point that we are attempting to decide by this resolution is at the point where the House gets jurisdiction to determine the issue of the Presidency.

There is no possibility of the House receiving that jurisdiction under the facts of this case. But technically, if I were not stopped by the peculiar rule involved where an issue is presented to this body through the joint body and therefore cannot be amended, what I would be speaking for here and now would be a delay of action with respect to the decision on the vote of the elector from North Carolina until it was determined that his vote might result in a failure of a majority appearing for any given candidate.

Now that is the only point at which this body receives jurisdiction to determine the issue of the propriety of the election or of the propriety of the vote of an elector in the electoral college, and until this occurs this body is utterly and completely without jurisdiction to deal with the matter.

Now there are also practical aspects in following this mandate of the constitution and they are the same aspects that constrain the Supreme Court from deciding moot cases and questions.

If this determination, with respect to the electors of North Carolina, were to determine who would be President of the United States, then nearly every responsible law journal in the universities in the country and most of the students of constitutional law would have written on this subject and we would be deciding this question on a mature basis of consideration, and not as a moot case or question.

If we decide a case on this basis, then we decide it on the weakest consideration that a matter of this importance could possibly command.

I urge the House that we cast a "no" vote at this time, without resolving the question of whether Dr. Bailey was compelled to follow the mandate of the vote of the State of North Carolina or was not compelled to follow that mandate.

The SPEAKER. The Chair recognizes the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Speaker, the question is whether the Congress may prevent a presidential elector chosen on the assumption that he would vote for Mr. Nixon from in fact casting his vote for Mr. Wallace.

Originally, there was no doubt that an elector was free to exercise his own judgment. But customary law has long since dictated an obligation to keep faith. As long ago as 1903, James A. Woodburn said in The American Republic that—

> No law of the Constitution is stronger or more inviolable than this unwritten one that a presidential elector is required to vote for the candidate selected by the popular election.

The gentleman from Michigan (Mr. O'HARA)—to whom we must be grateful for raising the issue—relies on the electoral count law of 1887 as the basis of his challenge of the vote of Dr. Bailey. I have some difficulty with the use of the 1887 law for this purpose, since that law seems to imply that if an elector is duly elected by the law of his State, his vote may not be challenged.

But there is another, and I think clearer, ground for this House to count Dr. Bailey's vote as not a vote for Mr. Wallace. We are here acting under the language of the original Constitution—and of the identical language of the 12th amendment of 1804:

> The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted.

In counting Dr. Bailey's vote, we ought to assume that he did not betray his trust.

If Dr. Bailey does not like the way we count his vote, it is open to him to go to a Federal court of equity and attempt to have his vote corrected. And there, even if he should persuade the court that Congress in counting his vote was wrong, the court of equity will invoke a old maxim of equity: He who comes into equity must come with clean hands. The court, noting Dr. Bailey's betrayal of trust, will turn him away, saying: "Physician, heal thyself."

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, I ask the gentleman, if we were to follow the literal language of the Constitution, which some of our distinguished colleagues feel we are bound to do, could we have anything like an effective election tallied here today?

Article II of the Constitution provides:

> Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.

In the case of the State of North Carolina, that would have been 13. The State of North Carolina did not do that. They authorized the Democratic Party to submit to the Secretary of State a list of Democratic electors, and they authorized the Republican Party and the Wallace Party to do the same thing. So the Legislature of North Carolina authorized three sets of electors, but only one set voted for President and Vice President. That would be one-third of the total number authorized to vote by the Legislature of the State of North Carolina if we ignore the vote of the people of the State.

Therefore, is it not apparent that by common acquiescence and the laws of the several States that we have come to treat the electoral college as an institution about as functional as is the appendix in the human body?

I ask one further question: Suppose the State of North Carolina had not named any electors, but suppose the Secretary of State had certified to the Congress that the State of North Carolina, let us say, voted for the President-elect. Suppose that today there were no certificate from the electors but that there was a certificate from the Secretary of State to the effect that they had voted for Nixon. Would it be counted here today?

Mr. REUSS. I am confident it would be.

Mr. PRYOR of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. PRYOR of Arkansas. Mr. Speaker, the case of Dr. Lloyd W. Bailey is certainly not a case against the splendid State of North Carolina, any political party, either of the three presidential aspirants who presented themselves to the American electorate on November 5, or actually against Dr. Bailey himself. But rather, in its broadest sense the Bailey case presents a challenge to the very possibility, or principle, or philosophy, that the American voters could, if Dr. Baileys exist everywhere, find themselves completely disenfranchised and the popular will of the people annihilated.

Had Dr. Bailey, a Republican Party elector, pledged to support Richard Nixon, decided to cast his vote for Hubert Humphrey, instead of George Wallace on December 16 in the electoral college, justice would have been equally flaunted—the peoples' wishes flagrantly violated. A Dr. Bailey in Arkansas, New York, or any of our States would of course have presented the same issue as arises at this historical moment today.

We talk about rights a great deal today. Civil rights, Indian rights, and water rights. But, Mr. Speaker, the Bailey issue is one of peoples' rights—or the right of the people to speak effectively with their ballot—the will of the electorate of any given State not to be abandoned or mocked because of the personal whims or desires of electors who violate their agency relationship with their people.

The case of Dr. Bailey in its broad sense presents a challenge to the patchwork of cloudy and nebulous statutes and court decisions on both the Federal and State levels in the area of the elector's relationship to those who chose him to represent them in the electoral college. It is our hope that the deliberations of this body and the meeting squarely of the great constitutional issue encompassed in the Bailey situation will serve to clarify the position of those who make up the electoral college.

But on a broader front the case of Dr. Bailey comes to the basic roots of an antiquated, clumsy, and unfair method of electing our President. The question of what we now describe as an "unfaithful elector" is only one of many flaws, discrepancies, and dilemmas in our electoral college jungle.

Hopefully, the Bailey situation added to other related facets attached to the electoral college system, will demonstrate the necessity of the 91st Congress giving the highest priority to seeking wholesale reform in our method of electing our President.

The SPEAKER. The gentleman from California (Mr. Hosmer) is recognized for 5 minutes.

Mr. HOSMER. Mr. Speaker, I rise in favor of the resolution and recall to your mind that one of the stated purposes of our Constitution, set forth in its preamble, is to establish justice. That is quite relevant to our decision today whether to count or not to count the electoral vote from North Carolina. For here, too, we are seeking justice.

And what is justice?

It is a fair result which comes from an application of both law and equity.

Law, as this Republic knows it, comprises the written provisions of our Constitution and our statutes, and the unwritten provisions of the common law.

Equity, on the other hand, is the conscience of justice. It is an obligation upon those seeking justice not to be blind in situations where the rote application of law will promote injustice. It is an obligation to seek out the conscionable where otherwise the unconscionable would prevail.

True, equity is principally a tool of the courts, the judicial branch of our Government. But it is nowhere a tool denied the Congress, the legislative branch, in the conduct of its business. In fact, we, the Congress, if we seek justice, are as bound to apply its principles in the conduct of our business as are the courts.

Today our business is to decide the election of a President and a Vice President. In this process we have been called upon to determine the validity of one vote cast by an elector from North Carolina. In essence, we are called upon under the resolution before us to decide whether counting that particular vote will serve a conscionable or an unconscionable end. We are obliged to use all the tools of our trade in arriving at this decision. Equity is one of those tools, for this House cannot act without conscience in rendering justice.

The central issue before us, then, is whether counting this vote will conscionably forward justice or unconscionably thwart it.

What are the facts?

Simply that the elector in question in some manner held out to someone, including the electorate of North Carolina, that should he become an elector he would vote for his party's candidate for President and Vice President. For that reason alone and none other was he made an elector. But to the contrary notwithstanding, when it came to balloting, he cast his ballot for two other candidates. All this is open and notorious knowledge of which we have taken legislative notice by entertaining the resolution before us.

In this sense he has defrauded those to whom he held out a contrary intention in order to qualify to cast his ballot.

This elector's fraudulent conduct is unconscionable.

If we see only the legalisms some have cited and blindly permit his unconscionable act to be effected by counting his ballot, thus forwarding his unconscionable purpose, we will thwart the ends of justice as I have explained them. We certainly will not be forwarding them.

As I have also explained, we have the power to employ equity in determining this business before us. No one has denied that we have this power. Therefore we possess the capability to thwart this unconscionable fraud by this elector upon those who made him such.

I strongly recommend we exercise that power. It is our duty to do so and thereby achieve the conscionable ends of justice. We can do so only by supporting the resolution. It will be a good precedent because it will bring a fair result.

The SPEAKER. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Massachusetts (Mr. Boland).

Mr. BOLAND. Mr. Speaker, in 1826, Senator Thomas Hart Benton said in regard to the office of presidential elector:

> The agent must be useless if he is faithful, and dangerous if he is not.

These words apply with full force and vigor to the case of Lloyd Bailey, the faithless and, hence dangerous, elector of North Carolina.

Some 16,000 Americans have been chosen as presidential electors under the laws of the several States, in the 180 years since the American people first embarked upon the exciting, courageous and eminently successful experiment of allowing the powerful Chief Executive of a great nation to be chosen by the people over whose government he presides. Sixteen-thousand people—men and women of every race, every religion, every walk of life. Sixteen thousand people—some of them eminent public figures, more of them obscure private citizens—have been given the ministerial but solemn function of listening to what the people say at the polls and jotting it down on their ballots. Of this great army of Americans only six throughout the history of the Republic have sought to impose their own private judgment, their own will, over the free choice of the people to whom they are accountable. This is a record of amazing fidelity to a system which has had few sanctions, and in which even those few sanctions have not been hitherto applied.

There have only been six of them, and in no case, have their disregard for their duty, changed the result of a presidential election. The lawyer's maxim, "De Minimis Non Curat Lex," might be thought to apply here, and we may be urged to disregard the tiny and ineffectual mischief done by Elector Bailey on the grounds that the Nation, the President, and the people of North Carolina have suffered no lasting harm from his irresponsibility.

I see it differently, Mr. Speaker. As I see it, these six faithless electors have gone largely unremarked in our history because we have been fortunate enough not to have several of them emerge at the wrong time. Let us suppose, Mr. Speaker, that 85,500 popular votes, in the States of Illinois, Alaska, and New Mexico, had been cast differently. Let us suppose that by this combination of minute alterations in the voting patterns of 1968, the election had been thrown into the House of Representatives by the margin of one electoral vote. In a situation like this a single faithless elector, motivated either by ideological considerations, as Bailey apparently was, or by some even less defensible motive, could have literally held the history of the Republic in his own hands, and subjected it to his own will. This, I submit, is not the kind of power the American people are willing to entrust to an electoral college made up of saints and scholars, and they certainly did not intend that their next 4 years of leadership should be decided by an anonymous elector from North Carolina.

Mr. Speaker, I would now like to address myself briefly to the historical questions involved in this objection.

Everyone knows, Mr. Speaker, that the presidential electors are free agents. Like a lot of other things that "everyone knows," this assertion simply has no basis in historical fact.

I do not question those learned observers who contend that the Founding Fathers intended the electors to be men of independent judgment, who would exercise their own wisdom in selecting among their fellow citizens for the Presidency. This assumption among the Founding Fathers is too well documented to question.

But there are two other facts to take into consideration in judging the duty of an elector, besides the original concept of the position. First, it is simple historical fact that the electoral college never functioned as the Founding Fathers intended it to, even from the beginning. In the very first presidential election, the electors were chosen in the sure and certain knowledge that they would all vote for George Washington. The individual electors were no more free agents, nor were they expected to function as a deliberative body, in 1788 than in 1968.

In 1792 the same thing was true. Again, George Washington was the unanimous and foreknown choice of the electors. By the time the third election took place, in 1796, it was clearly understood by all the electors that their function was to give voice to the candidate they were pledged to prior to their election. This understanding was so firm that only one elector in 1796 chose to violate his pledge. Samuel Miles, an elector pledged to John Adams, voted instead for Thomas Jefferson. One of his constituents spoke for most Americans in 1796, and for the overwhelming majority of Americans in 1968, in saying of this defection:

> Do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chuse him to act, not to think.

In 1800 the electors remained faithful to a man to their preelection pledges. This time, the great majority were pledged not only to a presidential candidate—Thomas Jefferson—but to his vice presidential running mate, Aaron Burr. They remained so faithful to their duty that under the original constitutional provisions, there was a deadlock for the two offices, which had to be settled in the House.

This brings us to the second major consideration to be kept in mind in determining the contemporary function of an elector. The 1800 election was not looked upon by the people of the time as a strange one-time anomaly that would never happen again if the electors simply did their independent duty. On the contrary, it was assumed on all sides that the 1800 experience would constantly repeat itself because it was assumed on all sides that electors would simply vote for the candidates they were pledged to vote for. The Congress, acting on this assumption, undertook to amend the Constitution to fit the new reality. And the 12th amendment was rapidly ratified by the States.

My basic point, Mr. Speaker, is that it is not article II, section 1, which governs the electoral college today. It is the 12th amendment. The quotes from the Constitutional Convention, and the arguments in the Federalist Papers deal with constitutional language which has been almost wholly superseded by the 12th amendment. It is to the legislative history of the 12th amendment that we must turn to find out what the electors were meant to be in the minds of the men who wrote and approved that amendment.

In those debates, which are preserved in large part in the Annals of Congress, the remote ancestor of today's CONGRESSIONAL RECORD, it is crystal clear from the debates that there was no significant body of opinion in the Congress which still clung to the notion that electors were free agents.

Let me quote very briefly from some of the remarks made during the debate on the 12th amendment:

Senator Nicholas of Virginia:

> The people hold the sovereign power, and it was intended by the Constitution that they should have the election of the Chief Magistrate.

Senator Samuel Smith, of Maryland:

> Our object in the amendment is or should be to make the election more certain by the people.

Representative Clopton of Virginia: He believed the provision, if conformed to the ideas suggested by him, would be more likely to insure the ultimate election of President and Vice President according to the will of the people, as the electoral votes are to be considered as their expression of the public will.

Representative G. W. Campbell of Tennessee: He considered to be the duty of this House, in introducing an amendment to the Constitution on this point, to secure to the people the benefits of choosing the President, so as to prevent a contravention of their will as expressed by electors chosen by them.

It is the clear duty of the Congress, not to interpose its will between the people and their choice of a President, but to offer the shield of its authority as a protection of the sovereign right of a free people to see conferred the highest office in their gift upon the man they have chosen.

Mr. BENNETT. Mr. Speaker, it seems to me that a negative vote on this objection is required because of the specific wording of the Constitution and I expect to so vote. I take this opportunity to express the hope that the issue thus raised may again point out the need for an amendment to the Constitution to eliminate the electoral college, and also to provide for a better way to nominate the President and Vice President each 4 years.

Like many others I have been for years introducing legislation of this nature and I hope it can receive prompt attention this year.

Mr. FOUNTAIN. Mr. Speaker, I want to join those who have expressed their opposition to the petition of objection filed by the gentleman from Michigan and the Senator from Maine.

I, too, feel that Dr. Bailey had a moral obligation to cast his electoral vote for Mr. Nixon because Dr. Bailey was an elector for the State of North Carolina and not just of the Second District, which I have the privilege of representing here in this House.

A moral obligation and a legal requirement, however, in this instance, are two different things. There is no requirement in the Constitution of the United States, the constitution of North Carolina, the United States Code, or the statutes of North Carolina that binds a presidential elector to any one candidate. Nor to my knowledge has a decision binding our electors been issued by any competent court.

Therefore, regardless of whether we agree or disagree with Dr. Bailey's decision, Congress is powerless to act as proposed. It is powerless to vacate Dr. Bailey's vote and it is powerless to assign it to Mr. Nixon or any other candidate.

I am aware that one of the stated reasons for the proposals of the gentleman from Michigan and the Senator from Maine is to dramatize the weaknesses in our present form of electing a President.

I think this particular weakness has been dramatized and I hope the Congress will address itself at an early date to effective and appropriate reform.

But to call upon the Congress to do what it clearly has no authority to do in this particular case before us today is not solving the longstanding problem nor is it a workable solution to what some feel is an errant vote by one elector duly chosen under the laws and constitution of our Nation and our State.

Therefore, I repeat: There is no present legal or constitutional provision existing in the State of North Carolina to dictate how a presidential elector should cast his vote. And in the absence of any such binding authority, Congress cannot alter the electoral vote of North Carolina. It can only count it as provided by the Constitution and the Federal statutes.

Lasting solutions are needed to our unanswered questions of presidential elections but the action proposed today is not one of those solutions.

Mr. McDONALD of Michigan. Mr. Speaker, the case of the defecting North Carolina elector points up once again the basic unfairness of the electoral college system.

Here we have the people of the State of North Carolina voting for President-elect Nixon, but one of the Republican electors giving his vote to another candidate, thus thumbing his nose at the very people who entrusted him to vote their will.

When the Founding Fathers instituted the electoral college this was a sparsely settled agricultural nation; communications were primitive; a good education was denied the bulk of the population and the educated elite felt the ordinary citizen was not capable of making a wise choice as to who would govern.

Party politics as we know it today had not come into fashion and the duty of the electors was to choose the two best men to run the country, the candidate getting the larger vote to serve as President and the other as Vice President.

Electors in the early years of our Republic were supposed to be men of the highest caliber, men of wisdom, integrity, and high purpose. It was felt that only by choosing such men could we assure our people of responsible government.

The original reasoning behind the elector system may have been constructive in the early years of the Republic, but the development of a vigorous two-party system gave the Nation a political atmosphere none of the Founding Fathers could have foreseen.

The retirement of George Washington led to partisan division and it became apparent that the election provision would usually result in selection of the top man from each party. The 12th amendment remedied this and electors vote for President and Vice President.

During the early 1800's, the practice of electing famous, independent electors was abandoned and parties started selecting partisan electors whose function was to vote for the candidate to whom they were committed.

Thus, for the past 150 years few voters have even known or cared about the identity of the electors for whom they voted on election day.

Electors are still legally and constitutionally independent and cannot be compelled to vote for the man to whom they are committed. As a result, there have been deviations, the latest occurring in the 1968 election in North Carolina.

It is important to point out that as a direct result of the electoral college system, we have had three presidential elections in which the candidate who led in popular vote was defeated.

One election was decided in the House, one by a special electoral commission, and one on the basis of the electoral vote.

The electoral college has outlived its usefulness. Today, with a third party in the field and other threats of vote splintering, it could deny the office of President to the man chosen by the largest segment of the voters.

An election thrown into the House could lead to the sort of backstairs bargaining that disgraced this Nation in 1824, when Andrew Jackson led in the popular vote but was defeated as the result of a deal between Henry Clay and the supporters of John Quincy Adams.

It is time to get rid of this political monstrosity before it does the sort of damage never envisioned by its creators.

Mr. WYMAN. Mr. Speaker, the trouble with the argument of the petitioners in this matter is simply that as things stood in the 1968 election, the electors are not legally bound, no matter how dismaying may be an admitted violation of trust and confidence in voting for other than the candidate in whose name the elector was chosen.

At the Federal level unless and until this is changed by constitutional amendment, or to a lesser extent within the several States by State law, electors are legally free to vote as they individually see fit.

If the instance to which petitioners here object involves as they maintain "a constitutional principle of enormous magnitude" the proper role for this Congress consists of the proposal of a remedial constitutional amendment to be the result of deliberative legislative procedures.

The duty and the responsibility of Congress at this juncture is to vote not to sustain the objection.

Mr. DOWDY. Mr. Speaker, this resolution before us to attach and set aside the certificate from the State of North Carolina, certifying the electoral vote of that State is not within the province of a legislative body under the Constitution and laws of the Federal Government. We have no right to go behind the certificate of the official of North Carolina.

The right or wrong of the action taken by the elector in casting his vote is not an issue for us. Any contest of that vote should have, and necessarily must have been undertaken by the officials of the State of North Carolina, which has not been done. Those officials were satisfied the vote was legally cast.

If we take action here, on this resolution, we are relegating to ourselves an authority we do not have under the Constitution. We would be rewriting the Constitution in an unconstitutional manner, in the same way that the Supreme Court has done in other regards on numerous occasions.

It has been stated in this debate that courts have never passed on this issue, and this is true. It has not even been before a court, and the reason is the same reason we should not consider it today. The question is moot—it will not change the result of the election, regardless of what we do. A court would not take jurisdiction nor hear this issue, just as we should not do in the manner it is presented. Whether right or wrong, it is true that under the Constitution, an elector is a free agent, to vote for whom he believes to be the most able and competent to be President or Vice President. We have not the authority by joint resolution to alter the Constitution. It should be done, if at all, by constitutional amendment, as provided in the Constitution.

By reason of the fact that this body should not be considering this question at all, the resolution should be tabled as moot, in order that we might get on with the regular order of business.

Furthermore, we ought not establish a precedent, that the Congress of the United States has any right in disregard of the U.S. Constitution, to disregard the certificate of the proper official of any State in certifying the results of an election in his State, in particular, in cases wherein there has been no question raised by anybody in that State as to the accuracy of the certificate.

Many of the problems of our Nation today have been brought about by Federal executive agencies, Federal courts, and the Federal Legislature trodding forbidden paths. This is one we should avoid. Leave the answer to constitutional amendment, or action by the individual States. This was the intention of the Founding Fathers, and the way it ought to be.

In the meantime, in this instance, we have the authority and duty to count the votes as properly certified—not cast them as we think they should be cast.

Mr. FLOWERS. Mr. Speaker, article II, section 1, of the U.S. Constitution provides in part as follows:

> Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.

The selection or appointment of each State's electors has been accomplished in many ways during the history of our country. It was a longstanding practice in many States, for example, for the legislature itself to appoint by name those persons designated to serve as that State's electors. The function of the electors is a State function. They derive their power not from the Congress but from their respective States. It should not, therefore, fall to the Congress to question the vote cast by a duly appointed elector of an individual State, and the identity of the person for whom that elector voted should not have any bearing on the matter whatsoever. Congress has the power to tabulate or count the votes cast by all of the electors of all of the States and the District of Columbia. This power is derived from article II, section 1, of the Constitution, as amended, and superseded by amendment No. 12 thereto. Said amendment No. 12 reads in part as follows:

> The President of the Senate shall, in the presence of the Senate and House of Representatives open all of the certificates and the votes shall then be counted.

If a challenge to the appointment of an elector is to be made, it should be made in the proper manner through the appropriate channels provided by each individual State.

This Congress must, and I believe it will, uphold the Constitution of the United States, and this dictates that the vote cast by Dr. Lloyd Bailey of North Carolina, a duly appointed elector of the State of North Carolina, be counted by this Congress just as it was cast by Dr. Bailey for George C. Wallace for President of the United States and Curtis E. LeMay for Vice President of the United States. Dr. Bailey is answerable to the people of the State of North Carolina. He is not answerable to the Congress of the United States.

Mr. BATES. Mr. Speaker, once again there is placed before us, in full view of the American people, a glaring and dangerous shortcoming in our Constitution—a deficiency that has cried out for a remedy for too long a period of time; a deficiency in an electoral system that, as Justice Jackson once observed, "suffered atrophy almost undistinguishable from rigor mortis." Nonetheless, we should not, indeed, we cannot overlook the constitutional fact that the elector, once seated, is free to cast his vote in the electoral college as he may choose. This has long been the constitutional law as I understand it. We are not here to resolve the moral issue concerning Mr. Bailey's vote as a North Carolina elector, or a custom or tradition that finds no constitutional support.

The significant question before the people of America today is not to redefine the past, but to provide a remedy for the future so we can avoid a perilous situation of the type in which we almost found ourselves due to the close vote in the last election. There are various acceptable ways to rectify the present situation. But as a foundation for any change it is imperative that the actual vote of the people be reflected. I, therefore, urge, Mr. Speaker, that the Judiciary Committee initiate hearings immediately and recommend to the House its judgment as to the constitutional changes that would seem best to cope with this very important problem.

Mr. VANIK. Mr. Speaker, I rise to support the O'Hara motion. In my concept of the constitutional process, a presidential elector has no discretion with respect to the candidate for whom he is instructed to cast a ballot.

Today's voting displays a more serious defect in our present election process which must be corrected immediately. The entire electoral college method of choosing the President of the United States is archaic and undemocratic.

The electoral college process, which has always been a cumbersome one, has also been a dangerous one. Under the present system, if no candidate receives the majority of electoral votes, the election is thrown into the House of Representatives. History has shown that in the past—in 1796, 1824, and 1876—deals and compromises were worked out behind closed doors, which angered great portions of the Nation and led to disunity in the country and distrust of the Federal Government. In the world's oldest democracy, there can be little support of an administration which has not received the largest plurality in a given election.

Even when the election is not thrown into the House of Representatives or the Senate, the electoral college is still a liability. As the 1968 meeting of the electoral college again revealed, electors can vote any way they want to. On their personal whim or purposeful defection, these single individuals can ignore—and destroy—the will and studied choice of hundreds of thousands of voters.

Mr. Speaker, it is irrational for us to continue to use the electoral college system in present-day democratic elections. Therefore, I am introducing today a joint resolution to amend the Constitution to provide for the direct popular election of the President and Vice President of the United States. The resolution also provides that if no candidate receives a plurality of at least 40 percent of the total number of votes certified, then Congress will provide for a runoff election between the two candidates having the most popular votes. This proposal is patterned after the Celler-Bayh bill of the 90th Congress.

Mr. FISH. Mr. Speaker, the "unfaithful elector" challenge by the gentleman from Michigan (Mr. O'HARA) poses the question whether the Congress has the power to alter a vote by a lawfully certified elector because he disregarded the people's will. National attention will again be focused on a serious weakness of our electoral system, and this is good.

I have long advocated basic reform in the electoral system. Change, however, should come about through a constitutional amendment and not piecemeal by what is at best a questional assertion of congressional power to alter the vote of a qualified elector.

The Congress is asked to vacate the vote cast for Wallace by an elector from North Carolina chosen by a Republican Party convention of his State.

There is no question that the elector was properly elected. There is no question but that he was chosen on the assumption that he would cast his vote for Nixon, the winner of the popular vote in North Carolina. There is no question the elector voted for Wallace in defiance of a moral obligation imposed on him. But neither is there a requirement in the law of North Carolina binding an elector to vote for the winner of the popular vote, nor was any challenge to the elector's action made in North Carolina.

The gentleman from Michigan relies on an 1887 law, passed by Congress in response to the Hayes-Tilden scandal of 1876 when Congress gave all the disputed votes to Hayes. The intent of the 1887 law was to keep future disputes out of Congress and within the respective States. The 1887 law limits the power of Congress with respect to counting electoral votes to decide whether a vote has been "regularly given by electors whose appointment has been so certified." The challenge relies on the ground that the vote of the North Carolina elector was not "regularly given."

Advocates of the objection to counting the vote admit that the Constitution, article 11, section 1, visualizes an independent office of presidential elector. But it is argued that custom has evolved the principle of the pledged elector.

Granted custom and usage, quite a different question is presented over the power of Congress to act in this case.

It was pointed out in debate that only a constitutional amendment can change the constitutional independence of an elector. Furthermore, nothing in the 1887 law suggests Congress intended to take upon itself the power to change an elector's vote because he disregarded the people's will. Quite the contrary is evident from the legislative history of the law.

The need for definitive electoral reform cries out. All Members of Congress believe the people are sovereign. Had Congress the power to overturn the unfaithful elector, I would be counted with the objectors. I conclude, however, that Congress has no such power.

When we contemplate the chaos which might have resulted had no presidential candidate received a majority of electoral votes in 1968, the need for electoral reform is patently urgent.

The system needs change. The correct way is by constitutional amendment, and the time for such amendment is now.

Mr. RARICK. Mr. Speaker, the House this afternoon is concerned with a challenge against one of the 13 electoral votes cast from the State of North Carolina. Under the Constitution and our oath of office we, as Congressmen, are not election supervisors nor given discretion to recompute the vote received from a sovereign state. The Constitution clearly proscribes our duty as "to count the electoral votes," the ministerial function of a central collecting agency and a tabulating point.

The President pro tempore of this session announced that the joint session was called under the Constitution for the purpose of opening the certificates, ascertaining, and counting the votes of the electors of the several States for President and Vice President.

Senator JORDAN of North Carolina in the capacity of one of the tellers announced:

> The certificate of the electoral vote of the State of North Carolina seems to be regular in form and authentic.

And thereafter announced the respective votes. The challenge was then made to one vote in the return.

North Carolina elector, Dr. Bailey, chose not to cast his vote for the Republican candidate. Rather, as a Republican elector, he cast his ballot—and it was counted and included in the return—for the former Governor of Alabama, George C. Wallace.

The defection is the basis for the challenge—which can in no way affect the election. I find it hard to understand how or why the frailty of one unfaithful elector can be used to dramatize a so-called weakness of the electoral system.

When we contemplate that in over 190 years there have been only six instances of like defection under the system, it would appear to the contrary that Dr. Bailey's revolt should prove that the electoral system is a workable system—any defects or weaknesses are not from the Constitution but rather those of human frailty.

Admittedly the North Carolina electoral revolt does not present any crisis or even a contest. The State of North Carolina undertook no remedial action, but rather ratified the vote by certifying it to Congress. Since the election is over and Mr. Nixon has won, the incident—at most—is being utilized as a vehicle to promote change in the constitutional system.

It is interesting to note that some who repudiate the event do so to indicate the need for a change to give the people a more direct voice in the selection of their President. The paradox is that such is Dr. Bailey's explanation of his action.

He said he voted for Mr. Wallace because Mr. Wallace was the candidate who had carried the congressional district in which he lived, indicating that Dr. Bailey felt he, too, was trying to give the people of his own district a more direct voice in their preference for President.

There have been many accusations and protestations against the electoral system based on the premise that once the election is over, the elector can change his mind and vote contrary to his people.

Have we not experienced other situations where politicians are elected but forget their promises and people once the votes are counted. This being so, no one would say that because of human frailty in our elected leaders using their discretion we have dramatized a breakdown in our representative type government. Or, would they have us change this, too?

Discounting the emotion of the hour and conjecture as to what might have happened or could have happened—one elector bolted his party, nothing more, nothing less. There was no constitutional crisis. Through supposition and fear everything has been blown out of reasonable perspective.

The fear that the election might have been thrown into the House was whose fear? The people's or political factions? Had it been, there still was no crisis—the Constitution itself provides for such contingencies. But the Constitution does not provide for political parties nor partisan controls.

The election is in the House today. And those who would inject fear of the system of electors into our people by moving to recast the votes could be in reality attempting to perform precisely what they object to; that is, electing a President in the House of Representatives.

Since the constitutional provision assigning our role in the presidential election, in this instance, does not give discretion to recast or recount the votes—otherwise valid and authenticated on the face. We, like Dr. Bailey, are constitutional agents of limited authority, vis-a-vis, to count the votes as reported from the States.

No one can approve Dr. Bailey's action, nevertheless, as Representatives under our oath to preserve and defend the Constitution as it now exists, we would be as wrong as he should we do other than vote down the objection previously made.

Mr. SCHWENGEL. Mr. Speaker, the question raised by Senator MUSKIE and the gentleman from Michigan (Mr. O'HARA) relative to the electoral vote of North Carolina, brought before this body once again, the crucial problem of urgently needed election reforms. As so correctly noted by the distinguished gentleman from Michigan (Mr. GERALD R. FORD), we should be thankful that an even more crucial decision relative to the election was not before us, to-wit selection of the President of the United States. Our constitutional system would have been severely tested were that question presented to us. The closeness of the election coupled with the question presented here, make it imperative that the Congress act during this session to update our election procedures, including the electoral college procedures.

It was my pleasure to join Senator MUSKIE, and my colleague, Mr. O'HARA, in their objections to counting Dr. Bailey's vote as an elector for the State of North Carolina. Title 3, sections 15 to 18, of the United States Code implements the provisions of article II, section 1 of the U.S. Constitution relative to the procedure for counting of electoral votes by the Congress. Specifically title 3, section 15 provides in part:

> . . . and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to Section 6 of this title from which but one return has been received shall be rejected, *but* the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so *regularly given* by electors whose appointment has been so certified. [Emphasis added]

Debate on this issue placed a number of the attorney-Members of this body in direct conflict as to the meaning of the words "regularly given." The "strict constructionist" would argue, that the electors are permitted to vote for anyone, regardless of the outcome of the election, unless the provisions of that State's laws are to the contrary. In this case, North Carolina's laws do not specifically bind the electors to the outcome of the popular vote. The "broad constructionist" would argue on the other hand that "regularly given" should be read in light of the electors moral obligation to vote in accordance with the outcome of the popular vote.

Without belaboring the niceties of the legal arguments it seems to me the view which takes into consideration the moral obligation of the elector is the soundest position. As so well put by my colleague, the gentleman from Illinois (Mr. DERWINSKI):

> Out our way when we count ballots, if we find one that is irregular on its face—or fraudulent in this case may be a better word—we do not count it. I cannot imagine a ballot being more irregular, or more fraudulent, than the one that we have before us today.

Among the various definitions accorded to the word "regular" by Webster is the following:

> 5. Undeviating in conformance to a standard set by convention, a party—

And so forth. The clear standard set by the "convention" of nearly 190 years of precedent is that electors will vote in accordance with the outcome of the popular vote, regardless of whether or not they are required by law to do so. Dr. Bailey, the so-called faithless elector, has violated his clear moral obligation to the majority of the people of North Carolina who voted for Dick Nixon, and who, in reliance on many years of precedence, thought he would cast his vote in accord with the outcome of the popular vote. A more clear case of an irregular vote would be difficult to find.

The SPEAKER. The Chair recognizes, for the purpose of concluding debate, the gentleman from Michigan (Mr. O'HARA) for 5 minutes.

Mr. O'HARA. Mr. Speaker, needless to say, I did not take the oath of office on Friday with the intention of standing here on Monday and proceeding to violate the Constitution of the United States. I have filed this objection because I believe that doing so does not violate the Constitution; it supports it.

It has been said that the Constitutional Convention created a scheme of constitutionally independent electors. I concede that it was the intention of the members of the Constitutional Convention that electors be independent. And if one stopped reading there one could reach no other conclusion.

But a lot of water has gone over the dam in the past 180 years. Most notably, the 12th amendment was adopted.

Now, the 12th amendment is a replacement for most of the electoral scheme adopted by the Constitutional Convention. If Members will look in their House manuals they will find that the original provisions of article II, section 1 which were replaced by the 12th amendment do not even appear there. Instead, a footnote under the 12th amendment indicates that the 12th amendment replaced them.

Now, why did we have the 12th amendment? We had it precisely because by that time, 1803, it was already well understood that these electors were not independent, that they were voting at their party's call.

The 12th amendment was produced by the tie between Jefferson and Burr that resulted from the fact that every Democratic elector voted for Jefferson and for Burr. Now, that was not considered to be a freak result. If it had been, the 12th amendment would not have been needed. But everyone agreed that unless the 12th amendment were adopted every election after that would result in a similar tie.

The understanding of the framers of the 12th amendment was that electors would vote for the nominees of their party. And that is the important legislative history involved here.

Indeed, in an Alabama case that went to the Supreme Court in 1952—Ray against Blair—Blair, who wanted to be a Democratic elector but did not want to be bound to vote for the Democratic nominee, made the claim that the Constitution made him a free agent, and the Supreme Court rejected that claim.

We ought to reject that claim today when Dr. Bailey makes it.

It has been said that the situation which we face today would be different and somehow more favorable to the objectors if the State had a specific requirement that the elector take an oath to support the nominee of his party. Well, the North Carolina statutory system clearly contemplates that he do exactly that. I do not believe the North Carolina Legislature would have dreamed, in 1933, that it needed to exact such a requirement. Never in the history of North Carolina had an elector been faithless. There had not been a faithless elector in the United States of America for more than 100 years before North Carolina adopted its statutory scheme, which clearly contemplated that electors would vote for the nominees of their party.

But what if they had required an oath?

What good would it have done them? How could they enforce it? They could not. The Constitution requires a vote by ballot. How would the State know who had cast the errant ballot? Much less are they able after the event to require him to cast it as his oath required. Only the Congress can see to it that the elector respects his obligations, and the only way we can do it is by sustaining the objection that the junior Senator from Maine, Senator Muskie, and I have filed.

The **SPEAKER**. The time of the gentleman from Michigan has expired. All time has expired.

The question is, Shall the objection submitted by the gentleman from Michigan (Mr. O'Hara) and the Senator from Maine (Mr. Muskie) be agreed to?

For what reason does the gentleman from Michigan (Mr. Gerald R. Ford) rise?

Mr. **GERALD R. FORD**. Mr. Speaker, I move to lay the objection of Senator Muskie and Representative O'Hara on the table.

The **SPEAKER**. For what purpose does the gentleman from Michigan (Mr. O'Hara) rise?

Mr. **O'HARA**. Mr. Speaker, I make a point of order against the motion of the gentleman from Michigan (Mr. Gerald R. Ford).

The **SPEAKER**. The gentleman will state his point of order.

Mr. **O'HARA**. Mr. Speaker, as enunciated by the presiding officer of the joint session, the President of the Senate, the procedure under which we operate is controlled by statute, the statute of 1887 now found in title 3 of the United States Code. Section 15, title 3, provides that when all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw and such objections shall be submitted to the Senate for its decision, and the Speaker of the House shall in like manner submit such objection to the House of Representatives for its decision.

Then, Mr. Speaker, in section 17, title 3, it provides that each Senator and Representative may speak to such objection or question 5 minutes and not more than once, but after such debate shall have lasted 2 hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Mr. Speaker, I submit that the main question is on the objection filed by Senator Muskie and myself and that the statutory requirement in the United States Code, section 17, requires that it be put.

The **SPEAKER**. Does the gentleman from Michigan (Mr. Gerald R. Ford) desire to be heard?

Mr. **GERALD R. FORD**. Mr. Speaker, I do desire to be heard.

I think that the crux of the question comes on an interpretation of section 17 and particularly the last part of that section, which reads as follows:

> After such debate shall have lasted 2 hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Now, if you will note the heading of that section, it says, "No. 17. Same; limit of debate in each House." That section and particularly the last part which I quoted from is only applicable as to debate. It makes no reference whatsoever to parliamentary procedure. It simply says that the debate shall be limited to 2 hours. It does not by the use of any words in that section preclude a traditional parliamentary procedure. Certainly, Mr. Speaker, a motion to table is a legitimate traditional parliamentary procedure. I have no objection to the limiting of the debate as it has been by statute. It is there. But there is not a scintilla of evidence, there is not one word in that language of that section which says we are precluded from using a recognized parliamentary procedure. For that reason, Mr. Speaker, I think the procedure is correct and I oppose the point of order.

The **SPEAKER**. Does the gentleman from Michigan (Mr. O'Hara) desire to be heard further?

Mr. **O'HARA**. I do, Mr. Speaker.

I would like to point out, Mr. Speaker, that in fact the statute does control, and there are a number of parliamentary procedures that could somehow permit the Members to speak for more than 5 minutes. But it is clear to me that the Presiding Officer could not entertain any such unanimous-consent request for other procedural suggestions or motions that would permit someone to speak for more than 5 minutes or to speak more than once in violation of the statutory procedure set forth.

I would also like to point out—and I failed to do so in my earlier remarks—that the concluding sentence of section 15 of title 3 of the United States Code reads as follows:

> No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

I believe, Mr. Speaker, that is further evidence of the intention of the statute, that we must finally dispose of and act upon the main question of the objection.

The **SPEAKER**. The Chair is prepared to rule.

The gentleman from Michigan (Mr. Gerald R. Ford) makes a motion to lay on the table the objection submitted by the gentleman from Michigan (Mr. O'Hara).

The Chair anticipated that question and has had an opportunity to give consideration to the questions involved. Both of the gentlemen from Michigan (Mr. Gerald R. Ford and Mr. O'Hara) agree that the statute involved is title 3, section 17 of the United States Code.

It seems to the Chair that the law is very plain with respect to the 5-minute rule and time of debate. With respect to the problem, the section states, and I quote:

> It shall be the duty of the presiding officer of each House to put the main question without further debate.

In the opinion of the Chair the main question is the objection filed by the gentleman from Michigan (Mr. O'Hara) and the Senator from Maine, Senator Muskie.

The Chair is of the opinion that the law plainly governs the situation; that the Chair must put the main question and that the motion to table is not in order.

Accordingly, the Chair sustains the point of order.

The **SPEAKER**. The question is, Shall the objection submitted by the gentleman from Michigan (Mr. O'Hara) and the Senator from Maine (Mr. Muskie) be agreed to.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 86, noes 123.

Mr. **BOGGS**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 228, not voting 32, not sworn, 4, as follows:

[Roll No. 9]

YEAS—170

Addabbo
Albert
Anderson, Calif.
Andrews, N. Dak.
Ayres
Beall, Md.
Biaggi
Biester
Bingham
Boggs
Boland
Bolling
Brademas
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Mass.
Bush
Byrne, Pa.
Byrnes, Wis.
Carey
Cederberg
Celler
Chamberlain
Chisholm
Clark
Clay
Cleveland
Cohelan
Conte
Conyers
Corman
Culver
Daniels, N.J.
Dawson
de la Garza
Delaney
Dellenback
Derwinski
Diggs
Dingell
Donohue
Dulski
Duncan
Edmondson
Edwards, Calif.
Eilberg
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Gallagher
Garmatz
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Grover
Gude
Halpern
Hanley
Hansen, Wash.
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hutchinson
Ichord
Joelson
Johnson, Calif.
Karth
Kazen
Kleppe
Koch
Kyros
Laird
Leggett
Lloyd
Long, Md.
Lowenstein
McCarthy
McDade
McDonald, Mich.
McFall
McKneally
Madden
Mailliard
Matsunaga
Meeds
Mikva
Miller, Calif.
Minish
Mize
Mollohan
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Nix
O'Hara

O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pirnie
Pollock
Powell
Price, Ill.
Pryor, Ark.
Rees
Reuss
Riegle
Robison
Rodino
Rooney, Pa.
Roybal
Ryan
St Germain
Scheuer
Schwengel
Shipley
Sisk
Slack
Smith, Iowa
Stanton
Stokes
Stratton
Sullivan
Thompson, N.J.
Tiernan
Tunney
Van Deerlin
Vanik
Weicker
Widnall
Wilson, Charles H.
Wright
Wyatt
Yates
Yatron
Young
Zablocki

NAYS—228

Abernethy
Adair
Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Arends
Ashbrook
Ashley
Aspinall
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Button
Cabell
Caffery
Cahill
Camp
Carter
Casey
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cowger
Cramer
Daniel, Va.
Davis, Ga.
Davis, Wis.
Denney
Dennis
Dent
Devine
Dickinson
Dorn
Dowdy
Downing
Eckhardt
Edwards, Ala.
Edwards, La.
Erlenborn
Eshleman
Evins, Tenn.
Findley
Fish
Fisher
Flowers
Flynt
Foley
Foreman
Fountain
Frey
Fulton, Pa.
Fuqua
Galifianakis
Gaydos
Gettys
Giaimo
Goodling
Green, Oreg.
Griffin
Griffiths
Gross
Gubser
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hansen, Idaho
Hébert
Heckler, Mass.
Henderson
Hull
Hungate
Hunt
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kee
Keith
King
Kirwan
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Lujan
McClory
McCloskey
McClure
McCulloch
McEwen
McMillan
MacGregor
Mahon
Mann
Marsh
Mathias
Mayne
Meskill
Michel
Miller, Ohio
Mills
Mink
Minshall
Mizell
Montgomery
Morton
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Neal, Ga.
Passman
Pettis
Pickle
Pike
Poage
Poff
Preyer, N.C.
Pucinski
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes
Rivers
Roberts
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Rumsfeld
Ruppe
Ruth
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Symington
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Udall
Ullman
Utt
Vander Jagt
Vigorito
Waggonner
Wampler
Watts
Whalen
Whalley
White
Whitehurst
Whitten
Wiggins
Williams
Winn
Wold
Wolff
Wydler
Wylie
Wyman
Zion
Zwach

NOT VOTING—32

Abbitt
Annunzio
Barrett
Bell, Calif.
Blatnik
Brasco
Brooks
Burke, Fla.
Burton, Utah
Cunningham
Daddario
Dwyer
Everett
Fulton, Tenn.
Kluczynski
Macdonald, Mass.
Martin
May
Monagan
Morse
Murphy, N.Y.
Podell
Price, Tex.
Railsback
Ronan
Rostenkowski
St. Onge
Schneebeli
Waldie
Watkins
Watson
Wilson, Bob

NOT SWORN—4

Hanna
Lukens
Reid, N.Y.
Taft

So the objection was rejected.

Mr. YATRON changed his vote from "nay" to "yea."

Mr. MORTON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will notify the Senate of the action of the House, and will inform that body that the House has rejected the objection submitted by the Representative from Michigan (Mr. O'HARA) and the Senator from Maine, (Mr. MUSKIE) and is now ready to further proceed with the counting of the electoral vote for the President and Vice President.

RECESS

The SPEAKER. The Chair declares a brief recess, subject to the call of the Chair.

Accordingly (at 4 o'clock and 35 minutes p.m.), the House stood in recess, subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 45 minutes p.m.

COUNTING THE ELECTORAL VOTES; JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF SENATE CONCURRENT RESOLUTION 1

At 4 o'clock and 45 minutes p.m., the Doorkeeper, Mr. William M. Miller, announced the President pro tempore and the Senate of the United States.

The Senate entered the Hall of the House of Representatives, headed by the President pro tempore and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The PRESIDENT pro tempore took his seat as the Presiding Officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left.

The joint session was called to order by the President pro tempore.

The PRESIDENT pro tempore. The joint session of Congress for counting the electoral vote resumes its session.

The two Houses retired to consider separately and decide upon the vote of the State of North Carolina, to which objection has been filed. The Senate has been duly notified—and appreciates the graciousness of the House in so doing—of the action of the House of Representatives on the objection. The Secretary of the Senate will now report the action of the Senate.

The Secretary of the Senate read as follows:

> In the Senate of the Unted States:
>
> *Ordered*, That the Senate by a vote of 33 ayes to 58 nays rejects the objection to the electoral votes cast in the State of North Carolina for George C. Wallace for President and for Curtis E. LeMay for Vice President.

The PRESIDENT pro tempore. The Clerk of the House will now report the action of the House.

The Clerk of the House read as follows:

> In the House of Representatives of the United States:
>
> *Ordered*, That the House of Representatives rejects the objection to the electoral vote of the State of North Carolina submitted by the Representative from Michigan, Mr. O'HARA, and the Senator from Maine, Mr. MUSKIE.

The PRESIDENT pro tempore. Under the statute in this case made and provided, the two Houses having rejected the objection that was duly filed, the original certificate submitted by the State of North Carolina will be counted as provided therein.

Tellers will now record and announce the vote of the State of North Carolina for President and for Vice President in accordance with the action of the two Houses referred to and pursuant to the law.

Mr. JORDAN of North Carolina. Mr. President, I think first I should apologize for one of my constituents having forced a call of the two Houses in joint session and for all the work we have had to do today.

Mr. President, in accordance with the vote of the two Houses, Richard M. Nixon, of the State of New York, received 12 votes for President, George C. Wallace, of the State of Alabama, received one vote for President, Spiro T. Agnew, of the State of Maryland, received 12 votes for Vice President, and Curtis E. LeMay, of the State of California, received one vote for Vice President.

Mr. FRIEDEL (one of the tellers). Mr. President, the certificate of the electoral vote of the State of North Dakota seems to be regular in form and authentic, and it appears therefrom that Richard M. Nixon, of the State of New York, received four votes for President and Spiro T. Agnew, of the State of Maryland, received four votes for Vice President.

The tellers then proceeded to read, count, and announce, as was done in the case of North Dakota, the electoral votes of the several States in alphabetical order.

The PRESIDENT pro tempore. Gentlemen of the Congress, the certificates of all of the States have now been opened and read, and the tellers will make the final ascertainment of the result and deliver the same to the Vice President.

The tellers delivered to the President pro tempore the following statement of the results:

> The undersigned, SAMUEL N. FRIEDEL and Glenard P. Lipscomb, tellers on the part of the House of Representatives, B. EVERETT JORDAN and CARL T. CURTIS, tellers on the part of the Senate, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the 20th day of January, 1969:

States	Electoral votes of each State	For President			For Vice President		
		Nixon	Humphrey	Wallace	Agnew	Muskie	LeMay
Alabama	10			10			10
Alaska	3	3			3		
Arizona	5	5			5		
Arkansas	6			6			6
California	40	40			40		
Colorado	6	6			6		
Connecticut	8		8			8	
Delaware	3	3			3		
District of Columbia	3		3			3	
Florida	14	14			14		
Georgia	12			12			12
Hawaii	4		4			4	
Idaho	4	4			4		
Illinois	26	26			26		
Indiana	13	13			13		
Iowa	9	9			9		
Kansas	7	7			7		
Kentucky	9	9			9		
Louisiana	10			10			10
Maine	4		4			4	
Maryland	10		10			10	
Massachusetts	14		14			14	
Michigan	21		21			21	
Minnesota	10		10			10	
Mississippi	7			7			7
Missouri	12	12			12		
Montana	4	4			4		
Nebraska	5	5			5		
Nevada	3	3			3		
New Hampshire	4	4			4		
New Jersey	17	17			17		
New Mexico	4	4			4		
New York	43		43			43	
North Carolina	13	12		1	12		1
North Dakota	4	4			4		
Ohio	26	26			26		
Oklahoma	8	8			8		
Oregon	6	6			6		
Pennsylvania	29		29			29	
Rhode Island	4		4			4	
South Carolina	8	8			8		
South Dakota	4	4			4		
Tennessee	11	11			11		
Texas	25		25			25	
Utah	4	4			4		
Vermont	3	3			3		
Virginia	12	12			12		
Washington	9		9			9	
West Virginia	7		7			7	
Wisconsin	12	12			12		
Wyoming	3	3			3		
Total	538	301	191	46	301	191	4

SAMUEL N. FRIEDEL,
GLENARD P. LIPSCOMB,
Tellers on the part of the House of Representatives.
B. EVERETT JORDAN,
CARL T. CURTIS,
Tellers on the Part of the Senate.

The PRESIDENT pro tempore. The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 538, of which a majority is 270.

Richard M. Nixon, of the State of New York, has received for President of the United States 301 votes;

Hubert H. Humphrey, of the State of Minnesota, has received 191 votes.

George C. Wallace, of the State of Alabama, has received 46 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

Spiro T. Agnew, of the State of Maryland, has received for Vice President of the United States 301 votes.

Edmund S. Muskie, of the State of Maine, has received 191 votes.

Curtis Lemay, of the State of California, has received 46 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 20th day of January, 1969, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives.

Members of the Congress, the purpose for which the joint session of the two Houses of Congress has been called, pursuant to Senate Concurrent Resolution No. 1, 91st Congress, having been accomplished, the Chair declares the joint session dissolved.

(Thereupon, at 5 o'clock and 10 minutes p.m., the joint session of the two Houses of Congress was dissolved.)

The House was called to order by the Speaker.

The SPEAKER. Pursuant to Senate Concurrent Resolution 1, the Chair directs that the electoral vote be spread at large up the Journal.

The Chair understands that there were additional signatures of Members of the House and Senate on the objection raised to the electoral vote of the State of North Carolina. Without objection, the signatures of the additional Members will appear in the RECORD and the Journal.

There was no objection.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, pursuant to the request of several Members, I ask unanimous consent that the Members desiring to do so may extend their remarks over a period of 5 days on the O'Hara objection to the electoral vote of the State of North Carolina that we discussed during the time the Senate had retired to its Chamber to debate the objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TO INCREASE THE PER ANNUM RATE OF COMPENSATION OF THE PRESIDENT OF THE UNITED STATES

Mr. ALBERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States.

The Clerk read as follows:

H.R. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102 of title 3, United States Code, is amended by striking out "$100,000" and inserting in lieu thereof "$200,000".

SEC. 2. The amendment made by this Act shall take effect at noon on January 20, 1969.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Oklahoma (Mr. ALBERT).

Mr. ALBERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as Members all know, this is the first suspension bill of the 91st Congress. Normally the Speaker would not recognize Members to call up bills under suspension of the rules this early in the term and without committee consideration. The only reason that this method has been used on this occasion is that it presents to the House the opportunity to consider this legislation before the new President takes office. Members know that under article II, section 1, clause 7, of the Constitution the salary of the President of the United States cannot be increased during his term of office. Therefore, if the matter is to be handled at all, it must be passed by both Houses of Congress and signed by the President before noon on January 20. Members further know, Mr. Speaker, that committee assignments have not been made and will not be made in time for normal hearings and proceedings to be had in order to consider this bill by the deadline.

In view of these circumstances, the distinguished minority leader and the distinguished chairman and ranking member of the Committee on Post Office and Civil Service and myself have jointly offered this resolution for the consideration of the Members of the House.

Mr. Speaker, all Americans are aware that a dollar sign cannot be put on the President's office. This is the most important position on earth today. It is well known that the salaries of many officials in private business far exceeds that recommended here. Moreover, Mr. Speaker, it is interesting to note that of all salaries of officers and employees of the Government of the United States, action on the salary of the President has been the most laggard. The original salary was set in 1789 at $25,000 per year and there have been only three increases since that time. The last increase was made effective January 20, 1949, 20 years ago. This was an increase from $75,000 to $100,000.

Increases have been made for all officers and employees of the Government since the last Presidential pay increase. Let us take a few examples. The salary of Members of Congress in 1949 was $15,000 annually. By two increases salaries are now $30,000 per year. The salary of the Vice President and the Speaker of the House was raised from $30,000 in 1949 to $43,000 in 1968.

Salaries of Cabinet officers were raised from $22,500 in 1949 to $35,000, a 55.5-percent increase.

The salary of the Chief Justice of the United States was increased from $25,500 to $40,000, a 56.9-percent increase. Salaries of Associate Justices were $25,000 in 1949; today they are $39,500, an increase of 58 percent.

The highest salary provided by law for top career civil service employees in 1949 was $14,000, and was finally increased to $28,000 in 1968, an aggregate increase of 100 percent.

The highest salary provided by law for the career postal field service was $13,270 in 1949 and was finally increased to $27,900 in 1968, an aggregate increase of 110.8 percent.

These figures do not tell the whole story. The salary of the President now $100,000, is only 400 percent above the salary received by George Washington. The salary of the Vice President in 1789 was $5,000; today the salary of the Vice President is $43,000, an increase of 860 percent, percentagewise more than twice the increase Congress has seen fit to give the President of the United States. The last increase given to the President of the United States prior to 1949 was in 1909. Numerous increases were made between that date and 1949 for all other officers and employees of the Government.

It seems to me, Mr. Speaker, that the importance of the office of the President of the United States, the esteem in which the American people hold the office, regardless of politics or personalities, and the fact that so much time has elapsed between presidential salary increases, all argue strongly for the bill now being considered under suspension of the rules. I therefore urge my colleagues to vote to suspend the rules and pass this legislation in this House today.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, since there has been no hearing whatever on this proposed legislation, I want to take time to ask some questions of the sponsors of the bill, who I assume are prepared to provide answers. Since this bill provides for a 100-percent increase in salary for the next President, I would like to ask what will be the percentage increase recommended for other officials in the executive branch, the legislative branch, and the judicial branch of the Government? Since we are being called upon here today to approve a 100-percent increase for the President, I would like to know what the proposed salary increase for officials in the three branches of the Government will be percentagewise.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. I am not able to answer that question. The report of the President has not come up to the Congress, and his report can be acted upon by the Congress only when it does come up.

Mr. GROSS. Does the gentleman not think that this proposed action will be setting a precedent—a bill to provide a 100-percent increase for the President, without any knowledge of what is to be done with respect to other officers of the Government? And what about the Vice President?

Mr. ALBERT. If the gentleman will yield further, I believe an increase for the President of the United States is more overdue than an increase for any other officer of the Government. The President has had only three increases since George Washington's time.

Mr. GROSS. Beyond salary what other emoluments go to the office of the President of the United States?

Mr. ALBERT. Will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. There is, of course, a $50,000 expense allowance which was authorized by law in 1949.

Mr. GROSS. If the gentleman will pardon me for interrupting, that is tax-free and spent upon the accounting of the President alone; it that correct?

Mr. ALBERT. The gentleman is incorrect. It is subject to taxation. If it is not spent, then it reverts, as I understand, to the Treasury. But the President must account for it in his list of expenditures. And may I say to the gentleman this—and I believe this is significant—that every President, so far as I have been able to determine, in the last several years has gone into his own pocket to help pay the expenses of the operation of his office. Most of the Presidents, at least starting with Herbert Hoover, have had independent wealth and independent income. Two of them, I believe, did not—Harry Truman and Dwight Eisenhower. I think it is well known—at least I have been told this on pretty good authority—that Mr. Truman left the White House broke, and so have other great Presidents in our history. I believe General Grant was one of those.

I do not think the gentleman wants the President of the United States to go into his salary to help pay the necessary operating expenses of his office, and that is what all Presidents have had to do.

Mr. GROSS. I will say to the gentleman that I am deeply concerned about a 100-percent increase for the President when I have had no word of any kind—well, yes, I have had word indirectly that the President-elect takes a dim view of a 100-percent pay increase.

Can the gentleman cite me any evidence that the President-elect, the man who will first benefit from this, has asked for a 100-percent increase in pay?

Mr. ALBERT. This was initiated by Members of Congress and not by the President of the United States. We have not asked for a recommendation either by the present President or by the incoming President.

Mr. GROSS. What retirement pay is provided for former Presidents, and do they make a contribution while in office to their retirement?

Mr. ALBERT. The retirement allowance, as I understand it, is $25,000 per year.

There are members of the Post Office and Civil Service Committee here who know more about that subject than I, but there are other officers of the Government in the military and in the courts who do not make any contribution to their retirement.

Mr. GROSS. I am well aware of that, but I just want to establish the fact that Presidents are paid $25,000 a year when they leave office as a retirement, and they pay nothing toward that retirement. What I am trying to establish is the fact that as of now we do pretty well by the Presidents of the United States. I cannot think of one—and does the gentleman know of any President in the last quarter century who is in want, a former President who is in want?

Mr. ALBERT. I would be ashamed of the Congress if there were any President in want, and the gentleman would be too.

Mr. GROSS. So would I, but tell me if there is one who is in want.

Mr. ALBERT. Not that I know of.

Mr. GROSS. That is what I thought.

Now tell me about the pay of the Vice President. Why is he not included in this bill?

Mr. ALBERT. I tried to make that clear. The gentleman knows that the pay of a President of the United States in the first place cannot be increased during his tenure, so it has to be done before January 20. The pay of the Vice President can be increased at any time, and the pay of the Vice President has been increased since the pay of the President has been increased.

Mr. GROSS. So we get no information here today, as we open the door to a 100-percent increase in pay for the President, about the executive, congressional, and judicial pay increase bill and what it will provide when the budget message comes to the Congress, and recommended by the present President of the United States?

Mr. ALBERT. We have no way of knowing that.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I can tell the gentleman we have some upper limits. I am sure the gentleman has read the report of the Commission on executive, legislative, and judicial salaries. Under the law, the figures the President sends up cannot be more than that, so I can provide the gentleman with the comfort that they cannot exceed those upper limits.

I can also tell the gentleman, from the committee that deals with the pay and with legislation the gentleman has referred to, that the Vice President and a few other officers, including the majority leader and the minority leader, were omitted from that structure, so if this bill goes through and if the salary plan that is coming up later this week provides for increases for Members of Congress, I am going to sponsor legislation to give proportionate increases to the Vice President and to those who were omitted from this salary scheme.

Mr. GROSS. If the outlandish Commission report is recommended to the Congress by President Johnson and the automatic pay increase goes into effect on July 1, the military will get a raise along with the raise for civilian employees of the Federal Government. Would the gentleman think these increases would amount to an estimated outlay on the part of the taxpayers of approximately $3 billion, or what price tag would the gentleman care to put on the pay increases that are proposed?

Mr. UDALL. Mr. Speaker, the best figures I have are in the neighborhood of those the gentleman is talking about. If the third phase of the 1967 Salary Act goes into effect as we intended, and if the military get comparable increases, and some of the things we are talking about today go into effect, it would cost the Federal payroll in the neighborhood of $3 billion.

Mr. GROSS. Where would the gentleman propose or suggest the Government would get the money?

Mr. UDALL. I would suggest we go to the U.S. Treasury and get it where we got it before, so we can be fair to the Federal employees and to the military.

Mr. GROSS. Or borrow the money and pay interest on it?

Mr. UDALL. If need be. But I am tired of Federal employees and the military bearing the fight against inflation. We say to those people, "You run the fight against inflation. The other people do not have to bear their fair share."

Mr. GROSS. Did the gentleman hear any complaint on the part of any one of the numerous candidates for President last year, complaining about the salary which would be paid? Did any candidate say that the salary was too low?

Mr. UDALL. If the gentleman will yield further; of course, they did not say this. It would have been unbecoming of anyone to say it.

Mr. GROSS. Why?

Mr. UDALL. No presidential candidate is going to say, "Fellows, I am running for this job; please raise my salary." I think it is up to us to do it in a dignified and proper way for them, and it ought to be done for the new President.

Mr. GROSS. It seems to me I did hear and read statements proposing a program or programs of austerity and frugality in the spending of the taxpayers' money by the new administration.

It seems to me I did hear statements made in the campaign that inflation would have to be slowed down and stopped.

To save my life, I do not understand how Congress can increase an executive's salary 100 percent and yet talk about austerity and frugality, especially when we know that a huge pay bill is in the offing and will be offered to Congress in the near future.

I do not understand the reasoning back of this move today, and especially when no one, so far as I know, who could possibly benefit, has asked for this increase.

Mr. UDALL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Arizona.

Mr. UDALL. Let me say a couple of things.

It pains me to see my beloved friend attacking the President of his own party, not even in office yet. He said during the campaign he was going to accelerate the pay increases for the Federal employees, that there was a lag and he deplored this and he was going to take action to help us speed it up.

Out of this $100,000 increase, between $65,000 and $70,000 will be turned right back around, to come back to the Treasury as taxes on the President's salary, so we are talking here about $30,000 to $35,000. That is all in this bill.

Mr. HAYS. Mr. Speaker, will the gentlemen yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. HAYS. In line with what the gentleman said about nobody asking for the increase, the last time congressional salaries were raised I remember very distinctly a number of Members made speeches against it, and some of them very vehemently. Does the gentleman know of any instance of their not taking the increase after it was passed?

Mr. GROSS. No, no more than I would know of any reason why, if they put a bridge across the Ohio River leading from Ohio to another State, I should not drive across that bridge even though I might have opposed the building of it.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield.

Mr. HAYS. I would not use the bridge if I had made a speech saying I would rather swim.

Mr. GROSS. Of course, the gentleman from Iowa made no such statement, and the gentleman from Ohio well knows it.

Mr. UDALL. Mr. Speaker, will the gentleman yield to me on that point?

Mr. GROSS. I yield to the gentleman from Arizona.

Mr. UDALL. I prepared a form 4 years ago when we had the congressional pay bill up, under which a Member of this House could irrevocably refuse to take any increase. I just want to tell the Membership—and I thank the gentleman for yielding—I will have those forms available.

Mr. GROSS. I believe the gentleman announced that the last time a pay increase bill was before the House; did he not?

Mr. UDALL. I did not hear the gentleman.

Mr. GROSS. I believe you announced that the last time out; did you not?

Mr. UDALL. I did. I try to be helpful.

Mr. GROSS. There is nothing new or novel about the suggestion of the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. I will have these forms available, if the Members feel strongly they do not want this increased pay, or are not worth it. I will have these forms available.

Mr. GROSS. That is fine, but we happen to be dealing today with a 100-percent increase for the next President of the United States, not for Members of the Congress. We will cross that bridge when we get to it.

Mr. Speaker, I urge the defeat of this bill, and reserve the remainder of my time.

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan, the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the yielding of the time by the distinguished majority leader.

I compliment him for taking the initiative in advocating this legislation for a President not of his own party. I think this is indicative of the fine character and forthrightness of the gentleman from Oklahoma.

I think we all recognize that the Presidency is the biggest and the toughest job in this country and perhaps in the world. The President of the United States in the next 4 years will be dealing with budgets ranging from $180 billion to $200 billion a year. Today when the new President takes over he will become Commander in Chief of a military force of approximately 3.6 million men and women on active duty. At the same time he will be the ranking civilian in the executive branch where the total civilian employment is approximately 2.7 million.

Now, several years ago, rightly or wrongly, the Congress adopted the principle of comparability with industry in fixing the salaries of Federal Government officials and employees. I feel very strongly that the President stands immeasurably taller and carries far, far heavier responsibilities than the head of any large U.S. corporate organization in the United States. Yet by almost any standard his salary is smaller.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield to me at that point?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. Speaker, I think it would be an absolute impossibility for us to legislate comparability in pay for the President of the United States with any other job which exists on the face of this earth today. As far as I am concerned, the President of the United States, no matter who he is, is the most important man in the world to me and to every other American. There is no such thing as legislating comparability for him. This might seem like a rather sizable increase today, but I will tell you one thing: It is very little as far as I am concerned in taking care of the needs of the President of the United States. I am prepared to support this or any other proposal that we can bring on today which will give the President of the United States at least a fraction of what he deserves. It makes no difference to me who the President is or what his party is in making this decision.

Mr. GERALD R. FORD. Mr. Speaker, I am very grateful for the observations and comments of the gentleman from Louisiana.

Let me continue with one or two additional observations.

While the salaries of Federal Government officials, employees, and other elected officeholders have been adjusted in recent years, the President's salary has not been adjusted upward since 1949. I wonder how many other Americans today, those who serve in this body, those who work in this body, or those who are otherwise employed in the United States, would feel that they had been done right by if their salaries should have been held at the 1949 level, particularly since the cost of living from 1949 to date has advanced approximately 50 percent from then to the present time. Whether we like it or not, undoubtedly the cost of living will increase anywhere from 2 to 3 percent in each of the years for the next 4 years.

Perhaps some may argue, Mr. Speaker, that the President's salary should not be increased. Obviously we have one and maybe others who feel that way. The quarrel, if there is one, might be over the size of the increase. I personally feel the size of the increase can be fully justified on the basis of these points:

First, the President's salary has not been increased or adjusted upward since 1949. And, it is absolutely certain that if we do not act between now and January 20 it will not be adjusted upward for the next 4 years.

Certainly, the office of the President should be compensated monetarily at a figure at least comparable to that of the head of any reasonably comparable corporate organization. Quite frankly, I know of none that has so many people involved, that spends so much money, that has such vast responsibilities on a worldwide basis.

Third, the compensation of the office of the President should be sufficiently large to allow for adjustments of salaries of other high-ranking Federal elective and appointed officials and the top Federal classified employees.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. GERALD R. FORD. Will the gentleman from Oklahoma yield to me 3 additional minutes?

Mr. ALBERT. I yield the gentleman 3 additional minutes.

Mr. GERALD R. FORD. So I say if the adjustments at this time were not made of the size proposed, then the comparability plan would have to be abandoned for the spread between the salaries of the President and that of other high-ranking officials would have to be unreasonably narrowed.

The proposed adjustment in the President's salary and those which will be recommended for other high Federal officials will have no appreciable impact upon the Federal budget.

In conclusion, I think it must be kept in mind that while other Americans have been receiving pay adjustments annually, or more frequently, a great number of top appointed and elective officials have not. Therefore, any adjustments in their pay will represent adjustments that span a number of years and must be viewed in that light.

Therefore, Mr. Speaker, I urge approval of the resolution which has been offered by the distinguished gentleman from Oklahoma (Mr. Albert).

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I thank the gentleman from Michigan for yielding.

I simply wish to support the gentleman's remarks with the facts that Members of Congress since 1949 have had their salaries increased 100 percent. The top salary for postal employees has gone up 110.8 percent and the salary for the top classified workers has gone up 100 percent, exactly the same figures as are proposed here for the President.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from North Carolina.

Mr. JONAS. I understood the gentleman from Arizona (Mr. Udall) during the debate to make the point that the Federal taxes on this increase would amount to around $35,000; is that correct?

Mr. UDALL. No, no.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me at that point?

Mr. GERALD R. FORD. Yes; I shall be glad to yield to the gentleman from Oklahoma.

Mr. ALBERT. I do not have the figures here, but for a person with no dependents the take-home pay would be only $98,818. With one dependent it would be $99,246.

Mr. JONAS. We hear a lot these days about take-home pay. I think it is very important that we have the facts directly set forth in the Record.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Arkansas.

Mr. MILLS. I am sure that my good friend has made clear what he is talking about and that is what is left after Federal taxes. I can assure the gentleman that his figures are correct, based upon the salary alone. What we are talking about is $98,818 or $99,246 for the President after Federal taxes out of a $200,000 salary.

Mr. JONAS. And, that does not take into consideration New York State or New York City income taxes, both of which have to be paid out of the 50 percent that is left?

Mr. MILLS. That is correct.

Mr. ALBERT. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. Dulski).

Mr. DULSKI. Mr. Speaker, I have cosponsored H.R. 10, together with our distinguished majority and minority leaders, the Honorable Carl Albert and the Honorable Gerald R. Ford, and the ranking minority member of the Post Office and Civil Service Committee, the Honorable Robert Corbett.

We took this action in order that the House may have an opportunity to consider an increase in compensation for the President before President-elect Nixon takes office on January 20, 1969.

The bill has been referred to the Committee on Post Office and Civil Service. But, as everyone knows, the committee has not yet been organized and there will be no opportunity for committee consideration of the proposal before January 20.

Article II, section 1, clause 6, of the Constitution, provides that the President shall receive a compensation for his services "which shall neither be increased nor diminished during the period for which he shall have been elected."

A 4-year term of office for the President is fixed by title 3, United States Code, section 101, and the term "in all cases, commences on the 20th day of January next succeeding the day on which the votes of the electorates have been given."

Section 102 of title 3, United States Code, now fixes the compensation of a President in the amount of $100,000 a year. This rate was last adjusted by the act of January 19, 1949, and became effective at noon on January 20, 1949, when President Truman took office.

On January 20 of this year, a new presidential term will begin. The prohibition of the Constitution against changing a President's compensation during his term of office makes it of the utmost importance that this legislation be considered under the unusual procedure which we are following here today.

Unless the compensation of the President is adjusted before January 20, the Constitution would prevent this act from becoming operative for the duration of Mr. Nixon's term of office.

In any sensibly operated organization—whether public or private—the rate of pay for the top-ranking position should reflect its responsibility.

It is impossible, of course, to provide a salary for the President of the United States to fully compensate him for the heavy responsibility he bears. His is the most difficult, demanding, and important office the world has ever known. There is no comparable position anywhere else.

On the other hand, it is the responsibility of the Congress to provide a rate of compensation for our President that is in at least some degree commensurate with the responsibilities for the position he holds.

Mr. Speaker, favorable consideration of H.R. 10 will result in only the fifth increase in compensation for the President of the United States since the beginning of our country.

The President's compensation was fixed at $25,000 in 1789, at $50,000 in 1873; at $75,000 in 1909, and at $100,000 in 1949.

These five increases compare with nine increases for the Vice President, 10 increases for members of the Cabinet, and 11 increases for the top judges of our judiciary system during the same period of time.

Mr. Speaker, as I indicated at the outside, this legislation has the nonpartisan support of the leaders of the House of Representatives. I urge your favorable consideration of the proposal here today.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma that the House suspend the rules and pass the bill H.R. 10.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Two hundred and twenty-one Members are present, a quorum.

For what purpose does the gentleman from Iowa rise?

Mr. GROSS. Mr. Speaker, on that question I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECEPTION FOR PRESIDENT

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time to ask the distinguished majority leader, are we having the reception for the President at the present time?

Mr. ALBERT. I appreciate the gentleman making the inquiry. We are having the reception and we hope to get over there within the next 5 minutes.

Mr. GERALD R. FORD. I thank my colleague very much and I hope that everybody comes to greet the President and say goodbye and wish him the very best.

CHAIRMAN DULSKI PROPOSES BROAD POSTAL REFORM

(Mr. DULSKI asked and was given permission to extend his remarks in the body of the RECORD and to include extraneous matter.)

Mr. DULSKI. Mr. Speaker, one of the most critical issues—and probably the most urgent—facing us as we begin this 91st Congress, is what we should do about the U.S. Post Office Department.

The postal service has a more direct, personal, and day-to-day effect on more Americans than does any other function of our Government.

And, more and more, Americans are demonstrating every day to each of us that they are deeply and seriously concerned with the condition of our postal communications system, and the grave problems confronting it.

Additionally, at this time there is unprecedented agreement of opinion among postal officials, as well as independent authorities, on the urgent need for sweeping reforms in postal policies and operations.

In my judgment—a judgment shared, I believe by most Members of this House—there is urgent need for prompt legislative action to preserve and strengthen our vast, sprawling, and heavily overburdened postal complex.

Certainly, all presently available information indicates that the U.S. Post Office is in serious trouble, and these troubles cannot necessarily be blamed entirely upon the postal system itself.

As now constituted, the Post Office Department does not have the means to do the job it has been assigned. Indeed, it cannot be expected to continue—let alone to exceed—the present level of postal service in the face of the tremendously increased mail volume.

DEPARTMENT IS HANDICAPPED

The Department is handicapped by numerous legislative, budgetary, financial, and personnel policy restrictions that have accumulated over the years and are virtually self-defeating.

These restrictions foreclose to any Postmaster General most of the modern management and business practices which should be available to him if he is to carry out his responsibilities to provide efficient and economical service.

Another damaging handicap under which the Department is forced to operate is its extreme vulnerability to constant, yet unwise, interference from all types of political and personal pressures which adversely affect both postal employment and operating policies.

Mr. Speaker, a great number of solutions for the many postal difficulties have been proposed over the years. Most have been offered in good faith and have been the result of very careful study. Many have been piecemeal, others more sweeping.

Probably the foremost recommendation—at least the one now being given widespread publicity—is that recently made by the President's Commission on Postal Organization, usually known as the Kappel Commission. This recommendation is to turn the postal service over to an independent nonprofit corporation.

For the past several weeks I have devoted a great amount of time and attention to the Kappel Commission's report, as well as to the wealth of valuable information and evidence which the supporting documents present to highlight the many postal problems and their causes.

The report is certainly a most thoroughly comprehensive and analytical document. It is a credit to the outstanding citizens who prepared and presented it.

I strongly concur with the Commission's findings that postal reform is an immediate necessity in the public interest. I also agree that no private organization or firm would be willing to take over what is described as essentially a bankrupt postal system.

THREE BASIC CHANGES NEEDED

My own studies, and my close association with postal problems over the past decade, convince me that there are really three basic changes required in the present Post Office Department to permit it to do the job that needs to be done.

First, we must give to top management the authority it needs to operate consistent with its responsibilities. The weakness of the present administrative setup is that management is severely and unjustly hampered in its effort to administer the Department under the law in a businesslike way,

Second, we must modernize employee-management relations to fit today's operations, and

Third, we must provide the Department with updated business-type financing.

In the area of financing—probably the most critical problem needing attention—there are two areas which require immediate action.

We should have a system of financing that allows the Department reasonable flexibility in the use of the revenues which it generates. Under the present outmoded system all receipts must be funneled to the U.S. Treasury, and then the Department is subject to all kinds of crippling appropriation restrictions on the use of these revenues for its own operations.

In addition, it is essential for efficient management that the Department be allowed to finance both construction of its own buildings and the acquisition of necessary operating equipment. It is also essential that the Department be able to support in full the all-important research and development work that can permit the Department to meet the needs of the ever-changing, but always-increasing, flow of mail.

However, Mr. Speaker, based on the record at this time, and on my own careful analysis of the problem, I am not yet prepared to conclude that the only remedy for the ills of the postal service is to replace the Post Office Department with a nonprofit, Government-backed corporation as the Kappel Commission has proposed.

MAJOR REFORMS ESSENTIAL

I am certainly willing to agree that major changes—perhaps even radical changes—are needed in our historic postal policies and practices.

But there must be great care taken that the cure is not worse than the illness. I think a real possibility exists that this could occur were such a drastic changeover to be made, that is, a conversion from an executive department to a nonprofit corporation.

As I indicated, I have spent the major part of my time since the close of the 90th Congress in studying our postal system. I have carefully reviewed the Kappel Commission's report and its detailed supporting documents, along with the history of the creation and operation of a number of Federal corporations.

It appears abundantly clear to me that there are both advantages and disadvantages in the use of the corporate device to carry out a governmental mission.

The creation of a corporation generally is warranted only, first, when a program or activity is necessary in the public interest; second, when no one except the Government can or should undertake it; and third, when the customary and normal organizational structure of the Government is not suited to its accomplishment.

Of those three tests, only the first—necessity in the public interest—applies to the postal service.

The Post Office Department and its 700,000 employees have been doing—and are doing—a remarkably effective job when we consider the burdens imposed on them. They stand ready, willing, and able to do an even better job if the Congress will only grant adequate relief from the serious handicaps that now exist.

REFORM—NOT REPLACEMENT

In short, Mr. Speaker, my studies indicate that every major postal reform that a nonprofit corporation might achieve can be done more quickly and effectively within the present framework of Government. Most important, I am convinced these can be done without the inevitable disruption and turmoil involved in a changeover to a corporation.

For these reasons, and to provide a responsible alternative to the corporation proposal for the Congress to consider, on the opening day of the 91st Congress last Friday, I introduced a comprehensive postal reform bill, H.R. 4.

My bill would reorganize and greatly strengthen the postal service, but continue it as a regular Government department with the Postmaster General as a member of the President's Cabinet.

I sincerely feel that my bill will do everything that is claimed for a corporate entity—and all within the framework of the historic philosophy and the fundamental principles of our Government.

It would preserve the traditional character of the postal service as a direct duty of the Government—a duty to be carried out by placing responsibility on an executive department, and giving the department the authority and flexibility it must have to carry out that responsibility.

Mr. Speaker, the Kappel Commission report contains five recommendations which it claims would achieve the goal of "postal excellence."

It is my belief that the provisions of my bill would not only accomplish most of the recommendations of the Kappel Commission, but that the bill, if enacted, would also really achieve our common goal of "postal excellence."

H.R. 4 VERSUS KAPPEL PLAN

I would like at this point to outline briefly the major provisions of my bill as they relate to the five Kappel Commission's recommendations.

The first recommendation of the Commission is "that a postal corporation owned entirely by the Federal Government be chartered by Congress to operate the postal service of the United States on a self-supporting basis."

The Postmaster General already has full management responsibility, but he lacks a necessary measure of authority and flexibility of operations.

My bill retains the Post Office as an executive department headed by the Postmaster General, but—for the first time in history—it would grant a measure of authority and flexibility that is equal to his level of responsibility.

Thus, it would enable the Postmaster General and his Department to do every necessary thing that a corporation could do.

Under H.R. 4, the Department would have the objective of supporting itself from its revenues, with the exception of public service allowances, which would continue to be subject to congressional scrutiny and appropriation.

The Department would be enabled to use its own revenues to pay its own expenses free of present overly restrictive budgetary and appropriation limitations.

PERIODIC RATE ADJUSTMENTS

Provision is also made for periodic semiautomatic postal rate adjustments through a quadrennial commission whose recommendations would be submitted to the President once every 4 years. The President would use the Commission's recommendations as the basis for his formal rate proposals to Congress.

The President's proposals would take effect as law in 120 days unless either the House or the Senate voted changes, in part or in full.

The second Kappel Commission recommendation is:

> The Corporation take immediate steps to improve the quality and kinds of service offered, the means by which service is provided and the physical conditions under which postal employees work.

My bill provides a strong foundation for modernization of postal plant and equipment. It establishes a new Postal Modernization Authority, a body corporate headed by the Postmaster General.

The Authority would act as a holding company for all property and equipment, with authority, first, to issue, finance, and retire bonds secured by the property; second, to conduct a vigorous research and development program; and third, to lease needed property and equipment to the Post Office Department on a cost-recovery basis.

The Postal Modernization Authority would be subject to the Government Corporation Control Act.

LABOR-MANAGEMENT RELATIONS

My bill also contains a complete labor-management relations program which embodies all of the essential policies, principles, practices, and procedures that have been adopted in modern, progressive private enterprise.

It includes provisions for, first, compulsory arbitration; second, settlement of disputes in disagreement by an independent Labor-Management Relations Panel; and third, clear-cut standards and guidelines for both management and labor in the field of employee-management relations.

The third Kappel Commission recommendation is:

> All appointments to, and promotions within the postal system be made on a nonpolitical basis.

Title II of my bill, H.R. 4, prohibits all kinds of political recommendations, influence, and interference in the appointment of postmasters, and also extends this prohibition to all other types of undesirable pressure or influence from any other source.

The fourth recommendation of the Kappel Commission is:

> Present postal employees be transferred, with their accrued Civil Service benefits, to a new career service within the Postal Corporation.

The labor-management provisions of H.R. 4 are considered to be the critical improvement that is needed. They will work effectively to update the postal personnel system and make it fully responsive to the needs of both management and the public.

The fifth and last recommendation of the Kappel Commission is:

> The Board of Directors, after hearings by expert Rate Commissioners, establish postal rates, subject to veto by concurrent resolution of the Congress.

QUADRENNIAL COMMISSION

As pointed out earlier, H.R. 4 provides for periodic review and adjustment of postal rates by a Quadrennial Commission for the purpose of returning cost, exclusive of public service.

It also provides a semiautomatic procedure for proposed rate adjustments to take effect as law without the necessity of extensive, frustrating, and often bitter consideration of the complexities of postal rates before congressional committees.

Mr. Speaker, the bill I have introduced, H.R. 4, is most comprehensive. It very carefully goes to what I consider to be the heart of the Post Office Department's problems today. Even more important, it will let the Department be responsive to the problems of tomorrow and, indeed, the years ahead.

I intend to schedule prompt hearings by my committee on the entire subject of postal reorganization because I am convinced that the Department can be expected to do its increasingly difficult job of handling the mail only if we give to management the necessary administrative tools.

Mr. Speaker, as a part of my remarks, I am including a summary of my bill by title:

SUMMARY OF H.R. 4, POSTAL REFORM ACT OF 1969

H.R. 4 is an omnibus postal reform bill directed to the correction of major deficiencies in legislative and operating policies and procedures which tend to adversely affect the postal service of the United States.

The bill is divided into eight titles.

TITLE I—GENERAL POLICY STATEMENT

Title I of the bill sets forth findings of the Congress with respect to the present condition of the postal service, the prospect for its efficient and economical operation, the causes of its difficulties, and the basic principles upon which remedial measures can be effected.

TITLE II—APPOINTMENT OF POSTMASTERS

Title II of H.R. 4 removes one of the most criticized practices that burden the postal establishment—the archaic procedure of political and personal patronage appointments of postmasters.

Each of the 32,000 post offices is managed and administered by a postmaster who, as the law now stands, may be selected either politically or by personal choice of one or a few individuals having little or no direct responsibility in postal affairs. Yet, the postmaster is perhaps the most important postal management figure—the focal point of a service that vitally concerns the public. There is no other practice in our postal institution that has more of an irritant and has bred more criticism than political and other patronage choices in the appointment of postmasters.

Title II of H.R. 4 provides sweeping reform in this area. It absolutely prohibits any written or oral recommendation for appointment of a postmaster by any Member of Congress, any elected official of a State or local government, or any official of a partisan political organization.

Of equal importance, the bill also prohibits any such recommendation by any other person or organization, subject to only two necessary exceptions.

The first exception permits the Postmaster General to consult appropriate postal management and administrative officials as to the qualifications and ability of a postal employee who is being considered for promotion to fill a vacant postmastership.

The second exception permits authorized government representatives to inquire as to an applicant's loyalty and suitability, and to solicit from a former employer of an applicant a judgment as to the applicant's qualifications and ability.

Any person who applies, or is being considered, for a position of postmaster will be disqualified if he knowingly requests any of the prohibited recommendations.

If any prohibiting recommendation is received by a Federal official, it must be rejected with a notice that it violates this title.

The existing residence requirements for postmasters are continued.

TITLE III—POSTAL TRANSPORTATION

Title III will modernize postal transportation laws and provide the Postmaster General greater flexibility in the procurement of transportation of mail by railway, airplane, and motor vehicle.

This title will authorize the Postmaster General to obtain transportation services for mail from regulated motor carriers and freight forwarders on exactly the same basis as he now does from the railways.

The Postmaster General will be authorized to negotiate rates of compensation with scheduled air carriers as well as railways.

The requirement that certain airport-to-post office transportation be performed by Government vehicles will be repealed.

The residence requirement for star route contractors will be repealed.

The bill will establish authority for the Postmaster General to enter into mail transportation contracts which require the use of more than one mode of transportation.

The proposed revision will extend the statutory obligation of railway common carriers to transport mail and provide related services at rates prescribed by the Interstate Commerce Commission, to the two important segments of the transportation industry not now covered by any corresponding obligation—the regulated motor carriers and freight forwarders.

TITLE IV—MODERNIZATION OF POSTAL FACILITIES

Title IV of H.R. 4 is directed to what has been described as the most glaring deficiency in our entire postal operation—the failure to provide modern and efficient plant and facilities for the gigantic postal operation.

As explained in Title I, the present structure of legislative, budgetary, and procedural limitations constitute a veritable straitjacket on the Postmaster General in terms of acquiring, developing and improving the facilities he and his team use in moving the mails.

Title IV creates a complete Postal Modernization Authority, a body corporate, to act, in effect, as a development and holding company, controlled by the Postmaster General, for all buildings, facilities, equipment, and machinery needed in postal operations.

All property of the Post Office Department and substantially all of the responsibilities and authorities of the existing Bureau of Facilities and the Bureau of Research and Engineering are turned over to the Postal Modernization Authority.

The Authority is authorized to acquire, hold, develop, and perfect buildings and equipment suited to postal needs, to issue and retire bonds for those purposes, and to lease needed buildings and equipment to the Postmaster General at rentals which will return the Authority's total costs.

This holding company structure will remove the obstructive handicap of a penny-wise, pound-foolish policy that for many years has deprived the Post Office Department of adequate facilities and imposed the impossible burden of providing up-to-date mail service with horse-and-buggy facilities.

The Postal Modernization Authority is the first of three major financial remedies provided by H.R. 4.

TITLE V—COMMISSION ON POSTAL FINANCE

Title V of H.R. 4 removes a stumbling block that has contributed in untold measure to the unfortunate image of the Post Office Department as a losing and inefficient Government function.

The revenue received for handling the ever-increasing volume of mail is controlled by a structure of postal rates, charges, and fees rigidly prescribed, for the most part, by the Congress.

Experience proves that every effort to obtain increased postal revenue, by whatever Postmaster General may be in office, is an undertaking of almost frightening magnitude.

Each official proposal on general postal rate adjustments is met immediately by an opposing hue and cry from the general public and large users of the mails.

The consideration by Congressional committees of such proposals is characterized by long, trying, and bitterly controversial hearings. Members are subjected to exorbitant demands and all kinds of pressures.

The legislative changes that result in many instances are characterized more by personal preferences, bias, and prejudice than by the best interests of the Government and the postal service.

Title V of the bill removes the initial and formative stages of rate adjustment proceedings to a more suitable forum—a quadrennial Commission on Postal Finance—but leaves the ultimate decision on proposed rate adjustments to the Congress through the exercise of a veto power over proposals originated by the Commission.

This title creates a Commission on Postal Finance that will exist for an 18-month period every 4 years. Five members of the Commission will be appointed by the President, 3 by the President Pro Tem of the Senate, and 3 by the Speaker of the House.

The Commission is required to study and review all postal rates, charges, and fees on all classes and kinds of mail, as well as requirements and conditions of mailability as in effect when the Commission is appointed.

The Commission will hold hearings and consider the views and the interests of the Government and of mail users, and then present to the President its recommendations for such adjustments as, in its judgment, are necessary to return the total costs and expenses incurred by the postal establishment—on an across-the-board basis—after excluding the public service allowance provided for by law.

The Commission is authorized, among its other powers, to review and to recommend needed changes in the public service allowance, in the structure and operation of the Postal Modernization Authority, established by Title IV of H.R. 4, and the cost ascertainment system of the Post Office Department.

The President, in turn, is called on to transmit to the Congress his recommendations, based on his review of the Commission's proposals, for adjustments in postal rates, charges, and fees.

If within 120 days after transmittal of the President's recommendations no differing statute has been enacted, and neither the House nor the Senate has disapproved any or all parts of the recommendation by bill or resolution, the President's recommendations automatically take effect as law.

TITLE VI—POST OFFICE DEPARTMENT REVOLVING FUND

Title VI of H.R. 4 represents the third part in the total financial breakthrough provided by the Dulski bill. It supplements the first two—the Postal Modernization Authority and the quadrennial Commission on Postal Finance.

This title makes a true and effective revolving fund available to the Postmaster General, through which he is authorized to receive and to use all postal revenues to operate the postal service, free of the present unrealistic and obstructive budgetary and appropriation limitations and restrictions.

The operation and administration of this revolving fund will be subject to effective fiscal control through internal accounting and auditing procedures and audit by the General Accounting Office. It represents a long-overdue changeover to responsible business practice, without which the present outmoded practices have severely handicapped the Post Office Department in terms of availability of its revenues to pay for its operations.

TITLE VII—EMPLOYEE-MANAGEMENT RELATIONS

Title VII of H.R. 4 responds vigorously and effectively to the severe and worsening problems of the postal establishment in the field of employee relations.

Every authoritative study of postal affairs in recent years has stressed the problem of employee morale and the unsatisfactory condition of employment in the Postal Field Service.

The recent report of the President's Commission on Postal Organization, under the Chairmanship of Frederick R. Kappel, placed emphasis on employee-management relations second only to its primary recommendation that the Post Office Department be turned over to a Government corporation.

Title VII establishes a clearly defined, workable, and highly desirable charter for a new and dynamic postal employee-management relations program.

It lays down the fundamental principle that free and friendly consultation between employee unions and management will contribute to better postal service; that employees are entitled to be heard by management on matters affecting them; and that strong and democratically administered employee organizations are to be encouraged in the Postal Establishment.

This title provides for compulsory arbitration of differing viewpoints, for orderly and effective settlement of appeals and grievances, and for the establishment of an independent, full-time Postal Labor-Management Relations Panel vested with authority to render final and conclusive decisions on disputes between employees and management.

It also spells out a clear policy for the granting of exclusive recognition to postal employee organizations, based on identification of crafts for employees and separate consideration of supervisors' organizations, together with codes of proper conduct for both management and employees.

The rights of both employee and management representatives to present their cases, to testify and be heard, and to question and cross-examine witnesses—without fear of intimidation or reprisal—are guaranteed.

This title of the bill, in the judgment of the sponsor, is the most important advance in the field of postal management that has yet been developed. It maintains the traditional policy of the great postal employee unions that they do not ask, and do not want, the right to strike.

TITLE VIII—MISCELLANEOUS AND EFFECTIVE DATES

Title VIII of H.R. 4 establishes the position of Executive Assistant for Employee Relations, with stature equal to that of the present Executive Assistant to the Postmaster General, to act as a personal adviser to the Postmaster General in the executive field of employee relations. The Executive Assistant for Employee Relations will not be subject to supervision, control, or any interference on the part of any other officer or employee of the Post Office Department.

The establishment and use of this new executive position is needed to implement, at the very top level in the Department the broad new employee-management relations program provided for by Title VII.

EFFECTIVE DATES

The date of enactment will be the effective date for:

Title I—Congressional findings with respect to postal reform,

Title IV—Modernization of Postal Facilities,

Title V—Commission on Postal Finance, and

Title VIII—Miscellaneous provisions and the effective dates.

Title VII—Employee-Management Relations, will become effective on the first day of the second month which begins after the date of enactment.

Title II—Appointment of postmasters, will become effective on the first day of the third month which begins after the date of enactment.

Title III—Postal Transportation, will become effective on the first day of the sixth month which begins after the date of enactment.

Title VI—Post Office Department Operations Fund, will become effective on the first day of the first fiscal year which begins after the date of enactment.

NEW LEGISLATION NEEDED FOR CLEANER WATER

(Mr. VANIK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, I am today introducing the Federal Water Pollution Control Act of 1969. This legislation, which improves and expands past water pollution control laws and provides for new protection in the area of oil spillage and mine acid leakage, was passed by the other Chamber on July 10, 1968, and by this Chamber on October 7, 1968. The Senate agreed to House amendments on October 11. But confusion and inaction in the closing hours of the 90th Congress, coupled with heavy lobbying pressures against the bill by certain special interests, prevented the measure from being enacted into law.

Our Nation is faced with a continuing water pollution crisis. The dimension of the problem is outlined in an article in the November issue of McCall's magazine by Dr. David Peter Sachs, a former Clevelander, entitled "Drink at Your Own Risk." The article includes a table, now dated by changing conditions and water levels, listing numerous communities, by State, where the drinking water is not satisfactory, is a potential hazard to health, and is not checked frequently enough. It is to our shame that in our rich Nation all our citizens are not guaranteed safe drinking water.

As the Nation grows, the demands for clean water grow. A report released yesterday on projected powerplant needs, both thermal and nuclear, expresses great concern that we will not be able to construct these huge power facilities without destroying more rivers, more wildlife, more of our irreplaceable, unspoiled natural resources.

To provide clean water for all Americans, to plan for the future, we must legislate now. We must be willing to supply funds. This is the purpose of the legislation which I am reintroducing today.

Most significantly, the Water Pollution Control Act of 1969 provides a new form of assistance to localities in the construction of water treatment facilities. To make the present Federal grant appropriations for such facilities go further, the Federal Government would be authorized to enter into 30-year contracts with localities during which it would contribute the present Federal share of such project costs. Although significant funds have been authorized to help build such treatment facilities, usually less than a third of the authorization has been appropriated. These appropriations have been inadequate to meet the need. The use of grants will enable badly needed projects to be started immediately, rather than waiting for full appropriation.

Another section of this legislation is of particular significance to the Cleveland area and the entire Great Lakes region. This bill provides for contracts or grants for research and development of new methods to prevent pollution and control its effects in lakes. Other sections provide assistance in controlling acid and other mine water pollution.

A portion of the legislation would allow grants to assist in providing improvements in existing treatment facilities through the addition of the latest and most technically advanced treatment devices.

The legislation provides for a new section of pollution control law providing clearly defined controls over the condition of wastes dumped in American waters by ships and boats. In addition, fines and liabilities are set for the negligent spillage of oils and other hazardous polluting matter from vessels while in American waters. Hopefully, this section will prevent a *Torrey Canyon* disaster in the waters of our Nation. It will make provision for cleaning up from such disasters, if they do occur, as well as fixing the blame and liability for such damage to our public, natural resources.

Mr. Speaker, full hearings have been held on this bill. Both Chambers approved it last year. It is my hope that this legislation can be acted upon in the next several months and that some of its more critical provisions may become effective in the new fiscal year beginning July 1. The need for this legislation has already been clearly established. It is essential for our future generations.

ADAM CLAYTON POWELL

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STRATTON. Mr. Speaker, I take this time to comment briefly on the votes I cast on Friday, January 3, with regard to the seating of Adam Clayton Powell.

Two years ago when this issue was first presented to the House, I voted not to seat Mr. Powell. I did so for one very compelling reason; namely, that Mr. Powell's deliberate decision to remain outside of New York State rather than submit himself to the jurisdiction of the New York State courts had meant that he was not a resident of the State from which he was elected, and therefore failed to meet one of the three basic constitutional qualifications for membership.

Since the Constitution also provides that the House itself shall be the final judge as to whether Members-elect do or do not meet the qualifications of House membership, a determination by the House on these grounds could not have been challenged in any other place.

Many of may colleagues, I am frank to say, did not concur at the time in this reasoning with regard to Mr. Powell; but I might point out that had the House followed my lead on this point 2 years ago we would not now be faced with a suit in behalf of Mr. Powell's seating in the U.S. Supreme Court.

On last Friday, when the question of Mr. Powell's seating came before this new 91st Congress, the situation that had existed in January 1967 no longer obtained. Mr. Powell had in the interval made his peace with the courts of New York State, had returned freely and frequently to New York State, and had met all of his obligations in New York—except a pending 90-day jail sentence which is temporarily being deferred by the State courts, as I understand it.

In short, Mr. Powell had fully removed the previous cloud from his residency qualification. For that reason I believed the gentleman from New York had a right to be seated and I supported and voted for that right last Friday.

I did feel, however, that because of the very serious questions with regard to Mr. Powell's conduct in the 88th and the 89th Congresses reported to the House by a special committee in January 1967, we ought not to act to seat Mr. Powell without taking some official recognition of the charges that led a majority of the House to vote to exclude him 2 years ago. The original Celler seating resolution made no mention of any possible House review of these very grave charges once Mr. Powell was seated, and therefore I opposed the "previous question" motion, that action which would have made it impossible to offer to the original Celler seating resolution any amendments dealing with the serious charges against Mr. Powell.

When the move to block amendments to the Celler seating resolution failed I would myself have favored amending the original resolution to refer the question of possible disciplinary action arising from these charges to an appropriate committee of the House. I mentioned that possible amendment briefly on the floor during the debate.

As it turned out, the parliamentary situation never made it possible for that amendment to be offered. Instead I supported the substitute finally offered by Congressman Celler to seat Mr. Powell and fix a penalty of $25,000 against him because of the findings made by the special committee in January 1967.

LEGISLATION TO REMOVE ONE-BANK EXEMPTION

(Mr. BENNETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BENNETT. Mr. Speaker, on the first day of the 91st Congress, I introduced a bill to close the loopholes in the Bank Holding Company Act of 1956, which allows one-bank holding companies and labor unions to own banks.

I believe the exemptions in the Banking Act of 1956 should be removed, and my legislation, drafted and approved by the Federal Reserve Board, would accomplish this. The principle adopted by Congress in the 1933 Banking Act, that it was against the public interest for banks and nonbanking businesses to be controlled by the same ownership, should be upheld.

It is disturbing to read reports that banks are going into nonbanking businesses. I believe in the words of Federal Reserve Board Chairman William McChesney Martin, who said recently:

> This is a real can of worms. It can affect the whole capitalistic system in the U.S. The line between banking and commerce should not be erased.

Legislation which I sponsored and supported and was passed in 1966, stripped four other exemptions from the law for: long-term trusts, registered investment companies, nonprofit, charitable, religious, and educational institutions, and companies with at least 80 percent of their assets in agriculture. We need to act on the remaining two exemptions in the 91st Congress.

Specifically, my 1969 bill would amend the exemption rule in the 1956 act, which states "each of two or more banks" to "any bank" and do away with the provision for "labor, agricultural, or horticultural organizations." The 1956 act prohibits corporations controlling more than 25 percent of two or more banks from engaging in anything but banking. The present law does not cover companies owning only one bank; and where State law allows branch banking, this nullifies the purpose of the Federal law. The recent trend is for commercial banks to reorganize into one-bank holding companies. Today, there are over 700 of these companies, about 200 more than in 1966, and 600 more than in 1956 when the Banking Act was passed. Twenty-two of the Nation's largest banks have organized the Association of Corporate Owners of One Banks to push further into the conglomerate banking-non-banking field.

The two remaining exemptions now in the law represent possible conflicts of interest and monopoly and are not in the public interest. There is the chance that banks would bail out failing companies they have an interest in to the detriment of depositors of the bank; they might refuse to extend credit to a competitor of one of its subsidiaries or require borrowers to trade with one of its firms.

THE BLACK SECESSION MOVEMENT

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, I have been besieged with inquiries from Americans alarmed by news promoting a threatened program designed to give five States to black nationalists for establishment of a separate black nation to be called New Africa.

The idea is so repulsive to most Americans it would be easy to discount any such plot as the mutterings of extremist crackpots and to ignore the inquiries. For certainly no American would tolerate for one instant any idea of chopping up the United States. Likewise, no pro-American leader would consider negotiating such a sinister threat to destroy our Nation.

My inquiry at the State Department as to the existence of a written ultimatum to negotiate such a purpose revealed that on May 29, 1968, such a written demand from an organization calling itself "the Republic of New Africa" was received and does exist.

Any reply from the State Department or negotiations to this date are unknown. A copy of the ultimatum follows my remarks.

Further inquiry revealed that the September 12, 1968, Jet magazine outlined similar demands and indicated petitions were being circulated for recognition of the separate movement for presentation to the United Nations.

Political Affairs—the theoretical magazine of the Communist Party of the U.S.A.—in the November 1968 issue carried a detailed paper accredited to Claude Lightfoot, entitled, "The Right of Black America To Create a Nation," identified as material discussed at the Special Convention of the Communist Party, U.S.A., held in July 1968, and to be further discussed at the next Communist Party convention in April of 1969. The Lightfoot article also follows my comment.

The Esquire magazine for January 1969 permitted its pages to be used as a revolutionary rag to carry anti-South material by Robert Sherill, which amplifies the Communist Party line set forth in the Lightfoot article.

Esquire sought to dignify the subversive plot by printing pictures of the president and officers. Esquire, in selling this copy of its magazine, went so far as to place a flier on the cover reading: "Exclusive Report—The Black Plan To Take Over Louisiana and Four Other States."

I believe these reports are startling enough to merit notice, not only to my constituents, but to my colleagues as well.

The conclusion can be but publicized treason and sedition against the American people along with demands against the U.S. State Department to negotiate for peaceful settlement and petitions—as if from an established government—to the United Nations.

The real danger and threat to our national security comes from those who are the guiding intelligence and supplying the financial aid.

The Attorney General of the United States is most certainly aware of this conspiracy to peacefully overthrow a portion of our Nation. There have been no arrests, no investigations nor any reassurances to our people. Nor has the U.S. State Department denied any negotiations or communications with this satyagraha.

Meanwhile the communications media continues to build a "hate the South" image and continues to work progressively toward programs within the dialog of the Political Affairs memo.

The American people want to know what, if anything, has been done to protect the sovereignty of the Union and protect them from this openly publicized threat against our lives and property?

I consider these acts outrageous.

Mr. Speaker, I include the following documents with my remarks: New Republic note to the U.S. State Department; Jet for September 12, 1968; Political Affairs, November 1968; and Esquire magazine, January 1968.

The material follows:

THE REPUBLIC OF NEW AFRICA,
May 29, 1968.

Hon. DEAN RUSK,
Department of State, The United States of America, Washington, D.C.

GREETINGS: This note is to advise you of the willingness of the Republic of New Africa to enter immediately into negotiations with the United States of America for the purpose of settling the long-standing grievances between our two peoples and correcting long-standing wrongs.

The wrongs to which we refer are those, of course, which attended the slavery of black people in this country and the oppression of black people, since slavery, which continues to our own day. The grievances relate to the failure of the United States to enter into any bilateral agreements with black people, either before or after the Civil War, which reflect free consent and true mutuality. Black people were never accorded the choices of free people once the United States had ceased, theoretically its enslavement of black people, and this constitutes a fatal defect in the attempt to impose U.S. citizenship upon blacks in America.

The existence of the Republic of New Africa poses a realistic settlement for these grievances and wrongs. We offer new hope for your country as for ours. We wish to see an end to war in the streets. We wish to lift from your country, from your people, the poorest, most depressed segment of the population, and, with them, work out our own destiny, on what has been the poorest states in your union (Mississippi, Louisiana, Alabama, Georgia, and South Carolina), making a separate, free, and independent black nation.

Our discussions should involve land and all those questions connected with the prompt transfer of sovereignty in black areas from the United States to the Republic of New Africa. They must also involve reparations. We suggest that a settlement of not less than $10,000 per black person be accepted as a basis for discussion. We do assure you that the Republic of New Africa remains ready instantly to open good faith negotiations, at a time and under conditions to be mutually agreed. We urge your acceptance of this invitation for talks in the name of peace, justice, and decency.

MILTON R. HENRY,
First Vice President.

[From Jet magazine, Sept. 12, 1968]

PETITION DRIVE ON FOR BLACK REPUBLIC

U.S. blacks working to acquire five states as home for a separate black nation began a drive to get ghetto dwellers to sign petitions, asking payment to blacks for past injustices, and for recognition of the newly formed Republic of New Africa. Representatives aim at getting signatures of one-half of

1 percent of persons over 16 years who live in the ghettos of 10 major cities. The petitions call for the U.S. to pay $10,000 for each person in the new state—$6,000 to the Republic and $4,000 to the person. Minister of Information Brother Imari (Richard B. Henry) told JET the petitions will be presented to the UN General Assembly because the U.S. has veto power in the Security Council, which ordinarily would handle it.

[From Political Affairs, Nov. 11, 1968]

The Right of Black America To Create a Nation*

(By Claude Lightfoot)

The Special National Convention of the CPUSA, held last July, deferred discussion of the question of self-determination for black America to the next regular convention, to be held in April 1969. In preparation for such a discussion, this article is presented. The views set forth are my own and should in no way be considered official. Hopefully, this article will stimulate the kind of discussion which will result in a document that will reflect a collective effort.

In view of a long background of vacillation in the handling of the slogan of self-determination within the Party, it is imperative that we present this question today in a way that will stand the test of time. We must avoid dotting i's and crossing t's in respect to future developments. Marxism-Leninism does not equip us to do that. At best it enables us to perceive what is new, what is aborning, and to indicate the direction in which things are moving. It also enables us to foresee the possibilities inherent in a given trend. But it does not enable us to blueprint the exact form that trend may take.

In this discussion, therefore, we must combat a dogmatic, mechanical presentation of the matter. We must likewise strive to avoid being overwhelmed by the present state of affairs and acting as if it will prevail forever. With these yardsticks in focus, we shall discuss:

1. The historical background of the Communist Party's handling of the slogan of self-determination.
2. A more precise definition of the national character of the black people's movement, especially as it exists today.
3. Some proposals as to how this matter should be formulated in our draft program.
4. The main prerequisites for a black nation in the United States.

HISTORICAL BACKGROUND

In 1930 the Communist Party adopted a resolution on the Negro question in the United States. It was an historic landmark in determining scientifically the character of black people and their struggles. Prior to the appearance of this resolution most organizations and individuals, both black and white, had approached this question in a piecemeal fashion. Hardly any organization had presented a definitive treatment, either in the community as a whole or in the radical sector.

In fact, the radical predecessors of the Communist Party paid little or no attention to the problems confronting black America. They took the position that the Negro question was a class question and that the problems of the black worker would be solved in the same way as those of the white worker. In taking this position they betrayed strong influences of white chauvinism. Such an approach could only lead to passivity in the face of a continuous onslaught of racist ideology which singled out black people for special exploitation and persecution.

The 1930 resolution had three main features. 1st, we inscribed on our banner the goal of full economic, political and social equality for black America. We were the first political party to take this stand. A 2nd feature was the characterization we made of the special forms of oppression peculiar to black people on the American scene. 3rd, we declared that these special features of black persecution, coupled with such historical developments as slavery, had resulted in the development of a black nation in the Black Belt of the South.

The Party arrived at this conclusion on the basis of the Marxist criteria of nationhood. The essence of these is: A nation is a historically evolved, stable community of people having a common territory, a common language and a common economic life, reflected in a common psychological makeup or culture. Using these yardsticks, it was concluded that in the Black Belt black people had all the requisites of a nation, and therefore the right of self-determination applied to them. We called for equal rights for black people everywhere and self-determination in the Black Belt.

This position placed the CPUSA in the vanguard of all Americans.

The first two aspects of the struggle as defined in the resolution—the fight for equality and the special demands made necessary by the special forms of persecution—have stood up through the succeeding years and can be considered as firmly established. In regard to self-determination, our position has fluctuated several times.

This tendency to fluctuate shows that while there was some validity in the concept, our approach has been based on some faulty premises. We need, therefore, to examine the history of our application of this slogan to see what errors we made in our various analyses.

After declaring its position in 1930 the Communist Party proceeded to organize struggles based on the concept of equality and elaborated a series of special demands covering every aspect of oppression and superexploitation of black America. The Party sparked a new historic wave of struggles which shook the very foundations of the whole system of jim-crow segregation and discrimination. It was during this period that it came to be known as the party of the Negro people.

During this time almost all movements of a nationalist character faded into the background, and interracial efforts dominated the scene. There were many black forces who hailed the role of the Communist Party in fostering unity and raising the special demands of the Negro people. But they rejected the idea of nationhood in the Black Belt and the slogan of self-determination. The ruling circles contributed to this rejection by distorting the slogan, by convincing many people that such a proposition would be jim-crow in reverse. Consequently after several years of effort during which little or no consciousness of nationhood was manifested, and no significant response to the slogan of self-determination, the Party began to abandon it.

Earl Browder, then general secretary of the Communist Party, went as far as to declare that the black people had already exercised their right of self-determination and had chosen the path of integration into the American nation. But, at the close of World War II, when American Communists took stock of the Browder era in which opportunist positions had been taken on many questions of principle, it also took a new look at the question of self-determination. In 1946 the National Committee decided once again to raise the slogan of self-determination in the Black Belt.

There were those who raised serious doubts about the advisability of doing so. Some based their doubts on the fact that black America had indicated no consciousness of nationhood or self-determination. This led to a deeper probing into the status of the black nation.

As a consequence several Party leaders argued that the Negro people constituted a young nation, a nation which had not become full-blown and had not developed consciousness of itself as such. This came closer to defining the national character of the Negro people than did the previous position which treated the question as if a full-blown nation already existed within the Black Belt. Based on this new analysis we restored the slogan of self-determination.

Between 1946 and 1959, we witnessed an accelerated growth of struggles designed to establish first-class citizenship for black Americans. Simultaneously, there was a tremendous shift of population from the rural areas of the South into the urban regions of both the South and the North. The black population of the United States became widely dispersed and was no longer a substantial majority in any section of the country.

Moreover, the continuous wave of migrations also led to great changes in the class composition of the black community. It brought about the growth of the Negro workers as the dominant section of the population rather than the sharecroppers and farmers who had been the main class force in the Black Belt counties.

It was these developments which contributed to the decision of the 1959 National Convention once again to withdraw the slogan of self-determination. Involved in this withdrawal was the view that the nation had been uprooted, that it no longer had territorial unity and that the working-class aspect of the problem was becoming increasingly its dominant feature.

THE NEW NATIONAL CONSCIOUSNESS

Paradoxically, after we reversed our position forces began to emerge which did reflect a consciousness of the necessity of nationhood. This was evident especially in a significant trend toward support of the policies of Elijah Muhammad and Malcolm X of the black Muslim movement.

Currently there is a mass trend toward support of nationalist forms of development, though it is an uneven one. There are those who call for control over their communities while remaining within the general commonwealth. At present they do not seek physical separation beyond making their communities power bases from which to operate in the general community. There is also a growing trend toward a program of separation and the building of a black nation in the South. In fact, many of the counties which formerly represented the area we called the Black Belt have been singled out by some as the future homeland of black America.

In order to determine what our present position should be, we must unravel the reasons for this contradiction.

At the time we adopted the resolution discarding the slogan of self-determination it was realized by most comrades that the resolution left some matters unexplained. This was expressed in the following paragraph:

"To conclude that the Negro people in the United States are not a nation is not to say that the Negro question in our country is not a national question. It is indeed a national question. The question is, however, a national question of what type, with what distinguishing characteristics, calling for what strategic concept of its solution."

Those of us who authored this resolution definitely felt that the concept of nationhood had been undermined. Nevertheless, we were conscious of the fact that the Negro people as a national minority differed from other national groups in the United States, though we did not elaborate on these differences. In retrospect, it is my judgment that from the very beginning our Party made an error when it applied the right of self-determination to the Black Belt rather than to the black people as a people, for in so doing we reduced the matter of self-determination to an artificial geographical consideration.

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* This article and that which follows open discussion on two of the questions in relation to the draft program which were singled out for particular discussion by the Special Convention last July. Others will appear in the December issue. Comment on these articles or other discussion articles on these subjects is invited.

Of course, the concept of common territory is one of the fundamental features of a nation and without it there is no nation. But what we failed to understand was that while the Negro people in the Black Belt did not constitute a full-blown or even a young nation, the background and conditions of life of the black people, whether on the southern plantation or in the urban ghettos, are breeding grounds for national aspirations.

These tendencies, therefore, have not been merely an expression in some geographical area. Indeed, the most significant movement which reflected the aspirations for nationhood did not begin in the Black Belt, nor did organizations espousing such views gain their greatest strength in this area.

Perhaps the most graphic illustration of this was the emergence of the Garvey movement in the 1930's. This movement was one of the clearest expressions of black people's strivings—for nationhood. Because of the utopian and sometimes reactionary character of parts of the Garvey program, our Party failed to discern in it the essential urge for a black nation somewhere on this globe. Everything about the Garvey movement took the form of a struggle to create such a nation. It specifically proclaimed as its goal a black nation in Africa, to be centered mainly around Liberia.

In preparation for such a goal the movement made efforts to build its own economy in this country. It took on many paramilitary aspects of a nation with its uniformed soldiers and its nursing corps. The titles it conferred on its leaders and many other things would be regarded as characteristic of a nation. At its height this movement attracted several million people. Clearly it was not itself a nation, but it did reflect the aspiration to nationhood of a sizable segment of the black community.

NATIONS AND NATIONAL GROUPS

However, it is clear that black people in the Black Belt area of the South had begun in embryo form to develop some of the prerequisites of a nation.

It was a people which had evolved through a historical process.

The slave system as it operated in the United States subjected black people here to forms of persecution that have no parallel with the persecution of any other people in the world, including other black people. There was also a common territory, a common language which manifested itself in a psychological make-up. But the weakest link in the chain was the economic aspect.

Modern type nations grew and were nurtured in the womb of a feudal system. But they were established in the context of the growth of capitalism. It was the economic factor, namely, the emergence of a bourgeois class which, in order to meet competition, organized the nation. In the words of J. Stalin, "The bourgeoisie learns its nationalism in the struggle for the market."

The evolving black nation in the United States was mainly of a semi-feudal nature. There was no significant bourgeois class in this development. There was no market to be sealed off. Even to this day there is no real basis for the growth of a substantial black bourgeoisie that can compete with the dominant economic interests in the land. Here and there a struggle for services in the ghettos develops between black and white capitalists, but such competition is a minor factor. The ghettos have no resources and produce very little of what is consumed within them.

In these circumstances capitalism, which by virtue of history and its own economic needs has set black America apart from the rest of the nation, has created the preconditions for the emergence of a separate nation, but at the same time has acted as a barrier to its further growth and development. The economic needs of capitalism which dispersed black people all over the United States represent a case in point.

If the black people did not and do not constitute a separate nation in the Black Belt, the question arises: to what stage, to what level, has black America evolved?

It seems to me that they fall in the category of what has been defined as a national group or community. This is a category which was the forerunner of the modern nations.

History shows that before the modern nations came on the scene, they were preceded by groupings of people that laid the basis for the emergence of national states.

For example, ancient Gaul gave birth to three nations, France, Belgium and Switzerland. At one time the Danes and the Norwegians were one people but evolved into two separate nations. Similarly, the Arabs as a national community evolved into several separate nations.

But even if black people fall in the aforementioned category, the slogan of self-determination would still apply. Marxists have always considered in their programs not only nations that are full-blown but also peoples that are in the process of becoming nations. The Soviet Union after the October Revolution not only proclaimed the right of the oppressed nations to self-determination; it also created the material conditions whereby national groups which had not yet developed nationhood could become nations.

In his book, *The Principle of National Self-Determination in Soviet Foreign Policy,* (Foreign Languages Publishing House, Moscow), G. Starushenko says: ". . . a national group is an historically constituted, relatively stable community of people which precedes the formation of a nation. A national group[*] forms on the basis of three elements of a nation which is in the process of formation and development—common language, common territory and common psychological makeup, which manifests itself in a common culture.

"In settling the question of the right of nations to self-determination, the concept 'national group' is of vast import, if only because many colonial peoples have not yet developed into nations. That is why we say 'self-determination of peoples and nations,' and assume that in this case the concept 'people' includes the concept 'national group.'" (P. 18.)

On the basis of this understanding the USSR *created* the conditions for scores of formerly oppressed nationalities to form themselves into nations. On this point Starushenko says:

"Since the formation of the national community usually ends in the creation of a nation, the backwardness of certain peoples—a backwardness which manifests itself in their failure to consolidate into nations—cannot be made a pretext for depriving them of the right to decide their own destiny, whatever the colonialists and their learned advocates may say. All the more so, since this backwardness is the result of the colonial oppression and exploitation of these peoples. Consequently, *it would be quite proper to speak of the self-determination not only of nations, but also of the national groups which have not yet succeeded in developing into nations.* Once freed from the foreign yoke, these peoples will be able to accelerate the process of their formation into national communities and then, depending on the prevailing conditions, into bourgeois or socialist nations." (Pp. 31–32. Emphasis added.)

Starushenko says further: "A national group can develop into a nation even if its territory is not completely united." (P. 20.)

If the Negro question in the United States is viewed from the angle of a national group with aspirations for nationhood, it follows that the right of self-determination applies to black Americans independently of whether there is territorial unity in the Black Belt or elsewhere. In my view it was wrong from the beginning to have restricted the use of this slogan on the basis of a territorial approach. It was not territorial unity which formed the basis for Pakistan's emergence as a nation; it was mainly religion. And certainly the Jewish people the world over joined to help form an emerging nation in Israel, yet nowhere else do they constitute a nation.

In the light of historical experience, therefore, it was wrong to decide the question of self-determination for the black people in the United States only on the basis of whether territorial unity still reflected the status of the majority of them. Even when the slogan of self-determination for the Black Belt was raised, its authors had to disregard territorial problems arising out of artificial boundaries of states. The Black Belt represented an economic and social unit but not a political unit. The counties composing it were parts of different, artificially created states.

By the same logic, the ghettos across the land may be viewed in a similar way, even though they will never reflect complete political units. But their very existence and the conditions of life within them have served to propel forward the desires for nationhood.

PROGRAMMATIC FORMULATION OF THE QUESTION

Since my view is that self-determination must be applied to the people as a whole and not to a territorial unit, the problem arises of how we should formulate this point in the draft program.

If it is possible to err in overlooking the national character of the Negro question, it is also possible to err in placing the desire for national development as the all-dominating question in black America.

There has at no time been complete unity on aspiration for nationhood and all that flows from it, as against integration into every aspect of American life on the basis of equality. Even in the heyday of the Garvey movement the trend toward national aspiration, albeit a significant one, did not represent the majority of the black community. I believe that if a poll were taken of black America today we would still find this to be the case. Our draft program, therefore, must reflect the desires and aspirations of all the Negro people.

It should be formulated as follows:

"We stand for full economic, political and social equality for black America. Toward that end we call for changes in all American institutions and the creation of guarantees that will make the black minority equals in a majority white society."

This should be the central thrust of our Party. In addition, we should call for a plebiscite of all black Americans on whether they want to remain in the general commonwealth or to establish another nation within the continental United States. If this plebiscite should reveal that there is a significant number, even though a minority, who desire such a path, we Communists must say that we will have no hesitation in helping to establish such a nation, and that we will work to place at its disposal such resources and assistance as would make of it a prosperous community. Thus, the slogan of self-determination today means the struggle for the right of black America to form a nation if it elects to do so.

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[*] It should be noted that in this country the term "national group" is used to refer to groups of people with a common national background who are in the process of being absorbed into the American nation, rather than to groups in the process of becoming nations.

In putting this position forward, we should make it clear that we Communists are internationalists and that our conception of the world of tomorrow envisions, not the breaking up of mankind into small units, but a world in which national distinction will pass into the abyss of time. We see a new world in which all people, be they black, white, red, brown or yellow, can walk this earth as brothers and sisters and as equals.

However, since we have lived for several centuries under an exploitative system in which people of some nations and races have been subjugated by others, it is necessary to create a condition in which confidence among the peoples can be established. This is the rationale behind our use of the slogan of self-determination.

How black America would react to a plebiscite only the future can tell. The response would depend on the prevailing circumstances at the moment when this would become a practical proposition. We have seen many historical variations in how people respond. We have also seen that the oscillation between separation and integration in black America has been conditioned by the response of the white community to the just demands of the Negro people.

A good example of what would be possible may be seen in Cuba. There black people form the majority of the population in Oriente, one of the major provinces of the country. At one time the Communist Party of Cuba proclaimed the right of self-determination for the black people in the Province of Oriente. But when the socialist revolution occurred, bringing with it instantly a change in the status of black people on the island, there was no demand for separate institutions of any kind with the exception of culture. Whether or not this would be the case in the United States I do not know. We must not pretend to know.

Whether or not self-determination is appropriate will be determined by black America itself. Regardless of the form in which the black people express this right, we Communists must be prepared to assist them in every possible way.

Meanwhile the Communist Party identifies itself with the aspirations of black America to exercise, to the fullest degree possible under the present system, control over its own destiny. This means that we support struggles of black people to gain a measure of control over schools, police and other institutions within the ghettos. However, we do not equate these struggles for control over community life with self-determination, although they can be important beginnings leading in the direction of a fundamental solution to the black man's problems in the United States.

NATIONHOOD AND THE FIGHT FOR SOCIALISM

Of equal importance to black America manifesting the desire for nationhood is clarity on what it will take to reach the goal. Unfortunately, mass forces and organization standard bearers of the nationalist cause do very little to illuminate the path ahead. Moreover, some pursue lines of direction and tactical approaches which undermine the very goals they claim to seek.

We live in an advanced age of science, both natural and social. And this problem of black nationhood, like all other social phenomena, must be approached scientifically. An approach which is based only on subjective desires, on mere condemnation and protest, will lead exactly nowhere.

What, then, are some fundamental prerequisites for the possibility of black America to establish a black nation within continental United States?

First and foremost is the social system which prevails in the country.

As we have already pointed out, modern nations came into existence as a consequence of the rise of capitalist society. But it does not follow that in our day capitalism can and will generate conditions for new, free and independent nations to emerge. On the contrary capitalism is the main force in today's world holding black independence for peoples and nations. The nations which were born several centuries ago and are now the leading capitalist powers, in the course of their development subjected other peoples.

There is no better example of this than the emergence of the American nation. In 1776 the thirteen colonies fought a war against Great Britain for the right of self-determination. That war was won and a new nation came on the stage of history. Today, almost two hundred years later, the American nation, based on capitalism, is the chief policeman roaming all over the world to prevent colonial peoples from exercising the right of self-determination.

If American capitalism in the pursuit of its narrow class interests cannot permit the peoples of Guatemala, of Cuba, of the Congo, of Indonesia, of the Dominican Republic, Ghana, and especially of Vietnam, to exercise their right of self determination, then how can anyone seriously talk about establishing a black nation in the United States, in the context of a capitalist society?

In our time, socialism, and the strength it exerts in the world, is the fundamental condition for oppressed nations as well as evolving nations to gain the conditions for the exercise of the right of self-determination. Its record in this regard stands up under any objective evaluation. Indeed, the billion-and-a-half peoples of Asia, Africa and Latin America owe their political independence in large part to the role of the socialist sector of the world.

There are those who seek to refute this proposition on the basis of the Warsaw Pact nations' occupation of Czechoslovakia. But this occupation was not only in the interest of preserving socialism but also in defense of the oppressed nations and peoples of this earth. The Warsaw Pact nations moved in time to prevent another Guatemala, another Congo, another Ghana. A socialist Czechoslovakia gave guns to liberate Algeria from French imperialism. It gives guns to the people of Vietnam. If the West German imperialists had succeeded in undermining socialism in Czechoslovakia, instead of Czechoslovakian guns going to Algeria and Vietnam, they would be used to keep those people or put them back under the heels of world imperialism.

This brief summary can be documented in great detail. It is, therefore, my view that the struggle for a socialist America is an important corollary of the struggle for a black nation.

From this it follows that the advocates of a black nation must identify themselves with all that is required to set up a socialist America. This means understanding the class nature of capitalist society. Above all else, it means recognizing that black people alone could never destroy capitalism and usher in a new system which would permit a reorganization of our entire society, a condition basic to carving out a black nation in continental United States. This fact surfaces the necessity for allies. The advocates of a separate black nation for tomorrow must act in concert with other forces today. Most nationlist organizations do not comprehend this basic truth, and yet, unless it is grasped, the long range goal will remain empty—"a sound and fury signifying nothing."

[From Esquire, January 1968]

WE ALSO WANT FOUR HUNDRED BILLION DOLLARS BACK PAY

(By Robert Sherrill)

One day late in May, Brother Imari, Minister of Information for the Republic of New Africa, pulled up to the United States Department of State Building in a taxi and told the driver to keep the motor going because he would be right back out. Inside, James McDermott and Charles Skippon, who introduced themselves to Imari as "special assistants to Secretary of State Dean Rusk," formally received Imari's note requesting the opening of negotiations between the United States and New Africa. The note's demands were simple but rather sizable: New Africa's officials wanted $200,000,000,000 in "damages" and they also want the U.S.A. to give up five Southern states—Louisiana, Mississippi, Alabama, Georgia, and South Carolina. McDermott and Skippon took the note politely and said they would start it through the proper diplomatic channels. Two minutes after the simple ceremony in the lobby began, Imari was back in his cab and on his way to Michigan, which is his home.

All was not exactly as it appeared. Only loosely speaking were McDermott and Skippon "special assistants" to Secretary Rusk. More accurately, they are plainclothes State Department cops—security officers—who sometimes carry pistols and who handle demonstrations, protests, and body traffic. The State Department had understood that the Republic of New Africa was sending a large group; the diplomats, envisioning a possibly riotous demonstration, alerted District of Columbia police and the Federal Bureau of Investigation, and dispatched McDermott and Skippon to grapple with the black emissaries. "You can imagine our surprise when the 'large group' turned out to be one man," says Skippon, who recalls the episode with polite contempt. He can't remember what happened to the petition. "It was turned over to the appropriate-country desk. I don't recall specifically; the bureau of African affairs, I believe, because they call themselves 'New Africa.' What they did with it, I don't recall. Well, I mean, how do you deal with a nonentity?" he asked, laughing.

But Imari (who is better known as Richard B. Henry at the Detroit Arsenal, where he works as a technical writer for the U.S. Army Tank Auto Command) and other cabinet members in the government of New Africa are not laughing, and they think Dean Rusk won't think it so funny either when his native state, Georgia, is part of their black nation.

The President of New Africa is Robert F. Williams, a former North Carolinian who fled this country one jump ahead of the sheriff (Williams says the charges were trumped up, and there are some grounds for thinking so), and he now commutes between Peking and friendly nations in Africa while awaiting his new kingdom to be set up by the faithful back home. But the real power behind the movement is Imari's brother, Milton R. Henry, a Michigan attorney who for six years served on Detroit's city council and who ran for United States Congress in 1964, losing to another Negro, John Conyers; Henry says the election was rigged. Milton Henry has taken the name Gaidi, which he says is Swahili for "guerrilla," although he doesn't mind if it is confused with "gorilla" because he admires King Kong.

First Vice-President in the illusive Republic, Henry is also chairman of the Malcomites, a society whose membership is secret but whose purpose is not. It seeks to establish the Republic of New Africa in these steps: (1) Arm the black communities of the North and West, and if whitey tries anything rough, blast hell out of him. Henry has two well-kept AR–15's—lightweight, semiautomatic, 20-cartridge rifles—in his home and frequently conducts target practice for his family and his friends. Plenty of other Malcomites, he says, are doing the same. (2) Ship about a million well-armed blacks into Mississippi, take over all of the sheriff's jobs through the ballot box, seize the government, and then move on to Alabama and repeat the process; the next three Southern states would be seized in no special order, but it would be done in the same way, by shipping in armed blacks who would first try to grab the governments by voting and, if that didn't work, by guerrilla warfare.

Inside the loosely knit community of 23,000,000 Negroes in this country, the recently revived proposal for the creation of a separate black nation from a portion of the United States has probably more support than whites would like to think.

The nation was officially alerted in 1967 to how restless the natives of Harlem and Samtown and Bootville really are when the Conference of Black Power met in Newark, New Jersey, and passed with tumultuous cheers a resolution calling for "a national dialogue on the desirability of partitioning the U.S. into two separate and independent nations," one black, one white. Most newspapers reacted with either shock or outrage, especially when the Black Power conferees illustrated what they had in mind by physically ejecting white newsmen in a rather rough style.

In the South, of course, where black militancy moves much more slowly, one will find few Negroes who are even aware of the proposal; but in the black neighborhoods in Northern and West Coast cities, the dream is dreamed quite regularly; and among the black intelligentsia, it is considered a legitimate topic for cocktail-party debates; as often as not the argument turns not around the desirability of separation but about the means to achieve it and the geographic area to be demanded of whitey.

Robert Hutchins, director of the Center for the Study of Democratic Institutions in Santa Barbara, says ghettologists estimate that about thirty percent of the black slumdwellers are advocates of separatism, at least in the Los Angeles area; inasmuch as fifty-seven percent of Los Angeles' blacks live at slum level, this means only about one-sixth of the Negro total, if these experts know what they're talking about, would like to leave this country and set up one of their own. But even one-sixth, if applicable to slums everywhere, comes to a million or so Negroes eager to make the break and who are—according to the timetable of New Africa's politicians-in-exile—ready right now to get things started with guns. A Columbia Broadcasting System poll last year found only six percent of the blacks ready to carve out a portion of this country or go abroad; but even that amount comes to 1,380,000, and the CBS poll was pretty middle-class. Henry called it "racial propaganda."

When the separatists quarrel, it is only over such things as how much of the U.S.A. they should take with them. Whereas the New Africans would leave out Florida as militarily indefensible, Robert S. Browne, an assistant professor of economics at Fairleigh Dickinson University whose article, "The Case for Black Separatism," is now required reading in many black campus study cells, thinks the Henry group is stingy to stop with five states; he wants to take North Carolina as well and considers it utterly "ridiculous to talk about leaving Florida isolated down there." That makes seven states. Some leaders of C.O.R.E. think a better number is thirteen—a kind of patriotic salute to the original American colonies.

It would be only natural if the proposal for seizing land were directed toward the South from a feeling of vengeance, but separatist leaders claim that their desire for Dixie is directed by logic. "Not so much because the blacks are there in large numbers, although that is part of the reason," says Browne, "but because their roots are there even if they are not physically there any longer. Most of the blacks of the North were either born in the South, or their parents were. Also, we would want a coastline, and this would put us in the closest proximity to Africa and the West Indies."

Although the new nation would expect the United States to set it up in business by paying $400,000,000,000 (since filing the letter with Rusk, the money demand has been doubled) in reparations for the black man's three hundred years in slavery and by paying off the industries and white landholders whose possessions would be seized by the New Africans, they would also try to float large loans with other nations. On this the separatists also disagree; Henry wants to borrow from Red China, but Browne prefers drawing working capital from Sweden on the grounds that "the whole thing is so shocking to most people that there is no reason to inflame them further by talking about aid from Communist China." Browne is such an impressive smoothie in his advocacy that Hutchins' philosophers in Santa Barbara had him out for three days of serious discussion. Henry's invitations come, more often, from the rougher militants who like to hear him rage against "the coercive rapes which our sisters suffer routinely at the hands of white swine." Actually Henry is a very sophisticated fellow, widely traveled (Africa five times), a graduate of Yale Law School, and with plenty of perspective on his own life, which began in Philadelphia as one of a middle-class family of eleven, all of whom, he recalls without embarrassment, "wanted to be good Americans. My mother used to put out flags on the Fourth of July." But now his business is roasting the white pig, basted with dreams of a kingdom stretching from the expropriated lands of Judge Leander Perez on the West to Mendel Rivers' military bases on the East, where a black man's life would be legally polygamous and tuned to what he calls "the beautiful on-going drums of New Africa."

How would it be possible to effect the transfer of power, money and land from the United States to the Republic of New Africa? In the following interview, Henry attempts to explain it:

Q: Do you consider your government already in existence?

A: Certainly. We are the government for the non-self-governing blacks held captive within the United States. We meet once a week in every consulate, and we have consulates in most of the larger cities right now. New York, Baltimore, Pittsburgh, Philadelphia, Washington, Chicago, Cleveland—you name it. We're thin in the West, but we have strong consulates in Los Angeles and San Francisco. Soon we will be organizing a Congress.

Q: Are these just paper consulates?

A: They are real consulates with a consul and a vice-consul and at least two secretaries. We *should* be issuing passports but if we did the U.S. government would probably use that as an excuse to crack down on us.

Q: How do you propose shifting your government-in-exile into the Deep South and setting up a government-in-fact?

A: We have already begun the shift. We have bought a hundred acres in Mississippi. That isn't much land but it is sufficient for a base headquarters. Like the Jews moving into Israel we will start to organize along the lines of cooperative and collective farms. You have to be able to feed your people. But the collective farm does more than just provide food. It's a center where people can get together, can politic themselves and can protect themselves.

Q: How many blacks will you ship into Mississippi to take control?

A: It won't have to be many. With a small movement of people we can do it. There are less than three million people in Mississippi and the blacks are already more than forty percent; in some counties they are fifty to seventy-five percent. Having a majority isn't meaningful until the day comes when we have enough people standing at the polls with guns to protect our vote.

Q: Does that mean you intend to seize the ballot machinery by democratic methods or by force?

A: Nothing is really peaceful. We may have to use arms. We will take over Mississippi county by county. To do that, we must have the power to get our votes counted. This embraces two needs: the power to ward off economic pressure and the power to ward off physical pressure. The reason we are setting up a Black Legion is so we will get our votes counted. If you bring in enough voters to take over a county, that gives you a sheriff. If you are wise in selecting your county—particularly in the Mississippi delta—you will have a large number of blacks to build with. Then we will have a legitimate military force, legitimate under U.S. law, made up of people who can be deputized and armed. The influence we will then exercise over the whole area of Mississippi will immediately be disproportionate to the numbers under our command. If we had only four sheriffs down there, with all that can be done with deputizing, we could change the state of Mississippi. Why did the Jews go into the Palestinian area and buy land? Because it gave them a base from which they could legitimately say, "We have land and we want to change the sovereignty." That's the way we are operating already.

Q: Where are you getting your money to buy the land? And where will you get your money to ship in blacks from the North?

A: Each black citizen is asked to buy one-hundred-dollar Malcolm X land certificates. It's something he can cherish and show to his children to prove he helped set up the black nation. The average black man can afford a hundred dollars. He can afford money for everything else under the sun—he doesn't have any objection to buying the most expensive automobiles and everything else, and they wear out in three years. He sure can afford a hundred dollars to put down on his land.

Q: Will you feel you can take over the five states when you have five black governors?

A: We may not have to wait until we control these governors' offices before we make our demands as a new nation. The real question is not whether we control the governors but whether we control the land, and we can do that by controlling the sheriffs. That's the important thing: having physical control of the land. In terms of real control of the land and real confrontation—there will be other things going on in this country. It could be burned to the ground while U.S. officials are playing games with us. They could be engaged in very costly guerrilla activities. The problems in the North aren't going to be settled. We say the U.S. government will talk to us, and they will talk seriously to us about separation prior to the time we control the governors.

Q: If the government sees what you are up to and moves in to stop you, do you think you could whip the U.S. Army?

A: With the aid of nuclear weapons from our allies, such as China, sure we could. China could never help us until we could show that we were capable of a separate, independent existence. But we could show that by controlling a land mass. We could show it by the actual fact that we were there and had a majority of the people and were not subject to U.S. jurisdiction. Then China would back us with missiles. But we don't want to fight. It's better to have nice relations. We would only have to neutralize the U.S. Army, not fight it. We don't want another Vietnam, flames and napalm. Neutralizing the U.S. is the only way Castro could survive, and that's the way we would do it, too.

Q: At this point China is only a tentative hope for you to rely on. What do you have in the way of retaliatory firepower to fall back on until you can be sure of China's help?

A: We've got second-strike power right now in our guerrillas within the metropolitan areas—black men, armed. Say we started taking over Mississippi—which we are capable of doing right now—and the United States started to interfere. Well, our guerrillas all over the contry would strike. Our second-strike capability would be to prevent the United States Armed Forces from working us over, not the local forces. The local forces couldn't compete with our forces. We can handle them. The second-strike capability already exists, and all the United States has to do to find out is to make the wrong move. The guerrillas will be operative until we take possession of the physical land. Ultimately, when we have the land, we will get the missiles from around the world.

Q: What makes you think the U.S. will let you have the land when they wouldn't let the Confederacy secede?

A: It's a different situation. The South could be defeated separately, but if the whites defeat our objectives, the country will be ruined in the process. There are a sizable number of people who want self-determination, separation, land. They want that more than life itself. They can't shoot all of us. They can't shoot enough to discourage others. You see, the Revolutionary War would not have worked if that could have happened. And the war in Vietnam *isn't* doing so good. They aren't going to win in Vietnam and they can't win in the United States. We can fight from within. How are they going to get us out of here? Where would they make the guns to shoot us—in the United States? Do you think we are just going to let them keep on making guns? How will they transport their guns and soldiers—on railroad trains? The United States can be destroyed.

Q: Do you mean you would do all this by sabotage and guerrilla warfare?

A: Obviously. We're within the country. This country will either talk to the separatists today or will talk to them later. At which time perhaps this country will have lost a great deal, in terms of lives and property.

Q: As for the blacks who stay behind in the United States after you separate, how do you foresee defending them from revenge?

A: I don't think that is possible, and this is one reason why most of them will come with us. It would be like Germany. Some would want to stay behind, but you get rid of ambivalence by oppression. There were some Zionists who even kind of welcomed the oppression because it helped unify the people toward the ideal of creating a nation. We've always said the white man is making more converts than we ever could. Every day the police walk through the black ghettos they make more converts than we can.

Q: When you have cut away the South as your own nation, what would happen to the industries that are already there, such as the steel companies around Birmingham?

A: We keep them. We take them and we keep them. The United tSates would pay reparations to those companies as part of our conditions for separation. The U.S. could give the companies tax credits for their losses. In those terms it wouldn't be very costly to the U.S. And of course our government would operate the plants. We don't have any hang-ups on socialism, which we call "ujaama," which is broader than socialism. It's an African conception of the organization of society. It means we have total responsibility for one another.

Q: Where will you get your technicians during the transition period?

A: If we need outside technicians, they'll be given resident visas. White people who feel they can live in the kind of society we're talking about can stay. But they'll have to be cognizant of the fact that we'll have a new kind of law. The white industrialists and technicians have too much power in Africa. I'm impressed every time I go back there—they have too —— much power in Africa. One of the things Castro did that helped his survival was to cut off the head of the industrial monster in the midst of his government. This is one of the problems in Algeria—they can't get out from under this economic thing. Those industrial guys are *powerful*.

Q: Since many of the whites who stayed on would hate your guts, wouldn't you be afraid of sabotage and guerrilla reprisals from them?

A (laughing): That kind of white would want to move. They'd say, "Those goddamned niggers." I know there'd be a lot of people calling the President a bastard. Some of us who are helping getting the thing underway may never live to see the actual fruition of the government. But the government will go on.

Q: You say that your black followers are arming themselves for the day of separation. But where is this evident? If the blacks were really arming in large numbers, seriously, wouldn't the destruction and bloodshed in the riots of recent years have been far greater than it was?

A: The blacks have been arming along defense lines so far. We are now going through the period of holding action. But most astute people see that a different pattern is developing. Everywhere you can see a frustration, the willingness on the part of black people to say the hell with it. Some black people right now are so keyed up they just want to shoot it out. They want it all right now—right now. They don't want to wait. So far there has been sparing use of the gun and the Molotov cocktail. But we are urging that every black home have a gun for self-defense against the possibility of a Treblinka.

Q: Do you have a gun?

A: Just a minute—I'll show you. (He came back with two rifles.) These are AR–15's. Like the weapon used in Vietnam except not fully automatic. It's semi. Holds a clip with twenty cartridges in it. It's beautiful on the range. Lightweight, any girl can handle it. My wife shoots. These are the kind of weapons we suggest women have so that if there be a Treblinka every block will be able to defend itself. We train regularly. This is important because most of us like myself—I was in the Air Force—the only thing I had really seen was that Army .45 and the little button on the stick. I didn't know what the machine guns looked like and it didn't worry me. I just knew that if you pressed the button, the thing went off. I bought these rifles in the last couple of years, when I realized the seriousness of the thing. It's just incredible to think that you have to prepare to defend your very existence against the possibility of annihilation.

Q: You actually think the white man might try to annihilate you?

A: Oh sure. All the whites around us are better armed than we are.

Q: What would trigger a serious white attack on the blacks in this city?

A: Anything could do it. We have people who threaten us openly. The same is true in city after city. One right-wing nut went on television and said he was going to kill me. Now suppose one of those racists made the mistake and really did that—you can't tell what might happen. There are plenty of whites, and some police are among them, who are trying to goad folks into doing something with the hope that it will help generate the garrison state. But if they trigger that, they will also help the separatist movement. Just imagine, at my age—I'm forty-nine—I've never known a minute's peace in this country. I've struggled like hell all my life just to live with people.

Q: Well, why don't you get completely away from it all by moving to Africa? You like Africa, don't you?

A: I love it. Every time I go over there I feel a peace, which is an important thing for me. For myself, I would personally like to go to Africa and say to hell with it.

Q: Your forebears came from what section of Africa?

A: Probably West Africa. That region around Ghana, the Cameroons, in that area. But we don't know where we came from—this is one of the tragedies of our past. You have a name which is in fact your name, and that is quite different from my having a name like Henry. Nobody in Africa is named Henry. Such a hell of a thing for me to be named Milton Henry. That's an *Irish* name, for god's sake. I have no ——— business—it's a ——— of a name. It means that somebody, way back, owned my parents or ——— my parents. It's a mark of shame. It would be so nice to know that maybe I did have people who were among the Ashanti in Ghana.

Q: Then why don't you load up your people and go back to your fatherland instead of heading South?

A: It's a good idea, but logistically it is very unsound because of the difficulties of moving people, furniture, mastering the culture. Anyway, could you tell me what nation we might be able to move back to? It's easier to put furniture on a truck than to get it across that ocean.

Q: What would you have in the South but a black extension of the United States?

A: My goodness. Our social life would be different. We would try to reinstitute the dance as it is in Africa. So many things. The whole business of polygamy.

Q: You say you would allow your men to have more than one wife?

A: Absolutely. It's an African custom. Here in America we can't do that, so this is one reason for not staying in the United States.

Q: Would you have party politics?

A: I don't think so. Let me explain something. In America, which is an older country, you can afford to have changes of the leadership. But it makes no difference whether you have Nixon or Humphrey.

Q: You mean you won't be voting at first?

A: No, we can't have that kind of vote at first. The persons responsible for bringing that government into existence are entitled to have some say about who is going to run that government. As your government then becomes really secure, you put into effect an increasing degree of democracy. You get your parties institutionalized like in America and then it doesn't make any difference whom you elect.

Q: How long would you foresee that first period lasting?

A: Not too long—not more than thirty or forty years. Look at Russia—they started in 1918 and they're now getting to the point where they might consider a form of elective process. We cannot permit any elective process that would overthrow the government, at the start. This voting business is something that secure governments can afford.

Q: What would you do about immigration?

A: Of course black people would certainly be allowed to come in. White people we would subject to very rigorous examination to determine whether they were really interested in a synthetic society and had goodwill toward our nation. How to test them? A lot of ways—see what they had done, what their views are. If they couldn't pass simple tests we wouldn't want to be bothered. We don't want saboteurs and provocateurs in our country. If whites didn't have any overt things against them, they would be perfectly welcome. They would not come in as citizens but on trial; if they do things to show their interest they'd be entitled to join with us. If they didn't, then they'd have to go. They'd be given resident visas, permits to come in and live for a restrictive purpose. There would be no quota—just according to our needs, absolutely according to the needs of the nation.

Q: What sort of governmental structure do you see? A Congress?

A: Oh, yes. There are a lot of good things contained in the basic idea of this government. Ghana is constitutional—many of the ideas are quite similar to those here. This country had good ideas, a good thing going if they could make it work. It works for whites. The structure, the idea of the balances—very good. It has its hang-ups.

Q: There would be poor people in your society, wouldn't there?

A: Yes. But poor people in my society with hope. That's a lot of difference. Everybody in my society will have hope—they really will—that one day they may be President. As one little boy said at one of the council meetings, "You know, for the first time I really have the understanding that I might be President." It's a hell of a thing to sit down in a legislative body as I did for six years on the city commission and see everybody under the sun being made mayor but you. And this is by the vote of your brother councilmen.

Q: You going to have compulsory military service?

A: Absolutely. Every man should be willing to defend the nation, every woman.

Q: Would there be unions in your nation?

A: I would be inclined to discourage them, particularly if they were along the lines of American organized labor. American organized labor is part of the institutional side of capitalism, which is undesirable. When you talk about the movement toward integration and inclusion into all the instrumentalities of government and the institutions, then you have to look further than whether we get a good job in terms of three dollars an hour. Can we get the fifteen-dollar-an-hour job—can we get the job where we really plan, and that sort of thing? The union doesn't even recommend black candidates.

Q: If you could get the fifteen-dollar job, would you like to stay in this country?

A: If this country could make the kind of modifications I'm talking about, yes. That'd be fine. I wouldn't mind staying. If they had a truly synthetic society—if I could be, as a black man, representative to an African country, and be a *black man*, not a blue-eyed black; if I had the right to rise up and modify the policies of these companies, so that General Motors would not invest in South African oppression—if I could do all that, if the political structure of this whole country were changed so that I could participate in it, then we'd have the kind of government I'm talking about having down there. But this country won't make those changes—not educationally; it persists in maintaining its myths. There's so much that has to be changed, I don't think the country is willing to do it. It'd be easier to give me five states.

Q: How is it a black man who feels as you can be friendly to a white man?

A (laughing): It's not a personal thing. It's an institutional thing. We've got an institutionalized oppression that we've got to break. We have to break those bonds. So then we can live as we would be inclined to live. With decency toward one another. We don't have any inclination to be nasty to you. It's the institutions that keep us from living.

Q: But I suppose there will be a period of transition where people won't be able to separate black faces from black institutions and white faces from white institutions?

A: That's one of the problems of our mythology. We have a mythology that is developed, that is important to the development of any movement, of course. And we move by the mythology. Eric Hoffer said you cannot build a movement without a devil, but you can build a movement without angels. And you see the essential is to build a movement. In the mythology of any movement—we're analyzing the situation—you cannot build without a devil. And the very fact you begin to talk in devil terms means that some may not comprehend the humanity of black people; some blacks will not be able to comprehend any humanity in white people. And that's unfortunate. Our problem is to build the movement. We have to paint the picture, to create the mythology, to give life to it. We have to enlarge it. There's no terms you can think up that would be any better than to say the white man is a devil. That term embraces the conception of the destruction of life.

Q: How would you go about moving out the whites who are unacceptable to you, or who don't want to stay because they don't relish a black government?

A: That's their problem. They will have forty-five states they can move to. The United States has great capacity to move men and equipment. It has moved half-a-million men into Vietnam. It will be much easier to move several million out of the South. The U.S. is the greatest country in the world for moving things.

Q: Wouldn't you feel bad about moving out a white Georgian, say, who liked Georgia?

A: I wouldn't have any worries about him. Absolutely not. He's enjoyed Georgia far too long. Besides he's had the benefit of Georgia goods off my back. Let him go up North. If he loves Georgia that much, let him live under our dominion. We're not going to intimidate him, beat him, keep him from going to the polls. Or anything like that. But if he doesn't like us, because of racial views, if he can't stand living under black people, I don't have any sympathy for him. I don't have any more sympathy for him than the government of Kenya has in encouraging those Indians to go over to London. The hell with it.

Q: Let's get down to day-to-day things. What about the Georgian who just couldn't get around the lifetime habit of using the word "nigger"?

A: That's all right—we'd educate him. We've got a good possibility with those television sets. The cultural realigning of a whole people. Everybody in our government would be subjected to a kind of propaganda. We would gear our literature, our theatre—that's why our artists would be able to make a new life in terms of developing literature and plays and all of that.

Q: This hypothetical Georgian—maybe he didn't watch TV and maybe he still went around saying nigger and he called you that, and worse things. What would happen?

A: He would be subject to governmental pressure. We're going to have a criminal code which would deal with socially indefensible acts.

Q: What if I owned a newspaper down there and editorialized against those black monsters?

A: You would be in trouble. That kind of freedom of the press cannot be justified. The Russians are right in that area. You have to think about what they're saying. When they start censuring people for putting out counterrevolutionary literature, they're right in that. You can't have people directing the minds of the young in this fashion.

Q: Some white liberals are now proposing to let you set up independent cities in the black neighborhoods that exist in our urban centers. Would you settle for that much independence?

A: A nation within a nation, helped by the major nation. Once again, that's no good. We could never have any control in that situation. The whites would have us surrounded. We would be at their mercy. They would control the food supply, the transportation, the utilities. We would still be subject to the white man.

Q: Would you accept it as an intermediate step?

A: No. We could get bogged down in that for another hundred years and eventually find we would have to get out anyway. So the thing to do is do it now. That is the only answer: get out.

[From Esquire, January 1969]

Meet the President and the Cabinet

Robert F. Williams, President of the Republic of New Africa, has not lived in the United States for more than nine years. In 1959, as leader of the N.A.A.C.P. in Monroe, North Carolina, he became convinced that Negroes in the South would be murdered before they were allowed equal rights or voting privileges, and he organized an armed self-defense group. Shortly afterward, a clash between freedom riders and white citizens occurred in Monroe. An elderly white couple was held at Williams' home until the authorities met his demands for medical treatment for the beaten freedom riders. Williams, warned of a lynching, escaped with his wife during the night-long battle between police, National Guardsmen and armed Negroes. They left the country when they learned they were among the group being sought by the F.B.I. on abduction charges. For the past nine years Williams has lived in Cuba and China. His statement, which follows, was issued from his present headquarters in Tanzania: "I envisage a Democratic socialist economy wherein the exploitation of man by man will be abolished. Racial oppression will also be abolished. The concept of the Republic of New Africa is not a segregationist concept, but rather one of self-determination for an oppressed people. It represents a rallying point for progressive and constructive Black Nationalism. Some doubting Thomases and white-folks-loving Uncle Toms are loud and shrill in proclaiming the idea as fanatical and utopian. This is definitely not the case, and I feel as certain now of the ultimate acceptance of the idea as I did when I advocated a policy of meeting violence with violence during the height of the era of nonviolence. America is at the crossroads. The black man is becoming consciously revolutionary. He has as much chance of succeeding as the American Revolutionaries in 1775. As people of conscience who are in sympathy with the oppressed peoples of the world, our self-respect and human dignity dictate that we separate from racist America. Our survival demands it and the concept of the Republic of New Africa is our point of rally."

Queen Mother Moore, Minister Without Portfolio: "At age seventy, after fifty years in the liberation struggle for my people, I am considered by many as the mother of the black revolution. I'm also the founder of the reparations movement. In my remaining years, my role will be educational and agitational: to keep before our youth the vision of Mother Africa and to forge stronger links with the continent, that like us, has been raped by the West."

Raymond E. Willis, Minister of Finance: "In essence, I'm a comptroller, with control over finances. Eventually, we'll have to mint coin and have our own currency. My Ministry will also receive and distribute reparations. The tentative figure we have decided upon is that every person is entitled to $10,000 for past wrongs and damages. Of this $4,000 will go to the individual and the other $6,000 will go to the Republic of New Africa."

Baba Oseijeman Adefunmi, Minister of Culture and Education: "My prime commission is to see that false and alien ideas and institutions are discarded. For fifteen years, a process of re-Africanization has been going on. Manifestations of this have been the taking of African names and learning African languages. We must become a completely separate nation mentally, spiritually, politically, even in ways of marriage and burials."

Brother Imari, Minister of Information: "I have two main objectives: (1) at present, engineering consent among all black people living in the U.S. We aim to take consent from the U.S. and give it to the R.N.A.; and (2) creation of an atmosphere of support and toleration of the Republic among the white as well as the black population of the U.S. and the world. Our strategic purpose is to neutralize the negative attitudes of the U.S."

Betty Shabazz, Second Vice-President: "Included in my jurisdiction is the Office of Citizenship, which will accept applications for R.N.A. citizenship and will administer the oath of allegiance: 'For the fruition of black power, for the triumph of black nationhood, I pledge to the Republic of New Africa and to the building of a better people and a better world, my total devotion, my total resources, and the total power of my mortal life.' "

John Franklin, Minister of Justice: "Before appropriate international tribunals, we shall submit these propositions: The U.S. is exercising an illegal trusteeship over us; is imposing systematic tyranny; has failed to incorporate us into the U.S. as citizens; and reparations are due us as a result of past and continuing oppressions. The responsibilities of my portfolio include formulation of a legal system and prosecution of spies."

Milton R. Henry, First Vice-President: "In the United States, I'm the executive officer of the government, subject to the direction of our exiled president. My job is to give life to the government and to concretize it, while carrying out the orders of the legislature and the Cabinet. When we gain sovereignty, we'll be better off than the so-called underdeveloped nations. Our electrical system, roads, factories, harbors are all in."

Obaboa Alowo, Treasurer: "My concern is bookkeeping: debits and credits. For example, in a single year, 1850, fifty million bales of cotton were produced by slave labor. At a price of $5 per bale, and six percent annual compound interest from 1850 to 1960, it adds up to an indebtedness of $12,800,000,000 owed the Republic. Slave labor also built, then rebuilt the White House in 1837. The descendants of each slave are entitled to $882,000."

Wilbur Grattan Sr., Deputy Minister of State and Foreign Affairs: "Our colonized nation existed before the establishment of our government, and those five states are ours. At present, this territory is subjugated. Even before we gain sovereignty over our occupied nation, my Ministry serves as guardian over all persons who sympathize with the Republic. Our first task is to negotiate treaties of understanding and establish diplomatic relations."

Mwesi Chui, Deputy Minister of Defense: "Our function is to protect ministers, citizens and property. Our Ministry has approval for expansion of the Black Legion, and establishment of an officer's candidate school. We will raise an army, a police force and, if needed, an air force and navy. If necessary, we'll train abroad, then return with aircraft and missiles. We're preparing, defensively, for the war that will surely take place."

[From Esquire, January 1969]

WHITEY'S REACTION

(By Robert Sherrill)

Actually if one wipes from his mind the emotionalisms of blacks-and-whites together and just takes the proposal of a separate black state on the basis of logic, it isn't ridiculous at all. Since 1950 Indians have received $246,760,764.61 in reparations from the federal government in 261 claims and the government still has 343 claims to process, which means that the 600,000 heirs of the semitransient redskins who lived on our portion of the continent as the U.S. expanded will probably wind up with a half a billion dollars for losing "their" land. The Negroes not only lost their African lands but were forced to work for nothing for a couple of centuries. So far 50,000,000 acres have been turned over for the use of our 600,000 Indians; if the 23,000,000 Negroes received a comparable handout, they would get *sixty-three* states the size of Mississippi.

As for the business of untangling their citizenship, the Henry group is asking that the federal government be only as cavalier in freeing them of citizenship as it has been in imposing citizenship. Henry complains, "The Fourteenth Amendment was designed to unilaterally impose citizenship upon the black man. He was not asked whether he wished to become a citizen, or whether he wished to be sent back to Africa, or whether he wished some portion of land here on this continent where he could set up his own government."

Logistically, the Henry demands hold up just as well. An official in the State Department's African affairs division who has watched a dozen new nations come into being (he would like to keep his job a little longer so asks anonymity) checked over the pros and cons of New Africa's chances of survival, if it ever got started, and conceded: "If you left aside the internal political obstacles of cutting themselves off, certainly the South could be made into a very workable nation. Because you're starting with everything. You've got what we call the infrastructure—you've got the roads, the factories, the stores—they're *there* (unlike Niger, for example, where they're not) and if nobody levels them, they are going to stay there. If you have a class of people who can't keep them up (as you have in many African nations) the stuff is going to deteriorate. Your roads will have potholes. But we have educated Negroes in this country, so there's no reason for things to go to hell."

Whitey's more normal responses to the separatists range from Mississippi's ex-Governor Ross Barnett ("You know what any good Southerner thinks about *that* scheme") to the rigidly Constitutional brotherhood of Senate Majority Leader Mike Mansfield ("Oh, no, no, no. This is one nation, united, indivisible—and that's *it*").

Masters of framing negative responses in friendly ways, Southern politicians show all kinds of ingenuity, but none more so than Congressman James Buchanan of Birmingham, who says he would be lonely if he had to live without Negroes: "Terrible. Certainly not. Not one of the fifty states would I give. Why, growing up in the Deep South, I have been in every kind of situation since I was born—I've worked with and under Negroes on the farm, I've worked with and under the command of one in the Navy. Every college I attended was integrated. Every day I have contact with colored people. Why, I wouldn't know how to act in anything but a biracial situation."

South Carolina Governor Robert McNair prefers to dismiss it all as the complaining of a small group of soreheads ("There's always a small percentage of people who don't like things as they are") who should be satisfied with job training and welfare instead of demanding exorbitant reparations.

The standard, shocked response will open with a demurrer on the grounds that separation would "admit defeat" or would be a violation of the American dream, and closes on a more candid note, implying that Negroes are too dumb or too poor to run their own country and, anyway, it's all a warmed-over Communist plot. Governor Lester Maddox, who chased Negroes from his Atlanta restaurant with an ax handle and a pistol but doesn't want them to leave the country, expresses this position perfectly: "Two separate countries would multiply our troubles and solve none of them for any race. It would be destructive of the American civilization and the American form of government, so we don't want that.

"Now, listen. We do know that beginning in the year 1912, Communists themselves devised this plan. That's right: 1912. That was when they had their first platform for the United States. But during World War I these documents were captured. It plainly shows the part of the Southern states that would be taken over for a Soviet America for the Negro citizens."

In this reaction he is joined by Congressman Edwin Willis of Louisiana, chairman of the House Un-American Activities Committee, who has his dates, if not his other details, better in hand: "Oh sure, we know what they're trying. We've been investigating these riots and things, you know, and we know where this stuff is coming from. It's a Communist idea. They been pushing it forty years. The Communists thought up this idea in 1928 and it keeps popping up again and again." H.U.A.C.'s chief investigator, Donald Appell, supports Willis by vague allusion: "I got to know Milton in '52 when he was a lawyer representing a man accused of being a Communist Party member." But whereas Willis dismisses the separate nation as "cockeyed," Appell is more cautious: "I think we make a great mistake if we play down movements like this. They attract like minds. The Klan has a membership of 15,000 to 18,000, but only a few hundred Klansmen are needed to instill so much fear into a community that it won't police itself. These militant blacks could have the same effect."

The Communist Party, U.S.A. proposal of 1928 that causes so much confusion was not a separate black republic but "self-determination for the Black Belt," meaning in this instance a ragged strip of some 145 counties from Virginia to Texas in which Negroes constituted the majority of the population and wanted a majority of the courthouse offices.

One reason the Communist Party proposal was distorted, and why the idea is judged as nothing more than an alien Communist plot by some people, is that they are unfamiliar with some of the oldest and strongest of the underground Negro yearnings, says Dr. Herbert Aptheker, national director of the American Institute for Marxist Studies. "When Oklahoma was organized out of Indian territory there was a big discussion in Negro newspapers of that day pushing the idea of setting aside the state as a home for the black population. If white people don't know that, and if they don't know that there are about 25 towns and cities in Oklahoma that are all black today, then the whole idea just naturally hits them as some sort of a bolt out of the blue." (Apthecker is one who thinks it an impractical proposal.)

Paul ("Stand Tall with Paul") Johnson, Governor of Mississippi during its most hectic modern period, 1964–67, says that if *he* were still governor, what with his black spies and state police army, the threatened invasion could be coped with, although he's not so sure that Governor John Bell Williams is ready.

Since it is possible to import enough Negroes to take over the state through legal elections, I asked Johnson how this struck him.

"Well, of course, I think it would be a foolhardy undertaking. Because in the first place, it looks like they really don't need to ship any nigras because the white people don't go to the polls themselves anyway."

Asked if he thought Mississippi is equipped to handle the sort of guerrilla warfare the New Republic of Africa is planning, Johnson replied:

"Frankly, I don't know. When I was in office we were. We had a fine state police force that was trained for this sort of thing. We used a great many colored people in our investigative work. We would have known about it when this crowd came in to buy their 100-acre base. Like when our colored investigators told us about those white girls from other parts of the country who came down here and slept in these Freedom Houses with colored boys and went back home with children."

In the event Mississippi were taken over by New Africa he would prefer to stay where he is.

"I would stay," he said. "I surely would. For one thing, I own a great deal of property here. It's not hard to make a real fine living for your family and loved ones. To put it bluntly, it would depend on whether I could stomach it."

Johnson's reaction would be considered promising by the separatists; at least he doesn't scoff. Roy Harris of Augusta, Georgia, whose presidency of the local Citizens Council of America places him in a high pantheon of segregationists, is another who treats the proposal seriously. I told Harris that Negroes want Georgia as part of their kingdom.

"Uh huh. Uh uh," he said. "Well, we're in favor of giving them New York and New Jersey."

Would he go along with the proposal if they would settle for New York and New Jersey?

"Truth of the matter is, the idea is sound. But how you going to accomplish it after you've got this far along and have this many roots planted? To get people to up and walk off and leave a territory is going to be difficult to do. Theoretically, it's a good idea, though. Course, you know it was old Tom Jefferson, I believe—I don't know if it was original with him but he advocated it for a long time—who wanted to pick some of these African countries and send them over there. Lincoln wanted to, too. And you know they picked this little old what's-its-name, that little republic down there, what's-its-name—Liberia—and sent a few down there. The ancestors of the President of Liberia came from Augusta, Georgia. I don't say that with pride but as a matter of fact. Separate Negro towns might be another solution. I think they ought to have their own council, own mayor, own police force. I don't think there's any objection to it. I think it's got to come."

Would Harris be in favor of turning over to them such black neighborhoods as Harlem?

"Yeah, they've taken it anyway. Give it to them. That's smarter than taking three of our Southern states. You couldn't force the Negroes to move in here. If you undertook a resettlement plan in the South, you'd still have them in Harlem, Washington, Philadelphia and Chicago just like you've got them now.

"Now, you take Atlanta. They never had more than 200,000 Negroes in Atlanta in all its history. And if you count the Puerto Ricans as colored, you get a million and a half and more in New York City alone. You've got right at a million in Chicago and more than half a million in Philadelphia. There is more Negro wealth in Atlanta than there is in New York, Chicago, and Philadelphia put together. And the reason is that when old Sherman burned Atlanta, they had to start all over. And they built a white section and a Negro section. All of them—black and white—being broke, they worked on this together . . . this is 'ours' and this is 'yours.'

"They could work out the same arrangement today if the government helped the Negroes buy Harlem just like the government helps people buy farms.

"I don't know if it would be desirable for *everything* to be separate. You got some niggers in New York that like to go to grand opera. Not many. Now, that's an extreme example, but what I'm fixing to say is you probably can't have separate facilities of every kind. You don't want to have separate opera houses. There's somethings you've got to do together. Let those few Negroes who like grand opera come in and sit with you on opera night. That's right. . . . Now, we can't say the Negroes are going to take Ford and the white folks G.M.C., or vice versa. Now, you can't go to that extreme."

There is, in fact, usually little difference in the response of liberals and reactionaries. The position of Majority Leader Mansfield is no different in one regard from that held by Marvin Griffin, who served in 1968 as Wallace's temporary vice-presidential running mate. "Now, I'll tell you," says Griffin, "1861 to 1865 my folks down here tried to stake out a piece of real estate of our own and we got hell beat out of us, and they changed our point of view somewhat. If white folks got so mad at the blacks they decided to give them a piece of real estate and tell them to go off by themselves, we'd be going backwards. Anyway, whose land are these Negroes going to take—mine or yours?"

"I'm afraid," I said, "they have their eye on your land."

"Yeah, well, I guess they do at that. The strange thing about that thinking is, we got some mighty good Negro farmers down here in our section who own their own land. They're good citizens and they're doing a good job, and particularly so since they can get some federal help on their programs.

"The Negro down here who is in farming or in business, he ain't getting any help from his Negro neighbors who ain't working. He gets all his help from his white neighbors and from the U.S.A. Most of it comes from his neighbors who are white. I don't think he would be willing to trade off what he's got now. He won't swap his birthright for a mess of potash."

"You mean pottage?" I asked.

"I mean potash. That wouldn't be soup, that would be *potash*. If they just insist on separating, though what's the matter with these emerging nations? I understand they are looking for citizens."

That bit about the blacks benefiting by living next to whites is fairly common argument aganist separatism, but it seldom is proffered this opposite way; whites benefit so much economically from the blacks that they can't afford to let them go. Of course, *this* has in fact been so over the last several centuries. James Martin, the most powerful Republican in Alabama (and thereby, next to George Wallace, perhaps the most powerful politician in the state) offers the same benevolent reason for vetoing the idea of separation "Negroes draw strength from the white community. Negroes do better when they are dispersed than they do when they are concentrated, economically and socially too, because when they are together they get frustrated from their own failures. I'm in the oil business and I just got through setting up a Negro in a service station. He is energetic and all that, but he needed our guidance. On his own, I'm doubtful that he could have done it." And if the blacks insist on trying to break free of this helpfulness. Martin has an answer: shoot them. "There would be another civil war. There are enough people in the South who would mobilize and fight against it. We'll form another Confederate army. I would bear arms. I'm not about to leave the South. You don't hear of Southerners moving north."

I asked if he would be willing to give them part of the inner cities.

"I don't believe in giving anybody land anywhere."

The most effective defender the separatists have found among whites so far is W. H. Ferry, a vice-president of the Fund for the Republic Inc., a well-known money-raiser for liberal causes, and a Fellow of the Center for the Study of Democratic Institutions in Santa Barbara, California. His writings on the theme that racial integration in this country is impossible have won for Ferry the supreme accolade from Professor Browne ("I think he must be part black") and the supreme outrage of most liberals, who look upon him as a traitor.

While he concedes that a separate nation "in the long run may prove to be the only way out," he is sticking with the idea of separate cities right now. He has proposed that boundaries be set up around the natural enclaves of black residents in urban centers, and that this be theirs: power to tax, power to police, power to educate, everything, in little colonies.

Ferry's forcefulness as an advocate rests to some degree on his Swiftian ability to lean over the abyss of grotesqueries without falling in, and doing it so gracefully that his followers are never quite sure when he is being sardonic and when he is not. Of his city colonies, he says: "Neither white city nor black colony will be permitted to erect Berlin walls, but frontier zones will be clearly marked. . . . There will be no bar to whites taking up residence in the colonies, where they will be subject to colonial rule. Thus black colonists will be free to whistle at white women; deny normal services to whites and overcharge them when services are provided; expect their police to treat all whites as suspicious persons and mistreat them accordingly; and deny whites access to clubs and rest rooms. All such matters will be arranged under a Reciprocal Indignities Understanding that will be attached to the original Statute of Colonization."

The only thing unusual about Ferry's plans for black-town independence is that it comes from a white liberal. Among urban Negro intellectuals the idea is old hat. At last fall's National Conference on Black Power in Philadelphia, the proposal winning overwhelming support among the four thousand delegates called for taking over the black towns of the country—right now—with the creation of a black urban army to defend their colonies.

The concept of these little black colonies within cities has won the unexpected support of two impressive social observers, one publicly and one privately. The public support came from George F. Kennan, former U.S. Ambassador to Russia who now collects his thoughts in the solemn confines of the Institute for Advanced Study at Princeton. Speaking to a Williamsburg, Virginia, audience made up of politicians and first families who loved it, Kennan came right out and said: "Is it realistic to suppose that the American Negro is going to find his dignity and his comfort of body and mind by the effort to participate and to compete as an individual in a political and social system he neither understands nor respects and for which he is ill-prepared?

"Will it not be necessary to permit him to have, as a number of his leaders are now demanding, a local political community of his own through which he can express himself collectively and in which he can gain both authority and responsibility?"

But this confessional of just another establishment hunky was not nearly so startling as something that happened in a private meeting in New York. After Ferry wrote his "Farewell to Integration," a meeting of the founders of the Santa Barbara Center was held in New York. The founders were distressed. The Center's membership is wealthy, liberal, mostly Jewish, with old and friendly ties to the standard Negro organizations such as the N.A.A.C.P. and the Urban League. They have been spending, and spending generously, to promote integration for years. And here was Ferry seemingly undercutting everything they had stood for. So they called a meeting—about a hundred showed up—and set up a debate between Ferry and Roger Wilkins, who, as Director of Community Relations Service for the Department of Justice, is in charge of its racial integration work. Wilkins is a Negro, of course; he is a nephew of Roy Wilkins, of the N.A.A.C.P. Ferry and Wilkins had never met, and, in fact, Wilkins was not familiar with Ferry's proposals. Ferry spoke first. When it came Wilkins' turn, he stepped up and began to sow devastation in the ranks. "If you came here expecting a debate," he said, "you're going to be sadly disappointed. All I can add to what he has just said is amen. American institutions just have not worked for poor black people. The schools don't work. The trade unions don't work. The police don't work. American institutions not only ill-serve black people, they hurt them.

"I think Mr. Ferry's notion, at least for the time being, of two kinds of interdependent societies is right. You're not going to integrate Harlem. You're not going to integrate Watts. You're not going to integrate Twelfth Street. What we need is *not* integration," he said, "but a transfer of power. But I have severe doubts about whether we as a society have enough humanity left to succeed."

Even when pushed to its most generously illogical extremes, the Ferry colony plan is greeted by the Henry group as a very dangerous counter-proposal, however, because even if the blacks held the central city colonies, the surrounding whites would still control the transportation system, water supply, and food supply. The blacks would be occupying an isolated fortress, straight out of *Beau Geste*.

But in other aspects, Ferry knows just what the militant blacks are worrying about and why they are studying Southern road maps between target practice.

"I don't think either my plan or the separate-nation idea is looking to the immediate future. My own judgment is that we're going to have something that is recognizably a race war, a civil war, and we're going to have it within a year. As for whether or not apartheid comes out of it, that would depend on how many whites are killed. If just black people are killed, it won't count, but if a lot of whites are killed it's going to count like crazy. The next one I think is going to be a blinder. Please don't say Ferry predicts the next civil war will break out at eight a.m. on May 22. But I will say in 1969, and probably around May or June."

CENSUS REFORM NEEDED NOW

(Mr. BETTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BETTS. Mr. Speaker, plans for the 1970 decennial census are essentially final, according to the Census Bureau, and the 62 million forms needed to canvas every household in America will go to the printer shortly. The long questionnaire contains 67 subjects and some 120 questions, all mandatory with refusal to answer any one bringing a citizen face to face with criminal penalties of a $100 fine, 60 days in jail, or both. Census Bureau officials have ruled out any change in the form so Congress must assert its initiative to revise and reform these plans before April 1, 1970, which is Census Day U.S.A.

On June 19, 1967, I introduced a bill limiting the mandatory questions to subjects essential to making a count of the people and providing that all other subjects would remain on the same form but no criminal penalties would attach if a person refused to answer one or more questions. Interest in census reform exceeded my expectations to the point that over 100 of my colleagues cosponsored similar bills or gave public support to this effort. Thousands of citizens wrote to their Congressmen and editorials and news articles have circulated widely throughout the country. Editorial writers and citizens alike were nearly unanimous in urging:

First, the restoration of a right to privacy by abolishing the harassing penalties from sensitive and overly personal questions;

Second, a reduction in the size and scope of the census in favor of alternative sources of data and other methods of gathering such information; and

Third, greater efforts to prevent a vast undercount in 1970 which may result if the present exceedingly long and complex questionnaire is used.

Let me review each of these points.

Personal privacy is invaded when sensitive facts are extracted from an individual against his will. I believe privacy to be not simply the absence of information about people, rather it is the control persons have over facts about themselves. The intrusion takes place with the compulsion to divulge personal data, not in the handling of such facts by the Government. Privacy is respected, however, under voluntary procedures where people are asked rather than told they must comply with a census questionnaire. My interpretation of privacy is not related to the confidentiality of information collected and stored at the Census Bureau with which I have no quarrel.

The Census Bureau recognizes their need for a favorable public attitude by the citizens who must supply the facts they seek. Public cooperation will be measurably improved if persons are asked rather than told to answer questions. The Census Bureau, State governments, the entire market research and educational communities obtain valid statistics and opinion data through voluntary questionnaires. It is high time people were asked to cooperate, not harassed and threatened with punishment if they resist a question or two on this 67-item inquiry.

The 1970 census form requires the following categories of information be submitted by every person receiving the long form:

First, income, dollar by dollar, from all sources including public assistance, alimony, unemployment and disability insurance, pensions, and investments.

Second, the value of property or amount of rent paid;

Third, educational, marital, employment, and military history;

Fourth, with whom bathroom and kitchen facilities are shared;

Fifth, a long list of household items including dishwasher, television, radios, automobiles, and second home; and

Sixth, where each person and his parents were born.

The constitutional intent of the census, to enumerate the population for the purpose of apportioning of the U.S. House of Representatives, has been vastly distorted by being loaded down with so many sundry questions. I see no justification to impose a mandatory requirement on answering all such inquiries having no direct relationship with the essential function of the decennial census.

Mr. Speaker, by probing into the many aspects of this issue for nearly 2 years I have become more convinced that Congress must limit Census Bureau authority in a very real sense to protect the Bureau from itself. The Census Bureau, so far as I can learn, is a totally statistical user oriented agency. They contend they serve the public from whom billions of statistics are extracted but in reality the public is exploited for greedy factfinders in Government and private business. Let me illustrate this form of bias. Advisory committees and regional conferences operate to help the Census Director determine what questions to ask. To my disappointment, no representative of a single citizens group, civil liberties, patriotic or other people oriented organization took part in these proceedings. Thus, when alternative channels of gathering some of this information are suggested such as from other Government agencies, the response from the Census Bureau and their statistic-user advisers is totally negative. Suggestions of more limited samplings or deferring some questions to other surveys are rejected with equal firmness. A proposal just to test a part-mandatory, part-voluntary census plan met a similar cold reception at the Census Bureau.

The task of counting about 206 million Americans will cost more than $200 million and require 150,000 censustakers. A new technique, the mail-out/mail-back questionnaire, will be sent to approximately 60 percent of the Nation's households. The cost of counting each person is not unreasonably high, about $1, but should a significant number of people remain uncounted because they do not have the eighth-grade education to read the complex form, object to some of the overly personal questions or the harassment of penalties, the cost of the 1970 census will skyrocket. Consider this: 5.6 million people were missed in 1960 but if the mail return from the most recent pretest city, Trenton, N.J., forms a national trend, the number of those not counted will be staggering. In Trenton, only 65 percent of the people returned their forms, which if projected nationwide would mean that upward of 70 million might not be counted in the first tabulation. The apportionment of Congress, the State legislatures, and distribution of billions of dollars in Federal aid depend on an early and accurate population. We cannot afford to "discover" a few million more Americans 5 years after the census is conducted.

We in the Congress must ask ourselves this pointed question: Is it not more important to count people instead of toilets and TV sets if a choice is to be made? Of course, we must give the priority attention to the headcount. There is a need to maximize the number of people enumerated, regardless of how many minuscule facts we learn about them. Congress faces not only the issue of assuring personal privacy for our countrymen but also to see that a successful census is designed and implemented. During the 90th Congress much concern arose and late in the session the Senate passed a bill repealing the jail sentence penalty on all questions. The House probably would have acted similarly if time had permitted. I believe the jail sentence provision must be repealed and the $100 fine limited to cover only a few essential questions. Mr. Speaker, I have therefore introduced legislation to accomplish this and urge early hearing on this vital matter.

CONGRESSIONAL REFORM AND REORGANIZATION NEEDED NOW

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HALL. Mr. Speaker, today the gentleman from New Hampshire (Mr. CLEVELAND) and I are again introducing the version passed in the other body of the Legislative Reorganization Act of 1967. This legislation was the result of extensive work carried out by the Joint Committee on the Organization of Congress and related agencies, on which I had the pleasure to serve. The committee was created by resolution in the 89th Congress and conducted many weeks of hearings. It was continued throughout the 90th Congress.

After the expenditure of thousands of tax dollars and weeks of debate, the other body passed the so-called reorganization bill on March 7, 1967, by an overwhelming vote of 75 to 9. The legislation then came to the House where it was bottled up in the Rules Committee throughout the remainder of the 90th Congress.

Mr. Speaker, I am not in complete agreement with all the provisions of the version passed by the other body, but I am willing to trust the Members of the House of Representatives to work their will on this or any other similar measure. Along with others I have included supplemental views. I am fully aware that many amendments would be offered, that many provisions would be vigorously debated, and that the final product would not completely please all Members. However, on one thing there is probably complete agreement; a modernization of the congressional branch is required. We have not brought ourselves up to date since the last congressional reform of 1946. I certainly do not have to inform the Members of vast changes that have taken place in these last 23 years.

Finally, there has been much discussion that Congress is inefficient and it has been alleged—for political and other purposes—that we are an obsolete branch of Government. I do not believe this, nor do a vast majority of the American public. However, the burden is now upon us to prove that we are a coequal branch, and that we can and do meet our constitutional responsibilities. The burden can be met by acting upon congressional reform, and thus only faith in the people's branch of Government can be maintained.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. WATSON (at the request of Mr. GERALD R. FORD), for today, on account of illness.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD) on account of illness.

Mr. BURKE of Florida (at the request of Mr. CRAMER), for the remainder of this week, on account of a death in his family.

Mr. FOUNTAIN (at the request of Mr. LENNON), for an indefinite period, on account of death in his immediate family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CAHILL (at the request of Mr. PETTIS), for 15 minutes, on January 7; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PETTIS) and to include extraneous matter:)

Mr. WINN.

Mr. BURKE of Florida.

Mr. POFF.

Mr. HARSHA.

Mr. MINSHALL.

Mr. McDONALD of Michigan.

Mr. LANGEN.

Mr. WYMAN.

Mr. COLLINS in six instances.

(The following Members (at the request of Mr. LOWENSTEIN) and to include extraneous matter:)

Mr. PUCINSKI in 12 instances.

Mr. CULVER.

Mr. HUNGATE in 10 instances.

Mr. DANIELS of New Jersey in two instances.

Mr. RARICK in two instances.

Mr. CELLER.

Mr. GILBERT.

Mr. ROSENTHAL in three instances.

Mr. PODELL in two instances.

Mr. JOHNSON of California in two instances.

Mr. REUSS in six instances.

Mr. MURPHY of New York.

Mr. VANIK in two instances.

Mr. MOLLOHAN in five instances.

Mr. MOORHEAD in three instances.

Mr. OTTINGER in two instances.

Mr. PICKLE in four instances.

Mr. BROWN of California.

Mr. TUNNEY in six instances.

Mr. FEIGHAN in four instances.

Mr. FASCELL in two instances.

ADJOURNMENT

Mr. LOWENSTEIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 7, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

146. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control; to the Committee on Armed Services.

147. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department or the head of a defense agency to sell production equipment to contractors and subcontractors; to the Committee on Armed Services.

148. A letter from the Deputy Assistant Secretary of Defense (Properties and Installation), transmitting a report of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air Force Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

149. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; to the Committee on Armed Services.

150. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the commandant of the U.S. Army Command and General Staff College to award the degree of master of military art and science; to the Committee on Armed Services.

151. A letter from the Comptroller General of the United States, transmitting a report on cost evaluation for movement of household goods between the United States and Germany, Department of Defense; to the Committee on Government Operations.

152. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations of the Department of Commerce to be available until expended or for periods in excess of 1 year; to the Committee on Interstate and Foreign Commerce.

153. A letter from the Secretary of Health, Education, and Welfare, transmitting the report of the Department's Consumer Protection and Environmental Health Service regarding the implementation and administration of the Fair Packaging and Labeling Act by the Food and Drug Administration, for fiscal year 1968, pursuant to the provisions of section 8 of Public Law 89–755; to the Committee on Interstate and Foreign Commerce.

154. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize civilians employed by the Department of Defense to administer oaths while conducting official investigations; to the Committee on the Judiciary.

155. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to discontinue the annual report of Congress as to the administrative settlement of personal property claims of military personnel and civilian employees; to the Committee on the Judiciary.

156. A letter from the Director of Personnel, Department of Commerce, transmitting a report of scientific and professional positions established in the Department, pursuant to the provisions of 5 U.S.C. 3104(c); to the Committee on Post Office and Civil Service.

157. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

158. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

159. Communication from the President of the United States, transmitting a report relative to the availability of studies and proposals developed by the Treasury Department concerning a comprehensive reform of the Internal Revenue Code (H. Doc. No. 91–35); to the Committee on Ways and Means and ordered to be printed.

160. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 815 of title 10, United States Code, to authorize the Secretaries of the military departments to extend increased nonjudicial punishment powers to

certain officers; to the Committee on Armed Services.

161. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval activities, and for other purposes; to the Committee on Armed Services.

162. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity; to the Committee on Interstate and Foreign Commerce.

163. A letter from the Chairman, Securities and Exchange Commission, transmitting the 34th annual report of the Commission for fiscal year 1968, pursuant to the provisions of applicable statutory requirements; to the Committee on Interstate and Foreign Commerce.

164. A letter from the Librarian of Congress, transmitting a report on positions in the Legislative Reference Service of the Library of Congress in grades GS–16, GS–17, and GS–18, provided for by 5 U.S.C. 5108(b)(1), pursuant to the provisions of 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

165. A letter from the Librarian of Congress, transmitting a report on positions in the Library of Congress in grades GS–16, GS–17, and GS–18, provided for by 5 U.S.C. 5108(b)(2), pursuant to the provisions of 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

166. A letter from the Administrator, General Services Administration, transmitting a prospectus proposing acquisition of facilities to house the Geological Survey, Department of the Interior, by leasing a building to be constructed on Government-owned land at Reston, Va., pursuant to the provisions of Public Law 90–550 (82 Stat. 994); to the Committee on Public Works.

167. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of the Advisory Council on Health Insurance for the Disabled, pursuant to the provisions of section 140 of the Social Security Amendments of 1967; to the Committee on Ways and Means.

168. A letter from the Comptroller General of the United States, transmitting a report of the review of certain aspects of the administration of the Neighborhood Youth Corps program in Los Angeles County, Calif., Department of Labor; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 91–1. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 2055. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to permit advance payments to wheat producers; to the Committee on Agriculture.

H.R. 2056. A bill to provide compensation to the Crow Tribe of Indians, Montana, for certain lands, for the validation of titles to those lands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2057. A bill relating to the income tax treatment of advertising revenues derived by a tax-exempt organization from its publication of a trade journal or other periodical; to the Committee on Ways and Means.

H.R. 2058. A bill to amend section 4063 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 2059. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Montana, to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2060. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2061. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. BATTIN (for himself, Mr. Brotzman, Mr. Sebelius, Mr. Shriver, Mr. Skubitz, Mr. Mize, Mr. Winn, Mr. Denney, Mr. Martin, Mr. Lujan, Mr. Foreman, Mr. Andrews, of North Dakota, Mr. Kleppe, Mr. Belcher, Mr. Camp, Mr. Berry, Mr. Price of Texas, and Mr. Wold):

H.R. 2062. A bill to amend section 16 of the Soil Conservation and Domestic Allotment Act, as amended, to extend the Great Plains Conservation Program; to the Committee on Agriculture.

By Mr. BOGGS:

H.R. 2063. A bill to provide increases in annuities granted under the Panama Canal Construction Service Annuity Act of May 29, 1944, and thereafter to provide cost-of-living increases in such annuities; to the Committee on Merchant Marine and Fisheries.

H.R. 2064. A bill to amend the River and Harbor Act of 1945; to the Committee on Public Works.

By Mr. BURKE of Florida:

H.R. 2065. A bill to provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, by means of subsidies to employers on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities; to the Committee on Education and Labor.

H.R. 2066. A bill to provide that the U.S. District Court for the Southern District of Florida shall also be held at Fort Lauderdale; to the Committee on the Judiciary.

H.R. 2067. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 2068. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 2069. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. CABELL:

H.R. 2070. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 2071. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. EVERETT:

H.R. 2072. A bill to amend section 123(c) of title 28, United States Code, so as to transfer Haywood County from the western to the eastern division of the western district of Tennessee; to the Committee on the Judiciary.

By Mr. GETTYS:

H.R. 2073. A bill to amend the act of July 18, 1958, to provide for the expansion of Cowpens National Battleground Site; to the Committee on Interior and Insular Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 2074. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime; to the Commission on Banking and Currency.

H.R. 2075. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 2076. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 2077. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

H.R. 2078. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 2079. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 2080. A bill to provide additional protection for the rights of participants in private pension plans, to establish minimum standards for vesting and funding of private pension plans, to provide an insurance program guaranteeing plan termination protection, and for other purposes; to the Committee on Education and Labor.

H.R. 2081. A bill to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards; to the Committee on Education and Labor.

H.R. 2082. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

H.R. 2083. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

H.R. 2084. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 2085. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 2086. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 2087. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

H.R. 2088. A bill to amend title 38 of the United States Code so as to provide that public or private retirement, annuity, or endowment payments (including monthly social Security insurance benefits) shall not be included in computing annual income for the purpose of determining eligibility for a pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

H.R. 2089. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 2090. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

By Mr. KING:

H.R. 2091. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McCLURE:

H.R. 2092. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

H.R. 2093. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

H.R. 2094. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 2095. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 2096. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MAILLIARD:

H.R. 2097. A bill to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 2098. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the sole surviving son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. DERWINSKI:

H.R. 2099. A bill to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H.R. 2100. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

H.R. 2101. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2102. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2103. A bill to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize; to the Committee on the Judiciary.

H.R. 2104. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 2105. A bill authorizing veterans' benefits for persons who served in the Local Security Patrol Force of Guam during World War II; to the Committee on Veterans' Affairs.

By Mr. MURPHY of New York:

H.R. 2106. A bill to amend the Foreign Assistance Act of 1961 so as to provide for reductions in aid to countries in which property of the United States is damaged or destroyed by mob action; to the Committee on Foreign Affairs.

H.R. 2107. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2108. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2109. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses of higher education; to the Committee on Ways and Means.

H.R. 2110. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 2111. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2112. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 2113. A bill to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER:

H.R. 2114. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 2115. A bill to establish a Government corporation to assist in the expansion of the capital market for municipal securities while decreasing the cost of such capital to municipalities; to the Committee on Banking and Currency.

By Mr. PODELL:

H.R. 2116. A bill to clarify the liability of national banks for sales taxes and use taxes; to the Committee on Banking and Currency.

By Mr. POLLOCK:

H.R. 2117. A bill to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State; to the Committee on Interior and Insular Affairs.

By Mr. RODINO (for himself and Mr. EILBERG):

H.R. 2118. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2119. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs, a practical alternative in the treatment of disease; and to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 2120. A bill to make Flag Day a legal public holiday; to the Committee on the Judiciary.

H.R. 2121. A bill to amend title 5, United States Code, to provide for the mandatory separation from Government service of all officers and employees thereof at the age of 70 years; to the Committee on Post Office and Civil Service.

H.R. 2122. A bill to amend title 38 of the United States Code to provide that any 5-year level premium term plan policy of national service life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

H.R. 2123. A bill to amend section 4001 of title 38, United States Code, to prescribe qualifications for members of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2124. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 2125. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for tuition expenses of the taxpayer or his spouse or a dependent at an institution of higher education; to the Committee on Ways and Means.

H.R. 2126. A bill to establish a program of dairy import regulation; to the Committee on Ways and Means.

H.R. 2127. A bill to amend section 22 of the Agricultural Adjustment Act of 1933, as amended; to the Committee on Ways and Means.

H.R. 2128. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. STAFFORD (for himself and Mr. CLEVELAND):

H.R. 2129. A bill to consent to the New Hampshire-Vermont interstate school compact; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 2130. A bill to amend the Agricultural Marketing Agreement Act of 1937 with respect to the procedure for amending orders; to the Committee on Agriculture.

H.R. 2131. A bill to amend title 10 of the United States Code to require that the daily ration of members of the Army and Air Force contain at least as much butter as the daily ration prescribed for members of the Navy; to the Committee on Armed Services.

H.R. 2132. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to municipalities and to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 2133. A bill to transfer functions under various laws relating to the provision of financial assistance for water facilities to the Secretary of Housing and Urban Development and to transfer functions under various laws relating to the provision of financial assistance for sewerage facilities to the Secretary of the Interior; to the Committee on Government Operations.

H.R. 2134. A bill to establish and develop the Chesapeake and Ohio Canal National Historical Park, and for other purposes; to the Commitee on Interior and Insular Affairs.

H.R. 2135. A bill to prohibit deceptive packaging or display of nondairy products resembling milk; to the Committee on Interstate and Foreign Commerce.

H.R. 2136. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 2137. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 2138. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania (for himself and Mr. Tunney):

H.R. 2139. A bill to amend title 5, United State Code, to facilitate the collection of statistics with respect to the incidence of crime and to provide for the establishment of a National Crime Statistics Center, and for other purposes; to the Committee on the Judiciary.

H.R. 2140. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Veterans' Affairs.

H.R. 2141. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

H.R. 2142. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 2143. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 2144. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. Dent, Mr. Cederberg, Mr. Fulton of Pennsylvania, Mr. Fulton of Tennessee, Mr. Gilbert, Mr. Kluczynski, Mr. Minish, Mr. Murphy of Illinois, Mr. Nix, Mr. Whalley, Mr. Cahill, Mr. Teague of California, Mr. Bingham, Mr. Daddario, Mr. Moss, Mr. St. Onge, Mr. Helstoski, Mr. O'Neill of Massachusetts, Mr. Fisher, Mr. Eshleman, Mr. Patman, Mr. Adair, Mr. McClory, and Mr. Quie):

H.R. 2145. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. Sisk, Mr. Shriver, Mr. McCarthy, Mr. Eilberg, Mr. Utt, and Mr. Hanley):

H.R. 2146. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 2147. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 2148. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

H.R. 2149. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 2150. A bill to amend the Federal Trade Commission Act to authorize injunctive relief with respect to violations of section 5, and to make certain practices a misdemeanor; to the Committee on Interstate and Foreign Commerce.

H.R. 2151. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

H.R. 2152. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 2153. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 2154. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 2155. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 2156. A bill to give the President authority to alleviate or to remove the threat to navigation, safety, marine resources, or the coastal economy posed by certain releases of fluids or other substances carried in oceangoing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2157. A bill to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels; to the Committee on Merchant Marine and Fisheries.

H.R. 2158. A bill to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

H.R. 2159. A bill to amend title 38 of the United States Code to provide for the expansion of the Veterans' Administration cemetery system to insure all veterans of burial facilities in a national cemetery; to the Committee on Veterans' Affairs.

H.R. 2160. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, New Jersey; to the Committee on Veterans' Affairs.

H.R. 2161. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

H.R. 2162. A bill to permit the burial in national cemeteries of mothers and fathers of deceased servicemen or veterans who died leaving no spouse or minor child entitled to be buried in a national cemetery; to the Committee on Veterans' Affairs.

H.R. 2163. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 2164. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 2165. A bill to empower postal inspectors to serve warrants and subpenas and to make arrests without warrant for certain offenses against the United States; to the Committee on the Judiciary.

H.R. 2166. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 2167. A bill to correct deficiencies in the law relating to the theft and passing of postal money orders; to the Committee on the Judiciary.

H.R. 2168. A bill to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system; to the Committee on the Judiciary.

H.R. 2169. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

H.R. 2170. A bill to amend section 4 of the Clayton Act (15 U.S.C. 15), and for other purposes; to the Committee on the Judiciary.

H.R. 2171. A bill relating to national observances and holidays, and for other purposes; to the Committee on the Judiciary.

H.R. 2172. A bill to enact the Interstate Agreement on Detainers into law; to the Committee on the Judiciary.

H.R. 2173. A bill to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska or Hawaii, and for other purposes; to the Committee on the Judiciary.

H.R. 2174. A bill to repeal the provisions of section 41 of the act of March 2, 1917, as amended, relating to the U.S. District Court for the District of Puerto Rico; to the Committee on the Judiciary.

H.R. 2175. A bill to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released; to the Committee on the Judiciary.

H.R. 2176. A bill to abolish the death penalty under all laws of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 2177. A bill to amend section 1823 of title 28, United States Code, to authorize the payment of travel expenses for certain witness service; to the Committee on the Judiciary.

H.R. 2178. A bill to authorize the Comptroller General of the United States to administratively settle tort claims arising in foreign countries; to the Committee on the Judiciary.

H.R. 2179. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 2180. A bill to provide the U.S. payments to the United Nations shall not be used for programs contrary to the policies of the United States; to the Committee on Foreign Affairs.

By Mr. DULSKI:

H.R. 2181. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 2182. A bill to clarify the liability of national banks for taxes and fees on motor vehicles; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 2183. A bill to amend the joint resolution of October 23, 1965, relating to National Parkinson Week; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 2184. A bill to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes; to the Committee on Public Works.

By Mr. HALL (for himself and Mr. CLEVELAND):

H.R. 2185. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. SMITH of California:

H.R. 2186. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Commission on Rules.

H.R. 2187. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

H.R. 2188. A bill Federal Regulation of Lobbying Act of 1969; to the Committee on Rules.

By Mr. BATTIN:

H.R. 2189. A bill to grant to the State of Montana the reversionary interest of the United States in certain real property; to the Committee on Interior and Insular Affairs.

H.R. 2190. A bill to repeal section 372–1 of title 25, United States Code, relating to the appointment of hearing examiners for Indian probate work, to provide tenure and status for hearing examiners performing such work, and for other purposes; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (for himself and Mr. NELSEN):

H.R. 2191. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CÓRDOVA:

H.R. 2192. A bill to authorize the transportation of passengers by certain foreign vessels between Puerto Rico and Port Everglades, Fla., to the Committee on Merchant Marine and Fisheries.

By Mr. HAMILTON:

H.R. 2193. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

By Mr. HAWKINS:

H.R. 2194. A bill to authorize the Commissioner of the District of Columbia to administer a program to provide for the construction of parking facilities in the District of Columbia without cost to the taxpayers, and without displacing families, businesses, or taxes; to the Committee on Public Works.

By Mr. POLLOCK:

H.R. 2195. A bill to remove certain restrictions to clerk hire for Members of the House of Representatives; to the Committee on House Administration.

H.R. 2196. A bill to amend the Legislative Branch Appropriation Act, 1959, as it relates to transportation expenses of Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

H.R. 2197. A bill to amend the act of August 28, 1965, as it relates to transportation expenses for employees in the office of a Member of the House of Representatives; to the Committee on House Administration.

By Mr. SIKES:

H.R. 2198. A bill to exempt from taxation certain property in the District of Columbia owned by the Reserve Officers Association of the United States; to the Committee on the District of Columbia.

By Mr. CAHILL:

H.J. Res. 178. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. CELLER:

H.J. Res. 179. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 180. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

H.J. Res. 181. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 182. Joint resolution proposing an amendment to the Constitution of the United States to provide for direct popular election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.J. Res. 183. Joint resolution proposing an amendment to the Constitution relative to qualifications of members of the Supreme Court; to the Committee on the Judiciary.

By Mr. KARTH:

H.J. Res. 184. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in all elections; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.J. Res. 185. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.J. Res. 186. Joint resolution proposing an amendment to the Constitution of the United States of America providing for a 4-year term for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. REINECKE:

H.J. Res. 187. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. REUSS:

H.J. Res. 188. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 189. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 190. Joint resolution proposing an amendment to the Constitution of the United States relating to the right to vote of citizens who have attained the age of 18 years; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 191. Joint resolution proposing an amendment to the Constitution to provide for the direct election of the President and the Vice President; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.J. Res. 192. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H. Con. Res. 63. Concurrent resolution relating to the seizure of U.S. vessels and to the highjacking of U.S. aircraft; to the Committee on Foreign Affairs.

By Mr. CAHILL:

H. Res. 87. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. HAWKINS:

H. Res. 88. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ICHORD (for himself, Mr. ASHBROOK, and Mr. DEL CLAWSON):

H. Res. 89. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; to the Committee on Rules.

By Mr. REINECKE:

H. Res. 90. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. ROYBAL:

H. Res. 91. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. STRATTON:

H. Res. 92. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations commission; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 93. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. COLMER:

H. Res. 94. Resolution providing funds for the Committee on Rules; to the Committee on House Administration.

By Mr. EVINS of Tennessee:

H. Res. 95. Resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives; to the Committee on House Administration.

By Mr. FRIEDEL:

H. Res. 96. Resolution authorizing payment of compensation for certain committee employees; to the Committee on House Administration.

By Mr. McMILLAN:

H. Res. 97. Resolution transferring all the functions, powers, and duties of the Architect of the Capitol relating to the operation and management of certain cafeterias of the House of Representatives to a House Cafeterias Commission; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 2199. A bill for the relief of Agripina V. and Raul S. Gesmundo; to the Committee on the Judiciary.

H.R. 2200. A bill for the relief of Benedetto Pietrangelo; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 2201. A bill for the relief of Miss Anna Ferrari; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 2202. A bill for the relief of Mr. and Mrs. Alexis Joseph Cole; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R 2203. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. BROWN of Michigan:

H.R. 2204. A bill for the relief of Dr.

Sadananda Goud and his wife, Shobha Kesaree Goud; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 2205. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; to the Committee on Armed Services.

By Mr. CABELL:

H.R. 2206. A bill for the relief of Adela Deidad La Riva; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 2207. A bill for the relief of Frances S. Bender; to the Committee on the Judiciary.

H.R. 2208. A bill for the relief of James Hideaki Buck; to the Committee on the Judiciary.

H.R. 2209. A bill for the relief of Carlo DeMarco; to the Committee on the Judiciary.

H.R. 2210. A bill for the relief of Charles D. Dodelin and others; to the Committee on the Judiciary.

H.R. 2211. A bill for the relief of Janina Morawska; to the Committee on the Judiciary.

H.R. 2212. A bill for the relief of Lucia Musillo; to the Committee on the Judiciary.

H.R. 2213. A bill for the relief of George A. Simons; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 2214. A bill for the relief of the Mutual Benefit Foundation to the Committee on the Judiciary.

H.R. 2215. A bill for the relief of Dr. Anil K. Sinha, Mr. Purnia Sinha, and Madhulika Sinha; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2216. A bill for the relief of Patrick Jean Giddings; to the Committee on the Judiciary.

H.R. 2217. A bill for the relief of Joseph W. Harris; to the Committee on the Judiciary.

H.R. 2218. A bill for the relief of William John Moher; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2219. A bill for the relief of Francesco A. DiSalvo; to the Committee on the Judiciary.

H.R. 2220. A bill for the relief of Mrs. Maria D'Avanzo Marovelli and her minor daughter, Rosella Marovelli; to the Committee on the Judiciary.

H.R. 2221. A bill for the relief of Vinceslao Nicholas Pucci; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 2222. A bill for the relief of Arnold Gerardo Borrego-Suero; to the Committee on the Judiciary.

By Mr. DAWSON:

H.R. 2223. A bill for the relief of Monohar Ramrao Kamat; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 2224. A bill for the relief of Franklin Jacinto Antonio; to the Committee on the Judiciary.

H.R. 2225. A bill for the relief of Mrs. Esperanza Ramos Delgado; to the Committee on the Judiciary.

H.R. 2226. A bill for the relief of Anton Joseph Hanna Dyke; to the Committee on the Judiciary.

H.R. 2227. A bill for the relief of Richard W. Hoffman; to the Committee on the Judiciary.

H.R. 2228. A bill for the relief of Leonor Lacuesta Jacinto; to the Committee on the Judiciary.

H.R. 2229. A bill for the relief of Mauricio A. Jacinto; to the Committee on the Judiciary.

H.R. 2230. A bill for the relief of Alfredo Augusto Maciel; to the Committee on the Judiciary.

H.R. 2231. A bill for the relief of Mrs. Maria Elvisr Maciel; to the Committee on the Judiciary.

H.R. 2232. A bill for the relief of Yot Chiu Ng; to the Committee on the Judiciary.

H.R. 2233. A bill for the relief of Carmen Maria Pena-Garcano; to the Committee on the Judiciary.

H.R. 2234. A bill for the relief of Radovan Spremo; to the Committee on the Judiciary.

H.R. 2235. A bill for the relief of Miss Saturnina Toriaga; to the Committee on the Judiciary.

H.R. 2236. A bill for the relief of Herlindo Mariscal Vasquez; to the Committee on the Judiciary.

H.R. 2237. A bill for the relief of Douglas Fu Yuan; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 2238. A bill to provide for the relief of certain civilian employees of the Air Force; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 2239. A bill for the relief of Georgios Sentis; to the Committee on the Judiciary.

By Mr. FISH:

H.R. 2240. A bill for the relief of Wladyslaw Morgner and his wife, Anna Morgner; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 2241. A bill for the relief of John T. Anderson; to the Committee on the Judiciary.

H.R. 2242. A bill for the relief of Santolo Beneduce; to the Committee on the Judiciary.

H.R. 2243. A bill for the relief of Anna Crocetto; to the Committee on the Judiciary.

H.R. 2244. A bill for the relief of Filomeno De Rosa; to the Committee on the Judiciary.

H.R. 2245. A bill for the relief of Nikolaos Fountas; to the Committee on the Judiciary.

H.R. 2246. A bill for the relief of Domenico La Forgia; to the Committee on the Judiciary.

H.R. 2247. A bill for the relief of Edward Michael Murphy and Kathleen Doris Murphy; to the Committee on the Judiciary.

H.R. 2248. A bill for the relief of Vincenza Nunziata; to the Committee on the Judiciary.

H.R. 2249. A bill for the relief of Vassilios Seretis; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 2250. A bill for the relief of Dr. Roman Bijan, his wife, Helena Bijan, and their minor daughters, Kristina Bijan and Maria Bijan; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 2251. A bill for the relief of Tranquilino Cruz and his wife, Paula R. Palmiery Cruz; to the Committee on the Judiciary.

H.R. 2252. A bill for the relief of Antonio Randazzo and his wife, Bartola Peraino Randazzo; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 2253. A bill for the relief of Rafael F. Calaguas; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 2254. A bill for the relief of Kang, Kyung Soo; to the Committee on the Judiciary.

H.R. 2255. A bill for the relief of Moon, Dong Wook; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 2256. A bill for the relief Mario Di Leo; to the Committee on the Judiciary.

H.R. 2257. A bill for the relief of Germain Francois; to the Committee on the Judiciary.

H.R. 2258. A bill for the relief of Erwin Miller; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 2259. A bill for the relief of Dr. Sei Byung Yoon and his wife, Sook Ihn Saw; to the Committee on the Judiciary.

H.R. 2260. A bill to confer jurisdiction on the U.S. District Court for the Western District of Wisconsin to hear, determine, and render judgment on the claim of Emma Zimmerli against the United States; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 2261. A bill for the relief of Francoise Bongrande; to the Committee on the Judiciary.

H.R. 2262. A bill for the relief of Mrs. Nikolija Jankovska and her minor daughter, Suzana; to the Committee on the Judiciary.

H.R. 2263. A bill for the relief of Mohamed Salah Ibraham Nigahed (Meghad); to the Committee on the Judiciary.

H.R. 2264. A bill for the relief of Alfred C. Myers, Jr.; to the Committee on the Judiciary.

H.R. 2265. A bill for the relief of Humberto A. Revollo; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 2266. A bill for the relief of Etueni Alatini Vakapuna; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 2267. A bill for the relief of Dr. and Mrs. Joao Fanganiello; to the Committee on the Judiciary.

H.R. 2268. A bill for the relief of Dr. and Mrs. Gerald Dixon Smith; to the Committee on the Judiciary.

H.R. 2269. A bill for the relief of Dong Chan Kim Willingham; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 2270. A bill for the relief of Juan Carlos Barrios, his wife, Maria Cristina Foreilius de Barrios, and their minor child, Eduardo Anibal Barrios; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 2271. A bill for the relief of Cho Chung Foo; to the Committee on the Judiciary.

H.R. 2272. A bill for the relief of Bogdan Kopania; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 2273. A bill for the relief of Dr. Jose Sulla Maisog and Dr. Victoria Tayengco-Maisog; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 2274. A bill for the relief of Giuseppe Cantacesso; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.R. 2275. A bill for the relief of John Thomas Cosby, Jr.; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 2276. A bill for the relief of Miss Alda G. Paternoster; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 2277. A bill to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 2278. A bill for the relief of Klaus Max Karli; to the Committee on the Judiciary.

H.R. 2279. A bill for the relief of Luigi Piscitelli; to the Committee on the Judiciary.

By Mr. REES:

H.R. 2280. A bill for the relief of Mr. and Mrs. Arnulfo P. Abilla; to the Committee on the Judiciary.

H.R. 2281. A bill for the relief of Rudy T. Bernaldo; to the Committee on the Judiciary.

H.R. 2282. A bill for the relief of Mr. and Mrs. Alfonso Cediel and their minor child, Liliana; to the Committee on the Judiciary.

H.R. 2283. A bill for the relief of Lourdes De Leon; to the Committee on the Judiciary.

H.R. 2284. A bill for the relief of Armand Ezerer; to the Committee on the Judiciary.

H.R. 2285. A bill for the relief of Mr. and Mrs. Mohamed Hussein Fahmi; to the Committee on the Judiciary.

H.R. 2286. A bill for the relief of Katharina Gaertner; to the Committee on the Judiciary.

H.R. 2287. A bill for the relief of Mr. and Mrs. Joseph Gershon; to the Committee on the Judiciary.

H.R. 2288. A bill for the relief of Maryvonne P. Giercarz; to the Committee on the Judiciary.

H.R. 2289. A bill for the relief of Mrs. Gianna Groves; to the Committee on the Judiciary.

H.R. 2290. A bill for the relief of Maria Halmai; to the Committee on the Judiciary.

H.R. 2291. A bill for the relief of Mr. and Mrs. Haruo Hayama; to the Committee on the Judiciary.

H.R. 2292. A bill for the relief of Miss Visitacion V. Hernandez; to the Committee on the Judiciary.

H.R. 2293. A bill for the relief of Yehoshua M. Horvitz; to the Committee on the Judiciary.

H.R. 2294. A bill for the relief of Mr. and Mrs. Andrew L. Ivots and their minor daughter, Beatrice; to the Committee on the Judiciary.

H.R. 2295. A bill for the relief of Miss Lolita J. Jaramilla; to the Committee on the Judiciary.

H.R. 2296. A bill for the relief of Sang In Kim; to the Committee on the Judiciary.

H.R. 2297. A bill for the relief of Mr. and Mrs. James Ian Mahar and their two minor children, Sean and Lisa; to the Committee on the Judiciary.

H.R. 2298. A bill for the relief of Maheshchandra B. Maheta; to the Committee on the Judiciary.

H.R. 2299. A bill for the relief of Mr. and Mrs. Rafael U. Moreno; to the Committee on the Judiciary.

H.R. 2300. A bill for the relief of Constantin Sivatjian; to the Committee on the Judiciary.

H.R. 2301. A bill for the relief of Natan Sztark; to the Committee on the Judiciary.

H.R. 2302. A bill for the relief of Mrs. Rose Thomas; to the Committee on the Judiciary.

H.R. 2303. A bill for the relief of Mrs. Tomoko Tokugawa; to the Committee on the Judiciary.

H.R. 2304. A bill for the relief of Lie Mun Tsu; to the Committee on the Judiciary.

H.R. 2305. A bill for the relief of Benita Valderama; to the Committee on the Judiciary.

H.R. 2306. A bill for the relief of Mr. and Mrs. Melanio P. Villero; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 2307. A bill for the relief of Gerardo B. Barbero; to the Committee on the Judiciary.

H.R. 2308. A bill for the relief of Salwa Barnouty; to the Committee on the Judiciary.

H.R. 2309. A bill for the relief of Maria Jesus Berecibar; to the Committee on the Judiciary.

H.R. 2310. A bill for the relief of Mesrop Bogosoglu; to the Committee on the Judiciary.

H.R. 2311. A bill for the relief of Aurora Castell (also known as Aurora Villanueva); to the Committee on the Judiciary.

H.R. 2312. A bill for the relief of Hong Jin Chun (also known as David Chun) and his wife, Bok Lae Sue Chun; to the Committee on the Judiciary.

H.R. 2313. A bill for the relief of Mrs. Brenda Gilo Cohen; to the Committee on the Judiciary.

H.R. 2314. A bill for the relief of Nicola Di Nallo; to the Committee on the Judiciary.

H.R. 2315. A bill for the relief of Josefina Policar Abutan Fuliar; to the Committee on the Judiciary.

H.R. 2316. A bill for the relief of Maximo Gonzales-Solana; to the Committee on the Judiciary.

H.R. 2317. A bill for the relief of Shi Chang Hsu (also known as Gerald S. C. Hsu); to the Committee on the Judiciary.

H.R. 2318. A bill for the relief of Hospicio A. Lakilak; to the Committee on the Judiciary.

H.R. 2319. A bill for the relief of Man Young Lee; to the Committee on the Judiciary.

H.R. 2320. A bill for the relief of Raymond Leyba; to the Committee on the Judiciary.

H.R. 2321. A bill for the relief of Mitsuyasu Maeno (also known as Soichi Maeno), and his wife, Noriko Maeno; to the Committee on the Judiciary.

H.R. 2322. A bill for the relief of Lior Novik; to the Committee on the Judiciary.

H.R. 2323. A bill for the relief of Sina Fallahi Oskoui; to the Committee on the Judiciary.

H.R. 2324. A bill for the relief of Miss Peyravi Pary Parichehr; to the Committee on the Judiciary.

H.R. 2325. A bill for the relief of Marc Mardoche Serfaty, his wife, Hilda Serfaty, and their son, Anthony Sebastian Serfaty; to the Committee on the Judiciary.

H.R. 2326. A bill for the relief of Santuzza Simonti; to the Committee on the Judiciary.

H.R. 2327. A bill for the relief of Zuhair H. Yousif (Naeem); to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 2328. A bill for the relief of Vincenzo Casale; to the Committee on the Judiciary.

H.R. 2329. A bill for the relief of Heather Doreen Warner; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 2330. A bill for the relief of Miss Maria Didio; to the Committee on the Judiciary.

H.R. 2331. A bill for the relief of Mrs. Josefina Ferrer Marasigan; to the Committee on the Judiciary.

H.R. 2332. A bill for the relief of Miss Georgina Ongpin Villacorta; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2333. A bill for the relief of Norma Esther Barrosa and daughter, Andrea Claudia Coltellini; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 2334. A bill for the relief of Dr. Yusuf Qamar; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 2335. A bill for the relief of Enrico DeMonte; to the Committee on the Judiciary.

H.R. 2336. A bill for the relief of Adela Durda; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 2337. A bill for the relief of Erika M. J. Armstrong; to the Committee on the Judiciary.

H.R. 2338. A bill for the relief of Gerald Levine; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 2339. A bill to authorize the Secretary of the Interior to reinstate certain oil and gas leases; to the Committee on Interior and Insular Affairs.

H.R. 2340. A bill for the relief of Marcelle Florette Courchesne; to the Committee on the Judiciary.

H.R. 2341. A bill for the relief of Mario Frenda; to the Committee on the Judiciary.

H.R. 2342. A bill for the relief of Franco Spalvieri and his son, Marco Crescenzo Spalvieri; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 2343. A bill for the relief of Rainer Johannes Kronenfeld; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 2344. A bill for the relief of Dr. and Mrs. Krishan Bajaj; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. Con. Res. 64. Concurrent resolution recognizing the golf course of the Foxburg Country Club of Foxburg, Pa., as the oldest golf course in continuous use in the United States; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

28. The SPEAKER presented a petition of S. R. Abramson, M.D., Marksville, La., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Monday, January 6, 1969*

The Senate met at 10:30 a.m., and was called to order by the Acting President pro tempore.

James W. Turpin, M.D., president and founder of Project Concern, Inc., San Diego, Calif., offered the following prayer:

Our Father, creator of an expanding universe, Lord of a shrinking planet, we acknowledge more fully Your awesome love, patience, and forgiveness.

Teach us that our world has now grown too small for anything less than brotherhood; that life has become too precious for anything less than peace; that human relations have become too critical for anything less than love.

Give us a sense of family. Make us realize that in our struggle for greatness it is not so much how deep in space we can go, but how far we can reach in solving the immediate problems of Your beloved earth's people. Help us to know that until a hollow-eyed, emaciated, pot-bellied child of the Montagnard, Ibo, or American Indian becomes "our child" we have not yet achieved our national purpose.

Give us a sense of peace. Teach us to wage peace as eagerly and enthusiastically as we have waged war. Make us to experience no real satisfaction if we win a war and lose a people. May peace become not just the static absence of fighting and dying, but the imaginative, dynamic situation where every man is at peace with himself because his family has enough.

And, Father, give us a sense of love. As the world's hungry, poor, and sick ask, "Do you understand? Is it possible that you can feel our feelings?" let this be our reply: "Love you? I am you."

While others doubt, even scoff, let us direct our vast resources toward a world where every child eats enough, every woman is adequately attended in childbirth, and every man knows the dignity of supporting his own.

May this be our glorious quest. Amen.

PRESIDENT PRO TEMPORE

The PRESIDING OFFICER (Mr. Mansfield in the chair). The Chair appoints the distinguished Senator from Vermont (Mr. Aiken) to escort the newly elected President pro tempore to the desk so that he may take the oath as President pro tempore.

Mr. RUSSELL, escorted by Mr. Aiken, advanced to the rostrum; the oath prescribed by law was administered to him by the Presiding Officer (Mr. Mansfield), and Mr. RUSSELL subscribed to the oath. [Applause, Senators rising.]

Mr. RUSSELL assumed the chair as President pro tempore.

The PRESIDENT pro tempore. I cannot express my deep sense of gratitude for being permitted to serve at periods, as President pro tempore of the U.S. Senate.

I am honored to be escorted to the rostrum by the senior Senator from Vermont (Mr. AIKEN). He is a Senator of unusual ability—a personal friend for whom I have great admiration and affection.

The Senate is a unique institution of government. There are many senates, of course, wherever the bicameral system exists, but no other occupies the position or has the powers that are vested in the U.S. Senate, when the Senate sees fit to exercise those powers. There are times when we do not.

I am greatly honored, and I can only assure all of my colleagues that I shall endeavor to be scrupulously fair to every Member of the Senate, without regard to the party to which he belongs or to the issues before the Senate or any personal predilections I may have in regard to that issue. Thank you very much. [Applause, Senators rising.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 1) to provide for the counting on January 6, 1968, of the electoral votes for President and Vice President of the United States.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 1) making the necessary arrangements for the inauguration of the President-elect and Vice-President-elect of the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the following resolutions:

H. Res. 4. Resolution informing the Senate that a quorum of the House of Representatives has assembled; that John W. McCormack, a Representative from the Commonwealth of Massachusetts, has been elected Speaker; and that W. Pat Jennings, a citizen of the Commonwealth of Virginia, has been elected Clerk of the House of Representatives of the 91st Congress;

H. Res. 5. Resolution relating to the appointment by the Speaker to join with a committee of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make; and

H. Res. 6. Resolution instructing the Clerk to inform the President of the United States that the House of Representatives has elected John W. McCormack, a Representative from the Commonwealth of Massachusetts, Speaker, and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the 91st Congress.

ACTING CHAPLAIN OF THE SENATE

Mr. DIRKSEN. Mr. President, I submit a resolution and ask for its immediate a consideration.

The PRESIDENT pro tempore. The resolution will be read.

The legislative clerk read the resolution (S. Res. 9) as follows:

S. RES. 9

Resolved, That Reverend Edward B. Lewis, D.D., of Washington, D.C., be, and he is hereby, elected Acting Chaplain of the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. STENNIS. Mr. President, may I be heard briefly?

The PRESIDENT pro tempore. Yes. The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President, I am not going to object to the adoption of the resolution, but it was clearly understood that the resolution referred to Acting Chaplain only, and that the selection of the Chaplain was entirely an open question before the caucus.

Mr. MANSFIELD. Mr. President, that is absolutely correct, and that was made clear to the distinguished minority leader.

Mr. STENNIS. I thank the Senator very much.

The PRESIDENT pro tempore. Is there objection to the adoption of the resolution?

There being no objection, the resolution was agreed to.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, January 3, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, the reading of the Journal is dispensed with.

COUNTING OF THE ELECTORAL VOTE

Mr. MUSKIE. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator yield briefly to me without losing his right to the floor?

Mr. MUSKIE. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that until the Senate proceeds to the House at 12:45 for the counting of the electoral vote, it proceed to a discussion of the possible issues which may arise in that session, and that the time be equally divided and controlled by the proponents and opponents, with the majority leader or someone designated by him in charge of the time for the proponents, and the minority leader or someone designated by him in charge of the time of the opponents.

Mr. DIRKSEN. Mr. President, reserving the right to object, and this may be as good an opportunity as any for knowing what the format will be, I understand when we go into joint session it is expected that the objection which has been referred to with respect to a certain elector will be proffered in the joint session.

The PRESIDENT pro tempore. The law provides for the objection to be submitted at the joint session.

Mr. DIRKSEN. That is correct.

The PRESIDENT pro tempore. But that is the limit of the authority of the joint session, and the law then requires the Senate to repair to its Chamber and consider the objection, and the House to consider the objection in its Chamber, and, of course, the Senator is familiar with the law that provides that if one body agrees and the other disagrees, the certificate stands. There are other provisions of the law, but they will be settled in the Senate, except when we return to the House of Representatives to report the results of the proceedings of the Senate.

Mr. DIRKSEN. If I may propound a parliamentary inquiry, I should like to ascertain now, if possible, exactly how this objection is going to be registered, and whether or not it is to be done on a voice vote, or whether a rollcall is anticipated, and whether we are operating under the rules of the House of Representatives or of the Senate. Those matters are all obscure now.

The PRESIDENT pro tempore. The objections must be filed in writing, signed by a Senator and a Representative. The joint session may not take any action whatever, may I say to the Senator from Illinois; but the Senate will return to this Chamber and when it returns, it will be bound by the law which, as I recall, provides for 2 hours of discussion, limited to 5 minutes to each Senator. The Senate will then determine whether it will decide the issue on a viva voce vote or a rollcall vote, or on a standing division.

Mr. DIRKSEN. Mr. President, is my understanding correct that the only issue before the Senate, if and when we return, will be the question of the revision of the statute to cover a case of this kind?

The PRESIDENT pro tempore. No; there cannot be any issue on the revision of the statute at that point. It will be on the application of the statute to the constitutional principles regarding the action of electors.

Mr. DIRKSEN. I have a copy of it, prepared by the Parliamentarian, which I anticipated was a modification of the statute which was to be offered here in order to cover the case.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MUSKIE. At one point last week we contemplated the possibility of liberalizing the terms for debate by the introduction of a resolution, which could have been done last Friday and hopefully enacted by both Houses and signed by the President before noon today.

But rather than pursue that route, after discussing the matter with the Parliamentarians of both Houses, the distinguished Senator from Georgia (Mr. RUSSELL), the distinguished Senator from North Carolina (Mr. ERVIN), and others, it was decided to ask the Senate, with respect to the debate, to give unanimous consent to the usual procedure in the Senate; that is, that the 2 hours be divided equally between the proponents and the opponents and controlled by the majority and minority leaders or any other Senators they may designate, and that the debate thereafter continue as it customarily does in the Senate under such unanimous-consent agreement.

Since we found agreement among the Senators I have mentioned that this procedure was possible, subject, of course, to approval of the Senate, we decided to follow that route. So this afternoon, after we reconvene, I take it that a unanimous-consent request will be propounded to that effect, governing the terms of the debate.

Mr. CURTIS. Mr. President, reserving the right to object, and I shall not object, I should like to inquire, inasmuch as the House of Representatives and the Senate both recognize as valid an action taken by unanimous consent, whether it would be possible, in the joint session, to ask unanimous consent that all other electoral votes be counted, that the result be declared and certified, and that the one vote in question be deferred for further deliberations.

My reason for the inquiry is that the Constitution gives to each body the right to determine its own membership; yet, when a contest arises, the apparent winner is sworn in and the matter is deferred for due deliberation, committee hearing, and so on.

Would it violate the Rules of the Senate to have a Senator propound a unanimous-consent request in the joint session, to the effect that all votes except this one be counted, and the result declared, and the contested matter be deferred?

The PRESIDENT pro tempore. The Chair states to the distinguished Senator from Nebraska that the joint session is not conducted under the Rules of the Senate; it is conducted under the express provisions of the Constitution of the United States relating to the election of the President, and the Constitution prescribes the procedures.

It is a common saying that the Senate can do anything by unanimous consent. I do not know whether that applies to the Rules of the House of Representatives or not. The Chair would hope that we would proceed in the regular order. It takes only about 15 or 20 minutes to run through the States, and to do otherwise might be construed as denying some Members a right to interpose objections as authorized by the law. While the Chair would not object, the Chair would hope that some other Member of this body or of the House of Representatives would object to dispensing with the constitutional procedure that is set forth in some detail.

Mr. CURTIS. I thank the distinguished president for his comment on the matter. I believe that the same constitutional prerogatives to determine contests in the Senate exist; yet, over a long period of time, we have adopted our procedure, sometimes by unanimous consent.

The PRESIDENT pro tempore. Of course, this is purely an advisory opinion, and the present occupant of the Chair does not look with any high degree of approval on advisory parliamentary opinions. But it is the opinion of the Chair that under the wording of the statute, considered in connection with the Constitution, no final declaration of the vote can be made until after the two bodies have separately considered any objection that might be entered. I doubt very seriously that the unanimous-consent request would be in order.

Is there objection to the request of the Senator from Montana?

Mr. MANSFIELD. Mr. President, this applies only to this morning.

The PRESIDENT pro tempore. I understand. The request is that the time be equally divided from now until 12:45, when the Senate will retire to the joint session, the time to be controlled by the majority leader and the minority leader.

The Chair hears no objection, and it is so ordered.

The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, I now yield to the Senator from Maine.

Mr. MUSKIE. I thank the Senator from Montana.

I take it that Senators are fully informed about what it is that I intend to propose this afternoon, when the Senate meets in joint session with the House to count the electoral votes for President and Vice President of the United States.

To the best of my knowledge, only one objection will be filed. That objection will be filed to the vote of the elector from North Carolina who was elected an elector on a Nixon slate, but who cast his vote for George C. Wallace and Curtis LeMay. That objection will be limited to the request that, if both Houses agree, that vote will be rejected.

There has been some discussion about a proposal that, in addition, Congress be asked to declare that the vote to be cast for Mr. Nixon and Mr. AGNEW. Those who support the objection will not make that request this afternoon. The reason we will not is that, after discussion with persons who were in a position to advise us on the parliamentary implications of such a move, we were afraid that to make both requests might result in a different action in each House, and thus vitiate any effective action by Congress with respect to the vote in question. Under the statute, each House must take the same action if the challenge is to be sustained. If the Houses disagree, the challenge is not sustained.

To introduce both requests for relief, it seemed to us, therefore, would open up possibilities of disagreement, even though both Houses might agree, or might be in agreement, with respect to the request to reject the vote for Mr. Wallace. To avoid that risk, therefore, we shall limit the objection to a request that if both Houses agree, the challenged vote will be rejected.

Mr. MURPHY. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. Yes; I am happy to yield to the Senator from California.

Mr. MURPHY. I should like to ask a simple question: Would this procedure in any way whatsoever cloud the official announcement of the election?

Mr. MUSKIE. Would it what?

Mr. MURPHY. Would it cloud the official announcement of the election in any way?

Mr. MUSKIE. No; I cannot see how that decision by Congress with respect to this vote would change the result in any way or affect the result or cloud it in any way.

Mr. MURPHY. In other words, do I correctly understand that the only question in issue is with respect to one particular vote?

Mr. MUSKIE. The Senator is correct.

Mr. MURPHY. I thank the Senator.

Mr. MUSKIE. I am not aware of any other challenge with respect to any other vote or any other State. We are concerned with this one vote, and this one vote alone.

The discussion this morning was scheduled because of what appears to be very rigid limitations in the statute concerning the debate once the Senate returns to its Chamber to debate the objection. The statute provides that the debate shall be limited to 2 hours and that each Senator shall be entitled to speak for 5 minutes and not more than once. This restriction, it seemed to us, if enforced, would rigidly limit the possibility of conducting a discussion on this issue which would be useful to the country. So we scheduled this discussion this morning, when we are unrestricted, in that rigid sense, in order to give Senators who are interested an opportunity to have an understanding of the issue before we begin the formal debate. The time this morning has been divided, as Senators have heard, between the opponents and the proponents before we get down to the question of this objection.

Mr. MUNDT. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. I am not sure whether I have understood the Senator correctly. When we were discussing the matter last week, I thought the thrust of his proposal was to transfer the vote of Dr. Bailey from Wallace, for whom he cast it, back in support of Richard Nixon, for whom the people of North Carolina voted. Was not that the thrust of the original proposal?

Mr. MUSKIE. We proposed two steps. First, that the vote cast for Mr. Wallace in North Carolina be rejected; second, that the vote be announced for Mr. Nixon; yes. Two steps were proposed, as the Senator has said.

Mr. MUNDT. Has that been changed?

Mr. MUSKIE. We have dropped the second request, for the reason that I tried to describe earlier. I shall be glad to try to describe it again.

Under the statute that we are using to bring the question before Congress, in order to sustain the challenge—or the objection; that is the word of art—both Houses must agree. We sought a way to make it possible for each House to speak out on each of these points; that is, the question of the rejection of the vote and also the question of casting the vote for Mr. Nixon. We considered, for example, the possibility of filing two objections, one limited to the rejection of the vote, the other covering both points.

But it was our impression, after discussing the question with our parliamentary consultants, that if we were to take the second course, and if the two Houses were not in complete agreement with respect to both courses, we might then face the possibility that the action of the two Houses would be declared in disagreement because they did not agree totally. So the possibility faced us that even though both Houses agreed to reject the vote cast for Mr. Wallace, if one House disagreed with respect to casting the vote for Mr. Nixon, the action of the Houses in agreeing to the first point would be vitiated.

Mr. MUNDT. I can understand the dilemma that disturbs the distinguished Senator from Maine. But it would seem to me that the dilemma could be resolved by putting both provisions within the same objection, because we then consider the problem differently from what the Senate is now undertaking to do.

The first proposal would have retained for the people of North Carolina whatever number of electors they are entitled to under the Constitution. The second proposal, it seems to me, deprives the people of North Carolina of one of their electors. I just do not see how we have any right, as a Congress, to tell the people of North Carolina that they have the number of electors to whom they are entitled, minus the one which we have rejected.

As long as the Senator retained the thrust of the other vote, as he read it, I thought he was on sounder ground.

Mr. MUSKIE. I am in complete agreement with the Senator's position. The question that faced us was. "Should we risk setting a larger precedent at the risk of losing a lesser precedent?" It is my feeling that if Congress will take the position which I hope it will take; namely, that the vote cast for Mr. Wallace ought to be rejected, that action on the part of Congress will, in the future, inhibit electors from taking the action that Dr. Bailey, of North Carolina, took in this case.

I would make this observation, too: That as the North Carolina situation now stands, the effective vote of North Carolina is limited to 11 votes, because one of the votes cast for Mr. Nixon is offset by the vote cast for Mr. Wallace. So if Congress were to reject the vote cast for Mr. Wallace, one vote—one effective vote—would have been added to North Carolina's total, and North Carolina would have 12 votes cast for Mr. Nixon without any offsetting ones cast for Mr. Wallace. I felt we ought to take that much of a gain, even though we could not, perhaps expect to get the total gain we would like.

Mr. MUNDT. What disturbs me is that there is a switch from what originally seemed to be an effort to deprive Dr. Bailey of his option, which he took, and thereby punish him for taking it, and instead to punish the people of North Carolina by depriving them of the vote of one of their electors. The two provisions could be joined with the simple conjunction "and."

Mr. MUSKIE. The difficulty with that is that we were advised by the Parliamentarian that to submit that kind of proposal might be subject to a motion for a division in one or both Houses, again opening the door to a different action in each House, and thus causing a vitiation of the whole proceeding. We do not want to take that risk. There are a great many holes in the electoral procedure at the present time, and we cannot deal with all of them in this proceeding.

Really, my principal purpose in joining in this effort is to open the issue, to expose it, perhaps to identify the dangers and the risks, and by so doing to stimulate the movement for constitutional reform of the entire process.

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I yield to the distinguished Senator from Nebraska.

Mr. CURTIS. According to the interpretation placed upon it by the distinguished Senator from Maine, what will happen to this one electoral vote if the Senator's position is sustained?

Mr. MUSKIE. If the objection we intend to file is filed and acted upon and supported, then one of the North Carolina electoral votes will be uncounted.

Mr. CURTIS. Is there anything to the report that the Senator from Maine does not seek to get his resolution agreed to?

Mr. MUSKIE. No. I want it agreed to. I believe in my position.

I have mixed feelings about winning, because I suspect that by losing I might develop more momentum for constitutional reform than by winning.

Mr. CURTIS. I certainly do not mean to challenge the sincerity of the distinguished Senator, because he is so well respected by all Members of the Senate; but I could not help being affected to some extent by his statement that this action is being taken to call attention to some other problem that the distinguished Senator regarded as important.

Mr. MUSKIE. No. Perhaps I made my statement too broad.

All we can hope to do effectively here today, I believe, is to expose this particular weakness or shortcoming in the electoral process and to give the country the benefit of the congressional view with respect to it—to establish a precedent, for whatever weight that precedent may have in the future. I believe that is a useful exercise, and we should do it. But by getting involved in it, I may say to the distinguished Senator, I think we have dramatized the entire problem and perhaps focused public attention on it in a way that otherwise it would not be focused.

Mr. CURTIS. In dramatizing the problem, is it the contention of the distinguished Senator from Maine that the action he proposes is in accord with the Constitution and existing statutes?

Mr. MUSKIE. Yes; I do. In my opening remarks, I shall amplify that point a little more.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. MUSKIE. I am glad to yield to the distinguished Senator from Georgia.

Mr. TALMADGE. I agree with the Senator that the electoral college needs some reform. But would not this be a dangerous precedent, in that it would arrogate to Congress, and not to the electors, the power to elect the President and Vice President? For example, we now have a Democratic majority in the Senate. We have a Democratic majority in the House. If this Democratic majority were so venal, could they not vitiate the entire election process and say that HUBERT HUMPHREY was elected President rather than Richard Nixon?

Mr. MUSKIE. I suppose we could do that with respect to our own election as Senators. I do not believe there is any question as to our right, as a Senate to pass finally upon the election of the qualifications of anyone elected to this body.

Mr. TALMADGE. There is a difference.

Mr. MUSKIE. If we anticipate venality——

Mr. TALMADGE. Senators are elected by popular vote, and each House is the judge of its own membership. But Presidents are elected by the electoral college. As I understand it, we exercise only the function of supervising the casting of those votes and declaring the result.

Mr. MUSKIE. I understand.

Of course, it was the intention of the founders to establish three separate departments of the Federal Government, each as independent of the others as possible. Yet, it was not possible to isolate them from one another because there is a relationship among the three that from time to time has had to be recognized, and the methods by which we recognized that relationship have been referred to as the checks and balances of the Constitution.

Here we have a problem: Electors are elected in accordance with the provisions laid down by State legislatures under the Constitution. Every election is certified by State officials, and they are required to meet on a day set by Congress for the purpose of casting their votes. That date last year was December 16, 1968. Prior to that time, their election as electors had been certified. The 13 North Carolina electors in question, including Dr. Lloyd Bailey, were elected on a Nixon slate. The names on that slate were not on the ballot. There was also a Wallace slate. The names of the Wallace electors were not on the ballot.

These electors were elected only because the presidential candidate of the same party was given votes by North Carolina voters which were then transferred to the electors by operation of State law. There was every anticipation, it seems to me, that the electors of any one of the three slates, if elected, would support the candidate of their party. Prior to December 16, there was nothing to indicate that this was not going to be the case. As a matter of fact, the North Carolina attorney general anticipated that these 13 electors would follow the apparent mandate of the people and that all 13 of them would vote for Mr. Nixon; and the papers were prepared to be transmitted to the seat of government in Washington in accordance with that assumption. But when the electors met, Dr. Bailey decided he was not going to follow that mandate, and he decided to vote for Mr. Wallace and Mr. LeMay.

As a consequence of that, the results of the meeting on December 16 could not be recorded on that day and transmitted to the seat of government, and they were received within the last few days, because it was necessary to revise the papers; and I understand it was necessary for those in charge to travel some 1,200 miles by automobile, from one elector to another, to get the signatures on the new papers.

So the entire process, up until the time Dr. Bailey cast his vote, was geared to the assumption that he had been nominated by district convention to be a Republican elector, that his nomination as such had been filed without his objection with the appropriate State officials, and that his party's candidate for President had gone on the ballot, carrying his vote with it. After the election, his election as a Republican elector was certified by the appropriate State officials, and he did not object. It was not until the electors met in Raleigh that he announced he was not going to do what everybody up to that point assumed he would do—that is, cast his vote for Mr. Nixon.

He announced what he did. He did not have to do that. The vote on the part of electors is by ballot, presumably secret, if they so choose. So it is conceivable that he could have done this without any warning or any announcement to anybody, that his action would not have been known until the North Carolina certificates were opened in the joint session of the two Houses, and that his action would then become known.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MUSKIE. I should like to complete my statement; then I shall yield.

The questions that face us are these: First, did he have a right to do what he did? Second, if he did not, what provisions for relief are available, not only to the people of North Carolina but also to the people of the country? We are talking about the President of the entire country, not the president of North Carolina; and the North Carolina votes could well have been decisive in transferring the victory from Mr. Nixon to Mr. Wallace.

So if this surprise were sprung on us this afternoon, sometime between 1 and 2 o'clock, we must ask ourselves this question: Is it something the elector or electors had a right to do? If not, what remedy is available to the country ?

Finally, does Congress have any authority to apply a remedy?

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TALMADGE. I agree with the Senator as to the breach of faith on the part of the elector. It seems to me that it would be even more dangerous if Congress undertook to nullify electoral votes or to change electoral votes, however they may be cast.

Mr. MUSKIE. In other words, the Senator is saying that the least danger involved in this situation is that fraudulent electors, motivated by improper purposes, might elect themselves under this weakness in the electoral process to change and frustrate the result indicated by the electorate and we should stand silently by and let it happen.

Mr. TALMADGE. I am not saying that. I say that it should be changed in a constitutional manner rather than resorting to an unconstitutional method of having Congress either nullify these votes or change them in accordance with its will. I think it would be more dangerous if Congress undertook to declare or to say that we are responsible for how this electoral vote should be cast. We could change the entire result.

Mr. MUSKIE. What I am proposing to the Senate, and I have not had an opportunity to get into my argument, is something far less than that.

Mr. TALMADGE. I thank the Senator for yielding. I do not wish to take any more of the Senator's time.

Mr. MUSKIE. I cannot think of a better time to go into the argument.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. BAYH. I think the point raised by the Senator from Georgia and replied to by the Senator from Maine is a point well taken. I do not in any way suggest that we, as individual Senators, do not have the right to interrupt the distinguished Senator from Maine. I think I speak for him, and I know I speak for myself.

This effort does not contemplate doing anything that is unconstitutional. I think the Senator from Georgia is correct in saying that we would be derelict in our duty not to do so. It does not contemplate anything unlawful.

I would suggest that the Senator from Maine make his presentation and deal with the constitutional question and the point of law involved; then this body could zero in on those two issues and decide whether the case has merit.

Mr. MUSKIE. I thank the Senator from Indiana. The purpose of the presentation is to answer questions. I believe some minimum presentation on my part will be helpful.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield to the Senator from Iowa.

Mr. MILLER. To point up this matter, as I understand it, the point raised by the Senator from Georgia and the Senator from South Dakota is that we are going to be faced with what amounts to a choice between two evils: The evil that if we reject the resolution, then a fraudulent vote can be cast——

Mr. MUSKIE. And counted.

Mr. MILLER. And counted. There is that proposition as against the evil that if we adopt the Senator's resolution, the State of North Carolina will be deprived of one of its electors. I think it comes down to that.

Bearing on that, there should be a discussion of the legal procedures that North Carolina either has gone through or could go through with respect to this particular elector. I would appreciate it if the Senator would include this point in his discussion or perhaps yield to the Senator from North Carolina for a discussion on that point, because I think the point as to whether North Carolina may or may not have forfeited its right to hang onto that elector would bear on my decision.

Mr. MUSKIE. If the Senator will remind me of that point later, I will be glad to touch on it. I would like, first, to touch on the positive argument and then come back to that specific point toward the end of my remarks.

This procedure is not intended as a way to achieve constitutional reform. In common with many of my colleagues in the Senate and in the House of Representatives, I am for constitutional reform, but only by constitutional amendment and reforms which must be much broader than the action we propose today. I think that in the history of the country there have been over 500 resolutions proposing the reform of this system. None of them has gotten anywhere, so we are still living with the present electoral system. I think it is possible for us to correct any inadequacies or to shore up any weaknesses, or eliminate them, not by unconstitutional means but by careful study and analysis of the options open to us.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the distinguished Senator from Kentucky.

Mr. COOPER. Perhaps the Senator has already discussed this problem, but if he has not I wish to direct attention to it. I shall be brief in my background remarks.

I think it is clear that article II of the Constitution and the 12th amendment, do not provide specific requirements of the electors as to the candidates for whom they should vote. Nevertheless, I believe that in the enactment of the 12th amendment it was made clear that they would vote separately for President and Vice President. However, the amendment did not provide that the electors must vote for that candidate for President or Vice President who received the majority vote in the State.

As the Senator pointed out in his remarks, the Supreme Court has upheld the constitutionality of a State statute which requires an elector to take a "loyalty oath" to vote for his party's nominee prior to his certification as an elector as not being contrary to the 12th amendment.

But none of these State statutes provide a remedy to enforce the elector's statutory requirement that he shall vote for the candidate for President or Vice President who receives the majority vote. The Supreme Court has avoided any determination of this issue. In fact, it has suggested in the Ray against Blair decision that such statutes are unenforceable.

As the Senator said, at the time of the Hayes-Tilden election Congress enacted the statutory provision providing for the method of counting the votes. As I read the statute, it simply provides that the votes shall be counted in both Houses of Congress but and I quote "the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been certified."

I now come to my question: Where do we find the authority, or what is the authority, which permits Congress to exclude the vote of this elector, or, to go further, not only exclude it but to reinstate it and count it for Mr. Nixon in this case? Where is that authority found?

Mr. MUSKIE. There are two possible places to look for the authority: The first is the Constitution itself, which may encompass greater authority for Congress in this respect than Congress has implemented with the statute of 1887. The statute of 1887 was an attempt on the part of Congress to codify its understanding of its authority because of the crisis which the Hayes-Tilden situation created for the country.

I think the 1887 statute was broader than was necessary to merely deal with the situation of the Hayes-Tilden matter. It was broader than that, and the words of the key phrase are "regularly given."

The certification by the State relates to the election of the electors. It is not to that point of certification whether the vote cast by the electors was "regularly given." If the phrase "regularly given" involves the vote, then somebody must be in a position to decide whether or not the vote was "regularly given."

The State has not done so in this instance. Indeed, if the votes were cast by secret ballot, there was no opportunity for the State to do so; and since the sealed ballots are to be opened this afternoon after 1 o'clock, there will hardly be an opportunity then for the State to do so. If the phrase "regularly given" is to be evaluated by somebody between 1 and 2 o'clock this afternoon, there is only one instrument for doing so: The Congress of the United States.

Mr. COOPER. The Senator has answered my question. It is his view that the language "regularly given" provides to Congress the authority to determine whether an elector is required to vote according to the majority vote of the State. Is that the argument?

Mr. MUSKIE. That is the argument.

Mr. COOPER. One other question; then I will close. This language is found in the statute, which, since the Hayes-Tilden election, has been amended as recently as 1941. In the statute providing for the electoral vote for the District of Columbia, Congress provided that "each person" elected as elector of President and Vice President, shall in the presence of the Board, take an oath or solemnly affirm that he will vote for the candidates of the party he has been nominated to represent and it shall be his duty to vote in such manner in the electoral college." This indicates the intent of Congress.

Would the Senator consider, then, that to arrive at the result he desires, and to arrive at it properly, that Congress could amend the statute to cover this situation in the future?

These are technical questions but I think we should consider them so as to find out what our powers are.

(At this point the President pro tempore resumed the chair.)

Mr. MUSKIE. We could consider a broadening of the statute of 1887. As a matter of fact, it is arguable that Congress has greater authority to deal with this question than may be found in the statute, because the Constitution in the 12th amendment, which is the pertinent language here, reads:

> The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all certificates and the votes shall then be counted;

Bear in mind that the certificates are sealed, and that until they are opened and the contents disclosed, no one—including Congress—is in a position to know the extent to which votes may have been irregularly given. If Congress is helpless to act at that point, no one else is in a position to act effectively.

Mr. President, in view of the fact that the Senator from Florida (Mr. HOLLAND) is on his feet to ask me questions, I may point out that not more than 25 minutes remain to me, and I have not yet made my presentation, after which I should like to open the discussion to questions, unless the Senator from Florida has a very pertinent question on this point.

Mr. HOLLAND. Mr. President, I would be very happy to be recognized when the distinguished Senator from Maine completes his main statement, if he will recognize me at that time.

Mr. MUSKIE. Very well.

Mr. President, let me try to simplify my presentation.

To minimize the use of the precedents in order to give the Senate the thrust of my argument, it is clear that the Constitutional Convention intended that presidential electors shall be free agents.

I do not believe that we should consider custom since that time, whatever it has been, as a repeal of an effective constitutional amendment for that purpose. In other words, my argument proceeds on the understanding that it was the intent of the constitutional convention that electors shall be free agents, entitled to express their individual preferences on the day they cast their ballot. But then I add this: free to exercise their individual preferences on that day, unless they, by their act, have previously limited the scope of their freedom.

Mr. President, when the Constitution was written, it did not envision political parties. But, almost immediately, political parties developed and political parties assumed the responsibility of putting together slates of electors committed to the presidential candidate of that party.

From the beginning, that action, and the action of the electors in accepting nomination to such slates, has been regarded as limiting the freedom of choice of the electors on the day designated officially to cast the ballots.

Without any interruption of historical development, that has been the case since the first and second elections. Indeed, the Jefferson-Burr controversy arose out of the fact that the Federal electors felt bound to cast their votes for the two persons nominated for President and Vice President; and because they felt they were bound, and because there was no constitutional provision for separating their votes for President and Vice President, the election was thrown into the House of Representatives.

So that controversy was the direct result of the fact that the electors felt bound and did not feel they were free, on the day officially designated to cast their votes, to depart from the commitment and responsibility which they had accepted.

Thus, we had the Jefferson-Burr controversy, and the 12th amendment was adopted in 1804. The 12th amendment was adopted on the assumption that electors in the future would also feel bound. The 12th amendment was adopted in order to avoid just those stalemates similarly arising.

Why did they arise? Because the electors felt bound.

The solution of the 12th amendment was to permit the electors to vote separately and to do that for President and Vice President; not to eliminate the practice of bound electors, but to act on the assumption that they would feel bound.

If Senators will read the debates in the Senate and House they will find expression after expression by Members of both Houses that the objective was to tie the results as closely as possible to the wishes of the people.

Since that time, there have been 16,510 presidential electors and only six, including this one, have been faithless to a commitment which they had made. Only six.

One of these was in the election of 1796, when a Federalist elector voted for Mr. Adams rather than Mr. Jefferson. One of his constituents, commenting upon that action, stated:

> Do I choose Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chose him to act, not to think.

The second faithless elector voted in the election in which Mr. Monroe received a unanimous vote of the electoral college, except for this one elector. He was faithless because, he said that no man should enjoy Washington's distinction of a unanimous vote. That was his only excuse.

During the Hayes-Tilden controversy, a Republican elector from New York was tempted to vote for Mr. Tilden, because Mr. Tilden had a majority of the vote, in order to avoid a crisis which would follow the throwing the election into the House and into a special presidential commission. What did he say about his right to do so? I think his exact words are pertinent here. This was in 1876:

> In my own judgment, I have no choice, and am honor bound to vote for Hayes, as the people who chose me expected me to do. They did not choose me because they had confidence in my judgment, but because they thought they knew what the judgment would be. If I had told them that I would vote for Tilden, they would never have nominated me. It is a plain question of trust.

Now, from that time until the 1948 election there were no faithless electors, and the tradition of being bound to their party slate became more and more firmly fixed in the tradition of the country, not as an amendment of the Constitution, but because their acceptance of a place on the party slate indicated their preference for President before the general election, before the electoral college met, under circumstances that entitled the electorate to rely upon that expression of preference. This is the whole point. We are not proposing to amend the Constitution.

Now the question arises, Is it unconstitutional for the elector to limit his freedom of choice on the day the electoral college meets? Well, we have a little guidance from the courts on this question, and they say it is. In an Alabama case they said it is. Let me read the language.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MUSKIE. I know the Senator from North Carolina would put a different interpretation on it, but since my time is running out, I will have to ask the Senator to use some of his time to give his interpretation.

In Ray against Blair, in addition to responsibilities making it possible for parties to bind their electors by pledge to the party's presidential candidate, the question arose whether or not that was constitutional, and the Court said this:

> Neither the language of Article II nor that of the Twelfth Amendment forbids a party to require of every candidate in its primary a pledge of political conformity with the aims of the party.

Now, if it is possible for the party to require that of a presidential elector, surely it is possible for the elector to bind himself, by whatever act, but especially when he accepts a place on the party's slate, especially, as in North Carolina, where his name does not appear on the ballot. There can be no clearer indication that what is involved is not whether or not the electorate trusts the judgment of the elector. His name is not on the ballot. His identity is not disclosed. How can there be any reliance upon the judgment of an elector? His name was eliminated from the ballot because the legislature of the State regarded the electoral college, in the light of the long traditions of the country, as the means of accepting his ministerial act to record the will of the voters.

Thirty-five States have such statutes. That has a bearing upon the precedent that Congress does or does not set today. Are we going to say to those 35 States that none of these electors are bound by accepting nomination of the party as presidential elector on slates where their names do not appear on the ballot?

I think some 17 or 18 other States provide for explicitly pledged electors. Two States make it possible for slates of explicitly unpledged electors to be elected. May I say to my colleagues that if such a slate were elected and were to meet on electoral college day, in my judgment, notwithstanding all of the history, those electors would be perfectly free to cast their vote in accordance with their individual preferences on that day.

But we are not talking about that date. We are talking about a case in which a North Carolina elector understood the tradition of 180 years, of being bound to one's party's candidate. He understood when he was nominated that he was being nominated as a Republican elector, and he did not object. He understood that he was elected as a Republican elector, and he did not refuse the election after election day. He chose to wait until electoral college day to let us know that he had changed his mind. Has he a right to do so?

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield to the distinguished Senator from Idaho.

Mr. CHURCH. In the excellent memorandum the Senator has provided for our instruction, I read that—

> Since the foundation of the Republic, 16,510 electors have been chose to perform this formal duty. Only six of these votes have been cast in derogation of that duty.

I wish to ask the Senator what action has previously been taken by the Congress in connection with other maverick electors.

Mr. MUSKIE. They have never been challenged.

Mr. CHURCH. This is the first time Congress has been called upon to act?

Mr. MUSKIE. Yes. In the case of the 1796 and 1820 electors who were faithless, I have given my colleagues a description of what was involved. It was not critical to the result, and apparently people took the same view of their abberation as others have since—that it was of no consequence and unimportant.

The thing that troubles me today is that, beginning in 1948 we began to have a different line of examples, of a clear intention to use this constitutional freedom, so-called, for the purpose of frustrating the will of the electorate.

In 1960 the proposition was circularized to Kennedy-and-Nixon-pledged electors that they withhold their votes so that they could exact a bargain from the presidential candidate to whom they would give their votes—a bargaining commitment presumably on substantive policy matters. That campaign failed, except that an elector from Oklahoma who was elected on a party slate shifted from Nixon to our late colleague Senator Byrd of Virginia.

In this election campaign there was quite a bit of open speculation that one of the presidential candidates was going to undertake to use supposed constitutional freedom of electors to control the election in the electoral college.

So we face this question now not as an isolated instance, but as a deliberate design on the part of people to frustrate the popular will. We have to decide, whether we like it or not, whether we are going to encourage those kinds of movements; whether, in the light of history and the development of the statutes and the circumstances of this case, electors have limited themselves to that kind of freedom of action on electoral college day.

In each instance the record of our country was free of any examples of these faithless electors from 1820 until 1948. Then we began to have the emergence of inconclusive examples, but as a part of a growing philosophy of a belief that, if properly organized and mobilized, the electoral college could become the instrument of people, outside the college, to frustrate the result of the people's vote on election day.

So we have an opportunity here to eliminate that weakness, not on the basis of some new theory, nor on the basis of electors for 180 years, including this one, putting themselves in a position of committing themselves about their vote on election day. I think we ought to speak. Really, either way, this debate should be useful. Congress could say that this kind of thing is possible. Congress, by the failure to exercise this challenge, would encourage this kind of thing, and then we would really have a constitutional problem, to which we should address ourselves without a moment's delay.

If Congress should sustain the objection, then, as long as we operate under this system, we will have eliminated, or at least reduced, the risk of frustrating the popular will to take place.

Mr. CHURCH. I thank the Senator.

Mr. MUSKIE. I think I would like to reserve whatever time I have left.

Mr. President, how much time do I have remaining?

The **PRESIDENT** pro tempore. The Senator has 9 minutes remaining.

Mr. MUSKIE. I would like to reserve my time, and then perhaps we could divide our time for answering questions.

Mr. ERVIN. Mr. President I would like to ask the Senator a question. The Senator has made what I construe to be an argument on the statute which North Carolina adopted in 1933. This statute provides that instead of printing the names of the many candidates for elector on the ballot, the names of the candidates for President and Vice President will be printed on it, and that each vote cast for the candidates of a particular party will be counted as votes cast for the electors of such party. This statute is now codified as section 163–209 of the General Statutes, and merely provides, in substance that—

> A vote for the candidates named on the ballot shall be a vote for the electors of the party by which those candidates were nominated and whose names have been filed with the secretary of state.

A discussion of the effect of this statute appears in the North Carolina Law Review, volume 11, 1932–33, at page 229. I invite the Senator's attention to this, because I know he does not wish to give an incorrect impression about the law of North Carolina.

> Neither the old law nor the new law, however, pledges the elector to cast a party vote, and legally, at least, the individual elector, as was intended by the framers, still has discretion to cast his vote for whomsoever he individually desires.

Mr. MUSKIE. I understand that the statute is not expressly binding.

The question we have before us is whether or not the North Carolina statute and the form of the North Carolina ballot add another circumstance which the elector, if he is an intelligent man, ought to have taken into consideration in offering himself for elector.

There was a Wallace slate in North Carolina. There was a candidate in his district. If he were that committed to Mr. Wallace, he could have sought election on the Wallace slate. He did not do so; and, without having had an opportunity to read the North Carolina Law Review or an occasion, really, to read the statute, I think that the voters of North Carolina have a right to assume that, when the only names that appear on the ballot are the names of the presidential candidates, their action in voting has a direct relationship to the result.

In this election campaign in Ohio, the question arose as to whether or not Mr. Wallace's electors could find a place on the Ohio ballot, notwithstanding the fact that he had not complied with the provisions of Ohio law with respect to filing, and notwithstanding the fact that his party did not hold a primary in Ohio.

The Supreme Court held that the names of his electors ought to be on the ballot, because otherwise the voters would not have an effective voice in the choice for President. That is what I call the "effective choice" doctrine.

We are talking about whether or not, if you can have this kind of faithless elector, those who wanted to vote for Mr. Nixon in North Carolina had an effective voice in the selection of a President of the United States, in the light of these circumstances, of which Mr. Bailey made himself a voluntary part.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The **PRESIDENT** pro tempore. The Senator will state it.

Mr. DIRKSEN. On whose time? I have yielded no time.

The **PRESIDENT** pro tempore. I understood the Senator from Maine to say he yielded to the Senator from North Carolina on the time of the Senator from North Carolina.

Mr. DIRKSEN. I have not yielded. The Senator from North Carolina has no time until I yield it.

The **PRESIDENT** pro tempore. The Senator from Illinois is correct.

Mr. DIRKSEN. And I have some requests for time.

Mr. MUSKIE. Mr. President, I reserve whatever time I have remaining, and I have no objection to taking out of my time the time that has already been used. I assume, with the usual graciousness of Senators to each other, that if it is imperative I say something further, I can obtain the time.

Mr. DIRKSEN. Mr. President, I yield whatever time it takes for one question.

Mr. MILLER. I thank the Senator.

The **PRESIDENT** pro tempore. Is the Senator yielding time to the Senator from Iowa?

Mr. DIRKSEN. Yes, for one question.

Mr. MILLER. I should like to ask the Senator from Maine, and if he wishes he may yield to the Senator from North Carolina for this purpose: What remedy do the people of North Carolina who feel aggrieved by this fraudulent casting of an electoral vote have within their own State? That is the question I should like to have answered. Are the people of North Carolina left without remedy, and they can only look to Congress now, or did they have a remedy which they could have used?

Mr. MUSKIE. To the best of my knowledge, there is no statutory remedy. Whether or not there is a remedy in the courts is a question that has been debated by legal scholars, without really resolving it. There is the question of whether or not what we are talking about is a political question, to which the courts will not address themselves, on the understanding that Congress has that responsibility. But that has not been settled in the courts, and we do not know.

The **PRESIDENT** pro tempore. The Senator is advised that the 1 minute yielded by the Senator from Illinois has expired.

Mr. DIRKSEN. I think we should hear the other side, and I yield 20 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I was much gratified when the Senator from Maine said that the elector in question, Dr. Bailey, was under no legal obligation to vote for the Republican candidates for President and Vice President.

This whole objection to Dr. Bailey's vote is based on the theory that Congress can take what was an ethical obligation and convert it into a constitutional obligation.

Under the Constitution of the United States, North Carolina has a right to cast 13 electoral votes. The duly elected electors cast those 13 electoral votes, 12 for the Republican nominees for the offices of President and Vice President, and one for Governor Wallace for President and General LeMay for Vice President.

This is a proposal to deny the State of North Carolina the right to cast all its electoral votes. I have received no complaints from North Carolina, concerning how Dr. Bailey cast his vote; but I have received this telegram from Dr. David R. Stroud, the chairman of the Republican Second Congressional District Committee. That is the district for which Dr. Bailey was serving as presidential elector.

It says:

> A majority of the Republican Executive Committee of the Second Congressional District of North Carolina has been polled, and reaffirmed their support of Dr. Lloyd W. Bailey, presidential elector, in performing his constitutional duty by his vote in the Electoral College.

North Carolina is not complaining about Dr. Bailey's vote, but North Carolina does complain, and I complain, of the effort to deprive the State of the right to have its 13 electoral votes counted as cast at the duly held meeting of the electors.

The Constitution is very plain on this subject.

The original constitutional provision on the subject of the election of the President and Vice President was article II, which read as follows so far as it is presently pertinent:

> The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.
>
> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

In the election of 1800 Thomas Jefferson was supposedly the candidate of the Democratic Party for President, and Aaron Burr was supposedly the candidate of the Democratic Party for Vice President. When the electoral votes were counted under article II, it was disclosed that they had received the highest number of votes and that the totals of their respective votes were exactly the same. So the election was thrown into the House under article II, and Jefferson was chosen President over Burr.

This event engendered much controversy, and resulted in a demand that the Constitution be amended so as to require the electors to vote separately for President and Vice President.

Pursuant to this demand, Congress and the States adopted the 12th amendment, which is now the supreme law of the land on this subject and which all Members of Congress are bound by oath or affirmation to support.

Here is what the 12th amendment provides:

> The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least shall not be an inhabitant of the same state with themselves; they shall name in their ballots the persons voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;

I digress to observe that the 12th amendment says that—

> The votes shall then be counted.

Not that they shall be rejected by the Congress.

I continue to read the 12th amendment:

> The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed.

Then comes the provision for election by the House in case nobody has a majority.

Then the same procedure for Vice President:

> The person having the greatest number of votes as Vice President, shall be the Vice President—

Provided he has a majority. Then the 12th amendment provides that in case no candidate for Vice President obtains a majority of the electoral votes, the Vice President shall be elected from the two receiving the highest number of votes by the Senate.

What is the truth about this? The man who helped to draw the original article II, Alexander Hamilton, stated in as plain words as can be found in the English language, in Federalist No. 68, that presidential electors had the power under the Constitution to elect as President and Vice President the persons they thought best qualified for the two highest offices in the Nation.

In those days there were no rapid methods of communication or transportation—no radio, no television, and very little newspaper circulation. There were no railroads or airplanes. People traveled by horseback or stagecoach or boat.

So Alexander Hamilton says that this language was used in order to enable the voters to select a small group of sufficient intelligence and information to make a selection for President and Vice President for them.

Let us see what the latest book on this subject has to say on this point. I refer to Neal R. Peirce's "The People President." I may add that the book was written by a great researcher and scholar, who advocates a constitutional amendment which would abolish our present system of choosing the President and the Vice President. Here is what Mr. Peirce says at 121:

> In 1826, Thomas Hart Benton, of Missouri—

Incidentally, he was a native of North Carolina—

> said that the Founding Fathers had intended electors to be men of superior discernment, virtue, and information, who would select the President according to their own will and without reference to the immediate wishes of the people.

The case from Alabama, *Ray* v. *Blair* (343 U.S. 214), does not hold that Congress has a right to control the vote of an elector. It merely holds that a political party in Alabama—the Democratic Party—acting under authority conferred upon it by the legislature of Alabama, could exclude as a candidate for presidential elector in its party primary, any man who refused to take a pledge to support the nominees of the party for President and Vice President. That is all the case holds. Justice Reed, who wrote the opinion for the majority, conceded, in effect, that the Court could not enforce that decision in case a man made the pledge but did not keep it after being chosen elector.

I invite the attention of the Senate to what Justice Reed says on page 230.

That part of the opinion of Judge Reed, on page 230, holds that a political party, if permitted by State statute, can exclude a person who wants to run in its primary as a candidate for its elector if he refuses to take the pledge. That is all the case holds.

Let us see what one of the greatest men ever to adorn the Supreme Court declared in the same case. Justice Jackson, in a dissenting opinion in 343 U.S. 232, said:

> No one faithful to our history—

I read those words again:

> No one faithful to our history can deny that the plan originally contemplated, what is implicit in its text, that electors would be free agents to exercise an independent and nonpartisan judgment as to the men best qualified for the Nation's highest offices.

Certainly under that plan no State could control the elector in the performance of his Federal duty, any more than it could a U.S. Senator, who also is chosen by and represents a State.

Let me read another statement on this point—it is an admission to the same effect made in the Muskie-O'Hara memorandum, page 1:

> The office of presidential elector was undeniably visualized by Article II, Section 1 of the Constitution as being one of judgment and independence. The Founding Fathers clearly intended that electors should be chosen for their good judgment and discernment of public men and issues, and that they should elect a President in fact as well as in form.

There has been no change on that point in the Constitution. The only change of article II, section 1, has been made by the 12th amendment, which provides that instead of the man receiving the highest vote becoming President and the man receiving the second highest vote becoming Vice President, the electors shall vote separate ballots, one for President and the other for Vice President. That is the only real change that is made.

The Senator from Maine argues for a new theory for changing or amending the Constitution.

Article V of the Constitution provides that the Constitution may be changed in only one way, and that is by the concurrent action of two-thirds of both Houses of Congress and that of three-fourths of the States. This whole case rests upon two premises, both without foundation: The first is that Congress can take an ethical obligation and convert it into a constitutional obligation. That is ridiculous.

Mr. MUSKIE. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. MUSKIE. I have not made that point. I have simply not made that point.

Mr. ERVIN. I am glad to hear the Senator say that.

Mr. MUSKIE. I have not made it in that way.

Mr. ERVIN. The point the Senator makes is that because political parties have developed and because men ordinarily pledge themselves to vote for particular candidates for President and Vice President when they seek appointment to the office of elector, in some way the words of the Constitution, which make it plain that an elector is constitutionally a free agent, have been altered.

Mr. MUSKIE. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield.

Mr. MUSKIE. So long as the Senator is presuming to state my argument, I think I ought to interject long enough to state it in my own words.

What I am saying has nothing to do with a constitutional interpretation or a constitutional revision or amendment. What I am saying is that a presidential elector under the Constitution is a free agent, entitled to express his individual preferences on electoral college day; but that if prior to electoral college day he expresses his preference in a way which makes people justified in relying on what he himself says or the actions he takes, he himself limits the freedom which the Constitution gives him.

Mr. ERVIN. The Senator from Maine says, as I construe his meaning, that an elector is still a free agent; but that if he undertakes to act as a free agent when he casts his vote, he can be denied the right to vote. That is the proposition stated by the Senator from Maine.

Mr. MUSKIE. I would not expect a lawyer to convert my argument into that kind of language. There is such a thing as putting one's self in a position in which people rely on what he says and upon what he has done.

The Senator from North Carolina says that electors should be free of any consequences of their own action. I am saying that when they make it possible for other people to rely on what they say or do, they ought in some way be bound by their own actions.

Mr. ERVIN. The difference between what the Senator from Maine says in his own words and what I am saying in interpreting them is not as great as that between Tweedledum and Tweedledee.

Senator Benton said in 1826, 22 years after the 12th amendment was adopted, that the elector "may give or sell his vote to the adverse candidate, in violation of all the pledges that have been taken of him. The crime is easily committed, for he votes by ballot; detection difficult, because he does not sign it; prevention is impossible, for he cannot be coerced; the injury irreparable, for the vote cannot be vacated; legal punishment is unknown and would be inadequate."

In other words, Senator Benton said that, if a man has no ethical standards and feels no moral obligation, he can cast his electoral vote as he pleases, regardless of any pledges that may have been made by him.

The idea—which the Senator says he does not entertain—that the Constitution can be changed by a practice inconsistent with the words of the Constitution or by the lapse of time is emphatically rejected in the Alabama case of Ray against Blair, by Justice Jackson. On page 233 of his dissenting opinion in that case, Justice Jackson stated:

> But I do not think powers or discretions granted to federal officials by the federal Constitution can be forfeited by the court for disuse. A political practice which has its origin in custom must rely upon custom for its sanctions.

Here the proposal is that, instead of relying on customs for sanctions, we shall rely upon positive action by the Senate and the House of Representatives, both of which are forbidden to interfere with these matters by the act of 1887, except in very restricted cases.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. BAYH. I should like to return to what the Senator from Maine said, inasmuch as he agrees with the general definition of the power of the elector, but his argument is based on acts taken by the electors which of themselves proscribe the freedom that the elector has.

Inasmuch as the Senator from North Carolina has been so free in quoting Thomas Hart Benton, I think we should look to what Thomas Hart Benton said in connection with the degree to which the electors by precedent had limited themselves. In 1826, Thomas Hart Benton said that the electors have degenerated into mere agents in a case which requires no agency and where the agent must be useless if he is faithful and dangerous if he is not.

Mr. ERVIN. Yes, he said that; and in the same document he said this:

> The Founding Fathers had intended electors to be men of "superior discernment, virtue and information," who would select the President "according to their own will" and without reference to the immediate wishes of the people.

The practice alluded to by Senator Benton has not changed the words of the 12th amendment.

Let me cite what the author of a recent treatise on constitutional law, Bernard Swartz, a scholar of liberal views, has to say on this subject in volume 2 of his book entitled "Powers of the President." On page 8, he declares that—

> The independence of electors still continues as a matter of constitutional law—regardless of the rarity with which it may, in fact, be asserted.

On page 9, he asserts:

> So long as article II and the twelfth amendment remain unchanged, a law cannot make a legal obligation out of what has become a voluntary general practice.

Also in this book, written by Neil R. Peirce, entitled "The People's President," on page 122 appears the statement I read, which Thomas Hart Benton made at the same time, that a man was not bound by any pledges. The author says:

> Since Benton's day, some efforts have been made to restrict the elector's independence—but his basic point still holds.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. ERVIN. I ask for 15 additional minutes.

Mr. DIRKSEN. I yield 5 minutes to the Senator.

The PRESIDENT pro tempore. The Senator is allowed 5 additional minutes.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I have only 5 minutes.

Mr. YARBOROUGH. I shall be brief. Is there any statute in North Carolina that binds the electors to vote for the nominee of the party on whose ballot they are listed?

Mr. ERVIN. There is not.

In 1933, there was great confusion in balloting because we had 13 electoral votes. The State had to print 26 names on every ballot, 13 candidates for electors for each of the two major parties and 13 more names for each third party having candidates. To avoid confusion, the legislature passed a statute which provided for the printing of the names of the candidates for President and Vice President on the ballot and that votes cast for them would be counted as votes for the electors of the parties of those candidates.

The North Carolina Law Review, in interpreting that statute, said this:

> Neither the old law nor the new law, however, pledges the elector to cast a party vote, and legally, at least, the individual elector, as was intended by the framers, still has discretion to cast his vote for whomsoever he individually desires.

Consequently, Dr. Bailey was not bound to vote a party ticket.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ERVIN. I do not yield. I do not have any time.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. DIRKSEN. I yield the Senator from North Carolina 10 additional minutes.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ERVIN. Not at this moment. I take this course simply because the time at my disposal is less than the time I need to state my position.

The press of North Carolina announced, before the electoral college met, that Lloyd W. Bailey made a statement in which he pointed out why he was going to vote for Wallace. He said he was against Johnson, and he decided that Mr. Nixon, on account of certain appointments he had made, would carry on the same policies as Mr. Johnson. Dr. Bailey said this:

> I realize that it is perhaps unusual for an Elector not to vote for his party's nominee, but as an Elector it is my duty to place loyalty to my country before loyalty to my political party.

He pointed out that in his district 46$\frac{1}{10}$ percent of the voters voted for Wallace, and that he voted in accordance with the wishes of the majority of his constituents.

Mr. President, I ask unanimous consent that the statement of Dr. Bailey be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ROCKY MOUNT, N.C.
December 16, 1968.

As the Republican Elector for the Second Congressional District of North Carolina, unpledged, I have had a very difficult decision to make. Having no interest in politics other than that of a concerned American citizen who believes that our Constitution is the greatest political document yet conceived by man, I certainly find that my position as an Elector is one which cannot be assumed as a mere formality. I realize that it is perhaps unusual for an Elector not to vote for his party's nominee, but as an Elector it is my duty to place loyalty to my country before loyalty to my political party. According to the Federalist Papers, the framers of our Constitution intended that Electors be free to elect even a man who had not been running for office instead of the nominee of the popular vote if evidence indicated that it would be in the national interest.

Mr. Nixon has a mandate to change the course of our Government as evidenced by the combined Nixon and Wallace vote against the present policies of the Johnson Administration. He has already clearly shown to us that we are going to have more of the same thing. Some of the men who have been appointed to high positions on his personal staff are members of the un-American and infamous Council on Foreign Relations. They include Paul W. McCracken, Henry Cabot Lodge, Robert Murphy, and Henry A. Kissinger. This organization, called the Invisible Government by Dan Smoot in his book by this title, is one which seeks to undermine our national sovereignty and merge us with other nations under a world government, perhaps like the United Nations. The goals of the Council on Foreign Relations appear to be uncomfortably close to the goals of the International Communist Conspiracy. Since the 1950's, men who are members of this internationalist organization have managed to have themselves appointed to the highest policy-making positions in our Government, regardless of which party was in office. Strangely, this makes it appear that the same men are running both parties. I strongly recommend that every concerned American read this book, The Invisible Government, for it shows beyond any doubt that our country has been guided by these appointed officials rather than by our elected representatives. It is apparent that we are going to have the same men running our Government in spite of the large vote against their policies. Daniel Moynihan, a national board member of the Americans for Democratic Action, a left-wing Democrat, is another appointee to a high position and it is abundantly clear from his record that he would not want to make any change toward Americanism and constitutional government for our Republic. I sincerely doubt that Mr. Nixon will find any support among his voters for this appointment. The response of the people toward a permanent surtax is already being investigated by the Nixon Administration. Mr. Nixon has endorsed the no-win Johnson foreign policy for Vietnam, and this includes the United States Government supplying more than 80% of the materials for the enemy to use against our own men. He has also asked Earl Warren to remain as Chief Justice of the United States Supreme Court until June. This is unthinkable!

The Electoral College is under fire as being antiquated. However, I wonder how many people stop to think of the fact that if it were not for the Electoral College, the Federal Government would run the elections and would be responsible for counting the votes. Under the present system the state governments manage the elections. Can you imagine how it would be if President Lyndon Johnson were running for re-election and counting his own votes? In our system of government the minority view is supposed to be respected and represented. The Electoral College is one part of the system of checks and balances which guarantees that the minority voice can be heard. Yet, strangely, the very ones who claim to represent minorities are the ones who are seeking to abolish the Electoral College.

In view of these facts, and in view of the fact that Mr. Wallace polled 46.1% of the vote in my district, I find that I cannot support Mr. Nixon until he gives definite evidence that he intends to make the changes which the people are demanding. I do not intend this as an attack upon Mr. Nixon personally, and I sincerely hope that he will lead us up from the depths to which our Republic has descended. Though it may not be the popular thing to do, I humbly take this position with the firm belief that it is my moral obligation to do so.

LLOYD W. BAILEY,
Republican Elector, Second Congressional District of North Carolina.

Mr. ERVIN. I do not defend Dr. Bailey's position. If I had been in his place, I would have felt morally bound, according to the standard of ethics which I happen to entertain, to cast my ballot for the nominees of the party which had chosen me elector. But that is not the question. The question is whether we can throw Dr. Bailey's vote away because he has not done so.

This is one of the rare occasions on which the Washington Post and the New York Times agree with me. When the Washington Post and the New York Times agree with me, I must be right.

Mr. President, I ask unanimous consent to have an editorial published in the New York Times and an editorial published in the Washington Post printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 6, 1969]

ELECTORAL CHALLENGE

Representative James G. O'Hara and Senator Edward Muskie—acting with Republican as well as Democratic support—plan to make an important challenge when Congress counts the electoral votes today. Viewed technically, their action may perhaps be seen as an effort to correct one wrong by committing another. It is, in a large sense however, a challenge to the nation to get on with the business of electoral reform.

The two Democrats plan to challenge the electoral vote cast in North Carolina by Dr. Lloyd W. Bailey, who was elected on a slate of electors committed to Richard Nixon, then became disenchanted with Mr. Nixon's initial appointments and switched to vote for George C. Wallace. Dr. Bailey chose to exercise the discretion that the Constitution gives Presidential electors. Yet he was wrong in the sense that his action violated party pledges and disfranchised those who voted for him.

Representative O'Hara and Senator Muskie will doubtless make this argument in their challenge. Congress is empowered to count electoral votes, and the power to count implies the power not to count. In the elections of 1820 and 1832 several electoral ballots were rejected by Congress on technical grounds. In 1880 the ballots of Georgia's electors were not counted because they had been cast on the wrong day. In 1872 Horace Greeley, the Democratic nominee, died after the popular voting but before the Electoral College convened, and Congress refused to count electoral ballots cast for him on the ground they had been cast for a deceased candidate. A Congressional commission set up after the disputed Hayes-Tilden election chose between several competing slates of electors.

All of this gives some precedent to the move expected today. Never before, however, has Congress refused to count the ballot of an elector who simply disregarded his pledge and voted his personal whim. This electoral discretion, enshrined in the Constitution, has formed the basis of unpledged elector and third-party movements. The two challengers would like to deny third-party candidates the leverage that Wallace planned to exercise by promising his electoral votes, in case of a deadlock, to whichever major candidate agreed to adopt certain of his policies.

The challenge itself raises constitutional issues. Certainly any attempt to give the defecting elector's ballot to Mr. Nixon, as Representative O'Hara and Senator Muskie have indicated they plan, would raise grave doubts. Who would cast this ballot? How?

In the sense that the challenge runs contrary to the Constitution, it too can be considered wrong. While two wrongs of this sort cannot make a right, the challenge nonetheless should serve to alert the nation once again to the dangers inherent in the present Electoral College system for choosing Presidents and Vice Presidents. And, by their own admission, this is the challengers' main purpose. Their action should remind a nation, which still seems to need reminding, that fundamental electoral reform is long overdue.

[From the Washington (D.C.) Post, Jan. 4, 1969]

MOMENTOUS ELECTORAL CHALLENGE

Sen. Edmund S. Muskie and Rep. James G. O'Hara are rendering a national service by challenging the vote of an unfaithful elector from North Carolina. That elector, Dr. Lloyd W. Bailey, was chosen as a Republican on the assumption that he would cast his vote for Richard Nixon, but he has cast it in fact for George Wallace. Messrs. Muskie and O'-Hara will ask the Senate and House, when the electoral votes are counted on Monday, to "vacate" the Wallace vote and to count all the electoral votes from North Carolina for Mr. Nixon.

Justice, common sense and democratic principle run strongly in the direction that Sen. Muskie and Rep. O'Hara have taken. Regardless of what the Constitution says, the people have come to expect presidential electors to vote for the candidate to whom they are pledged, whether by law, party rules or custom. The casting of an electoral vote in defiance of such obligation is indeed a betrayal of trust which should not be tolerated.

It is a very different question, however, as to whether Congress has a right to alter such a vote for the purpose of thwarting the betrayal and making the will of the people prevail in the so-called electoral college. One has to start with the fact that the Founding Fathers did originally intend that the electors should use their judgment in the selection of the President, and the system has not been changed by constitutional amendment. Usage has changed it so that the electors customarily function as mere agents to carry out the will of the majority within their state. In six instances, however, electors have voted in defiance of their instructions and no means has been found to date to prevent them from doing so.

Messrs. Muskie and O'Hara now think that the Electoral Count Law of 1887 can be used for this purpose. That measure permits one Senator and one Representative to challenge electoral votes as they are counted. Since Dr. Bailey's vote will be challenged in both houses, the two bodies will have to decide whether, under the law, it has been "regularly given" by an elector "whose appointment has been lawfully certified."

In support of their argument the two congressional leaders note that North Carolina law provides for the nomination of elector candidates by party convention and deems them to have been appointed to represent the state in the electoral process if the presidential nominees of the same party receive a plurality of the votes cast for President and Vice President. But this would seem to mean that Dr. Bailey was undoubtedly elected in North Carolina. The only question at issue is whether Congress can force him to vote as the people who elected him thought he would.

There is little indication that Congress had any such intent in passing the 1887 act. Rather, its intent seemed to run in the other direction—to prevent Congress from setting aside any vote regularly given by an elector certified by the state. This act was the congressional response to the Hayes-Tilden scandal of 1876. Congress had disposed of that contest by setting up a congressional commission which gave all the disputed votes to Hayes, and Congress in 1887 wanted to make sure that this would never happen again. The law which Messrs. Muskie and O'Hara are trying to use was primarily intended to keep future disputes over electoral votes within the states. There is nothing in the history of the act that suggests any intent to let Congress change a vote by an elector because he had disregarded his supporters' wishes.

We think it is highly desirable, nevertheless, to test the issue. If Congress should decide that it can throw out electoral votes or recast them so as to conform to the majority wishes within a state, the consequences would be far-reaching. It would mean, for example, that the tactic which George Wallace has intended to use, of shifting electoral votes for him to another candidate who might lack an electoral majority, thus preventing a choice of the President by the House of Representatives, would no longer be available to third-party aspirants.

The sponsors of this "unfaithful-elector" challenge, however, make no pretense that acceptance of their view by Congress would eliminate the need for more basic reforms in the electoral system by constitutional amendment. Whatever the outcome, the need for a new electoral system is likely to be accentuated. For even if Congress asserted the right to overrule an unfaithful elector this time, it might not choose to do so in the future. A new system completely eliminating electors who may thwart the will of the people is the really urgent need.

Mr. ERVIN. We have heard about the times presidential electors have repudiated their pledges to their party's nominees. I wish every Member of the Senate could read this book, "The People's President," the latest publication on this subject, by a man who advocates an amendment to change the system for electing Presidents and Vice Presidents. He points out that in 1792 six Virginia electors shifted their votes from Adams to Clinton; that in 1796 a Pennsylvania Federalist elector voted for Jefferson; that in the same year former Senator William Plumer, of New Hampshire, cast his vote for Adams rather than for Monroe to whom he was pledged; that in 1824, North Carolina's 15 presidential electors went back on their pledge; and that in 1824, seven New York electors pledged to Clay went back on their pledges.

The book reveals that there have been several other incidents of this character in recent years and that in all of these cases the electoral votes as cast were counted.

I wish to read another statement from this same book showing first what the Court decided in the Alabama case. It did not decide that a State or a political party or any other power on earth could control the actual casting of an elector's vote:

> Even if a loyalty pledge were unenforceable, the Court said it would not follow that a party pledge as a requisite for running in a primary was unconstitutional, since any person not wishing to take the oath could run independently of party.

Incidentally, the Court did not decide anything except that a person could be excluded from running for elector in a party primary if he refused to pledge himself to support the party's nominees when a State statute authorized the party to require him to make such pledge.

This interpretation is rightly put upon *Ray* v. *Blair* (343 U.S. 214) by Mr. Peirce on page 126 of his book entitled the "People's President." I read what he says:

> But the Court did not rule on the constitutionality of state laws that require electors to vote for their party's candidates, or indicate whether elector pledges, even if given, could be enforced. The preponderance of legal opinion seems to be that statutes binding

> electors, or pledges that they may give, are unenforceable. "If an elector chooses to incur party and community wrath by violating his trust and voting for some one other than his party's candidate, it is doubtful if there is any practical remedy," in the view of James C. Kirby, Jr., an expert on electoral college law. Once the elector is appointed, Kirby points out, "he is to vote. Legal proceedings which extended beyond the date when the electors must meet and vote would be of no avail. If mandamus were issued and he disobeyed the order, no one could change his vote or cast it differently. If he were enjoined from voting for anyone else, he could still abstain and deprive the candidate of his electoral vote."

Mr. President, I wish to raise one additional point. The Senate is forbidden by the very statute under which this objection is filed to reject Dr. Bailey's vote. If I construe the argument of the distinguished Senator from Maine right, the word "regularly" as used in title 3, section 15, can be made to mean anything. I challenge that interpretation. The statute speaks of votes being regularly given by an elector. By this it means simply that that vote must be given or cast in the manner prescribed by the Constitution. Section 8 of title 3, which is a part of the statute invoked by the Senator from Maine, provides:

> Manner of voting: The elector shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

I would like to point out that these electors met on the day fixed by the Constitution; they voted two ballots as required by the Constitution, one for President and one for Vice President. Dr. Bailey voted for George Wallace for President and on a separate ballot voted for Gen. Curtis LeMay for Vice President. He has cast his vote regularly in the manner provided by the Constitution. This very statute so provides. I invite the attention of Senators to its language because it puts an end to this objection if the Senate is going to abide by the law which the Senate and the House of Representatives passed and which the President signed.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from North Carolina is recognized for an additional 2 minutes.

Mr. ERVIN. Mr. President, section 15 of title 3 of the United States Code provides:

> No electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. ERVIN. No, I have only a few minutes remaining.

Mr. BAYH. It might be wise to read the rest of it.

Mr. ERVIN. The rest of it has nothing to do with this.

Mr. BAYH. With all due respect I think it is the critical question.

Mr. ERVIN. It has nothing to do with it. I have read the critical clause. The three conditions of the clause which forbids the Congress to reject Dr. Bailey's vote exist.

First. His vote was regularly given in the manner prescribed by the Constitution.

Second. More than 6 days before the meeting of the electors the executive of North Carolina, Gov. Dan K. Moore, certified as required by section 6 of title 3 of the United States Code that Dr. Bailey and his fellow electors had been duly appointed in accordance with the laws of North Carolina.

Third. The return of their votes made by Dr. Bailey and his fellow electors was the only return received.

In other words, Dr. Bailey's vote was cast in the manner provided by the Constitution. That is, regularly. It was cast by one certified to be a duly chosen elector for the State, by Governor Moore, the Governor of North Carolina, then it was reported to Congress in the only return received. Hence, under this act, Congress cannot reject Dr. Bailey's vote without violating both the Constitution and the statute—Title 3, section 15—implementing it.

Mr. President, I ask unanimous consent to have printed in the RECORD the certificate of Gov. Dan K. Moore.

There being no objection, the certificate was ordered to be printed in the RECORD, as follows:

CERTIFICATE

To the Administrator of General Services:

The undersigned, Dan K. Moore, Governor of North Carolina, hereby certifies, as required by United States Code, Title 3, Sections 6, 9, and 11, that the following named persons, electors for the Republican Party, were ascertained to be duly elected as Presidential Electors for the State of North Carolina, and that by the canvass and ascertainment under the laws of the State of North Carolina each of said persons hereinafter listed received six hundred twenty-seven thousand, one hundred ninety-two (627,192) votes, which vote has been duly ascertained by the State Board of Elections of the State of North Carolina and certified by said Board to the Secretary of State of North Carolina, and duly certified by the Secretary of State of North Carolina to the undersigned, in conformity with the laws of said State:

ELECTOR AND CONGRESSIONAL DISTRICT

A. W. (Billy) Houtz, First.
Dr. Lloyd Bailey, Second.
Sam E. Godwin, Third.
Russell N. Barringer, Sr., Fourth.
H. F. Stanley, Fifth.
James Rodgers, Sixth.
J. T. Clemons, Seventh.
W. S. Bogle, Eighth.
R. Powell Majors, Ninth.
Edward H. Smith, Tenth.
R. Curtis Ratcliff, Eleventh.

Electors at large

H. J. Liverman.
Mrs. Dorothy Presser Furr.

And each of the following named persons, electors for the American Party, received four hundred ninety-six thousand, one hundred eighty-eight (496,188) votes, which vote has been duly ascertained by the State Board of Elections of the State of North Carolina and certified by said Board to the Secretary of State of North Carolina, and duly certified by the Secretary of State of North Carolina to the undersigned, in conformity with the laws of said State:

ELECTOR AND CONGRESSIONAL DISTRICT

Byrd Hinshaw, First.
James Atwood Holmes, Second.
Dr. Donnie H. Jones, Jr., Third.
Brandon Bruner York, Fourth.
Bob Cook Miller, Fifth.
William E. DeLotch, Sixth.
J. Cardon Meshaw, Seventh.
Mrs. George C. P. Gilliam, Eighth.
Lowell C. Terry, Jr., Ninth.
Charles Boyce Falls, Tenth.
Dr. Henry T. Gunter, Eleventh.

Electors at Large

Charles R. Vance, Jr.
Jefferson Gordon Dildy.

And each of the following named persons, electors for the Democratic Party, received four hundred sixty-four thousand, one hundred thirteen (464,113) votes, which vote has been duly ascertained by the State Board of Elections of the State of North Carolina and certified by said Board to the Secretary of State of North Carolina, and duly certified by the Secretary of State of North Carolina to the undersigned, in conformity with the laws of said State:

ELECTORS AND CONGRESSIONAL DISTRICTS

Miss Ann Reid, First.
H. Maynard Hicks, Second.
Mrs. J. V. Whitfield, Third.
Brooks W. Poole, Fourth.
R. J. Harris, Fifth.
William C. Stokes, Sixth.
Robert M. Kerman, Seventh.
Hugh A. Lee, Eighth.
Gordon Rhodes, Ninth.
James A. Dugger, Tenth.
Frank Watson, Eleventh.

Electors at Large

James T. Hedrick.
Jonathan H. Woody.

In witness whereof, the undersigned, Dan K. Moore, Governor of North Carolina, has hereunto set his hand and caused to be affixed the Great Seal of the State of North Carolina, on this the 2nd day of December, 1968.

DAN MOORE,
Governor.

Mr. ERVIN. Mr. President, I do not agree with the ethics of the elector, but I think it would be more unethical for Congress to usurp power it does not possess under the statute under which it is acting. And even more unethical for Congress to usurp power denied it by the 12th amendment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired. Who yields time?

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding. I hope the Senator from Maine will follow my remarks. First, I commend him. I think it is a good thing that this question has been raised, but I think the fact that it is being raised simply points out the need for constitutional amendment. Whether it be by constitutional amendment favored by the Senator from Indiana, or the one favored by the Senator from North Carolina and myself, or the one favored by the Senator from South Dakota is beside the question.

The Senator from Maine has made it very clear that we need to change this provision in our Constitution. Briefly, he admits that under the Constitution the electors are free agents. I note that the Senator shakes his head in affirmation of that point.

Mr. MUSKIE. May I say——

Mr. HOLLAND. I have only 5 minutes.

The Senator admits that six times heretofore, Congress, by canvassing and accepting votes cast in the same way that Dr. Bailey's votes were cast, has set a precedent for recognizing the fact that such votes can be cast, and the only difference between those situations and this situation is that this is the first time a direct proposal has been made against the receipt of the votes.

Mr. MUSKIE. May I say on my time——

Mr. HOLLAND. Not right now. I wish to finish my statement. The Senator did not yield to me. If the Senator will permit me to finish my remarks I will be glad to yield to him on his time.

Mr. President, the third matter I call attention to is the fact that while perhaps every Senator at one time or another has been complaining about Supreme Court encroachment on the Constitution and its making new law by judicial fiat, we are now being asked to do the very same thing by the procedure involved in this motion.

The next thing I wish to mention is that by one statement he made the Senator made it clear, or at least clear to me, that such a precedent as he proposes to set up affects only this one vote this time. He referred to the fact that one of the candidates for President this year made repeated statements indicating that he proposed to use his electoral votes in such a way as to avoid the election being thrown into the House of Representatives. Of course, that is a fact. We all heard Governor Wallace make that statement many times.

I am calling attention to the fact that the logical meaning of our establishing this precedent would mean that if a third-party candidate succeeded in getting enough votes to throw the election either way, because neither of the other two candidates received sufficient votes to have a majority of the electoral votes, and attempted to do so by asking his electors to vote one way or the other, the same procedure we are asked to approve here would apply and then Congress could throw this matter into the House of Representatives for the election of the President by simply vitiating votes cast by electors for the third-party candidate who instead voted for one of the candidates of the major parties.

I do not believe there is any doubt about it. I hope the Senator will think it through. That is exactly what is being proposed, because if this is good as to one elector, it is good as to more than one elector. What he is doing, in effect, here, is trying to set a precedent which, in effect, will draw the teeth of any third-party movement insofar as trading electoral votes prior to the action of the electoral college is concerned.

Mr. President, so far as the Senator from Florida is concerned, he agrees completely that we have need for change. He himself has suggested something comparable to the Lodge-Gossett amendment during the past several Congresses. I have already prepared an amendment which I hope to submit on the first day bills are submitted.

But, I do not favor setting a precedent as dangerous as this. I do not want to favor doing something which I regard as unconstitutional.

The ACTING PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. HOLLAND. I thank the Chair for ruling. I thank the Senator from Illinois (Mr. Dirksen) for yielding to me.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. ALLEN. Mr. President——

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Alabama.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized for 10 minutes.

Mr. ALLEN. Mr. President, I thank the Senator from Illinois.

Mr. President, I rise with some degree of hesitancy to take the floor of the Senate so soon after having been sworn in on last Friday, because I subscribe to the policy and the custom which provides that a new Senator shall work hard, shall study long, and that while he may frequently be seen—and he should be seen at his desk and in committee sessions—he should seldom be heard on the floor of the Senate.

However, the name of a former Governor of my State, whom I greatly admire and who made a gallant race for the Presidency, receiving some 10 million votes without any machine, without any local ticket, and without adequate funds, has been raised on this floor.

Let me hasten to say, Mr. President, that whether Governor Wallace receives 45 or 46 electoral votes in the electoral college and in the canvass by the joint Houses, that will be of small consequence.

The question is the same, no matter who is losing the vote: I would be just as strongly against the objection that is to be filed if an effort were being made to take the vote away from the distinguished Vice President of this country and the distinguished junior Senator from Maine.

A great constitutional question, however, is involved. I agree with the distinguished junior Senator from Maine on one point, and on one point only, and that is that the matter under discussion and any other matter under discussion in the Senate should be subjected to lengthy debate. For that reason, I was glad when the junior Senator from Maine suggested that this informal session of the Senate be held so that arguments could be made that would not be limited by the 2-hour rule which will prevail this afternoon. I hope that the distinguished junior Senator from Maine will adopt the same view later in the session when, possibly, efforts will be made to limit the time for debate rather than to extend the time for debate, which he now stands for.

Mr. President, if there was ever a case of tilting at windmills, that is what we have in this objection which is to be filed this afternoon.

This is the wrong forum to consider this question. If a constitutional question is involved, it should be considered by the Supreme Court. I do not like the thought of the Senate's taking over the job of the Supreme Court. I do not like the idea of it interpreting the Constitution. I want to see Congress legislate; I want to see the Supreme Court not legislate but interpret.

I might say in passing that I believe I would come nearer resting a constitutional question—if that were permitted—in the hands of the Senate rather than in the hands of the Supreme Court as presently constituted. But that is not what the Constitution provides.

Thus, we are in the wrong forum. An effort is being made to amend the Constitution by usage and by custom.

Shorn of the legal technicalities and the legal verbiage involved, that is exactly what the junior Senator from Maine is trying to do.

Many points have been made that I had in mind making in my brief remarks. One suggestion, I believe, has not been covered. The junior Senator from Maine would seek to make robots of electors—rubber stamps who have no discretion of their own.

Mr. President, I should like to ask two questions of the junior Senator from Maine and hope that he will answer them during his rebuttal time.

Question No. 1. Suppose there is a great change in the President-elect or the person who receives the greatest number of votes, apparently, in the general election between the day of the general election and the time the electoral college meets, and it is found that the assumed President-elect is a crook, an embezzler, a disloyal American citizen, a Communist, if you will, Mr. President—would the junior Senator from Maine contend that the electors would have to go ahead and vote for such a man for President of the United States?

Question No. 2. In 1872, Horace Greeley was the nominee of the Democratic Party for the office of President. He was alive on election day but he died on November 29, 1872, before the electoral college met. Had Horace Greeley been successful in the general election of 1872 and apparently been elected President of the United States, would the Senator from Maine contend that when the electoral college met, the electors pledged to Mr. Greeley, on account of the fact that they were electors of a party, would have to vote for a dead man for the office of President of the United States?

Certainly the electors have discretion. They have discretion to act as free agents and any effort to change that rule by the House or Senate certainly would violate the constitutional provisions with regard to electors.

Mr. President, I hope that we will go ahead and canvass the returns of the electoral votes of the various States this afternoon. Mr. Nixon will be declared to be the President of the United States, and Mr. Agnew will be declared to be Vice President of the United States.

I hope that if an objection is made—if, in fact, it is to be made, and I hope it will not be made, I hope that we will cease tilting at windmills—the Senate this afternoon will promptly reject that objection.

Certainly the attitude of the distinguished Senator from North Carolina should be persuasive in this matter. He does not want to see the electors of the sovereign State of North Carolina and the people of North Carolina deprived of the number of electoral votes to which the State of North Carolina is entitled. And that is what the effort of the objectors would do.

I hope, Mr. President, that the Senate will vote against the objection, if it does come up for a vote.

I appreciate the time and attention of the Senate. I do not apologize, but I express my sincere appreciation for being allowed to speak on this subject, which is so vital to the people of Alabama and the Nation.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. DIRKSEN. As I understand, we will proceed to the House Chamber in time for the opening of the session at 1 o'clock. Is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DIRKSEN. At that time they will open the electoral votes, tellers will be appointed, and the President pro tempore or the Vice President will preside. Is that correct?

The ACTING PRESIDENT pro tempore. The President pro tempore will preside. Tellers have been designated.

Mr. DIRKSEN. They will undertake then to count the electoral votes, alphabetically, by States, as I recall.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DIRKSEN. I assume that when they get to North Carolina and the vote is announced, there will then be objection.

The ACTING PRESIDENT pro tempore. If objection were to be made, that would be the appropriate time to make the objection.

Mr. DIRKSEN. Mr. President, if objection is not made, we have been wasting a precious lot of time, and I could be dictating mail or seeing constituents.

But, Mr. President, assuming the objection is made, it is at that point, I take it, that something has to be said as to where the joint body proceeds from there and hears the something that is to be said.

The ACTING PRESIDENT pro tempore. The Presiding Officer will then receive the objection and announce that the separate bodies will return to their respective Chambers and debate the question, under the statute.

Mr. DIRKSEN. The Senate will then repair to its own sacred Chamber to further consider this matter; and I presume the first order of business will be the entertainment of a unanimous-consent request for a modification of the existing law with respect to a further consideration of this matter.

The ACTING PRESIDENT pro tempore. That would be up to the respective Members of the Senate. It would be in order to make such——

Mr. DIRKSEN. Mr. President, I should watch my language. It would be in order, then, tc submit a unanimous-consent request?

The ACTING PRESIDENT pro tempore. It would be in order to submit such a request.

Mr. DIRKSEN. Now, that request could be submitted in one form or another. One form would be to ask consent to waive the provisions of the statute and take the 2-hour period and slice it in half and put it under the control of the majority and minority leaders, without any further provision or apportionment of the time that is in the consent request.

The ACTING PRESIDENT pro tempore. Such a request could be submitted and would be in order at that time.

Mr. DIRKSEN. Or a request could be made to limit the debate to 2 hours, notwithstanding the statute, and also apportion the time, but place a limitation of 5 minutes on each Senator who wishes to speak.

The ACTING PRESIDENT pro tempore. That is the present statutory provision.

Mr. DIRKSEN. Well, I will pursue it no further, because for the moment, then, it is in the laps of the gods, including my distinguished friend from Maine and the majority leader; but I think that is enough for the clarification of the Senate as to what will happen this afternoon.

The ACTING PRESIDENT pro tempore. Do Senators desire to yield further time?

Mr. DIRKSEN. Yes. I yield 5 minutes to the distinguished Senator from South Carolina (Mr. THURMOND).

The ACTING PRESIDENT pro tempore. The Senator has 6 minutes remaining.

Mr. DIRKSEN. I give the 6 minutes to the Senator from South Carolina.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized for 6 minutes.

Mr. THURMOND. Mr. President, I supported and voted for Richard Nixon for President of the United States. I want to say, however, that, in my judgment, under the Constitution an elector has the right to vote for whomever he pleases in the electoral college, once he has been selected as a duly qualified elector.

Down through history this precedent has been followed. Our method of choosing a President is unique in the world. Originally, if I conceive the purpose of those who wrote the Constitution, the idea was to select electors who would be free to look around over the country and select the best man for President. This conception was followed, as I construe history, up until parties came into being. Once parties came into being, it changed the concept, and people voted more for the President than they did for the elector.

With reference to the case in North Carolina, where a Republican elector voted for Wallace instead of Nixon, in my judgment he had the legal right to do so, although I think he had a moral obligation to vote for Mr. Nixon.

In 1948, when the Senator from South Carolina ran for President, one elector from the State of Tennessee who ran on the Democratic ticket voted for the States rights Democratic nominee. However, I understand that elector told the people while he was running that he was going to vote that way. The people were aware of his intention. That is a different situation from the elector in North Carolina, as I understand the facts; but in both cases the electors had the power to exercise discretion and vote as they chose.

As a legal and constitutional question, there is no doubt in my mind, unless there is a law that compels an elector to vote a certain way, that he is free to vote as he pleases. Whether we like it or not, that is the law, that is the Constitution. It can be changed, but only by constitutional amendment. Until it is changed, an elector is free to vote his convictions and for whom he pleases.

I repeat, if a citizen runs for elector with an announcement that he is supporting a certain candidate, I feel he has a moral obligation to support such candidate. On the other hand, he is not obligated, legally or constitutionally, to do so, unless a State has a statute that compels him to do so.

The Constitution provides, in article II and the 12th amendment, how the President shall be elected; and there is no prohibition upon an elector voting for any candidate he pleases for President of the United States.

I personally feel that an elector should vote for the ticket upon which he has been elected, unless some information appears that would drastically cause him to change his mind. But he is free to change his mind, I repeat, and I challenge those who are raising the objection today to point out any constitutional or statutory authority to the contrary.

Under the reasoning set out above, I feel the vote of the elector from North Carolina should be sustained as cast.

The PRESIDENT pro tempore (Mr. RUSSELL in the chair). The time of the Senator from South Carolina has expired. The majority leader has the remainder of the time.

Mr. MANSFIELD. Mr. President, I yield back the remainder of the time, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES—RECESS

Mr. MANSFIELD. Mr. President, in consonance with the earlier announcement made by the joint leadership, and in accordance with the previous order, I ask unanimous consent that the Senate now proceed in a body to the Hall of the House of Representatives for the purpose of counting the electoral votes.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senate will stand in recess subject to the call of the Chair.

Pursuant to the previous order, at 12 o'clock and 45 minutes, the Senate stood in recess, subject to the call of the Chair, for the purpose of attending a joint session for the count of electoral votes.

COUNTING OF THE ELECTORAL VOTES

At 1 o'clock and 39 minutes p.m., the Senate reassembled, when called to order by the President pro tempore.

The **PRESIDENT** pro tempore. As Senators are aware, we have just been meeting in joint session with the House to count the electoral votes to determine the election of the President and Vice President of the United States. When the name of the State of North Carolina was read, objection was filed, pursuant to law, to the validity of the certificate with respect to that State.

The clerk will read the formal objection.

The assistant legislative clerk read the objection, as follows:

> We object to the votes from the State of North Carolina for George C. Wallace for President and for Curtis E. LeMay for Vice President on the ground that they were not regularly given in that the plurality of votes of the people of North Carolina were cast for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and the State thereby appointed 13 electors to vote for Richard M. Nixon for President and for Spiro T. Agnew for Vice President and appointed no electors to vote for any other persons. Therefore, no electoral vote of North Carolina should be counted for George C. Wallace for President or for Curtis E. LeMay for Vice President.
>
> (Signed) EDMUND S. MUSKIE,
> JAMES G. O'HARA.

The **PRESIDENT** pro tempore. The procedure in such cases is spelled out very fully in a brief section of the Code of the United States. Of course, this is the first time that such objection has been filed, and we are sailing in uncharted seas, parliamentarily speaking.

The clerk will proceed to read the section of the code which is applicable.

The assistant legislative clerk read as follows:

> When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The **PRESIDENT** pro tempore. The Senator will state it.

Mr. DIRKSEN. Actually, what is proposed here now is, under the Senate rules, by unanimous consent, to waive the applicable provisions of a statute; is that correct?

The **PRESIDENT** pro tempore. I do not know of any motion to waive a statute.

Mr. DIRKSEN. I understood that was the way we would have to proceed.

The **PRESIDENT** pro tempore. The Chair is not advised of any proposal to waive a statute.

Mr. DIRKSEN. But it will be offered. There is a limitation in the statute of 5 minutes upon each Senator.

The **PRESIDENT** pro tempore. If so, the Chair would sustain a point of order by the Senator from Illinois or any other Senator.

Mr. DIRKSEN. I prefer not to raise a point of order until the Senator from Maine makes his unanimous-consent request.

Mr. MUSKIE. Mr. President, I assume that the Senator from Illinois has reference to the unanimous-consent request, which has been discussed with several Senators, but is not binding on any Senator, of course, unless he so chooses.

In order to liberalize the rules of the debate for this 2-hour period, this unanimous-consent request is made: I ask unanimous consent that debate on objections to the electoral vote of North Carolina for George C. Wallace and Curtis LeMay shall be limited to 2 hours, as provided by law in section 17, title 3, United States Code, and that the time be equally divided and controlled by the majority leader and the minority leader.

The **PRESIDENT** pro tempore. Is there objection?

Mr. DIRKSEN. Mr. President, I am not going to object. I merely wish to note for the RECORD that what we are doing is waiving provisions in a statute by a unanimous-consent request under the Senate rules, in particularizing that the time shall be divided equally between the majority and the minority leaders, and they are to parcel out the time, unless an alternative proposal is offered under which they fix 5 minutes for each Senator, as provided by the statute.

The **PRESIDENT** pro tempore. As the Senator well knows, one objection strikes down a unanimous-consent request, and we will then revert to the language of the statute.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The **PRESIDENT** pro tempore. The Senator from Nebraska will state it.

Mr. CURTIS. Is a unanimous-consent request in order which, by its terms, is not in accord with a duly enacted statute?

The **PRESIDENT** pro tempore. The Chair will state that unanimous-consent requests can also be received and entertained here that are in conflict with the statutes. Sometimes they are in conflict with the Constitution.

We have three sets of rules in the Senate. Some of them are spelled out in the Constitution, others are spelled out in the Senate rule book, and the great majority of them are embraced in the precedents of the Senate.

For example, one of the constitutional rules had to do with ascertaining the presence of a quorum. We see suggestions of the absence of a quorum made several times during a day, and withdrawn by unanimous consent. That can be done only by unanimous consent. If the proposal of the Senator from Maine can be made only by unanimous consent, any single Senator who thinks it is improper, and that we should follow the statute in this particular case—has a right to destroy it completely by uttering two words—"I object," and the proposal will fall.

Mr. BROOKE. Mr. President, reserving the right to object, do I understand the only difference between the unanimous-consent request and the statute to be that the time would be controlled by the Chair and not by the majority and minority leaders, under the statute?

Mr. MUSKIE. As the unanimous-consent request is worded, time would be under the control of the majority and minority leaders.

Mr. BROOKE. That is the only thing that was intended to be achieved by the unanimous-consent agreement?

Mr. MUSKIE. Plus liberalizing the 5-minute requirement. The statute requires that each Senator may speak for 5 minutes, and not more than once. This was discussed quite extensively, and it was felt that the ideal arrangement would be to have full and free debate, with the time controlled and free exchange between Senators. It was felt that this could be done, unless a Senator objected; so we decided to make the effort.

Mr. BROOKE. So under the unanimous-consent agreement, the 2-hour limitation would still be in effect, but one Senator may go beyond 5 minutes, and another Senator not get an opportunity to speak at all?

Mr. MUSKIE. That is correct.

Mr. BROOKE. I thank the Senator.

Mr. CURTIS. Mr. President, a further parliamentary inquiry.

The **PRESIDENT** pro tempore. The Senator will state it.

Mr. CURTIS. If there is an objection, which would prevail—5 minutes for each Senator or 2 hours?

The **PRESIDENT** pro tempore. Well, not more than 5 minutes for each Senator, totaling 2 hours, is the construction of the Chair of this statute. Thus if each speaker used 5 minutes not more than 24 Senators could be heard; because no Senator can speak more than once, and he cannot be heard for more than 5 minutes. So if we have more than 24 who desire to speak, I hope each Senator will bear in mind the limitation of the statute.

Mr. ERVIN. Mr. President, reserving the right to object—and I shall not object—I express the hope that no Senator will object to this unanimous-consent request. The Senator from Maine and I have met with the Parliamentarians and the President pro tempore of the Senate, and have tried to devise a method by which this matter could be handled within the 2-hour limit and give a full and free opportunity for discussion. I have considered this at great length, and the Senator from Maine has given considerable thought to it, and this unanimous-consent request, we think, will conform to what is the custom in the Senate, generally speaking, and will also keep us within the overall provision of the statute as to time limitation.

The **PRESIDENT** pro tempore. The Chair reminds the Senate that debate on this request is not in order, unless it is charged to the time limitation. Is there objection? The Chair hears none.

Mr. CHURCH. Mr. President, reserving the right to object—and I do not object—I would still like someone to explain to the satisfaction of the Senator from Idaho how a unanimous-consent agreement of the Senate can vitiate the provisions of a statute passed by both Houses of Congress and signed by the President.

The **PRESIDENT** pro tempore. The Senator has a right to vindicate the statute by saying, "I object," and the statute will be as virgin as ever; its provisions will not be affected in any way.

Mr. CHURCH. Mr. President, I have no desire to object, but I do not understand how this can be a proper proceeding.

The PRESIDENT pro tempore. The Chair is not permitted to enter any ruling that purports to pass upon the legality of a unanimous-consent request, any more than is any other Member of this body.

Is there objection?

Mr. BROOKE. Mr. President, it seems to me that the intent of the statute is to give as many Senators as possible an opportunity to be heard on this important issue. As I understand the distinguished Senator from Maine, under the unanimous-consent request, conceivably the distinguished Senator might use 1 hour of the time, and one Senator from the minority side use 1 hour of the time, which in my opinion would certainly frustrate the intent of the statute. I feel so strongly about it, Mr. President, that as much as I dislike to do so, I hereby object.

The PRESIDENT pro tempore. The Senator from Massachusetts objects. The Chair, having tolerated considerable discussion and parliamentary inquiries, now asks of the Senate unanimous consent that that time not be charged against the 2 hours. If there is no objection, it will not be charged; and that leaves the matter open for the Chair to recognize Senators who wish to speak on this subject.

The Chair recognizes the Senator from Maine for 5 minutes.

Mr. MUSKIE. Mr. President, I anticipated that this might result, and I fully understand the reservations expressed by Senators. I have another unanimous-consent request to propose. I ask unanimous consent that debate be limited to 2 hours, as provided by statute, that the time be equally divided and controlled by the majority leader and the minority leader, and that the statutory limitation of 5 minutes per Senator be included, but that the 5 minutes available to any Senator may be used to ask or answer questions.

The purpose of this request, Mr. President, is to do two things: First, to insure that both sides of the debate shall have equal access to the attention of the Senate; second, that the use of the 5 minutes shall not be so rigid that there cannot be the kind of exchange that would permit the answering of questions on the minds of Senators. The Parliamentarian has advised me that, in his judgment, this is consistent with the statute. It touches upon points not covered by the statute, and it embraces the limitations of the statute.

The PRESIDENT pro tempore. Does the Senator wish the new request for unanimous consent to be read?

Mr. MUSKIE. Yes.

The PRESIDENT pro tempore. The clerk will read the new request, the time to be charged to the Senator from Maine.

The assistant legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

> *Ordered,* That debate on the possible objection to the Electoral Vote of North Carolina for George C. Wallace shall be limited to 2 hours, to be equally divided between the proponents and the opponents of the objection, with each Senator limited to 5 minutes, as set forth in Title 3, sec. 17 of the U.S. Code.
>
> *Provided further,* That the time allotted the proponents shall be under the direction of the majority leader (Mr. Mansfield) and the time allotted the opponents shall be under the direction of the minority leader (Mr. Dirksen), and notwithstanding the precedents and practices of the Senate, any Senator utilizing his time may either yield for a question or ask some other Senator a question for his own edification.

Mr. BAKER. Mr. President——

Mr. MUSKIE. Mr. President, this time is being charged to me. These 5 minutes, under the statute, are under the unanimous-consent agreement. If it is all used up, I shall have no opportunity to present my case.

The PRESIDENT pro tempore. The time is running against the Senator from Maine.

Mr. MUSKIE. I understand that it is.

The PRESIDENT pro tempore. The Chair will recognize any other Senator only by consent of the Senator from Maine.

Mr. BAKER. Mr. President, might I propound a parliamentary inquiry?

The PRESIDENT pro tempore. Only by the consent of the Senator from Maine.

Mr. BAKER. Does that mean that no time is allotted for propounding questions?

Mr. MUSKIE. Within the 5 minutes allotted to every Senator.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request? The Chair hears none, and the request is agreed to.

The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, may I inquire how much time I have?

The PRESIDENT pro tempore. The Senator has 3½ minutes remaining.

Mr. MUSKIE. This poses the problem. Now I have a little more than 3 minutes to spell out my position again, to answer any questions about it or to pose any questions of my own, and to cover rebuttal. These are the difficulties of trying to comply with the unanimous-consent agreement. All I can do in 3 minutes is to present the thrust of my argument.

I have said that it was the intent of the writers of the Constitution to make the elector a free agent. I think that is still his status under the Constitution. The question is whether an elector can, and whether in this case an elector has, so exercised his freedom of choice, and made it public, as to bind himself to the choice he has already indicated.

In this case, a North Carolina elector was nominated as an elector by a district convention of the Republican Party in North Carolina. He did not reject that nomination. His name was not placed on the ballot because under North Carolina law, as in the case of 34 other States, only the names of the party's presidential and vice-presidential candidates appear, and electors are elected for the presidential and vice-presidential candidates receiving the plurality of the vote in North Carolina.

Dr. Bailey and 12 other North Carolina Republican electors were so elected on November 5. The election was certified. Dr. Bailey did not reject that election or that certification. So up to that moment, so far as the people from North Carolina understood, he was committed as an elector on the Republican slate, riding under the names of Richard M. Nixon and SPIRO T. AGNEW, to vote for that presidential and vice-presidential ticket.

On December 16, the electors of North Carolina met in Raleigh to cast their votes. It was assumed by the State attorney general that they would do what was expected of them; that the papers to be transmitted to the seat of Government in Washington were made out accordingly; that is, that 13 votes would be cast for Richard M. Nixon. It was at that point that Dr. Bailey decided to cast his vote for the Wallace-LeMay ticket instead.

I say that under the Constitution he had a right of free choice, but that he began to limit his own free choice when he accepted the nomination of his party, when he consented to run on the same ticket with Nixon and AGNEW, when he consented to run under a ballot from which his name was absent, and which would generate votes for him only to the extent that the people of North Carolina chose to vote for Richard M. Nixon and SPIRO T. AGNEW.

So when election day had come and gone without his indicating this intention, I say that he had limited his own choice, and that under the Constitution it is permissible for him to limit his own choice. Having done so, he is bound by it when the electoral college convenes.

The PRESIDENT pro tempore. The Chair regretfully informs the Senator from Maine that his time has expired.

Mr. HATFIELD. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. There is no time to yield.

Mr. HATFIELD. May I speak on my own time?

The PRESIDENT pro tempore. The Senator from Oregon does not have time unless it is allotted to him by the majority leader or the minority leader.

Mr. MUSKIE. I will be happy to yield time to the Senator from Oregon.

Mr. ERVIN. Mr. President, I seek recognition in my own right.

The PRESIDENT pro tempore. The Chair understood that the unanimous-consent request was agreed to. Was it not agreed to?

Mr. MUSKIE. It was agreed to.

Mr. HATFIELD. Was it not understood that questions and answers were excluded from the 5-minute limitation?

The PRESIDENT pro tempore. The agreement provides:

> *Provided further,* That the time allotted the proponents shall be under the direction of the majority leader (Mr. Mansfield) and the time allotted the opponents shall be under the direction of the minority leader (Mr. Dirksen).

Therefore, there is no time that the Chair can allot; and he cannot recognize any Senator unless time is yielded to him.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Oregon.

The PRESIDENT pro tempore. The

Senator from Illinois yields 5 minutes to the Senator from Oregon. The Senator from Oregon is recognized for 5 minutes.

Mr. HATFIELD. Mr. President, a point of inquiry: May I utilize my time to ask a question of the Senator from Maine?

The PRESIDENT pro tempore. Yes; under the unanimous-consent agreement, the Chair believes that that is permissible.

Mr. HATFIELD. I should like to ask the Senator from Maine whether the laws of North Carolina are so explicit as to indicate what the legal obligations of the elector, Dr. Bailey, are to cast his vote for Mr. Nixon and Mr. AGNEW. Was Dr. Bailey free under the laws of North Carolina as presently constituted to cast his vote for Mr. Wallace and Mr. LeMay?

Mr. MUSKIE. North Carolina makes no provision one way or another with respect to the effect upon a North Carolina elector's freedom of choice of this method of arranging the North Carolina ballot.

Mr. HATFIELD. Mr. President, will the Senator from Maine further yield?

The PRESIDENT pro tempore. The Senator is speaking on his own time.

Mr. HATFIELD. For a layman who is not an attorney, may I understand again the Senator's distinction between the legal responsibilities and the moral responsibilities of this elector?

Mr. MUSKIE. I do not know that I would use either of those words; but, as I understand it, the Constitution, as interpreted by the debates in the Constitutional Convention, clearly makes an elector a free agent. However, from the beginning of the country's history, political parties developed, and the political parties arranged for slates of electors assigned to their presidential and vice-presidential candidates. That political party slate of candidates has always been regarded, with but five other exceptions, as binding upon those who are electors on that slate.

So I argue that in the light of that tradition, when an elector chooses to go on a party slate, he is indicating his choice for President.

I say, secondly, that in the case of North Carolina and this statute, which is found also in 34 other States, the fact that only the presidential and vice-presidential names appear on the ballot is confirmation of this tradition; that when an elector accepts a place on a slate under these circumstances, in the light of this tradition, he knows that to the public at large he is saying, by his action, "I am for Nixon for President." He is saying implicitly, in my judgment, "If I am elected an elector under these circumstances, I will vote for Richard Nixon for President."

I believe that is the tradition. I believe that this undergirds the responsibility of an elector; and once he has set that train of understanding in motion, he cannot, after election day, when it is too late for the voters to respond to any change of mind on his part, say, "I changed my mind, and I am going to vote for somebody else." It is in the nature of estoppel.

Mr. HATFIELD. What are the implications in our action here today with respect to precedent for the future?

Mr. MUSKIE. I believe that if we refuse to sustain this challenge, we will be saying that under every circumstance which is present in this North Carolina case, notwithstanding the statutes and the traditions, electors are free to express the preferences they have on electoral college day, whatever their announced preferences may have been before, and that if we do this, we are without recourse. The votes cast on electoral college day are not required to be made public. They can be kept secret. And if at that point all 13 of the North Carolina electors surprised their State and the country by voting for Wallace instead of Nixon, would we or would we not be helpless to do something about their faithlessness? That is the question before us. If we decide today that we are helpless, that this can be done, we will be opening the door to that kind of maneuvering and faithlessness for the future.

Mr. HATFIELD. What is the Senator's feeling with respect to the free agent concept that the constitutional fathers created out of the elector? The Senator has indicated that this is only if the elector has pledged himself or has not pledged himself prior to the time of casting his electoral vote. Is that correct?

Mr. MUSKIE. Exactly.

The Court has spoken on one aspect of this problem, in an Alabama case, Ray against Blair. The statute provided that political parties could bind their electors to their party's candidate. That issue went into the Court, and the Court held that, yes, this is a permissible statute under the Constitution; so political parties could bind electors.

The PRESIDENT pro tempore. The Chair regretfully informs the Senator from Maine that his time has expired.

Mr. DIRKSEN. Mr. President, I respectfully request that the Chair recognize the Senator from Nebraska (Mr. HRUSKA).

The PRESIDENT pro tempore. The minority leader has designated the Senator from Nebraska (Mr. HRUSKA), and he is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, I rise in opposition to the objection. The Senate should be aware and it should bear in mind, in this very brief and inadequate debate, that the rights, responsibilities, and duties of both Congress—including this body—and the electors serving in their official capacity are conferred or imposed by the provisions of our Constitution. Let us start out with that proposition. There is no question about it.

We are asked, in a very limited period of time, to take action pursuant to a statute passed 80 years ago, a statute of highly doubtful constitutionality, a statute of highly doubtful applicability to the situation at hand. We are asked to act without study, without reference to a committee, without being given adequate opportunity to give this matter the type of consideration that Congress always should give very momentous decisions.

I believe we should give serious consideration to that proposition.

Now we are doing more than just acting under the Constitution. We are engaged in establishing a precedent. Whether we like it or not, we are establishing a precedent upon voting to proceed under the statute; and whatever action we take under this statute will be used in future cases to say, "But the Senate has already construed this statute. It has imparted color of constitutionality, of legality, of validity to it."

The Senator from Maine freely says in substance yes, if we make a decision here, in all future cases just like this we will be governed by this precedent.

Neither he nor anyone else will rise to say that this is as far as we will go; we will go this far and no further; and all cases adjudged to be similar to this will be followed according to the decision we make here today. There may be other cases under this statute going further than this, in which Congress will undertake to say such and such a ballot from such and such a State, in some future election, was not cast regularly, and therefore we, the Congress, assume that responsibility, and we will cast it according to the fashion we wish and instruct.

Mr. MUSKIE. Mr. President, will the Senator yield for a question?

Mr. HRUSKA. I shall yield after I complete this brief statement.

We are members of a body who are not qualified to serve as electors, and we are asked to arrogate unto ourselves, the right to pronounce judgment upon and act on behalf of those who are chosen as electors. Such a judgment, such an action, I believe, would be unconstitutional.

I yield to the Senator from Maine.

Mr. MUSKIE. I have no time.

Mr. HRUSKA. On my time.

Mr. MUSKIE. This is the point I make, and I ask it in this question: Is it not true that whatever we do or fail to do today, whether we sustain the challenge or do not sustain it, is a precedent for the future? That is the importance of this matter.

Mr. HRUSKA. It is.

Mr. MUSKIE. Whatever we do, we can say on the one hand that in no case, where circumstances like this obtain, is Congress empowered to do anything, or we can say Congress can take action.

Mr. HRUSKA. That is true.

But, I say to my colleagues, let us therefore be prudent. Let us say we will not go out to say that we will even take this much authority under a statute of doubtful constitutionality. Let us not take action under it and leave the way open at a time when we are about to engage in a regular legislative process later, starting a week from today, processing proposed legislation which will constitute a resolution to reorganize this entire electoral procedure. Let us refrain from approving the pending motion, and thus avoid the making of a dangerous and unnecessary precedent.

The PRESIDENT pro tempore. The time of the Senator from Nebraska has expired.

Mr. KENNEDY. Mr. President, I ask the Chair to recognize the Senator from Michigan (Mr. HART).

The PRESIDENT pro tempore. The Senator from Michigan is recognized for 5 minutes.

Mr. HART. Mr. President, would I be in order if I were to ask the following question of the Senator from Maine—

that he, for my edification, explain what else he wanted to say if he had 5 more minutes?

The PRESIDENT pro tempore. The right to ask questions is specifically in the agreement.

Mr. HART. I ask the Senator from Maine to develop what he would have developed more fully if he had had 5 more minutes.

Mr. MUSKIE. Mr. President, I believe it important to bring to the attention of the Senate some of the instances in which courts of one jurisdiction or another have spoken on questions that relate to this matter.

A case directly in point is Thomas against Cohen, in which a voter challenged the constitutionality of the practice of putting only the names of the presidential and vice-presidential candidates on the voting machine, as in the case of this North Carolina situation. He argued that since he was voting for electors who would be free to exercise discretion, he had a right to know for whom he was voting.

This is what the court said:

> The electors are expected to choose the nominee of the party they represent, and no one else. So sacred and compelling is that obligation upon them, so long has its observance been recognized by faithful performance, so unexpected and destructive of order in our land would be its violation, that the trust that was originally conferred upon the electors by the people, to express their will by the selections they make, has, over these many years, ripened into a bounden duty—as binding upon them as if it were written into the organic law. The elector who attempted to disregard that duty could, in my opinion, be required by mandamus to carry out the mandate of the voters of his State.

This is the one court case we have which speaks directly on the point before us.

Mr. HOLLAND. What was the name of the case?

Mr. MUSKIE. This was the case of Thomas against Cohen. It is a New York case found at 146 New York Misc. 836.

Mr. HOLLAND. I thank the Senator.

Mr. MUSKIE. It is a case from the New York Supreme Court.

I wish to call the attention of the Senate to one other case. In this very election campaign, in the State of Ohio, when Mr. Wallace, who had not met the requirements of the local law for putting his electors on the Ohio ballot, and had not met the time requirements, and had not held a primary election as required by Ohio law, went to the court to get his electors on the ballot, the court said he had every right to do so because to do otherwise would be to deprive the voters of an effective voice in the selection of the President of the United States. That is the effective voice doctrine I have been talking about.

If this elector could refuse to honor the mandate of his party and if all 13 of them could do so, and they could if we so hold today, the voters of North Carolina who wanted to vote for Richard Nixon would be deprived of an effective voice as was said by the court in Ohio.

We cannot ignore the responsibility of the consequences of what we do notwithstanding the statement of the Senator from Nebraska. If we question Dr. Bailey's action, we will be opening a door to fraud and saying that even though we knew Dr. Bailey was motivated by fraudulent reasons—and I do not charge he was—but even though we knew it, then Congress is powerless to act when that fact is exposed for the first time under similar circumstances.

Therefore, the precedent which we are in a position to make today should give pause to prudent-minded Senators. Neither choice is a happy one. I wish the Constitution were clear.

I understand, too, that what we do here will not fill up all the holes in the electoral process, but we have an opportunity to reduce one kind of risk that is potentially a serious risk, frustrating the will of the people and throwing the country into a turmoil in some future presidential election.

I have tried to bring this matter to the attention of the Senate.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I ask that the Chair recognize the Senator from Massachusetts.

The PRESIDENT pro tempore. The Senator from Massachusetts is recognized for 5 minutes.

Mr. BROOKE. Mr. President, the question before us is a grave and complicated one. It appears that a serious inequity is impending. The people of North Carolina have voted in the expectation that their certified electors would cast their ballots for the presidential and vice-presidential candidates who carried the State. Thus, they no doubt expected all 13 electoral votes to be cast for the Honorable Richard Nixon and the Honorable SPIRO AGNEW.

It seems clear that the elector involved is guilty of bad faith, of violating the trust of the people who voted for the Republican ticket in North Carolina.

The injustice of this is evident, but the appropriate remedy is far less so. In the brief time allowed for comment, I cannot review all the factors involved. I would like to indicate the considerations which seem to me governing.

In a system of constitutional government matters of procedure often become vital issues of substance. I submit that such a case is now before us. There are strong constitutional grounds for the authority of a State to bind its electors to vote as they are pledged. If a State has so bound its electors, I would contend that the Congress can properly act to see that the State's legal requirements are fulfilled. This would be a reasonable construction of the 1887 statute which provides that Congress can reject an elector's vote which has not been regularly given.

But it is my considered opinion that, unless the State chooses to bind its electors, Congress cannot do so after the fact.

Among the many serious implications of this situation, one lesson in particular stands out:

No official should ever be granted discretionary authority unless the people clearly understand that, under some circumstances, he may actually use it. And if such authority, once granted, is deemed excessive or unwise, the people should explicitly and promptly rescind it.

As I understand the relevant constitutional guidelines, the power to remedy this particular problem lies with the people of North Carolina acting through their representative institutions at the State level. After all, they are the parties most directly abused by the elector's alleged faithlessness.

In addition, however, there is a national interest in removing so critical a loophole in our constitutional system. If the electoral college is to remain an element in our political life, surely we should move to design a constitutional amendment which, once and for all, binds electors to vote for the candidates to whom they are pledged. I hasten to add that this possible change in our electoral system will certainly not suffice. Indeed, one of the paramount tasks of this Congress will be to examine the full range of constitutional proposals to create a fair and secure procedure for presidential elections.

For these reasons, I cannot support the resolution to reject the vote in question.

The fact that such an obvious inequity can occur is, in my opinion, a most compelling argument for prompt and urgent efforts to amend the Constitution and eliminate this serious defect in our electoral system.

If I have time remaining, I am pleased to yield to the Senator from Maine.

The PRESIDENT pro tempore. The Senator has one-half minute remaining.

Mr. MUSKIE. I thank the Senator.

I wish to make this point. When the Senator concedes that an elector can be bound by a pledge to his party or under a State statute, it seems to me he must take the next step and agree that an elector may bind himself. He does if he accepts the pledge imposed by a party or if he accepts the pledge imposed by a State statute. If he puts himself in that position, it seems to me he would be bound.

The PRESIDENT pro tempore. The time of the Senator has expired. To whom does either leader yield time?

Mr. DIRKSEN. Mr. President, I ask that the Chair designate the distinguished Senator from Tennessee.

The PRESIDENT pro tempore. The Senator from Illinois designates the Senator from Tennessee. The Senator from Tennessee is recognized for 5 minutes.

Mr. BAKER. Mr. President, I am a stanch advocate and supporter of electoral reform. It has always seemed clear to me that a paramount goal of any democratic society must be the continuing effort to insure that the vote of each citizen is as equal as institutionally possible to the vote of every other citizen. Careful revision of statutes and ordinances at every level should be undertaken to guarantee the greatest possible participation of every enfranchised citizen in the processes of government.

The Presidency of the United States is the greatest, and most powerful symbol of elective office in the world. It and the Vice Presidency are the only offices in our republican form of government that belong to all of the people. The President's constituency is not a district or a State but the entire Nation. It appears to me absolutely essential that the election of the President of the United States be accomplished in the most direct, democratic, and participatory manner that can be devised.

The existing electoral college system does not meet the needs of our modern democracy. The national election just past has made the dangers incipient in the system so perilously clear that large segments of the public and many Members of Congress are at last disposed to make long-needed changes in our manner of electing Presidents.

Mr. President, as I understand the argument of the distinguished Senator from Maine, there are two principal reasons for the challenge.

The first is that there is a moral commitment on behalf of Dr. Bailey, the North Carolina elector, to cast his ballot for the Republican nominee because of his acceptance of that nomination by his party.

The second is—and this may be, inferentially, assumed rather than directly stated by the distinguished Senator from Maine—that by drawing attention to the situation, we may heighten the pressure for constitutional reform and that this will obviously necessitate facing the problem in the future.

On the first point of the moral responsibility of this North Carolina elector, this Nation is and was conceived as a nation of laws and not of men. The laws on the statute books of this Government and the various State and local governments in the United States are our bulwark against capricious action by anyone or by any Executive or legislature now or in the future. If the Senate and the House now engage themselves in determining the morality or the propriety of an activity, as distinguished from the effects of statute law, it seems to me that we breach one of the principal safeguards of this Republic for individual freedom.

On the second point of whether the Congress can bring increased attention to the requirement for electoral reform, let me suggest that if we take this action by upholding the objection, instead of increasing the pressure for electoral reform, we will, in effect, diminish that pressure because many people around the country will say, "Well, maybe the electoral system is not so bad after all. If there are errant electors, Congress can, after all, take care of them."

Mr. President, I have no desire to see the Republic converted into a parliamentary system, but that is precisely the direction we will move if we uphold this objection. By establishing this precedent, we would, by implication at least, create within the House and Senate the authority to elect the President regardless of the electoral college or the electoral machinery that exists now or may exist in the future.

Mr. President, I applaud the purpose expressed by the distinguished Senator from Maine——

The PRESIDENT pro tempore. The time of the Senator from Tennessee has expired.

Mr. BAKER (continuing). But I cannot support his motion.

Mr. KENNEDY. Mr. President, I yield 5 minutes to the distinguished Senator from Idaho (Mr. CHURCH).

The PRESIDENT pro tempore. The Senator from Idaho is recognized for 5 minutes.

Mr. CHURCH. I should like to ask, for purposes of clarification, two or three questions of the distinguished Senator from Maine.

The first question, as I understand the distinguished Senator from Maine, is that he is not contending the Constitution is not perfectly clear that an elector is a free agent.

Mr. MUSKIE. The Senator is correct.

Mr. CHURCH. If Dr. Bailey had been unpledged, then I take it that there would be no basis for objecting to the vote that Dr. Bailey cast.

Mr. MUSKIE. The Senator is correct.

Mr. CHURCH. When Dr. Bailey made a pledge to the people of North Carolina, he assumed a moral obligation. It is argued that his failure to abide by his pledge was a violation of this moral obligation as distinguished from a legal obligation. But I would ask the Senator from Maine if it is not entirely possible, in fact, if it is not well known to the law of equity that a moral obligation can become a legal obligation, under the doctrine of estoppel; in particular, if a person makes a representation upon which others rely to their detriment, that person can be held to the representation he made by court action, is not that correct?

Mr. MUSKIE. That is correct, as I understand the laws of estoppel from my days in law school, which are quite a number of days behind me now.

Mr. CHURCH. Where the court finds this condition exists, then the court can enforce the commitment. Is that not essentially the argument which the Senator from Maine is making, that since Dr. Bailey represented to the people of North Carolina that he would vote for Mr. Nixon, that since they presumably voted for him in order to support the Nixon candidacy, he has, by his own act, declared in advance how he will act in discharging his agency when he casts his vote as an elector, so that under the doctrine of estoppel, he should be bound to that commitment?

Mr. MUSKIE. That is right. There is another way to put it; that under the Constitution he is free to express his individual preference, but the Constitution does not say that he has to express it only on electoral college day. If he starts expressing it several weeks or months before under circumstances that lead the voters to rely upon his expression, not only is he discharging his right under the Constitution to express his free choice but, in addition, he is putting himself in the position where the people rely on what he has done. So I think that what Dr. Bailey did, up until the time he cast his vote, is consistent with the Constitution and was consistent with the commitment on his part from which he should not have been able to back away.

Mr. CHURCH. I would say, in addition, that we are not discussing here merely a moral commitment but one that has become legally binding. If Congress recognizes the validity of Dr. Bailey's irregular vote, by voting down the objection raised by the distinguished Senator from Maine, then we declare our impotence to undo a fraud perpetrated upon the people of North Carolina.

Mr. MUSKIE. That is the way I see it.

Mr. ERVIN. Mr. President, will the Senator from Idaho yield for a question?

Mr. CHURCH. Yes, I am glad to yield, within the time I have remaining.

Mr. ERVIN. Does the Senator from Idaho seriously contend that the pledge Dr. Bailey made was a false statement as to who he should vote for and that that would amend the Constitution of the United States?

Mr. CHURCH. I would say to the Senator that there is no question here about the free agency of Dr. Bailey, had he run unpledged.

But the free agency of Dr. Bailey was pledged to the people of North Carolina when he told them he would vote for Mr. Nixon. That is the essence of the argument being made by the distingushed Senator from Maine.

Mr. ERVIN. My question is, Does Dr. Bailey, if he made a false promise, change the Constitution? That is the argument of the Senator, as I understand it.

Mr. CHURCH. I can merely repeat what I have already said, that when Dr. Bailey indicated his stand, he exercised his agency and should be held to it.

(At this point the Acting President pro tempore assumed the chair.)

Mr. SCOTT. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Pennsylvania desire to yield time?

Mr. SCOTT. Mr. President, I yield 5 minutes to the distinguished Senator from North Carolina (Mr. ERVIN).

The ACTING PRESIDENT pro tempore. The Senator from North Carolina is recognized for 5 minutes.

Mr. ERVIN. Mr. President, in 1933 North Carolina had to print the names of 26, 39, or more candidates for electors on every ballot. To simplify matters, the State legislature provided that each political party should file the names of its candidates for electors with the secretary of state; that the name of the candidates of each party for President and Vice President should be printed on the ballot; and that votes for the candidates of a political party for President and Vice President should be votes for the electors of the party by which those candidates had been nominated and whose names had been filed with the secretary of state.

This statute merely undertook to avoid the confusion of printing the names of numerous candidates for electors on the ballot. It did not undertake to pledge the electors to do anything.

As a writer stated at the time on pages 229 and 230 of volume 11 of the North Carolina Law Review:

> Neither the old law nor the new law, however, pledges the elector to cast a party vote, and legally, at least, the individual elector, as was intended by the framers, still has discretion to cast his vote for whomsoever he individually desires.

Mr. President, this whole question is answered in the last comprehensive set of books on constitutional law written by a man who would be judged to be quite liberal in his philosophy of the Constitution; namely, Bernard Schwartz. The relevant volume of this treatise, volume 2 of the Powers of the President, was printed in 1963. It answers the whole question here. The author points out that all the court held in Ray against Blair was that the State Legislature of Alabama could empower a political party to require one seeking the nomination of that party for an elector in the party's primary, to take a pledge to support the nominees of the party for President and Vice President.

The Supreme Court held, by a majority opinion, that under the authority of an Alabama statute the party could do this and exclude a man from running in a primary for its nomination as its presidential elector if he refused to take the pledge. That is as far as the Court went. It did not hold the State or the party or any other agency could control the vote of the elector when he violated his pledge.

I shall not take the time to read this statement of Bernard Schwartz, but it appears in volume 2, at pages 8 and 9. He takes up all the arguments that have been made here and he says emphatically that the independence of the electors still continues as a matter of constitutional law, regardless of the rarity with which it may, in fact, be asserted. He also said the Supreme Court, in reversing the Supreme Court of Alabama, made an undue effort to impair an elector's freedom to vote as he wishes.

Let me quote at length what Mr. Schwartz says on this question on pages 8 and 9 of volume 2 of the Powers of the President:

> The examples of electoral independence in 1948 and 1956 just referred to, and similar incidents in 1960, as well as attempts in recent years by dissident Democrats in several southern states to obtain the nomination of uncommitted Democratic electors, have led to attempts to deal with the problem of the personal role of electors. Thus, in 1952, the Democratic Committee of Alabama, acting under the authority of state law, adopted a rule requiring candidates for nomination as Presidential electors in the Democratic primary to take a pledge to support the nominees chosen by the party's national convention. A candidate for the office of elector in 1952 refused to take such pledge and the party officials, in turn, refused to certify him as a candidate in the Democratic primary. He then brought a mandamus proceeding. The highest state court held in his favor, on the ground that the required pledge violated the freedom of choice which the Constitution vested in Presidential electors.
>
> The Supreme Court reversed. According to it, the Twelfth Amendment does not bar a political party from requiring the pledge to support the nominees of the national convention. The Constitution does not prohibit an elector's announcing his choice beforehand—hence, in effect, pledging himself. A party may require such a pledge as a condition to running in its primary. Candidacy in a primary is a voluntary act which requires compliance with the rules of the party concerned. As the Supreme Court expressed it, "Where a state authorizes a party to choose its nominees for elector in a party primary and to fix the qualifications for the candidates, we see no federal constitutional objection to the requirement of this pledge."
>
> The high bench decision upholding the Alabama pledge is sound if we consider the pledge itself as of no more legal effect than the prevalent custom of electors to vote for their party's choices. An elector who violated his pledge would, it is true, subject himself to severe moral censure, but his ballot would not be subject to any legal attack.
>
> An entirely different situation is presented when the state does directly interfere with the elector's freedom of choice in actually casting his ballot. Such direct interference occurred under a 1945 Alabama law, which provided that electors "shall cast their ballots for the nominee of the national convention of the party by which they were elected." Such law, requiring the elector to cast his vote in a particular way, was declared unconstitutional by the Alabama court six months before the 1948 election. After the election, petitions were filed with the Supreme Court in Washington to enjoin the electors in Alabama from voting for other than the Democratic nominees, but the Court refused to entertain the action.
>
> It is difficult to see how a different decision could be reached than that of the Alabama court. It is one thing for electors to vote at their party's call, or even for them to be required to take a legally unenforceable pledge to do so. It is quite another for them to be bound by statute to vote a certain way. So long as Article II and the Twelfth Amendment remain unchanged, a law cannot make a legal obligation out of what has become a voluntary general practice.

I wish to emphasize Mr. Schwartz' assertion that even a State can not control the vote of an elector. He points out that after an election in Alabama, which had been held under the 1945 Alabama law, petitions were filed in the Supreme Court of the United States asking that the electors be compelled to cast their votes for the nominees of their party. The Supreme Court of the United States refused to entertain that suit, recognizing that it could not order electors how to vote in a presidential election.

The action of the Supreme Court is equivalent to a holding by the Supreme Court that no court, not even the Supreme Court of the United States, can compel a presidential elector to keep a pledge which he has made either under State law or voluntarily.

Mr. Schwartz concludes his discussion with these words:

> So long as Article II and the Twelfth Amendment remain unchanged, a law cannot make a legal obligation out of what has become a voluntary general practice.

Surely, Dr. Bailey's pledge could not change the meaning of the Constitution of the United States. It is absurd to maintain that it could.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, I wish the Chair to recognize the Senator from Iowa (Mr. MILLER).

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Iowa for 5 minutes.

Mr. MILLER. Mr. President, the question before the Senate is whether or not to exclude the vote of one elector from the State of North Carolina.

As I brought out earlier in my colloquy with the distinguished Senator from Maine, it appears that we are in a position of making a choice between the lesser of two evils. If the pending motion is adopted, there will be the evil of depriving the State of North Carolina of one of its electoral votes. If the pending motion is not adopted, there will be the evil of sanctioning what appears, from all the facts and circumstances, to be a fraud—a fraud upon the people of the State of North Carolina, and, even more, a fraud upon the people of the United States.

I have carefully listened to the constitutional arguments given by both sides. I am impressed by the argument that the Constitution provides for freedom of choice of electors. However, I am even more impressed that freedoms set forth in the Constitution are not absolute. For example, the right of free speech is not absolute. Why should the freedom of an elector be absolute and the freedom of speech not be absolute? I do not think it should be.

It seems to me that the right of an elector to be free should not be equated with the right of an elector to be fraudulent. And I belive it would be most unfortunate to so interpret the Constitution.

It may be argued that the people of the State of North Carolina have a right to protect themselves from this elector's reneging on his pledge. Perhaps that right has been waived; and the telegram read by the senior Senator from North Carolina indicates that the local Republican organization in his State, which is directly concerned with this elector, has in effect waived its right.

But that does not mean that the right of the people of the United States to be protected from what could be considered a fraud is also waived. It is not, and it should not be. It would be a most unfortunate precedent to decide that Congress is powerless in such a case.

The only place the people can turn to for this protection is the Congress of the United States. As one of its Members, I shall vote to protect the people of the United States from what I regard as a fraudulent act. I will vote for the motion to exclude the electoral vote from being counted.

Mr. DIRKSEN. Mr. President, I designate the senior Senator from South Dakota (Mr. MUNDT).

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized for 5 minutes.

Mr. DIRKSEN. Mr. President, will the Senator yield briefly?

Mr. MUNDT. I yield.

Mr. DIRKSEN. Mr. President, I am serving notice on the Senate now that when we have concluded the discussion—and certainly a motion is not appropriate or in order until we have—I expect to move to table the matter.

Mr. MUNDT. Mr. President, may I first say that I shall vote for the motion to table if it can be offered and thus eliminate the question that the Senator from Iowa has just discussed. We would then no longer have to make a choice between two evils, but would only be laying the matter on the table for more careful consideration of the issues involved. Otherwise, I shall vote against the Muskie resolution.

There are four points that stand out clearly in my view.

No. 1 is that Dr. Bailey broke no law, because the only law that could be applicable to him as an elector would be the law of North Carolina; and the law of North Carolina stands silent on the point.

He violated no constitutional concept, because the Constitution also stands silent in this connection.

It has been stated that there was a purpose to perpetrate a fraud on the members of the Republican Party in the State of North Carolina. I doubt that, because it seems to me the members of the Republican Party would be the best judges of whether or not fraud had been perpetrated on them. I listened to the Senator from North Carolina read the telegram from the executive committee of that Republican Party. Obviously they, living close to the issue, knowing all the circumstances, having studied all the statements, do not think that a fraud was perpetrated upon them and they take no violent objection to Dr. Bailey's action.

No. 4, Dr. Bailey performed a function which it was intended by the Constitutional Forefathers he should perform, and that is to vote in conformity with the directions given him by the voters of the district which he represented.

In our first three Federal elections the electors did vote in conformity with the instructions given them by the voters in their respective congressional districts. The congressional district represented by Mr. Bailey voted for Mr. Wallace, instead of Mr. Nixon. So, there is historic precedent for his action.

I believe therefore rather than make a hasty judgment on thin evidence and tenuous facts, we should vote to put this issue on the table or defeat the Muskie resolution and resolve it when we come to discuss the issue of reform of the electoral college.

I happen to be author of Senate Joint Resolution 12, which includes a provision which would solve this problem by providing a constitutional mandate that electors vote in conformity with the way in which they pledged.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a copy of the resolution as it appeared in the 89th Congress together with two supporting newspaper items.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S.J. RES. 12

A joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. Before being chosen elector, each candidate for the office shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein.

"The electors shall meet in their respective States, fill any vacancies in their number as directed by the State legislature, and vote by signed ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, excluding therefrom any votes for persons other than those named by an elector before he was chosen, unless one or both of the persons so named be deceased, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such a number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the three highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual Members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have developed upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution and section 4 of the twentieth article of amendment to the Constitution. Except as herein expressly provided, this article does not supersede the twenty-third article of amendment.

"SEC. 4. Electors appointed pursuant to the twenty-third article of amendment to this Constitution shall be elected by the people of such district in such manner as the Congress may direct. Before being chosen as such elector, each candidate shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. Such electors shall meet in the district and perform the duties provided in section 1 of this article.

"SEC. 5. This article shall take effect on the 1st day of July following its ratification."

[From the Chicago Tribune, Dec. 29, 1968]

WHAT ABOUT THE ELECTORAL COLLEGE?

Vice President Humphrey has joined the growing chorus calling for a constitutional amendment to eliminate the electoral college and provide instead for direct popular election of the President.

Like a good many others, he says that the present system is "archaic" and threatens to thwart the will of the voters. It might have done this, for example, if Wallace had received more votes than he did last month and thus thrown the election into the House of Representatives, where Humphrey might have won even tho Nixon received a plurality of the popular vote.

Had this misfortune occurred, we doubt that Mr. Humphrey would be calling for reform—but that's beside the point. The electoral college has indeed thwarted the will of the voters on two occasions—in 1876 and 1888. Perhaps it can be improved. But eliminating it completely can make matters worse than they are now.

The major problem does not lie in the Constitution. True, the Constitution does give the electors the right to vote for whomever they wish, regardless of the popular vote. But this freedom has almost never been exercised and has never had any effect on the results.

What has caused the trouble, and can do so again, is the custom whereby each state casts all of its electoral votes for the candidate who carried it, no matter how slim his majority. This means that slim majorities in big states outweigh bigger majorities in smaller states. In a close election this may distort the results. Another and more pertinent objection to this custom is that it forces a candidate to play up to pivotal groups in the big cities, like organized labor and the poor, who are easily accessible and whose votes may tilt the state in his favor.

Both of these objections can be met by the proposal of Sen. Karl Mundt of South Dakota and others that the electoral college be retained but that the electors college be retained but that the electors be chosen by districts—perhaps congressional districts—instead of by whole states. This would bring the electoral vote closer to the popular vote, eliminate the distorted effect of tiny majorities, and reduce the temptation to play up to small but easily influenced groups.

But it would not jeopardize what is good about the electoral college. For one thing, the electoral college is a symbol of the presumed sovereignty of the states in a federal system. This sovereignty has been eroded badly enough as power has been centralized in Washington. To suggest that the electoral college is archaic is to suggest that the federal system itself is defunct.

In a more practical sense, the electoral college has helped to protect us from the multiplicity of political parties which perennially cripples so many governments abroad. It has done this by filtering the popular vote thru an agency controlled by existing parties in each state, and by thus discouraging the growth of minority parties. This has not discouraged new ideas; it has simply channeled them into one of the major parties.

Those who advocate direct election of the President are happy to point out the two times the electoral college has frustrated the voters but never seem to mention the five times that a direct vote might have led to similar trouble. Presidents Lincoln, Wilson, Truman, Kennedy, and Nixon were all elected by fewer than half of the voters. Would these elections have meant costly and controversial runoffs? Would they have been referred to the House? Either would almost certainly have kept Abraham Lincoln from being President.

Fortunately the electoral college is not likely to be abolished. The big states like it because of the strategic advantage already mentioned. The small states like it because it gives them more votes than their population alone would warrant [each state has electoral votes for its two Senate seats as well as for its House seat or seats].

The Mundt proposal is both adequate and attainable. The "abolitionists" are using a sledgehammer where a flyswatter would do. And no one illustrates their own confusion better than Indiana's Democratic senator, Birch Bayh, who valiantly defended the college in 1956 as an essential part of the federal system but is now calling for its abolition. Transient politics should have no part in this discussion.

[From the Washington Post]

Electoral Reform by a New Avenue?

(By Merlo J. Pusey)

Has Congress really found a means of correcting the votes of unfaithful electors in the strange system by which the President and Vice President are elected? Sen. Edmund S. Muskie and Rep. James G. O'Hara will ask their colleagues on Monday to reject the vote of North Carolina Elector Lloyd W. Bailey for George Wallace and to count the vote instead for Richard Nixon. If they succeed, they will have accomplished a substantial electoral reform, but by very dubious means.

Before taking this route, every member of Congress will want to know something about the old law which the Muskie-O'Hara team seeks to invoke. It was passed in 1887, and the problems which Congress had in mind were very different from those of today. How far will the Senate or the House try to go in reshaping the law as a weapon to use against unfaithful electors?

Congress was chagrined in 1887 by the manner in which it had disposed of the Hayes-Tilden contest more than a decade earlier. It had reason to be ashamed of that outcome, for a commission which it set up had given the election to Hayes despite many circumstances pointing to Tilden as the rightful winner. To avoid any repetition of that shabby performance, Congress sought to create a new means of determining electoral contests.

Senator George F. Edmunds introduced a bill directing the House and Senate as to how the electoral votes sent in by the states should be counted. One provision of this bill would have allowed the Senate and House, acting concurrently, to reject the electoral votes of a state. That proposal produced a furor on the floor. Senators said it would deny the right of the states to control their own electoral votes. The bill was sent back to the Committee on Privileges and Elections and amended so as to give the states the right to settle their own disputes as to the validity of their electoral votes. The Senate passed it in this form.

The House went further to insure the right of a state to say whether its electoral votes were legal. A select committee amended the bill so as to require that "where there is but one return from a state the votes so returned shall be counted." Rep. W. C. Cooper contended that even if every member of Congress knew that none of the electors named in a state's certificate had been duly elected, Congress would have no authority to reject the vote. The state had the final word, if the state itself were speaking with a single voice.

This extreme form of the bill was modified, however, by an amendment sponsored by Rep. John R. Eden. His proposal, as he outlined it on the floor of the House, was that every electoral vote would have to be counted by Congress if there was but one return from the state and if "the vote was regularly given" and the credentials of the electors were in due form and in accordance with the laws of the state.

The Eden amendment was accepted by the House and was only slightly modified by the Senate-House conference committee. In his report to the two houses of Congress the conference committee gave this assurance: "Taken as a whole this amendment will ensure the counting of lawfully certified votes of states, objections of a Senator or a Representative to the contrary notwithstanding."

The conference report, which was later accepted by both the House and Senate, went on to declare that the purpose of the act was to "circumscribe to the minimum" the power of Congress to disfranchise a state. "Such a result can only happen when the state shall fail to provide the means for the final and conclusive decision of all controversies."

The Muskie-O'Hara challenge assumes that the vote of Elector Bailey is illegal because it was cast contrary to the wishes of the voters who chose him at the polls. But North Carolina did not challenge the vote for this reason. That state certainly contemplates that Republican electors chosen by the voters shall vote for the Republican presidential candidate, for it puts the name of the candidate (not that of the electors) on its ballot. Yet it does not require them by law to be faithful to their trust.

It is interesting to note that Bailey explained his vote as conforming to the will of the voters in his district. He said that he was nominated as a district elector and that his district went for Wallace. This did not of course, release him from his moral obligation to vote for the winning candidate in the state under the general ticket system. But the basic fact is that North Carolina did not legally bind him to support the winner of the popular vote in the state, and the Constitution leaves him free to make his own choice.

Under the Twelfth Amendment, Congress seems to have the duty of counting this vote as it was cast. Even if Congress should assert the right not to count it on the rather farfetched assumption that it was not legally given, where could Congress find any authority to change it from a vote for Wallace to a vote for Nixon? The duty imposed by the Twelfth Amendment and the act of 1887 is merely to count the votes—not to say for whom they should have been cast.

Since Congress itself has no right to intervene, it is scarcely persuasive to say that it can do so by pretending to enforce a North Carolina law that does not exist. To say the least, it is a very strange undertaking.

Congress has been importuned on many occasions to amend the Constitution so that there would be no possibility that "dummy" electors might frustrate the will of the people in choosing the President. But Congress has failed to do so. It can scarcely excuse that neglect or overcome its unfortunate consequences now by asserting the right to count votes so as to deprive electors of the discretion the Constitution gives them.

Mr. MUNDT. Other approaches could be made to the problem, but to make an ex post facto determination against Dr. Bailey or the people of North Carolina, by depriving them of an electoral vote to which they are entitled under the Constitution, and do it on the thin evidence we have, without having access to all the speeches and statements made, which might have carried the implications of Dr. Bailey's intentions before the election, it seems to me is injecting the Federal Congress far too deeply into the rights of the States and the determinations of local citizens.

If in fact he violated an ethical commitment or if he perpetrated fraud, the people of North Carolina have it within their power to take whatever action they deem appropriate to punish or reprimand Dr. Bailey. It is not the function of the U.S. Congress to pass on an ethical question of this type.

Mr. DIRKSEN. Mr. President, I designate the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, in voting today against the effort to throw out the vote of a North Carolina elector, I base my position on the Constitution.

Under the Constitution of the United States, electors are free to cast their votes for the person of their choice for President of the United States.

To vote to cast out the vote of a North Carolina elector would be to deny to North Carolina one of its constitutional votes in the electoral college. I do not believe that I have any constitutional power or right to substitute my vote for the vote of the North Carolina elector, chosen by the people of North Carolina.

I believe in amending the Constitution to bind the electors to vote for the nominees of the party on whose slate they are chosen, but I cannot conscientiously attempt to amend the Constitution by a simple vote of the Congress. The Constitution provides two methods for its amendment, each of which requires that amendments be submitted to the States for their approval or rejection. To vote to deny North Carolina one of her electoral votes is to attempt to amend the Constitution of the United States by act of the Congress alone. In my opinion, it would be an unconstitutional action by the Congress.

The emergence of this issue at this time is strong evidence of the need for reform in the electoral process for the Presidency. I hope that attention will continue to be focused on genuine reform and not be diluted by today's efforts, and I personally have offered several proposed amendments to the Constitution, in the hope of effectuating constitutional reform by constitutional methods.

I intend to offer additional proposed constitutional amendments, Mr. President, at this session, but I do not believe that a simple vote of Congress is the way to amend the Constitution.

I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I designate the remainder of the time not used by my friend from Texas to the distinguished Senator from Rhode Island.

Mr. PELL. Mr. President, I warmly congratulate our colleague, Senator Muskie, and Mr. O'Hara from the other body, for providing the means for raising the whole question of the archaic legal framework under which our Presidents and Vice Presidents are elected. They have done our Nation a great service by dramatizing this issue as they have.

However, ours is a country under law, and we must be guided by law. If we believe the law is incorrect, let us change the law. And that is precisely our responsibility and prerogative as members of the legislative branch.

But just because an individual takes advantage of a constitutional provision, be it presently considered a loophole, that exists in law, I do not believe we should run over that individual by congressional fiat—or by any other vehicle.

Rather let us get on with the task of changing the law and move in a direction such as that set forth in Senator BAYH's proposed constitutional amendment providing for direct popular election.

Mr. KENNEDY. Mr. President, I ask that the Chair recognize the Senator from Indiana.

The PRESIDENT pro tempore. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, I think it has been adequately expressed that the discussion here does not relieve us of our responsibility to find some way to provide basic reform for the electoral college system, the means by which we elect our President and Vice President.

Several Senators have proposals to amend the Constitution. I shall introduce one on the first day on which legislation is acceptable, which would provide for a popular vote for President. The Senator from South Dakota referred to his plan. The Senators from Florida and North Carolina also have plans. The Senator from Texas has a plan. I hope, regardless of the outcome of this particular effort, that the net result of the efforts of the distinguished Senator from Maine will be to galvanize this Congress into finding a way to elect our Presidents more equitably and democratically.

I shall attempt, in the brief time remaining, to deal with one or two items which have not yet been adequately touched upon because of the time restriction, but which I believe are pertinent to our consideration.

First of all, it has been suggested that Dr. Bailey's reason, or his stated reason, for casting his ballot for George Wallace, was because a plurality of the popular vote in his district went for George Wallace, and the distinguished Senator from North Carolina read a telegram from the district Republican committee pertaining to this.

But the electoral system which is now provided in the Constitution and State law does not have anything to do with election of electors by districts. This decision is a statewide, at large decision. I have taken the liberty, with my staff, of talking with some of the Republican officials of the State Republican Committee of North Carolina, and it is our impression that they are highly desirous of trying to find some way to keep Mr. Bailey's vote from being cast for Mr. Wallace.

The choice of electors is not an election by districts, as has been suggested by the Mundt proposal. The vote has traditionally been cast on a statewide basis and is now so cast in all States. Dr. Bailey's constituency is the whole State of North Carolina and not a particular district therein, so he should not be bound by the results in any one particular district.

Now let us look at the Constitution. Is the challenge to the casting of the electoral vote in question unconstitutional?

It clearly says, in the 12th amendment, that the electoral votes shall be counted in a joint session of the Senate and the House. By any reasonable interpretation Congress has the right and indeed the responsibility to implement specific mandates in the Constitution. Congress took advantage of that responsibility, in 1887, to pass a statute defining how the vote should be counted. This, for the information of Senators who might care to look at it, is chapter 1 of title 3 of the United States Code, which goes specifically to the point raised by the Senator from Maine. I shall read it, so there can be no question about what it says.

I read a part of paragraph 15:

> And no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected.

That is as far as the Senator from North Carolina went. I suggest that to get the whole picture, we look at the next part of that sentence, which says:

> But the two Houses currently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified.

So it seems to me the key question actually is, Have the votes been regularly given?

Admittedly, there is a difference as to interpretation of the word "regularly." Let me suggest that we could look for an interpretation of the word "regularly" to three sources.

First, a point that has already been touched upon by several of our colleagues; the North Carolina statute. Let me ask this question: If you were a citizen in that particular district of North Carolina, and you wanted to vote for Dick Nixon, how could you do so? There would be no way, if we were to follow the position of our distinguished colleague from North Carolina, because even if one voted for the man designated to be an elector by his party, that vote is going to be cast for George Wallace. In essence, the effect could be to disfranchise everyone in North Carolina who wanted to vote for Dick Nixon.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. BAYH. Mr. President, I have only about 2 minutes. If it were not for the time limitation, I would be happy to discuss it with the Senator.

Mr. ERVIN. I just want to find out what the word "regularly" means to the Senator. Anything on earth?

Mr. BAYH. Mr. President, will the Senator permit me to continue? I wish we had more time for colloquy, because I respect the judgment of the Senator from North Carolina.

"Regularly," it seems to me, contemplates what has usually been done in North Carolina, which has been to give all of the electoral votes to the candidate who carries the State.

Second, I think we should look to the debate surrounding the adoption of the 1887 statute.

The PRESIDENT pro tempore. The time of the Senator from Indiana has expired.

Mr. BAYH. I support the position of the Senator from Maine.

Mr. KENNEDY. Mr. President, I would appreciate it if the Chair would recognize myself.

The PRESIDENT pro tempore. The Senator, of course, has the right to yield time to himself.

Mr. KENNEDY. I ask the Senator from Indiana what his second definition of the word "regularly" meant.

Mr. BAYH. I shall try my best to answer that question. I appreciate the Senator from Massachusetts permitting me to continue to define "regularly."

In the debate and in the process of passing that 1887 statute, the term "lawfully" was used as the measure was originally introduced. During the course of the debate, the word "lawfully" was stricken and the word "regularly" was substituted.

It seems, as one reads the information available about this debate, that the basic reason for this action was to try to guarantee that the choice of the voters should be preserved.

If the Senator would like to have me describe the situation, I shall be glad to do so.

Mr. KENNEDY. I wish the Senator would.

Mr. BAYH. I should like to read briefly from an article written by one of the leading constitutional scholars of that day, John W. Burgess, who was chairman of the Department of Public Law at Columbia University. He wrote, as follows, in the Political Science Quarterly, volume III, at page 648, issue of 1888, in commenting on the specific point in the law which had been passed the previous year:

> (2) The rule that no electoral vote or votes from any state from which but one lawful return has been received shall be rejected seems to me to surrender too far the control of Congress over the counting of the vote. It is altogether conceivable that a state may make but one return, and yet that, in the election of the electors who sign the same, notorious fraud and terrorism may have carried the day. This rule cannot be justified except upon the principles that the purity of presidential elections is matter solely or at least chiefly of state concern, and that the state consciousness of right and wrong in reference to this subject is rather to be trusted than the national. It seems to me that such principles need only to be stated to be rejected. The constitution expressly provides a grave penalty for any such procedures within a state, and imposes upon Congress the duty of securing the execution of the same.

The author further states that—

> the Constitution and the statutes specifically give to the two Houses the power to reject electoral votes that are not regularly cast.

Although this is a very difficult question—one which can be argued logically both ways—I come down on the side of the Senator from Maine, because it seems to me that, according to the precedents that have been established, we would be in much greater error if we were to vote the other way.

Mr. KENNEDY. I thank the Senator from Indiana for his exposition.

I should like to ask the Senator from Maine his opinion of the request of the Senator from Illinois with respect to the question of tabling. Does he feel that that would really reach the essence of the issue?

The PRESIDENT pro tempore. The Senator from Maine has a right to respond.

Mr. MUSKIE. Mr. President, I hope that the distinguished Senator from Illinois will reconsider his intention to make such a motion. This statutory procedure was clearly established for the purpose of coming to a decision. The purpose of the motion to table, as I take it, is to try to dilute whatever we do of its effect as a precedent. I do not think we can dilute what we do of its effect as a precedent.

We know how votes to table are interpreted by our opponents in election campaigns. We have an obligation, if we are to contribute to a clarification of this constitutional problem, to take a stand, to take positions, and to make a decision before reporting back to the joint session.

I hope the motion to table will not be made; and that if it is made, it will not be supported.

I am restive under this limitation of debate, as is the Senator from South Dakota. I have tried to liberalize it. I did not write the statute. But on this question we are a court of last resort.

With all the limitations of the statute, with all the limitations of time, I think we ought not to try to wash our hands of the responsibility to make a decision one way or the other, so that we will at least have one clear-cut decision to guide our deliberations on this particular problem.

Mr. HOLLAND. Mr. President, has the Senator from Illinois any time that he can yield to me?

Mr. DIRKSEN. Yes; but first I must yield to the Senator from Nebraska.

The PRESIDENT pro tempore. The Senator from Illinois designates the Senator from Nebraska to speak for 5 minutes.

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD the 12th amendment to the Constitution of the United States; section 15 of chapter 1, title 3, of the Federal Statutes; and section 163–209 of the Statutes of North Carolina.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

AMENDMENT [XII]

The electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for, as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.] [1]—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

SECTION 15. COUNTING ELECTORAL VOTES IN CONGRESS

Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of. (June 25, 1948, ch. 644, 62 Stat. 675.)

SECTION 163–209 OF NORTH CAROLINA STATUTES. NAMES OF PRESIDENTIAL ELECTORS NOT PRINTED ON BALLOTS

The names of candidates for electors of President and Vice President nominated by any political party recognized in this State under Section 163–96 shall be filed with the Secretary of State but shall not be printed on the ballot. In place of their names, in accordance with the provisions of Section 163–140 there shall be printed on the ballot the names of the candidates for President and Vice President of each political party recognized in this State. A vote for the candidates named on the ballot shall be a vote for the electors of the party by which those candidates were nominated and whose names have been filed with the Secretary of State.

Mr. CURTIS. Mr. President, the Senate is not called upon to perform a legislative duty at this time. We are not here to advance a proposal to become a statute. We are not here called upon to advance an amendment to the Constitution. We have met today to perform a ministerial, quasi-judicial function—the counting of the electoral vote.

We are not called upon to decide how we think the vote ought to be counted.

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[1] The part included in brackets has been superseded by section 3 of amendment XX, Senate Manual section [790.3].

We are not called upon to decide what we think ought to be the law. We are called upon to count the votes according to the law as it exists today and as it existed during the recent election.

The objections offered by the distinguished Senator from Maine fail to disclose or fail to enumerate any error in the certification of the elector. That has never been the question. There has not been one word of evidence that in the procedural form of casting his vote, that was not regularly done. In other words, the objection is to the way the elector voted. We are without authority to interfere in that.

The statute under which we are operating is not one dealing with how the resident shall be chosen; it is a statute dealing with the question of the counting of the electoral vote. It has been stated here that no electoral vote shall be rejected if but one return is made, unless an objection is made in writing, finding that it was not regularly given by the electors whose appointment has been so certified.

Not one word of testimony or argument has been presented that this elector was not duly certified. No criticism, argument, suggestion, or bill of particulars has been submitted that he did not, in the usual and regular way, cast his vote.

Guidelines are laid down in the statute—admittedly. We all agree that perhaps a new law, perhaps a new amendment to the Constitution, is advisable. I for one do not want the electoral college abolished in its entirety. I think that would be wrong. But this is not the day to debate that. Today we are called upon to count the votes under the rules that existed last November and that exist today; not to take action, as the distinguished Senator from Maine says we should, that would be a guide for some future action.

The **PRESIDENT** pro tempore. The time yielded to the Senator from Nebraska has expired.

Mr. **KENNEDY**. Mr. President, I yield to the Senator from Missouri.

The **PRESIDENT** pro tempore. The Senator from Missouri is recognized for 5 minutes.

Mr. **SYMINGTON**. Mr. President, once again, in bringing this important question before the Senate, the distinguished Senator from Maine has earned our respect and esteem.

Whether or not one agrees with all the details of his presentation, we can be grateful for the contribution this effort should make toward eventually assuring that the citizens of this country, in fact as well as in form, will be responsible for the selection of the President and Vice President of the United States.

Many States, including my own State of Missouri as well as North Carolina, have, by law, removed the electors' names from the ballot, and have deemed that a vote for the candidates of a party determines the electors from the State.

If the Constitution actually endows an elector with an unbridled right to vote his own personal judgment, it would seem that no State could, by statute, infringe on that constitutional prerogative; but we note that in the case of Ray versus Blair the Supreme Court decided that, acting under Alabama law, the rule of the Democratic committee of that State requiring a party candidate for presidential elector to take a pledge to support the party's nominee for national office was valid under the 12th amendment to the Constitution.

In any case, the people of North Carolina, under their laws, have not chosen their electors by name or knowledge; rather, have instead voted for their presidential choices, and depended upon the electors appointed to carry out their will.

Under these circumstances—whether they occurred in North Carolina or Missouri—surely it would seem logical that the vote of an elector should not be cast against the candidate who had the plurality of the vote of the citizens of the State in question.

The **PRESIDENT** pro tempore. Is there any assignment of time by the majority leader or the minority leader?

Mr. **DIRKSEN**. Mr. President, I designate the Senator from Florida (Mr. Holland).

The **PRESIDENT** pro tempore. The Senator from Florida is recognized for 5 minutes.

Mr. **HOLLAND**. Mr. President, most of us have been in elective office a long time. Most of us have been elected on platforms. I dare say not one Member of the Senate has not found some situation existing after his election which has required him, in his conscience, to deviate from some provision contained in that platform. The Senator from Florida, having been in the State senate and Governor and here in the Senate for 22 years, certainly has found it necessary to deviate from good intentions beforetime made.

What has happened here, as shown by the news article placed in the Record this morning by the Senator from North Carolina, is that this elector was interested in supporting Mr. Nixon because he thought he would undo what the present President and the present administration had done; that the elector had become convinced, since the election, by reason of certain appointments announced, that such was not the case, and that, therefore, he changed his intention and his position and so announced it ahead of time.

The second point I make is this: It makes no difference in this election what we do with respect to this one vote. But the kind of precedent we establish does make a great deal of difference. The last time the change of position of delegates or electors from the State of North Carolina was in question was a long time ago, but there were then 15 of them. On another occasion since then, seven electors from the State of New York violated their instructions.

Mr. President, the point I make is that we are asked to set a far-reaching precedent; and if made, it could establish a rule under which third-party efforts or efforts akin to that, where people have deep principle and deep convictions which lead them to go one way or another, can be defeated in their effort to do what they want to do.

In the last race, one of the presidential candidates, an independent candidate, said that he did not want the election to go to the House, and that in the event certain things would happen, he would throw his electoral vote, if he could, one way or the other, to prevent the matter from going to the House.

If any Member of the Senate likes the thought of elections going to the House of Representatives with each State having one vote, the way to do it is to vote for setting up the precedent suggested by the distinguished Senator from Maine.

In closing, may I say to the Senator from Maine that nobody can claim that he is personal about this matter. I heard him make many good speeches during the campaign, and I never heard him make a speech for Mr. Nixon; yet, Mr. Nixon would be the beneficiary of this proposed action. I congratulate the Senator from Maine. I believe he is going ultimately in the right direction. But the right direction is toward constitutional amendment which would clear up this matter, not toward setting up a precedent which would make matters much worse, in my opinion, than they are now, as would be the case if this precedent were established. If established, it would apply not only to the one vote about which we are talking, but also to any number of votes cast against the decisions of the electorate in any State or in any group of States. That seems to me to be something which would help to defeat our effort for constitutional amendment.

What I am trying very hard to do now is to promote the necessity for constitutional amendment. I shall offer one. Two others will be offered. The Senate, in its judgment, can take its choice among them. The House can do so, also. One was passed in the Senate many years ago by more than the two-thirds vote required. I hope we can do that again this year. But I believe that to pass something, in this idle moment, that would be a precedent in a much graver time would be a very grave mistake.

Mr. **MUSKIE**. Mr. President, will the Senator yield?

Mr. **HOLLAND**. I yield, if I have time.

Mr. **MUSKIE**. May I say to the Senator that over the years of this Republic, well over 500—I believe that is the correct number; I am sure it is a minimal number—resolutions have been introduced to reform the electoral college and the constitutional provisions dealing with it. I do not believe we should rely too heavily upon that prospect.

Mr. **HOLLAND**. Mr. President, a great many had been introduced on the poll tax question, but we finally got one through, and it was approved.

Mr. **DIRKSEN**. Mr. President, I suggest designating the Senator from Virginia (Mr. Byrd).

The **PRESIDENT** pro tempore. The Senator from Virginia (Mr. Byrd) has been designated to be recognized for 5 minutes.

Mr. **BYRD** of Virginia. Mr. President, I associate myself with the remarks recently made by the distinguished senior Senator from Texas, the distinguished junior Senator from Rhode Island, and the distinguished senior Senator from Florida.

However one may view the action of the North Carolina elector who chose to vote against the presidential candidate who received the largest number of votes in North Carolina, he acted within his constitutional rights.

The Constitution makes no mention of an obligation on the part of electors to vote for any particular candidate. Indeed, it was intended, as the distinguished Senator from Maine concedes, that these electors be men of independent judgment.

Moreover, the 12th amendment, adopted in 1804, provides that electors shall "vote by ballot," a procedure that further implies their legal independence.

Those who would void the ballot of the North Carolina elector would do so on the ground that over the years there has grown up a practice of voting for the party candidate. This most certainly is correct. In fact, since the foundation of the Republic, 16,510 electors have been chosen, yet only a handful of these votes have been cast for a person other than the individual who received the largest number of votes in the elector's State.

But this is unwritten custom. It is not a matter of constitutional law. Custom, however well established, cannot supersede the Constitution.

Congressional action denying the North Carolina elector the right to cast his ballot clearly would be contrary to the Constitution. More than that, it would establish a dangerous precedent and could make it possible at some later date that Congress in a close election could void enough elector ballots so that Congress itself could determine the election of a President.

The proponents of today's resolution to deny the vote to the North Carolina elector say that the action is taken to focus attention on the need for electoral reform.

I strongly favor a change in the presidential electoral system. I feel the electoral votes should be awarded automatically and in proportion to each candidate's popular vote. The electoral college as such should be abolished. It is outdated and useless.

But I submit that this should be done by constitutional amendment.

We should not seek to reform the electoral system by unconstitutional action such as is being proposed today.

The way to reform the electoral system is to introduce constitutional amendments bringing about such reform and then to have thorough committee hearings and full floor debates on the various proposals. The Senator from North Carolina (Mr. ERVIN) will introduce one plan; the Senator from South Dakota (Mr. MUNDT) has a proposal; and the Senator from Indiana (Mr. BAYH) has still a different plan.

Each of these can be debated at length, and Congress can choose the one it deems the most advisable, and then the people themselves can make the final decision. That is the legal and proper way to change the Constitution.

I state against that I strongly favor a change in the present electoral system. But I oppose the Muskie-O'Hara resolution as being clearly unconstitutional and as establishing a dangerous precedent.

As one who believes that Congress should not surrender any of its responsibilities to either the executive or the judicial branch, I likewise feel that Congress should not usurp power not given it by the Constitution.

I shall vote against the proposal of the distinguished Senator from Maine.

Mr. President, I ask unanimous consent to have printed in the RECORD immediately following my remarks an article entitled "Electoral Reform by a New Avenue?" written by Merlo J. Pusey published in the Washington Post on January 5, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ELECTORAL REFORM BY A NEW AVENUE?

(By Merlo J. Pusey)

Has Congress really found a means of correcting the votes of unfaithful electors in the strange system by which the President and Vice President are elected? Sen. Edmund S. Muskie and Rep. James G. O'Hara will ask their colleagues on Monday to reject the vote of North Carolina Elector Lloyd W. Bailey for George Wallace and to count the vote instead for Richard Nixon. If they succeed, they will have accomplished a substantial electoral reform, but by very dubious means.

Before taking this route, every member of Congress will want to know something about the old law which the Muskie-O'Hara team seeks to invoke. It was passed in 1887, and the problems which Congress had in mind were very different from those of today. How far will the Senate or the House try to go in reshaping the law as a weapon to use against unfaithful electors?

Congress was chagrined in 1887 by the manner in which it had disposed of the Hayes-Tilden contest more than a decade earlier. It had reason to be ashamed of that outcome, for a commission which it set up had given the election to Hayes despite many circumstances pointing to Tilden as the rightful winner. To avoid any repetition of that shabby performance, Congress sought to create a new means of determining electoral contests.

Sen. George F. Edmunds introduced a bill directing the House and Senate as to how the electoral votes sent in by the states should be counted. One provision of this bill would have allowed the Senate and House, acting concurrently, to reject the electoral votes of a state. That proposal produced a furor on the floor. Senators said it would deny the right of the states to control their own electoral votes. The bill was sent back to the Committee on Privileges and Elections and amended so as to give the states the right to settle their own disputes as to the validity of their electoral votes. The Senate passed it in this form.

The House went further to insure the right of a state to say whether its electoral votes were legal. A select committee amended the bill so as to require that "where there is but one return from a state the votes so returned shall be counted." Rep. W. C. Cooper contended that even if every member of Congress knew that none of the electors named in a state's certificate had been duly elected, Congress would have no authority to reject the vote. The state had the final word, if the state itself were speaking with a single voice.

This extreme form of the bill was modified, however, by an amendment sponsored by Rep. John R. Eden. His proposal, as he outlined it on the floor of the House, was that every electoral vote would have to be counted by Congress if there was but one return from the state and if "the vote was regularly given" and the credentials of the electors were in due form and in accordance with the laws of the state.

The Eden amendment was accepted by the House and was only slightly modified by the Senate-House conference committee. In his report to the two house of Congress the conference committee gave this assurance: "Taken as a whole this amendment will ensure the counting of lawfully certified votes of states, objections of a Senator or a Representative to the contrary notwithstanding."

The conference report, which was later accepted by both the House and Senate, went on to declare that the purpose of the act was to "circumscribe to the minimum" the power of Congress to disfranchise a state. "Such a result can only happen when the state shall fail to provide the means for the final and conclusive decision of all controversies."

The Muskie-O'Hara challenge assumes that the vote of Elector Bailey is illegal because it was cast contrary to the wishes of the voters who chose him at the polls. But North Carolina did not challenge the vote for this reason. That state certainly contemplates that Republican electors chosen by the voters shall vote for the Republican presidential candidate, for it puts the name of the candidate (not that of the electors) on its ballot. Yet it does not require them by law to be faithful to their trust.

It is interesting to note that Bailey explained his vote as conforming to the will of the voters in his district. He said that he was nominated as a district elector and that his district went for Wallace. This did not, of course, release him from his moral obligation to vote for the winning candidate in the state under the general ticket system. But the basic fact is that North Carolina did not legally bind him to support the winner of the popular vote in the state, and the Constitution leaves him free to make his own choice.

Under the Twelfth Amendment, Congress seems to have the duty of counting this vote as it was cast. Even if Congress should assert the right not to count it on the rather far-fetched assumption that it was not legally given, where could Congress find any authority to change it from a vote for Wallace to a vote for Nixon? The duty imposed by the Twelfth Amendment and the act of 1887 is merely to count the votes—not to say for whom they should have been cast.

Since Congress itself has no right to intervene, it is scarcely persuasive to say that it can do so by pretending to enforce a North Carolina law that does not exist. To say the least, it is a very strange undertaking.

Congress has been importuned on many occasions to amend the Constitution so that there would be no possibility that "dummy" electors might frustrate the will of the people in choosing the President. But Congress has failed to do so. It can scarcely excuse that neglect or overcome its unfortunate consequences now by asserting the right to count votes so as to deprive electors of the discretion the Constitution gives them.

Mr. KENNEDY. Mr. President, I ask that the Chair recognize the Senator from West Virginia.

The PRESIDENT pro tempore. The Senator from West Virginia, having been designated by the Senator from Massachusetts, is recognized for 5 minutes.

NORTH CAROLINA CHALLENGE DRAMATIZES NEED FOR ELECTORAL COLLEGE REFORM

Mr. RANDOLPH. Mr. President, I am grateful that the assistant majority leader has given me the opportunity to participate in this discussion.

After study and deliberation I was one of those Members of the Senate who this morning signed the objection to the vote from the State of North Carolina for George C. Wallace on the basis that "it was not regularly given in that the plurality of votes of the people of North Carolina was cast for Richard M. Nixon for President."

The controversy of the dissident elector dramatizes the urgent need for reform of the present system for selecting the President of the United States—a reform which will make the system responsive to the will of the electorate by personal vote. I support in principle the measures instituting a direct election of the President and Vice President and authorizing a national system of presidential primaries. I am a cosponsor of the resolutions to effect these changes and I will continue to work for this reform.

Nevertheless, it is my belief that the Congress must act affirmatively in meeting the existing problem of an elector who cast his vote against the choice of the people of his State. He is a man who failed to follow the will of the people.

In my thinking it is totally clear that the function of the elector is to be the agent of the people, with the citizens who elected him actually making the selection of a President.

Certainly, the statutes of the State of North Carolina or of West Virginia intend that the electors will vote for the nominee of their party. The voters in North Carolina vote for President and Vice President with the slate of electors being appointed if their party candidate receives a plurality of the votes cast. The electors do not appear on the ballot. Assuredly, the voters of North Carolina would believe that they are casting a ballot for the candidates appearing on the ballot—and not for an elector who has the right to make his own selection. To believe otherwise is to deny the right of the people of this State to cast an effective ballot for the President and Vice President.

I submit that the actions of Dr. Lloyd W. Bailey, North Carolina's dissident elector, confront us with a direct violation of the equal protection clause. The Congress has a constitutional mandate to redress this violation today.

There are those who argue that the Constitution permits us no role in passing on the actions of electors chosen by the respective States. They contend that the States have absolute power to establish or to remove whatever burdens, restraints, or limitations they please on the selection of electors. The Supreme Court has already rejected this argument in its recent decision in William against Rhodes. An examination of this case is most enlightening. I refer to this case as follows:

During the 1968 presidential campaign, the State of Ohio refused to list the name of George Wallace on its ballot. The State refused to recognize the slate of electors running on the Wallace ticket because his petitions had not been submitted by the filing deadline and because his party had not conducted a primary election. The State cited article II, section 1 of the U.S. Constitution to support its contention of absolute control over the electoral process. That provision reads:

> Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors. . . .

The Court recognized that this language is broad and grants extensive power to the States. But the Court also pointed out that the Constitution is full of provisions which grant to Congress or the States specific powers to legislate. These specifically granted powers, the Court explained, are always subject to the limitation that they may not be exercised in a way that violates other specific provisions of the Constitution.

The Supreme Court held in the Williams case that certain constitutional protections apply in the electoral setting. State law notwithstanding the Court ordered that Wallace's name be added to the Ohio ballot and that the Wallace electors be recognized as official representatives of the Ohio Independent Party. The basis of the Court's decision was that the strictures of the 14th amendment apply in the selection of presidential electors.

The State law was in violation of the 14th amendment, the Court said, because it interfered with the right of voters "to cast their vote effectively." The Court described the right to exercise a meaningful vote as that "most precious" freedom.

Certainly the existence of a dissident elector poses the exact same type of threat to an effective exercise of the franchise as did Ohio's refusal to add a candidate's name to the ballot. If electors are permitted to vote for whomever they please, if they are free to disregard the banner under which they ran, then, in effect they have the power to nullify the vote of the plurality of that State and deny those voters the right to an effective vote, guaranteed by the 14th amendment.

In all likelihood the overwhelming majority of North Carolina voters did not and do not know the names of their presidential electors. The names of the presidential and vice-presidential candidates appeared on the ballot and no mention was made of the names or even existence of a body of individuals who are presidential electors. When the North Carolina voters went to the polls and cast their ballots on November 5, they did so understanding that they were voting for one of the three candidates appearing on their ballot. Dr. Bailey's actions, if permitted to stand, would thwart that expectation. In fact, the voter's expectation can only be fulfilled if the presidential electors remain faithful to their party choices.

Unless the Congress moves to effectuate the choice of the people of North Carolina, the 14th amendment guarantee of a meaningful vote will be denied. Mr. President, I believe it is necessary to raise this issue in the Congress.

Mr. KENNEDY. Mr. President, I request that the Chair designate the Senator from New Hampshire.

The PRESIDENT pro tempore. The Senator from New Hampshire has been designated and the Senator is recognized for 5 minutes.

Mr. McINTYRE. I wish to inquire of the Senator from Maine as follows: First, I request that the Senator from Maine, for my benefit, go over how he rationalizes the fact that the electors, starting out as free agents, through their own conduct and actions lose this free agency. Then, I would like the Senator to expand on anything further in his argument to emphasize his reasons for the adoption of his proposal.

Mr. MUSKIE. I thank the Senator. With respect to the specific point the Senator raised, my position is that the elector, under the Constitution, is a free agent, and when, as a free agent, he begins to express his preference publicly under circumstances which would lead reasonable men to rely on his commitment to those preferences he cannot thereafter, at a point when those who relied upon his expression of preferences are powerless to act, repudiate his own commitment. As the Senator from Idaho mentioned earlier, there is involved a situation similar to the doctrine of estoppel in the courts of equity of our country, and I think it is a responsibility which the electors for President should recognize. When he puts in motion an understanding of his commitment which he later repudiates, he should not be able to profit from it by stating his own individual preference on electoral college day.

Some mention has been made about the right of the Congress to take this matter under consideration and to make a decision today.

It might be helpful to refer to a commentary in Political Science Quarterly written in December of 1888, shortly after the statute under which we are proceeding was enacted. This is the observation with respect to the power of the Congress, and it might be helpful to some Senators:

> No determination which a state can produce should be made *conclusive* against the judgment of both Houses of Congress in the counting of the electoral vote. In matters like this, the concurrent judgment of the two Houses of the Congress is the surest interpretation of justice and right which our political system affords; and the claim that they have no constitutional right to determine the legal genuineness of any electoral vote sent to them under any form of certification by any state, on the ground that the constitution vests the appointment of the electors wholly in the state, confounds the process of the appointment or election with that of the count, and seeks to rob the power of counting of its most important element, *vis.*, the power of ascertaining what is to be counted.

On that point, let me refer to something the Supreme Court of the United States declared in the case of Ex Parte Yarborough, 110 U.S. 651:

> If this government is anything more than a mere aggregation of delegated agents of other States and governments . . . ., it must have the power to protect the elections on which its existence depends from violence and corruption.

Mr. President, that is the view of the Supreme Court of the United States with respect to the authority of Congress in counting the electoral votes to decide what shall be counted and to take into consideration whether the votes have been cast under fraudulent circumstances.

Mr. DIRKSEN. Mr. President, I designate the distinguished Senator from Georgia (Mr. TALMADGE).

The PRESIDENT pro tempore. The Senator from Georgia is recognized for 5 minutes.

Mr. TALMADGE. I thank the distinguished minority leader.

Mr. President, our foreparents, in devising the Constitution of the United States, decided that the President and the Vice President would be elected by an electoral college. If they denied that right to the people they also denied that right to the Congress. That provision is provided for in article II of the Constitution, which reads in part as follows:

> Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

Mr. President, amendment XII of the Constitution of the United States provides in part as follows:

> The electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for, as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;

Mr. President, that is the responsibility of Congress in the election of the President and Vice President. That is its sole responsibility. The function has always been ministerial, that is, to count the votes, to ascertain the correctness of the votes. It has not been the function of Congress to determine that some votes shall be declared a nullity, to determine that other votes may be reversed, to determine for itself the election of the President and Vice President of the United States.

Mr. President, I have no faith with the elector from North Carolina who decided, after being elected, that he would vote for some other candidate; but that was his choice, a choice he made, a choice he made under the Constitution, a choice he made under the laws of North Carolina. That choice is not the responsibility of this Congress.

If this Congress can reverse the choice of that elector from North Carolina, or deny that right, then it can also deny the right of all of the electors of all of the States of this Union and arrogate unto itself the responsibility for the election of a President and Vice President, a responsibility which is denied to it by the Constitution.

Let us go from the ridiculous to the extreme. President-elect Nixon won this election for President, with Mr. Agnew as his running mate, by a very close vote. That is a Republican ticket. The Democrats hold a majority of seats in the Senate and they hold a majority of seats in the House.

If we want to be completely venal, if we want to be completely disloyal, if we want completely to deny our constitutional responsibility, we could have filed objections this morning in the House to deny the Nixon ticket the victory it won last November and, by sheer brute force of numbers, this Congress could declare Hubert Humphrey and our delightful colleague from Maine, Ed Muskie, to be elected to the office of President and Vice President, respectively.

The PRESIDENT pro tempore. The time of the Senator from Georgia has expired.

Mr. TALMADGE. That is a precedent, Mr. President, I hope we will not establish here.

The PRESIDENT pro tempore. Is there further designation of time? If there is no further designation of time, the Chair will——

Mr. DIRKSEN. Mr. President, I ask the Chair to designate the minority leader.

The PRESIDENT pro tempore. I am happy to accept the designation of the minority leader himself. He is to be recognized for 5 minutes.

Mr. DIRKSEN. I thank the Chair.

Mr. President, I fancy that Dr. Lloyd Bailey of Rocky Mount, N.C., must be a very fine gentleman. I am sure he pursues his work under the best of escalating conditions in very good fashion. I am also sure that he follows his Hippocratic oath very faithfully. I am glad he participates in public life in North Carolina and got himself named as an elector in the election of 1968. I am also glad that he saw fit at one point to soldier under the banner of Richard Milhous Nixon and Spiro T. Agnew.

At some point in time, he must have suffered a change of heart. Who would quarrel with one who suffers a change of heart, if it is a matter of deep conviction? The entire electoral process was set up on the basis that since communication was difficult and transportation was little and far between, the Constitution makers felt that in selecting people with understanding hearts and some knowledge of public affairs, they should be entrusted with the responsibility of selecting a President and Vice President. Had I been at that convention, I would have done the same thing.

Now we modified it a little, but not very much. I think that the spirit of the Constitution must be preserved. It is so easy to talk about one who has departed from his pledge, or who has been unfaithful in his party promise; but Dr. Bailey may have concluded that there was a higher duty to perform and undertook, in the interests of his country, to perform it.

Now, I am not quarreling with him, and I am going to let North Carolina have his vote. Consequently, when this matter comes to us, we will be voting on whether or not the objection to the Bailey vote shall be sustained or disapproved. A vote to sustain the objection means that a Senator votes "yea." If he is opposed to it, he votes "nay."

I think there is a precedent here and I think there is a piece of mischief here that we will lament at some place along the line before we get through, and I am not going to take that chance.

I am sure Dr. Bailey did not realize that he was going to engage the time of the Senate for a couple of hours today and be the focal point of a joint session, and then send these great, dignified bodies to their Chambers to hash and rehash, and in fact bring the Senate under the 5-minute rule of the House for the first time in the history of this great deliberative body.

So, whatever comfort Dr. Bailey and the Tar Heels of North Carolina may get out of it, I am going to follow the spirit of the Constitution and vote against the objections.

I propose to table, but I note in the last sentence of that statute there is virtually a mandate that we shall proceed to the main question, and that does not allow for dilatory motions.

The PRESIDENT pro tempore. The Chair must advise the Senator, with profound regret, that his 5 minutes have expired.

Mr. DIRKSEN. Well, my 5 minutes have, but I have 2 minutes left.

The PRESIDENT pro tempore. The Chair does not know how the Senator has.

Mr. DIRKSEN. So I will take those "on the house." I will designate my friend from Arizona (Mr. Goldwater). Will the Senator from Arizona stand and be recognized?

Mr. GOLDWATER. I am happy to.

Mr. DIRKSEN. And then let me talk on the Senator's time? [Laughter.]

Mr. GOLDWATER. I am happy to yield to the Senator.

The PRESIDENT pro tempore. The Chair will respectfully ask the Senator from Arizona to remain on his feet during the time he has the floor.

Mr. GOLDWATER. Mr. President, will the Senator repeat his request?

Mr. DIRKSEN. Just stand. See, this has to be done according to Hoyle, so that there can be no mistakes and there can be no reversible error, as we say in court.

Well, Mr. President, that is the case. So, rather than set a bad precedent, and since electoral reform is virtually inevitable in the first session of the 91st Congress, I am not going about it piecemeal, as it proposed on the floor today, and therefore I shall vote against the objection. Under the statute, if there is disagreement between the two Houses, they shall cast the vote of the good doctor from Rocky Mount, N.C.

The PRESIDENT pro tempore. The time of the Senator from Arizona has expired.

Mr. KENNEDY. Mr. President, may I propound a parliamentary inquiry whether the motion to table is in order or is not in order?

The PRESIDENT pro tempore. The Chair would rule that it is not in order. The statute under which we are now proceeding states the main question shall be put. Let the Chair read the last clause of section 17 of title 3:

> But after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

Mr. KENNEDY. Mr. President, have the yeas and nays been ordered?

The PRESIDENT pro tempore. The yeas and nays have not been ordered.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President——

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. COOPER. Is there any time left at all?

The PRESIDENT pro tempore. The time is available only to the acting majority leader and the minority leader, and all the time of the minority leader has been consumed.

Mr. KENNEDY. Mr. President, I yield to the Senator from Kentucky.

The PRESIDENT pro tempore. The Senator from Massachusetts designates the Senator from Kentucky. He is recognized for 5 minutes.

Mr. COOPER. Mr. President, I oppose the motion. I do not take this decision lightly. I think we all appreciate what the Senator from Maine has done in presenting this matter. I view the situation particularly dangerous whereby an elector can—I believe the Constitution permits him to do so—vote against the wishes of a majority of the people of his State.

In the last election it was either stated or rumored that if a majority of the electoral vote could not be obtained by either Mr. Nixon or Mr. HUMPHREY, that Mr. Wallace might be able to bargain with either of the parties, with the view that he might be able to direct his electors to support one or the other of the candidates. I want to emphasize that this is a very dangerous situation and will bear on the future elections of President and Vice President. I believe the Senator from Maine has done a fine job in presenting to us the necessity for immediate reform of the electoral system, particularly to require that if the electoral system is to be continued as it is, the vote of members of the electoral college must conform with the wishes of the majority of the people of their State.

In my view, the Constitution does not restrict the discretion of the electors in casting their ballots. The courts have not yet placed any restriction on the exercise of the elector's discretion. The States have not enacted any enforceable restrictions on the electors discretion.

The Congress itself, in enacting the statute, did not require that the electors must vote in conformity with the majority vote in the States. In fact, the history of the act simply shows that, while Congress claimed full power to validate votes, its role was limited to cases in which a State had failed to settle its own disputes.

I hope this effort will be successful to the extent that it will speed the enactment of electoral reform.

I repeat, I consider the situation which obtains today to be dangerous to the election processes of our country.

In connection with this debate two law review articles bearing on the subject of voting in the electoral college have come to my attention. I have found both articles helpful and informative.

Mr. President, I ask that an article by Prof. Albert J. Rosenthal appearing in the Michigan Law Review of November 1968 and an article by Prof. L. Kinvin Wroth appearing in the Dickinson Law Review of June 1961, be included in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Dickinson Law Review, vol. 65, June 1961]

ELECTION CONTESTS AND THE ELECTORAL VOTE

(By L. Kinvin Wroth*)

The extremely close presidential election of 1960 stirred a problem that has long lain dormant. As the result of a recount of the popular vote in Hawaii, Congress, in its joint meeting to count the electoral vote, was presented with conflicting returns from a state for the first time since the Hayes-Tilden controversy of 1877. Since the outcome of the election was not affected, the joint meeting accepted the result of the recount proceeding, and the votes given by Hawaii's Democratic electors were counted.[1] The once fiercely agitated question of the location and nature of the power to decide controversies concerning the electoral vote was thus avoided.

This question, arising from an ambiguity in the Constitution, has long been deemed settled by the statutory provisions for the count of the electoral vote made in the aftermath of the Hayes-Tilden controversy.[2] The system for resolving electoral disputes which this legislation embodies has never been tested, however. The events of 1960 raise serious doubts as to whether the present provisions would be effective either in resolving election contests on their merits or in producing a smooth solution to a political crisis on the order of 1877. Moreover, Mr. Kennedy's narrow margin is a reminder that the possibility of controversy is always present. With broad electoral reforms once again under consideration in Congress,[3] it seems appropriate to take a fresh look at the present constitutional and statutory scheme for dealing with disputed electoral votes.

The basis of our system of electing a President is laid down in the Constitution, which provides that

> "Each State shall appoint in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector.
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> "The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States."[4]

The actions of the electors are regulated by the twelfth Amendment:[5]

> "The Electors shall meet in their respective states and vote by ballot for President and Vice President, one of whom, at least shall not be an inhabitant of the same state with themselves; . . . they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be President, if such number be a majority of the whole number of Electors appointed."

The only other constitutional limitations on the election of a President are those which establish the age and citizenship requirements for eligibility to the office.[6]

Pursuant to the constitutional plan the electors are "appointed"—now uniformly by popular vote—on the Tuesday after the first Monday in November.[7] The procedure for counting the vote and ascertaining the result varies from state to state,[8] but in general it is something like this: The ballots, or the contents of the voting machines, are tabulated at the polls by precinct election judges, who send their tally sheets forward to a county canvassing board. This board makes an abstract of the votes shown for each candidate in the precinct returns, which it sends to a state canvassing or returning board. The state board tallies all the county returns and determines who have been appointed electors. This result is then relayed to the governor of the state, who under federal law is required to make a certificate of the result based on this ascertainment and forward it to Washington.[9] The electors, who have also received the governor's certificate, meet on the Monday after the second Wednesday in December to cast their votes, which they certify and send to the President of the Senate.[10] On January 6th, at a joint meeting of Congress, these votes are opened and tabulated and the result declared.[11]

At a number of points in this process, controversies may arise which could affect the validity of a state's electoral vote. (1) There may be fraud or error at the polls on the part of voters or election officials. (2) There may be fraud or error in the initial count of the ballots at the precinct level. (3) There may be fraud or error on the part of the county or state canvassing board, or one of these agencies may abuse whatever powers are given to it by state law. (4) The governor may act fraudulently or erroneously in certifying the electors. (5) An elector may be appointed who is constitutionally ineligible for the office. (6) The electors may act erroneously in the signing and sealing of their certificates of the vote. (7) The electors may cast their votes for an ineligible person. (8) The electors may vote on a day other than that ordained by Congress. (9) The electors may be influenced by fraud or a third party may somehow tamper with their deliberations. (10) The right of a state to participate in an election, or of a particular government to attest to the acts of a state may be called in question.

This group of controversies may be divided into those concerning the recognition of state governments and the status of states; those concerning their votes; and those concerning the manner in which the popular vote is given, counted, canvassed and communicated to Congress. The problems of greatest importance are those of the last class. Questions of statehood and the recognition of state governments are unlikely to arise short of another Civil War. When they do come up, Congress has sole jurisdiction.[12] Questions concerning the electors would be important in a great crisis such as that of 1877,[13] but they involve technicalities which are no longer of the essence of our electoral system. We view our presidential elections as popular elections. If the President is to take office free of uncertainty or scandal that might weaken his authority, controversies concerning the popular vote in a close election must be promptly resolved by a method that leaves no doubt of its fairness on the merits.

Problems of all three classes arose during the stormy century of legislative history which culminated in the Electoral Count Act of 1887.[14] Controversy focused on the congressional counting sessions, where three great questions were continually agitated. First, does the Constitution give the President of the Senate sole power to exercise whatever discretion the count involves, or are the two Houses of Congress the final judge of the validity of votes? Secondly, is the power to count merely the power to

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Footnotes at end of article.

enumerate votes given by electors declared by state authority to have been appointed, or is there power to determine the correctness of the state authority's declaration and to examine the validity of the acts of the electors? Thirdly, whatever the scope of the power, how is the evidence necessary to a decision to be presented, and by what means is the decision to be made?

Close scrutiny of the debates of the Constitutional Convention reveals no direct discussion of these problems. The possibility that a dispute might arise with which Congress would have to deal does not seem to have been considered. In fact, the machinery of the Electoral College, a compromise between popular election and election by Congress, was designed to provide a means for the election of a President free from any hint of the evils of Congressional influence.[15] The plain implication of the original scheme is that the states in their control of the manner of appointment were to provide for the settlement of whatever controveries might arise. Only local interests would be at state in the appointment process, because the electors were to be independent of any presidential candidate [16] and would thus be chosen solely on their own merits. Local authorities would naturally resolve any contest.

While state control guarded state interests, other features of the plan protected the national interest. If certain states failed to appoint electors, the President was still elected by a majority of those who were appointed.[17] If no state had appointed electors, the provisions for failure of a majority would come into play, and the election would devolve upon the House.[18] The method for electing a President may be contrasted with the provisions for congressional elections. In the latter instance, as Hamilton pointed out in the *Federalist*,[19] Congress must have ultimate control over the manner of election of its own members, lest the states, by refusing to elect Congressmen, cause the whole structure to fall. In the case of the presidency, since the House was ready to carry out the election if the states failed, congressional control was not only undesirable but unnecessary.

The absence of two elements in the original plan made it impossible to determine when a state had failed in its obligations. No provision was made for the states to validate their choice of electors to Congress, and the power to determine what were valid votes was neither defined nor expressly granted. The former gap was filled in 1792 by a statute providing that the "executive authority" of each state was to give to the electors a certificate of their appointment which they were to forward to the President of the Senate with their votes.[20] That this provision did not solve the problem, however, became apparent as the result of a development unforeseen in the Convention. After a very few elections the electors virtually lost their independence.[21] Their election thus took on a national interest, requiring that the electoral votes counted be those given by electors who were actually chosen, whatever the executive certificate might say. In the absence of provision as to the second missing element, it was considered that the President of the Senate had the power to "count," and thus to determine what votes were to be counted.[22] The dangers in such a system, especially when that officer was a presidential candidate soon appeared, however, and it was urged that Congress could by legislation provide a more satisfactory procedure.[23]

These problems were first faced after the good will surrounding Washington's administrations had been dissipated by strife over John Adam's efforts to deal with the foreign and domestic consequences of the French Revolution. In the spring of 1800 both Houses of the Federalist Congress, in a last ditch effort to stem the tide of Jeffersonian Republicanism,[24] passed different versions of a measure under which a joint committee was to meet prior to the count of the vote, with "power to examine into all disputes relative to the election of President and Vice President of the United States, other than such as might relate to the number of votes by which the electors may have been appointed." All petitions for the contest of electoral votes were to be referred to the Committee, which was to take any necessary additional evidence, and make a report of its entire proceedings, without opinion, to both Houses. Congress was then to meet in joint session, for the count of the vote. If objection was made to the vote of any state, the Houses were to decide it without debate in separate session. As passed by the House the bill provided that a disputed vote was to be counted unless the Houses concurred in rejecting it.[25] The Senate, agreeing in every provision of the bill but this one, passed an amendment providing that a disputed vote was to be *rejected* unless the Houses concurred in counting it. The House, less aggressively partisan than the Senate, refused to accept a measure which would permit rejection by vote of the Senate alone. The bill failed when neither House would yield.[26]

The bill of 1800 was a measure designed to achieve partisan ends. While it prohibited Congress from questioning a state's popular vote, it did not bind Congress to accept a particular determination of the popular result. Since the facts reported by the Committee were in no way made the basis of the ultimate decision, there was not even a procedural guarantee that the result reached by the two Houses would be based on a fair assessment of the facts. If the bill did not provide a satisfactory means of validating a state's votes, however, it left no doubt as to where the power to validate lay. Even the Republican members of both Houses seemed to concede that Congress had full power to deal with the matters over which the bill gave it jurisdiction.[27] In light of this understanding it can be argued that the Twelfth Amendment, the remedy for other defects appearing in the election of 1800, embodied the view that the power to count the vote lay in Congress, rather than in the President of the Senate.[28]

No measure materially affecting the electoral count was passed in the years prior to the Civil War,[29] but on three occasions, Congress assumed the power to reject the votes of a state which had not completed the formalities necessary for admission to the Union.[30] The only other question concerning the electoral vote during this period arose in 1857, when the votes of Wisconsin, unavoidably given on the wrong day, were counted after an inconclusive debate.[31] In all four of these cases, the disputed votes had no effect on the outcome of the election. The only consistent pattern in the debates is the call for legislation to deal with the problem of the count.[32]

Congress asserted total power over the electoral vote with the adoption of the Twenty-second Joint Rule in 1865. Even more than the bill of 1800, the Rule was a political measure, passed and used by Republican majorities of both Houses to assure control over the votes of the recently rebellious southern states. It thus contained no machinery at all for solution of disputes on the facts. The Rule first provided for the joint meeting of the two Houses, at which the certificates were to be opened by the President of the Senate and read out by tellers. The critical portion was as follows:

"If, upon the reading of any such certificate by the tellers, any question shall arise in regard to counting the votes therein certified, the same having been stated by the Presiding Officer, the Senate shall thereupon withdraw, and the question shall be submitted to that body for its decision; and the Speaker of the House of Representatives shall in like manner state the question to the House of Representatives for its decision; and no question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurring vote of the two Houses, which being obtained, the Houses shall immediately reassemble, and the Presiding Officer shall then announce the decision of the question submitted; and upon any such question there shall be no debate in either House. And any other question pertinent to the object for which the two Houses are assembled may be submitted and determined in like manner." [33]

Since concurrence was required to count a disputed vote, either House, by its negative, could cause rejection. This procedure created no problem, because in the post Civil War political climate there was little prospect of disagreement over which votes to reject.

The Twenty-second Joint Rule was not applied in the count of 1865.[34] In 1869, although serious questions arose, no votes were rejected under the Rule.[35] The count of 1873, in which the Rule was applied to the votes of five states, is the first case in which a dispute over the popular vote was presented to Congress.[36] In four cases objection was made to the acts of the electors and to alleged technical faults in the certification.[37] When the votes of Louisiana came up, Congress for the first time dealt with a "double return," the device with which all subsequent legislation has been designed to deal. Two bodies in the state claimed to be the final canvassing authority. One had certified the state's Grant electors, while the other had validated a slate of Democrats, who also had the certificate of the governor. After a debate in which members of both parties said that Congress could look to the facts of a disputed election, in order to prevent the acceptance of a corrupt return, the Senate Committee on Privileges and Elections was empowered to investigate the situation.[38] The Committee found that neither canvass was valid, and held that Congress itself could not canvass the votes without usurping the state's constitutional powers. The Committee's report suggested, however, that it would be proper for Congress to go behind the governor's certificate to determine whether a legal canvass had been made.[39] In the count proceedings this report was not mentioned, but objections based on its facts were made and both sets of votes were rejected by concurrent vote.[40]

Under the Twenty-second Joint Rule Congress not only claimed the power to count, but defined that power as permitting it to reject an invalid state canvass. As in 1800, however, Congress would not undertake to decide for itself which electors had actually been appointed. Moreover, the make-shift fact-finding provisions relied upon were effective only because the state contest was not material to the outcome of the national election. The solution that was reached may have been just, as far as it went, but it left unresolved the question of who actually carried Louisiana.

Between 1873 and 1876 Congress tried vainly to pass permanent legislation to regulate the electoral count. A bill drafted by Senator Oliver P. Morton of Indiana passed the Senate in February 1875,[41] but the House failed to act upon it. The bill was in essence the Twenty-second Joint Rule, with a provision that a single return from a state could not be rejected unless both Houses concurred in the action, but that in case of a double return, no vote could be counted unless both Houses concurred. Brief debate was permitted in the separate sessions of the Houses, but an amendment creating a committee to find the facts was rejected.[42] Since any serious contest would present a

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double return the bill gave no greater guarantee of a nonpolitical decision than did the Rule. When the 44th Congress convened in December 1875, the House was Democratic for the first time since before the Civil War.[43] In this situation the Senate did not re-adopt the Twenty-second Joint Rule, in effect repealing it.[44] The Morton bill was brought up again in an effort to fill the gap, but members of both parties apparently felt that the time was not ripe for a measure which would permit the action of one House to control the other. The bill was laid aside for good in August 1876.[45] The nation thus faced the election of 1876 with no machinery for resolving disputes over the electoral vote. Perhaps both sides expected a close fight and neither wished to put into effect a plan which might work to its disadvantage.

All such expectations were more than justified in the election of 1876, which resulted in the Hayes-Tilden controversy, the one great test of our electoral system.[46] In no other election have disputed electoral votes been sufficient to affect the outcome. On this occasion Tilden, the Democratic candidate, could win either by picking up one of twenty contested votes or by prevailing in an election in the Democratic House. Unless Hayes won all of the contested votes, he would lose the presidency. In the count the chief problem was presented by double returns from Florida, Louisiana, and South Carolina, where Republican returning boards, claiming that the Democrats had used force and fraud among the Negro voters, had thrown out sufficient Tilden votes to carry the states for Hayes. Questions were also raised as to the eligibility of certain Hayes electors in Florida and Louisiana, and in Oregon, where the Democratic governor had certified a Tilden elector in place of the ineligible Republican. To resolve the controversy, a bipartisan majority of both Houses passed an act[47] creating the Electoral Commission, a body with "the same powers, if any, now . . . possessed by the two Houses," to take evidence upon and arrive at a decision of the disputes. In the joint session for the count, single returns were to be dealt with as in the Morton Bill.[48] Questions involving double returns were to be sent to the Commission. Its decision was to be binding upon Congress in the count, unless rejected by the vote of both Houses.

The composition of the Commission reflected a game but unsuccessful attempt to attain impartiality. It consisted of five Senators, five Representatives, and five Justices of the Supreme Court. In this group there were seven Democrats and an equal number of avowed Repubicans. The fifteenth man, a Justice to be chosen by the other four Justices, was to be the neutral balance. After Mr. Justice Davis, an independent, thankfully declined the honor in somewhat dubious circumstances,[49] it fell upon Mr. Justice Bradley, a Republican, who seemed to the Democrats the next most likely to decide impartially. Whether for partisan reasons, or because he saw the issues that way. Bradley consistenty voted with the Republicans, giving Hayes an eight-man majority on every important question before the Commission. As a result, the view that the decision was at least influenced, if not corrupted, by political considerations was widely held at the time and seems difficult to avoid today.[50]

The main issue before the Commission was its power (and thus the power of Congress) to go behind a state's own determination of the results of the popular election, as reflected in the findings of the returning board, duly certified by the governor. It seems clear, that whatever acts of violence the Democrats may have committed, in the three southern states, the Republican boards, in throwing out votes wholesale, had exceeded even the broad powers which reconstruction statutes had given them.[51] The Democrats argued that pursuant to the national interest in a true result, the Commission should look to the facts of the election and find that the Tilden electors had been appointed. In the alternative they urged that, as in the case of Louisiana in 1873, there were no valid returns from the states in question. These arguments failed to persuade the Republican majority of the Commission, which held by an eight to seven vote in each case that it was bound by the certificates based on results reached by the validly constituted state returning boards and would look to no evidence of the facts of the election.[52] The Commission also held that it had power to look into eligibility only if ineligibility at the time of voting were alleged. In the case of Oregon it made clear that the unchallenged result reached by the returning board could not be overruled by the governor's certificate.[53] In denying that it had power to go behind the returns, the majority was careful to leave open the possibility that Congress might provide by law some proper means for determining such qeustions.[54]

The decision of the Commission was accepted by the Senate in each case and so was binding in the count in spite of rejection by the House. The more eager Democratic partisans threatened to prolong the proceedings past the end of Grant's term on March 4, but other forces were working for compromise. Those who honestly feared civil tumult worked with those who saw the chance for personal advantage in a series of desperate negotiations that finally persuaded a majority of the House to desist, in time for Hayes to be declared elected on March 2.[55]

Congress had again taken control of the power to validate electoral votes, but Democratic hopes that the validation would be based on the merits of the individual controversies were illusory. The Commission not only refused to make impartial findings of fact, but allowed itself to be bound by the findings of partisan state agencies that were the source of the dispute. In spite of its judicial trappings, the Commission was a political body, an arm of Congress, and so it reached a partisan result. This result did not itself resolve the great controversy. It rather provided a medium for political compromise. The legal arguments involved had merit on both sides and would have divided Congress unalterably on political lines. The Commission prevented such a split by reaching a result which one House was bound to accept. A House compromise could then be reached without loss of face on either side. Considering the potential for civil disturbance which underlay the Hayes-Tilden controversy, an acceptable political solution was of great importance. Crisis might have been avoided altogether, however, if there had already been in effect a provision for fair determination of state controversies on the merits.

The Hayes-Tilden decision marked the end of a fifteen-year period of national crisis, but it did not halt congressional efforts to pass legislation that would solve the problems made manifest in 1877. The bill which finally became the Electoral Count Act was introduced by Senator Edmunds of Vermont in May 1878.[56] Spurred by two close presidential elections,[57] the Senate passed the bill three times in the next decade, but each time could not win the agreement of the House.[58] Finally, in 1887, when the passions of Reconstruction had cooled, the Republican Senate and Democratic House of the 49th Congress were able to pass a compromise measure in an atmosphere relatively free of partisan pressures.[59]

The Electoral Count Act as introduced in 1878 and passed in 1887 involved one significant change from the plan of the Morton Bills of 1875–76. If a state provided for the determination of contests over the electoral vote, the result of any proceeding under such a provision was to be binding on Congress in the count. Only in the failure of such a determination was Congress to have the power to reject votes. In its report in December 1886, the House Select Committee on the Election of President and Vice President described the effect of the proposed legislation:

"The bill provides the means of determining what is the vote, how it shall be counted, its count, and the authoritative declaration of the result.

"The two Houses are by the Constitution authorized to make the count of the electoral votes. They can only count legal votes, and in doing so must determine from the best evidence to be had, what are legal votes; and if they cannot agree upon which are legal votes, then the state which has failed to bring itself under the plain provisions of the bill and failed to provide for the determination of all questions by her own authorities will lose her vote.

"Congress having provided by this bill that the State tribunals may determine what votes are legal coming from that State, and that the two Houses shall be bound by this determination, it will be the State's own fault if the matter is left in doubt."

The great problems of the first century of our electoral system seemed solved. A measure had finally been passed providing for a fair determination of the facts of individual contests that would be binding upon Congress in the count. The national interest in a true result was thus vindicated without offense to state control of the process of appointment. While Congress claimed full power to validate votes, its role was limited to cases in which a state had failed to settle its own disputes and to questions beyond state competence. If the Act worked in practice, no dispute could again disrupt the orderly process of a presidential election.

The pertinent provisions of the Electoral Count Act as presently found in the United States Code[61] are as follows:

"If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned."[62]

Congress is to meet in joint session in the House at one P.M. on January 6th for the count of the vote, with the President of the Senate in the chair. The latter is to open "all the certificates and papers purporting to be certificates of the electoral votes," in alphabetical order by states and hand them to tellers who are to read them out.

"Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose

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appointment has been lawfully certified to according to Section 6 of this title[63] from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in Section 5 of this title[64] to have been appointed, if the determination in said section provided for shall have been made . . . but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in Section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State under the seal thereof, shall be counted."[65]

A survey of the sessions of Congress called to count the vote under the Electoral Count Act shows that prior to 1961 no question was presented at any count that might have called any of these provisions into play.[66] It is thus necessary to look closely at the language of the Act and its legislative history in order to understand its operation and effect in dealing with the problems of single and double returns so familiar to its drafters.

(1) *Single Returns.* If those who wish to contest the vote of a state have not sent forward a paper purporting to be a certificate of the electoral votes which they urge to be the correct ones, then the return which Congress has received is given virtually binding effect. The intention here was to insure that the election result reached by proper state authority would not be questioned in Congress if it were unchallenged in the State. Even in such a case, however, Congress must have power to see that the state governor has certified the results actually reached in the state canvass, and to deal with any irregularity in the acts of the electors.[67] By concurrent action the Houses may thus reject even votes in a single return that they find not "regularly given by electors whose appointment has been lawfully certified to" by the executive authority of the state under the terms of the Act.

The power of Congress over a single return is carefully limited to these two areas, but even in carrying out this mandate, difficult problems of interpretation could arise. Presumably votes "regularly given" are given in accordance with the requirements of the Constitution as to time and form. The language undoubtedly, also means that the electors have acted without mistake or fraud. Does it have the further meaning that they have voted for an eligible candidate? Likewise, votes "lawfully certified to" would seem to be votes certified to in accordance with the terms of the Act. Presumably the phrase also extends to a case in which the governor has certified electors other than those shown to have been elected by the state canvass, as in the case of Oregon in 1877. Could Congress look further under this provision and refuse to accept a governor's certificate based on a canvass illegally made? Does a vote cast by an ineligible elector otherwise properly certified to, who is ineligible to the office of elector fall within either of these categories upon which Congress may act? These unanswered questions could lead to the arbitrary congressional action which the Act sought to avoid.

(2) *Double Returns.* Since a return need only "purport" to be a certificate of the vote to merit consideration under the Act, in any serious contest, double returns will be presented. There are four situations which may arise.

(a) *Final Determination by Appropriate State Authorities.* The state contest provision was considered the central provision of the Act. Since the result of a contest was to be absolutely binding upon Congress as to the identity of the electors,[68] a return so validated would be counted if otherwise proper. The Act requires that only votes "regularly given" must be counted. The implication seems clear that votes not meeting this standard could be rejected as in the case of a single return,[69] and the problems of interpretation in that case would again be present.

Unfortunately the contest provisions present such difficulties, both of interpretation and application, that in the great majority of cases they will not apply. In the first place there is another problem of definition. Although the language of the Act was intended to give the states the broadest latitude to provide for the final determination of contests by any means—judicial or otherwise—only 19 states have passed contest legislation expressly dealing with presidential electors in any way.[70] In the remaining states a variety of provisions exist which deal generally with election contests.[71] In these states the courts would first have to decide whether they had jurisdiction in a contest involving electors.[72] If a state court took jurisdiction, Congress would then face two questions: (1) Does the language of the Electoral Count Act include contest provisions which do not specifically deal with electors? (2) If the state result is otherwise binding, is it the "final determination" envisioned by the Act? The Act does not provide for the decision of such questions. There seem to be grounds for argument that concurrence would be required to reject a state determination on these grounds, as in the case of a single return, but the question is open.

Problems of definition aside, there is a further difficulty in the time provisions of the Act. In Edmund's original bill a state determination made at any time prior to the date of the meeting of the electors would bind Congress. To insure that contests would be completed, the electors were to be appointed on the first Tuesday in October and were not to meet until the first Monday in January.[73] In the Act as passed, although a November election day was retained and the requirement that a state determination be made at least six days prior to the meeting of the electors was added,[74] contests were still practicable, because the electoral meeting was to be on the second Monday in January.[75] When the Twentieth Amendment changed Inauguration Day from March 4 to January 20, the legislation enacted to implement it made a corresponding change in these provisions.[76] The electors now are to meet on the Monday after the second Wednesday in December, only 40 days after they are appointed. In order to be of binding effect, a contest must be completed six days prior to that date, a mere 34 days after the election.

In only two states are the election contest provisions certain to produce a final result within this short period.[77] In the rest, finality would depend on a number of factors, such as the diligence of the contestant, the success of his opponent with delaying tactics, the number of votes questioned, and the time limitations of the contest procedure.

The aftermath of the 1960 election highlights the time problem. In Hawaii the official count of the popular vote showed that Mr. Nixon had carried the state by a mere 141 votes out of some 184,000 cast.[78] In the latter part of November the Democratic electors petitioned in the circuit court for a recount, which was allowed on December 13th, over the protest of the State Attorney General that federal law required a decision six days prior to the meeting of the electors.[79] Both sets of electors met on the appointed day, December 19, 1960, and cast their votes. The governor of Hawaii gave his certificate to the Republican electors. On December 30, 1960, the court handed down its decree, finding that the Kennedy electors had prevailed by 115 votes. On January 4, 1961, the governor forwarded to the Administrator of General Services a copy of the court decree and his revised certificate, validating the Democrats.[80] In the counting session the certificate of the Republican electors with its validation by the governor, the certificate of the Democratic electors, and the governor's revised certificate were all presented. After ascertaining that there was no objection, Mr. Nixon, presiding as Vice President, accepted the revised determination, with a careful statement that he was not to be considered as setting a precedent.[81] With the best will in the world the contestants in Hawaii were not able to reach a result until seventeen days after the deadline set in the Act. If Hawaii's three votes could have affected Mr. Kennedy's lead, Republican objections to the acceptance of the decree as binding would have been sound, whatever their fate in a Democratic Congress.

In Illinois, where Mr. Kennedy had prevailed by 8900 votes out of 4½ million cast, Republicans launched a vigorous campaign to uncover vote frauds in heavily Democratic Cook County and carry the state's 27 electoral votes for Mr. Nixon.[82] Amidst charges and counter-charges, they soon discovered that even without hindrance from Democratic election officials, it would be impossible to achieve a result in time.[83] They then urged that there was sufficient evidence of fraud that the State Election Board could refuse to certify the Democratic electors.[84] After maximum delay the Board, which was four-to-one Republican, certified the Kennedy electors, in the absence of "an overwhelming showing of fraud."[85] While the Republican tactics had an obvious political motivation, the episode illustrates that in a state the size of Illinois,[86] any kind of final state determination would be impossible within the time allowed by the Electoral Count Act. The culmination of inappropriate procedures, large numbers of votes to be recounted, and delaying tactics would undoubtedly mean that in any serious contest no state result could be reached six days prior to the meeting of the electors.

(b) *Conflicting Determinations by Different State Authorities.* The question of which state tribunal has been empowered by the legislature to determine contests could arise either in a dispute between two groups of men, each claiming to be the same final authority, or between two different tribunals, each claiming the power to act under a different provision of state law. The drafters of the Act left the decision of this problem to Congress. The concurrence of the two Houses was necessary for an affirmative result, as in any question of the recognition of a state government.[87] If the Houses cannot agree on the authoritative determination, or, if, as in the case of Louisiana in 1873, they agree that no determination was authorita-

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tive, the principle of the Twenty-second Joint Rule is applied and no vote from the state in question is counted. This result follows regardless of the governor's action. Congress in this case looks to the executive certificate only as evidence of the decision reached by a tribunal authorized by the state legislature. If the decision of the authorized tribunal cannot be made out, then there is no valid return for the governor to certify.[88] Congress must here decide a difficult factual and legal question, in addition to the problems already noted in the cases of single returns and single state determinations.

(*c*) *No Determination by State Authorities*. As the previous discussion of state contest provisions indicates, this situation is the one most likely to arise. If the Houses are in agreement, they can decide to count any set of votes that they find to have been "cast by lawful electors appointed in accordance with the laws of the State." This language presents difficulties. If double returns are presented they must be based on conflicting versions of the true state canvass. The decision of the governor should not be permitted to bind Congress if the state has not made him its final canvassing authority, but how far may Congress go? Is it limited to determining which of two contesting bodies is the lawfully appointed canvassing board of the state, or can it find that the lawfully appointed board has itself violated state law in the manner of its canvass? [89] If the Act really does embody a policy that Congress may act in the national interest to find the true result when the states have failed to do so,[90] then the latter course should be permissible. There might be practical limitations on reaching a fair result in this case, however. If the question were merely one of the legal effect of the board's action, the decision would be easy to make, but if the board had taken no action, and there were unresolved contests in the state, Congress would be ill-equipped to solve the problem on its merits.

If the Houses disagree, then the votes certified by the state executive are counted. Presumably the Houses could then agree that some or all of the votes so certified were not "lawful," that is, not "regularly given," [91] and so reject them. This turnabout, however, is politically unlikely. The provision reflects a long-standing concern that no votes should fail merely through disagreement of the Houses, but it seems more dangerous than the ill that it is meant to cure. In an election where contested votes in one or two states are decisive, the actual choice of a President will devolve upon the governors, who may act to serve a personal interest in the outcome.

(d) *No Executive Certification; Conflicting Certifications*. None of the returns presented may have a valid certificate because the governor has refused to certify any electors, or because one who has certified votes may have done so without authority under state law. There may be two claimants to the office of governor, or to the right to exercise executive authority under state law, each of whom has certified a different return. In these cases if the two Houses concur, either return may be counted, subject to the problems noted in the case where there is a governor's certificate. If the Houses disagree, the clear implication of the Act is that the vote of the state fails altogether, merely through lack of concurrence.[92]

The contest provisions of the Electoral Count Act were intended to provide a balance of the state interest in the process of appointment and the federal interest in reaching a result free of fraud or unfairness in time to inaugurate the winning candidate. If these provisions work as planned contests over the popular vote will be resolved in a fair manner, and few matters will be left to the decision of Congress. State contests are not likely to be effective, however. All disputes—even those involving the facts of the popular election—will thus be presented to Congress in the first instance.

The questions of fact or law which Congress must resolve in these disputes are problems of the sort which courts are accustomed to decide, but Congress is not a court. The facts upon which a court bases its decision are adduced according to stringent rules of evidence, and the legal questions before it are decided under long-established canons of construction and interpretation. At best Congress can get its facts at second hand through the medium of an investigating committee,[93] with only a little further light to be shed during the brief debate which the Act permits. Moreover, even if the facts are carefully and completely put before it, Congress is under no obligation to justify its decision by reference to the evidence or to rules of law. Courts may not be free from bias and prejudice in their treatment of the issues before them, but the paraphernalia with which their decisions are surrounded at least forces them to carry the burden of self-justification. Moreover, courts decide single cases, whereas Congress would unavoidably be dealing with the entire range of political questions involved in the election. There is no way of demonstrating whether each Congressman who votes on a question such as an electoral contest would pose is deciding it on the merits, but it is a fair inference that he is not.[94] Perhaps he should not even be expected to so decide, since he was elected to serve the political interests of those whom he represents. Congress is thus not only ill-equipped to solve the kind of problems which it will face, but is more than likely to decide these problems according to political needs. It is difficult to imagine public confidence of a high order in an election result arrived at in this manner.

If the Houses of Congress are of differing parties, partisanship may reach such heights that no decision under the Act is possible. While there is some question as to the effect of the rejection of votes on the number needed for a majority,[95] the situation could arise in which enough votes were rejected to throw the election into the House.[96] If in spite of the provisions of the Act designed to guard against dilatory tactics, the count is prolonged past January 20th, the Speaker of the House would assume the presidency until one of the candidates should have qualified, or until the next election, if the deadlock is impenetrable.[97] In either case, while the country is not left without a leader, the public is unlikely to feel that its interests have been served in the choice.

Congressional control of any phase of the appointment of electors can be justified only if it serves the interest of all the states in finality and accuracy of result. The Electoral Count Act gives to Congress a substantial measure of control, but it fails to serve the requisite national interest. If a dispute arose the mechanism of the Act would undoubtedly lead Congress to a final result, but a President chosen in this way could never completely refute the charge that his title depended on mistake or illegality in the election process.

The Electoral Count Act must be revised to provide for the impartial and conclusive settlement of all contests arising out of the popular vote. It is possible that the number of such contests could be reduced by state election law reform [98] and their effect minimized by change in or abolition of the Electoral College,[99] but prospects for these developments are unclear. The dangers in an unresolved electoral dispute are clear, however, and provision must be made to meet them, whatever other reforms are enacted.

There are at least four possible methods by which the present system might be improved. The basic pattern of the existing legislation could be retained, with revisions that would make effective its original provisions for the final determination of state contests by state authority. The existing legislation could be strengthened by making a state determination within certain time limits mandatory, with an alternative action in federal court if the state failed to provide an appropriate procedure. Exclusive jurisdiction of contests could be lodged in the federal courts. Finally, federal control might be established over all phases of the presidential election. Federal contest jurisdiction is the most satisfactory of these alternatives. Technical changes in the present plan would not insure a state finding in every case, because the requirement of a timely proceeding is not binding. If the state proceeding was made mandatory, this objection would be met, but the removal proceedings would be cumbersome and subject to abuse by a dilatory defendant. A provision for total federal control, which would have to be made by constitutional amendment, would totally defeat the wisdom of the original plan by making the executive at least indirectly subject to control by Congress.

Exclusive federal jurisdiction of contests offers a number of advantages. It insures that questions which are suitable only for judicial decision are heard by a tribunal versed in the law and accustomed to the role it must play. It utilizes the federal judiciary. State judges and other state officials are often subject to election and may be dependent upon a local political leader with national ambitions. Federal judges, on the other hand, having life tenure, are less likely to be influenced by partisan considerations.[100] Other advantages are procedural. Congress can provide a schedule for filing, hearing and decision of all contests. Since this schedule and other rules of procedure applied by the federal courts will be uniform, a contest in any state will be decided according to a single standard and within the time requirements of the electoral system.

For maximum fairness and effectiveness the plan must contain features. Selection of judges on an impartial basis must be provided for in advance, perhaps by requiring each circuit to establish an election contest calendar prior to the election.[101] The importance of the questions to be decided and their potential for conflict with state authority might justify trial before a special three judge court.[102] The court should have jurisdiction of all questions arising out of the popular election which affect the validity of votes and the accuracy and fairness of the count and canvass. To preserve state control over the manner of appointment the court would be bound to apply state election law in these matters.[103] The court's jurisdiction should further extend to questions of the eligibility of the electors under the Constitution. It should be made clear that an objection on these grounds is waived unless it is raised during the contest proceeding. In addition to the ordinary powers of a trial court to compel testimony and subpoena documents, the court should have express power to order the preservation of the ballots for a recount under the direction of a court-appointed master.[104]

A maximum of sixty days should be allowed between election day and the date of meeting of the electors. A complaint could be filed at any time after the election and until ten days after the completion of the state canvass. Answer and hearing should follow within ten days at most. This period is none too long for settling a controversy in a major state, but the nation cannot afford a longer period of uncertainty between administrations. At this point the interest in continuity of government must prevail even over the interest in an absolutely accurate result. The shortness of the time limit will be alleviated to some extent by procedures designed to achieve the maximum speed commensurate with fairness and accuracy. Moreover, the

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short time limitations will tend to prevent the bringing of exploratory contests without specific claims of mistake or fraud. Provision for direct appeal to the Supreme Court within the time limit should be made.

To eliminate the double return problem altogether, the court rather than the state governor should certify the electors to Congress, even in states where no contest has been brought. Upon completion of the canvass the final state canvassing authority should certify its results to the appropriate court. If a contest has been, or is filed, the court should hear it and certify the result to Congress. If no contest is filed within ten days after the final state canvass is received, the court should forward the state certificate with the endorsement that it is uncontested. In any case Congress will be bound to accept as duly appointed and as eligible those electors named in the certificate of the court, subject to the action of the Supreme Court on appeal.

Certain questions will necessarily remain for Congress to decide. As previously noted, no other authority can determine the right of a state to participate in an election, or of a given government to represent it.[105] If such a situation arose, the court might properly refuse jurisdiction. As long as there are electors, there will be the possibility that they will carry out their trust in a fraudulent or erroneous manner. The vestigial nature of the office and the publicity attendant on any effort to corrupt them decrease the probability that such problems will arise. If they do come up, they must be left to Congress. A tribunal can be appointed to find the facts, but the action which Congress will take on the findings is not as clear as in the case of a contested election. Whether a given deviation is sufficient ground for disfranchizing all who voted for a challenged elector is a policy question which only Congress should answer.[106] Finally, if for some reason the judicial system failed to reach a result, the old problems would be present. This situation, too, is an unlikely one. Should it come to pass, Congress would have to decide the underlying questions as best it could.

In those questions which are remitted to Congress, the present provision for acceptance only by the separate and concurrent vote of the two Houses should be retained. No plan can eliminate the political motivations of individual legislators. When the two Houses act as legislative bodies, however, individual prejudice is at once removed from the final decision, and they may serve as a check on one another. If the Houses are divided, they reflect a divided sentiment in the country. In these circumstances it is better that a vote not be counted at all than that one House be able to dictate a result.

The effect of the rejection of votes on the number needed for a majority should be made clear.[107] If it is found that there was no valid election in a state, then no electors were appointed there, and the number needed for a majority should not include the votes of that state. Likewise, the votes of a state excluded from the count by Congress for failure to comply with the conditions of statehood do not reflect electors who have been appointed, and should reduce the majority figure accordingly. When votes are rejected for reasons that do not have to do with failure of appointment, rejection should have no effect on the majority.[108]

A statutory provision for federal court jurisdiction of contests over the appointment of presidential electors could be enacted by Congress under the Constitution as it now stands. Until the passage of the Electoral Count Act of 1887 Congress had always refused to look into the facts of a state election. It was often suggested, however, that Congress could, by legislation passed prior to the election, give itself the power to do so. The Electoral Count Act may be construed as an expression of this view.[109] If Congress itself can step in to protect the national interest in honest and accurate election results, there would seem to be nothing to prevent the delegation of the task to the federal courts.

The power of Congress to establish federal jurisdiction over contests in presidential elections has never been ruled on by the courts. In the absence of specific provision it is clear that no such jurisdiction exists.[110] The Supreme Court has recognized that state power over the appointment of electors is broad enough to justify state prosecution of violations of state law in presidential elections.[111] This state jurisdiction is not exclusive, however. The federal courts would undoubtedly take jurisdiction of a criminal or civil proceeding under the appropriate Civil Rights Acts, based on a discriminatory deprivation by state action of the right to vote in a presidential election.[112] Moreover, the court has upheld statutory criminal penalties for individual action which interferes with the lawful conduct of presidential elections. This decision was justified on the ground that Congress has inherent power to protect the vital structure of the nation by preserving the purity of elections.[113]

With this inherent power Congress may provide a means for settling contests over the appointment of electors. Each state has a right to control the manner of appointment of its electors, but this right does not permit a state to determine that it shall appoint no electors, or that its appointment process shall be tainted with fraud or error. Any candidate for the office of elector, or any voter for that office, as a citizen of the United States, has a right to insist that the states carry out their function in a manner that will insure the integrity of the national government. That right is one granted by the federal Constitution. The mere fact that the Constitution provides that the right shall be made effective through state law does not deprive the federal courts of jurisdiction. There are numerous other situations in which rights that are defined by state law may be enforced in federal court.[114] In each such instance a national interest is present which establishes the right to federal enforcement. Diversity jurisdiction embodies a national interest in providing justice for citizens outside of their own states.[115] The interest involved in admiralty is that in having a single forum to dispense a uniform maritime law.[116] Here, the clear national interest is in preserving national stability through a fair and accurate presidential election.

Although there are strong arguments in favor of congressional power to provide by statute for electoral contests, it would be desirable to make the necessary changes by constitutional amendment. Legislation is now pending in Congress for amendments which would provide other much-needed reforms in the electoral system.[117] If an amendment is finally passed that alters the system in such a way that the requirements for contest provisions will be radically changed, the location of the power to resolve contests under it should be made explicit. Even if the basic structure of the electoral system is altered only in minor detail, the chance to make a new provision for contests should not be overlooked. At the very least, an amendment should provide that Congress may resolve, or pass legislation to resolve, all controversies arising out of the count or canvass of the popular vote.[118] While such a provision would finally settle the question of the location of the power to resolve disputes, it would not insure a timely and accurate resolution in every contest. Even if Congress were to pass legislation, there is good reason to expect that in a real crisis the provisions might be evaded or ignored altogether. Clearly, if the President approved, legislation providing an *ad hoc* political solution for a particular crisis could be passed, whatever prior statutes said. For this reason a constitutional amendment should make clear that contests involving the popular vote are to be decided by the federal courts in a trial on the merits. The plan could then be implemented by legislation similar to that suggested in the absence of constitutional change.

In a government of divided powers, no judicial decision, however fair, can prevent Congress from exercising its political authority in the election of a President. On the other hand, a Congress which hopes to preserve political stability cannot exercise its authority in a manner that is so clearly erroneous or self-seeking that it is offensive to the electorate at large. A legislative scheme that provides stringent measures for the fair decision of election contests will act as a check on arbitrary action. If Congress ignores or evades such a scheme, it carries a heavy burden of demonstrating that it has governed fairly. The present system for resolving contests imposes no such burden. Fair-minded men could reach a fair result under it, but unfair men could easily act to serve their own interests. In either case there is no certainty that the result reached is the true one.

The President of the United States will increasingly require strength based on national and international respect if he is to guide the nation through times of mounting crisis. This respect will not come to one who is elected under the slightest suspicion of error or fraud. To insure that no electoral contest will mar or disrupt the orderly succession to the presidency in the difficult future, Congress must give to the federal courts the power to reach a timely, final, and binding decision of all controversies.

FOOTNOTES

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[1] 107 Cong. Rec. 281–284 (daily ed., Jan. 6, 1961). For an account of the proceedings in Hawaii, see *infra*, notes 78–81.

[2] Act of Feb. 3, 1887, ch. 90, 24 Stat. 373 [hereinafter referred to as the Electoral Count Act]. For subsequent legislative history, see *infra*, notes 61, 63, and 76. The Act provoked considerable debate following its passage, but recent commentators have treated it only in passing, or have viewed it as solving all problems. See Burgess, *The Law of the Electoral Count*, 3 Pol. Sci. Q. 633 (1888); Carlisle, *Dangerous Defects in Our Electoral System*, 24 Forum 257, 264 (1897); Dougherty, The Electoral System of the United States 214–249 (1906); Tansill, *Congressional Control of the Electoral System*, 34 Yale L.J. 511, 524 (1925); Mullen, *The Electoral College and Presidential Vacancies*, 9 Md. L. Rev. 28, 41–42 (1948); Dixon, *Electoral College Procedure*, 3 West. Pol. Sci. Q. 214, 222–223 (1950); Wilmerding, The Electoral College XI (1958).

[3] *Infra*, note 117.

[4] U.S. Const. art II, § 1.

[5] See *infra*, notes 18 and 28.

[6] U.S. Const. art II, § 1.

[7] 3 U.S.C. § 1 (1958). As to state methods of appointment, see Wilkinson, *The Electoral Process and the Power of the States*, 47 A.B. A.J. 251, 253–4 (1961).

[8] See Harris, Election Administration in the United States, 236–307 (1934).

[9] 3 U.S.C. § 6 (1958). See *infra*, note 63.

[10] 3 U.S.C. §§7–11. To insure safe arrival of the elector's certificates, five duplicates are deposited with various other officers. *Id.*, § 11. Provision is made for the President of the Senate to send for these duplicates if necessary. *Id.*, §§ 12–14. See 20 Ops. Att'y Gen. 522 (1893).

[11] *Id.*, §§ 15–18.

[12] See *infra*, note 30.

[13] See *infra*, note 53.

Footnotes at end of article.

[14] *Supra*, note 2. The history of the electoral system can be only sketched here. For fuller treatment, see McKnight, The Electoral System of the United States (1878); Dougherty, *op. cit. supra*, note 2; Stanwood, A History of the Presidency from 1788 to 1897 (Bolton ed. 1926); Tansill, *supra*, note 2. A complete compilation of all congressional proceedings on the subject from 1789 until 1876 may be found in *House Special Committee on Counting Electoral Votes*, H.R. Misc. Doc. No. 13, 44th Cong., 2d Sess. (1877) [Hereinafter cited as *Counting Electoral Votes*]. When appropriate, reference will be made to this work, rather than to the original sources in the congressional debates. Dates will be given, however, so that the referenced matter may be found in the original.

[15] See 2 Records of the Federal Convention of 1787 109, 501 (Farrand ed., 1911). The Convention wavered between election by Congress and a number of other methods. The Congressional plan was actually approved and then reconsidered. *Id*. 101, 171.

[16] U.S. Const., art. II, § 1; 2 Records of the Federal Convention, *supra*, note 15, at 500–501. The Federalist No. 68, at 452 (Ford ed. 1898) (Hamilton).

[17] Before the present language was adopted in the Convention, a motion that the provision read "who shall have balloted," intended to prevent the number needed for a majority from being increased by non-voting electors, was lost. 2 Records of the Federal Convention, *supra*, note 15 at 515.

[18] U.S. Const., art. II, § 1; *cf. id.*, amend. XII. In the original provision, if the electoral vote ended in a tie, or if no candidate had a majority, the House, balloting by states, was to choose the President from the tied pair. If there were no majority, the choice was to be from among the five highest candidates. In any case the Vice President was to be the man who placed second. The Twelfth Amendment, in providing for the separate election of the Vice President, preserved the power of the House over the Presidential election and gave the Senate similar powers in the case of the Vice President. See *infra*, note 28.

[19] The Federalist, *supra*, note 16, No. 59, at 392–393. Hamilton did not discuss the electoral count or contests over the electoral vote. *Id.*, No. 68.

[20] The Act of March 1, 1792, ch. 8, 1 Stat. 239, also established the times at which the electors were to be appointed and were to vote, as well as the date on which Congress was to meet for the count of the vote.

[21] The rise of party feeling was apparent enough by 1796 to cause outspoken comment when a Federalist elector voted for Jefferson. Stanwood, *op. cit. supra*, note 14, at 51. While the electors retain their independence as a theoretical matter, in practice virtually every elector ever appointed has voted at his party's call. David, Goldman & Bain, The Politics of National Party Conventions 222n (1960); *cf*. Corwin, The President—Office and Powers, 1787–1957 40–41 (4th rev. ed. 1957). One court has gone so far as to suggest that mandamus would lie to compel an elector to vote as the party directed. Thomas v. Cohen, 146 Misc. 836. 262 N.Y. Supp. 320, 326 (Sup. Ct. 1933) (dictum), and the statutes of at least five states require a pledge. Wilkinson, *supra*, note 7 at 254. The Supreme Court has indicated, however, that while a political party may exact a pledge from a primary candidate, its enforceability is constitutionally dubious. Ray v. Blair, 343 U.S. 214, 230 (1952) dictum). Recent legislation in the southern states seems to embody express recognition of the principal of independence, Corwin, *supra*, at 41; Wilkinson, *supra*.

[22] Resolution of September 17, 1787, 2 Records of the Federal Convention, *supra*, note 15, at 665–666; *Counting Electoral Votes* 7–8 (April 6, 1789); 1 Kent, Commentaries on American Law 258–259 (1826); McKnight, *op. cit. supra*, note 14, at 140–147, 157–167, 179–181.

[23] In 1797 John Adams did not hesitate to count for himself the four votes of Vermont, which apparently had been improperly cast by the state legislature. Stanwood, *op. cit. supra*, note 14, at 52. Although this act gave Adams the presidency, no objection was raised in the counting session. *Counting Electoral Votes* 13, 15 (Feb. 8, 1797). In the tied election of 1800, Jefferson, also without opposition, counted dubious votes that gave a majority to himself and Burr. 2 Davis, Memoirs of Aaron Burr 71–73 (1837); Stanwood, *op. cit. supra*, at 69–73; *Counting Electoral Votes* 30 (Feb. 12, 1801). As to the idea that Congress could by legislation provide another agent for the count, see *Counting Electoral Votes* 16 (Senate, Jan. 23, 1800); Kent, *op. cit. supra*, note 22; H.R. Rep. 31, 40th Cong., 3d Sess. 84–88 (1869). *Cf*. 2 Story, Commentaries on the Constitution § 1470 (3d ed. 1858).

[24] Their purpose was to prevent the appointment of Republican electors by the Pennsylvania legislature. Beveridge, The Life of John Marshall 452–458 (1916); McKnight, *op. cit. supra*, note 14, at 262–269; Dougherty, *op. cit. supra*, note 2, at 62–63.

[25] *Counting Electoral Votes* 23, 27 (April 25, May 2, 1800). The original version of the bill in the Senate had provided for a "Grand Committee" with a majority of its members drawn from the Senate, having power to arrive at a binding final determination of all disputes except those over the popular vote. *Id.*, 21 (March 27, 1800). The milder House version reflected the efforts of John Marshall, a somewhat more moderate Federalist than his New England colleagues, to prevent the passage of a measure that would have excited even greater popular ill will against his party. Beveridge, *op. cit. supra*, note 24.

[26] *Counting Electoral Votes 28, 29* (*May 8, 9, 1800*).

[27] In both Houses they had urged substitute measures that gave the power to decide disputes to a majority of the joint convention. *Id*. 19 (Senate, March 25, 1800); *id*. 26 (House, April 30, 1800).

[28] The amendment did not alter the language of the original instrument regarding the count of the vote. *Cf*. U.S. Const. art. II, § 1. As to the changes actually made, see *supra*, note 18. The amendment was passed by the Republican 8th Congress on December 8, 1803, in a strict party line vote. 2 Stat. 306; Stanwood, *op. cit. supra*, note 14, at 77–82. The language of the act which implemented it suggests that someone other than the President of the Senate was to count the vote. Act of March 26, 1804, ch. 50, 2 Stat. 295. The language used in the count of 1805 indicates an understanding that Congress was the counting authority. *Counting Electoral Votes* 36, 37 (Feb. 13, 1805).

[29] In 1824, another year of impending crisis, the Senate passed a bill providing that the Houses should separate to decide disputed votes, with votes to be rejected only if the Houses concurred. The bill died in the House without being considered. *Id*. 57–60 (March 4-April 21, 1824). The Act of January 23, 1845, ch. 1, 5 Stat. 721, established the present election day and permitted the states to remedy minor defects in the electoral process. Sec. 3 U.S.C. §§ 1, 2, 4 (1958).

[30] In 1817 the votes of Indiana were counted after a debate in which it was assumed that if Indiana were not a state her vote would not be counted. *Counting Electoral Votes* 44–47 (Feb. 10-11, 1817). In 1821, Missouri not having complied with the antislave conditions to its admission, Henry Clay put through a compromise resolution which provided that the result should be announced in alternative form, both as though the vote of Missouri had been counted and as though it had not. *Id*. 48–56 (Feb. 6–14, 1821). Michigan's vote was counted in similar fashion in 1837, and the ineligibility of certain electors was pointed out. *Id*. 70–76 (Jan. 26–Feb. 8, 1837). The power of Congress to make such decisions is derived directly from its power to provide for the admission of new states. U.S. Const., art IV, § 3. If the two Houses cannot agree as to whether a certain entity is a state, or whether certain acts are the acts of the lawful government of a state, no other authority can resolve the question. See Luther v. Borden, 48 U.S. (7 How.) 1 (1849). For the treatment of similar problems in 1865 and 1869, see *infra*, notes 34, 35.

[31] *Counting Electoral Votes* 87–144 (Feb. 11–12, 1857).

[32] *Id*. 47 (House, Feb. 11, 1817), 52 (House, Feb. 14, 1821), 71 (Senate, Feb. 4, 1837), 129–132 (Senate, Feb. 12, 1857).

[33] *Id*. 224 (Senate, Feb. 6, 1865). The rule was hastily passed in sparsely attended sessions of both houses. *Id*. 223–226. *Cf. id*. 536 (March 13, 1876) (Remarks of Senator Whyte).

[34] The Twenty-second Joint Rule was only an alternative to the chief measure upon which the Radical Republicans relied to block the votes of lately reconstructed Louisiana and Tennessee. The Houses had previously resolved that no votes from those two states should be counted. *Id*. 147–149 (House, Jan. 30, 1865); *id*. 149–223 (Senate, Feb. 1–4, 1865; House, Feb. 4, 1865). In the count of the vote this resolution, reluctantly approved by Lincoln at the last minute, was relied on by the President of the Senate to keep the votes of Louisiana and Tennessee from the floor. *Id*. 227–228 (Feb. 8, 1865). In a message received two days after the count Lincoln made it clear that he deemed his approval of the measure unnecessary, if not improper, since Congress had "complete power to exclude from counting all electoral votes deemed by them to be illegal." *Id*. 229–230 (Senate, Feb. 10, 1865).

[35] The vote of Louisiana was objected to under the Twenty-second Joint Rule on the ground that no valid election had been held there. During the debate it appeared that there was no evidence of any misconduct, and the Houses concurred in accepting the questioned votes. *Id*. 237–244 (Feb. 10, 1869). The votes of Georgia, whose statehood was then pending before Congress, were counted under an alternative measure similar to those used in the pre-war crises, *supra*, note 30. The radicals of the House had sought to have Georgia's vote rejected altogether under the Twenty-second Joint Rule. Outraged, they debated a censure proposal for two days after the count. *Id*. 231–236 (Senate, Feb. 8, 1869; House, Feb. 8, 1869); *id*. 246–266; 267–320 (House, Feb. 11, 12, 1869). After the election an intensive and enthusiastically partisan investigation in New York City by a House Committee produced evidence of fraud which Republican members claimed would have given the state's electoral votes to Grant. H.R. Rep. No. 31, *supra*, note 23.

[36] In several instances between 1836 and 1872, the returns of isolated counties had been thrown out in the state canvass for various irregularities, but no protest was made in the count. Burnham, Presidential Ballots, 1836–1892 895–949 (1955).

[37] Three votes from Georgia cast for Greeley, the Democratic candidate who had died after the election, were rejected on the vote of the House, the Senate voting to accept them. *Id*. 368, 377 (Feb. 12, 1873). Objections on various technical grounds to the votes of Texas and Mississippi were denied by both Houses. *Id*. 369–371, 380, 383, 386–389. Arkansas's votes for Grant were rejected by the Senate for lack of a seal, suggesting that the Republicans were seeking to create an impression of fairness. *Id*. 402. It later appeared that Arkansas had no seal at the time of the election. *Cf. id*. 510 (Feb. 25, 1875) (Remarks of Senator Logan).

[38] *Counting Electoral Votes* 336–345 (Senate, Jan. 7, 1873).

[39] *Id.* 358–363 (Senate, Feb. 10, 1873). The Republican returning board had been upheld by the state supreme court, but the majority voted to ignore this fact, since the decision came after the meeting of the electors. *Id.* 362. See State *ex rel.* Attorney General v. Wharton, 25 La. Ann. 2 (1873).

[40] *Counting Electoral Votes* 399, 406 (Feb. 10, 1873).

[41] Id. 519 (Feb. 25, 1875). Prior efforts to pass a Constitutional Amendment giving Congress "power to provide for holding and conducting the elections of President and Vice President and to establish tribunals for the decision of such elections as may be contested," had been unsuccessful. *Id.* 345–357 (Senate, Jan. 17, 1873), 408–444 (May 28, 1874, Jan. 21–27, 1875). A proposal to change the Twenty-second Joint Rule to provide that concurrence was necessary for rejection also failed. *Id.* 444–458 (Feb. 4, 1875).

[42] S. 1251, 43 Cong., 2d Sess., *id.* 459 (Feb. 25, 1875). The amendment was thought too great a delegation of the congressional power over the count. *Id.* 480–487, 498–499. An amendment to eliminate the broad language of the Twenty-second Joint Rule, *supra,* note 33, permitting decision of "any other question," was passed, in order that the bill would not be construed as covering questions over which Congress had no jurisdiction, such as the determination of state contests. *Id.* 463.

[43] U.S. Bureau of the Census, Historical Statistics of the United States 692 (1960) [Hereinafter cited Historical Statistics].

[44] *Counting Electoral Votes* 786–787 (Jan. 20, 1876).

[45] *Id.* 519–520, 676–687 (Senate, March 13, April 19, Aug. 5, 1876).

[46] For fuller treatment of the controversy, see Haworth, The Hayes-Tilden Election (2d ed. 1927); Dougherty, *op. cit, supra,* note 2, at 105–213; Nevins, Abram S. Hewitt, 305–399 (1935); Woodward, Reunion and Reaction (1951); Lewis, *The Hayes-Tilden Election Contest* 47 A.B.A.J. 36, 163 (1961). The proceedings of the Electoral Commission are found in 5 Cong. Rec., part 4 (1877), a separately paged supplement to the Congressional Record [Hereinafter cited as 5(4) Cong. Rec.]. See also U.S. Congress, Electoral Commission, Electoral Count of 1877 (1877).

[47] Act of Jan. 29, 1877, ch. 37, 19 Stat. 227. For a summary of the debates on the Act, see Dougherty, *opt. cit. supra,* note 2, at 110–135. The committee deliberations that led to the acceptance of the measure are documented in Nevins, *op. cit. supra,* note 46, at 342–364.

[48] During the count single returns from Michigan, Nevada, Pennsylvania, Rhode Island, Vermont, and Wisconsin were objected to on eligibility grounds. All were accepted, either by concurrent vote or by the vote of the Senate. 5 Cong. Rec. 1720, 1728, 1938, 1945, 2054, 2068 (1877).

[49] Davis was unexpectedly chosen by the Illinois legislature to fill a vacancy in the United States Senate. It is unclear whether this transpired through Democratic stupidity or Republican cleverness. See Nevins, *op. cit, supra,* note 46, at 361–367.

[50] The letters of Mr. Justice Miller, avowedly a Republican, leave little doubt that he was heavily in favor of Hayes and greatly relieved by the outcome. Fairman, Mr. Justice Miller and the Supreme Court, 1862–1890 280–291 (1939). For the torrent of abuse to which Mr. Justice Bradley was subjected both before and after the proceedings, see Klinkhamer, *Joseph P. Bradley: Private and Public Opinion of a "Political" Justice,* 38 U. of Det. L.J. 150 (1960). The role of the five justices in the controversy increased public criticism of the opinion of the Court in the Granger Cases (Munn v. Illinois), 94 U.S. 113, handed down on March 1, 1877. 2 Warren, The Supreme Court in United States History 583 (Rev. ed. 1926). For more recent views, see Nevins, *op cit. supra,* note 46, at 370–373, 378n; Fairman, *op. cit. supra,* at 292; Woodward, *op. cit. supra,* note 46, at 155–163.

[51] The applicable Florida statute provided that the Board of State Canvassers might throw out any returns which appeared so false and fraudulent that the Board could not determine the true vote. Acts and Resolutions of Fla. 1872, ch. 1868, § 4. See Fla. Stat. Ann. § 102.131 (1960). The Board had taken testimony regarding alleged offenses and had thrown out numerous individual votes. In the gubernatorial contest the state supreme court rules this action illegal, holding that the statute gave the Board discretion to look only to the *bona fides* of the returns, not to the votes themselves. State *ex rel.* Drew v. Board of State Canvassers, 16 Fla. 17 (1877). In Louisiana the statute set up an elective returning board. If sworn complaints regarding fraud or violence at the polls were made to it, the board could investigate the charges and exclude from the count any return which it found materially affected by these influences. Acts of La. 1872, No. 98. § 3. Without complying with these formalities, the board had thrown out some 13,000 Democratic votes. 5(4) Cong. Rec. 60–61. The South Carolina statute gave the State Canvassing Board power to decide "cases under protest or contest." S.C. Rev. Stat. tit. 2, § 26. (1873). See S.C. Code § 23–476 (1952). The Board had refused to entertain Democratic allegations of fraud in certain of the county canvasses. 5(4) Cong. Rec. 180. For the unsuccessful efforts of the South Carolina Democrats in the state courts, see State ex rel. Barker v. Bowen, 8 S.C. 382 (1876); *Id.* 400 (1877).

[52] 5(4) Cong. Rec. 56, 119, 192. In the case of Florida the Commission further held invalid the certificate of the newly elected Democratic governor based on a state quo warranto proceeding completed subsequent to the date of meeting of the electors. In Louisiana it decided that a group of Democrats claiming to be the returning board was not authorized to act as such. In South Carolina it rejected Democratic arguments based on the failure of the state to enact a registration statute required by its constitution and on alleged federal interference in the election. *Ibid.* See generally, Dougherty, *op. cit. supra,* note 2, at 136–183, 202–207.

[53] 5(4) Cong. Rec. 38, 57, 117, 119, 179. Dougherty, *op. cit. supra,* note 2, at 153, 160, 180, 184–202.

[54] 5(4) Cong. Rec. 56, 192; *cf. Id.* 263–264 (Opinion of Mr. Justice Bradley).

[55] 5 Cong. Rec. 2068 (1877). The story of the negotiations is told in full detail in Woodward, *op. cit. supra,* note 46. See also, Nevins, *op. cit. supra,* note 46, at 379–399.

[56] S. 1308, 45th Cong., 2d Sess., 7 Cong. Rec. 3739. *Cf.* Edmunds, *Presidential Elections,* 12 Am. L. Rev. 1, 15–19 (1877).

[57] Garfield defeated Hancock in 1880 by only 7,368 votes out of some 9,000,000 cast, and won in the Electoral College by 214 votes to 155. In 1884 Cleveland's popular vote lead was some 68,000 out of 9,500,000, but his electoral vote lead was a mere 37. He carried New York with its 36 electoral votes by a plurality of only 1167 out of nearly, 1,200,000 votes. Historical Statistics 682–683, 689, *Cf.* Burnham, *op. cit. supra,* note 36, at 130, 137. As to the counts in 1880 and 1884, see *infra,* note 58.

[58] S. 1308, *supra,* note 56, passed the Republican Senate in December 1878, but was allowed to die in the still Democratic House. 8 Cong. Rec. 51–54, 68–74, 157–170, 197 (1878). In the 46th Congress, with both Houses Democratic, efforts to pass legislation to control the count of 1881 failed, and a compromise was adopted, providing for the alternative count of the votes of Georgia, which had been cast on the wrong day. Stanwood, *op. cit. supra,* note 14, at 399; 11 Cong. Rec. 19–32, 39–48, 61–73, 132–134 (1880). The count proceeded peacefully under this device. *Id.* 1386–1387 (1881). The bill reappeared in the Republican 47th Congress as S. 613. 13 Cong. Rec. 859, 2651–2652 (1882). It died in the House, after an unsuccessful effort to amend it to provide that the losing candidate might contest the election in federal court after the President of the Senate had declared the result. *Id.* 5142–5150. On its next appearance the bill passed a Republican Senate for the third time. S. 25, 48th Cong., 1st Sess., 15 Cong. Rec. 430, (1883). The House, again Democratic, passed a substitute giving decision of all questions to a per capita vote of the joint session, which was unacceptable to the Senate. *Id.* 5460–5468, 5547–5551 (1884); 16 *Id.* 1618 (1885). As in 1876, neither party would give ground in an election year, but the count of the vote in 1885 passed without incident. *Id.* 1532. As to the composition of Congress, see Historical Statistics 692.

[59] S. 9, 49th Cong., 1st Sess. It was introduced in the form in which it had last passed the Senate. 17 Cong. Rec. 122, 242 (1885). After a brief debate, a substitute was reported back. *Id.* 1021, 1057–1064, 2387 (1886). This version passed the Senate without amendment. *Id.* 2427–2430. Numerous amendments were added in the House, and the final form of the bill was the result of a conference. 18 Cong. Rec. 29–31, 45–52, 77 (1886); 668 (1887).

[60] H.R. Rep. No. 1638, 49th Cong., 2d Sess., 18 Cong. Rec. 30 (1886).

[61] Act of February 3, 1887, ch. 90, 24 Stat. 373, 3 U.S.C. §§ 5–7, 15–18 (1958). Technical changes were made by the Act of October 19, 1988, ch. 1216, 25 Stat. 613, and by the Act of May 29, 1928, ch. 859, 45 Stat. 945. For later changes, see *infra,* notes 63, 76. The Act, prior provisions still in effect, *supra,* notes 20 and 29, and subsequent changes were codified as 3 U.S.C. §§ 1–20 (1958), by Act of June 25, 1948, ch. 644, § 1, 62 Stat. 672.

[62] 3 U.S.C. § (1958).

[63] *Id.,* § 6 provides that the executive of each state, "as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment," is to mail a certificate of the electors appointed and the number of votes to the Administrator of General Services. Copies of this certificate are also given to the electors, who forward them with the certificates of their votes. *Supra,* note 10. If there is a subsequent determination of a controversy under 3 U.S.C. § 5, *supra,* note 62, evidence of it is to be forwarded in similar fashion. As to the role of the Administrator of General Services, see 107 Cong. Rec. 265 (daily ed. Jan. 6, 1961) (Remarks of Senator Russell). This function was transferred from the Secretary of State as part of the reorganization of 1950. Act of Oct. 31, 1951, ch. 655, §§ 4–9, 65 Stat. 711.

[64] *Supra,* note 62.

[65] 3 U.S.C. § 15 (1958). The Act also provides for brief recesses during the count, *id.* § 16; for a maximum of two hours of debate in separate session, with each speaker limited to five minutes, *id.* § 17; and in joint session for no debate and consideration of no other question except a motion to withdraw, *id.* § 18.

[66] In the count of 1889 there was some confusion, but no actual problems were present. 20 Cong. Rec. 1859–1860. For the subsequent counts, see 3 Hinds' Precedents of the House of Representatives, §§ 1960–1963 (1907); 6 *Cannon's Precedents of the House of Representatives,* §§ 442–446 (1935); 81 Cong. Rec. 83 (1937); 87 *id.* 43 (1941); 91 *id.* 90 (1945); 95 *id.* 89 (1949); 99 *id.* 130 (1953); 103 *id.* 294 (1957). The procedure presently followed has been purely a formal ritual for many years. See *Cannon's Procedure in the House of Representatives,* H.R. Doc. No. 122, 86th Cong., 1st Sess., 193–196 (1959).

[67] See 8 Cong. Rec. 54 (1878) (Remarks of Senator Edmunds); 18 Cong. Rec. 30–31

(1887) (Remarks of Mr. Caldwell); *id.* 49 (Remarks of Mr. Eden); *id.* 668 (1887) (Report of Conference Committee).

[68] 8 Cong. Rec. 52 (1878) (Remarks of Senator Edmunds). In the course of the debates in 1882, the Senate rejected an amendment that would have given the two Houses power to overturn the state determination by concurrent vote. The proponents of the bill made it clear that they deemed the state's determination to be absolutely binding. 13 Cong. Rec. 2651–2652. *Cf.* H.R. Rep. No. 1638, *supra,* note 60.

[69] 8 Cong. Rec. 54 (1878) (Remarks of Senator Edmunds); 18 Cong. Rec. 31 (1886) (Remarks of Mr. Caldwell).

[70] As to the legislative intent, see 17 Cong. Rec. 2387, 2427 (1886). In five states the legislature has provided a special contest proceeding in an existing court. Colo. Rev. Stat. Ann. §§ 49–14–1, 49–14–2 (1953); Conn. Gen. Stat. Ann. §§ 9–315, 9–323 (1958); Del. Code Ann. tit. 15, §§ 5921–5928 (1953); Mass. Ann. Laws, ch. 54, §§ 119–120 (1953); S.D. Code, §§ 16.1902–1914 (1939). In two states a special court has been established. Iowa Code Ann. §§ 60.1–60.6 (1949); N.D. Cent. Code §§ 16–06—16–15 (1960). In two states express provision is made for trial in the manner decreed for contests for other offices. Okla. Stat. Ann. tit. 26, §§ 518, 392 (1955), 391 (Supp. 1960); Pa. Stat. Ann. tit. 25, §§ 3291, 3351–3352, 3456–3475 (1938). The legislature of one state has provided that it shall determine all contests for the office of elector. Vernons Ann. Mo. Stat. § 128.100 (1952). Three states have provided for final determination of contests by the canvassing authority. Kans. Gen. Stat. Ann. § 25–1433 (1949); R.I. Gen. Laws Ann. § 17–22–4 (1956); Vernon's Ann. Tex. Stat. Election Code, § 9.29 (1952). In two other states there are similar provisions, but court decisions cast doubt on their finality. Me. Rev. Stat. Ann. ch. 5 § 50 (1954) (See Bounds v. Smart, 71 Me. 380 (1880)); *cf. infra,* note 71; S.C. Code §§ 23–475, 23–476 (1952) (See Redfearn v. Board of State Canvassers, 234 S.C. 113, 107 S.E.2d 10 (1959)). In two states the provisions specifically applicable to electors are not the exclusive form of contest. Fla. Stat. Ann. tit. 9, §§ 102–121, 131; 99.192–221 (1960) (See *infra,* note 71); N.H. Rev. Stat. Ann. §§ 59:94–98, 68:1–11 (1955) (See *infra,* note 71). Two southern states have passed identical legislation giving to a special board broad powers over the electoral vote which might be construed to include final power to determine contests. Ark. Stat. Ann. § 3–327 (Supp. 1959); Ga. Code Ann. § 34–2515 (Supp. 1960). If the Arkansas provision does not apply, then contests would be tried as for supreme court judge. Ark. Stat. Ann. § 3–313 (1947). In Georgia the contest provisions for members of the General Assembly would govern. Ga. Code Ann. §§ 34–2101, 2901, 2801–2803 (1936). One proposal for legislation to implement the Twenty-third Amendment, giving the District of Columbia the presidential vote, would provide both a recount and a special contest proceeding in the United States District Court for the District of Columbia. Washington Star, April 2, 1961, § 1, p. 7; cf. S. 1883, 87 Cong., 1st Sess., 107 Cong. Rec. 7478–9 (daily ed. May 16, 1961).

[71] In 17 states provision has been made for the contest in the state courts of election to "any office," "any public office," "any state office," or a similar variation, Alaska Sess. Laws 1960, ch. 83, §§ 4.71–4.93; Ariz. Rev. Stat. Ann. §§ 16–1201–1207 (1956); Cal. Elections Code §§ 8510–8575; Fla. Stat. Ann. tit. 9, §§ 99.192–99.221 (1960) (See *supra,* note 70); Hawaii Rev. Laws §§ 11–85.1–.5 (Supp. 1960); Ill. Ann. Stat. ch. 46, §§ 23.19–.30 (1944; Supp. 1960); Ky. Rev. Stat. §§ 122.070–.090 (1955); Md. Ann. Code art. 33, §§ 145–146 (1957; Supp. 1960); Minn. Stat. Ann. §§ 209.02–209.10 (Pamphlet Supp. 1959); Mont. Rev. Codes Ann. §§ 23–1459–1467 (1955); Nev. Rev. Stat. §§ 296.505–.515 (1959); N.J. Stat. Ann. §§ 19:29–1–29–11 (1940); N.M. Stat. Ann. §§ 3–9–1—3–9–10 (1953); N.Y. Election Law §§ 330–333, *cf.* N.Y. Civil Pract. Act §§ 1208–1221; Ohio Rev. Code §§ 3515.08–.15 (Baldwin, 1960) Ore. Rev. Stat. §§ 251.025–.090 (1957); Utah Code Ann. §§ 20–15–1—15–12 (1953). Two states provide for such contests in the legislature. Ind. Stat. Ann. tit. 29, §§ 5601–5617 (1949); N.C. Gen. Stat. §§ 163–99 (1952). The general contest provisions of the remaining states do not extend to presidential electors, but all of these states provide an action in quo warranto against one who "usurps, intrudes into or unlawfully holds or exercises any public office." In 11 of the states there is little doubt that a lack in the general contest provisions is to be supplied by a quo warranto proceeding. Ala. Code tit. 17, §§ 231, 254 (1959); *id.* tit. 7, §§ 1136–1155 (1960) (Provision that no election triable under the Code may be tried by quo warranto is to be strictly construed. Walker v. Junior, 247 Ala. 342, 24 So. 2d 431 (1946); Idaho Code Ann. §§ 34–2001–2011, 6–602–609 (1948) (See Tiegs v. Patterson, 79 Idaho 365 318 P.2d 588 (1957)); Me. Rev. Stat. Ann. ch. 129, §§ 21, 22 (1954) (Common law right of action preserved) (See *supra,* note 70); Mich. Stat. Ann. §§ 27.2315–2326 (1938), 6.1861–1892 (1956) (Statutory recount proceeding does not abridge common law right); Miss. Code Ann. §§ 1120–1145, 3287–3290 (1956) (Quo warranto lies in cases not covered by election contest provisions. Kelly v. State *ex rel.* Kiersky, 79 Miss. 168, 30 So. 49 (1901); Warren v. State *ex rel.* Barnes, 163 Miss. 187, 141 So. 901 (1932); N.H. Rev. Stat. Ann. § 491.7 (Supp. 1960) (Common law right of action preserved). Stickney v. Salem, 96 N.H. 500, 78 A.2d 921 (1951) (See *supra,* note 70); Tenn. Code Ann. §§ 2–1901–2017, 23–2801–2821 (1955) (Provision that no election triable under the Code may be tried by quo warranto is designed to insure that there be only one contest proceeding. State *ex rel.* Anderson v. Gossett, 77 Tenn. 644 (1882)); Vt. Stat. Ann. tit. 12, §§ 4041–4045 (1958), tit. 17, §§ 1361–1365 (1939) (See States *ex rel.* Ballard v. Greene, 87 Vt. 515, 89 Atl. 743 (1914)) Wash. Rev. Code §§ 29.65.010–.130 (1951), Wash. Rev. Code Ann. §§ 7.56.010–.100 (1961) (See State *ex rel.* Holt v. Hamilton, 118 Wash. 91, 202 Pac. 971 (1921)); Wis. Stat. Ann. §§ 6.66 (1957), 294.01–.13 (1958) (See State *ex rel.* Dithmar v. Bunnell, 131 Wis. 198, 110 N.W. 177 (1907)); Wyo. Stat. Ann. §§ 22–296, 22–306–324 (1957), 1–896–929 (1959) (See State *ex rel.* Watson v. Christmas, 48 Wyo. 239, 44 P. 2d 905 (1935)). In the remaining four states serious doubts exist as to whether the writ would lie in an election contest. La. Stat. Ann. §§ 18:1251, 42:76–85 (1951); Nebr. Rev. Stat. §§ 25–21,121–21,134 (1956), 32–1001–1034 (960); Va. Code Ann. §§ 24–419–434 (1950), 8–857–865 (1957); W. Va. Code Ann. §§ 193–207, 5310–5316 (1955). As to quo warranto generally, see McCrary, American Law of Elections §§ 393–395, 425 (4th ed. 1897).

[72] This question in most cases would turn on the definition of the term "public" or "state" office in the applicable statute. The United States Supreme Court has held that electors are "state officers" in denying habeas corpus in a conviction under state law for vote fraud in a presidential election. In re Green, 134 U.S. 377 (1890). Interpretation in state courts has varied from case to case, however, according to the intention of the legislature. *Compare* State v. Mountjoy, 83 Mont. 162, 271 Pac. 446 (1928), *with* Spreckels v. Graham, 194 Cal. 516, 228 Pac. 1040 (1924); Harless v. Lockwood, 85 Ariz. 97, 332 P. 2d 887 (1958), *with* Lane v. Melamore, 169 S.W. 1073 (Tex. Civ. App. 1914); *cf.* Annot., 68 A.L.R.2d 1320 (1959). See also Smith v. Ruth, 308 Ky. 60, 212 S.W.2d 532 (1948); Lillard v. Cordell, 200 Okla. 577, 198 P.2d 417 (1948).

[73] 8 Cong Rec. 51 (1878).

[74] In the third version of the bill, S. 25, *supra,* note 58, Senator Hoar, floor manager, insisted that it was unchanged from its previous passage in the Senate, but the six-day requirement was in the version taken up by the House. 15 Cong. Rec. 430, 5076 (1884). Amendments to eliminate the provision from the final version of the bill, S. 9, *supra,* note 59, were rejected in the House. 18 Cong. Rec. 77 (1886).

[75] 24 Stat. 373.

[76] Act of June 5, 1934, ch. 390, §§ 6–7, 48 Stat. 879. The Twentieth Amendment altered Inauguration Day to January 20th, and the first meeting of the new Congress to January 3d. The Act, in providing that the counting session should be on January 6th, insured that the count would not be made by a lame-duck Congress.

[77] The statutes of Connecticut and Iowa, *supra,* note 70, expressly provide that a result is to be reached prior to the deadline in the federal statute.

[78] N.Y. Times, Dec. 16, 1960, p. 28, col. 2 (city ed.).

[79] Lum v. Bush, Civil No. 7029, Circuit Court of the First Judicial Circuit. See N.Y. Times, Nov. 30, 1960, p. 29, col. 7 (city ed.); *id.* Dec. 2, 1960, p. 17, col. 6; *id.* Dec. 15, 1960, p. 39, col. 1; 107 Cong. Rec. 282–3 (daily ed. Jan. 6, 1961). See Hawaii's contest statute, *supra,* note 71 .

[80] For the various certificates, the court decree, and the governor's letter of explanation, see *ibid.* The governor noted that the time for appeal would not expire until January 9th, but that no appeal was planned. *Id.* 282.

[81] *Id.* 283. *Cf.* N.Y. Times, Jan. 7, 1961, p. 1, col. 4; p. 8, col. 2 (city ed.).

[82] N.Y. Times, Nov. 29, 1960, p. 17, col. 1 (city ed.); *id.* Nov. 30, 1960, p. 29, col. 1; *id.* Dec. 2, 1960, p. 17, col. 2; *id.* Dec. 3, 1960, p. 23, col. 3. *Cf.* 107 Cong. Rec. A-1402 (1961).

[83] Under Illinois law a "discovery" recount, which is of no effect on the official count or in a subsequent contest, may be undertaken by a defeated candidate in order to determine whether or not he has grounds for contest. Ill. Ann. Stat., ch. 46, § 22–6 (Supp. 1960). This proceeding bogged down due to a difference of opinion between the parties as to the scope of the recount. N.Y. Times, Dec. 1, 1960, p. 22, col. 3; *id.* Dec. 3, 1960, p. 23, col. 3; *id.* Dec. 6, 1960, p. 30, col. 1. An attempt to get mandamus requiring the Cook County Canvassing Board to change its result in accordance with the discovery proceeding failed. *Id.* Dec. 13, 1960, p. 23, col. 1.

[84] The Board, composed of the governor and four other executive officers, is required to meet within twenty days after the election and "proceed to open and canvass" the returns from the counties in order to ascertain which presidential electors are the winners. Ill. Ann. Stat. ch. 46, §§ 1–3, 7–14, 21–2, 21–3 (1944; Supp. 1960). The Republican claim was based on a "1912" decision which would permit the Board to reject county returns. The Democrats consistently argued that the Board had ministerial powers only and could do no more than tabulate the county canvasses. N.Y. Times, Dec. 1, 1960, p. 22, col. 4 (city ed.); *id.* Dec. 7, 1960, p. 24, col. 3. The Republicans' case was apparently People *ex rel.* Hill v. Deneen, 256 Ill. 536, 100 N.E. 180 (1912), in which the state board was permitted to refuse a revised proclamation by a county board based on a court proceeding in which there was no jurisdiction. The board was directed to accept the original county canvass. This case is far from giving the state board power to hear facts and decide a contest for itself. If anything, it stands for the proposition that the county canvass is conclusive upon the board unless attacked in a proper proceeding, which under Illinois law is a statutory election contest. *Supra,* note 71. See People *ex rel.* Wilson v. Mattinger, 212 Ill. 530, 72 N.E. 996 (1904); People

ex rel. Ganschinietz v. Renner, 334 Ill. App. 302, 79 N.E. 2d 298 (4th Dist. 1948).

[85] N.Y. Times, Dec. 15, 1960, p. 39, col. 1 (city ed.).

[86] Illinois ranked fourth in the 1960 census, with 10,081,158 inhabitants. Chicago, with a population of 3,550,404 is the nation's second largest city. *World Almanac 1961* 81–82.

[87] 8 Cong. Rec. 52–54 (1878). See *supra*, note 30.

[88] In the debates and in the final report of the Conference Committee, it is clear that the provision for the governor's certificate to control in the disagreement of the Houses was to apply only in the case of double returns without a state determination. See 17 Cong. Rec. 1020, 1022 (Remarks of Senator Hoar); 18 *id.* 49–50 (Remarks of Mr. Eden); *id.* 668 (1887) (Conference Committee Report).

[89] This situation might have arisen if the Illinois Election Board had failed to certify the Kennedy electors. See *supra*, note 84. In 1877 the Electoral Commission would not extend Congressional power beyond an inquiry into the credentials of the state board. *Supra*, note 52.

[90] This was the view of Mr. Caldwell of Tennessee, House floor manager of the bill. 18 Cong. Rec. 30–31 (1886).

[91] *Id.* 31.

[92] 17 *id.* 2427–2428 (Remarks of Senator Hoar).

[93] In the Senate the Committee on Privileges and Elections, now a standing sub-committee of the Committee on Rules and Administration, has jurisdiction over "matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally." Senate Standing Rule XXV 1(o)(1)(D), *Senate Manual*, S. Doc. No. 2, 87 Cong., 1st Sess. (1961). Similar jurisdiction is vested in the appropriate sub-committee of the Committee on House Administration. House Rule XI.9. (K), *House Manual*, H.R. Doc. No. 458, 85 Cong., 2d Sess. (1959). See Galloway, The Legislative Process in Congress 358 (1953). *Cf.* the activities of Senate investigators in 1873, *supra*, notes 38–40, and committees of both Houses in 1877. Dougherty, *op. cit. supra*, note 2, at 141, 164.

[94] Congress has long had a reputation for the partisan decision of contests over its own membership. Out of 382 cases decided in the House between 1789 and 1907 only three members not of the majority party were seated. Alexander, History and Procedure of the House of Representatives 313–324 (1916). Decisions in the years since 1907 seem to have been somewhat less partisan. 1 Haynes, The Senate of the United States 126n (1938); *cf.* Galloway, *op. cit. supra* note 93. In the most recent contest in the House, minority members of the Sub-Committee which had conducted a partial recount agreed in seating the Democratic candidate, but accused the majority of partisanship in certain decisions regarding the application of Indiana law. Roush v. Chambers, H.R. Rep. No. 513, 87 Cong., 1st Sess. 65–70 (1961). On the floor Republican members raised the same objection, urging that the state determination should have been binding, but conceded that to object was "an exercise in futility" in view of the Democratic majority in the House. 107 Cong. Rec. 9647–9661 (daily ed. June 14, 1961).

[95] In 1877, because no votes were rejected, the problem never arose. Since the constitutional language, *supra*, note 5, calls for election by a majority of the electors appointed, the answer would seem to depend on whether the votes in question were rejected because of a failure in the appointment process, or because of a subsequent failure on the part of the elector. Precedents drawn from other electoral counts are inconclusive. In 1873 the total announced by the President of the Senate as necessary for a majority included the votes of Louisiana, even though both sets of electors had been rejected because neither was found to be supported by a valid canvass. *Counting Electoral Votes* 408 (Feb. 12, 1873). In the years in which the vote was counted in the alternative, the number needed for a majority was reduced by the amount of the questioned votes. In these cases, however, it is clear that a state which cannot vote at all has not appointed electors. *Id.* 266 (Feb. 10, 1869); see *supra*, note 30; *cf.* 11 Cong. Rec. 1387 (1881) (electors voted on wrong day; majority not reduced). On several occasions the majority figure was reduced to account for electors who had been appointed, but had not voted through death or disability, *Counting Electoral Votes* 40 (Feb. 8, 1809); *id.* 50 (Feb. 14, 1821); *id.* 226, 229 (Feb. 8, 1865); see Stanwood, *op. cit. supra*, note 14, at 63, 113. This practice is in direct contravention of the express intention of the Constitutional Convention, *supra*, note 17. Whatever the precedents, the sponsors of the Electoral Count Act clearly intended that votes rejected under it would reduce the number needed for a majority accordingly. 17 Cong. Rec. 821 (1886) (Remarks of Senator Hoar).

[96] U.S. Const. amend. XII.

[97] For the succession, see U.S. Const. amend. XX; 3 U.S.C. § 20 (1958).

[98] See Harris, Election Administration in the United States (1934); *cf.* Note, 106 U. Pa. L. Rev. 279 (1957).

[99] See Wilmerding, The Electoral College 85–86, 115–116 (1958); *cf.* Margolin, *Proposals to Reform Our Electoral System* 30, 46, 66 (Library of Cong. Legisl. Ref. Serv. 1960).

[100] Federal judges owe their positions to executive appointment with the advice and consent of the Senate, but they have life tenure during good behavior and may be removed only by impeachment. U.S. Const. art. II, §§ 2, 4; art. III, § 1; art. I, §§ 2, 3.

[101] In England, where contested seats in Parliament are tried before a two judge election court, all the judges of the King's Bench Division meet annually to select three of their number to serve on a special rota for the court during the coming year. Supreme Court of Judicature Act (Consolidation), 1925, 9 & 10 Geo. 5, c. 64, § 67. See Representation of the People Act, 1949, 12 & 13 Geo. 6, ch. 68, §§ 119–137. *Cf.* Schofield, Parliamentary Elections 503–544 (3d ed. 1959). Efforts to introduce such a system for congressional contests have been unsuccessful. Haynes, *op cit. supra*, note 94, at 122n.

[102] These factors led to the present requirement that a three judge court sit on proceedings where injunction of state action is sought. 28 U.S.C. §§ 2281–2284 (1958). See Hart & Wechsler, The Federal Courts and the Federal System 47–48, 843–849 (1953).

[103] Federal courts apply state substantive law in many cases in which they serve as the forum for the enforcement of state-defined rights. See Erie R. Co. v. Tompkins, 304 U.S. 64 (1938) (Diversity jurisdiction); Hess v. United States, 361 U.S. 314 (1960) (Admiralty); cases and sources cited in Hill, *The Erie Doctrine in Bankruptcy*, 66 Harv. L. Rev. 1013, 1033–34, nn.87–89 (1953) (National bank winding-up, trade-mark infringement, tax appeal, bankruptcy). Congress in deciding contested congressional elections, has often claimed the power to view state law as merely advisory in such questions as the validity of ballots. Haynes, *op. cit. supra* note 94, at 155; H.R. Rep. 513, *supra*, note 94, at 22, 69–70. This power is justified in the complete control over its own elections and contests which the Constitution vests in Congress. U.S. Const., art. I, §§ 4, 5. Since there is no such federal control provided over the appointment of electors, the courts should be limited to the liberty which they now exercise in appropriate cases to interpret state law freely in the absence of a clear state pronouncement on the point in question. 1 Moore, Federal Practice ¶¶ 0.307–0.309 (2d ed. 1959).

[104] To insure that the recount is carried out as quickly and impartially as possible, great care must be exercised in the selection of the personnel who actually count the ballots. In the most recent contest in the House, this chore was performed by auditors from five regional offices of the federal General Accounting Office. H.R. Rep. 513, *supra*, note 94, at 12. If it is objected that what are essentially executive employees should not participate in the count of the presidential vote, then the court might be authorized to assign private accountants to the job.

[105] *Supra*, p. 5; note 30.

[106] All of these problems would be resolved by what one political scientist has pointed out to be the simplest and least controversial of all Electoral College reforms—eliminating the office of elector. Burns, *A New Course for the Electoral College*, New York Times, Dec. 18, 1960 (magazine), p. 10, at 28. President Kennedy proposed such a change as a Senator in 1957. S.J. Res. 132, 85th Cong., 1st Sess. The Kennedy plan is again pending in the Senate. See *infra*, note 117.

[107] See *supra*, note 95.

[108] The distinction may be difficult to make. Has an ineligible elector been "appointed"? When votes are rejected merely because the Houses disagree, has the state appointed electors? Questions of interpretation such as this must await an actual case.

[109] See H.R. Rep. No. 31, *supra*, note 23, at 84–88; *cf.*, *supra*, note 54.

[110] See State ex rel. Barker v. Bowen, 8 S.C. 382 (1876). Congress has given the District Courts jurisdiction of election disputes in which the sole question arises out of the denial of the right to vote on account of race, creed, color, or previous condition of servitude. The offices of elector, Senator, representative, and state legislator are excluded from these provisions, however. 28 U.S.C. § 1344 (1958). The provision has been held to bar federal jurisdiction over a contest in a primary election for United States Senator. Johnson v. Stevenson, 170 F.2d 108 (5th Cir. 1948), *cert. denied*, 336 U.S. 904 (1949). After the 1960 presidential election jurisdiction over a contest proceeding was refused by the United States District Court for the Southern District of Texas. New York Times, Dec. 13, 1960, p. 23, col. 1 (city ed.).

[111] In re Green, 134 U.S. 337 (1890). As to the variety of methods of appointment permissible, see McPherson v. Blecker, 146 U.S. 1 (1892).

[112] See Nixon v. Herndon, 273 U.S. 536; (1927); cf James v. Bowman, 190 U.S. 127 (1903); see Wilkinson, *The Electoral Process and the Power of the States*, 47 A.B.A.J. 251, 252–3 (1961).

[113] Burroughs v. United States, 290 U.S. 534 (1934). The decision was based on the broad language of *Ex Parte* Yarborough, 110 U.S. 651 (1884), which did not distinguish between congressional and presidential elections in holding that Congress could legislate to preserve the rights of citizens that were essential to the continuance of the government. These cases may be distinguished from Walker v. United States, 93 F.2d 383 (8th Cir. 1937), *cert. denied*, 303 U.S. 644; *reh. denied*, 303 U.S. 668 (1938) in which it was held that a conspiracy against the right to vote for presidential electors could not be prosecuted under a federal statute making conspiracy to injure a citizen in his constitutional rights a crime. The latter case holds only that the citizen's individual right to vote is not protected by the Constitution, since it is subject to the control of the state legislatures. The power of Congress to protect the integrity of elections remains unchallenged.

[114] See *supra*, note 103.

[115] See Hart & Wechsler, *op. cit. supra*, note 102, at 892–893.

[116] *Id.* 20–21, 789–790.

[117] See S. 102, a proposal for "a commission to study and propose improvements in the methods of nominating and electing the President and Vice President"; S.J. Res. 1, a proposal for a Constitutional amendment to abolish the electoral college altogether in favor of direct popular election, including power in Congress to provide by legislation for the settlement of controversies; S.J. Res. 2, a proposed amendment to abolish the electors and to apportion the electoral vote among the candidates according to the proportion of the popular vote each has received; S.J. Res. 4, a proposal similar to S.J. Res. 2, with the proviso that if no candidate gets at least 40% of the vote a combined session of the House and Senate will choose the President and Vice President; S.J. Res. 12, a proposed amendment that would divide the states into equal districts in which each person votes for a district elector and for two electors at large; S.J. Res. 17, a proposal similar in effect to S.J. Res. 1, *supra*, with no provision for settling controversies and with some additional features S.J. Res. 28, a reintroduction of S.J. Res. 2, 81st Cong., 1st Sess., in the form in which it passed the Senate in 1950, a proposal generally similar to S.J. Res. 4, *supra*; S.J. Res. 113, a proposal embodying the Kennedy plan, *supra*, note 106. Similar measures have been introduced in the House. Hearings began before the Senate Constitutional Amendments sub-committee on May 23, 1961. New York Times, May 24, 1961, p. 13, col. 1 (city ed.). For a general discussion of the various proposals, see Margolin, *op. cit. supra*, note 99.

[118] The only measure presently pending which deals with the problems of contests has such a provision. S. 102, *supra*, note 117.

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The Constitution, Congress, and Presidential Elections

(By Albert J. Rosenthal) *

Although Alexander Hamilton characterized the method provided in the Constitution for the selection of the President as "almost the only part of the system, of any consequence, which has escaped without severe censure, or which has received the slightest mark of approbation from its opponents,"[1] its critics soon made up for lost time, and it has probably been the subject of more proposed amendments than any other provision of the Constitution.[2] Recent years have seen an intensification of interest in the subject, reflecting both widespread concern that a President might be chosen who was not the leader in popular votes and fear over the dangers of a stolen or stalemated election. This heightened attention may have sprung in part from the near crises of 1948 and 1960,[3] but undoubtedly it has also been influenced by the rapid growth in the power and significance of the presidency itself. Evidence for this may be seen in the fact that of the last six constitutional amendments adopted, five have concerned the presidency in whole or in part.[4] Still, the basic method of electing the President has continued almost without change.

While a wide variety of amendments intended to remove various apparent shortcomings in the method of selecting our Presidents have been proposed over the years, the current drive is centered on the proposal to employ a direct, nationwide, popular vote. This would eliminate the possibility that the popular favorite might be defeated, as was Grover Cleveland in 1888, by an opponent with fewer popular but more electoral votes. If coupled with a provision that less than a majority of the popular votes (for example, 40 per cent) would suffice for election, or that a runoff election would be held if no candidate obtained a required percentage,[5] this proposal would defeat the strategy of regional third-party candidates who seek to deprive either major party candidate of a majority of electoral votes and to throw the election into the House of Representatives where a stalemate could easily result. Finally, a direct popular vote would also prevent the "theft" of an election by the action of presidential electors defying the mandate of the voters who had selected them on the assumption that they would support their party's nominees.

It is not surprising that this proposal has garnered widespread support. It has been recommended by a prestigious commission of the American Bar Association[6] and endorsed by the ABA's House of Delegates. The Bar Association of the City of New York, which had previously recommended a different proposed amendment,[7] has now shifted its support to direct popular vote,[8] as has Senator Birch Bayh, Chairman of the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary.[9] A Gallup poll indicates that 66 per cent of the nation supports this amendment, with only 19 per cent opposed.[10]

It must be remembered, however, that a decision to amend the Constitution is, as a practical matter, usually an irreversible step.[11] It is the purpose of this Article to examine the gravity of the evils sought to be eliminated, the possibility that the proposed amendment might give rise to undesirable side effects, and the availability of alternative remedies.

I. DEFEAT OF THE POPULAR CHOICE

We still choose our chief magistrate by a method which is both anachronistic and undemocratic. There is much that is attractive in the view that the President should be chosen by a completely democratic process—that if the principle of "one man—one vote" has validity elsewhere it ought to be applied here. For a nation professing dedication to democratic ideals, the selection of its most important officer through a method not completely democratic must, inevitably, be a source of dissatisfaction. And under *any* system in which the presidency is determined by some method other than direct popular vote, there is necessarily a possibility that the popular favorite may not win.

There are, however, difficulties with a completely democratic selection process both in principle and practicality. As an abstract proposition, complete equality of influence of every voter in the country might well be a worthy goal. But we are not living under an abstract proposition. In other parts of the real system under which we live, voters do not always have equal influence: compare the Senate. The way in which the President is chosen must be considered in the context of the entire governmental structure rather than in isolation. Moreover, since there is no real possibility of achieving total equality in every component of our political life, it may be particularly pertinent to consider the desirability of direct popular election of the President in terms of practical consequences as well as democratic theory. What forces in our society would be strengthened, and what weakened, if the change were made? Which needs would be likely to be served, and which put aside?

The Founding Fathers, of course did not contemplate a purely democratic procedure for choosing the President. The device selected was the product of compromise between those favoring and those opposing popular participation in the choice;[12] it also reflected an earlier compromise between the large and the small states as to congressional representation.[13] Even the right to vote for presidential electors was not assured, since each state could "appoint" its electors as it saw fit. In fact, in some states—South Carolina until 1860[14]—the legislatures retained this power.

The original constitutional framework has, with minor exceptions,[15] remained unchanged to this day; yet, as a practical matter the manner of presidential selection evolved very quickly into a form which would have been unrecognizable to the Framers. With the growth of political parties, the elector soon became a mere functionary expected to vote for his party's candidates.[16] And with the advance of democracy, each state eventually directed that its electors be chosen by universal suffrage. However, the electors are still chosen on a state-by-state basis, and in turn, they elect the President.[17]

When the voters first began choosing electors, many states were divided into electoral districts with the result that if party strength differed from district to district a mixed delegation of electors was chosen. A few states, however, employed statewide balloting, and the party that prevailed in total vote secured the entire electoral count. This device enabled a state to achieve an influence far greater than a state whose electoral vote was divided; by a sort of Gresham's Law, the states in the latter group felt obliged, in self-defense, to follow suit. Before long, the statewide or "general ticket" method became universal, and it has seldom been departed from in the last century.[18]

Thus, as the system now operates in practice, the candidate obtaining a plurality[19]—however small—of a state's popular votes receives its entire complement of elector votes. A candidate carrying a number of states by small margins can therefore prevail over his opponent whose total popular vote may be greater. Although this has seldom happened, the possibility cannot be ignored.

Three elections are often cited as examples of the defeat of the popular favorite—those of 1824, 1876, and 1888. In 1824, the two-party system had temporarily broken down, and all four candidates—Andrew Jackson, John Quincy Adams, William H. Crawford, and Henry Clay—were, nominally at least, Democrats. No candidate received either a majority of the electoral vote or a majority of the popular vote in the eighteen (out of twenty-four) states in which the people chose their electors by popular vote. The vote was divided as follows;[20]

Candidate	Popular	Electoral
Jackson	152,933	99
Adams	115,696	84
Crawford	46,979	41
Clay	47,136	37

Pursuant to the Constitution, the choice devolved upon the House of Representatives, with each state casting one vote and a majority (thirteen states) necessary for election. Clay threw his support to Adams, who won on the first ballot. The result has generally been interpreted as a defeat for democratic principles, and that interpretation was successfully employed by Jackson in his return match with Adams four years later. But because in six states the electors were chosen by the legislatures rather than at the polls, and because of the possibility that Adams may well have been the second choice of most of the supporters of Clay and Crawford, Adams' election is not a conclusive case of a defeat of the popular will.

In 1876, by anyone's count, Democrat Samuel J. Tilden secured a clear popular majority over Republican Rutherford B. Hayes.[21] However, disputes arose in four states, and double sets of returns were sent to Congress. Apart from the disputed votes, Tilden had 184 electoral votes and Hayes 165; twenty electoral votes were at stake, and Tilden needed only one of these to win.[22] Congress established an Electoral Commission to resolve the disputes, and the Commission, by a strict eight-to-seven party vote, found for Hayes in each instance. Thus, the final count was 185 for Hayes and 184 for Tilden. In this instance, the defeat of the popular choice may be ascribed to the election frauds which gener-

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Footnotes at end of article.

ated the controversy and to the party-line votes of the Electoral Commission, rather than to the unresponsiveness of the electoral college to the popular vote. Yet, even under the Republicans' count of popular votes, Tilden had a majority; this demonstrates that the system itself could have thwarted the popular will even if there had been no controverted returns.

The only apparently clear example of defeat of the popular will was the election of 1888, in which Grover Cleveland, who led Benjamin Harrison in popular votes, was decisively defeated in the electoral count. The vote was tabulated as follows: [23]

Candidate	Popular	Electoral
Harrison	5, 445, 269	233
Cleveland	5, 540, 365	168
Minor parties	404, 205	0

Although neither candidate had a majority of the popular vote, this would seem to be an unquestionable instance in which the plurality candidate lost the election. Yet we cannot be certain that, had the President been elected by direct popular vote, Cleveland necessarily would have won. If the gound rules regarding election had been different, the candidates would presumably have campaigned differently, aiming at total votes rather than at carrying critical states. A larger voter turnout would have been likely in those one-sided states where interest lagged because the choice of electors was fairly certain. For example, a more active attempt to bring out Republican votes in the then solid Democratic South might have been made. Of course, this could have been outweighed by an even larger turnout of otherwise complacent Democrats. In short, we will never know.

A significant feature of the 1888 election was that, while Cleveland's 95,096 popular vote plurality availed him nothing, a switch of a mere 7,189 votes out of well over 1,000,000 in New York would have swung its thirty-six electoral votes to his column and enabled him to win by 204 to 197.[24] Ironically, four years earlier, Cleveland had beaten Blaine by 219 electoral votes to 182, also prevailing in the popular vote by a margin of 23,737. Yet a shift of 575 votes in New York would have elected Blaine (218–183), despite Cleveland's nationwide plurality.[25]

The tremendous potential significance of a handful of votes in the larger states has not been overlooked; the party conventions usually choose candidates from the largest states, and campaigns are tailored to capture their electoral votes. Yet this seemingly swollen influence of the large-state voter appears inconsistent with the mathematics of the electoral college. The smaller states seem to be accorded disproportionately large representation because each state, regardless of population, is accorded two electoral votes corresponding to its two senators as well as one for each representative; thus, Alaska casts one electoral vote per 75,389 inhabitants, as contrasted with California's one per 392,930.[26]

Whose vote, then, really does count for more? Does the large-state voter wield more influence than his counterpart in the small state? Is the answer dictated by the electoral vote/population ratio or is the instinct of the politicians more accurate? Not until this year has the solution been forthcoming. In a brilliant mathematical analysis, John E. Banzhaf, III, has demonstrated algebraically that the general ticket system accords each large-state voter a greater chance than his smaller-state counterpart to affect the ultimate result of an election despite his smaller theoretical share of the electoral vote.[27] In effect, the voters in a state may be compared to participants in a caucus, each of whom agrees to cast his vote in accordance with the decision of the majority; each thereby gains potential power, and the larger the number of participants in the caucus the greater the power. This factor outweighs the higher electoral vote/population ratio of the smaller states; a voter in California or New York has been calculated to have almost three times the chance of affecting the final result as a voter in any of several smaller states.[28]

Despite the difficulties encountered by the Constitutional Convention in resolving the competing interests of the large and small states, few issues have polarized the nation along such a dividing line. Until about twenty years ago, proposals to change the system were at least ostensibly predicated more upon theoretical objections to unequal voting power and to the possibility of a popular winner becoming an electoral-college loser than upon fostering or frustrating any interests supposedly concentrated in a particular group of states classified by size. Over the years, the types of changes proposed have taken several forms. A perennial favorite has been the reversal, by constitutional amendment, of the practice of employing the general ticket. Mandatory choice of electors by separate districts within a state was first proposed in 1800 and has since been repeatedly urged; its current champion is Senator Mundt of South Dakota. A proposal to split each state's electoral vote in proportion to its popular vote was first offered in 1848; under the sponsorship of Senator Lodge of Massachusetts and Representative Gossett of Texas it came close to success in 1950, when it carried the Senate by more than the required two-thirds but died in the House. A combination of both proposals, whereby a state could choose either procedure but could not adhere to the present winner-take-all method, picked up no fewer than fifty-four sponsors in the Senate but nevertheless failed to carry, largely because of the brilliant opposition of Senator Paul Douglas and freshman Senator John F. Kennedy. Depending on the observer's political leanings, he may find poetic justice or irony in the fact that, under either of the two procedures, Kennedy probably would have lost to Nixon in 1960.

Pursuant to either the district or the proportional plans, the small states would retain the mathematical advantage stemming from their higher electoral vote/population ratios, while the larger states would lose the advantage of the countervailing "caucus" factor. Banzhaf has calculated that under the district plan, a voter in Alaska would have over three times the influence of one in California or New York, and under the proportional plan, over five times as much.[29]

But by the 1950's something new had entered the picture. Theoretical considerations undoubtedly motivated some of the proponents of change, but there were many who openly deplored what they regarded as the growing influence of urban minority and labor groups upon the selection of Presidents and their conduct in office. They attributed this influence to the concentration of electoral votes in the populous states, where these minority and labor groups might hold the balance of power.[30] While direct election of the President would have eliminated these supposed discrepancies, the essentially conservative leadership of the drive for the district and the proportional amendments soundly defeated direct popular vote when it was proposed.[31] Instead, this leadership strove for changes which would have discriminated *against* the large-state and large-city voters in the choice of the President, despite the fact that these voters already faced disadvantages in the composition of the Senate, the districting of the House of Representatives, and the apportionment of the state legislatures.

While proposed from time to time over the years, the direct popular vote amendment has only recently attracted much support. Hesitation may have sprung from the assumption that the smaller states would never accept the destruction of their theoretical advantage; since over half of the states partook of that advantage, the possibility that three fourths of them would ratify such a constitutional amendment seemed remote indeed.[32] Other factors, however, would seem necessary to explain the almost two-to-one vote against the proposal among 254 heads of university political science departments in a 1961 survey conducted by the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee.[33] It may be that the political scientists were moved by the same consideration asserted by John F. Kennedy in the 1956 Senate debate: "[I]t is not only the unit vote for the Presidency we are talking about, but a whole solar system of governmental power. If it is proposed to change the balance of power of one of the elements of the solar system, it is necessary to consider all the others." [34] Kennedy was talking about the proposed district or proportional systems, but the same considerations would apply, albeit with somewhat less force, to direct popular election.

Of course, Kennedy was speaking—and the political scientists were voting—before *Baker* v. *Carr*,[35] *Reynolds* v. *Sims*,[36] and *Wesberry* v. *Sanders*,[37] which invalidated the subordination of the cities to the rural areas in the composition of state legislatures and the House of Representatives. Much of the reason for retaining the disproportionate influence of the large states (and therefore of the large cities within those states) [38] in the choice of the President as a countervailing inequality to balance their weakness in other political areas has since disappeared. In the light of these more recent constitutional developments, a fresh look at the problem is needed.

Is there any longer a respectable case for opposing direct popular election? I, for one, believe that there is. First of all, it is too soon to assume that the reapportionment decisions are going to stick. As the readers of the March 1968 issue of this *Review* must be especially aware, a substantial effort has been mounted to reverse those decisions, either through an ordinary constitutional amendment or through the calling of a new constitutional convention.[39] Before the populous states and cities previously prejudiced by malapportionment should be asked to give up whatever advantage they are accorded by the present method of choosing the President, they might want some assurance that there will be no reversion to the dominance of state legislatures and the House by rural interests.[40]

Apart from the danger of a recrudescence of rural domination of legislatures and the House, the permanent underrepresentation of larger states in the Senate is frozen into the Constitution even beyond the reach of the amending process.[41] Each Alaskan's vote counts seventy-four times as much as each New Yorker's in the composition of the Senate; by comparison, the advantage accorded to New Yorkers by the present method of electing the President is slight indeed. Even without regard to legislative apportionment, therefore, we still must face the issue which Senator Kennedy raised in 1956. Too many elements in the "solar system of governmental power" are still loaded against the voter in the large states to warrant the conclusion that fairness obliges him to give up the one advantage which he retains.

Perhaps more significant than countervailing inequalities are the practical consequences of the proposed change. It would scarcely be prudent to effect a permanent alteration in our political structure without careful examination of its probable effects on governmental processes. What influences would be strengthened, what weakened, if Presidents were to be chosen by direct vote?

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The most obvious consequence of the proposed change would be a reduction in the importance of the large states in the choice of the President. But, as mentioned above, issues in American politics have rarely been polarized between large and small states, so at first glance the change might not seem to be very significant. But large states do contain large cities; according to the 1960 census, of the eight largest cities, seven are located, one each, in the seven largest states.[42] And the cities, until recently the victims of rural-dominated apportionment of state legislatures and unequal districting in the House of Representatives, are in serious trouble. To whatever extent our Presidents may be influenced by the voting strength of the urban voters, it would seem imperative that this influence not be curtailed.

Even more important, there has in recent years been an enormous influx of Negroes into the cities—to a point where over two thirds of all Negroes outside of the South are concentrated in our twelve largest cities,[43] with all signs pointing to even further concentration in the future. The appalling conditions imposed upon all but a tiny fraction of them has been detailed elsewhere.[44] The result is the most serious domestic crisis the nation has had to face in a century. Can we afford to reduce, even in the slightest, the likelihood that the federal government will take the heroic measures urgently needed to cope with this crisis? [45]

Changing the method of choosing the President means much more than turning a potential losing candidate into a winner and vice versa. The choice of a party candidate reflects at least in part the judgment of the convention delegates as to his chances for victory; under the present structure great attention must necessarily be paid to the popularity of the candidate with urban and Negro voters.[46] If we reduce the influence of those voters, we will reduce the attention which conventions will pay to urban and Negro preferences when nominating candidates. Similarly, an incumbent President seeking re-election—or hoping that his successor will be of the same party—will probably pay more attention to urban and Negro needs under the present system than if the balance of power were changed.

The plight of the cities is becoming increasingly desperate. Racial tensions seem to be worsening rapidly. Compared with the magnitude of the problems, little enough has been done about them even under existing rules. Should the rules be changed in a way which will undoubtedly diminish just those influences which might prod us toward implementing the measures we so badly need? [47]

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Advocates of direct popular vote do not rest their case on equalization of voting power alone. They point out two additional weaknesses in the present system which would be cured by their proposed amendment: the possibility of a standoff in the electoral college followed by a stalemate in the House of Representatives, and the danger that a sufficient number of electors to deprive the apparently victorious candidate of the presidency will vote contrary to the expectation of the voters. Do these dangers, considered together or separately, justify adoption of the proposed amendment?

II. THE CONTINGENT ELECTION PROCEDURE

Criticism has perennially been directed at the procedures applicable if no candidate secures a majority of the electoral vote. In such cases, the election is thrown into the House of Representatives, which must choose among the three leading candidates. In the House, each state's delegation casts one vote, and the votes of a majority of states (twenty-six today) are required for election.

Only twice has this procedure been invoked[48]—and not since 1824—but there have been several near misses. A third-party candiate whose total popular vote is large but evenly spread throughout the nation may not secure any electoral votes and thus could not normally prevent one of the major party nominees from attaining a majority in the electoral college.[49] The danger arises from a regional candidate, such as George Wallace, who carried five Southern states; if the major party candidates run closely enough, a candidate like Wallace can hold the balance of power. There is reason to believe that this was a major purpose of the Wallace candidacy and of the campaigns of his "Dixiecrat" predecessors. If a standoff in the electoral college were followed by a stalemate in the House, Wallace would have presumably tried to trade his support to one of the major party candidates in return for assurances of retrogression on civil rights and perhaps for promises to appoint conservatives (or even racists) to the Supreme Court and to other sensitive positions such as that of the Attorney General.

If there is no majority in the electoral college, it is highly unlikely that there will be a majority of states supporting one candidate in the House. This conclusion does not rest solely upon the probability that the political complexion of each state's congressional delegation will resemble the distribution of its presidential vote. If the delegation of a state is evenly divided it can cast no vote; yet a majority of all the states, voting or not, is necessary to elect a President. Under the current apportionment, twenty-nine of the fifty states are assigned an even number of representatives; in a close year, at least a few evenly split delegations are inevitable. Such a stalemate almost occurred in 1948. Truman led Dewey by over 2,000,000 popular votes, and by 303 electoral votes to 189. The States Rights candidate, Strom Thurmond, garnered only slightly more than 1,000,000 votes but carried four states and secured thirty-nine electoral votes. Hence, no resort to the House was necessary. But if there had been a small shift in the popular vote in key states,[50] there would have been no electoral vote majority. Assuming that all representatives would have supported the candidates of their respective parties and that the delegations from the states carried by Thurmond would have supported him, the House vote would have been: [51]

Candidate	*States*
Truman	21
Dewey	20
Thurmond	4
Evenly divided	3

How the impasse would have been resolved is a matter, fortunately, only of conjecture. Edward S. Corwin has remarked that we continue to rely "on the intervention of that Providence which is said to have fools and the American people in its special care." [52]

Again in 1960, a shift of only 9,421 votes in Illinois and Missouri, or several other combinations of small numbers of votes in other states,[53] would have thrown the election into the House of Representatives with no clear assurance as to the outcome there. Certainly, the present method for contingent election is unsatisfactory—indeed, it is dangerous. As Professor Paul J. Piccard stated: "A certain amount of perseverance is needed in order to discover something good to say about the possibility of an election of the President by the House of Representatives." [54] But it does not follow that the entire electoral system must be overhauled merely to eliminate this one undesirable feature. If the advocates of change are motivated primarily by fear of the success—this year or some year—of a Wallace-type candidate in stalemating the election, their purpose can be achieved by curing the objectionable part of the procedure.

Any number of remedies suggest themselves. The simplest might be to reduce the portion of the electoral vote needed for election of the candidate receiving a plurality from an absolute majority to something less—40 per cent or one-third. American electoral practices with respect to the requirement of a majority, as distinguished from a mere plurality, have been ambivalent; in most instances, pluralities are sufficient. In almost all states, we choose our Senators, Representatives, and governors by plurality vote.[55] And within each state except Georgia,[56] a plurality is sufficient to elect the presidential electors themselves. The winners of fifteen presidential elections [57] have received less than a majority of the popular vote; indeed, this was true in nine of thirteen elections from 1844 to 1892, and has again been true in 1948, 1960, and 1968.

Another solution would be to call an immediate run-off election between the two leading candidates, with all electors required to vote for one or the other.[58] Still another alternative which would work in most though not all cases would be to replace the contingent election by states in the House of Representatives with a joint session of the House and the Senate, in which each senator and representative would vote as an individual.[59] In brief, there is no shortage of possible remedies for this part of the problem, and there is no need to throw out the entire system to cure one objectionable element.

III. THE FAITHLESS ELECTOR

The third weakness in the present system for choosing the President springs from the possibility that presidential electors will vote contrary to the assumption of the voters who selected them. If such action on the part of a sufficient number of electors were to reverse the decision of the voters, the ensuing dispute over the legitimacy of the election of a new President might well inflict grave injuries upon the nation. If we assume that discretion on the part of electors to override the expectations of their constituents must be eliminated, there are three possible ways in which this may be accomplished: by the courts under existing law, by statute, or by constitutional amendment.

The Founding Fathers intended the electors to be free agents,[60] but they did not foresee the growth of political parties. Hamilton's concept of the electors as "men most capable of analyzing the qualities adapted to the station . . . likely to possess the information and discernment requisite to such complicated investigations" [61] did not accurately reflect the situation for long. In 1788 and 1792 Washington was everyone's choice anyway. By 1796, political parties were evolving, and electors were being pledged to support their respective parties' candidates. In that year, Samuel Miles, a Federalist elector from Pennsylvania, voted for Jefferson instead of Adams, evoking this comment from a Federalist voter: "Do I chuse Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chuse him to act, not to think." [62] By 1800, party discipline had already evolved to a point where it caused the Democrats acute embarrassment. In that year, each of their electors dutifully voted for both Jefferson and Burr, causing a tie that could be resolved only with the assistance of some of the Federalist members of the House of Representatives.[63] With the removal of this problem by the twelfth amendment, the compulsion for the strict adherence to party mandate grew even stronger.

In 1820, elector Samuel Plumer—contrary to the expectations of his constituents—voted for John Quincy Adams instead of James Monroe, thereby preventing Monroe from sharing Washington's distinction of being the unanimous choice of the electoral college. But apart from some unclear cases arising from the four-way election of 1824,[64] there has not until recently been a single subsequent instance of an elector following his own bent.[65] Indeed, in 1876, when James

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Russell Lowell, a Republican elector from Massachusetts, might have cast his vote for Tilden and thereby spared the nation the crisis that followed,[66] he felt obliged not to do so. He wrote to Leslie Stephen:

"In my own judgment I have no choice, and am bound in honor to vote for Hayes, as the people who chose me expected me to do. They did not choose me because they had confidence in my judgment, but because they thought they knew what that judgment would be. If I had told them that I should vote for Tilden, they would never have nominated me. It is a plain question of trust. The provoking part of it is that I tried to escape nomination all I could, and only did not decline because I thought it would be making too much fuss over a trifle."[67]

As Justice Jackson stated in 1952:

"Electors, although often personally eminent, independent, and respectable, officially became voluntary party lackeys and intellectual nonentities to whose memory we might justly paraphrase a tuneful satire:

"'They always voted at their Party's call
And never thought of thinking for themselves at all.'

"As an institution the Electoral College suffered atrophy almost indistinguishable from *rigor mortis.*"[68]

Three electors have voted contrary to mandate in recent years. In 1948, Preston Parks appeared on two slates in Tennessee, one committed to Truman and one to Thurmond. Although the Truman ticket carried the state, Parks cast his vote for Thurmond. In 1956, W. F. Turner, a Democratic elector in Alabama, cast his vote for Walter E. Jones, a local judge, instead of supporting cases, as with Samuel Plumer in 1820, the Adlai Stevenson, the party nominee. In these votes involved had no consequence, and the purpose of the electors was apparently to make a gesture rather than to affect the choice of the President. But in 1960 a much more disquieting incident occurred.

Shortly after election day, one Lea Harris of Montgomery, Alabama, circularized the newly chosen electors, urging them to withhold electoral votes from Kennedy (and Nixon as well) and to agree upon a ticket acceptable to conservative sentiment, particularly in the South. As one of several such tickets, Harris suggested Byrd for President and Goldwater for Vice President. One Republican elector, Henry D. Irwin of Oklahoma, sent out further solicitations of his own. In the end, however, he alone switched, And since his vote represented a shift from Nixon to Byrd it did not diminish Kennedy's majority. Called to testify before a Senate Judiciary subcommittee considering constitutional amendments relating to the election of the President, Irwin claimed to have had the "tacit support" of the Republican National Committee, but on cross-examination it was established that he had garnered little more than vague expressions of sympathy from a few national committeemen and had been rebuffed in many quarters.[69] But it is disquieting to speculate on what a better-organized campaign to subvert electors might have achieved, or what Messrs. Harris and Irwin themselves might have accomplished if Kennedy had had only, say, two or three instead of thirty-four electoral votes over the 269 necessary for a majority.

Still, four runaway electors in 144 years is not very many, especially when balanced against the 15,245 electoral votes[70] cast in all the elections between 1820 and 1964. Adherence to party candidates is still, overwhelmingly, the norm. The insignificance of the electors is reflected in the election laws of thirty-five states, which do not even list them on the ballots or voting machines. Instead, these states recite the names of the presidential and vice-presidential candidates, in some cases prefaced by the phrase "Electors for."[71] Clearly, the people believe they are voting for the President, and on the Wednesday after the first Tuesday after the first Monday in November the newspapers unhesitatingly report the election results with complete confidence that the electoral vote will be cast in accordance with the preferences of the voters.

Despite this solidly established practice of fidelity on the part of electors, suppose a plan such as that of Mesrs. Harris and Irwin were to succeed, and a sufficient number of electors voted contrary to pludge or expectation to defeat the candidate who would have won and confer victory upon his opponent. Can the Constitution be regarded as having been changed by almost two centuries of nearly consistent practice, so that the preference of the voters can take precedence over the decision of the electors? And even if the disobedient vote of an elector is regarded as legally improper, is there an effective judicial remedy for its correction?

The first question is whether such an unfaithful vote would be illegal at all. Certainly, electors' discretion conforms to the original concept of the Framers[72] and has never been changed by explicit constitutional amendment. Can the practice of the ensuing years be deemed nevertheless to have amended the Constitution to the point where an elector who attempted to vote contrary to the voters' mandate would be deemed to have violated a legal, as distinguished from a moral, obligation? The Constitution is an evolving instrument, but can it evolve to a point diametrically opposite its original import?

A lower New York court once answered this question affirmatively. In *Thoma v. Cohen*,[73] a voter challenged the constitutionality of the practice of putting only the names of the presidential and vice-presidential candidates on the voting machines, arguing that since he was voting for electors who would be free to exercise discretion he had a right to know for whom he was voting. While conceding that the Framers intended electors to use their own judgment, the court concluded that intervening history had imposed a legal obligation on the electors to vote for their parties' nominees:

"The electors are expected to choose the nominee of the party they represent, and no one else. So sacred and compelling is that obligation upon them, so long has its observance been recognized by faithful performance, so unexpected and destructive of order in our land would be its violation, that the trust that was originally conferred upon the electors by the people, to express their will by the selections they make, has, over these many years, ripened into a bounden duty—as binding upon them as if it were written into the organic law. The elector who attempted to disregard that duty could, in my opinion, be required by mandamus to carry out the mandate of the voters of his State."[74]

The court relied[75] on a quotation from Chief Justice Hughes' opinion in *Smiley v. Holm*: "General acquiescence cannot justify departure from the law, but long and continuous interpretation in the course of official action under the law may aid in removing doubts as to its meaning."[76] Since the New York court conceded, however, that the original intention was clear, the use of practical construction to alter it would seem to go well beyond Hughes' reference. It should be noted in passing that the practice of omitting the electors' names from the ballot might have been sustained without deciding that the electors no longer have discretion. The practice was upheld in Ohio, for example, on the basis of the broad authority conferred upon the states by the Constitution to direct the manner in which electors are to be chosen.[77]

Thomas v. Cohen stands almost alone.[78] The issue has seldom arisen squarely, but dicta in a number of state court decisions indicate that the discretion of the electors still endures.[79] The Supreme Court has never passed on the issue, but it arose tangentially in *Ray v. Blair*[80] in 1952.

Alabama had authorized political parties to choose their respective presidential electors in a state-controlled party primary election and to fix the qualifications for the candidates. The State Executive Committee of the Democratic Party required all candidates for presidential elector to take a pledge to support the nominee of their party's national convention. One Edmund Blair refused to take such a pledge, and the Executive Committee refused to certify him as a candidate. He obtained from the Alabama courts a mandamus directing the chairman of the Executive Committee to certify him as a candidate for elector in the forthcoming primary, and the state supreme court upheld the mandamus on the ground that the pledge requirement was an unconstitutional restriction on an elector's discretion to vote as he chose in the electoral college.[81]

The Supreme Court of the United States reversed in a five-to-two decision, declaring:

"A state's or a political party's exclusion of candidates from a party primary because they will not pledge to support the party's nominees is a method of securing party candidates in the general election, pledged to the philosophy and leadership of that party. It is an exercise of the state's right to appoint electors in such manner, subject to possible constitutional limitations, as it may choose. U.S. Const., Art. II, § 1."[82]

The Court went on to point out that pledges to support party nominees were common from the earliest days of the Republic:

This long-continued practical interpretation of the constitutional propriety of an implied or oral pledge of his ballot by a candidate for elector as to his vote in the electoral college weighs heavily in considering the constitutionality of a pledge, such as the one here required, in the primary.

"However, even if such promises of candidates for the electoral college are legally unenforceable because violative of an assumed constitutional freedom of the elector under the Constitution, Art. II, § 1, to vote as he may choose in the electoral college, it would not follow that the requirement of a pledge in the primary is unconstitutional."[83]

Justice Jackson's dissent, joined by Justice Douglas, pointed out the atrophied independence of the elector,[84] but nevertheless declared that "the balloting [of the electors in the electoral college] cannot be constitutionally subject to any such control because it was intended to be free, an act performed after all functions of the electoral process left to the states have been completed."[85] He added:

"It may be admitted that this law does no more than to make a legal obligation of what has been a voluntary general practice. If custom were sufficient authority for amendment of the Constitution by Court decree, the decision in this matter would be warranted. Usage may sometimes impart changed content to constitutional generalities, such as 'due process of law,' 'equal protection,' or 'commerce among the states.' But I do not think powers or discretions granted to federal officials by the Federal Constitution can be forfeited by the Court for disuse. A political practice which has its origin in custom must rely upon custom for its sanctions."[86]

Two Justices thus indicated squarely that they regarded the elector's freedom of choice to be untrammeled. The majority did not directly reach the issue.

Thus, the question of whether a state may bind the vote of an elector is still open. At least thirteen states[87] and the District of

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Columbia [88] now have legislation which may be regarded as doing so, and it can be argued that all thirty-five states which omit the names of the electors from the ballot implicitly do the same thing.[89] While the Supreme Court has not been noticeably reluctant in recent years to invalidate the laws of large numbers of states when issues of civil rights or civil liberties have been involved, there is nevertheless a heavy presumption in favor of the constitutionality of legislation the enactment of which has been widespread. It may follow that there is a stronger case for upholding a restriction on the freedom of electors where it has been decreed by state legislation than where it has not. *Thomas v. Cohen* is all the more remarkable for having been decided as it was in the absence of express statutory provisions purporting to bind the electors.

Apart from the long-standing practice of elector fealty and the state legislation on the subject, there are two additional points which might add strength to the case for binding electors. First, Congress itself has in one area attempted to bind electors. The twenty-third amendment was adopted in 1961, providing for representation of the District of Columbia in the electoral college, and declaring:

> "The District . . . shall appoint in such manner as the Congress may direct [a designated number of electors who] shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment." [90]

Congress promptly enacted implementing legislation prescribing the procedures for participation by the District of Columbia in presidential elections, stating in pertinent part: "Each person elected as elector of President and Vice President shall, in the presence of the Board, take an oath or solemnly affirm that he will vote for the candidates of the party he has been nominated to represent, and *it shall be his duty to vote in such manner in the electoral college.*" [91] This would seem to reflect a determination by Congress either that all electors are bound to vote for their party's candidates, or that since the states are empowered to bind electors so to vote, Congress, acting like a state legislature with respect to the District of Columbia, can do the same. We therefore have what might be regarded as a contemporaneous construction of a constitutional amendment by Congress, which, although not necessarily decisive,[92] should be accorded great weight.[93] But the construction is contemporaneous only with respect to the twenty-third amendment, while its principal significance lies in connection with the much more ancient article II, section 1, and the twelfth amendment.

Second, the twenty-fourth amendment, ratified in 1964, abolishing the poll tax in connection with presidential and congressional elections, speaks of the right to vote "in any primary or other election for *President or Vice President*, for electors for President or Vice President, or for Senator or Representative in Congress . . . ." [94] The legislative history does not explain why it was deemed necessary to include the italicized phrase, but a possible inference is that Congress and the ratifying states regarded the voters, at least in those states not listing the electors on the ballot, as voting directly for the President and Vice President.[95] If so, the argument that the electors are bound would seem to be strengthened.

None of the foregoing adds up to a clear case for the proposition that the elector is bound to vote for his party's choices, or even that the state legislatures may so bind him. But there seems to be at least a respectable argument for either of these propositions.[96]

Let us assume that our constitutional system has indeed evolved to a point where the elector is no longer free. How would his obligation to honor the voters' mandate be enforced in a concrete case?

Thus far, in those few instances in which an elector disregarded his party mandate, the results of the election were unaffected; there was no interest in instituting litigation to compel or reverse his vote.[97] Suppose, however, that in a close election a sufficient number of electors were persuaded, or even bribed, to vote in such fashion as to deprive the apparent winner of a majority in the electoral college—either throwing the election into the House of Representatives or handing victory to the apparent loser. Would, and could, the courts act to prevent such a "theft" of the presidency?

First of all, let us assume a case in which the intention of the runaway electors was manifested in advance. Presumably actions would be instituted, in either the state or federal courts, to test the propriety of their expected conduct.

As for state court actions, a case might be based either on the theory that the Constitution now forbids elector discretion or on a state statute purporting to restrict it; in the latter case, the constitutionality of the state statute would of course be an issue. In any event, it would not be safe to generalize as to whether state courts would find that a candidate, state official, voter, or taxpayer has sufficient standing to raise the issue. Moreover, it is not clear whether relief in mandamus or by way of injunction could be granted. While mandamus would seem appropriate enough to test the contention that the duties of electors are purely ministerial, there may be doubt as to the propriety of mandamus where the time for the official to act has not yet arrived.[98] And there may still be some vitality in the discredited doctrine that injunctions are not granted to protect mere political rights.[99] Mere declaratory relief, without sanction, might not be a sufficient deterrent. If what is really sought is a quick dispositive ruling by the United States Supreme Court, there would be no way to ensure that the delay involved in appeals through the state judicial system would not exhaust, many times over, the precious few days remaining before the electors were to cast their ballots.[100]

Federal court actions would seem to offer more hope. *Baker* v. *Carr* [101] probably assures standing to voters alleging that their votes are about to be nullified.[102] Since electors have been characterized as state rather than federal officials,[103] even though they perform a federal function, the mandamus jurisdiction conferred by section 1311 of the Judicial Code [104] would probably be inapplicable. Injunctive relief, however, would appear to be available under section 1343(3) of the Judicial Code, which reads:

> "The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person . . .
>
> * * * * *
>
> "(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States." [105]

If, as we are assuming *arguendo*, a voter has a constitutional right to cast an effective vote for President, an elector who casts his ballot contrary to the voters' mandate may be said to be acting under color of state law to deprive the voters of that constitutional right. While section 1343 was intended primarily to implement the Reconstruction amendments,[106] and while the limitations on state action under the Reconstruction amendments dwarf those under all other provisions of the Constitution, the provision has nevertheless been used occasionally to redress deprivations of other constitutional rights.[107]

The losing party in an action under section 1343 could seek speedy Supreme Court review by immediately docketing an appeal in the court of appeals and asking the Supreme Court to grant certiorari before decision by the court of appeals pursuant to section 1254(1) of the Judicial Code.[108] If the Supreme Court were willing, it could also render a quick decision in advance of the preparation of full opinions.[109]

It is far from clear, however, whether the Supreme Court would either consider the case or permit lower federal or state courts to do so. There is a serious chance that the action would be barred as raising a "political question." Although *Baker v. Carr* held the political question doctrine inapplicable in one type of voting rights case (state legislative apportionment), the Court stated that "it is the relationship between the judiciary and the coordinate branches of the Federal Government, and not the federal judiciary's relationship to the States, which gives rise to the 'political question,'" [110] While issues of federal-state relationships are obviously present in an action challenging the vote of an unfaithful elector, the main problem involves the intrusion of the courts into a decision-making process which arguably has been committed finally to Congress. The twelfth amendment requires the electors in each state to sign and certify lists of their votes for President and Vice President "and transmit [them] sealed to the seat of government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed. . . ." [111]

This is not definitely a final commitment to Congress of the power to resolve disputed votes, but it has some of the hallmarks of one. In using the passive voice—"the votes shall then be counted"—the Framers broke one of the cardinal rules of draftsmanship; [112] yet it seems clear that the counting shall be done by the President of the Senate (usually the Vice President of the United States) or by some individual, committee, or the whole of the legislative branch. On the other hand, it can be argued that "[t]he person having the greatest number of votes" connotes an objective standard, and is not the same as saying "the person having the greatest number of votes, as so counted."

In any event, Congress has taken this function unto itself. While disagreements in the past concerned the credentials of opposing slates of electors rather than the validity of votes cast by electors whose title to the office was undisputed, nevertheless Congress itself established the procedures whereby the Hayes-Tilden imbroglio was decided [113] and has since enacted permanent legislation purporting to regulate future disputes.[114]

In *McPherson v. Blacker,*[115] an 1892 decision in which the United States Supreme Court upheld Michigan's statute providing for the district system for selection of electors, counsel for the state contended that the "political question" doctrine barred court action. The Court rejected this contention for the reason that "the validity of the state law was drawn in question as repugnant to [the United States] constitution and laws, and its validity was sustained.[116] A mere recital of the statutory basis for what was then the jurisdiction of the Court on writ of error does not meet the "political question" contention; the doctrine is normally invoked in cases in which the statutory basis for jurisdiction is undisputed. If the vote of an unfaithful elector were challenged today, the statutory basis would be present in a federal district court, or in the

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Supreme Court on review from either a lower federal court or the highest state court. There would remain, however, the question whether the case was appropriate for judicial action. The principal distinction between such a case and *McPherson* is that the way in which the electors are chosen is committed by the Constitution to the states, while the way in which the votes of the electors are counted may arguably be regarded as having been committed to Congress.[117]

In *Coleman v. Miller*,[118] the Court held nonjusticiable under the political question doctrine the issue of whether a state legislature's attempted ratification of a proposed constitutional amendment was invalid either because of prior rejection by the same state or because of an excessive lapse of time. The Court based its decision on "the ultimate authority in the Congress in the exercise of its control over the promulgation of the adoption of the amendment."[119] But the commitment to Congress is even less clear in the case of constitutional amendments than it is in the case of presidential elections. Lapse of time is usually provided for in the joint resolution proposing an amendment, so perhaps the lack of such a clause in the child labor amendment involved in the *Coleman* case may be regarded as raising an issue for congressional determination. But there is not a whisper in the language of the Constitution as to any function committed to Congress in connection with the ratification of amendments it has proposed to the states, and it may be assumed that an amendment takes effect when a sufficient number of ratifications are reported even if Congress is not in session at the time. On this basis, the argument for nonjusticiability would be even stronger in the presidential election case than it was in *Coleman*.

On the other hand, the Court in *Coleman* stated: "In determining whether a question falls within [the political question] category, the appropriateness under our system of government of attributing finality to the action of the political departments and also the lack of satisfactory criteria for a judicial determination are dominant considerations."[120] Viewed in the light of this pronouncement, the issue is less clear. A decision by the courts rendered before transmission of the electoral votes to Congress would not upset the finality of something Congress had already done; yet the possibility of conflict would remain, since Congress might make its own determination at variance with the decision of the Court. In any event, there would quite clearly be "satisfactory criteria for a judicial determination" in the case of an unfaithful elector; whether an elector is or is not obliged to vote for the candidates of his party, and whether or not a specific elector has in fact done so, are readily manageable judicial questions.

Returning to *Baker v. Carr*, the Supreme Court's last word on the problem, some guidance may have been intended by Justice Brennan's summary:

"Prominent on the surface of any case held to involve a political question is found a textually demonstrable constitutional commitment of the issue to a coordinate political department; or a lack of judicially discoverable and manageable standards for resolving it; or the impossibility of deciding without an initial policy determination of a kind clearly for nonjudicial discretion; or the impossibility of a court's undertaking independent resolution without expressing lack of the respect due coordinate branches of government; or an unusual need for unquestioning adherence to a political decision already made; or the potentiality of embarrassment from multifarious pronouncements by various departments on one question.[121]

The implication seems to be that if any one of these elements is present, the courts should abstain. Some of them are at least arguably involved in the counting of electoral votes. Whether that process may be regarded as having been finally committed to Congress has been discussed above.[122] Lack of respect for Congress might be harder to find if the Court acted before Congress did. In any event, a judicial decision would seemingly have to be rendered before Congress counted the votes, or not at all; once a President was proclaimed by Congress to have been elected, anything short of "unquestioning adherence" to its decision would probably provoke a far more serious crisis than that which the courts were seeking to avert.

This is not an attempt to analyze in depth the problem of whether the issue of electors' independence is to be regarded as justiciable, but merely an effort to show that the question is a close one, with no assurance that a judicial determination could be obtained. Moreover, even if such a determination were obtained, the possibility that an elector would defy an injunction and vote contrary to his mandate should not be overlooked; with the stakes so high, fear of contempt proceedings might not prove to be a sufficient deterrent. A further stretching of legal theory would be required in order to negate or reverse a vote so cast.

As uncertain as the prospects appear for securing effective aid from the courts to prevent electors from voting contrary to the voters' expectations if the electors are cooperative enough to reveal their intentions in advance, the problems would be magnified if knowledge of their defection were to trickle out only after they had cast their votes. It would then be too late to enjoin them from voting in such fashion, and perhaps too late to enjoin the certifying officials of their states from reporting their votes as cast. Even if an aberrant vote could be nullified on some theory (thus dividing its effect in half), could it be treated affirmatively as cast in accordance with the expectations of the voters? Once the "list" of electoral votes has been transmitted to Congress, against whom would a lawsuit be brought? The purpose would have to be to control the counting of the electoral votes. But courts would obviously be most reluctant to issue an injunction or mandamus against the President of the Senate[123] or the Congress as a whole.[124]

Thus, in addition to the chance that our present electoral system would give the presidency to the less popular candidate and the danger of a stalemate in the House of Representatives, there is the possible nightmare of a dispute over a "stolen" presidency. But while this eventuality would be prevented by the proposed constitutional amendment providing for direct popular election, there are other ways of accomplishing the same result with perhaps fewer side effects.

Both the Kennedy and Johnson Administrations have advocated the adoption of an amendment preserving the present method of assigning electoral votes to the several states, but recording the electoral votes automatically upon the basis of the popular votes cast in each state, eliminating the electors as such.[125] As part of this plan, the general ticket system—now universally employed by custom—would become mandatory.[126] Originally gaining substantial support, including sponsorship by Senator Bayh and endorsement by the Bar Association of the City of New York, the proposal has more recently been eclipsed by the strong drive in favor of direct popular election. Nevertheless, it has the distinct virtue of completely eliminating the problem of the straying elector without causing the shift in the political balance of power discussed above.[127]

Could Congress solve the problem without the necessity of a constitutional amendment? Would an act of Congress providing that all electoral votes are to be counted as votes for the candidates of the electors' respective parties be valid? Could such a statute at least provide for this result in those states in which the names of the presidential and vice-presidential candidates appear on the ballots? (Or where, in addition, the electors' names do not appear?) At the outset, we are faced with the difficulty that the Constitution appears to entrust the process of choosing electors to the discretion of the respective state legislatures. Congress is authorized only to "determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States."[128] Otherwise, the process of selecting electors is committed to the states, and, as pointed out above, need not even be by election.[129]

A possible foothold may be found in the fact that the states are obliged to transmit their lists to the President of the Senate, who "shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted."[130] It is at least arguable that some power to decide how the votes are to be counted is thereby conferred, if not upon Congress per se in its legislative capacity, nevertheless upon the two houses of Congress in a special vote-counting capacity.

Is there sufficient basis for Congress to legislate? It should be remembered that Congress is granted power "[t]o make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers [presumably the powers specifically enumerated in article I, section 8], *and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*"[131] The power to count electoral votes is a power vested in the President of the Senate and the members of both houses of Congress, all of whom are officers of the United States. Congress presumably legislated on this basis when it prescribed the procedures for resolution of the Hayes-Tilden controversy in 1876–1877,[132] as well as in enacting its permanent rules pertaining to the counting of electoral votes.[133]

Assuming some power of Congress over the procedures governing the count of electoral votes, does this power extend, beyond determining which of two contending slates of electors was validly chosen, to the question of how to count the vote of an elector whose right to office is undisputed? Is there any basis for concluding that Congress may prescribe that the vote of an unfaithful elector shall be counted as though he had voted for his party's candidate rather than as he actually voted? It may well be that whatever Congress does in this respect is immune from scrutiny by the courts.[134] But Senators and Representatives, like judges, are bound by oath or affirmation to support the Constitution[135] and should, and presumably would, act conscientiously in accordance with their conception of its requirements.

Even though the choice of electors is committed to the states, Congress has been held to have at least some power in this realm. In *Ex Parte Yarborough*,[136] the Supreme Court upheld the constitutionality of two Reconstruction statutes punishing conspiracies to intimidate a person in the exercise of a constitutional right[137] and conspiracies to prevent, by force, intimidation, or threat, a citizen entitled to vote from supporting a candidate for presidential elector or Congress.[138] While the indictment in question involved only a congressional election and was based on intimidation of Negro voters—undoubtedly a special case under the fifteenth amendment—the reasoning of the Court went much further:

"That a government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly,

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has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration.

"If this government is anything more than a mere aggregation of delegated agents of other States and governments, each of which is superior to the general government, it must have the power to protect the elections on which its existence depends from violence and corruption. . . .

"[T]he importance to the general government of having the actual election—the voting for those members—free from force and fraud is not diminished by the circumstance that the qualification of the voter is determined by the law of the State where he votes. It equally affects the government, it is as indispensable to the proper discharge of the great function of legislating for that government, than those who are to control this legislation shall not owe their election to bribery or violence, whether the class of persons who shall vote is determined by the law of the State, or by the law of the United States, or by their united result.

"* * * * *

"In a republican government, like ours, where political power is reposed in representatives of the entire body of the people, chosen at short intervals by popular elections, the temptations to control these elections by violence and by corruption is a constant source of danger." [139]

Again, in *Burroughs v. United States* [140] the Court upheld a provision of the Federal Corrupt Practices Act of 1925 [141] requiring any political committee accepting contributions or making expenditures in two or more states for the purpose of influencing the election of candidates for presidential electors to render certain financial reports. The Court stated:

"The congressional act under review seeks to preserve the purity of presidential and vice presidential elections. Neither in purpose nor in effect does it interfere with the power of a state to appoint electors or the manner in which their appointment shall be made. It deals with political committees organized for the purpose of influencing elections in two or more states, and with branches or subsidiaries of national committees, and excludes from its operation state or local committees. Its operation, therefore, is confined to situations which, if not beyond the power of the state to deal with at all, are beyond its power to deal with adequately. It in no sense invades any exclusive state power.

"While presidential electors are not officers or agents of the federal government (*In re Green*, 134 U.S. 377, 379), they exercise federal functions under, and discharge duties in virtue of authority conferred by, the Constitution of the United States. The President is vested with the executive power of the nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the nation in a vital particular the power of self protection. Congress, undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or by corruption." [142]

The Court has also held that Congress may make the miscounting of votes in congressional elections and primaries a federal crime.[143] While such cases rest upon the express grant of power to Congress to regulate "the Times, Places and Manner of holding elections for Senators and Representatives," [144] and although there is no corresponding grant of power with respect to selection of electors, the inherent power of the federal government to protect the election of its officials from corruption, discussed in *Yarborough* and *Burroughs*, would seem applicable where votes for presidential electors are fraudulently counted.

But of what avail is it to be able to protect a voter against interference with the casting or counting of his ballot in the first stage of the process—the choosing of electors—if Congress cannot ensure that his vote will be *effective* in the election of the President? It would of course be easier to sustain a federal statute punishing bribery of presidential electors designed to reverse the popular choice than it would be to uphold one punishing such an effort based on political persuasion. It would be still more difficult to uphold a statute which, in either circumstance, substituted for the electoral votes cast the votes which would have been cast if the electors had been faithful to their trust. (It would be easier to make bribery of a Senator a crime than to nullify, after the fact, the vote of a Senator who has been bribed.) Yet Congress might well conclude that the stakes in the choice of the President are sufficiently high that no criminal sanction consistent with the constitutional prohibition of cruel and unusual punishment would deter an errant elector who had both the desire and the reason to believe that his vote might be decisive; nothing short of nullification of the unfaithful vote would ensure the effectuation of the voters' wishes. Such a judgment on the part of Congress would seem well within the range of the necessary and proper clause.[145]

Such a statute need not ride completely roughshod over the power accorded the states to choose the means by which their electors are "appointed." If a state should choose to revert to the once-frequent practice of entrusting the choice of electors to its legislature, or if its ballot should list only the names of the electors without those of the presidential and vice-presidential candidates, the voters might not be deceived if an elector were to ignore his mandate; in either case there would perhaps be no authority for congressional interference.[146] But where the ballot names the presidential and vice-presidential candidates, a gross deception is practiced upon the voters if any of the chosen electors votes contrary to expectation. Would not the sanctity of the ballot be protected by legislation nullifying the vote of an unfaithful elector just as it is by legislation forbidding the miscounting of votes? [147] Such legislation would be unconstitutional only if one reads into the constitutional provision empowering electors to choose the President a rigid rule that nothing may interfere with the electors' discretionary power.

Legislation injected into so delicate an area as the choice of the President would be much more salutary if enacted to provide for future eventualities rather than directed to an existing election controversy. And if such a law were once enacted, it would be unfortunate for Congress to overturn it in order to favor one of several candidates in a specific controversy. Yet as matters now stand, such an eventuality is possible. The twentieth amendment provides that the new Congress shall take office on January 3, while a federal statute [148] prescribes the counting of electoral votes on January 6; repeal or amendment of a previously enacted law to achieve ad hoc purposes would thus be conceivable between January 3 and 6. But the likelihood of obtaining acquiescence of both houses of Congress and the President (or two-thirds of both houses without the President) in that short a time would be small indeed, especially at a time when, by hypothesis, a close presidential vote had just taken place.

Assuming such a statute was not repealed, is there any assurance that Congress as legislature can bind Congress as vote-counter? Even if there were a law directing a count of electoral votes in accordance with the voters' intentions, could the two houses, in joint session, nevertheless revert to counting the electoral votes as actually cast? Is there any way, short of a constitutional amendment dispensing with *any* action by the electors or Congress, for "Congress sober" to guard against "Congress drunk"?

One possible solution is the inclusion in the statute of a provision for expedited judicial review of any action in the course of vote counting contrary to the statutory mandate. Original jurisdiction (with appropriate enforcement power) could be vested in the Federal District Court for the District of Columbia, perhaps a three-judge court, with direct expedited appeal to the Supreme Court.

I revert to the earlier discussion of whether questions pertaining to the counting of electoral votes are justiciable, or whether they fall instead into the "political question" category because they are regarded as entrusted by the Constitution to final determination by Congress.[149] Suppose it is decided that these questions fall into the latter category, but Congress enacts legislation designed to confer upon the judiciary the authority, indeed the obligation, to pass upon them. Would such a jurisdictional grant be constitutional? Can Congress confer upon the judiciary a power to decide questions which, in the absence of such legislation, would be deemed inappropriate for judicial decision as "political" in nature? Is the "political question" doctrine a constitutional command or merely a judicially created rule of practice?

This issue seems not to have come before the Supreme Court,[150] moreover, it may not be susceptible of a single answer. To the extent that the "political question" characterization reflects a determination that the case involves issues or requires remedies so different from those usually considered by courts that the constitutional requirement of "case or controversy" [151] is lacking, no act of Congress can create jurisdiction.[152] On the other hand, where a decision of nonjusticiability is based on notions of convenience, propriety, or deference to Congress not constitutionally compelled, Congress can presumably free the courts from their self-imposed reticence.[153] Much can be said for the conclusion that such legislation would be valid. A "judicially manageable standard" would have been provided, and a case or controversy—at least to the extent that there would be a real adversary proceeding leading to a final meaningful judgment—would be present. Any qualms based upon the unseemliness and possible ineffectiveness of an attempt by the courts to give directions to Congress [154] would be answered by reference to the fact that Congress itself had consented to the courts' action.

In short, it would seem that there are a number of ways of coping with the problem of a "theft" of the presidency by independent action on the part of the electors. This problem may be dealt with alone; it need not be part of an omnibus reform—such as the direct popular vote proposal—which would change the political balance of power in the country, possibly in a direction which would prove disastrous. The Court might hold electors bound to respect the choice of the voters without further legislative or constitutional amendment; but we cannot be sure. A legislative solution is possible; but its effectiveness could never be completely free from doubt, and it is most important that any possibility of a disputed presidency be avoided. Such legislation might serve as a

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temporary expedient, however, pending adoption of a constitutional amendment expressly removing the discretion of electors or, preferably, providing for counting electoral votes automatically. Thus, although changes in the present method of electing our Presidents are urgently needed, an amendment providing for direct popular election is neither the only, nor the best, solution.

FOOTNOTES

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Since this Article was in page proofs before November 5, it has been possible to make only minor changes to reflect the results of the most recent presidential election. The author believes, however, that none of the points made herein need be qualified in response to that election.

[1] The Federalist No. 68, at 508 (J. Hamilton ed. 1868) (Hamilton).

[2] Through 1966, 513 resolutions proposing amendments to the provisions of the Constitution pertaining to the election of the President were introduced in Congress. N. Peirce, The People's President 151 (1968) [hereinafter Peirce].

In both of these close elections, a shift of only a few thousand votes in certain key states would have prevented either major party candidate from obtaining a majority of the electoral votes; a "Dixiecrat" candidate would have held the balance of power. The election would then have been referred to the House of Representatives, in which the delegation from each state would have cast one vote, and a majority of all the states would have been required for election. In each instance, the House was closely enough divided that a stalemate might well have ensued. *See* page 15 *infra*.

There is some doubt as to whether demonstration of the shortcomings of the system in a recent election is in itself sufficient to induce a change. In five successive elections from 1876 through 1892, the winning candidate failed to obtain a majority of the popular vote; in two of them the popular leader lost; in all five an infinitesimal shift of votes would have reversed the result; and in one (1876) a national crisis was narrowly averted. Yet the Constitution was not amended. While some modern observers might conclude that the quality of the candidates in those elections was such that it mattered little who won, it is unlikely that the people of the time so regarded it.

[4] The twentieth amendment changed the President's term of office and provided for the death of the President-elect or his failure to qualify. The twenty-second amendment limited the President to two terms; the twenty-third provided for representation of the District of Columbia in the electoral college; the twenty-fourth eliminated the poll tax in elections for the President and Congress; and the twenty-fifth provided for the disability of the President and the designation of a Vice President when that office is vacant.

Fortunately, few of our recent Presidents have been either drunkards or teetotalers; hence the twenty-first amendment, repealing Prohibition, cannot be viewed as bearing with any particular emphasis on the presidency.

[5] For example, S.J. Res. 2, 90th Cong., 1st Sess. (1967), introduced by Senator Bayh and a bipartisan group of 18 other senators, *See also* the recommendations of the A.B.A. Commission, *infra* note 6.

[6] ABA Commn. on Electoral College Reform, Electing the President (1967). *See also* Freerick, *The Electoral College—Why It Ought To Be Abolished*, 37 Fordham L. Rev. 1 (1968).

[7] The amendment which had been supported by the Association provided for automatic award of the electoral votes of each state to the candidate securing a plurality of the popular vote therein, eliminating the presidential electors as such. *See* 20 Record of N.Y.C.B.A. 503 (1965); text accompanying note 125 *infra*.

[8] 6 Reps. of Comm. Concerned with Federal Legislation, Assoc. of the Bar of the City of N.Y. 9 (1967).

[9] *See* note 5 *supra*; *Hearings on S.J. Res. 4 Before the Subcomm. on Constitutional Amendments of the Senate Comm. on the Judiciary*, 89th Cong., 2d Sess., 90th Cong., 1st Sess., 245-46 (1968).

[10] *See* N.Y. Times, Sept. 22, 1968, at 61, col. 2.

[11] Constitutional amendments are difficult to pass. The provisions of the original Constitution are seldom changed; amendments, by hypothesis more nearly contemporary, are even more difficult to alter once adopted. Only one, the eighteenth, has ever been repealed.

[12] *See, e.g.*, 3 M. Farrand, The Records of the Federal Convention of 1787, at 132, 166 (1937); L. Wilmerding, The Electoral College 19–22 (1958); Roche, *The Founding Fathers: A reform Caucus in Action*, 55 Am. Pol. Sci. Rev. 799, 810–11 (1961); *cf.* Kirby, *Limitations on the Power of State Legislatures Over Presidential Elections*, 27 Law & Contemp. Prob. 495, 506 (1962); Truman, Book Review, 59 Colum. L. Rev. 838, 840 (1959). *See also* Gray v. Sanders, 372 U.S. 368, 376 n.8 (1963): "The electoral college was designed by men who did not want the election of the President to be left to the people."

[13] Peirce 35–37.

[14] In 1876 Colorado, just admitted to the Union and perhaps lacking sufficient time to provide for elections, chose its electors by legislative appointment.

[15] Article I, section 2, provided that each elector vote for two persons; the one with the greatest number of votes (if a majority) became President and the next highest Vice President. Following the election of 1800, when all Democratic electors voted for both Jefferson and Burr causing a tie which had to be resolved in the House of Representatives, the twelfth amendment was adopted providing the separate balloting for President and Vice President and making several other minor changes.

The fourteenth, fifteenth, nineteenth, twentieth, twenty-third, twenty-fourth, and twenty-fifth amendments have all had some bearing on the process of selecting the President but have not changed the basic mechanical structure set forth in article II, section 1, as amended by the twelfth amendment.

[16] J. Dougherty, The Electoral System of the United States 17–18 (1906).

[17] Since the electors meet in each of the state capitals, "electoral college" (not a constitutional phrase) in the singular is a misnomer. A single deliberative body was never contemplated.

[18] In 1892, the Michigan legislature, controlled by Democrats, correctly foresaw a statewide victory by the Republican presidential candidate and sought to salvage something for his Democratic opponent by dividing the state into separate electoral districts. This was challenged, but sustained by the Supreme Court in McPherson v. Blacker, 146 U.S. 1 (1892). In 1896 Michigan reverted to the general ticket method.

[19] Georgia requires a majority, rather than a mere plurality, of the popular vote, to elect presidential electors. In the event of a failure of any slate to attain a majority, Ga Code Ann. § 34–1514 (Supp. 1967) calls for a runoff between "the two candidates receiving the highest number of votes." This provision, applicable to other offices as well, would seem not to be readily adaptable to the election of a number of presidential electors. It replaced Ga. Code Ann. § 34–2503 (1962), which called, instead, for appointment of the electors by the state legislature in the event of failure to attain a majority of the popular vote.

The selection of electors must be made on the first Tuesday after the first Monday in November, the date set by Congress pursuant to art. II, § 1, par. 4 of the Constitution. It has been held that this constitutional provision also requires that the day be uniform throughout the nation, and that the receipt and counting of absentee ballots after that date would violate the requirement of uniformity. Maddox v. Board of State Canvassers, 116 Mont. 217, 149 P.2d 112 (1944). This would imply that any runoff election (as provided by Georgia law) would be invalid. But the language of the Constitution does not compel that interpretation. It reads: "The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States." The last clause may be regarded as applying only to the "Day" on which the electors are to give their votes, and not to the "Time" of "chusing the Electors." Congress has apparently adopted this construction, since it has provided [3 U.S.C. § 2 (1964)]: "Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct." *See also* 3 U.S.C. § 4 (1964).

Maryland, while apparently permitting an elector to be chosen by a mere plurality, until recently required its electors to cast their ballots for the presidential and vice presidential candidates receiving "the majority of the votes cast in the State of Maryland." Md. Ann. Code art. 33, §§ 153, 156 (1957). The Election Code of which this provision was a part was repealed in 1967, and its replacement requires Maryland electors to vote for the candidates receiving a plurality of the popular vote in the state. *Id*. art. 33 § 20–24 (Supp. 1967).

[20] S. Petersen, A Statistical History of the American Presidential Elections 18 (1963) [hereinafter Petersen].

[21] Peirce 87.

[22] Colorado's three electors, chosen by the legislature rather than the voters (*see* note 14 *supra*), voted for Hayes. Petersen 45, 46. If those electoral votes had not been counted, Tilden would have had a clear majority of the valid votes, even accepting the Republicans position as to all twenty disputed electoral votes. It is striking that in all of the protracted debate in Congress, in the Electoral Commission, and elsewhere, the argument never seems to have been advanced that direct appointment by the legislature was invalid. *See* McPherson v. Blacker, 146 U.S. 1, 35 (1892).

[23] Petersen 55.

[24] Petersen 54.

[25] Petersen 51–52.

[26] These figures are based on the 1960 Census.

[27] Banzhaf, *One Man, 3312 Votes: A Mathematical Analysis of the Electoral College*, 13 Vill. L. Rev. 304 (1968).

[28] *Id*. at 329.

[29] *Id*. at 330, 331.

[30] *See, e.g.*, remarks of Congressman Gossett of Texas, in *Hearings on Amendment of Constitution To Abolish Electoral College System Before Subcomm. No. 1 of the House Comm. on the Judiciary*, 82d Cong., 1st Sess. 264–65 (1951):

"Now, please understand, I have no objection to the Negro in Harlem voting and to his vote being counted, but I do resent the fact that both parties will spend a hundred times as much money to get his vote, and that his vote is worth a hundred times as much in the scale of national politics as is the vote of a white man in Texas. I have no objection to a million folks who cannot speak English voting, or to their votes being counted, but I do resent the fact that because they happen to live in Chicago, or Detroit, or New York, that their vote is worth a hundred times as much as mine because I happen to live in Texas. Is it fair, is it honest, is it democratic, is it to the best interest of anyone in fact, to place such a premium on a few thousand labor votes, or Italian votes, or Irish votes, or Negro votes, or Jewish votes, or Polish votes, or Communist votes, or big-city-machine votes, simply because they happen to be located in two or three large, industrial pivotal States? Can anything but evil come from placing such temptation and such power in the hands of political parties and political bosses? They, of course, will never resist the temptation of making undue appeals to these minority groups whose votes mean the balance of power and the election of President. Thus, both said groups and said politicians are corrupted and the Nation suffers."

[31] An amendment introduced by Senator Humphrey in 1950 was defeated 63–28. 95 Cong. Rec. 1276–77 (1950). A similar amendment introduced by Senator Lehman in 1956 was also defeated 66–17. 102 Cong. Rec. 5657 (1956).

[32] *See* Peirce 185; L. Wilmerding, The Electoral College 97–98 (1958); Kefauver, *The Electoral College: Old Reforms Take on a New Look*, 27 Law & Contemp. Prob. 188, 195–196 (1962).

[33] *Hearings on S.J. Res. 1 Before the Subcomm. on Constitutional Amendments of the Senate Comm. on the Judiciary*, 87th Cong., 1st Sess., 691–714 (1961).

[34] 102 Cong. Rec. 5150 (1956).

[35] 369 U.S. 186 (1962).

[36] 377 U.S. 533 (1964).

[37] 376 U.S. 1. (1954).

[38] *See* note 42 *infra* and accompanying text.

[39] *Symposium on the Article V Convention Process*, 66 Mich. L. Rev. 837–1016 (1968), especially Dirksen, *The Supreme Court and the People*, *id.* at 837, and Ervin, *Proposed Legislation To Implement the Convention Method of Amending the Constitution*, *id.* at 875.

[40] Attempts to delay the redistricting of congressional seats have also come close to success. *See* N.Y. Times, April 28, 1967, at 27, col. 4.

[41] "Provided . . . that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate." U.S. Const. art. V. It seems clear that this article, establishing the amending process, cannot itself be amended to permit destruction of the guaranty of equal representation of the states in the Senate.

Even the process of amending the Constitution is itself loaded in favor of the smaller states. Three groups participate in the normal amendment process: the Senate, the House of Representatives, and the state legislatures. Of these, only the House comes close to reflecting population; in the Senate and in counting the ratification votes of the state legislatures, the rule is not one man-one vote, but one state-one vote.

[42] The eight largest cities, in order of population, were New York, New York; Chicago, Illinois; Los Angeles, California; Philadelphia, Pennsylvania; Detroit, Michigan; Baltimore, Maryland; Houston, Texas, and Cleveland, Ohio. The seven largest states were New York, California, Pennsylvania, Illinois, Ohio, Texas, and Michigan.

[43] Report of the National Advisory Commission on Civil Disorders 243 (Bantam ed. 1968) [hereinafter Commission Report]. According to Banzhaf's computations, all major cities except Baltimore and Washington, D.C., are in states in which voters have a greater vote than the national average in the election of the President. Banzhaf, *supra* note 27, at 329.

[44] *See, e.g.*, Commission Report.

[45] *See* Commission Report 455: The principal burden for funding the programs we have proposed will fall upon the Federal Government. Caught between an inadequate and shrinking tax base and accelerating demands for public expenditures, the cities are not able to generate sufficient financing. Although there is much more that state governments can and should do, the taxing resources available at this level are far from adequate."

[46] Possible illustrations include: President Franklin Roosevelt's alleged instruction, "Clear it with Sidney [Hillman]," with respect to the Democratic nomination for Vice President in 1944—probably resulting in the choice of Truman over Byrnes; the Republican nomination of Eisenhower rather than Taft in 1952 (even if based on misconceptions as to the former's political philosophy); and Kennedy's victory over Johnson and others in the 1960 Democratic Convention. This factor seems to have been less influential in the 1968 Conventions. *See also* note 30 *supra*.

[47] We have no assurance, of course, that the leverage now exercised by the large states will continue to be applied in favor of improvement of the condition of Negroes. Disquieting signs of "backlash" have appeared in some of these states. At the least, however, political concentration upon the vote in the "swing" states should serve to keep attention upon the sore spots in our society.

The time may come when leadership of the civil rights movement will pass to the small towns, or even to a new generation of liberals in the South. It is fair to assume, however, that for the time being at least the voting power of the metropolitan areas will weigh in the balance in favor of the amelioration of the plight of the Negroes—and of the cities as well.

There are additional political consequences, of possibly undesirable character, which may follow adoption of direct popular election of the President, but which are beyond the scope of this Article. For example, some feel that the two-party system, with its tendency to exclude doctrinaire extremism and one-issue parties from the mainstream of American politics, may be jeopardized if this change is made. *Compare Brown, Proposed Amendment a Power Vacuum for Political Blackmail?*, Trial, June/July 1967, at 15, *with* Report of the A.B.A. Commn. on Electoral College Reform 5–6 (1967).

[48] In 1800, all Democratic electors voted for both Jefferson and Burr, resulting in a tie. In the House of Representatives, eight states initially voted for Jefferson, six for Burr, and two were tied—giving no candidate the necessary majority of nine out of the total sixteen states. It was not until the thirty-sixth ballot that Jefferson prevailed.

The other such case, in 1824, is discussed in the text accompanying note 20 *supra*. John Quincy Adams was chosen on the first ballot in the House, but only following considerable maneuvering on behalf of the respective candidates.

[49] Since there are usually an odd number of Representatives and an even number of Senators, until recently there would generally have been an odd total of electors. In 1961, however, the twenty-third amendment accorded the District of Columbia what will almost always be three electoral votes, thus resulting in an even total of votes and a possibility of a tie even when there are only two candidates obtaining electoral votes.

[50] For example, a shift of only 12,487 votes in California and Ohio. Petersen 102.

[51] *See* Wechsler, *Presidential Elections and the Constitution: A Comment on Proposed Amendment*, 35 A.B.A.J. 181 (1949).

[52] E. Corwin, The President, Office and Powers 67 (1957).

[53] Petersen 112.

[54] Piccard, *The Resolution of Electoral Deadlocks by the House of Representatives*, in Selecting the President: The Twenty-seventh Discussion and Debate Manual (Aly ed. 1953–1954), reprinted in *Hearings*, *supra* note 33, at 826, 828.

[55] The Georgia Constitution has an unusual provision that if no candidate for governor receives a majority of the votes, the General Assembly shall choose the governor from between the two candidates with the largest number of votes. This provision was sustained by the Supreme Court in Fortson v. Morris, 385, U.S. 231 (1966). The requirement of a majority in primary elections is common in the South but not elsewhere in the country.

[56] *See* note 19 *supra*.

[57] Those elections were in 1824, 1844, 1848, 1856, 1860, 1876, 1880, 1884, 1888, 1892, 1912, 1916, 1948, 1960, and 1968.

[58] This proposal is being strenuously urged by Congressman Jonathan Bingham of New York. *See* Bingham, *Keep It out of the House*, Atlantic, Sept. 1968, at 85.

[59] This alternative was apparently first proposed by James Madison in 1823. Piccard, *supra* note 54, at 840. It has also been included in amendments advocated by Presidents Kennedy and Johnson which would abolish the electoral college and substitute automatic computation of the electoral vote of each state in favor of the candidate polling a plurality of the popular vote therein. *See, e.g.*, S.J. Res. 58, 89th Cong., 1st Sess. § 3 (1965); H.R.J. Res. 278, 89th Cong., 1st Sess. § 3 (1965). *See also* text accompanying note 125 *infra*.

[60] *See* Ray v. Blair, 343 U.S. 214, 232–33 (1952) (Justice Jackson dissenting); The Federalist No. 68 (Hamilton).

[61] The Federalist No. 68, at 508–09 (J. Hamilton ed. 1868).

[62] E. Stanwood, A History of the Presidency 51 (1928).

[63] *See* notes 15 and 48 *supra*.

[64] *See* Peirce 123.

[65] As Thomas Hart Benton wrote, in S. Rep. No. 22, 19th Cong., 1st Sess. 4 (1826):

"In the first election held under the constitution, the people looked beyond these agents [electors], fixed upon their own candidates for President and Vice President, and took pledges from the electoral candidates to obey their will. In every subsequent election, the same thing has been done. Electors, therefore, have not answered the design of their institution. They are not the independent body and superior characters which they were intended to be. They are not left to the exercise of their own judgment; on the contrary, they give their vote, or bind themselves to give it, according to the will of their constituents, they have degenerated into mere agents, in a case which requires no agency, and where the agent must be useless, if he is faithful, and dangerous, if he is not."

[66] *See* text accompanying note 21 *supra*.

[67] 2 H. Scudder, James Russell Lowell 216–17 (1901).

[68] Dissenting, in Ray v. Blair, 343 U.S. 214, 232 (1952).

[69] *See Hearings*, *supra* note 33, at 562–656.

[70] Peirce 124.

[71] Peirce 338.

[72] The requirement in both art. II, § 1 and the twelfth amendment that the electors "vote by ballot" may be regarded as implying a written, secret vote, adding further support for the notion of untrammeled discretion. But, "by common practice since the earliest days, the ballot is not secret and sometimes is not even a ballot at all." Peirce 129–30.

[73] 146 N.Y. Misc. 836, 262 N.Y. Supp. 320 (Sup. Ct. 1933).

[74] 146 N.Y. Misc. at 841–42, 262 N.Y. Supp. at 326.

[75] 146 N.Y. at 846, 262 (N.Y. Supp. at 330–31.

[76] 285 U.S. 355, 369 (1932).

[77] State *ex rel.* Hawke v. Myers, 132 Ohio St. 18, 4 N.E. 2d 397 (1936).

[78] State *ex rel.* Nebraska Republican State Cent. Comm. v. Wait, 92 Neb. 313, 325, 138 N.W. 159, 163 (1912), may also be regarded as premised upon the notion of a legal duty on the part of electors to support their party's nominees. Theodore Roosevelt won the 1912 Nebraska Republican preference primary, but Taft received the national Republican nomination. Six Roosevelt supporters who had been nominated by the Republican Party as Nebraska electors were also chosen as the nominees of the state Progressive Party. The petitioner was awarded a peremptory writ of mandamus to compel the secretary of state to print the names of other persons as Republican candidates for electors instead of the six Roosevelt men. The Nebraska supreme court affirmed on the ground that the six had forfeited their position as Republican candidates by accepting the Progressive nomination. The court stated:

"Here the persons who have been nominated as presidential electors, having, if elected, but a single duty to perform, viz., to vote for the candidates nominated by the party by whose votes they were themselves nominated, openly declare that they will not perform that duty, but will vote for the candidates of another and distinctly antagonistic party. This would make performance of their duty impossible, and a judicial determination of the existence of a vacancy was, therefore, unnecessary. The candidates had by their own acts, vacated their places as Republican presidential electors."

See also Johnson v. Coyne, 47 S.D. 138, 142, 196 N.W. 492, 493 (1923), holding that despite a state law permitting only one office for each nominating petition, a single petition for an entire slate of electors was valid, because "presumably this group stands as a unit for one candidate for President."

[79] *See, e.g.,* Opinion of the Justices, No. 87, 250 Ala. 399, 400, 34 S.2d 598, 600 (1948); Breidenthal v. Edwards, 57 Kan. 332, 337, 46 P. 469, 470 (1896); State *ex rel.* Beck v. Hummel, 150 Ohio St. 127, 146, 80 N.E.2d 899, 908 (1948).

[80] 343 U.S. 214.

[81] 257 Ala. 151, 57 S.2d 395 (1952).

[82] 343 U.S. at 227.

[83] 343 U.S. at 229–30.

[84] *See* text accompanying notes 60–71 *supra.*

[85] 343 U.S. at 233.

[86] 343 U.S. at 233.

[87] Alaska Stat. § 15.30.090 (1962); Cal. Elections Code § 25105 (West 1961); Colo. Rev. Stat. Ann. § 49–20–1 (5) (1963; Conn. Gen. Stat. Rev. § 9–176 (1967); Fla. Stat. Ann. § 103.021 (Supp. 1968); Hawaii Rev. Laws § 11–221 (Supp. 1965); Idaho Code Ann. § 34–904 (Supp. 1967); Md. Ann. Code. art 33, § 20–4 (Supp. 1967); Nev. Rev. Stat. §§ 298.050 (1967); N.M. Stat. Ann. § 3–10–1.1 (Supp. 1967); Okla. Stat. Ann. tit. 26, § 519–21 (Supp. 1967); Ore. Rev. Stat. § 248.355 (Replacement Part 1965); Tenn. Code Ann. § 2–403 (1956). *See also* Va. Code Ann. § 24–290.6 (1950), declaring how electors are "expected" to vote. None of these laws appears to have come before the courts.

[88] D.C. Code Ann. § 1–1108(g) (1967).

[89] While some of these state laws prescribe criminal punishment for violation of an elector's pledge, none expressly purports to reverse his vote in such a case.

"A law which would fully test legislative power over elector discretion would be one which automatically forfeited his office upon casting a defecting vote. Other electors or party officials could be authorized to fill the vacancy on the spot. His initial appointment would have been conditional upon his performing his promise. This would require open voting and would certainly encounter a contention that the balloting must be secret." Kirby, *Limitations of the Power of State Legislatures Over Presidential Electors,* 27 Law & Contemp. Prob. 495, 509 (1962).

[90] U.S. Const. amend. XXIII.

[91] D.C. Code Ann. § 1–1108(g) (1967) (emphasis added) (derived from Act of Oct. 4, 1961, 75 Stat. 818).

[92] *Cf. e.g.,* Marbury v. Madison, 5 U.S. (1 Cranch) 137, 176 (1803).

[93] *Sec. e.g.,* McCulloch v. Maryland, 17 U.S. (4 Wheat.) 316, 401 (1819); Stuart v. Laird, 5 U.S. (1 Cranch) 299, 309 (1803).

[94] U.S. Const. amend. XXIV.

[95] Another possible purpose might have been to cover presidential preference primaries, where held. *Cf. Hearings on S.J. Res. 4 Before the Subcomm. on Constitutional Amendments of the Senate Comm. on the Judiciary,* 89th Cong., 2d Sess., 90th Cong., 1st Sess., 145 (1968).

[96] See Llewellyn, *The Constitution as an Institution,* 34 Colum. L. Rev. 1, 12 (1934): "[W]herever there are today established practices 'under' or 'in accordance with' the Document, *it is only the practice which can legitimatize the words as being still part of our going Constitution.* It is *not* the words which legitimatize the practice. This is the first principle of a sane theory of our constitutional law. Its necessity is patent wherever practice has flatly abrogated a portion of this 'supreme law of the land.' Discretion in the electoral college is the classis instance; can any doubt that if that college should today disregard their mandate, such action would be contrary to our Constitution? Yet 'vote by ballot'—the original language, repeated in the Twelfth Amendment—is a strange way of saying 'act as rubber stamps.' [Emphasis in the original]."

For an interesting and persuasive argument that state power to bind electors would implement, rather than defeat, the purposes of the Framers, *see* Note, *State Power To Bind Presidential Electors,* 65 Colum. L. Rev. 696 (1965); *cf.* Kirby, *Limitations on the Power of State Legislatures Over Presidential Elections,* 27 Law & Contemp. Prob. 495, 505–06 (1962).

[97] In each such instance, Congress counted the electoral votes as actually cast.

[98] While one frequently encounters the statement that even where the duty of a public official is merely ministerial, mandamus will not lie if the violation of duty has not yet occurred but has merely been threatened for the future [*see, e.g.,* 55 C.J.S. Mandamus § 33 (1948)], it is doubtful whether most courts would refuse to grant mandamus on that ground. *See, e.g.,* People *ex rel.* Hotchkiss v. Smith, 206 N.Y. 231, 241, 99 N.E. 568, 571 (1912).

[99] *See* Note, *Injunctive Protection of Political Rights in the Federal Courts,* 62 Harv. L. Rev. 659, 666–67 (1949); *cf.* Giles v. Harris, 189 U.S. 475, 486, 488 (1903).

[100] Supreme Court review of state court decisions may apply only to "[f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had . . ." 28 U.S.C. § 1257 (1964).

[101] 369 U.S. 186, 204–08 (1962).

[102] A candidate himself would apparently also have standing to raise the question.

[103] *See* Ray v. Blair, 343 U.S. 214, 224–25 (1952).

[104] 28 U.S.C. § 1311 (1964).

[105] 28 U.S.C. § 1343(3) (1964).

[106] *See* Holt v. Indiana Mfg. Co., 176 U.S. 68, 71–72 (1900).

[107] *See* Hague v. C.I.O., 307 U.S. 496, 531 (1939) (opinion of Justice Stone). (The test is whether the "gist of the cause of action was not damage or injury to property, but unconstitutional infringement of a right of personal liberty not susceptible of valuation in money."); Anglo-American Provision Co. v. Davis Provision Co., 105 Fed. 536 (C.C.S.D. NY. 1900) (full faith and credit clause).

28 U.S.C. § 1331(a) (1964) might also confer jurisdiction upon federal district courts, since the action seemingly "arises under the Constitution . . . of the United States," but the $10,000 jurisdictional amount would probably defeat any plaintiff other than the presidential or vice-presidential candidates themselves.

[108] 28 U.S.C. § 1254(1) (1964).

[109] For examples of announcement of the decision prior to publication of the opinion in cases involving presidential elections, *see* McPherson v. Blacker, 146 U.S. 1; 22 n.1 (1892); Ray v. Blair, 343 U.S. 154, *full opinion delivered,* 343 U.S. 214 (1952).

While an attempt might be made, instead, to invoke the original jurisdiction of the Supreme Court, it seems unlikely that a state would be a proper plaintiff, and even more improbable that either the United States or another state would be the appropriate defendant.

[110] 369 U.S. 186, 210 (1962).

[111] U.S. Const. amend. XII.

[112] "The famous phrase of the Constitution 'the votes shall then be counted' has been like an apple of discord almost since the beginning of the Government." J. Dougherty, The Electoral System of the United States 254 (1906). The respective roles of the Vice President and of the two houses of Congress were the subject of frequent congressional debates over the years, and passions frequently rose high over what was only of theoretical importance in every election save that of 1876. *See id.,* chs. 2, 4; Wroth, *Election Contests and the Electoral Vote,* 65 Dick. L. Rev. 321 (1961).

[113] Act of Jan. 29, 1877, ch. 37, 19 Stat. 227.

[114] 3 U.S.C. §§ 5, 15–18 (1964). 3 U.S.C. § 15 (1964) permits the rejection of electoral votes even of electors whose appointments have been lawfully certified by proper state authority if both houses of Congress "agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified." *Cf.* J. Dougherty, *supra* note 112, at 235. No definition of "regularly given" is provided, and while Congress has thus far always recorded the electoral votes as actually cast, it might at some time treat this clause as authorizing it to reject votes cast contrary to pledge or expectation. At most, this would seem only to cancel such votes and not to record them in favor of the party candidates.

[115] 146 U.S. 1.

[116] 146 U.S. at 23.

[117] In a recent case challenging the method used by the states in choosing electors—specifically the general ticket system—the Supreme Court refused to entertain a complaint brought before it pursuant to its original jurisdiction. Delaware v. New York, 385 U.S. 895 (1966). No reason for the refusal was stated. *See also* Williams v. Virginia State Bd. of Elections, 37 U.S.L.W. 2065 (E.D. Va. July 16, 1968); Penton v. Humphrey, 264 F. Supp. 250 (S.D. Miss. 1967).

[118] 307 U.S. 433 (1939).

[119] 307 U.S. at 450.

[120] 307 U.S. at 454–55 (footnote omitted).

[121] 369 U.S. at 127. *See also* Powell v. McCormack, 395 F. 2d 577, 591–96 (D.C. Cir. 1968) (opinion of Burger, J.).

[122] *See* text accompanying notes 111–14 *supra.*

[123] One can imagine, in the 1968 election, a case entitled Humphrey v. Humphrey; or Nixon v. Nixon in 1960.

[124] "The Congress is the legislative department of the government; the President is the executive department. Neither can be restrained in its action by the judicial department; though the acts of both, when performed, are, in proper cases, subject to its cognizance." Mississippi v. Johnson, 71 U.S. (4 Wall.) 475, 500 (1866).

[125] *See Hearings on S.J. Res. 1 Before the Subcomm. on Constitutional Amendments of the Senate Comm. on the Judiciary,* 87th Cong., 1st Sess., 363–91 (1961); *Hearings, supra* note 95, at 151–71; H.R. Doc. No. 364, 89th Cong., 2d Sess. 5–6 (1966).

[126] *See Hearings, supra* note 125.

[127] *See* text accompanying note 29 *supra.*

[128] U.S. Const. art. II, § 1.

[129] *See* text accommmpanying note 14 *supra.*

[130] U.S. Const. art II, § 1.

[131] U.S. Const. art I, § 8, cl. 17 (emphasis added).

[132] *See* note 113, *supra.*

[133] *See* note 114 *supra.*

[134] *See* text accompanying notes 110–24 *supra.*

[135] U.S. Const. art. VI, cl. 3.

[136] 110 U.S. 651 (1884).

[137] Act of May 31, 1870, ch. 116, § 6, 16 Stat. 141, the present equivalent of which is 18 U.S.C. § 241 (1964).

[138] Act of April 20, 1871, ch. 22, § 2, 17 Stat. 13, 14, which resembles the present 18 U.S.C. § 594 (1964).

[139] 110 U.S. at 657–58, 663, 666.

[140] 290 U.S 534 (1934).

[141] 2 U.S.C. §§ 241–56 (1964).

[142] 290 U.S. at 544–45.

[143] United States v. Classic, 313 U.S. 299 (1941); *Ex Parte* Siebold, 100 U.S. 371 (1879). In United States v. Mosely, 238 U.S. 383, 386 (1915), Justice Holmes stated: "We regard it as equally unquestionable that the right to have one's vote counted is as open to protection by Congress as the right to put a ballot in the box."

[144] U.S. Const. art I, § 4.

[145] *See* Burroughs v. United States, 290 U.S. 534, 547–48 (1934):

The power of Congress to protect the election of President and Vice President from corruption being clear, the choice of means to that end presents a question primarily addressed to the judgment of Congress. If it can be seen that the means adopted are really calculated to attain the end, the degree of their necessity, the extent to which they conduce to the end, the closeness of the relationship of the means adopted and the end to be attained, are matters for congressional determination alone.

[146] *Cf.* United States v. Classic, 313 U.S. 299 (1941); a state may be under no constitutional obligation to provide primary elections, but if it does they fall within the reach of congressional regulatory power.

[147] Section 5 of the fourteenth amendment may serve as an alternative basis of congressional power. *Cf.* Katzenbach v. Morgan, 384 U.S. 641 (1966). Some doubt arises, however, as to which provision of section 1 of the fourteenth amendment Congress would be enforcing. If *all* voters are denied an effective vote for President, the equal protection clause may be inapplicable. The right to cast a meaningful vote, however, may be protected as a "liberty" under the due process clause. And, while there is no Supreme Court holding presently extant finding a violation of the privileges and immunities clause, the right to vote for President might fall within the test suggested in the Slaughterhouse Cases, 83 U.S. (16 Wall.) 36, 79 (1873), as among those "which owe their existence to the Federal Government, its National character, its Constitution, or its laws." *But cf.* Pope v. Williams, 193 U.S. 621 (1904). Perhaps an argument could also be based on the rights of citizenship conferred by the first sentence of the fourteenth amendment. *Cf.* Schneider v. Rusk, 377 U.S. 163, 166 (1964). In invalidating the Ohio laws that made it difficult for third-party candidates to appear on the ballot, the Supreme Court recently held that the equal protection clause protects "the right of qualified voters, regardless of their political persuasion, to cast their votes effectively." Williams v. Rhodes, 37 U.S.L.W. 4001, 4003 (Oct. 15, 1968). 37 U.S.L.W. at 4006. Whether it follows that the fourteenth amendment forbids breaches of faith by presidential electors, as a denial of the right to cast effective votes, a determination by Congress that such conduct violates the fourteenth amendment might be upheld.

[148] 3 U.S.C. § 15 (1964).

[149] *See* text accompanying notes 110–22 *supra.*

[150] An unsuccessful attempt to raise such an issue was made by appellants' counsel in Banco Nacional de Cuba v. Farr, 383 F.2d 166 (2d Cir. 1967), *cert. denied,* 390 U.S. 956 (1968). The Supreme Court had previously held that the "act of state" doctrine prevented the courts from examining the validity of certain acts of the Cuban Government. Banco Nacional de Cuba v. Sabbatino, 376 U.S. 398 (1964). The "Hickenlooper Amendment," 22 U.S.C. §§ 2370(c)(2) (Supp. III 1968) provided, in part, that "no court in the United States shall decline on the ground of the federal act of state doctrine to make a determination on the merits giving effect to the principles of international law. . . ." On remand, the Banco Nacional de Cuba contended that this was an unconstitutional attempt to confer upon the courts jurisdiction over nonjusticiable questions. The Court of Appeals for the Second Circuit interpreted the *Sabbatino* decision as not based upon the Constitution, but as a choice "among a number of constitutionally permissible alternative rules" (383 F.2d at 181), and proceeded to apply the modifying statute.

[151] U.S. Constr. art. III, § 2.

[152] *Cf.* Muskrat v. United States, 219 U.S. 346 (1911).

[153] *Cf.* Aetna Life Ins. Co. v. Haworth, 300 U.S. 227 (1937). This may be true even if the bar to court action is found in the Constitution—not in the lack of a case or controversy under article III, but in the sense that the Constitution has conferred final decision-making power upon Congress. Conceivably, Congress might be deemed empowered to withdraw that barrier to court action. (This would clearly not be possible if the function involved were inherently of a nonjudicial nature, such as the determination whether to enact legislation or ratify a treaty; but it may be possible where the types of questions to be considered and relief requested are similar to those often coming before courts.)

Perhaps there is an analogy to be found in the areas of state interference with interstate commerce and intergovernmental immunities: courts have held state action to violate the Constitution in the absence of congressional expression, but Congress may legislate to remove the barrier. *Compare* Leisy v. Hardin, 135 U.S. 100 (1890), *with In re* Rahrer, 140 U.S. 545 (1891).

[154] *Cf.* Powell v. McCormack, 395 F.2d 577, 595–96 (D.C. Cir. 1968) (opinion of Burger, J.).

The **PRESIDENT** pro tempore. The Senator from Massachusetts.

Mr. **KENNEDY**. I designate the Senator from Tennessee.

The **PRESIDENT** pro tempore. The Senator from Tennessee is recognized for 5 minutes.

Mr. **GORE**. Mr. President, the senior Senator from Tennessee is persuaded that the presidential elector duly chosen is an independent agent. The senior Senator from Tennessee does not recognize the degree of independence of agency in this regard; but, out of respect for the distinguished Senator from Maine, and out of appreciation for the services he is rendering in dramatizing the need for constitutional change, I would like to inquire of the Senator from Maine if he would have some views to rebut the views given by the senior Senator from Tennessee.

Mr. **MUSKIE**. Mr. President, I thank the Senator. I shall not engage in further arguments on the substance of this question. I think an important purpose may have been served. The distinguished Senator from Kentucky has referred to it.

I hope that this has been a useful exercise. I hope that all of us have a better understanding of the nature and dimensions of the problem that is involved; and I hope that, whatever the result, this exercise will be a stimulus to the kind of electoral reform we should be considering.

I am somewhat pessimistic about such reform because over 500 such resolutions have been introduced in the history of the country, and none of them has gotten anywhere. That is one reason why I took this previously unused method of raising the issue. I hope we have stimulated this forum with that exercise.

Let me point out, before closing, that whether we accept the challenge or defeat it, we will be setting a precedent.

In my judgment, defeating the challenge means a further dilution of the tradition which was almost unchallenged until 1948—the tradition that electors elected on a party slate shall honor their party's candidate for President. Until 1948 that was an almost unbroken and unchallenged tradition.

Since that time, there have been three or four instances of the maverick or faithless elector, so called. Then in this election, as in the previous one, there was the suggestion that the electors ought to be organized to frustrate the will of the electorate.

After this long historic period of commitment by electors to their parties' candidates—if we defeat this challenge today, we will further undermine that responsibility, and encourage the development, the maneuverability, and the flexibility of presidential electors, with kinds of consequences that ought to give us pause. That would be, I think, the effect of defeating the challenge. Supporting the challenge, I think, would tighten up, or at least tend to tighten up, the electoral process, until such time as we reform it, and reduce the risks to which I have referred and which trouble the distinguished Senator from Kentucky.

Having spelled out the issue as best I could today, with these limitations of debate, I think I have said as much as I should, and perhaps more; and I thank my colleagues for what I think has been excellent attention to this issue, and deep concern over its implications.

The **PRESIDENT** pro tempore. If there are no further designations of time by the majority or minority leaders——

Mr. **KENNEDY**. Mr. President, I designate the Senator from West Virginia.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to insert in the Record a statement pertinent to the matter under discussion.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Byrd of West Virginia

Mr. President, on the vote to sustain the objection, properly filed by Senator Edmund Muskie and Representative James O'Hara, to the counting of the vote of Dr. Lloyd Bailey, a duly elected elector from the State of North Carolina, I voted "no." While Dr. Bailey was ethically and morally required, in my judgment, to cast his electoral vote for Mr. Richard M. Nixon and Mr. Spiro T. Agnew, I believe, that, under the Constitution of the United States, he was not bound to do so. As an authorized elector, he was a free agent to vote as he pleased, under the Constitution, despite the fact that it has usually been customary to vote for the party nominee. Custom cannot change the Constitution.

The vote in question was regularly cast by an elector certified by the State of North Carolina as being duly chosen, and, although I believe that the Constitution should be amended either to abolish the Electoral College system or, at least, to bring about a fairer and better method of allocating the electoral votes under the Electoral College system, I do not believe the Congress has any Constitutional power to reject the vote of Dr. Bailey. To do so would be to set a dangerous precedent and would, in effect, amend the Constitution of the United States.

The Constitution, under Article V thereof, provides for its own amendment by the people of this Republic, and I do not believe that we in the Congress can arrogate this function to ourselves alone.

Mr. MANSFIELD. Mr. President, will the Senator from Massachusetts yield me one-half minute?

The PRESIDENT pro tempore. The Senator can designate himself for one-half minute. He has the floor.

ORDER FOR ADJOURNMENT UNTIL THURSDAY, JANUARY 9, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Thursday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I designate the Senator from Virginia.

Mr. SPONG. Mr. President, I ask unanimous consent to file a statement pertinent to this debate in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPONG

Mr. President, the challenge to the vote cast by a North Carolina elector made during the count of the electoral votes before the Congress today dramatizes the need for immediate and effective reform of our system of electing the President and Vice President of the United States.

The elector in question ran and was elected to his office as a nominee of the Republican Party. However, when the North Carolina electors met to cast their votes in the State Capital at Raleigh he voted, not for the Republican nominees for President and Vice President but for the nominees of the American Independent Party.

When the North Carolina vote was announced during the count of the electoral vote before Congress, it was challenged and the Congress was urged to refuse to count the ballot cast by the North Carolina elector for the nominees of the American Independent Party. It was argued by those who raised the objection that by running on a slate committed to the Republican nominees, the North Carolina elector was bound to vote for them in the Electoral College.

However desirable and logical it may be that electors be prevented from disregarding their pledges the clear meaning of the Constitution and its history indicates that they are free to act as they wish.

When the Constitution was written it was clearly the intent of the framers of that document that electors be free and independent in casting their votes. Nothing has happened since the Constitution was written to seriously limit the discretion of the electors in casting their ballots.

While the Constitution has remained unchanged in this respect the growth of political parties and tradition has led the voters to expect that electors will act as agents of the electorate and will vote for those they indicate they will support.

The instance today of the wayward North Carolina elector demonstrates the dangerous gap between the form of electing the President outlined in the Constitution and the reality of our political system. In this case an elector's defection has no impact on the choice of a President, but in a close election the switching of a few electoral votes could create a very real and dangerous crisis in our nation.

As one who is pledged to uphold the Constitution, I have no choice but to vote to reject the objections to the North Carolina electoral vote and allow its vote to be counted as cast by its electors.

However, it is also my duty to state my belief that it is imperative that the Congress undertake a fundamental Constitutional reform of our electoral system before this nation is faced with a political crisis of the highest magnitude.

The PRESIDENT pro tempore. The Chair reminds Senators that speeches they receive unanimous consent to file, under the strict rule under which we are operating, will not appear in speech type, but will appear in insertion type in the RECORD.

Mr. KENNEDY. Mr. President, I designate the Senator from New York.

The PRESIDENT pro tempore. The Senator from New York (Mr. JAVITS) is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I think the arguments have been very well made here, except for one distinction which I should like to make. That is that I shall vote to sustain the challenge because I believe Congress has the power to correct deception on the people. In 16 States, including North Carolina, the designation on the ballot is not of the electors, but of the President and Vice President by name. That is also the case in my State. Clearly, both the 12th amendment and the North Carolina statute contemplate good faith on the part of the elector.

However, Mr. President, I have serious doubt, constitutionally, as to whether or not the vote can be given to any candidate. Having been invalidated, it is my judgment that it falls. That is a very important precedent.

So I wish to state that in my vote, I shall not vote to give the vote to Nixon or any other candidate, but I shall vote to sustain the challenge invalidating the vote itself.

I am grateful to my colleague for yielding.

The PRESIDENT pro tempore. Are there any further designations?

Mr. KENNEDY. Mr. President, I designate the Senator from Minnesota.

Mr. MONDALE. Mr. President, I ask unanimous consent that a statement I have prepared be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MONDALE

Mr. President, I would like to join in the objection to counting the electoral vote of North Carolina as received, which has been offered by my distinguished colleague from Maine and the distinguished member from Michigan.

The immediate issue is whether or not a Presidential elector can disregard the choice of a presidential candidate by a plurality of the voters in his State and cast his vote for another individual. This is what the elector from North Carolina has done in casting his vote for George C. Wallace instead of for Richard Nixon, the candidate who received a plurality of the votes of the people of North Carolina.

The basis of this challenge is that the vote of the "faithless elector" of North Carolina was not "regularly given" as specified by the Electoral Count Law of 1887 and that it should not be counted.

My colleagues maintain that while the office of Presidential elector was originally conceived of under the Constitution as being one of judgment and independence, the principle soon begins to emerge that the electors were to be instructed "agents" of the people and that the choice of a President was to be made by the people themselves. They point out that this principle has become an integral part of our system for electing a President. Consequently, when the elector cast his vote for George Wallace, he violated this principle, as well as the law of North Carolina, which contemplates that electors will vote for the nominees of their party.

After considering the arguments which have been made, I have decided to support my colleagues' challenge. In supporting this challenge, it is my hope that we do not lose sight of the fact that there is an urgent need for reform in the Presidential election system—reform which will fully effectuate the principle that the choice of a President is to be made by the people themselves.

If this challenge is successful, Congress will establish the precedent that it is prepared to invalidate the vote of a "faithless elector." This precedent would offer limited assurance that an individual elector or a group of electors will not be able to ignore the choice for President of a plurality of voters from the State which they represent.

But a successful challenge amounts to little more than applying a Bandaid to a serious wound. At best, this procedure is only a "stop gap" measure, a method of reducing the degree of damage which can be done by an antiquated system of electing a President. What is needed is full scale reform of the electoral system.

I do not think that a successful challenge will demonstrate that there is no need for such reform.

To begin with, this problem of the "faithless elector" does not go to the heart of the electoral college problem, which is the ever present possibility of an election being thrown into the House of Representatives. Furthermore, a successful challenge to this particular "faithless elector" may establish an important precedent, but it does guarantee that future challenges will be accepted by Congress. And finally, the very need to go through such a cumbersome procedure to ensure that the choice for President by the voters in a particular state will be effectuated constitutes a harsh judgment on the present system.

If the challenge does not succeed, it will dramatically illustrate to the American people that there is nothing to prevent Presidential electors from thwarting the will of a plurality of voters in a particular State. The threat of the "faithless elector" will hang over every Presidential election conducted under the present system.

While there may be some danger in establishing a precedent that a majority of Congress can change the vote of the Electoral College, this danger itself serves to emphasize the need of electoral reform. For a system which creates the need for such action by Congress in order to ensure that a State's electoral votes will be cast in accordance with the will of a plurality of voters should not be preserved. The danger inherent in such a precedent can be easily eliminated by reforming the system.

The PRESIDENT pro tempore. If there is no further debate, the question now recurs on the objection entered by the Senator from Maine and the Representative from Michigan. The question is, Shall the Senate sustain the objection so entered? All those in favor of sustaining the objection will vote "yea"; those opposed will vote "nay." The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). Mr. President, on this vote I have a pair with the distinguished Senator from Louisiana (Mr. Long). If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. PELL (after having voted in the negative). Mr. President, on this vote I have a pair with the senior Senator from Rhode Island (Mr. Pastore). If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from South Dakota (Mr. McGovern), and the Senator from Rhode Island (Mr. Pastore) are absent on official business.

I also announce that the Senator from Louisiana (Mr. Long) and the Senator from Utah (Mr. Moss) are necessarily absent.

On this vote, the Senator from Utah (Mr. Moss) is paired with the Senator from Minnesota (Mr. McCarthy). If present and voting, the Senator from Utah would vote "yea," and the Senator from Minnesota would vote "nay."

The result was announced—yeas 33, nays 58, as follows:

[No. 2 Leg.]

YEAS—33

Aiken
Bayh
Boggs
Burdick
Case
Church
Dodd
Dominick
Gravel
Griffin
Harris
Hart
Hartke
Jackson
Javits
Kennedy
McGee
Metcalf
Miller
Mondale
Muskie
Nelson
Packwood
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Smith
Stevens
Symington
Williams, N.J.
Williams, Del.

NAYS—58

Allen
Allott
Anderson
Baker
Bellmon
Bennett
Bible
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dole
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Gurney
Hansen
Hatfield
Holland
Hollings
Hruska
Hughes
Jordan, N.C.
Jordan, Idaho
Mathias
McClellan
McIntyre
Montoya
Mundt
Murphy
Pearson
Percy
Prouty
Russell
Scott
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.
Young, Ohio

PRESENT AND ANNOUNCING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mansfield, for.
Pell, against.

NOT VOTING—7

Inouye
Long
Magnuson
McCarthy
McGovern
Moss
Pastore

So the objection was rejected.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the objection was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ARRANGEMENTS FOR INAUGURATION OF PRESIDENT-ELECT AND VICE-PRESIDENT-ELECT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives on House Concurrent Resolution 1.

The PRESIDENT pro tempore. The Chair lays before the Senate House Concurrent Resolution 1, which will be stated.

The Assistant Legislative Clerk. A concurrent resolution (H. Con. Res. 1) to make the necessary arrangements for the inauguration of the President-elect and Vice-President-elect of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 1) was considered and agreed to, as follows:

H. Con. Res. 1

Resolved by the House of Representatives (the Senate concurring), That effective from January 3, 1969, the joint committee created by Senate Concurrent Resolution 73, of the Ninetieth Congress, to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on the 20th day of January 1969, is hereby continued and for such purpose shall have the same power and authority as that conferred by such Senate Concurrent Resolution 73, of the Ninetieth Congress.

COUNTING OF THE ELECTORAL VOTE

The PRESIDENT pro tempore. Under the procedure that is published in the provisions of law, consonant with section 15, title III, United States Code, it is the understanding of the Chair that the Senate will repair to the joint session in the Hall of the House of Representatives without any motion. But if there is any question in the mind of any Senator, the Chair will entertain a point of order.

Mr. MANSFIELD. Mr. President, I so move.

The PRESIDENT pro tempore. The Senator from Montana moves that the Senate proceed to the joint session in the Hall of the House of Representatives. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDENT pro tempore. The Chair suggests that the Senate wait for just a moment until the status of the action in the House of Representatives can be ascertained, and whether they have concluded their action and are ready to receive the Senate.

The Chair also is advised that when the Senate returns to its Chamber, the only business that will be transacted prior to adjournment will be the report of the tellers on the part of the Senate as to the election of a President and Vice President. The Chair knows of no other business that will come before the Senate.

Mr. MANSFIELD. Mr. President, if I correctly understand the statement just made by the distinguished President pro tempore, it will not be necessary for any Senator to return to this Chamber, except for one, two, or three, for the purpose of attending to the business which must be considered before we can adjourn.

The PRESIDENT pro tempore. It will be necessary for the tellers to return to the Chamber. The Chair knows of no business that will require the attendance of other Senators.

The Chair further advises the Members of the Senate that the report just received from the other body is to the effect that it is not quite ready to receive the Senate.

RECESS

The PRESIDENT pro tempore. Without objection, the Senate will stand in recess for a few minutes, subject to the call of the Chair.

Thereupon (at 4 o'clock and 1 minute p.m.) the Senate took a recess subject to the call of the Chair.

At 4 o'clock and 37 minutes p.m., the Senate reassembled, when called to order by the President pro tempore.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that the House had rejected the objection submitted by the Representative from Michigan (Mr. O'Hara) and the Senator from Maine (Mr. Muskie) and is now ready to further proceed with the counting of the electoral votes for President and Vice President.

The PRESIDENT pro tempore. The Senate will now proceed to the Hall of the House of Representatives to complete the process of counting electoral votes for President of the United States.

At 4 o'clock and 40 minutes p.m., the Senate took a recess, subject to the call of the Chair, and proceeded to the Hall of the House of Representatives to complete the counting of the electoral votes.

(The Senate reassembled at 5:16 p.m., when called to order by the President pro tempore.)

The PRESIDENT pro tempore. The Chair recognizes the distinguished Senator from Nebraska.

REPORT OF TELLERS

Mr. CURTIS. Mr. President, on behalf of the tellers on the part of the Senate, I wish to report on the counting of the vote for President and Vice President.

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of electors appointed to vote for President of the United States is 538, of which a majority is 270.

Richard M. Nixon, of the State of New York, has received for President of the United States 301 votes.

Hubert H. Humphrey, of the State of Minnesota, has received 191 votes.

George C. Wallace, of the State of Alabama, has received 46 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

Spiro T. Agnew, of the State of Maryland, has received for Vice President of the United States 301 votes.

Edmund S. Muskie, of the State of Maine, has received 191 votes.

Curtis E. LeMay, of the State of California, has received 46 votes.

NOTICE OF HEARING

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, January 14, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, on John N. Mitchell, of New York, Attorney General-designate.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

ADJOURNMENT UNTIL THURSDAY, JANUARY 9, 1969

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 5 o'clock and 18 minutes p.m.) the Senate adjourned until Thursday, January 9, 1969, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

FIFTEEN YEARS OF PROGRESS: A REVIEW OF THE U.S. DESALTING PROGRAM

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. JOHNSON of California. Mr. Speaker, as chairman of the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, I have taken a very active interest in the efforts of this Nation to develop new sources of water through desalting programs. Currently responsible for the major effort of this is the Honorable Max N. Edwards, Assistant Secretary for Water Quality and Research, U.S. Department of the Interior. Mr. Edwards should be commended for his contribution to the progress which we have made here in this Nation.

Not long ago, Mr. Edwards addressed an international symposium on nuclear desalination conducted in Madrid, Spain. He reviewed the 15 years of progress which this Nation has made in our desalination program and looked to the future of where we can go from here.

Since there is no greater problem facing the scientific and engineering communities of the world today than to provide cheap and inexhaustible sources of pure fresh water for all mankind, I want to share with you Secretary Edwards' comments and evaluation at this point. Accordingly, Mr. Speaker, I insert his remarks in the Record, as follows:

FIFTEEN YEARS OF PROGRESS: A REVIEW OF THE UNITED STATES DESALTING PROGRAM

The Bible records what is perhaps the oldest desalting feat: "So Moses brought Israel from the Red Sea, and they went out into the wilderness, and found no water. And when they came to Marah, they could not drink of the waters of Marah for they were bitter; therefore, the name of it was called Marah. And the people murmured against Moses, saying, 'What shall we drink?' And he cried unto the Lord; and the Lord shewed him a tree, which when he had cast into the waters, the waters were made sweet."

Desalting? Perhaps. Unfortunately, the Book of Exodus with this earliest reference to what may have been desalting does not report what type of tree that was. I can assure you that many scientists and engineers wish they knew. Some experts have speculated that it may have been history's first ion exchanger, but they have not been willing to provide us with a cost estimate.

The earliest authenticated opinion that the ultimate structure of matter is discrete, rather than continuous, is ascribed to Democritus, who lived about 450 B.C. According to Democritus, "The only existing things are the atoms and empty space; all else is mere opinion."

These two ancient reports set the stage for man's struggle in the ensuing decades: to repeat Moses' miracle and turn bitter waters sweet . . . to change Democritus' opinion of matter to fact. This generation of man—in the past three decades—has achieved marked success in his desalting efforts.

Most early interest in desalting stemmed from the seafarers' fear of an agonizing death—perishing of thirst.

U.S. interest in desalting can be traced back to 1791, when Thomas Jefferson, then Secretary of State, presented one of the first technical reports on the subject. It described a simple distillation experiment he had conducted. This data, he instructed, was to be printed on the reverse of all ships' papers, so that our merchant marines could produce an emergency source of fresh water if their water casks became foul or empty at sea.

The first practical conversion units were developed to meet the requirements of steam ships for fresh boiler water. The conversion device made the steamship an economic reality. Without it, most of the available cargo space would have been required to store boiler-feed water.

By World War II, all major naval vessels and passenger liners carried their own battery of evaporators. Hundreds of small mobile desalting units were also constructed to supply fresh water for U.S. military forces in the South Pacific and North Africa. While these field units helped to solve a difficult military logistics problem, they were difficult and expensive to operate.

On December 2, 1942, the first sustained, controlled production of atomic energy was accomplished. No one realized then that this secret effort to develop the most powerful weapon ever devised by man might also bring vast new quantities of water to a parched world.

It is an exciting experience to have lived during a time when desalting technology has advanced from relative obscurity to the prominence of practical application. It is a great achievement of man that the awesome destructive power of the atom has been harnessed to peaceful productivity—to provide the enormous quantities of energy needed to wrest a limitless supply of fresh water from the world's salty oceans and seas.

Soon after World War II a water crisis struck. In the United States and elsewhere water problems had been growing. After the war we recognized these problems to be sufficiently serious to require U.S. Government action to stimulate the *economic* production of potable water from saline waters. A few small land-based plants were in operation in the U.S. at that time, but in remote arid locations and only as last resort for water supply.

Up to that point in our history, desalting was primarily within the province of naval vessels and the maritime industry, who wanted a reliable supply of water and equipment of a manageable size. The cost of the water, while important, was of secondary consideration.

In 1952 cost became a critical factor. Forward-looking legislation passed by the U.S. Congress that year called for the development of practicable means to produce fresh water from sea water or from other saline waters . . . *at low cost*. That water was to be of a quality suitable for agriculture, industry, municipal supply and other desirable uses. The ultimate goal of the program was to find out if it was feasible to desalt water and distribute it on a large scale basis.

Congress had issued a considerable challenge. The few small land-based desalting plants in existence in the world at that time produced a trickle of fresh water at costs ranging upward from $4 per 1000 gallons. But enormous volumes of water were needed for agriculture and at very low costs. The challenge for scientists and engineers was this—increase plant size at least one hundred-fold and cut costs 95%.

The Office of Saline Water was established by the Secretary of the Interior to come to grips with this challenge. The Saline Water Act of 1952 authorized $2 million for a five-year program. However, it quickly became evident that this was insufficient time and inadequate funding for a giant task. So, the original law was amended a number of times to extend the life of the program and to increase its funds. More than $160 million has been devoted to desalting development and the quest for new or improved processes continues.

We have made marked progress toward our desalting goal. This has been a result of OSW programs, private industry's research and engineering, and the growing attention being given to desalting by the governments and industries in other countries.

We in the United States operate our national program by means of contracts and grants to individuals, universities, private research organizations and industrial firms. Many of these contracts have been awarded to universities and organizations outside the United States in order to take advantage of talents outside our own country.

When significant new information and data are obtained from a research study, the results are published and disseminated throughout the world. Over 350 such reports have been issued and they currently are being released at the rate of about two reports per week. In addition, an annual report which summarizes the work sponsored each year by the Office of Saline Water is distributed throughout the world. Many of you may have received the 1967 Saline Water Conversion Report, but for those of you who do not have this publication, over 100 copies are available for distribution at this meeting.

We welcome visitors at any of the plants or test facilities operated by the Office of Saline Water. Hundreds of scientists and engineers from many nations have come to study first-hand the pilot plant and test-bed units which we use to advance our engineering development program.

I have just highlighted the information dissemination program of the Office of Saline Water. Since the very beginning of the U.S. saline water conversion program we have maintained a policy to make the results of our research and development efforts available to the entire world. It is a policy which we shall continue, and we urge all nations to adopt similar procedures.

In 1956, the Office of Saline Water sponsored its first study of the applicability of combining nuclear reactors with saline water distillation processes. One statement in the report that was issued as a result of that study bears repeating at this meeting.

"The conversion of sea water to fresh water in quantities approaching only a few percent of the current water consumption rate will require the expenditure of a staggering amount of energy—either as thermal energy for distillation or mechanical energy for pumping. The energy requirements are so large indeed that it seems unlikely that fossil fuels can supply this energy without seriously affecting the supply-demand balance.

"Nuclear energy has, in general, a major advantage over other energy forms in that the cost of the energy is practically independent of the geographical location of the nuclear reactor because the energy is in an extremely compact form. Shipping charges are not completely eliminated, of course, but they are greatly reduced."

In the twelve years that have elapsed since that statement was written there have been great forward strides in nuclear technology. In spite of this progress, the "major advantage" of nuclear energy for desalting over other energy forms has not yet been realized. Not one nuclear powered desalting plant is in operation.

In the United States, we developed plans to construct a dual purpose nuclear power and water desalting plant in Southern California. This project has been delayed, as a paper to be presented at this meeting will describe in detail. While our original concept for the Bolsa Island plant in California has been abandoned, we are proceeding with studies of alternative possibilities, and prospects for a reconstituted project are encouraging. One alternative that has been considered in the re-evaluation of the project is the use of fossil fuel. I want to emphasize, however, that fossil fuel has only been considered—no final decision has been reached. For a number of reasons, it appears that nuclear energy will have an advantage over fossil fuel in Southern California. In other areas of the United States and the world, however, fossil fuels may well offer the most economic source of energy for large dual-purpose power and water plants.

Since our own plans to construct a dual-purpose nuclear power and water desalting plant have been delayed, we will be looking forward to receiving data from the USSR relating to the dual-purpose plant now under construction at Shevchenko. We also would be interested in any information they may wish to provide concerning their plans for additional nuclear desalting plants in the Donets Basin or elsewhere.

Commercial plants marketed by the fledgling desalting industry a decade ago had reached fresh water production rates of over 1-million gallons per day. Water costs were on the range of $2 per 1000 gallons, though, because of very low performance ratios and frequent shut-downs because of scale control problems. But even at this high water cost, the market for desalting plants began to grow.

It was in this same time period that the present work-horse process of the desalting business began to emerge: multistage flash distillation. With the advent of this new distillation cycle the pace of desalting applications began to quicken.

Multistage flash distillation took a great forward stride with the construction of a 1-million gallons per day experimental plant at San Diego, California in 1962. New design, construction and operating data that emerged at San Diego became the standard design or procedure for many of the commercial plants that followed.

When a water crisis developed at the U.S. Naval Base at Guantanamo, Cuba, the San Diego plant was transferred to Guantanamo, where it was subsequently enlarged to a production capacity of 2.1 million gallons per day. It continues in operation today providing all of the fresh water needs of the military installation.

Continuing our development of multistage flash distillation, in 1966 construction began on a 1-million gallons-per-day plant of advanced design. Named the Clair Engle plant, in honor of a U.S. Senator who had been a great supporter of the desalting program, the plant utilizes a multieffect-multistage flash distillation cycle. The plant has achieved a performance ratio of 20 pounds of product water for each pound of steam. This efficiency was considered virtually impossible a few years ago. On October 4, 1968, the Office of Saline Water awarded a contract for the construction of a high temperature unit, which, coupled with a new pretreatment system, will enable engineers to operate the plant at temperatures of up to 350° F. This is approximately 100° higher than heretofore achieved in a multistage flash operation. The modified plant, operating at this higher temperature, is expected to increase the fresh water product output of the plan by 25 percent.

The newest unit at San Diego was completed this past summer. It is the first experimental plant designed to provide actual construction and operating data. We hope it will bridge the technological gap between present plants in the 2.5 million gallons-per-day range and the projected units of 50 million gallons per day or more of the next decade.

The module represents only a slice of a complete 50 million gallons-per-day plant, but all of the equipment and components are full size. A 78,000 gallons per minute brine recirculation pump provides full hydraulic characteristics of a complete plant. It has been designed to provide maximum experimental flexibility. It can be operated as the high temperature or the low temperature end of a complete plant. Further, in order to permit investigation of different operating conditions, field modifications and adjustments to the module can be made.

Depending on which method of operation, high or low temperature, is selected for test, the actual fresh water output of the plant ranges from 2.6 million gallons per day to 3.2 million gallons per day.

The amount of water produced by the plant is incidental—the real product of the operation is engineering data.

Another distillation method which utilizes the vertical tube evaporators has been under intensive development by the Office of Saline Water since 1956. Although vertical tube evaporators had long been used in the chemical industry to concentrate and separate liquors, a 15,000 gallons per day plant constructed at Wrightsville Beach, North Carolina was the first attempt to adapt this cycle to desalting. The data the Office of Saline Water obtained from the construction and operation of this small unit provided the basis for the first large plant constructed by the Office of Saline Water.

This first plant, located at Freeport, Texas, was completed in 1961. Although the plant quickly reached its design capacity of 1-million gallons of fresh water per day, its operation was plagued by a variety of problems.

The problems we encountered at Freeport were a direct result of "too much too soon." By that, I mean in its effort to push desalting technology as rapidly as possible, the Office of Saline Water attempted to utilize too many new designs, equipment, materials, and operating innovations at one time. As a result, serious questions were raised concerning the potential of the process. Citing just one example, the 40 foot long vertical tubes in the evaporators were made of mild steel, which, contrary to the data obtained from the operation of the small pilot plant, quickly deteriorated under the corrosive attack of the hot sea water.

A series of modifications were made to the plant and as new operating techniques were developed, the potential of the process gradually improved. With the advent of newly designed tubes which provided substantial advances in heat transfer rates, the process that once looked like a poor contender in the search for lower-cost desalted water, now appears to have excellent technical merit and good economic potential. In fact, next week, Secretary of the Interior Stewart L. Udall will dedicate the world's first commercial VTE plant. Located on St. Croix, in the Virgin Islands, the 1-million gallons-per-day plant was competitively priced below multistage flash distillation plants in open bidding. OSW engineers are now studying a potential technological advance in desalting which combines the best features of the VTE process with multistage flash. From the data available there is good reason to believe that such a hybrid process may offer as much as 40 percent improvement in performance over use of either process individually. Additionally, studies of a single-purpose plant utilizing the vapor compression cycle powered by a gas turbine give promise of further reduction in product water costs. A conceptual design study of an 8-million gallons-per-day desalting plant utilizing the vapor compression cycle with the power provided by a gas turbine will be published by the Office of Saline Water early next year.

Every facet of distillation technology that appears to offer an opportunity for improvement is under active study. A materials development and testing program is constantly searching for cheaper alloys that will provide high heat transfer coefficients and at the same time resist the corrosive attack of the hot brine. The use of concrete is being studied and evaluated as a construction material for evaporator shells with considerable promise. Higher and higher heat transfer coefficients are being obtained from fluted, double-fluted, and spiral tubes. Plant geometry is being optimized. Operating procedures are being perfected. Scale control methods are being improved and operating temperatures are reaching higher and more efficient levels.

These developments, and others too numerous to mention, are not "breakthroughs" in the classic sense, but in the aggregate they offer substantial advances in distillation technology and point the way to lower-cost product water.

But that is just part of the picture. In support of all these engineering advances, the OSW program is balanced by a deep searching basic research program which includes fundamental studies on heat and mass transfer, fluid mechanics, thermodynamic and transport properties of multicomponent fluid interfaces, thermodynamics, kinetic behavior of water, etc. These probing studies, which nourish the work of the engineer, usually receive little publicity. One measure of the extent of the OSW basic research effort is revealed in the 1967 Saline Water Conversion Report. Two hundred and forty-four pages of this four hundred and twenty-one page report are required to provide an abstract review of the basic research sponsored by OSW last year.

My remarks have been directed primarily to developments in distillation techniques because the present state-of-the-art indicates that the multimillion or billion gallons-per-day desalting plants that will be built in the coming decades will utilize a distillation system. If distillation continues to maintain its present performance advantage over other processes for desalting sea water, we can expect to turn more and more to nuclear reactors to provide the enormous volumes of process steam these great water factories will require. Since the cost of that steam will represent upwards of 50% of the cost of the product water, the economic efficiencies of reactors will be critical to the success of any large distillation operation, and that is the challenge I ask every nuclear scientist and engineer to consider.

We cannot say with certainty, however, that distillation will continue to be the preferred process of the future. One scientist, perhaps he is an optimist, told me it was his opinion that the ultimate desalting process had not yet been conceived.

Perhaps he is more of a realist than we are willing to admit. Let us consider, for example, the phenomenon of osmosis which has long been of scientific interest. As far back as the eighteenth century it was observed that when certain aqueous solutions were separated from water by animal membranes, water spontaneously passed through the membrane into the solution. The membrane served the function of permitting the water to pass while blocking the counterflow of the solution.

Since then, osmosis has had a significant place in textbooks on physical chemistry. It is frequently used to illustrate the concept of reversibility. A proposal submitted to the Office of Saline Water in 1953 "Development of Synthetic Osmotic Membrane for Use in Desalting Saline Waters" suggested that this effect of reverse osmosis might be practical for purifying saline waters. However, no membrane was known that could be used in such a process. In fact, no synthetic organic membrane has yet been discovered that would function effectively as a semipermeable membrane in salt water.

After testing hundreds of different chemical combinations, a specially treated cellulose acetate membrane was developed which permitted fresh water to pass through when pressure was applied to the saline solution. Even though the fresh water thus obtained was measured in microliters per day, it was a major scientific achievement.

Years of exacting study have followed in a search to discover exactly what occurs inside that thin sheet of membrane to accomplish this separation. As scientists developed a better understanding of this phenomenon, they have cast new membranes which incorporate improved salt rejection and water flow properties.

There have been sufficient advances in membrane technology over the past ten years to propel this new process from the laboratory to the commercial market place. While reverse osmosis plants are now available commercially for desalting brackish waters, experimental operations already are underway for the use of this exciting new process to desalt sea water. If progress in the next decade continues at the rate it has in the past ten years, it may well be that this process will be competitive or perhaps even superior to distillation. Should such be the case, the energy requirements now calculated for desalting will be vastly diminished with obvious implications as far as the type of energy source is concerned.

While distillation continues to receive the greatest share of OSW funds allocated to process development, the potential of reverse osmosis is commanding ever greater attention and support. I have talked to no one who is willing to predict its ultimate potential, but I think it is apparent from the remarkable advances that continue to accrue that reverse osmosis will play a great future role to provide an incremental source of fresh water.

There will be several papers presented at this symposium by U.S. scientists and engineers, which will present in considerable technical detail specific desalting developments. We look forward to receiving the information that will be presented here by authors from many other nations as well.

I congratulate the International Atomic Energy Agency for providing us with this excellent forum to exchange ideas and information. I am sure we all will leave this meeting far more optimistic about the future of desalting than we were when we arrived.

In his message to the First International Symposium on Water Desalination in October, 1965, President Lyndon B. Johnson said:

"The need is world-wide, so must be the effort. Knowledge, like thirst, belongs to all men. No country can be sole possessor. We in this country are ready to join with every nation—to share our efforts, to work in every way. We cannot wait—for the problem will not wait."

In the past, man has often failed to solve his water problems because he did not possess the technology to do the job. Will desalting fail for the same reason? The answer to that question is NO! I am confident that the scientific and engineering communities of all nations working cooperatively toward this common goal will solve the remaining problems that block the path to a cheap and inexhaustible source of pure fresh water for all mankind.

TAX SHARING

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, I am reintroducing legislation to establish a system for sharing Federal tax receipts with the States. This legislation would direct the Secretary of the Treasury to return to the States a percentage of Federal income taxes. We must begin to untangle the redtape of the Federal grant-in-aid program. Although many of these grants have been successful, there is no reason for continually expanding the grant-in-aid program to the point of diminishing returns and ever increasing centralized controls.

Federal revenue sharing can become a viable alternative to the more than 220 Federal grants administered by 21 departments and agencies in Washington. Communication between all levels of government is needed and even more important, increased participation by State and local governments in the solution of our problems. State and local initiative has been hampered by the ever expanding and increasingly uncoordinated Federal grant-in-aid programs as well as highly restrictive and diminishing local and State tax base.

The magazine, Nation's Business alluded to this in 1967:

> A community's acquisition of funds on the basis of what is available, rather than local priorities, also amounts to less than the best use of resources, especially in view of the need to match federal grants with local money.

The magazine goes on to point out the plight of local officials faced with raising taxes to finance increased local services such as police, fire, schools, and utilities.

Joseph Pechman of the Brookings Institution and one of the founders of the tax-sharing concept pointed this out:

> Between 1953 and 1963, the school age population (those 5 to 19) rose 40% while the total population increased by only 19%. In the same period, the number of persons over 65 increased 35%. Thus, the age groups which require the costliest government services and contribute least to the tax base—the old and the young—increased much faster than the rest of the population.

Former Orlando, Fla., city commissioner John Newsom points out that:

> Local elected officials are not held responsible for high Federal income taxes for (they) are considered heroes for getting some of this "free" money returned to their cities.
>
> On the other hand, if they tried to raise the money for—programs through increased local taxes, they would be called bums and probably get voted out of office.

In 25 years after World War II, State and local government spending increased by 525 percent while revenues increased by only 432 percent and the State and local debt increased by 575 percent.

While 58 percent of State revenues come primarily from retail sales and gross receipts taxes and 21 percent from individual and corporate taxes, 88 percent of all local revenues come from the antiquated property tax. In California, the revenues from the property tax have reached the saturation point. Tax sharing can be a useful alternative to this dilemma. While Federal assistance must be continued and increased, local and State participation must keep pace and where possible and practical carry the greater share of the burden. States have traditionally practiced revenue sharing with local governments. I see no reason why the Federal Government cannot practice a similar policy vis-a-vis the States.

I believe that tax sharing offers an opportunity to foster efficiency, diversity and imagination in local and State governments and decrease the growing tendency toward an increasingly centralized Federal Government. Many programs now administered in Washington could be performed at the State and local level where there is a greater familiarity with their own needs and problems. Tax sharing would produce State and local governments with a stable revenue source which would be applied according to their particular priorities

and needs while the Federal Government could apply itself to matters of national uniformity and priority. Long-range planning by government at all levels would be facilitated.

FRANK T. McGAUGHAN DIES—RETIRED OBSERVER EDITOR

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on December 24, 1968, Mr. Frank T. McGaughan, retired editor of the Observer of Kearny, N.J., passed to his reward. Mr. McGaughan was 76 years of age at the time of his death.

A very able and distinguished newspaperman of the old school, Mr. McGaughan brought honor and distinction to the newspaper profession. Fair, honest, and objective, his passing is a great loss to the whole West Hudson community, whose affairs he reported for more than 30 years with the Observer.

Mrs. Daniels joins with me in extending our deepest sympathy to his family and to his many friends.

Mr. Speaker, in honor of the memory of Frank T. McGaughan, I insert his obituary, which was printed in the December 30, 1968, edition of the Kearny Observer, at this point in the RECORD:

FRANK T. McGAUGHAN DIES—RETIRED OBSERVER EDITOR

"Mainly About West Hudson," a well-known column which appeared on this front page for some 32 years, was not, in reality, "mainly" about West Hudson. It was also about a man—Frank T. McGaughan—and his personal look at life in the community.

Only a professional newspaperman with a career of more than half a century behind him could look at West Hudson in just that way.

That career came to an end on the morning of Christmas Eve when Frank McGaughan died in West Hudson Hospital at the age of 76.

Associated with the Observer since 1936, the year he started writing his column, Frank McGaughan knew the newspaperman's job from the positions of reporter, columnist, assistant editor and, for his last six and a half years with the newspaper, editor.

An editorial published at his retirement in February of this year read, in part:

"But Frank McGaughan has been more than a columnist. He has covered the police and political beats in the tradition of the old time reporter who knew every cop by name and was privy to the plans of politicians of both parties, who knew he would never betray a confidence to make a headline.

"He has been more, too, than a reporter . . . he has striven each week to bring the community the news that makes a town a hometown—news of the people, their clubs, their schools, their churches, their births, their marriages, their deaths."

Frank McGaughan knew about West Hudson, having been a resident of Kearny for approximately 55 years. But, he was a native of Albany, N.Y., and came to work as a bookkeeper at the old Edison plant in Harrison when he was about 20 years old.

About 50 years ago, he started to report sports for the old Newark Star Eagle, predecessor of the Star Ledger. A major crime in the West Hudson area found him taking up the role of police reporter.

In 1939 he became assistant superintendent of the Coca Cola plant in Kearny. Also, during World War II he was appointed to the local draft board, after which he was cited by the federal government for his services in that capacity.

During all that time, Frank McGaughan still wrote, in addition to many other things, "Mainly About West Hudson." He later served as the West Hudson correspondent for two daily newspapers in the area.

A resident of 58 Beech St., he was also active in a number of local Scottish clubs.

He is survived by his wife, Elizabeth Ford McGaughan, whom he married almost 54 years ago; three sons, Francis J. of Delaware, John E. of Packanack Lake, and J. Raymond of Kearny; two daughters, Mrs. Ruth Dowling of Staten Island, N.Y., and Mrs. Lillian Kelleher of Wantaugh, N.Y.; two sisters, Miss Marie and Mrs. Lillian Cartan, both of Albany, N.Y.; a brother, Elliott of Troy, N.Y.; and 17 grandchildren. He was also predeceased by a sister, Mrs. Anna O'Brien; and two brothers, James and Hugh.

The funeral was held Saturday morning from the Reid Home for Funerals, Belgrove Dr., Kearny. A Solemn Mass of Requiem was offered in St. Stephen's Church. Interment followed in the Cemetery of the Holy Sepulchre, East Orange.

NORTHEAST AFRICAN FIASCO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. RARICK. Mr. Speaker, a potential religious war has been escalated into dangerous potential by the age-old motive of profit.

The United States furnishes the Israelis 50 jet fighters and to equalize the armament, the British—never to turn their backs on a pound—sell the Jordanians missiles. And everyone protests violence.

This is indeed repulsive behavior for our leaders who panicked passage of antigun legislation to deny a squirrel gun to an American youth, and sheer hypocrisy for the Socialist leaders of both Britain and the United States who accuse Rhodesia of being "a threat to international peace," while at home soothing the peacelovers with celebrations on U.N. human rights.

Mr. Speaker, we are still losing American lives in Vietnam. The American people have no interest in seeing their sons in combat in Africa, nor their country branded as a supplier of weapons of war. I am unable to comprehend how one can be a dove on Vietnam where American boys die but a hawk in Africa in a war that doesn't involve us—yet.

The leadership of our country lacks legal authority to commit the United States in an arms race. Let Congress vote on any involvements—we want no more Vietnams or Koreas.

I included a clipping from the Washington Evening Star for January 3, 1969, and a UPI release:

[From the Washington (D.C.) Evening Star, Jan. 3, 1969]

BRITAIN TO SUPPLY MISSILES TO JORDAN FOR $14.4 MILLION

Britain is supplying surface-to-air missiles to Jordan that could be operational by the time Israel gets 50 American Phantom jet fighters, the missile maker said today.

According to Short Brothers and Harland, a partially state-owned aircraft manufacturer in Belfast, Northern Ireland, the $14.4 million deal involves Tigercat missiles, a land version of the British Seacat.

The Tigercat, a small and highly maneuverable rocket that can by operated from mobile trailers, has a range of some 20,000 feet and is largely intended for the protection of airfields.

The deal reportedly was concluded prior to Saturday's Israeli commando raid on Beirut International Airport in Lebanon. The initial contract was signed last year, the Associated Press reported.

Britain has been a strong advocate of an arms embargo for the Middle East. But unwillingness of the superpowers, notably Russia, to halt arms supplies has prompted Britain to keep her options open.

SKIRMISHES CONTINUE

Britain has been strongly critical of the recent American decision to supply 50 Phantoms to Israel.

There were, meanwhile, these other developments in the Mideast situation.

Israel and Lebanon each accused the other of starting a 2½-hour exchange of fire last night.

The Israeli army said rockets from across the border hit the settlement of Kiryat Shmoneh, and its guns silenced the Lebanese guns. No injuries were reported on the Israeli side.

A Lebanese military spokesman said the Israeli artillery opened up first. He said there were no Lebanese casualties.

CAIRO OK'S SUMMIT

In Cairo, the authoritative newspaper Al Ahram said President Gamal Abdel Nasser has endorsed Jordanian King Hussein's call for an Arab summit meeting.

The paper said Nasser sent Hussein a message signifying agreement. Arab sources said, however, that only 6 of the 15 Arab states have so far expressed any enthusiasm for such meeting.

The Soviet Union said today its naval forces are in the Mediterranean Sea to protect Arab nations. It accused the U.S. 6th Fleet of "inspiring Israeli aggressions."

The statements came from Fleet Adm. Vladimir Kasatonov, first deputy commander of Soviet Naval forces, in an interview with the Soviet news agency Novosti.

PORTS OPENED TO RUSSIANS

Beirut newspapers reported that the Lebanese cabinet had decided to admit Soviet ships to Lebanese ports if the Kremlin requested permission. At the same time, the reports said U.S. Navy ships would be unwelcome because of the Phantom jet sale to Israel.

Government officials said they had no confirmation of the reported sharp switch in Lebanon's traditional pro-Western policy.

Chief Rabbi Yitzhak Nissim, head of Israel's Sephardic community, criticized Pope Paul VI for his message to Lebanon expressing sympathy for the loss of 13 commercial aircraft destroyed by the Israeli commando raid on Beirut airport.

In a broadcast over the state radio, Rabbi Nissim said the Pope had kept silent after the Nov. 22 bombing that killed 13 Israelis in a Jerusalem market and after the Dec. 26 Arab attack on an El Al airliner in Athens in which one Israeli died.

The Jerusalem Post, which often reflects foreign ministry thinking, counseled moderation today and said Rabbi Nissim had "overreacted" to the Pope's words.

UNITED STATES SELLS JETS TO ISRAEL

WASHINGTON.—The State Department announced today that the United States has agreed to sell Israel 50 F4 Phantom jet fighters for slightly over $200 million.

The department said a "small amount" of the purchase price was being advanced to Israel as a loan.

PFC. J. A. SNITKO

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. PICKLE. Mr. Speaker, today I am reintroducing a bill initially submitted last year to confer U.S. citizenship posthumously on Pfc. Joseph Anthony Snitko.

The story behind this bill is as sad as it is tragic, and I believe it is fitting that we take the opportunity to respond to the responsibilities a grateful country owes her defending sons.

Joseph Snitko lived 19 of his 21 years in Austin, Tex., but still retained his native Polish citizenship.

Private Snitko was killed June 13, 1968, while on patrol in Vietnam. At the time of his death, he had filed a petition for U.S. citizenship, and his request had been approved by the Immigration and Naturalization Service. But before Snitko could appear in Federal court to take the oath, he was called to active duty. Later, he was killed in Vietnam while serving his country.

Mr. Speaker, in the Austin-American of June 18, 1968, there appeared a touching account of Private Snitko, and at this point in the Record, I include it for reprinting.

I am most hopeful that we may see action on this bill during this new Congress.

The article follows:

PFC. SNITKO: "FACES I SAW DON'T EXIST ANYMORE—PRAY FOR PEACE"

(By Nat Henderson)

"The faces I saw when I came don't exist anymore. They have been replaced by all new faces.

"I've brought back many dead and wounded, and I can't help but wonder when it's my turn."

Time ran out last Thursday for Pfc. Joe Snitko of Austin after only 21 years in this world, 19 of them in the United States. The last two and a half months of his life were in Vietnam.

He was an American soldier but not yet a citizen of the United States. Pfc. Snitko, a citizen of Poland, was fighting against a threat that caused his parents to flee from Europe and bring him to America in 1949.

Snitko was killed in action while serving with Company A, 2nd Battalion, 501st Infantry, Second Brigade, 101st Airborne Division. He had asked to be transferred to the 101st so that he could fight beside Marshall Nelson of Austin.

They were close friends before entering the Army, and Snitko thought the drudgery and danger in Vietnam might seem a little more bearable beside somebody from home.

He did not know Nelson had been killed in action on March 10 until after he started looking for him in the 101st.

Snitko, son of Mr. and Mrs. Stanley Snitko of 500 W. 55th St., wrote a letter in May to Harry Brady, who was among a group of boys in the same neighborhood in high school in Austin. Brady will be a premedical student at the University of Texas next fall.

"Dear Harry . . . Well, you don't know how many times I've started to write you. But always something came up. It's so hard to write for me now. I've been trying to get ahold of Marshall ever since I came over.

"But I see now why I haven't heard from him. Harry, it really hurt to hear about Marshall. Me and him could have had a lot to talk about.

"But we are in a rough unit. They volunteer us for everything. They think we are made of steel and guts. I don't think Marshall ever saw base camp since he came over. It's been two months for me. Ever since I came to this damn place I've been fighting.

"My first day was hell, and it's been that way ever since. In the first five days I lost eight out of my squad. There is only me left now with all new replacements. . . .

"The faces I saw when I came don't exist anymore. They have been replaced by all new faces. I've brought back many dead and wounded, and I can't help but wonder when it's my turn. We lose men every day, and you just have to live with it.

"Maybe peace will come soon, but you know more about that than I do. I don't hear much news. . . .

"Tell me, was Marshall walking point? He must have been. I walk point a lot, and it's rough. You luck out a lot. Do you know where the area was where he got killed?

"I was reading in the paper once, and I saw his name and address. I was so happy to see him alive, but now you write and tell me different.

"I'm sending you the little clipping. At least we know he got one before they got him. But me and you know he was real proud of being in the 101st.

"He never found out that I was in this same unit. I wanted to transfer to his brigade so we could be together. Do you realize how much better it would have been to fight alongside a close friend from home? It would have been a great feeling.

"How bad did his parents take it? I hope it wasn't too bad.

"Well, Harry, I better close. We are about to move on. Don't blame yourself for anything that happens to me. Anything I've done has been my fault, and I have no one to blame but myself. . . . Always, Joe. P.S.: I misplaced the clipping."

Pfc. Snitko was an American who almost was a citizen of the United States. He already had filed a petition for naturalization in the country his parents and older brother chose for him when he was a baby.

His father was in the Polish Army during World War II. The family was separated and spent time in prison and concentration camps. As the war was coming to a close, the family was reunited at Hildesheim in West Germany in 1945.

Ted P. Snitko of Austin, who was eight at the time, says, "My father was a sensitive man. My father saw that communism was coming. Dad asked me where we wanted to go, and we picked the United States."

The family applied to America, but there was a long wait. Joe Snitko was born at Hildesheim, but he was a Polish citizen because of his parents. A sister also was born in West Germany before the family finally made it to the US.

They settled at Rockne in Bastrop County and later moved to Austin.

The parents and Ted Snitko have received their American citizenship. Ted served on active duty with the Texas National Guard during the Berlin Crisis.

Joe Snitko graduated from McCallum and attended Southwest Texas State College at San Marcos. He was planning to go to Blinn College when he entered the Army.

He completed his basic training at Fort Polk, La. He filed his petition for American citizenship. The Immigration and Naturalization Service approved the petition.

All that Snitko needed to do was to appear in Federal Court in Austin to renounce all "foreign potentates or princes." All he needed to do was to swear allegiance to the United States, promising to uphold her laws and serve her in war or peace.

He went to Vietnam before he could go to Federal Court, and he was killed on a combat patrol last Thursday while serving his chosen nation in war. Funeral arrangements are pending the return of his body to the city where he became an American except for a slip of paper formalizing his US citizenship.

He was looking forward to serving his nation in peace. His last letter to his brother said:

"I was glad to see peace talks finally start. However, the limited bombing has hurt. The NVAA have infiltrated many troops since the halt . . .

"Pray for peace, and I'll be the happiest man in the world. I hope it comes soon."

Besides his parents and older brother, Pfc. Snitko is survived by a younger brother, Rickey Snitko, and two sisters, Lillie Snitko and Mrs. Jeneva Perrone, all of Austin; and one niece, Tina Snitko, and one nephew, Richard J. Perrone Jr., also of Austin.

MOTION TO SEAT ADAM CLAYTON POWELL

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. GILBERT. Mr. Speaker, I voted for the composite motion to seat the gentleman from New York, Mr. Adam Clayton Powell, as a Member of the House of Representatives. But I do not want my vote to be interpreted as an endorsement of all the parts of that motion.

Like many of my colleagues, I found myself in a parliamentary dilemma when presented with the motion. As the House indicated in earlier votes, it would not vote to approve the seating of Mr. Powell without conditions attached. This was the only way, due to conditions existing on the House floor, under which the gentleman from New York could take his seat. It was my judgment that this body must not deprive 500,000 American citizens of their congressional representation. I considered the issue of seating to be of principal importance. But I did not feel there was either right or justice in levying a fine against the gentleman from New York or in depriving him of his seniority.

I recognize the good intentions of those of my colleagues who share my objectives but voted differently from me on this matter. Some voted against the motion. Some abstained from voting. I understand their argument that they did not want to lend themselves to an act of retribution against Congressman Powell. This House is not a punitive body.

I personally have serious doubts as to the constitutionality of action by the House of Representatives to set an additional condition for the seating of a Member-elect. But be that as it may, I felt the first obligation facing me was to get the gentleman from the 18th District of New York into the seat to which his constituents had legally elected him. That objective has been achieved.

TOWARD A NEW SCIENTIFIC ERA

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. MOORHEAD. Mr. Speaker, the thrill and wonder of Apollo 8, and its astronauts, whom we will honor here this week, is still so fresh in our minds that it hardly seems necessary to "state the case for a new scientific era."

Yet, I think it not inappropriate to include at this point in the RECORD the remarks of Dr. Seaborg, Chairman of the AEC—calling for a new scientific spirit—spoken on the occasion of the dedication of the Richard King Mellon Hall of Science in my congressional district.

Dr. Seaborg's eloquent plea is for the renaissance man of the 20th century—truly "a man for all seasons"—one who has this awareness of his special bond with nature, and with the sure knowledge of science and love of the arts and humanities, applies its disciplines toward solving the many staggering problems wrought by today's scientific burst.

Dr. Seaborg's remarks follow:

TOWARD A NEW SCIENTIFIC ERA

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at a convocation dedicating the Richard King Mellon Hall of Science, Duquesne University, Pittsburgh, Pa., November 15, 1968)

Following in the spirit of your symposium yesterday on "Science in the Future of Man," and in anticipation of the dedication this afternoon of your new Richard King Mellon Hall of Science, I thought I might speak to you this morning on a topic that relates strongly to the meaning of both events. In doing so I also hope to state the case for renewed dedication to science and for a new scientific spirit to guide us into that "future of man." As I plan to point out, such a spirit and sense of dedication will be essential if we are to enjoy that future. And I will try to convince you that I mean "enjoy" in the brightest, most optimistic sense of the word.

To build my case for this new scientific spirit let me first discuss some conditions that to many of us here have become almost self-evident. Unfortunately, they have not become self-evident to enough people, nor have their meanings and implications been made clear enough or strong enough to elicit the kind of thoughtful concern and positive action these conditions so urgently deserve.

If I were asked to outline these conditions briefly—and to do so is almost to summarize the state of man these days—I might put it this way: We are entering a new phase of the Scientific Age—a transitional one that is putting both science and man to a new series of tests. The signs of this testing are all about us. But they are manifest in three major confrontations.

The first is the confrontation of nations obsessed with military security in a world of gross economic disparities. These disparities, and the almost anachronistic degree of nationalism many nations still cling to in dealing with some of them, keep the world a tinderbox of international tensions. And most tragically, this condition syphons off into vast expenditures for military power a great deal of the knowledge and resources that could eliminate much of the basis for our self-perpetuating distrust and the human misery it generates. In this process, science, unfortunately, has become enmeshed in the hot and cold wars of our day. Many of these wars are caused by the clinging to historical grievances or fading ideological differences—grievances or differences that at one time may have been based on the life-and-death necessity of controlling territory and resources, but today could be solved by the application of science and technology with some degree of patience and perseverance. And how ironic this is. In one sense we are using science to help wage these continuing "holy wars" when both the tenets and teachings of science—applied by men of reason and good will—could truly "save" most of mankind. In this regard, there is great wisdom in Pope Paul's statement that "development is the new name for peace." How we might use science to begin to unravel this Gordian knot I will touch on later, but for now let me state the second confrontation.

This involves man and nature. It is less a confrontation than a moment of truth in which we are experiencing an exploding awareness of our environmental bond. For a long time we proceeded on the assumption that man progressed by "conquering" nature. And for quite some time nothing interfered with this belief. Now our growth in sheer numbers and some indiscriminate technological excesses have moved us eyeball-to-eyeball with our true relationship to nature. We realize now that we do not conquer nature. We coexist with her—or even more correctly, within her realm—and for every insult to her or assault on her we sooner or later pay some price. Today the price is demanded sooner and is increasingly greater. (And as a scientist in Washington I can tell you that one does not have to see a polluted river or inhale smog to be aware of our environmental confrontation today. In Washington one is quickly made aware of pollution by the administrative complexities in dealing with it on a national level—by the very fact that there are 15 to 20 federal departments or agencies which receive direction and funding in this field from some two dozen different congressional committees.)

Our third confrontation is between man and certain aspects of his man-made environment—primarily the urban complex and its numerous subsidiary problems. In a sense this urban confrontation epitomizes most of our problems today. Let me explain.

Consider that three-quarters of all the people in this country—about 150,000,000 persons—have been drawn into some 200 densely packed urban centers occupying only about 10 percent of our land, some 35,000 square miles. And compound this picture by emphasizing the diversity of these people's economic, educational and cultural background, combined with their immediate needs and growing aspirations—all fanned with the help of our modern mass media.

Consider the physical aspects of this urban implosion and explosion; where every day the greater part of 90 million automobiles and trucks are drawn in and repelled from the core cities with a pulsating regularity through increasingly congested arteries; where 30 billion gallons of water per day must flow in—pure enough for drinking—and about 22 billion gallons flow out carrying an enormous burden of waste; where every 24 hours about three billion kilowatt-hours of electricity must be generated and distributed without fail, and where during the same 24-hour period are produced some 600 million pounds of trash to be disposed of in the most economic yet least offensive way.

But stating these few statistics tells only part of the story, for the situation is not static—it is dangerously dynamic. And I use the word "dangerously" to emphasize that as in all the confrontations I mentioned there is a rapid growth involved and a precarious input-output balance to be achieved. If there is any lesson we have learned in the past decade or so that must be heeded, it is that our scientific and technological progress can no longer be measured solely in terms of what we call "productivity." We still live within a limited environment—our "Spaceship Earth," as Barbara Ward calls it—with its limited resources, existing within a pinpoint range of temperature, at the mercy of a delicately balanced atmospheric system. And as human beings, in spite of the creative way we have increased our adaptation to physical extremes, we still have our limitations. We can tolerate only so much physical and mental stress—noise, crowding, emotional strain, changes in our body chemistry—before there is a deleterious effect. We realize now that almost all human activity can lead to a point—a "boiling point," "breaking point," a "point-of-no-return," call it what you will—beyond which we cannot go.

We have reached or are approaching that point in many areas and as a result are getting dramatic "feedback." And rest assured, this feedback is going to grow in its intensity until equally dramatic adjustments—physical and social—are made. We have expanded into and filled too many frontiers too rapidly. Wherever we have done this—both with people and technology—we have multiplied what engineers call "interfaces," places or surfaces where unlike materials come together. These interfaces can be of people of different races, backgrounds or social or economic status. They can be points where different systems meet—like terminals where there is a need to change modes of transportation. Or they can be any environment where we release effluents faster than nature can process them, or of a kind that she cannot assimilate at all.

To some degree we can tolerate trouble at these interfaces. To some extent we can introduce adjustments—usually of a temporary nature—to lubricate these areas, to reduce the friction, to cool the hot spots, to soothe or cover the symptoms of the trouble for awhile. This seems to be true in both social and physical interfaces. We can make all sorts of promises or form ad hoc committees or commissions to make investigations and issue reports—too many of whose valuable recommendations we then refuse to act upon. We can widen a street here or there, clamp down on littering or open burning of trash. We can even do some worthwhile urban renewal, build a few more pools or playgrounds, or even increase welfare payments. But as necessary and as humane as these measures may be on a short-term basis, we know that they are not the true ways we are getting to solve today's problem. And if there is one thing that our scientific and technological explosion of today has done, it is to expose the raw nerve of truth. It has forced us into a great period of what Kenneth Boulding refers to as "self-consciousness" and we are reacting in a number of ways—some good, some not so good.

On the negative side has been the tendency, as I just intimated, to continue to handle our problems piecemeal and on a crisis-to-crisis basis. There are still too many of us who are modern-day Micawbers—who believe that even if we do nothing, "Something will turn up." Considering the rate of change we are experiencing today such an attitude can be catastrophic.

Also on the negative side has been a tendency on the part of many to turn on science and technology as scapegoats. As the editor of The Bulletin of the Atomic Scientists, Eugene Rabinowitch, expressed it last year, this is "Open Season on Scientists." Throughout the country many people, hastily surveying the state of things and realizing the involvement of science and technology, have just as hastily decided that scientists and engineers brought us to this state of affairs. The pursuit of this attitude is a fruitless, self-defeating exercise. What these people fail to realize is that when we hold up this new mirror of "self-consciousness" we see not the failure of scientists and engineers but the reflection of altogether broader human weaknesses magnified by our scientific age. We see that science and technology, as well as serving man the pioneer, the builder, the provider and the healer, can also amplify his less admirable traits. They can hasten the day of retribution resulting from his lack of foresight. They can impersonalize his inhumanity to his fellowman. They can add to his self-indulgence. And although I have tried to soften the blow by using the word "can," we all know to what extent they have done these things. The remarkable thing is that it has taken us so long to see all this as clearly as we do today.

Now, the question is what do we do about it? How do we take this great power of science, with its even greater potential for the future, and direct it toward building a better society here at home, and eventually an ideal global civilization on this planet? How do we use it to create peace, a healthy environment and as much human fulfillment as possible?

To begin with, we must establish a more positive and forward-looking approach to the future. There is "no return to Eden," as Professor Boulding points out. While we can recall, study and learn from our past, we know we cannot relive it. Nor do I believe that most people would want to if they were to sample more than a day or two of any era of history. But neither do I believe, as does a rather vocal minority today, that we must necessarily tear down all of today's institutions to make way for tomorrow's. (This makes even less sense when you have no idea of what you plan to build in their place.)

The renewed scientific spirit I propose today embraces then the ideal that we, first of all, free science from sin—that we stop wasting time and energy flailing science for some of our current predicaments. At the same time that we do this we must pursue the idea that it is more science, better science, more wisely applied that is going to free us from these predicaments. What I am speaking of here is the application of science and scientific thinking both to alleviate immediate ills and to set the underlying philosophy for a rationale for the future handling of our technological and social development.

But rather than speak theoretically, let me illustrate what I mean by applying some of this scientific thinking to the areas of confrontation I summarized earlier.

First, within the context of the search for world peace, let us look at the problem of nuclear proliferation. We cannot prevent the spread of nuclear weapons by decrying the discovery of fission, trying to restrain the growth of nuclear technology abroad, or simply shouting "ban the bomb." But we may make progress in reducing, and eventually reversing, the arms race by a series of realistic steps that tie in scientific and political-economic developments. The nuclear nonproliferation treaty (NPT) is, in fact, such a step. It was drawn up by nations, including the two major nuclear powers, who realized that it is in their mutual interest to contain the spread of nuclear weapons without denying to any country the peaceful benefits of the atom—and these, I must point out, are considerable and constantly growing.

One direct scientific and technological advantage of adherence to the NPT, and the international safeguards involved, is that it establishes a climate and a method wherein the nuclear nations can export with increasing confidence the proliferating peaceful uses of nuclear energy—materials and technology for power reactors and desalting plants, for biological and medical applications, for industry and research of all kinds. The NPT does not deprive any nation of the right to enter the nuclear age. To the contrary, it opens up unparalleled opportunity to share in the prizes of that age—in return for a guarantee not to develop nuclear weapons, a costly and unproductive task for most nations and particularly if it involves them in a nuclear arms race with their neighbors.

Nuclear power, which is now a safe, reliable and highly competitive means of generating electricity in this country, can be an important factor in the overall development of many other countries. The time may not be far off when this compact source of energy will be the basis of a new level of industrialization and agricultural productivity in many areas of the world, when the atom will help provide electricity, fresh water, fertilizer and many other badly needed products and services. But that time will come much sooner if there can be full cooperation between today's nuclear and nonnuclear powers based on guarantees that materials shared for peaceful purposes are not diverted to weapons. And considering that the projected growth of nuclear power around the world could produce by the 1980's enough plutonium for the manufacture of dozens of nuclear weapons a day, such guarantees are essential.

The indirect advantage of an effective nonproliferation treaty is that it could also create a climate of trust and hope so essential to other steps leading to arms limitation and disarmament. For in a world where the smaller nations could make substantial progress with the peaceful assistance of the larger ones tensions would be reduced and there would not be so much of the social and political ferment that causes conflicting ideologies to polarize. In other words, we might have a period conducive to taking further steps to reverse the arms race—cutbacks in weapons production and further agreements on restricting types of weapons and areas where they might be employed—these combined with positive steps of building new economic and cultural ties. Hopefully, all this would also allow the developed nations of the world to divert a greater amount of funds from arms—now at a total world cost of about $180 billion annually—to projects that would significantly aid the developing countries, many of which could "take off" agriculturally and economically with a certain amount of additional assistance.

Unfortunately, this rather slow step-by-step way to peace is the only realistic one. I am afraid that many of those who so loudly advocate "instant" peace and "instant" freedom have never had the chance to know how closely these highly prized ideals are tied to responsibility and hard work. But I think we can achieve peace and freedom more rapidly if we use science and technology, and particularly nuclear power, as a lever rather than as a club.

We must also use science and a scientific approach to solve our environmental problems. Here again there is no instant solution to our almost instant pollution. There is the "affluence-is-the-cause-of-our-effluents" school of thinking that blames all our waste on our productivity. But it does not necessarily follow that the good life of the future (materially speaking) must be the wasteful one of the past—not when we have the knowledge and ability to deal rationally with our environment. The enormous amount of scientific and technical literature on this subject—and a good amount of it seems to find its way to my desk in Washington—hopefully indicates that we are becoming fully aware of our waste and conservation problems. More importantly, it indicates that we are on our way to solving most of them, not only by developing various new technologies to deal with specific areas such as air and water pollution, solid waste and sewage, and the accompanying ecological problems, but by advancing an overall philosophy of conservation and recycle.

This philosophy, which I think is another example of the underlying new scientific spirit, has people thinking in terms of finding economic ways to process and reuse almost all of our natural resources, and where some waste disposal is necessary, never to do it in a way that abuses nature or man. Many such scientists and engineers see the eventual recycle of sewage into potable water and useful fertilizer. They see products designed and tagged for economic reprocessing back to basic materials after their initial lifetime. They see the milions of tons of automobiles junked every year as the "mother lodes" of the future. They see large, clean nuclear plants producing tremendous amounts of power for electric furnace operations and to provide process heat in order to accomplish some of these recycle tasks economically. And as a result of all this and more, they see a cleaner, healthier, more attractive environment for man.

Now again, all this is not going to happen overnight. We will have to move step-by-step—though at as quick a pace as possible—to accomplish this. We cannot turn off our power plants, or shut down whole industries, or ban certain modes of transportation. Nor can we indiscriminately legislate against pollution with total disregard for economic factors. But we can, and are beginning to, take certain steps to abate waste and pollution, to set reasonable new restrictions and regional and national standards. And through new technologies—based on sound research and development—we can solve our environmental problems even while our population and industry continue to grow. We have the scientific and technical resources in this country to do this if we can engender the scientific and social attitudes to support them. Basic to this is an idea that may be hard for some people to accept, since it runs contrary to the naive philosophy that "the best things in life are free." (Even the first line of the song of that title "The moon belongs to everyone . . ." may not be true for very long in this space age.) What we must realize now is that there is a price to pay these days for clean air, clean waterways, attractive living areas, open spaces and the flourishing of nature and wildlife. And for some time that price may be high and will have to be shared by all. But I think that most of us are beginning to recognize this and that it is part of the new maturity that will accompany our new scientific age.

The same underlying philosophy, I believe, must be applied to the way we deal with the problems of our man-made environment these days—with our cities, our transportation, communications and educational systems. Here again many have a right to be impatient, but reason must prevail. And if it does, I believe we can move forward a lot faster than many others think.

Of course, a major dilemma we face in this area is that it is a "people problem"—that the interfaces involved have human faces, reflecting human aspirations—and that our modern media have opened the floodgate of rising expectations. As a result we have a tremendous number of what Harrison Brown calls "combustible people."

Nevertheless, the problem is far from hopeless. For although we cannot rebuild—or build anew—overnight our cities or the lives of the people in them, we can greatly improve those lives as we go about the longer-term task of remolding our urban conditions to meet human needs. In doing this I believe that it will again be the new scientific spirit that will play the decisive role. However, it will take a massive effort by government, private industry and our universities, using every means of modern science and technology, to carry out such a remolding process. And as more and more experts in various disciplines seem to agree, it will be a challenge that can only be handled successfully by a systems approach—another outgrowth of our new scientific thinking. It will be one thing to build within the next 20 to 30 years as much housing as has been required during the past 200 years—and that is just what we will need—and another to build not just houses but communities that provide employment, education, recreation and all the other necessities of the 21st Century living.

Moreover, we are not talking about communities and cities that are just separate entities, but vital parts of a nation that is viable whole—physically, economically, politically and socially. That is the kind of a country and world we will have to be living in by the year 2000. To do this will require an incredible amount of planning, hard work, resources and public and private participation. And I emphasize planning to avoid having the 21st Century become, as Michael Harrington calls the 20th Century, "The Accidental Century." The magnitude of change that can be produced by our Scientific Revolution of today so far overshadows the changes wrought by the Industrial Revolution that we can no longer afford to leave much to chance. (Someone once said, we tend to confuse destiny with bad management. In the future our destiny will be even more closely tied to management—so we had better place great emphasis on good management in the days ahead.)

Specifically, what are some of the developments in revamping our man-made environment that will most likely take place, and what role will science and technology play in them?

First of all, important advances in the development and use of new materials and construction technologies have been made, and are being refined, that can allow more efficient and economic renovation and reconstruction of many areas of our major cities. Such renewal and rehabilitation can go a long way in providing decent low-cost housing for the large number of people who will choose to remain in today's core cities. One of the major U.S. industrial firms in the construction material field has already successfully used a technique which literally rebuilds from the inside out an almost uninhabitable apartment building. The technique has rejuvenated entire city blocks—and what's more, the company that developed it believes that on a large scale it will provide financial as well as social profits.

Concurrent with the renewal of our major cities, I believe, like many others, that we are going to see a surge in the development of "New Cities" in this country. These "New Cities" and the even more imaginative "Experimental City," conceived by such men as Dr. Athelstan Spilhaus, Buckminister Fuller and many others, will blaze new frontiers in urban living. Housing anywhere from 50,000 to 250,000 or more people, they will be planned and constructed with the most scientific and systematic consideration of human needs—a clean environment, efficient transportation and communication, facilities for all types of education and recreation. Naturally, there will have to be a sound economic basis for building such cities and they will have to have continued economic viability. To establish this we may see programs whereby the government offers incentives to industry to expand and develop new facilities away from the current population centers, drawing people away from the congested areas to which they continue to flock. People will move to these new areas if we can create new opportunities and new hope—and fulfill them.

Eventually, as I have stated in many of my talks, I see the atom playing a major role in the development of these new areas possibly through the establishment of Nuplexes—large integrated industrial complexes constructed about huge nuclear energy centers. Located outside of the cities, but perhaps within short traveling distances, such complexes processing raw materials, reprocessing much solid waste and using these resources in all kinds of manufacturing, would separate heavy industry from the city. In essence, the Nuplex would be supplying the city (perhaps more than one) with employment, products, power, and possibly fresh water and food if a desalting plant and agricultural processing were involved. I must stress, however, that such developments still lie quite a ways in the future and that they depend on many scientific and technological advances—all the more reason why we must encourage the scientific spirit and the fullest application of science to the needs of man.

In discussing science and the man-made environment I could go on almost indefinitely—spelling out the details of far-ranging plans and ideas that have crossed my desk in one form or another. These ideas range from vast undertakings of geological engineering—such as the plan to create the "Great Lakes of South America," vastly increasing the power, water and transportation usefulness of the Amazon River, to a nationwide educational and communication plan in our own country that would tie together for instant retrieval the information available at all our major universities and national libraries. They might also include nuclear-powered agro-industrial centers in coastal desert areas—centers which could produce food for many millions of people on previously unproductive land. Such ambitious plans are not hairbrained schemes, but ideas based on much sound research and the application of new technologies, some of which are already in use and others that are quite feasible for use in the near future.

But since there is not time to dwell on these today, let me conclude with a few general thoughts by way of summary.

I have tried today to impress you with both the idea that science has brought us to a new level of challenge and response and the belief that we will have to use science to the fullest to respond to the challenge. This, in effect, is the essence of our creative evolution—which now seems almost to be taking place in quantum jumps.

From our activities today there also seems to be evolving an overall "scientific truth" that is more than the theory of any one discipline but which many great minds of our day seem to be expressing in one way or another. In its broadest sense it is a realization that if we are to survive as a species we must evolve to a new level of mankind in almost everything we do.

I believe that if we look at today's tensions and turmoil in terms of the larger changes they will create, we can see that a great new era of man is taking shape. Viewed in this respect, perhaps the current resurgence of nationalism is the last we will see of such a phenomenon. Perhaps most of the world will soon realize that we can no longer afford to act "tribally." It is true that people and nations have a need for identity and a sense of pride. But must this always be at the expense of others? We are rapidly becoming one world technologically—so we must become one in other ways—economically, socially and through reaching a new level of the human spirit.

All this does not mean, as some fear, the death of diversity or individualism. The view of the scientific world of the future as one only of homogenized human beings—cogs in a vast technological machine—is one advanced by those lacking in imagination. The unity that science and technology urge upon us is one that can provide greater freedom for the individual as it expands his environment, sparks his desire for more knowledge, stimulates his sense of wonder and gives him far broader challenges than the daily search for security.

It is because of this possibility—the possibility of more freedom, diversity and creative growth within the framework of a scientific world—that I have always urged an increased interest in the humanities and arts. To parallel and supplement our scientific progress we must have the guidance, the wisdom and the emotional energy—the spirit—that these endeavors provide. We need both the perspective of history and the vision of the arts to realise the full meaning of human progress.

The new scientific era that I urge then is really a scientific-humanistic era, one that could set the stage for the appearance of what may well be "the renaissance man of the 21st Century." But the role that such a man will play will be written today largely by our attitudes toward science and the way we apply it. And I should add that it will be written primarily in the halls of our great universities and in the minds and hearts of you who have gathered here to dedicate yourselves to the scientific spirit.

From my visits to universities around the country that are undertaking programs similar to what you are doing here at Duquesne, I can tell you that you are far from being alone in this endeavor. You are part of a quiet revolution. It is a revolution that garners few headlines. It does not feed on fear or violence. It crosses national boundaries without suspicion or distrust. It speaks in all languages to all men who are willing to work, to learn, to change. And I think it is the one revolution that will prevail—simply because it speaks a prevailing truth.

This is my case for a new scientific era. Let us work together to make it a new era of human progress—one that can be shared by all men who would walk this earth in peace yet continue to reach for the stars.

ROBERT M. MORGENTHAU

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. OTTINGER. Mr. Speaker, despite all the attention which has been focused on the problem of crime in the United States, too little has been said and written regarding the role of the U.S. attorneys.

Since 1961, the southern district of New York has had its U.S. attorney, Robert M. Morgenthau, a man of vision, dedication, and courage. History will record him as one of the great U.S. attorneys, but perhaps his highest tribute comes from the criminal community which has marked him as its No. 1 enemy.

Victor Navasky's recent article in the New York Times magazine gives an interesting look at Bob Morgenthau—as an individual and as a public servant. I commend it to the attention of my colleagues:

THE U.S. ATTORNEY FOR 'NEW YORK SOUTH'

(By Victor S. Navasky)

Given the national obsession with "law and order" it is surprising that more attention has not been paid to the men who define the law and enforce it, the nation's prosecutors. President-elect Richard M. Nixon has promised to get rid of our first civil-libertarian Attorney General, but he has yet to tell us what a good prosecutor ought to do, what qualities he should possess, what cases he should bring. This is a significant omission since, in addition to the Attorney General, Mr. Nixon will also appoint 93 United States Attorneys, whose mandate goes all the way back to the Judiciary Act of 1789, some 80 years before there even was a Department of Justice.

Traditionally, the job of U.S. Attorney is considered a patronage plum, a jumping-off point for a political career, basic training for a judicial appointment. But, as S. M. Hobbs wrote in The Alabama Law Review 20 years ago, the job is more than that: "It is scarcely an exaggeration to say that in his untrammeled discretion in deciding when and whether to file an information or press for an indictment, when and whether to enter a nolle prosequi or to 'bargain' with an accused—or more broadly when and whether to prosecute—[the prosecutor] has 'the scope for tyranny of a Venetian doge.' "

Of today's 93 U.S. Attorneyships, none is more powerful, more autonomous, more respected or more coveted than the job of U.S. Attorney for the Southern District of New York. This is partly because of the size of the office (he has 73 Assistant U.S. Attorneys working for him as compared with one for the U.S. Attorney from Wyoming), partly because of case load (he handles about 10 per cent of all the criminal cases in the Federal courts), partly because of the independent tradition of "New York South," and partly because of the high-principled, belligerent incumbent, Robert M. Morgenthau, originally appointed from the Bronx by J.F.K. in 1961 over the late Congressman Charlie Buckley's initial objections (he relented when the Kennedys threatened to bring in William Gaud, now A.I.D. administrator, from Connecticut), reappointed in 1963 after his unsuccessful race for Governor, and reappointed again by L.B.J. in 1967, despite the widely rumored desire of the President to replace him with Ed Weisl Jr., an Assistant Attorney General who also happened to be the son of the President's old friend and Democratic National Committeeman from New York, Edwin L. Weisl. In 1965, when Attorney General Ramsey Clark asked for evaluations of U.S. Attorneys as part of a talent search, he recalls, "Bob Morgenthau was at or right near the top of everybody's list."

Unlike members of the Cabinet, U.S. Attorneys do not, explicitly serve at the President's pleasure. Normally this is irrelevant since a U.S. Attorney's four-year term is concurrent with that of the President who appointed him. But because of Morgenthau's gubernatorial adventure and consequent off-year appointments, the charter which hangs on the wall of his spacious office on the fourth floor of the U.S. Court House in Foley Square states in no uncertain terms that, having been confirmed by the Senate, his term of office runs till June 1971. When I asked if he had resignation plans, he said, "My current thinking is that if they didn't want me I probably wouldn't stay and I might not stay anyway, but I'm kind of a believer in not crossing bridges till you have to. What I'm concerned about now is that there are a lot of important cases and investigations pending."

The high probability is that Nixon will want to get his own man in the job. The outside possibility is that, consistent with Nixon's unity theme and the nonpartisan nature of Morgenthau's tenure, he will retain Democrat Morgenthau on a trial basis. The far-out possibility is that Morgenthau will refuse to step down, at least until he has cleaned up a number of big cases. They include the recent widely publicized indictment of the financier-lawyer Roy Cohn on 10 counts, the crackdown on American investors using secret Swiss bank accounts and cases expected momentarily to break in organized crime.

What would happen in the unlikely event of a showdown between Morganthau and Mr. Nixon is uncertain. The law reads: "Each United States Attorney is subject to removal by the President." When an Eisenhower appointee, Eliot L. Richardson, then U.S. Attorney and now Attoney General of Massachusetts, declined to resign after Kennedy's election, the Justice Department dug up a Supreme Court precedent which convinced Richardson that the President has the right to appoint his own man. Some jurists, however, believe that under case law the President can fire a U.S. Attorney only for cause.

It should not be forgotten that when L.B.J. became President, Morgenthau was one of the few U.S. Attorneys who did not turn in his resignation. And Attorney General Clark recalls what happened when he telephoned Morgenthau to sound him out on a Federal judgeship: "He told me he felt a deep obligation to his office and his people and he was in the middle of so many things so important to him that he didn't think he would want to be considered for the bench at that time."

The only time Morgenthau ever indicated a willingness to give up the job was when he did—to run for Governor against Rockefeller in 1962. He lost. Since few observers ever gave Morgenthau a chance, I asked why he ran in the first place. "You mean why was I such a damn fool?" he said. "I knew it was a long shot but I thought, 'How often in a lifetime do you—does anybody—get that kind of opportunity?' So I thought it was worth trying. I didn't count on the complete disarray of the Democratic party, the divisive fight we had in Syracuse, and I didn't count on the Cuban missile crisis. People just weren't listening to anything else. But I thought the weaknesses in Rockefeller's record ought to be brought to public attention and they'd be good issues to campaign on."

Regardless of how long he stays on the job, it is worth taking a look at Morgenthau's stewardship of New York South, for at a time when the Supreme Court is under attack as soft on defendants, and the law-enforcement establishment is under attack (less visibly, to be sure) as insufficiently sensitive to individual rights and liberties, here is a man who has managed to retain his image as a liberal without undermining his reputation as a prosecutor. Indeed, despite the air of absent-minded, preoccupied academic which hovers around his 49-year-old grayish hair, prominent nose and pursed lips (which often seem to be fighting off an incipient smile), the recurring adjective in descriptions by friend and foe alike is "tough."

An official from Justice recalls, "When I first met him I remember thinking, 'My God, we've made a mistake. How is this Casper Milquetoast going to withstand the pressure?' Then we had lunch, and I watched him destroy the carefully laid plans of an Assistant Attorney General who came down from Washington fully expecting to assume control over a category of cases that are handled from Washington everywhere but in New York South. He left with empty hands and I knew we had nothing to fear."

"Bob wouldn't hesitate to send his own mother up the river," says one of his admirers from the Kennedy Administration, "that is, if he thought she was guilty. Of course, he would disqualify himself as an 'interested party,' but he'd see that the processes of justice were carried through."

Shortly after he assumed office, Morgenthau was visited by a Congressman who announced "urgent" business. He had, he said, a "constituent" who was charged with violating the Trading with the Enemy Act (he had been importing hog bristles from Communist China), and would the new U.S. Attorney "kick it around" for a few months? "I'm not asking that he be let off, or anything like that, just that you kick it around for a while." The new U.S. Attorney kicked it around for about as long as it took the Congressman to get out the door, called Silvio Mollo (the career attorney he eventually promoted to Chief Assistant, normally a post reserved for party patronage), and three days later they brought an indictment. "You could at least have postponed it for 30 days so I could earn my fee," the Congressman fumed over the telephone. Looking back, Morgenthau thinks it was fortunate that this incident happened early: "Word gets around on what you can get away with."

"Bob has an instinctive hatred for the fixers, the wheeler-dealers, the promoters, the men with connections," recalls a friend and former Assistant U.S. Attorney. Indeed, this is one of the qualities which informs his liberalism, and complements his idea that the best way a prosecutor can reinforce respect for law among the poor is by keeping close tabs on the rich.

Morgenthau's liberal reputation comes not from any ultra-humanitarianism (although he seems the essence of decency, is an active president of the Police Athletic League, serves as an adviser to the New York School of Social Work, etc.), nor from any overt evidence that once he leaves office he will become a card-carrying member of the American Civil Liberties Union. To the contrary, the so-called hot issues of criminal law—confessions, right to counsel, search and seizure—are things with which he has not really concerned himself. "Frankly," he says, "they pose more problems for local law-enforcement agencies than for us."

In fact, he flunks almost all the standard libertarian litmus tests. Legalized wiretapping? "There are two things to be said about wiretapping," he replies. "One, it is some invasion of privacy. There is no doubt about that. But everything government does in a civilized society, from your birth certificate through the Wasserman test and the driver's license, involves some invasion of privacy, so it's a question of degree whether this is a greater invasion than society wants to tolerate. The other proposition is that it's certainly some help to law-enforcement people. You have to weigh these values—as to whether you want to help law enforcement or protect individual rights."

Sympathetic treatment of draft resisters? "When a kid in New York South refuses induction, they arrest him on the spot," says Henry di Suvero of the National Emergency Civil Liberties Committee. "At the request of the U.S. Attorney's office there's high bail set, so in reality a kid is given the choice—the Army or jail. In the Eastern District they proceed by indictment, which means that you don't go to jail—there is time between the act and the arrest, and then the court automatically assigns counsel."

When I asked Morgenthau about this practice he said he was not aware of it, but would investigate. And after he had talked with those responsible, this is what he told me: "This policy is consistent with the general principle that when you have a clear-cut crime—say an agent sees a truck about to be hijacked—you arrest on the spot. This is a case of a clear-cut crime in your presence. If a truck has already been hijacked, then you indict before a grand jury. On the draft card burning business, we don't arrest because it's not clear-cut. Is it his draft card? Is he draftable? Etc. But when a man doesn't take that step forward, he has committed a crime. Actually, something like 80 per cent end up reporting and the complaint is dismissed. It's good from the draftee's standpoint because if a man is indicted he has a criminal record and that's serious; but it's bad from the protest organization's standpoint."

Censorship? His office devotes hundreds of valuable man-hours to protecting the citizens of the judicial district from imported art movies like "I am Curious—Yellow." (The Appeals Court has reversed a finding of obscenity stating that "under standards established by the Supreme Court the showing of the picture cannot be prohibited.")

Sensitivity to free-speech problems? Helen Buttenwieser, Morgenthau's cousin, recalls that when she posted bail for convicted Soviet spy Robert Soblen (non of New York's bail bondsmen would accept the collateral his family had raised), "Bob's office tried to prevent me from putting up the $100,000 bail and the excuse they used was foolish. They suggested that my money came from Communist sources. Bob knew very well I had the money to put up. Actually, I put up $30,000, another individual put up $30,000 and Soblen's family and friends put up $40,000. Anyway, at the hearing Vince Broderick, Bob's chief assistant, asked questions like: Had I represented Alger Hiss? Did I belong to the National Lawyers' Guild? As the Court pointed out, these questions were irrelevant. I never talked to Bob about it because I thought it would embarrass him. But now when I see Vince Broderick I say, "Why the hell didn't you win?'" (Soblen jumped bail and Mrs. Buttenwieser forfeited her money.)

On matters of concern to civil libertarians, then, Morgenthau seems an essentially conventional prosecutor, not initiating but tolerating occassional prosecutorial excess. After the latest Cohn case broke and Cohn charged Morgenthau with abuse of process, I asked Prof. Norman Dorsen, of the N.Y.U. Law School and vice chairman of the board of directors of the American Civil Liberties Union, whether he thought Cohn's charges were credible, and he replied: "While I have not studied them in detail, it is interesting to note that a grand jury composed of his fellow citizens indicted him. And Morgenthau generally represents the finest kind of prosecutor—sensitive to individual liberties and fair procedures as well as the responsibility of his office to secure conviction."

Morgenthau's unique contribution has been to go beyond those Siamese-twin enemies of all enlightened law enforcement—organized crime and labor racketeering—and engage in an almost quixotic crusade against the white-collar untouchables, the Wall Street wheelers and dealers, the corporate criminals. Traditionally, the U.S. Attorney takes cases as they are referred to him by Government agencies which are in effect his clients. Under this system, it is the clients—the Federal Bureau of Investigation, the Secret Service, the Postal Inspection Service, the Narcotics Bureau, the Immigration and Naturalization Service, the Selective Service—which make policy. "The referring agencies can make you or break you," says an Assistant U.S. Attorney, "because most of the big cases have concurrent jurisdiction. So if they don't like you, they'll give it to another office." But in the area of corporate crime, Morgenthau has reversed the conventional flow of business and has initiated cases rather than merely received them.

His quaint notion is that since the underprivileged tend to regard law as an enemy, going after the men at the top is a useful way to demonstrate that law can be an ally. "I feel," he says, "that the people who hold positions of power or trust and violate them are probably a more serious danger to a democratic society than organized crime or crime in the streets. I also think that the ability or inability of government to deal with this kind of crime has a substantial bearing on how the public, particularly the underprivileged public, regards law enforcement. If he knows that the big man in the community is in the policy racket, drives a Cadillac and pays off the cops, then a man is justified in concluding that law enforcement is only for suckers."

Among the institutions he has taken on in his almost naive determination to demonstate that nobody, no matter how well connected, rich or powerful, is above the law, are the president of the New York Stock Exchange (for alleged tax fraud); the Internal Revenue Service (for bribery and corruption; more than 170 employes were indicted); financier Louis Wolfson, a major Democratic campaign contributor ("You can't believe how many phone calls we had trying to pull us off," said an Assistant U.S. Attorney); the Post Office (the No. 2 man in the New York region was convicted of perjury), and the top officers of Local 32-E, the 10,000-man union which controls all of the building superintendents in the Bronx, and which was notorious for its terrorist tactics and its close ties to Buckley's Bronx Democratic machine. (After the indictment, union officials, who had always booked two or three tables at the county dinner told Buckley: "No more tables. If you can't control your own U.S. Attorney, why should we take tables?")

For knowingly certifying a fraudulent balance sheet he indicted the top officers of Lybrand, Ross Bros. & Montgomery, one of the eight largest accounting firms in the country. He made headlines when he indicted and convicted the high-flying Water Commissioner of the Lindsay Administration, James L. Marcus, despite the fact that District Attorney Frank S. Hogan, who was onto the case earlier, had not yet found enough evidence to prosecute. ("It takes guts to go after a Marcus," observes one member of the office. "Now everybody knows he's guilty. But then he was a pillar of the community. If one witness reneges, the whole case caves in and the Establishment has tagged you as an irresponsible headline hunter.")

The list seems endless, including the executive vice president of Manufacturers Hanover Trust, the treasurer of the Democratic State Committee, and, of course, most recently, Roy Cohn, who once served as an Assistant U.S. Attorney in New York South, prosecuting Julius and Ethel Rosenberg for passing atomic secrets to the Russians. Cohn is the kind of man who, it is said, receives a box of cigars each Christmas from J. Edgar Hoover, was thrown a 45th birthday party by Terence J. Cooke, now Archbishop of New York enjoys financial relationships with Senator Everett Dirksen's administrative assistant and Senator Edward Long's son-in-law, pals around with the heir to the Newhouse newspaper chain, and generally mingles with the high and the mighty. The powerful chairman of the Senate Judiciary Committee, Senator James Eastland, is a Cohn partisan.

When Morgenthau several years ago unsuccessfully brought charges against Cohn (who has been in and out of court ever since, most recently on charges of mail and wire fraud, false filing with the S.E.C. and conspiring to pay a state court official $75,000). Cohn told the press that Morgenthau was retaliating against him for his role in embarrassing Morgenthau's father, Henry Morgenthau Jr., F.D.R.'s Secretary of the Treasury. He said, "When I was first in the Justice Department and then chief counsel to the Senate subcommittee, it was my duty to investigate Soviet infiltration in the Treasury Department. It dealt with the delivery of United States occupation currency plates given to Russia at the direction of Mr. Morgenthau Sr. [sic] on the advice of Harry Dexter White.

"I have no personal malice toward Morgenthau Sr.," Mr. Cohn continued. "I never met him. But Morgenthau Jr. has harbored a feeling about this. I say somebody up there just doesn't like me."

A few weeks ago, on the occasion of his latest indictment, he repeated these charges of vendetta and supplemented them with a bill of particulars in which he alleged that Morgenthau had spent more than $1-million in taxpayers' money, interrogated more than 700 Cohn friends, enemies and employes, and issued more than 1,000 subpoenas requiring production of books and records.

Because Morgenthau has cases pending against Cohn, he is reluctant to respond to Cohn's charges of abuse of process other than to state that, "based on the information brought to our attention, we would have been derelict in our duty if we hadn't conducted the investigation of the Fifth Avenue Coach Lines, Inc. that led to the present indictment." He adds that bringing someone before a grand jury is not an abuse of process. "If we had misused the grand jury, we knew perfectly well he could have come in to quash the subpoena," says Morgenthau.

To the charge that he is out to get Cohn, he says: "I am not out to get anybody." He points out that Cohn was still in law school when Harry Dexter White died after testifying before Congress, and says: "My father was never called before the McCarthy subcommittee, was never interrogated by them, and if he was investigated by Roy Cohn, he never knew anything about it and, until Cohn's statements, neither did I. I might add I never felt it was necessary to vindicate my father's reputation." In any event, he goes on to note: "A man is not immune from prosecution merely because a United States Attorney happens not to like him."

In a way, the Cohn case raises again the old legal-ethics stickler: Is there anything wrong with prosecuting known public enemies on minor charges, going after an Al Capone for income-tax evasion? Morgenthau's answer is clear, although he insists it has nothing to do with the Government's prosecution of Cohn. "There's nothing wrong with making cases against people in positions of responsibility, people in the public eye. You have to be selective. We don't have enough personnel to investigate and bring cases against everybody who violates the law. When your criminal intelligence tells you that a man is a public menace you have an obligation to investigate him.

"Everyone knew Capone was a bootlegger and a major criminal, and so I see nothing wrong in prosecuting him.

"That doesn't mean bringing him up on charges of jaywalking and, of course, it doesn't give you the right to railroad anybody. And bear in mind: Under Federal practice, every safeguard is afforded a defendant, whether the prosecutor wants to put him away or not."

A man who has known Morgenthau for 10 years says: "The Harry Dexter White thing has nothing to do with Bob's prosecution of Cohn. To him Cohn is a hot-shot, *nouveau riche* parvenu. If anything, that has more to do with it.

"I never understood him until I read Felix Frankfurter's reminiscences about Bob's grandfather, who was Wilson's Ambassador to Turkey. He had a plan to win the First World War by detaching Turkey from Germany and Austria. Nothing was going to stop him. Bob has some of the same stubbornness. He doesn't look at a case like a normal prosecutor: "How will it look in court? What are our realistic chances of winning?" He's like a client in the sense that these fellows are crooks and he knows it and everybody knows it and he's not going to let them get away with it. Also, the fact that he's not a trial lawyer [he has not tried a single case as U.S. Attorney] makes him more rigid in terms of dealings with defense counsel. He tends to go by the book." Another associate observes: "Only a man with the security of his family background could operate the way he does."

Without generalizing from family background, it makes sense that, having watched his father (a gentleman farmer who published an agricultural paper before he became Secretary of the Treasury) move among the financial titans of the world, he would not find the specter of great wealth intimidating. And surely his exposure to the German-Jewish "Our Crowd" milieu cannot be entirely irrelevant, despite his marriage to a Midwesterner reared as a Unitarian, the former Martha Pattriden. The Morgenthaus bring up their four daughters (one a retarded child, is at the Lochland School in Geneva, N.Y.) and 11-year-old son, Robert P., as Jews and, when he was a student at Yale Law, his classmate, now Yale Law dean, Louis Pollak, remembers: "Bob and his friend Mitch Cooper 'infiltrated'—that's the only word for it—Corby Court [an exclusive eating club]. Not that they could have cared less about getting in for reasons of status. But once in, they changed it"—which is Dean Pollak's genteel way of saying they quietly but actively recruited other Jewish students and once and for all ended the gentiles only policy.

But it would be a mistake to equate the atmosphere evoked in Stephen Birmingham's best seller with Robert Morgenthau's world outlook. A better indication of his life style is provided by Steuart Pittman, a Morgenthau contemporary who was a fellow resident of Peter Cooper Village when they were both young attorneys in New York. Like so many other friends, Mr. Pittman, now a Washington lawyer, remarks on the contrast between Morgenthau's proper exterior and the free spirit it masks. He recalls late one night "walking along the tops of cars with Bob on lower Broadway, while our wives kept up on the sidewalk. Also, I have a vague recollection that he was the guy he used to roller-skate to work with. It took 46 minutes to fight the subway. This solution to the transportation problem was awkward only because of the reaction in the elevator at 15 Broad Street, where they had never seen two properly attired lawyers with roller skates slung over their backs, so as not to scratch at attaché cases."

Quasi-aristocratic family background may help account for Morgenthau's intolerance of fat cats and corporate arrivistes, but the equally distinguished background of his judicial district, New York South, helps account for his ability to do anything about it. Only an office with a tradition of independence from Washington would permit the freedom of maneuver Morgenthau's efforts require. According to a recent Yale doctoral dissertation by James Eisenstein, the over-all trend for U.S. Attorneys is "the progressive loss of autonomy to the Attorney General and the Department of Justice." New York South is the exception.

Its tradition of independence, while not unbroken, extends back at least to 1906, when a young Harvard lawyer who was earning $1,000 a year with a private firm was offered a chance to make $250 less. He later recalled: "I had a call from the U.S. Attorney's office that the U.S. Attorney wanted to see me. I use these words because that's what I was going to see—the U.S. Attorney. He had no name for me." The young man was Felix Frankfurter (he took the job), and the U.S. Attorney was Henry L. Stimson, who went on to become Secretary of State.

Stimson's contribution to the autonomy of the office was reflected in his reply to President Theodore Roosevelt's aide, who came to visit him to urge speedy indictment of a financial speculator whom the press was blaming for the bank panic of 1907. When asked how long it would be before the man went to trial, he replied (according to Frankfurter's "Reminiscences"): "I don't know how long that would take. I have no idea. . . . When the evidence is all in, if it warrants my so advising the grand jury, I shall advise them to find an indictment. Now that'll take I don't know how long. You tell the President that is the way I shall proceed and if that seems too dilatory to him and he wants some other action, then of course it's in his power to remove me and get some other United States Attorney."

The tradition did not establish itself without trouble. One old-timer recalls: "When Judge J. Edward Lumbard became U.S. Attorney [1953], the office was filled with political hacks, and so he announced: 'Gentlemen, to the victors belong the spoils.' and proceeded to can everybody but [one man]."

By the time Morgenthau arrived he found the caliber so high that he fired nobody, urged the best to stay on and further depoliticized the office and (antagonized some local clubhouses) by hiring without regard to party, which may help account for the *esprit*—rare in Government circles—which characterizes the office. For four recent openings there were 17 applicants, all of whom had clerked for Federal judges. Two of those hired had clerked for U.S. Supreme Court Justices. "They come for the public service," says Morgenthau, "for the experience and for the tremendous responsibility." "It looks better on a résumé to have worked in New York Southern than any other prosecutor's office in the country," says an assistant. Morgenthau is proud that he has lengthened the average assistant's stay from two and a half years to four years, and that he has raised the level of prior experience: Except for summer internes, he no longer hires men directly after law school.

Not that an office staffed with élite-on-the-make is an unmixed blessing. As an attorney with a civil-liberties organization observes: "In Morgenthau's office they wear their self-righteousness on their sleeves. We get along better with the Eastern District. Morgenthau's guys are arrogant. They're from the top of the class, with Wall Street ahead or behind. They think of themselves as high-caliber types, and that means they quickly develop disdain for criminal lawyers. It shows."

Part of Morgenthau's ability to attract top talent is the implicit promise that his men will be able to try big cases—cases which in other jurisdictions are handled in Washington. Last February, when Henry Peterson of the Justice Department's Organized Crime Section announced the formation of a special unit to crack down on Mafia infiltration of legitimate businesses, he said it would commence operations in New Jersey, Philadelphia, Miami and Boston. Asked about New York, he replied that Morgenthau already had a 10-member staff working on organized crime. It was this Special Prosecutions Unit, in fact, which uncovered (and convicted) Joseph Valachi. At last count, Morgenthau's office had convicted 52 members of the Luchese, Genovese, Gambino, Bonanno and Profaci families, and eight others were pending trial.

"It was through our interest in organized crime and Tony Corallo (of the Luchese family) that we stumbled onto the Marcus case," says Morgenthau of his office's most famous conviction—which has laterally involved him in collision with the office of District Attorney Hogan, a confrontation which could have considerable impact on the F.B.I.'s entire informant system, not to mention the two prosecutors' offices.

In brief, Morgenthau indicted and convicted Marcus on evidence provided by one Herbert Itin, a self-confessed F.B.I. informant. But Itkin is what might be characterized as a "method informant"—i.e., he participated in some of the transactions about which he informed. As a result, District Attorney Hogan's office is ready to prosecute Itkin.

If Itkin was telling the truth, he could probably make more cases for the Government (the number has been estimated as high as 50 to 100) against people as influential as Carmine DeSapio, the former Tammany Hall leader, whom he accused on the witness stand of bribing Marcus on behalf of Consolidated Edison. So, though nobody likes to talk about it, Morgenthau's office is opposed to Hogan's trying Itkin, whose price for making more cases is presumably immunity from prosecution. The F.B.I. is also opposed to prosecuting Itkin—since if it can't guarantee informants immunity (not to mention anonymity), why should any insider agree to inform?

Hogan's critics charge, among other things, that, by prosecuting Itkin, he would be spared the unpleasantness of prosecuting De Sapio, who engineered Hogan's 1958 senatorial nomination. But Hogan's supporters claim he has an obligation to try Itkin since he has evidence against him. If the F.B.I. informant system suffers along the way, so be it. In fact, they argue against the whole concept of an intelligence-gathering network which by implication involves the subsidy of criminal informants. They add that Morgenthau should have turned over the headline-making case to the D.A.

Morgenthau's people, in turn, point out that more than half the cases they bring involve concurrent jurisdiction with the D.A.'s office; that, especially in bribery cases, "you can't usually get the family doctor or the local clergyman as a witness—you have to deal with some pretty shady characters," and that, given the choice between prosecuting a valued informant or a highly visible public figure who may have abused the public trust, the ends of law enforcement are better served by undertaking the latter. As Morgenthau puts it, "These (bribery) cases have a real impact on what goes on in the ghetto."

Try to get Morgenthau to talk of future plans, and he will talk excitedly about his latest batch of cases, which the day I happened by, involved the work of the newly established Consumer Fraud Unit. He told me how they have made history by indicting process servers for discarding summonses instead of serving them, a practice known as "sewer service." "The victims," he says, "are most often Negroes and Puerto Ricans who have their wages garnisheed or their escrow deposits removed because they failed to show up in court to answer summonses which they have never received. It's been going on for years and nobody has ever done any thing about it before." As he talks quietly but passionately on the injustice of the situation, one notices on the top of his 2-inch in-box pile an announcement of the New York State Association of Process Serving Agencies, Inc. It reads:

"For years our association has been crying wolf! The wolf is now inside the house!

We are facing the worse crisis our industry has ever experienced! Five men have already been indited [sic] by a Federal grand jury and the continuing investigation may very well bring forth many more. . . ."

Richard Nixon and his new Attorney General may be forgiven if they are right now selecting Morgenthau's replacement. That's what elections are all about. But it is ironic that, if Mr. Nixon does the expected and puts his own man into New York South, the three happiest men in town could easily turn out to be three lifelong Democrats—Roy Cohn, who charges vendetta Louis Wolfson, whose counsel visited Washington unsuccessfully charging abuse of prosecutor's discretion, and Carmine DeSapio, who has not been indicted, but who cannot have heard Itkin's testimony in the Marcus case with equanimity.

TAX REFORM

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, our tax system has a major impact upon our Nation's economic stability and growth and upon the daily life of every American. Some 76 million taxpayers, with an average income of $3,300, pay $53 billion a year in personal income taxes while corporate taxes total $26 billion.

Former U.S. Senator Paul Douglas said:

> Our tax system is riddled with injustices that violate the simple principle, upon which I would think that all could agree, that people with equal incomes should pay equal or approximately equal taxes. Whether we believe in progressive, regressive or proportional taxation, can we not agree on this elementary principle of horizontal justice?

Tax reform is a very basic need if we

are to put our fiscal house in order. This must be one of the top priorities of the 91st Congress.

I am reintroducing a tax reform bill which would eliminate what I consider glaring inequities in the present tax laws and would bring in an additional $2 billion without taxing the average citizen, who is already too heavily taxed.

The bill which I have introduced outlines five specific areas in need of reform:

First. Lower the oil and gas depletion allowances from their present 27½ percent to 14 percent, and depletion allowances on 41 other minerals from 23 percent to 15 percent. The revenue to be obtained from this change could be anywhere from $500 million to $1.5 billion annually. The U.S. Treasury has recently disclosed that on an average, the cost of an oil well is recovered 19 times over by the depletion allowance.

Second. The tax-exempt interest provision of industrial development bonds would be completely repealed. At present this is an unintended Federal subsidy to private industry, some $50 million of revenue annually would be obtained by this change.

Cities throughout the country are today issuing municipal bonds bearing tax-free interest to finance industrial plants and commercial facilities for private profitmaking corporations.

The usual method by which cities pass their tax benefits to private corporations is to issue bonds to construct a plant in accordance with the corporation's specifications and then lease the structure to the corporation using the rental payments to retire the bond. Because the city's bonds are tax free, their interest rate is lower than the interest rates on bonds which the corporation could issue. The corporation reaps the advantage of the low tax-exempt interest rate.

These bonds are not the same as the worthwhile municipal bonds which assist cities in financing needed public facilities such as schools, roads, and sewer systems.

The Revenue and Expenditure Control Act made considerable modifications in the tax-exempt status of industrial bonds. However, there were major exceptions to this policy which have the effect of continuing the tax-exempt status of many industrial bonds. I question the wisdom of these exemptions when we voted for a general tax increase along with severe spending cuts last year.

Third. The avoidance of taxes by forming multiple corporations so each can take advantage of the present provision of only 22 percent tax up to the first $25,000 of corporate income would be eliminated. The bill would provide for only one surtax exemption where a single business enterprise is involved. This could yield up to $150 million annually.

Corporations divide income from one source among a number of largely frictional taxpaying entities that only are considered separate corporations for tax purposes but act on the day-to-day functions of the business as one corporation as a widely used method of tax avoidance.

Fourth. The practice of paying estate taxes with U.S. bonds and redeeming them at par value rather than their fair market value at the time, would be discontinued. The effect could yield $50 million per year.

It is presently the practice of the Government to accept Government bonds in payment for estate taxes at their redemption or par value. For the most part when bonds are issued they are purchased at a discount from their redemption value. They are discounted because the bonds pay interest over their lifetime, very commonly 20 years plus paying their par value at the end of whatever period for which they have been issued. For example a person might purchase 20-year Government bonds for $80,000 which have a par or redemption value of $100,000. If the person died before the end of the 20 years his estate could turn in the bonds to the Government for $100,000 rather than their value at the time of death.

Fifth. A minimum income tax of 10 percent would be imposed on all individual and corporate tax free income in excess of $10,000.

In 1964, the latest year the IRS has figures, 19 of the 482 taxpayers reporting an annual income of $1 million or more paid no income tax. The remaining 463 paid less than 30 percent of their incomes in taxes even though the tax rate for all taxable income in excess of $100,000 is 70 percent.

In 1964 the 20 largest oil companies earned close to $6 billion and paid only 6.3 percent on taxes. Some of these companies paid no taxes at all.

These changes would reduce the inequities in our present tax system by placing the burden of higher taxes on those who now escape paying their fair share.

There is a definite need to rid ourselves of methods of tax avoidance which do not serve the interests of the majority of taxpayers.

Every society must levy taxes to exist and to deliver the services which its citizens demand. Taxes are what we pay for a civilized society, but lets plug the loopholes and eliminate the inequities and make those most able carry the burden. There is a definite need to rid ourselves of methods of tax avoidance, which do not serve the broad interests of the majority of the taxpayers.

The changes which I have proposed would reduce the inequities in our present tax system by placing the burden of higher taxes on those who now escape paying their fair share. This measure is needed to help put our fiscal house in order.

THE LAW ENFORCEMENT CODE OF ETHICS

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. POFF. Mr. Speaker, all thoughtful Americans are concerned about the role the policeman plays in American society. If the policeman is properly to serve society, he must have the respect of society. At a time when organized activists are consciously and deliberately and purposefully promoting disrespect, it is important to register commendation of police conduct where commendation is deserved.

The Policeman's Association of the District of Columbia deserves commendation. It makes a continuing effort to strive for excellence in character and performance of police personnel. It has set high standards. These standards are reflected in the "Law Enforcement Code of Ethics" which appeared in the display ad in a recent issue of a Washington newspaper. I commend its content to every American.

> As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, to protect the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.
>
> I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.
>
> I will never act officiously or permit personal feeling, prejudices, animosities or friendship to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.
>
> I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these ojectives and ideals, dedicating myself before God to my chosen profession—law enforcement.

WILL PLANE DISASTERS CLAIM 2,400 LIVES A YEAR BY 1973?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. PUCINSKI. Mr. Speaker, Mr. William N. Curry, Washington Post staff writer, has prepared an excellent article which shows that 1968 was the second worst year for airline passenger deaths in the history of U.S. aviation.

Ten airline crashes in 1968 took the lives of 303 passengers and 34 crewmen. This is second only to 1960, when 337 passengers lost their lives in air tragedies.

More disturbing, Mr. Curry's article, which appeared in Sunday's Washington Post, quotes a leading British insurance authority as predicting that on the basis of the present world wreck trend in jet aircraft, we can expect to lose six jumbo jets a year by 1973.

Since jumbo jets will be carrying more than 400 passengers each, it is fair to ask if we will see some 2,400 airline passengers doomed to death each year within the next 60 months.

Mr. Speaker, I raise this question because of my intense desire to help the Federal Aviation Administration restore precision approach radar to mandatory use at Chicago's O'Hare Field and other major airfields throughout the United States.

David Thomas, the Acting Administrator of the FAA has done an exemplary job in trying to maintain the highest standards of aviation safety possible. But he needs a great deal of help. I hope Congress will appropriate the necessary funds to restore use of this important navigational aid during final landing approach as soon as possible.

Of the 10 major air crashes in 1968, five occured on the final approach for landing, taking the lives of 114 passengers and 14 crewmen.

It is more than significant that 50 percent of the crashes in 1968 occurred while landing. I am not suggesting that PAR would have avoided all of these tragedies, but it certainly could have gone a long way toward helping.

It occurs to me that as the big jumbo jets and air buses start operating with their bigger passenger loads, every device developed by man must be put into use to help keep air safety at a record high.

We are talking about an additional appropriation of $150,000 a year to make three PAR units available for mandatory use at O'Hare Field alone. This figure pales into insignificance when you consider the loss of lives in the North Central Airline crash alone at O'Hare on December 27, 1968.

Mr. Speaker, I am not impressed with arguments that pilots already have enough equipment to land planes safely. If their present cockpit equipment was sufficient, you would not have 50 percent of last year's crashes occurring in the final landing pattern.

It is interesting that military pilots swear by PAR and most general aviation pilots request its assistance in final approach. Why should commercial airplanes be different?

Mr. Curry's excellent article follows. I hope it will contribute toward restoring funds to make PAR possible at all major airports as a mandatory navigational aid to all landing aircraft:

1968 the Second Worst Year for Airline Passenger Deaths

(By William N. Curry)

"Scheduled air carrier accident statistics show that aviation safety has not improved much over the past 17 years."

—A 1968 report by the Senate Committee on Aeronautical and Space Sciences.

Four airplane crashes in December raised the 1968 death toll of travelers on U.S. airlines to 303, a total in the history of aviation second only to 1960's 336 passenger deaths.

The year thus continued an upward trend in passenger fatalities that began in 1964 and was broken only by a reduction in 1966. In 1964, there were 200 passenger fatalities; in 1966, there were 59.

To be sure, the airlines estimate they carried more passengers more miles in 1968 than in any other year. In fact, the Air Transport Association—the trade and lobby group for the airlines—estimates the airlines will have flown some 114 billion passenger miles when all the 1968 figures are in. A passenger mile is one passenger flown one mile.

By this figuring, 1968 would have a passenger fatality rate of 0.25 death per hundred million passenger miles, or one passenger killed for each 400 million passenger miles, says the ATA. This fatality rate would make 1968 one of the five lowest in the past 12 years.

One catch: Many critics of aviation safety argue that passenger-mile fatality rates have been devalued by the speed and passenger loads of the jetliners. The practice of evaluating safety by passenger miles began with the railroads.

Hours of flight and number of departures, these critics say, are more accurate reflections of air safety. But estimates for 1968 for these factors are not available and guessing at them would be useless.

The 303 passengers killed in 1968 were victims of 10 accidents, which also took the lives of 34 crewmen.

1. On May 3, a Braniff Airlines Electra with 85 persons aboard exploded amid lightning and thunderstorms near Dawson, Texas. Everyone on board was killed, 80 passengers and five crewmen. It was the worst crash of the year for a United States airline.

2. A Los Angeles Airways helicopter flight from Anaheim Heliport to Disneyland apparently fell apart in the air and killed 20 passengers and three crewmen. The copter was a Sikorsky 61 L, and it crashed shortly after takeoff.

3. Five passengers and one crewman were killed June 13 when their Pan American Boeing 707 crashed while attempting to land at Calcutta, India. There were 57 survivors.

4. While approaching a runway at Charleston, W. Va., on Aug. 10, a Piedmont FH-227 crashed and killed 32 passengers and three crewmen. Two persons survived.

5. Another Sikorsky 61 L flown by Los Angeles Airways crashed Aug. 14 at Compton, Calif., as 18 passengers headed for a day of fun at Disneyland. Three crewmen also died.

6. Another FH-227, this one belonging to Northeast Airlines, crunched into the side of a wooded mountain near Hanover, N.H., on Oct. 25. All aboard—30 passengers and three crewmen—died.

7. On Dec. 2, an F-27 (the FH-227 is a "stretched" F-27) plunged into Pedro Bay, Alaska. The crash, the first fatal one for Wien Consolidated Airlines, killed 35 passengers and three crewmen.

8. Ten days after the Pedro Bay crash and just off the Venezuelan coast, a Pan American Boeing 707 exploded 1000 feet above the ocean and carried everyone on board to his death. The toll: 42 passengers and nine crewmen.

9. An Allegheny Airlines Convair 580 carrying Christmas Eve travelers crashed into a wooded mountain while approaching the Bradford Regional Airport at Bradford, Pa. Eighteen passengers and two crewmen died, and 27 persons survived.

10. Three days later, on Dec. 27, a North Central Airlines Convair 580 attempting to land at Chicago's O'Hara International Airport made a sharp left turn and plunged into a hangar. The dead: 23 passengers and three crewmen. The survivors totaled 26.

Without a good deal of luck, and skillful work by flight crews, 1968 would have been much worse. Two accidents last year, similar to accidents in 1967 that claimed 95 passenger lives, resulted in no deaths to commercial travelers:

On March 27, 1968, 44 persons aboard an Ozark Airlines DC-9 escaped injury when their plane collided with a light private plane at St. Louis. The airliner was damaged substantially but landed safely.

On June 12, 1968, a United Air Lines Boeing 727 brushed wings with a light plane some 9000 feet over Denver. Both planes landed safely, and 57 passengers walked away from the plane.

It is much too early to seek out common denominators among the 10 fatal crashes of 1968. Probable cause reports gestate in the National Transportation Safety Board for a year or longer. Thus, no reports on 1968 accident causes have been released.

But some things can be picked out from the information available:

Five of the accidents occurred during some phase of landing and the other five during the flights themselves, a quick considering that 90 per cent of air crashes take place in the course of take-offs and landings.

All of the planes involved were veterans of the airways. They entered service between 1958 and 1964.

Large jets were involved in only two of the crashes (the Pan American 707s)—evidence that the various jetliners in use have passed their critical break-in period.

In January 1968, the Senate Committee on Aeronautical and Space Sciences reported, "Scheduled air carrier accident statistics show that aviation safety has not improved much over the past 10 years." (The committee based its findings on fatalities and fatal accidents per million departures.)

But last year did bring minor advances in air safety: Grooving runways proved an effective deterrent to keep planes from skidding off wet runways; fog dispersal advanced, opening the way for better visability at air ports in marginal weather; the ATA let a contract for the development of a collision avoidance system that is due for service in several years.

And the FAA issued various new regulations designed to improve air safety—plus an advisory reminding pilots to use their airborne weather radar for the purpose of completely avoiding thunderstorms and not for picking a path through storm cells.

There is a certain urgency about air safety, for at the end of 1969 the Boeing 747 jumbo jet will begin flying for the airlines. And after that comes the air buses—high-passenger-load jets designed to land and take off at smaller airports.

Alan Hunter of the British Aviation Insurance Co. has made predictions on the coming jets.

Based on the accident rates of jetliners in use today, and projecting these figures to the 747 and air buses, Hunter concluded, "The worldwide wrecking rate on jets started at one (jet crashed) in 100,000 hours of operation and gradually improved over the years. It is now approaching one in 300,000 hours. A few are in the one in 500,000 bracket, but only a few.

"Assuming the jumbo jets could be used to this (higher) standard, the world would lose four by the end of 1973. But on the present world wreck trend, the figure would be six."

STATEMENT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES ON THE MIDDLE EAST

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. MINSHALL. Mr. Speaker, I wish to add my name to the list of 63 House

Members who on January 3 signed the following statement regarding the Middle East:

STATEMENT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES ON THE MIDDLE EAST, JANUARY 3, 1969

The United States must continue the pursuit of an honorable Arab peace in her highest national interest. Accordingly, we believe that the one-sided decision of the United Nations Security Council to censure Israel and to ignore Arab terrorism is prejudicial to the attainment of a genuine peace. It is difficult to understand why the international community remains mute when Arab terrorists commit murder and finds its voice only when Israel undertakes to put an end to such atrocities.

Since the cease-fire after the six-day war to last December 20, there were 1,002 incidents of guerrilla attacks against Israel; 259 Israelis were killed, one-fourth of them civilians; and 1,005 wounded, all of whom required hospitalization. Since the United Nations Security Council resolution, six more Israelis have been killed by terrorist attacks.

The recent unfortunate incidents at Athens and Beirut have been torn out of context. Since the establishment of Israel, the Arabs have, without cessation, tried to destroy her by daily acts of terror, sabotage and murder, which have cost the lives of hundreds of innocent men, women and children.

In a parallel war against Israel's economy, the Arab states have maintained their boycotts and blockades, have tried to deny Israel the use of international waterways and to divert her life-giving water supply. Arab terrorists hijacked an El Al plane and forced it to go to Algeria. Last week, Arab terrorists from Beirut attacked the same El Al plane in Athens with guns and Molotov cocktails, killing one of the passengers, wounding another, and endangering the lives of 49 others, including some American citizens.

Three days later, the Israel air force struck back at Arab airlines, destroying 13 planes at the international airport at Beirut. Great care was taken by the Israelis to protect human life. This has been described as a retaliation. In truth, this was a dramatic effort by Israel to inform the Arab governments, which have been supporting the terrorists, that Israel was prepared to defend her skylanes to the outside world, and that she would not allow her enemies to isolate and strangle her.

Both Israel and Lebanon complained to the UN Security Council. But the world body was silent and indifferent when the El Al plane was attacked. It was vociferously indignant when Israel replied. The Israelis have been unable to win UN Security Council support for their complaints because the Arabs are twice protected: the Soviet Union vetoes any resolutions directed against them and there are six members who do not have diplomatic relations with Israel.

In Jerusalem several weeks ago, 12 Israelis were killed and scores wounded, as a truckload of dynamite exploded in a crowded market street. We were astonished that this outrage evoked no echo from the world's civilized capitals—neither sympathy for the victims, nor condemnation for the criminals.

The Arab governments have taken pride publicly in aiding and abetting the guerrillas. Lebanese Premier Abdullah Yaffi has recently reaffirmed his country's support for terrorist activity against Israel, calling it "legitimate and sacred." By relocating in Lebanon, which enjoys the reputation of a pro-Western moderate, allegedly aloof from the Arab-Israel conflict, Arab terrorists—such as the Palestine Liberation Organization, which used to have its headquarters in Cairo—obviously felt that here they would be immune from Israeli counter-terrorist measures.

The UN resolution will encourage, we fear, the Arabs to intensify their terrorism, secure in the knowledge that a sympathetic Security Council will protect them by punishing anyone who tries to resist them. Since the UN Security Council decision, Israel has counted more civilian casualties, and has buried six more dead. Some of the dead lost their lives to terrorists whose weapons were aimed and fired from Lebanon, a few hours after the UN censure vote. This senseless terrorism has cost Israel the loss of hundreds of lives. The daily guerrilla warfare has created intolerable tensions.

So the threat to the peace will grow and there are ominous signs that the Soviet Union will exploit the censure of Israel to whip up international opinion against Israel and to intensify pressures for a Soviet-dictated settlement which would force Israel to withdraw from occupied territories, without requiring the Arab states to enter into a genuine peace with her.

We hope that our government will not participate in a dangerous collaboration with Israel's enemies which will prove subversive to the peace and inimical to the best interests of our own country. It is in America's interest to insure that the Soviet Union does not gain a dominant influence in the Middle East, and it is in America's interest that Israel be strong enough to insure her independence.

There must be no retreat from the struggle for a genuine Arab-Israel peace in the Middle East. Arab terrorism is gaining ground in Arab countries and if it continues to intimidate Arab rulers, then the Arab peoples themselves will be the worst victims. We owe it to the Arab peoples, as well as to the Israelis, to take strong measures to curb terrorism and to bring Arabs and Jews to the peace table.

We have not given up hope for an Arab-Israel peace. I believe that there are peace-loving Arabs who would welcome mutual cooperation. We must help the Arab peoples to strengthen the hand of those who will vote for Arab-Jewish cooperation and peace.

CRIME CONTROL BILL

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. LANGEN. Mr. Speaker, events of the past year tell us that Congress should act swiftly in probing all elements of criminal activity in the United States.

The joint resolution calling for a House-Senate Committee To Investigate Crime, which I have today cosponsored, is similar to one I also introduced in the last Congress. We were successful in getting it passed overwhelmingly in the House, but unfortunately, the resolution was not acted upon in the Senate before adjournment. Consideration of this resolution should be one of the first orders of business in the 91st Congress.

The joint committee called for in this resolution would be charged with conducting an in-depth investigation into all aspects of crime in the United States. Its purpose would be to offer concrete recommendations aimed at arresting an alarming trend that has seen a per capita crime rate increase of 48 percent since 1960.

May I emphasize that this committee, which would be composed of equal numbers of Representatives and Senators, would in no way interfere with the powers and prerogatives of existing committees that are considering various aspects of the rising crime problem. However, the joint committee would act as an intelligence center and clearinghouse for the currently fragmented legislation and investigative activities relating to crime control by Congress. Such a clearinghouse is badly needed if we are to coordinate the war on crime and come up with meaningful solutions, and I urge earnest and prompt consideration of this legislation.

FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, I am introducing legislation to establish a Federal Motor Vehicle Insurance Guaranty Corporation. This legislation would protect motorists who are left with a severe financial crisis when their insurance company goes bankrupt.

The Senate Antitrust Subcommittee has disclosed the fact that over 73 firms have become insolvent since 1961 leaving some 300,000 policyholders and accident victims in 22 States without protection. The claimants were forced to seek an estimated $600 million from companies whose collectable assets totaled only $25 million. I do not see how anyone can possibly point to a greater injustice in need of correction.

In my home State of California, the automobile has become a necessity and so has automobile insurance. Nationwide, 79 percent of all U.S. families own one or more automobiles and 25 percent own two or more cars.

All automobile owners can therefore easily envision the tragic consequences of having relied on an insurance company and then suddenly discovering after an auto accident that the company is insolvent.

I believe that the establishment of a Federal guaranty corporation is a logical solution to this problem.

A similar program has been very successful in the banking and savings and loan industries. Today, bank accounts and savings accounts are insured up to $15,000 by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Corporation. Since these Corporations have benefited the public as well as the banking and savings and loan industries, I see no reason why it could not be applied to the insurance industry as well.

The Federal Insurance Guaranty Corporation would guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce. It also provides coverage for insurers issuing policies only in the State in which they are chartered if they wish to apply for guarantee status.

This legislation requires interstate insurers to apply for guarantee status within 1 year after the enactment of the bill. The interstate insurer would be subject to a civil penalty if it continues to issue auto insurance policies without such guarantee status.

The bill further provides that any insurer whose policies are guaranteed by the Corporation must make a statement to that effect in each of its policies.

When an insurer is finally declared insolvent, the Federal Guaranty Corporation would assume the insurer's obligations and it, not the claimant, would wait for eventual distribution, averaging 7 to 8 years. The Federal Guaranty Corporation would eventually be self-supporting after an initial appropriation of $50 million.

This legislation is intended to supplement and not eliminate State insurance regulation while at the same time alleviating the public suffering resulting from over $250 millior in auto insurance failures since 1945. The auto insurance industry has written over $8.5 billion in annual premiums since 1961. This legislation would assist bona fide insurance companies and help to discourage fly-by-night firms.

CULVER COMMENDS BOY SCOUT TRIP

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. CULVER. Mr. Speaker, I have had the opportunity to speak in every one of the 79 public and parochial high schools in the second district and I have been continually impressed by the industriousness, the dedication, and sense of responsibility exhibited by the vast majority of our young people. Yet the constructive attitudes and activities of our young people receive little public attention and credit. I have always thought this most regrettable, and have, therefore, tried whenever possible to commend publicly young people who are engaged in such constructive efforts.

I was, therefore, most grateful when Mr. Eugene E. Garbee, president of Upper Iowa College in Fayette brought to my attention a report written by Dr. R. S. Jaggard, president of JAG, Inc. Dr. Jaggard describes his trip as adult leader for 13 Scouts who test their skill and endurance in the rugged mountain country of Philmont, the 137,221-acre ranch operated by the Boy Scouts of America in the Sangre de Christo mountains of northeastern New Mexico.

I would like to share with my colleagues, excerpts from Dr. Jaggard's report:

EXCERPTS FROM REPORT

Philmont is rugged, challenging wilderness, and the Scouts are keeping it that way. Over 18,000 Scouts hiked the trails of Philmont this summer, and each one will tell you that, man, it's rugged. But it is also a lot of fun. Philmont is high adventure, starting at 6,600 feet and going up to 12,441 feet on top of Baldy Mountain. Philmont is work, carrying a backpack with all your tents and gear for 10 days, hiking up the mountain trails on a sweaty August day and then getting into your winter sleeping bag during a frosty night. Philmont includes archeology, geology, gold panning, trout fishing, rifle and shotgun, paleontology, biology, riding horses, conservation, visiting with a cowboy about his horse and equipment, Dutch oven cooking and sourdough pancakes, visiting Kit Carson's home on the old Santa Fe Trail, and enjoying some of the finest mountain scenery in the world.

Philmont includes learning to cook and eat dehydrated foods, griping about the fact that there isn't enough, and finding out later that you gained 6 pounds. Philmont includes learning how to work together, to share duties, to fairly divide the load. Two Scouts were arguing over the division of their share of the group equipment load the first day out, but the problem was settled by simply letting one divide the load and the other have first choice. Another Scout complained that his pack was too heavy, so I offered to trade him, but he didn't accept my offer.

I am proud of the fact that I was leader for that group of 13 boys who tested themselves in a rugged situation. I am proud of the fact that I could keep up with them when we climbed from 9,700 feet to 10,500 in three-fourths of a mile in 44 minutes, I am proud of the Scout who led our mountain-top Sunday church service and, because, he couldn't find his "Devotions" book, gave an extemporaneous sermon, and it turned out to be one of the finest sermons I have ever heard. I am proud of the fact that we all made it, together, all the way, 62 miles and 10 days of fun and adventure. We did something constructive. We built something. We built men.

To give publicity to those who deserve it, this issue of JAG is dedicated to the 13 young men who went with me to Philmont, plus the 199 million other Americans who still want to be honest workers, building for the future, and dealing fairly with their neighbors. They are the builders who make America great. They are the workers who made it all worthwhile.

If you have lost faith in America and its youth, take a group to Philmont. If you want reassurance that American young men are rugged, that they are still building for the future, and that they are still faithful to the old moral values of trustworthy, loyal, helpful and reverent, take a group to Philmont. It's rugged duty, and a rewarding experience.

INVESTMENT IN INDONESIA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. BROWN of California. Mr. Speaker, I enter into the CONGRESSIONAL RECORD the very important address on the occasion of the first anniversary of the establishment of the Pertamina office in New York, by Maj. Gen. Dr. Ibnu Sutowo, the president director of the National Oil Mining of the Republic of Indonesia.

Indonesia is one of the five largest nations in population in the world. Our Department of State has been doing a valiant job in assisting all developing countries of the world through AID, but substantially more should be done, in my opinion, in the private sector of our great economy.

The speech of Maj. Gen. Ibnu Sutowo is a valiant appeal for American private enterprise to cooperate with our Government by private investment in the great and historic nation of Indonesia.

The address follows:

ADDRESS BY MAJ. GEN. DR. IBNU SUTOWO, PRESIDENT DIRECTOR OF P. N. PERTAMINA, ON THE OCCASION OF THE FIRST ANNIVERSARY OF THE ESTABLISHMENT OF THE PERTAMINA OFFICE IN NEW YORK, NOVEMBER 25, 1968

Ladies and Gentlemen: It certainly gives me great pleasure to see so many distinguished representatives of American and international business gathered here to celebrate the first anniversary of the opening of our New York office. At the inaugural ceremony in November, last year, I expressed my belief that the new office would enable us to establish closer relations with business and financial circles throughout the United States and, by so doing, help to promote a deeper political and economic understanding between our two countries. Looking around me now, I may perhaps be forgiven if I allow myself to think that the splendid attendance at this reception is in itself a sign that we have successfully begun to lay the foundations of a sturdy bridge of goodwill linking Indonesia's state enterprise with international private enterprise, to the mutual advantage of both. Speaking in more practical terms, I can report that the goodwill has resulted in the conclusion of important exploration and production contracts with some 20 foreign oil companies, including major oil companies. We, in Indonesia, are very satisfied, and I would like to congratulate the small but hardworking staff installed in our office at the United Nations Plaza for their part in so ably helping to boost our expanding oil industry. But, of course, business contact is essentially a two-way process. All the efforts of our staff here would have been in vain if you, yourselves, had not shown such an imaginative and vigorous response, and a gratifying willingness to invest your time and money in developing Indonesian oil resources.

Some of the contracts I just mentioned have been in operation for more than two years and have already started to yield substantial dividends for my country. The export of Indonesian crude oil has become our leading earner of foreign exchange. During 1967 our oil earnings abroad amounted to approximately $130 million, surpassing the revenues from both rubber and tin, hitherto, traditionally regarded as Indonesia's most valuable exports. Production this year has risen to 600,000 b/d, compared with 520,000 in 1967. And we estimate that by 1970, when the newly concluded exploration contracts will have begun to show results, our total output should reach about one million b/d. Looking further into the coming decade, we confidently predict that this one million mark will have been far exceeded by the mid-seventies. To those of you who might consider this to be an overly optimistic estimate of our production potential, I would point out that as yet comparatively little oil exploration has been concluded in Indonesia in relation to the total area of suitable acreage. Prospecting, which was held up due to difficulties associated with the period of the post-World War II Indonesian Revolution, can now surge ahead since our country has presently reached a new plateau of political stability. Additionally, the mining of the still untapped acreage will have the benefit of the recent advances in exploration and drilling techniques. These new techniques have turned areas that were formerly regarded as inaccessible into highly promising prospects. I particularly have in mind certain off-shore locations that seem to have excellent production possibilities, and it is no accident that a good many of the newer contracts have been precisely to develop these areas.

I would like now to tell you about an important step that we recently took to reorganize our oil industry. Some of you may have noticed on your invitation cards a change in the name of your hosts. Last year we invited you to celebrate the opening of the *Permina* New York office; this year we ask you to celebrate the first anniversary of the establishment of the *Pertamina* office. Like so many name changes, this one is also the result of a marriage. Naturally, there was a formal announcement at the time of the event, which occurred last month; but for those of you who may have missed that announcement, let me correct any impression you might have had that the change of name was due to a printer's error. The two state enterprises that were formerly responsible for Indonesia's oil production and distribution in different areas of the country, Permina and Pertamin, have now been merged into a single agency. The full name of the agency is P. N. Pertamina, or, in English, the Indonesian National Oil & Gas Mining State Enterprise.

Pertamina will control all aspects of Indonesia's oil business-exploration, development, production, refining and marketing, both domestic and foreign. We anticipate that the merger will have the beneficial effect of streamlining the administration of the entire oil industry, and enable us to make the optimum use of the mining work carried out by foreign companies, while, at the same time, simplifying the companies day-to-day relations with Indonesian management under our unique production-sharing scheme.

Perhaps this is an opportune moment to say a few words about the concept of production-sharing as it is practised today. The scheme eliminates the principle of concessions and seeks to provide a framework for combining foreign investment with Indonesian ownership and management of the oil.

When it was first initiated under the 1960 Oil Development Law, serious difficulties were encountered in trying to make it work to the mutual advantage of the Indonesian state enterprise and the foreign contractor. However, during the past eight years, the basic scheme has undergone several refinements and I am happy to say that production-sharing principle now seems to be functioning quite smoothly. At least I have received no complaints from any of the 20 or so foreign contractors currently working in our country.

Now, ladies and gentlemen, although most of you are connected with the oil industry and are, therefore, chiefly interested in that particular sector of the Indonesian economy, I think it would be valuable and relevant for me to tell you something about the progress we have made—as well as the progress we still need to make in the future—in other sectors. Of course, in the total economy of any nation, progress in each sector is closely related to and depends upon progress in every other sector. But in Indonesia, because the oil industry is our leading source of foreign earnings, it is fast becoming the pivotal factor of our entire development program. With the revenues gained from the sale of our crude oil, we hope to revitalize our other industries, especially agriculture. Wherein, the chief need is to make ourselves as self-sufficient as possible to this end, we are initiating a five-year plan, starting in 1969. By the end of that period, we hope to be in a position to supply enough rice to feed our own population and to increase our exports of other agricultural products.

I have already said enough to demonstrate why we expect to be able to augment our oil production to one million b/d and beyond by the early 1970's. Theoretically, the anticipated increase in production could bring our export earnings over the $200 million mark—an increase of some $70 million—over our present earnings—provided we can get the markets for our oil. However, as far as the United States, which is one of our biggest markets, is concerned, this proviso raises a serious element of doubt because your government imposes quotas on the quantity of oil it imports from any one country. Yet our oil has certain qualities that make it particularly desirable for use in your smog shrouded cities. I am referring, of course, to its low sulphur content. Convinced of the value of our low sulphur content oil and spurred on by the need to ensure that we continue to have the necessary markets, I shall be devoting a good deal of my energies in the next few years to trying to persuade the United States and other countries imposing quotas on imports of crudes to liberalize their policy.

However, even were we to be sure of a continuing market for our oil, our resulting earnings would not be sufficient in themselves to finance the development of our country. We desperately require more foreign investment, both governmental and private, in every area of our economy. It was in recognition of this desperate need that the Government of President Suharto launched, about a year and a half ago, a concerted long-range project to attract foreign investors. Having inherited from the previous regime, a chaotic lack of organization, affecting all economic sectors as well as a reputation for initiating grandiose state schemes that could never be implemented, we have started very modestly by taking measures to prepare our country to function as an "open economy," in which domestic and foreign private enterprise would be encouraged to play a key role in promoting development.

Since the government's resources remain extremely limited, we are concentrating them on the development of an adequate economic infrastructure—for example, on transportation and communication facilities, health and education. Our hope is that private enterprise, again, both domestic and foreign, will largely assume responsibility for developing our natural resources—not only oil, but also tin, logging, fisheries, etc.

Of course, one of our most valuable assets is our splendid landscape. In recent years, many travel writers have visited Indonesia and written eloquently about its beauty. Partly due to their writings, people all over the world—but especially in this country—are eager to see Indonesia for themselves. What was once a mere trickle of visitors each year, has now become a steady flow, and this flow should increase very substantially after the new airstrip at Bali is completed early in 1969 and can accommodate the big jets flying in on direct routes from Tokyo, Europe and America. The tourist industry is indeed one of Indonesia's biggest potential earners of foreign exchange. But as so often happens, a success achieved in one area creates problems in another. At present, we suffer from a severe shortage of hotel accommodations and other tourist facilities throughout the country. Development of these tourist facilities is now a major outlet for foreign investment and one which, moreover, promises quick returns.

Part of the government's campaign to stimulate foreign investment has consisted in important tidying up measures to simplify matters for the foreign investor. Currently, we are engaged in rationalizing the time-consuming procedures through which the investor usually has to wade before he can get going on his project. Then, too, we are in the process of looking into the problems associated with taxation of foreign investment—the lack of security in our tax rates has long been a cause of justifiable irritation to foreign businessmen. Lastly, we have recently enacted a new Foreign Investment Law, which, though it is primarily designed to protect the interests of Indonesia, nevertheless, it has the merit of furnishing the foreign investor with a clearly defined set of rules to guide him as to what he may or may not do. There is nothing the investor loathes more than confusion while he is conducting business abroad.

Already our initial efforts to straighten up and retool the administration of our economy are beginning to show encouraging results. In addition to three projects undertaken by the IFC and one by the World Bank, several private enterprises are making substantial investments in various industrial sectors. While the bulk of this investment comes from enterprises in the United States, Japan, the Netherlands and Australia, there is also considerable investment stemming from sources in other European and Asian countries.

All in all, we are not too displeased with the progress that has been made towards rehabilitating our country since the Government of President Suharto took over in 1966. But neither are we complacent. We realize that we are only at the threshold of what you might term the "long haul". How fast we get through that long haul depends to a very high degree on how rapidly we can attract further large-scale investment in every sector of our economy, including the oil industry. Like your own country, Indonesia is a land of opportunity for those with the will to make it so; the difference is that by reason of our history, the true scope of that opportunity has become obscured.

We, therefore, deeply appreciate the magnificent example set by the foreign oil companies. By investing so extensively in our country, you have shown a gratifying faith in the integrity of our government and in its dedication to the realistic development of our country. However, we also believe that your trust will be amply rewarded in returns on your investment. So, I would like to conclude by simultaneously thanking you for your heartwarming response this far and asking you for a still greater response in the future.

AMERICAN SOCIETY OF COMPOSERS, AUTHORS, AND PUBLISHERS AWARDS TO COMPOSERS

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. CELLER. Mr. Speaker, I am pleased to include in the Record an article from the music section of the New York Times of Sunday, October 27, 1968. The article by Harold C. Schonberg is entitled "Today's King Ludwig?" and calls attention to one of the important activities of the American Society of Composers, Authors, and Publishers in support of deserving American composers, who enrich all our lives with their music. The article follows:

TODAY'S KING LUDWIG?

(By Harold C. Schonberg)

A complete list of American organizations interested in giving money to deserving composers would take quite a few pages. Contrary to popular belief, the talented American composer does not always starve in a garret. Many Big Brothers are watching over him, anxious to smooth the way. If the State will no do it, private enterprise will. Or universities. Foundations dispense funds. If a composer is lucky, he can find a personal Maecenas. Not everybody can work it on the colossal scale of a Richard Wagner diddling Ludwig II of Bavaria, but it must be a comforting feeling for an American composer to feel that he is not entirely forgotten.

One of the less-publicized aids to composers are the annual awards of the American Society of Composers, Authors and Publishers (ASCAP). The announcement of the awards hits the papers every year, but the full extent of ASCAP's donations is little known. In 1961 the first ASCAP awards were made, and they have run pretty much in the same line ever since. Awards are made in two fields, popular and serious. It is the serious category with which this article will dwell. A panel of judges has over $300,000 to play with (the judges are non-ASCAP musicians). According to the rules, they can disburse no more than $2,000 to any composer (or author) who is an ASCAP member, though in 1962 there were several $2,500 awards. Awards are made on the basis of accomplishment, not need. At the same time, no ASCAP member earning more than $20,000 annually in royalties is entitled to an award. That eliminates a few composers, but not many.

I have been looking at this year's list of awards, and it makes interesting and even provocative reading. The composers who are receiving the top $2,000 awards constitute a list of many of the most prominent Americans in the field. Among them: Paul Creston, David Diamond, Ross Lee Finney, Carlisle Floyd, Lukas Foss, Benjamin Lees, Peter Mennin, Gian Carlo Menotti, Vincent Persichetti, Ned Rorem and Virgil Thomson. A little under, at $1,500 are such composers as Easley Blackwood, Ingolf Dahl, George Kleinsinger, Gail Kubik, Nikolai Lopatnikoff, Burrill Phillips, William Grant Still, Hugo Weisgall and Stefan Wolpe. And so down to the minimum $250 awards, received by such cmposers as David A. Wehr, Ramon Zupco and Alice Parker. Some day they may become famous and move into the $2,000 class. ASCAP freely admits that as the fame of the composer increases, so does his stipend.

Once a composer is on the list, the chances are that he will remain there. Diamond, Rorem and Persichetti, among others, have been on it from the beginning, at the top category. These awards are given with no strings attached, and it means that a composer can count on the ASCAP money. In some cases that money is not really needed. In others it may help provide a little item of luxury. In others it is desperately needed to keep the composer going. Many of these awards, especially those in the smaller sums, go to composers just starting out, and hence with little financial backlog. The sum of $500 or $750 may not sound like much these inflated days, but for a young composer it can be a godsend—offering the means of copying a score, perhaps, or paying a rent.

The ASCAP list provides a couple of eyebrow-raisers. Here is Eugene Ormandy, down for $500, and Leopold Stokowski for $1,000. Composers? Well, in a way. Both have made orchestral arrangements. Leopold Godowsky (Dec'd.) is down for $250. Godowsky died in 1938, but some of his music must still be collecting royalties for ASCAP (probably "Alt Wien," a favorite Muzak item). Several other deceased composers, including Percy Grainger and Arnold Schoenberg, are on the awards list, the money going to their estates.

The exact sum that ASCAP disbursed this year was $336,650, and it was shared by 592 composers and authors (among the authors were W. H. Auden, $500, and the late Carl Sandburg, $1,250). Deciding the awards was a panel consisting of Donald E. Brown (an expert in religious music), Donald Engle (Martha Baird Rockefeller Foundation), Frederick Fennell (the noted authority on wind instruments now at the University of Miami), Walter Hendl (head of the Eastman School of Music) and Louis G. Wersen (head of music in the Philadelphia Public Schools). These five men have access to the ASCAP files, of course; and in the files each member of ASCAP is represented by scores, tapes of performances and other pertinent data. ASCAP admits that when the awards are announced, there occasionally is some grumbling by recipients who feel that they have been short-changed. Even a complete outsider is tempted to get into the act. Why is Arthur Berger ($750) worth $250 less than, say, John Cacavas ($1,000)?

But the panel must have its reasons, and the fact remains that ASCAP is putting out a substantial amount every year as a gesture to the serious American composer. Indeed, ASCAP says, the annual sum is somewhat more than the organization takes in on royalties from serious music. That is not unusual. In many musical industries the lighter material consistently underwrites the more noble music. Take a look at the record or publishing industries.

My eye keeps wandering to the awards list. Here is Thurlow Lieurence (Dec'd.), $250. Lieurence died in 1963 at the age of 85, and lives by one work, "By the Waters of Minnetonka." Apparently it still brings in royalties. Here is Rudolph Ganz ($500), 91 years old and still going strong. Ganz was a wonderful pianist and, like so many pianists of a 19th-century orientation, composed a great deal of music. Some of it is pretty, but it seems to have disappeared from the active repertory. Here is Estelle Liebling ($500), now 84 years old, who was so active for so many years as a singer and then as a singing teacher. She was on the roster of the Metropolitan Opera during the 1903–04 season, the season that Caruso made his debut. What memories that woman must have! Alfred Hay Malotte (Dec'd), $500. "The Lord's Prayer," of course. Jaromir Weinberger (Dec'd), $750. The Polka and Fugue from "Schwanda" must still be a hot item. Here are several young composers who have received awards for the past three or four years and have suddenly been granted a substantial hike. Onwards and upwards. It means that the ASCAP judges have strong faith in their future. Indeed, the ASCAP awards can be used as a pretty reliable guide to those of its members who have made it, and to those who are in the process of making it.

BILINGUAL EDUCATION APPROPRIATIONS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, Congress has established a bilingual education program in the Office of Education. Last year Congress appropriated $7.5 million to carry out the program.

I consider this appropriation totally inadequate. The purpose of the program is to assist those students in elementary and secondary school level, who, because they come from environments where the dominant language is other than English, have limited English-speaking ability. While the act attempts to overcome the English language difficulties of many students, it is also designed to preserve and enhance the foreign language backgrounds and culture of such children.

Mr. Speaker, the plight of many Mexican-American students in their attempt to succeed and to excel academically, compels us to increase the appropriations for this program. The most promising method of insuring the economic and social progress of the Mexican-American community or any other group is adequate education. With education comes the hope of new and better opportunities for self-improvement. A properly financed bilingual education program would hasten the day when all Americans have an equal opportunity to help themselves.

Therefore, Mr. Speaker, I am introducing legislation requesting an appropriation of $40 million to the Office of Education to properly carry out the Bilingual Education Act. Adequate funding of this program will be helpful to Mexican-Americans in California, for example, who lag seriously behind in education, jobs, and income. Automation and technological change is having a particularly severe effect on our Mexican-American populations. Statistics show that over 50 percent have not gone beyond the eighth grade.

They have been displaced from their farming and laboring occupations of the past and are among the hard-core unemployed in many areas. They are not adequately prepared, usually through no fault of their own, to move into new employment occupations.

Our Nation has the responsibility to provide within its educational systems, opportunities for Mexican-American advancement. The bilingual education program, if it is adequately funded, will hopefully give children who speak a foreign language an equal opportunity for advancement.

I urge my colleagues to pass this appropriations legislation. To deny this minimal assistance to Mexican-American children would be a travesty of justice.

THE BEST FIRST LADY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. ROSENTHAL. Mr. Speaker, Life magazine recently published an eloquent statement on the difficult role of the President's wife and the exquisite performance in it by Mrs. Johnson.

Of all the tasks, from the frivolous to the profound, which a First Lady may choose for her own as a public figure, Mrs. Johnson chose beauty. This was not a personal quest nor a decorative one but a concern for the natural beauty of a country which was, and will continue to be, threatened.

How well she devoted her energies to this strikingly human endeavor, Shana Alexander describes in this article:

[From Life magazine, Dec. 13, 1968]

THE FEMININE EYE: THE BEST FIRST LADY

(By Shana Alexander)

Roughly speaking, the President of the United States knows what his job is. Constitution and custom spell it out, for him as well as for us. His wife has no such luck. The First Ladyship has no rules; rather, each new woman must make her own. It is as if we hand her hammer and nails, gold leaf and a bit of bunting and say, "Here. Build the thing yourself."

What was handed to Mrs. Lyndon Johnson was something even less: a wrecked and blasted Camelot haunted by our special vision of its dazzling, martyred queen. Now five difficult years have passed; it is time to go home.

Though Lady Bird is said to be privately delighted by her husband's decision to retire, it is scarcely an upbeat ending for either of the Johnsons. The First Lady has spent the past eight months as a kind of chatelaine, condemned to repair cracked cups, inventory furnishings and generally tidy things up for the new woman, whoever she might turn out to be. That is an eternity for anyone to have to spend cleaning house, and I was happy when I heard that Mrs. Johnson was going to be able to escape for one last beautification tour.

I caught up with the First Lady and her party on the last gasp of her Last Hurrah—a day of hiking and ceremony among the redwoods of northern California. To see Mrs. Johnson in the depths of that great, primeval, dripping forest is to understand immediately why she is called Lady Bird. Tiny, always a smaller woman than one had quite remembered, she is slimmer now than ever. She twitters. She is cheery, modest, persistent and alert, and her avian qualities are intensified by those looming, green-black and ultimately incomprehensible trees. Among them, dedicating the Redwood National Park, Lady Bird in her scarlet coat looked like a jaunty red cardinal.

As usual, some things about her beautification trip were unsettling. One had to fly and drive through miles of manmade pollution to find the natural beauty we had come here to honor, and even as we celebrated its preservation its destruction continued around us. Smoldering sawdust fouled the skies; papermill sludge clotted the bay. On our official bus, official botanists told us that the groves have stood here for two million years. *Sequoia sempervirens*, the largest and oldest living things on earth. The new park, they said, will save them from becoming extinct. but every few moments the bus window wiped black—another timber truck returning from the high hills with two or three giants chained across its back. Their bark stripped, they looked flayed and raw. All day the fat, wet, red logs rolled by.

And this last day was far too full. There was too much here to take in, and too much that was out of human scale, and too many opposites to be reconciled—somewhat like the Great Society itself. Magnificent prehistoric groves pressed against logged-over ridges that looked like a giant's jawbone with the teeth knocked out. There were beach and forest, elk and osprey, Indians and woodcutters, timber barons and conservationists, schoolgirl choirs and grinning politicians and everywhere, omnipresent, the mystery of the great trees.

Their backs to the sea, these redwoods seemed to be making their last stand. *Sempervirens.* Live forever. This place is really a tree cathedral, sacred to immortality. How strange to wind it all up here, among these prehistoric giants about to fall of their own weight. Though the forest is magnificent, there is something scary in this fern-bottomed, dripping gloom. These trees are really too big. Too old. Some have been dying for two thousand years. A fundamental law of proportion seems broken here, and in one's mind it becomes a magic wood where the most commonplace conversations take on strange overtones. A toppled giant is lying on the forest floor, the underside of its roots obscenely exposed. Nothing is deader than a dead redwood. "No tap root, you see," says a dry voice behind me. "When they tip, they go up like a plate."

"What kind of a wind would it take to turn one over?"

"Depends how exposed they are."

Certainly there is nothing supernatural about Lady Bird. When I caught up with her in another chilly forest amphitheater, it was lunch time; box lunches on damp benches, and an arc of rough-sawn seats opposing the arc of cameras to watch her chew. She appeared not to notice the photographers, nor the puddle underfoot. What was troubling her was the problem of response. Each time she visits a new place, she said, she catches herself wishing she could scout all her beautification trips beforehand, rather than have the advance work done by members of the White House staff. "Then when they stick that ugly black thing in your face five minutes after you arrive and ask what you think of the redwoods, you would really have something to say."

Who could possibly respond to a redwood, I wondered. And then I thought of all the ugly black things that must have been stuck in her face along the Maine coast, along the Rio Grande and all the other places. How many box lunches had there been? How many historical plaques? How many vistas? How many daffodils? Perhaps if anyone could respond to a redwood, it would be Lady Bird. She may be better equipped than anyone on earth. She has always dwelt among gigantica, in Texas, in the White House and in history. Few women can ever have been more loomed over.

Somewhere on that last, overcrowded day I saw a five-year diary of Mrs. Johnson's travel: September 1965: planted a tree to dedicate the county courthouse in Peoria. September 1966: 100,000 daffodil bulbs, Washington, D.C. April 1966: dedicated new esthetic lighting in San Antonio River. June 1967: National Historic Landmark plaque, home of Calvin Coolidge, Plymouth, Vt. Individually these achievements seemed modest and rather colorless acts, like Lady Bird herself. But it was a very thick notebook, covering over 40 trips, and in the aggregate a heroic achievement. When you add in all the other quiet, half-remembered things Mrs. Johnson had caused to happen, and caused not to happen—her instinctive rush of loyalty to the Walter Jenkins family, for example, or the time she got that dressed-up dog out of the photograph—this quiet, plain, tough little woman looks more and more remarkable. Somewhere in that strange forest on that last day I began to sense how much more Mrs. Johnson leaves behind her than daffodils coast-to-coast. Quite possibly she is the best First Lady we have ever had.

A PUBLIC OPINION SURVEY: ATTITUDE TOWARD THE GOVERNMENT SPACE AND MOON PROGRAM, THIOKOL CHEMICAL CORP.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TEAGUE of Texas. Mr. Speaker, for the last several years the Thiokol Chemical Corp. has undertaken a national survey to determine the public's interest in their national space effort. Mr. Robert E. Davis, vice president of Thiokol Chemical Corp., has forwarded to me their most recent survey of October 1968, conducted by Trendex, Inc. Because of its significance, I am including excerpts of this survey in the RECORD for the information of the Members and the general public:

ATTITUDE TOWARD THE GOVERNMENT SPACE AND MOON PROGRAM

PREFACE

An assessment of the public's opinion of the government space and moon exploration program has been measured over a period of time. This report covers the tenth survey to be conducted since July, 1963.

The study consisted of telephoning 962 men and 321 women, a total of 1283 respondents, in six cities during the three days immediately after the splash-down of Apollo VII October 21 through 23, 1968: Cincinnati, Ohio; Pasadena, California; Des Moines, Iowa; St. Paul, Minnesota; Sandusky, Ohio; and Boston, Massachusetts. The first three of these cities were queried in all ten waves of the survey, and sampled again to discover if there have been any changes in attitude towards the program. The second three cities were added to see if cities and towns of different sizes had any different attitudes from those previously measured. The questionnaire has essentially remained consistent in order to be able to make comparisons. However, to make the results viable, additional questions have been added from time time to gain more incite into peoples' attitudes toward the space exploration program.

The study that follows has been analyzed in a manner similar to past studies. In comparisons with previous waves, only the first three cities have been used to keep the results directly comparable.

SUMMARY OF FINDINGS

Attitude toward space exploration is more favorable than a year ago.

Desire for government to spend more on space program at highest point in five years.

Space exploration second only to war on poverty as showing greatest increase in desire for government activity over a year ago.

Opposition to space program primarily economic with emphasis on using funds for other government programs.

Public inclined to prefer manned over instrumented space exploration.

Interest in exploring planets exists but other forms of space exploration should have priority.

TRENDS IN ATTITUDE TOWARD THE SPACE PROGRAM

The success of the Apollo VII mission appears to have raised public approval of space exploration from the unfavorable level experienced a year ago. Unfavorable attitude toward the program is at just about the lowest level since these measurements began over five years ago. (Table 1)

To further document this change in attitude, the percentage of respondents who feel the government is not spending enough on space exploration is at the highest point of this series of measurements. (Table 2)

Relative to other governmental programs, the increase in percentage of respondents who would like to see the government do more in Space Exploration is second only to the increase shown for the War on Poverty among programs previously measured. In terms of comparison to five additional government programs, respondents were more interested in space than in four of these five new areas including development of the Supersonic Transport. (Table 3)

The favorable change in attitude toward the program carried over into the benefits to be derived therefrom, with the largest increased benefit coming as the enhancement of U.S. prestige in the eyes of other nations. The only loss in benefits was in stimulating the National Economy by providing jobs. Respondents, however, did not appear to attribute the same increase in benefits to their own individual lives. (Tables 4 and 5)

TABLE 1.—ATTITUDE TOWARD MOON PROGRAM (BY YEAR)

Question: As you know, the United States is involved in a very competitive race to be first in space exploration, and the Government has a program to put a man on the moon by 1970. Are you in favor of this program?

[In percent]

	October 1968	September 1967	January 1967	November 1966	June 1966	September 1965	September 1964	February 1964	September 1963	July 1963
Yes	68	51	71	69	71	77	69	64	59	61
No	21	35	24	27	25	20	25	31	39	38
No opinion	11	14	5	4	4	3	6	5	2	1
Total	100	100	100	100	100	100	100	100	100	100
Total number of respondents	625	653	600	643	600	819	1,197	1,288	599	615

TABLE 2.—ATTITUDE TOWARD SPACE EXPENDITURES (BY YEAR)

[In percent]

	Total									
	October 1968	September 1967	January 1967	November 1966	June 1966	September 1965	September 1964	February 1964	September 1963	July 1963
Question: Do you think the Government is spending enough, spending too much, or not spending enough on the space exploration program?										
Spending enough	42	49	53	47	53	60	51	43	55	49
Spending too much	35	41	34	42	37	29	30	34	30	34
Not spending enough	18	7	6	6	5	7	11	14	11	14
No opinion	5	3	7	5	5	4	8	9	4	3
Total	100	100	100	100	100	100	100	100	100	100
Total number of respondents	625	653	600	643	600	819	1,197	1,288	599	615

TABLE 3.—ATTITUDE TOWARD INVOLVEMENT BY GOVERNMENT IN SPECIFIC PROGRAM

	Percent do more	
	September 1967	October 1968
Question: Would you like to see the Government do more, do less, or do about the same as they are now doing in each of the following areas:		
Number polled	1,306	1,283
Percent:		
Water and air pollution	83	90
Job training for the unskilled	68	71
Programs to keep America beautiful	51	51
War on poverty	45	56
Space exploration	26	31
National transportation development	([1])	46
Farm subsidies	([1])	28
Supersonic transport development	([1])	26
Rent subsidies	([1])	24
Foreign aid	([1])	8

[1] Not asked in September 1967.

TABLE 4.—BENEFITS OF THE SPACE PROGRAM TO SPECIFIC AREAS

	Percent very much benefited	
	September 1967	October 1968
Question: Consider the following areas as they are affected by the space program. As I read each one, plesae tell me if you think the area is very much benefited by the space program, somewhat benefited by the space program, or not particularly benefited by the space program:		
Number polled	1,306	1,283
Percent:		
The advancement of science and technology	70	72
Weather prediction through use of satellites	63	73
National and international communications	61	70
On-the-spot coverage of international events	60	65
Stimulating the national economy by providing jobs	49	40
Improving our ship and aircraft navigation through navigational satellites	47	49
National defense	47	54
Improvements in the field of medicine	38	37
Enhanced U.S. prestige in the eyes of other nations	33	43
Discovering and developing our planet's natural resources	29	31
Reducing world tensions [1]	28	18

[1] In 1967 asked as "increased international cooperation."

TABLE 5.—BENEFITS OF SPECIFIC AREAS TO INDIVIDUALS

	Percent very much benefited	
	September 1967	October 1968
Question: I will read you this list again. As I read each area, please tell me how much you feel you will be benefited as an individual citizen—very much benefited, somewhat benefited, or not particularly benefited:		
Number polled	1,306	1,283
Percent:		
The advancement of science and technology	47	42
Improvements in the field of medicine	42	38
On-the-spot coverage of international events	42	42
National defense	40	43
Weather prediction through the use of satellites	38	39
Stimulating the national economy by providing jobs	36	28
National and international communications	33	37
Improving our ship and aircraft navigation through navigational satellites	26	23
Planet's natural resources	25	25
Reducing world tensions [1]	23	22
Enhanced U.S. prestige in the eyes of other nations	21	27

[1] In 1967 asked as "increased international cooperation."

NEW AREAS OF MEASUREMENT ON THE SPACE EXPLORATION PROGRAM

Opposition to the space program is primarily economic, rather than reservation about its scientific value or feasibility. The economic opposition is more on the basis of wishing to see the money spent on some other government program rather than in not wanting to see it spent at all. (Table 6)

Half of all respondents expressed a preference for manned rather than instrumented space exploration. (Table 7)

Twice as many respondents thought the planets should be explored as thought they should not be, half of those who wanted them explored, thought it should be done by astronauts and almost half of these thought these astronauts would be doing the exploring within 10 years. (Table 8)

Most respondents, however, felt other space matters would have priority over the exploration of Mars. These were the development of a re-usable spacecraft because of greater economy and efficiency, extensive exploration of the moon, because we should finish what we have only just started, and sending out an orbiting manned space station to provide a good base for further explorations of space as well as for military and defense purposes. (Tables 9, 10, 11 and 12)

TABLE 6.—REASONS FOR OPPOSITION TO SPACE EXPLORATION PROGRAM

[In percent]

Question: Why are you not in favor of this program? [1]	
Prefer to see money spent differently	76
To solve problems on earth	35
On poverty programs	14
On medical research and care of sick	5
On urban problems	3
Improved food supplies	3
Ending war	3
Education	3
Other specific proposals	10
Not worth the money	51
Doubts about value or success of program	19

[1] Table adds to more than 100 percent multiple answers were given.

TABLE 7.—PREFERENCE FOR MANNED VERSUS INSTRUMENTED SPACE FLIGHTS

Question: When additional funds once again become available, on which one of the following would you prefer to see emphasis placed:	
Number polled	1,283
Percent:	
Manned space exploration	49
Instrumented space exploration (where a man is not involved)	25
No preference	23
No opinion	3

TABLE 8.—ATTITUDES TOWARD EXPLORING PLANETS BY WHOM AND WHEN

Question: Do you think we should explore the planets?	
Number polled	1,283
Percent:	
Yes	60
No	30
No opinion	10
Question: (If yes, above) would you prefer to see them explored by—	
Number polled	774
Percent:	
Astronauts; that is, manned flights	50
Unmanned, instrumented flights	38
No preference	11
No opinion	1
Question: (If prefer astronauts, above) in how many years from now do you think the United States should start exploration of Mars?	
Number pooled	384
Percent:	
Within 5 years	24
Within 10 years	21
Over 10 years	10
Whenever they are ready	19
After the moon	3
No opinion	23

TABLE 9.—PREFERENCE FOR SPACE ACTIVITIES FOLLOWING SUCCESSFUL MOON PROGRAM

Question: After the astronauts have landed and returned successfully from the moon, which should be our next major effort in our space program?

Number polled	1,283
Percent:	
Concentrate on developing spacecraft which can be used over and over again	27
Extensively explore the moon	25
Send manned space stations into orbit around the earth	15
Start a program to send men to explore Mars	5
Like to see something else as next major effort	1
None of these	20
No opinion	7

TABLE 10.—REASONS FOR PREFERENCE FOR REUSABLE SPACECRAFT

[In percent]

Total	[1] 347
Greater economy	71
Greater efficiency	22
Contribution to scientific knowledge	17
Greater safety	2
Other reasons	2
No opinion	5

[1] Adds to more than 100 percent because of multiple responses.

TABLE 11.—REASONS FOR PREFERENCE FOR EXTENSIVELY EXPLORING THE MOON

[In percent]

Total	[1] 321
First things first	50
Now that we're there, what can be gained	25
Least expensive	13
Needs to be explored	7
Other reasons	12
No opinion	2

[1] Adds to more than 100 percent because of multiple responses.

TABLE 12.—REASONS FOR PREFERENCE FOR MANNED ORBITING SPACE STATIONS

[In percent]

Total	[1] 194
Would make a good base	44
Military or defense purposes	21
Observation, investigation, scientific, etc	21
Most economical	9
Other reasons	21
No opinion	4

[1] Adds to more than 100 percent because of multiple responses.

COST-OF-LIVING PAYMENTS

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. BURKE of Florida. Mr. Speaker, I have received a resolution which memorializes the Congress to award an additional cost-of-living payment to recipients of veterans' pensions and/or social security benefits. This resolution was adopted by the city council of North Miami Beach, Fla., and I would like to bring it to the attention of my colleagues in the House at this time:

RESOLUTION R68–174, AS AMENDED

Resolution memorializing Congress to award an additional cost-of-living payment to recipients of veterans' pensions and/or social security benefits

Whereas, in our changing world it appears that taxes are ever increasing and the cost of living likewise tends to increase; and

Whereas, those who suffer the most are people who can least afford to pay the increased cost of living, a large part of those being disabled veterans and elderly people, older citizens who depend upon Veterans Pensions or Social Security Benefits,

Now, therefore, be it resolved by the City Council of the City of North Miami Beach, Florida:

Section 1: That this Council does hereby go on record as being in favor of an additional cost of living payment to all people who are presently receiving Veterans Disability Pensions, Compensation, and/or Social Security Benefits from the United States Government.

Section 2: That copy of this Resolution be sent by the City Clerk to the Congressmen from Dade County, to the two United States Senators representing the State of Florida in the United States Congress, and to the President-elect.

Approved and adopted in regular meeting assembled this 17th day of December 1968.

WILLIAM M. MCDONALD,
Mayor.

Attest:

VIRGINIA H. MOORE,
City Clerk.

VIOLENCE IN TELEVISION PROGRAMS

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. MURPHY of New York. Mr. Speaker, on January 15 of this year I will introduce a joint resolution directing the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of violence in television programs on the viewing audience.

For the benefit of those Representatives who would like to cosponsor this legislation on the 15th, I am inserting the text of the resolution and a statement explaining its purpose:

Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes

Whereas Congress finds that the increase of violence in American society, and the increase in the acceptance of violence by the American people, are critical national problems; and

Whereas there is growing evidence that the display of violence on television has an unfavorable effect on the public's attitude toward, and acceptance of, violence; and

Whereas there is a need to redefine public policy with regard to the display of violence in television programs; and

Whereas in the course of redefining that policy it will be necessary to collect and evaluate data not presently available such as the extent of the display of violence on television, the effect that display has on the attitudes and behavior of the viewing audience, and the remedies available both from within the industry and from public sources: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Federal Communications Commission (hereafter in this joint resolution referred to as the "Commission"), in cooperation with those other Federal agencies which possess relevant competencies, shall conduct a comprehensive study and investigation of the effects on television viewers of the display of violence in television programs. Such study and investigation shall include consideration of—

(1) the connection between the display of violence in television programs and the attitudes of television viewers toward violence;

(2) the public policy objectives to be adopted with regard to the display of violence in television programs; and

(3) the most effective means for realizing such objectives.

(b) The Commission shall submit to the Congress interim annual reports and a final report not later than thirty months after the date of enactment of this joint resolution. Such final report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for legislation and such other action as the Commission deems necessary to carry out the objectives of this joint resolution.

[From the CONGRESSIONAL RECORD, July 2, 1968]

THE ALARMING INCREASE OF VIOLENCE IN OUR SOCIETY

Mr. MURPHY of New York. Mr. Speaker, we are experiencing an alarming increase of violence in our society; it may be seen in the increase in our crime rate, particularly the increase in crimes of violence, and it may be seen in the violence in our streets—the rioting and looting which has hit many of our cities.

Some seek to dismiss such violence as something that has been part of our culture since the days of the Old West, when violence and survival often went hand in hand. But we do not live in the Old West any more. While violence may have been necessary to those pioneers who crossed the Plains in covered wagons or to those who settled new and unknown areas of our Nation, it can no longer be justified in our modern society. The day of the gunfight has passed, although many seem to yearn for its simple solution and final judgment.

The increase in acts of violence in our society is not the only problem, however, even more alarming is the corresponding increase in the acceptance of violence by the American people—not acceptance in the sense of approval, but in the sense of being blunted or immune to its often tragic consequences.

This attitude may be seen in the faces of a crowd watching an assault in broad daylight without offering assistance to the victim or even calling the police; it may be heard in the voices of those who shout "jump, you coward, jump" to the sick person on a bridge who has been driven to suicide by some unknown impulse.

As a society we are justifiably concerned with preventing and punishing the physical acts of violence; we seek to understand and alleviate the causes of such violence, we seek to protect our people and our property from violence, and we punish those who are guilty of violent acts.

It is obvious, however, that we have followed too narrow a path in our concern for preventing violence. At the same time we condemn violence, we buy our children toy tanks and machineguns and grenades, we support—by buying tickets—movies which portray the most violent stories conceivable, and we allow ourselves to be bombarded by television programs saturated with every possible violent act, all in living color. Are we to believe that such constant exposure to violence in our personal lives is having no effect on our thinking, attitudes, and behavior, particularly that of our children? I think it is obvious that there is a distinct and growing relationship between the increase in cruelty and violence which we are exposed to every day and the alarming rise in acts and philosophies of violence throughout our society.

Television, as our most powerful communications medium, is particularly influential in this respect. During the prime viewing hours millions are watching their television sets, and a high percentage of them are under 18 years of age.

Television's ability to influence the viewer can hardly be disputed; the firms paying the extremely high costs of television advertising would not do so unless they believed they could influence the public to buy their product. Are we to think that hours and hours of violence and crime, shown every night of the week, are not having a similar impact?

One argument, of course, is that television does not cause people to be violent, that violence is the product of many factors. This sounds like a similar argument advanced by the National Rifle Association in opposition to strong firearms legislation, that guns do not kill people, people kill people.

Televised violence may not cause people to commit a violent act, but it can arouse a lust for violence, it can reinforce it when it is present, it can show a way to carry it out, it can teach the best method to get away with it, or it can blunt the viewer's awareness of its wrongness. It can have a particularly strong influence on young people, who do not always make a clear distinction between fantasy and reality.

The Senate Juvenile Delinquency Subcommittee, chaired by Senator Thomas Dodd, has conducted a number of studies on this project and has held many days of hearings over a period of years. They monitored television programs in 1954 and 1961, and found in that 7-year period that televised crime and violence had increased significantly. A third survey, made in 1964, found no decrease in the level of televised violence and crime.

The subcommittee recessed its hearings in 1965 subject to recall by the chairman, and released an interim report which drew the following general conclusion:

"A relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers."

The subcommittee went on to make five recommendations: first, networks should work together to provide more prime viewing time for good children's programs of a cultural and educational nature; second, the FCC and the broadcasting industry should work on a revision of the FCC licensing application and renewal form to include realistic standards for programing in the public interest; third, the National Association of Broadcaster's television code should be made more effective, specifically in the area of providing sanctions for use against violators; fourth, a system should be worked out to enable community leaders and groups to express their views on the contents of television programs shown in their communities; fifth, a coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile attitudes and behavior and as to the interaction of television and other forces affecting such behavior.

The first three recommendations relate to voluntary efforts on the part of the broadcasting industry. It has been 3 years since those recommendations were made, however, and that should have been ample time for the industry to make whatever reforms it so desired to make.

Therefore, I have asked Senator Dodd to reconvene his hearings with the expressed purpose of determining whether the industry has done an adequate job of self-regulation. If adequate self-regulation has not been accomplished by the industry after 3 years, it is up to the Congress to do the job through legislation.

I am aware of the sensitive nature of this issue, which involves the fundamental question of freedom of speech. At the same time, however, it must be recognized that the channels used by the television industry are owned by the public, and they must be utilized in the public interest. Certainly the nature and quality of television programs are relevant criteria of how well the broadcaster is serving the public interest. The courts have recognized the authority of the Federal Communications Commission to consider the program policies and performance of broadcast licensees in connection with the renewal of their licenses. Therefore, I see no reason why we should not be able to find a course of action which will safeguard both the rights of the public and our constitutional right of freedom of speech. The censorship of individual programs is not at issue here; we are concerned with the overall programing policy of the television broadcast industry.

In addition to calling on Senator Dodd to reconvene his hearings, I will reintroduce a joint resolution to direct the Federal Communications Commission "to conduct a comprehensive study and investigation of the effects of the display of violence in television on the viewing audience."

As the 1965 interim report pointed out, research has already demonstrated conclusively that televised violence can inculcate antisocial attitudes and motivate delinquent behavior in young viewers. But much remains to be learned about the relationship between television and human behavior.

We need to know more about the process by which televised violence interacts with other environmental forces in producing antisocial attitudes and behavior. We need to know more about the specific process through which televised violence adversely affects our children. We need to define better standards for the development of children's programs.

These and other gaps in our research knowledge require further study. Much is being done today by private foundations, universities, and the industry itself, but much more needs to be done. The study authorized by my joint resolution would meet this need. It would provide a means of coordinating the existing research efforts and it would define new areas for research to be initiated. Most important of all, it would make the sum of all of our research knowledge open to the scrutiny of the general public and to the Congress.

Mr. Speaker, as is so often the case, our technology develops before we are able to give it proper direction, and before we fully understand the consequences of its contribution to our way of life. Certainly few inventions have had the impact on our lives that television has had. Generations of Americans are literally raised in front of a television set. Television can be either an educational force or a destructive one, and today it is certainly both. Given this fact, and the fact that television is so influential, I think it is of critical national importance that we take positive steps to define public policy in this area.

ELECTORAL COLLEGES OF THE UNITED STATES EXTENDS SYMPATHY

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. HARSHA. Mr. Speaker, on this day representatives of the electoral colleges of the United States met in a duly called meeting for the purposes of organization and election of officers and other business concerning the electoral colleges of the United States.

In this meeting a resolution was presented to the members of the electoral colleges duly assembled extending the sympathy of those members present to the widow and family of the Honorable Jacob L. Holtzman of New York City, a lifelong Republican who has served the electoral colleges of the United States as vice president and president.

In view of Mr. Holtzman's distinguished service to the Republican Party and the electoral colleges of the United States, I am including in my remarks a copy of this resolution.

The resolution follows:

RESOLUTION

Whereas, The Honorable Jacob L. Holtzman, of New York City, a life long Republican, has served as Vice-President and President of the Electoral Colleges of the United States, and

Whereas, the Almighty God, in his infinite wisdom, has seen fit to take Mr. Holtzman from among us, now therefore

Be it resolved, by the Electoral Colleges of the United States, in meeting assembled in the Capitol Building at Washington, D.C., that it does hereby extend its sympathy to the widow and family of Jacob L. Holtzman and does instruct that a copy of this resolution, properly executed, be submitted to the widow and spread upon the minutes of this organization.

Adopted, Washington, D.C., the sixth day of January, 1969.

Homer M. Edwards,
President.
Mrs. Annette McCord,
Attest for Secretary.

THE FUTURE OF OUR UNIVERSITIES

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. OTTINGER. Mr. Speaker, the American University has recently come under broad and penetrating appraisal, and rightly so. Our traditional concepts of higher education seem no longer to be appropriate to the times, and just as we in Government are searching for new directions, so are the leaders of the educational community.

An important contribution to the dialog concerning the role of the university is a recent article by Irving Kristol, senior editor and vice president of Basic Books, Inc., of New York and a coeditor of the quarterly, the Public Interest. It appeared in the New York Times magazine, and I present it herewith for inclusion in the Record so that it may have the broad consideration it so richly deserves:

A DIFFERENT WAY TO RESTRUCTURE THE UNIVERSITY

(By Irving Kristol)

I have the gravest doubts that, out of all the current agitation for a "restructuring" of the university, very much of substance will come. There are a great many reasons why this is so, among them the fact that practically no one any longer has a clear notion of what a "university" is supposed to be, or do, or mean. We are, all of us, equally vague as to what the term "higher education" signifies, or what functions and purposes are properly included in the categories of "student" or "professor." But in addition to such basic problems, there is a simple and proximate obstacle: all of the groups—professors, administrators and students—now engaged in this enterprise of restructuring" are deficient in the will to do anything, or the power to do anything, or ideas about what might be done.

Let us begin with the faculty, since they are indeed, as they claim ("Sir, the faculty is the university"), the preponderant estate of this realm. In most universities, it is the faculty that controls the educational functions and defines the educational purposes of the institution. It is the faculty that usually arranges the curriculum, makes staff appointments, etc. It is the faculty that has the moral authority, the mental capacity, and a sufficiently intimate knowledge of the realities of the educational system to operate upon it. Unfortunately, these virtues are far outweighed by an all too human defect—a limited imagination which leads to a lack of objective insight into its own position. What faculty members of our universities fail to see is that any meaningful restructuring will not only have to be done by the faculty, but will also have to be done to the faculty. And to ask the American professoriat to restructure itself is as sensible as if one had asked Marie Antoinette to establish a republican government in France. Whether or not it coincided with her long-term interests was immaterial; the poor woman couldn't even conceive of the possibility.

Now, I don't mean to suggest that there is anything especially shortsighted or selfish about the American professor. Some of my best friends are professors, and I can testify that they are every bit as broadminded, every bit as capable of disinterested action, as the average business executive or higher civil servant. Nor are they particularly smug and complacent. On the contrary, they are all keenly aware of the crisis that has befallen them, while many have long been discontented with their lot and full of haunting insecurities. Nevertheless, they do have one peculiar and notable flaw: being generally liberal and reformist in their political predisposition, they believe themselves able to have a truly liberal and reformist perspective on themselves. This is, of course, an idle fancy. No social group really possesses the imaginative capacity to have a liberal and reformist perspective on itself; individual members of the group may and do—but the group as a whole cannot. Otherwise the history of human society would be what it is not: an amiable progression of thoughtful self-reformation by classes and institutions.

So the beginning of wisdom, in thinking about our universities, is to assume that the professors are a class with a vested interest in, and an implicit ideological commitment to, the *status quo* broadly defined, and that reform will have to be imposed upon them as upon everyone else. If any empirical proof were required of the validity of these assumptions, one need only cast a glance over the various proposals for university reform that have been made by faculty committees at Berkeley and elsewhere.

These proposals have one distinguishing characteristic: at no point, and in no way, do they cost the faculty anything—not money, not time, not power over their conditions of employment. They liberally impose inconveniences upon the administration, upon the taxpayers, upon the secondary schools, upon the community. But they never inconvenience the faculty. They never, for instance, increase its teaching load. (On the contrary: after four years of "lecturing" at Berkeley, professors there now spend less time in the classroom than they used to.) They never suggest anything that would intrude on those four months' vacations; they never interfere with such off-campus activities as consultancies, the writing of textbooks, traveling fellowships, etc.; they never discourage the expensive—but convenient—proliferation of courses in their specialized areas; they never even make attendance at committee meetings compulsory. This is precisely what one would expect when one asks a privileged class to reform the institution which is its very *raison d'être*. It is rather like asking corporation executives or trade union leaders or officials of a government agency, all of whom have been given lifelong tenure in their present positions, to "restructure" the institutions and redefine their positions.

I have touched upon this question of tenure because of its symbolic significance. Few professors, in conversation, will defend the present tenure system, whereby senior- and middle-level faculty are given a personal, lifelong monopoly on their positions. They will accept the criticisms of it by Robert Nisbet and others as largely valid. They will concede that it could be substantially modified—via long-term contracts, generous severance agreements, etc.—without any danger to academic freedom and with obvious benefits to everyone. They will agree that the "controversial" professor, whom tenure was supposed to protect, is today in great demand and short supply, whereas the mediocre professor is its prime beneficiary. They may even admit that the presence of a tenured faculty is one of the reasons that the university has been—with the possible exception of the post office—the least inventive (or even adaptive) of our social institutions since the end of World War II. They will allow that tenure in the university, like seniority in a craft union, makes for all sorts of counterproductive rigidities. But they will then go on to dismiss the whole issue as utterly "academic."

To tamper with tenure, they argue, would produce fits and convulsions throughout their well-ordered universe. Nothing can or will be done, and they themselves could not be counted on to try. Even those economists who argue in favor of a free market for labor everywhere else somehow never think of applying this doctrine to themselves.

So when these same people announce that, to cope with the crisis in the university, they are going to "restructure" the institution, one has the right to be skeptical. To suppose that they actually will do any such thing is probably the most "academic" idea of all.

Nor is the administration going to "restructure" the university. It couldn't do it if it tried; and it is not going to try because it doesn't regard itself as competent even to think about the problem. University administration in the United States today combines relative powerlessness with near-absolute mindlessness on the subject of education.

That statement about powerlessness needs to be qualified in one respect. Though a great many people are under the impression that the boards of trustees are the "real" power structure of the university, this is in fact the one group over which the administration does wield considerable influence. The trustees of a modern university are rather like the boards of directors of a modern corporation. They represent a kind of "stand-by" authority, ready to take over if the executive officers lead the organization into a scandalous mess. (Having little first-hand knowledge of educational institutions, they will then usually make the mess even worse than it was; but that's another story.)

They also may—repeat: *may*—intervene in certain broad economic decisions, such as the construction of a new campus, the launching of a major fund-raising drive, etc. But on the whole, and in the ordinary course of events, they solemnly rubber-stamp whatever the administration has done or proposes to do.

And that's about the sum and substance of "administrative power." True, a determined administration can badger and bribe and blackmail the faculty into marginal revisions of the curriculum, just as a determined administration can have some influence over senior appointments. But most administrations are not all that determined—like everyone else, university administrators prefer an untroubled life. And even where they are determined, it doesn't make all that much difference, from an outsider's point of view. Within the institution, of course, even small differences can cause great anguish and excitement.

As for the administration's power over students, that hardly seems worth discussing at a time when the issue being debated is the students' power over the administration. Suffice it to say that, where disciplinary power does exist on paper, it is rarely used; and it is now in the process of ceasing to exist even on paper. In this respect, university administrators are ironically very much in *loco parentis*. They have about as much control over their 19- and 20-year-old charges as the parents do.

There might be something to deplore in this situation if one had reason to think that university administrators could wisely use power, did they have it. But there is no such reason, if what we are interested in is higher education. Universtly administrators have long since ceased to have anything to say about education. By general consent, their job is administration, not education.

When was the last time a university president came forth with a new idea about education? When was the last time a university president wrote a significant book about the education of—as distinct from the government of—"his" students? Robert M. Hutchins was the last of that breed; he has had no noteworthy successors. Indeed, the surest way for an ambitious man never to become a university president is to let it be known that he actually has a philosophy of education. The faculty, suspicious of possible interference, will rise up in rebellion.

The university president today is primarily the chief executive of a corporate institution, not an educator. Unfortunately, he usually is also a poor executive, for various reasons. To begin with, he is almost invariably a professor, with no demonstrated managerial experience. More important, there are few meaningful standards against which to judge his performance, as distinct from his popularity. Since most university administrators have no clear idea of what they are supposed to be doing, they end up furiously imitating one another, on the assumption—doubtless correct—that to be immune from invidious comparisons is to be largely exempt from criticism.

Thus, at the moment, all administrations are proudly expanding the size of their plant, their facilities and their student bodies. An outsider might wonder: Why should any single institution feel that it has to train scholars in all disciplines? Why can't there be a division of labor among the graduate schools? Aren't our universities perhaps too big already? Such questions are occasionally raised at conferences of educators—but, since every administrator has no other criterion for "success" than the quantitative increase in students, faculty, campus grounds, etc., these questions spark no debate at all.

As a matter of fact, university administrators never get much criticism—though, of course, they are convenient scapegoats who are instantly *blamed* for anything that goes wrong. The professors are just too busy and self-preoccupied, and in the ordinary course of events are perfectly content to leave the government of the university to the administration—even when they have a low opinion of the administration. (This has been the story at Columbia these past 10 years.)

It is interesting to note that, despite the fact that our best economists are all professors, there has been little public criticism from them on the grotesquely conservative way in which universities invest their endowment funds. It was not until the Ford Foundation's McGeorge Bundy made an issue of it, that the universities began to bestir themselves. Similarly, it was an off-campus man, Beardsley Ruml, who, some 15 years ago, pointed out that it was wasteful to leave campus facilities unused for months at a time, because of the vacation schedule. One would have thought that this idea could have passed through the minds of professors of management, or city planning, or something.

An interesting instance of the charmed life of university administrators is a recent report of the Carnegie Commission on the Future of Higher Education. Written by an economist, it delicately refuses to raise any interesting questions and limits itself to arguing for the need of ever greater government subsidies. After pointing out that the deficit in university budgets is largely incurred by the graduate divisions—a graduate student costs about three or four times as much as an undergraduate—the Carnegie report offers by way of explanation of the costliness of graduate education the following: "The conscientious supervision of a student's independent work is the essence of high-level graduate education. . . ."

What this means in practice, as everyone knows, is that the only way a university can attract big faculty names away from other places is by offering them minimal teaching loads in the graduate division, and the only way it can attract the brightest graduate students away from other schools is by offering them attractive (i.e., expensive) fellowships. Whether or not it makes sense for each institution of higher learning to adopt such a competitive policy would seem to be an important problem; but the Carnegie Commission loyally refrained from exploring it. Nor did it show any interest in whether in fact there is "conscientious supervision" in graduate schools, and if so how extensive or effective it is. From casual conversation with graduate students, one gets the impression that such supervision is not all that common, to put it mildly.

In short and in sum: university administrations have neither the power, nor the inclination, nor the stimulus of informed criticism which would result in any serious efforts at "restructuring" their institutions.

And the students? They, alas, are indeed for the most part rebels without a cause—and without a hope of accomplishing anything except mischief and ruin.

In our society and in our culture, with its pathetic belief in progress and its grotesque accent on youth, it is almost impossible to speak candidly about the students. Thus, though most thoughtful people will condemn the "excesses" committed by rebellious students, they will in the same breath pay tribute to their "idealism" and their sense of "commitment." I find this sort of cant to be preposterous and disgusting. It seems to me that a professor whose students have spat at him and called a "mother-————————" (it happened at Columbia) ought to be moved to more serious and more manly reflection on what his students are really like, as against what popular mythology says they are supposed to be like.

My own view is that a significant minority of today's student body obviously consists of a mob who have no real interest in higher education or in the life of the mind, and whose passions are inflamed by a debased popular culture that prevails unchallenged on the campus. We are reluctant to believe this because so many of the young people who constitute this mob have high I.Q.'s, received good academic grades in high school, and because their popular culture is chic rather than philistine in an old-fashioned way. Which is to say: we are reluctant to believe that youngsters of a certain social class, assembled on the grounds of an educational institution, can be a "mob," in the authentic sociological sense of that term. (We are also reluctant to believe it because many of these students are our children, and we love them regardless of what they do. Such love is, of course, natural and proper. On the other hand, it is worth reminding oneself that members of lower-class lynch mobs have loving fathers and mothers too.)

The really interesting question is: How did they get that way? After all, we do assume that young people of a certain intelligence, provided with a decent education, will be more rational—and therefore more immune to mob instincts—as they near the end of their education than they were at the beginning. The assumption is plausible; but it also patently fails to hold in many instances, and this can only represent a terrible judgment on our system of education.

How is it possible for a Columbia or Berkeley sophomore, junior or even graduate student to believe in the kinds of absurd simplicities they mouth at their rallies—especially when, before entering college, many of these youngsters would have been quick to recognize them as nothing but absurd simplicities? How is it possible for a radical university student—and there is no reason why a university student shouldn't be radical—to take Che Guevara or Chairman Mao seriously when, in his various courses, he is supposed to have read Marx, Max Weber, Tocqueville, has been examined on them, and has passed the examination?

When I discuss this problem with my professor friends, I am informed that I display a naive faith in the power of formal instruction as against the force of the *Zeitgeist*. And there is a measure of justice in this rejoinder. There can be no doubt that we are witnessing, all over the world, a kind of generational spasm—a sociological convulsion whose roots must go deep and far back and must involve the totality of our culture rather than merely the educational parts of it. It is fairly clear, for example, that many of the students are actually revolting against the bourgeois social and moral order as a whole, and are merely using the university as a convenient point of departure. Whether their contempt for this order is justified is a topic worthy of serious discussion—which, curiously enough, it hardly ever receives in the university. But, in any case, this question ought not to distract us from the fact that those radical students who are most vociferous about the inequities of the university are the least interested in any productive "restructuring."

On the other hand, not all of the rebellious students are all that radical politically; and it does seem to me that, in these cases, it ought to be possible for a university education to countervail against the mish-mash of half-baked and semiliterate ideologies that so many students so effortlessly absorb within a few months of arriving on campus. My own opinion, for what it's worth, is that the college and the university fail to educate their students because they have long since ceased trying to do so.

The university has become very good at training its students for the various professions; and it is noteworthy that, within the university, the professional schools and divisions have been the least turbulent. But for the ordinary college student—majoring in the humanities or in the social sciences—the university has become little more than an elegant "pad," with bull sessions that have course numbers or with mass lectures that mumble into one ear and ramble out the other.

The entire conception of a liberal education—of the most serious ideas of our civilization being taught by professors who took them seriously—has disappeared, under pressure of one kind or another. The graduate divisions, with their insistence on preprofessional training, have done their part; but so has the whole temper of our educational system over the past decades, with its skepticism toward "great ideas" in general and toward great ideas of the past in particular.

I believe that, when students demand that their studies be "relevant," this is what they are unwittingly demanding. After all, what could be more "relevant" today than the idea of "political obligation"—a central theme in the history of Western political philosophy—or the meaning of "justice"? And, in fact, on the few campuses where such teaching still exists, the students do find it "relevant," and exciting, and illuminating.

But, whether I am right or wrong in this appraisal, the whole issue is, like so many others, "academic." The students think they are rebelling against the university as a "bureaucratic" institution, and they think it so powerfully that they are not likely to listen to anyone who informs them that they are really rebelling against a souless institution—one that has been emptied of its ideal content. So those who are not set upon destroying the university will be permitted to tinker at "restructuring" it. They will serve on committees that define the curriculum; they will help enforce a dwindling minimum of student discipline; they will be solemnly listened to instead of being solemnly preached at.

But you can't reform an institution unless you know what you want; and though our university students have always been encouraged to want the true, the good, and the beautiful, they have never been taught how to think about the conditions and consequences of such desires. To date, most of the reforms sponsored by students have been in the direction of removing their obligation to get any kind of education at all. It is not surprising that harassed administrators and preoccupied professors are quick to find such proposals perfectly "reasonable."

So where are we? In an impasse, it would appear. Here we have a major social institution in a flagrant condition of crisis, and not one of the natural social forces involved with this institution can be relied upon to do any of the necessary work of reformation. In situations of this kind, the tradition is for the governmental authorities to step in and fill the power vacuum. And such, I think, will again have to be the case this time.

That last sentence made even me, its author, shudder as it was written. The spectacle of state or Federal legislators invading the campus en masse for solemn investigation or deliberation is the kind of tragic farce we can do without. And the idea of state legislators or Congressmen trying to impose educational reforms by legislation is as fantastic as it is horrifying. Still, the fact remains that there is a genuine "public interest" at issue here, and there is no one except government who can be asked to defend it. Fortunately, I believe that for once we are in luck, in that the particular circumstances of the moment permit government to act in an indirect, noncoercive, prudent, yet possibly effective way.

The first such particular circumstance is the fact that the very idea of "higher education" has become so devoid of specific meaning that there is little danger of government, or anyone else, imposing some kind of orthodox straitjacket on the prevailing chaos. There just aren't any such orthodoxies available. Indeed, the very reason we have a crisis in the universities is because all such traditional notions about the function and ends of higher education have, during these past three decades, become otiose.

The real problem at the moment is that no one—not the faculty, not the administration, not the students—has any kind of clear idea of what any "institution of higher learning" is supposed to be accomplishing. It is even beginning to be suspected by many that such phrases as "the university" or "higher education" have acquired different and contradictory meanings, that the vast number of young people now moving onto the campuses are too diverse in their interests and talents to be contained within the old category of "university students," and that the root cause of our distemper is our failure to sort out all these meanings and people, and to make suitable institutional adjustments.

In other words, the situation seems to be such that what we need is a huge injection of pluralism into an educational system that has, through the working out of natural forces, become homogeneous and meaningless at the same time. No one can presume to say what the future pattern of higher education in America should look like. Not until we have far more experimentation—not until we have tried out different kinds of "universities" for different kinds of "students"—can we even hope to know what the real options are. In the ordinary course of events the prospects for this kind of pluralism would be so dim to be utopian: none of the existing institutions can be counted on to cooperate except in a ritualistic and rather hypocritical way. But this leads me to the second particular "circumstance," which gives the prospect an honest dimension of reality.

This second particular circumstance is the fact that government—especially the Federal Government—is going to be pouring more and more money into the universities. This is inevitable, and I am willing to persuade myself that it is desirable. But it is neither inevitable nor desirable that the money should flow through the conventional channels—i.e., directly from the public treasury to the bursar's office. Understandably enough, college presidents cannot imagine it proceeding otherwise—higher education is "their" province, and they feel strongly that the money should be "theirs" to expend as administrative discretion and wisdom prescribe.

But the citizens of this republic have a claim to assert that higher education is "their" province, too; and they have a right to insist that public monies be expended in such a manner as might overcome the crisis in our universities, instead of deepening it.

What I would therefore like to see—and the idea is one that is slowly gaining favor with many observers; it is not original with me—is something along these lines: (a) State expenditures for higher public education should be frozen at the present level, and all increases in this budget should take the form of loans to qualifying students—these loans being valid for out-of-state institutions as well as in-state ones; (b) Federal grants to institutions of higher learning (excepting research grants) should be slowly phased out entirely, and this money—together with new appropriations, which are to be expected—should also be replaced by loans to the qualifying student. This means, in brief, that our universities should have a minimum of direct access to public funds to spend as they see fit, since their vision in this matter has turned out to be too imperfect. It also means that students will have more of the only kind of "student power" that counts: the freedom to purchase the kind of education they want, on terms acceptable to them.

There are potential benefits and risks attendant on this proposal, and they merit a listing. But, first, one must face the frequently heard objection to student loans—that their repayment may place too great a burden on a student, especially the student from a poor family, after his graduation. This objection can be surmounted. To begin with, not all students would need loans, and many would need only small ones. There are plenty of well-to-do parents who would still want to pay for their children's education. In addition, repayment plans can be—have been—calculated so as to be proportionate to the student's average income during his working life, and to exempt those whose average income would be below a fixed level; and the burden on both student and taxpayer (for a subsidy would still be necessary, especially for women) could be made perfectly tolerable.

If one wished to be more legaritarian, one could augment a loan program with a part-scholarship program for those from low-income families. When all is said and done, however, the university graduate is the prime beneficiary, in dollars and cents, of his education; he ought to be the prime taxpayer for it. There is no such thing as "free" higher education. Someone is paying for it and, as things now stand, it is the working class of this country that is paying taxes to send the sons and daughters of the middle class—and of the wealthy, too—through state colleges. (Some 60 per cent of the students at Berkeley come from families with incomes of over $12,000.) It is not an easily defensible state of affairs, though we are now so accustomed to it that it seems the only "natural" one.

Now, as to benefits and risks:

[1] A possible benefit that might realistically be expected is that college students would take a more serious and responsible view of their reasons for being on the campus. To the extent that they would disrupt their own education, they would be paying for this out of their own pockets. As a consequence, there would certainly be less casual or playful or faddish disruption. One does get the impression that for many students the university is now, like the elementary and high schools, a place of compulsory attendance, and that the occupation of a campus building is a welcome lark and frolic. If these students were called upon to pay for their frolics, some of them at least might go back to swallowing goldfish. This would be bad for the goldfish but good for the rest of us.

[2] Another potential benefit is that the large state universities, denied the subsidy which permits them to set very low tuition rates for state residents, would find it difficult to grow larger than they are; the college population would probably become more widely distributed, with the smaller and medium-sized institutions in a position to attract more students. This would be a good thing. It is clearly foolish to assemble huge and potentially riotous mobs in one place—and to provide them with room, board, a newspaper, and perhaps a radio station to boot. This violates the basic principles of riot control. We should aim at the "scatteration" of the student population, so as to decrease their capacity to cause significant trouble. I would also argue there are likely to be some educational gains from this process.

[3] An obvious risk is that a great many of the radical and dissenting students would use their money to attend newly founded "anti-universities." And many of the black students would veer off into black nationalist institutions of higher learning. Something like this is bound to happen, I suppose, though to what extent is unpredictable. It would, beyond question, create bad publicity for the whole student loan program. On the other hand, it would take the pressure off existing institutions to be both universities and "anti-universities"—as well as "integrated" and "black nationalist" universities—at the same time. The degree to which such pressure has already been effective would shock parents, state legislators, and public opinion generally, were the facts more widely known.

Quite a few of our universities have already decided that the only way to avoid on-campus riots is to give students academic credit for off-campus rioting ("field work" in the ghettos, among migrant workers, etc.). And at Harvard—of all places!—there is now a course (Social Relations 148), which enrolls several hundred students and is given for credit, whose curriculum is devised by the S.D.S., whose classes are taught by S.D.S. sympathizers, and whose avowed aim is "radicalization" of the students.

[4] As a corollary to this last risk, there is the possibility that more new, "good" (in my sense of that term) colleges would also be founded. I'm not too sanguine about this—a fair portion of the academic community would surely look more benevolently on a new college whose curriculum made ample provision for instruction in the theory of guerrilla warfare than one that made a knowledge of classical political philosophy compulsory. Besides, it would be much easier to find "qualified" faculty for the first type than the second. Nevertheless, it is conceivable that the "traditionalists," as well as the academic hipsters, could take advantage of the new state of affairs. And among the students they attract there might be quite a few blacks who are not really interested in studying Swahili or Afro-American culture or "black economics," but who—as things are now moving on the campus—are pretty much forced to do so by their black nationalist fellow students.

[5] The greatest benefit of all, however, is that the new mode of financing higher education will "shake things up." Both university administrators and faculty will have to think seriously about the education of the students—and about their own professional integrity as teachers. This shake-up is bound to have both bad and good consequences. Some universities, for instance, will simply try to reckon how they can best pander to what they take to be student sentiment, and many professors will doubtless pay undue attention to their "popularity" among students. On the other hand, it is reasonable to assume that you can't fool all the students—and their parents—all of the time; and if students are paying for their education, most of them will want to be getting their money's worth.

So, at long last, the academic community, and the rest of us as well, will have to engage in sober self-examination, and address ourselves to such questions as: What is this "college" of ours, or this "university" of ours? What is the "higher education" we offer? What do we parents expect from a particular "institution of higher learning" when we send our children there? The answers will certainly be too various to be pleasing to everyone. But at least they will be authentic answers, representing authentic choices.

It would be ridiculous to expect that, during this period of "shake-up," calm will descend upon our campuses. As I have already said, the roots of the student rebellion go very deep, and very far back. I recall Leo Rosten observing long before Columbia that, so far as he could see, what the dissatisfied students were looking for were: adults—adults to confront, to oppose, to emulate.

It is not going to be easy to satisfy this quest, since our culture for many decades now has been ploughing under its adults. But I agree with Mr. Rosten that this is what is wanted, and I am certain it will not be achieved until our institutions of higher education reach some kind of common understanding on what kind of adult a young man is ideally supposed to become. This understanding—involving a scrutiny of the values of our civilization—will not come soon or easily, if it ever comes at all. But we must begin to move toward it—and the first step, paradoxically, is to allow a variety of meanings to emerge from our existing, petrified institutions of higher learning.

NORMAN THOMAS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. RYAN. Mr. Speaker, during the period when Congress was in adjournment a great American, whom we should all hold in the deepest respect, died at the age of 84. Norman Thomas, who devoted his entire adult life to the cause of enlarging our notions of social justice and governmental responsibility, died at his home in Huntington, Long Island, on December 19, 1968.

Ridiculed at the start of his career as a radical visionary, Norman Thomas lived to see many of his proposals enacted into law. Throughout his long career he was frequently exposed to the scorn of politicians less insightful than himself and was even, on occassion, the target of hecklers and eggthrowers. However, he never diminished his determination to speak the truth as he saw it, and at the age of 82 was still making dozens of speeches each month on hundreds of college campuses. In his last years he was a particularly forceful opponent of the war in Vietnam which he termed "an immoral war ethically and a stupid war politically." At a time when it was said that students did not trust anyone over 30, he remained a popular campus figure who spent hours of his time debating with college students more than 60 years his junior. His integrity and moral passion were qualities that bridged countless "generation gaps."

As one who believes in the necessity of a progressive social program, I am particularly mindful of his great contribution to our notions of governmental and personal responsibility. When others were counseling accommodation and compromise, he persisted in his belief that we could settle for no less than that which was required.

He once said:

> Vote your hopes, not your fears. Don't vote for what you won't want and get it.

Norman Thomas' compassion for the forgotten American began when he was a social worker at the Spring Street Presbyterian Church and Settlement House in New York City, and continued throughout his life. With his keen intelligence and powerful platform style, there is little doubt that he could have risen to great heights as a conventional politician in a more conventional political party. But he sacrificed his own ambitions to his concern for transforming the American economic and social order into a more benevolent and responsible system. Even in his final years he continued to travel throughout the United States making speeches on the need for expanding social welfare legislation, often traveling long distances by train and living out of a well-worn suitcase. His character has been an example for countless individuals who were privileged to come in contact with him.

A keen student of foreign affairs, throughout the years he was identified with almost every major effort to promote world peace. He strongly denounced the bombing of Nagasaki and Hiroshima and constantly advanced proposals for restricting and prohibiting the use of thermonuclear weapons. He was a firm anti-Communist who believed the Soviet Union's ambitions posed real threats to peace but he also spoke out critically on U.S. foreign policy when he believed it was ill conceived or too rigidly administered. He supported the aid provisions of the Marshall plan, when it was proposed in 1948, but opposed the military support the Truman administration gave to Greece and Turkey. Throughout his long career he continually espoused the advantages of nonmilitary assistance over military involvement. In almost every case this emphasis was vindicated by later events.

Never a doctrinaire thinker, Norman Thomas was ever mindful of the need to place human needs ahead of preordained theory, always looking to the larger vision. His keen and agile mind was constantly abreast of the current issues even when his failing eyesight forced him to read with a magnifying glass.

Perhaps the most remarkable facet of the man was the longevity of his influence. His career spanned many decades; and in each decade he spoke with the authority of a man attuned with the times. While others lost their relevance as time passed them by, Norman Thomas remained a vital force until his death.

His energy and compassion were seemingly unlimited, and his lifelong commitment to securing a better world never wavered. In 1964 he was honored by his friends on his 80th birthday. After the celebration, someone asked what he would do now that he was 80 years old. He replied: "The same thing I've always done."

His passing deprives us of his magnetic presence and compassionate wisdom. But the example of his life remains as an inspiration to those who shared his vision of a better world.

I include at this point in the Record the obituary of Norman Thomas by Alden Whitman which was published in the New York Times of December 20, 1968, the New York Times editorial of December 20, 1968, the New York Post editorial of December 20, 1968, and an article from the AFL–CIO News of January 4, 1968:

[From the New York Times, Dec. 20, 1968]

Norman Thomas, Socialist, Dies—He Ran Six Times for Presidency

(By Alden Whitman)

Norman Thomas, six-time Socialist party candidate for President, died in his sleep yesterday at the Hilaire Farm Nursing Home in Huntington, L. I., where he had been a patient for the last year. He was 84 years old. He lived at 106 Goose Hill Road, Cold Spring Harbor.

President Johnson, leading the nation in tribute, issued this statement in Washington:

"With the passing of Norman Thomas America loses one of its most eloquent speakers, finest writers and most creative thinkers.

"Mr. Thomas was once asked what he considered to be his greatest achievements. With characteristic modesty he replied, 'To live to be my age and feel that one has kept the faith or tried to . . . to be able to sleep at night with reasonable satisfaction.'

"Norman Thomas kept the faith. He was a humane and courageous man who lived to see many of the causes he championed become the law of the land."

Vice President Humphrey said:

"Norman Thomas, in his 84 years, never won an election and he was hardly ever popular. He was always ahead of his time. He was called a radical when he talked of unemployment insurance, minimum wages, old age pensions, and health insurance. But his honesty and compassion and sense of justice left their mark on America and many of his crusades are now the law of the land. We are a better people because this gentleman lived."

Mr. Thomas was also extolled by Governor Rockefeller, Mayor Lindsay, Arthur J. Goldberg, the former Supreme Court Justice, and a host of organizations he had championed.

With Mr. Thomas when he died were a daughter, Mrs. Herbert Miller of Overland Park, Kans., and Timothy Sullivan, his secretary for the last three years.

In addition to Mrs. Miller, Mr. Thomas is survived by two other daughters, Mrs. John Friebely of Plainfield, N. J., and Mrs. John W. Gates of St. Thomas, V. I.; two sons, Evan W. 2d of New York, vice president and editor in chief of W. W. Norton, the book publishers; and William S. Thomas of Newport, R. I.; a brother, Dr. Evan W. Thomas of Philadelphia; two sisters, Emma and Agnes Thomas of Towson, Md.; 15 grandchildren and 10 great-grandchildren. Mr. Thomas's wife, Violet, died in 1947.

A memorial service will be held Monday at 1 P.M. at Community Church, 40 East 35th Street. The Rev. Donald Harrington, the pastor, and the Rev. Sidney Lovett, chaplain emeritus of Yale University, will conduct the services.

In 1964, when Norman Thomas was 80 years old, bent and hobbled by arthritis, hard of hearing and unable to read without the aid of a magnifying glass, several thousand friends gave him a birthday reception at the Astor Hotel. When it was over a young reporter asked the gaunt, dignified, white-haired guest, "What will you do now, sir?"

The reply was unhesitating: "The same thing I've always done."

For Mr. Thomas "the same thing" was to serve as the Isaiah of his times, the zealous and eloquent prophet who for a half-century warned his countrymen of "the evils of capitalism" while pointing out to them what he considered the pathways of social, economic and political justice.

Once scorned as a visionary, he lived to be venerated as an institution, a patrician rebel, an idealist who refused to despair, a moral man who declined to permit age to mellow him.

Times changed, but Norman Thomas appeared steadfast. He spoke to the mind; he appealed to ethical sensibilities; he thundered at malefactors; he counseled with doubters; he goaded the lethargic and chided the faint of heart; he rallied the committed.

If his moralism was stern, his manner was gentle and his words were good-humored. But the message—and Mr. Thomas always had a message—was the need for reformation of American society.

The general toleration, even acceptance and respectability, that Mr. Thomas achieved in his long career had a number of explanations. Passionate critic though he was, he lived within the accepted social order and conformed to most of its standards of propriety: he used perfect English, had excellent table manners, lived in or near fashionable Gramercy Park, had a family life that was a model of decorum and possessed a captivating personality. Esteem for him was personal to the point where he conferred a certain cachet on dissent.

SHUNNED CLASS CONFLICT

A further explanation for Mr. Thomas's position was that, although he was the voice of the mute and the tribune of the disenfranchised, his brand of Socialism was mild. It shunned class conflict, the dictatorship of the proletariat and the violence of revolution. It was to doctrinal Marxism what Muzak is to Mozart. In Leon Trotsky's celebrated gibe, "Norman Thomas called himself a Socialist as a result of misunderstanding."

Mr. Thomas, who was anti-Communist and anti-Soviet to a marked degree, wrote extensively on what he regarded as the shortcomings of Marxism. One of his favorite arguments was expressed in question form: "Can a generation which has had to go far beyond Newtonian physics or atomic chemistry or Darwinian biology be expected to find Marx, who was also the child of his time, infallible?"

In his own philosophy, Mr. Thomas seemed ultimately to lean to democracy, albeit a radical one by some standards.

"For the believer in the dignity of the individual," he once declared, "there is only one standard by which to judge a given society and that is the degree to which it approaches the ideal of a fellowship of free men. Unless one can believe in the practicability of some sort of anarchy, or find evidence there exists a superior and recognizable governing caste to which men should by nature cheerfully submit, there is no approach to a good society save by democracy. The alternative is tyranny."

There was irony in the fact that Mr. Thomas lived to see many of his specific prescriptions for social ills filled by other parties. Running for President in 1932, in one of six such races, Mr. Thomas had a platform calling for such Depression remedies as public works, low-cost housing, slum clearance, the five-day week, public employment agencies, unemployment insurance, old-age pensions, health insurance for the aged, minimum-wage laws and the abolition of child labor.

Each of these then-radical proposals is now a generally accepted part of the fabric of American life. Mr. Thomas once acknowledged this state of affairs. "It was often said by his enemies that [Franklin D.] Roosevelt was carrying out the Socialist party platform," he said in a bitter moment. "Well, in a way it was true—he carried it out on a stretcher."

Mr. Thomas later explained what he had in mind. "You know, despite the fact that the New Deal took over many of the ideas we Socialists campaigned for, I have been profoundly disappointed," he said. "Some of our major concepts have not been accepted, but time has not changed my advocacy of them.

"I still heartily yearn for the nationalization of the steel industry, for example. In fact, I'm for public ownership of all natural resources. They belong to all the people and should not be for the private enrichment of the few."

Mr. Thomas summed up his alternative to capitalism as "the cooperative commonwealth." Its main features were public ownership and democratic control of the basic means of production as well as long-range economic planning.

Because he campaigned for both his long-term and his short-term reforms so assiduously and yet with so little likelihood of winning office, critics accused him of lack of realism. To these he said, "Vote your hopes, not your fears," or "Don't vote for what you won't want and get it."

Mr. Thomas was also criticized for being too professorial. According to a sketch of him in 1932, he "looks like a cultivated aristocrat, with his high-domed head, his thin gray hair, his narrow nose, firm lips and thoughtful blue-gray eyes.

"He belongs to the Woodrow Wilson type, depending more upon logic than upon emotions, and his manner is faintly academic."

That appraisal appeared in the old New York Sun, an impeccably Republican newspaper.

WRY WITH CRITICS

Mr. Thomas tended to be wry with his critics, one of whom was President Roosevelt. Twitting the Socialist leader at a White House tête-à-tête in 1935, Mr. Roosevelt said, "Norman, I'm a damned sight better politician than you."

"Certainly, Mr. President," Mr. Thomas shot back, "you're on that side of the desk and I'm on this."

It was not for want of trying that Mr. Thomas was always on the visitor's side of the desk. He campaigned for the Presidency at four-year intervals from 1928 through 1948; he ran for Governor of New York, for Mayor twice, for State Senator, for Alderman and for Congress.

He also lectured two or three times a week and wrote innumerable articles. His subjects were world peace, anti-Communism, civil liberties, Negro rights and all manner of specific causes that he believed had a place under the umbrella of social justice.

Mr. Thomas had an awesome capacity for work. "Some of my friends and members of my family wanted me to go slow during the recent Presidential campaign," he said at 80, in 1964. "How could I? Oh, I wasn't all the way with L. B. J.—only most of the way—but I was all the way against Barry Goldwater, a dangerous man, the prophet of war. So I made speeches from Massachusetts to Hawaii."

Almost two years later he was still going about the country, living out of a battered duffel bag, lecturing to campus groups, talking at sit-ins, voicing moral indignation over United States military involvement in Vietnam and Southeast Asia. Young people ordinarily skeptical of anyone over 30 flocked to hear Mr. Thomas, to watch his years fall away as he denounced the Vietnam conflict as "an immoral war ethically and a stupid war politically."

"We are ruining a country and ourselves in the process," he said; but he declined to incriminate President Johnson, whom he described as a "sincere" man "caught in the meshes of an inherited system."

Arguing against militarism and war in the nineteen-sixties, Mr. Thomas even softened somewhat his anti-Communism. "If you cannot learn to live with Communists," he told his audiences, "then you might begin to think about dying with them."

Mr. Thomas was probably one of the finest platform orators of his day. Having learned the art before electronics altered the nature of speaking to large masses of people, he strongly resembled, in his style, such virtuoso spellbinders as William Jennings Bryan, Eugene Victor Debs, Woodrow Wilson, the Rev. Billy Sunday and Franklin D. Roosevelt.

Mr. Thomas possessed a booming, virile, organ-roll voice that he could modulate from a roar to a whisper. Part of the magic of his eloquence resided in his gestures—the pointing finger, the outflung arm, the shaking of the head.

H. L. Mencken heard Mr. Thomas in the campaign of 1948. "It was extempore throughout, and swell stuff indeed," he wrote. "It ran on for more than an hour, but it seemed far shorter than an ordinary political speech of 20 minutes.

"His voice is loud, clear and a trifle metallic. He never starts a sentence that doesn't stop, and he never accents the wrong syllable in a word or the wrong word in a sentence."

In his battles Mr. Thomas frequently had the support of many men of intellectual substance—John Dewey, John Haynes Holmes, Rabbi Stephen S. Wise, Reinhold Niebuhr, to mention but a few—but he lacked quantity. Congratulated on the lofty caliber of his campaigns, he replied, "I appreciate the flowers; only I wish the funeral weren't so complete."

On another occasion he said, "While I'd rather be right than be President, at any time I'm ready to be both."

But his Presidential vote was always slender. In 1928, in his first White House bid, he was credited with 267,420 votes. In 1932 the votes counted for him soared to 884,781—his record. Four years later the tally slipped to 187,342. In 1940 it was 116,796; and in 1944 a total of 80,518 votes was recorded for him. In his final race, in 1948, his total was 140,260. He never came close to winning on electoral vote.

When the results were in that year, showing President Harry S. Truman returned to office over Gov. Thomas E. Dewey of New York, a prominent New York Democrat remarked:

"The best man lost."

"You mean Dewey?" a listener asked.

"No, Thomas."

The feeling that Mr. Thomas was "the best man" was widely shared, and many who were not Socialists voted for him because of disenchantment with what he called "the Tweedledum and Tweedledee" choice offered by the two major parties. On the other hand, there were many who believed that such a protest vote was wasted because Mr. Thomas's chance at the polls were obviously so slim.

Mr. Thomas himself was very aware of this situation. In 1932, with the Depression searing the nation, many supporters predicted a vote of perhaps two million; but he knew better. Sitting with his associates on election eve, he said:

"I want to tell all of you that I'm not going to get a big vote tomorrow. It's going to be a lot smaller than anybody thinks.

"For instance, at my wonderful meeting in Milwaukee last Saturday, hundreds came to shake my hand. One young man came up to me with tears in his eyes and said, 'I believe in everything you say and I agree entirely with your principles, but my wife and I can't vote for you. The country can't stand another four years of Hoover.'

"You can multiply that couple by thousands, if not millions. I can't help but sympathize with the feelings of that young man but our vote will be small."

In the race of 1932, as in every other, Mr. Thomas campaigned earnestly. He toured the country by auto and train (sleeping in an upper berth to save money), and he spoke to whatever crowds could be drummed up.

BORN IN OHIO

Apart from the needle-trades workers in New York, however, Mr. Thomas did not get the labor vote, a painful anomaly for a professed Socialist. But the truth was that Mr. Thomas was not a trade union figure.

Unlike Eugene Debs, his predecessor as a party leader, Mr. Thomas did not have a working class or trade union background. His natural idiom and style, moreover, were those of the sack suit, not overalls. His intellectualism and his moralism were part of his heritage and of his own early life. Both his grandfathers had been Presbyterian ministers, as was his father; and he himself remained a clergyman until 1931.

He was born Nov. 20, 1884, in Marion, Ohio, where his father, Welling Evan Thomas, had a pastorate. His mother was the former Miss Emma Mattoon, whose surname became her son's middle name. Norman, the eldest of six children, attended the local schools and earned pocket money by delivering Warren G. Harding's The Morning Star.

In 1901 the Thomas family moved to a new pastorate in Lewisburg, Pa., where Norman entered Bucknell. After a year he transferred to Princeton when an uncle offered to pay $400 of his yearly expenses. He was graduated in 1905 as class valedictorian.

Still basically conservative in his outlook, Mr. Thomas was jolted by the urban blight he saw in his first job—that of a social worker at the Spring Street Presbyterian Church and Settlement House in New York. After a world trip he continued his social service as a pastoral assistant at Christ Church. Then, while serving as an associate at the Brick Presbyterian Church, he attended Union Theological Seminary, receiving his divinity degree in 1911.

At the seminary he was influenced by the writings of Dr. Walter Rauschenbusch, who taught a theology that accented the Protestant churches' social responsibility. This helped to prepare Mr. Thomas for pastoral work among Italian immigrants in East Harlem, where he lived and worked for several years.

Meantime, in 1910, he had married Frances Violet Stewart, who came from an aristocratic banking family and who shared his social service work. Their union was extremely happy. Until her death in 1947, Mrs. Thomas devoted her life to her husband and to the rearing of their children. The Thomases were the parents of six: Norman Jr., who died in childhood; William, Polly, Frances, Becky and Evan.

The family lived on a basic income of about $10,000 a year that was provided to Mrs. Thomas through a legacy. This was supplemented by sums she earned by breeding cocker spaniels at the family summer home in Cold Spring Harbor, L.I., and by Mr. Thomas's fees from lectures and writings.

A number of developments helped to bring Mr. Thomas to Socialism. In his book "A Socialist's Faith," published in 1951," he wrote:

"I had come to Socialism, or more accurately to the Socialist party, slowly and reluctantly. From my college days until World War I my position could have been described, in the vocabulary of the times, as 'progressive.'

"Life and work in a wretchedly poor district in New York City drove me steadily toward Socialism, and the coming of the war completed the process. In it there was a large element of ethical compulsion."

His initial overt step was taken toward the end of 1916, when he joined the Fellowship of Reconciliation, a Christian pacifist group. Shortly afterward he became a member also of the American Union Against Militarism, in which social workers and intellectuals were active.

"War and Christianity are incompatible," he said at the time, and this was the theme of scores of his speeches. In his activities he met Socialists, read their books and articles and was impressed by the party's opposition to American entry into the war.

TIME TO "BE COUNTED"

In October, 1918, he joined the Socialist party with this statement:

"I am sending you an application for membership in the Socialist party. I am doing this because I think these are the days when radicals ought to stand up and be counted. I believe in the necessity of establishing a cooperative commonwealth and the abolition of our present unjust economic institutions and class distinctions based thereon."

Meanwhile, Mr. Thomas had resigned his church post to work full time for the Fellowship of Reconciliation and to edit The World Tomorrow, its monthly magazine.

He was also active, with Roger Baldwin, in the National Civil Liberties Bureau, which became the American Civil Liberties Union in 1920. Mr. Thomas was a leading figure in that organization for the rest of his life and a tireless advocate of individual rights. To this end he joined or helped to organize over the years hundreds of committees that sought justice for persons of all political views. Some were futile, some were frivolous, but many were effective.

Although Mr. Thomas was primarily an evangelist, he never hesitated to join a picket line in a good cause no matter what the personal risk. He was active, for example, in the famous textile workers' strike in Passaic, N.J., in 1919 and again in 1926. In the latter strike he was arrested and jailed until bail could be raised, but he was never prosecuted.

In 1922 he became co-director, with Harry W. Laidler, of the League for Industrial Democracy, a post he held until 1937. The L.I.D., the educational arm of the Socialist party, sponsored thousands of Mr. Thomas's speeches. Through them he preached Socialism across the country, becoming in the process the recognized leader of the party, the successor to Eugene Debs after his death in 1926.

PARTY SPOKESMAN

In this capacity Mr. Thomas was the presence and spokesman for the party rather than an organizer or administrator. Nonetheless, he undoubtedly drew into it thousands of native-born Americans and helped it to outgrow its ethnic and European origins.

Mr. Thomas made his first bid for public office in 1924 as the Socialist candidate for Governor of New York. Running against Gov. Alfred E. Smith, a popular liberal who was also a friend of labor, he polled 99,854 votes to Mr. Smith's 1,627,111.

A year later he was campaigning for Mayor of New York against James J. Walker, the Democrat, and Frank Waterman, Republican. The Socialist platform called for city-owned housing and public ownership of the transit system. Mr. Thomas trailed the field with only 39,083 votes.

He ran again in 1929 with endorsement of the Citizens Union and amassed 175,000 votes.

A major issue was corruption, but Mayor Walker won easily.

In the early nineteen-thirties Mr. Thomas turned his tremendous energies to causes growing out of the Depression. He spoke in behalf of the unemployed; he helped set up the Workers Defense League; he was an active sponsor of the Southern Tenant Farmers Union, a sharecropper organization; and he marched in countless picket lines and signed countless petitions.

Mr. Thomas was a critic of the New Deal, although he conceded in later years that "we would have had very bad times" if Mr. Roosevelt had not been elected in 1932.

"In retrospect, I wouldn't change many of the criticisms I then made," he said. "Yet the net result was certainly the salvation of America, and it produced peacefully, after some fashion not calculated by Roosevelt, the welfare state and almost a revolution."

Chiefly, the Socialist leader regarded the New Deal as a device to bail out capitalism; he considered President Roosevelt too facile; and he liked to note that full employment was not achieved until the nation entered World War II.

Many Socialists, especially labor union officials, disagreed with their leader's assessment. The result was a party split, in which such unionists as David Dubinsky and Sidney Hillman broke away to support the New Deal on the ground that labor could bargain with Mr. Roosevelt to its advantage.

At the same time Mr. Thomas was beset by the Communists. Prior to 1936 he was denounced as "a social fascist" for reputedly being too soft on the New Deal. Then, during a united-front period, he was wooed in the name of workers' unity against Fascism. Next, he was assailed as anti-Soviet; but in the final period of his life when he was opposing the Vietnam war, he was viewed more leniently.

Mr. Thomas was stoutly anti-Communist. "The differences between us preclude organic unity," he said in 1936 of the Communist party. "We do not accept control from Moscow, the old Communist accent on inevitable violence and party dictatorship, or the new accent on the possible good war against Fascism and the new Communist political opportunism."

And after a disillusioning visit to the Soviet Union in the late thirties, he said:

"More and more it becomes necessary for Socialists to insist to the whole world that the thing which is happening in Russia is not Socialism and it is not the thing which we hope to bring about in America or in any other land."

JERSEY CITY INCIDENT

Mr. Thomas was involved in several free-speech incidents, perhaps none more dramatic than that in Jersey City in 1938 against Mayor Frank Hague. Mr. Hague, who once boasted that "I am the law," declined to sanction a Socialist May Day rally in his city the evening of April 30. Mr. Thomas showed up anyway to the cheers of a crowd in Journal Square. The police roughed him up, shoved him in a car and "deported" him to New York with a warning never to return. He returned later that evening and was again ejected.

Mr. Thomas went to nearby Newark a few weeks later to thunder at "Hagueism" from that quarter. He also initiated court action and instigated a Federal Bureau of Investigation inquiry into Mr. Hague's affairs.

The result of these actions, and complementary ones by the Congress of Industrial Organizations, was a Federal Court ruling against Jersey City. Mr. Thomas immediately returned to Journal Square and made a speech to a big throng.

With the gathering of war clouds in Europe in 1938–39, Mr. Thomas acted to stem the trend to United States involvement. With his most passionate feelings aroused, he helped to set up the Keep America Out of War Congress. "We who insisted that Americans must keep out of war," he said, "do not do it because we condone Fascism, but because American participation in war will bring new horrors and sure Fascism to America without curing Fascism abroad."

To the dismay of many of his friends Mr. Thomas, in 1940–41, also spoke to audiences of the America First Committee, an isolationist group.

When the United States entered the war Mr. Thomas felt a personal setback. "Pearl Harbor meant for me the defeat of the dearest single ambition of my life: that I might have been of some service in keeping my country out of a second world war," he said.

During the war he led his party in a program of what he termed "critical support" of American actions. He was afraid that whichever side triumphed democracy would suffer, but he ultimately decided that the "lowest circle of hell" would be a Fascist victory. On the home front he protested the internment of Japanese-Americans in 1942 and, in the Presidential campaign of 1944, he argued against the Roosevelt policy of unconditional surrender, calling instead for a statement of democratic peace terms.

Mr. Thomas denounced in the strongest terms the atomic bombing of Hiroshima and Nagasaki in 1945. "Proof of the power of atomic energy did not require the slaughter of hundreds of thousands of human guinea pigs," he said. "We shall pay for this in a horrified hatred of millions of people which goes deeper and farther than we think."

To the end of his life he spoke out boldly for proposals to restrict or outlaw thermonuclear war. He also pleaded for world disarmament "down to the police level" and called for an end to conscription.

In his final campaign, in 1948, he hit hard at the threat of war, which he saw "in the aggression of the Soviet empire" as "encouraged by the blunders of American policy." He favored the Marshall Plan for European recovery while dissenting from the military emphasis in the Truman Doctrine of aid to Greece and Turkey.

Two years after that race he counseled his party to drop its election activity in favor of an educational approach, but the party overruled him and ran national candidates in 1952 and 1956. In the latter year they received 2,044 votes. There was no ticket in 1960, 1964 or 1968. Mr. Thomas resigned his party posts in 1955, but remained as a member.

Although he stopped running for office, Mr. Thomas did not relinquish his basic role as a social philosopher, nor did his zest diminish. "I enjoy sitting on the sidelines and Monday-morning quarterbacking other people's performances," he said.

VIEW ON ACHIEVEMENTS

Mr. Thomas was a prolific writer. He was the author of 20 books, scores of pamphlets and almost numberless newspaper and magazine articles. He also served as editor of a variety of Socialist publications.

Toward the end of his life, he was asked what he thought he had achieved. He replied:

"I suppose it is an achievement to live to my age and feel that one has kept the faith, or tried to. It is an achievement to be able to sleep at night with reasonable satisfaction.

"It is an achievement to have had a part, even if it was a minor one, in some of the things that have been accomplished in the field of civil liberty, in the field of better race relations, and the rest of it.

"It is something of an achievement, I think, to keep the idea of Socialism before a rather indifferent or even hostile American public. That's the kind of achievement I have to my credit, if any. As the world counts achievement, I have not got much."

Reminded at another time that he was known as America's greatest dissenter, he said that he had never espoused dissent for its own sake.

"The secret of a good life," he declared, "is to have the right loyalties and to hold them in the right scale of values. The value of dissent and dissenters is to make us reappraise those values with supreme concern for truth.

"Rebellion per se is not a virtue. If it were, we would have some heroes on very low levels."

[From the New York Times, Dec. 20, 1968]

NORMAN THOMAS

For a half-century Norman Thomas was an eloquent and impassioned voice of his country's social conscience. In a hundred causes (or was it a thousand?) he articulated the cry for justice of those he saw deprived of it. Whether it was freedom for Tom Mooney, or the plight of the sharecroppers in the South, or work relief for the unemployed, or free speech in Mayor Hague's Jersey City, or the noxious conduct of Senator Joseph McCarthy, or the evil of the Vietnam war, Mr. Thomas spoke rousingly to America's moral sensibilities. His ardent views, often unpopular at the time, became a standard of decency in a remarkable number of instances.

An undoctrinaire Socialist, who put freedom ahead of any dogma, he lived to see much of his social philosophy become part of the fabric of American life. As a six-time Socialist candidate for President, he campaigned vigorously for the right of labor to organize and bargain collectively, for a statutory minimum wage, old-age insurance, a national health plan, public housing, conservation of natural resources and control of stock market speculation.

When Mr. Thomas began enunciating those proposals in the prosperous nineteen-twenties, he was hounded as a dangerous radical and his political following was more distinguished for ardor than numbers. But many of his ideas, in one form or another, were adopted over the years in New Deal and Fair Deal legislation. He was a rebel who achieved both respect and respectability without sacrificing dedication.

His is a legacy of substantial public achievement. As a social reformer he contributed mightily to shaping the present welfare state. As a matchless mover and shaker, his moral fervor for social justice has contributed to a more just America.

[From the New York Post, Dec. 20, 1968]

NORMAN THOMAS

He never ceased to care; he never abandoned the battle for peace, justice and freedom. Crippled too long by arthritis and a failing heart, almost sightless, Norman Thomas was still very much in this world and trying to do something about it until the final moment of his long, memorable journey.

No conventional obituary can span the full range of his humane, dedicated works. He spoke and fought eloquently on great issues, but much of his life was devoted to the quiet, often unheralded defense of lonely men and women who had been subjected to harsh indignities.

For many years he was known as America's leading Socialist. Yet he was never a deeply ideological man, and his bitterest moments occurred when he was caught in the crossfire of doctrinaire leftwing feuds. He always seemed taller than the other combatants—not because of any special infallibility but because he kept his eyes fixed on large visions.

He hated war, oppression and every manifestation of cruelty; during the period preceding World War II his instinctive pacifism dismayed many of his earlier adherents. But no one ever disputed the depth and solemnity of his convictions. Indeed, he sometimes wryly remarked that he wished that so many who paid tribute to his sincerity were more disposed to hear what he was saying.

He lived to see many of the early reforms he espoused accepted as laws of the land. But he never acquired a complacent view of things as man continued to play with atomic fire. Almost from the start he saw the Vietnam conflict as a deadly blunder and, with his last remaining resources of strength and spirit, he cried out against it. On this as on so many matters, he was tragically vindicated by events.

Perhaps his final triumph was his ability to communicate with young rebels in this era when those "over 30" are deemed suspect in so many places. He remained an ageless, revered figure from whom thousands of men and women—most of whom never carried a Socialist card—have derived inspiration, and whose better deeds on earth have been in some way traceable to his presence. Their continued involvement in the search for reason and decency in human affairs was the only immortality he sought and this he nobly achieved.

[From the AFL–CIO News, Jan. 4, 1969]

PROPHET ON SOCIAL REFORM: ZEALOUS NORMAN THOMAS LIVED TO SEE HIS CONCEPTS EMBRACED

In 1964 when Norman Thomas was 80 years old, bent and hobbled by arthritis, hard of hearing and unable to read without the aid of a magnifying glass, several thousand friends gave him a birthday reception at the Astor Hotel. When it was over a young reporter asked the gaunt, dignified, white-haired guest, "What will you do now, sir?"

The reply was unhesitating: "The same thing I've always done."

For Mr. Thomas "the same thing" was to serve as the Isaiah of his times, the zealous and eloquent prophet who for a half-century warned his countrymen of "the evils of capitalism" while pointing out to them what he considered the pathways of social, economic and political justice.

Once scorned as a visionary, he lived to be venerated as an institution, a patrician rebel, an idealist who refused to despair, a moral man who declined to permit age to mellow him.

Times changed, but Norman Thomas appeared steadfast. He spoke to the mind; he appealed to ethical sensibilities; he thundered at malefactors; he counseled with doubters; he goaded the lethargic and chided the faint of heart; he rallied the committed.

If his moralism was stern, his manner was gentle and his words were good-humored. But the message—and Mr. Thomas always had a message—was the need for reformation of American society.

The general toleration, even acceptance and respectability, that Mr. Thomas achieved in his long career had a number of explanations. Passionate critic though he was, he lived within the accepted social order and conformed to most of its standards of propriety: he used perfect English, had excellent table manners, lived in or near fashionable Gramercy Park, had a family life that was a model of decorum and possessed a captivating personality. Esteem for him was personal to the point where he conferred a certain cachet on dissent.

Mr. Thomas, who was anti-Communist and anti-Soviet to a marked degree, wrote extensively on what he regarded as the shortcomings of Marxism. One of his favorite arguments was expressed in question form: "Can a generation which has had to go far beyond Newtonian physics or atomic chemistry or Darwinian biology be expected to find Marx, who was also the child of his time, infallible?"

In his own philosophy, Mr. Thomas seemed ultimately to lean to democracy, albeit a radical one by some standards.

"For the believer in the dignity of the individual," he once declared, "there is only one standard by which to judge a given society and that is the degree to which it approaches the ideal of a fellowship of free men. Unless one can believe in the practicability of some sort of anarchy, or find evidence there exists a superior and recognizable governing caste to which men should by nature cheerfully submit, there is no approach to a good society save by democracy. The alternative is tyranny."

There was irony in the fact that Mr. Thomas lived to see many of his specific prescriptions for social ills filled by other parties. Running for President in 1932, in one of six such races, Mr. Thomas had a platform calling for such Depression remedies as public works, low-cost housing, slum clearance, the five-day week, public employment agencies, unemployment insurance, old-age pensions, health insurance for the aged, minimum-wage laws and the abolition of child labor.

Each of these then-radical proposals is now a generally accepted part of the fabric of American life. Mr. Thomas once acknowledged this state of affairs. "It was often said by his enemies that [Franklin D.] Roosevelt was carrying out the Socialist party platform," he said in a bitter moment. "Well, in a way it was true—he carried it out on a stretcher."

Mr. Thomas later explained what he had in mind. "You know, despite the fact that the New Deal took over many of the ideas we Socialists campaigned for, I have been profoundly disappointed," he said. "Some of our major concepts have not been accepted, but time has not changed my advocacy of them.

"I still heartily yearn for the nationalization of the steel industry, for example. In fact, I'm for public ownership of all natural resources. They belong to all the people and should not be for the private enrichment of the few."

Mr. Thomas summed up his alternative to capitalism as "the cooperative commonwealth." Its main features were public ownership and democratic control of the basic means of production as well as long-range economic planning.

Toward the end of his life, he was asked what he thought he had achieved. He replied:

"I suppose it is an achievement to live to my age and feel that one has kept the faith, or tried to. It is an achievement to be able to sleep at night with reasonable satisfaction.

"It is an achievement to have had a part, even if it was a minor one, in some of the things that have been accomplished in the field of civil liberty, in the field of better race relations, and the rest of it.

"It is something of an achievement, I think, to keep the idea of Socialism before a rather indifferent or even hostile American public. That's the kind of achievement I have to my credit, if any. As the world counts achievement, I have not got much."—*New York Times, Dec. 20, 1968.*

CALENDAR OF EVENTS, NATIONAL GALLERY OF ART, JANUARY 1969

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, on this first day of legislative business in the House of Representatives it is a pleasure for me to call the attention of my colleagues and the American people to the outstanding calendar of artistic and musical events taking place in the National Gallery of Art during the month of January.

We in Congress are proud of the progress and the success of the National Gallery of Art, and recognize its continuing contribution to culture and the arts in our National Capital. We are grateful as well for the dedication and the fine work of Mr. John Walker, Director of the National Gallery, and his capable staff. We wish them well in the new year of 1969.

CALENDAR OF EVENTS, NATIONAL GALLERY OF ART, JANUARY 1969

RECENT ACQUISITION

On view this month in Gallery 57 is *Interior of Saint Peter's, Rome* by the Italian master Giovanni Paolo Panini (1691/92–1765). It enters the collection through the Ailsa Mellon Bruce Fund.

This view of Saint Peter's was one of Panini's favorite subjects, for he painted the scene a number of times. It shows the arrival of Cardinal Melchior de Polignac, who was French Ambassador at the Vatican from 1724 to 1732. However, this large canvas (60¾ x 77½ in.) must have been painted later, at some time between 1746 and 1754, for Panini's view keeps abreast of additions made to Saint Peter's between those years. In this version the artist included, above the second door in the right aisle of Saint Peter's, the sarcophagus of Innocent XII, showing figures of Charity and Justice added in 1746, but he did not show statues placed in the nave by Pope Benedict XIV in 1754.

Panini was exceptionally skilled in solving problems of complex perspective views such as this. As in his *Interior of the Pantheon*, which is also in the National Gallery, he utilizes a vast interior as a stage set for diminutive, elegantly dressed people, who heighten the sense of monumental space.

WILLIAM SIDNEY MOUNT

Continuing in the Central Gallery through January 5 is the centennial exhibition *Painter of Rural America: William Sidney Mount, 1807–1868*. A catalogue by Alfred V. Frankenstein includes many of the Long Island artist's observations and notes. 10½'' x 8'', 72 pages, 8 color plates, 55 black-and-white illustrations. $2.75 postpaid.

J. M. W. TURNER

On the Main Floor is an exhibition of 16 paintings by Joseph Mallord William Turner from the extensive British collection of Mr. and Mrs. Paul Mellon. A catalogue is available with introduction by John Walker and text by Ross Watson, 10'' x 7½'', 32 pages, 16 black-and-white illustrations. $2.75 postpaid.

INAUGURAL WEEK CONCERT

In honor of the inauguration of the President and Vice President of the United States, the National Gallery Orchestra with The Festival Chorus and soloists, conducted by Richard Bales, will perform Mr. Bales' composition *The Republic* on Sunday, January 19 at 8 p.m. in the East Garden Court.

NEW REPRODUCTIONS

Color Postcards: Altdorfer, *The Fall of Man;* Fra Angelico and Fra Filippo Lippi, *The Adoration of the Magi;* Botticelli, *The Adoration of the Magi;* Lucas Cranach the Elder, *Portrait of a Man;* Ghirlandaio, *Madonna and Child;* Giovanni di Paolo, *The Adoration of the Magi*. 5¢ each postpaid.

FILM SHOWINGS

The recent NBC-Television film *American Profile: The National Gallery of Art* is shown in the auditorium each Saturday at 2:00 p.m.

RECORDED TOURS

The Director's Tour. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25¢.

GALLERY HOURS

Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs. The Gallery is closed New Year's Day. There will be no educational services Inauguration Day, Monday, January 20.

CAFETERIA HOURS

Weekdays, Luncheon Service 11 a.m. to 2 p.m.; Snack Service 2 p.m. to 4 p.m. Sundays, Dinner Service 2 p.m. to 7 p.m.

MONDAY, DECEMBER 30, THROUGH SUNDAY, JANUARY 5

*Painting of the week: El Greco. *Christ Cleansing the Temple* (Samuel H. Kress Collection). Gallery 30. Tues. and Thurs. through Sat. 12:00 & 2:00. Sun. 3:30 & 6:00.

Tour of the week: *The William Sidney Mount Exhibition*. Central Gallery (repeated from Dec. 3–8, 1968). Tues., and Thurs. through Sat. 1:00; Sun. 2:30.

Tour: Introduction to the Collection. *Rotunda*. Mon., Tues., and Thurs. through Sat. 11:00 & 3:00 Sun. 5:00.

Sunday lecture: *Degas and History Painting. Guest Speaker:* Theodore Reff, Professor of Art History, Columbia University, New York City. Lecture Hall 4:00.

Sunday concert: National Gallery Orchestra, Richard Bales, *Conductor*. East Garden Court 8:00.

MONDAY, JANUARY 6, THROUGH SUNDAY, JANUARY 12

*Painting of the week: Master of the Saint Lucy Legend. *Mary, Queen of Heaven* (Samuel H. Kress Collection). Gallery 35. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Decorative Arts: Medieval and Renaissance*. Rotunda. Tues. through Sat. 1:00; Sun. 2:30.

Tour: Introduction to the Collection. *Rotunda*. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *The Image of Christ in the Middle Ages. Guest Speaker:* James D. Breckenridge, Chairman, Department of Art, Northwestern University, Evanston, Lecture Hall 4:00

Sunday concert: Sanford Allen, *Violinist*. Paul Jacobs, *Pianist*. East Garden Court 8:00.

MONDAY, JANUARY 13, THROUGH SUNDAY JANUARY 19

*Painting of the week: Raphael. *The Niccolini-Cowper Madonna* (Andrew Mellon Collection), Gallery 8. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Decorative Arts: Louis XV and Louis XVI*. Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: Introduction to the Collection. *Rotunda*. Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Carl Gustaf as a Collector of Drawings. Guest Speaker:* Per Bjurström, Curator of Prints and Drawings, Nationalmuseum, Stockholm, Lecture Hall 4:00.

Sunday concert: National Gallery Orchestra, Richard Bales, *Conductor* with Soloists and Chorus, East Garden Court 8:00.

MONDAY, JANUARY 20, THROUGH SUNDAY, JANUARY 26

*Painting of the week: Van Gogh. *La Mousmé* (Chester Dale Collection), Gallery 86. Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *The J. M. W. Turner Exhibition*. Rotunda (repeated from Nov. 12–17, 1968). Tues. through Sat. 1:00; Sun. 2:30.

Tour: Introduction to the Collection. *Rotunda*. Tues. through Sat: 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Romatic Elements in Late Impressionism—Monet and Guillaumin. Guest Speaker:* Christopher Gray, Professor of Fine Arts, The Johns Hopkins University, Baltimore, Lecture Hall 4:00.

Sunday concert: Francis Brancaleone, *Pianist*, East Garden Court, 8:00.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737–4215, ext. 272.

*11'' x 14'' reproductions with texts for sale this week—15c each. (If mailed, 25c each.)

WHAT'S NEW ON THE TELLY?

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. PODELL. Mr. Speaker, there was a remarkable program on television the night of Wednesday, December 11, 1968, entitled "Mr. Nixon Presents." Normally, the American people prefer to take their television reviews with their morning cereal, and by that standard it may be rather late in the game to review a performance put on several weeks ago. On the other hand, "Mr. Nixon Presents" was a showing of such transcendental significance that it fully merits further review, at least from the perspective of passing days.

From the standpoint of the usual, objective criteria, which are the sine qua non of the television industry, "Mr. Nixon Presents" was a smash hit. Audience surveys made by the National Arbitron cross-country phone poll indicate that the program attracted somewhere between 50 and 60 million American viewers. The Nielsen ratings report that "Mr. Nixon Presents" did far better than a basketball game and a replay of a boxing tournament shown on competitive channels.

Regrettably, the artistic qualities of the production did not measure up to the success it achieved in the ratings. Its artistic imperfections stem in part from the inability of the producer to resolve a schizophrenic ambivalence as to whether to exploit the television medium's commercial or entertainment potential. The inevitable consequence of this bifurcated approach was an overly long commercial and entertainment flatter than yesterday's champagne. In fact, the program fell just short of creating a crisis at the Federal Communications Commission over the pre-emption of prime television time for commercial purposes. Part of the problem faced by the producer was that the program was oversold. It was very much as if Ed Sullivan announced a forthcoming telecast featuring the world's 12 greatest performers, and then proceeded to verbalize their skills and virtuosities.

Under the circumstances, the illustrious 12 did remarkably well. Clearly they are all solid graduates of the Stanislavsky School of Method Acting. Their characterization of imperturbability and inscrutability was exemplary and must have roused the envy of Dean Rusk. The excellence of that characterization was marred only by the weight watchers among the group, who noticeably winced when Mr. Nixon pointedly pointed to their extra dimensions.

It is also regrettable that Mr. Nixon leaned more heavily on the modalities of Cabinet making rather than on the somatic qualities of the end product. In announcing the appointment of Gov. Walter Joseph Hickel of Alaska as our new Secretary of the Interior, President-elect Nixon referred to the hoary tradition of appointing a westener to that office and pointed out that Alaska is even wester than Hawaii. I suggest, Mr. Speaker, that this is stretching extremism to its outermost limit. Indeed, had Mr. Nixon searched just a few leagues wester our Secretary of the Interior might have turned out to be a citizen of Kichighinsk. Nor is there anything in the history of the United States that validates the presupposition that anyone who is wester than anybody is simultaneously and necessarily more interior than anybody.

The new line of Cabinet offered to the public by Mr. Nixon features the "extra dimension," whose principal point of departure from traditional Cabinet making seems to be the interchangeability of parts. As explained by Mr. Nixon, that means that his Secretary of State, for example, could fill the office of the Attorney General with equal dimentional extraneousness. Only time will tell whether a Cabinet so designed and so constructed can long endure.

And only time will tell whether "Mr. Nixon Presents" will have the enduring qualities of "Bewitched" or "Petticoat Junction." That in turn will depend upon whether Mr. Nixon can make Washington as exciting a town as Hooterville.

VITAMIN AND FOOD SUPPLEMENT AMENDMENT OF 1969

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, I am pleased to join in the sponsorship of legislation designed to curb a proposed ruling by the Food and Drug Administration on vitamins.

The regulations proposed by FDA would impose excessive restraints on consumers by forcing them to get prescriptions for vitamins and would make it difficult for millions to obtain food supplements. This would hit hardest at senior citizens with fixed or limited incomes and many small businesmen. All manufacturers would be required to make practically the same product with the same limited selections of ingredients, with the same label. Thus, competition would be eliminated, and producers prohibited from improving their products based on results of their own research.

This legislation seeks to amend the Federal Food, Drug, and Cosmetic Act to limit the authority of the Secretary of Health, Education, and Welfare in administering the act as it relates to the potency, number, combination, amount or variety of any synthetic or natural vitamin, mineral, substance or ingredient of any food supplement which is not shown to be injurious to health. FDA orders for warning labels also would be barred under such circumstances.

Unnecessary governmental controls should be avoided when possible. I have not yet been convinced that freedom of choice should be curtailed in this area.

ARRIVAL OF AIRPORTER TRAIN HAILED

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. MOORHEAD. Mr. Speaker, all of us concerned with rapid transit must salute Cleveland for taking the lead in solving the airport access problem which plagues all of our major airports.

On November 15 she became the first city to have a rapid transit line linking the airport with the city's downtown area—thus providing her commuters with the essentials of fast travel, all-weather reliability, and freedom from traffic congestion.

All eyes will be on Cleveland to see how the system works, and I am hopeful other cities will follow her example in solving commuter clogging—but one of the many problems we must meet in connection with today's airport crisis.

The Newsletter for the Institute for Rapid Transit, December 1968, discusses the Cleveland system, which I include for the attention of my colleagues at this point in the RECORD:

CLEVELAND OPENS FIRST AIRPORT RAPID TRANSIT

The nation's first rapid transit line linking a major airport directly with a city's downtown area was dedicated November 15 when more than 500 governmental officials, civic leaders and transportation experts took the inaugural ride on a four-car Airporter train from Hopkins International Airport to downtown Cleveland.

The dedication ceremonies, which also included a large civic luncheon, marked the completion of a two-year, $18,600,000 construction project that is expected to set a pattern for the application of rapid transit as the ground-travel answer in major cities to the jet age.

Cleveland's new rapid transit service to the airport was placed into effect for the public on November 21. The start of regular service was delayed for about a week while storm damage to electrical cables was being repaired.

For the first three weekdays, the Cleveland Transit system reported that passengers boarding at the new Airport rapid transit station ranged from 1,760 to 2,211. The count of passengers boarding at the new Puritas station on the airport extension ranged from 1,742 to 2,313. These figures were for the inbound direction and did not include riders arriving at these two locations. On Saturday, November 23, the number of passengers boarding at the Airport station was 2,848, and on Sunday, November 24, this total was 3,590. It was estimated that about half of the Sunday passengers boarding at the airport were sightseers.

The new service was made possible by the construction of a four-mile rapid transit extension at a cost of $18,600,000. Of the total cost, $12,334,000, or two-thirds, was provided by the federal government under the Urban Mass Transportation Act. The one-third local matching fund consisted of $5,041,000 provided by Cuyahoga county and $1,250,000 by the City of Cleveland.

For the new airport service, the Cleveland Transit System purchased 20 air-conditioned, stainless steel Airporter rapid transit cars from the Pullman-Standard Division of Pullman, Inc. Involved in the building by Pullman-Standard of the cars were 18 major suppliers of equipment in the rapid transit industry.

SECRETARY BOYD ADDRESSES LUNCHEON

The historic significance of Cleveland's pioneering rapid transit service to the airport was pointed up by Secretary Alan S. Boyd of the Department of Transportation, who was the principal speaker at the dedication luncheon in the Sheraton-Cleveland Hotel.

Secretary Boyd said in part:

"We are celebrating—in its simplest terms—the mating of the subway with the airplane. I am sure there will be—as there is in every venture of this sort, whether technological or human—certain mating problems. I am equally sure, however, the union will be lasting and fruitful.

"The problem of sufficient airport access capacity is plaguing every major airport in the world. The line of cars waiting to get to Chicago's O'Hare Airport stretched five miles in last year's pre-Thanksgiving rush. Los Angeles' International Airport had to go on the air every hour prior to last Christmas to warn of the parking space shortage. Air traffic controllers trying to get to work at Miami International were stalled in line for two and one-half hours trying to get from the entrance to the terminal.

"And yet, Cleveland is the first—and to date the only—city to provide a direct rapid transit line for its airport travelers. I congratulate you for your wisdom and foresight.

"The dividends from this joining of the airport to the rapid transit system will be obvious and immediate. And these benefits will not be limited to air travelers. Certainly, the commuters living along the new line will benefit, but everybody in Cleveland will aso benefit.

"The fact is today's metropolitan airport is a major generator of surface traffic. Airport traffic is not an isolated phenomenon. It is part of the urban transportation system. This was dramatically demonstrated in some recent studies of ground traffic arriving at Kennedy International. The results of these studies are of pertinence to us here today. We learned, for example, that less than one-third of those traveling to Kennedy are air travelers. Visitors constitute a larger number. But the single largest category of daily surface travelers to Kennedy are airport employes. I have no doubt that roughly the same proportions prevail here. The moving of some of this traffic to the rapid transit will ease the jam on many of your highways.

"The value of the new (rapid transit) extension will grow with the increased use of

Hopkins Airport," Secretary Boyd emphasized. "I cannot but think—looking ahead—that rapid transit is probably the only sound answer to the problem that will be coming with the arrival in service of the giant Boeing 747. This airliner with a capacity of upwards of 350 passengers will move into commercial service at the end of next year. Two of these giant passenger planes arriving at Hopkins about the same time would, without transit, require some combination of 250 taxis and/or 700 private cars. Add these to the normal 5:30 p.m. airport traffic jam, and then add both to the normal evening commuter traffic and you will quickly see the advantages of this new transit line."

FAST SERVICE AT 10-MINUTE INTERVALS

E. C. Krueger, General Manager of the Cleveland Transit System, explained that the new Airporter rapid transit trains are scheduled to operate at 10-minute intervals and to make the run of 11 miles between the airport and the Union Terminal in the city's downtown in 20 minutes. In addition, the Airporter trains, along with other rapid transit trains, also operate for eight miles east from the downtown area to serve several major suburbs in that area.

In addition to the advantages of fast travel, all-weather reliability and freedom from street traffic congestion, the new rapid transit extension to the airport also provides riders with a substantial saving in travel costs. A ride on the Airporter rapid transit trains costs 35 cents, as compared with $6 for a taxi or $1.60 for an airport limousine.

The four-mile extension to the airport includes five bridges, two on-line stations, a 1,600-foot subway into the airport, and the airport station, the latter of which is adjacent to the main entrance of the airport terminal building. A pedestrian tunnel, 110 feet long, connects the airport station to the terminal building.

EXTENSION ALSO IMPORTANT TO COMMUTERS

In addition to serving the air traveler, the new extension is designed to provide suburban commuters living along the new line the same fast, safe and convenient rapid transit service that has been available to the east and near-west suburbs for several years. Of significance to these commuters is the large number of free parking spaces being provided by the Cleveland Transit System at the two new stations—Puritas and Brookpark. One of the two new on-line stations, Puritas, has opened with the start of the airport service, and has provided an additional 1,250 free parking spaces. The other new station, Brookpark, is to be opened early in the new year, with also 1,250 additional free parking spaces. The two new stations will bring the total of parking spaces along the CTS rapid transit route to 7,500. Both stations also are being provided with extensive "kiss-'n'-ride" and "bus-'n'-ride" facilities.

THE AIRPORTER RAPID TRANSIT CARS

The Airporter rapid transit cars, which cost $175,000 each, are 70 feet long, and seat 80 persons. They have fluorescent lighting, special luggage racks at the doors near the ends of the car, wide seats, tinted windows, and an unusual concept of heating and cooling through window sill vents. Each of the Airporter cars is powered by four 100-horsepower traction motors made by General Electric Company.

Other major suppliers of equipment used in the construction by Pullman-Standard of the cars were: stainless steel—Republic Steel Corporation and United States Steel Corporation; trucks—LFM-Atchison, division of Rockwell Manufacturing Company; braking control—Westinghouse Air Brake Company; brake units—American Steel Foundaries; lighting fixtures—Luminator, Inc.; air-conditioning—Safety Electric Equipment Corporation; door engine and control system—Vapor Corporation; couplers—Westinghouse Air Brake Company; batteries—Exide-E.S.B., Inc., passenger seats—Flexible Company; temperature controls—Vapor Corporation; pantograph—August Stemmann, OHG; glass—Corning Glass Works; public address system—Hamilton Electronics; wheels—Griffin Wheel Company; journal bearings—Timken Roller Bearing Company, and cab signal system—General Railway Signal Company.

AIRPORTER CARS HAVE CAB SIGNALS

The new cab signals basically represent an automatic block system which brings the signal into the cab of each train rather than having it along the right-of-way. It also continuously informs the motorman of the speed to which he is restricted by the train operating ahead. The cab signaling is operated by the use of audio frequency signals transmitted from trackside equipment and picked up by equipment on the train. These signals are translated into audible and visual signals seen by the motorman on the cab signal or speedometer indicators.

A beeping alarm is sounded whenever a signal indicator changes to a more restrictive indication or whenever the speed of the train exceeds the maximum allowed speed. When the alarm sounds, the motorman has 2½ seconds to respond or the train will be stopped automatically.

At present, the new signal control system is in use over the new extension west of West Park station, on track 9 in the Union Terminal, and on tracks 1 and 2 at the Windermere station. Eventually, the entire CTS rapid transit line will be equipped with the new cab signal system.

INTRODUCES FIRST POST-WAR RAPID TRANSIT

Cleveland introduced the country's first post-war rapid transit service March 15, 1955, when it opened a 7.84-mile route from Windermere station at Doan and Euclid Avenue in East Cleveland to the downtown Union Terminal. Five months later a 5.24-mile West Side route was opened to W. 117th Street and Madison Avenue N.W. Rapid transit was extended to W. 143rd Street and Loraine Avenue, 1.84 miles, on November 15, 1958. The new extension to the airport is to the southwest from 143rd and Loraine.

The rapid transit route of the Cleveland Transit System now is a single line stretching 19 miles along private right-of-way from East Cleveland to the airport in an S-shaped curve that takes it through downtown. Seventeen stations, about a mile apart, dot the route. Half have special adjacent off-street bus terminals for sheltered connections, plus the free parking for CTS riders.

Since 1960, the CTS has been making engineering and feasibility studies for rapid transit extensions south to Parma, southeast to Maple Heights, east to Cleveland Heights, and northeast to Euclid. Combined with a proposed downtown subway, these proposals are expected to cost more than $200 million.

SAFETY AT PROCTER & GAMBLE

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. WINN. Mr. Speaker, last September I was pleased to attend a celebration by the employees of Procter & Gamble's Kansas City, Kans., soap and detergent plant on their surpassing a 12-year safety record in the industry.

The October issue of Moonbeams, Procter & Gamble's employee magazine, contains a description of the event, which I include at this point in the RECORD:

There was joy in Kansas City, Kans., on Friday, Sept. 27.

It was the day when hundreds of Kansas City employees gleefully celebrated reaching a new milestone in industrial safety, having worked 4,000,000 consecutive manhours without a lost-time accident. Kansas City employees haven't had a disabling injury on the job since Jan. 17, 1966.

The achievement surpassed the old world's record in the soap and glycerine industry of 3,979,469 manhours, set by P&G's Long Beach plant in 1956.

A celebration was held at our Kansas City plant Sept. 27, commemorating the event. It was attended by some 500 employees, officials and guests, including National Safety Council President Howard C. Pyle, who presented NSC's highest award—the Award of Honor—to Kansas City Plant Manager V. M. Husty; Kansas City, Kans., Mayor Joseph H. McDowell; U.S. Representative from Kansas Larry Winn; and C. C. J. Forge, Manager of Manufacturing for P&G's Packaged Soap and Detergent Division.

For the plant's outstanding safety achievement, the Company presented each Kansas City employee with a Pendleton Stadium Robe. Plant safety committeemen Charles Colby and W. E. Fowlkes accepted the gift robes at the ceremony in behalf of the Kansas City employees.

Back in 1961 Kansas City made another serious "run" at Long Beach's world's record, only to see its effort fall short at 3,177,000 manhours. Their previous highs were 2,351,213 manhours, set in 1952, and 2,094,189 manhours, set in 1963.

Kansas City employees take great pride in their new safety achievement, not only because it is a record-shattering performance, but more importantly, because it means that not a single employee has suffered any kind of a serious lost-time injury at work during this period. It is a feat which every P&G employee and plant can look up to in the years ahead.

ROGERS CALLS FOR HEARINGS ON AIR HIJACKS, SUGGESTS CUBAN AIR EMBARGO

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. ROGERS of Florida. Mr. Speaker, during the past year there have been more than 20 hijackings or attempted hijackings of American planes to Cuba. This problem has continued to grow although the FAA and airlines have tried various means of halting this air piracy.

To date, we have tried to develop various detection devices which will catch potential hijackers. But as long as there is sanctuary in Cuba, a determined hijacker will find a way.

I have asked the Honorable HARLEY STAGGERS, chairman of the House Interstate and Foreign Commerce Committee, to open hearings on the problem of hijacking in order to air all possible solutions, including the possibility of establishing an air embargo of Cuba.

If air carriers and their governments could reach an agreement not to service Cuba or allow Cuban planes to use air facilities of their countries when there are hijackers being given sanctuary in Cuba, I think it might have an effect on the Cuban Government to return hijackers.

We have seen nearly 40 planes pirated to Cuba. I feel that hearings will allow us to examine all forms of preventive and punitive measures which could result in a solution to the problem.

REFORMING THE INTERNATIONAL MONETARY SYSTEM

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. REUSS. Mr. Speaker, the events of recent months have once again demonstrated the vulnerability of the international monetary system and the need for reform.

Last September, the Joint Economic Committee's Subcommittee on International Exchange and Payments published a report "Next Steps in International Monetary Reform." The recommendations contained therein received the unanimous support of the subcommittee members:

First. In order to expand the supply of internationally acceptable reserve-assets, we urged early ratification of the Special Drawing Rights Amendment to the IMF Articles of Agreement and the distribution of SDR's as soon as possible.

Second. We endorsed the March 1968, Washington agreement that established the two-tier gold price system and insisted that the official price of gold remain unchanged. To guarantee the reserve-asset value of existing official gold stocks, we recommended that gold reserves be deposited or earmarked with the IMF.

Third. To guarantee the value of outstanding currency reserves, we suggested that these also be deposited or earmarked with the IMF.

Fourth. To help prevent continuing payments surpluses or deficits, we proposed a modest relaxation of the legal constraints that limit variations in exchange rates.

Since the publication of our report, support for its recommendations has grown. Perhaps much of this support is in reaction to the franc-mark crisis that occurred subsequently. I call attention to an editorial that appeared in the December 28 issue of Business Week. Point by point, it is in conformity with the recommendations of our subcommittee. Specifically, it advocates the expansion of international liquidity through distribution of SDRs; opposes any change in the price of gold; supports pooling of both gold and dollar reserves; and, urges study of greater exchange rate variability, either through widening of the band within which rates are allowed to fluctuate or through small, gradual changes in par values.

The text of the Business Week editorial follows:

[From the Business Week, December 28, 1968]

A Cure for the World's Monetary Ills

Treasury Secretary-designate David M. Kennedy has put the world on notice that the Nixon Administration will give the highest priority to improving the international monetary system, in order to ward off the dangers of future crises, chaos, and a splitting up of the existing structure of liberal trade into protectionist nations or blocs of nations.

As though to prove how dangerous the present situation is, Kennedy's own remarks that the new Administration wanted to "keep every option open" when it comes to the international monetary system set off a brief burst of speculation and a quick runup in the price of gold. The fact is that the state of international monetary markets today can be compared to that in a gassy coal mine, where anything—a spark from a digging machine or a carelessly lighted cigarette—can touch off an explosion.

It is impossible to know exactly what will cause the next monetary explosion, or how serious it will be. But what we do know is that we have had crisis after crisis—involving the pound, the dollar, the franc, and the mark in just the past year—and that the system is ripe for another crisis at any time. The spark that touches it off can come from anywhere—demonstrations by French students, strikes by British workers, or too frank a remark by a U.S. official. Since it is impossible to eliminate the possibility of shocks or accidents, it is urgent to strengthen the system's ability to absorb them.

The trouble with the world monetary system is basically threefold:

All of the major industrial nations are inflation-prone—but in varying degrees. This means that, as one nation inflates or grows faster than others, the fixed exchange rates between currencies are constantly getting out of whack. With their political commitment to full employment, most nations are unwilling to take the deflationary steps that will put their prices and costs back in line, and thus validate the existing exchange rate.

The alterantive to deflationary moves to correct balance-of-payments deficits would be for nations to change their exchange rates. But the Bretton Woods system, with fixed rates, makes this impossible—until a nation is in "fundamental disequilibrium." In fact, major nations fight like tigers, as a matter of both national honor and in response to pressure groups, not to devalue or upvalue their currencies. Hence, maladjustments among currencies grow worse over time—until a real crisis is in the making, because speculators sense that a huge revaluation must lie ahead.

With all its faults, the system worked well for many years following World War II—because the U.S. was able to cushion the adjustment problem, both by feeding huge reserves of gold and foreign exchange to the rest of the world and by permitting other countries to devalue against the dollar. But that period came to an end with depletion of U.S. gold stocks and the worsening of the U.S. trade and payments position.

THE CHANGES NEEDED

The future growth of the world economy demands a reconciliation of domestic and international economic aims. This is the critical task to which the new Administration must direct its efforts. The chief measures that must be taken must be designed to attack each of the three problems that afflict the existing system:

The U.S., which is the center of the world monetary system, must curb its own inflation and get its balance of payments under better control. Given the risks of causing a deep recession, which would be seriously destabilizing, and given U.S. world responsibilities, this cannot be an overnight achievement. But it is one we must steadily pursue.

The present exchange rate mechanism needs change. A floating exchange rate system would only aggravate instability, but there might be some widening of the band around existing exchange rate parties; for instance, the band might be widened from 1%to 2%. In addition, serious study should be given to small, year-by-year changes in the rate at which a nation's currency is pegged. For instance, if a currency stays at the bottom of its band for most of a year, the peg might be moved down to that level—say by 2%—at the end of the year. This would give no reward to speculators, but, over time, would avoid serious imbalance among nations.

The reserves in the monetary system should be increased. But this should not be done by changing the price of gold; that would not only reward speculators but, more seriously, it would make the system more unstable and inflationary, and it would give a crushing blow to confidence in the dollar and all currencies. Instead, the new Administration should press hard for the addition of special drawing rights and the pooling of national reserves, including both gold and dollars.

Secretary-designate Kennedy has discovered that, where the Johnson Administration suffered from a credibility gap, he may be hurt by a veracity glut. He should now reaffirm his long-held determination to keep gold at its present price; he will be believed as soon as he can disclose a well-conceived plan that will make a gold price change the least likely option.

UNDERSTANDING: THE KEY TO BUSINESS-GOVERNMENT COOPERATION

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. FEIGHAN. Mr. Speaker, on December 12, 1968, Mr. James M. Roche, chairman of General Motors Corp., addressed the annual meeting of the Illinois Manufacturers Association. The keynote of his remarks is the need for better understanding that will lead to a more constructive relationship between Government and business. In my opinion Mr. Roche's comments are timely and interesting.

Under leave granted, I herewith insert in the Record the address of Mr. Roche:

Understanding: the Key to Business-Government Cooperation

I count it as a distinct honor to meet with you tonight, to congratulate the Illinois Manufacturers Association upon your 75th Anniversary.

I am always glad to come to your State because it is my State as well. I was born in Elgin, Illinois, and began my business career in this city. Another reason I am glad to come to Illinois is because General Motors' share of passenger car sales is higher here than in any other State. I like to be among people with that kind of discernment.

Organizations such as yours render important service to both the business community and the nation. You provide an effective means for thousands of businessmen to make themselves heard and help shape the patterns of our national life. I am sure all who value the voice of responsible businessmen join me in wishing you many happy returns.

THE TIME OF TRANSITION

We meet today at the midpoint of transition in the American government—halfway between Election Day and Inauguration Day. In Washington and around our country, it is a time of new thinking, of reassessment, of mustering and reviewing the forces of a free society for the challenges of the coming years.

One item on the agenda of reassessment concerns us most directly: the attitude of the new administration and the new Congress toward business. At the same time it would be well for us in the business community to examine *our* attitude toward government. We can explore what we can do to achieve better understanding that will lead to a more constructive relationship between business and government.

These two important segments of our society—perhaps more than any others—will determine the future of the United States. What they do will surely affect the economic well-being of our people, and our country's position as a leader and stabilizer of the world economy.

ALLIES NOT ADVERSARIES

Business and government can ill afford to be adversaries. So mutual are our interests, so formidable are our challenges, that our times demand our strengthened alliance. The success of each largely depends upon the other.

Today, business and government are each becoming more involved in the affairs of the other.

No businessman today—neither the manager of a large corporation nor the corner druggist—can operate without consideration of government restrictions and regulations. A bill passed in a distant capitol can affect his business as much as a drop in sales or a decision made in his front office. S.E.C., F.T.C., H.E.W. are more than letters of the alphabet to the businessman. Their policies and directives, along with the problems of interlocking directorships, taxes, inspections, government standards and guidelines, and legislative hearings are all part of his business. Moreover, the businessman is now encountering new interest—at all levels of government—in the rights of the consumer, in how much the businessman asks for his products and how much he pays his employes.

It is understandable that the businessman should long for a return to simpler days, to the uncomplicated world of buy and sell we used to know. But the clock of history does not turn back. Government involvement in business today is a fact of life and in appropriate amount it is necessary to the nation's progress.

It is important, therefore, that business begin with an understanding of this fact, and cooperate in all areas where cooperation can help further the nation's interest.

There are many areas, however, in which the responsibilities of government and business are better left separate. We both have an obligation to recognize those areas and to respect them.

It is worth noting that business and government are already working together toward national goals. Business is taking a hand in affairs which were once the exclusive province of local, State, or Federal government.

Talk about effective cooperation between business and government is giving way to action. Only recently we have begun to join in efforts to alleviate urban and social ills which bedevil our society and contradict our prosperity. Business is training and hiring the hard-core unemployed, helping to give minorities a better economic break. Business, with government, is helping to restore, renew, and rebuild our cities and our countryside. We work together to shape our national policy, and to fulfill our public purpose. And there is much, much more for us to do together.

As the challenges to our nation intensify and multiply, we can expect—and should encourage—business and government to draw even closer together. Both the business community and our country stand to gain if we work together—if we come together, not as adversaries, but as allies.

After all, we share many common objectives. We both want a flourishing economy and a prosperous citizenry. We both want a better America with more equal justice and broader opportunities. We both want to maintain honesty in the marketplace: government wants it because it is in the best interest of the consumer, and business because its success depends on satisfied customers.

Business and government have an obligation to communicate and exchange views. We must build an atmosphere of mutual trust and confidence, with each respecting the rights and opinions of the other, so that we may make our free competitive system satisfy the legitimate needs of our people. We should not expect that we will always agree. But we can hope to achieve better understanding.

America's high standard of living is in large part a tribute to American business, and we must maintain public confidence in the practices and products of business. We must strike a proper balance between business activities and constructive government programs.

BUILDING FREE ENTERPRISE

There is much business and government can do together. We can build upon three essentials of free enterprise: incentive, a free market, and management efficiency.

Opportunity for profit is the basic incentive of business—and businessmen need make no apology for seeking it. When we earn a profit, we need not be defensive about it. The reward of profit is the prime reason for being in business.

But every businessman knows there are other incentives. We have all felt, for example, the pride of accomplishment, the satisfaction of helping community and country, of providing opportunities for young people and watching them develop, and the continuing excitement of growing, of doing more, of contributing more. Our incentives are to contribute as well as to earn. These incentives of free enterprise—profit and the less tangible rewards—have achieved the best utilization of man's energy and brains. The government can make a great contribution by keeping these incentives as free as possible from cumbersome restrictions.

If such incentives are the carrot of free enterprise, competition in a free market is the stick. A free market is one where goods can be produced and sold competitively, where success is earned on the basis of customer choice—on merit not presumption—and where the ultimate test of a product is that its value to the customer be greater than its cost.

Government can both increase incentive and improve market conditions if it will simplify regulations, eliminate unnecessary restrictions, develop sensible tax laws, and free industry from political harassment. Government must provide a climate of minimum restraint and maximum freedom consistent with the national interest.

Operating in a free market, with incentives business must provide the third essential of free enterprise, management efficiency. Competition for profits in a free market demands a high degree of management skill and efficiency. Management efficiency, in turn, assures more and better products, lower prices, higher wages, and greater profits and dividends—all fundamentals of a healthy, growing economy.

Conversely, no economy nor society can long afford management inefficiency, whether it stems from ineptness, lack of incentive, or unnecessary government interference.

GROWTH IN FREEDOM

The United States was born free, wholly new, a young energetic force in the world. For almost two centuries, we have affirmed the value of freedom. We have grown, in freedom, to international greatness. Our manpower, resources, and technology—combined with a reasonable political climate and a free competitive economic system—have made us the envy of every other country.

Yet, the American concept of free enterprise is sometimes questioned at home and often challenged abroad.

Here at home, some men question if this "old-fashioned" system is still what the better-educated, more sophisticated, more financially sufficient society of today really wants. Or can some other system do a better job?

At the same time, throughout the world, other nations, with other systems, aspire to our affluence. Dreaming of a better world, they seek to raise their standards of living. Some are making substantial economic progress. In the markets of the world, America is aggressively challenged by new, vigorous, determined, and capable competition.

This developing challenge is seen the great growth of imports into the United States. These are in fields where our country was long impregnable, such as steel, automobiles, electronics and electrical equipment. The challenge is also evident in the increasing competition our exports are meeting in world markets. These competitive developments have seriously reduced our favorable balance of trade.

THE VITAL QUESTION

The question upon which depends so much of America's future is this: Can free government and free business—each faithful to its purpose—work together to serve our nation's greater interest. Can we make free enterprise equal to these new challenges?

We can, if we as a people have the will, the unity of purpose, and the determination that has carried our nation through other great challenges.

We must retain what is good in our system, and improve it where possible. We must be ready to throw out what may be bad, but we must take care that we not sacrifice the achievements of almost two centuries of free enterprise. We must not trade proven values for mythical goals—some of which could destroy our system and frustrate the national objectives toward which we aspire.

We businessmen must be prepared to do our part. We start with the firm conviction that free enterprise, not a controlled economy, is our best answer to economic challenge.

We must give freely of our energies, experience, and management skills. We must develop the social awareness and flexibility needed to meet fast-changing situations. Shifting social values and pressures should stimulate—not reduce—our response and summon the finest leadership of which we are capable.

We must bring to the task the same qualities that spell business success—integrity, experience, precision, knowledge, responsibility, honesty, and dedication. There is no short-cut; no slap-dash way. The challenges are not short-term. The stakes are no less than the continued improvement of our standard of living and the preservation of American leadership in the world.

As we approach these tasks, perhaps our greatest need is for understanding. We must develop more effective communication among all segments of our society between labor and management, teachers and parents, business and the consumer, and—in the area that concerns us tonight—between government and business.

UNDERSTANDING—THE KEY TO COOPERATION

The key to cooperation is understanding—of business by government and government by business. In some respects, the two come together as virtual strangers. And not without reason. American businessmen have grown up in a tradition of non-interference, a tradition now undergoing scrutiny and change.

Once it was not unusual for a government official to take office with a good knowledge of business, often drawn from his own experience. Today young men select their fields early in life and pursue increasingly narrow, more specialized careers in government or in business. With different standards of success, those in one field tend to grow more apart from those in the other.

Misunderstanding is an inevitable consequence of separateness. And many areas of misunderstanding stand between government and business. Tonight, I would mention two examples. One is the imperfect understanding and consequent distrust of bigness in business. The other is the assumption that productivity advance is automatic and a sure-fire corrective for policies which produce inflation.

THE BUGABOO OF BIGNESS

Bigness—per se—is not bad, as some would have us think. On the contrary, it is constructive and has made possible much of our national economic progress.

We are a big country. We live in a big world. We have big government, big unions, and big business. But some people seem to talk most about—and worry most about—the bigness of business.

Many who deplore the bigness of business mistake economic competition for the predatory life of the jungle, where the big grow bigger as the small grow fewer. This is not the case. The growth of big business has not occurred at the expense of small businesses. As the head of the Small Business Administration has pointed out, a century ago about 300,000 businesses—nearly all small by today's standards—served a population of 29 million. Today 4.8 million serve a population of 200 million. So, while population has grown sevenfold, the number of businesses has multiplied 16 times.

Big and small businesses are mutually dependent. The critics of bigness forget this, overlooking that the big company is also a big customer. General Motors, for example, spends nearly half of its income for the goods and services of more than 37,000 smaller businesses—over three-quarters of whom employ fewer than 100 people. Then, to sell its products, General Motors depends on tens of thousands of additional small businesses—on 14,000 vehicle dealerships and 128,000 other retail outlets.

Big and small business aid and support each other to the benefit of the nation's economy and the individual customer. Small business is frequently the source of new products and new methods. Small business offers imaginative entrepreneurs a range of opportunity for individual initiative. And small business is well able to offer the personal service, special attention, and flexible operation required to meet the increasingly varied demands of the consumer.

BIGNESS AND COMPETITION

Moreover, bigness is often misunderstood as prima facie evidence of monopoly power. But the proof of monopoly is not the size of firms, nor the fewness of firms in an industry. Rather, it is the absence of competition that identifies monopoly.

In the automobile business, for example, competition is the central fact of life. Auto manufacturers compete in product innovations, price, and marketing techniques. The four major domestic companies offer 382 models, and foreign companies offer scores more in the American market.

Yet even the smallest automobile manufacturer is a big company. Automobiles, because of their sheer size and complexity need large capital investments if they are to be produced in the volume essential to low cost. Their design demands large research and development organizations. Their manufacture calls for extensive facilities and large and skilled labor forces. Their sale and servicing requires a nationwide network of showrooms, service centers, and parts warehouses.

Big companies also exist in many other fields that are highly competitive. In Illinois alone are headquartered 57 of the 500 largest industrial corporations in America. You can be proud of the important contributions they have made to our nation's economic growth.

Those who decry the bigness of private industry fail to consider the unwelcome alternatives.

When government takes over an industry, responsibility only shifts to other hands, to managers bound by political strings and slow to respond to consumer needs. Or when a number of smaller companies are artificially sustained in business, prices tend to rise and value to the consumer drops.

The glum prophets of doom have always predicted—and some still do—that the growth of corporate business must inevitably lead to a massive takeover of power. They envision our country transformed into a corporate state, where the private corporation is dominant. Nothing could be further from the truth. If you question this, just ask some of us who are asked to "visit Washington" regularly.

Both the bigness in American business and the progress of our economy result from our historic freedom to compete. The company that does the best job gives progress to our country. And the people, in turn, by buying its products, give the company its size. America must always have a place for big business if our country is to compete successfully in the widening markets of the world.

PRODUCTIVITY, WAGES AND PRICES

In addition to the myth of dangerous bigness, there is also serious misunderstanding of the concept of productivity and how it applies to wages and prices.

Productivity is a popular word at the bargaining table. And it has a place there. In fact, twenty years ago, General Motors helped give historic recognition to the truth that continuing technological improvement is essential to the progress of all. In 1948, for the first time, our union agreements had a provision for relating wage improvement to the increasing productivity of the country as a whole.

Expanding markets, efficient management, and technological innovation have helped American industry achieve a startling increase in productivity.

But, unfortunately, many people have come to take annual productivity increases for granted, to accept them with the certainty of Christmas coming every December. Surely, the popular logic goes, since productivity never fails to go up every year, a company can afford to lower its prices, or increase its wages, or both.

But popular logic fails to remember that the much-discussed annual gain in productivity is only an average. In some years, there is a higher productivity gain throughout the economy; in other years productivity falls short. Some industries achieve more, but others less.

In any case, a fixed increase—whether 3.2% or 2.8% or whatever figure you want to use—is only an average. Much like the size of the average family, 3.7 persons, it is a figure so exact that no parent has ever been able to achieve it. The three is easy. It is that seven-tenths of a person that is hard.

THE ELUSIVE OBJECTIVE

An annual increase in productivity is not automatic, but must be earned, and re-earned, every year. Management each year must take off from a higher base. Each year we must work as hard as we can to be as efficient as we can. Then we must be even more efficient the next year. It is never easy to improve on your best—and do it every year.

Productivity can be adversely affected by many factors: unnecessary work stoppages, resistance to improved technology, low-quality workmanship, absenteeism and poor employe morale—just to mention a few.

Moreover, increased productivity is predicated, not on speed-up, but upon the expectation of a fair day's work from every employe. The objective of technological improvement is to increase the output of the labor force while still maintaining the principle of a fair day's work from every employe.

The illusion that the annual increase in productivity is automatic underlies many hasty and hostile reactions to wage and price decisions.

We cannot have balanced economic growth if inflation is allowed to continue at its current rate. Price stability, equitable wages, and technological innovation are essential to continued economic progress. Our nation enjoyed remarkable growth from 1961 through 1964, with good balance between wages and productivity. But imbalance since then, combined with excessive growth in demand, have produced the inflationary tendencies which now imperil our economy. We have seen our world balance of trade deteriorate in the past few years as we have priced ourselves out of competition in many different lines. We cannot eliminate our balance-of-payments problem, nor long preserve the value of the dollar, unless we balance wages with productivity.

We must find ways to draw the public's attention to excessive wage demands and their implications on prices as vigorously as price changes are emphasized. And we must do so before the fact—not after the wage contract is signed, and its impact on prices becomes inevitable.

These two myths—of increased productivity that is automatic and bigness that is dangerous—are typical of the misunderstandings that better communication can clear up as government and business work more closely together.

THE TASK WE FACE TOGETHER

The constant objective of our concerted efforts should be to protect and preserve the system of free enterprise that is the distinctive hallmark of our national economic life.

Our American system—the profit system, or free enterprise, or capitalism, call it what you will—has produced a far better social product than any other system the world has ever known. It has not achieved a perfect social order, but our constant mission as Americans is to improve it, not to weaken it. History has cast us as builders and not destroyers.

Management's obligation to its stockholders is, of course, clear and primary. Those who own a business expect to earn a profit on their investment. But profits and progress do not compete. Rather, each produces the other.

Mismanaged industry can neither make a profit nor build a nation. Profit provides the funds for growth and progress; growth that in America has underwritten our unmatched system of individual security, opportunity and dignity.

So governments' concern with social progress finds an ally, not an adversary, in business. The job of business is to provide the consumer with goods and services at the lowest economic cost. To do this, business innovates, it grows, it creates more economic opportunities. In short, it gives progress to the nation.

Government can and should promote a better business climate—not for the sake of the businessman, not for the sake of the stockholder, nor the worker, nor even the consumer—but for the sake of the nation as a whole. Business wants a better understanding with government, and will continue to work cooperatively to assure our continued progress as a nation.

Americans must always be free to criticize. Criticize, yes, that is our right. But serve also, that is our duty.

A PART FOR EACH, A PART FOR ALL

The better America we must help build summons from each of us a dedication, a compassion, an effort, and a sacrifice. Every American must try to serve by involving himself in the daily work of our society. We must make sure that the legacy of our America is not lost or diminished by our inaction, our indifference, our intolerance, or our indolence.

We must be willing to face the hard facts of what we must do. America grew great because its people were characterised by energy and industry. We had a willingness to work—and a determination to earn.

We live in a challenging age where much can be accomplished—and quickly. We must make the most of our opportunities for creative change. Material progress has given us more leisure time, more time to think, to concern ourselves with things outside our own jobs, our own communities.

Perhaps, to some extent, this has stimulated the discontent that is so evident in our world today. More people want to participate, to involve themselves, to shape events with their own hands.

If we are to be creators of constructive change, we need not only to be involved ourselves, but must be aware of what others are doing. We must see for ourselves, come out of isolation.

The means of communication have never been more available. Never have we had more ways and opportunities to assure the continued confidence of our customers, suppliers, employes, stockholders, the public, and government.

IN SERVICE TO FREEDOM

Tonight, we consider what we can do, with government, to preserve free enterprise. We might keep in mind what Edward Gibbon wrote of the people of ancient Athens:

"In the end, more than they wanted freedom, they wanted security. They wanted a comfortable life and they lost it all—security, comfort and freedom. When the Athenians finally wanted not to give to society, but for society to give to them, when the freedom they wished for most was freedom from responsibility, then Athens ceased to be free. . . ."

Let us, by our service to our society, assure that no future historian shall ever write that of America. Rather, let him say that America remained free, free because its people so valued their freedom that they gave themselves fully to its service.

U.S.A. LAND OF OPPORTUNITY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. WYMAN. Mr. Speaker, amidst all the criticism of affairs domestic it is well to remember that the United States of America to the rest of the world is still the golden land of opportunity. While we strive to preserve equal justice under law in better fashion than in some areas prevails in an atmosphere prejudiced by bigotry, and although some among our society seem to prefer anarchy to law and order with justice, the overwhelming majority of American citizens live in freedom with opportunity to improve themselves, their families and their society at every hand.

In this connection I commend the reading of a recent advertisement by the Warner & Swasey Co. appearing in U.S. News & World Report, as follows:

WHAT'S SO WRONG ABOUT AMERICA THAT WE'RE SO FRANTIC TO CHANGE IT?

We have by far the most of the highest paid jobs in the world.

We take better care of our orphans, old people, sick and poor—*far* better care—than almost any other nation on earth.

American housewives, factory and farm workers, have more and better labor-saving devices than workers anywhere else—and as a result live longer and better, and stay younger and healthier.

United States and Canada are among the few places left where anyone who wants can launch any lawful business, and if he is willing to work hard enough, succeed.

Free education through high school and often through college, free elections, unlimited opportunity. What's wrong with all that? Who are these people who scorn it and want to change it—*and to what?*

FIFTY GOVERNORS ARE WRONG

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. RYAN. Mr. Speaker, on December 16, 1968, the Federal Highway Administration held hearings on the regulations which it has proposed for establishing a two-hearing system on location and design of federally financed highways. I strongly supported those regulations at that hearing. As a matter of fact, I have introduced legislation in past Congresses as well as the 91st Congress which would similarly require public hearings.

The need for hearings on highway projects has become increasingly clear during the past few years. Too often the residents of a community in which a highway is to be constructed have been excluded from the decisions affecting its location and design with a resulting adverse effect upon the economic, social, and environmental interests of affected residents.

The Governors of all 50 States of the United States have recorded their opposition to the proposed regulations. Governor after Governor objected to "interference by the Federal Government in 'State highway programs.'" All 50 Governors ignored the fact that the Federal Government presently finances 90 percent of the cost of "State highway programs" in the United States.

I am especially concerned that the Governor of New York State, Nelson Rockefeller, and his commissioner of transportation, John B. McMorran, not only opposed the proposed regulations but urged that New York State Congressmen do so. The Governor's position represents a shocking capitulation to the highway lobby which has been notable for its disregard of human and social values.

I again urge the Secretary of Transportation and the Federal Highway Administration to issue the long overdue regulations, refusing to yield to the combination of State highway officials, highway builders, and the 50 Governors who are wrong as the New York Times expressed it in the following editorial on December 23, 1968.

I also enclose the text of my testimony before the Federal Highway Administration on December 16, 1968.

The material follows:

[From the New York Times, Dec. 23, 1968]

FIFTY GOVERNORS ARE WRONG

Fifty million Frenchmen, as the old adage goes, can't be wrong. But all fifty Governors of these United States can be, especially when their judgment is clouded by greediness to latch onto Federal highway funds.

The National Governors' Conference—a conclave of mansion dwellers whose tenancies are not threatened by bulldozers—voted unanimously to oppose new Federal regulations that would permit local residents to make more effective appeals against proposed highway routes. Governor Godwin of Virginia complained that the new rules would place the "decision-making responsibility" in "the Federal bureaucracy and ultimately in the Federal courts." But the dust from that states' rights rhetoric won't cover up the real issues.

While rail transport facilities have been permitted to decay, Congress has voted billions each year for superhighways between the cities, with the result that the bulldozer has become the juggernaut of the modern age. Highways are necessary—yes; but the ruthlessness with which highways have cut through city and country without consideration for the people who live there has become a national scandal. Areas of historic interest and scenic beauty have been destroyed by the indiscriminate carpeting of the countryside with concrete.

The new Federal regulations are a slight step toward redressing the balance of power in highway location. They will give ordinary people a little more voice against the machine. As a means of protecting homes and preventing the defilement of the countryside, they should be embraced, not opposed, by the fifty governors, including the Governor of New York.

TESTIMONY OF CONGRESSMAN WILLIAM F. RYAN BEFORE THE FEDERAL HIGHWAY ADMINISTRATION HEARING ON PROPOSED REGULATIONS REGARDING PUBLIC HEARINGS ON LOCATION AND DESIGN OF FEDERALLY FINANCED HIGHWAYS, DECEMBER 16, 1968

I am very glad to have this opportunity to comment on the regulations proposed by the Federal Highway Administration to require public hearings on location and design of federally financed highways. The importance of this issue has long been recognized by numerous public officials, including several of my colleagues in the House and myself. On December 12, eight Members of Congress joined me in urging that the new rules be adopted by the Federal Highway Administration as rapidly as possible. Those Members of Congress included: Rep. Jonathan Bingham (D-NY), Rep. Frank Brasco (D-NY), Rep. George Brown, Jr. (D-Calif), Rep. John Conyers, Jr. (D-Mich), Rep. Charles Diggs, Jr. (D-Mich), Rep. Lee Hamilton (D-Ind), Rep. Patsy Mink (D-Hawaii), and Rep. Ogden Reid (R-NY).

The thrust of our comments in that letter pertained to the clearly demonstrated need for requiring full public hearings prior to the time that final commitments are made by State highway officials for construction of highway projects. In addition, we believe that the complete report called for in the new rules detailing the economic, social and environmental effects of a project on the adjacent locality should be a prerequisite to any decision to commit public monies to construction of highways. Let me briefly summarize why I think these regulations are necessary.

First, it is necessary that public hearings be mandatory if those individuals most affected by the location and design of highway projects—the residents of the surrounding community—are to be guaranteed an opportunity to express their views on the propriety of projects while plans are still subject to modification or cancellation. Far too often, residents in an affected locality learn of impending construction after contractual commitments for implementation have already been made by State and City highway officials. If the rule currently under consideration is adopted, the mandatory hearings on both location and design provided for in that regulation will insure local residents the opportunity to which they are entitled to make their views known.

The requirements outlined in Section 3.17 of the regulations constitute a second important feature of new rules. That Section would allow "interested persons" to appeal the decision of the division engineer responsible for the location and design of a highway to the Federal Highway Administration. This right to appeal is important for two reasons. First, it would give citizens dissatisfied with the decision of State or City highway officials a chance to make their case before an impartial agency that could more extensively balance the need for the project against the resulting economic, social, and environmental consequences on the adjacent locality. The additional opportunity for discussion and debate provided for in Section 3.17 would be well worth any delay in construction necessitated by this second review process.

Secondly, the requirements of Section 3.17 would enable the Federal Highway Administration to ascertain whether State or City officials had given full consideration to social, economic, and environmental effects, and, significantly, whether these officials had utilized information presented by "interested persons and groups" as specified in the language of that Section. The requirements of that Section would not mean that local and State decisions would be automatically over-ruled. On the contrary, the burden of proof in most cases would rest with those individuals dissatisfied with the decision of State highway experts. However, in cases where decisions clearly contradicted the economic, social, and environmental interests of significant numbers of community residents, those citizens would be provided with institutionalized appeal procedures. Community reaction to even an unpopular project would surely be improved if those most dissatisfied with the decision to undertake it had at least enjoyed adequate opportunity to express their views.

Section 3.13 outlines procedures which meet another of my concerns. That Section would require State highway departments to give consideration to the social, economic, and environmental consequences of a planned highway before requests were made for location and design approval. It further specifies that "consideration . . . shall include analysis of information submitted to State highway departments in connection with public hearings or in response to the notice of the location or design for which a State highway department intends to request approval." The incentive this requirement would give to State officials to give full consideration to all of the effects of a project—and not simply the improvements in traffic movement—would result in a more rounded analysis of the various interests involved. An additional consequence would be a diminution in the number of projects that have to be abandoned, after expensive research and planning, because of adverse community reaction. These, then are some of the advantages that would accrue if the proposed regulations were adopted. What objections have been raised to their enactment?

Some State highways officials, including the Commissioner of Transportation from my own State of New York, have suggested that the procedures and appeal system proposed would shift the emphasis away from an area-wide view that looks to the benefit of a wide community to a more provincial and narrow analysis of the interests involved. However, it seems more likely that the Federal Highway Administration, which has extensive experience in area-wide planning, would give full consideration to the larger spectrum of interests which State highway officials believe to be at stake. Again, the existence of Federal review procedures does not mean that the Federal Highway Administration would necessarily uphold local sentiments when they conflict with planned highway problems. What it does mean is that additional consideration would be given to the issues involved when there appears to be substantial disagreement on the necessity or specific plans for location and design of the project.

The second principal criticism of the new rules is that they infringe upon State's rights and the administrative responsibilities assigned to State agencies by their respective legislatures. It must be granted that some States already provide regulations analogous to those proposed. But the vast majority do not. Moreover, the issues involved in this question are simply too important to allow each State to adopt regulations over a period of time deemed appropriate by State officials. This is why the promulgation of "guidelines and standards by the Federal Highway Administration" would not be an adequate response to the problem. Citizens whose economic, social and environmental interests are threatened by a planned highway project should not have to wait until State highway officials decide that the "guidelines" of the Federal Highway Administration are appropriate standards for their State. We must have national standards that give concerned citizens an opportunity to fully express their opinions.

The "states rights" argument additionally ignores the fact that approximately 90% of the total cost of highway construction is paid for by the Federal Government. It is hardly unreasonable that a program of that magnitude should have regulations pertaining to its implementation. State highway programs have been more than willing to accept the assistance provided by the Federal highway program. It is time the States accepted the reasonable rules which have been proposed as well. It seems to me that the Federal Government has a clear responsibility to provide those regulations when such enormous amounts of money are at issue. To fail to do so would constitute a dereliction in the Government's duty to ensure that the highway program is administered in a fair and equitable manner.

The citizens who live in a community that stands to be affected by highway construction have a legitimate right to have their opinions heard by those responsible for the project. For it is they who will have to live with the project's effects. I believe that the rules proposed by the FHWA are a necessity if local residents are to have any say in the planning of their environment. As you may know, I introduced a bill, H.R. 1250, to the 90th Congress that contained provisions similar to those under consideration today. The rules proposed by the FHWA should achieve the purposes I set forth in that legislation.

The need for greater participation in the planning of citizen-financed highways is clear. The regulations proposed by the Federal Highway Administration are an important step toward the implementation of that participation. I urge the Federal Highway Administration to adopt the new rules as speedily as possible.

GILBERT QUESTIONNAIRE TO CONSTITUENTS OF 22D DISTRICT, BRONX, N.Y.

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. GILBERT. Mr. Speaker, it is customary for me at the beginning of each new Congress to send a questionnaire to the residents of my 22d Congressional District, Bronx, N.Y. I find it is extremely helpful to me in representing my district to have the views and thinking of my constituents on important issues facing the Congress.

With permission, I wish to insert in the RECORD the questionnaire, and my letter which is a part of the questionnaire, to be sent to my constituents in a few days:

CONGRESSIONAL QUESTIONNAIRE FROM CONGRESSMAN JACOB H. GILBERT

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 1969.

DEAR FRIEND: I want to thank you, as a constituent of the 22nd Congressional District, for the mandate you gave me in the recent election. It was very gratifying to me.

As your Representative in Congress, I have the responsibility of bringing your viewpoint to Washington, whatever your political persuasion. I am sending you this questionnaire because I am anxious to hear your views on the major questions before the country.

Please fill out this questionnaire, refold it tightly with my address on the outside, and mail it with a 6-cent stamp.

Remember that my staff and I always stand ready to assist you in any problems you may have with the Federal Government. As I begin my ninth year in Congress—thanks to the confidence you have shown in me—I look forward to hearing from you, not only in this questionnaire but whenever you care to contact me.

Sincerely yours,
JACOB H. GILBERT,
Member of Congress.

FOREIGN POLICY

1. What kind of settlement would you favor for ending the war in Vietnam?

☐ (a) A coalition government in Saigon, to include the National Liberation Front.

☐ (b) An agreement between our government and Hanoi to withdraw all outside troops, so the South Vietnamese can fight it out among themselves.

☐ (c) Withdrawal on our part, whether or not we reach agreement with the other interested parties.

☐ (d) No negotiation until we have won military victory.

2. What policy should the United States adopt for assuring stability in the Middle East?

☐ (a) A formal alliance with Israel, possibly including its admission to NATO, that would assure our intervention in the event of an Arab attack.

☐ (b) A public declaration that we would intervene on Israel's side in the event that the Soviet Union openly intervened for the Arabs.

☐ (c) Press for a negotiated settlement through the United Nations.

☐ (d) Join with the Soviet Union to guarantee formally the terms of a peace settlement.

DOMESTIC POLICY

3. What should the Federal Government do about inflation?

☐ (a) Legally control prices and wages.

☐ (b) Maintain high interest rates and taxes, including the Surtax, in an effort to reduce consumption and slow business expansion.

☐ (c) Tie Federal salaries, Social Security benefits, welfare payments, Medicare and other outlays to the cost-of-living index.

☐ (d) Nothing on the grounds that inflation is better than unemployment and business recession.

4. What should the Federal Government do about crime?

☐ (a) Increase anti-poverty expenditures.

☐ (b) Increase assistance to local police forces, for higher salaries, improved training and better equipment.

☐ (c) Revoke the constitutional guarantees recently affirmed by the Supreme Court to assure representation by counsel, avoid coercion in the extraction of confessions and end illegal wiretaps, searches and seizures.

☐ (d) Enact more stringent laws to reduce the careless trafficing in firearms.

NATIONAL PRIORITIES

5. What is the order of importance that you ascribe to the following budgetary items? Please number one to ten.

——— (a) Aid to public schools and higher education.

——— (b) Anti-poverty programs, including job training.

——— (c) The Vietnam war.

——— (d) Mass transit, including intercity rail transit.

——— (e) Space exploration.

——— (f) The elimination of slums and low-income housing.

——— (g) National defense (apart from Vietnam).

——— (h) Health care and health research.

——— (i) Increased Social Security benefits.

——— (j) Highway construction.

SPECIAL ISSUE

6. Would you approve of a Constitutional amendment which would substitute Popular Election of the Presidency for the present Electoral College? ☐ Yes. ☐ No.

ABANDON RHODESIAN INTERVENTION—ACHESON

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. RARICK. Mr. Speaker, Mr. Dean Acheson, former Secretary of State and an authority in international affairs has recently delivered soul-searching advice to our leadership on correcting our transgressive intervention in Rhodesian affairs.

I ask unanimous consent to here insert in the RECORD the full text of Mr. Acheson's statement from the Washington Sunday Star for December 22, 1968, followed by Prime Minister Ian Smith's speech from the Rhodesian Viewpoint of December 5, 1968, and the Rhodesian Commentary for November 1968.

The material follows:

[From the Washington (D.C.) Sunday Star, Dec. 22, 1968]

DROP "REFORMIST INTERVENTION" IN RHODESIA, ACHESON ADVISES

(By Dean Acheson)

(NOTE.—Mr. Acheson, former Secretary of State, has written many books on international affairs. Also, he is a frequent contributor to magazines.)

The Johnson Administration, like a tidy and conscientious housewife, will want to clean out rubbish, failures, and broken-down contraptions rather than leave them to embarrass the new tenant. There is no better place to start than with the Rhodesian policy, bought by the present occupant in an abeentminded moment from a smart salesman. It never did work; the salesman is trying desperately to escape from all connections with it; and to leave the old non-starter to clutter up the garage would be a scurvy trick. Putting this advice in the more sonorous phrases of statesmanship, the President would do well to recall Lord Roseberry's warning not to hover over the bones of dead policies.

Prime Minister Harold Wilson invented this policy in aid of Britain's retreat from empire in southern Africa. The Federation with Northern Rhodesia and Nyasaland, which the British had induced Southern Rhodesia to join in 1953, having proved a failure, the British Parliament dissolved it. Northern Rhodesia was set up as the independent state of Zambia and Nyasaland as Malawi. Rhodesia, which had long been self-governing and a participant at Commonwealth Conferences on a parity with self-governing dominions, expected to have its independence recognized, as had been done with other self-governing units. This seemed a purely formal step, since the country had never been governed, subsidized, taxed, or protected by Whitehall and had its own consular service abroad.

The British Government, however, balked, seeking to get from Rhodesia a guarantee of universal suffrage within the country. Rhodesian suffrage was, and is now, as ours had been throughout our early history, based on literacy and property qualifications, arising out of local conditions. There are no racial qualifications or discriminations for voting or civil rights. The population of Rhodesia, consisting of two hundred thousand whites and four million blacks, is nearly all made up of immigrants or their immediate descendants. Many of the blacks are still in a state of primitive neolithic culture. The condition of domestic tranquility prevailing in Rhodesia may be judged by the fact that the municipal police, as in Britain, perform their duties unarmed and the mandatory death penalty for armed insurrection has been abolished.

UNILATERAL ACTION

The Rhodesian Government, unable to agree with the Labour Government in London on a form for severing their political connection, accomplished it by unilateral declaration in 1965. At this point Mr. Wilson, finding that he had leverage for pressure on Rhodesia and no support at home for armed intervention, sought foreign help in coercing the country. For some time the Afro-Asian-Communist delegations at the United Nations had been nosing into Rhodesian affairs, as they had into South African, Portuguese-Angolan, and French African. British Conservative governments had repulsed their interest in Rhodesia as an intrusion into internal affairs, forbidden by the Charter. Now, however, Mr. Wilson reversed course and sought from the United Nations voluntary economic sanctions—the United Nations term for economic warfare—against Rhodesia to end its independence. The United States followed along in this Children's Crusade to universalize one-man-one-vote.

Voluntary sanctions proving ineffective, Mr. Wilson pressed to have them made mandatory. Here, however, a problem arose. Under the Charter of the United Nations mandatory sanctions could be invoked only when the Security Council should find that the offending state had committed or threatened to commit a breach of international peace and security. Rhodesia, of course, had done neither. In fact, it had done nothing except to announce that political ties between it and Britain had been ended. Britain could have decided to make war upon this rebel, as it had on the American Colonies when they took similar action; but the British people would not do so and the British government declined the opportunity. International peace and security remained unruffled.

Not, however, to the United Nations Security Council. In its view Rhodesia constituted a threat to the peace if the Security Council said that it did. The Council in attaching its own meaning to the words of the Charter takes Humpty-Dumpty's position toward words: "The question is, which is to be the master—that's all." So it pronounced Rhodesia a threat to the peace. If a theory was needed it was that Rhodesia's independence under its existing electoral system would so outrage the black dictatorships of Africa that they might attack her. This theory has the authority of the wolf in Aesop's fable who declared that his prospective dinner, the lamb drinking downstream from him, was polluting his water.

MATTER OF SANCTIONS

Mandatory sanctions proved no more effective than voluntary ones in bringing Rhodesia to heel; nor has a later attempt to add to them. White Rhodesians have been brought together rather than divided by external pressure and have proved most ingenious in using great resources and industrial capacity to meet the needs of their beset economy. The blacks within Rhodesia have proved preponderantly cooperative rather than recalcitrant toward the regime. The countries around Rhodesia, black and white, furnish copious leaks through the blockade; practical operators like the French are not deterred from a profitable bargain by so bogus an international obligation as U.N. sanctions. They are a failure; and yet they are harmful, more than a nuisance. No one knows this better than Mr. Wilson, who now wants desperately to get out of the mess he has created.

The sanctions, like many ill-considered policies, are hurting unintended victims and bringing about unintended results. The chief economic victims now appear to be black people—within Rhodesia through underemployment and a slowdown in growth; in Zambia (formerly Northern Rhodesia), which since independence, as during the Federation, is economically dependent upon the Rhodesian market, by decrease in its market for labor and materials. Zambia is already asking Britain for large subsidies to compensate for the harm done to her—a development which partly explains Mr. Wilson's change of heart and mind about sanctions.

Perhaps the greatest damage is the political and psychological estrangement and distraction from constructive purposes caused by this UN-created isolation of southern Africa, both black and white. The Rhodesians, already remote from western civilization, feel at bay, conspired against by declared enemies, the target of foreign trained and equipped terrorists, pushed toward a racial attitude they do not share and do not want. This view is thoroughly shared by Dr. Hastings Banda, the president of Malawi, who has seen that his country's future welfare lies in closer cooperation with his highly developed white neighbors to the south and speaks as hostilely of U.N. sanctions as does Mr. Smith.

AFRICA STALEMATE

Mr. Wilson is rightly—though only lately—aware of the ugly consequences of a stalemate in southern Africa. At home Conservatives, Liberals, and moderate Labour are sick of the situation and want to get out of it. The extreme left joins the Afro-Asian and Communist blocs in calling for majority rule before independence in Rhodesia and some of them, for force—by someone else—to achieve it. South Africa has announced a policy of support for its neighbors against terrorism or attack by or through adjoining states. The United Nations policy is thus, ironically, the chief threat to the peace and security of southern and central Africa.

Mr. Wilson not only wants to get out of the trouble he has made but also has gone a good way to do so. The trouble is that he has not gone far enough. The scheme which, in various versions, he offers involves the fatal flaw of contradiction. Let us see how this is so.

In Mr. Wilson's last talks with Mr. Smith on HMS Fearless a few weeks ago, the British

Prime Minister was apparently ready to acknowledge Rhodesian independence if Mr. Smith's Government would take two steps designed to save some face for Mr. Wilson and appease the more reasonable of the black Commonwealth states. These steps were meant to safeguard the "entrenched clauses" of the Rhodesian constitution that permit persons of certain cultural and economic qualifications to vote and all persons to have other civil rights without racial discrimination. The first of these safeguards is called the "blocking quarter." It would require in the constitution that a quarter plus one of each legislative chamber should be composed of black members elected by black voters and that no alteration of the entrenched clauses could be made over the adverse vote of one quarter of the votes of both houses voting together.

The blocking quarter would thus keep open the increasing political power of black citizens as they attained cultural and economic qualification.

The second requirement put forward was to include in the constitution a right of appeal to the Judicial Committee of the Privy Council in London in a number of ways, against any change in the entrenched clauses, even though approved by all racial groups, "on the ground that it discriminates unjustly, or has the effect of discriminating unjustly, between the races; or on the ground that it derogates from the principles of the Declaration of Rights contained in the Constitution." The Judicial Committee of the Privy Council is an agency of the British government composed of the members of Britain's highest court, the Judicial Committee of the House of Lords plus the Lord President of the Council and a few others. At one time appeals lay to it from colonial and dominion courts. The provision for appeals has now been abolished by the independent members of the Commonwealth as inconsistent with an independent status.

The British requirement for an appeal to its judicial agency for dependent areas is the chief block to settlement between Rhodesia and the United Kingdom. It would give the British Privy Council the same power over Rhodesian legislation claimed to violate the entrenched clauses as our Supreme Court has over state legislation claimed to violate the Fourteenth Amendment.

Rhodesia's objections to this double-locking device have been stated clearly and—at least in my judgment—persuasively by Ian Smith. He stresses that the principle of the blocking quarter is acceptable. What is not acceptable is the provision for appeal to the Judicial Committee of the Privy Council. In his words, "the British Government wish to assume additional powers which are a derogation from the sovereignty of our Rhodesian Parliament." He embellishes the point: "For example, if a certain entrenched clause amendment, which requires a three-quarter majority . . . in its favor, complied with this necessary requirement, indeed even if such an amendment received the approval of every single member . . ., in other words 100 percent support, the Privy Council would still be in a position to turn this down and proclaim that in their opinion the Rhodesian Parliament had not made the correct political decision . . . and therefore had no right to pass the amendment." Mr. Smith concludes: "In other words, the British Government are insisting that the Privy Council shall be the highest parliament in Rhodesia as far as amendments to entrenched clauses are concerned, and that they shall take on the role of deciding what laws are in the interest of Rhodesia." Thus the British terms for acknowledging Rhodesian independence would include a denial of that independence—a basic contradiction.

Following the Fearless talks, Mr. Wilson sent an able minister, Mr. George Thomson, to negotiate further at Salisbury in what was touted to be an effort to try for agreement with Rhodesia, Mr. Thomson tried out numerous variations on the same theme: to wit, some device whereby the British Government would be enabled to withhold independence even while appearing to acquiesce in it. Mr. Smith, sensibly and understandably, has persistently rejected the contradiction. Thus, not surprisingly, the issue is stalled, while the Rhodesians go on exercising in practice the independence that the British Government seems so loath to admit candidly. This stalement opens up a prospect for more fumbling along a demonstrably futile course—months upon months of sanctions that miss their purpose and serve only mischief.

What can the United States do to help in the situation? First of all, our government might take heed—and call on the British likewise to take heed—of Shakespeare's advice that

"To persist
"In doing wrong extenuates not wrong,
"But makes it much more heavy."

It is fallacious and fanatic to believe that any good can be achieved by turning the screw of sanctions.

In a similar spirit, we can take note of the good sense in Ian Smith's position—reavowed on November 19—which subscribes to the blocking quarter but rejects, as an "impossible and indeed ridiculous obstacle," the notion of putting his country in leading strings to Britain by making the Judicial Committee of the Privy Council the constitutional censor.

ROOM FOR SETTLEMENT

Within this position there is surely room for a fair settlement: for Mr. Wilson, opportunity to escape from a quandary of his own making without leaving too many of his tail feathers in the door jamb; for Mr. Smith, an end of the enervating struggle over independence at the price of a fair guarantee in the constitution for the continuance of the rights it provides.

We can help Mr. Wilson where he needs it most—with his extremists at home and with the United Nations—by supporting a settlement in which Mr. Smith grants the blocking quarter and Mr. Wilson drops the demand for an appeal to a foreign court. Our method could be to let Mr. Wilson know of the desire of the present administration to end its domestic enforcement of restrictions on trade with Rhodesia, preferably in conjunction with similar action by the United Kingdom, rather than to leave the mess to be cleaned up by the incoming administration. Though such action might be unpopular with a majority in the United Nations and a minority in the United States, they could not harm an outgoing government.

This action would also have the incidental advantage of being right. In both the broad and the narrow sense of the word the United States will bear the responsibility for a continuance of this mistaken quarrel with Rhodesia—and secondarily with South Africa and Portugal—by continuing encouragement of measures taken in the United Nations. Although sanctions against Rhodesia have failed, they would have amounted to nothing had we not cut off our trade with that country. For us and, hopefully, the British to resume it would, as a practical matter, end the policy.

In a broader sense, however, we will bear responsibility for the growing political isolation of southern Africa which these emotional and ill-considered measures are bringing about. We are the only power of general, as distinguished from parochial, responsibility in the free world. At a time when Arab nationalism has brought on the closing of the Suez Canal perhaps permanently—and the Soviet navy has penetrated the eastern Mediterranean and the Indian Ocean, the good will of southern Africa, the use of its ports, the cooperation of its governments—including their participation with immense resources and advanced technology in aiding the development of adjoining black states—would be of immense importance to the free world. The mere existence of stability in so vast and important an area of an otherwise turbulent continent is an asset of the greatest value. As the principal responsible power in the free world, it is our duty and responsibility to encourage good will, cooperation, and stability in southern Africa. It is the height of folly to sacrifice these desirable ends to an aggressive reformist intervention in the internal affairs of these states, an intervention designed to force upon them electoral practices that none of black African or Communist states and few of the Asian accept.

If the President would commune with the spirits of his predecessors, Messrs. Washington, or John Quincy Adams, or that wise adviser of presidents, Ben Franklin, he could in the next 60 days do as great a service to his successor, his country, and the free world in Salisbury and London as he is striving to do in Paris.

[From the Rhodesian Viewpoint, Dec. 5, 1968]

ANYTHING OTHER THAN GENUINE INDEPENDENCE UNACCEPTABLE

(Prime Minister Ian Smith Broadcasting to Rhodesians, November 19, 1968]

"We Rhodesians believe that there is both a place and a future for all Rhodesians—both black and white. Any other suggestion is unacceptable to us, as is anything other than genuine independence." In a broadcast to the Rhodesian people on November 19, Prime Minister Ian Smith reported on his meetings in Salisbury with British Minister without portfolio, George Thomson.

DEROGATION OF SOVEREIGNTY

Referring to the British Government's requirement that, in addition to braking mechanisms which would be enshrined in any agreed independence constitution, the Judicial Committee of the Privy Council should provide a second and external guarantee against retrogressive amendments to the Constitution, the Prime Minister said:

"The British Government wish to assume additional powers which are a derogation from the sovereignty of our Rhodesian Parliament. For example, if a certain entrenched clause amendment which requires a three-quarters majority of Parliament voting in its favour, complied with this necessary requirement; indeed, even if such an amendment received the approval of every single member of Parliament, in other words, 100 per cent support, this Privy Council would still be in a position to turn this down and proclaim that in their opinion the Rhodesian Parliament had not made the correct political decision."

OBJECTIONABLE FEATURE

"It must be quite clear in everybody's mind," said the Prime Minister, "that what they are trying to do is to accede to our independence with one hand, while at the same time trying to take it away with the other. They are trying to insert into our Constitution something quite unique, which has never been incorporated in any other known independence constitution in this world."

ALTERNATIVES

"Subsequently, it was made abundantly clear that the British Government were giving this question serious consideration when Mr. Wilson spoke in the House of Commons on October 24th, and stated that 'We were and are willing to consider other alternatives'. Moreover, it is true that the British team in Salisbury last week did produce an alternative, on the Friday prior to their departure, after keeping us waiting in suspense for more than a week.

"In the first place, it did not meet our fundamental objection that it would not derogate from the sovereignty of Parliament, in spite of the fact that I had been assured by Mr. Thomson that it would not do so. Secondly, and into the bargain, it contained conditions which made it even more unacceptable than their first proposal, incredible though this may seem."

DIFFERENCES WILL BE RECONCILED

"Personally, I have never believed any safeguard to be necessary, and the British knew this. However, in spite of the fact that I have met them on this point, they now wish to bring in the second safeguard which, to add insult to injury, unlike the first, derogates from the sovereignty of the Rhodesian Parliament. This is anathema to us and so it is ridiculous to expect us to assist them—we oppose the whole concept most emphatically.

"Time and time again I have impressed on the British that because of the fact that we Rhodesians have to go on living with the decisions we make, this is the finest guarantee or safeguard that anyone in this world could wish for.

"The position is still exactly as I outlined it after my return from Gibraltar; that there is one major stumbling block and if the British will meet us on this point, I am convinced that the other remaining differences will be reconciled."

[From the Rhodesian Commentary, Nov. 25, 1968]

FLAG OF INDEPENDENCE IS RAISED

The introduction of the new Rhodesian Flag was one method of showing beyond all doubt that Rhodesia was a free and independent country. His Excellency the Officer Administering the Government, Mr. Clifford Dupont, said at the flag-raising ceremony in Salisbury on the third anniversary of Independence on November 11.

Rhodesia's Declaration of Independence three years ago was a logical step in view of her conduct of her affairs since she obtained self-government in 1923.

"It was bitterly opposed by those abroad who undoubtedly wished to impose their own political ideas and theories upon Rhodesia without regard to the consequences for the people of Rhodesia as a whole", he said.

REAFFIRMATION

"Today, when we fly our new flag for the first time, we reaffirm our determination to maintain our sovereign independence and to be responsible for our own affairs.

"These affairs are the practical concern of everyone who lives in Rhodesia. We have to live with them and we alone either reap the benefit or suffer the consequences of our actions."

Mr. Dupont said the flag embodied, in the coat-of-arms on its centre panel, three emblems significant in Rhodesian history.

The Zimbabwe bird, a relic of a previous occupation, was unique and essentially Rhodesian, while the lion and thistles were from Rhode's armorial bearings and the golden pick-axe on a green ground represented the country's pioneering prospectors and farmers.

Throughout history, men had realized that they could best express their feelings, their love, their loyalty and their patriotism for their country by showing respect to an emblem such as a national flag.

"May our new flag not only inspire such feelings but also become a symbol of the unity of Rhodesians of all races", he concluded.

TAXES: REFORM

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on the opening day of the 91st Congress, January 4, 1969, I reintroduced my tax reform measure which is designed to provide tax relief for middle-income taxpayers by plugging tax loopholes.

Mr. Speaker, on December 29, 1968, the Boston Herald-Traveler editorially endorsed the view which I have been espousing for the past 3 years.

The editorial is worthy of the attention of all Members of this House and for this reason I include it following my remarks, in the RECORD.

The editorial follows:

TAXES: REFORM

The House Ways and Means Committee of the 91st Congress ought to schedule, as soon as practicable, hearings on the revision of the Internal Revenue Code, a 1,000-page collection of complexities and inequities that has accrued from years of amendments, rulings, regulations and court cases.

Congress must take the initiative on tax reform because the public is simply too baffled by existing regulations to figure out what should be done to correct them. The average taxpayer might be satisfied if the Internal Revenue Service could simplify his income tax return, but every now and then he reads about some of the flagrant loopholes in the Internal Revenue Code and he feels somehow cheated by his own government.

The middle-income and low-income taxpayer bear the brunt of the tax burden. The higher an individual's income is, the less likely is he to pay the established rate of taxation, especially if he can afford the services of an accountant and tax lawyer. As the American Bar Association has noted: "The table of income tax rates in the Internal Revenue Code is a mask for a host of special provisions with which the tax adviser can shield substantial income from the excessive rates."

It is not the intricate provisions but the egregious exemptions that command the most most publicity, however. The most notorious is the 27½ per cent depletion allowance for oil—although more than 100 minerals are given less generous depletion allowances. Another is the failure to tax the appreciation of property passed on to heirs; still another is the creation of many tax-exempt charitable foundations that are actually tax shelters.

The exemption that provides the most dramatic example of how some persons can go scot-free of taxes is the exemption of state and municipal bonds from federal taxation. There are reasons to entice investment in low-yield public bond issues, but some of the results are preposterous.

The National Observer reports the case of one extremely wealthy widow who invested her inheritance in municipal and state bonds. Her annual interest is more than $1,500,000 a year, but since the bonds are tax exempt, she does not even have to file a tax return. Her gardener, who makes $5000 a year, pays $350 in federal taxes.

By this and other special provisions, 18 Americans who made $1 million or more in 1966 did not pay a dime in federal income taxes. Their cases provide the argument for a minimum tax, a percentage of income taxes above a certain amount so the very rich would not, through tax-exempt bonds, depreciation schemes and special deductions, escape a just assessment for the cost of government.

IN MEMORY OF DOR W. BROWN, SR.

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. PICKLE. Mr. Speaker, during the adjournment period, Dor W. Brown, Sr., of Georgetown, Tex., a pioneer worker in county agricultural services died on November 16, following a long illness.

Mr. Brown worked hard for the causes he believed in—agricultural, civic development, and good government. He and Mrs. Brown raised one of the most exciting and delightful families in all of Texas—four daughters and one son, all of whom have distinguished themselves in many ways.

He served Williamson County, Tex., for more than 28 years as an agricultural agent, helping and assisting the farmers in that area cheerfully and effectively.

When he retired in 1946, he was not content with inactivity and held the post of county surveyor until ill health forced him to retire a second time during the mid-1950's.

He was an ardent Democrat and worked hard for the election of President Lyndon B. Johnson as a Representative, Senator, Vice President, and President.

Mr. Dor Brown pulled more than his share of responsibility during his long and active life, and he shall be missed greatly.

Under leave to extend my remarks, I include the following news article on Mr. Brown. It was published in the Williamson County Sun shortly after his death:

Funeral services for Dor W. Brown, Sr. were held Monday morning in the First Methodist Church with Dr. Durwood Fleming officiating, assisted by Mr. Brown's pastor, Rev. Wallace Chappell. Burial was in the Capital Memorial Gardens under the direction of Davis Funeral Home.

He died Saturday at noon in a Kerrville Hospital following a long illness. He would have been 87 years old on Monday.

Dor W. Brown, Sr. of Georgetown, longtime county agricultural agent, was born at Cherokee, San Saba County, Nov. 18, 1881. His father, the late Joe Fraser Brown, was a surveyor-journalist and represented San Saba County in the Texas Legislature during the sessions of 1874, 1893 and 1895.

Mr. Brown graduated from old West Texas Normal and Business College at Cherokee with a B.A. degree in 1902.

He married Alice Mayes, school teacher and native of Valley Springs, Llano County, Oct. 18, 1909. Their children honored them with a Golden Wedding anniversary reception at Georgetown in 1959.

The Browns have five children, ten grandchildren and five great grandchildren. Their children are: Mrs. S. E. (Dorothy) Wilcox of Rockport, Mrs. John W. (Frances) Burcham and Mrs. Harvey O. (Mary) Payne, both of Austin; Mrs. I. J. (Jane) McCook, Jr. of Georgetown, and Dr. Dor W. Brown, Jr., physician of Fredericksburg.

A sister, Mrs. Frances Cearnal, lives at Georgetown. Two brothers are J. J. Brown of Austin, retired State Director of Vocational Rehabilitation, and Paul Brown, rancher of Spicewood.

Mr. Brown is a lifelong member of the Methodist Church and has been a member of the Masonic Lodge nearly 60 years (1909).

He was a member of Georgetown Chapter No. 90, Royal Arch Masons, Georgetown Council No. 54, Royal and Select Masters and San Gabriel Lodge No. 89, A.F. & A.M.

He received a 50-Year Service Award from the Masonic Grand Lodge of Texas in 1962 for his long time service in the Order.

As a young man, Mr. Brown taught school at Chapel and Locker in San Saba County, He later was elected county school superintendent of San Saba County. He entered county agricultural agent work in 1918. His first assignment was county agent for Mason County. In 1921, he became the first county agent assigned by the Texas A & M Agricultural Extension Service to Tom Green County. He remained at San Angelo until 1929 when he left to manage farm properties for a San Antonio mortgage banking firm.

He returned to the Extension Service in 1932 as county agent for Williamson County at Georgetown, a post he retained until his retirement in 1946.

Not content with the inactivity of retirement, Mr. Brown decided he would like to return to a profession he learned from his father as a boy. On the night before the Democratic primary in 1947, he told a Georgetown political rally that since there were no candidates for county surveyor he would seek the office. He asked his friends to write in his name. They responded generously the next day. He received more than 800 write-in votes and thus, was elected surveyor. He held the position until ill health forced his retirement in the mid-1950's.

Mr. Brown left many landmarks as a county agent. In Tom Green County he introduced and developed: Jersey Bull circles, turkey cooperative pooling for marketing purposes, one variety cotton, contour farming and crop diversification

An oldtimer recalled that one year while Mr. Brown was county agent at San Angelo 29 cars of live and dressed turkeys were sent out as a result of cooperative pooling. The market had started with a dealer offer of 15 cents. Upon advice of the county agent, producers came into the pool in an effort to get better offers. The result: a booming market which finally reached 45 cents for dressed turkeys.

In Williamson County Mr. Brown's work was highlighted with development of outstanding cotton and livestock programs. He was a strong advocate of one variety cotton and was accorded national recognition for his work in that field.

In the 1930's, he joined other Texas agricultural leaders on an historic trip to the nation's capital. Mission of the delegation was to thank the Congress and President Franklin D. Roosevelt for instituting federal livestock and crop control programs which helped lift the nation's farm and ranch economy from the devastating level of the depression years.

Mr. Brown for many years was judge of the Sears Foundation's annual swine show at Austin.

TIME FOR MONETARY REFORM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. MOORHEAD. Mr. Speaker, our recent fiscal dilemmas—first with the pound and then with the franc—have pointed up the fact that our once reliable Bretton Woods agreement is no longer trustworthy.

Writing in the Pittsburgh Post-Gazette during our congressional recess, financial writer Sylvia Porter sums up the arguments for updating Bretton Woods rather well, I think, and I submit her proposals, to be considered at a new international monetary conference, for the attention of my colleagues at this point in the RECORD:

FRANC CRISIS' MEANING

(By Sylvia Porter)

The fate of General de Gaulle's monumental gamble to save the 20-cent French franc with currency controls and economic curbs is dwarfed by four vital points.

The latest international currency crisis is on unmistakable warning that the monetary system we created at Bretton Woods almost a quarter century ago is coming apart at the hinges.

The crisis of the French franc is the third dreadful emergency in only twelve months. We will take risks with world prosperity if we continue to duck the evidence that the monetary system is no longer stabilizing currencies and fueling the orderly expansion of trade.

The U.S. dollar could come under renewed attack by currency speculators at any time.

Right now the dollar is comparatively safe because we have just reported the first black ink in our balance of payments since early 1965. The improvement, though, is not solid. It reflects a huge inflow of foreign money to buy U.S. stocks; tough restrictions on the outflow of U.S. dollars for investment abroad; some obvious gimmicks.

Actually, our trade surplus is dwindling dangerously.

NEW CONFAB NEEDED

A great new international monetary conference of the leading free world nations is becoming increasingly urgent. We will be lucky if the French franc and other currencies can be held until President-elect Nixon can assume office.

President Johnson and Treasury Secretary Fowler enthusiastically welcomed de Gaulle's decision not to devalue the franc because this helps buy additional time for the monetary system and the U.S. dollar. But the French franc crisis is not an isolated misfortune.

It was precisely one year ago this month that the British at last lost their fight to maintain the pound's value in the face of massive dumping of pounds.

For years Britain has been spending far more abroad than she has been earning abroad. As a result there has been a relentless drain on her reserves of gold and dollars. Last November Britain was compelled to cut the value of the pound from $2.80 to $2.40.

Despite this move to help increase exports and cut imports, the pound remains suspect. The crisis of the franc could all too easily move to the pound once more.

In March of 1968 the crisis hit the U.S. dollar. Again the fundamental cause was the fact that we too have for years been spending far more abroad than we have been earning abroad. As a result, our creditors have been draining away our gold reserves.

The run on our gold reached a climax in March; we countered by a decision to continue selling our gold at $35 an ounce only to qualify central banks and to let the gold speculators trade in the metal on their own in a free market.

This plugged an intolerable leak, but doubts persist and are growing about how long we will maintain the price of gold at $35 an ounce.

FRENCH PACKAGE WEAK

Then a few weeks ago it became the franc's turn.

In just a few months frightened Frenchmen transferred $2.5 billion of francs into other currencies—notably the West German mark, which has been strong because West Germany is running a fat surplus in her balance of payments.

The package of "solutions" this time includes: a $2 billion credit by the leading financial powers to France; a tax on German imports and exports designed to cut Germany's trade surplus; no devaluation of the franc but a long list of austerity moves to combat France's inflation and bring back confidence in the franc.

So now what? No matter what happens in the world's markets, whichever ones are open this week, the makings of a crisis remain. Currency controls are not an advance; they are an admission of defeat, a retreat.

The speculators will not fold up and slink home. They smell a killing and they will be guided by none of your rules of good conduct.

PROPOSALS ADVANCED

Thus the importance of updating the Bretton Woods agreement.

One proposal will permit currency rates to fluctuate within wider limits than now allowed by the International Monetary Fund—say by 5 per cent up or down. This would, in effect, permit automatic devaluations or upward revaluation whenever a country's accounts got out of whack.

Another would involve the realignment of all currency values, including that of the U.S. dollar—along with an increase in the price of gold above the $35 price fixed back in 1934.

The key point is that we are being warned that we cannot go on this way patching up monetary crisis after monetary crisis with the old glue of 1944. The glue is coming unstuck.

RURAL-URBAN BALANCE

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 6, 1969

Mr. TUNNEY. Mr. Speaker, the National Advisory Commission on Rural Poverty has stated:

> It is a shocking fact that in the United States today, in what is the richest nation in history, close to 14 million rural Americans are poor, and a high proportion of them are destitute.

When our country was founded, 90 percent of the people lived in rural areas. Today 70 percent of all Americans live on less than 2 percent of the land. Over 600,000 people a year are leaving rural areas for overcrowded urban metropolitan areas. In the next 25 years, 100 million more people will be added to the 140 million in our cities and suburbs.

Most of the rural exodus is generated by the deterioration of opportunities in rural America—and the resulting hope for better opportunities in the cities. However, hopes and dreams are being submerged beneath a concrete morass. Instead of a better life what is encountered is a different type of poverty in overcrowded depersonalized cities with housing, pollution, high crime rates, congested highways, rundown schools, with resulting discontent and frustration. People arriving in urban areas searching for a better life usually find their hopes shattered, their frustrations and discontent heightened. We have seen the fruits of this discontent last summer and this spring.

The answer commonly given is to improve our urban areas. There is no doubt that they must be renovated.

Author J. P. Lyford, in his book on the New York slums, "The Airtight Cage," articulates this new awareness by asking:

> Why for instance, must huge concentrations of unemployed and untrained human beings continue to pile up in financially unstable cities that no longer have the jobs, the housing, the educational opportunities, or any of the other prerequisites for a healthy and productive life? Why do we treat the consequences and ignore the causes of massive and purposeless migration to the city? Why are we not developing new uses for those rural areas that are rapidly becoming depopulated? Why do we still instinctively

> deal with urban and rural America as if they were separate, conflicting interests when in fact neither interest can be served independently of the other?

It is time for us to question whether urban areas can ever catch up when thousands of people every year are arriving, adding to already critical problems. In view of this, plus the increasing birth rate in the cities, it appears unlikely that public and private efforts can ever be sufficient to adequately deal with urban problems.

Secretary of Agriculture Orville Freeman said:

> Many ghetto dwellers came from rural areas, or their parents came from rural areas. Back on the farm they also were poor, and they also were without power, but they did experience a sense of community and a solidarity of family that in too many cases the faceless city has shattered.

The Secretary went on to say:

> The crisis of our cities, perhaps the most serious ever to face us as a people, has its roots in our failure to plan for change, our failure to develop public and private institutions and directions that would shape and control the unprecedented technological and productive forces that have been unleashed in the U.S. since the end of World War II.
>
> In this period, our population has grown by 55 million—37%.
>
> Our gross national product went from $280 billion to more than $800 billion.
>
> Nearly 3 million farms disappeared in the technological revolution that swept—and is still sweeping—through agriculture.
>
> More than 20 million people left the countryside for the city.
>
> A third of our total population left the city and settled in suburbia.
>
> All of this—and more—occurred without any real national recognition of what it meant.

What is needed is a reversal of this population trend. Rural America offers a viable alternative to further urban crowding. We must begin to establish a rural-urban balance. It is time to literally give our urban areas breathing room. In order to accomplish this, there must be a concerted effort to develop our rural communities—in our rural areas. Rural America must no longer be forgotten land—a land to be from; a land of declining economies, a low level of limited job opportunities, and dwindling local tax bases.

First, we must improve agricultural and nonagricultural job opportunities. There must be increased public and private investment. People must be given encouragement and incentive to remain in rural areas. Industry must be encouraged to locate in rural areas.

I am reintroducing legislation designed to develop business and employment opportunities in rural areas, smaller cities and areas of unemployment and underdevelopment. The first provides certain preferences for prospective Government contractors in such cities and areas.

This legislation proposes that in the awarding of a government contract, credit be given for the size of the city as well as the degree of emigration.

First. If the bid received is from a city of 250,000 or less, a 1-percent credit is given.

Second. If the city is under 100,000 a 2-percent credit is given.

Third. If the city is under 50,000 population a 3-percent credit is given.

Fourth. If the area bidding is one where unemployment and underemployment exceeds the national average or where serious emigration problems exist, a 2-percent credit would be given.

The Secretary of Labor would determine at least quarterly, those areas of serious emigration.

The second bill provides incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas. The Secretary of Agriculture will designate economically deficient rural areas. Business desiring to locate in these areas will be able to receive increased tax credit for plant investment, accelerated depreciation schedules, and additional wage deductions for low-income workers and training assistance for new employees. To qualify the firm must show that it will create new jobs and be able to employ low-income labor from the area. If a firm meets this criteria it will receive the following tax incentives:

A 14-percent investment credit on machinery instead of the regular 7-percent credit.

A 7-percent investment credit on the cost of the building, an accelerated depreciation of two-thirds for the normal life of the machinery, equipment, and building.

A 125-percent deduction for wages paid to low-income employees for a 3-year period.

These bills would discourage further concentration of population in large crowded metropolitan areas and the intensification of presently existing urban problems.

I feel that the passage of these bills would help to encourage a national policy of urban-rural balance.

Rural emigration to urban areas has created a crisis for each. The only permanent solution lies in a reversal of our emigration trend—a trend that is illogical and dangerous under present conditions. I hope that the Congress will act to encourage rural residence, and strike at the heart of the emigration problem—the lack of opportunity for employment in nonfarm production and services. I feel that the incentives proposed in these bills are in the best interest of our rural community, our urban areas, and on the Nation as a whole and its future.

HOUSE OF REPRESENTATIVES—*Tuesday, January 7, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Lead me in Thy truth and teach me, for Thou art the God of my salvation.—Psalm 25: 5.

O Lord, our God, grant unto the Members of this body, and all who work with them and for them, a fresh sense of Thy presence as we take up the duties of this day. May we learn to think Thy thoughts after Thee and to keep our hearts open to our people that to us will come wisdom as we make decisions, good will as we relate ourselves to one another, and courage as we endeavor to do what is right and good for all.

In this moment of prayer do Thou—

Breathe on us, breath of God,
Fill us with life anew,
That we may love what Thou dost love,
And do what Thou wouldst do.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 1. Concurrent resolution making the necessary arrangements for the inauguration of the President-elect and Vice-President-elect of the United States.

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will any Member-elect who has not been sworn come to the well of the House and take the oath of office?

Mr. TAFT appeared at the bar of the House and took the oath of office.

THE LATE HONORABLE A. LEONARD ALLEN

(Mr. LONG of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG of Louisiana. Mr. Speaker, I find it my sad duty today to advise the House officially of the passing of one of Congress most distinguished former Members, the Honorable A. Leonard Allen, of Winnfield, La. Mr. Allen died quietly early Sunday morning, January

5, 1969. He was born on a farm near Winnfield 78 years earlier, on January 5, 1891.

It has been my great honor, Mr. Speaker, to serve in the congressional seat which Mr. Allen held so long and so honorably. He began his service in the House on January 3, 1937, and was elected to the seven succeeding Congresses, retiring from the House on January 3, 1953, after 16 years of labor during the Nation's most crucial years.

Mr. Allen began his public service in 1914 as a schoolteacher. Subsequently he served as principal of two high schools and superintendent of the Winn Parish public schools. In 1922 he was admitted to the Louisiana bar and entered the practice of law, serving for a time as city attorney for Winnfield, La.

In the Congress Mr. Allen served on the Veterans' Affairs Committee and helped write legislation affecting millions of America's young men and women.

Mr. Allen will be well remembered by those Members who were his contemporaries. And to those of us who follow in his footsteps he will continue to be an example for our own service and conduct. With his passing the Nation has lost a great patriot. His native Louisiana has lost an honored son. And many, many individuals, including myself, have lost a dear and trusted friend. We mark his passing with sadness and respect, and salute his memory here in this Chamber, which he loved so well and served so long and so ably.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. LONG of Louisiana. I yield to the distinguished dean of the Louisana delegation.

Mr. HÉBERT. Mr. Speaker, I had the privilege, along with my colleague, HALE BOGGS, of coming to Congress 28 years ago when Leonard Allen was dean of the Louisiana delegation. We immediately found in Leonard Allen a most unusual warmth and an understanding and a dedication to his duties here in the Congress.

He was a man we will always remember. He was a man of high principles. If ever an individual could be given the appellation or description of a Chrisitian gentleman, it was Leonard Allen. He had his days of humor with us, and he had his days of serious business with us, but we always found in him a most effectionate, loyal, and dedicated man.

Certainly as dean of the Louisiana delegation now, and having had the privilege of serving so long with Leonard Allen, I extend deepest sympathy to his family and particularly to his son, who has become a very distinguished judge in his own right. It was a privilege to have served with Leonard Allen. It is with deep sympathy that we now realize he is no longer with us.

Mr. BOGGS. Mr. Speaker, will the gentleman yield

Mr. LONG of Louisiana. I yield to the distinguished gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I subscribe to the remarks made by the distinguished gentleman from Louisiana (Mr. LONG) and my colleague, the dean of our delegation (Mr. HÉBERT).

I have very fond memories of Congressman Allen and his family and his very wonderful wife. Mr. Allen was most helpful to me as a young Member of this body. I served with him here for many years. I know he enjoyed a long and happy retirement. He was a very religious man, a Christian man.

I am sure Mr. Allen has earned a great reward in the hereafter. He made a great contribution to our State and to our country.

Mr. LONG of Louisiana. Mr. Speaker, I thank the distinguished gentleman.

GENERAL LEAVE TO EXTEND

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late honorable A. Leonard Allen.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PRESIDENT DE GAULLE OF FRANCE ADDS FUEL TO FLAMES IN MIDDLE EAST

(Mr. FARBSTEIN asked and was given permission to address the House for 1 minute.)

Mr. FARBSTEIN. Mr. Speaker, and now comes President de Gaulle, of France, to add fuel to the flames existing in the Middle East. Let France remember that boycotts and embargoes work both ways.

The Israelis have been forced by the evermounting and continuous murderous terroristic attacks to strike with a terrible, swift sword against their enemies. Had they done anything less, it would have been interpreted by the Arab nations as a sign of fear and weakness, and undoubtedly heavier and greater acts of terrorism by the henchmen of the various Arab governments would have been initiated.

If there is to be criticism at this point, let it be equal. No critical outburst was heard when an Israel airliner was shot at, and a passenger killed, at the Athens airport. There was no tremendous outcry at the kidnaping of another El-Al airplane by the Algerian Government. There was no outcry whatsoever on black Friday, November 22, when 13 Israelis were killed and 57 seriously wounded and maimed for life in the marketplace in Jerusalem. There has been no condemnation of the continued Arab terroristic and murderous attacks on Israel border settlements.

If there is to be justice to all the parties involved, if there is to be peace in the area, then let the United Nations and the world leaders treat the entire situation evenhandedly without partisanship. If the United Nations truly believes in equal justice for all, if the United Nations truly wishes a peaceful settlement of the problems in the Middle East, if the United Nations does not have a double standard, then it must condemn the continual, unlawful, and terroristic attacks made upon Israel as well as it has condemned Israel for its retaliatory action against those who have vowed to drive her into the sea.

If the retaliatory action taken by Israel is considered in the context of the continuous terrorism by the Arabs and the fact that Lebanon has become the capital of the terroristic Arab movement, the justice of Israel's position cannot but be understood.

Let us also beware of the sudden apparent pacific diplomatic moves by the Soviets. They are not in the interest of the United States.

SPEAKER McCORMACK TO RECEIVE ROA "MAN OF THE YEAR" AWARD

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, there are few citizens of this great Nation who have merited honors for patriotic service more than has the Speaker of the House, the Honorable JOHN W. McCORMACK.

We who have had the privilege of being his colleagues during any part of the four decades of JOHN McCORMACK's service know of his many virtues, all of which have made him one of the most admired, the most respected, and the most beloved leaders of our land.

Throughout the country, he has won recognition on many accounts—and he has deserved more honors than he could find time to accept. It is with great pleasure that I call attention to another highly deserved honor which will come to him on February 21 when the Reserve Officers Association cites him as "the citizen who has contributed most to the national security of the United States in these times."

Announcement of the award is carried in the following news release about this award from ROA:

ROA NEWS RELEASE

WASHINGTON, D.C., December 20.—An additional birthday honor came today to Speaker of the U.S. House of Representatives, John W. McCormack, with the announcement that the Reserve Officers Association has selected him for its highest award as the "Citizen who has contributed most to national security in these times." His birthday is tomorrow.

Known as the "Minute Man of the Year Award," the honor is presented annually at the ROA Mid-Winter Banquet, which will be held this year on February 21st at the Sheraton-Park Hotel, Washington, D.C. Some 1,500 military officers from throughout the world are expected to assemble on this occasion, climaxing the annual two-day Mid-Winter Conference. Several hundred members of Congress and leaders of the military Services usually participate.

Brig. Gen. Homer I. Lewis, ROA National President, announced the selection of Mr. McCormack by the Association's National Award Board. General Lewis said:

"Speaker McCormack throughout his career has devoted his energies and influence to building a defense system second to no other power in the world, and thus, as much as any man in the Congress, has made it possible for the Armed Forces of the United States to protect this country and its government while at the same time preserving the basic freedom to which every citizen is entitled in the American Way of life."

General Lewis said he had notified the

Speaker of his selection in a personal interview and Mr. McCormack had accepted with an expression of deep gratitude to the ROA and the nation's reservists. Mr. McCormack is an Honoray Life Member of ROA.

The award to Speaker McCormack will be the twelfth made by the ROA. The first was presented in 1958 to Brig. Gen. David Sarnoff, Chairman of the Board of Radio Corporation of America. The other awards follow in chronological order: 1959-Sen. Richard B. Russell (D-Ga.), Chairman of the Senate Armed Services Committee; 1960-Col. Bryce N. Harlow, Deputy Assistant to the President for Congressional Affairs under President Eisenhower and slated for the same post under President Nixon; 1961-Hugh M. Milton, Under Secretary of the Army under President Eisenhower; 1962-Rep. Carl Vinson (D-Ga.) Chairman of the House Armed Services Committee, now retired; 1963-Sen. Dennis Chavez (D-N.M.) who died prior to receiving the citation. It was presented posthumously to his widow; 1964-Sen. Margaret Chase Smith (R-Me.), ranking minority member of the Senate Armed Services Committee; 1965-Rep. L. Mendel Rivers (D-S.C.) Chairman of the House Armed Services Committee; 1966-Sen. John C. Stennis (D-Miss.), Chairman of the Senate Preparedness Subcommittee; 1967-Rep. Robert L. F. Sikes (D-Fla.), ranking member of the House Defense Appropriations Committee; 1968-Rep. F. Edward Hébert (D-La.), member of the House Armed Services Committee.

Mr. Speaker, the following is an excerpt from December issue of the Officer Reporter of the Reserve Officers Association:

HOUSE SPEAKER McCORMACK CITED FOR HELPING BUILD DEFENSE SYSTEM, NAMED CITIZEN OF YEAR FOR 1969

Speaker of the National House John W. McCormack, who has publicly acknowleged ROA's help in narrowly averting a national defense disaster in 1941, has been selected by ROA to receive its 1969 award as "The Citizen who has contributed most to national security in these times."

Popularly known as the annual Minute Man Award and given each year at ROA's Mid-Winter Banquet, the honor will go to the veteran congressman before an anticipated record crowd at the annual banquet on February 21 at Washington's Sheraton-Park Hotel.

Brig. Gen. Homer I. "Pete" Lewis, ROA National President, announced the choice of Mr. McCormack by the ROA National Awards Board.

General Lewis said:

"Speaker McCormack throughout his career has devoted his energies and influence to building a defense system second to no other power in the world, and thus, as much as any other man in the Congress, has made it possible for the Armed Forces of the United States to protect this country and its government, while at the same time preserving the basic freedom to which every citizen is entitled in the American way of life.

"Speaker McCormack is recognized in the Congress as a leader who has used his influence and his leadership to side with the principle of strength. Few men in the past quarter century have had the privilege of contributing so substantially to the security which every citizen of the United States shares, even in these critical and trying times."

General Lewis said that the Speaker himself, out of his modesty, had given ROA and others part of the credit for preventing abolishment of the Selective Service System during the defense buildup just prior to World War II. It was in August 1941 that the House by a one-vote margin saved the Selective Service Act and thus the input of American manpower into the military training camps.

General Lewis said that he had notified the Speaker in a personal interview of his selection to receive the Association's highest award, and that Speaker McCormack had accepted with an expression of deep gratitude to the ROA and the nation's Reservists.

CHILD NUTRITION PROGRAMS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PERKINS. Mr. Speaker, nearly 1.7 million schoolchildren this school year will receive a free or greatly reduced price lunch that otherwise would have been denied them had not the House voted overwhelmingly last session to put real muscle into child nutrition programs.

But hungry children come knocking at the door of the Congress again. Our action last session is only good for this school year. In addition, while we helped 1.7 million there are yet another 2.5 million schoolchildren who are being denied a free lunch.

We can do better than we have done. In response, I am offering again the legislation that led to the breakthrough which raised the number of children receiving free or reduced price lunches from 2.5 million to over 4.1 million.

We all know in face of the evidence before the Congress that additional funds are needed and especially for the food stamp and other programs to serve needy families—but in view of world conditions and in the face of fiscal reality, if priorities are set, one of the topmost is to meet the nutritional requirements of schoolchildren throughout the Nation.

These bills, like those of last session on which they are patterned, are the result of hours and hours of hearings, of the words and recommendations of school officials, nutritionists, doctors, and of private organizations and agencies. Those hearings established conclusively that hunger and malnutrition can be eliminated if adequate funds are made available, and if State and local governments carry out their responsibilities more effectively.

The first measure is H.R. 516, which will provide $100 million a year for up to 3 years to strengthen the child nutrition programs. The funds would be automatically available from section 32 on July 1 of each year to the Secretary of Agriculture.

When the House passed its twin brother—H.R. 17872—last session, the proposal ended up in the final days as a one-shot, 1-year program at $50 million, or half the level we approved. The need which prompted the legislation still exists, and will become even more grievous if all Congress does is to apply a 1-year bandage to a continuing, growing wound.

In one sense, action this session is even more critical than the last. The USDA and the States together have accepted the intent of the Congress to do more in child nutrition. Each State has developed a special program to reach more children utilizing the additional funds we made available, and the Department has revised its regulations to allow States to put more funds to work to feed more children in need. Together they have structured in a very short time a program which is reaching those the legislation intended to help.

We cannot allow this new beginning to die from lack of support, nor can we in good conscience simply repeat this year what we did the last. We must go further along the road to good nutrition for children—we must do more.

I am told that we can reach all of those children who need free or reduced price lunches with an additional $60 million, or a total of about $100 million a year. Thus H.R. 515, which I am introducing today, will enable the Congress to meet its immediate responsibility to the hungry children of the Nation.

However, we should recognize, as the hearings on hunger and malnutrition clearly demonstrate, that money alone will not solve this problem. We must look to the processes of government which give this federal system of ours the ability to respond to the needs of the people it was created to serve. The success of the USDA and the States in putting the $50 million to work to feed hungry children indicates that the federal system can function if the adrenal shock of need is clear enough.

But good government is not a passion of the moment, it is a lifetime enthusiasm for the concept of public service. We not only must enact legislation designed to serve a public need, but also insure that the system which is entrusted with its execution is equipped to do that job effectively.

We have, I fear, too often given our enthusiasm to the former and criticized the latter.

Thus, H.R. 515, patterned in nearly all detail after H.R. 17873, which this body enacted unanimously last session, seeks to find ways to resolve some of the barriers which stand in the way of public services reaching the people.

It will require that all States, for the first time, join with us in financing the lunch program. A number of States do this now; but most of them do not, and content themselves with using the childrens' payment to fulfill the matching requirement in the law.

The proposal also authorizes year-in-advance appropriations as a way to encourage the Department and the States to plan ahead for child nutrition programs with the knowledge that the funds to carry out those programs will be available. At present, Congress often decides its budgets in November, 3 months after the school year has begun. Schools seeking to expand nutrition programs must wait, and State plans cannot be tied down. Good nutrition is the victim of these delays.

The proposal also places specific requirements upon States and local school districts to develop and publish procedures for determining which children will receive free or reduced price lunches. Similarly, the proposal restricts the use of competitive food service in schools—or snack bars and other food services which operate in competition with the regular lunch program within the school. If our goal is improved child nutrition then food services which are not based on sound nutrition concepts should not operate at the same time as the lunch or breakfast program.

The proposal also authorizes the Department and the States to use up to 1 percent of the funds appropriated for child nutrition programs for nutrition education, and another 1 percent for experimental programs. We should give those charged with improving the nutritional status of children the tools to train and to try new methods.

With these, and other basically procedural improvements included in H.R. 515, we will have cleared away many of the restraints and barriers to effective program administration. Some may say we should not lay down requirements the States must follow. Yet, unless we do, no one else will—and we will have left unresolved the question whether the federal system can work.

I know it can, because we see it working—if not well—today. I know it will work better, because I know the caliber of people in the Federal and the State governments who want to make it work. I know it must, because we here today are charged with the ultimate responsibility to make it work.

I have read carefully through the testimony on hunger and malnutrition presented in hearings before my committee. While I find many accusations as to the actions taken by the Secretary of Agriculture and the Department, the facts demonstrate conclusively that he has done an enormously creative job and has achieved more than one would expect based on his authority and the funding support given to him by the Congress. If he were to be criticized, it would be on the single point that the per family charges for food stamps are higher than they should be. Yet, even on this point, the Secretary's efforts to lower the purchase price have been limited by the restrictions we made on the money we appropriated. He could have done more had we made the appropriation for the food stamp program equal to the authorization. Our performance did not measure up to our promise.

I present these bills not as a vehicle to apportion the blame, but as a means of resolving the problem. The hungry are not interested in assigning guilt, but only in escaping from malnutrition. There is no excuse for a hungry child, and far less excuse for hundreds of thousands of hungry children.

We have the food, we have a delivery system capable of reaching every hungry child, and, with the bills I have introduced today, we will get this job done.

TEXTILE IMPORTS

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, during the 90th Congress, there was a great deal of interest in the problems created by the tremendous flood of textile imports entering this country. The Third District of South Carolina is one of the Nation's major textile producing areas. Low-wage imports have been a matter of grave concern to me and a problem I have wrestled with for 20 years. During the past session of Congress, I introduced legislation which would have restored orderly trade in textiles and protected the jobs of the 2.4 million Americans who depend upon the textile and apparel industries for a livelihood. Almost 200 of my colleagues in the House sponsored similar legislation.

During the months since Congress adjourned, the problem of textile imports has become even more critical. The U.S. Department of Commerce has just announced that during the first 11 months of 1968 textile imports amounted to more than 3 billion square yards. This is 28 percent higher than the previous year, and 1968 will be an alltime record year. Virtually every month, new records are being set, and each new record level of imports means that more and more badly needed textile jobs are being displaced.

Mr. Speaker, this Nation, and particularly the textile-producing States, cannot afford to let this situation continue any longer. These imports are entering the United States not because they are any better or because they are more efficiently produced, but simply because they are made at wage scales and under working conditions which would be illegal in this country.

For this reason, I have acted at the earliest possible moment during this new Congress and introduced a bill, H.R. 184, which provides for fair and orderly trade in textiles. My bill is identical to the one which received such widespread support during the last session of Congress except for some changes in definitions and dates.

Mr. Speaker, this is an imminently fair and equitable bill. It provides for a reasonable level of imports, but at the same time, it will encourage the future growth and development of one of our most basic and essential industries.

RULES OF PROCEDURE FOR THE COMMITTEE ON RULES

(Mr. COLMER asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. COLMER. Mr. Speaker, in conformity with and carrying out the provisions of rule XI of the House, the Committee on Rules, on January 7, 1969, unanimously adopted the following rules of procedure for the Committee on Rules:

RULES OF PROCEDURE FOR THE COMMITTEE ON RULES, ADOPTED JANUARY 7, 1969

RULE 1. MEETINGS

The Committee on Rules shall meet at 10:30 a.m. on Tuesday of each week while the Congress is in session. Meetings shall be called to order and presided over by the Chairman or, in the absence of the Chairman, by the ranking Majority Member of the Committee present, as Acting Chairman.

Meetings and hearings of the Committee shall be open to the public except when a majority of the Committee determine that testimony received may bear upon matters affecting the national security. Executive sessions of the Committee shall be closed.

For the purpose of hearing testimony, a majority of the Committee shall constitute a quorum.

A printed transcript of any hearing or public meeting of the Committee may be had if the Chairman decides it is necessary, or if a majority of the Members request it.

A Tuesday meeting of the Committee may be dispensed with where, in the judgment of the Chairman, there is no need therefor, and additional meetings may be called by the Chairman or by written request of a majority of the Committee duly filed with the counsel of the Committee.

RULE 2. VOTING

No measure or recommendation shall be reported or tabled by the Committee unless a majority of the Committee is actually present.

A roll call vote of the Members of the Committee may be had upon the request of any Member.

RULE 3. REPORTING

Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee the Chairman or Acting Chairman shall report the same or designate some Member of the Committee to report the same to the House, as provided in the Rules of the House.

RULE 4. COMMITTEE STAFFING

The professional and clerical staffs of the Committee shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of the members of the staffs and delegate such authority as the Chairman deems appropriate, with the exception of the Minority staff, who shall be selected by and under the general supervision and direction of the Ranking Minority Member of the Committee.

RULE 5. MISCELLANEOUS

The Committee shall prepare, maintain, and publish for the Members of the Committee, so far as practicable, a calendar listing all matters formally before it. Information on the Calendar shall include the numbers of the bills or resolutions, a brief description of a bill's contents, including the legislative committee reporting it and the name of the principal sponsoring Member. For purposes of this rule, matters formally before the Committee include: bills or resolutions over which the Committee has original jurisdiction, and bills or resolutions from other committees concerning which the chairman or designated member of such committee has requested a hearing in writing and forwarded to the Committee on Rules a copy of such bill or resolution as reported, together with the final printed committee report.

Upon adoption of the rules and procedures of the Committee at the opening of each Congress, the Chairman may have these rules and procedures printed in an early issue of The Congressional Record.

THE ORDEAL TO WHICH MEMBERS OF CONGRESS ARE EXPOSED

(Mr. HUNGATE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNGATE. Mr. Speaker, a statement by William Pitt Fessenden, of Maine, who served in the House and Senate more than a century ago should prove of interest, particularly to new Members.

Mr. Fessenden said:

> When, a man becomes a member of this body he cannot even dream of the ordeal to which he cannot fail to expose—
>
> Of how much courage he must possess to resist the temptations which daily beset him;
>
> Of that sensitive shrinking from undeserved censure which he must learn to control;
>
> Of the ever-recurring contest between a

natural desire for public approbation and a sense of public duty;

Of the load of injustice he must be content to bear, even from those who should be his friends;

The imputations of his motives;

The sneers and sarcasms of ignorance and malice; and

All the manifold injuries which partisan or private malignity, disappointed of its objects, may shower upon his unprotected head.

All this, if he would retain his integrity, he must learn to bear unmoved, and walk steadily onward in the path of duty, sustained only by the reflection that time may do him justice, or if not, that after all his individual hopes and aspirations, and even his name among men, should be of little account to him when weighed in the balance against the welfare of the people of whose dignity he is a constituted guardian and defender.

LEGISLATION TO CREATE THREE ADDITIONAL JUDGESHIPS IN SOUTHERN CALIFORNIA

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, I am pleased, indeed, to join with three of my colleagues in sponsoring legislation for authorizing three additional judges for California's southern Federal court district.

The two full-time judges now assigned to this district, which encompasses San Diego and Imperial Counties, are bearing the heaviest caseloads in the Nation. During the past fiscal year, they each handled 1,025 cases, nearly four times the average of 265 cases for each of the 323 district court judges nationally.

The court district fronts on the international border with Mexico, accounting for an unusually high number of narcotics and illegal entry arrests which must be processed in the local Federal courts. Just 16 days ago presiding Judge Fred Kunzel worked into the late evening arraigning 27 suspects in an international narcotics smuggling ring. This is a problem peculiar to this district, and one that demands substantial relief.

The figure of three additional judges is not one plucked out of the air; it has been recommended by the prestigious U.S. Judicial Conference and endorsed by the Administrative Office of the U.S. Courts.

Authorities have been trying to meet the overload problem in the southern court district by the temporary assignment of visiting judges to the district. Clearly, this kind of stopgap arrangement is not a satisfactory solution to a dilemma that is achieving emergency proportions. Only through the assignment of permanent new judges to the district can the demands of justice be met in a realistic fashion.

My concern is fully shared by Congressmen Bob Wilson, John Tunney, and James Utt, who with me represent all portions of the two counties served by the southern court district. We all urge the Judiciary Committee to schedule the earliest possible consideration of this much needed relief for our overburdened court district.

A DANGEROUS MISSILE GAP

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, during the past year, a Styx missile from an Egyptian ship sank the Israel ship, *Eilath*.

It has been brought forceably to my attention that we have no missile as powerful, as accurate, or as difficult to detect as the Styx. Neither are any of our ships provided with detection devices which will give our men sufficient reaction time to shoot down or otherwise deflect the course of the missile.

Russian ships are equipped with Styx missiles, a reaction time of 30 to 60 seconds is required to shoot down or deflect this missile. Our detection devices permit reaction time of only 5 seconds. Steps should immediately be taken to develop capable detection devices on our cruisers and destroyers particularly in the Mediterranean area. Also, we should concentrate on developing a missile equal to or superior to the Russian Styx.

Truly, a dangerous missile gap exists in this area at the present time.

THE FRANK CARLSON SYMPOSIUM ON WORLD POPULATION AND FOOD SUPPLY

(Mr. MIZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MIZE. Mr. Speaker, last month Kansas State University at Manhattan hosted the Frank Carlson Symposium on World Population and Food Supply.

The 2-day symposium honored Kansas' senior Senator, Frank Carlson, who retired on January 3, 1969, from 40 years of public life. Senator Carlson has been State legislator, Congressman, Governor, and Senator of our State. During four decades of public service, he has inspired the confidence of his constituents, the respect of his contemporaries, and the trust of his President. Through successive administrations, both Republican and Democratic, Senator Carlson has gone beyond the workaday role of politician to become a statesman.

SYMPOSIUM REFLECTS CARLSON'S PERSONAL COMMITMENT

Senator Carlson's own standards of personal commitment and concern, and his lifelong approach to the challenges of public service, led naturally to the fitting tribute which Kansas State University chose to honor Frank Carlson.

The symposium addressed itself to the central question of the future of humanity and the quality of life itself in the years immediately ahead. World population increases, balanced against the world's available food, present a fearsome challenge today. Tomorrow, this challenge could become insurmountable for free men, among whom respect for the individual is paramount.

KANSAS STATE UNIVERSITY SHARES COMMITMENT

President James McCain and his staff at Kansas State are acutely aware of the dangerous instability of a hungry world. The university has demonstrated compassion and competence through agribusiness development and assistance to emerging nations of Asia, Latin America, and Africa.

This competence may be documented in many ways, but clearly one parameter must be the Kansas State response to the State Department's call for technical assistance. Kansas State has provided significant contributions abroad, under Federal sponsorship, for over a decade.

The university currently participates in one project to assist cooperating nations develop their post-harvest storage control techniques. The importance of this assistance can be properly understood when one realizes that rodents in India consume as much as 40 percent of each year's grain production, according to responsible observers. Malnutrition throughout the world can be significantly reduced by more effective storage, and Kansas State is the vanguard of this effort.

The university provides technical assistance to Andhra Pradesh University in India, in connection with that nation's agricultural production promotion program. Kansas State also provides U.S. assistance in the crucial development of an agricultural and veterinary college at Ahmandu Bello University in Nigeria. Regardless of the outcome of the tragic war in Nigeria, the college established at Ahmandu Bello will be called upon to provide training essential for expanded agricultural production and proper nutritional balance throughout the war-torn area.

SYMPOSIUM BROUGHT TOGETHER LEADERS

It was natural, therefore, that Kansas State should honor Frank Carlson in this meaningful way. Common concern is common ground. The symposium brought together experts from business, government, the academic community, and the Congress. Dr. Milos Macura, the distinguished Director of the Population Division of the United Nations, was in attendance to present a major paper on demographic considerations in developing nations.

Dr. Lester Brown, of the International Agricultural Development Service, and Under Secretary John Schnittker, presented papers on the efforts of the Department of Agriculture in recent years.

Responsibilities of the academic community, the Federal Government, business, and the people themselves were all discussed by experts from each field.

Senator George McGovern, the first director of food for peace, under which over $17 billion worth of U.S. agricultural commodities have been shipped to people in great need throughout the world, delivered the keynote address.

Among the leaders who affirmed their personal commitment to meet the challenges of world population and food production was the newest Senator from Kansas, the Honorable Bob Dole, Frank Carlson's successor in the Senate of the United States. Bob Dole distinguished himself in the House of Representatives as a member of the Agriculture Committee and made his own contributions to the solution of the problem to which the symposium addressed itself. It is reassuring to humanitarians throughout the world that Bob Dole will be able to carry on his efforts in this area as a Member of the Senate. He will perpetuate the leadership which Frank Carlson, Clifford Hope, Arthur Capper, Andrew Schoeppel, Harry Darby, and other Kansans have made in the development of adequate supplies of food and fiber for all who need them. Both data and ideas are essential if the growing imbalance is to be satisfactorily resolved. Much needed data and ideas were presented in Manhattan, many for the first time.

The Frank Carlson symposium assembled a distinguished cast of workers for humanity. It is comforting to know that these leaders of proven ability are devoting their energies and talents to the problems of the population explosion and subsequent food scarcity.

With their leadership, and the concern of an aroused public, there must be hope for the future.

Frank Carlson has always reflected optimism for humanity, as well as a deep personal belief in God and His understanding and compassion. It was particularly fitting that the deliberations in Manhattan reflected Senator Carlson's abiding confidence that we are capable of solving our most perplexing problems in the years ahead.

PROPOSAL TO INCREASE PERSONAL INCOME TAX EXEMPTION

(Mr. MESKILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MESKILL. Mr. Speaker, on the opening day of the 91st Congress I reintroduced my bill to double the personal income tax exemption from $600 to $1,200. This bill, H.R. 50, contained the signatures of 24 cosponsors. Today, I am introducing an identical bill containing the names of five additional cosponsors.

I am more convinced than ever that this is a necessary and timely proposal as evidenced by the broad support which it has received. Labor leaders and business executives have all endorsed this idea. In addition, it received favorable editorial comment in some 80 newspapers across the country.

The present exemption is the most flagrant injustice of the income tax law. The $600 figure has existed since the early days of the depression and does not reflect the present cost of feeding, clothing, educating, and maintaining a family member, which has more than tripled. My bill would raise the exemption to a much more realistic level.

Federal red-ink spending has caused so much inflation and has so raised the cost of living that the present $600 exemption is nothing more than a token gesture. The Government has set $3,000 a year as the level of poverty. However, in its tax policies it seem to claim that a person can live on much less. This is, of course, absurd.

The limit should ideally be much higher than even the $1,200 proposed in this bill but my proposal would grant an urgently needed measure of relief without too great a reduction in Federal revenues. Any possible loss in revenue could more than be made up by tax reforms. Plug up the existing loopholes and the loss in revenue would be offset.

The fact that many of my colleagues have seen fit to cosponsor this proposal points to the growing support for such reform. I sincerely hope that this Congress will response to the will of the people and take quick and speedy action in approving this bill.

BEEF IMPORTS SHOULD BE HELD TO THE CALCULATED QUOTA FOR 1969

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BERRY. Mr. Speaker, on page 220 of the Federal Register, under the date of January 7, 1969, there appears a statement over the signature of John A. Schnittker, Acting Secretary of Agriculture, dated December 31, 1968, which announcement referring to Public Law 88–482 reads as follows:

> Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles prescribed by section 2(A) of the Act.

The notice of the Department further reads as follows:

> In accordance with the requirements of the Act the following first quarterly estimates are published:
>
> 1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act be imported during calendar year 1969 is 1,035 million pounds.
> 2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1969 is 988 million pounds.
>
> Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, limitations for the calendar year 1969 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep (TSUS 106.20), are not authorized to be imposed pursuant to Public Law 88–482 at this time.

In other words, Mr. Speaker, the Department of Agriculture is again using 110 percent of the estimated quantity of meat imports as a base limitation rather than 100 percent as Congress intended. As has been pointed out to the Department on a number of occasions, the additional 10 percent was allowed in the law not to be used as the determination of the base, but was included to give the Department flexibility in making estimates of the volume of products which may be imported. It was included in the law because the Secretary himself asked for this leeway since he was not sure how close he might be able to estimate and thus asked Congress to give him a 10-percent leeway.

It was not the intent of Congress that this 10 percent should be used as a means of stretching or expanding the allowable volume above the calculated quota figure. It was not the intention of Congress that the base figure of beef to be imported should be 1,035 million pounds, as the Secretary sets forth in his notice.

Beef imports should be held to the actual, calculated quota for 1969. The 10-percent leeway may be used by the Secretary to prevent a violation of the law, but if it is used as it apparently is being used in the notice of the Department as a base, then, Mr. Speaker, it is time for Congress to take judicial notice of the fact that the Department deliberately plans to flaunt the law.

Mr. Speaker, I not only sincerely protest the intended flaunt of the law by the Department, but I shall ask the House Agriculture Committee to bring the Department before them to determine whether it is their intention to deliberately disregard the intention of Congress or whether they are going to force Congress to amend the law to compel the Department to interpret the law the way Congress intended that it should be interpreted.

REPORT PREPARED BY DIRECTOR OF OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 36)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

I am transmitting a report prepared by the Director of the Office of Economic Opportunity, required by section 610 of the Economic Opportunity Act of 1964 as amended. The report contains information on the salaries of certain officers and employees of organizations funded under the Economic Opportunity Act.

Lyndon B. Johnson.

The White House, *January 7, 1969.*

SEVENTH ANNUAL REPORT OF THE PEACE CORPS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I take pleasure in transmitting to the Congress the Seventh Annual Report of the Peace Corps.

The statistics of 1968 are impressive by themselves.

—Volunteers began serving in seven new countries, and plans have been set for programs in two more.

—The number of volunteers increased to more than 12,000 men and women serving in 59 countries.

But statistics tell only part of the tale. The two greatest achievements of 1968 were intangible.

For the first time, host country nationals were integrated into the agency's overseas staff. They helped to recruit volunteers in the United States and to train abroad. They assured the pursuit of goals that they had established for themselves, not that we might have dictated to them. As a result, the Corps became a truly effective team effort for international understanding.

This report also shows proof of the relevance of the Peace Corps to problems we face at home. When the Corps began, it boldly promised that those who flocked to it for experience abroad would return better able to direct the destiny of their own country.

Of the 25,000 volunteers who have come home:

—A third have returned to school for advanced degrees.

—Almost a third of those employed teach in inner-city schools, working in jobs that educators find difficult to fill.

—Another third work for Federal, State, and local governments.

So a tour in the Peace Corps has become more than a two-year stint helping others; it has encouraged thousands of youngsters to pursue careers in public service.

This report is a testimony to America's commitment to the future. I commend it to your attention.

Lyndon B. Johnson.

The White House, *January 7, 1969.*

TAX REFORM PROPOSALS—COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 35)

The SPEAKER laid before the House the following communication from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

The White House,
Washington, D.C.,
December 31, 1968.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: The Treasury Department specialists in tax policy some time ago undertook a major effort to prepare tax reform proposals of a comprehensive nature.

The Congress, in the Revenue and Expenditure Control Act of 1968, requested that proposals for a comprehensive reform of the Internal Revenue Code be submitted by December 31.

The studies and proposals for tax reform have been developed by the staff of the Treasury Department.

These studies and proposals, although reviewed by Secretary Fowler, should be viewed primarily as the technical product of the Treasury Staff. I have not received, considered, or made any judgments on these staff proposals. They are the technical product of the tax specialists in the Department and have not been discussed or examined by me.

I have conferred with the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee, the appropriate committees handling this legislation, concerning what seems most appropriate under existing circumstances. We believe that in justice to the Administration that will take office within the next month and who will have to live with and administer any legislation passed, it is only appropriate that they have the opportunity to examine carefully and make their judgment on these matters. All data pertaining to this matter will be made available to the incoming Secretary of the Treasury promptly, and he and I have discussed this procedure and the Secretary-designate concurs in this decision.

The Chairman of the House Ways and Means Committee has been informed that since the Congress will not resume until January 3, all data are available to the Congress when they desire to receive it. I have been today informed by the Chairman of the House Ways and Means Committee, the Ranking Minority Member and the new Secretary that they will make their own arrangements for the proper consideration of any tax proposals that may be desired at a date acceptable to the three of them.

Sincerely,

Lyndon B. Johnson.

CHAPLAIN CAPODANNO POSTHUMOUSLY AWARDED MEDAL OF HONOR

(Mr. MURPHY of New York asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MURPHY of New York. Mr. Speaker, today I attended a very impressive and moving ceremony at the Washington Navy Yard. The occasion was the posthumous presentation of the Congressional Medal of Honor, our Nation's highest military honor, to Chaplain Vincent Robert Capodanno, a lieutenant in the Navy Chaplain Corps who was killed in action on September 4, 1967, in Quang Tin Province, Republic of Vietnam.

Father Capodanno was born and raised in Staten Island, N.Y., which is part of the congressional district I represent. He attended Curtis High School in Staten Island and Fordham University in New York. He studied for the Catholic priesthood at Maryknoll Seminaries in Glen Ellyn, Ill., Bedford, Mass., and New York City, and he was ordained a Catholic priest on June 7, 1957.

Father Capodanno had a distinguished record of service long before he won the Medal of Honor. He served as a missionary for the Catholic Foreign Mission Society in the Far East from 1958 until 1965.

He became a Navy chaplain on December 28, 1965, and began his service in Vietnam in April of 1966. From then until the time of his death he won the Purple Heart and the Vietnamese Gallantry Cross with Silver Star, among other awards.

Under leave to extend my remarks in the Record, I am attaching a copy of the citation for Father Capodanno's Medal of Honor and a copy of the address given by Secretary of the Navy Paul Ignatius at the award ceremony.

Words, of course, cannot adequately describe this man's heroic deed, nor can a medal adequately honor his ultimate sacrifice; his service to his men and to his country and to his God are so extraordinary that they can never be fully honored. But for a man such as Father Capodanno, for whom service to God and country came before any personal consideration, the fact that he died serving his God and his country, in a manner consistent with his strongest convictions, is more honor than we can ever give him.

This Nation and this world have lost an extraordinary man; we should be thankful that we had the benefit of his service and dedication for the time he lived.

The citation and address follow:

Citation

The President of the United States in the name of The Congress takes pride in presenting the Medal of Honor posthumously to Lieutenant Vincent R. Capodanno, Chaplain Corps, United States Naval Reserve, for service as set forth in the following citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as Chaplain, 3rd Battalion, 5th Marines, in connection with operations against enemy forces in Quang Tin Province, Republic of Vietnam, on 4 September 1967. In response to reports that the 2nd Platoon of M Company was in danger of being overrun by a strong enemy force, Chaplain Capodanno left his position of relative safety with the company command group and ran to the beleaguered platoon through an open area raked with fire. Despite the intense enemy small-arms, automatic-weapons, and mortar fusillade, he moved about the battlefield, administering last rites, giving medical aid to the wounded, and greatly inspiring all within sight or hearing. Although an exploding mortar round severed a portion of his right hand and inflicted painful, multiple wounds to his arms and legs, he refused all medical aid. Instead, he directed the corpsmen to treat their wounded comrades, and he continued to move about the battlefield with calm vigor as he provided encouragement by voice and example to the valiant Marines. Seeing a wounded corpsman directly in the line of fire of an enemy machine gun fifteen yards away, Chaplain Capodanno rushed forward to the corspman, but was struck down only inches from his goal by a burst of machine-gun fire. By his heroic conduct and inspiring example, Chaplain Capodanno upheld the highest traditions of the United States Naval Service. He gallantly gave his life in the cause of freedom.

Lyndon B. Johnson.

Remarks by Hon. Paul R. Ignatius, Secretary of the Navy, at Posthumous Medal of Honor Presentation to Lt. Vincent R. Capodanno, Chaplain Corps, U.S. Naval Reserve, Washington Navy Yard, Washington, D.C., January 7, 1969

Mr. and Mrs. Capodanno, Admiral Moorer, members of the Congress, distinguished guests, ladies and gentlemen:

We are here today to award our nation's highest military honor to a truly heroic individual, Vincent Robert Capodanno, who was killed in action on 4 September 1967 in Quang Tin Province, Republic of Vietnam.

A lieutenant in the Navy Chaplain Corps, he is the third chaplain in our country's history to receive the Medal of Honor, and the second Navy chaplain to be so honored.

Indeed, men like Chaplain Capodanno are unusual men. From the time he accepted his appointment in the Chaplain Corps in December 1965, until his death, he repeatedly distinguished himself. The Purple Heart and the Vietnamese Gallantry Cross with Silver Star, among other awards, attest to this.

The act that Chaplain Capodanno so selflessly performed—the one that brings us here because it earned him his country's highest award—was consistent with the exemplary life he led.

Learning that the Second Platoon of the M Company, 5th Marine Regiment, was engaged in savage fighting and might be overrun, he ran to join them. The unit was pinned down by enemy fire. Despite this, he proceeded to minister to the wounded and the dying.

His actions were an inspiration to the young Marines who saw him. His words of faith strengthened morale and provided encouragement to those who heard him.

Although seriously wounded in this action, he refused medical aid so that others could be treated, and continued ministering to his men. Seeing a wounded corpsman whose position was in the direct line of enemy fire, he dashed to his side. In so doing he made the ultimate sacrifice.

Today, it is my privilege to award Chaplain Vincent R. Capodanno the Medal of Honor, posthumously, for his heroism in the face of impossible odds; for his courageous support to the men who looked up to him for guidance and spiritual strength; and for his willingness to make man's greatest possible sacrifice for his country in its struggle for peace in the world.

Admiral Moorer, the Chief of Naval Operations, will now read the citation.

PORNOGRAPHY MUST BE KEPT OUT OF OUR HOMES

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. CAHILL) is recognized for 15 minutes.

Mr. CAHILL. Mr. Speaker, I have taken this special order to advise the House that I am introducing a bill which, if enacted, should prevent the use of the mails for the transmittal of obscene matters to our homes.

Every Member can attest to the outrage of the citizens of this Nation who, in spite of their every effort, have been unable to prevent the delivery through the U.S. mails of smut and pornography. This is particularly true when minor children are in the home.

In 1968 alone postal authorities received over 165,000 formal complaints from recipients of obscene mailings. My investigations reveal that most of these complaints were from parents of children who are of school age. In my judgment, this legislation is absolutely necessary to prevent unscrupulous publishers and dealers from using the U.S. mails as a pipeline for the unconscionable flow of smut and obscenity to minors.

The bill that I am introducing has been drafted to conform to recent U.S. Supreme Court decisions and would specifically prohibit mail-order sales of obscene materials to children under 16 years of age. My bill would make the unsolicited mailing of hard-core pornography to any family with children under 16 a Federal crime punishable by fine and jail sentence.

Mr. Speaker, I realize the constitutional guarantees of freedom of speech and expression, and like all Members support the protections inherent in the first amendment to our Constitution. However, our Supreme Court has consistently held that hard-core pornography is not protected by the Constitution, particularly where the interests of children are concerned. Recently our Supreme Court in a landmark decision held that the rights of parents to direct their children's education and upbringing include the ability to protect them from offensive and obscene books and photographs. Based upon this ruling and my conviction that the legislation that I have introduced does not violate any constitutional rights, I truly believe that if enacted it would be the answer to the removal of smut and pornography from homes in which young children reside.

Mr. Speaker, this is a national problem and requires the attention and action of this National Legislature. I hope that the Members will examine the bill which I am introducing and that they will support its enactment into law.

ISRAEL'S DETERMINED EFFORT TO STOP EXPORTATION OF TERRORISM IS THE ONLY WAY TO AVOID ANOTHER VIETNAM IN THE MIDDLE EAST

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. PUCINSKI asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, much is being said today about Israel's destruction of some 13 civilian Arab airliners at Beirut Airport.

The United Nations, in a hasty, albeit poorly thought-out action, severely censured Israel when in fact the United Nations should have been addressing itself to the growing trend by the Communists to export terrorism in pursuit of their own goals.

Let there be no mistake about what is involved in this whole matter. Only the brave Government of Israel is able today to understand that the same kind of terror tactics which led to the war in South Vietnam are now being exported by terrorists to other parts of the world.

It may be difficult for the average American to understand this, but the fact remains that what we are witnessing in the world today is a gigantic effort by the Soviet conspiracy to continue the turmoil it started 20 years ago and to ultimately precipitate the destruction of Israel as a sovereign state. For Israel alone stands in the way of Soviet expansion into the Middle East and Africa.

I am mindful that the attack on the 13 Arab airliners at Beirut was forceful and severe.

But I am mindful also of the fact that the Government of Israel has stated with complete clarity, and in my judgment, complete justification, that it will retaliate for acts of terrorism against the Israelis at the place where plans for such terrorism are spawned.

I am amazed that the United States has joined in the denunciation of Israel without looking at all the facts.

There can be no doubt that the attack on an Israel civilian airliner at Athens was but one more arrogant act of terrorism by the Arabs which the Israelis have endured since the rebirth of their nation.

Mr. William S. White, the distinguished American journalist, quite properly stated the case in his column of January 3 when he wrote that the Israel reprisal should be put into the perspectives of history. I shall include Mr. White's entire column at the conclusion of my remarks. But at this point I should like to cite a significant observation by this outstanding American observer when he properly points out:

> Week after week, month after month, year after year the Israelis have been drenched by the poisonous hatred of Cairo Radio.

He states further:

> Eternally threatened, they have lived in a stockade state, much as did the American pioneers. Endlessly attacked along their frontiers, they have responded with a courage and an elan rarely seen in contemporary times.
>
> Explicitly and repeatedly told by Arabs that they are going to be destroyed by Arabs, it is perhaps not too surprising that after two decades, it is growing difficult for them to see that "big picture" which statesmen far from the scene are pleased to paint for them.
>
> Is it very surprising, then, that finally they react with undue violence, considering the further point that never once have they been granted elementary justice by a U.N. presently headed by the openly prejudiced Secretary General U Thant?
>
> The simple, historic reality is that the Israelis have never stood a chance in the U.N., where the Russians and their tinpot and sometimes crypto-Communist allies among the African and Asian states have used this tough and tiny Western outpost as a kind of badminton shuttlecock in the cold war.

Thus it can be stated without contradiction that we cannot judge the Israeli attack on Beirut in total isolation. Looked at in its proper perspective, Israel's action emerges in a new and more meaningful light.

Mr. Speaker, in order for us to understand the magnitude of the Israeli effort toward world peace and its stubborn determination to avoid another Vietnam in the Middle East, it is important for us to recall the beginning of the crisis in Vietnam.

The record is replete with evidence the Communists staged violent acts of terrorism and subversion against the South Vietnamese until they brought this nation to the brink of collapse. The United States was forced into the conflict in order to save South Vietnam from this terrorism.

I have said time and again that Vietnam is the testing ground for the Communists' new technique of warfare—warfare through terrorism and subversion.

You cannot dismiss the acts of terrorism against the Israelis as the acts of individuals motivated by nationalistic passions and emotions.

The evidence will show that the ever-increasing violence against the Israelis both within their own boundaries and now in more remote areas such as the attack at Athens, are being carried out by a well-organized, and well-trained apparatus with its headquarters within the borders of the Arab States.

There are those who argue that Lebanon has had a 20-year record of passivity and discretion toward the State of Israel. This may be so, but the record now shows that Lebanon is today the citadel—with or without official sanction of the Lebanese Government—for various Arab terrorist groups that continue to plot aggression of the most brutal sort against Israel and her people.

In their attack on Beirut, the Israelis

were carrying out their policy of striking at the nerve center where these conspiracies against the Israelis are spawned. Beirut was not selected because it is an easy target. It was selected because the Lebanese Government has either failed or has chosen not to make its territory available to the terrorist groups attacking Israel.

I am placing in the RECORD at this point two documents prepared by the Israeli Government which I believe are important if we are to understand the present conflict in its proper perspective.

The first explains in detail the Israeli action at Beirut and the reason why Beirut was chosen.

I believe, Mr. Speaker, that a careful reading of the evidence contained in this document will demonstrate the degree of patience the Israelis have demonstrated for so long a time before finally taking action against the nerve center of conspiracy against Israel.

It is important to point out the extreme care Israeli troops took—at considerable risk to their own safety—to prevent civilian casualties.

Even in war, the Jews continue to reflect their historic concern for the value of human life.

I am also enclosing Prime Minister Eshkol's statement why Lebanon cannot disclaim responsibility for terrorism.

Mr. Speaker, I am also including excerpts from Israel's statement to the United Nations delivered by her representative, Mr. Joseph Yekoa.

Finally, Mr. Speaker, I am including Mr. White's column in its entirety.

I believe these documents will help Americans better understand why the United States action in censuring Israel was precipitous and fails to take into consideration Israel's very valid reasons for her strong action.

Only tiny, but brave Israel understands that unless terrorism is stopped at the site where it is spawned, this kind of international violence will grow in intensity and finally engulf the world in another world war.

We owe Israel a debt of gratitude for her mature and historic understanding of the enemy and not condemnation of her effort.

Mr. Speaker, I believe we can repair the damage done to world peace by the censure of Israel. I believe the United States should lead the way in inviting Israel into the North Atlantic Treaty Organization and give her the collective security of the entire European community against Soviet aggression.

We now have three Mediterranean nations in NATO: Greece, Italy and Turkey. With the expansion of the Soviet fleet into the Mediterranean, Israel should be treated as a member of the European community and not isolated in the Middle East.

The United States should also make clear that while we seek peace in the Middle East and while we seek to live in friendship with all the nations of the Middle East, including the Arab States, the United States has a historic commitment to the survival of a free and sovereign Israel and we must consider any attack on the State of Israel an attack on the peace of the world.

The United States played a key role in the rebirth of the free State of Israel. The United States cannot sit idly by and watch the dissolution of Israel by her warring neighbors.

We cannot sit idly by because Israel alone bravely stands as a bulwark against Communist expansion in the Middle East and Africa.

It has been wisely stated that he who controls Africa—the rich-in-natural-resources continent of Africa—controls the world. We have a right to ask why the Soviet Union has rearmed all of the Arab States and why the Communists continue to foment unrest against Israel.

The answer is clear.

The Soviet Union perhaps even more than the Arab States themselves want to see the destruction of Israel because only Israel bravely stands in the way of Communist hopes for total domination of the Middle East and Africa.

The Soviets will fail. Anyone who knows the tenacious spirit and love of human dignity demonstrated by the Jewish people for the past 2,000 years despite indescribable persecution must quickly realize the Jews will not meekly surrender the homeland they sought so diligently for all of these centuries.

It is for this reason, Mr. Speaker, that it is important for Americans to understand all the issues in this tragic confrontation.

What happens in Israel and to Israel is of vital concern to all Americans.

The survival of Israel as a free state is not a sentimental journey for Jewish people alone. The survival of a free Israel is in the highest interest of the United States if Soviet expansion is to be checked and peace preserved.

That is why, Mr. Speaker, I believe we should recognize Israel's difficult position and assist her instead of joining in condemnation.

This trend toward exporting terrorism must be stopped at all costs before it gets out of hand. The Israelis bravely have shown us how this international terrorism can be effectively stopped.

The material referred to follows:

THE ISRAELI ACTION AT THE BEIRUT AIRPORT, DECEMBER 28, 1968

A. LEBANESE RESPONSIBILITY FOR TERRORISM

1. Since September 1968, 18 terrorist incidents have taken place from Lebanese soil, with the overt encouragement of the Lebanese Government. The terrorist group most active in Lebanon is the one which calls itself "The Popular Front for the Liberation of Palestine." This is the group that claimed responsibility both for the hijacking of the El Al plane to Algeria in July 1968 and for the terror attack on the El Al plane at Athens on December 26, 1968. The group maintains its headquarters in Beirut and is allowed to function openly. Its communiques are regularly published in Beirut. It was from Beirut Airport that the two perpetrators who sprayed machinegun fire and threw explosives at the El Al plane at Athens had departed. One passenger was killed and a stewardess wounded during that attack.

2. Lebanese official support for terror against Israel is reflected in numerous public statements. In the words of the Lebanese Prime Minister on November 2, 1968:

"Fedayeen action is legitimate, and no one can condemn the fedayeen for what they are doing. Their aim is to retrieve their homeland and their plundered rights. . . Thus, I say, fedayeen action is legal." (Radio Beirut, 11.2.68.)

Following the attempt to destroy the El Al plane at Athens Airport, Radio Cairo on December 28th quoted Lebanese official sources as "praising the courage of the perpetrators." This was echoed in the Lebanese daily El-Hadaf, 12.28.68: The action at Athens was an outstanding act of heroism. The path of struggle is a difficult one, but those who follow it faithfully will ultimately reach the goal."

B. SCOPE OF ISRAELI ACTION

3. As a result of the Israeli action at the Beirut Airport, December 28, 1968, 12 to 14 Arab aircraft were destroyed or severely damaged (9 jets and 3–5 turbo-jets.)

4. At great risk to themselves, Israeli troops at the Airport exercised the strictest precaution to prevent civilian casualties. The planes were emptied of passengers and ground crews, and people in the vicinity were led away to safety. Loudspeakers were employed to issue instructions in Arabic and English. The only shots fired were warning shots in the air. No fire was directed at people. There is no truth in the allegation that explosives and machine guns were used. Smoke bombs were employed against the possible arrival of Lebanese reinforcements. The runways were left untouched.

C. THE PURPOSE OF THE ISRAELI ACTION

5. In contrast to the severe precautions to avoid civilian casualties in the Israeli action, the terror attack on the El Al plane in Athens was one of cold-blooded murder. Thirty-eight passengers including women and children, were in the plane when it was struck by grenades and machinegun fire. That the plane, with its 30 tons of fuel, did not explode on the spot was due more to chance than design.

6. The Athens incident was the second act of violence in six months by a Beirut-based terror group directed against the Israel national airline. Following the piratical act in July, Israel made it clear that it would not tolerate interference with the free and innocent movement of its aircraft.

Last week's criminal attack at Athens Airport again highlighted the dangers inherent in this method of terrorization which may be expected to spread if no reaction is forthcoming.

7. Israel has no desire in worsening its relations with Lebanon. It is, however, obliged to defend itself against any aggression at the place where it is planned and carried out. States that make it possible for terrorist groups to organize and perpetrate acts of terror bear responsibility for the aggression. Under the rules of international morality and law, no State is allowed to harbor and encourage armed forces operating from its territory against a neighboring State, and then be considered immune from reaction in self-defense.

8. For Israel, a country surrounded on every border by enemies foresworn to its destruction, the national airline is a vital life-line to the world outside. Any attempt to interfere with its legal freedom of movement is a blow at Israel's security.

LEBANON CANNOT DISCLAIM RESPONSIBILITY FOR TERRORISM

(Statement by Prime Minister Eshkol, Jerusalem, December 29, 1968)

After the piratical act of the kidnapping of the El Al Plane last July, we refrained from reacting in force and took diplomatic action instead for the release of the plane, crew and passengers. I made it clear at that time, on behalf of the Government, that we would not accept any interference with the free movement along our air routes. I emphasized that kidnapping not only endangered Israel but also violated principles of freedom and safety of aviation, and I called for a cessation of acts of this kind.

UNPRECEDENTED CRIMINAL ATTACK

Unfortunately, an end has not been put to this dangerous practice. Once again, an unprecedented criminal attack has been perpetrated, this time on an El Al plane at the International Airport at Athens. Terrorists threw hand-grenades and Molotov cocktails, and shot from machine-guns at a civilian aircraft carrying passengers in innocent flight to their destination. One of the passengers was killed, and a stewardess was wounded. It was only by chance that the assault did not claim a larger number of victims. The aim of the assailants was to kill dozens of people and by spreading fear paralyze Israel aviation.

The attack was carried out with the purpose of causing a large number of casualties. It is difficult to exaggerate the gravity of this deed of violence and bloodshed. No State has the right to ignore the danger emanating from such a criminal method of terrorization, which may be expected to spread if no reaction is forthcoming.

LEBANON BEARS RESPONSIBILITY

We have no desire whatsoever of worsening our relations with Lebanon. Israel is interested in a delimitation of the hostile front—not in its expansion. But we are obliged to defend ourselves against all aggression, in the place where it is planned and carried out. This practice adopted by our enemies must stop. States that make it possible for terrorist organizations to organize and perpetrate acts of terror bear responsibility for aggression, a responsibility they cannot disclaim. This is accepted as a fundamental principle of international law. On no account can we accept the notion that the waging of war against Israel should be permitted if those who wage it call themselves this or that organization and not a government.

The facts are clear: the terrorist band that struck at our plane operated out of Beirut. In Beirut are located the headquarters of the organization that carried out the deed. From Beirut went out the organization's words of bravado concerning its deed—as well as the statement proclaiming its intention to continue with actions of this kind. Under rules of international morality and law, a State is not allowed to harbor and encourage an armed force operating from its territory against a neighboring State and be considered immune from reaction.

These terrorist methods employed by Israel's enemies strike not at Israel alone but are capable of causing the gravest interference in international civil aviation.

Israel calls for the honoring of the rights of all States to fly their international airlines in freedom and safety.

EXCERPTS FROM ISRAEL'S REPRESENTATIVE TO THE UNITED NATIONS, MR. YOSEPH YEKOA, AT THE SECURITY COUNCIL, DECEMBER 30, 1968.

Inhuman in its lust for blood, indifferent to the catastrophic dangers involved, oblivious of international interests and rights, the attack in Athens was the most despicable of acts of violence committed in the course of Arab warfare that continues against Israel in violation of the cease-fire. "A cowardly act of barbaric insanity" labelled it the Ceylon Daily News of 28 December. "Another act of insanity" cried the Buenos Aires Herald on 27 December. "A condemnable act" said Dagens Nyleter of Stockholm on 28 December.

From all continents, from all parts of the world, came expressions of shock and anger.

The attempt to blow up an airplane with all its passengers and crew and endanger the lives of many others at a neutral airport was of the same character as throwing grenades into a crowded bus station, exploding dynamite charges in a market place, placing button shaped mines in school yards, planting mines under tourist buses. Defeated in their aggression of May-June 1967, the Arab States were now trying to prove their mettle by war against women and children. Thwarted in their openly proclaimed plan to destroy Israel and annihilate its people in 1967, the Arab governments have turned in 1968 to bleeding Israel by murder of the innocent and defenseless, by terror and sabotage. At the Athens airport the warfare by stealth, merciless and indiscriminate, reached new depths of baselessness. It was clear that it must not be left without reaction.

Where was the action to come from? The world, shocked as it was, remained paralyzed and the governments strangely silent. The people of Israel were once again on their own. Israel knew that it was again up to itself to uphold its rights, to protect its citizens, to prevent a strangehold on its air lifeline.

The decision was taken. Israel acted. Yet how different its action was from that of the Arab aggressors.

The attackers of the El-Al aircraft in Athens testified that they were Lebanese who came from Lebanon. One of them was Lebanese born, the other a resident and national of Lebanon. Both lived in the city of Tripoli. Both were members of the Palestine Liberation Front, the same terror organization that claimed credit for the act of piracy committed against the El-Al plane last June. Its headquarters are situated in Beirut.

In the last months the concentration of raiders increased especially in the vicinity of the Lebanon Israel cease fire line. The number of sabotage raids in this area between August and December 1968 was twenty two. The encouragement and the complicity of the Lebanese government are no doubt accountable for the rapid expansion of the front activities.

Prime Minister Al Yofi has announced several times that his government supports terror operations against Israel. This morning he declared again, "The *fedayeen* operations are legal and sacred."

An opinion was expressed in this council that Israel's action was disproportionate to the terror attacks that preceded it. When would Israel's action have been proportionate to them? Had the assailants of the aircraft in Athens succeeded in blowing up the plane and killing the fifty persons aboard, or they brought about the explosion of other airplanes on the field and of the airport installations, would this have made the Israeli action proportionate? Should we have waited until Arab warfare succeeded in bringing about such a catastrophe? Should we have waited until terror attacks from Lebanon against Israel territory resulted in more casualties and more damage?

It is odd to hear several supporters of Arabs aggression in the Middle East suggest that Israel pay compensation for the aircraft destroyed at the Beirut airport field. And who will pay for the lost Israeli lives? Is the single life of the Israeli engineer killed in Athens, while on a U.N. mission, worth less than all the metal and wire and upholstery destroyed in Beirut?

Who will determine this? Or are the shares of the owners of the Arab airlines more privileged than human life? Who will compensate Israel for the hundreds of its citizens killed in the course of the existing cease-fire? Who will make reparations for the damage of the border villages that are being shelled incessantly or the Jews, lingering since June 1967, in Arab concentration camps. Or the property of nearly a million Jewish refugees from Arab lands, for twenty years of Arab war against Israeli territory and people?

Here in the Security Council of the United Nations, a quarter century after the defeat of Nazi barbarism, are we to hear that the scrap iron of airplanes is worth more than Jewish blood?

It is perhaps not by accident and it may even be symbolic that the most penetrating assessment of the situation came under the name of Winston Churchill, the younger Winston Churchill, in the London Evening News of 30 December, today: "On the one hand . . .", he wrote, "A deliberate (but bungled) attempt was made to destroy an Israeli civil airliner as it was taxiing out for takeoff with 51 people abroad. On the other hand a raid that resulted in the destruction of 13 empty aircraft that was meticulously planned and executed to avoid loss of life (and it appears, succeeded in this respect) should come in for so much more condemnation from the British, French and American governments than the deliberate attempts to destroy an airliner with all its passengers aboard . . ."

Israel desires tranquility on the cease-fire line with Lebanon as on other cease-fire lines. There will be tranquility if Lebanon abides by the cease-fire and puts an end to acts of violence by terror organizations operating from its territory, contrary to the cease-fire. In the last twenty years such acts of aggression have only brought disaster and suffering to all the people of the area.

I have returned from Israel two hours ago. I have found the people and its government determined to follow a course of peace, resolved to end the war that has plagued the Middle East since 1948. But I have found a people which, if war continues to be waged against it, will defend itself with all its soul and all its heart and all its might. To this people it is immaterial how this warfare is being waged or how it is defined. Whether attacked by the shell of a regular army's artillery or by the bazooka bomb of an irregular military force, the people of Israel will defend itself. Whether death is forced upon it by an Arab army or by a terror warfare organization supported by Arab governments and committed to Israel's annihilation, the people of Israel will not yield to it. They will repel it as best they can, by whatever means they possess. For in the struggle for life it is the right to live that precedes all. I have found a people that has suffered all too much, all too long, to be deterred from achieving its objective—to live at peace, real peace, like all other nations. I have found a people that will not agree that laws valid for all should be non-applicable to itself.

It must end. The Arab States can and should end it. The Security Council must call upon them to do so. To omit such a call again can only encourage further breaches of the cease-fire. If peace is to come, the cease-fire must be maintained. There is no reason why it should not be. Israel hopes that all governments in the area will now realize that it is in the interest of all of us to respect the cease-fire and to prevent all its violations by whatever means committed, so that we may devote our efforts fully toward the establishment of a just and lasting peace.

[From the Washington Post, Jan. 3, 1969]

ISRAEL REPRISAL SHOULD BE PUT INTO THE PERSPECTIVE OF HISTORY

(By William S. White)

All this breast-beating condemnation of Israel by "world opinion" for the Israelis' reprisal attack upon the airport in Lebanon needs some cool re-examination and some factual perspective.

It is true that Israel's action here, in retaliation for a terrorist Arab assault upon an Israeli aircraft in Athens in which an Israeli lost his life, was unwise and excessive—if judged in total isolation. For Lebanon has been a moderate force within the Arab bloc and has thus far joined only by words in the "holy war" being conducted against Israel by more vehement—and Communist-oriented—states such as Nasser Egypt.

Still, this whole business cannot be understood out of its whole context. When all the facts, and not just some of them, are seen without prejudice, Israel comes off incomparably better than it is coming off in the excited indictments now being flung about inside and outside the United Nations.

First of all, Israel's commandos at any rate took the greatest care in Lebanon to take no man's life. But the essential points are vastly deeper. Here is a nation dug out of the hard, arid earth that for all its life has been tirelessly menaced by extremist Arabs from every side.

Week after week, month after month, year after year the Israelis have been drenched by the poisonous hatred of Cairo Radio.

Eternally threatened, they have lived in a stockade state, much as did the American pioneers. Endlessly attacked along their frontiers, they have responded with a courage and an elan rarely seen in contemporary times.

Explicitly and repeatedly told by Arabs that they are going to be destroyed by Arabs, it is perhaps not too surprising that after two decades it is growing difficult for them to see that "big picture" which statesmen far from the scene are pleased to paint for them.

Is it very surprising, then, that finally they react with undue violence, considering the further point that never once have they been granted elementary justice by a U.N. presently headed by the openly prejudiced Secretary General U Thant?

The simple, historic reality is that the Israelis have never stood a chance in the U.N., where the Russians and their tinpot and sometimes crypto-Communist allies among the African and Asian states have used this tough and tiny Western outpost as a kind of badminton shuttlecock in the cold war.

But there is an even more fundamental truth, and it is this: It is no longer liberally chic to be pro-Israel, where once it was too liberally chic altogether. Twenty years ago, "elite" American opinion sentimentalized Israel out of all reason. Today, "elite" American opinion can hardly find anything good about the Israelis.

It would require a book fully to explore this turnabout; this columnist's opinion is that Israel has fallen out of grace not because of its considerable faults but rather because of its old-fashioned virtues.

For the Israelis oddly cling to certain outmoded concepts which in a short-hand way are more conservative than otherwise, to wit:

They do not happily embrace any and all "revolutions," such as Col. Abdel Gamal Nasser's exported "revolutions" in places like Yemen. They feel no shame in being patriots. They love their country; they will unhesitatingly fight for it. And they will not be talked out of their right—and duty—of self-defense.

They do not accept the new isolationism, the new peacenikism, of the New Left now so popular in quarters here and abroad. Having been told several thousand times that pro-Communist Arabs intend the literal destruction of their way of life, they have come to believe it.

That Lebanon is not really a part of this conspiracy is true enough. That Lebanon's airport has been attacked is in every way regrettable. But that the world can hardly expect a people so long brutalized by hostile neighbors to respond in every instance with all prudence and restraint is surely also true. When a man is fighting for his life, it is a little hard to expect him to proceed with all the solemn care that might be exercised by some fellow who never felt a wound.

AUTHORIZING PAYMENT OF EXPENSES OF HOLDERS OF CONGRESSIONAL MEDALS OF HONOR INCIDENT TO ATTENDANCE AT PRESIDENTIAL INAUGURATION

Mr. TEAGUE of Texas. Mr. Speaker, I offer a resolution (H. Res. 83) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 83

Resolved, That there are authorized to be paid out of the contingent fund of the House of Representatives, on vouchers approved by the Speaker of the House of Representatives, not to exceed $15,000 for the payment of expenses incurred by holders of Congressional Medals of Honor incident to their attendance at the presidential inauguration on January 20, 1969.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ADAIR. Mr. Speaker, I am proud to rise in support of the resolution introduced by the gentleman from Texas (Mr. TEAGUE), the distinguished chairman of the Committee on Veterans' Affairs.

This resolution would authorize the expenses from the contingent fund of the House of Representatives in an amount not to exceed $15,000 for the payment of expenses incurred by Congressional Medal of Honor holders incident to their attendance at the forthcoming presidential inauguration.

Mr. Speaker, it is not necessary for me to enumerate the heroic services made by this distinguished group of Americans.

Suffice it to say that there is too little opportunity to express the gratitude of the Nation to this heroic group of our citizens. These men, all of whom have performed acts of gallantry and bravery above and beyond the call of duty, have been invited to attend and participate in the presidential inauguration and the varied activities associated therewith.

There are only 279 holders of the Congressional Medal of Honor who are living today. The medal they wear so proudly and with justification for heroic acts of heroism was not awarded in the name of any single administration or in the name of the executive or judicial branch of Government. It was awarded in the name of this body—the Congress of the United States. These men are recipients of our medal—the Congressional Medal of Honor. It is, therefore, appropriate that this body appropriate from its contingency fund moneys to underwrite the cost of their trip to Washington to accept the invitation already tendered to attend the inauguration of the next President of the United States.

To refresh our memories about the caliber of men we are honoring by this small token of recognition, let me cite a few brief facts about the Medal of Honor. It is awarded by the President of the United States in the name of Congress to persons who, while on active duty in the Armed Forces of the United States, perform acts of heroism at the risk of life.

To receive the Medal of Honor each recipient must meet the common standards of "above and beyond the call of duty." Yet, as a group, they are uncommon for they represent no single military rank or branch of service, profession or station in life, or race, color, creed, or national origin.

I support this resolution and urge that it be expeditiously approved.

(Mr. ADAIR asked and was given permission to revise and extend his remarks.)

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF THE MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, United States Code, section 715a, as amended, the Chair appoints as members of the Migratory Bird Conservation Commission the following members on the part of the House: Mr. DINGELL, of Michigan, and Mr. CONTE, of Massachusetts.

RECEPTION FOR THE PRESIDENT OF THE UNITED STATES, LYNDON B. JOHNSON, IN THE LONGWORTH HOUSE OFFICE BUILDING

(Mr. PICKLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PICKLE. Mr. Speaker, last evening the Members of the House of Representatives and the Members of the Senate were privileged to have as honored guests the President and Mrs. Lyndon Johnson. The reception was held in the Longworth House Office Building in honor and recognition of the President and the First Lady for their many years of devoted service to the American people. More than 400 Members, both Democrats and Republicans, came to pay their respect to the President and to the Presidency.

The President was relaxed, pleasant, and in high good spirits, and the First Lady, as always, was the gracious, charming First Lady who has captured the American people's heart. It was a thrilling experience for those who attended to see the President in such good spirits and in turn to see the sincere and genuine expression of friendship on the part of all Members.

Whatever our party affiliation or our districts or whatever feeling any of us might have had about particular legislation, last night was an evening that laid aside all differences and complete emphasis was placed on a genuine spirit of appreciation.

Having spent some 40 years in the Nation's Capital as a public servant, the President can look back on many great accomplishments and recall many exciting moments of our country's history. As Congressman, Senator, Vice President, and President, he served his country nobly. He has been a moving force in every momentous decision that this Nation has had in the last 30 years, at least. During the past 5 years as President, more accomplishments have been achieved than perhaps in any similar period of history.

Indeed, Mr. Speaker, history will record that more great achievements were reached during these past 5 years than in the last quarter of a century. And as the President has worked on these matters, always there was the quiet presence of Lady Bird Johnson who has been the inspiration for the President all of these years.

Mr. Speaker, I ask unanimous consent to insert in the Record at this point the exchange of remarks made by those who were privileged to say a few words at this ceremony. It was one of the most delightful evenings in Washington. I submit we should share these comments with all American citizens.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. Carl Albert. Ladies and gentlemen, may I have your attention just a minute.

We are all so happy that our great President has turned out to be with us and our lovely First Lady, Mrs. Lady Bird Johnson. We are not going to make a formal function out of this, but we do have a couple of presentations that we would like to make on behalf of the Members of the House.

First of all, on behalf of the Leadership and the Capitol Historical Society, I want to ask Fred Schwengel to make a presentation to the President.

Mr. Fred Schwengel. Mr. President and Mrs. Johnson, Members of the Leadership and my colleagues and good friends:

Mr. President, you, like many of us, have been highly honored, and you, more than the rest of us. We have been honored with your presence here. All of us have tried to honor our country as you have with service.

Now I am honored, as President of the United States Capitol Historical Society, to present to you a collection of books, a book in six world languages.

Allen Nevins wrote for the preface, "Since 1800, the Capitol has been the scene of grim, hard work by many thousands of conscientious legislators and their aides who have thought little of public fame, but much of accomplishments and their tasks."

Mr. President, you were one of those who served so ably, first as an aide and then as a legislator. A grateful House of Representatives presents these volumes in languages spoken by more than a billion people in this world in the hope that they will bring back many pleasant memories to both of you and to one like you who has no peer in his love for his country and the Capitol.

I am reading from a card that goes with this presentation. It is signed by Speaker McCormack, Mr. Carl Albert, Gerald Ford, Hale Boggs and Leslie Arends. With this present, Mr. President, I join your many colleagues, Republicans and Democrats, in wishing you well, Godspeed and bless both of you. Come back to see us. Thank you.

Mr. Carl Albert. The House is happy to welcome back one of its most distinguished former Members, who has a pretty important job now, the distinguished Majority Leader of the Senate. Mike, we want you to say a word.

Senator Mansfield. Mr. President, Lady Bird, Members of the Leadership and my colleagues in the ranks:

If there was one thing I learned in the House, it was to be brief. So, Mr. President and Lady Bird, all I want to say is "Banzai! May you live 10,000 years."

Mr. Carl Albert. Now I want to present the loveliest person I ever presented, our First Lady.

Mrs. Johnson. May I say thanks very much for those volumes about the Capitol. The Capitol was my beat for a long time. Really, when we say goodbye to Washington, the address of 1600 Pennsylvania Avenue was a small span of time for us in comparison to the years we spent closely affiliated with this building and very close to so many people who serve here.

So I am delighted to see you tonight. I am happy that you asked us here and thank you for those books. We are very proud of them.

Mr. Carl Albert. My own strong right arm, the distinguished Majority Whip, Hale Boggs.

Mr. Hale Boggs. Mr. President and Mrs. Johnson, my colleagues: I can only say on behalf of the Speaker and Carl and myself that all of us are very proud of this turnout, Mr. President. This is a bipartisan turnout. It is a tribute to you, the President of the United States, and your lovely wife. We thank all of you for coming.

Mr. Carl Albert. The greatest living legislator in the free world, or any part of the world, the Speaker of the House of Representatives, who will take over.

The Speaker. Mr. President, Mrs. Johnson, my distinguished colleagues of both branches of the Congress: You have honored us, Mr. President and Mrs. Johnson, by accepting our invitation to join with us on this occasion. It shows your simplicity, not only your great leadership, but your simplicity as a man, and both of you as human beings.

The House of Representatives and the Senate, without regard to party, entertain for the both of you the highest feeling of friendship and respect and, of course, I have entertained for you and Mrs. Johnson for many years the deepest and most profound feeling of friendship humanly possible and have enjoyed the very close association that has existed between us.

You have been President of the United States during a very trying period of our Nation's history and of the world's history. As I said on the Floor and in the Democratic Caucus, you will go down in history as one of the great Presidents of our beloved country.

As a manifestation of the deep respect and friendship that all of us entertain for you and Mrs. Johnson, I am very pleased, acting for my colleagues, to present to you, Mr. President, and to you, Mrs. Johnson, this beautiful plaque which means so much in the life and history of our country, this building, the Capitol.

To me, as I approach it every morning, it impresses me as if it is the first time I saw the Capitol and the dome. It means so much in the life and history of our country, the Capitol of the United States, that I am very happy, acting for my colleagues, to present to you this beautiful and expressive and significant plaque which I know will be always treasured by you and Mrs. Johnson. The plaque reads:

"To Lyndon Baines Johnson, teacher, legislator, leader, Vice President of the United States, President of the United States, supreme patriot."

It is signed by John W. McCormack, Speaker; Carl Albert, Majority Leader, and Hale Boggs, Majority Whip.

With this plaque, Mr. President, goes our deep affection and friendship for you and Mrs. Johnson.

The President. Mr. Speaker and my beloved friends: When I received the Speaker's gracious invitation to come up here this afternoon, I accepted and I accepted very eagerly. I reasoned that it never hurts a private citizen to know a few people in public office.

I have never really thought, though, that we were exactly strangers. I don't know how many letters—I am told that we have 31 million pages of material that is enroute to our library from the House and Senate and Presidential days. I really haven't counted the number of letters and special messages I have sent to each of you individually or collectively or even how many telephone calls I have made to you or what time of day I have made them.

But one thing I am sure of, and I believe there will be no division between Democrats and Republicans on this: There has been no communications gap between the President and the House of Representatives.

I imagine if some of you Members had it to do over again, you would never have given your unlisted numbers to the White House operators.

But it has not been a one-way street. You have kept the line of communications open. I doubt if there is a single Member of the Congress who served during my term of office who did not make his views known to me one way or the other. If some of you preferred to use the Washington Post or the Star over the postal service, that is all right.

As I think about it in retrospect, I am not entirely without fault on that score either. I have even been known to use all three networks at times, just to save a stamp. I am not sure it was ever faster than the mails, either. I remember I once asked you early in May to bite the bullet, and I didn't hear the crunch until late in June. Some of the things I heard in the meantime I can't even repeat here this afternoon.

Sure, we have had our differences. We have sometimes aired some of them in public. I have not completed all the studies I am going to make on all the 36 Presidents. I have just started seven volumes on George Washington and I have not gotten down to the members of his family yet, and some of the official documents that came to their possession. But I do believe that I am one of the very few Presidents ever to leave the office of the Presidency without any feelings whatever of bitterness or rancor toward the Congress of the United States.

So the emotion that are in my heart this afternoon are these: Nostalgia as I prepare to take my official leave of you after an association of almost 40 years. I was much more sure of myself last March 31st. We had known for some time, for some years, what we were going to say, but we did not know how to say it or when to say it, and finally January came, and then February, and then March. We just felt that that was the last; we had to do it in March.

So we did say what we said on March 31st. I would not change a word of it. If anything, I would hurry it a little bit. I am just as positive that what I said was in the best interest of this Nation and this world and of myself and my family as I can possibly be.

But I do have to admit to you in candor that you created some doubt, perhaps a little question of my own judgment and intelligence, when I heard on the radio coming up here that 13 days before I leave office you raised the President's salary from $100,000 to $200,000. After staying around here 40 years and leaving 13 days before that salary raise, that doesn't show very good judgment on my part, does it?

But I will say this: The poor President who will occupy this office for four years will earn every dollar of it, and then some. And you are going to earn every dollar that you have the willingness to accept.

Now outside of nostalgia, I want to say something else. I feel much gratitude as I remember all of the help and guidance that you have given the President. And finally, I feel profound respect as I think of the hundreds of billions that you have helped to enact to strengthen America.

With all the recent calls for Congressional reform, your accomplishments have somehow often been overlooked and a valuable sense of perspective has been lost. I am not saying that reform is not needed. Man has yet to devise any institution that can't be improved. There is a need for reform and there is a need of modernization every day. But to say that improvement is needed is not to say that the Congress has not acted properly and is not capable of performing its duties well.

I believe otherwise, and the facts, I think, bear me out. I believe we have just witnessed one of the most creative and one of the most productive eras in the history of the entire American Congress.

When I look back over the various Congresses, some 90 of them, those Congresses find a place in history if they can make a major contribution to just one area of American life. But you Democrats and Republicans have opened new horizons in dozens of fields. I won't list them all, but I do say that you were an Education Congress. There are some 70 bills that have been passed. And in five years you passed 60 bills of the 70 in education.

You were a Civil Rights Congress. You were a Health Congress. Of the 40 bills in the years past, you passed 30 of them.

You were a Conservation Congress. In 188 years, we have created 176 National Parks, and you created 46 of them in five years.

You are a Consumer Congress—more than one dozen consumer bills.

You are an Anti-Poverty Congress. You are a Cities Congress. You are a Housing Congress. The greatest housing bill ever passed was passed last year.

You were a Manpower Congress, a Safe Streets Congress, an Older Americans Congress and a Transportation Congress.

There are more than a dozen accomplishments from 435 Districts. Every man from every District didn't vote for every bill, but I believe that every one of them who I knew voted for what he thought was right for his District and his country, and collectively they have written a record that I think has never been matched in all of our 188 years, and I am proud of it.

Now, I must admit that at times I have felt, as President Truman felt for a brief period, that you were a do-nothing Congress, and that you were a no-good Congress, and that you were a terrible Congress. I guess that is the way our system of government is created. We have the checks and balances and when everybody doesn't agree with the President, he doesn't feel they are as good as they ought to be.

As I leave this town, whatever mistakes have been made, I have made them or my people have made them, and I have no regrets and nothing to lay onto anyone else.

The working people of this country have been good to the President. The business people have tried to make this a better Nation. The House and Senate have helped us. They didn't make a confirmation I wanted, or ratify a treaty I wanted, but more than 500 constructive measures—sometimes they cut out or added to them, but they did their jobs as they saw fit and they did it well and they did it better in this government than any other government in all the world, in my judgment.

I don't have much patience for these people who spend all their time saying what is wrong with the Congress and what is wrong with the courts and what is wrong with the country. We have the best country in the world if we just quit talking about it.

This Congress was my home for so long. I love it so deeply and I know how it does rise to the demands of our time and I hope and pray it will continue to do so.

As Mrs. Johnson and I prepare to take our leave, as I close out our years of public service here where they began in 1931, here where my two daughters were born, where I just left my two grandchildren, where I just read a letter from Major Robb, who is coming back in May, and said "Start looking for a house in Washington," and here where I will be coming back from time to time—whether you invite me or not—I want to pay a final tribute to all of you who have been my friends.

As I look into the faces of the men and women who have been chosen to lead this country, I want you to know that I renew my faith—my faith in the good judgment of the American people, my faith in the wisdom of the American people, and most of all my faith in the American system of which you Democrats and Republicans are such a vital part.

Mr. Speaker, to you and Carl Albert, Jerry Ford and Hale Boggs, who extended this invitation, this is a delightful occasion for me. It brings me much happiness and gladness to see all these old faces, to renew these old acquaintances, to forget these old differences and to say to each one of you, God bless you and thank you.

Mr. Carl Albert. Thank you, Mr. President, for one of your greatest speeches. I think it is one of the greatest you ever delivered and you have delivered many great ones.

I want to let you in on something. We have a new Member of the Democratic Leadership in Congress, but he did not get up here in time because he could not get acquainted with the Doorkeeper quick enough. Teddy Kennedy.

The Speaker. We want you all to have a good time. We express our sincere thanks for each and every one of you being present.

I want to express our deep and abiding feelings and sincere thanks when I say to the President and Mrs. Johnson that we are so happy that you are with us now. We are highly honored and I know I express the sentiments of all of you when I say that we hope that God will continue to bless you both for countless years to come.

LEAVE OF ABSENCE

By unanimous request, leave of absence was granted to Mr. Hosmer, for January 8 through January 17, on account of official business in home congressional district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Pucinski, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Sikes in five instances and to include extraneous matter.

Mr. Madden in two instances and to include editorials.

Mr. Edmondson in three instances and to include extraneous matter.

(The following Members (at the request of Mr. Zwach) and to include extraneous matter:)

Mr. Derwinski in two instances.
Mr. Ashbrook in two instances.
Mr. Kuykendall.
Mr. Button.
Mr. Bray in two instances.
Mr. Michel in two instances.

(The following Members (at the request of Mr. Matsunaga) and to include extraneous matter:)

Mr. Boggs.
Mr. Fisher in two instances.
Mr. Ryan in four instances.
Mr. Gonzalez in two instances.
Mr. Rarick in four instances.
Mr. Cohelan in two instances.
Mr. Bennett in five instances.
Mr. Giaimo.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 8, 1969, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL of Massachusetts: Special Committee To Investigate Campaign Expenditures, 1968. Campaign expenditures, investigate, final report on (Rept. No. 91–2). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 2345. A bill to amend title II of the Social Security Act to increase to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 2346. A bill to amend section 8 of the Clayton Act to prohibit certain corporate management interlocking relationships, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2347. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $900 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 2348. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. DAVIS of Wisconsin:

H.R. 2349. A bill to amend the act of July 2, 1890, to make the antitrust laws and the Federal Trade Commission Act applicable to the business of organized professional baseball; to the Committee on the Judiciary.

H.R. 2350. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Paralyzed Veterans of America, Inc., for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

H.R. 2351. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

H.R. 2352. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. DAWSON:

H.R. 2353. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. DENT:

H.R. 2354. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 2355. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 2356. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 2357. A bill to amend title 18, United States Code, to make it a Federal crime to assault, resist, impede, or kill any officer or employee of the United States or the District of Columbia while engaged in or on account of the performance of his official duties; to the Committee on the Judiciary.

H.R. 2358. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 2359. A bill to extend the U.S. Fishing Fleet Improvement Act and to increase the annual authorization for such act; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H.R. 2360. A bill to amend Public Law 815, 81st Congress, to provide temporary assistance where public school buildings are destroyed by natural causes or fire disaster; to the Committee on Education and Labor.

H.R. 2361. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus personal property to State and local governments, Indian groups under Federal supervision, and volunteer firefighting and rescue organizations at 50 percent of the estimated fair market value; to the Committee on Government Operations.

H.R. 2362. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

H.R. 2363. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2364. A bill to amend the Civil Service Retirement Act to authorize the retirement of employees after 25 years of service without reduction in annuity; to the Committee on Post Office and Civil Service.

H.R. 2365. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2366. A bill to provide social security coverage as self-employed individuals for State and local public officers, not otherwise covered under Federal-State agreement, who are paid on a fee basis by persons other than the State or local government; to the Committee on Ways and Means.

H.R. 2367. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2368. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2369. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 2370. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MESKILL (for himself, Mr. Pollock, Mr. Ashley, Mr. Whitehurst, Mr. Lujan, Mr. Gaydos, and Mrs. Hansen of Washington):

H.R. 2371. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 2372. A bill to provide for the regulation of political activities of public employees, and for other purposes; to the Committee on House Administration.

H.R. 2373. A bill to establish a basic workweek of 35 hours for Government employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2374. A bill to provide for the granting of limited preference in employment as officers or seamen aboard vessels of the United States to certain persons who served as officers and seamen aboard merchant vessels of the United States during World War II and the Korean conflict; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 2375. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 2376. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and certain single other persons, who maintain their own households; to the Committee on Ways and Means.

H.R. 2377. A bill to amend title II of the Social Security Act to reduce from 60 to 50 the age at which a woman otherwise qualified may become entitled to widow's insurance benefits; to the Committee on Ways and Means.

H.R. 2378. A bill to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 2379. A bill to improve law enforcement in cities by making available funds to be used to increase police salaries and to add more police officers; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 2380. A bill to provide for a commission to select a site and plan for a Medal of Honor Hall of Fame; to the Committee on House Administration.

H.R. 2381. A bill to amend section 502 of title 38, United States Code, to liberalize the disability determinations for pension purposes; to the Committee on Veterans' Affairs.

H.R. 2382. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

H.R. 2383. A bill to amend section 503 of title 38, United States Code, to provide that payments to an individual under a public or private retirement, annuity, endowment, or similar plans or programs shall not be counted as income for pension until the amount of payments received equals the contributions thereto; to the Committee on Veterans' Affairs.

H.R. 2384. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 2385. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2386. A bill to amend title IV of the Social Security Act to provide school lunches to children receiving aid to families with dependent children and to provide food to such families; to the Committee on Ways and Means.

By Mr. SISK (for himself and Mr. Johnson of California):

H.R. 2387. A bill to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported raisins; to the Committee on Agriculture.

By Mr. SISK (for himself, Mr. Nelsen, and Mr. Fuqua):

H.R. 2388. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. WHALEN:

H.R. 2389. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. WHITTEN:

H.R. 2390. A bill to amend the Uniform Time Act of 1966 so as to reduce from 6 months to 4 months the period for which daylight saving time shall be in effect; to the Committee on Interstate and Foreign Commerce.

H.R. 2391. A bill to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways: to the Committee on Public Works.

H.R. 2392. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

H.R. 2393. A bill to amend the Internal Revenue Code to remove the limitations on the amount of medical and dental expenses which may be deducted, to permit taxpayers to deduct such expenses, to arrive at their adjusted gross income, and for other purposes; to the Committee on Ways and Means.

H.R. 2394. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

H.R. 2395. A bill to protect funds invested in series E U.S. savings bonds from inflation and to encourage persons to provide for their own security; to the Committee on Ways and Means.

H.R. 2396. A bill to increase the personal tax exemptions of a single taxpayer or head of household from $600 to $1,200; to the Committee on Ways and Means.

H.R. 2397. A bill to provide aid to States for roads and schools; to the Committee on Ways and Means.

By Mr. CABELL:

H.J. Res. 193. Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the Supreme Court to declare any provision of law unconstitutional; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.J. Res. 194. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. EILBERG:

H.J. Res. 195. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 196. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiciary.

By Mr. VANIK:

H.J. Res. 197. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 198. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 199. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

H.J. Res. 200. Joint resolution to establish a commission to investigate the increase in law violation; to determine the causes and fix responsibility for the breakdown in law enforcement, with the resulting destruction of life and property; to recommend corrective legislation; and for other purposes; to the Committee on the Judiciary.

H.J. Res. 201. Joint resolution to establish the Commission for Re-establishing Constitutional Principles; to the Committee on the Judiciary.

H.J. Res. 202. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 203. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. Con. Res. 65. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Res. 98. Resolution creating a select committee to conduct an investigation and study of the administration of programs carried on under the authority of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. SAYLOR:

H. Res. 99. Resolution expressing the continued opposition of the House of Representatives to the admission of the Communist China regime to the United Nations; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. Res. 100. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 47; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUSH:

H.R. 2398. A bill for the relief of Maj. John W. Hankins (U.S. Air Force, retired); to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2399. A bill for the relief of Erika Svajda; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2400. A bill for the relief of Erlinda C. deLeon; to the Committee on the Judiciary.

H.R. 2401. A bill for the relief of Miss Nilda C. Gomez; to the Committee on the Judiciary.

H.R. 2402. A bill for the relief of Janice and Paget Whyte; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2403. A bill for the relief of Frank Miccoli; to the Committee on the Judiciary.

H.R. 2404. A bill for the relief of Antonio Pisano; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2405. A bill for the relief of Fernando Canias Galang and his wife, Carmelita Pulido Galang; to the Committee on the Judiciary.

H.R. 2406. A bill for the relief of Caroline G. Junghans; to the Committee on the Judiciary.

H.R. 2407. A bill for the relief of Elbert C. Moore; to the Committee on the Judiciary.

H.R. 2408. A bill for the relief of Mrs. Robert L. Oertle; to the Committee on the Judiciary.

H.R. 2409. A bill for the relief of Wynn W. Scott; to the Committee on the Judiciary.

H.R. 2410. A bill for the relief of Bryce A. Smith; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.R. 2411. A bill for the relief of Lucille P. Steele; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 2412. A bill for the relief of Francisco and Alfonso Acierno; to the Committee on the Judiciary.

H.R. 2413. A bill for the relief of Isobel Rodriguez Berrey; to the Committee on the Judiciary.

H.R. 2414. A bill for the relief of Raul B. Rodriguez Berrey; to the Committee on the Judiciary.

H.R. 2415. A bill for the relief of Sofia Buitrago; to the Committee on the Judiciary.

H.R. 2416. A bill for the relief of Ioro Carreiro; his wife, Olga Carreiro; and their children, Mario and Maria Carreiro; to the Committee on the Judiciary.

H.R. 2417. A bill for the relief of Roy E. Carroll; to the Committee on the Judiciary.

H.R. 2418. A bill for the relief of Maria Amalia Da Cruz Concalves; to the Committee on the Judiciary.

H.R. 2419. A bill for the relief of Arminda Alves DaSilva; to the Committee on the Judiciary.

H.R. 2420. A bill for the relief of Blanca Esther Montoya Davila; to the Committee on the Judiciary.

H.R. 2421. A bill for the relief of Nellie Hyacinth Davis; to the Committee on the Judiciary.

H.R. 2422. A bill for the relief of Dr. Marianne Dierks; to the Committee on the Judiciary.

H.R. 2423. A bill for the relief of Erasmina DiSchino; to the Committee on the Judiciary.

H.R. 2424. A bill for the relief of Maria E. Egea and her daughter, Maria T. Egea; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2425. A bill for the relief of Dr. Ashraf El-bayoumi, his wife, Soheir, and children, Mona and Amr; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 2426. A bill for the relief of Joaquim Esteves Fernandes; to the Committee on the Judiciary.

H.R. 2427. A bill for the relief of Barba Francesco; to the Committee on the Judiciary.

H.R. 2428. A bill for the relief of Alvaro Rau'l Goncalves; to the Committee on the Judiciary.

H.R. 2429. A bill for the relief of Martha Guerrero; to the Committee on the Judiciary.

H.R. 2430. A bill for the relief of Manuel Luis Hilario; to the Committee on the Judiciary.

H.R. 2431. A bill for the relief of Adolfo Henriques and his wife, Almerinda Henriques; to the Committee on the Judiciary.

H.R. 2432. A bill for the relief of Mrs. Rosemarie Huguette Labus, and her daughter, Vivian Labus; to the Committee on the Judiciary.

H.R. 2433. A bill for the relief of Guiseppe Landolina; to the Committee on the Judiciary.

H.R. 2434. A bill for the relief of Chee Mon Lau; to the Committee on the Judiciary.

H.R. 2435. A bill for the relief of Fiorvante Leo; to the Committee on the Judiciary.

H.R. 2436. A bill for the relief of Luis Enrique Linares; to the Committee on the Judiciary.

H.R. 2437. A bill for the relief of Maria Do Santo Cristo Se Souza Maiato; to the Committee on the Judiciary.

H.R. 2438. A bill for the relief of Giovanni Giorgio Mancinelli; to the Committee on the Judiciary.

H.R. 2439. A bill for the relief of Pasquale Mancinelli; to the Committee on the Judiciary.

H.R. 2440. A bill for the relief of Luis Botelho Motta; to the Committee on the Judiciary.

H.R. 2441. A bill for the relief of Ferdinando Neola; to the Committee on the Judiciary.

H.R. 2442. A bill for the relief of Roger Pasimio and family; to the Committee on the Judiciary.

H.R. 2443. A bill for the relief of Stephen Pearson; to the Committee on the Judiciary.

H.R. 2444. A bill for the relief of Francesco Pecchia; to the Committee on the Judiciary.

H.R. 2445. A bill for the relief of Angelo M. Petitto; to the Committee on the Judiciary.

H.R. 2446. A bill for the relief of Felice Angelo Petitto; to the Committee on the Judiciary.

H.R. 2447. A bill for the relief of Jose Joaquim Rezendes; to the Committee on the Judiciary.

H.R. 2448. A bill for the relief of Nocera Rocco; to the Committee on the Judiciary.

H.R. 2449. A bill for the relief of Degennaro Sabato; to the Committee on the Judiciary.

H.R. 2450. A bill for the relief of Vincent Suriano; to the Committee on the Judiciary.

H.R. 2451. A bill for the relief of Carmela Tarantino; to the Committee on the Judiciary.

H.R. 2452. A bill for the relief of Nicola Tarzia; to the Committee on the Judiciary.

H.R. 2453. A bill for the relief of Miss Franca Tolusso; to the Committee on the Judiciary.

H.R. 2454. A bill for the relief of Antonio Trinchese; to the Committee on the Judiciary.

H.R. 2455. A bill for the relief of Jose Valadao; to the Committee on the Judiciary.

H.R. 2456. A bill for the relief of Nino and Maria Theresa Vespa; to the Committee on the Judiciary.

By Mr. McEWEN:

H.R. 2457. A bill for the relief of M. Shawky A. A. Hammam, Fathia Hammam, Nadia

Hammam, Sonia Hammam, Mona Hammam, and Magda Hammam; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2458. A bill for the relief of Frank J. Enright; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 2459. A bill for the relief of Maria Signorello; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 2460. A bill for the relief of Mrs. Basilisa F. Gomez; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 2461. A bill for the relief of Mabel Alice Bennett; to the Committee on the Judiciary.

H.R. 2462. A bill for the relief of Rosalia Palacano Di Pietro; to the Committee on the Judiciary.

H.R. 2463. A bill for the relief of Chalom Elbaz, his wife, Esther Elbaz, and their four minor children, Annette Elbaz, Jacob Elbaz, Meyer Elbaz, and Mokhlouf Elbaz; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2464. A bill for the relief of Elisabeta Horwath; to the Committee on the Judiciary.

H.R. 2465. A bill for the relief of Antonio Garcia Sola; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 2466. A bill for the relief of Rocco Esposito; to the Committee on the Judiciary.

H.R. 2467. A bill for the relief of Giuseppe Randazzo; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 2468. A bill for the relief of Mrs. Latife Hassan Mahmoud; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2469. A bill for the relief of Danilo Magadia Aguila; to the Committee on the Judiciary.

H.R. 2470. A bill for the relief of Manuel J. Vicent; to the Committee on the Judiciary.

H.R. 2471. A bill for the relief of James B. Billingsley; to the Committee on the Judiciary.

H.R. 2472. A bill for the relief of Klaudiusz Blaszak; to the Committee on the Judiciary.

H.R. 2473. A bill for the relief of Antonio Boluna; to the Committee on the Judiciary.

H.R. 2474. A bill for the relief of Lt. Col. Burdon L. Davidson; to the Committee on the Judiciary.

H.R. 2475. A bill for the relief of Mrs. Hannah W. Davidson; to the Committee on the Judiciary.

H.R. 2476. A bill for the relief of Erna Maria Deml; to the Committee on the Judiciary.

H.R. 2477. A bill for the relief of Comdr. John N. Green, U.S. Navy; to the Committee on the Judiciary.

H.R. 2478. A bill for the relief of William N. Hilton; to the Committee on the Judiciary.

H.R. 2479. A bill for the relief of Adelajda Komarnicka-Smieja; to the Committee on the Judiciary.

H.R. 2480. A bill for the relief of Comdr. Joe R. Lacy; to the Committee on the Judiciary.

H.R. 2481. A bill for the relief of Comdr. John W. McCord; to the Committee on the Judiciary.

H.R. 2482. A bill for the relief of Randolph M. Martinez; to the Committee on the Judiciary.

H.R. 2483. A bill for the relief of Jamshed Dhunijisha Mavalwala; to the Committee on the Judiciary.

H.R. 2484. A bill for the relief of Francisco Moreno-Santa Cruz; to the Committee on the Judiciary.

H.R. 2485. A bill for the relief of Amos E. Norby; to the Committee on the Judiciary.

H.R. 2486. A bill for the relief of Atanasio Perez; to the Committee on the Judiciary.

H.R. 2487. A bill for the relief of Rene Paulo Rohden-Sobrinho; to the Committee on the Judiciary.

H.R. 2488. A bill for the relief of Shahzadeh Shiri; to the Committee on the Judiciary.

H.R. 2489. A bill for the relief of Perla Janolino Ty; to the Committee on the Judiciary.

H.R. 2490. A bill for the relief of Jesus Vasquez-Rivas; to the Committee on the Judiciary.

H.R. 2491. A bill for the relief of Paul A. Vieira; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 2492. A bill for the relief of Herta Margarete Helene Monden; to the Committee on the Judiciary.

By Mr. ZION:

H.R. 2493. A bill for the relief of Mieczyslaw J. Gurne and his wife, Daniela Gurne, and their child, Ewa D. Gurne; to the Committee on the Judiciary.

By Mr. CELLER:

H. Res. 101. Resolution to refer the bill (H.R. 2217) entitled "A bill for the relief of Joseph W. Harris," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IT'S HAPPY BIRTHDAY FOR MEMPHIS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. KUYKENDALL. Mr. Speaker, I would like to take this opportunity to invite my colleagues and the people of America to come to Memphis, Tenn., this year and help us celebrate our 150th anniversary. Memphis' Sesquicentennial Year was kicked off yesterday with first day ceremonies for the sesquicentennial medallion. We were honored to have as our guest for this historic occasion, Miss Eva Adams, Director of the U.S. Mint.

It is my privilege to represent the greater part of Memphis, a city which has played a leading role in the history of our country for a century and a half. We are a forward looking community where progress has been a hallmark.

Like all metropolitan areas, we have our problems, but thanks to the Memphis spirit of cooperation and neighborliness we are making tremendous strides in solving them. Industry is finding Memphis a good place to locate because of the availability of a reservoir of the finest type of workers. We are a city of beautiful homes and we are now making concentrated efforts to improve the homes of all our people. We were the first city in the Nation to establish and put into operation a program to make it possible for those of limited income to become homeowners. This project, Housing Opportunity, Memphis Enterprises—HOME—sponsored by civic and business leaders is already constructing in excess of 100 homes, many of them already occupied by low-income families.

Memphis is known around the world for its contributions to medicine. Our hospital complex and medical research facilities are second to none. The contributions of those engaged in this field are already giving new life and new hope to sufferers of leukemia, cancer, and other diseases.

Yes, it is happy birthday to Memphis. We will be celebrating all year. You will find a visit to Memphis rewarding, enjoyable, and I predict that many who come for a visit will do as thousands of others have done, stay permanently.

The following editorial and news article from the Memphis Commercial Appeal tell a little of the Memphis story:

MEMPHIS PACE QUICKENS

Memphis comes into its sesquicentennial year on a fast rising tide of business throughout the huge area it serves.

Summaries published today in The Commercial Appeal's Business and Industrial Review bring together accomplishments of 1968. The scorecard is impressive for its own sake and for the momentum with which the new year starts.

One of the brightest parts of the picture is development of Memphis as the distribution center for the South. Full use of the city's potential in position and in superior transportation is beginning to appear, as a story by Louis Silver points out through interviews with businessmen who have put it to work. One of the quotations say it this way:

"Large companies are determining that Memphis is a logical location because it lies between Atlanta and Dallas and can serve the Southeast and the Southwest as opposed to having two distribution centers—one in Dallas and one in Atlanta."

We have a distinctive advantage in the Mississippi River location and we are using it more all the time. River traffic has reached the level that means a towboat, pushing an average of 10 barges, coming into Memphis at the rate of one for each hour of day and night.

As the year ended the Little Rock Pine Bluff bends of the Arkansas River were added to the towboat routes.

In contrast with the oldest form of transportation we have a modern airport where the biggest problem is expanding runways and terminal space as fast as business flies in.

New industrial plants continue to flower in the favorable climate of the Mid-South. Two of the big ones are the Goodyear tire plant at Union City, Tenn., and announcement of an agrochemical plant for the CIBA Corp. in De Soto County, Miss.

What these new plants mean in pay rolls and the flow of cash takes on a multiplied importance when we examine the expansions of operations which have flourished in Memphis area conditions. An addition is less spectacular than a new plant, but it may bring a larger impact on business. One instance is the Ivers & Pond Piano Co., the nation's largest piano manufacturer, which put a branch in Memphis and then moved headquarters here. Another is the Goodyear plant, which aimed for daily production of 17,500 tires and shifted to 30,000 before the original plant was complete.

In the heart of the region, Memphis and Shelby County residents got almost 3,500 new apartments and more than 3,000 new homes during the year, despite difficult conditions in the mortgage money market.

Beyond the promise of 1968 accomplishments for 1969, we have something special at work in the four million dollars put into the Greater Memphis Program of the Memphis Area Chamber of Commerce. It is a higher level of effort than ever before undertaken in this 150-year-old city.

It's Happy Birthday Time in Memphis

Memphis began celegrating its 150th birthday last Tuesday night and the city's drum-beating outfit—Memphis Sesquicentennial, Inc.—is busy in generating interest in the Bluff City on a national scale.

One of the organization's first efforts was to ask about 200 cities to send Memphis congratulatory birthday candles. Most of those received reflect something of the character of the donor city.

Detroit's modernistic candle bears the motif of the gears of industry. Jersey City sent a replica of the Statue of Liberty which is located in New York Harbor opposite the New Jersey city. Tucson sent a Saguara candle, representing one of the nation's few living national monuments.

From Huntsville, Ala., came a rocket-shaped candle. Dayton's contribution is more unusual—a walnut plaque, bearing a blue candle, representative of sky and space, and a gilded reproduction of the Wright Brother's first airplane.

Dubbed the "World's Champion Candle" is the one manufactured for Kansas City by Hallmark Cards of that city. This three-foot candle is a work of art, containing 18 stained glass windows and covered with an intricate, antique filigree. It took four artists four months to make the candle. Pictures of the Kansas City effort, with a story about the Memphis anniversary celebration, have appeared in 215 newspapers.

For months, the Memphis Sesquicentennial group has been receiving advance orders from all over the country for the Memphis Sesquicentennial Medallion which Congress authorized to be struck by the United States Mint at Philadelphia, Pa. This is the first medal of its size—larger than a silver dollar—to be struck on the mint's coin press.

After an initial production of 10,000 silver medallions, a second silver run of 10,000 will be ordered if demand warrants. Continued demand will be filled with up to 80,000 bronze medallions. This will be the sesquicentennial's prime fund-raising projects.

Issuing of a W. C. Handy commemorative stamp by the Post Office Department will be a major accomplishment this year. Sesquicentennial officials look on the stamps as generating more publicity for Memphis although Uncle Sam gets the revenue from stamp sales.

As many as 500,000 first day covers bearing the stamp and postmarked in Memphis will be sold on the day the stamp is issued. Notable figures from the music and entertainment worlds are expected here for the first day ceremonies.

The stamp, which honors W. C. Handy as "The Father of the Blues," will be the first United States postage stamp honoring a contemporary form of music, the first recognizing a composer of such music, the first in honor of a Negro musician and composer and the fifth to honor a Negro.

Millions of persons this year will see the official sesquicentennial mural in color—2¾ inches by 8⅝ inches—on the back of business envelopes. Tension Envelope Corp. commissioned the envelope with the cooperation of about 200 Memphis lithographers, printers and paper houses. The paper will come from a Tennessee mill.

As many as 10 million envelopes may be manufactured.

A sesquicentennial patch, embroidered in color for wearing on uniforms and blazers, will be issued for use by anyone who will wear them—band and athletic team members including the Memphis Blues, service station attendants, and hotel and motel porters.

Wurzburg Bros. will produce the sesquicentennial symbol suitable for affixing to almost any surface.

The Tennessee Poetry Society is organizing the publication of a 2,000-copy of an anthology of poems by Memphis poets during the year-long celebration.

AMBASSADORS OF GOOD WILL

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. ASHBROOK. Mr. Speaker, on Friday, January 3, I inserted in the Congressional Record an article describing the Christmas message of the three astronauts in which they read the first 10 verses from Genesis and which included Colonel Borman's prayer for peace. How many people in various nations around the world watched the satellite transmission of this inspiring episode is hard to estimate. However, the press of the world brought to countless millions the account of the flight of Apollo 8 in its breathless trip around the moon. This epic adventure must have struck a chord of admiration in the hearts of many throughout the world, as three courageous Americans dared to enter regions never before traveled by denizens of earth.

The Daily Record, of Wooster, Ohio, in an editorial on December 28, 1968, advanced a proposal with a people-to-people theme which certainly has merit:

> Secondly, these heroic men should be given a new assignment—to rove this planet east and west, north and south, touching every land, touching every people. By their heroism these men have become uniquely qualified to become permanent Ambassadors At Large for the great free nation that is their homeland.

To be sure, we now have a unique opportunity to impress upon peoples of the free world the realization that the United States is forward moving in the realm of science while maintaining the religious tenets of the past. Surely, sincere people the world over can be shown that American military men are sincere in praying for peace for they make the greatest sacrifices in war. Finally, the presence of our astronauts among peoples of free nations would stress perhaps most poignantly the hope of the United States for a peaceful conquest of space, but that we have no intention of succumbing to militantly atheistic ideologies here on earth.

I include the editorial, "Borman, Lovell, Anders Deserve Ambassador Status," from the Daily Record, of Wooster, Ohio, in the Record at this point:

Borman, Lovell, Anders Deserve Ambassador Status

The three Men From Earth who first went around the moon, seeking where no man had ever sought before, are the sons of a highly creative planet.

Almost every nook and cranny, every isle and continent, has contributed work, ideas and techniques which have blended into the main stream of this incredible century, now two-thirds consumed.

Whatever their names, their nation, their identities—these three men represent an achievement for all men.

As a nation, it might be well for us to consider new opportunities and challenges for these lunar astronauts.

These men should not be asked to take more such risks. Gratefully, we (as a nation) should disqualify them from further space service—they have done enough.

Secondly, these heroic men should be given a new assignment—to rove this planet east and west, north and south, touching every land, touching every people. By their heroism these men have become uniquely qualified to become permanent Ambassadors At Large for the great free nation that is their homeland.

Let them go everywhere—of course with their families—and report back instantly to President Nixon, the Congress and the American people. Let them tell others what we are like and, most important of all, what we want to be.

FACULTY RESPONSIBILITY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. MICHEL. Mr. Speaker, now that the holidays are over and students are flocking back to college campuses all over the country I suppose we should brace ourselves for another rash of demonstrations and other "tomfoolery" which was so prevalent during the fall term.

One aspect of these incidents which has been so disturbing to me is the attitude and actions of many faculty members who have aided and abetted a small minority of so-called students in their disruptive tactics. This point is the subject of an excellent editorial appearing in the December 19, 1968, edition of the Peoria Journal Star, entitled "Faculty Responsibility" and I include the editorial in the Record at this point:

Faculty Responsibility

We wonder how much of the "student rebellion" we see at so many colleges today is really faculty inspired.

Over and over the news reports mention splits in the faculty when the students are up in arms. Sometimes the whole dispute arises from a faculty decision in regard to the dismissal of a teacher. And there is a striking similarity between what we hear students saying about "student rights" and what some young teachers are saying about "academic rights."

We have the feeling that there is a much larger connection than the one which meets the eye between "student unrest" and the vicious in-fighting over professional standing which has to be taking place in some faculties.

An example of the kind of private backbiting which goes on in some faculties came out of MIT last week when it was revealed that Walt Whitman Rostow, after having served the nation as the key foreign policy advisor to President Johnson, could not get his teaching job back. The story was that MIT's faculty committees decided they couldn't fit him back in.

Such a conclusion is beyond normal understanding. It makes some sense if you realize that great jealousies exist over the top teaching jobs in the nation, now that the pay has become lucrative and the positions have become stepping stones to public acclaim and governmental recognition. It makes even more sense if you know that great power over who will teach and who won't teach at a particular university has been vested in the hands of faculty committees rather than the university administration.

What we seem to be witnessing now in the inability of so many college administrations and boards of trustees to settle disputes with students must be due in some measure to the diminishing of power at the top as a result of the transfer of so much authority to slow-acting faculty committees and the rise of some teachers to positions of prominence far above that which normally attaches to their jobs.

It is possible today at Bradley University, for example, for a young teacher to start his teaching "career" as an "advisor" to a militant student group and by concentrating on this "extra-curricular" activity become overnight one of the most "prominent" members of the faculty (at least in the eyes of the students he leads). When the young teacher is told that the university is unhappy with his teaching, the stage is clearly set for a "student rebellion."

It is possible, given to conditions which exist on so many campuses today, for a teacher or a group of teachers to "use" the eagerness of some students to take up any cause that comes down the pike. We wonder how many of the "student petitions" which complain about the performance of a dean or university president are in reality well-concealed faculty efforts to embarrass or get rid of some of the competition for advancement.

Of course, we do not know how much of this kind of stuff is taking place, but we do know that the growing decentralization of authority serves to increase the incidence of it.

Plainly, a cry of foul will arise from professional groups all over the nation when serious steps are finally taken to reverse this erosion of power at the top in the universities. The phrase "academic freedom" will ring out louder and louder as teachers see themselves being called upon to "get into line" themselves in order to bring their rebellious students back to their senses.

We respect "academic freedom" in the honest meaning of the phrase, but we have no use for the way it has been redefined to mean "student cheerleading" by some young teachers who have no idea of the really rugged in-fighting the older hands on their faculties have gone through to raise the status of college teaching to where it is today.

It seems to us that some of these older hands would be doing their profession another good deed if they took some of their militant young colleagues aside and explained to them that they are now teachers themselves and that they ought to act like them instead of problem students.

If this doesn't begin to happen, it will only be a matter of time before the administrators and trustees, particularly of public-supported universities, begin to harshly reassert their responsibilities and step on some real academic freedoms in the process.

ELECTORAL REFORM

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. BOGGS. Mr. Speaker, in connection with my resolution, House Joint Resolution 1, to change the method of electing the President of the United States, I should like to call to the attention of my colleagues the following editorial which appeared in the Long Island Press for December 27, 1968.

The editorial succinctly states the legislation which I am sponsoring, along with my colleagues, Mr. SIKES, of Florida; Mr. MATSUNAGA, of Hawaii; and Mr. WOLFF, of New York.

The editorial follows:

ELECTORAL REFORM

As the Electoral College last week exercised its quadrennial function by ratifying Richard Nixon's election as President, it vividly displayed one of its dangerous defects.

One of the North Carolina electors, chosen by voters who preferred Richard Nixon, disregarded their wishes and cast his vote for George C. Wallace. It was quite legal under the Constitution, which is another compelling reason for amending the Constitutional procedure for electing the President.

The system also permits a candidate to win a majority of the electoral votes, and thus the Presidency, while receiving a minority of the popular vote. And by requiring a majority in the electoral college, the system makes possible a deadlock, with the choice of the President thrown into the House of Representatives where delay and political haggling could bring chaos down on the country.

A number of new amendments are expected when the 91st Congress convenes in January. One of the more interesting will be introduced by Louisiana Democrat Hale Boggs, majority whip. It does not eliminate all the defects, but it ends the possibility of electors ignoring the desires of the voters and diminishes other potential dangers.

Under Rep. Bogg's plan, the President would still be selected by a tally of electoral votes, rather than popular votes, but the electoral college itself would be abolished. A state's electoral votes—one for each Representative and Senator it has—would go automatically to the Presidential candidate who won a plurality of popular votes in that state. There would be no Presidential Electors who could substitute their judgment for the mandate of the public. And instead of requiring a majority of electoral votes to elect a President, as now, any plurality in excess of 40 per cent would be sufficient under the amendment.

The amendment would authorize Congress to provide procedures to be followed if a candidate dies or withdraws before the election, or in case of a tie.

The modest nature of changes in Rep. Bogg's amendment may be its virtue, not its weakness. Bolder, more sweeping revisions—particularly those that call for direct popular election of the President—have invariably wound up on the junk heap. Many states are reluctant to relinquish the federalist procedure in which each state has a distinct voice in selecting the President. Rep. Boggs' amendment meets that problem. It demands no abrupt, radical change, yet offers a system which is a distinct improvement over the absurd, troublesome anachronism we have now.

AMERICA'S HERITAGE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. BENNETT. Mr. Speaker, as we begin this Congress it is important to remember our heritage and those beliefs which have underscored the development of our great Nation. There have been many sources of great inspiration for all Americans, and I include in the CONGRESSIONAL RECORD three statements which have meant much to us through the years.

They are "An American," by that great statesman and legislator, Daniel Webster; "The American's Creed" by a former Clerk of the U.S. House of Representatives, William Tyler Page; and the "Pledge of Allegiance to the Flag," authored by Francis Bellamy:

AN AMERICAN

(By Daniel Webster)

I was born an American; I will live an American. I shall die an American; and I intend to perform the duties incumbent upon me in that character to the end of my career. I mean to do this with absolute disregard of personal consequences. What are the personal consequences? What is the individual man, with all the good or evil that may betide him, in comparison with the good or evil which may befall a great country, and in the midst of great transactions which concern that country's fate? Let the consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer, or if he fall in the defense of the liberties and constitution of his country.

THE AMERICAN'S CREED

(By William Tyler Page)

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my Country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

PLEDGE OF ALLEGIANCE TO THE FLAG

(By Francis Bellamy)

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation *under God*, indivisible, with liberty and justice for all.

GOOD ADVICE ON TRANSPORTATION FOR THE 91ST CONGRESS

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. GIAIMO. Mr. Speaker, an extremely sound analysis of the national transportation system's problems—and what the Congress and the administration might consider in dealing with them—is provided in an excellent recent speech by one of the industry's most respected spokesmen, Charles A. Webb.

Mr. Webb, a former Chairman of the Interstate Commerce Commission who is now the president of the National Association of Motor Bus Owners, drew high praise for this thorough speech from the editor of Transportation & Distribution Management magazine, who editorialized in its December 1968, issue:

> Before it takes the unfinished business of the last Congress before the 91st Congress, the transportation industry should commit itself to what Mr. Webb refers to as "the first law of political action" . . . that total victory for one segment of the transportation industry with total defeat for another is intolerable.

Mr. Speaker, I am informed that Mr. Webb's speech—delivered last November 14 in Philadelphia before a joint meeting of the New England Bus Association, the Intercity Bus Association of New York State and the Northeastern Bus Traffic Association—drew wide favorable response in the entire transportation industry, as well.

Because of its import, I include here as part of my remarks the text of the speech, along with the editorial by George A. Gecowets from the December Transportation & Distribution Management:

REMARKS OF CHARLES A. WEBB, PRESIDENT, NATIONAL ASSOCIATION OF MOTOR BUS OWNERS, PREPARED FOR DELIVERY BEFORE JOINT MEETING, NEW ENGLAND BUS ASSOCIATION, INTERCITY BUS ASSOCIATION OF NEW YORK STATE, NORTHEASTERN BUS TRAFFIC ASSOCIATION, HOTEL SHERATON, PHILADELPHIA, PA., NOVEMBER 14, 1968

It is a real pleasure and a distinct privilege to speak to the joint membership meeting of three important intercity bus associations. It is also a considerable challenge to make any meaningful report from Washington on the eve of a new Administration and a new Congress.

Transportation legislation to be considered in the 91st Congress may be inferred, to some extent, from the unfinished business of the last Congress. We do not know what transportation problems the new Administration will undertake to solve, but we may surmise it will deal with some which have been widely regarded as chronic or critical.

Regulation of domestic surface transportation is characterized by inequality of competitive opportunity. That incontestable and indefensible fact must be of primary concern to any Administration which desires to strengthen our national transportation system. It is also a problem in which common carriers have a common legislative interest and one which, in my opinion, can be resolved to the mutual satisfaction of the competing modes.

The new Department of Transportation of the outgoing Administration apparently did not have time to draft a detailed plan for the elimination of regulatory inequities. Judging by the trial balloons floated by several of its officials, however, it leaned strongly toward the view that equality of competitive opportunity should be achieved by massive deregulation. Implicit in this view is that the motor carrier industry possesses no public utility characteristics; that the industry is so strong as to render futile any campaign of destructive rate competition; that controls over entry and controls over financial transactions are anachronisms bred during the Great Depression, and that, therefore, the elimination or relaxation of all such controls will result in more economical and more efficient motor carrier service.

Although wholesale deregulation would eliminate regulatory inequalities and is strongly urged by many respected economists, the approach has not been politically realistic at any time during the past two decades and does not appear to be so today. No major legislation is likely to be passed if it represents a total victory for one mode of transportation and a humiliating defeat for equally important segments of the industry. For surface transportation, this should be the First Law of Political Action.

A more promising solution to the problem of regulatory inequality is to make regulation more comprehensive by restricting or repealing the exemptions which create inequality of competitive opportunity. For example, if repeal of the agricultural and bulk commodities exemptions is undesirable or not feasible, the inequities caused by these exemptions could be alleviated by a mild form of regulation for changed rates and new entrants. This approach to regulatory reform would require on the part of all concerned a willingness to compromise and a determination not to let their notions of what is perfect defeat what would be manifestly better than the present chaotic patchwork of regulation.

In the area of promotional responsibility, the new Administration will be confronted with at least three major problems in which the intercity bus industry has a direct and substantial interest. The progressive deterioration and discontinuance of railroad passenger train service have spawned a variety of schemes for subsidy. The present Administration has resisted these proposals on the logical ground that the public's reaction to the improved service planned for the Northeast Corridor ought first to be evaluated. NAMBO undoubtedly will oppose any legislation to subsidize intercity rail passenger service which is not economically viable. In any study which seeks to determine what part of the remaining intercity service is "essential," we will ask for an opportunity to show the extent to which intercity bus service is an adequate substitute for rail passenger service.

Secondly, the new Administration may be expected to take a fresh look at the Federal-aid highway program and, especially, at the highly vocal opposition to urban highway development and construction. The bus industry—both the intercity and transit segments—will suffer if the anti-freeway claque prevails. Highway users have already been harmed by the fiscal gimmickry involved in sporadic withholding of the use of funds collected for highway construction. Even greater delays in highway construction, and consequent higher costs, would flow from adoption of the pending DOT proposal to make each highway construction project the subject of formal and extensive hearings.

Finally, the new Administration must deal with the truly awesome problems of urban mass transportation. From now until the end of the century, an Administration's record on transportation is apt to be judged primarily on the basis of its success in arresting or reversing the trend toward urban immobility. Urban roads cannot be multiplied indefinitely in response to an uncontrolled proliferation of automobiles. Public transportation in urban areas must be made so attractive that private transportation during peak travel hours will be a less-desirable alternative. Stated differently, every rider of public transportation in our large metropolitan areas must be assured swift, unimpeded access to the central city.

Rail transit service is feasible in only a relatively few large cities. Development of modern rapid transit bus systems involving exclusive or preferential use of highway lanes appears to be the most promising solution. This is a program that merits the full support of all segments of the bus industry. The cooperation of individual bus operators and their State and local associations is particularly important because local communities necessarily have a large voice in urban transportation planning.

Turning now to the next Congress, a prediction of its major transportation concerns is hazardous. With some justification, the 90th Congress was sometimes called the Consumer's Congress. There is no reason to suppose that its interest in consumer-type legislation has diminished. Accordingly, I would expect the next Congress to give active consideration to the bill providing for an award of attorney's fees to litigants who prevail in transportation loss or damage actions brought under Section 20(11) of the Interstate Commerce Act. In the last Congress we were successful in having the attorney's fee bill amended in the Senate Commerce Committee to eliminate the most serious objections of the intercity bus industry.

In the field of motor carrier safety, the Congress in 1966 enacted legislation which made the authority of the Department of Transportation virtually complete. The Congress will continue to be concerned with motor carrier safety but this concern is likely to be manifested in oversight and appropriation hearings rather than in the form of new motor vehicle safety legislation.

One important piece of unfinished business is legislation which would increase the maximum size and weight of vehicles permitted to use the Interstate System. The intercity bus industry must provide greater comfort for its passengers by installing wider seats. This can only be done if the maximum width of buses permitted to use the Interstate System is increased from 96 to 102 inches. The merits of our case have been recognized by the Federal Highway Administration, the American Association of State Highway Officials and by most, if not all, experts on highway safety. I hope that hearings on vehicle size and weight legislation will be held early in the next Congress so that supporters of the bill can rebut on the record the misrepresentations leveled at S. 2658 after its passage by the Senate and after the close of hearings before the House Public Works and Rules Committees.

Since I am privileged to share your platform with Commissioner Wallace R. Burke, I am reluctant to comment on matters before the Interstate Commerce Commission which our industry regards as important or to speculate on other matters of more general transportation importance. However, I do want to emphasize that the Commission's role in creating a strong national transportation system is vitally important but in some danger of being obscured by the much larger, newer, and to some minds, more glamorous Department of Transportation. So instead of thinking about what the Commission can do for us, let us think briefly about what we can do for the Commission.

Due to lack of funds, the Commission has been unable to handle promptly hotly contested applications for operating authority. For lack of adequate staff assistance, some merger cases have become trials by endurance. Illegal motor carriers of property and passengers are allowed to roam the highways in increasing numbers, sapping the financial strength of regulated, law-abiding carriers. Yet the staff of the Commission has been so unrealistically reduced that the time being devoted to curbing these unlawful operations is less today than at any time in recent years. The least we can do is to couple our complaints about Commission action or inaction in particular cases with acclaim for its over-all performance.

The Commission's so-called "image" has never been as good outside the circle of transportation as it deserves to be. We ought to explain to all who will listen the relationship between economic regulation and carrier earning power. If the vital cycle of earnings, growth, and investment is broken, we will not have the transport capacity required to meet the needs of a steadily expanding economy.

In these remarks, I have dealt in rather piecemeal fashion with transportation problems that may be faced by a new Administration, a new Congress, and by DOT and ICC. Actually, the problems are not likely to be resolved in any satisfactory manner unless there is full cooperation among all the governmental agencies concerned.

In view of the magnitude and the complexity of the task, it might be well to conclude these remarks by referring to some first principles of transportation upon which widespread agreement is essential.

At no time during my transportation experience have I seen any statement of National Transportation Policy which is an improvement on that declared by the Congress in the Transportation Act of 1940. If all Federal departments and agencies were directed to conduct their transportation activities so as to further the objectives of that National Transportation Policy, some of our major transportation problems would be at least partially solved.

Reasonable men may differ on how to solve the problem of inequality of competitive opportunity but such inequality should not be permitted to continue. Reasonable men differ on how to end discriminatory State and local tax assessments on carrier property but the continuation of such discrimination should have no defenders.

Transportation legislation, regulation, and promotion should move in step with technological advances so that carriers may pass along the benefits of improved technology to shippers and passengers.

The common problems of common carriers are of far greater importance than the differences which sometimes divide them into warring factions. When this fact is fully recognized, we can look toward the development of a sound, fully coordinated system for the movement of people and goods and one which makes optimum use of existing transport capacity.

Finally, the task of improving domestic surface transportation might well begin by discarding the phrase, "transportation crisis." It is hyperbole which flies in the teeth of the fact that our privately owned transportation system, despite its imperfections, is still the envy of the world.

THE FIRST LAW OF POLITICAL ACTION

A couple of months ago we mentioned that the transportation industry is, in many respects, an industry divided against itself. It is made up of several interest groups—shippers, carriers, suppliers, investors—that form interacting alliances against each other to resolve specific issues that affect the industry as a whole.

Charles A. Webb, president of the National Association of Motor Bus Owners and past chairman of the Interstate Commerce Commission, picked up this theme in a recent speech and suggested that now is the time for the transportation industry to face certain facts and work itself out of the dilemma of regulatory inequality. He suggested that the warring factions within the industry should quit fooling around with so-called solutions that are not politically realistic and concentrate on those problems in which they have a common legislative interest.

"We do not know what transportation problems the new Administration will undertake to solve," he said, "but we may surmise it will deal with some which have been widely regarded as chronic or critical.

"Regulation of domestic surface transportation is characterized by inequality of competitive opportunity. That incontestable and indefensible fact must be of primary concern to any Administration which desires to strengthen our national transportation system. It is also a problem in which common carriers have a common legislative interest and one which, in my opinion, can be resolved to the mutual satisfaction of the competing modes.

"Reasonable men may differ on how to solve the problem of inequality of competitive opportunity, but such inequality should not be permitted to continue.

"Reasonable men differ on how to end discriminatory state and local tax assessments on carrier property, but the continuation of such discrimination should have no defenders.

"Transportation legislation, regulation and promotion should move in step with technological advances so that carriers may pass along the benefits of improved technology to shippers and passengers.

"The common problems of common carriers are of far greater importance than the differences which sometimes divide them into warring factions.

"When this is fully recognized, we can look toward the development of a sound, fully coordinated system for the movement of people and goods and one which makes optimum use of existing transport capacity."

Although wholesale deregulation would eliminate regulatory inequalities, Mr. Webb feels that this approach is not politically realistic. He feels that a more promising solution to the problem is to make regulation more comprehensive by restricting or repealing some of the exemptions which create inequality or competitive opportunity. He suggests, for example, that if repeal of the agricultural and bulk commodities exemptions is not feasible, the inequities caused by these exemptions could be alleviated by a mild new form of regulation for changing rates and for allowing new entrants into the exempt transportation business. Such an approach to regulatory reform would require a willingness to compromise on the part of all concerned.

Before it takes the unfinished business of the last Congress before the 91st Congress, the transportation industry should commit itself to what Mr. Webb refers to as "the first law of political action" . . . that total victory for one segment of the transportation industry with total defeat for another is intolerable. If the transportation industry doesn't pay heed to this law, and soon, it will get even less attention from the 91st Congress that it did from the 90th.

BIG POWERS MUST ACT

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. RHODES. Mr. Speaker, I was pleased to receive from three of my constituents—the members of the firm of David, Rubenstein & Toback, chartered, certified public accountants, of Phoenix, Ariz. the following editorial "Big Powers Must Act." Because of their concern over the volatile situation in the Middle East, they sent this editorial to me air mail, special delivery with a letter which included the following statements:

> We have discussed the Israeli-Arab situation with dozens of people and the consensus of opinion of most Arizonans seems to be reflected perfectly by the editorial in the Tuesday, December 31, 1968 edition of the Arizona Republic—Since you are a fellow Arizonan of high authority, we beseech you to add your voice to that of your constituents and let the White House and the United Nations know our feeling.

It is my pleasure, Mr. Speaker, to do so by inserting this excellent editorial in the CONGRESSIONAL RECORD, as follows:

BIG POWERS MUST ACT

A new and fertile field for U.N. action has opened in the Middle East. Russia, the United States, France and Britain have all condemned the Israeli army raid on Beirut's international airport. If they will act together, they can defuse the powder keg which threatens to explode in another Jewish-Arab war. If they fail to act, one reprisal can be expected to follow another in the cockpit of the Middle East.

There can be no justification in international law for the Israeli attack on the Beirut airport. Israeli soldiers were flown across the border of Lebanon in Israeli army helicopters Saturday night. They landed on the Beirut airport, moved methodically to destroy Lebanese planes and hangars, then climbed aboard the helicopters and went home. Thirteen planes belonging to Lebanon Middle East Airlines, worth perhaps $50 million, were demolished. The next day Israeli jets flew a reconnaissance mission over the airport just to make sure the commandos had done their job.

This, quite clearly, was an act of war. It made a mockery of all talk about peace on earth, good will to men. And yet it cannot be considered as an isolated event. It stemmed directly from an attack by two Arab terrorists against an Israeli passenger plane in Athens, Greece.

Two Palestinian Arabs, trained in demolition at a refugee camp in Lebanon, went to Greece to destroy the El-Al plane. They murdered an Israeli passenger in the process. While the Israelis demolished 13 planes for one, they apparently killed no one in the Beirut raid.

Airliners are particularly vulnerable to international blackmail, as nearly a score of American pilots have learned when they have been forced to fly to Havana. Earlier in the year an El-Al plane was hi-jacked over Italy and flown to Algiers, where the Jewish crew and plane were kept for a week before being turned loose.

If Israeli passenger planes are going to be subjected to hi-jacking and machine gun attacks every time they leave home, it is obvious that the El-Al Airline will soon go out of business. Arab nations apparently think they can recruit, train and finance the saboteurs, then wash their hands of the consequences. The raid on Beirut proves the falsity of this thinking.

But as Israel should know, one reprisal leads to another. An Arab attack on a Jewish position can be expected, and it presumably will be followed by an Israeli attack on an Arab position. It is to avoid this sort of escalation, which will lead inevitably to a general conflict, that the U.N. must now act.

The basis for an Arab-Jewish settlement is well known. The Arab states must agree to recognize Israel as a sovereign nation. The Jews must agree to return the territories—or at least most of them—taken in the Six Day war. Each party must be forced to respect the international rights of the other.

No one is going to make the Jews and the Arabs love each other—not in the lifetime of any person now living. But the four great powers, which have a lot at stake in the Middle East, can force them to live with each other in relative peace. This is the time for the U.N. to show its real ability as an instrument of world order.

TAXPAYERS SUBSIDIZE WELFARE REVOLTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. RARICK. Mr. Speaker, charity is to be now compromised to include robbery of taxpayers.

American taxpayers now experience such forces as guaranteed charity—forced charity without residence requirements or even getting to know the people who do the work to foot the bill.

Nor is welfare food alone—it now includes attorneys, paid at taxpayers expense, to advise the recipients how to beat the giver. Welfare even includes the funds to promote the recipients into militant bands of activists.

This is one reason why the American people must never permit a national welfare program. Charity must be an act of love from people to people—otherwise it is just plain extortion.

I insert letters from the Louisiana welfare director and news clippings, as follows:

LOUISIANA DEPARTMENT
OF PUBLIC WELFARE,
Baton Rouge, November 25, 1968.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: In view of the recent Welfare sit-ins in the Orleans Parish Offices, I thought you would be interested in the attached article from the Dallas Morning News. You will note the contribution being made by the Office of Economic Opportunity in this article. This same organization, I have been informed, supported and encouraged the sit-ins in our local offices in Orleans. Information furnished us by the police in Orleans and a Taxi driver established the fact that OEO funds were used to transport these demonstrators to our offices.

Sincerely yours,
GARLAND L. BONIN,
Commissioner of Public Welfare.

NOVEMBER 27, 1968.

Hon. JOHN J. MCKEITHEN,
Governor, State of Louisiana, Baton Rouge, La.

DEAR GOVERNOR MCKEITHEN: I recently advised you of the sit-ins by Welfare mothers sponsored by Welfare Rights Organizations in our various offices in the parish of Orleans.

We now have information that in addition to sit-ins in the local offices and attacks on the local office itself, this group plans to direct its hostilities against individual workers, even to go so far as physical violence. This information has been furnished me through sources that I consider completely reliable. For this reason, I have temporarily suspended home visits in the Housing Projects in Orleans Parish. This step is taken in order to protect our workers from violence. As soon as the situation clears up and I am assured that our workers will be safe, these visits will be resumed.

I am still of the opinion that the welfare situation in New Orleans is explosive and dangerous and anything could happen. This is, in my opinion, not the fault of the Welfare Department or our rules and regulations as such insofar as the clients themselves are concerned, however, the Welfare Rights groups, which are both directly and indirectly supported by the Office of Economic Opportunity funds which have been appropriated by the United States Congress, has convinced these people that they do have grievances and the way to resolve them is through violence. Their objective is to wreck the Welfare program as it exists today.

I will keep you advised of any further developments.

Sincerely yours,
GARLAND L. BONIN,
Commissioner of Public Welfare.

DISRUPT HOLIDAY TRADE, WELFARE PATRONS URGED

(By Alice Widener)

NEW YORK CITY.—In Webster's Dictionary, the verb "to conspire" is defined, "to join in a secret agreement to do an unlawful or wrongful act or to use such means to accomplish a lawful end." The noun "conspiracy" is defined as "the act of conspiring together; an agreement among conspirators."

On Thursday evening, November 7, 1968, in the Broadway United Church of Christ at 211 West 56th Street, New York City, there took place a meeting of conspirators acting in agreement to do unlawful, wrongful acts on a nationwide basis in the month of December 1968. The meeting was attended by political and legal "coordinators" conspiring with welfare recipients to break the law. For example, they conspired to create a public nuisance through disruption of Christmas shopping at big department stores next month.

WELFARE OFFICIALS

The coordinators present in the church meeting are members of the Citywide Coordinating Committee of Welfare Groups in New York City, a group that has repeatedly staged unlawful demonstrations. Under the ideological tutelage of Drs. Richard A. Cloward and Frances Piven of the Columbia University School of Social Work, the Citywide Coordinating Committee is led by Hulbert James and by Mrs. Beulah Sanders, a Negro "welfare mother" whose loud ranting before the Democratic Platform Committee last August scandalized Chairman Hale Boggs and millions of TV viewers.

After some discussion concerning the conspirators' December program, a "coordinator" described the December department store program. "You recruit people on welfare to go pick out what they want—about a hundred dollars worth—and go to the cash register at May's or Macy's or Abraham & Straus. First you demand a discount. They won't give it to you. Then you demand credit. They won't give it to you. Meantime, you're holding up the store's business.

CHARGE TO WELFARE

"When the cashier demands that you pay, you say 'Charge it to Welfare.' This will start up a big argument. People with Christmas shopping will be waiting in line to pay at the cash register. We can drive a lot of angry customers away from the store. Meantime, the cashier has got to send for the manager. Before any new purchases can be rung up, the whole register has got to be gone over.

"The customers get madder and madder. The store calls for the police. The cops come and we put up a struggle. Don't worry. We'll take care of the legal appeals when you get arrested. You put up a struggle and we'll get some people planted in the store to be very upset customers shocked at police brutality to welfare mothers just trying to get something for their kids for Christmas. You can bet May's and Macy's and A&S owners will put the heat on the city to get us out of the place because it's bad for business and get the city to give us what we want. We'll raise such hell they'll do anything to get peace. They'll charge you with creating a public nuisance. A few of you will be arrested and they'll let the rest go. Our friends that Cloward and Piven send us will take care of things. Just you take care of your angle and Columbia will take care of the legal angle. You try it and see. You'll get what you want."

SUBSIDIZED BY OEO

A law student at Columbia University Center for Social Welfare Policy and Law, Jonathan Marsh, briefed the coordinators on the need for getting recruits to fill out papers to back up appeals cases for arrested welfare demonstrators. The Center recently received a subsidy from the Office of Economic Opportunity.

The conspiring coordinators of the Citywide Committee in New York are coordinating their work with the National Welfare Rights Organization in Washington, D.C. Before there are Christmas riots over alleged "police brutality" to "welfare mothers" in major department stores throughout the nation next month, U.S. Attorney General Ramsey Clark should order a complete investigation of the conspirators' activities. Perhaps he should begin by inquiring into the activities of the Rev. Lawrence L. Durgin of the Broadway United Church of Christ, a place that plays weekly host to conspirators already responsible for lawlessness that has caused riots, physical injuries and extensive property damage. Even though our U.S. attorney general is on the way out of office, he still has a sworn duty to perform for the American people.

(NOTE.—Half way through the meeting, my assistant William Good and I were challenged about our presence there. It seemed very dangerout to remain and a few moments thereafter, we left.)

[From the Washington (D.C.) Evening Star, Jan. 4, 1969]

MINISKIRTED PROTESTER: NUN TELLS OF HER DAY IN JAIL

ST. LOUIS, MO.—Sister Cecilia ate a hearty meal, took a bath, set her hair, put on a miniskirt and talked about jail.

"Bad . . . completely dehumanizing," the 31-year-old Maryknoll nun said yesterday. But the inmates, she said, were "beautiful."

Sister Cecilia walked out of the St. Louis jail at noon yesterday after spending 24 hours behind bars for refusing to pay a $500 fine assessed for handcuffing herself to the revolving doors of a department store during a "Black Christmas" demonstration.

The white nun said one inmate loaned her a sweater she wore while enduring the conditions at the jail.

"The women there in jail were very beautiful to me," Sister Cecilia said after being freed on a $1,000 appeal bond. "They couldn't believe I was in jail for the type of charge that was leveled against me."

Sister Cecilia is not the typical nun. A member of the Action Council To Improve Opportunities for Negroes, she took part in the downtown demonstration at the Famous Barr department store Dec. 4 to protest the commercialism of Christmas, which she said causes poor whites and Negroes to go into excessive debt.

She handcuffed herself to two revolving doors and was arrested. Found guilty of disturbing the peace and fined $500, she said an "act of conscience" forbade her to pay the fine. She went to jail Thursday.

After her release, Sister Cecilia ate a hearty meal at St. Ann's Parish where she is a social worker and teacher, took a bath and set her hair. Dressed in a miniskirt, she held a news conference.

"Although this is my first arrest for civil disobedience, I would certainly do it all over again," Sister Cecilia said.

[From the Washington (D.C.) Post, Dec. 24, 1968]

WELFARE CLIENTS TO BE TOLD OF RIGHTS

People receiving welfare aid will be formally told for the first time next month that they will no longer have to let investigators into their homes.

The District Welfare Department said it would give recipients and applicants a revised brochure explaining the investigations, in response to a court decision last June.

Antipoverty lawyers here recently lost a legal bid to require the Welfare Department to mail notification to welfare recipients of the U.S. District Court decision that prohibited aid cut-offs when clients refuse to admit Department employees to their homes.

FEAR OF LOSING CHECKS

The lawyers argued that welfare clients still fear they would lose their checks if they shut out the investigators, because the Department had not informed them otherwise. The Welfare Department had spelled out its old policy of terminating aid when entry was refused in an earlier brochure this year.

Deputy Welfare Director Albert P. Russo said the Department simply ran out of the old brochures, which were still in circulation this fall. To prepare new ones, he said, "obviously we have got to reflect the new changes."

The new pamphlet will be mailed to all public assistance recipients and given to applicants at the Department offices, Russo said.

The outside cover will say that the booklet contains revised information.

NEW PAMPHLET

A Public Welfare Advisory Board committee is preparing the new pamphlet and is expected to make its recommendations to Welfare Director Winifred G. Thompson next week. Russo said the new brochure would probably be printed the first week in January.

Neighborhood Legal Services Project attorney Peter Smith met with the subcommittee last week to urge that the new policy be expressed in simple language easily understood by welfare clients.

Russo said the brochure would probably say that the Department will not "discontinue assistance payments" when clients do not admit investigators. A statement that the Department will not "stop or hold up recipients' checks" would have more meaning for welfare clients, Smith said.

REMARKS OF HON. MELVIN LAIRD BEFORE THE HUMAN ECOLOGY SYMPOSIUM, NOVEMBER 26, 1968

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. MICHEL. Mr. Speaker, all of us in this body are properly concerned about the most obvious problems and difficulties confronting the country such as the war in Vietnam, domestic unrest, inflation, and a myriad of other sticky questions too numerous to list here. However, we cannot forget that ticking away like a timebomb is the serious problem of environmental control and if we are honest with ourselves we can come to no other conclusion than that which tells us that our environment is being polluted on a scale that long ago reached alarming proportions.

Last November a group of experts in the field of environmental control met at the human ecology symposium conducted at Airlie House in Virginia. These experts displayed excellent judgment in arranging to have our good friend and colleague, Congressman MELVIN LAIRD, the new Secretary of Defense-designate, speak to their group. In reading his remarks, I am reminded of the incisive mind and the great talent which will be lost to us here in the House of Representatives when MEL LAIRD leaves this body to assume his new duties as Secretary of Defense in the Nixon administration.

I was especially impressed with his suggestion that progress in the field of environmental control might be accelerated if the program were patterned after existing programs which have been successful in other fields such as the partnership for health and the regional medical program. In any event, we can all profit from MEL LAIRD's experience and knowledge and I include a copy of his remarks before the human ecology symposium on November 26, 1968, in the RECORD at this point:

REMARKS OF HON. MELVIN R. LAIRD AT THE MEETING OF THE HUMAN ECOLOGY SYMPOSIUM, NOVEMBER 26, 1968

I am delighted to be a part of this important conference. And I want to congratulate Dr. Lee, Dr. Stewart, and Mr. Johnson for calling you distinguished gentlemen and ladies together to help them develop a new focus and orientation in dealing with our complicated environmental problems.

There is probably no more complicated subject facing the problem-solvers of the world than this one. And it is complicated still further because human ecology is so closely related to all the other ills that face man in the last third of the 20th century.

If my appearance before such a distinguished audience of experts is to serve any useful purpose, it will not be found in cataloguing for you what you already know far better than I. Rather, I might serve a better purpose by trying to place in some perspective the nature of the limitations that face us in our quest for a better life for all. Then I might suggest for your consideration the direction in which I feel we must proceed if true progress is to be made in the immediate years ahead.

The first requirement is to be as candid as I can with you. I would like to do this by listing some hard facts. First, yes this nation and indeed large areas of the entire planet are destroying the balance of nature through unwise use of our natural resources, through constant and continuing pollution of our air and water, by overcrowding in our cities and by a host of other abuses that have been spelled out eloquently for you at this conference.

Second, we have definitely reached a time of crucial decision, a time when we must begin to reverse the trend lest we bequeath to our children a heritage of insoluble problems.

Third, there is a war going on in Vietnam that is costing this nation more than 30 billion dollars a year and even if it ends tomorrow, there is little prospect that our massive defense budget will diminish very much.

Fourth, on last June 30th, the United States closed its books on a fiscal year that ended $25.4 billion in the red. This not unusual imbalance in our fiscal affairs is one direct cause of the economic woes we are enduring in this country today.

Fifth, our new President, like his predecessors, faces a budget situation that is going to force nothing but hard choices in the immediate years ahead. Education demands will be up. Welfare costs will sky rocket. Interest on the national debt will jump. Health needs will multiply. Slum improvement and crime prevention and war costs will continue to compete unmercifully for every federal dollar that exists. And we politicians who must answer to our consciences and our constituents as well as to our knowledge of what is needed must live with the frustration of being unable to provide all of the dollars and all of the programs necessary to deal with these problems.

I could go on but this should be sufficient to paint the picture I want to paint. I have been asked to discuss the role of government in connection with the subject of your deliberations, human ecology. To do this, I felt it necessary to give you, however briefly and incompletely, a taste of my own frustrations and the frustrations that a Dr. Lee and a Mr. Johnson must face on a daily basis.

No matter how grandiose our plans or how clearly we might perceive what needs to be done in a given area of public policy, there always comes that moment of truth when the cold, hard questions of where the money is coming from has to be faced.

I don't want to belabor this point and I don't want to mislead anyone about my own position. It is *not* my view that we have to bequeath a heritage of insoluble problems to our children. I do *not* believe our budgetary problems are insurmountable or that we can't improve the quality of education, straighten out the terrible problems in our cities, correct the horrible mess that is our welfare system, improve the unemployment problem or reverse the terrible trend toward an environment that is unsuitable to man.

On the contrary, I *do* believe that as a nation, the United States can—indeed it must—make significant forward progress on all these fronts in the immediate years ahead.

The dynamics of the present situation are such that we can either progress or go backward—we can no longer stand still or merely preserve the status quo. All of us want, of course, to move forward and progress.

Why then, did I begin my remarks with the emphasis on budgetary problems? Frankly, because unless we start admitting the fact that our solutions are not going to come exclusively or primarily from the federal purse, we will be doomed to another generation of grand talk and mean performance.

The question that faces us, ladies and gentlemen is, how best can we ensure progress, faced as we are with the impossible demands on our budgetary resources and the incredibly complex nature of our many difficulties?

First, I think, we have to dispel some popular myths. Some seem still to feel that saving the environment or cleaning up the slums or abolishing crime is a matter of money alone, that if only the Federal Government would open the purse strings a bit further, the problems would be solved—and by now all of us should know this is *not* the case.

Others feel that the only answer is for the Federal Government to set up some sort of "environmental manager"—a super-agency perhaps—which would tell us all what to do about every aspect of environmental use. This is not only an impractical dream it is an unappealing one. It probably originates in the hope that, after turning all these problems over to some "expert," the rest of us could get on with business as usual. The questions are too complex and far-reaching for this. They involve not one agency, but every agency of government, not one level of society, but all levels. They enter into every step in our material progress, and complicate thousands of daily decisions in commerce, construction, agriculture, and every other activity of a busy modern world. Unless we are ready for the Congress and the President and all the rest of government to go home while we turn ourselves over to a "Controller" out of Huxley's "Brave New World," it is wishful thinking to suppose we can so easily rid ourselves of our concern about the environment.

As with most of the serious problems we face in this country, solving the environmental crisis will require a complex, coordinated effort by national, State and local governments, by private organizations, universities, and business.

Our greatest challenge, as we approach the decade of the 1970's is to find mechanisms and to institute arrangements that will bring this coordinated effort about.

We must marshall the dynamic forces that made this nation great and unleash a concerted attack that will lead to cleaner air, less polluted water, improvement of the conditions in our cities, and a better preservation of our natural resources while countering the undesirable side effects of our expanding technology.

If we can do this, we can create for our people, even with tremendous population increases which are foreseen, conditions that will provide the "good life" which has always been our goal.

President-elect Nixon has made clear his own awareness of this problem and his own commitment to finding ways of advancing the partnership approach between the public and the private sectors in order to make maximum use of the knowledge and the resources this great nation already has at hand.

I heartily concur in this viewpoint and in the need, as expressed by the President-elect for developing "objective standards of environmental quality, and effective, fair means of enforcing them. We need to match advances in technology with advances in government."

Put these two commitments of President-elect Nixon together and we begin to see a pattern for the future that is essential for progress in this area. On the one hand, we must bend our efforts toward defining better than we have so far the basic ingredients of an environment suitable to man. On the other hand, we must seek in the policy arena to institute programs and arrangements that will maximize the efforts at all levels of our society to fight and to reverse present trends.

At this point in our history, confronted on every side by the ugly and unwholesome results of our past mistakes, few could dispute that one of our most urgent needs is to develop objective standards that show what is actually required to maintain an environment suitable to man's needs. This is a problem of definition that requires the assistance of the best scientific minds in our society. I am glad to learn that the Consumer Protection and Environmental Health Service intends to give priority to this important task.

In fact, the lack of such criteria in several areas of urgent need, is probably a major cause of our failure to move effectively against environmental hazards. In the absence of clear options, there can be no sound decisions.

We are something like the airplane pilot who radioed back to his base, "Am lost in fog. Shall I proceed to destination or return to base?" His commanding officer, being a great advocate of personal initiative, radioed back, "Yes." Confused, the pilot called back, "Do you means yes I should proceed to destination or yes I should return to base?" This time the answer was, "No."

All of us, including Congress and the Chief Executive, who are faced every day with decisions affecting the environment have found ourselves in somewhat the same position as that pilot in our need for clear guidance from the scientific community. We cannot postpone or avoid decision. We cannot be satisfied with ambiguous answers. And we cannot wait for science to understand everything there is to know about human biology and psychology.

We need to consolidate and clarify what knowledge we already have and act on it. Government at all levels, in concert with its citizens, must, as Mr. Nixon has said, find "effective, fair means" of assuring that our knowledge of human ecology is applied.

Perhaps, in some instances, where environmental problems are clearly of a national scope and not amenable to state or local action, effective remedies may require some form of Federal regulation. But as we seek solutions to the multitude of existing and potential environmental problems which diminish the quality of life today and cast an ominous shadow over the future, we need to take a close look at a variety of approaches.

We already have certain programs on the books that represent varying approaches to this problem.

The Air Quality Act of 1967 is one example. It authorizes the development of Federal criteria and distribution of recommended control techniques. While it establishes Federal responsibility to assure clean air, it seeks to promote meaningful action by State and regional agencies to control pollution. Under this Act the Federal government designates Air Quality Control Regions and approves air quality standards for these regions. In essence, what Congress initiated through this legislation was a program for regional control of air pollution, supported by Federal funds, and based on Federal criteria.

The Federal Water Pollution Control Act addresses itself to this area of environmental control in a somewhat similar fashion. Under that legislation, Congress initiated comprehensive river basin planning for pollution control, with Federal financial assistance. State standards for water quality, to protect their downstream neighbors, are subject to Federal approval. States have primary responsibility for enforcing water standards, but the Federal government under this act may intervene where necessary to prevent interstate water pollution.

Both the Air Quality Act and the Water Pollution Control Act require that Federal research be directed toward development of the information needed to establish standards to protect the public health and welfare and also require the administering agencies to determine the economic feasibility of various control techniques.

Let me add one word here. If the programs we already have on the books are going to work, they will need support. Putting water pollution control under the Interior Department—separating it if you will from health—was a mistake.

All environmental problems, such as air and water pollution, must be considered as part of a single problem. Proliferating the attack by dispersing it all over the federal establishment can only dilute the results. Consolidating them into a single environmental health agency will advance the prospects of greater public and Congressional support.

Another program currently on the books which offers a different approach to national problems is the Regional Medical Program, a fine example of cooperation between the medical profession, the universities, private research institutions, and the Federal government. This program provides continuing education to physicians who have been practicing for five years or more, in an effort to put into practice the latest advances in diagnosis and treatment in the fields of heart disease, cancer and stroke.

It seems to me this approach might be considered as a possible model in the environmental area. The problem is not dissimilar from that confronting the medical profession in its need to assure application of new knowledge. But it is even broader, for it is interdisciplinary. Architects, planners, transportation specialists, doctors, State and local health department officials, city managers,—the entire domestic side of the governmental effort—as well as decision makers in the private sector, need to be instructed and updated on environmental problems and the best methods of avoiding or correcting them.

These programs we have been talking about are in existence. They are operating. And they will meet with varying degrees of success as we move down the road. But by themselves, they will not do the job. More is obviously needed. And more we must have.

In this area as in so many others, we need a breakthrough, a bold new approach that doesn't have to begin "from scratch," that doesn't need a five year gestation period, that when initiated, it will begin to work.

That kind of a program has to spark existing institutions and give new force to present arrangements. I've said we have to consolidate our efforts within the federal establishment itself. But outside of that establishment and, hopefully sparked by it, we need a different emphasis, a decentralized one. We need, in my view, to place primary stress upon a dispersed and decentralized attack outside of Washington. We need this in order to implement a very important principle recently restated by Daniel P. Moynihan, Director of the Harvard-MIT Joint Center for Urban Studies. Speaking to the National Board meeting of the Americans for Democratic Action, Moynihan argued that the nation cannot be run from agencies in Washington, that "a system has to be developed . . . under which domestic programs go forward regardless of what international crisis is preoccupying Washington at the moment. This in effect means decentralizing the initiative and the resources for such programs."

This is an important principle not only because it will lead to a more rational means of attacking complicated problems across the board but also because it will insulate these efforts more effectively against competing demands for funds at the federal level. For example, the charge can be made that we seem to be more interested in improving man's potential environment on the moon than we are in correcting it here on earth. A comparison of the dollar commitment at the federal level between reaching the moon and restoring clean air on earth would certainly bear this out.

We have to do a better job of ordering our priorities in this federal system of ours.

I firmly believe that this can best be done, in "Pat" Moynihan's words, by "decentralizing the initiative and the resources" for attacking these problems.

What I have in mind, for example, is the institution of a program of tax credits where industry would be given added incentive to curb its own pollution of the air and water. Another program would provide functional grants to states and localities to be used specifically for correcting environmental problems.

These approaches do not necessarily require a smaller involvement or investment by the Federal government than possible alternatives. But they do promise greater effectiveness and can unleash the dynamic forces that have made possible the growth and progress of this nation.

Experience has shown us—and I can speak with particular knowledge of various programs in the fields of health, education, and welfare—that the approach which attempts to solve every problem from the top down, results in very slow progress indeed.

For some years, we were wedded to the idea of aiding and guiding categorical grant programs, tailor-made in Washington to accomplish narrow and specific objectives. Within the Congress, and throughout the Nation, during the last few years, there has been growing disillusionment with the results obtained by this approach. An obvious defect in such plans was that they encouraged the States to emphasize health activities for which the money was available rather than those dictated by their own needs.

Consequently, in 1966, the Congress moved away from the categorical grant system and established block grants to State and regional planning agencies to enable them to attack their health problems according to priorities which they themselves establish. This comprehensive Health Planning program, which is also known as the Partnership for Health, is an important departure from the traditional approach to Federal spending. This program could serve as a model for establishing effective environmental control programs throughout the Nation, with Federal resources providing the base for State and regional action.

As we seek to find the best means of improving man's environment, let's try to do it in a way that will give everybody a piece of the action. Because everybody, after all, has a stake in the outcome.

I cannot believe, in this representative system of ours, that local and state leaders do not realize their own enormous stake, personally and politically, in finding the better answers, in eliminating the smog and wiping out the slums and upgrading educational offerings.

All of us want to incorporate the best principles of human ecology into our agricultural practices, our city renewal programs, transportation and all the rest.

The true test of our national leadership in the coming years will rest in how well we were able to exploit the good intentions of all Americans—government officials and private citizens—in moving toward solution of these problems.

There is one vital point upon which I think we can all agree. That is, we need to know more about *what is happening to man* in our contemporary environment, so that government at all levels, businessmen, planners in every field, can make intelligent decisions regarding environmental change.

Common sense can guide us a part of the way, in some important and urgent areas. We don't need laboratory evidence to convince us that the environment of our city or rural slums is destructive to the human body and spirit. We know that pure food and water are better than contaminated. But there are other aspects of the problem—and components even of those I have mentioned—that are far less clearly understood. In many cases, we must weigh ecological debits against ecological credits in order to come up with a satisfactory balance sheet.

The miracles of chemistry, for example, have helped make possible our abundant food production; plastics and synthetics have brought undoubted benefits. Yet, on the debit side, chemical contamination of the environment presents some frightening threats to human health; the trouble is that, in many instances, we have not even begun to define the nature and magnitude of these various hazards as they collectively affect man.

Obviously, modern man's total health and welfare are dependent upon these products of his scientific and technological ingenuity. We live, and those who come after us will live, in an age of chemistry, of new power sources, of ever changing and improved technology—in an environment which increasingly bears the mark of man. No one supposes that we can, or would even wish to, restore the world to the perfect ecological balance which it must have had on the seventh day of creation.

Our problem as I said before, is to assure that the ecological credits of the environment we are creating outweigh the ecological debits so far as man's total health and welfare are concerned. And to do this, we need to know—far more precisely than we do now—what the real and total effect of these various environmental insults is on the human organism or on other forms of life important to human ecological balance.

If pesticide residues constitute a threat to human health—and there is no doubt that they do—at what point does the hazard outweigh our obvious need for an abundant food supply? How do pesticide chemicals interact with other chemical pollutants to which man is exposed? Can we assume that judicious pesticide use can enable us to retain the unquestioned benefits while minimizing the undesirable side effects?

These are very difficult and complex questions, and, as you know, they may be asked about many other environmental pollutants—about lead, for example, as a contaminant in the air, water, and food. How much are people actually ingesting—and what is its effect on the body?

I certainly am not suggesting that we cannot act to control these hazards until we know everything there is to know about them and their impact on human health. On the contrary, I am arguing that we move immediately on these problems by instituting new arrangements to unleash the dynamic forces in our society for an across the board attack.

But if we are to establish sensible priorities now and in the future, we need at the same time to define our present understanding and to enunciate it as clearly as possible so that we can make intelligent decisions while we continue to seek more knowledge. Certainly this is a responsibility that the Federal Government must share, so that all of us, in both the private and public sectors of society will have a clearer understanding of the real consequences of our actions.

You who are here today, leaders in the diverse fields which bear on these troublesome problems, must help us in government move toward a deeper insight into man's relationship with his environment. This is a heavier responsibility than may be readily apparent, for the focus government takes in ecology will effect the health and welfare not only of all our citizens living today—but of millions more yet unborn.

If I may, I would like to close with another story about an airline pilot who was flying a hundred passengers across the country in a heavy storm. It was such a violent storm that all on board were terrified. Finally, the pilot's voice came over the intercom saying "Ladies and Gentlemen, I know you're concerned and I would like to report two things to you—one represents good news and the other bad news.

"I'll give the bad news first—we're lost.

"The good news is that we're making record time."

In our understandable haste to make this a better world for many, by all means, let's make "record time." But let's make sure we know where we are going, too.

THE VULNERABLE RUSSIANS AS VIEWED BY A TOP COLD WAR STRATEGIST

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. DERWINSKI. Mr. Speaker, the Russian rape of Czechoslovakia strongly confirmed the thesis advanced in the book "The Vulnerable Russians." In sharp contrast to other positions held these past 20 years as concerns the real enemy confronting the United States and the free world, the thesis on Soviet Russian imperiocolonialism has been vindicated time and time again. The author of the book, Dr. Lev E. Dobriansky, of Georgetown University, recounts this evidence of confirmation, to which the rape of Czechoslovakia contributes as another substantial piece of evidence.

The article-book review written by Dr. Stefan T. Possony, of Stanford University, shows the fundamental importance of this work. Appearing in the summer 1968 issue of the Ukrainian Quarterly under the title "Understanding Russia and the U.S.S.R.," the article by this top cold war strategist sums it up this way:

> Those are basic insights which Americans need if our political survival is to be ensured. Once Dobriansky were at long last understood by the American political elite, this long delayed comprehension of the crucial facts of international life would mark a Copernican turn in American foreign policy.

I recommend strongly to the reading of my colleagues this expert review of "The Vulnerable Russians." The book is must reading for all alert Americans, and copies are easily obtainable at the Georgetown University Bookstore, Georgetown University, Washington, D.C.

The review referred to follows:

UNDERSTANDING RUSSIA AND THE U.S.S.R.*

(By Stefan T. Possony)

There may be some who would criticize this book as "repetitious." The author, although his perspectives change constantly, does indeed repeat the same points over and over again. He is perfectly justified in hammering his theme: American decision-makers and the American public have been unable so far, to grasp the elementary facts which he is trying to elucidate. There is, clearly, a mental block; and a sledgehammer is needed to break it.

The misinformation which bedevils the vast majority of Americans is that the USSR is a "nation-state," and more specifically the state of the Russian nation. In reality, the USSR is the inner ring of a totalitarian and colonialist Russian empire within which there are imprisoned a considerable number of captive nations. The outer ring of this empire is formed by various "people's republics" in Asia, Eastern Europe, and Latin America; all of those also are held in captivity. The energy and command center of this empire is Russia, but its main resource bases are located in the areas inhabited by captive nations.

The average American, including the majority of our intelligentsia and our political leadership, fails to understand the political and ethnic structure of the USSR. If Americans ever heard of the "other" languages spoken in the USSR, they believe them to be "dialects." It is, unfortunately, quite clear that only few Americans ever thought about the proposition that the captive nations within the USSR are just as much entitled to self-determination as any other nation in the world and that, for example, Ukraine and the Turkic SSR's "belong" to Russia as little as Canada and Mexico belong to the United States.

Dobriansky is right when he says that American misunderstandings about the Russian empire and its various "nationality questions" go back to President Wilson who, he asserts, committed a colossal political blunder "when out of plain ignorance, he failed to apply the principle of national self-determination to the many subjugated non-Russian nations in the Russian empire." A period of 50 years would seem to be time enough to recognize an obviously enormous error and to correct the underlying misinformation. But the American "image" of the USSR remains completely distorted.

Granted that the Free World is confronted by Russian "imperio-colonialism"—but what about communism? According to Dobriansky, "Marxist-Leninist ideology is only one tool among many used by the Russian totalitarians, when and where it suits their purposes. Its impact in the USSR was lost under Stalin over 30 years ago, though Khrushchev and his twin successors have lip-serviced it on appropriate occasions."

Dobriansky rejects the argument that the real enemy is international communism and that "the term 'totalitarian Russian imperialism' lays the crime of communism on the Russian nation and people, rather than on the Marxian ideology." The author thinks that "Moscow has no quarrel with this argument." Communism, he believes, is a "mythology." By contrast, imperialism and colonialism have "flesh and blood meaning in the world of today," while communism is an abstract concept which few people know or understand. The reality is "Soviet Russian imperio-colonialism." He clinches his argument with this statement: "In the past Russian tyrants cloaked their totalitarian rule and imperialist conquests with equally fictitious ideologies of super-religious Orthodoxy and racist Pan-Slavism. Today it is millenarian communism, interspersed at times with these old ideologies in what suits the occasion." "The major source of trouble and threat to the peace of the world is not Peiping, Havana, Hanoi, Cairo and what have you, but solely and exclusively Moscow."

These points are well taken but the analysis is incomplete. There are in fact several trouble spots, although the power of all communist states is, ultimately, derived from Moscow. Secondly, communism is an ideology and a utopia and, therefore, can be rightly regarded as a "mythology." It is equally true that the systems built up behind the Iron Curtain are not "communist" but totalitarian in their essence. But communism—"Soviet communism," not "Marxism"—is the legitimizing political formula of the USSR and, therefore, one of the ties which is holding the empire together. (A typical American misconception which Dobriansky might have slain while he was laboring is that the majority of Soviet citizens believe in communism: this ideology holds its main attraction for people living outside the dictatorship.)

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* Lev E. Dobriansky, *The Vulnerable Russians*. New York, Pageant Press, Inc., 1967, 454 pages with index, $5.95.

The body of communist doctrine is, furthermore, the intellectual basis on which the policies of the various communist states are coordinated and from which key policies are derived. Finally, it is the foundation of the "international communist movement." This movement is a system of communist parties and organizations or, if one prefers, of communist "politbureaus," and it is running the double empire and dependent outside political movements. Leaving aside the complex question of "polycentrism," the world-wide party apparatus, in turn, is commanded by the dictatorship in the Kremlin.

There is no question but that the Kremlin leadership group is predominantly Russian in composition, though some of its members are "Russified" non-Russians. Yet the question is whether the Kremlin dictatorship is acting out of a commitment for Russian imperialism and is pursuing a goal of maximum Russian expansion and power? Or do the Kremlinites act as Communists for the purpose of establishing communist world power? Do they reach for that power for the sake of a communist social order? And do they aim at preserving the so-called communist system within the USSR?

It can be argued that the *de facto* imperialism engaged in by the Kremlin is not an integral part of communism and, therefore, must be ascribed to Russian motivations. It can equally be argued that world revolution is a key element of communism and that the Kremlin's imperialism can best be described as the strategy of world revolution. Geopolitically, of course, all Kremlin strategies must be centered on Moscow, Russia (the RSFSR), and the USSR.

I agree that communist ideology has changed fundamentally during Stalin's regime. The so-called "Soviet society" has few of the characteristics that should be displayed by a communist society, except that private ownership in the "means of production" has been abolished. The Soviet system is most accurately described as "fascist in content, and communist in form" is little else but a social and political myth. But it should not be overlooked that in recent years, attempts have been made to rejuvenate the communist ideology and that many policies of the Kremlin, and of virtually all other communist governments, continue to be logically explicable only on the assumption that these men still believe in communism as their main "theology" and follow the communist doctrine as their main guide of action. There are numerous similarities between the white and red Czars but the differences are no less important.

The Kremlin leadership has been using the communist ideology as a tool of power and politics (just as, in varying ways, it has been using nationalism as its tool). But the situation is complicated because these men also think in communist categories and their long range goals, at the very minimum, include the communist objective. Communism, therefore, is *more* than a mere Kremlin tool. On the other hand, the fact that the Kremlinites, or most of them, are true believers in communism, does not prevent them from using the ideology as a manipulatable tool.

There is the further complication that the Kremlin leaders undoubtedly plan that the communist world empire would be run from Moscow which, of course, leads back to Dobriansky's argument.

These interrelationships are very difficult and elusive and the levels of conviction and purpose must be carefully differentiated. Since the analysis of this complex of motivations and thought patterns has not yet been driven too far, it is at present almost impossible to find descriptive formulas which are correct, complete, simple, and brief.

As a corrective against the multiple mythologies about communism, maximum stress must be placed on totalitarianism and imperialism and, more generally, on the Kremlin's power urge. But I believe Dobriansky is going too far in minimizing the role of communism. Precisely because he himself emphasizes the role of the ideational factor in politics, he should not belittle the function and impact of formula and myth. In fact, he himself often uses the term "Soviet Russia" or Soviet Russian imperio-colonialism," yet he also explains that the term "Soviet involves a deception—a democratic window-dressing." The author uses "Soviet" in preference to "communist," possibly because he fears a contradiction with his analysis; but this usage discloses that the "communist dimension" simply cannot be neglected. But I agree with him that the term "communist" implies too much theory and involves a loss of realism. To avoid this difficulty, some people occasionally have used the term "Bolshevik," but this expression is too historical. The semantic difficulties of this problem remain immense, even after the problem has been fully analyzed and comprehended.

If my point were integrated with Dobriansky's findings, four factors would be involved: totalitarianism, communism, colonialism, and Russian imperialism. Hence we could coin the expression: "communist totalitarian Russian colonio-imperialism." Stylistically, this formula is awful, but does it have at least the merit of being accurate?

Alas, a further difficulty becomes manifest in Dobriansky's treatment of Russia. He points out, correctly, that "no foreign army or subversive machine had ever overtaken Russia in the imperialist manner" and that, therefore, Russia "properly and technically speaking is not a captive nation." "The Bolshevik revolution and all that followed was thoroughly and completely a Russian phenomenon." Even if I buy most of this sentence, the words "and completely" are wrong. With excellent reason, the author stresses the importance of the many national revolutions which took place in the Russian empire during and after 1917. But non-Russian Bolsheviks were quite strong in some of those revolutionary movements, the Russian Bolshevik party organization was full of non-Russians, and non-Russian popular movements were a vital factor allowing Lenin to seize and hold power. Surely, we cannot forget that the Bolsheviks, in complex relationships which we cannot discuss here, were pushed and supported by foreign strategists. There may be disagreement about the extent of German involvement but the Bolshevik take-over was partly engineered by German imperialism. The Germans did not "capture" Russia and in any event the captor no longer exists, but the captor's instrument has remained. The elections of 1917 showed that Russia did not want the Bolsheviks. Hence, Russia must be regarded as a captive nation *sui generis*, like Germany was a captive of national socialism. China also could be classed in the same category of imperialist powers captured by a conspiratorial power elite.

There is no denying the fact of a perennial Russian imperialism or imperialist "mood" surviving under communism and indeed this "mood" may be the single most potent source of "Soviet expansion." Lenin himself, and Djilas, have admitted the imperialist character of *sovietskaya vlast*. But if we look toward the future, we should not assume that all Russians and all Russian policies necessarily are imperialistic. Rather we should assume that there are strong elements within the Russian nation who oppose imperialism and who are most anxious to establish a proper *modus vivendi* with neighboring and distant nations. Such a *modus vivendi*, of course, must be applied specifically to the relations between Russians and the nations presently held captive within the USSR, notably Ukraine. After all, since the Communists themselves put Article 17 into the Soviet constitution, why shouldn't we insist that it be taken seriously?

Moreover, we must work from the proposition that the Russians are held captive by the Kremlin dictatorship in the sense that they are denied the freedoms which are their right, as they are the right of *every* nation. There is no reason to minimize the historical and psychological traditions which never yet have allowed liberty to blossom in Russia. But the stimulation of a reasonable system in Russia surely is one of our major objectives. It could be argued that it is impossible to pursue simultaneously the freedom of the captive nations and of the Russian nation. In this case, obviously, we would have to make a choice. But this demonstration has not yet been made, and I doubt that the case would be convincing, unless there are compelling reasons to believe the Russian elite and the majority of the Russian people want to adhere to imperialism. There is no evidence one way or the other. The assumption of perennial imperialism is plausible but but not highly probable. Until we have firm knowledge, I prefer to operate on the assumption that Russia is a captive nation requiring and deserving liberation.

Dobriansky places his strategic thinking on a fundamental syllogism which says: "We are in a persistent cold war with a Messianic enemy, the Soviet version of traditional Russian imperio-colonialism." This situation "poses the inescapable issue of victory or defeat." Hence, the United States must seek to defeat the enemy.

This stark truth has been obfuscated "by a rapid succession of slogans" and an unending "verbal parade" of arguments for "flexibility" and "non-predetermination." Once all these expressions, which have been disgorged by the "semantic mill," are analyzed, they are "essentially reducible to . . . containment and liberation." Dobriansky adds that any liberation policy must necessarily be "founded on containment." Yet containment is by itself incapable of holding the enemy: it needs "re-enforcement through liberation." I entirely agree.

American strategy has not faced up to this reality but is hampered by five major weaknesses. *First*, we allow the enemy "adequacy of arms" and have assured the USSR security even in those periods when we possessed overwhelming superiority. *Second*, the United States and the Free World have been progressively accommodating themselves, mentally and materially, to the expansion of Soviet totalitarianism. More specifically, we have done nothing "to disturb the consolidating processes within the vast Soviet Russian empire." *Third*, we have accepted the peaceful coexistence slogan and are doing very little against the imperio-colonialist international conspiracy "under the guise of communism and the communist parties' network." But "multi-billions of rubles haven't been spent for fun to train professional revolutionaries in the hundreds of thousands." *Fourth*, we do not match "the highly concentrated psycho-political propaganda waged by Moscow," nor do we effectively oppose their various political and peace offensives.

The *fifth* factor "is the real advantage of the first shot which we also guaranteed to Moscow. . . This possibility of a nuclear Pearl Harbor for America cannot be ruled out in the event of a major technologic breakthrough." As a result of its political practices since 1917, but especially since World War II, the United States, "through ignorance and inadvertent errors, . . . has become the historic guardian of the Russian empire."

Dobriansky suggests we use "propaganda" as the "major clue for beating the Russians in the Cold War." His definition of propaganda includes ideas, concepts, doctrines, and systems of thoughts which "ultimately determine and shape the behavior and actions of men." Within this approach "one of the most strategic concepts in our psychopolitical warfare against imperialist Moscow is the captive non-Russian nations in the USSR." We must re-orient our thinking toward the USSR and recognize the strategic significance of the non-Russian nations. We should place emphasis on Moscow's totalitarian imperialism, expose communist-Russian colonialism, and work for "the development of a universalized Declaration of Independence."

Dobriansky does not think we need to worry about specific methods of implementing those concepts: "The devices are endless." The main task is, *first*, to understand the problem; *second*, to adopt firm principles and fixed goals; *third*, to gain a complete and essential knowledge of the enemy, notably the USSR and its vulnerabilities; and *fourth*, to clarify and revitalize such concepts as national self-determination, national independence, religious freedom, personal liberty under just law, individual freedom of speech, economic investment, association, and representation. Again, I entirely agree.

If we genuinely support those principles, we would in effect be strengthening the captive nations and help them advance on the road of progress.

"The steady dissemination of these truths is a *sine qua non* for the success of the liberation policy and for our victory in the Cold War. After all, the USSR is the heart of the Red octopus; our sporadic absorptions with its tentacles in Asia, Africa, Latin America and elsewhere would not in themselves bring us substantially closer to victory. In fact, it is central to Russian strategy to have us spread ourselves thin and on the fringes, while powerful nationalist trends within Russia's inner empire go virtually unnoticed in the public forum and certainly unexploited by our government."

In essence, Dobriansky's message is that if we ever want to succeed, peripheral conflicts, though they may be unavoidable, are not the answer: the task is dissolve the empire and replace it by free and independent actions. Dobriansky clarified the true meaning of liberation which is not that of a military or nuclear crusade but that of an *intellectual confrontation*—remember that even according to the Communists, "co-existence" does not extend to the "ideological sphere."

No one knows whether war can be avoided and no one can predict how long it will take, even in the absence of war, before a worldwide clarification of the basic principle of national independence will result in real national independence, regional cooperation, and "a genuine United Nations of Free Nations." Such a change would mean "the end of all imperio-colonialist systems and, with this, probably the end of any major threat to world peace. Certainly the freedom and security of the United States would be guaranteed for the long future."

Those are basic insights which Americans need if our political survival is to be ensured. Once Dobriansky were at long last understood by the American political elite, this long delayed comprehension of the crucial facts of international life would mark a Copernican turn in American foreign policy.

I want to express my thanks to Lev Dobriansky for a stimulating book which I hope will be read widely and, above all, will be studied thoroughly.

COL. FRANK BORMAN, GARY, IND., PIONEER ASTRONAUT

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. MADDEN. Mr. Speaker, our Congress must be commended for setting aside Thursday, January 9, 1969, to commemorate the world shaking, moon visit performance of astronauts Col. Frank Borman, Capt. James Lovell, and Lt. Col. William A. Anders. These three great space heroes will be recorded in history for future centuries as the original trailblazers in exploring the mysteries of moon and planet space. They built the foundation for future progress in acquainting humanity with factual information on planets heretofore existing only in the imagination of astronomers, scientists, and all people of our present civilization.

Colonel Borman is a native of Gary, Ind., and the citizens of the great Calumet industrial region are indeed proud that the leader of this first breakthrough in space was a Hoosier and a product of Indiana's First Congressional District.

I am incorporating in my remarks an editorial written by Leigh S. Plummer, publisher of the Gary, Ind., Herald, one of our leading newspapers of the Indiana Calumet region:

THINKING IT OVER

(By Leigh S. Plummer)

Hard must be the heart of any man, watching the blast off at 6:51 a.m. Saturday of Apollo 8, who didn't have a lump in his throat and a tear in his eye.

For riding the craft on man's first journey to the vicinity of the moon were three young astronauts—Frank Borman, James A. Lovell, Jr., and William A. Anders—who were taking risks undoubtedly greater than any ever taken before on any voyage of discovery be it by sea or air.

And then, three hours later, with all apparently going well, came the decision to restart Apollo 8's upper stage for a five minute 11 second burn to kick the space ship into its long looping trajectory that would bring it within 69 miles of the moon early Tuesday morning.

That decision was the one that really marked the difference between this space flight and many that have gone before. And, by the same token, that decision increased enormously the risks for the men riding the craft.

True, every bit of knowledge gained by man since the beginning of history in a multitude of scientific fields had been brought to bear in an effort to make this, the greatest of all voyages of discovery, a safe one.

Physics, chemistry, metallurgy, electronics, navigation, and above all mathematics had each contributed its bit to this flight. But with hundreds of thousands of parts going together to make up the space craft and the rockets which put it on its way, the possibility of a failure of one tiny component is so great as to frighten one.

The astronauts, too, represent in a real sense the finest achievements of the human race in producing stable, intelligent, highly trained men of great ability and courage.

Men who could gear themselves up to a task such as theirs are indeed rare. Even knowing as much as they do about the construction of their craft and the built in safety devices designed to bring them back to splash down in the Pacific in a week, the ability to force oneself to take the risks involved represents a strength of will given to few of us.

Measured as a mechanical achievement, the flight to the moon contrasts sharply with our way of life 75 or 80 years ago when man moved about the earth's surface on foot, on horseback, or on steamed powered trains or boats.

In these few years more has been achieved than in all recorded history before.

And by the same token, this achievement points the way in the next 75 or 100 years to accomplishments which even the most inventive science fiction writers cannot imagine.

Considering that nuclear energy has not yet been harnessed to power space craft, the possibility exists that by the time our grandchildren become grandfathers and grandmothers it will be common for man to travel in space not only to the moon but to the planets.

What's it all worth? Why do it? What has been accomplished? Cynics will say nothing. It is all a waste of money and lives. But others will take a more charitable view—the flight of Apollo 8, of Borman and Lovell and Anders—really is just one more step in man's quest for knowledge, in his never ending effort to attain the unattainable.

Striving for goals such as the one the whole world is watching this week is what separates man from animals, from thinking beings from soulless clods.

May the three—Borman and Lovell and Anders—return safely but if they do not there will be others coming in the future to try again—for that is the way man is built.

UNITED STATES-COMMUNIST TRADE REPORT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. RARICK. Mr. Speaker, the export control report submitted by the U.S. Secretary of Commerce for the third quarter of 1968 contains interesting data on U.S. trade with Communist countries.

Chapter 2 at page 4 reports:

II. SECURITY EXPORT CONTROLS

On August 20, 1968, Czechoslovakia was invaded and thereafter occupied by the armed forces of the Soviet Union, Bulgaria, East Germany, Hungry, and Poland. Following the invasion, the U.S. Government instituted a review of all aspects of U.S. relations with the U.S.S.R. and the other invading countries. With respect to U.S. commercial and economic relations with these countries, it was concluded that the national interest of the United States would not be served by severing trade relations with them, and that the policy of permitting nonstrategic trade and related business contacts should be maintained.

Accordingly, the Department of Commerce has continued to process export license applications for these Eastern European destinations with care, to screen out commodities and technical data the use of which might adversely affect the national security of the United States. To this end, proposed transactions for which export licenses were sought for these countries have been considered on their individual merits, and licensed or denied according to their implications for U.S. national security and welfare. In assessing these implications, the Department of Commerce, in consultation with the Departments of State and Defense as well as other U.S. Government agencies, has continued to take into account prevailing security and foreign policy considerations, as well as the government's long-range trade policy.

U.S. businessmen who have inquired about export transactions to these countries have been informed that the concern and uncertainty introduced by the invasion and occupation of Czechoslovakia should not be ignored in making business plans concerning transactions with these countries.

And at page 20:

Export Licensing to Eastern Europe

Commodity Applications Approved

License applications for commodities valued at $36.8 million were *approved* for export to Eastern Europe during the third quarter 1968. Principal destinations were the U.S.S.R., $15.2 million, and East Germany, $9.3 million. This third quarter total compares with $44.1 million approved in the previous quarter and $23.1 million approved in the third quarter 1967.

Industrial machinery accounted for $15 million of the total value approved, principally to the U.S.S.R., $11.3 million, and Rumania, $1.5 million. The passenger automobile plant being built by FIAT in the U.S.S.R. was the destination for $10.8 million of these goods, including automatic piston machines, $5.1 million, automatic crankshaft grinders, $2.3 million, and industrial furnaces, $1.3 million.

Agricultural commodities valued at $12.3 million were licensed for export, primarily to East Germany, $7.4 million; Hungary, $2.7 million; and Czechoslovakia, $1.5 million. These commodities were corn, $8.5 million; yellow grain sorghums, $2.3 million; and flax, $1.5 million. Chemicals worth $5.3 million were approved for export to Eastern Europe. The U.S.S.R. was the destination for $3.3 million of these, including aluminum oxide worth $1.4 million.

Cold-rolled carbon steel sheets valued at $1.4 million were approved for export to Rumania. Other approvals for Eastern Europe included electronic computers, peripherals, and statistical machines, totaling $1.7 million; and scientific and electronic instruments and equipment, totaling $1.2 million.

Temporary Exports

In addition to the above, the Department *approved* applications for the temporary export of commodities valued at $1.8 million for purposes of exhibition, demonstration, or testing in Eastern European countries. The principal destinations were Czechoslovakia, $886,948, and the U.S.S.R., $784,794.

At the conclusion of the exhibition, demonstration, or test in Eastern Europe, these commodities must be returned to the United States or other country from which they were shipped, unless prior written authorization for other disposition has been obtained from the Department.

But at page 29 as to prohibitions on trade with Rhodesia and South Africa:

Special licensing policies

The Department continued a number of special export controls undertaken to further U.S. foreign policy and aid the United States in fulfilling its international responsibilities. These included general prohibitions on exports to the Republic of South Africa or the Middle East of commodities likely to be used for military purposes, and on commodities and technical data exported for use in the development or testing of nuclear weapons, explosive devices, or maritime propulsion projects. (See the 83d Quarterly Report for a discussion of these policies.)

Licensing policy toward Southern Rhodesia

As reported in the 84th Quarterly Report, on July 16, 1968, the Department imposed a virtually total embargo on exports to Southern Rhodesia. This was in accordance with U.S. policy supporting United Nations Security Council Resolution No. 253 of May 29, 1968, in which unanimous agreement was given to near total sanctions against trade and other transactions with Southern Rhodesia. The Department's action was taken pursuant to authority in the Export Control Act which directs the use of export controls to further U.S. foreign policy.[1]

General license exports to Southern Rhodesia are now limited to such published media as books, newspapers, maps, calendars, and developed documentary motion picture film. Validated license exports are restricted primarily to foodstuffs required in special humanitarian circumstances and commodities strictly for medical or educational end uses. (See *Current Export Bulletin* No. 968).

On July 29, 1968, pursuant to the United Nations Participation Act of 1945, the President issued Executive Order No. 11419. With certain exceptions, this order prohibits U.S. nationals from engaging in commercial and financial activities that would support the economy of Southern Rhodesia. In addition to exports, prohibited activities include the import into the United States of Rhodesian-origin goods, financial transactions, and carriage on U.S. vessels and aircraft of exports and imports involving Southern Rhodesia. On September 10, 1968, the Department of Transportation announced aviation sanctions implementing this executive order. Comparable shipping control regulations were in preparation by the Maritime Administration at the time of this writing.

And at page 27, trade with Cuba—exclusive of foreign aid granted in the way of ransom to recover hijacked airliners:

Export licensing to Cuba

The Department *approved* exports to Cuba worth $12,533 during the third quarter 1968. These exports consisted of insecticide sprayers, worth $11,960, for the Pan American Sanitary Bureau's yellow fever program; clothing, personal effects, drugs, and medicinals, valued at $523, for American citizens detained in Cuba; and $50 worth of parts for a teletype printing machine used in connection with refugee flights from Cuba.

ARTHUR HAYS SULZBERGER

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 1969

Mr. RYAN. Mr. Speaker, on December 11, 1968, Arthur Hays Sulzberger, chairman of the board of the New York Times, whose reputation as a journalist extended throughout the world, died in New York City. Since the Congress was not then in session, I want to pay tribute now to Mr. Sulzberger and to the sense of journalistic integrity which he brought to the newspaper world.

Arthur Hays Sulzberger joined the New York Times in 1918 as assistant to the general manager. From that time onward he was wholly identified with the paper, its purposes, and its policies.

Following the death of his father-in-law, Adolph S. Ochs, in 1935, Mr. Sulzberger became publisher and president of the Times. As a journalist, he participated not only in conventional fields of newspaper administration but also in several pioneer endeavors, including the first transmission of photographs by wire, which revolutionized the use of photos in the newspaper industry. One of his great accomplishments as publisher was to repeatedly recognize the value of technical innovations at an early stage in their development and to incorporate them into New York Times technical processes. As a result, the paper was always able to keep pace with the numerous technical improvements that marked the development of journalism in the 20th century.

When Mr. Sulzberger assumed control of the paper, the Times was faced by stiff competition from several other morning newspapers. Under his leadership, New York Times circulation grew from an average daily total of 465,000 copies in 1935 to 656,000 in 1960. Last month, its circulation reached 1,025,873. The circulation of the Sunday Times rose from 713,000 in 1935 to 1,331,871 in 1960. It, too, has continued to rise, reaching 1,579,000 last month.

Although he never forced his views upon the New York Times editorial board, Mr. Sulzberger was always a figure of considerable influence. In advance of U.S. entrance into World War II, when isolationist sentiment was strong, he recognized the true nature of the Nazi threat and was instrumental in urging assistance for Britain. During the war, Mr. Sulzberger made several trips to distant battlefronts and capitals in both Europe and Asia. Toward the end of the war, the Times, at his urging, championed congressional proposals for establishing vocational rehabilitation programs for veterans wounded in action.

During the period when the excesses of Senator Joseph McCarthy became most flagrant, the Times, under his leadership, led the opposition to McCarthy's wild attacks on civil liberties.

In 1957 Mr. Sulzberger stepped down as president of the New York Times and in 1961 he retired as publisher, although he retained his post as chairman of the board.

In looking back on his career, Mr. Sulzberger could reflect upon the fact that the New York Times had enjoyed enormous success during his tenure as director of the paper. During the period in which he directed the operations of the paper, the Times achieved special distinction as a forthright exponent of creative journalism. Its news coverage and interpretive reporting evolved high standards of purpose and achievement, and many of its reporters earned independent fame. At the time of Mr. Sulzberger's retirement from active supervision of the affairs of the paper, the Times was financially strong, progressive technically, and generally regarded as the leading morning daily in the country. It is a record of achievement that future publishers will be hard pressed to emulate.

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[1] Sec. 2(1) of the Export Control Act of 1949, as amended. (See appendix of this report.)

In his eulogy to Mr. Sulzberger at the service held in his memory James Reston said:

> The test of great leadership is whether it leaves behind a situation which commonsense and hard work can deal with successfully.

Judged by the standards of that test, the continued sucess of the New York Times is a clear manifestation of the greatness of Arthur Hays Sulzberger's leadership.

Commenting upon the accomplishments of Mr. Sulzberger, the Wall Street Journal observed:

> No newspaper can be greater than the vision and integrity of the man who makes the ultimate decisions. . . . With his passing, Arthur Hays Sulzberger leaves both a priceless gift and a worthy challenge to those who come after.

In the estimation of the Washington Post:

> Mr. Sulzberger played a leading role in the development of interpretive reporting and caused the *Times* to speak out more clearly and strongly on the issues before the United States and the world.

Editor F. M. Flynn of the New York Daily News said:

> Arthur Hays Sulzberger, by his intelligent and kindly approach, won the affection of his great organization and earned a position of top rank in the world of journalism. His character was indelibly imprinted on the pages of the *New York Times* during his stewardship. His place in the history of journalism is high and secure.

J. R. Wiggens, U.S. Representative at the United Nations, and former editor of the Washington Post, observed:

> Such were the integrity and the talents of Mr. Sulzberger that as a journalist he would have made any newspaper great. It was his achievement to have made a great newspaper greater.

Paul Miller, president of the Associated Press, has said:

> Perhaps better than any other group outside his family and the New York *Times*, we (of the Associated Press) have been in a position to recognize his greatness.

Vice President HUMPHREY said of Mr. Sulzberger:

> His leadership helped develop the *Times* into one of America's great newspapers, and his death diminishes us all.

Speaking both from the heart and from the vantage point of long and close association, the New York Times obituary writer perhaps summed up the accomplishments of the man best. He said of Mr. Sulzberger:

> He was by nature a liberal in the best sense of the word, and he guided, encouraged, and strengthened the *Times* in a liberal direction without at any time being guilty of the domineering traits that characterize so many of the more flamboyant and less effective publishers of his previous generations. . . . This was a man of deep conscience, steady purpose, and a passion for fair play. It is hard to say good-by to such a man.

Mr. Speaker, at this point I wish to insert several tributes to Arthur Hays Sulzberger. I include two articles from the New York Times of December 12, 1968; the New York Times editorial of December 12, 1968; "An Appreciation: Arthur Hays Sulzberger," by Charles Merz, editor emeritus of the New York Times; and the text of the tribute delivered by James Reston, executive editor of the New York Times, at a memorial service for Mr. Sulzberger.

I also include editorials from the Washington Post of December 12, 1968, and the Wall Street Journal of December 16, 1968.

[From the New York Times, Dec. 12, 1968]

ARTHUR HAYS SULZBERGER, TIMES CHAIRMAN, 77, DIES

Arthur Hays Sulzberger, chairman of the board of The New York Times, died peacefully in his sleep at his home, 1115 Fifth Avenue, at 2:25 P.M. yesterday after a long illness. He was 77 years old.

Mr. Sulzberger had been publisher of The Times from 1935, following the death of his father-in-law, Adolph S. Ochs, until 1961, a period in which he led the newspaper to a growth that saw daily circulation rise 40 per cent and Sunday circulation nearly double.

Vice President Humphrey declared "his death diminishes us all." Governor Rockefeller said he had been "a champion of truth and objectivity." Mayor Lindsay called him "a tower of integrity in the world of journalism."

A memorial service is to be held Sunday at 4 P.M. at Temple Emanu-El. The body is to be cremated. The family requested that instead of flowers, friends send donations to the New York Times Neediest Cases Fund, an annual charitable appeal.

Dr. Nathan A. Perilman, senior rabbi of Temple Emanu-El, is to officiate at the memorial service.

Mr. Sulzberger marked his 50th anniversary on the staff of The New York Times last Saturday. The 30-Year Club, made up of 800 members who have worked at least 30 years for The Times, had planned to present a gold watch to him this week.

However, Mr. Sulzberger's health had been failing since a stroke he suffered in Rangoon, Burma, during a world trip in 1957, and a later stroke. He last came to his office at 229 West 43d Street on Aug. 6.

With him when he died was his wife, the former Iphigene B. Ochs. Also surviving are four children, Mrs. Andrew Heiskell of New York, the former Marian Sulzberger Dryfoos; Mrs. Ruth Sulzberger Golden of Chattanooga, Tenn.; Mrs. Richard N. Cohe, of Stamford, Conn., the former Judith Sulzberger, and Arthur Ochs Sulzberger, present president and publisher of The Times, as well as 13 grandchildren and three great-grandchildren.

THRIVED ON COMPETITION

Faced with intense competition from a variety of other morning newspapers in the period that Arthur Hays Sulzberger was publisher, The New York Times grew from an average Monday-through-Friday circulation of 465,078 copies in 1935 to 656,546 in 1960. With only The New York News now left in the English-language morning field here, The Times's circulation reached 1,025,873 as of last month.

The circulation of the Sunday issue rose from 713,259 in 1935 to 1,331,871 in 1960, and has kept rising, to 1,579,994 as of last month.

Mr. Sulzberger was one of three trustees of the Ochs trust, which holds the controlling interest in the ownership of The New York Times and The Chattanooga Times on behalf of the four Sulzberger children. The two other trustees are his wife and his son.

Mr. Sulzberger had turned over the presidency of The New York Times to his son-in-law Orvil E. Dryfoos in 1957, when he himself became board chairman. Mr. Dryfoos became publisher in 1961. When Mr. Dryfoos died in 1963, Mr. Sulzberger's son took the post of publisher, continuing the tradition of Ochs family leadership and policies.

NEW YORKER BY BIRTH

A New Yorker by birth, Mr. Sulzberger was educated at Public School 166, DeWitt Clinton and Horace Mann High Schools and Columbia College. During World War I, he enlisted and attended the Plattsburgh training camp, becoming a first lieutenant assigned to field artillery.

He married the daughter of Mr. Ochs, the publisher of The Times, on Nov. 17, 1917, and entered the newspaper profession with The Times after the end of the war.

He was at first assistant to the general manager. From then on he entered into not only the conventional fields of newspaper operation but pioneered in developing transmission of photographs by wire.

Aside from his newspaper efforts, Mr. Sulzberger directed The Time's acquisition of radio station WQXR and was active in the Spruce Falls Power and Paper Company, Ltd., a newsprint concern in which The Times has a 42 per cent interest.

Mr. Sulzberger had suffered a heart attack in 1932, leading to cardiovascular problems, but achieved a full recovery.

Despite the strokes in his later years, he maintained an active interest in the newsgathering and other affairs of The Times. Although forced to use a wheelchair, he arrived at the office two or three days a week with two pet dogs cradled in his lap.

In the summers in the last dozen years, he often occupied an apartment in the Times Building rather than always returning to a summer home in Long Ridge, Conn.

A lifelong member of Temple Emanu-El, the largest Jewish house of worship in the world, Mr. Sulzberger had been a trustee of the 123-year-old Reform congregation from Oct. 13, 1935, until he resigned May 10, 1955.

[From the New York Times, Dec. 12, 1968]

SULZBERGER STRESSED NEWS COVERAGE, FINANCIAL STRENGTH AND TECHNICAL PROGRESS—PUBLISHER MADE STRIKING CHANGES—WORKING GRADUALLY, HE GAVE IMPETUS TO REPORTING AND TYPOGRAPHICAL ADVANCES

Arthur Hays Sulzberger, fourth publisher of The New York Times, guided the newspaper from the depression years, through a great war and into an era of prosperity, world tension and scientific revolution. His leadership kept The Times abreast of the 20th century—in news coverage, in financial strength and in technology.

At the same time, Mr. Sulzberger preserved the traditions of completeness and responsibility that had been established by his predecessor, Adolph S. Ochs.

The New York Times came under Mr. Sulzberger's direction upon the death of Mr. Ochs, his father-in-law, in 1935. Although the new publisher did not want to make too many changes too fast, he was determined that the paper should not become an ivory tower.

Consequently, the Sulzberger years, from 1935 until he retired as published on April 25, 1961, were marked by striking changes gradually introduced.

The Times, under his direction, printed far more news on specialized subjects such as science than The Times of 1935 and gave much more space to interpreting and analyzing events.

CONCISENESS A GOAL

The news was written more concisely and in brighter fashion. More pictures, more background information and more personality sketches were introduced, along with a more eye-catching layout and more varied typography. The Sunday edition grew in size and depth.

Sunday circulation nearly doubled in 25 years and daily circulation rose 40 per cent.

The Times staff, the largest of any newspaper in the world, grew to 5,750, including 900 in the news and editorial departments. It included the largest Washington news bureau and the largest foreign staff of any single newspaper.

Other aspects of The Times development reflected Mr. Sulzberger's particular interest in technical progress: Times Facsimile, a pioneer effort in transmitting photographs by wire and the acquisition of radio station WQXR.

Continued expansion—more people, more machines, more circulation—meant that by the nineteen-sixties The Times was outgrowing the fifth site it had occupied since it was founded in 1851.

"BEST SERVED BY YOUTH"

In 1959, the publisher, who had constantly worked to keep production capacity ahead of growth, saw the first section of a supplemental plant go into service at 101 West End Avenue. That plant was one of his last great contributions to the future of The New York Times, which, in his words, had "ceased to be merely a newspaper" and had taken on "the atmosphere of an institution."

Typically, when he voluntarily retired as publisher in favor of his son-in-law Orvil E. Dryfoos, he said it was because The Times must never grow old and "youth is best served by youth." He was then approaching 70.

When Mr. Dryfoos died in the spring of 1963 after a 114-day strike that caused a New York newspaper blackout, Mr. Sulzberger, as chairman of the board, announced that The Times was continuing a tradition of 65 years and that another member of the Ochs family would be publisher. Arthur Ochs Sulzberger, the only son of Arthur Hays and Iphigene Ochs Sulzberger, was appointed on June 20, 1963. Arthur Hays Sulzberger retained to his death the post of chairman of the board.

BORN IN MANHATTAN

Arthur Hays Sulzberger was born in a red brick house opposite Mount Morris Park in Manhattan on Sept. 12, 1891. He was the fourth of five children of Cyrus L. Sulzberger and Rachel Peixotto Hays Sulzberger.

The family was well-to-do and socially prominent. The father was president and later chairman of the board of N. Erlanger, Blumgart & Co., importers and manufacturers of textiles. The mother was a descendant of a family that had left Spain in the 15th century and had come to America in 1702 and had taken part in British colonial life and the American Revolution.

Leo, the Sulzbergers' eldest child, who had gone into the textiles business, died in 1926. Anna and Cyrus died in childhood, David, the youngest, became a New York stockbroker. He died on Sept. 2, 1962.

Young Arthur was graduated from Public School 166, on 89th Street between Columbus and Amsterdam Avenues. His teachers were inclined to pamper him, but only once did he achieve an unbroken row of A's. That was when he played Cupid for two teachers, carrying their notes to each other.

He entered Columbia College in 1909 with the idea of trying sanitary engineering as a career. His father explained to friends that a sanitary engineer was the man who held the candle while the plumber fixed the leak.

At Columbia young Sulzberger made the swimming team and performed as a "chorus girl" in the college show. He was not outstanding in his studies, and did not apply himself to serious study until later, when he went to Army schools.

Soon after the United States entered World War I in 1917 he enlisted and was sent to the First Plattsburgh Training Camp in upstate New York. In August, 1917, he was commissioned a second lieutenant in the Officers Reserve Corps and was assigned to the field artillery at Camp Wadsworth, Spartanburg, S.C. Through another second lieutenant, Julius Ochs Adler, Adolph S. Ochs' nephew, he renewed a college friendship with Iphigene Ochs, The New York Times publisher's only child.

Mr. Ochs had hoped his daughter would marry a newspaperman. When she told him she intended to marry Lieutenant Sulzberger, he was not pleased. The suitor was clean-cut, alert and handsome, but he was not of the Fourth Estate, and Mr. Ochs was anxious for the future of The Times.

MARRIED IN 1917

However, Mr. Ochs gave his consent. His daughter and Lieutenant Sulzberger were married while the young officer was on leave, on Nov. 17, 1917, in the Ochs house at 308 West 75th Street. The Rev. Dr. Joseph Silverman of Temple Emanu-El officiated. The couple left at once for Camp Wadsworth.

Through the remaining year of the war Lieutenant Sulzberger awaited shipment to France. At the time of the Armistice he was on orders to go overseas, but he never sailed. In later life this disappointment heightened his concern with any encounter he construed as his country's battle.

At the age of 27, Mr. Sulzberger joined The Times as assistant to the general manager. Later he often expressed his modest formula for business success:

"You work very hard, you never watch the clock, you polish up the handle on the big front door. And you marry the boss's daughter.

"That is how I did it."

It was not that easy.

He regretted his "late start" in the newspaper business, and often talked wistfully to writers about their cub reporter days.

WORKED ON FUND APPEAL

He was eager to try his hand in the news field, but Mr. Ochs instead gave him an office and suggested he try anything that came his way. Mr. Sulzberger worked on the annual appeal for charitable agencies—the Hundred Neediest Cases—and various other tasks. Often he wandered through the plant, affable and a little lonely, a minister without portfolio.

His apprenticeship turned out to be more varied and rigorous than that of many other newspaper executives. Mr. Ochs was not an easy taskmaker, and he was determined that his son-in-law learn all aspects of the business under exacting executives.

Mr. Sulzberger's first major job was obtaining an adequate newsprint supply for the newspaper. Travel and study on this job soon made him a newsprint expert. He was notable among publishers in later years for his knowledge of the field.

He made other significant contributions to The Times in his years as an understudy, particularly after 1933, when Mr. Ochs was ill. He played a large role, for instance, in making the paper a leading exponent of the advancement of aviation.

He also directed the development of a portable facsimile transmitter—a suitcase-sized machine that could be hooked into any phone to transmit impulses that could be reconverted into a picture at the other end.

The newspaper industry in the early nineteen-thirties was seeking a practical way to send photographs by wire. Mr. Sulzberger was excited by the possibility that telephone transmission might reduce costs to the level of ordinary telephone toll charges.

One evening he found himself next to Walter Gifford, then president of the American Telephone and Telegraph Company.

"Does it make any difference to you," Mr. Sulzberger asked, "if a telephone user talks English, French or just gibberish?"

"No, indeed," Mr. Gifford replied, somewhat puzzled.

Mr. Sulzberger explained that he was studying a method of breaking down the light values of a photograph into sound values, transmitting them by telephone and then retranslating them into light.

"I don't think it concerns us at all," Mr. Gifford said.

Technicians then devised the portable facsimile apparatus, which was taken to San Francisco for transcontinental tests.

On Feb. 13, 1935, the Navy dirigible Macon exploded off California. Pictures were transmitted to New York. They appeared in The Times the next day, creating a sensation.

Years later, in 1959, the subsidiary that handled the facsimile business was sold by The Times to Litton Industries, Inc.

On April 8, 1935, Mr. Ochs died. For the first time since the 19th century, The Times was to have a new publisher.

Mr. Ochs's will left the newspaper to Mr. and Mrs. Sulzberger's four children—Marian, Ruth, Judith and Arthur Ochs—but named three executors and trustees—Mr. Sulzberger, Mrs. Sulzberger and Julius Ochs Adler, Mr. Ochs's nephew, who was by then vice president and treasurer of the paper.

ADLER TO CHATTANOOGA

The trustees named Mr. Sulzberger to direct the Times. General Adler became publisher of The Chattanooga Times, whose majority ownership was a part of the Ochs estate, in addition holding to the job of general manager of The New York Times.

On assuming control as president and publisher, Mr. Sulzberger gave instructions that for one year there were to be no substantial changes of policy, personnel or contracts.

Thereafter, without haste, he made the substantial changes he foresaw would be necessary.

He defined his role this way:

"The control that the publisher of this paper exercises over its policies is anything but arbitrary. It lies primarily in picking his associates and working with them in harmony—talking things out and, on many occasions, being willing to give way rather than to give orders."

He did not impose his opinion on the editorial board. He did not ask a man to write an editorial counter to the writer's convictions and, in fact, forbade it. He even sometimes had difficulty in getting his own editorials into print.

Sometimes Mr. Sulzberger resorted to expressing his views in a letter to the editor, under one of his pen names, A. Aitchess (A.H.S.). A. Aitchess also appeared as the author of light verse—one of the publisher's favorite diversions. During an illness in his later years he used the pseudonym Harkness P. Villon, a play on the name of Harkness Pavilion, the section of the Columbia-Presbyterian Medical Center where he lay ill.

A significant part of the inner workings of the paper was the publisher's daily luncheon in the private dining room on the 11th floor of The Times building at 229 West 43d Street.

To these luncheons through the years came hundreds of visitors—kings and queens, presidents and prime ministers, diplomats, scientists, bankers, journalists, leaders and policymakers in every sphere.

The publisher's principal associates attended, and though the luncheons were "off the record"—nothing said at them could be printed—those who guided the paper gained important insights into world events.

During Mr. Sulzberger's incumbency, The Times published the war memoirs of Winston Churchill. The publisher played a prominent part in the $1-million deal made with Sir Winston by British and American interests. He became a personal friend of the former British Prime Minister and exchanged visits with him. Later, he played a similar role in arranging for the publication of the memoirs of former President Harry S. Truman.

TOOK ON DUTIES

Over the years, the publisher took on responsibility for the fine points of newspaper publishing, rather than casting it off. He delegated authority freely, but nothing in the paper was too small to command his attention.

He was a tireless note-taker. When he saw an error in a headline or a story, or found a question unanswered or a news vendor without The Times, he jotted down the fact in a small black, gold-cornered pad.

He read The Times over breakfast, checking and rechecking. Ideas flowed into his little black book for submission to his associates. If the judgment went against him, he accepted it. But he was not an easy man to talk down. He felt his convictions deeply, loved to argue, was good at debate and dexterous in dealing with people.

"Many people describe themselves as open to conviction," an associate once remarked, "but Mr. Sulzberger actually can be convinced."

Early in Mr. Sulzberger's tenure as publisher, The Times in its editorials advocated opposition to Nazism and Fascism and attacked American isolationism.

A trip abroad in 1938 convinced the publisher that a European war was coming and that it would become an American war. He hoped, though, that the United States might forestall war by throwing its weight on the side of Britain and France against Germany.

He brought about an editorial called "A Way of Life." It occupied the greater part of the editorial page on June 15, 1938, and said in part:

"In any ultimate test of strength between democracy and dictatorship, the goodwill and the moral support—and in the long run more likely than not the physical power of the United States—will be found on the side of those nations defending a way of life which is our way of life and the only way of life which Americans believe to be worth living."

The war started in 1939 and brought German victories. In 1940 France was near collapse. Mr. Sulzberger called the editorial council together and said:

"I cannot live with myself much longer, and I doubt that this country can live with itself much longer; we have got to do something."

Out of the discussion that followed came the suggestion that The Times advocate universal military training. General Adler had long been a supporter of such a system, but Mr. Sulzberger had frowned on it until then, The first of a series of editorials advocating it appeared on June 7, 1940.

MADE VISITS ABROAD

Mr. Sulzberger had always considered travel one of the best ways of keeping himself and The Times up to date. He continued his trips during World War II, visiting distant capitals and the battlefronts of Europe and the Pacific.

During the war, in 1943, he made his second visit to the Soviet Union on a two-fold mission—to inspect Red Cross installations (he was a member of the Red Cross governing board) and to gather background information for The Times.

During World War II the publisher also developed a keen interest in the rehabilitation work of the Army Air Forces, directed by Dr. Howard A. Rusk. He later invited Dr. Rusk to join The Times as associate editor to write on veterans'—and later civilians'—rehabilitation. This association helped to establish the Institute of Physical Medicine and Rehabilitation of the New York University Medical Center.

The war also presented a conflict between revenue and public service. The publisher's course was firm: with newsprint strictly rationed, he ordered advertising held down (two lines was set as the maximum for classified ads) to allow sufficient space for war news.

Mr. Sulzberger's work on short-wave facsimile transmission helped to persuade him to buy radio station WQXR in 1944. By 1956 WQXR had increased its power to 50,000 watts and had added WQXR–FM. In addition, a network of FM stations broadcast WQXR's programs throughout the Northeast.

The enormous postwar expansion of The Times forced the paper to push its 43d Street building through to 44th Street. Mr. Sulzberger fondly watched every step and scrambled over the scaffolding, endlessly delighted. Guests were invited early for lunch so that they, too, could risk life and limb as the publisher led them through the construction.

In 1951, The Times marked its 100th year. There was a modest celebration, but the publisher's reticence did not stem the tide of scrolls, citations and letters of praise that flowed in. The event was marked by the publication of "The Story of The New York Times," a history of the paper by Meyer Berger, then a noted Times reporter.

Under Mr. Ochs, The Times had described itself politically as "independent Democratic." In Mr. Sulzberger's time, the word "Democratic" was dropped. In the Sulzberger years the paper supported Republican candidates four times and Democrats three times.

In 1952, The Times broke with the practice of naming its choice only after the parties' nominating conventions. Fearful of the possibility that the Republicans might nominate Senator Robert A. Taft of Ohio, The Times announced in February that it favored the election of Gen. Dwight D. Eisenhower and promised to support him if the Republicans nominated him.

The paper became the center of a controversy that lasted until Election Day. The controversy became heated and even acrimonious after the Democrats nominated Gov. Adlai E. Stevenson of Illinois, and campaigns were organized to persuade The Times to switch its support. Thousands of letters and telephone calls poured in.

The publisher explained the paper's position this way:

"We came out for Eisenhower in the preconvention campaign because we liked and trusted him and because we could not face with equanimity the possibility of Taft's nomination. Not being a Republican organ and, more times than not, not supporting that party's nominees, we felt that we had no right to speak to them unless we said that if the General were the nominee we would support him in the election.

I LIKE STEVENSON

"That is a course that I would unhesitatingly repeat even though I now know that I like Stevenson and despite the fact that I now know that I have found many parts of the Republican campaign distasteful to me."

Neither General Eisenhower's political campaign in 1952 nor his subsequent career in the White House received the publisher's unqualified support.

Mr. Sulzberger's first disappointment with General Eisenhower, and the most serious, came over the problem of Senator Joseph R. McCarthy. The Wisconsin Republican's frequent attacks on individuals as "spies" and "traitors" struck the publisher as reckless and irresponsible. By early 1952, he was deeply disturbed by what he considered a basic threat to civil liberties and traditional freedoms and fair play.

The publisher strongly urged General Eisenhower to go on record in the campaign as opposed to McCarthyism and especially to the Senator's attacks on Gen. George C. Marshall, for whom both Mr. Sulzberger and General Eisenhower had the highest regard.

At the candidate's invitation, Mr. Sulzberger drafted a pro-Marshall statement, which General Eisenhower proposed to deliver as part of a speech in Milwaukee, in Senator McCarthy's home state.

To Mr. Sulzberger's dismay, General Eisenhower, acting on the advice of Wisconsin Republican leaders, deleted the passage from his address just before delivery. He made the remarks later, in another campaign speech, but the publisher was deeply disturbed by what he regarded as General Eisenhower's failure to stand up under political pressure.

As the issues of domestic Communism and civil liberties became more prominent, the publisher established a firm policy for the newspaper.

"I would not," he declared, "knowingly employ a Communist on the news or editorial staff of The New York Times. On the other hand, I would not institute a witch hunt to determine if one such existed."

The publisher and The Times severely criticized what they considered witch hunts. The paper spoke out against the banning and burning of books, efforts to silence unorthodox thinkers, indiscriminate distrust of Government employes, the distribution of black lists, the passage of restrictive immigration laws and similar manifestations of what it believed was unwarranted fear and hysteria. The Times considered itself to be the special object of an investigation in 1955 and 1956 by a Senate subcommittee headed by Senator James O. Eastland, Democrat of Mississippi. The investigation was presented as a study of Communist infiltration of the press, but Mr. Sulzberger viewed with concern the fact that the majority of the newspapermen summoned to the hearings were present or former employes of The Times.

The publisher cooperated with the committee. He also discharged several men whose conduct during the investigation caused him to lose confidence in their ability to carry out their jobs in the news department.

IN DEFENSE OF FREE PRESS

Early in 1956, however, Mr. Sulzberger felt impelled to go on record in defense of a free press. An editorial said it seemed "quite obvious" that the investigation was aimed at The Times and that the paper had been "singled out" for attack because of the vigor of its opposition to the views of Senator Eastland and some of his associates.

On the question of former Communists on its staff, The Times said: "It will be our policy to judge each case on its own merits. We do not believe in the doctrine of irredeemable sin. We think it is possible to atone through good performance for past errors."

"Our faith is strong," the editorial ended, "that long after Senator Eastland and his present subcommittee are forgotten, long after segregation has lost its final battle in the South, long after all that was known as McCarthyism is a dim, unwelcome memory, long after the last Congressional committee has learned that it cannot tamper successfully with a free press, The New York Times will still be speaking for the men who make it, and only for the men who make it, and speaking without fear or favor the truth as it sees it."

During the difficult Eastland incidents, the paper suffered a blow of a different kind. On Oct 3, 1955, General Adler died, leaving a personal gap in the publisher's life that could not be filled and a gap in the paper's management that had to be filled. General Adler's successor as a trustee was Mr. Dryfoos, who had married Marian Sulzberger and, in a training pattern similar to that of his father-in-law, had risen to the vice presidency of the newspaper.

RESIGNED 4 YEARS LATER

Mr. Dryfoos was named president of The New York Times Company on April 23, 1957, when Mr. Sulzberger became chairman of the board. It was almost exactly four years later that Mr. Sulzberger stepped down as publisher in favor of Mr. Dryfoos.

His statement at that time, while both sad and witty, again pointed to his concept of himself as a steward:

"No one man can operate a business of this size. He can and must rely upon his associates and in this respect I have been particularly fortunate. It is difficult for me to single out any number of individuals without doing injustice to others. We now are a body over five thousand strong. I do not know which driver it was who overcame the particular difficulties on the night of any one of our great snowstorms last winter or which compositor or proofreader saved us from untold additional libel, or which flyboy caught out the badly printed copy that might otherwise have gone into the White House—or even worse, to me. I bow to the bookkeepers, the telephone girls with their ever-cheerful voices, to the butcher, the baker, and I don't think we make our own candles, but I can assure you that our able mechanical department has plenty on hand against emergencies."

Mr. Sulzberger had succeeded General Adler as publisher of The Chattanooga Times, but served only briefly because he believed newspaper leadership should be "homegrown." In February, 1957, Ben Hale Golden of Chattanooga, who married Ruth Sulzberger in 1946, became president and publisher and Mr. Sulzberger took the new position of chairman of the board of the Chattanooga paper. Mrs. Golden, who filed for a divorce in late 1964, became president and publisher of the Chattanooga paper on Dec. 22, 1964.

In December of 1958, during the involved strike by the newspaper deliverers that resulted in a newspaper blackout in New York, Mr. Sulzberger kept The New York Times news staff at work while all other newspaper plants were dark.

After the strike was over employes who had been kept on the payroll sent Mr. Sulzberger a memorial "to let him know that the men and women who work for him are touched by the great kindness he has shown in the dark period that came this month with forced suspension of publication; that this and past kindnesses, far beyond the margins of moral responsibility, deepen their loyalty and shall not be forgotten." There were 330 signatures on the document.

In 1958, the publisher broke with a tradition observed by The Times and most other family-owned newspapers. Because deaths and inheritances had spread the stock of the paper outside the immediate family, he issued the first annual public statement of The Time's finances. It showed that his management had been successful and that he had carried out his precept that editorial excellence and sound business management went hand in hand.

THE 60 PROFITABLE YEARS

The report showed a profit after taxes for 1957 of $3,010,067. It was the 60th consecutive year that The Times had shown a profit.

Other figures and subsequent reports demonstrated the paper's financial health. During 1958, for the first time, the Times Magazine carried more lines of advertising than any other magazine.

The Monday-to-Friday average circulation of The Times in November stood at 1,025,873. In 1935, it was 465,078. The Sunday circulation had risen to 1,579,994, from 713,259 in 1935.

In keeping with the publisher's goals of service, as well as success, The Times carried on Mr. Ochs's Christmastime appeal, the Hundred Neediest Cases. From 1912 through the 1967 appeal, it raised $18,233,133 for major Roman Catholic, Protestant and Jewish charities.

From his work at The Times, the publisher was precipitated into numberless related duties. Many of these pertained to the paper's radio station and a Canadian newsprint company, the Spruce Falls Power and Paper Company, Ltd., in which The Times held a 42 per cent interest.

In 1943, he became the first New York City publisher since the death of Mr. Ochs to be elected a director of The Associated Press. He was re-elected to two more three-year terms.

In matters outside the newspaper business, he sought to concentrate his activities on the cultural and philanthropic life of the city.

PORTRAIT AT COLUMBIA

He was a trustee of Columbia University from 1944 to 1959. Among the many honors accorded to him when he resigned and became trustee emeritus was a portrait commissioned by the university. It was hung in Low Memorial Library, among pictures of other Columbia officials, including General Eisenhower. Mr. Sulzberger had played an important role in bringing the general to the university as its president.

The publisher was also chairman of Columbia's bicentennial celebration.

The university and the Graduate School of Journalism honored him with the Journalism Award for singular journalistic performance in the public interest. The introduction to the citation pointed out a fact that reflected the kind of publisher he was. The paper, the statement read, "has never been known as Sulzberger's Times or anyone else's for that matter."

In all of his public career, in fact, he believed that it was the paper that mattered, not him. One daughter was astonished when she was asked in Europe if her father were the Sulzberger who was publisher of The Times. He had always "stood so consistently behind and not in front of his job I had never realized that Sulzberger was a 'name,'" she wrote later.

In 1950, The Times hailed the publication of the first 50 volumes of the papers of Thomas Jefferson, another project close to the heart of the publisher. The Times had, in fact, given $200,000 so that Princeton could undertake the huge project. The Times editorial noted with pride that each volume would bear this inscription:

"Dedicated to the memory of Adolph S. Ochs, publisher of The New York Times, 1896–1935, who by the example of a responsible press enlarged and fortified the Jeffersonian concept of a free press."

As The Times was the core of Mr. Sulzberger's public life, his family was the heart and soul of his private life.

By heritage as well as by choice, he was a Reform Jew and he reared his children accordingly. But it was to him a religion, not a nationality. He did not believe Jews to be a race or a people and, like Mr. Ochs, was deeply opposed to the Zionist movement.

He loved children—his own four and their children—and kept the key to children's confidence long after the age when many adults mislay it. He wrote poems for them, made up animal sagas and admonished them from his heart.

He was warm and attracted people easily. Because of the square set of his shoulders and his trim physique, he gave the impression of a tall and dominating man, although he was of average height—5 feet 9 inches. Because he was handsome and carried the newspaper aura with him and because he liked to do things with style, he was characterized often as having glamour.

In fact, one daughter once asked Mrs. Sulzberger if Mr. Sulzberger "were the kind of man who gave bracelets to chorus girls."

In adversity he kept a sense of humor and a sense of proportion. In 1953, when a strike closed The Times, he sat in his office, not brooding but writing a bit of doggerel, a wry comment on the suspension of publication:

"He worked very hard and he never watched the clock
And he polished up the handle of the big front door.
By dint of hard labor he rose to the top,
And in 35 years The Times was no more."

His humor often took elaborate visual turns. Many years after his marriage, he contracted to transplant from Lake George, N.Y., the large spruce tree under which the young Iphigene Ochs had once refused him. A truck returned with the wrong spruce, but it was replanted anyway at Hillandale, the family's country home, then in White Plains, and still survives on the property.

HEART OF THE MATTER

The publisher loved games and hobbies. At one point, he and his friend and editor, Charles Merz, created crossword puzzles and finally Double-Crostics for the paper.

It was a rare weekend when the original Hillandale and its successor in Long Ridge, Conn., did not resound to voices—young and old—in games, discussion and laughter.

The publisher, as a bon vivant in town and on weekends in the country, had reduced the old fashioned to the essentials of ice and whisky long before drinks "on the rocks" were common.

A cocktail shaker given to him on one of his anniversaries was incribed:

Recipe for A. H. S. cocktail:
1 part wisdom, 1 part wit, 1 part humanity,
In the fashion of A. H. S., mix well and serve lavishly.

He had trouble remembering names, but his wife could recall them, from the vaguest sort of description. Even with his awkward handicap, he went through many elaborate evenings as the most charming guest or host—courteous, telling brief anecdotes, reciting witty poetry and salting his conversation with broad puns.

His daughter Ruth wrote for a collection she called "A Popthology of Verse":

"A. H. S. is a family man. A fastidious dresser, he is noted for his weekend clothes. He is moody. Amusing. Serious. And endlessly stimulating. He has blue eyes and gray hair. He smokes a pipe and eats pills. He is a dog fancier and breeder, a good judge of bourbon and a country gentleman. He plays cards. He drinks. He works for a newspaper."

In his later years he was beset by ill health. On a round-the-world trip in 1957, he suffered a stroke in Rangoon, Burma, and later had another attack. But he never lost his quick wit.

The theme Mr. Sulzberger inspired for Columbia's bicentennial was "Man's right to knowledge and the free use thereof." This might have been his own theme and the theme of his stewardship of The New York Times.

[From the New York Times, Dec. 12, 1968]

ARTHUR HAYS SULZBERGER

For more than a quarter of a century this newspaper drew strength from the foresight, the integrity and the courage of Arthur Hays Sulzberger, first as its publisher and later as chairman of the board. His death yesterday after a long and debilitating illness—fifty years almost to the day since he first joined The Times—has brought sorrow to his associates and a sense of personal and professional loss to free newspapermen everywhere.

It was in a world already threatened by totalitarianism that Arthur Sulzberger in 1935 succeeded Adolph S. Ochs as publisher of The Times. He saw clearly the danger that Hitler and Mussolini and their Japanese counterparts posed to the security of the United States. He also saw clearly the consequent necessity of a wholehearted partnership with those nations which were this country's natural allies in the cause of freedom.

The battle for democracy on the international front was the primary concern of Mr. Sulzberger during the thirties and forties, but it by no means measured the scope of his interest and convictions. He had a lively sympathy with the downtrodden and oppressed of every race, color and creed, and he profoundly desired to see the people of the United States move forward steadily to new social gains and broader opportunities. He wanted especially to safeguard the fundamental principles of the Bill of Rights, and he was never happier than when he had thrown The Times into the thick of the fight at whatever point the liberties of a free people were threatened by an overzealous committee or a reckless demagogue.

He was by nature a liberal in the best sense of the word, and he guided, encouraged and strengthened The Times in a liberal direction without at any time being guilty of the domineering traits that characterized so many of the more flamboyant and less effective publishers of his and previous generations. Mr. Sulzberger, urbane and sophisticated as he was, preferred to lead and direct rather than to exercise the mailed fist. Guided by the highest principles of the newspaper profession and armed with complete integrity and firmness of purpose, he proved to be one of the most effective and influential publishers of his era.

Every facet of the many-sided business of publishing a newspaper responsive to the public's need for trustworthy information engaged his attention. He was fortunate in receiving a thorough grounding in the complexities of publishing a large daily newspaper through some fifteen years of service with his father-in-law, Mr. Ochs, architect of the modern New York Times; and he carried on the task with vigor and devotion. He was by nature a builder in the literal as well as figurative sense; he took keen delight and direct personal interest in the physical expansion of The Times plant as well as in its constantly broadening news coverage of every facet of human existence in every corner of the world. He sought constantly to expand and deepen the range of this newspaper's reporting and interpretation of the news.

Arthur Sulzberger was a faithful friend and joyous companion, a man of high spirit with a ready wit that would break through even his grievious illness of recent years. He was a man who liked to play as well as work, a man with a warm heart and fine zest for life. This was a man of deep conscience, steady purpose and a passion for fair play. It is hard to say good-by to such a man.

[From the New York Times, Dec. 13, 1968]

An Appreciation: Arthur Hays Sulzberger

(By Charles Merz)

(Note.—Mr. Merz, Editor Emeritus of The Times, served as Editor of this newspaper, under Mr. Sulzberger as Publisher, from 1938 to 1961.)

Arthur Sulzberger was a dedicated man. We, who were his friends, know this. We have watched him at his work. We have seen how high he set his standards. We have found, in the seemingly endless pages of the great newspaper whose destiny he long directed, proof of his devotion to what was best and most valid in the traditions of American journalism.

He had inherited from Adolph Ochs a great responsibility. It was his constant effort to meet this responsibility, to improve the fine product which thus came to his hand and to make it a still more useful instrument of knowledge and persuasion in the life of the American people. This was a challenge he could not refuse. This was the opportunity he so eagerly accepted. This was the thrilling adventure to which he devoted more than forty years.

He was a dedicated man. He was also an upright man. His formidable predecessor had set for him the high ideal of reporting the news of an increasingly complex world "impartially, without fear or favor, regardless of any party, sect or interest involved." It was a precept that demanded rigorous honesty. He had no difficulty in following it because he was an instinctively honest man. The thousands of men and women who make The New York Times knew this. They knew that no fear or favoritism, no factor of partisanship, no hint of outside pressure need disturb the even tenor of their work. They knew that what their publisher asked of them was an honest reporting of the day's news and a faithful accounting to their readers.

Arthur Sulzberger became the publisher of The Times at one of the critical moments of this century. In Europe a new and evil totalitarianism had just come to power. In Asia the first act of a second world war was already in the making. In the United States the aftermath of a great depression had brought a fresh awakening of conscience and a new conception of the proper relationship between a government and its people.

The new publisher of The Times welcomed the opportunity for his newspaper to express its views on these and other great issues of a new day. Under his guidance and with his intimate participation in every editorial decision, The Times called for a close union of the democracies to meet the threat of the new totalitarianism. It gave prompt support to the United Nations. It endorsed lend-lease and foreign aid. It urged action by the national government to improve the schools, to build new homes, to befriend the old, the infirm and the unprotected. It played its part in the unremitting effort to achieve a full measure of civil liberties and to win for every American the right to hold his head high, regardless.

The broad range of interests reflected in these editorial opinions found expression also in those activities outside the field of journalism in which a busy publisher found time to play a part. Arthur Sulzberger's interest in education found an outlet in his long service as a trustee of Columbia University. The Rockefeller Foundation profited from his alert interest in its far-flung activities. Of the American National Red Cross he was an incorporator and a member of its central committee. The Congregation of Temple Emanu-El and the directors of the Metropolitan Museum of Art knew him as a trustee and a friend. To these, and to other fine organizations he brought the rich by-products of his experience as a publisher.

He brought more than this. For when we have chronicled, even so briefly, the activities and the interests of the man, there remains the man himself, and the man himself had much to give to any enterprise with which he was associated.

He was a courageous man: over a long period of years he had suffered more than his share of severe and even crippling illnesses, but he never lost either the zest or the habit of hard work.

He was a companionable man: he liked people; he liked travel; he liked the comforts of life, but he did not care much for its extravagance; he liked good food and drink; he liked games, if he did not have to watch other people play them.

He was a strong family man, almost continually surrounded in his out-of-office hours, by children and grandchildren, and happy to be so encompassed; blessed with a lovely and understanding wife, three daughters who were devoted to him and a son to whom he was proud to hand over the reins of authority.

He was an optimistic man: confident, as he demonstrated time and again, that the best days lay ahead; the record shows that some of the boldest steps in the expansion of the facilities of The Times and some of its most ambitious commitments were made in an uncertain time.

He was a reasonable man: he did not like his colleagues to agree with him merely because he was in a position of authority; if there was disagreement, he preferred an argument, and if the man who held the opposing view had the better of the argument that man's view prevailed.

He was a purposeful man: it was his firm intention to make his newspaper as accurate, as complete and as even-handed a record of contemporary history as good faith and hard work would permit, and in the extent to which he succeeded he has profoundly affected the course of American journalism and measurably improved one of the chief means by which people in a democracy can come to grips with the issues of the day.

He was, above all, a man with a profound faith in the democratic process—a man instinctively loyal to the traditions of fair play and instinctively ready to challenge history and sectarianism whenever they threatened the liberties of a free people.

This was Arthur Sulzberger—a dedicated man, an upright man, a loyal friend, a great publisher and a useful citizen.

We say good-by to him with sorrow, but with gratitude for his years among us.

[From the New York Times, Dec. 16, 1968]

Text of Tribute by Reston at Sulzberger Service

(Tribute delivered yesterday by James Reston, executive editor of The New York Times, at a memorial service for Arthur Hays Sulzberger)

The purpose of this service of remembrance is to pause for a few minutes to think about the meaning of a life—rather than the moment of a death. We have come here to pay our respects to our dear friend and to his family. And in the process, I hope we may fortify our faith in human decency and renew our courage by trying to recall something of the magic of his personality and the quality of his work and character.

We cannot help but grieve at such a time, but we are not called upon to be morbid. For Arthur Hays Sulzberger was, among many other things, a joyous man. Five years ago, when he was already seriously ill, he wrote out the instructions for this occasion.

There were to be none of the ghoulish trappings of death, he said. No fancy casket, no mountains of flowers smelling of the grave and, on pain of eternal punishment—for some reason not quite clear to me—no Mozart. He had a thing about Mozart and he was forever chasing the poor man off the Times radio station.

It is not easy for a man at the top of a newspaper to be joyful these days. Those of us who report have fun: this age may not make sense but it makes news. But a newspaper publisher is a little like a doctor: he spends a good deal of his time listening to people who have a pain. Also, Arthur Sulzberger did not have the good fortune to lead the paper in a calm or joyous time.

BECAME PUBLISHER IN 1935

He became publisher in 1935 during the economic depression and endured the tumult of three wars until the end. This was a time, first, of drift and hallucination, then of unspeakable violence and disorder, leading to the transformation of our professional life, of our national life, and of the larger life of the human family.

Still, he presided over The Times during this convulsive period with rare good judgment, unfailing human consideration, and a remarkable combination of seriousness and merriness. Few arguments ever became strident for long at his council table before he broke the tension with an amiable jest.

He had a wonderful compassion for the weaknesses of the human spirit and hated gossip and personal criticism or spite. Nobody ever made a silly fool of himself without being told to forget it. Was anybody sick or in trouble? Arthur Sulzberger was usually the first to help out. Were families separated in the service of the paper? He was usually the first to remember.

He kept a "calendar of kindness" and was forever sending notes or genial rhymes, or presents, to mark birthdays or anniversaries, not only to his own loved ones, but to the larger family of The Times, and the widening circle of his friends.

I have known a lot of good newspapermen and a lot of good family men, but not so many who were both. There is an unfailing rule of life—that news always breaks just when a man is supposed to be going home. But Arthur Sulzberger, late home or not, somehow managed to reconcile his professional and family responsibilities.

He was an incorrigible poet, cartoonist, story-teller, amateur painter, interior decorator, drink-mixer and furniture-mover.

For twenty years he moved the furniture up and down and around the old family house at 5 East 80th Street, and then, when he was finally satisfied with the arrangement, he sold the house.

There was an irrepressible streak of Lewis Carroll in him, and he turned his home into a wonderland of his own. Who but A.H.S. would name two of his children Punch and Judy? Who but he could sit on the stairs with the children on his way to a party—demonstrating the art of blowing out his collapsed tall silk opera hat?

He wrote and illustrated books for the children—about Ellie (the elephant) and Allie (the alligator), who turned into pigs when any of the children ate too much ice cream.

His production of illustrated letters to the family was prodigious. He always portrayed himself as Barney Google. He celebrated Aug. 14—the date he first proposed and was rejected—by presenting Iphigene one year with a beautifully iced cake, made entirely of wood.

When she finally did agree to marry him under a tree at Lake George, he had the tree moved to their house in Westchester County. When the eldest of his three daughters was married, he wandered around the wedding reception with a sign on his back, reading: "If you liked the setting and the ceremony, remember I have two more."

SENSE OF PERSPECTIVE

Though he was deeply involved in life, there was something in him that stood apart. His sense of humor was really a sense of perspective, and he used it to a purpose.

His rhymes were kisses, and sometimes they were gentle admonitions to the children, and occasionally they were editorials, but always this exuberant capering was the expression of a merry and a loving heart.

It is only fair to say that he did not pick up this quality on 43d Street—after all, The Times is not widely known as a center of puckish frivolity.

This is something he inherited, and he was obviously a poetic spirit before he was a publisher. He was the second of the three sons of Rachael Peixotto Hays and Cyrus L. Sulzberger.

His eldest brother, Leo, died in 1926. The youngest brother, David, died in 1962. Thus what is passing here is the last member of the seventh generation of a remarkable American family that started here in 1695, before there was an independent country.

From this family too, he inherited not only a merry but a deeply serious strain which increased as his health and strength ebbed.

He was not given to philosophic speculation and wasted little time on phantom ideas. But occasionally he scribbled his thoughts on a little black notebook that was always at hand.

"I have no personal God," he once wrote. "No one who watches over me. No one to whom I am indebted for the gift of life other than my parents, who have been dead for many years.

"My prayers are to me. I challenge myself to be good to those I love, to treat decently those with whom I come in contract. If I deserve punishment, it will be meted out by my fellow men or by my own conscience. That is ever present, and one cannot fool or mislead it."

When we come to assess his contributions to his newspaper and profession, we have to do so without any self-glorification on his part. It may have occurred to a few of you from time to time that modesty is not the newspaperman's most prominent characteristic.

But Arthur Sulzberger was a genuinely modest man. A year after he became publisher, he wrote, "I find myself not as an arbitrary wielder of authority but rather as a servant to the course of events, over which I have no control and to which I must react."

Even after he had been on The Times for forty years, during which he had led it to spectacular successes, he was giving most of the credit to his associates and conceding only that "the backs of my ears are not as wet as they were . . ."

He was mortally afraid of abusing personal power, or the power of the paper. He was always reminding himself that even in private conversation what he said might carry unintended significance because of the position he held, and either hurt somebody or give one of his reporters the wrong idea that he wanted his views reflected in the paper.

Shortly after Arthur Hays Sulzberger joined The Times—almost 50 years ago—Alfred North Whitehead wrote a little book called "Symbolism" in which he said something which, for me, describes with remarkable precision Arthur Hays Sulzberger's problems and achievements on The Times.

"It is the first step in wisdom," Whitehead wrote, "to recognize that the major advances in civilization are processes which all but wreck the society in which they occur . . .

COMPETITIVE BUSINESS

"The art of free society consists, first, in the maintenance of the symbolic code, and secondly, in fearlessness, of revision. . . . Those societies which cannot combine reverence to their symbols with freedom of revision, must ultimately decay from anarchy or from . . . slow atrophy. . . ."

This may help us understand. Newspapering is a savagely competitive business. You have to make major advances or die. The graveyard of great newspapers, alas, is very wide and deep, but Arthur Sulzberger risked the changes and made the advances.

He combined reverence to the symbol and tradition of The Times—and reverence is the right word—with fearlessness of revision. This is no time or place for comparisons, but in most newspapers, the owners tend to consolidate and the managers to innovate.

Maybe because Arthur Sulzberger thought of himself in terms of stewardship rather than of ownership, he managed to strike this difficult balance between the two, and my own experience with him was that he was more fearless in revision than most of us.

What is particularly interesting is how he did it. He didn't have the particular swing or melody of our craft when he joined The Times at 27.

He never even learned how to run a typewriter. He was not a specialist in gathering news or advertising. He was not a prophet of the coming age.

He was not full of self-confidence when he took over and he didn't even begin with the confidence of all his associates, but by any standards of excellence or commerce or ethics, he was a remarkable success.

SIMPLE INTEGRITY

The explanation, I believe, was simple integrity. He combined a general ease and charm in personal relations with good judgment, a belief in young men like Orvil Dryfoos and Arthur Ochs Sulzberger and a true and natural morality of action.

He was not a moralizer, but he preserved that vanishing gift of actually listening to what other people said and then thinking about it before he answered.

The result was that men went away from him feeling that they had been heard out to the end and that they were treated fairly, for he had the gift of reminding us, by his gusto and his example, of the decencies of life.

If you have any doubt about the enduring quality of his example and character, all you have to do is look around.

The new generation of this family is already in place, with another Arthur Sulzberger at its head, and has carried The Times to even greater successes than ever before, and they are going to have to step lively, for the next generation is already knocking at the door.

The test of great leadership is whether it leaves behind a situation which common sense and hard work can deal with successfully.

Reverence for the symbol and fearlessness of revision—all that we have and mean to defend—all that and Iphigene Ochs Sulzberger, and her children, and their children, who will learn the art in their time.

[From the Washington Post, Dec. 12, 1968]

Arthur Hays Sulzberger

By any standard that may be applied, Arthur Hays Sulzberger was a great figure in journalism. It was his good fortune to inherit from his father-in-law, Adolph S. Ochs, the position of publisher of the New York *Times* at the death of the latter in 1935. The *Times* was already an eminent journal of wide influence. By patient attention to details and an unflagging interest in the sweep of world events he built it into a greater institution of global dimensions.

One of his primary interests appears to have been to strengthen the reputation of the *Times* as a "paper of record." But he also played a leading role in the development of interpretative reporting and caused the *Times* to speak out more clearly and strongly on the issues before the United States and the world.

Though he hated ostentation and worked most effectively in the background, he became a powerful influence in the country for civil rights, freedom and democratic government. A profound believer in the ability of people to make wise decisions, if they are properly informed, he took a most serious view of the obligation of the press to keep the public informed.

Freedom of the press, he believed, was the right of the reader rather than of the publisher. Mr. Sulzberger was well aware of the fact that a great newspaper must be more than the shadow of one man. But in the long years that he presided over the New York *Times* the influence of his strong personality and his deep convictions about the role of a newspaper in a free land were powerfully in evidence. His death at the age of 77 is a loss not only to journalism but also to the common human struggle for justice, decency and honest appraisal of how the world is wagging.

[From the Wall Street Journal, Dec. 16, 1968]

A Journalistic Tradition

Around newspaper city rooms and pressrooms it is traditional to underrate the role of publishers in the making of a newspaper. But the truth is that no newspaper can be greater than the vision and integrity of the man who makes the ultimate decisions.

The New York Times owes its tradition first of all to Adolph Ochs. That tradition of excellence, thoroughness and integrity was continued and strengthened by Arthur Hays Sulzberger, so that today the Times is one of the eminent newspapers of the world.

With his passing, Arthur Hays Sulzberger leaves both a priceless gift and a worthy challenge to those who come after.

COMMUNITY CLUBS DAY IN ALBANY

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. BUTTON. Mr. Speaker, in support of the fine work done by women's organizations in the city of Albany, and the efforts of radio station WOKO in aiding these efforts, I include in the RECORD at this point a proclamation by the mayor of Albany, the Honorable Erastus Corning, designating January 6, 1969, as Community Clubs Day in Albany. The proclamation follows:

PROCLAMATION OF THE CITY OF ALBANY

Whereas, the women of the City of Albany are constantly striving through private means to further the cultural, civic and charitable aims of our great City; and

Whereas, the furtherance of these aims requires long and dedicated work, and money to finance worthwhile projects; and

Whereas, Radio Station WOKO has realized this need, and will attempt to aid women's organizations through Community Clubs Awards; and

Whereas, the largest gathering of womens' organization executives in Albany's history will meet in the Colonie Center Club Room, January 6, 1969, to commence this endeavor;

Now, therefore, I, Erastus Corning 2nd, Mayor of the City of Albany, New York, in cooperation with Radio Station WOKO, do hereby designate January 6, 1969, as Community Clubs Day in Albany, and call upon all citizens to fully support the civic, cultural and charitable womens' organizations in the City of Albany.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Albany to be affixed this 16th day of December, 1968.

ERASTUS CORNING,
Mayor.

THE RELATIONSHIP OF COMMUNISM AND THE NEW LEFT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. ASHBROOK. Mr. Speaker, the autumn, 1968, edition of the Texas Quarterly contained a valuable treatment of the relationship between the new left and communism. Author of this article is Allan C. Brownfeld, an articulate, well-versed observer of both the radical movement and the scope of Communist activities and aims. In addition to this treatment, Mr. Brownfeld is the author of a report entitled, "The New Left"—246 pages—printed as a memorandum prepared for the Senate Judiciary Committee at the request of Senator DODD.

I recommend both efforts to anyone interested in understanding the new left and especially their interactions with the Communists. And I include the article from the Texas Quarterly in the RECORD following my remarks.

Although he finds that the relationship that does exist is in many instances a close partnership, he also believes, and I think correctly, that a final agglomeration, or lack of one, cannot be predicted.

Given the separation between the two camps which does exist—on ideology, tactics, and goals, for example—Brownfeld details how the shifting is being made by the new left which has modified or moved toward the more stable organization of the Communists.

The relationship exists as one of attacking the common enemy more often than promoting the common solution, especially in the fragmented ranks of the new left, but, even so, there is admitted use by both camps of the resources of the other in pursuit of even these negative goals.

Especially interesting is Brownfeld's discussion of the new left's association with the Communists in light of their ignorance of communism's contradictions and brutality—the same contradictions and brutality they ascribe to western society.

Although where this partnership is going remains uncertain, where it now stands is expertly examined and exposed.

The article follows:

THE RELATIONSHIP OF COMMUNISM AND THE NEW LEFT

(By Allan C. Brownfeld)

The Communist Party convention for 1968 was noteworthy in the sense that it marked the first time in many years that the party had nominated candidates for the offices of President and Vice President. But it was even more noteworthy for its statements concerning the New Left and the student rebellions which have occurred on American campuses during the past year.

The leader of the party's youth section stated that Communist Party members played leading roles in organizing demonstrations at several colleges. Gus Hall, secretary general of the party, declared that the Communists supported the efforts of students to win more influence and a greater say in their colleges and universities. The Communists did not, however, fail to point out that some of the tactics and approaches entered into by the New Left left something to be desired. The movement's theories on revolution and guerrilla warfare, according to the Communists, were no more than "petty bourgeois radicalism" and lacked any basis in reality. Hall roundly condemned groups which were peddling an "anti-working class, reactionary concept, sugar-coated by left phrases." (Washington Post, July 10, 1968)

Commenting upon these pronouncements, the Washington Post pointed out that "It used to be the fashion to denounce as fellow travelers anyone who supported any movement the Communists claimed they were supporting. But it was the Communists themselves who were really the fellow-travelers—hitchhiking on the bandwagon of social justice."

The New Left has been subjected to criticism as being no more than a vanguard for Communism, and even potentially conciliatory observers have found it difficult to understand the relationship between the ideology of the student rebels and that of Marxist-Leninist revolutionaries. It is clear that there are many differences, but it is also clear that in many instances there is an ever closer partnership. The real relationship of the New Left to Communism is more obscure than the supporters and foes of the movement would make it appear. It is a relationship involving great passion, but the passions are of both love and hate. Whether it will end in fraticide, disillusionment, or union is not yet possible to say.

In a letter published in the *Harvard Crimson* from the Boston Youth Club of the Communist Party, it is stated quite clearly that Communists join in New Left groups. The letter says that they do so not to further Communism, but to advance the aims of the non-Communist organizations. The letter states:

"Communists work in a large number of organizations other than their own. We work in these organizations to achieve the stated aims of these organizations—we do not seek to make them into 'Junior Communist parties.' We seek to expand the membership, and to democratize the structure, of these organizations. We also work to raise the consciousness of people in these organizations, as to who their allies and who their opponents are, as a clear perspective facilitates social struggle. We will be found in almost any organization for peace, for jobs, or for freedom . . . We join with people in their everyday long-range struggle for a better life." (October 29, 1965)

Delineating its criticism of the structure of the American university, the letter noted that "Today, the trustees and regents of most universities read like a Who's Who of Lily-White American Capitalism. . . . We feel that the course inadequacies of most universities reflect the composition of their controlling groups."

Writing in the Communist theoretical journal, *Political Affairs,* James Davis states in unequivocal terms that Communists are part of the New Left." He asks the following rhetorical question:

"Are young Communists not in reality part of the New Left? Is this not so, despite our more advanced ideological positions, which stems from our adherence to Marxism-Leninism? Do not we work in all of the New Left organizations: are not there, in fact, vast differences in the strategy and tactics which have been developed by non-party people in these organizations? In other words, I think it is wrong to make distinctions in terms of New Left, on the one hand, and the party position on the other. The party, or individuals within it, have been working with and in New Left organizations." (March 1968, p. 49)

Yet, at the conclusion of the article, Mr. Davis makes it clear that the goal of Communists is not simply to assist the New Left to achieve its own goals. "I know," he concluded, "that in this struggle we will help them and therefore ourselves, and go forward together."

The Students for a Democratic Society included in its Port Huron Statement of 1962 a denunciation of "colonialism, communism, and anti-communism." At its 1965 convention, S.D.S. eliminated from its constitution clauses barring "advocates and apologists of totalitarianism" and opposing "authoritarianism both of Communism and of the domestic right" because they felt that such provisions were "negative and exclusionary" and "smacked of red baiting." Thus, S.D.S. decided to welcome Communists as members and participants, seeing no contradiction between the philosophy of the New Left and that of the Marxist-Leninist left.

The reasons for this reversal are complex, and have not really been defined. One cause appears to be the fact that whatever is popular and widely done and advocated must be, for young people, wrong and erroneous. If members of the "Liberal Establishment" oppose Communism, do not want Communists in their ranks, and consider Communism to be the cause of the Cold War, and since the "Establishment" is wrong and is creating a hypocritical and dehumanized society, then it must follow that the Communists are really all right. In other words, the enemy of my enemy is my friend.

The Communists understand the change in the view of the New Left toward Communism in much clearer terms than do other observers. Initially, the New Left stated its opposition to all forms of totalitarianism. But, as its philosophy evolved, all opposition to totalitarianism on the left seemed to wither away.

Commenting on this change, Bob Heisler, wrote the following in *Political Affairs:*

"The New Left has undergone basic changes in the past six years. These changes have by and large all been in a positive direction. On the attitude of the New Left to the Socialist World: It was not so long ago when the dominant attitude among the radical youth of the sixties was a "third camp" position proclaiming a plague on both your houses to the east and west . . . The increasing successes of the worldwide national liberation movements, the Cuban revolution, and especially the radicalizing and deepening effect that U.S. naked aggression in Vietnam has had on the thinking of today's Left youth have all been factors in turning many Left youth from the "third camp" stance of yesterday to today's wide-spread New Left recognition of the role of U.S. foreign policy as the main source of the world's tension." (March, 1966, p. 46)

Concluding his analysis of the change which has overcome the New Left, Mr. Heisler notes that "The New Left has moved from an abstract concern for freedom from 'totalitarian' governments which characterized its thinking during the 'third camp' stage to a concern for freedom here in America in the nitty gritty terms of an end to poverty, jim crow, and an assertion of the right to dissent . . ." Heisler expresses the view that "The New Left has moved steadily toward a Marxist approach to this problem. This has also affected the attitudes toward coalition . . . Where three years ago exclusion was the rule, today it is literally a dirty word."

The Communists at some times feel the need to deny that their association with the New Left is aimed at advancing Communism, but at other times they make this quite clear. *Political Affairs* for March 1966 states that "We view united fronts as a necessary tactical and strategic tool for the accomplishments of limited political objectives within the ongoing struggle for the long-range goal of fundamental social transformation."

The New Left is subject to as much criticism from its Communist allies as from those who deplore the fact that Communists have been admitted to membership. The fact that such criticism is friendly, and is meant to correct certain "fallacies" in the New Left's world view is certainly true. But it is also true that the New Left, for all its flirtation with the Communists, and for all its willingness to be used by the Communists, has not yet adopted a Marxist concept of man and society.

Michael Myerson, formerly international secretary of the W.E.B. Du Bois Clubs, states that the refusal to go the whole way with Communist ideology is a contradiction in the thinking of the New Left.

Writing in the *New World Review,* he noted that such a contradiction ". . . is in large part a legacy of McCarthyism, during which U.S. radicalism, and its young successors, were severely damaged. Thus, the new radicals of the sixties have no real bridge with their past, and consequently they often lack historical perspective. This phenomenon manifests itself in different ways. Some of the New Left believe that 1960 was the year one; nothing else matters. Others, while rejecting exclusionary policies of anti-Communism, are deeply affected by the constant barrage of myths that come at them in school, in church, on television, in the papers, etc. So there is a subtle New Left 'anti-Communism' or rather 'know-nothingism.' One third of the world (that third which is in deepest sympathy with the young radicals here) is considered irrelevant. The other two thirds are 'relevant' but it is unclear in what way." (November 1966, p. 60)

Myerson criticized the New Left for its political lack of sophistication, and notes that:

> Many young people now becoming Left in this country, who fiercely believe in self determination for all peoples and are truly committed to the cause of peace, still do not understand that the socialist countries are the greatest force for peace and the greatest allies of national liberation movements. Nor do they realize that it is due to Soviet, Chinese and Vietnamese prudence today that we are still alive.

Though championing the New Left, working with it, and even claiming to be an integral part of it, the Communists are somewhat concerned with the failure of the New Left to apply the Marxist philosophy to all situations. The Communists fear that the New Left critique of the American society will not go far enough, and will not result in an awareness by young people that only Communism can cure the problem.

The difference between the "alienation" of the New Left and that discussed in Marxism was pointed out by Don Hammerquist in an article in *Political Affairs:*

"In this country there is the New Left whose critique of capitalism (or the system of the Establishment) is based on what it does to individuals and to their relationships with each other. For them, the alienated individual, not the exploited class, is the primary point of reference. You can see this in their terminology, in such key concepts as: multiversity, Establishment (bureaucracy, manipulation—or, at the other pole—community, love, participation, commitment. But, usually this is not the alienated individual of Marxist theory, whose alienation stems from the nature of the work-process under capitalism. Instead, it is closer to the alienated individual of the existentialist—isolated, "lonely," condemned to total responsibility for his actions, defenseless in his "absurd" struggle with the forces which oppress him." (October 1966, p. 20)

Hammerquist mocked the philosophy of "nonviolence" to which a portion of the New Left adheres, and expressed the view that "The forces brutalizing and degrading man are so massive that to say that they can only be countered by personal and doctrinal nonviolence is to say that they cannot be countered at all."

The Communist answer, which he urged the New Left to accept, and which some segments of the New Left appear to have accepted, is that " . . . it can be countered by overthrowing the social conditions and institutions responsible."

Though the Communists applaud the New Left's critique of what is wrong with America, they feel that the New Left's only answer is "to live the good life, to transform yourself and to transcend your circumstances." The Communist answer, of course, is to transform society, through the use of force if necessary.

The teaching function of Communism has had a significant effect upon the thinking of the New Left. More and more the New Left has come to agree that society must be totally transformed before any of what it considers to be present evils may be corrected. In addition, its view of what Communism is really about has undergone a significant change.

In an article in *The New World Review,* Frank Emspack, chairman of the National Coordinating Committee to End the War In Vietnam, which has its headquarters in Madison, Wisconsin, set forth the perspective which the New Left has adopted concerning both foreign policy on the one hand and the role of Communists in the movement on the other.

He stated:

> Many people in the peace movement have begun to view foreign policy and foreign policy making in a fundamentally different light. Rather than looking at it as something that is decided by those in authority—by the "experts"—the peace movement has begun to show that foreign policy should be decided by all of us. We have begun to make a basic reappraisal not only of our foreign policy, but of the manner in which it is formulated. Many of us are no longer criticizing President Johnson or others because they made a wrong decision at some point—we are attacking President Johnson's right to make the decision in the first place. (December 1965, p. 8)

Concerning the subject of Communism, Emspack was quite clear:

> . . . the nature of the peace movement is changing. We are not a "loyal opposition" peace movement. We are a peace movement that will continue to attack the nation's politics in time of war if we feel that the policy is morally and politically wrong. The internal nature of the peace movement is changing. Many of us will not accept any reason for excluding anyone from participating in the fight for peace . . .

What this means is that while Communists were often excluded from non-Communist demonstrations and efforts at the beginning of the New Left's movement against the war, they were later welcomed as allies in a similar and just cause.

The Communist Party has been vitally concerned with the growth of the New Left and has made every effort to increase its own influence within the movement. In his keynote address at the eighteenth national Convention of the Communist Party, U.S.A., leader Gus Hall stated:

"The most advanced sector of the broad developing force of the new political consciousness is the emerging left trend. This is the expression of the process of radicalization that takes place as a result of all current struggles. Thus there is a left trend in the peace movement, in the civil rights movement, in the labor movement, amongst the very active and militant women's movements. It is an especially powerful factor in the youth movement." (June 22–26, 1966)

Hall stated that the Communist Party should be the catalyst and teacher of the New Left. The New Left, he said, must eventually make a decision: "Either you stay on the level of reforming capitalism as an end in itself. Or you move up to a revolutionary level where you continue to fight for reforms but where you now have a longer range goal, where you will now use the objective developments to bring an end to capitalism and its replacement by socialism."

While the New Left has failed to understand the goals which the Communists have with regard to dominating the movement and altering its course to serve Communist purposes, these goals have been set forth vividly and clearly as can be seen from these excerpts.

The New Left, in a variety of circumstances, has faced Communism in a variety of ways. Part of it is avowedly Marxist, supporting the Viet Cong in the war in Vietnam and urging a total transformation of our society along Communist lines. Another part of the New Left welcomes Communist participation in its organizations, while not accepting a Marxist critique of the problems of the American society. These New Left members speak of participatory democracy rather than the dominance of the proletariat. The Communists hope that with increased efforts they can convert these non-Marxist New Left members to their own way of thinking.

In his volume, *A Prophetic Minority,* Jack Newfield, one of the early participants in the movement, states that many New Left members ". . . are sometimes hopelessly romantic, especially romantic about unromantic aberrations like violence and authoritarianism. Some of them don't quite understand what non-democratic socialism has done to the lives of those who live under its yoke. . . ." (New York, New American Library, March 1967, p. 17)

In his introduction to *A Prophetic Minority,* Michael Harrington, long-time leader of the League for Industrial Democracy, states, ". . . the a-Communism of the New Left is too agnostic a position in a world in which the bureaucratic collectivist society of Communism is both a model for forced industrialization (China) and for the continuation of dictatorship even after capital has been accumulated." (p. 13)

There is no longer within the New Left a sizable group which will affirm that Communism is totalitarian, as did the Students for a Democratic Society in their founding document. While rejecting particular Communist solutions to particular problems, many in the New Left now state that there is no danger either to the United States or the world from the left. All such dangers, they state, emanate from the right.

In October 1967, a meeting took place in Czechoslovakia between forty Americans and two delegations of Vietnamese revolutionaries. Christopher Jencks, a young writer on the staff of *The New Republic*, attended this meeting and upon his return described his own impressions of the New Left participants.

He stated, "To me, the most striking fact about the young radicals was the extent to which they identified with the Viet Cong. This identification was almost entirely confined to people born after the outbreak of World War II." (*New Republic*, October 21, 1967, p. 21)

He expressed the view that the New Left's sympathy for the Viet Cong was not based on any similarity of style or temperament. The Viet Cong who met in Czechoslovakia were "dignified, restrained, disciplined and apparently selfless . . . about as unlike the spontaneous Americans as any group could conceivably be." What, then, is the tie which held the two apparently dissimilar groups together?

Jencks described their affinity for one another this way:

"The common bond between the New Left and the National Liberation Front is not . . . a common dream or a common experience but a common enemy; the U.S. Government, the system, the Establishment. The young radicals' admiration for the N.L.F. stems from the feeling that the N.L.F. is resisting The Enemy successfully, whereas they are not."

The basis for coalition in this sense is not what you are for, but what you are against. It is possible to oppose the system of government and decision making in the United States from many different vantage points, including all possible variations of the totalitarian approach. The new Left has not yet accepted any of these totalitarian approaches, but insist upon believing that a common enemy is in some way a basis for friendship and even partnership.

The New Left understands the inequities our society has placed in the path of its Negro citizens. It understands that our history books may say one thing, and that realities at different times and places may give evidence of a contradictory feeling. Young people are aware of the double standards practiced by their parents and their teachers.

What they do not know is that all of us are fallible human beings, and none of us is prefect. This, perhaps, is learned with time. They are unaware of the Soviet murder of the Kulaks, they are unaware of the Soviet persecution of the Jews, they do not seem to know that the Hungarian Revolution was put down with the use of extraordinarily brutal force, they have not read Khrushchev's admission of the brutality practiced under Stalin. Thus, Communism enters the picture with its verbal pronouncements of a better and less hypocritical world. Young people, wishing to believe the best and not knowing any better, think they have found a new truth. The current period for the New Left seems to be a period of grappling with it.

One student, attempting to explain the distinction between the New Left and Communism stated that:

"The student groups affiliated with the old sects—Communist, Trotskyist, and Socialist—remain small and isolated and are seen by the New Left as elitist, doctrinaire, and manipulative. The enthusiasts of SNCC and SDS do not engage in sterile, neurotic debates over Kronstadt or the pinpoints of Marxist doctrine. They are thoroughly indigenous radicals; tough, democratic, independent, creative, activist, unsentimental." (*Motive*, October 1965, p. 21)

Answering charges of Communist infiltration of the Student Non-Violent Coordinating Committee, Jimmy Garrett, writing in the organization's April 1965 newsletter, states: "Man, the Communists, they're empty man, empty. They've got the same stale ideas, the same bureaucracy . . . When he gets mixed up with us, a Commie dies and a person develops. They're not subverting us, we're subverting them."

Many intellectuals on the "Old Left," often critical of the war in Vietnam themselves, have been very critical of the New Left and its excesses. Thomas Kahn of the League for Industrial Democracy called the New Left "panic disguised as moral superiority." Bayard Rustin, the civil rights leader, warned that the New Left is displaying "a groping fascination with violence." Irving Howe noted that "What you have in the New Left is denunciatory revolutionary talk among young people who don't have the slightest revolutionary impulse. It leads to souring and to enormous malaise." These thoughts were expressed at a meeting held in New York's Woodstock Hotel in May 1967. (*New York Times*, May 17, 1967, p. 33)

Many on the pro-Communist left are concerned with the fact that some are attempting to draw clear lines between the New Left and the Marxist and Maoists. Carl Braden, executive director of the Southern Conference Education Fund, made this clear:

> Let's avoid the use of the term New Left unless it is in a quotation by someone. The term is nonsensical, in my opinion; it was devised and has been pushed into the vocabulary by social democrats for the purpose of trying to keep young people away from the so-called Old Left, to wit, the Marxist parties and militant independent socialists. (*National Guardian*, May 13, 1967)

The Communists have for many years attempted to use "the peace movement" for their own purposes. In an article published in 1958, Communist Party leader Arnold Johnson urged Communists to "support, encourage and help develop broad community peace movements and organiztions centering at present on the issue of stopping the atomic tests." He told party members to be flexible, to be willing to work with pacifists and conscientious objectors. The reason:

> In working with others, it often means finding a new formulation in a speech which is more expressive of the common objective. We can afford to learn from others while contributing our ideas. We must demonstrate our ability to function within the bounds of an organizational program . . . peace is the central issue of our politics and our organization. ("Halt the Tests" in *Party Voice*, No. 2, 1958)

The Communists, in recent years, have been implementing the policy which Arnold Johnson set forth in 1958. They have attempted to use the New Left, the peace movement, and other dissenting groups to support Communist aims. Often, they have met with great success.

The New Left has been compared with a group called the Wandervogel which existed in Germany in the period after World War I. Its gospel was "love, not power" and it found many disciples, traveling from town to town. The long haired boys and girls, walking barefooted or with sandals, often practiced free love and displayed many flowers. Wreaths with thousands of flowers were in evidence at their meetings, and wherever they went they attracted many converts.

Discussing this German youth group, Professor Walter Laquer of the Institute of Contemporary History in London points out that:

> It all sounded very profound and various gurus had great acclaim, even though their parables were hardly applicable at a time of political and social crisis . . . the group broke up. Some became Fascists, others Communists. There was the underlying readiness to believe that not only Germany had failed, but that society as a whole was in a state of deep and irremediable decay. It was an age of uncertainty, of dissolving beliefs and of an approach to nihilism. But since young people, as a rule, do not persist in nihilism for very long, except as a pose, everyone was very desperately groping for revolutionary new ideas and solutions to the problem. (*Washington Post*, January 7, 1968)

Laquer believes that the youthful rebellion cannot be psychologically explained in pseudo-Marxist terms with reference to economic grievances but, on the contrary, such rebellions occur only in times of prosperity and after a prolonged period of uninterrupted economic growth.

He states:

> That a youth movement of protest did not develop in 1930 or in 1946 is no accident. In a real crisis, few people have the time or inclination to ponder the discontents of civilization and cultural pessimism becomes a luxury few can afford. There are more urgent tasks to be faced, such as the question of physical survival. The restlessness of youth, its innate revolutionary spirit, its unwillingness to accept established norms is a natural part of the human condition, but it can manifest itself in the particular way we are now experiencing only in times of relative peace and prosperity and only in a bourgeois milieu. (*Washington Post*, January 7, 1968)

The earlier movement was a protest against what young people considered to be outworn traditions and values. But the earlier movement also created new ideas and new forms of expression. The current movement has been less strong on the creative side. Laquer said that the older movement developed in its members "qualities of sincerity, decency, open-mindedness and idealism." But it also made them "profoundly anti-democratic" and the "easy prey of philosophical charlatans and political demagogues preaching all kinds of eccentric doctrines."

What the New Left has accepted, by and large, is not Communism, or Marxism, but a destructive nihilism. While urging "participatory democracy" they have turned to such philosophers as Professor Herbert Marcuse as their heroes. In a book called "A Critique of Pure Tolerance," Marcuse gives us some idea why the New Left is so strenuous about claiming liberty for itself but unwilling to grant liberty to others. People confused about politics, he says, don't really know how to use freedom of speech correctly—turning such freedom into "an instrument for absolving servitude," so that "that which is radically evil now appears as good." They employ their freedom for improper purposes.

Having established this premise, Marcuse recommends "the withdrawal of toleration of speech and assembly from groups and movements which promote aggressive policies, armament, chauvinism, racial and religious discrimination or which oppose the extension of public services." He says the correct political attitude is one of "intolerance against movements from the right and toleration of movements from the left." While Marcuse is critical of the bureaucratization of the Soviet Union and China, what he proposes, in essence, is a dictatorship of the left.

The New Left knows that the American society of today is rapidly moving toward one in which the individual may become obsolete. Professor Zibigniew Brzezinski of Columbia University and conservative commentator James Burnham have both agreed that there is a strong reactionary element in the New

Left rebellion. Observing the coming age of technocracy, the New Left resembles the Luddites who, at the time of the Industrial Revolution, smashed all of the machines, hoping thereby to forestall their effect.

The values enunciated by the New Left often sound quite conservative: individualism, democracy, decentralization. The tactics, however, are far different. They involve violence, and the silencing of all those who disagree. Also involved is a blindness to history, and a willingness to make common cause with Communism, a movement which stands for all of the things which the New Left so vigorously opposes, except that the New Left does not seem aware of this reality.

If the New Left succeeds in tearing down a society about whose replacement it seems unconcerned, it may be certain that others have a blueprint for such a contingency. This is what the Communists are counting on, and the New Left, if it is to remain true to its own highest ideals, must not permit itself to play the role of a Trojan horse. This remains one of the most serious challenges faced by the movement.

CANADA AND NATO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. RARICK. Mr. Speaker, why should NATO leaders plead with Prime Minister Trudeau of Canada to remain in NATO?

Canada, under Trudeau, has compromised its position with the free world and should be excluded from NATO participation in the interests of national defense and national security.

Our State Department and military leaders must be aware that last month Trudeau's leaders decided Canada should not only recognize Red China, but also seek full diplomatic relations.

Profit from the sale of Canadian wheat to mainland China and Castro's Cuba may be an excuse for departing from the free world bloc; however, diplomatic relations mean exchanges between Canada and Communist China which can but endanger security with NATO and the United States as well.

We Americans can perform one function to help awaken our friends, the Canadians, to their retrogressive leader—the Canadian Castro—by boycotting Canadian products and cutting off American finance and investment. Simply help the Canadian people decide who they need the most—their American neighbors, tourism, and markets or Trudeau, Mao, Castro, and the Communist grain market.

Little wonder the Toronto Globe and Mail questioned the Canadian abstention on the U.N. October 30, 1968, vote calling for arms and moral support for guerrillas—Chinese Communist armed and trained—to attack their former Commonwealth allies, Rhodesia and South Africa.

The answer is now evident. Trudeau, by voting might have alienated his Communist grain allies with a loss of their market.

Mr. Speaker, I insert clippings from the Washington, D.C., Evening Star and from the Toronto Globe and Mail as follows:

[From the Washington (D.C.) Evening Star, Dec. 19, 1968]

CANADA REPORTED PLANNING FULL RECOGNITION OF PEKING

(By Michael Cope)

TORONTO.—Canada has suddenly decided to seek full diplomatic relations with Communist China. The move also may mean breaking off relations with Chiang Kai-shek's Nationalist government in Taiwan.

The Canadian decision, reportedly taken at a cabinet meeting in Ottawa yesterday, and still not officially announced, is the first major policy shift by Prime Minister Pierre-Elliott Trudeau.

It is part of a wide-ranging over-all foreign policy review ordered by Trudeau following his Liberal party's win in last June's general election. Other policy changes still under consideration include possible Canadian withdrawal from both NATO and NORAD (North American Air Defense Command).

The China question was reportedly decided before the other issues so Canada's new position could be announced before President-elect Richard M. Nixon is sworn in on Jan. 20.

KEY TOPIC

It will undoubtedly be a major topic when Secretary of State designate William P. Rogers meets with Canadian External Affairs Minister Mitchell Sharp, probably late next month.

Ottawa sources indicated a statement will be made by the government after the New Year's holiday.

Ever since he took over as prime minister from Lester Pearson last April, Trudeau has been in favor of recognizing the Peking regime.

As long ago as last May 29 he said: "We have an economic interest in trade with China and a political interest in preventing tensions between China and its neighbors, but especially between China and the United States.

MAJOR SPY BASE

"Canada has long advocated a positive approach to mainland China and its inclusion in world affairs."

Ever since this statement the American Embassy in Ottawa reportedly has been lobbying strongly to dissuade Canada. A Chinese Communist diplomatic post in Canada, the Americans have argued, would become a major spy base and seriously threaten North American security.

Ottawa sources said Trudeau was anxious to adopt a two-China policy—equal recognition of both Communist Peking and Nationalist Taiwan—but preliminary talks with the Communists suggested Peking insists Canada recognize their sovereignty over all of China, including Taiwan.

The prime minister's earlier reference to Canada trade relations with Communist China refers to wheat sales in the past few years.

WHEAT ACCORD

Under the present three-year wheat agreement with Peking, which expires next July, the Chinese agreed to buy a maximum of 270-million bushels of Canadian wheat for $470-million. By last month, Peking had ordered 255 million bushels.

There have been suggestions in Hong Kong, where Canada conducts most of its trading relations with the Communists, that future wheat agreements may depend on diplomatic recognition.

The Ottawa report that Canada has at last decided to grant that recognition is substantiated by a memorandum issued by the External Affairs Department to all Canadian foreign missions that in future the term "Red China" or "Mainland China" must not be used. Instead the Communist nation should be referred to by its formal title, "The People's Republic of China."

Similarly, another memorandum instructed that all official correspondence refer to the Taiwan Nationalist regime simply as the "Government of Formosa."

CRITICISM FORESEEN

Undoubtedly the Canadian decision will be unpopular in Washington and reflects Trudeau's decision to chart an independent foreign policy course which will certainly be in conflict with U.S. policies.

One Ottawa source suggested, though, it was Trudeau's belief that the new Nixon administration will be most flexible at the beginning of its term of office.

Canada's first ambassador to Communist China is expected to be Chester Ronning, 73, the country's foremost expert on Asian affairs who was born at Fancheng in Hupeh province, where his parents were Norwegian Lutheran missionaries. He speaks fluent Mandarin.

"It is impossible to deal successfully with Asia's problems until we recognize what has taken place in China and set up diplomatic machinery to cope with the many problems which must be dealt with to ensure peaceful settlements," he has declared.

CANADA'S POSITION ON RHODESIA ATTACKED IN TORONTO

"Canada should have voted no," says Toronto Globe and Mail.

On October 30th the U.N. Trusteeship Committee passed a resolution calling for the use of force against Rhodesia despite the objections of the main Western nations including Britain and the U.S., who voted against the resolution. The Canadian representative, however, abstained and subsequently, when the resolution went to the General Assembly, abstained again. An editorial in the Toronto (Ontario) Globe and Mail early in November severely criticised the Canadian position.

"Why," it states, "did Canada's representative in the United Nations fail to oppose an Afro-Asian resolution before the General Assembly's Trusteeship Committee which called, among other things, for the use of force by Britain to oust Ian Smith's regime in Rhodesia and for arms and moral support for guerrillas?

"True, our representative on the committee, Marvin Gelber, did not vote *for* the resolution. Canada simply abstained. But what utter nonsense. One either supports or opposes violence—there is no place here for abstention. . . .

"Mr. Gelber, in an interview, offered this justification: 'If Canada is to do anything in the way of maintaining the usefulness of the Commonwealth in this (Rhodesian) situation, it has to earn the confidence of the African States, who are very skeptical. We are avoiding widening the gap between the white states and others'. . . .

"Among the nine paragraphs on which we would have abstained on a paragraph-by-paragraph vote, the most startling called on all states to render moral and material assistance to Zimbabwe freedom fighters in the guerrilla warfare against the Smith regime. Why abstain on this? Are we not opposed to anything that could turn the Rhodesian situation from a battle of words to a war of weapons?

"Politicians, and nations, cannot please all the people all the time. Nor should they. We are not at the United Nations to make friends by bending our standards; we are there to influence people by standing up for our principles. As long as paragraphs inciting violence were attached to Wednesday's document, it was a bad package. Canada should have voted no."

JAMES J. P. McSHANE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. RYAN. Mr. Speaker, I would like to call to the attention of the House the untimely death of James J. P. McShane, formerly Chief Marshal of the United States, who died on December 23, 1968.

As a policeman and detective for the New York City Police Department, and as Chief U.S. Marshal, Mr. McShane was dedicated to upholding the law and securing justice. His work over the many decades with which he was associated with law enforcement was always of the highest quality, and his courage in the face of danger never wavered.

Although his record with the New York City Police Department was an outstanding one, he will probably be best remembered for his work as Chief Marshal during the period of civil rights confrontation in the South. He was present at nearly every civil rights confrontation of this decade. Jim McShane personally escorted James Meredith onto the campus of the University of Mississippi during the historic confrontation with Mississippi State officials in 1962. In later years he was present at the University of Alabama when two Negroes sought to enroll at that school and at Selma during the 1965 freedom march from Selma to Montgomery.

Whether he was apprehending suspects in New York City or enforcing the law in the South, he always upheld the law with the same spirit of impartiality. He believed that competent and equitable law enforcement was essential to social justice. His own record as policeman, detective, investigator, and Chief U.S. Marshal provides an outstanding example of the values he espoused.

I first knew Jim McShane when I served as Assistant District Attorney of New York County and he was a detective in the New York City Police Department. I shall certainly miss his friendship and want to extend my deepest sympathy to Mrs. McShane, their son Michael, their daughter Mary Anne, and the other members of his family.

At this point in the RECORD I include the obituary which appeared in the New York Times on December 24, 1968:

JAMES McSHANE, CHIEF MARSHAL WHO ESCORTED MEREDITH, IS DEAD

WASHINGTON, December 23.—James J. P. McShane, Chief United States Marshal, died today of pneumonia in the Marsalle rest home. He was 59 years old and lived in Alexandria.

It was Mr. McShane, who, after a 15-hour riot that capped a week of violence, stood shoulder-to-shoulder with James H. Meredith as the Negro student finally walked onto the campus of the University of Mississippi. That confrontation with Mississippi authorities at Oxford took place in September, 1962.

Mr. McShane's death brought a tribute from Attorney General Ramsay Clark, who said: "Jim McShane was totally dedicated to justice. As a policeman, an investigator, United States marshal and finally as Chief Marshal of the United States, he stood for excellence in law enforcement."

AT RIGHTS CONFRONTATIONS

The burly former New York policeman, who had shot it out with lawbreakers seven times in his first two years on the force, was present at nearly every major civil-rights confrontation of this decade.

He supervised Federal marshals sent to Montgomery, Ala., during the Freedom Ride disturbances in 1961; he was at Tuscaloosa, Ala., in June, 1963, when two Negroes sought to enter the University of Alabama, and at Selma, Ala., in March, 1965, during the Freedom March there, and he was in charge of peace keeping while the Poor People's Campaign was conducted in Washington last spring.

"I wouldn't want to be the one to start shoving Jim around," said a former colleague, when Mr. McShane retired from the force in 1957, and went to Washington to become an investigator for a Senate inquiry into improper activities in the labor and management fields.

SCUFFLE AT UNIVERSITY

Five years later, he scuffled with Paul B. Johnson, then Mississippi's Lieutenant Governor, at the entrance to the University of Mississippi.

"Governor, I think it's my duty to try to go through and get Mr. Meredith in there," Mr. McShane told Mr. Johnson, in an encounter that was seen by a nationwide television audience.

The state troopers crowded behind Mr. Johnson, who replied:

"We are going to block you, and if there is any violence it will be on your part."

"I'm only doing my duty as a United States marshal," Mr. McShane replied. "I would like to go in."

The Chief Marshal then sought to shoulder his way past the Lieutenant Governor, who with the troopers, pushed him back.

REPLY BY JOHNSON

Mr. McShane then sought to go around the Lieutenant Governor's right side, but Mr. Johnson and the troopers pushed him back again.

"We have told you you can't go in and we intend to use whatever force is necessary," said Mr. Johnson.

The Meredith party, accompanied by a state patrol escort and Federal officials, returned to their cars and drove away.

Mr. Meredith was escorted onto the campus five days later, after a Federal court found Gov. Ross R. Barnett and Mr. Johnson guilty of civil contempt.

Other celebrated cases, included his escorting in July, 1962, of Dr. Robert A. Soblen, the convicted Communist spy. Soblen, who was expelled from Israel, where he had sought sanctuary from his life sentence in the United States, stabbed himself on an El Al jet en route from Israel to the United States. But Mr. McShane was not blamed for the suicide attempt because he was to have no direct control over Soblen until the plane reached the United States.

Soblen recovered from the stab wounds, but died subsequently after taking an overdose of barbiturates.

The powerfully built 6-footer, with thick graying hair became a bodyguard for Senator John F. Kennedy shortly before the Democratic National Convention of 1960, and traveled with him throughout his successful campaign. President Kennedy appointed him Chief Marshal in May, 1962.

The nation's top law enforcement officer found himself temporarily on the wrong side of the law, when he was indicted by a state court in November, 1962, for "inciting" the riots at the University of Mississippi during which two persons were killed.

James Joseph Pattrick McShane was born on St. Patrick's Day 1909, in the shadow of the Polo Grounds.

As a schoolboy, he was a Golden Gloves champion, fighting as a lightweight at 135 pounds.

He joined the police force in 1936 and won 12 citations for bravery during his 21 years on the force.

WINNING A REPUTATION

Mr. McShane quickly made his reputation. During his first two years, he killed one man and wounded two others in gun battles.

When asked how he had escaped the bullets fired at him, he said: "I went to bobbing-and-weaving school."

His interest in boxing once led to a temporary demotion. In 1954, Mr. McShane while off duty, attended the weighing-in at Madison Square Garden of Rocky Marciano, the world Heavyweight champion, for the fight in which he successfully defended his title against Ezzard Charles.

Mr. McShane and the champion were old friends. As they left the Garden in the rain, Detective McShane obliged the cameramen when one of them handed him an umbrella and asked him to hold it over Marciano's head.

DEMOTED BY ADAMS

Police Commissioner Francis W. H. Adams demoted Detective McShane from second to third grade and exiled him to the Bronx. The Commissioner said the the photograph gave the impression that New York was using its police force to grace such ceremonies. He also invoked the rule against detectives being photographed lest criminals might get to know them on sight.

Commissioner Adams restored Detective McShane's grade 10 days later after publicly admitting that he had been wrong.

Mr. McShane's outstanding act of police heroism occurred on Nov. 9, 1939, when he routed three robbers as they fled from a West Side grocery store. He knocked out the lookout man with his nightstick, shot and killed one bandit and wounded the third with a shot through his gun hand.

This brought him promotion from patrolman to detective and a free lunch at City Hall as the guest of Mayor Fiorello H. La Guardia.

Mr. McShane is survived by his widow, the former Teresa Curtis, a son Michael, a lieutenant in the Air Force; a daughter Mary Anne Day of Alexandria, Va.; two brothers, Edward Martin of New York and Arthur Martin, both of New York; a sister, Mrs. Frank Dore of New York, and two grandchildren.

Funeral services will be held Friday at 10:30 A.M. in St. Mary's Roman Catholic Church in Alexandria.

TRIBUTE TO THE APOLLO 8 CREWMEN

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1969

Mr. MILLER of California. Mr. Speaker, on Thursday next the Congress of the United States at a joint session will have the opportunity to extend its highest esteem in admiration to the heroic crew of Apollo 8, Col. Frank Borman, Capt. James A. Lovell, and Lt. Col. William A. Anders.

It is almost impossible to find sufficiently superlative terms to describe adequately the tremendous achievement of those three great and outstanding Americans. Perhaps it would be best if our thoughts turned toward humility and gratitude that their mission to the

moon was such an unqualified success and that they have returned safe and well to the earth.

The men of NASA have indeed much to be proud of during the year 1968 which was capped by the Apollo 8 flight. They should, indeed, take great pride in our men and women in and out of Government who work on our space program for their dedication and for their consistent professional competence. As Spacecraft Commander Borman said on the deck of the carrier *Yorktown*, the success of the astronauts was also the success of thousands and thousands of people who gave unstintingly of themselves and their talents of many years and months to the Apollo program.

The same could be said of the success NASA has achieved in the exploration of space in many other programs during 1968. I think it is most appropriate at this particular time to include a narrative chronology of NASA's achievements in space sciences and technology that have led to new knowledge and new capabilities in our quest to explore space for peaceful purposes and for the benefit of all mankind.

The above-mentioned information follows:

In 1968, its Tenth Anniversary year, the National Aeronautics and Space Administration marked a decade of progress in all aspects of space exploration and rallied its resources for the lunar landing scheduled for 1969.

The year 1968 saw the first two manned launches—Apollo 7 and 8—in the Apollo program plus successful missions by unmanned satellites which brought new knowledge of the solar system which American astronauts hope to explore after the lunar landing.

UNMANNED PROGRESS

Surveyor 7, NASA's first 1968 mission, wrote a rewarding scientific finish to the Surveyor lunar photography program which successfully soft-landed five spacecraft on the Moon.

Scientists, astronomers and engineers estimate that, in the brief months since the summer of 1964 when NASA's Ranger spacecraft flew its first successful mission, man has learned more about the Moon than in all the 350 years since Galileo first viewed it through his telescope.

Other significant 1968 unmanned satellites include the Radio Astronomy Explorer (RAE), launched July 4, and the Orbiting Astronomical Observatory (OAO-II), launched Dec. 7.

RAE, with its antenna booms extending more than 1,500 feet from tip to tip, has the largest span of any spacecraft orbited to date. It has monitored low-frequency radio signals from space sources, including the Sun's galaxy, the Milky Way, from the Sun and from Earth itself.

Its data will provide astronomers with their first detailed radio map of the Milky Way and, by mapping thousands of unidentified radio sources throughout the sky, scientists hope to learn about some which, by process of elimination, may prove to come from beyond our galaxy.

The OAO-II is the heaviest (4,400 pounds) and most complex unmanned spacecraft launched by the U.S. to date. Its successful orbit and operation provides astronomers with a new vantage point for "seeing" in the ultraviolet, infrared, X-ray and gamma radiations for looking at most of the ingredients necessary for knowing the solar system's makeup today and what course it may be taking.

The Smithsonian Institution experiment aboard the OAO-II with its seven photometric systems has been designed to perform basically identification and mapping functions, whereas the University of Wisconsin experiment with four telescopes is capable of more intensive study of individual stars, planets and outer space phenomena.

During the first quarter of 1968, OGO-V joined its sister geophysical observatories after its launch March 4, into a long elliptical orbit around the Earth. It is concentrating on a study of energetic particles, electric and magnetic fields and other phenomena in Earth's vicinity, while OGO-IV, in a low altitude polar orbit, studies principally the Earth's atmosphere and ionosphere, including auroral phenomena in the polar cap regions.

OSO-IV, along with its cousin, OSO-III, continued to observe the Sun and its radiations from Earth orbit during the year. OSO-IV was launched in the last quarter of 1967.

GEOS-II, launched January 11, joined GEOS-I in continuing measurements of the Earth's gravity field and in establishing more precisely the shape and size of the planet.

GEOS-II carries a laser detector device which has permitted it to receive and analyze laser signals beamed at the satellite from Earth stations in a series of continuing experiments. In May for the first time, the spacecraft identified a laser beam directly to it while it was illuminated in sunlight.

Operating from a stationary orbit over the Equator at an altitude of 22,240 miles, NASA's ATS-III continued its significant contributions to meteorology and communications. Its communications channels served to augment commercial circuitry in helping to bring the events of Olympic Games in Mexico City, the Apollo 7 and 8 space flights, and other world news to television viewers in Europe and North America.

Pioneer-IX, launched Nov. 8, added a new spacecraft to NASA's team of Sun-orbiting satellites assigned to study space continuously from widely separated positions. The spacecraft joined Pioneers VI, VII and VIII in studying the nature and interrelationship of interplanetary magnetic fields, the solar wind and solar cosmic rays.

These four Pioneers are contributing significantly to accuracy in forecasting solar flares. Their observations form part of the forecasting procedures used to decide whether radiation conditions in space at a given time will permit safe journeys for American Apollo astronauts.

Riding piggy-back into orbit with Pioneer IX was the 40-pound TETR-2 satellite. In its 200-by-500-mile Earth orbit, it is currently being used as an orbiting target for checking out equipment and training personnel of NASA's Manned Space Flight Network in preparation for future Apollo missions.

Although no Mariner planetary flights were initiated during the year, scientists calculated that on Jan. 4, Mariner V's orbit carried it within about 54 million miles of the Sun. This was closer than any other man-made object has approached to the center of our solar system. The spacecraft made its closest approach to Venus in October 1967.

Preparations continued during 1968 for Mariner flights to Mars in 1969, in 1971 and in 1973. NASA announced that the 1973 mission would be named Project Viking and would use the Titan III-D/Centaur as its launch vehicle.

Viking Mars 1973 science equipment will be finally determined after the 1969 mission to the planet. Two 6,000-pound orbiting spacecraft will each send soft lander vehicles to the Martian surface. Mission objectives place special emphasis on returning information about life on the planet.

The orbiting of Air Density and Injun satellites (Explorers XXXIX and XL) August 8 with a single Scout launch vehicle extended studies of complex radiation-air density relations to areas in space above the Earth's polar regions.

Besides launches serving its own experiment programs, NASA successfully launched seven other spacecraft for other agencies or governments during the year. They included the NRL Solar Explorer for the U.S. Navy, two weather satellites, ESSA VII and VIII, for the Environmental Science Services Administration and Atlantic I of the Intelsat III series for Comsat Corp.

INTERNATIONAL

For the European Space Research Organization, ESRO-I and II and HEOS-I were launched in NASA's International Cooperation Program.

Also during this year, 35 investigators from eight foreign countries were selected to carry out experiments with the first lunar surface samples to be retrieved by NASA. Four contributed foreign experiments were flown on NASA spacecraft, 122 sounding rockets were launched in scientific programs with eight countries, geodetic satellite observations were carried out with 34 countries, and significant aeronautical research was conducted with Canada, France, Germany and the United Kingdom.

MANNED FLIGHT

In manned flight, the decision to boost Apollo 8 to orbital flight around the Moon December 21 directly reflected the Apollo program's overall maturity and operational readiness, progressively demonstrated by three flights and supporting ground test programs during 1968.

The precise reentry and splashdown October 22, of the 11-day Apollo 7 flight ended what was called a 101-percent successful mission. Manned by Astronauts Walter Schirra, Donn Eisele, and Walter Cunningham, the Apollo 7 performed flawlessly for more than 260 hours in space, including firings of the spacecraft's primary propulsion system and the first live TV from a U.S. manned vehicle.

Shortly after launch, with the Saturn IB rocket second stage still attached to the spacecraft, the astronauts exercised manual control of the combined vehicle from the spacecraft. Following space vehicle separation, the astronauts flew the spacecraft around the second stage and simulated a docking, using the lunar module adapter as the target. Later, with the second stage in a different orbit, the spacecraft "found" the vehicle and rendezvoused with it—demonstrating the ability of the command module to maneuver to the lunar module if the latter should become disabled on a manned lunar landing mission.

Most of the critical tests necessary to "wring out" the spacecraft equipment took place early in the flight. Crew performance, prime and back-up systems, and mission support facilities were checked.

The astronauts used hand-held movie and still cameras to photograph both Earth and stars. The astronauts had colds during the flight.

The flight not only accomplished all mission objectives, but also completed some tests not included in the original flight plan. Apollo 7 flew some 4.5 million miles on the first manned Apollo flight.

The April 4 flight of Apollo 6 was the second unmanned Saturn V mission to demonstrate launch vehicle and spacecraft systems performance. Two problems were experienced with the rocket systems—vertical oscillations or "POGO" effect in the first stage and rupture of small propellant lines in the upper stages.

Through a determined post-mission analysis and an aggressive ground testing and evaluation program, these Saturn V problems were corrected.

During the Jan. 22-23, Apollo 5 mission, lunar module systems and structural performance met all objectives, including two firings of both the ascent and descent propulsion systems.

The unmanned lunar module was boosted into Earth orbit by a Saturn IB. Post-flight analysis determined the lunar module ready for manned Earth orbital missions.

During 1968, Scientist-Astronauts John A. Llewellyn and Brian T. O'Leary withdrew from the training program, Air Force Lt. Col. Michael Collins underwent surgery for removal of an arthritic bone growth, and Navy Lt. John S. Bull withdrew due to pulmonary disease. Astronaut James A. Lovell, Jr. replaced Collins in the Apollo 8 crew as command module pilot. The original Apollo 8 crew was redesignated for the Apollo 9 mission when the lunar module was deleted from Apollo 8.

AERONAUTICS

Among the continuing research and development projects in aeronautics are noise abatement, flight safety, the materials, propulsion and flight dynamics of supersonic and hypersonic aircraft, lifting bodies and Vertical Short Takeoff and Landing (VSTOL) craft.

ADVANCED RESEARCH

NASA scientists and engineers, working with university and industry groups, pushed ahead in the fields of space power, electric, nuclear and chemical propulsion to enhance the capability of already-proven launch vehicles.

TECHNOLOGY UTILIZATION

NASA continued to transfer to industry, small business and the scientific community the new technology coming out of space-related research and development activity. Most of this technology comes from NASA field centers where specialists continuously review research and development projects for promising new ideas. In addition, NASA contractors are required to report inventions, discoveries, innovations and improved techniques they develop in work for NASA.

TRACKING NETS

Three basic tracking networks keep tabs on NASA's orbiting satellites: Manned Space Flight Network (MSFN), Deep Space Net work (DSN) and the Space Tracking and Data Acquisition Network (STADAN).

There are 26 sites in the three networks, some single, some of multiple purpose, located in 15 countries around the world. Each network is designed to support specific types of missions, depending on whether it is near Earth, manned or probing deep space.

These networks are constantly being strengthened to handle the demands of the newer and increasingly sophisticated satellites. In 1969, NASA plans to add a 210-foot-diameter antenna in Spain and in Australia to beef up the DSN for future missions into deep space.

The 210's provide six-and-a-half times increased performance over existing 85-foot antennas, making it possible to return useful scientific data from three and one-half billion miles from Earth.

NASA MAJOR LAUNCH RECORD, OCTOBER 1959 TO DECEMBER 1968

Year	Number of launches	Vehicle results		Mission results	
		Success	Failure	Success	Failure
1958	4	0	4	0	4
1959	14	8	6	8	6
1960	17	10	7	9	8
1961	23	16	7	15	8
1962	27	23	4	20	7
1963	13	12	1	11	2
1964	30	26	4	25	5
1965	31	27	4	26	5
1966	36	33	3	26	10
1967	27	25	2	25	2
1968	21	[1]16	[1]3	[1,2]17	[1]3
10-year total	243	196	45	182	60

[1] Figures do not include "unrated" items.
[2] Includes 2 satellites launched on 1 vehicle.

MAJOR NASA LAUNCHES, 1968

Date	Name	Launch vehicle	Launch site	Mission	Results	
					Vehicle	Mission
January 7	Surveyor VII	Atlas-Centaur	KSC	Lunar photos; lunar surface analyses.	Success	Success.
January 11	Explorer XXXVI	Delta	WTR	Geodesy	do	Do.
January 22	Apollo 5	Saturn IB	KSC	Lunar module test	do	Do.
March 4	OGO–V	Atlas-Agena	KSC	Earth-Sun data	do	Do.
March 5	Explorer XXXVII	Scout	WI	Solar radiation	do	Do.
April 4	Apollo 6	Saturn V	KSC	Launch vehicle test	Unrated	Unrated.
May 16	ESRO–II–B	Scout	WTR	Radiation investigation	Success	Success.[1]
May 18	Nimbus B	TAT–Agena	WTR	Meteorology	Failure	Failure.
July 4	Explorer XXXVIII	Delta	WTR	Radioastronomy	Success	Success.
July 8	Explorer XXXIX Explorer XL	Scout	WTR	Atmospheric density data Charged particle data	do do	Do. Do.
Aug. 10	ATS–IV	Atlas-Centaur	KSC	Spacecraft technology	Failure	Failure.
Aug. 16	ESSA 7	Delta	WTR	Cloud cover photos	Success	Success.[1]
Sept. 18	Intelsat III	Delta	KSC	Communications	Failure	Failure.[1]
Oct. 3	ESRO I	Scout	WTR	Auroras	Success	Success.[1]
Oct. 11	Apollo 7	Saturn IB	KSC	First manned Apollo	do	Do.
Nov. 8	Pioneer IX TETR–2	Delta	KSC	Solar radiation Tracking training	do do	Do. Do.
Dec. 5	HEOS I	Delta	KSC	Interplanetary physics	do	Do.
Dec. 7	OAO II	Atlas-Centaur	KSC	Astronomy	do	Do.
Dec. 15	ESSA 8	Delta	WTR	Meteorology	do	Do.
Dec. 18	Intelsat III	Delta	KSC	Communications	do	Unrated.[1]
Dec. 21	Apollo 8	Saturn V	KSC	Scheduled for launch Dec. 21		

[1] Non-NASA mission.

HOUSE OF REPRESENTATIVES—*Wednesday, January 8, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Speaking the truth in love, we are to grow up in every way into Him who is the head.—Ephesians 4: 15.

Our Father in heaven and on earth, whose spirit dwells in the hearts of all men, make us conscious of Thy presence as we bow in prayer before Thee.

We have been taught to walk the way of truth and to live the life of love. May truth so triumph in our minds that we may overcome low prejudices with high principles and may love so live in our hearts that we may relate ourselves affirmatively to our fellow men. With truth and love alive within us may we devote ourselves to the welfare of our beloved country.

In the name of Him whose truth and love keeps men free we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will any Member-elect who has not been sworn come to the well of the House and take the oath of office.

Mr. LUKENS appeared at the bar of the House and took the oath of office.

TRADE AND OTHER TRANSACTIONS INVOLVING SOUTHERN RHODESIA—A COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–37)

The SPEAKER laid before the House the following communication from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

THE WHITE HOUSE,
Washington, January 7, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: By virtue of my authority under Section 5 of the United Nations Participation Act of 1945, as amended, I issued on July 29 Executive Order No. 11419 relating to trade and other transactions involving Southern Rhodesia. It extends the mandatory selective sanctions imposed in Executive Order No. 11322 of January 5, 1967, which I transmitted to you on February 27, 1967. A copy of Executive Order 11419 is attached.

The current Order prohibits virtually all financial and trade transactions between the United States and Southern

Rhodesia. I have delegated to the Secretaries of Commerce, Transportation, and Treasury, in consultation with the Secretary of State, the authority to promulgate such regulations as are necessary to carry out the Order.

The Executive Order implements the mandatory provisions of the United Nations Security Council Resolution No. 253 unanimously adopted on May 29, on which the Representative of the United States voted affirmatively. In this resolution the Security Council determined that the situation in Southern Rhodesia continues to constitute a threat to peace under Chapter VII of the United Nations Charter and decided that all states should apply comprehensive mandatory sanctions against that territory in accordance with Articles 25 and 41 of the Charter. The Security Council thereby extended the selective sanctions imposed by its earlier Resolutions No. 217 of November 20, 1965 and No. 232 of December 16, 1966, taking note that the measures taken under those resolutions had failed to bring the rebellion in Southern Rhodesia to an end. A copy of Resolution No. 253 is attached.

The resolution requires all member states to extend the earlier prohibitions on imports from and exports to Southern Rhodesia to cover all commodities and products except those needed for medical, educational and humanitarian purposes. The resolution also obligates each member state to prohibit activities promoting or calculated to promote such imports and exports, the shipment and transport of such articles in ships and aircraft of its registry or under charter to its nationals, transfers of funds and economic and other financial resources to persons and bodies in Southern Rhodesia, flights to Southern Rhodesia by aircraft of its registry or aircraft owned or chartered by its nationals, and coordinating operations with airline companies constituted in or aircraft registered in Southern Rhodesia.

I am submitting this report to the Congress in accordance with Section 4 of the United Nations Participation Act, as amended.

Sincerely,

LYNDON B. JOHNSON.

CONGRESS MUST ACT NOW TO STOP CRIPPLING INTEREST RATE INCREASES

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, this is a sad day for the people of the United States. The prime rate in the Nation's largest banks has gone to 7 percent. It will soon spread to other banks all over the Nation. That means poor folks, farmers, workers, and small businessmen, will have to pay from 50 to 100 percent more in interest for the money they borrow—assuming they can afford to borrow at all.

This action of forcing higher and higher interest rates on the American people, if not stopped, will lead to the worst depression in our history, bringing along with it massive unemployment, sheriff sales, and bankruptcy.

The only alternative is to return monetary policy to those to whom it belongs—the people and their chosen representatives in Congress.

It is a real challenge for Congress to do something now. Congress is responsible. It is difficult to get Members of Congress interested in doing anything that will affect bankers adversely—not that they are against legislating in the public interest, but because when you step on the toes of the big bankers you cause immediate opposition, which is not only troublesome, but can be disastrous to an elected Member of Congress.

The biggest bankers in the Nation who make the most money from high interest rates are in charge of our monetary policy. Certainly the people who profit from high interest rates should not be allowed to fix the interest rates at higher and higher levels, but this is in fact what is happening.

AT THE ROOT OF THE PROBLEM IS THE FEDERAL RESERVE BOARD AND SYSTEM

The Federal Reserve is not independent, but it claims to be, and, having received support for independence from leading people in Government, has defied the President of the United States and the Congress. The Federal Reserve Board, as study of its actions proves, is most interested in providing profits for the banks.

Congress must recognize its responsibilities in this matter. As it is now, the Federal Reserve acts not only independently of the Congress, which created it, but, in addition, it spends public funds without any accounting or auditing by the General Accounting Office.

As a specific instance of the seriousness of this situation, we all recall that the 1968 Housing Act—which President Johnson said was one of the 10 greatest bills of the 500 he signed while in office—will be effectively scuttled if these higher and higher interest rates continue.

It is of more than passing interest to note that bank profits in 1968 were at all-time highs.

Inflation is given as the cause of these higher interest rates but our own history indicates that the higher interest rates go, the more inflation there is. Inflation cannot be stopped by creating more inflation through higher interest rates.

Stopping inflation with higher interest is about as effective as putting out a fire with gasoline.

Federal Reserve Board Chairman William McChesney Martin's most recent actions are in keeping with the way he has conducted himself as a member of the Board and its Chairman for more than 14 years. Unless appropriate remedial action is taken, the Congress and the administration will have to answer for the tragic unemployment situation that will develop in all sectors of our economy and for the other inevitable facts of depression life.

As chairman of the House Committee on Banking and Currency and the Joint House-Senate Economic Committee, I shall make it the first order of business for the committees to investigate this matter in detail immediately upon organization of these committees.

PRESIDENTIAL SALARY INCREASE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it is regrettable that the House did not take a record vote on H.R. 10 to double the salary of the President of the United States. I am one of those who hoped for the privilege to vote against the resolution. I recognize the nature of the problems which have brought about its consideration at this time. Yet I feel very strongly that consideration for this measure is premature. The Congress has before it many questions of utmost gravity. All of them demand our attention. To set aside these matters which are of serious import to the security and well-being of the Nation and to make a salary increase one of our first orders of business does not, I regret to state, reflect sound planning or policy. I feel that the President-elect himself would object to this procedure, and that he would not welcome an increase in salary, particularly one of the magnitude proposed, at a time when so many more pressing matters demand the attention of Congress.

PEACE NEGOTIATIONS

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, the sorry state of the peace negotiations in Paris should be equally disturbing to the present administration and to the incoming administration. Possibly the Communists are simply stalling until the new U.S. negotiating team arrives following the inauguration of the President-elect. Whatever their reasons, their present tactics have been a poor excuse indeed for complete disruption of the talks on the ground that agreement cannot be reached on a seating arrangement. Unless this picture changes speedily for the better, the United States should break off negotiations and free U.S. military commanders to fight the war in Vietnam to a successful conclusion. The fact that our hands are tied in Paris by tactics which are obviously intended only to delay negotiations does not change the fact that Americans are dying every day in Vietnam. Whatever their number, it is too many. We should not continue to pay this high price in lives indefinitely while the Communists jockey for concessions at the peace table. We have the strength to get the war over and won.

TAXPAYERS RAPPED AGAIN

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, I have just learned that the Director of the Office of Emergency Preparedness, Price Daniel, has been using Government employees to gather data, write and edit a guide book on State capitols which he and Mrs. Daniel will "author."

Daniel claims he is "coauthoring" this book "as a public service."

When questioned by the General Accounting Office about this project, Daniel admitted he used three employees in the Washington office of the OEP to write and edit this book, as well as the services of unnumbered OEP employees and officials outside Washington.

Mr. Speaker, this is an outrageous abuse of Federal employees by a high Government official who certainly ought to know better. As far as I am concerned Daniel should be made to repay the Treasury for every hour these employees spent on his private project.

If this is typical of the emergencies this office deals with, then I have just heard the best possible argument for abolishing it.

It would seem to me that if Daniel had wanted to perform a real public service he would have gone to the Library of Congress to find out what already had been done on the subject.

When I asked the Library for this information it took them almost no time at all to find seven publications on State capitols. Daniel has had his minions at work on this private project since October.

THE STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1969: A PROGRAM OF FEDERAL GRANTS TO STATES WHICH TAKE STEPS TO MODERNIZE STATE AND LOCAL GOVERNMENTS

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I have today introduced H.R. 2519 to provide $15 billion in Federal grants, over a 3-year period, to States which take steps to modernize State and local governments.

In preparing H.R. 2519, I have relied heavily on the proposals by former Economic Adviser Walter W. Heller and Brookings Institution economist, Joseph A. Pechman, for no-strings-attached Federal grants to the States; on the Committee on Economic Development's July 1966 statement, "Modernizing Local Government," a report on why State and local governments do not work effectively; and on recent studies by the Advisory Commission on Intergovernmental Relations—ACIR—"Unshackling Local Government," "Metropolitan America: Challenge to Federalism," and "Fiscal Balance in the American Federal System."

Mr. Heller and Mr. Pechman are on the right track, I believe, in urging large-scale, unearmarked Federal grants—over and beyond our present collection of grant-in-aid programs—if our federal system is to survive.

But it would be wasting Federal money unless the States first take steps to enable themselves and their local governments to make the transition into the last third of the 20th century.

I. THE PROBLEM: ARCHAIC, INSOLVENT STATE AND LOCAL GOVERNMENTS

Two crises in American government have become apparent by 1969: our State and local governments are becoming both insolvent and archaic.

State and local governments desperately need money. The Heller-Pechman proposals have attracted attention because of growing public concern that, even though Federal revenues keep rising as gross national product mounts, State revenues are falling ever short of growing needs

State and local governments, inefficient and archaic, need modernizing. Several excellent reports, including those by the CED and the ACIR, tell what must be done to reinvigorate these two levels of our federal system.

H.R. 2519 is designed to give the States a mighty impetus toward modernizing State and local governments and toward solving their financial problems.

II. THE NEEDS OF STATE AND LOCAL GOVERNMENTS HAVE OUTSTRIPPED THEIR RESOURCES

The needs of State and local governments continue to grow, for two reasons:

First. Our population continues to grow. The baby boom of World War II years, following the depression years and their low birth rates, has continued during the past two decades because of sustained prosperity. Furthermore, the size of those two age groups which require the costliest public services—the old and the young—has increased at rates faster than that of the rest of the population. While the total population grew during the decade 1957–67 by 16 percent, the school-age population of 5- to 19-year-olds increased at a more rapid rate—by 28 percent—and the over-65 population grew by 27 percent.

Second. Americans are demanding more and better public services. More children study longer in better schools. More police services are needed for a population which is restlessly mobile and is crowded into cities. Cars have outgrown two-lane country roads for expensive city throughways. Public health services cost more because of population growth, city living, and advances in medical knowledge. People seeking new jobs move from region to region, from State to State, and country to city, and from central city to suburbs. Public facilities in old communities are abandoned, but new facilities in new communities are needed. Hence, State and local government has been the country's largest growth industry.

Despite increased Federal grants, State and local government resources prove even more inadequate.

First. Annual expenditures by State-local governments during the decade 1957–67 increased by $59.1 billion—from $47.6 billion to $106.7 billion. A significant portion of this increase—54.8 percent—was allocated for health, education, and welfare.

Several factors account for the increasing expenditures. Unit costs rose. Costs of equipment and construction rose rapidly. Salaries of State and local government employees were raised to match salary increases in private industry. Because personal services account for so large a share of State and local government budgets, even moderate adjustments in salaries resulted in large total expenditure.

Second. Even though revenues collected by State and local governments have increased remarkably, they have proved inadequate. During the decade 1957–67 State and local governments general revenue increased by $53.4 billion—from $38.2 billion to $91.6 billion. While Federal tax revenues rose by 65 percent, State and local tax revenues grew by 113 percent, or by $32.4 billion.

Property taxes supplied almost the entire increase in local tax collections, and 41 percent of the combined State and local tax increases.

Consumer taxes supplied about one-third of the combined increases. From 1957 to date 10 States have imposed general sales taxes. In 1968 sales tax rates were increased in six of the States.

Income taxes supplied only about 16 percent of State-local tax revenue increases from 1957 through 1967. Most of the 36 States having income taxes have made them less progressive by raising rates at lower income levels.

These revenues have been supplemented by Federal grants, which grew by nearly four times during the decade 1957–67—rising from $4 billion to $15 billion. In this current fiscal year, 1969, such grants-in-aid are expected to rise to $20 billion.

But even this Federal contribution accounted in 1967 for only about 17 percent of total State and local general revenues. The remaining 83 percent—about $51 billion—came from their own sources.

The resulting gap between growing expenditures and lagging receipts has caused State and local government indebtedness to swell steadily. It grew in 1957–67 from $53 to $115 billion, an increase of $62 billion. During the same decade, Federal debt grew by $55 billion.

The forecast is for a continuing fiscal crisis. Pechman's study concludes that State and local expenditures, even by viewing past experience conservatively, will rise by 7 percent a year and reach $103 billion by 1970. But revenues, even if gross national product rises at 5 percent a year and both tax receipts and Federal grants keep pace, would reach by 1970 only about $86 billion. The unfilled gap will be $15 billion. Richard Netzer, in a projection for the CED, forecast a gap by 1970 of $10 billion even if State and local tax rates were raised 18 percent.

III. HOW TO FILL THE 1970 GAP BETWEEN STATE AND LOCAL NEEDS AND REVENUES

The States and localities cannot do it.

For the States and localities to meet the $15 billion gap by borrowing is neither a sound nor a likely solution. State and local government debt rose to $115 billion in 1967. Many have reached the borrowing limits set by law or by their own financial capacity. The prospects of servicing partly increased debt out of regressive taxes are bleak.

Moreover, it is unlikely that State and localities, unable and unwilling to borrow further, could and would tax to fill the $15 billion gap. Three reasons argue against this course:

First. To keep raising property and consumer taxes, the leading State and local sources, is poor social and economic policy.

The Federal Government has preempted most of the income tax potential. Property taxes on homes and sales taxes on consumer goods unfairly hit lower income people. They could reduce the overall level of demand sufficiently to cause a stagnating economy.

Second. Fear of driving businesses out of the State discourages tax raising in general, and raising progressive taxes, like the income tax, in particular.

Voters of five States recently rejected income taxes or revisions.

Third. Recent elections have shown how vulnerable are State and local officials who raise or try to raise taxes. John Anderson, Jr., the Republican Governor of Kansas in 1961–64 has written:

> The rate of "tax mortality" among state and local political leaders is very high. A governor or mayor must raise taxes in order to meet his increasing responsibilities—but he is often voted out of office for doing so. Were he to choose to cut services rather than to raise taxes, he would also be likely to get kicked out.

The Federal Government, however, can and will have the revenues to fill the gap.

As the economy grows, the Federal receipts tend to grow, at a faster rate, because they come largely from the income tax rather than property taxes. The "fiscal dividend" of $6 to $10 billion annually has been forecast for the period 1970–75. A Federal surplus depends heavily, of course, upon the course of events in Vietnam; if the war continues at its present level, all fiscal bets are off.

When the 1970–75 "fiscal dividend" appears, the proposal will be made to use it to retire part of the $363 billion national debt. The answer is that unless the "fiscal dividend" is mainly used either to reduce taxes or to increase expenditures, the fiscal drag will increase unemployment. Indeed, the resulting near recession would prevent the "fiscal dividend" from coming into being in the first place.

Moreover, public needs are so pressing that the Federal surplus should mainly be spent to meet them rather than be rebated in lower taxes. Since many public needs are of a State and local nature, part of the "fiscal dividend" must be channeled to State and local governments.

How to get part of the Federal "fiscal dividend" to State and local governments?

First. By expanding Federal grants-in-aid?

Until 1932, Federal grants accounted for only a small fraction of State and local spending. The grant device was used to rescue State and local governments bankrupted by the depression. Grants rose from $147 million in 1930 to $945 million in 1940, an increase of 650 percent. After the brief postwar interlude of abundant revenues, cold war costs caused the Federal Government once more to preempt income tax revenues, while State and local governments faced the crisis of growing population and growing demands. The Federal Government responded again by increasing grants, nearly sixfold in 14 years—from $2.7 billion in 1954 to $15.2 billion in 1967.

Should this mushrooming of grants continue? Federal grants represented 7.3 percent of State and local general revenues raised in 1946, 10 percent in 1954, 17 percent in 1967.

Federal grants are a useful way of meeting urgent needs—highway and airport construction, education, housing and community developments, sewer and water treatment facilities, community health and welfare. Therefore, mayors and Governors, even though they call for block grants, want existing Federal categorical grants continued and expanded.

True, the grant device has disadvantages. Many programs are not properly coordinated. For example, six separate programs are available for water supplies. Some programs satisfy only marginal needs. The technique of requiring matching funds sometimes causes State, local, and private authorities to distort their priorities.

The fact that the grant device has over the years developed disadvantages is no argument that grant programs should be ended. But it does argue that the present pattern of categorical grant programs should not be much further extended to new areas, at least without improvement. The vigor and efficiency of State and local governments must be maintained.

Second. By redistributing Federal revenues by general tax reduction, specific tax transfer, or tax credit?

It is unlikely, because of timidity and interstate competition, that States would benefit appreciably if Federal taxes were reduced. When in the 1950's the Federal Government released tax sources by reducing the admissions tax and the electrical energy tax, recovery by State and local governments was minimal. Recovery of Federal tax reductions would probably come by regressive property or sales taxes or by not very progressive income taxes. Moreover, richer States would benefit disproportionately to the poorer States.

A credit against Federal income taxes for certain State and local taxes would help those States which impose no tax, or inadequate taxes, of a particular type. For example, 14 States now have no individual income taxes. A Federal tax credit for State income taxes is a justifiable interstate equalizer; but it, too, favors the wealthy States.

Third. By block grants?

The Heller-Pechman plan proposes that money be distributed to the States on a per capita basis, with a portion redistributed to the poorest States; that grants be unrestricted, except that highway expenditures be excluded and that title VI of the Civil Rights Act of 1964 be observed; and that grants be channeled through a trust fund derived from a set percentage of Federal revenues or of the Federal personal income tax base.

The Heller-Pechman allocation among the States seems progressive and fair. But the "trust fund" seems unduly inflexible, depriving Congress, in a given year, form an overall look at the state of the Nation's economy. Most vulnerable is the complete absence of strings: it encourages State and local governments to languish in archaic inefficiency rather than to demonstrate their initiative, and thus could result in wasting Federal money.

If these defects can be corrected, the Heller-Pechman proposal offers the soundest method of making the Federal "fiscal dividend" available to State and local governments.

IV. STATE AND LOCAL GOVERNMENTS NEED MODERNIZATION

Modernization steps should be taken at three levels—regional, State, and local.

Regional: Recent Federal legislation—including the Appalachian Regional Development Act of 1965, the Public Works and Economic Development Act of 1965, and the Clean Waters Restoration Act of 1966—aims at a necessary regional approach to regionwide problems. But interstate regionalism is in its infancy. Mechanisms are lacking to deal with the 25 metropolitan areas which overlap State lines. Also lacking is interstate cooperation in education. Why, for example, should not several starved universities in sparsely populated States be replaced by one good university?

State governments: Archaic constitutions and statutes result in too many elected executive officers, needless restrictions on borrowing power, poor legislative salaries, short and infrequent legislative sessions, and outmoded personnel practices. The high political mortality rate of those Governors who raise taxes gives little incentive for reform.

Local governments: Only the States, by revising thoroughly their constitutions and statutes, can authorize reform of local governments. The weaknesses of local government are many:

First. Local units are too many and too small to be efficient. Half of all local units in the States contain fewer than 1,000 people.

Second. Overlapping layers: Overlapping layers of local government—counties, cities, townships, special districts, school districts—compete for revenues, and cause gaps and overlaps in problem-solving jurisdiction.

Third. Local voters are apathetic: Less than 30 percent of the electorate votes locally, contrasted with 60 percent presidentially. Over 500,000 local officials are elected, many without policymaking duties, and from overlapping governments. As local government becomes less understandable and less democratic, voter apathy increases, and local government grows more ineffective.

Fourth. Most localities lack strong executive leadership and adequate regulatory and tax authority. Direct line, businesslike administrative authority is usually fragmented. Personnel is largely unqualified, the spoils system widely prevails, and pay is too low. "Home rule" is rare.

Fifth. So far, approaches to metropolitan government have been frustrating. Except for Metropolitan Toronto and Dade County, Fla., little progress toward metropolitan government has been made. A metropolitanwide approach to the problems of poverty and community development is hampered by the Balkanizing proclivity of communities under existing State law. For example, Vernon, Calif., where 236 people live but 70,000 work, is zoned for high-taxpaying industry only, and leaves other communities to provide for its workers. In Wisconsin, communities made up almost entirely of high-income residents have 40 percent of their State income tax returned to them by the State, thus substantially relieving residents of the general property tax.

V. THE PROPOSED STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1969 WOULD USE BLOCK GRANTS TO ENCOURAGE INITIATIVE BY STATES TO REFORM STATE AND LOCAL GOVERNMENT

MACHINERY

If H.R. 2519 were enacted in 1969, during the next 2 years, 1970 and 1971, each State wishing to participate would formulate a modern government program. The Federal Government would pay the entire cost of planning. The State plans would be completed within 18 months, and then forwarded to the appropriate regional coordinating committee—eastern, southern, midwestern, and western—created by the bill. The committee would review each State program and suggest improvements through a continuing dialog with State planners. After 6 months, a total of 2 years of planning, the regional coordinating committee by majority vote would send to the President, the Advisory Commission on Intergovernmental Relations, and the Congress those State modern governments programs which reflect "sufficient creative State initiative so as to qualify that State for Federal block grants."

MODERN GOVERNMENTS PROGRAM

In order to qualify, a State must have on its lawbooks an income tax of at least moderate progressiveness. In addition to this required feature, the programs must include plans and timetables for a whole series of reforms. Not all of these reforms must be in every program, but there must be enough to demonstrate bona fide "creative State initiative."

The checklist of reforms is derived from two main sources.

The first set of reforms—those designed to make State and local government more efficient, economical, and responsive—has been recommended over a long period of time by such good-government organizations as the Committee for Economic Development, the U.S. Chamber of Commerce, the Advisory Commission on Intergovernmental Relations, the Council of State Governments, the National Municipal League, the Mayor's Conference, and the National Association of Counties. These reforms include regional agreements by States, and interstate compacts, for cooperative efforts in health, education, welfare, and conservation; modernized State government, including the short ballot, longer terms for constitutional officers, annual sessions of the legislature, adequately paid legislators, modernized borrowing powers, rationalized boards and commissions, assistance to local governments; modernized local government, including cutting down the number of unnecessary counties, towns, and other local units, working toward all forms of metropolitan government, providing for true home rule, the short ballot, modern borrowing power, the merit system, and decentralizing local government in order to make it more democratic and humane.

The second set of reforms—those designed to induce States to remove economic disparities between various local governments—is an extension of current efforts by big-city mayors and by the Federal Government to save the central city. These include revision of State grants-in-aid and sharing of tax revenues so as to eliminate the preferences so widely given to wealthier communities at the expense of poorer communities. Examples are the unfairly large State returns of income tax revenues to the dormitory suburbs peopled by well-to-do residents; of property tax revenues to communities where large utility plants or factories happened to be located; of sales tax revenues to still other communities which happened to have shopping centers widely patronized by outsiders. A related reform is the prohibition of local zoning regulations which keep out low-income housing, or in some cases all homes of any kind, by restricting zoning power in metropolitan areas to larger municipalities and to counties.

BLOCK GRANTS TO STATES WITH MODERN GOVERNMENTS PROGRAMS

States with modern governments programs qualified by both the regional coordinating committees and by the Advisory Commission on Intergovernmental Relations as reflecting "sufficient State creative initiative so as to qualify that State for Federal block grants" would begin receiving payments in 1972, or at the latest by 1973. They would receive unrestricted Federal grants from the $5 billion a year, 3-year authorization by the bill.

The funds would be distributed according to population, with not to exceed 20 percent for supplements to those States having a low per capita income; a high degree of poverty, dependency, or urbanization; and State tax effort as indicated by the amount of State and local taxes relative to personal income.

The authorized amount of $5 billion annually—congressional appropriations could be less, of course, depending upon economic conditions and the degree of participation by the States—is approximately equal to the 2 percent of individual income suggested by Heller, but without the inflexible trust fund device.

The "string" on the block grants would be good-faith initiative by the States in filing a statement of intent—their modern governments programs. The Governors themselves, through their own plans and through the regional review and decision by majority vote, and the widely respected Advisory Commission on Intergovernmental Relations, would be the qualifying agents. There would be no statutory strings with respect to compliance with the State plans, although annual reports to Congress are required, and the program runs for 3 years only. No doubt Congress, in considering whether to renew the program, would take into account the good-faith effort made by the States to fulfill their plans.

I would hope that such a good-faith effort would be made. A reform-minded Governor would, for the first time, have public opinion behind him. Reapportionment is bringing many new and modern legislators to the State capitols. Forty of the 50 States are planning to consider constitutional reforms within the next 2 years. Federal block grants, necessary for fiscal reasons, could be the incentive that catalyzes a movement for major constitutional and statutory reforms.

Planning should begin now for that time, after the economic strain of the Vietnam war eases, when substantial Federal surpluses are available.

The text of H.R. 2519 follows:

H.R. 2519

A bill to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of all levels of government, by providing Federal block grants for State and localities which take steps to modernize State and local government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.—This Act may be cited as the "State and Local Government Modernization Act of 1969".

SEC. 2. STATE MODERN GOVERNMENTS PROGRAMS.—

(a) PLANNING FUNDS FOR MODERN GOVERNMENTS PROGRAMS.—The President shall, as soon as possible after the effective date of this Act, grant to the Governors of each of the fifty States which elect to participate in the State modern governments program planning funds to cover the full cost of preparing for each State a modern governments program. There is herewith authorized to be appropriated solely for this purpose and the purpose of paragraph (d) of this section the sum of $50,000,000, with each State's share to be no less than $250,000 and with the remainder apportioned according to State population on the basis of the Bureau of the Census current estimates of population.

(b) PREPARATION OF STATE MODERN GOVERNMENTS PROGRAMS.—Not later than eighteen months after such planning funds have been made available to States which have elected to participate, each Governor shall file his State's draft modern governments program with the regional coordinating committee for State modern governments programs, set up pursuant to section 2(d) hereof. Within six months thereafter, the regional coordinating committee shall file the modern governments program for each participating State in the region with the President, the Advisory Commission on Intergovernmental Relations, and the Congress.

(c) CONTENTS OF STATE MODERN GOVERNMENTS PROGRAMS.—Each State modern governments program shall certify that the State has in effect an income tax of at least moderate progressiveness. In addition, such programs shall set forth plans and timetables for modernizing and revitalizing State and local governments, including such matters as:

(1) Proposed arrangements, by interstate compact or otherwise, for dealing with interstate regional problems, including those of metropolitan areas which overlap State lines, regional cooperation in health, education, welfare, and conservation;

(2) Proposed strengthening and modernizing of State governments (by constitutional, statutory, and administrative changes), including recommendations concerning more efficient executives and legislatures, State borrowing powers, taxation and expenditures, and personnel systems;

(3) Proposed strengthening and modernizing of local rural, urban, and metropolitan governments (by constitutional, statutory, and administrative changes), including where needed—

(A) reducing the number of counties,

(B) reducing the number of, or eliminating, local governments too small to provide efficient administration, and special districts not subject to democratic control,

(C) restricting popular elections to policymakers,

(D) concentrating on a single responsible executive for each local unit,

(E) reform of personnel practices so as to base them uniformly on merit and competence,

(F) granting adequate home rule powers to reformed counties and other local governments,

(G) revising the terms of State grants-in-aid and shared taxes so as to encourage modern local governments and to minimize difference in local fiscal capacity,

(H) easing restrictions on local power to tax property,

(I) improving local property tax administration,

(J) authorizing local governments to utilize non-property taxes, coordinated at the State or regional level,

(K) easing restrictions on the borrowing power of local governments,

(L) strengthening local government in metropolitan areas by—

(i) liberalizing municipal annexation of unincorporated areas,

(ii) discourging new incorporations not meeting minimum standards of total population and population density,

(iii) authorizing transfers of specified functions between municipalities and counties,

(iv) authorizing intergovernmental contracts for the provision of services,

(v) authorizing the municipalities to exercise extraterritorial planning, zoning, and subdivision control over unincorporated areas not subject to effective county regulation,

(vi) restricting zoning authority in metropolitan areas to larger municipalities and to counties, in order to prevent zoning by smaller municipalities which excludes housing for lower-income families,

(vii) authorizing the formation of metropolitan councils of public officials to exchange information and ideas on problems of mutual concern,

(viii) authorizing the establishment by local governmental bodies or by the voters directly of metropolitan area study commissions to develop proposals to improve local governmental structure and services, and to present to the voters of the area such reorganization plans,

(ix) authorizing the formation of metropolitan planning agencies to make recommendations to local governments concerning land use, zoning, building regulations, and capital improvements,

(x) establishing a State agency to assist metropolitan areas,

(xi) furnishing State financial and technical assistance to metropolitan areas for planning, building codes, urban renewal, and local government and finance.

(4) Proposed uses of Federal block grants pursuant to section 3 hereof, including provision for passing on at least 50 per centum of such grants in an equitable manner to local governments.

(d) REGIONAL COORDINATING COMMITTEES FOR STATE MODERN GOVERNMENTS PROGRAMS.—Each participating State shall channel its modern governments program through a regional coordinating committee for State modern governments programs, as set forth in section 2(b) hereof. Such a regional coordinating committee shall be set up for each of the following four regions:

Eastern (Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont);

Southern (Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Kentucky);

Midwestern (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin);

Western (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming).

Each regional coordinating committee shall be set up by the participating Governors of the region, with whatever representatives of his State each Governor shall select, and shall operate by a majority vote of the participating States. Each regional coordinating committee shall review the draft State modern governments programs, and shall make recommendations concerning any possible improvements. In forwarding the State modern governments programs to the President, the advisory commission on intergovernmental relations, and the Congress, each regional coordinating committee shall designate each State modern governments program which it believes reflects sufficient creative State initiative so as to qualify that State for Federal block grants under section 3. The regional coordinating committees shall be financed by voluntary agreement by the participating States from the Federal planning funds made available under section 2(a). By unanimous agreement, and subject to equitable funding arrangements, a regional coordinating committee may undertake the preparation of all or part of a modern governments program for any State so requesting.

(e) REVIEW OF STATE MODERN GOVERNMENTS PROGRAMS BY THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS.—The advisory commission on intergovernmental relations, as soon as possible and in not more than one year after the regional coordinating committees have filed with it the State modern governments programs, shall designate which State modern governments program it believes reflects sufficient State creative initiative so as to qualify that State for Federal block grants under section 3; and shall recommend a method for distributing the Federal block grants under section 3 apportioned according to population as determined by the Bureau of the Census on the basis of its current estimates, with not to exceed 20 per centum for supplements to States with low per capita income; a high incidence of poverty, dependency, or urbanization; and State tax effort as indicated by the amount of State and local taxes relative to personal income.

SEC. 3. FEDERAL BLOCK GRANT.—There is herewith authorized to be appropriated for the first three full fiscal years after such State modern governments programs have been filed with the President, the advisory commission on intergovernmental relations, and the Congress, and after the designations of the advisory commission on intergovernmental relations pursuant to section 2(e) have been made, the sum of $5,000,000,000 annually, to be distributed by the President among all States whose modern governments programs have been designated as qualified by their regional coordinating committees under section 2(d) and by the advisory commission on intergovernmental relations under section 2(e), apportioned according to population as determined by the Bureau of the Census on the basis of its current estimates, with not to exceed 20 per centum authorized to be set aside for supplements to States with low per capita income; a high incidence of poverty, dependency, or urbanization; and State tax effort, as indicated by the amount of State and local taxes relative to personnel income. The regional coordinating committees and the advisory commission on intergovernmental relations shall report to the President and the Congress at the end of each fiscal year on the progress made by each participating State in carrying out its modern governments program, and, prior to the end of the third fiscal year, shall make recommendations to the President and the Congress concerning the future of the Federal block grant program.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. REUSS (at the request of Mr. ALBERT), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BRAY.

(The following Members (at the request of Mr. SCHADEBERG) and to include extraneous matter:)

Mr. BUSH.

Mr. FRELINGHUYSEN.

Mr. DUNCAN.

Mr. WYATT in four instances.

Mr. MCEWEN in five instances.

Mr. SCHERLE.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. DADDARIO.

Mr. BIAGGI in five instances.

Mr. EDWARDS of California in two instances.

Mr. ABBITT in two instances.

Mr. FRASER in three instances.

Mr. PODELL in two instances.

Mr. BOGGS.

Mr. PICKLE.

Mr. VAN DEERLIN.

Mr. CONYERS in two instances.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Thursday, January 9, 1969 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

169. A communication from the President of the United States, transmitting a report, including a copy of Executive Order No. 11419 and a copy of United Nations Security Council Resolution 253, relating to trade and other transactions involving Southern Rhodesia, pursuant to the provisions of section 5 of the United Nations Participation Act, as amended (H. Doc. No. 91–37); to the Committee on Foreign Affairs and ordered to be printed.

170. A letter from the national adjutant, Disabled American Veterans, transmitting the proceedings of the national convention held in Philadelphia, Pa., on August 18–23, 1968, including the proceedings of the Disabled American Veterans for the year ending June 30, 1968, and a report of its receipts and expenditures as of December 31, 1967, pursuant

to the provisions of Public Law 249, 77th Congress, and section 9 of Public Law 668, 77th Congress (H. Doc. 91–38); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

171. A letter from the national adjutant, Veterans of World War I of the U.S.A., Inc., transmitting the proceedings of the national convention held in New Orleans, La., September 21–25, 1968, including the proceedings of the Veterans of World War I of the U.S.A. for the year ending September 30, 1968, and a report of its receipts and expenditures, pursuant to the provisions of Public Law 88–105 and section 15 of Public Law 85–530 (H. Doc. 91–39); to the Committee on the Judiciary and ordered to be printed with illustrations.

172. A letter from the Secretary of Transportation, transmitting a report, by grade and age, of the number of Coast Guard officers above the grade of lieutenant commander entitled to receive incentive pay for flight duty, and the average monthly incentive pay authorized by law paid to such officers during the 6 months preceding January 7, 1969; to the Committee on Armed Services.

173. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a statement in writing exhibiting the several sums drawn by him pursuant to 2 U.S.C. 78 and 80, the application and disbursement of such sums, and balances remaining in his hands, pursuant to the provisions of 2 U.S.C. 84; to the Committee on House Administration.

174. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered under the authority contained in section 13(b) of the act of September 11, 1957, as well as a list of the persons involved, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Joint Committee on Defense Production. Annual report of the Joint Committee on Defense Production Activities (Rept. No. 91–3). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHAMBERLAIN:

H.R. 2494. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLARK:

H.R. 2495. A bill to amend section 131 of title 23 of the United States Code; to the Committee on Public Works.

By Mr. DON H. CLAUSEN:

H.R. 2496. A bill to provide for the establishment of the King Range National Conservation Area in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. GOODLING:

H.R. 2497. A bill to amend the Internal Revenue Code of 1954 to increase, for 1969 and 1970, the personal income tax exemptions of a taxpayer from $600 to $800, and to provide that for taxable years beginning after 1970 such exemptions shall be $1,000; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 2498. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 2499. A bill to amend title 10, United States Code, with respect to the academies of the military departments; to the Committee on Armed Services.

By Mr. O'NEAL of Georgia:

H.R. 2500. A bill to include fresh, chilled, or frozen meat of lambs and swine, sausages, prepared or preserved pork, and prepared or preserved beef and veal within the quotas imposed on the importation of certain other meat and meat products; to reduce the percentage applied to certain aggregate quantity estimations used, in part, to determine such quotas from 110 to 100 percentum, and for other purposes; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 2501. A bill to provide for the inclusion of Panola and Shelby Counties, Tex., within the Marshall division of the eastern district for the U.S. district courts in Texas; to the Committee on the Judiciary.

H.R. 2502. A bill to amend title 28 of the United States Code so as to provide for the appointment of one additional district judge for the eastern district of Texas; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 2503. A bill to promote the safety of workers engaged in making asbestos products for shipment in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 2504. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 2505. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2506. A bill to amend the Federal Power Act in order to provide for a national powerplant siting study and a national powerplant siting plan, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2507. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

H.R. 2508. A bill to impose quota limitation on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 2509. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

H.R. 2510. A bill to amend the definition of "metal bearing ores" in the Tariff Schedules of the United States; to the Committee on Ways and Means.

H.R. 2511. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

H.R. 2512. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 2513. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

H.R. 2514. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 2515. A bill to amend the Internal Revenue Code of 1954 to increase the personal income tax exemptions of a taxpayer from $600 to $1,000 over a 4-year period beginning with 1970; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 2516. A bill to amend the Internal Revenue Code of 1954 to provide for correction of inequities respecting losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. WYATT (for himself and Mr. Ruppe):

H.R. 2517. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 2518. A bil to amend section 333 of title 38, United States Code, to provide that veterans who serve 2 or more years in peacetime shall be entitled to a presumption that chronic diseases becoming manifest within 1 year from the date of separation from service are service connected; to the Committee on Veterans' Affairs.

By Mr. REUSS:

H.R. 2519. A bill to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of all levels of government, by providing Federal block grants for States and localities which take steps to modernize State and local government; to the Committee on Government Operations.

By Mr. SAYLOR:

H.R. 2520. A bill to provide for the extension of the reclamation acts, as amended, to all of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2521. A bill to amend the Tariff Schedule of the United States with respect to the rate of duty on paper industries machinery; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 2522. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.J. Res. 204. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. GAYDOS:

H.J. Res. 205. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN (for himself and Mr. Grover):

H. Con. Res. 66. Concurrent resolution providing for the printing as a House document of certain maps and indicia relating to Vietnam and the Asian continent; to the Committee on House Administration.

By Mr. FLOOD:

H. Res. 102. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 103. A resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. HARVEY:

H. Res. 104. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. RIVERS:

H. Res. 105. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

H. Res. 106. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 105; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 2523. A bill for the relief of Leonora M Baldemor; to the Committee on the Judiciary.

H.R. 2524. A bill for the relief of Miguel Q. Orejudos; to the Committee on the Judiciary.

H.R. 2525. A bill for the relief of Joaquin T. Quijencio; to the Committee on the Judiciary.

By Mr. ADAMS (by request):

H.R. 2526. A bill for the relief of Pedro Presto; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 2527. A bill for the relief of Santi Fiumara and his wife, Concetta Fiumara; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 2528. A bill for the relief of Barbara Caudell; to the Committee on the Judiciary.

H.R. 2529. A bill for the relief of Anna Giovine; to the Committee on the Judiciary.

H.R. 2530. A bill for the relief of Eva Anna-Lisa Sjoberg Nylund; to the Committee on the Judiciary.

H.R. 2531. A bill for the relief of Jutta Elisabeth Winkelstroeter; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 2532. A bill for the relief of Linely Baptiste; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 2533. A bill for the relief of Takio Nozu; to the Committee on the Judiciary.

H.R. 2534. A bill for the relief of John Dennis Chambers, Vicki Jill Chambers, Philip Michael Chambers, Peter Gregory Chambers, and Kathleen Anne Chambers; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 2535. A bill for the relief of Asunsion S. Castro; to the Committee on the Judiciary.

H.R. 2536. A bill for the relief of Francesca Adriana Fatta (Millonzi); to the Committee on the Judiciary.

H.R. 2537. A bill for the relief of Concetta Fulco; to the Committee on the Judiciary.

H.R. 2538. A bill for the relief of Salvatore D. Inga; to the Committee on the Judiciary.

H.R. 2539. A bill for the relief of the survivors of police officers John Nagle and Anthony Perri; to the Committee on the Judiciary.

H.R. 2540. A bill for the relief of Ming Chia and Mei Jok Phua; to the Committee on the Judiciary.

H.R. 2541. A bill for the relief of Samuel M. Santibanez and Patria Santibanez; to the Committee on the Judiciary.

By Mr. COLLIER (by request):

H.R. 2542. A bill for the relief of Elena, Uldarico, Jr., Maria Elena, Regis, Ervin, and Maria Celeste Blando; to the Committee on the Judiciary.

H.R. 2543. A bill for the relief of Bartolomeo and Giovanna Bonsignore; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 2544. A bill for the relief of Dr. Vali Khairollahi; to the Committee on the Judiciary.

H.R. 2545. A bill for the relief of György Szanto; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.R. 2546. A bill for the relief of Fayez S. Tushan, M.D.; to the Committee on the Judiciary.

By Mr. HALL:

H.R. 2547. A bill for the relief of Mrs. Elizabeth Villanueva Samonte Leek; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 2548. A bill for the relief of Esperanca de Amorim Fernandes; to the Committee on the Judiciary.

H.R. 2549. A bill for the relief of Venus Bayhon Gomez; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 2550. A bill for the relief of Maria Adelaide Soares Aguiar; to the Committee on the Judiciary.

H.R. 2551. A bill for the relief of Guglielmo Tonino Alleva; to the Committee on the Judiciary.

H.R. 2552. A bill for the relief of John Vincent Amirault; to the Committee on the Judiciary.

H.R. 2553. A bill for the relief of Vedat Fahreddin Arkay and Mohaddes Arkay; to the Committee on the Judiciary.

H.R. 2554. A bill for the relief of Antonino Azzaro; to the Committee on the Judiciary.

H.R. 2555. A bill for the relief of Ayala Barel; to the Committee on the Judiciary.

H.R. 2556. A bill for the relief of Julia B. Bernardo; to the Committee on the Judiciary.

H.R. 2557. A bill for the relief of Saverio Bruzzese; to the Committee on the Judiciary.

H.R. 2558. A bill for the relief of Assuntina Buonapane; to the Committee on the Judiciary.

H.R. 2559. A bill for the relief of Antonio Mario Buzzanga; to the Committee on the Judiciary.

H.R. 2560. A bill for the relief of Francesco Carriglio; to the Committee on the Judiciary.

H.R. 2561. A bill for the relief of Silvestre de Brito Caetano; to the Committee on the Judiciary.

H.R. 2562. A bill for the relief of Yru Gok Chan; to the Committee on the Judiciary.

H.R. 2563. A bill for the relief of Mario da Silva Costa; to the Committee on the Judiciary.

H.R. 2564. A bill for the relief of Gil Pereira da Cunha; to the Committee on the Judiciary.

H.R. 2565. A bill for the relief of Maria Salome da Cunha; to the Committee on the Judiciary.

H.R. 2566. A bill for the relief of Pompilio da Cunha; to the Committee on the Judiciary.

H.R. 2567. A bill for the relief of Michele D'Aleo; to the Committee on the Judiciary.

H.R. 2568. A bill for the relief of Teresa Galli D'Aleo; to the Committee on the Judiciary.

H.R. 2569. A bill for the relief of Angela Margarida Da Silva; to the Committee on the Judiciary.

H.R. 2570. A bill for the relief of Antonio Pereira Da Silva; to the Committee on the Judiciary.

H.R. 2571. A bill for the relief of Clarinda Duarte Da Silva; to the Committee on the Judiciary.

H.R. 2572. A bill for the relief of Jose de Mendonca da Silva and Florentina Correia da Conceicao da Silva; to the Committee on the Judiciary.

H.R. 2573. A bill for the relief of Manuel De Sousa Da Silva; to the Committee on the Judiciary.

H.R. 2574. A bill for the relief of Valentina Augusto Da Silva; to the Committee on the Judiciary.

H.R. 2575. A bill for the relief of Hameed and Noor Fatima Dean (Din) and their minor child; to the Committee on the Judiciary.

H.R. 2576. A bill for the relief of Firminio Antonio De Borba; to the Committee on the Judiciary.

H.R. 2577. A bill for the relief of Maria Carasao de Jesus and Manuel Tamaz Nogueitra; to the Committee on the Judiciary.

H.R. 2578. A bill for the relief of Maria Pereira de Medeiros; to the Committee on the Judiciary.

H.R. 2579. A bill for the relief of Eduardo Monis de Melo; to the Committee on the Judiciary.

H.R. 2580. A bill for the relief of Manuel Correia de Mendonca; to the Committee on the Judiciary.

H.R. 2581. A bill for the relief of Rafaelle De Padova; to the Committee on the Judiciary.

H.R. 2582. A bill for the relief of Joao De Quadros; to the Committee on the Judiciary.

H.R. 2583. A bill for the relief of Artemizia Dias; to the Committee on the Judiciary.

H.R. 2584. A bill for the relief of Irvia DiFiore; to the Committee on the Judiciary.

H.R. 2585. A bill for the relief of Mark Djonaj; to the Committee on the Judiciary.

H.R. 2586. A bill for the relief of Nelia Isabel da Trindade Bettencourt Dores; to the Committee on the Judiciary.

H.R. 2587. A bill for the relief of Marie G. Ewerton; to the Committee on the Judiciary.

H.R. 2588. A bill for the relief of Ronald K. Fairweather; to the Committee on the Judiciary.

H.R. 2589. A bill for the relief of Domingos Silverio Ferro; to the Committee on the Judiciary.

H.R. 2590. A bill for the relief of Manuel Furtado Gabriel; to the Committee on the Judiciary.

H.R. 2591. A bill for the relief of Carmelo Genna; to the Committee on the Judiciary.

H.R. 2592. A bill for the relief of Maria I. Gomes; to the Committee on the Judiciary.

H.R. 2593. A bill for the relief of Beatriz Martins Gouveia; to the Committee on the Judiciary.

H.R. 2594. A bill for the relief of Chan Yuk Heng; to the Committee on the Judiciary.

H.R. 2595. A bill for the relief of Goon Mee Heung; to the Committee on the Judiciary.

H.R. 2596. A bill for the relief of Antonio Iula; to the Committee on the Judiciary.

H.R. 2597. A bill for the relief of Dimitra Kassola; to the Committee on the Judiciary.

H.R. 2598. A bill for the relief of Spyridon Kavadas; to the Committee on the Judiciary.

H.R. 2599. A bill for the relief of Gaetano La Bella; to the Committee on the Judiciary.

H.R. 2600. A bill for the relief of Luisa Clelia La Pietra; to the Committee on the Judiciary.

H.R. 2601. A bill for the relief of Gabriel de Sousa Leal; to the Committee on the Judiciary.

H.R. 2602. A bill for the relief of Girolamo Lentini; to the Committee on the Judiciary.

H.R. 2603. A bill for the relief of Manuel Lima; to the Committee on the Judiciary.

H.R. 2604. A bill for the relief of Maria Espinola Ramos Lobao; to the Committee on the Judiciary.

H.R. 2605. A bill for the relief of Angelo Marchio; to the Committee on the Judiciary.

H.R. 2606. A bill for the relief of Luigi F. Marotta; to the Committee on the Judiciary.

H.R. 2607. A bill for the relief of Jose Costa Marques and Almerinda de Matos Sao Marcos Bom and their minor child; to the Committee on the Judiciary.

H.R. 2608. A bill for the relief of Manuel Marques; to the Committee on the Judiciary.

H.R. 2609. A bill for the relief of Hernan Pavon Martinez; to the Committee on the Judiciary.

H.R. 2610. A bill for the relief of Solomon Erick Newman Martinez; to the Committee on the Judiciary.

H.R. 2611. A bill for the relief of Domenico, Serafina, and Maria Mazzei; to the Committee on the Judiciary.

H.R. 2612. A bill for the relief of Gaspare Muraca; to the Committee on the Judiciary.

H.R. 2613. A bill for the relief of Rosa Tindara Nasisi; to the Committee on the Judiciary.

H.R. 2614. A bill for the relief of Samuel N. Newman; to the Committee on the Judiciary.

H.R. 2615. A bill for the relief of Jose Oliveira; to the Committee on the Judiciary.

H.R. 2616. A bill for the relief of Friedrich Peter Ott; to the Committee on the Judiciary.

H.R. 2617. A bill for the relief of Luigi Papa; to the Committee on the Judiciary.

H.R. 2618. A bill for the relief of Carlos S. Adolfo Pavon; to the Committee on the Judiciary.

H.R. 2619. A bill for the relief of Maria Helena da Silva Pereira; to the Committee on the Judiciary.

H.R. 2620. A bill for the relief of Panagiotis A. Perlengas; to the Committee on the Judiciary.

H.R. 2621. A bill for the relief of Riziero Pesce, Giuseppa Pesce, Zina Pesce, and Enrico Pesce; to the Committee on the Judiciary.

H.R. 2622. A bill for the relief of Armando Pisaniello; to the Committee on the Judiciary.

H.R. 2623. A bill for the relief of Amalia Placidi; to the Committee on the Judiciary.

H.R. 2624. A bill for the relief of Americo Placidi; to the Committee on the Judiciary.

H.R. 2625. A bill for the relief of Jose Pinto Repas; to the Committee on the Judiciary.

H.R. 2626. A bill for the relief of Giuseppe Russo; to the Committee on the Judiciary.

H.R. 2627. A bill for the relief of Manuel da Cunha Santos; to the Committee on the Judiciary.

H.R. 2628. A bill for the relief of Manuel Gil Santos; to the Committee on the Judiciary.

H.R. 2629. A bill for the relief of Saverio Scalzi; to the Committee on the Judiciary.

H.R. 2630. A bill for the relief of Giuseppe Scorsone; to the Committee on the Judiciary.

H.R. 2631. A bill for the relief of Palmira Silva; to the Committee on the Judiciary.

H.R. 2632. A bill for the relief of Battista Sorrentino; to the Committee on the Judiciary.

H.R. 2633. A bill for the relief of Paul Stavropoulos; to the Committee on the Judiciary.

H.R. 2634. A bill for the relief of Shwen-Sing Tai; to the Committee on the Judiciary.

H.R. 2635. A bill for the relief of Akira Takahashi; to the Committee on the Judiciary.

H.R. 2636. A bill for the relief of Giuseppe Talarico; to the Committee on the Judiciary.

H.R. 2637. A bill for the relief of Calogero Tardanico; to the Committee on the Judiciary.

H.R. 2638. A bill for the relief of Vincenzo Francisco Taverna; to the Committee on the Judiciary.

H.R. 2639. A bill for the relief of Pietro Evarista Tonolini; to the Committee on the Judiciary.

H.R. 2640. A bill for the relief of Goon Wing Wah; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2641. A bill for the relief of Rafael Hernandez-Rangel; to the Committee on the Judiciary.

H.R. 2642. A bill for the relief of Ezatolla Partovi; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 2643. A bill for the relief of Leonard Ronald Currie; to the Committee on the Judiciary.

H.R. 2644. A bill for the relief of Pietro Giuseppe Serini; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 2645. A bill for the relief of Mesaros Mihalj; to the Committee on the Judiciary.

By Mr. BOGGS:

H. Res. 107. Resolution to refer the bill, H.R. 1507, entitled "A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight" to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Res. 108. Resolution referring H.R. 1390 to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

MORE THINGS ARE WROUGHT BY PRAYER THAN THIS WORLD DREAMS OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. BRAY. Mr. Speaker, tomorrow the Congress of the United States will have the high honor of holding a joint meeting to welcome Col. Frank Borman, Capt. James A. Lovell, Jr., and Lt. Col. William A. Anders, America's three astronauts who have just completed the most magnificent and significant journey ever undertaken in the history of mankind. They will stand before the U.S. Congress, as they have stood before the American Republic and the rest of the world, as symbols of the synthesis and application of the total knowledge and skill thus far amassed and attained by the human race.

The quotation above, that heads these remarks, was spoken by the dying King Arthur tc Sir Bedivere in Tennyson's "The Passing of Arthur," and summarize the faith that man has in his Creator, and the acknowledgment by man that in his span of years he will often stand in an attitude of awe and wonder before things and sights that there is much he never will know, and much that he cannot hope to fathom. Man must "lift up his eyes unto the hills."

It was surely in this sense that Astronaut Borman read the following prayer from Apollo 8:

> Give us, O God, the vision which can see Thy love in the world in spite of human failure. Give us the faith, the trust, the goodness, in spite of our ignorance and weakness. Give us the knowledge that we may continue to pray with understanding hearts and show us what each one of us can do to set forth the coming of the day of universal peace.

Hope and faith; without them man is nothing and with them man knows he can look forward. Mankind's hope and faith has been expressed in many moving ways; one is as follows:

> And God shall make thy soul a glass
> Where 18,000 eons pass;
> And thou shalt see the shining worlds
> As men see dew upon the grass.

Christmas Eve, 1968; behind them, hanging in space, the three astronauts of Apollo 8 could see a sight human eyes had never seen before—the "shining world" of earth, viewed from almost a quarter of a million miles. Below them, just 70 miles away, was the surface of the moon, 18,000 eons old—and more—in its age of 4½ billion years.

The moment was in its way equivalent to that unknown and unrecorded instant, buried no one knows how many millions of years back in time, when for the first time some early man saw the full moon rise into the sky, and stretched out his hands toward it, half in fear, half in hope. It was a beginning, once again, and as Apollo 8 moved into the lunar sunrise, a waiting, watching, and listening earth heard the voices of the three astronauts reading the first 10 verses of the first chapter of the Book of Genesis:

> In the beginning God created the heaven and the earth. And the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters.
>
> And God said, Let there be light; and there was light.
>
> And God saw the light, that it was good; and God divided the light from the darkness.
>
> And God called the light Day, and the darkness he called Night.
>
> And the evening and the morning were the first day.
>
> And God said, Let there be a firmament in the midst of the waters, and let it divide the waters from the waters.
>
> And God made the firmament and divided the waters which were under the firmament from the waters which were above the firmament; and it was so.
>
> And God called the firmament Heaven. And the evening and the morning were the second day.
>
> And God said, Let the waters under the heaven be gathered together into one place, and let the dry land appear: and it was so.
>
> And God called the dry land Earth; and the gathering together of the waters called the Seas; and God saw that it was good.

During World War II it was said, often, and, I think, correctly, that "There are no atheists in foxholes." Communist cynicism and irreverence aside, neither are there, nor, I believe, will there be, in space. The prayer and the recitation of the stately, moving, and cadenced verses of the Book of Genesis by the crew of Apollo 8 were the first, but certainly will not be the last, open admissions of what every man will surely feel—and reflect upon—as he enters into the incredible vastness on journeys uncharted, over distances immense, into a void without boundaries.

And while, with silent, uplifting mind, I've trod, That high, untrespassed sanctity of Space, Put out my hand, and touched the face of God.

TRIBUTE TO STAN BAHNSEN

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. SCHERLE. Mr. Speaker, Stan Bahnsen, a pitcher for the New York Yankees, has achieved the honor of being selected the 1968 American League Rookie of the Year.

This is the first time anyone from my congressional district has attained this distinction. We are all pleased and very proud of his performance as an athlete.

On January 9, the citizens of Council Bluffs, Iowa, will pay tribute to Stan for his outstanding accomplishments. We appreciate the opportunity to "show off" our honored citizen. We are grateful for the fame he has brought to his hometown and the State of Iowa.

America's leadership rests in the hands of the youth typical of this fine young man who has the ability to excel. Stan Bahnsen has demonstrated this leadership through his dedication to perfection in his chosen field, a baseball career.

My colleagues, I commend his feats to you and ask that you join with me and the people of Council Bluffs, Iowa, in their salute to the American League Rookie of the Year, Stan Bahnsen.

OPPRESSION CONTINUES IN GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. FRASER. Mr. Speaker, reports continue to appear in some segments of the American press on the relentless oppressiveness of the military regime that has ruled Greece since April 1967.

One such report appeared in the January 6 issue of the Nation magazine. The report, datelined Strasbourg, France, was written by James Becket. Mr. Becket is a Harvard Law School graduate who is studying for an advanced degree at the University of Geneva. He is a young man who is intimately familiar with developments in Greece since the coup.

Mr. Becket's article tells a very human side of the hearings now underway before the European Human Rights Commission on charges against the Greek junta of violating the European Convention for the Protection of Human Rights and Fundamental Freedoms. The article follows:

Greek Junta on Trial

Strasbourg, France.—In September of 1967 the governments of Norway, Sweden, Denmark and Holland filed an application with the European Human Rights Commission charging the Greek junta with violating nearly all the basic articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The case dragged on for more than a year through purely legal and procedural stages, but last month when a subcommission convened in Strasbourg to hear testimony on torture, the human element of human rights burst upon the commission. The French provincial city was the scene of a drama reminiscent of both James Bond and the Keystone Cops. Two witnesses brought by the junta escaped their guards. Rushing about Strasbourg all week were officers of the French Sûreté, armed junta thugs, international lawyers, Greek exiles and hordes of journalists. Not only is the case on its way to becoming a landmark in the history of the international protection of human rights, but it has assumed an immediate political importance.

The European Commission on Human Rights came into existence after World War II. Empowered to hear cases brought by individuals or member states, the basic functions of the commission are to find the facts of a dispute and to attempt a "friendly settlement." It has not been easy for the Scandinavians to press the case. Not only has pressure from many quarters been exerted on them to abandon their efforts, but it has been difficult to find witnesses outside Greece who were willing to testify, especially witnesses who had been tortured. The junta does not permit anyone who has been tortured to leave Greece, and recently they have been forcing torture victims to sign declarations that they were well treated.

The delegation of the Greek regime flew from Athens to Paris on Saturday, November 23. In this delegation of forty-nine which took the train to Strasbourg were not only lawyers and witnesses but members of the Greek security police, the military police (ESA), the Greek CIA (KYP), and *pistoleros* attached to the Prime Minister's office. Three of the witnesses were soon to find themselves on the front pages of the world press—two because they appeared before the commission and one because she didn't.

On Sunday Constantine Melitis, 33, a grocer from Salonika, and Pandelis Marketakis, 38, a car mechanic from Crete, sat with their guards in the hotel dining room puzzling over the menu. A Greek came up and offered to help. This man belonged to Andreas Papandreou's Panhellenic Liberation Movement (PAK). Through him the two witnesses found the chance they were looking for; they managed to elude their guards and arrive at the Grand Hotel to ask the Norwegian delegation for protection. The story had still not broken on Monday when an emissary of the junta came to the Grand Hotel "on his own" to ask that the "kidnapped" witnesses be handed over for "humanitarian reasons."

The two witnesses turned out to have quite a story to tell. Melitis had been the driver of the car in which a leftist deputy named Tsarouchas was arrested last May between Salonika and Athens. Melitis was savagely beaten, his cheekbone shattered, but at least he arrived alive in Salonika. Tsarouchas died of a "heart attack." Melitis broke under the KYP tortures of *falanga* (bastinado), mock execution, and worst of all electric torture when electrodes were attached to his genitals. Marketakis, who lost an eye fighting the Communists in 1948, was arrested in Crete after an explosion in a factory. He went through seventy-five days of systematic torture, nearly dying of internal bleeding. When both men were finally released, the police spread the story that they had betrayed their comrades. Isolated and without work, they were cultivated by the police, who planned to use them as prosecution witnesses whenever needed. Given the ever-present threat to their families, the police believed they could count on them. They were brought to France as "tame" witnesses.

The subcommission began hearing evidence on Monday morning in a highly charged atmosphere. Proceedings before the commission are absolutely secret. (It is doubtful that any sovereign state would sign the Convention if they were public.) However, the witnesses themselves, if unable to tell what happened inside the commission, were able to relate their experiences in Greece. Lieutenant (j.g.) Marotis-Lanas of the Greek Navy's South Aegean Command, formerly in charge of the junta's security office of Pireaus and the Aegean islands (he defected after the King's coup) told of watching Greeks being tortured, told of picking bodies up on the beaches around Athens, and told of a secret interrogation center in Agios Paraskevas, near the American College, where the camp commander proudly showed him his latest torture equipment. (The Greek delegation admitted the existence of this hitherto secret camp, but claimed it was a NATO camp for "interrogating" Eastern Europeans.) The witness also told of a police list of nearly 1,000 names of those in hiding who were to be killed on capture. (Tsarouchas had been on the list.) Most important as to direct junta responsibility was Lieutenant Marotis-Lanas' testimony that in his presence Minister of the Interior Pattakos gave orders to torture and kill specific persons. Miss Kiti Arseni, 30, told of her nightmarish torture a year ago on the notorious "terraza" of the Bouboulinas Street Security Police Station. Arrested for passing along a "freedom poem" of Theodorakis, she suffered *falanga* as well as being beaten all over her naked body with a plaited steel wire. The climax was when her brother, an army draftee, was brought in and forced to beat her himself. Even those observers who knew about torture in Greece were shocked by the picture that emerged. Rather than the work of an occasional Balkan sadist, it is a highly programmed modern enterprise.

On Wednesday morning the two Greek *transfuges* left the Grand Hotel under heavy police escort, ran the gauntlet of television and press to enter the modern commission building where armed Greek heavies and Council of Europe police milled about the corridors. The French, aware that the Greeks were armed, were under orders from Paris to avoid any incidents on the premises. After the witnesses had testified, they were whisked back by the *Surété* to their original hotel to retrieve their luggage. In a dramatic confrontation, the head of the Greek delegation, Mr. Koutoupis, told Marketakis: "For what you have done today your children will pay."[*]

The drama then shifted to the fate of a third Greek witness, Miss Zaira Peta, who never appeared before the commission. (She had been in Bouboulinas at the same time as Miss Arseni.) Sunday she was in tears at dinner and each time she left her room she was flanked by two Greek guards. At least one journalist was roughed up for inquiring about her. Wednesday Miss Peta disappeared. The Greek delegation gave out three different stories as to why she was unable to appear: she was sick, her sister was sick, and business commitments necessitated her immediate return to Athens. Miss Peta is a seamstress.

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[*] A Reuters story of December 18 reported that Mr. Marketakis was in London, accompanied by Greek Government officials, en route from Stockholm to Athens. His official "interpreter" said that Marketakis retracted allegations of torture. alleged that he had been kidnapped by "Communists in Strasbourg," and had been forced to say what he did under the threat of "twenty revolvers." The Greek Embassy in Stockholm also announced that he had been held earlier in Norway by "twenty anarchists" (a number apparently favored by junta spokesmen). Before turning him over to his countrymen, the Swedish police questioned Mr. Marketakis, who however, mantained that he was returning home of his own volition.—*The Editors.*

Meanwhile the case gradually proceeds. More evidence on torture is being heard in mid-December, then the commission plans to hear witnesses in Greece. If a "friendly settlement" is not reached (and it is difficult to imagine how wholesale torture and murder can be subject to this formula), the commission will submit a report to the Council of Ministers, which is made up of the Foreign Ministers of the Council of Europe countries. After a three-month waiting period, they will seek a solution.

For international law and the developing international protection of human rights, this case is an important test. Here the concepts of national sovereignty and human rights clash. Before leaving Greece, Marketakis and Melitis had been told that foreigners were attacking Greece and that they would go to the Greek consulate in Strasbourg to give testimony. True, they had been beaten some themselves, but that was between Greeks and abroad they would be patriots. The existing aspect of this case from the standpoint of human rights law (as well as from the standpoint of the victims) is that it *is* a Norwegian's business when a fellow European's human rights are violated. The question remains whether the rather fragile international mechanism can bear the strain of this case, the most important it has ever faced. The Greek investigation will make or break the commission. If it is unable to protect such basic human rights as the right to be free from torture, it will be exposed as an institution able to handle only procedural issues which provide articles in learned legal periodicals. The case is dynamite for its political implications—not only in Greece, where heads are sure to roll as a result of last month's fiasco but also in Europe and the Atlantic Alliance.

Even though this is supposedly a European matter, the proceedings were held under the long shadow of the United States. American diplomats at such institutions as the Council of Europe, the Common Market and NATO have put considerable pressure on the Europeans to ease up on the Colonels. The United States argues that "communications must be kept open" with the Papadopoulos regime. If the allies were to push too hard, dangerous hard-liners might take over. But given the situation in the Mediterranean, stability not democracy has top priority. Observers at the Council of Europe, believing that NATO calls the tune, are pessimistic that the Council of Ministers would act even on a finding of genocide by the commission if it opposed what the United States conceived its NATO interests to be. But pressure is building up on the Colonels and the Americans. After the drama of Strasbourg, the one newspaper in Norway which has been sympathetic to the Colonels, the conservative *Morgenblatt* wrote: "NATO must choose—Greece or Norway."

A second article worth noting, Mr. Speaker, appeared in the latest issue of News of Greece, the bimonthly newsletter of the U.S. Committee for Democracy in Greece.

This report summarizes the pertinent details on the Greek constitutional referendum of last September 29 and the subsequent public protest November 3 at the funeral of former Prime Minister George Papandreou. It is clear from the account of these two "plebiscites" that the face of Greece that the junta would like to present to the world sometimes has far different features from the country's true face. Following is the second article:

Two Plebiscites

THE FALSE PLEBISCITES

Predictably, the "plebiscite" of September 29 resulted in an overwhelmingly favorable vote for the constitution proposed by the junta, who counted the votes. In most rural areas, where the conduct of the voting was not subject to foreign scrutiny, the "yes" vote approached 100 per cent; in some it may have exceeded that figure. Each voter was given a "yes" and a "no" ballot, one of which he had to deposit in the ballot box. In rural areas the knowledge that the local gendarme might ask to see the remaining ballot—even if in fact he did not—was probably quite sufficient to discourage dissidence.

In the Athens-Piraeus area, however, there were foreign observers at many polling places. Only 77.3 percent of the voters were officially reported to have voted "yes." Even more significant, 22.3 percent of the voters in the country as a whole abstained, in spite of the fact that the junta had made voting compulsory under pain of imprisonment and other penalties.

The promise that the referendum would be conducted under conditions of "absolute freedom" was half-kept, a rather higher percentage than was usual for the junta's promises; anyone who wished to urge a "yes" vote was completely free to do so. For opponents, the story was different. After having promised to release political leaders from imprisonment and house arrest so that they could debate the proposed constitution, the junta did indeed, release seven of all those it held, one week before the vote—with a warning that if they said anything they would be immediately rearrested. And an American family, who displayed a "no" in their car window, were pursued into the U.S. Embassy by the Greek police. This resulted in an official American protest and an apology from the junta.

But the Embassy offered no sanctuary to eight million Greeks, and they received no apology from the junta.

And after

The junta did not wait long before taking action against those who had defied it by staying away from the polls. To be sure, it could scarcely put a quarter of the Greek voters in prison. But it announced that those who had not voted must submit written explanations to the police. Those who could not present doctors' certificates, to prove that they had been sick, were debarred from obtaining or renewing driving licenses or automobile circulation permits; they were also not allowed to sell their cars.

Three Greek citizens filed suits to annul the elections. One of them told the Supreme Court that, after he filed suit, Deputy Premier Pattakos threatened to imprison him if he did not withdraw it. Another of the petitioners, Manolis Glezos, was already imprisoned, as he had been since the coup. But the Supreme Court—which had been purged and packed with the junta's adherents—threw out all three suits; a "revolutionary" government, it ruled, had the right to make its own laws.

Meanwhile, nothing has changed; the provisions of the new constitution for the formation of political parties, the holding of elections, and the protection of even minimal civil liberties, remain suspended. Martial law continues, and courts-martial enforce it. And the junta continues to amend its new constitution by decree.

THE TRUE PLEBISCITE

On Sunday, November 3, the people of Athens reaffirmed their loyalty to George Papandreou, and to the democracy which he symbolized. They filled the Cathedral for the funeral services and at least 50,000 of them gathered outside in Constitution Square, while another 250,000 or more lined the route of the funeral procession.

The junta had offered to give him a state funeral, complete with contingents of the armed forces; it sought to imprison him behind its bayonets in death as it had for so many of the last months of his life. But neither in life nor in death did George Papandreou compromise with the oppressors of his country. His family rejected the offer of a state funeral and insisted on a private one, attended only by those who were closest to him—the people of Greece.

In the cathedral, Panayotis Kanellopoulous spoke for all who love liberty, in Greece and elsewhere. He declared: "I bow before George Papandreou in the name of our past conflicts, all of which took place within the arena of democracy." Other political leaders, ranging from Mikis Theodorakis to Constantine Karamanlis, sent wreaths. Outside, the crowd chanted the name of Papandreou, as they had at the great meetings he addressed between July 1965 and the colonels' coup.

The square was filled with shouts of "Democracy" and "You will always be our leader!" Along the route of the funeral procession, Athenians called out: "Today is the day we vote no!" And at the grave several hundred young people took up the shout: "The giant is fallen! He leaves an heir, Andreas! Liberty! Liberty!" Others cried out: "Papandreou, now you are free!"

And after

It was a demonstration whose meaning nobody could mistake, even the junta's megaphone Byron Stamatopoulos, who told reporters that "only a few hundred" demonstrators had turned up. The police sought to contain the crowd and to avoid a clash whose outcome would have been unpredictable. Only toward the end did they beat some demonstrators and make some forty arrests on the outskirts of the throng; two days later the Athens court-martial gave twenty-nine of those arrested prison terms ranging from eighteen months to four years and eight months.

STRENGTHENING THE UNITED NATIONS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. EDWARDS of California. Mr. Speaker, the year just passed was marked by violence, destruction, and fear. I think most people were glad to see the year end, and no matter who each would have preferred for President, our prayers for President-elect Nixon are fervent. We are appalled at the prospect of more Vietnams, and we know that the United States is not really protected by our present nuclear superiority, for it is based only on a balance of terror.

We are, therefore, hopeful that our new President's pledge to strengthen the United Nations will be honored decisively and powerfully. The leading newspaper in my congressional district, the San Jose Mercury and News, recently contained an excellent editorial on this matter which I commend to my colleagues:

Nixon and the U.N.

President-elect Richard M. Nixon this week reaffirmed the intention of his administration to work within and to strengthen the framework of the United Nations as a force of peace.

The thing won't be easy to do, but if a means can be found to do it, the American people would surely give Richard Nixon a second four years in the White House on the strength of that one accomplishment alone.

A "return" to the United Nations, if it can be called that, would accord wholly with the present temper of the American people, who want no more Vietnams and who wish nothing more fervently than to find a way to reduce the world-policeman role which has evolved on the United States.

The problem arose originally, of course, because the United Nations post-Korea ceased to be an effective international policeman. The United States, convinced of the necessity of stemming the forcible export of "wars of national liberation," stepped into the breach. It has been a bloody, expensive and unhappy affair, and the American people would vastly prefer to be in some other business if the transition can be managed with safety.

It might just be possible, and it might just be that Richard Nixon is coming to the White House at the right time to make it possible.

The world today is far different than it was when the U.N. sent armed forces to counter Communist China's at first covert and then overt invasion of South Korea. It is a different world both for the free nations and for the Communist bloc nations, and it is this fact that gives Nixon greater opportunity for diplomatic initiative.

The giants of world communism have seen events within their spheres of influence force changes in the direction of their own dynamism. They are no less interested in world revolution today—as a theoretical concept—than they ever were. However, as a practical matter, they have more immediate and pressing problems. For the Soviet Union there is the matter of security in Europe and Asia coupled with rising expectations on the part of the Soviet peoples. For China, there is the fierce struggle of the Maoist succession, economic stagnation and security along its Soviet borders.

Nobody, east or west, wants a nuclear war, and the spread of the nuclear capability seems only to strengthen the balance of terror. Fear of mutual destruction may not be the noblest of motives, but if it preserves the human species it will do until something nobler comes along.

In the meantime, the U.N. should, of course, be reorganized so as to deal more effectively with international discord. The time may be ripe for the Nixon administration to advance this cause—as beneficial to the nation and to the world at large.

REPORT TO SPONSOR

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. BOGGS. Mr. Speaker, the following are the reports of two fine young citizens of my district, Miss Clothilde Cheramie and Mr. Jules Cochiara, Jr., who were delegates from the Joseph Roberts, Jr., American Legion Post No. 344, of Lafitte, La., to a statewide meeting of young people in my home State this past year. Their reports contain a great deal of information on the subject of good citizenship and, I think, reflect the attitudes of the vast majority of responsible young Americans. I know that the following will be of interest to my colleagues:

REPORT TO SPONSOR

(By Clothilde Cheramie)

Father Lorio, Commander of the American Legion, President of the American Legion Auxiliary, Congressman Hale Boggs, members of the American Legion and Auxiliary, Honored Guest and friends.

The purpose of Pelican Girl's State was to educate us, as young citizens in the duties, privileges, rights, and responsibilities of American Citizenship. We obtained this education by actually performing the duties and using the privileges and rights of an American citizen. From the time I became a citizen of Pelican Girl's State, I put everything I had into it, so that I could do my part in making the 1968 session of Pelican Girl's State one of the best. But it didn't end when Pelican State ended. It was only the beginning. What I have gotten out of Pelican Girl's will be carried on through the rest of my life.

When we look back at that long week, we think of all the times we were tired and sleepy and physically and mentally exhausted, but we also remember all the good things we brought home with us which outweighs the bad times, the vast amount of knowledge about government, political parties, and civil offices which we hadn't had the slightest idea about before. We cherish the friends we made in such a short time and cried when we had to part with them.

I realize now how fortunate I was to be selected as one of the top 600 girls in the state of Louisiana, and I would like to say this: we see and hear about all the riots and demonstrations the teenagers of today are supposed to be responsible for, and we shake our head and condemn all because of a small minority group compared to the number of teenagers in our country today. I said minority because they only make up a minority because the majority is made up by teenagers who love their country and are proud to be a part of this great country just as you are.

It was great to come in contact with 1200 boys and girls who feel this way about their country. I think Pelican State makes you stop and realize that it is now your turn to take the responsibilities upon yourself as a young citizen of your country. They say that you come back from Pelican Girl's State as a changed person, I don't think you actually change but rather the real you comes out, the one that you've been hiding and now have the chance to express. I would like to describe Pelican Girl's State as a Great Emotional experience which is rare to come upon.

Now I would like to take this opportunity to thank each and everyone of you who made it possible for me to be a citizen of the mythical 51st state, Pelican Girl's State, something which I will remember and treasure for the rest of my life.

REPORT TO SPONSOR

(By Jules Cochiara, Jr.)

Commander, Madam President, Father Lorio, Congressman Hale Boggs, members, honored guests and friends.

I come here tonight feeling like a fellow veteran. The reason for this is because during my stay at Pelican Boy's State, I marched so much I thought I was in the army. Let me give you an example of one typical day. Starting off early in the morning (7:00) a march to breakfast, from there we marched to convocation, another march to our city hall for city elections, such as mayor, commissioner of finance, city judge and so on, marched back to lunch, then to convocation again, from there to athletics and supper.

The one thing left out of our schedule, was sleep, we were fortunate, if we averaged two or three hours a night, but all kidding aside there were also the good times I had. The Governor's Ball, our visit to the capitol and making new friends, were among the few.

The two days I disliked the most were the first day when everything was new to me and the last day, when I had to bid farewell to Pel State and all my new friends, the rest of our days were filled with participation in government and the realization that we the youth of today will be the citizens of tomorrow and hold the future of our Country and responsibility in our hands, therefore we must dedicate our aims towards, good citizenship, steadfastness, honesty, firmness, but fairness for all, and never forget love for our truly great country and our fellowmen.

In accomplishing this, surely we will all live in peace and happiness, so we, the young citizens of today must and will let no one nor anything swerve us from our great goal.

I want to sincerely thank the American Legion—Joseph Roberts, Jr. Post No. 344 for giving me the opportunity to go to Pelican Boy's State.

MULTILATERAL AID NEEDED

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, the United Nations development program has compiled an impressive record in the past decade, but now stands in peril of being unable to continue its multilateral assistance effort because of a shortage of funds.

Mr. Paul G. Hoffman, the able and dedicated administrator of the U.N. development program, has expressed the fear that a reduction in funds for the program could seriously hamper this effort to aid international development.

I should like at this time to insert into the RECORD an editorial published in the New York Times concerning the need for multilateral aid, as well as an article published in the December issue of Pre-Investment News concerning an address by Mr. Hoffman.

The editorial is first, followed by the magazine article:

[From the New York Times]

MULTILATERAL AID NEEDED

Paul G. Hoffman, apostle and long-time practitioner of international development, marked his tenth anniversary as an administrator of United Nations development efforts last week in an atmosphere of increasing gloom.

The former Marshall Plan administrator and Ford Foundation president can be proud of the accomplishments of the U.N. Development program which he heads. Of the 44 countries in which the U.N. has substantial programs, 25 can boast growth rates in excess of the 5 percent annual target. The average is a respectable 4.7 percent.

To sustain this effort, however, and to take advantage of expanding opportunities and demands for development, Mr. Hoffman believes the developed countries should double the present level of assistance. The prospects for such an increase are not good. Indeed, there is real danger of a reversal in the steady growth of development aid.

U.N.D.P. itself had projected a budget of $200 million for the coming year, a modest increase of about $17 million. But today, nearly two months after the annual pledging session, U.N.D.P. has still received no new commitment from its leading contributor, the United States.

The Johnson Administration, which had planned to increase its pledge to $80 million this year, has been seriously embarrassed by Congressional cuts in the foreign aid budget. Nevertheless, funds should be found—and quickly—to sustain this vital multilateral assistance effort, at least up to last year's $75-million level.

Continuing American delinquency threatens to undermine what has proved to be, under Mr. Hoffman's brilliant management, a remarkably successful program encouraging other nations to share more fully the burden of international development.

[From the Pre-Investment News, December 1968]

UNDP ADMINISTRATOR PREDICTS VICTORY IN WAR ON GLOBAL WANT

A belief that the war on global want will be won and that the groundwork for this victory has already been laid, was expressed by the UNDP Administrator Paul G. Hoffman when he addressed the Second Committee (Economic and Social) of the United Nations General Assembly in New York.

He said major and relatively rapid progress could now be made against hunger, disease, ignorance, unemployment and other causes of human frustration and suffering.

These prospects should be given their due weight, since undue disillusion with the effectiveness of development aid and undue discouragement with the pace of development progress could endanger the entire development effort.

Mr. Hoffman said there was a growing realization that the responsibility for speeding development progress rested with equal weight on all countries. Poverty did not stem from a lack of natural or human resources in low income nations, but from a "great under-utilization" of these resources.

Another growing realization during the 1960's was that adequate pre-investment and technical assistance played a unique and indispensable role in the whole development process.

UNDP GROWTH

Outlining the UNDP's growth, Mr. Hoffman said that the UNDP's combined commitments for pre-investment and technical assistance had risen from $129 million in 1959 to $467 million in 1968. There had also been a steady increase in voluntary contributions from nations in all stages of development. These contributions had risen from $20 million in 1950 to $183 million in 1968.

There had been 40,000 fellowships granted for study abroad by the UNDP, and a total of 400,000 persons had been trained for essential occupations in their own countries.

As to the future role of UNDP, he said the UNDP Governing Council had begun a study to establish the size and nature of the needs of low-income countries as well as the capacity of the programme and the participating agencies to provide substantially increased services. The first phase of the study—a projection of developing countries' needs—was completed during 1967. The second phase, dealing with the capacity of the UNDP system, was now underway.

The study demonstrated with reasonable reliability the magnitude of valid needs for UNDP assistance. It also showed the need to greatly increase pre-investment and technical assistance both from the UNDP and other sources.

Analysis of countries with an annual growth rate of 5 per cent in their gross national product illustrated that the flow of external resources to these countries had been roughly twice as large as the flow to those countries with a lower growth rate. There was general agreement, he said, that all external resource flows should be doubled, as the World Bank had planned.

Because of the present leveling off of foreign aid, it was logical to assume that much of the added resources needed by low-income nations would have to come from loans granted at normal commercial rates and from public and private investment.

GOOD MEN ARE NEEDED TO SAVE MERCHANT MARINE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. WYATT. Mr. Speaker, as one who represents a leading historic maritime district of the west coast, I have been long concerned with the decline of the U.S. merchant marine. In the January issue of the National Maritime Union publication, the Pilot, there is a forthright analysis by Hoyt S. Haddock, executive director of the AFL–CIO Maritime Committee, of why this has happened. His column explains how President Johnson, despite his good intentions, has ended up with, in Mr. Haddock's words, "a sorry record of futility in maritime affairs." To avoid the same fate, Mr. Haddock believes that our new President must appoint men of stature who are dedicated to saving the U.S. merchant marine. I, for one, hope that Mr. Nixon will follow this course of action. I commend Mr. Haddock's words to the attention of all those interested in maritime affairs and include his article in the RECORD, as follows:

WASHINGTON LOOKOUT: CAN THE PRESIDENT-ELECT FORCE A BREAKTHROUGH IN MARITIME?

(By Hoyt S. Haddock)

This is being written before President-elect Nixon has announced his selection of a Secretary of Defense, Secretary of Transportation, a Maritime Administrator and other posts of power that relate directly to maritime affairs. Who these men will be and what mandate they will have under which to operate will be of paramount importance to the future of the U.S. merchant marine.

The President-elect is known to be—"determined" is the word used by a House Republican who has conferred with Mr. Nixon—to restore the American-flag merchant marine to its days of past glory. I believe, from what I know, that this is an accurate estimate.

Nevertheless, it will take competent officers and front-rank administrators of a like bent to make what is hope on Mr. Nixon's part into something resembling reality. If he does not appoint men determined to do something about the merchant marine, Mr. Nixon will end, as Mr. Johnson did, with a sorry record of utility in maritime affairs.

The case of LBJ. The example of the outgoing President is a stark case to illustrate this point. President Johnson came into office out-spokenly determined to restore our slipping merchant marine and made a notable speech to this effect in early 1965.

You know all too well what happened. Mr. Johnson's Secretary of Defense, Robert S. McNamara, did not happen to share his views. McNamara was perfectly content with such U.S. maritime-destroyers as flags-of-convenience and the effective control concept. He had no real intention of attempting to restore American-flag shipping. And his subordinates—such as Joe Califano, who later went to the White House as chief domestic troubleshooter—either shared his views or went further. Result: the Defense Department at best did nothing to strengthen the merchant marine; or, at worst, actively attempted to further weaken it, most notably in its unsuccessful attempts to get Congress to approve Fast Deployment Logistic Ships.

Nick's mare's nest. Another unfortunate example is Nicholas Johnson, the then 29-year-old Texan whom President Johnson named as MARAD Administrator in 1965. With absolutely no maritime background, Nick Johnson attempted a sweeping complete reorganization of the entire U.S. maritime structure. The result was chaos and stalemate until President Johnson eased his unrelated namesake out by appointing him to the Federal Communications Commission. The entire U.S. merchant marine was set back by this appointment.

The third unhappy example is, of course, Secretary of Transportation Alan S. Boyd. Late last year Congressional maritime leaders such as Senators Warren G. Magnuson and E. L. (Bob) Bartlett and Congressman Edward A. Garmatz got tired of waiting for the Johnson Administration to present its long-promised maritime program, and carefully drafted merchant marine revitalization legislation of their own. What is more, they did it in cooperation with Boyd and the White House in the understanding that it would have Administration backing when introduced in Congress.

Boyd's butchery. Again, you know what happened. When Boyd was called to testify on the legislation before a Senate Subcommittee last May, he marched up to Capitol Hill to denounce the bill he had reportedly helped draft in November. As a further insult, he presented a so-called Administration substitute bill that was ridiculously inadequate and non-germane to the industry's real problems. The howls of outrage and "double-cross!" that went up from maritime supporters in Congress could be heard as far away as the New York waterfront.

The result, naturally, was that nothing happened. Even though Congress contains a clear majority of merchant marine supporters, they realized it was not possible to pass the legislation under the Administration's determined opposition. Thus, the bill, which had been brought forth with brave heraldry, died a sorry whimpering death. So—thanks to his own subordinates—President Johnson's record in maritime affairs must be recorded as a significant minus.

Will the new President learn from history? Let us hope that President-elect Nixon knows and understands this recent past history when he appoints the men who will be responsible for maritime. If they do not share his stated views, good intentions and brave hopes will come to naught.

But if he does appoint people determined to revive American-flag shipping, he will find a friendly climate both on Capitol Hill and in the maritime industry to get the job done. With desperate necessity usually being the motivating force the time is now right for making such a breakthrough.

MR. GUY LINCOLN SMITH

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. DUNCAN. Mr. Speaker, during the adjournment of Congress, Tennessee suffered a great loss in the passing of the editor of the Knoxville Journal, Mr. Guy Lincoln Smith. Thus, it is only fitting that during the opening days of this new Congress we pay honor to the memory of this great Tennessean and loyal American.

Guy Smith was a hard-working leader, a well-known journalist and editor, a friend and critic of government, a faithful citizen and dedicated American. He was a Republican and led the Republican Party as Tennessee's chairman for several years. But, he was willing and ready to counsel all who sought his advice and he kept an eye on everything the Congress did. He was our friend and our adviser.

As editor of east Tennessee's largest morning newspaper, his editorials reached a quarter of a million people and his opinions were held in high esteem for he was not afraid to point out the fallacies of our local, State, and Federal governments and his words, like his life, reflected insight, expertise, loyalty, and dedication.

The late Guy Lincoln Smith was a thinker, a planner, a leader—not a meek follower. He was a man of high ideals and with all his strength and abilities supported this democracy of ours. Our world is better for the time he spent on this earth and our loss is shared by future generations who will never have the honor to consult him, to hear or read his words of wisdom.

A NEW ERA

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. PICKLE. Mr. Speaker, the successful lunar probe by Apollo 8 has ushered in a new era in man's history—an era that will be as significant to the future of mankind as any one singular discovery in history.

There is no doubt that astronauts Col. Frank Borman, Capt. James Lovell, and Lt. Col. William Anders will be remembered in history as the original trailblazers of the mysteries of the moon.

They have captured the imagination of the world. They are, indeed, heroes. I have been privileged to visit the NASA facility and meet with our astronauts. They are great Americans. Coincidentally, Astronaut Lovell visited my district—San Marcos, Tex.—last year and captured the hearts of the people who met him because of his friendliness and gentlemanly manner.

I am pleased that our Congress in setting aside Thursday to commemorate the performance of Apollo 8, and I welcome the opportunity to express my appreciation to the world's greatest space trio.

The success of Apollo 8 has brought us to a time of reflection and a time of searching as we continue in our conquest of the unknown.

Every bit of knowledge gained by man since the beginning of time has mirrored in the success of America's latest space effort. In the past few years, we have achieved more than any time in recorded history and we now stand on the threshold of discovery that is limited only by the bounds of our capacity.

I feel that now is the time we must give our most thoughtful effort to the direction and the goals we seek beyond the limits of our world.

There is a need for serious discussion and complex study in an attempt to forecast our course and aims.

To this end, I offer to the attention of my colleagues an editorial from the Christian Science Monitor which provides considerable food for thought along the lines I have mentioned:

[From the Christian Science Monitor, Jan. 7, 1969]

THE MOON AND ANTARCTICA

After the lunar landing within months, what happens to the American space program? No spectacular manned flights—to Mars for instance—are scheduled after that. Very much will depend on the views of President Nixon, the mood of Congress, the verdict of the American people concerning the value of further space adventuring.

The National Aeronautics and Space Administration currently is operating on an annual budget of slightly less than $4 billion. This is down a billion and more from the earlier massive space budgets. During his campaign, Mr. Nixon said the space program was "both indispensable and of major importance to our country." Since the election, his science adviser, Dr. Lee DuBridge, has said that NASA should be allowed to proceed with those spaceships and rockets already on order. He didn't say much about ordering new hardware for manned flights following the moon landing.

We believe that the American space program should receive steady support, but we also recognize that, right now, there are also priorities right here on earth—the problem of poverty, the plight of the city cores—which require strong and consistent funding. The space program should proceed at moderate speed, so that compelling earth-based needs can be handled at high speed.

This will not mean a dormant space program. NASA has projects ahead for instruments probes of Mars and Venus. They are not supercostly. After the moon landings (three in all), NASA will use the leftover rockets and spacecraft in what is called the Apollo Applications Program. This will include an earth-orbiting space station, and probably an eventual laboratory or station on the moon.

Meanwhile the United States Air Force will be busy with earth orbital missions, looking to the development of effective observational satellites and other items of military significance.

Would it not be possible, as America's eventual space aim, to see the moon treated much as Antarctica today is treated? That is to say, as a "continent" where nationality does not play a significant role. There could be a research station on the moon, manned the year around—not merely by Americans but by invitation to the scientists and technicians of other interested nations. And particularly the Soviets.

This would be an effective means of lifting mankind's sights beyond the ancient rivalries of earth.

FRANCE: FAITHLESS ALLY AND BETRAYER OF ISRAEL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. PODELL. Mr. Speaker, I observed with astonishment and dismay the action taken by De Gaulle's France in imposing a total embargo on spare parts and weapons for Israel. In light of the well-known fact that Israel's Armed Forces are mainly French in origin as far as equipment is concerned, this is a harsh glow, indeed. Surely the perfidy of the De Gaulle regime is cause for all freedom-loving Frenchmen to hang their heads in utter shame.

Is this the France of the Cross of Lorraine? Is it the France of Diderot? Of Montesquieu? Of Voltaire? Of Rousseau? Of Victor Hugo? Is this the France of the Tennis Court Oath? Or the France that has bled whenever freedom was at stake? Is this the France that sent a thrill of joy throughout the world when she brought an honorable finish to the shame of Dreyfus?

Does not Emile Zola's spirit and that of Clemenceau writhe in spiritual agony at the sight of their France—beloved France—selling their birthright for the favor of Arab despots?

How incredible. How degrading. How disgusting.

Here is the sight of a Biblical people, driven, despoiled, and ravaged for 20 centuries. After all the destruction visited upon them by generations of hatred, they saw it culminate in the utter carnage and horror of the Hitlerian era. Who can ever forget the agonies we all felt as the fruits of genocide were revealed. The Jews are the only people on our globe who have had visited upon them this practice.

But France also felt the heel of the Nazi jackboot. France was tormented for over 4 years by the brutality of the SS, Gestapo, and the vagaries of Himmler's desires. France sent her sons to feed the Nazi maw. France was pillaged and degraded by the occupation. Under the Arch of Triumph marched the German legions. Upon Napoleon's tomb Hitler gazed with unholy glee. At Compiegne he danced his jig of victory in the virtual shadow of Marshal Foch's railroad carriage.

Is the memory of France so short? Is her conscience so dead? Are there no Zolas in France today? Is there no justice in French hearts? Shall honest Frenchmen stand by and allow their government to perpetrate such an unconscionable outrage upon Israel?

Israel was founded as a refuge. Israel is a few thousand square miles of pitiful dirt and desert, made to flower by loving hands and toil of refugees from tyranny. She is defended by people who have no option but survival or annihilation. DeGaulle knows all this full well.

The Israelis have thrice turned the dreams of dictators into the ashes of defeat. Thrice she has been faced with the threat of annihilation. Thrice she has risen in righteous defense of her right to live. Thrice she has carried the banners of David to a triumph for democracy.

Israel is the living embodiment of ideals great Frenchmen have lived and died for on battlefields and barricades. Since the founding of Israel, France has often lived up to her beliefs by aiding her in her fight for survival. In return, Israel has kept the light of western democracy and civilization aglow in the Middle East. All efforts of Nasser and his Soviet allies have failed to extinguish it.

But now Israel is beset once again from all sides by assassins who strike in the night, and foes who threaten her frontiers. When she bleeds and strikes out at her tormenters, she does so in righteous wrath and self-defense.

The differences are striking. The Fedeyeen kill an Israeli with an act of piracy at an international airport in Athens. Just as they sought to prevent her from using sealanes in international commerce, so they seek to do the same for her right to use international airlanes.

In response, Israel strikes in Lebanon, insuring that no civilians are injured. The world rises in shrieking indignation at a convenient target. Not the Arabs who murdered, but the Israelis who retaliated.

This is the excuse De Gaulle's France now uses to deprive Israel of a supply of weapons, spare parts, and munitions. This is how she seeks to bare Israel naked to those who wait like slavering wolves to rend and tear and murder.

It was not enough for France to accept payment for airplanes from Israel and then fail to deliver them. It was not enough to take the side of Arab primitives who live and think in the style of the Middle Ages. It was not enough to bare France's nudity of conscience when the scales held an oil concession and Jewish lives. Now De Gaulle perpetrates this fresh atrocity.

De Gaulle's France is America's enemy. She has betrayed and injured the United States just as she seeks to betray and injure Israel. She drove us from our NATO bases, seeking to destroy that instrument of deterrence to Soviet aggression. She blithely tests hydrogen weapons, seeking to pollute our environment and play the deadly international game of nuclear politics.

She attacks the American dollar, then crawls back on her belly, crying for us to salvage what is left of the value of her franc.

She ignores her debts of wars of the past to us, forgetting even the moral obligation she owes this Nation and England. Her President delivers a deadly insult to our country by dishonoring celebrations at Normandy of the invasion of Hitler's Festung Europa. De Gaulle did not even deign to honor thousands of dead Americans who lie buried above the beaches there.

She stirs up the sleeping horrors of French nationalism in Canada by interfering in the internal life of a sovereign state which has gone to her defense in two world wars.

She lies like a dog in the European manger, refusing entry into the Common Market to England, who bled for her, helped free her, and seeks to enter peacefully into a European economic union. It is perhaps the last best hope for a cure to the disease of European nationalism that has twice almost destroyed the world.

She sits today as the very negation of what her democratic tradition has always stood for. She stands forth today as a nation that eagerly cavorts by the side of any despot, be they Arab or anti-American, or Soviet, if there is harm to be done to our country, sop to be gotten for her frustrated ego, or a franc or two to be turned.

As we have sought to unravel the Vietnam puzzle, suffering our own agonies there, De Gaulle's France has smugly sat on the sidelines, enjoying our discomfiture, and cheering on those who daily shed the blood of our beloved sons. Forgetting all the while that France's benighted colonialism and naked imperialism were prime causes of that entire situation to begin with.

We entered the Vietnam quagmire because of her botching of a war that she created through brutal exploitation and gross incompetence.

I state here and now that it is time for the United States of America to give the back of its hand to De Gaulle's France in no uncertain terms. It is time we stand up and show our contempt for her actions and our intention to frustrate her drives. Millions of Americans would applaud such activity.

Shall we allow this third-rate power, led by an aging egomaniac who thinks in 19th-century terms, to gore us and place a tiny democratic state in the path of immediate disaster?

Shall we not show our displeasure as citizens and as a body which has some alternatives as far as our Nation's policy toward France are concerned? Certainly, it is my intention to do so. Certainly, French actions shall not be forgotten in times to come.

It is my enduring hope that the spirit of a different France will emerge. It is my deep desire to see the spirit of the France I have loved come to the fore and seek to do justice as in the past. It is my hope that the memory and spirit of Captain Dreyfus will sit and walk and lie by General de Gaulle from this instant on. May he be joined by the spirits of those Israelis who have been foully murdered by Arab assassins striking from the night. May they be joined by the spirits of those American soldiers who sleep in French soil, and who De Gaulle showed contempt for.

From this reaction may the sleeping spirit of a democratic France bring back to life the ideas and actions that will redress these evils. For the conscience of France I wish it.

Every Israeli who dies because of France's action will lie like a curse and a weight upon the pages of France's history in ages yet to come. It is my hope that my message, which I know others shall concur in, reaches the appropriate people.

Mr. Speaker, in times to come France will have dire need of this country's good will. Even now her military gazes with desire at American nuclear armament. There will be many opportunities to strike at her vitals. It is my intention to see to it that these options are exercised in times to come. It is further my intention to see to it that anti-French activities in this country are intensified, and the summary I have delivered disseminated throughout this Nation. It is my intention to do this ceaselessly, sleeplessly, untiringly, inexorably.

I accuse France, just as Clemenceau accused her government, of anti-Semitism, anti-Israeli actions founded on the basis of motives.

GENERATING GREATNESS BY UNDERSTANDING

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. BUSH. Mr. Speaker, on October 9, 1968, Mr. Marvin Hurley, executive vice president of the Houston Chamber of Commerce, delivered a speech entitled "Generating Greatness by Understanding—the Past" to the 54th annual management conference of the American Chamber of Commerce Executives. This speech puts our urban problems into focus and it is worth the attention of every Member of this body:

GENERATING GREATNESS BY UNDERSTANDING—THE PAST

(By Marvin Hurley)

This age has imposed upon us the task of re-thinking our nature and our role in civilization. We are experiencing what appears to be a conspiracy against reality. We are caught up in a wave of insistent demand to cure every conceivable evil, either real or imagined, right now. We demand instant magic. Since this is not possible, a spirit of pessimism prevails. The protestors, the activists, the nihilists are the newsmakers.

But any concept that we are helpless victims of a sick society, the powerless pawns of a vicious system, is alien to our history and traditions and foreign to the facts. We are not at the mercy of inexorable trends and super-human social forces as we frequently hear our urban perplexities described. We are merely paying the penalty of a lack of understanding on the part of our society and a failure to anticipate problems and solve them before they reached the emergency stage. We need perspective.

This is particularly significant to us because our work brings us into the very mainstream of the great currents of human development that are sweeping over the world. There are tides of change that are creating turmoil in our society today that practically demand new dimensions for Chambers of Commerce and for individual effort. We are in a continuing battle with obsolescence.

In our professional responsibilities as managers, we have been slow to recognize that a scientific and technological age has erupted and that it is irresistibly urban. Our understanding of the implications of urbanism for modern society has been inadequate. The mounting evidence that the city is the primary agent in man's culture and civilization has met with resistance.

At least some of the conditions with which we are now struggling might not have developed if we had been more professionally effective, but many of them resulted from conditions beyond our influence. I am convinced that if there had been no Chambers of Commerce, we would be sunk more deeply in the quagmire of troubles than we are today. Yet, the American public does not give us credit for the role we do play in urban affairs. It concerns me that in a search I made in preparation for these remarks, in some 25 books and perhaps 100 articles on the urban situation, I found only isolated references to Chambers of Commerce.

But, let me get the record straight. I offer no apologies for our performance. I find much basis for pride in the record of Chambers of Commerce. I would hate to see us engage in the nonsense of self-reproach and self-ridicule or to permit a guilt complex to envelop our profession. There are some critics who would have us plead guilty to mass ineptness. This is ridiculous. By nature, we are doers and not worriers, and we can take pride in our achievements. We are not infallible, but we should always be willing to explore our shortcomings and failures and try to correct them.

So, this morning, in this review, I find no reason to think of the past as a chamber of horrors. As a matter of fact, I have spent most of my life in the past, and I rather like much of what I have seen and what I have experienced. The past, of course, has lessons for us. We can ignore them, or we can profit from them. If we ignore them, though, the chances are we will keep on making the same mistakes. Thus, a little analysis of our past performance may be a worthwhile exercise in generating greatness this morning.

We have been experiencing a process of social change in this country that is so infinitely complex and varied that we have become confused and frustrated. Many forces have been at work in the interaction of social change, and our responsibilities involve us in most of them. Passing over the urban problem and the race issue for the moment, let me indicate some of the basic trends of recent years that have influenced our work, but which we may have been slow to recognize.

We have reached an affluence unprecedented by world standards, but it has not alleviated our personal and public economic problems.

Governmental policies and other influences have moderated the business cycle and have given us a new and perhaps false sense of economic stabilization.

Education is having a new impact on social change, both in material terms and in patterns of living and thinking; but we are still searching for educational objectives appropriate to our time in history.

Increasing affluence and rising educational levels are altering attitudes toward work and seem to be eroding some of our traditional work values without providing any acceptable alternatives.

Developments in communication and transportation are increasing and strengthening the interdependence of our governmental, economic and non-profit institutions, both domestically and internationally.

After almost a century of an industrial society in this country, following two and a half centuries of an agricultural society, we now seem to be in the early stages of a post-industrial society, built around services and knowledge.

With near-instant sight and sound rapidly abolishing the barriers of time and space, we have created a world neighborhood, but we share it with ideological strangers.

For the first time in history, we, as well as other major powers, hold in our hands the power to destroy our civilization.

History offers us a degree of consolation by reminding us that problems have flourished in every age. As we make the transition now into a new social and economic world, in a period of revolutionary scientific and technological change, we are reminded that every generation tends to think it has inherited the worst problems of any age.

If we are to have a clear and fruitful understanding of our responsibilities as Chamber of Commerce managers, we need to clarify and reformulate our expectations, concepts and assumptions about our society and our communities. During periods of uncertainty, people have a tendency to accept faulty assumptions as facts and then to use them as a basis for propounding theories. Our work demands that we be more objective and more analytical.

This year, we have been observing the 200th anniversary of the Chamber of Commerce movement in America. Our organizations have operated in cities throughout the urban history of this country. Obviously, there have been failures along the line. Certainly we have created no urban utopias. This morning, I am afraid that both we and our society stand convicted by circumstantial evidence of some significant failures.

It concerns me when our national Congress has found it necessary to sit with armed regulars manning machine guns on the Capitol steps in a city smoldering from the fires of a week end of senseless destruction; and especially since this is not an isolated experience.

It concerns me that our streets are clogged with traffic, our air is laden with filth and fumes, our water is soiled with wastes, our landscape is desecrated with ugliness, and our youngsters are having their minds poisoned with psychological pollution.

It concerns me that so many of our citizens are so apathetic that they prefer to sit comfortably in the box-seats of indifference while their future is being decided on the playing field of public affairs.

It concerns me that support is growing for the theory that only those who want to work should have to work; and that those who do not want to work have an intrinsic right to food, clothing, shelter, medical care, education and the other essentials of a good life without the necessity of being socially useful.

It concerns me that there is so much emphasis today in entertainment, art and literature on the lowest forms of human appeal, with sexual immorality being defended by intellectuals and excused by semi-religionists; and that the "new left" movement would convert our college campuses into sanctuaries to counsel sedition, treason and other intentional invasions of the rights of other people.

It concerns me that the principle of civil disobedience is being perverted to justify various types of invasion of the rights of other citizens; that we have become so indulgent in excusing deliberate violations of the law in the name of lofty causes that we are entirely too tolerant of violence as a method of social protest; and that the forgotten man in the halls of justice seems to be the so-called ordinary citizen.

It concerns me that allegiance is growing for the basic premises of anarchism: for a stateless society without government, without law, and without ownership of property—for the theory that the end justifies the means; that we make progress by changing the social structure through political power and social pressures rather than by changing the hearts of men and women; and that violent revolution may be necessary to overthrow society and make way for a better world.

It concerns me that the Puritan ethic which served the pioneer period of our nation so well is being replaced by "situation ethics"—by the theory that the circumstances of each situation determine the principle rather than applying eternal moral principles to a situation.

It concerns me that so many of our old moralities and ancient values are losing their credibility and that our American way of life is being painted as a fraud and a cheat.

It concerns me that a gloomy spirit of despair prevails so generally over our people and that brash, frustrated and iconoclastic young professors in our colleges, universities and seminaries are telling our young people that America has been in the hands of charlatans for generations.

We have not understood the underlying causes of these conditions as well as we should; and our performance in the presence of such conditions has not always measured up to the high standards we must have for professional competence.

Too often, we have been technicians in our work rather than professionals and have tried to cope with revolutionary trends while still limited by superficial understanding.

We have concerned ourselves with events and current conditions without understanding the longer-range trends that create conditions which erupt into even more serious events.

We have failed to enlist the talent available in our communities to help us recognize and analyze basic trends influencing our programs; and we have failed to understand the counteractions—the long-range strategy—and to use early-warning that comes from analysis and understanding

We have busied ourselves with the petit larceny of daily minutiae without doing an adequate job of problem analysis that becomes increasingly necessary in this age of dynamic change.

We have failed to recognize the growing interdependence of problems and opportunities in our communities; the growing interrelationships of institutions, conditions and influences on a regional, or broader, basis; and the need for intercommunication essential for human understanding.

We have found ourselves with too little, too late, for a future that showed up ahead of schedule—a revolutionary new age brought on by science and technology, by the automobile, industrialization, urbanization, mobility and rapid growth.

We have suffered our cities to remain saddled with outmoded political structures and patterns during a time when problems and needs increasingly ignore the artificiality of governmental jurisdictions and archaic systems.

We have permitted the taxing structure of local government to become so restrictive that it lacks the flexibility demanded by the growing responsibilities of this age.

When the federal government has moved into the voids left by local government, our community leadership has had a tendency to defect and leave the initiative to Washington bureaucrats.

Our knowledge has not kept pace with our responsibilities, and we have not developed nor utilized adequate opportunities for continuing education for essential personal development.

Although we should accept the fact of our own failures in the past, we must recognize that we share responsibilities with others, including the people themselves, business and industry, and our community leaders. Let me elaborate.

The strength of our communities rests with our people and the effectiveness of our programs depends upon the quality and participation of our people. A program of total community development must be concerned with the welfare, understanding, participation and opinions of all the people of the community.

In comparison to those of past generations, our people today are reasonably qualified for their citizenship participation. But, at the same time, they have failed to keep pace with the growing responsibilities that citizenship in our present complex age requires.

The average American today is younger than before, under 27 years of age. Since more of his time has been spent in school, he is less experienced. He has the equivalent of a high school education, but unfortunately, he let his education end there. Now he devotes two-and-a-half hours each day to watching television—but not educational television. He reads his local newspaper and a few popular magazines, but not the mind-stretching articles, and he practically never reads a book. He is more interested in sports than he is in social trends and political issues, is not much concerned about heaven or hell, and has lost confidence in the honesty of public officials.

Art Lumsden mentioned a significant fact about people in the recent issue of the Journal—that "we have been unwilling to bury the agrarian myth and accept our role as an urban nation". The truth is, our people do not like cities and never have. The European tradition is essentially urban, but when our forefathers came to America they seemed to drop the European affection for the city. To avoid cities, our forefathers pushed west until they ran out of frontier—then we started pushing out into the suburbs. The conflict between the core city and the suburbs is but a more recent manifestation of the rural-urban conflict that has become a part of our national tradition.

Part of the early urban allergy resulted from wide open space in pioneer America and part was due to our frontier tradition. It has been difficult for us to get away from the frontier concept of America as an agrarian paradise. We have been slow to accept the belief that cities are really the heart of democracy. Politicians listen to the "grass roots", and our image of the typical American is a farmer with sweat in his face in the finest tradition. City people still rush off to the country at every opportunity. They think they need this return to rural realities to pamper their shattered nerves before plunging back into another week of the turmoil and chaos of city life.

Acceptance of our urban role has been agonizingly slow in coming. In 1890, the Bureau of the Census announced to an unsuspecting, totally unready and highly unconcerned nation that the geographical frontier had disappeared. Save by a handful of intellectuals, this announcement went totally unheeded. Then in 1904, Teddy Roosevelt was elected, and for the first time in our history it was the urban vote that had put a man into the White House. Again the significance of this development went without notice.

It was not until the current decade that we began to restructure our legislatures in line with the urban age. It was not until this decade that urban America was recognized at the cabinet level in our national government. It was not until this decade that general interest in urban America began to develop. More urban books have been published in this decade than in all our prior history.

For the first time, colleges and universities are establishing centers of urban studies, but they are being used primarily to supplement professional salaries and to strengthen graduate programs. The colleges and universities of the land still offer a half dozen courses with a rural orientation to every one with an urban orientation.

The research and development program of this country aggregates in excess of $25 billion annually, but only pennies are being devoted to urban research and to the exploration of human relations. We have spent scores of times as much on an early warning system to alert us of approaching enemy planes or missiles as we have on an early warning system to alert us of the approach of urban crises. Our work has been handicapped by the failure to develop a 20th century enlightenment about urban living to replace the 19th century concept that was shaped to a rural pattern.

People need to accept cities as a more vital part of the American idea of what life is all about. The geographical frontier has ceased to be our challenge. The persistence of the city as a form of corporate life is evidence that urban living offers what people need, want, and continue to seek. The city is now our frontier. It is our national challenge. The promise of the city is great, and the delivery on this promise is the challenge for people working through Chambers of Commerce along the cutting edge of the new urban frontier. They need a better understanding of city problems in order to view them more sensibly and in perspective.

Business and industry only in recent years are beginning to recognize their role in urban affairs. They have exploited a corporate device created by government to generate explosive technological change. Radical technological advance is always followed by social change. In a democracy, people demand that the impact of this social change be alleviated in some way. Not until recent years, however, have the leaders of business and industry been willing to accept significant responsibility for the social changes resulting from the technological advances caused by their use of the corporate device.

Therefore, people looked increasingly to government. It has operated on the theory that if we subsidized a problem, we would not have to solve it. It has been trying to redistribute wealth rather than opportunity. For a generation, government has been seeking with growing insistency the answer to urban dilemmas. It sought, however, with faltering success to do the whole job, but now it is accepting the fact that the total resources of the country must be brought to bear upon urban life. American business only in the last few years has been concerned that a crisis of inaction has become a threat to our cities. Businessmen are realizing now that it is time to quit complaining about our dependence on federal funding. It is time to quit trying to push responsibility to others. It is time for all resources to combine in broader action programs in the problem areas.

Although public affairs today commands top management attention, the subject is still a relatively new entry in the corporate manual. The National Industrial Conference Board has found that business interest in public affairs as a corporate activity has increased significantly in recent years. This new interest encompasses government relations, employee political activity, political and economic education, community service and environmental problems. This socio-economic interest includes air and water pollution, vocational training of displaced and unskilled workers, education and law enforcement.

Increasingly, we have to look to businessmen for the leadership to provide the vision, the initiative and the experience to cope with our urban problems. Such leadership is now generally available when there is confidence in the importance of the work and when there is conviction that time is not being wasted.

Businessmen have unusual understanding for long-range planning. They need only to apply to the community the same principles they have used increasingly in their corporate operations for many years. They know that in the main the people who are going to influence our communities through the balance of this century are alive today. They know that most of what we will experience in this period is already under way either in practice, or inherent in laboratory models and legislative plans, or in the social trends and experiments within our society.

Another concept of our concern about understanding in the past rests with the quality of the leadership with which we have worked. The matter of leadership recruitment and development is a growing responsibility with Chambers of Commerce. We need to sharpen our definition of leadership in these complex times. Conditions demand more and better leaders, but they are being drawn from an age group that represents a declining ratio in our population. Depression babies are coming increasingly into the leadership market, and we generated a limited numerical inventory of potential leaders during the depression years.

We have found that the task of marshaling community leadership to address common goals or purposes for the community is not always an easy one. Community leaders have the freedom to participate, or to refrain from participating, for any purpose that may motivate them. There are no simple checks and balances for marshaling community leadership. Much of the current social turmoil in the country today undoubtedly is a direct result of failure to marshal and to challenge the right kinds of leadership at the community level.

It is relatively easy to enlist leadership for dramatic solutions to pressing emergencies on a current basis. It is far more difficult to enlist leadership for long-range efforts on mundane goals growing out of social trends. Still, one of our failures has resulted from our unwillingness to accept the challenges and hard work of dealing with the future and to plan on the basis of what today's trends and other indicators forecast for the next generation.

Thus, what we really want, and need most, are pressure-free leaders—those who can rally groups, motivate individuals, and generate active and enthusiastic participation by others without being pushed by the pressures of emergency conditions. There is no question about the importance of day-to-day operations, but it is even more important to be taking steps to meet the needs of the next generation.

Time perspective is important in any consideration of community leaders and in the response of people to leaders. Herein lies the importance of maturity of leadership. The immature leader looks only to immediate success of projects, immediate solutions to problems, or immediate gratification of desires. But the mature leader can project his thinking to the mission of long-range planning and can broaden his perspective to consider major factors that may influence a project. He is more able to accommodate delays in goal achievement, to understand the reasons for the delays, and to live with the realities that are involved. The mature, intelligent leader knows that the needs for the future cannot be wholly gratified by immediate actions. However, he recognizes the need to keep moving in the direction of right goals and to adapt to identifiable long-range trends.

There are two types of community leaders which we may categorize as the "localite" and the "cosmopolite". The localite tends to have a narrow focus, to be comfortably settled in the narrow sphere of his own restricted interests. He does not like to be disturbed in the comfort of his simplistic ideas. Therefore, he is not receptive to change, and he usually does only the minimum expected of him in community participation. The cosmopolite, on the other hand, can project outside his own sphere. He has a broader view, wider interests, and more vision. He relates more to the world at large, to broader view, wider interests, and more vision. He relates more to the world at large to broader issues and tends, and characteristically is more inclined to accept innovation. He understands that communication, mobility, business expansion and other circumstances combine to internationalize today's cities. Hardly anybody lives where he was born. The modern leader changes locations many times, and community allegiance is not what it used to be. Motivation for participation must come from other sources.

But lest you think I am passing the entire burden for past failures along to people, to business and industry, and to community leaders, let me turn the spotlight on us as Chamber of Commerce managers. We are in no position to elevate geological specimens of criticism against others as long as we live in the glass house of vulnerability that we do.

We must take our share of the blame for the failures of the past. We have not qualified ourselves with an adequate program of continuing education. We have been negligent in our concern about trends that could affect our communities and derelict in our efforts to understand these trends and to bring about action in response to them. The trends lose meaning if they are not examined in relation to an environment that has been projected into the future. We have not thought sufficiently in terms of total community development and total involvement of the people of the community. We have not engaged sufficiently in long-range planning to avoid the development of crises in our communities. We have not recognized the implications of the growing area aspect of local problems.

We have not demonstrated the quality of judgment that the importance of our position in the community requires. Although our responsibilities are heavy, we are neither a dictator nor a messiah in our communities. There have been times when we have assumed so much personal responsibility that we have tried to make all the decisions, clear away the underbrush, smooth the road, and take our leaders by the hand and lead them like zombies—protecting them from mistakes but depriving them of either experience or contribution. We have discouraged the full use of their intelligence, initiative and innovation. Neither the whole of truth nor the whole of good is revealed to any manager. It is not necessary for us to be omniscient and set our members to dancing in the streets to measure up to our responsibilities.

We have been too inclined, also, at times, to sway with each change of the social, economic or political wind. Today, the priority concern is socio-economic; but it is not the only concern. Down through the years, too many of us have been inclined to go all out with the current trend of public interest and neglect other implications of a total community development program. Years ago, the big thrust was to build "roads that go somewhere", then the battle for smokestacks began. In the early 1940's, we went all out for the war effort, as well we should; but more far-sighted managers at the same time were busy with postwar plans.

And thus we have swung from one trend to another, ignoring the lessons of experience and the examples of history. Our hot item now for pressure merchandising is the socio-economic problem. My only counsel in this connection is that we do our part of this job, and do it well, but that we not overlook the fact that it is but one manifestation of more sweeping trends that should be of grave concern to us. Man does not live by environment alone any more than he lives by bread alone. We cannot ignore socio-economic concerns, but neither can we close our eyes to the other responsibilities inherent in our type of community service.

Some have failed, too, because of their allegiance to the status quo—to their reluctance to crawl out of the comfort of their favorite rut and innovate. While innovation can be carried to an extreme, we know full well that community progress can never be constructively generated by efforts to smother originality, to crush initiative or to wipe out individuality. Of course, we have some who go to the other extreme, those who make changes only for the sake of making changes. To believe that the solution to every problem lies in something different is to believe in a myth.

Regardless of the dimensions and rates of change, there will always be situations in which there will be a vital need to deter change and to preserve certain values and conditions which we need, or enjoy, or which influence our lives and welfare.

Will and Ariel Durant have said: "The conservative who resists change is as valuable as the radical who proposes it—perhaps as much more valuable as roots are more vital than grafts. It is good that new ideas should be heard, for the sake of the few that can be used; but it is also good that new ideas should be compelled to go through the mill of objection, opposition, and contumely; this is the trial heat which innovations must survive before being allowed to enter the human race."

There are times, though, when conditions reach the point that we have to be ready for operating on a crash basis. Human nature seems so constituted that it takes crises periodically to generate progress. It seems that events have to deteriorate at times into emergencies before we can focus public attention on them, and arouse essential public action. The Supreme Planner of the Universe seems to have given human beings the ability to use afflictions for the testing and strengthening of their virtues. There seems, then, to be a fortunate as well as an unfortunate relationship between crisis situations and progress.

The greatest upsurges of change generally occur under the pressures of emergency conditions, but we should recognize that there is always a high risk in this process. When we move under the pressure of crisis, we run the serious risk of effecting permanent changes which cannot be undone if they prove to be wrong—or if they can be undone, it may be only with critical penalties in costs and human effort. The course of social change is seldom swift or simple.

Our main problem has been our failure to understand negative trends that may create problems in our communities and positive trends which if not recognized and acted upon may be lost beyond recall. Let us take, for example, the race issue. Factors that combined to explode in racial strife have been developing for generations. At the close of the Civil War, steps were not taken to integrate the black man into our society. With the coming of the agricultural revolution, more products were produced on fewer acres by fewer people, and rural Negroes were largely displaced from the land. They started moving to town, and more especially to the larger cities of the North.

The trend became clearer as more Negroes achieved a better standard of living, a higher level of education, and a greater exercise of their right to vote. During the period of World War II, hundreds of thousands of young Negroes experienced a way of life that traditionally had been denied them. Increasing mobility added to this understanding after the war. Slowly, the black man realized that his rate of improvement was not keeping pace with the progress of his rising expectations. He became increasingly concerned over the day-to-day petty humiliations white men traditionally had inflicted upon black people by insinuations and condescensions. As a growing factor in our society, the black man became more insistent on a role in decision-making processes.

Thus we have watched the development among black people of a black consciousness and a black pride, a new sense of unity, a new feeling of political power, and a growing demand for a part of the action. The burden weighed increasingly heavy upon white men and black men alike to find meaningful relationships among the races. The granting of formal rights accomplished little without a spirit of acceptance to make those rights meaningful.

The goal of equality will not be reached by thinking that riots are unavoidable or that they will cease when every Negro wrong has been righted and when every white heart has been cleansed of prejudice and selfishness. Likewise, it is as much a mistake to think that all blacks are militants as it is for all whites to suffer a mass guilt complex for centuries of conditions for which they had no part. This is important when we realize that blacks will be in the majority of 14 of our major cities in ten years.

More recently we have failed to acknowledge the growing ambivalence among Negroes that is creating a great deal of confusion both within the black community itself and with those segments of the white community that are attempting to relate to the blacks. This revolves around the difference between the ethnic concept and the socio-economic concepts. The two currents are symbolized but oversimplified by the labels of "separatists" and "integrationists".

We have failed also to realize that the race problem is linked closely with the wave of anti-colonialism that has swept the world in this generation. We have failed further to recognize the affinities of the style and thought of the black militants, the New Left, the hippies, and student protestors with the Anarchistic movement which swept the world during the period of the international labor uprising.

The insignificant numerical ratio of active dissidents in our population is no justification for complacency. We cannot afford to ignore the same type of irrational fervor that has enabled small minorities in the past to ignite successful revolutions in other countries. We cannot afford to ignore the possibility that a Marx or a Lenin or a Hitler may be moving in and out of today's activist groups. Our civilization has no more lease on life than any of those of the past that have fallen because they could not see or cope with their problems in time.

I have gone into this detail on the race issue merely to illustrate the importance of an understanding of developing trends. There are other trends taking shape at this moment that may even now be creating problems that will plague us in the future. For example, we are already seeing the reversal of the trend of the past generation toward centralization. A monolithic government just has not worked well in a democracy. In dealing with the rate and scope of today's change, and its resulting social problems, we have to have the flexibility and variety of both response and initiative that can be found only in more decentralization. The importance of the individual's role in the social structure is being strengthened by this new trend.

We are also beginning to realize that we have been pursuing a false urban god in our efforts to create models of utopian cities. We are tackling many of the problems of our cities as never before, but we are not yet clear as to what kind of a city we want or the means by which our aspirations can be realized. We must have some idea of what we want the urban environment to be so we can better evaluate events and circumstances today and make right decisions. We have to be especially careful because the ills of a city are often interwoven with its strengths. Dream cities have been designed by past generations, but they were never built. They probably would not have worked if they had been built. No established model or master plan can be designed to meet the changing conditions and shifting technologies of the future. Urban renewal, we are beginning to realize, is a process and not a goal—an interdisciplinary process. Or, as Dr. Constantinos Doxiadis says. "We can never finalize our views about the complicated and evolving phenomena of human settlements. The best we can do is to study them continuously."

We are only beginning to appreciate the "systems" character of the city and the need for an interdisciplinary approach to urban planning. Planning first of all is for people—not for structures, land use, or other planners. Planning must reflect the way people actually want to live and not the way some ivory-towered expert thinks they should live. The plethora of self-appointed urban experts who are writing books and making speeches and putting together TV specials, for the most part, have never experienced the practical implementation of urban programs. In their Olympian self-assurance, they remind me of the man who read 20 books on swimming and promptly drowned the first time he got into deep water. We are victims of statistical extrapolators who magnify gloomy trends into vistas of disaster. They foster paralysis of the human will by the sheer massiveness of their predicted despair. Most of them seem to get up on the wrong side of the world every morning.

The computer for the first time has given us the means to examine urban systems in their full technological and humanistic sophistication and interrelationships. To find solutions to our complex and interrelated problems, we are going to have to draw upon data processing and the systems approach of the type that management technical groups have developed in our missile and space programs to handle the volumes of information that are involved.

In this connection, I would like to raise one storm warning, though; a fact about systems analysis that we should understand. There is no way today that systems analysis can develop optimum solutions for urban problems purely by the processes of deductive reasoning and cost-benefit evaluations. Efficiency and economy are worthwhile goals, but they have to be conditioned by other values—human values and political realities. For example, it will continue to be a problem as how best to spend the scarce resources of a community—whether to build a road or a school, an airport or a hospital, a jail or a garden. Such choices cannot be computerized, although I believe there will be a growing role for data processing in meeting urban needs.

It is relatively easy to plan physical beauty or the amenities of variety for our cities, but they will never come into reality if the public is unwilling to pay for them. Yet it is ridiculous to try to create an ideal image of a city by the statistics of sampling. It is not possible to create a model of a great city by patching together the bits and pieces of fragmentary images already existing in the minds of people who have never experienced a good environment. But we still have to know what our people will support. Basically, whether an urban area expands and improves, or withers and declines, depends on its ability to create wealth. But, in long-range planning, we have to remember, as Heilbroner has suggested, that there is a calculus of humanity as well as a calculus of economics.

Our urban concern today does not mean that problems of the city are new or that we cannot meet their challenge; but rather that we have a greater social consciousness and are seeking higher standards of urban living. Mankind has always had problems. There has always been urban blight. Problems of pollution, health conditions, traffic congestion, and violence are not new. Cities have long been accustomed to the coexistence of poverty and disorder along with extremes of wealth and luxurious living. But, today, we are more aware of these contrasts and more concerned about human wastage and defeat. Today, because of a developing social consciousness, we find evidence of civic decay more intolerable than ever before. This new consciousness is increasingly impatient with public failure to cope with existing social conditions and to provide what is reasonable for human conservation.

Urban historians can demonstrate many ways in which our cities are better than ever before. But we expect more of our cities. The plain truth is that our understanding of causal relationships in the social system and in the urban system is still rudimentary. The state of our theoretical knowledge about social causality is probably comparable to the state of the medical arts during colonial times . . . and, so, unfortunately, may be some of our diagnoses and projections. Informed and interested and dedicated citizens can press for policies and programs to deal with our socio-economic problems on a sound basis. This is the payoff of trend identification.

There are times, though, when we feel that human nature thrives only on crisis and feeds only on violence. Every age has had its prophets of doom. The end of the world has been forecast in every generation. And, we have our share of the exponents of despair today. We tend to consider it normal for a spirit of pessimism to prevail. But, by what inflation of the vanity do we think we are the generation chosen to see the end of the world that was born 4,500 million years ago; that we are to watch the dying throes of human beings created ten million years ago; that we are to observe the final convulsions of civilization dating back 40,000 years; and that we are to preside over the dissolution of an economic and political system that came into flower two centuries ago? Such an attitude is born of conceit and nourished on arrogance.

Our society, our nation and our economy are fundamentally sound. Instinctively we feel our basic strength. The American people have an inherent commitment to steady progress, and that commitment will continue to propel this country forward. Fundamental forces are at work in our society. We are in the midst of a long but fast-moving historical evolution. It has had setbacks, but the inevitable movement is forward.

Between now and the year 2,000, we will see history's most exciting, most fearful, and yet most hopeful period. The future offers challenge and promise. The frontier of the future is urban. I believe it will be the verdict of history that here in this closing third of the 20th century, we in Chamber of Commerce management met our greatest challenge and responded successfully with strength, foresight and courage—generating greatness through understanding.

BEATRICE FOX AUERBACH DIES

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. DADDARIO. Mr. Speaker, while the Congress was in adjournment, one of the leading citizens of Connecticut, Mrs. Beatrice Fox Auerbach, died in Hartford. She was 81 years old.

Mrs. Auerbach was a leading figure in civic, social, and business life. I offer for the Record, comments which appeared on television, in the Connecticut Jewish Ledger and in the Hartford Courant and the Hartford Times paying tribute to this remarkable woman:

[From the Connecticut Jewish Ledger]

MRS. BEATRICE FOX AUERBACH DIES AT 81—HEADED G. FOX & CO.

Hartford.—Mrs. Beatrice Fox Auerbach, for 29 years president of G. Fox & Co. and a civic, business and communal leader of international repute, died at Hartford Hospital last Friday night. She was 81 years old.

Tributes poured in from local and state leaders who cited Mrs. Auerbach's indomitable spirit and the many pioneering steps she had taken over the years in the fields of retailing and human relations.

Some 800 persons filled Temple Beth Israel's sanctuary for the funeral service Sunday. Among the mourners were Governor and Mrs. Dempsey.

Born in Hartford on July 7, 1887, the daughter of Moses and Theresa Stern Fox, Mrs. Auerbach worked briefly as a salesgirl in the store for her grandfather, Gershon Fox, had founded and which she was eventually to head.

In 1911 she married George S. Auerbach, a Salt Lake City, Utah, department store official.

When a 1917 fire threatened to write finis to G. Fox & Co., the Auerbachs came east to help Moses Fox rebuild the store. George Auerbach went on to become treasurer and general manager of the store, positions assumed by Mrs. Auerbach upon her husband's death in 1927. She also became vice president of the store prior to ascending to the presidency following her father's death in 1938.

BROKE BIAS BARRIER

Under Mrs. Auerbach's leadership, G. Fox & Co. in 1942 became the first large department store in the country to hire Negroes in sales and supervisory positions. She also pioneered the five-day store week.

Among the many honors accorded her was the B'nai B'rith Women's Annual Award in 1950 as the most outstanding woman in the community. In 1964 she was named a board member of the Hebrew Union College. The same year, she received the Human Relations Award in the Connecticut-Western Massachusetts Region of the National Conference of Christians and Jews.

She was a member of Congregation Beth Israel, which her grandfather helped found.

In 1941, Mrs. Auerbach established the Beatrice Fox Auerbach Foundation which over the years has helped finance educations for many college students.

In 1945, she founded the Service Bureau for Women's Organizations, one of her many contributions to the field of education.

Two facilities at the University of Hartford—its school of business administration and its major lecture hall—bear the name of Beatrice Fox Auerbach. She also made a bequest to Connecticut College for Women to set up an Auerbach major in retailing and allied fields. Wesleyan University, Hillyer College and St. Joseph College presented her with honorary degrees.

A highly treasured award Mrs. Auerbach received was the Tobe Award, the "Oscar" of retailing, which she got in 1947.

In 1955, she was one of several Connecticut delegates to the White House Conference on Education.

Among the many beneficiaries of her efforts and funds were the Hartford Symphony and the Wadsworth Atheneum.

A key move in the history of downtown Hartford was Mrs. Auerbach's decision a decade ago to launch an $8 million east wing expansion of the store.

On Oct. 27, 1965, Fox's—which for years was the largest privately owned department store in the country—was sold to the May Co. for an estimated $40 million. Mrs. Auerbach stayed on as head of the store. Last year, she announced the appointment of Richard Koopman as president and Bernard Schiro as chairman of the board of G. Fox & Co. Both men are sons-in-law of Mrs. Auerbach.

Since the change in ownership, the May Co. has announced plans to establish G. Fox branch stores in Waterbury and Meriden and has purchased land in Enfield for another store.

Mrs. Auerbach lived at 1040 Prospect Avenue and also owned the 230-acre Auerfarm in Bloomfield, founded by her husband in 1926.

She leaves two daughters, Mrs. Richard Koopman and Mrs. Bernard Schiro, both of West Hartford; 12 grandchildren, and one sister, Mrs. Leslie R. Samuels of New York.

At the above-mentioned service in Temple Beth Israel, Rabbi Harold S. Silver and Rabbi Emeritus Abraham J. Feldman officiated. (Excerpts from Dr. Feldman's eulogy appear elsewhere in this issue.)

Burial was in Beth Israel Cemetery. Weinstein Mortuary was in charge of arrangements.

RABBI FELDMAN DELIVERS EULOGY TO MRS. AUERBACH

Hartford.—Rabbi Abraham J. Feldman, rabbi emeritus of Temple Beth Israel, was Mrs. Beatrice Fox Auerbach's spiritual leader for many years. Following are excerpts from the eulogy he delivered at the funeral service for her Sunday at the temple in West Hartford:

"In one of the loveliest passages in the Bible an ancient sage paid tribute to a type of womanhood which, in different days and in a different social and economic context, brings us together here and now. Surely you recall those ageless words with which that sage began his tribute:

"'A woman of valor who can find?' and proceeds then to a description of one who was greatly esteemed in her family and in her community, a woman who was diligent, skillful, a superb administrator and at the same time taking care of her family, guiding, teaching and encouraging them whilst also doing her duty of love, of concern, of helpfulness to those beyond her family who are in need of help and love.

"Given such a woman, said that ancient author, one need speak no eulogies for her. His final words of tribute were 'Her works praise her in the gates,' that is, her deeds proclaim her valor, her character, her worth.

"That, my friends, is the type of woman we are gathered to pay tribute to, a tribute that is non-essential because what Beatrice Fox Auerbach was, what she did, what she contributed to life—these proclaim more effectively than any words which we may speak, any praise of her, any appreciation of her, any gratitude to her. 'Her works praise her in the gates.'

"But really, I am not thinking of Beatrice Auerbach's business acumen and genius. I am not thinking only of her managerial skills. I am not even thinking of her philanthropies, great and blessed as they are.

"I am thinking of Beatrice whom I loved as a sister and cherished as a friend. I am thinking of the human being that she was and of her love of people—all people, the great and the not-so-great, the renowned and famous and the humble and unheralded. She loved people as human beings and more than the public acclaim, the tributes, the honors which came to her in abundance, she craved and rejoiced when she received the love of people, their confidence in her, their sharing with her their joys and sorrows, hopes and their dreams, their anxieties and their fears. And what she craved, she gave.

"I do not know how she was motivated in making her business decisions. But I do know that when matters affecting the community were discussed, her immediate concern was how these would affect people. Was it good for people? Will it make their lives easier and happier? Is it fair? Is it right? And we have all seen, to use but one example, the evidences of this motivation in her dealing with the people in 'The Store' and in her employment practices there.

"I think that her generosity in the gifts which she made to educational institutions, the buildings which she caused to be erected, the professorships which she endowed, the subsidies which she provided, the scholarships which she made available and many, many others, were prompted by her eagerness to enrich, to uplift the cultural values of people and especially the younger ones amongst us.

"But with all her wide interests and the many demands made upon her time and attention, Beatrice Fox Auerbach was also a mother and grandmother, and none was more proud, more loving and more concerned in these roles. She was also a devoted sister even as she had been an adoring and devoted daughter. She was a loving and proud wife and a superb and gracious homemaker.

"She was a considerate and loyal friend and a happy and loyal member of the Congregation Beth Israel which, by coincidence, is celebrating tonight its 125th Anniversary, in the founding of which her grandfather was a participant.

"And next to her love of people and family and friends was her love of the City of Hartford and the State of Connecticut. She was extraordinarily proud of the City and State of her birth, jealous for their good repute, and her wrath was quick if anyone in her presence dared to speak ill of them or in denigration of her City and State."

[From the Connecticut Jewish Ledger, Dec. 5, 1968]

BEATRICE FOX AUERBACH

The death of Mrs. Beatrice Fox Auerbach may be said to mark the end of an era both in the life of the Jewish Community in Connecticut as well as in the larger community.

Born and reared in Connecticut, she was extraordinarily proud of and devoted to her City and State and from the time of the untimely death of her husband, George Auerbach, when she was yet a young woman, she entered into the family business. G. Fox & Co., founded by her grandfather, and under the tutelage of her late father, Moses Fox, she became one of the most skillful and progressive department storepeople in the country. She was a woman of vision, she possessed enormous energy and drive, and, whilst cherishing the past and having a very wholesome attitude towards that which was of the past, she had complete faith and confidence in the validity of the claims of the present and the promise of the future. And so she became a most skillful business woman.

But to think of Beatrice Auerbach in terms only of business is to misread the facts. She believed that the present has a debt both to the past and to the future; to the past—in that it was not to be permitted to become the cause of smugness; to the future—in that life must be constantly advancing and progressing. This sense of duty found expression in her concern for and with people qua people, and because of this deep conviction and sense of moral values, she set herself to the task of doing what she could to make life happier, more wholesome for those in the present and who are to follow us. And so she used the means with which she was blessed to do just that.

Her philanthropies were great. As a Jew she was one of the major contributors to the Hartford Jewish Federation. She was identified affirmatively with the Synagogue. She supported Jewish causes. She was especially interested in the field of higher education and so, when the University of Hartford came into being, she gave generously to the creation of buildings on that new campus. She endowed a Professorship at Trinity College. She provided scholarships for young women at the Connecticut College for Women. She subsidized the Symphony Orchestra of Hartford and the Opera Department of the Hartt School of Music, and many, many other educational institutions. She believed in the role which women must play on the basis of equality in the total social life, and so she created an agency that would help women to find a dignified and constructive role in society.

And with all this she did not permit these various absorbing activities to diminish in any way her role as mother and grandmother, as kinswoman and friend. She was a gracious homemaker and a gracious and considerate friend.

But above everything else she was interested in and loved people. Her attitude toward the employees in "The Store" was that of an elder sister. She was interested in the personal life, the anxieties and the happiness which the people, who worked in the store, had. She sought to enter into their lives and strove to be helpful where she could and to share where she might. In a very real sense it might be said of her in the words of Holy Writ, she was "a Woman of Valor" and as she closed her eyes in death, it is literally true that "her works praise her in the gates". She made the community richer for her being part of it, better because she was in it, and her name and memory are blessed and cherished and, through that which she has created, will continue to be blessed in the years and decades ahead.

HARTFORD FEDERATION PRESIDENT EXTOLS MRS. AUERBACH

HARTFORD.—Charles Rubenstein, president of the Hartford Jewish Federation, commenting to the Ledger this week on the passing of Mrs. Beatrice Fox Auerbach, declared:

"The death of Mrs. Beatrice Fox Auerbach is a great loss to the Hartford area and especially its Jewish community. Mrs. Auerbach gave understanding and inspired leadership in many philanthropic endeavors. She especially remembered her Jewish well-springs and participated fully in our religious and social welfare undertakings.

"Mrs. Auerbach gave of her sustenance, counsel and efforts on behalf of the Hartford Jewish Federation and its many beneficiaries since their beginnings. Her home was opened to us during the campaign period and her support was always in evidence.

"Mrs. Auerbach was recognized for her leadership by being elected an honorary vice president of the Federation, and served in 1966 as the honorary chairman of this community's first Ambassador's Ball. She was truly an 'Ayshes Chayil.'"

[From the Hartford Courant, Dec. 1, 1968]

MRS. BEATRICE FOX AUERBACH

The death of Mrs. Beatrice Fox Auerbach takes from the community one of its distinguished benefactors and notable personalities. It is not alone that Mrs. Auerbach, as head of G. Fox & Company, was a leader in the American merchandising world. But in addition, she had a remarkable breadth of interests and sympathies which drew her generous support both here and far and wide, and which made her a vital personality.

The big department store that had originally been founded in two small dry-goods rooms by her grandfather Gershon Fox more than 120 years ago, and subsequently developed by her father Moses Fox, came under Mrs. Auerbach's jurisdiction in 1938. She was amply prepared for the task, of course, having been treasurer since the death of her husband, George S. Auerbach, in 1927. But the genius that developed G. Fox & Company into the largest family-owned store in the country, and the biggest in volume in New England outside of Boston, was chiefly her own. Department stores around the nation gave attention to merchandising methods and policies inaugurated at G. Fox under her direction, and numerous ideas tried out there subsequently became widely employed. When in 1965 G. Fox & Company joined with the May Department Stores of St. Louis, Missouri, in a stock transaction valued at more than $41 million, Mrs. Auerbach and her family continued to conduct the business of the store within the May management. Until fairly recently, when illness hampered her activity, the diminutive, lively Mrs. Auerbach could be seen daily about the big store.

One might think that running so large a business would have required all Mrs. Auerbach's time and attention. But this would be to underrate her boundless energies and capacities for seeing life whole. Many causes in the community, many aspects of life in general, knew her support and the impact of her personality. Other columns of The Courant report them in detail. But one must remark here again especially the aid to education that distinguished her. In its near-three decades, the Beatrice Fox Auerbach Foundation has given liberally to Trinity and other colleges in Connecticut. It helped finance educations for many college students. The fact that Mrs. Auerbach had received honors from many institutions, including the Universities of Connecticut and Hartford, Hartford College for Women, Hebrew Union College in Cincinnati and Wesleyan University, and from other institutions like St. Francis Hospital, testifies not only to her continuing regard for community weal, but the regard which in turn this community and others felt toward her.

Yet this was not yet the whole scope of Mrs. Auerbach's interests. She had an acute interest in the arts, and particularly music which she had come to know early in childhood. Hence her close activity with the Symphony Society of Greater Hartford. Her interest in youngsters was well served by her many years on the advisory committee of the Girl Scouts of Hartford. And beyond this she looked at the wider world with keenest interest. She traveled widely, belonged to organizations of world scope, and in the realm of careers for women it was only natural she should be a leader.

Thus, Mrs. Beatrice Fox Auerbach leaves the community richer for her having been here, poorer because she is now gone. And her personal friends will be especially grieved. She was a wise, amusing and gracious companion and friend. The world was never too big nor too busy for a greeting or a chat. Many persons in many stations and walks of life must now be saddened.

[From the Hartford Times, Dec. 1, 1968]

BEATRICE FOX AUERBACH

A stranger in Hartford who visited G. Fox & Co.'s store in the years when Mrs. Beatrice Fox Auerbach was its active head might have mistaken her for an assistant department manager.

She often worked side by side with a buyer, checking stock and examining the merchandise, a pencil thrust into her hair and her hands dusty.

But that was only one of the ways in which she kept communications open with her staff and with the public. She was one of the most capable merchants in the United States. She maintained a great department store business on a foundation of service and integrity.

Her appreciation of the responsibilities of wealth reflected those characteristics, too. Service and integrity were the marks of her many benefactions. She sought ways in which she could make the world better.

One woman, even one like Mrs. Auerbach, could not much improve the world unless she had the ability to look beyond the horizons of time and space.

The Service Bureau for Women's Organizations, which she sponsored, is one example of the way she looked at her opportunities. It is impossible to measure how much the Service Bureau has already changed society.

Many a woman has been enabled to realize her potential as a leader because of the Bureau's conferences and training programs, and many an active organization owes its vitality to those leaders. The influence will long outlive its originator.

In her benefactions, Mrs. Auerbach preferred to support activities that would have a continuing life. Scholarships, for instance, once endowed, produce results long after those who establish them are gone.

She tended to favor Connecticut, too. Much of what she gave went to people and organizations in her native state, which she loved fervently and loyally.

When she traveled, as she did often and widely, Mrs. Auerbach was received like an incognito princess. The doors of officials opened readily to her. But she preferred to talk with the women, learning how they lived, how they sought liberty and a chance to express themselves, how they fulfilled their womanhood.

We shall not soon understand how much Mrs. Auerbach meant to our state and our society, for the things she established will be operating for a long time to come. Eventually, posterity will measure her accomplishments more accurately than we can, and the scale will be grand.

[An editorial from WNHC-TV 8, New Haven, Conn., Dec. 3, 1968]

CITIZENS HONOR MEMORY OF A GREAT HUMANITARIAN, MRS. BEATRICE FOX AUERBACH

A Mayor. A Congressman. A Governor. Community leaders. . . . ordinary citizens. Yesterday, they were on hand by the hundreds to pay final tribute to a woman who left a lasting mark on the city of Hartford, the State, and the nation.

Mrs. Beatrice Fox Auerbach—born in Hartford in 1887—helped build a great commercial enterprise. One which was long ago a leader in equal-opportunity employment and promotion.

Mrs. Auerbach's vitality, of course, touched many areas of human concern. Her goals will go on through the Foundation which bears her name . . . and which has helped so many gain an education. The Service Bureau for Womens Organization is another of the efforts she created—and which make a constant impact on the progress of the state.

Most fitting were the words of Rabbi Abraham Feldman at yesterday's service: "If she could say some parting words . . . this day, she would say 'these ears cannot hear your eulogies; so, honor them with your *deeds* for my fellow men' ".

There, in perfect expression, were the ideals of Mrs. Beatrice Fox Auerbach. We join so many in honoring the memory of a humanitarian.

A REALISTIC ASSESSMENT OF CHINA

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. FRASER. Mr. Speaker, a recent issue of the New York Times Magazine contained an excellent article about the need for the United States to reassess its policy toward China. Author of the article is Allen S. Whiting, an authority on Chinese foreign policy, until recently a State Department official in Hong Kong, and now an international relations professor at the University of Michigan.

Mr. Whiting's realistic approach deserves the careful examination of every Member of Congress. His article follows:

TIME FOR A CHANGE IN OUR CHINA POLICY

Like Liza Doolittle, students of our China policy will be tempted to greet President Richard Nixon with the frustrated cry, "Words, words, words. Speak me no words, show me!" For if anything characterizes Washington's attitude toward Peking in the last eight years it is the change in words without a change in policy. This was vividly shown by the alacrity with which Vice President Humphrey elevated to national attention Prof. A. Doak Barnett's phrase from the 1966 Fulbright hearings, "containment without isolation," as foreshadowing a new approach. Small matter that each audience defined differently what was to be "contained." Scholars at the hearing argued whether the "containment" was to be political and cultural or military and whether it was to include covert subversion as well as overt aggression. Secretary of State Dean Rusk, on the other hand, foresaw 800 million Chinese, "armed with nuclear weapons," who would have to be contained by 1980. Nor was it clear precisely whose isolation was to be ended. Would it be that of the United States, which had taken a lonely road, away from the international business world, by its total embargo on trade with China?

These questions became particularly urgent for the incoming Administration on Nov. 26, when the Chinese Foreign Ministry formally called for a Sino-American agreement on "peaceful coexistence." Until now, Washington phrasemakers have been preoccupied with form, not content. They have insisted that while we change our "posture" it is Peking which must change its behavior. Hence our peace-keeping sermons tell China to "leave its neighbors alone," and we hope that "China can once again join the international community when its belligerence ends." Self-righteous pleas for Peking to end nuclear tests accompany pious pledges to "build bridges" and "work toward a dialogue." Meanwhile we manufacture nuclear nightmares by justifying an antiballistic-missile defense system in terms of "the Chinese ICBM threat" and educate Asian leaders from Japan to Thailand in the hazards of future "nuclear blackmail" by Peking.

It is time for a change. In fact, it has been time for many years. The late Julius C. Holmes, then Consul General in Hong Kong, sent specific suggestions for a change to the Department of State in December, 1960, on the eve of a new Administration. Holmes's letter could, with only minor alterations, be submitted by the present Consul General without embarrassment, so little have things changed.

With another new Administration beginning in Washington and an old one crumbling in Peking, the temptation will be strong for the Department of State to caution that change must await "the right moment." This argument can be bolstered by pointing to the uncertainties of a Vietnam settlement, which might coincide with the death of Mao Tse-tung, and the aftermath of Mao's disastrous Cultural Revolution.

Attractive and protective for the bureaucracy as this waiting game is, it perpetuates negative practices adopted in reaction to the North Korean aggression of 1950, the defeat suffered by Gen. Douglas MacArthur's forces after they provoked massive Chinese intervention in Korea, and the fateful fantasies of Senator Joseph McCarthy, who concocted a Communist conspiracy in the Department of State that "lost" China to Mao Tse-tung. Times have obviously changed, but the basic policy has not.

The policy is based on the assumption that "the right moment" will be perceived in time. Unfortunately, that moment is all too often seen only in retrospect. One "right moment" came in the mid-fifties, when President Eisenhower, responding to a press query, listed several steps Peking would have to take to win a reconsideration of Washington's position both in bilateral relations and in the United Nations. Quietly but consistently, the People's Republic of China reacted, releasing Americans from jail, withdrawing its forces from North Korea and receiving the United Nations Secretary General in Peking. The only response from Washington was a harsh restatement of our cold-war view of the mainland regime by Secretary of State John Foster Dulles in San Francisco in June, 1957.

Another flaw in the "right moment" approach is that it places primary emphasis on the actions and reactions of Peking, which should be only one factor in the formation of our policy. In addition, we must consider the reactions of other governments and test our own reactions by juxtaposing values and principles against the literal definition and implementation of policy. To the extent that we deceive ourselves, we will suffer a loss of respect and confidence both at home and abroad.

The events of 1962 provide a dramatic study in the "perception gap" between Washington and Peking, which brought a moment of tension in the Taiwan Strait and a short war in the high Himalayas.

In early June of that year, reliable sources on Taiwan reported a sudden and massive movement of Chinese troops into the nearby provinces of Fukien and Chekiang, bringing Communist troop concentrations opposite Quemoy and Matsu to their highest levels since 1950. Tense White House meetings in which the mysterious movement was debated produced an even split between those who feared that it foreshadowed an attack and those who thought that it was an inexplicable defensive measure.

Suddenly the Chinese Embassy in Warsaw requested an urgent meeting, the first such substantive contact since the Quemoy crisis of 1958. Ambassador Wang Ping-nan astonished his normally imperturbable counterpart, Ambassador John Moors Cabot, by warning the United States not to permit Chiang Kai-shek to invade the mainland. From Washington's perspective, nothing could have been more far-fetched than to fear American intentions toward the mainland at that time. President Kennedy had given specific hints about the probable availability of wheat should China request aid in overcoming the shortages that followed natural calamities and the collapse of the Great Leap Forward. More generally, the Bay of Pigs had shown Kennedy's refusal to risk overt involvement in a relatively small and nearby operation. Chiang Kai-shek's forces had little capability for moving men and equipment to the mainland and no bombers or offensive missiles. Chiang was wholly dependent on U.S. firepower and transport.

Ridden with fears of foreign exploitation of their internal weaknesses, however, Peking officials were described by an acute diplomatic observer as "panicky." Incredible as this seemed of Long March veterans with decades of triumph over adversity, it proved an accurate description. They anxiously watched an increase in the frequency of official American visits and the stature of the visitors to Taiwan in early 1962. They found significance in Chiang Kai-shek's strengthened pledges to liberate the mainland, his newly enacted "war tax" and accelerated "planning" by special military groups. Peking apparently concluded that the Kennedy Administration would try to recoup its Bay of Pigs setback in the Taiwan Strait. Its response was a Chinese form of deterrence: the moving of divisions and execution of a diplomatic *démarche*. President Kennedy responded by publicly opposing the use of force by either side in the Taiwan Strait. From Peking's point of view, it had succeeded in its deterrent effort.

Unknown to Washington at the time were other factors that shaped the Chinese outlook. The internal situation was much worse than the West suspected. Martial law held entire provinces secure against peasant raids on graneries. Malnutrition lowered birth rates and raised death rates to produce a sharp decline in population growth. Peking's concern that its true state might be detected was heightened in May, 1962, when several hundred thousand Chinese poured across the Hong Kong border seeking economic relief and resettlement. Similarly, at the opposite end of China, tens of thousands of Uigurs and Kirghiz sought refuge among ethnically similar groups in the Soviet Union, fleeing religious, political and economic pressures in Sinkiang.

Just as Peking misunderstood developments on Taiwan, so, too, it misinterpreted unrest in Sinkiang as a Russian effort to subvert an area long coveted and in past times separated from Chinese control. Again Peking moved troops to seal off a threatened border. Moreover, it closed the Soviet consulate in Urumchi and expelled the handful of so-called White Russians who had been there since the Russian Revolution. During their subsequent exodus through Hong Kong, they provided graphic accounts of the extreme measures taken by Chinese military authorities to snuff out any possible uprising.

Little objective evidence supported Peking's suspicion that Premier Nikita Khrushchev was playing Stalin's subversive game in China's borderlands. However, it is not reality but the way men perceive it that conditions policy. The most egregious example of this phenomenon, coinciding with the Sinkiang and Taiwan crises, concerned Sino-Indian relations. After years of diplomatic representations and military passivity in the face of Chinese road construction through the disputed Ladakh plateau, on the western end of the Himalayas, Indian patrols began to move behind Chinese outposts in the spring of 1962. New Delhi could not have picked a worse moment. Peking concluded that only incitement by Moscow or Washington, or both, could explain this sudden initiative, obviously timed to take advantage of internal weaknesses, Tibetan restiveness and external pressures on China's eastern and western borders. The summer saw Chinese suspicions grow; minor incidents triggered an open warning against further Indian advances in Ladakh lest China activate its claims to "the eastern end of the frontier." This thinly veiled threat against India's Northeast Frontier Agency gave Nehru pause, but political pressures forced a continuation of military activity. A final ultimatum from Peking in September was shrugged off by New Delhi with virulent oaths "to recover every inch of sacred Indian soil." The results were nearly disastrous for Indian prestige, not to mention the Indian Army, in the short Sino-Indian war six weeks later.

A study of the events of 1962, in addition to illustrating the folly of counting on reciprocity at "the right moment" for policy change, helps place in perspective the record of Chinese aggression. Peking's use of military force was prompted by more than the simple desire to have its own way in a border dispute. Just as the anticipation of an invasion from Taiwan brought troop deployments and a warning to Washington and the fear of separatist revolts in Sinkiang evoked a similar move against Moscow, so Peking acted to halt Indian probes before they awakened sympathetic responses in Tibet. This does not justify China's sudden attacks against Indian troops. It does, however, place them in a more specific framework; it shows them to be more than the crude stereotype of massive Chinese power lashing out at will against vulnerable neighbors.

In fact, China's two great ventures outside its borders have suggestive similarities. Its intervention in the Korean War came at a time of extreme domestic instability and vulnerability. President Truman's dispatch of the Seventh Fleet to the Taiwan Strait denied Peking access to the defeated Chinese Nationalists and implied a willingness to preserve them as a Western counterforce against the Chinese Communists. General MacArthur's to the Yalu despite explicit advance warnings against such a drive only confirmed Peking's fears that passivity under these circumstances would invite more trouble later. Similarly, Indian actions and reactions in 1962, when China was in internal disarray and sensed external threats, contributed to the decision that immediate offensive action was safer than defensive action later.

Today, China is again in the throes of internal difficulties, and in the near future Mao will pass from the scene. The present and prospective instability makes it likely that any move on China's periphery susceptible to hostile interpretation will be so interpreted. Conversely, "signals" of good intent will evoke no positive response; they will be treated as efforts to deceive or entrap Chinese leaders.

Obviously, the alleviation of Chinese fears is hardly a sufficient guide for policy. However, where such fears may be unnecessarily heightened, it would seem wise to weigh words and actions most carefully. And a recognition of the relationship between Chinese anxieties in foreign affairs and internal difficulties may reduce expectations of reciprocal warmth and friendship. In today's idiom, if Peking is uptight, we should keep our cool.

We have already oversold Asians on the prospective perils of a people's war backed by 800 million Chinese possessing nuclear weapons. Anxious Thais look to us for guarantees against "nuclear blackmail" after the Vietnam war, while officials in Kuala Lumpur, Singapore and Canberra confer on how to fill the void to be created by British withdrawal in 1970.

How serious is the threat of guerrilla war in Southeast Asia, aided and abetted by Peking? A close look at the insurgencies of Thailand, Burma and India, all within easy reach of Chinese power, discloses an amazingly small effort by Peking; either the Chinese have not really cared much or they have not been too effective. In any event, the results are most unimpressive.

Not until Thailand began serving openly as a base for U.S. air attacks against targets in Laos and North Vietnam did Chinese-backed insurgents pose any active threat to isolated areas in the north and northeast. Numbering between 1,000 and 2,000, with a motley collection of weapons purchased largely in the black markets of Laos and Thailand, they have had little staying power. Nor have they grown through reinforcements from Chinese training camps in the last three years. However, some Thai officials, alert to the military and economic benefits of a Communist threat, have adapted to the times. Special organizations in Bangkok study the insurrection problem. In the afflicted provinces an array of techniques for combating insurgency and tying remote wilderness to central control blossoms under American guidance. Vested interests, both Thai and American, have found the exaggeration of the Chinese threat useful.

Thoughtful Thais, on the other hand, worry increasingly over the visible erosion of values and independence which accompanies the large American presence, an explosive mixture of nationalistic sensitivity and xenophobic suspicion has fueled occasional anti-American outbursts by Government officials and the semiofficial press. The crosscurrents of Thai attitudes, both real and assumed, make the reduction of our presence there a "damned if you do, damned if you don't" proposition. On balance, however, a candid assessment of the situation should reassure Thai leaders that any present or prospective Chinese threat is easily within their capacity to handle. Ultimately, of course, the Southeast Asian Treaty remains as a guarantee of U.S. support in case of overt attack.

Burma, sharing a border with China and plagued with insurgency since its rebirth in 1948, would seem to have been doomed to a national liberation struggle. Yet Rangoon's leaders have refused to panic or kowtow to Peking. On the contrary, U Nu gave Chinese leaders a unique lecture on how big nations should treat small ones during a state visit in the mid-fifties. Last summer Ne Win's police permitted the Rangoon populace to wage a bloody pogrom against Chinese diplomats and merchants, using Cultural Revolution propaganda excesses as an excuse. Recent press reports say joint Burmese-Indian consultations have concerned common insurgency problems along the frontier with China. If this is true, it further indicates the quiet but determined manner with which Gen Ne Win shows his independence of pressure from Peking.

True, China does *not* leave its neighbors alone. Peking's patronage keeps alive the minuscule, militant Communist party of Burma, the so-called "White Flags," whose more moderate rivals have long been out of favor with Peking. Recent "White Flag" internecine struggles, paralleling those in China, have reduced still further their negligible power. Similarly, Peking periodically fishes in the troubled waters of Shan, Kachin and Karen insurgency with only slightly greater success. And the Ne Win Government is intermittently attacked by the Peking radio as a "facist" regime certain to be overthrown by "armed struggle."

But the question is not whether we have evidence of Chinese subversion in Burma. Rather we should ask: How serious is the threat? The record to date shows that Rangoon, with little aid or advice from Washington, finds it worrisome but tolerable.

Perhaps the clearest case of limited Chinese interest and capability is India. After the 1962 Sino-Indian war this divided and weak country seemed certain to be the target of Chinese probes through the anti-Indian people of the sub-Himalayan plateau and the dissident tribes of the eastern hills bordering Burma and China. Chinese broadcasts, training and arms do feed unrest in these areas. But the most notable result, the Naga insurrection, hardly merits the grandiloquent tributes paid it by Peking Review. A straggly, divided congeries of poorly equipped guerrillas, numbering about 1,000, continue to roam the hills and raid Indian Army outposts, but have little impact beyond their traditional home base. More important, an inventory of Chinese material support suggests little investment of resources by Peking in the Naga effort.

It might be argued that such restraint as Peking may exercise is not voluntary but rather the result of fear that too overt or large an effort will trigger American counteraction. The differing degrees of U.S. commitment in Thailand, Burma and India, however, do not seem to be inversely proportionate to the Chinese involvement in local insurgency. On the contrary, the most concrete and consistent evidence of Peking's support for local insurrection is in Thailand, where Communist China would seem to have the greatest cause for concern over our reaction.

In sum, whether as American allies, weak neutrals or disputants of Chinese claims, countries vulnerable to Peking's power have survived 19 years of Mao's rule with relatively little damage. Indeed, one might ask whether these pockets of insurgency in remote mountain and jungle areas are not to be expected in such countries. So long as resistance to authority remains below the level at which it might affect other parts of the country or society, it may even be better to handle it marginally rather than risk the material and political costs of elevating it in importance, giving it international significance.

But what of the future? Does not the triumph of Mao over Liu Shao-chi and the eventual succession of Lin Piao increase the support Peking is likely to give these insurgencies? Worse, will not the acquisition of nuclear weapons make Peking willing to take greater risks in backing so-called "people's wars"?

Not for 20 years has the political scene seemed so confused as in the aftermath of Mao's Cultural Revolution. However, certain outlines are emerging: In contrast to all of Peking's pronouncements, Mao failed in his twin objectives of smashing the Establishment and substituting for it hand-picked followers willing to carry out the utopian experiments that failed so disastrously in the Great Leap Forward. Power lies not in Peking but in the provinces, where local military commanders exercise authority through so-called "Revolutionary Committees" embodying precisely those elements most opposed to the absurdities of the Cultural Revolution. Throughout South China, in particular, the defeat of Mao's favorite Red Guards was so brutal and bloody as to make student demonstrations elsewhere in the world look like Sunday school picnics.

The inevitable struggle that will follow Mao's death is unlikely to find his chosen successor, Lin Piao, retaining more than symbolic power, and that may be short-lived. Of slight physical stamina, with limited political appeal and no national base in the army, party or Government, Lin can be little more than a front man for an independent-minded coalition. Chou En-lai, far stronger on all counts, is a more likely winner, but he is nearing 70 and shows the effects of the incredible strain of managing the Cultural Revolution so as to please Mao on the one hand and preserve the regime on the other.

The more fundamental question, however, is not *who* but *what* will survive Mao. The credibility of his theories has suffered so much as to raise doubts about the doctrine that will emerge after his death. We can expect less commitment to "national liberation struggles" from military commanders responsible for maintaining order at home. Their time and energy will be devoted primarily to internal affairs, although external threats will receive vigilant attention. Local insurgents will be seen as little more than another counter to threats posed by foreign bases and hostile operations on China's periphery.

As for conventional or nuclear threats, the probabilities are no more worrisome. China's military élite has a keen appreciation of costs and vulnerabilities. Its experience in the bloody Korean stalemate was sufficiently sobering to prompt extreme caution in the subsequent 15 years. Except for a few weeks of carefully limited attacks in the 1958 Quemoy crisis and in the 1962 Sino-Indian conflict, China's forces have by and large, remained behind their frontiers. They offered minor diversionary pressure on the Himalayan frontier during the 1965 Pak-Indian war. They also rendered valuable covert assistance to North Vietnam in the form of construction, railroad engineering and antiaircraft divisions, numbering perhaps 50,000 troops. But a military ascendancy in Peking should prove no more dangerous as a major source of aggression than has that of a civilian leadership under Mao.

Nor will the acquisition of nuclear weapons transform this élite, now in its late fifties, into reckless risk-takers. Indeed, it is difficult to write a credible scenario for Chinese nuclear blackmail or nuclear confrontation at Chinese initiative. Ethnocentrism combines with a superiority complex to make Chinese tutelage difficult for would-be revolutionaries, whether Asian or African, as evidenced by disappointed defectors from Peking's camp. In addition, China's confidence in the long trend of history makes it believe that an eventual U.S. withdrawal from Asia is inevitable. These elements limit Peking's willingness to sacrifice or take risks on behalf of objectives outside its immediate security interests. The horrendous consequences of nuclear war should heighten still further this pattern of caution and limited involvement.

American officials and scholars, granting this general situation, have anxiously wondered why China wants nuclear weapons. The question might be better put: Why not? Chinese leaders clearly have opted for the symbols of power, regardless of their utility. If the ghetto black finds in the gun an answer to a lifetime of admonitions to "move along," so Chinese Communist officials gain psychic, if not actual, satisfaction in the bomb after two decades of stern warnings to "stay put."

Some observers raise the "madman" theory to justify the focusing of Asian and American fears on China's nuclear future. The theory is conventionally put this way: "We must prepare against the enemy's capabilities, not his intentions." But the material and emotional costs of planning against the possibility of a truly irrational use of nuclear weapons can only lead to political and economic bankruptcy for ourselves and those we convince of this need. We must instead refine our calculations to make them consonant with a reasonable range of likely actions by those we consider in conflict with our interests.

There is no question that the interests of Washington and Peking conflict. The final disposition of Taiwan and the Chiang Kai-shek Government is the linchpin of the conflict. The United States and China have been in such disharmony for so long that it is fatuous in the extreme to expect any easy or sudden change in relations in the foreseeable future. But improvement is possible. The conduct of both sides in the Vietnam war showed considerable progress, to say the least, over their Korean war behavior. Similarly, except for statements by Secretary Rusk and occasional remarks by others, the speeches of Assistant Secretaries for the Far East Roger Hilsman and William P. Bundy, as well as those of Under Secretary of State Nicholas deB. Katzenbach, did much to soften the harsh image of Peking formed during the Dulles years.

We can do more than mute the polemics, however. We can move to positive acts which serve our own interests and permit the Chinese to change their perceptions of us as time and experience permit. No more immediate step in this direction can be taken than to lift our embargo on trade with Communist China, excepting strategic goods presently embargoed for all Communist countries. This will not reverse our gold flow or enrich American exporters overnight. It may lead to little actual trade, at least until China recovers from its present economic depression. It will, however, place us on a competitive basis with the many Asian and European countries who sell China everything from wheat to giant chemical complexes, regardless of their diplomatic ties with the mainland or Taiwan.

Ending the trade embargo would also allow us to end our meddlesome interference in third countries, demanding proof that our imports are free of Chinese Communist materials and our exports are not ultimately bound for Chinese Communist use. No less important for the morale of American travelers and officials overseas would be the end of the penny-ante policing of our tourists to prevent them from buying Chinese products. The rage and ridicule such practices arouse are part of the cost of pursuing policies adopted during our retreat from the Yalu. Even a $2 steamer ride from Hong Kong to nearby Macao is taboo because the U.S. Treasury suspects that the line's owners have contributed to Chinese Communist coffers.

Finally, permitting normal trade would give proof of our sincere desire to see China develop peacefully so long as it does not war with us or our allies. Another step toward this end would be the absolute exclusion of U.S. military aircraft and naval vessels from an area of reasonable size off the Chinese coast. Whether our missions in such areas are accidental or designed to acquire military information, they would seem best avoided because they reinforce Peking's belief in our hostility and arrogance.

More far-reaching, of course, will be what we do as well as what we say in ending the Vietnam war. If negotiations are expanded to include parties other than those presently agreed to at Paris, we should strive for participation by Peking. Exclusion will increase Chinese suspicion. Moreover, while China is not directly involved in South Vietnam, its presence in the northern Laotian province of Phongsaly has remained fairly constant since the 1962 Geneva accords. Thus it would be practical as well as politic to win Chinese participation in any comprehensive settlement embracing Laos as well as South Vietnam.

Were we to succeed in these steps, the far more complex matters of recognition and United Nations membership could be examined at greater length. Those who oppose any change of policy unless there is a guaranteed response from Peking sometimes argue that "it takes two to tango." While the foregoing steps can have positive effects whether or not Peking responds, this admonition does apply to the exchange of diplomatic recognition. A dramatic unilateral announcement recognizing the People's Republic of China as *de jure* sovereign over the mainland might cause confusion in Peking, but that would be nothing compared to the uproar it would produce in Taipei, Tokyo and elsewhere. Yet it almost certainly would not increase contact beyond the present Warsaw talks.

However, the secret and systematic exploration of Chinese views might be solicited, perhaps during or after a Vietnam conference. There may be some halfway point between our present relationship and the exchange of ambassadors to which we can move until agreement is reached on the status of Taiwan. Britain and China have had mutual diplomatic missions headed by charges d'affaires since 1950. British citizens and property were handled brutally during the Cultural Revolution, but British interests in China, particularly Hong Kong, were served by the opportunity to meet formally, promptly and in absolute secrecy as frequently as both sides desired. Obviously Warsaw is a poor substitute for Peking.

To the extent that we are consistent and convincing in our acceptance of the People's Republic of China as *China*, a legitimate member of the international community, we can expect Peking to participate more positively in that community. It is not surprising that isolated invitations to confer on one matter or another, often with the inclusion of Chinese Nationalists already arranged, are rejected out of hand so long as the inner circle, the Security Council, awards permanent membership to Taiwan's representative, thereby substituting 13 million people for a nation of 750 million. Our legal legerdemain may win votes in New York, but it does not lessen hostility in Peking.

Though the Chinese have said relatively little about the advent of the Nixon Administration, they have, through their call for a new agreement, left open the door to progress. The "five principles of coexistence," on which the new pact would be based, were first set out in a Sino-Indian agreement in April, 1954. They are: mutual respect for territorial integrity and sovereignty, nonaggression, noninterference in internal affairs, equality and mutual benefit and peaceful coexistence.

Of course, Peking's proposal was tied to its standard demand that the United States withdraw all its military forces from Taiwan and the Taiwan Strait. But there was a hint of hope in the initial dispatch from Hsinhua, the official press agency, on Nixon's electoral victory. Of all the Republican candidates' campaign statements, Hsinhua singled out for attention a pledge to "reduce our commitments around the world in areas where we are overextended" and "put more emphasis on the priority area." Though Peking may have been mistaken in its assumption that Nixon's "priority area" does not include the Asian mainland, its statements since his election have been notable for their lack of vitriol, and that leaves the new President with some relatively happy options.

Naturally, we cannot expect China to vote our way once it does participate in international affairs on a more regular basis. We can, however, be confident of the intermittent reconciliation of conflicting interests through traditional Asian bargaining and Western diplomacy. Nor must we assume that all our interests conflict. In such practical fields as population control, agricultural research and preventive medicine, our interests in Asian progress mesh with those of China. On the diplomatic front, our hope for more flexible Asian relationships can coincide with Chinese desires to avoid so exclusive a dependence on another state as existed before the Sino-Soviet dispute. But for future Chinese leaders to reject a possible rapprochement with Moscow they must have alternative sources of the trade and aid necessary for modernization. The reexamination of these matters in Peking must await the death of Mao, but we need not wait for that moment to consider the alternatives we may wish to pose for Peking.

Vietnam understandably is the first order of business in Asia for President Nixon and his new Secretary of State. In handling Vietnam, they will inevitably consider the larger frame of Southeast Asia, and in turn, mainland China. Reversing this order and reexamining our assumptions and policies toward China might provide different solutions, more in accord with our global commitments and capabilities as well as with the situation on China's periphery. Regardless of which approach we take, the responsibility and opportunity are clearly ours for defining our relationship with China now and in the post-Mao year.

RECONFIRMATION EVERY 10 YEARS AND MANDATORY RETIREMENT AT AGE 70 URGED FOR SUPREME COURT JUSTICES

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. ABBITT. Mr. Speaker, I have introduced a proposed amendment to the Constitution requiring that Justices of the Supreme Court be reconfirmed by the Senate every 10 years and establishing a mandatory retirement of Justices at the age of 70.

I first introduced this resolution on September 10, 1968, and since that time have received many communications, not only from my district and the State of Virginia but from all parts of the Nation in support of this proposal. Many people are profoundly concerned about this problem and feel that unless some corrective measures are taken, our whole governmental system may well be endangered.

I am convinced that no problem in America is more evident to the general public today than the need for some restrictions on the present power of the Supreme Court. The Court has gone far afield in the past two decades—usurping legislative powers and attempting to remold our society according to the philosophy of a majority of its members.

The Constitution never intended that this would be the function of the Supreme Court, and unless something is done soon to curb these activities, our whole society is going to be irreparably altered.

The wave of decisions by the Court in the past decade has greatly weakened the power of law-enforcement authorities and increased the problem of crime throughout the United States. The Court has exalted the standing of minority pressure groups to such an extent that the rights of the vast majority of Americans have been jeopardized. To a large extent, the Court's decisions have been legislative functions which the Constitution clearly designated to the Congress. There has been a persistent and consistent effort by a majority of the Court to force upon the public its own political, economic, and sociological views. In many respects, these decisions of the Court have transcended the acts of Congress and changed the fundamental philosophy of the separation of powers which is a basic foundation of our system of government.

It is pertinent that in 22 years, between 1937 and 1959, only six Federal laws were held unconstitutional by the Supreme Court.

But in the past 5 years more than twice that number have been declared unconstitutional. Judicial restraint has been abandoned and judicial activism has taken its place. The Court has arrogated unto itself authority which it was not given by the Constitution and has set itself up as a judicial oligarchy.

We are all familiar with the controversial positions taken by the majority of Supreme Court members in recent years, such as outlawing prayers in public schools, banning segregation, the "one-man, one-vote" policy and other far-reaching pronouncements. Such decisions have imposed upon the Nation new rules of conduct and more importantly many of these so-called rules and unwritten laws have been imposed without congressional support.

Through its extension and interpretation of the Constitution the Supreme Court has revamped many areas of our national life and has created by virtue of its decisions a society which is much different than many of us have known before. The function of the Supreme Court is to interpret the law and to adjudicate lawsuits: It is not to write legislation or to mold and remake our society. The Founding Fathers did not intend that the Court should be a promoter of the public welfare nor an arbiter of the lives of American citizens.

Although the decisions of the Court in recent years have touched all Americans in many ways, no activity of the Court has been more shattering of the American status quo than its effect on crime in America. No greater challenge or danger faces this Nation than the Government's attitude toward crime. We have always had a criminal element but heretofore the function of the Government has been to curb the activities of criminals and to protect the law-abiding citizen. No longer is this true. The Federal Bureau of Investigation reports that there were increases in all categories of major crimes during the past year. While many of these categories relate to crime against individuals, by far the greatest increase was in crimes against society as a whole. Riotous conditions have existed in many of our large cities and much of this problem can be directly traced to decisions of the Supreme Court.

The public is understandably apprehensive and fearful as to what the future will bring when it looks to Washington and sees supposedly responsible public officials acting in an irresponsible manner. Certainly it is irresponsible when those who are elected or appointed to protect the public interest refuse to do that which protects the public as a whole, but rather succumb to the idea that criminals need to be pampered and protected.

Certainly no one would want to deny rights to any American citizen, but there comes a time when an individual's rights cannot be allowed to thwart society as a whole and this is a lesson which the majority of the Supreme Court apparently is unwilling to recognize.

Never in the history of America—even in the frontier days—has there been such widespread public concern and fear as there is today with reference to lawlessness throughout our land. Our law-enforcement officials to a large extent have been forced to govern their law-enforcing activities by giving first consideration to how the Federal courts are likely to view their every action. Criminal elements, dissenters, beatniks, and others have trampeled on our public institutions and flouted the laws governing the American society.

This deplorable situation has gone far enough. We cannot continue to tolerate conditions under which the lawless element and those who would undermine our society are given the upperhand in the control of that society. The Court continues to blindly contend that it is protecting the rights of the individual who commits a crime but overlooks the rights of the law-abiding citizens against whom the crimes may have been perpetrated.

We cannot hide the fact that many of the major crimes in the United States are today made more enticing to the criminal element simply because they feel they have a better chance of beating the law than heretofore has been the case. We must throw off the shackles which today impede law enforcement throughout the land and return the confidence of the general public that laws will be enforced.

The only way that I know to curb such usurpation of power is to place some restriction on the office of Supreme Court Justice itself. Supreme Court Justices—unlike Members of Congress who are elected by the people and responsive to the people—are in effect, the final voice in what is the law of the land. Some way must be found to make the Court realize that it is there for the purpose of serving the people of the United States and not being their dictatorial master.

I realize that this is not an easy task and one which will be violently opposed by the liberal element who always seem to find some excuse to coddle and protect the offender while closing their eyes to the injustice done to the general public.

Under my bill, members of the Supreme Court would have to be reconfirmed by the U.S. Senate every 10 years. In addition, a mandatory retirement at age 70 would be provided.

It seems to me that these are reasonable provisions inasmuch as under the present law there is no way that retirement can be forced, nor can members be brought to any formal accounting for their decisions. Members of Congress must periodically stand for reelection; the President is limited to two 4-year terms; but, under present laws, Supreme Court Justices are not limited except by death or voluntary retirement.

As stated previously, I have been very pleased with the response which my resolution brought forth in the closing days of the 90th Congress. I urge the chairman of the House Judiciary Committee to call hearings on this proposal and to go into the matter fully. I believe that it is deserving of mature consideration and the American people have clearly indicated that they desire some change in the present setup. It is significant, I believe, that the amendment process has been used on several occasions to change the constitutional provisions relative to the Presidency and also with reference to the U.S. Senate. Therefore, the present constitutional provisions relating to the Supreme Court are not sacrosanct and should be weighed in terms of the public need.

We cannot stand idly by and see our great institutions changed beyond the point where positive recall can be effectuated.

The Court majority is clearly undermining the fabric of our society and we as Members of Congress have a duty to perform in order to protect the people we serve and the Nation of which we are a part.

DICTATORSHIP IN GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. EDWARDS of California. Mr. Speaker, nearly 21 months have passed since the April 21, 1967, military coup by which a junta of army colonels seized power in Greece.

I trust that many of those who preferred to give the colonels the benefit of the doubt all these months will now come to a more severe judgment.

I especially hope that those who make the crucial decisions of American foreign policy have been making the painful and painfully necessary, reevaluation.

With each passing day, the Greek dictatorship is tightening its grip on every aspect of Greek life. The average Greek, whose spontaneity and love of political conversation is legendary, is now silent, afraid to talk freely to any but the most trusted friends. Purges take place ruthlessly in the military, the church, and the civil service, with obedience to the dictatorship the only test.

Those who pretend that the colonels came to power as constitutional reformers, a position regrettably advanced by our State Department, only delay the facing up to the hard, bitter realities. Those American businessmen who prefer to do business with a "stable" dictatorship should have on their conscience the bitter thought of 8 million human beings who have been deprived of rights even the most insensitive American businessman would consider fundamental.

The tragedy which American conservatives as well as American liberals must consider is that in Greece, "the vital center" of responsible liberals and conservatives is in desperate danger of being wiped out. The natural result would be a sharpened polarization into extreme right and extreme left. Neither American interests nor NATO interests can long avoid the dreadful consequences of such a development.

Under leave to extend my remarks, I include in the RECORD several timely articles reviewing the situation in Greece:

[From News of Greece, November 1968]

THE COUNCIL OF EUROPE SPEAKS

(NOTE.—Text adopted by the Assembly of the Council of Europe on September 26, 1968.)

The Assembly,

1. Recalling the provisions of Article 3 of the Statute of the Council of Europe, by virtue of which every member must accept the principles of the Rule of Law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms;

2. Recalling that in Resolution 361 the Assembly decided (inter alia) in paragraph 8:

(i) to give close consideration to the constitution submitted to referendum and to the conditions under which the referendum itself would be held in order to ascertain their democratic character, and

(ii) to make a recommendation by the spring of 1969 at the latest and earlier if necessary in relation to the suspension or expulsion of Greece from the Council of Europe if the promises of the regime to move towards an acceptable parliamentary democracy had not been respected;

3. Considering:

(a) that the derogation from the European Convention on Human Rights and Fundamental Freedoms in Greece still persists;

(b) that many army officers, civil servants, professors and even judges have been dismissed on political grounds;

(c) that according to the opinion of juridical experts, which is shared by the Legal Affairs Committee of the Assembly, the draft constitution drawn up by the Greek Government does not conform to democratic principles;

(d) that the conditions in the months preceding the referendum on the draft constitution have made a free and democratic campaign impossible, that according to the declarations of the Greek Government the referendum will be held under martial law decreed on 21 April 1967, and that it cannot therefore be considered as a free expression of the popular will;

(e) that the Greek Government has made it clear, inter alia in the declaration made by the Prime Minister on 16 September 1968, that it has no intention, in the near future, of applying the articles of the constitution concerning parliamentary elections and human rights and fundamental freedoms, including the freedom of the press, the freedom of association, the freedom of assembly, and the freedom to form political parties;

4. Condemns the continued refusal of the Greek Government to reestablish human rights and fundamental freedoms and to ensure the rapid return to a democratic parliamentary regime;

5. Expresses its solidarity with the Greek people in its present plight and especially with those who are the victims of repressive measures;

6. Considers that respect for the Statute constitutes the very foundation of the Council of Europe's existence and must therefore admit of no exception;

7. Recalls Article 8 of the Statute of the Council of Europe by virtue of which "any member of the Council of Europe which has seriously violated Article 3 of its Statute may be suspended from its right of representation";

8. Calls for:

(a) The immediate return to a democratic and parliamentary system including the right of the Greek people to vote upon a democratic constitution;

(b) the immediate abolition of martial law, the full restoration of human rights and fundamental freedoms and an end to restrictions on political liberties;

(c) the organisation of parliamentary elections within six months under conditions which allow everyone to conduct a free and democratic campaign, including the announcement of the date of such elections in adequate time to enable political parties to prepare for them;

9. Expects all member governments of the Council of Europe to use their influence to secure the realisation of these aims and to show their willingness to give both moral and material support to a government committed

to the rapid establishment of a democratic and parliamentary system in Greece;

10. Decides:

(a) to follow attentively the development of the situation in Greece with regard to a return to parliamentary democracy and the restoration of human rights and fundamental freedoms;

(b) to consider, at its session in January 1969, in the light of a new report of its rapporteur concerning the progress made towards the restoration of democracy in Greece, whether to recommend to the Committee of Ministers to suspend the Greek Government from its right of representation in the Council of Europe, in accordance with Article 8 of the Statute.

[From the Chicago (Ill.) Sun-Times, Nov. 24, 1968]

Greece: Police and Prosperity

(By Christopher Janus)

George Papadopoulos wanted to be a doctor, but he flunked out of medical school. Now he is a dictator instead. But he still likes to think of himself as a doctor, of sorts, and he frequently refers to Greece as if the country were his patient.

The head of the Greek military junta used the analogy when I talked with him recently in the King George Hotel in Athens.

"The patient is sick and in the hospital," he told me.

I interrupted.

"Mr. Papadopoulos," I said, "you mean a prison hospital, don't you?"

That made him mad.

"How dare you!" he said. "Haven't you heard your secretary of defense say that America doesn't care what kind of government we have, so long as we are strong allies? What right do you have to come here and moralize about dictatorship when you know perfectly well your country is using Greece for its own strategic purposes?"

I wish I could have thought of a good answer.

A year ago, I had thought there was some hope for an early return to democratic government in Greece. But the resistance movement since then has suffered one setback after another—not the least of which was Defense Sec. Clark M. Clifford's shocking statement last May 17 before the Senate Foreign Relations Committee. The effect of that was really shattering.

Then there was the Russian invasion of Czechoslovakia, which the resistance people consider the greatest blow of all, and the emergence of a Russian naval force in the Mediterranean.

There was the election of Richard M. Nixon, who is expected to have a strongly NATO-oriented policy toward Greece, and of Spiro T. Agnew, who has publicly supported the junta. The Greek intellectuals would have much preferred Hubert H. Humphrey.

There was King Constantine's ludicrous and abortive attempt at a countercoup, which forced him into exile in Rome. The general feeling was that a Boy Scout could have done better.

There was the Sept. 29 constitutional referendum—a farce, of course, but it gave the junta the appearance at least of a little more legality.

There was the psychological impact of Jacqueline Kennedy's marriage to Aristotle Onassis, which seemed to put yet another symbolic stamp of approval on the status quo.

There was the resumption of U.S. military aid, as recommended by Clifford.

A year ago, it seemed possible that the junta's heavy-handed bumbling and the deterioration of the Greek economy might force the military leaders to hold general elections in order to prevent a civil war.

But the economy now is prospering, due in part to relaxation of the sanctions that some countries had applied from abroad. The tourist trade has improved (although it is still of maybe 25 to 30 per cent) and there has been a flow of foreign capital into Greece.

Thomas Pappas, head of Esso-Pappas, has been given the Coca-Cola franchise in Greece. Litton Industries of California is contracting with the junta for tourist and industrial developments that could amount to $500,000,000, and Onassis is investing $400,000,000 to build an aluminum and chemical plant outside Athens.

Over-all the economy is probably stronger now than it was before the junta's coup on April 21, 1967.

As for the junta, it's not bumbling any more. Greece today is a perfectly organized police state watched over by some 20,000 purged-loyal soldiers—including the tank genius Stylianos Patakos, whose Shermans clank up at the drop of a leaflet—and a 200,000-member civilian counterespionage force.

This latter organization is the Greek Central Intelligence Agency, and it doesn't include 3,000 new taxicab drivers who were issued licenses just a short while ago. All the drivers took an oath they would work for the state and keep an ear cocked for subversive conversations.

According to the resistance, the Greek CIA was organized by and is paid for and currently run by the American CIA. Which might explain why Greece is so efficient these days.

From the day I arrived in Athens, I was followed everywhere by a little man with a mustache and glasses who was always carrying a briefcase and reading a newspaper. He'd be sitting there in the lobby of my hotel when I came down in the morning, and he'd be there when I went up at night.

I woke up at 2 o'clock one morning with a terrible cold. My doctor back home had recommended an antibiotic with a long name, but I couldn't remember it. So I phoned the doctor in Winnetka. He told me the name of the drug, and I wrote it down. The next morning, however, I couldn't read my own writing.

I went down to the lobby where the little man was sitting, and I said: "Look here, I'm desperately sick, and I know you were tapping my phone last night. Would you please check the recording, like a good fellow, and find out the name of the medicine I'm supposed to take?" Within the hour, I found it written on a slip of paper in my mailbox.

As for the resistance, I was told it has about 50,000 to 60,000 people in it now, in Greece and abroad. They're organized in basic groups of three—so if anybody is caught he can only inform on two other persons. The leader of course is Andreas Papandreou, head of the Center Union Party, who is living now in Sweden.

Andy is an old friend, and I spent several days with him in Stockholm after leaving Greece. He was very bitter about the American CIA, whose influence he learned much about when he was in office himself, and he scoffed at the idea of our backing the junta to strengthen NATO.

That's supposed to be realistic, he said, but actually it's not. The purges may have made the army a reliable internal police force, he said, but hundreds of the very best officers have been retired, and this has seriously weakened Greece's military posture within NATO.

He also had a warning for the businessmen who are signing all those palmy contracts with the junta. He said: "One of the first things we're going to do, when we're in power, is review all contracts—starting with the contract Mr. Pappas has with Esso Standard. We'll review the contract of Olympic Airways. And we're certainly going to examine everything that Litton Industries has done."

The resistance has very little money and almost no arms. Papandreou said the main strategy now is to work within the NATO human relations committee, exhorting the European members to call for Greece's expulsion from NATO for fundamental violations of its agreement with the committee.

The Europeans are much more sensitive to these violations than we are. If they should make expulsion noises, it's hoped that the United States would then put pressure on Greece to hold elections.

"One thing we need is a rallying point," said Papandreou. So a secondary strategy is to form a government in exile.

Papandreou said he would be happy to serve in such a government headed by Constantine. Caramanlis, the former prime minister, and this would certainly be a very strong alliance—bringing together the left and right wings in common opposition to the junta.

But the establishment of a government in exile is an extremely complicated affair. For one thing, you have to be recognized by somebody. And even Sweden so far has been unwilling to do this, feeling that there is not enough active resistance inside Greece to justify such a move.

Papandreou has been criticized for making a deal with a Greek Communist now in exile in Rome. But he told me the only deal was to work together to overthrow the junta and have free elections. "I made no commitments beyond that," said Papandreou. And he added:

"I am not for Russian communism. I am not for Chinese communism. I am against dictators. I am a liberal. But I have to say I would make a deal with anybody to overthrow the junta. The only thing is, I will make absolutely no commitments to anybody I deal with—except, of course, for the promise of free elections open to all parties."

It was my impression that Papandreou is not very hopeful of success at the present time. But he is determined to prevail in the long run, and I know he will never give up.

It's ironic, and a bit sad, that many resistance leaders at the moment see the new Mrs. Onassis as their brightest hope.

I think the marriage will work, and I think Onassis will be a very good husband. This man is so sensitive to women. He sounds like a Cicero gangster when you're talking business with him, but the moment there's a woman with him he's a different kind of man. He's gentle, he's courteous, he's most considerate. He'll look after Jackie, and I think he'll make her happy.

Onassis of course is a practical man—"I'm just a businessman," he's always saying—and like most Europeans he has no concept of charity or philanthropy. But I think Jackie will have a great influence.

There's been talk of offering Onassis some kind of post with the rank, say, of president. More a title than anything else. Jackie then would be first lady of Greece, which would be a great public relations coup for the junta.

With all his business connections, I don't really think Onassis can afford to be president of a dictatorship. And I don't think Jackie would go along with it, unless there were honest elections at least. But it's interesting to speculate on the rivalry there would be between Jackie and Queen Anna Maria, if the monarchs returned.

The resistance of course hopes Jackie will try to imbue Onassis with some of the ideals of her late husband, and that Onassis in turn will use his influence to make the junta more responsive to democratic pressures.

This might seem unlikely, since Jackie herself has not appeared to be especially interested in politics. But something Papandreou told me could be significant in this connection.

He told me that Jackie donated $500 to the resistance. He said she personally handed him a check for that amount when he was in this country.

WHAT WILL HAPPEN?

I saw King Constantine in Rome, and he indicated he expects to be back, in Greece by next summer. He's given up any hope of ousting the junta, I believe, and he'll go back with all his powers shorn. All he's holding out for now is a guarantee of elections, which would allow him to save face.

The next step probably will be to have elections, within the next year. And they'll be about as free and open as the constitutional referendum was. Papadopoulos will run against a few handpicked nonentities. He'll win, of course, and add still another coat of gloss to his mandate. Especially if the king returns.

I don't know. If Papadopoulos doesn't blunder, he could stay in power for a long time. The average Greek isn't hurting too much, after all: business is good, and he has lost only his freedom and dignity. There are only about 2,000 persons in jail now, officially, and only a few hundred people have been badly tortured.

I talked to three of those who were tortured—two former members of parliament, one of whom I doubt will live, and a 24-year-old who is a family friend and the daughter of a prominent Greek citizen.

The girl told me that anti-junta literature was found in her home. She was taken to the Dionysos Military Camp between Athens and Marathon, she said, and, while a motorcycle was kept running to muffle her screams, she was stripped naked by soldiers and beaten with a wire whip, among other indignities. And after several days of this, she was ready to tell them anything they wanted to hear. She was finally released, she said, after her father paid a ransom of $25,000.

I discussed her case later with a lieutenant colonel I was having drinks with in the bar of the Grande Bretagne Hotel. An attractive, affable, well-educated fellow. He, too, knew the girl, and he conceded that her experience had been . . . well, unfortunate.

"But my God, man," I said. "It's uncivilized. Couldn't they at least have given her drugs instead? They've used the truth drugs on other people, and they work well enough."

"Perhaps," said the officer. "But let's be realistic. It's all a question of survival, and the junta is fighting for its own life. What would happen to us, do you suppose, if the other side got in?"

He smiled and sipped his glass of ouzo.

"Besides," he said, "sometimes a little torture is necessary to preserve civilization."

Well, I wish I could give you a better idea what things are like in Greece today. But as Hemingway once said after a brief trip through Franco's Spain, I was only there for a short while—and so, of course, I am in no position to report to you on the condition of the country.

[From the Progressive, January 1969]

LETTER FROM ATHENS: THE GREEK TRAGEDY

(By Sidney Lens)

(NOTE.—Sidney Lens, foreign affairs analyst and labor leader, made an extensive trip through the countries of Eastern Europe and the Mediterranean area last summer. His articles have appeared in The Commonweal, Liberation, and Harvard Business Review, and his books include "The Futile Crusade" and "Radicalism in America.")

ATHENS.—No matter how rancid its dictatorship, any nation that lives in the American orbit must pay fealty to the word democracy," if only to assuage public opinion in the United States. The totalitarian regime established by three army colonels in Greece after the surprise coup d'etat of April 21, 1967 is no exception to this rule, except perhaps that it is trying harder than most such dictatorships to measure up to our standards of hypocrisy. Every other word from the lips of Colonel (now Brigadier General) George Papadopoulos, the prime minister, is "democracy," yet his coup was directed in the first place at preventing a democratic election which the non-Communist left was almost sure to win.

Subsequently, as world public opinion condemned the illegal seizure of power and tourist boycotts were initiated against Greece, Papadopoulos and the two other colonels of his junta sugar-fed the populace a new constitution which they claimed to be the most democratic possible. Far from being democratic, however, it turned out to be a ruse for transforming a temporary dictatorship into a permanent one. It was adopted September 29, 1968, in a rigged election, held under martial law, which made free discussion impossible. Then, to compound the corruption, the circumscribed provisions on free speech, assembly, and the like were withheld from implementation and are still not in effect.

I attended the press conference where Papadopoulos unveiled his constitutional masterpiece. A short man, with receding forehead, his voice and mannerisms combine a hidden plea for understanding with an arrogant warning, "take it or else." He barely controlled his temper, for instance, when an American reporter asked whether the provision in the draft constitution which bars from politics all those who have ever tried to overthrow the Greek government also applies to the general and his so-called revolutionary officers.

What he was trying to do, Papadopoulos explained in a forty minute introduction, was to defend democracy from its enemies, introduce political stability, reduce the number of political parties, and take political conflict off the streets. No one had a copy of the precious document while he was talking—it was distributed afterwards—but a glance at its 138 articles indicated immediately how hollow was the pledge of freedom.

Communist and Communist-front parties like EDA (Union of the Democratic Left) are automatically excluded from functioning, and their members denied the right to run for office. But to assure that radical movements are not revived in disguised forms, a constitutional court he will appoint will have the authority to outlaw them.

Another provision—it was subsequently dropped—denied political privilege to anyone who has ever been a citizen of another country. This dagger was aimed at Andreas Papandreou, leader of the left wing of the Center Union Party and a hero of Greece's new left, who taught in the United States for many years and acquired U.S. citizenship before returning to Greece. Andreas was undoubtedly the promising figure in Greek politics, capable of mobilizing the youth, challenging the corrupt trade union leadership, and winning many Communists to his cause. But by this provision the dictatorship's most effective enemy was to be shunted to the sidelines.

Almost every substantive article begins with an obeisance to "democracy"—then cuts it to ribbons. "The press," says Article 14, "is free"—unless it "is patently rebellious, or aims at overthrowing the regime, or the existing social system, or is directed against the territorial integrity of the country, or creates defeatism, or constitutes an instigation to commit a crime of high treason." Under this melange of restrictions the press would be free to print only government communiques.

Article 18 upholds the right of assembly, then empowers the state to prohibit open air gatherings. Article 19 guarantees the right to form "associations"—but only if they do not oppose "the principles of the regime."

The same article legalizes strikes of working people, but not if they are for "political" reasons. In Greece everything that pertains to labor-management relations is political. No collective bargaining agreement may be signed without permission of the Minister of Labor, and the Minister, if he sees fit may amend, modify, or throw out any such pact. Every strike, therefore, implicitly challenges governmental authorities, and hence is "political."

The constitution, like the amnesty of December, 1967, and other measures, is being put forth to placate world opinion and at the same time try to forge some kind of popular base for the military regime. The Papadopoulos clan came to power, it should be noted, in an unorthodox manner, since it did not have the blessing of the U.S. Central Intelligence Agency. The CIA was not entirely innocent: From the bits of evidence available it was apparently plotting with the king and rightist generals to stage a coup d'etat a month or two later, providing the elections scheduled for May 28, 1967, were won by Papandreou. The three upstart colonels, however, beat the CIA, the king, and the generals to the punch and therein lies the origin of their difficulties.

The plotters had the support of only 300 officers—out of 8,000—and had almost no friends in the palace, among the police, or the public, which had scarcely heard of them before. Without a popular base they were forced to install military commissars in every government office, bank, or similar institution, and for a time assigned soldiers to ride in police cars to assure police cooperation. A recently released political prisoner told me that the police had treated him listlessly after he was picked up; the beatings and torture began only when military officers took over the interrogation.

The junta's first actions were hardly meant to win friends or influence people. Some 7,000 political foes were arrested, and more than 2,000 of them were exiled to two iniquitous islands, Yiaros and Leros. Many hundreds of these were brutally tortured: Women had their fingers broken, men were given the water treatment, others were strung up with hands tied behind their backs and feet barely touching the ground.

Stories of these goings-on leaked into the world press and forced a number of investigations by Amnesty International and the Red Cross. Amnesty International interviewed sixteen people who said they had been maltreated, and it received similar testimony from relatives and attorneys of thirty-two others. The Red Cross reported that it had found no torture on Yiaros and Leros and only indecisive evidence in the city prisons because no one nearby had heard the prisoners crying out in pain.

Another measure taken to assure synthetic allegiance was to have every civil servant and those working in banks and national security plants fill out questionnaires certifying to their political purity. After listing names and addresses of parents, relatives, and friends, they had to assert that none of these had ever been in one of seventeen proscribed Communist or Communist-front organizations, including the EAM resistance group, which had universal support during World War II.

Secret police have been patrolling the universities, sitting in at meetings, and often ordering students out of libraries or faculty premises to keep them from "agitating" their associates. Military officers have taken over the administration of towns and provinces. Union congresses have been banned, meetings prohibited, the press censored, political parties disbanded. To "save democracy," in other words, the colonels destroyed it.

As Greeks at home were terrorized into submission, millions abroad were alienated to the point where they demanded their governments take measures to isolate the police state. Parliaments of Italy, Holland, and Belgium officially condemned the Papadopoulos dictatorship; the Scandinavian countries brought charges against it before the European Court of Human Rights; Germany cancelled promised military aid; the British government publicly denounced the practice of torture. Even the United States, which undoubtedly would like to kiss and make up, first withheld and then recently approved—in the name of NATO—U.S. shipments of heavy war materiel. U.S. officials quietly pleaded with the junta to give itself a face-lifting by adding better known figures to a cabinet that is patently amateurish, and moving toward some kind of "elections." Washington found itself in the unpleasant situation of having spent three and a half billion dollars over two decades to "preserve Greek democracy" against "totalitarianism" only to sire an obviously totalitarian regime, which it has now tacitly approved.

Many dictatorships can disregard world-wide pressures, particularly if they have a great power as protector. But Papadopoulos, who as a young cadet boasted he would be the Benito Mussolini of Greece, is not in this favored position, and his economy is much more vulnerable than that of most states. Greece imports almost three times as much as it exports, leaving a trade deficit each year of about $700 million—made up by tourism, remittances from the 300,000 Greeks working in Western Europe, shipping, foreign investments, and foreign loans. Tourism was much reduced last year and is plunging still further this year. Loans and investments are increasingly hard to come by.

The effect of such measures, as well as hoarding of money within the country, has resulted in a serious slump in the economy. The regime boasts that it has balanced the budget—shades of Herbert Hoover—but the growth rate of the economy is half what it was before. Unemployment has risen from seven to ten per cent of the labor force (an underground paper says fifteen per cent). Industry, which climbed by fifteen per cent in the year before the coup d'etat, stagnated in 1967, showing a rise of only one per cent.

Under the circumstances the junta desperately needs to change its image. I met the man who has recently been entrusted with this monumental assignment, the director for press and information, Byron Stamatopoulos. Stamatopoulos is less canny than his boss Papadopoulos, but far more intelligent and sophisticated. A long-time social democrat whose specialty was haranguing Communism on radio, he now uses his considerable talents to twist words like "democracy" and "freedom" into bizarre meanings that bring to mind George Orwell's look ahead to 1984.

Medium-sized, in his forties, hair turning iron-gray, Stamatopoulos is an imposing figure who fields questions adroitly. Yes, it is true the junta "suspended" civil servants from their posts, but the number is 1,200, not 3,000, and they are under investigation rather than discharged. Was he still a socialist? Yes. The officers with whom he works are not, of course, but by bringing democracy to Greece they are furthering the aims of socialism. Is he for nationalizing the means of production and economic planning? On that subject, he replied, it would be better to talk to one of the planning people, a certain Mr. Thanos. What are the achievements of the military regime? The government, he said, had cancelled $250 million in debts owed by the farmers, had raised their social security benefits, introduced economic stability, and eliminated all the corruption of the past, when it was necessary to "tip" every civil servant or minister with whom you did business. He did not mention the suppression of "Communism," thought in his weekly news conferences he talks about little else.

All of this makes a coherent public relations presentation; unfortunately it is considerably distorted. The figures on how many civil servants were discharged in the purge naturally cannot be verified—my own sources were newspapermen and the underground. Nonetheless, while previous regimes always added a few thousand cronies to the payroll when they took office, this is the first one to require non-Communist loyalty statements. Just an hour before interviewing Stamatopoulos, I had spoken with a government clerk who said he had signed the questionnaire, like many of his conferees, because "otherwise I couldn't hold my job."

The military clique has not only raised its salaries handsomely but has arranged for $11 million in low cost loans to build homes for many officers; they have been given free private telephones, automobiles, and many other prequisites. If the old forms of corruption have receded, new ones have come to the fore.

The five-year plan put forth by the regime's economists is generally considered a paper exercise—first, because almost no one in the higher echelons believes in economic planning, and, second, because the plan's objectives depend on $300 million a year of foreign investments, whereas they are currently coming in at a sixth of that amount. The cancellation of debts to the farmers is on the plus side, but similar measures were taken under George Papandreou and even under the Metaxas dictatorship before World War II. The boost in rural pensions is only a couple of dollars a month, hardly enough to make any difference.

Most important of all is the loss of freedom. Stamatopoulos claims that anyone can say what he pleases and that there is no censorship, but these are falsehoods. Certain newspapers have been sufficiently purged of "dangerous" personnel so that they do not have to be reviewed by official snoopers. Others are still subject to censorship *after* publication and may be seized if they are critical. Whether censorship is complete or partial, however, is unimportant, because every reporter or editor knows that if he challenges the regime he will be removed from his post, or, in extreme cases, imprisoned. Last January, the editor of *Ethnos* was placed under arrest for a few days. In April, the editor of a rightest organ, *Apogvematini*, suffered the same fate, and in May was rearrested along with his publishers.

A student told me that when the first draft of the constitution was put up for discussion at his university, many youth boycotted the event because they knew that secret agents would be present and their scholarships put in jeopardy. A released political prisoner confided to me that he is "free" only in the sense that he is not in prison; his office has been closed, he is denied work, and he has been picked up for interrogation by the police on four occasions in the last few months. Political opponents who came to see me at a coffee house on Constitution Square switched from taxis to buses, walked through department stores, and took other James Bond precautions before meeting me.

The loss of freedom is tragic not only for its human consequences but for its inevitable economic results. Greece made moderate economic progress under conservative governments from 1952 to 1963, and then raised its gross national product by seven to eight per cent a year during the next few years under the New Dealish regime of the late Papandreou. The country was just at the point where it could have leaped beyond $700 a year per capita income if it had been permitted to build a viable left and change its antiquated institutions.

The farmers still operate on a multistrip system, with patches of land scattered over the villages; they desperately need to unify their holdings as well as to fashion effective cooperatives. Rural per capita income is only $380 a year, as against $970 in the cities.

The Greek worker has been the victim of a glaring maldistribution of income: According to U.S. sources, the gross product of factories had been rising, until 1967, at the rate of ten per cent a year, but the rate of new jobs created is only two to three per cent. With legitimate unions this maldistribution might have been corrected, but the Greek confederation of labor (GSEE) has been run by a chameleon, Fotis Makris, who for many years enjoyed the confidence and received substantial financial aid from the old American Federation of Labor. He permitted the government to check off dues directly into the government till, doling it out to the unions at the rate of about a milloin dollars a year. Obviously, any labor organization that became too militant was subject to having its funds cut off.

Thus, without free unions or strong rural movements, there was no counterweight to the rightists, the generals, or the palace. That was exactly what Andreas Papandreou was trying to rectify. As leader of the Center Union's left wing he had gained a strong base among the youth and had apparently influenced a group of young army officers to oppose reactionary generals who controlled the military. He was also trying, when the boom fell, to organize legitimate unionists within GSEE to challenge Makris.

Without a viable left, Greece undoubtedly would have stagnated anyway. Now that left must be forged in a clandestine struggle against the dictatorship. Six such groups are currently in the process of formation; the two most important ones are Papandreou's Democratic Defense and the Patriotic Front of the Communists, which is divided by the three-way schism in the Communist movement abroad.

No one can tell what will happen next. Many people in Greece had hoped that Robert Kennedy, if elected President, would alter U.S. policy, and exert a determined pressure against the dictatorship. More realistic Greeks, however, recognize that they will receive no support from anywhere unless they can mobilize their own people to do their own fighting. It is doubtful that a guerrilla-type war will break out, but the students seem to be catching a second wind and there is some clandestine organization among workers. For all his dictatorial apparatus, Papadopoulos' hold on the population is so tenuous that any event which catapults these forces into motion can also topple him from power.

[From the San Jose (Calif.) Mercury and News, Dec. 14, 1968]

JUNTA STAMPS OUT LIBERALS: STERN NEW POLICE MEASURES REGIMENT GREEK CAMPUSES

(By Colin Chapman)

LONDON.—The Greek junta is taking stiffer measures against liberal-minded students in the universities, including the establishment of "police" squads in most colleges. A new breed of security guards will replace janitors and hall porters.

Reliable reports from Greece indicate that these "guards" have been chasing students through college campuses and arresting "troublemakers and non-students."

The Greek junta is determined to restore conservative measures to education. Step by step, the government has swept away the important provisions of the education reform bill, which had promised to give Greek schools and colleges a badly needed transfusion.

In the past few months, compulsory school attendance has been reduced from nine to six years, hot meals have been abolished, and, on orders of education "specialist" squadron leader Papanicolaou, obsolete textbooks have been brought back into use.

So far it is estimated that 50 professors, 80 secondary school teachers and 340 primary teachers have lost their jobs following the junta's attempts to annihilate protests and opposition. They are left without pensions and private schools are not allowed to employ them, although there are grave staff shortages.

What is worse, they have no chance to refute accusations made against them since not only are appeals excluded but the very accusations are kept secret by the authorities.

Law 40, article four exempts 10 per cent of the students from entrance examinations, allowing them to be admitted on the strength of an "excellent moral record." Those who are admitted are suspected of being quietly trained as security men or to act as denouncers of their fellow students.

Article 17, paragraph four, of the new constitution provides for the appointment of a government commissioner, whose function is to be defined by law. Thus the inviolability of universities will be a thing of the past.

As if all these measures were not sufficient to guarantee the "healthy, disciplined moral" functioning of the universities, the new government did not omit to exclude from education the so-called "dangerous elements." The sifting that took place at last year's entrance examinations was achieved in four stages, and is strongly reminiscent of Stalinist techniques.

Free, public canteens were perhaps the greatest innovation for primary schools in rural areas, comprising nearly half the primary school population. Children had milk or chocolate for breakfast, and a hot mid-day meal which constituted not only a financial relief for the parents but also had another practical and salutary effect. Children, mainly from the mountains where communications are more or less non-existent and where there is a two-hour walk to school, had become used to a snack of bread and olives before the meals were introduced and there was little contact with fellow pupils.

The only excuse so far given for dropping the new system is that the schools were transformed into galleys and that the new government thought it wiser to help finance poor parents directly. These reforms are still awaited.

The education reform bill also provided for the development of technical education, for decentralization of higher education by creating new university units in Crete, Patrae and Ioannina and an increase in scholarship in Greece and abroad.

New textbooks were issued and "Demotiki," the popular language, was admitted for use in the schools. It has since been rejected.

[From the Washington (D.C.) Post, Dec. 9, 1968]

HONORED GREEK TO STAND TRIAL

(By Alfred Friendly)

The Greek military government appears determined to bring to trial on charges of high treason a retired lieutenant general, much decorated for his services against the Communists during the Greek Civil War.

The defendant, by far the highest-ranking person to be so accused by the Greek junta, is 70-year-old Archimedes Argyropoulos. He was arrested last June and has been imprisoned, virtually incommunicado, ever since. He suffered a heart attack in October and his court-martial, originally set for mid-December, was postponed.

But according to his son, Dimitry, a UNESCO economist based in Paris, the trial is rescheduled for January.

The basis of the charge is a letter written by Lt. Gen. Argyropoulos on April 15, 1967, six days before the coup by which the junta came to power. According to the government's official spokesman, copies of the letter were discovered in the files of the crypto-Communist Party, EDA, and among the papers of Andreas Papandreaou, the left-leaning bete noire of the present regime, currently campaigning in exile for its overthrow.

According to Argyropoulos, however, the letter was written at his request to Phaedon Vegleris, then a professor of law at Athens University, with left-of-center political views. It urges popular organization to prevent what both men apparently feared would be developments tending to set aside the verdict of national elections that were then scheduled to take place in six weeks.

The document envisioned the possibility of violence and proposed the creation of "special action groups which would be provided with special equipment with which to neutralize or destroy the effects of armored, mechanized units as well as the chemical weapons used by the opponent."

The avowed purpose of the retired General's "plan of action" was "to oppose, during the forthcoming elections, any use of force or attempt at fraud during these elections, or even an attempt to establish a dictatorship." It was to be organized against three possible contingencies: fraud by the right-wing political parties during the election, cancellation or postponement of the elections, or refusal of the rightists to abide by results unfavorable to them.

For the most part, Argyropoulos urged intensive organization of democratic groups to insist on the elections and the execution of their ultimate mandate. He conceded, however, that the concentrations of young militants "may result in personal clashes in the central streets and squares" against the forces of the antidemocratic oligarchy.

Discovery of the letter was announced by the junta spokesman last June to a gathering of the foreign press, which reacted with some skepticism.

This was occasioned by the fact that the purported new revelation came 15 months after the EDA files had been seized, that the government was preparing a major propaganda campaign for the national referendum a few months later, and that Argyropoulos was known to loathe Andreas Papandreaou and to have put an end to his long collaboration with Andreas's father and centrist political leader the late George Papandreaou, on the very point of the father's failure to stop the son's dealing with far left elements.

Argyropoulos was arrested on June 20 and placed in solitary confinement. As far as is known, a letter he wrote the next day to the Ministry of Information, defending his "plan" as purely defensive against anticipated fraud or coercion by right-wing parties, has not been made public in Greece.

On a recent visit to Washington, the defendant's son emphasized that if his father's proposal had any treasonable aspects at all, they ran against the Greek government of that time, a point which the Greek Ambassador to the United States, Christian X. Palamas, also volunteered in an interview last week.

But the present government, the younger Argyropoulos argues, is scarcely in a position to try anyone for treason against the previous regime, having itself committed the ultimate in treason against it—overthrowing it by military force.

Lt. Gen. Argyropoulos served in Washington in 1952–53 as Greek representative on the NATO Standing Group. Earlier, as a brigade commander, he was wounded in battle against the Communists and hospitalized for six months. Later, as Chief of Staff of the First Army Group, he declared he was responsible for the strategic plans that brought the civil war to an end.

Among other decorations he received for his services during that period was the American Legion of Merit.

ANTHONY V. MARANINO

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. BIAGGI. Mr. Speaker, Anthony V. Maranino, an employee of the Federal Government for 20 years in New York, collapsed and died in Union Station on January 3 while on his way home after participating in observances relating to the swearing-in of the 91st Congress.

Mr. Speaker, Anthony V. Maranino was not only my good personal friend of long standing, but more than that he was an uncommonly knowledgeable, industrious and dedicated Federal employee.

At the time of his death, Mr. Maranino held the title of Manager of Employee Labor Relations in the New York Regional Office of the Post Office, a position he filled with utter concern for the Government's interest and for the interest of his fellow postal workers. He was held in high esteem not only by those with whom he worked but by all who knew him. His untimely passing at the age of 49 leaves a void in the hearts of all of us, who will always remember him as a kindly, self-effacing gentleman and true friend.

Mr. Maranino was devoted to his family—his wife, Nell; his son, Anthony Jr.; and his daughter, Janice, all of whom must find comfort in the knowledge that Mr. Maranino led such an exemplary personal life, and though it was cut short, he leaves them a heritage of which they can all be proud, a legacy which finds but humble expression in the heartfelt sympathy of his legion of friends.

Mr. Speaker, the Post Office Department has lost a dedicated worker; Mr. Maranino's family has lost a wonderful, selfless father and husband; I have lost a friend; and I think we have all been rendered less rich by his passing.

SPACE DOWN-TO-EARTH GAINS IMMEASURABLE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Dr. Edward C. Welsh, executive director of the National Aeronautics and Space Council, has over the years been an outstanding champion for our national space effort. Dr. Welsh's views on the importance of our space effort were recently printed in the November 18 issue of the Denver Post. In this article, Dr. Welsh clearly summarizes not only the direct scientific and technical accomplishments of the national space program, but emphasizes the many contributions that are being made to the everyday life of the American people by this effort. Dr. Welsh's thoughtful analysis does much to provide an accurate frame of reference of the importance of our national space effort.

The article follows:

IMPORTANCE OF RESEARCH, DEVELOPMENT: SPACE DOWN-TO-EARTH GAINS IMMEASURABLE

(EDITOR'S NOTE.—Edward C. Welsh, executive director of the National Aeronautics and Space Council since 1961, is considered one of the nation's most knowledgeable persons on the over-all aspects of the U.S. space program. In the following article, written for The Denver Post, he describes the importance of space research and development in the U.S. effort to retain world leadership in technology.)

Why are we in space? What are the real benefits of the tremendous—and expensive—program?

The national space program has to be justified on the grounds that it benefits mankind and that it does so in great quantity at reasonable cost.

Of course, we all know that money spent on space activities is spent right here on earth, not out on the moon or on the planets. It is a day-to-day business which employs people, increases incomes and raises our standard of living.

There is, of course, more to it than that. While it is true that the space program makes the country richer not poorer, stronger not weaker, and healthier not sicker, it does a lot of other things too.

ELEVEN POINTS LISTED

In an attempt to capsule the most important benefits of the national space program, I have listed 11 points. The national space program:

Stimulates our production, employment and income.

Produces new goods and services.

Applies technology to communications, observation—and navigation.

Contributes to medicine, with new instrumentation and equipment.

Encourages private enterprise.

Vitalizes our educational system.

Adds significantly to our store of scientific knowledge.

Lifts to new heights the international prestige of the country.

Utilizes systems analysis to solve community problems.

Enables our country to lead the world in advanced technology.

Strengthens our national security.

I have heard it said that critics of the national space program generally live in the leisurely world of ignorance. I would add that few who have been informed and who understand what the program does for the country continue to oppose it.

NOT EITHER-OR

There are those, of course, who are trapped by the illogical proposition that if the money involved were not spent on space, it would automatically flow into projects in which they are more interested. They are the ones who refer to problems of health, housing, crime, air and water pollution, educational deficiencies, and other ills of our complex society and suggest it would be better if we invested our resources in those areas instead of in space technology and space exploration.

I do not agree. It is not an "either-or" situation. In my judgment, if this country is great—and I know it is—it has the will, the ability and the responsibility to handle both a vigorous space program and the social and economic problems which confront it.

In fact, our competence to solve the issues of the city is greater because of the space program. It is greater not only because of the improved technology and management experience which can be brought to bear on these problems, but it is also greater because the United States is wealthier as a result of the space program.

When I say that the space program increases our gross national product and increases our national income, I could have added that it also raises our standard of living and makes larger our tax revenues which can be devoted to public service. We are indeed wealthier, not poorer, because of the national space program.

Not only does our space program, through its strong support of basic and applied research, make us better equipped to cope with our massive socio-economic problems, but history suggests that this kind of expertise is not nurtured and developed automatically. There is no precedent for the degree of support that the government has provided for research and development since the advent of the Space Age.

RESOURCES UNKNOWN

In the absence of such a challenge, we might have drifted fatally into the unenviable position of a formerly great nation.

Just as industrial research on earth has become a vital import of the nation's economy, so research in space itself offers a new and as yet untapped resource of vast and unpredictable dimensions.

Such a vacuum as exists on the moon or in space generally is ideal for materials research, for thin-film technology, and for welding research.

The potential of satellites to extract the maximum economic return from space has only begun to be appreciated and the potential of commercial return from this new environment has barely been defined.

I am sometimes troubled by those who attempt to measure the value of our national space program only by the number and the importance of the material benefits which can be clearly identified.

But I draw to your attention the fact we cannot weigh or measure or package or even put a dollar sign on the value of education, or better health for our population, or greater national security, or a healthy competitive enterprise system, or better conditions of human welfare, or increased chances for world peace.

Yet, even though they cannot be measured precisely, their values are so great as to make them priceless.

ARGENTINES PRAISE UNITED STATES AND ITS AMBASSADOR

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. FASCELL. Mr. Speaker, it is generally felt in this country that the United States, despite its generosity and sacrifice in behalf of others, receives nothing from abroad except criticism and ingratitude. This is often the case, but it is not always the case. As evidence that it is not always so, I should like to place into the RECORD an address recently delivered by Jorge S. Oria, president of the Argentine Chamber of Commerce, in honor of Carter L. Burgess, our Ambassador in Buenos Aires:

ADDRESS DELIVERED BY THE PRESIDENT OF THE ARGENTINE CHAMBER OF COMMERCE AT THE LUNCHEON GIVEN IN HONOR OF CARTER L. BURGESS, AMBASSADOR OF THE UNITED STATES OF AMERICA

GENTLEMEN: The luncheon we are giving today in honor of the American Ambassador, Carter L. Burgess, reflects the friendly feeling of our Chamber and its members toward his country and toward him personally. The American Ambassador has always been welcome in our institution, but there are two additional circumstances that contribute to lay emphasis on our sentiments. At this moment presidential elections are taking place which will influence the immediate future of the most powerful nation of the world. The Ambassador of that country in Argentina, with his important and distinguished public and private career, personifies ideas and sentiments which we share and embody. In his first speech made in our midst, Ambassador Burgess said that economic freedom and the possibility of freely setting up commercial and industrial enterprises contributed strongly to the progress of his country, and he compared this freedom to a football or polo match between teams formed by expert and well-trained players who abide by fair rules applied by equally honorable referees. That is precisely the concept of free enterprise based on the provisions of the Argentine Constitution which has invariably inspired this Chamber of Commerce. The Constitution could be summarized by saying that it allows anyone to set up an enterprise and nobody can prevent another from doing likewise. Perhaps this is nothing more than an extensive application of principles which in the political order have also been consolidated in the United States. The origin of these principles is to be found in the old Anglo-Saxon tradition: the aim is to win fairly without destroying the other playing team; otherwise, no game could be possible, and this would prove boring and suffocating.

These ideas have linked our country with the United States much more deeply than is generally believed. It should be pointed out, for it is not sufficiently known even in our own country, that General Manuel Belgrano, one of the most prominent and faithful men of the Revolution of May, translated Washington's Farewell Address into Spanish: When that translation was destroyed by fire with all his papers in the battle of Tacuari in 1811, he made another translation of the great document of the political history of the United States and advised his fellow countrymen to keep it in their pockets as a rule of supreme efficacy in their conduct.

If for a long time certain isolationist ideas of international character contained even in Washington's Farewell Address were strongly influential in the United States and in our own country, it is quite evident that the changes that occurred in the world since the XVIII century to date make it necessary in our time to make a reasonable and warranted revision. If Washington's moral views which our own patriots of 1810 recommended as essential rules are still fully in force, this is not true with respect to isolation, which is not conceivable today in the face of the steadily expanding ideologies which we consider incompatible with civilized life. These sentiments of isolation are not linked with social evolution towards standards of greater justice that we all accept as essentially contrary to policies of political, material, intellectual and moral oppression which we consider repulsive.

It is for this reason that we stand firmly by the United States which achieved the miracle in this century of financing the difficult programs of the New Deal, Fair Deal, New Frontier, and Great Society; they faced the greatest economic crisis in the history of mankind in the 1930's and they won in the three greatest wars in history, without this preventing them from cooperating in world reconstruction with contributions amounting to more than $150 billion.

For this and other reasons we cannot be neutral in the face of the ideologic dichotomy which is shaking the world. I believe that the United States, through some of its most prominent politicians and leaders, wished to be neutral at certain moments in this century but could not be so.

Neutrality in the face of what we consider incompatible with civilized life does not imply neutrality but abdication. It is useless to allege the advantages of political opportunism which only results in absence from the international field. Neutrality implies a moral indifference which is not at all praiseworthy but a duplicity of conduct, not to say lack of courage, in confronting those who, with the pretext of saving a supposed freedom in the economic field, suppress it in the political field by imposing the vexatious rules of the most anachronistic despotism.

It is possible that in certain matters and problems there may occur occasional divergences with the United States, as may be the case of any nation with another. But, happily, we Argentines, even though we may be relatively impoverished by almost a quarter of a century of governments that were too busy with internal conflicts, have never been a country of resentful citizens.

That is why I believe I am right in saying that nowhere else in Latin America is the United States more respected or more highly regarded than among us, and it is for this reason that we need not dwell on, much less magnify, possible divergences. Judging by an old rule whose existence justifies its being regarded as such, the harshness of complaints made against the United States varies inversely with the importance of the complaining country, although there may be exceptions to this rule, as to any other.

Permit me, Mr. Ambassador, to end this salutation with the immortal words uttered by Jefferson: "Those who will never risk their lives for freedom will surely lose their freedom without surely saving their lives; unless we prize something in life which is more precious than mere life, we renounce the human estate, that in our precarious world, intelligence and courage have proved to have greater survival value than hysterical fear; and that if we continue to place our trust in them, we are justified to disdain despair, encourage trial, and nourish hope."

Because it applied these principles which are also our own, your country, Mr. Ambassador, has fully justified Walt Whitman's brief but stirring phrase: "The United States themselves are essentially the greatest poem."

In view of the results of the American Elections which were uncertain until a few minutes ago, this is the best wish we can make today: May your country continue to be essentially the greatest poem.

AERONAUTICS: SPACE COORDINATION

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 1969

Mr. MILLER of California. Mr. Speaker, in the spectacular developments surrounding the country's aeronautics and space activities, the operating agencies receive the largest share of public attention—and this is as it should be. However, the Government's aeronautics and space efforts are sizable and are growing in their complexity. The various departments and agencies involved in aeronautics and space need a coordinating point to focus the efforts and to give the country the most efficient return for the resources invested.

Congress, in its wisdom, approved the establishment of the National Aeronautics and Space Council to coordinate the aeronautics and space activities of the Federal Government. With a small staff of experts, the Council has carried out its assigned tasks with great effectiveness and with little fanfare.

The following article from Space/Aeronautics of December 1968 pays fitting tribute to the valuable work of the Council and commends a continuation of its activities to the Nixon administration:

POINT OF VIEW: THE ODD COUPLE

(By Michael Getler)

The National Aeronautics and Space Council (NASC) has never quite made it as a household word around the country. But then neither had Spiro T. Agnew, at least until very recently.

It is somewhat fitting, therefore, that along with Mr. Agnew's rather sudden emergence into public notoriety has come the chairmanship of NASC, a post now occupied by Vice-President Hubert H. Humphrey and before him by Lyndon B. Johnson.

Humphrey and Johnson are both veteran space enthusiasts, and both made very active leaders of what has come to be known as the "Spare Council." Agnew, on the other hand, has been a county executive and a Governor and has had very little to say about less earthy matters. The question now is, What will Mr. Agnew, as the Council's new chairman under law, or more precisely, what will Mr. Nixon, as his boss, do with this small and relatively obscure portion of the executive branch?

The question is of more than passing interest to the entire aerospace community when one understands what the Council has meant to the U.S. space program during the last seven years and also what almost happened to it under the last Republican Administration.

The Council was formed in October 1958, a year after the first beeps from Sputnik 1 pushed us grudingly into the space age. It came as part of the act of Congress that transformed the venerable National Advisory Committee for Aeronautics (NACA) into the National Aeronautics and Space Administration—the new agency that hopefully would muster our response and save our pride, among other things.

The Council was designed to assist and advise the President on space affairs in those rather frantic and uncertain days; to help sort out the right programs and roles for NASA, the Pentagon, and AEC. It was to exist at two levels. A top policy group made up of the Secretaries of Defense and State, the AEC Chairman, and the NASA Administrator, would meet several times a year. Below them would be a small, full-time staff of about two dozen people headed by an Executive Secretary.

The Space Act passed in the Eisenhower Administration, but it was mostly a product of two Democrats on Capitol Hill: then Senate Majority Leader Lyndon Johnson and House Speaker John W. McCormack. And Eisenhower, surrounded by advisors such as Defense Secretary Charles Wilson and Presidential Assistant Sherman Adams, who saw no more in Sputnik than "a basketball in space," was never very keen on the idea. As a result, he never called the Council into session, never staffed it, and in fact, tried unsuccessfully to abolish it. Nixon, of course, was Vice-President at the time.

It was not until 1961 and the Kennedy Administration that the Space Council became a working group and the law was modified to make the Vice-President its chairman. Since then, the Council's role has been pivotal. It has played a key part in Presidential initiatives on large launch vehicle development, the Apollo program, and the Air Force's Manned Orbiting Laboratory. It drafted guidelines which led to establishment of Comsat Corp. and the orbiting of nuclear power supplies.

Most important, NASC, unbeholden to Congress or NASA or the Pentagon, remains about the only place in town where the President can get a balanced picture of the national space program, something we still spend $6 billion a year on even in these austere times.

For the public that is being asked to foot the bill, the Council, mostly through the efforts of its first and only Executive Secretary, Dr. Edward C. Welsh, also has taken on another somewhat unique role in government as the court explainer of a very tough subject. Dr. Welsh, in seven years, has probably made more speeches, cut more ribbons, answered more reporter's questions, and interpreted more space happenings, both ours and the Soviets', than any other public servant.

Whatever the objections of the Eisenhower Administration in the late '50s, things are different now. Space is clearly our concern, and an expensive one. The work of the Space Council over these years demands that it not only survive a change of Administrations, but that it be strengthened, particularly in its aeronautical aspects. A Senate investigation last year into the quagmire of multi-agency aeronautical R&D in this country recommended that NASC become the focal point for a much more comprehensive and better coordinated national effort in that area, too.

Next month, Dr. Welsh, along with scores of other Presidential appointees, will submit his resignation, as is customary when a new regime comes to power.

If that resignation is accepted, as seems likely, it is of the utmost importance that he be replaced with a man of similar credentials, and that Vice-President-elect Agnew bring to the Council the same sense of concern that marked his two predecessors.

SENATE—*Thursday, January 9, 1969*

The Senate met at 12 o'clock noon, and was called to order by the President pro tempore.

The Chaplain, the Reverend Dr. Edward L. R. Elson, D.D., offered the following prayer:

Before the mountains were brought forth, or ever, Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.—Psalm 90: 2.

O Lord, make us mindful of Thee this day. Invest us with a sense of the eternal. Spare us from being little souls wrapped in the narrow confinement of our own selfish ways. But lift our eyes that we may behold the vision of that kingdom which is yet to be, the ruler of which is God, and the law of which is love.

As this day we render high honor to the intrepid voyagers in the vast ranges of Thy universe, make us explorers of the spirit and pioneers in a new order of brotherhood and peace. Equip the people of this land and their representatives here assembled with justice and righteousness, with wisdom and courage, with compassion and mercy, so as to be the servants of Thy purposes upon this earth. Make us good enough, great enough, and strong enough for the age in which we live. Grant that goodness and mercy may follow us all our days that we may abide with Thee forever. In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, January 6, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW—ORDER FOR RECOGNITION OF SENATOR ALLEN

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will not be a period for the transaction of morning business today; but I ask unanimous consent that at the conclusion of the reading of the Journal tomorrow, there be a period for the transaction of routine morning business, and that the distinguished Senator from Alabama (Mr. ALLEN) be recognized for not to exceed 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF PEACE CORPS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I take pleasure in transmitting to the Congress the Seventh Annual Report of the Peace Corps.

The statistics of 1968 are impressive by themselves.

- —Volunteers began serving in seven new countries, and plans have been set for programs in two more.
- —The number of volunteers increased to more than 12,000 men and women serving in 59 countries.

But statistics tell only part of the tale. The two greatest achievements of 1968 were intangible.

For the first time, host country nationals were integrated into the agency's overseas staff. They helped to recruit volunteers in the United States and to train abroad. They assured the pursuit of goals that they had established for themselves, not that we might have dictated to them. As a result, the Corps became a truly effective team effort for international understanding.

This report also shows proof of the relevance of the Peace Corps to problems we face at home. When the Corps began, it boldly promised that those who flocked to it for experience abroad would return better able to direct the destiny of their own country.

Of the 25,000 volunteers who have come home:

- —A third have returned to school for advanced degrees.
- —Almost a third of those employed teach in inner-city schools, working in jobs that educators find difficult to fill.
- —Another third work for Federal, State, and local governments.

So a tour in the Peace Corps has become more than a two-year stint helping others; it has encouraged thousands of youngsters to pursue careers in public service.

This report is a testimony to America's commitment to the future. I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 7, 1969.*

REPORT OF OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am transmitting a report prepared by the Director of the Office of Economic Opportunity, required by section 610 of the Economic Opportunity Act of 1964 as amended. The report contains information on the salaries of certain officers and employees of organizations funded under the Economic Opportunity Act.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 7, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. E. L. Bartlett, late a Senator from the State of Alaska.

The message announced that the House had passed a bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States, in which it requested the concurrence of the Senate.

RESIGNATION OF SENATE CHAPLAIN

The PRESIDENT pro tempore. The clerk will read a communication addressed to the Vice President.

The legislative clerk read as follows:

JANUARY 3, 1969.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

MY GOOD FRIEND: Having served as Chaplain of the United States Senate for the past 24 years, I have notified the Majority Leader, and the Secretary of the Senate, of my wish to retire, effective as of this date, January 3, 1969, close of business.

The sacred relationship of this ministry in the Senate—the greatest legislative body in the world—has been the richest experience of my life. The intimate association with the Senators and their families across the long years has made life for me more meaningful and rewarding. As I leave this office, so long entrusted to me, I say thanks to my wonderful colleagues and treasured friends!

Will you kindly place my request for retirement in proper Senate channels for appropriate action?

Thanking you, and with warm good wishes always, I am

Yours ever,

FREDERICK BROWN HARRIS.

The PRESIDENT pro tempore. The communication will be placed on file.

ELECTION OF SENATE CHAPLAIN

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 10) as follows:

S. RES. 10

Resolved, That Reverend Edward L. R. Elson, D.D., of Washington, D.C., be, and he is hereby, elected Chaplain of the United States Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AMENDMENT OF SENATE RULE XXII

Mr. CHURCH. Mr. President, article I, section 5, of the Constitution of the United States declares that "each House may determine the rules of its proceedings."

Pursuant to this, and to advisory opinions of both Vice President Nixon and Vice President HUMPHREY that rules which restrict the power of a majority of the Senate of a new Congress to change its rules are not binding on the Senate at the opening of a new Congress, I submit on behalf of myself, the distinguished senior Senator from Kansas (Mr. PEARSON), and 35 other Senators, a resolution to amend rule XXII, and ask that it be read.

This resolution provides for bringing debate to a close by a vote of three-fifths of those present, rather than two-thirds.

The PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. RES. 11

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

Mr. CHURCH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. HOLLAND. Mr. President, I object. May I make a short statement?

The PRESIDENT pro tempore. May I say to the Senator from Florida that it will be necessary for the Chair to make a statement relating to the objection. The Senator could have reserved the right to make the statement, but he did not do so.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield to me, so that I may make a brief statement?

Mr. CHURCH. I yield.

The PRESIDENT pro tempore. The Senator will have to withdraw his objection temporarily.

Mr. HOLLAND. I withdraw my objection until I complete my statement, Mr. President.

The fact is that yesterday afternoon, at 5:15, the Senator from Florida had the first chance to see this resolution, which was left at his office, very courteously, by the Senator from Michigan (Mr. Hart). At that time, I had no chance either to examine it carefully or to circulate it among those who are opposed to the resolution. For that reason, Mr. President, at this time I object to the present consideration of the resolution.

The PRESIDENT pro tempore. Objection has been heard to the immediate consideration of the resolution. The Chair reads rule XIV, paragraph 6:

> All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

Therefore, the resolution will lie over 1 day.

Several Senators addressed the Chair.

Mr. CHURCH. Mr. President, I send to the desk a notice of motion to amend certain rules and ask that it be read.

The PRESIDENT pro tempore. Does the Senator request that it be read?

Mr. CHURCH. Yes.

The PRESIDENT pro tempore. The Chair is advised that it is identical with the resolution just read except that it gives notice under rule XL of the motion to amend the rules so as to bring the resolution to consideration. The notice will be printed in the Record. The Senator has the right to insist on the reading, but it is unnecessary.

Mr. CHURCH. If it is unnecessary, I am satisfied.

There being no objection, the notice of motion to amend certain Senate rules was ordered to be printed in the Record, as follows:

NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES, 91ST CONGRESS, FIRST SESSION

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the standing rules in the following particulars:

"*Resolved*, that rule XXII of the Standing Rules of the Senate is amended to read as follows:

" '1. When a question is pending, no motion shall be received but—

" 'To adjourn.

" 'To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

" 'To take a recess.

" 'To proceed to the consideration of executive business.

" 'To lay on the table.

" 'To postpone indefinitely.

" 'To postpone to a day certain.

" 'To commit.

" 'To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

" '2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

" '3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate.

" 'The purpose of the proposed amendment is: To provide for bringing debate to a close under certain circumstances by vote of three-fifths of the Senators present and voting.' "

Several Senators addressed the Chair.

Mr. DIRKSEN obtained the floor.

Mr. DIRKSEN. Mr. President, reserving the right to object, is it proposed now to give notice to suspend the rule? Does the Senator have in mind suspending the rule?

Mr. CHURCH. The written notice to amend is identical to the resolution.

Mr. JAVITS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Illinois has the floor.

Mr. DIRKSEN. Mr. President, I yield to the Senator from New York.

The PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I would like to propound a parliamentary inquiry so that we understand the situation.

Rule XL—I think it is rule XL—under which the Chair required the notice to be filed is not brought into question by the effort to change rule XXII, and my parliamentary inquiry is this: Does the ruling of the Chair that a notice must be filed in order to bring up this resolution leave unaffected, either under the Constitution or the rules, the effort made by the substantive resolution itself?

The PRESIDENT pro tempore. The Chair has noted from year to year that the Senator from New York and others have undertaken very zealously to protect some imaginary right while proceeding under the rules on all other procedures. The Chair is of the opinion that that is wholly unnecessary to protect any constitutional right any Senator has or the Senate as a parliamentary organization has. Any constitutional right can be asserted at any time.

Mr. MANSFIELD. Mr. President, if the Senator from Florida has not yet made his motion, I rise only to inform the Senate that at 12:15, conditions permitting, we shall march in a body to the other Chamber for the purpose of greeting the three astronauts.

The PRESIDENT pro tempore. Objection has been heard and the resolution will go over for another day.

Mr. SCOTT. Mr. President, will the Senator from Montana withdraw his request so that I may make one very brief sentence.

Mr. MANSFIELD. It is quarter after 12.

Mr. SCOTT. I merely wanted to inform the leadership on both sides of expressed opposition to any contraction in membership of Senate committees. I want to serve notice that I feel the same way.

Mr. MANSFIELD. The Senator is unaware of what the Democratic steering committee has done today. I think we are in for an interesting time on the floor of the Senate at a later time.

Mr. SCOTT. I do intend to oppose vigorously any such effort.

Mr. MANSFIELD. The Senator has that right.

Mr. DIRKSEN. Mr. President, I would like to inquire of the majority leader whether, when we return to the Chamber from the joint meeting, there is any other business to come before the Senate.

Mr. MANSFIELD. There is no business. There may be some speeches. The Senator has reminded me of another matter.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Chair will advise the minority leader, as the Chair is apprised, there are Senators who wish to address the Senate after the joint meeting.

JOINT MEETING OF THE TWO HOUSES TO GREET ASTRONAUTS BORMAN, LOVELL, AND ANDERS

The PRESIDENT pro tempore. Without objection, the Senate will now stand in recess until the joint meeting has been completed.

Thereupon, at 12 o'clock and 15 minutes p.m., the Senate took a recess subject to the call of the Chair.

The Senate, preceded by its Sergeant at Arms (Robert G. Dunphy) and the President pro tempore, proceeded to the Hall of the House of Representatives to greet the astronauts.

(For the proceedings in the House of Representatives see pp. 367–368 of the CONGRESSIONAL RECORD.

At 1 o'clock and 11 minutes p.m., the Senate, having returned to its Chamber, reassembled, and was called to order by the Vice President.

AMENDMENT OF RULE XXII

The VICE PRESIDENT. The Chair recognizes the Senator from Iowa.

Mr. MILLER. Mr. President, I submit a resolution to amend rule XXII of the Standing Rules of the Senate. I might say, Mr. President, that the reason for submitting this resolution is that I have placed every Member of the Senate on notice that I am very much opposed to the amendment of rule XXII providing for a three-fifths vote or a 60-percent vote to close off debate unless it is coupled with a proviso which would protect minority rights; namely, that a majority of Senators of each of the two major political parties join in the three-fifths vote. I ask for its immediate consideration.

Mr. MANSFIELD. I object.

The VICE PRESIDENT. The Senator from Montana has objected to its immediate consideration. The resolution will be stated.

The assistant legislative clerk read as follows:

S. RES. 12

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking out the third paragraph of section 2 and by substituting in place thereof the following: "And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. MANSFIELD. I have objected.

The VICE PRESIDENT. The Senator from Montana has objected and under rule XIV, paragraph 6, the resolution will lie over for 1 day.

Mr. MILLER. Mr. President, I also send to the desk a copy of notice of motion to amend certain Senate rules, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the notice of motion to amend certain Senate rules was ordered to be printed in the RECORD, as follows:

NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the standing rules in the following particulars:

Resolved, That rule XXII of the Standing Rules of the Senate is amended by striking out the third paragraph of section 2 and by substituting in place thereof the following: "And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority of the Senators affiliated with each of the two major political parties present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of."

The purpose of the proposed amendment is: To provide for bringing debate to a close under certain circumstances by vote of three-fifths of the Senators present and voting provided a majority of the Senators affiliated with each of the two major political parties present and voting joins in such affirmative vote.

JACK MILLER.

Mr. MILLER. Mr. President, I send to the desk an amendment to Senate Resolution 11 and ask that it be printed.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

PROGRAM

Mr. MANSFIELD. Mr. President, by way of explanation to the Senate, we are having a brief period for the transaction of routine business tomorrow morning, for the purpose of allowing the distinguished junior Senator from Alabama (Mr. ALLEN) to speak for not to exceed 15 minutes.

There will be no further requests for morning hour business until we are in the position where business can be transacted subsequent to the delivery of the President's state of the Union message in some form or another.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I wish to get a little information. The Senator does not wish any of us to make any speeches of any kind on the floor of the Senate relating to general matters or anything else; is that correct? I would be willing to be guided by that request.

Mr. MANSFIELD. I understand the President pro tempore has been asked that question. It is allowable; it would not be in violation of the rules to do so.

Mr. JAVITS. Of course. That is satisfactory.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I heard the Senator state that the understanding was that no business will be transacted until after the message of the President.

Mr. MANSFIELD. For the introduction of bills.

Mr. HOLLAND. For the introduction of bills. This does not mean that the Senate would in any way be precluded from disposing of the resolution offered with reference to rule XXII.

Mr. MANSFIELD. Absolutely not. Absolutely not.

Mr. HOLLAND. In other words, that matter may be disposed of at the pleasure of the Senate at any time.

Mr. MANSFIELD. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. SCOTT. Mr. President, can the distinguished Senator give us any guidance as to when he expects the resolution to come before the Senate purporting to fix the ratio of standing committees?

Mr. MANSFIELD. It will not be this week.

Mr. SCOTT. Does the Senator intend that it be brought in on Monday or after Monday?

Mr. MANSFIELD. I could not say because I do not have the information available. I wish to inform the Senator from Pennsylvania and the Senate that plenty of notice will be given before any action is taken in that respect.

Mr. SCOTT. I thank the Senator. The Senator is aware that some of us have a desire that we be given an opportunity to be heard in opposition at that time.

Mr. MANSFIELD. Yes, indeed; not only the Senator from Pennsylvania, but other Senators as well.

Mr. SCOTT. Yes, indeed.

RECESS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair. I make that request because I understand the nomination of the Secretary of the Treasury, Mr. Joseph W. Barr, has been cleared by all sides concerned, that the nomination is on the way to the Senate, and as a courtesy I would like, with the concurrence of the distinguished minority leader, to call up that nomination this afternoon and dispose of it. I assume that will occur in the next half hour.

The **VICE PRESIDENT**. Without objection, it is so ordered. The Senate will stand in recess subject to the call of the Chair.

Thereupon (at 1 o'clock and 15 minutes p.m.), the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1 o'clock and 47 minutes p.m., when called to order by the Presiding Officer (Mr. Mansfield in the chair).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The **PRESIDING OFFICER** laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. Hughes in the chair). Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. **HARTKE**. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

DEPARTMENT OF THE TREASURY

Mr. **HARTKE**. Mr. President, on behalf of myself and the chairman of the Committee on Finance, the distinguished Senator from Louisiana (Mr. Long), who is unfortunately at home with the flu, I ask unanimous consent that the Chair lay before the Senate a message from the President of the United States concerning the nomination of Mr. Joseph W. Barr to be Secretary of the Treasury.

The **PRESIDING OFFICER**. The Chair lays before the Senate a message from the President of the United States which will be read.

The assistant legislative clerk read as follows:

To the Senate of the United States:

I nominate Joseph W. Barr, of Indiana, to be Secretary of the Treasury, to which office he was appointed during the last recess of the Senate.

Lyndon B. Johnson.

The White House, *January 9, 1969.*

Mr. **HARTKE**. Mr. President, I ask unanimous consent that the Senate proceed immediately to the consideration of the nomination.

The **PRESIDING OFFICER**. Without objection, the Senate will proceed to the consideration of the nomination.

Mr. **HARTKE**. Mr. President, Joseph W. Barr, who is a native of my State of Indiana, will probably be the last Democratic Cabinet appointment in this Democratic administration, at least the last to come from the State of Indiana.

I have known Joseph Barr for many years; in fact, we had the opportunity to proceed together in political life, beginning in 1958 in a very energetic, delightful campaign, as a result of which we both came to Washington.

Following a term as Representative from the 11th District of Indiana, after the election of President Kennedy in 1960, Mr. Barr became the direct congressional liaison for the Treasury Department, while Henry H. Fowler was Under Secretary. Later he was appointed Assistant Secretary of the Treasury. Following that, as President Johnson's first appointee in the new administration, he became Chairman of the Federal Deposit Insurance Corporation.

Then when Henry H. Fowler became Secretary of the Treasury in April 1965, Barr was moved back to Treasury at Fowler's request to become Under Secretary, in charge of administration and congressional relations. When Secretary Fowler resigned last month, Joe Barr became Acting Secretary. Now with nomination by President Johnson and confirmation by this body, he will add a too-brief period as one in the line of Treasury Secretaries dating back to Alexander Hamilton.

Joe Barr's record in Congress and in the executive branch of Government is distinguished and impressive. A Phi Beta Kappa with economic degrees from both DePauw University in his native Indiana and from Harvard, Joe Barr has been an important and skillful spokesman for the Johnson administration on such complicated and controversial matters as tax policy, regulation of interest rates, and Federal spending in relation to inflation or depression in the economy. He has appeared many times before congressional committees of the House and Senate and has earned the respect and admiration of Senate and House Members on both sides of the aisle.

Independence and forthrightness are a trademark of both his personal and professional character. He is a man given less to ideology than to performance. It is observed in Mr. Barr's biography appearing in Current Biography for January 1968, that Mr. Barr was probably one of the few students of Sumner H. Slichter at Harvard, where he earned a M.A. degree in 1941 in theoretical economics, "who refused to accept the professor's thesis that strong inflationary pressures are inevitable in a full-employment economy."

I know that my colleagues on the Finance Committee and the other distinguished members of this body hold the highest esteem for Mr. Barr's integrity and professional competence, and join with me in voicing approval of the President's nomination of Mr. Barr to be the Secretary of Treasury.

Mr. President, the biography of Mr. Barr as it appears in Current Biography for January 1968, presents an informative and clear picture of this remarkable and talented public servant. I ask unanimous consent that it be printed in the Record at this time.

There being no objection, the biography was ordered to be printed in the Record, as follows:

Joseph Walker Barr

The chief of Congressional relations at the United States Department of the Treasury is Joseph W. Barr, the Under Secretary of the department, who came to the post in April 1965 with a background of wide training and experience in economics, politics, and government. After taking degrees in economics at DePauw and Harvard universities, he helped to manage businesses owned by his family in Indiana and Illinois, and he is still an officer in three of the companies: the O. L. Barr Grain Company, the Barr Development Corporation, and the Merz Engineering Company. Serving as a Representative in Congress from 1958 to 1960, he established an outstanding record as a member of the House Banking and Currency Committee. He assisted the Secretary of the Treasury in liaison work with Congress from 1961 until 1964, when he became chairman of the Federal Deposit Insurance Corporation. In his present post as the Treasury's lobbyist on Capitol Hill he is an important spokesman for the Johnson administration on such complicated and controversial matters as tax policy, regulation of interest rates, and federal spending in relation to inflation or depression in the economy. As Under Secretary he also handles the overall administration of the Treasury in behalf of Secretary of the Treasury Henry H. Fowler.

Joseph Walker Barr was born in Vincennes, Indiana on January 17, 1918, to Oscar Lynn Barr and Stella Florence (Walker) Barr. At DePauw University in Greencastle, Indiana, where he majored in economics, he took his B.A. degree, along with a Phi Beta Kappa key, in 1939. He did his graduate work in theoretical economics at Harvard University and earned his M.A. degree there in 1941. It has been observed that Barr was probably one of the few students of Sumner H. Slichter at Harvard who refused to accept the professor's thesis that strong inflationary pressures are inevitable in a full-employment economy.

Barr was the commander of a submarine chaser in the Mediterranean during World War II and won a Bronze Star for sinking a German sub at Anzio. Discharged from the Navy in October 1945 with the rank of lieutenant commander, he returned home to help manage his family's businesses in grain elevators, farm equipment financing, banking, theater operation, and real estate. He also participated in community affairs, serving at various times as a member of the Central Indiana Council of the Boy Scouts of America, an adviser to the local juvenile court, a director of Flanner House, and state chairman of the United Negro College Fund. He also served as treasurer of the Marion County (Indiana) Democratic Committee.

In 1958 Barr was nominated to run on the Democratic ticket for the Congressional seat held by Republican Charles B. Brownson in Indiana's Eleventh District, which Brownson had carried in 1956 with 59.4 percent of the vote. Upsetting precedent in the traditionally Republican district, Barr defeated Brownson by a vote of 113,674 to 104,555. He took his seat in Congress on January 3, 1959 and was assigned to the House Banking and Currency Committee. His voting record in the Eighty-sixth Congress was liberal for a man of his business background but conservative for a Northern urban Democrat. During his first year he voted with the Republican-Southern Democrat conservative coalition 36 percent of the time, and he was in opposition to the Democratic majority in 23 percent of his votes. On one occasion he was one of four Democrats in the House who voted with the Republicans to sustain an Eisenhower veto that would otherwise have been overridden. Labor organizations rated Barr's overall record as being 75 percent in accord with union legislative preferences.

His knowledge of economics gave Barr unusual stature for a first-term Congressman. Chairman Brett Spence of the Banking and Currency Committee leaned heavily on his assistance, sending him on fact-gathering expeditions to the Department of the Treasury, the Federal Reserve Board, the World Bank, and the International Monetary Fund, and Barr helped to write and defend legislation creating the Inter-American Bank and the International Development Association. Finding himself unable to provide an answer when a fellow Congressman asked if the United States could afford to transfer gold to the International Monetary Fund or the World Bank, he conducted an eighteen-month study of the balance-of-payments problem, particularly as it relates to the overseas programs of the United States. One of his major conclusions, reached with the help of John Kenneth Galbraith, the Harvard economist, was that a lack of regular, clear, up-to-date information hampered the very discussion of the subject. He recommended that the balance of payments be made an integral consideration of the national budget and that the Bureau of the Budget be charged with the responsibility for projecting the balance of payments for each fiscal year.

"Unlike the vast majority of freshmen Congressman," wrote Ephraim Kahn, Washington correspondent for the banking magazine *Burroughs Clearing House* (June 1964), "his ability and his flair both for getting things done and for getting along with people was recognized by the leadership of the House, including the late Speaker, Sam Rayburn." Among those he impressed on Capitol Hill was John F. Kennedy, then a Senator from Massachusetts, who shared with Barr an interest in the United Negro College Fund, among other causes. Barr supported Kennedy's Presidential aspirations and campaigned for him in 1960. On November 7, 1960, when Kennedy was elected President, Barr himself lost his House seat to Republican Donald R. Bruce, who received 154,676 votes to Barr's 133,153.

When Barr relinquished his seat in the House, President Kennedy appointed him assistant to Henry W. Fowler, the Under Secretary of the Treasury. Fowler's jobs were to supervise administrative detail at the Treasury and to handle the department's relations with Congress. Barr took over the latter task almost completely for Fowler, and he helped to prepare many of the legislative proposals that he carried to Capitol Hill, including highly technical bills concerning Federal Reserve control of vault cash and reserve city classification and controversial measures on tax reform and increases in the statutory debt limit. In presenting the proposals to senators and representatives, Barr proved himself a disarming tactician, capable of exerting his powers of persuasion without alienating those on whom the powers were used. "Even those against whom he fought the hardest—the American Bankers' Association, for example, over last year's proposal to withhold taxes on interest payments," Eileen Shanahan observed in the New York *Times* (July 29, 1963), "emerged from the struggle both liking and respecting him."

On July 22, 1963 President Kennedy announced that he intended to nominate Barr to the $20,000-per-year chairmanship of the Federal Deposit Insurance Corporation when that post became vacant in August 1963. When August came, however, Barr was busier than ever at the Treasury, trying to push tax legislation and other Treasury-supported bills through Congress, and the FDIC post was still vacant when Kennedy died in November 1963. Finally, on January 14, 1964 President Lyndon B. Johnson, in the first appointment of his administration, named Barr to the FDIC chairmanship, and Barr assumed the post nine days later.

The Federal Deposit Insurance Corporation, one of the first of Franklin D. Roosevelt's New Deal agencies, was established in 1933 to promote stability in the banking system in the United States by restoring and maintaining the confidence of depositors. The corporation gives absolute protection against the hazard of bank failure by insuring every account in participating banks up to $15,000. Banks that are members of the Federal Reserve System must have FDIC insurance, and non-member banks may obtain it if they satisfy FDIC requirements. When Barr took office, 13,621 banks—about 97 percent of all banks in the United States—were participating in the FDIC program.

As chairman of the Federal Deposit Insurance Corporation, Barr, taking steps to make the corporation a national source and depository for financial statistics, increased its annual expenditure on research from $250,000 to $1,000,000. He initiated a two-year series of conferences to establish closer rapport between state banking supervisors and the FDIC, and he sought to establish an internship program that would contribute to the development of a national reserve of economic experts with experience in government. Participants in the proposed program would spend four years at graduate school and another four years rotating through such agencies as the Treasury, the Federal Reserve Board, and the FDIC. Some might then enter careers in government, but most would go into academic life, business, or other civilian careers and be on call for up to four years of service to the government when needed.

When the First State Bank of Dell City, Texas collapsed in July 1964, the FDIC, at Barr's direction, moved in to keep the bank in operation until such time as local businessmen were ready to take over the enterprise. It was the first instance of the FDIC actually running a bank since 1935. When the Frontier Bank of Covelo, California was declared insolvent in the summer of 1964, Barr made another departure from usual policy. So that checks written by the bank's depositors would continue to clear without interruption, a branch of the Wells Fargo Bank was set up without delay in a trailer next to the bank.

Altogether seven banks failed in 1964, and another four were declared insolvent in the first quarter of 1965. Testifying before the Senate investigation subcommittee on March 11, 1967, Barr noted three factors in the failures: "Dishonest activities, acquisition of bad assets financed by high-cost funds not received in the usual course of business and carried as certificates of deposits, and sudden, unsavory shifts in bank control." Other testimony at the subcommittee hearings indicated that some racketeers were invading the banking field and using it as a respectable fence for "hot" money. (The oddest of the FDIC's encounters with the underworld came when it took over the assets of the bankrupt First National Bank of Marlin, Texas and found itself the custodian of a Houston brothel.) To prevent and detect crimes in banking, Barr established an investigative unit within the FDIC and improved the agency's liaison with the Department of Justice. At his urging Congress passed a law requiring all insured banks to report any and all changes in ownership.

Only about one in seven of the banks insured by the FDIC is also examined by the agency, the others falling under the prior jurisdiction of either the Comptroller of the Currency or the Federal Reserve Board. The national banks insured by the FDIC, about 4,800 in number, are supervised by the Comptroller of the Currency. About 6,900 of the insured state-chartered banks are inspected by the Federal Reserve Board. Only the remaining state banks are regulated as well as insured by the agency. The overlapping jurisdictions of the three agencies have long engendered inter-agency rivalry, and during Barr's tenure at the FDIC open conflict often flared between him and James J. Saxon, the Comptroller of the Currency. In a speech in October 1964, for example, Saxon called for a sharp curtailment of federal regulatory control of state banks, and Barr at a news conference replied that what Saxon wanted would, in effect, be a return to the "wildcat banking" of the nineteenth century. On other occasions, Barr charged that the Comptroller's office denied the FDIC access to bank examination reports and Saxon accused Barr of making "political footballs" out of national bank failures.

In April 1965, when Henry H. Fowler became Secretary of the Treasury, Barr was moved back to the Treasury at Fowler's request to become Under Secretary, in charge of administration and Congressional relations. In July 1965 Barr went before the fiscal policy subcommittee of the Joint Economic Committee of Congress to present the Johnson Administration's view that the government could spend more money on the Viet Nam war without raising taxes or causing inflation, and he even hinted that a tax reduction might be possible in 1966. Thirteen months later, however, in testimony before the House Rules Committee, Barr gave the first indication that the Administration planned to seek a tax increase to pay for the war and prevent inflation.

On June 1, 1967 Barr argued before the Senate Finance Committee in favor of the Johnson administration's controversial bill to appropriate federal funds for election campaign financing. Pummeled with what Walter Pincus in the Washington *Post* (June 2, 1967) called "a withering volley of questions and criticism" from the Senators, Barr was forced to admit several deficiencies in the proposed legislation but he nonetheless urged its immediate passage. On August 7, 1967 he testified before the House Banking and Currency subcommittee on consumer affairs in favor of legislation that would force any company making loans or extending credit to consumers to state clearly not only the rate of interest but also the cumulative cost. "The consumer now finds it impossible to select from all the credit sources available that one which is cheapest or best for his needs . . . ," he pointed out. "Such confusion in a $13-billion consumer purchase category is not in the national interest."

Barr has taken a special interest in the federal program that guarantees the repayment of loans made to college students by banks and other private lenders. When the program began in 1965 tight credit conditions made lenders cautious about participating in it and its progress was lethargic. A special committee, headed by Barr, was established to solve the problems in the program and find ways to make it more effective. On February 4, 1967, in a speech to the New York chapter of the American Institute of Banking, Barr outlined a plan that would make it possible for a college student with a satisfactory academic record to borrow money directly from the federal government to finance his studies. The money would be paid back as extra income taxes during the course of the student's working life. Repayments would vary in accordance with the income of the individual. Students who went on to become wealthy would pay back more than they borrowed, while others might pay back less.

Barr's approach to economics and politics has been categorized as "moderate liberal." A writer in the New York *Times* (April 20, 1965) called him "a kind of Rexford Guy Tugwell of New Deal days who does not accept that the law of supply and demand is an immutable economic dictum that must work at all times and in all circumstances." His mastery of political string pulling is partly explained by his pleasant, handsome appearance and his extroverted personality, in which an outward exuberance is combined with an intense inner drive.

Joseph W. Barr and the former Beth Ann Williston of Indianapolis were married on September 3, 1939. They have five children: Bonnie (Mrs. Michael Gilliom), Cherry, Joseph Williston, Elizabeth Eugenia, and Lynn Hamilton. The Barrs are camping enthusiasts and have seen most of the United States in pursuing their outdoor recreation. "In the process we all got the feel of this great country," Barr has written. "I had seen most of it at one time or another but never before had I had the chance to live so close to it. There is no better way to understand it." Barr is an Episcopalian and in Indianapolis he served as clerk of the vestry of Trinity Episcopal Church.

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Mr. BYRD of Virginia. Mr. President, I join the Senator from Indiana in urging and recommending the confirmation of the nomination of Mr. Barr as Secretary of the Treasury. I believe he is an able public official. I have a high regard for him.

I take this occasion also to comment on the retiring Secretary of the Treasury, a splendid Virginian, the Honorable Henry H. Fowler.

Secretary Fowler follows in the footsteps, as Secretary of the Treasury, of a highly distinguished Virginian who served first in the House of Representatives, then became President Woodrow Wilson's Secretary of the Treasury, and later resigned from that position to become a Member of the Senate of the United States. His name is Carter Glass, and he served in this body with great distinction for some 24 years.

I feel that Secretary Fowler has, by his ability and his diligence to duty, added luster to the State of which he is a native.

The people of Virginia, I feel, are proud of Joe Fowler, just as they were proud of Carter Glass when he served in the position of Secretary of the Treasury.

As the nomination of Mr. Barr is considered today, I add my words of commendation of Mr. Barr, the new Treasury Secretary, and express my esteem for Henry H. Fowler, who, after many years of public service and many years of diligent work on behalf of the people of the United States, has now retired to private life.

Mr. HARTKE. Mr. President, I ask unanimous consent that additional remarks concerning Mr. Barr may be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HARTKE. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. The President will be so notified.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE MESSAGES DURING THE ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session the Secretary of the Senate be authorized to accept messages from the House of Representatives and the President of the United States, and to print nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING

Mr. MANSFIELD. Mr. President, on behalf of Senator JACKSON, chairman of the Committee on Interior and Insular Affairs, I announce that public hearings have been scheduled for Wednesday, January 15, on the nomination of Gov. Walter J. Hickel of Alaska to be Secretary of the Interior.

The hearings will open at 10 o'clock in the Appropriations Committee room, room 1202 in the New Senate Office Building. Public interest in Governor Hickel's nomination has been so great that it became apparent that the committee's regular hearing room is not large enough for these hearings.

Senators interested in filing a statement or otherwise participating in the hearings are requested to inform the committee staff as far in advance of the 15th as possible in the interests of orderly scheduling of witnesses.

Mr. President, there is not a Member of this body whose State is not directly concerned with the activities of the Department of the Interior. The responsibilities of the Secretary are truly nationwide in scope, ranging as they do from conservation in the broadest sense, including national parks, historic sites, and outdoor recreation in general, to oil import controls. He has jurisdiction over more than 700 million acres of Federal lands, including their incalculable surface and mineral resources, and over the development of the vast oil and gas deposits of the Outer Continental Shelf.

He administers the water pollution control program and is more directly concerned than is any other single Cabinet officer with the increasingly critical problem of our environment. His duties include the welfare of our American Indians, and the political and economic development of our offshore dependent areas, such as Guam and the Virgin Islands, as well as administration of our fish and wildlife programs, including commercial fisheries.

Certainly, the powers and responsibilities of the Secretary of the Interior are among the most far-reaching of any officer of the Federal Government, and the manner in which he exercises that power and fulfills those responsibilities is a matter of direct concern for this generation and for future generations.

Governor Hickel has been very active in Alaska, and his nomination by President-elect Nixon has called forth a great many expressions of interest from citizens in all walks of life. It is the committee's hope that the hearings on his nomination will serve as a forum for an expression of the nominee's philosophy and concept of the extremely important office for which he has been designated.

Mr. President, I ask unanimous consent that a biographical sketch of Governor Hickel with which I have been supplied appear at this point in the RECORD.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF HON. WALTER J. HICKEL

Walter Joseph Hickel was born in Claflin, Kansas, on August 18, 1919, the son of Robert A. and Emma Hickel, and the third eldest of their ten children. His parents were tenant farmers on the flat lands of the North Bend area. Attended grade school and high school in Claflin, participating in football, track and boxing. In 1938 he won the Kansas Golden Gloves Welterweight Championship.

At the age of nineteen he bought a Claflin insurance business which he sold in 1940.

He married Janice Cannon in September 1941, and they had one son, Ted. Janice died in August 1943, after a short illness.

In November, 1945, Hickel married Ermalee Strutz, the daughter of pioneer Alaskans, Mr. and Mrs. Louis P. Strutz of Anchorage. They are the parents of five sons: Bob (21), Wally Jr. (20), Jack (17), Joe (14), and Karl (6).

Hickel has been a builder, developer and civic leader since 1946. He started his business career by building homes. Later he built, operated and developed rental units, residential areas and hotels.

He is a member of The Knights of Columbus, B.P.O. Elks Lodge, Navy League of the United States, Washington Athletic Club (served on Board of Governors in 1961 and 1962), and Capitol Hill Club of Washington, D.C.

Served as Chairman of the State Chamber of Commerce's Economic Development Committee, Chairman of the Board of Anchorage Natural Gas Company, a trustee of the Alaska Methodist University, and a member of the Board of Regents of Gonzaga University.

For ten years he served as Republican National Committeeman for Alaska. He was a leader in the fight for statehood, and elected Governor of Alaska in 1966.

NOTICE OF HEARING

Mr. ANDERSON. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I wish to announce that the Committee on Interior and Insular Affairs has scheduled a hearing for Tuesday, January 14, on the nomination of the Honorable Theodore R. McKeldin to be a Commissioner of the Indian Claims Commission.

The hearing will be held in room 3110, New Senate Office Building, beginning at 10 a.m.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 12 noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 54 minutes p.m.) the Senate adjourned until tomorrow, Friday, January 10, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 9, 1969:

CALIFORNIA DEBRIS COMMISSION

Col. George D. Fink, Corps of Engineers, U.S. Army, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507) (33 U.S.C. 661), vice Col. Crawford Young, reassigned.

FOREIGN SERVICE

The following-named Foreign Service officers for promotion in the Foreign Service to the classes indicated:

Foreign Service officers of class 1:

Alfred L. Atherton, Jr., of Massachusetts.

Emerson M. Brown, of Michigan.

Theodore L. Eliot, Jr., of California.

Thomas R. Favell, of Wisconsin.

George W. Landau, of New Jersey.

James F. Leonard, Jr., of Pennsylvania.

Joseph J. Montllor, of New Jersey.

Harry W. Shlaudeman, of California.

Francis T. Underhill, Jr., of New Jersey.

Robert W. Zimmermann, of the District of Columbia.

Foreign Service officers of class 1 and consular officers of the United States of America:

John A. Armitage, of Tennessee.

Oscar V. Armstrong, of the District of Columbia.

Laurin B. Askew, of Tennessee.

Powhatan M. Baber, of West Virginia.

William G. Bowdler, of Florida.

Robert C. Brewster, of Nebraska.

Robert L. Brown, of New Jersey.

Frank E. Cash, Jr., of Florida.

Ernest J. Colantonio, of Massachusetts.

Alexander J. Davit, of Pennsylvania.

Frank J. Devine, of New York.

Lester E. Edmond, of Florida.

Scott George, of Kentucky.

Robert Louis Kinney, of Maryland.

William E. Knight 2d, of Connecticut.

Edward T. Long, of Illinois.

Robert W. Moore, of Iowa.

Richard B. Parker, of Virginia.

Alfred Reifman, of Maryland.

Jordan T. Rogers, of Maryland.

Ralph Scarritt, of Illinois.

Ronald I. Spiers, of Vermont.

Donald S. Spigler, of Pennsylvania.

Thomas Stern, of Maryland.

Robert A. Stevenson, of New York.

Herbert B. Thompson, of California.

John L. Topping, of the District of Columbia.

Viron P. Vaky, of Texas.

Foreign Service officers of class 2:

Terrell E. Arnold, of California.

John R. Burke, of Wisconsin.

Michael M. Conlin, of California.

John J. Crowley, Jr., of West Virginia.

Thomas O. Enders, of Connecticut.

Robert L. Funseth, of New York.

James E. Goodby, of the District of Columbia.

Miss Eliabeth J. Harper, of Missouri.

Loren E. Lawrence, of Kansas.

Jack F. Matlock, Jr., of Vermont.

Richard W. Murphy, of Massachusetts.

Mathias J. Ortwein, of Pennsylvania.

Thomas R. Pickering, of New Jersey.

Richard Straus, of Maryland.

Godfrey Harvey Summ, of Florida.

William Marshall Wright, of Arkansas.

Charles T. York, of New York.

Foreign Service officers of class 2 and consular officers of the United States of America:

Karl D. Ackerman, of Maryland.

Robert E. Barbour, of Tennessee.

George M. Bennsky, of Maryland.

Joel W. Biller, of Florida.

Miss Patricia M. Byrne, of Ohio.

Irving G. Cheslaw, of Maryland.

Carleton S. Coon, Jr., of Maine.

Robert D. Davis, of Oklahoma.

John Gunther Dean, of New York.

Willard A. De Pree, of Michigan.

Francois M. Dickman, of Wyoming.

William B. Dozier, of South Carolina.

William B. Edmondson, of Nebraska.

Richard K. Fox, Jr., of Minnesota.

Zachary P. Geaneas, of New York.

Gerald Goldstein, of New York.

Dale E. Good, of Ohio.

William C. Harrop, of New Jersey.

Leamon R. Hunt, of Oklahoma.

Heyward Isham, of New York.

Kempton B. Jenkins, of the District of Columbia.

Kenneth W. Knauf, of Maryland.

John Kribay, of Pennsylvania.

Elmer G. Kryza, of Michigan.

Joseph B. Kyle, of Oregon.

Nicholas S. Lakas, of Connecticut.

Hobart N. Luppi, of Connecticut.

Sanford Menter, of Texas.

William B. Miller, of Ohio.

Jacob M. Myerson, of the District of Columbia.

David Post, of Pennsylvania.

Albert L. Seligmann, of Virginia.

William B. Sowash, of Ohio.

Edward J. Streator, Jr., of New York.

Arthur T. Tienken, of Virginia.

William N. Turpin, of Virginia.

Stephen Winship, of Massachusetts.

Foreign Service officers of class 3:

Earl W. Bellinger, of California.

Calvin C. Berlin, of Ohio.

John A. Bushnell, of Connecticut.

Goodwin Cooke, of New York.

Albert A. Francis, of the District of Columbia.

Paul F. Gardner, of Texas.

Carl J. Grip, of California.

Kenneth O. Harris, of West Virginia.

Gerald B. Helman, of Michigan.

Herbert Eugene Horowitz, of New York.

David Adolph Korn, of Missouri.

Gerald Lamberty, of Wisconsin.

James N. Leaken, of California.

William H. Luers, of Illinois.

Beauveau B. Nalle, of Virginia.

Jack R. Perry, of Georgia.

Robert C. Rich, Jr., of Florida.

Kenneth N. Skoug, Jr., of Virginia.

Eugene S. Szopa, of Maine.

Harry E. T. Thayer, of the District of Columbia.

Frank M. Tucker, Jr., of Pennsylvania.

Marten H. A. van Heuven, of Connecticut.

Robert E. Waska, of Texas.

Foreign Service officers of class 3 and consular officers of the United States of America:

Robert J. Allen, Jr., of the District of Columbia.

Robert S. Ashford, of Florida.

Thomas J. Barnes, of Minnesota.

S. Morey Bell, of Virginia.

John P. Blane, of Alabama.

A. Dane Bowen, Jr., of Texas.

Robert J. Allen, Jr., of the District of Columbia.

Robert A. Brown, of Illinois.

Paul F. Canney, of Massachusetts.

Eugene E. Champagne, Jr., of Pennsylvania.

John R. Clingenman, of Michigan.

J. Stewart Cottman, Jr., of Maryland.

Thomas W. Davis, Jr., of California.

C. Edward Dillery, of Washington.

Paxton T. Dunn, of Connecticut.

Alfred J. Erdos, of Arizona.

Thaddeus J. Figura, of Ohio.

Eric W. Fleisher, of Connecticut.

Richard D. Forster, of Colorado.

Wever Gim, of Utah.

William B. Grant, of New Hampshire.

Clifford H. Gross, of Minnesota.

Charles W. Grover, of New York.

C. Norman Hanley, of Washington.

Donald S. Harris, of Connecticut.

Tobias Hartwick, of Virginia.

George R. Irminger, of Missouri.

Chadwick Johnson, of Massachusetts.

Donald A. Johnston, of New York.

Henry W. Kemp, of Pennsylvania.

Henry A. Lagasse, of New Hampshire.

George B. Lambrakis, of New York.

Malcolm Lawrence, of Maryland.

Louis J. Link, of Maryland.

John Lloyd 3d, of New Jersey.

Jay H. Long, of California.

John G. MacCracken, of Virginia.

Franklin O. McCord, of Iowa.

Calvin E. Mehlert, of California.

William A. Mitchell, of Maine.

Richard H. Morefield, of California.

Ernest A. Nagy, of California.

Miss Geraldine M. Oliva, of Oregon.

John Patrick Owens, of California.

James A. Parker, of Maryland.

Lawrence Pezzullo, of New York.

George R. Phelan, Jr., of Missouri.

Miss Georgiana M. Prince, of Illinois.

David R. Raynolds, of Wyoming.

Edward M. Rowell, of California.

Leonard Sandman, of West Virginia.

John D. Scanlan, of Hawaii.

Anthony E. Sega, of New York.

George B. Sherry, of Virginia.

R. Peter Spicer, of Ohio.

Anthony E. Starcevic, of California.

Andrew L. Steigman, of New York.

Edward O. Stellmacher, of Wisconsin.

Arthur M. Stillman, of Illinois.

Birney A. Stokes, of New Jersey.

Nicholas G. W. Thorne, of Connecticut.

David B. Timmins, of Utah.

Frank G. Trinka, of New Jersey.

Allen R. Turner, of Florida.

Robert T. Wallace, of Florida.

Frontis B. Wiggins, Jr., of the District of Columbia.

Samuel G. Wise, Jr., of Virginia.

William M. Woessner, of New York.

Foreign Service officers of class 4:

Francesco J. Alberti, Jr., of California.

Donald M. Anderson, of Iowa.

Charles E. Angevine, of Colorado.

James E. Baker, of Maryland.

William G. Barraclough, of Pennsylvania.

Robert L. Barry, of Pennsylvania.

William F. Beachner, of Washington.

Alan D. Berlind, of Virginia.

Jack R. Binns, of Washington.

James K. Bishop, Jr., of New York.

Felix S. Bloch, of North Carolina.

Stephen M. Block, of Connecticut.

William Bodde, Jr., of the District of Columbia.

Paul H. Boeker, of Ohio.

Stephen W. Bosworth, of Virginia.

M. Lyall Breckon, of the District of Columbia.

John S. Brims, of the District of Columbia.

John Allen Buche, of Florida.

Richard Irving Burnham, of New York.

Miss Martha C. Carbone, of Washington.

James Richard Cheek, of Arkansas.

Paul M. Cleveland, of Massachusetts.

John Albert Collins, of New York.

Edwin G. Corr, of Oklahoma.

Francis B. Corry, of Colorado.

John R. Countryman, of New York.

Leroy E. Debold, Jr., of New York.

R. Robin DeLaBarre, of Maryland.

Jerrold Mark Dion, of Washington.

Richard J. Dols, of Florida.

Robert B. Duncan, of New Jersey.

Thomas P. H. Dunlop, of North Carolina.

David K. Edminster, of Connecticut.

Robert Duncan Emmons, of California.

Emil P. Ericksen, of California.

Raymond C. Ewing, of California.

John P. Ferriter, of New York.

Jerry A. Fowler, of California.

Anthony G. Freeman, of New Jersey.

John A. Froebe, Jr., of Ohio.

Samuel Edwin Fry, Jr., of New York.

Ralph H. Graner, of New York.

Ernest Thomas Greene, of New Hampshire.

Robert T. Grey, Jr., of Connecticut.

Olaf Grobel, of Tennessee.

John B. Gwynn, of Ohio.

Frank J. Haendler, of Illinois.

Miss Jo Ann M. Hallquist, of Wisconsin.

Samuel J. Hamrick, Jr., of Kentucky.

William Bruce Harbin, of California.

Martin G. Heflin, of Florida.

Charles Higginson, of Massachusetts.

David C. Holton, of Virginia.

Richard C. Howland, of New York.

Marvin W. Humphreys, of the District of Columbia.

Peter B. Johnson, of California.

Samuel C. Keiter, of New York.

Moorhead C. Kennedy, Jr., of Maine.

Dalton V. Killion, of California.

Harmon E. Kirby, of Ohio.

Anthony S. Kochanek, Jr., of New Jersey.

Norbert J. Krieg, of California.

Kenneth A. Kurze, of Rhode Island.

David C. Lacey, Jr., of California.

William A. K. Lake, of Connecticut.

William E. Landfair, of Ohio.

James E. Leader, of Delaware.

Walter C. Lenahan, of Oregon.

Stephen R. Lyne, of Vermont.

Charles T. Magee, of Michigan.

Edward A. Mainland, of California.

Richard H. Martin, of the District of Columbia.

James K. Matter, Jr., of Michigan.

Charles W. Maynes, Jr., of Utah.

Howard M. McElroy, of New York.

Richard H. Melton, of Maryland.

Joseph Meresman, of New York.

Harry M. Montgomery, Jr., of New Jersey.

Edward G. Murphy, of Indiana.

Lewis Roy Murray, Jr., of Tennessee.

John D. Negroponte, of New York.

Thomas J. O'Donnell, of Michigan.

Gerald G. Oplinger, of Pennsylvania.

James D. Phillips, of Kansas.

James A. Placke, of Nebraska.

Charles R. Pogue, of Indiana.

Frederick S. Quin, of New York.

Alexander L. Rattray, of California.

Leo J. Reddy, of Massachusetts.

Fernando E. Rondon, of California.

Theodore E. Russell, of Maine.

Robert J. Ryan, Jr., of Massachusetts.

Charles W. Schaller, of the District of Columbia.

Richard G. Scissors, of Missouri.

Robert E. Service, of California.

Robert Lee Shuler, of Nebraska.

Dudley G. Sipprelle, of California.

Michael B. Smith, of Massachusetts.

N. Shaw Smith, of Virginia.

Richard W. Smith, of New York.

John J. St. John, of Pennsylvania.

Peter A. Sutherland, of Massachusetts.

T. Elkin Taylor, of Georgia.

Richard W. Teare, of Ohio.

Alan R. Thompson, of Alaska.

Samuel B. Thomsen, of California.

John B. Tipton, of Illinois.

Thomas M. Tracy, of Connecticut.

Frederick S. Vaznaugh, of California.

Lannon Walker, of California.

E. Allan Wendt, of Illinois.

Walter G. West, of Colorado.

Alfred J. White, of New York.

Richard L. Wilson, of Iowa.

Donald R. Woodward, of California.

David E. Zweifel, of Colorado.

Foreign Service officers of class 4 and consular officers of the United States of America:

Robert B. Allen, of Virginia.

Herbert T. Mitchell, Jr., of North Carolina.

Robert I. Randolph, of California.

Valentine E. Scalise, of New York.

James P. Sullivan, of Pennsylvania.

Richard Noyes Viets, of Texas.

Mrs. Melissa F. Wells, of New York.

Herbert E. Wilgis, Jr., of Maryland.

Foreign Service officers of class 5:

Richard C. Alvarado, of Texas.

Henry R. Appelbaum, of New York.

G. Paul Balabanis, of California.

Edwin L. Barber III, of Virginia.

Adrian Anthony Basora, of New York.

William A. Bell, Jr., of the District of Columbia.

Bradford Bishop, Jr., of California.

Robert J. Blais, of Florida.

Kenneth W. Bleakley, of New York.

Parker W. Borg, of Minnesota.

David G. Brown, of Pennsylvania.

Stephen W. Buck, of New York.

James N. Bumpus, of California.

Timothy J. Burke, of Wisconsin.

Duane C. Butcher, of Oklahoma.

Ronald B. Casagrande, of New York.

Richard Castrodale, of Pennsylvania.

Martin L. Cheshes, of New York.

David P. N. Christensen, of Nevada.

John H. Christensen, of Iowa.

Malcolm H. Churchill, of Iowa.

Harold F. Colebaugh, of California.

Peter Collins, of New York.

Richard E. Combs, Jr., of California.

Michael B. Cook, of New York.

Gordon A. Cornell, of Massachusetts.

John P. Crawford, of Ohio.

James F. Creagan, of Ohio.

Frank B. Crump, of North Carolina.

Charles H. Dudley, of Florida.

Mark M. Easton, of Pennsylvania.

David J. Fischer, of Texas.

Townsend B. Friedman, Jr., of Illinois.

Samuel C. Framowitz, of New Jersey.

William A. Garland, of Maryland.

Sydney Goldsmith, of New Jersey.

Kenneth A. Guenther, of the District of Columbia.

John E. Hall, of New York.

Peter T. Hansen, of Florida.

Richard J. Harrington, of California.

Richard J. Higgins, of Missouri.

H. Kenneth Hill, of California.

John L. Hirsch, of New York.

Francis S. M. Hodsoll, of New York.

Robert Onan Homme, of Minnesota.

Robert G. Houdek, of Illinois.

W. Nathaniel Howell, Jr., of Virginia.

John J. Hurley, Jr., of Massachusetts.

Henry H. Janin, of California.

Miss Karen D. Jenkins, of Virginia.

Darryl N. Johnson, of Washington.

Ralph T. Jones, of Wisconsin.

John M. Joyce, of Colorado.

Gordon G. Kaplan, of Illinois.

Peter R. Keller, of Connecticut.

Robert K. Kelley, of California.

John H. Kelly, of Georgia.

Don Roland Kienzle, of Massachusetts.

Robert H. Knickmeyer, of Missouri.

Charles E. Lahiguera, of Rhode Island.

Alphonse F. LaPorta, of New York.

Edward W. Lollis II, of Indiana.

David L. Mack, of Oregon.

James F. Mack, of New York.

James H. Madden, of California.

James B. Magnor, Jr., of Virginia.

John J. Maresca, of Connecticut.

John Linden Martin, of Oregon.

Keith D. Martin, of New York.

Thomas G. Martin, of Alabama.

Dwight N. Mason, of New Jersey.

Shirl F. McArthur, of Washington.

Henry Young McCown, Jr., of Texas.

Thomas E. McNamara, of New York.

Michael J. Mercurio, of Ohio.

Michael A. G. Michaud, of Maryland.

Bradford William Miller, Jr., of New York.

Gerald Joseph Monroe, of New Mexico.

Coleman J. Nee, of Massachusetts.

Donald R. Niemi, of Wisconsin.

Richard M. Ogden, of Connecticut.

Thomas F. O'Herron, of New York.

Allan W. Otto, of Illinois.

Edmund M. Parsons, of Texas.

Hal W. Pattison, of New Jersey.

Samuel R. Peale, of New York.

Robert A. Peck, of Iowa.

Vernon D. Penner, Jr., of Maryland.

Irwin Pernick, of New York.

James DeW. Perry, of Connecticut.

Miss Linda Margaret Pfeifle, of Maryland.

Gary S. Posz, of California.

Gordan R. Powers, of Idaho.

Joseph A. Presel, of Rhode Island.

David M. Ransom, of the District of Columbia.

David S. Raycroft, of New York.

James W. Reeves, of California.

Charles W. Reynolds, of California.

Bruce C. Rogers, of New York.

Richard C. Schenck, of New York.

Richard T. Scully, of Virginia.

David H. Shinn, of Washington.

Leonard G. Shurtleff, of Massachusetts.

Alexander K. Sleght, of Connecticut.

Gerald E. Snyder, of Florida.

John D. Stempel, of Indiana.

John Todd Stewart, of California.

Garett Gordon Sweany, of Washington.

Miss Elizabeth A. Swift, of the District of Columbia.

Daniel Taher, of New Jersey.

Paul Daniel Taylor, of New York.

Patrick N. Theros, of the District of Columbia.

Victor L. Tomseth, of Oregon.

George A. Trail III, of Pennsylvania.

James A. Treichel, of the District of Columbia.

Miss Theresa A. Tull, of New Jersey.

John Way Vincent, of Illinois.

Thomas J. Wajda, of Ohio.

H. Francis Wanning III, of Pennsylvania.

Paul V. Ward, of Florida.

Stephen E. Ward, of New Jersey.

Alexander F. Watson, of Massachusetts.

Haven N. Webb, of Tennessee.

James C. Whitlock, Jr., of North Carolina.

Leonard F. Willems, of Wyoming.

David S. Wilson, of California.

Nathaniel Wilson, Jr., of Virginia.

Joseph A. B. Winder, of Indiana.

John M. Yates, of Washington.

Foreign Service officers of class 5 and consular officers of the United States of America:

Norman L. Achilles, of Pennsylvania.

Richard D. Belt, of Ohio.

John M. Beshoar, of Colorado.

John H. Fincher, of Illinois.

Jay R. Grahame, of New York.

Robert F. Illing, of California.

Stephen Tillman Johnson, of California.

James H. Lassiter, of California.

W. Graham Matson, Jr., of California.

William L. Swing, of North Carolina.

Stephen B. Watkins, of Connecticut.

Foreign Service officers of class 6:

Wendell L. Belew, of California.

Robert B. Boettcher, of Texas.

Victor H. Borcherdt III, of Colorado.

Miss Michele M. Bova, of Maryland.

Miss Mary Rose Brandt, of Oregon.

Kent N. Brown, of California.

Miss Cornelia Anne Bryant, of Florida.

William S. Butcher, of Ohio.

Malcolm Heaton Butler, of Texas.

Robert J. Carroll, of Connecticut.

James W. Carter, of Texas.

Emil Castro, of New York.

Bruce W. Clark, of California.

Hervey Parke Clark, Jr., of California.

Herbert A. Cochran, of North Carolina.

Miss Mary Teresite Currie, of New York.

Timothy E. Deal, of California.

Rust M. Deming, of the District of Columbia.

James P. Dodd, of Kentucky.

Jerry L. Dodson, of California.

Robert S. Driscoll IV, of New York.

David J. Dunford, of Connecticut.
Stephen M. Ecton, of New York.
Robert C. Felder, of New York.
Miss M. Dell Fleming, of Louisiana.
Thomas Austin Forbord, of California.
Charles W. Freeman, Jr., of Massachusetts.
Brian R. Furness, of Connecticut.
Thomas P. Gallagher, of New Jersey.
William L. Gallagher, of California.
A. Lester Glad, of California.
Miss April Glaspie, of the District of Columbia.
Ralph D. Griffin II, of, Missouri.
Miss Patricia L. Guyer, of California.
Michael J. Habib, of New York.
Terry D. Hansen, of Utah.
David L. Hobbs, of California.
Miss Katherine A. Horberg, of Illinois.
Michael M. Hornblow, of New York.
Thomas C. Hubbard, of Alabama.
Louis F. Janowski, of Illinois.
Robert D. Johnson, of Missouri.
Peter R. Jones, of California.
Louis A. Kunzig III, of Texas.
Donald B. Kursch, of New York.
John P. Leonard, of Connecticut.
E. Mark Linton, of California.
Thomas M. Macklin, Jr., of California.
Rafael L. Marin, of New York.
John D. Marks, of New Jersey.
G. Eugene Martin, of New York.
Robert M. Maxim, of New York.
Howard L. McGowan, of Ohio.
Richard Keller McKee, of Illinois.
Norman D. McLennan, of Michigan.
Richard W. Mueller, of Connecticut.
Miss Marilyn L. Muench, of Idaho.
Patrick A. Mulloy, of Pennsylvania.
John L. Hesvig, of Minnesota.
Walter M. Notheis, of California.
Robert S. Pace, of Pennsylvania.
Robert Stephen Pastorino, of California.
B. Donovan Picard, of Alabama.
Paul P. Pilkouskas, of New York.
Arnold L. Raphel, of New Jersey.
David Phillip Rohfuss, of Washington.
Lionel A. Rosenblatt, of Pennsylvania.
Herman J. Rossi III, of Washington.
John R. Savage, of California.
Raymond G. H. Seitz,, of Texas.
Seton Shanley, of New Jersey.
Edric Sherman, of California.
Thomas H. Shugart, Jr., of North Carolina.
Clifton C. Stanley, Jr., of California.
Michael C. Stephen, of Ohio.
Byron R. Stephenson, of Kansas.
Larry C. Thompson, of Oklahoma.
David L. Tivol, of California.
Kenneth H. Torp, of Connecticut.
Douglas K. Watson, of California.
Donald B. Westmore, of Washington.
Ralph Winstanley II, of Indiana.
Paul R. Wisgerhof, of Colorado.
Donald J. Yellman, of Iowa.

Foreign Service officers of class 6 and consular officers of the United States of America:

Marvin Groeneweg, of Iowa.
Robert Allan Kohn, of New York.
David P. Matthews, of Texas.
Donald E. Mudd, of Florida.
Miss Sarah Louise Nathness, of Ohio.
John P. Riley, of New Jersey.
Davis R. Robinson, of Connecticut.
Joseph L. Romanelli, of New York.

Foreign Service

The following-named Foreign Service information officers for promotion in the Foreign Service to the classes indicated:

Foreign Service information officers of class 1:

Gilbert F. Austin, of Washington.
Jay W. Gildner, of the District of Columbia.
John E. Reinhardt, of Tennessee.
George A. Rylance, of Arizona.
Hans N. Tuch, of Illinois.

Foreign Service information officers of class 8:

K. Marshall Berg, of Iowa.
William K. Braun, of Ohio.
John S. Getchell, of California.
Clyde G. Hess, of Vermont.
Harold G. McConeghey, of Virginia.
Malcolm McLean, of Minnesota.
J. Paul Phillips II, of Maryland.
Harold F. Schneidman, of Pennsylvania.
Don R. Torrey, of New Jersey.

Foreign Service information officers of class 3:

Philip W. Arnold, of New York.
Peter P. Bielak, of Connecticut.
James E. Bradshaw, of Tennessee.
Ivan M. Campbell, of California.
Robert L. Chatten, of Utah.
William B. Davis, of Michigan.
William F. DeMyer, of New York.
William E. Dietz, of the District of Columbia.
Arthur S. Giuliano, of New Jersey.
Harry L. Hughes, of the District of Columbia.
Charles A. Johnson, of Virginia.
Harry H. Kendall, of the District of Columbia.
Theodore M. Liu, of Michigan.
Wilbert C. Petty, of the District of Columbia.
Mrs. Katharine D. Ray, of Tennessee.
James M. Rentschler, of Pennsylvania.
Howard H. Russell, Jr., of North Dakota.
Norris P. Smith, of California.
Perry J. Stieglitz, of New York.
Wilbur F. Weeks, of Connecticut.

Foreign Service information officers of class 4:

Sime H. Adelman, of Ohio.
Miss Evelyn M. Blickensderfer, of New York.
Dino J. Caterini, of Ohio.
Neal T. Donnelly, of Florida.
William H. Durham, of North Carolina.
Bruce R. Koch, of Pennsylvania.
Leon Lederer II, of Virginia.
Arthur D. Lefkowitz, of New Ycrk.
Frank A. Magary, of California.
James D. McHale, of Massachusetts.
Howard G. Neuberg, of California.
Edward T. Penney, of Illinois.
Ismael Rivera, of Maryland.
Philip N. Shepherdson, of Illinois.
Miss Dorothy M. Slak, of Ohio.
Wesley D. Stewart, of Ohio.
Franklin J. Tonini, of Florida.
Kenneth C. Wimmel, of Ohio.
Peter C. Wolcott, of New York.
Robert J. Wozniak, of Michigan.

Foreign Service information officers of class 5:

Robert J. Baker, of the District of Columbia.
Robert K. Baron, of Pennsylvania.
Charles L. Bell, of Ohio.
Philip C. Brown, of Pennsylvania.
Gilbert R. Callaway, of Arkansas.
James B. Carroll, of Illinois.
John D. Garner, of Arkansas.
Miss Helen S. Hanson, of California.
Donald W. Hauger, of Florida.
William L. Jacobsen, Jr., of Washington.
Miss Mary Roberta Jones, of Montana.
Jerry E. Kyle, of California.
A. Frank Lattanzi, of Pennsylvania.
John R. Lepperd, of Virginia.
Alan M. Lester, of Louisiana.
Gary G. Morley, of Arkansas.
Harold F. Radday, of California.
John M. Reid, of Virginia.
Richard L. Schott, of Kansas.
Leon M. S. Slawecki, of Pennsylvania.
Christopher Snow, of Utah.
Jon W. Stewart, of Washington.
Miss Marie Louise Telich, of California.
Miss Elizabeth J. Townsend, of Connecticut.
Daniel L. Traub, of California.
Miss Virginia L. Warfield, of California.
Joel M. Woldman, of Ohio.

Foreign Service information officers of Class 6:

Peter J. Antico, of New York.
Miss Juliet C. Antunes, of New York.
Donald B. Cofman, of Colorado.
Miss Victoria R. Cordova, of Washington.
John A. Fredenburg, of New York.
Charles R. Gostlin, of Ohio.
John F. Hildebrand, of Texas.
Larry J. Ikels, of Texas.
Miss Louise E. Kelleher, of Massachusetts.
Steven J. Monblatt, of New York.
Dell F. Pendergrast, of Illinois.
Robert David Plotkin, of California.
Carl D. Schultz III, of the District of Columbia.
Miss Mary C. Smith, of California.

In the Coast Guard

The following-named officers of the Coast Guard for promotion to the grade of captain:

James H. Swint
Stephen Varanko
Rudolph E. Lenczyk
Edward D. Cassidy
Robert L. Davis, Jr.
Warren S. Petterson
Hardy M. Willis
Glenn L. Smith
Rollin T. Young
John W. Yager
Gerard J. Perron
Robert E. Ogin
Samuel R. Early
Nelson W. Allen
Roger J. Dahlby
Edward P. Boyle
Edward F. Oliver
John F. Mundy, Jr.
Frank E. McLean
Robert F. Hornbeck
Robert H. Scarborough
Roland J. Frappier
William C. Jefferies
John C. Parker
Edward G. Ware
Kenneth B. Hofstra
Edward O. Wille
George Schmidt
Stuart S. Beckwith
Wayne E. Caldwell
Bernie E. Thompson
Howard W. Pagel
Clarence R. Hallberg
Edgar W. Dorr
Joseph C. Fox, Jr.
Nathaniel F. Main
Vincent J. Mitchell
Thomas C. Duncan, Jr.
Adam S. Zabinski
Leonard M. Unterein
Thomas H. Carter
William J. Brasier
Edwin A. Schmidt
Dudley C. Goodwin, Jr.
John F. O'Connell
Ross L. Moore
Virgil W. Rinehart
Robert E. Dolliver
Robert W. Durfey
Robert J. Bosnak
William P. Butler, Jr.
Luigi Colucciello
Robert F. Goebel
Robert A. Duin
William H. Fitzgerald, Jr.
Herbert E. Lindemann
Philippe C. Gaucher
Darrel W. Starr, Jr.
Thomas T. Wetmore, III
James S. Gracey
David F. Lauth
Sidney A. Wallace

The following-named officers of the permanent commissioned teaching staff of the Coast Guard Academy to be professors in the grade of captain:

Carl W. Selin
John D. Crowley

The following-named officer of the permanent commissioned teaching staff of the Coast Guard Academy to be an associate professor in the grade of commander:

Ronald A. Wells

The following-named officer of the permanent commissioned teaching staff of the Coast Guard Academy to be an instructor in the grade of lieutenant commander:

David A. Sandell

The band director of the Coast Guard for promotion to the grade of lieutenant commander:

William L. Broadwell

The following-named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Ronald G. Shays
David L. Priddy
Frederick R. Heath, Jr.
James R. Norman
Gerard Barton
William N. Zensen
Charles S. Park III
Jean A. Snyder
David O. Drake
James D. Johnson
Wayne C. Wheeler
Charles W. Peterson
Marc W. Jacobsen

The following-named officers of the Coast Guard for promotion to the grade of commander:

Richard B. Wise
Leon Y. Wald
John P. Skillings
James M. Fournier
Richard N. Abrahams
Stephen J. Dasovich
Daniel B. Charter, Jr.
Robert L. Johanson
William M. Devlin
Michael Abarbanell
William F. Roland
Stanley J. Walden
John J. Cadigan
John W. Duenzl
Ronald C. Kollmeyer
Basil D. Harrington
Floyd D. Hunter

Alan D. Breed
Kenneth R. Depperman
Ira E. Thompson
Ralph W. Eustis
Edward F. Lewis
Edmund J. Spillane, Jr.
John B. Jones-Bateman, Jr.
Robert H. Overton
Kenneth D. Albritton
John M. Duke, Jr.
John R. Butler
Edward R. Baumgartner
David A. Corey
Howard E. Michelson
Kenneth D. Urfer
Kenneth E. White
Richard G. Nelson
Peter D. Corson
William R. Lipham
John H. Guest
James A. Atkinson
Harold B. Summey
Joseph L. E. Hamilton
William H. Simpson
Edward Sullivan, Jr.
William Drew
James N. Schenck
John F. Curry
Donald C. Cunningham
Robert A. Biller
Robert J. Ketchel
Thomas W. Kirkpatrick
Walter W. White
James J. Rodney III
Brinton R. Shannon
Roger P. Hartgen
George R. Oberholtzer
Joseph F. Smith
Alan C. Dempsey
John E. Decarteret
Gilbert E. Brown, Jr.
Gilbert L. Aumon
Ernest C. Allen
Robert E. McKew
Richard A. Blackford
Paul D. Henneberry
John R. Ehrmann
Benjamin K. Schaeffer
Axel J. Hagstrom
John H. Hancock, Jr.
Francis M. Coonrod, Jr.
George F. Viveiros, Jr.
Kennard M. Palfrey, Jr.
William G. Hicks
Clifton R. Smith
Norman B. Lynch
Norman E. Cutts
Barry C. Roberts
Robert G. McMahan
Paul F. Bade
David P. Bosomworth
George H. Garbe
Bruce L. Solomon
Thomas P. Schaefer
Robert Gillespie
James Weiskittel
Donald M. Taub
Richard D. Olsen
Don S. Bellis
Charles W. Faircloth
Lynn N. Hein
Arthur W. Wagner
James E. Rivard, Jr.
Leroy C. Melberg
William M. Flanders
John G. Stanley
William B. Mohin
Earle L. Sullivan, Jr.
Kirk R. Kellogg
George L. Rettie
Richard I. Rybacki
Laurence C. Kindbom
Joseph H. Wubbold III
William J. Brogdon, Jr
David A. Sumi
Charles E. Moorhead
James I. McLeaish
Lawrence J. Opeizo
John B. Friel
Julian W. Howell
William T. Rockwell, Jr.
Dale R. Foster
Billy C. Read
Emmerson E. Chambers
Thomas L. Wedgewood
James G. Wilcox, Jr.
Robert J. Descouteaux
Ronald D. Moriarty
Neal G. Nelson
Edwin L. Rahn
Leon D. Lawson
John O. Leatherwood, Jr.

The following-named officers of the Coast Guard for promotion to the grade of lieutenant commander:

Leonard F. Alcantara
Robert M. Wood
Paul A. J. Martino
Llyod C. Burger
Eugene L. Blowers
Randolph Dekroney
Frederick A. Hill
John A. Macdonald
James F. Meade
Robert H. Wehr
John D. Vitkauskas
Jerome J. Savel
Byron H. Romine
Richard A. McBride
Richard A. Appelbaum
David A. Hough
David L. Folson
John R. Wallace
Guy F. Clark
Stephen P. Leane
Richard J. Hinkle
Dennis C. Hilliard
Robert C. Eddy
James L. Shanower
Donald G. Langrock
Joseph C. Amaral
Robert H. Cassis, Jr.
Brent C. Mills
William A. Jansen
Russell C. Warren
George A. Wildes
Robert C. McFarland
William F. Barry
Jon D. King
Leonard V. Dorrian
Paul E. Versaw
Francis A. Nicolai
Peter A. Joseph
Cecil W. Gray, Jr.
Jonathan C. Ide
Stanley F. Powers
Robert F. Muchow
John S. Davis
Robert A. Ferguson
Douglas C. O'Donovan
William B. Steinback II
Anthony B. Ford
Peter L. Collom
Macon T. Jordan
Thomas R. Brougham
John C. Midgett, Jr
Osler R. Tipton
Donald J. Aites
Karl W. Lehrman
Nolan C. Sowell
Albert E. Kaufmann, Jr.
Earle W. Keith III
John F. Roeber, Jr.
William Protzman, Jr.
James D. Prout
Robert T. Willoughby
John A. Randell
Robert L. Ashworth
John L. Patterson
William A. Anderson
Kenneth E. Wagner
Joseph D. Porricelli
Joseph F. Carilli
Robert E. Kramek
Brian P. Richards
James A. Hallock, Jr.
Thomas E. Blank
Samuel J. Cavallaro
Thomas F. Frischmann
Adam J. Shirvinski
James M. Seabrooke
Thomas E. Braithwaite
Jon A. Setter
Matthew J. Barbour, Jr.
Joseph S. Anderson, Jr.
Robert J. Swain
Francis M. Blackburn
Robert R. Caron
James S. Billingham
George P. Wiseneskey
John C. Trainor
Harold G. Fletcher, Jr.
George E. Gaul
Lawrence M. Merlino
David A. Worth
Joseph C. Beima
William E. Zimmerman, Jr.
Neal A. Nicholson, Jr.
Chester R. Wawrzynski
William B. Watkins
Mikel A. Cole
Allen E. Rolland
James L. Walker
James A. McIntosh
Joseph H. Discenza
David H. Withers
Leonard J. Pichini
William S. Haight
Charles W. Morgan
Robert A. Bastek
Gregory J. Sanok
Joseph Marotta
James C. Carpenter
Derrill R. Kramer
Ruloff W. Whiteman
Kenneth L. Lambertson
John W. Keith
Frederick H. O. Mayr
Ralph E. Knorr
Jack A. Eckert
Hal M. Floyd
Leeland N. Gregg, Jr.
William C. Donnell
Donald H. Ramsden
Homer A. Purdy
Richard F. Young
Roger D. Williams
Dennis G. McDaniel
Roger T. Ostrom
Donald F. Kemner
George H. Martin
Jerald L. Rendall
Stanley E. Wood, Jr.
John L. Bailey
Ronald C. Addison
Patrick H. Cannon, J
Frank R. Peasley
James K. Woodle
Edward R. Pusey, Jr.
Pat Murray
James R. Shontell
Donald C. Addison
James F. Hunt
Gerald W. Barney
Paul C. Shearer
Martin J. Danko
Andrew D. Webb III
Alexander C. McKean, Jr.
Larry D. Brooks
Francis W. Mooney
Ronald M. Potter
Richard C. Blaschke
Stephen H. Hines
George A. Casimir
Thomas P. Keane
Thomas H. Lloyd, Jr.
Thomas W. Boerger
Joseph L. Valenti
Arthur E. Henn
John G. Schmidtman

The following-named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant commander:

William F. Merlin
Bradley L. Wood

The following-named officer of the Coast Guard for promotion to the grade of commander:

William F. Merlin

The following-named Reserve officer to be permanent commissioned officer of the Coast Guard in the grade of commander:

William A. Publicover

In the Army

The following-named Medical Corps officers for temporary appointment in the Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3442 and 3447:

To be brigadier general

MEDICAL CORPS

Col. William Henry Moncrief, Jr., O37637, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

Col. Thomas Joseph Whelan, Jr., O59531, Army of the United States (lieutenant colonel, Medical Corps, U.S. Army).

In the Navy

Vice Adm. Rufus L. Taylor, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5233.

MEDICAL CORPS

Rear Adm. George M. Davis, Jr., Medical Corps, U.S. Navy, for appointment as Chief of the Bureau of Medicine and Surgery for a term of four years in accordance with the provisions of title 10, United States Code, section 5137(a).

Vice Adm. Robert B. Brown, Medical Corps, U.S. Navy, for appointment to the grade of vice admiral on the retired list in accordance with the provisions of title 10, United States Code, section 5133(b).

Secretary of the Treasury

Joseph W. Barr, of Indiana, to be Secretary of the Treasury, to which office he was appointed during the last recess of the Senate.

Secretary of Housing and Urban Development

Robert C. Wood, of Massachusetts, to be Secretary of Housing and Urban Development, to which office he was appointed during the last recess of the Senate.

Diplomatic and Foreign Service

Robert W. Korner, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey, to which office he was appointed during the last recess of the Senate.

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea, to which office he was appointed during the last recess of the Senate.

Indian Claims Commission

Theodore R. McKaldin, of Maryland, to be a Commissioner of the Indian Claims Commission, to which office he was appointed during the last recess of the Senate.

Administrator of Law Enforcement Assistance

Patrick V. Murphy, of New York, to be Administrator of Law Enforcement Assistance, to which office he was appointed during the last recess of the Senate.

Associate Administrators of Law Enforcement Assistance

Wesley A. Pomeroy, of California, to be an Associate Administrator of Law Enforcement Assistance, to which office he was appointed during the last recess of the Senate.

Ralph G. H. Sie, of Hawaii, to be an Associate Administrator of Law Enforcement Assistance, to which office he was appointed during the last recess of the Senate.

Commission on Civil Rights

Hector P. Garcia, of Texas, to be a member of the Commission on Civil Rights, to which office he was appointed during the last recess of the Senate.

Maurice D. Mitchell, of Colorado, to be a member of the Commission on Civil Rights, to which office he was appointed during the last recess of the Senate.

Equal Employment Opportunity Commission

William Bill Brown, III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973, to which office he was appointed during the last recess of the Senate.

U.S. Court of Military Appeals

William H. Darden, of Georgia, to be a member of the U.S. Court of Military Appeals for the remainder of the term expiring May 1, 1975, to which office he was appointed during the last recess of the Senate.

CONFIRMATION

Executive nomination confirmed by the Senate January 9, 1969:

Department of the Treasury

Joseph W. Barr, of Indiana, to be Secretary of the Treasury.

HOUSE OF REPRESENTATIVES—*Thursday, January 9, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

In the beginning God created the heaven and the earth.—Genesis 1: 1.

Almighty God, creator and sustainer of this wonderful universe in which we live, hour after hour Thou art speaking to us and day after day Thou art seeking to lead us. Help us to hear and to heed Thy word and to so respond to the leading of Thy spirit that the paths to peace may become plain and the ways of working together for freedom and justice may be made known to us.

In this knowledge and by this faith may we lead our Nation to deeper depths of devotion, to higher heights of honesty, and to greater goals of genuine good for the children of men.

We thank Thee for courageous men who, under the banner of our country, reach out for knowledge of other planets. We pray for them, for their safety, and for continued success in our astronautical endeavors. May the knowledge gained be used for the good of all men.

Hear us and help us, we beseech Thee, O Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBER-ELECT

The SPEAKER. Will any Member-elect who has not been sworn come to the well of the House and take the oath of office?

Mr. REID of New York appeared at the bar of the House and took the oath of office.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

JOINT MEETING OF THE TWO HOUSES OF CONGRESS TO RECEIVE THE APOLLO 8 ASTRONAUTS

The SPEAKER of the House presided.

At 12 o'clock and 21 minutes p.m., the Doorkeeper (William M. Miller) announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints as members of the committee to escort our distinguished visitors into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from California, Mr. MILLER; the gentleman from Texas, Mr. TEAGUE; the gentleman from Michigan, Mr. GERALD R. FORD; the gentleman from Illinois, Mr. ARENDS; the gentleman from Pennsylvania, Mr. FULTON; and the gentleman from Ohio, Mr. MOSHER.

The VICE PRESIDENT. The Chair appoints on the part of the Senate as members of the committee of escort the Senator from Montana, Mr. MANSFIELD; the Senator from Massachusetts, Mr. KENNEDY; the Senator from West Virginia, Mr. BYRD; the Senator from New Mexico, Mr. ANDERSON; the Senator from Illinois, Mr. DIRKSEN; the Senator from Pennsylvania, Mr. SCOTT; the Senator from North Dakota, Mr. YOUNG; the Senator from Nebraska, Mr. CURTIS; and the Senator from Georgia, Mr. RUSSELL.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 33 minutes p.m., the Doorkeeper announced the Apollo 8 astronauts.

Col. Frank Borman, U.S. Air Force; Capt. James A. Lovell, Jr., U.S. Navy; and Lt. Col. William A. Anders, U.S. Air Force, accompanied by the committee of escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Mr. Vice President, my distinguished colleagues of the Congress of the United States, this afternoon marks an auspicious moment in the annals of this Chamber of the House of Representatives. We are privileged at this time to lay aside for a brief period our legislative duties and to welcome here three distinguished courageous Americans of whom we are very proud.

It is my personal pleasure and great honor to present to you three brave men who have, through their notable contributions to our understanding and exploration of space, added glory and prestige to our Nation and knowledge to the world.

The Apollo 8 astronauts—Col. Frank Borman, U.S. Air Force; Capt. James Lovell, Jr., U.S. Navy; and Lt. Col. William A. Anders, U.S. Air Force—I present to you with the greatest of pleasure.

[Prolonged applause, the Members rising.]

Before calling upon each of these distinguished gentlemen to make remarks to the joint meeting and the other distinguished ladies and gentlemen who are present, without objection on the part of my colleagues in both branches—and this is a little unusual, the request or suggestion I am about to make—I know that as our brave friends were on their dangerous and historic mission, the prayers of countless millions of persons were with them. Probably among the most intense prayers and the most intense feelings were those of their loved ones on earth. I would like to bring in the warmth of the family—and I think it inures to the dignity of this joint meeting—and ask the wives, the families, and the relatives of our brave astronauts to rise and to be greeted by all gathered at this joint meeting.

I am asking Mrs. Borman and her family, Mrs. Lovell and her family, and Mrs. Anders and the members of her family to rise for proper recognition.

[Applause, the Members rising.]

The Chair now recognizes the distinguished gentleman, one of our three brave astronauts, Col. Frank Borman of the U.S. Air Force, to address the joint meeting.

[Applause, the Members rising.]

Colonel BORMAN. Thank you very much.

Mr. Speaker, Mr. President, Members of Congress, and distinguished guests, you are looking at three very grateful and three very humble Americans. And before I make my brief remarks, I would like the honor of introducing to you my colleagues so that they may have the honor of addressing a few brief words to you.

I was a little reluctant to do this because on the flight every time I gave up the microphone I seldom got it back.

But it is my pleasure first to present Capt. James Lovell.

[Applause, the Members rising.]

Captain LOVELL. Distinguished people from the good earth: Frank, of course, will tell us, tell you, the thoughts and the feelings we had during our flight. But I did have this one thought, and this thought occurred to me when I came back.

I stepped out of the house a few days later and looked up at the moon and I could scarcely believe that I was there. A sense of pride, a feeling of satisfaction and achievement came over me. And I thought to myself, Is there some American in this great country who, when he sees the moon, cannot feel the same as I do and say to himself, "We were there"?

Colonel BORMAN. Now I am not sure I want it back, Jim, after that.

Now I would like to present Col. Bill Anders.

Lieutenant Colonel ANDERS. Thank you, ladies and gentlemen.

As a crew member of Apollo 8, I would like to thank you and the millions of people you represent for making this historic flight possible.

As an American I would also like to thank you for making Apollo 8 the success that it was and thereby giving our Nation and the whole world something to really be proud of.

As Frank said, we did not give him too much of a chance to talk while we were airborne. We are yielding him the floor now and I would like to present to you the greatest spacecraft commander the Manned Spacecraft Center has ever seen.

Colonel BORMAN. Thank you, Bill.

Through the wonderful media of television we of Apollo 8 were able to share with you many fantastic events in the past few days. Apollo 8 all the way from the ride on the rocket—Saturn V rocket—that weighed something like 6 million pounds and burns fuel at the rate of 15 tons a second, to a really awe-inspiring view of the earth as it came over a rugged lunar landscape, but I must confess that nothing that we saw on the flight, nothing that happened during the launch or our lunar orbit is quite as awe-inspiring as the events of this moment. This is awe-inspiring even to a transplanted Texan.

It is true that very few men have orbited the moon, but it is also true—and I think it is important that we recognize this fact here today in Congress—it is true that very few men have received the support and the generous share of the country's resources that we have. For 10 years and under three Presidents innumerable Congressmen and Senators have voted continuously to provide us the funds that made this flight possible. And I know I speak for everybody in NASA and everybody in the country when I say, "Thank you from the bottom of our hearts."

Now, the question that we always receive, "What was the most indelible view? What do you bring back? What do you remember after this flight?" I must confess that all of us, when we saw the earth rising over the lunar landscape, said this was it. But being unlikely poets, or not being poets at all, we have to turn to a very distinguished poet, and if I may, I would like to read to you an excerpt from Archibald MacLeish, because I think it captures the feelings that we all had in lunar orbit:

> To see the earth as it truly is, small and blue and beautiful in that eternal silence where it floats, is to see ourselves as riders on the earth together, brothers on that bright loveliness in the eternal cold—brothers who know now they are truly brothers.

So that one overwhelming emotion that we carried with us is the fact that we really do all exist on one small globe, and when you get out 240,000 miles, it really is not a very large earth.

But I think it is also appropriate to recognize the peculiar American contribution to our flight. Certainly the efforts of the scientists, the engineers, both in the Government and in private industry, were immeasurable. And the American workmen who transformed the formulas, the equations, the thoughts into hardware—hardware that to us was really a living, breathing, magnificent piece of machinery—to the American workmen we owe a special debt of gratitude.

And I could not sleep tonight if I did not acknowledge the wonderful support of our people in the Manned Spacecraft Center, the Mission Control Center for the 6 days. They worked around the clock 24 hours a day. They guided us. They directed us. They sympathized with us. They even prescribed medicine for us. And in reality they were the fourth member of the crew. So to all of our colleagues who remained on the ground, "Thank you very much."

Now, as you all know, the flight has been very well covered, but there was one significant accomplishment that has gone rather unnoticed, and I would like to take note of it today if I may. I think that one of the things that was truly historic was that we were able to get good Roman Catholic Bill Anders to read the first four verses of the King James version. But now that I see the gentlemen here in the front row, I am not sure we should have read the Bible at all.

Now, I have said that the accomplishment of Apollo 8 was, in a narrow sense, an American accomplishment. I would like to report to you that we received many wonderful telegrams from almost every country on the good earth, including a very significant and a very sincere one from the cosmonauts of the Soviet Union, and we were especially pleased to receive it.

Yet, when we say that this was an American achievement, we really have to go back to Newton and paraphrase him, I am sure in a poor way, by saying that we stood on the shoulders of giants, because how can anyone think of Apollo 8 without thinking of Galileo, or Copernicus, or Keppler, or Jules Verne, or Oberth, or Tsiolkovskiy, or Goddard, or Kennedy, or Grissom, or White, or Chaffee, or Komarov. We truly stood on the shoulders of giants.

And if Apollo 8 was a triumph at all, it was not an American triumph, it was a triumph of all mankind—and we acknowledge it as being such.

Now, to get back, if I may, just for a moment, to some of the details of the flight, you recall that we described the lunar landscape as being "forbidding," "gray," "unwelcome," "eternal loneliness." That is, the one poet on the crew described it that way very well over television. Yet, as we were coming back to earth, we were all contemplating on the fact that hopefully in a few months a human being will tread on that landscape, and in a few years we will have an international community of exploration and research there, much the way we have in the Antarctic.

So the progress of today will not be measured by the engineer or the scientist, because I am convinced that the question is no longer how to do things, but really how long will we take, and how much money will we spend?

I think this is a very wonderful but a very sobering thought.

What I am trying to say is that the progress of exploration will be determined not by the scientists or the technologists or the engineers, but rather by the people of this earth.

So I would like to leave you with that thought, and of course the thing that we all feel: That exploration really is the essence of the human spirit, and to pause, to falter, to turn our back on the quest for knowledge, is to perish—and I hope that we never forget that.

Now, I would be a very shallow human being if I did not confess to you that while I am deeply committed to our space exploration program, and to unlocking the secrets of the universe and of the moon, I am even more deeply committed to the future of this country and this earth.

As we unfold the secrets of the universe, you will look to the scientists and the engineers, but for the future of this country—this great country—and this good earth, we will look to you.

[Applause, the Members rising.]

At 12 o'clock and 55 minutes p.m., Col. Frank Borman, U.S. Air Force; Capt. James A. Lovell, Jr., U.S. Navy; and Lt. Col. William A. Anders, U.S. Air Force, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and charges d'affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The joint meeting of the two Houses is hereby dissolved.

Accordingly (at 1 o'clock p.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

AFTER RECESS

The recess having expired the House was called to order by the Speaker at 1 o'clock and 5 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ANNOUNCEMENT OF SCHEDULE OF RECESSES FOR THE FIRST SESSION OF THE 91ST CONGRESS

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader for the details and an announcement of great interest to all of the Members.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader—and this announcement, of course, is made after conferences between the Speaker and the minority leader and other members of the leadership and myself—I am pleased to announce to the membership of the House the following schedule of recesses heretofore agreed to:

First, the Lincoln Day recess over Lincoln's Birthday. The recess will take place from Friday, February 7, to the morning of Monday, February 17.

Second, the Easter recess, from the close of business on Thursday, April 3, to the morning of Monday, April 14.

Third, Memorial Day, from the close of business Wednesday, May 28, to the morning of Monday, June 2.

Fourth, Independence Day, July 4, from the close of business on Wednesday, July 2, to the morning of Monday, July 7.

Fifth, in August a recess from the close of business on Wednesday, August 13, until the morning of Wednesday, September 3—assuming that there is no sine die adjournment before this recess takes place.

Mr. GERALD R. FORD. Mr. Speaker, I am sure that all of the Members of the House of Representatives are grateful for the action of the Speaker and others who were involved. I certainly feel this is a distinct step forward in arranging our schedule and in letting the Members know that they can make plans accordingly. However, I would hasten to add—and I say this because we want to work at the job and get the job done—that when the distinguished majority leader says, for example, that we will recess at the end of business on Wednesday, July 2, that means we will work on Wednesday, July 2, and there will be business on the floor to be considered on that date. There will be no shading, and I plead with my Republican colleagues not to come and ask that there be a light schedule on that extra day, because this is a very good schedule. However, it is one that must be lived up to and one that we all understand is what we are going to follow.

Mr. ALBERT. Mr. Speaker, if the distinguished gentleman from Michigan will yield further, I appreciate the gentleman's observation, and I trust that all Members of the House will understand that we have gone as far as we feel we could go in making certain that specific dates would be available to the Members except in the case of the most extraordinary circumstances, which we do not anticipate.

Mr. Speaker, will the distinguished gentleman from Michigan yield further for the purpose of my making an observation with reference to the program ahead?

Mr. GERALD R. FORD. I gladly yield further to the gentleman from Oklahoma.

Mr. ALBERT. First of all, Mr. Speaker, may I advise the House that we intend to go over until Monday. We have no program to announce today. We will advise the Members just as soon as we are aware of when they will come up those days when they can expect the House to receive Presidential messages. We hope to be able to do that early next week.

Mr. GERALD R. FORD. I thank the gentleman from Oklahoma.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BIRTHDAY OF PRESIDENT-ELECT RICHARD MILHOUS NIXON

Mr. GERALD R. FORD. Mr. Speaker, we have all just witnessed an epochal event in the history of the House of Representatives, but I have a special achievement to celebrate today and I think all of us do, too. We have just passed through a season of celebrations, and we are about to celebrate another inaugural. I would like to bring to the attention of the Members one further distinction of this day, January 9, because it is the birthday of one of our former colleagues.

On January 9, 1913, in the little California town of Yorba Linda, a baby boy was born who was named Richard Milhous Nixon. As it happened, this was a Thursday, and I wonder if any of the Nixon family's friends and neighbors recalled at that time the old nursery rhyme that goes:

> Monday's child is fair of face,
> Tuesday's child is full of grace,
> Wednesday's child is full of woe,
> Thursday's child has far to go.

In any event, Dick Nixon did go far, and I shall not go over his entire career. Let me jump to another January day 22 years ago, when he stood in this Chamber with his right hand raised high, as we all did last week, to take the oath as a freshman Member of the House of Representatives. This was the beginning of his public service, though not of service to the country, as he was fresh out of uniform as a lieutenant in the Naval Reserve during World War II. He was assigned, along with another freshman Member and ex-Navy lieutenant, John F. Kennedy, to the Committee on Education and Labor, little knowing how their destinies were to be intertwined thereafter.

My own friendship with Dick Nixon began 2 years later, when I arrived as a freshman Member of the 81st Congress, which found us both members of the minority. I must confess that in those days the junior Members of the House, in contrast to the serene and satisfied condition that prevails nowadays, did a lot of griping and a lot of complaining about the leadership and the way the Congress conducted its business. Since we did not get a great deal of encouragement from the older Members, we banded together in a little informal group which came to be known as the Chowder and Marching Club, to which 15 third-, second-, and first-termers belonged, among them the gentleman from California, Mr. Nixon, and myself. The only other charter members of this unchartered group who remain in this body are the distinguished gentlemen from Wisconsin (Mr. BYRNES and Mr. DAVIS). But, we have since added to our ranks, and each year have addressed birthday greetings to Dick Nixon on this date.

It has been said that birthdays are feathers in the wings of time, dropping off one by one, or that they are milestones along the road of life, each bringing us closer to our goal. This January 9 I speak, I am sure, for all my colleagues on both sides of the aisle when I say to our former colleague, the President-elect of the United States, we sincerely wish him a happy 56th birthday.

We pray that the wings of time will be strong to sustain him; that the road on which he has come so far will be clear and smooth for the future, so that he can lead our Nation and all our people into a new era of better peace, stronger harmony, and many happy birthdays in the years ahead.

Mr. GOODLING. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, this is indeed a special day, for it is the 56th birthday anniversary of President-elect Richard Milhous Nixon. I know all of my colleagues join me in wishing Dick a very happy birthday.

It is a pleasure to announce to this body that President-elect Nixon today is receiving a special kind of birthday gift in my 19th Congressional District of Pennsylvania. A 177-acre tract—valued at around $70,000—is being transferred to the York County commissioners for the purpose of being converted into the Richard M. Nixon Park. The park will be administered by the York County Board of Parks and Recreation.

Dr. Ernest Nixon—85-year-old uncle of the President-elect—a renowned agriculturist and a resident of State College, Pa., will be on hand for the land transfer ceremonies scheduled for today.

This land is presently owned by Bob Hoffman of the city of York, Pa. The tract is located near Jacobus in a scenic sector of York County, and it is possessed of various natural features that have great potential for public park development.

Mr. Hoffman, who is making the land transfer, is a former Olympic weightlifting coach and a physical fitness consultant of national and international prominence. He is also known throughout the United States as a true conservationist, having a keen interest in preserving the beauty and natural resources of America.

The Richard M. Nixon Park is what might be called "a natural." For one thing, Bob Hoffman, the donor of the land, is a close friend of Dick Nixon's, with this friendship extending over a good span of years.

The park is also located approximately 10 miles from the Menges Mills region, where Dick Nixon made frequent visits to the home of his parents, the late Francis and Hannah Milhous Nixon. That was in the late 1940's and early 1950's, during the timespan when Mr. Nixon served in both the U.S. House of Representatives and the Senate. The parents lived at that location for about 7 years, moving to California in 1954.

In addition, Edward Nixon—Dick's young brother—attended and graduated in 1948 from West York High School, which is located not too far from the park. Edward established quite a reputation for his performance on the track while he was enrolled at that school.

I am proud to say that this park is the first facility that has been named after President-elect Nixon. I would like to point out, however, that he was honored by the State of California with the Nixon Elementary School when he served as Vice President.

It is interesting to note that there are plans in process for the Richard M. Nixon Park to be developed along cooperative lines which, in effect, echo President-elect Nixon's theme and appeal to the American people to "go forward togther." Under this plan, the Bureau of Outdoor Recreation of the U.S. Department of Interior would join hands with State of Pennsylvania and county and local agencies in financing the development of the park. In addition to this, the fact that the land for the Richard M. Nixon Park was contributed by a private citizen makes this truly a "go forward together" project.

William Hazlitt, an English essayist of the late 18th century, once said:

> When a man is dead, they put money in his coffin, erect monuments to his memory, and celebrate the anniversary of his birthday in set speeches. Would they take any notice of him if he were living? No!

Mr. Speaker, we in Pennsylvania are taking exception to Mr. Hazlitt's remarks. We are honoring President-elect Nixon today, while he is very much with us—Happy birthday, Dick.

THE HOUSE FINALLY SEATS ADAM POWELL

(Mr. PATTEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include an editorial.)

Mr. PATTEN. Mr. Speaker, an evaluation of the 90th and 91st Congresses reveals that many Members have been trained in the law profession. A large number of Members have served as attorneys general, prosecutors and in other capacities to enforce the law. I can name many of my colleagues who would respect a Supreme Court decision involving a constitutional question especially when they feel that the House has acted beyond the limitations of the U.S. Constitution.

I do not join some Members who have indicated that under the division of powers, the Supreme Court has no power to judge whether an act of the House of Representatives is unconstitutional. If the House ignores the constitutional provisions, it sets a very bad precedent. As sure as the sun sets, many Members who ignored the Constitution will regret this precedent which they have taken in the Powell case. The practical, political vote for many Members may have been to vote against the seating of Adam Powell. I think that some of my colleagues who have advocated States rights and protested some of the decisions of the Supreme Court which have broadened the powers of the Federal Government—especially in the area of labor, education, welfare, and civil rights—will rue the day they ignored the Constitution in the Powell case.

Relative to this important matter, I would like to include an editorial that appeared in the Daily Home News of New Brunswick, N.J., Tuesday, January 7, 1968, entitled "The House Finally Seats Adam Powell":

The House Finally Seats Adam Powell

> The House of Representatives, acting to right a wrong which it perpetrated two years ago, oh so condescendingly consented to the seating of Adam Clayton ·Powell, the controversial representative of New York's 18th Congressional District.
>
> But to prove once again that the House, mindful of the sins of one of its members, just wanted to set the record straight, they attached a price tag of $25,000 to the seat to which Adam Clayton Powell had twice been elected since his summary dismissal from the House two years ago.
>
> So far as most members of the House were concerned, Powell indeed had misused some $40,000 while he had been chairman of the House Education Committee. In fact, Rep. Emmanuel Celler of Brooklyn, who sponsored the bill allowing Powell to take his seat, said as much in introducing the resolution.
>
> Involved in the case, so far as we are concerned, are two very simple questions. The first which is by far the most important, is whether the House has the right to deny a member his seat, despite the will of that representative's constituents.
>
> And the second, which Rep. Celler so ably pointed to involves the very serious question of gross hypocrisy on the part of many members of the House.
>
> Celler, after reading a letter from Atty. Gen. Ramsey Clark stating that sufficient evidence for criminal prosecution against Powell did not exist, went on to say: "I think that even if there is civil liability, and that is very, very questionable—as a lawyer, I can say it's very questionable—it involves travel, it involves payment to his wife. And he who is without sin in this Chamber, let him cast the first stone. Judge not lest ye be judged—particularly with reference to dear ones on the payroll, with reference to travel, and with reference to travel documents."
>
> So far as the legality of the House's original action is concerned, the Supreme Court will render a decision some time this spring. We think it should rule in Powell's favor since, clearly, the Constitution states that the House may rule on only three qualifications for membership: age, citizenship, and residency.
>
> So ar as the hypocrisy is concerned, only those members of the House who have also not toed up to the mark of the law and who had the temerity to vote against Powell's seating can answer that question.
>
> To say the least, we are extremely disappointed with the House and with its very serious attempt to tamper with the rights of those citizens who elected Adam Clayton Powell to be their representative in Washington.

HIGH HANDED ACTION BY THE FCC ON CATV DOES GRAVE DAMAGE TO PEOPLE AND INDUSTRIES AROUND THE COUNTRY

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, I have today called on the Federal Communications Commission in the strongest possible terms to rescind its temporary freeze on cable television operations and applications until they hold a full and complete hearing on their newly proposed regulations.

Last December 12 the Commission gave notice of certain proposed rule changes and of a general inquiry into policy matters for CATV development. The notice provides for the usual hearings and the submission of positions by interested parties, all of which is very well and good, since all sides of this complex matter certainly should be heard before any sweeping action is taken.

But, unfortunately, the Commission also issued at the very same time, certain so-called interim orders which actually froze at once the processing of all CATV applications and all further development of CATV stations not already in operation at the time of the order. In effect, what the Commission did, I am amazed to report, was to put into operation at once and under the guise of interim orders, the very same proposed rules changes it said it wanted to consider at some length in subsequent hearings.

The effect of this action has been nothing short of disastrous to the whole cable television industry and to those electronics companies which supply CATV. In my own upstate New York congressional district, for example, without a single TV broadcasting station of its own, our communities must rely heavily upon CATV. Yet now, because of what the FCC has done, we have a situation where individuals on one side of a street can get CATV services and those on the other side of the street are indefinitely to be barred from getting it. Is this fair? Is this legal? Does this make sense?

Moreover, a large number of people in the TACO plant in Sherburne, and in other electronics plants in upstate New York, have already been laid off their jobs because these interim orders have brought an abrupt and effective halt in the sale of all CATV equipment. If CATV is not going anywhere, then obviously nobody is buying.

What I find most objectionable of all, however, is that this action should have been taken by the FCC at the very time when the findings of a special Presidential Task Force on Telecommunications had already been submitted—though they were not yet published—finding that had in fact reached exactly the opposite conclusion with regard to CATV from the viewpoint reflected in the Commission's own proposed regulations and its interim orders. In other words the task force had concluded that CATV should be expanded to serve the public interest, not curtailed.

FCC Commissioner Robert T. Bartley, in a dissenting statement, declared that application of the Commissioner's interim rules is a fatally defective procedure because the rules are in fact substantive and thus have been applied without rulemaking procedures required by the Administrative Procedure Act. I could not agree with Mr. Bartley more.

The Commissioner also notes the "'distinct possibility" that the interim order will stifle further development of CATV, and again, as I have already indicated, he is cooking with gas.

Mr. Speaker, legislation has already been introduced in this House by the gentleman from California (Mr. VAN DEERLIN) calling for a full investigation by the Committee on Interstate and Foreign Commerce of this whole CATV rules matter. I fully support this resolution. Surely if one administrative agency of Government can, by a single action, take away the jobs of hundreds of American citizens and jeopardize the investment of thousands of businessmen and stockholders, and disrupt the television service of millions of Americans living in rural areas, and do all this without even so much as a "by your leave, sir," to the Congress, then something is very seriously wrong.

Indeed, I believe that even stronger action than just an investigation is needed to restore justice and equity. While we investigate, CATV will continue to stagnate, thousands of men and women will remain without employment, and millions of families will be without adequate television coverage.

If the Federal Communications Commission does not promptly rescind its interim orders I intend to introduce legislation to force their repeal. I hope such a course will not be necessary, but if the FCC remains obstinate this Congress can and must move quickly to correct their outrageous and improper action, plainly directed against the welfare of millions of plain Americans whose only fault is that they happen to live in rural America instead of in one of the big cities.

CONGRESSMAN STRATTON INTRODUCES CONGRESSIONAL AMENDMENT TO ELIMINATE THE TWO MOST GLARING DEFECTS IN OUR PRESENT ELECTORAL SYSTEM

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, one issue on which most Americans are agreed, in the light of some of our experiences in the recent presidential election, is that there are grave deficiencies in the present electoral college system of electing a President of the United States, and that reform is very definitely in order.

The other day I introduced a resolution—House Joint Resolution 189—in the House, designed to correct the two most serious of these deficiencies; namely, the arrangement that throws the election of a President into the House of Representatives if no candidate receives a majority of the electoral vote; and the arrangement which makes it possible legally for an individual elector to cast his ballot for someone other than the candidate for whom he was chosen to be an elector.

My proposed amendment, I might add, is identical to House Joint Resolution 1, introduced earlier in this session by the distinguished gentleman from Louisiana (Mr. BOGGS).

As some commentators have already noted in the press there are almost as many different proposals for reforming the electoral college as there are commentators and critics. My amendment obviously does not go as far in the direction of reform as many people would like. It does not, for example, call for a system of direct election of the President and the Vice President. Personally, my mind is still open on this issue, but I do recognize some of the substantial difficulties involved in getting such a sweeping reform adopted. Since the present system embodies the same Federal principle on which our Republic was established, therefore favoring to some extent the smaller States, a proposed amendment leading to a direct vote might incur difficulties in getting the necessary three-fourths of the States for ratification.

But whether direct election is or is not a desirable objective, the two features to which I have referred are so obviously bad that their elimination from our electoral system ought not to hang on the desirability of some of further and more controversial forms.

As we have just realized in the recent 1968 election, the provision which throws the election of a President into the House of Representatives in the absence of a majority of the electoral vote would have grave and damaging effects in today's world that were never even dreamed of by the Founding Fathers. At the very least it would leave the question of the leadership of our country at a time of critical international activity in doubt for much too long a period of time. Moreover the voting system provided in the House under these circumstances, whereby each State no matter how small or large receives only one vote, is just too undemocratic and outmoded for today's world.

The other glaring deficiency that must also be eliminated without further delay is the absence in the Constitution of any requirement that an individual elector must cast his vote for the person for whom he was designated as an elector. Only the other day in this Chamber we have seen once again that the Constitution is powerless to prevent an elector, chosen by the people of his State to cast his vote for one individual, casting it instead for another. If this could happen in the case of Dr. Bailey, of North Carolina, in 1968, it can happen in the case of other electors in future elections. In fact, if the electoral result should be especially close the acts of "faithless electors" like Dr. Bailey could alter the entire outcome of a presidential election, contrary to the wishes of the people themselves.

If we can agree on further reforms, well and good; but the removal of the most objectionable and hazardous aspects of the present system ought not to have to wait on agreement on more controversial reforms.

My proposed amendment would do the following:

First, abolish the electoral college as a group of individuals but retain the principle of each State's electoral vote, as at present, equal to the number of that State's Representatives and Senators;

Second, automatically count all of a State's electoral votes for the candidate who receives a plurality of that State's popular vote;

Third, provide for the election of the presidential and vice-presidential ticket which receives a plurality of at least 40 percent of the total electoral vote, in place of the present provision that a combined ticket must get a majority of the electoral vote; and

Fourth, provide for a quick run-off nationwide election between the two presidential tickets with the greatest number of electoral votes if no ticket receives at least 40 percent of the total electoral vote.

Mr. Speaker, I urge the prompt adoption of this amendment so we may eliminate these two dangerous possibilities before 1972 rolls around.

A BEAUTIFUL AND EXCITING MUSICAL EXPERIENCE

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, I want to call the attention of the House to the fact that Washingtonians will have a rare opportunity to share a beautiful and exciting musical experience this week. The celebrated Iowa String Quartet will be performing tonight, Thursday, January 9, at the Corcoran Gallery, and Sunday, January 2, at the Phillips Collection.

The Iowa String Quartet, which is the resident quartet at the University of Iowa in Iowa City, has gained international recognition as one of this country's most outstanding musical groups, performing in many cities throughout this Nation and in Europe. The quartet completed a tour of major European cities in February 1968 under auspices of the U.S. State Department and is planning another State Department tour in the spring of 1970.

As is their custom the members of the quartet will be performing on the famous Stradivarius instruments owned by the Corcoran Gallery which are on permanent loan to the quartet. Known as the Paganini Strads, they were owned and used by the great Italian virtuoso, Nicola Paganini, in the 19th century. Iowans are justifiably proud that the Corcoran has honored the quartet and recognized its artistic merit by making these prized instruments available to the quartet on a permanent loan basis.

All members of the quartet—Allen Ohmes, John Ferrell, William Preucil, and Charles Wendt—are on the faculty of the music department of the University of Iowa. The membership of the quartet has varied since it was first organized. Perhaps the most renowned member has been Charles Treger, who went on to become the first American to win first place in the Wieniawsky violin competition held in Poznan, Poland, in 1962. Mr. Treger is still a member of the Iowa faculty. He and the present members of the quartet are typical of the vigorous artistic and cultural activity now flourishing in the State of Iowa.

GUARANTEEING FEDERAL EMPLOYEES THE RIGHT TO JOIN OR REFRAIN FROM JOINING A GOVERNMENT EMPLOYEES UNION

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKBURN. Mr. Speaker, the right of Federal employees to choose or not to choose to join a union, as outlined in President Kennedy's Executive Order No. 10988 of 1962, is too valuable to be subject to the whims of whomever might occupy the White House.

Therefore, today I am reintroducing the Federal Employee Freedom of Choice Act of 1969. Basically, this measure guarantees that all Federal employees will have the right to join or the right to refrain from joining a Government employee's union. The following Members have graciously agreed to cosponsor this measure with me: The Honorable GEORGE BUSH, the Honorable WILLIAM L. SCOTT, the Honorable JOHN N. ERLENBORN, the Honorable JOHN RHODES, the Honorable EDWARD J. DERWINSKI, the Honorable LARRY WINN, JR., the Honorable DURWARD G. HALL, the Honorable O. C. FISHER, the Honorable CHESTER MIZE, the Honorable JAMES B. UTT, the Honorable LAWRENCE BURTON, the Honorable W. E. BROCK, and the Honorable ROBERT V. DENNEY. During 1968 this measure received favorable editorial comment from over 40 different newspapers throughout the United States.

I believe that it is the right of every person to join or to refrain from joining a union. Furthermore, I feel that it is a violation of the basic liberties of our citizens to allow the deletion of this vital right to refrain.

At this time, I sincerely urge the Committee on the Post Office and Civil Service to hold hearings on this measure as soon as possible.

A HEARTY WELCOME TO OUR LATEST SPACE ASTRONAUTS

(Mr. BUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUSH. Mr. Speaker, it is with extreme pleasure that I join with the rest of the Congress in welcoming Col. Frank Borman, Capt. James Lovell, and Maj. William Anders to this joint session. Their achievement is a magnificent one—not only for them, but also for the people of the National Aeronautics and Space Administration, who have put in so many long hours of hard work on this flight.

The voyage magnificently put our world in perspective. When we look at those beautiful pictures of this earth taken from the moon orbit, one cannot help but be impressed by the beauty of it. I hope that as we continue to reach these fantastic heights in space we will all look back at the "good earth" and realize that somehow we must and we can achieve a means of living together peacefully.

In one flight the United States became the unchallenged leader of the world in science and technology. Frankly, I have never felt that we had lost this leadership, but the moon orbit dramatized to the rest of the world the magnitude of the U.S. effort and our ability—in an open society—to develop our technology.

I am especially proud that the Manned Spacecraft Center is located in Houston and that I have been able to get to know each of these fine men personally. It is with the utmost respect and esteem for their outstanding accomplishments—as astronauts and as human beings—that I welcome Colonel Borman, Captain Lovell, and Major Anders to this body today. It is only fitting and proper to award these astronauts the recognition they have so gallantly and courageously earned.

APOLLO 8 AMONG OTHER ACCOMPLISHMENTS OF THE MILITARY-INDUSTRIAL COMPLEX

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TALCOTT. Mr. Speaker, we in the Congress, and Americans everywhere, proudly salute the three Apollo 8 astronauts. It is quite appropriate that we should.

Exceeding and leaving the earth's gravitational force, circling the moon and returning to the earth safely and precisely, is probably the greatest human feat in history. No other accomplishment compares. Other feats will overshadow this, but for now the genius, foresight, daring, and skill of the Apollo 8 team is unexcelled.

I, too, join the salute and convey my highest commendation and appreciation.

While we bask in their achievement, we ought to keep some perspective.

I have noticed that some Members who are cheering the loudest and who are most anxious to share the spotlight with these present day heroes, were only recently disparaging and condemning the so-called military-industrial complex as something heinous, pervasive, and evil.

It should be remembered that these three astronauts—great heroes—are members of the military and that the whole Apollo 8 achievement is due almost wholly to the military-industrial complex of the United States of America.

I, too, hold that we ought to be cautious about permitting too much power in any complex—military-industrial, media, governmental, union; but let us give proper credit where proper credit is due. Today our military-industrial complex is entitled to the credit for Apollo 8.

No military-industrial complex of any other nation has equaled its achievements. No other complex or association has equaled this achievement of our military-industrial complex.

When we next criticize the military-industrial complex—and we should—we should also remember Apollo 8 among its many other accomplishments.

ORDERLY TEXTILE TRADE

(Mr. MIZELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZELL. Mr. Speaker, I am pleased to join with several of my colleagues who have introduced into the Congress bills to provide for orderly trade in textile articles, a measure which received considerable attention in the previous Congress.

The problem of ever-increasing textile imports is fully recognized by those of us here who represent Districts in which the textile industry plays a vital role in the local economy. It is my intention to supply ways and means of protecting the livelihood of these textile workers as much as possible by supporting our President-elect in his effort to provide reasonable restraints on U.S. textile imports. The alarming rate at which these imports have increased during the last few years make it imperative that restrictive steps be taken at the earliest possible time before we reach a point of "no-return" and sheer self-destruction.

In my district—the Fifth District of North Carolina—the manufacture of textiles provides one of the major sources of family income, and only by placing restrictions on imports can we hope to hold on to these jobs. Further, any chance of expanding our textile plants lies completely in the hands of the Congress in its handling of this proposal. Frankly, I feel that these U.S. workers are entitled to the protection this legislation would afford them for the preservation of their jobs, their homes and the future of their families. Otherwise, U.S. industry will be forced to seek sites abroad for their operations to meet the challenge posed by foreign imports.

Mr. Speaker, I feel very deeply about the ramifications of a continuing liberal import program, and urgently request that my colleagues study the proposal I am submitting today and join me in my efforts to protect this segment of our population so dependent upon the textile industry.

HONORING ASTRONAUTS BORMAN, LOVELL, AND ANDERS

(Mr. GALIFIANAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GALIFIANAKIS. Mr. Speaker, the Congress of the United States is honored and humbled today by the presence of astronauts, Col. Frank Borman, Capt. James Lovell, and Lt. Col. William Anders.

The magnificent Americans have taught us a joyous lesson: That the day of the hero is not past. They have demonstrated, conversely, that the day of the hero is present—and future. We mortal men are forever grateful for the disquisition.

Through all history—from the first venturing out of the caves of darkness to the conquest of outer space—man has strived to extend his reach, upwards, toward the stars.

Slowly, patiently; with courage, with genius; by error, by trial; man has learned to find his way, to multiply his strength, and to communicate.

As man's reach lengthens, so distance grows closer, time grows shorter, men grow more dependent, one upon the other.

These men of boldness have reached out anew—beyond the grasp of distance—to show us that we live in a new world—a world in which closeness is tight upon us.

In naming Astronauts Borman, Lovell, and Anders "Men of the Year," Time magazine paid these men an articulate and definitive tribute. The text reads, in part, as follows:

> In the closing days of 1968, all mankind could exult in the vision of a new universe. For all its upheavals and frustrations, the year would be remembered to the end of time for the dazzling skills and Promethean daring that sent mortals around the moon. It would be celebrated as the year in which men saw at first hand their little earth entire, a remote blue-brown sphere hovering like a migrant bird in the hostile night of space.
>
> The year's transcendent legacy may well be that in Christmas week of 1968, the human race glimpsed not a new continent or a new colony, but a new age, one that will inevitably reshape man's view of himself and his destiny. For what must surely rank as one of the greatest physical adventures in history was, unlike the immortal explorations of the past, infinitely more than a reconnaissance of geography or unknown elements. It was a journey into man's future, a hopeful but urgent summons, in Poet Archibald MacLeish's words, "together, brothers on that bright loveliness in the eternal cold—brothers who know now they are truly brothers.

And we must not forget, today, to pay tribute also to the 300,000 engineers, technicians and workers, and to the 20,000 contractors who were backed by $33 billion spent on the Nation's space effort in the past decade. The mission's fantastic precision could never have been achieved without the creativity and dedication of the greatest task force ever assembled for a peaceful purpose.

We must be ever mindful that science is the servant—not the star.

As we pay our highest tributes to these courageous men, and to the men who made this historic feat possible, we must accept the legacy of challenge which they leave with us.

We must be aware that men of boldness must continue to reach out anew—beyond the grasp of distance—toward those higher stars of which the poet sings:

> To arrest, for a space of a breath, the hands busy about the work of the earth, and compel men entranced by the sight of distant goals to glance for a moment at the surrounding vision of form and color, of sunshine and shadows; to make them pause for a look, for a sign, for a smile—such is the aim, difficult and evanescent and reserved only for a very few to achieve. But sometimes, by the deserving and the fortunate, even that task is accomplished. And when it is accomplished—behold! All the truth of life is there.

COLONIALISM OF THE SOUTH

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include a newspaper article.)

Mr. RARICK. Mr. Speaker, many Americans were disappointed at the urging of the U.S. Attorney General to continue a policy of political and economic sanctions against Southern States which have—over the past 4 years—confined them in a state of neocolonialism.

The Attorney General has called for a renewal of the punitive Voting Rights Act in an effort to continue the receivership which denies full political, economic, and social powers only to the States of the South.

Many Americans, especially in the South, had hoped there would be no continued abolition of this right to self-determination in their sector and that the constitutional privileges of self-government and home rule would be returned to their people.

The retrogressive usurpation by the Federal Government over the constitutional powers of the Southern States is unprecedented since the reconstruction period following the Civil War—over 100 years ago.

Although the southern people were denied equal protection of the laws, guaranteed by the Constitution to other States, nevertheless they have complied with the law. The record itself shows tremendous progress to overcome distinctions which other regions within the country were led to believe existed in order to justify placing the Southern States under such sanctions.

Considering that 1969 follows in the wake of the United Nations year of human rights, most Americans would hope that our leaders would not embark on demogogic expeditions to reagitate obsolete programs of discrimination against citizens and States merely because of the regional area in which located.

Separatist movements must not be tolerated to further divide our people.

Mr. Speaker, I include the following article from the Washington Post of January 9, 1969, following my remarks:

NIXON, CONGRESS CONTROL FUTURE OF VOTING RIGHTS ACT

(By John P. MacKenzie)

The future of the Voting Rights Act, one of the Johnson Administration's proudest achievements, will soon be in the hands of Richard M. Nixon and the 91st Congress.

Civil rights enforcers in the outgoing Administration have begun to worry about one of the almost forgotten features of the far-reaching 1965 law—its life span of five years. It dies next year.

The Act, which put six deep South states and parts of a seventh into a virtual election receivership, suspended literacy tests and outlawed a host of devices used by white registrars to keep black voters from expressing themselves.

REGISTRATION SOARS

Because of the law, Negro registration has soared in the South to 3.2 million. A record 51.4 per cent of adult Southern Negroes voted in the 1968 election while nonwhite voting declined in the North and West. There are nearly 400 new black office-holders in Southern localities.

But the law expires by its own terms on Aug. 8, 1970. When it was passed over bitter Southern opposition, five years was thought to be ample time to put the Negro on his feet politically so that he could enforce his other rights at the voting booth. But in the view of concerned officials like Attorney General Ramsey Clark, the black voter has not achieved security from white reprisal when the Federal examiners and poll watchers are no longer available.

Clark warned last month's Southwide Conference of Black Elected Officials in Atlanta that "many of the most important sanctions and controls" of the law will disappear "in what then seemed a long time and now seems no time."

Within 20 months "there will be the opportunity for jurisdiction to reinstate qualifications to vote through subjective tests such as literacy." Then, Clark said, "state legislatures may prescribe new standards, new procedures, for voting throughout this land."

The Attorney General called on Negro leaders to redouble their registration efforts while the Act is in force and urged that the Nation "provide for the future by extending the sanctions of the Act for years to come."

CHALLENGE FOR NIXON

The idea poses a challenge for Nixon, who said during the campaign that he doubted the need for further civil rights legislation. After noting that President Eisenhower signed in 1957 the first civil rights legislation in a century, Nixon said, "I do not see any significant area where additional legislation could be passed that would be helpful in opening doors that are legally closed."

Nixon, who was elected without the help of the Negro voter, would face an added problem even if he were to decide that the voting law deserves a new lease on life. That problem is that Sen. Strom Thurmond (R.-S.C.) and other GOP conservatives might blow the lid off any attempt at Party unity at that point.

To Clark's civil rights chief, Assistant Attorney General Stephen J. Pollak, the prime value of the Act is that Federal poll watchers can be dispatched where needed. They are usually sent where Negro * * * voting population. Negro candidates or racial issues make it especially important to ensure a fair election.

Justice Department lawyers, armed with the bargaining power that goes with the authority to designate examiners and observers, often have been able to persuade local voting officials, on a "voluntary" basis, to treat Negroes equally with whites and thereby call off any heavy Federal presence on election day. For example, where election officials occasionally send a mobile registration center into rural areas to accommodate remote white farms, Federal lawyers have insured that the same services extend to Negroes.

If Nixon fails to request extension of the Act, congressional liberals are certain to seek it on their own. If Congress doesn't act, the courts may take up some of the slack.

Already a special three-judge court in Washington, where Southern governments must sue to get out from under the Act, has held that literacy tests may not be reinstated in districts where segregated education has produced "unequal educational opportunities" for Negroes. That decision is now on appeal to the Supreme Court.

The Federal judiciary under Nixon may or may not side with the Washington court in these cases. But, since the 1965 law has done the work of hundreds of pre-1965 lawsuits, many civil rights workers would feel, in any case, more secure if Congress continued to speak out on the subject.

WISHING AWAY THE UFO PROBLEM

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, the Department of the Air Force has now released the long-awaited University of Colorado Scientific Study of Unidentified Flying Objects. If accepted, the conclusions reached in the study may result in delaying an eventual solution of the UFO puzzle, making more difficult a scientific breakthrough in an understanding of the the problem.

The study concludes that "nothing has come from the study of UFO's in the past 21 years that has added to scientific knowledge." It furthermore concludes that "further extensive study of UFO's probably cannot be justified in the expectation that science will be advanced thereby."

However, this study is not, in itself, conclusive on the question of UFO's. Incidents were left unexplained. The National Academy of Sciences in its review of the University of Colorado report stated:

> The report makes clear that with the best means at our disposal positive correlation of all UFO reports with identifiable phenomena is not possible.

In short, although the study does not conclusively explain the UFO phenomenon, the University of Colorado report maintains that no further study of UFO's is justified because the cause of science would not be advanced.

Mr. Speaker, if the findings of the University of Colorado report are accepted as a satisfactory answer to the question of UFO's, both the American public and the Federal Government will become complacent to a phenomenon which, as yet, has not been fully examined.

During the 1968 hearings on UFO's before the House Science and Astronautics Committee, a discussion of the University of Colorado study sponsored by the Air Force was ruled out of order on the grounds that the subject matter was under the jurisdiction of the Armed Services Committee rather than the Committee on Science and Astronautics. The issuance of the UFO study, however, makes it clear that the conclusion—that further investigations of UFO phenomena will not contribute to the advancement of scientific knowledge—is a scientific judgment which squarely falls within the purview of, and should be of great concern to, the House Committee on Science and Astronautics. The fact that a scientific judgment has been made makes it the duty and responsibility of the Science and Astronautics Committee to review and hold hearings on the University of Colorado UFO report and its implications.

Having concluded that further study of UFO's will not advance science, the report recommends in effect that the Federal Government should do nothing about the UFO reports it receives from the general public. In other words, the Federal Government should have no serious program of investigating the continuing incidents of UFO sightings. At a time when astronauts are exploring outer space and preparing to land on the moon, it is remarkable that the UFO problem should be discounted.

Not only does the report recommend that the Federal Government virtually ignore the issue, but it would remove the entire subject matter from student inquiry.

The report strongly recommends that teachers "refrain from giving students credit for school work based on their reading of the presently available UFO books and magazine articles."

This unusual suggestion is based on the assumption that "children are educationally harmed by absorbing unsound and erroneous material as if it were scientifically well founded."

Presumably 20 years ago the authors of this report would have banned science fiction and the Buck Rogers comic strip.

By attempting to foreclose public discussion and further Government action, the report undermines confidence in its own conclusions and recommendations. Public interest in UFO's cannot be wished away, and reported sightings will persist. The Federal Government has an obligation to continue to explore every facet of this problem until all the evidence—scientific and otherwise—is in.

I believe it is essential that a Federal program of surveillance and investigation of UFO phenomena be established. The logical agency to carry it out appears to be NASA. I strongly recommend that the President give this responsibility to NASA and that NASA be required to submit a yearly report on the UFO problem to the President and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate.

H.R. 2522—MAIL-ORDER SALES OF PORNOGRAPHY TO MINORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. CAHILL) is recognized for 15 minutes.

Mr. CAHILL. Mr. Speaker, I am again calling the attention of the House to a bill which I have introduced designed to combat the sale of pornography to children. There can be no doubt but that this legislation is necessary.

Throughout the United States, local district attorneys, educators, police forces, church and civic organizations, and ordinary parents have advocated vigorous enforcement of obscenity laws. By bringing suit in local, State, and Federal courts, many have sought to end the widespread public distribution of books, movies, records, tapes, and photographs which portray perverted sexual acts.

Invariably, however, their attempts have been restricted, if not made impossible by the U.S. Supreme Court landmark decision in *Roth* v. *United States*, 354 U.S. 476. In that case the Court stated:

> Implicit in the history of the first amendment is the rejection of obscenity as utterly without redeeming social importance. We hold that obscenity is not within the area of constitutionally protected speech or press.

However, the Court then went on to state that the test of obscenity to be applied was "whether, to the average person applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest" in a manner so as to be patently offensive.

Since 1957, when this case was decided, subsequent Court decisions, increasing traffic in smut, and widespread public outcry have made it apparent—

First, that, under existing judicial procedures it is extremely difficult, time consuming, and costly for courts to apply the Roth criteria of obscenity;

Second, that in reviewing and reversing lower court findings of obscenity, the Supreme Court has adopted a firm policy which gives the fullest constitutional protection to freedom of adult speech and communication. However, it is equally clear that often this protection is directly contrary to local standards of private morals—particularly standards relating to the welfare and education of juveniles.

Mr. Speaker, it would serve little purpose for me to attempt to set forth or comment on the extensive body of legal precedent which must guide attempts to draft effective, yet constitutionally acceptable legislation in this case. However, in my judgment, the need for protective legislation is simply stated and well described in a recent article in a nationally circulated magazine. There the author stated:

> The trouble with recent decision is that any sane man can look at the filth thus protected and say, "No matter what anyone says, this stuff is pornographic, and I don't want my kids reading it."

I am convinced that there are many thousands of such parents in our country—parents who do not want their kids to be subjected to vivid descriptions of sodomy, bestiality, lesbianism, sadism, and masochism—who do not want their children's sexual education and experiences to be guided by the fantastic distortions of smut merchants.

However, in the absence of legislation regulating sale of obscene materials to minors, juveniles have become the natural prey of pornographers. Supplied with filth through channels of interstate commerce, newsstands in almost every community in the Nation offer lurid and explicit descriptions of sexual acts and abuses to anyone, regardless of age, who will pay the pornographer's price.

Further, it appears that unscrupulous publishers and dealers are increasingly using the U.S. mails as a pipeline for the unconscionable flow of smut and obscenity to minors. I am informed by the Post Office Department that in 1968 alone it received over 165,000 formal complaints from recipients of unsolicited offensive mailings. Investigation of this staggering volume of complaints reveals that most of them were from parents of school-age children.

Moreover, analysis of existing Federal legislation regulating use of the mails convinces me that it is inadequate to protect children and their parents from smut dealers. For example, title 18, United States Code Annotated, section 1461, provides criminal penalties for anyone using the mails to distribute obscene matter. However, the courts have construed the term "obscene" matter in accordance with the definition formulated by the Roth decision. Thus, the statute has proven difficult to enforce and contains no special protection for families with children. Under the statute, solicitations for books, photographs, and records which most parents would consider patently offensive are permitted to enter the mails because they are not constitutionally obscene under the Roth doctrine.

Public Law 90-206 which was enacted by the last Congress has provided parents with some degree of protection. Under this "antipandering" statute, any post office patron receiving material which he considers objectionable can request the post office to order his name expunged from the sender's mailing list. While I find this regulation encouraging, I am convinced that the protection thus afforded families with schoolchildren is inadequate—

First, because this legislation places the considerable burden of enforcement on the innocent recipient and post office authorities. Parents receiving unsolicited and objectionable mailings must first ascertain and follow post office procedures before invoking the act's protections. Subsequently, postal authorities must process and handle the recipient's application generally at substantial administrative cost and expense. However, the sole penalty placed on the smut merchant is that he has lost a name from his mailing list.

Second, the protections of this act are available only after the objectionable mailing has been received in the recipient's household. Apart from the substantial possibility that the mailing will have found its way into children's hands, the act provides no deterrent to unsolicited mailings by smut merchants.

I have therefore introduced legislation which would provide postal authorities with decisive powers to crack down on dealers in pornography. This legislation would—

First, prohibit mail-order sales of obscene materials to children of school age;

Second, it would make the unsolicited mailing of "hard-core" pornography, or offers to sell "hard-core" pornography to family with children under 16, a Federal crime punishable by fine and jail sentence.

Unlike previous Federal legislation designed to regulate the distribution of objectionable sexual materials, the bill which I have introduced is specifically directed to the protection of children. It therefore, does not attempt to employ the difficult Roth criteria of obscenity, but rather, sets forth with particularity the materials proscribed for mailing to children or families with children.

I am certain that even the most cursory reading of this bill will convince legitimate publishers and members of the literary community that they will be subjected to no peril by its enactment. The only materials proscribed from unsolicited mailings or sale to minors are the stock-in-trade of the smut merchant: explicit portrayals of sexual intercourse, sodomy, homosexuality, and sado-maschochistic abuse, with no artistic purpose other than appeal to prurient interests.

I would emphasize that my bill does not seek to limit freedom of speech or expression in the adult world. It does, however, place responsibility for unsolicited offensive mailings to children and families on obscenity racketeers who are little concerned by artistic values. The bill would make clear that pornographers would be required to determine whether their mailing lists include the names of families with school-age children.

Moreover, while I recognize the broad protection given to human expression by the first amendment, the Supreme Court in the recent decision of *Ginzberg* v. *New York*, 390 U.S. 629 (1968) has held that sexually offensive materials are not constitutionally protected where the interests of minors are concerned.

In upholding a New York statute which prohibited the sale of obscene materials to minors, the Court stated:

> Constitutional interpretation has consistently recognized that parents' claim to authority in their own household to direct the rearing of children is basic in the structure of our society.

Mr. Speaker, it is my conviction that the legislation which I introduced yesterday is completely consistent with this rationale. I believe that my bill will effectively enable parents to protect their children from offensive sexual material and would, therefore, urge that early committee hearings be scheduled.

DEATH OF GEORGE DONOVAN, EMPLOYEE OF THE HOUSE

(Mr. McCORMACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, it is with a great sense of sadness that I take this time to announce to the Members of the House the death of a former employee of the House who, I am sure, is well known to many of you. The great men of this city and our Government are not always endowed with a title or an official Government position. There are many men, here in our Capitol Building and throughout the structure of our Government, who serve the Nation well, and faithfully, but receive little recognition.

The gentleman I refer to passed away last evening at Georgetown University Hospital after a long illness. I speak of the late George Donovan. George Donovan, as many of you remember him, served as chauffeur to the late Speaker, the Honorable Sam Rayburn, and also served in this capacity for me until his retirement 2 years ago. George served in this capacity for Speaker Byrnes and Speaker Bankhead also. All told, he served the Speakers for whom he worked, and the House of Representatives, loyally and with a great sense of devotion, for a period of some 30 years. During his long career, George Donovan, who was privy to many a conference, never violated a trust and his reputation for integrity was lengendary, and was passed down from Speaker to Speaker.

My predecessor as Speaker, the Honorable Sam Rayburn, had the good fortune to associate with George over a longer period of time than I. Speaker Rayburn told me on more than one occasion that George Donovan was not only an excellent and dependable driver, but was more importantly, a warm and sympathetic companion. The Speaker and George were both great fishermen, and they spent many an hour and found great satisfaction in their mutual interest in that sport.

To the family of the late George Donovan I extend the deepest sympathy of Mrs. McCormack and myself, and I know that the Members of the House also join me in these expressions.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan, for 5 minutes, today.

Mr. Cahill (at the request of Mr. Cowger), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Madden and to include extraneous matter.

(The following Members (at the request of Mr. Cowger) and to include extraneous matter:

Mr. Findley.

Mr. Ashbrook.

Mr. Morse.

Mr. Zwach in two instances.

Mr. Reid of New York in five instances.

Mr. Chamberlain in two instances.

Mr. Miller of Ohio.

Mr. Broyhill of Virginia in three instances.

Mr. Nelsen in three instances.

Mr. Talcott in three instances.

Mr. Pelly in two instances.

Mr. Horton in two instances.

Mr. Wyman in three instances.

Mr. Harvey.

(The following Members (at the request of Mr. Flowers) and to include extraneous matter:)

Mr. Daniels of New Jersey in two instances.

Mr. Olsen in two instances.

Mr. Flowers.

Mr. Dulski in three instances.

Mr. Kyros in three instances.

Mr. Dingell.

Mrs. Griffiths.

Mr. Jones of North Carolina in two instances.

Mr. Delaney.

Mr. Gonzalez in two instances.

Mr. Tiernan in two instances.

Mr. Hanley.

Mr. Bevill.

Mr. Hathaway.

Mr. Rarick in two instances.

Mr. Nichols in two instances.

Mr. O'Neill of Massachusetts in two instances.

Mr. Ryan in two instances.

Mr. Celler.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until Monday, January 13, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

175. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the retirement test under social security, pursuant to the provisions of Public

Law 90-248 (H. Doc. No. 91-40); to the Committee on Ways and Means and ordered to be printed with illustrations.

176. A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report of agreement signed under Public Law 480 in November and December, 1968, for the use of foreign currencies, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

177. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent; to the Committee on Armed Services.

178. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize an increase in the number of permanent professors at the U.S. Military and Air Force Academies; to the Committee on Armed Services.

179. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for the protection of certain distinguished persons by security forces of the Department of Defense, and for other purposes; to the Committee on Armed Services.

180. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service assigned to Government quarters if he is otherwise entitled to such a separation allowance; to the Committee on Armed Services.

181. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the convening of selection boards to consider certain officers of the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps for continuation on the active list, and for other purposes; to the Committee on Armed Services.

182. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend titles 10 and 32, United States Code, to authorize additional medical and dental care and other related benefits for reservists and members of the National Guard, under certain conditions, and for other purposes; to the Committee on Armed Services.

183. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the use of appropriated funds to support Army, Navy, Air Force, and Marine Corps exchanges in certain situations; to the Committee on Armed Services.

184. A letter from the Comptroller General of the United States, transmitting a report on U.S. participation in the World Health Organization, Department of State, Department of Health, Education, and Welfare; to the Committee on Government Operations.

185. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed amendment to extend for 3 years, from January 1, 1968, through December 31, 1970, the concession contract under which Dr. Avery E. Sturm was authorized to provide medical, surgical, and hospital services for the public in Yosemite National Park, Calif.; to the Committee on Interior and Insular Affairs.

186. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems; to the Committee on the Judiciary.

187. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress; to the Committee on the Judiciary.

188. A letter from the Chief Commissioner, U.S. Court of Claims, transmitting copies of the opinion and findings of fact of the court in the case of *Frances von Wedel* v. *The United States* (referred to him by H. Res. 508, 90th Cong.), pursuant to the provisions of 28 U.S.C. 1492 and 2509; to the Committee on the Judiciary.

189. A letter from the Chairman, Administrative Conference of the United States, transmitting a draft of proposed legislation to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations; to the Committee on the Judiciary.

190. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 2646. A bill to authorize the Secretary of Defense to convey certain lands known as Fort Lawton situated in the State of Washington to the city of Seattle and King County, Wash.; to the Committee on Armed Services.

H.R. 2647. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 2648. A bill to amend title 18 of the United States Code to prohibit enterprises of gambling; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 2649. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 2650. A bill to designate the Town Bluff Dam and the B. A. Steinhagen Lake on the Neches River, Tex., as Dam B Reservoir"; to the Committee on Public Works.

By Mr. DOWDY (by request):

H.R. 2651. A bill to amend the Career Compensation Act of 1949 to provide the maximum retired pay for certain retired enlisted men for the period from June 1, 1942, through June 30, 1946; to the Committee on Armed Services.

By Mr. ERLENBORN (for himself, Mr. Blatnik, Mr. Holifield, Mr. Brown of Ohio, Mr. Edwards of Alabama, Mr. Reuss, Mr. Rosenthal, Mr. Horton, Mr. Rumsfeld, Mr. Fascell, Mr. Vander Jagt, Mr. Cowger, and Mr. Gude):

H.R. 2652. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. FARBSTEIN:

H.R. 2653. A bill to amend title 10 of the United States Code to prohibit the purchase by the United States of arms and ammunition from foreign firms which have used slave labor, unless compensation has been made to the individuals involved or their heirs; to the Committee on Armed Services.

H.R. 2654. A bill to amend section 213 of the National Housing Act to provide that mortgages covering middle-income consumer cooperative housing projects may be insured thereunder up to the full amount of the replacement cost of such project; to the Committee on Banking and Currency.

H.R. 2655. A bill to amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of certain drugs sold by prescription the "established name" of such drugs must appear each time the proprietary name is used, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2656. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2657. A bill to amend chapter 115 of title 28, United States Code, to provide that courts of the United States shall not take judicial notice of arrests of persons engaged in peaceful activities in furtherance of rights under the Constitution of the United States; to the Committee on the Judiciary.

H.R. 2658. A bill to amend the Bankruptcy Act to increase the amount of wages entitled to priority to $2,000, to provide that pension, welfare, and other fringe benefits shall be treated as wages, and to increase the priority period from 3 to 12 months with respect to certain wage components; to the Committee on the Judiciary.

H.R. 2659. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

H.R. 2660. A bill to provide that arrests of persons engaged in peaceful activities in furtherance of their rights or the rights of other persons under the Constitution of the United States shall not be a bar to their employment by the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 2661. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 2662. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2663. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. FOLEY (for himself, Mr. Ullman, Mrs. Hansen of Washington, Mrs. May, Mr. Olsen, Mr. Wyatt, Mr. Adams, Mr. Dellenback, Mr. McClure, and Mr. Meeds):

H.R. 2664. A bill to authorize the addition of certain Federal reclamation projects in the Pacific Northwest to participate in assistance from the Federal Columbia River power system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H.R. 2665. A bill to increase the membership of the Board of Visitors to the Naval Academy, and for other purposes; to the Committee on Armed Services.

H.R. 2666. A bill to direct the Commissioner of the District of Columbia to remove at the expense of the District of Columbia buildings destroyed or damaged in riots or other civil disorders; to the Committee on the District of Columbia.

H.R. 2667. A bill to revise the pay structure of the police force of the National Zoological Park, and for other purposes; to the Committee on House Administration.

H.R. 2668. A bill to provide that the Administrator of the Federal Aviation Agency shall not undertake certain projects to improve or expand Federal airports without specific authorization for such projects; to the Committee on Interstate and Foreign Commerce.

H.R. 2669. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations; to the Committee on Interstate and Foreign Commerce.

H.R. 2670. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 2671. A bill to amend the Federal Aviation Act of 1958 to require the Civil Aeronautics Board to enforce the duty imposed on each carrier to provide adequate services in connection with the transportation authorized by its certificate of public convenience and necessity, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2672. A bill to amend the Railroad Retirement Act of 1937 to provide that a retired annuitant may elect to be subject to a system of deductions from his annuity on account of outside earnings instead of being subject to the prohibition against returning to the service of his last employer; to the Committee on Interstate and Foreign Commerce.

H.R. 2673. A bill to establish the position of U.S. customs inspectors (nonsupervisory) in the Bureau of Customs, Department of the Treasury, to place such position in grade 10 of the Classification Act of 1949, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2674. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 2675. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 2676. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 2677. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 2678. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax retirement annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

By Mr. GUBSER (for himself, Mr. Camp, Mr. Dent, Mr. Johnson of California, Mr. Lukens, Mr. Talcott, Mr. Utt, Mr. Whitehurst, Mr. Williams, and Mr. Wolff):

H.R. 2679. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. HAYS:

H.R. 2680. A bill to regulate imports of ferroalloys and related products into the United States; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 2681. A bill to establish a Commission on Hunger; to the Committee on Education and Labor.

H.R. 2682. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

H.R. 2683. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 2684. A bill to amend title 38 of the United States Code to provide that any 5-year level premium term plan policy of national service life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

H.R. 2685. A bill to authorize the issuance of national service life insurance to service-disabled veterans at any time during their lives at no increase in premiums on account of any service-connected disability; to the Committee on Veterans' Affairs.

H.R. 2686. A bill to authorize payment of total disability income benefits to any national service life insurance policyholder who has a service-connected total disability; to the Committee on Veterans' Affairs.

H.R. 2687. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 2688. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Interstate and Foreign Commerce.

H.R. 2689. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. JOHNSON of California (for himself, Mr. Moss, Mr. McFall, and Mr. Leggett):

H.R. 2690. A bill to amend section 2(3), section 8c(2), and section 8c(6)(1) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. KARTH:

H.R. 2691. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 2692. A bill to permit American citizens to hold gold; to the Committee on Banking and Currency.

H.R. 2693. A bill to permit the melting of coin of the United States; to the Committee on Banking and Currency.

By Mr. McDADE:

H.R. 2694. A bill to provide for the abolition of the rigid two-witness and direct-evidence rules in perjury cases, and to provide for the prosecution of contradictory statements made under oath without proof of the falsity of one of the statements; to the Committee on the Judiciary.

H.R. 2695. A bill to provide protected facilities for the housing of Government witnesses and the families of Government witnesses in organized crime cases; to the Committee on the Judiciary.

H.R. 2696. A bill to provide for extended prison terms when it is found that a felony was committed as part of a continuing illegal business in which the offender occupied a supervisory or other management position; to the Committee on the Judiciary.

H.R. 2697. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. MIZELL:

H.R. 2698. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 2699. A bill to provide for the admission into the Union, on an equal footing with the original States, of the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. PRYOR of Arkansas (for himself, Mr. Bevill, Mr. Brinkley, Mr. Blanton, Mr. Eilberg, Mr. Galifianakis, Mr. Kyros, Mr. Montgomery, Mr. Nichols, Mr. Stuckey, and Mr. Tiernan):

H.R. 2700. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. REID of New York:

H.R. 2701. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

H.R. 2702. A bill to amend section 7(b) of the Small Business Act; to the Committee on Banking and Currency.

H.R. 2703. A bill to amend the United States Housing Act of 1937, as amended, to include within the definition of "elderly families" those widows who may elect to receive survivors benefits under the Social Security Act so as to make such widows eligible for consideration for low-rent public housing; to the Committee on Banking and Currency.

H.R. 2704. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

H.R. 2705. A bill to establish a Congressional Center for the Study of Domestic and International Policy; to the Committee on House Administration.

H.R. 2706. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 2707. A bill to provide for a comprehensive program for the care and control of alcoholism; to the Committee on Interstate and Foreign Commerce.

H.R. 2708. A bill to amend section 203(a)(2) of the Immigration and Nationality Act to provide that parents of lawful resident aliens shall be eligible for second preference immigrant visas; to the Committee on the Judiciary.

H.R. 2709. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 2710. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 2711. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 2712. A bill to amend chapter 1 (Federal-Aid Highways) of title 23, United States Code, as amended, to establish local highway planning review commissions to consider conservation problems in connection with the construction of federally aided highways; to the Committee on Public Works.

H.R. 2713. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

H.R. 2714. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunter firemen; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 2715. A bill to provide for the appointment of postmasters; to the Committee on Post Office and Civil Service.

H.R. 2716. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance to the present maximum (27½ percent) for all minerals produced in the United States; to the Committee on Ways and Means.

H.R. 2717. A bill to increase from $600 to $750 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age and blindness); to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 2718. A bill to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk; to the Committee on Ways and Means.

H.R. 2719. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 2720. A bill to amend the act of May 14, 1948, to permit the burial of veterans in national battlefields, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALDIE:

H.R. 2721. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 2722. A bill to amend the Dependents Assistance Act of 1950 in order to make members of the Reserve and National Guard ordered to active duty for training for periods of 30 days or more eligible for quarters allowances and to make allotments; to the Committee on Armed Services.

H.R. 2723. A bill to authorize pay and benefits for members and survivors of members of the Philippine Scouts on the same basis as such pay and benefits are authorized for other members of the Armed Forces and their survivors; to the Committee on Armed Services.

H.R. 2724. A bill to provide for the establishment of the Eugene O'Neill National Historic Site; to the Committee on Interior and Insular Affairs.

H.R. 2725. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Kellogg unit, Delta division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2726. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Commission on Interstate and Foreign Commerce.

H.R. 2727. A bill to provide for a comprehensive program for the care and control of alcoholism; to the Committee on Interstate and Foreign Commerce.

H.R. 2728. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2729. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

H.R. 2730. A bill to prohibit the furnishing of mailing lists and other lists of names or addresses by Government agencies to the public in connection with the use of the U.S. mails, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2731. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

H.R. 2732. A bill to amend title 38 of the United States Code to provide increased pensions, disability compensation rates, to liberalize income limitations, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2733. A bill to amend the Revenue and Expenditure Control Act of 1968, to provide for the continuation of the exemption for employment of economically or educationally disadvantaged persons from the employee ceilings of section 201 of that act; to the Committee on Ways and Means.

H.R. 2734. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 2735. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

H.R. 2736. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 2737. A bill to amend the Internal Revenue Code of 1954 to provide that civil service retirement annuities shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 2738. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASHLEY:

H.R. 2739. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 2740. A bill to provide a tax incentive for industrial development for the Indians on certain reservations in order to improve conditions among the Indian people on such reservations and in other communities, and for other purposes; to the Committee on Ways and Means.

By Mr. BLACKBURN (for himself, Mr. Bush, Mr. Scott, Mr. Erlenborn, Mr. Rhodes, Mr. Derwinski, Mr. Winn, Mr. Hall, Mr. Fisher, Mr. Mize, Mr. Utt, Mr. Burton of Utah, Mr. Brock, and Mr. Denney):

H.R. 2741. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 2742. A bill to amend title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans of the Vietnam era; to the Committee on Veterans' Affairs.

H.R. 2743. A bill to amend chapter 31 of title 38, United States Code, to authorize additional training or education for certain veterans who are no longer eligible for training, in order to restore employability lost due to technological changes; to the Committee on Veterans' Affairs.

H.R. 2744. A bill to amend title 38 of the United States Code to make children of certain veterans having a service-connected disability rated at not less than 50 percent eligible for benefits under the war orphans' educational assistance program; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of Virginia:

H.R. 2745. A bill to amend the law relating to obscenity in the District of Columbia to exempt certain motion picture projectionists in theaters from prosecution under that law; to the Committee on the District of Columbia.

H.R. 2746. A bill to provide elective coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia (for himself, Mr. McMillan, Mr. Dowdy, Mr. Abernethy, Mr. Hagan, Mr. Fuqua, Mr. O'Konski, and Mr. Winn):

H.R. 2747. A bill to establish a Commissioner of Police for the District of Columbia; to the Committee on the District of Columbia.

By Mr. CONABLE:

H.R. 2748. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. EDWARDS of California (for himself, Mr. Gubser, Mr. McCloskey, Mr. Cohelan, Mr. Mailliard, Mr. Leggett, Mr. Burton of California, and Mr. Moss):

H.R. 2749. A bill to authorize the Secretary of the Interior to establish a national wildlife refuge in the south San Francisco Bay area; to the Committee on Merchant Marine and Fisheries.

By Mr. EILBERG:

H.R. 2750. A bill to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees; to the Committee on Education and Labor.

H.R. 2751. A bill to amend section 715 of title 32, United States Code, to authorize the application of local law in determining the effect of contributory negligence on claims involving members of the National Guard; to the Committee on the Judiciary.

H.R. 2752. A bill to amend title 13, United States Code, to provide for a mid-decade census of population in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 2753. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

H.R. 2754. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 2755. A bill to amend the Internal Revenue Code of 1954 to provide the same benefits for employees of public hospitals with respect to certain pensions and profit-sharing plans as those presently provided for employees of private nonprofit hospitals, other charitable organizations, and public and private schools; to the Committee on Ways and Means.

H.R. 2756. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred by professional nurses to enable them to perform nursing services; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 2757. A bill to amend the Internal Revenue Code of 1954 to provide that amounts deducted from pay under the civil service retirement system shall be excluded from gross income and that such amounts shall be treated as contributed by the employer in determining the income tax treatment of amounts received under the system; to the Committee on Ways and Means.

H.R. 2758. A bill to amend the Internal Revenue Code of 1954 to defend the head-of-household benefits to unremarried widows and widowers, and certain single other persons, who maintain their own households; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 2759. A bill to increase the personal income tax exemptions of a taxpayer including the exemptions for a spouse and dependents and the additional exemptions for old age and blindness from $600 to $1,000; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 2760. A bill to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2761. A bill to provide for the establishment of a U.S. Diplomatic Academy; to the Committee on Foreign Affairs.

H.R. 2762. A bill to provide for the issuance of a special postage stamp in commemoration of man's first moon orbit flight and first escape from Earth's gravity; to the Committee on Post Office and Civil Service.

H.R. 2763. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have never been married or who have been separated or divorced for 1 year or more, who maintain their own household; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 2764. A bill to amend title 5, United States Code, to authorize the retirement of employees, without reduction in annuity and regardless of age, upon completion of 25 years of service; to the Committee on Post Office and Civil Service.

H.R. 2765. A bill to amend title 5, United States Code, to provide that the entire cost of the health insurance benefits of Government employees shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 2766. A bill to permit one-half of the budget surplus for any fiscal year to be applied against the public debt and to provide that one-half of such surplus shall be applied as tax credits against individual incomes taxes; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 2767. A bill to amend section 620, of title 38, United States Code, to authorize direct admission to community nursing homes of those veterans needing such care for a service-connected condition; to the Committee on Veterans' Affairs.

H.R. 2768. A bill to amend title 38 of the United States Code in order to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 2769. A bill to amend section 602 of title 38, United States Code, to extend the presumption relating to psychosis to veterans who develop a psychoneurosis within 2 years after discharge from active service; to the Committee on Veterans' Affairs.

By Mrs. HANSEN of Washington:

H.R. 2770. A bill to provide for the construction of a new Veterans' Administration hospital at Vancouver, Wash.; to the Committee on Veterans' Affairs.

By Mr. HATHAWAY:

H.R. 2771. A bill to amend title V of the Housing Act of 1949 to make it clear that each community is to be considered a separate entity in determining whether its population qualifies it as a "rural area" for purposes of assistance under the farm housing program; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 2772. A bill to amend title 38 of the United States Code to increase to $30,000 the maximum servicemen's group life insurance which may be provided members of the uniformed services on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2773. A bill to extend from 7 to 10 years after the death of an insured the time within which application could have been made for certain World War II gratuitous national service life insurance benefits; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 2774. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H.R. 2775. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 2776. A bill to provide that individuals entitled to disability insurance benefits under section 223 of the Social Security Act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. JONES of North Carolina (for himself, Mrs. May, Mr. Mathias, Mr. Teague of California, Mr. Ullman, Mr. Aspinall, Mr. McFall, Mr. Schadeberg, Mr. Rooney of Pennsylvania, Mr. Sisk, Mr. Evans of Colorado, Mr. Kyros, Mr. Langen, Mr. Tunney, and Mr. Johnson of California):

H.R. 2777. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer; to the Committee on Agriculture.

By Mr. LEGGETT:

H.R. 2778. A bill to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program; to the Committee on Armed Services.

H.R. 2779. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 2780. A bill to amend the Public Health Service Act in order to authorize quality grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Roth, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, Mr. Wiggins, Mr. Taft, Mr. Conable, Mr. Cramer, Mr. Devine, Mr. Erlenborn, Mr. King, Mr. Wylie, and Mr. Wyman):

H.R. 2781. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 2782. A bill to exempt a member of the Armed Forces from service in a combat zone when such member is the sole surviving son of a family, and for other purposes; to the Committee on Armed Services.

By Mr. OLSEN (for himself, Mr. Daniels of New Jersey, and Mr. Johnson of Pennsylvania):

H.R. 2783. A bill conditions of mailing at special fourth-class rates; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 2784. A bill to amend title 5, United States Code, to authorize the payment of an appropriate allowance, in lieu of quarters and subsistence, to employees of the Corps of Engineers, Department of the Army, engaged in floating plant operations; to the Committee on Post Office and Civil Service.

By Mr. QUILLEN:

H.R. 2785. A bill to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2786. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. REID of New York:

H.R. 2787. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

H.R. 2788. A bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas; to the Committee on Banking and Currency.

H.R. 2789. A bill to require the disclosure of gifts, income, certain financial interests, and clerk hire; to the Committee on Rules.

By Mr. REUSS (for himself, and Mr. Scheuer):

H.R. 2790. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquistion and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. RYAN:

H.R. 2791. A bill making a supplemental appropriation to the Secretary of Health, Education, and Welfare to carry out the Clean Air Act, as amended; to the Committee on Appropriations.

H.R. 2792. A bill to make a supplemental appropriation to carry out the Economic Opportunity Act of 1964 during the fiscal year ending June 30, 1969; to the Committee on Appropriations.

H.R. 2793. A bill making a supplemental appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1969; to the Committee on Appropriations.

H.R. 2794. A bill making an appropriation to the Office of Education to carry out the Bilingual Education Act for the fiscal year ending June 30, 1970; to the Committee on Appropriations.

H.R. 2795. A bill to provide for the establishment of a Council to be known as the National Advisory Council on Migratory Labor; to the Committee on Education and Labor.

H.R. 2796. A bill to repeal section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 2797. A bill to amend section 2(2)

of the National Labor Relations Act to provide that the definition of "employer" therein shall include certain corporations or associations operating a hospital; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 2798. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer shall have until March 15 (instead of only until February 15 as at present) to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 2799. A bill to establish a Commission to make a comprehensive study and evaluation of the methods of selecting candidates for the offices of President and Vice President of the United States; to the Committee on House Administration.

By Mr. WALDIE:

H.R. 2800. A bill relating to taxation by States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 2801. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 2802. A bill to amend the Federal Water Pollution Control Act in order to authorize comprehensive pilot programs in lake pollution prevention and control; to the Committee on Public Works.

By Mr. BROWN of California:

H.J. Res. 206. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE:

H.J. Res. 207. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DOWDY:

H.J. Res. 208. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 209. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.J. Res. 210. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

H.J. Res. 211. Joint resolution designating the Sunday before Labor Day in each year as "National Traffic Accident Prevention Day," and for other purposes; to the Committee on the Judiciary.

H.J. Res. 212. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 213. Joint resolution to authorize the President to proclaim the 22d day of April of each year as "Queen Isabella Day"; to the Committee on the Judiciary.

By Mr. GUBSER:

H.J. Res. 214. Joint resolution making continuing appropriations for educational programs, and for other purposes; to the Committee on Appropriations.

By Mr. HELSTOSKI:

H.J. Res. 215. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiciary.

H.J. Res. 216. Joint resolution designating February as "American History Month"; to the Committee on the Judiciary.

H.J. Res. 217. Joint Resolution requesting the President to proclaim the last week in October of every year as "National Student Council Week"; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 218. Joint resolution to provide for protection of passengers against danger caused by the hijacking of airplanes; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.J. Res. 219. Joint resolution proposing an amendment to the Constitution of the United States relating to employment of subversives in defense facilities; to the Committee on the Judiciary.

By Mr. REID of New York:

H.J. Res. 220. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 221. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

H.J. Res. 222. Joint resolution designating the 22d day of November as "National Pledge of Allegiance Day," and for other purposes; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.J. Res. 223. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. SISK:

H.J. Res. 224. Joint resolution to change the name of Pleasant Valley Canal, Calif., to "Coalinga Canal"; to the Committee on Interior and Insular Affairs.

By Mr. WALDIE:

H.J. Res. 225. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

H.J. Res. 226. Joint resolution proposing an amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

H.J. Res. 227. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Con. Res. 67. Concurrent resolution requesting the President of the United States to bring the Baltic States question before the United Nations, and for other purposes; to the Committee on Foreign Affairs.

H. Con. Res. 68. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H. Con. Res. 69. Concurrent resolution expressing the sense of the Congress with respect to an international convention on aircraft hijacking; to the Committee on Foreign Affairs.

H. Con. Res. 70. Concurrent resolution expressing the sense of Congress that the United States and the political entities thereof should adopt 911 as the uniform single, nationwide emergency telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. McDADE:

H. Con. Res. 71. Concurrent resolution to express the sense of Congress that a fight against organized crime is inseparable from efforts to reduce urban poverty; to the Committee on the Judiciary.

H. Con. Res. 72. Concurrent resolution creating a Joint Committee To Investigate Organized Crime; to the Committee on Rules.

By Mr. REID of New York:

H. Con. Res. 73. Concurrent resolution to express the sense of the Congress relating to the Nigeria-Biafra area; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H. Con. Res. 74. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. WALDIE:

H. Con. Res. 75. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

H. Con. Res. 76. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. CAHILL:

H. Res. 109. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. CONTE:

H. Res. 110. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

By Mr. GILBERT:

H. Res. 111. Resolution amending the rules of the House; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 112. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

H. Res. 113. Resolution to bring about lower interest rates; to the Committee on Rules.

By Mr. REID of New York:

H. Res. 114. Resolution to amend Rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SISK:

H. Res. 115. Resolution to authorize committee to study the need of divesting Departments of Agriculture and Interior of programs directed toward urban areas; to the Committee on Rules.

By Mr. STAGGERS:

H. Res. 116. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 2803. A bill for the relief of Miss Maria Elena de Torrontegui; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 2804. A bill for the relief of Dr. Konstantinos Nickolaos Babaliaros; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 2805. A bill for the relief of Michele Filoppo Lunetta; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 2806. A bill for the relief of Rodolfo Aguirre Acosta; to the Committee on the Judiciary.

H.R. 2807. A bill for the relief of Erlinda Alindogan; to the Committee on the Judiciary.

H.R. 2808. A bill for the relief of Raul Fernando Berdugo; to the Committee on the Judiciary.

H.R. 2809. A bill for the relief of Zenon Hernandez Betanzos; to the Committee on the Judiciary.

H.R. 2810. A bill for the relief of Angelo Buono; to the Committee on the Judiciary.

H.R. 2811. A bill for the relief of Mr. Leopoldo Murillo Campos; to the Committee on the Judiciary.

H.R. 2812. A bill for the relief of Felicitas Gonzales Cervantes; to the Committee on the Judiciary.

H.R. 2813. A bill for the relief of Leung Wing Cheung; to the Committee on the Judiciary.

H.R. 2814. A bill for the relief of Nestor Maghirang Dalusong; to the Committee on the Judiciary.

H.R. 2815. A bill for the relief of Alfredo Sabas Edrada; to the Committee on the Judiciary.

H.R. 2816. A bill for the relief of Brenda Obana Espiritu; to the Committee on the Judiciary.

H.R. 2817. A bill for the relief of Delilah Aurora Gamatero; to the Committee on the Judiciary.

H.R. 2818. A bill for the relief of Mrs. Chen Yuan Huang; to the Committee on the Judiciary.

H.R. 2819. A bill for the relief of Estela Aguilar Hurtado; to the Committee on the Judiciary.

H.R. 2820. A bill for the relief of Aliza Kabaklian; to the Committee on the Judiciary.

H.R. 2821. A bill for the relief of Eun Hi Kim; to the Committee on the Judiciary.

H.R. 2822. A bill for the relief of Seishiro Kanishi; to the Committee on the Judiciary.

H.R. 2823. A bill for the relief of Dea Lay-Hong; to the Committee on the Judiciary.

H.R. 2824. A bill for the relief of Agostino Licata; to the Committee on the Judiciary.

H.R. 2825. A bill for the relief of Francisca Ocampo; to the Committee on the Judiciary.

H.R. 2826. A bill for the relief of Giuseppe Orlando; to the Committee on the Judiciary.

H.R. 2827. A bill for the relief of Sophia Wang Su Peng; to the Committee on the Judiciary.

H.R. 2828. A bill for the relief of Leonardo Tandes Prado; to the Committee on the Judiciary.

H.R. 2829. A bill for the relief of Eliseo V. Repique and Celerina R. Repique; to the Committee on the Judiciary.

H.R. 2830. A bill for the relief of Esperanza Sindol; to the Committee on the Judiciary.

H.R. 2831. A bill for the relief of Kit Hung Yuen; to the Committee on the Judiciary.

H.R. 2832. A bill for the relief of Tsang May Yuen; to the Committee on the Judiciary.

H.R. 2833. A bill for the relief of Grigor Zarookian; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 2834. A bill for the relief of Sung Hyum Hong; to the Committee on the Judiciary.

H.R. 2835. A bill for the relief of Arcadio C. Ocbo, and his wife, Dr. Elisa M. Ocbo; to the Committee on the Judiciary.

H.R. 2836. A bill for the relief of Dr. Ramesh Chandra Sardana; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 2837. A bill for the relief of Evangeline Tolentino Gragera; to the Committee on the Judiciary.

H.R. 2838. A bill for the relief of Felipe A. Pastrana; to the Committee on the Judiciary.

H.R. 2839. A bill for the relief of Andrea Cristoforo Testa; to the Committee on the Judiciary.

H.R. 2840. A bill for the relief of Ho Tsiu Yee; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 2841. A bill for the relief of Antonino Gulino; to the Committee on the Judiciary.

H.R. 2842. A bill for the relief of Timothy On To Ts'o, Linda F. Q. Ts'o, and Theodore Yue Tak Ts'o; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2843. A bill for the relief of Dr. Ashraf El-bayoumi, his wife, Soheir, and children Mona and Amr; to the Committee on the Judiciary.

H.R. 2844. A bill for the relief of Bertha Margoth Freire; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 2845. A bill for the relief of Vladimir Bibic; to the Committee on the Judiciary.

H.R. 2846. A bill for the relief of Francis Michael Mikio Yamaguchi; to the Committee on the Judiciary.

H.R. 2847. A bill for the relief of Riccardo Giometto; to the Committee on the Judiciary.

H.R. 2848. A bill for the relief of Dr. Ok Soon Kim; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:

H.R. 2849. A bill for the relief of Anan Eldredge; to the Committee on the Judiciary.

H.R. 2850. A bill for the relief of Kyung Hee Park Grady; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 2851. A bill for the relief of Giuseppe D'Acquisto; to the Committee on the Judiciary.

H.R. 2852. A bill for the relief of Marie-Louise (Mary Louise) Pierce; to the Committee on the Judiciary.

By Mr. COWGER:

H.R. 2853. A bill for the relief of Crispulo Chan Manubay and his wife, Felicia Ng Manubay; to the Committee on the Judiicary.

H.R. 2854. A bill for the relief of Carlos Manuel Moran-Valdes; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 2855. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on the Armed Services.

By Mr. DOWDY:

H.R. 2856. A bill for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 2857. A bill for the relief of Anna Maria Ciaccio; to the Committee on the Judiciary.

H.R. 2858. A bill for the relief of Tong Li Fat; to the Committee on the Judiciary.

H.R. 2859. A bill for the relief of Mario Guerriero; to the Committee on the Judiciary.

H.R. 2860. A bill for the relief of Antonio Picci: to the Committee on the Judiciary.

H.R. 2861. A bill for the relief of Mrs. Iran Sheedfar; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2862. A bill for the relief of Renato Casaclang; to the Committee on the Judiciary.

H.R. 2863. A bill for the relief of Josef Cohen; to the Committee on the Judiciary.

H.R. 2864. A bill for the relief of Frieda Goldshmidt; to the Committee on the Judiciary.

H.R. 2865. A bill for the relief of Leah Gromb; to the Committee on the Judiciary.

H.R. 2866. A bill for the relief of Wong Yue Hong; to the Committee on the Judiciary.

H.R. 2867. A bill for the relief of Fong Pak Kui; to the Committee on the Judiciary.

H.R. 2868. A bill for the relief of Dr. Ruth E. Lavarias; to the Committee on the Judiciary.

H.R. 2869. A bill for the relief of H. Victor Lee; to the Committee on the Judiciary.

H.R. 2870. A bill for the relief of Otton Lopez; to the Committee on the Judiciary.

H.R. 2871. A bill for the relief of Paulino Guim Lopez; to the Committee on the Judiciary.

H.R. 2872. A bill for the relief of Luk Mak; to the Committee on the Judiciary.

H.R. 2873. A bill for the relief of Carmine Mileo; to the Committee on the Judiciary.

H.R. 2874. A bill for the relief of Oumar Nabe; to the Committee on the Judiciary.

H.R. 2875. A bill for the relief of Arsenia V. Tolentino; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 2876. A bill for the relief of Beasley Engineering Co., Inc.; to the Committee on the Judiciary.

H.R. 2877. A bill for the relief of B. J. Carney & Co.; to the Committee on the Judiciary.

H.R. 2878. A bill for the relief of Eduard Samuel Farag; to the Committee on the Judiciary.

H.R. 2879. A bill for the relief of Le Thi Huong; to the Committee on the Judiciary.

H.R. 2880. A bill for the relief of Ambrosio Andreo Martinez; to the Committee on the Judiciary.

H.R. 2881. A bill for the relief of Ramona Martinez, Mario Martinez, Ambrosio Martinez, and Rene Rolf Martinez; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 2882. A bill for the relief of Dr. Grace Padilla Ayuyao; to the Committee on the Judiciary.

H.R. 2883. A bill for the relief of Belur S. Bhagavan, his wife, Leelavathi, and his child, Minni; to the Committee on the Judiciary.

H.R. 2884. A bill for the relief of Dr. Eun Sook Chang; to the Committee on the Judiciary.

H.R. 2885. A bill for the relief of Kyung Sook Chang; to the Committee on the Judiciary.

H.R. 2886. A bill for the relief of Dr. Aurora P. Cuevas; to the Committee on the Judiciary.

H.R. 2887. A bill for the relief of Norma Angelina O. de Rama; to the Committee on the Judiciary.

H.R. 2888. A bill for the relief of Dr. Chong Choon Han, his wife, Soon Hwa Han (nee Lee), and their minor children, Soo Man Han, Kyung Sun Han, Kyung Mi Han, and Kyung Eun Han; to the Committee on the Judiciary.

H.R. 2889. A bill for the relief of Dr. Humberto DeGuzman Hernandez; to the Committee on the Judiciary.

H.R. 2890. A bill for the relief of Rueben Rosen; to the Committee on the Judiciary.

H.R. 2891. A bill for the relief of the Ruberoid Co., and others; to the Committee on the Judiciary.

H.R. 2892. A bill for the relief of Dr. Vicente G. Rubin and his wife, Dr. Fe M. Rubin; to the Committee on the Judiciary.

H.R. 2893. A bill for the relief of Dr. Dalisay San Agustin; to the Committee on the Judiciary.

H.R. 2894. A bill for the relief of Cholita Dy Sy; to the Committee on the Judiciary.

H.R. 2895. A bill for the relief of Dr. Poh-

Yuan Tseng and his wife, Chi Hui Tseng; to the Committee on the Judiciary.

H.R. 2896. A bill for the relief of George Wise; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2897. A bill for the relief of Gwendolyn Agatha Bradshaw; to the Committee on the Judiciary.

H.R. 2898. A bill for the relief of Matteo Cretella; to the Committee on the Judiciary.

H.R. 2899. A bill for the relief of Maria Carolina; Palacio; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 2900. A bill for the relief of Esperanza Alcalde; to the Committee on the Judiciary.

H.R. 2901. A bill for the relief of Aldo Amanini; to the Committee on the Judiciary.

H.R. 2902. A bill for the relief of Lincoln Joseph Barrow; to the Committee on the Judiciary.

H.R. 2903. A bill for the relief of Francesco Buffa; to the Committee on the Judiciary.

H.R. 2904. A bill for the relief of Francesco Caroppo; to the Committee on the Judiciary.

H.R. 2905. A bill for the relief of Perla Cassuto (nee Eskanazi); to the Committee on the Judiciary.

H.R. 2906. A bill for the relief of Dr. Kuan Ping Chiu, and his wife, Dr. Isabel Uy Chiu; to the Committee on the Judiciary.

H.R. 2907. A bill for the relief of Danillo Conti; to the Committee on the Judiciary.

H.R. 2908. A bill for the relief of Richard Benjamin Dewgard and his wife, Phillipa Leanoro Dewgard; to the Committee on the Judiciary.

H.R. 2909. A bill for the relief of Oswald Lloyd Folkes; to the Committee on the Judiciary.

H.R. 2910. A bill for the relief of Paris Frantzis; to the Committee on the Judiciary.

H.R. 2911. A bill for the relief of Antonio Giustino; to the Committee on the Judiciary.

H.R. 2912. A bill for the relief of Peter Goldson, his wife, Merva Hedy Goldson, and child, Brian Goldson; to the Committee on the Judiciary.

H.R. 2913. A bill for the relief of Jose Maria Lopez Herrero; to the Committee on the Judiciary.

H.R. 2914. A bill for the relief of Pietro Silvio Licata; to the Committee on the Judiciary.

H.R. 2915. A bill for the relief of Jose Maya-Fernandez; to the Committee on the Judiciary.

H.R. 2916. A bill for the relief of Mabel Mollineau; to the Committee on the Judiciary.

H.R. 2917. A bill for the relief of Mario Noto; to the Committee on the Judiciary.

H.R. 2918. A bill for the relief of Caterina Salamone; to the Committee on the Judiciary.

H.R. 2919. A bill for the relief of Pasqua Spedicati; to the Committee on the Judiciary.

H.R. 2920. A bill for the relief of Ella Elee Thompson; to the Committee on the Judiciary.

H.R. 2921. A bill for the relief of Mr. Jean E. Tsolkas: to the Committee on the Judiciary.

H.R. 2922. A bill for the relief of Marianna and Francesco Turco; to the Committee on the Judiciary.

H.R. 2923. A bill for the relief of Miss Filippa Vella; to the Committee on the Judiciary.

H.R. 2924. A bill for the relief of Faye Walters; to the Committee on the Judiciary.

H.R. 2925. A bill for the relief of Yvonne Catherine Walters; to the Committee on the Judiciary.

H.R. 2926. A bill for the relief of Mr. Marsel Yafet; to the Committee on the Judiciary.

H.R. 2927. A bill for the relief of Chung Ping Yung; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 2928. A bill for the relief of Dr. Raymond Gerard Joseph Vefllet; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 2929. A bill for the relief of Aurora M. Evangelista; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 2930. A bill for the relief of Antonia Curiel; to the Committee on the Judiciary.

H.R. 2931. A bill for the relief of Fiorvante Evangilista; to the Committee on the Judiciary.

H.R. 2932. A bill for the relief of Antonino Iacoucci; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 2933. A bill for the relief of Ottavia Olante; to the Committee on the Judiciary.

H.R. 2934. A bill for the relief of Joseph Zippetelli; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 2935. A bill for the relief of Antonio Adragna; to the Committee on the Judiciary.

H.R. 2936. A bill for the relief of Ernesto Bautista and his wife, Melinda Q. Bautista; to the Committee on the Judiciary.

H.R. 2937. A bill for the relief of Konstandinos Dimos; to the Committee on the Judiciary.

H.R. 2938. A bill for the relief of Salvatore Mannino, his wife, Rosalie Mannino, and their children, Giuseppa Mannino and Stefania Mannino; to the Committee on the Judiciary.

H.R. 2939. A bill for the relief of Vincenzo Mannino; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 2940. A bill for the relief of Henry E. Dooley; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 2941. A bill for the relief of Carlo Bieco; to the Committee on the Judiciary.

H.R. 2942. A bill for the relief of Giuseppe Cappello; to the Committee on the Judiciary.

H.R. 2943. A bill for the relief of Francesco Ciarfella; to the Committee on the Judiciary.

H.R. 2944. A bill for the relief of Gabriele D'Antona; to the Committee on the Judiciary.

H.R. 2945. A bill for the relief of Dora and Rosa Vasile; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 2946. A bill for the relief of Tara Singh Brar; to the Committee on the Judiciary.

H.R. 2947. A bill for the relief of Robert G. Campardon; to the Committee on the Judiciary.

H.R. 2948. A bill for the relief of Maria Prescilla Caramanzana; to the Committee on the Judiciary.

H.R. 2949. A bill for the relief of Galila Ehsan Abdel Latif El-Sayed; to the Committee on the Judiciary.

H.R. 2950. A bill for the relief of Edwin E. Fulk; to the Committee on the Judiciary.

H.R. 2951. A bill for the relief of Faustino M. Gayo, M.D.; to the Committee on the Judiciary.

H.R. 2952. A bill for the relief of Pablo Aspilche Juandeaburre; to the Committee on the Judiciary.

H.R. 2953. A bill for the relief of Mrs. Kase Noguchi; to the Committee on the Judiciary.

H.R. 2954. A bill for the relief of Tahir Ahmad Rashedi; to the Committee on the Judiciary.

H.R. 2955. A bill for the relief of Irene Ivy Shaw; to the Committee on the Judiciary.

H.R. 2956. A bill for the relief of Rufino Tomas; to the Committee on the Judiciary.

H.R. 2957. A bill for the relief of Luciano Vighi, Oliba Vighi, and Claudio Vighi; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 2958. A bill for the relief of Edith Laczay; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 2959. A bill for the relief of Hanna Lerner; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 2960. A bill for the relief of certain Filipino nurses; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 2961. A bill for the relief of Antonio Aiello; to the Committee on the Judiciary.

H.R. 2962. A bill for the relief of Helen Rose Botto; to the Committee on the Judiciary.

H.R. 2963. A bill for the relief of Mrs. Barbara K. Diamond; to the Committee on the Judiciary.

H.R. 2964. A bill for the relief of Andrea Comel di Socebran; to the Committee on the Judiciary.

H.R. 2965. A bill for the relief of Joseph J. Frank; to the Committee on the Judiciary.

H.R. 2966. A bill for the relief of Mrs. Aya H. Gray; to the Committee on the Judiciary.

H.R. 2967. A bill for the relief of Roberto Manlig; to the Committee on the Judiciary.

H.R. 2968. A bill for the relief of Miss Juliet G. Mudzinski; to the Committee on the Judiciary.

H.R. 2969. A bill for the relief of Francisco R. Palma; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 2970. A bill for the relief of Dr. Tung-Ming Lai, his wife, Chin-Yu Wang Lai, and their minor children, Chiu-Nan Lai, Chiu-Jyue Lai, Chiu-Mei Lai, Chiu-Min Lai, and Chiu-Mi Lai; to the Committee on the Judiciary.

H.R. 2971. A bill for the relief of Seisho Ota; to the Committee on the Judiciary.

H.R. 2972. A bill for the relief of Miss Akenese Vaima'a; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 2973. A bill for the relief of Francesco Ardito; to the Committee on the Judiciary.

H.R. 2974. A bill for the relief of Dr. Eliseo Banguis and Dr. Lucia Banguis; to the Committee on the Judiciary.

H.R. 2975. A bill for the relief of Mr. and Mrs. Emerito Daganzo de la Cruz; to the Committee on the Judiciary.

H.R. 2976. A bill for the relief of John Murray Evans; to the Committee on the Judiciary.

H.R. 2977. A bill for the relief of Dr. Loyola Jose Mascarenhas; to the Committee on the Judiciary.

H.R. 2978. A bill for the relief of Giovanni Matta; to the Committee on the Judiciary.

H.R. 2979. A bill for the relief of Jerry G. Perko; to the Committee on the Judiciary.

H.R. 2980. A bill for the relief of Efraim Shmueli; to the Committee on the Judiciary.

H.R. 2981. A bill for the relief of Dr. James S. K. Tsai; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 2982. A bill for the relief of Santo Sapienza; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 2983. A bill for the relief of Kamal Akley; to the Committee on the Judiciary.

H.R. 2984. A bill for the relief of Calogero, Guiseppa, and Paola Alba; to the Committee on the Judiciary.

H.R. 2985. A bill for the relief of Satoru Ando; to the Committee on the Judiciary.

H.R. 2986. A bill for the relief of Antonino Badalamenti; to the Committee on the Judiciary.

H.R. 2987. A bill for the relief of George Mikhael Badro; to the Committee on the Judiciary.

H.R. 2988. A bill for the relief of Veronica Barnes; to the Committee on the Judiciary.

H.R. 2989. A bill for the relief of Vito Cimino and Gaetana Cimino; to the Committee on the Judiciary.

H.R. 2990. A bill for the relief of Domenico Di Bellis; to the Committee on the Judiciary.

H.R. 2991. A bill for the relief of Heide Lomangino; to the Committee on the Judiciary.

H.R. 2992. A bill for the relief of Filippo Mandala; to the Committee on the Judiciary.

H.R. 2993. A bill for the relief of Costa Youssef Najjar; to the Committee on the Judiciary.

H.R. 2994. A bill for the relief of Giuseppe Novello; to the Committee on the Judiciary.

H.R. 2995. A bill for the relief of Desbina Souri; to the Committee on the Judiciary.

H.R. 2996. A bill for the relief of Faez Elias Tayar; to the Committee on the Judiciary.

H.R. 2997. A bill for the relief of Nunzia Uccellatore; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 2998. A bill for the relief of Tiberio Lecce; to the Committee on the Judiciary.

H.R. 2999. A bill for the relief of Joao Gil Ramos and Aldora Maria Moreira Ramos; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 3000. A bill for the relief of Dr. Carlos R. Castello; to the Committee on the Judiciary.

H.R. 3001. A bill for the relief of Dr. Jorge Fuxa: to the Committee on the Judiciary.

H.R. 3002. A bill for the relief of Dr. Aminollah Jazab; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 3003. A bill for the relief of Maria Luigia Di Giorgio; to the Committee on the Judiciary.

H.R. 3004. A bill for the relief of Mr. and Mrs. Saverio Fiorino and their son, Francesco; to the Committee on the Judiciary.

H.R. 3005. A bill for the relief of Mrs. Maud A. Provoest; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 3006. A bill to fix the date of citizenship of Alfred Lorman for purposes of the War Claims Act of 1948; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 3007. A bill for the relief of Miss Sima Soleimani Wesel; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 3008. A bill for the relief of Dr. Roberto German D. Concepcion; to the Committee on the Judiciary.

H.R. 3009. A bill for the relief of Raymond D. James; to the Committee on the Judiciary.

H.R. 3010. A bill for the relief of Dr. Avelino T. Sales and his wife, Loreto O. Sales; to the Committee on the Judiciary.

H.R. 3011. A bill for the relief of Dionissia Efstanthios Kefalinou Tzinieri; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 3012. A bill for the relief of Soo Il Lee; to the Committee on the Judiciary.

H.R. 3013. A bill for the relief of Antonio Varvaglione; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 3014. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A Lovell, and William A. Anders; to the Committee on the Armed Services.

H.R. 3015. A bill for the relief of Antonio Gerardi; to the Committee on the Judiciary.

H.R. 3016. A bill for the relief of Bimal K. Guha Mozumder; to the Committee on the Judiciary.

H.R. 3017. A bill for the relief of Dr. Henri Pelosof; to the Committee on the Judiciary.

H.R. 3018. A bill for the relief of Maria Neves Sousa; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 3019. A bill for the relief of Milagros C. Flores; to the Committee on the Judiciary.

H.R. 3020. A bill for the relief of Terezija Kranjec; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 3021. A bill for the relief of Rafael Cisneros-Calderon; to the Committee on the Judiciary.

H.R. 3022. A bill for the relief of Michelle Marie Dethurens; to the Committee on the Judiciary.

H.R. 3023. A bill for the relief of Mrs. Maximina Garabiles; to the Committee on the Judiciary.

H.R. 3024. A bill for the relief of Erwina Dimdam Grifalda; to the Committee on the Judiciary.

H.R. 3025. A bill for the relief of Mrs. Librada Guzman Liggayu; to the Committee on the Judiciary

H.R. 3026. A bill for the relief of Edith L. Lynch; to the Committee on the Judiciary.

H.R. 3027. A bill for the relief of Hiroshi Nakao; to the Committee on the Judiciary.

H.R. 3028. A bill for the relief of Armindo Santos-Ferreira; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 3029. A bill for the relief of Linda Alimada; to the Committee on the Judiciary.

H.R. 3030. A bill for the relief of Lydia Bernardez; to the Committee on the Judiciary.

H.R. 3031. A bill for the relief of Jane V. R. Bryant; to the Committee on the Judiciary.

H.R. 3032. A bill for the relief of Mario Casola; to the Committee on the Judiciary.

H.R. 3033. A bill for the relief of Casimiro Greco; to the Committee on the Judiciary.

H.R. 3034. A bill for the relief of Josephine L. Hynes; to the Committee on the Judiciary.

H.R. 3035. A bill for the relief of Polycarpos Psomiadis and his wife Argyro Psomiadis; to the Committee on the Judiciary.

H.R. 3036. A bill for the relief of Thomas Thomas; to the Committee on the Judiciary.

H.R. 3037. A bill for the relief of Christaline A. Ysaguirre; to the Committee on the Judiciary.

H.R. 3038. A bill for the relief of Zbigniew A. Ziolkowski; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 3039. A bill for the relief of Gloria V. Del Carmen; to the Committee on the Judiciary.

H.R. 3040. A bill for the relief of Lee, In Sook; to the Committee on the Judiciary.

H.R. 3041. A bill for the relief of Andrea Najar Perez; to the Committee on the Judiciary.

H.R. 3042. A bill for the relief of Lourdes R. Samonte; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 3043. A bill for the relief of Forest Fiber Products Co.; to the Committee on the Judiciary.

H.R. 3044. A bill for the relief of Rodric Stewart Pence (Joo, James); to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

A MEANINGFUL AND APPROPRIATE NEW YEAR ADDRESS

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. HARVEY. Mr. Speaker, it is most appropriate and extremely timely that the first message I would like to call to the attention of the Members of the 91st Congress would be the annual Saginaw Club's New Year's Day toast to the President of the United States. On January 1, 1969, James P. Brown, Jr., editor of the Saginaw, (Mich.) News was honored to deliver the 56th toast. In this instance, Mr. Brown's remarks were directed to President-elect Richard M. Nixon.

Because I felt Mr. Brown's address has meaning for all of us, it is my pleasure to insert the text of his remarks as they appeared in the News:

NIXON'S CHALLENGE: HUMAN SPIRIT CRISIS

A crisis of the human spirit is the gravest of the challenges facing the new administration of Richard M. Nixon, James P. Brown Jr., editor of The News, told members of the Saginaw Club Wednesday.

Giving the club's annual New Year's Day toast to the President of the United States, Brown said that President-elect Nixon is taking office at a moment when "truly—not just rhetorically"—new paths are opening for the nation.

The text of his talk follows:

On this first day of a new year it is with a feeling of great humility and even greater privilege that I stand to give our Club's traditional toast to the President of the United States. For 56 years this toast has been one of our most treasured observances. Yet, never has the day, the age or the times been quite as they are on this, the 57th New Year's day when our members have met here for this occasion.

Consider: In 1913, when the first such toast was delivered by Benton Hanchett, the airplane was not yet 10 years old—for not until Dec. 17, 1903, did the Wright brothers fly for the first time.

Last week, we put men into orbit around the moon.

Between those two dates a world has changed . . . our world.

In this room this morning are men who grew up without the automobile . . . who remember seeing their first electric light . . . who saw the telephone come into common usage . . . who remember the advent of central heating and indoor plumbing!

And also in this room this morning are our sons who . . . who will see. . . .

. . . How can anyone even imagine what they will see in their lifetime or . . . what the world they will be living in 57 years from now will be like!

This morning, therefore, I would like to follow the advice President Johnson gave a group of government leaders the other day, "Look to the future," he said.

What a future lies before us!

The Apollo 8's Christmas moon flight is like a punctuation mark to an era.

In a very real sense it comes as an exclamation point to the first two-thirds of the 20th century. Never in man's history has so much happened . . . and never in so short a time! In just 68 years we have been transformed from a static, horse-bound society into the space age.

Yet in other ways that same moon-flight is a colon . . . for not only does it cut off the first two-thirds of this century, it also—and perhaps most importantly—introduces the last third.

In just 31 years, remember, the 20th century will be forever gone.

Thirty-one years!

To you sons and grandsons, this may sound like eternity. To us fathers and grandfathers, it is a frighteningly short breath in the span of history.

It is somehow fitting that Apollo 8 circled the moon in the last month of the presidency of Lyndon Johnson, the last president of the first two-thirds of the 20th century, and that its full impact will come to Richard Nixon, who in just 20 days will begin his term as the first president of that last third of this century.

For politically, as well as scientifically, we have come to a bridge between eras.

Not in decades has a President of the United States taken office at a moment in history when so many new paths truly—not just rhetorically—were opening before the nation.

Abroad, a new era awaits President Nixon.

Peace negotiations may stumble along in Paris, but overnight they could succeed and change the entire international picture.

But whatever happens there, the battle has taken a totally new turn in Vietnam. After years of futile forecasts that victory was near, it really looks as though this is the case today. Whether the Paris talks drone on, break up, or succeed, the course to a final decision has opened in Vietnam itself.

And what will the world look like without Vietnam?..

Old alliances are crumbling, old friends are changing. New line-ups may or may not emerge. At home, inflation remains a vicious parasite eating away at our prosperity, but abroad, for the first time in months—perhaps years—the dollar is relatively stable. Even a first class misstatement by the incoming secretary of the Treasury didn't really hurt it, you'll note. Why? Because change is afoot in the world. It isn't so much, perhaps, that the dollar looks that good . . . it's just that no one is really sure of what is or will be better!

Obviously, there is no guarantee Mr. Nixon and his administration will benefit from all this . . . but the opportunity is there: the chance for positive, favorable change is, indeed, his.

In a sense this situation is ironic, for four years ago Lyndon Johnson rode peace, prosperity and fear of change to the greatest landslide political victory in our history. This man, who probably is personally responsible for more and greater changes in our life than any president since Franklin Roosevelt was pictured by the people as an apostle of the Middle Way, but his election victory well may have been the last gasp of the status quo, for the changes—the revolution—he inspired brought us to these days of decision, and brought Richard Nixon to office.

Not the least of the legacies of Lyndon Johnson has been the social philosophical, moral—what ever you want to call it—confrontation between the American citizen and the American ideal of the equality of man.

This confrontation has been physical, violent, bloody, destructive. It also has been spiritual—for in a very real sense, that's what the whole thing is about!

We as a people . . . rather, let us say we as a white majority . . . have been asked to face up to one simple question: Do we truly believe what we say?

If we believe what our churches preach, if we believe the words of our own most cherished documents, if we believe in the rights of all men—not just a privileged few, whether that few be determined by wealth, status or color—then we must march with the revolutionaries.

We need not agree with all their tactics, nor support illegal actions—but if we are to be what we say we are, we have no choice. We must enlist in support of the cause of human rights . . . and every member of this Club can be proud of the leadership that has been given this cause by such of our members as Buzz Morley, Colby Ryan, Dewey Stearns, Elmer Braun, Dick Cotton, Fred Hammer, Stan Jurrens, and many, many others.

Much, much has been accomplished—here and nationally. Partly because of this, but mostly because its self-destructive folly is being recognized, this great struggle also seems to have reached a turning point. The violence that spewed forth from the ghettos each summer for too many years seems to be ebbing. The needs have not changed, nor the issues. Yet, more and more, it appears that the era of big city rioting is passing . . .

But . . . and this, too, must be recognized—the problem is perhaps even more frighteningly explosive as a result.

In this one very special area, our new president well may face his most critical challenge—and his greatest opportunity. The raw, wild cry to violence has been discredited, but the need for reform and progress remains. Those victims of 300 years of deliberate discrimination and non-deliberate rejection are in a very real sense going through a period of pause, thought-collecting and assessment. They have not halted; if anything, their forces have become far more dangerously polarized. Who will emerge from this time of stock-taking? Will it be spokesmen for hatred, the leadership that seeks first destruction? Or will it be those forces for progress who believe in the American way, the American ideal and hope that men of all races can—and will—work and live together?

In a very real way what we do—you and I—in meeting our responsibilities will determine the answer, I, for one, feel no sense of guilt for slavery or the wrongs committed by my ancestors, but I am responsible for what happens today, here in Saginaw!

As we still stand in awe of last week's magnificent moonshot, with our three spacemen barely back to their families . . . as we try to comprehend what this means . . . as we recognize that man's life is changing at a pace we cannot control, we also must squarely face the dilemma of the spirit which today confronts our nation.

It is not an easy dilemma—rather, it is mind-crushingly difficult.

On the one hand, cascading demands for human equality, too often overthrowing the bounds of legal procedures, have stirred into being an age of protest that is shaking our very society itself. On the other, a wave of reaction is seeping the country that could overwhelm not only protest but our freedoms as well.

The most significant event of the year just ended was not the election of a new president, but all the things that happened in Chicago as one of our great parties met to choose its nominee for that office.

Nor is it only the events in Chicago itself that I speak about. They were but a catalyst. The really frightening side of that tragic week was the massive wave of public reaction in support of unnecessary force.

Let me emphasize that word "unnecessary."

I would like to read a paragraph from an article by a senior editor of Newsweek magazine. This man is no hippy journalist; he is a mature and talented newsman, an ex-police reporter in Chicago, in fact, who had numerous friends on the force and whose sympathies, if anything, would lie with the police. He wrote:

"Two of us followed a Task Force unit as it swept across the park on Monday night. There was 'provocation'—the crowd violated the curfew, stoned a squad car and threw bottles at the advancing policemen—and many deserved to be arrested. The police used tear gas and some force to storm a barricade, but resistance ended as the demonstrators retreated. Instead of making arrests or merely chasing them out of the park, policemen ran the fleeing people to the ground and clubbed them after they were down. There were screams and pleas not to be hit, then the hollow, clunking sound of night sticks smashing skulls and splashes as limp forms were dumped into a nearby pond. A girl was pushed to the ground and clubbed in the head by two police officers until her shreiks became a sobbing moan. A blood-spattered boy tried to crawl out of the pond and a policeman knocked him back with a stunning blow to the head."

I read this to you not as an indictment of the Chicago police force, or of any police force. For one thing, force is necessary in many cases to maintain law and order. It was necessary in Chicago. Our police should never hesitate to use whatever force is necessary to control any given situation. For another, these men are human beings—they were aggravated almost beyond human endurance . . . and that they failed their obligation as police officers can be understood.

But the wave of public reaction that supported their cruelty is not America.

We cannot survive as a nation if we condone unnecessary force. And in these last few years, in a nation agonizing over a social revolution at home and an unpopular war abroad, caught in flames of violent protest movements of many kinds, we have been—all of us—too prone to turn to the gun and the club as an easy answer.

We must resist this temptation.

We cannot solve the causes of violence by more violence.

All the challenges of this newly born space age we are now entering, the unknown wonders—or horrors—of this last third of the 20th century now begun, all of these fade into insignificance before that challenge which is always with us but which today seems so much more finally here: the crisis of the human spirit.

As it is too easy to accept force as a solution, it also is too easy, too simple, to blame a president or some other leader for national failures; which in the final analysis must be attributable to one source alone, the spirit of our people.

We are, each of us, responsible for this world of ours.

We cannot delegate that responsibility to a President Johnson or a President-elect Nixon. We cannot look at needs of our own community and blame City Hall for the fact that they have not been met. We cannot expect to solve the great moral challenge of our day, human rights, unless we meet its challenge in our own hearts and minds.

A national woman's magazine once had as its slogan, "Never underestimate the power of a woman." I tell you this morning, never underestimate the power of one person.

To each of us—young and old—there is given greatness.

Each person here has within himself the ability and the power to change the face of the earth.

Have you ever stopped and thought about this aspect of the days of Christ on earth: His basic effort was not performing miracles or even preaching; for three years He spent most of His time working with 12 men, trying to bring them to the fullness of their ability. Even at that, one of the 12 was lost.

But the remaining 11 went forth and conquered the world.

They did it person to person, man to man, individual to individual. They had neither guns nor gun powder, armies nor government. They had the fullness of their own abilities. And the completeness of their belief in the right.

Each of us has those same abilities, the same knowledge of what's right.

Never underestimate the power of the individual . . . the power that is you.

Leadership we must have, yes . . . Yet, we also can lead. As we move into this new age let us turn to the day ahead and to the man who will lead us, let us pledge him—from the depths of our own personal commitment—our support . . . for he can be no greater than we make him.

Members of The Saginaw Club, sons, grandsons, I give you the President of the United States.

REINTRODUCTION OF BILLS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. REID of New York. Mr. Speaker, I am introducing today a number of bills which I had previously introduced in the 90th Congress and which were not acted upon in the last 2 years.

The fact that there are 19 of these bills is, I think, a clear indication that this Congress faces a great deal of unfinished business. I do not believe that we can be content to deal with the problems that may have arisen in the course of administering laws that were enacted in the preceding years. There is much constructive that remains to be done, that has been on the national agenda for years, and that now cannot be postponed.

In particular, I am hopeful that the Congress and appropriate committees will begin prompt action on several measures which I have brought before this House in the past. Specifically, I introduced a bill last year calling for the establishment of a Congressional Institute for the Study of Domestic and International Policy. Without going in to the details of this proposal, it would provide the independent, indepth research of quality, on a continuing basis, that the Congress now has to obtain largely from the executive branch. I believe that such a structure is necessary for the enactment of meaningful and creative legislation.

Concomitantly, wholesale reform of congressional procedures is long overdue; many bills were pending when the 90th Congress adjourned and I am reintroducing my proposal which covers a number of areas in detail, including financial disclosure by Members of Congress more comprehensive than that now required by the code of ethics adopted by the House last year.

High on the national list of priorities is the enactment of strict gun registration and licensing provisions—an obligation that the 91st Congress cannot afford to ignore. One of the bills that I am reintroducing contains provisions identical to those rejected—mistakenly, in my judgment—by the Congress last year.

Recent hearings on proposed regulations of the Federal Highway Administration to require two public hearings on the location and design of federally aided highways have focused national attention on the callous disregard for public and community sentiment in the building of roads. I strongly support these proposed regulations but I feel that we must go a step further and make these decisions matters for the affected community to determine. To this end, I am reintroducing my bill granting authority to State legislatures to establish local highway review commissions. These commissions, where they exist, would have to be consulted before a highway could be built through the area of their jurisdiction and the commission's veto of a proposed road could be overruled only by the Secretary of the Interior.

Lastly, there are a number of reforms that need to be made in the Immigration and Nationality Act of 1965 to further our goal of uniting families. I am again introducing several bills to this end, and I am hopeful that these, as well as the other measures I have discussed, will be considered promptly in this new session.

ELECTION REFORM

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. TIERNAN. Mr. Speaker, as was clearly evident with the events of the past political year, the question of election reform deserves serious attention. After considerable study and review, I am today introducing a bill which is designed to improve the methods of selecting candidates for the offices of President and Vice President of the United States.

This bill calls for the creation of a bipartisan commission which would conduct a comprehensive study and evaluation of these methods. It is my intention that this commission will also suggest improvements in the present convention system and render a verdict on the feasibility of instituting a direct national presidential primary.

Perhaps most importantly, the commission could help bring some uniformity to the process of selecting delegates to the national nominating convention. At present, we are beset with a bewildering complexity of nominating procedures. In 1968, for example, 15 States and the District of Columbia elected convention delegates in primaries. Other States, including Rhode Island, had them elected by party bodies derived ultimately from primary elections. Three States used State and district party conventions derived partly from primaries and partly from ad hoc meetings, while the remaining States chose their delegates by State and district party conventions derived solely from ad hoc meetings.

This bill is a manifestation of my belief that there is nothing sacred or necessarily unchangeable about our present national nominating convention system. In 1968 the winds of political change covered our country. The American voter has correctly demanded a larger role in the selection of national candidates and delegates to national conventions.

An essential element of this Commission is that it would study the question of how we can achieve greater popular participation in this selection process. Our present system was called into being in the election of 1832 to replace the inadequate and undemocratic legislative caucus which was a response to the development of the two-party system in the 1790's and made the random selection of a President by State electors obsolete. This Commission would ascertain whether or not a 136-year-old convention system has outlived its usefulness and requires revision or replacement.

The right of being a delegate today should be just that, a right, not a reward. The layman should have just as great an opportunity to become a delegate as the faithful party adherents who receive these posts as a reward for long years of service. We must now seek a more broadly based membership in our political parties in order to represent those who feel disenfranchised. We must establish better communication with the poor, the young, and the minorities in our society who feel that our present system offers them nothing. I do not feel that the power of delegate selection should be vested in party officials who are selected in primaries ofttimes well in advance of a presidential election.

As introduced, my bill would establish a Commission to make a comprehensive study and evaluation of the methods of selecting candidates for the offices of President and Vice President of the United States. The Commission shall be composed of 13 members. The Speaker of the House of Representatives shall be a member and Chairman of the Commission. Of the other 12 members, three shall be appointed by the Speaker from Members of the House; three shall be appointed by the Vice President from Members of the Senate; three by the President from the executive branch, and three also by the President from private life. The Commission would report to each House of Congress and the President not later than 12 months after the date of the enactment of this act.

It is my hope that the establishment of this Commission would do much to abate the confusion that currently exists in this most vital area of our political process.

SORRY HISTORY OF FARM PARITY IN 1968

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ZWACH. Mr. Speaker, the December report from the U.S. Department of Agriculture on farm costs, prices received, and the parity relationship, contains no change from the distressing news that has emanated from this source for several years. Parity remained frozen at 73 percent for the month of December.

Highlights for the month of the Yule was the governmentally inspired gift of raising farm costs to an alltime high. The index—based on the 1914–17 average of 100 soared to 360. This represents an increase of 16 points in just 1 year. While farm prices also increased by a total of 9 points during this 12-month period, the parity ratio dropped from a year ago because of the accelerating rate of costs.

The two charts below indicate the parity ratio by major farm commodities for the month of December and chart II gives the average monthly parity for the year 1968:

December 1968

Commodity:	*c/o parity percent*
Cotton	48
Wheat	47
Corn	63
Peanuts	76
Tobacco	60
Butterfat	75
Milk	85
Wool	45
Barley	66
Flax	68
Oats	67
Sorghum grain	64
Soybeans	70
Beef cattle	78
Chickens (broilers)	61
Eggs	78
Hogs	71
Lambs	82
Turkeys	65
Average	73

CHART II

1968 parity by months

Month:	*Average percent*
January	74
February	74
March	74
April	73
May	73
June	73
July	73
August	74
September	75
October	73
November	73
December	73
Yearly average	73.5

ELECTORAL VOTE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. NICHOLS. Mr. Speaker, as I listened to the very interesting and intelligent debate on the question of whether Dr. Bailey's vote should be counted for Richard Nixon or George Wallace, one thing kept gaining my attention. Those who were arguing for the objection to the vote continually used phrases such as "wishes of the people" and "intent of the Constitution." It has always been my understanding that the Supreme Court decides the intent of the Constitution, not the Congress, and that the Supreme Court has ruled that electors are free and independent agents.

Nowhere in the Constitution or the rules of the House have I found any law or regulation which gives the Congress the right to arbitrarily decide what the wishes of the people are. We are here to follow the Constitution and the rules as they are specifically written.

One Member, in his argument for the objection, admitted that the line of difference in casting and counting votes was slender, but that he thought the line was one which could be stretched a little. If we are to begin stretching lines a little on this issue, what is to prevent us from stretching the lines a lot on other issues?

Mr. Speaker, the Congress has no other duty in this matter than to open and certify the electoral votes which have been forwarded to us by officials of the various States. How do the sponsors of this objection know, for instance, that the North Carolina electoral vote in question did not follow the wishes of the people? Did an official of the State of North Carolina or even a citizen and voter of that State notify them that the vote did not follow the wishes of the people or was not "regularly given?" Or did they perhaps see that there were 12 votes for one candidate and one for another, and on the basis of this alone decide that something was wrong?

In 1960, the Democratic voters in Alabama nominated a slate of 11 electors. Six of those electors were pledged to one candidate and five were pledged to another. This slate was elected in the general election and duly cast their votes for those candidates to whom they had been pledged. If something like this had happened this year, would the objectors arbitrarily decided that something was wrong and challenge this vote?

This Congress has no right under the Constitution to look into any electoral vote beyond the sealed envelope which is delivered to it by the officials of each State. We have no right to stretch the Constitution a little and decide what the wishes of the people of North Carolina are. We only can and must count the electoral votes forwarded to the Congress by the State of North Carolina and certified by the officials of that State as being accurate.

A MUCH-ADMIRED MAN

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. KYROS. Mr. Speaker, the year 1968 was to many Americans a year of uncertainty and unhappiness. But rather than dwell upon unfortunate events of the past year, I would like to recall those revitalizing moments when we all obtained a glimpse of the greatness which resides within our most distinguished Americans.

Three of these courageous Americans, whom we are proud to have with us here today, are the crew of the Apollo 8, whose incredible flight expanded our horizons into the realm of the previously unknown. Another American came before us at a time when many of us despaired at the divisions besetting our Nation. This man was Senator EDMUND MUSKIE, long admired and loved by his constituents in Maine for his dedicated service to State and Nation. Given the opportunity to bring his qualities before a broader constituency, EDMUND MUSKIE touched countless Americans with his keen mind, thoughtful humor, and quiet determination to bring out that which is best in us. The following column by Roscoe Drummond which appeared in the Christian Science Monitor on January 7, 1969, described this experience of the past year—the year in which America discovered EDMUND MUSKIE:

POINT OF VIEW: A MUCH ADMIRED MAN

(By Roscoe Drummond)

WASHINGTON.—The Democrats. Where are they going and who's going to take them there?

One thing is clear—there is no shortage of leadership talent at the top of the Democratic ranks. After narrowly missing the presidency last November, the Democrats have three prestigious leaders and one elder statesman who will not be idle for long.

They are Hubert Humphrey, Senator Edmund Muskie, Senator Edward Kennedy and, on the sideline but never silent, LBJ.

I am not assuming to predict who will more likely be the Democratic presidential nominee in 1972, but there is evidence that an unusually large number of Americans, Democratic and Republican, feel that the real "sleeper" of the '68 campaign was this man Muskie and hope he will emerge as a significant political force in the nation and in the Democratic Party.

The evidence I am referring to comes, in part, from the fact that the crush of Christmas mail at the post office is nearly matched by the crush of political mail which has flowed spontaneously into the office of the senator from Maine.

It is evident that as Humphrey's running-mate, who was hardly known even by name west of New Hampshire until last September, Muskie achieved a remarkable rapport with the American people.

This rapport persists and one of the signs is that Muskie already has received 80,000 letters from voters of both parties and of all ages. They keep coming. I have read a wide cross-section of this mail and their nearly unanimous plea is "We want Muskie!"

In sum:

They want to see a Democratic Party more nearly in the image of Edmund Muskie than anything else they can think of.

They like what Muskie said and kept on saying in the campaign and want to hear more of it from him.

They hope he can become an influential force in the Senate and many of them speak of 1972 and Muskie in the same sentence.

The letters, reflecting a remarkable outpouring of goodwill, good wishes and personal admiration, come from young voters and teen-agers who may not be able to vote in four years but who might provide a formidable campaign boost as young people did for both McCarthy and Robert Kennedy. These letters also bear the signatures of labor leaders, corporate executives and college presidents.

It didn't take Muskie long to catch the public taste in this bitter-sweet campaign in which Humphrey, though widely esteemed as a person, was so heckled and hooted by the Johnson-haters that he had a poor time of it getting his case to the nation.

But it wasn't long before people began to realize that in Muskie, Humphrey had given them something special. He drew large audiences and by early October a Muskie rally became a local happening.

Obviously it was easier for Muskie than for Humphrey because the top of the ticket was the main target for hostility and violence from the anti-Vietnam demonstrators. He bore the burden of a divided party and suffered most from the miasmic atmosphere of the Chicago convention.

Still it was Muskie who had the greater success in calming and in talking candidly with those who first wanted to shout him down. He offered their spokesmen the opportunity to be heard if, in turn, they would listen to him.

They did—and often liked what he said.

His theme today, as then, is the great need "to inspire the American people to trust each other, to take chances on each other, to work with each other to do the things which must be done to heal the divisions among our people. There is no other way to do it but in the hearts and minds of the American people."

It is this theme which is bringing Muskie such a tremendous post-election response.

It is his goal to keep the Democratic Party near the political center where it can do most to persuade the nation "to choose peaceful political change and reject the politics of confrontation which leads to undemocratic repression."

AGRICULTURE SECRETARY-DESIGNATE WINS RURAL EDITOR'S PRAISE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. NELSEN. Mr. Speaker, Alan C. McIntosh, nationally recognized contributing editor of the Rock County Star-Herald, Luverne, Minn., has come up with some interesting insights on Clifford M. Hardin, Secretary-designate of Agriculture. I believe those involved with agriculture will find the McIntosh commentary of considerable interest, and I am pleased to include it for the RECORD:

OUR SYMPATHY GOES TO CLIFFORD HARDIN

Why would anyone want to be secretary of agriculture? We surely don't know. It's a sort of "impossible dream" thing where you haven't got a Hong Kong chinaman's chance of winning.

That is why we sent a telegram expressing sincere sympathy to Chancellor Clifford M. Hardin of the University of Nebraska. If any congratulations are due they should be to the nation.

We had really hoped that President Elect Nixon would have Secretary Freeman continue in office. We can't think of anything that would please us more inasmuch as we have a very decided dislike of the Minneapolis lawyer. In our book, being secretary of agriculture shouldn't happen to a dog.

Thru the 14 years we have known the Hardin family we have acquired a deep respect and a warm affection for them. We have been in each other's homes, we have used the chancellor's 50-yard line football tickets on more than one occasion, we have been with them on a number of occasions.

Why would Hardin give up the Nebraska post, where his salary is either the top, or second from the top, in the "Big Eight" conference.

He also has a $250,000 home overlooking a little lake and a private golf course. He will leave all this to go into the hurly burly of the agriculture department which suffers from a severe case of elephantiasis.

This man is ranked in college circles as a "real brain" yet he is as common as an old shoe to be with . . . as easy to visit with as can be.

He has a gift of "getting along." In his 14 years at Nebraska he has united that state behind its university. The University of Omaha was also brought in this year into the University of Nebraska fold. The high rise buildings, the spectacular plans that have been made and consummated are proof that he can make big dreams come true.

The new secretary will not be a belligerent, table pounding type like Secretary Freeman. Hardin is a great conciliator. The revolutionary Students for a Democratic Society feel terribly frustrated at Nebraska because, as they wailed, they haven't found a good issue to use in staging a confrontation with the university.

The new secretary is a "square shooter" who deals with his hands above the table. But he is no meringue filling type of character. Watch his jaw muscles when the chips are going down and you see in a flash that he cannot be pushed around.

The role of an educator nowadays is not easy. More than one college president has said "there must be easier ways to make a living." Time magazine this past summer ran a page feature of the number of educators who had thrown up their hands in disgust over the tactics of campus revolutionaries and taken employment elsewhere.

Maybe Chancellor Hardin thought "maybe I better get out while the getting's good and I'm ahead." We doubt it . . . because this chap has never sought the easy road. We think he is taking this cabinet post for the same motives that men and women go into fields of service, the Red Cross, the ministry and other fields where the monetary rewards are slim but the challenges are great.

The chancellor and his wife Martha (who looks more like a high school junior than a grandmother) spent only a week in their Okoboji home in 1967. This past summer they had four days before they left for New Zealand and Australia. He hasn't had much chance to relax. We know that early in September he was trying to squeeze in a half day at the lake. It was his only "free time" until Christmas. And, the cabinet post will be worse.

So—we lose a good friend—and Nebraska University loses one of the truly great chancellors in the nation. If all the cabinet members can measure up to Hardin for ability and integrity this will be an outstanding cabinet which will mean much to America.

DID HE DIE IN VAIN?

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, on November 14 two young hoodlums shot and killed Meyer Kanter in his furniture store in Northeast Washington.

Mr. Kanter is one of a growing list of victims of violence in the District of Columbia, where small businessmen face daily threat to life and limb.

He lost one business in the April riots, but faith in Washington, D.C., and its majority of good citizens caused him to try once more to make his contribution to improving conditions here.

Conditions not only did not improve, they worsened. And today Meyer Kanter's family have no husband and father.

I insert in the RECORD the full text of a letter written by the Kanter family to the Washington Evening Star. In addition to expressing their personal loss of a beloved man, they most eloquently describe the disillusionment and concern of hundreds upon hundreds of Washington area residents in the failure of the officials of this city to restore order since the April 1968 riots.

The letter, in full, follows:

DID HE DIE IN VAIN?

SIR: As we mourn our beloved husband and father, we feel compelled to express some of our innermost thoughts of the moment: Why was such a dear person murdered? Who should bear the burden of such a heinous crime?

Meyer Kanter truly loved life and he loved the city of Washington. In the face of great adversities, he had refused to leave the neighborhood where he had worked for thirty years, but he was killed there because he was a man of principle who walked and lived unafraid.

After one of his stores was destroyed in the April disorders, he never lost faith that conditions would improve. He felt that the acts of crime which were taking place were the actions of a relatively few people of the community. His responsibility, he thought, was to the majority of good citizens in the neighborhood which he had served for many years and who wanted him to remain. Certainly no one would ever shoot him to death.

But, he was so wrong. The leaders and lawmakers of this community must shoulder the responsibility for not having vindicated his faith in the good in mankind, as well as his faith in the future of Washington and its leaders.

People of all races are afraid of the crime and violence which is plaguing our community. Our leaders must not continue to let such a small minority of people control the destiny of this city.

We are all human beings before we are of a race, and the true division which exists among us are the law-abiding citizens of our community as opposed to those who choose not to live within the law. It is the latter group which is being allowed to prevail because our leaders are failing in their responsibilities to the former. So much is being done and so much consideration is being given to the rights of the accused that the rights of his innocent victims have been forgotten. Or does the innocent victim have any rights after the commission of the crime? Does Meyer Kanter have any more rights now that he has gone?

There is no justification for allowing these acts of crime and violence to continue. Those who have committed this cruel and senseless murder should be prosecuted to the full extent of the law. The choice was theirs.

Why do our leaders not hear the crying? Why do they not hear the pleading? It is their duty to hear and to respond by bringing swiftly to an end the lawlessness which has struck fear in our hearts. It will not bring our husband and father back, but maybe then his death will not have been in vain. He died for what he thought was right. He was not afraid. Why are they?

The KANTER FAMILY.

SOCIAL SECURITY LEGISLATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, I have introduced today a bill to raise from $1,680 to $3,000, the amount of money a social security annuitant may earn annually without loss of benefits.

A year ago, the Congress raised the limitation from $1,500 to $1,680. Yet, those of us who have close contact with senior citizens are well aware how unrelated this figure is to today's high cost of living.

Mr. Speaker, I am personally aware of the fact that in the district which I have the honor to represent there are many thousands of social security annuitants who are willing to perform useful tasks—useful for the community as well as for their own personal and economic well-being—who are precluded from so doing because of the present unrealistic limitation on outside earnings.

Mr. Speaker, it is for this reason that I urge prompt consideration of this sensible piece of legislation by the House Ways and Means Committee.

CASTRO USED GUN CONTROL LAW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. RARICK. Mr. Speaker, no dictator has reached power without antigun laws or gun registration laws. Every American can and should know this—if he is educated to search history for the truth.

No greater opportunity have we Americans to renew the lesson than from the work of the former Cuban President, Batista.

Batista's gun laws were intended to prevent the Castro guerrillas from obtaining firearms. But, in effect, only the loyal Cubans registered their guns and Castro's followers would not abide by the law.

So, in the end, the weapons of the Cubans were registered but those of Castro's followers were not.

We know who won that shootout. Today, Castro has all the guns and the Cubans do not even have Cuba.

Even more recently—recall those poor Czech citizens looking at Russian tanks and soldiers squatting in their city parks. Can you not visualize their feelings—if only their grandfathers had forseen the need for the citizen soldier and provided in their law, as ours did, that their descendants have the right to keep and bear arms.

Mr. Speaker, I place a report from the Armed Eagle, the official publication of the Association To Preserve Our Right To Keep and Bear Arms, Post Office Box 1391, Medford, Oreg., 97501, at this point in my remarks, along with a story from the Sunday Star for January 5, 1969, on the problems of ammo sales :

[From Keep and Bear Arms, December 1968]

BATISTA'S GUN LAWS AIDED FIDEL CASTRO, SAYS REFUGEE

One example of the potential danger in firearms control legislation was given in the Palm Beach Post of June 20, 1968, by staff writer Todd Wright. We are reprinting Mr. Wright's article below:

The proposed stringent gun laws in the United States are aimed at protection of the public, but in Cuba they proved a bonanza for Fidel Castro.

When he took over Cuba, succeeding Fulgencio Batista as dictator, he was able to arm his so-called "militia" with arms confiscated from every owner of any kind of gun in the country.

This was a simple matter due to the stringency of Cuba's gun law established by Batista, explained Julio Rabel, who with his family, got out of Cuba in 1961.

"The owner of any gun," he said, "had to register it with the police. The license, filed with the police, contained not only the make, number and description of the gun, but also the owner's picture and fingerprints.

"Thus it was a simple matter for Castro's men to collect every gun in the Country."

Rabel now in charge of the gun department at Abercombie and Fitch in the Royal Poinciana Plaza, owned a sugar cane and rice plantation in Cuba, but left it all behind to get to the United States.

"Today in Cuba," he said, "only those on Castro's side are permitted to own a gun of any description. My rifles, used only for hunting such game as quail, doves, ducks and guinea hens, were seized shortly after Castro took over.

"In every block of Havana as well as in other towns and villages there is an informer. He or she is responsible for reporting any suspicious acts by anybody living in his block. The mere sight of a gun will send an informer scurrying to the police."

After Castro handed out the guns to his loyal followers, Rabel said, they had a field day, slaughtering cattle on farms and ranches. "They killed prize bulls and other valuable cattle without discrimination," he added, "until it reached such a point that the government had to import cattle from Canada and South America to replenish the badly depleted stocks."

Displaying no wistfulness about having had to leave his homeland and property, Rabel recalled that when he left, each adult was allowed to take $10 in cash, in addition to a few personal belongings, primarily clothes.

"But my mother-in-law who just got out a couple of months ago on one of those 'freedom flights' could only bring a small satchel of clothing with her and no money at all."

He said she got to this country via Mexico, whereas his own family had landed in Miami.

"The real tragedy in Cuba," Rabel said, "is how the children are brainwashed."

He recalled the seven-year-old girl who accompanied her parents to Miami on a freedom flight and cried over being forced to "go to that imperialistic country" and on landing spat on the ground to show her disgust.

Rabel and his wife now live with their son and daughter-in-law and 5 grandchildren.

[From the Washington (D.C.) Sunday Star, Jan. 5, 1969]

AMMO SALES RULES STILL PUZZLING

The new federal gun control law, designed to prohibit interstate mail order sales but into which a lot of other gimmicks crept, has been in effect three weeks now. Naturally there have been grumbles and complaints, but the greatest confusion has been in the sale of ammunition.

The law went into effect at the tag end of the hunting season, else there probably would have been more grumbles. The full effect probably won't be felt by most sportsmen until late next summer when they start thinking of a new shotgun or a case of ammunition.

AMMUNITION SALES

As for over-all sales, dealers say that in the short time involved they can't tell what effect the law is having, particularly as the period involved the pre-Christmas season. One big retailer said his gun department sales were off 60 percent the first week and 10 percent the second week compared to the same periods the previous year.

However, he added that he couldn't ascribe a firm reason. Possibly there were persons buying heavily before the law went into effect, especially ammunition, or maybe people are taking a wait-and-see attitude.

As for ammunition, the law does not prohibit over-the-counter sales, even to out-of-state residents. Sales of shot-guns and rifles are prohibited to out-of-state residents, and therein lies the confusion.

A dealer in Bethesda admitted there are "a lot of misconceptions about the law among the dealers and public. We are still struggling for a clear reading on the law, one they won't change on us, like they did just before it went into effect."

He was referring to the "contiguous state" part of the law allowing sales of shotguns and rifles to residents of contiguous states, if the law of these states allow such sales.

AMMO CONFUSION

Until four days before the law became effective this was interpreted to mean that if gun sales weren't against the laws of the states involved, everything was okay. But on complaint of Sen. Thomas J. Dodd, D-Conn., the interpretation was changed to make it necessary for states involved to pass special laws allowing contiguous state sales, something that could take years.

Some dealers weren't making ammo sales to non-residents, but now most have found it is permitted. The buyer has to identify himself, and the sale must be recorded as to what type of ammo is purchased, how much, and by whom, with name, address and how identified—drivers license, social security, ID card, or whatever. For awhile some dealers were making the purchaser sign for the ammo, but that isn't necessary. There has been confusion, though.

Because of the bookkeeping involved, at least one Virginia dealer has put a $1 service charge on ammo sales of under $5. "A box of .22s for 75 cents costs me a dollar in the office," he said.

Some ammo purchasers are balking at the identification part, either as a matter of principle or for some other reason.

"They think it a form of registration," one dealer said, "creeping federalism that is hurting the sportsman without affecting the criminal."

"Some think it interferes wtih their personal freedom," he added. "But if they won't identify themselves, I can't sell to them."

NO IDENTIFICATION

Another dealer noted that "one or two of my customers looked to be the type that didn't want anybody to know who was buying ammo. They went away from here fast when I wanted identification. Wnat worries me is, what will these fellows do when they run out of what ammo they have now? A little moonlight requisition?"

Still another dealer said one or two of his customers thought the identification thing was a fine idea. "A man who won't identify himself is the kind who shouldn't have the stuff," was one customer's reaction.

It is in shotgun and rifle sales that the real rub will come, especially in the Washington area. With three jurisdictions—the District, Maryland and Virginia—all in one metropolitan area there's bound to be confusion.

The thinking among sportsmen is that Virginia likely will pass the legislation to permit across-the-border sales, and that there's a good chance Maryland will do likewise, but with more trouble. A prominent Marylander, Sen. Joseph Tydings, was a leader in the struggle to get an even tougher federal law passed, one that included license and registration.

UNLIKELY IN THE DISTRICT OF COLUMBIA

As for the District, probably never. An oddity is that some people think the new District registration law, supposed to go into effect this month but being held up by an injunction, has language that with liberal interpretation would allow across-the-border sales.

Dealers in D.C. and nearby Maryland and Virginia who have been used to selling to residents of the other places are finding things very much curtailed. One big D.C. retailer, Atlas Sports Store, has a Virginia branch to take care of customers there, and made an arrangement with a Maryland dealer to handle customers in that area. Most, though, are not so fortunate.

An Alexandria dealer noted that "with the Woodrow Wilson Bridge, a good percentage of our customers came from over in Oxon Hill and Indianhead in Maryland. I don't know what they're doing now, but they're not coming in here."

A Bethesda dealer said he had many customers living in Northwest Washington, "and there's been some letdown."

Nationally it is too early to tell, but specialty gun dealers with rifles or shotguns for which there's not enough demand for local dealers to carry, are bound to be affected. The first sportsman's magazine to come out since the law went into effect, "Guns & Ammo," has with many of the advertisements a legend that didn't appear before: "At Your Local Dealer—Do Not Order Direct!"

"NEWSFRONT" STAYS ON

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. REID of New York. Mr. Speaker, I would like to bring to the attention of my colleagues an editorial appearing recently in the New York Times with regard to the continuation of "Newsfront," an important educational program seen on channel 13 in New York.

Trans World Airlines and its chairman, Charles Tillinghast, have decided to provide the financial support that will enable the program to remain on the air for another 6 months. This is good news for the viewing public who have come to value the imaginative, in-depth news and feature programing of channel 13.

In my judgment, it is essential that educational television and the character of channel 13 be more fully supported in the public interest, both privately and publicly, and I believe that this editorial makes that point clearly.

I ask unanimous consent that it be inserted in the RECORD:

"NEWSFRONT" STAYS ON

A respected news-interview-commentary program will remain on the air for the next six months because of a last-minute grant by a private corporation. "Newsfront," which is seen during the week on WNDT (Channel 13), will be underwritten by Trans World Airlines. Following the pattern of similar grants to the educational stations, the corporation will get an on-air credit but there will be no commercial messages.

The rules of the Federal Communications Commission require disclosure of noncommercial TV program "sponsors." This may well enhance a company's image with viewers who appreciate the non-sell, for there is no corporate intrusion in the program itself.

Grants from enlightened corporations are necessary to keep many educational TV programs on the air. The new Corporation for Public Broadcasting—which could help to underwrite such programs as "Newsfront"—is just beginning to get off the ground by supporting live, interconnected educational stations. Until there is full realization by the Federal Government, states and local communities that alternatives to commercial broadcasting require support, the beggar method of financing for nonprofit stations will remain an uneasy way of life.

RALPH NADER ON BUSINESS SECRECY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ROSENTHAL. Mr. Speaker, Ralph Nader always has something important to say to American consumers. Whether discussing auto safety or industrial accidents, whether prodding this Government agency or exposing deficiencies in that one, he is a superlatively honest and perceptive observer of consumer protection and its shortcomings.

In two recent articles in Business Today, Ralph Nader analyzes business secrecy and its effect on the consumer:

[From Business Today, Winter 1968]

THE HIDDEN EXECUTIVES

(By Ralph Nader)

Last year a group of Princeton University seniors wrote to the heads of fifteen large corporations requesting the participation of either the Chairman, President or Executive Vice-President on a panel of business leaders to discuss in open forum some problems of corporate responsibility. The students added that the forum's format would provide for audience questions and comments on the positions taken by the executives.

The response to this letter was strongly negative, with only two companies agreeing to send a public relations man. The students were dismayed. But it is standard operating procedure for large companies to avoid exposing their top executives to any college audiences that can ask questions. The last time the chief executive of one of America's 50 largest companies spoke to and with students in an open forum may not be within the memory of man. Presidential candidates, Cabinet officers, Senators, Governors have all entered into unstructured dialogues on basic issues with students. But this has not been the case with corporate moguls.

Such a strict policy of avoidance cannot be explained away on the basis of time pressures but rather is rooted in the desire to be insulated from bilateral communication on issues deemed too controversial for public airing. The principle is as old as politics: if the arena of exposure can be limited, then the control over policy and dissent can be maximized. Perhaps the best indication of this policy's success is that students have settled for low echelon, public relations or trade association employees speaking for companies and industries in the most bland terms. Indeed, there are probably few students who can name the Chairman and President of the five largest corporations; yet many can reel off the names of Governors of states most of whom are smaller than these companies.

Anonymity of mega-corporate leaders outside the business world is actively pursued as a shield against public scrutiny of their massive and pervasive economic power. When General Motors Chairman Frederic Donner and President James Roche were asked to testify in July of 1965 before Senator Abraham Ribicoff's Subcommittee inquiring into auto safety, few newsmen or Washington hands in that hearing room had heard, much less seen the managers of a company grossing more annually than all but two foreign governments ($2.3 million an hour). GM was personalized that day and the nation was given a glimpse into the unresponsiveness and laggardness of a company's auto safety policy and investment—a glimpse that soon grew into outrage and safety legislation. The weekly program—"Meet the Press"—tried repeatedly to interview Henry Ford II during the auto safety controversy in 1966, but he declined.

As long as corporate giants remain faceless institutions garnished with a few slogans and trademarks, the public will receive few glimpses into decisions or inaction that affect the course of the economy and the health and safety of a society.

It is interesting to note how General Motors, as one large corporation, tries to reconcile the need to "appear" before the public and the demands of insulation from an inquiring public. The company maintains a guest lecture list which organizations can draw upon for speakers. Illustratively, a former Miss America, Marilyn Van Derbur, is presently a guest lecturer for General Motors and speaks before groups around the country. Presumably, providing the public with a list of celebrities ready to speak conserves valuable time of top executives who restrict their addresses to business and trade groups.

It would seem reasonable to recognize a public right of access to corporate leaders. In January 1966, the Attorney General of Iowa invited the heads of GM, Ford and Chrysler to testify at a public hearing on auto safety open to citizens of Iowa who were given the opportunity to ask questions. All three companies turned him down and a trade representative of the Automobile Manufacturers Association took their place. He declined to answer any questions dealing with the companies because he was not authorized to speak for any company's policy. The AMA does not build and sell automobiles; it could not substitute for the auto companies: Yet these companies stated that they would have to decline any and all such invitations. The officials of Los Angeles County still have not succeeded, for example, in having auto company heads publicly tour the besmogged city and engage in a public exchange of views with the citizenry in an orderly public forum. Making sales and taking our profits from a region polluted by the companies' products incur no responsibility to meet the consumer, in the stiff judgment of corporate management.

Only once a year do corporate leaders have to expose themselves to a two-way communication process. This occasion is the stockholders' meeting. But this dialogue is conducted under the most abbreviated, authoritarian manner with a stacked audience of highly partisan and vocal employees and luncheon-oriented shareholders who usually hoot down anyone trying to engage in a sequentially rational exchange involving a point critical of the company. Arbitrary rulings by the Chairman are cheered and only the threat of turning oneself into a spectacle—as do the few professional corporate quizzers—insures a minimum hearing.

The rules and rationale behind economic (and corporate) democracy are much the same as those underlying democratic politics. The contempt accorded rights of access and duties to confront citizens by corporate management has been costly to the public interest. For the variety of values and urgencies, rarely communicated to top corporate echelons by subordinates and other filters of communication, are denied a chance to enrich the company's vision and provide it with a close sense of the community's moral imperatives which a just economy must always reflect.

[From Business Today, Autumn 1968]

(By Ralph Nader)

CONSUMER PROTECTION AND CORPORATE DISCLOSURE

A common theme running through the consumer protection drive in recent years is the call for greater disclosure of corporate information. Business put forth strong opposition to the auto safety, truth-in-lending, truth-in-packaging, and gas pipeline bills, for example, in large part because of its aversion to telling the public about its product performance or cost.

During the early New Deal years, a similar struggle ensued over the issue of informing investors or potential investors accurately and more fully about securities and the securities markets. The cause of investor protection was installed in two important laws passed in 1933 and 1934. More than three decades passed before pressures began to focus behind disclosure requirements for protecting consumers' lives and pocketbooks outside the securities markets.

A fuller and freer flow of information from business to the public is critical both for the consumer and for a competitive market system. There is great resistance to such a flow. Business firms repeatedly tell us they believe in competitive enterprise and the open market. This is preaching and not practicing. For if this belief is held, certain principles should follow. One is that buyers have a meaningful choice of products or values from which to choose. Another is that these buyers are provided with enough information on which to make their choice in a way to reward the better product and penalize the shoddier one by rejecting it. In this manner, a disciplinary feedback from the marketplace operates to keep business firms alert and provides them and potential entrants with an incentive toward improved quality because knowledge of such improvements will be available to buyers. Information flow and feedback is a spur to a higher quality of competition.

Unfortunately, in far too many instances, what business says is not what business does. Competition, like levitation, is not a condition that is natural to man. The large corporations dream of monopoly, but since that is not possible for most of them, they practice varieties of collusion, conscious parallelism, protective imitation or similar mimicry of the dominant firm. All these policies add up to keeping the consumer in the dark about the product or service and bringing about the corporate Valhalla of a closed market and controlled enterprise.

For example, America's most expensive consumer durable—the automobile—is sold with virtually no specific information provided by the manufacturer about its safety performance. You are urged to buy a particular model because it "wide-tracks," (Pontiac), it "prowls" (Cougar), it makes "you feel and look better" (Firebird). Although the dealer will gladly tell you how many seconds it takes to go from 0 mph to 60 mph, he cannot tell you about such features as brake stopping distance, handling and tire performance, visibility, crash resistance of door latches and hinges, steering assembly, seat attachments and side and roof strength.

The auto companies say they exhaustively test their cars but they are unwilling to provide the customer with this information. Consequently, the buyer cannot compare different makes and models and reward the superior one. The same lack of product information pervades the marketplace, whether it be electric light bulb duration, hearing aids, tires, interest rates or "service" charges, life insurance policies, appliances, cleansing agents, furniture and foods.

Over a period of time, a successful perpetuation of ignorance about product price and performance erodes any reality of consumer sovereignty except at the cruder levels of product quality. Since there is always a tension between buyer and seller, it is obvious that the quest for manipulating the buyer is a lasting one for the seller. In recent decades we are witness to an intense development of styling, packaging, brand name emphasis, and the provocative association of product glamour with personality or emotional whims ("Mustang makes dull people interesting. . . ." goes the ad). Such marketing themes are not frivolous; they are designed, in the tradition of applied social science, for the serious purpose of diverting scrutiny from the product to non-product characteristics or imagery. Auto companies have found it much easier to have motorists cultivate an expectation over grille patterns than non-fade, non-locking brakes or decent vehicle handling. There is little pressure for engineering innovations under such diversions. Conditioning a response is an easier way to sell than meeting an ever more critical customer scrutiny.

As more information about a product—what it is and what it can be—filters out to the public, a prime pre-requisite for viable competition is developed. That pre-requisite is a sufficient proportion of alert consumers and consumer groups who look behind the package, the slogans and the musical ditty and ask that quality and innovation be shown them. There is as little justification for secrecy in the marketplace as there is for secrecy in government. In both places, secrecy insulates from sight the blunders, the stagnation, the waste and the incompetence. Yes, and the venal as well. Efficient, clear information flows, brought about by consumer demand, government disclosure statutes and enlightened business leadership, is much of what is meant by "consumer democracy."

AN OPEN LETTER TO PRESIDENT JOHNSON ON MAINE'S FOREIGN TRADE ZONE PERMIT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. HATHAWAY. Mr. Speaker, one of the most controversial and talked about issues of the day is the application by the State of Maine for a foreign trade zone. Although this application has the support of New Englanders and many residents of nearby States, it has been the object of the wildest accusations and the rudest consideration of any proposal I know of to ever be put before a Government agency for approval.

On behalf of the State of Maine and her sister States, I bring to the attention of this body the following open letter to the President of the United States urging fair and immediate action on Maine's application for a foreign trade zone:

AN OPEN LETTER TO PRESIDENT JOHNSON ON MAINE'S FOREIGN TRADE ZONE PERMIT

MY DEAR MR. PRESIDENT: On behalf of the people of Maine and our sister states in New England, we urge your prompt personal intervention before January 20th to insure fair play in the matter of Maine's pending application for a Free Trade Zone.

Your Cabinet officer, C. R. Smith, Secretary of Commerce, has refused to take action, required of him, to approve or disapprove this application.

This dereliction of duty, which may adversely affect the economy of Maine and New England and the 11½ millions citizens who live here, has been vigorously protested by congressional delegations from the New England States. Committees of the House and the Senate have requested C. R. Smith and his subordinates in the Foreign Trade Zones Board to testify before them to explain their dereliction on this matter. Secretary Smith has refused. Court actions pending against him for this, will, unfortunately, not be adjudicated before Smith's term in office expires January 20th. However Secretary Smith uses this pending court action as an excuse not to appear before Congressional committees investigating this matter.

The people of Maine, Mr. President, have reason to fear that your Secretary of Commerce has been unduly influenced in his refusal to act or testify by a powerful handful of oil companies whose future profits are involved.

There is evidence, made available to Congress and the White House staff, of strange and suspicious delays, in the months of Secretary Smith's handling of Maine's longstanding application.

There is evidence which points, with disturbing consistency, to a prejudice on his part in favor of established oil companies and a converse prejudice against the best interests of the people of New England.

Secretary Smith's past associations with these oil interests, and his announced plans to join a firm aligned with these same oil interests after he leaves your Cabinet, combined with his refusal to act in accordance with statute on the Machiasport application and further combined with his refusal to appear before Congressional committees, greatly disturb the people's trust.

In short, Mr. President, millions of people in New England, including many of our elected Senators and Representatives and Governors of both parties, are gravely worried lest one of your Cabinet officers may have deliberately leaned over backwards to favor a few oil companies at the expense of American citizens.

Recently, Maine's Governor Curtis, together with New England representatives from the Congress, called upon your White House assistant for Energy matters, Mr. Pierson, to ask your intervention. Mr. Pierson replied, in effect, that since you, the President, come from an oil producing state it is your policy not to intervene personally in oil questions.

To date, Mr. President, this is not officially an oil matter. It is simply a matter of granting a routine license to Maine to operate a Foreign Trade Zone as permitted by law.

Yet, we fear, sir, that Commerce Secretary Smith's conduct is making this a matter not only of oil, but possibly of oil pollution at the Cabinet level in your Administration.

Unless and until C. R. Smith satisfactorily and publicly explains the reasons for his refusal to act in accordance with his public responsibilities, the presumption will remain that a Cabinet officer of the Johnson Administration has acted as a catspaw of Big Oil interests rather than for the benefit of the American people he is sworn to serve.

Based upon Secretary Smith's actions and non-actions in recent weeks, it appears that he intends to hide behind the protection of the January 20th expiration of the Johnson administration and the end of his term of office as Secretary of Commerce.

If this shameful course is followed by him, it must necessarily leave upon the present administration a stain of pollution by Big Oil.

We appeal to you, Mr. President, to intervene personally to prevent this result, while there is still time.

We urge that you instruct your Secretary of Commerce to act in accordance with his responsibilities and declare for or against Maine's application for a Foreign Trade Zone before January 20 and make public the reasons for his decision.

Respectfully,
EDITORS OF THE MAINE SUNDAY TELEGRAM.

TRIBUTE TO THE ASTRONAUTS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ROGERS of Florida. Mr. Speaker, it is both fitting and proper that the Congress should today meet jointly to honor Frank Borman, James A. Lovell, and William A. Anders, the three U.S. astronauts who have just recently returned from an historic voyage to the moon in Apollo 8.

As a Member of Congress from the State of Florida from whose soil their journey began, I am particularly pleased to represent the citizens of the 9th Congressional District in paying tribute to these daring Americans.

Their highly successful venture must rank as one of man's greatest achievements in his quest for knowledge and in his challenge of the unknown. And yet, throughout their entire voyage, these three brave men were ever mindful of their mortal existence, and the effect of God's will on earth and in the universe.

America, and indeed, the world salutes their accomplishment, and I am most happy to express my sincere congratulations.

SEMPER PARATUS

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. JONES of North Carolina. Mr. Speaker, located within the confines of my district is the Elizabeth City Coast Guard Air Base with a compliment of some 300 officers and men of the Coast Guard.

All too often the deeds of heroism of these men as well as that of the entire Coast Guard in saving lives and property go unnoticed.

Some time ago, the Daily Advance in Elizabeth City, N.C., appropriately paid editorial tribute to these fine men. I think it equally proper that this editorial appear in the CONGRESSIONAL RECORD:

SEMPER PARATUS

As you jolly well know means *always prepared* and it is the fitting motto of the United States Coast Guard.

It is easy and pleasant to accept almost unthinkingly, our Coast Guardsmen out at the Elizabeth City Air Base because they're kind of family in our community.

But sometimes in our easy familiarity, we forget the enormous hazards these brave officers and men routinely face in what is euphemistically called "the line of duty." It is a good deal more than that. It is dangerous, hard, exhausting work and the dedicated *esprit de corps* with which the Coast Guardsmen undertake their difficult chores sets them apart from us mere mortals.

When the savage, freakish pre-winter Nor'easter ripped up the Atlantic Coast this week, most of us rode it out snug in bed or at least safe inside, including one nut who shall be nameless but who nonetheless secretly enjoys the terrible spectacle of these great storms.

But not our Coast Guardsmen.

Few civilians around here can imagine the vast rescue operation which the Coast Guard laid on along thousands of miles of the battered coast and spume-flecked open sea from Monday night through Wednesday afternoon.

More than 300 officers and men under Captain Fred T. Merritt, the tough, ramrodding skipper of the Air Base, who more than proves the argument a taut ship is a happy ship, went on continuous rescue duty.

Before the great storm passed us by, the men from our Air Base piled up more than two full days of flight time in fixed wing aircraft and helicopters, ranging far up and down the coast on every kind of mission. They rescued the crew of a near-foundering trawler off Hatteras Inlet at the height of the gale, airlifting the seamen to safety. Besides going to the aid of disabled ships and yachts, they even picked up stranded motorists, located lost hunters and then found time to airlift an emergency crew of Highway Department technicians to the Route 32 Albemarle Sound Bridge, where the draw was jammed due to storm damage.

And while our Coast Guardsmen, in their self-effacing way, insist their rescue missions were routine they were far from it.

Hour after hour they flew their helicopters in near-hurricane winds and turbulence, at wave-top level, with the full knowledge they were often operating in conditions well beyond the design stresses of their craft.

They modestly discount such heroics, but we don't. This is work for brave men only.

Into the night the great C–130's ranged far over the open sea, assisting a distressed yacht here; then running down reports of fishing vessels missing or in trouble hundreds of miles away. Many of the crews of the C–130's came back to this continuous duty without rest after an arduous week on another search-and-rescue mission in Newfoundland.

The remarkable and gratifying thing about all this is that in spite of what is obviously difficult and hazardous duty, every man-jack at our Air Base is totally dedicated to his profession and wouldn't think of doing anything else.

We consider this devotion to duty quite a tribute to you, Captain Merritt, and to your officers and your men.

The next sound you'll hear, Skipper, is the click of our heels.

Accept our salute, Sir.

ABOLITION OF THE PRESENT ELECTORAL SYSTEM

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. HANLEY. Mr. Speaker, last Monday we gathered solemnly here in this Chamber to engage in the quadrennial ritual of counting the votes for the electoral college. In my estimation, the purpose, meaning, and value of the electoral system, however highly vaunted over the years, seemed to have lost their relevancy to modern-day America. And, as if to pour salt in the wound, we were treated to a charade whereby one elector from North Carolina openly defied the will of the majority of the State's electorate and cast his vote for George Wallace with both impunity and immunity.

As I watched the drama unfold, Mr. Speaker, I shuddered at the prospect of what might have happened had the House been called upon to elect the President. At various points we appeared to have all the cohesion of a postwar French government.

There can be no question but that the electoral system in 1969 is both an anachronism and an absurdity. I wholeheartedly support its abolition.

Mr. Speaker, I need not belabor for my colleagues today the arguments against retention of the elector college system. Many of those arguments were placed before us Monday succinctly and cogently. For example, we have subscribed to the one-man one-vote dictum of the courts, yet we persist in allowing a system which flaunts the heart and spirit of the one-man one-vote rule. This argument alone should provide the necessary impetus for change. Consider, for instance, a hypothetical, yet not impossible situation. Suppose that of the eligible electorate in my own State of New York, only 2 million of them exercised their franchise, and that in Illinois, 3 million voters went to the polls. Despite the wide disparity in total vote in each State, New York would still be entitled to 43 electoral votes and Illinois would get only 26. The inequity is so glaring that further comment is unnecessary.

I have heard scores of ideas on the subject of electoral reform ranging from a straight popular vote to a system of proportional weighting of the votes. I lean toward the popular vote concept myself, but I maintain an open mind.

One fact remains painfully clear, Mr. Speaker. Congress has to adopt a constitutional amendment to alter the system and we have to do it promptly and judiciously. I hope the distinguished chairman of the Judiciary Committee, Mr. CELLER, will take the matter under consideration as soon as his committee is organized.

This issue is too vital and the potential consequences are too grave to let the matter go unattended any longer.

BLIND ASSOCIATION SCORES HISTORIC FIRST

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. TIERNAN. Mr. Speaker, I am pleased to call to the attention of the House the historic "first" achieved recently by the Rhode Island Association for the Blind. It was one of three organizations to receive formal accreditation in the first such action taken by the National Accreditation Council for agencies serving the blind and visually handicapped.

The Rhode Island Association is headed by Mr. Donald W. Flynn, its president, and Mrs. Helen W. Worden, executive director. It is a nonprofit membership corporation established in 1967 to assist in aiding the blind and the visually handicapped.

I was pleased to learn of the significance of the association's accreditation and to read about the significant accomplishments that they have achieved in such a short period of time. At this point in the RECORD I include a press release concerning their efforts:

BLIND ASSOCIATION SCORES HISTORIC FIRST

PROVIDENCE, R.I., December 30, 1968.—The Rhode Island Association for the Blind has scored a historic "first" by being one of three organizations to receive formal accreditation in the first such action taken by the National Accreditation Council for agencies serving the blind and visually handicapped.

The Council, a non-profit membership corporation established in 1967 following an extensive three-year study by an independent national commission of experts, conducts a voluntary accreditation program in the field of blindness similar to those which have long existed in education and hospital care. The Association successfully underwent the accrediting process and was accredited at the winter meeting of the Council's 34 member Board of Directors. Other agencies also accredited were the Massachusetts Association for the Blind and the Cleveland Society for the Blind.

Approximately 450 national, state and local agencies are engaged in services to blind and visually handicapped people across the nation. Expenditures on behalf of the blind are estimated at $400 million a year nationally.

According to Dr. Arthur L. Brandon, President of the National Accreditation Council, "The principal significance of accreditation is that it offers objective and professionally sound testimony to the validity and quality of an agency's services. By providing a ready means of identification of those agencies whose operations meet nationally recognized standards, accreditation builds public confidence, not only on the part of those who support the agency through voluntary gifts or taxes, but also among the blind and visually handicapped people who make use of the agency's services."

The standards that accredited agencies are required to meet cover basic aspects of agency administration and financing, as well as such specific programs as the agency may offer. The R.I. Association for the blind conducts casework and counselling services, mobility and orientation training, an Industrial Training Workshop, vision rehabilitation, volunteer and social services for R. I. blind and visually handicapped persons.

The standards developed by the National Accreditation Council have been widely endorsed by leaders in the fields of social welfare and rehabilitation. They have been reprinted in braille and recorded form by the U.S. Library of Congress and are now in use in Canada, South America, Asia, Australia, and Europe as well as in the United States.

The Rhode Island Association is headed by Mr. Donald W. Flynn, president; Mrs. Helen W. Worden is Executive Director.

BILL BAGGS—LOSS OF A FRIEND

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. FASCELL. Mr. Speaker, the community of Miami and the country have suffered the loss of a courageous man, Mr. William C. Baggs, editor of the Miami News.

Bill's voice was the cry of conscience—articulate and sensitive to the struggles and problems of men and women at home and around the world. As a private individual and as a newsman, he was ever restless in the challenge to find a better answer to improve his community and the world, and to all of these things he dedicated himself completely.

As a newsman, Bill ranked easily among the top in the Nation. He was with the Miami News for 22 years, and had been its editor since 1957. During the time Bill served as editor of the paper, it won three Pulitzer Prizes.

I join Bill's many friends and his colleagues in expressing my deep sorrow at his untimely death.

CITY OF BUFFALO CITED FOR OUTSTANDING PROGRAM AIMED AT INNER-CITY PROBLEMS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. DULSKI. Mr. Speaker, one of the most pressing problems facing America today is the nagging existence of unemployment in the midst of plenty. To a large extent, this phenomenon has arisen because of the lack of training in modern skills and the limited opportunity afforded the economically deprived.

Since 1964, the Buffalo Area Chamber of Commerce has spearheaded a drive to provide training and job placement services for the underprivileged.

This energetic effort is an excellent example of how business and community leaders can work together creatively to solve many of the urban problems which face us today.

A year ago, I called attention to the recognition given by the Chamber of Commerce of the United States to the Buffalo program known as JET.

Now, the U.S. chamber has again cited Buffalo for its work—this time for a combination of programs, including JET, aimed at the solution of inner-city problems.

Mr. Speaker, the U.S. chamber has prepared a very informative case study of the Buffalo program as follows:

BUFFALO EMPLOYS THE HARD CORE WITH OPPORTUNITIES DEVELOPMENT CORPORATION

PROGRAM

The Opportunities Development Corporation is a non-profit corporation whose primary goal is to unify and coordinate existing services for training and employing the area's economically deprived. The first phase of ODC's activities was a training and job placement program known as Project JET (Jobs, Education and Training). Now this is augmented by a special program in transportation known as JOTT, a construction program known as JUSTICE and a Training Division.

Origin: The paradox of unemployment amid serious labor shortage lies at the root of ODC. Buffalo business and industry had many unfilled jobs, while among the area's minority groups there were thousands of unemployed people. When racial tensions developed in 1964, the Buffalo Area Chamber of Commerce formed a Job Opportunities Council to help meet both racial and employment problems. From this start grew Opportunities Development Corporation.

Objectives: ODC purposes are to place the disadvantaged in jobs and to supply the manpower needs of employers with qualified employees. It has four basic objectives in fulfilling these purposes:

1. Securing openings at the entry, semiskilled and skilled levels; and providing opportunities to minority persons for upgrading their job status.

2. Developing and coordinating programs to provide remedial education, training and retraining for minority persons; directing these programs to the needs (present and projected) of various industrial groups.

3. Gathering and distributing information about existing and anticipated needs of the business and minority communities.

4. Keeping careful records of the findings from pilot efforts as a guide to future employment programs in Buffalo and elsewhere.

In reaching these objectives, ODC uses many innovative techniques. Among them is a policy of concentrating on heads of households as the target group; using high school graduates (rather than college graduates only) as instructors; and a very close and productive working relationship with all the interest groups (employers, unions, minorities and government) involved in creating and filling jobs.

RESULTS

1. ODC operations have proved that business and minority organizations can work together effectively to achieve mutual goals. Business, labor unions, civil rights groups and units of government at several levels have joined forces to develop solutions to employment problems.

2. Through Project JET more than 1,200 heads of households have been placed in jobs. Of this number, 390 were previously on welfare; the annual welfare cost saving alone has been estimated at more than $1,500,000. JET was the first program of its type in the United States.

3. Project JOTT (Job Opportunities Through Transportation) has been organized and was funded by the Department of Transportation to give access to jobs for hundreds of Buffalo's East Side residents who cannot now reach available jobs due to lack of transportation.

4. Project JUSTICE (Journeymen Under Specific Training in Construction Employment) has begun training minority group men to become journeymen mechanics in construction trades. This is also the first program of its type in the United States.

5. Skills and procedures developed in early JET operations have equipped ODC to assist the JOBS Program of the National Alliance of Businessmen in working toward a pledge of 2,000 jobs for the hard-core unemployed in western New York.

PROGRAM DEVELOPMENT

Origin: In 1964 the Buffalo Area Chamber of Commerce formed a Job Opportunities Council. The purpose of the Council was to talk about ways that the Chamber might assist low-income people attain jobs. Members of the Council met with a group of Negro ministers from Buffalo to try to get a better idea of the needs of the minority community.

After a series of meetings in 1965, the Job Opportunities Council accepted a proposal which called for the Chamber to contribute $40,000 to construct a building in the ghetto area. The building was to be used as a community center. The Board of Directors of the Chamber gave preliminary approval to the allocation of $40,000.

In the meantime, some members of the Board of Directors held further discussions. All the businessmen were members of the Chamber's Executive Committee, while the Negro community was represented by the NAACP, CORE, Urban League, Citizens Community Interest (CCI) and other local community participation groups.

After three months of meetings—discussing what, where and how this unusual group could be utilized most effectively—it was unanimously decided to form a non-profit corporation, and to try to implement solutions for some of the suggested problems of mutual concern.

The ODC Board of Trustees (six from community groups, six from the Chamber's Executive Committee) soon after hiring an executive director and being incorporated, decided to pursue three basic objectives (see *OBJECTIVES*) in finding jobs, training jobless and gathering information. (See Exhibit A.)

To reach these objectives, the ODC Board of Trustees surveyed existing manpower programs; New York State Employment Service's list of available openings (2,000–3,000 per month); and the files of Erie County Welfare

Department, Buffalo Urban League and other social service groups.

Careful study showed that large numbers of persons were rejected by the Urban League's On-the-Job Training Program because they lacked education. Most employers had unrealistic qualifications for entry-level employment. Many unemployed were not being reached or serviced by any existing programs.

This was the problem faced by some 10,000 so-called "hard-core unemployed" in Erie County (identified in the files of N.Y.S.E.S., Erie County Welfare Department and Buffalo Urban League). They required motivation, job training and education to become fully productive workers.

A program was designed to fit the needs of the target group—Negro, male heads of households, achieving at less than an eighth grade level. One aim was, "To enhance the role of the Negro male in the family life." The approach was to provide a substantial job, continuous counseling, 30 hours of on-the-job training coupled with 10 hours of basic and remedial education at the job site.

This was Buffalo's answer to a large unskilled and uneducated labor pool, coupled with unfilled employer needs. The proposers felt this program could lead eventually to "total utilization of manpower on the Niagara Frontier."

JET IS BORN

The proposal led to JET's funding by the Departments of Labor and HEW to train 1,000 unemployed persons in various fields of work and diverse occupations that offered upgrading possibilities.

The following activities were included in the original JET plan:

1. Recruitment of Trainees—using specialized outreach techniques.
2. Intake—the initial trainee assessment and registration.
3. Counseling—testing, assistance in choosing type training and identifying supportive needs.
4. Job Development and Referral—securing employer and union participation.
5. Placement—selecting or matching the trainee and taking him to the job.
6. Follow-up—on-the-job with employer, on-the-job with trainee and at the trainee's home; includes continued supportive services.

This was the background as the program began to develop. Several initial steps carried JET toward full operation.

1. Initial financing

The $400,000 originally authorized by the Chamber for a building was applied instead to the first-year operating costs of the new program. This enabled the officers and staff to develop ideas into program proposals, which in turn were submitted to state and federal agencies concerned with manpower development.

Once the proposals were approved, the next step was to prepare a small, permanent staff and a much larger tutoring staff to carry out the educational portion of Project JET.

2. Training tutors

Project JET initiators recognized that counseling and educational aid on a scale never before attempted in Buffalo would be required to reach the target number of 1,000 unemployed men. A special training program for the trainers was designed by the State University College at Buffalo. In July, 1966 more than 200 prospective tutors were selected from 500 applicants for a six-week course of preparation.

3. Developing jobs

As the training of counselors and tutors drew toward a close, teams of job developers launched their intensive campaign. Press coverage of discussions over the preceding year, coupled with Chamber of Commerce contact with businessmen, had set the stage.

With literature ready, leaders invited 150 employers to meet for the first large-scale discussion of how JET would operate. Some jobs were offered immediately. Teams of contact workers followed up. Letters, bulletins and media appeals continued. The job development staff of JET began its thorough canvass of employers, which was to result in more than 10,000 personal contacts with 2,100 employers during the first full year of operation.

4. Recruiting Employees

To secure the initial group of applicants, JET brought into action every known official and organized means of contact with hard-core unemployed. The state employment service, community action organization, youth opportunity center staff, welfare department and others played a part.

The JET design concentrated much of the recruitment effort on a staff of outreach workers who were much the same type persons as those JET attempted to reach and who were familiar with the low-income community. They were to use various types of contact, such as house-to-house, business, church and church groups, social groups, recreation groups and clubs, etc. (Recruitment Manual is reproduced as Exhibit B.)

PROGRAM OPERATION

Basic JET Method and Approach: After JET trainees are recruited and given preliminary counseling by JET staff, they are immediately placed on jobs. They are paid the regular wage scale by employers. The employers agree to allow the JET employee to take 260 hours or more during the contract period to be tutored in reading, writing and arithmetic. Whenever possible, the education is related to the employee's job. Instruction is designed to cover a period of 44 weeks and to raise the education level of the employee to at least the eighth grade level.

The employer pays the employee for the time he is receiving instruction. The wages are reimbursed to the employer by JET, although some employers do not request reimbursement. Those employers in the program who are not able to allow instruction time do permit counselors to give supportive services.

Federal Funding: Project JET was originally funded as an experimental and demonstration project under the auspices of the Office of Manpower Policy Evaluation and Research (OMPER). The project was designed to experiment and demonstrate methods to assist chronically unemployed heads of households in obtaining and retaining substantial employment commensurate with their latent abilities.

The project is currently funded through the Department of Labor (Bureau of A&T) as a coupled program of on-the-job training and at-the-job tutorial education. All of the original program concepts are currently being utilized in a continuing attempt to assist hard-core unemployed and underemployed persons to obtain substantial employment.

Local Financing: Overhead expense for the core staff, office space, etc. is not covered by the federal contracts. The Buffalo Area Chamber of Commerce continues to secure funds from business sources to take care of these costs. The original $40,000 has grown to $100,000 over a three-year period, and there is every evidence the business leadership will continue its investment.

NEW TRAINING DEVELOPMENTS

Job Opportunities Through Transportation (Project JOTT): In early discussions within the Job Opportunities Council in 1964, Buffalo leaders were told that unqualified job-seekers were not the only source of persistent unemployment. Many qualified men and women were unable to accept—or at least to retain—employment opportunities because most of the jobs being created in the Buffalo area were located far from their homes.

This has been termed "the growing concentration of new industry where Negroes don't live."

As Opportunities Development Corporation pushed forward with its jobs, education and training effort, the number of cases mounted in which trainee applicants were blocked by lack of transportation.

Many informal steps have been taken to ease the problem, including some route revisions in public transit. Due to the distances between and the spare settlement of many areas of high employment, however, public transportation is a difficult service to provide at all the hours of the day required for a three-shift industrial work environment.

ODC documented the needs for minority transportation and then developed these needs into a proposal for Project JOTT. Objectives include providing off-schedule and supplementary public transportation between the several high-employment areas and Buffalo's low-income residents.

The Department of Transportation granted $514,000 to ODC for a two-year demonstration program beginning August 1, 1968 in which it will serve the needs of the Project JET trainees in reaching jobs in the industrial communities near Buffalo.

Six buses are being scheduled on a 24-hour basis to serve three major industrial areas.

Journeymen Under Specific Training In Construction Employment (JUSTICE): The latest area in which ODC has moved is in training of minority group members as journeymen workers for the construction trades.

Labor, management and minority leaders worked together to develop the concept and to propose that ODC be the coordinating agency of JUSTICE. The Department of Labor has funded a specialized on-the-job training program for $114,000 to cover the first 29 weeks of operation beginning in May, 1968.

The Building and Construction Trades Council of Buffalo and Vicinity (AFL–CIO) and the Construction Industry Employers Association (representing contractors in western New York) are the industry forces through which the training and hiring are done. (See news report, Exhibit C.)

Recruiting is performed by a Recruitment and Advisory Committee made up of representatives of ODC, Workers Defense League, Urban League, New York State Apprenticeship Information Center and others.

Initially the program will include up to 50 men, mainly from the minority groups, who meet three qualifications: (1) they are beyond the normal apprenticeable age; (2) they desire to enter the construction industry and (3) they will, through training received from the program and from the industry, qualify themselves as mechanics (or craftsmen).

All 21 craft unions in the Buffalo vicinity agreed to participate. A special agreement has been reached between the Construction Trades Council and the contractors on payments to journeymen trainees, who will receive the same wages and benefits while learning as do the qualified union members with whom they work.

Each trainee will receive 27 hours of indoctrination training during a three-week period, followed by 54 hours of specific craft training during a six-week period. Then he goes on the job in a training status for 20 weeks at the normal 40 hours per week.

At the end of the latter period, the trainee will either be referred to his craft for journeyman qualification examination, be recommended for additional training if not considered fully qualified, or be dropped if he lacks both qualification and potential at this time.

Training Division: The experience and the staff nucleus developed in starting Project JET continue to be valuable assets for Buffalo. In addition, the large counseling and tutoring staff trained for full or part-time work is a reservoir of help for the area. A Training Division is being established in ODC to broaden the availability of these assets beyond the formal contract programs now being carried on with federal agencies.

No comparable source of qualified staff is available on the Niagara Frontier, and there is a growing awareness and demand among firms not participating in any of the three programs (JET, JOTT or JUSTICE). Some are willing to absorb training costs for hiring minority group workers if ODC will perform recruiting and training functions. Others want help under the National Alliance of Businessmen program.

The new Training Division will be able to perform in either case. It will be especially important, however, in guiding a proposed new consortium in Buffalo to train and hire the hard-core unemployed. By this approach the consortium itself can contract for training funds, secure commitments for job placements, locate and train applicants and then place them with firms.

PROGRAM EVALUATION

Key Factors in Success: 1. Business leader awareness and commitment. In four years of working out operating philosophy and procedures, the leadership of the Buffalo Area Chamber and of the business community have repeatedly evidenced a determination to improve the lot of minority residents.

Evidence includes the high priority given the original Jobs Council, substantial sums pledged to the Chamber and ODC to carry on the work, the vigorous promotion and endorsement by men already involved, among other forms of tangible commitment.

2. Dependable communications among community groups. None of the other factors could have produced results had there not been a solid foundation of mutual understanding. This has been true of relationships between white and black communities, but it has aided in labor-management and other joint efforts as well. This foundation was literally forged out of a troubled situation and appears to be building strength with time.

The integrity and commitment of leaders from all elements of Buffalo make it possible for this beneficial communication to play its crucial role.

3. Do-it-yourself programming. Almost everything ODC and Buffalo have done in building more job opportunities has been a highly-localized response to a distinctive Buffalo need. There were few signs of focusing attention on some federal manpower program and then trying to pattern a Buffalo activity after a standard model. Instead, leaders identified job needs of Buffalo's minorities and developed plans for the best possible local way to fill those needs; then they convinced the appropriate officials of government that the "Made in Buffalo" solution would work. To a large degree they have been proven right, which is not to say the task of convincing and securing agreements was easy.

4. Effective professional leadership. Staffing of ODC, as with the Chamber, has tended to pull together the necessary elements for a successful community-wide effort. Operating procedures and program administration have shown innovation along with feasibility, vigor and sound management. This factor tends to reinforce the other favorable aspects of ODC and to generate confidence and respect among all participants.

Key Lessons Learned: 1. Don't over-promise. First goals spoke of 5,000 jobs for hardcore unemployed within two years, using this figure as "a reasonable target." Instead, about 400 were placed in the first year and something above 1,200 in two years. Unfulfilled promises can be dangerous, especially if tensions are high in the community.

2. Developing job openings for the hard core is a slow process. Staff and volunteer teams averaged about five visits to an employer for each new job made available to a disadvantaged worker-trainee. These visits were in addition to an average of three visits per employee to firms *after* applicants were actually placed.

3. Small firms proved to be the best source of jobs. Virtually half of all placements in JET and more than half of all contracts for on-the-job training were with employers having less than 50 employees. By contrast, the large employers (over 1,000 employees) accounted for only 13.5 percent of the jobs and 4.3 percent of contracts. The 50–999 group made up about 40 percent of both job placements and contracts.

This result may have direct implications for job programs such as the National Alliance of Businessmen in which the major thrust has been directed at large, multi-unit national firms. This approach may need to be amended to operate more in the pattern of ODC-JET or the new ODC consortium plan.

4. Support services are essential. Tutoring for basic education and job skills may be only a small part of the preparation for useful work. Trainees need every sort of personal guidance and help. A JET report states, "Referral to and close cooperation with the other community services has been the rule rather than the exception." (Three case examples are contained in Exhibit D.) Problems most frequently encountered are emotional instability, alcoholism, acute family difficulties, suspected drug addiction and physical disabilities. (About 25 percent of all applicants had physical disability of some type.)

5. Contractual arrangements involving many agencies and firms may be far slower and more difficult than expected. The narrative of this report may make the problems appear minor and the progress smooth. Buffalo solved the key problems encountered, but only skill, experience, determination and the use of every available influence and pressure cleared the way.

Transferability: The concept of ODC—the establishment of a bi-racial board to evaluate community social needs and then lead action to meet them—could be transferred readily to other areas. The specific programs of ODC—such as JET—might not be applicable to every city, because needs differ.

This report is prepared to *introduce* the specific approaches of Buffalo without covering them exhaustively. Many pitfalls, delays and problems met by Buffalo leadership are mentioned but not emphasized. For any group seriously considering a JET-type operation for the first time, the final first-year progress report filed by ODC with the Department of Labor will prove valuable reading.

THE HIGH COST OF PUBLIC OFFICE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. PELLY. Mr. Speaker, the American people are becoming increasingly aware of the reforms that are needed in their Government: reforms in taxes, elections, and in Congress itself. The Seattle Post-Intelligencer on January 3, editorialized after what appears to be careful consideration on the congressional reforms necessary in receiving and reporting campaign contributions. I call this editorial to the attention of my colleagues:

THE HIGH COST OF PUBLIC OFFICE

At the time of our nation's founding, the most qualified men in the new Democracy's comparatively scant population were represented in its governmental councils. Generally, they were the best educated and most idealistic of the citizenry.

Today, regrettably, too many Americans who possess the qualities needed for strong leadership, shrink from the call of public office on the federal, state and local levels of government.

One of the foremost reasons for this, certainly, is the cost of winning public office. In modern times, campaign expenses have risen to astronomical heights, posing a deterrent to many qualified men and women with limited financial resources and binding many who do seek offices to political commitments which may or may not be in the public interest.

This defect in our political system is among the chief electoral evils cited in a recent report of the Committee for Economic Development, a prestigious national organization of businessmen and educators.

The CED estimates that 1968 election costs ran more than $250 million, concluding that "an attractive candidate with good prospects can usually find financial backing, but large gifts may depend upon direct commitments or implied conditions."

Among the Committee's recommendations is "stringent disclosure requirements on every aspect of political financing."

Officeholders and office seekers traditionally have opposed laws to compel campaign contribution disclosures on grounds that many sources of funds from large donors would dry up.

If this is the case, then it only serves to document that many contributions do have hidden political strings attached, contrary to the public interest.

One means of reducing candidate dependence on donations of large, anonymous contributors is suggested by the CED. It proposes that federal tax credits up to $25 per year be granted citizens, to attract contributions from a broader segment of the population.

Other reforms proposed in the CED report call for federal and state subsidies of election costs that do not benefit one candidate, party or position; repeal of the federal "equal" time law requiring broadcasters to give minor candidates the same air time given major candidates, and a national presidential preference primary to give citizens a stronger voice in selection of the nation's Chief Executive.

If our democracy is to continue as the world's best form of government, Congress and state legislatures must act to institute such overdue electoral reforms.

COMMERCE SECRETARY-DESIGNATE CONTINUES TO BOOST HOMETOWN

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. NELSEN. Mr. Speaker, the citizens of Shakopee, Minn., in my congressional district, have ample reason for pride in the selection of native son Maurice Stans to serve as Secretary of Commerce in the Nixon Cabinet. He has never permitted the press of a distinguished career to dampen his interest and support for his hometown. A recent editorial in the Shakopee Valley News serves to underscore this commendable trait, and under unanimous consent I include the editorial at this point in my remarks:

STANS IN CABINET

Appointment of Maurice H. Stans, Shakopee native son and member of the 1925 graduating class of Shakopee High School, this week by President-Elect Richard Nixon to his Cabinet as Secretary of Commerce is among the long list of achievements of this illustrious son, who has given Shakopee several occasions on which to express its pride.

This most recent recognition to The Honorable Mr. Stans this week is one that has placed the community, in which he has always expressed his continued interest in several ways and support, as an even more indelible spot on the map, as well as had former friends, classmates and teachers reminiscing.

He has never been forgotten in regard to his achievements in the Shakopee schools nor has he forgotten these schools he attended.

One classmate was heard to remark that Stans always had the answers or made it a point to get them and was way ahead of the teachers most of the time. A check of his high school curriculum somewhat indicates his destiny in that it includes several mathematic courses, along with bookkeeping, government, stenography, public speaking, economics and social problems.

He displayed his fondness for his St. Mark's Parochial School in instituting a "mathematics fund." He further showed his appreciation for Shakopee High School in being instrumental in the founding, with his foundation grant, the Opportunity Fund that provides assistance for Shakopee High graduates seeking post high school study.

On one of his recent visits he made it a point to look up and spend some time with one of his former high school teachers, Mrs. Frank Strunk.

This teacher was again a part of the excitement of the announcement to his Cabinet post in being interviewed by phone by a metropolitan newspaper reporter.

The Valley News received a call from Washington, D.C., with the person seeking the information as to what town in Belgium, Stans' father, had come from. His father, the late Hubert Stans, was a painter and band director in this community for several years.

There are also other relatives in the Chaska area.

In answer to this query, the Washington, D.C. caller was referred to City Attorney Julius Coller, noted for his compilation of "The Shakopee Story," a history of this community.

In "The Shakopee Story" four notations are made regarding this former Shakopee native and now national figure when he was elected president of the American Institute of Accountants; when he was named deputy postmaster general at the age of 47, by appointment of President Dwight D. Eisenhower; when he was named deputy director of the Federal Budget of President Eisenhower, and shortly thereafter succeeded Percival as director, and when he spoke at the Commencement for 51 seniors in 1958.

City Attorney Coller was featured last Thursday on Twin Cities' television broadcasts in which he again related these and other facts regarding this native son of Shakopee.

On September 16, 1965, in somewhat of a coincidence, President-Elect Richard Nixon was the speaker at the Shakopee High School at a testimonial dinner for Mr. Stans, sponsored by the Shakopee Education Association and Shakopee Federation of Teachers.

Again the new Cabinet appointee was an honored guest of "his city" when the Stans Park at Tenth Avenue and Fuller Street, adjacent to the Shakopee Senior High School, was dedicated in his honor.

Most recently he, through a $5,000 grant from the Stans Foundation, made possible research for the proposed Scott County Historical Society Restoration project, slated for the Memorial Park area, east edge of Shakopee.

The biographical sketch, appearing in the metropolitan newspaper, stated:

"He is a detail individual but he is a doer, if you can balance those two qualities in one man." This was attributed to a former Budget Bureau colleague who added "He is a pleasant, out-going man but he is definitely not a back-slapper."

The article continues "the 60-year-old Stans was a saxophone player with $151 in his pocket when he left Shakopee nearly 45 years ago.

"Now he is head of Glore, Forgan, William R. Staats, Inc., an investment firm in Chicago, Illinois, which he built to the 10th largest in the nation.

"He relaxes by taking worldwide hunting trips. Ten years ago, on an African safari, he became one of the first Americans to track down and shoot a bongo, a large and fierce antelope."

On one of his visits here in 1965, pupils of his former St. Mark's School were privileged to have been shown a film of one of his safaris.

Yes, he has certainly gone a long way for a "home-town boy."

MAJ. GEN. GEORGE OLMSTED ADDRESSES WEST POINT SOCIETY OF NEW YORK ON NOVEMBER 7, 1968

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, Maj. Gen. George Olmsted, chairman and president of the International Bank, and a resident of Arlington County in my Virginia congressional district, addressed the West Point Society of New York on November 7 of last year on a subject of great importance to American businessmen involved in international trade and investments.

Because of the timeliness and crucial importance of the general's speech, I include the text, in full, at this point in the RECORD:

AN ANSWER TO THE BOOK, "THE AMERICAN CHALLENGE," FRENCH AUTHOR SERVAN-SCHREIBER'S RECENT BEST SELLER

(By Maj. Gen. George Olmsted, Army of the United States, retired, Chairman and President, International Bank, Washington, D.C., to West Point Society of New York, November 7, 1968)

Probably no single book in recent history has done more to stir up Europe than one written by the young French author and editor, J.-J. Servan-Schreiber. Over one million copies were sold in Europe in less than a year after publication—an all-time record.

The book, "The American Challenge" has jolted the Establishment in every capital in Europe. In the United States, it is now on the lists of the ten non-fiction "best sellers".

The book zeros in on the emerging crisis in Europe. It argues that Europe is slowly dying even though it is more prosperous than at any time in history. It undertakes to document the case that Europe is slipping further and further behind in the race for technological progress. It sounds a loud and clear call for mobilizing the economic forces in these countries to meet the rising challenge that threatens to turn them into satellites of the American industrial machine.

The nature of the American challenge is described as a highly developed talent in the "art of organization"—in the mobilization of intelligence and talent to conquer not only invention but development, production and marketing.

"American industry spills across the world primarily because of the energy released by the American system," Arthur Schlesinger writes in the foreword of the book, "by the opportunity for individual initiative, by the innovative knack of teams, by the flexibility of business structure and by the decentralization of business decision."

I am singling out this book as a starting point for my remarks for a very good reason. I believe all of us who are concerned with the role of the United States in the world today and in the years ahead must know and understand the kind of problems we face everywhere abroad, but especially in the European area which is so vital to our interests. It is good for us now and then to look at America through the eyes of others.

The importance of the Servan-Schreiber book to us is in the economic situation it reveals and the possible adverse political developments that may lie ahead.

The future of the United States depends on a world with many prospering countries and populations that will enjoy with us the benefits of our higher living standards. So long as the human race is torn between two competing philosophies of existence—Communism and Capitalism—we must strive to strengthen the nations that stand with us. Otherwise, the free countries will decline, and we will stand alone in a world of weak allies and strong opponents. We must also seek and find growing markets for our expanding economy.

There is much that Americans can learn in doing business in Europe and other lands. It is a technique we must master. For with over 3 billion people in the world today, and only 200 million of them in the United States, American businessmen have no choice but to seek overseas markets.

THE PICTURE IN EUROPE

What is the picture that Europeans see as it is presented in "The American Challenge"?

First, it is stated that in a few years the world's third greatest industrial power after the U.S. and the Soviet Union will not be Europe, but *American industry in Europe*. As a matter of fact, I think this point has already been reached. U.S. investment penetration now controls some $14 billion in plant and equipment in Europe.

Since 1958 American companies have invested $10 billion in Western Europe—more than one-third of our total investments abroad. Of the 6,000 new businesses started by Americans in the past decade, half were in Europe.

In the vital and fast growing field of electronics, for example, American companies in Europe control:

15% of the production of consumer good—radio and TV, recording devices, etc.

50% of semi-conductors which now replace tubes.

80% of computers—"high-speed electronic calculators which, among other things, now even transform the management of the corporations."

95% of the new market for integrated circuits—miniature units crucial to guided missiles and the new generation of computers.

The record shows, too, for example that as early as 1963 American firms in France controlled 40% of the petroleum market, 65% of the production of films and photographic paper, 65% of farm machinery, 65% of telecommunications equipment, and 45% of synthetic rubber.

Although the Johnson Administration last January acted to reduce U.S. dollars going abroad so as to help reduce our payments deficit, American companies have found sources of funds in Europe itself to finance expansion.

"The greater wealth of American corporations allows them to conduct business in Europe faster and more flexibly than their European competitors," Servan-Schreiber wrote. "This flexibility of the Americans, even more than their wealth, is their major weapon."

While the book examines into a wide range of data and developments, his critical comment is directed at the European enterprisers more than at Americans. He lays the failure to respond to the American challenge at the doorstep of Europe itself. Instead of calling for controls to block or discourage the Americans, he urges Europeans to adopt the American methods and techniques.

He considers a choice of three strategies for European industry today:

1. Continue along the same path and face a double decline in their business level and financial structure.

2. Try to plan a complementary role in the American economy by specializing in those areas where Europe still has an advantage—largely because of lower labor costs and use of foreign patents.

3. As an alternative to annexation or satellization, there is the choice of competition. This demands that European businesses, particularly those in the area of "Big Science", become fully competitive in the global market.

All three strategies are rejected for a number of reasons. He reasons that a European Federation is a must. "Only on a Europe-wide level, rather than a national one, could we hope to meet the American challenge on all major fronts," he declares.

He offers these six steps for Europeans to regain control over their destiny in the confrontation with the American challenge:

1. Creation of large industrial units which are able both in size and management to compete with American giants.

2. Carrying out "major operations" of advanced technology that will insure an independent future for Europe.

3. At least a minimum of federal power to protect and promote European business.

4. Transforming the relationship between business, the university, and the government.

5. Broader and more intensive education for young people; specialized and continuing education for adults.

6. Finally, as a key to everything else, the liberation of imprisoned energies by a revolution in their methods of organization—a revolution to revitalize the elites and even relations between men.

I will not attempt to pass judgment on the six steps proposed. I will endorse the value of the book which clearly defines the problem which must concern all of us who believe in private enterprise whether we are on this or the other side of the Atlantic or elsewhere in the free world.

Fortune magazine, in reviewing this book challenged its conclusions. "Europe does not have to Americanize itself completely to save itself from America," it commented.

Fortune also observed: "Certainly, much of what Servan-Schreiber recommends is desirable. European unity should progress, more European youngsters should go to college, European business should regroup into bigger units. But this does not mean that Europe can achieve for itself the kind of isolated independence that deGaulle has vainly sought for France. The message of deGaulle's failure is that interdependence is inescapable, and that applies not just to France, but to all nations. The point that Servan-Schreiber misses (though it is glimpsed here and there in the book) is that growth is becoming truly international." Thus spoke Fortune magazine.

The principal fault I find with the Servan-Schreiber book, however, is that he looks at business as a national rather than an international contest for progress and perhaps survival. Or, to put it another way, he looks at business as a perpetual Army Navy football game. And, it doesn't have to be.

INTERNATIONAL BUSINESS IS INTERDEPENDENT

It is my belief, based on the experience of our International Bank's offshore banks and companies, that the so-called American challenge in Europe, and elsewhere for that matter, can be successfully met by a policy of interdependence. Instead of worrying about how to meet and beat American competition, I believe more European and other enterprisers should join with Americans as partners for mutual progress. We, in turn, must be more willing to meet them half-way.

Most of the largest American corporations today are multi-national organizations. So, also, are a growing number of large foreign corporations around the world. By joining hands with American concerns, in many cases, overseas companies can gain the benefits of our enterprise, energy, progressive methods, and management techniques—as well as our financial know-how. Our American companies can gain much too—possibly more.

Yes, the world picture is not all one-sided.

American manufacturers are making and selling many products here that were originated in other countries. These include such things as jet engines, computers, ballpoint pens, disk brakes, oil field equipment, an oxygen process for steel making, many advanced chemicals and drugs, and other products.

The U.S. News and World Report told us a few months ago that "A merger boom of major importance to Americans is building up in Europe." They reported, for example, that in the U.K. alone recent amalgamations have created the world's second biggest bank, the largest computer firm outside the U.S., the strongest electronic group in Europe, and a new auto-making giant.

Last year alone in Europe there were 670 major mergers, joint ventures and other interlocking arrangements.

The Wall Street Journal reported a British trade expert as saying: "Bigger, more efficient industrial units are desirable—in fact are essential—to meet the fierce and growing competition, particularly from the American giants in world markets."

Instead of Europeans worrying over "The American Challenge," or we fearing the rise of more aggressive competition in Europe, I believe they and we face a larger challenge. That is, whether both sides will be drawn into an economic struggle for survival against each other, or will work together to solve our common problems and build up our mutual interests in a climate of interdependence.

It is time for all of us in business to lift our sights beyond the borders of our own countries and think in terms of the world. Wendell Willkie once preached the philosophy of a political "One World." Now businessmen must begin to think in terms of an *economic* "One World."

The Servan-Schreiber book serves notice on Americans doing business abroad that we must consider the alternatives we may have to face if we do not recognize the dangers in pursuing our present course overseas.

Perhaps the most basic threat to consider is adverse legislation or regulation by governments of other countries.

In England, for example, Prime Minister Harold Wilson has frequently spoken out on the need for action "to prevent the domination of our economy by the Americans."

Then, too, look what deGaulle did recently by edict in blocking the proposed merger of Fiat and Citroen motor companies. It is significant, however, that he later approved a partnership between them. By edict he could prevent any other acquisition by a non-French firm if he so wished.

NEW DIRECTIONS FOR U.S. BUSINESS OVERSEAS

And so I say, American business overseas is finding it is in a new ball game. Conditions are changing. Rules are changing. And the stakes are higher than ever in the past.

There was a time when our U.S. business interests abroad were modest, and companies handled their foreign business with a small international staff tucked away somewhere on the organization chart. More recently, our American enterprise in certain fields overseas was so big and powerful compared to the foreign competitors in the host countries that the need for understanding, skill and effectiveness in our management techniques was not so very apparent.

Today it's a different story. American firms are facing aggressive competition from foreign companies on their own ground—companies that are as large, have as much power and flexibility as our companies—and, in some cases, bigger and even more powerful.

American enterprise cannot succeed in other countries if it flies the flag of economic imperialism. We must not seek to exploit the resources, control the managements, and dominate the markets.

The new worldwide approach of U.S. companies calls for new management concepts and new types of management men. It calls for a new kind of leadership development and training for international operations.

We need to move with, rather than against, the rising tide of nationalism that is sweeping every country in the world today. This means we must realize that management skill knows no national boundaries. It flourishes in many lands and places, and we must recognize and work with it wherever we find it.

We must be willing to share ownership, and control and management with the nationals in the other countries where we operate.

We must seek out the ablest young people in the countries in which we do business, and provide leadership development programs to help those most qualified to rise to top officer positions.

We must provide the necessary motivation, recognition, and rewards to men and women in our foreign companies so they will give us their best efforts.

While seeking the most efficient management techniques we must learn to speak the languages and accept the established customs which are traditional and precious to the people in other countries, realizing that our way is not always the best, simply because it is the American Way.

Companies with employees here and abroad must give more opportunity for interchange assignments so American employees can get foreign experience, and foreign employees can gain experience here. This will make them all better future managers.

We must establish better communications between the people in the foreign and domestic departments of our businesses so that all will feel more knowledgeable and more essential to the total enterprise.

In short, American companies that do business in the world community must reevaluate their competitive positions and present policies, and undertake to improve their management techniques—with special emphasis on better recruitment and development of new managers all along the line.

And most important of all, our public image and our community relationship must clearly emphasize the policy of interdependence.

We at International Bank believe in practicing what we preach.

In our foreign operations we believe it essential to be and we are in partnership with local leading businessmen.

The enterprises become integral parts of the local economy.

The banks and companies are staffed with local nationals. And I would like to emphasize that the policy works as well in Liberia, Lebanon, Iran, Nassau, Jamaica and Trinidad as it does in Europe and the United Kingdom.

While initially we utilize our American financial and management know-how, and technicians, we go out of our way to move qualified nationals into top management positions as soon as it can be done.

We make it possible for promising young people to develop their knowledge and skills so they can advance in management.

We seek out talented young people in our foreign and domestic organizations, and rotate them for service tours here and abroad.

We become good citizens with good public relations in the countries and communities where we are active.

We find that these policies work. This is why I commend them to you and to all American Companies doing business internationally.

CONCLUSION

To summarize my own views then, I believe that today our three basic challenges are:

1. We must accept the fact that the endless fight between national interests is outmoded, old fashioned, and no longer meets the realities of the present or the future.

2. American business, with its economic and scientific power, technical know-how, and managerial energy, cannot charge blindly ahead abroad without creating antagonisms, negative reactions and punitive restrictions. We must realize that in the long run such conduct will limit if not deny us the markets that we need and are trying to create in other countries.

3. And finally, a vital difference between what I understand to be the views of Servan-Schreiber and those to which I subscribe is the central importance of the human being in these economic, scientific, technical and managerial areas: I believe to talk of human talent in strictly national terms is to impose unnecessarily severe limitations on such men. Human talent is the one commodity which no society can afford to waste. Therefore, the free flow of human talent and ideas without regard to national boundaries should be permitted and encouraged. To allow human talent to seek that environment where it can be most productive strengthens the individual and at the same time strengthens his nation and the free world.

The answer then to these three basic challenges is interdependence—the partnership approach, the art of working together for the common good. In this way we can strengthen the defense of capitalism and enhance the hopes for world peace.

My suggested answer is clear and concise; however, it will not be easy to implement. To quote a famous contemporary Frenchman, Andre Malraux, French Minister of Cultural Affairs: "The basic problem is that our civilization which is a civilization of machines, can teach man everything except how to be a man."

In closing may I remind you of the words written early in this century about another great world power then at the zenith of its development—

> "The tumult and the shouting dies;
> The captains and the kings depart:
> Still stands Thine ancient sacrifice,
> An humble and a contrite heart.
> Lord God of hosts, be with us yet,
> Lest we forget—lest we forget!"

The poet was speaking of political imperialism. He feared it would not survive—and it didn't. I have been speaking against economic imperialism. Let us realize that it too will not survive. Let us accept the challenge of the interdependence and partnership approach while there is yet time.

HEARINGS ON ELECTORAL COLLEGE REFORM

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. CELLER. Mr. Speaker, the Committee on the Judiciary has scheduled hearings to be held before the full committee on House Joint Resolution 179 and House Joint Resolution 181, and other pending proposals, to amend the Constitution calling for the reform of the electoral college. These hearings will begin on Wednesday, February 5, 1969, at 10 a.m., in room 2141, Rayburn House Office Building.

Those wishing to testify or to submit statements for the record should send their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

SPECIAL FOURTH-CLASS POSTAL RATE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. OLSEN. Mr. Speaker, I am today introducing a bill relating to subsection 4554(e) of title 39, United States Code, on conditions of mailing for books, records and other special fourth-class mail.

This bill delays the effective date of subsection 4554(e) of title 39, United States Code to July 1, 1969. This bill is designed to bring some order out of the present chaotic situation with respect to the sorting and bagging of 1,000 or more pieces of special fourth-class mail in a single mailing, which has been created by the Post Office Department regulation of August 9, 1968.

I am glad to say that my two colleagues ALBERT W. JOHNSON, of Pennsylvania, and DOMINICK V. DANIELS, of New Jersey, join with me in this statement and in sponsoring this bill.

Section 4554(e) which was enacted as part of the bill to adjust postal rates and Federal salaries, section 108(a) of Public Law 90-206 approved December 16, 1967, reads as follows:

> (e) Articles may be mailed under this section in quantities of one thousand or more in a single mailing, as defined by the Postmaster General, only in the manner directed by him.

The Post Office Department, early in 1968, set up a task force within the Department, to study the problems involved in mailing materials under the special fourth-class rate, with the volunteered cooperation of the book publishing and record industries. The Department subsequently issued on June 29 a preliminary regulation relating to the mailing of special fourth-class mail, and on August 9, 1968, a final regulation required shippers of books, records, and other fourth-class mail in quantities of 1,000 or more pieces per day:

First. As of October 1968 to sort and bag identical pieces by three-digit zip code; and

Second. As of January 15, 1969, to sort and bag nonidentical pieces by States. Over 70 plants—the vast majority of them being plants shipping books—in all parts of the country were affected by this regulation and a large proportion of the companies operating these plants protested both individually and through their trade associations that compliance with the regulation and the time schedule set was not possible; that the regulation itself did not correspond to the practical requirements of shippers and of the Post Office Department and that the regulation was disruptive of competitive patterns within the industry. The Postal Rates Subcommittee of the House Post Office and Civil Service Committee held a hearing on September 10, 1968, on this problem, at which leading Post Office Department officials and representatives of the industry and the postal unions were heard. Subsequently, on September 11, 1968, the full Post Office and Civil Service Committee approved a bill—H.R. 19415—House Report 1967—which would have, one, suspended the January 15, 1969, phase of the regulation to July 1, 1969, and two, given the Postmaster General authority to waive the provisions of the regulations in hardship cases. Unfortunately, it was then too late in the 90th Congress for this bill to be considered by the House.

Meanwhile, the companies and industries affected were faced with requirements which they could not meet and they were forced to resort to the courts as the only source of relief. The present situation is that three companies have obtained temporary injunctions from three separate Federal district judges suspending the operation of the entire regulation of August 9, 1968, with respect to these three companies. Another six or seven companies have filed requests for such temporary injunctions in the Federal courts. In addition, two industry trade associations, the Book Manufacturers Institute and the American Book Publishers Council have filed "class actions" challenging the validity of the August 9 regulation as it applies to all book manufacturers and all book publishers respectively. It will be some weeks, if not months, before these cases are argued and decided.

We are now faced within the next few days with the coming into operation of the January 15 phase of the regulation on nonidentical pieces, which affects many more companies than the October 1 phase. Some companies will be forced to comply regardless of hardship and the disruption of service to their customers, whereas other companies protected by court injunctions, will not need to comply.

This is an intolerable situation in which the Federal Government is placing an important industry, which means much to the educational and cultural life of this country.

I urge thus, once more, that the present Postmaster General suspend the operation of the August 9 regulation prior to January 15, 1969—and if this is not done, urge the new Postmaster General to do so immediately on taking office—and to negotiate with the industries affected. The book publishing and book manufacturing associations have repeatedly indicated to the Post Office Department their willingness to sit down and work out an agreed solution to the problem. The Department has so far been unwilling to consider any of the suggested solutions, and if the situation is not resolved by the mailers and the Post Office Department by their own initiative, I shall move as soon as the Committee on

Post Office and Civil Service is organized that the appropriate subcommittee hold hearings on this bill in order that the Congress may have an opportunity to help solve the problem by legislative means.

ADAM CLAYTON POWELL

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. REID of New York. Mr. Speaker, due to illness, I could not attend the opening session of this body on Friday of last week and thus was unable to participate in the debate over the seating of the gentleman from New York, Mr. ADAM CLAYTON POWELL.

I am pleased that Mr. POWELL has taken his rightful seat and that his constituents in the 18th District of New York will once again be represented in the House.

In my judgment, however, adequate measures have already been taken against the gentleman from New York for his alleged transgressions by his exclusion from the 90th Congress, a step which I spoke out against on the floor.

In addition, he has satisfied his outstanding legal judgment in the New York courts and a Federal grand jury has expired without returning an indictment against him.

For these reasons, Mr. Speaker, I would like to state that had I been present on Friday, I would have strongly supported the first resolution of the distinguished chairman of the Judiciary Committee to seat Mr. POWELL. Specifically, I would have voted yes on rollcall No. 2, yes on No. 3, no on No. 4, yes on No. 5, and yes on No. 6.

THE RIGHT DECISION

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. BEVILL. Mr. Speaker, I wish to take this opportunity to express my very strong opposition to the challenge of the electoral vote cast by North Carolina elector, Dr. Lloyd W. Bailey.

I am convinced that the U.S. House of Representatives and the U.S. Senate acted wisely in rejecting this challenge. It is my judgment that the Congress has no right to alter the electoral vote from North Carolina, or any other State.

I feel that Dr. Bailey acted within his State's constitution and within the Federal Constitution and it is not for the Congress to disrupt this due process.

If a challenge is made of an elector, then I believe it should be done within the State concerned.

Efforts by Congress to take over this right from the States could conceivably set a precedent which could, at some future date, usurp the power from the electoral college and make it possible for Congress to alter the outcome of a presidential election.

ALABAMA SESQUICENTENNIAL STORY

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. NICHOLS. Mr. Speaker, 1969 marks the 150th anniversary of my State of Alabama's entry into the Union. Governor Albert P. Brewer has called for a year-long celebration of this momentous event, and has appointed a sesquicentennial committee to direct the activities of this celebration. Alabama wants to share its sesquicentennial celebration with the entire Nation, and will officially begin the events during the half-time of the nationally televised Senior Bowl football game at Mobile this Saturday.

Mr. Speaker, I would like at this time to place in the RECORD the Alabama sesquicentennial story which outlines briefly some of the activities which are planned during Alabama's 150th anniversary of statehood:

ALABAMA SESQUICENTENNIAL STORY

Under the direction of Mrs. William W. McTyeire, Jr., of Birmingham, General Chairman of the Alabama Sesquicentennial, the 150th Anniversary Party is getting well underway. Chambers of Commerce, civic leaders, and county administrators are all cooperating in making 1969 Alabama's biggest year. According to Martin Darity, Director of the Bureau of Publicity and Information Commission, "Everyone in Alabama will have a ball, and that is the theme of our national advertising program, which invites all America to join us."

The 150th Anniversary celebration will be literally kicked off with the half-time show at the nationally televised Senior Bowl football classic in Mobile. Jimmy Morris, half-time show director, promises to make this extravaganza one of the most colorful spectaculars ever presented in this annual football classic.

Alabama schools will emphasize Alabama history, the libraries of the State will suggest Alabama inspired reading, garden clubs will colorfully decorate their garden plots with official Sesqui flowers.

Events will be peaking in the summer months when we expect out-of-State visitors to join in our festivities. Slated for June 24 is Sesquicentennial Day with special ceremonies at the Capitol in Montgomery and supporting activities throughout the State.

Tuscaloosa will be observing their own 150th anniversary during the week of April 20–27. Parades, pageants, and special events of all kinds will be featured in this collegiate city of middle Alabama. Tom Shurrett, General Chairman of the Tuscaloosa Sesquicentennial Committee, promises a full week of activities to please everyone coming in the Tuscaloosa area.

The Alabama Historical Society traveling to Huntsville this year for their annual meeting and pilgrimage will officially open the reconstructed "first capital" in that city. A complete restoration of many historic sites will be featured as part of the Rocket City contribution to the Alabama 150th.

The City of Selma, under the General Chairmanship of Charles L. McLafferty, is planning an all-out State observance. Many of the ante-bellum homes will be open, the Town and Gown Theater production, "The Storm Tree", is being considered, plus fancy dress balls and special tours of the city.

Down on the coast Baldwin County is planning a county-wide observance with every community in the county having individual observances in their immediate area. Pageants at Fort Morgan are being considered and special programs at Yancey State Junior College will be presented.

A great moment in Alabama history will be re-enacted over several weekends at Wind Creek Park near Alexander City. The Battle of Horseshoe Bend will be presented with a cast of hundreds participating.

A great boat-a-cade armada will take over the Tennessee River from Pickwick Dam to Guntersville in the early part of July. This Sesquicentennial fleet will make port in the Alabama communities on the river. Each community will observe the Alabama Sesquicentennial as the fleet arrives, greeting them with parades, fish frys, parades and historical tours of their area. The Alabama Mountain Lakes Association will be spearheading this event.

Alabama's great tourist attractions will all be going all-out to extend special invitations to Alabama visitors.

The Town and Gown Theater of the University of Alabama in Birmingham will be presenting historical dramas throughout the state. Production of "The Storm Tree" based on incidents in the life of Alexander Gillivery will tour from February 17 through May 1. The production is written by Martha Rankin of Montgomery.

In October the National Peanut Festival in Dothan will feature the Alabama Sesquicentennial in their activities. Madison, in the northern part of the State, is planning its own observance of its centennial on October 27.

Huntsville is planning a full calendar of events beginning May 2 and 3 with the hosting of the Alabama Historical Association. On May 3rd, the original document of the Alabama Constitution will be placed on exhibit in a specially built unbreakable case in the lobby of the Madison County Courthouse. July 5 will be the dedication of the restoration of Constitution Hall, and the Huntsville Times will publish a Sesquicentennial edition for the occasion. On August 3, the Huntsville Historical Association will sponsor a special program in participation with other groups and recognizing descendants of the signers of Alabama's constitution.

October 25 is the 150th anniversary of the opening session of the first General Assembly of the State of Alabama, and special programs are planned for this date in Huntsville.

November 9 in Huntsville is the 150th anniversary of the inauguration of Alabama's first governor, William Byatt Bibb. Special re-enactment and programs are planned.

December 14 is Alabama Day. There will be a major celebration in Huntsville and throughout the state on the preceding day, Saturday, December 13.

Montgomery is planning an all-out celebration for the week of December 3, which is the founding day of this city. Pageants, fireworks, costume balls, and many activities are planned for the capital city.

Financing of the Alabama Sesquicentennial is being provided by the Alabama citizens themselves. Commemorative coins, a series of five in both nickel silver and sterling, is one of the major sources of revenue. These commemorative coins are being minted in limited number and sell for $.50 each, or an uncirculated set for $3.00. The coins are also minted in sterling silver and are numbered. The coins are being sold in matched, numbered sets for $60.00. Both coins are available through cooperating Alabama banks and savings and loan associations.

Another colorful souvenir is the historical pictorial dinner plate. The plate is 10 inches in diameter and will sell for $2.50. Local organizations will be selling them in the Alabama communities.

Alabama's First Lady, Mrs. Albert P. Brewer, is editing an "Alabama Ladies Cookbook" to become available in February. The book contains many famous Alabama recipes that have been handed down from one generation to another and new ones which have never before appeared in print. The book will be illustrated by rare Alabama engravings.

Special programs, visiting celebrities and other activities will accompany the First Day Issue of the U.S. Postal Stamp, commemorating the Alabama Anniversary of Statehood. Cachets are being designed for this event and commemorative packets will be sold.

In progress of production are sheets of commemorative seals which will go on public sale in January. Approximately the size of a commemorative stamp, each of the 25 seals will depict in full color a famous Alabama attraction. These seals will carry the Alabama Sesqui theme around the world.

Especially prepared for this anniversary, "Living History in Alabama," will come off the presses in early 1969. This 64-page book is composed of eight circle tours of the State, routing travelers to historical sites they may visit, describing the history of the area and significance of each site visited.

The book makes Alabama's rich heritage come alive and will be available for distribution to schools, libraries, and the general public.

Numerous other programs are in process of development. Cities and civic groups are making exciting plans which are daily revealed. All events registered with Sesqui Headquarters (15 Office Park, Suite 104, Birmingham, Alabama, 35223), by December 15 will be included in an official calendar. Groups and communities are urged to adopt projects and get in touch with Headquarters as soon as possible. Robert Rockhold, State Coordinator, is available to give suggestions, council and support to all interested in participating in this important Anniversary which can enhance the image of Alabama internationally and generate new pride among our own citizens.

Governor Albert Brewer has called on the support of all Alabama industries, business communities, civic clubs, schools, and churches to undertake Sesqui projects on their own . . . to develop a series of special commemorative events. "With this help, we will make Alabama 150 a truly great celebration . . . and showcase Alabama in all its grandeur."

CLEAN LAKES ACT OF 1969

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ZWACH. Mr. Speaker, I have introduced today a bill that I refer to as the clean lakes bill for 1969. It authorizes the Secretary of the Interior to enter contracts with private or public firms to immediately pursue those methods of the most efficient removal of pollutants, or of keeping our lakes clean and beautiful.

There is a strong and urgent need for us to take action to prevent further loss of the great values of our 100,000 inland lakes. In my own State of Minnesota, we have over 14,000 lakes of 10 acres or more, and so this is a matter of great interest to us.

With soil erosion, and with the runoff of unused fertilizer or insecticide sprays, we are experiencing a changeover from deep, cold lakes to shallow, warm water lakes. With the settling of this sediment and fertilizer to the bottom, this soil becomes extremely rich and under water plant growth is stimulated excessively. This causes a change in the water temperature, a change in the oxygen content, and a richness of the growth of foliage and algae on the lake surface. These basic changes then alter the value of the lakes and consequently the real property located on the shores depreciate in value greatly. This domino effect results in lower tax values, and all of the attendant problems connected with higher tax rates, and fewer and fewer taxpayers.

This problem, while relatively expensive to correct now, is still far less expensive than building manmade lakes with still no approved, efficient means of making sure that the whole process will not be repeated all over again.

This bill passed the other body in the 90th Congress, and I urge this Congress to take quick action on this bill.

MAINE SHIP OF HOPE

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. KYROS. Mr. Speaker, last year, during the adjournment of the Congress, I had the opportunity to visit several countries in Latin America, including Brazil. One of the highlights of that trip was to meet with a number of people participating in the Partners of the Alliance program. Though I was unable to visit the state of Rio Grande do Norte, the Partner state of the State of Maine, I did go to Salvador, in the state of Bahia, where I found much interest in their partnership with Pennsylvania. There are, Mr. Speaker, 15 U.S. States joined, on a state-for-state basis, with states in Brazil. It was an exhilarating experience to witness some of the enthusiasm of private citizens working on projects in the fields of agriculture, education, business, and health throughout the hemisphere. The Partners complement, in a very important citizen-to-citizen way, the government-to-government program of the Alliance for Progress.

For the attention of my colleagues in the Congress, I am inserting two articles and an editorial from Maine newspapers featuring a project of great interest to the citizens in my State. It involves the SS *State of Maine* which, last Friday, left Castine Harbor laden with hospital equipment, school supplies, handtools, and other items for use in Partner projects in the state of Rio Grande do Norte. It is my understanding that the Jaycees of Maine expended 8,000 man-hours in collecting and readying the equipment and supplies for shipment on board the training ship of the Maine Maritime Academy. I am pleased to note that this one Maine Partners project is the largest single effort ever attempted by any of the 38 U.S. States participating in the program. It is highly commendable that so many hundreds and thousands of people throughout the hemisphere are committed to activities such as this in an effort to promote better understanding and cooperation within the Americas.

Gov. Kenneth M. Curtis, of Maine, has been one of the most enthusiastic supporters of the Maine Partners program. The first U.S. Governor to lead a citizens' development team to Latin America and himself a graduate of the Maine Maritime Academy, Governor Curtis was instrumental in arranging this mission of friendship by the SS *State of Maine.* Mr. Alan A. Rubin, the chairman of the Maine Partners of the Alliance, has done a remarkable job in coordinating the collection and loading of supplies for this voyage. Governor Curtis, Mr. Rubin, the Maritime Academy cadets, the Maine Jaycees, and many other Maine citizens deserve the gratitude of all of us who seek to strengthen the bonds of friendship between the people of the Americas.

When I was in Brazil, I was overwhelmed by the enthusiasm which the Partners of the Alliance program has aroused among Brazilians. The good will which has resulted from this program could never have been obtained through military assistance programs, commodity import programs, or many other aspects of our foreign assistance efforts which, however necessary, are not readily understood by most citizens of South America. The Partners of the Alliance program, however, is what international harmony is really all about. The Partners of the Alliance represents the basic concern of citizens of one nation for the well-being of citizens of another nation. I am proud of my Governor and the people of Maine who have responded so enthusiastically and generously to this opportunity to work together with their many friends in Brazil.

The above-mentioned articles follow:

[From the Maine Times, Nov. 8, 1968]

(By Maryline White)

Maine Ship of Hope

When the good ship "State of Maine" slips out into the harbor of Castine on her way to South America in January, every inch of hold-space will be filled with a vast array of products from Maine—all donated by private citizens in the state who feel there are many ways in which to "communicate" with people who live half a world away.

There'll be hospital beds and fertilizer and blackboards and chalk. There'll be hand tools and vitamins and playground equipment. Not to mention a generous quantity of love and understanding and involvement with people on a very personal basis.

The project is known as "Operation Partners-Ship" and is the largest ever attempted by any of the 37 U.S. states taking part in the people-to-people Partners of the Alliance for Progress program. Maine's "sister" state of Rio Grande Do Norte in Northeastern Brazil will be the recipient—and yet, it's anything but a one-way street, Alan A. Rubin, chairman of the Maine Alliance explained to the Maine Times this week.

Coming back aboard the "State of Maine" with its ambassadors of goodwill, the cadets of the Maine Maritime Academy, will be examples of Brazilian art, culture and history. And the South American "neighbors" of State of Mainers plan to include an entire house—one of their own typical models—in exchange for the pre-cut, pre-fab Maine house the Down-East folks are sending to them.

Included in the shipment from Maine to Rio Grande do Norte are small boats and out-board motors. In return, Maine will receive a genuine "Jangada" a Brazilian fishing raft made of balsa logs and tied together with sisal (palm) rope. We're sending a used tractor. They're sending us an ox cart. It goes on and on. . . .

The idea of using a ship laden with supplies and equipment bound for a sister state in the Alliance program was just a dream last year to the Maine Partners, and to Gov.

Kenneth M. Curtis, who was the first U.S. governor to lead a citizens development team to Latin America in August 1967. A graduate of the Maritime Academy himself, Gov. Curtis approached Rear-Admiral Edward Rogers, superintendent of the Academy, who must have said something like "Why not?"—because shortly thereafter the school was making plans to schedule Natal in Rio Grande as its target port for the 1969 annual cadet training cruise.

And shortly after that, members of Maine Partners were mapping out the details for the solicitation of donations, the collection, crating and transporting of those donations to Castine for a departure date of January 1.

"The response has been tremendous", Maine Partners Chairman said, "First the governor helped get the ship for us, Admiral Rogers pledged full support, in addition to the ship and the cadets, and the Maine Jaycees took on the huge task of collecting and crating everything."

And the people of Maine have come forward with contributions in keeping with their professions or businesses or interests. Some have been large donations, other small and all have been welcome. One hospital in the Lewiston area have 65 bedrooms of furniture and an X-ray machine. On the other hand, a small electrical supply dealer in Portland sent in a single box of plugs.

"But that little box of plugs meant just as much to us as the X-Ray machine," Rubin says.

And more donations are needed before every nook and cranny of the ship is filled. Maine Partners are especially looking for used equipment, and discarded or out-of-date—by American standards—donations. But they must be in good, workable condition, Rubin said. The Partners are not seeking the "modern" so much as the "usable". One Maine hospital was hesitant about offering a collection of wooden wheel chairs they had in storage. After Rubin told them that Rio Grande clinics and hospitals didn't have any wheel chairs at all, the hospital packed them off to a Jaycee collection station.

Here is a partial list of items still being sought in order to cram the holds full on the "State of Maine" before she leaves on the two-month cruise to Maine's sister state: two used tractors, 78 RPM record players with 10 and 12-inch records, used ditto or mimeograph machines, small boats, pencil sharpeners, blackboards and chalk, sharp woodworking tools (hand or electric) and a barrel of nails so the cadets can erect the Maine house during their three-day stay in Rio Grande. (The cadets have had an unexpected instruction course in the very unnautical art of housebuilding, courtesy of the Augusta firm which donated the house).

But time is short. Today is November 8. All items must be received by the Jaycees at one of their five collection stations around the state by November 30. This is so there will be time to crate, list and clear through customs every item going aboard the ship before its departure in January.

If Maine Times readers have something they want to donate, call or write now to Mrs. Joan Hutchinson, 63 Mayflower Road, Augusta; phone, 622–5708. She will ask you what it is, where it is and when it can be picked up by the Jaycees. Or if it's money (also needed before the ship's departure from Castine), mail the check or money order to Mrs. Hutchinson. All donations are tax deductible, Rubin said.

We had a thought that one of the most active, energetic groups in the nationwide Alliance program must be mulling over some future plans. Sure enough, they are.

"Next year," Rubin said, "We'd like to send a plane load of high school students to our Partners in Brazil for a month and have the plane return full of Rio Grande high schoolers. Young people in Maine are very eager to become involved too."

Knowing the Maine Partners and Gov. Curtis and all of the other prime-movers and guiding lights of this Alliance effort, it wouldn't surprise us if they had two planes for 1970! And perhaps, tucked under the seats, some band instruments and some schoolbooks and some tape recorders and some "Beatle" hats and some . . .

[From the Bangor (Maine) Daily News, Nov. 15, 1968]

S.S. "State of Maine" Readies for Mission

(By Bob Drew)

Castine.—Sometime within the next 10 days, heavily laden trucks will begin descending upon this quiet coastal community.

Their cargoes of crated goods will be quickly and efficiently whisked into the Number Three Hold of the S.S. State of Maine, training ship of the Maine Maritime Academy.

Ultimately, the Maine, which once cruised the Caribbean as a plush luxury liner, will deliver the goods to Brazil, where they are destined for use in Maine's sister state in the Alliance For Progress program, Rio Grande do Norte.

Fertilizer, lime, seed, tools, hospital equipment, medical supplies, books, school desks and a wide variety of other materials related to the education, medical, agriculture and marine fields are currently being collected across the length of Maine.

The collection effort represents hundreds of hours of volunteer activity by many Maine citizens, spearheaded by the Maine Jaycees, who are working in close cooperation with the Maine Partners in the Alliance for Progress.

There are presently 38 states in this country participating in Partners of the Alliance programs, each with a different area in the world.

But the Maine gesture is the largest single effort ever attempted.

Main Jaycees, working at five major collection points, have already begun the task of crating the material. Arrangements have been made to transport the material to Castine as rapidly as crating can be completed.

Because all reports are not yet in, no one knows exactly how much material has been donated for the program, but Alan A. Rubin of Lewiston, chairman of the Maine Partners of the Alliance, estimates that approximately 125 tons of goods are currently awaiting shipment.

He estimated the value as "approaching $100,000."

Rubin said Thursday that several warehouses were already full, particularly in the Lewiston area, where a tremendous effort has been made. Jaycees there plan to enlist students from the Central Maine Vocational Technical Institute to help with the crating process.

Actually, the collection process is still going on.

One can get an idea of the scope of the program from the items which are being sought.

In the education field, books of all kinds, bookcases, chairs, movable desks, desks, school desks, typewriters, ditto copiers, duplicating equipment, pencil sharpeners, games, sports equipment, playground balls and equipment and other materials are wanted.

Upwards of a thousand school desks already have been donated. Microscopes, and simple chemistry and physics equipment is needed also.

In the agricultural field, hand tools are sought, as well as lime, seed and fertilizer, horsedrawn equipment, woodworking tools such as hammers, saws and levels, and it is hoped a tractor, or two, can be located.

Large amounts of medical supplies are being asked for, and gifts to date include something like 200 hospital beds, an iron lung, x-ray equipment and hospital rooms of furniture.

Other items include crayons, paper, paints, chalk, brushes, cameras, motion picture equipment, fishing nets, hooks, lines, books on marine subjects and small boats and outboard motors.

Perhaps one of the more unique gifts is a 20 by 40-foot prefabricated house. That will be erected in Brazil by cadets of the maritime academy, when the ship unloads there. A special crew of cadets, headed by Dale Glidden of Augusta, a senior at the academy, is to be given specialized training for this phase of the project.

The house is to be used as a headquarters for the Partners project in Natal, Brazil, where the ship will dock.

There's another aspect of the program, too.

All of the lumber and plywood which is to be used to crate goods has been donated by five Maine lumber companies. More than 20,000 board feet will be used and nearly all of the material will be re-used in school construction after the goods are uncrated.

Officials estimate that 10 small schools can be constructed with this lumber.

There's no junk among the items going to Brazil. All of it is either new or in good workable order. There's no time to repair anything. In the case of much of the school and hospital equipment, it has been replaced in Maine by newer styles, but still is serviceable, and will be quickly placed in use in Brazilian areas which simply don't have any.

"We face a terrific crush of time," Rubin said Thursday. Under present plans, the ship at Castine must be loaded by Dec. 1 and that means everything has to be crated, shipped and loaded in less than three weeks.

Although the vessel with its 350 cadets and 35 officers is not scheduled to leave until Jan. 3, and won't actually arrive in Brazil until the third week of February, the loading has to be done in a relatively short time. Academy cadets go on vacation early in December, and upon their return have to utilize their time in making the ship ready for sea.

In reality, not all of the goods will be going via the training vessel. The ship has to cross a sand bar in order to dock at Natal and the 10,000 ton vessel will be restricted on weight.

As it is, the docking time has been scheduled to take advantage of the highest possible tide, and the ship's fuel and water tanks will hold only minimums in order to facilitate its moves.

If the Maine can't carry all of the goods, and some of the hospital equipment won't be available in time, plans are to have another ship pick up the material, possibly a Brazilian Navy ship.

But in the meantime, plans have been made for ceremonies when the academy ship docks.

Maine Gov. Kenneth M. Curtis and a party of state officials will be flying to Brazil about the middle of February and will be taken by motor launch off shore to the State of Maine, and will be aboard the big vessel when it reaches port.

Top Brazilian officials are expected to be on hand also.

If nothing else, it will serve to spotlight the fact hard-working Maine people have gone out of their way to help improve lives and understanding between two different areas of the world.

RAT EXTERMINATION NECESSARY

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mrs. GRIFFITHS. Mr. Speaker, I am sure that the majority of the Members of this Congress will recall the debates and eventual action taken in the 90th Congress with respect to the establishment of rat extermination programs, when we enacted the Partnership for Health Amendments of 1967—Public Law 90-174. Some of us may even recall the prior debate and defeat of the rule which would have permitted debate in the House on the bill H.R. 11000, the Rat Extermination Act of 1967. It is my hope that both the new administration and the 91st Congress will not dismiss such programs as being frivolous but instead will view them with the idea in mind of suggesting new and possibly better ones of greater benefit to our people. In case anyone missed an article entitled, "Colony of Rats Invade Center Strip on Park Avenue," from the New York Times of January 6, 1969, they may be interested to know that rats can be found in the better sections of town.

Mr. Speaker, for the benefit of my colleagues and the general public I would like to insert in the RECORD the text of the article, as follows:

COLONY OF RATS INVADES CENTER STRIP ON PARK AVENUE—100 RODENTS OCCUPY DIVIDER IN ROADWAY BETWEEN 58TH AND 59TH STREETS

A sizable colony of rats has invaded the center strip in the street of an exclusive block on Park Avenue.

The rats, at times numbering in the hundreds, according to witnesses, have drawn early evening crowds of curious spectators to the island that divides the north and south roadways between 58th and 59th Streets. Scores of small tunnel entrances are visible among the leafless bushes and wind-blown trash in the block-long area.

Doormen at the exclusive apartment buildings, which, with expensive clothing stores, line the street there, said the rats had appeared only in the last two or three weeks. Some of the bolder rats, they said, even crossed Park Avenue recently to forage in the sidewalk trash baskets near Delmonico's Hotel, 502 Park Avenue, at 58th Street.

One passer-by said she was among 25 persons who watched "more than 100 rats crawling over each other" in a scramble for some grain tossed on the ground in the center strip.

The woman, Mrs. Sandra Baker, said the incident occurred New Year's Eve. "The rats were right at our feet and didn't flinch or even pause," she said.

"The idea of rats crawling around on children in the ghetto really hits home when you see them on Park Avenue," Mrs. Baker said.

The New Year's Eve incident is not an isolated one, neighborhood residents and workers said yesterday. Telephone complaints prompted the Health Department to dirpatch three men Saturday afternoon to lace the area with a quick-killing rat poison, according to Frederick S. Kent, assistant commissioner for environmental health services.

A tour of the area yesterday uncovered dozens of packets of rat poison laid among the tunnel mouths and small rat paths that wind among the bushes. Two dead rats and a dead pigeon were found there.

"This is not a frequent occurrence," Mr. Kent said. "This large a colony is new to the area."

He said department investigators reported there were indications the rats had established a nesting area there. Many of the rats seen were small and appeared newborn.

CREW TO CHECK POISON

Another crew from the Health Department will inspect the area this morning to check the poison's effectiveness and search for the nesting place.

Mr. Kent said the Penn Central, which operates tracks under Park Avenue, had been asked to search the tunnel in the vicinity for possible nesting sites.

The sudden influx of rats has been a prime topic of conversation in the neighborhood recently. Daniel Guiffre, elevator operator at 405 Park Avenue, said many residents had seen the rats and expressed concern they would tunnel into the nearby apartment buildings.

One large rat, nicknamed Charlie by one doorman, takes a regular walk each night down the sidewalk to forage in a trash basket on the northeast corner of Park Avenue and 58th Street.

The consensus in the neighborhood seemed to be that the rats were attracted by the grain that several elderly neighborhood ladies feed to the pigeons in that block in defiance of signs that say "No Dogs Allowed, No Bird Feeding."

Mr. Kent agreed.

"Apparently this colony has been denied food at its home," he said, "and has moved in here where food is available."

He said this showed the importance of the city's current drive against rats, the theme of which is "Starve a Rat Today."

The $1.5-million joint city and state program began Nov. 21. At the opening ceremonies Health Commissioner Edward O'Rourke said that in addition to the diseases rats could spread, rat control was important because their presence indicated "environmental conditions in which humans should not live."

He also said reported rat bites in the city had dropped from an annual rate of 700 before 1963 to 368 in 1968.

Estimates of the total rat population in the United States start at 90 million.

SHOOTING THE MOON

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. CHAMBERLAIN. Mr. Speaker, today as the Congress meets in joint session to hail the great technical achievement of the flight of Apollo 8, and to extend the Nation's admiration and gratitude to its courageous crew, I am particularly pleased to bring to the attention of my colleagues two editorials from leading newspapers in the Sixth Congressional District of Michigan. One is entitled, "'Shooting the Moon' Really Benefits All," and appeared in the Jackson Citizen Patriot, Jackson, Mich., Wednesday, January 1, 1969; and the other is headlined, "Apollo Opens Door to Universe," reflecting the view of the Owosso Argus Press, Owosso, Mich., Thursday, January 2, 1969.

Both of these themes are particularly well stated and I believe are clearly appropriate additions to the permanent record of today's proceedings.

The editorials follow:

[From the Jackson (Mich.) Citizen Patriot, Jan. 1, 1969]

"SHOOTING THE MOON" REALLY BENEFITS ALL

The fantastic feats performed by the crew of Apollo 8, as well as the ship itself, occupy center stage as the new year dawns, and properly so.

Yet along with the praise from around the world comes the nagging question expressed in various ways: Yes, but—what good does it do, what have we gained from the billions poured into the effort?

Someone recalled that President Eisenhower had decided against pressing for the flight on the grounds the money was more useful in other places, and a few scientists still hold more information can be obtained by un-manned, automated space probes.

These are the questions posed by the pessimist in us, while it is the ever-present optimist that provides the answers.

There is something within all human beings, some invisible force, that keeps man reaching for the unattainable—reaching until he has attained the impossible. All progress, from the caves to the breakthrough into space travel, is the result of that drive to know more, to conquer everything just because it is there.

It is not a wholly American trait, even though we sometimes like to think so, but it does get a freer rein in this country.

There are many who decry that attitude, but decrying it won't still the urge genetically implanted in the human mind. Knowledge is imperfect, thus more effort must be put into perfecting it.

Tremendous benefits are beginning to flow into our daily lives from the space effort, although admittedly they are still relatively a trickle.

For the time being they are evidenced mostly in the fantastic subminiturization of mechanical devices and the studies of radiation. Both have found their way into the medical arts as well as scientific usage.

Perhaps the most dramatic of these bits of progress are the new micro-batteries that can be implanted under the human skin to keep Pacemakers working at regulating heartbeats, and more obviously, the revolutionary effects on communications.

Billions of dollars are being saved annually by farmers because weather satellites are performing on high, telling the when and where of storms. In the future are space observations of crop disease and the causes, as well as water or mineral imbalances in the soil. World-wide crop advice and management is within reach of a globe whose peoples have starvation, undernourishment and well-being spread unequally. Solution of this last problem alone would justify the expense involved.

The Apollo 8 communications opened a whole new era, and already a Japanese manufacturer has perfected a TV tube that allows the construction of a set resembling an oil painting in size and shape. It will hang on the wall like something out of a Buck Rogers or Jules Verne dream.

It is just entering the market, but already available are television sets no larger than World War II portable radios. Kitchen cooking-ware is now made of the same ceramics developed for nose cones. The list is long, and just as impressive throughout its length.

Curiously, the space program's acceleration of man's knowledge follows an historic pattern. Significant advances have come in rushes, so to speak, although as today's advances shrink the world the rushes come closer together than in past centuries when communications were slow.

Scoffers aside, there is good reason to be optimistic that the push for space technology will have the end result of solving a great many of mankind's vexing earth-bound problems as "spinoff" from the central theme.

Progress has been made in such fields as housing (and all of its integral areas such as wiring, plumbing and basic construction), medicine, new fields of employment, and so on.

Thus the conquests of Apollo 8 are not so limited as firing a rocket around the moon and back, but include significant advances for all.

[From the Owosso (Mich.) Argus-Press, Jan. 2, 1969]

APOLLO OPENS DOOR TO UNIVERSE

Ten lunar orbits do not a successful moon landing make, but the brilliant and virtually flawless performance of Apollo 8 and its crew render that accomplishment almost a foregone conclusion in 1969.

Thus it is not too early to begin asking, "Where do we go from here in space—if anywhere?"

With the major development work on the Apollo Project completed, Americans have in their national inventory the production and testing facilities and highly skilled personnel representing an investment of some $30 billion. This investment can either be dismantled, as was the nation's investment in aeronautical know-how in the infant days of aviation after World War I, or new goals beyond Apollo can be set for it.

Undoubtedly, when the final chapter is written in the amazing Apollo story, the nation will be in a mood to divert a great part of its current spending on space to needs much closer to home. But it would be false economy, and a misreading of the real purpose of space exploration, to allow the tremendous capabilities that have been built up to deteriorate.

For the moon is not hanging up there in space just to provide a convenient target for Americans and Russians trying to outdo one another in technological stunts. Its pull on man's imagination is infinitely greater than its actual gravitational strength.

Although from here, and even from the view of a circling astronaut, it appears to be nothing but a forbidding globe of dust and rock, no man can say what its ultimate value may be, if only as an astronomical observatory or as a laboratory whose unique conditions make possible experiments that cannot be performed on earth.

We ought not to make the mistake of Daniel Webster, who vowed never to vote for the spending of a cent of the public money on the exploration of the "useless" American West.

There remains near-earth space, whose manifold uses we have only begun to appreciate and exploit. A permanent manned space laboratory is a logical post-Apollo goal and one which there is good indication the Russians have set their sights on.

Such a station is also a necessary forerunner to intensive exploration, and possible scientific colonization, of the moon. It is simply too costly and wasteful to use gigantic Saturn rockets to send a few men directly to the moon, and unfeasible to supply them this way.

With an earth-orbiting space station, regular shuttle flights to the moon can become a reality. Beyond that, it would be an assembling and stepping-off point for exploration of the nearer planets.

The Apollo project is not yet completed, but it has already opened the door on a vast new realm—nothing less than the entire universe. We cannot allow that door to close again, for to do so would be to fail our own dreams.

CONTRIBUTIONS TO SPACE VENTURE BY THE UNIVERSITY OF ALABAMA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. FLOWERS. Mr. Speaker, the occasion of the presence in this Chamber of Col. Frank Borman, Capt. James Lovell, Jr., and Lt. Col. William Anders and their generosity in sharing the high honors given to them with their coworkers throughout the United States prompts me to recall the significant contributions made to the success of their mission and other space ventures by the University of Alabama. We Alabamians are extremely proud of our great university and its longstanding relationship with the National Aeronautics and Space Administration. We are honored that so many of its professors have made significant and noted contributions to this Nation's space program. Since 1961, the University of Alabama has been involved in 42 separate space projects, which have covered a broad spectrum of scientific inquiry including the Saturn V launch vehicle recently used so successfully by our astronauts. The university's scientists have worked in programs relating to telemetry systems, component design systems, gyroscopic stability systems, and lunar resource studies. At the present time the university is engaged in a project, entitled "Preparation of a Program History for the Saturn V Project," which will assimilate and present in an orderly, usable fashion all of the data relating to the conception, design, testing, construction, and use of the Saturn V launch vehicle. I am informed that this program, when completed, will be one of the basic tools used by space scientists in charting future development and utilization of improved spacecraft booster systems. Mr. Speaker, it is, therefore, with a great deal of pride that I spread on the RECORD the names of the following distinguished members of the University of Alabama's faculty, thus paying tribute to their commitment and to the commitment of the university of Alabama to this Nation's space program:

Dr. O. R. Ainsworth, Prof. Colgan Bryan, Prof. A. E. Carden, Dr. T. E. Falgout, Dr. Marvin Griffin, Dr. H. R. Henry, Dr. J. L. Hill, Prof. Ray Hollub, Dr. E. K. Landis, Dr. R. E. Lueg, Dr. O. P. McFuff.

Dr. J. D. Matheny, Dr. Harold Mott, Prof. D. N. Osteen, Jr., Prof. W. K. Rey, Dr. W. J. Schaetzle, Prof. R. Q. Shotts, Dr. R. S. Simpson, Prof. W. G. Stanton, Dr. W. E. Webb, Dr. C. H. T. Wilkins, Dr. J. H. Youngblood.

FEDERAL SALARY INCREASES

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. MILLER of Ohio. Mr. Speaker, on Monday, January 6, 1969, this body passed H.R. 10, increasing the salary of the President of the United States by 100 percent. The salary to be received by the new President beginning January 20, 1969, will be $200,000 per year.

The matter of Federal spending and salary increases, not only for the President, but for other Federal officeholders, is one of great concern to me personally and to many of my constituents.

During debate on H.R. 10 there were two points brought out in the arguments in favor of the measure. One was that a great amount of the increase would be returned to the Treasury in the form of taxes. The other argument was that recent Presidents have had to dig into their own funds to pay some of the costs of operation of the office. Let us analyze these two arguments.

First was the argument that most of the increase would be returned to the Treasury in the form of income taxes. I quote from comments on page 174 of the CONGRESSIONAL RECORD of January 6, 1969:

> Out of this $100,000 increase, between $65,000 and $70,000 will be turned right back around, to come back to the Treasury as taxes on the President's salary, so we are talking here about $30,000 to $35,000.

The second argument was that the President has had to pay, out of his own pocket, some of the costs of operation of his office. If this is true and can be documented I do not believe a measure which would directly offset such valid expenses as the President may incur would have any great amount of difficulty being passed by the Congress. It is true that costs are higher and if the present expense allowance authorized the President is not sufficient, then it perhaps should be increased.

The point I wish to make is that the President cannot use the increase for expenses of the office and the increase also be returned to the U.S. Treasury. It must be one way or the other.

Both of these arguments, the costs of operation of the office, and the actual net increase in pay, seem to me to be unable to support the psychological effect on the Nation of increasing the President's pay by 100 percent.

Instead, it seems to me that the real reason for such an increase was contained in a statement concerning the variance in salaries. This Presidential pay increase will now allow an increase for other top Government officials, including Members of Congress, without having them too near the President's income on the established salary scale.

In the budget message soon to come from the President some large increases are expected for Federal employees, starting at the top with Cabinet members and continuing through members of the Armed Forces. This increase is expected to cost approximately $3 billion.

In an era when we are talking of restraint and austerity it seems unreasonable that a top executive's pay should be increased 100 percent.

At the close of debate on H.R. 10 the yeas and nays were refused. A motion to reconsider was laid on the table. Two-thirds of those present voted in favor, the rules were suspended, and the bill was passed.

No rollcall vote was taken and, as a result, the RECORD does not indicate those who would have voted against H.R. 10. I would like to state that had the roll been called I would have voted against doubling the salary of the President.

COMMISSIONER OF POLICE PROPOSED FOR THE DISTRICT OF COLUMBIA

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, today I am introducing legislation in behalf of myself, the Honorable JOHN L. MCMILLAN, chairman of the Committee on the District of Columbia; Mr. DOWDY, of Texas; Mr. ABERNETHY, of Mississippi; Mr. HAGAN, of Georgia; Mr. O'KONSKI, of Wisconsin; Mr. WINN, of Kansas; and Mr. FUQUA, of Florida, to create a Commission of Police for the Nation's Capital under direct control of the Congress and consolidate the five major police forces in the District under that Commissioner.

This legislation creates a Commissioner of Police for the Nation's Capital under direct control of the Congress. The Commissioner would assume complete jurisdiction over the Metropolitan Police, the Park Police, the White House Police, the Capitol Police, and the National Zoological Park Police—now under jurisdiction of the Commissioner and City Council; the Secretary of the Interior; the Secretary of the Treasury; the Sergeants at Arms of the House and Senate; and the Secretary of the Smithsonian, in that order.

The bill would also create a nine-man advisory commission, five of whose members would be citizens of the District of Columbia.

The Commissioner would be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, and would be directly responsible to the Congress. He would be charged with the creation of the necessary agency to discharge the duties of his office, and would be similar in character to the Comptroller General or the Public Printer in his role as a servant of the Congress.

Mr. Speaker, this organizational structure is patterned in part on nearly a century and a half of success experienced by a distinguished police force in another world capital. Since Sir Robert Peel created the Metropolitan Police District of London in 1829, the police force known to millions throughout the world as Scotland Yard has functioned under a Commissioner of Police directly responsible to Parliament's office of the Home Secretary, and not to the municipal government of London. Today it is a respected, highly effective organization of 19,000 men.

Great Britain has 148 regular police forces, all of which are controlled by local authority, with the sole exception of Scotland Yard. It also should be noted that, contrary to popular notion, Scotland Yard has no official jurisdiction outside of Greater London. To be sure, its central investigative division cooperates with and assists other police forces throughout the United Kingdom and throughout the world.

I think it is fair to say that Scotland Yard has functioned with a record of efficiency which is the envy of police departments the world over, and those of us who have been in London in recent years can attest to the safety of that city and to the good relations that exist between Londoners and their police.

It is my desire to see created a force such as the Metropolitan Police of London here in the city of Washington, D.C. It is not my desire to create a national police force, or a secret police establishment to grind underfoot the legitimate complaints of the citizens of the District of Columbia and its visitors.

I strongly urge that we reflect a moment on the success of the British and the advantages that are possible to achieve under such a system. There are obvious financial gains to be had. The Metropolitan Police Force will cost the city of Washington $48,033,000 during the next fiscal year. This figure will be higher as time goes on. This is an expense that could constitutionally be borne by the Congress, and a substantial savings to the city could accrue if this legislation is enacted.

I believe the Congress could afford and would approve the necessary funds to staff and equip a department equal to the police needs of the city. It could also afford and I believe would approve funds necessary to bridge the gap between the people of the District of Columbia and the police officer. Such an effort would call for educated, highly talented personnel and coordinated efforts to project the police officer in the role of guardian as well as enforcer of the law, and would have to be prosecuted vigorously. None of these things can be done as effectively under the present system as they could be done under this proposal.

I submit, Mr. Speaker, that the present District of Columbia government, as created by the President's Reorganization Plan No. 3 of 1967, has demonstrated that it is utterly incapable of administering an effective police force, and of maintaining law and order in the Nation's Capital. The District of Columbia Commissioner, the members of the City Council, and the Commissioner of Public Safety, are harrassed and obviously intimidated by the rising chorus of voices from the city's lunatic fringe, voices that bay continuously at the rights of decent citizens and at constitutional authority.

During the past year, under this government, the signs of this intimidation have been numerous. The riots of last April brought destruction, looting, and death to innocent citizens of this Capital. And despite the denials of government officials, the policemen on the streets during this holocaust were given to understand, from some source, that they were to "go easy" on the rioters. And just recently, the District of Columbia police officers have been instructed to ignore obscene and abusive language directed at them, and thus to use even more "restraint" in their efforts to avoid arresting lawbreakers. I point also to the rising success of the Black United Front, an organization of radicals whose membership includes the Vice Chairman of the District of Columbia City Council, and whose goal apparently is to bring about a complete state of anarchy in the District of Columbia. This is the organization whose members scream "police brutality" whenever a white police officer dares to apprehend a Negro lawbreaker, and who unanimously declare that the slaying of a white policeman trying to make such an arrest to be "justifiable homocide." And as these words are spoken, a crackpot proposal by this same Black United Front, that neighborhood control over the city's police precincts be established is actually being dignified by a public hearing before the District of Columbia City Council.

The fact that an irresponsible and dangerous pressure group like this can so influence those who are supposed to rule this city, is incontrovertible evidence that no longer is the District of Columbia government capable of providing adequate police protection for the lives and property of its decent, law-abiding citizens and of the millions of visitors each year.

This is the reason, Mr. Speaker, why the morale of the District of Columbia police officer and his family is at an all-time low. Crime in the Nation's Capital is rising at a rate of 35 percent per year, and it is my contention that the situation will continue to grow worse unless and until the Congress recognizes its responsibility to this Federal city, and enacts this legislation to assure law and order in the Nation's Capital.

It is evident that by coordinating and combining the five local police forces under a single administrative head, a superior service can be created. The forces would remain autonomous in their operations, and their personnel would be protected against transfer without their consent. However, many advantages would certainly result from such an administrative consolidation.

Finally, this legislation offers an opportunity to bring a maximum degree of self-determination for the citizens of the District of Columbia a step nearer. It offers an opportunity to clarify the Federal interest and responsibility in the District. Also, it offers an opportunity to heal one of this city's greatest and most destructive ills. I urge favorable action on this bill.

AVCO EXPERIMENT SUCCESSFUL

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. MORSE. Mr. Speaker, in 1967 a new and exciting program was initiated—the President's test program for job development. Its purpose was to provide jobs and training for disadvantaged persons in order to enable them to become productive, contributing members of their community. The first company to respond to the test program was Avco Economic Systems Corp. which, on December 15, 1967, opened the doors of its new Roxbury printing division in Boston, Mass.

Last month, Mr. Speaker, Mr. John Kelley, president of Avco, issued an "all goal met" first-year progress report on the Roxbury division—the Nation's first business-government partnership venture to provide ghetto job opportunities.

I take this opportunity to call to the attention of my colleagues here in the House the unqualified success of what I hope will be only one among many such instances of cooperation between business and government in providing new and useful opportunities for employment to all our citizens.

Special credit should go to Mr. Robert E. Earle, who piloted the start of operations in Roxbury, and Mr. Robert Ellis, a lifetime resident of Roxbury who was assistant general manager of the program. As it now enters its second year of operations the company realized another important objective by placing the entire Roxbury operation under black management, with Mr. Ellis moving up to division general manager.

Without doubt this venture has demonstrated that business and government can cooperate to establish a completely viable business, staffed and managed by inner city residents in the community itself.

I am convinced that this kind of approach represents one of the most fruitful ways in which we can attack the serious problems of unemployment and underemployment in our Nation's cities. And I want to salute the efforts of Avco Corp., John Kelley, Robert Earle, and Robert Ellis particularly. Their energies deserve congratulations and emulation.

I would like to insert at this point in the RECORD, Mr. Speaker, an article from the Lowell Sun of December 12, 1968, which describes the operation in greater detail:

AVCO EXPERIMENT SUCCESSFUL

BOSTON.—John B. Kelley, president of Avco Economic Systems Corporation, today issued an "all goals met" first year progress report on its Roxbury Printing Division—the nation's first "business-government partnership" venture to provide ghetto job opportunities.

"After one year of operation, the Roxbury Division has met all of its business objectives," said Mr. Kelley. "It is a productive and permanent part of the community. And with the beginning of its second year, we have realized another important objective by placing the operation under black management. Effective today, Mr. Robert Ellis, a lifetime resident of Roxbury with 22 years' experience in the printing trades is promoted to Division General Manager." Mr. Ellis had been assistant general manager under Mr. Robert E. Earle who piloted the start of operations in Roxbury.

At the same time, Kelley announced the promotion of Mr. Earle as Vice President of the Avco Economic Systems Corporation for Printing and Publishing. This new position for Mr. Earle is further evidence of Avco's intent for full development of printing and publication as an Avco business line.

The Roxbury Division opened its doors December 15, 1967 under auspices of the President's Test Program for Job Developments to provide jobs and training for disadvantaged residents of the Roxbury section of Boston. Avco was the first company to respond to the Test Program.

The Division consists of a complete offset printing plant for commercial printing and duplicating services while also providing central printing services for the parent Avco Corporation. On its first anniversary, the Roxbury Division has an annual payroll in excess of $1.1 million and employs 189 persons on three shifts. Of the total employees, 79 per cent are Negro, 14 per cent Puerto Rican and seven per cent white.

In embarking on the program, Avco's objective was to establish a viable business staffed and managed by inner city residents.

"That objective has been met," said Mr. Kelley, "and in meeting this objective, our experience demonstrates that the private sector can make a contribution toward solving some of the nation's critical urban problems."

Mr. Kelley's first-year progress report came at a time when President-elect Richard Nixon is advocating increased involvement by the American business and industrial community in socio-economic programs.

Started in leased facilities at 716 Columbus Ave., Boston, the Roxbury Division will occupy a permanent new 60,000 square foot building at 188 Geneva Avenue, Dorchester, in early January 1969. Avco fostered the creation of a consortium of eight black contractors, incorporated as the United Contractors of Roxbury, to build its new $1 million permanent Roxbury Division plant.

During its initial operations, much of the activity of the Roxbury Division centered on recruiting production and supervisory employees from the inner city. This was follow by conducting special training programs in all phases of offset printing. Training programs will be continued. Key elements of the Roxbury program include:

Trainees start as full time employees at $2 hourly.

Successful job performance advances them to a minimum of $5200 after one year of service.

Remedial education, legal, job and personal counseling are provided for employees.

Low-cost day care facilities will be provided for working mothers at the new plant.

During the first year of operation, Avco invested nearly $2.4 million in plant, equipment and managerial resources for the new Roxbury Division. Under the "business-government partnership" concept, the federal government contributed $1.1 million toward start up costs of training inner city residents hired by the division.

The Avco Economic Systems Corporation, which operates the Roxbury Division, engages in a variety of other socio-economic programs. Headquartered in Washington, D.C., it is a wholly owned subsidiary of Avco Corporation, a diversified company with extensive operations in insurance, financial services, the nation's space and defense programs, broadcasting, motion picture production and distribution, farm equipment, gas turbine and reciprocating aircraft engines and other manufacturing.

EXPERIMENT IN BIGOTRY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ROSENTHAL. Mr. Speaker, the Highlander, student publication of the Herricks Senior High School in New Hyde Park, N.Y., recently published a fascinating account of an experiment in bigotry. A student in unconventional dress spent a day in two well-known parts of New York City. His reception and his analysis of the reaction of his viewers is the lesson in shortsightedness which author David Ostreicher learned that day.

I hope Herricks High School and its sister schools throughout our country can teach as effectively as this student's lesson in self-education:

BIGOTRY: PROBLEM AT HAND

(By David Ostreicher)

It was a Friday. I wore plaid pants, a blue turtleneck shirt, a double-breasted green blazer, and a sleek, black walking stick with a silver knob. It was the kind of cane that is used for dress, not for support. The purpose was to go to the second largest city in the world and note the reactions that my odd, but not offensive, attire caused. It should be noted that only my dress was different. My behavior and actions remained unchanged.

I covered two unique areas during my "experiment": Times Square, and the well known Greenwich Village. My reception at each of these regions was equally unique.

In the Village I wasn't outstanding to any extent. I was treated no differently than anyone else except for a few stares and whispers. One black hippie even commented on how "psychedelic" I looked.

The reception I received at Times Square, on the other hand, was not quite as complimentary. One middle aged man told me I was a young, spoiled kid, out of place, and impudent. I was hissed, heckled, and laughed at on many different occasions by people of various age, sex, and race. I was repeatedly mocked, and called "Bat Masterson" or addressed as "Hey there, Bat."

One young man, upon seeing me, asked in a derogatory fashion if I were Bat Masterson. After I politely replied that I was not he invited me to engage in a fight. When I told him that I had no reason to fight, he informed me that I was a fairy. During the course of the day I was also told that I was a homosexual, a queer, and a crazy nut.

The problem I have discussed is far from humorous. I was insulted and sneered at by intelligent people simply because I was dressed out of the norm.

Bigotry is defined as only looking at one view. The people I came across saw me as different, and therefore inferior. This is bigotry in its purest and simplest form.

War and hatred stem from bigotry and bigotry sprouts from the incapability of a person to tolerate habits, customs, and ideas of people who are unlike himself.

Perhaps this true episode I have discussed partially sums up one of the problems in America today. The difference is that next Friday, when I go into the city again, I can leave my sleek, black walking stick with the silver knob at home.

MINNESOTA MENNONITES CAN BEEF FOR NEEDY

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. NELSEN. Mr. Speaker, a recent article in the Mountain Lake, Minn., Observer, supplied to me by Mrs. A. A. Janzen, Route 2, Mountain Lake, Minn., reports on the outstanding food relief project of the Mennonite Central Committee in Minnesota. I request its inclusion in the RECORD with the hope that it may serve to stimulate others to greater effort on behalf of the needy of the world.

Nearly 13,000 pounds of choice beef, representing 84 quarters, were canned for relief purposes by the Monnonites. Recipients of the meat will be needy people in the far reaches of the world.

The project, conducted by the Mennonite Central Committee, sponsored by area churches, has been an annual affair and it is hard to estimate how many thousands of pounds of beef have been canned by the portable canner.

Hundreds of workers from the ten area Mennonite churches worked for two days, vicerating the beef quarters, grinding it and processing it through the portable canner operated by the MCC.

All the meat is inspected by the United States Department of Agriculture, before, during the process and after completion before the canned product is shipped to Newton, Kans., and eventually to impoverished people of the world.

Members of the area churches donate both time and money toward the project. Money received through donations help finance the purchase of the meat bought from Caldwell Packing company in Windom. All the labor is donated and the operators of the portable canner are young men working under the MCC.

In charge of the canner this year were Dennis Noe of Illinois and Gary Reimer of Meade, Kans. Local chairman of the project was D. M. Ewert, assisted by Jacob G. Rahn. Secretary-treasurer of the executive committee was Leonard Dick.

The two operators made their home with Mr. and Mrs. P. C. Harder while in Mt. Lake.

Area churches working with the project include First Mennonite, Bethel Mennonite, Gospel Mennonite, Mennonite Brethren, Evangelical Mennonite Brethren of Mt. Lake; First Mennonite and the Mennonite church North of Butterfield, Immanuel Mennonite and the Carson Mennonite Brethren churches of Delft, the Mennonite church of Alpha and a group of Mennonites from Grove City, Minn.

Meals were served at the Gospel Mennonite and Bethel Mennonite churches.

THE EXAMPLE OF OUR ASTRONAUTS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, today we honor three outstanding young men of our Nation, Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders. These three dedicated and outstanding men have followed in the footsteps of other great Americans dating back to the early flights of Orville and Wilbur Wright who, at the beginning of this century, began a tradition of American excellence in manned flight.

Astronauts Borman, Lovell, and Anders represent the best attributes of our Nation. They represent the over 400,000 people who have contributed directly to our national space program and particularly to the Apollo program dedicated to landing and returning safely from the moon in this decade. They set a lasting example for the youth of our Nation to seek to achieve no matter in what field they may choose to work. They have as an example these men whose dedication to training and discipline of mind and body have allowed them to progress beyond where no man has been able to go before. But this is not only a personal achievement of the astronauts, it is also an achievement of the technicians, scientists, engineers, and managers who have devoted the past 8 years to the goal of a lunar landing in this decade. These men are the personification of the investment that we have made in the future. This is an investment that we have made right here on earth so that we may better understand ourselves and the world that we live in. These are the men who call for us to expand our horizons, accept the challenges of the world and work to achieve a better future for all mankind.

Our National Space and Aeronautics Act of 1958 outlined eight major goals for our national space effort. It called for the expansion of human knowledge of phenomena in the atmosphere and space. The achievements of Astronauts Borman, Lovell, and Anders, and the astronauts who preceded them, have surely contributed to this goal. One has only to view the many photographs of the lunar surface and the earth to recognize the potential for the future and the achievement of the day.

The Space Act also called for the improvement of the usefulness, performance, speed, safety, and efficiency of aeronautical and space vehicles. Surely the 10 orbits of the moon have brought us a long way from our first struggling steps in space and have contributed directly to this goal.

The development and operation of vehicles capable of carrying instruments, equipment, supplies, and living organisms into space was among that same set of goals. We have gone far beyond simply sending living organisms into space. Our astronauts, whom we honor today, demonstrated that man has a serious and significant role in the operation of these vehicles as well as their development.

This same Space Act in 1958 called for the establishment of long-range studies of the potential benefits to be gained and the problems involved in the utilization of the aeronautical and space activities for peaceful and scientific purposes. Our astronauts have continued to demonstrate the openness and peaceful intent of our national space effort and serve as an example of what may be done by these astronauts to further science in this new environment.

In 1958 the National Aeronautics and Space Act called for the preservation of the role of the United States as a leader in aeronautical and space science and technology and in the application thereof to the conduct of peaceful activities within and outside the atmosphere. The Apollo program has pursued this course with dedication. Yet we find that in this moment of great achievement we are in danger of losing this leadership. It is to be hoped that the example of the men whom we honor today will spur us to rededicate ourselves to leadership in space.

As part of the obligation of the Space Act of 1958, NASA was called upon to make available to the agencies directly concerned with national defense discoveries that have military value or significance, and to civilian agencies established to direct and control nonmilitary and space activities information as to discoveries which have value or significance to that agency. NASA has gone far beyond this. The technology which allowed Astronauts Borman, Lovell, and Anders to orbit the moon and return safely to earth has found many and diverse applications in our industry. Many of the contributions of our national space effort will, over the next few years, find their way into the daily lives of the American people. Again our astronauts represent not only the achievement of the day, but the potential for the future.

Our Space Act of 1958 also called for the cooperation by the United States with other nations and groups of nations in peaceful application of the results. The successful Apollo 8 mission was truly an international effort. People from around the world participated in the successful flight. The people of the world rode with Astronauts Borman, Lovell, and Anders throughout this complex undertaking. One can only hope that this and other international programs of NASA will grow and provide the basis of better understanding between nations in the future.

Finally, the National Space Act of 1958 called for the most effective utilization of scientific and engineering resources of the United States with close cooperation among all agencies of the United States in order to avoid any unnecessary duplication of effort, facilities, and equipment.

The Apollo program and the most recent flight of Apollo 8 continue to show that the United States can successfully undertake large, complex technological programs with continuing benefit to our country and to the world. As the Nation reaches the peak period of activity in the Apollo program, it is important that we conserve these scientific and engineering resources of our country and continue to utilize them effectively for the future benefit of our country and the world. As Astronauts Borman, Lovell, and Anders set an outstanding example for all of us in the flight of Apollo 8 we should all be reminded that the support and utilization of these resources are a must if we are to continue to be successful as a technologically progressive nation.

Surely we honor these outstanding men today in recognition that they represent not only the NASA industry team, but the entire Nation in their quest of excellence as a people.

CZECHOSLOVAKIA AND NATO

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. FINDLEY. Mr. Speaker, the Daily Telegraph in London on November 18 published a perceptive editorial concerning the impact of the Czechoslovakian invasion and occupation on NATO. It also deals realistically with the question of nuclear weapons and such guarantees to Western Europe. Here is the text:

NATO's Late Awakening

Tremble, ruthless aggressors in the Kremlin, with your vast conventional superiority, your obedient masses of brain-washed cannon fodder, your nuclear parity, your servile satellites and your strategic central position. Heterogeneous, under-manned, undertrained, pinch-penny and now, it seems, half-awake NATO, after years of neglect and facile optimism, has at last given you a stern and long-overdue warning. If you touch Jugoslavia, Austria, or perhaps Rumania, or even Albania, then by golly that would—er, well, "create an international crisis with grave consequences."

Better late than never. This might mean that from now on the Russians will not be allowed to practise aggression with one hand and *détente* with the other. But public opinion in the NATO countries should know, as it is to be hoped that the culpable NATO Governments know, and as both the Russians and the countries they are threatening certainly know, that NATO is powerless to give any effective aid. It is an illusion to think that NATO's great but dwindling air and naval superiority in the Mediterranean might somehow be brought to bear. Russia's strength on land, and in land-based aircraft, would be overwhelming at the crucial points. Furthermore, along the whole line of confrontation with NATO, from Norway to Turkey, Russian conventional preponderance is so great that she could in retaliation smash through to the West's vitals in a few days in many places simultaneously.

Would America then risk nuclear war, in which she and the West would be devastated as much as Russia, for Yugoslavia and the others? Would the various European members of NATO wish her to do so? The answer is clearly, no. It is, in fact, no more than a possibility that America would use nuclear weapons in retaliation for a clear-cut aggression against Berlin or West Germany.

So, after we all went through, we are back again where we were in the spring of 1939, only worse. Then our guarantee to Poland was credible, and she accepted it. Now we would not embarrass Yugoslavia and the others by offering them a meaningless alliance. Then, by dint of blood, sweat, toil and tears we were able to hold out until the strength of the free world could victoriously be brought to bear. Now, if there were war, it would probably all be over in a few days. So what is to be done? Bring NATO forces up to maximum efficiency within the severe limits of their inadequate size; make all possible provision for emergency home defence forces (instead of disbanding them as the British Government has done) so as to leave the soldiers free for military duties; and rearm while America's nuclear umbrella deters the Russians from interfering with the process.

THE OTHER FACE OF CONSERVATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the CONGRESSIONAL RECORD an extraordinary statement on conservation by Mr. Wendell Bever, the able and articulate director of the Oklahoma Department of Wildlife Conservation, who shortly will be taking office as a regional director for the National Wildlife Federation, which was recently published in the November issue of Outdoor Oklahoma.

This excellent article points out some of the problems in conservation of our natural resources now afflicting this land and urges some intelligent remedies therefor. The article follows:

THE OTHER FACE OF CONSERVATION

(By Wendell Bever)

I am an angry man! I've had 25 years to build a full head of steam. I detest the word "compromise" with a passion. We've used the word as a vehicle to sell wildlife down the river.

Tell me, how do we compromise pure water, clean air and wild creatures?

I am impatient! Impatient with conservation lip service, impatient with the attitude, "Let's wait till next year," and impatient with laws that provide the authority but no teeth or funds.

I am irritated. Irritated with just plain people who stand to gain or lose the most.

We got a problem, friend. Take a long, hard look!

Oklahoma is losing 100,000-plus bobwhite quail each year and South Dakota is trying desperately to shore up a sagging pheasant population. In Saskatchewan and the north-central states, the ability of the prairie marshes to produce ducks decreases about 80,000 birds each year.

In Wyoming and Montana, antelope show a precarious trend and may be living on borrowed time. South Dakota's pheasant population once numbered a whopping thirteen million birds and today, about three million.

Pesticides, herbicides, bulldozers, plowshares, drainage ditches, reservoirs and even such things as woven wire fences are playing havoc upon our wild environments.

Some of the best saltwater ecologists in the country tell us the Mississippi River drains the chemically polluted waters of thousands of tributaries into the gulf. Here many of the more stable chemical compounds threaten to break the basic food chain necessary to maintain the gulf as one of the world's great natural fish traps.

Some say it's already beginning to happen. North America's largest cesspool, Lake Erie, is well known to all of us. Why not the gulf?

Most of us are acutely aware of the dangers of a poison when consumed by living creatures, but how many of us have ever stopped to consider the even greater threat—the changing of whole environments. A poisoned critter can get well but destroy his home and nothing will save him—except a zoo!

We farm the land clean. We no longer tolerate the sunflower, the thistle or pigeon grass. With clean farming we create a new environment of hundreds of thousands of acres of single kinds of crops—perhaps wheat, corn, soybean or cotton. We create an ideal situation for that particular insect that specializes on certain types of crops.

Because the threat of damage is increased so profoundly we flood our fields with chemical sprays—sometimes once, sometimes eight to ten times a year. We keep the detrimental insect problem in hand, but along with him we destroy the beneficial insects also.

The young of bobwhite quail, or pheasants, or grouse, simply cannot survive without the supercharged protein foods that insects alone can provide. Thus, even though we find only minute traces of an insecticide in the young bobwhite, he may ultimately die.

Insecticides and herbicides accomplish two things—they eliminate insect life at a critical time of year and they transform a habitat made up of many parts into a habitat made up of a single part.

Wildlife cannot survive in a single-purpose environment anymore than it can survive in your living room.

In Wyoming and other western states, chemical sprays are being used to convert hundreds of thousands of acres of sagebrush to prairie grasses—the death knell for antelope, sage grouse and even the mule deer.

In the Rocky Mountains a subtle change is in the making. From New Mexico to Canada, mule deer and elk are being subjected to the old squeeze play. In one mountain range after another, populations are beginning to level off, and some ecologists are disturbed by the marked decline in ability of some former great game ranges to carry even a static population.

In the Rocky Mountains we plant productive old burns to pine, skipping the natural brushlands which normally follow. And we wind up with sawdust and 2 by 4's—but no game. Oklahoma annually plants 200,000 acres of native rangelands to bermuda grass—the perfect formula for eliminating about 100,000 bobs each year.

Even the wily trout has a problem. In the Black Hills of Wyoming and South Dakota, 2,000 miles of trout stream has declined to less than 200. And in other states, dwindling stream flows give evidence of future problems.

As long as we raise more people, we work the lands harder—always trying to close the food gap—and we never will. In the meantime, Mister Bobwhite and his wild companions dwindle and dwindle until one day it's, "Do you remember the good old days when . . .?"

Mister Sportsman, we are in trouble.

Do you know the culprit? The problem rides under the guise of "good conservation," the dollar sign and a booming population of people.

Don't hit the panic button! Not yet.

Don't pressure your game department to restrict hunting and fishing seasons. This doesn't help. It actually compounds the problem by creating an illusion that by saving wildlife we've found the solution. This kind of misconception just clouds the issue.

Look at the facts!

All of those wild birds, animals and fish are declining because of free use of pesticides, environmental pollution, clean farming, drainage and going hog-wild on the manipulation of water. Even such things as forest management and the control of fire have in many instances created more wildlife problems than they help to solve.

Have we got problems? You can't imagine.

Hunters take a harvestable surplus which has almost no effect, other than beneficial, upon wildlife. It is true that some big game seasons are designed to reduce populations and this is necessary.

But, remember, most range and forest management plans are designed to grow trees and grass—not wildlife. A hundred animals or a hundred fish, there is still a surplus to be harvested. Sportsmen should stop fighting ghosts and learn who the real enemies are.

Study the Prairie State of South Dakota. Look at a good example of the problem.

Just a few years ago this state carried 300 pheasants per square mile within the better range. The population skid started in the 1940's and plunged to a low of about two million birds by 1966—the lowest level in 30 years. The decline was classed as a public disaster.

What happened?

Upheaval in the game department. Accusations and counter-accusations. Irate citizens, irate legislators. You name it, everything that could happen did happen.

You can't drop from thirteen million birds to two million without blaming somebody, even if it's the wrong man or animal. It just 'ain't' done in our great society. But who to blame?

Since the game department was the handiest, they were raked over the coals just on general principles. Because the little red fox eats a pheasant once in a while, he got a good going over too. And, of course, the old standard—the cotton-picking hunting seasons were just too liberal.

Finally, after a long drawnout hassle, we came to the real culprit. And a feeble voice of the minority out of hundreds of thousands of sportsmen, tourist promoters and landowners suggested that, perhaps, clean farming with its multitude of chemical sprays just "might" be the problem.

Might be? Hell, it was the problem! It always has been! There are enough data and facts floating around to sink a battleship!

As Director of a game department, it isn't easy to keep my composure when confronted with people who contaminate or change the environment with one hand and yell bloody murder about limits being too liberal or seasons too long on the other.

It's time we recognized that, all over the United States, with all kinds of wildlife, the clean, antiseptic, manicured and single-purpose environments—all under the guise of good wildlife conservation—is destroying wildlife conservation—is destroying wildlife ten times more efficiently than rifles or shotguns ever did.

In the US we spent 20 years poisoning every prairie dog in sight. Then we scratched our collective heads wondering what happened to the Black-Footed ferret—a beautiful, lithe little animal that depends almost wholly on the prairie dog as its basic food source.

Can you live without food?

Throughout much of Texas and north through the Dakotas to the Canadian line, programs are being designed by federal, as well as private interests, to change a varied habitat of shrubs, trees, forbs and grasses to pure waving stands of introduced and domestic grasses. It's a beautiful sight to a whiteface cow but the death knell for antelope, deer and sage grouse.

Further west, in our Rocky Mountains, old forest fire burns with their unsightly dead snags, nothing but grasses, chokecherry, kinnikinnick and aspen glades offend the eyes of forest managers.

So, what do we do?

We bulldoze the dead trees littering the ground into neat windrows and we plant evergreens to speed up nature's processes. At the end of a few years a beautiful stand of pine develops—the chokecherry and aspen can no longer compete and they fade out of the picture.

From game range to pulpwood in a decade. Was it a good trade?

It's a simple function of economics. It's a sight easier to place a price on a board foot of pine than a cubic foot of water or a ruffed grouse.

We no longer manage "wild" forests, we farm them. In time, perhaps, we may even farm game birds and animals. Perhaps the word "wildlife" will have little meaning in that future decade.

It's a well-documented fact that modern and scientific wildlife management, paid for by the hunters, has restored more wildlife than has ever been lost, but only in those areas where the habitat is suitable. Unfortunately, we are losing habitat a whale of a lot faster than we can adjust or find solutions.

Wildlife has always needed crusaders—people willing to stand up and be counted. It's so easy to say "a little bit of pollution or habitat destruction won't hurt." But remember, tens of thousands of "little bits" can add up to a catastrophe.

Few people realize the tremendous effect upon the environment that man is intentionally causing. We no longer manage timber stands in our national forests. We literally farm them with tremendously efficient and sophisticated tools that can treat thousands of acres in a day. The true wild environment is fast disappearing and I dread to see its going.

The United States contains some two-thirds billion acres of public lands for the recreational use of its citizens. I've got a saddle horse and a pack mare and each year I see a little bit of these 770 million acres. A couple of years ago it was the Gila Wilderness area in southern New Mexico, and last year the Popo Agie River in the Wind River Range. And each year I find the land a little less wild.

Only in the most distant muskeg or lonely mountain ranges of northern Canada do we find the stillness and loveliness of the true untrammeled wilderness. The wild country is a symbol of man's earliest ancestry when he stepped from the pages of the past. What sportsman really wants to let go of this heritage?

We face a problem, friend. We can't afford to argue economic values and exchange a bobwhite with an acre of bermuda grass. We simply cannot continue to compromise wildlife—again and again.

The list of species in trouble grows annually and the problem compounds itself. Is it because wildlife is not worth saving? If we accept the idea that we can't favorably equate a bobwhite with a pound of beef or a pheasant with a bushel of corn, then perhaps we are lost.

The cure concerns a universal problem. It is not local but national in scope. It is deeply involved with a sky-rocketing human population, abroad as well as at home. As the world of people grows, the more we try to feed them and this means more intensive land-use at home.

If we are successful in keeping more people alive, then we must place greater and greater demands upon our basic resources to feed more people in the future. And this means less wildlife. We are fitting people into cities like sardines in a can and the general agreement is that 'expansionism' is good for us.

Is it?

Are we really interested in 'quality' existence? Are we on a run-away course of more and more people crammed into compartmentalized colonies within artificial playgrounds?

Is wildlife becoming old-fashioned?

I don't know the answers but I do know this. All state game departments have competent people that know the problem and some of the answers. Give them your support. Don't be afraid to speak out. Honor yourself as an individual and give your identity a chance to be recognized.

You don't have to be a hunter or a fisherman. If you thrill to the song of a bird, exult in the beauty of the high and wild country or walk with God in the fields and forests, it's your battle too.

If wildlife means anything to you, get off your fanny. Join a state and national conservation organization. Work with your legislature and congressmen. Ask your Department what you can do to help.

And work at it. Make it your crusade.

Don't be a spectator! Get down on the field and join the team.

JIM FARLEY COMMENTS ON THE JOB FACING THE NEW ADMINISTRATION

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. DELANEY. Mr. Speaker, the Honorable James A. Farley, chairman of the board of the Coca-Cola Export Corp., and honored former national chairman of the Democratic Party, recently delivered another of his interesting and cogent addresses, which I would like to share with my colleagues.

Speaking before the Grocery Manufacturers of America, he recalled his early years in the administration of President Franklin D. Roosevelt, and made a number of pertinent and incisive comments relative to this historic experience and the job that faces the new administration.

So that all Members might have an opportunity to read Mr. Farley's address, I am inserting it in today's Record, as follows:

Address by Hon. James A. Farley, Chairman of the Board, Coca-Cola Export Corp., Annual Meeting of the Grocery Manufacturers of America, Inc., New York City, November 12, 1968

The election of 1968 is over and the Republicans will take over on January 20th next. The voters preferred to elect former Vice President Nixon rather than Vice President Humphrey or former Governor Wallace.

I have been out of the center of things for a long while now; but I can well imagine what is going through the minds of the winners as they begin to think about the tasks that are ahead of them. I think the rest of us better give some thought to it, too. We better remember that we have a big stake in what is going on. The new administration comes under very big handicaps and it better make good, because if it does not make good there are grim times ahead.

I suppose that many of you were for Mr. Nixon right along. And, what I am saying applies to you, just as much as it applies to those who preferred Vice President Humphrey or Governor Wallace. You do not have to be a professional politician to see from the election returns—and particularly the lineup in Congress—that the new administration is likely to have its hands full. I hope there will be ample talent in it—it will need it to pull this country together. The leadership which goes with it requires new ideas. They are not necessarily all going to be the things you or I might advocate, but we better hold our fire. And, more than that we better lend our support even though things are not exactly what we expected. We must give them a chance to try out their proposals for the solution of the problems facing the country in the days ahead.

I can talk from experience on this point. Most of you were probably still in grade school—or maybe not even that—when President Roosevelt organized his first administration. They were grim times. I had my differences with Mr. Roosevelt later and I left him because I felt he was violating some pretty fundamental principles. But in 1933, when the very future of the country was at stake he came in and he put together a program which got us over the hump. There were things done then which businessmen and bankers never forgave. But even though these things were not pleasant they saved business; and they provided other benefits which the country is still profiting from. These things happened because the President is often in a better position than any individual with a narrower point of view—even a businessman—to understand what is needed. President Franklin D. Roosevelt went after the necessary reforms and he got them approved.

When President Roosevelt entered the White House there were millions of unemployed and he was faced with a bank crisis. People were openly wondering whether capitalism could recover from the slump we were in. Beyond anything else, Mr. Roosevelt brought courage and daring to the office. The whole nation took heart after he went on radio to discuss the banking problem. I still think it was one of the greatest utterances of any American President. In the next 100 days he put on a tremendous display of daring, proposing one farsighted reform after another. Few, if any, can dispute the value of such organizations as the Securities and Exchange Commission, the Federal Deposit Insurance Corporation, the Homeowners Loan Corporation, the Civilian Conservation Corps and the Public Works Administration.

Now, I am not being consulted in the organization of the new administration. I am sure they will have their own way of doing things. I can only hope that the program and the people are suited to the needs of the times. When the New Deal came to power our gross national product was only about $55,600,000,000, compared with almost $800 billion now. The federal budget was $4,622,885,000, compared with over $186 billion this year. Total federal civilian employment was 603,000. Now civilian employment is about 2,700,000 and there are more employees in the post office than there were on the entire federal payroll of 1933.

In a sense the new administration is better off than we were in 1933. People are working, eating and living as they never were able to do in the past. So the crisis is less immediate. The times may not call for the dramatic display of leadership that President Roosevelt put on in this first 100 days. Nevertheless the public certainly will be looking for assurances that the new administration knows where it is heading. I assume they have some ideas about law and order which I hope will be effective. Also, I hope there will not be any halt in our effort to make sure this is a land of opportunity for everyone regardless of race, creed or color.

I think it goes without saying that we businessmen face a special challenge. If we have learned anything about our domestic problems it is that they are too big even for government—big as government is. If these domestic problems are not solved then I think it is not going to be a very pretty situation. Yet they are not going to be solved unless all of us—particularly the businessmen—make it our personal responsibility to get into it.

It is not enough to complain about government's failures. Nor is it enough to be indignant about rioting and violence. We are confronted with certain realities. No economic system has ever provided as much for so large a percentage of the people. But there are still several million in this country who feel left out and frustrated. They see affluence all around them, and they want "in". They want "in" for themselves and their children. And, they are going to get their share one way or another. I think it is healthful that they are sufficiently aware to want a piece of the action. Now it is up to us to see that their efforts are channeled in directions which will be fruitful for them—and for the country.

One thing which was not discussed very much during the recent campaign—which should have been discussed—was the tremendous response which has been developing in the business community to these challenges. Fair employment practices are rapidly becoming standard practices in American business. Anyone who goes into a store or factory and looks at the faces can see for himself. Anyone who attends business meetings these days will find that the most responsible executives in American business are concerning themselves with jobs for hard core unemployed, homes for the slum dwellers, and the need to open our colleges and universities to the ambitious young people who seek to escape the ghetto. Your program today illustrates this interest on the part of business.

I am finding, too, a refreshing social awareness among today's business leaders toward consumer protection and consumer education. In recent years government has passed a lot of laws on these issues, and promised a lot. But we all know that the quick, sensible way is for business to find out what the problem is and see what can be done. I am glad to see we are doing more of this, and I trust we will make things easier for the new administration by keeping up the good work. Surely this is one problem government should not have to spend a lot of time worrying about. The many thousands like us in the business community must sincerely work toward that end.

I have talked much longer than I expected. I have tried to say something that I hope we all feel strongly. The hopes and security of all of us ride with the new administration. Unlike President Franklin D. Roosevelt, who came to power with an overwhelming popular mandate and strong majorities in Congress, this administration is the product of a three-cornered election and it has no real prospect of dominating the Congress.

At best, it will not be easy to devise a program suited to the mood of the country and to sell it to the new Congress.

I hope and I trust that we will come through as this country always has come through, and we must all do our part.

REFORMS NEEDED IN AUTO WARRANTIES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. VANIK. Mr. Speaker, this morning it was my privilege to testify before the Federal Trade Commission on automobile warranties. My statement immediately followed that of Miss Betty Furness, who dealt with the problem of warranty complaints and dealer compensation for repairs. Senator GAYLORD NELSON provided a detailed discussion on the failure of tire warranties.

Following is the statement which I made before the Commission:

STATEMENT OF HON. CHARLES A. VANIK, 22D DISTRICT OF OHIO, ON REFORMS IN AUTOMOBILE WARRANTIES, JANUARY 9, 1969

Mr. Chairman, first of all, I want to commend your Commission for directing a staff study of automobile warranties.

Your staff study sets forth the gravity and the extent of the warranty problem resulting primarily from quality control in the factory and in the repair garage.

Quality control is not only a problem with automobiles, it is a problem which critically affects almost everything a consumer buys and needs. And yet, quality is the only effective way in which American goods can compete with foreign competition.

Other places in the world, with lower labor costs, with lower management expense, with subsidized export rules, with lower taxes, can overtake us in the market place. Our only effective method of competition is excellence in production through quality control.

In passing, I must say that our nation has suffered an incredible erosion in the quality of almost all things. While we speak of the automobile today, what we say extends to many other items of purchase and daily need. It is my hope that your Commission will extensively pursue these matters of consumer interest.

My interest in automobile warranty began with my own experience. In 1967, I was so frustrated with the warranty program and the service which I was receiving that I felt compelled to tell my Colleagues in the House of Representatives about it—to warn them of what might happen to them. On October 16, 1967, I said:

"I am going to keep my 1965 model a little while longer. After I purchased it, it took almost the full 2-year period of the guarantee to get it completed. Automobile manufacturers are using the warranty program as a 'do-it-yourself' car completion device. During the warranty program, the owner is given the opportunity to complete his own car and get essential things done—such as attaching the steering wheel, rewiring the horn, and getting the brakes hooked up.

"Getting an automobile completed is no easy job. It is almost a career."

I estimated that in cab fare, loss of the use of my car, and sheer frustration, the cost of completing my car on the "do-it-yourself" plan was at least $385.75.

When my statement was publicized, I was amazed at the outpouring of mail which my office received. It is clear to me that warranty problems are a major complaint of hundreds of thousands of Americans.

I would like to turn over to the Commission some of the more detailed and anguished letters which I have received since making that speech.

I would also like to read into the record at this time just a few of the comments contained in these letters:

(1) After making seven trips to the dealer to repair five major problems, one couple wrote: "We feel that if we ever complete this (car), we will never again be foolish enough to buy another new car."

(2) "The dealer had the car in his possession in the first two-year period—485½ hours," wrote one man.

(3) A man who bought a new car noted that "within the 18-month period I had it, I took it back a total of 35 times for repairs."

(4) "I wrote the (manufacturer) and complained about the warranty service I was getting from the dealer. I was referred right back to the dealer."

(5) One couple stated: "Warranty is merely a license for a stalemate to develop between you and the dealer. I have resolved never to buy a new car made in this country, but will try a foreign made import for my next car."

(6) Said one man, "My (car) is now 6 months old, and has spent 4½ months at the dealers."

(7) Finally, in a letter received from a Cleveland Heights constituent just last month, a man was able to keep his sense of humor, despite a long chronicle of repair problems: "Yes, it is exciting to be alive—you just don't know what's going to happen next to the car you own."

Obviously, warranty difficulties are a major consumer concern.

Although your records indicate that 11 per cent of turnpike accidents in 1966 resulted from defects in tires and vehicles, I am firmly of the opinion that a greater number of casualties resulting from defects are buried and do not appear in the statistics. After a fatal accident, the deceased usually undergoes an autopsy, while the crushed automobiles with their evidence of possible defects are usually hauled to the scrap heap.

As a former judge dealing with these matters, I found it almost impossible to obtain an authoritative, impartial investigation of vehicle defect as an accident factor. Perhaps some impartial agency should be established to render this kind of service.

The automobile warranty should never be used as a substitute for quality control. The automobile industry should not be permitted to cut back on the cost of quality control in order to finance the cost of warranty.

Quality control should be established at the factory and not at the dealership. The factory should provide final inspection of the vehicle.

The problems of servicing the warranty stem from many sources. Adequate compensation to the dealer is undoubtedly a factor. However, a more serious problem develops from the incapacity of dealer outlets to serve warranty needs in a decent and satisfactory manner. The warranty contract works only for the persevering car owner who gets to the dealer before 8:05 in the morning—by 8:10 in the morning the shop is filled for the day and warranty is a useless piece of paper which no one respects.

Unless warranty service is available on a reasonable and convenient basis, it remains nothing more than an empty promise. I therefore recommend:

(1) That separate repair shops be established or franchised to carry through on warranty obligations in communities where dealer facilities are overloaded. This will provide expanded and competitive services for warranty customers.

(2) The flat-rate manual method of compensation to the dealer or repairman should be subsituted by an improved and realistic hourly schedule based on prevailing rates in

the area. It may be that the compensation for automobile repairs under warranty on a piece-work basis result in unsatisfactory piecemeal repairs.

(3) The automobile purchaser should be given an option to purchase an automobile with either a 90-day warranty or the two-year warranty. If there is a substantial saving to the purchaser with the shorter warranty, a lower price, a great number of purchasers will take the shorter warranty. The base price should be reduced to reflect the lower warranty. This will make it possible for the dealers and repairmen to render better service to those who prefer the longer warranty in accordance with the contract.

(4) Any effort to limit the warranty to the first purchaser should be opposed. Since the original purchaser paid for the warranty in his original purchase price, the manufacturer would be unjustly enriched by the termination of the warranty if the car is sold. The termination of warranty by sale may compel the seller to sell the automobile only through an authorized dealer who can then reinstate the warranty by special arrangements with the manufacturer. The private sale of an automobile within the customary warranty period would give rise to suspicion of defect. The private sale of late model automobiles to persons other than the dealer within the customary warranty period could well become impractical—to the dealer's advantage.

And while I am here, I would like to add one more thing. It is possible to win with a warranty. You can find a used automobile completed by a prudent and patient owner—particularly a retired person who had the time to follow through on his warranty and complete the vehicle. A housewife's automobile carried through the warranty period can also be a good deal. I have seen dozens of housewives complete an afghan while getting the warranty complied with.

However, if one purchases a used car, he must carry it through the obsolescene booby traps ingeniously connived into the automobile. It is amazing to me how the industry has managed to develop sealed systems of lubrication which delude the owner into believing his car is forever lubricated. My amazement is even greater when I learned—the hard way—that the average rubber connecting tubes of the water cooling system are designed to blow up—not all together, but one by one. In two automobiles of my experience, the blow up occurred when these parts had obtained the age of about 28 months, 18 days, and 7½ hours. The blow-up schedule is designed to drive the wise guy who tries to hold his car at least until it is paid off into the new car salesroom before the 36-month loan is cleared up. The third built-in obsolescence gimmick is the wires of the electrical system which are designed to short on different days of the same obsolescence schedule.

However, if you can effect a breakthrough of these obsolescence booby traps, you have an automobile which can just about run forever.

I hope this Commission, at an early date, can direct its attention to the built-in obsolescence which is skillfully connived to reduce the life expectancy of an automobile and keep up the cycle of frequent purchase and perpetual debt for those consumers who are taken in by it.

In closing, it is my hope that legislation will not be needed in this field. Legislation will simply add red tape. Licensing of mechanics or repair shops would involve government expenditure. The solution lies in the enactment of workable regulations by your agency.

The consumers of America are looking to your Commission as the ultimate watchdog of their interests. They only want fair play at the market place. If these goals cannot be achieved at an early date, the millions of Americans involved in this critical problem will demand corrective legislation.

FBI ACTIVITIES, 1968

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. ASHBROOK. Mr. Speaker, the tragic slaying of two FBI agents here in Washington yesterday highlights once again the dangerous role played by all law-enforcement officers, whether Federal, State, or local, in the protection of citizens throughout the Nation.

The extent and diversity of the crime problem, at least on the Federal level, was demonstrated by information released by the Justice Department on December 31, detailing the results of activities of the FBI during 1968. For instance, Director J. Edgar Hoover reported, in the words of the Justice release, that—

> All-time highs were recorded with the location of over 21,000 fugitives, including over 30 notorious felons who were on the FBI's "Ten Most Wanted Fugitives" list, and the recovery of some 27,000 automobiles in FBI cases.

During 1968 convictions in FBI cases reached the figure of 13,000, resulting in actual, suspended, and probationary sentences totaling over 46,000 years.

For the economy minded it is interesting to note that—

> Fines, saving, and recoveries in FBI investigations during the year reached the record figure of some $335 million, an increase of approximately $45 million over 1967, and a return of $1.56 for every dollar appropriated for FBI operations.

In the FBI drive against organized crime, more than 290 hoodlum, gambling, and vice figures were convicted for various Federal offenses, compared with 206 during 1967, and over 800 still awaiting trial in Federal court.

Of equal interest is that portion of Mr. Hoover's report which deals with extremist and subversive organizations and individuals. Under the heading of "Black Extremist Investigations," the Justice Department release states:

> The growing number of black extremist organizations throughout the United States represent a potential threat to the internal security of the Nation, and their growth has definitely added to the FBI's work in the racial intelligence field. Stokely Carmichael, who once served as the National Chairman of the Student Nonviolent Coordinating Committee, was expelled from that organization in August, 1968, and became affiliated with the Black Panther Party, an organization which has grown tremendously during the past year. Its members are armed and at their meetings they are taught from the works of Mao Tse-Tung of Communist China. Carmichael is presently serving as Prime Minister of the Black Panther Party. He continues to travel extensively throughout the country, and his speeches are replete with statements calling for guerrilla warfare by black communities.
>
> Mr. Hoover stated that there has also been an expansion of foreign influence in black extremist groups, and this phase of the FBI's work continues to receive close attention.

With regard to the Communist Party, U.S.A., it was noted that this organization had its ups and downs in 1968. While it began daily publication of its newspaper, the Daily World, and nominated and ran candidates for the offices of President and Vice President in the 1968 national elections, the Czechoslovakian invasion by Soviet and Communist-bloc troops introduced an element of disagreement among Communist Party, U.S.A. members. According to the release, the party finally supported the invasion as a blow for "freedom":

> The uneasy truce existing among Party leaders as a result of this Convention was subsequently shattered by events in Czechoslovakia. Party leaders from two major Districts, acting independently, issued press releases strongly denouncing the invasion as unwarranted intervention. Hall immediately called a Special National Committee meeting at which time, after considerable behind-the-scene maneuvers, he was able to muster sufficient strength to denounce the unilateral statements of these leaders and further endear himself to his Soviet masters with a pronouncement to the effect that the CPUSA endorses the invasion as a blow for "freedom." Hall's statement regarding CPUSA support of the above invasion was printed in Soviet publications as an example of high-level Marxist-Leninist thinking.

The outright espousal of violence and terror has become a matter of policy with some Communist-infiltrated and New Left groups according to FBI findings in the year just past. The report states:

> Mr. Hoover commented that there has been a marked increase in recent months in bombings and burnings of public buildings and other acts of terrorism. Selective Service boards and Navy and Army Reserve Officers Training Corps units have been the foremost targets of these acts. New Left leaders have constantly exhorted their followers to abandon their traditional role of "passive dissent" and resort to these terroristic tactics as a means of disrupting the defense effort and opposing established authority. Publications of the New Left are replete with articles proposing the bombings of draft boards and other Government installations, and literature containing detailed diagrams and instructions for making incendiary devices has been widely disseminated among New Left groups.

In the forefront of the New Left movement is, of course, the radical Students for a Democratic Society which figured in the Columbia University disgrace last year. The report continues:

> At the core of the New Left movement in the United States is the Students for a Democratic Society, an organization which became well known in 1968 for its disruptive tactics at a number of universities.
>
> The Students for a Democratic Society advocates what many of its leaders and members call revolutionary communism. Along this line, at the organization's 1968 national convention, two of the newly elected national officers publicly identified themselves as communist, "with a small c," as many New Left adherents do to signify that while they are communists they are a brand apart from those in the old-line communist movement.
>
> While the distinction may seem important to them, it is irrelevant to the rest of America because the basic objective of both New Left and old-line communists and their adherents in our society is to completely destroy our form of government.
>
> During the national convention of the Students for a Democratic Society held in June, 1968, at Michigan State University, a workshop was held dealing with sabotage and explosives. It was only a short time after this convention that the wave of bombing and arson occurred throughout the country.
>
> While the Communist Party in the United States, as usual, is attempting to infiltrate the New Left movement, the pro-Chinese, violence-prone, Marxist-Leninist Progressive

Labor Party has made progress in concentrating its youth program mainly toward infiltration of the Students for a Democratic Society. The Progressive Labor Party has had considerable success and one result of its work has been the movement of a large part of the Students for a Democratic Society from an anarchistic outlook toward a Maoist-oriented, Marxist-Leninist approach. For example, an active Progressive Labor Party member in the Boston area holds a position of prominence on the Students for a Democratic Society National Interim Committee.

The FBI is certainly to be commended for its efforts during the past year in dealing directly with the many aspects of crime and subversion at the Federal level and in assisting State and local authorities in exchanging pertinent information. But as Mr. Hoover has so often pointed out, the concern and support of the American public is vitally needed if the onslaught of crime is to be stemmed and reduced. In the case of the slaying of the two FBI agents cited above, a phone call to the police from an apartment tenant who heard noises in the attic of his building while watching a TV account of a robbery in his neighborhood led to the apprehension of an armed suspect in a comparatively short time.

For further dissemination, I include the Justice Department release of December 31, 1968, on the activities of the FBI during the past year in the Record at this point:

Release of the U.S. Department of Justice, Federal Bureau of Investigation, Tuesday, P.M. December 31, 1968

The year 1968, which was marked with a multitude of crises and problems, both domestic and international, witnessed outstanding advances by the FBI in all phases of its operations, Attorney General Ramsey Clark announced today.

FBI Director J. Edgar Hoover reported that fines, savings, and recoveries in FBI investigations during the year reached the record figure of some 335 million dollars, an increase of approximately 45 million dollars over 1967, and a return of $1.56 for every dollar appropriated for FBI operations. All-time highs were recorded with the location of over 21,000 fugitives, including over 30 notorious felons who were on the FBI's "Ten Most Wanted Fugitives" list, and the recovery of some 27,000 automobiles in FBI cases. Of the fugitives located, nearly 3,000 were being sought at the specific request of state and local authorities for fleeing across state lines in violation of the Fugitive Felon Act. During the 12-month period, there were some 13,000 convictions in FBI cases, resulting in actual, suspended, and probationary sentences totaling over 46,000 years.

ORGANIZED CRIME

Mr. Hoover commented that the FBI's drive against organized crime continued to mount during Calendar Year 1968, with more than 290 hoodlum, gambling, and vice figures being convicted for various Federal offenses, compared with 206 during 1967, and over 800 still awaiting trial in Federal court.

In addition, the dissemination by the FBI of over 310,000 items of criminal intelligence information to other Federal, state, and local law enforcement agencies enabled them to stage more than 780 raids, arrest some 4,400 persons involved in the operations of organized crime, and seize nearly $1,400,000 worth of gambling paraphernalia and currency, plus an assortment of weapons, narcotics, and stolen property.

Typical of what has been accomplished in this respect was a series of raids conducted by FBI Agents and New York State Police during 1968, wherein information obtained from FBI sources led to the recovery of more than $5,000,000 worth of famous paintings, statuary, and stock certificates stolen by a Cosa Nostra burglary ring operating in the New York-northern Pennsylvania area.

Among the other major blows aimed at the top rackets leadership was the arrest on November 26, 1968, by FBI Agents of La Cosa Nostra "Commission" member Stefano Magaddino and eight of his underlings in the Buffalo area for interstate gambling activities. With the smashing of this vast gambling empire—some of whose tentacles reportedly extended into portions of southern Canada—and the seizure of over $500,000 in funds belonging to the ring, bookmakers as far away as New York City were said to have been forced to discontinue their operations.

John Roselli, who has been publicly described as a former lieutenant of the notorious Al Capone gang, and five of his accomplices were also convicted during the year in connection with interstate gambling operations and are now awaiting sentencing. FBI Agents also arrested Russell Bufalino, a ranking La Cosa Nostra official in the eastern Pennsylvania area, on December 5, 1968, for conspiring to transport some $23,000 worth of stolen television sets from New York to Pennsylvania. Bufalino is now awaiting trial. The FBI Director also noted the conviction of William Daddano, a ranking member of the Chicago La Cosa Nostra "family," and five associates in connection with the robbery of a Franklin Park, Illinois, bank, and the conviction of Pasquale Massi, a top aide in the Philadelphia La Cosa Nostra "family," on charges of conspiring to commit a crime on a Government reservation and attempting to bribe a witness. Daddano has since been fined $13,000 and sentenced to 15 years' imprisonment, while Massi has been sentenced to two years in prison.

Aladena Fratianno, who has been identified as a "Mafia executioner," was also convicted during the year for conspiring to violate the Fraud against the Government Statute in connection with a Federal highway project.

Mr. Hoover also commented concerning the June 19, 1968, conviction of Antonio Corallo, a "captain" in the New York City La Cosa Nostra "family" of the late Thomas Luchese, on interstate bribery and conspiracy charges arising out of an $800,000 contract issued for the cleaning of a water reservoir. Sentenced to three years in Federal prison, Corallo became the fourth ranking member of the Luchese "family" to be either arrested or convicted as a result of FBI investigations within an eight-month span. Others include John Dioguardi, sentenced on December 11, 1967, to five years in prison for his participation in a planned bankruptcy scheme; Vincent Rao, sentenced on December 28, 1967, to five years in prison for having perjured himself before a Federal grand jury; and James Plumeri, indicted May 10, 1968, for allegedly sharing in a $47,500 series of "kickbacks" in violation of the Welfare and Pension Plans Disclosure Act. Because of this staggering succession of blows to its top leadership, the Luchese "family" has yet to replace its former head, who died during July, 1967.

GENERAL CRIMINAL INVESTIGATIONS

Mr. Hoover commented that the Year 1968 saw a substantial increase in the number of general criminal investigations conducted by the FBI. He also attributed over 12,000 arrests by the FBI and other law enforcement agencies to information furnished by criminal informants. Additionally, it is estimated that more than $54,000,000 in contraband and stolen merchandise was recovered by the FBI and other law enforcement agencies based on information which these informants furnished to the FBI.

The FBI Director noted that the increase in military commitments on the part of the United States has also caused draft law violations and deserter fugitive-type investigations to increase considerably. During the year nearly 11,000 deserter fugitives were apprehended, an increase of some 3,600 over 1967.

With regard to Selective Service violations, Mr. Hoover commented: "These cases are no longer confined to the failure to report for physical examination, failure to report for induction and other similar matters, but involve to a great extent the burning of draft cards, interference with the administration of the Selective Service Act, demonstrations, and other widespread protests."

During the year, nearly 800 individuals were convicted of violations of the Selective Service Act, including Dr. Benjamin M. Spock, Yale University Chaplain William Sloane Coffin, Jr., and two others, for conspiring to aid, abet, and counsel evasion of the draft. All four were sentenced to two years' imprisonment and also fined. Shortly before the close of the year, FBI Agents arrested over 30 individuals in the greater Chicago, Illinois, area and Miami Beach, Florida, area in connection with a scheme designed to obtain illegal draft deferments.

The FBI Director noted that there had been a continued increase in the number of violations reported in connection with frauds and embezzlements occurring in banks, savings and loan associations, and Federal credit unions. One such case involved the former president of a small bank located in a rural Alabama community. With the assistance of his brother, a former director of the same bank, this individual duped the entire community, caused the liquidation of the bank, and brought economic distress to the townspeople. After an extensive investigation and a two-week trial, he was sentenced to a lengthy prison term and fined $40,000.

Among the more important categories within the investigative jurisdiction of the FBI are investigations involving the Federal Bribery and Fraud Against the Government Statutes. An example of one of the many fraud cases concluded by the FBI during the year was a case involving the improper charging of payroll costs in excess of $1,000,000 to the Departments of the Army and Navy. Two individuals entered guilty pleas and a third was found guilty by a jury. Another fraud case involved loans which had been made to purchase homes or to improve existing homes, which loans were insured by the Federal Housing Administration. This particular investigation involved over 160 loan transactions and resulted in 49 convictions.

Mr. Hoover also commented that the year 1968 recorded another all-time high in violations of the Federal Bank Robbery and Incidental Crimes Statute. The year saw some 2,600 robberies, burglaries, and larcenies; however, of special concern is the fact that robberies, often accompanied by acts of violence, accounted for approximately 1,800 of these violations.

A typical case occurred on May 22, 1968, when three armed men entered a bank in Queens, New York, and at gunpoint obtained more than $337,000 in bank funds. Less than a month later, on June 8, 1968, one of the suspects was arrested, and a few weeks later, on July 5, 1968, the remaining two individuals were arrested in Louisiana. A substantial amount of the stolen money was recovered and the robbers are now awaiting trial.

Another such case occurred on June 12, 1968, when a lone gunman robbed a bank in South Carolina of over $8,000. Prior to fleeing the bank, this robber opened fire and wounded four bank employees. He fled in a getaway car driven by a second individual. Thorough and intensive investigation at the scene of the robbery by FBI Agents developed information on the getaway car which subsequently led to the identification, location, and the swift arrest of both individuals. They are presently serving lengthy prison terms.

Mr. Hoover also spoke concerning two major kidnapings which took place during the year. On September 18, 1968, the seven-year-old son of a Chicago, Illinois, businessman was abducted as he was returning home from school. The kidnapers demanded $125,000 for his safe return. However, two days later three individuals were arrested by FBI Agents, the victim was returned unharmed, and no ransom money was paid. All three have been indicted and are presently awaiting trial in state court.

Another kidnaping occurred during the morning of August 28, 1968, when the young son of a California banker was abducted from his home and ransom in the amount of $250,000 was demanded. During the early morning hours of August 30, 1968, the kidnaper furnished instructions with regard to the payoff. However, before the ransom money was actually paid, FBI Agents arrested the individual and recovered the victim unharmed. The kidnaper is presently awaiting trial in a local court.

Another very interesting investigation in the general criminal category involved a series of bombings of aircraft and vessels of foreign nations engaging in trade with Cuba. These bombings, for the most part, occurred in the Gulf of Mexico and Florida ports. Additionally, cablegrams had been received by the heads of state of several countries threatening them with the bombing of their vessels if trade with Cuba continued. A very extensive investigation resulted in nine individuals being charged with conspiring to violate the Crime on the High Seas and related bombing statutes and all have received substantial prison sentences.

Automobile theft and the interstate transportation of stolen vehicles continued to increase during the year. In addition to the many individual stolen cars transported interstate, the FBI also investigated several auto theft ring cases. One such case in New Jersey resulted in the recovery of 34 stolen vehicles which were valued at over $60,000. Another such case in the State of Georgia involved 32 vehicles valued at over $37,000.

NATIONAL CRIME INFORMATION CENTER

The year witnessed the continuing efforts of the FBI to render all assistance possible to law enforcement on all levels through the operation of the National Crime Information Center, a computerized system which stores information concerning wanted criminals and stolen property, including vehicles, guns, securities, and other identifiable items. Mr. Hoover commented that during 1968 law enforcement agencies in 20 additional states were afforded direct access to the National Crime Information Center files maintained at FBI Headquarters. This expanded the system's coverage to 46 states, the District of Columbia, and Canada. Instant information provided by the National Crime Information Center to the policeman on the street provides an invaluable tool to assist him in his daily confrontations with those who violate our laws, and during the year every three seconds of each day the computer handled a message from local, state or Federal police agencies.

A typical example of the benefits derived from the immediate availability of data stored in a centralized file is an instance which occurred during July, 1968, in Baton Rouge, Louisiana. Local detectives stopped a vehicle which had disregarded a stop sign. The person had aroused the officers' suspicions and, when he identified himself with his operator's license, an inquiry was made of the National Crime Information Center (NCIC). Immediately, the computer in Washington transmitted a message to Baton Rouge identifying the individual as wanted by the FBI in connection with a bank robbery in Queens, New York.

The system not only also aids law enforcement in combatting the violent criminal, but also affords protection to victims of various fraudulent schemes. As one example of this, in 1968 a check passer's operation was brought to a halt by the use of NCIC data. A large number of worthless checks had been passed throughout the Western United States by a person fraudulently identifying himself as a military officer. Extensive investigation by the FBI developed the true identity of this person and information concerning the individual, together with the fact that a Federal warrant was outstanding, was placed in the computerized file. The mobility and number of fictitious names being used by this man made immediate arrest difficult. Shortly after the record was placed in file, the Laramie, Wyoming, Police Department, during the course of a motorist operator's license check, caused an NCIC inquiry. The instantaneous response identified the motorist as the badly wanted check passer and he was immediately placed in custody.

THE ROLE OF THE FBI IN CIVIL DISORDERS

Basically, the FBI Director stated, the FBI's responsibility in civil disorders is the development and dissemination of intelligence information being ever alert to any violations of Federal laws over which the FBI has investigative jurisdiction. The information gathered by the FBI is furnished to the Attorney General for prosecutive consideration, and in those instances where life and property are in danger appropriate state and local authorities who have the responsibility for protection are notified.

BLACK EXTREMIST INVESTIGATIONS

The growing number of black extremist organizations throughout the United States represent a potential threat to the internal security of the Nation, and their growth has definitely added to the FBI's work in the racial intelligence field. Stokely Carmichael, who once served as the National Chairman of the Student Nonviolent Coordinating Committee, was expelled from that organization in August, 1968, and became affiliated with the Black Panther Party, an organization which has grown tremendously during the past year. Its members are armed and at their meetings they are taught from the works of MAO Tse-tung of Communist China. Carmichael is presently serving as Prime Minister of the Black Panther Party. He continues to travel extensively throughout the country, and his speeches are replete with statements calling for guerrilla warfare by black communities.

Mr. Hoover stated that there has also been an expansion of foreign influence in black extremist groups, and this phase of the FBI's work continues to receive close attention.

COMMUNIST PARTY, U.S.A.

Leaders of the Communist Party, USA (CPUSA), can look back on the year 1968 with mixed feelings, according to Mr. Hoover. On the positive side of the ledger, the Party held its Special Convention in July, 1968; the long-awaited publication of its daily newspaper, the "Daily World," commenced in July, 1968; and the Party was able to nominate and run candidates for the offices of President and Vice President in the 1968 National elections. On the debit side, however, the CPUSA has not been successful in its efforts to substantially increase its membership, had an agonizing reappraisal of its policies as a result of the Czechoslovakian crisis in August, 1968, and is currently displaying symptoms of factionalism.

The July, 1968, Special Convention held in lieu of the regularly scheduled National Convention was greeted with opposition from the membership as the Convention's function was limited to a discussion of the Party program and the 1968 National elections. Gus Hall, General Secretary, CPUSA, through astute political maneuvering and concessions overcame serious attacks on his leadership and managed to avoid a threatened split of the Party.

The uneasy truce existing among Party leaders as a result of this Convention was subsequently shattered by events in Czechoslovakia. Party leaders from two major Districts, acting independently, issued press releases strongly denouncing the invasion as unwarranted intervention. Hall immediately called a Special National Committee meeting at which time, after considerable behind-the-scene maneuvers, he was able to muster sufficient strength to denounce the unilateral statements of these leaders and further endear himself to his Soviet masters with a pronouncement to the effect that the CPUSA endorses the invasion as a blow for "freedom." Hall's statement regarding CPUSA support of the above invasion was printed in Soviet publications as an example of high-level Marxist-Leninist thinking.

Even regarding the National election issue, Hall had to engage in fancy political footwork. Originally he intended that he would be his Party's candidate for the office of President. To maintain Party harmony, however, he had to step aside and allow relative unknowns to become the Party's candidates.

COMMUNIST-INFILTRATED AND NEW LEFT GROUPS

Mr. Hoover commented that there has been a marked increase in recent months in bombings and burnings of public buildings and other acts of terrorism. Selective Service boards and Navy and Army Reserve Officers Training Corps units have been the foremost targets of these acts. New Left leaders have consistently exhorted their followers to abandon their traditional role of "passive dissent" and resort to these terroristic tactics as a means of disrupting the defense effort and opposing established authority. Publications of the New Left are replete with articles proposing the bombings of draft boards and other Government installations, and literature containing detailed diagrams and instructions for making incendiary devices has been widely disseminated among New Left groups.

At the core of the New Left movement in the United States is the Students for a Democratic Society, an organization which became well known in 1968 for its disruptive tactics at a number of universities.

The Students for a Democratic Society advocates what many of its leaders and members call revolutionary communism. Along this line, at the organization's 1968 national convention, two of the newly elected national officers publicly identified themselves as communist, "with a small c," as many New Left adherents do to signify that while they are communists they are a brand apart from those in the old-line communist movement.

While the distinction may seem important to them, it is irrelevant to the rest of America because the basic objective of both New Left and old-line communists and their adherents in our society is to completely destroy our form of government.

During the national convention of the Students for a Democratic Society held in June, 1968, at Michigan State University, a workshop was held dealing with sabotage and explosives. It was only a short time after this convention that the wave of bombings and arson occurred throughout the country.

While the Communist Party in the United States, as usual, is attempting to infiltrate the New Left movement, the pro-Chinese, violence-prone, Marxist-Leninist Progressive Labor Party has made progress in concentrating its youth program mainly toward infiltration of the Students for a Democratic Society. The Progressive Labor Party has had considerable success and one result of its work has been the movement of a large part of the Students for a Democratic Society from an anarchistic outlook toward a Maoist-oriented, Marxist-Leninist approach. For example, an active Progressive Labor Party member in the Boston area holds a position of prominence on the Students for a Democratic Society National Interim Committee.

POLICE TRAINING

Mr. Hoover commented that the FBI, in an effort to keep pace with the need and demand for police training, expanded its training activities to a new high during the year. The increased training activities resulted in not only a record number of schools, hours of instruction and attendance, but also involved an extension of FBI training services into areas which will help the local police officer cope with current problems in handling his day-to-day responsibilities, including numerous lectures dealing with Police-Community Relations. During the year, training assistance was extended, free of charge, to municipal, county and state law enforcement agencies through some 6,500 training schools, attended by over 197,000 officers, from recruits to superintendents, and involving nearly 60,000 hours of instruction by FBI personnel.

The desire of the police profession to have a highly qualified corps of management and command personnel was demonstrated by the numerous requests for the services of two-man instructor teams from FBI Headquarters who are especially qualified to provide instruction on the problems involved in organizing, planning and supervising a law enforcement agency, selecting and training personnel, administrative problems and controls, developing supervisory and executive officers, related problems, and principles of law enforcement on the management level. The schools, which are usually of 5 days' duration, numbered 131 during 1968, and had in attendance over 5,000 police executives, command and supervisory personnel.

The FBI Director also stated that the FBI is now able, under the Omnibus Crime Control and Safe Streets Act of 1968, to develop and handle new approaches to law enforcement problems. During December, 1968, a pilot school was held under the provisions of this Act, and additional schools and institutes concerned with topics of pertinence are scheduled for early 1969.

The FBI also sponsored and conducted 282 law enforcement conferences throughout the country during September, October, and November, 1968, on ways and means of reducing the rising rate of crime against banks and other financial institutions. Law Enforcement officials and representatives from banking institutions totaling over 29,000 people representing more than 12,000 law enforcement agencies and financial establishments were in attendance.

The FBI National Academy conducted two classes during the year resulting in the graduation of 200 law enforcement officers, including 15 from foreign countries and two from Puerto Rico. To date 5,435 police officers have graduated from the Academy, including 161 graduates from 38 foreign countries. Of the graduates still active in law enforcement, 27.7 percent are executive heads of their agencies.

COOPERATION AND SERVICE FUNCTIONS

As 1968 came to a close, the files of the FBI Identification Division, which serves as a national repository for fingerprints and other related data, contained more than 190,000,000 sets of fingerprints representing an estimated 82,000,000 persons. During the year, over 28,000 fingerprint cards and some 12,000 miscellaneous forms were processed each working day. The operations of the Division also resulted in the identification of some 32,000 fugitives from justice, an all-time high, and additionally, over 28,000 cases, another all-time high, were received and processed for latent fingerprints.

The FBI Disaster Squad rendered on-the-scene assistance in identifying the victims of seven major disasters including an explosion, a ship collision, a bus accident, and four airplane crashes. In these, 79 percent of the victims from whom fingerprints were obtained were positively identified by fingerprints.

During the year, the FBI Laboratory, whose facilities are available at no charge to law enforcement agencies throughout the country, received some 248,000 specimens of evidence on which approximately 347,000 scientific examinations were conducted, both marked increases over 1967.

ELECTORAL COLLEGE REFORM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. RARICK. Mr. Speaker, one dissertation on the reform of the electoral college was reported by Richard Cotten's Conservative Viewpoint last November 20–21, 1968.

Mr. Cotten's report contains additional research from the Dan Smoot Report which warns of the loss of voice to small States by the presently proposed popular vote election.

As Americans, we have lived well, prospered, and progressed well under our Constitution for over 190 years, we must think long before overthrowing it for some untested theory. Ours may not be perfect—but where is there one better?

Mr. Cotten's report follows:

LET'S START ELECTION REFORM NOW

This is Richard Cotten bringing you Conservative Viewpoint.

It is very evident that there are going to be major drives by all "liberal" forces to see that we have what they are going to call election reforms, in an effort to do away with the method by which we elect the President. Most Americans do not understand how we elect a President. I don't know but what you could include me in that category. It is very complex. But there are reasons for it.

It represents one more effort on the part of the Founding Fathers to prevent our having direct representation. We were not intended to be a democracy. We were founded as a Republic. Now, when they created a Federal Government, the separate sovereign Christian Commonwealths—some large, some small—were each very jealous of their powers. Obviously, they would not agree to any method of elections by a direct vote, because all of the power would have been vested in the largest states.

It is obviously un-American to try to tamper with this method to the detriment of the separate sovereign states. There is a reason why we have the Electoral College, but we should recognize that it has not functioned as it should. Now I have a *Dan Smoot Report* that I want to share with you on this broadcast, and the next, because I believe this message is vital. We need to become sufficiently informed so that we can make an intelligent presentation of what we believe, especially when writing to Senators, Congressmen, Editors, and all others we hope to influence. If we don't take the initiative, we are going to end up with a direct vote for the President.

If we do, only four states out of the fifty will be necessary to elect a President; New York, California, Pennsylvania and Illinois. The big state machines will control this, using Federal money, if you please, and you will have "democracy" but something will have happened to the Republic! So we had better be very cautious in changing the Electoral College, although the strange part is that we agree that it needs a change.

Now, Dan Smoot has applied himself diligently to this problem, and I am glad to bring you his report on it. I hope more of our listeners will subscribe to his report. The Constitution is his only measuring stick, and all his material is documented.

THE DAN SMOOT REPORT

Let's start election reform now

From their vast knowledge of history, the American Founding Fathers knew that unlimited political power cannot safely be trusted to *anyone*—not to appointed officials of government, not to elected representatives of the people, not to the people themselves. Hence, they devised a system to control political power by dispersing and balancing it so that too much power could not be concentrated in any one place.

The power of large states was balanced against that of small ones. Some power was taken from states and given to the federal government, and state governments were given some control over federal power.

The federal government was divided into three branches, each with a check on the power of the others; but only one-half of one of the three branches was answerable directly to the people.

State legislatures were given power to choose U.S. presidential electors and U.S. Senators. [Of course this has recently been changed in one of the ways in which we have stepped away from the Constitutional footprints.—Ed.] The President and Senators were given power to choose members of the judicial branch of the federal government. Only the House of Representatives, elected by the people, was to be directly answerable to the people. The people's control over the other two-and-one-half branches of the federal government was to be indirect, through their state legislatures.

By thus balancing federal power against state power, and dividing federal power into three branches, each acting as a counterweight upon the others, the Constitution created a federal system in which the people, through retaining ultimate political power over all agents and agencies of government, were themselves protected from demagoguery, mob psychology, corruption, and fraud, which are fatal weaknesses of direct popular government.

The perfection of our federal system was seriously impaired when the 17th Amendment (adopted in 1913) provided for direct popular elections of U.S. Senators. It has also been impaired by the present method of electing Presidents and Vice Presidents. The method evolved illegally, because state legislators became subservient to political parties, and surrendered to those parties an important responsibility which the Constitution assigns to state legislatures. [There are few things we could do of greater importance than to get them to reverse the 17th Amendment. Of course, I know that, at the moment, that is not politically feasible. Most living Americans do not even realize that, until the passage of the 17th Amendment, U.S. Senators were, in fact, appointed by the State legislatures. They were not subject to popular vote. Now they are exactly like the House of Representatives—only for six years, instead of two! And this means that the States, themselves, lack any representation. This is why we have had no "watch dogs" watching out for State Sovereignty and States' Rights, since the Senators are now elected by the same "masses", if you please, that elect the members of the House of Representatives.—Ed.]

One of the knottiest problems solved by the American Founding Fathers when writing our Constitution was that of balancing representation. If small, thinly populated states were given equal representation (in the federal government) with populous states, a small minority of people could dominate a huge majority. On the other hand, if states were given representation solely on the basis of population, small states would have practically no voice.

Framers of our Constitution devised a magnificent means of balancing the power of big and small states—keeping large states from politically swallowing up small states, while preventing minority populations in small states from dominating majority populations in large ones. All states, regardless of size, have equal representation in the Senate. In the House, their representation is based on size of population. This same balance was prescribed for electing Presidents. All states have two electoral college votes for President to match this representation in the Senate—plus enough electoral votes to match their representation in the House.

In all, the 50 states now have 100 Senators and 435 Representatives in Congress. Hence, they have 535 electoral votes for President and Vice President. The 23rd Amendment (adopted in 1961) gives the District of Columbia three electoral votes—making the total electoral votes 538. To win an election, a presidential candidate must receive a majority (270) of electoral votes. [This has just happened. We saw the key state of Illinois, as it swung toward Richard Nixon, provide sufficient votes in the Electoral College so that we knew he would be our next President.—Ed.]

The Constitution requires state legislatures to *appoint* presidential electors. [But we don't do it that way any more. Did you know?—Ed.] The first seven Presidents were elected in compliance with this requirement.

By the time Andrew Jackson ran for his second term (1832), political parties had become so strong, and partisan feeling so bitter, that political parties, which controlled state legislators, began usurping the legislators' duty to appoint presidential electors. [If you haven't had our Program No. 253, we suggest you send for it to learn what George Washington had to say on the dangers of "Party"—Ed.]

As the system now works, each political party chooses its own presidential and vice presidential candidates and its own electors.

In some states, candidates *and* electors of all parties are listed on ballots. Most states, however, have too many electors to list, so, just the names of presidential and vice presidential candidates are on ballots.

In November, every leap year, voters go to the polls, most thinking they are voting for presidential and vice presidential candidates; but they are not. They cannot. Voters vote only for presidential electors, whose names are often not even on the ballot. Hence, "presidential election day" is not the day when a President is elected. It is the day when presidential electors are elected. The presidential candidate whose electors get a plurality (highest number) of popular votes cast in a state on "presidential election day" will later get all of that state's electorial votes.

Later in mid-December, when elected electors meet in their respective states and cast their votes for their party's candidates. Early in January, the electoral votes from all 50 states and the District of Columbia are opened and counted at a joint session of Congress. This constitutes the official election of the President and Vice President.

As created by the Constitution, the electoral college system is a superb means of electing the two highest officials of the federal government. It gave the people rather effective, *indirect* control (through their state legislatures) of presidential elections, the framers knowing that *direct* control by the people is a practical impossibility.

As it is used (or abused), however, the electoral college system is a travesty on the elective process. A candidate who gets a *distinct minority* of popular votes can now receive an *overwhelming majority* of electoral votes, because of the winner-take-all practice of giving all of a state's electoral votes to the man who gets a mere plurality of the popular vote. Hence, political parties tend to cater to organized voting blocs in key cities of key states. [You can see why we are going to have to be knowledgeable, if we are to influence others, and most particularly our Congressmen and Senators, in order to avoid pure "democracy".—Ed.]

Direct, popular election of the President would produce an even worse condition: then, presidential candidates would concentrate almost exclusively on the mass of votes piled up in a few large cities, virtually disenfranchising, for presidential elections, voters in rural or thinly populated areas. [Just think of what that would mean in New York State as you consider the various minority ethnic groups concentrated there in that most populous state. New York City now has 1 in every 8 on the Welfare rolls! (If you haven't read it, you would find some interesting relative facts in our Program No. 274–275 on "Chaos in New York".) If we come to "One man—One Vote," as will be urged, there will be only four states needed to elect the President: New York, Pennsylvania, California and Illinois—and these four are fast becoming "Welfare States." Just think that through! —Ed.]

An ideal solution would be a return to the brilliant, constitutional system of electing Presidents; but it is obvious that the people could not be persuaded to "give up their privilege of voting for a President." There is still, however, an available, constitutional solution, which can be achieved by *state* action.

Each state should require the appointment of one slate of presidential electors, by the state legislature, as the Constitution specifies. One elector should be selected for each congressional district and required by law to cast the one electoral vote of that district for the presidential candidate who receives a plurality of the popular vote in the *district*. Two at-large electors should be appointed in each state, to correspond with the two U.S. Senators. These two electors should be required by law to cast their two votes for the presidential candidate who receives a plurality of the popular vote in the *state*.

This would eliminate the winner-take-all practice, which is the worst feature of the present system; and it would preserve the geographical distribution of political power which the Constitution prescribed. In electing a President, small or thinly populated states would have strength equal to their strength in electing members of the national Congress, which is what the Constitution intended.

For years, Senator Karl Mundt (South Dakota Republican) has sponsored a constitutional amendment to accomplish what would be accomplished, *without* a constitutional amendment, by the state legislation I recommend. An additional virtue of the plan I suggest is that it would restore to state legislatures some of the importance and dignity they originally had.

Senator Mundt's proposal—supported by conservatives, moderates, and even many liberals in Congress—has broader approval than any other effort ever made to change our presidential-election system by constitutional amendment. Yet, there is little likelihood that Congress will ever approve the Mundt amendment. More than 200 efforts to change the system by constitutional amendments have failed.

So, instead of continuing to look to *Washington* for action, concerned Americans in every state should start *now* informing and persuading their *state* governments; and they should keep the pressure on to assure that state election laws are changed before the next presidential election year.

To repeat: *we need in each state a law requiring the state legislature to appoint a slate of presidential electors, one elector for each congressional district, two at-large electors for the entire state—each district elector bound to give his one vote to the presidential candidate receiving a plurality of the popular vote in his district, the two at-large electors bound to give their two votes to the candidate receiving a plurality of the popular vote in the state.*

Present this idea to every organization you belong to, including political organizations you may have worked with during the campaigns this year. Remember, this is not a partisan proposal. It is not even "controversial" in the sense that conservatives and liberals automatically take opposite sides. It is a proposal for establishing a presidential-election system that most Americans—liberals and conservatives; Democrats, Republicans, and American Independents—will approve, once they understand it.

Working on a project to get state legislatures to act on this proposal should be especially beneficial to the new American Independent Party. It is a cause important enough to hold the organization together, and to give party workers something construcitve to do, putting them in contact with other political leaders in the precincts, cities, counties, and states.

This is also a project suitable for, and worthy of, the support of other kinds of organizations: civic clubs, study and discussion groups, church groups, patriotic societies, historical societies, veterans organizations, business associations, labor unions.

Write to your U.S. Representative and to your two U.S. Senators to see whether they approve this plan. If they do, ask them to support it publicly.

Write your state representatives and senators (or talk with them in person), and enlist their support.

Try to get your local newspapers interested. Write letters to the editors, explaining and supporting presidential-election reform at the *state* level.

Present this idea to radio and television broadcasters and to public speakers who you think would be interested in supporting it. [We are glad to be doing our part!—Ed.]

In every presidential election year, interest in changing our presidential-election system is intense; but nothing is ever done, because interest subsides after the election. [Well, this is one year when I, personally, think that the pressure will keep building. It would be well for us to get this splendid idea in motion now, rather than wait for other "democratic" plans to get all the publicity. They are already stressing "One Man—One Vote", which sounds fine to the politically inexperienced.—Ed.]

We should not let interest subside this year. We can get the job done before 1972, if we will begin now and keep on keeping on until it is accomplished.

Let us all encourage this, in whatever ways we can, wherever we can. This could be a big step toward Representative Government, under the Constitution. It can be accomplished.

It also seems to me that there would be a by-product from this, as more people learn the facts of the 17th Amendment. As far as I know Mary Davison in her *Council for Statehood* is the only Patriot in America who continually harps on the fact that we do not have representation. In some states the elective bodies meet only once every two years, and then for a period of only a few weeks. Why are our State bodies not working in many of the State Houses, working for the interests of the State, and fighting the growing controls by the Federal Government?

Power keeps flowing to Washington, because *we don't watch!* One of the reasons we have come to this pass, is the 17th Amendment, whereby the U.S. Senators are no longer accountable to the State legislatures. Much of the move toward One World Power could not have come about, if the States had not lost their representation. This is only dimly understood—probably not by 1% of the population.

We hope many of you will want to join with us in active resistance to the growing centralization of power in our nation. This is constructive action everyone can have a part in. We believe that conservative viewpoint has been helpful in informing many of our citizens, in helping many to swing from "liberalism" to appreciation of Constitutional restraints. We ask all who can to join with us in helping to awaken America. As you do, please realize that we can have no sponsors other than you, and your gifts are essential to keep us on the air. We also encourage your subscribing to Dan Smoot's "Report." There is nobody in America stronger for Constitutional restraints, and he knows his subject. We are glad to work with him on this project to enlighten Americans and begin to restore Constitutional Government to our land.

THE RIGHT TO VOTE FOR 18-YEAR-OLD CITIZENS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. REID of New York. Mr. Speaker, I am introducing today a joint resolution proposing an amendment to the Constitution extending the right to vote to citizens 18 years of age or older.

This is the same resolution that was introduced last year by Senators MANSFIELD and DIRKSEN and cosponsored by 43 Senators.

Their participation in the New Hampshire primary and on through to Wisconsin, Oregon, and California demonstrated that the young men and women of America were ahead of their government and thought clearly on matters of principle. I believe they should have the fullest opportunity to take part in our political process by granting them the right to vote at the age of 18.

Beyond the matter of political participation are the plain facts that many young Americans at the age of 18 hold responsible jobs, often are the chief breadwinner of a household, frequently have families of their own, and bear arms for their country. If they are called upon to serve in the Armed Forces, 18-year-olds certainly should have the right to vote.

In my judgment, the demonstrations organized and held by the young men and women of America have been exceedingly effective as forces for change in this country. I think it is essential that we recognize the importance of their efforts to make our government and our political processes more responsive to contemporary needs by allowing young men and women the right to vote at the age of 18.

It would be my hope that the distinguished chairman of the Judiciary Committee would give this legislation a high priority during this session.

ASTRONAUT FRANK BORMAN'S ADVICE TO AMERICAN YOUTH

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. MADDEN. Mr. Speaker, today at the joint meeting of Congress, honoring Col. Frank Borman, Capt. James Lovell, and Lt. Col. William A. Anders, our colleagues, the galleries, and the Nation through television and radio, were thrilled to meet and hear these great American patriots. Colonel Borman, as commander of the flight, and speaking for his fellow astronauts, delivered a masterful message depicting some of the highlights of their pioneering flight to the moon.

Three years ago Colonel Borman participated in another historic space flight in successfully orbiting the globe 206 times, covering 5.8 million miles in 14 days.

In January 1966 after that historic flight, the city of his birth, Gary, Ind., honored him in a mammoth tickertape parade and also with a mass meeting of over 6,000 schoolchildren in the Gary Memorial Auditorium. At that time Colonel Borman conveyed a message to this great gathering of admiring youth. I only wish that every American school child could have heard, or some day read, the advice Astronaut Borman gave to the youth of his native city. I wish to incorporate with my remarks the message given by Colonel Borman as reprinted in the Gary, Ind., Post Tribune in January 1966, repeating verbatim his advice to American youngsters, as follows:

COL. FRANK BORMAN'S ADVICE TO THE YOUTH OF GARY, IND.

Always at school assemblies someone has advice for the teenagers and youngsters, so I, too, have a litle advice for you, based on my years of experience. I was for 3 years a teacher at the Military Academy—West Point—from 1957 to 1960.

You must get a good, solid, basic education. I want you to understand that I am being very sincere. I would like to list several things I would do if I could relive my youthful days.

EDUCATION

(1) I would do everything in my capability to continue my education on through high school and preferably into college. Those doors won't open any more without diplomas and you must have a good, basic background.

PATRIOTISM

(2) I would be patriotic. I would have a sense of duty to my country, to my school, to my city, and to my State. I think it is extremely important that we keep this sense of being proud to be an American. I hope you all have it, and I hope you never lose it.

RELIGION

(3) I would be religious. This sometimes seems to be out of date, but I am very proud of the fact that I am a lay reader in the Episcopal Church, and I hope that all of you continue your religion. I hope that none of you ever feel ashamed to have and to profess a basic belief in God. This is important. Believe me again as this is coming from an oldster now, but if I were starting all over, I would make sure that I had that.

HONOR

(4) The next thing I would do is make sure I had a sense of honor. I would be honest with my fellow Americans, with my fellow students, with my teachers, and I would be honest with myself. Again, these basic old virtues have not grown obsolete.

PRIDE

(5) I think the next one is something often overlooked, but I would have a sense of pride in myself. I would go around with my head held high. I would keep myself neat. I would be very proud to be an American and a citizen of this wonderful country.

These are just a few words of advice for you. I hope you take them seriously, and I hope you think about them once in a while.

THE AWFUL TRUTH ABOUT THE U.S. POST OFFICE

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. REID of New York. Mr. Speaker, in its November issue, the Readers Digest had an article entitled, "The Awful Truth About the U.S. Post Office."

In light of the many recent comments on reform in the Post Office and the interest in this subject expressed by the Postmaster-General-designate, I include the article in the RECORD at this point:

THE AWFUL TRUTH ABOUT THE U.S. POST OFFICE

(By James Nathan Miller)

(NOTE.—Its equipment is antique, its management is without management authority, its employes know their future is a blind alley. The time has come to overhaul the entire system.)

Let's begin this article with a supposition. Suppose somebody tried to sell you stock in a certain corporation, and when you investigated the company you discovered that:

Most of its equipment was 30 to 100 years old, and it had no plans or funds for modernization.

Its management was not allowed to deal with the unions in any important matters. Agreements on wages and hours were reached through a weird bargaining ritual in which the union's chief tactic was to put personal pressures on key members of the board of directors.

The company's prices were set in much the same way—through pressures put on the board of directors by the people who buy the company's services.

It was losing a billion dollars a year through sheer mismanagement and misdirection.

In view of these facts, you wouldn't, of course, want to own any of the company's stock. But the fact is that as a taxpayer you are already saddled with a share of it—for the "company" is the United States Post Office.

Last June, with the aid of five leading management-consulting and accounting firms, the prestigious Kappel Commission (appointed by the President and known by the name of its chairman, Frederick R. Kappel, former American Telephone and Telegraph Co. chairman) completed a searching look at our postal operation. Its report came to this general conclusion: The U.S. Post Office Department is run in violation of virtually every commonsense principle of modern management. Moreover, merely by putting its operation under normally efficient management, we could both take it off the taxpayers' backs—that is, wipe out its annual billion-dollar deficit—and give ourselves the finest in computerized, mechanized, *customer-oriented* mail service.

Before looking at the commission's suggested remedy, let's observe some of the lengths to which the Post Office goes to defy the rules of common sense.

WHO'S THE BOSS?

Two years ago, a Congressman in his Capitol Hill office pointed to the corridor outside and said tc me, "If you want to see who really runs the U.S. Post Office, take a look out there."

It was postal-pay-bill time, and groups of postal workers from every Congressional district were visiting the legislators as part of week-long Washington "rallies" staged by the postal unions. Said the Congressman, "If I give them the wrong answers, I'll quickly hear from back home. Letter carriers are the only group who touch every home in my district."

The reason for such a rally is simple: Congress, not the Post Office Department, rules on all important labor matters—wages, hours, fringe benefits, etc. Even the duties of a post-office janitor are spelled out in an act of Congress. As a result, the postal unions don't bargain collectively; they lobby. And their ties to a few key Congressmen make them among the most powerful lobbies in Washington. Here are some indications of results:

The Post Office Department developed a work-measurement system to establish efficiency criteria for specific jobs. Whereupon Congress put pressure on the Post Offices to reduce the use of the measurements to grade the work of individual employes, no matter how grossly incompetent they might be.

Three years ago, when Congress passed the so-called 55–30 rule—allowing workers to retire with full benefits at age 55 after 30 years of service—management requested that it be given authority to force retirement of below-par workers (in the upper grades only) on the same basis. Under union pressure, Congress refused.

The Post Office estimates that it could save up to $75 million a year merely by paying rural-route carriers according to time worked instead of length of route, and by providing them with rental cars instead of paying them 12 cents a mile for the use of their own vehicles. But the rural carriers' union objects, and the idea has never made any headway in Congress.

WHY BE AMBITIOUS?

One of the basic facts of life in working for the Post Office is the knowledge that doing an outstanding job will get you nowhere. In fact, some personnel policies actually offer what the Kappel Commission calls "negative incentives" to doing a good job. For instance:

At one point in the San Francisco post office, 120 supervisory jobs were unfilled because of a lack of applicants from the lower ranks. The reason: though promotion meant larger responsibilities, it also meant giving up all seniority rights and starting at the bottom of the supervisory ladder (probably on the night shift) in return for a wage raise of less than $500 a year.

Postmasters' salaries are determined solely by the size of post office and length of service. If a postmaster does a *bad* job, he won't be fired (the appointment is permanent to age 70) except for the grossest malfeasance. If he does a *good* job, it can't earn him a promotion. He already holds the top spot in his office, and by law he can't be transferred to another office.

Says Timothy May, Post Office general counsel, "Private industry moves good men up through the ranks from branch office to branch office. We're legally forbidden to."

In fact, in career terms there is no overall postal system—just a collection of 33,000 isolated career islands, the local post offices. This is because of a weird seniority system which does not work system-wide. If a worker from one post office moves to another, he has to start at the bottom of the seniority ladder in the new office, regardless of his length of service. As a result, 99 percent of postal workers never transfer out of the office they start in.

Even for the few promotions that do exist, the rigidity of civil service and seniority rules virtually eliminates the concept of advancement for merit. "If the postmaster had complete authority for putting the right man in the right spot," a top official of a big-city post office told me, "our problems would disappear tomorrow." He cited the case of a supervisor with high seniority and civil-service exam marks who was nonetheless "lousing up the whole operation" by his failure to finish sorting in time to meet critical truck departures. "To get rid of him could take six months to a year," the official said. "First 'counseling' with him, then waiting out his appeals, and all the while fighting pressure from the union and probably his Congressman."

Two dreary statistics sum up how much incentive there is: over 80 percent of postal employees end their careers in the same job they started with; and, according to E. C. Hallbeck, head of the United Federation of Postal Clerks, a sorting clerk may work the night shift for up to 15 years—almost half his career—before he has enough seniority just to get a day job.

19th-Century Pigeonholes. Any well-managed company conducts a continuing, planned program of capital investment, each year borrowing or setting aside earnings to buy the new machines and factories that will keep it abreast of modern technology and growth.

There is no such program in the Post Office. In April 1967, the then Postmaster General, Lawrence O'Brien, estimated that the department would need five billion dollars to catch up with 20th-century technology. But Congress—which controls the postal budget as tightly as its labor relations—is much more interested in voting funds for the more glamorous military and space projects, and for such politically powerful items as new highways. At the estimated rate of appropriations for modernization from 1968 to 1972 (about $250 million a year), financing the improvements that O'Brien believed were needed would take 20 years.

The result is that the department's physical plant today is a shambles of ancient machinery and overcrowded buildings. Two years ago, in Chicago, an unexpected jump from 18 million to 21 million daily pieces so overloaded the post office that the whole operation broke down (the second crisis in three years), and mail had to be sent as far away as St. Louis for sorting.

Modern equipment *could* increase capacity. For example, a remarkably efficient, electrical-mechanical mail sorter has been developed in which a conveyer streams letters past several clerks, who press keyboard buttons to route the letters to their proper pigeonholes. They reduce the cost of sorting 1000 letters from $4.20 to $3.42. The Commission says that these machines could pay for themselves in about two years. But they cost $130,000 apiece, and the Post Office has bought only about one third of the machines it needs. Thus the overwhelming bulk of mail is still sorted precisely as it was 150 years ago—by clerks on high stools who grab a handful of envelopes and throw them one by one into pigeonholes. (In Chicago, 6000 such clerks throw letters into seven *miles* of pigeonholes.)

And so it goes with virtually every new technique developed for moving materials more efficiently. One startling statistic tells the story: over the last ten years, productivity of the average postal worker has increased only .23 percent a year—one-sixteenth the overall U.S. industry average of 3.62 percent.

HOW MUCH TO PAY?

The Post Office is the only major organization in the country today, either publicly or privately owned, whose prices are set by Congress. All other monopoly rates—for electricity, gas, telephones, railroads, airplanes—are set by regulatory commissions, whose staffs of economists and accountants recommend rate changes only after detailed hearings and painstaking audits. Compared to this fact-finding process, the postal rate-making is a circus sideshow.

Congress does not have, the Kappel Commission learned, a single person on its staff who studies postal rates full-time. Instead of providing expertise, Congressional rate hearings simply befog the complex economic issues involved. Scores of company executives and lobbyists appear at these hearings, each with his own set of self-serving statistics. Says Rep. Morris Udall, a member of the House postal committee, "The witnesses bring their own accountants, and there's hardly one who can't prove he's paying more postage than it costs the Post Office to handle his mail."

Indeed, both the rates and the postal accounting system are so chaotic that nobody can say for sure what mailers are being subsidized, or how much. (The accounting system doesn't even tell how much it costs to run the Chicago post office!) Said the commission, in its discussion of rates for different classes of mail, "Some items within these classes undoubtedly do not pay their way, while others do. One cannot tell which are which."

Big business-mailers—publishers, advertisers, mail-order houses—have every right to be heard on postal matters. Business is by far the biggest mailer (only 13 percent of total mail volume is personal letters), and seemingly small postal-rate increases can cost some corporations many millions of dollars. But a legislature is simply the wrong body to get involved in the pressures and technicalities of rate-making. That's why state legislatures long ago handed over most utility rates to independent commissions, and why Congress in 1930 set up an independent Tariff Commission. "Legislative rate-making," says the Kappel report, "is a hundred years behind the times."

TO HAVE EFFICIENT MAILS

That, then, is our governmental stepchild, the Post Office. Here is what the Kappel Commission recommended to cure its ailments:

First, create an entirely new management structure for the Post Office—making it a government-owned corporation with its board of directors mostly appointed by the President, along the lines of the Tennessee Valley Authority or the Export-Import Bank.

Second, give the corporation the authority to manage its own operations. Let it borrow capital funds from the investing public, independent of the Congressional-appropriation treadmill. Let it set its own rates, after hearings by expert rate examiners and subject to veto by Congress, so that, overall, it will pay its own way. Let it bargain collectively with the unions, and give it the authority to hire, to fire, and to establish personnel policies on the basis of merit, with politics eliminated.

While important details of the commission's recommendations are subject to legitimate debate, there's little question that the basic idea—freeing the Post Office of Congressional politicking—is essential if we are ever to have efficient mails.

Is such sweeping reform possible? Only if we taxpayers and mail users want it badly enough to put heavy pressure behind it. So write to your Congressman—forcefully and frequently. After all, letters are what the U.S. mails are for.

SENATE—*Friday, January 10, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Dr. Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, our Creator, Redeemer, and Judge, bless this Nation with righteousness and truth. Confirm what is right; correct what is wrong. Strengthen our institutions; deepen the root of our national life in everlasting righteousness. Protect us from enemies without and unworthiness within. Bless all the keepers of our national safety and our civil order. Enable us to trust one another and to fear only Thee. Make us equal to our high trust, reverent in the use of freedom, just in the exercise of power, and generous in the protection of the weak.

In all the decisions of the coming fateful days, grant that we may ever remain a nation whose God is the Lord. Guide by Thy higher wisdom the Members of the U.S. Senate this day and henceforth. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 9, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF FOUR RIVER BASIN COMMISSIONS—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of Thursday, January 9, 1969, the Secretary of the Senate, on January 9, 1969, received the following message from the President of the United States, which, with the accompanying reports, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I am proud to transmit the first annual reports of the four river basin commissions established under the Water Resources Planning Act of 1965.

That Act provides for the establishment of river basin commissions—if requested by the States in the appropriate area—to plan for the best use and development of rivers, their adjoining land and their resources.

In the last few years we have become more aware than ever that the quality of American life depends largely upon how we use—and conserve—our natural resources. The river basin commissions assure that the people within each area will have a voice in deciding how these resources are used. This new approach to planning, if it is successful, promises more efficient use of America's great natural and man-made wealth, and more attention to preserving the beauty and vitality of our environment.

The four commissions that have been established cover areas in 21 States. They are the Pacific Northwest River Basins Commission, the Souris-Red-Rainy River Basins Commission, the Great Lakes Basin Commission, and the New England River Basins Commission.

These annual reports reflect the accomplishments of each commission during Fiscal Year 1968. They describe existing problems—and potential problems—in the use of our river basins, as well as vast opportunities for their sound development.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 9, 1969.*

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of Thursday, January 9, 1969, the Secretary of the Senate, on January 9, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations, see the end of Senate proceedings of today.)

ORDER FOR RECESS UNTIL MONDAY, JANUARY 13, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon Monday.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF U.S. CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

Soon after this report is issued, a new President will assume the burdens of office.

He will come to the Government finding a well-trained and willing career civil service ready, able and anxious to help him perform the many tasks of public administration at home and abroad.

The career civil service took many years to build.

On January 16, 1883, President Chester Arthur signed the Civil Service Act which is now acknowledged as one of the most important pieces of legislation passed in modern times.

That Act abolished the wholesale political patronage system of government jobs. It made permanent the idea of the career public servant, hired on qualifications, promoted on merit, ready to serve without fear of political reprisal or dismissal.

Because of that Act the day-to-day operations of the United States Government will not be interrupted during the transition period between administrations.

Out of the same Civil Service Act of 1883 came the United States Civil Service Commission.

It is this Commission which assists the President in overseeing the operations of much of the Federal civilian personnel system.

It is this Commission which works to maintain continuity and stability in government employment.

And it is this Commission which seeks to help agencies improve the methods by which staff, specialists, administrators and technicians are recruited, trained, paid and promoted.

The Fiscal 1968 report of the Commission is a perceptive document addressed to the key element of our time—change.

During that year the Commission gave new attention to the need to respond to changing times and changing government requirements.

—Increased attention was given to recruiting and training younger career administrators.

—Minority employment increased, accompanied by new stress on equal employment opportunity.

—Vietnam war veterans were given new Federal job opportunities.

—Significant progress was made toward achieving the goal of salary comparability.

—New stress was placed on advanced training and preparation of Federal officials.

—The Executive Assignment System became fully operational.

—New Laws opened the way for expanded opportunities for education in the public service for talented and dedicated young Americans.

—Additional efforts were made to provide Federal support for the training of State and local Government employees.

I am pleased to transmit to the Congress the Annual Report of the United States Civil Service Commission for the fiscal year ending June 30, 1968. It speaks of past performance and future promise. I know that the Congress will continue to give strong support to the new President, the Civil Service Commission, and the Executive Departments and Agencies in making the civil service even more effective, efficient, and responsive to the Nation's needs.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 10, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

ORDER OF BUSINESS

The VICE PRESIDENT. Under the previous order, the Chair recognizes the Senator from Alabama (Mr. ALLEN).

TRIBUTE TO FORMER SENATOR LISTER HILL OF ALABAMA

Mr. ALLEN. Mr. President, I appreciate the courtesy and indulgence of the distinguished majority leader and my colleagues in the Senate in allowing me to speak at this time. My admiration for Senator Lister Hill, of Alabama, as well as the amenities of the occasion of my succession to the seat in this distinguished body formerly held by Senator Hill would suggest the propriety of my asking for the privilege of making these remarks at this time. The remarks I shall make are not controversial, and I did not wish that they be interspersed in the debate which I understand very likely will take place later in the day, on another subject.

Mr. President, during the closing days of the last session of Congress, many warm and eloquent tributes were paid by Members of this distinguished body to the then senior Senator from Alabama, Lister Hill, in recognition of his 45 years of outstanding and dedicated service to his State and to the Nation.

I regret that for the lack of a few short months I was not eligible at the time to join in these tributes to my friend and fellow Alabamian, Lister Hill. I am honored now to be eligible by a few short days belatedly to do so, and to record for posterity an expression of appreciation to Senator Lister Hill for the great contributions he has made to his State, to his Nation, and, may I add, in many very definite respects, to the world.

The Good Book, Mr. President, says "by their fruits ye shall know them." Senator Lister Hill is indeed known for the fruits of his labors and will long be known with respect, with admiration, and with a deep sense of gratitude by the people he was privileged to represent for so many years in both Houses of Congress, and by the people of all sections of this Nation.

When Senator Hill first entered Congress in 1923 as a young Representative from the Second Congressional District of Alabama, he immediately set out to improve the conditions of a section of this country economically depressed and still suffering from hardships imposed upon it during the tragic reconstruction era. He sought to find a way to provide better opportunity and a better life for its peoples. While elected to represent the people of the Second District of Alabama, Senator Hill did not confine his interests, his energies, and his determination to that one constituency. His vision went beyond this, to the State as a whole and to the region of which it was a part. He joined with Senator George Norris of Nebraska in introducing legislation to provide for the comprehensive development of the Tennessee Valley and the unification of its river basin into a total economic unit. Finally, in 1933, he had the pleasure of seeing this legislation signed into law by President Franklin D. Roosevelt, and the satisfaction of witnessing the transformation of an often flood-ravaged and unproductive section of his State into an industrial powerhouse and a land of opportunity.

Shortly after entering the Senate, Lister Hill sought to remove the discriminatory freight rates that were continuing to shackle the South and hold it in economic bondage.

Legislation he introduced in 1940 paved the way for the removal of these discriminatory freight rates and at last made it possible for a southern businessman to pay less in freight charges for a shipment of steel from the steel mills in nearby Birmingham, Ala., than from Pittsburgh, Pa.

Mr. President, as we know, following the end of World War II this Nation and Congress were able to turn their attention again to the needs and problems at home, many of which accumulated or accelerated during the war years, and again Lister Hill was in the forefront of the legislative battles for the people. While today he is widely recognized as the statesman of health, the outstanding record of legislative achievement that Lister Hill leaves indelibly imprinted on the pages of history is by no means limited to any one particular field. Indeed, the programs he conceived, sponsored, or helped guide to passage during his 45 years in Congress cover a spectrum much broader and far more encompassing.

They cover a spectrum ranging from the B2-H2 resolution laying the groundwork for the United Nations to an international health act for better health around the world.

They cover a spectrum ranging from assistance to the cotton and peanut farmers of Alabama to the providing of electricity, telephones, and library books to rural America.

They cover a spectrum ranging from GI bills for our veterans to benefits for their families.

They cover a spectrum ranging from loans for college students to assistance for vocational education and elementary and secondary education.

They cover a spectrum ranging from the construction of nearly 10,000 hospitals and other types of health facilities throughout the country, under the act which bears his name, to the appropriation of funds for medical research into the causes and cures of diseases that continue to plague and baffle mankind.

They cover a spectrum of some 60 pieces of major health legislation that Lister Hill has written, ranging from training of doctors, dentists, nurses, and other related health personnel to the dissemination of the latest knowledge of heart, cancer, and stroke from the research laboratory to the patient's bedside.

And there are countless other programs in the spectrum.

Mr. President, Lister Hill often declared that everyone has a right to good health. In his dedicated pursuit of this goal, he was ever guided by the belief that he who has health has hope and he who has hope has everything.

It has been said that there is hardly a man, woman, or child in this Nation who has not benefited or who is not now benefiting directly or indirectly from programs envisioned and championed by Senator Hill.

I would add to this, Mr. President, that millions of people throughout this Nation now have hope because of the good works of Lister Hill, and countless millions yet unborn will have a healthier and better life because of him.

I join the millions throughout this land in deep appreciation to Lister Hill for all he has done.

As a fellow Alabamian, I am proud to be in the line of senatorial succession with him.

As a fellow Alabamian, I am especially proud of the example and of the heritage he has given us.

As we begin the 91st Congress, with the many difficult and onerous tasks that lie ahead, may we be inspired and challenged by that example and heritage.

Mr. President, I thank the Chair for indulging me. I thank the distinguished majority leader and all Senators for allowing me at this time to make these remarks eulogizing a great Alabamian and a great American, Senator Lister Hill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. ALLEN. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, it so happened that when the various ceremonies were held, the laudations for the distinguished Senator from Alabama and the praise of his invaluable service to the country on the floor of the Senate, I was never present. I did not participate in any of them and had no remarks in the RECORD on this score.

I do wish to say that I have served in this body for some time and with several hundred different Senators. I know of only one of them who will go down in the history of this period solely on the basis of his Senate service. There have been many good men and a few great men, but due to his authorship of the Hill-Burton Act providing Federal assistance in the building of hospitals throughout these United States Lister Hill will be assured a place in history.

Mr. President, nothing could better illustrate this than the fact that I received from a small city in my State a resolution passed by a civic club, the Kiwanis Club of Hartwell, Ga., expressing their deep appreciation for the services of Senator Hill, and their regret that he will no longer be a Member of the Senate. I doubt very much that any member of that club knew Senator Hill personally, but they do know where the Hill-Burton hospital is located, and the name of the author of the act that made it possible.

So, Mr. President, the entire Nation has an obligation and a debt of gratitude to this man. Innumerable Americans have received benefits from his handiwork as a legislator and his efforts in behalf of mankind as a whole to alleviate their suffering and distress.

The resolution of the Kiwanis Club of Hartwell, Ga., symbolizes what I have just said. I ask unanimous consent that the resolution adopted by the Kiwanis Club of Hartwell, Ga., on November 11, 1968, be printed in the Record at the conclusion of my remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of Kiwanis Club of Hartwell, Ga., November, 11, 1968

Whereas the Officers, Board of Directors and Membership of the Kiwanis Club of Hartwell, Georgia, on behalf of themselves, said Civic Club, and the Citizens of this area of Georgia desire to pay deserved tribute to Honorable Lister Hill for the many contributions he has made during his long, dedicated, constructive and effective tenure and service to his fellow Americans as a United States Senator from the great State of Alabama, and

Whereas, the Citizens of this area have greatly benefited from the many measures of humane legislation which said Distinguished Senator has sponsored, worked for, and guided to Enactment by the Congress, including--especially the Hill-Burton Act by which vehicle almost all of the rural and urban areas of our nation have been enabled to provide needed hospital facilities for the citizens thereof including the Hart County Hospital at Hartwell, Georgia, and several other such hospitals in adjoining and nearby political sub-divisions, and

Whereas, the Officers, Board of Directors and Membership of this Hartwell Kiwanis Club have voted unanimously to adopt a resolution giving both praise and thanks to Senator Hill from Alabama on behalf of themselves and the citizens of this area and to have such resolution inserted into the Congressional Record on Motion of Honorable Richard B. Russell, the senior United States Senator from Georgia.

Be it therefore resolved that the Officers, Board of Directors and Membership of the Hartwell Kiwanis Club do hereby unanimously express the highest regard and most sincere affection for, the gatitude to The Honorable Lister Hill, Distinguished Statesman, Gentleman and United States Senator from Alabama, for his many constructive contributions to and effective service in behalf of the Citizens of the United States of America in general and this area of Georgia in particular, and that the good wishes of this Club be and they are extended to Senator Hill for his continued good health, success and happiness.

Further resolved, that the original of this Resolution be forwarded to Senator Hill by the Club Secretary, that a copy be published in the Hartwell Sun; and that two copies be sent to Senator Russell with request that this Resolution be inserted and published in the Congressional Record.

Resolution Unanimously adopted this November 11, 1968.

Mr. RUSSELL. I thank the Senator for yielding.

Mr. ALLEN. I thank the Senator from Georgia for his remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ALLEN. I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I wish to be associated with the laudatory remarks which the Senator has made. In my 12 years in the Senate I have served with no finer gentleman than Lister Hill.

I commend the Senator from Alabama (Mr. Allen) for the fine address he has given.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. ERVIN. Mr. President, I would like to associate myself with the very eloquent remarks of the Senator from Alabama concerning former Senator Lister Hill.

I think that Lister Hill will go down in the history of this Nation as the legislator who did the most for the health of the people of this country. As author the Hill-Burton Act, he made it possible for the people in all communities of this country to secure hospitals sufficient to administer to their ills.

Mr. ALLEN. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. THURMOND. Mr. President, I would like to associate myself with the remarks of the distinguished Senator from Alabama concerning a great humanitarian and the service of the very able and distinguished former Senator from Alabama, Lister Hill.

Mr. ALLEN. I thank the Senator.

Mr. SPONG. Mr. President, I wish to join with those who paid tribute today to our former colleague, the Senator from Alabama, Lister Hill. It is a pleasure to join those who have spoken of him.

In the forefront of the contributions he has made to his State and to this Nation is his work in helping to effect the legislation known as the National Defense Education Act of 1958. Senator Hill's work in this field should mark him for all time as one of those who have recognized the proper role of our Government in this field of education.

Other significant contributions made by the Senator from Alabama can be dramatically revealed by those who have been connected with the medical schools in the United States during the past two decades. It has been my privilege on occasion to talk to a number of deans of medical schools throughout the United States, and in these conversations it has been evident that Senator Hill has tirelessly and significantly assisted not only medicine generally but also the teaching of medicine throughout the United States.

Therefore, it is a pleasure for me to join the senior Senator from Alabama and other Senators who have today paid tribute to our former colleague, Senator Lister Hill.

NOTICE OF HEARING

Mr. MUSKIE. Mr. President, on behalf of the distinguished Senator from Alabama (Mr. Sparkman), I should like to announce that the Committee on Banking and Currency will hold a hearing on Thursday, January 16, 1969, on the nomination of Gov. George W. Romney of Michigan to be Secretary of the Department of Housing and Urban Development.

The hearing will commence at 10 o'clock a.m., in room 5302 of the New Senate Office Building.

PORTSMOUTH, N.H., SHIPYARD

Mr. COTTON. Mr. President, the Portsmouth chapter of the Navy League has recently adopted a resolution regarding the necessity of keeping the Portsmouth, N.H., Shipyard open. While the Navy Yard at Portsmouth is vital to the economies of New Hampshire and Maine, it also remains an essential element in this country's defense. To close it, in my opinion, would be unthinkable. I am confident that will never happen, and that a new administration will see that those of us who have continually fought for the yard and its workers have been in the right.

I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of Portsmouth, N.H., Council, Navy League of the United States

It was moved, seconded and passed unanimously, that the Portsmouth Naval Shipyard be kept open and in operation for the needed defense of our great country, these United States, and that the representatives in Washington be so advised, that this motion be presented before the Congress of these United States and be placed upon the Congressional Record.

COMMUNICATION FROM REV. EDWARD B. LEWIS

The PRESIDING OFFICER. The clerk will read a communication, which will be placed on file.

The legislative clerk read the communication as follows:

Capitol Hill Methodist Church,
Washington, D.C., January 8, 1969.

Mr. Francis R. Valeo,
Secretary, U.S. Senate,
Washington, D.C.

Dear Mr. Valeo: I want to express my deep appreciation to the United States Senate for the high privilege they have afforded me in serving as Acting Chaplain. I shall never be able to express my deep feeling for their confidence.

Also, I am delightfully surprised at the close vote, 28–20, in the election of a permanent chaplain with Dr. Edward L. R. Elson and me as the nominees. I also feel, under the circumstances, it was a great vote of confidence. I will be writing Senator Mansfield and express my deep appreciation to him.

As of the evening of Wednesday, January 8, 1969, I am resigning as Acting Chaplain of the United States Senate.

I also decline the Senate's gracious offer to serve as Acting Chaplain until January 15. I feel that Dr. Elson should have the opportunity to become acclimated as soon as possible. I do this with the highest intention and good feeling.

I will always count you as a close friend. Please express to all, my best thoughts.

Sincerely,

Edward B. Lewis,
Minister.

P.S.—I am leaving this afternoon for Kansas City where I am due for a Conference. I had told them I couldn't come, but now I find that I can. I have asked my secretary to see that this gets to you.

AMENDMENT OF SENATE RULE XXII

The PRESIDING OFFICER (Mr. Eagleton in the chair). If there be no further morning business, the Chair lays before the Senate, Senate Resolution 11, coming over under the rule. The clerk will state the resolution by title.

The BILL CLERK. A resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

The Senator from Idaho obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. CHURCH. I yield.

PRIVILEGE OF THE FLOOR

Mr. HOLLAND. Mr. President, I ask unanimous consent that during the debate about to begin now relative to rule XXII I may be allowed to have with me on the floor of the Senate my legislative assistant, Mr. Thomas A. Young.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, without losing my right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, yesterday, when the pending resolution was submitted, a number of cosponsors joined in submitting it, but their names were not listed in the CONGRESSIONAL RECORD of yesterday.

Accordingly, I ask unanimous consent that the names of the cosponsors of the resolution appear here in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SPONSORS OF SENATE RESOLUTION 11

Mr. Church.
Mr. Pearson.
Mr. Anderson.
Mr. Bayh.
Mr. Burdick.
Mr. Cranston.
Mr. Dominick.
Mr. Eagleton.
Mr. Harris.
Mr. Hart.
Mr. Hartke.
Mr. Hughes.
Mr. Jackson.
Mr. Kennedy.
Mr. Magnuson.
Mr. McGovern.
Mr. McIntyre.
Mr. Mondale.
Mr. Moss.
Mr. Nelson.
Mr. Pastore.
Mr. Proxmire.
Mr. Randolph.
Mr. Ribicoff.
Mr. Williams of New Jersey.
Mr. Yarborough.
Mr. Young of Ohio.
Mr. Muskie.
Mr. Brooke.
Mr. Case.
Mr. Fong.
Mr. Hatfield.
Mr. Javits.
Mr. Scott.
Mr. Allott.
Mr. Goodell.
Mr. Percy.

Mr. CHURCH. Mr. President, the resolution which will later be motioned up for consideration, submitted yesterday by the distinguished senior Senator from Kansas (Mr. PEARSON) and myself, along with 35 other cosponsors from both sides of the aisle, retains all of the present language of Senate rule XXII relating to the termination of debate, except that it changes from two-thirds to three-fifths the number of Senators present and voting required to limit debate by invoking cloture.

This amendment would, in my judgment, bring about a distinct improvement in Senate procedure. Moreover, it is offered on the strength of the constitutional principle that a new Congress has the right, at the time of its commencement, to decide the rules under which it wishes to operate.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I would be glad to yield to the distinguished Senator, but I would prefer to complete my argument and then yield, unless the Senator has some pressing reason to ask me to yield at this time.

Mr. HOLLAND. I gladly accept the Senator's explanation and will ask my questions later.

Mr. CHURCH. Mr. President, my purpose in sponsoring this amendment is the same as that expressed, 2 years ago, by the distinguished junior Senator from South Dakota (Mr. MCGOVERN) when he introduced a similar resolution at the commencement of the 90th Congress. It stems from my conviction that a modification of the filibuster rule would enable the U.S. Senate to discharge its responsibility to the American people in a more democratic and expeditious manner.

This represents the eighth attempt in 16 years to change the filibuster rule and to enforce the proposition that the Senate, at the outset of a new Congress, can by majority vote, work its will on the rules under which it chooses to operate. Although the constitutional validity of this proposition would seem self-apparent, we have yet to accomplish the goal.

The struggle began in 1953, when 19 Senators, led by the distinguished senior Senator from New Mexico (Mr. ANDERSON) sought to achieve a change in the filibuster rule.

I wish the Senator from New Mexico were still leading the fight to obtain the three-fifths rule, because he is, in fact, the originator and constant champion of this proposal. His heavy responsibilities have required him to turn his energy and attention to other matters, but he is first entitled to claim the generalship of this effort.

When he initiated the struggle to modify the filibuster rule, on January 3, 1953, 18 other Senators joined him in an attempt to assert the right of a majority in the Senate to adopt new or different rules.

That list of 19 Senators, who led off this historic effort to unfetter a new Senate of procedural restrictions imposed by old rules, including the following distinguished Members of this body:

Senator CLINTON ANDERSON, a former Cabinet member, a former chairman of the Interior and Insular Affairs Committee, the Joint Committee on Atomic Energy, and presently chairman of the Senate Aeronautical and Space Sciences Committee.

HUBERT HUMPHREY, a former Senator from Minnesota, at one time assistant majority leader of the Senate, and now Vice President of the United States.

Senator MIKE MANSFIELD, now the majority leader of the Senate, who commands the universal respect of Members on both sides of the aisle.

The late John F. Kennedy, then a Senator from Massachusetts, and afterward President of the United States.

Senator WARREN G. MAGNUSON, who later became chairman of the Commerce Committee, over which he still presides.

Senator JOHN PASTORE, who now serves with such distinction, in alternate years, as chairman of the Joint Committee on Atomic Energy, and who delivered that stirring keynote address at the 1964 Democratic National Convention.

Senator HENRY M. JACKSON, who now serves as chairman of the Committee on Interior and Insular Affairs, and was formerly national chairman of the Democratic Party.

Wayne Morse, former Senator from Oregon, widely recognized as a brilliant and respected constitutional lawyer, and former law school dean.

Paul Douglas, former Senator from Illinois, who served as the able chairman of the Joint Economic Committee, whom we would all acknowledge as one of the finest minds to grace the Senate in recent years.

The late Senator James E. Murray of Montana, who was chairman of the Interior and Insular Affairs Committee when I first entered the Senate.

The late Senator Theodore Green, who became chairman of the Senate Committee on Foreign Relations.

The late Senator Herbert Lehman, who served as Governor of New York State, and was Administrator of the UNRRA program, which helped to rebuild Western Europe after World War II.

The list also included such distinguished former Senators, both Democrats and Republicans, as Matthew Neely, Harley Kilgore, Lester Hunt, Charles Tobey, Irving M. Ives, Robert C. Hendrickson, and James H. Duff.

Some of these Senators were from populous States, some were not; some were from the East, some from the West; but all had in common, as is true of the Senators now identified with the present effort, the need to affirm the constitutional principle that the membership of the Senate, acting by a majority vote at the outset of a new Congress, possesses the power to set its own procedural house in order, unrestricted by any limitations established or observed in previous years.

I think we are indebted to the foresight of the 19 men who began this fight 16 years ago. When I entered the Senate, in January of 1957, I cast my lot with them. Since that time, I have seen our numbers grow, and I hope that this might be the year when a majority of Senators will prove themselves willing to assert their constitutional right.

However, I would not want to proceed further without giving special credit to the distinguished junior Senator from

South Dakota (Mr. McGovern) and the former Senator from Kentucky, Mr. Morton, for their leadership, 2 years ago, at the commencement of the 90th Congress, in advocating the adoption of the three-fifths rule. Mr. Morton is no longer with us, and Mr. McGovern is unable, owing to the heavy pressure of special committee duties, to perform the same role again this year. For this reason—and this reason alone—I have undertaken, in the welcome company of my worthy Republican colleague (Mr. Pearson), to introduce the resolution.

To begin the argument, let me stress that by amending rule XXII to provide that three-fifths, rather than two-thirds, of those Senators present and voting may invoke cloture, we would work no rash or radical change. This proposal is a modest one, moderate in its purpose and reach. It is anything but a "gag rule." It would not alter the essential character of the Senate as a deliberative body. It would not undermine nor even jeopardize the opportunity for extended debate.

Indeed, the real issue we face is quite the reverse. The long history of the filibuster has shown that rule XXII, as presently written, places undue power in the hands of the few; the requirement that two-thirds of the Senators voting must concur before debate can be limited raises a nearly insurmountable barrier in the procedural path of even a substantial majority. The present filibuster rule is too formidable. Its mischief cannot be measured by its direct impact alone, but must embrace its far-reaching indirect consequences.

As Senator McGovern once observed:

> Too often there has been the very clear implication in debate on the floor of the Senate or in the Senate cloakroom to the effect "yield on this point or that point, make this concession or that concession, or we will filibuster, and you know you would not be able to get a two-thirds majority."
>
> In that fashion, legislation is often modified or even controlled by a very small percentage of members. The harm flows, in other words, not just from the bills that have been blocked and have been prevented from ever coming to a vote and have been delayed or defeated by filibuster, but the filibuster on many pieces of legislation is an ever-present pressure to dilute the work of the Senate.

Reducing from two-thirds to three-fifths the number of Senators required to limit debate will temper the unduly harsh effects of the present filibuster rule. If the filibuster, unknown to any other parliament, is king of the Senate, even with the adoption of the three-fifths rule, it will remain crown prince. Far from diminishing the stature of the Senate, I think such a change in the rule would actually dignify the Senate by rendering it better able to proceed, after full and fair debate, with the proper disposition of the Nation's legislative business.

For the truth is that the enthronement of the filibuster has itself brought the Senate into ridicule. As the distinguished former Senator from California, our esteemed friend, Mr. Kuchel, said here in 1967:

> The theory of legislation by physical exhaustion, the theory of legislation by irrelevance, is equally abhorrent to all reasonable people, in the Senate chamber and outside.

In such instances, the good reputation of the Senate itself has been called into question. Radio, television, and press inform the world that the Upper House of the Congress of the United States lies paralyzed by its own procedures and left unable to act.

Mr. President, in urging the adoption of a three-fifths rule, I am not unmindful of the importance we should attach to safeguarding the privilege of extended debate. This is, and should remain a deliberative body. Thorough and lengthy debate on public issues of major importance, extending over a period of weeks, can help to inform the people and, on occasion, can even influence the ultimate vote. The educational function of debate, both within and without the Senate, should not be regarded as inconsequential. I, for one, believe the opportunity for lengthy deliberation in the Senate is a virtue to be prized and preserved.

Moreover, whenever a particular legislative proposal constitutes so great an affront to a large segment of the country that many Senators are willing to fight it as long as they have strength to stand and speak, I am far from convinced that our best national interests would be served by permitting debate to be terminated by the vote of a simple majority. In such a case the prudent rule should require no less than a substantial majority.

For these reasons, I oppose any drastic revision of rule XXII, I believe it would be a mistake to adopt majority cloture. I am against any rule that might "gag" the Senate, or leave the privilege of extended debate with no other safeguards than those conferred by custom.

A three-fifths rule, in my judgment, would strike a proper balance. While leaving the privilege of extended debate strongly fortified, it offers us greater assurance of avoiding the pitfall of legislative paralysis, when the urgent needs of the country call for action.

It is often urged that rule XXII, as presently constituted, somehow protects the rights of small States against large. But in the Senate no State is smaller than any other; all stand equal. Alaska casts the same number of votes as New York. As the inscription carved in marble on the pediment of our own new office building reminds us, "The Senate is the living symbol of our union of States."

If, by this argument, it is meant that the present rule somehow prevents States of small population from being trampled by the more populous, it still makes no sense. For in the Senate the States of smaller population are in the large majority.

There are times, of course, when the tradition of extended debate, backed up by the rule on cloture, can make a Senator bigger than himself, that is, bigger than his individual vote, or make a cluster of Senators loom larger than their collective votes. This occurs, with particular force, near the close of a session, when the pressure is on to complete our legislative business. But it matters not whether the Senators involved represent States that are urban or rural, large or small, or that they come from the North or the South, the East or the West.

If this "clout" is what we seek to preserve, the adoption of a three-fifths rule will affect it hardly at all. The difficulty of securing a 60-percent vote for cloture should prove sufficient, in nearly every case, to keep the practice intact.

So I reject, as baseless, the argument that any liberalization of rule XXII might somehow jeopardize the sparsely populated States. I treasure the interests of my own State and try my best to represent them well. Yet the strength of my State, the strength of any State, can be no greater than the strength of the Nation. We are Americans first, and we are Senators of the United States, as well as Senators of the respective States we represent. In the final analysis, we shall stand or fall on the basis of the strength and well-being of the great country in which we live.

As important as it is to write a three-fifths cloture rule for the 91st Congress, it is even more fundamental that we affirm the principle that the Senators who duly comprise this body are masters of their own House.

A majority of the 100 Members of the Senate must possess the right under the Constitution to adopt whatever cloture provision they deem best for the 91st Congress, without hindrance from rules laid down by the Senate of any earlier Congress. The Senators of the 91st Congress, new and old alike, are not second-class Senators; they are not limited, through action taken by other Senators in previous Congresses, in any way that can lessen their power as compared to that of their predecessors. They have the same right to determine the rules which shall bind them during the next 2 years as the Senate of the first Congress had when it met in 1789, or, for that matter, the same right that the Senate exercised in 1917, which wrote the two-thirds rule that we now propose to amend.

The Constitution provides in article I, section 5, that "Each house may determine the rules of its proceedings." No reason has been or can be adduced to interpret this constitutional provision as a grant of rulemaking authority to the Members of the Senate who met for the first time in 1789 or in 1917, and a withholding of the same authority from the Members of the Senate of later Congresses. Both language and logic lead us to the conclusion that the constitutional authority to make rules rests, at the commencement of each new Congress, with a majority of the Members of each House.

When the Senate of the first Congress met in 1789, it was perfectly clear that the majority could decide upon the rules; a filibuster against adopting rules would quickly have been overruled by majority vote.

No less can a majority of the Senate of the 91st Congress be in control of its destiny. Every precedent since 1789 has supported the right of the Senate of a new Congress to fix its own procedures, uncontrolled by the grip of the past. Advisory rulings by Vice President Nixon in 1957, 1959, and 1961 clearly reflect a sound understanding of this constitutional principle, a position with which our present Vice President HUBERT HUMPHREY, fully concurs. Both agree that we, who comprise this new Senate, have the right today, under the Constitution, to act by majority will.

Mr. President, we shall hear talk that the Senate is a continuing body. Of course it is, in the limited sense that two-thirds of the Members carry over from Congress to Congress. But, in a larger sense, the Senate is not a continuing body. All consideration of resolutions, treaties, bills and nominations, starts afresh at the beginning of each new Congress, without any continuation of what has taken place in the past; officers of the Senate are newly elected at the beginning of each new Congress; newly-elected Members are seated and majority control, which carries with it the right to organize the new Congress, may shift from one party to the other.

But, whether we choose to call the Senate a continuing body or not, the fact that two-thirds of the Senators normally carry over does not support the proposition that rules adopted by a Senate of an earlier Congress can prevent the Senate of a new Congress from altering those rules in such manner as the majority may determine at the opening of that Congress.

Still, the argument persists that the fixed rules of the Senate carry over from one Senate to another. Reduced to its bare essentials, the argument seems to come down to this: since two-thirds of the Senators carry over, the rules carry over. But this is an obvious non sequitur. It necessarily assumes that the carryover of two-thirds of the Senate always carries over a majority in favor of the old rules. The infusion of newly elected Senators—both by their numbers by their convictions, and by their powers of persuasion—may very well change the majority view on the rules, and it must be this majority view that is determinative, under our constitutional democracy, not who carries over into the new Congress. That the newly elected one-third may change the majority viewpoint is well illustrated by the shifting of the Senate from party to party over the years.

The argument that the two-thirds carryover prevents a new majority from acting on the rules disenfranchises not only the newly elected one-third, but also the new majority who are thus prevented from exercising their powers to fashion the rules that shall govern their own work in the discharge of their duty to the people of the United States.

Article I, section 5 of the Constitution does not disenfranchise today's majority. The Constitution stands above the existing rules of the Senate, including that rule which purports to even now require a two-thirds vote to invoke cloture.

The time has come for the majority of Senators to assert their authority under the Constitution of the United States. Whatever decision we reach regarding rule XXII, let the present majority seize upon its right to make it.

Nothing less can free the Senate from the relentless grip of the past.

Mr. MUSKIE. Mr. President, I take this opportunity to compliment the distinguished Senator from Idaho for the fight he is making this morning and, I suspect, that he will be making in the days that lie ahead. I have been on his side in the fight before this, and I will be this year. At this point, I would like to give him whatever moral boost I can as he begins his argument in behalf of the change he has advocated.

Mr. CHURCH. I thank the Senator.

Mr. HOLLAND and Mr. PEARSON addressed the Chair.

Mr. CHURCH. I am happy to yield to my cosponsor, the distinguished Senator from Kansas.

Mr. PEARSON. Mr. President, I say to the Senator from Florida that I have a very short statement to make. It will not take more than 3 or 4 minutes. I know he is anxious to proceed with questions.

Mr. HOLLAND. Mr. President, I simply intended to address some questions to our distinguished friend from Idaho, but I am perfectly happy to wait, provided the Senator from Idaho will remain on the floor.

Mr. PEARSON. Mr. President, I wish to associate myself with the very persuasive arguments made by the distinguished Senator from Idaho, and to say also that the resolution now known as No. 11, which is sought to be considered, represents in my judgment a reasonable and, in the words of my cosponsor, a moderate amendment of rule XXII, and is a balance between the right of complete debate and the right to vote.

Because in recent years this issue has been the inevitable first Senate business of each Congress, it has acquired a rather formal or ceremonial exercise in parliamentary skirmishes. But I think, Mr. President, the issue is more than a procedural question or a nicety of parliamentary practice.

As is the case of many rules of procedure, it involves substantive rights necessary for equality for the orderly conduct of business.

Mr. President, the object of the present rule is to prevent minority control in the U.S. Senate. Among the balances of our scheme of government, and, indeed, the essence of the genius of our governmental structure, is the protection of minority rights under majority rule. In the U.S. Senate, there should be the right to the fullest and most complete debate of the issue, but as stated before there should also be a right to vote on that issue at some time. To do otherwise would be to deny equal representation as guaranteed by the Constitution.

If a small group of Senators, of one-third plus one, can prevent the enactment of legislation, that power represents a veto power never contemplated by the Constitution. That minority may not only prevent the enactment of legislation, but can coerce the acceptance of modification and amendments which may be harmful. The measure that "extended debate" known to the public as a filibuster may have diminished public confidence in the legislative processes and in the efficiency of Congress to meet the onrush of change in these challenging days, may not ever be known.

Mr. President, for the Senate to have a rule of procedure which arbitrarily prevents the enactment of legislation not only inhibits the majority of the Senate from acting but also prevents the enactment of measures approved and passed by the House of Representatives. No other legislative body permits the filibuster as it now can be conducted in the U.S. Senate. It is contrary, Mr. President, to the philosophy of our Founding Fathers that a minority, being perhaps from one particular section of the country, or perhaps from one particular political party can thwart the majority.

Mr. President, I hope that this resolution may be considered and that it may be approved.

Mr. CHURCH. I thank the distinguished Senator from Kansas. I want him to know how deeply I appreciate his cosponsorship.

Mr. President, I am happy to yield now to the distinguished Senator from Florida.

Mr. HOLLAND. I thank the Senator. First, I compliment the Senator from Idaho and the Senator from Kansas on their statements of the objectives which they have in mind in offering the resolution now being debated. That resolution has long been the subject of a great difference of opinion on this cloture question. That does not mean that any Senators, I am sure, will lose their sense of moderation or sense of good humor and good will. I certainly recognize the good will of both of my distinguished friends.

Mr. CHURCH. I fully reciprocate that feeling.

Mr. HOLLAND. I thank the Senator from Idaho. I first want to go into the point that Senators so often accentuate—the desire merely to substitute a three-fifths rule for the two-thirds rule in this important rule XXII, which has to do with cloture of debate.

Is it not true that the major change in the whole Senate procedure which would be accomplished if the present effort of my distinguished friends were successful would not be so much to change from a two-thirds to a three-fifths rule, but the adoption of a precedent which, in case of the Senator's success, would be first adopted and first become a precedent of the Senate, and which would, in effect, mean that a mere majority of the Senate, no matter how transient, at the beginning of any Congress could change not only rule XXII but any other rule, and, in the judgment of a mere majority, all other rules of the Senate? Is not that what the adoption of such a precedent would mean in its overall effect upon the Senate?

Mr. CHURCH. First of all, that will depend upon what happens during the next few days. If the Senate were permitted to come to a vote on the proposed three-fifths rule, then the precedent to which the Senator from Florida alludes would not have to be established. But if it is necessary, in order to get to a vote, to assert the constitutional right of the majority to act, then I think that must and should be done.

I cannot read any different meaning into the clear words of the Constitution itself than that it lies within the power of the present majority, at the commencement of a new Congress, to decide upon the rules under which that Senate will operate.

Mr. HOLLAND. Then, if I have correctly understood the distinguished Senator, he recognizes the fact that if his resolution were adopted, a new precedent would be established in the Senate under which at the beginning of every Congress a mere majority of the Senate could, if it wished, rewrite every Senate rule, adopt new Senate rules, and do away with any old Senate rules that that mere majority wished to act upon?

Mr. CHURCH. Yes; but if a precedent were established by such action of the Senate, it would conform with the rulings that the Senate itself has received from both Vice President Nixon and Vice President HUMPHREY, to the effect that the Constitution confers upon the majority, at the commencement of a new Congress the right to formulate the rules under which the Senate will function.

Mr. HOLLAND. Does not the Senator recall that the ruling by Vice President Nixon was simply an advisory ruling, not a ruling that was binding and would establish a precedent of the Senate?

Mr. CHURCH. The Senator is quite correct; however, I repeat that the precedent, if one were established, would be strictly in accord with the advisory rulings of both Vice President Nixon and Vice President HUMPHREY.

Mr. HOLLAND. Then, it was not the intention of the distinguished Senator to indicate that either of the two distinguished Vice Presidents whom he has named were actually issuing ruling binding upon the Senate to the effect that he has stated?

Mr. CHURCH. I think that is only within the power of the Senate itself to do.

Mr. HOLLAND. Then, this is a matter of first a determination by the Senate as to whether the resolution now offered by the distinguished Senator from Idaho and other Senators should be adopted, and thus set a precedent in the existing Senate, under which precedent a mere bare majority of the Senate, at the beginning of each and every Congress, could completely rewrite the rules if that mere majority wished to do so?

Mr. CHURCH. Yes, the Senator is correct; and, I might add, such a precedent would be exactly in accord with article VI, section 5, of the Constitution.

Mr. HOLLAND. The Senator from Florida respectfully differs with his distinguished friend from Idaho on that point. He thinks that the traditions of the Senate, the intentions of the Founding Fathers, and the unwillingness of the Senate, as heretofore shown on many occasions, to follow the course now suggested by his distinguished friends all show that it is not a part of the Senate's operation to exercise at the beginning of each Congress such sweeping power by a mere majority of the Senate.

The Senator from Florida thinks that it would be a real disaster to establish such a precedent with respect to the stability of the Senate. It was for the purpose of insuring stability that the Senate was created as it is now set up and as it now exists. It would be distressing if such action were to lead to the complete destruction of that stability, in the humble opinion of the Senator from Florida.

I note in the able statement made by the distinguished Senator from Idaho these words, found on page 7, in the last sentence of the second paragraph:

> Both language and logic lead to the conclusion that the constitutional authority to make rules rests, at the commencement of each new Congress, with a majority of the Members of each House.

I ask my distinguished friend if that is not just a plain statement of what he has conceded would be the result of adoption of the precedent to which we both have been alluding.

Mr. CHURCH. The Senator is correct. In fact, my argument is an appeal to the present majority to assert what seems to me to be its clear constitutional right.

Now, how they choose to assert it—what form of rule they choose to adopt regarding the limitation of debate for the coming 2 years—is quite a different question.

As the Senator knows, I am urging the adoption of a very moderate modification of the existing rule, which would have the effect of reducing from two-thirds to three-fifths the number of Senators present and voting required to invoke cloture.

Mr. HOLLAND. The Senator is, of course, proceeding in a much more moderate course than some of his friends and associates have followed in the past. But the Senator from Florida is deeply concerned about the procedure the Senator from Idaho is invoking and about his attempt to set up a precedent which the Senator from Florida thinks is clothed with unmeasured danger to the prestige of the Senate and to its fulfilling the function of stability in our Government which it was designed to fulfill.

I should like to ask one more question of the Senator. The Senator lays great stress on majority. Is it not true that by a majority vote of the Senate, the Senate has twice made substantial amendments to rule XXII since its immediate adoption in 1917?

Mr. CHURCH. Yes; the Senator is correct.

Mr. HOLLAND. Then there is no contention, is there, on the part of any Senator, that assuming that authors of a proposed amendment to rule XXII, or to any other rule, proceed in accordance with Senate rules, the final issue will be determined—and has been determined in the past, on at least two occasions as to this very rule—by a majority of the Senate?

Mr. CHURCH. I would say to the Senator that on two occasions in the past it has proved possible, within the rules, to modify rule XXII. But that is not the entire story, by any means, because on many occasions in the past it has proved impossible to alter rule XXII, simply because of the restrictive provisions of the rule itself; that is to say, we have managed to modify rule XXII only when those Senators opposing the change permitted the majority to vote by refraining from resorting to a filibuster.

The Senator speaks of his abhorrence of affirming a constitutional principle which seems to me to be absolutely sound. If he does have this abhorrence, I suggest to him that we would not have to utilize this procedure, if we could get to a vote on the three-fifths proposal. It is only because we cannot get to a vote on the proposal that we must seek to assert the constitutional right of the present majority to work its will.

Mr. HOLLAND. Mr. President, I beg to differ with the distinguished Senator, because it is not at all certain in the mind of the Senator from Florida that it would be impossible, with a moderate amendment of the type offered by the Senator from Idaho as compared with what has been offered some times in the past, to obtain action in the regular way.

The Senator from Florida has been a Member of the Senate during both periods when the amendments have been voted, and he knows that they were regarded as coming up in the regular way, they were subjected to the machinery set up by the rules, they came on for debate, full debate followed, and, in the end, compromise settlements were made and very meaningful amendments were adopted on both occasions.

The first occasion was one under which the original rule of 1917 was amended so as to bring under the operation of the rule the motion to take up just as had heretofore been the case with reference to the consideration of the bill or resolution itself, but not as to the motion to take up. In effect, this meant that unlimited debate on the motion to take up was made as subject to rule XXII as any other proceeding; and that was regarded as a very material concession at the time of its adoption in the regular way.

The second time the amendments came up, as the Senator from Florida recalls those amendments, several changes were made. One was to reduce from two-thirds constitutional membership of the Senate to two-thirds of the membership present and voting—assuming that a quorum was present and voting—the number of votes required to close debate.

Another amendment made at that time, I believe in rule XXXII or otherwise in the rules, provided that the amendment of rule XXII could be made only under the very terms of the rules themselves.

All I can say at this time, without rearguing the matter, is that those friends of mine in the Senate who were very anxious to amend by weakening—emasculating, if I may use that word—rule XXII seemed quite happy about the adoption of the amendments in that instance.

The feature I see in this matter is this: Instead of showing willingness under the rules, instead of willingness to proceed without establishing a hurtful precedent, the distinguished Senators who offer this resolution make it very clear, as already conceded by the distinguished Senator from Idaho, that the setting up of the precedent that a majority of the Senate, a mere majority, can change rule XXII at the beginning of any Congress means that such a majority can at the beginning of any Congress completely rewrite the rules.

As a matter of fact, the Senator from Idaho may recall that one of our distinguished colleagues, no longer a Member of the Senate—I do not know whether the fact that he offered all those additional rules had anything to do with his unfortunate departure from our midst—the former distinguished Senator from Pennsylvania, offered, as I recall, some nine—it may have been less; it may have been more—changes in the rules which he wanted incorporated at the beginning of a session, giving very clear evidence that a general rewriting of the rules is entirely possible in the event such a precedent is adopted.

Some Members of the Senate, as we all have been shown clearly, wish to go very much farther than does the distinguished Senator from Idaho and his associates.

Mr. CHURCH. Let me say, in reply to the excellent summation of the history on the matter of rule XXII which, so far as I can recall, has been rendered in a most accurate way by the distinguished Senator from Florida, that, first of all, I do not share his apparent fear that the Senate is likely to adopt majority cloture. I do not believe that any of us will ever see the day when that will happen, so strongly embedded in the tradition of the Senate is the privilege of extended debate.

Second, let me say that I, for one, would oppose majority cloture. I have always opposed it. I oppose it now. As long as I stay in the Senate I anticipate that I will continue to oppose it.

Third, let me say in reply to the Senator that, at an appropriate time in this debate, I will supply for the Record a list of the many times attempts have been made, within the rules, to modify rule XXII, after the commencement of a new Congress, frequently on bland assurances that it would prove possible to do so. But it did not prove possible. This list should make it apparent to all why it is necessary to make the attempt at the commencement of a new Congress, when a majority can assert the constitutional prerogative I believe exists, and Presiding Officers of the Senate believe exists.

I wish to say to the distinguished Senator from Florida that if an assurance were given that we could bring a three-fifths rule proposal to a vote, within the rules, I would be happy to proceed in that way.

Mr. HOLLAND. If the Senator is inviting me to give him such an assurance, I would simply say I am unable to do so, and I am sure the Senator from Idaho would equally say that he would be unable to speak for the Senate in any matter so controversial.

Now, Mr. President, aside from the distinguished former Senator from Pennsylvania, whom I have mentioned, it is well known that shortly prior to the convening of the present Congress statements were made in the press and on television by two of our most distinguished Senators, both of whom I see in the Senate Chamber at this time—the distinguished Senator from Michigan (Mr. Hart), formerly the Lieutenant Governor of that great State, and the distinguished Senator from New York (Mr. Javits), formerly the attorney general of that great State—that they intended to offer at the beginning of this session a proposal under which rule XXII would be changed so as to allow cloture by a mere majority.

The Senator, I am sure, was edified by some of those statements or in seeing some of those television interviews.

The Senator from Florida is indebted at this time to his distinguished friend from Michigan, who, acting for himself and the distinguished Senator from New York, gave to me on Wednesday afternoon, January 8, at 5:15 p.m., a release prepared by those two Senators, which I thought was being made that day, but it appeared in the press the next day. I do not know just when the statement was released. It is dated January 9.

Mr. President, I have that release and I ask unanimous consent that it be printed at this point in the Record, simply to be fair to both Senators so that the statement may appear in full.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Joint Statement of Senators Jacob K. Javits and Philip Hart on the Effort To Change Rule XXII, January 9, 1969

In the best interests of bringing about a meaningful change in Rule XXII, we announce today our full support of a resolution providing for cloture upon an affirmative vote of three-fifths of the Senators present and voting. We also announce that the principal sponsors of this resolution will be Senators Frank Church and James Pearson.

We will withhold our own amendment for cloture on the vote of 51 Senators to help this consolidation of strength in the Senate behind the so-called 60 percent amendment. We feel it is our duty to work primarily for the acceptance of the principle that the Senate is empowered at the beginning of each Congress to change its own rules without being subject to those very rules and we believe our best approach at this time is to consolidate our efforts with those of Senators supporting a three-fifths rule. Under this proposed revision, all procedures for invoking cloture, with the exception of substituting three-fifths for two-thirds, will remain as they are now.

We are convinced that the filibuster, so capable of use by a determined minority as an extra constitutional weapon to defeat or emasculate vital legislation, is inconsistent with the national interest and becoming even more dangerous each year as our national and international problems become more complex.

Mr. HOLLAND. Mr. President, I shall read from that statement these two particular sentences:

> We will withhold our own amendment for cloture on the vote of 51 Senators to help this consolidation of strength in the Senate behind the so-called 60 percent amendment. We feel it is our duty to work primarily for the acceptance of the principle that the Senate is empowered at the beginning of each Congress to change its own rules without being subject to those very rules and we believe our best approach at this time is to consolidate our efforts with those of Senators supporting a three-fifths rule.

I am glad that my distinguished friend from Michigan is in the Chamber. We discussed this matter rather frankly at the time he gave me this release. It was at that time, incidentally, that he gave me a copy of the proposed resolution, without however the names of the authors, although he stated to me the two principal authors who were going to offer it. I do not know if he knew at that time who all the cosponsors would be. He was thoroughly candid, and he was thoroughly frank. I appreciate that.

We discussed just what was meant by this release. I asked the distinguished Senator if he was giving up his long-held objective to adopt majority cloture in the Senate. He said he was not. He said he was most interested, as he stated in this sentence, in the establishment of the principle, meaning a precedent in the Senate under which the Senate would proceed by majority vote without reference to its rules and without proceeding under its rules to change rule XXII.

If I have incorrectly stated the matter in any way I would be very happy to have the Senator from Idaho yield to the Senator from Michigan because I have attempted to relate with complete accuracy the very cordial conference which we had.

Mr. CHURCH. Mr. President, I yield to the Senator from Michigan.

Mr. HART. Mr. President, the Senator from Florida has accurately summarized the pleasant visit I had with him some days ago. The Senator from New York (Mr. Javits) is in the Chamber and he can respond for himself at this point if he cares to make additional comment.

It is quite true that the Senator from New York and I have long felt, and I believe we are not alone in this feeling—although undoubtedly we do not have two-thirds on this point of view—that the Senate, given the kind of world in which we live, would be a much more effective instrument in response to some of the pressures of this world if, after extended debate, a majority were permitted to vote yes or no on some compelling question and not be denied by a minority of that right to say yes or no.

What the Senator from Florida did not discuss at the time of that visit was the form of the majority cloture resolution which the Senator from New York, and I, and other Senators have suggested on occasion.

Mr. HOLLAND. The Senator is correct. We had no discussion of form.

Mr. HART. Since it is not pending in this session of the Senate, and as far as I know no one has any intention of introducing it, I would say briefly it contemplated debate of some 5 weeks' duration before a cloture petition under that proposal could be laid down. Knowing the customs, traditions, and abilities of my colleagues, I am sure that 5 weeks would be fully utilized. Indeed, it might be that the procedure which would be asserted against the proposal to take up whatever the substantive proposal might be would take 5 weeks; and after we were able to get it up, perhaps another 5 weeks.

It has always been the feeling of some of us that in a period of many weeks it is possible to clarify a question around here. It is fine we have extended debate, but to deny a majority eventually the right to act, we think, is wrong, and the matter is as simple as that.

The Senator from New York and I, in our news release, attempted to make clear that we have a primary objective, along with many other Senators, of establishing the proposition that the Senate, the Senator from Florida, the Senator from Idaho, the Senator from Michigan, the Senator from California, and other Senators who have never had a crack at these rules yet, have the right in this body by action of a majority to write the ticket under which we shall proceed.

It did not offend the Founding Fathers in 1789. Explicitly we were told we can write our rules, and we take the position that a majority of the Senate in 1840, or 1917, or 1959 does not have the right to prevent a majority of Senators in January 1969, by majority action, to write their rules.

This, to us, seems not to be a surprising proposition. To the contrary, it seems to us to be the "meat and potatoes" of the way a society such as ours operates.

The Senator from New York, I know, will respond, but I do not want to be put in the position of appearing to be apologizing for entertaining a conviction that after full debate has occurred, a majority of this body—we like to think of ourselves as not being completely irresponsible fellows—may be permitted to say yes or no on a rollcall.

I welcome the opportunity. I am grateful to the Senator from Florida. I know I have not persuaded him, but we shall not apologize for our feeling that a majority of this body today—in the days of the opening session—has a right to review and act by majority on every vote.

For example, lest I forget, in a Democratic caucus a few days ago, I discovered that there is a rule which authorizes admission to the floor of the Senate while we are in session a whole list of people and categories. I did not know that we opened the doors to so many. I have no quarrel with any of it, actually, but suppose a majority in 1969 discovered that there was a very compelling reason why the floor of the Senate should not be open to the general commanding the armies, as he is one of the individuals who can come in here at any time; or that there is a compelling reason why judges of the courts of claims should not come in here as we are talking; or name our favorite "poison," it might be the Secretary of the Smithsonian Institution, as he can walk in. Does anyone mean to tell me that a majority of us sitting here during the opening days of the Senate cannot change that rule?

Mr. HOLLAND. If that is a question, I counter with another question: Is the distinguished Senator offering a change to that rule?

Mr. HART. If I did, and less than two-thirds present and voting were willing to let it come up, I could not get away from it. I consider that the logic is applicable to this, as it is to the more basic proposal offered by the distinguished Senator from Idaho.

In either case, and in every case, a majority of the Senate—I repeat, the Senator from Idaho is on the floor—he and a majority of the House at this 91st Congress should have the right to decide the rules under which we shall operate. I have a deep conviction that is precisely what the writers of the Constitution intended.

Mr. HOLLAND. Mr. President——

Mr. CHURCH. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. HOLLAND. I will yield to the Senator from New York in a moment, but I wanted to say that not just two amendments of rule XXII have been made in recent years. I do not have the exact number, but I would say some dozens—certainly at least a dozen or more amendments to various rules have been made, and without difficulty, under the rule.

I am suggesting to the distinguished Senator from Michigan that if he wants to propose amendments, that he work under the rules of the Senate. It has not proved to be difficult for changes to be accomplished under such noncontroversial matters as the one which he has just mentioned.

Mr. HART. I agree with the Senator from Florida that it has not been difficult if one is working to amend a rule that a general of the armies can come in here, but if we are acting to establish that a majority can act in a sensitive area, it is very difficult.

Mr. HOLLAND. While I would like to ask some questions of the Senator from Idaho for that purpose, he has the floor. I am glad to yield again.

Mr. CHURCH. I was merely going to suggest that if the Senator from Florida has finished with the questions he intends to direct to me, I might relinquish the floor so that we can proceed to yield to the Senator from New York.

Mr. HOLLAND. I will be happy for the Senator to relinquish the floor. Now, Mr. President, since I have the floor in my own right, since the release which I placed in the Record, and I quote, "The Joint Statement of Senators Jacob Javits and Philip Hart on the Efforts To Change Rule XXII"—since I have already said that it was read to me by the Senator from Michigan, but for the two of them—that is, for himself and the Senator from New York—I would be very happy to yield, if the Senator from New York (Mr. Javits) wishes to be heard.

Mr. JAVITS. I do.

Mr. HOLLAND. I am glad to yield to the Senator from New York.

Mr. JAVITS. I thank the Senator from Florida.

Mr. President, I think that Senators who have heard both the Senator from Michigan (Mr. Hart) and myself on this question before will know that this gives us an opportunity, really, to bare our souls on this issue, because the real question is the Constitution. That is the question which is before the Senate. Our dilemma and our frustration have always been attributed to the fact that the Senate has no procedure for deciding a constitutional question except by doubling back upon itself. At least, so far, that has been the practical effect of the combination of the rulings of the Chair and the votes which have been taken here in the Senate.

So that the Senator from Michigan and I really decided that, once and for all, we would try to get a minimal, basic proposition upon which we are convinced there is a decisive majority of the Senate. Then the question is clearly posed for the Senate and the country. A decisive majority wants to change the rule. Is that majority to be frustrated because of an extra constitutional provision in the very rules themselves which prevents their expressing their will? As I say, the essence of this question is the Constitution, where article I, section 2 states:

> Each House may determine the Rules of its Proceedings, * * *.

The fact is that in the other body they do act upon the rules at the beginning of every Congress. In this body we do not. We do not because we cannot, because we are prevented by our own rules. We have tied our own hands. We have manacled ourselves for years and years and years. We have been unable to cast off these handcuffs, that when the Senator from Michigan and I said what we did, that we are laying everything aside, including the urgings of our convictions in terms of what really should be a fair rule for closure of debate, that is what we meant. We felt that the principle involved, that the Senate could change the rules by majority vote, was more important than the individual rule change itself.

The very gentlemen who feel in their sage wisdom that they now should continue this process which has gone on for years in frustration, may rue the day should Congress be paralyzed because of the inability of the Senate to act on a matter vitally important to the Nation.

The Constitution does not say one House. It says:

> Each House may determine the rules of its proceedings.

Well, the House of Representatives does. We do not. We do not, by an extra constitutional provision which has, somehow, become engrafted in the rules and has escaped our every ability to unlock ourselves from that restriction making it two-thirds instead of a majority. There is nothing about that in the Constitution, just in the rules of the Senate. But it is just as effective as a veto of the President.

So, gentlemen, this is the issue which faces us. We are going to use our ingenuity. We are going to try to find a way to give the Senate an opportunity to get out from under this dilemma in which it is entangled. We have tried before and, frankly, we have never been successful except when we really threatened, such as in 1957, when some concession was made to allow two-thirds present and voting to impose cloture instead of the flat two-thirds constitutional number of Senators.

It is interesting to me and I invite Senators—I shall be grateful if my colleagues will indulge me for a minute more—to read a brief which we have or will insert in the Record on this whole question, which shows in detail just how we have gotten tangled up in this more procedural quagmire.

For example, in the 88th Congress, after a motion was made to close the debate by constitutional authority, on the ground that we did not have to follow the rule, here is what happened: Vice President Lyndon Johnson put the motion to close debate, under the Constitution, to the Senate for debate.

Fantastic, is it not, to put it to the Senate for debate? Well, the Senate just goes on and debates the motion to close debate.

And so, time and again, we have been frustrated and stymied in some circumlocution, some way of aborting the clear mandate of the Constitution, because so often when we hoped the Presiding Officer was willing to make the ruling, for one reason or another he finally decided he would not or could not make it, but that he would, somehow or another, leave it to the Senate. In most instances, he was unwilling. And when he left it to the Senate, debate would go on and on in the Senate.

We thought the Gordian knot could be cut. We hope it can be. We shall try to cut it.

For that reason, we have concentrated our efforts on the most modest proposal, which has the greatest support.

One last statement, which bears on what the Senator from Florida referred to. We are accepting, which is also accepted in the House, that what we do not move to amend, we accept. That is why we have said we would bring up a resolution to change the rule and that is why, when 2 o'clock comes, and this matter goes on the calendar, the Senator from Idaho (Mr. CHURCH) will move to take it up. We accepted the rest, again just to narrow the issue. We could contest all these matters, on the ground that the other rules also double back on themselves. We could have moved to amend rule XL and rule XIV at the same time we moved to amend rule XXII; but we preferred to have the Senate "zero in" on the key issue. The key issue is the extra-constitutional provision which gives power to two-thirds, not a majority, of the Senate, to have the Senate act. That is what it really comes down to. We hope very much to be able to resolve it at this time.

The PRESIDING OFFICER. The Senator from Idaho had yielded the floor. The Senator from Florida (Mr. HOLLAND) has the floor.

Mr. HOLLAND. Mr. President, I appreciate the candor of the Senator from New York. He has taken the same position which was taken in the conversation which I had, on the previous day mentioned, with the Senator from Michigan; namely, that they were not yielding in their desire, their objective, and their intention of substituting majority cloture for the present requirement, or for the one, if it is adopted, in the present proposal, and that what they are really interested in is in getting the principle adopted, which would make it a binding precedent of the Senate, under which principle every beginning of each Congress could be marked by controversy, perhaps supported by merely a majority of one in the Senate, for the change, not just of rule XXII, but of any other rule, or the addition of any other rule, or the emasculation or amendment of any other rules. It is against such a precedent that I raise my voice, because I think it would so completely destroy the objective of stability given to our form of government by the Senate.

How given? Because the Vice President is the Presiding Officer, and we always have a Vice President. Because in the Senate, made up of two Senators from each State, only one-third of them in total go before the voters every 2 years, leaving two-thirds still there. By the fact that a President has been shown to have the power to call the Senate, at any time he wishes, into special session that will not involve the other House at all. By the fact that the pronouncements of the Founding Fathers, which I am going to advert to directly, in so many instances made it clear that they regarded the Senate as a continuing body, and a body which, because of that continuation and because of the peculiar structure under which it was set up, would give stability to the Government, which might otherwise be left without sufficient stability.

With respect to the other House of Congress, every Member of it has to go before the voters whom he represents every 2 years.

At any rate, that was the objective of the Founding Fathers; and I must say that, up until now, the Senate has continued to recognize that principle and has continued to hold itself in existence as the stablest arm of our Government.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield, without losing my right to the floor.

ENDORSEMENT OF GOV. WALTER J. HICKEL AS SECRETARY OF THE INTERIOR BY ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS, ALASKA

Mr. STEVENS. Mr. President, the Secretary-designate of the Department of the Interior, Walter J. Hickel, will have the proper management of Alaska's resources as one of his major concerns. The Association of Village Council Presidents issued a formal endorsement on January 2, 1969. I ask unanimous consent to have printed in the RECORD the full text of that endorsement.

There being no objection, the endorsement was ordered to be printed in the RECORD, as follows:

(News release, January 2, 1969)

The Association of Village Council Presidents, Alaska's largest single Native organization, representing 10,000 Eskimos and Indians living in fifty-three villages and claimant in a 55,000 square mile area Native Land Claim, issued a formal endorsement of the appointment of Governor Walter J. Hickel as Secretary of the Interior today. The Association urged all U.S. Senators to support and confirm Hickel's nomination.

Moses Paukan, Eskimo head of the AVCP and re-elected Democratic member of Alaska's House of Representatives from District 19, stated that a man of Hickel's caliber and knowledge of Alaskan problems is indispensable to our welfare as a State in solving our many problems. "The Nixon administration could not have done Alaska a bigger favor," Paukan said, "than to appoint an Alaskan as Secretary of the Interior, where control of Alaska's destiny over the past eighty years has rested. Alaska has always suffered from misunderstanding, misshapen policies and Federal bureaucratic nonsense, primarily through agencies of the Department of the Interior."

"The United States must depend on proper management of Alaska's storehouse of resources in the years to come in order to survive as a nation," he said. "The Nixon administration is very wise to start what we hope will be a constant pattern of Alaskan Interior Secretaries so that our National Defense and development of human and natural resources can move ahead with logic and accomplishment instead of burying our National head in the sand."

MOSES PAUKAN.

THE DEVELOPMENT OF ALASKA'S RESOURCES

Mr. STEVENS. Mr. President, an article appeared in U.S. News & World Report this month relating to the natural resources of Alaska. This article also includes an interview with Alaska's Governor, Walter J. Hickel. I ask unanimous consent to have this statement printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALASKA STRIKES IT RICH

(NOTE.—Excitement now pervading Alaska stems from more than just rich oil finds. There is a feeling that the 49th State finally is on the threshold of broad-based development. This on-the-spot survey tells why, and what is planned for the future.)

Suddenly, Alaska's long-promised bright future seems close at hand. The question that has hung like a cloud over the 49th State—whether it could ever pay its own way—is fading.

In the words of Governor Walter J. Hickel, Alaska has "turned the corner." A trip around the State, including talks with top officials and leading businessmen, bears the Governor out.

Optimism abounds. Forecasts are being revised upward. New priorities are being established. Decision-makers are predicting that the decade of the 1970s is to bring the biggest surge of Alaskan development since the gold rush.

New boom: Already under way is a new gold rush. This time it is for "black gold"—oil that recent strikes indicate will make the gold boom of the 1890s seem like penny-ante poker.

All attention is focused on the remote North Slope, a barren and frozen land that runs down from the Brooks Mountain Range to the Arctic Ocean.

Production from two new wells brought in at Prudhoe Bay indicates a field with reserves of at least 5 billion barrels. Experts say the field may yield as much as 10 billion barrels, making it twice as rich as the fabulous East Texas field discovered in 1930.

Describing the importance of the Alaskan oil strike, Joseph H. Fitzgerald, Chairman of the Federal Field Committee for Development Planning in Alaska, says:

"Oil is going to power Alaska because of its national implications. These reserves may well have a powerful influence on the nation's domestic price of crude oil and energy, on our strategic self-sufficiency, and on the U.S. balance of payments and the balance of power in the world."

Full scope of the discovery, made jointly by Atlantic Richfield Company and Humble Oil & Refining Company, may not be known for some time. But the rush of other petroleum companies to get a piece of the action clearly signals confidence that there is great wealth to be tapped in this Arctic region.

Prospecting for oil: Drilling of a dozen new wells is to start this winter when equipment can be moved across the frozen ground. Seismic crews are moving out across the tundra, mapping with electronic soundings the oil-bearing strata below the permafrost.

Surveys of possible pipeline routes across the Brooks Range to Fairbanks and on to deep-water ports on the Gulf of Alaska have begun. Oil-company experts are studying the possibility of a natural-gas pipeline stretching all the way to New England. Also under consideration are pipelines to carry crude oil to the U.S. Midwest and the Pacific Coast.

To skeptics, Alaskan officials are pointing out that Russia already is building a pipeline 3,000 miles long to carry oil from its Arctic regions to refineries.

All this is just a prelude to what is to come in the next decade, according to State and federal officials in Juneau and Anchorage. Oil, they say, is to be used as a wedge to open up and then develop riches in Alaska's Arctic region.

Rail line charted: The first step urged is extension of the federally owned Alaska Railroad. This line now runs only as far north as Fairbanks. Proposed is a 510-mile extension from Dunbar, 50 miles west of Fairbanks, north through the Brooks Mountains at Anaktuvuk Pass, and on to Umiat on the Colville River. Umiat is just west of the new oil field developing at Prudhoe Bay.

Construction cost of a rail line along this route is estimated to be about the same as for a highway. Officials say, however, that the railroad could handle bulk goods at about a quarter the cost of truck transportation.

The State, through its NORTH Commission—Northern Operations of Rail Transportation and Highways—is spending $750,000 on preliminary surveys. No serious engineering problems are anticipated. It is pointed out that the railroad would run only a few miles closer to the North Pole than Russia's rail line to Murmansk which has operated successfully for years.

The extension could be completed in 3½ to 4 years, according to John E. Manley, general manager of the Alaska Railroad. He estimates it would cost from $300,000 to $400,000 per mile. Rail transportation across the North Slope, it is held, would cut the cost of building a pipeline into this region by about 50 per cent.

What is more, officials say, the new railroad would make it possible to exploit the known wealth of minerals in the North Slope area.

Land of wealth: West of Point Barrow, in rich deposits already mapped, lie 83 billion tons of coal. Northeast of Nome, a vast copper deposit is being opened up along the Kobuk River. A branch of the Alaska Railroad into this region is proposed.

The Seward Peninsula, Alaska's western tip on the Bering Strait, is said to be one of the most mineral-rich areas in North America. Rivers in this region have carried much gold and other minerals onto the floor of coastal waters off Seward Peninsula.

Throughout the Brooks Range, which runs across the State north of the Yukon Valley, are other mineral deposits. Says Mr. Fitzgerald, the federal official helping chart Alaskan development: "This State should be able to sustain a mineral production of 2 billion dollars a year, not counting oil and gas."

The oil will develop first, says Mr. Fitzgerald, because it takes less lead time to bring an oil field into production than it does for a big mining operation. He predicts development of oil could lead to a balanced system of transportation across the North Slope and speed up by 10 years establishment of mineral production in this region.

Thus, the big oil strike at Prudhoe Bay is seen as opening a whole new era for the 49th State. It all began when State-owned lands in that area were offered for lease in 1967.

Huge pool: Petroleum companies paid as high as $223 an acre for drilling rights. All told, the State took in 1.5 million dollars. Atlantic Richfield alone bought rights on 90,000 acres. Its holdings are in the center of what geologists have plotted as an oil-bearing formation 37 miles long and as much as 15 miles wide.

Excitement over the oil discovery pervades all of Alaska and has spilled over into adjacent Arctic areas of Canada. Oilmen say that geology favorable to other big strikes ranges all the way from the Bering Strait eastward to Baffin Island and north almost to Alex Heiberg Island.

"Geologists believe the biggest finds are yet to come and may well be in Canadian territory," says Mr. Fitzgerald. "There is at least a third of a trillion barrels of oil in the North American Arctic."

Demand for lease: In Alaska, the rush for oil leases has swamped the State land department, and also the U.S. Bureau of Land Management which administers vast federal holdings. Within a few weeks after the Prudhoe Bay strike, more than 100 major and independent oil companies had submitted offers for leases on 6 million acres. The aggregate bonus offered was 3 million dollars.

None of the offers for new leases on federal land have been approved because claims of Alaska's native peoples to some 290 million acres of land are pending settlement. But, in most cases, a lease application gives the applicant preferential rights, if and when the freeze on land transfers is ended.

This has not cooled speculation fever. Preferential rights are changing hands as briskly as regular leases, even though there is no guarantee that they can ever be converted into drilling rights. You hear reports in Anchorage and Fairbanks that lease applications are bringing from $5 to $10 an acre.

Firm leases now in hand are being sold at staggering prices. One Fairbanks businessman is reported to be asking 6 million dollars for leases he holds on State land adjoining the Prudhoe Bay field. "Betting here is that he'll get it," says a Fairbanks banker.

Boomtown: As the jumping-off place for the North Slope, Fairbanks has become the scene of feverish activity. Evidence of the disastrous floods of 1967 is all but gone. On every hand is new construction.

Geologists, engineers, drillers, tractor drivers arrive on each of the several jet liner flights up from Anchorage every day.

The crush of new people in Fairbanks threatens to overwhelm the city's facilities. Schools, for example, are overcrowded. Says Bill Green, a member of the school board:

"We budgeted for a 5 per cent increase in enrollment, but we got 20 per cent. We are leasing warehouses and empty garages for classrooms and shops."

Mayor H. A. Boucher reports that at least 15 petroleum companies will have opened new offices in Fairbanks by the end of 1968.

A housing shortage is predicted by William M. Cartwright, executive vice president of the Alaska National Bank in Fairbanks, "unless somebody comes in with the money to build 300 new housing units in the next year."

Mr. Cartwright complains that Alaska is "chronically undercapitalized."

Arctic airlift: The scene around Fairbanks International Airport resembles a wartime staging area. Tracked Arctic vehicles, bulldozers, trucks, fuel tanks, dismantled drilling rigs, stacks of pipe, and prepackaged housing are waiting to be airlifted to the North Slope.

Little "bush" planes, huge cargo aircraft, and executive jet planes shuttle between Fairbanks and landing strips up north, weather permitting.

Workhorse of the airlift is the C–130 Hercules, a four-engine cargo plane with a belly 40 feet long to swallow anything from a small tractor to a big truck. Five of these aircraft are operating out of Fairbanks. Says Burton H. Atwood III, of Alaska Airlines, which flies three of the big planes: "We have enough contracts and requests on hand to keep five Hercules flying 24 hours a day, all winter long."

At the other end of the airlift is the airport at Sagwon, just 60 miles from Prudhoe Bay. It is the major year-round airport in this area. Other strips can be used for heavy planes in winter when the tundra is frozen.

The high stakes involved in oil exploration on the North Slope are reflected in a few facts and figures.

It requires 250 to 300 trips by the Hercules cargo plane to land and supply a drilling outfit. That is close to a million dollars for transportation alone.

To keep a 22-man seismic mapping crew in the field takes upwards of $200,000 a month.

Drilling crews are recruited from as far away as Louisiana and Texas. One firm works its crew 30 days, then flies them home to Louisiana for 30 days off. Even counting their liberal time off, it's estimated that drillers on the North Shore average $1,850 a month and roughnecks $1,430.

Good pay is needed to meet the high cost of living, which continues to be a problem in Alaska. The average spread between prices in Seattle and those in Alaska is estimated at around 20 per cent.

Most of the blame for these higher living costs is placed on transportation expense. It is pointed out that in the "rail belt" that stretches from Seward and Anchorage to Fairbanks, where two thirds of Alaska's 285,000 people live, living costs have been dropping steadily since Statehood was achieved in 1959. This is seen as one more good reason for extension of the Alaska Railroad.

Though oil and gas are the visible, spectacular signs of Alaska's current boom, the State has much more going for it.

Tourism is growing at the rate of 15 per cent a year. Visitors spent 29 million dollars here in 1967.

Forest products in 1967 were valued at more than 70 million dollars, nearly twice the dollar output of 1959.

Early in 1968, U.S. Plywood-Champion Paper, Inc., contracted to buy 8.75 billion board feet of lumber from the Tongass National Forest over a 50-year period. This operation, plus planned construction of a pulp mill in the same area by 1973, will add around 40 million dollars to Alaska's annual gross product.

Fishing, long the backbone of the Alaskan economy, promises to expand sharply. New markets have been opened. The king-crab catch now brings in close to 50 million dollars a year. Shrimp, Dungeness crab, Tanner crab, and salmon roe are returning increasing profits.

Untapped power: Alaska's rivers hold a vast hydropower potential. The proposed Rampart Dam on the Yukon River, for example, would have a generating capacity of 5 million kilowatts. Plans for this dam were shelved some time ago when a federal study found that its energy output would be "about 30 times the present total energy use of the potential market area."

Now Rampart Dam is getting a new look because newly developed long-range-transmission lines could make it possible to market Rampart power as far away as California and Arizona. This would be accomplished by tying into the Peace River project in British Columbia. This project already is linked to the Los Angeles area by a 500,000-volt transmission line.

Development of such a power grid, says Gus Norwood, head of the Alaska Power Administration, would make it "economic to develop a good power facility and put it on the line somewhat sooner than it is really needed." He adds:

"Hooking up to the grid system would provide a reason for moving into the north country earlier than we otherwise would, and the customers along the line can use the power in the meantime."

Underwater cable: Meanwhile, plans already are formulated for a unique underwater power grid in southeastern Alaska. A 70,000-kilowatt hydropower plant at Snettisham is to start delivering electricity by underwater cable to Juneau in 1972. It will cut the wholesale cost of power in Juneau by an estimated 50 per cent.

Plans also provide for extension of the underwater cable 115 miles to Sitka. Under consideration is a 95-mile-long cable that would bring Ketchikan and Prince Rupert, B.C., into the power pool.

This underwater power grid is to be a showcase of new technology. It will use the latest transistorized equipment to convert alternating current to direct current for transmission on high-voltage lines. Such technology has been used in Scandinavia, but never before in North America.

A study of the State's water and power resources is being directed by the Alaska Power Administration. A major objective is to plan a power system that will meet Alaska's needs in the year 2020. Says Mr. Norwood:

"The big payback will come from pinpointing areas that are ready for development instead of just playing around, spending money, and talking about the huge potential of Alaska."

This view that it is time to quit talking and start doing is widely held throughout Alaska, as Governor Hickel stresses in the interview that follows.

Interview With Walter J. Hickel, Governor of Alaska—Alaska's Wealth "Has Hardly Been Touched"

(Note.—A golden chance for the U.S. to seize a leading role in the Pacific is seen by Alaska's Governor in this interview with "U.S. News & World Report.")

Q. Governor Hickel, has Alaska made the progress predicted for it in 1959, when it became the nation's 49th State?

A. I don't think it has, and I said so, long before I was elected Governor in 1966. In fact, the wealth of Alaska has hardly been touched since the United States bought this country from Russia in 1867. Recognition of that fact in Washington is long overdue. There are good reasons why the U.S. had better get busy and open up Alaska.

Q. What are they?

A. The basic reason is that here we have these vast mineral deposits, great timber resources, and all this wealth that has been well known for years. I don't care how many billions of dollars you say it's worth, it's not worth a nickel unless you get it to market. And that market is not only the United States—it's the whole Pacific basin. Canada sees this picture. Russia sees this picture. It's about time the U.S. Government opened its eyes, too.

Q. Why doesn't the U.S. emphasize the Pacific area more?

A. I think it is because we have always been tied to Europe, because most of our people came from there. But it's time to recognize that approximately two thirds of the world's population lives in countries that touch the rim of the Pacific. This is the great undeveloped area of the world. Here is where they need everything—from the basic items of food and clothing and shelter right on up the list. I'm not talking about who would win a military war in the Pacific. It's the economic war I'm talking about, and the headwaters of the Pacific as far as the United States is concerned is Alaska.

Q. What will it take to open up Alaska and get at this wealth?

A. First, we need a change in attitude. A Cabinet officer in Washington asked me the same question, and I said: "What do you think about when I mention the Canadian border?" He answered: "Yes, I see, it's sort of like a wall."

Well, that's where our problems begin, and after you get through the wall between the 48 States and Canada, you come to the Alaskan border, which is another wall.

So it's really a matter of educating those people in Washington, industry and finance, who fear and ignore Alaska because they don't have any knowledge of it. We've got to break through those walls and show that there is so much opportunity here that there is nothing to fear.

Q. And how do you do that?

A. As you move north, you find that government has to lead more. How did the Canadians open up their Arctic? Through leadership by their Government in conjunction with private industry and capital.

Q. When it comes to things that government could do, what should have priority?

A. No. 1 is to see that Alaska gets what the rest of the U.S. takes for granted—communications, transportation, education, housing, sanitation.

In our vast Arctic region of more than 200,000 square miles—what I call undeveloped Alaska—no surface transportation exists. Now, the cheapest method of transportation anywhere in the world is by water, and the next cheapest is an iron wheel on a steel rail. You can't beat a railroad when it comes to opening up a country and getting things to the marketplace. We must extend the Alaska Railroad on through the Arctic.

Q. Is that a job for the Federal Government?

A. Yes. The Federal Government owns the Alaska Railroad. It was put there by the Act of 1914 which said the Government should build a railroad not to exceed 1,000 miles in length, with the primary purpose of opening up Alaska.

Between 1915 and 1920, about half of that railroad was built, and today nearly two thirds of Alaska's population lives along that lifeline from Seward to Anchorage to Fairbanks. Now it is time for the Government to complete that railroad—extend it right up through the Arctic and over to the Bering Sea. Perhaps in the future it could be sold to private enterprise, but right now it's a job for the Federal Government. This is what I've been urging, even before this great oil discovery at Prudhoe Bay on our north coast. Now, it's even more important.

Q. Are you referring to the big oil strike by Atlantic Richfield and Humble Oil & Refining?

A. Right. Now, we wouldn't build that railroad just for oil, or any one industry. Obviously, to transport oil in quantity you have to have a pipeline. But we need that railroad to get people and equipment in there to bring out copper, iron ore, coal and timber, and bring in the millions of tons of supplies needed to develop this oil field. We would bring this wealth down from the Arctic, through the middle of Alaska, and open up this country at last.

Q. Do you envision many people actually living in the Arctic?

A. Certainly. But I'm talking about a 25-to-50 year plan.

First we build the railroad to a staging area on the north slope, and there we develop a composite area, a self-contained community where you can have the things that Arctic villages don't have now—simple things like electricity and light bulbs and plumbing. From this area, people could spread out across the north slope of Alaska as the years go by.

Q. That's above the Arctic Circle. Do you think the day will come when there will be sizable cities in this region?

A. Yes. There's no problem. Russia has cities of more than 100,000 above the Arctic Circle. This is not the harsh kind of region that most people think it is. What you have to do is work with the elements instead of fighting them. This is really a semiarid land with total precipitation averaging six inches a year. It is not a land covered with nothing but ice and snow.

Just the other day I flew over this region with the president of the Great Northern Railroad and some of his people. They were amazed to see that there are no glaciers or great blocks of ice. That is not to say there are no glaciers or great blocks of ice in the great fjords of southeast, but we are talking about a part of the country 1,200 miles away. The north slope is like the great Midwest—it's flat. The highest pass to the Arctic slope is only 2,200 feet above sea level.

OIL: WHAT IT MEANS

Q. How much will the oil discovery at Prudhoe Bay mean to Alaska?

A. Prudhoe Bay is a big find, but small in land area. Its potential is estimated at from 5 to 10 billion barrels. There are 3 or 4 more structures just like it, and there could be even more. It is possible that we will find oil reserves on the north slope as large as all the proved reserves in the rest of the United States combined.

Q. Where will this oil be sold?

A. Basically, in the Pacific basin, but we don't want 100 per cent of it to leave Alaska in crude form. I see refineries and a whole petrochemical complex taking shape at deepwater ports, such as Cook Inlet. From there we could compete for world markets. Phillips-Marathon already has one of the world's largest liquified-gas plants in Kenai. Two large tankers will carry this gas to Japan for Tokyo Gas and Tokyo Electric.

Q. Are other markets for this gas opening up?

A. We look for a big market in Los Angeles. Hawaii will be another great outlet. And this leads us to another problem—the Jones Act.

Q. What is that?

A. The Jones Act was passed by Congress in 1920 and has since been amended many times. Basically, it says that you cannot ship goods from one American port to another on a foreign-built ship. Here is how it hurts Alaska:

There are two new ships coming in to carry this liquefied gas. They are being built in Sweden. No ships of this type are built in the U.S. When we load these ships with gas at our port of Nikishka, we can't unload them in Anchorage, or Seattle, or Los Angeles, or Honolulu, or any other American port. The only place we could sell that gas is in some foreign nation. That's ridiculous.

We have a similar situation with oceangoing ferries. Alaska had to buy one built in Norway. None was available from U.S. shipbuilders. But under the Jones Act, we can't use this ferry to carry people from one port in Alaska to another, like even a short run of 90 miles from Haines to Juneau. We can take them 500 miles from Haines to our closest Canadian port, Prince Rupert, B.C., but not to Seattle, which is a U.S. port.

But Canadian ships can ply up and down our coast and theirs. The U.S. Congress has given Canadians rights denied Alaskans and Americans.

The solution to this problem is to amend the Jones Act to permit foreign-built ships to carry this trade if they have American crews. That would mean more trade and more jobs. The Jones Act was enacted to protect the American shipbuilding industry, but this is a perfect example of over-protection destroying an industry.

Q. Aren't you going to need more people in Alaska before there can be any real development of business and industry?

A. The people are coming, and more will come if we can overcome the misconceptions and fear of Alaska that exist in the rest of the U.S. Look at the Canadians: They are doing more in their Arctic in one year than we've done in 25 years in Alaska's Arctic. We talk about building a railroad. Well, the Canadians have built as much railroad in their Arctic in the last couple of years as we have built in the last 50. Once the decision is made to open up this country—for the good of the whole United States and the free world, too—the men and the money will come in.

Q. After oil and minerals, what comes next in Alaska's development?

A. One of our biggest industries will be harvesting the ocean. Alaska has more coastline than all the rest of the United States, including Hawaii. It is bounded by two oceans and three seas. We have 64 per cent of the continental shelf owned by the U.S.—550,000 square miles.

It is from the continental shelf and those oceans that we are going to feed the protein-starved people of the world. Alaska's tremendous continental shelf and its teeming billions of marketable fisheries products make this industry of world importance.

We have scientific data on these resources which are astounding. Using more modern fishing methods, Alaskan fishermen should be prepared to catch—within a few years—an annual harvest of not only 5 to 6 million cases of salmon, the "filet of the sea," but also 200 million pounds of king crab, 500 million pounds of shrimp, and 200 billion pounds of ocean perch, bottom fish, flounder and cod. That's quite a bowl of chowder!

Q. Do you have any problem in getting along with Russia, your closest neighbor?

A. Some. Certainly we are going to have to define a boundary in the sea between Alaska and Russia. There isn't any trench out there—the continental shelf extends from one country to the other. My suggestion is that we settle the argument over the 3 or the 12-mile limit by establishing a headland-to-headland boundary.

Q. What would that mean?

A. A headland boundary is from one point of land to another. Let me explain: Alaska has approximately 34,000 miles of coastline. It is very, very irregular, with its many fjords and bays—unlike the coastline of the United States, which is relatively straight. For the purposes of defining boundaries, look at my hand: The question is, should our boundary follow the outline of each finger, down into the deep valleys between each finger, or should it proceed from the tip of one finger to the tip of another finger, protecting the deep valleys which are our inlets and bays? This concept was used by Norway, and has been upheld in the World Court.

Q. Will Alaska be able to compete successfully with Russia for markets in the Pacific?

A. If we get busy and start moving. As of now, without a doubt, the Russians are far ahead of us in exploiting the continental shelf and in opening up their Arctic regions of Siberia. They started developing Siberia way back in 1870, when they began building the world's longest railroad—the Trans-Siberian, which is more than 5,500 miles long. That one decision made Russia the real industrial empire that it is.

I made my first trip to Japan in 1961 and learned what Siberian development has meant to the Russians. The Japanese now have some pulp and paper interests up there. The two countries are talking of starting the world's largest copper mine in Siberia.

When Russia gains 15 per cent of the Japanese market, she will dominate Asia. This illustrates Alaska's importance to the free world. We must get going quickly so that we can get more of a share of these markets. For example, the pulp from the two pulp mills operating in southeastern Alaska already goes to Japan, India, and other Pacific-basin countries.

"THE RICHEST STATE"

Q. Governor, what do you think will happen in Alaska within your lifetime?

A. I see in my lifetime—at least by the year 2000—self-sustaining communities developed around mining discoveries in the north. I see that wealth coming down through Alaska, and a petrochemical industry at tidewater supplying the Western United States and the Far East.

After that we will develop both minerals and fisheries on our continental shelf, then in the Gulf of Alaska and in our great Bristol Bay area. And I see a transportation and communications network across and around Alaska unlike anything you can visualize today.

And so, with oil and minerals and timber and fishing, you're going to see Alaska become, without a doubt, the richest State in the union and a place of great importance in the world.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. HOLLAND. Mr. President, to continue with my remarks, the resolution just presented to the Senate, sponsored by Senator CHURCH on behalf of himself and Senator PEARSON and other Senators, was not made available to me until 5:15 Wednesday, January 8, when the Senator from Michigan, Mr. HART, presented it to me in my office.

I thank him for that courtesy, as I did then.

The resolution as offered differs in only one respect from the present rule XXII. That difference is noted in section 2, paragraph 3, where it changes the requirement for cloture of debate from two-thirds of the Senators present and voting to three-fifths.

I wish at this time to remark that this proposed change in rule does not involve section 3 of rule XXXII of the Senate, which was adopted in 1959 at the time of and as a part of the change in rule XXII which took place. It reads, and I quote it into the RECORD:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I do not know why these Senators felt they could ignore that provision of the rules while moving in a direction that would change, if adopted, the provisions of another rule, rule XXII.

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. HOLLAND. I shall be glad to yield when I finish my remarks.

Mr. JAVITS. I wanted to comment on that point.

Mr. HOLLAND. Mr. President, to repeat, the resolution as offered differs in only one respect from the present rule XXII. That difference is noted in section 2, paragraph 3, where it changes the requirement for cloture of debate from two-thirds of the Senators present and voting to three-fifths—assuming, of course, that a quorum is present.

It is interesting to note, however, that a release by Senators JAVITS and HART on the effort to change rule XXII which was released to the news media on Thursday, January 9, states, and I quote:

> We feel it is our duty to work primarily for the acceptance of the principle that the Senate is empowered at the beginning of each Congress to change its own rules without being subject to those very rules and we believe our best approach at this time is to consolidate our efforts with those of Senators supporting a three-fifths rule."

This, of course, marked a very large departure from the plan, program, and purpose as announced to the press, television, and otherwise, by the two distinguished Senators from Michigan and New York prior to that time, who had announced far and wide that they would offer a majority rule for cloture to replace the present two-thirds rule.

It is quite clear that the pending attempt, if successful, would establish a precedent to enable the complete change or rewriting of all or any Senate rules at the beginning of each Congress.

I may add at this time that the distinguished Senator from Idaho has, very frankly, conceded that point. So that is not a question for argument at this time.

I repeat, it is quite clear that the pending attempt, if successful, would establish a precedent to enable the complete change or rewriting of all or any of the Senate rules at the beginning of each Congress; and, to my mind, would bring instability to the Senate in the place of the stability for which we were designed to stand by the Founding Fathers.

I might also point out that in the original Constitution a two-thirds majority is referred to and required in seven different instances and a two-thirds majority is also required in amendments to the Constitution four times to deal with four separate problems, making 11 different mentions of two-thirds majorities in the Constitution.

I have been somewhat at a loss to understand why our distinguished friends have chosen three-fifths as the figure, because I have found no precedent whatever, existing anywhere, for the adoption of that figure, three-fifths.

The Constitution, in pointing out the various provisions or conditions or questions which had been thought to require action by more than a majority, in every instance, whether in the original Constitution or in the amendments, contains the figure two-thirds.

Furthermore—and I especially call attention to this fact—the Senate, by uniform rulings dating away back into its own history, without relying upon any written rule, has set up a two-thirds requirement which must be followed in order to waive rules. In other words, the Senate itself has adopted two-thirds as the figure to be used when we want to waive or suspend the rules, even though the Standing Rules themselves were silent upon that subject.

Yet here, coming out of a clear sky, we have a three-fifths figure. I think this is an effort at a kind of marriage of convenience between those who want to set up a new principle in this matter and those who are really working toward majority control under cloture in the Senate. I believe that what has already been said by several of the advocates of this proposed change indicates such a marriage of convenience.

My own feeling is that we had better stick to established traditions and established rules, and had better be asking ourselves, "How did this figure, three-fifths, come into this proposed resolution?" It is obviously an effort to compromise views that are not in agreement, and try not only something new in the matter of a precedent of the Senate, but also something new in the Senate rules, something unheard of under our Constitution, and something unheard of under our unwritten Senate rules—a figure which is obviously adopted simply to get a precedent set here, which will be most harmful and most dangerous, and which will do more than any other one thing I can imagine to destroy the stability of the Senate.

Mr. President, to permit the change of Senate rules at this time would completely destroy the concept of the Senate as intended by the Founding Fathers, that is that the Senate is a continuing body and is the House of the Congress that is intended to supply stability to our Federal governmental structure.

For just a moment I should like to quote for the RECORD some statements which show that the Senate was designed to be the stable segment of our Government. I should like to read from two papers of James Madison in the Federalist. Perhaps some will say, "You are living in the past." Yes, to a degree I am. I want to get all the facts out of the past, and profit by them, and then I want us to live in the present and for the future.

The Senate, in 180 years, has attained dignity through holding on to the stability which it was intended to possess, so that it might best serve the people. Nine times in two letters written by James Madison, letters 42 and 43 in the Federalist, he used the words "stability," "stable," or "instability," depending on the context. Always, he emphasized the fact that stability is the quality which the Founding Fathers were seeking to maintain in the founding of the Senate, and in that connection he has used also the words "the necessity." I may have to read a few words out of context, but these words are not taken out of context: He speaks out on the "necessity of some stable institution in the Government."

Then he goes on to say:

> Every nation, consequently, whose affairs betray a want of wisdom and stability, may calculate on every loss which can be sustained from the more systematic policy of its wiser neighbors.

Then the effect of instability is developed by Mr. Madison at length. He continues:

> In another point of view, great injury results from an unstable government. The want of confidence in the public counsels damps every useful undertaking, the success and profit of which may depend on a continuance of existing arrangements.

There he refers to the fact that no government will long be respected "without possessing a certain portion of order and stability."

Madison comes to the second letter. His first paragraph includes these words:

> Without a select and stable member of the Government the esteem of foreign powers will not only be forfeited but unenlightened and variable policy, proceeding from causes already mentioned; but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain its respect and confidence.

Then he uses the phrase "stable body has been necessary," when he speaks of the necessity to bring back to one of the States he mentioned, the stability which it had lost through undemocratic and unstable processes.

Then again he says:

> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Then again he speaks of the "necessity of some institution that will blend stability with liberty."

In one of his last references to this particular quality of the Senate, he says that—

> Liberty may be endangered by the abuses of liberty, as well as by the abuses of power; that there are numerous instances of the former as well as of the latter; and that the former, rather than the latter, is apparently most to be apprehended by the United States.

These abuses of liberty, he thought, were more to be guarded against than abuses of power.

Mr. President, we have sustained that point of view and that objective through 180 years of the history of the Senate.

I have been particularly impressed heretofore by the unwillingness of many new Members of the Senate, a great many of them, to take a stand in support of a proposal which would wipe out the experience of those years, and instead have voted to continue the stability which the Founding Fathers have sought to attain, and which has been attained by the Senate.

One of the best recent statements on this subject, involving, as it does, the continuity of the Senate, was that made in the 1967 debate by our distinguished majority leader, the Senator from Montana (Mr. MANSFIELD).

Mr. President, I think this is so important that I am going to read Senator MANSFIELD's argument 2 years ago on this very point.

I do not think it is necessary to state just how the issue came on, because I think the Senator's statement makes that clear. I quote, therefore, completely from the speech by the Senator from Montana (Mr. MANSFIELD). It appears on pages 921 and 922 of the permanent RECORD of the Senate, volume 113, part 1, and occurred on January 18, 1967:

> Mr. MANSFIELD. Mr. President, the motion of the Senator from South Dakota [Mr. McGOVERN] demands cloture by a simple majority; it thereby denies the continuing nature of this body. It is imperative that all of us clearly understand the full implications of this issue. It has much more significance than a direct and easy way to extricate the Senate from the parliamentary maze in which it finds itself now and at the beginning of each new Congress. The questions posed by this motion reach to the very heart of the Senate as an institution.
>
> The underlying question is the motion to proceed to the consideration of Senate Resolution 6, a resolution to change rule XXII to require three-fifths of those present and voting, instead of the present two-thirds, to close debate.

Mr. President, that is exactly what we are considering today.

I continue to read:

> I have always favored this proposition—not because I believe that there is anything magical about the choice of three-fifths but because I feel it draws an equitable balance while still protecting the rights of a minority position in the Senate.
>
> I very strongly urged this change in the past. I must admit, however, that with the achievement of the Civil Rights Acts of 1964 and 1965 a great deal of the urgency for this change has been removed. Nevertheless, I still feel that a three-fifths rule would strike a proper balance between the present two-thirds requirement and a more far-reaching proposal. The present three-fifths resolution would preserve the essential nature of the Senate as an institution and its adoption should put to rest the biennial parliamentary parlor games which open each new Congress.
>
> But the urgency or even wisdom of adopting the three-fifths resolution does not justify a path of destruction to the Senate as an institution and its vital importance in our scheme of government. And this, in my opinion, is what the present motion to invoke cloture by simple majority would do. The proponents would disregard the rules which have governed the Senate over the years simply by stating that the rules do not exist; that until the rules are changed to their liking and in the manner they choose, the Senate is consigned to oblivion. They insist that their position is right and any means used is therefore proper. I cannot agree.
>
> This biennial dispute for a change in the rules has brought to issue the question of the Senate as a continuing body. The concept is really symbolic of the notion of the Senate in our scheme of government.
>
> Numerous reasons are given to support the continuity of the Senate: the fact that two-thirds of its Members carry forward from one Congress to the next; the fact that committees of the Senate meet even after sine die adjournment of a Congress; the fact that States themselves by their own laws require the filling of vacancies in this Chamber even after sine die adjournment; the fact that the Senate itself by an overwhelming vote in 1959 attested to the continuation of the rules from one Congress to the next—and 47 Members who voted for that proposal are still serving in this Chamber. But these reasons, though compelling, have not resolved the issue. They do demonstrate, however, that the Senate as an institution is very different from the House, that its function in our scheme of government is distinct and unique. What should be considered is whether the motion at hand—the motion for simple majority cloture—would destroy the character of the Senate as a parliamentary body.
>
> Our consideration should be directed, therefore, to the destructive effect the pending procedure would have upon these distinct and historical features which distinguish the Senate as an institution.
>
> First of all, the motion to cut off debate immediately has never been used in the Senate. This fact does not in itself make the motion improper, but it does justify questioning why the Senate has never before chosen to cut off debate in this manner. If a simple majority votes to sustain the availability of this motion at this time, it necessarily means that henceforth on any issue, at any time, and during any future session of any Congress a simple majority, with a cooperative presiding officer, can accomplish any end they desire without regard to existing rules of process and without consideration or regard to the viewpoint of any minority position.
>
> Unquestionably, majority rule is basic and vital to our democracy. And a simple majority should and does decide the merits of virtually every issue raised in this body—including a change in our rules. But that is not the question here; the question is whether the simple majority can cut off debate in the U.S. Senate And because of the earnest zeal of the advocates for a change—

> and their frustration in facing a prolonged debate—they insist that in this case debate must be shut off by a simple majority so that a majority rightfully can accomplish a proper change.
>
> I think the issues are distinct. I simply feel the protection of the minority transcends any rule change, however desirable, if attempted in this manner.
>
> The issue of limiting debate in this body is one of such monumental importance that it reaches, in my opinion, to the very essence of the Senate as an institution. I believe it compels a decision by more than a majority. I believe it ranks with other fundamental issues which by their very nature are elevated to a level above the dictates of a majority. This is not a novel concept. This is not heresy. Our Constitution itself specifies that nine distinct issues shall require more than a majority for adoption. The Constitution of the United States is not undemocratic.
>
> In other words, I consider the issue of whether a Senator representing his State has spoken long enough to be of such transcendent scope that it should be decided by more than a bare majority vote. I believe this is vital for the protection of any and every minority—for the protection of every State, large or small—and should not be taken from either.
>
> It has been suggested in this debate that the majority should decide the relative importance of this issue and the sufficiency of the debate—not the minority. But giving this choice to the minority has one redeeming feature—the minority can never impose its changes on the majority. The minority can but say to the majority, "you are going about it in the wrong way—the need for a change may exist but your solution is defective." This negative power of a minority plays a critical role in our scheme of government.
>
> As a practical matter, our everyday experience in this Chamber shows how the last minute shift of two or three votes changes a majority. Far be it from any of us to admit these last minute changes are not proper and in response to valid and sincere argument on the merits. But when the issue itself concerns each Member's right to continue to urge in debate valid and sincere arguments for or against the merits of a proposal, I feel the issue so vital as to warrant a Senate endorsement based on a less tenuous foundation than a single vote margin.

I invite the special attention of Senators to the following statement by the Senator from Montana (Mr. MANSFIELD) in referring to the passage of the civil rights bill in 1964.

> In 1964 a great majority of the present Members debated and resolved one of the most comprehensive pieces of legislation enacted in this century, on an issue which generated deep emotion and conflicting conviction. The distinguished occupant of the Chair, the Vice President, played an essential and leading role in that great debate on the Civil Rights Act of 1964. You will recall that the debate proceeded on this Senate floor 83 days.
>
> I cannot help but wonder what would have been the result if a majority could have imposed cloture on that debate. I know it could have been accomplished in a month or less. I doubt very much if the bill would have been nearly as comprehensive. I do not believe that this law's observance today would be nearly as uniform, nearly as great a source of pride for all Americans without that comprehensive debate. The Senate then demonstrated its unique and distinct character. The conflicting convictions were expressed in an atmosphere of open and free debate where the result was not by any means a foregone conclusion. Attention was focused on this body as the safety valve for an emotionally charged issue in our scheme of government. The country as a whole regarded the Senate as the one institution that would test for all, the urgency and propriety of that measure. The fact that the law is now fully observed in all parts of our country attests abundantly to the vital service performed in this Chamber.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the resolution will be placed on the calendar.

Mr. HART. Mr. President, will the Senator yield, without losing his right to the floor, for the purpose of permitting me to make the motion?

Mr. HOLLAND. I shall conclude my remarks in a very few minutes.

Mr. SYMINGTON. Mr. President, will the Senator yield? I have been waiting for about an hour and a half. Will the Senator let me know how long he will take?

Mr. HOLLAND. Approximately 2 minutes more.

Mr. SYMINGTON. I thank the Senator.

Mr. HOLLAND. If the Senator has something very urgent, I shall be glad to yield now.

Mr. SYMINGTON. It is a question of time.

Mr. HOLLAND. As to the motion, it can be made when I conclude.

I read further:

> After all, any law is only as good as its observance. I think the Senate as an institution should continue to play this critical role on issues of this nature, when emotions are so highly charged. It provides the only forum where calmness, coolness, and reflection may be demanded of even a majority. The experience of 1964 and 1965 removes, in my opinion, a great deal of the sting for the urgency of a change in rule XXII.

The Senate knows, of course, that cloture prevailed after long debate in both those years, and civil rights bills were passed.

> I do not mean to say that a change to three-fifths would not strike a more equitable balance and still preserve the institution of the Senate in our governmental system. At the same time, there is basis for belief that such a limited proposal would assuage the demands for further change. However, I do not agree that the basic nature of the Senate should be destroyed in reaching the end. I urge each Member to consider carefully the implications of his vote. I urge you strongly to vote against the anticipated motion to table the point of order.

Mr. President, that concludes my reading of the clear and meaningful remarks of Senator MANSFIELD.

I yield now to the Senator from Missouri for an urgent matter, and then I will yield to the Senator from Michigan.

Mr. JAVITS. If the Senator would permit us, we would like to make the motion in a minute, and then the Senator from Missouri could obtain the floor in his own right.

Mr. HOLLAND. I will be happy to yield to the Senator, provided I have unanimous consent that I do not lose my right to the floor, which I propose to give up soon.

Mr. SYMINGTON. Mr. President, I would be glad to obtain the floor in my own right, if that would meet with the approval of the distinguished Senator from Florida.

Mr. HOLLAND. I will be through, then, in just a moment.

Mr. President, we have, of course, a great many other arguments to make in this matter. I shall not attempt to make them at this time, as I understand from my distinguished friends that they intend to make a motion to take up this item, which now is on the calendar. I thought the Senator from New York wanted me to yield to him for a question.

Mr. JAVITS. I will waive that. We will discuss it later.

Mr. HOLLAND. I yield the floor, then.

Mr. HART. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 11, the Church-Pearson resolution.

The PRESIDING OFFICER. The resolution will be stated.

The bill clerk read as follows:

S. RES. 11

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

ORDER OF BUSINESS

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 10 minutes, notwithstanding the provisions of rule VIII.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE COSTLY TRAGEDY THAT IS VIETNAM

Mr. SYMINGTON. Mr. President, it would now appear clear that the Government of South Vietnam, regardless of what purports to go on in Paris, is determined to do everything possible to delay substantive negotiations designed to bring the war in Vietnam to a conclusion. More on that later.

It is now also clear that when historians write of this war they may well call it "The Costly Tragedy That Was Vietnam"; because any fairminded person will agree that the effort has seriously impaired the political, military, and economic position and prestige of the United States, all over the world.

Over $100 billion of the taxpayers' money has gone down the drain in this major land war on the mainland of Asia; and not only is there little to show for it, but also because of the nature of the conventional military establishment it has forced us to build, this Nation could be moving closer to what civilization dreads most—a full nuclear exchange.

More important than any cost in money, however, is the fact that more than 30,000 of our finest youth have been killed, and over 190,000 wounded.

As Dr. Kissinger pointed out in a recent article, during November 1967, the head of the U.S. military in Vietnam stated that "the war was being won militarily," adding that "a limited withdrawal of American forces might be undertaken beginning late in 1968."

And less than a year ago the administration emphasized that the pacification program—the extension of the control of Saigon in the countryside—was progressing satisfactorily.

In a few days came the Tet offensive. This development negated these two assertions. Today our position in Vietnam, despite the above gigantic expenditures in lives and treasure, would appear unimproved.

From a purely military standpoint, the reason for this tragedy is clear. Fighting against brave and well-led guerrillas, the ground forces of the United States have been at grave disadvantage, one major reason being that the three countries which border South Vietnam have been declared sanctuaries; therefore, our troops have never been able to counterattack.

At the same time, ever since the United States, in effect, took over this war, our airpower and seapower have been shackled, in a manner, and to a degree, never before known in major warfare.

No doubt because of the true political position which was brought out by the results of the Tet offensive, and in further effort to start peace negotiations with Hanoi, on March 31 last, this shackling was increased. U.S. military forces were forbidden to conduct any attacks whatever, either by air or by sea, north of the 20th parallel. Actually none above the 19th parallel, which gave the North Vietnamese full use of Vinh, their major supply base in the southern part of that country.

By the latter action it was hoped the North Vietnamese would come to the conference table. This they did, last May 13; and the American people looked forward with relief to a reduction, if not a cessation, in the cost and the killing. Since that date, however, 7,603 Americans have been killed, 51,532 wounded; and not a penny less than an additional $18 billion has gone down the drain of this war.

Little, if anything, has been accomplished. In retrospect, again as Dr. Kissinger has pointed out:

> Hanoi has always placed great reliance on the pressure of world opinion; the "illegality" of (any) U.S. bombing was therefore a potential political weapon.

Thereupon, on November 1 last, the United States made an even further military-political concession by announcing that there would be no further air or sea attacks against any part of North Vietnam.

This would appear to be acknowledgment that a true victory was not in the cards because—Kissinger again:

> The guerrilla wins if he does not lose. The conventional army loses if it does not win. The North Vietnamese used their main forces the way the bullfighter uses his cape—to keep us lunging in areas of marginal political importance.

There is little use crying over the spilled milk, and more important than events of the past are those of the present and future.

With that premise, however, it is also important for every American to realize how self-centered and stubborn the Government of South Vietnam has been; a Government which does not appear to represent a majority of the people of that country; a Government which nevertheless the United States, despite the heavy cost, continues to prop up.

It would appear the representatives of North Vietnam are willing to negotiate. Their country has been hurt badly; because of the physical damage, even worse than ours.

Where, therefore, is the stumbling block?

Based on the record, the answer to that question would appear clear. The representatives of South Vietnam in Paris are exercising a virtual veto of all realistic efforts to get to the conference table and commence substantive talks.

As we hear day after day about their endless objections as to the shape of the Paris table, one can sympathize with the GI in the foxhole of the Mauldin cartoon, with the caption: "Dear General Ky: I don't think much of the seating arrangements either."

If fearful of any reduction of our military, or of the dollars flowing into their country, why should Saigon desire any termination of this war?

The above facts, plus world conditions, amply illustrate why we should work for an end to the fighting, however; and to that end the recent offer by the North Vietnamese, as reported in the press, for negotiations to commence at a round table—no sides—was a reasonable suggestion and should be accepted. But the South Vietnamese refused.

The North Vietnamese said further that if such a circular table was adopted, they—the North Vietnamese and National Liberation Front—would be willing to eliminate designation by nameplates and flags. But the South Vietnamese refused.

Accordingly, it would appear that, to get substantive talks started, Saigon and its Paris representatives must be convinced that the American people want action, now.

Perhaps General Ky hopes President-elect Nixon and his people will be easier to negotiate with; and therefore nothing will be lost by waiting. Let us hope that is not correct, because any delay can only result in additional losses.

In his San Antonio speech of September 1967, President Johnson said that we would be willing to stop all bombing of North Vietnam if substantive talks could begin.

All bombing was terminated last November 1, 70 days ago. Since then 1,485 Americans have been killed and billions more dollars have been spent.

With the premise that many more American lives will be lost if Saigon is allowed to continue the delay by arguing about the technicalities of procedure, I suggest the following:

First. The North Vietnamese suggestion of a round table, without nameplates or national flags, be accepted.

Second. The United States begin negotiations with Hanoi immediately, looking toward a military disengagement.

Third. The United States should make it clear that we prefer Saigon be a full participant in the negotiations, even with respect to the withdrawal of foreign forces.

Fourth. If, for reasons of their own, the South Vietnamese Government does not believe it timely for them to come to the negotiating table, that is their decision. But in our own interest we should make it clear to the South Vietnamese that we must now move promptly to negotiations; then set a date for starting those negotiations, and be there on that date, with or without the South Vietnamese.

In that way, to the immense satisfaction of the American people, we can follow the wise recommendations of both Secretary Clifford and Dr. Kissinger by moving toward a military settlement with Hanoi, letting the Vietnamese work out the political settlement.

Thereupon we could turn a large part of our gigantic budget for swords into ploughshares; and as a result have substantial resources available to cope with the great and growing problems which also face us in other parts of the world as well as here at home.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my able friend the Senator from New York.

Mr. JAVITS. Mr. President, I would like to say to the Senator from Missouri that he has made a splendid speech, and I wish to identify myself with his views. I have the same feelings in my heart that he has.

I would like to ask the Senator this question. It may very well be—we are very sophisticated here—that all of this stalling around has been based on the desire to await January 20 to get the new team on the job. However, does the Senator from Missouri agree with me, since this is January 10, and only 10 days from January 20, that unless the process which he outlined is started now there is not going to be any change when there is a changing of the guard in Paris; that we will see revealed an effort to block negotiations; and that the time is right that the present team has to get on the job to do what the Senator is saying?

Mr. SYMINGTON. Mr. President, as usual the able Senator goes to the heart of a situation. The thrust of this address is let us get on with it so these strung-out procedural negotiations develop into actual substantive negotiations.

Mr. JAVITS. I thank the Senator.

Mr. SYMINGTON. I thank the Senator for his constructive contribution.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that the rule of germaneness may be waived so that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there objection? The Chair hears no objection, and it is so ordered. The rule of germaneness is waived by unanimous consent.

The Senator from New York is recognized.

THE CRISIS IN THE MIDDLE EAST

Mr. JAVITS. Mr. President, the other area of tension and conflagration that the Senator from Missouri should have spoken of in addition to Vietnam is the Middle East.

In the newspapers this morning, the headlines refer to Soviet efforts to bring about some kind of peace in that area under its leadership, generally headlined as "An Imposed Accord," as one newspaper referred to the matter.

This is a dangerous situation for the United States. I have been in the Mediterranean just recently and spent a day aboard a U.S. 6th Fleet carrier which was constantly shadowed by a Soviet destroyer. The situation in the Mediterranean is now one where a large Soviet fleet—nuclear armed—faces a great American fleet, nuclear armed. We must remember that in the 6-day war in 1967 the radical Arabs attempted to involve the Soviet Union and the United States by false statements that U.S. planes were being used against the Arab States. With that kind of highly irresponsible situation in the Middle East anything can happen. Therefore, it is a situation which deserves the highest priority on the part of the United States.

The thing that worries many people in this country is whether American policy has been changed, following the Beirut airport incident. It is still an "incident" and only a minor element of the entire situation that faces us in the Middle East. This is the main thing that must be made clear in the minds of the American people.

Whatever may be the view of individuals concerning that incident—most unfortunate, in my judgment, particularly as regards some of its political consequences in Lebanon and elsewhere—let us not miss the forest for the trees.

The fact is that Israel and the preservation of Israel still remains a "basic tenet" of U.S. policy as John Foster Dulles put it, because Israel is a bastion of freedom in the Middle East. Therefore, U.S. policy is organized so as to assure Israel's preservation. This requires us to keep our eyes on the whole situation, rather than one event.

Several days ago 16 Senators issued a declaration to put this entire situation in true perspective. They expressed their judgment that the Middle East is the area in the world where the danger of war is most acute. That statement is supported by what we have seen happening in the last few days. Putting the situation in focus does not mean that any views as to the Beirut incident need to be abandoned by anyone who would entertain them, including our Government.

The United Nations Security Council resolution of December 31 failed to take account of the very real threat to the survival of Israel caused by activities of various Arab nations surrounding Israel and including, unhappily, activities originating in Lebanon.

The important thing is that we should keep in focus what is at stake here. Above everything else, we must profit from our experience of 1953 and 1957. At that time, the United States exerted great pressure on Israel to withdraw its forces from the Sinai. To the later regret of President Eisenhower, promises made at the time were not fulfilled and they were breached—to Israel's severe disadvantage. Subsequently the United States was placed in a most embarrassing and difficult situation especially 10 years later when war erupted again because of a breakdown in the agreements and arrangements which the United States had unwritten in 1957.

NOTICE OF HEARINGS ON ELECTORAL REFORM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to read into the RECORD a statement by the Senator from Indiana (Mr. BAYH).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, Mr. BAYH's statement is as follows:

> Mr. President, I wish to advise the Senate that the Senate Subcommittee on Constitutional Amendments will hold hearings on January 23 and 24 on proposals relating to Electoral reform. The hearings will begin at 10:00 a.m. in G308 (auditorium) of the New Senate Office Building. Persons interested in being heard should contact the Subcommittee staff in room 419 of the Senate Office Building.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF FIRST MEETING OF THE AMERICAN GROUP OF THE INTERPARLIAMENTARY UNION

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may proceed for 10 minutes on extraneous matters, without regard to the rule of germaneness.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

Mr. ALLOTT. Mr. President, the first meeting in the 91st Congress of the American group of the Interparliamentary Union will be held at 10 o'clock Wednesday morning, January 29, in the Senate conference room, S-207, in the Senate wing of the Capitol. As each Senator knows, all Members of the Senate are members of the American group, and all are eligible to attend. The meeting will be given over to the election of officers for 1969–70, and to other matters of an organizational nature. I hope as many as can will plan to be present.

THE U.S.S. "PUEBLO" INCIDENT

Mr. ALLOTT. Mr. President, as an American, I rejoiced with all other Americans on Christmas Eve when the 81 living crew members of the U.S.S. *Pueblo* were released by their captors, the North Koreans.

While I remain deeply grateful that the *Pueblo* crew has been returned to safety in these United States, the manner in which their release was arranged has some disturbing aspects to it. Without wishing to at all dampen the good will owed these men for their service to their country, I do believe a few comments are in order.

At the outset let me make it clear that my concern for these men and their families is no less genuine and humanitarian than those who arranged for their release.

However, I cannot help but believe that the final chapter of this phase of the *Pueblo* affair has not yet been written. Many questions must be answered, and the American people have the right to know the answers.

The timing of this affair appears to me to be the most curious. If we intended to admit before the whole world that we were wrong, and then to deny that our apology was valid, did we have to wait 11 months to do it?

In the spring of 1968, during hearings before the Defense Appropriations Committee, I raised the question of whether or not we would apologize for this incident. I was told by Defense Department officials in substance that—and I cannot quote them directly because this occurred during a classified part of the hearing—such a move would be unthinkable on our part because it would cause a great loss of honor and prestige to the United States. I asked DOD officials a simple question in reply: "What prestige?" I told them in substance that "when a fourth-rate power can hijack one of our ships on the high seas and get away with it, what honor and prestige are you talking about?"

So a move which was unthinkable in the spring became policy by winter. However, it was the added dimension of this policy which really disturbs me.

Not only did we admit to Communist charges that we intruded into the North Korean territorial waters, but we then turned around and advertised that we had lied about it.

The document we signed will make an excellent propaganda piece throughout the Communist nations where our repudiation of it will not be heard. The document will also be effective in underdeveloped areas where the Communists can show "proof" of U.S. "aggression" to the uneducated. But worst of all, the fact that we signed a document we knew was false and that we admitted it can—and I certainly expect that it will—be used against us in, as an example, our Vietnam negotiations in Paris and at any other time in the future when we sit across the conference table from the Reds.

Let us also face this fact: The North Koreans still have the ship, what is left of it, and there is virtually no hope of ever retrieving it.

We still do not know how many secret documents were aboard when the *Pueblo* was captured. On June 10, 1968, when the Navy Department appeared before the Defense Appropriations Committee, I said I considered the *Pueblo* affair "a case of rather extreme, in my opinion, neglect." I said then, and I will repeat now, that the *Pueblo* affair raised in my mind grave doubts on "the use of those self-destruct devices, the question of why the instructions under which the commander of the *Pueblo* handled the ship as he did, and the question of allowing information to fall into the hands of the North Koreans."

In briefings, the Department of Defense has insisted that it would not have been feasible to have used adequate self-destruct devices on the *Pueblo*, thus preventing the enemy from capturing our equipment and documents. Frankly, I doubt the authenticity of DOD's posture in this regard. In light of the very successful self-destruct devices we use in aircraft, it seems highly unlikely to me that we could not have protected our papers and equipment aboard ship.

Inquiries are now being conducted into the entire *Pueblo* incident. Hopefully, these probes will answer many of our questions about this affair. Many questions, however, may remain unanswered. For these the American people deserve and must have answers. They must be told the truth on the timing of the release of the crew. They must be told the truth as to why we apologized and then lied. But more than anything else that will be revealed through investigation, the American people need to know that we will never suffer another *Pueblo*.

We need to know that the enemy, be they North Koreans, Chinese, East Germans, Soviets, or whoever, will not get away with a *Pueblo* ever again. The American people need such assurance, but the enemy needs it even more.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

THE CASE FOR OPEN DEBATE

Mr. FANNIN. Mr. President, over the years there have been many eloquent attacks and rebuttals on the question of limitation of debate in the U.S. Senate. Those of us who come upon such well-plowed ground cannot hope to shed much in the way of original thought upon this subject; yet I am sure there are good reasons and necessary arguments that it would be well to cover again so they will be fresh as we once again consider the question.

It is curious to me that there seems to be a singular case of split vision operating upon our national scene today. Almost any paper or magazine on the newsstand has an article or reference made to the rights of minorities. There is a strong assertion made that the "rights" of certain minorities are violated if they are not allowed to disrupt the educational processes of large institutions of learning when they do not agree 100 percent with every aspect of the operation of that school.

The rights of racial minorities are constantly held before us in the public print and on the air, as they should be.

I would not wish to be mistaken, Mr. President, by having my remarks interpreted to mean that I would do away with these reports of the rights of these minorities. However, if there is a creed operative in the public outpouring upon the rights of minorities today, I think it might well read something like this:

"We hereby pledge ourselves to uphold and promulgate the cause of proclaiming the 'rights' of certain minorities."

I think that might be the correct wording of such a creed, Mr. President, and I think its wording to be very important. There apparently is no concerted effort to uphold the rights of all minorities—only certain minorities. I speak firsthand, Mr. President, because I have personally been the victim of discrimination, and witnessed such selective discrimination.

In my State of Arizona, we have a great number of American Indians. These people—wards of the Federal Government—have been largely mistreated and ill-used by the very Government sworn by treaty to protect them; yet there is no great national outcry to right these wrongs. Those of us speaking out on behalf of the American Indian are distinctly in the minority. We are often ignored, seldom heeded, and our efforts are frequently rewarded with a great deal of lipservice and little tangible result.

Much the same situation obtains in respect to the minorities of the Mexican Americans. Somehow their case comes to be ignored, sloughed off, and forgotten. Yet their rights deserve protection just as much as any other segment of the American population.

Mr. President, I am ashamed—sometimes deeply ashamed—for the public utterances of some of my very learned colleagues who consistently discriminate against the minority called "conservatives." This name is applied often as an epithet against those who do not embrace change for change's sake alone; who want to make sure that a different course will be a better course; who live by the idea to keep the best of the old and make the most of the new. These are the dictums to which I ascribe—yet if I were to take seriously the address by self-designated historian Arthur Schlesinger, Jr., as he took part in the recent series of "Landon Lectures on Public Issues" at Kansas State University, I should find myself, as a conservative, classed variously as:

> A poor and uneducated white tending to be the most emotional and primitive champion of conservatism.
>
> An underprivileged white who has become a steadfast defender of the status quo.

As a Republican conservative, Mr. Schlesinger describes "my" minority as, "constitutionally devoid of intelligence and initiative."

On the other hand, the good professor is a bit more generous with "his" minority, he admits that intellectuals—into which class he arrogates himself—"wield a political influence out of all proportion to the votes they cast." He says "the affluent and better educated tend to care more about rationality, reform and progress."

In contrast to the Republican presidential effort, which Mr. Schlesinger describes as "intellectually empty," he sees a new day dawning in which the Democrats will move forward "as a truly national party, embracing the poor as well as the rich, the black as well as the white, the young as well as the old, the uneducated as well as the educated in a common fight for a just and liberal America."

Very stirring words. But what about "conservatives" in Dr. Schlesinger's "liberal" America? Why this myopic concern for one minority at the expense of another?

Dr. Schlesinger's sense of history evidently unfailingly tells him that liberal and Democratic and certain other "favored" minorities are good; while conservatives, Republicans, and certain other "unfavored" minorities are bad. I submit that the much vaunted liberal concern for minorities is extended only to particular "popular" minorities, while the principle of genuine concern for the rights of all minorities is ill served.

Mr. President, I think it is time we underscored the principle which underlies the makeup of the U.S. Senate, and that is that each State be represented equally no matter what its land areas or population count. This was the great compromise worked out by the framers of the Constitution, and has served us well over the years, indeed over the decades.

It well may be popular and in the current vogue to speak of Congress, or the Senate in particular, as being unresponsive—or responsive—as the case may strike the writer, to the will of the majority. But it is only proper to point out that any one of us or any group of us may well find ourselves in the minority at one time or another and deeply desire to have our rights protected.

The genius of the American system is that it fulfills the wishes and desires of the majority, while still holding high the rights and protecting the status of those in the minority. I know of no other major government on the face of the earth, or recorded in the annals of history, which has attained the balance in simultaneously attempting to achieve these two very laudable goals.

Mr. President, I should like to call the attention of the Senate to the fact that one of my distinguished colleagues, who has placed himself in the forefront of the battle to do away with the provisions of rule XXII pertaining to the limitations of debate, has himself made use of the very protection provided under that rule.

I make reference to an action taken by the Senators from New York during the closing days of the last session of Congress. At that time both the senior Senator (Mr. JAVITS) and the junior Senator (Mr. GOODELL) found a provision of the appropriations bill concerning the medicaid program to be detrimental to the programs operating in New York State. These two Senators—two mind you—representing one State, then mounted an effort to delay the business of the Senate until the provision relating to their State was eliminated from the measure.

May I quote from the junior Senator from New York's recent newsletter which he kindly mailed to my office:

> In a fight against an amendment cutting $130 million in Federal matching funds for New York State's Medicaid program, I joined forces with Senator Javits . . . Our Senate debate—called by the press a "minibuster" was successful. . . . New York continues to receive its full share of Federal money for Medicaid.

Mr. President, I want to make clear that my remarks are not to be interpreted as critical of the actions of either of the gentlemen from New York. Rather, I think it is quite illustrative of the need for continuation of the rule in its present form. As I have stated before, there may come a time when any one of us, or any group of us is in need of the provision of this rule which prevents the emotion of the moment—or the misinformation that may prevail at any moment of time, from trampling on the rights and necessary prerogatives of the minority.

This issue is close to the heart of all Arizonans, Mr. President. Here in the Senate it was sought to admit Arizona to the Union as a partisan measure and under a constitution written by the corporations of New Mexico. The House had passed a bill to admit Arizona and New Mexico as a single State, and the territory of Oklahoma as a State. This proposition, under the limited debate rules of the House of Representatives, passed by a vote of 195–150. However a few hardy Senators, here in this Chamber, withstood the tide of the moment and insisted that the people of each territory should have the opportunity to vote on the proposed joint statehood.

People in the territory of New Mexico voted for joint statehood, the people in the territory of Arizona overwhelmingly rejected the idea. Thus, because debate could not be cut off in the Senate, it became possible for Arizona to enter the Union in its own right rather than as a minor part of a State second only in size at that time to Texas.

If we grant this greater power to limit debate, it must be assumed that the power will be exercised. And if we are interested in the best interests of the Republic we must examine how this power may be used to do harm rather than good.

If I may quote from a distinguished former Member of this body, Senator James A. Reed from Missouri—a member of the Senate from 1911 to 1929—he said:

> Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion.
>
> Gag rule is the thing that men inexperienced in legislative proceedings always advocate first and, if they have any sense, nearly always retire from as gracefully as possible once they have seen it in operation.

Mr. President, I can cite no more distinguished reason for the protection of the rights of the minorities than the Declaration of Independence and the Constitution of the United States.

The Declaration of Independence was, in large part, a declaration that there are limitations upon majority rule.

The Constitution of the United States and the first 10 amendments were designed to protect the rights of the individual from the tyranny that can result from unbridled majority rule.

I would remind the Senate that there are many, many instances in which the majority have been wrong:

The majority grinned and jeered at Columbus when he advanced his theory that the world was round.

The majority established slavery.

The majority chained martyrs to the stake and surrounded them with circles of flame through the ages of history.

The majority crucified Jesus Christ.

If we here and now, take a stand for further limitation upon the rights of free men to freely discuss the legislative proposals that bind 200 million people, then we cannot defend our actions as being truly in defense of liberty.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. GOLDWATER. I wish to compliment my senior colleague on what I feel to be a very valuable addition to this prolonged debate. The fact that, as the Senator has pointed out, the so-called liberal is very quick to weep about minorities, but it takes a long time for him to understand that there are many minorities in this country, I think is a good thing to call to the attention of this body.

I should like to ask the former Governor of Arizona if he recalls another incident involving our State of Arizona where protection of the rights of our State, a very small State at that time, in 1927, was afforded in the Senate when a discussion was held in this body relative to the construction of the Hoover Dam.

As my good friend knows, one abutment of that dam is on Arizona soil, most of Lake Mead, which backs up behind it, is in Arizona, and most of the water comes from Arizona, or flows through it. Yet in the bill then under consideration, Arizona was not to receive any power or any money.

Exercising their rights under rule XXII, Senators Ashurst and Hayden filibustered, if that is the proper term, for 3 days. The Chamber was not air conditioned in those days, and Senators were very loath to stay here. After 3 days of discussion, the other Senators saw the wisdom in the words of our two Senators, and Arizona benefited.

I think that was a very good example to add to the excellent one the Senator has already mentioned, and I thank the Senator for yielding.

Mr. FANNIN. Mr. President, I certainly appreciate the remarks of my distinguished colleague from Arizona. I do recall the incident which he mentioned, and it is still of great importance to Arizona.

I know there is no one in this country of ours who is more informed on the history of our great State than the distinguished Senator from Arizona, my colleague, and I thank him for calling to my attention and to the attention of the Senate this additional illustration of the value of rule XXII.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there objection? The Chair hears none, and the order for the quorum call is rescinded.

Mr. BROOKE. Mr. President, I rise today to speak on a matter which has absorbed the attention of this body at the opening of each new Congress for many years. The attempt to change Senate rule XXII has become something of a fixture in the process of congressional organization.

The question has traditionally devolved into two basic issues: Can a majority of the Senate amend its own rules at the start of a new session of the Congress? And if it can do so, should this particular rule be revised?

I believe the evidence is overwhelming in support of the right of each new Senate to adopt its own rules. At the beginning of this session, the two parties caucused and selected their new leadership. A committee on committees is even now meeting to determine the size and composition of the new committees. I have been deluged, as I am sure all Senators have been, with requests for cosponsorship of new bills. And in most cases the authors of these pieces of legislation have made perfectly clear that their bills are identical to the ones which were introduced and cosponsored just last year.

All of these measures are a clear indication that the Senate begins its work anew with each new session.

The Senate has some features of continuity, to be sure. But the argument that the new Senate is utterly bound by the rules of the old is both unreasonable and unconvincing. It is for us to decide which rules, old or new, shall govern the Senate of the 91st Congress. If continuity were the dominant characteristic of Congress, then there would be no need to require the oath of office of reelected Senators. There would be no need to elect a new slate of officers and to redesignate committee chairmen; it would be enough merely to replace those who vacated their positions through one means or another. And there would be no need to reintroduce identical legislation; bills and resolutions would simply carry over from one Congress to the next.

But, Mr. President, such is not the case. And I would submit that the precedent and Constitutional mandate combined are sufficiently clear that the burden of proof is on those who propound the theory of the continuous body to show just cause why the rules of the previous Senate must prevail.

If it can be agreed that the rules can be changed, we then come to the next question: Should this particular rule be revised?

The proposed change is regarded by some as an attempt to subvert the precious rights of a minority. By others, it is seen as a vital component of the principle of majority rule.

No one of us would argue that the rights of the minority should be curtailed, or that the wishes of the majority should not be respected. But, as always in a democratic system of government, the inevitable tensions between these two essential values find their focus in a few key issues. The proposed change in rule XXII is such an issue.

We have heard it argued that a two-thirds vote is the indispensable standard if the rights of the minority are to be protected. That minority, it is pointed out, could be any combination of regions or States or individuals at any given time. It may be the South and the rural Midwest today; it could be the Northeast and the industrialized West coast tomorrow. We are a heterogeneous nation whose regions and States have deep, established, and often divergent interests.

We have heard the same argument phrased somewhat differently by those who maintain that under the present rule a one-third minority can delay or destroy the rights of a legitimate majority.

There is nothing sacred about a two-thirds vote. When the rule of cloture was first adopted in 1917, proponents of minority rights argued just as vehemently against it—and for the same reasons—as the present-day supporters of the rule argue in its behalf.

In the final analysis, it seems to me, we are not arguing a point of constitutional law, or a principle of common law. Rather we are arguing a complex issue of justice and a question of governmental efficiency: The goal is to strike a fair balance between the right of a minority to obtain full consideration of difficult and sensitive matters, and the right of a majority to have a government responsive to its vital needs and interest. In proposing to modify the two-thirds standard in favor of a three-fifths rule, we will be making no radical shift. We will only be recognizing the wisdom of easing slightly the current rule, under which one-third of the Senate, conceivably representing only 10 percent of the Nation's population, can prevent a majority from working its will. Surely the existence of such a situation is far removed from the intent of the Founding Fathers who envisioned, in the words of Thomas Jefferson, that "The voice of the majority decides."

Perhaps the intent of the Constitution will become clearer in this regard if we ask, Just what is a majority? Is it some perpetually dominant force or an unyielding coalition of forces that will not consider the wishes of an equally stable minority? Of course it is not.

My experience in the Senate leads me to the inevitable conclusion that there are no fixed alinements in this legislature. Each region is different, each State is different; indeed, within each constituency, varying pressures and interests are likely to predominate as the issues themselves change in scope and proximity to the electorate. We are, most truly, a country founded and perpetuated on the Madisonian model of a republic with diverse and changing groups and interests. The Senate needs a mechanism which permits and encourages these groups to combine on the largest feasible area of agreement on any given question.

Obviously, no one who reveres the Senate as an institution and who understands the need for full and open debate on difficult matters would support anything that could be called a "gag rule." The three-fifths standard would in no sense be such a rule. It would represent only a modest relaxation of the present cloture provisions.

But, if I may so, this significant compromise could well remove one of the most continual and bitter disputes from the agenda of this body. Time and again, issues of merit have been sidetracked not only by dilatory tactics and calculated filibusters but by the most intense arguments as to the justice and desirability of such a stringent requirement as rule XXII now imposes. In my opinion, although many Senators would favor a more far reaching amendment of the rules, the proposed change would be likely to stand indefinitely as the consensus of the Senate.

For this reason, I believe the overall efficiency of this body would improve not only through a more expeditious procedure, but through the settlement of a particularly contentious issue that so frequently divides the Senate. This is not to say that other changes to rule XXII will not be urged, but I believe the fever of disagreement on this delicate procedure will wane substantially. Thus the mood and temper of the Senate should improve greatly, and that, I believe, is a weighty argument for adoption of the three-fifths standard.

A multitude of checks still remain within our constitutional system. Any bill which passes the Senate must still run the gauntlet in the other body, where an altered combination of groups may still unite to defeat it. Even if passage by both Houses is assured, opponents may still appeal to a Presidential veto, or, if a constitutional challenge is raised, to our intricate and competent system of courts. And even if all these fail, there still remains the grand court of last appeal, namely, the right of the voters to turn out of office those legislators who they feel have been faithless to their wishes.

Mr. President, in view of the nature of our social system, and taking into account the multitude of institutional safeguards devised to assure full and adequate hearings to all groups, I fail to see how the passage of a rule which would slightly increase the likelihood that a vote can be taken on a controversial issue could undermine the rights of the minority, the wishes of the people, or the hallowed intent of the eminent statesmen who founded our great Nation.

In the interests of efficient and responsive government, I therefore urge that the proposed change in rule XXII be adopted.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the distinguished Senator from New Jersey.

Mr. CASE. Mr. President, I never listen to the Senator from Massachusetts without very deep satisfaction, on many grounds. I am glad that he is not only a Member of the Senate, but also a member of my party.

His most recent statement, in its simplicity, its fairness, its modification, and its eloquence is typical of the kind of service he has brought to the Senate. Even if I disagreed—and I do not disagree in any particular with any substantive matters and substantive positions he has set forth—I would still be happy that I am serving in the same great legislative body with the Senator from Massachusetts. I commend him for his statement.

Mr. BROOKE. Mr. President, I thank the distinguished Senator from New Jersey for his generous remarks and references to me and what I have said. I am particularly pleased that he agrees with my position in this most important matter which is before the Senate at this time.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator yield to me briefly?

Mr. PROXMIRE. I am happy to yield to the Senator from Florida.

WILLIAM C. BAGGS

Mr. HOLLAND. Mr. President, the State of Florida lost one of its most highly regarded newspapermen, particularly editorialist, who was read far and wide, on the death several days ago of Mr. William C. Baggs, the editor of the Miami News.

I am happy to see in the Washington Post this morning a complimentary editorial with reference to Mr. Baggs. I ask unanimous consent that the editorial published in the Washington Post this morning be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

William C. Baggs

When Bill Baggs took up a cause you knew it, and it did not matter whether it was your cause or even precisely the right cause. What mattered was that it was the better for his having taken it up. Restless, driven, he knew just about everybody in his profession, and an awful lot of people all over the world for it was his intention to see it all, and he pretty nearly did. He was a journalistic whirling dervish, with all the moves—he could report, write, and run the shop, and he did all of this at one time or another, and sometimes simultaneously, with skill and fierce intensity.

Now that he is dead, so much too soon, at the age of 48, he will be remembered with admiration as a distinguished member of his profession. And he will be remembered, with affection, as a character, which is a way of saying that he was at all times himself. Georgia-born and orphaned early in life, self-made, very largely self-educated, a bomber pilot in World War II, and finally editor of the Miami *News,* he was rough sometimes, and blunt often, and tough-minded always. He was also one of the gentlest-hearted men you ever knew. He was a man for all underdogs, everywhere, and against the venal and the repressive and the bigoted. He had a distinct and highly developed prejudice for the have-nots as against the haves, and he fought for the former and had very little time for the latter; and so he was a controversial figure and, of course, this bothered him very little because he was quite human enough to be aware that this was part of being a personage and a character. While most of his colleagues went South to cover the war in Vietnam he made headlines by going North, where the underdogs were. While most of his colleagues were looking the other way in the early days of the Southern civil rights battle, he looked to the lot of the blacks, for there they, too, were the underdogs. Bill Baggs would have some kind of a legend on no other count than his capacity as a raconteur. As it was, he was a legend in his time and in his trade on many counts and the business of newspapering, and a lot of people who work in it, and a lot more people outside of it, are immeasurably the poorer for his loss.

PLEDGE TO PLEAD DAILY FOR SENATE RATIFICATION OF THE HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, when this Congress completes its business some time late next year I hope that one of its greatest accomplishments will be the Senate ratification of the human rights conventions.

At the outset of the 90th Congress 2 years ago, I pledged to speak out daily in support of Senate ratification of these conventions. For more than 360 consecutive legislative days I addressed the Senate daily on this vital subject. And, for the first time since 1948, when the first of these conventions was sent to the Senate, some progress was made. Much more, however, remains to be done. To that end, I shall continue to speak out regularly on the human rights conventions in the 91st Congress, to alert my colleagues to the need for action.

Let us briefly review the background of the 18 years of futility in this area, followed by the small but significant accomplishments of the last Congress. On June 16, 1949, the convention outlawing genocide was submitted to the Senate by the President. Public hearings on the Genocide Convention were held by the Foreign Relations Committee in January and February of 1950. Although a subcommittee reported favorably on the convention, it became stalled in full committee, and remained on the table at the time the 81st Congress adjourned.

I find it incredible that in the 18 years since then, the Foreign Relations Committee has not once seen fit to reconsider the Genocide Convention.

In July of 1963, President Kennedy submitted for ratification the Convention on Forced Labor, the Convention on Political Rights for Women, and a supplementary Convention on Slavery.

The Convention on Forced Labor prohibits any forced or compulsory labor for the purpose of, first, political coercion or punishment; second, mobilizing labor for economic development; third, labor discipline; fourth, punishing participation in strikes; or fifth, racial, social, national, or religious discrimination.

The Convention on Political Rights for Women provides that women shall be entitled to vote in all elections on equal terms with men. It also provides that women shall be eligible for election to all publicly elected bodies, to hold public office, and to exercise public functions established by national law, all on equal terms with men.

The Supplementary Convention on Slavery is designed to expand upon the 1926 Geneva Convention on Slavery, to which this country is already a party. The supplementary convention requires participating nations to take all practicable and necessary legislative measures to abolish institutions which are similar to slavery. These include debt bondage, serfdom, involuntary marriage, transfer of widows by inheritance, and exploitation of child labor.

The Foreign Relations Committee held hearings on these three conventions during the last Congress. Testimony was taken during February, March and September of 1967, with all but two of the witnesses endorsing ratification of the conventions. Despite the strong endorsements, both the Convention on Forced Labor and the Convention on Political Rights of Women were tabled by the committee on October 11, 1967.

The result: the three most vital human rights conventions—the Convention on Genocide, Forced Labor, and Women's Rights, embodying the most basic and fundamental human freedoms—have received scant attention and no action whatsoever by the U.S. Senate.

But the record is not completely without progress. On October 31, 1967, the Supplementary Convention on Slavery was favorably reported out by the Foreign Relations Committee. By a vote of 77 to 0 it was ratified by the full Senate 2 days later.

And in the waning days of the 90th Congress, the committee sent to the Senate a Protocol Treaty on the Status of Refugees. The refugee treaty was put to a vote on October 4, 1968, and ratified 59 to 0.

Mr. President, despite this progress, we are still far, far short of fulfilling our responsibilities to the world community. Genocide, forced labor, women's rights: How much longer must we sweep these issues under the rug?

Mr. President, these treaties have been ratified by an overwhelming majority of countries in the world. The United States stands out as one of the very few nations, and the other nations are dictatorships, which has failed to provide for these human rights.

The President repeatedly has asked us to take this action. This is not the responsibility of the House of Representatives. They have no responsibility in this matter. The only thing that stands in the way of action in this matter is this body, the Senate.

I shall continue to press for Senate ratification of these conventions, in every way I know how, until the Senate lives up to its responsibilities. I call upon my colleagues to join me in that effort.

AUTHORIZATION FOR PRINTING MISCELLANEOUS STATEMENTS IN THE RECORD

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Senators may have miscellaneous statements printed in the Record today.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FEDERAL HOUSING ADMINISTRATION

Mr. MONDALE. Mr. President, the role of the Federal Housing Administration has changed radically in the past 2 years from an emphasis on homes for the middle class in the suburbs to a leading role in rebuilding the inner city and aiding lower income Americans in their quest for decent homes. Just how far the FHA has already gone in pursuit of this new goal and how much more it will be able to accomplish under the provisions of the Housing and Urban Development Act of 1968 was the subject of a recent address by Secretary of Housing and Urban Development Robert C. Wood. I commend the FHA for its new orientation and ask that Secretary Wood's remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ROBERT C. WOOD, UNDER SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AT THE TRAINING CONFERENCE FOR FHA WESTERN FIELD OFFICERS, DENVER, COLO., NOVEMBER 20, 1968

Good morning, I want to share with you two American proverbs that seem appropriate to this occasion. "Hang on to your friends on the way in, you'll need them on the way out," and the other, "He who works in Washington and runs away lives to come back another day."

I'm proud to count the HUD–FHA field officers friends and I'm pleased to have had the opportunity of working with you. I have visited twenty-seven of your offices, have met newcomers in Washington as they come, and joined you in meetings. "Fair Play for FHA" has been a theme for the Department, and for me.

I intend to speak out, as I go back to real life, on urban affairs to follow actively the direction Urban America is taking. For change, rapid, quick change is reality and neither nostalgia nor visionary projections of the future serve America well today. Whatever our yearning, we cannot return to our simpler past when cities were small and suburban ranch houses seemed to be-all and end-all of change and the poor took their lumps in silence. We do not deal with a slow transformation of the older order, and orderly change from country to city. We deal with an entire continent awash in an urban culture—a roaring, coast-to-coast urban bazaar.

And we must act today. In that context, we meet at an interesting—some might think an awkward—time, at the end of one Administration and the beginning of a new Administration. I bring no hint of what new policies may come, but I feel sure that in one respect, at least, there will be more continuation than new direction. We can all expect that the transition will be made to men knowledgeable and dedicated, and that the commitment to solving our urban problems is now bi-partisan. The programs will continue.

So, the next two days are ones of continuing importance—and perhaps of some surprises. No matter how much you may have read or heard about the new programs in the 1968 Act, you are bound to learn that the new tools given you are more powerful than they appear at first sight.

The plain fact is that this year witnessed two and a half miracles in the realm of urban legislation. One was the surprising enactment last April of the Fair Housing Law under the Civil Rights Act. Another was the enactment of the omnibus Housing and Urban Development Act last July. And the half-miracle was last month's appropriation action by Congress giving us enough funds to make a good start on almost all of the new programs.

No question about it—the 1968 Housing Act is the most important piece of domestic legislation Congress enacted this year, as well as the largest Housing Act in history. Almost every item we proposed, and President Johnson pushed for, including every one of our major proposals, was enacted in some form by the Congress. And we even got more than we asked for, because additional important provisions were added in Committee. One such was the interstate land sales program which FHA must administer when it takes effect next April.

Now, we in the Washington office would like to claim the lion's share of credit for this highly successful legislative year. Certainly, the Central Office did its part. But in all honesty I cannot lay claim in Washington's name for the giant breakthrough achieved. For I am convinced that Congress would never have given the Department these new tools unless its Members had continuing and renewed confidence in HUD's field organization which must make the programs work. You in this room, therefore, played a key—if low-key—role in this legislative accomplishment.

More important than legislation now, is Administration, and here the field role is more important. Scarcely a year has passed since the commitment of this program element to the inner city and stringent voices of quick criticism are softer now. We hear less and less of the proposal that a new section be set up in HUD or elsewhere in Federal Government to take over the programs designed to help lower income families in their housing problems. The time of testing for HUD and FHA is truly on us: To demonstrate Secretary Weaver's long-held conviction that FHA is fully capable of serving all the private and public groups involved in the work of rebuilding our cities.

And I can do no better than remind you of Phil Brownstein's admonishment to you a year ago. He said then:

"If FHA fails to respond effectively and affirmatively to this challenge, if FHA fails to produce the results needed, then no longer will FHA be looked at as our nation's housing agency, and the need and justification for its continuation may very well be the central theme. Undoubtedly alternative organizations will be developed because the need is too great and too critical to leave a void . . . You should work at this task as though your job depended on it—because it may."

That advice is as sound today as it was a year ago. The challenge and the job are greater. You have risen to other challenges in the past, and in the past year you have shown you can be as vigorous as ever.

You have put first priority on stimulating the flow of mortgage funds and applications into the inner city. Mortgage bankers have been commenting on the increasing number of calls they have had from you.

You have greatly speeded up processing time on multifamily projects.

More than three-fifths of your offices now offer housing counseling service.

And the record shows that you have been willing to take the risks of insuring mortgages in older neighborhoods that were redlined not too long ago. The level of commitments in the ghettoes is now running about two thousand mortgages a week.

You have shown that you can "turn around." But can you meet the next big test of adaptability? Can you do the next big job that now faces you under the new legislation?

I want to make quite clear what your next job is—what it will be for many years to come. Quantitatively, that job is to increase housing starts. Volume is the name of the game.

The 1968 Housing Act spells this out. For the first time in the history of domestic legislation, the Congress has specified our goals in numerical terms. In Title Sixteen, the Act schedules the country to produce 26 million units of housing in the next ten years. Six million of these will be federally assisted homes for the poor. This is a commitment that will move up our rate of production by 1970 to a level ten times as great as what we were producing last year.

Title Sixteen also requires that the President, on January 15 of each year, report to Congress how far along the Nation has come to meet the ten-year goal and what is needed in the next year to keep up the pace. Should the annual goals not be met, Congress must be told the reasons why.

So we in HUD face a ten-year job of insuring enough newly built and rehabilitated units to re-house most of the poor people in the Nation. About one-third of the needed units will be provided under the low-rent public housing program. The other two-thirds must be provided by the programs you administer. What does this mean to your individual offices? In the next few years, each of the seventy-six district offices, as an average, must insure enough mortgages to house four thousand poor families each year.

That will certainly take a lot of doing. Some of you may be wondering whether this is just a dream that will never really tax your energies so much.

What about the level of funds to expect from Congress? Certainly, from time to time, Congress may not fund our programs up to their full authorization. We saw that happen at the close of the last session. But early in 1969 Congress will take up the matter of supplementary appropriations for these programs, and over the next few years it will provide the funds necessary to achieve the annual goals.

Bear in mind, also, that the 1968 Act had strong bi-partisan support in Congress, that the make-up of the 91st Congress will be much the same as the 90th, and that almost the whole thrust of the Act is to open the way for private enterprise to invest money and know-how in the national effort to wipe out bad housing in blighted neighborhoods. Major industry and financial leaders support the sophisticated new instruments embodied in the Act. The fact of the matter is simply that the commitment has been made to solve our basic housing problems in the next ten years. That's a big assignment. We in Washington sought it, we won it, and now we pass it on to you in the field.

The Act does more than transform a laudable goal into a specific work schedule. It provides new institutions, resources and devices to achieve the goal, to assure that results match aspirations. Each element necessary for city building is provided with the institutions and the resources to meet the expanded goal.

Deep new interest subsidies lie at the heart of the programs that adjust housing costs to incomes so that families earning as little as $3,500 a year may own their own homes. Deep interest subsidies will also permit poor families not in a position to become homeowners to rent decent units they cannot afford.

You may have been questioned by homebuilders why the Act will phase out the 221(d)(3) program just when it seems to be catching on with many builders. There are two main reasons. One is that the program has depended on direct Federal lending from the special assistance funds of FNMA, and these funds are limited. Under the new Section 236 Program, the private mortgage market will finance this housing intended for the low- to moderate-income group. Second, the 221(d)(3) program with its basic three percent loans did not produce enough units reaching families just above the income level of those who can qualify for public housing. The new program with one percent loans will close that gap.

The Act also provides for an improved version of the program for non-profit sponsorship of rehabilitated homes for sale to the poor, it explicitly authorizes FHA to go to the Treasury to make up losses in its high risk insurance operations, and it makes new technical assistance available to non-profit corporations and sponsors so that they can engage in the construction and management of low-cost housing.

More mortgage credit will be assured by the Act. It authorizes a new type of credit instrument, bearing HUD's seal of approval and backing, that will authorize FNMA, or private mortgage groups, to issue debentures against a portfolio of FHA and VA mortgages. This will tap new funds. The Act also provides a limited partnership program under which industrial and financial firms can join together to generate a large volume of low- and moderate-income housing. These firms can pool their investments and spread their risks over a large number of projects.

Any losses incurring in the early years can be passed through the partnership to each investor to be offset against the investor's other taxable income.

The Act calls for the training and employment of some 230,000 new construction workers who will have to be added to payrolls to meet the schedules. It expands the reach of metropolitan planning to identify housing sites and trends across entire metropolitan areas to assure additional housing production. It provides a new Federal support for community facilities and services—modernizing public housing, expanding neighborhood facilities and water and sewer lines.

And there is much, much more in the Act. We will not just be building more housing in volume, we will be building communities. There is provision for aid to new communities, there are more funds for the Model Cities, there is a spelling out of the need for excellence in design, there is the riot insurance program already in full effect, and a flood insurance program. The new Neighborhood Development Program for urban renewal will speed up the redevelopment of blighted areas. This will greatly benefit low-income families in ghetto areas, for the emphasis will be on the most urgent problems including construction and rehabilitation of low-income housing.

Very soon you will feel the effects of the major provisions of the Fair Housing Law. Until now it has had negligible importance, covering only some two million Federally assisted housing units. On January 1, 1969, the law will cover thirty-four million units—including nearly everyone in multifamily structures and tract builders' houses. A year later, practically anyone with a roof over his head will be protected by the law.

As you know, this Act directs the Secretary of Housing and Urban Development to receive and promptly act upon complaints of discrimination because of race, color, or national origin in the sale or rental of housing, the provision of mortgage credit, and the advertising of housing.

The President has named Walter Lewis to be HUD's Assistant Secretary for Equal Opportunity to administer the provisions of the law. He will have a field staff to investigate complaints, attempt conciliation, and take other necessary steps provided for in this legislation.

About the first of the year you will see and hear the Department's opening public educational effort, called for under the law, to inform the public that the law is in effect and is being enforced. This will include materials prepared for public service announcements on radio and TV stations and space in newspapers and magazines.

Fair housing is not just a symbol, an expiation of guilt neurosis. No American city can be built with prospects for security, beauty and variety without freedom of residential choice. Any reasonably advanced Nation can build housing if its government determines to devote the resources and the manpower necessary to do the job. But it is only the United States that is now deeply engaged in building cities of "open nationalism".

Only American cities have historically absorbed the diverse peoples of many different descents from the many countries where *closed* nationalism flourished. Only American cities have made serious and continuing efforts to provide equality of treatment for all its citizens in public facilities.

The Fair Housing Law is a national commitment that this Nation will preserve its open nationalism. It will work in tandem with the new programs in the 1968 Housing Act, helping to open the way in both inner cities and surrounding suburbs for this open nationalism to flourish.

Our urban laws of 1968 are devoted to this goal. Three years of pain and effort and hard work have gone into their creation in Washington. Now the programs are under way. The show is on the road. It's now up to you to carry through. I know you will.

JOB OPPORTUNITIES FOR THE DISADVANTAGED

Mr. BROOKE. Mr. President, one of the most critical domestic issues facing our country is that of providing opportunities for employmênt and self-improvement for millions of disadvantaged Americans. This need has been recognized by many businesses and industries, who have undertaken to employ and train the hard-core unemployed.

One of the pioneers in this field is a company in Cambridge, Mass., KLH, already one of the most famous names in the production of electronic sound systems, was founded in 1957 by farsighted businessmen who had as an initial objective the employment of minority groups and persons who needed special training and incentives. This company, 35 percent of whose employees are presently members of minority groups, has enjoyed remarkable success in employee relationships and personnel development. The KLH program has recently been featured as one of 12 case studies conducted by the new Urban Action Clearing House of the National Chamber of Commerce. Because of the interest in programs of this nature, and because of the need to develop more such employment programs, I ask unanimous consent that the text of the chamber of commerce study, entitled "Boston Firm Marking 10 Years of Success in Hiring Hard Core," be printed in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

BOSTON FIRM MARKING 10 YEARS OF SUCCESS IN HIRING HARD CORE

PROGRAM

KLH is a producer of electronic sound systems for the consumer market and is located in Cambridge, Massachusetts. From the time of its incorporation in 1957, the company has aggressively sought employees among minority groups and those who need a "second chance" to fill the rapidly-growing KLH production force. Most jobs require a high degree of care and precision, and the company has recently expanded its in-plant training programs to include higher-level electronics training. KLH became a wholly-owned subsidiary of the Singer Company in 1964.

ORIGIN

Personal convictions of KLH founders led them to establish an open employment policy when the company hired its first employees in 1957. They believed such a policy was socially responsible and a good long-term approach to their employment and public acceptance needs.

OBJECTIVES

Primary objective is to recruit and train people from ghetto areas into a work force of loyal, productive employees. Continued promotion to better jobs where possible is an important part of this objective.

Secondary objective is to build a reputation of concern for the social problems of the greater Boston community. This effort, aimed primarily at eliminating color barriers in employment, also includes providing job opportunities for disadvantaged persons.

Recently KLH joined in the hard-core employment program of the National Alliance of Businessmen, but its long-standing policies have not been aimed strictly at the hard core. Rather, the company has actively sought qualified employees on a non-discriminatory basis and has conducted in-plant training to assist employees to advance to better jobs. KLH is not in or near a ghetto, but the greater Boston area has about 12 percent black population.

RESULTS

1. KLH has achieved a loyal and productive work force with low employee turnover rate through a period of sharp company growth. Beginning with 10 employees in 1957, KLH employed 175 people and grossed $4 million by 1963. Each year since then the company has nearly doubled in size, and by 1967 had grown to 700 employees and grossed $17 million.

2. Minority group employees were part of the first 10. They comprised 12–14 percent of the work force in 1963. By 1968 this figure had risen to 35 percent, chiefly Negroes, but also including Puerto Ricans, Japanese, Portuguese, Spanish and Koreans. Females represent 60 percent of the employees. A substantial number of these women were formerly supported by welfare (Aid to Dependent Children).

3. Several employees have been upgraded from unskilled jobs after completing a company-sponsored technical training course. The company has also undertaken a course in English and citizenship preparation for Portuguese and Spanish-speaking employees to provide new candidates for the technical training course. An example of finding talent which may be hidden behind a language barrier is the case of one Spanish-speaking employee who could not manage an English sentence when he started working at an unskilled production job. He is now the company's chief cost accountant.

4. Of the Negro employees, who comprise 32 percent of the work force, many are in supervisory, technical and executive positions. One is assistant credit manager; another is materials coordinator—a man who started with KLH as inspector of speaker assemblies and within three years advanced to his present position.

5. The Boston area business community has come to regard KLH as a leader in open job opportunities, Henry K. Shor, personnel director, and other company officials have been asked to advise other companies, many much larger than KLH, as well as the National Citizen's Committee for Human Relations, the Urban League, the NAACP and the Human Rights Commission of Syracuse, New York.

PROGRAM DEVELOPMENT

Origin

When KLH was incorporated in 1957, its three founders established a policy of nondiscrimination in hiring, training and promoting employees. While partly motivated by personal principle, they were confident their policy would prove to be good business practice.

The personnel director was instructed to emphasize to the U.S. Employment Service that KLH welcomed minority group employees. He also recruited through the Urban League and Jobs Clearinghouse, a non-profit agency in the Negro community supported largely by contributions from industry. The company advertised for applicants through the *Bay State Banner*, a local Negro newspaper, as well as the large daily newspapers. Notices to employees were posted on the company bulletin board stating, in effect, "if you have any friends who are looking for a job, send them in."

PROGRAM OPERATION

Entry policies

From the outset, KLH required no educational qualifications for jobs in the factory, which now start at $1.85 per hour for unskilled tasks. In fact, for repetitive factory work easily conducive to boredom, high school graduation is regarded as a mixed blessing. The company has set up careful, although informal, procedures not to place an unqualified—or overqualified—employee in a position where he might fail.

KLH personnel staffs operate on this basic philosophy: If a man or woman comes to the company for a job, shows a sincere desire to do the job and can do the job available, he is hired. He may have had a problem in the past—poor employment history, police record or alcoholism—but that problem will not disqualify an applicant.

Special training

1. Orientation

An orientation program provides new employees the basic skill training they need in such operations as soldering, wiring and color coding. Classes are taught by a full-time staff instructor, and trainees attend full time for a period of from one to eight weeks, depending on their needs. New classes begin with a new set of employees almost weekly.

During this indoctrination period, time is provided for talks on safety, company regulations and other conditions of employment. For instance, instructors stress importance of getting to work on time every working day. "Employees without regular work experience find they no longer have the freedom they had," says Mr. Shor. "Some are apt to work for three days and earn enough money to live for the rest of the week, then not come in for the next two days. They have to know that industry will not tolerate this."

Supervisors are trained to encourage and work closely with new employees. The company carefully chooses the men whom it hires as supervisors, and, whenever possible, supervisors are promoted from the ranks.

2. Technical Training

More and more formally-scheduled training was offered as KLH grew. To prepare employees for upgrading into technical jobs, the company has started a 13-week course in basic electronics open to all who can read and write English and who volunteer to attend classes without pay after work. The company pays a high school teacher to conduct the course four afternoons a week in the company cafeteria.

When a number of employees in the course had trouble with math, the company arranged for adding a basic math course.

The first group of 30 enrollees has completed the basic electronics class, and five of the graduates were quickly promoted into higher-classification jobs. The remainder of the class is considered for promotions in technical areas as openings occur.

The first cycle of a new intermediate electronics training course began in mid-1968 with all the graduates of the basic course enrolled. Employees completing this course will be prepared to fill more technical positions as they become available in the company.

Promotion

When other qualifications are equal, promotion is given to an employee with the greatest seniority. Titles of vacant jobs, rate of pay and qualifications are listed on the bulletin board. Except in technical areas requiring college training, most higher-paying jobs are filled by promotion.

NEW DEVELOPMENTS

KLH Child Development Center, Inc.

The KLH Child Development Center is the company's answer to the absentee rate of its female employees, which often runs 6–7 percent, against an acceptable norm of 3–4 percent. Since 60 percent of KLH's employees are female, the problem is significant. Investigation showed that much of this absenteeism was caused by problems of child care—minor illnesses and absent babysitters—for mothers who often were heads of their households.

Using Project Headstart as a model, Mrs. Henry P. Morgan, wife of a company official, developed plans for a child-care center that would result in better job attendance.

The Children's Bureau of the Department of Health, Education and Welfare in 1967 provided a first-year grant of $64,000 for planning, hiring and training a staff, and developing curriculum and materials. The Center then received an operating grant of $112,000 per year and has started with 10–14 children, with expectations of growing to accommodate 60 children.

The MA–3 program

KLH has committed itself to hire 51 hard-core unemployed within the next two years as part of the National Alliance of Businessmen effort under the U.S. Department of Labor's MA–3 Program.

A company official commented, "We've always hired anyone who could do the job. Now I'm going to have to take on people who may not be able to do the job. But I think if we work with them, they can make the grade. And until we find they can't, we're not giving up on them."

PROGRAM EVALUATION

Key factors in success

The commitment of KLH founders to an open hiring policy at the time the company was born underlies all other factors in the successful experience reported here.

The commitment did not require that existing practices be stopped and new ones started. Instead of a "new policy," KLH management can say, "We've always done it that way." Communications problems are greatly reduced. There is little room for doubt that management means what it says.

Small size, in itself, has helped KLH display its commitment more effectively. The single operating location and more personal identification of top managers with the work force add the personal ingredient to what might become a remote, impersonal series of instructions. Further, the company has grown rapidly in these prosperous years just past, which has enabled management to open many new doors for advancement to the minority and majority alike, easing any threats to position which might have arisen in a stable or slackening employment condition.

A third factor is that KLH has followed a personnel management strategy in which non-discriminatory hiring is the foundation rather than an afterthought. By "giving a chance" to people whom others have ignored or rejected, the company predicted—with apparent accuracy—that it could build a loyal, productive employee group. KLH chose to put its main stress on those whom it could give continuous guidance and training in order to develop their capabilities and loyalties as permanent employees, rather than to stress more highly-qualified applicants whose motivations may be lower.

Lessons to be learned

KLH experience has demonstrated clearly that in employee communications, management action speaks louder than any written word in clarifying company philosophy and policy. Formal communications avenues have been limited, and the informal, personalized "passing the word" is used to a maximum. As a result, KLH has projected its intent effectively with an unbelievably small file of memoranda, notices and pay envelope inserts.

A second lesson of KLH experience is that many people who are the target of discrimination in one form or another are not lacking in capabilities. Company philosophy has been to welcome qualified applicants without reservation and to seek upgrading of all who can and will rise to the opportunity.

Transferability

The program—which is less a program than an attitude and a policy—is clearly transferable to any company that will commit itself to full equality of opportunity at the hiring window and transmit that commitment to all levels of personnel concerned with supervision, training and promotion.

KLH has transmitted its commitment more fully with less formal effort than many firms would find possible. This difference would be especially noticeable among larger, multi-unit firms in which internal communications is a continuing challenge even on far less volatile subjects than minority group employment practices.

KEY CONTRACTS FOR ADDITIONAL INFORMATION

Mr. Robert Elman, President, KLH Research and Development Corporation. 55 Cambridge Parkway, Cambridge, Massachusetts 02139.

Mr. Henry K. Shor, Personnel Director, KLH Research and Development Corporation, 55 Cambridge Parkway, Cambridge, Massachusetts 02139.

Miss Patricia A. Goldman, Research Associate, Economic Opportunity Programs, Chamber of Commerce of the United States, 1615 H Street, N.W., Washington, D.C. 20006, AC 202/659–6179.

Mr. Ivan C. Elmer, Director, Urban Action Clearinghouse, Chamber of Commerce of the United States, 1615 H Street, N.W., Washington, D.C. 20006, AC 202/659–6177.

REPORTS AND DOCUMENTATION AVAILABLE

Abstract of proposal to U.S. Children's Bureau for the KLH Child Development Center, Inc.

"The KLH Success Story in Creating Jobs," by Henry M. Morgan, *Technology Review, 1968.*

BUILDING A LAND AND PEOPLE

Mr. MONTOYA. Mr. President, New Mexicans love the land. They wish to preserve it as an asset, developing its fertility and adding to its strength. They realize that an investment in the land is an investment in themselves.

These people ask only for a chance to be involved. Given an opportunity, they utilize it to the fullest. They need only be given the tools, and their own industry and resourcefulness will finish the job.

Proof of their belief in themselves and their bond with the land has recently come to my attention. The December 1968 issue of Soil Conservation tells how Mr. I. M. Roybal, of Pojoaque, N. Mex., seeing that creation of the northern Rio Grande resource conservation and development project had opened a door to advancement, without hesitation stepped through. As a result, seven new jobs have been created in the expansion of his contracting business. In the classic American pattern, he has helped himself, his employees, and the economy of his area—not to mention the land he lives on.

Mr. President, I ask unanimous consent that the article detailing Mr. Roybal's operation be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Contractor Adds Ditchlining Business and Multiples R.C. & D. Project Benefits

A New Mexico contractor has turned a conservation need into new jobs for seven people and dollars for the whole community.

I. M. Roybal of Pojoaque, N. Mex., 3 years ago expanded his house-building business to include concrete ditch lining for irrigation and invested $30,000 in extra equipment.

A factor in his decision was creation of the Northern Rio Grande Resource Conservation and Development Project. Local community leaders organized the project to focus technical and financial help from federal, state, and other sources on resource needs to turn the area's economic spiral upward.

Some of the assistance was channeled into improving irrigation systems.

THE MULTIPLIER EFFECT

Mr. Roybal expanded his contracting business and hired seven more men full-time to meet demands for new irrigation ditches. Seven families benefit from the employment, and Roybal buys more concrete in the community, more fuel, and parts for his equipment. Thus, dollars produce dollars to multiply the economic uplift.

Roybal has added his own innovations to a hand-placed ditch-lining operation. He mixes his own concrete in the field in a 1/6-cubic yard mixer mounted on the back of a small tractor. The concrete is dumped from the mixer into the ditch and shaped with a hand-pulled screed. The screed is guided by wooden rails placed on each side of the ditch. With this method Roybal can line about 350 feet of ditch a day.

THE VALUE OF SAVING WATER

Roybal plans to further increase his operation later on with purchase of a slip-form ditch liner and increase his crew from seven to 11 men.

His customers often express their satisfaction with the efficiency of their new irrigation systems, for people in the traditionally water-short Pojoaque Valley know from experience the value of saving water.—BRUCE KIDMAN, *engineer, SCS, Santa Fe, N. Mex.*

ELECTORAL REFORM NEEDED

Mr. BYRD of West Virginia. Mr. President, I voted against the move to sustain the objection of Senator MUSKIE and Representative O'HARA to counting the vote of Dr. Lloyd Bailey, an elector from the State of North Carolina, on the grounds that Dr. Bailey, under the Constitution, was a free agent to cast his vote for President as he wished, despite any ethical or moral considerations that might have been involved.

A thoughtful editorial in yesterday's Washington Post deals with the situation that was created by Dr. Bailey's action, pointing out correctly that such a thing may well occur again, and, indeed, that it could easily be multiplied many times, unless corrective action is taken before the next presidential election.

I am a strong advocate of electoral reform, a matter with which I hope the 91st Congress will deal. I agree with the Post's editorial comment that "the drafting of a constitutional amendment to remove the peril points in our system for election of the President has become one of the most urgent tasks" confronting us.

I believe Senators and Members of the other body will find this editorial of interest, Mr. President, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POINTING TO REFORM

The refusal of Congress to rebuke the presidential elector who betrayed his trust confirms the worst fears that have been expressed in regard to our electoral system. By this vote Congress has recognized that the Presidency of the United States may be put on the bargaining table. The immediate question before the two houses was whether they could prevent North Carolina Elector Lloyd W. Bailey from shifting his vote to George Wallace after he (Bailey) had been elected on a Nixon slate. But the larger question was whether the George Wallace technique of bargaining with the major presidential candidates, in case no one obtains an electoral majority, can be used in future elections.

Congress has clearly indicated that it may be so used. Electors pledged to one presidential candidate may shift their votes to another candidate, without fear that Congress will intervene. We think this is a correct interpretation of the law as it now stands, but it opens the door wide to bargaining by a third party in a close race to determine who shall be President.

Congress cannot be reasonably accused of favoring such a system. On the contrary, many members are alarmed by the possibility that any future President may bargain his way to the White House. But they also recognize that this basic defect in the system cannot be cured by tinkering with the counting of votes. The remedy must come from a comprehensive constitutional amendment. The basic trouble is not that electors sometimes refuse to carry out the instructions they are given at the polls. It is that electors are retained within a system which, in effect, now seeks to bring about the election of the President by popular vote.

There is widespread agreement that the electors must go. They serve no useful purpose whatsoever. The country no longer trusts them to exercise any discretion in the choice of the President. And neither Congress nor the courts will hold them to the necessity of supporting the candidate to whom they are pledged, because the Founding Fathers intended to give them some measure of discretion. The action this week was a dramatic illustration of the necessity for a truly effective reform.

It is true that there is still much disagreement as to the nature of the change to be made. But there is growing conviction that only direct popular election of the President will provide a complete remedy and at the same time command sufficient support to be adopted.

In our view, the drafting of a constitutional amendment to remove the peril points in our system for election of the President has become one of the most urgent tasks confronting Congress. We hope that it will be pursued with vigor, determination and a disposition to reconcile the remaining differences so as to make the adoption of the most acceptable reform possible. The adoption of the presidential disability amendment a few years ago is a good example of how long-conflicting views can be reconciled when there is a major effort to achieve a reform that has become imperative. The creation of new national election machinery is now in that category.

THE MIDDLE EAST

Mr. SCOTT. Mr. President, two articles published in the Philadelphia Inquirer of January 2, 1969, put in perspective the current situation in the Middle East.

As the editorial says:

> Instead of condemning Israel at every opportunity, the United Nations should be giving attention to assuring observance of the cease-fire which it ordered long ago, and which the Arabs have treated with contempt.

And as William S. White says about the Israelis:

> They love their country; they will unhesitatingly fight for it. And they will not be talked out of their right—and duty—of self-defense.

I ask unanimous consent that the editorial and article be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Jan. 2 1969]

ONE-SIDED CONDEMNATION

There may be some substance to the feelings held by many that the Israeli attack on Arab planes at the Beirut airport was disproportionate to the immediate provocation: the utterly insane attack by Arab terrorists on an Israeli airliner at Athens. There has been the feeling, also, that Israel picked the wrong target in the reprisal raid in Lebanon, which has been regarded as the most pacific of the Arab states surrounding Israel and the one with the closest ties with the West.

When all these things are said, and felt, nevertheless, the condemnation of Israel's action by many governments, including our own, and by resolution of the United Nations Security Council, is wholly disproportionate to the facts of Arab violence, terrorism and violation of the cease-fire agreement which have harassed Israel without let-up.

Why was there not the same kind of condemnation against the Arabs when guns and grenades were used in the Athens attack, which killed one passenger, wounded a stewardess and endangered the lives of 30 or more others, besides wrecking the plane? Why was not the Security Council outraged when Arabs dynamited women and children to death in a Jerusalem market? Why is not a word heard from those so ready to condemn Israel's every reprisal when the last remaining Jews in Poland are being subjected to cruel persecution?

Israel is a small land surrounded by predatory enemies who have vowed its destruction, and, unable to gain their objective by conventional military means, engage in almost continuous acts of sabotage and guerrilla warfare.

Attempts to exonerate Lebanon from the activities of the "Popular Front for the Liberation of Palestine," the leader among the anti-Israeli terrorist groups, cannot stand up. The men who attacked the plane in Athens with murderous intent are Lebanese; they flew to the point of their mission from Beirut. During the last three months, no fewer than 18 terrorist incidents have taken place from Lebanon.

Instead of condemning Israel at every opportunity, the United Nations should be giving attention to assuring observance of the cease-fire which it ordered long ago, and which the Arabs have treated with contempt. And the U.N., with the U.S. and Soviet Russia leading the way, should be exerting itself to bring about peace and stability in the Middle East—something the Israelis have ardently desired.

[From the Philadelphia Inquirer, Jan. 2, 1969]

CRITICS OVERLOOK ISRAEL'S FIGHT FOR LIFE IN ARAB "HOLY WAR"

(By William S. White)

WASHINGTON.—All this breast-beating condemnation of Israel by "world opinion" for the Israelis' reprisal attack upon the airport in Lebanon needs some cool re-examination and some factual perspective.

It is true that Israel's action here, in retaliation for a terrorist Arab assault upon an Israeli aircraft in Athens in which an Israeli lost his life, was unwise and excessive—if judged in total isolation. For Lebanon has been a moderate force within the Arab bloc and has thus far alined only by words in the "holy war" being conducted against Israel by more vehement—the Communist-oriented—states such as Nasser's Egypt.

Still, this whole business cannot be understood out of its whole context. When all the facts, and not just some of them, are seen without prejudice, Israel comes off incomparably better than it is coming off in the excited indictments being flung about inside and outside the United Nations.

First of all, Israel's commandos at any rate took the greatest care in Lebanon to take no man's life. But the essential points are vastly deeper. Here is a nation dug out of the hard, arid earth that for all its life has been tirelessly menaced by extremist Arabs from every side. Week after week, month after month, year after year the Israelis have been drenched by the poisonous hatred of Cairo Radio. Eternally threatened, they have lived in a stockade state, much as did the American pioneers. Endlessly attacked along their frontiers, they have responded with a courage and an elan rarely seen in contemporary times.

Explicitly and repeatedly told by the Arabs that they are going to be destroyed by the Arabs, it is perhaps not too surprising that after two decades it is growing difficult for them to see that "big picture" which statesmen far from the scene are pleased to paint for them.

Is it very surprising, then, that finally they react with undue violence, considering the further point that never once have they been granted elementary justice by a U.N. presently headed by the openly prejudiced Secretary U Thant?

The simple, historic reality is that the Israelis have never stood a chance in the U.N. where the Russians and their tin-pot and sometimes crypto-Communist allies among the African and Asian states have used this tough and tiny Western outpost as a kind of badminton puck in the Cold War.

But there is an even more fundamental truth, and it is this: It is no longer liberally chic to be pro-Israel, where once it was too liberally chic altogether. Twenty years ago "elite" American opinion sentimentalized Israel out of all reason. Today, "elite" American opinion can hardly find anything good about the Israelis. It would require a book fully to explore this turnabout; this columnist's opinion is that Israel has fallen out of grace not because of its considerable faults but rather because of its old-fashioned virtues.

For the Israelis oddly cling to certain outmoded concepts which in a shorthand way are more conservative than otherwise, to wit:

They do not happily embrace any and all "revolutions," such as Col. Nasser's exported "revolutions" in places like Yemen. They feel no shame in being patriots. They love their country; they will unhesitatingly fight for it. And they will not be talked out of their right—and duty—of self-defense. They do not accept the new isolationism, the new peacenikism, of the New Left, now so popular in quarters here and abroad. Having been told several thousand times that pro-Communist Arabs intend the literal destruction of their way of life, they have come to believe it.

That Lebanon is not really a part of this conspiracy is true enough. That Lebanon's airport has been attacked is in every way regrettable. But that the world can hardly expect a people so long brutalized by hostile neighbors to respond in every instance with all prudence and restraint is surely also true. When a man is fighting for his life it is a little hard to expect him to proceed with all the solemn care that might be exercised by some fellow who never felt a wound.

SIXTEEN SENATORS SEEK PERSPECTIVE ON ISRAEL

Mr. MONDALE. Mr. President, a bipartisan group of 16 Senators emphasized the importance of examining the total context of the current crisis in the Middle East in a statement released Monday afternoon.

This statement, I believe, helps a great deal to clarify and balance this discussion in this country of this dangerous situation. In preparing and circulating it, the senior Senator from New York (Mr. JAVITS) and I sought to respond in a balanced way to the recent censure of Israel by the United Nations. However unfortunate that situation may be, we believe it requires a look at all the elements involved in the dispute.

The statement points out that Israel is continually subject to attacks from hostile groups in Arab nations. It declares that a realistic approach to the conflict between Israel and her Arab neighbors requires implementation of an equitable policy of permanent peace along the lines of the U.N. resolution of last November 22, efforts to maintain a strategic arms balance, settlement of the refugee question, and establishment of an organization for economic cooperation and development.

It was a privilege to be able to work with Senator JAVITS on this statement, and both of us are grateful to the 14 other Senators who joined in signing the statement. We hope it will contribute to the continuing Senatorial discussion of the difficult and dangerous problems which characterize the troubled Middle East.

Mr. President, I ask unanimous consent that the text of the statement, followed by a list of the signers of the statement, be printed in the RECORD.

There being no objection, the text and list were ordered to be printed in the RECORD, as follows:

TEXT OF STATEMENT ON THE MIDDLE EAST, MONDAY, JANUARY 6, 1969

We express our deep concern over the rapidly deteriorating situation respecting peace in the Middle East—the area in the world where the danger of new war is greatest.

We have noted the adoption by the United Nations Security Council, with the concurrence of the United States, of the resolution on December 31st in connection with this unfortunate situation. This resolution "condemns Israel for its premeditated military action" and "issues a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decisions."

We are particularly concerned about the effectiveness of the Security Council resolution in view of the fact that it makes no reference to the direct threat to Israel's survival posed by the continuing raids into Israel—with their mounting toll in lives and property—by Arab guerrillas operating from the Arab states; states that have maintained a state of war with Israel for twenty years and which harbor and officially encourage the guerrillas.

The Israelis are fighting for their very lives as their Arab neighbors, bolstered by Soviet military and diplomatic support, again openly threaten to obliterate them.

The Jarring Mission, intended to implement the Security Council resolution of November 22, 1967, should, of course, continue its efforts to avert the speedily deteriorating situation.

We believe the situation must be examined in its total context and that Americans are entitled to view it in proper perspective. Accordingly, under these conditions, we believe the policy of the United States should be:

1. To establish a policy of permanent peace in the Middle East. This will require an implementation of the UN resolution of November 22, 1967. This resolution carries out all its terms in as parallel and equitable a manner as possible, with each provision being related to the other rather than being based upon Israel's withdrawal from occupied territories in return only for paper promises from the Arab states. A key point in this UN resolution is "respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force."

2. To make every effort toward helping to maintain the strategic arms balance between the radical Arab states and Israel, lest these Arab states be tempted into renewing full-scale warfare. The United States has already demonstrated its policy in this respect by signing a contract to sell 50 supersonic jets to Israel, an action which we support and approve. The American people do not want to see a situation where Israel will be so threatened that outside participation is called or to assure its very survival. It would be helpful to this effort for the USSR to join in limiting its supply of strategic military weapons to the radical Arab nations, and to accept the right of an independent and free Israel to exist along side its Arab neighbors within secure and recognized boundaries.

3. To call for the most urgent consideration of the settlement of the Arab refugees, a problem which continues to be critical. Conditions have completely changed since the establishment of UNWRA. About half of the refugees holding ration cards are now within the de facto jurisdiction of Israel itself making them much more available to settlement.

4. To encourage establishment of an organization for economic cooperation in the Middle East to bring about mutual economic development, better trade relations, technological research and administration of aid and technical assistance programs in the area.

SIGNERS OF THE STATEMENT

Clifford P. Case (Republican, of New Jersey).

Peter H. Dominick (Republican, of Colorado).

Charles E. Goodell (Republican, of New York).

Fred R. Harris (Democrat, of Oklahoma).

Philip A. Hart (Democrat, of Michigan).

Jacob K. Javits (Republican, of New York).

Walter F. Mondale (Democrat, of Minnesota).

George Murphy (Republican, of California).

William Proxmire (Democrat, of Wisconsin).

Abraham Ribicoff (Democrat, of Connecticut).

William B. Saxbe (Republican, of Ohio).

Richard S. Schweiker (Republican, of Pennsylvania).

Hugh Scott (Republican, of Pennsylvania).

Joseph D. Tydings (Democrat, of Maryland).

Harrison A. Williams (Democrat, of New Jersey).

Stephen M. Young (Democrat, of Ohio).

BOB BARTLETT WILL BE REMEMBERED

Mr. MONTOYA. Mr. President, the Senate is much poorer because of the passing of Bob Bartlett of Alaska. No nation ever produces too many men of his caliber. He wore himself thin in this Chamber in the service of his State and Nation.

Rarely has it been my privilege to see a finer example of a public servant dedicated to the well-being and advancement of his State and country. I worked with him, seeing at first hand how he applied himself to the basic issues and needs of Alaska. Aware of the needs of that area of our Nation, he made himself expert in the fields of knowledge that were so acutely attuned to the emerging realities of his State.

From his vantage point here, he produced significant gains for Alaska. But he was never a purely parochial man or Senator. In his own unique manner he served his country as well as his State. The needs of the Nation came to the fore in his actions as we here observed them. Truly, he wore two hats in this Chamber—one as a Senator from Alaska, the other as a U.S. Senator. In this manner he set a series of examples that others who follow him into this Chamber would do well to emulate.

Never indulging in fanaticism, he applied himself to the realities of life. Steering clear of blind partisanship, he sought intelligent compromise that would serve the entire land. Moderate in counsel, he put forth wise words in a clear and often courageous way.

Now he is gone from our midst, and we are all the poorer for it. There have been so many unusual and talented men and women who have served in this body. Each has brought his own gifts to the service of the Republic and its institutions. In so doing they have strengthened those institutions and the Nation that rests upon them. Bob Bartlett made a major contribution to this body, our tradition, and the continuity that is its essence. He will be remembered in the hearts of all who knew him, worked with him, and had the privilege of his friendship.

I extend my sincerest condolences to his family.

PERMISSIVENESS RUNNING OUT?

Mr. BYRD of West Virginia. Mr. President, I would like to express the hope that the Washington Evening Star's columnist, James J. Kilpatrick, is right in his statement in Thursday's paper that the college professors and presidents who have condoned violence on America's college campuses, and who have sought to appease those who have fomented these troubles, "have gone out of style."

They most assuredly should go out of style, for the uprisings they have countenanced form a blot that may never be erased from the pages of the history of education in America. Events such as those that have transpired recently on the campus of San Francisco State College, where instructors have gone on strike in support of student anarchists, should no longer be tolerated by the responsible agencies of government upon which most of our colleges and universities depend.

Columnist Kilpatrick praised Governor Reagan of California for his forthright pronouncement that the colleges must be kept open, that they must not be surrendered to those who would destroy them and I commend him, too. We need more public officials willing to stand firm against insurrection.

The column cites the experience of Worcester Polytechnic Institute, where the trustees have adopted a strong anti-demonstration policy, based on the premise that "the right to criticize and protest is not the right to disrupt or to interfere with the rights of others." Worcester has had no trouble.

The "tides of permissiveness" may, indeed, be running out, as Kilpatrick says. I know that there must be millions of Americans who would join me in hoping so. I ask unanimous consent that this column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

Reagan Hailed for Getting Tough on Campus

Those who undertake to read the currents of public opinion are engaged in a difficult art. Such tides never can be predicted to the fraction of an inch. Mostly it's guesswork or just plain hunch. But it's a good bet that California's Governor Reagan has sensed public attitudes exactly in his resolute statement on campus violence.

The governor ran into newsmen this past Sunday at the Sacramento airport. It was the day before San Francisco State College was scheduled to reopen Reagan was asked for comment. He paused deliberately; then he laid it on the line.

"Those who want to get an education, those who want to teach, should be protected in that at the point of a bayonet if necessary. The college has to be kept open. I don't care what force it takes. That force must be applied."

Hallelujah! That is precisely what should have been said and done all along. It is amazing, in retrospect, that such eminent men as Grayson Kirk of Columbia ever could have lost track of the truth that Reagan stated so bluntly. The campus of a college or university is like any other community. In the presence of violence, the rights of the law-abiding residents—the students who want to learn, the teachers who want to teach—have to be defended at any cost. These come first. Any compromise with this principle is an invitation to anarchy.

A year or so ago, Reagan's statement would have provoked moans, groans and gasps from the intellectual community. No more. The professors and presidents who have condoned the outrages, and sought to appease the firebrands, have gone out of style. Increasingly, the public demand is to expel the fascist students and to fire the faculty members who enter into conspiracy with them. These militants can respect the rights of others, or they can get out. It's as simple as that, and no phony invocations of "tenure" or "academic freedom" or "the right to dissent" should be heeded any longer.

The firmness voiced in California by Reagan is not unique. Other responsible administrators have taken the same high-principled view. The trustees of Worcester Polytechnic Institute adopted a statement of policy last June—a copy has just come across my desk—that provides a model for every college in the land.

The Worcester statement opens by affirming the institute's belief in individual freedom. But "academic freedom is not academic license, and the right to criticize and protest is not the right to disrupt or to interfere with the freedom of others." The statement continues:

"Students enter Worcester Tech voluntarily. They apply presumably because they wish to further their education and hopefully because they believe Worcester Tech, with its traditions and reputation, is capable of advancing their intellectual attainments. Students come to learn, to be guided, not to direct.

"If they do not like some of the rules and regulations, traditions and policies of Worcester Tech, they do not have to enter. But let it be understood that having been accepted, and having decided to enter, they are expected to abide by the laws of our nation and comply with the rules and policies of Worcester Tech. Criticisms and suggestions are always in order and will continue to be welcomed, but threats, disturbances or force of any kind—whether by a single student a minority or a majority—will not be tolerated."

The Worcester statement concludes with an explicit warning that the college offers no sanctuary to any person who condones, advocates, or exercises the seizure of private property or the use of intimidation. "Any who engage in such activities will be held fully responsible, and punishment at this college for such acts will be prompt and sufficient to the cause, including expulsion."

Worcester Tech hasn't had the first breath of trouble.

This is the sound approach. It is right in principle; it is right politically, too. The tides of permissiveness are running out. From San Francisco to Worcester, the new year sees a determination among free men to restore the order on which freedom itself depends.

ADDRESS DELIVERED BY THE PRESIDENT OF BRANDEIS UNIVERSITY

Mr. BROOKE. Mr. President, in October 1968, I was privileged to attend the inauguration of President Morris B. Abram, of Brandeis University.

At that time I was particularly impressed with an address given by Eric Yoffie, president of the Brandeis University student body. His statement, brief, succinct, and unquestionably sincere, is an articulate expression of the desires and objectives of America's young people. The need to recognize change and to deal with it, the need to have more control over policies which directly affect their lives, and the preference for working with existing institutions and figures of authority to achieve these ends, are all a vital part of the so-called student revolution.

I commend Mr. Yoffie's objectives, and his method of achieving them, and ask unanimous consent that the text of his remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by Eric Yoffie, Student Body President, at the Inauguration of Brandeis President Morris B. Abram, October 6, 1968

The greetings which I bring to you today on behalf of the Brandeis Student Union, and the welcome which I extend to Brandeis President Morris B. Abram, are *more* than merely polite gestures. They are the products of a three-week period in which student leaders have met frequently with Dr. Abram, and have discussed with him a large range of educational issues. By briefly reviewing the content of these sessions, I hope to convey to you the nature of our greeting and the sincerity of our welcome.

We began by emphasizing our desire to establish meaningful communication with the Office of the President. We went considerably beyond that, however. We evaluated with President Abram the inevitable tendency of universities to fit themselves into existing and familiar patterns. Habit, of course, is no longer justified, as we are today confronted with a demand for radical reforms. Distinguished universities have begun to realize that educational reevaluation must be based upon present and future requirements, rather than on precedent or tradition, however ancient or hallowed.

We agreed, therefore, that meaningful discussion means free discussion. Our ground rules will be simple ones: there must be at Brandeis no individual, no position, no structure, or no approach, however fundamental and accepted, which is immune from constant reappraisal and constructive criticism, and if necessary, from sweeping reform.

Often-justified discontent at other universities indicates to us the necessity of initiating immediately such an exhaustive reassessment. We feel that among the most pressing demands are the following: firstly, the need to elevate the status of teaching at Brandeis; secondly, the need to reform our undergraduate curriculum; thirdly, the need to better develop our approach to university planning; fourthly, the need to revise our academic calendar and make the four-year pattern more flexible; and, lastly, the need to reevaluate the nature of the Brandeis community.

The community has changed because the university has changed. In twenty years, the accomplishments at Brandeis have been monumental. As this first era comes to a close, however, we must not rest on our laurels. In only two decades we have attained the status of a great university. Our responsibilities, therefore, as we turn to the second era, are now much greater.

This is particularly true in view of the tremendous differences between 1948 and 1968. As various fields continue to change rapidly, it is difficult enough to know what a proper graduate education ought to be; it is even more difficult to determine how the undergraduate ought to be educated. When an increasing number of students plan graduate study, a university such as Brandeis, which is, and must remain, primarily an undergraduate institution, runs the risk of becoming merely a corridor—the last chamber before the really important room is entered. Obviously, the undergraduate's experience is considerably affected. This is not simply a matter of raising questions about the adequacy of a particular curriculum. We discussed with Dr. Abram the more basic questions that are raised. The primary issue becomes one of educational integrity. We suggested that this must be judged not by the standards of others, but by the Brandeis community, which we envision as a face-to-face academic unit in which there is internal coherence, shared membership, and high morale.

Shared membership does not mean student rule. It does mean, however, the necessity of the students assuming principal responsibility for making decisions about themselves as individuals, and, further, our expectation that we will be given a share in shaping decisions of an educational nature and those affecting the general drift of university policy. We requested from Dr. Abram, then, only a partial role, but a meaningful one, which does not mean mere advisory status.

We agreed, finally, upon the necessity for a clear, unequivocal commitment by Brandeis University to play a vigorous, constructive role in the surrounding community, and to reorient its program toward the pressing social and economic needs of our country.

These were the issues which we have considered in the past few weeks. I should not give the impression that the opinions of the students and of Dr. Abram are identical. That is far from the case, and, to the extent that we differ, the student body pledges to remain the loyal opposition: prodding, questioning, demanding reasoned responses, and so forth.

I feel, however, that our approaches are generally similar, and that we are proposing the same questions concerning how a college community ought to be organized, what services it must provide, and what demands it may legitimately make of its students.

The student body looks forward to working with the faculty, under the direction of Dr. Abram, in exerting creative leadership in American education, and we welcome him, once again, to the Brandeis community.

NOTICE OF HEARING

Mr. FULBRIGHT. Mr. President, it was announced several days ago that the Committee on Foreign Relations had scheduled a public hearing on January 15 to consider the nomination of William Rogers for the position of Secretary of State.

After further consideration, it has been decided to hold on January 15 a hearing in executive session at which time both Mr. Rogers and Elliot Richardson, Under Secretary of State-designate, will be expected to reply to questions customarily asked of men nominated for appointment to public office. Policy matters of general interest will be discussed at a public hearing, or hearings, to be held in the future.

The hearing on January 15 is being held in order that there may be a report on these nominations to the Senate by the committee which, if favorable, will place the Senate in a position to give its advice and consent to the appointments of Mr. Rogers and Mr. Richardson as soon as possible after President-elect Nixon takes office.

The public hearing on January 15 originally scheduled has been deferred because it was felt that Mr. Rogers could not be expected at this time to answer questions relating to specific issues of foreign policy before President-elect Nixon's inauguration and address on January 20. A subsequent public hearing, or subsequent hearings, will provide members of the committee with an opportunity to question the new Secretary of State without being inhibited by the restrictions that apply before January 20.

ANNOUNCEMENT OF HEARINGS ON PRETRIAL RELEASE

Mr. ERVIN. Mr. President, as chairman of the Subcommittee on Constitutional Rights of the Senate Judiciary Committee, I am pleased to announce that the subcommittee will begin 6 days of hearings on January 21, 1969, on the subject of pretrial release in the Federal courts. The hearings will be held on January 21, 22, 23, 28, 29, and 30, 1969, in room 2228 of the New Senate Office Building beginning 9:30 a.m. each morning.

These hearings will be the first of a series devoted to comprehensive review of the operation of the Bail Reform Act of 1966 and related laws and procedural rules in the light of the experience gathered during the 2½ years of its operation. During the hearings we will give detailed attention to the various legislative and administrative proposals which have been suggested by Members of Congress, judges, law enforcement officials and other interested and informed persons. The greatest need for any changes seems to have arisen in the District of Columbia where many violent crimes are committed by persons on pretrial release. The District is the only jurisdiction where ordinary crimes of violence are prosecuted in large volume in the Federal courts.

The purpose of the Bail Act of 1966 was to assure that those accused of Federal crimes would be released, either on personal recognizance or under certain conditions, without regard to their financial ability to pay money bond, if there was reason to believe that the accused would return to court for additional proceedings.

The application of the Bail Act has been a great step forward in the enlightened administration of justice. However, the operation of the act has not fully accomplished the purposes for which it was designed. There is evidence that the great variety of pretrial release conditions available have not been used fully.

Other questions have been raised as to the need for more effective information gathering facilities, for providing meaningful sanctions for violation of release conditions, and for permitting courts to consider the element of danger to the community, in addition to likelihood of flight, in determining the conditions of release. But more importantly, the subcommittee will give consideration in depth to the question of pretrial detention. Many voices have been raised recently in favor of some form of detention for those persons accused of crimes when the pretrial release of such person poses a substantial danger to the safety of the community. Serious constitutional and policy questions are raised by that proposal and will require detailed study and analysis by the subcommittee.

It is the subcommittee's intention to hear from the broadest spectrum of opinion possible upon which to base any recommendations and additional legislation. I ask unanimous consent that there be inserted at this point a list of witnesses who will testify at the subcommittee's hearings.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WITNESS LIST FOR HEARINGS ON BAIL REFORM ACT OF 1966, SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS, ROOM 2228, NEW SENATE OFFICE BUILDING

TUESDAY, JANUARY 21, 1969, AT 9:30 A.M.

Honorable George L. Hart, Jr., Judge, United States District Court for the District of Columbia; Chairman, Judicial Council Committee to Study the Operation of the Bail Reform Act in the District of Columbia.

Honorable Harold H. Greene, Chief Judge, District of Columbia Court of General Sessions.

Honorable David G. Bress, United States Attorney for the District of Columbia.

Mr. Bruce D. Beaudin, Director, District of Columbia Bail Agency.

WEDNESDAY, JANUARY 22, AT 9:30 A.M.

Honorable Joseph D. Tydings, United States Senator from Maryland.

Honorable Charles W. Halleck, Judge, District of Columbia Court of General Sessions.

Mr. William Dobrovir, Staff Director, District of Columbia Committee on Administration of Justice During Emergency Conditions.

Mrs. Patricia M. Wald, Washington, D.C. Attorney, Member, Judicial Council Committee to Study the Bail Reform Act; Commissioner, President's Commission on Crime in the District of Columbia.

THURSDAY, JANUARY 23, AT 9:30 A.M.

Mr. Lawrence Speiser, Director, Washington Office, American Civil Liberties Union.

Mr. Alan M. Dershowitz, Professor of Law, Harvard University, Cambridge, Massachusetts.

Major General Charles L. Decker, Director, National Defender Project of the National Legal Aid and Defender Association.

Mrs. Barbara B. Bowman, Legal Aid Agency for the District of Columbia; Member, Judicial Council Committee to Study the Bail Reform Act.

TUESDAY, JANUARY 28, AT 9:30 A.M.

Honorable Tim Murphy, Judge, District of Columbia Court of General Sessions; Member, Judicial Council Committee to Study the Bail Reform Act.

Mr. Harry I. Subin, Associate Director, Vera Institute of Justice, New York, New York.

Honorable Patrick V. Murphy, Administrator, Law Enforcement Assistance Administration, United States Department of Justice.

Mr. Charles Murray, Washington, D.C. Attorney, Member, American Bar Association Advisory Committee on the Criminal Trial.

WEDNESDAY, JANUARY 29, AT 9:30 A.M.

Mr. James F. Hewitt, Attorney in Charge, Federal Criminal Defense Office, the Legal Aid Society of San Francisco.

Mr. Tom Karas, Office of Federal Criminal Defense, Maricopa County Legal Aid Society, Phoenix, Arizona.

Mr. Harry D. Steward, Executive Director, Defenders, Inc., Federal Court Office, San Diego, California.

THURSDAY, JANUARY 30, AT 9:30 A.M.

Honorable Alfred P. Murrah, Oklahoma City, Oklahoma, Chief Judge, United States Court of Appeals for the 10th Circuit; Chairman, American Bar Association Advisory Committee on Pretrial Proceedings.

Dean Charles E. Ares, School of Law, University of Arizona, Reporter, American Bar Association Advisory Committee on Pretrial Proceedings.

Professor Paul E. Wilson, School of Law, University of Kansas.

RECESS TO MONDAY, JANUARY 13, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate I move, in accordance with the previous order, that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 18 minutes p.m.) the Senate took a recess until Monday, January 13, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate after adjournment of the Senate on January 9, 1969, under authority of the order of the Senate of January 9, 1969:

U.S. CIRCUIT JUDGE

Harold Barefoot Sanders, Jr., of Texas, to be U.S. circuit judge, District of Columbia circuit, vice Charles Fahy, retired.

U.S. DISTRICT JUDGES

David C. Bress, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Joseph C. McGarraghy, retired.

William M. Byrne, Jr., of California, to be U.S. district judge for the central district of California, vice Peirson M. Hall, retired.

Cecil F. Poole, of California, to be U.S. district judge for the northern district of California. (New position.)

James P. Alger, of Utah, to be judge of the district court of Guam for the term of 8 years, vice Paul D. Shriver, resigning.

NOMINATIONS

Executive nominations received by the Senate January 10, 1969:

IN THE NAVY

Vice Adm. George G. Burkley, Medical Corps, U.S. Navy, retired, for permanent appointment to the grade of vice admiral on the retired list pursuant to article II, section 2, clause 2, of the Constitution.

Having designated Rear Adm. William P. Mack, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, I nominate him for appointment to the grade of vice admiral while so serving.

Lt. Donald W. Stauffer, U.S. Navy, for appointment to the grade of lieutenant commander while serving as Leader of the U.S. Navy Band in accordance with article II, section 2, clause 2, of the Constitution.

IN THE ARMY

Gen. Robert William Porter, Jr., O18048, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. George Robinson Mather, O18696, Army of the United States (major general, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals

Maj. Gen. Chester Lee Johnson, O20681, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Walter Edward Lotz, Jr., O21090, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frank Wade Norris, O21110, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. William Raymond Peers, O21366, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Riis Ploger, O21760, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Walter Evans Brinker, O21776, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Phillip Buford Davidson, Jr., O21969, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edward Paul Smith, 022063, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Stephen Wheeler Downey, Jr., O22649, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Patrick Francis Cassidy, O32809, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Ray Williams, O22962, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Henry Augustine Miley, Jr., O22993, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Donald Vivian Bennett, O23001, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John McNair Wright, Jr., O23057, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Leland George Cagwin, O23200, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Thomas Cassidy, O23213, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. John Milton Hightower, O23531, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Pershing Brown, O23544, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. William Bradford Rosson, O23556, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Willard Pearson, O44466, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Marsden Duke, O21753, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Martin Gettys, O44181, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Wendell John Coats, O22964, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Roland Merrill Gleszer, O23278, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Thompson Horner, Jr., O23530, Army of the United States (brigadier general, U.S. Army).

The following named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

IN THE AIR FORCE

To be major generals

Maj. Gen. Paul T. Cooper, FR4861 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Robert H. McCutcheon, FR4150 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Ernest C. Hardin, Jr., FR8211 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Chesley G. Peterson, FR9383 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. John L. Locke, FR4042 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Kenneth C. Dempster, FR4633 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. John M. McNabb, FR5037 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. John L. Martin, Jr., FR7556 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Lee V. Gossick, FR8679 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. William H. Reddell, FR8874 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Richard D. Reinbold, FR8927 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. William C. Garland, FR8934 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. David C. Jones, FR9887 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Russell E. Dougherty, FR9985 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Roland A. Campbell, FR4535 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Paul K. Carlton, FR8693 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. George M. Johnson, Jr., FR8810 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. General Joseph R. DeLuca, FR33749 (brigadier general, Regular Air Force) U.S. Air Force.

Maj. Gen. Jammie M. Philpott, FR13694 (brigadier general, Regular Air Force) U.S. Air Force.

To be brigadier generals

Brig. Gen. Robert L. Cardenas, FR5056 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James S. Cheney, FR8336 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William S. Chairsell, FR8501 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Paul R. Stoney, FR9083 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James F. Kirkendall, FR9092 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Chester J. Butcher, FR9846 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert J. Holbury, FR9893 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. DeWitt R. Searles, FR9907 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Frank M. Madsen, Jr., FR9991 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William R. MacDonald, FR10019 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Felix M. Rogers, FR10067 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Albert R. Shiely, Jr., FR10106 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James M. Keck, FR10122 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robin Olds, FR10128 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Ernest T. Cragg, FR10152 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John R. Kullman, FR10171 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William W. Snavely, FR10177 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Dale S. Sweat, FR10190 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph H. Belser, FR9604 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John H. Buckner, FR9753 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Charles W. Lenfest, FR9760 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. William E. Bryan, Jr., FR9888 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Leo C. Lewis, FR9914 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Albert J. Bowley, FR10101 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Douglas T. Nelson, FR11124 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. David S. Chamberlain, FR19927 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Archie S. Mayes, FR33267 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Leslie W. Bray, Jr., FR18136 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert V. Spencer, FR13230 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Earl L. Johnson, FR33837 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Richard M. Hoban, FR23658 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John B. Kidd, FR34076 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. James A. Shannon, FR14510 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Joseph G. Wilson, FR15284 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. George J. Keegan, Jr., FR15333 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. George H. McKee, FR15663 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Robert N. Ginsburgh, FR18108 (colonel, Regular Air Force) U.S. Air Force.

Maj. Gen. William G. Moore, Jr., FR34534 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Donald E. Stout, FR16198(colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. John C. Giraudo, FR16296 (colonel, Regular Air Force) U.S. Air Force.

Brig. Gen. Harold F. Funsch, FR19181 (colonel, Regular Air Force, medical) U.S. Air Force.

The following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major generals

Brig. Gen. Anthony T. Shtogren, FR4956, Regular Air Force.

Brig. Gen. Thomas H. Crouch, FR19192, Regular Air Force, medical.

Brig. Gen. Robert L. Petit, FR5213, Regular Air Force.

Brig. Gen. Robert J. Gibbons, FR3978, Regular Air Force.

Brig. Gen. Clifford J. Kronauer, Jr., FR7750, Regular Air Force.

Brig. Gen. John W. Kline, FR5084, Regular Air Force.

Brig. Gen. David I. Liebman, FR5164, Regular Air Force.

Brig. Gen. George V. Williams, FR7733, Regular Air Force.

Brig. Gen. Francis W. Nye, FR8418, Regular Air Force.

Brig. Gen. James F. Kirkendall, FR9092, Regular Air Force.

Brig. Gen. Rockly Triantafellu, FR9504, Regular Air Force.

Brig. Gen. William V. McBride, FR10077, Regular Air Force.

Brig. Gen. Russell K. Pierce, Jr., FR18118, Regular Air Force.

Brig. Gen. William P. McBride, FR4179, Regular Air Force.

Brig. Gen. Timothy J. Dacey, Jr., FR4631, Regular Air Force.

Brig. Gen. William S. Harrell, FR5240, Regular Air Force.

Brig. Gen. Franklin A. Nichols, FR4809, Regular Air Force.

Brig. Gen. Joe T. Scepansky, FR7879, Regular Air Force.

Brig. Gen. Paul R. Stoney, FR9083, Regular Air Force.

Brig. Gen. Kenneth W. Schultz, FR9096, Regular Air Force.

Brig. Gen. George J. Eade, FR9515, Regular Air Force.

Brig. Gen. William F. Pitts, FR9796, Regular Air Force.

Brig. Gen. Louis L. Wilson, Jr., FR9803, Regular Air Force.

Brig. Gen. Carlos M. Talbott, FR9853, Regular Air Force.

Brig. Gen. Felix M. Rogers, FR10067, Regular Air Force.

Brig. Gen. William W. Snavely, FR10177, Regular Air Force.

Brig. Gen. Carl W. Stapleton, FR8893, Regular Air Force.

Brig. Gen. Albert J. Bowley, FR10101, Regular Air Force.

Brig. Gen. Augustus M. Hendry, Jr., FR8645, Regular Air Force.

Brig. Gen. Rene G. DuPont, FR11836, Regular Air Force.

Brig. Gen. Donavon F. Smith, FR14577, Regular Air Force.

Brig. Gen. Dale S. Sweat, FR10190, Regular Air Force.

Brig. Gen. George J. Keegan, Jr., FR15333, Regular Air Force.

In the Air Force

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be major (Medical)

Spoor, Daniel H., 309047.

To be captains (Medical)

Altimus, Myles E., II, 3200261.
Grinsell, Patrick J., 3186912.
Jordan, Ashby M., 3166224.
Sanfelippo, Peter M., 3200515.
Wyatt, Ronald O., 3167119.

To be first lieutenants (Medical)

Berriosjiminez, Jose A., 3184730.
Fetzek, Joseph P., 3188484.
Katz, Paul, 3164598.
Wagner, James D., II, 3089529.

To be captains (Dental)

Benkel, Bernard H., 3071281.
Bryk, Clarence C., 3113854.

To be first lieutenants (Dental)

Alpern, Sandee A., 3197311.
Long, Robert P., 3167214.
Nosworthy, Donald G., 3203654.
Schutt, Norman L., 3166921.

To be first lieutenant (Judge Advocate)

Keller, Richard O., 3158377.

The following Air Force officers for appointment to the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be captains

Abbey, Edward F., 2206323.
Abbott, Charles E., 2208506.
Adams, Derrell J. Jr., 3102755.
Adams, Gordon D., 3101754.
Adkisson, Robert B., 3038557.
Adsit, Guy D. Jr., 3030445.
Agard, Gary L., 3080422.
Albright, Townsend L., 3039627.
Alder, James W., 3040814.
Aldrich, William S., 2211802.
Allen, William C. Jr., 3082065.
Alter, Bruce B., 3102187.
Ames, Donald L., 3038973.
Ames, Frederick P., 2210235.
Anderson, Charles T., 3040747.
Anderson, Glenn J., 3082066.
Anderson, Neil R., 3064557.
Andraitis, Arthur A., 2207122.
Ansberry, Thomas H., 2210727.
Ary, James A., 3029230.
Ashcraft, Robert G., 3038114.
Ashley, Wendell R., 3030363.
Asterita, Anthony J., 3102294.
Babin, Shirly A., 3038560.
Baechle, William, 3039118.
Baird, Sidney A., 3008748.
Baker, Charles L., 3057517.
Baker, Don R., 3101666.
Baker, Robert W., 3018079.
Ballard, Jack D., 3099112.
Balog, George, 3065585.
Banks, Webb F., 3033328.
Barbay, Lawrence, 3054027.
Barr, Carroll S., 3087914.
Barry, William R., 3038493.
Bartosh, John F., 3038636.
Bates, Charles T., 3040494.
Bates, Wayne E., 3032502.
Bathke, Robert K., 3066194.
Baxter, Edward G., 3040751.
Beardsley, Ralph J., 3038265.
Benner, John D., 3102351.
Bergman, Erwin, 3080798.
Berry, Alan B., 3064496.
Biles, Graham C., 3102472.
Bittaker, Joe R., 3059114.
Bitton, John B., 2210084.
Blackwell, Eldred E., 2209726.
Bodington, Mountford E., 3056588.
Boone, Orville B., Jr., 3050995.
Borthick, Roy C., Jr., 3040338.
Bourque, Ronald G., 2208008.
Bowman, Charles E., 3058653.
Boyd, Jack L., 3040706.
Boye, Duane E., 3038897.
Braden, Courtland R., 3087529.
Brammer, John E., II, 3071149.
Brandt, Paul E., 3051285.
Braswell, Steve, 3040449.
Brauner, Henry P., 3072775.
Breckenridge, James A., 3080015.
Bridges, James R., Jr., 1865774.
Britton, Alonzo G., 3038980.
Broberg, Paul W., 3040196.
Brocks, James H., 3039807.
Brooks, J. W., 3101738.
Brooks, Jerrell W., 2209937.
Brooks, Richard L., 3059046.
Broten, Paul, 3058772.
Brown, Gerald T., 3040197.
Brown, Jack W., 3101034.
Brown, Ralph L., 3026713.
Buckerfield, James D., 3102549.
Buckner, Lynn E., 3057007.
Bullard, Charles A., 3086597.

Bumgarner, Robert R., 3022153.
Burdick, Jerry H., 3087532.
Burke, Garry L., 3087795.
Burnett, Bobby G., 3101038.
Burr, Daniel S., 3065712.
Bussey, Richard J., 2210110.
Butler, Samuel M., 2206193.
Butts, Clinton E., 3040823.
Cahoon, John E., Jr., 3047218.
Caley, Don C., 3020386.
Callanan, John V., 3040199.
Canady, Eldon J., 3102695.
Cappel, John J., Jr., 3080819.
Capps, Julian M., 3097879.
Carlton, James E., 3074424.
Carman, Dean C., 3065073.
Carpenter, Robert L., 3039442.
Carpenter, Vernon R., 3082280.
Carpenter, Vincent L., Jr., 3065017.
Carroll, Robert P., 3040529.
Carson, James D., 2210064.
Carter, Charles R., Jr., 3005142.
Carter, George M., 3038268.
Carter, Robert M., 3029410.
Caruso, David, 3080406.
Caruso, Vincent J., 3083478.
Chesley, Paul L., 3087539.
Clark, James W., 3094298.
Clary, Richard B., 3049286.
Clay, Ben C., 3081101.
Coker, Charles L., 3038156.
Colgin, Paul C. Jr., 3031144.
Colvin, Alfred E., 3030625.
Combee, Harbin D., 3051279.
Conlan, Edward F., 3008924.
Coogan, Edward R., 3037806.
Cooney, Wilbur M., 2249999.
Cooney, Wilson C., 3039105.
Cordes, Robert A., 3080498.
Cordle, Robert L., 3040991.
Corroon, Thomas F., 3072172.
Cosstephens, Claudis M., Jr., 3048117.
Courington, George D., 2211035.
Craig, Harry G., 3102700.
Crawford, Jack E., 0590879.
Cupples, Leland J., 3093651.
Curtis, Alan M., 3083204.
Dalfonso, Edward V., 3059410.
Damon, Karl K., 3097646.
Damoth, Donald R., 3072416.
Daniel, Allen J., Jr., 3101044.
Dapson, Leon L., Jr., 3081994.
Darbyshire, Walter G., Jr., 3039298.
Darden, Henry R., Jr., 2211329.
Davis, Charles T., Jr., 3064756.
Davis, Taft L., 3039742.
Davis, William B., 3081515.
Dean, David S., 3056760.
Deberry, Charles W., 2209755.
Demott, Richard L., 3101718.
Dempster, David P., 3039569.
Dennis, Lawrence V., 3040209.
Desenfants, Robert E., 3071746.
Dethlefsen, Merlyn H., 3040607.
Dewilde, David A., 3038906.
Dewitt, Robert D., 3048887.
Dewitt, William T., 3040933.
Dillman, Marvin O., 3039109.
Dillon, John E., 2237601.
Dingley, Arnold E., Jr., 3101701.
Donaldson, Charles A., 3066525.
Dowd, Thomas J., Jr., 3070068.
Dudgeon, Cecil E., 3038868.
Dudley, Paul F., 2260057.
Dulong, Perry L., 3040078.
Duncan, John H., Jr., 3038646.
Eastman, William D., Jr., 3038990.
Egan, James J., 3087667.
Eglinton, William S., 3040538.
Ek, John K., 3102997.
Elder, Joe D., 3058985.
Elkin, Harold M., 3034513.
Ellis, Roland D., 3097944.
Elmer, Donald W., 3070787.
Elmer, Roger R., 3102830.
Embree, John S., 3081377.
Epler, Elmer D., 3031670.
Ernst, William L., 3038991.
Eytcheson, Keith R., 3056606.
Farrell, Ronald, 3102265.
Farrimond, George F., Jr., 2211305.
Feist, John F., 2227380.
Feltman, Gordon, 2210050.
Fields, Thomas E., 3039949.
Finks, Jack E., 3085090.
Firse, John A., 3081754.
Fischer, Sherril H., 3072308.
Fisher, Miles G., 3081475.
Flanagan, Bernard E., 3065735.
Flood, Donald A., 3038755.
Foote, John A., Jr., 3071143.
Foster, Harl R., 2219502.
Fowler, Samuel R., Jr., 3031576.
France, John B., 3066306.
Franklin, Butler T., 1862393.
Frazier, Wayne C., 3081378.
Freeman, Albert M., 3057429.
Freer, Allen C., 3064546.
Friedman, Marvin A., 3033128.
Friese, Richard E., 3039199.
Friesen, Don D., 3002600.
Frise, James R., 2204456.
Fry, Charles B., 3081221.
Fulford, Cecil B., 3087867.
Funston, Neal L., 3040774.
Garvey, William G., 3068200.
Gaston, James S., 3095523.
Genadio, Frank, 3036377.
Gerblick, Paul, 3039574.
Gibbs, Edgar L., 3101460.
Gibler, James C., 3038994.
Giese, Karl J., 3102458.
Gilbert, Sid E., 3039827.
Gilmore, Wiley C., 3027951.
Ginwright, John B., 3073386.
Gioia, John, 3039119.
Gleason, Delbert F., 3039259.
Gleeson, Richard T., 3085160.
Glenn, Cosby R., 3101814.
Glock, Ronald R., 3039310.
Goldberg, Norman, 3008688.
Goldfarb, Levi, 3031806.
Good, Paul R., 3038995.
Gossman, Gerald J., 3066528.
Grabowski, Frank D., Jr., 3064981.
Graham, Robert J., 3058342.
Gravis, Jack D., 3004407.
Gray, Donald E., 2225835.
Green, Joe B., 3038821.
Greene, William A., 3066529.
Gregan, James E., 3008956.
Griffin, Eugene M., 3083240.
Griggs, Jerry M., 3081409.
Groll, George W., 3066260.
Guarino, Allan F., 3072251.
Halbach, Eugene I., 3038587.
Halsey, Jesse W., 2206849.
Hamilton, Robert M., 3040617.
Hammitt, John H., 3086376.
Harenski, Walter J., Jr., 3056617.
Hartman, Roy E., 3051018.
Harwood, Robert K., Jr., 3040939.
Hatcher, David B., 3040002.
Haussman, Robert L., 3083893.
Headle, Bruce C., 3093530.
Hennigan, Walter K., 3040548.
Henry, George A., Jr., 3064812.
Heptinstall, Calvin C., 3087926.
Herbert, Edwin C., 3085107.
Hering, Harold L., 3080482.
Heron, Robert Jr., 2205075.
Herring, Russell N., 3038411.
Herrle, Robert P., 3064765.
Herron, John R., 3101391.
Hess, Jay C., 3038594.
Higgins, Harry E., 2211553.
Hille, John C., 3038412.
Hillhouse, Chester K., 3039056.
Hindman, Jack W., 3101243.
Hinds, William D., 3048128.
Hines, Lehmann D., 3098249.
Hinman, Delman D., 3040223.
Hoff, Gerald D., 3051648.
Hokanson, John M., 2208197.
Holley, William E., 3101735.
Hollingsworth, Clyde E., 2204361.
Hollis, Billy R., 3039390.
Houle, James F., 3095229.
Howerton, Rex D., 3056910.
Howie, Andrew R., 3064264.
Hoy, Franklin W., Jr., 3089443.
Huber, William D., 3074586.
Huggins, James P., 3087934.
Hurlbut, Alba J., 3056820.
Hurst, Norman R., 2246721.
Husten, Russell J., 3031907.
Huston, Donald R., 3064897.
Intille, Michael J., 3065291.
Irwin, Donald E., 3082060.
Irwin, Glen G., Jr. 3040942.
Jackson, Melvin L., 3039461.
Jeffrey, James H., 3081497.
Jeffries, Calvin J., 3072163.
Jenkins, Frank W., 3039700.
Jenkins, Robert L., 3039897.
Jinright, James R., 3101845.
Johnson, Milton L., 3040552.
Johnson, Robert W., 3082075.
Johnston, William R., 3008704.
Juhl, Clarence A., 3083437.
Kaats, Gilbert H., 3038768.
Kalmar, Jack R., 3080934.
Kanouse, Wayne E., 2211788.
Kemmerling, Paul T., Jr. 3029463.
Kemps, Robert R., 3039212.
Kerr, John B., Jr. 2210976.
Kerwick, David R., 3064900.
Kesler, William E., 3032360.
Key, George G., 3102567.
Kilde, Loren C., 3008248.
Kimsey, Harvey L., 3038715.
Kinser, Donald B., 3081007.
Klein, Jack L., 3055068.
Klimek, Robert A., Jr., 3038716.
Kochman, Herbert J., 3034112.
Koegl, Robert M., 3074288.
Koehring, James C., 3096711.
Kolman, Clare N., 3010694.
Koontz, Charles W., 2247721.
Kovach, Gerald J., 3080761.
Kowalewski, Stephen, 3064771.
Krajeck, Philip A., 3097971.
Krause, Roger L., 3081271.
Kristoff, Edward J., 3051434.
Krotik, Alexander E., 3055101.
Laird, James R., III, 3056917.
Lamm, William W., Jr., 2211275.
Laseter, Vinton D., 3081063.
Lear, Joe B., 3040556.
Leclercq, Francis K., 3040947.
Legrand, Alphonse F., 3065789.
Lewis, Robert J., 3096553.
Lewis, Samuel D., 3081983.
Lilling, Paul, 3028946.
Littlefield, David R., 3097692.
Lockhart, Jimmie D., 3036085.
Lockley, Stanton G., 3040843.
Logan, James E., 3102427.
Long, David J., Jr., 3047665.
Lougeman, John M., 3080149.
Love, James A., 2211902.
Love, Joseph M., 3087587.
Lowe, Bobby F., 3040406.
Lutterman, Gerald H., 3040021.
Lynch, Harold A., Jr., 3102719.
Madison, James A., 3040368.
Maillet, Stanley M., 3085708.
Maloney, Thomas A., 3069384.
Mangan, James J., 3026244.
Mantooth, Billy R., 3101853.
Manz, Joe E., Jr., 3093327.
Marshall, Ira G., 3053254.
Marquez, Rafael, 3028669.
Martini, Ralph J., 2209640.
Masino, Thomas R., 3072215.
Mayberry, William S., 3056922.
McAdoo, William T., 3038098.
McClintick, Robert L., 3097275.
McConnell, Charles W., 3041570.
McCulloch, Donald O., 3008847.
McDaniel, Morris L., Jr., 3041007.
McDonald, William W., 3097262.
McHugh, Edward A., 3037737.
McKee, Harry L., Jr., 3080150.
McMahon, Brian P., 3072104.
McMillan, Henry R., 3101810.
McNeeley, Billie W., 3101270.
McNeil, Charles T., 3032629.
McNeil, James H., 3040025.
McPherson, Douglas A., 3066591.
McReynolds, Frank A., 2206362.
Mecham, Melvin E., 2230313.
Meisner, Eugene J., 3101273.

Melton, James F., 3039850.
Merian, Harold H., 3101441.
Metz, Leo B., 3066123.
Mickey, George W., 3102843.
Milanese, John J., 3101789.
Millard, Moses K., Jr., 3035324.
Miller, Donald L., 3026523.
Minogue, Richard B., 3065250.
Mitchell, John D., Jr., 3081232.
Moffatt, Edwin N., 3071332.
Monk, James G., 3038724.
Moore, Adrin O., 3087969.
Moore, John W., 3083282.
Morgan, Thomas R., 3051074.
Morioka, Hiroshi, 3084104.
Mounce, Clyde A., 3039601.
Mulligan, Donald E., 3039229.
Murden, Raymond L., 3087594.
Muscatello, William, 3056436.
Musser, John G., 3083226.
Naddeo, Ralph M., 3081558.
Napoli, Anthony, 3050119.
Neal, Walter A., 2220740.
Newman, Rudolph M., 3102726.
Nicoll, Ronald B., 3071838.
Nichols, Spencer L., 3040633.
Nicholson, Eddie N., 3041058.
Nielsen, Wallace A., 2211303.
Nuvolini, Joseph L., Jr., 3067248.
Nylander, Jon D., 3097124.
Delke, Robert J., 3041016.
Okerlund, Edward W., 3031004.
O'Neil, Edward W., Jr., 2224607.
O'Neill, Dawson R., 3047988.
Overstreet, Roger D., 3038246.
Pachura, William S., 3040700.
Paluso, Charles F., 2210252.
Panarese, Edward R., 3037815.
Parker, Jack W., 3073982.
Parker, John D., 3040440.
Parker, Lawrence N. Jr., 3056928.
Parker, Robert E., 3039410.
Parker, William H., 3038057.
Parrish, Charles T., 3056331.
Parten, Warren K., 3080152.
Pendleton, William C., 3083592.
Perl, William F. Jr., 3014053.
Perry, David L., 3065887.
Perry, Margaret J., 2253623.
Petersen, Donald J., 3072821.
Piatt, Homer R., 3080293.
Piner, James T., 3102878.
Pippen, Charles J., 3016014.
Pocock, Charles L. Jr., 2211304.
Pollock, Richard B., 3046128.
Poole, Jere E., 2221905.
Pottebaum, James J., 3039235.
Potter, Jerome, 3056341.
Pouliot, Richard J., 3069434.
Pound, Merritt B. Jr., 3046612.
Prather, Dirk C., 3088009.
Prince, Neil E., 3003366.
Prosper, Victor A. Jr., 3095599.
Pugnale, Ovidid, 3040638.
Pyle, Ralph E. Jr., 3101463.
Radel, Andrew A., 3049465.
Raley, David E., 3040486.
Randall, Horace J., 3039081.
Rasnic, Charles R., 3081705.
Raup, Karl A., 3007104.
Ray, John W., 2207818.
Rayfield, Robert S., 2235969.
Rea, Alvin L., 3087482.
Reed, Walter J. Jr., 3047996.
Reesor, James V., 3085348.
Rexroad, Loel F., 3052988.
Reyland, John M., 3051799.
Richman, Marvin, 3040572.
Riley, Odell L. Jr., 3084090.
Roach, Artis W., 3040166.
Roberts, Dan A., 2215819.
Roberts, Johnnie D., 3066666.
Robertson, Gerald A., 3056788.
Robertson, John R., 3080191.
Robey, David A., 3082012.
Robinson, Keith A., 3087101.
Rose, William A., 3102482.
Roth, Charles A., 3048706.
Roth, Walter C., Jr., 3101469.
Roundy, Allan E., 3065680.
Rowley, Dale D., 3056975.
Sanders, Gilbert S., 3087610.
Sanders, James D., 3040379.
Satterfield, Richard N., 3039766.
Sawyer, Thomas W., 3038517.
Schalk, Donald W., 3059060.
Scharoun, Robert B., 3080118.
Schilling, Joseph J., 3080271.
Schleich, John F., 3066544.
Schmidt, John B., 3038193.
Schmucker, Franz, 3066604.
Schneider, Frank W., 2220803.
Schrader, Garland E., 3040258.
Schreck, Lewis C., Jr., 3010371.
Schreiner, Herbert F., 3040314.
Schuler, Erich E., 3059117.
Seeger, Carl E., 3066218.
Sestak, John J., Jr., 3073081.
Sheets, Jack L., 3039242.
Sheldon, Bryan C., 3056216.
Sherwin, Kenneth J., 2211623.
Shockley, John F., 3030518.
Sicola, Philip J., 3008751.
Silver, Ivan R., 3059120.
Simmonds, Darrell D., 3053310.
Simmons, William W., 3064449.
Sims, Leslie D., 3084585.
Sisco, Sanford L., 3066622.
Skelly, George F., 3066671.
Skinner, Clarence P., 3101612.
Smiley, James A., 3081486.
Smith, Clark R., 3039612.
Smith, Gordon D., 3081577.
Smith, Lee A., 3087868.
Smith, Odell F., 3087869.
Smith, Richard A., 3040579.
Smith, Theodore A., 3047513.
Sniegowski, John W., 3038793.
Solomon, Neal P., 3087497.
Sowby, John A., 3081075.
Spatafora, James R., 3008881.
Stanton, Paul W., Jr., 3040263.
Starkey, William J., 3039923.
Starling, Leonard B., Jr., 3037489.
Steorts, Robert A., 3102855.
Stevens, Tommy D., 3066088.
Stewart, James A., 3081040.
Stigler, Otis S., 3081407.
Stihl, John T., 3039035.
Stocks, Bruce D., 3038295.
Stockton, William H., 3040491.
Stoner, Richard L., 3066324.
Storment, Paul H., 3039980.
Straub, Thomas E., 3081716.
Straughan, Walter C., Jr., 3027360.
Strong, Richard A., 3080330.
Stuart, Linis L., 3028541.
Sullivan, Cornelius J., 3072650.
Talbert, John C., 3051701.
Taylor, John R., 3039794.
Taylor, John R., 3041031.
Teeter, Gerald E., 3056675.
Tegge, Richard C., 3040586.
Thomas, James A., 3040265.
Thomas, John C., 3084230.
Thompson, Gerald G., 3080438.
Thompson, Porter, 3040417.
Thornley, Donald R., 3053076.
Tietjen, John H. H., 3041560.
Tokash, Frederick E., 3081208.
Trudel, Theodore H., Jr., 2207553.
Tschirhart, Ernest S., 3087742.
Tyson, Edward C., 3055810.
Vander Wey, Clarence E., 2208380.
Vannote, Keith L., 3081398.
Vanorden, Edwin C., 3080075.
Vernon, Roland M., 3040808.
Vidal, Lloyd J., 3083823.
Volkmann, Thomas L., 3064374.
Wagner, Don, 3056466.
Walker, Guary O., 3080086.
Walker, Phillip J., 3087629.
Wallace, George B., 3058023.
Wallin, Donavon L., 3040662.
Watkins, George T., 3064300.
Wayland, Henry T., Jr., 3084301.
Weigel, Robert D. P., 2210674.
Wejroch, Joseph L., Jr., 2212031.
Wellman, Joseph D., 3023015.
Werling, David C., 3080047.
White, Jerry D., 3101509.
Williams, Howard K., 3081720.
Williamson, James E., 2215864.
Wilmot, Raymond D., 3080159.
Wilson, Thomas E., 3065567.
Wingertzahn, James R., 2204654.
Woche, Paul R., Jr., 3040328.
Wojcik, Joseph J., 3080125.
Wolfe, Richard H., 2205904.
Wood, John H., 3019526.
Wooley, Patrick V., Jr., 2219700.
Wortman, Llewellyn F., Jr., 3038863.
Wright, David G., 3055156.
Wright, William H., 3064708.
York, Thomas P., Jr., 3056234.
Young, Gerald D., 3081262.
Yount, David A., 3041074.
Zucker, Robert, 3097793.

The following distinguished graduates of the Air Force officer training school for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Bancroft, William W., Jr., 3225071.
Bencic, Michael M., 3226211.
Bennett, John W., 3227044.
Bourke, Thomas J., 3225109.
Brenneman, Glenn B., 3225213.
Bristow, Richard O., 3225003.
Brown, Ormin E., 3226354.
Budzinski, Willard C., Jr., 3225157.
Burkhart, Kenneth M., 3225102.
Cave, William B., 3225358.
Clark, Leroy W., 3225448.
Coleman, Kenneth R., 3225161.
Contreras, Ben, 3225210.
Cookingham, Robert E., 3226037.
Criscuolo, John A., 3225162.
Crombar, Barry R., 3225215.
Crowe, Robert N., 3225878.
Custer, Gregory E., 3224947.
Eagles, Donald E., 3226013.
Edwards, Roger L., 3225342.
Edwards, Walter V., III, 3225153.
Elliott, George E., 3225111.
Fitch, Alan W., 3225220.
Freid, Gene A., 3225165.
Garrett, Douglas B., Jr., 3226244.
Gilmour, John V., III, 3227166.
Goodman, William I., 3225166.
Greene, Arthur T., Jr., 3227240.
Hernandez, Allan L., 3225837.
Hurt, Michael G., 3227210.
Hutchins, Duane L., 3227251.
Innes, Andrew J. P., 3225174.
James, Richard K., 3226356.
Joseph, Steven G., 3225222.
King, Jon M., 3225015.
Knapp, Timothy J., 3224976.
Knight, William T., 3226359.
Knowlton, Donald P., 3226391.
Kolasinski, William E., 3225685.
Landis, James P., 3225794.
Lang, Thomas J., 3226330.
Lankowski, Bernard A., 3225463.
Leddy, Roy L., 3225177.
Lindstrom, Carl K., 3225179.
Luke, Forrest E., Jr., 3215055.
McElroy, Collett E., 3226323.
Miller, John E., 3225509.
Morris, Gibson, Jr., 3225493.
O'Brien, Lester, 3225226.
Parker, Douglas L., 3225835.
Parry, Thomas J., 3226303.
Pavlu, Gary J., 3225227.
Pherigo, Ronald G., 3225188.
Porter, Franklin B., 3226202.
Richmond, Elmer R., 3225243.
Riley, Thomas H., Jr., 3225230.
Ronan, Paul E., 3224829.
Ross, Milton C., 3225191.
Seaman, John M., 3225193.
Shaberman, John S., 3225120.
Shaver, Jimmie E., 3225195.
Skillern, Christopher L., 3225543.
Spurrier, Randall R., 3227180.
Stapleford, Frederick H., Jr., 3227208.
Stefanko, Michael W., 3225234.
Steinhilber, William D., 3225862.

Steppic, Richard J., 3225853.
Steverson, Charles L., 3225196.
Stone, Donn E., Jr., 3227237.
Strahota, Robert A., 3225197.
Teague, James E., 3227058.
Traylor, Samuel C., 3225235.
Trever, John P., 3225994.
Vice, John M., 3225122.
Whaylen, Thomas A., 3227191.
Whitmore, Beth, 3226280.
Williams, Stanley A., 3226058.
Wood, Charles A., 3225239.
Worster, Arthur J., 3224849.
Yardley, David J., 3227170.
Yeomans, Leigh S., 3225754.
Yorko, John C., 3226089.
Yox, Lawrence W., Jr., 3225127.
Zukaitis, Karl E., 3227045.

EXTENSIONS OF REMARKS

FRONTIER NEWSPAPER BOY

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, January 10, 1969

Mr. FANNIN. Mr. President, Arizona is one of the "younger" States in the Union. Our frontier days are not long past, and the rich traditions of the West live on in abundance today in my State.

Mr. Jack Crane has recorded what I consider a most interesting picture of frontier life in his account of a newspaper boy who rode a weekly route with three subscribers that covered 230 miles round trip.

For this very interesting bit of Americana, I would like to share with the Senate a story published in the Sun-City Youngstown, Ariz., News-Sun, reprinted in the December 28, 1968, edition of Editor and Publisher magazine, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FRONTIER NEWSPAPERBOY

(By Jack "Burro" Crane)

An old editor friend of mine came out to our spread to do a bit of jaw-flopping, and somewhere in the conversation he asked me when I first got roped into the newspaper business.

It took a bit of recollecting on my part, but here's the very beginning of my association with the newspaper world.

It was somewhere around the turn of the century in the little town of White Swan on the Yakima Indian Reservation, and as usual I was in Dryers' two-by-four general store trying to find some sort of a job that a very young cowhand, like myself, could handle.

Dryer was studying a letter from a newspaper from Yakima, the county seat. Suddenly he calls me over, "Boy, you been dinging me for a job—how would you like to have a newspaper route? It's a weekly paper but it pays a dollar a month to the newsboy."

I almost passed out from sheer ecstasy. "I'll sure take it, Mr. Dewey." I answered through lips quivering with emotion.

Dryer studied the letter a bit more and then with a frown he turned to me, "Now, hold it, boy—according to this here letter, they only have three subscribers not counting my free issue for being their representative."

What a golden opportunity had finally come to me I inwardly thought. And to think I would be paid a whole dollar per month for delivering just three papers.

Dryer, seeing my bubbling emotion, lowered his voice to an almost threatening tone. "Now, boy, here's the clinker in this paper route. Those three subscribers are the three ranches on the Triangle—that's a 116-mile paper route one way."

He concluded by asking if I thought my little Indian cayuse could make it.

For a whole dollar a month, I would have delivered those papers to Chicago.

Dryer shook his head as he concluded, "All right, boy, you be here Wednesday noon when Jake gets in with the freight wagon."

I could hardly wait until Wednesday, but I spent my time preparing my pony and gear for the first newspaper delivery into the Triangle country—a mere 116 miles over some of the roughest country you'll find east of the Cascades. .

According to my calculations, I would only have to camp out the first night, and if my little pony held up and I rode throughout the next night I could make the other two ranches on the following days.

From the last ranch on the Triangle, it possibly would take me another three days to get back to White Swan.

Not bad, I thought. Six days hard riding, but it paid 25 cents a week, and where could I do better?

Old Jake arrived around noon with the mail and my newspapers, and 30 seconds later I was galloping toward the Leonard Ranch some 70 miles away.

Darkness caught me in the break country, so I picketed and rolled up for the night.

As the eastern sky whispered of another day, my little cayuse and I cautiously picked our way down and out of the breaks and on to the Leonard Range.

Around noon we came to a wheezing halt at the Leonard Ranch, and I proudly delivered my first newspaper.

Mrs. Leonard fixed me a good breakfast and my little cayuse got a scoop of oats.

This was certainly modern progress on the Western frontier and I was part of it, a newspaper boy with a three-subscription route that covered 230 miles round trip and paid a fantastic wage of one silver dollar per month.

I made the McDowell Ranch around 5 p.m. that day and again was warmly received, fed, and well-wished on my way.

My last stop in the Triangle was the Wechter Ranch, and thank goodness it had a fairly good trail to it.

It was 4:30 a.m. when my little cayuse and I staggered up to the Wechter ranch house. We got everyone out of bed for the gala occasion, and they all took it in the Western tradition.

However, as for me and my cayuse, I was so saddle sore and my pony so trail galled that we both stayed in our stalls for the remainder of that day and the next night.

The trip back to White Swan took us a full three days more to complete. When we finally arrived at the general store, Dryer was fit to be tied. He had sent for the Reservation marshal to come out and look for my remains.

Through tear-filled eyes and quaking voice, I begged him not to cancel my paper route, mainly on account I hadn't collected my quarter for the delivery.

Still shaking his head, Dryer 'lowed he would let me make one more run, but if it didn't turn out better than the first one, he was going to call a halt to my newspaper career.

And right here, folks, I learned one of the basic phenomena of the news media, that of the loyal subscribers. For when they heard of my predicament, they solemnly declared that a man could tolerate getting shut off of many of life's necessities, but damned if they were going to be deprived of their newspaper.

So those three ranches of the Triangle united solidly in back of their newsboy, me, by furnishing me with a relay string of some of the finest horse flesh that ever pounded a mountain trail carrying to its waiting subscribers the magic word of the weekly press.

And can you imagine it, folks, I was actually being paid a whole dollar a month for just delivering a total of 12 papers on a little old ride of some 920 miles—give or take a few for trail conditions.

SPACE UNIT SEEKS FIRM NIXON COMMITMENT, WARNS OF POSSIBLE RISK TO U.S. INVESTMENT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Jonathan Spivak, staff reporter of the Wall Street Journal, summarized well the current state of our national space effort and the need for crucial decisions in the next year to assure an effective space program for the future. In a November 26, 1968, article in the Wall Street Journal, the current decline in our national space effort is well described by Mr. Spivak and the need for positive planning for our post-Apollo effort is outlined. I recommend this thoughtful article to all who are concerned about the strength and growth of science and technology in our country:

[From the Wall Street Journal, Nov. 26, 1968]

SPACE UNIT SEEKS FIRM NIXON COMMITMENT, WARNS OF POSSIBLE RISK TO U.S. INVESTMENT

(By Jonathan Spivak)

WASHINGTON.—Space Agency officials will present the incoming Nixon Administration with an ambitious agenda for future man-in-space flights.

Their aim: To exploit current U.S. space successes and get a maximum return from the nation's huge investment in space facilities. Top officials of the National Aeronautics and Space Administration are convinced that without a firm Nixon Administration commitment to continued manned flights, chances of assuring U.S. space supremacy will be lost.

"The basic question," says Thomas O. Paine, NASA's acting administrator, "is what proportion of Apollo (the lunar-landing program) should be held together for a national space program." He warns that "if there are no new starts in 1970, we'll end up with a shattered space program."

Space officials' fears for NASA's future stem from the agency's rapidly shrinking budget. After pruning by Congress and the President, NASA ended up with a budget of just under $4 billion for the fiscal year ending next June 30; during the mid-1960s the agency had been enjoying annual appropriations of more than $5 billion.

WORK-FORCE DECLINE CITED

This budget shrinkage will continue, officials note, unless the new Administration decides to sustain a significant program of manned space flights after the lunar landing is achieved—probably next year. Manned-flight activities currently cost $2 billion a year, half of NASA's budget, and these outlays could drop sharply in the fiscal year starting next July 1. The only firm plans for post-moon-landing flight are a series of earth-orbital trips by the astronauts in 1970 and 1972.

Similarly, without new missions employment at NASA's industrial contractors, which currently totals about 200,000 workers, will continue to fall sharply; two years ago it was more than 400,000. The main reason for the work-force falloff is that NASA already has procured most of the equipment—Apollo spacecraft and Saturn launching rockets—needed for the moon-landing mission. Unless they get new space assignments, the contractors won't have any reason to hold their work crews together.

So far the space-order decline has hit some contractors harder than others. Chrysler Corp. is a major maker of the Saturn IB rocket, which already is being phased out by NASA. But almost all NASA's Apollo-Saturn contractors will feel the pinch from lack of future manned-space missions. These include International Business Machines Corp., North American Rockwell Corp., McDonnell Douglas Corp., Grumman Aircraft Engineering Corp., General Electric Co. and Boeing Co.

But NASA's Mr. Paine isn't looking at space-flight policy in terms of contractor commitments. The basic decision to be made by incoming President Nixon and his advisers, Mr. Paine asserts, is what the proper budget level should be for manned space flights to ensure that the nation gets the maximum return from its space investment; by the time the lunar landing is completed, project Apollo will have cost almost $25 billion. If the decline in space outlays is allowed to continue, he says, a very costly effort may be needed later to restore the program. If, on the other hand, overenthusiasm prevails, he adds, "it could be very wasteful to keep the level too high and then reduce it."

Mr. Paine advocates continuing manned-space-flight budgeting at its current level of $2 billion a year. The agency's over-all budget might then range—in the first years of the Nixon Administration—from $4 billion to $5 billion a year. But Mr. Paine would hope for a gradual buildup. "If Vietnam gets over and as the gross national product rises, the objective would be to move the budget back to the $5 billion to $6 billion range," he adds. There are significant national needs, such as aeronautics which could also benefit from larger agency outlays in the future, he notes.

DECISION ON FLIGHTS CRUCIAL

But the manned-space flight decision is the crucial impending one, agency officials insist. Manned missions are the most costly part of the agency's operations and attract the greatest public and political attention. If there aren't any firm plans for flights after Apollo, then there's little reason to sustain the agency's costly launching facilities at Cape Kennedy, its large cadre of astronauts, or its expensive crew-training program.

Mr. Paine considers three launches a year to be the minimum safe level of manned space flight. Attempting missions at less frequent intervals means higher risks because ground crews and spacemen lack the necessary familiarity with flight procedures, he explains.

He envisions a dual emphasis after Apollo: First, continued exploration of the moon by astronauts. The first Apollo spacemen will remain on the moon for only one day and spend at most three hours outside their spacecraft. By minor modifications to their lunar-landing craft, their stay could be extended on subsequent trips to three or four days. Then the development of a new and roomier landing craft would permit as many as 10 men to remain on the moon for several weeks.

Second, operation of a large space station, housing dozens of astronauts, in orbit about the earth. The space station would serve as an observatory to study the sun and other stars, to make measurements of the earth's natural resources, to serve as a launching platform for flights to the moon and as a repair station for other, unmanned spacecraft, such as communications and weather satellites. The space station, though based on existing space technology, would be an entirely new craft, far more complex and more costly than the Apollo. It might even be assembled in orbit by astronauts.

These two goals actually are interconnected, Mr. Paine notes. The space station would be a part of a lower-cost "shuttle" system for exploring the moon. Instead of expending an expensive Saturn rocket and Apollo spacecraft for each lunar flight, astronauts would be ferried by a maneuverable craft from earth to the space station. A lunar vehicle then would transport them to the moon. The return trip would be made with these same craft, which could be used over and over again for lunar duties. "It would be the low-cost way to open up the moon for exploration," comments Mr. Paine.

These plans of Mr. Paine, which are fully endorsed by other space officials, would constitute the agency's major endeavors for the next decade. Design, but not construction, of the space station or new lunar-exploration craft would start in the fiscal year beginning next July 1. A national commitment to these programs, NASA officials say, would enable the agency to hold together its contractor teams and sensibly plan its manned space flights in the early 1970s. These flights, which could be conducted with the rockets and spacecraft remaining after the Apollo lunar-landing is accomplished, would be geared to gathering the information needed for the space station and the shuttle system.

APOLLO 8 OPENS NEW SPACE ERA

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the Nation has now honored Astronauts Frank Borman, James Lovell, and William Anders, the outstanding crew of the first-manned lunar flight. A staff article in the January 6, 1969, Aviation Week & Space Technology does much to place the Apollo 8 flight in perspective and describe the importance of man's first venture into deep space beyond the confines of the gravity of earth. The importance of the highly successful Apollo 8 is only now beginning to be realized and as time goes on the significance of this effort will become evermore apparent. This article goes far in identifying the importance of our national space effort and the manned activity in space which is now being undertaken. I commend this article to the reading of the Members:

APOLLO 8 OPENS NEW SPACE ERA—ASTRONAUTS IN FIRST-MANNED LUNAR FLIGHT DEMONSTRATE MAN'S ABILITY TO EXPLORE MOON, PLANETS—DETAILED SURFACE DATA REPORTED

Man's first visit to the moon proved it to be even more desolate and forbidding than had been imagined.

And yet, within the bleakness, there are oases where man will land to explore the ruptured mountains and twisting valleys, the pockmarked plains and lava seas.

The Apollo 8 crew of Frank Borman, James Lovell and William Anders returned from their Christmas flight in orbit of the moon with a wealth of personal impressions and photographs.

Together with their own awed descriptions, the records of Apollo 8 are providing details of many times more value than previous unmanned missions or ground-based telescopes.

If any single observation was agreed upon by the crew it was that the moon—bright and appealing as it may seem through the obscuring haze of earth—is ripped open by eons of bombardment and torn by internal disruptions.

Scientists already knew much of what Borman, Lovell and Anders reported about the moon—and suspected even more.

But man's first closeup view proved that even the most advanced unmanned spacecraft or telescopes cannot compete with the clear and clipped—even laconic—descriptions by a crew of trained astronauts face to face with the reality of desolation.

Officials of the National Aeronautics and Space Administration were delighted that even some persistent scientific critics of the agency's manned space flight program complimented the Apollo 8 mission.

The critics included some who have decried a manned lunar flight as too hazardous, and others who thought it wasteful to send men, rather than only automated systems, toward the moon.

After the first live television broadcast from the moon, it became immediately apparent to NASA and scientists that man in such close proximity was able to provide both vocally and photographically a far more detailed description of the results of eons of bombardment and internal disruption.

In their 10 orbits of the moon, Astronauts Frank Borman, James Lovell and William Anders:

Visually mapped potential lunar landing sites for future Apollo landing missions—for which each remains a prime candidate.

Became the first men to observe the far side of the moon directly from orbit—and called it more ravaged than most of the side facing earth.

Recorded magnetic effects within the lunar surface that could have a distinct gravitational effect upon man's attempt to land on the moon—thereby confirming data transmitted by the unmanned Lunar Orbiter program.

Reported that the surface of the moon—just as it had been photographed and analyzed by the soft-landing Surveyor spacecraft previously flown by NASA—is basically grayish in cast in closeup views.

Almost all of the photography was accomplished by Anders, who was hampered by the now-familiar problem with spacecraft window fogging and icing.

Lovell, who acted as navigator, probably provided more detailed vocal description than either Anders or Borman, who as spacecraft commander was mainly concerned with following a flight plan that the crew described as much more time-consuming than had been thought before the mission was launched.

To NASA officials, the confirmation of potentially smooth landing sites for planning future missions undoubtedly was the most rewarding result—with the certain exception of the near-perfection of the over-all Apollo 8 flight.

But there was much more and it will be forthcoming in the weeks ahead. John Dietrich, a scientist in NASA's geology and geochemistry branch at the Manned Spacecraft Center, commenting on the extraordinarily clear descriptive reporting and filming of the moon, said in some awe:

"They have first of all demonstrated their ability to observe from the spacecraft to a degree that I think surprised most of us. The demonstrated ability to observe details . . . was most encouraging for those of us in the science support area."

Dietrich said he was particularly impressed with the crew's ability to clearly observe the areas in high sun angles that his group thought would be washed out.

"Their descriptions," he added, "were much more graphic than the pictures (he referred to television here) because the eye responds so much better than the camera."

The astronauts described the earth-facing portion of the pitted lunar surface as "essentially gray . . . no color. Looks like plaster of Paris or sort of a grayish deep sand. We can see quite a bit of detail. The Sea of Fertility doesn't stand out as well here as it does back on earth. There's not as much contrast between that and the surrounding craters."

"The craters are all rounded off, there's quite a few of them, some of them are newer. Many of them—especially the round ones—look like hits by meteorites or projectiles of some sort," they said.

Geologists and astronomers who had trained the crew to recognize lunar surface features said they were amazed at the ability of each astronaut to literally call off names of identifying characteristics of each known object or area and some previously uncharted.

As one example, the crew had been advised before the flight that the crater Langrenus probably would be heavily terraced. The crew reported:

"Langrenus is quite a huge carter with a central cone. The walls of the crater are terraced, about six or seven different terraces on the way down."

Despite the icing of the window—which the crew managed to periodically overcome by rolling the spacecraft so that the sun's warmth provided some melting assistance—Lovell and Anders described potential landing sites they had been instructed to observe.

The sites, in the Sea of Tranquility, were "easily seen from our altitude," Lovell said.

"The view appears to be good, no reflection of the sun back into our eyes [the crew was flying from East to West and was facing backward along the track]. It appears that visibility at this particular spot is excellent."

Directly over the first of the potential landing sites, they reported: "It's almost impossible to miss, very easy to pick out. . . .

"You can see the entire rims of the craters from here with, of course, the white crescent on the far side where the sun is shining on it. The shadows are quite lengthy now. [The crater] Maskelyne has quite a few shadows off of it, but it can be recognized. The terminator [the dividing line between lunar night and day] is actually quite sharp over the Pyrenees [a mountain chain] . . . I can't see anything in earthshine [reflection of sun off earth]."

Included in the commentary was a remark from Lovell that one of the proposed landing sites, 2P2, appeared to be suitable for astronauts.

"It certainly looks like we picked a more interesting place on the moon to land in," he said. "The back side looks like a sand pile my kids have been playing in for a long time. It's all beat up with no definition. Just a lot of bumps and holes.

"I'm looking at 2P2 right now, Houston, and it's a great spot."

Anders said: "The area we're over right now gives some hint of possible volcanic [activity] though I can't eyeball it at the moment to pin that down. There are some craters and buildups that just definitely suggest volcanic activity."

The Houston controller replied: "I understand, Bill, and I understand Jim thinks old 2P2 is the winner."

The spacecraft replay was: "Yeah, that's right the (garble)."

Sunshine itself became a phenomenon to Lovell, who said moments later:

"I had an occasion to watch the sun come up, and at about 2 min. before sunrise the limb begins to brighten up into a fine white haze, a faint glow completely over the spacecraft behind the limb. It goes up quite a way . . . takes a fan shape unlike the sunrise on earth where the atmosphere affects it. This is just sort of a complete haze all over the local area."

Earthshine, he reported, "is about as expected.

"Not as much detail, of course, as in the sunlight, but you can see the light craters quite distinctly and . . . there's a good three-dimensional view of the rims of the large craters."

It is that type of description that the NASA officials and scientists hope to compare with photography as the film is processed.

There were enough frames on the spacecraft to provide about 1,200 individual photographs from the two 70-mm. Hasselblad still cameras which had accessories, including two 80-mm. focal length lenses, and a special Air Force-developed 250-mm. telephoto lens. In addition, the 16-mm. Maurer motion picture camera's accessories included a 200-mm. focal length lens.

Using his variety of equipment, Anders was able to produce overlapping stereoscopic 70-mm. frames shot along the lunar orbit ground track during a vertical pitchdown maneuver. These are the ones being used for terrain analysis and photometric investigations.

In particular, the telephoto film is expected to show some startling details.

Nevertheless, the astronauts' own descriptions were remarkable.

"The view from this altitude is tremendous. There is no trouble picking out features that we learned on the [training] map. The range [of lighting for good visibility] is outstanding . . .

"At these sun angles, everything is quite distinct. Shadows are good, the ground doesn't have any sunlight returned . . . it's something which I didn't expect . . . very sharp and distinct."

The ability to identify landmarks also was of interest to scientists. Dietrich, for example, was excited with Lovell's description of some craters with dark spots in the center, and with what appeared to be light dust around the rims.

Scientists also followed with interest confirmation of Orbiter reports of mass concentrations below the lunar surface that could influence spacecraft orbits because of gravitational anomalies.

The mass concentrations are mainly detectable over such large areas as the Crater Copernicus. The Apollo 8 crew measured slight variations in orbit and compared them with ground computed predictions. They noticed a mass concentration effect.

The effect was a sort of wobble, only slightly detectable to earth monitors.

In contrast to the smoothness of landing sites selected on the front portion of the moon—especially along the equator—the astronauts reported that the far side was forbidding to manned landing attempts.

"The color of the moon looks like a very whitish gray," said Anders of the far side, "like dirty beach sand with lots of footprints in it. Some of these craters look like pickaxes striking concrete, creating a lot of fine haze dust . . ."

WHAT IS AHEAD FOR MOON EXPLORERS?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 10, 1969

Mr. TEAGUE of Texas. Mr. Speaker, both the Apollo 7 and the more recent lunar orbital Apollo 8 flight have brought us to the threshold of accomplishing a lunar landing in this decade. The earth orbital flight of Apollo 9 to provide flight testing of the lunar module and the Apollo 10 flight to test the lunar module in the vicinity of the moon are close at hand. A recent article in the November 29 Christian Science Monitor provides a brief description of what will be accomplished by the first manned lunar landing by the United States. Although this article is brief, I believe it is one of the best, succinct descriptions of the astronauts' first work on the lunar surface. I commend the reading of this article to all Members:

WHAT IS AHEAD FOR MOON EXPLORERS?

WASHINGTON.—When two astronauts step out of the lunar module and climb down to the moon's surface, sometime next summer or fall, they will have their work cut out for them.

First of all they are going to have to learn how to move in an entirely alien environment. They will be performing in a vacuum, under temperature extremes, with only one-sixth the gravity they are used to on earth.

They will obviously have to carry their life-support packs with them and it is important that their physical exertions be thoroughly monitored so the biomedical people can know just how much work a man can do on the moon.

During the expected three hours the two men will be on the moon's surface they will do four things: make general observations, take photographs of the area, collect samples of the lunar soil to bring back to earth with them, and set up three fairly simple experiments.

The experiments are a passive seismometer, a laser ranging retro-reflector, and a solar-wind composition experiment. With dozens of possible choices, these were selected as likely to turn up the most useful information on the moon environment and composition.

The passive seismometer is a small seismic station, with earth-moon communications links provided. It should turn up data on the internal activity of the moon. This information should help in learning about the moon's origin.

The laser ranging retro-reflector consists of several precision optical reflectors that will serve as the target for earth-based laser systems. Data should improve the measurement of earth-moon distances and fluctuation of the earth's rotation rate.

The solar-wind composition experiment is designed to trap gases (helium, neon, argon, krypton, zenon) in the solar wind. It consists of a sheet of aluminum foil that will be retrieved by the astronauts before they return to earth, where it will be analyzed for evidence of these gases.

Short as will be the time these astronauts spend on the moon's surface and elementary as will be the experiments, their moon sojourn will open a new unparalleled chapter in man's conquest of nature. It will be the beginning of something that not even today's dreams can encompass.

HOUSE OF REPRESENTATIVES—*Monday, January 13, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Be ye steadfast, unmoveable, always abounding in the work of the Lord, forasmuch as ye know that your labor is not in vain in the Lord.—1 Corinthians 15: 58.

Almighty God, Father of all men, who amid the trials and triumphs of trying times hast set eternity in our hearts, we turn to Thee at the beginning of another week knowing that without Thee all our labor is in vain.

In this high hour give to us, the leaders of our people, a true devotion to the welfare of our country, an outreaching concern for the well-being of all our citizens, and a faith in Thee which opens for us the unfailing resources of spirit, bridges the differences which separate us, and makes us one in the glory of good will.

We thank Thee for brave men and women who by courage and faith have brought our country to the place of leadership among the nations of the world. Help us to honor our heritage by walking the ways of liberty and law. Give worth to our words, courage to our hearts, and strength to our hands as we strive to make patriotism beautiful and bright with the lift of our loyalty and the light of our love.

In the Master's name, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 9, 1969, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 9 p.m., January 14, 1969, at a joint session of the two Houses.

JOINT SESSION OF CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 77) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 77

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 14, 1969, at 9 p.m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

AUTHORITY FOR SPEAKER TO DECLARE A RECESS ON TUESDAY, JANUARY 14, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess at any time on tomorrow, January 14, 1969, subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that no business will be involved in any recess?

Mr. ALBERT. Mr. Speaker, the gentleman from Iowa is correct.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GEORGE T. KARRAS RECEIVES DEPARTMENT OF COMMERCE GOLD MEDAL AWARD

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, as many of the Members are aware, the original Area Redevelopment Administration emanated from the House Committee on Banking and Currency. Those of us who sponsored the act knew that it was a great experiment in seeking to alleviate some of the economic suffering of those who reside in the depressed areas of our land. Since then the act has, in the light of experience, been revised and amended and is now the Economic Development Act. The ARA was a success. From many of those programs and experiments have come some of our basic approaches to fighting poverty in all levels of our society. Many other statutes and agencies of Government have drawn upon these ideas and are now conducting effective programs.

In addition to producing ideas, the agency has also produced and trained many fine young men who are now the architects of our various Federal programs to help the depressed. It was particularly pleasing to note that in granting its 1968 honor awards, the U.S. Department of Commerce has awarded a Gold Medal to George T. Karras.

Mr. Karras first became employed as a staff assistant in the Great Lakes region of the Area Redevelopment Administration. He served in ARA and EDA in a number of executive capacities and is now the Director of the Office of Public Works of the Economic Development Administration. I congratulate Mr. Karras on his award and good work that brought it to him.

I insert in the RECORD the citation which accompanied Mr. Karras' award:

GOLD MEDAL AWARD WINNER: GEORGE T. KARRAS, OFFICE OF PUBLIC WORKS, ECONOMIC DEVELOPMENT ADMINISTRATION

The Gold Medal is awarded to George Karras for his administrative genius and leadership in directing the Public Works program of the Economic Development Administration. As Deputy Assistant Administrator for Public Works and later as Director of the Office of Public Works, Mr. Karras administered with outstanding effectiveness the unfinished work of the Area Redevelopment Administration and the backlog of public works projects generated during the period when the EDA legislation was being considered by Congress. By dint of his energy, resourcefulness, and understanding, a tremendous project workload was successfully handled in EDA's infancy which entailed not only the review and technical approval of meritorious projects but the denial of many project proposals because of a lack of funds or insufficient merit. Following up on his earlier successes, Mr. Karras implemented a new administrative technique, the Pre-Filing Application Conference which has been enormously successful in assuring the economic development value of proposed public works projects while maintaining harmony between EDA and local governments.

REPORT OF JOINT COMMITTEE ON DEFENSE PRODUCTION FOR 1968

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Joint Committee on Defense Production, which has the responsibility of reviewing the execution and administration of programs authorized in the Defense Production Act and of making a report to the Congress from time to time covering the activities of the committee, has completed its 18th annual report. This report was filed with the Speaker of the House of Representatives on January 8, 1969. I place the highlights of this report, as set forth in a press release of January 8, 1969, in the RECORD:

WASHINGTON, D.C.—Congressman Wright Patman (D., Tex.) Chairman of the Joint Committee on Defense Production, released the Eighteenth Annual Report of that committee today.

In releasing the report, Chairman Patman stated that there was a continuing need for the utilization of the emergency powers of the Defense Production Act during the past year. The report reveals that the priorities and allocations authority of the Defense Production Act was utilized to maintain production schedules for defense and space programs, the construction of ships and aircraft and missiles, for keeping deliveries on schedule from industry to the Atomic Energy Commission and its contractors, for granting priority orders for petroleum products under standby or delivery contracts, for the establishment of transportation priorities, and for maintaining production schedules for various components.

With regard to the 2163 special assistance actions taken under this Act during the past year, with a dollar value of $199,990,692.00, by the Department of Commerce, the report states:

"A high percentage of the special assistance actions related to aircraft programs, missiles and space, ships, tank-automotive, weapons, ammunition, electronic and communications, and construction programs."

The Joint Committee on Defense Production has the responsibility of reviewing the execution and administration of programs authorized in the Defense Production Act.

Since 1950, this Act has provided incentive programs for the expansion of the supply of metals and minerals. In connection with the dependence of the United States on foreign sources of supply, the report states:

"Figures furnished by the Department of the Interior reveal that the United States was dependent on foreign sources for 100 percent of the beryllium (ore), chromite, columbium, and tin consumed in 1967. The United States was dependent on foreign sources for 99 percent of the manganese (plus 35 percent manganese), mica (sheet), platinum, rutile, and tantalum consumed in 1967. We were dependent on foreign sources for 95 percent of the antimony, and asbestos, 92 percent of the cobalt, 91 percent of the nickel, 89 percent of the aluminum (bauxite), 82 percent of the silver, and 74 percent of the fluorspar consumed in 1967. The United States was dependent on foreign sources for 60 percent of the cadmium and zinc, 55 percent of the lead, 50 percent of the mercury, 41 percent of the copper, 38 percent of the tungsten, and 34 percent of the iron ore consumed in 1967."

The report sets forth the figures which follow relating to the value of the strategic and critical materials in Government inventories:

"As of June 30, 1968, the market value of strategic and critical materials in Government inventories was only $41,881,200 less than the acquisition cost of these materials. As of June 30, 1967, the market value of strategic and critical materials in Government inventories was $413,508,100 less than the acquisition cost of these materials. Since the net increase of strategic and critical materials purchased for Government inventories during the 12 months ending June 30, 1968, amounted to only $25,921,400 at cost, the difference in market value results mainly from price changes. . . ."

With respect to the shipping of military cargo to Vietnam, it is reported that:

". . . between July 1, 1967, and June 30, 1968, approximately 9.8 million measurement tons of vital military cargo were sealifted from the United States to the several Vietnam ports, of which over 26 percent was carried in general agency agreement ships. It is reported that the efficient operation of the current logistic pipeline between the United States and Vietnam required 144 ships to sail approximately 54,100 voyage days, averaging 16,200 miles per voyage of 85 days duration."

With reference to guaranteed loans, the report states:

"From the beginning of the program to June 30, 1968, net income of the guaranteeing agencies from guarantee and commitment fees and interest on purchased loans, after deducting established losses and expenses of the Federal Reserve banks as fiscal agents, amounted to $38,676,000."

The Joint Committee on Defense Production previously reported that the Government had agreed to sell 1.4 million tons of aluminum over a period of years to aluminum producers. The report states:

"Sales commitments of aluminum to producers under the active Government-industry agreements reached a cumulative total of 434,258 tons by June 30, 1968, and included 333,356 tons from the Defense Production Act inventory and 100,902 tons from the national stockpile. The total sales returned $213,986,951 to the Government, or about $2,639,334 more than the acquisition cost."

With respect to military contract awards, it is reported that:

"Total military procurement of $43,756 million during the fiscal year 1968 represents a decrease of $877 million from the $44,633 million volume during the fiscal year 1967."

"Total military procurement from U.S. business firms for work performed in the United States during the fiscal year 1968 totaled $39.5 billion, and was $322 million lower than in the previous fiscal year. There was an increase of $653 million in the dollar value for major hard goods in the fiscal year 1968, and an increase of $284 million for services. The procurement programs with the largest increases were ammunition ($959 million), missile and space ($368 million), and services ($284 million)."

In order to achieve preparedness and avoid delay, contracts have been signed for the purchase of machine tools in the event of an emergency. The report states:

"Under the machine tool trigger program authorized in the Defense Production Act, 69 contracts have been executed providing for the production of 9,886 tools valued at $208 million. Production under these contracts does not commence unless triggered by the Government in the event of a national emergency. These contracts are under frequent review and revisions are made as required to reflect changes in model specifications, technological advancements, and current price levels."

THE BURDEN OF SOARING INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the adverse effects of soaring interest rates on moderate-income groups, the housing industry, and State and local governments are widely recognized. These are the groups which have neither the resources, nor the privileged access to the financial markets, to insulate themselves from the ballooning costs of obtaining funds.

A prime example of the hardships resulting from our current upward flight of interest rates has come to light in our own backyard. The Washington Post reported this Sunday that both Fairfax County and the city of Alexandria have been forced either to postpone or to reduce planned bond sales; the State of Virginia has postponed a planned January 15 bond issue; and Maryland officials have indicated apprehension about the cost of a bond sale that it has scheduled for late January.

Fairfax County had planned to issue nearly $18 million worth of school and park bonds in mid-January. When the county sold bonds in September 1968 the interest rate was 4.6 percent. Fairfax officials have been advised that the mid-January issue would require an interest rate of at least 5.2 percent. This interest differential will cost the county an additional $1.3 million over the life of the $18 million bond issue.

The city of Alexandria has been forced to reduce to $4.5 million a proposed $10 million bond sale because of the soaring costs in the financial markets.

An approved $81 million general-obligation bond issue by the State of Virginia, planned for January 15, has been postponed indefinitely. The first general-obligation bond issue in Virginia for decades, it has fallen victim to the skyrocketing of borrowing costs.

The State of Maryland is in a quandry about a $55.8 million bond sale planned for January 21. Interest costs are exhorbitant now, but State officials fear that things may get worse.

The final burden is, of course, borne by the citizens of the States and localities involved. They suffer from overcrowded schools, insufficient health, transportation and recreational facilities and all the many essential services that should be provided through other State and local public facilities.

A Joint Economic Committee study estimated that in the period from 1966 to 1975, State and local public facility needs will require a capital outlay of half a trillion dollars. If interest rates are allowed to rise unchecked, State and local governments will not begin to be able to bear the financial burdens of these public facility needs. Ultimately, every citizen will suffer.

The Washington Post article mentioned above follows:

HIGH BOND RATES WORRY COUNTY FINANCE OFFICERS

(By Helen Dewar)

High interest rates on the municipal bond market are giving a case of short-term jitters to finance officials in some Washington suburban jurisdictions.

For Fairfax County, the spiralling cost of selling bonds is forcing postponement of a planned mid-January sale of nearly $18 million worth of school and park bonds.

The sale will be delayed until late February and perhaps longer, County Executive Carlton C. Massey said yesterday.

Because of other alternatives, including short-term borrowing that can be extended for up to two years in anticipation of a bond sale, the delay will not upset existing construction schedules, Massey said.

But, with Fairfax scheduled to make another big bond sale in August, the County has a major stake in an improvement of the bond market, which now carries its highest interest rates of modern times.

When Fairfax last sold bonds in September, it drew an interest rate of just under 4.6 per cent. Bond counsel have advised the County it would probably have to pay a rate of 5.2 per cent under current market values. This would cost the County an extra $1.3 million over the life of an $18 million bond package, officials said.

Other suburban jurisdictions are anxiously watching the market, although not with the same immediate forebodings as Fairfax. Generally the Virginia suburbs are more skittish than their counterparts in Maryland about selling bonds at a higher-than-normal rate. But all are aware that timing of sale can cost or save millions of dollars over the lifetime of a large long-term bond issue.

Prince George's County, which sold one batch of bonds late last year at higher rates than were expected, plans to go ahead with a sale of about $25 million in February, officials said.

In Montgomery County, officials are considering a January bond sale of about $21 million for schools, roads and general government buildings.

"We've never tried to outguess the market," said Douglas A. Dayoff, the County's finance director, "Generally, over the long run, it averages out."

The Washington Suburban Sanitary Commission, another big bond seller in the Maryland suburbs, does not expect to go to the bond market again until late March or April. Each of its recent bond packages have been running between $20 and $25 million and all have been sold on schedule, a spokesman said.

In Virginia, Alexandria is the only jurisdiction besides Fairfax with immediate problems. The City has trimmed an anticipated $10 million bond sale to $4.5 million and postponed the date for the sale until late February or March. Meanwhile, about half the sum will be raised through short-term borrowing to keep the City abreast of current construction schedules.

Like Fairfax County, Alexandria does not anticipate that the delay will cause any setback in completion dates for bond-financed projects.

Arlington does not anticipate any bond sales until February or March and, according to County officials, can postpone its next sale into spring if necessary because plans for the buildings have not yet been completed.

Similarly, Falls Church has no immediate plans for a bond sale, although one may be considered in the spring.

Fairfax City, however, has $6.5 million in bonds that have been authorized for a new high school with no date set as yet for the sale. City Manager William D. Golightly said he hopes a date for the sale can be determined sometime this month.

The Virginia suburbs are not alone in their reluctance to tangle with the current bond market. The State, which approved $81 million in bonds last fall, its first general-obligation bond issue in decades, recently put off indefinitely its Jan. 15 target date for selling the bonds. Through short-term borrowing and juggling of appropriations, the State expects to avoid any construction delays.

The State of Maryland is also apprehensive about a $55.8 million bond sale that is scheduled for Jan 21. "It doesn't appear that the rates will go down before then," said Edwin Schamel, chief deputy treasurer, "but, of course, you can hesitate and pay through the teeth later if things get worse."

He said a two-month delay might be advisable in selling the bonds and suggested that if the rates remain excessively high on Jan. 21, the Board of Public Works could reject the bond bids.

SMALL BUSINESS COMMITTEE GASOLINE GAMES HEARINGS ARE BENEFICIAL

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the continuing subjection of small business service station operators to coercion by the major oil refiners has long been a matter of concern to many of us in Congress. This frequently results in a lessening of competition and, indeed, in higher prices to the consuming public.

The most recent example of this to come to my attention has been the insistence of the major refiners that the small businessmen leasing and operating their stations use the games of chance so heavily advertised by the refiners as an inducement to the public. During the first session of the 90th Congress, I received numerous complaints concerning these games from both service station operators and consumers from my district. As a result, I requested the gentleman from Tennessee, Representative Joe L. Evins, chairman of the Small Business Committee, to hold hearings on the use of these so-called gasoline games.

I was naturally gratified when the matter was assigned to the Subcommittee on Regulatory Agencies and hearings were scheduled, commencing in mid-June of 1968.

I would like to commend the very able chairman of the subcommittee, the gentleman from Michigan, Representative John D. Dingell, and his colleagues on the subcommittee for the effective work they have done in their investigation. During the course of their hearings on "The Use of Games of Chance in Gasoline Marketing and Their Impact Upon Small Business," the subcommittee received testimony from service station operators, spokesmen for service station trade associations, oil jobbers, consumers, officials of game companies, and officials of major refiners. Their testimony disclosed a number of shocking facts. Witnesses indicated that service station operators, upon occasion, had been handed winning tickets and told to award them to a certain class of customer, such as an employee from a given factory or a student attending a particular college. The official of one major refiner, it was learned, testified under oath before a Florida court that he had personally selected the stations where two tickets winning Mustang automobiles would be placed, rather than leaving that rather important function to the laws of chance.

Other witnesses spoke of the selling of winning tickets and the "packing" of additional winners into cartons of chances. Small business witnesses told of the use of coercion, including the cancellation of leases, as punishment for those dealers who refused to use the games.

A questionnaire circulated by the subcommittee revealed that service station operators were required to pay from 1½ to 2 cents per chance. This resulted in the major refiners collecting more from the service station operators than they were paying out in prizes. Furthermore, the chance of the consumer to win a prize of any significance was revealed to be much lower than the oil companies' advertisements would lead one to believe.

The report of the Subcommittee on Regulatory Agencies was filed with the Clerk of the House on December 24, 1968. On January 2, 1969, the Federal Trade Commission initiated a rulemaking proceeding. The rule proposed by the Commission concerning the use of games in the food retailing and gasoline marketing games would go far toward eliminating those deceptive practices which have, in the past, misled the public concerning their chance to win in these games. In a separate rule proposed by the Commission concerning games of chance in the gasoline industry, the Commission would prohibit the use of either direct or indirect pressure or coercion on the service station operator to use the games. These rules, if promptly enacted and vigorously enforced, would protect both the public and the service station operator.

It is clear that Congressman Dingell and his colleagues have performed a real public service in exposing the abuses and excesses which have been occurring in conjunction with the use of these games and, thereby, causing the Federal Trade Commission to act toward correcting the problems exposed by the hearings.

ANNOUNCEMENT INVITING VIEWING OF FILM DOCUMENTING LUNAR FLIGHT OF APOLLO 8 ON WEDNESDAY, JANUARY 15

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I take great pleasure in extending an invitation on the part of the Committee on Science and Astronautics to my colleagues in the House, their guests, and their staffs, to view a very exciting motion picture which documents the lunar flight last December of Apollo 8. The monumental achievements of our astronauts in orbiting the moon and returning safely to earth are a tremendous source of pride which every American can share. I sincerely hope that every member and their staff will take advantage of this opportunity to see what the astronauts saw through the medium of motion pictures and to personally share to some degree their experience.

The 30-minute film will be shown on Wednesday, January 15, in the committee hearing room, 2318 Rayburn Building, with the first showing to be at 10 a.m. and the second at 2 p.m. If it becomes apparent that interest in the film is so large that our facilities cannot accommodate everyone, we will make arrangements to have other showings later in the morning and afternoon. The film is in color and is narrated by the eminent dramatic artist, Burgess Meredith.

DEFENSE DOCUMENTATION CENTER

(Mr. McCORMACK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, I am submitting this information for the knowledge of my colleagues because this service, which is available, could be most helpful to Members of this Congress.

When the captured German documents of World War II were centrally indexed and filed for retrieval on demand there was little resemblance to the marvel of today's central computer-searched file of documents maintained by Defense Documentation Center.

These documents are available for the use of Members of Congress as well as other Government agencies and their contractors.

Members have not fully exploited the services available to them from the Defense Documentation Center.

Members and their staffs are engaged daily in seeking information which, in many cases, can be readily retrieved by the DDC computer located at nearby Cameron Station. The results of such searches are promptly delivered to users.

As an example, one of my constituents announced an achievement in "magnetohydrodynamics". I could have called on DDC to furnish me a set of abstracts summarizing work done by various DOD research organizations in this field.

Full-size documents have been reduced to such tiny size on 4-by-6-inch microfiche that hundreds of documents, for example, can fit into a shoe box. Members could readily store in a small space a significant file of documents in which they have direct continuing interest.

Six thousand educational, industrial, and governmental organizations are registered for DDC services. DOD urges Government contractors not to "reinvent the wheel." Often unwittingly, they may be needlessly repeating research effort simply because they are unaware of research previously performed and reported in documents deposited at the DDC document warehouse at Cameron Station, Alexandria, Va.

Forty-four thousand technical reports were added to the DDC collection in fiscal year 1968. These reports were derived from results of DOD and other agencies' research and development test and evaluation expenditures.

All or part of any project on which researchers might plan to spend valuable time, talent, and dollars, may have been accomplished previously by another research group. DDC routinely provides prompt answers to researchers' queries either in the form of abstracts or complete documents.

Constituents of many Members are engaged in Government contracting and may obtain directly listings in specific fields from the DDC Research and Technology Work Unit Data Bank, indicating where exploratory research and development is being currently performed in DOD.

At the end of fiscal year 1968 there were more than 30,000 descriptions of current research work in the DDC Work Unit Data Bank. Over 5,100 requests for this information were received and filled in fiscal year 1968.

Members of Congress who wish to utilize this excellent resource may register for unclassified DDC services as follows: DD Form 1540, "Registration for Scientific and Technical Information Services of DOD," may be obtained from the Office of Customer Relations, Defense Documentation Center, Building 5, Cameron Station, Alexandria, Va.; telephone, code 11, 47051.

PERMIT RIGHT OF COUNSEL TO SELECTIVE SERVICE REGISTRANTS

(Mr. KASTENMEIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, I am pleased to announce that three of my Judiciary Committee colleagues, the gentleman from Michigan (Mr. CONYERS), the gentleman from Massachusetts (Mr. DONOHUE), and the gentleman from California (Mr. EDWARDS) have joined with me in cosponsoring legislation to permit the right of counsel to young men when they appear before their local selective service boards.

The present selective service regulations specifically deny the registrant the right to be represented before the local board by anyone acting as his attorney or legal counsel. This denial is a violation of the spirit if not the letter of our constitutionally guaranteed rights.

There is perhaps no greater time when a young man might need the advice and assistance of a lawyer than when he has been called or wants to appear before his local draft board. At this initial meeting with his local draft board, the presence of counsel would assure the registrant of receiving full and fair consideration of his case based on the merits of his situation. Furthermore, a documented record of the factors considered in issuing the selective service classification for the young man would be established. When many are available for the draft and few are selected, the selection process must assure that the rights of the individual registrant are fully protected.

Although the draft regulations now provide that a Government appeal agent be attached to each local board, this agent, according to selective service regulations, must be "equally diligent in protecting the interests of the registrant in all matters." Under these conditions, however, the appeal agent cannot function as in the normal client-attorney relationship. Furthermore, according to General Hershey's staff, in many communities these agents appear to do little work at all.

Mr. Speaker, while the appearance of counsel at the local board proceedings will not remove all the inequities in the present Selective Service System, it will go far toward giving many young men an opportunity to have their cases fairly and thoroughly heard and judged.

THOSE GORGEOUS JETS

(Mr. ROSENTHAL asked and was given permision to address the House for 1 minute.)

Mr. ROSENTHAL. Mr. Speaker, in my congressional district in Queens, New York City, Shea Stadium, the home of the New York Jets, is right across the road from La Guardia Airport. I have had some harsh things to say about the airline jets but only praise for the football Jets.

Today is the day for congratulations for the team which made history yesterday with a triumph which New York and the Nation will never forget.

The 10-year-old American League with a 9-year-old team has beaten the pride of a 40-year-old tradition. Staffed with so-called castoffs and new but inexperienced class players the Jets not only defeated the strongest National League team in recent history but destroyed the myth of that league's unmatched superiority.

From this day forward there will not be American League football and National League football, there will be only one football—American football in its broadest and its best sense.

As the Congressman from the home district of the new world champions, I am delighted to rise today to pay tribute to them and to the great borough of Queens and the city of New York which so avidly and proudly supports them. To the Yankees and their McCarthy and DiMaggio; to the Giants and their McGraw and Ott; there is now added Ewbank and Namath and Snell and those gorgeous Jets.

GOODBYE, JIM

(Mr. BRINKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRINKLEY. Mr. Speaker, the people who knew James W. Blanchard, of Columbus, Ga., grieve over his passing yesterday. The words of Isaiah 32: 2 best describe him:

> And a man shall be as a hiding place from the wind, and a covert from the tempest; as rivers of water in a dry place, as the shadow of a great rock in a weary land.

Jim Blanchard was truly such a man—such a man which every community needs so much more than buildings or money or things.

And now Jim Blanchard—his example of manhood—his legacy of good—gone?

Hardly possible that a mother could forget to love her child; a man, his country; a bird, to sing. Or, that Jim Blanchard could be forgotten.

Those of us who knew him and loved him, weep at his passing. But we give thanks for his life. We give thanks for his service to mankind as a strong and able leader, a good samaritan in his journey, one whose brave battle during adversity is a true profile in courage. So, today, although our hearts are heavy, may we hold our heads high and shoulders straight as Jim Blanchard did, and would wish us to do.

THOSE PERFIDIOUS SWEDES

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, talking pacifism, the Swedish Government in diplomatic recognition of North Vietnam and Cuba has become a partner in the war just as surely as if they would send troops and material.

Their new alliance with the Red world came at a tragic time—during possible peace talks—and can but give the free world community the inference Sweden is against peace talks.

As Russia's backyard neighbor, the Swedes should know the Communist mentality and objectives. The Reds never quit when they have some ammunition to exploit—in this instance, propaganda to encourage Ho Chi Minh to continue fighting.

Their unfortunate announcement now makes them activists in the slaughter in Vietnam—and with renewed terrorist attacks, the blood of every new victim—be it American or Vietnamese, is on the hands of the Swedish leaders.

Cultural exchange with North Vietnam? Ho Chi Minh wears a beard—he will not buy razor blades of Swedish steel.

For shame for the Swedes to turn their backs on the free world. They will now share the guilt of every Communist brutality against man. Have they forgotten there are many Americans of Swedish descent?

And all this at a time when the free governments of Asia are girding to resist Communist aggression attempting to overthrow their countries.

Mr. Speaker, I include the following clippings from the local paper:

[From the Washington (D.C.) Evening Star, Jan. 10, 1969]

SWEDEN RECOGNIZES HANOI, AFFECTS TALKS—REDS' HAND BOLSTERED AT PARIS

PARIS.—North Vietnam's hand in the Paris peace talks has been greatly strengthened by Sweden's decision today to grant Hanoi full diplomatic recognition, high diplomatic sources said.

North Vietnam was expected to hail the move as a massive breakthrough. But the Hanoi delegation withheld immediate comment pending instructions from its capital.

The Swedish move was certain to cause dismay in allied quarters which are engaged in a test of wills with the North Vietnamese and the Viet Cong over how to organize the expanded Paris talks.

HARRIMAN LEAVES JANUARY 19

Ambassador W. Averell Harriman, the chief of the American delegation to the talks, will leave his post Jan. 19, the day before Richard M. Nixon is inaugurated, it was announced today.

Harriman's successor, Henry Cabot Lodge, will not arrive until later. He is expected to leave his post as ambassador in Bonn Tuesday to return to Washington where he faces a senate hearing on his confirmation. Harriman is expected to meet with Lodge in Washington to discuss the stalemate negotiations he has been conducting with North Vietnam since May 13.

The announcement of Harriman's return came as U.S. officials admitted the present negotiations are in a "deep freeze."

CALLED "UNRELATED"

American officials said Sweden's recognition of Hanoi was "unrelated" to the negotiations and sought to minimize its impact.

(In Washington, the State Department said it has no comment on Sweden's decision. Washington maintains an embassy in Stockholm and the Swedish government still officially recognizes South Vietnam.

(In Saigon, Nguyen Qui Anh, the No. 2 man in South Vietnam's Foreign Ministry, said, "this policy has favored the Communists. We are not at all surprised at their decision.")

Sweden is the first Western European nation to grant full recognition to Hanoi, although Britain and France maintain foreign service offices in the North Vietnamese capital.

Swedish Foreign Minister Torsten Nilsson informed his counterpart in Hanoi, Nguyen Duy Trinh, of the decision in a cable which said:

"As the negotiations in Paris are now entering a stage which, it is hoped, will be decisive for peace in Vietnam, it would appear that the time has come to establish diplomatic relations."

The cabinet decision in a meeting with King Gustav VI Adolf came as no surprise following a chill in American-Swedish relations during the last two years because of Sweden's opposition to the Vietnam war.

Sweden has granted asylum to 155 American servicemen who deserted, purportedly to avoid duty in Vietnam. But it has turned down men trying to evade the draft in the United States.

President Johnson last spring summoned to Washington his amabassador to Sweden, William W. Heath, for consultations, an apparent U.S. protest against Sweden's antiwar sentiments.

Diplomats said the North Vietnamese probably will establish an embassy in Stockholm this spring. The Swedish ambassador in Peking, Lennart Petri, will leave for Hanoi immediately.

The Swedish Foreign Ministry announcement said the move was "in line with the development of the contacts between the two countries." With other Scandinavian nations, Sweden has pledged postwar aid to help rebuild North Vietnam.

Nilsson's cable to Hanoi also expressed hope that "relations between Sweden and North Vietnam will develop favorably in the field of economy and culture as well as in other spheres, to the benefit of both countries."

Premier Pham Van Dong of North Vietnam was quoted in the Swedish press recently as saying Swedish recognition would be "of great importance" to his government. Sweden has sent Hanoi a fully equipped field hospital to treat war wounded.

U.S. officials in Paris said, "We recognize the existence of North Vietnam ourselves enough to engage with them in a negotiation, even though we do not give them diplomatic recognition."

Establishment of a full-fledged North Vietnamese embassy in Stockholm will somewhat diminish the status of Hanoi's Paris mission which, until today, was its most important mission in the West.

[From the Washington Post, Jan. 11, 1969]

UNITED STATES HITS SWEDEN ON BID TO HANOI

(By Warren Unna)

The United States yesterday publicly rebuked Sweden for being the first Western nation to extend full diplomatic recognition to Communist North Vietnam.

"While the Swedish Government's decision is, of course, its own to make, the U.S. Government does not believe that this decision will help the cause of peace in Southeast Asia," State Department spokesman Robert J. McCloskey declared in a formal statement.

He noted that Sweden's decision was particularly unwelcome, "coming as it does at a time when the Hanoi regime is still continuing its efforts to overthrow by armed force the elected constitutional Government of South Vietnam."

In Oslo, the Norwegian Foreign Ministry announced the Government will meet soon—probably early next week—to discuss the question of establishing relations with North Vietnam. Norway has a consul in South Vietnam, and Saigon's ambassador to West Germany is accredited to Oslo.

In Copenhagen, Danish Foreign Minister Paul Hartlin said Denmark will not follow Sweden's example "at this time." He emphasized there had been no consultations among the Scandanavian governments prior to Sweden's decision.

The U.S. rebuke of Sweden climaxed two years of U.S. frustrations about the way that neutral nation has been openly out of sympathy with U.S. policy in Vietnam.

Sweden has provided refuge for an estimated 185 American GIs who have embarrassed the United States by defecting in protest over the U.S. role in Vietnam.

Only 35 of them have changed their minds and returned. Yesterday, McCloskey reminded the Swedes of that, too, by declaring that the United States "regrets (that) Sweden has allowed absentees from the American military service to remain."

In addition, there have been stonings and window breakings of the U.S. Embassy and U.S. trade center in Stockholm. And when Swedish Minister of Education Olof Palme, the man most likely to become Sweden's next Prime Minister, led a protest march against U.S.-Vietnamese policy last February, U.S. Ambassador William W. Heath was called home for five weeks of "consultations."

Sweden's action in recognizing Hanoi hit Washington extra hard because of the statement accompanying it. Swedish Foreign Minister Torsten Nilsson telegraphed his North Vietnamese counterpart, Nguyen Duy Trinh, that because the Paris negotiations "will be decisive for the peace in Vietnam, it would appear that the time has come to establish diplomatic relations."

Washington was surprised by the timing of Sweden's action but knew it was coming eventually.

Last April, Sweden, which already recognizes South Vietnam, decided not to seek re-accreditation for a Swedish Ambassador, who had been doubling from his basic diplomatic post in Bangkok. In addition, the South Vietnamese Ambassador to West Germany, who doubles in Sweden, was not allowed to present his credentials to King Gustav VI Adolf.

WAITING FOR RIGHT TIME

In mid-year, when there was a demand for recognizing Hanoi at the governing Social Democratic Party's special congress, assurance was given that the Government was waiting for the right time.

Since the Social Democrats were re-elected on Sept. 15, the pressure was off. Washington experts think Sweden decided now was the time because it catches the United States between administrations when U.S.-Vietnamese policy will be subject to review.

In addition, Swedish Foreign Minister Nilsson said yesterday that his country needed official relations to push Sweden's plans for helping to reconstruct a post-war Vietnam.

Cyrus R. Vance, the deputy leader of the U.S. delegation, will remain in Paris until about March 20 to ensure an orderly transition, the spokesman said.

In Saigon, U.S. Ambassador Elsworth Bunker met with South Vietnamese President Thieu twice yesterday for a total of 4 hours and 15 minutes. The U.S. Mission said the meetings concerned the Paris talks.

Whatever Sweden's real reason, the Swedish Cabinet formally met with the King in Stockholm yesterday and announced its decision.

The U.S. Embassy was given an official alert only minutes before the announcement. The representative of a newly-opened National Liberation Front information office in Stockholm commented: "Marvelous. Now all that is left is to recognize us, too."

Ambassador Heath, a friend of President Johnson, and fellow Texas rancher-businessman, has been preparing to quit his post anyway. Now it will be up to the Nixon Administration to determine how much more U.S. annoyance should be expressed.

Until now, 26 Communist and neutral nations had extended diplomatic recognition to North Vietnam. Hanoi also has a Delegate General in France, a news agency representative in Britain and a trade mission in British Hong Kong.

South Vietnam has been granted de jure recognition by 59 countries, de facto recognition by eight others and recognition through official exchanges of letters by another 30 countries.

[From the Malaysia Information Service, Jan. 6, 1969]

MALAYSIA BATTLES RENEWED RED THREAT

Increasing concern has been shown in the United States over the latest resurgence of Communist militancy in the border area between Thailand and Malaysia.

Many ask: What is the significance of this, particularly in the light of recent events in Southeast Asia? One American authority on guerrilla warfare wrote recently:

"It has not been publicized here, but Asian officials and China watchers are puzzled and disturbed by a recent step-up in Communist underground activities in six Asian countries.

"The puzzling reports come out of Malaysia, Northern Burma, the Philippines, Indonesia, Laos, and Cambodia. Add the steadily growing North Korean infiltration south and you get a not very optimistic picture for future peace in the area.

"One of these nations—Malaysia—is so alarmed that its government issued a White Paper on the recent expansion of the Communist underground. Terrorism is on the increase. The Reds have made progress in infiltrating labor and student groups. A Chinese general reportedly has been put in charge of the Malaysian operation."

To go back to the Malaysian-Thai border: The Communist militant threat there is being directed by a hard-core of veteran Communist fighters who fled to a mountain hideout on the border when the Communist insurrection was finally declared destroyed in Malaya in 1960.

Since that time, these guerillas worked hard at reorganising and consolidating themselves for renewed "revolutionary activities", while the main emphasis was given to the so-called "parliamentary struggle" featuring the penetration and subversion of schools, labour unions and political parties, and by promoting racial tension. Attempts have also been made to subvert the Malays through their religion—by distorting the teachings of Islam.

* * * * *

In the White Paper, Malaysia's Deputy Prime Minister, Tun Abdul Razak, commented: "A new form of threat has now cast its sinister shadow over the Nation. Communist militancy has been taken into the stage where all pretence at formal compliance with constitutional requirements will be abandoned and Communist United Front activities will be geared to the creation of conditions favourable to the return of the Communist Party of Malaya along the violent path to absolute power."

In Washington, the Malaysian Ambassador to the United States, Tan Sri Ong Yoke Lin, commented: "We have not let our guard down even after our victory over the Communists in 1960 after 12 years of fighting. While dealing effectively with the subversive activities of the Communists and their agents, my government has always been on the alert for any signs of a militant resurgence.

"We have been successful against the terrorists before and are drawing on our vast experience to deal with the new threat on the Malaysian-Thai border.

"Through our democratic form of government and our free enterprise system, we are achieving considerable economic and social progress. And as long as we continue with our development and economic expansion, I am confident we will be able to thwart the evil designs of the militant Communists."

[From the Washington (D.C.) Evening Star, Jan. 10, 1969]

Park Doubts North Korea Will Launch All-Out War

(By Young H. Lee)

SEOUL.—South Korean President Chung Hee Park warned today that Communist North Korea is preparing hard for its scheme to unify the two countries with force. But he discounted the possibility of North Korea alone launching an all-out war on the south in the immediate future.

To sustain an all-out war, Park said at a news conference, North Korea would need active support from the Soviet Union and Communist China, but that possibility is slim.

Park said the Pyongyang regime is likely to concentrate on limited harassment against the south by employing Vietnam type guerrilla activities.

His press conference was regarded as a state-of-the-union message.

The 51-year-old Park said the government will improve the defense capabilities of its newly organized 2½ million man militia forces as well as modernizing its regular armed forces, fourth largest in the world, to crush any North Korean subversive activities in the new year.

Despite the defense burden, he said South Korea plans to attain a 11.7-percent growth in its gross national product this year and to achieve a $700 million commodity export target.

The Seoul government long has been studying measures in anticipation of a peace settlement in Vietnam so that the ROK economy would not be affected.

Discounting the possibility of a constitutional amendment in favor of a third term, Park said "This is no time to make any fuss over such a matter because the nation is faced with important tasks to meet the Communist threat from the North and to achieve continuous economic growth." Park's second term will terminate in mid-1971.

[From the Washington (D.C.) Evening Star, Jan. 10, 1969]

Sixteen Huks Killed in Battle, Filipino Red Curb Seen

MANILA (UPI).—Philippine Constabulary officials said today the slaying of 16 Communist Huks in a battle in Bataan Province should substantially curtail Huk activity in Central Luzon.

The clash was the biggest between government troops and Communist guerrillas since the post-World War II Huk insurgency was put down in the early 1950s.

Constabulary officers said the battle 70 miles northwest of Manila shattered the band of Efren Lopez, 29, also known as "Commander Freddie," who was said to be the third-ranking man in the Huk leadership. Lopez and four other Huk field commanders were listed among the dead.

About 400 constabulary troopers trapped the guerrillas in a thickly forested region with deep ravines. The battle started yesterday and continued until dawn today. The government force used armored vehicles, rocket launchers and helicopter flareships.

Constabulary spokesmen said there were only about 150 active Huk terrorists in the region but they are backed by thousands of sympathizers. There have been 222 unsolved killings in Central Luzon since 1966 and the Huks are suspected of being behind many of them.

RETIREMENT OF ROBERT P. BEACH

(Mr. WHITTEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WHITTEN. Mr. Speaker, I have worked with many fine and able men in the Government. One of the ablest Mr. Robert P. Beach of the Department of Agriculture, has announced his early retirement. Bob Beach has served his Nation long and well, in positions which demand extensive knowledge and skillful administration. He has always fully met that demand. It is a privilege to pay tribute to him today.

As a Deputy Administrator of the Agricultural Stabilization and Conservation Service and a Vice President of the Commodity Credit Corporation, Bob Beach has been both an innovator and a conservator.

As a conservator he has directed savings and cost reductions amounting literally to hundreds of millions of dollars of administrative and program costs.

To achieve this record required not only astute and perserving application of sound management principles, but also innovation of modern technology. ASCS, which carries out the large price-support operations of the CCC, and related national farm programs of acreage adjustment and agricultural conservation, has made the transition to a nationwide data processing system during the tenure of Bob Beach and under his direction.

This system, which makes full use of sophisticated computers, has resulted in consistent year-by-year reductions in labor costs while still providing full service to farmers and the Department of Agriculture. Some 2,800 county ASCS offices were geared into this computerized service, as well as State, field, and Washington offices of the farm program agency—a management step that required both imagination and a complete grasp of the functioning of farm programs.

Bob Beach's knowledge of complex agricultural programs and their financial implications is thorough and complete in the most minute detail. His ability to evaluate difficult situations is unique.

He is outstanding in the manner in which he has developed annual budget requests based upon proven need according to annual workload. His has been the leadership in establishment of a work-measurement system, directly relating results to cost, a system recognized as one of the best in Government.

The accomplishment of operational savings of the magnitude achieved in ASCS is not a glamorous or exciting experience for the career executive. To do this has required extraordinary management skill and application of firm leadership. One of the secrets of Mr. Beach's success is his ability to instill in those who work with and for him the resolution to persevere in finding better and more efficient ways to administer farm programs.

He is not only an ASCS executive but also a Commodity Credit Corporation Vice President.

CCC is one of the largest public corporations, serving 3.5 million farmers, more than 200 million domestic consumers, and a substantial part of the free world through exports of farm commodities. For more than 20 years Bob Beach has had a principal role in financial planning for CCC. In helping manage the billions involved, he has worked with the Treasury Department, Federal Reserve System, commercial and international banks, commodity and transportation companies, and the export trade. He has earned the confidence and respect of the varied interests and gained the reputation of being tough, fair, honest, and cooperative.

Perhaps the toughest test of a representative of an executive agency comes when he appears before the committees of Congress. Bob Beach has come through with flying colors, year after year, receiving many laudatory comments for his budget presentations. On one occasion, I made the following statement to Mr. Beach:

> I want to commend you for the way in which you handle your business before this Committee. I say again you have got one of the toughest jobs that I know of, with the different tasks which the Congress has given it. I don't know of anybody in Government who does a more conscientious job or has the answers more readily available than you do, and I am glad to say it for the record.

For all his ability in financial management and cost saving, Bob Beach has never been known to neglect the human equation. He is foremost to encourage sound and imaginative administrative concepts presented by those who work for him. He makes a practice of knowing those whose work he is responsible for—whether division head, branch chief, clerk-typist or messenger.

He not only will recognize an idea that may save dollars, but also will recognize the potentialities of those just starting civil service careers and counsel wisely on advancement plans.

In this he knows whereof he speaks, for Mr. Beach did not start at the top or the middle of the civil service ladder.

Born on a farm in Taylor County, Iowa, he spent his boyhood in Iowa. He began his career in 1929, at the age of 18, as a file clerk in Washington, D.C. There followed 9 years of intensive night study at George Washington University during which he substantially completed his formal education for a master's degree. He came up the ladder from the first rung by his own diligence and ambition.

As a U.S. Marine Corps Reserve officer, Mr. Beach was called to active duty during World War II as a first lieutenant, later was promoted to captain. Much of his service was in the South Pacific. He is now a retired major of the Marine Corps Reserve.

I am sure there will be no disagreement that Bob Beach, as he retires from Federal service, more than deserves what commendation we can pay him. He has been a quiet, unassuming civil servant, little known except to those who had occasion to work with him. But this Iowa farm boy made good in a big way, for himself, and for his country.

RETIREMENT OF HON. WILLIAM C. FOSTER

(Mr. MORGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MORGAN. Mr. Speaker, the United States has been blessed throughout her history with singularly able and dedicated men willing to forsake the benefits of private life for the pressing needs of public service. Many of these men have come to public office not to seek fame but rather to perform their duties effectively but quietly in the interests of their country. On this occasion, Mr. Speaker, I rise in honor of a public servant who time and time again has selflessly given of himself to his country with no effort to achieve the public applause which, in fact, is his just due.

On December 31, 1968, William C. Foster retired from Government service. He has held so many important positions in both public and private life that it seems almost incredible that so many outstanding careers could have been filled by but one man. Formerly president of a steel products company, executive vice president of a major chemical corporation, chairman of a nuclear energy corporation, president of a national chemists association, Under Secretary of Commerce, Administrator of the Marshall plan, Deputy Secretary of Defense, member of numerous high-level governmental committees, and adviser to several Presidents, Mr. Foster has for the last 7 years served as the first and only Director of the U.S. Arms Control and Disarmament Agency. During this period, he also served as chief U.S. Representative to the 18-Nation Disarmament Conference and as a U.S. delegate to the United Nations.

After these many years of distinguished service, Bill Foster can view with great personal pride the many tasks which he has so ably fulfilled, but none, I believe, redounds so to his credit as his achievements as Director of ACDA.

Bill Foster played a critical role in the bipartisan effort in 1961 to establish a new, independent agency which would centralize the activities in the arms control field—such as they were—then being carried on in various Government departments.

After the Congress passed the act establishing ACDA, Bill Foster accepted the appointment as its first Director because he believed it one of the most important challenges facing the country and the world at that or at any other time. This conviction surpassed any natural inclination to consider that he had already served his country for many years, at considerable personal sacrifice. The country can be grateful that he made the decision which he did.

In 1961, the prospects for achieving realistic agreements in the field of arms control were not particularly bright. And yet in 7 years we have witnessed the conclusion of the limited test ban treaty, the "hotline" direct communications link between Washington and Moscow, the Outer Space Treaty, U.S. signature to a protocol to a Treaty for the Prohibition of Nuclear Weapons in Latin America, and now the Nonproliferation Treaty. These accomplishments are in large part due to the untiring efforts of one man—William C. Foster. In the case of the Nonproliferation Treaty which is now before the Senate, Bill Foster spent 4 long years of consultations and arduous negotiations in securing an agreement which, when properly implemented, should help reduce the risk of nuclear war.

Mr. Foster, or "Mr. Disarmament" as he has been referred to in several recent newspaper editorials, has made arms control an acceptable and practical concept. These articles emphasize that Bill Foster has never lost sight of the security interests of our country in his pursuit of reaching worldwide agreements to bring some control to the arms race which threatens us all. Indeed, he and his associates in U.S. arms control activities—men such as Adrian Fisher, Gen. Alfred Gruenther, and John J. McCloy—have made Americans realize how much arms control actually contributes to the security of this country.

It has been my privilege and pleasure as chairman of the House Committee on Foreign Affairs to have many formal as well as informal associations with Bill Foster. In the many authorization and other hearings in which he has testified before the committee, he has always been a man of quiet yet forceful dignity, of candor, and of wit.

His retirement is a real loss to the United States. He, in his humility, would undoubtedly respond that the country is blessed with many other able and dedicated men who can continue to carry the burdens he is now leaving behind. This is, we will hope, the case, but I for one want him to know the appreciation of a grateful country for a job skillfully done and to wish him all the best in the years ahead. Considering his past record, I have every expectation that in his so-called retirement, he will continue to find ways to serve his country well.

THE TRAGEDY OF RISING BANK CRIMES

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, let us pray that the tragic deaths last week in the line of duty of FBI Agents Anthony Palmisano and Edwin R. Woodriffe will not have been in vain. These young men, both in their twenties, were murdered while pursuing a bank holdup suspect. Perhaps by their heroic conduct they will have helped to bring about the end of the bank holdup crisis in which the country now finds itself.

Year by year since World War II the robberies of banks, savings and loans, and other banking institutions has steadily increased. In 1958 the country suffered 416 such robberies; by 10 years later the number quadrupled. In the District of Columbia area the number recently skyrocketed from 29 in 1967—itself a horrible statistic considering the relative smallness of the area—to 102 last year, with monetary losses approaching the half-million figure. In this new year of 1969, only 13 days old, there already have been 14 holdups of financial institutions in this immediate area, with a record of four being held up in 1 day last week.

Six years ago the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I was chairman, probed into the reasons for the increase in such crimes, and sought to ascertain whether the Federal banking supervisory agencies were doing everything within their powers to have banking institutions attempt to render themselves more secure against bank crimes.

The subcommittee was to find that too many banks failed to make use of many devices, such as cameras, alarm systems, and screening around tellers' cages which could have afforded some measure of protection against holdups, or have aided in the apprehension of bank robbers. Some almost refused to use commonsense to minimize their losses. For example, some kept quantities of money in their tellers' cages, far in excess of their normal demands, all of which fell prey to a robber's demands. In that connection I note that in one of the robberies of a credit union this week the robbers made away with almost $25,000. It seems completely obvious that no credit union office would have to have that much money on hand; that at most several thousand dollars should have been in the tellers' cages, with the balance in a locked safe at some distance from where the robbers entered.

The subcommittee was also to find in its study that the Federal banking supervisory agencies—the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board—exerted too little of their influence toward having the banking institutions under their jurisdiction adequately safeguard themselves against robberies. All of these agencies advised the subcommittee that they considered the security of financial institutions should be left to the management of individual institutions, to make their own determinations as to the security measures to be utilized. However, it was obvious from testimony received by the subcommittee that the management of too many banks seemed unaware of the hazards that their lack of security presented, or of the measures that they could and should take to protect their institutions.

In a report entitled "Crimes Against Banking Institutions," House Report No. 1147, 88th Congress, second session, issued almost 5 years ago, we therefore recommended that the supervisory agencies, by rules and regulations, lay down specific guidelines for banks and savings and loans to adopt for the prevention of crimes against their institutions; that bank examiners be trained in the methods of preventing bank crimes, including bank robberies so that they could note any security deficiencies in the banks or savings and loans that they examined and could assist management in better safeguarding their institutions. We also recommend that the supervisors, in acting upon any application for charter, deposit insurance, or any other action requiring agency approval, consider the adequacy of an institution's crime-prevention facilities before approval; and that the agencies get together in a coordinated effort to lessen bank crimes by collecting and analyzing bank crimes statistics, studying the means of combating such crimes, and undertake research projects which were aimed at developing security measures and devices, including the development of a model institution from the security standpoint.

I would have been happy to report that the supervisory agencies took significant action on the recommendations made in the report. True, some efforts were made, but it was obvious that not enough was done, because bank crimes kept growing. The situation finally got so bad that last year the administration urged, and obtained passage of, the Bank Protection Act of 1968 which compels the Federal banking supervisory agencies to do much of what we had sought to have them do voluntarily and through industry self-regulation. The agencies now are required to establish minimum standards with which each bank and saving and loan must comply with regard to the installation and maintenance of security devices and procedures to discourage bank crimes, and to assist in the identification and apprehension of the perpetrators of such crimes. The agency regulations that were promulgated under the Bank Protection Act will soon be published in the Federal Register.

In looking at the causes of increased bank robberies, it is significant that the bank supervisory agencies were loath to assume responsibilities for requiring banks to adopt even minimum safeguards against such crimes. Also, too many bankers have been unwilling to assume that responsibility. For the most part, all of their losses through bank crimes are covered by insurance. Many have felt that the expenses involved in operating cameras which could take "in the act" pictures of robbers, or the installation of safety glass or protective bars around tellers, or the adoption of other of the multifarious devices and procedures discussed in our report were not warranted.

One of the consequences has been that bank robbery has just been made too easy and too profitable. Many of the deterrents are not being used. The use of cameras and of marked money can be of great assistance in identifying and apprehending bank robbers. These too have not been adequately used by many institutions.

Through a concerted action by the FBI and the local police in the District of Columbia area the apprehension of bank robbery suspects is running slightly over 50 percent, a marked increase over the usual 12 to 15 percent in other robbery cases. The Washington Post of December 21, 1968, contains an interesting comment which may reveal still other reasons that contribute to the increase in bank robberies, as follows:

> Capt. Ralph Stines of the Police Robbery Squad attributes the rise in bank holdups to an upsurge in activity by young offenders—many of the suspects are in their late teens—and the slow workings of the District's court system. Stines observed that it now takes, on the average, more than a year for a bank robbery suspect to be brought to trial. He noted that only two of all those arrested this year, both juveniles, have been dealt with in court.
>
> Police also pointed out that at least a dozen of the suspects taken into custody this year were, at the time of their alleged offenses, free awaiting trial on other felonies.
>
> They cited the case of one youth who was arrested in connection with three bank holdups this year and is suspected of involvement in four others, but has not yet been tried.
>
> Stines believes that unless a young offender is punished quickly there is tendency for him to repeat his crime. They aren't concerned with what happens to them a year from now, he said.

It would seem to be the plain duty of the Legal and Monetary Affairs Subcommittee to continue to concern itself with the problem; and if marked decreases in bank robberies do not occur, to conduct further hearings in the matter.

With coordinated efforts of Federal and local law-enforcement agencies and the adoption of new safety equipment and measures by banks throughout the land, it is hoped that the increase in bank robberies will be stemmed. It is altogether unfortunate that the need to meet the bank crimes problem is highlighted by the death of two brave and devoted young men, who gave their lives in the fight.

WILLIAM CALHOUN BAGGS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, many people throughout the country were saddened by the recent death of Bill Baggs, the outstanding editor of the Miami News. Great newspapers around the country editorially have stated their admiration and respect for Bill. Those who worked with him, those who knew and respect him both professionally and personally have expressed, as only the fourth estate can, the contribution to the profession and to mankind of a courageous, articulate, and warm person.

Several editorials follow:

[From the Miami (Fla.) News, Jan. 8, 1969]

1920–69: WILLIAM CALHOUN BAGGS

The Miami News has lost its great editor, William Calhoun Baggs, and the town has lost one of its brightest citizens. The nation has lost a devoted son.

Bill Baggs was first and last a newspaperman but he was many other things as well. He learned about "involvement" long before the word was fashionable and he believed that being involved meant more than lending your name to a prominent committee.

Bill Baggs was shoulder-deep in every job he undertook. In the end he undertook too much.

Colleagues, friends, and doctors urged him to pare down his interests, to take it easy. He waved them off and plunged back into work that always was stacked chin-high on the old mahogany table he called a desk. "I have to get at this," he would say. "It's important."

Bayfront Park was important and Vietnam was important and so were the new state Constitution, the latest civil rights problem, the convocations sponsored by the Center for the Study of Democratic Institutions, the reorganization of the Greater Miami Chamber of Commerce, the presidential campaign, the Greater Miami Coalition, the peace talks in Paris and the pollution of Biscayne Bay.

He was involved, actively involved, in all of these things and many, many more.

And always there was time to dash out and talk to a high school assembly or a few minutes to speak with a passing tour of school children in his office. "These youngsters are important," he would say. "We can learn so much from them."

But most of all he was a newspaperman, and his first dedication was to the newspaper that he joined 22 years ago, and that he guided as editor from 1957 until his death.

He was a first-class reporter from those days, beginning in 1946, when he pecked out his earliest stories for The Miami News on everything from sports to local government. He was a talented writer, with the rare ability to leaven the weightiest subject with a dash of humor. Indeed, humor spilled out of the man, in writing or conversation, as naturally as the air he breathed.

As an editor, he was in a class by himself. He believed that newspapers were produced by people and that the people he picked to produce The Miami News should be left to do their job, within the limits of certain broad policies.

He was once heard to mutter in mock anguish, after an especially spirited debate with his staff: "Doesn't anyone around here know that I'm the editor?"

But this rather loose rein was deceptive. His personality was such that he led without seeming to lead. His influence was pervasive, whether he was at work in his corner office or 8,000 miles away in Southeast Asia. To his staff, as to the community, Bill Baggs was The Miami News.

The awards and plaques he won for his newspapering would cover the walls of the city room if he had consented to put them up. He was probably proudest of the fact that during his tenure as editor the newspaper and its staff won three Pulitzer Prizes—an amazing number in so short a time. His colleagues believed that he deserved a Pulitzer himself, but that honor unaccountably escaped him.

Bill Baggs, a native Georgian, may be known best in Miami and in his adopted state of Florida for his persistent efforts in behalf of civil rights. Like his close friend, Ralph McGill, he was one of a small group of courageous Southern newspapermen who took up the cause of justice and equality for the Negro.

He did this long before the civil rights crusade was publicly acceptable in the South, and at a time when it was downright dangerous. Threats upon his life became rather routine in his career.

He was called all the usual names for his civil rights efforts, and although he displayed an uncommon amount of tolerance toward his critics, he sometimes became irritated with persons who questioned his patriotism.

Bill Baggs was a patriot in the finest old sense of that word. He served his country in uniform, on the bombers that flew out of North Africa and Italy in World War II, and he served it as a newspaperman in ways that he would not, or could not, reveal.

There were, for instance, his trips in recent years to North Vietnam, which he undertook at some peril and at great cost in terms of energy and physical well-being.

He was roundly criticized for seeming to consort with the enemy, and he expected to be. His reporting from Vietnam was excellent, but by his own later admission, incomplete.

What his critics did not know then, and what he could not report, was that he and his colleague, Harry Ashmore, undertook those trips because they had reason to believe they could establish contacts that would lead to peace. Furthermore, the trips were made with the full knowledge and cooperation of the U.S. government.

His friends sensed his rising frustration over the slow progress toward peace after the contacts had been established, and they sensed also that his own contributions to the negotiations have yet to be written.

Loping along Flagler Street in his rumpled seersucker suit, he liked to tell folks that he was "just a boy from a small town in Georgia," which he was.

He was also a remarkably learned person, one who could assist with the programming of classical music, talk economics with Bernard Baruch, discuss critically the French impressionist painters and consult with the national figures of government, at their invitation. He knew President John F. Kennedy not only as a newspaperman, but as a friend, as he also knew Sen. Robert F. Kennedy, and he felt a deep sense of loss at their tragic deaths.

If he had a personal idol, it was probably Dan Mahoney, the late publisher of The Miami News, whom he fondly referred to as "Irish." The two often disagreed on editorial policy, and those disagreements sometimes resulted in a lively argument. But it was clear to those who knew him that Baggs regarded Mahoney with deep affection. His admiration for the courage and accomplishments of "Big Irish" was legendary.

Bill Baggs had bitter critics, as all good newspaper editors have. But few persons who met him in person could say they disliked him. He had legions of friends, among whom were many of his most ardent public adversaries.

He rarely if ever wrote about his personal life, but it was an unusual conversation in which he did not mention his gracious wife, Joan, and his beloved sons, Craig and Mahoney.

He was a devoted husband and a proud father, and we at The Miami News grieve for his family as we grieve for ourselves.

[From the Miami (Fla.) News, Jan. 9, 1969]

A Hi, a Smile, and a Joke

(By Ralph McGill)

Atlanta.—It was really quite simple how the word came. The telephone rang. I answered it. A friend said: "Bill died at 6:05."

That was all. Hope was ended with the words. And that was how I knew that in a hospital room in Miami, Fla., William Calhoun Baggs was dead at 48.

A friend of two decades was dead after a rather brief illness, the second one, a slow break in health that began almost two years ago.

It is difficult to write about a friend, he is especially so when one must write about one who said in conversation years ago that he often thought of me as an older brother he had wished for but never had.

All the conventional things will be said, and said well. But this was really a very unconventional fellow. There had been a very considerable joy of life in him. He liked laughter and he enjoyed inspiring laughter. He had great fun playing jokes and making the most preposterous exaggerations.

Sometimes he made a sort of creative mythology out of his experiences and those of his friends and made them seem so much more happy and interesting that we often wished we could have lived Bill's mythology.

He had also solemn, deep moments. Like all of us, he wished to know something of the mysteries of life and death. He was never maudlin or trite about these things. He had a deep distrust for dogma, whether in religion or commonplace life.

He was a believer, but he did not like to dress up beliefs in the trappings of doctrine. He had an open contempt for religion that ignored social justice and avoided direct participation in the thorny problems of our times. He was especially contemptuous of the pious frauds who insisted that religion is for saving souls and not for bettering the life of man.

There was a song in him, though he had no voice for singing. But life sang in him. He was good at imitations. He was widely read. He wrote a strong, fearless column when there was need for it. He was compassionate and thoughtful. He enjoyed fools, but did not always suffer them easily. He liked poetry and good writing. He had a way with children and was devoted to his own.

During the war, he had flown B24 bombers out of Italy. He was on some of the more dangerous and costly raids against German forces in Italy and middle Europe. Twice, as I recall, he and his crew had to bail out over Yugoslavia. Both times they were guided out by Tito's partisans and avoided capture by the Germans.

On one of these adventures, he was for some time in hiding. He made friends with a partisan pilot. Years later Bill visited Yugoslavia. His friend of the war years was chief of the air force. It was a very substantial reunion. When Bill reached his hotel room he found it beautiful with vases of flowers, baskets of fruit and several colorfully labeled bottles of slivovitz. (Slivovitz, for the edification of the uninitiated, is a pale golden colored plum brandy).

The colonel, wishing to be sure his old friend was content, asked him if he also would like to have the company of a young lady while there. Bill informed him he had a young lady at home but he would make love to the slivovitz and would appreciate it if no shortage developed.

Once we talked about visits made separately to the John Keats apartment at the foot of the Spanish steps in Rome. We especially admired an old woman who had a mole on her chin from which sprouted three or four course black hairs. She had kept the rooms all through the war. She was a tough old dame, with a dedication to Keats. Germans had come there during the occupation to see where the young poet had died. She made them pay up and behave.

We talked about the sadness of early death. Keats had died at 26. On his gravestone is written: "Here lies one whose name was writ in water." We wondered about that. His name was written to endure forever wherever poetry is read. I found myself thinking of this talk for no good reason, after the call came which told me that Bill Baggs was dead at 48.

His name is etched deeply in the hearts of all who knew him and in the records of journalism where he served so well and with so much honor.

The details of his career are elsewhere. There is not room here to put down all the memories, all the laughter, fun, and serious talks we had, or the experiences shared. It was a sad thing to see him begin to lose health and strength.

Two exhausting trips to Hanoi sapped much of his stamina. He was, like so many persons, greatly taken with Jack and Bobby Kennedy. Their deaths further eroded his spirit, but he kept working, doing, planning, telephoning his friends, keeping in touch, until the last illness and the terrible finality of death.

He was not a conventional man. This makes him easier to remember and appreciate.

[From the Miami (Fla.) News, Jan. 9, 1969]

A View of the News: Covenant of Brotherhood

(By Jack Kassewitz)

The Rev. Theodore Gibson was standing in the quiet, book-lined study at Bill Baggs' home the other dim evening, thinking aloud about the best friend, white or colored, he ever had.

"I guess you don't know that as recent as eight years ago, Bill Baggs saved my life." said the Episcopal Canon, "and I have never forgotten."

It is a story of philosophy, of heartbreak, of a colored man who wanted to do something for his people, but the whites of the community never shared his concern. After 14 years of trying to achieve this understanding, Fr. Gibson was ready to surrender. He was going back to New Jersey, bitter, angry at everyone—well, nearly everyone—in Miami.

"My single friend then, Nate Perlmutter, director of the Anti-Defamation League, suggested I at least ought to telephone Bill Baggs, whom I had never met," Fr. Gibson reminisced. "I told him this wouldn't get me anywhere. I was so mad. I had fought hard for civil rights all these years but couldn't see a bit of change in Miami.

"Perlmutter insisted, so I made the appointment. When I walked into Mr. Baggs' office at The News on Seventh Street, he grinned and said 'Come in, Father, come in.' I said 'I want to know you' and he said, 'There's not much about me to know.' From this rather casual beginning grew a friendship which lasted until the day of his death.

"Mr. Baggs not only stopped me from leaving Miami but he changed my entire life. He gave me an opportunity to renew my faith in the brotherhood of man. He changed me from a bitter, distrustful person and a new world opened.

"Success came to me because of Mr. Baggs. Your editor was the one white man in town the Negroes could trust. He was always in the corner of the Negroes. He wanted them to be good citizens and he translated Christianity into life for them."

Even their closest friends had not heard the story of a covenant between the white editor and the Negro clergyman. "We did. We had a covenant never to leave the South. You know, the Editor had many opportunities to go north but he wouldn't. We agreed to stay on and work in a common cause of brotherhood because we were Southerners, we knew the people and we knew this was the way to effect change.

"I was called to a pulpit in New Jersey at far more money than I was earning here. Mr. Baggs and I talked about it before I ever went to see my Bishop and agreed my value was to the people in Miami. Bishop Duncan won't know, until he hears the story from you, of our covenant."

On Dec. 15, Fr. Gibson received a high honor from his church, being named a Canon. Generally someone within the clergy gives the sermon but in his instance, he asked the Bishop for permission to accord the honor to a layman. "It was one of the greatest moments of my life when your Editor rose to the pulpit in Christ Church and spoke to the hundreds of friends. (It was also the Editor's last public speaking appearance.)

"We never talked religion, only human concerns. We talked, and we tried to preach, each in his own way, how everyone can live together in peace and harmony. Any man who gives you what Bill Baggs gave me, he is your friend for life, and into eternity."

Amid the changing social revolution of the nation, and in the South, and more so in Miami, we have always looked upon Fr. Gibson as the No. 1 representative of his race in the area. This, perhaps, has not set well with the more militant colored men in the city but in his own way, Theodore Gibson was a militant long before some of the present elements were out of grammar school, segregated that they may have been.

The conversation—and the tears of a grown man—in the Baggs' home revealed a rare warmth and empathy we had not appreciated before that evening.

[From the Miami (Fla.) News, Jan. 9, 1969]

BAGGS WOULD HAVE GRINNED AT LONG FACES

(By Jack Roberts)

It is sheer tragedy when a man, only 48, gets a simple thing such as the flu, has it develop into pneumonia and dies. A heart attack or a car wreck you could understand. But the confounded flu . . .

I'm sure, however, that William Calhoun Baggs would squint through those Ben Franklin spectacles he wore and laugh if he could see all the long faces on his friends here at The Miami News today. He might ask about overtime.

Baggs was a serious editor and a serious writer, but his personal relationships were handled mostly at the end of a lopsided grin or a laugh. He didn't mind tangling with outsiders, but around here he went to great lengths to keep everyone happy.

I learned years ago that there was no point in arguing with Baggs. He wasn't going to change his viewpoint and he certainly wasn't going to pull rank and make you change yours.

Make no mistake about it, Baggs was boss of the paper. But he took great pains not to smother your viewpoint, no matter how violently it might clash with his own.

This is something unique in newspapering. Most newspapers will offer token voices of dissent with the editor, but these are the voices of letter writers or syndicated columnists and they're buried on the back pages. Baggs encouraged dissent among the family of writers here at The News.

On several occasions, and quite by accident, Baggs and I had columns on the same subject appearing on the same day with opposing viewponts. I found these clashes embarrassing, but the only time Bill said anything was one day when we had opposing viewpoints on the Islandia problem. He stuck his head in the office door and said:

"You're the victim of fuzzy thinking!" He said it and ran down the hall, laughing, making sure I couldn't get in the last word.

I've told this at a few green pea and rubber chicken dinners when some arch conservative took the floor to put in a dig against Baggs, an unabashed and dedicated liberal. I would try to explain that Baggs was a liberal and I was a former liberal—and Baggs was the bigger man because he was the boss and put up with me.

The real tribute to Baggs as a concerned newsman is our Editorial Board here at The News.

When I came here more than 20 years ago, the candidates we endorsed in elections were picked, for the most part, by the late Dan Mahoney. Frequently, Baggs and others on the paper would disagree quite violently with Mahoney's selection.

When Baggs became editor, he established an editorial board of some 12 men and women working here on the paper to listen to the candidates and endorse.

Baggs allowed himself only one vote on the board and frequently his favorites for the paper's endorsement were beaten. Every time this happened, Bill just shook his head and said to move on to the next candidate. He kept the board alive by keeping it an honest, cross section of opinion of the editors working here. I don't know of another newspaper that has anything like it.

I guess Baggs gave the appearance—to the general public—of coming on like gangbusters. He was a man who stood up and spoke his piece on civil rights long before it was a popular cause. In the last year he has become known throughout the nation as the newsman who has done the most to promote peace in Vietnam. He was always much concerned with conservation causes—Islandia, acquisition of the Key Biscayne park and the indiscriminate filling of the Bay.

However, as an associate of Baggs', I guess I appreciated him more for his wit and his gentlemanly ways than anything else.

He liked to mix and mingle with the Establishment, but he also liked to tweak the Establishment's nose.

After Bill visited Hanoi with Harry Ashmore, his longtime friend and drinking companion, George Cooper, tagged him as Ho Chi Baggs. It was funny when Cooper said it, but unfunny when a hawk used it to slur Baggs' name.

If this bothered Bill, he never said so to me. But recently he took to wearing a Mao button when he ate at the staid Miami Club downtown. He did it just so he could bend a few conservative minds. No malice intended. Baggs wasn't like that.

On his last trip to Washington he pinned a Mao button on the front door of his good friend Undersecretary of State Nicholas Katzenbach. It was still there two days later and Bill would break up every time he heard about the button from a Washington friend.

Bill was a name dropper. He was always giving you little tidbits about what Ave Harriman said, what Ted Sorensen thought or McGeorge Bundy was doing. He loved Adlai Stevenson, John F. Kennedy and his brother, Robert. But unlike all other name droppers I've known in my days, Baggs knew the people he was quoting intimately. They were his friends. He could get them on the phone day or night. Many called him for his advice.

After Hubert Humphrey took his licking from Nixon, the first newsman he talked to was Baggs.

These famous people liked Bill because he was an engaging, thoughtful person; a man of much energy and a gentleman. It is a tragic loss.

[From the Miami (Fla.) Herald, Jan. 9, 1969]

BILL BAGGS, GOOD MAN

Bill Baggs was a gentle adversary for us here at the Herald because he was a gentleman and he was formidable because he lead from courage.

This was the way of the man. He had a compassion rare in editors who, in this day of the professional automaton, often are compelled to put things before people.

He affected a rough exterior, not simply to hide his shyness and the loneliness which all good men have, but to accompany the common touch which he had also.

His speech and writing were full of wit. "Those who gest with good taste are called witty," said Aristotle, a philosopher not unknown to Bill Baggs, who could put no academic degree after his name—and needed none.

He had the incisive mind of the good reporter who is never wholly satisfied with the answers he gets. He wrote it as sharply, and whether you agreed with him or not you never had to be told where his feet were planted.

He made friends high and mighty, low and meek. It is no surprise that their voices of condolence and sense of shock are heard as this man, whose bold heart failed him at an untimely 48 falls on sleep.

He made enemies too. We all do in this sometimes scrubby profession. The point is to make the right ones. And he did. They, too, must miss him.

And so, Old Inky Fingers, farewell. You decorated our town, our country, our world, and our lives.

D. S.

[From the Miami (Fla.) Times, Jan. 10, 1969]

A FRIEND WE'LL REMEMBER

A nation lost a good friend, a great libertarian, when Miami News Editor William Calhoun Baggs died on January 7, 1969, at the Miami Heart Institute.

Baggs, who had served as Editor of the News since mid-1957, was nationally known and respected for his liberalism, his warmth, and most importantly his deep and sincere concern for the well-being of all men.

He was born in Atlanta on September 30, 1920. Bill, as he was known to his friends and colleagues, had been a patient of the Institute since December 28, 1968. He died of viral pneumonia, but his illness was complicated by hepatitis.

Dade County, if not the world, suffers the loss of a great man who dedicated his life and his work to the proposition that we must all work and be concerned with the plight of those less fortunate than others.

Bill Baggs was a friend of even the most militant blacks in the nation. They had grown to love and respect the man who to them was not white but rather "a soul brother."

The black community will long mourn the death of this great man who brought so much understanding to the racial difficulties of our time. Baggs, who fought for Civil Rights publicly, even before it became popular to do so, will long be remembered by his outstanding humility and humanity.

Baggs, who is the only American newsman to visit Hanoi twice since America became involved in Southeast Asia, gained national respect for his unpopular view that American men should not die in that dastardly war. Baggs' sentiment has since been shared by millions of Americans.

Though many did not agree with the liberal Bill Baggs, the Georgia-born newsman earned his respect. He fought for what he believed and what he believed to be true.

The greatest tribute that can be paid to him is to say that the world is a better place because he passed this way.

The world, and especially Miami, IS a better place because Bill Baggs passed this way.

[From the Washington (D.C.) Post, Jan. 10, 1969]

WILLIAM C. BAGGS

When Bill Baggs took up a cause you knew it, and it did not matter whether it was your cause or even precisely the right cause. What mattered was that it was the better for his having taken it up. Restless, driven, he knew just about everybody in his profession, and an awful lot of people all over the world for it was his intention to see it all, and he pretty nearly did. He was a journalistic whirling dervish, with all the moves—he could report, write, and run the shop, and he did all of this at one time or another, and sometimes simultaneously, with skill and fierce intensity.

Now that he is dead, so much too soon, at the age of 48, he will be remembered with admiration as a distinguished member of his profession. And he will be remembered, with affection, as a character, which is a way of saying that he was at all times himself. Georgia-born and orphaned early in life, self-made, very largely self-educated, a bomber pilot in World War II, and finally editor of the Miami *News*, he was rough sometimes, and blunt often, and tough-minded always. He was also one of the gentlest-hearted men you ever knew. He was a man for all underdogs, everywhere, and against the venal and the repressive and the bigoted. He had a distinct and highly developed prejudice for the have-nots as against the haves, and he fought for the former and had very little time for the latter; and so he was a controversial figure and, of course, this bothered him very little because he was quite human enough to be aware that this was part of being a personage and a character. While most of his colleagues went South to cover the war in Vietnam he made headlines by going North, where the underdogs were. While most of his colleagues were looking the other way in the early days of the Southern civil rights battle, he looked to the lot of the blacks, for there they, too, were the underdogs. Bill Baggs would have some kind of a legend on no other count than his capacity as a raconteur. As it was, he was a legend in his time and in his trade on many counts and the business of newspapering, and a lot of people who work in it, and a lot more people outside of it, are immeasurably the poorer for his loss.

On the American and world scene we shall miss William Calhoun Baggs.

IN DEFENSE OF PRICE DANIEL

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, in fairness to my constituent, Price Daniel, former U.S. Senator and Governor of Texas, and now Director of the Office of Emergency Preparedness and Assistant to the President for Federal-State Relations, I feel compelled to answer a criticism reported in the Congressional Record of January 8, 1969, by my colleague, the gentleman from Iowa (Mr. Gross).

He criticized Governor Daniel for permitting OEP and Federal-State relations employees to cooperate with the Governors of the States and territories in assembling a source book on executive mansions, capitols, and chief executives. I have been acquainted with this project for several months and believe that it is a public service which will be of great benefit to State and Federal officials and of historic interest to the citizens we serve.

I know of no project which has brought the Governors, their first ladies and the Executive Office of the President closer together in their working relationships. This is in line with the overall assignment given to Governor Daniel and OEP when the President designated him and his office as liaison with the Governors to work on matters of mutual interest.

Governor Daniel sponsored this source book only after ascertaining from the Library of Congress that no book has ever been printed on the executive mansions of America; that no book has an up-to-date list of all chief executives who have served the States and the Nation; and that the only books on State capitols referred to by Mr. Gross are out of date and out of print.

The Governors and first ladies of every State and territory cooperated in furnishing pictures and historical and descriptive materials on their mansions and capitols, and Federal officials have done likewise as to the White House and U.S. Capitol. Coordination of the text on the mansions was handled by Mrs. Daniel who is not a public employee.

Employees of OEP cooperated in assembling and compiling the material furnished by the Governors and State archivists on the capitols and chief executives. No Federal or State funds are being used in the printing of the book. It is to be printed by a nonprofit foundation and sold at a price sufficient to cover the cost, with copies furnished without cost to each Governor, State archivist, and interested Federal agency.

Mr. Speaker, the executive mansions and capitols of America are symbols of the sovereignty of the American people and their ability to govern themselves through elected officials. In my opinion, State and Federal officials who cooperated in producing a valuable source book of this nature should be commended rather than criticized for their efforts.

This is only one of the many instances of cooperative work with the States and the Governors conducted by Governor Daniel and his predecessors in their capacity as liaison between the President and the Governors. Since 1967 the directors of this office received requests for assistance on more than 2,000 problems identified by the Governor in fields of mutual concern, most of which resulted in appropriate solutions.

That this liaison program has improved Federal-State relations is best evidenced by a resolution adopted by unanimous vote of the Governors at their annual meeting in Cincinnati in 1968, in which they praised the program as having "resulted in the best working partnership in the modern history of our Nation between the Governors and the executive branch of the Federal Government."

Since this resolution reviews the accomplishments better than anything further I may say, I include it in the Record, as follows:

Resolution to Office of Emergency Preparedness and Federal-State Relations in the Executive Office of the President

Whereas the Office of Emergency Planning, through its national office and eight regional offices, has worked closely with the Governors of the states in cooperative programs for continuity of government, emergency management of resources, federal assistance in major disasters, and other joint federal-state programs; and

Whereas President Johnson, during his administration, has named former Governors as Directors of the Office of Emergency Planning and has assigned to them added duties involving federal-state relations, which has resulted in the best working partnership in the modern history of our Nation between the Governors and the executive branch of the federal government; and

Whereas the Honorable Buford Ellington of Tennessee, the Honorable Farris Bryant of Florida, and the Honorable Price Daniel of Texas, successive directors of the agency, have performed outstanding services to benefit the states and have done so with great distinction and honor in effecting more meaningful relationships between the federal government and the states; and

Whereas the Governors of the United States, aware of this effective working relationship, are now vitally interested in formalizing and continuing this relationship under future Presidents: Now, therefore, be it

Resolved by the National Governors' Conference, That the President and the Congress are hereby urged to give formal status to, and continue in the future, either by Executive order or act of Congress, or both, the existing Federal-State relations program being carried on by the agency now established and functioning; and be it further

Resolved, That the National Governor's Conference recommend that the name of the agency be changed to express more accurately its traditional operations and to include its present important federal-State relations function so that it would hereafter be known as the "Office of Emergency Preparedness and Federal-State Relations" in the Executive Office of the President; and be it further

Resolved, That the National Governors' Conference recommends that future Presidents follow President Johnson's example by choosing the Director of the agency from the ranks of former Governors; and be it further

Resolved, That copies of this resolution be sent to the President, Members of the Congress, and Governor Price Daniel, Director of the Office of Emergency Planning and Assistant to the President for Federal-State Relations.

Adopted July 24, 1968, by unanimous vote of the National Governors' Conference.

Brevard Crihfield,
Secretary.
John Volpe,
Chairman,
Governor of Massachusetts.

A GREAT DAY FOR MISSOURI

(Mr. BURLISON of Missouri asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURLISON of Missouri. Mr. Speaker, today marks another milestone in the careers of two of Missouri's outstanding public servants.

For the first time in the history of my State, a Governor today begins a second consecutive term as chief executive. It is apropos, Mr. Speaker, that this singular honor would be reserved for one of the truly exemplary Governors of our time.

Warren Eastman Hearnes has been a pioneer of progress and achievement rarely equaled in this Nation and never excelled in his State.

And it is not without signification, Mr. Speaker, that on this same day another prominent Missourian has announced his candidacy for another term in the U.S. Senate. The distinguished senior Senator from Missouri, after more than a decade and a half of dedicated public service in the other body, is to be commended on his willingness to continue to carry the burdens of his high office. The Members of this body know, Mr. Speaker, perhaps better than anyone else, the distinctive caliber of the service he has rendered to his State and Nation.

Mr. Speaker, it is with deep sense of pride as a fellow Missourian that I pay tribute to these two symbols of greatness in my State and in our Nation.

INTRODUCTION OF LEGISLATION TO DESIGNATE SNAKE CREEK ARM OF GARRISON DAM RESERVOIR AS THE TOTTEN TRAIL PUMPING STATION

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I have today introduced legislation to designate the pumping station at the Snake Creek arm of the Garrison Dam Reservoir in North Dakota as the Totten Trail Pumping Station. This legislation was introduced last session but no congressional action was taken on the matter. The Department of the Interior, which owns and operates the pumping station, has no objection to enactment of this bill.

July 17 of this year will mark the 102d anniversary of the establishment of Fort Totten on the southern shore of Devils Lake. It was named for Gen. Gilbert Totten, then Chief of the Engineer Corps, U.S. Army, which in the next century was to construct the massive Garrison Dam. The pumping station at the dam will supply water to raise the level of Devils Lake.

Gen. Alfred T. Terry, commander of the Department of Dakota, established Fort Totten with three companies of the 31st Infantry. At times the post, which still stands as a historic site today, was the headquarters for as many as five companies. General Terry's name in the history of Dakota Territory has been eclipsed by that of one of his subordinates, Gen. George Armstrong Custer. As a footnote, it might be added that this would not have happened had Custer carried out Terry's orders. There would have been no Custer massacre.

Totten Trail—in fact there were three of them—was an important supply and mail link first between Fort Abercrombie, south of Fargo, and Fort Totten. Later it ran from Fort Seward, at Jamestown, N. Dak., to Fort Totten and finally from Fort Stevenson, on the east bank of the Missouri River a few miles west of what is now the town of Coleharbor. This last was perhaps the most important of the Totten Trails. It served as a staging point for much of the considerable freight traffic which moved on the Missouri River.

It is my hope that this bill will be given committee consideration and acted on favorably by the Congress this session.

PELLY BILL TO SET COMFORT, SAFETY AND CONVENIENCE STANDARDS FOR RAILROAD PASSENGERS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, today I am introducing legislation to authorize the Federal Railroad Administrator to set certain standards for the comfort, safety, and convenience of railroad passengers.

The frequent train traveler is well aware that not only are passenger trains being erased from the American countryside, but also the quality of service aboard some of the remaining trains is deplorable.

It is a sad commentary on railroad management that frequently passenger trains are being run without heat, with windows so dirty it is difficult to see through them, and with carpets so dirty it looks as though weeks have passed during which time they have not been cleaned. Fortunately, this is not always the case, but when the American traveling public boards a public mode of transportation, it is entitled to comfort, sanitation, safety and convenience. The railroads have a responsibility to provide these services.

However, in the obvious move of some railroads to rid themselves of passenger trains, the service is plainly designed to discourage this form of travel.

I consider the passenger train essential to America, not only to all those people who regularly desire to travel by train, but in the national interest in case of disaster or war which would demand a capability of transporting hundreds of thousands of people across our Nation as has occurred many times in the past.

But, primarily, my bill is seeking to establish a standard of cleanliness and convenience, and I might add, Mr. Speaker, that present conditions on many of America's trains make this legislation necessary.

THE CASE FOR DENIAL OF BAIL

(Mr. WYLIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. WYLIE. Mr. Speaker, on Thursday, January 9, I cosponsored legislation which would allow Federal judges limited authority to refuse pretrial release on bail to persons who have been found to pose a danger to the community.

In yesterday's Washington, D.C., Sunday Star there was an excellent article concerning preventive detention and bail reforms. I believe this article is worthy of note by all Members of this body, and insert it in the RECORD at this point:

Crime Repeaters—The Case for Denial of Bail

(By John Fialka)

An 18-year-old stands in the doorway of a bank holding a sawed-off shotgun. He twitches from nervousness and a craving for heroin while his buddies leap over the counter to get at the money in the teller's trays.

The 18-year-old is also standing in a legal vacuum. He is out on bail on a previous robbery charge. Washington's system of criminal justice has already arrested him once for armed robbery.

Because he has good community ties, the system also assured him the right to bail. Now, as a holdup alarm sounds over police radios, the system must attempt to arrest him again.

The problem posed by the 18-year-old is serious. According to a Star survey of court records, 15 of 67 adults arrested for holdups of financial institutions in 1968, or 22 percent, were out on bail, awaiting trial for felony charges, at the time of their arrests.

The case of the nervous 18-year-old is typical. Most of those arrested were in their late teens or early 20s and were on bail for robbery charges. Many were heroin addicts.

Of last year's record 102 holdups at District financial institutions (including banks, savings and loan and credit union offices) 48 were closed by arrest. One out of every three of the cases closed involved a "familiar face," someone like the 18-year-old who was out on bond.

A variety of experts on the city's law enforcement problems are now considering a new device to fill the void—preventive detention.

Sources in the Department of Justice and in the office of the U.S. Attorney for the District say that their agencies are now preparing drafts for a new law that would deny the right to bail to certain "dangerous" categories of defendants and accelerate their trial dates.

This past week, 10 Republican members of the House introduced legislation that would grant federal judges limited authority to deny pretrial release on bail to persons they consider dangerous to the community.

The measure also would set a minimum mandatory sentence of not less than one year or more than five years for committing a felony while free on bond and for a mandatory sentence of up to one year for committing a misdemeanor while on pretrial release. Persons who fail to appear for court hearings while on bond would be hit with stiffer penalties if the legislation becomes law.

Previously, many officials and judges have called preventive detention a drastic step. Among its staunchest critics was Sen. Sam J. Ervin, D–N.C., author of the 1966 Bail Reform Act, who has long believed preventive detention to be unconstitutional.

Ervin's aides are now working up a draft for a preventive detention amendment to the Bail Reform Act. They say that Ervin is "rethinking" the matter and that if he can find a satisfactory procedure to select those likely to commit further crimes and prevent them from going out on bail, he will support it, providing it guarantees trial within two months.

On Jan. 21, Ervin's subcommittee on Constitutional Rights will begin six days of hearings on the Bail Reform Act. Much of the testimony will be directed to proposals for amending the act to include preventive detention, according to committee staff members.

The Bail Reform Act states that the only criteria that can be considered by judges who set bail is the likelihood that the defendant will show up for trial. There is, currently, no legal way to deny bail to a defendant in a non-capital case who is considered a safe bet to reappear in court.

EXPERIMENTAL SYSTEM

Although U.S. Atty. David G. Bress recently announced an experimental system to try armed robbery suspects within 30 days, they are still entitled to go out on bail. Because he wanted to start out with a "clean slate," Bress said, his system will not include any of the 264 defendants indicted for armed robbery in 1968.

Among those are 67 arrested in financial institution robberies. During 1968, prosecutors managed to bring only four of these defendants to trial. Guilty pleas were accepted in a few cases.

About half of the defendants are now out on bail, walking the streets, waiting out the long court backlog.

Officials are now weighing the enormous cost in terms of fear and property loss that armed robbers have inflicted upon the District in the past year against the traditional constitutional arguments making out an undeniable right to bail.

"Don't get me wrong, we don't feel that preventive detention is a panacea," said a Justice Department aide, "It is one way to work with the known factors of the armed robbery problem. If there is a way to select the defendants who are likely to commit further crime, we must make the attempt to find it."

POLICE STUDY CITED

If preventive detention works, it is likely to have its greatest impact on the crime of armed robbery.

A recent police study shows that while the average percentage of felony defendants who are indicted for other felonies while out on bail is about 7 percent, the specific rate for all armed robbers is 34 percent.

In the banking business alone, a variety of new security devices, including a revival of the "fortified bank" of the Bonnie and Clyde era, will soon result in increased banking costs to the public.

Frank A. Gunther, president of the Security Bank of Washington, and other members of the D.C. Bankers Association have repeatedly asked Congress for changes in the Bail Reform Act as one way to help relieve the "desperate situation" of the city's besieged financial institutions.

Another cost that armed robbers inflict on the District is in terms of police man-hours. "We are averaging over 20 robberies a day," said Assistant Chief Jerry Wilson.

"Take today for an example, I'll bet you half my paycheck that if I turn on my police radio there'll be a holdup within 20 minutes," he told a visitor recently.

He walked across the thick blue wool rug in his office, and flicked on the radio and immediately a call came over about a grocery store holdup.

"See?" said Wilson.

To Wilson and other high police officials, preventive detention is the necessary key to any curbing of the soaring robbery rate in the city.

"We've been pushing for it for a long time," remarked one official. "Finally somebody else is getting interested in it."

Wilson argues that most robbers are familiar enough with the court system to work it for their own advantage. "It's not just letting them back out on the street, it's the aura that this creates," he says.

"Holdup men know that District Court judges give concurrent sentences. So if he commits three robberies or five robberies, what's he going to lose? Usually he'll get tried on only one or two of them anyway," Wilson adds.

In response to the argument that defendants need time out on the street to find defense witnesses and prepare their cases for trial, Wilson asserts that in some cases, defendants have been using the time to "reach" prosecution witnesses.

Wilson said that one robbery victim, the driver of a dry cleaning truck, told police recently that a holdup man laughed in his face when he threatened to call police.

"You identify me and I'll be back out on the street tomorrow," the driver quoted the holdup man as saying.

"With 1,000 more policemen we will be making more robbery arrests," concluded Wilson. "The way it works, that will mean putting more robbery defendants back out on the streets because the backlog will become longer."

TOUGH ROLE FOR JUDGES

Although many policemen won't believe it, judges often have a more agonizing part to play in the system under the Bail Reform Act.

It is illegal under the act, for a judge to set a high money bond simply because he feels the defendant is a danger to the community.

This is not a problem in most federal courts, which do not carry the heavy load of street crimes that the District's courts do.

But in Washington, there are few judges who will not admit, privately, that they often violate the act to try to keep people in jail.

One of the city's most respected, "liberal" judges collapsed wearily into a chair at the end of a work day.

"God knows I try to follow the law. But what do you do when there's a guy in front of you who's already committed three armed robberies and now he's charged with holding up a gas station with a sawed-off shotgun? Maybe you know he's a good risk. He's always showed up for court appointments. But you set a high bail anyway."

A judge sitting in the busy assignment court of the Court of General Session faces this type of decision at the rate of about once an hour, he said.

"Judges have been violating the Eighth Amendment for years. The 1966 bail act only made the violations more visible, he concluded. The Eighth Amendment part of the Bill of Rights in the U.S. Constitution prohibits excessive bail.

Another General Sessions judge said the bail question is often a simple one: "If the police didn't recover the loot, you set a high bond."

But a high bond means nothing to the so-called "dangerous" defendant with money. District bondsmen do not flinch at a $10,000 bond set on a narcotics addict after his second holdup charge, as long as he can make the premium.

As one observer put it: "High money bonds simply discriminate between the rich who might be dangerous and the poor who might be dangerous. The judge's efforts to keep somebody in jail depends upon his money, which is really irrelevant to the question of his danger."

Perhaps the worst aspect of judges trying to achieve a sort of preventive detention through high bonds is the view of the system it gives the defendant, who is usually told that the Bail Reform Act outlawed high bonds on poor people with good community ties.

One such defendant, Edward P. Lawrence, was arrested this summer and charged with the holdup of a savings and loan office on June 28. He was arraigned and bail was set at $5,000.

Later, Judge Thomas C. Scalley held a preliminary hearing on Lawrence and two others also charged with the robbery, and raised Lawrence's bail to $50,000. Lawrence who was out on the $5,000 bond, was unable to make the larger amount and went to jail.

In a letter to the judge, Lawrence said he had made the $5,000 bond by paying a bondsman a premium of $280 and using his parents' house for security. By raising the bond tenfold the judge violated the Bail Reform Act by setting what amounted to a "ransom" on him, Lawrence charged.

Scalley later set out his reasons for refusing to lower the $50,000 in writing, which is required under the act. The "writing" was a mimeographed form. The judge merely made a check mark beside a box which said the bond was set because the nature of the crime made Lawrence "unreliable and untrustworthy" and not likely to honor the conditions of release.

Lawrence said he needed time out of jail to help prepare his case and to care for his wife who, he said, had just been released from the hospital.

APRIL RIOT EXPERIENCE

In deciding whether money bond is a relevant preventive detention device, lawmakers can draw on the results of the first mass experiment with preventive detention that began, unofficially, as the city began to burn during the rioting of April 5.

The judges of General Sessions sitting that night held a meeting at which they agreed to set a money bond in cases where the felt the defendant might return to the riot scenes. Under the act, which makes no provision for emergencies, those with good community ties should have been given release on personal, or non-money, bonds.

Further research by the Committee for the Administration of Justice Under Emergency Conditions, shows that, contrary to first reports, bondsmen were working during the weekend and that many persons the judges had decided were dangerous were soon out on bail.

Although the committee originally said there were only 27 apparent repeaters between April 5 and 10, now, according to William A. Dobrovir, the committee's staff director, committee researchers are preparing a study that will show that number was larger.

Furthermore, some judges quickly departed from their agreed-upon decision and released nearly everyone on personal bond or third-party custody. Dobrovir said the staff is preparing to document the disparity in the bail policy of the judges.

TO BE SENT TO ERVIN

The final report, he said, will be sent to Ervin before his subcommittee begins its hearings. Although the staff believes that further study is needed to get an accurate picture of arrest policy and sentencing during the riots, it is running out of privately donated funds.

The committee has made the only systematic study of justice during the Washington riot, a phenomenona that cost the city at least $24 million.

Several witnesses scheduled to appear before the Ervin subcommittee will back a plan for preventive detention during riots already suggested by a special committee of the District's Judicial Council, headed by District Court Judge George L. Hart Jr.

Among plans being considered to implement this suggestion is a proposal to deny bail to those arrested for serious riot offenses during a period of emergency defined by the mayor. This would give the city effective control over those arrested during the height of a riot.

According to Senate sources, Ervin and several other experts on constitutional law are in basic agreement that some form of preventive detention during emergencies must be included in the Bail Reform Act.

However, they still have some problems with preventive detention during normal periods, mainly because no adequate procedure has ever been developed in this country to predict who is likely to be dangerous and who is not.

Assistant Chief Wilson argues that addicts should be one of the first categories of defendants in any new system of preventive detention. "When you let an addict back out on the streets, unchanged, you know what he's going to do," he says.

ADVANCED STUDY

Some of the most advanced study in the field of predicting criminal behavior for preventive detention purposes has been done by Alan M. Dershowitz, a young Harvard University Law School professor.

Dershowitz points out that experience that European legal systems have had with preventive detention procedures is available in the form of actuarial tables, giving the odds on the likelihood that a given type of defendant will become a repeater.

He adds that penal institutions in this country have built up similar tables, based on prison experience and criminology, that also could be used as the beginning of a predictive system.

Dershowitz says he is not certain how well predictive techniques will work, given the present state of the art, but he believes that it is "now time to start trying to write a bill."

Most of the people interviewed in this study said they believe Congress will come up with a preventive detention procedure very much like the one recommended on Jan. 1, 1967, by the D.C. Crime Commission.

A majority of commission members propose that after a hearing on the question of bail, the prosecution can request a second hearing on preventive detention if it believes that there is a "high degree of probability" that the defendant will commit additional serious crimes on bail.

If the prosecution supplies enough evidence to that effect in the second hearing, the defendant goes to jail without bail being set. The prosecution, however, must try his case within 30 days or release him on bail.

Some lawyers believe the trial deadline could be extended to two months, without depriving the defendant of due process.

Dershowitz and others have repeatedly warned that unless Congress comes up with a system that includes a careful, scientific analysis of the defendant and scrupulous safeguards, no system of preventive detention can be accurate or just.

Prediction of criminality is a big step and a carelessly worded law in this area will be "much worse" than no law at all, warns Dershowitz, a former law clerk for Chief Judge David L. Bazelon of the U.S. Court of Appeals here.

As part of his warning, he refers, not entirely in jest, to the system described by Lewis Carroll in "Through the Looking Glass."

Says the White Queen:

"There's the King's messenger. He's in prison now, being punished; and the trial doesn't even begin till next Wednesday; and of course the crime comes last of all."

"Suppose he never commits the crime?" asked Alice.

"That would be all the better, wouldn't it?" the Queen responded. . . ."

APOLLO 8 CREW HONORED BY JOINT MEETING OF CONGRESS

(Mr. FREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FREY. Mr. Speaker, I am extremely pleased that the Apollo 8 crew was honored by the joint meeting of Congress. These men certainly typify the indomitable American spirit. I think it is most fitting that Time magazine has named them as "Men of the Year." I think, also, the successful flight of Apollo 8 points out the tremendous progress in terms of our human and technical knowledge that has resulted from our space program. I would hope that the success of the Apollo program will mean that we will continue to lead the way in space and that the Apollo Applications program and the development of further space programs will be continued by the Congress. I am extremely proud that these astronauts lived in the Fifth Congressional District of Florida while preparing for this flight and know that every American is proud of these men, who once again proved that this is the greatest country on earth.

THE FEDERAL EMPLOYEE FREEDOM OF CHOICE ACT OF 1969

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, I am cosponsor of the Federal Employee Freedom of Choice Act of 1969. This legislation, introduced on January 9, 1969, should be reported favorably by the Committee on Post Office and Civil Service as soon as practicable.

Our bill is H.R. 2741. Basically it would enact into statute law the provisions of Executive Order No. 10988, by the late President John F. Kennedy. This order, issued on January 17, 1962, states:

> Employees of the Federal Government shall have, and shall be protected in the exercise of, the right, freely and without fear of penalty or reprisal, to form, join and assist any employee organization *or to refrain from such activity*. (Italics supplied.)

Mr. Speaker, the Congress would affirm its commitment to protect these essential rights of Federal employees—rights so eloquently stated by our late President—with passage of H.R. 2741.

ACT PROTECTS RIGHTS OF UNIONS

The Federal Employee Freedom of Choice Act of 1969 might be construed as "antiunion" or "antilabor" by some of its detractors. Such an assertion is without foundation. Section I of the bill parallels the Executive order, stating in part:

> Employees of the Federal Government shall have, and shall be protected in the exercise of, the right, freely and without fear of penalty or reprisal, to form, join and assist any employee organization.

Some opponents, ignoring the clear language above, choose to quote and distort only this concluding proviso of the section: "or to refrain from such activity."

I support both options, for clearly they join to fully protect the rights of Federal workers to engage in, or refrain from, union activity in connection with their employment. Opponents of this legislation, as one might suspect, range from those who would oppose any unionism for Government workers whatsoever, to those who hope eventually to impose union shop upon the entire Federal civil service.

Mr. Speaker, I observe so often, in matters involving substantial questions of freedom of choice, that common opponents of basic rights are often a disparate lot.

FEDERAL EMPLOYEE "RIGHT-TO-WORK" BILL

This bill could be called a right-to-work bill for Federal employees. Three million civil servants will attain statutory protection from compulsory unionism under its provisions—they may never be "taxed" by officials of any union without their specific personal consent or approval. Such basic guarantees deserve the security of legislative enactment.

The clear and present danger of compulsory unionism, apart from its serious conflict with the bill of rights, is the potential financial bludgeon such a union would be permitted to wield. If 3 million Federal employees were involuntarily taxed by their organization, for the "reasonable sum of $5 per month, the resulting largess would total $180 million per year. Under union shop, employees prohibited from certain political participation by the Hatch Act might eventually find themselves involuntarily contributing to ideas or candidates they did not personally wish to support.

Restrictions imposed upon the personal freedom of the Federal employee are extensive enough already. They should not be extended through the union shop.

REPUBLICANS HAVE SPOKEN ON ISSUE

The platform of the Republican National Convention, upon which the party has elected a President, affirmed quite clearly the party's commitment to the principles of Executive Order No. 10988. President-elect Nixon has stated his personal support of these principles also. I do not doubt for a minute that the Nixon administration intends to stand upon this principle and protect its employees from the dangers of compulsory unionism.

But there is no real permanence in this sort of protection, for all its good intentions. Administrations come and go, and Executive orders may be rescinded at will.

Only by legislative enactment can this Congress guarantee the Federal worker the freedom he now enjoys with respect to his membership or nonmembership in a union.

American government cannot be truly representative if its employees—upon whom all of us depend for a thousand services every day—are straitjacketed into compromise by compulsion.

I am pleased to sponsor the Federal Employees Freedom of Choice Act of 1969 and urge the Members to favorably consider its guarantees. Freedom for the Federal worker serves to enhance the freedom of everyone, and freedom of the individual must always remain the first order of business of the Congress.

THE UNITED STATES CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 13)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed with illustrations:

To the Congress of the United States:

Soon after this report is issued, a new President will assume the burdens of office.

He will come to the Government finding a well-trained and willing career civil service ready, able and anxious to help him perform the many tasks of public administration at home and abroad.

The career civil service took many years to build.

On January 16, 1883, President Chester Arthur signed the Civil Service Act which is now acknowledged as one of the most important pieces of legislation passed in modern times.

That Act abolished the wholesale political patronage system of government jobs. It made permanent the idea of the career public servant, hired on qualifications, promoted on merit, ready to serve without fear of political reprisal or dismissal.

Because of that Act the day-to-day operations of the United States Government will not be interrupted during the transition period between administrations.

Out of the same Civil Service Act of 1883 came the United States Civil Service Commission.

It is this Commission which assists the President in overseeing the operations of much of the Federal civilian personnel system.

It is this Commission which works to maintain continuity and stability in government employment.

And it is this Commission which seeks to help agencies improve the methods by which staff, specialists, administrators and technicians are recruited, trained, paid and promoted.

The Fiscal 1968 report of the Commission is a perceptive document addressed to the key element of our time—change.

During that year the Commission gave new attention to the need to respond to changing times and changing government requirements.

—Increased attention was given to recruiting and training younger career administrators.

—Minority employment increased, accompanied by new stress on equal employment opportunity.

—Vietnam war veterans were given new Federal job opportunities.

—Significant progress was made toward achieving the goal of salary comparability.

—New stress was placed on advanced training and preparation of Federal officials.

—The Executive Assignment System became fully operational.

—New Laws opened the way for expanded opportunities for education in the public service for talented and dedicated young Americans.

—Additional efforts were made to provide Federal support for the training of State and local Government employees.

I am pleased to transmit to the Congress the Annual Report of the United States Civil Service Commission for the fiscal year ending June 30, 1968. It speaks of past performance and future promise. I know that the Congress will continue to give strong support to the new President, the Civil Service Commission, and the Executive Departments and Agencies in making the civil service even more effective, efficient and responsive to the Nation's needs.

Lyndon B. Johnson.

The White House, *January 10, 1969*.

WATER RESOURCES PLANNING ACT OF 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 41)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

I am proud to transmit the first annual reports of the four river basin commissions established under the Water Resources Planning Act of 1965.

That Act provides for the establishment of river basin commissions—if requested by the States in the appropriate area—to plan for the best use and development of rivers, their adjoining land and their resources.

In the last few years we have become more aware than ever that the quality of American life depends largely upon how we use—and conserve—our natural resources. The river basin commissions assure that the people within each area will have a voice in deciding how these resources are used. This new approach to planning, if it is successful, promises more efficient use of America's great natural and man-made wealth, and more attention to preserving the beauty and vitality of our environment.

The four commissions that have been established cover areas in 21 States. They are the Pacific Northwest River Basins Commission, the Souris-Red-Rainy River Basins Commission, the Great Lakes Basin Commission, and the New England River Basins Commission.

These annual reports reflect the accomplishments of each commission during Fiscal Year 1968. They describe existing problems—and potential problems—in the use of our river basins, as well as vast opportunities for their sound development.

Lyndon B. Johnson.

The White House, *January 9, 1969*.

BENNETT TAX-CREDIT BILL HAS 36 SPONSORS

(Mr. BENNETT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BENNETT. Mr. Speaker, the pressing problem of wiping out poverty in the United States is our No. 1 domestic problem. It has been my feeling that the best way to attack this drain on our society is by creating jobs for the hard-core unemployed.

Government cannot create permanent employment for all Americans; and should not attempt to do so. However, I believe Government can help in solving the problem of the 2 million permanently unemployed in America.

In the last Congress, I introduced legislation to provide tax credits to businesses which hire the hard-core unemployed. This bill, patterned after the very popular act allowing tax credits for investment in new equipment by businesses, had 19 cosponsors in the 90th Congress.

It was my privilege to testify in support of my legislation before the Joint Economic Committee's hearing on "Employment and Manpower Problems."

This year, I have reintroduced my bill to provide tax credits for hiring the hard-core unemployed. The bill has 36 cosponsors, both Republicans and Democrats.

The bill, H.R. 112, is pending in the House Ways and Means Committee, and I have written Chairman Wilbur Mills requesting departmental reports and early hearings on the legislation. President-elect Nixon has supported the idea of tax credits and incentives to businesses to attack urban problems, and Chairman Mills has indicated he will give serious consideration to granting tax credits for job training in this area.

Jobs, I believe, are the key to the poverty revolution in our land today. Manpower training programs, which I have supported, cannot create jobs. Neither can Government create jobs on the scale needed today. Businesses must be given the necessary incentives to create new jobs and to train the hard-core unemployed.

Business has already played an important role in this through the National Alliance of Businessmen, the Urban Coalition and other groups. My bill for tax credits would supplement these efforts and I am hopeful that Congress will act on the measure, which has strong bipartisan support.

Cosponsors of H.R. 112 are: Mr. Addabbo, of New York; Mr. Baring, of Nevada; Mr. Byrne of Pennsylvania; Mr. Clark, of Pennsylvania; Mr. Cowger, of Kentucky; Mr. Derwinski, of Illinois; Mr. Dickinson, of Alabama; Mr. Downing, of Virginia; Mr. Dulski, of New York; Mr. Edmondson, of Oklahoma; Mr. Eshleman, of Pennsylvania; Mr. Fascell, of Florida; Mr. Friedel, of Maryland; Mr. Fulton of Pennsylvania; Mr. Fulton of Tennessee; Mr. Haley, of Florida; Mr. Hays, of Ohio; Mr. Howard, of New Jersey; Mr. Hungate, of Missouri; Mr. Leggett, of California; Mr. Lujan, of New Mexico; Mr. Lukens, of Ohio; Mr. Matsunaga, of Hawaii; Mr. McDonald of Michigan; Mr. Meskill, of Connecticut; Mr. Ottinger, of New York; Mr. Pickle, of Texas; Mr. Pucinski, of Illinois; Mr. Riegle, of Michigan; Mr. Sandman, of New Jersey; Mr. Saylor, of Pennsylvania; Mr. Tiernan, of Rhode Island; Mr. Vigorito, of Pennsylvania; Mr. Waldie, of California; Mr. Wolff, of New York; and Mr. Zion, of Indiana.

WE NEED A TOP-LEVEL COUNCIL OF CONSERVATION ADVISERS AND A JOINT CONGRESSIONAL CONSERVATION COMMITTEE

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I introduce today, for appropriate reference, H.R. 3114, a bill to coordinate the Nation's conservation and ecological activities by setting up a top-level Council of Conservation Advisers, and a Joint Congressional Conservation Committee.

Our total conservation effort is being severely hampered by fragmentation, by a lack of coordination and communication. Our right hand literally does not know what our left hand is doing. Experts there are aplenty. But there is no one to bring together the thinking of the forest experts, the wildlife experts, the soil experts, the water and wetland experts, the air pollution experts, the population experts.

The executive branch alone includes a seemingly infinite number of departments, bureaus, offices, councils, and administrations which lay claim to some aspect of our conservation program.

Federal agencies work at cross purposes. While the Department of Agriculture pays farmers to drain their wetlands, the Department of Interior pays farmers to reflood their wetlands.

Too often reports are written calling our attention to an unobserved crisis, and then gather dust on the shelves because no one follows through—as with the alarming report on the Nation's forests 7 years ago.

Too often a myriad of officials work on the same conservation problem—with no one doing the coordinating—as with the 27 different agencies that deal with some aspect of water and water research.

Too often our regions wither and die because we pay insufficient attention to their ecology and their economy—as with the gutted coal mines of Appalachia, the cutover forests of the northern Great Lakes area, and the overcultivated Dust Bowl of the Great Plains.

Congress, not to be outdone, has distributed its share of the environmental effort among its Committees on Interior, Agriculture, Science and Astronautics, Commerce, Government Operations, Defense, and Public Works.

The problem of fragmentation is not confined to conservation and environmental studies. There used to be similar diffusion and lack of planning in the fields of economics and atomic energy.

Then, a generation ago, Congress set up the three-man Council of Economic Advisers and the five-man Atomic Energy Commission. Like their congressional counterparts—the Joint Committees on Economics and Atomic Energy—the groups serve the essential function of pulling together total effort in their fields.

The problems we face in organizing our environmental quality effort today are very similar to those we confronted 20 years ago in determining the responsibilities for the development and control of the economy and of atomic energy.

If we are going to make progress in improving the quality of our environment, we must unify our total effort. We must set up a permanent mechanism to study and plan and guide us in our approach to our resources of soil, water, air, wildlife, forests, and open space.

The bill is designed to make a two-pronged attack on America's conservation vacuum.

First, it sets up a high-level, three-man Council of Conservation Advisers. It would have the job of pulling together all the conservation activities of the Federal Government. It would be both guide and watchdog, pointing the direction for conservation policy and calling to account those agencies that stray from the path.

Its members would have staggered 6-year terms, rather than serving at the President's pleasure, as members of the Council of Economic Advisers do. The members of the Commission need to be insulated from Presidential pressure so they can speak up if they feel they must—if, for example they believe the President is not following through on the fight against water pollution. The Commissioners would be big men trained by experience and accomplishment in conservation and in the biological and ecological fields—the best men we can get.

Each January the Commission would issue a report to the President the Congress and the Nation on the state of our environment including the pollution of soil, air, and water, the preservation of fish and wildlife, forest and vegetation, and open space. The Commission would review all activities—Federal, State, and local, public and private—designed to improve our environment, and make recommendations for whatever action is needed to get on with the job.

Second, the bill establishes a Senate-House Joint Conservation Committee modeled after the Joint Economic Committee. It would be composed of leading conservationists in the Congress, eight from each body. The duties of the Joint Conservation Committee would be to review the annual report of the conservation advisers and to recommend to the appropriate legislative committees of the House and Senate necessary action to achieve our environmental goals. Congress needs its own organ to achieve an overall coordinated approach to conservation.

In preparing the bill, I have had the help of scores of the Nation's leading conservationists and conservation organizations. I intend shortly to include excerpts from their observations in the RECORD.

The text of H.R. 3114 follows:

H.R. 3114

A bill to coordinate national conservation policy by establishing a Council of Conservation Advisers, and for other purposes

SHORT TITLE

SECTION 1. This Act may be cited as the "Conservation Advisers Act of 1969".

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government, with the assistance and cooperation of industry, agriculture, labor, conservationists, State and local governments, and private property owners, to use all practicable means, including coordination, cooperation, and utilization of all its plans, functions, and facilities, for the purpose of creating and maintaining an environment in our Nation of the highest quality, and of conserving our natural resources, including soil, air, water, fish and wildlife, recreational and natural areas, forest and vegetation, to meet the social, ecological, and economic requirements of present and future generations of Americans.

COUNCIL OF CONSERVATION ADVISERS

SEC. 3. (a) There is established a Council of Conservation Advisers (hereinafter referred to as the "Council"), which shall be composed of three members who shall be appointed by the President by and with the advice and consent of the Senate. Each member shall serve for a term of six years, except that the terms of the first members appointed shall expire, as designated by the President at the time of appointment, one at the end of two years, one at the end of four years, and one at the end of six years. Each member shall be a person who, as a result of his training, experience, and attainments in the biological and ecological fields, is exceptionally qualified to create, analyze, and interpret policies affecting natural resources and the environment, to appraise programs and activities of the Government in light of the policy declared in section 2, and to formulate and recommend national policy to promote conservation, development, and utilization of natural resources and improvement of the human environment. Each member shall receive compensation at the rate of $—— per annum. The President shall designate one of the members of the Council as Chairman and one as Vice Chairman, who shall act as Chairman in the absence of the Chairman. Each member of the Council, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Council, shall have full access to all information relating to the performance of his duties or responsibilities, and shall have one vote. The reports and recommendations of the Council shall represent the views of the majority of the Council, and shall also include dissenting views, if any.

(b) The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5 of the United States Code, but without regard to the last sentence thereof.

(c) It shall be the function of the Council—

(1) to prepare and transmit to the President, to the Congress and to the Nation, the conservation report required by section 3.

(2) to gather timely and authoritative information concerning natural resource conservation and development and environmental quality trends, both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in section 2 of this Act, and compile and submit to the President and the Congress studies relating to such developments and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President and the Congress with respect thereto;

(4) to develop and recommend to the President and the Congress national policies to foster and promote conservation, development, and utilization of the natural resources of the Nation, and to maintain and improve the worldwide environment to meet social, ecological, and economic requirements, including recreational, wildlife, and scenic values, having in mind population pressures.

(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal resource policy and legislation as the President or Congress may request.

(d) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, conservationists, State and local governments, and private groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expenses may be avoided.

(e) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated such sums as may be necessary.

THE CONSERVATION REPORT

SEC. 3. (a) The Council shall transmit to the President, the Congress, and the Nation not later than January 20 of each year (commencing with the year beginning after the date of enactment of this Act) a report (hereinafter called the conservation report) setting forth (1) the condition of the environment and of natural resources, including soil, air, water, fish and wildlife, recreational and natural areas, forest and vegetation; (2) current and foreseeable trends in environmental quality and in management and utilization of natural resources; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities of the Federal Government, the State and local governments, and nongovernmental entities and individuals, with particular reference to their effect on the environment and on the conservation, development, and utilization of natural resources; (5) a program for carrying out the policy declared in section 2, together with recommendations for legislation. In the preparation of such annual reports, the Council may submit major assessments or reassessments of the supply-demand situations on individual resources at appropriate intervals.

(b) The Council may transmit from time to time to the Congress reports supplementary to the conservation report, each of which shall include supplementary or revised recommendations to achieve the policy declared in section 2.

The conservation report and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the Joint Conservation Committee created by section 5.

JOINT CONSERVATION COMMITTEE

SEC. 5. (a) There is established a Joint Conservation Committee to be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by five Members and the minority party shall be represented by three Members.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the conservation report;

(2) to study means of coordinating programs in order to further the policy of this Act;

(3) as a guide to the several committees of the Congress dealing with legislation relating to the conservation report, no later than March 1 of each year (commencing with the year following the enactment of this Act) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the Council in the conservation report, and from time to time to make such other report and recommendations to the Senate and the House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The joint committee is authorized to utilize the service, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

(3) To enable the joint committee to exercise its powers, functions, and duties under this section, there are authorized to be appropriated for each fiscal year such sums as may be necessary, to be disbursed by the Clerk of the House of Representatives on vouchers signed by the chairman or vice chairman.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Roth (at the request of Mr. Kyl), for 30 minutes, on January 16; to revise and extend his remarks and include extraneous matter.

Mr. Reuss, for 30 minutes today (at the request of Mr. Gaydos), and to revise and extend his remarks and include extraneous matter.

Mr. Flood, for 1 hour on January 29 (at the request of Mr. Gaydos), and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Mahon and to include extraneous matter.

(The following Members (at the request of Mr. Kyl) and to include extraneous matter:)

Mr. Conte.
Mr. Rumsfeld in four instances.
Mr. Quillen in four instances.
Mr. Pelly in two instances.
Mr. Scott.
Mr. King in five instances.
Mr. Berry.

(The following Members (at the request of Mr. Gaydos) and to include extraneous matter:)

Mr. Corman.
Mr. Carey in two instances.
Mr. Rodino.
Mr. Vanik in two instances.
Mr. Purcell in two instances.
Mr. Mahon in two instances.
Mr. Moorhead in three instances.
Mr. Rarick in three instances.
Mr. Scheuer in four instances.
Mr. Udall in six instances.
Mr. Yatron in two instances.
Mr. Gallagher in three instances.
Mr. Gonzalez in three instances.
Mr. Pickle in two instances.
Mr. Friedel in two instances.

ADJOURNMENT

Mr. GAYDOS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 14, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[*Introduced and referred January 13, 1969*]

191. A letter from the Secretary of the Treasury, transmitting the annual report of the Secretary on the state of the finances of the Federal Government for the fiscal year ending June 30, 1968 (H. Doc. No. 91–3); to the Committee on Ways and Means and ordered to be printed with illustrations.

192. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to exportation of tobacco plants and seed, naval stores, and wool; to the Committee on Agriculture.

193. A letter from the Attorney General, transmitting a report on a violation of section 3679 of the Revised Statutes, as amended, involving the operating fund of Federal Prison Industries, Inc.; to the Committee on Appropriations.

194. A letter from the Director of Civil Defense, Department of Army, transmitting a report on property acquisitions of emergency supplies and equipment for the quarter ending December 31, 1968, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

195. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to provide that life imprisonment shall be the maximum criminal penalty for certain offenses, to increase the criminal penalties for unauthorized diversion of special nuclear material and related offenses, and for other purposes; to the Joint Committee on Atomic Energy.

196. A letter from the Secretary of the Treasury, transmitting a report of audit of the exchange stabilization fund for fiscal year 1968, pursuant to the provisions of the Gold Reserve Act of 1934; to the Committee on Banking and Currency.

197. A letter from the vice president of the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting the annual report of the company for the year 1963, pursuant to law; to the Committee on the District of Columbia.

198. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for Federal Government recognition of, and participation in, international expositions proposed to be held in the United States, and for other purposes; to the Committee on Foreign Affairs.

199. A letter from the Assistant Secretary for Economic Affairs, Department of State, transmitting the 21st report on the Battle Act, pursuant to the provisions of the Mutual Defense Assistance Control Act of 1951; to the Committee on Foreign Affairs.

200. A letter from the Assistant Secretary for Administration, Department of Transportation, transmitting a report of foreign excess property disposed of during fiscal year 1968 by the Federal Aviation Administration, pursuant to the provisions of section 404(d), Public Law 81–152; to the Committee on Government Operations.

201. A letter from the Comptroller General of the United States, transmitting a report on the use of the second-phase method of contracting—a method that does not encourage maximum price competition, General Services Administration; to the Committee on Government Operations.

202. A letter from the Assistant Secretary of the Interior, transmitting the biennial report on continuing studies of the quality of water of the Colorado River Basin, pursuant to the provisions of 70 Stat. 105, 76 Stat. 96, and 76 Stat. 102; to the Committee on Interior and Insular Affairs.

203. A letter from the clerk, Indian Claims Commission, transmitting reports that proceedings have been finally concluded on docket 251–A, *The Miami Tribe of Oklahoma, et al., petitioners,* v. *The United States of America, defendant,* pursuant to the provisions of section 21 of the Indian Claims Commission Act (25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

204. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Department of Commerce to make special studies to provide services, and to engage in joint projects, and for other purposes; to the Committee on Interstate and Foreign Commerce.

205. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to repeal Public Law 88–515; to the Committee on Interstate and Foreign Commerce.

206. A letter from the Secretary of the Interior, transmitting a report covering employee claims of the Department in the fiscal year 1968, pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964 (79 Stat. 789); to the Committee on the Judiciary.

207. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim of Henry E. Dooley against the United States, pursuant to the provisions of 45 Stat. 413 (31 U.S.C. 236); to the Committee on the Judiciary.

208. A letter from the Chairman, Commission on Marine Science, Engineering and Resources, transmitting the final report of the Commission, pursuant to the provisions of Public Law 89–454 (H. Doc. No. 91–42); to the Committee on Merchant Marine and Fisheries and ordered to be printed with illustrations.

209. A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, transmitting a report on scientific and professional positions for the calendar year 1968, pursuant to the provisions of section 3104(c) of title 5, United States Code; to the Committee on Post Office and Civil Service.

210. A letter from the Attorney General, transmitting his report with respect to the proceedings instituted before the Subversive Activities Control Board during 1968, pursuant to the provisions of the Subversive Activities Control Act of 1950, as amended; to the Committee on Un-American Activities.

211. A letter from the Chairman, Subversive Activities Control Board, transmitting a report of progress made in conducting hearings, pursuant to the provisions of section 12(i) of the Subversive Activities Control Act as added by section 9(b), Public Law 90–237; to the Committee on Un-American Activities.

212. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration center, Fort Harrison, Mont., to the Committee on Veterans' Affairs.

213. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to extend for a temporary period the existing provisions of law relating to the duty-free entry of gifts, not exceeding $50 in retail value, from members of the Armed Forces serving in combat zones; to the Committee on Ways and Means.

214. A letter from the Chairman, U.S. Tariff Commission, transmitting the 52d annual report of the Commission, pursuant to the provisions of section 332 of the Tariff Act of 1930; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 3045. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3046. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ANDREWS of Alabama:

H.R. 3047. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BARRETT:

H.R. 3048. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. BENNETT (for himself, Mr. Edmondson, Mr. Eshleman, Mr. Dulski, Mr. Saylor, Mr. McDonald, of Michigan, Mr. Vigorito, Mr. Lujan, Mr. Haley, Mr. Hungate, Mr. Zion, Mr. Derwinski, Mr. Wolff, Mr. Fulton of Pennsylvania, Mr. Meskill, Mr. Lukens, Mr. Sandman, Mr. Dickinson, Mr. Cowger, Mr. Fulton of Tennessee, Mr. Riegle, and Mr. Pickle):

H.R. 3049. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. Cahill (for himself and Mr. MacGregor, Mr. Meskill, Mr. Railsback, and Mr. Biester):

H.R. 3050. A bill to amend the Immigration and Nationality Act to make the visa numbers remaining unissued on June 30, 1968, available for immigrants from certain foreign countries: to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3051. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. CONTE:

H.R. 3052. A bill to provide for the establishment of the Connecticut River National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 3053. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3054. A bill to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3055. A bill to strengthen the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

H.R. 3056. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 3057. A bill to transfer to the Secretary of Commerce all the functions, powers, and duties of the Federal Communications Commission relating to the allocation of frequencies for telecommunications; to the Committee on Interstate and Foreign Commerce.

H.R. 3058. A bill to abolish the Federal Communications Commission and transfer its functions to a new Federal Broadcast Commission, Telecommunications Common Carrier Commission, and Telecommunications Resources Authority and to the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 3059. A bill to direct the Secretary of Commerce to conduct a comprehensive study and investigation of the allocation of frequencies for telecommunications for the purpose of formulating an allocation system to achieve the maximum use of the frequencies for such communications; to the Committee on Interstate and Foreign Commerce.

Mr. DINGELL (by request):

H.R. 3060. A bill to amend the Merchant Marine Act, 1936, as amended, to encourage investment in the independent American Great Lakes merchant marine by providing a program of assistance in the construction of vessels, to correct inequities, to stimulate the domestic commerce of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself and Mr. Moss):

H.R. 3061. A bill to amend the Communications Act of 1934 to encourage persons who are primarily committed to broadcasting and who have established interests in particular market areas to acquire station licenses and permits; to protect the public domain by insuring that such licenses and permits will be granted to persons pledged to carry out their fiduciary responsibilities to the public and serve its best interest; and to prevent this free privilege from being abused by persons engaged in spectrum profiteering; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN (by request):

H.R. 3062. A bill to amend title 38, United States Code, so as to provide for the payment of additional pension to the widows of veterans who die while suffering from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 3063. A bill to provide for the payment of aid and attendance benefits to certain totally disabled veterans; to the Committee on Veterans' Affairs.

H.R. 3064. A bill to provide for the payment of an aid and attendance allowance to certain seriously disabled veterans; to the Committee on Veterans' Affairs.

H.R. 3065. A bill to amend section 415 of title 38, United States Code, to standardize the computation of income of dependent parents; to the Committee on Veterans' Affairs.

H.R. 3066. A bill to amend section 411 of title 38, United States Code, to provide additional dependency and indemnity compensation payments to widows with one or more children; to the Committee on Veterans' Affairs.

H.R. 3067. A bill to amend title 38 of the United States Code to increase the base on which dependency and indemnity compensation for widows is computed; to the Committee on Veterans' Affairs.

H.R. 3068. A bill to amend title 38 of the United States Code so as to increase the period of presumption of service connection for certain cases of multiple sclerosis from 7 to 10 years; to the Committee on Veterans' Affairs.

H.R. 3069. A bill to amend section 312 of title 38, United States Code, by providing a 5-year presumptive period of service connection for malignant tumors (cancer) which develop within 5 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 3070. A bill to amend title 38 of the United States Code to provide increased dependency and indemnity compensation to widows in need of the regular aid and attendance of another person; to the Committee on Veterans' Affairs.

H.R. 3071. A bill to amend title 38, United States Code, to enable certain permanently and totally disabled veterans to receive the full rate of disability compensation payable for service-connected disabilities, and also a proportionate amount of disability pension under a specified formula, to the Committee on Veterans' Affairs.

H.R. 3072. A bill to liberalize the criteria governing the grant of assistance toward the purchase of specially equipped automobiles for certain veterans disabled as the result of service during the Vietnam era; to the Committee on Veterans' Affairs.

H.R. 3073. A bill to amend section 312 of title 38, United States Code, to provide a presumption of service connection in the case of veterans suffering from Parkinson's disease developing a 10 percent degree of disability within 7 years from the date of discharge or release; to the Committee on Veterans' Affairs.

H.R. 3074. A bill to amend title 38 of the United States Code to provide an annual clothing allowance to certain veterans who, because of a service-connected disability, wear a prosthetic appliance or appliances which tends to wear out or tear their clothing; to the Committee on Veterans' Affairs.

H.R. 3075. A bill to amend chapter 11 of title 38, United States Code, to provide full wartime benefits for extra-hazardous duty; to the Committee on Veterans' Affairs.

H.R. 3076. A bill to amend title 38 of the United States Code to provide that certain veterans who were prisoners of war shall be deemed to have a service-connected disability of 50 percentum; to the Committee on Veterans' Affairs.

H.R. 3077. A bill to amend title 38 of the United States Code to provide that amounts inherited from bank accounts jointly or separately owned shall not count as income for death or disability pension or for dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 3078. A bill to amend section 312 of title 38, United States Code, by providing a 5-year presumptive period of service connection for a chronic disease becoming manifest to a degree of 10 percent or more within 5 years from the date of separation from service of certain prisoners of war; to the Committee on Veterans' Affairs.

H.R. 3079. A bill to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to certain survivors of deceased veterans who were rated 100 percent disabled by reason of service-connected disabilities for 20 or more years; to the Committee on Veterans' Affairs.

H.R. 3080. A bill to amend title 38 of the United States Code to provide that veterans with disability rated less than 50 percent shall receive additional compensation for dependents; to the Committee on Veterans' Affairs.

H.R. 3081. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for the psychoses which develop within 2 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 3082. A bill to amend section 1901(a) of title 38, United States Code, to make certain veterans of World War I eligible for the automobile assistance allowance provided for certain veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 3083. A bill to amend title 38, United States Code, to increase the statutory rates for anatomical loss or loss of use; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 3084. A bill to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes; to the Committee on Banking and Currency.

H.R. 3085. A bill to amend section 203(a) (7) of the Immigration and Nationality Act to permit refugees to qualify for a conditional entry under that section without first moving to a non-Communist or non-Communist-dominated country; to the Committee on the Judiciary.

H.R. 3086. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

H.R. 3087. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 3088. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 3089. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 3090. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," to require the construction, alteration, and repair of U.S. naval vessels in shipyards in the United States; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 3091. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a) (3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 3092. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 3093. A bill to amend the Tariff Schedules of the United States with respect to the prohibition on the importation of certain fur skins; to the Committee on Ways and Means.

H.R. 3094. A bill to repeal the prohibition on the importation of certain fur skins; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 3095. A bill to amend the Internal Revenue Code of 1954 to provide for correction of inequities respecting losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 3096. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 3097. A bill to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives; to the Committee on House Administration.

H.R. 3098. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 3099. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 3100. A bill to establish an Office of Program Analysis and Evaluation and a joint committee of Congress on program analysis and evaluation; to the Committee on Rules.

H.R. 3101. A bill to provide educational assistance under chapter 35 of title 38, United States Code, to children of civilian employees of the United States killed abroad as a result of armed hostilities or civil disorder; to the Committee on Veterans' Affairs.

H.R. 3102. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 3103. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job-training programs; to the Committee on Ways and Means.

H.R. 3104. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 3105. A bill to provide compensation for firmen not employed by the United States killed or injured while fighting fires on Federal property, and for other purposes; to the Committee on the Judiciary.

By Mr. KASTENMEIER (for himself, Mr. CONYERS, Mr. DONOHUE, and Mr. EDWARDS of California):

H.R. 3106. A bill to amend the provisions of chapter 5 of title 5, United States Code, relating to administrative procedure; to the Committee on the Judiciary.

By Mr. KLEPPE:

H.R. 3107. A bill to officially designate the Totten Trail pumping station; to the Committee on Public Works.

By Mr. LENNON:

H.R. 3108. A bill to amend section 2304 of title 10 of the United States Code to require anyone contracting with the United States under that section to certify that the contract price does not exceed the highest price, per unit basis, of that contractor to any other purchaser similarly situated, and for other purposes; to the Committee on Armed Services.

By Mr. LLOYD:

H.R. 3109. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 3110. A bill to provide compensation for totally disabled local firemen or survivors of local firemen killed or disabled while performing their duties in an area of civil disorder; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 3111. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 3112. A bill to authorize the Federal Railroad Administrator to set certain standards for the comfort, safety, and convenience of railroad passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York:

H.R. 3113. A bill to amend the National Foundation on the Arts and the Humanities

Act of 1965; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 3114. A bill to coordinate national conservation policy by establishing a Council of Conservation Advisers, and for other purposes; to the Committee on Rules.

By Mr. ROYBAL:

H.R. 3115. A bill to amend Public Law 89-214 in order to liberalize the payment of death gratuities under section 3 thereof; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H.R. 3116. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. SKUBITZ:

H.R. 3117. A bill to authorize the Secretary of the Interior to designate the Medicine Lodge Indian Peace Treaty site as a national historic landmark, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3118. A bill to provide for the commemoration of the opening of the Cherokee Strip to homesteading, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3119. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of California:

H.R. 3120. A bill to prohibit mineral exploration and development in certain Outer Continental Shelf lands lying off the coast of California; to the Committee on Interior and Insular Affairs.

H.R. 3121. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3122. A bill to amend the Federal Water Pollution Control Act to prevent pollution of water by oil, and to establish a revolving fund for the removal of oil discharged into or upon the navigable waters of the United States or adjoining shorelines; to the Committee on Public Works.

By Mr. TEAGUE of Texas:

H.R. 3123. A bill to authorize the Secretary of the Army to make certain adjustments in lands or interests therein acquired in connection with the Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

By Mr. TEAGUE of Texas (by request):

H.R. 3124. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 3125. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

H.R. 3126. A bill to provide that compensation received by an individual from the Veterans' Administration for service-connected disability shall not be taken into account as income so as to prevent his occupancy of Government-sponsored housing (or so as to increase the rent which he would otherwise be required to pay); to the Committee on Banking and Currency.

H.R. 3127. A bill to amend title 5 of the United States Code to exclude regular officers of the Armed Forces who are retired for physical disability from the provisions of the Dual Compensation Act; to the Committee on Post Office and Civil Service.

H.R. 3128. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 3129. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 3130. A bill to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 3131. A bill to amend title 38 of the United States Code to assist veterans with a permanent and total service-connected disability due to the loss or loss of use of one upper and one lower extremity to acquire specially adapted housing; to the Committee on Veterans' Affairs.

H.R. 3132. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

H.R. 3133. A bill to amend title 38 of the United States Code to provide mustering-out payments for military service after August 5, 1964; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 3134. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3135. A bill to authorize the Secretary of the Army to undertake a study of landslides and flood control in Los Angeles and Orange Counties, Calif.; to the Committee on Public Works.

H.R. 3136. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 30 years on active duty, or who were retired for disability in excess of 50 percent, shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

H.R. 3137. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 3138. A bill relating to the reserve for bad debts for income tax purposes in the case of banks; to the Committee on Ways and Means.

By Mr. WYATT (for himself, Mr. ULLMAN, and Mr. KEITH):

H.R. 3139. A bill to amend the Tariff Schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. CARTER:

H.J. Res. 228. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. FARBSTEIN:

H.J. Res. 229. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 230. Joint resolution to authorize the President to designate October 31 of each year as "National UNICEF Day"; to the Committee on the Judiciary.

H.J. Res. 231. Joint resolution designating the 14th day of March of each year as "Albert Einstein Memorial Day"; to the Committee on the Judiciary.

H.J. Res. 232. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

H.J. Res. 233. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

H.J. Res. 234. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

H.J. Res. 235. Joint resolution designating July 25 of each year as "Puerto Rican Day in the United States of America"; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.J. Res. 236. Joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week"; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.J. Res. 237. Joint resolution in honor of Joan Merriam Smith and Amelia Earhart; to the Committee on the Judiciary.

H.J. Res. 238. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. LONG of Maryland:

H.J. Res. 239. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

H.J. Res. 240. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER (for himself, Mr. CONTE, Mr. EVANS of Colorado, Mr. FRASER, Mr. VANIK, and Mr. WATTS):

H.J. Res. 241. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ROBERTS:

H.J. Res. 242. Joint resolution proposing an amendment to the Constitution of the United States with respect to the service of Judges on the Supreme Court; to the Committee on the Judiciary.

By Mr. UTT:

H.J. Res. 243. Joint resolution in opposition to vesting title to the ocean floor in the United Nations; to the Committee on Foreign Affairs.

By Mr. MAHON:

H.J. Res. 244. Joint resolution amending section 201(a) of the Budget and Accounting Act of 1921, as amended; to the Committee on Government Operations.

By Mr. FARBSTEIN:

H. Con. Res. 78. Concurrent resolution expressing the sense of the Congress with respect to prosecutions for war crimes in the Federal Republic of Germany; to the Committee on Foreign Affairs.

By Mr. PEPPER (for himself, Mr. CONTE, Mr. EVANS of Colorado, Mr. FRASER, Mr. VANIK, and Mr. WATTS):

H. Con. Res. 79. Concurrent resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 117. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 21; to the Committee on House Administration.

By Mr. CELLER:

H. Res. 118. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. LONG of Maryland:

H. Res. 119. Resolution expressing the sense of the House of Representatives with respect to U.S. ratification of the Conventions on Genocide, Abolition of Forced Labor, Political Rights of Women, and Freedom of Association; to the Committee on Foreign Affairs.

By Mr. MAHON:

H. Res. 120. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 121. Resolution to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. PEPPER (for himself, Mr. Conte, Mr. Evans of Colorado, Mr. Fraser, Mr. Vanik, and Mr. Watts):

H. Res. 122. Resolution creating a select committee of the House to conduct an indepth investigation of crime in the United States; to the Committee on Rules.

By Mr. TEAGUE of Texas (by request):

H. Res. 123. Resolution that it is the sense of the House of Representatives that the President should forthwith rescind the order of the Secretary of the Army (32 F.R. 2886) which became effective on February 17, 1967, and restricts eligibility for burial in Arlington National Cemetery; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 3140. A bill for the relief of Vu Lu Uyen; to the Committee on the Judiciary.

H.R. 3141. A bill for the relief of Wong Men Chi; to the Committee on the Judiciary.

H.R. 3142. A bill for the relief of Mrs. Enriqueta Gutierrez Taboy; to the Committee on the Judiciary.

By Mr. ALBERT:

H.R. 3143. A bill for the relief of Leda Morassutti; to the Committee on the Judiciary.

By Mr. ARENDS:

H.R. 3144. A bill for the relief of Sung Nan Lee; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 3145. A bill for the relief of Leonardo Ferrara; to the Committee on the Judiciary.

H.R. 3146. A bill for the relief of Serafin Espinola da Veiga; to the Committee on the Judiciary.

H.R. 3147. A bill for the relief of Manuel Correia de Quadros; to the Committee on the Judiciary.

H.R. 3148. A bill for the relief of Salvatore Picciuiro; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 3149. A bill to provide for the free entry of musical instruments for the Midshipmen Drum and Bugle Corps of Bronx, N.Y.; to the Committee on Ways and Means.

H.R. 3150. A bill for the relief of Giovanni Fardo; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3151. A bill for the relief of Dolores Lahoz Maestro; to the Committee on the Judiciary.

H.R. 3152. A bill for the relief of Margarita R. Gochangco; to the Committee on the Judiciary.

H.R. 3153. A bill for the relief of Jai Duck Yoo; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 3154. A bill for the relief of Pasquale Martini; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 3155. A bill for the relief of Gustavo Genovese, his wife, Marianna Genovese, and their children, Simone Genovese, Salvatore Genovese, and Caterina Genovese; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 3156. A bill for the relief of Mr. and Mrs. Gregorio T. Mariano, Jr.; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 3157. A bill for the relief of Mr. and Mrs. Wesley S. DeVore; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3158. A bill for the relief of Olga Savain; to the Committee on the Judiciary.

H.R. 3159. A bill for the relief of Elsada Lewis; to the Committee on the Judiciary.

H.R. 3160. A bill for the relief of Millicent Russel; to the Committee on the Judiciary.

H.R. 3161. A bill for the relief of Jean Paul Erepmoc; to the Committee on the Judiciary.

H.R. 3162. A bill for the relief of Daniel Fortunee; to the Committee on the Judiciary.

H.R. 3163. A bill for the relief of Genevieve Philip; to the Committee on the Judiciary.

H.R. 3164. A bill for the relief of Dr. Hooshang Behroozi; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 3165. A bill for the relief of Martin H. Loeffler; to the Committee on the Judiciary.

H.R. 3166. A bill for the relief of Aleksander Zambeli; to the Committee on the Judiciary.

H.R. 3167. A bill for the relief of Ryszard Stanislaw Obacz; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3168. A bill for the relief of Ng Ton; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 3169. A bill for the relief of Mrs. Minna Williams; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 3170. A bill for the relief of Gee Ping Tang; to the Committee on the Judiciary.

H.R. 3171. A bill for the relief of Violetta Stylianou; to the Committee on the Judiciary.

H.R. 3172. A bill for the relief of Yolanda Fulgencio Hunter; to the Committee on the Judiciary.

H.R. 3173. A bill for the relief of Timothy Wilson; to the Committee on the Judiciary.

H.R. 3174. A bill for the relief of Charles Shiu-Chor Ho; to the Committee on the Judiciary.

H.R. 3175. A bill for the relief of Erlinda S. Calalang; to the Committee on the Judiciary.

H.R. 3176. A bill for the relief of Dr. Virginia Valenzula; to the Committee on the Judiciary.

H.R. 3177. A bill for the relief of Filippo Carcione; to the Committee on the Judiciary.

H.R. 3178. A bill for the relief of Vincenzo Narducci; to the Committee on the Judiciary.

H.R. 3179. A bill for the relief of Ya-ching Chang; to the Committee on the Judiciary.

H.R. 3180. A bill for the relief of Maria Petkova and Tatianna Vangelova; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 3181. A bill for the relief of Keun Mo Yang; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 3182. A bill for the relief of Albert L. Chapman; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 3183. A bill for the relief of Dr. Nicholas Gerber, his wife, Mirjam Caroline Stiel Gerber, and their daughter, Monica Ruth Gerber; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 3184. A bill for the relief of Beatrice Dascil Aquino; to the Committee on the Judiciary.

H.R. 3185. A bill for the relief of Sister Anna Maria (Deanna Tirelli) and Sister Mary Daniela (Giuseppa Fantucci); to the Committee on the Judiciary.

H.R. 3186. A bill for the relief of Stavrulla Stathopoulos; to the Committee on the Judiciary.

H.R. 3187. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Evsey Brook against the Government of Italy, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 3188. A bill for the relief of Cho Johnny; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 3189. A bill for the relief of Mrs. Pasqualina T. Colavita and her two minor children, Anna Assunta Colavita and Donato Antonio Colavita; to the Committee on the Judiciary.

H.R. 3190. A bill for the relief of Angelo Cavallo; to the Committee on the Judiciary.

H.R. 3191. A bill for the relief of Patrick Oliver Bermingham; to the Committee on the Judiciary.

H.R. 3192. A bill for the relief of Francesco Bologna; to the Committee on the Judiciary.

H.R. 3193. A bill for the relief of Fabio Costantino; to the Committee on the Judiciary.

H.R. 3194. A bill for the relief of Francesco Gonnella; to the Committee on the Judiciary.

H.R. 3195. A bill for the relief of Angelo Luongo; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 3196. A bill for the relief of Stavroula Bonakos; to the Committee on the Judiciary.

H.R. 3197. A bill for the relief of Raymond Nassif Feghali; to the Committee on the Judiciary.

H.R. 3198. A bill for the relief of Demetrios Maninos; to the Committee on the Judiciary.

H.R. 3199. A bill for the relief of Salvatrice Nieli; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 3200. A bill for the relief of Bertha Cenci Bianchini; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 3201. A bill for the relief of Mrs. Romana B. Amazan; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 3202. A bill for the relief of Luigi Avallone; to the Committee on the Judiciary.

H.R. 3203.—A bill for the relief of Yelana Youssephoghli; to the Committee on the Judiciary.

By Mr. REES:

H.R. 3204. A bill for the relief of Tonia Mary Bevan; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3205. A bill for the relief of Helen Perez Cunanan; to the Committee on the Judiciary.

H.R. 3206. A bill for the relief of Andres Carrasco-Villapudua; to the Committee on the Judiciary.

H.R. 3207. A bill for the relief of Mrs. Laureana Bernardina Cal de Rodriguez; to the Committee on the Judiciary.

H.R. 3208. A bill for the relief of Rebecca Guiang Fabrigar and Levi D. Fabrigar; to the Committee on the Judiciary.

H.R. 3209. A bill for the relief of Miss Juana Flores-Rangel; to the Committee on the Judiciary.

H.R. 3210. A bill for the relief of Dai Bong Kang and Soon Hi Kang; to the Committee on the Judiciary.

H.R. 3211. A bill for the relief of Mr. Adolfo J. Torres; to the Committee on the Judiciary.

By Mr. RUMSFELD:

H.R. 3212. A bill for the relief of Lee Ok Ja; to the Committee on the Judiciary.

H.R. 3213. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 3214. A bill for the relief of Basil Roland Duncan; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 3215. A bill authorizing the President of the United States to award Congressional Medals of Honor to astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. VANIK:

H.R. 3216. A bill for the relief of Milan Michal Masaryk; to the Committee on the Judiciary.

By Mr. WATKINS:

H.R. 3217. A bill for the relief of Agostino Anania; to the Committee on the Judiciary.

H.R. 3218. A bill for the relief of Giuliano Esposito and his wife, Dehlia Esposito; to the Committee on the Judiciary.

H.R. 3219. A bill for the relief of Dr. Laslo Tarnoi; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 3220. A bill for the relief of Dr. Abdel R. Sabet; to the Committee on the Judiciary.

By Mr. WEICKER:

H.R. 3221. A bill for the relief of Teresa Belemmi; to the Committee on the Judiciary.

H.R. 3222. A bill for the relief of Mara Dragobratovic; to the Committee on the Judiciary.

H.R. 3223. A bill for the relief of Andre Esnault; to the Committee on the Judiciary.

H.R. 3224. A bill for the relief of Maria Giraldi Favretto; to the Committee on the Judiciary.

H.R. 3225. A bill for the relief of Maurice Garmston; to the Committee on the Judiciary.

H.R. 3226. A bill for the relief of Iolanda C. Masotta; to the Committee on the Judiciary.

H.R. 3227. A bill for the relief of Michelangelo Morelli; to the Committee on the Judiciary.

H.R. 3228. A bill for the relief of Ferdinando Paniccia; to the Committee on the Judiciary.

H.R. 3229. A bill for the relief of John Papadatos; to the Committee on the Judiciary.

H.R. 3230. A bill for the relief of Gino Pepoli; to the Committee on the Judiciary.

H.R. 3231. A bill for the relief of Nikola Prorokovic; to the Committee on the Judiciary.

H.R. 3232. A bill for the relief of John, Vilma, and Petronella Riman; to the Committee on the Judiciary.

H.R. 3233. A bill for the relief of Vijay Vasantlal Shah; to the Committee on the Judiciary.

H.R. 3234. A bill for the relief of Salvatore Tortorici; to the Committee on the Judiciary.

H.R. 3235. A bill for the relief of Irene Zissis; to the Committee on the Judiciary.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the second calendar quarter of 1968 were received too late to be included in the published reports for that quarter:

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $13,990.60. E. (9) $10,292.32.

A. Herbert F. Alfrey, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. The National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $414. E. (9) $23.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.
D. (6) $5,900.12. E. (9) $5,900.12.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $5,569.16. E. (9) $5,569.16.

A. The American Legion, 700 North Penn Street, Indianapolis, Ind.
D. (6) $8,382.51. E. (9) $33,344.38.

A. American Society of Consulting Planners, 800 Federal Bar Building, Washington, D.C.
E. (9) $2,625.28.

A. American Taxpayers Association, 326 Pennsylvania Building, Washington, D.C.

A. American Vocational Association, 1510 H Street NW., Washington, D.C.
E. (9) $750.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, One Rockefeller Plaza, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Spiegel, Inc., 2511 West 23d Street, Chicago, Ill.

A. Robert E. Ansheles, 1028 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $400. E. (9) $82.75.

A. George W. Apperson, Amalgamated Transit Union, 100 Indiana Avenue NW., Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., One East 57th Street, New York, N.Y.
D. (6) $12,500.01. E. (9) $363.36.

A. Mac Asbill, Jr., 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., One Tower Square, Hartford, Conn.

A. Davis M. Batson.
B. The Ethyl Corp., 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.
D. (6) $1,050.00.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,888.02. E. (9) $608.65.

A. Bell & Howell, 7100 McCormick Road, Chicago, Ill.
E. (9) $500.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.
E. (9) $224.

A. Thomas D. Blake, 1108 16th Street NW., Washington, D.C.
B. James R. Sharp, Esq., Sharp, Partridge, Gants & Perkins, 1108 16th Street NW., Washington, D.C.

A. Bloch, Hall, Hawkins & Owens, Post Office Box 4348, Macon, Ga.
B. Burtz-Durham Construction Co., Inc., East Point, Ga.
E. (9) $218.59.

A. Rev. Eugene L. Boutilier, 110 Maryland Avenue NE., Washington, D.C.
B. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $3,327.51. E. (9) $97.50.

A. J. Wiley Bowers, Suite 325, Pioneer Building, Chattanooga, Tenn.
B. Tennessee Valley Public Power Association, Suite 325 Pioneer Building, Chattanooga, Tenn.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 N. Sixth Street, Lafayette, Ind.

A. James E. Bryan, President, James E. Bryan, Inc., 2000 P Street NW., Washington, D.C.
B. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $1,000. E. (9) $1,685.75.

A. Norman D. Burch, National Retail Merchants Association, 1317 F Street NW., Suite 706, Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

A. Dr. Lowell A. Burkett, American Vocational Association, 1510 H Street NW., Washington, D.C.
B. American Vocational Association, 1510 H Street NW., Washington, D.C.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $534.50 E. (9) $388.94.

A. Dan L. Butler, 400 Walker Building, 734 15th Street NW., Washington, D.C.
B. Harold K. Howe, on behalf of the National Automatic Merchandising Association, 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Dan L. Butler, 400 Walker Building, 734 15th Street NW., Washington, D.C.
B. Harold K. Howe, on behalf of the Outdoor Power Equipment Institute, Inc., 400 Walker Building, 734 15th Street NW., Washington, D.C.

A. Canal Zone Central Labor Union-Metal Trades Council, AFL–CIO, P.O. Box 471, Balboa Heights, C.Z.
D. (6) $1,557.07. E. (9) $255.25.

A. Richard M. Carrigan, Legislation and Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.
B. Legislation and Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,145.01. E. (9) $59.73.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.
B. South African Sugar Association, Post Office Box 507, Durban, South Africa.
E. (9) $2,330.00.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Donald E. Channel, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

D. (6) $500.00. E. (9) $50.00.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. American Dental Association (Washington office), 1750 Pennsylanvia Avenue NW., Washington, D.C.

D. (6) $2,250.

A. Albert T. Church, Jr., 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

D. (6) $300. E. (9) $1.65.

A. Citizens Committee on Natural Resources, 712 Dupont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,350. E.(9) $7,626.71.

A. Paul G. Collins, 111 Westminster Street, Providence, R.I.

B. The Industrial National Bank of Rhode Island, 111 Westminster Street, Providence, R.I.

D. (6) $68.75.

A. The Committee for Study of Revenue, Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $10,810. E. (9) $10,753.05.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill.

B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $1,749.99.

A. Francis D. Cronin, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. F. Gibson-Darrison, Jr., 425 13th Street NW., Washington, D.C.

B. Penn Central Company, 230 Park Avenue, New York, N.Y.

A. Harry J. Donohue, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $1,908. E. (9) $81.45.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $553.14.

A. Eastern Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $102. E. (9) $49.75.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.

B. Southern Railway System, Post Office Box 1808, Washington, D.C.

D. (6) $5,512.50. E. (9) $1,605.33

A. James B. Ehrlich, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $516.25. E. (9) $259.35.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C.

B. Wilson E. Hamilton, 1900 L Street NW, Washington, D.C.

D. (6) $250. E. (9) $21.67.

A. Carl Elliott and Micah H. Naftalin, 1510 H Street NW., Washington, D.C.

B. American Vocational Association, 1510 H Street NW., Washington, D.C.

D. (6) $750.

A. Elliott & Naftalin, 1510 H Street NW., Washington, D.C.

B. Bell & Howell, 7100 McCormick Road, Chicago, Ill.

D. (6) $500.

A. Elliott & Naftalin, 1510 H Street NW., Washington, D.C.

B. United Business Schools Association, 1101 17th Street NW., Washington, D.C.

D. (6) $750.

A. Ethyl Corp., 1155 15th Street NW., Washington, D.C.

E. (9) $2,292.25.

A. Mello G. Fish, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $730.99. E. (9) $38.41.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.

B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. Owen V. Frisby, 821 15th Street NW., Washington, D.C.

B. The Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y.

D. (6) $375. E. (9) $686.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $1,500. E. (9) $179.99.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,623.50. E. (9) $83.43.

A. Royce L. Givens, 224 7th Street SE., Washington, D.C.

B. International Conference of Police Associations, 224 7th Street SE., Washington, D.C.

D. (6) $5,207.99. E. (9) $2,816.35.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.

B. American Retail Federation.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.

B. American Retail Federation.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash.

B. Washington Railroad Association, 302 Seattle, Wash.

E. (9) $454.37.

A. William G. Greif, 1155 15th Street NW., Washington, D.C.

B. Bristol-Myers Co., 630 5th Avenue, New York, N.Y.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C.

B. Evaporated Milk Association, 910 17th Street NW., Washington, D.C.

A. John P. Griner, 400 First Street NW., Washington, D.C.

B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

D. (6) $8,465.27. E. (9) $782.33.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $600. E. (9) $127.01.

A. Randolph M. Hale, 1730 Rhode Island Avenue NW., Washington, D.C.

B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Carlton B. Hamm, 1900 L Street NW., Washington, D.C.

B. National Oceanography Association, 1900 L Street NW., Washington, D.C.

D. (6) $4,500.

A. Anthony Haswell, 333 North Michigan Avenue, Chicago, Ill.

B. National Association of Railroad Passengers, 333 North Michigan Avenue, Chicago, Ill.

A. James L. Hatcher, 4222 Suitland Road SE., Suitland, Md.

B. None.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.

B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.

B. National Association of Insurance Agents, 801 Warner Building, Washington, D.C.

E. (9) $459.97.

A. M. P. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.

B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

E. (9) $866.24.

A. Carey W. Hilliard, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $414. E. (9) $27.

A. Brig. Gen. James D. Hittle, USMC (Ret.), 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States, Broadway at 34th Streets, Kansas City, Mo.

D. (6) $1,614. E. (9) $111.05.

A. Harold K. Howe, 400 Walker, Building, 734 15th Street NW., Washington, D.C.

B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, 734 15th Street NW., Washington, D.C.

B. Outdoor Power Equipment Institute, Inc., 400 Walker Building, Washington, D.C.

A. William J. Hull, 1000 Connecticut Avenue, Washington, D.C.

B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1000 Connecticut Avenew, Washington, D.C.

B. Ohio Valley Improvement Association, Inc.

A. Philip A. Hutchinson, Jr., The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.

D. (6) $1,000. E. $2,560.

A. Charles E. Jackson, 1206 18th Street NW., Washington, D.C.

E. (9) $1,299.86.

A. Raymond M. Jacobson, 1815 H Street NW., Washington, D.C.

B. American Society of Consulting Planners, 1815 H Street NW., Washington, D.C.

D. (6) $2,250. E. (9) $375.28.

A. Ralph K. James, Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

D. (6) $440. E. (9) $42.82.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.

B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. L. Dean Jones, 1110 Ring Building, Washington, D.C.

B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.

E. (9) $47.62.

A. Mrs. Fritz R. Kahn, 9202 Ponce Place, Fairfax, Va.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

E. (9) $20.60.

A. Jerome J. Keatting, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,125.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.

B. American Retail Federation.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.

B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $22.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.

The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $270.83.

A. Ralph W. Kittle.

B. International Paper Co., 220 East 42nd Street, New York, N.Y.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.

B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D.C.

D. (6) $4,999.98.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. John D. Knodell, Jr., 1730 K Street NW., Washington, D.C.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $929.80.

A. George W. Koch, 205 East 42d Street, New York, N.Y.

B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. John H. Kostmayer, 50 East 42d Street, New York, N.Y.

B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42nd Street, New York, N.Y.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.

B. Japan Chemical Fibres Association, 3,3-Chrome, Muromachi, Nihonbashi, Chuo-Ku, Tokyo, Japan.

D. (6) $666.66. E. (9) $1,000.

A. Donald Lerch & Co., Inc., 1522 K Street NW., Washington, D.C.

B. Shell Chemical Co., 110 West 31st Street, New York, N.Y.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Suite 808, Washington, D.C.

B. Swiss Union of Commerce & Industry, Gottfried Keller-Strasse 7, Zurich, Switzerland.

D. (6) $750. E. (9) $1,992.39.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,000. E. (9) $153.57.

A. Dr. John M. Lumley, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $4,437. E. (9) $179.25.

A. Stanley J. McFarland, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,842.51. E. (9) $157.97.

A. Mrs. Barbara D. McGarry, 20 E Street NW., Washington, D.C.

B. American Parents Committee, Inc., 20 E Street NW., Washington, D.C., and the Subcommittee, Bipartisan Citizens Committee for Federal Aid for Public Elementary and Secondary Education, 2107 Davenport Street NW., Washington, D.C.

A. Joseph B. McGrath, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $5,437.50. E. (9) $896.91.

A. Marshall C. McGrath.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $415. E. (9) $108.56.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,700. E. (9) $105.86.

A. Ben J. Man, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,153.92. E. (9) $271.20.

A. Rufus W. Manderson, 1730 Rhode Island Avenue NW., Washington, D.C.

B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. William F. McManus, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $665. E. (9) $184.90.

A. Albert E. May, 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

D. (6) $436. E. (9) $39.93.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 410; Washington, D.C.

B. Amalgamated Meat Cutters & Butcher Workmen of North America (AFL–CIO), 2800 North Sheridan Road, Chicago, Ill.

D. (6) $4,615. E. (9) $530.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.

B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.

E. (9) $2,950.

A. Midwest Federal Savings & Loan Association, Minneapolis, Minn.

A. Joseph L. Miller, 815 17th Street, Washington, D.C.

B. Northern Textile Association, The Maytag Co., Chicago Brick & Iron Co.

A. Lester F. Miller, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. The National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $414. E. (9) $24.50.

A. Thomas F. Mitchell, 1735 I Street NW., Washington, D.C.

B. Georgia-Pacific Corp., Box 311, Portland, Oreg.

E. (9) $284.60.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.

B. Mobile Housing Association of America, 39 S. LaSalle Street, Chicago, Ill.

E. (9) $2,183.54.

A. John J. Murphy Jr., 815 15th Street NW., Washington, D.C.

B. Bricklayers, Masons & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.

D. (6) $2,925. E. (9) $259.10.

A. Micah H. Naftalin, Elliott & Naftalin, Suite 300, 1510 H Street NW., Washington, D.C.

B. The Ethyl Corporation, 611 Madison Office Building, 1155 15th Street NW., Washington, D.C.

D. (6) $750.

A. John J. Nangle, 811 Watergate Office Building, 2600 Virginia Avenue NW., Washington, D.C.

B. National Association of Independent Insurers, 30 W. Monroe Street, Chicago, Ill.

D. (6) $2,000. E. (9) $775.

A. National Air Carrier Association, 1625 I Street NW., Washington, D.C.

D. (6) $3,000. E. (9) $12,815.38.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. National Association of Blue Shield Plans, 211 E. Chicago Avenue, Chicago, Ill.

E. (9) $1,685.75.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $21,629.40. E. (9) $19,168.75.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.

E. (9) $538.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $521,697.53. E. (9) $10,802.88.

A. The National Association of Life Underwriters, 1922 F Street NW., Washington, D.C.

D. (6) $2,002.63. E. (9) $2,002.63.

A. National Association of Railroad Passengers, 333 North Michigan Avenue, Chicago, Ill.

D. (6) $4,201.20.

A. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue, Washington, D.C.

E. (9) $13,328.65.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y.; 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,828. E. (9) $2,828.

A. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.
E. (9) $318.47.

A. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $7,758.91. E. (9) $8,463.65.

A. National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $22,067.26.

A. National Electrical Contractors Association, Inc., 1730 Rhode Island Avenue NW., Washington, D.C.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $77,800.25. E. (9) $2,764.96.

A. National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,714.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $866.35.

A. National Rehabilitation Association, 1522 K Street NW., No. 1120, Washington, D.C.
D. (6) $31,138.60. E. (9) $1,168.40.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $1,458.65.

A. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $864. E. (9) $9,968.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Mfrs. and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $44.35.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. David J. Pattison, 1922 F Street NW., Washington, D.C.
D. (6) $2,002.63. E. (9) $2,002.63.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,800.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn.
D. (6) $2,500. E. (9) $1,094.82.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $46,100.85. E. (9) $1,350.

A. Potomac Basin Federation, Route No. 1, Charles Town, W. Va.
D. (6) $136. E. (9) $135.71.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $13.90.

A. Publicom, Inc., 1300 Connecticut Avenue NW., Washington, D.C.
B. Midwest Federal Savings & Loan Association, Minneapolis, Minn.
D. (6) $3,000. E. (9) $760.57.

A. Mr. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,500.

A. Regan & Mason, 900 17th Street NW., The Farragut Building, Washington, D.C.
B. The Bermuda Tourist Board, Hamilton, Bermuda.
D. (6) $1,666. E. (9) $228.67.

A. Regan & Mason, 900 17th Street NW., The Farragut Building, Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.
D. (6) $900. E. (9) $342.56.

A. Regan & Mason, 900 17th Street NW., The Farragut Building, Washington, D.C.
B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.
D. (6) $200. E. (9) $141.10.

A. Regan & Mason, 900 17th Street NW., Washington, D.C.
B. Stinson Lumber Co., Post Office Box 68, Forest Grove, Oreg.
D. (6) $1,000. E. (9) $244.21.

A. Sydney C. Reagan, 6815 Prestonshire, Dallas, Tex.
B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150.

A. Recreational Vehicle Institute Inc., 2720 Des Plaines Avenue, Des Plaines, Ill.
E. (9) $1,409.80.

A. Retired Officers Tax Credit Committee, Post Office Box 1965, Annapolis, Md.
E. (9) $148.37.

A. John Arthur Reynolds, Post Office Box 512, Fresno, Calif.
B. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.
D. (6) $937.50. E. (9) $750.

A. Mark Richardson, 342 Madison Avenue, New York, N.Y.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $250. E. (9) $250.

A. John Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $600. E. (9) $42.03.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. Trustees of the Bernice P. Bishop Estate, 519 Halekauwila Street, Honolulu, Hawaii.
E. (9) $48.50.

A. Stephen Philip Robin, 1000 Connecticut Avenue NW., Washington, D.C.
B. International Public Relations Co., Ltd., (N.Y.) doing business as Japan Steel Information Center, 230 Park Avenue, New York, N.Y.
D. (6) $690. E. (9) $550.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $54.88.

A. John F. Rolph III, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $500.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.
B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue, Warren, Pa.
B. New Process Co., Warren, Pa.
E. (9) $180.40.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $50.

A. Leslie J. Schmidt Associates, 1341 G Street NW., Washington, D.C.
B. National Beer Wholesalers' Association of America, 6310 N. Cicero Avenue, Chicago, Ill.
D. (6) $200.

A. Edward J. Schmuck, 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

A. C. Hershel Schooley, 815 15th Street NW., Washington, D.C.
B. Independent Bankers Association of America, Sauk Centre, Minn.
D. (6) $4,250. E. (9) $2,495.99.

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $300.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $129.49.

A. James R. Sharp, 1108 16th Street NW., Washington, D.C.
B. American Fur Merchants Association, 224 West 30th Street, New York, N.Y.
D. (6) $5,000. E. (9) $3,007.82.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $575.

A. Lana H. Sims, 1003 Security Federal Building, Columbia, S.C.
B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C.
D. (6) $49.47. E. (9) $47.11.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 712 Dupont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,578.40. E. (9) $2,392.64.

A. Willis B. Snell, Esq., 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

A. W. Byron Sorrell, Esq., 1140 Connecticut Avenue NW., Washington, D.C.
B. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $158.54.

A. W. Byron Sorrell, Esq., 1140 Connecticut Avenue NW., Washington, D.C.

B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.

D. (6) $1,200. E. (9) $209.80.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.

D. (6) $150.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lawrence Speiser, 1424 16th Street NW., Washington, D.C.

B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Roy H. Stanton, 1625 L Street NW., Washington, D.C.

B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.

D. (6) $2,250. E. (9) $97.40.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States.

D. (6) $4,600. E. (9) $217.60.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $450.

A. Barry Sullivan, 636 Washington Building, Washington, D.C.

B. National Association of River & Harbor Contractors, 3900 North Charles Street, Baltimore, Md.

D. (6) $750. E. (9) $240.40.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Ave., NW., Washington, D.C.

A. Edward E. Wright, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $50.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.

B. The Signal Cos., Inc., 1015 Wilshire Boulevard, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.

B. The Flying Tiger Line Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Robert Winter-Berger, 123 East 75th Street, New York, N.Y.

A. Laurens Williams, Esq., 1200 Farragut Building, Washington, D.C.

B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

E. (9) $27.81.

A. Robert P. Will, 487 National Press Building, Washington, D.C.

B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.

D. (6) $3,600. E. (9) $1,628.07.

A. Donald F. White, 1616 H Street NW., Washington, D.C.

B. American Retail Federation.

A. Don White, 3150 Spring Street, Fairfax, Va.

B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.

D. (6) $1,031.25. E. (9) $63.15.

A. Western States Meat Packers Association, Inc., Mission Street, San Francisco, Calif.

D. (6) $13,464.

A. Surrey, Karasik, Gould & Greene, 1116 Woodward Building, Washington, D.C.

B. American Friends of the Hebrew University, 11 E. 69th Street, New York, N.Y.

A. William A. Sutherland, Esq., Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.

B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.

B. National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $335.00. E. (9) $50.

A. Eugene M. Thoré, 277 Park Avenue, New York, N.Y.

B. Life Insurance Association of America, 277 Park Avenue, New York, N.Y.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. John P. Tracey, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

D. (6) $350. E. (9) $50.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif., and W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.

D. (6) $202.50. E. (9) $1,205.69.

A. W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.

B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

D. (6) $1,583.35. E. (9) $199.

A. John D. Tyson, Assistant Director, Government Relations.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $347.20. E. (9) $168.96.

A. United Business Schools Association, Suite 505, 1101 17th Street NW., Washington, D.C., and Elliott & Naftalin, Suite 300, 1510 H Street NW., Washington, D.C.

E. (9) $750.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $688.26. E. (9) $688.26.

A. Veterans of World War I, USA, Inc., 40 G Street NE., Washington, D.C.

A. Merrill A. Watson, 342 Madison Avenue, New York, N.Y.

B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.

D. (6) $250.00. E. (9) $250.00.

A. Western Cotton Growers Association of California, Post Office Box 512, Fresno, Calif.

D. (6) $7,219.95. E. (9) $2,695.20.

QUARTERLY REPORTS

The following quarterly reports were submitted for the third calendar quarter 1968:

(Note.—The form used for registration is reproduced below. In the interest of economy in the Record, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)

6. $________TOTAL for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year

8. $________TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________TOTAL now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures

9. $________TOTAL for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year

11. $________TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________TOTAL now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

PAGE 2

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. Francis L. Adams.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $330.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington D.C.
D. (6) $5,792.85. E. (9) $5,792.85.

A. Air Traffic Control Association, Inc., Suite 409, ARB9 Bldg., 525 School Street SW., Washington, D.C.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,217.90. E. (9) $2.217.90.

A. Aircraft Owners & Pilots Association, Post Office Box 5800, Washington, D.C.

A. John R. Ale, Government Relations, American Life Convention, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $256.13.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee to Abolish the House Un-American Activities Committee, 555 North Western Avenue, Room 2, Los Angeles, Calif.
D. (6) $1,040. E. (9) $1,401.17.

A. Kenneth D. Allen, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $41.25. E. (9) $9.10.

A. Louis J. Allen, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads in Tennessee.

A. Nicholas E. Allen & Merrill, Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North LaSalle Street, Chicago, Ill.
D. (6) $450. E. (9) $12.45.

A. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.
E. (9) $2,015.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. The American Bookkeeping Federation, Minco, Okla.
D. (6) $3,016.14. E. (9) $3,970.36.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $8,141.51.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,932.57. E. (9) $1,932.57.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.
D. (6) $33,222. E. (9) $33,222.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $39,484.32.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $11,499.98. E. (9) $11,745.29.

A. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $12,478.62. E. (9) $12,478.62.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Humane Association, 5351 S. Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,650.

A. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $10,593.63. E. (9) $10,593.63.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $861.39. E. (9) $782.80.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2.00. E. (9) $2.00.

A. American Landowners Association, Box 294, Route No. 1, Harpers Ferry, West Va.
D. (6) $9.00. E. (9) $31.59.

A. The American Legion, 700 North Pennsylvania St., Indianapolis, Ind.
D. (6) $1,281.63. E. (9) $37,936.33.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $808.48. E. (9) $16.40.

American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $15,288.14.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $3,490.54.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $340.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $34,713. E. (9) $5,250.

A. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $3,380.87. E. (9) $3,380.87.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $7,575. E. (9) $8,425.

A. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
E. (9) $881.61.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $887.37.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Taxpayers Association, 326 Pennsylvania Building, Tax Education Association.

A. American Textile Machinery Association, 224 Ellington Road, Longmeadow, Mass.
D. (6) $5.71.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $38,848.95.

A. American Veterinary Medical Association, 1522 K Street NW., Washington, D.C.
E. (9) $305.

A. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,456.94. E. (9) $3,456.94.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, One Rockefeller Plaza, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Spiegel, Inc., 2511 West 23d St., Chicago, Ill.

A. Edward T. Anderson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,072.

A. Walter M. Anderson, Jr., Alabama Railroad Association, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. William C. Anderson, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,687.50. E. (9) $35.68.

A. George W. Apperson, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW.

A. Arkansas Railroad Association, 1100 Boyle Building, Little Rock, Ark.
E. (9) $314.31.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,025. E. (9) $1,394.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., One East 57th Street, New York, N.Y.
D. (6) $8,333.33. E. (9) $22.94.

A. Mac Asbill, Jr., Esq., 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., 1 Tower Square, Hartford, Conn.

A. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C.
E. (9) $900.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.
D. (6) $687.50. E. (9) $687.50.

A. Association of American Railroads, 929 Transportation Building, Washington, D.C.
D. (6) $6,617.63. E. (9) $6,617.63.

A. Association on Broadcasting Standards Inc., 1741 DeSales Street NW., Washington, D.C.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $2,000.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street North, New York, N.Y.
E. (9) $17,202.87.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $295.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.
D. (6) $1,050.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,166.56.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $10,007.25. E. (9) $15,901.56.

A. Atlantic Richfield Co., 717 Fifth Avenue, New York, N.Y.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $142.50. E. (9) $92.21.

A. Richard W. Averill, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, 4836 Broadway NE., Knoxville, Tenn.
D. (6) $800. E. (9) $301.

A. Michael H. Bader, 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Harry S. Baer, 1725 DeSales Street NW., Washington, D.C.
B. National AeroSpace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $320.

A. John C. Bagwell, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Donald Baldwin, 1625 I Street NW., Washington, D.C.
B. Northern Pacific Railway Co., St. Paul, Minn.; Great Northern Railway Co., St. Paul, Minn.; Chicago, Burlington & Quincy Railroad Co., Chicago, Ill.
E. (9) $282.09.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. John Barnard, Jr., 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $132.50.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $3,600.

A. A. Wesley Barthelmes, 2133 Wisconsin Avenue NW., Washington, D.C.
B. Insurance Co. of North America and Life Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $482.20. E. (9) $350.04.

A. Eugene T. Bartkowiak, 3829 W Street SE., Washington, D.C.
B. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. Mr. James P. Bass, 1101 17th Street NW., Washington, D.C.
B. American Airlines, Inc., 1101 17th Street NW., Washington, D.C.

A. Ross Bass Associates, 1120 Connecticut Avenue NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

A. Roy Battles, 917 Cafritz Building, 1625 I Street NW., Washington, D.C.
B. Clear Channel Broadcasting Service (CCBS), 917 Cafritz Building, Washington, D.C.

A. Mrs. Dita Davis Beard, ITT Building, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., ITT Building, 1707 L Street NW., Washington, D.C.
D. (6) $4,260. E. (9) $6,440.

A. Bebchick, Sher & Kushnick, 919 18th Street NW., Washington, D.C.
B. Saturn Airways, Inc., Post Office Box 2426, Oakland International Airport, Oakland, Calif.
E. (9) $273.91.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,770. E. (9) $589.03.

A. James F. Bell, 1100 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $95.03.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Reed A. Benson, 1028 Connecticut Avenue NW., Washington, D.C.
B. The John Birch Society, Inc., 395 Concord Avenue, Belmont, Mass.

A. Berlack, Israels & Liberman, 26 Broadway, New York, N.Y.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $1,000. E. (9) $8.20.

A. Helen W. Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,171.82.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $5,785. E. (9) $343.70.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Sidney W. Bishop, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $850. E. (9) $433.89.

A. John H. Bivins, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1101 17th Street NW., Washington, D.C.
D. (6) $690.

A. Joel D. Blackmon, 910 17th Street NW., Washington, D.C.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Robert W. Blair, Warren, Pa.
B. New Process Co., Warren, Pa.
E. (9) $135.

A. Thomas D. Blake, 1108 16th Street NW., Washington, D.C.
B. Sharp, Partridge, Cants & Perkins, 1108 16th Street NW., Washington, D.C.
D. (6) $2,250.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $1,832.23.

A. Blumberg, Singer, Ross, Diamond & Gordon, 245 Park Avenue, New York, N.Y.
B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.
D. (6) $6,250. E. (9) $154.42.

A. Eugene F. Bogan, 1000 16th St. NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Bonner Fellers, 1629 K Street NW., Washington, D.C.
B. The Taxpayers Committee To End Foreign Aid, 1629 K Street NW., Washington, D.C.

A. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station, Chicago, Ill.
D. (6) $1,050.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,200. E. (9) $149.60.

A. G. Stewart Boswell, Suite 840, 1120 Connecticut Avenue NW., Washington, D.C.

B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.

D. (6) $1,149.99. E. (9) $179.49.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.

B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.

D. (6) $1,477.35. E. (9) $518.

A. Col. A. A. Brackett, 1 Constitution Avenue NE., Washington, D.C.

B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, Sheraton Gibson Hotel, Cincinnati, Ohio.

B. National Coordinating Committee of the Beverage Industry.

A. Parke C. Brinkley, the Madison Building, 1155 15th Street NW., Washington, D.C.

B. National Agricultural Chemicals Association.

A. Wally Briscoe.

B. National Cable Television Association, Inc., 1634 Eye Street NW., Washington, D.C.

D. (6) $135. E. (9) $16.50.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.

D. (6) $4,101.60.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C.

B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.

D. (6) $250.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.

B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $24,055.57. E. (9) $24,055.57.

A. E. Fontaine Broun, 350 Fifth Avenue, New York, N.Y.

B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.

E. (9) $98.87.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $300.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.

B. Ebasco Industries, Inc., 2 Reactor Street, New York, N.Y.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.

B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.

B. American Institute of Certified Public Accountants, 666 Fifth Avenue, New York, N.Y.

D. (6) $54.72. E. (9) $245.20.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. George S. Bullen.

B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. George J. Burger, 250 West 57th Street, New York, N.Y.

B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, 921 Washington Building, Washington, D.C.

B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.

D. (6) $5,302.64. E. (9) $425.

A. Mrs. Margot Burman, 100 7th Street NE., Washington, D.C.

B. National Committee To Abolish the House Un-American Activities Committee, 555 North Western Avenue, Room 2, Los Angeles, Calif.

E. (9) $201.

A. George B. Burnham, 132 Third Street SE., Washington, D.C.

B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D.C.

D. (6) $255. E. (9) $255.

A. George Burnham IV, 1625 K Street NW., Washington, D.C.

B. United States Steel Corp., 525 William Penn Place, Pittsburgh, Pa.

D. (6) $528. E. (9) $413.55.

A. David Burpee, Fordhook Farms, Doylestown, Pa.

A. Hollis W. Burt, 1101 17th Street NW., Washington, D.C.

B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.

D. (6) $75.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.

B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.

D. (6) $125. E. (9) $319.94.

A. Monroe Butler, 1801 Avenue of the Stars, Suite 1106, Los Angeles, Calif.

B. The Superior Oil Company, 1801 Avenue of the Stars, Suite 1110 Los Angeles, Calif.

A. Charles G. Caffrey, 1120 Connecticut Avenue NW., Suite 840, Washington, D.C.

B. American Textile Manufacturers Institute Inc., 1501 Johnston Building, Charlotte, N.C.

D. (6) $760.20. E. (9) $150.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

D. (6) $2,000. E. (9) $915.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y.

B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Carl C. Campbell, Room 610, Ring Building, 1200 18th Street NW., Washington, D.C.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $263.06.

A. Canal Zone Central Labor Union-Metal Trades Council, AFL–CIO, Post Office Box 471, Balboa Heights, C.Z.

D. (6) $1,996.90. E. (9) $999.76.

A. Ronald A. Capone, Kirlin, Campbell & Keating, Room 505, The Farragut Building, Washington, D.C.

B. Committee of European Shipowners, 30–32 St. Mary Axe, London, E.C. 3, England.

D. (6) $7,500. E. (9) $215.41.

A. Michael H. Cardozo, Washington, D.C.

B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Philip Carlip, 650 Fourth Avenue, Brooklyn, N.Y.

B. District 2, Marine Engineers' Beneficial Association.

D. (6) $1,000. E. (9) $106.50.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y.

B. Seafarers International Union.

D (6) $2,500. E. (9) $1,420.

A. Col. John T. Carlton, 1 Constitution Avenue NE., Washington, D.C.

B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Braxton B. Carr, Suite 502, 1250 Connecticut Avenue, Washington, D.C.

B. The American Waterways Operators, Inc., Suite 502, 1250 Connecticut Avenue, Washington, D.C.

D. (6) $2,917. E. (9) $138.25.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D.C.

B. Hiram Walker & Sons, Inc., 8232 Jefferson Avenue, Detroit, Mich.

A. Blue Allan Carstenson.

B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1012 14th Street NW., Washington, D.C.

D. (6) $3,415.30. E. (9) $384.21.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

D. (6) $100.

A. Ralph E. Casey, 919 18th Street NW., Washington, D.C.

B. American Merchant Marine Institute, Inc. (trade association), 919 18th Street NW., Washington, D.C. and 11 Broadway, New York, N.Y.

D. (6) $2,875. E. (9) $615.54.

A. Francis R. Cawley, Room 1015 Shoreham Building, 15th and H Streets NW., Washington, D.C.

B. Agricultural Publishers Association (Consultant), Room 1015 Shoreham Building, 15th and H Streets NW., Washington, D.C.

D. (6) $100. E. (9) $49.40.

A. Francis R. Crawley, Shoreham Building, 15th and H Streets NW., Washington, D.C.

B. Harcourt, Brace & World, Inc., Shoreham Building, 15th and H Streets NW., Washington, D.C.

D. (6) $119. E. (9) $214.01.

A. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.

D. (6) $60,285. E. (9) $5,331.

A. Col. Joseph L. Chabot, 1 Constitution Avenue NE., Washington, D.C.

B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. International Association of Game, Fish, and Conservation Commissioners, 5727 Blake Road, Minneapolis, Minn.

D. (6) $900. E. (9) $460.63.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

E. (9) $24.93.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. Newspaper Committee for a Free and Competitive Press, 33 North Dearborn Street, Chicago, Ill.

D. (6) $1,250. E. (9) $86.92.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.

B. Strohmeyer & Arpe Co., 260 West Broadway, New York, N.Y.

D. (6) $585. E. (9) $14.14.

A. James W. Chapman, 1625 I Street NW., Washington, D.C.

B. Retired Officers Association, 1625 I Street NW., Washington, D.C.

D. (6) $1,625.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Trainmen.

E. (9) $200.

A. Hal M. Christensen, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. American Dental Association, 1750 Pennsylvania Avenue NW., Washington, D.C.

D. (6) $2,250.

A. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.

D. (6) $3,153.66. E. (9) $6,421.23.

A. Edwin Christianson.

B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. Lowell T. Christison, 1026 17th Street NW., Washington, D.C.

B. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.

D. (6) $186.25. E. (9) $142.37.

A. Albert T. Church, Jr., 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

D. (6) $300. E. (9) $7.79.

A. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $40,661.48. E. (9) $394.42.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Room 712, Dupont Circle Building, Washington, D.C.

D. (6) $15,932. E. (9) $11,602.07.

A. Allen Clark, 1730 K Street NW., Washington, D.C.

B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.

B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,400. E. (9) $147.75.

A. James E. Clark, Jr., 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C.

B. The Atchison, Topeka & Santa Fe Railway Co., 1100 Connecticut Avenue NW., Washington, D.C.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.

D. (6) $177.19.

A. Clear Channel Broadcasting Service (CCBS), 917 Cafritz Building, Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

D. (6) $2,700. E. (9) $1,497.55.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.

B. The American Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.

B. Brown & Williamson Tobacco Corp.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C

B. Liggett & Myers Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C

B. Philip Morris Inc.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C

B. R. J. Reynolds Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.

B. The Tobacco Institute, Inc.

A. Edwin S. Cohen, 26 Broadway, New Broadway, New York, N.Y.

B. Investment Company Institute, 61 Boardway, New York, N.Y.

E. (9) $25.

A. William J. Colley, 1155 15th Street NW., Washington, D.C.

B. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.

B. National Broiler Council, 1155 15th Street NW., Washington, D.C.

D. (6) $400.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.

B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.

D. (6) $750. E. (9) $275.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.

B. Tool and Stainless Steel Industry Committee, c/o The Carpenter Steel Company, Reading, Pa.

D. (6) $1,250. E. (9) $450.

A. James F. Collins, 1000 16th Street NW., Washington, D.C.

B. American Iron & Steel Institute, 150 East 42d Street, New York, N.Y.

D. (6) $500. E. (9) $125.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.

B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

D. (6) $1,150. E. (9) $2,979.70.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 South LaSalle Street, Chicago, Ill.

D. (6) $3,255.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C.

B. Texaco, Inc., 135 East 42d Street, New York, N.Y.

D. (6) $160. E. (9) $171.81.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $684. E. (9) $409.20.

A. John D. Conner, 1625 K Street NW., Washington, D.C.

B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Robert J. Conner, Jr., 1100 Connecticut Avenue, Washington, D.C.

B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.

D. (6) $435. E. (9) $218.

A. Paul R. Conrad, 491 National Press Building, Washington, D.C.

B. National Newspaper Association, 491 National Press Building, Washington, D.C.

E. (9) $184.64.

A. Eileen D. Cooke, 200 C Street SE., Washington, D.C.

B. American Library Association, 50 East Huron Street, Chicago, Ill.

D. (6) $64.16.

A. Edward Cooper.

B. Motion Picture Association of America, Inc., 918 16th Street NW., Washington, D.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.

B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.

D. (6) $3,750. E. (9) $1,616.43.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.

B. Council of Forest Industries, 1477 West Pender Street, Vancouver, B.C., Canada.

D. (6) $3,000. E. (9) $2.50.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.

B. Footwear Division, Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.

D. (6) $6,000. E. (9) $36.50.

A. Darrell Coover, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,500. E. (9) $609.17.

A. Allan D. Cors, 1629 K Street NW., Washington, D.C.

B. Corning Glass Works, Corning, N.Y.

D. (6) $125.

A. Thomas A. Cosgrove, National League of Insured Savings Associations, 1200 17th Street NW., Suite 700, Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Suite 700, Washington, D.C.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $35,624.41. E. (9) $40,620.23.

A. Council of Mutual Savings Institutions, 60 East 42d Street, New York, N.Y.
E. (9) $48.10.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $254.56. E. (9) $254.56.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Moller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Ready Mixed Concrete Association, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Truck Mixer Manufacturers Bureau, 900 Spring Street, Silver Spring, Md.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Wisconsin Corp., Route 3, Box 3747, Bainbridge Island, Wash.
E. (9) $0.60.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

A. H. C. Crotty, Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.
B. National Association of Wool Manufacturers, 1200 17th Street NW., Washington, D.C.
D. (6) $1,500.

A. Michael B. Crowson, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. Steele Culbertson, National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $100.47.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $2,123.67.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.
B. Japan Lumber Importers' Association, Tokyo, Japan.
D. (6) $1,097.41. E. (9) $1,097.41.

A. F. Gibson Darrison, Jr., 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,062.50. E. (9) $21.46.

A. Aled P. Davies, 59 East Van Buren Street Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,000. (E) (9) $195.35.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Chiacgo & North Western Railway Co., 400 West Madison Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
E. (9) $190.20.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $105. E. (9) $88.29.

A. Debevoise, Liberman & Corben, Shoreham Building, Washington, D.C.
B. Northeast Utilities Service Co., 176 Cumberland Avenue, Wethersfield, Conn.
D. (6) $1,513. E. (9) $32.

A. Tony T. Dechant.
B. The Farmers' Educational and Cooperative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $51.56.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.
B. The Interstate Manufacturers Association, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.
B. National Association of Direct Selling Co's., 163–165 Center Street, Winona, Minn.
D. (6) $3,000.

A. John deLaittre, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $9,250. E. (9) $2,838.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Ray Denison, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,108. E. (9) $369.10.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $900.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,477.25. E. (9) $1,290.64.

A. Steven B. Derounian, 815 Connecticut Avenue NW., Washington, D.C.
B. American Courier Corp., 222–17 Northern Boulevard, Bayside, N.Y.
D. (6) $140. E. (9) $130.

A. Steven B. Derounian, 815 Connecticut Avenue NW., Washington, D.C.
B. Amperex Electronic Corp., 230 Duffy Avenue, Hicksville, N.Y.
D. (6) $150. E. (9) $125.

A. Steven B. Derounian, 815 Connecticut Avenue NW., Washington, D.C.
B. Town of Hempstead, Town Hall, Hempstead, N.Y.
D. (6) $300. E. (9) $200.

A. Lloyd J. Derrickson, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc., 888 17th Street NW., Washington, D.C.
A. Russell C. Derrickson, 4000 Cathedral Avenue NW., Washington, D.C.
B. Responsive Environments Corp. 1707 L Street NW., Washington, D.C.
D. (6) $2,400. E. (9) $300.

Cecil B. Dickson, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $360. E. (9) $34.38.

George S. Dietrich, 1741 DeSales Street SW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Department of Water Resources State of California, Post Office Box 388, Sacramento, Calif.
D. (6) $2,195.89. E. (9) $170.89.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.
D. (6) $1,094.42. E. (9) $44.42.

A. Timothy V. A. Dillon, 101 15th Street NW., Washington, D.C.
B. Yuba County Water Agency, Marysville, Calif.
D. (6) $1,231.48. E. (9) $31.48.

A. Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $14,500. E. (9) $3,638.16.

A. Robert H. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $487.50.

A. William H. Dodds, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $954.50. E. (9) $187.43.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. C. L. Dorson, Room 1128, Warner Building, 501 13th Street NW., Washington, D.C.

B. Retirement Federation of Civil Service Employees of the U.S. Government, Room 1128, Warner Building, 501 13th Street NW., Washington, D.C.

D. (6) $2,719.41. E. (9) $164.

A. David L. Dougherty, National Retail Merchants Association (Trade Association), 1317 F Street NW., Suite 706, Washington, D.C.

B. National Retail Merchants Association (Trade Association), 100 West 31st Street, New York, N.Y.

E. (9) $65.

A. Leonard K. Dowiak, American Hotel & Motel Association, 777 14th Street NW., Washington, D.C.

B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

D. (6) $175.

A. F. Raymond Downs, 1730 K Street NW., Washington, D.C.

B. The Procter & Gamble Mfg. Co., 301 East 6th Street, Cincinnati, Ohio.

A. Franklin B. Dryden, 1735 K Street NW., Washington, D.C.

B. The Tobacco Institute, Inc. (Nonprofit League).

A. Evelyn Dubrow, International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

D. (6) $2,715.44. E. (9) $1,399.10.

A. William DuChessi, 1126 16th Street NW., Washington, D.C.

B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.

D. (6) $918.74. E. (9) $75.

A. J. D. Durand, Association of Oil Pipe Lines, 1725 K Street NW., Washington D.C.

E. (9) $295.

A. Robert G. Dwyer, The Anaconda Co., 1511 K Street NW., Washington, D.C.

B. The Anaconda Co., 25 Broadway, New York, N.Y.

D. (6) $250.

A. Eastern Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.

D. (6) $102. E. (9) $41.50.

A. Macon T. Edwards, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $337.50.

A. George V. Egge, Jr., 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. J. C. B. Ehringhaus, Jr., Post Office Box 1776, Raleigh, N.C.

B. Southern Railway System, Post Office Box 1808, Washington, D.C.

D. (6) $5,512.50. E. (9) $1,627.37.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C.

B. Wilson E. Hamilton, 1900 L Street NW., Washington, D.C.

D. (6) $250. E. (9) $20.30.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.

D. (6) $3,822.66. E. (9) $2,759.98.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. D. A. Ellsworth, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamshfp Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,955.66. E. (9) $1,249.07.

A. Perry R. Ellsworth, 1025 Vermont Avenue NW., Washington, D.C.

B. Retail Jewelers of America, Inc., 1025 Vermont Avenue NW., Washington, D.C.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $2,800.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Coachella Valley County Water District, Coachella, Calif.

D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Department of Water and Power of the City of Los Angeles, 111 North Hope Street, Los Angeles, Calif.

D. (6) $2,400.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.

D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Imperial Irrigation District, El Centro, Calif.

D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.

B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $4,406.25.

A. James C. England, 1317 F Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.

E. (9) $70.45.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $690. E. (9) $54.50.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.

B. Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C.

D. (6) $22.50. E. (9) $25.20.

A. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

D. (6) $107,984. E. (9) $22,454.80.

A. Joseph G. Feeney, 1101 17th Street NW., Washington, D.C.

B. REA Express, 219 East 42d Street, New York, N.Y.

D. (6) $1,200. E. (9) $300.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.

B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, B.C., Canada.

D. (6) $7,200. E. (9) $130.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.

B. Joint Committee on Printing and Publishing Industries of Canada, 117 Eglinton Avenue East, Toronto, Canada.

D. (6) $3,000. E. (9) $16.31.

A. Firearms Lobby of America, 412 Second Street NE., Washington, D.C.

A. Mello G. Fish, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $730.99. E. (9) $38.41.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington, D.C.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $4,500.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,450. E. (9) $17.55.

A. Frank U. Fletcher, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Fletcher, Heald, Rowell, Kenehan & Hildreth, 1225 Connecticut Avenue NW., Washington, D.C.

B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.W.

A. Floyd O. Flom, 260 Madison Avenue, New York, N.Y.

B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Gene Fondren, Post Office Box 192, Taylor, Tex.

B. Texas Railroads.

D. (6) $1,597.12. E. (9) $936.09.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.

D. (6) $500.

A. Frederick W. Ford.

B. National Cable Television Association, Inc., 1634 Eye Street NW., Washington, D.C.

D. (6) $417. E. (9) 18.

A. James W. Foristel, One Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn, Chicago, Ill.

D. (6) $1,762.50. E. (9) $240.41.

A. Ronald J. Foulis, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $120.

A. John G. Fox, 1730 K Street NW., Washington, D.C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $109.99.

A. Morley E. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.
D. (6) $133.67. E. (9) 39.55.

A. Charles A. Francik, 1629 K Street NW., Washington, D.C.
B. Corning Glass Works, Corning, N.Y.
D. (6) $420.

A. Walter L. Frankland, Jr., 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $450. E. (9) $122.88.

A. Robert W. Frase, 1820 Jefferson Place NW., Washington, D.C.
B. American Book Publishers Council, Inc., 1 Park Avenue, New York, N.Y.; American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.
D. (6) $4,125. E. (9) $4,888.50.

A. R. Frank Frazier, 1155 15th Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $600.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,562.50. E. (9) $374.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers' Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Joseph Freni, Jr., 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $750.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $32,011. E. (9) $8,968.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $250.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Anchor Corp. et al.
D. (6) $3,375. E. (9) $1,588.43.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Grumman Aircraft Engineering Corp., Bethpage, Long Island, N.Y.
D. (6) $450. E. (9) $209.39.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Royal Crown Cola Co., Columbus, Ga.
E. (9) $5.80.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $1,000. E. (9) $72.10.

A. William B. Gardiner, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $3,750. E. (9) $383.50.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $50.

A. Gas Appliance Manufacturers Association, 2000 K Street NW., Washington, D.C.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Aubrey D. Gates, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $170.

A. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
E. (9) $10.70.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $1,375. E. (9) $733.19.

A. Royce L. Givens, 1241 Pennsylvania Avenue SE., Washington, D.C.
B. International Conference of Police Associations, 1241 Pennsylvania Avenue SE., Washington, D.C.
D. (6) $10,467.82. E. (9) $2,914.72.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $5. E. (9) $8.23.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $7.17.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $125.

A. W. S. Gookin, 112 North Central Avenue, Phoenix, Ariz.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $125. E. (9) $40.

A. John A. Gosnell, 1225 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Edward Gottlieb & Associates, Ltd., 405 Madison Avenue, New York, N.Y.
B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Jerry Gould, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,200. E. (9) $162.41.

A. Government Employes' Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $11,811.32. E. (9) $5,485.07.

A. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Grand Lodge of the Brotherhood of Locomotive Firemen & Enginemen, 15401 Detroit Avenue, Lakewood, Cleveland, Ohio.
D. (6) $7,299.23. E. (9) $7,299.23.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Mr. George O. Gray, 1615 Eye Street NW., Washington, D.C.
B. Legislative Committee, International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.
E. (9) $3,568.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Robert K. Gray, 1735 K Street NW., Washington, D.C.
B. Hill and Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $120. E. (9) $95.05.

A. Mr. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Clifford P. Greck, 1826 Jefferson Place NW., Washington, D.C.
B. American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.
D. (6) $250.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash.
E. (9) $392.91.

A. Fred J. Greiner, 910 17th Street NW., Washington, D.C.
B. Evaporated Milk Association, 910 17th Street NW., Washington, D.C.

A. John F. Griner, 400 First Street NW., Washington, D.C.
B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $7,932.77. E. (9) $2,661.55.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. National Automobile Dealers Association; American Zinc Co.
D. (6) $4,100. E. (9) $1,800.

A. Jerome R. Gulan, National Federation of Independent Business.

B. National Federation of Independent Business, 921 Washington Building, 15th Street and New York Avenue NW., Washington, D.C.

A. Lester M. Haddad, 5005 Wickett Terrace, Bethesda, Md.
B. Committee for the Evaluation of Industrial Aid Financing, 1629 K Street NW., Washington, D.C.
D. (6) $7,400. E. (9) $777.98.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $600. E. (9) $286.86.

A. Hoyt S. Haddock.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400. E. (9) $61.15.

A. John R. Haire, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Matthew Hale, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $50. E. (9) $60.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. E. C. Hallbeck, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $6,650.13.

A. Norman S. Halliday, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $825. E. (9) $217.13.

A. Thomas A. Halsted, 1346 Connecticut Ave NW., Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.
D. (6) $300. E. (9) $10.

A. Hamel, Morgan, Park & Saunders, 888 17th St. NW., Washington, D.C.
B. Tejon Ranch Company, Post Office Box 1560, Bakersfield, Calif.
D. (6) $900.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.
D. (6) $250. E. (9) $15.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.
D. (6) $120. E. (9) $85.65.

A. Robert N. Hampton, Director of Marketing and International Trade, National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,549.96. E. (9) $132.98.

A. Edward F. Harding, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.

A. William E. Hardman, 1411 K Street, NW., Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Mr. Eugene J. Hardy, 918 16th Street NW., Washington, D.C.
B. National Association of Manufacturers.

A. Bryce N. Harlow, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Mfg. Co., 301 East Sixth Street, Cincinnati, Ohio.
E. (9) $100.

A. Mrs. Mildred B. Harman, Room 640 Warner Building, 13th and E Streets NW., Washington, D.C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $825. E. (9) $202.58.

A. William B. Harman, Jr., 1701 K Street N.W., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $340.

A. L. James Harmanson, Jr., 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $6,784.98. E. (9) $193.37.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,650. E. (9) $67.53.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. David Hartsough, 245 2d Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 2d Street NE., Washington, D.C.
D. (6) $572. E. (9) $5.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Eugene B. Hayden, Jr., 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,800.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,593.75. E. (9) $96.65.

A. Hays & Hays, Warner Building, Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $300. E. (9) $8.64.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $28.60.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $169.12. E. (9) $169.12.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D (6) $200. E. (9) $226.61.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $875. E. (9) $2,778.76.

A. John Heiney, 620 Southern Building, Washington, D.C.
B. National Council of Agricultural Employers, 620 Southern Building, Washington, D.C.
E. (9) $1,000.

A. Kenneth G. Heisler, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $1,000.

A. Phil D. Helmig, 1001 Connecticut Avenue NW., Washington, D.C.
B. Atlantic Richfield Co., 717 Fifth Avenue, New York, N.Y.
D. (6) $150. E. (9) $150.

A. C. O. Henderson, Post Office Box 381, Washington, D.C.
B. No salary received as President and Lobbyist for National Federation of Professional Organizations.
E. (9) $200.

A. Christopher O. Henderson, 1341 G Street NW., Washington, D.C.
B. Organization of Professional Employees of the U.S. Department of Agriculture, 1341 G Street NW., Washington, D.C.
D. (6) $550. E. (9) $25.

A. Mrs. Elizabeth S. Hendryson, 6303 Indian School Road NE., Albuquerque, N. Mex.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $1,125. E. (9) $378.20.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $191.57.

A. Maurice G. Herndon, 801 Warner Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 801 Warner Building, Washington, D.C.
E. (9) $538.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Football League, 1 Rockefeller Plaza, New York, N.Y.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. Savage Arms, Westfield, Mass.; Redfield Gun Sight Co., Denver, Colo.; O. F. Mossberg & Sons, Inc., New Haven, Conn.; High Standard Corp., Hamden, Conn.; and Browning Arms Co., Morgan, Utah.
D. (6) $5,000. E. (9) $204.

A. Hester & Stone, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $226.10.

A. M. F. Hicklin, 507 Bankers Trust Building, Des Moines, Iowa.
B. Iowa Railway Committee, 507 Bankers Trust Building, Des Moines, Iowa.

A. George T. Higgins, 1100 Connecticut Avenue, Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $500. E. (9) $150.

A. John W. Hight, Executive Director, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. J. Eldred Hill, Jr., Unemployment Benefit Advisors, Inc., 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $2,000.

A. Brig. Gen. James D. Hittle, USMC (Ret.) Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $711. E. (9) $96.40.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $250.

A. Claude E. Hobbs, Room 707, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $195.

A. Ralph D. Hodges, Jr., Government Relations.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $247.57.

A. Irvin A. Hoff, 1001 Connecticut Avenue, Washington, D.C.
B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $32.40.

A. Bryce P. Holcombe, 1925 K Street NW., Washington, D.C.
B. Brotherhood of Painters, Decorators & Paperhangers of America, AFL–CIO, 217–19 North Sixth Street, Lafayette, Ind.
D. (6) $1,825.

A. Lee B. Holmes, 829 Pennsylvania Building, Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $162.25.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,500. E. (9) $1,395.03.

A. Home Manufacturers Association, 1625 L Street NW., Washington, D.C.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Harold A. Hosier, 2240 Bell Court, Denver, Colo.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Thomas B. House.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Insurance Co., Allstate Plaza, Northbrook, Ill.

A. Charles L. Huber, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $6,250. E. (9) $3,254.66.

A. William J. Hull, 1000 Connecticut Avenue, Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1000 Connecticut Avenue, Washington, D.C.
B. Ohio Valley Improvement Association, Inc., Cincinnati, Ohio.
E. (9) $18.

A. Edward W. Hummers, Jr., Fletcher, Heald, Rowell, Kenehan & Hildreth, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Robert R. Humphreys, 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $86.05.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Independent Natural Gas Association of America, 918 Sixteenth Street NW., Washington, D.C.
D. (6) $1,175.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $9,875.18. E. (9) $9,875.18.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $10.20.

A. Insurance Co. of North America, 1600 Arch Street, Philadelphia, Pa.
E. (9) $900.

A. International Armament Corp., 10 Prince Street, Alexandria, Va.
E. (9) $1,500.

A. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $6,735.36.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $12,900.47.

A. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. The Interstate Manufacturers Association, 163–165 Center Street, Winona, Minn.

A. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $5,647.61.

A. Iron Ore Lessors Association, Inc., 1000 First National Bank Building, St. Paul, Minn.
D. (6) $14,641.65. E. (9) $9,359.91.

A. Alexander Jackson, Jr., 1 Constitution Avenue NE., Washington, D.C.
B. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Charles Jackson, Jr., 82 Devonshire Street, Boston, Mass.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $50.

A. Charles E. Jackson, 1200 18th Street NW., Washington, D.C.
D. (6) $900. E. (9) $62.43.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,750. E. (9) $198.

A. Walter K. Jaenicke.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $193.

A. Ralph K. James, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street, NW., Washington, D.C.
D.(6) $440. E. (9) $36.67.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $5,745.51. E. (9) $47.18.

A. Charles B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Gene Johnson, 814 Fleming Building, Des Moines 9, Iowa.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union) 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,600. E. (9) $319.38.

A. Spencer A. Johnson, 1025 Vermont Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $300.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Elmer A. Jones, Room 714, 1145 19th Street NW., Washington, D.C.
B. Lead-Zinc Producers Committee.
D. (6) $750. E. (9) $324.85.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $144. E. (9) $336.36.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $31.

A. Dr. Oliver H. Jones, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,250. E. (9) $2,227.

A. Mrs. Fritz R. Kahn, 9209 Ponce Place, Fairfax, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
E. (9) $11.05.

A. Karelsen, Karelsen, Lawrence & Nathan, 230 Park Avenue, New York, N.Y.
E. (9) $5.94.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $3,125.

A. William J. Keating, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.
D. (6) $15.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif.
B. Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $22.60.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.
B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $500.

A. Thomas John Kehoe and Associates, 1904 Rookwood Road, Silver Spring, Md.
E. (9) $600.

A. Harold V. Kelly, 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Edward F. Kenehan, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 5th Avenue, New York, N.Y.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $360.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $98.05.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,213.22. E. (9) $1,336.56.

A. William F. Kenney, Shell Oil Co., New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $600. E. (9) $150.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $12.50.

A. John A. Killick, 1820 Massachusetts Avenue NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $270.83.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors: Sprinkler Irrigation Association.
E. (9) $1,497.65.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $825.

A. Mr. and Mrs. Harry L. Kingman, 535 San Luis Road, Berkeley, Calif.
D. (6) $810. E. (9) $810.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $248.68.

A. Kirkland, Ellis, Hodson, Chaffetz & Masters, 800 World Center Building, Washington, D.C.
B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. A. R. Kirkley, M.D., One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $343.75. E. (9) $23.24.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
D. (6) $91.80. E. (9) $138.92.

A. Ralph W. Kittle.
B. International Paper Co., 220 East 42d Street, New York, N.Y.

A. Robert E. Kline, Jr., 409 LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.
B. Bowling Proprietors' Association of America, Inc., West Higgins Road, Hoffman Estates, Ill.
D. (6) $1,250. E. (9) $44.70.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, AFL–CIO and CLC (Labor Union), 1200 15th Street, Washington, D.C.
D. (6) $4,999.98.

A. John D. Knodell, Jr., Suite 1011, 1730 K Street NW., Washington, D.C.
B. Humble Oil & Refining Co. (A Delaware Corp.) Post Office Box 2180, Houston, Tex.
E. (9) $167.02.

A. Mr. George W. Koch, 205 East 42d Street, New York, N.Y.
B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. Mr. Robert M. Koch, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $51.50.

A. Wm. L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $523.45.

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association (Service Organization), 2000 Florida Avenue NW., Washington, D.C.
D. (6) $95.

A. Maurice Kramer, One Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,462.50. E. (9) $151.40.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 E. Huron Street, Chicago, Ill.
D. (6) $510.52.

A. Lloyd R. Kuhn, Aerospace Industries Association, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $5,064. E. (9) $730.40.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C., 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $9,873. E. (9) $7,593.

A. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
E. (9) $9,998.67.

A. Laborers' Political League, 905 16th Street NW., Washington, D.C.
D. (6) $9,415.20. E. (9) $18,795.

A. Richard H. Lane, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing.

A. Ronald A. Lang, 330 Madison Avenue, New York, N.Y.
B. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

A. Albert Lannon, Jr., 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $2,599.98. E. (9) $363.12.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.
B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $525.

A. George H. Lawrence, 1725 I Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $20. E. (9) $267.85.

A. Legislation for Animal Welfare, Inc. (LAW, Inc.), 3045 P Street NW., Washington, D.C.

A. Legislative Committee, International Economic Policy Association, 1625 Eye Street NW., Washington, D.C.
E. (9) $3,568.81.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,730. E. (9) $344.36.

A. Richard Leighton, Munsey Building, Washington, D.C.

A. Nils A. Lennartson, 1140 Connecticut Avenue NW., Washington, D.C.
B. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,999.96.

A. Roy T. Lester, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $437.50. E. (9) $7.50.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,000. E. (9) $27.04.

A. Marx Leva, 815 Connecticut Avenue NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Arden Publishing Co., Tucson, Ariz.
D. (6) $5,000.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.

A. Morris J. Levin, 910 17th Street NW., Washington, D.C.
B. Pennsylvania Central, Six Penn Center Plaza, Philadelphia, Pa.

A. Liberty Lobby, Inc., 132 Third Street SE., Washington, D.C.
D. (6) $26,852.31. E. (9) $22,452.82.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D.C.
B. Western States Meat Packers Association, Inc.
D. (6) $6,562.50. E. (9) $21.06.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.
D. (6) $142.65. E. (9) $6.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Loyalty Building, Portland, Oreg.
B. Master Contracting Stevedore Association of the Pacific Coast, Inc., San Francisco, Calif.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Loyalty Building, Portland, Oreg.
B. National Maritime Compensation Committee, 919 18th Street NW., Washington, D.C.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, 1741 DeSales Street NW., Washington, D.C.
D. (6) $5,250. E. (9) $2,081.03.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $397.50. E. (9) $159.13.

A. John J. Long, 1730 Rhode Island Avenue NW., Washington, D.C.
B. International Printing Pressmen & Assistants' Union of North America, 1730 Rhode Island Avenue NW., Washington, D.C.
D. (6) $1,950. E. (9) $2,080.

A. Paul H. Long, 1612 K Street NW., Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.
E. (9) $17.35.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $2,057.40.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk & Western Railway Co., Roanoke, Va.
D. (6) $600.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $1,750.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,850. E. (9) $29.70.

A. LeRoy E. Lyon, Jr., Eleventh and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. William C. McCamant, 1725 K Street NW., Washington, D.C.
D. (6) $300.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employes' Council, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,281.16.

A. Alfred R. McCauley, 1629 K Street NW., Washington, D.C.
B. Consumer Products Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.
E. (9) $185.95.

A. Alfred R. McCauley, 1629 K Street NW., Washington, D.C.
B. The Magnavox Co., 270 Park Avenue, New York, N.Y.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. International Packers Ltd., 410 North Michigan Avenue, Chicago, Ill.
E. (9) $53.43.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

A. E. L. McCulloch, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, B. of L.E. Building, Cleveland, Ohio.
D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW,. Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $200.

A. Angus H. McDonald, Legislative Assistant.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,415.30. E. (9) $167.19.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,625. E. (9) $807.34.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont.

A. Mrs. Judith Nies McFadden, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.
D. (6) $51,886.90. E. (9) $10,980.65.

A. Marshall C. McGrath.
B. International Paper Co., 220 East 42d Street, New York, N.Y.
D. (6) $445. E. (9) $62.29.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,394. E. (9) $583.01.

A. Clarence M. McIntosh, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $2,716.44. E. (9) $580.50.

A. William F. McKenna, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $425. E. (9) $4.20.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,475. E. (9) $31.65.

A. C. W. McMillan, 801 East 17th Avenue, Denver, Colo.

B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

D. (6) $5,250.

A. Charles R. McNeill, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $1,300. E. (9) $610.36.

A. Robert L. McNeill, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $57. E. (9) $36.88.

A. Shane MacCarthy, 20 Chevy Chase Circle NW., Washington, D.C.

B. Printing Industries of America, 20 Chevy Chase Circle NW., Washington, D.C.

D. (6) $475. E. (9) $820.

A. William P. MacCracken, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. American Optometric Association, care of J. C. Tumblin, 4836 Broadway NE., Knoxville, Tenn.

D. (6) $1,000.

A. Ian R. MacGowan, 1725 K Street NW., Washington, D.C.

B. American Insurance Association, 1725 K Street NW., Washington, D.C.

D. (6) $1,500. E. (9) $350.

A. James E. Mack, 1225 19th Street NW., Washington, D.C.

B. Peanut Butter Manufacturers Association, 1225 10th Street NW., Washington, D.C.

A. James E. Mack, 1225 19th Street NW., Washington, D.C.

B. National Confectioners Association, 1225 19th Street NW., Washington, D.C.

A. H. E. Mahlman, 1026 17th Street NW., Washington, D.C.

B. American Optometric Association, care of J. C. Tumblin, 4836 Broadway NE., Knoxville, Tenn.

D. (6) $900. E. (9) $51.25.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.

B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Ben J. Man, 100 Indiana Avenue NW., Washington, D.C.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $1,065.07. E. (9) 405.57.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va.

B. National Coal Association, Coal Building, Washington, D.C.

D. (6) $5,750.01. E. (9) $129.30.

A. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.

E. (9) $1,410.96.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $5,000. E. (9) $3,000.

A. Mrs. A. Oilya Margolin, 924 Dupont Circle Building, 1346 Connecticut Avenue NW., Washington, D.C.

B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.

D. (6) $2,475. E. (9) $110.49.

A. Rodney W. Markley, Jr., 618 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $225. E. (9) $144.96.

A. Raymond E. Marks, 65 Market Street, San Francisco, Calif.

B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.

B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.

D. (6) $3,417.75. E. (9) $199.31.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.

B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.

A. J. Paull Marshall, 925 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $140.12. E. (9) $161.87.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.

B. Mid-Continental Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

D. (6) $500. E. (9) $100.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

B. Association of Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.

D. (6) $2,000. E. (9) $2,000.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.

D. (6) $200. E. (9) $200.

A. Walter J. Mason, 815 16th St. NW., Room 603, Washington, D.C.

B. Building and Construction Trades Department, AFL–CIO, 815 16th St. NW., Room 603, Washington, D.C.

D. (6) $5,499.91. E. (9) $1,940.

A. P. H. Mathews, 925 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $1,329.99. E. (9) $485.36.

A. Charles D. Matthews, 1140 Connecticut Avenue, NW., Washington, D.C.

B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.

D. (6) $1,150. E. (9) $63.78.

A. Charles E. Mattingly, 1608 K Street, NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $2,925. E. (9) $67.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.

B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. Albert E. May, 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.

D. (6) $436. E. (9) $28.50.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 410, Washington, D.C.

B. Amalgamated Meat Cutters & Butcher Workmen of North America (AFL–CIO), 2800 North Sheridan Road, Chicago, Ill.

D. (6) $4,615. E. (9) $675.

A. James E. Meals, 1329 E Street NW., Washington, D.C.

B. Air Line Pilots Association, 55th Street and Cicero Avenue, Chicago, Ill.

D. (6) $100. E. (9) $100.

A. John S. Mears, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $3,291. E. (9) $60.70.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.

B. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.

E. (9) $1,275.52.

A. Carl J. Megel, 1012 14th Street NW., Washington, D.C.

B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C.

E. (9) $8,800.

A. Mr. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,394. E. (9) $240.41.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.

B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.

E. (9) $2,950.

A. Lawrence C. Merthan, 1735 K Street NW., Washington, D.C.

B. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. George F. Meyer, Jr., 1625 I Street NW., Washington, D.C.

B. Retired Officers Association, 1625 I Street NW., Washington, D.C.

D. (6) $562.50.

A. Midland Cooperative Dairy Association, Principal Office: Shawano, Wis. Branch Office: Box 128, Cazenovia, N.Y.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.

B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

D. (6) $100.

A. Miller Associates, Inc., 2011 Eye Street NW., Washington, D.C.

B. National Music Publisher's Association, Inc., 460 Park Avenue, New York, N.Y.
D. (6) $3,000. E. (9) $425.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,650.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex.
D. (6) $2,250.

A. Edwin Reid Miller.
B. Nebraska Railroad Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $4,099.98. E. (9) $309.21.

A. Joseph L. Miller, 815 17th Street, Washington, D.C.
B. Northern Textile Association; Maytag Co.; Chicago Bridge & Iron Co.; National Parking Association.

A. Luman G. Miller.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.
D. (9) $606.44.

A. Robert H. Miller, 1000 16th Street NW., Washington, D.C.
B. Tenneco Inc., P.O. Box 2511, Houston, Tex.
E. (9) $62.90.

A. Jack Miller, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute.

A. Marion Daniel Minchew, Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $176.25. E. (9) $5.94.

A. Othmer J. Mischo, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Missouri Railroad Committee, 906 Olive Street, St. Louis, Mo.

A. Thomas F. Mitchell, 1735 I Street NW., Washington, D.C.
B. Georgia-Pacific Corp., Box 311, Portland, Oreg.
E. (9) $265.

A. Carl A. Modecki, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Willis C. Moffatt, 525 First Security Building, Boise, Idaho.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.

A. Carlos Moore, 25 Louisiana Avenue NW., Washington, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $4,998.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,500.

A. Morrison, Clapp, Abrams & Haddock, the Pennsylvania Building, Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. James G. Morton, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists Association, 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) Under $50.

A. Lynn E. Mote, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.
D. (6) $500.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $150. E. (9) $378.50.

A. T. H. Mullen, 4301 Columbia Pike, Arlington, Va.
B. Union Camp Corp., 233 Broadway, New York, N.Y.

A. Pat Murphy, 324 East Capitol Street, Washington, D.C.
B. National Star Route Mail Carriers' Association, 324 East Capitol Street, Washington, D.C.

A. John J. Murphy, Jr, 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $335.40.

A. John J. Murphy. 2794 Wilelinor Drive, Edgewater, Md.
B. National Customs Service Association, 2794 Wilelinor Drive, Edgewater, Md.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth D. Naden, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $8,625. E. (9) $713.67.

A. John J. Nangle, 811 Watergate Office Building, 2600 Virginia Avenue NW., Washington, D.C.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.

A. Augustus Nasmith, Pennsylvania Station, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. The Nation-Wide Committee on Import-Export Policy, 815 15th Street NW., Room 400–S, Washington, D.C.
B. O. R. Strackbein, Chairman of the Nation-Wide Committee.
D. (6) $14,075. E. (9) $10,454.81.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. National Associated Businessmen, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,298.90. E. (9) $1,280.83.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $15,000. E. (9) $55.75.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C.
D. (6) $1,957.13. E. (9) $10,491.89.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $330. E. (9) $330.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $61,827.13. E. (9) $2,545.45.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
E. (9) $464.45.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $592,562.53. E. (9) $17,554.41.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $1,989.08. E. (9) $1,989.08.

A. National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $35,000. E. (9) $11,020.74.

A. National Association of Travel Organizations, 1100 Connecticut Avenue NW., Washington, D.C.
D. (6) $41,500.93. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $4,308.48. E. (9) $4,308.48.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $1,000.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $616,066.34. E. (9) $8,007.42.

A. National Coal Association, Coal Building, Washington, D.C.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $5,118.37.

A. National Committee to Abolish HUAC, 555 North Western Avenue, Los Angeles, Calif.
D. (6) $1,602.17. E. (9) $1,602.17.

A. National Conference of Non-Profit Shipping Associations, Inc., 2309 Fannin, Houston, Tex.
D. (6) $1,475.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Box 23, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $10,770.46. E. (9) $10,770.46.

A. National Council of Agricultural Employers, 620 Southern Building, Washington, D.C.
D. (6) $6,150. E. (9) $3,833.08.

A. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $17,751.72. E. (9) $15,449.48.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.
E. (9) $89.25.

A. National Council of Technical Service Industries, 888 17th Street NW., Suite 702, Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $898.76. E. (9) $703.27.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Cenco Instruments Corp., 2600 South Kostner Avenue, Chicago, Ill.
D. (6) $900. E. (9) $104.56.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $2,000 E. (9) $110.83.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. National Association of Railroad Passengers, 333 North Michigan Avenue, Chicago, Ill.
D. (6) $3,750. E. (9) $361.13.

A. National Cystic Fibrosis Research Foundation, 202 East 44th Street, New York, N.Y.
E. (9) $1,000.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Farmers Organization, 720 Davis Avenue, Corning, Iowa.
E. (9) $4,721.43.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $174,260.18. E. (9) $18,382.29.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $29,099.90. E. (9) $29,099.90.

A. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $2,098.84. E. (9) $2,068.73.

A. National Housing Conference, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,264.20. E. (9) $16,447.89.

A. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $156.50.

A. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,732.

A. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $10,106.05. E. (9) $1,560.34.

A. National Limestone Institute Inc., 702 H Street NW., Washington, D.C.
D. (6) $2,763.05. E. (9) $2,763.05.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $4,311.78. E. (9) $4,311.78.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $882.52.

A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $876.21.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
B. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $5,567.75. E. (9) $5,257.43.

A. National Rehabilitation Association, 1522 K Street NW., Washington, D.C.
D. (6) $109.86. E. (9) $1,068.34.

A. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
E. (9) $681.14.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $6,109.74.

A. National Rural Electric Cooperative Association, 1000 Florida Avenue NW., Washington, D.C.
E. (9) $1,518.20.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
D. (6) $121,430. E. (9) $2,549.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $13,974. E. (9) $4,372.89.

A. Alexander W. Neale, Jr., 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $3,712.

A. Alan M. Nedry, 888 17th Street NW., No. 218, Washington, D.C.
B. Southern California Edison Company, Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500. E. (9) $2,904.27.

A. Samuel E. Neel, Suite 500, Ring Building, 1200 18th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $711.

A. Frances E. Neely, Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,131. E. (9) $2.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $775.36.

A. Louis H. Nevins, 1300 Connecticut Avenue, Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue, Washington, D.C.
D. (6) $2,334. E. (9) $97.25.

A. John A. Nevius, 1000 Vermont Avenue NW., Washington, D.C.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.
D. (6) $10,420. E. (9) $971.87.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $5,443.34. E. (9) $493.66.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $649.88.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.
E. (9) $136.59.

A. North Dakota Railway Lines, 418 East Rosser, Box 938, Bismarck, N. Dak.
E. (9) $43.10.

A. Graham T. Northrup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America—Trade Association, 1707 H Street NW., Washington, D.C.
D. (6) $5,625. E. (9) $9,316.

A. Michael J. Norton, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $438.90.

A. Ira H. Nunn, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C.; 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $3,125. E. (9) $250.

A. Seward P. Nyman, 3301 16th Street NW., Washington, D.C.
B. American Podiatry Association, 3301 16th Street NW., Washington, D.C.
D. (6) $650.

A. Richard T. O'Connell, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,899.96. E. (9) $207.51.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $31,249. E. (9) $191.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Parden Investment Management Corp., 18610 James Couzens Highway, Detroit, Mich.
E. (9) $33.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Upper Mississippi Towing Corp., 7703 Normandale Road, Minneapolis, Minn.
E. (9) $63.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $14,899.20.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, 815 16th Street NW., Washington, D.C.
B. Amalgamated Clothing Workers of America, 15 Union Square, New York, N.Y.
D. (6) $2,275. E. (9) $556.06.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill.

A. (1) The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio; (2) Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
E. (9) $2,108.19.

A. Alvin E. Oliver, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. L. T. Barringer & Co., 161 South Front Street, Memphis, Tenn.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. Central Arizona Project Association, Phoenix, Ariz.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $29.75.

A. Charles T. O'Neill, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $24.25.

A. Jerry H. Opack, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Order of Railway Conductors & Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $6,213.28.

A. Organization of Professional Employees of the U.S. Department of Agriculture, Post Office Box 381, Washington, D.C.
D. (6) $467.62. E. (9) $1,148.10.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.00.

A. John A. Overholt, 10400 Connecticut Avenue, Kensington, Md.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,125.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. D. Parel, 925 Transportation Building, Washington, D.C.
B. Association of American Railroads, Transportation Building, Washington, D.C.
D. (6) $202. E. (9) $139.

A. Michael L. Parker, 1910 Russ Building, San Francisco, Calif.
B. Kaiser Foundation Health Plan, 300 Lakeside Drive, Oakland, Calif.
D. (6) $3,446.74. E. (9) $2,346.74.

A. George F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association, Post Office Box 7, Charleston, W. Va.
D. (6) $6,000. E. (9) $123.30.

A. Robert D. Partridge, 2000 Florida Avenue, Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $103.20.

A. Mr. Lynn C. Paulson, 1735 K St. NW., Washington, D.C.
B. National Independent Dairies Association, 1735 K Street NW., Washington, D.C.
E. (9) $330.88.

A. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
E. (9) $2,500.55.

A. J. Carter Perkins, 1700 K Street, Washington, D.C.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,800.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn.
D. (6) $2,500. E. (9) $1,011.76.

A. Michael Petresky, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $932.20.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corporation, 900 17th Street NW., Washington, D.C.
E. (9) $260.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. John P. Philbin, 1100 Connecticut Avenue, Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $1,125. E. (9) $197.51.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $156.90.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
E. (9) $360.05.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 East 42d Street, New York, N.Y.
D. (6) $700. E. (9) $1,700.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.
D. (6) $19,083.61. E. (9) $1,350.

A. Joseph M. Pollard, 1001 Connecticut Avenue NW., Washington, D.C.
B. County of Los Angeles, State of California, 500 West Temple Street, Los Angeles, Calif.
D. (6) $2,700.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $900. E. (9) $256.72.

A. Potomac Basin Federation, RFD No. 1, care of John R. Moulton, Charles Town, W. Va.
D. (6) $6.04.

A. Ramsay D. Potts, 910 17th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
D. (6) $2,720.78. E. (9) $1,323.26.

A. William J. Potts, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.
B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $15.40.

A. Carlton H. Power, 1918 North Parkway, Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $270. E. (9) $25.32.

A. Graydon R. Powers, Jr., 1735 DeSales Street NW., Washington, D.C.
B. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C.

A. William C. Prather, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $450.

A. William H. Press, 616 K Street NW., Washington, D.C.
B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.
D. (6) $9,236.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C.

B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.

D. (6) $218.75. E. (9) $3.25.

A. Jerry C. Pritchett, 59 Ivy Street SE., Washington, D.C.

B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

D. (6) $750. E. (9) $750.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. William A. Quinlan, 1317 F Street NW., Washington, D.C.

D. (6) $31.72. E. (9) $13.64.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.

B. American Cancer Society, New York, N.Y.; the Arthritis Foundation, New York, N.Y., National Multiple Sclerosis Society, New York, N.Y.; United Cerebral Palsy Associations, Inc., New York, N.Y.; National Cystic Fibrosis Research Foundation, New York, N.Y., and Research To Prevent Blindness, Inc., New York, N.Y.

D. (6) $17,749.97. E. (9) $9,768.26.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Suite 1303, Washington, D.C.

B. Committee for Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $1,120. E. (9) $90.39.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $2,500.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $216.48.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.

D. (6) $25. E. (9) $25.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street NW., Washington, D.C.

B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.

D. (6) $4,750.

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.

B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. Sidney C. Reagan, 6815 Prestonshire, Dallas, Tex.

B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.

D. (6) $150.

A. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

E. (9) $58,997.32.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $799.98.

A. Reserve Officers Association of the United States, 1 Constitution Avenue NE., Washington, D.C.

A. Ronald E. Resh, 1300 Wyatt Building, Washington, D.C.

B. Wyatt & Saltzstein, 1300 Wyatt Building, Washington, D.C.

D. (6) $416.66.

A. Retired Officers Association, 1625 Eye Street NW., Washington, D.C.

D. (6) $2,187.50.

A. Retirement Federation of Civil Service Employees of the U.S. Government, Warner Building, 13th and E Streets NW., Washington, D.C.

D. (6) $24,511.50. E. (9) $10,607.15.

A. William L. Reynolds, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $118.

A. Theron J. Rice, 1130 17th Street NW., Washington, D.C.

B. Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,207.70. E. (9) $12.54.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.

B. Louisiana Railroads.

D. (6) $15.50. E. (9) $47.37.

A. Mark Richardson, 342 Madison Avenue, New York, N.Y.

B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.

D. (6) $250. E. (9) $250.

A. Mr. Siert F. Riepma, National Association of Margarine Manufacturers, Munsey Building, Washington, D.C.

A. Richard N. Rigby, Jr., 1900 L Street NW., Washington, D.C.

B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $1,976.98.

A. William Neale Roach, 1725 K Street NW., Washington, D.C.

B. International Armament Corp. (Interarmco), 10 Prince Street, Alexandria, Va.

D. (6) $1,500.

A. Austin L. Roberts, Jr., 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

D. (6) $875.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $250.

A. Stephen Philip Robin, 1900 Connecticut Avenue NW., Washington, D.C.

B. International Public Relations Co., Ltd. (N.Y.), doing business as Japan Steel Information Center, 230 Park Avenue, New York, N.Y.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $185.

A. John P. Roche, 150 East 42d Street, New York, N.Y.

B. American Iron and Steel Institute, 150 East 42d Street, New York, N.Y.

D. (6) $600. E. (9) $210.

A. James A. Rock, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $162.50. E. (9) $1.67.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C.

B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C.

D. (6) $562.50.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.

B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.

D. (6) $526.

A. Robert J. Routier, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Royall, Koegel, Rogers & Wells, 200 Park Avenue, New York, N.Y. and 1730 K Street NW., Washington, D.C.

B. Great Salt Lake Minerals & Chemicals Corp., 579 Fifth Avenue, New York, N.Y.

A. Royall, Koegel, Rogers & Wells, 200 Park Avenue, New York, N.Y. and 1730 K Street NW., Washington, D.C

B. Power Authority of the State of New York, 10 Columbus Circle, New York, N.Y.

D. (6) $7,500. E. (9) $12.65.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.

B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.

B. New Process Co., Warren, Pa.

E. (9) $119.85.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $765. E. (9) $469.20.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.

B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.

D. (6) $750. E. (9) $1,182.57.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $849.32.

A. Mrs. Edward F. Ryan, 110 Bridge Street, Manchester, Mass.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

E. (9) $208.03.

A. William H. Ryan, Machinists Building, Washington, D.C.

B. International Association of Machinists and Aerospace Workers, Machinists Building, Washington, D.C.

D. (6) $1,875. E. (9) $460.

A. Francis J. Riley, 519 Title and Trust Building, Phoenix, Ariz.

B. Standard Oil Company of California, San Francisco; Shell Oil Co., Mobil Oil Corp., Atlantic Richfield Co., Phillips Petroleum Co., Union Oil Co., Signal Oil & Gas Co., Gulf Oil Corp., all Los Angeles; Humble Oil & Refining Co., Midland, Tex.

A. Carl K. Sadler, 400 First Street NW., Washington, D.C.

B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

D. (6) $3,291.40. E. (9) $5,450.62.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.

B. American Business Press, Inc., 205 East 42d Street, New York, N.Y.

D. (6) $3,750. E. (9) $2,280.54.

A. Charles E. Sandler, 1619 Massachusetts Avenue NW., Washington, D.C.

B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.

D. (6) $500.

A. Leslie J. Schmidt Associates, 1341 G Street NW., Suite 520, Washington, D.C.

B. National Beer Wholesalers Association of America, 6310 North Cicero Avenue, Chicago, Ill.

D. (6) $200.

A. Hilliard Schulberg, Suite 304, 1900 L Street NW., Washington, D.C.

B. Washington, D.C., Retail Liquor Dealers Association, Inc., Suite 304, 1900 L Street NW., Washington, D.C.

E. (9) $211.38.

A. Scribner, Hall & Casey, 1200 18th Street NW., Washington, D.C.

B. New Process Co., Warren, Pa.

A. Scribner, Hall & Casey, 1200 18th Street NW., Washington, D.C.

B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.

D. (6) $30,000. E. (9) $12,000.

A. Durward Seals, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.

B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Theodore A. Serrill, 491 National Press Building, Washington, D.C.

B. National Newspaper Association, 491 National Press Building, Washington, D.C.

E. (9) $145.92.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,125. E. (9) $345.50.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Suite 580, Washington, D.C.

B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.

D. (6) $800. E. (9) $455.

A. James R. Sharp, 1108 16th Street NW., Washington, D.C.

B. American Fur Merchants Association, 224 West 30th Street, New York, N.Y.

E. (9) $2,250.

A. Arnold F. Shaw, Esq., 503 D Street NW., Washington, D.C.

B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $750.

A. Shaw, Pittman, Potts, Trowbridge & Madden, Barr Building, Washington, D.C.

B. Doubleday & Co., Inc., 277 Park Avenue, New York, N.Y.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Max Shine, 1126 16th Street NW., Room 200, Washington, D.C.

B. American Federation of Technical Engineers, 1126 16th Street NW., Room 200, Washington, D.C.

D. (6) $992. E. (9) $20.

A. Alvin V. Shoemaker, 425 13th Street NW., Washington, D.C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

D. (6) $750. E. (9) $940.

A. George Shuff, 916 Nashville Trust Building, Nashville, Tenn.

B. Class I Railroads in Tennessee.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $938. E. (9) All expenditures incurred in connection with the legislative interests are paid by the American Farm Bureau Federation.

A. Sidley & Austin, 1625 Eye Street NW., Washington, D.C.

B. Electronic Industries Association, 2001 Eye Street NW., Washington, D.C.

D. (6) $1,950.

A. David Silver, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

D. (6) $140.39. E. (9) $99.50.

A. Silver Users Association, 1625 Eye Street NW., Washington, D.C.

D. (6) $35. E. (9) $1,392.09.

A. Lana H. Sims, 1003 Security Federal Building, Columbia, S.C.

B. South Carolina Railroad Association, 1003 Security Federal Building, Columbia, S.C.

D. (6) $34.92. E. (9) $24.94.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $24,800. E. (9) $4,406.25.

A. Carstens Slack, 1625 Eye Street NW., Washington, D.C.

B. Phillips Petroleum Co., Bartlesville, Okla.

A. Harold Slater, One Farragut Square South, Washington, D.C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $360. E. (9) $99.15.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $3,125. E. (9) $15.50.

A. Jonathan W. Sloat, 1632 K Street NW., Washington, D.C.

B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. Donald E. Smiley, 1730 K Street NW., Washington, D.C.

B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.

E. (9) $99.89.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.

B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.

E. (9) $22.90.

A. James E. Smith, 815 Connecticut Avenue NW., Washington, D.C.

B. The American Bankers Association, 90 Park Avenue, New York, N.Y.

D. (6) $2,000. E. (9) $600.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Robert B. Smith, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Robert Wm. Smith, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $255. E. (9) $192.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.

B. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Washington, D.C.

D. (6) $2,848.77. E. (9) $3,388.96.

A. Wallace M. Smith, 829 Pennsylvania Building, Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $177.75.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $612.30. E. (9) $446.70.

A. Lyle O. Snader, 925 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $225.63. E. (9) $121.

A. Frank B. Snodgrass, 1726 M Street NW., Washington, D.C.

B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.

D. (6) $425.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.

D. (6) $2,984.48. E. (9) $3,929.72.

A. Carl A. Soderblom, 1 East First Street, Reno, Nev.

B. Nevada Railroad Association, 1 East First Street, Reno, Nev.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.

D. (6) $600. E. (9) $380.26.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.

D. (6) $150.

A. William W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,065.40. E. (9) $3.99.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Lawrence Speiser, 1424 16th Street NW., Washington, D.C.

B. American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.

A. Melvin L. Stark, 1725 K Street NW., Washington, D.C.

B. American Insurance Association, 1725 K Street NW., Washington, D.C.

D. (6) $3,000. E. (9) $350.

A. Samuel E. Stavisky & Associates, Inc., 1250 Connecticut Avenue NW., Washington, D.C.

B. Pan-American Coffee Bureau, 120 Wall Street, New York, N.Y.

E. (9) $465.

A. Samuel E. Stavisky, 1250 Connecticut Avenue, Washington, D.C.

B. Samuel E. Stavisky & Associates, Inc., 1250 Connecticut Avenue NW., Washington, D.C.

E. (9) $465.

A. Newton I. Steers, Jr., 4419 Romlon Street, Beltsville, Md.

A. Mrs. Nell May F. Stephens, Post Office Box 234, Northwest Station, Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.

B. California Olive Growers & Canners Industry Committee, 1868 East Lindmore, Lindsay, Calif.; Green Olive Trade Association, Inc., 80 Wall Street, New York, N.Y.

D. (6) $500.

A. B. H. Steuerwald, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. American Aniline Products, Inc., 25 McLean Boulevard, Paterson, N.J.

D. (6) $2,000. E. (9) $15.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. Man-Made Fiber Producers Association, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $1,225. E. (9) $15.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.

D. (6) $2,000. E. (9) $15.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. World Trade Committee of Parts Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.

D. (6) $500. E. (9) $7.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.

B. Imported Footwear Group, American Importers Association, New York, N.Y., Japan General Merchandise Exporters Association, and Japan Rubber Footwear Manufacturers Association, Tokyo, Japan.

D. (6) $600. E. (9) $600.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan Iron and Steel Exporters' Association, Tokyo, Japan.

D. (6) $25.

A. Stitt, Hemmendinger and Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.

B. Potash Co. of America, American National Bank Building, Denver, Colo.

D. (6) $300. E. (9) $300.

A. Nelson A. Stitt, 1000 Connecticut Avenue NW., Washington, D.C.

B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

A. Sterling F. Stoudenmire, Jr., 61 Saint Joseph Street, Mobile, Ala.

B. Waterman Steamship Corp., 61 Saint Joseph Street, Mobile, Ala.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C.

B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $3,750. E. (9) $67.15.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. Salt River Pima-Maricopa Indian Community, Box 907-X, Route 1, Scottsdale, Ariz.

A. Ronnie J. Straw, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $4,675.98. E. (9) $461.69.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.

B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

E. (9) $24.20.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.

B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $1,875. E. (9) $182.03.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.

B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.

D. (6) $600.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.

B. The National Association of River and Harbor Contractors, 3900 North Charles Street, Baltimore, Md.

D. (6) $750. E. (9) $267.18.

A. John T. Sun, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.

B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. William A. Sutherland, 1200 Farragut Building, Washington, D.C.

B. The Travelers Corporation, One Tower Square, Hartford, Conn.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.

B. National Tuberculosis and Respiratory Disease Association, 1740 Broadway, New York City, N.Y.

D. (6) $400.

A. John R. Sweeney, 1000 16th Street NW., Washington, D.C.

B. Bethlehem Steel Corporation, 701 East Third Street, Bethlehem, Pa.

A. Synthetic Organic Chemical Manufacturers Association, 330 Madison Avenue, New York, N.Y.

E. (9) $114.22.

A. Gary Tabak, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue, Washington, D.C.

D. (6) $150.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

D. (6) $200.

A. Russell D. Tall, 1200 17th Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Rev. Charles C. Talley, 3 High Street, Waterford, Va.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. The Taxpayers Committee To End Foreign Aid, 1629 K Street NW., Washington, D.C.

A. L. D. Tharp, Jr., 918 16th Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

D. (6) $300.

A. Julia C. Thompson, 1030 15th Street NW., Washington, D.C.

B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.

D. (6) $3,769.64.

A. William B. Thompson, Jr., 925 Transportation Building, Washington, D.C.

B. Association of American Railroads, Transportation Building, Washington, D.C.

D. (6) $202.50. E. (9) $117.

A. William H. Tinney, 2600 L Street NW., Washington, D.C.

B. Penn Central Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.

E. (9) $1,454.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.

D. (6) $2,875. E. (9) $321.27.

A. John H. Todd, Post Office Box 23, 1085 Shrine Building, Memphis, Tenn.

B. National Cotton Compress & Cotton Warehouse Association, 1805 Shrine Building, Box 23, Memphis, Tenn.

A. David R. Toll, 1140 Connecticut Ave., Washington, D.C.

B. National Association of Electric Cos., 1140 Connecticut Avenue, Washington, D.C.

D. (6) $596.25. E. (9) $665.03.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.

B. General Electric Co., 570 Lexington Avenue, New York, N.Y.

D. (6) $500. E. (9) $25.05.

A. John P. Tracey, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

D. (6) $400. E. (9) $50.

A. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.

E. (9) $2,015.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

E. (9) $25.50.

A. Richard S. Tribbe, 1000 16th Street NW., Washington, D.C.

B. Trans World Airlines, 10 Richards Road, Kansas City, Mo.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $2,137.50. E. (9) $27.42.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.

B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $5,000. E. (9) $65.90.

A. Joel B. True.

B. National Association of Manufacturers, 918 16th Street NW., Washington, D.C.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Galen Douglas Trussell, 918 16th Street NW., Washington, D.C.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

D. (6) $763.50. E. (9) $331.24.

A. Dick Tullis, 607 Maple Terrace, 3007 Maple Avenue, Dallas, Tex.

B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.

D. (6) $150. E. (9) $150.

A. W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.

B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.

E. (9) $173.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

D. (6) $8.50. E. (9) $127.

A. John D. Tyson.

B. International Paper Co., 220 East 42d Street, New York, N.Y.

D. (6) $370. E. (9) $61.67.

A. William S. Tyson, 821 15th Street NW., Washington, D.C.

B. Western Range Association, Suite 4, 7421 Beverly Boulevard, Los Angeles, Calif.

E. (9) $152.02.

A. United Cerebral Palsy Association, Inc., 66 East 34th Street, New York, N.Y.

E. (9) $1,470.84.

A. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

D. (6) $611,969.73. E. (9) $47,261.75.

A. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

E. (9) $180.64.

A. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $133.50. E. (9) $133.50.

A. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

E. (9) $27,771.54.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road, Alexandria, Va.

B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

D. (6) $48.

A. John A. Vance, 1725 K Street NW., Washington, D.C.

B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $1,920. E. (9) $2,428.46.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.

B. International Association of Machinists and Aerospace Workers, AFL–CIO.

D. (6) $1,812.49. E. (9) $480.

A. John Robert Vastine, Jr., 1000 Connecticut Avenue NW., Washington, D.C.

B. Emergency Committee for American Trade Association.

D. (6) $250. E. (9) $200.

A. G. W. Vaughan, 233 Broadway, New York, N.Y.

B. Union Camp Corp., 233 Broadway, New York, N.Y.

A. Richard E. Vernor, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $212.35. E. (9) $16.40.

A. E. R. Wagner, Suite 702, 888 17th Street NW., Washington, D.C.

B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.

D. (6) $177.70. E. (9) $22.76.

A. Richard B. Walbert, 888 17th Street NW., Washington, D.C.

B. National Association of Securities Dealers, Inc., 888 17th Street NW., Washington, D.C.

A. Wald, Harkrader & Rockefeller, 1225 19th Street NW., Washington, D.C.

B. Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.

D. (6) $900.

A. Harold S. Walker, Jr., 605 Third Avenue, New York, N.Y.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

E. (9) $634.59.

A. Reno P. Walker, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,125. E. (9) $18.50.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $4,493.44. E. (9) $1,214.82.

A. William A. Walton, Suite 212, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

B. Kansas Railroad Committee, Suite 212, Garlinghouse Building, 820 Quincy Street, Topeka, Kans.

A. Washington Consulting Service, 1435 G Street NW., Suite 1032, Washington, D.C.

B. American Occupational Therapy Association, 251 Park Avenue South, New York, N.Y.

D. (6) $350. E. (9) $285.

A. Washington Consulting Service, 1435 G Street NW., Suite 1032, Washington, D.C. 20005.

B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill.

D. (6) $900; E. (9) $800.

A. Merrill A. Watson, 342 Madison Avenue, New York, N.Y.

B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.

D. (6) $250; E. (9) $250.

A. E. E. Webster, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $3,491.25.

A. E. Jerome Webster, Jr.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

D. (6) $100.

A. Clarence M. Weiner, 350 Fifth Avenue, New York, N.Y.

B. Cigar Manufacturers Association of America, Inc., 350 Fifth Avenue, New York, N.Y.

D. (6) $8,000. E. (9) $122.20.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.

B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. Robert L. Weneck, 9121 West 73d Street, Shawnee Mission, Kan.

B. Weneck International Marketers, Inc., 2 East Gregory, Kansas City, Mo.

A. John L. Wheeler, Suite 1011, 815 Connecticut Avenue NW., Washington, D.C.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Donald F. White, 1616 H Street NW., Washington, D.C.

B. American Retail Federation, 1616 H Street NW., Washington, D.C.
D. (6) $800. E. (9) $70.

A. John C. White, 1317 F Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 1317 F Street NW., Washington, D.C.

A. Whitlock, Markey & Tait, Shoreham Building, 15th and H Streets, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill. National Institute of Drycleaning, 909 Burlington Avenue, Silver Spring, Md.
D. (6) $500.

A. Louis E. Whyte, 918 16th Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D.C.

A. William E. Wickert, Jr., Solar Building, 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Leonard M. Wickliffe, 11th and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.
D. (6) $2,062.50. E. (9) $2,932.34.

A. Claude C. Wild, Jr., 1025 Connnecticut Avenue NW., Washington, D.C.
B. The Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Billy Glen Wiley, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $692.30. E. (9) $4.86.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $9.30.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapahoe Indian Tribe, Fort Washakie, Wyo.
E. (9) $1.50.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish & Kootenai Tribes of the Flathead Reservation, Mont.
E. (9) $4.30.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. J. Ray McDermott & Co., Inc., Oil Division, Houston Club Building, Houston, Tex.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Estate of Albert W. Small, c/o Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.
E. (9) $9.40.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Box 1172, Helena, Mont.

A. Laurens Williams, 1200 Farragut Building, Washington, D.C.
B. The Travelers Corp., 1 Tower Square, Hartford, Conn.
E. (9) $94.15.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill.; 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,750. E. (9) $203.54.

A. Kenneth Williamson, 1 Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $1,379.07. E. (9) $570.16.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,489.

A. Earl Wilson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,716.44. E. (9) $1,079.86.

A. Frank J. Wilson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $2,000. E. (9) $500.55.

A. Robert Winter-Berger, 123 East 75th Street, New York, N.Y.

A. J. Sam Winters, 1708 Windsor Road, Austin, Tex.
B. American Insurance Association, RCA Building, Suite 1001, Washington, D.C.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.
D. (6) $1,150. E. (9) $2,979.70.

A. Peter L. Wolff, Washington, D.C.
B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $5,622.40. E. (9) $1,335.89.

A. James Woodside, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Flying Tiger Line, Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Perry W. Woofter, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $1,500. E. (9) $463.

A. World Trade Committee of Parts Division, Electronic Industries Association, 2001 Eye Street NW., Washington, D.C.
D. (6) $507. E. (9) $507.

A. Edward E. Wright, 1000 Connecticut Avenue NW., Washington, D.C.
B. United States-Japan Trade Council, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $50.

A. Hal J. Wright, 1612 K Street NW., Suite 400, Washington, D.C.
B. Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, N.Y.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. First National City Bank, 399 Park Avenue, New York, N.Y.
D. (6) $150. E. (9) $20.

A. J. Banks Young, Room 610, Ring Building, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $456.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,056. E. (9) $514.95.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottleib, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Zimring, Gromfine & Sternstein, 15th Street NW., Washington, D.C.

REGISTRATIONS

The following registrations were submitted for the third calendar quarter 1968:

(Note.—The form used for registration is reproduced below. In the interest of economy in the Record, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

File One Copy With the Secretary of the Senate and File Two Copies With the Clerk of the House of Representatives:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

Place an "X" Below the Appropriate Letter or Figure in the Box at the Right of the "Report" Heading Below:

"Preliminary" Report ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"Quarterly" Report: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◀

REPORT

Pursuant to Federal Regulation of Lobbying Act

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Note on Item "A".—(a) In General. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) Separate Reports. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. Organization or Individual Filing:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

Note on Item "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. Employer.—State name, address, and nature of business. If there is no employer, write "None."

Note on Item "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. Legislative Interests, and Publications in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report. ◀

AFFIDAVIT

[Omitted in printing]

PAGE 1 ◀

A. Baker & McKenzie, 815 Connecticut Avenue NW., Washington, D.C.

B. Itek Corp., 10 Maguire Road, Lexington, Mass.

A. S. G. Bishop, 400 First Street NW., Washington, D.C.

B. Transportation-Communication Employees Union, 3860 Lindell Boulevard, St. Louis, Mo.

A. Citizens for a Postal Corporation, Post Office Box 1807, Washington, D.C.

A. Philip Cohen, 2011 I Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.

B. Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Textile Importers Association.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Lumber Importers' Association, Tokyo, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Unione Industriale Pratese, Prato, Italy.

A. John Davenport, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. DeHart & Broide, Inc., 1150 Connecticut Avenue NW., Washington, D.C.

B. Record Industry Association of America.

A. F. Raymond Downs, 1730 K Street NW., Washington, D.C.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Roy W. Easley, 1735 De Sales Street NW., Washington, D.C.

A. Richard E. Faggioli, 1612 K Street NW., Washington, D.C.

B. Standard Oil Co. (N.J.), 30 Rockefeller Plaza, New York, N.Y.

A. Donald E. Graham, 1200 17th Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. William G. Greif, 1155 15th Street NW., Washington, D.C.

B. Bristol-Myers Co., 630 Fifth Avenue, New York, N.Y.

A. Landis D. Henderson, 3510 Georges Lane, Falls Church, Va.

B. American Real Estate Owners Association, 1739 Connecticut Avenue NW., Washington, D.C.

A. Herrick, Smith, Donald, Farley & Ketchum, 294 Washington Street, Boston, Mass.

B. Itek Corp., 10 Maguire Road, Lexington, Mass.

A. Home Manufacturers Association, 1625 L Street NW., Washington, D.C.

A. James P. Ince, 221 North LaSalle Street, Chicago, Ill.

B. Daniel J. Edelman, Inc., 221 North LaSalle Street, Chicago, Ill.

A. Robert A. Klayman, 1101 .17th Street NW., Washington, D.C.

B. Kentucky-Tennessee Clay Co., Inc., Mayfield, Ky.; Old Hickory Clay Co., Post Office Box 271, Paducah, Ky.; Bell Clay Co., Gleason, Tenn.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.

B. Japan Lumber Importers Association, Tokyo, Japan.

A. Don F. Dobb, 1619 Massachusetts Avenue NW., Washington, D.C.

B. Southern Pine Industry Committee.

A. Donald C. Lubick, Suite 1800, 1 M. & T. Plaza, Buffalo, N.Y.

B. Realty Corp., 111 Monument Circle, Indianapolis, Ind.

A. Alfred R. McCauley, 1629 K Street NW., Suite 304, Washington, D.C.,

B. The Magnavox Co., 270 Park Avenue, New York, N.Y.

A. Alwyn F. Matthews, 1140 Connecticut Avenue NW., Washington, D.C.

B. City of Islandia, Fla., City Hall, Du Pont Plaza Building, Miami, Fla.

A. Montgomery Ward & Co., Inc., 910 Washington Building, Washington, D.C.

B. Montgomery Ward & Co., Inc., Post Office Box 8339, Chicago, Ill.

A. James W. Nisbet, 280 Union Station Building, Chicago, Ill.

B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Realty Corp., 620 Guaranty Building, Indianapolis, Ind.

A. A. J. Pessel, 1001 Connecticut Avenue, NW., Washington, D.C.

A. William E. Rollow, Esq.

B. National Capital Area Council of Sportsmen, Inc.

A. Russell J. Ryan, Jr., 1000 Circle Tower, Indianapolis, Ind.

B. Realty Corp., 620 Guaranty Building, Indianapolis, Ind.

A. Myron Solter, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. Pin, Clip & Fastener Association, 441 Lexington Avenue, New York, N.Y.

A. Nicholas J. Spiezio, Assistant Director Government Relations, 1707 H Street NW., Washington, D.C.

B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.

A. Stitt, Hemmendinger & Kennedy, Attorneys, 1000 Connecticut Avenue NW., Washington, D.C.

B. Potash Co. of America, American National Bank Building, Denver, Colo.

A. Strasser, Spiegelberg, Fried, Frank & Kampelman, 1700 K Street NW., Washington, D.C.

B. California City Development Co., 6363 Sunset Boulevard, Los Angeles, Calif.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.

B. Retail Credit Co., Post Office Box 4081, Atlanta, Ga.

A. Svanholm Res. Lab's, 3205 Stanford Street, Hyattsville, Md.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.

B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.

A. Edwin M. Wheeler, President, National Plant Food Institute, 1700 K Street NW., Washington, D.C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.

B. Estate of Albert W. Small, c/o Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Francis G. Williams.

B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. Frank K. Woolley, 230 N. Michigan Avenue, Chicago, Ill.

B. Executive Director by the Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

SENATE—*Monday, January 13, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, the Reverend Dr. Edward L. R. Elson, D.D., offered the following prayer:

We thank Thee, O Lord, for Thy mercies which are new every morning. Deliver us now from the clash and clamor of life, from the tumult of our days, from the confusion of many voices, that we may hear again Thy still small voice—and hearing it, obey it. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE JOURNAL

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, January 10, 1969, be approved.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

AMENDMENT OF RULE XXII

The PRESIDENT pro tempore. The Senate being in recess, the Chair advises the Senate that the question before the Senate is the motion of the Senator from Michigan (Mr. Hart) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

The Senate resumed the consideration of the motion.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

INCREASE IN THE PER ANNUM RATE OF COMPENSATION OF THE PRESIDENT OF THE UNITED STATES—BILL ORDERED TO LIE ON THE TABLE

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 10.

The PRESIDENT pro tempore laid before the Senate the bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill be ordered to lie on the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Texas (Mr. Yarborough), and in his name, and on behalf of the Committee on Labor and Public Welfare, notice is hereby given that a public hearing has been scheduled for Wednesday, January 15, 1969, at 10 a.m. in room 4232, New Senate Office Building, before the Committee on Labor and Public Welfare on George P. Shultz, of Illinois, Secretary of Labor-designate.

The PRESIDENT pro tempore. All Senators and members of the committee will take note of the announcement.

HOLIDAY RECESS SCHEDULE

Mr. MANSFIELD. Mr. President, if the distinguished minority leader is in agreement, at this time I would like to announce the schedule for recesses covering national and religious holidays, and also a portion of the months of August and September.

Mr. DIRKSEN. Yes.

Mr. MANSFIELD. Mr. President, I have consulted with the minority leader, and with the leadership of the House of Representatives, as well as the Democratic steering committee and the Democratic conference, and I wish to announce the following holiday schedule for the first session of the 91st Congress.

Lincoln's Birthday occurs on Wednesday, February 12. It is anticipated that there will be a recess from the conclusion of business on Friday, February 7, until noon, Monday, February 17. I should point out that two weekends are included, and that, in effect, this period covers only 5 working days.

Washington's Birthday falls on Saturday, February 22. There will be no business after the reading of the Farewell Address.

Easter Sunday falls on April 6. The Senate will stand in recess from the conclusion of business on Thursday, April 3, until noon, Wednesday, April 9.

Memorial Day falls on Friday, May 30. The Senate will stand in recess from the conclusion of business on Thursday, May 29, to noon, Monday, June 2.

July 4 falls on a Friday. The Senate will stand in recess from the conclusion of business on Thursday, July 3, to noon, Monday, July 7.

The House has already announced it will have an August recess extending from the close of business on August 13, until noon, Wednesday, September 3. It is the intention of the Senate to take a recess during the same time. It is hoped that this will meet with the approval of the membership as a whole and be of particular interest to the younger Members who would like to spend more time with their growing families.

Notice will be sent to Senators on both sides of the aisle containing this suggested series of recess proposals at the earliest opportunity.

ANNOUNCEMENT OF CONVENING OF THE SENATE AT 10 A.M., FRIDAY, JANUARY 17, TO PAY TRIBUTE TO THE PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I announce that the Senate will come in on Friday at 10 a.m. It is hoped that at that time, and we anticipate there will be a sufficient number of Senators in the Chamber, we will take the opportunity to pay tribute to the departing President of the United States who served so long and so nobly and with such great skill in this body as a Senator, and while a Senator as majority whip, as minority leader, as majority leader and also as Vice President.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEMBERSHIP AND SIZE OF STANDING COMMITTEES—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask that it be considered immediately.

The PRESIDENT pro tempore. The unanimous-consent request of the distinguished majority leader will be stated for the information of the Senate.

The legislative clerk read as follows:

> *Ordered*, That on tomorrow, Tuesday, January 14, 1969, immediately following the prayer and without prejudice in any manner to the pending debate on the adoption of the Rules of the Senate and in particular modification of rule XXII, that it be in order for the Senate to proceed to the consideration of resolutions dealing with the membership and size of the standing committees of the Senate as specified in rule XXV and any amendments germane to those resolutions, and that the debate on those resolutions and any germane amendments thereto be limited to a total of not more than 2 hours to be equally divided between the Majority and Minority Leaders or by whomever they may designate, and that upon the disposition of those resolutions debate recur upon the pending motion to proceed to consideration of Senate Resolution 11.

The PRESIDENT pro tempore. The majority leader asks unanimous consent that on tomorrow, immediately following the prayer, and without prejudice in any manner to the pending debate on the adoption of the rules of the Senate, and in particular modification of rule XXII, that it be in order for the Senate to proceed to the consideration of resolutions dealing with the membership and size of the standing committees of the Senate as specified in rule XXV, and any amendments germane to those resolutions, and that the debate on those resolutions and any germane amendments thereto be limited to a total of not more than 2 hours, to be equally divided between the majority and minority leaders or whomever they may designate, and that upon the disposition of those resolutions, debate recur upon the pending motion to proceed to the consideration of Senate Resolution 11.

The PRESIDENT pro tempore. Is there objection?

Mr. MANSFIELD. Mr. President, reserving the right to object——

Mr. SCOTT. Mr. President, reserving the right to object——

The PRESIDENT pro tempore. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, the provisions of this consent agreement concerns the question of committee assignments and would permit its resolution tomorrow. It deals only with that question. I believe it has been cleared with all the principals involved in the effort to change rule XXII, and it is agreed that no amendment dealing with that issue will be offered, since it is admittedly not germane to the resolutions on committee assignments.

I make that statement only to make the Record absolutely clear.

Mr. HOLLAND. Mr. President, reserving the right to object—

The PRESIDENT pro tempore. The senior Senator from Pennsylvania (Mr. Scott) sought recognition first. The Chair will then recognize the Senator from Florida.

Mr. SCOTT. Mr. President, reserving the right to object, I would like to have the majority leader make it clear that this does not prejudice the right of any Senator, when the resolution is called up tomorrow, to interpose, if he wishes, objection to the consideration of it at that time, because I have been advised that some Senators wished to have that right reserved to them.

The PRESIDENT pro tempore. The Chair would be disposed to rule, without going into the matter thoroughly, that if this unanimous consent were agreed to, the right to carry over for 1 day would be waived. It would be by order of the Senate and by unanimous consent.

Mr. SCOTT. I wonder if the majority leader would withhold the request long enough to have it cleared, because I have been advised of the possibility of objection by a Senator.

Mr. MANSFIELD. I would be glad to, but I would point out that the minority leader and I reached a tentative agreement to bring this matter up on Tuesday. Then, because of circumstances beyond the control of the minority leader, we changed it to Monday. Now we are back to Tuesday. After we thought all the decks had been cleared it looks ridiculous to have the Senate carry on a charade like this, and go up the hill and then down the hill. But I would be willing to withhold my request.

Mr. SCOTT. Mr. President, reserving the right to object, I do not want the Senate to look ridiculous, but there may be Senators who want to be heard, and I would like a chance to check with them and to have an opportunity to observe, at the proper time, that the resolution is perhaps lacking a little in political sportsmanship, if I may say so. I believe that statement can be made later, in more detail, but I would like to have an opportunity to check with certain Senators.

The PRESIDENT pro tempore. Does the Senator interpose objection?

Mr. SCOTT. I had understood the majority leader had withdrawn the request temporarily.

Mr. MANSFIELD. Mr. President, I withdraw it temporarily.

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Florida?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, if the Senator will withdraw his request long enough for me to make this statement, reserving the right to object, the Senator from Florida was kindly conferred with by the two leaders, the majority leader and the minority leader, on this matter, and was perfectly willing to agree to this unanimous-consent agreement provided it was clearly understood that those interested in the amendment of rule XXII were obligated not to try to offer that amendment to what would be considered under this unanimous-consent agreement.

The Senator from Florida and the majority leader subsequently had conferences with the distinguished senior Senator from Michigan and the distinguished senior Senator from New York, who, as I understand it, conferred with others also interested in the rule XXII movement, and gave us positive assurance that there would be no effort made to attach any rule XXII change to this proposed debate having to do solely with the membership on Senate committees and with the apportionment of membership between the two parties.

With that understanding, the Senator from Florida was very glad to agree to this unanimous-consent agreement, because he stated in the beginning, the other day, that in no way does he wish to encumber the orderly organization of the Senate. He is still of that opinion.

I would hope that the unanimous-consent agreement, therefore, could be entered into, so that this very vital matter, affecting many Senators as to their committee assignments, and affecting both parties as to the division of the committee assignments, might be settled without further delay.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HART. Mr. President, will the Senator yield?

THE PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from New York?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I wish to get one point clarified. We need to know that this amendment to the rule does not involve the names of members of the various committees; it is just a matter of how many there will be on each committee and as to how they will be divided as between the parties. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. JAVITS. There will be separate resolutions as to those matters.

The other thing that the Senator from Michigan (Mr. Hart) wanted me to make clear was that any amendments to rule XXII would not be pertinent to this issue and, therefore, when we agree we are agreeing to the practice that the Senate has authorized. I want to make it clear that the Senator from Michigan (Mr. Hart) and I can speak only for ourselves. We have talked to a number of the Senators involved. I cannot, and the Senator from Michigan (Mr. Hart) cannot, speak for the whole Senate, but those Senators with whom we have talked have agreed that there is no desire to put amendments to rule XXII on this matter. Certainly, the Senator from Michigan (Mr. Hart) and I favor that. That is about as far as we can go.

Mr. MANSFIELD. Mr. President, the Senator is most fair.

As far as the joint leadership is concerned, we wish to assure the Senate that every Senator's rights, regardless of his position on this or any other matter, during the course of the session will always be protected insofar as we can protect it.

Now, Mr. President, I understand that the distinguished senior Senator from Pennsylvania, the minority whip, has indicated that it is agreeable now to present the unanimous-consent agreement.

The PRESIDENT pro tempore. Has the request been modified?

Mr. MANSFIELD. No.

Mr. JAVITS. Mr. President, may we have one more inquiry of the majority leader? Normally, these unanimous-consent requests have a provision regarding germaneness or some other limitation. I just wondered whether that had been done. Second, is it understood that an amendment—there is none that I know of, and I have no desire to present one—may be presented, and that that is accommodated in the unanimous-consent request? The only point of the inquiry is to ask if there will be an opportunity for an amendment different from that presented by the majority leader. Therefore, is it understood that an amendment may be presented or voted on, as well as the main resolution?

If I may have the majority leader's attention, obviously the only way this matter can be contested is by presenting an amendment to the amendment which will be presented by the majority leader. Is it understood, therefore, that unanimous-consent agreement accommodates an amendment to the amendment which will be presented by the majority leader?

Mr. SCOTT. Amendment or substitute.

Mr. JAVITS. Or substitute.

Mr. MANSFIELD. That would be my understanding of the question raised by the distinguished Senator from New York.

Mr. JAVITS. That the vote would come at or before 2 o'clock on the amendment submitted as well as any amendment or substitute presented?

The PRESIDENT pro tempore. The Chair may advise that it would have to come within the 2 hours of debate, equally divided and allocated by the majority leader and minority leader.

That is, if we follow the ordinary course it would be at 2 o'clock.

Mr. JAVITS. But it could be later. I was just endeavoring to ascertain whether, as we always do here, Senators who desire to propose an amendment to the resolution submitted by the majority leader, or a substitute, will be accommodated.

The PRESIDENT pro tempore. A Senator has the right, under the rules, to offer the amendment, but any debate on it would have to be encompassed within the 2 hours the unanimous-consent agreement imposes.

Mr. JAVITS. That is correct. But there will be votes thereon. I thank the Chair.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

SOCIAL HOUR FOR THE PRESIDENT

Mr. MANSFIELD. Mr. President, after discussing the matter with the distinguished minority leader, it has been decided that we would like to invite the President of the United States to attend a social hour some afternoon this week, if he finds the time available to accede to our request. I make this statement at this time only to give notice to the Senate that the joint leadership does intend to invite the President to the Senate late some afternoon, and to express the hope that all Senators who can possibly do so will at that time be in attendance.

The PRESIDENT pro tempore. The Senate will duly take note of the announcement of the distinguished majority and minority leaders.

VISIT TO THE SENATE BY HONORABLE LUIS FARIAS, MEXICAN LEGISLATOR

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I should like at this time to introduce to my colleagues a distinguished fellow Parliamentarian from the United Mexican States. He is an old friend of this country, and has served with distinction and integrity at all the various interparliamentary meetings conducted between Mexico and the United States of America.

In the last election, he was elected as a Member of the Chamber of Deputies, and was also elected as President of the Gran Commission, which operates during the months in which the Mexican Congress is not in session. As such, he is the equivalent—I do not know whether to say of our distinguished President pro tempore or of the majority leader; but regardless of what the proper comparison would be, this friend of ours is a man in whom we have great trust and great faith, who represents a country which has made its own mark in its own way, and has achieved a measure of success such as very few nations in modern times have been able to accomplish.

It is my pleasure at this time to present to the Senate my old friend from Nuevo Leon, Mr. Luis Farias. [Applause, Senators rising.]

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, as a mark of respect and courtesy to our distinguished visitor.

The PRESIDENT pro tempore. Without objection, the Senate will stand in recess, subject to the call of the Chair.

Thereupon, at 12 o'clock and 43 minutes p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reconvened at 12 o'clock and 45 minutes p.m., upon the expiration of the recess, when called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 77) providing for joint session of Congress to receive Presidential message, in which it requested the concurrence of the Senate.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that notwithstanding the rule of germaneness, I be permitted to speak for 2 minutes on a subject other than the one before us, and that my remarks not be charged to me as a speech on the subject before the Senate.

The PRESIDENT pro tempore. Does the Senator from New York request it not be charged as one speech on the pending business?

Mr. JAVITS. That is right, just for 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JAVITS URGES PRESIDENT TO MAKE TAX REFORM REPORT PUBLIC

Mr. JAVITS. Mr. President, on the eve of President Johnson's message on the state of the Union—a message that reportedly will deal directly with the fiscal policy of the United States—I rise to urge him to make public the staff report on tax reform.

Mr. President, an amendment to the tax surcharge bill last year—an amendment I sponsored—called for a report on tax reform by the President before December 31, 1968. When that time arrived, the White House announced that a report on this critical subject would not be made available to the general public and to Congress generally but would be delivered only to the appropriate committees.

Mr. President, once this report is circulated in Congress it must inevitably become public as members of the committees are not bound by a secrecy label on such a document. A vital aspect of the whole situation is the continuance of the 10-percent surcharge in whole or in part and this in turn is affected by what can be gained by tax reform.

I feel that this subject is so important a part of the entire fabric of our economic situation today, that I urge the President to take off the secrecy label and make it public now at the time when he is commenting on the state of our economy and proposing a budget for fiscal year 1970.

A budget without proposals for tax reform would be seriously deficient in one vital aspect—it would ignore the fact that the people who pay have a right to know that if they are to continue to pay more, it is at least equitable.

I ask unanimous consent that a New York Times editorial dated January 10 and a New York Post editorial of the same date, critical of the President's refusal to submit tax reform proposals to Congress, and a January 2, 1969, article from the Wall Street Journal on this subject be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorials and the article were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 10, 1969]

EVADING TAX REFORM

President Johnson has set a deplorable example in this farewell period by refusing to submit his recommendations on tax reform to Congress and the country. When Congress approved the surtax last year, it stipulated that the President send tax reform proposals to Capitol Hill by Dec. 31.

Instead of welcoming the opportunity to provide leadership on this vital issue, Mr. Johnson shied away from it. The Treasury experts prepared a tax message but the President has kept it secret. He did send private copies to the chairmen and ranking members of the State Finance and House Ways and Means Committees. This curious performance was justified as a courtesy to the incoming Nixon Administration which would have to administer any new tax law. But Mr. Johnson's highest obligation is not to the convenience of his successors but to the public which pays these inequitable taxes and which has the right to know in detail what is wrong with them.

Representative Wilbur Mills, chairman of the House Ways and Means Committee, and Senator Russell Long, chairman of the Finance Committee, and their senior Republican colleagues agreed with this under-the-table procedure. Naturally they would. They like to write the tax laws and they prefer as little interference as possible from the President, the Treasury experts, the rank-and-file members of Congress or the general public.

Mr. Mills is once again discussing reforms his committee may initiate, but this provides no grounds for optimism. In the past ten years, Mr. Mills has talked more and done less about tax reform than any man in the history of the Republic.

Taxes meanwhile are about as unfair as they were on April 20, 1961, when President Kennedy sent a tax reform message to Congress. What he said then about the subtle corruption of expense account deductions could well be said of the entire income tax law: "This is a matter of national concern, affecting not only our public revenues, our sense of fairness, and our respect for the tax system, but our moral and business practices as well."

The tax laws bear too heavily upon the poorest people and much too lightly upon many of the wealthy. President Johnson may have refused to submit any proposals publicly to Congress because of the embarrassment of the oil depletion allowance which is so important in his native Texas. The oil depletion allowance is excessive, but there are many other loopholes and inequities which are more important and more technical involving capital gains, estate taxes and depreciation.

Senator Javits of New York is right in insisting that if the White House will not commit itself on tax reform, the very least it should do is make the recommendations of the Treasury available to the ordinary public. The public is going to need all the information it can get if it is ever to win the battle for tax reforms over the opposition of the lobbyists and the Congressional insiders.

[From the New York Post, Jan. 10, 1969]

THOSE LOST "FINDINGS" ON TAX REFORM

It may a Happy New Year for opponents of federal tax reform; in any event, they had special reason to celebrate on New Year's Eve.

That was the deadline date by which President Johnson was to have submitted his reform recommendations to Congress. There is no doubt that he was under formal, legal obligation to act. An amendment, sponsored by Sen. Javits (R-N.Y.), to last year's tax surcharge act specifically requiring him to send up proposals by Dec. 13.

What he sent instead to Congressional leaders was a sheaf of studies and proposals made by Treasury Dept. staff members. He said: "I have not made any judgment on these staff proposals. They are the technical product of the tax specialists in the department and have not been discussed or examined by me."

It may be that the technical findings are both illuminating and informative guides to legislation, but neither the public nor most Congressmen are in a position to judge. The staff reports and recommendations are still secret.

Sen. Javits has forcefully protested this furtive maneuver and has demanded full public disclosure. "I do not," he says, "see anything but benefit that can come from an open declaration and an open debate." The alternative to both may be indecent burial of important information bearing on tax reform. The President is not necessarily obliged to endorse the findings. But he has no right to "lose" them.

[From the Wall Street Journal, Jan. 2, 1969]

Johnson To Pass Major Tax Reform Plans to Nixon, Instead of Making Them Public

Washington.—President Johnson put a major tax reform effort deeper into limbo by refusing to submit a special message to Congress.

Within a few hours of the New Year's Eve deadline set in the 10% surtax bill enacted last summer, Mr. Johnson made clear in Texas that the reform proposals would be passed privately to key Congressmen and to the Nixon Administration instead of being made public as originally envisioned.

The proposals, according to earlier comments of Treasury officials, were to include a sizable amount of income-tax relief for low-income families offset by tighter tax treatment of corporations and of affluent personal taxpayers.

Among the key restrictive features, it's understood, was to be a minimum tax assuring that no one could entirely escape income taxes because of receipts from tax-exempt sources such as interest on municipal bonds or because of specially large deductions for charitable donations and the like. Also, Treasury technicians head hoped for a more effective estate and gift tax system and for curbing the tax break some corporations get through having a large number of subsidiaries.

Because of the heavily liberal nature of the proposals and because of their complexity, Treasury strategists appeared doubtful that the Nixon Administration would be inclined to push most of the features very soon or very ardently, if at all.

Mr. Johnson had originally promised a tax-reform message in his economic report of early 1967, but it was withheld to avoid complicating the difficult-enough progress of his surtax proposal in Congress.

EARLIER ASSURANCES

Until quite recently, high officials had continued to give both public and private assurances that the message would be submitted well before the year-end deadline set by Congress.

But in New Year's Eve letters to the Speaker of the House and the President of the Senate, Mr. Johnson advised that tax-reform proposals developed by the Treasury will instead be passed on without recommendation to the Nixon Administration.

This decision was made, he said, with the concurrence of House Ways and Means Chairman Mills (D., Ark.) and Senate Finance Chairman Russell Long (D., La.), whose committees would handle such legislation.

"We believe," the President asserted in his letters, "that in justice to the Administration that will take office within the next month and who will have to live with and administer any legislation passed, it is only appropriate that they have the opportunity to examine carefully and make their judgment on these matters." President-elect Nixon's Treasury Secretary-designate, David Kennedy, also concurred in this decision, Mr. Johnson said, adding that "all data pertaining to this matter will be made available to the incoming Secretary of the Treasury promptly."

The President stressed that he wasn't taking any stand on the proposals, which he said are available to Congress. "These studies and proposals, although reviewed by Secretary Fowler (who resigned the top Treasury post last month), should be viewed primarily as the technical product of the Treasury staff," Mr. Johnson wrote. "I have not received, considered or made any judgments on these staff proposals."

AVAILABLE TO CONGRESS

Rep. Mills said he had been advised that the tax-reform material is available to the appropriate Congressional committees. The ways and means chairman said in a statement that he thought it "desirable for a new Administration to review this material and work out arrangements with the ways and means and finance committees for hearings on these tax proposals at a time convenient to both." He said Sen. Long concurred in this, adding that so did the ranking minority members of the two committees, Sen. John Williams (R., Del.) and Rep. Byrnes (R., Wis.).

The Administration's failure to make public the Treasury proposals drew criticism from Sen. Javits (R., N.Y.), sponsor of the amendment that called for a Presidential tax-reform message by Dec. 31. He noted that while "at least the thinking of the present Administration at the staff level will be available to the appropriate committees and to the new Administration," this "does not comply with the amendment in that it is not the President's report . . ."

Tax reform is so important in relation to fighting inflation and whether to extend the surtax, which is slated to expire June 30, Sen. Javits said, "that members of Congress, financial experts and the public generally ought to have a chance to consider" the Treasury staff proposals. He urged the President allow the report to be made public.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. Hart) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. YOUNG of Ohio. Mr. President, I desire to address the Senate on the pending business.

The PRESIDENT pro tempore. The Senator from Ohio is recognized. The Chair will advise the Senator that he may speak as long as he wishes on the subject.

Mr. YOUNG of Ohio. Mr. President, I support the resolution to amend Senate rule XXII, so as to enable three-fifths of the Senators present and voting to close debate. I am happy to support the resolution with my voice and with my vote. The resolution, in my judgment, would enable the Senate to discharge its duties and responsibilities in a more effective and expeditious manner.

Furthermore, the Senate at the outset of each new Congress should have the right to decide the rules under which it wishes to operate in that Congress.

The dead hand of the past should not be permitted to control the 100 Senators who today comprise the Senate of the United States. The Senate is a continuing body only in the limited sense that two-thirds of its Members carry over from Congress to Congress. It is not a continuing body in the sense that all bills, all resolutions, all treaties, and all nominations must start anew at the beginning of each new Congress without regard to what has taken place in the past. New officers of the Senate are elected at the beginning of each new Congress. Approximately one-third of the membership is new. When the Senate finally adjourns, the slate is wiped clean and proceedings begin afresh in all of these areas with a new Congress. Each new Senate must be permitted to determine the rules by which it will operate free from restrictive provisions in the rules of the Senate in preceding Congresses.

It is a paradox that a majority of those present and voting can declare war and bring about the death and destruction of millions of Americans, but cannot pass even the most trifling legislative proposal should one-third plus one of the Senate be determined to oppose its enactment into law. Every Senate in the State governments in this country has a majority rule to terminate debate. The Senate of the United States is the only legislative body in the free world which is presently unable to act when its majority is ready for action.

It is unconscionable that in this space age of change and challenge the Senate of the United States, the greatest deliberative body in the world, should continue to permit a minority to render it impotent to meet the needs of the times. The filibuster is an ever-present threat which can render the Senate incapable of the bold and progressive action which is needed to respond to the problems of the Nation and the world in the latter third of the 20th century. The filibuster cannot only prevent a proposal from coming to a vote, but the possibility of a filibuster can force the removal or dilution of vital sections of urgently needed legislation.

While I personally believe that a majority of Senators should be enabled to work its will, the proposed three-fifths rule is a reasonable compromise. It is no gag rule. Every Senator will still have the opportunity to fully express himself on any legislative proposal. The legitimate rights of a minority will still be more than adequately protected.

I would be one of the last Members of this body ever to speak out or to vote to diminish the legitimate rights of a minority of this body or to shut off their views or their voices.

More important, the adoption of the resolution will once and for all settle the fundamental issue as to whether the Senate is able to exercise its constitutional power to adopt new rules or change its rules at the beginning of a new Congress.

Mr. HOLLAND. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I am ready to yield the floor. However, I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I should like to ask the Senator to state whether or not he is familiar with section 2 of rule XXXII, which provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Mr. YOUNG of Ohio. Yes, the Senator from Ohio has read that rule, and he is one who is advocating right now, as he has advocated in the past, that we change that rule.

Mr. HOLLAND. Is there anything in the proposed change of the rule which makes any reference to section 2 of rule XXXII?

Mr. YOUNG of Ohio. Does the Senator mean anything in the resolution?

Mr. HOLLAND. Yes.

Mr. YOUNG of Ohio. I think the resolution, in effect, certainly proposes to change that rule. That is my view.

Mr. HOLLAND. The Senator from Florida, who has read the resolution rather carefully, has not seen any reference to section 2 of rule XXXII. He would ask the distinguished Senator from Ohio, please, to reread the resolution and see whether or not he finds anything in it which refers to section 2 of rule XXXII.

The next question is this: Is it proposed by the distinguished Senator from Ohio and his associates to ignore section 2 of rule XXXII and to accomplish, if they can, the adoption of the resolution proposing to change rule XXII by a mere majority vote of the Senate?

Mr. YOUNG of Ohio. I cannot speak as to the intent of the distinguished senior Senator from Michigan (Mr. Hart) or the distinguished senior Senator from New York (Mr. Javits), but speaking for myself, it is my wish, desire, and intent to change the rule that the distinguished Senator from Florida has just read.

Mr. HOLLAND. The distinguished Senator has referred to the Senator from Michigan (Mr. Hart) and the Senator from New York (Mr. Javits) as if they were the offerers of the resolution. The Senator from Ohio will recall, I am sure, that they are not the offerers of the resolution, but that instead the Senator from Idaho (Mr. Church) and the Senator from Kansas (Mr. Pearson) are the authors and offerers of the resolution.

Mr. YOUNG of Ohio. The Senator is correct; but other Senators also are cosponsors of the resolution. The Senator from Ohio, I believe, is one of the cosponsors of it.

Mr. HOLLAND. Is not the Senator from Ohio, in referring to the Senator from Michigan and the Senator from New York as if they were the offerers of the resolution, following the conclusion reached by a great Biblical hero who remarked:

> The voice is Jacob's voice, but the hands are the hands of Esau.

Is it not true that the Senator from Ohio is recognizing as the ones behind this resolution two Senators who are not at all the offerers of it?

Mr. YOUNG of Ohio. The two Senators whom the Senator from Ohio mentioned are certainly behind this resolution, as is the senior Senator from Ohio.

Mr. HOLLAND. I thank the Senator. I simply call attention, in expressing appreciation to him, to the fact that the course suggested by my dear friend from Ohio, if followed, would override and ignore section 2 of rule XXXII, and would at the same time, in the opinion of the Senator from Florida, question the continuing character of the Senate; and the Senator from Florida expects to raise that question at the appropriate time.

I thank the Senator for yielding.

Mr. YOUNG of Ohio. May I say, finally, Mr. President, that I was very happy to yield to my friend, the distinguished senior Senator from Florida. I have served with him during the past 10 years. He has served in the Senate a longer period of time. I hold him in the highest admiration as a Member of the Senate, and I am glad to consider him my good friend.

Mr. HOLLAND. Mr. President, I express my warm thanks to my distinguished friend, and he knows of my affection for him.

The PRESIDING OFFICER (Mr. Hughes in the chair). What is the will of the Senate?

Mr. YOUNG of Ohio. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, it becomes now my turn to speak upon the motion to take up the proposed amendment to rule XXII.

I have spent a long time—indeed, ever since the day I began my service in the Senate—in the effort to bring about changes in rule XXII; and I am perhaps as suitable a person as any other Member of the Senate to discuss the subject in detail, on the law and facts, as well as its background.

I may remind Senators of a very interesting exercise which took place in the Senate in 1958. Senator Hennings, who was a beloved colleague and was then chairman of the Committee on Rules and Administration, appointed two advocates of very divergent points of view as a subcommittee to deal with amendments to rule XXII of the Standing Rules of the Senate. The members appointed were the Senator from Georgia (Mr. Talmadge) and your humble servant. We submitted a report which I believe still stands as a landmark on the subject; I invite Senators to read that report—85th Congress, second session—which probably is as good a summary as exists on the entire subject, though we came, obviously, to very differing conclusions.

So I speak today from the standpoint of many years of study and concern with this rule.

Mr. President, what is the framework within which we are operating? Senators on my side of this issue have laid down the fundamental proposition. Here I am joined with the distinguished Senator from Michigan (Mr. Hart); I have the great honor and pleasure to join with him. It used to be the major effort of then Senator Douglas of Illinois when he was in the Senate. I have joined with him in previous years. Now, the Senator from Michigan (Mr. Hart) has the great inheritance of this tradition, as well as the two Senators who are proposing the finite change we are working for today, the distinguished Senator from Idaho (Mr. Church) and the distinguished Senator from Kansas (Mr. Pearson).

I point out that traditionally this has been so; that the specific change has generally been proposed by Senators who had a particular interest in the exact proposition that we would be contending for at a given time.

We are here because we feel, and advisory opinions of two Vice Presidents—certainly Vice President Nixon and Vice President Humphrey—have sustained us, that the time to move to amend the rules, free of the doubling-back restrictions of the rules themselves, is at the beginning of every Congress, and that the great constitutional question which is always raised about a continuing body at that particular point is then most properly presented. We do not have to prove that the Senate is not a continuing body, but the question is always raised as an objection to our effort to proceed on some theory that the Senate, being a continuing body since 1789, we are handcuffed from doing anything except as provided in the rules which could, for the purpose of those who argue the question, date back to 1789.

Our position is grounded precisely on the provision of the Constitution which gives the Senate, we say, as it gives the other body, the authority to change its rules and to strike down as contrary to the Constitution whatever inhibits that power. This has been the ruling essentially of Vice Presidents Humphrey and Nixon. We are proceeding and have proceeded since 1953 in every Congress based upon this legal concept.

We have been unable to effect the result that we have sought in all this time except for a very minor modification in 1959, which was the result of a bargain with now President Johnson, who was then majority leader. The reason is that the Senate, being the judge of constitutional questions, either has not been willing to decide this question frontally and affirmatively, or the methods of procedure based on the rulings of the Presiding Officer, have resulted in the Senate doubling back on itself. It has, for example, been ruled in the past that if one were to make a motion to close debate, which would be the constitutional way to proceed frontally and directly, that motion is debatable to negate the putting of the motion.

In broad terms, that is what has happened here time after time after time. However, we are here and later in my speech I shall deal with how this matter should be resolved, or at least how I think it should be resolved.

We are here because it is the beginning of the session and because we have made our motion, we believe as a matter of right; and we believe that insofar as the rule which we challenge is concerned, we are not bound by the other rule; that we are not bound by any rule which would vitiate our right to endeavor to change the rule we challenge. That is why we have accepted the concept that, by acquiescence, rules can be made applicable without vitiating our ability to change the rule which we seek to change with the authority of the majority of the Senate. That is the explanation of our position.

We have accepted the fact that we have to file a challenge. We filed a 1-day notice. We may accept other aspects of the rule as we go along in the debate.

The question will be always whether a rule sought to be imposed on us is a rule which vitiates the constitutional authority of a majority of the Senate to act. As far as I can see the situation, what does vitiate the authority of a majority of the Senate to act is the inability of the majority of the Senate to close off debate. So we shall contend under appropriate circumstances and at an appropriate point that the authority to close off debate stems from the Constitution and, therefore, cannot be abrogated by rules of the Senate or by resolutions adopted by the Senate, for it is a fact that in 1959 we actually adopted a specific resolution, one part of which stated that we cannot amend the rules except by complying with the rules. That has no constitutional validity over and above the Constitution any more than any other effort to restrain us from the right to change the rules by a majority, which is contended for by those who oppose us.

Mr. President, this is the essence of the legal frame of reference in which we come before the Senate. Our problem, and it always has been our problem, is how do we effectuate that result, or how do we make it stick, unless the Presiding Officer of the Senate takes the action which we believe the Constitution requires him to take, which is to make it possible for the majority to close off debate and then proceed to an amendment of the rules notwithstanding the provisions of the rules themselves, which cannot be superior to the Constitution or the provisions of the resolution adopted in 1959, which also cannot be superior to the Constitution.

An excellent constitutional lawyer, the President pro tempore, held in response to a parliamentary inquiry of mine the other day as to whether we would be waiving any rights in a given situation, that obviously the Constitution being paramount, it would control if it were applicable in a given situation, and we contend it is. We believe if the Presiding Officer will obey the Constitution the question can and will be put before the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Florida.

Mr. HOLLAND. Does the Senator state, as I understand he has stated, that he and the other proponents of the pending resolution have accepted Senate rule XL by giving notice under it, that they are prepared to accept all other rules of the Senate, except rule XXII that they want to amend so much that they are unwilling to accept section 2 of rule XXXII, which provides specifically that the rules of the Senate shall carry forward from Congress to Congress unless they are amended pursuant to the rules of the Senate itself?

Mr. JAVITS. The Senator asked me whether we accept. We do not accept at all. We espouse the legal proposition that the rules of the Senate carry on by acquiescence at the beginning of a Congress, except those which are challenged and sought to be amended; and the challenge and the effort to amend includes also any rule which would stand athwart of the capability to amend.

Obviously, section 2, rule XXXII, would stand athwart the capability to amend. Therefore, we do not accept it. But our failure to accept it, or the fact that we do not accept it, does not mean that we are capricious or that we are making our own rules. We say that by acquiescence everything is applicable except what prevents us from exercising what we consider to be authority given by the Constitution to bring about amendment to the rules, which amendment we specifically propose. Having proposed a specific amendment to rule XXII, we feel that under the Constitution, the proceedings looking toward the amendment of rule XXII are not capable of being inhibited by the rules outside of rule XXII, but where the rules outside of rule XXII will not inhibit the right to try to amend rule XXII, then by acquiescence, they continue to be the rules of the Senate.

Mr. HOLLAND. Do I correctly understand that the Senator accepts other rules of the Senate, other than rule XXII, by acquiescence, other than under the specific terms of section 2 of rule XXXII?

Mr. JAVITS. The Senator, again, is not accepting the statement that I accept. I do not have to accept anything. These are the rules of the Senate. They are the rules by acquiescence. But they are the rules of the Senate. The only thing I say is that once we have challenged a given rule and sought to amend it, the whole Senate, in my judgment, has denied acquiescence to the rules which inhibit the ability to amend the rule which we seek to amend, and that includes, therefore, the fact that we contend that section 2 of rule XXXII is not applicable to this situation. Whether I accept it or not, it is not applicable because it is not one of the rules which has been accepted by acquiescence.

Mr. HOLLAND. Mr. President, the Senator continues to use the term that he and others are accepting rules by acquiescence except in such particulars, as they state, which run into their path in trying to effect the change of rule XXII. I want the Senator specifically to say whether he accepts section 2 of rule XXXII as applicable to everything else in the rules except the specific rule which he is trying to change.

Mr. JAVITS. I think the Senator from Florida would like me to say lots of things which I shall not say.

Mr. HOLLAND. How does the Senator say it?

Mr. JAVITS. I want to make clear that the Senator refuses to accept it. It is not I accepting. It is the whole Senate which has accepted the rules by acquiescence except a particular rule, having been challenged under a given procedure. There has not been accepted by acquiescence any rule which inhibits our ability to do what we are trying to do.

The Senate may overrule us, but I say that acquiescence does not extend to anything which would inhibit our effort to change rule XXII, and that one of those obstructions is section 2 of rule XXXII. Acquiescence means, in my judgment—if we have challenged a rule, and are seeking the power to amend it without regard to certain other rules which would inhibit that, including section 2 of rule XXXII—that we, the Senate as a whole, have not, in my judgment, accepted section 2 of rule XXXII, which would inhibit our capability by a majority of the Senate to amend rule XXII.

The only difference, as I see it, which is clear to me, is that we are not personally accepting or rejecting anything. It is a question that the whole Senate has acquiesced in it. There, I obviously differ with my colleague.

Mr. HOLLAND. If the Senator will yield further, it seems clear to me, regardless of the terminology of the distinguished Senator, that his filing of notice under rule XL and his filing of a proposed waiver of the rules under rule XL would indicate an acceptance, at least, of that rule. It seems rather clear to me that what the Senator from New York and his associates are doing is accepting section 2 of rule XXXII in all other particulars except as they may apply to the attempt to amend rule XXII. I want that to appear in the Record.

I see no way for the Senator to proceed under other rules of the Senate, which he is doing, particularly rule XL and without including in the proposed resolution, any reference to section 2 of rule XXXII as to its change, repeal, or otherwise. I see no way to interpret what is being done by the Senator and his associates other than they are accepting and operating under all the rules of the Senate except rule XXII and except that particular provision of section 2 of rule XXXII which might stand in the way of adoption of the proposed resolution.

I thank the Senator from New York very much for yielding to me.

Mr. JAVITS. Mr. President, I think the Senator has asked the question and he has answered it to his satisfaction. I have not answered it. I have stated my position. That is it.

I think the Senate will be interested in the development of rule XXII because it was not always so. We have an idea that there has always been a filibuster, a rule with relation to filibusters in the Senate.

I should like briefly to recount the situation from the very beginning of the Republic.

From 1789 to 1806, the Senate had at its disposal the motion for the previous question which, if carried, would close off debate. That could be done at any time, just as it is done now in the other body.

(At this point Mr. Byrd of Virginia took the chair as Presiding Officer.)

Mr. JAVITS. Mr. President, until 1828, the power of the Vice President to rule on questions of order remained unchanged. As the Vice President, he could make the point of order that tedious and impertinent speech had to end. He could effectively end debate, even without moving the previous question, if there was really a redundant filibuster.

Until 1848—that is, from 1828 to 1848—the rule of relevancy was available in the Senate so that debate had to be relevant. There is little question about the fact that if relevant debate is expended within a reasonable period of time, there is rarely the problem of a filibuster. If debate is relevant then it should go on for whatever time it takes.

As late as 1848, the Senate by an overwhelming vote required a Senator to take his seat if he became irrelevant in his speech. Then the practice slowly developed, from 1848 to 1872, which finally resulted in a ruling by Vice President Schuyler Colfax that the Presiding Officer could not restrain a Senator from making remarks which he, the

Senator, considered pertinent to the pending issue; thus, really surrendering the rule of relevancy or the right to terminate redundant, tedious, or impertinent speech.

From 1872 to 1917—that is a long period of time, a longer period of time, really, than any that has elapsed since—there was no cloture rule and no rule of relevancy. For all that period of time—45 years—a Senator could talk about any subject he pleased for as long as he pleased. It was during this time that the filibuster, so-called, came into its own.

Then, in 1917 Tom Walsh, a very famous Senator, raised this question, and he raised it so forcibly that it was felt much more desirable to settle the matter than to litigate it, as it were; and the Senate, for the first time, adopted a rule by which debate could be closed off, notwithstanding the desire of Senators to continue to talk. At that time the rule was that cloture could be imposed by two-thirds of Senators voting.

Mind you, Mr. President, there was no change for 32 years in the two-thirds-present-and-voting rule for cloture. In 1949 this percentage was increased to require the votes of the whole membership of the Senate, but it also put under control of the cloture motion at that time—that was a compromise made by Senator Wherry—any motion, measure, or other matter. Theretofore debate could not be closed until after the motion to take up carried into the debate on the measure itself.

So rule XXII was toughened by requiring a vote of two-thirds of the whole Senate, but was moderated by making the two-thirds vote applicable to everything—that is, a motion to take up or any other motion, as well as the measure itself.

Then, in 1959, it is well known that we somewhat modified the rule by going back to its original form, applicable, however, across the board to motions, of two-thirds of Senators present and voting.

The significant part of this history is that for by far the largest time of the life of the Senate there has been no untrammeled right to debate. That was regulated for almost 100 years, from 1789 to 1872. It was only in 1872 that the right of unlimited debate began to grow up, except subject to some form of cloture, which did not go into the rules until 1917.

So that cloture and filibuster are both, relatively speaking, modern concepts.

The record was really pretty sorry. From 1917 until the time we made this report, which was in 1958, there had been some 22 votes for cloture; and on only four occasions was cloture invoked. Since then we have had somewhat better luck. But it indicated the tightness with which this question was controlled.

Another thing which came out of the report was that the overwhelming majority of the States had no such untrammeled right of debate. In the overwhelming majority of the States the motion for the previous question was in order, where they had bicameral legislatures, in both bodies.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I shall in a moment.

So that we are dealing with a relatively novel concept which is unique to the Senate of the United States, which is considered to be the greatest legislative body on earth, but which also has some of the most unique rules on earth, and this is one of them. For it is this, in our judgment—and I think it has been borne out by history—which has created an extraconstitutional restraint—a negative, upon the power of the Congress—that extraconstitutional restraint being that nothing can be done in this country except if both Houses of Congress concur.

The constitutional rule is that we go by a majority, except in given, specified constitutional cases, some nine in number, when a two-thirds vote is required. Mind you, Mr. President, two-thirds of Senators present and voting. That was not the rule here. For a very long time, from 1949 to 1959, for 10 years, we had a tougher rule than even the constitutional restraints on our power. But this is an extraconstitutional restraint, right across the board. We cannot do anything, not because it says so in the Constitution, but because our own rules, the rules of one body, provide that unless two-thirds of those present and voting agree we should be permitted to do it, we cannot do it. So that there is a complete veto of any action by the United States—a declaration of war, realization of national emergency, or anything else, by one-third of the Senate.

That is nowhere written in the Constitution; but unless we have some way of changing these rules, it is, in effect, as if it were written in the Constitution, and there is no way out of it.

If our opponents are right, that in order to change these rules in the face of determined opposition, we have to comply with the rules and get two-thirds of Senators present and voting before we can get to a vote on the question of changing the rules, then the Constitution has been as effectively amended as if it had been contained in the original document, or three-quarters of the States or two-thirds of both Houses of Congress had agreed.

Mr. President, this is an intolerable situation. It will rise to haunt us one day.

I may say, and then I shall yield to the Senator from Florida (Mr. HOLLAND), that when I read some of these stories of what could happen in this country, like "Seven Days in May," "Advise and Consent," "Dr. Strangelove," I constantly think of this rule. Suppose we did have a situation in which there was a party inside the Congress that was sympathetic to some kind of sellout to the Communist bloc or to Communist China. They could hamstring this Government so that it would have no alternative but to be forced to its knees because of this rule.

Mr. President, this is a pretty fast-moving and exciting world. What I have just said could happen. It would appall any American. We would think it is inconceivable that Americans would be, by our standards, so unpatriotic. Mr. President, those very Americans who blocked us might think they were being superpatriotic, and perhaps they would be members of a party of "Better Red Than Dead," and think they were trying to save the world by standing up and paralyzing the ability of the majority of the Congress and the majority of the American people to proceed.

Mr. President, we could have a revolution on that basis. This is no laughing or simple matter.

Unhappily, to some this whole debate appears irrelevant because it goes on every 2 years and, somehow or other, we have found that we can get around it when we really, really are in trouble. But it gives power to a band of determined men which the Congress would never vote and the people would never include in the Constitution and which would have been rejected in the Constitution when it was submitted to the States in the 18th century. But, because, somehow or other, we cannot strike the shackles from our hands and we get tied up in our own redtape until we stumble on our own feet, this has persisted and persisted and persisted, until one dark day it is going to be a danger and a threat to the continuance of the Republic, which it is capable of being, but which, thank God, it has never been—but which it is capable of being.

Therefore, I consider that when we act as we have in Congress after Congress, trying to undo this extraconstitutional restraint, we are serving a very high patriotic purpose for our country.

Now I yield to the Senator from Florida.

Mr. HOLLAND. First, I wish to comment, if I may, that according to my computation, there have been 11 instances in which the Constitution or its amendments used the two-thirds fractions, and I have here a prepared list of those instances, and would like to insert it in the RECORD at this point if it meets with the approval of the Senate.

Mr. JAVITS. Surely.

Mr. HOLLAND. Therefore, I ask unanimous consent at this time, Mr. President, to have printed in the RECORD this list of the seven instances in the original Constitution and the four instances in the amendments to the Constitution in which the two-thirds figure appears, requiring that majority in order to act.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

The equation "two-thirds" is found in the Constitution:

Article I—Legislative powers

SEC. 3. Duties of the Senate:

1. Concurrence of ⅔ of Members present in impeachment cases (p. 3).

SEC. 5. Rules of Each House:

2. Concurrence of ⅔ to expel a Member (p. 4).

SEC. 7. Legislation in both Houses.

3. Two-thirds of each House must agree to pass *bill* over Pres. object. (p. 5).

4. Two-thirds of each House must agree to pass *order, resolution or vote to which concurrence of both Houses may be necessary* over Pres. object. (p. 5).

Article II—Presidential powers

SEC. 2. Duties of President:

5. Two-thirds of Senators present must concur in making treaties (p. 12).

Article V—Amendments to the Constitution

6. Two-thirds of both Houses may propose amendments (p. 16).

7. Two-thirds of several States may propose amendments (p. 16).

AMENDMENTS TO CONSTITUTION

XII—Election of President and Vice President

1. Quorum necessary in selecting President—(House) Member or Members from $\frac{2}{3}$ States (p. 22).

2. Quorum necessary in selecting Vice President—(Senate) $\frac{2}{3}$ of all Senators.

XIV—Citizens of United States

SEC. 3.—Election of Members of Congress (p. 24).

3. Two-thirds of each House to remove disability of engaging in insurrection or rebellion, giving aid or comfort to enemy, etc.

XXV—Inability of President

4. SEC. 4—Two-thirds votes of both Houses needed to determine inability (p. 30).

Mr. HOLLAND. Mr. President, I noted that the distinguished Senator mentioned what the situation was in 1958 with reference to the efforts to invoke cloture and the number of times when it has been successful, but did not mention what has happened since that time.

I have here a table, prepared by the Library of Congress Legislative Reference Service, showing the 43 attempts since the adoption of rule XXII in 1917 to invoke cloture, which shows clearly the eight attempts where cloture was attained, and the others where cloture was not attained, and the specific vote in each case, broken down by the Library of Congress, in each case, between Republicans and Democrats. I wonder if I might place this authentic compilation from the Library of Congress in the RECORD at this time, with the approval of the Senate.

Mr. JAVITS. Yes, of course, but before the Senator does so, I should like to point out that I was simply reporting what was contained in the report. I was not trying to distort the Senator's more complete history, which I was going to put in later myself, but it is entirely satisfactory that he do so.

Mr. HOLLAND. I understand. But since the Senator dealt with the history, I thought this would be an appropriate time to show the whole history, to which the Senator from New York agrees.

Mr. JAVITS. Surely.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

BREAKDOWN OF SENATE VOTES ON CLOTURE MOTIONS INVOLVING CIVIL RIGHTS BILLS

Date	Subject	Motion introduced by—	Yeas	Nays	For cloture	Against cloture	Yea votes needed
Nov. 15, 1919	Versailles Treaty	Henry Lodge	78	16	Republicans 37 Democrats 41	Republicans 11 Democrats 5	62
Feb. 2, 1921	Emergency tariff	Boies Penrose	36	35	Republicans 27 Democrats 9	Republicans 7 Democrats 28	48
July 7, 1922	Tariff bill	Porter McCumber	45	35	Republicans 45 Democrats 0	Republicans 5 Democrats 30	54
Jan. 25, 1926	World Court	Irvine Lenroot	68	26	Republicans 37 Democrats 31	Republicans 18 Democrats 7 Farmer-Labor 1	63
June 1, 1926	Migratory birds	Peter Norbeck	46	33	Republicans 36 Democrats 10	Republicans 8 Democrats 24 Farmer-Labor 1	53
Feb. 15, 1927	Branch banking	George Pepper	65	18	Republicans 36 Democrats 29	Republicans 9 Democrats 8 Farmer-Labor 1	56
Feb. 26, 1927	Disabled officers	Lawrence Tyson	51	36	Republicans 27 Democrats 24	Republicans 19 Democrats 16 Farmer-Labor 1	58
Do	Colorado River	Hiram Johnson	32	59	Republicans 21 Democrats 11	Republicans 28 Democrats 30 Farmer-Labor 1	61
February 28, 1927	Prohibitions Bureau	Wesley Jones	55	27	Republicans 33 Democrats 22	Republicans 13 Democrats 13 Farmer-Labor 1	55
Do	District of Columbia buildings	Irvine Lenroot	52	31	Republicans 30 Democrats 22	Republicans 17 Democrats 13 Farmer-Labor 1	56
Jan. 19, 1933	Banking Act	Joseph Robinson	58	30	Republicans 25 Democrats 33	Republicans 19 Democrats 10 Farmer-Labor 1	59
Jan. 27, 1938	Antilynching	Matthew Neely	37	51	Republicans 2 Democrats 35	Republicans 13 Democrats 37 Farmer-Labor 1	59
Feb. 16 1938	do	Robert Wagner	42	46	Republicans 3 Democrats 38 Progressives 1	Republicans 10 Democrats 34 Independents 1 Farmer-Labor 1	59
Nov. 23, 1942	Antipoll tax	Alben Barkley	37	41	Republicans 14 Democrats 21 Independents 1 Progressives 1	Republicans 10 Democrats 31	52
May 15, 1944	do	do	36	44	Republicans 18 Democrats 16 Progressives 1	Republicans 13 Democrats 31	54
Feb. 9, 1946	FEPC	do	48	36	Republicans 25 Democrats 22 Progressives 1	Republicans 8 Democrats 28	56
May 7, 1946	British loan	Joseph Ball	41	41	Republicans 17 Democrats 23 Progressives 1	Republicans 19 Democrats 22	55
May 25, 1946	Labor dispute	William Knowland	3	77	Republicans 1 Democrats 2	Republicans 35 Democrats 41 Progressives 1	54
July 31, 1946	Antipoll tax	Alben Barkley	39	33	Republicans 15 Democrats 23	Republicans 17 Democrats 26	48
May 19, 1950	FEPC	Scott Lucas	52	32	Republicans 33 Democrats 19	Republicans 6 Democrats 26	64
July 12, 1950	FEPC	do	55	33	Republicans 22 Democrats 33	Republicans 27 Democrats 6	64
July 26, 1954	Atomic energy	William Knowland	44	42	Republicans 40 Democrats 4	Republicans 4 Democrats 38	64
Mar. 10, 1960	Civil rights	Paul Douglas and Jacob Javits	42	53	Republicans 12 Democrats 30	Republicans 20 Democrats 33	64
Sept. 19, 1961	Rule 22	Mike Mansfield and Everett Dirksen.	37	43	Republicans 11 Democrats 26	Republicans 15 Democrats 28	54
May 9, 1962	Literacy tests	do	43	53	Republicans 13 Democrats 30	Republicans 23 Democrats 30	64
May 14, 1962	do	do	42	52	Republicans 11 Democrats 31	Republicans 22 Democrats 30	63
Aug. 14, 1962	Communication satellite	Mike Mansfield	63	27	Republicans 34 Democrats 29	Republicans 2 Democrats 25	60
Feb. 7, 1963	Amend rule 22	do	54	42	Republicans 18 Democrats 36	Republicans 15 Democrats 27	64
June 10, 1964	Civil rights	do	71	29	Republicans 27 Democrats 44	Republicans 6 Democrats 23	67
Sept. 10, 1964	Legislative reapportionment	Everett Dirksen	30	63	Republicans 23 Democrats 7	Republicans 9 Democrats 54	62
May 25, 1965	Voting rights	Philip Hart	70	30	Republicans 23 Democrats 47	Republicans 9 Democrats 21	67

BREAKDOWN OF SENATE VOTES ON CLOTURE MOTIONS INVOLVING CIVIL RIGHTS BILLS—Continued

Date	Subject	Motion introduced by—	Yeas	Nays	For cloture	Against cloture	Yea votes needed
Nov. 11, 1965	Right to work	Mike Mansfield	45	47	Republicans 5 Democrats 40	Republicans 26 Democrats 21	62
Sept. 14, 1966	Civil rights	do	54	42	Republicans 12 Democrats 42	Republicans 21 Democrats 21	64
Sept. 19, 1966	do	do	52	41	Republicans 10 Democrats 42	Republicans 20 Democrats 21	62
Oct. 10, 1966	District of Columbia home rule	do	41	37	Republicans 10 Democrats 31	Republicans 15 Democrats 22	52
Feb. 8, 1966	Right to work	do	51	48	Republicans 6 Democrats 45	Republicans 26 Democrats 22	66
Feb. 10, 1966	do	do	50	49	Republicans 6 Democrats 44	Republicans 26 Democrats 23	66
Jan. 24, 1967	Amend rule 22	do	53	46	Republicans 17 Democrats 36	Republicans 19 Democrats 27	66
Feb. 20, 1968	Open housing	do	55	37	Republicans 18 Democrats 37	Republicans 18 Democrats 19	62
Feb. 26, 1968	do	do	56	36	Republicans 19 Democrats 37	Republicans 17 Democrats 19	62
Mar. 1, 1968	do	Everett Dirksen	59	35	Republicans 22 Democrats 37	Republicans 14 Democrats 21	63
Mar. 4, 1968	do	Mike Mansfield	65	32	Republicans 24 Democrats 41	Republicans 12 Democrats 20	65
Oct. 1, 1968	Fortas	do	45	43	Republicans 10 Democrats 35	Republicans 25 Democrats 19	59

Mr. JAVITS. Mr. President, I hope we have made it clear by now that what needs to be done must be done at the opening of a Congress, and that what happens then is the end of it as far as the rest of that Congress is concerned. There is another interesting point in that regard. We have had situations here time and again where this matter has been debated, some vote of an interim character, in my judgment, had upon it, an effort made to close debate by using the cloture rule itself, or some other effort which got tangled up in its own feet, as I have said, and we have said, "Well, we will come back to it; let us get on with other business, hold committee meetings, and pass laws."

This has always been a matter of rights reserved; we agree that we will not be prejudiced by lapse of time, or laches, as we say in the law, or by the interposition of other business.

Nevertheless, whenever we have done that, Mr. President, the issue has been as dead as a dodo. We have never come back to it; or when we have, it has been in a most desultory fashion, and without any real effect.

I emphasize that, because we will begin doing some voting on this matter before the end of this week, perhaps, and I hope that Senators who are within the sound of my voice, or who read the RECORD, or their assistants, will understand that it is a case of either doing something about this matter now, or forgetting about it until 1971. This is the only time when anything is likely to happen. That may be true for psychological or procedural reasons, but it is a fact that whenever we lay it over, put it on the calendar, preserve our rights and say we will get back to it, we might just as well kiss it goodby, because for 2 years it is dead.

I hope very much that this time it will be borne in on us what a dangerous world this is, and that we will awaken to the real implications of this issue.

I find it interesting, Mr. President, that we give the President of the United States a little black box that follows him around all the time, and he is always within immediate reach of the Chiefs of Staff, awake or asleep, and no matter what he is doing, no matter how personal it might be. But the Senate of the United States, Mr. President, which has to concur in any really major activist matter, can be tied up for weeks, as far as we are concerned, not by anything the Constitution says, but by what the rules of only one body, the Senate, say, if the opponents of our effort have their way. This is the situation, Mr. President, that faces our country. Our main difficulty in having been unable to right it in all these years is that somehow or other, we are inadequate—I admit that freely—to the cause of rousing America. This ought to be one of the hottest issues before the country. But take a look around the Chamber, Mr. President, and see how hot an issue it is, as distinguished from what it ought to be. Nonetheless, we consider it our duty, and have for a long time, to do what we are doing.

The next point, Mr. President, is this question: How can we undo this terrible complication in which the Senate constantly finds itself? In my judgment, Mr. President—I think we might as well face it very honestly and straightforwardly, and I should like to conclude upon this note for the benefit of those who may be speaking after me—I think it depends on the Presiding Officer.

This is an authority which the Vice President of the United States ultimately will have to take. As the saying goes, he has to bite the bullet. There is no other way. The Vice President, equally with the President, is elected by all the people. He has very few powers; yet he is a critically important officer for three reasons.

First, he is one heartbeat away from the Presidency. Second, his vote can be decisive in breaking a tie in the Senate. Third, he can rule on whether the Senate, at the beginning of a Congress, can amend its rules.

He has that power, if he will use it. We might as well face that, Mr. President. This is the really historic question: Will we have a Vice President of the United States who will be a Vice President? We vote "yea and nay" hundreds of times. The Vice President votes "yea and nay" very infrequently, and exercises his authority very infrequently. Yet here is an authority which is rightfully his, but which so far, we have yet to see a Vice President, advisory opinions notwithstanding, clearly exercise. It is the Vice President who has the say.

The Constitution gives a majority of the Senate the power to close off debate under the Constitution. The Vice President can say, "The Senate may reverse me, but I am making this ruling, and debate will now close. Any Senator can appeal from my ruling if he wishes." That is the power and authority of the Vice President. When we get to that point, then this question will definitely have been resolved and settled, Mr. President, but not until then.

That is why we have always stumbled over our own feet, been completely locked up in redtape, and never really come to face the issue. I have never forgotten the ruling, because it was so characteristic of the history of this whole sad business, of Vice President Lyndon Johnson, when he submitted to the Senate a motion to close debate because it raised a constitutional issue, which he had the right to do. But then he said "The motion is debatable."

Mr. President, that was a new one. You submit a motion to close debate, and you hold that it is debatable; then what? The submission obviously is a complete nullity.

So I say, Mr. President, that until we find a Vice President who rules because that is his constitutional duty—and it is—this question is not going to be resolved, and the Senate will continue to be in this ridiculous position—at least I call it ridiculous—until it gets in real trouble, and then the country will hear lots of weeping and wailing over why this was not acted upon before, and why an officer elected by all the people did not have what it takes to rule, which was his constitutional duty.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I ask the Senator if it is not true that the last three Vice Presidents—Vice President Nixon, presiding over the Senate, who issued an advisory ruling, but not the one now mentioned by the Senator from New York; Vice President Lyndon Johnson, who, as the Senator from New York has said, referred a constitutional question, as the Senate Rules and Practice provide, to the Senate; and Vice President Humphrey, who followed the same course —felt that it was not their duty as Vice President to issue a firm ruling along the lines suggested by the Senator from New York.

Mr. JAVITS. I cannot agree with the Senator as to how they felt; all I can say is whatever the record is.

Mr. HOLLAND. That was what they did, was it not?.

Mr. JAVITS. For practical purposes, that was what they did.

Mr. HOLLAND. I thank the Senator.

Mr. JAVITS. It may not have been how they felt. I should like to quote from the Record of that particular time. For example, the Record of 1961——

Mr. HOLLAND. Does the Senator refer now to the ruling by Vice President Johnson?

Mr. JAVITS. No; I am referring to the ruling by Vice President Nixon.

Mr. HOLLAND. That was 1957, was it not?

Mr. JAVITS. I will supply the date for the Record; but it was one of the occasions when Vice President Nixon spoke to this particular matter. This is what he said.

Mr. HOLLAND. What year was that?

Mr. JAVITS. I will supply the date before I have finished. What he said appears in the Congressional Record, volume 113, part 1, page 917.

Mr. HOLLAND. 1957?

Mr. JAVITS. 1967. This reprint of what I am referring to appears in the Congressional Record of January 18, 1967. He said:

> A constitutional question would be presented, if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the *right to move to cut off debate*. Such a motion would be questioned by raising a point of order. At that point the Chair would submit the question to the Senate on the ground that a constitutional question had been raised because of the Chair's opinion that the Senate, at the commencement of a new Congress, has the power to make its rules. That power, in the Chair's opinion, cannot be restricted even by action of the Senate itself, which would be the case where the membership of the Senate in one Congress has attempted to curtail the constitutional right of the membership of the Senate in another Congress to adopt its rules.

It seems to me that that presents this opportunity, which I should like to spread on the Record. It seems to me that if in the course of the debate which we are now having, a Senator should move to close debate, and the Vice President were satisfied by then that an adequate elucidation of the subject had been had—certainly we have gone over this ground many times, and it should not take very long, considering the fact that it is cumulative—he would have the right to say that he was going to put that motion, when made, unless a point of order were made against it, and only if a point of order were made against it, in the form of the question, "Shall the Senate then pass on the question?" rather than to allow the question itself, "Shall the debate be closed?" to be debated.

It seems to me that that would be a fair way to resolve the issue. This is pretty much what Vice President Humphrey did at the beginning of the 90th Congress, in 1967. At the beginning of the 90th Congress, a point of order was made, and a motion was made to table the point of order. The Vice President then said that if a majority decided against tabling, he would have to sustain the constitutional authority which was involved, and he would put the question whether to close debate to the Senate for immediate decision.

At that time the vote was exactly the other way—that is, a majority of the Senate refused to table the point of order—and the Vice President construed that, very properly, as the adoption of a point of view other than the one for which we are now contending. But that does not necessarily mean that that would be the case now. I hope very much that the resolution of the question may come in this way or in some way analogous to it. This is a technique by which the question, at long last, may be resolved.

I am now told that the date of Vice President Nixon's ruling was in 1959, at the opening of the Congress in that year.

I should like to make one other point, and that is that even now, without envisioning a dangerous parliamentary situation, such as I have described, if the United States were under grave threat or in grave danger from appeasement, which could be as great a danger as invasion, the state of the world being what it is, there are other things which could happen.

For example, five cloture votes were taken in the Senate in 1968. Four were taken early in the session in connection with the open-housing bill. Three of them were unsuccessful; but the result of the unsuccessful cloture votes was that more and more compromises with the opponents were worked out in connection with the open housing legislation—not because we needed a majority to pass the pending bill but because we needed two-thirds. So the legislation which finally resulted when we cast our vote was considerably compromised.

The fourth open-housing cloture vote was not a vote on legislation which a majority of the Senate wanted, which was its constitutional right; but it was the acceptance by two-thirds of the Senators present and voting of that particular provision after it had been watered down to suit the opponents. That is why I call it extraconstitutional restraint. It really gets close to what Calhoun always contended for. In his time, various sections of the country had to concur before anything could be passed. In this case, various elements of ideological opinion had to be reconciled before we could get anything passed—not that the Constitution said so, but because the rules of the Senate did, notwithstanding every effort to amend them.

Then, of course, there is the situation in which the filibuster again proved its power in a manner most embarrassing to the United States. That was in connection with the Fortas nomination. On October 1, a majority of the Senate voted to close debate, but two-thirds not having voted that way, the Fortas nomination had to be dropped, notwithstanding the fact that a majority of the Senate was all that it would have taken to confirm the nomination. That merely fortifies the evidence of the extraconstitutional effect which is attained by the inability to deal frontally with the question of a change of rules in the Senate.

It seems to me that the Senator from Michigan (Mr. Hart) and I and other Senators of our view—and we had quite a number of cosponsors of a proposed resolution which would have provided for majority cloture—have really tried to do our utmost to uncomplicate the capability of the Senate to face and resolve this issue. We felt that one of our problems in 1967 was the competing plans—the three-fifths plan and the constitutional majority plan. So we have stripped the situation of any such elements, because to us the principle involved, of enabling the Senate to unshackle itself from the archaic situation in which it finds itself, is the most important of any. We have all rallied behind one moderate rules change.

Mr. President, I have indicated the way in which it can be resolved, the responsibility we all have, as well as the responsibility of the Vice President himself, an officer elected by all the people. I hope very much that this elucidation of where we stand, what we are trying to do, how we are trying to do it, and the legal basis upon which we proceed may be of assistance in the entire issue.

Mr. HART. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HART. I ask unanimous consent that I may make a brief comment, and not be limited to a question.

The PRESIDING OFFICER (Mr. Tydings in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HART. Mr. President, I believe that the discussion we have just heard by the senior Senator from New York warrants three or four specific reactions.

First, and perhaps most important, is the point he made with respect to the history of this effort in the Senate. At every stage of that effort it has been bipartisan. There is division on both sides of the aisle with respect to the course that the Senate most wisely should take in this area. From the very first, the effort has drawn support from Democrats and Republicans alike. It is true today.

Today we seek to bring up a resolution, the principal sponsors of which are the very able Senator from Idaho (Mr. Church) and the very able Senator from Kansas (Mr. Pearson). This is in the tradition of this effort. If this effort is ever to prevail, as I hope it shall, it will be as a result, among other things, of the consistent bipartisan support.

Second, the Senator from New York has emphasized that we seek to assert a right that is given us by the Constitution. The Constitution provides that each House may determine the rules of its proceeding. About whom are they talking? They were talking about the men and women who make up the Senate of the 91st Congress. It is we who are to determine the rules of our proceeding, just as truly as the Members of the 1st Senate were assigned the responsibility and given the right by the Constitution to establish the rules of its proceeding.

Third, I believe that the Senator from New York, in reviewing the history of our efforts, has sharpened our understanding.

The PRESIDING OFFICER. Will the Senator suspend?

The Chair desires a little more quiet, and that means pages, attachés, and everyone else in the Chamber. If we do not have quiet, the Chair will ask the Sergeant at Arms to remove the offending person.

Mr. HART. It reminds us, among other things, that the filibuster is not some God-given right, and certainly it is not a constitutional right. It is up to us, now, a majority of the Senate of the 91st Congress, to decide what we shall do with respect to the place, if any, that filibuster shall have here.

Perhaps most important of all is the fourth point I would underscore in the remarks made by the Senator from New York. It is now or never, so far as the 91st Congress is concerned. We act now to modify the power of a minority in this Chamber to prevent the Senate finally from acting on a proposal, or we wait until January of 1971.

The able Senator from Kansas (Mr. PEARSON), the principal cosponsor of Resolution 11 on January 10, in a speech that was given far less attention than I believe its thoughtfulness warranted, made the final point that I should like to make when he said:

> Because in recent years this issue has been the inevitable first Senate business of each Congress, it has acquired a rather formal or ceremonial exercise in parliamentary skirmishes. But I think, Mr. President, the issue is more than a procedural question or a nicety of parliamentary practice.
>
> As is the case of many rules of procedure, it involves substantive rights necessary for equality for the orderly conduct of business.

That is so true, and it is in a sense the point that the Senator from New York reached at the very end of his remarks.

The cloak of history moves fast. It is a very tiny world these days. The Senate of the 91st Congress should make sure now, when it has the opportunity, when a majority of us have the opportunity, that we do not, by rules of the Senate, handcuff ourselves in a fashion that will deny the Senate the opportunity to act when a tough question presents itself.

We have said it before; we say it again; extended debate is good. The Senator from New York and I have always agreed that such is the case. But the denial of the right of the majority eventually to act is bad. We take this position now, and we have taken it before. The minority has the right to make its case, and the majority has the right to work its will. No matter how complex or tortured a procedural or parliamentary story may attach to this effort, the meat and the potatoes are contained in that last statement.

I hope very much that the counsel given us by the Senator from New York, to which I subscribe and the history of these debates over the years, will persuade us this time that a majority now should decide what the rule shall be with respect to the termination of debate for the 91st Congress.

I hope very much, of course, that we move to adopt the Church-Pearson resolution.

I thank the Senator from New York for yielding.

Mr. JAVITS. I thank the Senator.

Mr. HOLLAND. Mr. President, since I differ with my distinguished friend from New York and my distinguished friend from Michigan in the interpretation of the history of this matter, I ask leave of the distinguished Senator and of the Senate that I may proceed briefly to state my belief of the history of the limitation of debate in the Senate without the Senator losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I wish to talk for a little while, briefly, with reference to the history of limitation of debate in the Senate, on which I differ from the understanding of the Senator from New York. No cloture in debate was provided under the Senate rules from the very first session of the Senate in 1789 to the adoption of the present rule, XXII, in 1917, except in 1862, when a special rule was adopted limiting debate on subjects pertaining to the War Between the States and subjects which were being considered in secret session. There were other minor special departures, such as a limitation of debate on appropriation bills for short periods; but it is strictly true to say that no general cloture whatsoever was provided under the Senate rules from 1789 until 1917, during 128 fruitful years in the establishment, preservation, and growth of this great Nation.

Since there is some confusion as to what was the situation from 1789 until 1806, during which time rule IX, the previous-question rule, was in effect, it seems desirable to clear up this confusion in the beginning of my remarks by making it completely clear that the previous-question rule, as it existed from 1789 until 1806, was not a rule of limitation of debate or of cloture in any sense, but quite the contrary. I have noted, in the various reports and records of testimony of hearings in former years upon proposed changes in the rules, confusion in thinking upon this point. It is for that reason that I ask the indulgence of the Senate to set that confusion at rest once and for all by quoting from the two most authoritative sources that can be found as to the meaning of the rule of the previous question, rule IX as it existed in the Senate rules from 1789 until 1806.

I read first from a text by Clara Hannah Kerr Stidham entitled "Origin and Development of the United States Senate," a recognized authority upon this subject. I read briefly from that text portions found on pages 59 and 60 thereof, under the subject "Limitations of Debate." Stidham states:

> In the early days of the Senate, debate was practically unlimited, the restraints placed upon it being slight and seldom enforced. They were, that no motion should be debated until seconded, that the decision of all questions of order should be made by the President without debate, and that no Member should speak more than twice in any one debate on the same day without leave of the Senate. The previous question, which was provided for by the rules but rarely used, and was omitted in the revision of the rules in 1806, was not used to limit debate, but as in the Continental Congress and the Parliament of England, where the previous question was used to avoid a vote on a given subject. The proper occasion for its use was, according to Mr. Jefferson, to get rid of subjects "of a delicate nature as to high personages, etc., or the discussion of which may call forth observations which might be of injurious consequences." He, however, says that its use had been extended abusively to other cases; and by reference to the cases in which it was used in the Senate it would seem probable that its use there was, as in England at the present time, to enable the body to dispose of the subject without a direct vote upon it. The previous question was debatable and was used in both legislative and executive session and in the trial of impeachments, but not on amendments or in the Committee of the Whole.

The other text which is most recognized upon this subject is the book entitled "The Senate of the United States," by George H. Haynes. I read briefly from that text under the heading "Limitation of Debate—The Previous Question," from pages 393 and 394:

> To one familiar with the frequent present-day use of the previous question in the House of Representatives as an effective form of cloture, this rule gives an entirely erroneous impression of the Senate's original practice. For the Senators who framed that rule intended that the previous question should serve—as it had in the Parliament of Great Britain, and as they had themselves known it to serve in the Continental Congress—as a device for removing from consideration a question which might seem to the majority undesirable to discuss further or act upon. Asher C. Hinds, author of the monumental Precedents of the House of Representatives, commented on the rule of 1784, on which the previous-question rules of the House and Senate were modeled 5 years later, "There was no intention of providing thereby a means of closing debate in order to bring the pending question to an immediate vote," and Senator Lodge declared: "It was not in practice a form of cloture, and it is, therefore, correct to say that the power of closing debate in the modern sense has never existed in the Senate." The previous question was but rarely used in the Senate. In his farewell address to the Senate, Vice President Aaron Burr recommended the discarding of the previous question, saying that in the preceding 4 years it has been taken but once, and then upon an amendment. He regarded this as proof that it could not be necessary, and in his opinion all its purposes were much better answered by the question of indefinite postponement. In the revision of the Senate rules of March 26, 1806, the previous question was dropped and has never been restored.

Mr. President, I have read those two quotations in order to make it completely clear what is known by all of us who are familiar with the conditions under which the Constitution was framed, and particularly the arguments for the creation of the Senate as it exists. My purpose is to show that those who framed that Constitution and intended to set up a Senate of the type which they planned, could not possibly have adopted a rule of cloture which they must have known would have operated absolutely to preclude the functioning of the Senate in the way in which they had intended to have it function. In other words, a rule of cloture would have been so thoroughly inconsistent with, and would have so thoroughly negated the high purposes for which the Senate was created, that to my mind it was always anomalous to hear statements to the effect that there had been a rule of cloture in the early days of the Senate.

I greatly appreciate the courtesy of the Senator from New York.

Mr. JAVITS. Mr. President, I am prepared to yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on House Concurrent Resolution 77.

The PRESIDING OFFICER. The Chair lays before the Senate, House Concurrent Resolution 77, which the clerk will state:

H. Con. Res. 77

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 14, 1969, at 9 o'clock p.m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (H. Con. Res. 77) was considered and agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. PROXMIRE. Mr. President, I rise today to express my strong support for modification of rule XXII of the Senate's standing rules, the antifilibuster rule. The present rule XXII provides that extended debate may be brought to a close on the vote of two-thirds of Senators present and voting. The modification now before us would reduce that ratio to three-fifths—a difference of seven Senators if all 100 Members are present and voting.

Eight times in the last 18 years a group of Senators has attempted to incorporate into the Senate rules the principle of majority government—to overcome the tyranny of the minority that has far too often prevailed in the Senate. At stake in our efforts to modify the filibuster rule is the Senate's ability to function as a democratic and representative legislative body.

The filibuster represents usurpation of power by a minority. It is pure obstruction and profoundly antidemocratic. It permits a minority to hamstring the U.S. Congress.

Filibusters are often defended on the ground that they are an expression of the great senatorial tradition of free debate. But this tradition must not allow us to overlook the fact that Congress was created to engage in debate for the sake of making a decision.

Of course, full and fair debate, even lengthy and extended debate, is justified and ought to be preserved in the Senate. But filibusters are not debates. They are exercises in obstruction. Their purpose is not to promote rational discussion leading to informed decision. Their purpose is simply to prevent decision in those cases where the filibusterers know they are in a minority.

This minority is able to achieve this purpose because of the protection afforded by the presently existing rules of the Senate.

Mr. President, the thrust of my remarks today will be to support the proposition that a majority of the Senate can act to change these rules. On the eight occasions since 1950 that an effort has been made to amend the Senate's rules, the central issue generally has not been: What change shall be made in rule XXII, if any? Rather, the pivotal issue has been: Is the vote of the majority sufficient to effect a rules change?

I intend to address myself to that question today. I intend to show that any conclusion other than the conclusion that a majority of the Senate can act to amend its rules is indefensible on any political, historical, numerical, or moral basis. For those still unconvinced, I intend to show that any procedure whereby more than a majority is required to achieve a rules change is patently unconstitutional.

First, what is the practical and numerical effect of the proposition that rule XXII cannot be changed by a simple majority of the Senate? Our opponents tell us that rule XXII prevents us from cutting off debate on substantive issues by majority vote. We want to change rule XXII. But we cannot change rule XXII because, they would have us believe, it also prevents us from cutting off debate on procedural issues by majority vote. Thus rule XXII prevents a majority of Senators from deciding whether they want to change rule XXII.

In effect, we are told that the rules cannot be changed except by two-thirds of the Senate. For two-thirds of the Senate must vote to cut off debate before a vote can be taken on a rule change.

Logically, this makes no sense. In terms of the democratic principles upon which our Government was founded, it makes no sense. It means, in effect, that Senators representing 6.6 percent of the population—less than one in every 15 persons—can block a rules change.

This proposition may sound startling, but it is true. With the full Senate present and voting, 34 Senators from 17 States are sufficient to prevent a two-thirds affirmative vote. Senators from 17 States are voted into office by 6.6 percent of the electorate. With less than the full Senate present and voting, the representation percentage could fall well below 6.6 percent of the electorate.

Given these figures, modification of rule XXII can only be opposed on the grounds or belief that it is the inherent right of a minority in the Senate to prevent the majority from acting. That is the issue: the right of the majority of Senators ultimately to act versus the present power of a minority, under the rules, to prevent the majority from ever acting.

To a certain extent, we already live with some minority rule in the Senate. This results from the great compromise agreed to by the framers of the Constitution, which compromise gave each State of the Union the equal representation of two Members in the Senate of the United States, regardless of the number of people in the State. Thus, today, the States with less than one-third of a million people have the same representation in the Senate as the States with 17 million people.

In 1960, the nine largest States—New York, California, Pennsylvania, Illinois, Ohio, Texas, Michigan, New Jersey, and Massachusetts—had 51.4 percent of the population. The population of the country was 180 million in 1960. About 92 million lived in these States. But they have only 18 votes in the Senate, or less than one-fifth of the total. They have over one-half of the people, but less than one-fifth of the votes in the Senate.

I do not challenge the proposition that States with less than one-third of a million people should have the same representation in the Senate as States with 17 million people. That is the system that was intended by the framers of the Constitution, and under which we have lived for 180 years. But this is a matter to consider when we talk about majority rule and the majority having an opportunity to change the rules governing the Senate.

Looking at it another way, the system of equal representation in the Senate has already given States with a total of one-sixth of the Nation's population majority control in the Senate. Quite clearly, we already have minority rule, in that a small minority of the people can rule the Senate.

There is no justifiable further minority right, therefore, for an even smaller proportion of the population, a minority of this minority, to possess a veto over the Senate—and in actuality over the product of the entire Congress—through an even more discriminatory rule of procedure.

Now is there any historical justification for rule XXII? The practical effect of the two-thirds cloture rule has been to conform the Senate to John C. Calhoun's theory of concurrent majorities, under which a national majority in the Congress would not be permitted to pass legislation without the agreement of a majority in each and every section of the country. Calhoun's theory was never accepted, and the Civil War permanently rejected any claim that this theory is compatible with our Federal Republic.

Calhoun, despite the virtues which he might have had—and he certainly had them; he was one of the greatest Senators who ever served here, selected as such by the committee a few years ago—was the open defender of slavery and inequality, and he wanted the rules of the Federal Government so arranged that slavery and inequality could not be eliminated against the will of any one section of the country.

The process of the Civil War, and the blood of hundreds of thousands of men, rejected this theory. But by a strange quirk of fate, it lingers on and finds its chief fortification in rule XXII.

The conclusion is inescapable: there is no political justification, there is no historical justification, there is no numerical justification, and there is no moral justification, for permitting Senators representing 6.6 percent of the population to completely dominate the Senate, and to thereby completely dominate the legislative process.

Equally significant, and more conclusively, there is no constitutional justification for denying a majority of the Senate the power to change its rules. I suggest, in fact, that a procedure which requires more than a simple majority to effect such a change—such as a two-thirds requirement—is contrary to the clearly expressed provisions of the U.S. Constitution. I would like to turn now to that proposition.

Rule XXII's cloture mandate has perpetuated itself by virtue of its own provisions. On every occasion in which the Senate has attempted to change its rules of procedure, the cloture rule has served as a bar. Not every attempt has necessarily been filibustered; oftentimes the mere threat of a filibuster has been sufficient to block revision.

The essential element in the present cloture rule is found in the two-thirds vote requirement. This means in practice that every vote for filibuster is worth two votes against. Otherwise the filibuster continues and the Senate is prevented from acting. But the application of this 2-to-1 ratio to perpetuate rule XXII subverts a fundamental constitutional rule of procedure.

The constitutional rule subverted by rule XXII's self-perpetuation is found in article I, section 3, clause 1 of the Constitution, and again in the 17th amendment. These provisions state simply: "and each Senator shall have one vote." This may be called the "one-Senator, one-vote" principle. All the regular business of the Senate is expected to be conducted on this principle of parity of power among Senators, whether they be from large or from small States.

Possibly, some skeptics may not be convinced that the phrase "each Senator shall have one vote" imposes majority rule on the Senate. I would implore those skeptics to read two clauses further down in the Constitution, where the framers set forth one further prescription for voting procedure in the Senate. That later clause stipulates:

> The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

"Unless they be equally divided." To my mind, this clearly stipulates that majority rule shall govern the Senate in all cases except those specifically designated by the Constitution as requiring a two-thirds vote.

Where the principle of majority rule—one Senator, one vote—is not to be followed, the Constitution explicitly says so. There are five instances, and only five instances, in which negative votes count twice as heavily as affirmative votes. These are the situations in which the matter involved is so weighty, going to the very fabric of our constitutional form of government, that a simple majority to take action simply would not do. The five cases in which the Constitution demands a two-thirds vote are: treaty ratification; constitutional amendments; overriding Presidential vetoes; trials for impeachment; and expulsion of Members.

It is certainly reasonable to require that the Senate ratify treaties between our country and other sovereign nations by a two-thirds vote. Few, if any, of us would argue that these documents of international law, binding this Nation, as they do, to worldwide commitments should be approved by a mere majority of the Senate.

Of course, constitutional amendments must receive the approval of two-thirds of both Houses. Again, few would argue that this is an onerous requirement in view of the fact that we are dealing with the foundation of our democratic system of government.

Bills vetoed by the President must be approved by two-thirds of the House and the Senate if they are to become law. Here again, we are dealing with a cornerstone of our democratic system—the balance between the legislative and the executive branches of our Government. Most of us accept the wisdom of this attempt to preserve the balance.

Similarly, impeachment and expulsion of Members requires a two-thirds concurrence. As with reversing a Presidential veto, these involve overriding the decision of a majority of the electorate; the Senate's judgment is substituted for that of the electorate insofar as an individual's qualification to hold public office is concerned. In effect, the Senate sits as a jury in these cases, and quite naturally the Constitution demands a 2-to-1 concurrence as a predicate for action.

In these five exceptions listed by the Constitution itself, those voting in the negative have, in effect, twice the voting power of those voting in the affirmative. The two-thirds rule permits one negative vote to cancel out two votes in favor of taking action.

Can we convincingly argue that the Senate rules also carry this momentous burden of importance? I think clearly not. They are tools to expedite the effective and efficient operation of the Senate. They affect neither our relationships to foreign nations, the executive branch, nor the States.

But the filibuster, and the present provisions of rule XXII, attaches just this momentous burden of importance to the procedural act of changing the Senate's rules. In a vote to break the filibuster, under rule XXII's present two-thirds requirements, each Senator voting "no" has double the voting power of each Senator voting "yes".

This is a clear and sharp change in the fundamental constitutional voting principle of one vote for each Senator, and in the principle of majority rule for the Senate. It represents the addition of a sixth district category to the five categories specifically enumerated by the Constitution in which a two-thirds vote will be required. Logically, the making of such a change, and the extension of the five majority rule exceptions to a sixth category, should require nothing short of a constitutional amendment.

Yet, by vesting rule XXII with the power of self-perpetuation which can only be overcome by a two-thirds vote, the Senate has amended the constitutional principles which govern its procedures. I find no warrant in the Constitution for such a usurpation of constitutional authority. We can bring ourselves into conformity with the Constitution if, and only if, we permit a majority of the Senate to decide by what procedural rules the Senate is to be governed.

Now there may be some who say that any liberalization of the so-called gag rule represents an incursion upon the constitutional guarantee of free speech. These champions of extended debate in the Senate argue that the tradition of freedom of speech in the Senate is a higher constitutional principle which takes precedence over the "one Senator-one vote" principle. But any argument from tradition has only qualified weight. The long tradition of slavery in the United States hardly was a justification for the practice. Traditions have to be judged as to merit, as well as to longevity, and long-established evils are no more defensible than new ones. The tradition of the filibuster is one of the more unsavory chapters in the book of the U.S. Senate; that chapter ought to be closed.

In recent years, the filibuster has thwarted the will of the majority and made a travesty of the democratic process on a number of occasions. In 1966, a majority of Senators favored the repeal of section 14(b) of the Taft-Hartley law. The bill repealing 14(b) passed the House in the 90th Congress; but when it came to the Senate, repeal was never enacted into law simply because the minority maintained a successful filibuster. On February 8, 1966, 51 Senators supported invoking cloture and 48 opposed cloture. On February 10, 1966, 50 Senators supported invoking cloture and 49 opposed it. Rule XXII thwarted the will of the majority.

The 1966 civil rights bill is another case in point. The House of Representatives passed a strong civil rights bill including much-needed Federal and State jury reform, increase of Federal authority against racial violence, and prohibition of discrimination in housing. Just as in the House, a majority of the Members of the Senate supported the bill; just as in the case of the repeal of 14(b), the filibuster succeeded in thwarting the will of the majority. On September 14, 1966, 54 Senators supported invoking cloture and 42 opposed it. Counting the pairs, the vote would have been 58 to 43. On September 19, 1963, 52 Senators supported invoking cloture and 41 opposed it. Counting the pairs and publicly announced positions, the final vote would have been 57 to 43. Despite this substantial preponderance in favor of the 1966 civil rights bill, the bill died in the 89th Congress.

Home rule, too, was executed by the rule XXII guillotine. The Senate had passed a home rule bill in 1965 by the overwhelming vote of 63 to 29. After the bill was stymied in the House, Senator MORSE proposed a less controversial home rule bill as an amendment to the higher education bill. A filibuster was threatened; cloture was the only method of dealing with the matter as the session was drawing to a close. Despite the full debate on, and the overwhelming support for, the stronger home rule bill in 1965, cloture failed. Forty-one Senators voted in support of invoking cloture and 37 opposed it. If the pairs and publicly announced positions were counted, the vote would have been 53 to 40, with abstentions. Despite this overwhelming majority for home rule, the citizens of the District are left without the right of self-government.

These examples serve to illustrate the enormously obstructionist role that the filibuster can play, and the tyrannical power it gives to the minority in bringing the democratic process to a complete halt. I do not deny that on a few rare occasions in the past few years we have been successful in overcoming the filibuster. But, it would be a serious mistake to assume that because we were successful in voting cloture on some of the recent civil rights legislation—most notably, the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Civil Rights—Open Housing Act of 1968—that there is no need to modify rule XXII. With the first of these landmark pieces of legislation, the 1964 act, we should recall that under the threat of a filibuster, action on any comprehensive civil rights bill was in fact delayed for decades. Second, the difficulty of overcoming a filibuster delayed for a year or more action on the civil rights proposals of President Kennedy. Third, the filibuster caused nearly 4 months of further extended delay in the Senate even after the bill came over from the House: The bill was received and put on the Senate Calendar on February 26; the motion to take up was made on March 9 and debated until March 26; and the filibuster on the bill delayed Senate passage until June 17. Let there be no misunderstanding that cloture on this act was achieved only because of a remarkable combination of factors which included the skilled and vigorous leadership of President Johnson, the moral indignation or uneasy conscience of the vast majority of the people sharpened by the assassination of President Kennedy, the educational efforts to dethrone the filibuster and pass civil rights legislation which were made over the years, and finally and not least, the vigorous yet responsible and restrained leadership in the Negro community.

This combination of forces or one of similar weight is unusual and short lived. But the majority in the Senate must not be forced by the filibuster to again wait decades before it can act on urgent proposals. The filibuster was forced on these occasions into temporary retreat, but it still guards the legislative gate.

Finally, I would like to reassure my colleagues that the two-thirds requirement of rule XXII hardly represents the sole guarantee that legislative proposals will receive prolonged consideration. Our constitutional system provides many other protections against hasty or ill-considered action. The Senate is not the only House of the Congress. The House of Representatives also must pass on a measure of law. So there is further or prior consideration by that body in the first instance.

Moreover, if the House and the Senate are not in identical agreement on the language of a measure, there must be further action by one House to recede in its disagreement with the other or a joint conference appointed to work out an agreement. The motions to agree to a House bill in place of the Senate's version or to request or agree to a conference are debatable. Further, while the motion to take up a conference report is not debatable, the motion to adopt a conference report is fully debatable. So these concluding parliamentary steps very substantially augment the opportunity for prolonged consideration in the Senate.

Mr. President, I would like to conclude my remarks on rule XXII with the words of former Senator Paul Douglas, who in past years has played the key role in the battle for majority rule but who, unfortunately, is not with us in the Senate now. In a statement before the Senate Rules Committee on February 23, 1965, Senator Douglas made a stirring appeal for majority cloture:

> In my opinion, it is high time for this principle, of full consideration but ultimate majority action, to replace the current provision for minority rule through the filibuster and the threat of filibuster.
>
> The change in rule XXII which we propose does full justice to the principle of full debate in the Senate. As one of the sponsors of this resolution, I wish to have it very clear that no Senator respects more highly than I do the tradition of thorough debate in the Senate with every Senator having the right to be heard. But I also believe that the filibuster—which correctly defined is prolonged discussion and other delaying tactics intended to prevent a vote—mocks the Senate, its tradition, and the Constitution of the United States.

Mr. President, the shadow of the filibuster still weighs heavily over the Senate Chamber. The delay tactic still mocks the Senate, its tradition, and the U.S. Constitution. The 91st Congress now has a golden opportunity to end this mockery, to forever cast off the shadow of obstructionist rule. I urge my fellow Senators to seize this opportunity and to act upon it.

In the course of my remarks, I have put great emphasis on the importance of majority rule. Of course, the proposal we have made will not provide majority rule; it is a much more modest effort than that. It provides that 60 percent of the Senate will be able to invoke cloture. It is half a step in the direction of majority rule.

I think that the arguments I have made, except for the constitutional arguments, should apply with even more vigor than the modest effort in the direction of majority rule—than to majority rule itself.

I yield the floor.

Mr. SCOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

AUTHORIZATION FOR PRINTING MISCELLANEOUS STATEMENTS IN THE RECORD

Mr. PROXMIRE. Mr. President, I ask unanimous consent that Senators may have miscellaneous statements printed in the RECORD today.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGETARY LEEWAY AND PRICE STABILITY AFTER VIETNAM DEPEND ON ARMS CONTROL

Mr. PROXMIRE. Mr. President, former Budget Director Charles L. Schultze has projected the shape of the Federal budget into the post-Vietnam period and has come up with some rather grim but, I fear, terribly realistic conclusions.

It is clear from his analysis, which was printed in yesterday's edition of the Milwaukee Journal, that there is not going to be much if any leeway in the Federal budget after Vietnam if the United States and the Soviet Union do not negotiate their way out of the imminent arms race that recent advances in arms technology is bringing upon us. And I might add there will be far less chance to control inflation and hold down prices unless we can limit this arms race.

As Mr. Schultze points out:

> The major new weapons systems already approved include two which if deployed by the United States and the Soviets could sharply raise the costs of maintaining a second strike capability.

The first is the multiple independently targeted reentry vehicle—MIRV; the other is the antiballistic missile system—ABM.

A credible second-strike capability is the linchpin upon which the current nuclear balance of terror between the United States and the Soviet Union is based. The MIRV and the ABM system could lead to renewal of the arms race and thus to an astronomical military budget in the post-Vietnam period, which in turn would lead to all kinds of other instabilities, including a worsening of the current unstable price situation.

I recommend Mr. Schultze's article to other Senators as "must" reading, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AFTER VIETNAM: ARMS COST RISE?

(By Charles L. Schultze)

(NOTE.—The writer, Charles L. Schultze, former director of the budget bureau under President Johnson, is now on the staff of the Brookings Institution, a private research organization in Washington, D.C.)

We do not know when a cease-fire in Vietnam will come, nor how rapidly American troops can be withdrawn. But we can attempt to project the shape of the federal budget once a cease-fire and troop withdrawal are accomplished. We can try to estimate the funds the Nixon administration will have for use at its discretion, either to expand high priority domestic programs or to cut taxes. If we maintain full employment, but reduce somewhat the current rate of inflation, economic growth will increase federal budget revenues by about 16 to 17 billion dollars each year. With present tax rates, budget revenues four years from now could be 65 to 70 billion dollars higher than they are today.

But a Vietnam cease-fire would probably lead Congress to eliminate the 10% surcharge which yields some 11 to 12 billion dollars in revenues, leaving a net gain of perhaps 55 billion dollars in revenue over the next four years.

Cease-fire and troop withdrawal would obviously save substantial amounts. The annual cost of the Vietnam war is probably in the neighborhood of 20 to 22 billion dollars. This is less than the accounting cost of 29 billion dollars shown in the current budget, since some of the expenditures we now make in Vietnam would be spent even if there were no war. B–52s would be flying practice missions, naval task forces would be steaming on training cruises, and so on.

How rapidly we could realize the savings from a complete cessation of hostilities would depend on the specific agreements reached, and on the time it would take to fill up ammunition and other inventories reduced by combat operations.

Imagine that a cease-fire is negotiated, that a withdrawal of American troops begins six months later, continues over an 18 motnh period, and that the armed forces are reduced to the pre-Vietnam level. Budgetary savings might amount to 1.5 to 2 billion dollars in the first six months after the cease-fire, to 15 billion dollars in the subsequent year, and should reach an annual rate of 20 billion dollars within 18 months to two years after the cease-fire.

These additions to budgetary resources—the revenues yielded by economic growth and the savings from a Vietnam settlement—will be partly offset by additional expenditures of two kinds.

First, there will be a number of automatic or "built-in" increases in civilian budget expenditures.

Second, defense spending for purposes other than Vietnam is likely to rise substantially, even without major new military programs.

Even before making allowance for new programs, civilian budget expenditures will tend to rise over the next four years. Pay and price increases will affect civilian budgets as well as the defense budget. Interest on the public debt will rise, as older securities mature and are "rolled over" at currently higher interest rates. Growing population and income will increase the work load and budget of such agencies as the internal revenue service, the park service, the patent office, the immigration and naturalization service, and so on.

A $30 BILLION RISE

Veterans returning from Vietnam will take advantage of the educational benefits of the GI bill of rights. Expenditures from the federal highway trust fund have been held below trust fund receipts during the Vietnam war; when the war ends, highway expenditures will surely increase.

"Built-in" increases in Federal civilian expenditures are likely to rise in the neighborhood of 30 billion dollars over the next four years.

Military spending outside of Vietnam is also likely to rise. A large pay increase for the military and civilian personnel of the defense department is scheduled for next July, and further increases will surely occur to keep pace with increases in private industry.

Even if inflation subsides, some modest price increases in weapons will probably continue, raising the cost of military procurement.

New generations of military equipment, moreover, are almost always more complex and more expensive than the ones they replace. In addition, expensive new military programs have been approved. Among the more important of these are: The antiballistic missile system; large and expensive improvements to our land based missile forces; four nuclear aircraft carriers; nuclear escorts for the carriers; a new submarine launched ballistic missile (the Poseidon); a new navy fighter plane; a large destroyer replacement program, and a bomber version of the F–111.

Even if the estimated costs of these systems do not increase (highly unlikely) and even if no new programs are approved, military spending outside Vietnam is likely to rise sharply—barring decisions to curtail or eliminate some of the programs mentioned.

NEW ARMS TECHNOLOGY

Taking account of increases in pay and prices and the cost of the new systems, non-Vietnam military spending may rise by 15 billion dollars or more annually over the next four years.

Even more importantly, the nature of the military programs involved might well set off a strategic arms race which, quite apart from its effect on raising world tensions, could ultimately lead to large increases in military spending beyond the estimates presented here. That possibility arises from the nature of the new missile technology now being developed.

Present nuclear strategy is primarily based on both the Soviets and the United States possessing a credible second strike capability. That is, either side could absorb a first strike and still have the ability to retaliate with sufficient strength to damage the other irreparably. As a consequence both sides are deterred from using their missiles first. Large numbers of land based missiles in hardened silos and submarines roaming the seas with strategic missiles are the chief means of maintaining a second strike capability.

The major new weapons systems already approved include two which if deployed by the United States and the Soviets could sharply raise the costs of maintaining a second strike capability.

The first is the multiple independently targeted re-entry vehicle (MIRV). One such intercontinental missile can contain a large number of warheads, each assigned to a separate target. One offensive missile, equipped with MIRV's, could "take out" a number of enemy missiles in a first strike.

ASSUMING THE WORST

A second development is the antiballistic missile (ABM). The Soviets have a relatively crude version deployed around Moscow. The United States is building a countrywide "thin" ABM shield to protect against blackmail by the Chinese. But that system could be extended, at a huge cost, to protect against Soviet missiles.

Thus Soviet planners are faced with the possible loss of their second strike capability.

They would then be forced to expand their own strategic deployments sharply to maintain second strike capability. In turn, as they introduced MIRV's and a thick ABM, our own forces would have to be expanded to insure a United States second strike capability.

To play it safe in this environment, each side would have to assume the worst about the other side's capabilities and intentions, leading not to the smallest possible expansion of forces, but to the largest. For these reasons, a decision to continue with the already approved MIRV and ABM programs could lead to an unstable situation.

The initial increase in military spending to deploy these systems could well induce still further large increases in spending, as each side forced the other to undertake progressively more expensive means of protecting its second strike capability.

Three results could flow from this kind of development. First, the uncertainty surrounding nuclear policy and the tensions between the two major powers would rise sharply. As a frightening second consequence, there is the possibility that each side would at one stage in this process possess, or think the other side possessed, a decisive first strike capability. Third, there would be a very large increase in defense expenditures, starving high priority domestic programs.

We can combine all the factors discussed above—growth in revenues, savings from a Vietnam settlement, rising non-Vietnam military outlays and built-in civilian expenditure increases—to arrive at a very rough estimate of the budgetary "leeway" which the new administration will have for new programs, for expanding existing programs, or for cutting taxes.

Optimistically, this budgetary leeway should rise by fiscal 1973 to something in the neighborhood of 30 billion dollars.

But this outcome is threatened by the

possibility of a major arms race. If ABM's and MIRV's are deployed, a new arms race may be set off which will escalate military spending well above the levels used in the projection.

The military spending projected here may be precisely the level we cannot have. Either we will find a means of preventing the initial deployment of these weapons, and thereby reduce arms spending, or we will go ahead with their initial deployment and thus find ourselves forced to raise military spending still higher as the ensuing arms race occurs.

There are many things an administration may do to increase the budget leeway for attacking the nation's pressing social problems—including a vigorous screening of obsolete expenditure programs.

But the most important actions which will affect budgetary resources are these: First, a prompt settlement in Vietnam; second, a careful review of nuclear arms policy, and third, moving ahead vigorously to negotiate a workable agreement with the Soviets on nucelar arms control.

NEW U.N. AMBASSADOR POINTS WAY TO STABLE WORLD ORDER

Mr. PROXMIRE. Mr. President, Bruno V. Bitker, a Milwaukee attorney who for 9 years was chairman of the Wisconsin Governor's Committee for the United Nations, has written a most informative article about President-elect Nixon's choice for Ambassador to the United Nations, Charles W. Yost. The article was published in the Milwaukee Journal of January 12, 1969.

Mr. Bitker, who is well acquainted with Mr. Yost, makes it clear that although Ambassador Yost does not have the prominence of such predecessors as Henry Cabot Lodge, Adlai Stevenson, and Arthur Goldberg, he is an extremely able diplomat and a man with some advanced and innovative ideas about international politics.

As Bitker points out, the main thesis of a book by Ambassador Yost published last winter, "The Insecurity of Nations," is that "only if all nations submerge their national interests in the interests of all mankind can there be security for any nation."

Ambassador Yost states:

> The primary cause of the insecurity of nations persists—the very attribute on which nations pride themselves most—their sovereign independence, their "sacred egotism," their insubordination to any interest broader or higher than their own. The tragic character of their condition lies, moreover, in their habitual failure to understand what their own interests really are, to recognize that the interests of all are in the modern world so bound together that those of one nation cannot be served over the long run without all being served, that those of one nation cannot be imperiled without all being imperiled.

Mr. Bitker brings out some specifics of Yost's foreign policy attitudes which should interest Senators very much, indeed. I commend Mr. Bitker's article to the attention of other Senators and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AMBASSADOR YOST'S ADVANCED IDEAS ON THE U.N.

(By Bruno V. Bitker)

(NOTE.—The writer, Bruno V. Bitker, a Milwaukee attorney, became well acquainted with Ambassador Yost on several visits to the United States mission to the United Nations in New York. Bitker was chairman of the Wisconsin governor's committee for the United Nations for nine years prior to his resignation last year. Five years ago he brought Yost to Milwaukee to address the annual governor's conference on the UN.)

One of the real surprises among the cabinet and key advisers selected by President-Elect Nixon was Charles W. Yost as chief ambassador to the United Nations.

Yost's predecessors have been for the most part men of considerable national prominence. Many of them, such as Henry Cabot Lodge, Adlai Stevenson, and Arthur Goldberg, had political followings. Yost, although highly respected in the world of diplomacy, cannot be said to have either public prominence or a political base.

Although usually identified as a Democrat—he did act as an adviser on international affairs to Hubert Humphrey—it would be more accurate to describe him as nonpolitical. Until his resignation in 1966 as second in command at the United States mission to the UN, he was a widely experienced career officer in the foreign service.

One reason for surprise at his selection emanates from the advanced and innovative ideas set forth in what he has written since becoming senior research fellow with the Council on Foreign Relations in New York city. Some of his ideas in the area of international relations are not those usually associated with President-Elect Nixon.

In his book, "The Insecurity of Nations," published last winter, Yost states forcefully his concepts of what the United Nations could and should be, in order to be an effective force in peace keeping. Both in his book and in recent magazine articles, Yost emphasizes his main thesis: That only if all nations submerge their national interests in the interests of all mankind can there be security for any nation. Thus he says:

"The primary cause of the insecurity of nations persists—the very attribute on which nations pride themselves most—their sovereign independence, their 'sacred egoism,' their insubordination to any interest broader or higher than their own. The tragic character of their condition lies, moreover, in their habitual failure to understand what their own interests really are, to recognize that the interests of all are in the modern world so bound together that those of one nation cannot be served over the long run without all being served, that those of one nation cannot be imperiled without all being imperiled."

"There will never be security for nations and peoples until there exists some impartial and effective international authority," he writes, "expressing man's best instincts and common interests, designed and empowered to keep the peace, restrain aggressive governments, control national armaments, negotiate and enforce peaceful settlements, facilitate peaceful change, and assist new states to develop and modernize.

"The nature of the modern world is such that it will not tolerate a pax Romana, pax Britannica, pax Sovietica, or pax Americana. Peace-keeping, if it is not in practice to become war-making, is a task that henceforth has to be performed collectively."

In reference to the theory of the value of regional organizations in assuring world peace, he notes that:

"Nor are regional organizations any more generously endowed with power by their members. The Organization of American States has a relatively long tradition, but neither the United States nor the other 20 republics are willing to confide to the organization the right to intervene or to forbid intervention, the right to determine levels of economic assistance or standards of social and political performance."

To those who insist that the hopes for peace through subordination of nationalistic fears or ambitions are pure fantasies, he says:

"The revival and re-enforcement of the United Nations no doubt seems, and at the moment may be, Utopian. The point to be made again and again, to be hammered unmercifully into our proud hard, silly heads, is that the attempt to achieve the security of nations by national means under modern circumstances is still more Utopian."

This is a positive assertion of where American security lies. But it remains to be seen whether this expresses the philosophy of the Nixon administration. It also remains to be seen whether Yost will be freer to act in the United Nations than have some of his predecessors.

It remains to be seen, too, whether the inclusion of the UN ambassador in cabinet meetings will in fact elevate the post to one of near equality with the secretary of state in inner White House councils. The practice of including the ambassador in such meetings was initiated by President Eisenhower with respect to the then ambassador, Henry Cabot Lodge.

RELATION TO PRESIDENT

It is now an established custom on paper. But its practical effect is uncertain. A particular ambassador may enjoy a relationship with the president so close that he feels free to telephone directly to the White House from the UN's New York headquarters without going through the office of the secretary of state or the department's bureau of international organizations. Undoubtedly Lodge enjoyed that relationship with President Eisenhower. Ambassador Goldberg reportedly has a similar direct line to President Johnson.

There does not appear at the outset to be such a close personal bond between Yost and Nixon. But Yost is a man of quiet manner who seems to play down the personal approach. It is possible that his reticence could produce better results than have the more dramatic efforts of some of his predecessors.

It should be noted, too, that as a career diplomat Yost is known and highly regarded by the "establishment" within the state department.

The anomaly whereby the UN ambassadorial post ranks a seat at the cabinet table has raised problems. On the one hand it has indicated to the world that the president of the United States recognizes the special importance of the United Nations. But if one examines the bureaucratic chart of the department, the UN ambassador is not only under the secretary of state, but his direct contact with the department, in theory, is at least two steps down the line. He deals with the assistant secretary of state for international affairs, who in turn is responsible to the undersecretary of state.

All of this has resulted in confusion, and on occasions, created resentments between officials who previously have been on amicable terms. It has stimulated much discussion on the proper role of a chief ambassador to the UN.

Yost's long experience in operating through recognized lines of authority may help smooth over some rough spots which have disturbed other ambassadors. The result could be most constructive in influencing the foreign policies of the United States. The effectiveness of the UN ambassador should not be measured by whether he is an intimate of the president or on close terms with cabinet members, but by what he accomplishes through the United Nations.

For years the United States has taken a negative position on the admission of Communist China into the United Nations. It is an issue bound to arise again in 1969. This is what Yost has said on this question:

"She should be invited without delay, and without regard for her current disorders, into the United Nations, and into all other appropriate international organizations. Initially, she will no doubt refuse; she will prove, when she does come in, a most prickly and disruptive partner. . . . The stakes in this case, however, are too high to permit or excuse boggling by the rest of the world. . . . Both China's sobriety and its friendship are essential to world order."

NIXON-YOST ACCORD?

But when Nixon introduced his new UN ambassador at a press conference he indicated no enthusiastic belief that the UN could mediate between the United States and the USSR, nor did he express any hope that the superpowers would even submit significant decisions to the UN affecting their respective vital interests. One wonders whether his future policies will be in harmony with the ideas of Ambassador Yost, who says:

"If mankind is to continue to prosper, perhaps even to survive to the end of this century, there is going to have to be a rather rapid assimilation of nation-states into a more coherent and functional international system."

It may be true that the world is still reluctant to support a stable international order that would exclude war as a way of settling international disputes. But the grinding necessity of the times may force the world to do what needs to be done. Yost has pointed the way.

LEGISLATIVE PRIORITIES IN THE 91ST CONGRESS

Mr. TYDINGS. Mr. President, I should like to discuss the issues confronting our Nation as the new Congress opens.

At the outset, let me make clear that I intend to cooperate with the new President to the maximum possible extent. I will support his proposals whenever they advance our national interest.

As in the past, however, I will try to offer constructive alternatives when Presidential programs, in my judgment, are inadequate or unwise.

As always, I will cast my Senate votes on the basis of my independent judgment and in light of my responsibilities as a U.S. Senator from Maryland. The interests of the people of Maryland and the good of our Nation—and neither politics nor partisanship—will determine my views and my votes.

THE CRIME PROBLEM

Crime continues to be the No. 1 domestic issue. As I frequently have said, crime control is a prerequisite to progress of any kind in this country. I emphasize this as a Senator who realizes that if there is such a thing as a long-term solution to crime we must focus on and relieve the evils of unemployment, underemployment, family breakdown, inadequate education, and substandard housing. But when people fear the streets and parks of their great cities, when their finest leaders are murdered, when they begin to eye their neighbors with suspicion and fear—then our society is endangered. The battle against crime cannot be waged effectively by the police, the courts, or our correctional institutions acting alone. An effective law enforcement program must recognize that the law enforcement agencies, the courts, and the correctional institutions are intertwined in the crime battle and each must be strengthened if progress is to be made.

As a member of the Judiciary Committee, as chairman of its Subcommittee on Improvements in Judicial Machinery and as a member of the District of Columbia Committee, I have worked to improve law enforcement by providing assistance to each of the three elements of our crimefighting mechanism.

I am proud of my role in the passage of the Safe Streets Act of 1968. By passing this legislation Congress took a first step in providing substantial Federal assistance to State and local law enforcement agencies and, as I urged, authorized a wiretap provision which safeguards the right of privacy while providing a major weapon to fight rackets, organized crime, and espionage.

Congress also enacted my bills to revise the first line of Federal criminal justice, the federal commission system, and to reform the federal jury system. Congress further enacted a limited and reasonable gun crime control law to help the States reduce the gun crime crisis we face.

But much remains to be done. Last fall I introduced a comprehensive bill dealing with organized crime, grants for police training and education, criminology research, financial assistance for State and local police forces, alcoholic rehabilitation programs, model correctional programs to reduce recidivism, and studies of the effect of court decisions on law enforcement.

Since then I have met with many leading law enforcement figures, as well as Federal and State judges and prosecutors, and given careful study to the problems raised and the proposals of this earlier legislation. Some of those with whom I have met are Quinn Tamm, Patrick Murphy, Commissioner Donald Pomerleau of Baltimore, Superintendent Robert Lally of the Maryland State Police, and Sir John Waldron of Scotland Yard.

ANTICRIME PROPOSALS

The result will be a much refined and expanded bill to improve law enforcement at all levels. An outline of this legislation is attached as an appendix, along with a summary of the crime control proposals which I have previously introduced or cosponsored.

As part of this anticrime bill, I will also reintroduce the gun crime control measure I supported last year. The gun crime control section will provide temporary Federal registration of guns and licensing of gun users in States which do not enact effective laws of their own. It will specifically safeguard the rights of every law-abiding citizen—sportsman, hunter, homeowner, or proprietor to own and use firearms of his choice, free from taxation or threat of confiscation.

The fate of this gun crime control measure will depend upon the new President. We need energetic and effective presidential leadership to enact comprehensive anticrime laws. If President Nixon remains silent on this part of the bill, its enactment will be impossible.

As chairman of the Senate Subcommittee on Improvements in Judicial Machinery, I have special responsibility for overseeing the operation of the Federal judicial system and for suggesting legislative solutions to problems of judicial administration. In this role I have successfully worked for enactment of the Federal Jury Selection and Service Act of 1968, which established random processes for the selection of Federal juries; The Federal Magistrates Act, which restructured the first echelon of Federal justice; the Federal Judicial Center Act, which gave the judiciary a research arm; two omnibus judgeship bills, which provided the Federal courts with needed judge power; the Multidistrict Litigation Act, which allows efficient pretrial of cases having a common factual core; and more than twenty other bills. Further legislation will be necessary if our Federal courts are to provide justice for our increasing and ever more litigious population.

I have special plans to examine our tax litigation structure and the Federal appellate process. Presently, three different courts handle Federal tax litigation, and the result is a myriad of technical problems, inefficiencies and inequities. Not the least of the inequities is the discrimination now faced by the poorer taxpayer. If you are a rich man and able to pay your taxes and sue for a refund, you have a choice of forums under the present system. If, on the other hand, you do not have the funds to pay the tax, only the Tax Court is available.

These inequities and the present anomalous status of the Tax Court as a quasi-judicial body must be remedied and I have offered legislative remedies.

Our Federal appellate system has experienced a fantastic 240-percent increase in work in this decade. The expanded workload has caused a slowdown of the appellate process to the point where it takes 11 months to adjudicate the average criminal appeal—10 months for the average civil appeal. As chairman of the Subcommittee on Improvements in Judicial Machinery, I shall review extensively the Federal appellate process and offer legislative relief to these overburdened courts.

OTHER PROBLEM AREAS

Many other urgent domestic issues also confront the new Congress. I will have specific legislative proposals to meet a number of these national problems.

As you may know, I have been one of the principal congressional advocates of voluntary family planning at home and abroad. Aside from nuclear war, the population explosion is probably the greatest threat to mankind. Progress against poverty anywhere is impossible as long as babies are born at a faster rate than food and jobs can be created.

In 1966, Congress enacted my bill to create voluntary family planning programs at the State and local level. That same year Congress passed my bill, as part of the foreign aid laws, to create similar programs overseas.

When properly implemented, those laws will make family planning possible for millions of low-income Americans who today are unaware of or cannot afford family planning assistance.

Similar programs will be created in nations which receive our foreign aid, where population gains are constantly undoing the progress our aid has helped create. It has been truthfully said that $1 of family planning help is worth $100 of foreign aid.

Unfortunately, our Government has

been too slow and too timid in carrying out the voluntary family planning program at home and abroad. As a result, I am going to introduce legislation to centralize all domestic family planning activity in one agency of the Government, under one official who will be directly responsible for making family planning assistance available to those who need it in this country.

Second, I will seek increased funding for population programs at home and in the foreign aid program.

Third, I will propose increased research on food production in areas most threatened by famine.

Fourth, I will propose a summit conference of heads of state of both the developed and the underdeveloped worlds to plan a global effort to prevent the population explosion from engulfing the world in famine, poverty, and war.

THE DRAFT, TAXES, CONSERVATION

I will propose a new military draft reform law directed at immediate elimination of the abuses locked into law by the draft act of 1967, which I voted against. Draft reform should not wait until 1971, when the current law next comes up for renewal.

Two years ago I became the first Democratic Senator to propose sharing of Federal tax revenues with the States. I intend to offer a new tax-sharing bill in the coming Congress.

I also will be taking a leading role in the effort to secure Federal income tax reform, with particular emphasis on assuring that no taxpayer uses tax loopholes to escape a fair share of taxation.

Consumer protection legislation has been one of my prime concerns. Last year I introduced comprehensive model consumer protection legislation for our Nation's Capital. I will continue my work on those bills this year, and will also introduce national legislation to protect consumers against sharp practices and fraud, and to simplify procedures for citizens to bar unsolicited obscene, noxious, or dangerous material from their mail boxes.

Conservation is another of my principal areas of legislative interest. Last year Congress enacted my bill to provide the first nationwide study of coastal erosion. This year I will introduce new legislation to provide pilot projects to test erosion control devices to reduce the coastline loss presently costing the taxpayers millions of dollars a year.

In 1966 Congress enacted my bill to establish the national estuarine pollution study. This study—now in progress—will provide us with the first comprehensive collection of data on the areas in our country where fresh water meets the sea and much of our marine life is bred. More importantly, that study will recommend a plan for future action to insure that our estuaries are well protected and wisely developed.

The Chesapeake Bay is the greatest estuary in the Northern Hemisphere. Its health is of great concern to Marylanders and non-Marylanders alike. I am considering new legislation to guarantee meaningful coordination among those agencies concerned with the bay and to encourage stronger conservation practices.

Additionally, I plan to reintroduce the Potomac River Basin compact amendments which I offered last year to strengthen the interstate commission on the Potomac River Basin in cleaning up the Potomac.

PEACE IN VIETNAM

Abroad, the war in Vietnam will remain the No. 1 problem we face. This country must keep the pressure on all sides to reach the earliest possible settlement in Paris. In particular we should take whatever action proves necessary to bring the Saigon government to the conference table.

It will be hard and long enough negotiating with the North Vietnamese. We should not have to beg our allies to cooperate as we seek to end the killing of American men.

I will continue to advocate that, if Saigon will not negotiate, we should negotiate directly with North Vietnam for a mutual withdrawal of all United States and North Vietnamese forces from South Vietnam.

If Saigon would not cooperate in the search for peace, they should be made to understand they must fight their own war.

The free world money system has also been a casualty of the war. We have had two monetary crises in a year because of the inflationary weakness of the American dollar and the obsolescence of our international monetary system itself.

The current weakness of the dollar is due almost entirely to our attempt to fight a full scale war on a peacetime tax base. If, as I advocated 2 years ago, we had enacted a war tax in 1967, we could have avoided much of the inflation we have suffered since then, and if we had acted then, we would probably no longer need the tax now.

In that connection, I believe the new President should consider the need to convene an international conference to review the obsolete free world monetary system and to revise it to meet modern conditions.

THE ARMS RACE

We must also take all practical steps to reduce the tempo and cost of the worldwide arms race. In the long term, our balance-of-payments problem is attributable almost entirely to our defense spending in foreign nations. At home, war and war-related costs now take more than 75 cents of every dollar Congress appropriates.

I believe we should seek closely safeguarded international treaties with the Soviet Union to limit nuclear forces and to bar the unnecessary construction of anti-ballistic-missiles by any nation.

There are some in the Pentagon and some in the defense industry who are pressing very hard to commit this Nation to a trillion dollar pursuit of what they call "nuclear superiority." They seem to believe that the Soviet Union will not match any defense spending we do. They seem to believe that we can somehow permanently build more missiles with more power than the Soviets can. I believe this course advocated by the military-industrial complex is defied by history and commonsense and is a fatal folly.

I believe this Nation should build and maintain whatever offensive and defensive forces are necessary to deter an enemy attack. But until real peace comes, we must also assume that the Soviets will always maintain a comparable nuclear force. I do not believe that either the United States or the U.S.S.R. can win a race to see who can build the most missiles. Neither nation will get any additional advantage out of having enough nuclear force to be able to destroy the other five, 50, or 500 times instead of just once. Once is all it takes.

So I think our defense policies should be dictated by the hard logic of effective national defense, not the profit margins of munitionsmakers. I will continue to oppose the $40 billion anti-ballistic-missile boondoggle which is already as out of date as a model T Ford. Even its most vocal supporters admit it could be swamped by a Soviet attack. It is an extravagant waste of money, being advocated by the same kind of nearsighted military mentality which advocated mass infantry charges in World War I after invention of the machinegun and a "battleship navy" after Billy Mitchell showed the desperate need for a modern air force and aircraft carriers.

I will also continue to advocate the outlawing of gas and germ warfare under a treaty providing effective inspection and control.

LOOKING AHEAD

My legislative program this year will be the most ambitious I have yet pursued. Not all of it will be enacted. But with each passing year's experience in the Senate—as you learn the ropes and analyze the issues and the people involved—you are able to achieve more and more. I am confident that many of my proposals will become law either on their own or as amendments to other legislation.

Every year is also Maryland year in my Senate office. My staff is under my continuing injunction to relate my legislative work to our State. In addition, I will continue my work this year in every corner of the State to become personally acquainted with the problems confronting our people. I will help solve those problems where I can.

I look forward to this year. It will be a year of great challenge at home and abroad. I hope to meet that challenge with an equal measure of achievement for our State and our Nation.

Mr. President, I ask unanimous consent that the summary be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

APPENDIX

A. Measures relating to crime control and prevention introduced or co-sponsored in the 89th and 90th Congresses by Senator Tydings:

1. The Local Law Officers Education and Equipment Act, providing for:

a. Scholarships and loans to aid in local police education (variation adopted as part of Safe Streets Act of 1968).

b. Financial assistance for acquisition of more modern, more effective equipment for local police (variation adopted as part of Safe Streets Act of 1968).

c. Grants for national study and observance trips by local officers, as a means of encouraging and achieving communication of ideas and techniques among law enforcement agencies.

d. Creation of a division of law enforcement research and development within the Justice Department, to collect and clarify techniques, technological developments, and convey information to local law enforcement agencies.

2. A bill to establish a National Law Foundation, to act as a research facility, providing assistance to law enforcement similar to that provided medicine by the National Institutes of Health.

3. Juvenile Delinquency Prevention Act (passed 1968).

4. Alcoholism Care and Control Act.

5. District of Columbia Alcoholic Rehabilitation Act of 1967 (passed).

6. President's Safe Streets and Crime Control Act (passed).

Bills to:

7. Establish a Joint Committee To Investigate Crime.

8. Provide for commitment of certain federal defendants acquitted of federal criminal charges solely by reason of insanity.

9. Prohibit extortion and threats in the District of Columbia (became part of Safe Streets Act of 1968).

10. Assist states to curb cigarette smuggling.

11. Increase police protection in the District of Columbia, by organizing, training, and equipping reserve police officers.

12. Aid state and local courts through grants-in-aid from an Office of Judicial Assistance.

13. Direct Congressional Committees to investigate court decisions.

14. Assisting states in providing street lighting to prevent crime.

15. Construct a modern jail in District of Columbia.

B. Summary of proposals relating to crime control and prevention to be offered by Senator Tydings in the 91st Congress.

1. *Training, Education, Research, Demonstration, and Special Grants.*

Financial support for development of programs in law enforcement studies by institutions of higher learning and fellowships for graduate study in law enforcement.

Create regional branches of the National Institute of Law Enforcement and Criminal Justice.

Statutory draft deferment for men preparing for or engaged in law enforcement work.

Grants to permit exchange of police officers for the purpose of interchanging ideas on techniques, organization, and equipment used in combatting crime.

Authorize research and development of local police information systems.

Create a program to bring together chiefs of local law enforcement units for periodic seminars on a national and regional basis.

2. *Organized Crime.*

Create an additional position of Assistant Attorney General with responsibility for the development and implementation of the legal attack on organized crime. Authorize such additional staff as shall be necessary to carry out a coordinated program against organized crime.

Make the enterprise of gambling a federal offense except where it has been legalized by state law.

Authorize United States attorney to grant immunity from prosecution for federal crimes revealed in testimony or other evidence of witnesses involved in proceedings before a grand jury or in prosecutions involving organized crime, so that they may be compelled to testify.

Provide federal facilities for the protective housing of witnesses.

Increase sentences for federal offenses where the defendant is found to be in the business of "organized crime".

3. *Financial Assistance for State and Local Police Forces.*

Supplement salaries of local law enforcement officers on a sliding scale corresponding with the level of education achieved beyond high school.

Make available general supplemental funds to help make local salaries competitive with those of other professions in the locale.

Supplement retirement, injury, and death benefits.

4. *Correctional and Rehabilitation Programs.*

Research into the nature, causes, and possible cures of alcoholism. Grants for creating, staffing, and maintaining detoxification units and alcoholism rehabilitation centers.

Grants to states for the development of correctional programs which will reduce recidivism.

5. *Gun Control.*

Reintroduce bill to make temporary provision for registration of weapons, licensing of users, until the states pass local measures.

6. *Commission to Study the Effect of Court Decisions on Law Enforcement and Conviction Rates.*

Try to evaluate what effect, if any, recent Supreme Court decisions such as *Miranda v. Arizona* have had on law enforcement.

7. *Bail Reform.*

Make bail on appeal an exceptional circumstance rather than a matter of course.

Increase sentence on successive sentences for crimes committed on bail.

Enact the Hart Commission's recommendation, limiting and conditioning the right to pre-trial bail in the District of Columbia.

8. *Sentencing.*

Create procedures to insure that there will not be grave discrepancies in punishment imposed for similar crimes.

9. *Insanity.*

Establish procedures for the commitment of federal defendants found not guilty by reason of insanity.

THE GOOD EARTH FIRST

Mr. PROXMIRE. Mr. President, generations from now our children's children will read the names of Borman, Lovell, and Anders in their history books and will accept as everyday occurrences an event that truly changed the world. It is truly a superlative success. This incredible achievement is quintessentially American in the personalities of its principals and in the colossal scope of its organization of men and resources. Through this leap into space, America was acting not merely for the United States alone but also as a representative for all mankind. It truly shows America's competitive and expansive spirit.

But let us now not fail, in "reaching for the moon," to first take care of "the good earth." Technologically we as Americans have proven our tremendous capabilities. That is not what worries me. What worries me is that we may fail to accept the moral responsibilities of a great Nation. Progress without principles is a futile dream. This past decade America has experienced an internal upheaval which must, in part, be due to an introspective review of our national character. What are we, and where are we going? Can we in good faith set out to explore literally new worlds when we do not even reaffirm principles for which our Nation was established almost 200 years ago? I speak of the need—yes, the duty—for the Senate to ratify the Human Rights Conventions. We have had 18 years of futility in this area. For 18 years, the Committee on Foreign Relations has not once seen fit to reconsider the Genocide Convention. Add to that the complete inaction on the Convention on Forced Labor and the Convention on Political Rights for Women.

Before exploring other worlds, these most basic and fundamental of human freedoms must be guaranteed to all mankind of the good earth.

DOMESTIC AND FOREIGN FOOD POLICY—ADDRESS BY SENATOR MONDALE

Mr. MONDALE. Mr. President, the Farmers Union Grain Terminal Association, headquartered in St. Paul, Minn., is one of America's greatest marketing cooperatives. But it is much more than that. From its beginnings the GTA has involved itself in the whole broad spectrum of domestic and foreign food policy, from the early beginnings of Food for Peace to the attack launched on domestic hunger in the 1960's.

The GTA has long fought for programs that will put our agricultural abundance to work feeding hungry human beings here and abroad. It was because of this long involvement in the interrelated fields of hunger and agricultural policy that I chose the GTA's annual convention for a discussion of the problems and opportunities ahead in farm and food programs. I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

An Address by Senator Walter F. Mondale to the Annual Convention of the Farmers Union Grain Terminal Association, St. Paul, Minn.

I was very flattered indeed when Barney Malusky asked me to speak at this annual convention of the Farmers Union Grain Terminal Association, the national forum that has produced more new ideas on American Agriculture—its problems and its hopes—than perhaps any other forum in the world.

It was here, 22 years ago, that Fiorello LaGuardia appeared in his role as administrator of post war relief for a world ravaged by World War II. It was here that Hubert Humphrey first called for a program that later became Food for Peace, and here again that its first Director, George McGovern, challenged Americans everywhere to build this program into the great humanitarian instrument it has become.

Other great men have spoken here; your own M. W. Thatcher, the founder and patron saint of the Farmers Union Grain Terminal Association, and many others.

But there is one man here tonight, among the many, who I am sure we all agree has spoken more creatively, more effectively, more consistently and more compassionately than any other. For if any one man is responsible for the prestige and power of this forum it is the most beloved man in America tonight, our own Hubert Humphrey. He proved to the Nation what a gallant battler he is; and perhaps most of all he proved what a man he is in victory or defeat. I am happy—as I know all of you are—that the Vice President plans to pursue his career in public service. We cannot afford to be without his counsel in the years ahead.

Those years will be momentous ones, for tonight we are but a few weeks away from the inauguration of a new President.

That President will face a troubled farm economy. The overall parity ratio stands at 73 percent; the adjusted parity ratio is 79 percent. The basic farm program was extended for only one year; a decision must be quickly made on the period and nature of future extensions.

Shrill voices are heard attacking these programs, one recently calling them a "multi-billion-dollar boondoggle"; another, a "fiscal hemorrhage."

Great competing pressures exist, and will probably grow, to dismantle farm programs—despite the inevitable disaster to rural America and the country—and to divert more funds to the military, space, and other ventures.

Greater farmer efficiency continues to push production far beyond market requirements, making farm programs even more essential as downward pressure on prices and upward pressure from farm costs intensify the squeeze on family farmers.

The new President will soon tell the direction he thinks American Agriculture should take.

I hope and propose that the new President will immediately call a series of meetings with farm producer groups to explore their views on farm problems and programs. Such meetings should explore basic issues such as these:

1. The philosophy and direction of our farm programs.

2. In the last campaign Mr. Nixon said that ". . . farming must be a money-making enterprise." If he means this, he must consider immediately raising the price support level. The manufacturing milk minimum price expires this spring. What he does on that question and other price support levels should be determined only after consultation with farmers.

3. There should be a careful examination of import problems, particularly where there is evidence of dumping, as in the dairy field, and possibly in other areas as well. The import problem must be examined in the context of our export problems. The Common Market variable trade levies which seal off important European markets and provide subsidies for dumping of European agricultural production in international trade should be fully explored.

The International Grains Agreement, recently concluded, should be examined to determine if it is actually working as anticipated. Unrealistic restrictions which shackle American agricultural trade with Eastern European and other nations should be re-examined.

4. The entire issue of farm bargaining power should be explored to determine how the American farmer can join others in American life by gaining control over the price of his products.

5. Should not farm legislation be made permanent? The new President should be made familiar with the uncertainty and frustrations of short-term farm legislation under which farmers are denied the ability to predict, for any adequate period, what is ahead for them.

6. What can be done about absentee conglomerate corporate farming which permits non-farmers disinterested in rural America to use farms as tax footballs? Will the new President support legislation some of us have proposed to prevent and discourage this kind of corporate activity?

7. What about placing a ceiling of $20,000 per farm on government farm payments? This would save $206 million without affecting operation of the wheat or feed grain programs. These savings could be placed in a Rural Rehabilitation Revolving Fund that could be used for such purposes as:

1. Financing young farmers with loans and grants to establish adequate farming operations;

2. Helping to attract agri-business and other diversified industry into rural America;

3. Helping to bring rural electricification and telephones, housing, sewer and water, recreation and the rest to rural America.

These and many other problems—security reserves, greater farm credit—could be discussed by farmers and their representatives with the new President.

If the new President means to pursue a strong commitment to rural America, he deserves and will have our support. If, however, he intends to turn agricultural policy over to the old Benson type of management—which will destroy our system of family farming and rural America along with it—he should know that we will fight it every step of the way. He should know that we in Congress and you, the leadership of this magnificent cooperative, cannot and will not permit America to turn her back on rural America and the American farmer.

And now let me turn to another great issue; one that you have dealt constructively with in the past, yet one that cries for further action here and now; the spectre of hunger amidst plenty.

There are still 29 million poor in the land, and tonight I would talk with you of 10 million of these who suffer not just from joblessness, bad housing and poor education, but who lack the first necessity of life—food.

We read of famine in India and Biafrans starving by the millions because their leaders and neighbors play politics with their right to eat. But we have only recently become aware that an estimated 10 million of our own people, perhaps half of them children like yours and mine, suffer from hunger and malnutrition so severe that many are slowly starving and most are physically and mentally impaired for life.

You won't find these people dying in the streets as in Calcutta, but you will find them on the plantations in Mississippi and Alabama, on the Indian reservations in South Dakota and Arizona and in the ghettos of Chicago and New York.

In fact, new information released a few days ago in an HEW survey suggests you may find hunger throughout our Nation.

Last year, a witness before a Senate subcommittee related how her five small children had gone without meat or vegetables for three months—so hungry at times they ate grass from a neighboring field. They acquired a chicken from a friend one day, but before the mother could cook it the children tore the feathers off and ate it raw. That happened in Virginia, within a few hour's drive of the capital.

In California, 50 yards from a seldom-traveled road, a migrant family of seven, the youngest child not yet two, lived in an abandoned pickup truck by a small stream. They had had no breakfast and did not know where they would find food for lunch. In other years they could have fished, but the stream had dried up.

In Cleveland, Mississippi, a middle-aged mother had signed up for food stamps but had never been able to pay the $12 required to receive stamps worth $76, because she had no income. She and her six children had eaten rice and biscuits left over from surplus commodities which had been distributed the month before. They would go without lunch. Her youngest baby, a few weeks old, had never had milk.

In an Alaskan village, the 114 residents live almost entirely on caribou meat, shot once each year and buried in the frozen ground during the 3 days when thousands of caribou migrate through that area. In that village, because she lacked the nutrients to sustain proper bone development, a 5-year old girl lost all her teeth and can no longer eat caribou meat.

These are but four hungry American families that the Senate Poverty Subcommittee of which I am now a member saw or had reported to it in 1967.

And there are countless children who go to school without breakfast and cannot afford to bring or buy their lunch. I saw some of them in a St. Paul school just a few weeks ago. While their classmates lined up in the school cafeteria, those who could not afford 25¢ for lunch ate cookies they brought with them or went without lunch.

Listen to what a team of physicians found in the Mississippi Delta a year and a half ago:

". . . we saw children whose nutritional and medical conditions we can only describe as shocking—even to a group of physicians whose work involves daily confrontation with disease and suffering. In child after child we saw . . . in every county we visited, obvious evidence of severe malnutrition, with injury to the body's tissues—its muscles, bones and skin as well as an associated psychological state of fatigue, listlessness, and exhaustion.

"We saw children infected with chronic diarrhea, chronic sores, chronic leg and arm (untreated) injuries and deformities. We saw homes without running water, without electricity, without screens, in which children drink contaminated water and live with germ-bearing mosquitoes and flies everywhere around. We saw homes with children who are lucky to eat one meal a day—and that one inadequate so far as vitamins, minerals, or protein are concerned. We saw children who don't get to drink milk, don't get to eat fruit, green vegetables, or meat. They live on starches, grits, bread, Kool-Aid. Their parents may be declared ineligible for commodities, ineligible for the food stamp program, even though they have literally nothing. We saw children fed communally, that is, by neighbors who give scraps of food to children whose own parents have nothing to give them. Not only are these children receiving no food from the government, they are also getting no medical attention whatsoever. They are out of sight and ignored. They are living under such primitive conditions that we found it hard to believe we were examining American children of the twentieth century.

"In sum, we saw children who are hungry and who are sick—children for whom hunger is a daily fact of life and sickness, in many forms an inevitability. We do not want to quibble over words, but 'malnutrition' is not quite what we found; the boys and girls we saw were hungry—weak, in pain, sick, their lives are being shortened; they are, in fact, visibly and predictably losing their health, their energy, their spirit. They are suffering from hunger and disease, and directly or indirectly they are dying from them—which is exactly what 'starvation' means."

That report is not from another century or from India: It is here and now in the U.S.A.

Unbelievable as this seems, these cases are not isolated or untypical of the conditions in our poorest families.

What are the dimensions of the problem? I have referred to 10 million Americans who are hungry and malnourished. But we really do not know how many of us suffer from slow starvation. We have ignored this problem. No one in or out of Government has taken the trouble to find out. But we are making headway, at least in defining the problem. Last spring a private Citizens Board of Inquiry, composed of nutritional and other experts, held hearings throughout the country and examined all available data. They concluded in a report titled "Hunger USA", that between a third and a half of the poor in America suffer from hunger and malnutrition, that is, between 10 and 14 million people. Yet, present family food assistance programs reach only 6 million poor persons, and no family receives a nutritionally adequate diet from these programs alone.

Six million of our school children come from poor families, yet only 2 million of these poor children attend schools having Federal lunch programs. In other words, many of the four million poor children go without any lunch at all.

But statistics do not tell the whole story. The real tragedy is evident when we list some of the effects of malnutrition. Not just the visible effects—the bloated bellies and emaciated bodies—but the internal mental and physical effects. A hungry child may survive yet his promise and hope be destroyed. A child's brain grows to 90% of its full size between the ages of one and four. If his brain is not supplied with enough protein, it won't grow. And it won't grow after he is four even if he does get enough protein. This kind of brain damage is irreversible and the child will be mentally retarded for life.

A poorly nourished child has little or no resistance to infections and diseases. He is infinitely more susceptible to parasites, viruses and bacterial infections.

Not the least of the effects of hunger are the educational, psychological and social effects. A hungry child doesn't learn at school. He is listless. He fights with other children. He has hunger pangs. He withdraws. He cries. As one doctor said, "He becomes tired, petulant, suspicious and finally apathetic."

If these problems exist—and we know they do—we have failed a substantial portion of our people. We have failed to make good on John F. Kennedy's first commitment as President, to assure every American an adequate diet.

Since its inception in the early 40s, the commodity distribution program has been our first line of defense against domestic hunger, yet today it serves only 3½ million participants. The commodities in it provide less than an adequate amount of the calories, iron, protein and calcium needed by those served.

In 1964 we passed the Food Stamp Act. It was designed to enable the poor to buy stamps at their local welfare office and redeem them at a premium at their local grocery store. But it has been a mixed blessing. It was supposed to replace the commodities program. But those who participate must pay, and their payments are supposed to equal their "normal" expenditures for food. Moreover, the food stamp and commodities programs cannot be operated in the same county. Many who were given free food under the commodities program and spent nothing for food before, cannot afford food stamps. As a result, fewer people are fed today through family food assistance programs than in January 1962. That year nearly 7½ million persons were fed through family food assistance. Today, only 6.1 million participate.

There are other problems with the food stamp program. The average American family spends 17% of its income on food. But a poor family of four with a monthly income of $39 must pay $10—or about 25% of its income—for food stamps.

To compound the problem, the amount of food that the poor family can buy with stamps is only half what the Department of Agriculture itself says the family needs.

What are we going to do about this disgrace of hunger and malnutrition in our land?

What we need is coalition to end hunger in America. Farmers and food processors must join to work out practical reforms so that *no* American need go to bed or to school with an empty stomach.

A possible vehicle for mobilizing this coalition was formed in the Senate with the establishment of a new committee last August to recommend coordinated programs that will assure every American has access to nutritious food and other basic human needs. The Committee is chaired by our Senator George McGovern of South Dakota, and I am pleased to be a member of it.

We need reforms in the food stamp, commodity distribution and school lunch programs, and we need them now.

The food stamp program must be reformed. The purchase requirements should be scaled so that the poorest of the poor get free stamps, and so that no family needs spend more of its income than the average American spends on food. The food stamp bonus should be increased to permit the purchase of an adequate diet by all participants.

Next, the commodity distribution program shall not be tied to the existence of surpluses. We know we can grow more than enough food for our people. We must devise a system that allows our full agricultural potential and expertise to be mobilized so that none goes hungry.

The school lunch program should guarantee that free meals, including breakfast, are available to any child unable to afford the regular price.

Finally, these programs should be expanded so that every county and city in the Nation that needs them can get them. Food assistance programs should be operated under uniform standards of eligibility that will allow all 29 million of our poor people to participate.

It was before this audience that the idea of Food for Peace was born. You supported and fought for it. Tonight I hope you will make the same decision to eliminate human hunger in our own land. I hope we agree here and now that it is immoral for a nation as rich as ours—as capable of producing food as we are—to permit infants and children to be permanently warped and stunted in body, mind and in spirit because we lack the will to deal justly with their needs. I use the word justice for it is not charity to feed a starving child, but simple justice and decency.

Like most issues of human improvement, failure to act reflects not only a failure of the heart but of the mind. Sound bodies and sound minds are not only desirable, but essential to a sound and decent nation.

What can be said of us in our time if we permit a single child to be destroyed by starvation? How can a Nation which boasts of its compassion spend 80 million on defense: 24 billion to go to the moon, and then refuse to purchase the estimated $700 million in farm value of additional food to permit all Americans an adequate diet? Can a people that spend nearly $200 million on dieting fads refuse to respond to the millions in our midst who are starving?

Isn't it far too late to argue against an adequate diet for our people? From the beginning of organized society hunger has been rejected as inhumane and unacceptable. It was the ancient Greek philosopher Aristotle who reminded those in his time:

"Health of mind and body is so fundamental to the good life that if we believe that men have any personal rights at all as human beings, then they have an absolute moral right to such a measure of good health as society and society alone is able to give them."

Perhaps Woodrow Wilson put it even better when he said: "No man can worship God or love his neighbor on an empty stomach."

Thank you and good night.

GOVERNOR HICKEL AND CONSERVATION

Mr. MONDALE. Mr. President, the Secretary of the Interior-designate, Gov. Walter Hickel, caused genuine concern among conservationists by statements on resource development and antipollution measures at his maiden press conference. At the time I said, in part:

> I am appalled by statements attributed to the Secretary of Interior-designate Walter J. Hickel, who is quoted as saying "It is wrong to set aside land and natural resources strictly in the name of conservation."
>
> Without this "locking up" of resources in the past, the Nation would now have no National Park system and no National Wilderness Preservation system. With future decisions on which Interior-administered lands will enter the wilderness system in Secretary Hickel's hands, it is evident that we can expect little enlargement of this system beyond its present inadequate area.

Now two great newspapers have also commented on the Secretary-designate's statement. The New York Times said:

> If Governor Hickel has any reverence for the land or awareness of the unnatural imbalance that threatens to overwhelm mankind, he gave no hint of such sentiments in his remarks.

The Kansas City Star, after pointing out that the Interior Department "controls tens of millions of acres of priceless land—the canyons, forests, rivers, and mountains that make up the remaining outdoor heritage of America," asked:

> The big question is what Hickel plans to do with this national treasure.

Many of us who are interested in conservation are asking the same question. I ask unanimous consent that these editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times]

Conservation Front: Cloudy

President-elect Nixon's choice for Secretary of the Interior, Gov. Walter J. Hickel of Alaska, has confirmed the worst fears of those who regard the restoration and conservation of a ravished continent and purification of its polluted air and waters as priority business for this generation of Americans.

In his first press conference the other day, Governor Hickel indicated that he has little if any comprehension of the basic meaning and purposes of conservation. As chief steward of the nation's resources his inclination seems to be to put private profit ahead of the public interest. We profoundly hope we are wrong in this interpretation; but his words leave little room for doubt.

"I think we have had a policy of conservation for conservation's sake," the Secretary-designate said. "Just to withdraw a large area for conservation purposes and lock it up *for no reason* [italics added] doesn't have any merit, in my opinion."

Compare this with the enlightened view of the current Interior Secretary, Stewart L. Udall, who has written: "The status we give our wilderness and near-wilderness areas will . . . measure the degree of our reverence for the land. . . . A wilderness system will offer man what many consider the supreme human experience. It will also provide watershed protection a near-perfect wildlife habitat, and an unmatched science laboratory where we can measure the world in its natural balance against the world in its man-made imbalance."

If Governor Hickel has any reverence for the land or awareness of the unnatural imbalance that threatens to overwhelm mankind, he gave no hint of such sentiments in his remarks. On the contrary, he belittled Secretary Udall's efforts to set national standards for clean waters, saying: "If you set water standards so high, you might hinder industrial development." These words will be music to the ears of irresponsible industrialists who have been battling to keep pollution control in the hands of state governments amenable to their narrow interests.

President Kennedy once warned: "Each generation must deal anew with the 'raiders,' with the scramble to use public resources for private profit, and with the tendency to prefer short-run profits to long-run necessities. The nation's battle to preserve the common estate is far from won." Considering the overwhelming economic, industrial and population pressures, it will be a sad—perhaps fatal—day for conservation in this country if anyone who even looked like a champion of the "raiders" were to be named to the crucial post of Secretary of the Interior.

[From the Kansas City Star]

FUTURE OF CONSERVATION IS NOW UNCERTAIN

As secretary of the interior in the Nixon administration, Gov. Walter Hickel of Alaska will become the nation's No. 1 landlord. Under his supervision will be the National Park service, the bureau of sports fisheries and wildlife and the bureau of land management. Together these three federal agencies control tens of millions of acres of priceless land—the canyons, forests, rivers and mountains that make up the remaining outdoor heritage of America.

The big question is what Hickel plans to do with this national treasure. As governor of Alaska he has had strong feelings that government lands should be released for private development, particularly logging, mining and settlement. Perhaps a national land use policy for the 50th state is long overdue. However, the new secretary will face a far different problem in dealing with the public lands that remain in the older parts of the United States.

While Alaska is one of the last great wilderness areas on earth, the challenge in other parts of America is an altogether different one. The problem is to preserve as much of the remaining outdoors as possible to meet the future recreation needs of a nation of 300 or even 400 million people. Time is running out—and so is the land.

We believe the conservation policies that have taken shape in the 20th century form one of the most distinguished traditions of this nation. They were given their original direction by a Republican President, Theodore Roosevelt. The men who served under Warren G. Harding had other ideas about how the national domain could best be used.

Franklin D. Roosevelt presided over the second great wave in conservation. During the 1960s, both John F. Kennedy and Lyndon B. Johnson added fresh luster to this American dream. Each administration must forge its own land-use policy and the approach has varied radically over the years.

Even during the most ambitious periods of expansion, when new parks and rivers and seashores have been preserved for the enjoyment of the American people, there has been a continuing battle between public and private interests. It required a national effort to save a few of the dwindling redwoods from the saw. The mining interests were successful in trimming Canyonlands National park to about a third of the original concept. Glen Canyon has been drowned forever and the Grand Canyon was almost dammed in two places by those who preferred desert irrigation to incomparable natural scenery.

Even under the most vigorous and dedicated secretaries of the interior, such as Harold Ickes and Stewart Udall, the conservationists have suffered many defeats at the hands of those who want to exploit the land. It is far too early to predict what policies Walter Hickel will pursue. Snap judgments would be unfair. But it is not too early to hope that Hickel and the new administration will continue the same programs put forward during the Kennedy-Johnson years. If so, America may still get the public playgrounds it needs—before the land runs out.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I will continue to oppose any change in rule XXII. While I have great respect for those of my colleagues who argue that rule XXII obstructs and thwarts the will of the majority, I would respectfully suggest that the very men who would amend the rule overlook the extraordinary constitutional function of this body.

The Senate is the great balance wheel of our federal system, the great equalizer, the single national institution that distinguishes our confederation from most unitary forms of government. For in our Chamber the voice of an Alaskan citizen has the same great weight as the voice of a citizen from New York.

There is talk today of majority rule. I would call to the attention of my colleagues that, by simple calculation, it would be possible to construct a majority of 52 Senators that would effectively represent less than 17 percent of the people of this Nation. While I readily grant that it is hard to imagine an issue that would promote such a coalition, it is a simple statistical fact that the 52 men representing our 26 least populous States—or 33.3 million out of a 1967 population of 198 million Americans—could end debate on a matter of great importance to the remaining 83 percent of the Nation's population.

Mr. President, in the House of Representatives any majority, by reason of judicial and legislative reapportionment to approximate the values of one man, one vote, comes very close to representing a statistical majority of the people themselves.

Such is not the case nor was it intended to be the case in the Senate, for the Senate is the perfect example of one man, one vote, in the sense that the vote of each elector of each State amounts to precisely the same and is given the same weight as the vote of every other citizen within that State.

The vote and representation of a Senator thus elected is equal to the Senator who may be elected from a much more populous State. This is the concept of equality. The concept of majority rule is not promoted by the modification of rule XXII of the Standing Rules of the Senate but rather it is jeopardized, for in my view rule XXII, which requires more than a simple majority of the Senators—not the people, but the Senators—to cut off debate is the balance wheel of the Senate which in effect would prevent the unlikely but theoretically very possible coalition of 52 Senators, a majority, which would represent less than 35 million Americans.

The newspapers and the critics of rule XXII complain from time to time that a willful minority of Senators have obstructed the majority voice of the people. I respectfully submit that a minority of the Senators very easily and often do represent a preponderant and overwhelming majority of the people; and once again, unlike the House of Representatives—where I am happy to say we are approximating now the concept of one man, one vote—a majority of the Representatives do generally equate to a majority of the people, but in the Senate it does not. It is not supposed to. It was never so intended. It was not thus designed by the founders of the Republic.

I believe rule XXII of the Senate provides an additional safeguard against the imposition of the will of a distinct minority on the expressed wishes and desires of the majority.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BAKER. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. The Senator, of course, is familiar with the debates in the Constitutional Convention by the framers of the Constitution. Is it not strictly true that there was a necessary compromise to bring a constitution into being to be submitted to the Thirteen Original States that brought forth the concept of two Senators for each State, large or small, with equal vote, and to serve in a distinct sense as representatives of the sovereign States from which they came?

Mr. BAKER. The Senator is clearly correct, and it is the central thread woven through the fabric by the Founding Fathers in the creation of the Constitution.

I might point out further that rule XXII, it seems to me, grew up not as a result of our initial constitutional considerations but by subsequent precedent and usage. It grew up as a safeguard not of the least populated States but a safeguard of the majority of the people, for were it not for rule XXII or its equivalent or some variant thereof, as I pointed out or attempted to point out previously, it would be entirely possible for 33.3 million people out of the population of 200 million people in this country to be represented by a majority of 52 Senators in this Chamber.

Mr. HOLLAND. I thank the Senator. Is it not true likewise that in order to safeguard always the principle that if a sovereign State should have two Senators as voices to speak for that State, the Founding Fathers included in the Constitution a provision that no State should be deprived of its two Senators, or either of them, without its own consent?

Mr. BAKER. Mr. President, clearly and obviously that was one of the conditions by the several States in the nature of a compromise that produced the Constitution.

Mr. HOLLAND. Is it not made clear by Mr. Madison in his later comments on what occurred—and I believe that is the most authoritive source—that without that compromise there would have been no Constitution to be submitted to the Thirteen States.

Mr. BAKER. That is obviously so.

I hope I am not misunderstood by my colleagues in rising to the defense of rule XXII or its equivalent because I believe no one here will challenge that in the course of my brief tenure in the Senate

I have been a stanch advocate of equality of representation.

I have fought side by side with colleagues on both sides of the aisle for the concept of equality, one man one vote, and in support of the judicial determinations of our highest court in that respect. But I must say that if that logic is to pervade the argument pertaining to the rules of the Senate, then it must support the continuation of rule XXII.

Mr. HOLLAND. If the Senator will yield further, is it not true that rule XXII, as adopted in 1917, is really a rule to limit debate, in view of the fact that unlimited debate had been resorted to on numerous occasions prior to that time, and the Senate at that time came to the conclusion that a reasonable limitation should be placed upon unlimited debate, and rule XXII was evolved as a reasonable limitation and not as a grant of free and unlimited debate.

Mr. BAKER. The Senator is entirely correct. I might point out that my understanding of the proceedings of the Senate at that time is that one of the considerations was that, as a result of rule XXII, the smaller and less populous States could not obstruct the will of the majority, because the smaller and less populous States very frequently represented substantially a distinct minority of the people of this Nation.

Mr. HOLLAND. If the Senator from Tennessee will yield for one more question, is it not true that rule XXII, instead of being regarded, as it is by some of our colleagues and some writers, as a grant of unlimited debate is, instead, a two-edged sword which in the proper case will prevent the closing of debate, and in the case where debate has gone far enough and the question is not serious enough will permit a reasonably quick closing of debate. I remember so well the distinguished Senator from Tennessee has voted for cloture on the occasions he thought it was proper. The Senator from Florida has, on two occasions, voted for cloture because he has viewed rule XXII as being a two-edged sword to safeguard against unreasonable, unlimited, and unnecessary abuse of freedom of debate. He has also voted the other way, too. When he felt that the question was so serious, the necessity for further debate so great, and an understanding of the magnitude of the question was not sufficiently spread abroad to the public, he has voted against closing debate.

I think I remember that my good friend from Tennessee has voted likewise either for or against cloture, depending upon what he thought of the situation at the time and the seriousness of the pending question. Am I correct?

Mr. BAKER. My colleague from Florida is entirely correct. That is one of the great virtues of the rule as presently promulgated and published.

I might point out that in the course of debate on the civil rights bill of 1967, I voted against cloture on that bill on two occasions because I felt that the bill was not satisfactory in the form then presented and being debated by the Senate. In the course of several days, in fact weeks, in the debate which ensued, I engaged myself, with others, in an effort to modify and change, amend, and perfect, in my view, a provision of that Civil Rights Act so that something positive, affirmative, and attractive could be adopted by Congress. That was accomplished on the third try. I voted for cloture, having previously twice voted against it, and then we went on to pass a civil rights bill which I felt to be infinitely superior to any bill which had been previously presented and debated before this body on that subject.

It was so attractive, as a matter of fact, that, as I recall, it was then in effect concurred in by the House of Representatives on very short notice and with no changes whatever.

Mr. President, I make this analogy only to point out that aside from protecting the rights of the majority of the citizens of this country or a minority of Senators in this Chamber, rule XXII has a secondary and further purpose; namely, to require the refinement, and the accommodation of viewpoints and the production of a useful synthesis of legislation which will be more adaptable to the times and the voices of more people which, after all, is the very substance of representative democracy. I feel that it serves a vital function.

Mr. HART. Mr. President, will the Senator from Tennessee yield?

Mr. BAKER. I yield.

Mr. HART. First, let me make clear that in the effort to develop the civil rights bill of 1968, the Senator from Tennessee was extremely effective. Now I should like to get on to the earlier arithmetic mentioned by the Senator from Tennessee. The Senator was informing us that it would be possible that a majority of Senators could be put together—representing how much of the population?

Mr. BAKER. The figure I gave was 52 Senators, on the theory that 50 Senators was not a majority, since each State has two Senators. I chose the number of 52 Senators as representing the 26 least populous States which would represent 33.3 million people and still be a majority of Senators in this Senate.

Mr. HART. Mr. President, has the Senator developed any arithmetic which would tell us how many people in this country are represented by 33 plus one Senators, if we put together the men and women representing the least populous States, in order that we can judge just how effective the minority voice can be on tough questions here?

Mr. BAKER. I have both sides. In that case, 33 would not suffice. Thirty-four would be required. Thirty-four Senators representing the 17 least populous States would then represent 13,078,000 people, which would be 6.7 percent of the population.

Mr. HART. That would not be sufficient to prevent the Senate from acting under rule XXII.

Mr. BAKER. It would. The point is that with a majority, which is sought by the proponents of this rule change, we do not guarantee against the imposition of the will of the minority of people upon the majority of the people as distinguished from Members of the Senate.

But with the presence of rule XXII, we guarantee that both sides are aware of the necessity of producing the logic, the argument, the accord, the compromise, and the accommodation that ultimately produces sound, useful legislation, as was the case, in my view, in the Civil Rights Act of 1967 when, as I pointed out previously, I voted against cloture twice, and then, as the bill was amended, and amended still further, voted for cloture a third time, and then voted for final passage of a bill of which I am very proud—as I know the Senator from Michigan is very proud—to have had some part in enacting.

Mr. HOLLAND. Mr. President, will the Senator from Tennessee yield?

Mr. BAKER. I yield.

Mr. HOLLAND. Does the Senator, conversely with the situation as stated by the question of the Senator from Michigan, have any figures to indicate what proportion of the population of this country is represented by the 17 most populous States?

Mr. BAKER. I do not have that figure.

Mr. HOLLAND. Well, I have developed it in the past, but I do not have it today. However, let me state for the record that the 17 most populous States which might conceivably be forced to stand up and battle against demands made from the least populous States, comprise more than two-thirds of the population of the country; I cannot give for the Record the exact number. I shall have it prepared for later insertion in the Record—not at this point—but at a later time.

I thank the Senator from Tennessee.

Mr. BAKER. I thank the Senator from Florida.

Mr. President, I believe that rule XXII plays a part in the life of the Senate that is directly analogous to the part that the Senate plays in the life of our Nation. The rule is wholly consistent with the philosophy of our political system, and I oppose its amendment.

Mr. President, I yield the floor.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, I would like to cover the history of rule XXII and what has happened over the years.

CHRONOLOGICAL HISTORY OF EFFORTS TO LIMIT DEBATE IN THE SENATE

In 1604, the practice of limiting debate in some form was introduced in the British Parliament by Sir Henry Vane. It became known in parliamentary procedure as the "previous question" and is described in section 34 of Jefferson's Manual of Parliamentary Practice, as follows:

> When any question is before the House, any member may move a previous question, whether that question (called the main question) shall not be put. If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter.

In 1778, the Journals of the Continental Congress also show that the "previous question" was used. Section 10 of the rules of the Continental Congress reading:

> When a question is before the House no motion shall be received unless for an amendment, for the previous question, to postpone the consideration of the main question, or to commit it.

In the British Parliament and the Continental Congress the "previous question" was used to avoid discussion of a delicate subject or one which might have injurious consequences.

The first Senate adopted 19 rules of which the following relate to debate in, and taking the time of, the Senate:

> 2. No Member shall speak to another, or otherwise interrupt the business of the Senate, or read any printed paper while the Journals or public papers are reading, or when any Member is speaking in any debate.
>
> 3. Every Member, when he speaks, shall address the Chair, standing in his place, and when he has finished shall sit down.
>
> 4. No Member shall speak more than twice in any one debate on the same day, without leave of the Senate.
>
> 6. No motion shall be debated until the same shall be seconded.
>
> 8. When a question is before the Senate, no motion shall be received unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn.
>
> 9. The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.
>
> 11. When the yeas and nays shall be called for by one-fifth of the Members present, each Member called upon shall, unless for special reasons he be excused by the Senate, declare, openly and without debate, his assent or dissent to the question.

When the rules were modified in 1806, reference to the previous question was omitted. It had been moved only four times and used only three times during the 17 years from 1789 to 1806. Its omission from the written rules left its status in general parliamentary law unchanged.

In the following year, 1807, debate on an amendment at the third reading of a bill was also forbidden and from this time until 1846 there were no further limitations on debate in the Senate.

On July 12, 1841, Henry Clay brought forth a proposal for the introduction of the "previous question," which he stated was necessary by the abuse which the minority had made of the privilege of unlimited debate. In opposing Clay's motion, Senator Calhoun said:

> There never had been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate had been maintained.

Clay's proposition met with very considerable opposition and was abandoned. Clay also proposed adoption of the "hour rule" for the same purpose, but his proposal was not accepted.

A species of closure is the unanimous-consent agreement. This is a devise for limiting debate and expediting the passage of legislation which dates back to 1846 when it was used to fix a day for a vote on the Oregon bill. Such agreements are frequently used to fix an hour at which the Senate will vote, without further debate, on a pending proposal.

On July 27, 1850, Senator Douglas submitted a resolution permitting the use of the "previous question." The resolution was debated and laid on the table after considerable opposition had been expressed.

As the business to be transacted by the Senate increased, proposals to limit debate were introduced frequently in the following Congresses, but none were adopted until the Civil War. On January 21, 1862, Senator Wade introduced a resolution stating that—

> In consideration in secret session of subjects relating to the rebellion, debate should be confined to the subject matter and limited to five minutes, except that five minutes be allowed any member to explain or oppose a pertinent amendment.

On January 29, 1862, the resolution was debated and adopted.

In 1868 a rule was adopted providing that—

> Motions to take up or to proceed to the consideration of any question shall be determined without debate, upon the merits of the question proposed to be considered.

The object of this rule, according to Senator Edmunds, was to prevent a practice which had grown up in the Senate, "when a question was pending, and a Senator wished to deliver a speech on some other question, to move to postpone the pending order to deliver their speech on the other question." According to Mr. Turnbull the object of the rules was to prevent the consumption of time in debate over business to be taken up. The rule was interpreted as preventing debate on the merits of a question when a proposal to postpone it was made.

A resolution pertaining to the adoption of the "previous question" was introduced in 1869, and three other resolutions limiting debate in some form were introduced in the first half of 1870.

Senate, on appeal, sustained decision of Chair that a Senator may read in debate a paper that is irrelevant to the subject matter under consideration—July 14, 1870.

On December 6, 1870, in the third session of the 41st Congress, Senator Anthony, of Rhode Island, introduced the following resolution:

> On Monday next, at one o'clock, the Senate will proceed to the consideration of the Calendar and bills that are not objected to shall be taken up in their order; and each Senator shall be entitled to speak once and for five minutes, only, on each question; and this order shall be enforced daily at one o'clock 'till the end of the Calendar is reached, unless upon motion, the Senate should at any time otherwise order.

On the following day, December 7, 1870, the resolution was adopted. This so-called Anthony rule for the expedition of business was the most important limitation of debate yet adopted by the Senate. The rule was interpreted as placing no restraints upon the minority, however, inasmuch as a single objection could prevent its application to the subject under consideration.

On February 22, 1871, another important motion was adopted which had been introduced by Senator Pomeroy and which allowed amendments to appropriation bills to be laid on the table without prejudice to the bill.

Since a precedent established in 1872 the practice has been that a Senator cannot be taken from the floor for irrelevancy in debate.

On April 19, 1872, a resolution was introduced "that during the remainder of the session it should be in order, in the consideration of appropriation bills, to move to confine debate by any Senator, on the pending motion to 5 minutes."

On April 29, 1872, this resolution was finally adopted, 33 yeas to 13 nays. The necessity for some limitation of debate to expedite action on these annual supply measures caused the adoption of similar resolutions at most of the succeeding sessions of Congress.

In March 1873 Senator Wright submitted a resolution reading in part that debate shall be confined to and be relevant to the subject matter before the Senate, and so forth, and that the previous question may be demanded by a majority vote or in some modified form. On a vote in the Senate to consider this resolution the nays were 30 and the yeas 25.

The Chair counted a quorum to determine whether enough Senators were present to do business.

From 1873 to 1880 nine other resolutions were introduced confining and limiting debate in some form. On February 3, 1880, in the second session of the 46th Congress, the famous Anthony rule, which was first adopted on December 7, 1870, was made a standing rule of the Senate as rule VIII. In explaining the rule, Senator Anthony said:

> That rule applies only to the unobjected cases on the calendar, so as to relieve the calendar from the unobjected cases. There are a great many bills that no Senator objects to, but they are kept back in their order by disputed cases. If we once relieve the calendar of unobjected cases, we can go through with it in order without any limitation of debate. That is the purpose of the proposed rule. It has been applied in several sessions and has been found to work well with the general approbation of the Senate.

On February 16, 1881, a resolution to amend the Anthony rule was introduced. This proposed to require the objection of at least five Senators to pass over a bill on the calendar. The resolution was objected to as a form of "previous question," and defeated. Senator Edmunds in opposing the resolution said:

> I would rather that not a single bill shall pass between now and the 4th day of March than to introduce into this body (which is the only one where there is free debate and the only one which can under its rules discuss freely measures of importance or otherwise) a provision which does in effect operate to carry a bill either to defeat or success with only a 5 or 15 minutes' debate and one or two Senators on a side speaking. I think it is of greater importance to the public interest, in the long run and in the short run, that every bill on your calendar should fail than that any Senator should be cut off from the right of expressing his opinion and the grounds of it upon every measure that is to be voted upon here * * *.

The Senate agreed for remainder of session to limit debate to 15 minutes on a motion to consider a bill or resolution, no Senator to speak more than once or for longer than 5 minutes—February 12, 1881.

On February 27, 1882, the Anthony rule was amended by the Senate, so that if the majority decided to take up a bill on the calendar after objection was made, that then the ordinary rules of debate without limitation would apply. The Anthony rule could only work when there was no objection whatever to any bill under consideration. When the regular morning hour was not found sufficient for the consideration of all unobjected cases on the calendar, special times were often set aside for the consideration of the calendar under the Anthony rule.

On March 15, 1882, a rule was considered whereby "a vote to lay on the table a proposed amendment shall not carry with it the pending measure." In reference to this rule Senator Hoar, Massachusetts, Republican, said:

> Under the present rule it is in the power of a single Member of the Senate to compel practically the Senate to discuss any question whether it wants to or not and whether it be germane to the pending measure or not. * * * The proposed amendment to the rules simply permits, after the mover of the amendment, who of course has the privilege, in the first place, has made his speech, a majority of the Senate if it sees fit to dissever that amendment from the pending measure and to require it to be brought up separately at some other time or not at all.

This proposed rule is now rule XVII, of the present Standing Rules of the Senate.

On December 10, 1883, Senator Frye, of Maine, chairman of the Committee on Rules, reported a general revision of the Senate rules. This revision included a provision for the "previous question." Amendments in the Senate struck this provision out.

On January 11, 1884, the present Senate rules were revised and adopted.

On March 19, 1884, two resolutions introduced by Senator Harris were considered and agreed to be the Senate as follows:

> (1) That the eighth rule of the Senate be amended by adding thereto: "All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate."
>
> (2) That the 10th rule of the Senate be amended by adding thereto: "All motions to change such order or to proceed to the consideration of other business shall be decided without debate."

From this time until 1890 there were 15 different resolutions introduced to amend the Senate rules as to limitations of debate, all of which failed of adoption.

The Senate agreed (March 17) to amend rule 7 by adding thereto the following words:

> The Presiding officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

Senate agreed to strike out the words, "without debate," from that part of rule 13 which provided that—

> Every motion to reconsider shall be decided by a majority vote. (June 21, 1886).

Senators Hoar, Blair, Edmunds, and Quay submitted various resolutions for limiting debate in various ways—August 1890.

On December 29, 1890, Senator Aldrich introduced a cloture resolution in connection with Lodge's "force bill," which was being filibustered against. The resolution read, in part, as follows:

> When any bill, resolution, or other question shall have been under consideration for a considerable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made * * *.

There were five test votes on the cloture proposal which "commanded various majorities, but in the end it could not be carried in the Senate because of a filibuster against it which merged into a filibuster on the 'force bill.' "

Senators Platt, Hoar, Hill, and Gallinger introduced resolutions for cloture by majority action during a filibuster against repeal of the silver purchase law, which evoked extended discussion.

Senator Sherman, of Ohio, urged a study of Senate rules with a view to their revision and the careful limitation of debate.

The Chair ruled on March 3, 1897, that quorum calls could not be ordered unless business had intervened.

The Senate agreed on April 8 to amend rule 19 by inserting at the beginning of clause 2 thereof the following:

> No Senator in debate shall directly or indirectly by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.
>
> No Senator in debate shall refer offensively to any State of the Union.

Three important interpretations of the rules were adopted in the course of the filibuster against the Aldrich-Vreeland currency bill: First, the Chair might count a quorum, if one were physically present, even on a vote, whether or not Senators answered to their names; second, mere debate would not be considered business, and therefore more than debate must take place between quorum calls; third, Senators could by enforcement of the rules be restrained from speaking on the same subject more than twice in the same day.

On April 6, 1911, Senator Root, of New York, submitted a resolution requesting the Committee on Rules to suggest an amendment to the Senate rules whereby the Senate could obtain more effective control over its procedure. No action was taken on the resolution.

Senator Smith of Georgia, proposed a rule of relevancy.

The Senate decreed, September 17, 1914, that Senators could not yield for any purpose, even for a question, without unanimous consent; but reversed itself on this ruling the next day, September 18.

On February 8, 1915, Senator Reed, of Missouri, introduced a resolution to amend rule XXII whereby debate on the ship purchase bill, "S. 6845 shall cease, and the Senate shall proceed to vote thereon." The resolution did not pass in this session.

From December 1915, to September 8, 1916, the first or "long" session of the 64th Congress, there were five resolutions introduced to amend rule XXII. The resolutions acted upon were Senate Resolution 131 and Senate Resolution 149. On May 16, 1916, the Committee on Rules reported out favorably—Senate Resolution 195—as a substitute for Senate Resolution 131 and Senate Resolution 149, which had been referred to it, and submitted a report, No. 447. The resolution was debated but did not come to a vote.

In 1916 and 1920 the Democratic national platforms for both years included a statement that:

> We favor such alteration of the rules of procedure of the Senate of the United States as will permit the prompt transaction of the Nation's legislative business.

On March 4, 1917, President Wilson made a speech in which he referred to the armed ship bill, defeated by filibustering. The President said in part:

> The Senate has no rules by which debate can be limited or brought to an end, no rules by which debating motions of any kind can be prevented. * * * The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action. * * * The only remedy is that the rules of the Senate shall be altered that it can act. * * *

On March 5, 1917, the Senate was called in extraordinary session by the President because of the failure of the armed ship bill in the 64th Congress.

On March 7, 1917, Senator Walsh, of Montana, introduced a cloture resolution—Senate Resolution 5—authorizing a committee to draft a substitute for rule XXII, limiting debate. Senator Martin also introduced a resolution amending rule XXII similar to S. 195, favorably reported by the Committee on Rules in the 64th Congress. The Martin resolution was debated at length and adopted March 8, 1917, 76 yeas, 3 nays, as the current amendment to rule XXII.

On May 4, 1918, Senator Underwood introduced a resolution—Senate Resolution 235—further amending rule XXII, reestablishing the use of the "previous question" and limiting debate during the war period.

On May 31, 1918, the Committee on Rules favorably reported out—Senate Resolution 235—with a report No. 472.

June 3, 1918, the Senate debated the resolution and Senator Borah offered an amendment.

June 11, 1918, the Senate further debated the resolution and a unanimous-consent agreement was reached to vote on the measure.

June 12, 1918, the resolution was further amended, by Senator Cummins.

June 13, 1918, the Senate rejected the resolution, nays 41; and yeas, 34.

From March 4, 1921, to March 4, 1923, during the 67th Congress, five resolutions were introduced to limit debate in some form. These were referred to the Committee on Rules.

On November 29, 1922, upon the occasion of the famous filibuster against the Dyer antilynching bill, a point of order was raised by the Republican floor leader against the methods of delay employed by the obstructionists which, had the Chair sustained it, would have established a significant precedent in the Senate as it did in the House. The incident occurred as follows:

Immediately upon the convening of the Senate, the leader of the filibuster made a motion to adjourn. Mr. Curtis made the point of order that under rule III no motion was in order until the journal had been read. He also made the additional point of order that the motion to adjourn was dilatory. To sustain his point, Mr. Curtis said:

> I know we have no rule of the Senate with reference to dilatory motions. We are a legislative body, and we are here to do business and not to retard business. It is a well-stated principle that in any legislative body where the rules do not cover questions that may arise general parliamentary rules must apply.
>
> The same question was raised in the House of Representatives when they had no rule on the question of dilatory motions. It was submitted to the Speaker of the House, Mr. Reed. Speaker Reed held that, notwithstanding there was no rule of the House upon the question, general parliamentary law applied and he sustained the point of order.

The Vice President sustained Mr. Curtis' first point of order in regard to rule III but did not rule on the point that the motion was dilatory.

Senate Republicans voted 32 to 1 in party conference on May 25 for majority cloture on revenue and appropriation bills.

On March 4, 1925, the Vice President, Charles G. Dawes, delivered his inaugural address to the Senate, in which he recommended that debate be further limited in the Senate.

On March 5, 1925, Senator Underwood introduced the following cloture resolution—Senate Resolution 3—embodying the Vice President's recommendation on further limitation of debate, which was referred to the Committee on Rules.

> *Resolved*, That the rules of the Senate be amended by adding thereto, in lieu of the rule adopted by the Senate for the limitation of debate on March 8, 1917, the following:
>
> 1. There shall be a motion for the previous question which, being ordered by a majority of Senators voting, if a quorum be present, shall have the effect to cut off all debate and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.
>
> 2. All motions for the previous question shall, before being submitted to the Senate, be seconded by a majority by tellers if demanded.
>
> 3. When a motion for the previous question has been seconded, it shall be in order, before final vote is taken thereon, for each Senator to debate the proposition to be voted for one hour.

Other resolutions introduced in the first session of the 69th Congress limiting debate were: Senate Resolutions 25, 225, 217, 59, 77, and 76, which were also referred to the Committee on Rules.

Senator Robinson of Arkansas said:

> No change in the written rules of the Senate is necessary to prevent irrelevant debate. Parliamentary procedure everywhere contemplates that a speaker shall limit his remarks to the subject under consideration. The difficulty grows out of the failure of the presiding officer of the Senate to enforce this rule.

Senator Jones, Washington, proposed a threefold plan of reform: First, extend the existing rule which forbids amendments not germane to appropriation bills to general legislation; second, compel Senators to confine their remarks to the subject under consideration unless permitted by unanimous consent to do otherwise; third, limit debate on measures other than revenue or appropriation bills after they have been under consideration 10 days and it has been impossible to reach a unanimous consent agreement for their disposal.

Senators Fess and Jones introduced resolutions for a rule of relevancy. Senator Underwood, Alabama, offered a resolution to limit debate by majority vote on appropriation and revenue bills.

Adoption of the 20th amendment, February 6, 1933, by doing away with short sessions, would eliminate filibusters, so Senator Norris believed. But subsequent events demonstrated that filibustering minorities are still able to delay urgent legislation. The final sessions of the 73d and 74th Congresses, the first two to function under the amendment, ended in filibusters.

The Chair ruled that a quorum call is the transaction of business and that Senators who yield for that purpose lose the floor. Under this ruling, a speaker yielding twice for quorum calls, if they are in order, while the same question is before the Senate is unable to regain the floor on that question during the same legislative day.

The Reorganization Act of 1939—Public Law 19, 76th Congress, first session—limited debate to 10 hours, to be divided equally between those for and against, upon a resolution to disapprove a Presidential reorganization proposal.

The Reorganization Act of 1945—Public Law 263, 79th Congress, first session—contained the same "antifilibuster rule" as the Reorganization Act of 1939. This rule reads:

> Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

The Republican steering committee delegated Senator Saltonstall to prepare an amendment to rule XXII "so that the various dilatory methods of preventing its application can be eliminated" (May 21, 1946).

Senator Knowland proposed Senate Resolution 312, a new standing rule prohibiting the receipt or consideration of any amendment to any bill or resolution which is not germane or relevant to the subject matter thereof. Referred to Rules Committee July 25, 1946.

Senator Moses urged thorough study of the rules of the Senate "to the end of completely revising them." He also submitted a resolution—Senate Resolution 314—directing the Parliamentarian of the Senate to "prepare a complete and annotated digest" of its precedents—July 25, 1946. Referred to Rules Committee. The precedents and practices of the Senate have recently been compiled by the Parliamentarians of the Senate and published. See "Senate Procedure," by Charles L. Watkins and Floyd M. Riddick, 1958.

Senators Saltonstall, Knowland, Morse, and Pepper introduced resolutions to amend rule XXII so as to make cloture apply to any measure or motion or other matter pending before the Senate by a majority vote of those voting or by a majority vote of the entire membership of the Senate. Rules Committee on April 3, 1947, reported a resolution—Senate Resolution 25—amending rule XXII by making cloture apply to "any measure, motion, or other matter pending before the Senate or the unfinished business," but making no change in the current voting requirements of rule XXII or in the limitation of debate after cloture is invoked.

Senator Pepper, of Florida, revived the suggestion that the Senate adopt a new rule making irrelevant debate out of order. He also proposed to limit debate on a motion to make any subject the unfinished business of the Senate, to make such a motion privileged, and have it decided by majority vote.

The Senator from Florida (Mr. HOLLAND) suggested that majority cloture be adopted only for the closing day or days of a session and that two-thirds cloture be required at other times.

On July 28, Senator Tobey introduced Senate Resolution 270 which stated:

> During the present special session of the Congress, in the interests of efficiency and conservation of time, no Senator shall speak more than once, on any subject, and no more than 30 minutes thereon.

No action.

Senator Vandenberg, President pro tempore, in sustaining point of order against petition to close debate on motion to consider the antipoll tax bill, expressed his belief that—

> In the final analysis, the Senate has no effective cloture rule at all * * * a small but determined minority can always prevent cloture, under the existing rules * * * a very few Senators have it in their power to prevent Senate action on anything * * * the existing Senate rules regarding cloture do not provide conclusive cloture. They still leave the Senate, rightly or wrongly, at the mercy of unlimited debate ad infinitum. (August 2, 1948).

The Republican conference appointed committee of 10 Senators to consider and recommend revision of existing cloture rule—August 1948. Members of this committee were: Senators Brooks, chairman, Wherry, Hickenlooper, Knowland, Lodge, Jenner, Bricker, Ives, Ferguson, Saltonstall.

During the 81st Congress eight resolutions were introduced to amend the cloture rule: five in the first session and three in the second session. Nineteen Senators joined in sponsoring these resolutions: Senators Myers, Morse, Saltonstall, Knowland, Ferguson, Ives, Hayden, Wherry, Pepper, HUMPHREY, Lehman, Murray, Thomas of Utah, MAGNUSON, McMahon, Kilgore, Neely, Douglas, and Benton. The resolutions were: Senate Resolutions 11, 12, 13, 15, 19, 283, 322, 336. All were referred to the Committee on Rules and Administration which held public hearings on the first five resolutions on January 24, 25, 26, 28, 31, and February 1, 1949. After a move to discharge the committee, it reported —Report No. 69—without amendment the Hayden-Wherry resolution—Senate Resolution 15—on February 17. A motion to take up Senate Resolution 15 was considered in the Senate at intervals from February 28 to March 17, 1949, when it was amended and agreed to. On March 10 a motion was presented to close debate on the motion to consider Senate Resolution 15. Mr. Russell made a point of order against the cloture motion which was overruled by the Chair. On appeal from the decision of the Chair, the decision of the Chair was not sustained on March 11 by a vote of 41 to 46.

During the second session of the 81st Congress three resolutions were introduced to liberalize the cloture rule adopted in 1949. They were Senate Resolution 283, by Mr. Saltonstall, on May 22, 1950; Senate Resolution 322, by Mr. Morse and Mr. HUMPHREY, on August 2, 1950; and Senate Resolution 336, by Mr. Lehman and nine others, on August 24, 1950. All these resolutions were referred to the Committee on Rules and Administration, which took no action upon them.

On May 5, 1950, Senator Lucas moved to proceed to the consideration of the FEPC bill—S. 1728. On May 19 a motion to close debate on the motion to take up the FEPC bill was defeated by a vote of 52 yeas to 32 nays. Under the 1949 cloture rule it would have required the votes of 64 Senators—two-thirds of those duly elected and sworn—to close debate. This was the first test of the cloture rule as amended in 1949. Republicans voted 33 for cloture, six against. Democrats voted 19 for cloture, 26 against. Twelve Senators were absent of whom nine were Democrats and three were Republicans. One of the absentees—Senator Withers, Democrat, of Kentucky—was formally announced as opposing application of cloture. For discussion of the failure of the new cloture rule on its first try, see CONGRESSIONAL RECORD, May 19, 1950, pages 7300 to 7307.

On July 12, 1950, a second attempt to invoke cloture on the motion to permit consideration of the FEPC bill—S. 1728—was defeated by a vote of 55 to 33, nine votes short of the required number. For further discussion of the pros and cons of the 1949 cloture rule, see CONGRESSIONAL RECORD, July 12, 1950, pages 9976 to 9985.

During the 82d Congress four resolutions to amend the Senate cloture rule were introduced:

Senate Resolution 41, by Mr. Morse and Mr. HUMPHREY, providing for simple majority cloture;

Senate Resolution 52, by Mr. Ives and Mr. Lodge, providing for constitutional majority—49—cloture;

Senate Resolution 105, by Mr. Lehman and 10 others, providing for simple two-thirds cloture after a waiting period of 48 hours or, alternatively, for simple majority cloture after 15 days of debate; and

Senate Resolution 203, by Mr. Wherry, providing for cloture by two-thirds of those present and voting.

These resolutions were referred to the Committee on Rules and Administration which held hearings on them on October 2, 3, 9, and 23, 1951. On March 6, 1952, the committee reported favorably on Senate Resolution 203, with an amendment lengthening the time limit between the filing of a cloture motion and the vote thereon from 1 to 5 intervening calendar days—Senate Report 1256, 82d Congress, second session.

Senate Resolution 203, if adopted, would restore the voting requirement for cloture which was in effect from 1917 to 1949; that is, two-thirds of those Senators present and voting instead of two-thirds of those duly chosen and sworn. Senate Resolution 203 leaves subsection 3 of the present rule XXII unaltered, which means that debate would remain unlimited on proposals to change any of the Standing Rules of the Senate.

Dissenting views were filed by Mr. Lodge who felt that Senate Resolution 203 "will make no practical difference insofar as the prevention of future filibusters is concerned"; by Mr. Hendrickson who urged adoption of a simple majority cloture rule; and by Mr. Benton who favored Senate Resolution 105. No further action was taken on the subject during 1952.

During the 83d Congress, 1953 and 1954, four resolutions to amend the Senate cloture rule were introduced:

Senate Resolution 20, by Mr. Jenner, providing for cloture by two-thirds of those present and voting;

Senate Resolution 31, by Mr. Ives, providing for cloture by a majority of the Senate's authorized membership; a 12-day interval—exclusive of Sundays and legal holidays—between the filing of a cloture petition and the vote thereon; and deleting subsection 3 of rule XXII and all references to it in subsection 2;

Senate Resolution 63, by Mr. Lehman and seven others, repealing subsection 3 of rule XXII and providing two methods of cloture: by two-thirds of those voting after 1 intervening day following filing of the petition, or, if this failed, by a majority of those voting following an interval of 14 days; and

Senate Resolution 291, by Mr. Morse, providing for cloture by a majority of those voting and repealing subsection 3 of rule XXII.

These resolutions were referred to the Committee on Rules and Administration which, after consideration, favorably reported Senate Resolution 20 to the Senate with an amendment—Senate Report 268. The resolution was placed on the calendar, but no further action was taken. Senate Resolution 291 was ordered to lie on the table, July 22, 1954. Individuals views were filed by Mr. Green and Mr. Hennings—Senate Report 268. Floor consideration of Senate Resolution 20 was objected to on four calendar calls during the first session and on six calendar calls during the second session of the 83d Congress.

The major event of the 83d Congress as regards efforts to limit debate in the Senate was the Anderson motion. At the opening of the 83d Congress advocates of majority rule in the Senate challenged the conception of the Senate as a continuing body. They based their strategy on the contention of Senator Walsh in 1917 that each new Congress brings with it a new Senate, entitled to consider and adopt its own rules. They proposed to move for consideration of new rules on the first day of the session and, upon the adoption of this motion to propose that all the old rules be adopted with the exception of rule XXII. Rule XXII was to be changed to allow a majority of all Senators—49—to limit debate after 14 days of discussion.

Accordingly, on January 3, 1953, Senator ANDERSON, on behalf of himself and 18 other Senators, moved that the Senate immediately consider the adoption of rules for the Senate of the 83d Congress. Senator Taft then moved that the Anderson motion be tabled. In the ensuing debate the Anderson motion was supported by Senators Douglas, HUMPHREY, Lehman, Ives, Hendrickson, Neely, Morse, and Murray.

Senator Douglas told the Senate that the Anderson proposal was the only method with any hope of success.

He said:

> The 1949 rule ties our hands once the Senate is fully organized. * * * For under it any later proposal to alter the rules can be filibustered and never permitted to come to a vote. * * * Therefore, if it be permanently decided that the rules of the preceding Senate apply automatically as the new Senate organizes, we may as well say farewell to any chance either for civil rights legislation or needed changes in Senate procedure (Congressional Record, Jan. 7, 1953, p. 203).

Opponents of the Anderson motion centered principally on the argument that the Senate is a "continuing body," bound by the rules of earlier Senates. They said that this thesis was proved because—

First. Only one-third of the Senate is elected every 2 years.

Second. The Constitution did not provide for the adoption of new rules every 2 years.

Third. If the Senate had had the power to adopt new rules, it had lost that power through disuse.

Fourth. The Supreme Court, they said had decided that the Senate was a "continuing body."

Debate against the rules change was led by Senator Taft who announced that the Republican Policy Committee had voted to oppose it in caucus; and by Senators RUSSELL, Saltonstall, STENNIS, Ferguson, Smith of New Jersey, Butler of Maryland, Maybank, and Knowland.

The Anderson motion was finally tabled by a vote of 21 to 70, taken on January 7, 1953. Taft was opposed by 15 Democrats, five Republicans, and one independent. He was supported by 41 Republicans and 29 Democrats. One additional Democrat was paired against the Taft motion; and one additional Republican was paired for it.

During the 84th Congress, 1955 and 1956, only one resolution to amend the cloture rule was presented to the Senate. This was Senate Resolution 108, by Mr. Lehman, on June 14, 1955. On that day it was referred to the Committee on Rules and Administration; and on June 29 to the Subcommittee on Rules. No further action was taken on the Lehman resolution. Senate Resolution 108 provided first, for cloture by a two-thirds vote of those voting "on the following calendar day but one" after the presentation of a petition to close debate; and, second, for cloture by a majority of those voting "on the 14th calendar day thereafter."

At the opening of the 85th Congress, on January 3, 1957, Senator ANDERSON moved to consider the adoption of new rules. Senate Majority Leader Johnson immediately moved to table the Anderson motion. On January 4 the Anderson motion was tabled by a rollcall vote of 55 to 38. During the debate preceding this vote, Vice President Nixon said he believed the Senate could adopt new rules "under whatever procedures the majority of the Senate approves." He said that in his opinion the current Senate could not be bound by any previous rule "which denies the membership of the Senate the power to exercise its constitutional right to make its own rules." Nixon said he regarded as unconstitutional the section of rule XXII banning any limitation of debate on proposals to change the rules, but added that the question of the constitutionality of the rule could be decided only by the Senate itself.

At the opening of the 86th Congress, Senate Majority Leader Johnson offered a resolution (S. Res. 5) to amend Senate rule XXII which was adopted on January 12, after 4 days of debate, by a 72-to-22 rollcall vote. Senate Resolution 5 amended rule XXII so as to enable two-thirds of the Senators present and voting to shut off debate on any matter, including proposals for rules changes. It also amended Senate rule 32 by adding this language:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

At the opening of the 87th Congress two resolutions to amend rule XXII were introduced in the Senate: Senate Resolution 4, by Senator CLINTON P. ANDERSON, to allow curtailment of debate by three-fifths—instead of two-thirds—of those present and voting; and Senate Resolution 5, by Senators HUMPHREY and Kuchel, providing for majority cloture. At the outset of the debate on these resolutions, Vice President Nixon reaffirmed his 1957 "advisory opinion" that the constitutional right of a majority of the Senate to adopt new rules at the beginning of a new Congress could not be inhibited by the two-thirds requirement of rule XXII regarding cloture. After 7 days of debate on a Mansfield motion to consider Senate Resolution 4, Senators MANSFIELD and DIRKSEN moved to refer the matter to the Committee on Rules and Administration; their motion was adopted on January 11, 1961, by a rollcall vote of 50 to 46. Eight other resolutions to change Senate rules were also referred by voice vote to the committee, including proposals for a rule of germaneness and the previous question. On September 5, 1961, the committee reported Senate Resolution 4 without recommendation and on September 16 Senator MANSFIELD moved to take it up. On September 19, after 2 days of debate, the Senate refused to impose cloture on debate of MANSFIELD's motion by a 37 to 43 rollcall vote. Then Senator MANSFIELD moved to table the original motion and this carried, 46 to 35.

Two proposals to liberalize rule XXII were made at the opening of the 88th Congress: Senator ANDERSON's for three-fifths cloture; that of Senators HUMPHREY and Kuchel for constitutional majority—51—cloture. On January 15 Senator ANDERSON moved to take up his resolution—Senate Resolution 9—to permit three-fifths of those present and voting to invoke cloture. Faced by a southern filibuster against Senator ANDERSON's motion, a bipartisan group of liberal Senators sought to close debate by majority vote under a motion which in effect held that a filibuster was unconstitutional when it blocked attempts to change the rules at the beginning of a new Congress. On January 31 the Senate, by a vote of 53 to 42, tabled this approach. On February 5 Senator MANSFIELD filed a cloture petition, moving to invoke cloture on the motion to take up Senate Resolution 9. On February 6 he moved to table the pending question, but the Senate rejected his motion by a 92-to-5 rollcall vote. Southerners said they opposed tabling because it ended debate more swiftly than cloture. On February 7, on a rollcall vote, the Senate rejected, 54 to 42, Senator MANSFIELD's cloture motion. The vote was 10 short of the two-thirds majority needed for cloture.

Mr. President, it is not my intention to prolong this debate, but I thought this long history might prove helpful, because I feel it is important for consideration at this time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Maryland (Mr. TYDINGS) be added as a cosponsor of Senate Resolution 11. For some reason, his name was omitted from the list of cosponsors that appeared last week.

The PRESIDING OFFICER. Without objction, it is so ordered.

Mr. CHURCH. Mr. President, I should like to cite some history illustrating the futility of recent attempts in the Senate to modify rule XXII within the framework of the existing rules.

Experience over the past two decades makes it perfectly clear that there is no escape hatch once the Senate binds itself to rule XXII at the beginning of a new Congress. After rule XXII is acquiesced in by a new Congress, it becomes self-perpetuating until the next Congress is elected, since it has proven impossible to obtain the required two-thirds vote to close debate on any proposal to change the rule. This means that modification of the rule will either be won at the opening of a new Congress, when the majority can make the decision, or it will not be won at all.

Our recent legislative history establishes this proposition too clearly for argument:

In the 82d Congress, a change in rule XXII was favorably reported by the Rules Committee, but threat of a filibuster kept the issue from the floor.

In the 83d Congress, also, a resolution to change rule XXII was favorably reported from the committee, but no further action was taken on it.

In the 84th Congress, one resolution to change rule XXII was introduced, but was not reported from the Rules Committee.

In the 85th Congress, the Rules Committee reported a resolution to provide for majority rule after full and fair debate. The resolution did not reach the floor.

In the 87th Congress, nine resolutions to change rule XXII were referred to committee. The Rules Committee later reported a resolution for three-fifths cloture without recommendation. A filibuster prevented action and the matter died.

In the 88th Congress, a cloture motion was rejected.

In the 89th Congress, the Rules Committee reported a resolution, but it was not called up for debate.

In the 90th Congress, cloture under existing rule XXII was not achieved.

The lesson of our own experience requires us to act now, invoking the authority of the Constitution itself, which gives the majority of the Senate the right, at the commencement of a new Congress, to "determine the rules of its proceedings." If we fail now, another time will not come in the 91st Congress when it will again be within reach of the majority to modify the filibuster rule.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. CHURCH. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 12 meridian tomorrow.

The motion was agreed to; and (at 4 o'clock and 8 minutes p.m.) the Senate took a recess until tomorrow, January 14, 1969, at 12 meridian.

NOMINATIONS

Executive nominations received by the Senate January 13 (legislative day of January 10), 1969:

IN THE ARMY

General Theodore William Parker, O18369, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general under the provisions of title 10, United States Code, section 3962.

IN THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be commanders

Donald R. Tibbitt
K. William Jeffers
Gerald C. Saladin
Ray E. Moses

To be lieutenant commanders

Leland L. Reinke
Henry L. Pittock III
John B. Jones III
Christian Andreasen
Carl N. Davis
Joseph W. Dropp
Walter F. Forster II
Robert C. Westphall

To be lieutenants

Albert J. Semtner, Jr.
Thomas E. Gerish
Melvin S. Asato
Gary L. Boyack
Ernest D. Harden
Dino J. Ferralli
Caroll D. North, Jr.
Roger T. Olack
William W. Spychalla
Terry E. Bryan
Bruce C. Renneke
Donald E. Nortrup

To be lieutenants (junior grade)

Sebastian A. Sora
David McCall
Gerben Hoekstra
Frank P. Rossi
Roger F. Anderson
John T. Atwell
Glenn Tober
Norman D. Smith
William J. Budd, Jr.
Lowell J. Genzlinger
Mark E. Harbert
Jimmy A. Lyons
David K. Rea
David N. Daniel
Yeager A. Bush
Roger G. Kraynick
Steve F. Yoshida
Richard A. Dowd
John D. Uetz
David C. Harrison
Brian E. Morgan
Steven S. Nakao
Birchell C. Eversole, Jr.
John B. Courtney
John P. DeLozier
Larry W. Mordock
John D. Stachelhaus
Dennis L. Valdovinos
Hugh B. Milburn
Dennis L. Graves
William G. Wills
James M. McClelland
John C. Veselenak
Brent H. Traughber
John E. Colt
Gerald W. McGill
William B. Knight, Jr.
Charles L. Hardt
William H. Dvorachek, Jr.
Roderick S. Patwell

To be ensigns

Glenn M. Garte
Melvyn C. Grunthal
Lawrence C. Hall
William D. Neff
Douglas A. Danner
Thomas C. Howell III
David M. Chambers
Richard S. Young
John J. Lenart
Stephen E. Foster
Roland W. Garwood, Jr.
James A. Buschur
V. Kenneth Leonard, Jr.
Daniel R. McKeel
Kenneth A. Pier
C. Patrick Hodgson
Charles G. Adelseck, Jr.
Allan F. Divis
Jerry A. Miller
Douglas A. Briggs
Paul M. Duernberger
Richard M. Mathis

POSTMASTERS

The following-named persons to be postmasters:

George W. Davis, Brundidge, Ala., in place of V. B. Huff, retired.

W. Waite McCordquodale, Jackson, Ala., in place of M. M. Gunn, retired.

ALASKA

Lars L. Johnson, Anchorage, Alaska, in place of G. S. Schwamm, deceased.

ARIZONA

Eva C. Morales, Kearny, Ariz., in place of C. L. Steveson, resigned.

Jerry P. Yazzie, Window Rock, Ariz., in place of H. L. McDonald, resigned.

ARKANSAS

Eddie Farris, Evening Shade, Ark., in place of J. F. Dickerson, deceased.

CALIFORNIA

Davis M. Longmire, Jr., Brookdale, Calif., in place of E. J. Nelson, retired.

Llewellyn E. Burnham, Elsinore, Calif., in place of L. E. Burnham, retired.

Richard L. Reiter, Redlands, Calif., in place of D. J. Stanton, retired.

Irene H. Micheli, Ryde, Calif., in place of B. M. Calahan, deceased.

Ronald D. Huisenga, Tustin, Calif., in place of J. J. Parks, Jr., retired.

COLORADO

Gloria A. Vialpando, Avondale, Colo., in place of V. M. Roe, retired.

Edna M. Tucker, Fraser, Colo., in place of F. E. Conklin, retired.

Everette L. Lappart, Holyoke, Colo., in place of F. B. Flanagan, retired.

Mary J. Derby, Kit Carson, Colo., in place of W. H. Rhoades, Jr., retired.

Donald H. Overmeyer, Steamboat Springs, Colo., in place of Clarence Patterson, retired.

IDAHO

Betty Jane Nitz, Elk City, Idaho, in place of C. J. Nitz, resigned.

Loran L. Balch, Sagle, Idaho, in place of N. A. Sheffler, retired.

ILLINOIS

Robert E. Carter, Antioch, Ill., in place of R. I. Kufalk, retired.

Harold F. Johnson, Belvidere, Ill., in place of P. I. O'Brien, retired.

Shirley M. Wolf, Benson, Ill., in place of Henrietta Hinds, retired.

W. Russell Koch, Bowen, Ill., in place of L. O. Cain, retired.

George W. Cooper, Bridgeport, Ill., in place of G. L. Wall, retired.

Marie C. Watson, Brighton, Ill., in place of M. H. Stewart, resigned.

Dorothy E. Factly, Burlington, Ill., in place of B. A. Knief, deceased.

Altha E. Huth, DeSoto, Ill., in place of S. A. Morrison, retired.

Myrell E. Conn, Elizabethtown, Ill., in place of W. P. Hall, retired.

Robert D. Yordy, Flanagan, Ill., in place of M. D. O'Brien, retired.

John F. Braasch, Flossmoor, Ill., in place of G. E. Dean, retired.

Stanley N. Kibler, Gays, Ill., in place of I. E. Hortenstine, retired.

Roy V. Winget, Golden, Ill., in place of C. W. Beckett, retired.

Lloyd W. Whitworth, Hamel, Ill., in place of W. W. Steinmann, retired.

Carl W. Johnson, Magnolia, Ill., in place of E. A. Defenbaugh, retired.

Robert J. Yunker, Mokena, Ill., in place of M. M. O'Brien, retired.

Robert K. Granger, Morris, Ill., in place of H. T. Verfurth, retired.

Albert E. Vasilauskis, Oak Forest, Ill., in place of M. E. Ramsey, retired.

William E. Hergenrother, Pleasant Plains, Ill., in place of P. E. Reichert, retired.

Gloria M. Guhl, River Grove, Ill., in place of M. M. DeCoste, retired.

Evelyn A. Weiland, Rutland, Ill., in place of Rita O'Neil, retired.

Thomas G. Schutte, Sigel, Ill., in place of C. J. Steel, retired.

Leland C. Carroll, Silvis, Ill., in place of M. R. Hanneman, retired.

Cyril L. Millward, Skokie, Ill., in place of W. P. Hohs, retired.

Richard P. Breitweiser, Sterling, Ill., in place of R. E. Shawger, deceased.

Charles A. Martin, Stillman Valley, in place of M. E. Holquist, retired.

Paul J. Provines, Sumner, Ill., in place of S. L. Pool, retired.

Della M. Jones, Tennessee, Ill., in place of W. E. Morgan, deceased.

William D. Holland, Warren, Ill., in place of V. C. McGinnis, retired.

Christian Oelberg, Wataga, Ill., in place of F. E. O'Connor, retired.

Jerry Volny, Jr., Winnetka, Ill., in place of F. E. Watts, retired.

Daniel E. Arendell, Wood Dale, Ill., in place of R. F. Vermillion, resigned.

INDIANA

Harry R. Ray, Chesterton, Ind., in place of I. W. Dolk, resigned.

Howard J. Green, Cross Plains, Ind., in place of Hazel Runner, retired.

George W. Moore, Modoc, Ind., in place of B. J. Bales, retired.

John W. Trout, Jr., New Castle, Ind., in place of J. B. Hupp, retired.

Loran M. McMaster, Jr., Romney, Ind., in place of G. G. Barker, retired.

IOWA

Clarence J. Murray, Albia, Iowa, in place of J. M. Hersman, retired.

Orrie G. Epple, Aredale, Iowa, in place of K. M. Hopkins, retired.

Nick J. Quint, Aurora, Iowa, in place of R. E. Durfey, retired.

Robert E. Folkerts, Bristow, Iowa, in place of D. A. Early, deceased.

Joseph D. Hayes, Cascade, Iowa, in place of W. T. McDermott, transferred.

Frances L. Fitzpatrick, Castalia, Iowa, in place of E. F. Floody, retired.

Robert Clark, Centerville, Iowa, in place of B. L. Evans, resigned.

Donald F. Tierney, Chariton, Iowa, in place of E. H. Curtis, retired.

Maurice R. Engman, Dayton, Iowa, in place of B. J. Okey, retired.

Robert B. Seemuth, Hills, Iowa, in place of W. E. Dietsch, retired.

Wayne M. Barhite, Iowa Falls, Iowa, in place of L. L. Weldon, retired.

Donald D. Van Ahn, Lake City, Iowa, in place of A. M. Lundberg, deceased.

Walter F. Keenan, Lansing, Iowa, in place of F. A. Riser, retired.

Palmer H. Johnson, Larrabee, Iowa, in place of E. A. Jacobson, retired.

Hugh L. Walsh, Jr., Lone Rock, Iowa, in place of E. L. Earing, retired.

Lloyd Suttles, Jr., Muscatine, Iowa, in place of J. H. Hendriks, deceased.

Charles M. Olson, Nemaha, Iowa, in place of R. M. Peters, retired.

Harold O. Persons, Sheffield, Iowa, in place of H. J. Stoffer, resigned.

Paul R. Woods, Sumner, Iowa, in place of E. F. Borcherding, deceased.

Walter A. Galloway, Templeton, Iowa, in place of M. E. Kohorst, retired.

Dick J. Gerdis, Titonka, Iowa, in place of J. A. Stott, retired.

Orville G. Marsh, Villisca, Iowa, in place of C. E. Moore, retired.

Nyle F. Wegener, Walcott, Iowa, in place of L. E. Gasseling, retired.

KANSAS

Willis H. Miller, Howard, Kans., in place of A. H. Kling, retired.

Robert A. Noll, Westmoreland, Kans., in place of C. S. Smith, retired.

Margie A. Hall, White City, Kans., in place of O. T. Kappelman, retired.

KENTUCKY

David S. Miranda, Ashland, Ky., in place of H. D. Shanklin, retired.

Raulh Ford, Bardwell, Ky., in place of P. D. Moore, retired.

Truman S. Congleton, Beattyville, Ky., in place of R. S. Smallwood, retired.

Terry R. Capps, Crofton, Ky., in place of K. L. Alexander, retired.

Myrna L. Bruington, Garfield, Ky., in place of D. A. Smith, transferred.

Paul W. Holman, Glasgow, Ky., in place of Waldo Redman, retired.

LaVerne E. Doores, Kirksey, Ky., in place of V. M. Clark, retired.

J. Paul Barnes, Paducah, Ky., in place of T. A. Miller, retired.

David W. Harper, Pembroke, Ky., in place of J. E. Gregory, retired.

LOUISIANA

Edmond J. Michel, Marksville, La., in place of J. O. Brouillette, retired.

MAINE

Wilfred A. Weed, Deer Isle, Maine, in place of L. C. Weed, deceased.

Elizabeth K. Champion, East Waterboro, Maine, in place of J. C. Small, retired.

Robert S. Lash, Jr., Friendship, Maine, in place of D. L Simonds, removed.

Frederick E. Lovering, Litchfield, Maine, in place of C. A. Lewis, retired.

Charles W. Bennett, Monroe, Maine, in place of A. E. Smart, retired.

Louise G. Dill, Newagen, Maine, in place of Scott Gray, retired.

Stanley J. Borodko, Searsport, Maine, in place of G. H. Jordan, retired.

Bernard J. Pagurko, Topsham, Maine, in place of L. P. Spinney, retired.

MARYLAND

Albert C. Migeot, Jr., Brandywine, Md., in place of M. T. Holt, retired.

Herbert E. Ryan, Jr., Rising Sun, Md., in place of F. M. Rawlings, deceased.

MASSACHUSETTS

Ernest A. Paradis, Attleboro, Mass., in place of F. J. O'Neil, deceased.

Andrew J. Sacco, Bedford, Mass., in place of H. A. Thurber, retired.

Doris E. Hodges, Berndston, Mass., in place of H. M. Cairns, retired.

Everett P. Gould, Boxford, Mass., in place of H. D. Moore, retired.

Carlos L. Figueiredo, Mattapoiset, Mass., in place of A. M. Corey, retired.

John J. Quinlan, Peabody, Mass., in place of J. L. Sullivan, retired.

MICHIGAN

David Rigozzi, Jr., Bangor, Mich., in place of P. B. Wood, retired.

Alice M. Guger, Buckley, Mich., in place of C. E. Courtade, deceased.

George C. Paine, Fenton, Mich., in place of C. H. Thompson, retired.

James H. Bolton, Galesburg, Mich., in place of W. M. Buss, retired.

Lillian E. Kiel, Grand Rapids, Mich., in place of H. W. Parker, deceased.

Stanley L. Thompson, Hastings, Mich., in place of C. H. Hinman, retired.

Frank J. Rodman, Hermasnville, Mich., in place of H. D. Stecker, retired.

Ellert Hendriksma, Moline, Mich., in place of G. C. Frank, retired.

Lawrence D. Jordan, Oakley, Mich., in place of F. A. Pierce, retired.

Jack Lee Kelly, Olivet, Mich., in place of L. W. Church, deceased.

Nicholas A. Cosenza, Port Sanilac, Mich., in place of G. P. Smiley, retired.

Melvin C. Muehlenbeck, Saginaw, Mich., in place of W. A. Munroe, retired.

Jesse E. Willerton, Snover, Mich., in place of B. M. McElhinney, retired.

Clifford L. Turcotte, Stambaugh, Mich., in place of J. J. Corbett, deceased.

June A. Noud, Stanwood, Mich., in place of R. A. Huntey, retired.

MINNESOTA

Charles F. Ward, Anoka, Minn., in place of W. J. Jacob, retired.

James D. Rassmussen, Grand Rapids, Minn., in place of H. M. Madson, retired.

David P. Page, Jr., Hines, Minn., in place of C. G. Eckstrom, resigned.

James P. Fitzgerald, Monticello, Minn., in place of F. A. McCoy, retired.

Sarah T. Coffelt, Saint Paul Park, Minn., in place of P. N. O'Boyle, removed.

Robert J. Stern, Upsala, Minn., in place of B. B. Amren, resigned.

MISSISSIPPI

Francis A. Stanford, Ripley, Miss., in place of F. S. Clark, resigned.

MISSOURI

Arthur J. Fiene, Alma, Mo., in place of F. T. McClure, deceased.

Alva C. Clark, Ballwin, Mo., in place of K. E. Feldmann, retired.

Gerald E. Wilson, Blythedale, Mo., in place of C. M. VanHoozer, retired.

Willoughby L. O'Connell, Nevada, Mo., in place of R. W. Bell, resigned.

NEBRASKA

Dale O. Dallegge, Bartlett, Nebr., in place of E. M. Ball, retired.

Roy E. Boham, Bassett, Nebr., in place of F. C. Diehl, deceased.

H. Gerald Leapley, Belden, Nebr., in place of E. F. Francis, retired.

Lawrence L. Waring, Bloomington, Nebr., in place of B. A. Hogeland, transferred.

Robert T. Musil, Du Bois, Nebr., in place of E. E. White, retired.

Court J. Fielding, Hayes Center, Nebr., in place of G. A. Kittle, retired.

Orville D. Joynt, Holstein, Nebr., in place of E. N. Pittz, transferred.

R. Bruce Sweenie, Nemaha, Nebr., in place of E. B. Sweenie, retired.

Roland R. Norman, Ord, Nebr., in place of F. L. Stoddard, retired.

Marvin R. Holz, Paxton, Nebr., in place of I. H. Roberts, retired.

Donald L. Shimerka, Pierce, Nebr., in place of A. E. Brodhagen, removed.

Lambert J. Jonas, Schuyler, Nebr., in place of J. E. Severyn, retired.

Marvin A. Jauernig, Stuart, Nebr., in place of D. G. Holliday, retired.

Charles F. Hoarty, Sutton, Nebr., in place of Gerhardt Wiard, deceased.

NEVADA

Patsy R. Donaldson, Orovada, Nev., in place of B. S. Christensen, retired.

NEW HAMPSHIRE

Richard F. Connelly, East Kingston, N.H., in place of M. I. Wasson, retired.

Tadeusz Lepianka, Franklin, N.H., in place of H. J. Proulx, deceased.

Arlene F. Patch, Glen, N.H., in place of M. H. Taylor, deceased.

Edward J. Welch, Guild, N.H., in place of G. L. Nichols, retired.

Thomas F. Quinn, Wilton, N.H., in place of J. E. Hurley, retired.

NEW JERSEY

Dora M. Markle, Bedminster, N.J., in place of C. H. Smock, retired.

Louis J. Cirillo, Bernardsville, N.J., in place of Joseph Bearlepp, retired.

Jean M. Hickman, Cedarville, N.J., in place of Mildred Jerrell, deceased.

Robert F. Courter, Glen Ridge, N.J., in place of F. V. Schmitz, retired.

Jason G. Spangenberg, Jr., Layton, N.J., in place of C. V. Layton, retired.

Anna L. Peterson, Leesburg, N.J., in place of I. B. Lowden, retired.

Andrew Kiniry, Minotola, N.J., in place of L. R. Powers, retired.

Robert J. McCracken, Monroeville, N.J., in place of H. F. Johnson, deceased.

John Tarnowsky, Montvale, N.J., in place of Margaret Dualsky, retired.

John C. Fornataro, Oakhurs, N.J., in place of W. A. Harvey, retired.

Gertrude M. Pennington, Ocean Gate, N.J., in place of E. J. Brennan, deceased.

John A. Fulkrod, Ramsey, N.J., in place of J. D. Roosa, retired.

Clair J. Nenno, Riverside, N.J., in place of Herbert Schneider, retired.

John J. Howley, South Amboy, N.J., in place of G. W. Stader, deceased.

Peter D. Kane, South Bound Brook, N.J., in place of W. C. Conner, resigned.

Louis R. Flamard, Tennent, N.J., in place of S. M. Walldov, retired.

Albert L. Schenone, Union City, N.J., in place of Frank Elia, retired.

NEW YORK

Joseph J. Barr, Accord, N.Y., in place of M. J. Layne, declined.

John E. Deegan, Amsterdam, N.Y., in place of T. J. Tighe, Jr., deceased.

Mary Alice Desmond, Athol Springs, N.Y., in place of H. T. Quick, retired.

Raymond P. Riordan, Auburn, N.Y., in place of T. H. Brogan, deceased.

Stanley J. Orenkewicz, Bayport, N.Y., in place of G. W. Dedrick, retired.

Ida M. Winter, Big Moose, N.Y., in place of A. J. Dunn, retired.

Thomas L. Mooney, Bolivar, N.Y., in place of H. F. Sackinger, deceased.

Edward J. Dolan, Boonville, N.Y., in place of N. C. Hamblin, retired.

John R. Daugherty, Branchport, N.Y., in place of J. W. Trimmingham, retired.

Marion L. Pontello, Brewerton, N.Y., in place of N. M. McKinney, retired.

Evan O. Williams, Bridgewater, N.Y., in place of B. L. Stevens, retired.

William H. Ferris, Carmel, N.Y., in place of T. M. Townsend, retired.

Edwin P. Kennedy, Cazenovia, N.Y., in place of L. E. Hendrix, retired.

Michael A. Turco, Chelsea, N.Y., in place of H. V. Kessler, resigned.

Jerome P. Meyer, Corfu, N.Y., in place of Celestine Reynolds, retired.

Barbara C. Grimm, Cropseyville, N.Y., in place of Viola Grimm, retired.

Carole E. Falin, Deansboro, N.Y., in place of C. A. Winslow, removed.

Walter F. Sawicki, East Aurora, N.Y., in place of W. H. Wright, retired.

Florence B. Nunweiler, East Concord, N.Y., in place of F. J. Edington, retired.

Ethel V. Pedersen, East Meredith, N.Y., in place of M. H. Adair, transferred.

Russell L. DeWaters, Elbridge, N.Y., in place of E. B. Wright, retired.

Alfred J. Bradford, Elmsford, N.Y., in place of J. R. Iadarola, deceased.

James D. O'Connor, Fair Haven, N.Y., in place of Naoma Brown, retired.

George M. Prehoda, Granville, N.Y., in place of C. E. Statia, deceased.

Frank L. Cocca, Helmuth, N.Y., in place of E. A. Moritz, retired.

Joseph R. White, Holmes, N.Y., in place of H. R. Ballard, retired.

William E. Siegrist, Hyde Park, N.Y., in place of A. E. Smith, retired.

Donald E. Egan, Sr., Johnson City, N.Y., in place of L. E. Youngs, retired.

Edwin R. Kilmer, Johnstown, N.Y., in place of G. D. McMillan, retired.

Lulu M. Jones, Krumville, N.Y., in place of A. C. Jones, deceased.

Carolyn V. Kaido, Lee Center, N.Y., in place of G. A. Hartson, retired.

William T. Flansburg, Lima, N.Y., in place of W. E. Slattery, retired.

Peter J. Ruggeiro, Long Island City, N.Y., in place of H. C. Schreiber, deceased.

Frank Locorriere, Miller Place, N.Y., in place of Charles Germeck, retired.

Norma K. Harvey, Model City, N.Y., in place of S. A. Luskin, retired.

Martha E. Butler, Montezuma, N.Y., in place of F. M. Jones, retired.

William F. Ging, Mount Sinai, N.Y., in place of Clarissa Murphy, retired.

Dorman R. Youmans, Nanuet, N.Y., in place of H. M. Fisher, Jr., retired.

John W. Ball, New Berlin, N.Y., in place of L. A. Schermerhorn, retired.

Gordon H. Parnapy, North Bangor, N.Y., in place of E. V. Monica, deceased.

Glendon W. Hulbert, Oak Hill, N.Y., in place of T. L. Ford, deceased.

Woodrow F. DeVine, Pawling, N.Y., in place of Lachlan Thomson, resigned.

Karl C. Boeyink, Penfield, N.Y., in place of F. L. Jones, resigned.

Jesse R. Taylor, Port Gibson, N.Y., in place of W. H. Snyder, deceased.

Michael J. Villani, Port Washington, N.Y., in place of W. R. Cumiskey, retired.

Robert C. Rowe, Potsdam, N.Y., in place of H. L. King, retired.

Lowell R. Felder, Redwood, N.Y., in place of R. I. Gates, retired.

J. Eugene Quinn, Salamanca, N.Y., in place of M. A. Dowd, retired.

Marvin J. Funk, Schoharie, N.Y., in place of H. R. Martin, retired.

Ruth M. Williams, Shrub Oak, N.Y., in place of S. M. Odell, retired.

Ralph D. LaPolt, Smallwood, N.Y., in place of E. E. DeCamp, retired.

Stuart A. Ivison, South Byron, N.Y., in place of H. D. Haley, deceased.

Virginia A. Williams, Spencertown, N.Y., in place of E. I. Wooley, deceased.

Charlotte R. Coffin, Stanfordville, N.Y., in place of J. N. Post, retired.

William J. Murray, Stanley, N.Y., in place of C. E. Conroy, retired.

Francis J. Foote, Valois, N.Y., in place of J. E. Hawes, declined.

George E. Ellison, Walker Valley, N.Y., in place of H. A. Caldwell, retired.

Lionel R. Estes, Walton, N.Y., in place of F. T. More, retired.

George E. Stevens, Wampsville, N.Y., in place of R. A. Dexter, retired.

Ralph Vinchiarello, Wassaic, N.Y., in place of G. B. Liner, retired.

Robert H. Ward, Weedsport, N.Y., in place of J. A. Howe, retired.

Frances M. Grems, Westernville, N.Y., in place of B. C. Thomas, retired.

Robert W. Sewall, West Park, N.Y., in place of F. I. Straley, resigned.

Curtis T. Dettling, Worcester, N.Y., in place of H. V. Galer, retired.

OHIO

Frederick A. Charton, Bolivar, Ohio, in place of R. E. Kienzle, deceased.

PENNSYLVANIA

C. Earl Kressler, Bangor, Pa., in place of H. D. Hess, retired.

Joseph L. Bosak, Bendersville, Pa., in place of D. F. Kennedy, deceased.

Herbert W. Miller, Biglerville, Pa., in place of E. E. Carey, deceased.

Thomas D. Redmile, Bryn Athyn, Pa., in place of G. K. David, retired.

Henry A. Hebda, Kane, Pa., in place of V. N. Deane, transferred.

Robert E. Buckwalter, Lancaster, Pa., in place of F. R. Hammond, deceased.

Hayes W. Eckard, Mifflin, Pa., in place of W. C. McNeal, retired.

Harry Marchesini, Millsboro, Pa., in place of C. W. Wishart, deceased.

William J. McNitt, Jr., Milroy, Pa., in place of C. C. Naginey, retired.

Michael Megaludis, Monroeville, Pa., office established January 14, 1967.

Russel A. Rarig, Jr., Montandon, Pa., in place of J. B. Frederick, retired.

Bernard J. Brashears, New Oxford, Pa., in place of G. M. Bower, retired.

Robert B. Robinson, Orrtanna, Pa., in place of D. O. Deardorff, retired.

Walter L. Wheaton, Warren Center, Pa., in place of L. F. Jones, deceased.

Carl R. Negley, West Mifflin, Pa., office established May 23, 1964.

Richard W. Mains, West Newton, Pa., in place of E. C. Sterner, retired.

SOUTH DAKOTA

Harold Q. Smith, Herreid, S. Dak., in place of H. L. Fetherhuff, retired.

TENNESSEE

Hattie W. Saulpaw, Calhoun, Tenn., in place of P. I. McCamish, retired.

Lowell W. Kinkead, Mountain Home, Tenn., in place of F. R. Lockett, Jr., transferred.

TEXAS

Walter L. Hunter, Jr., Hamlin, Tex., in place of P. H. Sparks, retired.

Lou Ann Unger, Inez, Tex., in place of M. R. Koontz, retired.

Carroll L. Robertson, Paducah, Tex., in place of B. F. Hobson, retired.

Warren W. Healer, Somerset, Tex., in place of H. S. Gray, retired.

UTAH

Richard G. Bell, Dugway, Utah, in place of D. F. Keele, resigned.

Daniel L. Miller, Farmington, Utah, in place of E. F. Nicholls, retired.

Clarence G. Hodges, Montezuma Creek, Utah, in place of E. H. Wolf, resigned.

Grant B. Draper, Moroni, Utah, in place of L. Y. Monson, retired.

VIRGINIA

W. George Cleek, Warm Springs, Va., in place of R. M. Cleek, retired.

WEST VIRGINIA

A. Bernadine Porter, Carolina, W. Va., in place of E. H. Lavencheck, resigned.

WISCONSIN

Walter L. Obershaw, Dickeyville, Wis., in place of J. A. Kowalski, retired.

Frank A. Schneider, Egg Harbor, Wis., in place of L. H. Olsen, deceased.

Lawrence J. Scholze, Fairchild, Wis., in place of R. C. Mato, retired.

LaVerne H. Marquart, Knowles, Wis., in place of Peter DelPonte, deceased.

William A. Theisen, Loyal, Wis., in place of L. M. Meyer, deceased.

ALABAMA

William A. Roberson, Alpine, Ala., in place of R. H. Killough, retired.

Harold G. Merrill, Red Level, Ala., in place of E. L. Stough, Jr., deceased.

ALASKA

George P. Vuchey, Petersburg, Alaska, in place of E. R. Lee, resigned.

Rose M. Jenne, Platinum, Alaska, in place of L. M. Roelle, declined.

ARIZONA

Patricia A. Becker, Black Canyon City, Ariz., in place of A. K. Amann, retired.

Vernell G. Jack, Houck, Ariz., in place of G. B. Wesson, retired.

Mayfa J. Kewanimptewa, Oraibi, Ariz., in place of Alban Mooya, removed.

Jean A. Winnie, Pearce, Ariz., in place of G. M. McLeod, retired.

ARKANSAS

Joe E. Lindley, Dardanelle, Ark., in place of H. E. Holland, retired.

Charles R. Howard, Mineral Springs, Ark., in place of W. E. Hodge, Jr., deceased.

CALIFORNIA

Barbara J. Sciacca, Chicago Park, Calif., in place of M. W. Mills, retired.

Aletta W. Hollister, Comptche, Calif., in place of Eileen Gummerus, retired.

Carl B. Neuman, Huntington Park, Calif., in place of E. E. Henry, transferred.

Ruby M. Howerton, Los Alamos, Calif., in place of H. M. Allison, resigned.

Lois L. Sims, Salida, Calif., in place of V. A. Tuggle, retired.

Mary M. Thomas, Shingletown, Calif., in place of N. F. Chandler, deceased.

COLORADO

Nelson W. McGraw, Fort Collins, Colo., in place of W. H. Wyss, retired.

Marie R. Montoya, Redcliff, Colo., in place of M. E. Williams, deceased.

Vernon L. Seaman, Yampa, Colo., in place of R. E. Shoup, retired.

CONNECTICUT

Robert J. Shannon, Sandy Hook, Conn., in place of A. W. Carmody, retired.

Alden F. Victoria, West Mystic, Conn., in place of P. S. Barber, retired.

FLORIDA

Charles D. James, Altamonte Springs, Fla., in place of R. E. Chandler, retired.

Clifford R. Martin, Lawtey, Fla., in place of M. B. Wells, retired.

Roger Tetreault, New Port Richey, Fla., in place of W. W. Hartman, Jr., retired.

Donald E. Carter, Raiford, Fla., in place of G. A. Hart, retired.

Clarice D. Dresback, Summerland Key, Fla., office established September 3, 1968.

GEORGIA

Lewis F. Adams, Buchanan, Ga., in place of T. R. Davenport, retired.

Howard N. Floyd, Danielsville, Ga., in place of J. A. Baker, retired.

IDAHO

Erna R. Williamson, Nampa, Idaho, in place of H. K. Beaudreau, transferred.

Michael Hill, Stites, Idaho, in place of E. M. Dixon, resigned.

ILLINOIS

Joseph E. Armstrong, Sr., Chestnut, Ill., in place of G. E. McCann, retired.

Junior L. Willis, Enfield, Ill., in place of J. R. Frymire, deceased.

Delmar R. Hay, Mackinaw, Ill., in place of L. D. Hobaker, retired.

Dalton C. Aud, Norris City, Ill., in place of Kenneth Cole, deceased.

Allen J. Brown, Serena, Ill., in place of M. M. Marshal, deceased.

INDIANA

Billy D. Caudell, Fortville, Ind., in place of H. F. Gillespie, retired.

Norman A. Brasseur, New Carlisle, Ind., in place of D. I. Lauver, retired.

Robert R. Awald, Walkerton, Ind., in place of A. E. Shirley, retired.

IOWA

Conrad M. Johnson, Ottosen, Iowa, in place of E. O. Jacobson, retired.

Ray Y. Stratton, Oxford, Iowa, in place of J. C. Floerchinger, retired.

Thomas J. Shaffer, Scranton, Iowa, in place of C. L. Kious, retired.

KANSAS

James L. Flick, Arkansas City, Kans., in place of W. E Richards, deceased.

Leroy A. Hamilton, Fort Dodge, Kans., in place of E. E. Dawson, retired.

Merlin Nelson, Girard, Kans., in place of R. A. Carpenter, transferred.

Donald L. French, Leoti, Kans., in place of B. L. Stephenson, retired.

Marvin H. Hachmeister, Plainville, Kans., in place of L. R. Brust, resigned.

Harold D. Rose, Sawyer, Kans., in place of V. B. Carter, retired.

Glenn M. Smith, Uniontown, Kans., in place of S. E. Holt, retired.

Hallie K. Taylor, White Cloud, Kans., in place of G. L. Kelley, retired.

KENTUCKY

Mabel M. Miller, Cloverport, Ky., in place of D. J. Wiles, resigned.

Charles A. Simpson, Eminence, Ky., in place of A. M. Lewis, removed.

William H. Covetts, Lewisport, Ky., in place of H. G. Chappel, retired.

Margaret H. Mattingly, Maceo, Ky., in place of W. G. Kelly, retired.

R. Todd O'Flynn, Philpot, Ky., in place of W. H. Marksberry, resigned.

James G. Wade, Stearns, Ky., in place of W. J. Smith, retired.

LOUISIANA

Lloyd L. Priest, Bastrop, La., in place of J. N. Jones, retired.

Hazel M. Henigan, Bentley, La., in place of J. A. Shaw, deceased.

Huey T. Fontenot, Palmetto, La., in place of M. W. Keller, retired.

MAINE

Leo J. Ashey, Greenville, Maine, in place of N. R. Thombs, retired.

George E. McGillicuddy, Houlton, Maine, in place of L. T. Spain, retired.

MARYLAND

Frances E. Fitzhugh, Church Creek, Md., in place of A. N. Vane, retired.

MASSACHUSETTS

Samuel A. Melnik, Deerfield, Mass., in place of J. D. Comins, retired.

Richard L. Berrio, Wellfleet, Mass., in place of E. L. Hannaford, retired.

Elva M. Sullivan, Woronoco, Mass., in place of K. M. Mango, resigned.

MICHIGAN

Donald V. Johnson, Amasa, Mich., in place of R. H. Premo, retired.

Roy S. Webster, Dearborn Heights, Mich., office established July 15, 1967.

Emil Knoska, Decatur, Mich., in place of D. J. Fox, resigned.

Virginia A. Soulliere, Harsens Island, Mich., in place of Evelyn Harm, retired.

John Douglas, Sterling, Mich., in place of Henry Swaffield, retired.

William H. Pawlak, Walloon Lake, Mich., in place of E. I. Carroll, retired.

MINNESOTA

Alvin W. Erickson, Morris, Minn., in place of R. J. Smith, transferred.

Harvey E. Stokke, Newfolden, Minn., in place of C. H. Cook, retired.

Norman D. Milne, Preston, Minn., in place of W. R. Marx, deceased.

Imelda A. Schuman, Swanville, Minn., in place of R. A. McRae, retired.

MISSISSIPPI

George M. Evans, Brooklyn, Miss., in place of H. C. Overstreet, retired.

Dewey F. Vance, Lake, Miss., in place of W. E. May, retired.

Marks W. Jenkins, Newton, Miss., in place of J. O. Waldrop, retired.

MISSOURI

Lowell D. Hale, Faucett, Mo., in place of L. H. Critchfield, retired.

Emmit P. Hart, High Hill, Mo., in place of E. C. Simmons, retired.

Earldean O. Henry, Mercer, Mo., in place of V. W. Shroyer, resigned.

Benjamin F. Marshall, Phillipsburg, Mo., in place of T. R. Gourley, retired.

James A. Godsey, Tina, Mo., in place of Nadine Smith, retired.

Robert R. Jones, Vienna, Mo., in place of C. A. Baldwin, retired.

MONTANA

Anthony L. Senden, Conrad, Mont., in place of D. H. Riggs, retired.

Walter D. Bilbro, Dupuyer, Mont., in place of J. A. Wall, retired.

NEBRASKA

Myrtle E. Roads, Axtell, Nebr., in place of E. E. Landstrom, transferred.

Leone E. Kaufman, Bladen, Nebr., in place of W. G. Hoffman, retired.

Bobbie B. Cobb, Stratton, Nebr., in place of E. V. Sis, transferred.

NEVADA

Frances L. Turner, Pahrump, Nev., in place of V. A. Cramer, deceased.

NEW JERSEY

Vincent L. Gianfrancesco, Bound Brook, N.J., in place of A. J. Rabbu, resigned.

NEW MEXICO

A. B. McKinley, Mountainair, N. Mex., in place of M. O. Shockey, retired.

NEW YORK

Frank D. Chappell, Andes, N.Y., in place of B. E. Champlin, deceased.

George E. Ceurter, Berkshire, N.Y., in place of J. R. Ford, retired.

James M. Harrison, Campbell, N.Y., in place of S. L. Knowles, retired.

Ferdinand F. Feraldi, Chaffee, N.Y., in place of V. E. Shaw, retired.

Robert G. Powell, De Kalb Junction, N.Y., in place of L. C. Woodward, transferred.

Thomas P. Nowicki, Dunkirk, N.Y., in place of Ignatius Fafinski, deceased.

Norman G. Odell, Erieville, N.Y., in place of M. L. Wallace, retired.

Arlene D. Smith, Lakeville, N.Y., in place of Earl Hendershott, retired.

James E. Soule, Maple Springs, N.Y., in place of D. H. Larson, retired.

Joseph K. Curtis, Massapequa, N.Y., in place of Catherine Hayes, retired.

John L. Ritz, Old Forge, N.Y., in place of J. K. Hoffman, retired.

Harold E. Edson, Portlandville, N.Y., in place of W. A. Beach, retired.

Leo B. Regan, Rome, N.Y., in place of C. T. Williams, retired.

Francis Hart, Schaghticoke, N.Y., in place of R. H. Wells, retired.

Irene B. Seeley, Spencer, N.Y., in place of R. E. Hodges, resigned.

Barbara Jordan Youngstown, N.Y., in place of A. E. Murphy, deceased.

NORTH CAROLINA

William E. Bazemore, Cofield, N.C., in place of T. E. Perry, resigned.

Sadie M. Paul, Oriental, N.C., in place of A. D. Clark, deceased.

Narcie W. Turner, Pink Hill, N.C., in place of G. M. Turner, Jr., deceased.

Bill R. Green, Skyland, N.C., in place of W. G. Cromer, deceased.

Thomas H. Isley, Summerfield, N.C., in place of R. E. Parrish, retired.

NORTH DAKOTA

J. Dale Lohr, Gardner, N. Dak., in place of D. A. Wischer, resigned.

Lloyd H. Winkler, Granville, N. Dak., in place of R. H. Leavy, retired.

OHIO

Earl R. Ramey, Baltimore, Ohio, in place of D. M. Bennett, retired.

R. Hollis Metherly, Bellevue, Ohio, in place of G. T. Messig, retired.

William L. White, Carrollton, Ohio, in place of H. F. McLaughlin, retired.

Charles E. Calaway, Chester, Ohio, in place of H. R. Eichinger, deceased.

Marjorie J. Clayton, Croton, Ohio, in place of E. P. Needles, retired.

Kay L. Carpenter, Hayesville, Ohio, in place of H. F. Grady, retired.

Mary L. Longenette, Tuppers Plains, Ohio, in place of E. M. Arbaugh, retired.

Donald C. Bakies, Waterville Ohio, in place of E. W. Schnetzler, retired.

OKLAHOMA

Walter M. Parrish, Cleveland, Okla., in place of G. R. Heard, retired.

Robert B. Carlile, Sallisaw, Okla., in place of S. J. Pointer, retired.

OREGON

Daniel A. Thiel, Astoria, Oreg., in place of N. L. Morfitt, retired.

Betty-Lou Zetterberg, Newport, Oreg., in place of J. F. Paden, retired.

Harold W. Morgan, Portland, Oreg., in place of A. M. Hodler, retired.

Lorene T. Bowen, Prairie City, Oreg., in place of F. L. Kranenburg, deceased.

Lois M. Stockwell, Seneca, Oreg., in place of L. M. Steagall, resigned.

Ralph R. Patterson, Union, Oreg., in place of E. L. Chenault, retired.

PENNSYLVANIA

Ralph N. Miller, Center Valley, Pa., in place of J. F. Beck, deceased.

Stanley P. Dombroski, Erie, Pa., in place of C. H. Schloss, retired.

Kathleen M. Kline, McClure, Pa., in place of R. H. Kline, deceased.

PUERTO RICO

Paul P. Roque-Colon, Guayama, P.R., in place of F. R. Fernandez, deceased.

Pedro J. Monge-Manzano, Rio Grande, P.R., in place of R. R. Rexach, retired.

SOUTH DAKOTA

Bernard F. Jennings, Bridgewater, S. Dak., in place of T. G. Weiland, retired.

Ralph F. Zarneke, Redfield, S. Dak., in place of W. E. Cloutier, deceased.

Harry V. Jorgensen, Winner, S. Dak., in place of W. H. Hinselman, retired.

TENNESSEE

Milton J. Perry, Mount Pleasant, Tenn., in place of G. S. Ligon, deceased.

TEXAS

Sammie S. Norman, Hurlwood, Tex., in place of F. L. Norman, retired.

Gene P. Smith, Lytle, Tex., in place of E. R. Breiten, resigned.

Pedro G. Rodriguez, Odem, Tex., in place of O. V. Hightower, retired.

Alva M. Rowton, Palacios, Tex., in place of T. E. Friery, deceased.

Thomas S. Yaklin, Riviera, Tex., in place of J. F. Dickinson, retired.

Charles Ball, Sumner, Tex., in place of J. W. Caldwell, deceased.

UTAH

Henry L. Embley, Gunnison, Utah, in place of F. H. Jones, retired.

VERMONT

Joseph H. Desorcie, Highgate Center, Vt., in place of J. A. Tremblay, retired.

Frank D. Matheson, Northfield Falls, Vt., in place of G. E. Cross, retired.

VIRGINIA

Virginia E. DeJarnette, Brookneal, Va., in place of T. W. Williams, retired.

Robert D. Moxley, Independence, Va., in place of C. C. Bryant, retired.

Agnes S. Covington, Milford, Va., in place of C. M. Saunders, retired.

Billy G. Zirkle, Quicksburg, Va., in place of A. S. Will, retired.

WASHINGTON

Robert E. Mosher, Asotin, Wash., in place of C. M. Wormell, deceased.

James C. Earley, Enumclaw, Wash., in place of L. B. Howe, retired.

Jerry M. Anderson, Lummi Island, Wash., in place of L. A. Ford, retired.

Lawrence H. Dykers, Oak Harbor, Wash., in place of D. N. Judson, Jr., retired.

WEST VIRGINIA

Nada L. Miller, Davis, W. Va., in place of W. M. Miller, deceased.

James E. Morford, Grantsville, W. Va., in place of R. M. Campbell, deceased.

Paul J. La Neve, Newell, W. Va., in place of W. E. White, transferred.

Betty J. Workman, Peytona, W. Va., in place of Dorothy Kinder, deceased.

George W. Hartman, Saint Albans, W. Va., in place of J. V. Canfield, deceased.

WISCONSIN

LaVerne W. Larson, Amherst Junction, Wis., in place of H. G. Koziczkowski, retired.

Lynn E. Burton, Colgate, Wis., in place of E. A. Stirn, retired.

John R. Seefeldt, Granton, Wis., in place of E. L. Witte, retired.

James M. Dahl, New Auburn, Wis., in place of N. A. Tarr, retired.

WYOMING

Eva Mae Emerson, Rock River, Wyo., in place of I. K. Dent, retired.

ALABAMA

Bobby W. Enfinger, Black, Ala., in place of L. H. Kelley, retired.

William H. Huffman, Jr., Carrollton, Ala., in place of J. P. McGee, retired.

Lucile S. Moncrief, Letohatchee, Ala., in place of M. T. Davis, retired.

Clifton A. Stubbs, Satsuma, Ala., in place of L. M. Knight, retired.

ARIZONA

Carl A. Hance, Clarkdale, Ariz., in place of M. H. Connor, retired.

ARKANSAS

Jimmy L. Ballenger, Corning, Ark., in place of W. E. Polk, retired.

William A. Bowden, Everton, Ark., in place of J. G. Ramey, deceased.

Evelyn M. Erstine, Gillett, Ark., in place of A. J. Roberts, resigned.

Clara E. Saeler, Watson, Ark., in place of M. R. Willis, retired.

CALIFORNIA

LuCelia M. Robinson, Littleriver, Calif., in place of H. H. Krotozyner, resigned.

FLORIDA

Grace D. Newman, Seville, Fla., in place of C. C. Christilles, retired.

GEORGIA

Dallas L. Brown, Rome, Ga., in place of L. J. Russell, retired.

IDAHO

Wayne M. Maynard, Lapwai, Idaho, in place of D. K. Wilson, transferred.

ILLINOIS

Mary Rose Gines, Browns, Ill., in place of C. V. Compton, retired.

Harold Stone, Hume, Ill., in place of C. E. Roller, retired.

Andrew E. Matthews, Orient, Ill., in place of Edith Brain, retired.

Joseph P. Graham, Rantoul, Ill., in place of J. S. Kaler, retired.

INDIANA

Kenneth R. Messel, Bicknell, Ind., in place of Paul Winter, retired.

Wendell R. Dougan, Dale, Ind., in place of M. R. Elliott, retired.

Leo L. Ponto, Earl Park, Ind., in place of F. L. Waterstraat, retired.

Richard K. Parker, Wheatfield, Ind., in place of D. L. Misch, resigned.

IOWA

Thomas M. Conners, Jr., Imogene, Iowa, in place of S. W. Jones, removed.

Merrill J. Pitlik, Mount Vernon, Iowa, in place of H. A. Bair, retired.

KANSAS

Verl R. Smith, La Crosse, Kans., in place of A. H. Goetz, retired.

Gerald D. Nixon, Lyons, Kans., in place of Helen Six, retired.

KENTUCKY

Brenda L. Bond, Benham, Ky., in place of E. B. Ison, retired.

LOUISIANA

Laverne H. Ayers, Ringgold, La., in place of Robert Mitchell, Jr., resigned.

MAINE

Thomas E. Reeves, Hampden Highlands, Maine, in place of H. L. Swan, retired.

Elsie P. Stormann, Stillwater, Maine, in place of H. W. Stormann, retired.

MASSACHUSETTS

Ernest J. Winske, Marlborough, Mass., in place of C. R. Rowe, retired.

MICHIGAN

Virginia L. Pelham, Clayton, Mich., in place of C. T. Aldrich, retired.

MINNESOTA

Edward E. Rolsch, Zumbro Falls, Minn., in place of H. M. Drinkwalter, retired.

MISSOURI

Robert C. Rudloff, Crystal City, Mo., in place of R. F. Reddick, deceased.

Emmet C. Washburn, Ewing, Mo., in place of J. S. Vickers, retired.

Don M. Glaser, Huntsville, Mo., in place of Ward Dennis, retired.

Vivian K. Morriss, Lanagan, Mo., in place of E. M. Vaughan, retired.

Morris Moore, Rocheport, Mo., in place of A. C. Wood, resigned.

Melvin L. Campbell, Troy, Mo., in place of B. T. Cortelyou, retired.

NEW HAMPSHIRE

Lester T. Gulley, Jr., Lincoln, N.H., in place of M. E. Ware, deceased.

NEW JERSEY

Warren O. Harris, Wrightstown, N.J., in place of M. H. Davis, retired.

NEW YORK

Paul A. Dreher, Buskirk, N.Y., in place of W. J. McInerney, retired.

Leon Grossman, South Fallsburg, N.Y., in place of Bernard Keiles, retired.

NORTH CAROLINA

Martha S. Seymour, Belcross, N.C., in place of S. B. Staples, retired.

Howard A. Gray, Enfield, N.C., in place of L. J. Stallings, retired.

Craven M. Sealey, Evergreen, N.C., in place of J. M. O'Berry, retired.

NORTH DAKOTA

Ivan T. Thompson, Esmond, N. Dak., in place of L. E. Halvorson, transferred.

Alfred H. Borho, Nekoma, N. Dak., in place of S. M. Oyos, retired.

Donald F. Babitzke, Wishek, N. Dak., in place of T. O. Brandt, retired.

Leonard A. Spilde, Ypsilanti, N. Dak., in place of H. D. Heffernan, retired.

OHIO

Edward L. Abdella, Chauncey, Ohio, in place of C. B. Bricker, retired.

OKLAHOMA

Beulah R. Booker, Headrick, Okla., in place of A. J. Stepp, retired.

OREGON

Clara G. Melcher, Rufus, Oreg., in place of A. S. Jordan, retired.

PENNSYLVANIA

Charles L. Zoi, Clairton, Pa., in place of S. T. Jackish, retired.

Charles A. Seglowich, Smithton, Pa., in place of L. A. Floro, retired.

Donald G. States, Springville, Pa., in place of K. M. Evans, retired.

PUERTO RICO

Josefina B. Tort, Aguadilla, P.R., in place of E. P. Irizarry, retired.

SOUTH DAKOTA

Leo F. Murley, Kimball, S. Dak., in place of D. C. Lunn, deceased.

Delmer C. Haux, Leola, S. Dak., in place of F. J. Hepperle, retired.

Fred E. Shearer, Mitchell, S. Dak., in place of W. T. Wilt, retired.

TEXAS

James M. Lawson, Bogata, Tex., in place of A. C. Johnson, resigned.

Patrick C. Ryan, Port Lavaca, Tex., in place of M. A. Phillips, Jr., transferred.

C. W. Dickerson, Jr., Quemado, Tex., in place of B. L. Gathings, retired.

VIRGINIA

Thomas C. Coleman, Jr., Boydton, Va., in place of E. A. Crowder, transferred.

WASHINGTON

Arline R. Reid, Carson, Wash., in place of L. J. Ott, deceased.

Earl S. Sasser, Mukilteo, Wash., in place of M. C. Ross, retired.

WEST VIRGINIA

Charles W. Gardner, Belle, W. Va., in place of N. B. Martin, retired.

Henry S. Hammett, Belmont, W. Va., in place of P. I. Fauss, retired.

Betty K. Fleming, Harts, W. Va., in place of G. R. Dial, removed.

Boyd S. Butts, Hedgesville, W. Va., in place of G. W. Kilmer, retired.

Patricia G. Sidebottom, Peach Creek, W. Va., in place of Marietta Walker, retired.

WISCONSIN

Warren A. Ogren, Hayward, Wis., in place of J. R. Alexander, retired.

Charles V. Timm, Mindoro, Wis., in place of A. O. Harder, retired.

Dennis J. Clossey, Jr., Reedsburg, Wis., in place of W. J. Gallagher, retired.

ARKANSAS

John I. Arledge, Jr., Wabbaseka, Ark., in place of J. C. Bogy, retired.

CALIFORNIA

William B. Robinson, Somis, Calif., in place of K. K. McCleery, retired.

INDIANA

Russel L. Hirschy, Geneva, Ind., in place of H. R. Widdows, retired.

Hubert E. Samm, Hymera, Ind., in place of Herman Funkhouser, retired.

MASSACHUSETTS

Edward J. Zerdecki, Three Rivers, Mass., in place of A. J. Rusek, retired.

MISSOURI

Joseph F. Fish, La Grange, Mo., in place of L. D. Mitchell, retired.

NEW MEXICO

Walter C. Langendorf, Silver City, N. Mex., in place of W. D. Reams, resigned.

NORTH CAROLINA

Richard P. Roe, Lansing, N.C., in place of E. C. Eller, retired.

EXTENSIONS OF REMARKS

AT THE LUNAR THRESHOLD

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. TEAGUE of Texas. Mr. Speaker, an editorial by Mr. Robert Hotz in the Aviation Week and Space Technology of January 6, 1969, pays tribute to the heroic accomplishments of the astronauts of the Apollo 8 and the NASA-industry team which developed and perfected the complex systems required to accomplish the first lunar flight. Mr. Hotz reminds his reader that with the outstanding accomplishments of Apollo 8, it is important to remember that difficult and challenging work remains to be done in our national space effort. I commend this thoughtful and significant editorial to the attention of the Members and the general public:

AT THE LUNAR THRESHOLD

The world is slowly catching its breath after the breathless Christmas presented by the Apollo 8 mission to the moon. In a world torn by violence, wracked by religious and racial hatreds and corroded by conflicts over petty goals, the Apollo 8 shone over this relatively tiny planet as a clear symbol of the incredible goals man can attain when he sheds the baser parts of his heritage.

Apollo 8 is a great triumph of technology, perhaps the greatest in man's history. Yet it is a spiritual triumph, too. For without man's dauntless courage in braving the unknown, the lunar mission would never have been conceived and Apollo 8 would never have left its launching pad. And without man's selfless competence throughout the whole program, from that superb flight crew down to the welders, electricians and riveters who built the hardware, Apollo could have easily faded into the oblivion of its early tribulations.

It would be hard to find a more technically competent crew of space voyagers than Col. Frank Borman, Capt. James Lovell, and Lt. Col. William Anders. Yet even their personal elation at the superb performance of themselves and their vehicle was overshadowed by the profound spiritual and emotional experience of being the first men to view that lonely, desolate surface of the moon from so close and see the brilliant colors, the swirling clouds and the dazzling shine of their home planet earth from so far.

CHRISTMAS MESSAGE

Who can ever forget their Christmas Eve telecast from lunar orbit? Outside, we could see the crescent of the waxing moon hanging low over the dark Maryland mountains. Inside, on the television set, we could see the view from the Apollo 8 spacecraft skimming 60 mi. above the sunlit surface of that same moon as Bill Anders kept his television camera sweeping across the Sea of Tranquillity toward the darkness of the terminator and hear Frank Borman's voice from 250,000 mi. away:

"We are now approaching the lunar sunrise and for all the people back on earth the crew of Apollo 8 has a message that we would like to send to you."

Then, Anders' voice:

"In the beginning, God created the heaven and earth. And the earth was without form, and void; and darkness was upon the face of the deep. And the spirit of God moved upon the face of the waters. And God said, Let there be light: And there was light."

This was followed by Lovell and Borman reading more of the story of creation from the first verses of Genesis in the solemn tones of men seeing for the first time how the earth might have looked eons ago.

Apollo 8 carried a U.S. flag on its booster and spacecraft. Its mission of putting the first men into orbit around the moon and returning them safely to earth was certainly an American triumph. Its technical details and emotional impact were carried around the world by communications satellites, another almost now-taken-for-granted triumph of the space age. The world, which had its television screens and radios filled with burning ghettos, beserk police and obscenity-shouting Yippies during recent years, finally got undeniable proof that there is another, larger facet to this country and that its people have lost neither their skill nor daring.

TECHNICAL PYRAMID

But in a broader sense it was more than a narrow national triumph. It was a triumph for all mankind—another great milestone in man's long and dogged determination to explore his universe and know the unknown.

The Appollo 8 mission, and its successors down to the lunar landing, really represent the apex of a pyramid whose base is the sum total of man's scientific knowledge. Frank Borman, Jim Lovell and Bill Anders took off from the apex of that pyramid to reach the moon, but their debt of technical gratitude must extend back through the ages from those Soviet pioneers of the space age, Korolev, Gagarin and Tsiolkovsky, to Goddard, Oberth, Prandtl, Newton, Galileo, Leonardo, Archimedes and the unknown inventor of the wheel.

While the lunar voyage is a triumph of man's knowledge and courage, it is also a humbling experience that should give him new and badly needed perspective on himself and his relatively tiny planet. From a quarter million miles away, man's works on this sphere fade from view and only the great oceans, sprawling continents and swirling gases of the atmosphere are visible. Nobody can view this awesome perspective on our planet without feeling his conceits, ambitions and concerns diminish and mingle with wonderment over our survival on this revolving globe under the relatively thin sheath of gases that protects us from the shriveling heat of the sun and the lethal chill of its shadow.

Apollo 8 is a great milestone in the history of space exploration, but much still lies ahead. When the going gets tougher and the inevitable disasters stir faint hearts and croakers into urging man to abandon this effort, it will be well to remember the success of this first lunar voyage as a source of courage to continue.

AMALGAMATED CLOTHING WORKERS OPEN DAY-CARE CENTER FOR CHILDREN OF WORKING MOTHERS

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, January 13, 1969

Mr. TYDINGS. Mr. President, the Baltimore Regional Joint Board of the Amalgamated Clothing Workers Union, under the leadership of Sam Nocella, through its health and welfare fund, has built and staffed a day-care center in Verona, Va., for the children of mothers employed in the manufacturing plant of L. Grief & Bro.

This center is the first of four to be built under an agreement reached between clothing manufacturers and the joint board. The other three centers will be in Baltimore, Md., Chambersburg, Pa., and Hanover, Pa. The center has classrooms, recreational facilities, a modern kitchen, and 10 acres of land. It accommodates 240 children from the ages of 2 to 6. Their mothers pay $5 per week, and the remainder of the cost comes from the health and welfare fund, to which employers contribute.

This center is invaluable to working mothers in the area, to their children, and their communities. I hope it will be a model that will be followed throughout the country. In opening this center the Amalgamated shows once again that it is an organization which lives by its motto: "To Promote the General Welfare."

I ask unanimous consent that an article describing the opening of the day-care center, published in the October 15 issue of the Advance, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANOTHER AMALGAMATED FIRST: THIS TIME IT'S A DAY-CARE CENTER

VERONA, VA.—The first day-care center built by the Health and Welfare Fund of the ACWA Baltimore Regional Joint Board, opened with formal dedication ceremonies here last month.

Representing a historic step in the history of union-management relations in the United States, the center brings to completion the first phase of an agreement reached between clothing manufacturers and the joint board to build such day-care centers for the young children of their female employees.

At the ribbon-cutting ceremonies, ACWA Vice Pres. Sam Nocella, manager of the joint board said:

"When we envisioned this five years ago, we thought it was a dream. Well, what we dreamed in 1963 has come to pass in 1968 and this is not the end. This is a tremendous understaking, but it is needed and will help the union, the industry and the working mothers. It is also the beginning of something of value to society. I hope what we have started will be taken up by other unions, and industry and the national government. More centers are needed, we must not stop our efforts until we have them."

A featured speaker at the dedication was Assistant U.S. Secretary of Labor Esther Peterson, a former staff member of the Amalgamated.

"This is an exciting venture in child care for the children of working mothers," she said. "It meets a number of needs. There is need for quality care for these children. There is a need for the work of these mothers, their skills and what they produce. There is a need for the money the mothers earn.

"But the overriding need met by this center is that it will help develop children, and this help is in the pioneering tradition of the Amalgamated. I can't help thinking of the children left out and I hope that in the near future centers such as this one will spring up all over the country, with unions, industry and government participating to make the program a success," she concluded.

Ted S. Decker, senior vice president of L. Greif and Brother, declared: "I am glad to welcome you all on this occasion and to reaffirm our desire to do what we can for the workers and their families. We have never been afraid to experiment—we are not afraid now or in the future."

Mary D. Keyserling, head of the Women's Bureau of the Department of Labor, addressed a dinner meeting after the decision. She praised the foresight of the Amalgamated and called for federal, state and local governments to participate actively in building child-care centers. "Good day-care facilities for the care of children should be at the top of the list of the nation's unfinished business," she said.

The Verona center has been built to accommodate 240 children, from ages two to six. Near Staunton, Va., the facility will serve the 1,200 employees who work at the adjacent coat manufacturing plant of L. Greif and Brother, a division of Genesco. The mothers employed at the plant, which is less than a mile away, will drop off their children at the center on the way to their jobs, and call for them at the completion of their shifts.

Three more child-care centers are scheduled to be built in Baltimore and Chambersburg and Hanover, Pa.

Aiding partially in meeting the cost of caring for their children, mothers will pay $5 per week; the remainder will come from the Health and Welfare Fund into which employer contributions are made.

ACWA General Pres. Jacob S. Potofsky and General Sec.-Treas. Frank Rosenblum were unable to be present because of previous commitments. They sent the following message:

"Your organization is making a fine contribution to the community and to the nation as a whole in establishing this system of day-care centers. We will be watching your future progress with interest and enthusiasm."

Among the invited guests taking part in the dedication were ACWA Vice Presidents Abraham Chatman, Charles S. English, Murray H. Finley, Bessie Hillman, Howard D. Samuel and Val Wertheimer. ACWA General Counsel Jack Sheinkman and Jacob J. Edelman, counsel for the joint board, were also among the guests.

MR. RUMSFELD'S BILL WOULD PROVIDE FOR THE ADOPTION OF A KOREAN ORPHAN

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RUMSFELD. Mr. Speaker, today I am reintroducing legislation to provide for the relief of a Korean orphan, Lee Ok Ja, who has the opportunity for a permanent home in this country. The bill would allow a resident of my district, Miss June Nelson, to complete the adoption of the child, whom she has been partially supporting since 1963.

Identical legislation, H.R. 6673, passed the House of Representatives in June 1968. The bill was favorably acted upon by the Senate in the closing days of the 90th Congress, but the Congress adjourned before a conference could be completed.

Miss Nelson has been attempting to adopt this child for several years, and I am most hopeful that our efforts to make this possible will be successfully concluded in 1969. I urge that every consideration be given to this legislation during this session of the Congress.

WASHINGTON, D.C., FRONTLINE OUTPOST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RARICK. Mr. Speaker, I find Anne Chamberlin's article, "Reflections on the City," exemplary of the fear and frustrations of our citizens who live in the District.

Crime and lawlessness remain the Nation's No. 1 problem, especially to those who have been victimized.

New laws and spending more tax money afford no solution and offer no deterrent. Education might be the answer—but who can survive long enough to know?

Incarceration—jail and prison—to some of our intellectual friends is said to be no deterrent but how would they know? It's been so long since it was experimented with.

Our lawmen must be unhandcuffed—our judges must be made to see and feel the fear that exists in a free society without law and order.

For certain, we could have some moderation. We have tried it the route of the social mechanics and not only have they failed—matters have become worse. We need something new and revolutionary—like arrests, quick trials, and, if guilty, imprisonment and in some instances "at hard labor."

Mr. Speaker, I insert Miss Chamberlin's column from the January 13 Washington Post:

REFLECTIONS ON THE CITY

(By Anne Chamberlin)

I was reflecting the other evening, as I scraped the pavement out of my left kneecap, took inventory of my bruises and reassembled my groceries, that you newcomers moving to Washington this January have a lot more to consider in selecting a place to live than they did, say, the year Mr. Nixon didn't quite make it.

I should perhaps explain that my knee got scraped when I was thrown to the ground by four teen-age toughs who had followed me home from the market. The bruise above my mouth was from the heavy glove which had stifled my cries for help. My coat pocket was torn loose by their hasty search for my wallet. My dinner was trampled as they made their escape. It happened at 7:15 in the evening.

Half running, aware they were behind me, I had gotten half way down the driveway of my own apartment building, 10 yards from the lobby, the switchboard, the closed-circuit TV security system, and about 15 feet from a police patrol car. So it wasn't as if they had all day.

But I really only wanted to make the point that a newcomer here used to choose his neighborhood for touchingly Old World reasons—schools, trees, gardens, lawns, neighbors. These days, you choose according to your taste in crime. (During the election campaign they tried to downgrade our crime standing to somewhere between Montgomery, Alabama, and Leopoldville in the Congo. But now that we can get back to telling it like it is, if they don't move us back to the top three, we should demand a recount.)

I have a friend, for example, who is passionately devoted to the Cleveland Park area. She has had four break-ins. She has awakened in the night to see a pair of hands prying apart the bars on her bedroom window. She has seen an arm reach in and remove her purse from her desk in the living room. She just asks the management to keep installing thicker bars. She is now happily ensconced in a sort of tastefully upholstered tank trap, and as she keeps telling me, she gets home in one piece with her groceries.

A lot of people will try to tell you Chevy Chase is where the action is. At least you won't have to plan any after-dinner entertainment. At a small party there a few Saturdays ago the front door burst open and the next thing everybody knew they'd been separated from their money and jewels, the men had been bound, gagged and stacked in the living room, while one wife was escorted upstairs and raped. Neighbors were home and awake, lights blazing all over the block, but when the "entertainers" had finished their act, so to speak, they faded into the night unimpeded.

Georgetown, of course, is still full of charm, and I lived there myself for years. But even I could kick open the delightful French doors that gave access to and from the garden, which backed onto a dark alley. And I got tired of the nightly ritual, before going out to dinner or upstairs to bed, of preparing the place to be ransacked. The purse open and conveniently placed by a lighted lamp, the jewelry spread out on the bureau, the antique Korean chest unlocked, so it wouldn't be necessary to hack at it with an axe to discover it was full of nothing but old tablecloths. It always reminded me of those snacks we used to leave out for Santa Claus on Christmas Eve when we were children.

In the New Southwest, where I now live, I inhabit a cement box. It would take a block and tackle and pitons to climb to my windows and I've added a police-approved drop-bolt second lock to the door. The management requires a key, but I have to assume they aren't passing out samples in the neighborhood. As the new Prime Minister of Canada says, "You've got to believe somebody."

There's just the matter of shopping. They run a pretty taut ship at Peoples Drug, where there are often two cops with guns patrolling the candy counter and a squad car outside with the motor running. But for the younger set, not big enough for wallet-snatching, the Safeway is a razzle-dazzle-year-round smorgasbord party. The first course is usually fruit—a few grapes here, an apple, orange or banana there. At this season it's pomegranates. Around the store it's sip and munch as you go. Pit, skin, pith, core, seeds or empty Pepsi cans get spat or tossed into the bins with the frozen broccoli. Sometimes the pomegranates fall apart sooner and land among the butter and eggs. One night when I was there a young man made off with eight steaks. When I visited my friend's Cleveland Park Safeway, she remarked, a little louder than I thought necessary, that it "must seem odd for a Southwester to bother with the checkout counter."

There is quite a selection of parks, by the way. Rock Creek, where the wife of a high State Department official was raped by three teen-agers as she was walking her dogs—at mid-morning, in plain view of Massachusetts Avenue—has retired the rape trophy. (The fourth member of the band obliged by holding her dogs. *Question de nuance*). The Chesapeake and Ohio canal towpath, rescued from the bulldozers by Mr. Justice Douglas and his ragged band of nature lovers, is perfectly beautiful, especially in the spring and fall. A friend of mine was murdered there in broad daylight, within hailing distance of the Georgetown Esso Station.

You might want to consider your Police Precinct. Here again my friend in Cleveland Park is almost obnoxiously enthusiastic about Number 8. Having naturally seen quite a bit of them, she enjoys a very warm relationship, often inviting the investigating officers to stay for a cup of tea when they've finished taking notes. "The Captain says you have a very nice place here," one of them confided the last time around (TV set, clothes, typewriter.)

Along with the addresses of caterers and part-time butlers so vital to Washington social life, you will find your address book will soon include the names and direct telephone numbers of the detectives assigned to your various confrontations.

Your wife may want to reappraise her wardrobe. Every day on the Society pages, of course, you see pictures of our Beautiful People attired in minis, maxis and genuine Puccis. Although she was asked to go home and pile on more clothes, one of our social leaders actually *turned up* at the Smithsonian in a see-through. But in general it's better to strip down to go out than to dress up. Remove watch and rings. Conceal credit cards around house in case it's broken into while you're out. Wear an old pair of glasses. Your wife might as well wear heels. She couldn't outsprint these pursuers if she wore cleats. They're *motivated* and all she is is scared.

Self-defense? There can't be any such thing. A friend once gave me a tear gas pen and when I drove alone to parties at night I carried it in my purse. But I was in such constant terror that I'd inadvertently empty some movie theater or pollute the mousse at the French Embassy, that I finally had to give it up. It seems to me that if you carry a gun, at the speed of the usual scenario you'll be lucky if all you do is shoot yourself in the foot.

Unless you want the police to think you're a boob, you should start training yourself to remember what the man with his foot on your windpipe *looks* like. This requires as much mental discipline as Black Belt Judo—which it would be a good idea to take up, by the way. The unschooled mind focuses on useless irrelevancies, like survival, which is no help to the police. In vain have I studied the etiquette for these occasions. When my turn came I *fought* for my wallet. I had the absurd conviction that it was *my money*. My mother gave me the wallet last Christmas and, idiotically I even wanted to hang onto *that*.

The policeman knew the trails across the No-Man's Land between the lighted high-rises and the dark brick shanties with the broken bottles and beer cans in the yard like the inside of his pocket. It was horhibly dark and God-forsaken, and it seemed to me, as he spotted the foursome crossing a vacant lot, stopped the car and got out, that we were edging into a bad Clint Eastwood movie, and I wished I hadn't offered to come along.

"I want to talk to you fellas," he said, as he got out. I don't remember that his hand even brushed his gun. But it was an understood quantity.

They didn't answer. But they moved closer to the car, slowly raised their hands, and leaned forward against it, their chins on the roof, while he ran his hands down their sides. I gathered they'd had this conversation before.

I'd *seen* it before myself. Once outside a Safeway on P Street (that one of my friends affectionately calls The Addicts' Safeway.) Once outside the National Gallery. It's one of our ceremonial sights in Washington, our local *lingua franca*, like the mating dance of Australian bower birds.

I suspect now that they *were* the ones. But in the searchlight they looked smaller, even vulnerable. I had to confess I wasn't sure, and he sent them on their way.

"I'm sorry this happened to you," he said, closing his black notebook back in the brightly lighted lobby. "It's a horribly upsetting thing." He seemed very young and it was a thought I was surprised he'd had time for.

"If you'd been five seconds sooner . . ."

"If I'd seen them," he said, "I'd have shot them."

I've tried to stay on the right side of this argument, and on the wrong side of Mayor Daley. And my Due Process speech was out before you could say Gideon v. Florida. But to be honest, I was only being polite. The thought of that foursome lying in traction in D.C. General didn't bother me one bit.

That's the problem, you will find. Principles so nobly held as abstractions seem to evaporate in the crunch.

I remember, at my friend's funeral, the difficulty I had in digesting the comfort offered by the man who brought God's Word to us across her casket:

We must pray for the poor man who murdered her.

The message seemed to imply that it was somehow *her* fault for being alive, talented, beautiful and vaguely apart. You might call it class. She got her breaks by *birth*. Now give the Little Fellow his chance.

The same unspoken thread seemed to underlie the defense of the man accused. "This little man," his lawyer kept calling him. His circumstances were punishment enough. Society should not inflict any more. The argument, I was later told, broke along those lines in the Jury Room. He was acquitted.

So, if you run into trouble with your responses, you're not the only one. It will take a lot more practice for all of us before we learn to serve gracefully as vehicles for self-expression in a language that is so unfamiliar to us.

Well, I didn't mean to ramble. I only meant to say Welcome to your new neighborhood, wherever it is. And Lots of Luck.

GEORGE WASHINGTON CARVER

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. MAHON. Mr. Speaker, under leave to extend my remarks, I am pleased to present for insertion in the RECORD the essay written by Dean Rucker, a student at Trinity School, Midland, Tex. Dean's essay won first place honors in the seventh grade division of the American History Month essay contest sponsored by the Texas Society, Daughters of the American Revolution: The essay follows:

GEORGE WASHINGTON CARVER

(By Dean Rucker)

One of the greatest Americans known is George Washington Carver. Carver was born in Diamond Grove, Missouri, in January of 1864. He was the baby of slave parents who worked on the plantation of Moses Carver. His mother was Mary Carver, and she was kidnapped one night with her baby, but George was bought back by trading a three hundred dollar racehorse. Moses Carver's wife, Susan, took care of the child since that night because his mother had been killed.

As a child, George was interested in rocks and plants, but mostly in plants. He went about his neighborhood .almost every day, asking his neighbors if they needed their sickly plants cured. Of course, most people were obliged to his offer and gave their plants to George. All the townspeople came to know George as the "plant doctor."[1]

George was very feeble in his childhood and most of his life as an adult. His arms and legs were limber, and he had nimble fingers.

George decided that he wanted to go to school. He planned to go to Neosho, where there was a colored children's school. George hiked eight miles to Neosho. As night came upon him, George found a barn in which he spent the night. George awoke next morning and found the colored woman who owned the farm and she invited George to stay with her and her husband, Andy.

When George decided he was eligible to go to college, he chose Simpson College in Indianola, Iowa. There he was taught art and worked as a laundryman. His art teacher, Miss Budd, told George of an agricultural school in Ames, Iowa directed by her father.

George learned of a family which was going to move to that vicinity. He joined the party, and two days later arrived in Ames. George had made his money for his tuition for Iowa State Agricultural School. George was assistant Botanist for Professor Wilson. He worked at the greenhouse in the Experiment Station. At last, he was happy.

One day, George received a telegram from Tuskegee College in Alabama. George went to Professor Wilson for permission to leave Iowa State. His plea being granted, George took the train to Tuskegee the following day. On this train ride, George saw the fields of cotton which had been planted. It was October, and the slaves picked cotton. George knew that the South would be poorer the next year than they had been before. He saw that the soil was poor because "King Cotton" had ruled too long.[2] He said that he was going to cure the land.

George arrived at Tuskegee and was befriended by Booker T. Washington. He had a conference with him and asked him if he could build an Experiment Station such as the one at Iowa State. He was granted permission and he set to work with his thirteen students who were in his classroom. When the building was finished, George furnished the room with scrap metal and boxes for chairs and tables. George was pleased with his work.

Carver began a garden in the dump which he cleared and he grew watermelon vines, pumpkin vines, tomatoes and other fruit vines and crops. Carver had successfully transferred a dump into a garden.

Carver was right when he had said that the cotton crop fortune would fall. The farmers were very poor. Carver also learned that the Mexican boll weevil was raiding the South. He told the farmers to plant peanuts and sweet potatoes which they did after some arguments that cotton would be better the next year.

Peanuts were the best crop the South had ever owned. They were full of good because they strengthened the soil by putting nitrogen into it. People were healthy once again.

In 1920, Carver began to take the peanut apart. It was, as people put it, exciting to hear the news of his progress. He found that the peanut had unlocked its mysteries to his hands.

In January of 1921, Carver came out of his workshop. The President of the United States called him to go to Washington and show his work to the Congressmen. He arrived and began his speech that afternoon. The Congressmen were surprised to see what Carver had done with the peanut. He made over three hundred possibilities from the peanut and one-hundred and seven possibilities from the sweet potato.

George Washington Carver's fame spread nationwide. People knew him as a Negro with white blood. In 1943, Carver died. To honor his death, eight schools were erected in his honor in this same year.

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BLACK ACTION, INC.

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. MOORHEAD. Mr. Speaker, as a lifelong resident of Pittsburgh and the city's Representative in Congress, I have always been proud of the initiative of Pittsburghers in dealing with their city's problems.

The most famous example, of course, is the continuing Pittsburgh renaissance, which has rebuilt entire sections of the city and cleared the smoke from its skies. But there are other, less conspicuous examples of Pittsburghers at work for their city, one of which I would like to bring to the attention of my colleagues.

Black Action, Inc., organized in the Manchester area of Pittsburgh by the residents of that area, has been working without fanfare and so far without any public assistance to overcome one of the most vicious problems of the community—youthful narcotics addiction. Black Action's success so far—the treatment of 25 users and a decline in street crime—is remarkable.

Under leave to extend my remarks, I insert a commentary on Black Action, Inc., broadcast by Dave Kelly, of Pittsburgh's WIIC–TV, on Thursday, October 24, 1968:

BLACK ACTION, INC.

In the midst of the turmoil that the city of Pittsburgh is undergoing . . . there is, at least, one group here quietly at work with very little except dedication and some goals that will benefit the entire community. The group calls itself Black Action Incorporated and its members are residents of Manchester who have tired of the blight and decay that affects their community. What they are doing is a good lesson for all of us . . . whether we live in the city or the suburbs because this is a prime example of people taking an interest in other people and a community.

The area in which Black Action is working involves the Manchester district and the central North Side with a population of almost thirty thousand . . . a good sized city just by itself. Most of the residents are black. Approximately thirty per cent of them . . . ten thousand . . . have incomes under three thousand dollars a year. More than half of the housing is dilapidated or deteriorating. The illegitimate birth rate amounts to 300 per one thousand live births and of those one thousand babies, one in ten dies at birth.

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[1] "George Washington Carver," *Encyclopedia Britannica*, 1963 edition, IV, p. 139.

[2] Anne Terry White, *George Washington Carver, The Story of a Great American* (New York: Random House, 1953) p. 93.

The problems of Manchester are so great and so widespread that they defy imagination when it comes to picking the place to start to cure some of the ills. But there are concerned citizens there . . . just as there are concerned citizens in many communities. So Black Action was started by a few of them, with practically no funds, and when they selected the primary target for a cure they chose the problem of narcotics.

In this area it is not unusual to find 13 and 14 year old children who are drug users . . . hard drugs like heroin. Pushers moved in last spring and the group was aware of at least one hundred and twenty five users when they launched their campaign. They found a doctor . . . a physician . . . named Charles Burks who is black and is on the staff of St. John's Hospital. Dr. Burks volunteered his time . . . all 24 hours of it . . . and St. John's volunteered some beds for the victims and they started to work.

One result has been the treatment of some 25 users, a decrease in street crimes and some jobs for those who were among the first to be rehabilitated. It should be noted that no tax dollars, no public funds have been forthcoming so far. But the work is going on and some good is coming of it. And that, I think, is a fine example of what can be done when people of good will tackle a problem.

NEW CAR WARRANTIES

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. GALLAGHER. Mr. Speaker, our former distinguished and very able colleague, Paul Krebs, of New Jersey, is now doing an outstanding job as the executive director of the New Jersey Office of Consumer Protection. He appeared before the Federal Trade Commission today to discuss the subject of new car warranties. I believe this House should have the benefit of his thinking. I therefore insert his statement in the RECORD:

TESTIMONY OF PAUL J. KREBS, EXECUTIVE DIRECTOR, NEW JERSEY STATE OFFICE OF CONSUMER PROTECTION, BEFORE THE FEDERAL TRADE COMMISSION, JANUARY 9, 1969, ON THE SUBJECT OF NEW CAR WARRANTIES

Gentlemen, I thank you for the opportunity to appear before you today on behalf of the consumers of New Jersey. As the Director of a functional State Agency concerned with the problems and protection of the consumer, I frequently appear before State and Federal bodies in order to document the consumer's problems. I usually use case histories in order to do so.

In preparation for my testimony here today, I asked my staff to select new car warranty cases that would clearly picture our experience in this area. Our staff members each had at least a dozen cases to cite. We discussed these almost 200 current cases. We also reviewed the reports of your own and other staffs as well as recent articles in the newspapers and magazines and testimony gathered at other hearings in this field.

It soon became evident that the problems were all too well known. Every car buyer, every organization concerned with the industry and every portion of the news media had its horror stories to tell. To come here and tell our own would still provide no answers to the two basic questions: Should the government do something to end the situation? What should and could be done?

Our own case histories document the Federal Trade Commission's Staff Report. We will, of course, be happy to make them available to you. In our testimony today, however, we would prefer to briefly state some of the problems and then offer our suggestions for what the Federal Government should and could do about them. First, the problems:

THE PROBLEMS

The express warranty of the new car manufacturer is designed to limit his liability—not to protect the buyer. It is the manufacturer's advertising that has made it seem otherwise to the consumer. So-called liberalization of the warranty has been a cover up for increased production schedules which render careful assembly and close inspection impossible. It has also been the fodder for a propaganda battle between manufacturers designed to convince the buyer that one product is superior to another.

What must be remembered is that while warranty competition between manufacturers may cause a consumer to choose one automobile over another, the fact remains that the need of the average American for a car forces him to make that choice. What the consumer needs is not merely a more understandable warranty but protection against an industry-wide system that gives him no recourse against giant manufacturers whose product is frequently defective and unsafe.

What we will propose therefore is a government enforced transmutation of the express warranty from a limitation of the manufacturers' liability to the safeguard of the consumer that the manufacturers' advertising has made it seem.

Other warranty problems are all corollaries of this central problem. The complaints heard most frequently are:

1. The language of the manufacturers' express warranty is so vague and legalistic that the consumer has no understanding of what is actually covered by the warranty.

2. The manufacturer issuing the express warranty is also the sole judge and jury of whether or not his warranty should apply. It seems to the average consumer that the manufacturer almost always resolves the matter in his own favor. The manufacturer is, of course, in a greatly superior position to that of the consumer and is more able to deal with such problems than he.

3. The consumer's only recourse when the manufacturer fails to make needed repairs is to start a long and expensive court battle. Such a court battle not only involves time and expense but places the individual consumer in the position of having to do battle with his greatly more resourceful superior.

4. Defects are not corrected after repeated returns to the dealer; or the car is so defective many, many repairs of differing kinds must be made.

5. The manufacturer only has to replace parts even when the defect has caused the entire automobile to become useless or dangerous.

The consumer appears not to be alone in his problems with the giant manufacturers of the automobile industry. The franchised dealer, too, has his problems. Most common amongst dealer complaints are (1) that they cannot get the parts needed for repair; (2) that the manufacturer allows little time or money for making an automobile ready for delivery and (3) that they are inadequately compensated for warranty repairs.

A SUGGESTED SOLUTION

The solution that we propose hinges on two main points. The first is the concept of implied warranty of merchantability and fitness for use. The second is that the consumer needs and deserves the aid of a government agency in dealing with his problems with the automobile manufacturer. In this testimony, we suggest that the Federal Trade Commission be that government agency. We do so in order to be consistent with our previous testimony. If you will recall, we appeared before you in December to recommend the establishment of a Federal Department of Consumer Affairs. We recommended further that the Federal Trade Commission be incorporated into that Federal Department of Consumer Affairs. Since, at this time, there has not yet been established such a department, we are suggesting that the powers which would ordinarily be delegated to the Secretary of such a department be delegated instead to the Federal Trade Commission.

As I am sure you are all well aware, the Uniform Commercial Code which has been adopted by many of the states contains the concept of the implied warranty of merchantability. Unfortunately, this concept as embodied in state law has been of relatively little aid to the consumer in his dealings with the automobile manufacturers. The major problem has been the need to undergo lengthy and costly legal proceedings in order to establish your position under this law. Too, some states have held that the manufacturers' express warranty may be used in lieu of the implied warranty of merchantability. It is this first problem that we would address ourselves to. The purpose of the implied warranty of merchantability is the protection of the buyer from unsafe and defective products. The purpose of a manufacturer's express warranty, on the other hand, is the limitation of the manufacturers' liability for defects. It is our understanding that the implied warranty and the express warranty are actually mutually exclusive. We are happy to note that several court decisions, most notably in Florida and Tennessee, have ruled that the manufacturers' express warranty may not be in lieu of the implied warranty.

The heart of our proposed solution is a Federal statute imposing and enforcing a broadened concept of the implied warranty of merchantability on new automobiles sold in interstate commerce. This statute should provide that the manufacturer may not exclude himself from this implied warranty either through his express warranty or by using the words "as is." We propose that it be left to the Federal Trade Commission to establish regulations for the administration of this provision.

We recommend further that the act contain language such as the following: "The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, or the knowing, concealment, suppression, or omission, in connection with the sale or advertisement of any automobile sold in interstate commerce or with the subsequent performance of such person as aforesaid is declared to be an unlawful practice."

Similar language in the New Jersey statutes has been interpreted as pertaining to a warranty or guarantee. It is held that a warranty is a promise of performance that is relied upon by the purchaser when determining whether or not to buy. If such promise is not fulfilled (subsequent performance), the seller is found to be in violation of the statute. We recommend that the Federal Trade Commission be given the authority to enforce this statute administratively and to impose penalties for violation of the statute. We would suggest a penalty of $1,000 for a first offense and $5,000 for subsequent offenses.

We recommend further that the Federal Trade Commission be empowered to establish regional bodies for compulsory arbitration of warranty disputes. This will prevent the present situation wherein the manufacturer issuing the warranty is the sole judge and jury of whether that warranty shall apply. The purpose of this recommendation is to provide the American automobile purchaser with a federal administrative agency to which he can bring his new car warranty problems and to enable him to deal with the automobile manufacturer as if he were an equal and not an inferior. The regional bodies should be empowered to hear any case in which the consumer believes the manufacturer is unlawfully denying liability. Specifically excluded, however, should be those cases where the consumer is seeking compensation for injuries or other loss sustained by reason of defective or unsafe products.

At the present time, the manufacturers limit their liability to the replacement of defective parts. We would recommend that this limitation be circumvented by the regional arbitration bodies in those cases where the product appears to have been in such unsafe or defective condition as to prevent satisfactory repair. It should be left to the discretion of the arbitration agency to set standards for the number of repeated attempts at repair which may be reasonably and conscionably required by the manufacturer before such replacement is granted to the consumer.

We wish at this time to address ourselves to some of the problems which we described as corollary to the central problem of providing the consumer with protection against this system. Number one in our discussion of those problems was the language and wording of the manufacturers' express warranty. We have carefully studied the provisions of a bill introduced by Senators Carl Hayden and Warren Magnuson on December 6, 1967 under bill No. S–2727. We should like to recommend to you Section 4 of that bill which prescribes warranty standards. You will note that the Hayden-Magnuson Bill leaves much to the discretion of the regulatory agency, which was in that case the Commerce Department. We, of course, are recommending that the administration of these warranty standards be placed in the hands of the Federal Trade Commission. I am sure that it is not necessary for me to read the language of this section of S–2727 but I should like to call your special attention to that portion which includes provision for the adjustment and settlement of warranty cases by arbitration.

The second and third problems delineated in our listing of corollary situations are the manufacturer's judgment of his own warranty and the consumers' limited recourse to lengthy legal proceedings. We believe that these two corollary problems will be answered by the establishment of the regional arbitration bodies.

Numbers four and five in our list were the problems of defects not being corrected after repeated returns to the dealer and manufacturer liability limited to replacement of defective parts. This too we would feel is answered by the powers given to the regional arbitration agencies.

The last section of the act must deal with the problems of the franchised dealers who frequently are as powerless as the consumer in their dealings with the automobile manufacturer. We would recommend that the dealer be considered a consumer in two specified limited situations: to wit: (1) the situation wherein the dealer is unable to serve his customer by obtaining adequate materials and compensation for labor in preparing an automobile for initial delivery, (2) the situation wherein the dealer cannot obtain the proper materials or receive adequate compensation for labor required in warranty repairs. In these limited factual patterns, the dealer will have the same recourse as that afforded to the consumer through the regional arbitration bodies.

What we have attempted to do in our proposal is to consider the new car warranty problem in its broadest possible aspect. The express new car warranty of the automobile manufacturers is an industry-wide system which effects not only the consumer but the franchised dealer as well. To base recommendations for new legislation on the premise and philosophy of the express warranty would be to render limited aid to the consumer himself. The entire concept of new car warranties is what needs correction. We feel this correction can be accomplished only through the imposition and enforcement of a broadened implied warranty of merchantability concept. We have not denied to the manufacturer his option for specific, express warranties. We have only prevented him from limiting his liability in such a manner as to render harm to the public good. The manufacturers may continue their advertising battle to attract the attention of the prospective buyer; but with the safeguards of his legislation, each buyer would have the comforting knowledge that at least a minimum of protection against unsafe and defective automobiles will be afforded to him through the aid of government agencies.

Not only have we changed the concept of warranty but, in certain specific situations, we have changed the concept of dealer from one of agent to that of consumer. No longer will the dealer have to be the man in the middle, refused aid from the manufacturer who granted him his franchise and besieged by the consumer who considers him to be at fault for automobiles not prepared for delivery or not repaired properly.

Under this proposal, the Federal Trade Commission will be given many new and important responsibilities. It will become the consumers' watchdog with power to administer sanctions for failure of the manufacturer to comply with federal law. In the establishment of the regional arbitration agencies a section of the Federal Trade Commission will become the vehicle for settlement of legitimate consumer complaints against the automobile manufacturer.

We recognize that this proposal, although with adequate precedent, is a radical departure from present law. We will therefore not burden you with any extraneous remarks and will close our testimony by urging that the Federal Trade Commission support the adoption of this proposed legislation by the Congress of the United States.

AN EFFECTIVE CRIME FIGHTER

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. CORMAN. Mr. Speaker, few men have presented a more penetrating analysis of the challenge of law enforcement in the ghetto than did Patrick V. Murphy before the National Advisory Commission on Civil Disorders, on which I served.

Murphy, then Assistant Director of Law Enforcement, U.S. Department of Justice, spoke with intelligence and sensitivity of the many-faceted role of the policeman. His excellent testimony paved the way for several of the recommendations which the Commission adopted in its report.

Today, under Murphy's direction, the recently created Law Enforcement Assistance Administration is moving swiftly in a coordinated program with all 50 States to help improve police departments, the courts, and prison systems in every part of the country.

The New York Times recently published an interesting appraisal of the important work being done by the agency, which I would like to bring to the attention of my colleagues.

The article discusses Murphy's evaluation of the Nation's crime problems and recounts some of his innovative proposals to make law enforcement really effective.

I include the article by Times reporter David Burnham in the RECORD as part of my remarks:

HEAD OF NEW U.S. CRIME AGENCY SEES HUGE TASK

(By David Burnham)

WASHINGTON.—The police, courts and correctional agencies of the United States are "shot through with inefficiency and failure," according to Patrick V. Murphy, first director of a new Federal program to improve these units' ability to control crime.

"We are not preventing enough crime, we are not apprehending enough criminals, we are not rehabilitating enough offenders," said Mr. Murphy, who began his law enforcement career walking a beat with pistol and billy stick in the Red Hook section of Brooklyn 23 years ago.

Now armed with $63-million in Federal aid for the tens of thousands of local and state criminal justice agencies, Mr. Murphy has begun the task of breathing life into the Law Enforcement Assistance Administration, created by Congress last spring with the Omnibus Crime Control and Safe Streets Act of 1968.

THREE ENTITIES VISITED

A slim, gray-haired, plain-spoken man, Mr. Murphy discussed crime in America in a recent interview during which he visited a Washington precinct house, courtroom and prison—the three entities charged with dealing with the problem.

"It seems pretty clear there is more crime today than there was 10 or 20 years ago," Mr. Murphy said as he looked at the modern blue-tile, red-brick 13th Precinct house in the middle of one of Washington's poorest neighborhoods.

It was in this precinct house that Mr. Murphy—then serving as Public Safty Director of Washington—established his field headquarters during the riot that followed the assassination of the Rev. Dr. Martin Luther King Jr. last April 4.

"A good part of this crime increase, of course, is the result of better reporting," he continued. "When I was a rookie in the 72d Precinct in Brooklyn, no police commander worth his salt would admit he couldn't control crime and he proved it by controlling crime statistics.

"Now this attitude has changed, partly because the press and public have realistically come to understand that a handful of men assigned to a precinct house never have been able to really control the crime that occurs in the surrounding blocks."

ON STREETS, IN REPORTS

Despite this basic change in attitudes, Mr. Murphy is convinced that the increase in crime has occurred on the streets as well as in the reports.

"I suppose the basic reason is the changing make-up of our cities—the flight of the middle class and the arrival of large numbers of poor, badly educated migrants from the South," he said.

Mr. Murphy conceded that reducing crime would be extremely difficult.

"I feel we have to expect a lot of crime when we have the social problems we have," he said. "We must not only understand and remove the underlying causes of crime, we must strengthen and reform our entire system of criminal justice. It is not a question of either-or and it is not going to be done overnight."

As he walked into Washington's 13th Precinct house and was greeted by many of the policemen coming on duty, he said that improving police performance was not just a matter of adding more men.

"The police today aren't sufficiently trained, they aren't adequately educated and they clearly aren't doing enough research into problems like improving patrol tactics," he said.

Mr. Murphy, pulling his ear lobe in a characteristic gesture, noted that as cities around the country had begun to increase police salaries they had not pressed for higher police standards.

"Every time salaries go up," he said, "entrance and promotion standards ought to go up, too."

Mr. Murphy was born 48 years ago in Brooklyn, the son of a Brooklyn patrolman. He received a Bachelor of Arts degree in social studies from St. John's and a Master of Arts degree in public administration from the City University of New York.

HELD VARIOUS POSTS

Mr. Murphy was a deputy chief inspector in the New York City Police Department and served as commanding officer of the Police Academy and the Police Commissioner's Special Inspection Squad. He was also the Chief of Police in Syracuse. The father of eight, including a son who was badly wounded in Vietnam, Mr. Murphy was in the Justice Department and served as public safety director of Washington before his interim appointment by President Johnson last October as director of the new agency.

"The problem isn't just the police," he said in a low voice while a preliminary hearing ensued on a mugging case in Washington's Court of General Sessions.

"Between July 1, 1967, and June 30, 1968, 130 individuals arrested for robbery in Washington were released on bail pending trial. Forty-five of these defendants—34.6 per cent of them—were indicted again on a felony charge while waiting trial.

"Many holdup men might be deterred from future criminal action if they believed our criminal justice system was swift and sure. I don't know anyone who believes that today.

"A solution to this crisis will be difficult. More judges and prosecutors, at best, provide only a partial remedy. We must develop new skills in management and we must utilize technological advances in order to provide prompt, fair trials."

Mr. Murphy left the court and drove to the District of Columbia's prison, a massive high-wall structure that was built in 1872 for 692 prisoners. It now holds 1,075.

"Our jails and prisons problably are what the public is least interested in when they think about crime," he said.

"But the effectiveness of the correctional system is crucial to the control of crime. Present estimates are that 50 per cent of the offenders are repeaters. If only a small percentage of these could be restored to society as responsible citizens, the crime rate would drop significantly."

FIRST-YEAR BUDGET

He said that crime was such a complicated problem "that the new Federal effort to help the states will not be felt overnight."

"Our first-year budget is $63-million, only about 1 per cent of the annual estimated operating cost of all the police departments, courts and correctional agencies in the United States," he said.

"But I am convinced the criminal justice system can be revitalized so that it really does deter crime, apprehend criminals and correct offenders.

"The anticrime effort in each state is so badly fragmented that nowhere is the criminal justice system operating as a system. That is why we are providing the states, cities and counties $19-million to develop coordinated crime-fighting plans.

"Law enforcement officers with a college education will be more effective and will receive more public support. That is why we are providing $6.5-million for scholarships for them."

HE LIKES THE JOB

Although it is not known whether President-elect Richard M. Nixon will reappoint Mr. Murphy, a Democrat, the official and he considered it too important an issue to be treated in a partisan manner and that he would like to continue developing the Federal response to the crime problem.

"There has been much too little scientific research on the problems of crime and law enforcement," he said. "That is why we will provide $3-million for research and development projects ranging from an evaluation of the effect of violence in the media to the effectiveness of nonlethal weapons.

"There is such a great need to begin implementing the improvements developed by the crime-coordinating groups in the states and cities, that during the present fiscal year we are providing $29-million in action funds during the year. They will be used for a broad range of anticrime efforts such as the development of organized crime squads and for higher pay for the police.

"The response of the states has been enthusiastic. All have applied for their full share of planning funds. This is important because it means that for the first time in our history a coordinated campaign against crime has been begun on a national scale.

"We have only just started but I believe it is a promising start."

CHINESE REDS WANT A YALTA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RARICK. Mr. Speaker, indications from Paris are that the Communist Chinese want a voice in Vietnam settlement—as if they do not now have with the Hanoi and National Liberation Fronts.

Could it not be anticipated that they expect a deal similar to that given the Russians at Yalta—give them their share of the World—all of the Orient—so they have more bases of operation to continue their subversion against the United States and allies in the Orient.

I include an article from the Washington Daily News of January 11, 1969, following my remarks:

CHINA TAKING HAND IN PEACE MOVES: THE TALKING

PARIS, January 11.—Asian diplomatic sources said today Communist China wants to have a voice in any settlement of the Vietnam war and will broach the subject when Chinese and American ambassadors meet in Warsaw next month.

The meeting, requested by Peking to discuss possible "coexistence" between America and China, has been scheduled for Feb. 20.

The Asian diplomats said Peking is once again taking an active interest in foreign affairs now that its cultural revolution power struggle and purge has subsided and would like to be a partner to any definite settlement in Southeast Asia.

WEST INTERESTED

Diplomatic quarters in Paris said the West may want Red China to underwrite any final peace agreement which, the diplomats said, would include not only the future of Vietnam but also of Laos and other neighboring countries directly affected by the Vietnam war.

The report from Asian diplomats in Paris followed information from diplomatic sources in London that Peking was now bypassing Hanoi and dealing directly with the Viet Cong in South Vietnam in an attempt to press its hard line against the United States.

MAIN SUPPLIER

Communist China has been one of the main suppliers of weapons and material to Hanoi and the Viet Cong during the Vietnam war and has steadfastly denounced the talks in Paris as a "trick" by American "imperialists."

Other diplomats in Paris said there would likely be little substantive negotiating in the coming weeks in Paris because of the change in command in the U.S. negotiating team following the inauguration of Richard Nixon.

A REMARKABLE RECORD

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. BERRY. Mr. Speaker, one of our former colleagues, Senator KARL MUNDT, has completed 30 years of service in the U.S. Congress. We in South Dakota are justifiably proud of his outstanding record of accomplishments.

The following editorial, which was printed in the Black Hills Press, Sturgis, S. Dak., is a fine tribute to a great American. It is entitled, "A Remarkable Record."

A REMARKABLE RECORD

Thirty years in the U.S. Congress!

That's the impressive milestone reached this month by Senator Karl Mundt of South Dakota. The record includes five terms in the U.S. House of Representatives and four terms in the Senate where he is now ranking Republican on the Government Operations Committee and the Special Investigating Sub-committee.

In addition, South Dakota's senior senator is the second ranking Republican on the powerful Appropriations and Foreign Relations committees. He has been a strong and consistent booster of President-elect Richard Nixon ever since their leadership roles in Congressional investigative matters, and he is certain to have a big voice in the conduct of new national administration.

Most of Mundt's Congressional service has been carried out while Democrat presidents were in the White House. Congress has been controlled by the Democrats during most of Mundt's service there too. Nevertheless, Sen. Mundt has achieved a remarkable record of accomplishment for the state and nation during his lengthy career in Washington. The fact that he has been re-elected so often is testimony that the people of South Dakota have appreciated his many years of good work. The voters can expect that he will be even more useful in the years immediately ahead with such a good friend as Nixon in the White House.

"A fair chance for a free people" has been the theme of Sen. Mundt's service ever since entering Congress and he has consistently fought for that principle. "There are more restrictions upon the individual citizen than I would like to see," commented Sen. Mundt in reviewing his 30 years in Congress. "Perhaps we can never break away completely from the idea that centralized government in Washington is the best vehicle for progress, but I would hope that we can move more in the direction of enlisting and placing responsibility upon our local and state government entities in resolving many of our problems."

"I am not calling for an abdication of responsibility by the federal government," Mundt added, "but I do believe we have not taken advantage of the tremendous talents we have available among our people in the states, plus the fact that through the present tax structure we have greatly limited the ability of local entities to resolve certain problems by limiting their resources and concentrating far too much tax revenue under the control of the federal government."

There has been a tendency for most Americans to look to Washington for solutions and cash for local problems and projects throughout recent years. We agree with Sen. Mundt that the people in the states can best handle their own affairs if the government gives them the opportunity to do it, and leaves them enough of their own tax dollars for it. It is to be hoped that a trend in that direction will develop during Sen. Mundt's remaining years in the service of his state and country.

Meanwhile, we congratulate the senior senator for his distinguished career in public service and wish him even greater success in the years ahead.

CONGRESSMAN PICKLE'S FEDERAL-STATE PARTNERSHIP BILL

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. PICKLE. Mr. Speaker, last year, I introduced a bill concerning Federal-State relations and the organization and management of the executive branch.

I presently am preparing the bill for reintroduction, and in order to inform my colleagues of the background of this measure, I ask unanimous consent that the bill and the remarks be reprinted at this point in the RECORD:

H.R. 19655

A bill to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1968".

FINDINGS OF FACT AND DECLARATION OF POLICY

SEC. 2. (a) The Congress declares that it is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organization structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

(b) The Congress finds that there are more than one hundred and fifty departments, agencies, boards, commissions, bureaus, and other organizations in the executive branch engaged in performing the functions of government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict, and duplication of effort among them; that the Congress and the President do not have adequate information and techniques to determine the best means of improving the conduct of the public business in so many governmental establishments; that the present lack of complete, accurate, and timely information on the scope, requirement, costs, and availability of Federal assistance represents a major obstacle to (1) the effective use of Federal assistance by State and local governments and institutions, and (2) the effective legislating on the part of Congress in evaluating existing programs and developing new ones.

(c) The Congress further finds and declares that in order to promote the efficient management and improved coordination essential to the economical administration of governmental services and to assure that program expenditures and performance are consistent with the policies established by the Congress, a commission to review the organization, operation, and management of the executive branch should be established.

COMMISSION ESTABLISHED

SEC. 3. (a) For the purpose of carrying out the policy set forth in section 2 of this Act, there is hereby established a commission to be known as the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of eight members; four appointed by the President of the United States, two from the executive branch of the Government and two from private life; two appointed by the President of the Senate from the membership of the Senate; two appointed by the Speaker of the House of Representatives from the membership of the House. The Commission shall elect a Chairman and a Vice Chairman from among its members.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall represent equally the majority and minority parties; with respect to members of the Commission appointed from the House of Representatives and the Senate, there shall be a Representative and a Senator from the majority party and one each from the minority party.

(d) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(e) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

(f) Members of the Commission appointed pursuant to this section may continue to serve during the existence of the Commission. Any member of the Commission appointed pursuant to section 3(a) of this Act who, at the time of his appointment, is serving as a Member of Congress may continue to serve as a member of the Commission without regard to whether he continues to hold office as a Member of Congress.

DUTIES OF THE COMMISSION

SEC. 4. (a) It shall be the function of the Commission to—

(1) Analyze and assess the current organization, coordination, and management of the executive branch and recommend appropriate action, modifications, innovations, and reorganizations to achieve the purposes of this Act;

(2) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for improved coordination and cooperation among Federal agencies to insure the maximum degree of consistency in governmental actions.

(3) Appraise the current status of administrative management in the executive branch and its individual departments, agencies, bureaus, boards, commissions, independent establishments, and other organizations with a view to proposing reforms and new procedures, techniques, and facilities which will improve the conduct of Government service;

(4) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for the: (a) establishment of priorities among Federal programs; (b) consolidation and redirection of those programs; and (c) reduction or elimination of those which are of marginal utility or which are unnecessary;

(5) Evaluate the effect of Federal assistance programs and activities upon the interrelationship of Federal, State, and local governments;

(6) Consider and make recommendations on ways to simplify Federal programs and services through utilization of a mixture of categorical grants-in-aid, block grants resulting from consolidations of existing specific grants-in-aid, and general support payments; and

(7) Evaluate the merits of administering through a single State agency for each State all Federal aid programs which benefit a general functional area.

(b) The Commission shall submit an interim report to the Congress one year after the date of its appointment and at such other times as the Commission may feel necessary or desirable and shall complete its study and investigation no later than two years after the date of its appointment. Within sixty days after the completion of such study and investigation the Commission shall transmit to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

SEC. 5. (a) The Commission shall have power to appoint and fix the compensation of the Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission, or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, the chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman, or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestion, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish on a nonreimbursable basis such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

SEC. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

FEDERAL-STATE PARTNERSHIP RELATION

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 20 minutes.

Mr. PICKLE. Mr. Speaker, today I am introducing a new bill dealing with the organization and management of the executive branch, particularly as it affects Federal-State relations.

While it is true that a number of bills have been introduced in the House on this general subject, I believe several features of this bill are of first impression.

Over the years, I have served in Congress, I have become increasingly concerned about the wide scope of Federal aid programs, and the underlying administration of these programs.

There are presently a lot of extreme proposals dealing with this general issue. To my judgment, it is not a responsible or practical thing to claim that the Federal Government or the State government should be all powerful. There should be a mixture of power, with a partnership between the levels of government.

There are some who want to grab a headline or create prejudice against either the State or Federal Government about the administration of programs, but this is not and should not be a party issue.

It is so easy to cry out against the multiplicity of Federal-State programs and to blame a party or administration or individual, but these programs have been building and growing for over 30 years. Some cannot resist the temptation of saying that because there is a large number of programs, there is automatically great evil. But I do not believe this cut-and-dried approach. Most of the programs are good and render our people good assistance. To say that we ought to cut them all out is not a realistic approach.

What is needed is a reexamination of our procedures, to ascertain if we cannot find better ways to administer, reduce, consolidate, and simplify them.

Mr. Speaker, much valuable and productive work has already been done in this area of improving Federal-State relations. In 1965 President Johnson designated the Director of the Office of Emergency Planning to serve as liaison officer with the Governors for the purpose of establishing and maintaining better understanding, cooperation, and communication between the President and the State governments and between the executive agencies of the Federal Government and the State government.

During the past 3 years, many meetings have been held with State and Federal officials and the Office of Emergency Planning has helped to resolve hundreds of questions and problems relating to Federal and State relations. At the Governor's conference in Ohio in 1968, the Governors, by unanimous vote, passed a resolution which said:

"The liaison program established through the OEP has resulted in the best working partnership in the modern history of our nation between governors and the executive branch of the Federal government."

The resolution went on to say:

"Congress should give formal status to and continue existing Federal-State relations programs."

Some of the States have already established, by executive order or otherwise, agencies or offices on the State level to coordinate many or all of the Federal programs. I would hope that this be continued by all of the States.

My own State of Texas has also taken the initiative, along with nine other States, in establishing an Austin office and a Washington liaison office to represent all arms of the State government in its dealings with Washington. This kind of rapport should be encouraged and broadened.

Mr. Speaker, just as the States have laid greater emphasis on Federal-State relations, I believe the Federal Government should also do so. I am hopeful that the results of the study called for in this bill will give advice on the creation of such an office in the Federal Government.

Perhaps this would be the Office of Emergency Planning or some similar agency. Even though the President has designated the OEP as his liaison with the States, and even though some of the States have acted on their own, I think it is appropriate that the Congress, by statute, clearly define these areas.

I commend the President, the OEP, and the State Governors for their cooperation, but I feel it is advisable to go a step further and create these agencies by specific legislative enactment.

This problem is one which perplexes many of our public officials, and this is understandable. I receive numerous letters from city and county officials who must virtually stab in the dark in trying to nail down what aid is available and to whom application must be made.

I have noticed that there are increasing examples of the same kind of assistance being available through different Federal agencies, with each program having different requirements and priorities. The resulting process of making multiple application is not only time consuming and wasteful for the usually modest resources of the locality, but it also distorts any priority fixing as to the merit of the specific project in question.

One example of this kind of problem is that of hospital construction. A public facilities loan for a community hospital may be available through the Department of Housing and Urban Development; a Hill-Burton hospital construction grant and loan program may be available through the Department of Health, Education, and Welfare. Under both types of programs, a State Hill-Burton advisory board approves the need for the project, but the financial and administrative requirements are greatly different.

In my estimate, the system we should examine is one in which a locality would make only one application for each broad type of assistance. Moreover, this application should be made to or coordinated with a State agency—usually located no more than several hundred miles away—and this agency should administer assistance programs for a given functional area.

Accordingly, if a city wanted assistance for a water or sewer project, they would not go through the delay and expense of making an application in Washington at HUD, the Farmers Home Administration, or elsewhere, but rather would go to the State agency handling Federal assistance programs for public works. Even if several different programs and requirements were needed to get the proper balance, the programs would all be under one roof, and there would be no guesswork in determining whether all that could be done was being done.

I take the position, Mr. Speaker, that we should establish a true partnership of administration with the State governments. I have spoken to various groups in Texas about this partnership theory; I have written newsletters to my constituents about groups of mayors and city managers advocating a stronger tie with the State government in the administration of these programs. I have found a general spirit of acceptance and understanding. But it is not an easy matter to resolve, because it would take the agreement of the Federal Government, the State governments, and inevitably the agreement and understanding of our cities and counties.

The Congress has already acted on some measures which move in the direction I recommened. The Partnership for Health Act of 1967 removed the old system of strict categorical grants for health assistance, and utilized, instead a system by which States are able to establish their own priorities for competing health demands.

Part of the success of the partnership-for-health approach lies in the fact that the States have strong, long-established departments of public health. They have had over 30 years of experience under a categorical system, and in light of the length and quality of this apprenticeship, it is certainly time to relinquish some part of the job.

But the real problem in expanding this kind of approach arises when there is no State governmental agency to assume the task. Take, for example, a grant for a water or sewer project either with HUD or the Farmers Home Administration. There is no way, so far as I know, that this application could be handled by a comparable State agency, since there is no such agency now in existence. Thus, I feel we should examine the proposition that possibly we have reached that stage of growth in Federal-State relations which calls for the creation of a State department of Federal information, a State department of urban affairs, or a State department of commerce. Perhaps the agency at first should be primarily of an informational nature. On the other hand, perhaps the study recommended in the bill will reveal a more concrete method of administration.

The Federal Government could, of course, give grants or loans to a State government, "with no strings attached." This sounds good, and the intent is laudable. Perhaps we can someday have such an understanding with States and localities, but even the Partnership for Health Act mentioned earlier does not go this far.

There is much to be said, however, for the idea of sharing revenues with State and local governments, although the method of sharing is still to be resolved. Some of the allocation of money to the States and municipalities by formula, with few strings attached; increased block grants for specified purposes; a shifting of tax revenues to the States through credits against Federal taxes for income taxes levied by the States; or, direct block grants with no strings attached.

Finding the best of these methods will be one of the objectives of the study called for in this bill. But of equal importance is to ascertain the best method of administration and the best way for establishing a strong, workable Federal-State partnership.

Under the general approach I recommend, the Federal Government would still have a tough job. In addition to the problem of allocating priorities on a national basis, they would have to provide the administrative oversight to the State agencies to assure that, on a national basis, the program was being conducted in the way intended by Congress. But I would emphasize that this oversight should be predominantly procedural, and that the specific decisions would be left to the State agency.

Admittedly, any kind of reorganization along the lines mentioned here would take much time and work. It could not even be plotted specifically without some kind of preliminary study. The bill I am introducing today will provide for that study.

Essentially, the bill is the same as S. 3640 which recently passed the other body. But several new features are added.

Briefly, the bill calls for a study commission to report on all steps needed to improve the efficiency and economy of the workings of the Federal Government. The new language included in my bill is shown, mainly, in section 4(a) (5) through (7).

I would point out that section 4(a) (5) is similar to one included in a bill sponsored by the gentleman from Delaware (Mr. ROTH). This section calls for the commission to report on the effect of Federal assistance programs and activities upon the interrelationship of Federal, State, and local governments.

Subsection (6) of my bill incorporates the recommendations of the Advisory Commission on Intergovernmetal Relations on the need to create a new Federal aid mix of types of assistance. This recommendation came as a result of a 2-year study of the Commission—a group composed of representatives of all levels of government—and of executive sessions they held in July and October 1967. In addition to any authoritative two-volume report published by the Commission, a summary of their recommendations is published in the winter, 1968, issue of State Government, the Journal of State Affairs.

Mr. Speaker, the final new item in my bill, section 4(a) (7) embodies the feelings I expressed earlier in connection with new State agencies. It directs the Commission to take a special look at the possibility of utilizing a greater effort on the part of the States in administering Federal aid programs. In this context, I think it is important to note that a growing majority of the States have abandoned the old feeling of the past few decades—the feeling that since the State did not want to do the job, the Federal Government had to do it. I believe the States stand ready to do more, and I believe it is important we take a new look at this issue. The categorical grant-in-aid has long been the workhorse of Federal aid, but because it is the oldest does not make it the best.

Governmental services—whether on the local, State, or Federal basis—will likely not be reduced greatly. We are a growing expanding, building nation. What we can do, however, is to hope for improved methods of administration. This goes to the heart of the problem: Which is more important, or powerful, or influential—the State or the Federal Government? I believe we must have a balanced approach and a workable partnership. To keep the problem in more perspective, I hope we can increase the level of participation by the State government. It is vitally important that we not dilute the importance of State governments. In the long run, it is better that we strengthen them.

TRIBUTE TO LUIGI ANTONINI

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. SCHEUER. Mr. Speaker, for more than half a century Luigi Antonini fought labor's battles from the picketline to the highest levels of National Government. A quiet and self-effacing man, Luigi Antonini successfully fought Communist rule or ruin tactics within the labor movement in the 1920's. In the 1930's he beat back Fascist elements within unions. For 34 years he served as first vice president of the International Ladies' Garment Workers Union. In his life and in his work, and in his dedication to the causes of freedom and the inherent dignity of the workingman, Luigi Antonini honored his union, the labor movement, his native Italy, and his adopted America.

On December 29, after a lengthy illness, this dedicated labor leader died at the age of 85. Those of us who were privileged to know him know that he will be missed by working men and women throughout the entire Nation and the world.

CONGRESSMAN SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. SCOTT. Mr. Speaker, each month while Congress is in session, I attempt to send a report to the people of the Eighth District of Virginia on congressional activities. While we have had little legislative business so far this session, I am sending to constituents a January newsletter and am inserting a copy in the RECORD at this point for the information of the membership:

CONGRESSMAN SCOTT REPORTS

OPENING DAY

To a large extent, the first few days of the Congress are devoted to perfecting party organizations and organizing the Congress. As you know, 22 term Member John W. McCormack of Massachusetts was re-elected Speaker of the House defeating the 11 term Republican Gerald R. Ford of Michigan on a straight party vote.

The first order of business after the election of the Speaker on opening day, was the swearing-in of the other Members-elect. H. R. Gross of Iowa asked that Adam Clayton Powell, of New York step aside and not be sworn in with the remainder of the Members. Later Emanuel Celler of New York, a 24 term Congressman, made a series of motions all seeking to seat Mr. Powell. Congressman Celler quoted scripture asking that he who is without sin cast the first stone and asked the Members, "Judge not that ye be not judged."

It seemed obvious that Mr. Celler was appealing to other Congressmen not to punish Mr. Powell lest they sometime find themselves in a similar position. Certainly Members of Congress must have standards at least as high as society in general, but we should all be subject to the same laws. Since two committees of the House of Representatives had found Mr. Powell guilty of gross misconduct, I voted against each resolution to seat him. However, after extended debate he was punished by a fine of $25,000, deprived of all seniority, and given a seat in the 91st Congress.

ETHICS

Just this week each Congressman received a letter from the Chairman of the House Committee on Standards of Official Conduct requesting that we make a financial disclosure of sources of income other than Congressional salary. While this disclosure only relates to major items of income, it may be helpful in spotting conflicts of interest which might influence a Congressman's vote on legislation. Therefore, some good may have come out of the whole Powell incident since it resulted in the establishment of an ethics committee.

ELECTORAL VOTES COUNTED

On Monday, January 6 Congress met in joint session and counted the electoral votes for President and Vice President. Of course, we knew that Nixon and Agnew had won, but some Members objected to a vote in North Carolina being cast for George Wallace by an elector running on the Nixon-Agnew ticket. While there is no question that a person is morally pledged to vote for the candidate of his party, a majority decided that the present law does not bind an elector to do so. This is an outgrowth of the historic beginning of the electoral system. Originally persons were chosen for their good judgment and their knowledge of public men and issues so that these wise men rather than all the citizens would actually elect the President. It seems apparent that we have outgrown this system and need a change. Some feel we should have direct elections by popular vote. Others would bind electors to cast their ballots for the candidates of their party. Still others would continue the electoral system with one pledged delegate from each Congressional District, or would have the electoral vote of each state weighted in accordance with the popular vote for that state. Fear has been expressed that a popular vote would result in more complete control of the Country by the large cities. It is a matter that should be given prompt attention by Congress and I understand that the House Judiciary Committee intends to hold early hearings.

TRANSITION

Of course, the Government is undergoing a period of transition which will formally occur on January 20 when Mr. Nixon is inaugurated as our 37th President. In the meantime, few decisions are being made other than those relating to the organization of the Congress, its committees and the selection of policy making people in the Executive Branch of the Government. Within a few weeks all committees should be organized, we should have the views of the new administration on legislative proposals and begin hearings on many measures already introduced.

NEW OFFICE SPACE

Seniority rules even extend to office space for Members of Congress. So we were pleased to obtain new carpeting and an additional staff room adjoining our existing space. When you visit, we'll have more room for you.

CONSTITUENT CORRESPONDENCE

We are pleased that constitutents feel free to correspond with the office and we try to obtain desired information or to assist residents of the District with problems they have with the Federal Government. If you find it necessary to phone the office number is 225–4376. But to be sure we have a full and accurate statement of the facts it is usually better to write. A letter is also beneficial if we need to check into the matter again at a later date. The mailing address is shown at the top of the newsletter. You may be interested in the following excerpts from two constituents' letters.

Inquiry from a parent: Is there any possible way to stop my son from going to Vietnam? One son is already stationed there and now my younger son has been assigned to Vietnam. Any help you can give me will be deeply appreciated.

Answer: After taking the matter up with the Army, the second son was assigned outside of the hostile zone because the service has a policy that not more than one member of a family will be assigned in a combat area at one time. Later one of the servicemen wrote that he had met his brother while on leave, and thanked us for helping them.

Inquiry: Please help the children of Biafra. What are American citizens doing to help?

Answer: The State Department advised that our government has contributed $22.5 million worth of food and money including nearly 3,000 tons of food a month. We have provided the Red Cross with a reserve fund of $5 million to draw on for chartering airplanes and ships, and purchasing vehicles for distribution of supplies in the area of need.

CALENDARS AND YEARBOOKS

We have a supply of rather attractive 1969 calendars containing various Washington governmental scenes and a more limited number of 1968 Agriculture Yearbooks, "Science for Better Living." If you would like to have either of these, please let us know, and we will forward them as long as the supply lasts.

FREDERICKSBURG POST OFFICE

The Postmaster General has approved a new leased postal facility for the City of Fredericksburg and plans to abandon the use of the present building for postal purposes. However, it will be taken over by the General Services Administration and probably utilized for other government purposes. The proposed building will have an authorized interior size of 28,795 square feet, more than twice as large as the present facility; a platform area of 5,275 square feet and a parking and maneuver area of 43,350 square feet. This is a facility recommended by the Subcommittee on Postal Facilities and Modernization of the House Post Office and Civil Service Committee. You may remember that our committee visited the present facility last year.

CALLAO POST OFFICE

It was good of the Postmaster at Callao to invite me to participate in the dedication of this new postal facility on February 1 and I look forward to being there.

HIGH SCHOOL DEBATE TOPIC

Students may be interested in obtaining a booklet prepared by the Library of Congress relating to the National High School Debate Topic for 1968–69, "How Can the United States Best Maintain Manpower for an Effective Defense System?" The booklets are available upon request.

APOLLO 8 ASTRONAUTS

You probably saw the Joint Session of Congress, honoring the three Apollo 8 Astronauts on your televisions. It was a very interesting session as we heard Captain James A. Lovell say, "I stepped out of the house a few days later and looked up at the moon and I could scarcely believe that I was there. A sense of pride, a feeling of satisfaction and achievement came over me. And I thought to myself, "Is there some American in this great country who, when he sees the moon, cannot feel the same as I do and say to himself, 'We were there'?" Certainly, the entire world joins in a feeling of pride in this accomplishment.

OPINION POLL

In view of the change of administration, we thought it best to delay the annual questionnaire until we have more information about the new administration's legislative proposals. Please let us know if you have any suggestions regarding issues facing the country which might be included in next month's opinion poll to be sent to all homes in the District.

INAUGURATION

The stands in front of the Capitol are all but completed for the swearing in of Mr. Nixon as President, on January 20. I wish it were possible to invite each of you here, and I do hope that those who are will stop by the office to say "hello" before the parade begins.

SOMETHING TO PONDER

It is only at a tree laden with fruit that men throw stones.

ECONOMIC THOUGHTS FOR 1969

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RUMSFELD. Mr. Speaker, some of the challenges and opportunities to create a healthy economic climate for the American people are based on what happened in 1968. Congressman Thomas B. Curtis, of Missouri, while senior House Republican on the Joint Economic Committee and second ranking Republican on the House Committee on Ways and Means spoke to the Sacramento, Calif., Taxpayer's Association on December 11, 1968. His speech raises a number of fundamental questions which merit continuous review and study. His views assist in providing a better understanding of economic policy as we work to solve the problems confronting us.

Whether or not one agrees entirely with the views of the gentleman from Missouri, these remarks could well serve as a model and certainly as a stimulus for thinking through programs and proposals which the Joint Economic Committee and others will be considering as we analyze the forthcoming Economic Report of the President. The contribution of Tom Curtis to the needed dialog on public matters of great importance continues to be a major one.

THE FISCAL PICTURE FACING THE NIXON ADMINISTRATION

A key factor in establishing Federal fiscal policy has been neglected in recent years, namely the level of Federal spending for each fiscal year.

The components of aggregate spending, the cost of federal programs, have received a modicum of Congressional and public discussion, but around the needs and the virtues of the progress themselves, not the sum of their total expenditures. Thus, no priorities between programs have been established. Indeed, the lack of priority discussion has resulted in the non-elimination of redundant programs and a good bit of what used to be normal expenditure discipline within agencies has evaporated.

No guidelines have been developed by which to determine what limits there should be to the aggregate Federal spending level in a given specific year.

The guidelines of the past which were related to the anticipated revenues for the year have been tossed aside. The theory that budgets need not be balanced each year, but over a business cycle measured in terms of rate of unemployment and economic growth, has become meaningless as deficit budgets have been presented with unemployment below 4% and the economy running at a high rate of capacity. The theory of the full employment budget does not seem to contemplate a balanced budget. In the process of following these theories, no criteria by which to determine the annual level of Federal expenditures have been developed.

About the early time there is a dialogue on the level of Federal spending is when inflation begins to show up in the consumer price index, high interest rates begin to pinch, there is another international monetary crisis, the Congress is confronted with raising the debt ceiling because the cumulated deficits have forced the Federal Government to increase its outstanding marketable debt, or the President asks for increased taxes.

On these occasions the dialogue has been conducted by groups different from those setting spending policies and has been limited to the narrow areas within that group's immediate concern.

For example, if it is increased in the consumer price index which create the alarm, those on the Labor and Education Committees may become concerned about wages not keeping up with the cost of living, or about whether price controls might not be necessary, but little of the concern . . . except in a general way . . . is directed to the total of Federal spending. Regrettably, little attention also is paid to whether wages have been increasing beyond productivity gains, thus adding to a cost push inflation which may have started out as monetary inflation.

If it is high interest rates which create the alarm because of the impact upon the home building industry or whatever, the Banking and Currency Committees may be concerned in this limited area, or the Agriculture Committee if it is farmers, but again, little concern is directed to the total of Federal spending.

If it is debt ceiling legislation that causes the alarm, the Ways and Means Committee and the Senate Finance Committee may become momentarily involved in the problems of debt management . . . not to the extent of the impact of these unsolved problems on monetary policy, regrettably . . . but little is done to relate the matter to the total of Federal spending. This is outside the jurisdiction of these Committees.

The Appropriation Committees alone have the specific task of considering expenditure policy, but because of the Congressional system of voting appropriations over a period of many fiscal years, rather than for each specific fiscal year, there is no review of total spending for a specific year. And because of the proliferation of the Appropriation Committees into many subcommittees, each with its own jurisdiction over specific programs, there is no attempt at established priorities between programs, however many fiscal years they may encompass. Indeed, the appropriation subcommittees tend to be manned by special pleaders for the program involved. That indeed is the basis upon which many members seek membership on the Appropriation Committee in the first place and then special assignment to the permanent subcommittees. The Executive Department and outside lobby groups have become an important part of this built-in special pleading.

Because nothing seems to be able to be done about it, politicians are only too happy to accept the suggestion of certain economists that a "little" inflation is the price that we must pay for relatively full employment and continued economic growth. The tragedy is that there really is no such thing as a "little" inflation. Inflation is cumulative and the cup will fill and overflow if the flow continues.

Many of the ills that accompany inflation can be minimized, for a period of time, if those with whom we deal internationally also follow inflationary policies. Furthermore, if a country is somewhat dominant economically, as the United States has been, it can to some degree export its inflation. However, this inflation is cumulative as well and, sooner or later, the international cup will fill. And this applies to totalitarian nations which can hide unemployment, sluggish economic growth, and inflation more effectively than can marketplace oriented nations.

The Nixon Administration assumes office January 20, 1969, with six and two-thirds months of Fiscal 1969 over and with over $300 Billion power to spend available to it, with the budget for Fiscal 1970 prepared and printed, if not actually presented to the new Congress. This budget for Fiscal Year 1970 will have at least $230 Billion of carry-over balances of unused power to spend granted by the previous Congresses.

The spending level of $186.1 Billion for Fiscal 1969 set in the January, 1968 budget message and referred to in the Tax Increase and Expenditure Reform Act of 1968 has been exceeded for the first five months of the present fiscal year. It has not been cut. All that has been cut has been what otherwise might have been a greater increase in expenditures over those of Fiscal 1968 than the $7.8 Billion increase set out in the January, 1968 Budget.

Expenditures for Fiscal 1968 totaled $178.9 Billion, an increase of $20.5 Billion over the expenditures of Fiscal 1967, $158.4, which, in turn, is an increase of $23.8 Billion over Fiscal 1966, $134.6, an increase of $16.6 Billion over Fiscal 1965, $118.0 Billion. The expenditure increase has averaged over $20 Billion for these three fiscal years.

To gain some understanding of the fiscal policy these expenditure increases contribute to, we must relate them to the expenditure increases which occurred during the first five years of the Kennedy-Johnson Administration. These increases average out at $5 Billion per fiscal year. Notably Fiscal 1965 marks the transition point in fiscal policies and set fiscal policy of its own. Fiscal 1965 was the year of the big tax reduction of 1964 when aggregate expenditure policy became the issue around which the enactment of the tax rate reduction act was resolved. The Congress passed the 1964 Tax Rate Reduction Act on the assumption that the Administration would hold expenditures to present levels for two years and not increase them. The level for Fiscal 1964 then already projecting a $5 Billion increase over Fiscal 1963 was not further increased and the level for Fiscal 1965 actually resulted in a $.7 Billion less expenditure over Fiscal 1964.

In terms of percentages the expenditure increases from Fiscal 1960 through 1965 averaged out around 5.5% per annum. From 1965 through 1968 the average annual increase is around 17%. Assuming the increase for Fiscal 1969 turns out to be $8 to $10 Billion then we will be reverting to the 5.5% increase of the earlier years.

However, it must be remembered that the fiscal policy underlying the Tax Rate Reduction Act of 1964 called for no rate of expenditure increase and was a marked shift from the fiscal policy which had as one of its factors the 5.5% increase in expenditures. I think it is important to consider the economic factors that led the Congress to abandon the policy of increasing expenditures by 5.5%. And also to consider the other factors involved in total aggregate fiscal policy, namely revenues, borrowings and capital assets. Certainly it is important to consider that the economy has not been averaging as high as 5.5% real growth per year. The population increase is considerably below a 5.5% increase.

Productivity increases are below this figure. Clearly a 5.5% rate of increase in Federal spending shows an expansion of the Federal Government at the expense of other institutions in our economy. Whether this is a wise and necessary change in the allocation of our resources becomes a basic policy decision which cannot be divorced from fiscal policy. In a sense the altered fiscal policy in the fields of taxation, borrowing and selling off capital resources . . . and the secondary policy changes in the monetary field particularly these require . . . are only indicators of this cumulative deficit expenditure policy. Some would argue the other way that altering fiscal policy in these areas can create the economic growth which will justify the increased expenditures. However, I believe they are confusing effect with cause. Certainly, they are dealing in expectancies.

Let's examine into this a bit further.

The expenditure figures I have been using relate to "expenditures and net lending" of the Federal Government in the new consolidated Budget adopted for the first time in the budget for Fiscal 1969. There are many advantages to this new method of computing the factors involved in fiscal policy. However, there are some serious immediate disadvantages entirely apart from the confusion it has created in trying to correlate previous fiscal policies with the new fiscal policy.

The old administrative budget had the important advantage of reporting expenditures which were financed by general revenues so that the short-fall of general revenues to these expenditures was seen with more accuracy and there was a greater understanding of how much was to be financed out of new borrowings. Certainly it made the work of the Ways and Means Committee, concerned as it is with financing expenditures on an annual and ongoing basis, somewhat clearer.

Furthermore, inasmuch as the expenditures outside the administrative budget were largely through trust funds which were financed by special taxation (not general revenues) the annual fluctuations which occurred between trust fund revenues and trust fund expenditures were more clearly perceived, enabling both those interested in following the fortunes of these special programs and the general revenue programs to do so more easily.

It has been difficult enough to keep Congress and the public's attention directed to the problems involved in Federal debt management without muddying the picture, as does the consolidated budget.

If bonds in the social security trust fund, unemployment insurance trust fund, etc. are what they are supposed to be, funds earmarked for specific purposes which cannot be used for other governmental purposes, then whether these funds are in temporary surplus in certain years, as has been anticipated, they should have no bearing on the fiscal policy of the Federal Government. All the trust funds are a captive market for the Treasury to market Federal bonds. This may have some bearing on the impact of the Federal debt on the rest of the society, but it has no impact on the liabilities of the Federal Government to meet its bills through general revenues and be able to service the bulk of its debt.

In one sense, however, an advantage is derived from the consolidated budget if it makes the Congress and the people more aware of the fact that a tax is a tax, whether for general revenue or to be deposited into a special trust fund. The fact that the Federal Payroll Tax continues to increase in rate, base and take is usually lost sight of in all the discussion over Federal income tax discussions.

The consolidated budget did little one way or the other in clarifying the Federal Government's special lendings and sales of its loans and other capital assets. The Federal budget does not distinguish between current and capital expenditures, thus when a sale of what is clearly a capital asset is consummated it is not accounted for as either return of capital or additional revenue. The accounting is a short circuit method. The revenue derived from the sale of a capital asset usually is entered as a reduction in expenditures of the agency selling the asset, although the proceeds themselves may be processed through the Federal treasury.

Federal expenditure discipline is weakened considerably through the failure to develop proper cost accounting and a balance sheet of capital assets. Strangely enough, among those who have resisted the development of these techniques are certain self-styled conservatives who have felt that the "spenders" would be encouraged to spend more if they could point to the fact that certain of their expenditures were for capital items.

The point is that these "spenders" point to that now in their arguments only they can talk in vague general terms which builds up capital expenditures out of all relation to reality. I would much prefer to pin down what are properly classified as capital expenditures; put them on the books as capital assets, not current expenditures; then when there are capital sales treat them as return of capital and not permit them to be used for current expenditures.

The issue facing all of us right now is whether the surtax which will expire this June will be permitted to expire. It was passed on the assumption that increasing taxes would stem inflation. I argued at the time that the inflationary forces we were dealing with were of the cost push variety reflecting the inflationary impact of past Federal deficits forced into our monetary system. The forces were not primarily of the demand pull variety. Increased taxes aggravate cost push inflation. I argued that decreased Federal spending was the remedy to curb cost push inflation and, at the same time, was the preferable way to cool off the economy if there was need to cut back some on demand. As everyone knows, The Surtax Act of 1968 was also called the Expenditure Control Act. However, there was a tax increase, but no expenditure Cut. Up to this date there has been a net increase in expenditures. The much publicized cutback was in what might have otherwise been a further increase on top of the increase already projected in the Budget message of January, 1968 for Fiscal 1969.

Inflation has not been stemmed. It has continued at a higher rate than it was at the time of the enactment of the law. Interest rates, after falling slightly for a short period, have again increased. They are at unbearable levels. More inflation and continued high interest rates are predicted. Obviously the fiscal remedies proposed and adopted have failed. The only question that remains, and it is somewhat academic, would it have been worse if nothing had been done? Except for the psychological state that developed to push through the tax increase, which almost reached hysteria . . . and this cannot be minimized . . . it would have been better to have passed no tax increase because the debt ceiling would have held expenditures more tightly than the provisions in the expenditure control act. Giving the executive additional billions in revenues through the surtax minimized the squeeze he otherwise would have been in through the debt ceiling.

It seems clear to me that the Federal income tax rates were still beyond the point of diminishing returns even after the tax rate cut of 1964. The surtax simply made these rates more deleterious.

How does one test the point of diminishing returns in a tax rate? I start with the simplest kind of tax to illustate the problem. A tariff is raised to a rate which will cut the flow of imports subject to the tariff. The rate can be increased to a point where no goods at all flow legally. Conversely, a tariff can be reduced until it becomes a revenue producer again. There is some point at which a maximum revenue take is possible . . . where the rate is sufficiently high to produce the revenue without too greatly lessening the base. There is also the coefficient of collectability which increases as the rate is lowered, as the taxpayer has less incentive to avoid or evade the tax.

In the income tax field it is much more difficult to arrive at what point rates reach the point of diminishing returns. However, overall the base of the income tax is economic activity. If the rates of the tax are sufficiently high that economic activity is impeded seriously, we are at least approaching that point, I think it is quite obvious that today many business decisions are based upon tax consequences rather than upon sound economic and business judgment. I think when this occurs economic growth is impeded. The extent of this impeding is hard to measure, but there are many check points which demonstrate that it is great.

Certainly it is proper to consider what government spends its money for. Government expenditure can contribute to sustained economic growth. It is correct to say that without government expenditures in certain areas economic growth would lag. We are discussing relative matters. There is every reason in the world to discuss government expenditure policy in relation to the tax base. As far as the Federal Government is concerned, the tax base is essentially economic activity.

However, economic activity is not necessarily sustainable economic growth. Economic activity can be creating increased wealth but, likewise, it can be eating into the economic wealth already in existence. During wartime economic activity increases greatly and yet there are very few economists who would disagree that this economic activity tends to be using up wealth, rather than creating new wealth.

The largest expenditure of the Federal Government is to protect the wealth we have by providing for the national defense. The second largest item is welfare and the third is servicing the Federal debt. These and other expenditures are not wealth creating basically.

Accordingly, it is important to treat most Federal expenditures as current expenditures to be financed out of current revenues, rather than through debt financing. To the extent that the Federal Government expenditures create new wealth such as in public works projects and, I would argue, in certain of its expenditures for education and research and development, debt financing is appropriate, related of course to the wealth it is creating, but these make up less than 10% of our Federal Budget.

It is noteworthy that we do not discuss Federal expenditures in this context anymore than we discuss the total level of Federal expenditures in relation to revenues or the total economy. Nor do we discuss the method whereby we finance these expenditures . . . through current tax revenues based on a system which embodies tax rates which are within the point of diminishing returns, or through debt financing. Nor do we discuss Federal expenditures and taxation in relation to State and local expenditures and taxation to gain an understanding of the total governmental fiscal impact on the society.

It is also noteworthy that wealth statistics are not among the economic tools utilized today . . . that the collection of wealth statistics was abandoned in the 1920's. And it is significant that the new economists seldom speak in terms of wealth . . . only in terms of economic activity. Even economic growth is measured in terms of differences in yearly gross national product computations, not in terms of capital inventory. GNP, of course, is a measure of economic activity, not of real growth. The most that can be said is that if we have a GNP of $800 billion in 1968 and we had a GNP of $447 billion in 1958 we must have a larger base today and some real economic growth must have occurred in the decade. However, by merely adjusting these figures for inflation, we see that the difference in economic activity is not $350 billion, but less than $250 billion. What would it be if we could adjust for artificial activity, economic mistakes, and eating up wealth?

I think it is important to review the economic theory lying behind The Tax Rate Reduction Act of 1964 and the Tax Rate Reduction Act of 1954 . . . a cut comparable in size to that of 1964, I point out . . . and the tax rate reduction of 1948 . . . in considering the wisdom of allowing the surtax to die this June and immediately to put ourselves in the fiscal posture so we can start a program to plan gradual rate reduction over the next twenty years until we get our Federal tax rates below the point of diminishing returns.

I think it important to understand that meaningful, comprehensive tax reform is only feasible when the rates are sufficiently low to permit philosophical considerations to be brought to bear, rather than economic consequences to the special interest groups.

The fiscal posture needed is a controlled annual expenditure level below the level of revenues to be derived from current tax rates (without the surtax). Normal economic growth occurring in spite of the still too high rate of Federal taxes will permit increased federal revenues to finance increased in Federal programs if required. However, getting the ratio of the Federal debt to GNP to below 20% should be given the highest priority. Here it is about twenty-five years after the end of World War II and the ratio is still almost 50%. Two-thirds of the reduction of the ratio for the high level of World War II is, regretably, the result of Post World War II inflation. Actually, the tax rate reductions will bring about increased revenues from the increased economic growth that will ensue beyond these normal expectancies.

What was the fiscal context of the tax cut of 1964? In the context of increased federal expenditures by the $5 billion amount they had been averaging the past five years? Or in context of expenditure levels being held to those of the preceding year? The Republican motion to recommit the 1964 Rate Reduction Act called for expenditures not to exceed $97 billion for Fiscal 1964 and not to exceed $98 billion for Fiscal 1965. These are administrative budget figures . . . expenditures financed out of general revenues . . . largely derived from the corporate and personal income tax rates. The figures are there for anyone to see. Expenditures for Fiscal 1964 went up to $98 billion, but for Fiscal 1965 they went back to $96.5. The tax rate reduction was an economic success . . . the tax base did expand so that greater revenues were derived from the lesser rates, and these revenues did not have to be discounted by inflation.

The 1954 tax rate reduction was made in a similar context of expenditure discipline. So was the tax cut rate of 1948. Both had the same results in increased revenues for a lower rate without an inflationary discount.

Dr. Heller and the new economists had argued a contrary theory. They had said if we held Federal spending to make way for the tax rate reduction we would be taking away the "stimulus" to aggregate demand that was needed from increased Federal spending. I argued that if we sold $10 billion of bonds to the private sector to make way for the tax rate reduction and to permit the Federal Government to increase spending, then the private sector would not be able to contribute to increase aggregate demand through its increased expenditure. Dr. Heller agreed and said that he would have the Federal Reserve buy the additional bonds through the open market Committee. I responded by stating that I thought this would create inflationary forces which could not be contained. He responded by stating that with unemployment then exceeding 6% and plant utilization below 80% the inflational pressures would be absorbed and would, therefore, not come out in increased prices. I responded that I thought a good bit of the unemployment was frictional and structural which would not respond quickly to increased aggregate demand and that a good bit of the unused or underutilized plant capacity was obsolete and inefficient capacity which would bring increased costs and so aggravate rather than work to dampen inflational forces. The dialogue ended at this point, but I believe a look back . . . or even a look today reveals that in this period of rapid technological advancement we are confronted with increasing incidences of frictional and structural unemployment . . . and obsolete plant capacity which heating up the economy not only cannot solve but will aggravate. A frozen radiator will steam and crack before the ice melts, so it is with some of the institutional unemployment exemplified by the young Negro male. Heating up the economy will hurt, not help, in this instance.

Be this as it may, I think the record clearly shows that expenditure discipline is badly needed in order to have a sound fiscal policy. Without a sound fiscal policy we impose a meat axe cut on all expenditures, governmental or private, through inflation.

I wish to make a final observation. I believe discipline in Federal spending will bring about surprising results in improved efficiencies in our Federal programs, ranging from defense through education, and R and D to welfare, I think we have ample money to finance the Federal programs our society needs. It is not lack of money but lack of well conceived and well executed programs that has held us back. Good programs can solve the welfare and the other problems which seemed so insurmountable to the previous Administration.

JANUARY 9, A KEY DATE IN THE HISTORY OF FLIGHT

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. MAHON. Mr. Speaker, I think it is worthy of note that just 176 years ago, on January 9, 1793, the day of the month the Apollo 8 astronauts were honored at a joint session of Congress, Jean Pierre Blanchard, after making several successful flights in Europe, made the first balloon ascension on the North American Continent. He took off from the Washington prison yard in Philadelphia and landed in Gloucester County, N.J. President George Washington was one of the interested spectators.

In many ways January 9 is a memorable date in the history of manned flight.

I include for the attention of my colleagues a sketch of Jean Pierre Blanchard's accomplishments from the "Encyclopaedia Britannica":

> Blanchard, Jean Pierre (1753–1809): French aeronaut who, together with the American, John Jeffries, made the first aerial crossing of the English channel, and who was also the first man to make balloon ascensions in England and in America, was born in Les Andelys on July 4, 1753. Within a year following the first balloon ascensions of the Montgolfier brothers (*see* BALLOON), Blanchard began his career, making his first balloon flight in Paris on March 2, 1784. Later that year, he made his pioneer ascension from English soil. Accompanied by Jeffries, he took off from Dover in a balloon and made a successful landing on the French coast near Calais on Jan. 7, 1785. The first international airmail was carried on this flight. In that same year in England, Blanchard made the first use of a parachute (*q.v.*), dropping a dog (or, according to another authority, a cat) in a basket to which a parachute was attached from a balloon. Blanchard was one of the first balloonists to attempt to achieve "dirigibility" in balloons by using sails or "oars," but had no success. (The practical dirigible airship came many years

later when propellers and lightweight power plants became available; *see* AIRSHIP.) After making many exhibition flights in Europe, Blanchard went to the United States and made the first balloon ascension in the North American continent on Jan. 9, 1793. He took off from the Washington prison yard in Philadelphia and landed in Gloucester county, N.J. Pres. George Washington was an interested spectator. Blanchard returned to Europe and made many other successful flights. Following an accident in which he fell from his balloon at The Hague, Neth., he died in Paris on March 7, 1809.

A PROGRAM FOR THE UNITED STATES-MEXICO BORDER

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. VAN DEERLIN. Mr. Speaker, now that we have the United States-Mexico Commission on Border Development and Friendship, what are we going to do with it?

Is it merely to be a warren for a clutch of bilingual bureaucrats? Or does it have a real role to play in fostering better relations between the two nations?

I am inclined to be optimistic, in view of the accomplishments already recorded by the 3-year-old Commission, and, more importantly, the potential that seems to exist for future achievements.

Some interesting suggestions for the Commission were made recently by Gov. Endicott Peabody, currently the Assistant Director of the Office of Emergency Planning. He also pointed out that the future success of the Commission will depend to a large extent on the attitude of President-elect Nixon, after he takes office January 20.

Mr. Peabody discussed the Commission and its work in a speech delivered last December 13 to the annual meeting of the Border Cities Conference at Coronado, Calif. Because I think Mr. Peabody's ideas will be of interest to many of our colleagues, I am including portions of his address at the conclusion of these remarks:

REMARKS OF GOV. ENDICOTT PEABODY TO THE BORDER CITIES' CONFERENCE, CORONADO, CALIF., DECEMBER 13, 1968

I know that the commission—or at least the U.S. Section—has been criticized as too Washington-oriented and not adequately aware of border conditions and requirements. If there was ever any validity in that, it is not true now. Virtually everyone on the U.S. staff is bilingual, and many have had duty tours in Mexico. Several are from the border area.

And remember, too, that the activities of the Commission are not limited to paper-pushing in Washington and Mexico; it has on-the-scene representatives *at* the border. For example, I was personally very pleased by the recent assignment of David Carrasco, former U.S. Olympic Attache in Mexico City, as U.S.-CODAF representative in El Paso. Dave has been an enormous help with the Commission's sports program. Those of you who come in contact with him will find him most cordial and capable.

Even more important are the people in the border areas—the city officials, educators and business leaders like yourselves—who have given so much of their time and talents toward Commission projects. In sports, for instance, our activities have been made possible—and successful—through the efforts of individuals like your President, Dean Dunphy, in San Diego and Jack Killea and Ray Ylitalo, U.S. Consuls in San Diego, Mayor Lopez Gutierrez, Mayor Curran and their able assistants, Jesus Sigala Cota and Ralph Smith; John Phelan and Saul Kleinfeld in El Paso; Fernando Borreguero in Ciudad Juarez and Camilo Estevis in Edinburg, to mention just a few. These are the kinds of people—local leaders—who make our programs work. And these are the people who, by working together despite the barriers of border and language, show that our efforts are paying off not only in tangible benefits but in better relations as well.

This goal of better relations is the more important, I believe, because it provides the means by which still more "tangibles" are realized. That is why I am most interested in those programs which bring our peoples together.

Projects to increase and improve port of entry priorities and procedures will contribute much to this end. So, too, will plans to faster tourism, such as the Border Friendship Routes—a fine idea and one which should particularly appeal to this organization.

I'd urge this group and your cities as well, not only to support these efforts but to propose others as well.

Another "big pay off" area for improved relations is in joint cultural and athletic activities. These are so interwoven that they should be considered together. Since this has been my chief concern on the border, let me elaborate a bit on what else might be done in this field to bring about better mutual understanding through mutual involvement. By involving people I mean not just artists and athletes, but all people; not just youth, but all ages; not just as spectators but as participants; not just as observers of the other fellow's activities but as sharers with him; not just in comparable or parallel programs but in cooperative or competitive ones.

This should be done through more *cross-border* athletic events at college, high school, grade school, even neighborhood levels, and through participative cultural and sporting events for adults and youth—dances, art shows, coaching clinics, gymnastics, swimming, baseball and softball, bilingual debating, fiestas and parades, and the like.

As a specific activity, I suggest a joint holiday on the Border—perhaps on the anniversary of today's event or of the Chamizal agreement—with emphasis on *joint* celebration. The Border Cities Conference could promote this in each twin city area.

Another program could be the exchange of personnel as observers or—to extent possible—as participants in local and State government agencies, in schools and institutions, in businesses. This could be done at the grass roots, without waiting for the Federal Government to act.

I want to stress that last point about local initiative. The Border Commission can't succeed alone. It can stimulate, it can negotiate, it can find some funding, but leaders like yourselves really determine the outcome.

Of course you should look to the Commission and expect much from it. Light fires under it if necessary.

Fortunately, the Commission will remain in business, I'm sure. In fact, the Foreign Relations Committees of both houses of Congress are studying bills introduced in July 1968 (S. 3377; H.R. 18807) to give congressional sanction to the U.S. Section insuring its continuation as a permanent agency and making it possible for US–CODAF to go to Congress for small annual appropriations for salaries and expenses. Most of CODAF's projects are financed from the budget of constituent agencies.

President-Elect Nixon's attitude toward border matters is not fully known yet and is likely not as close to border matters as those of Texan LBJ. But Mr. Nixon sent a special message to President Diaz Ordaz, conveyed by Ambassador Raymond Telles December 5 at the CODAF meeting in Mexico City, transmitting best wishes for a successful conference and expressing hope for the opportunity to meet with the Mexican President in the near future. He said, "I have deeply appreciated Mexico during my visits there, and I look forward to the opportunity to do all possible to enhance the relationship between our nations."

President Diaz Ordaz replied: "You may be sure that I shall not relent in my efforts to maintain the relations between our peoples on an ever-growing basis of friendship and understanding."

It is President Johnson's wish, of course, that the efforts of CODAF and other forms of border cooperation continue to increase, despite the change in the U.S. Presidency. I'm sure this desire will be fulfilled and that the effort he and his Mexican counterpart began in 1966 will be carried on and intensified. It is beyond an individual relationship or program; it is and will undoubtedly remain national policy. And so it should.

FAITHLESS ELECTORS IN THE ELECTORAL COLLEGE

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. ADAMS. Mr. Speaker, there is an independent and separate reason for voting "no" on this resolution, quite apart from any consideration of the ultimate constitutional merits. That reason is that Congress is neither practically nor theoretically called upon to decide this important constitutional question now, and for the weightiest prudential reasons ought not to decide it now. While this reason would ideally lead one to support a motion to table, or some other motion avoiding consideration of the constitutional question, in the parliamentary situation created by the Chair's ruling on Mr. FORD's motion to table, a "no" vote can be justified as a refusal to act, rather than as an affirmative acceptance of the proposition that this elector's vote is to be counted for Wallace.

The function of Congress, assembled in joint session, to witness the opening and tabulation of the electoral votes, is that of determining whether there is a majority for any candidate. Every future action—everything that is practically at stake—hinges on the determination of this one question. It can hardly be immaterial, then, that Mr. Nixon very clearly has a majority, whatever may be the fate of Dr. Bailey's vote. In fact, the decision whether Dr. Bailey's vote is to be counted is not in any way relevant to the one and only issue that has to be decided. It is submitted that no Congress can constitutionally fix on its successor Congresses the duty of deciding a question the answer to which has no bearing on the only practical question contained in the whole proceeding. And 3 United States Code, section 17, insofar as it attempts to do this, ought to be looked on as being without force.

Prudential reasons strongly press to the same conclusion. It is a wise rule in judicial administration that a court will not decide an issue—particularly an important constitutional issue—when the decision of that issue will have no effect on anybody's real and practical interests. The reasons for this are not technical but highly practical, and they apply quite as well to a quasi-judicial determination such as the determination of the validity of Dr. Bailey's vote by the Houses of Congress. The real and practical reason is that only the involvement of genuine interests can mobilize the kind of energy and interest which a constitutional question ought to have expended on it. No better illustration could possibly be given than the present case. If the result of this election actually hinged on the resolution of this question, the question, in all its aspects and implications, would have been explored for months by every Member of these Houses and by every qualified specialist in the country. Historians and constitutional lawyers would have thrashed it out in scholarly journals. It would have received all the light which the whole country is capable of generating. Coming up as it actually does with nothing riding on its resolution, it has received nothing like the kind of exploration that a major constitutional question deserves. It is not too much to say that 2 hours of 5-minute speeches is a ludicrously small amount of consideration for a constitutional question of the magnitude of this one. In this regard, parenthetically, it can hardly be within the power of one Congress to bind its successors to give any less consideration to a constitutional question than the responsibility Congress currently thinks necessary.

As said above, these considerations ought ideally to lead to an unambiguous refusal by Congress to decide this moot case. But in the present parliamentary situation a "no" vote may be cast on the ground that the Congress ought simply to refuse to interfere with the inoperative and practically meaningless act of Dr. Bailey and of the North Carolina authorities who certified his vote—without any prejudice whatever to the question of what Congress would do if such an act were committed in a context which made it operative and practically meaningful. A "no" vote, on this ground, simply says that, without deciding on the constitutional rightness of Dr. Bailey's act, we will not in any event do the affirmative act of correcting a record, where that correction would be of no effect.

THE POSTAL SERVICE

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. PURCELL. Mr. Speaker, two events occurred recently which are of great significance to the Nation's postal service. First and foremost, there occurred the retirement of Assistant Postmaster General Bill McMillan, a great champion of effective Post Office operation, and a brilliant and wonderful man in his own right. When he retired, the Nation lost the full-time service of one of the finest men ever to serve his Government in any capacity. His knowledge and expertise in the field of postal operations were legendary, and a fitting counterpart to his administrative ability.

Second, there was the dedication of the vertical improved mailing system in an installation in the city of Dallas. This new system, when utilized nationwide, will insure that mail can be delivered immediately and effectively in the tallest buildings of the Nation.

Postmaster General W. Marvin Watson's remarks on that event discussed each of these events, and deserve a far broader audience. Accordingly, I insert his remarks in Dallas on January 3 as a part of the RECORD at this point:

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON AT THE DEDICATION OF THE VIM SYSTEM, DALLAS, TEX., JANUARY 3, 1969

I am very pleased to have the opportunity to be back here in Texas today to dedicate a facility that is a forerunner of a new and modern mail service which, within the next decade, will be the finest in the history of the world.

Certainly, coming here today, I was reminded that things have changed dramatically in only the past 100 years for Dallas. Yet, while this city and the Nation have grown, the postal service has failed to measure up to the challenge.

This has been the fault of many people and many changing periods in our government—some of which remind me of what happened to the first Postmaster General of Texas, John Rice Jones. After Texas won its independence, Mr. Jones attempted to model the Republic's postal system along the lines of the U.S. Post Office Department.

Some people might say that was his first mistake.

His second was to ask for support. The Post Office Department in Washington offered him support all right—they sent him a blizzard of forms and blanks, but when he asked the Republic for money they said they didn't have any.

I sometimes have a feeling of sympathy for Mr. Jones. I know just how he felt.

The history of the postal service can be described in many ways and one of them is too much paper and not enough money.

But I believe that we have at last turned the corner in our efforts to control and coordinate the post office in the future. Certainly, in the last five years, President Johnson has devoted more time and more leadership in the field of postal problems than any previous Chief Executive.

Under his direction, we have created new management structures and a new department for research and engineering. We have begun to treat our fantastically capable and loyal work force better—and we have begun to find ways to treat the postal patron better.

We still have a great distance to go, but I believe that we are now at the jumping off point where we can cover the distance in leaps and bounds.

This VIM structure is one more example of this. It creates a system whereby the mail can be delivered immediately and effectively in the tallest buildings of our nation. It provides a way in which this delivery at the same time can be made more cheaply and it shows that customers and the post office, working together, can solve modern problems.

There are, of course, many problems still to be solved.

These are problems that can only be solved by leadership and vision. If I were to draw a comparison, I would harken back to that time 50 years ago when the first United States Postmaster General from Texas, Albert S. Burleson, was appointed by Woodrow Wilson.

Mr. Burleson was a man of vision. He envisaged the day that the mail could be carried in airplanes. Fifty years ago they told him that was impossible and for a long time it did seem impossible, but Mr. Burleson's courage and leadership resulted in the first air mail flight—and what seemed unnecessary and impossible 50 years ago is now an important part of our everyday life.

That is much the case of the post office today. There are those who say that postal problems are unsolvable and that even the newest methods cannot make any impact.

I am not one of those who believes this to be so—and President Johnson has not been one who believed this to be so.

Therefore, we have encouraged new vision and new thought in the postal service—the putting into practice of the wisdom of men such as Assistant Postmaster General Bill McMillan, who sits here today and who retired just last Monday after 41 and one half years of brilliant service . . . a man come back to Texas now, and a man whom I know will still go often to Washington to continue to lend his counsel and the wisdom gained from years of experience to improving the postal service.

On the one hand we had men like Mr. Mac, and on the other we have the new young men from the computer industries and other sciences who can devise modern methods such as this VIM project.

Together, they have created another new system which we will be announcing shortly—the most far-reaching and most dramatic change in the postal service in this century . . . a workable system which can be installed and which we hope will be installed within the next four years. One phase is called the modular system—modules of machinery which will be able to process your mail at the rate of 107,000 pieces an hour.

But the modules alone are not enough. They can only be one part of the total change in direction which the post office requires.

So we put together the other elements, other machines, and fitted them carefully, balancing each component until the new network could be said to work smoothly and perfectly.

We feel that we have that plan now.

It is not as dramatic, certainly, as the race for space.

It will not be as well known.

But it will have a strong effect on every person in this country—for the mail touches every person in this country.

And we are all gratified that in these past five years we have been able to follow President Johnson's leadership and create such a program. We are gratified that we have perhaps found the key to turning the postal service around from its snowballing roll downhill into a structure as proud and tall and as efficient as this building.

Texas is a State rich in many things.

Its heritage includes the most unique register of former Postmasters General in the nation's history.

As a Republic it once had its own Postmaster General, Mr. Jones.

It gave to the Confederacy the brilliant Postmaster General, John Reagan.

It provided the dynamic Postmaster General Burleson during the birth of aviation.

Now I would not rate myself in that select company, but I will say that I am about to become as much of an ex-Postmaster General as any on this unusual list. But before that "ex" is placed before my name, there are some things that I plan to leave with you.

There is the plan for the modular post office—the mail system of the future.

And there is, I firmly believe, a new spirit of cooperation between those who mail and those who deliver the mail.

I have seen growing a new belief that if we work together, we will succeed in correcting our postal problems, not next year, and not the year after, and not at some remote time in the future, but rather starting right now in 1969.

I am also convinced that the seeds have been planted to make this the most memorable period for a Postmaster General since Ben Franklin or Jim Farley. Hence, my successor, Mr. Winton M. Blount, will be in the position of being able to make the greatest contribution to the postal service in modern history. I wish him well.

Certainly, it will be a controversial time It will be a challenging time. And if you all work together—the Postmaster General, the mailmen and the mailers, then you will have achieved what has always been only a goal and a dream: a modern and effective mail service able to keep pace with the growth of our population.

This is a goal worth striving for and working for.

And this is a goal we can reach. For as three lonely and brave men proved to the world as they journeyed on man's greatest feat of exploration and discovery—Americans can do what they set out to do.

Let us then gain encouragement from this Vertical Improved Mail project and dedicate ourselves to another task well within our reach if we desire to achieve it—the creation of a mail service that has reached the highest standard in the world: The American Standard!

TUCSON SEABEE UNIT WINS TOP AWARD

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. UDALL. Mr. Speaker, I am proud that a Naval Reserve organization in my district has been selected as the best of its kind in the Nation. I am speaking of Naval Reserve Construction Battalion 17, Subunit 11-6, stationed in Tucson, Ariz.

On November 23, 1968, this outstanding unit received the J. J. Manning Trophy in a ceremony in Tucson. The presentation was made by Rear Adm. R. R. Wooding, CEC, USN. Without objection I will insert the text of Admiral Wooding's remarks at this point in the RECORD:

COMMENTS BY REAR ADM. R. R. WOODING, CEC, USN, AT THE PRESENTATION OF THE J. J. MANNING TROPHY TO NAVAL RESERVE CONSTRUCTION BATTALION 17, SUBUNIT 11-6, IN TUCSON, ARIZ., NOVEMBER 23, 1968

Admiral Dornin, Commander Martin, Commander Nelson, distinguished guests, ladies and gentlemen, I am delighted to be in Tucson, and particularly delighted to take part in this presentation ceremony. Not only do I have an opportunity to represent the higher Navy echelons, but I have a chance to visit one of my favorite States, Arizona. And if Arizona Seabee Reserve units continue to excel in the Reserve program in the future as they have in the past, perhaps I should have a permanent office over here!

This is the third consecutive year an Arizona unit has been awarded the J. J. Manning Trophy. Let me assure you that being the winner is no slight accomplishment.

The J. J. Manning Trophy bears the name of a former chief of Navy civil engineers who established the Seabee Reserve program. Competition for it is nationwide.

Some 198 units compete. The complex achievement scoring system covers the alpha to omega of Navy personnel operations and administration. To come out on top is truly a great feat.

I sometimes wonder what makes those so far from the water excel in Navy reserve programs. The definition of a Seabee—a soldier in a sailor's uniform, with marine training doing skilled civilian work at W.P.A. Wages—is not the answer, although the definition applies to today's Seabees, regular and reserve. Rather it has to come from that which a newsman observed—the most outstanding thing about the Seabees is their tremendous morale.

You had the organization. You have exhibited the zeal, enthusiasm, interest and desire. Your morale was high, and it carried you over the top in this country-wide competition. You are the best of type in your field in the Navy. You've earned the recognition and the respect of all the Navy as the winner of the J. J. Manning Trophy for FY-1968.

Commander Martin, on behalf of the Chief of Naval Operations, the Chief of Navy Civil Engineers, I take great pleasure in presenting to you and to all the officers and men of Naval Reserve Construction Battalion 17, Sub Unit 11-6 who have competed with you for this honor, the J. J. Manning Trophy, symbolizing the achievement of the best of type for Reserve Seabee sub units in the Nation. You have achieved the coveted pinnacle of success in your quest for national honor in the true tradition of the Seabees.

Well done!

CRIME IN WASHINGTON

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. ROGERS of Florida. Mr. Speaker, crime in Washington during the first 2 weeks of 1969 has doubled and tripled the 1968 rate in certain categories.

The police have already recorded the 200th armed robbery this year, indicating a rate in excess of 20 per day, compared to 12.7 a day in 1968.

There were eight bank holdups in the first 11 days of the year, three times the rate for last year.

With 11 murders in Washington in the first 11 days of the new year, it can be seen that all levels of crime are out of control in this city.

The Washington Post calls the situation a "crime crisis." This is exactly what concerned Congressmen have been trying to point out for months.

Last year I placed in the CONGRESSIONAL RECORD various reports on sentencing by Washington's judges. At that time it was noted that minimum sentences and reduced charges had the effect of releasing criminals within short periods of time to commit additional crimes. The FBI now estimates that over 20 percent of those currently being arrested in Washington are either out on bond, or probation.

In a sharp attack on Washington courts, Federal Judge Oren Lewis in Alexandria said, in sentencing a bank robber recently, that the record of the accused in Washington courts indicated "they seem to put you on probation regardless of how many offenses you have."

The crime rate will continue to rise in Washington until the judiciary determines to protect the public. The civil rights of the citizens of Washington are being violated each day the crime wave continues, and the courts have it within their power to help protect the public.

Some changes in existing law are required, particularly in regard to bail bond procedures. But action can and must be taken now by the courts of this city to see that criminals are given sentences sufficient to turn the tide. Repeaters must be dealt with firmly. Justice must be swift.

Murder and rape are so commonplace in Washington they are reported on the inside pages of the newspapers. Armed robberies are so common they are reported as a group. And there is no mention at all of the hundreds of thousands of law-abiding people who can no longer venture out of their double-locked doors at night—and in some sections even in the daytime. If they are not robbed as they walk along the street, they may return home to find their house has been burglarized while they were away.

Crime statistics indicate only the cold facts of the increase. Personal hardships, losses, and fear tell the real story of crime in Washington and indicate the "crime crisis" and its effect on the city's people.

The people of this city need relief. The people of the country demand that their Capital be made safe. The judges, the prosecutors, the probation authorities, and the responsible officials in the city government must act.

CONNECTICUT RIVER VALLEY NATIONAL RECREATION AREA

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. CONTE. Mr. Speaker, I am both proud and eager today to introduce a bill to authorize the establishment of the Connecticut River Valley National Recreation Area.

Basically, my bill would carry forward recommendations of the Connecticut River Valley recreation area feasibility study, conducted by the Bureau of Recreation, under authorizing legislation, Public Law 89-616. It would authorize the Secretary of the Interior to establish a three-unit Connecticut River Valley National Recreation Area, consisting of a gateway unit along the Connecticut River Estuary in Connecticut, a Mount Holyoke unit, near Northampton, Mass., and a Coos Scenic River unit in New Hampshire.

I have long been convinced of the need for prompt and effective action to preserve the natural beauty and utility of new England's most important waterway, the Connecticut River. I actively supported and, indeed, introduced legislation for, the feasibility study.

Now, the feasibility study has been completed; its recommendations, a comprehensive plan for Federal, regional, and local cooperation to preserve this valuable natural resource, await our attention and action.

I submit that now is the time to act. We must begin to work promptly and thoroughly to translate the Connecticut River Valley National Recreation Area proposals into reality. I believe strongly in the necessity for that reality—a scenic and natural area for enjoyment by New Englanders for generations to come.

The challenge of preserving a livable environment is one of the most crucial questions facing this Congress, our Nation, and the world. Comprehensive environmental planning is a prerequisite to achieving this goal, and the Connecticut River Valley National Recreation Area proposal is a fine example of such in-depth planning. If we enact this proposal, we might perhaps point the way toward further, even broader planning to protect and preserve our Nation's natural heritage for Americans as yet unborn.

I strongly urge my fellow New Englanders, who are aware of the beauty and recreational potential of the Connecticut River Valley, and my fellow Representatives who are concerned with the problem of environmental improvement, to give their serious attention and favorable consideration to this legislation, and support the establishment of the Connecticut River Valley National Recreation Area.

THE LATE JAMES J. P. McSHANE—CHIEF U.S. MARSHAL

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. CAREY. Mr. Speaker, the untimely death of James J. P. McShane on December 23 has removed from the national scene one of the country's truly great and devoted public servants.

Jim McShane began his public career as a policeman with the New York City Police Department in 1936. After 21 years in that capacity he joined the staff of the Senate Antitrust and Monopoly Subcommittee as a Federal investigator. In 1962, the late President John F. Kennedy appointed him Chief Marshal and in that office he served with courage and distinction until his death.

Jim McShane will long be remembered for his efforts in behalf of law enforcement, his courage in the face of danger and his presence in all of the major civil rights confrontations of the past 10 years.

I include the obituaries appearing in the Washington Post and Evening Star on December 24, 1968, at this point in the Record:

[From the Washington (D.C.) Post, Dec. 24, 1968]

MARSHAL JAMES McSHANE DEAD

(By John P. MacKenzie)

James Joseph Patrick McShane, the chief of the country's United States Marshals, died yesterday and the circle of those most loyal to the Kennedy family suffered another loss.

He died at 59 at a Washington rest home where he had been a pneumonia patient for about a week. Doctors announced no official cause of death, prompting one fellow veteran of the Kennedy's years to call him "another casualty" of the murders of John and Robert Kennedy, whatever the final medical report would say.

Friends said Jim McShane, close to the Kennedys since signing on as a Robert Kennedy rackets investigator in 1957, couldn't conceal that he was taking the second assassination especially hard. The bluff, ruddy exterior that made him look the part of typical New York Irish cop—which he was—was no mask for his mourning.

"He was a strong and good man," Sen. Edward M. Kennedy said yesterday. "President Kennedy depended upon Jim McShane, and my brother Bob and I valued his counsel and his help. The members of the Kennedy family have lost a close friend."

"The Great McShane," as he jokingly called himself on occasion, had at least three careers, not counting the boxing competition that earned him a New York City welterweight championship and a broken nose. He was a Manhattan policeman for 21 years, then a congressional investigator and finally a Justice Department marshal and veteran of the major civil rights confrontations of the 1960s.

Decorated and censured by his police department superiors, he could shoot it out with hoodlums in New York and, without surprising those who knew him, could comfort and keep up the morale of the grieving children of Robert Kennedy.

Some said his later careers were brought on by the falling out he had with police officialdom for being photographed holding an umbrella over the head of former heavyweight champion Rocky Marciano. Detective McShane was off duty at the time but he received a temporary demotion for inadvertently creating the impression that he was on duty as a bodyguard.

Robert Kennedy wrote in "The Enemy Within" that Mr. McShane looked down the muzzle of a gangster's gun while seeking information about the juke-box racket in 1958. Mr. McShane told the gunman, "Put down your gun. I'm here from the Senate (Rackets) Committee." The man collapsed in his chair and said, "I thought you were coming to kill me."

The book also recounts a nighttime gravedigging expedition in which Mr. McShane and Robert Kennedy took part, hoping to find the body of a rackets slaying victim. The venture ended in an open-field chase by a farmer in the Joliet, Ill., area.

In 1961 Mr. McShane was named U.S. Marshal for the District of Columbia, and within a year he became head of the Justice Department office that supervised the work of 94 Federal marshals and more than 600 deputies.

Within weeks of assuming the top marshal's job, Mr. McShane was involved in the controversial death of a convicted spy and leadership on a mission to Montgomery, Ala., during the freedom ride disorders.

Technically, the spy, Dr. Robert A. Soblen, was not Mr. McShane's prisoner when he wounded himself with a steak knife on a flight from Israel, where he had gone after jumping bail. Nevertheless Mr. McShane was to have arrested Soblen upon arrival in the United States, and the marshal regretted Soblen's second, successful suicide attempt in a London hospital.

Other major assignments for Mr. McShane included the entry of James Meredith to the University of Mississippi, the Selma, Ala., march, the George Wallace stand-in at the University of Alabama, the Pentagon antiwar demonstration and Washington's riots last spring.

He was involved in a controversy with state police at the Mississippi University campus and only Federal immunity kept him from answering a local indictment for "inciting riot" during disturbances that endangered his life and those of his men.

Though he never went beyond eighth grade, Mr. McShane accepted an honorary degree from Xavier University in Ohio in 1965. He lived at 1325 N. Van Dorn st., Alexandria.

He is survived by his wife Theresa; a son, Michael; a daughter, Mrs. Gerald Day, and two grandchildren.

[From the Washington (D.C.) Star, Dec. 24, 1968]

JAMES McSHANE DIES; MARSHAL'S OFFICE CHIEF

James Joseph Patrick McShane, 59, chief of the executive office of the U.S. marshal here, died yesterday at the Mar Salle Home, 2131 O St. NW. He was admitted to the home last week with pneumonia.

Mr. McShane began his law-enforcement career as a policeman in New York. Later he worked for the Senate Rackets Committee and the Senate Antitrust and Monopoly subcommittee.

He was active in the rackets committee's investigations in the jukebox industry and in the operations of the Teamsters union, when Sen. Robert F. Kennedy was its chief counsel.

In his book, "The Enemy Within," Kennedy credited the investigations made by Mr. McShane and LaVern Duffy in Tennessee with bringing about convictions of five important Teamster officials, the impeaching of a judge and the removal of several public officials from office.

JOINED KEFAUVER PANEL

In 1959 he joined the staff of the Antitrust and Monopoly subcommittee, then headed by the late Sen. Estes Kefauver, D-Tenn.

He served for a year as U.S. Marshal for the District until May 1962, when he was appointed to head the executive office of U.S. Marshals. In his 6 years in that job he became involved in nearly every major civil rights conflict.

He was the marshal who directed federal officers sent to Oxford, Miss., to see that James H. Meredith was enrolled safely in the University of Mississippi.

Federal immunity kept him from answering a Mississippi indictment for "inciting to riot" during the disorders at the time of Meredith's admission. The Lafayette County, Miss., grand jury indictment referred to Mr. McShane's order to fire tear gas the night of Sept. 30, 1962, as federal marshals secured the university's administration building a day before Meredith's enrollment.

WALLACE "STAND-IN"

Also while heading the marshals' office, Mr. McShane was involved with George Wallace's "stand-in" attempt to prevent integration at the University of Alabama, and with demonstrations at the Pentagon opposing the war in Vietnam and with the disorders here last spring following the death of the Rev. Martin Luther King Jr.

In 1964, Mr. McShane received the "Civil Servant of the Year" award from the Amvets for his role in quelling the Oxford, Miss., riots in 1962.

Born on St. Patrick's Day in New York in 1909, he had to drop out of school after the 8th grade. However, 3 years ago he received an honorary doctor of laws degree from Xavier University in Cincinnati.

"This is not the proper way to do it," he said. "The proper way is to go to school . . . and graduate."

He began working for the New York police department in 1936. Before that his only connection with "tough guys" was through his boxing activities. He won the city's Golden Gloves welterweight championship in 1930.

FOURTEEN BRAVERY CITATIONS

During his 21 years with the department he won 14 citations for bravery.

Only once during his career there did he incur the disfavor of a superior. That was in 1954 when he was photographed holding an umbrella over the head of world heavyweight champion Rocky Marciano.

Although Mr. McShane, then a detective, was off duty at the time, police officials said the picture made it appear he was a bodyguard for Marciano, and that the department had assigned a detective to an unnecessary job at a time when it was suffering from a manpower shortage.

He was demoted one grade and transferred from Manhattan to the Bronx. However, the police commissioner reversed the decision 10 days later and restored him to his former rank and assignment.

In 1957 Mr. McShane retired from the police department and joined the staff of the Senate Rackets Committee.

He leaves his wife, Theresa, and a son, Michael, both of the home, 1325 N. Van Dorn St., Alexandria, and a daughter, Mrs. Gerald Day, also of Alexandria.

DOESN'T ANYONE WORK FOR THE PRESIDENT?

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. OLSEN. Mr. Speaker, I would once more like to invite the attention of the House of Representatives to the reports "How To Cut Paperwork"—House Report No. 2197, 1965, 89th Congress—issued by the Subcommittee on Census and Statistics, and House Report No. 52, "The Federal Paperwork Jungle," issued by the same subcommittee in 1965. Much has been said and little has been done to implement these recommendations. I must admit I am not surprised. Wasteful paperwork practices and redtape are temperature readings on empire building within the Federal Government.

The vast majority of Federal employees do a wonderful job, but the top management within the career service play their own game, without strong direction, from the White House. Federal agencies which are concerned with domestic problems in the United States find themselves after a time with a free hand because the President's whole concern must be with foreign affairs, and this has been the case since 1940.

The problem is one of information. Each agency plays its own game. It is as if the Baltimore Colts or the New York Jets ignored their respective coaches and quarterbacks, and each player had an exclusive interest in his own position.

Federal agencies in a very real sense are at war with each other in the competition for higher appropriations. At times old agencies like the Post Office Department are cut back by the Budget Bureau and the Appropriations Committees of the Congress cut back these agencies even further. In short, it takes a disaster or the threat of disaster to obtain higher appropriations for old-line agencies. Former Postmaster General O'Brien played this kind of game very well. He filled the press with prophecies of chaos and disaster for the postal service along with attention-getting ideas demanding a total change of the structure in the Post Office in order to get higher appropriations.

Because of the teamwork problem, the information that the President of the United States receives from the Federal agencies bears on only one problem, their problem, the need for greater appropriations. The whole Budget Bureau program is bogged down on this one question. Thus information filtered into the White House by the Budget Bureau is not bad in itself, the problem is that our information systems are dominated entirely by the budget crusades of various Federal agencies. The information system never talks back on the President's behalf; that is, it never asks questions, it never evaluates what is being done. In short, we do not know if Federal programs are even working until there is an explosion in the press over some mess or other.

The Subcommittee on Census and Statistics investigations of a few years ago showed that 1 billion reports are required annually by the Federal Government, and as far back as 1963, $53 million was spent just in printing Government forms and the reasonable cost of putting such forms to use comes to 20 times that amount, the Federal Government is quite active in issuing at least 3 million pages a year in directives. The total figure for paperwork in the Federal Government reaches a figure of $8 billion.

How much of this information gets to the President and is useful to him in assuming leadership of the Federal Government and representing the American people as a whole? What tools and personnel does the President have to make certain that the 2 million Federal employees are working together towards a common goal?

The White House staff of the President these days runs from about 50 to 70 people. It could go down to a complement of 35 or so and still function at minimum efficiency. This is hardly adequate when you consider that the President receives in the range of 1 million letters a year. These letters, of course, are referred to the Federal agencies for answer, which agencies the writers are usually complaining about. The job of the White House staff is to coordinate as much of the policy planning of the Government as possible. McGeorge Bundy, during the Kennedy administration, ran a little State Department out of the basement of the White House because President Kennedy, who held Secretary Rusk in high esteem, thought very little of the State Department as an institution.

A recent book authored by Patrick Anderson, "The President's Men," commented on how the White House staff of President Johnson and others had to function.

> Most White House liaison men have been spread impossibly thin. Sherman Adams often seemed like a man trying to hold back the governmental tide with a single bucket. Sorensen was often preoccupied with speech-writing, and his two aides, Feldman and White, more or less divided up the government between them. Similarly, Califano is overburdened and McPherson's duties as speechwriter cut into the time he has for liaison with the agencies assigned to him. (*The President's Men*, p. 388).
>
> No recent President has exercised effective control over the bureaucracy, but Johnson with his concern for domestic affairs and his hard driving administrative style, might have given it a hard fight if he had ended the war in Vietnam and served a second term. (Ibid., p. 388)

A larger White House staff is not the answer. Little State Departments set up in the White House basement only set off fratricidal strife in an administration. There is limit to the size that a White House staff can grow to. If the Budget Bureau cannot do the job a President needs done, and a White House staff can only be expected to do so much, what is the answer? I think the answer can, in part, be found in a lead article written by Chester L. Guthrie and Thomas Kennedy, published in the S.A.M. Advanced Management Journal for January.

The Guthrie-Kennedy article points out that basically the American Presidency is operated in the same manner as Thomas Jefferson did in his time. The picture of the President of the United States taking reports and memorandums to his bed each night, is fantastic. It is also impossible for the President to depend on briefings by Government officials. A 15-minute briefing on each significant Federal function each day would take 7 months, devoting the time from 8 a.m. to noon.

The authors point out that it is feasible to design and engineer a modern information system for the President alone and the White House staff to fulfill his task of bringing the Federal Government together on one team. It is necessary to know how programs are doing and to improve them while they are running. This can be done by the triggering of questions through the computer process. For instance, it is one thing to know how many complaints are filed by a regulatory agency, but it is quite another to know how long it took the same agency to act on those complaints. The same type of thing has been done by private corporations, I am told, and it certainly can be done for the President of the United States.

Mr. Speaker, I include in the RECORD at this point a copy of the Guthrie-Kennedy article:

INFORMING THE NATION'S PRESIDENT

(By Chester L. Guthrie, Special Assistant for Research and Planning, National Archives and Records Service, General Services Administration, and Thomas R. Kennedy, Subcommittee Counsel, Postal Operations Subcommittee, The House of Representatives)

Despite much that has been said or written about the President of the United States, and the men who have occupied that awesome post, little notice has been taken of how they keep themselves informed and make their thrusts felt. Each year the drudgery of digging through the paper morass after essential information becomes more burdensome.

Chester L. Guthrie, Special Assistant for Research and Planning in the National Archives and Records Service of the General Services Administration, began his career in the National Archives in 1937. During World War II he transferred to the Navy as a Systems Consultant and later, in uniform, served as Officer-in-Charge of Administration at the Navy Bureau of Medicine and Surgery. After the War, he joined the Veterans Administration as Director of Medical Administration in the San Francisco office. He subsequently was named Director of Administration at the Pan American Health Organization.

Thomas R. Kennedy, Subcommittee Counsel for the Postal Operations Subcommittee of the House of Representatives, is a graduate of the University of Montana. After service in the Labor Relations field for the United States Army, he moved to the Criminal Division in the Justice Department in 1964, where he handled cases in the areas of narcotics and obscenity. Service as Subcommittee Counsel for the Census and Statistics Subcommittee of the House of Representatives began in 1965 and continued until his present appointment early last year.

The methods of the Presidency have changed but little since the Republic began. Thomas Jefferson in his remarkable "Circular to the Heads of the Departments, and Private," November 6, 1801, described the situation as follows:

"Having been a member of the first administration under General Washington, I can state with exactness what our course then was. Letters of business came addressed sometimes to the President, but most frequently to the heads of departments. If addressed to himself, he referred them to the proper department to be acted on: if to one of the secretaries, the letter, if it required no answer, was communicated to the President, simply for his information. If an answer was requisite, the secretary of the department communicated the letter and his proposed answer to the President . . ." He finally concluded: ". . . that we should adopt this course for the present, leaving any necessary modification of it to time and trial . . ."[1]

One year and one-half later Jefferson ruefully wrote to a friend who had sent him some books: "While *here* (Washington), I have time to read nothing."[2] He saved the books to read on his summer vacation.

Apparently a non-vacation, "Texas Ranch White House" situation did not develop until much later.

As time went on, of course, the physical review of mail by the president ceased. The concept changed to "briefings" and other one-time, and therefore unsystematic, methods of filling in gaps of information. There never has been a systematic source of viable key data for the president. A professionally designed and professionally administered "management information system" has simply never been created for him.

The absence of a systematic management information system is curious, especially when viewed in the light of modern day technology. Few presidents of large corporations are without an information system. In fact, almost all of the departments and bureaus of the federal government have systems, or are working on them. These systems are designed to meet the needs of the bureaucracy, not the presidency. There is a difference.

In a very provocative paper, "The President and the Bureaus," Professor David S. Brown claims that the present non-structured approach (which goes back to Washington and Jefferson methodology) has permitted a "paper curtain" to cut off the president from direct contact.[3] Without a systematic information system, data flow very reluctantly, if at all, up through the hierarchy and almost never back down the hierarchy. The "Boss" is an unknown quantity to the program directors who guide the efforts of the 3 million civilian employees and almost equivalent number of military.

Professor Brown quoted a White House advisor and also commented as follows:

"The average bureau chief is a submerged person. He is relatively remote, as far as the President is concerned, kept that way by the nature of the organization and the business of the moment. He must struggle, in fact, for whatever guidance he can get from the head of the department in which he is located. Certainly there are few instances of a President giving guidance to a bureau chief directly, and, in point of fact, not many more via the head of the department."[4]

One of the difficulties of focusing attention on the bureau chiefs is that such a focus tends to obscure the issue. There are only about 125 executives who can qualify as "bureau chiefs" in the sense used by Professor Brown. A study of the *U. S. Government Organization Manual* (issued annually by the General Services Administration, Washington, D. C., available from the Superintendent of Documents) will show that there are over 3,000 significant functions listed which are conducted by the Federal Government. All of these relate in an important way to the purposes of the president and his administration. There is no citizen beyond infancy in the United States who is not directly and personally concerned with one or more of these programs. There is not now and never has been a system which permits the presidency to react to the policies and progress of the Federal programs. Certainly the budget exercise is no such system, any more than the doling out of household and personal allowances can be said to be a system which satisfactorily guides a family through its substantive development.

BUDGET PROCESS

Most authorities now warn against relying too heavily on the budget process for effective planning and controls. As Harold Koontz and Cyril O'Donnell in their new edition of *Principles of Management* point out, budgets should be only *one* of the tools of planning and control.[5]

There are several very real dangers in relying on the budget process. Perhaps most importantly, there is a tendency to continue inefficiencies under the guise of precedent. For example, once a function has been established at a certain resource and performance level, that function usually can be comfortably programmed at the same or slightly higher level year after year. One of the interesting consequences in the federal government is that functions may change considerably, be combined with others, or be subdivided without any of these changes being reflected in the budget. No one apparently wishes to disturb a resource-providing precedent.[6]

Additional proof of the unrealistic character of the budget will be found in the way people who are accustomed to the federal government usually acquaint themselves with a new area of interest. First recourse is usually to the *Congressional Directory*. Key names, functional terminology and relationships are thus obtained. Next the *U.S. Government Organization Manual* is studied for its functional statements, statutes, and additional organization data. Finally, if the inquirer is *really* knowledgeable, he will obtain a current telephone directory of the agency concerned! From the organizational listings (usually in the back of the little directories) organizational status, relationships to key personnel, and probable size of activity will become clear. However, almost no one ever consults the printed budget for this type of critical information. Only a most distorted concept of activities can be derived from the analyses and justifications contained in the budget.

Probably one of the severest limitations on using the budget for management decision purposes is that the president must arrange for budgets to be drawn up at least two years in advance. Even the current revision of the operating budget in the Federal government must be made during the fall for presentation to the Congress in the spring. The budget in its final form, as approved by the Congress, is usually not available until midsummer or later! In the meantime, another budget for the following year has been developed in detail, along with a five-year forecast.

Obviously, some aspects of the budget process, forcing as it does, a measure of long-range planning, is very valuable to the president. However, it is about as hopeless to attempt to create a budgeting system which will also provide good, current managerial information as it is to try to invent a universal tool for carpentry. There have been ingenious efforts in both directions.

If the budget process has its limitations from the point of view of the president, what about the time-honored Jeffersonian briefing concept? It is probably unfair to that great innovator, Thomas Jefferson, to associate him so strongly with the concept. If he were alive today, he would probably be one of the strongest advocates for a good, usable information system for the president. Nevertheless, what about the briefing concept? After all, briefings have reached a stage of perfection which tempt people to write learned articles about the technique.

BRIEFING TECHNIQUES

As has been mentioned, there are at least 3000 federal functions of significance to the presidency. If we were to assume a typical once-over-lightly-fifteen-minute briefing on each function, a president would have to devote the hours from eight in the morning to twelve noon each day, six days a week, for a period of over seven months to get through the first set of briefings! No president could or should entertain such a concept for obtaining information for his management needs. The federal enterprise has outgrown the old briefing method.

Alternatives to the Jefferson information techniques come to the mind of any modern manager. These include need-to-know summarizations, management by exception and computerized data banks, to name some of the more obvious answers to the problem. Unfortunately, the office of the Presidency of the United States is unique in many ways. Answers to the question, "How can we inform the president,?" require something more than the simple application of a standard technique. No enterprise on earth is as complex as the federal government, and certainly none is of more vital concern to the citizens of the United States.

Sadly enough, the president, as was dramatically demonstrated by President Kennedy, must rely on newspapers for much of his more significant information.

Perhaps the place to begin in searching for an answer to our question is with those key managers who direct the thousands of existing federal programs and the bureau chiefs to whom they report. This approach could strike the average business executive as being most peculiar, if not completely backwards. Why not, as Dale McConkey suggests, establish overall "corporate" objectives reinterpreted down through the echelons into specific objectives and reporting techniques?[7]

Why not indeed? Most presidents do make an attempt to set "corporate" objectives, carrying over from their election campaigns. The difficulty lies in the federal system. The federal government is not a corporate entity, and has never been assimilated into one. Each element within the federal establishment has been set up by law, or has bases in some part of a specific piece of legislation. To a large extent, each is an independent enterprise. Each element is established to serve or control (or both) some aspect of government responsibility. Objectives within the same environment and the same class of activity can differ between any two federal functions.

For example, the Bureau of Commercial Fisheries is interested in the economic development of the fishing industry while the Bureau of Sport Fisheries and Wildlife (within the same agency!) is interested in

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Footnotes at end of speech.

conservation *despite* the economic development of the commercial fishing industry. Examples in the fields of water, education, banking and loans, welfare, trade development and hundreds of others could be given. Unfortunately, corporate identity under our system too often begins and ends with the individual function.

During some recent hearings, Senator Edmund S. Muskie underlined the need for a more coordinated effort.[8] His subcommittee pointed to over 270 programs which related so directly to the economy and to each other that he and his group proposed a plan for organized coordination of federal activities with the state and local governments as well as with the private sector. This plan he termed Creative Federalism.

For at least a generation, and probably longer, no president has had objectives which could apply to more than a fraction of the federal functions. The objectives of the president have never been the objectives of most of the federal managers for the fundamental reason that there has never been and does not now exist a viable communication loop.

FEDERAL INFORMATION SYSTEMS

When President John F. Kennedy first entered the White House, a considerable stir was started among managers of governmental functions. He sent out a call for reports on problems and progress at all levels. This report became known as the "Bi-weekly White House Report." Many thought that they were witnessing the first step towards a presidential information system. Unfortunately, no further steps were taken to develop a system. The reports still continue, after the manner of old reports once begun, but there has been seldom any feed-back from them.

As a result of discreet inquiry on the part of the authors, it was found that the reports have been relegated to a secondary, routine role. They are given a quick screening for items of special interest, and then are filed away in the Bureau of the Budget, as a source of possible future information. Further inquiry around Washington brought out the fact that the material is so screened and selected before submission to the White House that it is scarcely indicative of "problems and progress" in any real sense of the word—certainly not in any complete sense of the word.

On the other hand, an impression that functional managers in the federal government are not informed would be erroneous. The problem is that their needs for information have never been related to those of the president. Despite a considerable information base, many functional managers would find it most difficult to respond to a true presidential need-to-know information request.

An indication of how extensive the information base developed by the federal managers has become, was given by a recent Congressional report on *How to Cut Paperwork*.[9] This report points out that reports are now costing the Federal government in the order of $1 billion a year. It also points out that another $500 million has been going into feeding the computers. Some part of this outlay is also for reporting purposes.

Compared to the large outlay for information on the part of the federal government managers, the primitive presidential information system, if so it can be called, is very modest indeed. Estimates of the Committee of Congress which issued the report on *How to Cut Paperwork*, are that less than $100,000 is spent in any one year on reports primarily intended to inform the president (not counting special boards and commissions).

NEED FOR INFORMATION

If it can be granted that the president has a need-to-know problem which is different from that of the functional managers, in what way is it different? Does the difference lie in a need for greater summarization, or is there likely to be other and more fundamental differences? There is probably an element of summarization involved, but at the core of the problem there are certainly fundamental differences.

Even in business the old concepts of summarization up through the reporting pyramid have been called into question. As Don Voich, Jr., and Daniel Wren point out in their latest work on management principles and systematic use of resources (they hold that *data* comprise one of the basic resources), management must look beyond routinely acquired and summarized data. Management must consider the impact of environment in setting objectives and determining strategy. "The manager must rely on accurate feedback, a closed information loop, to tell him what is occurring." [10] He must in fact have information on the total environment within which the business operates and decisions are made.

Harold Koontz and Cyril O'Donnell state the case from the other side of the coin. They point out that: "So long as information design is confused with the clerical work of information gathering and summarizing, managers will understandably continue to fret about the inadequacy of the data on which they are forced to act.[11]

From the standpoint of the presidency, the problem is much more difficult and complex than the typical top manager in business is likely to encounter. This fact is amply witnessed by those men of business or other parts of our private sector who have donated some period of their lives to serving in the federal government.

Experience from the time of George Washington down to the present has shown that our Chief Executive has indeed vast and unique responsibilities.

First and foremost, he is the responsible leader of all the people, of whatever faction or interest, in the nation, and is therefore directly responsible for their safety and welfare.

Second, he is the principal political head of his party and of those who follow the politics he represents.

Third, he is the focus of foreign and military policy, and is charged with the physical security of the nation in relation to outside forces.

Fourth, he provides the executive mechanisms by which the will of the Congress and the decisions of the courts are administered.

Political scientists might debate the precise checks and balances relating to the authority and responsibility of the president in comparison with the Congress and the Judiciary. However, by virtue of having command of the military forces and of the executive establishment, and because of the party system, the president has historically accepted the four basic categories of responsibilities listed above. Even Jefferson, reluctantly, found that he could not avoid them.

Indeed, the president has a total environment scope, to use the terminology of Voich and Wren, undreamed of by any person in the history of mankind. Leaders, such as emperors and monarchs, have had more authority, but never has any single person had such a scope of responsibilities, considering magnitude and complexity.

Individual federal managers relate to a much simpler and restricted "environment." The managers are concerned with an aspect of federal services or controls as they concern some portion of the population. They also are concerned with one or more subcommittees of Congress and frequently with certain professional or technical groups. The managers' problem is to keep their "customer" and their "bosses" either satisfied or contained. The presidency is many layers and echelons removed.

The impact of the present situation is readily observable in the Congress. The committees, or individual senators and members of the House of Representatives, generally go directly to the federal managers for information, rather than to the president. This is not always a satisfactory procedure since the Congress is more apt to be interested in subject matter from the same general orientation as the president would have and, therefore, asks for information which has to be specially gathered by the federal managers.[12]

INFORMATION FAILURES

Many examples of failures in the president's information "system" could be given. Discussion by the authors, especially with staff members of Congressional committees, brought out many vivid problems ranging from the size of the stack of papers the president takes to his bedroom each evening, to tragically ludicrous failures in the system. While most of these examples were revealed under privileged conditions which prevents their free-use, some of the memoirs and interviews which have been published can be used. Most people in and around Congress agree that the situations revealed by some of those insights still remain to plague and baffle the president.

A natural tendency of most political scientists has been to point to the Cabinet as a potential source of information. Very few presidents, if any, have found the Cabinet to be informed. As ex-Postmaster General J. Edward Day states in his book, *My Appointed Rounds* (Chapter 11), the president uses the Cabinet in a very perfunctory manner. He said that President Kennedy called the Cabinet together less often than once a month. The meeting at the time of the Cuban missile crisis lasted only about ten minutes! In fact, the Bay of Pigs episode was probably a classic example of information failure, and of a failure of the Cabinet to inform the President; because, in turn, the career foreign service and the Joint Chiefs of Staff had somewhat failed to inform the Cabinet.

Another classic example is given by Ladislas Farago in *The Broken Seal* (Chapter 15). He pointed out how the White House under President Roosevelt was actually *excluded* from important military information and diplomatic information obtained by the military. This exclusion was during the critical January to November period of 1941, during which Germany prepared to attack Russia and our own relations with Japan deteriorated

Both Richard Nixon (*Six Crises*) and Arthur Schlesinger, Jr., (*A Thousand Days*) point out the lack of information from the State Department and lack of response of the Department to instructions from the president. Mr. Schlesinger summarized by saying that the career officers considered the foreign policy of the United States to be their personal property to be protected against "interference from the White House and other misguided amateurs" (P. 414). Mr. Nixon was almost as sharp in his criticism. He summarized by saying that careerists were more interested in keeping a good job than doing one (P. 441).

During hearings on the *Proposed National Criminal Statistics Center* (March 5, 1968), Chairman William J. Green of the Subcommittee on Census and Statistics, Post Office and Civil Service Committee, brought out a sad lack of information despite the President's many study "Commissions." One of his witnesses on the need for information on criminal activities stated: "The most important thing in my judgment is [that] within several years enough information can be generated on a routine basis to provide adequate information to guide the public, Congress, and state legislature . . . [This is] more important in the long run in terms of riots and in terms of doing something substantial about the crime problem in this country, if you will pardon me for making this observation, than the Riot Commission

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Footnotes at end of speech.

Report the other day, than the President's Crime Commission Report . . . and so on." The Committee tended to concur with the witness!

Another interesting insight into the President's information problem came about as a result of interest in the anti-trust actions of the government. In this case Robert Kennedy, who was then Attorney General, asked the Federal Trade Commission for a report on what had happened *after* the courts had rendered their decisions. This inquiry was probably the result of presidential interest. The question caught the F.T.C. by surprise. Their objectives had been to hear complaints and assist the Department of Justice during prosecutions. The next phase, which would be the impact on the environment—so important to the president—was not covered adequately by their program.

Paul Rand Dixon, Chairman, went to some lengths in an interview with the *U.S. News and World Report* (July 17, 1961) to explain the F.T.C. position. He actually had to ask for more budget (another reflection on the budget process). Apparently for lack of detailed policies and followup, both of which would be of presidential interest, some of the effectiveness of anti-trust activity has been lost.

There is a definite failure in the presidential information loop. As President Truman is reported to have predicted for incoming President Eisenhower: "He'll sit here, and he'll say, 'Do this! Do that!' *and nothing* will happen" (Richard Neustadt, *Presidential Power,* Chapter 2). Later the prediction was confirmed. One of President Eisenhower's aides, according to Neustadt, remarked: "The President still feels that when he's decided something, that ought to be the end of it . . . and when it bounces back undone or done wrong, he tends to react with shocked surprise."

AN EFFECTVE SYSTEM

What steps could and should be taken to provide the president with a management information system? Obviously, whatever steps are finally taken, should be taken with caution and in conjunction with adequate resources. The president probably needs to know less about the detailed operations of the many federal functions—even in summary—than about the impact of these functions on the national and international "environment."

He needs to know how resources are being used and what other alternatives there are—hopefully some of this information will come from the "PPB" system. However, he needs to know this information from the standpoint of the presidency, not from the restricted viewpoint of the individual manager. He cannot ignore the political scene, nor the developments at home or abroad that are likely to affect the nation. He should even have an eye to the Congress and the Judiciary to give vital information support as is appropriate under the Constitution.

One aspect of developing a presidential information system has been mentioned in passing, but has not been stressed in the foregoing pages. That additional aspect is the great opportunity the new computer technology offers to manipulate data more easily and effectively than before. Here again caution is needed. As has been pointed out by many experts, computers have not always been used effectively in providing management with information for managerial purposes. As system after system falls short of the goals, it has become more and more clear that real analysis is needed in a depth not normally gone into by computer system analysts and information system designers.

Probably, a multi-discipline team would be needed to interpret presidential objectives into those which could be applied to functions or groups of functions. Certainly, the 3000 plus functions should be regrouped into meaningful categories, even if such categories crossed agency and even Cabinet office lines. However, Cabinet officers and heads of major agencies would be among the chief beneficiaries of a presidential system, since there would be a clear flow of significant data and feedback of presidential interest. This would make their jobs much simpler and more satisfying.

THE STAFF

It would seem reasonable, in view of the grave importance to the nation, that responsibility at long last should be firmly and clearly assigned to provide an effective informative system to the president. More specifically, the authors recommend that an Office of Presidential Data be organized in the White House, answerable to the president and his aides. Also, we recommend that the Office provide an analytical, timely, and responsive data resource covering the entire spectrum of presidential needs. Furthermore, we suggest that operating policies and audit techniques be established so that the office could never thwart nor contain the presidency, nor serve as a paper curtain cutting off federal managers and the Congress from the information loop to and from the president.

Such an office should be staffed adequately with full-time specialists and qualified managers. The office should be provided with computers and information linkage devices sufficient to meet the president's needs, and be independent of all other systems, but have priority linkage with them.

On the other hand, the authors do not feel that the new office should be the sole or even the principal designer of the system. A Presidential Data System could be better designed by means of a contract using the best available resources in our private and public sectors. Also, to maintain the system, the director of the office and his chief managers should have available to them a carefully selected advisory board, comprising statesman-like citizens from all segments of our society. Such persons would include representatives from the professional management societies. Other representation on the board might well come from the political, economic, social, scientific, and general academic communities. An important advisor would be on security, in order to protect the nation from inappropriate disclosure, but also to assure that the president himself is *never* excluded from key critical data, no matter how secret or sensitive the information contained therein might be.

It apparently would be possible to provide the president with the beginnings of an information system, which could grow to fit his needs. We have probably delayed too long in providing one.

The thesis that the Presidency as an institution is in trouble has been advanced by McGeorge Bundy in his book "The Strength of Government." The point of the article I have included in the RECORD and Bundy's book is the same—that a great deal must be done soon so that the people's representative, the President, can fully control the Government he heads. An incident during the Cuban missile crisis makes the point better than any series of articles. In the middle of negotiations with the Soviet Union over the Cuban missiles, a lone American intelligence plane was in flight over the Soviet Union. Soviet airbases scrambled. The situation was more than serious since President Kennedy had ordered such flights discontinued months before. An immediate explanation of the incident was made by President Kennedy to the Soviets while the plane was in flight and nothing further happened. President Kennedy is supposed to have remarked that generally some "so and so does not get the message." The problem today is that the so and so who does not get the message in a nuclear age may be the President of the United States. A computer information system solely at the disposal of the White House is an urgent necessity today.

FOOTNOTES

1. *The Writings of Thomas Jefferson,* The Thomas Jefferson Memorial Association, Washington, D.C., Vol. X, pp. 289–291.

2. *Ibid,* Vol. X, p. 404.

3. *Public Administration Review,* September 1966, pp. 174–183.

4. *Ibid,* p. 175.

5. Harold Koontz and Cyril O'Donnell, *Principles of Management: An Analysis of Managerial Functions,* 4th ed., N.Y., 1968, pp. 654–655.

6. An attempt is being made in the federal government to use a new budgeting concept termed: "Planning-Programming-Budgeting." This concept was developed by President Charles J. Hitch of the University of California and others, and has been strongly urged by Robert S. McNamara, previously Secretary of Defense and Charles J. Zwick, now Director of the Bureau of the Budget. The "PPB" system, as it is called, is designed to tie resource allocation to project priorities. It employs long-range planning methods and is intended to offer alternatives to top management. Unfortunately, adoption of "PPB" has been a slow and uneven process. Many feel that it can never replace all or any major portion of a good management information system. See *Planning-Programming-Budgeting Hearings,* Subcommittee on National Security and International Operation, Committee on Government Operations, U.S. Senate, Washington, D.C., 1967.

7. Dale D. McConkey, "The Results Approach to Evaluating Managerial Performance," *Advanced Management Journal,* V. 32, No. 4, October 1967, pp. 18–26; *How to Manage with Results,* American Management Association, Nov. 1965.

8. *Creative Federalism,* Hearings before the Subcommittee on Intergovernmental Relations, Committee on Government Operations, U.S. Senate, Nov. 1955, Washington, D.C., 1967.

9. *How to Cut Paperwork,* Committee on Post Office and Civil Service, House of Representatives, House Report No. 2197, Washington, D.C., 1966.

10. Don Voich, Jr., and Daniel O. Wren, *Principles of Management—Resources and Systems,* New York, 1968, pp. 14, 54, 77.

11. Koontz and O'Donnell, *op. cit.* p. 796.

12. During the sampling of experience made through interviews of the authors with staff members of the committees, there was a general consensus that federal managers tended to provide inadequate information, especially as to the broader impacts of their programs.

LEGISLATION INTRODUCED BY MR. RUMSFELD IN BEHALF OF DR. LEVADI

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RUMSFELD. Mr. Speaker, Dr. Solomon Levadi, a resident of my congressional district, has been endeavoring for a number of years to secure a waiver of the statute of limitations so that his claim for service-connected disability might be heard in the Court of Claims on its merits.

I have introduced legislation in behalf of Dr. Levadi in two previous Congresses. Although it has been passed by the House on two occasions, it has not been acted upon by the Senate. I am, therefore, today reintroducing this legislation, and urge that every consideration be given to prompt and favorable action on this bill so that Dr. Levadi might be given an opportunity to present his case before the court.

HUD EXPERT CITES NEED TO COMBINE GOVERNMENT AND PRIVATE INDUSTRY RESOURCES TO MEET HOUSING NEEDS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. MOORHEAD. Mr. Speaker, a week after the 90th Congress adjourned, it was my privilege to attend in my home city of Pittsburgh the dedication of the 100-unit Wilmerding apartments for the elderly, built through the cooperation of private enterprise and the Department of Housing and Urban Development.

At the dedication, Mrs. Marie C. McGuire, HUD's Assistant for Problems of the Elderly and Handicapped, delivered an excellent address entitled "Housing for the Elderly: Community Improvement in Wilmerding."

In her address, Mrs. McGuire outlined the tremendous task facing this Nation to provide decent housing for our low- and middle-income citizens. This task requires the combination of the concern and know-how of private industry with the resources and legal authority of all levels of government, Mrs. McGuire said. Under leave to extend my remarks, I insert Mrs. McGuire's address at this point in the RECORD and commend it to the attention of my colleagues:

HOUSING FOR THE ELDERLY: COMMUNITY IMPROVEMENT IN WILMERDING

(Address by Mrs. Marie C. McGuire, Assistant for Problems of the Elderly and Handicapped, U.S. Department of Housing and Urban Development, at the dedication of Wilmerding Apartments, Allegheny County Housing Authority, Wilmerding, Pa., October 21, 1968)

SUMMARY

The concern and know-how of private industry must be combined with the resources and legal authority at all levels of government. It is all too clear that if we are to improve the quality of life in this nation, it will be achieved only by the blending and involvement of all resources. The effectiveness of such a partnership is the provision of good housing and good living environment for your older citizens with limited economic resources. This community has provided an opportunity in these 100 apartments for a normal and useful life. The glory of this achievement is the evidence of community concern and community pride in programs of the Department of Housing and Urban Development and other programs of the Federal Government affording social values and significance for the senior citizens of our society.

It is indeed a privilege to participate in this dedication, with city, county, housing and other Allegheny County officials and citizens on this happy Monday afternoon. It is a double privilege to visit the home base of a distinguished Congressman who has given leadership and committed himself completely to the housing concepts expressed here. As administrators—local or federal—we must not foregt that our potential for achievement is possible only when legislators like William Moorhead understand the human needs of the society in which we live and commit themselves to imaginative and sound legislation for solutions. I'm sure this handsome facility reflects the high purposes Congressman Moorhead and his colleagues on the House Banking and Currency Committee had in mind when they legislated to make it possible.

Congressman Moorhead brings to that Committee personal knowledge of housing problems from his service as a member of the Allegheny County Housing Authority from 1956 to 1958. Since his election to Congress in 1958, he has been an ardent supporter of housing and community improvement programs. He has worked continually to see that low income people in his district are provided with standard housing. But his interest and work go beyond good shelter.

In the Congressional hearings of 1967, Mr. Moorhead introduced a plan for tenant services in public housing so human dividends could emanate from the base of standard housing. The Moorhead provision appeared in both the 1967 and 1968 bill.

Today, this far-sighted provision is part of the law of this land. Thus, the Moorhead philosophy of combining better housing with opportunities for personal development of the people has become part of this country's concept of improved urban life.

Here in Allegheny County, you also are demonstrating another important aspect of the nation's effort in general community improvement. In this regard, I refer to the involvement of the business community as an indispensable partner in your broad community improvement programs. It is all too clear that if we are to improve the quality of life in this nation, it will be achieved only by the blending and involvement of all resources. In short, the concern and know-how of private industry must be combined with the resources and legal authority at all levels of government. The establishment of the Urban Institute last year and the recent creation of the National Housing Partnership and appointments to it affirm this approach as an important part of our national philosophy. We see strong evidence here today of the effectiveness of such a partnership—the provision of good housing and a good living environment for your older citizens with limited economic resources. Their dignity, their pride, their comfort, their safety—all are enhanced by this accomplishment we dedicate today.

We know only too well that for financial reasons too many senior citizens are forced to occupy substantial dwellings in buildings which are dilapidated and lacking in modern facilities. Others live in big old homes which were fine when they had growing families, but now are much too large for one or two people. Others live squeezed in with their married children—with no privacy and an atmosphere likely to cause family conflicts. Some live in boarding houses and yes, I've even seen dirt floor garages, to say nothing of old third and fourth rate hotels—generally firetraps—as the residential setting we provide to many people in the later years of life. In addition, more and more nursing home and hospital beds are occupied by older people only because they cannot get suitable care anywhere else. Of this group, the most tragic are these older well and non-psychotic citizens who occupy beds in mental institutions for the sole reason that their communities do not offer housing and services adequate to their needs or pocketbooks.

And so my friends of Wilmerding, accept my sincere congratulations on the human concern that prompted the achievement we celebrate today. In a sense, through this structure you acknowledge the contribution of your older citizens to the strength and well-being of the City, the County, and the nation. You tell them by this action that they are both loved and respected. You also provide a setting in which they may have their cherished independence and a base from which they may provide a unique brand of leadership based on the experience and wisdom of their years. In short, you have provided an opportunity in these 100 apartments for a normal and useful life. The glory of this achievement, however, is the evidence of community concern and community pride in programs of deep social value and significance for a worthy segment of our society.

This occasion is an appropriate time to reflect a moment on what is motivating the massive local, state and national programs under way or under study in nearly every department and level of government for our increasing numbers of older citizens. Why, for example, has HUD committed itself to help finance approximately three billion dollars worth of housing specially designed for senior citizens?

A brief look backward in time tells us that at the turn of the century, the *average* life expectancy was *less than 50 years*. Society was poised between the old agricultural and the new industrial way of life. Men still put in almost every daylight hour working at their jobs, and women's work literally never was done. At that time, the tasks to be performed at each stage of life were well defined. They were sanctioned by society and the rules and expectations were well known to all age groups. A man set the goals for his adult life, launched himself in a career, started his family, and found his place in this community. When this adult pattern was established, it tended to remain relatively unchanged, except for catastrophic interventions, such as war or economic depression, until, at what is now considered middle age, death overtook him.

But this was the turn of the century. Since that time we have experienced a biological revolution, have gone through the impact of a technological explosion, and are trying to comprehend and harness its miracles.

The biological revolution resulted in a concommitant burgeoning in the number of old people in the population. The effect of having created a soil and climate which nurtured our well-being was to catapult the total population from 75 million at the beginning of the century to 200 million, and it is still growing. In short, three new phases were added to the life cycle—a middle age oriented toward living for an extended period of time; a stage of later maturity, oriented toward achieving maximum self-fulfillment (and these apartments are planned for people in this stage of life); and old age itself.

While an additional 25 years have been added to the life span, social and economic changes have not kept pace. Thus, these added years are marked by reduced incomes and for some, poverty results from retirement. For others in a period of waning physical energy and increasing disability, we have been slow in providing support. When profound changes in living arrangements are required, the community may not accept responsibility for solution.

Thus, we see that the strong impact of social and economic change on the individual during these 25 added years has or should have a like impact on community plans and programs.

Today, we are racing to catch up with the realities of longevity! An Administration on Aging in HEW, working in close concert with the 49 State and Territorial Commissions on Aging, has been established; medical aid pro-

grams have been enacted; the Office of Economic Opportunity has its Older Persons Program which provides opportunities for the elderly poor; the Department of Labor training and employment programs for the older worker and the removal of age discrimination in employment have been initiated; Social Security payments have increased to alleviate stark poverty for many.

Schools at all levels, including universities, offer opportunities for continuing education or training for a second career. The Special Committee on Aging of the U.S. Senate continues to delve into retirement years problems seeking practical and workable solutions. Yes, our society is at last adjusting to the impact of the phenomenon of longevity, especially in recent years.

In housing, as you evidence today, we have moved forward with new approaches as well as continuing and expanding appropriations for existing programs to provide additional housing through public and private efforts for the elderly renter and homeowner. New programs, such as rent supplements and model cities, promise to improve the quality of life among our senior citizens in slum and blighted areas. The "turnkey" and leasing programs in public housing are playing increasingly effective roles in increasing the supply of low-income housing. In addition, there are new programs of direct loans and grants for home rehabilitation. In short, the older citizen properly and finally will be offered choices of living arrangements.

The nursing home program, and the neighborhood facilities grant program are helping many communities to develop programs responsive to varying health and leisure time needs.

The elderly will share in the new assistance programs for rental housing and homeownership among low and moderate income families in the 1968 Housing Act. Nonprofit groups will receive non-interest bearing loans to help them plan housing for those in the low-moderate income levels. Home rehabilitation programs will be extended and improved. These are only a few of the advances which are being provided under President Johnson's leadership, together with Secretary Weaver and a Congress that is concerned and responsive to our urban needs.

CONCLUSION

So, we see this building, and those to come, not only as good shelter and a rewarding environment for all its occupants, but also as part of a national effort to respond to the many-faceted changes in our social and economic structure due to the increase in our life span.

Again, may I congratulate the public and private leadership that has brought us to this happy day in Wilmerding.

CREDIT BUREAU GUIDELINES TO PROTECT CONSUMER PRIVACY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. GALLAGHER. Mr. Speaker, when the Special Subcommittee on Invasion of Privacy, of which I have the privilege to be chairman, held hearings into commercial credit bureaus in March 1968, the credit industry agreed to undertake a major review of its procedures and to report back to us on proposed reforms. The Associated Credit Bureaus, Inc., the major industry trade association, has sponsored a number of meetings since that time and I am pleased to announce that the industry has reached a consensus.

"Credit Bureau Guidelines To Protect Consumer Privacy" are a response to the special subcommittee's concern and to an understandable desire on the part of the credit industry to update its procedures and image. At 4 o'clock this afternoon I am going to have a meeting with representatives of the nine participating associations to discuss the thinking and reasoning that went into the preparation of these guidelines.

Mr. Speaker, I am pleased that the credit industry is ready to discharge its responsibilities to the special subcommitee. After the meeting this afternoon, I intend to submit these guidelines to the careful review of the many interested citizens who have contacted my office and the special subcommittee, thereby gathering further data to assist the Congress in evaluating the industry's effort.

Members of the credit industry have been exceedingly responsive to the questions and the doubts which have been raised about the procedures of credit bureaus. These guidelines reflect a willingness to change and a desire to bring the credit bureau practices into harmony with new social conditions. It is my hope that the commendably forthright attitude exhibited by the ACB leadership will be translated into effective policy by its members.

For, Mr. Speaker, the granting of credit and the exchange of credit information are essential to the strength of the American economy. My concern and that of the special subcommittee has not been to inhibit the free flow of credit; rather we have attempted to assure that credit records are accurate and confidential, that data gained for credit decisions are used solely for that purpose, and that the individual may fully exercise his rights as a consumer as well as receiving his complete constitutional guarantees as an American citizen.

Mr. Speaker, I am pleased to insert the "Credit Bureau Guidelines To Protect Consumer Privacy" into the RECORD at this point, as well as the covering letter and a list of the organizations which participated in their formulation:

JANUARY 13, 1969.

Two years ago the Associated Credit Bureaus, Inc., the trade association for credit bureaus, began an intensive study of the policies, procedures and operations of member credit bureaus. The purpose of this study was to make certain that credit bureau members of ACB were accomplishing two important objectives:

1. Protecting the privacy of the individual consumer who buys on credit.

2. Making it possible for bona fide credit granters to intelligently evaluate a prospective applicant for credit through the use of complete credit information from the local credit bureau.

This study has resulted in a set of guidelines which we feel insure the accomplishment of the above objectives. These guidelines are the result of intensive research and study. They were developed by credit granters representing all segments of consumer credit; by representative credit bureau managers; through discussions with legislators and their staffs at both the state and federal levels; and through consultation with various interested educators and attorneys.

It is our belief that these guidelines will protect the privacy of the consumer . . will enable credit granters to intelligently and profitably extend credit . . . and will enhance the credit economy of this country which is so important to our American economy.

We are deeply indebted to the many people who have contributed to this study and we welcome the opportunity to explain these guidelines and their rationale to members of Congress, and to all who are interested in the Protection of Privacy.

JOHN L. SPAFFORD,
Executive Vice President, Associated Credit Bureaus, Inc.

ASSOCIATIONS PARTICIPATING IN THE DEVELOPMENT OF THESE GUIDELINES

American Bankers Association.
American Industrial Bankers Association.
American Petroleum Credit Association.
American Retail Federation.
Associated Credit Bureaus, Inc.
International Consumer Credit Association.
National Consumer Finance Association.
National Foundation for Consumer Credit.
National Retail Merchants Association.

CREDIT BUREAU GUIDELINES TO PROTECT CONSUMER PRIVACY

A. CONSUMERS' RIGHT TO KNOW

1. The Credit Bureau shall provide trained personnel to interview and counsel with consumers during normal business office hours.

2. The consumer shall furnish full identification and shall sign a statement granting immunity from legal action both to the credit bureau and to its sources of information. The bureau shall then upon request disclose the content and the sources of information in its master file to such consumer.

3. The bureau shall make any necessary reinvestigation and perform any necessary updating of records (including public records) at no cost to the consumer for the interview or for the reinvestigation. However, in the case of a consumer who has not been refused credit, if a reinvestigation of certain items is required, a modest fee (not exceeding the cost of a revised report) may be charged.

B. SERVICE TO NON-CREDIT GRANTING GOVERNMENTAL AGENCIES

1. Identifying information such as names, addresses, former addresses, places of employment or former employment may be supplied to such agencies under contract.

2. Any other information in the credit bureau file, unless the investigation is for security purposes, will be supplied only in response to legal process.

C. SERVICE TO BUSINESSES, PROFESSIONS, AND INDIVIDUALS

1. Credit bureaus shall require service contracts in which the regular subscriber or the occasional user certifies that inquiries will be made only for the purposes of credit granting or other bona fide business transactions, such as evaluation of present or prospective credit risks or evaluation of the qualifications of present or prospective employees.

2. The bureau shall refuse service to any prospective subscriber or user who will not so certify, and shall discontinue service to any who fail to honor the above contract provisions.

D. PERSONNEL REPORTING

A credit bureau which furnishes personnel reporting service shall adopt rigid safeguards in order that the specialized information developed in the course of such investigations shall be maintained separately, and shall not be incorporated in credit reports or made available to subsequent inquirers except in connection with a subsequent personnel investigation.

E. CREDIT BUREAU FILE CONTENT

1(a). A credit bureau shall systematically record bankruptcies, suits and judgments, tax liens, legal separations, divorces, newspaper clippings, and records of arrest, indictment or conviction of crimes.

(b) In reporting such information a credit bureau shall show full details including the date of the item, and whether the disposition or adjudication is shown in the bureau file. In revising a report, the bureau shall make reasonable effort to learn and report disposition of each such item.

(c) In evaluating such information, the credit granter is urged by the bureau to inquire further as to the details and disposition of any items of significance to his credit decision, or authorize the bureau to do so.

2. A credit bureau shall systematically record non-responsibility notices, records of accounts placed for collection, and voluntary notices received from credit granters.

3. If feasible, a credit bureau is urged to systematically record consumer financing statements (known in some states as chattel mortgages or conditional sales contracts).

4. The filing of property deeds and mortgages shall be at the option of the credit bureau.

F. FILE RETENTION PROCEDURES

All procedures indicated in this section are stated in terms of length of time the specified items are to be reported. The intent is to insure the mandatory reporting of the specified items for the time periods indicated, and the discontinuance of reporting after such time periods have expired. Whenever it is ascertained that a specified item in the bureau file is to be reported no longer, such item is to be deleted from the file as soon as practical.

1. A credit bureau shall report bankruptcies of all types for not longer than 14 years from the date of adjudication of the most recent bankruptcy.

2. A credit bureau shall report records of accounts placed for collection and records of accounts charged to Profit and Loss for not longer than 7 years, or until the governing statute of limitations has expired (whichever is the longer period).

3(a). A credit bureau shall report suits and judgments for not longer than 7 years from date of entry, or until the governing statute of limitations has expired (whichever is the longer period).

(b). A credit bureau shall report paid tax liens for not longer than 7 years. But there is no limitation on reporting of unpaid tax liens, because of no statute of limitations on such items.

4. A credit bureau shall report records of arrest, indictment or conviction of crimes for not longer than 7 years from the date of release or parole. Such items shall no longer be reported if at any time it is learned that in the case of a conviction a full pardon has been granted, or in the case of an arrest or indictment a conviction did not result.

5. A credit bureau shall report any other adverse data not otherwise specified in this section for not longer than 7 years.

6. A credit bureau shall delete as soon as practical any item of derogatory information whenever it is ascertained that the source of information can no longer verify the item in question from its records of original entry.

UNTOUCHABLES RETURN—CHARLES W. YOST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RARICK. Mr. Speaker, many Americans have been eagerly watching the events as we change leadership in the White House.

Most hope the new President will offer a change—at least a removal of some of the old untouchables who have in the past played such an ignominous role in the destruction of the United States as intended by our forefathers.

No untouchable on the new team is better identified than Charles Woodruff Yost—recommended for U.S. Ambassador to the U.N.

Does not the FBI know? Should not the appointor? Will the U.S. Senate confirm?

Mr. Speaker, I ask that the Herald of Freedom for January 10, 1968, published by Frank A. Capell, Box 3, Zarephath, N.J., follow my remarks:

HON. CHARLES WOODRUFF YOST

Although President-elect Nixon won the undying hatred of U.S. liberals when he exposed the pro-Soviet espionage activities of Alger Hiss and trapped him when his lying denials had almost convinced everyone of his innocence, his appointees all seem quite acceptable to the liberal establishment. Mr. Nixon's "surprise move" in picking Charles W. Yost as U.S. Ambassador to the United Nations has been especially warmly received. It is undoubtedly even pleasing to Mr. Hiss who is a long-time friend and associate of Mr. Yost, who worked with him in the actual founding of the U.N.

The N.Y. Times, describing Yost as a "real professional" diplomat, stated:

"The immediate reaction to news of his appointment, from diplomats of all countries, was: 'At last the United States has appointed a real professional.'

"A senior United States Foreign Service officer was quoted as saying: 'All he needs is a deep breath and he's ready to go into the game. He knows all the plays already.'

"Mr. Yost himself expressed enthusiasm for the appointment today. He said: 'I have always said we should strengthen our effort in the United Nations and now I am being given a chance to do something about it.' "

Mr. Nixon himself was quoted as stating that the United States was "entering a new era" in its relationship with the U.N. in which "what was needed was a skilled professional diplomat who could do the day-to-day work of the UN on a very effective basis—one who knew the UN and therefore . . . could strengthen the role of the UN." Calling the Yost appointment "one of the best I have made," Mr. Nixon stated that Yost "will contribute to the policy. His advice will be sought and his counsel will be weighed." He stated that Yost will sit with the National Security Council and the Cabinet when matters affecting the United Nations are on the agenda.

Charles Woodruff Yost was born at Watertown, N.Y., on November 6, 1907, the son of Nicholas Doxtater Yost and the former Gertrude Cooper. He graduated from Hotchkiss School, Lakeville, Conn., in 1924 and while there wrote articles for the school magazine. He entered Princeton in 1924 where he majored in history and worked on the Daily Princetonian. During one of his vacations, he made a cross-country trip in an ancient Dodge and several years later wrote an article concerning his trip. It was published under the title of "Holiday" in Scribner's Magazine of July 1930. After receiving his AB degree from Princeton, Yost studied at the Ecole des Hautes Internationales of the University of Paris for one year. Before returning to the United States, he visited and travelled in the Soviet Union and Balkan countries.

Yost was appointed as a foreign service officer unclassified in the Department of State with the rank of Vice Consul on December 16, 1930. Two days later he was given a temporary assignment as Vice Consul at the U.S. Embassy in Alexandria, Egypt. On February 20, 1932 he returned to the United States to attend the Foreign Service School and on July 26, 1932 was appointed Vice Consul at the U.S. Embassy in Warsaw, Poland. While in this assignment he kept company with a Polish national, Miss Irena Oldakowska, to whom he became engaged. On August 14, 1933 Yost was resigned from the State Department and thirteen months later, on September 8, 1934, he and Miss Oldakowska were married.

Yost's activities from the time of his resignation from the State Department until he returned in 1935 to work in the U.S. government are quite vague, being covered in his biographies under the title of "free-lance journalist." In supplying information to his biographies Yost claims to have had stories and articles published in Harper's Magazine, Scribner's Magazine and various newspapers. A careful search of the Readers Guide to Periodical Literature, the International Index to Periodicals, the N.Y. Times Index and other reference works failed to produce any mention of his writings during this entire two year period. The only article listed even near this period was the article in the July 1930 issue of Scribner's, based on his college vacation trip.

One thing Yost is known to have done during this period, however, was to attend a communist indoctrination course at Moscow University in 1934. This was his third trip to the Soviet Union, having previously been there in 1929 and 1933. Yost attended the training session at the Anglo-American Institute of the First Moscow University. In the Senate Internal Security Hearings on U.S. Citizens Employed by the U.N., Julia Older Bazer took the Fifth Amendment regarding studying at the Anglo-American Institute and regarding her Communist Party membership. In the California Hearings in 1953 Dr. Holland DeWitt Roberts (an identified Communist) took the Fifth Amendment when questioned about having taken the course at the Anglo-American Institute.

During the first part of 1935, Yost again secured employment with the U.S. government but this particular position is also left out of his biographies (including the official State Department Biographical Register). He returned to government as an assistant in the Resettlement Administration of which the General Counsel was an admitted identified Communist, Lee Pressman. From here Yost moved back into the State Department, receiving an appointment as divisional assistant in the new Office of Arms and Munitions Control which had been established to carry out the registration of manufacturers and the issuance of export licenses under the direction of the Munitions Control Board.

From 1934 to 1935 Alger Hiss was legal assistant to the Special Senate Committee Investigating the Munitions Industry. Hiss advised Whittaker Chambers that his position was so strong that he could use the authority of the Senate Committee to secure confidential documents from the State Department so Chambers could photograph them and turn them over to the Communist Party. Chambers discussed this with J. Peters (alias Sandor Goldberger, alias Isador Borstein, alias many other names), head of Soviet espionage activities in the United States, who approved of Hiss requesting documents from the State Department to be turned over to Chambers for espionage purposes.

On September 19, 1935 Charles Yost was made assistant chief of the Division of Arms and Munitions Control of the State Department. In 1941 he represented the State Department on the Policy Committee of the Board of Economic Warfare which had as its assistant director Frank Virginius Coe, Communist and Soviet intelligence agent. Also connected with the Board of Economic Warfare were Nathan Gregory Silvermaster and Michael Greenberg, both Soviet agents. By this time Yost and Hiss had long been closely associated, even to the extent of Yost being entertained in Hiss's apartment. Whittaker Chambers stated that Hiss reported to him sometime during 1936 or 1937 that he considered Yost a good prospect for the underground espionage unit then operating in Washington, D.C.

This underground had originated from a Communist cell set up by Harold Ware in the Agriculture Department. Ware, son of "Mother" Bloor, well known American Communist, had gone to the Soviet Union in 1929 and returned to the United States to make the first known penetration of the U.S. government. The original cell developed into a tidy organized underground, managed by a directory of several men. In time it included a number of secret sub-cells whose total membership was approximately seventy-five. J. Peters, head of U.S. Soviet espionage activities, decided to separate the most likely Communists in this underground and spread them around in other government departments and parallel apparatuses, rigorously segregated and subdivided with additional Communists from other undergrounds in Washington. Although Whittaker Chambers and Elizabeth Bentley defected and exposed a number of Washington Communists, there were other cells which were never exposed.

On June 1, 1942, Charles Yost was appointed Assistant Chief of Special Research where he worked under Leo Pasvolsky, Chief of the Division, with whom he was to be closely associated then and later at the formation of the United Nations. On December 18, 1942, Yost was appointed to the Division of European Affairs; Nov. 17, 1943, he was made assistant chief of the Division of Foreign Activity Correlation and on Feb. 22, 1944 was moved up to become executive secretary of the Department of State Policy Committee.

In the Spring of 1945 Yost became assistant to the Chairman of the U.S. Delegation at the U.N. Conference on International Organization where he worked together with Alger Hiss, Philip Jessup and Leo Pasvolsky in the formation of the U.N. He had previously worked as an aide to Secretary of State Edward Stettinius at Dumbarton Oaks for the preliminaries to the founding of the U.N. In July 1945 Yost was made Secretary General of the U.S. Delegation to the Potsdam Conference, the infamous meeting which resulted in the yielding of the Balkans and other countries of East Europe to Soviet control. Alger Hiss had held this position at Yalta, where a dying Roosevelt gave concession after concession to Stalin.

Thereafter Yost was given important assignments which included being Secretary General of the U.S. Delegation to the Berlin Conference in 1945, U.S. Political Advisor to the Commanding General of the India-Burma Theatre, September 1945, Political Advisor, to the U.S. Delegation to the U.N., October 1946, as well as being First Secretary of the U.S. Embassy in Prague and Counsellor of the American Legation at Vienna (1947–49). On May 10, 1949. Yost was made Special Assistant to the Ambassador-at-Large and in December of the same year was made Director of the Office of East European Affairs, in which position he controlled much U.S. policy toward the Communist-controlled countries. September 1950 found him in Athens, Greece with the rank of Minister, then in August 1953 he was made Deputy High Commissioner for Austria and then U.S. Ambassador to Laos which had not much time left before it went under Communist control. From July 29, 1956 to October 2, 1956 he was assigned as Counsellor and Minister at the U.S. Embassy in Paris and once again was sent to a trouble spot as Ambassador to Syria on December 26, 1957. Syria became socialist and joined the United Arab Republic. Thereafter Yost returned to Washington to become a member of the Policy Planning Staff and was soon moved along to become Ambassador to Morocco, July 16, 1958. While there he negotiated the turning over of the U.S. military bases, built at a cost of over $1 billion, to the Moroccan Government.

After completing his assignment in Morocco Yost began to work at the U.N. where he worked from 1961 until his retirement in 1966. He held the Number 3 post under Stevenson and was Number 2 man under Arthur Goldberg. Upon his retirement Yost was employed as a salaried "senior fellow" by the Council on Foreign Relations where he remained until tapped by the Nixon Administration for the top U.S. spot in the United Nations.

Yost has long been known to U.S. intelligence services as a serious security risk but, in spite of continuous derogatory reports, has been given one security clearance after another on the basis of "higher authority." He has reportedly been closely associated with a number of individuals who have direct connections in varying degrees with Soviet espionage, the Communist Party, Communist front organizations and Communist sympathizers. Among those with whom he maintained close contact and association were:

William C. Moore, formerly of the Division for Soviet Supply in the Office of the Lend Lease Administration, who approved a release certificate for the exporting of atomic material to the Soviet Union, as disclosed by Major Racey Jordan in his diaries. Major Jordan commented that if General Groves, who was in charge of the atomic project, had been consulted the atomic material would never have left the United States.

Philip Jessup, who was refused confirmation as American Ambassador to the U.N. by the U.S. Senate in 1951 and now is a member of the World Court. Jessup and Yost were both active members of the Washington Branch of the subversive Institute of Pacific Relations, officially cited in the Guide to Subversive Organizations as follows:

"The IPR was a vehicle used by the Communists to orientate American far eastern policies toward Communist objectives."

"Members of the small core of officials and staff members who controlled IPR were either Communist or pro-Communist." The American Communist Party and Soviet officials considered the organization "an instrument of Communist policy, propaganda and military intelligence." (Senate Judiciary Committee, Senate Report 2050 on the Institute of Pacific Relations, July 2, 1952, pp. 223 and 225.)

It was due almost exclusively to the activities of the IPR that the United States used its influence to turn China over to the Communists. Jessup also appeared as a character witness at the trial of Alger Hiss for perjury. Hiss was convicted in spite of his important character witnesses.

Henry Julian Wadleigh, identified as a Communist and Soviet agent, employed as an economist in the State Department before going over to the Treasury Department to work with the Soviet agents there. Wadleigh was also a friend of Leo Pasvolsky and Hiss as well as Yost.

Charles Yost was listed among those considered by Scott McLeod to be serious security risks and is, in fact, one of the twenty-eight individuals listed in Treason Is the Reason as being subject to the orders of Soviet Intelligence. Yost admitted to U.S. intelligence investigators in 1953 that his wife had many relatives (uncles, aunts, cousins, etc.) residing in Communist Poland. This fact alone should deny him security clearance as this could make him subject to Communist pressure.

Yost now lives on East End Avenue, New York City, but will be moving to Suite 42–A, Waldorf Towers. He and his wife have three children—a son, Nicholas, now age 30, who is Deputy Attorney General of California; a son, Casimir, age 24, who is teaching at the International College and American School in Beirut, Lebanon; and a daughter, Felicity, who is a student at Pine Manor Junior College at Chestnut Hill, Mass. Yost is a Democrat who not only voted for Hubert Humphrey but headed Humphrey's study group on international organizations and peace keeping.

It is interesting to note that Yost's first known contact with the Soviet Union dates back to 1929 when he made a trip to the USSR which had not as yet been recognized by the United States Government. It was during 1929 that plans were being made to infiltrate the U.S. Government with important Communists going to the Soviet Union for their indoctrination and instructions. Harold Ware, as we have noted, spent a period of time during 1929 in the Soviet Union and came back to the United States to begin forming Communist cells among U.S. government employees. Lement Upham (Lem) Harris, a high ranking wealthy U.S. Communist, was also in the Soviet Union in 1929. He came back to the United States and was the dispensor of secret Communist Party funds to be used in the espionage and subversive movement. When Harold Ware was killed at an early age in an automobile accident, his widow (Jessica Smith) married John Abt, who was also a member of the Communist espionage group operating in the U.S. government at that time. Lee Pressman, who worked with Yost in the job not mentioned in the Yost biographies, was a member of the Harold Ware espionage cell as was Alger Hiss.

Yet with injured innocence Hiss was able to testify before the House Committee on Un-American Activities on August 5, 1948:

"I am not and never have been a member of the Communist Party. I am not and never have been a member of any Communist front organization. I have never followed the Communist Party line directly or indirectly. To the best of my knowledge none of my friends is a Communist."

Although Hiss worked with the Communists and supplied secret U.S. Government documents to Chambers to photograph and transmit to the Soviets, he may have considered himself just as "internationalist." There are many who feel that they are working for the good of the world and assuring future "peace" when they work to eliminate our national sovereignty. This does not mean that they are any the less traitors but it makes them feel noble and misunderstood . . . it also makes them heroes to those who think as they do.

The U.N. is the vehicle through which the internationalists plan to take the United States into world government. The machinery is all there, well oiled and greased with U.S. taxpayers' money, kept running by U.S. "internationalists" and Soviet Communists who happily spar with words and collaborate behind the scenes. International civil servants are not supposed to have narrow national interests although the Communists always seem to advance their own interests which are to capture the world.

The American people as a whole do not think much of the U.N. It was forced down their throats and well financed propagandists have been working ever since to make them think that it is "the hope of the world." International man is trying to play God and make man over in what he thinks his image should be. While most Americans look upon the U.N as just a glorified debating society which has been completely ineffective in its "peace-keeping" role, it has the potential to become much more dangerous and the men Mr. Nixon is selecting to help run his Administration seem to be heavily on the world government side.

Both Mr. Nixon and Mr. Yost have spoken of "strengthening the role of the U.N." so we have no reason to believe that the dormant monster will not now begin to stir. It is possible that the American people will be so weary of anarchy at home and loss of loved ones in futile wars abroad that they will welcome the firm hand of world government, hoping for relief from the turmoil. If they turn to the U.N. for "security" they will soon find to their sorrow that they have accepted slavery. The U.N. Security Council has the power to create an armed force to compel obedience to its decrees in which the American people will have no say whatsoever. Mr. Yost and his international civil servants will decide what is "best" for them and an international police force will enforce their decisions. Reportedly Canada has been transforming its army into just such a force. We have seen the havoc and terror created by the U.N. "peace-keeping" forces in Katanga . . . the same murderous forces can be unleased in the United States when it submits to world government in the form of the United Nations.

Not only should the appointment of Mr. Yost be protested, but a concerted effort should be made to see that the "role of the U.N." is not strengthened. The most tragic thing that could ever happen to the American people would be to have their wonderful Constitution supplanted by the conniving United Nations Charter. It is time Americans remember that the U.S. Government is their servant and not their master, and that their rights are derived from God and not Earl Warren.

THE CASE FOR A VOLUNTEER ARMY

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 13, 1969

Mr. RUMSFELD. Mr. Speaker, on January 10, 1969, Time magazine presented "The Case for a Volunteer Army" as its weekly essay. The essay was devoted to a discussion of the advantages of a volunteer system of military manpower procurement, and, in my judgment, is a fair compilation of the issues involved in a proposal which has been the subject of increasing attention and discussion.

In 1969 we are, just as we were 5 years ago, merely at the proposal stage of congressional consideration, despite the fact that in 1967, extensive hearings were held in both Senate and House on alternatives to the then-proposed and later-approved extension of the Selective Service Act of 1941.

Interestingly, understanding of the volunteer army concept has developed far more rapidly in the noncongressional sectors than within the Congress. Public acceptance and expectation of action in this area have grown rapidly in the past 5 years, as illustrated by the Time essay, and the benefits of such a proposal are worthy of serious consideration. The Selective Service Act has been extended until 1971. It is not too soon—in 1969—to study and debate this alternative. To do so would be a thoughtful, responsive step in carrying out the responsibilities of leadership.

The Time essay follows:

THE CASE FOR A VOLUNTEER ARMY

The concept of a volunteer armed force for the U.S. is one of the few national propositions that have scarcely a single enemy. President-elect Richard Nixon is strongly for it. The Department of Defense holds that "reliance upon volunteers is clearly in the interest of the armed forces." Such conservatives as Barry Goldwater and William Buckley back the idea, and so do many liberals, including James Farmer and David Dellinger. Young men under the shadow of the draft want it, and so do their parents. Most of American tradition from the Founding Fathers on down is in favor, as were the untold millions of immigrants who came to America to avoid forced service in the conscript armies of czars and kaisers.

A volunteer armed force would seem to have something for everybody. For the Pentagon, it would provide a careerist body of men staying in the ranks long enough to learn their jobs and do them well; as it is 93 percent of drafted soldiers leave the service when their two-year tour of duty ends. For constitutionalists, a volunteer army would affirm the principle that free men should not be forced into involuntary servitude in violation of the 13th Amendment. For philosophers, it would restore freedom of choice; if a man wants to be a soldier, he can do so, and if not, he does not have to. The idea also appeals to all those who have become increasingly aware that the draft weighs unfairly upon the poor and the black, the dropout and the kid who does not get to college.

For all this rare unanimity of opinion, however, it seems hardly likely that the U.S. will soon achieve what Nixon has promised to build toward: "an all-volunteer armed force." A main reason for this is that the Pentagon's basic support for the idea of a volunteer army is heavily qualified by worries that it will not work—while the draft has now delivered the bodies without fail for two decades.

WORRIES IN THE PENTAGON

Burned into military memories is the hasty dismantlement of the U.S. armed forces after World War II, when the nation returned to its traditional military stance: a small number of voluntary regulars, backed up by reserves and the National Guard. The Army managed to attract 300,000 volunteers, of whom West Point's Colonel Samuel H. Hays wrote: "In an infantry battalion during that period one might find only two or three high school graduates in nearly a thousand men. Technical proficiency was not at a high level; delinquency and court-martial rates were." Getting choosier, the Army raised qualifying scores on aptitude tests from 59 to 70, 80, and finally 90. Simultaneously, it limited recruits to men without dependents and those willing to sign up for a three-year hitch. When the Berlin blockade and the Communist seizure of Czechoslovakia took place in 1948, the Pentagon complained that it was far under strength and that relying on volunteers had failed. Congress was told that the draft was needed to get manpower and show U.S. determination to check Communist aggression. The clumsily titled Universal Military Training and Service Act was passed. After that, proposals for returning to a volunteer army were not heard for years.

The military arguments against the volunteer army nowadays derive from new judgments about the size of the forces needed, the cost, and the necessity of flexibility. Certainly nothing but a draft could have supplied the 2,800,000 doughboys of World War I or the 10 million G.I.s of World War II, and the Pentagon's estimate of its current needs runs to similar magnitudes: 3,454,160 of the present moment, and 2,700,000 when peace returns. To raise the Viet Nam-inflated forces, the Department of Defense has relied on the draft to bring in about one-third of new troops and on the scare power of the draft to induce thousands of others to "volunteer." The draftees go to the Army, mostly to the infantry; the glamorous Air Force never has to draft anyone, and the Navy and Marines only rarely.

The Defense Department's study of the practicability of a volunteer army, made five years ago, proved to the department's satisfaction that it still would not work. Even allowing for growth in military-age population, DOD found that it could not expect to get more than 2,000,000 men, at least 700,000 short of pre-Viet Nam needs. As for the possibilities of increasing incentives, the Pentagon concluded that "pay alone is a less potent factor than might be expected" and that fringe benefits have small appeal for young men not deeply conscious of the value of medical care or retirement pay. On the other hand, Richard Nixon to the old American idea that it should be possible to devise incentives—pay among them—that will draw men into service.

The Pentagon's estimates of pay increases sufficient to attract a volunteer army ranged startlingly from $4 billion to $17 billion a year; Nixon says that he has found "authoritative studies" suggesting that a volunteer force could be set up for $5 billion to $7 billion extra. The Pentagon speculates that pensions for a volunteer army might be astronomical, but presumably they would at least partly and eventually replace the $6 billion a year (sixth largest single item in the federal budget) that the nation pays to ex-servicemen who feel that something is their due for having been drafted. Savings in training costs could run to $750 million a year, according to the Department of Defense; another economy would result because the proportion of time spent in training would be smaller in relation to a volunteer's long hitch than to a draftee's quick in-and-out. More basically, the extra cost of a volunteer army would be more apparent than real, because paying servicemen wages lower than they could get in a free market is, in effect, a subsidy for the Department of Defense. "We shift the cost of military service from the well-to-do taxpayer, who benefits by lower taxes, to the impecunious young draftee," explains Economist John Kenneth Galbraith.

A number of military thinkers contend that establishing a volunteer armed force limits the flexibility of response to threats. When Khrushchev got tough with President Kennedy in 1961, for example, the President easily increased U.S. might by authorizing Selective Service to have each of its 4,000 draft boards pull in more men. Presumably war on a big scale could rapidly outrun the capacities of a volunteer army, possibly requiring every able-bodied man. Reserves therefore would have to be maintained—with incentives for reservists instead of the threat of the draft. Even the draft itself probably should be kept on stand-by, perhaps for use with the permission of Congress or in case of declared war.

Another reason that military men would hate to see the draft go is that they think it provides them with manpower of greater quality as well as quantity. As Colonel Hays noted, volunteers, unpressured by the draft, tended to be "marginal" when the Army last tried them. But he was speaking of men who had grown up in the pinched and deprived Depression years. With the right inducements, a modern technological army should be able to attract technology-minded volunteers, educated and educable enough to cope with missile guidance, intelligence analysis, computer programming, medical care and other demanding jobs. Given five or ten years in service, volunteers should be trainable to considerable skills, to judge from the experience of Canada and Britain, the only major nations that have volunteer forces. Though these armies are small, not having the great global responsibilities of the American forces, they provide enviable examples of high effectiveness, low turnover and contended officers. Lieut. General A. M. Sharp, Vice Chief of the Defense Staff of Canada, contends that freewill soldiers are "unquestionably going to be better motivated than men who are just serving time."

PHANTOM FEARS

Civilian reservations about volunteer armed forces also focus on some fears that tend to dissolve upon examination. Some critics have raised the specter of well-paid careerists becoming either mercenaries or a "state within a state." Nixon, for one, dismisses the mercenary argument as nonsense. The U.S. already pays soldiers a salary. Why should a rise in pay—which for an enlisted man might go from the present $2,900 a year to as much as $7,300—turn Americans into mercenaries? Said Nixon: "We're talking about the same kind of citizen armed force America has had ever since it began, excepting only in the period when we have relied on the draft." The Pentagon itself rejects the Wehrmacht-type army, in which men spend all their professional lives in service.

Nixon has also addressed himself to the possibility that a careerist army might become a seedbed for future military coups. That danger is probably inherent in any military force, but, as the President-elect points out, a coup would necessarily come from "the top officer ranks, not from the enlisted ranks, and we already have a career-officer corps. It is hard to see how replacing draftees with volunteers would make officers more influential." Nixon might have added that conscript armies have seldom proved any barrier to military coups. Greece's army is made up of conscripts, but in last year's revolution they remained loyal to their officers, not to their King.

Might not the volunteer army become disproportionately black, perhaps a sort of internal Negro Foreign Legion? Labor Leader Gus Tyler is one who holds that view; he says that a volunteer army would be "low-income and, ultimately, overwhelmingly Negro. These victims of our social order 'prefer' the uniform because of socio-economic compulsions—for the three square meals a day, for the relative egalitarianism of the barracks or the foxhole, for the chance to be promoted." Conceivably, Negroes could flock to the volunteer forces for both a respectable reason, upward mobility, and a deplorable one, to form a domestic revolutionary force.

As a matter of practice rather than theory, powerful factors would work in a volunteer army toward keeping the proportion of blacks about where it is in the draft army—11%, or roughly the same as the nation as a whole. Pay rises would attract whites as much as blacks, just as both are drawn into police forces for similar compensation. The educational magnets, which tend to rule out many Negroes as too poorly schooled and leave many whites in college through deferments, would continue to exert their effect. Black Power militancy would work against Negroes' joining the Army. Ronald V. Dellums, a Marine volunteer 13 years ago and now one of two black councilmen in Berkeley, opposes the whole idea of enlistment as a "way for the black people to get up and out of the ghetto existence. If a black man has to become a paid killer in order to take care of himself and his family economically, there must be something very sick about this society." But even if all qualified Negroes were enrolled, the black proportion of the volunteer army could not top 25%. Nixon holds that fear of a black army is fantasy: "It supposes that raising military pay would in some way slow up or stop the flow of white volunteers, even as it stepped up the flow of black volunteers. Most of our volunteers now are white. Better pay and better conditions would obviously make military service more attractive to black and white alike."

One consideration about the volunteer army is that it could eventually become the only orderly way to raise armed forces. The draft, though it will prevail by law at least through 1971, is under growing attack. In the mid '50s, most military-age men eventually got drafted, and the inequities of exempting the remainder were not flagrant. Now, despite Viet Nam, military draft needs are dropping, partly because in 1966 Secretary of Defense Robert McNamara started a "project 100,000," which slightly lowered mental and physical standards and drew 70,000 unanticipated volunteers into the force. Meanwhile, the pool of men in the draftable years is rising, increasingly replenished by the baby boom of the late '40s. Armed forces manpower needs have run at 300,000 a year lately, but they will probably drop to 240,000 this year. On the other hand, the number of men aged 19 to 25 has jumped from 8,000,000 in 1958 to 11.5 million now—and will top 13 million by 1974. The unfairness inherent in the task of arbitrarily determining the few who shall serve and the many who shall be exempt will probably overshadow by far the controversies over college deferments and the morality of the Viet Nam war. In the American conscience, the draft-card burners planted a point: that conscription should be re-examined and not necessarily perpetuated. The blending of war protest with draft protest, plus the ever more apparent inequities of Selective Service, led Richard Nixon to move his proposal for a volunteer army to near the top of his priorities.

HEALING TENSIONS

The position from which to start working for a volunteer army is that, to a large extent, the nation already has one—in the sense that two-thirds of its present troops are enlistees. Neither Nixon nor anyone else visualizes a rapid changeover. The draft will doubtless endure until the war in Viet Nam ends, but it could then be phased out gradually. After that, the draft structure can be kept in stand-by readiness, thinks Nixon, "without leaving 20 million young Americans who will come of age during the next decade in constant uncertainty and apprehension."

If Nixon and his executive staff can move ahead with legislation and the new Secretary of Defense prod and cajole his generals and admirals, the new Administration will go far toward its aim. A volunteer army might help ease racial tension, perhaps by ending the imbalance that has blacks serving in the front lines at almost three times their proportion in the population and certainly by removing the arbitrariness of the draft that puts them there. The move would also eliminate the need to force men to go to war against their consciences, and end such other distortions as paying soldiers far less than they would get if they were civilians, or forcing other young men into early marriages and profitless studies to avoid the draft. Incentives, substituted for compulsion, could cut waste and motivate pride. Not least, a volunteer army would work substantially toward restoring the national unity so sundered by the present inequalities of the draft.

SENATE—*Tuesday, January 14, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, the Reverend Dr. Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, grant us the mind and will to worship Thee not only in the sanctuary on one day but in our daily duties every day. So wilt Thou direct us, O Lord, in all our labors and further us in all our endeavors, that what we do this day may begin, continue, and end in Thee, to the advancement of Thy kingdom. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, January 13, 1969, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEMBERSHIP AND SIZE OF STANDING COMMITTEES

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask that it be read.

The PRESIDENT pro tempore. The resolution will be read.

The legislative clerk read the resolution (S. Res. 13) as follows:

S. RES. 13

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (a) (dealing with the Committee on Aeronautical and Space Sciences) of subsection 1 of rule XXV, strike out the word "sixteen" and insert in lieu thereof "fifteen".

In paragraph (b) (dealing with the Committee on Agriculture and Forestry) of subsection 1 of rule XXV, strike out the word "fifteen" and insert in lieu thereof "thirteen".

In paragraph (c) (dealing with the Committee on Appropriations) of subsection 1 of rule XXV, strike out the word "twenty-six" and insert in lieu thereof "twenty-four."

In paragraph (e) (dealing with the Committee on Banking and Currency) of subsection 1 of rule XXV, strike out the word "fourteen" and insert in lieu thereof "fifteen".

In paragraph (f) (dealing with the Committee on Commerce) of subsection 1 of rule XXV, strike out the word "eighteen" and insert in lieu thereof "nineteen".

In paragraph (g) (dealing with the Committee on the District of Columbia) of subsection 1 of rule XXV, strike out the word "eight" and insert in lieu thereof "seven".

In paragraph (i) (dealing with the Committee on Foreign Relations) of subsection 1 of rule XXV, strike out the word "nineteen" and insert in lieu thereof "fifteen".

In paragraph (l) (dealing with the Committee on the Judiciary) of subsection 1 of rule XXV, strike out the word "sixteen" and insert in lieu thereof "seventeen".

In paragraph (m) (dealing with the Committee on Labor and Public Welfare) of subsection 1 of rule XXV, strike out the word "sixteen" and insert in lieu thereof "seventeen".

In paragraph (o) (dealing with the Committee on Public Works) of subsection 1 of rule XXV, strike out the word "sixteen" and insert in lieu therof "fifteen".

The PRESIDENT pro tempore. Under the order of yesterday, the Senate will now proceed to the consideration of the resolution.

The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, what is the situation with respect to time?

The PRESIDENT pro tempore. Each side has 1 hour, beginning with the first Senator recognized.

Mr. MANSFIELD. Mr. President, I yield no more than 5 minutes out of my time for the purpose of suggesting the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDENT pro tempore. The Chair understood the Senator from Montana to say that he yielded 5 minutes for a quorum call. The call of the roll has not been completed, but it has proceeded for 5 minutes. Does the Senator desire to yield further time, or does he desire that the order for the quorum call be rescinded?

Mr. MANSFIELD. Mr. President, if the distinguished minority whip is not prepared to start discussion, I would suggest that we continue the quorum call, with the time to be taken equally from each side.

Mr. SCOTT. We are ready.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Who yields time?

Mr. SCOTT. I yield 5 minutes to the distinguished Senator from Hawaii.

The PRESIDENT pro tempore. The Senator from Hawaii is recognized for 5 minutes.

Mr. FONG. Mr. President, I ask that the resolution now pending be amended as follows:

That the third paragraph, reading "In paragraph (c) (dealing with the Committee on Appropriations) of subsection 1 of rule XXV, strike out the word 'twenty-six' and insert in lieu thereof 'twenty-four,' " be stricken.

That the seventh paragraph, which reads, "In paragraph (i) (dealing with the Committee on Foreign Relations) of subsection 1 of rule XXV, strike out the word 'nineteen' and insert in lieu thereof 'fifteen,' " be stricken.

The PRESIDENT pro tempore. Did the Senator send the amendment to the desk?

Mr. FONG. Mr. President, I have not. It is a verbal amendment.

The PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. The Senator from Hawaii (Mr. FONG) proposes to delete sections of the resolution dealing with paragraph (c) applying to the Committee on Appropriations and paragraph (i) dealing with the Committee on Foreign Relations.

Mr. FONG. Mr. President, I ask for a rollcall vote on my amendment.

The PRESIDENT pro tempore. The Senator from Hawaii has asked for the yeas and nays. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. FONG. Mr. President, I strongly object to the resolution reducing the total membership of the Committee on Foreign Relations from 19 to 15 and the Committee on Appropriations from 26 to 24.

The history of the committees' memberships indicate a need to retain the present numbers. In 1953 the Foreign Relations Committee membership authorization was increased from 13 to 15; in 1959 it was again raised from 15 to 17; and in 1965 it was raised to 19 where it has remained. The Appropriations Committee was authorized 27 members in 1959; in 1967 it was reduced to 26 members where it has remained.

It is well accepted that these increases were voted to give the junior Democrat members of the Senate an opportunity for membership on these very important committees.

One of the arguments advanced for reducing the size of these committees is that they are presently unwieldy. However, for 10 years the Foreign Relations Committee operated with over 15 members. During that period the committee membership was even raised to 19. If it is unwieldy now with 19 why was it not unwieldy 10 years ago when the membership was first increased over 15.

The Appropriations Committee membership was increased to 27 in 1959 and then in 1967 it was dropped to 26. So for over 10 years it operated with 26 or more members. If it is unwieldy now with 26 members why was it not so 10 years ago when it was initially increased. The facts proved that this argument is absurd. Furthermore, the areas of Government operation have increased tremendously and we need the counsel and expertise of other Members of the Senate on these committees.

This proposed reduction coming on the heels of substantial Republican gains in the Senate is wholly partisan in nature. It will seriously hurt not only the new Republican Senators, but the new Democrat Senators as well. In fact, it will adversely affect every Senator who does not hold a position of leadership or seniority.

These are those Democrat and Republican Senators who can be referred to as the "forgotten middle classes." These Senators number approximatly two-thirds of the total Republican Senators, and, I believe, a greater number of Democratic Senators. It is of greater detriment to Republican junior Senators than to Democratic Senators as the Republican assignment to committees is based primarily on seniority.

The PRESIDENT pro tempore. The Chair advises the Senator from Hawaii that his time has expired.

Mr. SCOTT. Mr. President, I yield an additional 3 minutes to the Senator from Hawaii.

The PRESIDENT pro tempore. The Senator from Hawaii is recognized for 3 additional minutes.

Mr. FONG. Mr. President, by decreasing the number of members on the Appropriations and Foreign Relations Committees, we will reduce the number of important committee assignments available. This will force senior Senators to take seats on other choice committees leaving only lesser committees for junior Senators.

Many of our new Senators have had years of experience as Members of the House of Representatives, Governors and legislators on the State level. All I am sure have had important roles in community, national and even international affairs. These men should have the opportunity to use their expertise on choice committees. To deny them this opportunity is a disservice to all of us, to their States and to the Nation. The freshman Senators can be given greater opportunities for service only if the present membership authorizations for the Appropriations and Foreign Relations Committees are retained. To reduce the numbers would injure the Senate down to its most junior Member.

Mr. President, I urge that my amendment be agreed to.

Mr. SCOTT. Mr. President, I yield myself 5 minutes at this time.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, the rules of politics and the rules of government ought to be as infused with a spirit of fair play and good sportsmanship as the rules of the playing field. But in this instance what we are confronted with is the ruthless, cold, and arrogant display of majority power without regard to fair dealing—one of the their favorite terms of recent years—and without regard to the fact that a victory was won by this side of the aisle by the addition of some 10 Senators, or a net gain of six Senators.

How does the rule of fair play work when the results are otherwise? One can look at the 83d Congress and the beginning of the 84th Congress, when a period of majority rule set in for the other party, and for the majority whip, later the majority leader, a very distinguished gentleman who is about to make his farewell amidst all of our best wishes this week. But during the latter's reign, the number of committee places was increased by 43. At a moment of sadness for our side in January 1959, just 10 years ago, when 13 Senators were lost on this side of the aisle, and gained on that side of the aisle, involving 26 committee seats, what did the majority leader at that time do? He added another 14 seats, included in this 43 computation incidentally, to take care of his side of the aisle.

The moment that the laurel wreath of victory descends on a few of our Senators, what happens on the other side of the aisle? Meeting in secret, they decide to deprive us of the fruits of victory and to withdraw it by cutting away some seven places, and later, with the guilty sense of the filcher, provide a couple of places on what might be called not the most important committees.

We are told about the difficulty of obtaining a quorum, the difficulty of getting one more Senator. In my judgment any committee which cannot find one extra Senator around perhaps does not deserve to be meeting at that time.

I submit that what is happening to us here is not fair. I am sure many Senators on the other side of the aisle are not in sympathy with it. I am sure that among influential Members on the other side of the aisle there was opposition within their secret conclave, and I am sure they regret that certain people felt it desirable to suddenly withdraw membership on a committee at a time when the membership was about to be moved to this side of the aisle. What happens? The domino theory works with respect to those who might be otherwise advanced to the accepted committees, regarded with some interest by a great many Senators. But at this moment, the opportunity to move into those committees is denied new Senators, Senators in the entering class of this side, or Senators who entered the Senate 2 or 4 years ago are denied the opportunity to be advanced, or whatever the designation may be, to the committees which they really desire.

The PRESIDENT pro tempore. The time of the Senator from Pennsylvania has expired.

Mr. SCOTT. Mr. President, I yield myself 1 additional minute.

The PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 1 additional minute.

Mr. SCOTT. Therefore, Mr. President, we know that the other side has the votes. We know that the votes cast on the other side may be greater in number than the votes cast in their secret meetings. We know, too, that when you do this to us, the time will come when we will hope to be a majority, and when we do, you are inviting a form of compensatory retaliation and you are asking for compensatory reprisal. So if you insist on doing this unfair thing—and I again condemn it as unfair in the extreme, and it is political motivation and unworthy of this great body—then the time will come when those who did it will be the first to regret it.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania allow me?

Mr. SCOTT. I am glad to yield.

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes.

The PRESIDENT pro tempore. The Senator from Montana is recognized for 5 minutes.

Mr. MANSFIELD. Mr. President, I have listened with great interest to the distinguished minority whip. I have noted the threats implied and stated in the words which he has spoken. He has been quite free with some of his charges and some of his labeling. He refers to this side of the aisle as being arrogant. He implies that chicanery has been used to achieve the 57-to-43 ratio on these committees, which is actually what we have agreed to on this side.

I would point out that, speaking of compensatory retaliation—and I use the Senator's exact words—I think he should be a little careful in what he says, because if we are treated in this way, and we happen to be in the position in which his side of the aisle finds itself now, we would feel that we were being treated in the only way possible.

I listened to the distinguished Senator from Pennsylvania on television last Sunday. He made a very eloquent and worthwhile telecast. During the course of that telecast he was asked a question, I believe by Mr. Rowland Evans. In response to that question—and I believe I have the Senator's exact words—the Senator from Pennsylvania said that he "understood the Democratic Steering Committee would bypass the Democratic caucus and take the matter directly to the floor."

Mr. SCOTT. Mr. President, if the Senator from Montana will yield right there——

Mr. MANSFIELD. I yield.

Mr. SCOTT. I am glad to say that I was informed by one of the Members on the Senator's side of the aisle that that was his precise fear. This program was taped several days before the meeting and I expressed the fears which were arising on the Senator's side of the aisle and expressed them accurately.

Mr. MANSFIELD. It was a prerecorded telecast.

Mr. SCOTT. It was indeed, sir.

Mr. MANSFIELD. And so stated.

Mr. SCOTT. Yes, sir.

Mr. MANSFIELD. But I would point out to the distinguished Senator that I am now beginning my ninth year as majority leader, my ninth year as chairman of the steering committee which sets the ratios and selects Members to fill vacancies, and my ninth year as chairman of the Democratic conference, and at no time—I repeat, at no time—has the Democratic conference been bypassed. At no time has an end run been attempted. At all times the cards have been laid on the table. While some of our Members may not be too happy about the assignments they received, most of them are satisfied; but to those who are not satisfied, I want to offer my apologies because it was just impossible, in view of the circumstances which existed, to comply with all the wishes and desires of all the Members.

I would point out, also, that it was the majority leader on the steering committee who made the motion to keep the Appropriations Committee and the Foreign Relations Committee at the levels they were during the past Congress. My motion was defeated. Therefore, I am now in favor of the decision of the steering committee because I believe that by their decisive action on this proposal they have made their voice heard and their decision known.

I make these remarks only to keep the record straight and to refute any and all allegations, implied or stated, that there were any shenanigans connected with the proposals which were arrived at by the steering committee and agreed to, I believe, unanimously by the Democratic conference.

The record will have to speak for itself. I am sure that the Senator from Pennsylvania knows that I am not prevaricating. I have only stated the facts as they are.

The PRESIDENT pro tempore. The time of the Senator from Montana has expired.

Mr. MANSFIELD. Mr. President, I yield myself 1 additional minute.

The PRESIDENT pro tempore. The Senator from Montana is recognized for 1 additional minute.

Mr. MANSFIELD. So far as the amendment of the distinguished Senator from Hawaii is concerned, I did offer—I repeat—in the steering committee motions to keep the Appropriations and Foreign Relations Committees at the levels at which they existed during the 90th Congress.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. Mr. President, I must concur in what the majority leader said about the attitude he took with respect to the reduction in the number of these committees. In the course of their first caucus or conference last week, both he and the President pro tempore stepped out and came to my office for a conference with Senator WILLIAMS and myself, and there he reaffirmed what he had to say.

Notwithstanding that, however, I do believe that the resolution should be rejected. I think that experience furnishes the reason for it. I go back to my experience in 1945 and 1946 on the Joint Committee on Reorganization of the Congress. It consisted of six House Members and six Senators. We labored earnestly for a long time. It became known as the La Follette-Monroney committee.

We tried, among other things, to streamline the Congress. The measure contained a lot of other provisions, but we reduced the number of committees in the House from 47 to 19, and reduced the number of Senate committees from 33 to 15.

It was not exactly anticipated as to what was going to take place and perhaps we were unmindful of the fact that this was an expanding Government.

The net result was, after a time, the committees began to proliferate in the form of subcommittees.

As if that were not enough, we began to set up special committees.

As if that were not enough, we began to set up select committees.

At my last count, there are 103 standing, select, special, joint, and subcommittees in the Senate.

Now, frankly, that is a testimony to governmental growth. It is also a testimony to governmental business. I do not know quite what the answer is, but I do know this: it does put an extraordinary burden on some Members of the Senate. There is a very considerable spread now, as a person is called upon to serve on one or the other of these committees.

On the Committee on the Judiciary we have any number of subcommittees. If I remember correctly, I presently serve on six, or, to put it more accurately, I ought to say I try to serve on six. Frankly, it is difficult, when one carries the burdens of the Judiciary Committee, in part, as well as those of the Finance Committee of the Senate.

Now, by this proposal, the Foreign Relations Committee is reduced by four spots. I do not know the reason for the——

Mr. FULBRIGHT. Mr. President, will the Senator yield? I shall be glad to state the reason.

Mr. DIRKSEN. I would like to make this statement first. There are today 10 consultative subcommittees on the Foreign Relations Committee—European Affairs, Disarmament, African Affairs, American Republics Affairs, Economic and Social Policy Affairs, State Department Organizations and Public Affairs, Far Eastern Affairs, International Organization Affairs, Near Eastern and South Asian Affairs, and Canadian Affairs. I just pick out one Member of our side who I know is on the Foreign Relations Committee and serves on the Appropriations Committee. I noted from this little document that we obtained from the Foreign Relations Committee that he serves on four of these consultative subcommittees.

I comprehend, knowing something about the business of appropriations, having served on that committee myself for a long time, that he probably serves on at least several of the subcommittees there. Well, one can come to any conclusion he likes, but I still insist that it is a testimony to Government growth and activity, and obviously there have to be spots on the main committee.

So I did not approve of the reduction that is before us today; namely, one on Aeronautical and Space Sciences; two on Agriculture and Forestry; two on Appropriations; one on Banking and Currency; one on Commerce; one on the District of Columbia; four on Foreign Relations; an increase of one on the Judiciary; an increase of one on Labor and Public Welfare; and a reduction of one on Public Works.

I can understand two of these, because, under the ruling, those two were to lose a member automatically on the first of January. So, in reality, what was done here was simply to make those two spots permanent. But now we are confronted, of course, with the necessity of finding and putting in proper places our new Members. And if there were no other reason for resisting the adoption of this resolution, that in itself would be enough, Mr. President.

I presume the chairman of the Foreign Relations Committee will comment on these 10 subcommittees. I can understand how they are set up and why they are set up—in the hope, of course, that they will specialize in these particular fields. But will someone tell me how one Member can serve on the Appropriations Committee and do full duty to it and then on the Foreign Relations Committee and do full duty to four subcommittees of the Foreign Relations Committee? If that is not an all-time-consuming package, then I do not know what is.

So, in order to make that spread a little easier, I had hoped we could preserve these spots, rather than reduce them.

Statements have been made on the question of a quorum. Let us see. There were 26 members on the Appropriations Committee and it is presently reduced to 24. For a 24 membership, 13 are needed for a quorum, because action cannot actually be taken, under the Reorganization Act, unless a physical quorum is present. Any number can be designated for the purpose of a hearing and one is enough. At a time when I was chairing a committee, I said the committee would meet at 10 o'clock. At 10 o'clock the gavel fell. It did not make any difference whether any other members were present or not; the committee began to do business.

What is the difference? Thirteen are needed for a quorum on a committee of 24. Fourteen are needed for a quorum on a committee of 26. The difference is one. Well, if a chairman cannot get a member out of the woodwork somewhere in order to make a quorum, then there is just something wrong with the structure and the activity of that committee; and I cast no reflection or aspersions upon any chairman whatever. He has to answer that for himself. It is his responsibility.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DIRKSEN. Yes; I am delighted to yield.

Mr. FULBRIGHT. The principal reason for the reduction was that the younger Members get so disgusted with the length of the hearings that they do not come. The principal reason for bringing the membership to 15 is to see that it will be sufficiently interesting for Members that they will come. The major problem is getting a quorum. Members on both the Finance Committee and the Foreign Relations Committee will go to a tax hearing prior to going to a Foreign Relations Committee, and it was almost impossible to get a quorum to vote, and we have to have a quorum to report bills to the Senate.

Mr. DIRKSEN. Oh, I recognize that; but during these hearings, particularly when they are exploratory and highly discursive and go off in one direction and then in another, Members come and look in. They are there a little while, and then something of greater importance presses upon them and they leave and go elsewhere.

The PRESIDING OFFICER. The 10 minutes of the Senator have expired.

Mr. DIRKSEN. I yield myself another 5 minutes.

I point out to my friend that the Finance Committee room—and he is on the Finance Committee—and the Judiciary Committee rooms are on the same floor in the New Senate Office Building, only about 10 doors apart. I do not know that there is a time when I am not on shoe leather or roller skates or something else commuting from one committee to the other. In fact, I did it this morning, because, as the Senator knows, we had two Cabinet nominations before us. I could stay for the one; then I had to go to the Judiciary Committee because it was considering the nomination of the Attorney General-designate.

Mr. FULBRIGHT. I think it was a great shame, because we missed the Senator. It was not nearly as effective as when he was there.

Mr. DIRKSEN. I am sure the Senator did miss me. It creates a definite deficit in my knowledge, because I wanted to hear the new Secretary of Health, Education, and Welfare—not that I could give material, but I think he could add to the sum total of human knowledge and erudition.

When it comes to quorums, the difference between 26 and 24 is one, so I do not believe there is any real validity to that argument.

I think these spots ought to be preserved. Probably we made the mistake, back in 1945 and 1946, of cutting these committees back so far that we set in motion the proliferating force, and today we have committees and subcommittees running out of our ears.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DIRKSEN. With pleasure.

Mr. FULBRIGHT. The Senator goes back to 1945 and 1946, and says, "You cut them down." The Senator from Illinois and every one of his colleagues who voted, save one, in March of 1967, voted to cut this committee to 15. The Senator from Illinois voted for that. So did the Senator from Pennsylvania. Every Republican except the Senator from Vermont (Mr. AIKEN) voted affirmatively to pass the bill, which provided 15 Members for the Committee on Foreign Relations. So there is no need to go back to 1946. The Senate, in its judgment, in 1967, said it ought to be 15.

Mr. DIRKSEN. It is amazing how mistaken a person's judgment can be. That was just the trouble. I think the general judgment was mistaken. So this is an effort to repair that mistake, now, and go back and pick up the stitches.

I thought we ought to preserve these committee spots in order to make way for those who, by the grace of the electorate or this country, have come into the Republican bosom. Obviously, out of affection and esteem and a regard for our obligations to them, this is what we want to do.

Speaking now in a rather personal political vein, there have been times, Mr. President, when a very close election was underway in a given State, and very often our candidate was under attack by having the opposition raise the cry that he could not get on any good committees. I do not know how many telegrams I have sent out, over the years that I have been minority leader, to assure the people, even in Texas, when JOHN TOWER was a candidate for office, that when he got here, there would be a good spot—in fact, there would be two good spots—for him.

I had somehow or other to keep faith and undertake and do the job of putting him on good committees.

The PRESIDING OFFICER. The Senator's additional 5 minutes have expired.

Mr. DIRKSEN. It is amazing how this time runs, is it not? Who says talk is cheap? I yield myself 5 more minutes.

It is amazingly difficult, Mr. President, trying to find spots. I may say to the Senator, I went down to the airport, as I recall, and got Senator TOWER, hauled him up to my office, and asked him about his committees. When he told me he wanted to go on the Committee on Labor and Public Welfare, I said, "Blessed be the name of Texas and you, because I am on the Labor Committee."

When my party does not know what to do with me about committee assignments, I go from one place to another. Once I landed on Interior. I do not know what in the world I should do on Interior, but that is where I landed, because that was the only spot. Then later I landed on Labor and Public Welfare. I am like the "lonesome end"; I go from one place to another.

But notwithstanding that fact, I could give him that committee, and seemingly there were not too many takers for it. But the minute you started for another committee, you were up against this Rock of Gibraltar seniority rule—and it has not been violated nor breached yet.

Incidentally, to all those smart people who write books about Congress and about this awful seniority rule, we wrestled with it for 2 solid years, and we could find no substitute for it that would work. It is the one thing that works. What some of these smart people have in mind is to throw it open for the birds. Well, then you throw it open to a campaign, and every member of the committee will start campaigning, and campaigning for the chairmanship, and it will just depend, then, on how assiduous and diligent some Senator may be as to whether he comes from the bottom right up to the chairmanship, nothwithstanding the years of service that the chairman or the ranking Member may have invested in the work of that committee.

So I see nothing for it except to preserve these spots. And who knows, as we walk down the path under what will be a great and successful administration, under the leadership of Richard Milhous Nixon, but that we may need more spots for committee members, and who knows, we may have to undo this resolution and add members.

So, for the moment at least, I do not want to backtrack. I would rather see this resolution rejected, and that we stand on the numerical committee structure as it is today.

So that, Mr. President, in my judgment is the story.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I have the greatest sympathy for the leadership on both sides. I know that all Senators, both new and old, come to them and put them on a very hot spot. I can sympathize with them.

But I wish to review a little bit. Because I suggested this, I want to fulfill my responsibility as far as the Foreign Relations Committee is concerned. I suggested in the committee and we discussed the desirability of having a committee of 15. There was no one in the committee who affirmatively opposed the suggestion. They were not all there, but there were, I think, about 13 or 14 there, and we discussed it. There was no one who affirmatively opposed a reduction. One Member said he thought 17 would be better than 15, and the rest, I believe, who were there agreed to the proposed reduction.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. The Senator is aware that I did oppose it in the committee.

Mr. FULBRIGHT. The steering committee.

Mr. MANSFIELD. Yes.

Mr. FULBRIGHT. I am talking about the Committee on Foreign Relations. I know, the Senator is quite right about what he says about the steering committee. I am talking about the first meeting we had this year of the Committee on Foreign Relations; there was one Senator who said, "I think 17 would be better than 15." No one said, "I don't think there should be any reduction."

When I came on the committee in 1949, as a result of the Reorganization Act of 1946, the membership was 13, having been reduced from 23. It stayed at 13 until 1953, when it was changed to 15, which is the size this resolution provides for. Then in 1959, I believe it was, it was increased to 17, and in 1965 to 19. Those increases did not result from a study by any committee; they were simply by a resolution which increased the number; and I do not think at this late date it will help to go into why the number was increased. Maybe it is only coincidental that that increase to 17 immediately preceded the presidential election in 1960.

But in any case, as I pointed out just a moment ago, the bill in 1967, known as S. 355, brought in, as Senators will recall, by Senator MONRONEY from the Special Committee on the Reorganization of Congress, which spent, I think, 2 years studying the matter, was debated at length. It was introduced January 16, 1967, and was debated at great length, practically item by item; and it provided on page 23, that the Senate Committee on Foreign Relations would have 15 Senators.

There was no objection to it. No fight was made on it. As I pointed out, of the Republicans 29, I believe, or 97 percent, voted "yea." Only one voted "nay." All of those not voting, of whom there were six, indicated, I believe, that they were favorable to it and that that is how they would vote.

So the RECORD shows there was only one adverse vote. That particular one, Senator AIKEN, is the ranking Republican today, and he has said he now favors the reduction. So he did not vote against it because of his position on foreign relations; he voted for some other reason. But the Senator from Pennsylvania and the Senator from Illinois both voted for that bill, which provided 15 members on the Committee on Foreign Relations. That bill was the result of long study by the Committee on the Reorganization of Congress; so I submit that the proposed reduction has a very legitimate background.

As to the merits themselves, I have been chairman, now, since 1959, and we have had a great deal of criticism because of the size of the committee, particularly in the last 2 years, from the members of the committee themselves.

The Senator from Illinois mentioned the difficulties of obtaining a quorum. The Senator from Alabama (Mr. SPARKMAN) the other day—he is not here today—testified or said before the steering committee that when I was absent last summer, in behalf of an election in my State, it was almost impossible for him to obtain a quorum. He had almost the same difficulty I have had, for various reasons, but among others the size of the committee. The size of the committee makes it very difficult for the junior members to have time to be heard. The Senator from Minnesota (Mr. MCCARTHY) the other day intimated as much in his conversation. He was a junior member of the committee since 1965, and it was very often impossible to reach him in time to allow him to question witnesses.

Quite often we have been unable to complete our hearings in the usual morning time allocated to us. That has made it difficult for Members on either side. Unless we went over until the afternoon, some Members never got a chance to have a reasonable question period. This has made it very difficult, not only while I have been chairman, but prior to that time, when Senator Connally was chairman, when Senator George was chairman, and when Senator Vandenberg was chairman. However, when Senator Vandenberg was chairman, there were only 13 members of the committee, so he did not have much of a problem. But later, even under Senator Vandenberg, there was considerable difficulty at times with respect to getting subcommittees to function.

The Foreign Relations Committee, long before I became chairman, had by tradition limited the work of its subcommittees largely to consultative matters. Most of its work is done in full committee proceedings.

Occasionally subcommittees work on substantive matters. One subcommittee, on Latin America, was created and given a special fund, as the Senate will remember, as a result of difficulties that arose when Mr. Nixon visited Latin America. The matter was of special concern, and we provided a special fund and staff. That subcommittee had a little different experience from all the others, which did not have special staffs. Some of them rarely met; perhaps once or twice a year. They do not function in the way subcommittees of the Committee on Appropriations do. This is because Members have preferred to concentrate on large issues before the full committee.

I had the same experience in the Committee on Banking and Currency. We had certain issues, such as in the case of housing. We simply assigned housing matters to a Subcommittee on Housing, and that subcommittee had full responsibility.

In the Foreign Relations Committee we have seldom found any issues which really lend themselves to this practice in a legislative way. Seldom do subcommittees of the Committee on Foreign Relations report bills. They are merely consultative. That is the way the committee has functioned—not only under my chairmanship, but under the previous chairmanships.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. Would not the Senator agree that compared with 20 years ago, or even 10 years ago, we now have much more activity in foreign relations?

Mr. FULBRIGHT. The Senator from

Pennsylvania is quite correct. One of the purposes of this proposal is to enable this committee to function more effectively now, so that we can deal with problems of foreign relations. All that would result from having a large committee would be to slow down the activity and really restrict the committee's effectiveness. This is the attitude of the senior Republican member of the committee. The committee is not made capable of handling more business by increasing the time for meetings; that only makes the committee less efficient. That is one of the reasons for reducing its size.

Mr. SCOTT. That argument would be constructive of almost all committees.

Mr. FULBRIGHT. That is not at all true, because I think that any Senator who served on that committee would recognize the clear distinction between the character of the functions of the Committee on Appropriations, which is the largest of the committees, and the Committee on Foreign Relations. The Committee on Appropriations has always had subcommittees which hold hearings and make reports to the full committee. That has not been the practice in the Committee on Foreign Relations, even long before I became a member. The big committees may function better in that effort, both in the House and in the Senate. I do not think that is any criticism at all of the big committees.

When I served on the Committee on Banking and Currency, as I have said, we operated with subcommittees. That has not been done in the Committee on Foreign Relations. I do not say this because it has never been done; I do not think the nature or character of the Committee on Foreign Relations or responsibility lends itself to a breaking down into subcommittees.

The Foreign Relations Committee is more of a committee to influence the attitudes and policies of the State Department than it is to legislate. It is not legislative in the sense of an appropriation committee, which actually makes an allocation of money. Its functions are quite different from the major functions of a legislative committee. For example, in dealing with a treaty, how would a treaty be allocated? We could not possibly deal with a treaty that happened to relate to Europe by referring it to a Subcommittee on European Affairs. That just would not work.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SCOTT. It appears to me that the Senator's argument is more ingenious than persuasive. The argument seems to be founded on the fact that the Senator wants his committee to be different from the other committees. I must concede that these are the facts of life. What is really happening here is an obeisance to the prestige of the distinguished chairman, who is very likely to get his way. But I do not think that to have a chairman get his way is good for the Senate or for either side of the aisle.

Mr. FULBRIGHT. The Senator is quite incorrect. The whole reorganization bill passed in 1967 related very much to what I am talking about; it was not merely related to the Committee on Foreign Relations. I was not a member of the committee that reported the Monroney bill. That bill was the considered judgment of a special committee of the Senate which sought to make committees as effective as possible. I do not have a list of the members of that special committee, but it was quite an important committee.

Mr. SCOTT. Is not the Senator's argument something like the argument made 23 years ago? Does not the Senator believe the world has changed?

Mr. FULBRIGHT. I am talking about 1967. The Senator himself voted for the bill I am talking about. I have the record before me.

Mr. SCOTT. I understood that the Senator was talking about the Monroney bill which resulted in the Reorganization Act of 1946?

Mr. FULBRIGHT. This was January 16, 1967; it was not 20 years ago.

Mr. SCOTT. At that time, the committee membership was not set at 15.

Mr. FULBRIGHT. It most certainly was—in the bill.

Mr. SCOTT. In the bill, but not as adopted?

Mr. FULBRIGHT. It was adopted by the Senate, and the Senator from Pennsylvania voted for it. Insofar as that bill was concerned, the House would not have any jurisdiction to change it. In other words, the Monroney bill, S. 355, was the final voice and decision of the Senate, including the vote of the Senator from Pennsylvania, that the membership of this committee be 15. That was less than 2 years ago. That bill was approved by the Senate on March 7, 1967.

I do not know what the Senator is talking about when he says that my prestige is involved. That is nonsense. The whole Senate voted for the bill. There were 75 yeas and nine nays. That was the vote on the bill which set the membership of this committee at 15. This was not some exotic, sudden impulse on the part of the chairman; it was the clear judgment of the Senate as a whole. It was less than 2 years ago that we voted on this—in 1967.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. In support of the chairman of the Committee on Foreign Relations, on which I have the privilege to serve, day after day and week after week last summer and fall, when important issues came before the committee with respect to our foreign relations, nothing was done because we could not obtain a quorum. When one goes through such an experience, one can understand why the chairman of the committee, in an effort to have his committee function on an efficient basis, desires a reduction in the topheavy membership.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. DIRKSEN. Mr. President, on my own time, I yield myself 2 minutes.

That was the time, of course, when we were exploring everything in Asia.

Mr. SYMINGTON. If the Senator is asking what we were exploring we were into a good many things. We were not doing as much as some other committees which spend millions of dollars to investigate many things. I say that with no criticism whatever.

On the other hand, there is a belief in the Senate, growing in recent years, that the Senate should not simply lie down and roll over in matters of foreign policy. Therefore, as matters occur all over the world, along with treaties and appointments, as the chairman has ably pointed out, must be handled finally by the full committee. They cannot be put into cubbyholes.

Mr. DIRKSEN. I read all the headlines and gained the impression that we were not in sympathy with what was going on. That was true of the Appropriations Committee.

Mr. SYMINGTON. Mr. President, the Senator from Arkansas yielded.

Mr. DIRKSEN. He does not have time; I have the time.

Mr. SYMINGTON. I know the Senator from Illinois well enough to know that he will yield me some of his own time.

Mr. DIRKSEN. Why, surely.

Mr. SYMINGTON. My point is that if any committee sits day after day and week after week, trying to get its work done, but cannot because of the lack of a quorum, I know that the Senator from Illinois would feel as impatient about it also.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I have not used all my time.

Mr. DIRKSEN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 27 minutes remaining.

Mr. DIRKSEN. I yield myself 2 minutes to address a remark to the chairman of the Committee on Foreign Relations.

It seems to me now that this is an opportunity to emphasize some techniques so far as committee procedure is concerned.

No. 1, if they start on time, it will not be necessary to lose an hour and a half. Unless the committee is voting on something, it does not make any difference whether anybody is there except the chairman. Let the gavel fall and say, "The committee will come to order." That is No. 1.

No. 2, alternating from one side to the other is, in my judgment, a preferred technique. We did that this morning. We do not do it in some other committees.

Mr. FULBRIGHT. We do it in mine.

Mr. DIRKSEN. We do it in the Committee on Finance.

Mr. FULBRIGHT. There is common practice in my committee.

Mr. DIRKSEN. Exactly. And so you get further down the list in that way.

Finally, if the chairman of the committee or the committee will impose a time limit on every member and adhere to the limit, everyone will have a chance.

Mr. FULBRIGHT. We tried that, also, and we tried it in these hearings—particularly the open hearings I have mentioned. It is very difficult to manage this way. An astute witness who knows a Senator's time is limited to 10 minutes can filibuster on one question for the 10 minutes, and the committee gets nowhere. We have tried that often and have concluded that it is hopeless. You just turn the hearing over to the witness. It is easy for an experienced witness to completely monopolize the time, and you never get to a real discussion. Time limits do not work in an important committee.

Mr. DIRKSEN. The chairman can impose a limit on witnesses, no end.

Mr. FULBRIGHT. Did the Senator ever try to put a witness on——

Mr. DIRKSEN. Say, 5 or 10 minutes.

Mr. FULBRIGHT. In an open hearing it is impossible. The Senator is talking about some of the unimportant meetings that deal with some local matter. The emotions in the open hearings become quite high. We cannot stop a Secretary of State or an Under Secretary of State from talking. Immediately, the press says, "You are harassing the witness."

Mr. DIRKSEN. They do not take too much time. Usually, the members of the committee occupy the time.

Mr. FULBRIGHT. Some do and some do not. It is just like in the Senate Chamber.

Mr. DIRKSEN. Too often, they have not done their homework, and they aimlessly speculate and look at the ceiling and wonder about some question to ask.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield myself 1 additional minute.

Mr. FULBRIGHT. The Senator is simply criticizing the manners and abilities of Senators and not the question of how big this committee should be. I cannot control my colleagues, either. Did the Senator ever try to tell his colleagues that they cannot talk?

Mr. DIRKSEN. That is right.

Mr. FULBRIGHT. Did the Senator succeed?

Mr. DIRKSEN. I think so.

Mr. FULBRIGHT. Oh, did he? I had not noticed it, either in the Senate or in the committee.

Mr. DIRKSEN. Mr. President, the chairman of the Committee on Foreign Relations made the point that the new Members at the bottom of the heap got rather restive about it.

Mr. FULBRIGHT. They certainly did.

Mr. DIRKSEN. All right, then improve the committee technique and get to them a little sooner.

Mr. FULBRIGHT. The purpose of this committee, as I see it, is not purely to entertain Members. The purpose is to perform a public function: to have hearings that are significant and to get information from the witnesses for the guidance of the Senate and the country. That is the main objective, not just to please either the senior or the junior Members.

The purpose of this move on the part of the committee is to make the committee more efficient, so it will perform its major function. We do not conceive that it has been created for the entertainment or enjoyment of its members alone.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Rhode Island (Mr. Pell).

Mr. PELL. Mr. President, I support the position of the chairman of the Committee on Foreign Relations, and I should like to address a question to him, if I may.

Is it not correct that when we have the full attendance, particularly at the public meetings, it is almost impossible to finish before lunch?

Mr. FULBRIGHT. It is.

Mr. PELL. And as a result of this, as borne out by the experience of the chairman and the entire committee, it means that those of us who are toward the bottom of the totem pole now usually do not get a chance for our questions until after lunch or until everybody has gone to lunch, except the unfortunate witness.

The junior members of the committee remain the same distance from the bottom as ever, but it gives us a chance to contribute a little more to the work of the committee.

I commend the committee for holding firm on this matter, and I hope the Senate will support it.

Mr. SCOTT. Mr. President, I yield 4 minutes to the distinguished Senator from New York (Mr. Javits).

Mr. JAVITS. Mr. President, I rise in support of the amendment. I have been listening very carefully to the argument made by the distinguished chairman of the Committee on Foreign Relations. It seems to me that the idea of finishing before lunch, or the fact that junior members think they do not have an adequate chance to question is not a critical reason for doing what is being done.

I am aware of the fact that we may be outvoted on the other side simply by the sheer weight of numbers and party regularity, and this is the kind of thing that is subject to party regularity. I was one of those in our caucus who urged that this fight be made, because I believe it is right, and I should like to give the reasons for it.

First, the main thing is that it comes at the wrong time. It comes at precisely the time when a new class of freshmen has come into the Republican side of the aisle—which comes fresh from the hustings, fresh from campaigning, fresh from being non-Senators—and which has a real contribution to make. Some are on the other side, but the main influx is on this side, and the disproportionate numbers which existed before have now been corrected somewhat. It is good for the country that they have, and it is good for the country that these bright, fresh, essentially younger men are in the Senate.

The real issue is this: Shall they be given an opportunity—shall this objective be before them—of being upon this great committee which Senator Fulbright heads? Indeed, I believe he should derive enormous satisfaction from the competition for a seat on that committee. Or, shall they not? Shall they be closed off in terms of their objective by the fact that there is such a drastic—and it is drastic—reduction in numbers? That is really what is at issue here.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. The Senator from New York voted, did he not, for the Reorganization Act of 1967?

Mr. JAVITS. I did.

Mr. FULBRIGHT. It provided 15 for this committee. Why does the Senator change his mind in the course of a year?

Mr. JAVITS. The Senator from New York will state to the Senator from Arkansas that he did not consider the number of Senators on each committee, did not even know about it, at the time, though I am charged with the knowledge. I am a lawyer, and I am not claiming that that is any excuse.

But the fact is that it was by no means the critical aspect of that debate that it is now. In addition, it came before the election, and we are now after the election; and my main argument is that what has happened in the election makes this so inadvisable now.

Mr. FULBRIGHT. The Senator says he did not have any confidence before the election that he was going to gain any seats.

Mr. JAVITS. I would not say that. If I did, I would have predicted my own election, and I did not. I worked extremely hard and spent too much money, and now I owe some, which I do not like at all.

To complete this point: That is really the issue. It is a very drastic reduction, and it is hard to justify, on the ground that this is the time that we have the bulge which can give Members on our side of the aisle an opportunity which they dearly seek. It is a drastic reduction. I give one bit of experience.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask for 1 additional minute.

I give one bit of experience to my colleagues. I served for 8 years on the Committee on Foreign Affairs in the House. It had 29 members. I believe the Senator from Montana (Mr. Mansfield) was a member of that committee, also. Everybody questioned how a committee of that size operated efficiently. It was because we had a rule of 10 minutes per man, and then you came around the second time. Everybody asked questions.

Some of the best questioning I have ever heard was asked of Henry Wallace in the Foreign Affairs Committee, with 25 members.

They actually took him apart at a time when his position was seemingly very strong in the country but really untenable. He was taken apart in that committee in questioning by almost the entire committee membership. Therefore, with all respect, I do not feel that is an adequate argument for cutting down the number at a time when there is so much new and fresh blood that should have much incentive to do the work of the Senate, nor is it a time to cut this committee when foreign affairs is likely to be such a predominant issue in this Congress. We should stop arguing questions of quorum and yield to what is of greatest benefit to all the people by giving an opportunity to add new, fresh, imaginative minds to this committee in addition to the sage wisdom that exists there now.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Massachusetts, the majority whip.

Mr. KENNEDY. Mr. President, during the course of this discussion it has been suggested that the change and the alterations, as far as membership of the committees is concerned, have been based on partisanship and that for some reason or another the Democratic majority has taken advantage of our friends across the aisle. I do not believe that is the essence of the question before the Senate.

There are vacancies which have been made available on a variety of different committees. They will be filled on the Democratic side by the steering committee and on the other side by appropriate committees there. If they wish to give opportunity to the young men who have been elected, they have the opportunity to do so, just as we have the opportunity.

The mathematical formula has been established by the people of this Nation, and that is that today there are 57 Democrats and 43 Republicans, and this division will, to the extent mathematically possible, be reflected in the balance on committees.

There has been some modification on one or two committees where we can say that the younger voices will be able to have stronger and perhaps more progressive voices than they would have otherwise. For example, I refer to the Committee on Labor and Public Welfare where we add three extremely important, articulate, and creative voices to work on some most important and pressing problems facing this Nation. So I do not give much weight to the points made by our colleagues across the aisle.

I do, however, think that the makeup of these committees by the membership on each side of the aisle is something many Members on my side of the aisle are extremely interested in and concerned about. I, for one, would like to see the membership on these committees reflect philosophically, geographically, and, to the extent we can, any other considerations of what this Nation is, as reflected in the appropriate elections. I am not completely satisfied that the committees in the Senate, reflect that kind of balance. I think they should. Senators on this side of the aisle are doing everything we can to see that that kind of balance is achieved and we have seen considerable progress made in recent times by the setting up of a steering committee which is designed to reflect these kinds of balances. I am not yet completely satisfied that the steering committee does truly reflect what I think has been the philosophical outlook of the Members on my side of the aisle but I think this is something over which the Democratic caucus has control, and if they have, this is the challenge presented to them.

I know there are many Senators addressing themselves to that problem, and the Democratic caucus should reflect on that. We have tried to make progress in the committees we have. I supported my majority leader in hoping the Committee on Appropriations could remain a larger size. I think with the addition of two members there would be the opportunity for some new voices to reflect on the extremely important and basic questions in the appropriating process. But the decision of the steering committee was not to do so this year.

Thus I think today we are confronted with the facts as I have stated them—some progress achieved and much progress still to be made—and it is in that spirit that I shall support the majority leader's position.

Mr. SCOTT. Mr. President, I yield 2 minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, I have asked for 2 minutes, not to discuss the general question or talk about either the Committee on Foreign Relations or the Committee on Appropriations, but because silence gives consent. Therefore, I want the RECORD to show that both the Senator from Washington (Mr. MAGNUSON), who is the chairman of the Committee on Commerce, and the Senator from New Hampshire, who is the ranking member of the Committee on Commerce, were most anxious that the committee should not be increased.

The committee has gone from 15 members to 17 members, to 18 members. There was one member added during the 90th Congress with the distinct understanding it would not be taken as a permanent increase, and I find the number is now 19.

Many members of the Committee on Commerce belong to the Committee on Foreign Relations or the Committee on Appropriations, or other committees, and it is not "hogwash" at all in our situation about the difficulty many times of obtaining quorums. We have many other major committees that could not be likened to the two committees I have just mentioned.

We cover legislation on many subjects: transportation, commerce, matters regarding the merchant marine, and so on. We also have many communications upon which to recommend confirmation. More and more it has gotten to be a custom, because we could not get a quorum, to poll the committee, which in this Senator's opinion is very bad practice. I, for one, do not intend that it continue, even though it might be a hindrance sometimes in my party's administration. In the closing days of a session, the leadership has said, "Can you get this matter out or that matter out?"

I do not think it was good to increase the number from 18 to 19 Senators. Both the Senator from Washington and I would have been satisfied with 17 members, but if it were to be increased from 18 to 19, I wish to register my protest. I know it is late to do anything about it, but there may be another time coming, and I do not want to remain silent.

On behalf of the Senator from Washington and myself, I wish to say we regret this action.

Mr. MANSFIELD. Mr. President, I yield myself such time as I may desire to make reference to a matter which has appeared in the press of late and which I think fits in with the discussion now underway, and that is the position taken by the press that the Committee on Government Operations is an inferior or a secondary committee.

I want to assure my colleagues that two of the most distinguished Members on this side of the aisle would not have sought to go on the Committee on Government Operations if they thought it was of an inferior or secondary status.

Mr. President, recently, I have seen that references to the Committee on Government Operations, appearing mainly in the press, have carried the implication that this major Senate committee has somehow—and apparently without the knowledge of the Senate—been reduced to a committee of minor import and responsibility. I wish to correct that implication and set the record straight.

The Government Operations Committee has enjoyed the status of a committee of major standing. It is no wonder. Its far-reaching authority over the organization and all of the workings of the Government is not matched by any other committee; its immense investigative powers have applied to all of the affairs and activities of the Federal bureaucracy producing information that has been of the highest value to the Senate, to the Congress and to the Nation.

A reading of Senate rule XXV which outlines the jurisdiction of committees serves best to emphasize the major standing of this committee within the framework of the Senate.

The Committee on Government Operations has jurisdiction over all budget and accounting measures excepting appropriations; all reorganizations within the executive branch. I need only remind the Senate that in recent years there have been established two Cabinet-level departments not to mention the many changes in the lower structure of the Government.

Its authority extends to all reports of the Comptroller General of the United States; all studies of the operation of Government activities at all levels; all laws enacted to reorganize the legislative and executive branches of the Government; all studies of the intergovernmental relations between the United States and the States and municipalities; and between the United States and international organizations of which the United States is a member.

It seems to me that no responsibility could be more critical to the fabric and the very life of our system of Government than that of this committee. If the institutions of our Government are to be at all responsive to the needs of our society and of the people, it is this committee—the Committee on Government Operations—that will have the primary obligation to make them so. Now and in the years ahead, I can think of no greater task, no more vital responsibility. To minimize this authority and attempt to place it on the back burner so to speak I would say is to fail to understand at all the operations of the U.S. Government, much less of the U.S. Senate.

I would hope that all doubts in this matter have been dispelled. I would hope that in the future all would-be evaluators of Senate committee standings take note of the record and give to the Committee on Government Operations the status of major import it has always enjoyed and that has always distinguished its outstanding record.

Mr. COTTON. Mr. President, will the Senator from Montana yield me one-half minute?

Mr. MANSFIELD. I am glad to yield.

Mr. COTTON. I should like to express my complete agreement with every word the distinguished majority leader has just said.

When I came to the Senate as a freshman Senator, I was fortunate enough to be appointed to the Committee on Government Operations, whose chairman at that time was the present Vice President, and recently a candidate for President of the United States, HUBERT HUMPHREY. The chairman of the subcommittee on which I served was the late former Senator and later President of the United States, John F. Kennedy.

Service on that committee was the most educational and most fascinating of any service that I have had the privilege of rendering in the Senate. The distinguished majority leader is just 100 percent right when he protests against the downgrading of the Committee on Government Operations.

Mr. MANSFIELD. I thank the Senator. As a matter of fact, the Committee on Government Operations is the prime investigative committee of the Senate.

NOMINATION OF WILLIAM H. DARDEN, OF GEORGIA, TO BE A MEMBER OF THE U.S. COURT OF MILITARY APPEALS

Mr. RUSSELL. Mr. President, as in executive session, I ask unanimous consent to file a report of a nomination from the Committee on Armed Services.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, as in executive session, I ask unanimous consent to proceed to the immediate consideration of this nomination.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The assistant legislative clerk read the nomination of William H. Darden, of Georgia, to be a member of the U.S. Court of Military Appeals.

Mr. COOPER. Mr. President, I am pleased to note that the Senate Armed Services Committee has reported favorably the nomination of William H. Darden, chief of staff of the Senate Armed Services Committee, to be judge of the U.S. Court of Military Appeals.

Mr. Darden was graduated from the University of Georgia in 1946 and received his law degree in 1948. After enlisting in the Naval Reserve in November 1942, he saw service in the Pacific theater and was released on inactive duty as a lieutenant, junior grade, in 1946. He was admitted to the Georgia bar in 1948 and served as secretary to Senator RUSSELL from December 1948 to April 1951. He was appointed chief clerk to the Senate Committee on Armed Services in April 1951 and chief of staff to the Armed Services Committee commencing in March 1953 to the present.

I first became acquainted with Mr. Darden some 15 years ago, when I served on the Armed Services Committee from 1953 to 1954. During this period, and in subsequent years, although I was not a member of the committee, I have had an opportunity to consult with Mr. Darden on legislation and other matters pending before the Armed Services Committee.

I would like to take this opportunity to say that his prompt attention, thoughtful suggestions, and help on subjects of interest to me in defense and military matters have contributed much to members of the committee and to the Senate. I have always found him to be a courteous, resourceful, and capable person, and I believe he will serve with distinction as judge on the U.S. Court of Military Appeals. I am very happy to support his nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of William H. Darden, of Georgia, to be a member of the U.S. Court of Military Appeals?

The nomination was confirmed.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEMBERSHIP AND SIZE OF STANDING COMMITTEES

The Senate resumed the consideration of the resolution (S. Res. 13) dealing with the membership and size of standing committees.

Mr. SCOTT. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado (Mr. ALLOTT).

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. ALLOTT. Mr. President, I wish to address myself to the amendment of the Senator from Hawaii relative to the cuts which have been proposed in the various committees as proposed by the majority steering committee through the majority leader.

These two cuts are four on the Foreign Relations Committee and two on the Appropriations Committee. I see that the distinguished chairman of the Appropriations Committee is on the floor. I have always held and continue to hold only the highest admiration and respect for him. I have sung his praises on the floor before. I shall not do so today, because I would need more time. But I must say that I disagree with his concept of the number of members who are needed on the Appropriations Committee.

The argument has been used over and over again that it is so hard to get quorums. Well, that is a matter of individual responsibility, Mr. President. The notices of meetings are always given to members of the committee. If members do not show up in sufficient number to make a quorum, it must remain the individual responsibility of Members of the Senate and members of that committee that they were not present. I know that is true on this particular committee, because we spent many hours, perhaps days in total, waiting for quorums last year. But it seems to me, here again, we are not going to solve the problem by reducing the Appropriations Committee by two and depriving, in effect, minority Members of the Senate of the opportunity to serve on it.

Mr. President, I have never served on the Foreign Relations Committee, so I am not acquainted with the particular problems which exist there. But I do know that we have had Members on the minority side of the aisle who have waited for years for an opportunity to serve on that committee. One of those Members is the distinguished senior Senator from Kentucky (Mr. COOPER) who has always had great expertise in foreign affairs. He was an Ambassador to India. Yet that distinguished Senator had to wait 14 years and five elections before he had an opportunity to serve on this committee.

To me, this all boils down to a sheer matter of equity. We are not going to get majorities of quorums present any faster if we have four extra members on the Foreign Relations Committee or two on the Appropriations Committee.

Mr. FONG. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. FONG. By cutting committees we will still have the old members on them; is that not true?

Mr. ALLOTT. That is entirely correct.

Mr. FONG. If they do not change their ways, there are still going to be quorums; is that not true?

Mr. ALLOTT. That is right. If they did not regard their obligation as to their time schedules important enough last year to be present when the committees met, it is very doubtful that they will change this year.

Mr. FONG. Thus, it is not a fault of numbers but the fault of members already on the committees; is that not true?

Mr. ALLOTT. That is entirely correct.

Mr. FONG. Therefore, we would be penalizing only the new members who would want to come in and be appointed to these committees. The older members can still be derelict in their duty if they do not come to their committee meetings; is that not true?

Mr. ALLOTT. That is correct. We would be penalizing those who would desire membership on the Appropriations Committee or on the Foreign Relations Committee, as the case may be.

Mr. FONG. I thank the distinguished Senator from Colorado.

Mr. ALLOTT. I thank the distinguished Senator from Hawaii.

Mr. President, I merely want to support the motion wholeheartedly. I am glad the distinguished Senator from Hawaii has seen fit to make it.

Mr. President, I yield back whatever time I have remaining.

Mr. SCOTT. Mr. President, I should like to conclude by simply inviting attention to the fact that the vote now occurs on the amendment of the distinguished Senator from Hawaii, to restore the cuts in the Appropriations Committee by two seats—that is, from 24 to 26, and to restore the cuts in the Foreign Relations Committee by four seats—that is, from 15 to 19. Then the vote will, of course, recur on the resolution itself.

The yeas and nays have been ordered, I believe, on the amendment.

Now, Mr. President, I ask for the yeas and nays on the resolution.

The yeas and nays were ordered.

Mr. SCOTT. Let me conclude with the statement that what is happening here by force of numbers and by majority power is eminently unfair.

I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, if I may yield myself 1 minute, then I will yield back the remainder of my time.

Of course, the hearings held by the steering committee were in secret. I am sure the committee on committees on the Republican side, when it discussed vacancies, held its hearings in secret.

I want to assure the Senate that there has been no arrogance on the part of the Democratic majority; that the resolution before the Senate calls for a 57 to 43 split. That is the way it is. That is the way it should be. And if we were in the position of the Republicans, I want to assure my colleagues that we would be willing to accept a similar situation and disposal.

I yield back the remainder of my time.

Mr. SCOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCOTT. Is it not correct that the first vote will occur on the Fong amendment; that Senators who wish to restore the cuts would vote "yea"; and that Senators who oppose the restoration would vote "nay."

The PRESIDING OFFICER. The Chair cannot interpret it. The first question is on agreeing to the amendment of the Senator from Hawaii.

Mr. SCOTT. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Hawaii. The yeas and nays have been ordered, and the Clerk will call the roll.

The bill clerk called the roll.

Mr. MUNDT (after having voted in the negative). Mr. President, on this vote I have a live pair with the Senator from Colorado (Mr. Dominick). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the junior Senator from Kentucky (Mr. Cook). If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. Cannon), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), the Senator from Alabama (Mr. Sparkman), and the Senator from Maryland (Mr. Tydings) are necessarily absent.

I also announce that the Senator from Washington (Mr. Jackson) is absent because of illness in his family.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson), the Senator from Maryland (Mr. Tydings), and the Senator from Nevada (Mr. Cannon) would each vote "nay."

On this vote, the Senator from Washington (Mr. Jackson) is paired with the Senator from Illinois (Mr. Percy). If present and voting, the Senator from Washington would vote "nay," and the Senator from Illinois would vote "yea."

On this vote, the Senator from Alabama (Mr. Sparkman) is paired with the Senator from California (Mr. Murphy). If present and voting, the Senator from Alabama would vote "nay," and the Senator from California would vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Dominick), the Senator from California (Mr. Murphy), and the Senator from Illinois (Mr. Percy) are necessarily absent.

The Senator from Kentucky (Mr. Cook) is detained on official business.

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from Alabama (Mr. Sparkman). If present and voting, the Senator from California would vote "yea," and the Senator from Alabama would vote "nay."

On this vote, the Senator from Illinois (Mr. Percy) is paired with the Senator from Washington (Mr. Jackson). If present and voting, the Senator from Illinois would vote "yea," and the Senator from Washington would vote "nay."

The positions of the Senators from Kentucky (Mr. Cook), the Senator from Colorado (Mr. Dominick), and the Senator from South Dakota (Mr. Mundt) have been previously announced.

The result was announced—yeas 36, nays 51, as follows:

[No. 3 Leg.]

YEAS—36

Allott
Baker
Bellmon
Bennett
Boggs
Brooke
Case
Cooper
Cotton
Curtis
Dirksen
Dole
Fannin
Fong
Goldwater
Goodell
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Mathias
Metcalf
Miller
Packwood
Pearson
Prouty
Saxbe
Schweiker
Scott
Stevens
Thurmond
Tower
Williams, Del.

NAYS—51

Aiken
Allen
Anderson
Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Cranston
Dodd
Eagleton
Eastland
Ellender
Ervin
Fulbright
Gore
Gravel
Harris
Hart
Hartke
Holland
Hollings
Hughes
Inouye
Jordan, N.C.
Kennedy
Long
McClellan
McGovern
McIntyre
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Smith
Spong
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Mr. Mansfield, against.
Mr. Mundt, against.

NOT VOTING—11

Cannon
Cook
Dominick
Jackson
Magnuson
McCarthy
McGee
Murphy
Percy
Sparkman
Tydings

So Mr. Fong's amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the adoption of the resolution. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. Cannon), the Senator from Washington (Mr. Magnuson), the Senator from Minnesota (Mr. McCarthy), the Senator from Wyoming (Mr. McGee), and the Senator from Alabama (Mr. Sparkman) are necessarily absent.

I also announce that the Senator from Washington (Mr. Jackson) is absent because of illness in his family.

I further announce that, if present and voting, the Senator from Nevada (Mr. Cannon) would vote "yea."

On this vote, the Senator from Washington (Mr. Jackson) is paired with the Senator from Illinois (Mr. Percy). If present and voting, the Senator from Washington would vote "yea," and the Senator from Illinois would vote "nay."

On this vote, the Senator from Washington (Mr. Magnuson) is paired with the Senator from Colorado (Mr. Dominick). If present and voting, the Senator from Washington would vote "yea," and the Senator from Colorado would vote "nay."

On this vote, the Senator from Alabama (Mr. Sparkman) is paired with the Senator from California (Mr. Murphy). If present and voting, the Senator from Alabama would vote "yea," and the Senator from California would vote "nay."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Dominick), the Senator from California (Mr. Murphy), and the Senator from Illinois (Mr. Percy) are necessarily absent.

On this vote, the Senator from Colorado (Mr. Dominick) is paired with the Senator from Washington (Mr. Magnuson). If present and voting, the Senator from Colorado would vote "nay," and the Senator from Washington would vote "yea."

On this vote, the Senator from California (Mr. Murphy) is paired with the Senator from Alabama (Mr. Sparkman). If present and voting, the Senator from California would vote "nay," and the Senator from Alabama would vote "yea."

On this vote, the Senator from Illinois (Mr. Percy) is paired with the Senator from Washington (Mr. Jackson). If present and voting, the Senator from Illinois would vote "nay," and the Senator from Washington would vote "yea."

The result was announced—yeas 56, nays 35, as follows:

[No. 4 Leg.]

YEAS—56

Aiken
Allen
Anderson
Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Church
Cranston
Dodd
Eagleton
Eastland
Ellender
Ervin
Fulbright
Gore
Gravel
Harris
Hart
Hartke
Holland
Hollings
Hughes
Inouye
Jordan, N.C.
Kennedy
Long
Mansfield
McClellan
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Mundt
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Smith
Spong
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—35

Allott
Baker
Bellmon
Bennett
Boggs
Brooke
Case
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Fannin
Fong
Goldwater
Goodell
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Mathias
Miller
Packwood
Pearson
Prouty
Saxbe
Schweiker
Scott
Stevens
Thurmond
Williams, Del.

NOT VOTING—9

Cannon
Dominick
Jackson
Magnuson
McCarthy
McGee
Murphy
Percy
Sparkman

So the resolution (S. Res. 13) was agreed to.

AUTHORIZATION FOR PRINTING MISCELLANEOUS STATEMENTS IN THE RECORD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may have miscellaneous statements printed in the RECORD today.

The PRESIDING OFFICER. Without objection, it is so ordered.

PHYSICIAN TO THE CAPITOL

Mr. MANSFIELD. Mr. President, it is rare when the Senate is in unanimous accord on any question. Even more unusual is unanimity on the part of the membership of both Houses.

On one question, however, there does appear to be complete agreement. It is on the high competence, the complete dedication, and the outstanding professionalism of the physician to the Capitol, Rear Adm. Rufus Judson Pearson, Jr.

In the relatively short time that he has been assigned to the Congress, we have come to know Dr. Pearson as a warm and understanding man and an outstanding doctor. He has taken charge of the health of Congress—so to speak—in a discrete and completely reassuring fashion. Under his administration, moreover, the facilities of the Capitol medical offices have been developed and modernized. In addition, the emergency and other services which Dr. Pearson and his able staff of physicians, nurses, and technicians, render to House and Senate staff personnel and to countless visitors to the Capitol have been greatly refined and brought up to date.

Dr. Pearson is the subject of a most interesting and informative article entitled "He Takes the Pulse of the Congress," by Jack Harrison Pollack. The article appears in the November issue of Today's Health. It is a delightful account of the work of the Physician to the Capitol and the office which he administers. I commend the article to the Senate and ask unanimous consent that it be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE TAKES THE PULSE OF CONGRESS

(NOTE.—Dr. R. J. Pearson, Jr., attending physician for the U.S. Capitol, is one of the few individuals who can tell members of Congress what to do—and be obeyed. His primary task: to keep our national lawmakers healthy.)

(By Jack Harrison Pollack)

If you want a medical appointment with Dr. Rufus Judson Pearson, Jr., first get elected to Congress.

As the official Capitol physician for America's 535 senators and representatives, this soft-spoken, 53-year-old heart specialist is perhaps the only man who can tell lawmakers how to behave—and be obeyed. Only the second physician to hold this unique, nonpartisan position since its creation in 1928, he is a one-man lobby for lawmaker's health.

A tall, handsome Georgia charmer, he smilingly told Today's Health: "I have one of the most unpolitically sensitive jobs in Washington. But it is also one of the most satisfying. Actually, members of Congress make very good patients."

Incidents that would understandably irritate many physicians are taken for granted by the man who guards Congress' pulse. Appointments with him are broken in a moment's notice because of sudden roll calls, prolonged committee meetings, and other urgent Congressional business.

To accommodate the split-second schedules and enormous pressures of legislator-patients, the Capitol physician's office has a "no waiting" policy for all senators and representatives.

"We always see members of Congress immediately unless there is an emergency elsewhere," explains Doctor Pearson, who is a Navy rear admiral assigned to Congress. "By making sure they aren't delayed, we're saving the taxpayers' money. Each member of Congress represents about 400,000 persons. It costs Uncle Sam millions of dollars each year to maintain Congress. So, besides people, we have a big investment to protect."

Today few occupations are more dangerous to life and liver than that of these lawmakers. The work is taxing, the tensions perpetual, the responsibilities awesome.

But thanks in part to the Capitol physician's office, Congress and its 14,000 employees are kept reasonably healthy.

Doctor Pearson and his staff--two other Navy-assigned doctors and four civilian nurses—handled more than 44,000 patient visits last year. The office, located in the middle of the Capitol, is equipped to accommodate anything from simple first aid to complex medical treatment.

In the Democratic and Republican cloakrooms, it maintains emergency lifesaving equipment, including a resuscitator, oxygen, stretcher, electrocardiograph, and defibrillator machines. Crutches and wheelchairs are available for patients who need them.

Parked outside the Capitol whenever Congress is in session is an ambulance—ready to rush a patient to the Navy's Medical Center in Bethesda, Maryland, or the Army's Walter Reed Hospital in Washington. Though Doctor Pearson naturally checks on his patients' conditions in these hospitals, he doesn't treat or perform operations there.

When on busy Capitol Hill, Congress' attending physician doesn't wear a doctor's white jacket. In his high-ceilinged, chandelier-graced private office, flanked by large U.S. and Navy flags, he calmly answers telephone calls about countless medical problems.

The Capitol physician's office hours start at nine a.m. The staff is on duty as long as either chamber is in session.

To keep pace with lawmakers' hectic lives, Doctor Pearson strolls in and out of his office and laboratories all day long—all night, too, if necessary. Congress meets many evenings, especially when racing to adjourn.

"I try to get over to the floors of both houses every day just to see how everybody is doing and feeling," says Doctor Pearson. "If a member is due for a checkup, we remind him of it."

Doctor Pearson, or one of his assistants, is usually near the floor during strenuous night sessions.

Not long ago, during a late-evening debate, an elderly senator wearily stumbled off the floor after a spirited speech. Exhausted, he slumped on a cloakroom couch. Quietly, Doctor Pearson—who just "happened to be around"—checked the legislator's heart condition. Happily, it turned out to be just a minor flareup. "Just take it easy, Senator, and get some sleep. You'll be all right," he reassured the lawmaker.

Heart and other circulatory ailments, as well as digestive disturbances and ulcers, are the most prevalent Congressional ills. They often are aggravated during periods of legislative tension.

The Capitol doctor treats numerous other medical problems including diabetes, hernia, gout, bursitis, fractures, sprains, and respiratory and metabolic diseases. A member with a diseased kidney had it removed before it poisoned his system, thanks to Doctor Pearson's speedy intercession. He gives inoculations to legislators going overseas. When they return, he often treats them for gastrointestinal disturbances. Yet the Congressional doctor constantly emphasizes preventive therapy. He tries to detect potentially dangerous diseases early.

"Doctor Pearson is like a professional football-team doctor in many ways," observes a Congressman from the Midwest. "His job is to keep us in the ball game until it's over—even if he has to patch or pill us up sometimes. If an important bill I'm pushing is coming to a vote and I get sick, frankly, I don't want to be ordered to bed or to the hospital. I want some immediate medical help to keep me pitching."

Perhaps for his own health as well as medical ethics, Congress' doctor discreetly declines to discuss his patients' ailments. When asked about specific ills of prominent legislators, he pleasantly changes the subject. Many lawmakers have taken the Congressional physician into their confidence. One Capitol Hill oldtimer reflects, "If Doctor Pearson ever opened up, there could be some major changes in Washington!"

Many sensitive legislators guard their health secrets like the Strategic Air Command does its defense plans—lest opponents try to make political capital out of them. This is especially true of representatives, who must face election every two years.

But from other sources, including many lawmakers themselves, Today's Health learned about the Capitol physician's unobstrusive medical services.

When a newly elected lawmaker arrives on Capitol Hill, one of the first communications he receives is a "Welcome Aboard" letter from Doctor Pearson. The physician requests a statement of the legislator's physical condition from his regular doctor, listing any medical peculiarities which might bear watching. The Congressional doctor follows this up with an invitation for the freshman lawmaker to drop in for a chat or, better yet, a physical examination. Before the embryonic legislator realizes it, the Capitol physician's office has a full medical file on him.

Doctor Pearson doesn't attempt to replace family doctors. On the contrary, he encourages each Member of Congress to visit a family physician or specialist.

When a lawmaker has his own physician, Doctor Pearson carefully clears the patient's condition with him. "I'm not in competition with private doctors," explains the Capitol physician. "I used to be in private practice myself, and I realize that private practitioners often know more about a patient's condition than I do. In such cases, I just try to act as a clearinghouse."

For instance, one Congressman who had a skin disease was sent to a famous clinic for successful treatment after Doctor Pearson and the member's personal physician jointly assessed the problem at length over long-distance telephone. Many lawmakers with allergic conditions are given weekly allergy shots by Doctor Pearson's office staff, at the request of the legislators' hometown physicians.

Today much of the Capitol physician's time is spent battling three common health problems: obesity, sagging physical fitness, and smoking.

Many Congressmen—like many Americans—are just too fat. Overeating is just one of their occupational hazards.

"I had to go to nine Lincoln Day dinners in two weeks last February," recalls Rep. Elford Cederberg, a Republican from Michigan. "The cooking of those farm women was absolutely great, and they would have been insulted if I had not eaten. Politics requires eating."

On Capitol Hill, Doctor Pearson tries to guide the lawmakers' nutritional intake. Six-foot-one and a trim 178 pounds himself, he works behind the scenes with the House and Senate restaurant managers on low-cholesterol, low-calorie menus. But policing hungry lawmakers to make sure that they adhere to their diets is sometimes as difficult as persuading them to curtail their talking!

The Capitol doctor's most dramatic overweight achievement was the case of Rep. Robert Everett, a Tennessee Democrat who weighed 363 pounds last year. Non-admirers of his avoirdupois dubbed him "The Man Mountain of Congress."

Diplomatically, Doctor Pearson suggested that the lawmaker enter the Bethesda Naval Medical Center for treatment. There for 26 days early this year, the obese legislator was put on a rigorous diet. Result: During that period, he trimmed off 93 pounds. The Congressman's six-foot-three-inch frame now can better bear his weight.

"I've been on a dozen different diets," Congressman Everett recalls. "But I slipped back every time, even though I shouldn't have because of my diabetes. Doctor Pearson kept after me continually to lose weight, and he is still helping me to do so. He insists on seeing me regularly. Sometimes he even pulls me out of routine committee meetings for a checkup. Today I not only look but feel a lot better."

Again like most Americans, Congressmen don't exercise nearly enough. Doctor Pearson strongly urges them to do so daily. Many have taken his advice. Legislators well realize that physical exercise may help prevent heart attacks by hastening the removal of high levels of cholesterol from the blood. This blood condition is believed to lead to hardening of the arteries, precipitating heart attacks.

Today more than 800 representatives and 80 senators use the House or Senate gyms to play paddle ball, punch bags, tread bicycles, stretch pulleys, row on machines, and swim.

Some legislators exercise in other ways.

Sen. Strom Thurmond, 65, a South Carolina Republican, daily lifts heavy barbells kept underneath a table behind his desk. Sen. William Proxmire, 52, a Wisconsin Democrat, generally jogs the nine miles from his home to the Capitol and back. Another jogging enthusiast is Rep. Lester Wolff, 49, a New York Democrat, who runs outside his Washington apartment house every free morning.

Rep. Fred Schwengel, 61, an Iowa Republican, who formerly was a physical education instructor, begins each morning with several somersaults, then pushups, exercising a full hour each day. Missouri Rep. Durward Hall, 56—one of four members of Congress who also are physicians—does finger, hand, arm, and leg exercises every day. His regimen also includes a bicycle ride every day.

California Congressman Robert Mathias, 37 (Olympic decathlon champion in 1948 and 1952 and member of the President's Commission on Physical Fitness), has a daily program which includes use of an exercising device kept under the couch in his private office—a metal tension contraption which submarine sailors sometimes use to keep fit in crowded quarters.

While encouraging Congress to keep fit through exercise, Doctor Pearson heeds his own advice. Whenever he can, he walks. He climbs stairs rather than taking elevators. Every Saturday, when neither chamber is in session, he generally can be observed playing golf at a country club in Chevy Chase, Maryland. (He shoots in the low 80's.) "I'm now trying to improve a Midwestern senator's golf game," he quips. On Sundays the Capitol doctor works in the garden of his Bethesda, Maryland, home.

In common with many Americans, many Congressmen also smoke too much. But Doctor Pearson, who quit smoking five years ago, is making considerable headway on this problem.

For example, he recently told one legislator-patient, "Look, you have a bad cough, nasal congestion, headaches, weakness, and general fatigue. Your excessive cigarette smoking certainly doesn't help your physical condition. If you *really* want to buy increased longevity, you've got to throw away those cigarettes. The decision is yours." The impressed member of Congress hasn't smoked since.

Lawmakers are extremely appreciative of Doctor Pearson's medical services. House Majority Leader Carl Albert, an Oklahoma Democrat, who had a heart attack two years ago, says, "We are fortunate to have this distinguished physician and cardiologist as our Capitol physician." House Minority Leader Gerald Ford, Jr., a Michigan Republican, observes, "There has been a great improvement in the entire operation under Doctor Pearson—not only as it affects the health of members but of our employees."

The Capitol physician's office also treats hundreds of Congressional employees every year, including administrative assistants, secretaries, pages, doormen, waiters, and police.

U.S. Supreme Court members likewise receive occasional medical aid from Doctor Pearson. The white-columned high court building is only a short walk across Capitol Park.

In addition, tourists are given emergency first aid by the Capitol physician's office. Their complaints range from fainting to heart attacks. As many as 30,000 sightseers troop through the Capitol during a single busy day.

Not long ago an elderly woman collapsed while strolling through the Capitol. She was given a speedy electrocardiogram and chest examination by Doctor Pearson. When the woman was out of danger, Pearson telephoned her private physician 1000 miles away and gave the hometown doctor a report of the emergency treatment.

The families of Congressmen sometimes are treated by the Capitol physician—normally only in emergencies. Recently a legislator's wife who suffered a sudden bleeding problem had it controlled thanks to Doctor Pearson's speedy action and referral.

Dr. Rufus Judson Pearson, Jr.—who is called, "Jud" by friends—is a doctor's son. His late father was an ear, nose, and throat specialist.

Born in Atlanta on October 8, 1915, Pearson received his premedical training at the University of Florida in Gainesville, and attained his M.D. degree at Emory University in 1938. He interned for two years at Kings County Hospital in Brooklyn, New York, then was a resident at Grady Hospital in Atlanta. Later, the young physician studied cardiovascular disease under famed Dr. Paul Dudley White at Massachusetts General Hospital.

Doctor Pearson practiced internal medicine in Miami Beach before joining the Navy in 1942. After World War II, he resumed his civilian practice in Jacksonville, Florida. When the Korean War broke out, the doctor returned to active Navy duty and was promoted to the rank of captain in the Medical Corps in July 1955.

For the next 11 years, he served as chief of medicine at naval hospitals in Charleston and Beaufort, South Carolina, Portsmouth, Virginia, then as chief of cardiology and later chief of medicine at the Bethesda Medical Center.

As chief of cardiology, he became personally acquainted with many senators and congressmen. One of them was a Texas senator named Lyndon B. Johnson, who came to him for checkups after a serious heart attack in 1955.

Doctor Pearson also has found time to become a Fellow of the American College of Physicians, American College of Cardiology, and American Heart Association scientific council. He has been certified by the American Board of Internal Medicine and by the Sub-specialty Board in Cardiovascular Disease.

Today, Doctor Pearson lives in Bethesda with his wife Emily. They have two children, a boy and a girl. His son, Navy Lt. Rufus Pearson III, a 1963 graduate of Annapolis, is serving at a naval air station in California. His married daughter Virginia, a former Peace Corps nurse, now resides in New Jersey.

Doctor Pearson was appointed attending physician of the U.S. Capitol in 1966, after the retirement of the original holder of the post, 78-year-old Dr. George W. Calver. Doctor Calver recommended that Doctor Pearson succeed him; Congress agreed, and shortly thereafter Doctor Pearson was made a rear admiral in the Navy.

The Capitol physician's position was created back in 1928 after three Congressmen had collapsed during one month, and one of them had died in his office. Neither the Senate nor House then had a physician in attendance.

Aroused Congressmen asked the Navy to assign a full-time medical officer to the Capitol. Doctor Calver, then a young physician at a naval dispensary, was tapped for the job. He moved over to Capitol with his little black bag for a supposed three-year hitch. But, when he was scheduled to return to sea, lawmakers insisted that he remain as a civilian.

"I told them I couldn't lose my credentials for my Navy service," recalls Doctor Calver. "So the next day, two Congressmen asked me if I would be willing to stay on if they fixed things up with the Navy. I said I would. That afternoon they passed a law—a rider to an appropriation bill—which prohibited the Navy from transferring me." Doctor Calver stayed on for 38 years.

As Congress' attending physician for the past two years, his successor has quietly instituted many innovations.

One was giving each member a laminated pocket or wallet-sized record of his cardiogram—which is extremely useful in case of a heart attack or stroke. Rep. Roman Pucinski, an Illinois Democrat, says, "I hope that every person in America will be encouraged to carry one."

In addition, Doctor Pearson has succeeded in persuading 60 percent of the members to have comprehensive, head-to-toe physical examinations. He has improved laboratory services and the record-keeping system. added another internist to his staff, updated the Capitol pharmacy, and recently launched a lively artificial-respiration course (directed by his chief aide, Robert F. Moran, a former hospital administrator) for the Capitol police force.

Congressional pressures have multiplied since Doctor Calver first took the job. Back in 1928, Congress was in session only 91 days. In 1967, the lawmakers officially met 286 days.

Long hours, strenuous traveling, and gargantuan pressures from constituents, lobbyists, and others often make legislators ill. Not surprisingly, many of their ailments disappear after they leave Congress.

"Members have unbelievably demanding schedules, especially during campaigning," Doctor Pearson told Today's Health. "The greatest pressure cases I get are right before elections. I do what I can in a man's best medical interest. Members hate to go to the hospital at those crucial times. I explain the risks, and they have to decide for themselves. You can't *force* treatment or medicine on a person."

As a result of Doctor Pearson's quiet dedication and unsung politicking for legislative health, no one on Capitol Hill needs to ask: "Is there a doctor in the House—or Senate?" They know the Capitol physician will be on the scene before you can say "Hippocrates."

A CONVERSATION WITH RICHARD RUSSELL

Mr. HOLLINGS. Mr. President, there appeared in the December issue of the Atlantic magazine, an interview by Mr. Wayne Kelley with our distinguished President pro tempore, the Senator from Georgia.

In this article, covering a variety of subjects, Senator RUSSELL displays the wisdom, foresight, and acumen that comes with 36 years of continuous service in this body. It is altogether an amazing document; one which most certainly should be preserved for students of politics in years to come. The views expressed by Senator RUSSELL on the war in Vietnam, the role of the Federal Government, the Senate itself, and a variety of other topics, could well serve as a primer on contemporary issues.

I ask unanimous consent that the article be printed in its entirety in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CONVERSATION WITH RICHARD RUSSELL

In January, Senator Richard Brevard Russell, D-Ga., will begin his thirty-seventh year as a member of the U.S. Senate. During his long and illustrious career he has gained a reputation as the most influential and most respected member of the Senate. With the convening of the ninety-first Congress his power, if this is possible, will grow even greater.

The retirement of Senator Carl Hayden, D-Ariz., makes Senator Russell, seventy-one, the top senator in terms of seniority. Only two other men, Senator Hayden and Senator Francis Warren, R-Wyo., have served longer in the Senate. Senator Russell's seniority makes the post of Senate President Pro Tempore his for the asking.

The senior Georgia senator, for sixteen years chairman of the powerful Senate Armed Services Committee, will give up that post to take over the helm of the even more potent Senate Appropriations Committee. A senator may not head more than one committee.

Senator Russell will, however, retain the post of chairman of the Defense Appropriations Subcommittee which approves all federal spending for military activities. He will also remain on the Armed Services Committee as ranking Democrat.

In addition, Senator Russell is the ranking Democratic member of the Committee on Aeronautical and Space Sciences and the Joint Committee on Atomic Energy. He is a member of the Steering Committee, which controls Senate committee assignments, as well as the Senate Democratic Policy Committee.

Few dollars are spent by the federal government without first passing through subcommittees of which Senator Russell is a key member. He sits on subcommittees that appropriate funds for federal agricultural programs, river development, education and health activities, highway construction, housing and community facilities projects, airports, space programs, and atomic energy projects. His Defense Appropriations Subcommittee approves military outlays amounting to about one-half of the national budget.

A member of the Georgia House of Representatives at age twenty-two, and the state's youngest governor at thirty-three in 1930, Senator Russell's judgment and character were forged in the politics of his native state. On two occasions, in 1948 and in 1952, his name was put forward for the Democratic presidential nomination.

Since he came to Washington in 1933, every president of the United States has sought Senator Russell's advice on military affairs. The senator has been greatly concerned with the Viet Nam War, calling it "one of the great tragedies of our history."

On October 21, 1968, at his office in Winder, Georgia, Senator Russell took time from a continuous flow of paperwork and appointments to talk about the Viet Nam War, the prospects for peace, his personal career, and, with great indulgence and good spirits, a scattering of other subjects including the fate of his trusty 1963 automobile.

Q. Senator Russell, as chairman of the Senate Armed Services Committee you have been intimately involved with the problems of the Viet Nam War from the beginning. Do you feel at this point that we can accept anything less than a total military victory?

A. Oh, yes. I am perfectly willing to accept several solutions less than a complete military victory. I am willing to accept a fairly conducted election held by impartial and neutral representatives of other governments to let the Vietnamese determine their own form of government. I would still believe in self-determination in Viet Nam even if they were to determine in a manner that was not in our own best interests. But if they have an election, we should have an assurance of a fair election.

Q. How could we be certain of a fair election in S. Viet Nam?

A. This is one way that the United Nations might justify itself, its existence. If necessary, troops from neutral nations such as Indonesia could be stationed there to see that the mandate of the people at the polls is carried out fairly. They might have to stay there for several years.

Q. The new president of the United States will certainly face some difficult decisions regarding the Viet Nam War. As the leading military expert of Congress, what would be your advice to the president?

A. I would advise him either to quarantine North Viet Nam and bring this war to a close or else to bring our troops home. Ho Chi Minh has been gambling that the United States wouldn't take any further steps in the war and that the American people would finally become tired of it and let him win the war. I think we should force him to a fair agreement on South Viet Nam which would permit the right of self-determination without the terror of the Viet Cong or of the North Vietnamese regulars hanging over the people when they go to the polls. It is not fair to keep on sending American boys over there. They have performed superbly when you consider that they are all raw recruits in a sense—no man stays over there longer than twelve months. Most of them haven't had but about four months training.

Q. What if the North Vietnamese will not agree to a free election or some similar solution? Are we capable of ending the war militarily?

A. This war has not been fought as I thought it should from the beginning. Each of our moves has been made two years later than it should have been. It is hard to conceive of any mistake in the field of international relations or military affairs that we have not made in Viet Nam. I thought that we should have quarantined all the coast of North Viet Nam, closed all of their ports. I think that would have been more effective than sending 500,000 troops over there as we have done. It would have brought them to their knees much more quickly. They can't supply themselves with food, much less with arms. If we had been bold enough to take these steps, the war would have been over. But we have fought it on their terms.

Q. Could the war still be brought to a speedy conclusion by military action?

A. If we had followed at the outset the policy or strategy that I have mentioned, the war could have been brought to an end in six months. How long it would take now I do not know. But I still think it could be done in six months. And we could do it without losing many more American lives, if we wanted to, by bombing the dikes that control the rice fields of North Viet Nam. By putting in a quarantine on shipping we could take them out of the war with little fighting on the ground anywhere.

Q. To return briefly to the possibility of free determination by elections, Senator Russel. Didn't you once express the view that the North Vietnamese would probably win such an election?

A. I don't think I expressed it exactly that way. I said I thought they would vote for Ho Chi Minh for president in South Viet Nam because all the people there knew him as a folk hero at that time. That was six or seven years ago. Now the war has been going on much longer. I doubt that he could win an election there today. But he was a folk hero, a legend in his own time, after he drove the French out of all of what used to be French Indochina which included both North and South Viet Nam, Cambodia, and Laos.

Q. Hope has been expressed that the South Vietnamese will soon be able to assume a major share of the military burden. Is that likely?

A. Anyone who thinks that the South Vietnamese will be able to assume all of the responsibility or the primary responsibility in the near future is sadly deluded, because they can't. They are taking more of the load today. They are now producing some infantry units that are good fighters. They will do the job and they are being utilized more than they have ever been in the past. But, in terms of artillery and air power and things of that kind, they just can't do it.

Q. Senator, are there any conditions under which you believe a halt to all bombing of North Viet Nam would be wise?

A. Not unless there was a very definite quid pro quo, that we could recognize as fact. Of course, if they would agree to withdrawal of the North Vietnamese soldiers from South Viet Nam and we knew they did that, and if we knew they had stopped bringing in supplies to what remains of the Viet Cong, I would agree to a bombing halt. The Viet Cong is no longer a very formidable force.

Q. How do you feel about the reservists who sued the government in an attempt to avoid being sent to Viet Nam?

A. That was a great shock and disappointment to me. Most of them were in those reserve units because they selected that method of discharging their military obligation. I was sorely disappointed. Of course we must realize that it was a very small percentage of the reserves that actually brought those suits.

Q. Supreme Court Justice William O. Douglas granted a temporary restraining order in September to prevent shipment to Viet Nam of certain reservists who filed suit. Did that disturb you?

A. I was even more disappointed that a member of the Supreme Court would have granted an injunction against the government in a case of that kind. According to this concept, one man on that court could absolutely paralyze this country and make it incapable of defending itself in time of war.

Q. Paralyze the defenses of the country by keeping such cases tied up in the courts?

A. Yes. Or by gaining an injunction during a period when the Supreme Court is not in session as was the case here. We were fortunate in that the court was due to convene in just a matter of weeks.

Q. What is our military manpower situation now, Senator? Will draft calls be larger or is a reduction possible?

A. I think we have adequate manpower. As a matter of fact, I think we could afford to reduce it by two or three hundred thousand (men) without gravely impairing our position.

Q. The newspapers have reported that the Pentagon is now studying the feasibility of an all-voluntary peacetime military force. Do you think this is practical for the future?

A. I doubt very much whether it would be possible in today's world if we wish to maintain adequate forces. It could be done if we would renounce all the obligations and treaties that we have for mutual defense all over the world. But we cannot live up to our commitments today, in my opinion, with a volunteer army. We would be compelled to pay such enormous costs to maintain it that it would be even more burdensome to the American people than today's army is.

Q. Would a volunteer army have any inherent dangers or disadvantages?

A. I am not too sure it would be a good thing for the country. A purely mercenary army has been the means of dissolving a great many important civilizations in the past. These men who are willing to do a short hitch, come into the army and go home, are sort of a counterbalance against any military take-over in this country such as we see about us on all sides today.

Q. You guided through the Senate this year a $71.9 billion Defense Apppropriation Bill for fiscal 1969. It was the largest single appropriation bill in American history. Did the bill provide everything we need and are you pleased with our defense posture?

A. I am greatly concerned about our strength in new weapons, our reluctance to proceed with new weapons and keep pace with the revolutionary explosions that occur in weapons systems all over the world. I am also concerned because we have drawn so heavily on our reserve supplies of ammunition and equipment for the Vietnamese War. We have probably the lowest reserves of such simple things as ammunition that we have had in twenty years.

Q. Are we behind Russia now in atomic submarines and rockets?

A. We don't know, of course, exactly what the Soviets have. We spend a great deal of money to try to get hard intelligence about their military posture. I think that we are ahead now in submarines. We are behind in numbers, over all. They outnumber us three or four to one; but a great many of theirs are the type that are built to keep ships from approaching their shores and are not capable of any long-range operations. They undoubtedly have some atomic-powered submarines. And from their success in other atomic operations we must give them credit for being practically as good as ours, though Admiral (Hyman) Rickover might not agree with that statement.

However, it is hard for me to believe, though they have shown great resource in their construction program, that they have a weapon that is as powerful and accurate as our Polaris missile on our atomic-powered attack submarines.

Q. Is the United States behind in aircraft development?

A. I think they are ahead of us in the air now, but not in long-range bombers. I still thing the old B–52, though it is fifteen or sixteen years off the drawing boards, is superiod to any long-range aircraft they have. But in the fighter and interceptor field we have made so many mistakes like the TFX, the III's, that I think they are probably superior to any long-range aircraft they have. perately to catch up now.

Q. President Johnson has expressed hopes in the past that the United States and Russia will be able to reach agreement on control of nuclear weapons and other matters to reduce the chances for a tragic war. Do you see any danger to our country in the treaty, currently awaiting Senate action, which would ban the spread of nuclear weapons?

A. I am willing to enter into any kind of treaty—even to scrapping atomic weapons—if there is evidence of good faith all around by the other parties and they are willing to agree to inspection. But I am not willing to disarm on just the promise of the Russians or anybody else. I haven's studied that (nuclear nonproliferation) treaty as closely as I intend to. I have read it through one time. There are two or three weaknesses in the treaty. Whether there are advantages in it which compensate for that, I have not yet been able to determine.

Q. But you want to see clear guarantees that Russia and other countries would abide by disarmament treaties?

A. Yes. There has got to be some tangible program so we will know they are disarming. If we sign a disarmament treaty, we'll disarm. But if they sign one, I don't believe they will unless we have inspection teams there to see that they do.

Q. You mean on-site inspection.

A. Yes, on-site. Open up the country. I'm willing to open this country up—everything including the White House pantry open to inspection if we can get a treaty in good faith.

Q. What about a treaty between the United States and Russia agreeing to call off the antimissile defense race?

A. I'd be very happy to have a treaty with Russia not to build any antimissile missiles if they will agree to inspection. But they are not going to agree to any inspection of any kind. And I wish that was something that our negotiators would bear in mind.

Q. Senator, you used your influence this year to get Congressional approval for money to start an Antiballistic Missile (ABM) system. Did you favor the ABM a few years ago?

A. Oh yes, I have always been for it when we were ready to proceed. I though that some members of the Congress and of my Armed Services Committee wished to start production before we had done adequate research and development and testing. As a matter of fact, on one occasion one member of the committee went around and lobbied the committee and that was the only time I ever lost a vote in the committee. By one vote they voted to start production. I took the matter to the floor of the Senate and got a closed session. The Senate voted about 3–1 to support my position.

Q. Wasn't that Senator Strom Thurmond of South Carolina who did the lobbying for the ABM back in 1963?

A. Yes, yes, yes. He was in favor of starting production four or five years ago and I thought it would be very wasteful and extravagant and nonproductive. But now we have completed every possible research project on the missile. There comes a time in any research and development program when you have to start construction to determine whether your research proves what you think it does or whether there are weaknesses you have to eliminate. I think we are at that point today.

Q. Even the "thin" ABM system will cost several billions of dollars. Will the protection be worth the cost involved?

A. If you mean will we ever have a system that will be able to prevent any atomic bomb from penetrating this country—no, that is not possible. There is not enough money in the world and we could bankrupt ourselves and still couldn't prevent some of them from coming through.

But even Mr. (Robert) McNamara, who was opposed to the system, when he was secretary of defense, said that if we put up the "thin" system that was contemplated by the bill authorized by Congress this year, that in the event of an all-out nuclear war it would leave twenty million American citizens alive in cities. And if we built an intensive system, it would leave eighty million alive. Well, in my opinion, $5 billion to $8 billion a year, when weighed against a total military budget of seventy-odd billion dollars, is a very modest amount to save that many American lives. And I think if you went to the individuals and asked them, they would be willing to have this project even though it may cost $40 billion. If you are going to be among the eighty million that are saved, I think that you would find a unanimous agreement throughout the country to build it.

Q. Senator Russell, this so-called "thin" system is just a foot in the door to beginning construction on the full or heavy ABM system, isn't it?

A. It's a base for a system throughout the whole nation I didn't deceive anybody. When we brought it up they tried to dress it up as being a system to protect us from China. But I stated very frankly on the floor of the Senate that I consider it the foundation of a complete antimissile system that would save at least eighty million Americans against any atomic attack, however drastic.

Q. Will some ABM bases be located in Georgia?

A. Oh yes. Even the thin system contemplates one base in Georgia.

Q. A complete ABM system would mean more than one Georgia base?

A. It would just mean an extension of the other base, probably. Distance means nothing now where a rocket is concerned.

Q. Senator, you have been chairman of the Senate Armed Services Committee for sixteen years and a member of the committee of the old Naval Affairs Committee for much longer than that. Was it a difficult decision to switch over to become chairman of the Appropriations Committee?

A. It was a difficult decision. But the Appropriations Committee of course, in my mind, is the committee of the Senate. It is vital to many activities in the state of Georgia and I did not feel like I could in justice turn down that assignment, as important as it is, when I could retain the chairmanship of the money subcommittee of the Defense Department.

Q. Will you still maintain a strong voice in military affairs and policy?

A. Overall, I think that with the chairmanship of the Appropriations Committee I will have as strong a voice in the really important matters of military decision and policy as I have ever had. I will not be in as much detail work as I was as chairman of the Armed Services Committee—on authorization bills and things of that kind and minor decisions as to whether we'll construct four submarines a certain year or six, or two destroyers or four.

Q. You are in line for the post of president pro tempore of the Senate. That post is an honor that goes to the most senior member of the party controlling the senate. Will you take it?

A. Well, I expect I will. The prospects of riding in the same type of limousine that the president rides in is attractive to a country boy.

Q. Don't you have a limousine as chairman of the Armed Services Committee?

A. No. I have been in the Congress longer than any man who has a car. Much longer.

Q. How is your own Chrysler holding up?

A. It's doing pretty good. It is a 1963 model, but that was a good year for Chryslers and it still does very well. It did catch on fire one day to my surprise and disappointment and fright. But that was a shortage in the wiring and we got that straightened out.

Q. The post of president pro tempore puts you in line for the presidency right after the speaker of the House, does it not?

A. Yeah, you are in line for the presidency but you are pretty far down the line. You are number four. Of course it is conceivable—say in the case of an atomic attack or some new disease sweeping the country that the president pro tempore might be immune to—why he might get to be president. But it is very unlikely.

Q. Would presiding as president pro tempore give you any particular influence on key issues, Senator?

A. Very slight. You would have to have the know-how to use what little you had to get any advantage out of it.

Q. As the acknowledged parliamentary expert in the Senate, you might be able to find some use for that slight advantage?

A. I might cook up one or two little ways I could. You have the right of recognition and that of itself is of some importance. Recognizing a man who might have a certain view at a time when the Senate is relatively full. There are a number of little things. But I would, of course, try to be fair to both sides. I never have believed in using the presiding officer's post to secure any unfair advantage in any instance. I didn't think so when I was speaker of the Georgia House of Representatives thirty-seven or thirty-eight years ago and I don't think so now.

Q. Senator, with your heavy burden of committee work and the countless issues and votes making demands on your time, have you developed any particular philosophy of operation?

A. I don't have time to prepare myself on all questions. That is one thing that people don't really comprehend. A man who has a direct responsibility for a gigantic activity such as the Department of Defense just cannot give detailed study to every one of them. He has to shoot from the hip. And when I am in doubt about a question, I always vote "no." I think that is the only safe plan to follow. If you are in doubt and vote yes, why you have to take responsibility for what is done. If you are in doubt and vote no, you get another look at it somewhere further down the line.

Q. Senator, during your service on the Armed Services Committee every secretary of defense—beginning with the first one, James Forrestal in 1947–49—has counseled with you. In your opinion, who was the most effective secretary of defense we have had?

A. I don't believe I have reached the stage in life where I would want to make a comparison of that kind. It would be a bit invidious. They were men of very different types and I would have to go into considerable explanation. I have managed to work with all of them though they have all been men of totally different temperaments in their approach to matters. But I don't believe I would want to get into a comparison of all the men I have worked with as secretary of defense. If I live another ten years, I'll answer that question for you.

Q. Would you discuss just one, Robert McNamara, about whom a lot was said pro and con before his resignation this year?

A. McNamara was a brilliant man. But he was also, I think, a bit too opinionated. He brought his own private braintrust into Washington and into the secretary's office. He paid a great deal more attention to them in some matters than he did the civilian personnel in the department who had been there thirty years and the military men who we train at tremendous expense in specialized fields. I think the TFX (airplane) is an illustration of how expensive Mr. McNamara's mistakes were when he made up his mind and closed it to the arguments of the professionals in the Department of Defense. That (TFX) decision was made by people who hadn't been in the Department of Defense very long and it was based on a perfect theory. That theory was universality in a plane for attack purposes, interception purposes, and likewise for the Navy to land on the decks of carriers. But in practice it is incapable of achievement.

Q. the cost-analysis type of management then does not necessarily transfer from industry to national defense?

A. It does not. And the TFX is a very dramatic and expensive illustration of it.

Q. One of the most dramatic events in your tenure as chairman of the Armed Services Committee was the hearing you called to investigate the recall of Gen. Douglas MacArthur from Korea by President Truman. Your committee never did file a formal report taking one side or the other. Would you say now if you feel President Truman was justified in the abrupt recall of General MacArthur?

A. Well, I think that it could have been handled a little better. But in his essential decision to bring MacArthur back, I think that Truman was justified because General MacArthur, though he was all-round perhaps the most brilliant and well-organized mind I have ever known, had apparently disregarded the fact that we have civilian control whether the military people like it or not. And when he did that I don't think the civilian commander-in-chief had any alternative but to remove the man from his command.

Q. Did President Truman ever contact you or ask you to handle the MacArthur hearings in any particular way?

A. President Truman himself did not. Some of the intimate members of his staff suggested that I go down and get his views after we had decided to conduct the hearings and the Senate had approved the hearings. But so did some of General MacArthur's friends. They wanted me to talk to him about his side of it. I told both of them that I would get it from the witnesses on the witness stand. I didn't want to be confused by briefings before the hearings started.

Q. Would you comment on particular military field commanders whom you thought to be outstanding?

A. Yes. MacArthur was a great field commander. He performed miracles with very few supplies and forces in the Pacific before the war in Europe was won. Of course (George) Patton was an outstanding fighter. He was the kind of man who inspired his men to really surpass their capabilities, if that is possible. And General (Omar) Bradley was a fine field commander.

Q. Senator, during the Cuban missile crisis in October of 1962, you were present at a high level strategy meeting with President Kennedy at the White House. You spoke out for an invasion of Cuban at that time, didn't you?

A. Yes, I strongly advocated taking military steps to get those Russian missiles out of Cuba, at the same time ridding this hemisphere of (Fidel) Castro and of a Communist government that I was certain then, and believe now, is going to infect and poison a number of Latin American countries in the future. I think it was a tragic mistake not to invade. I don't think we would have had the Vietnamese War if we had gone on and eliminated Castro and Communism from Cuba. If we should have a war with the Soviets, heaven forbid, they have got a base there right under our noses that they can use and exploit with missiles and with airplanes.

Q. You felt we would have been justified in an invasion at that time?

A. The main argument I made was that the missiles gave us a reason for going in there that we would not have in the future. I thought we ought to go in when we knew the Russian missiles were there to seize them and the Russian experts and hold them up as Exhibit A to show that they had violated the Monroe Doctrine. They defied the joint resolution of Congress which had been signed by the President only a matter of two or three weeks before the missiles were discovered there saying, in essence, that any offensive weapon in Cuba would be an act of aggression against this country. It seemed to me that it was almost a heaven-sent opportunity to clean up the Cuban situation when we had a real reason for doing so and were completely justified under any possible international law that might have been brought forward.

Q. A memoir by the late Senator Robert F. Kennedy on the Cuban missile crisis mentions your advice to President Kennedy. Do you recall the conversation?

A. I understand from Senator Ted Kennedy that the papers sold by Senator Robert Kennedy dwell somewhat on what I had to say at that conference. I haven't seen it and he didn't tell me the content. He (Ted Kennedy) did say that the release said that I said I couldn't live with myself if I didn't express my views. I had forgotten saying that until Senator Ted Kennedy told me about it over the phone two or three days ago.

Q. Didn't you feel at the time that a United States invasion of Cuba would trigger a war with Russia?

A. No. I did not subscribe to the theory that it would result in an all-out atomic war with Russia. Russia had not hesitated to move into Hungary just a short time before that. They killed thousands of Hungarians with no real reason for it except the fact that the Hungarians wanted to change their own government.

Q. Were the Russians less prepared for a war in 1962?

A. At that time we had weapons that were not available to the Russians, such as Polaris missiles. We had over three times as many intercontinental missiles as they had, carrying nuclear warheads. Now we are about even. We are in a much more dangerous position vis-a-vis the Soviet today than we were at that time. The fact that Khrushchev capitulated so quickly to President Kennedy's demands demonstrated that they were well aware of the fact that a war at that time perhaps would have eliminated Russia as a world power and they were not prepared to take that risk.

Castro had not been furnished any military weapons at that time of any consequence. I think that just an ultimatum and moving the marines in, we had 30,000 of them right off the shores, would have brought it to a conclusion. Not only that, but the minute we exposed these Russian missiles, world opinions would have supported us—which it hasn't in Viet Nam. Instead of having the support of the world, we have had the condemnation of the world for fighting in Viet Nam. It is 8,000 miles away. It costs fifteen to twenty times as much to supply a man in Viet Nam as it would have in Cuba and we could have wound the thing up in just a few days.

Q. Senator, to return to current events for a minute, the next Congress will undoubtedly face some monumental problems. At this moment we do not know who the new president will be. But what do you see as the main political issues in 1969?

A. It depends so much on who is elected president. (Ed. note: this interview was conducted in mid-October, before the election.) It is difficult to say. If Humphrey is elected, the main issues will be how much further and how much faster you carry all this new program of the Great Society and what additions you will make to it. If Nixon is elected, I think the reverse of that will be true. It will be a question of how much you will slow it down and whether or not you will embark on any new programs.

If Mr. Wallace is elected, why I think that the main difference will probably be in internal affairs—the matter of curbing the powers of the Supreme Court, if you can do that—and a change in attitude toward the war in Viet Nam.

Q. You gave President Johnson his start in the Senate when you helped him become whip and then majority leader. He has often sought your advice on key issues. Yet there was a published report recently that your friendship with the president has cooled. Are these reports correct, Senator?

A. No, I don't think they are accurate when stated that way. I think our personal relations are just as they have always been. We have had some rather sharp differences of opinion on political matters and issues. President Johnson has known me pretty well. He never did expect me to be spoon-fed by his philosophy. There have been times when he has urged me to let up on different questions.

Q. Senator, you did feel, though, that one judicial appointment recommended by you was unfairly held up. Was there not a delay in the appointment of U.S. District Judge Alexander Lawrence of Savannah, a personal friend of yours?

A. Oh well, I didn't have any feeling toward the President on that. I thought that the attorney general of the United States acted like a child about it. And I still think so. I very frankly do not feel that the present attorney general is qualified to fill that position.

Q. Attorney General Ramsey Clark wanted to hold up the appointment?

A. Yes. Oh, he had not only tried to hold it up, he wanted to have it disapproved by the President. And I did have a great deal of difficulty getting it through. But I did. The only thing I resented was having to give up so much valuable time fooling with something that was so clear and apparent to me and to all the members of the Georgia bench and the Georgia Bar Association. He will make a fine judge.

SENATOR MANSFIELD'S APPEARANCE ON THE TV PROGRAM "FACE THE NATION"

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record the transcript of the CBS Television Network program "Face the Nation," telecast on Sunday, January 5, 1969, on which I had occasion to appear as the guest.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Face the Nation

(CBS Television Network, CBS Radio Network, Sunday, January 5, 1969; origination: Washington, D.C.)

Guest: Senator Mike Mansfield, Democrat of Montana, Senate majority leader.

Reporters: George Herman, CBS News; Samuel Shaffer, Newsweek magazine; Roger Mudd, CBS News.

Producers: Sylvia Westerman and Prentiss Childs.

Mr. Herman. Senator Mansfield, Republican Presidents today seem traditionally less activists than the Democrats. Do you think the balance of leadership is now about to shift to some degree to the Democratic Congress?

Senator Mansfield. Yes, I do, because of the divided government. I think there will be more flexibility and more independence shown by the Congress.

Announcer. From CBS Washington, in color, "Face the Nation," a spontaneous and unrehearsed news interview with Senate Majority Leader Mike Mansfield, of Montana. Senator Mansfield will be questioned by CBS News Correspondent Roger Mudd, Samuel Shaffer, Chief Congressional Correspondent of Newsweek Magazine, and CBS News Correspondent George Herman.

Mr. Herman. Senator Mansfield, the Democratic Majority Leader, under a Democratic Administration, is pretty much overshadowed by his party leader, the President. Now, you are about to be a Majority Leader under a Republican Administration, some of whose views you undoubtedly oppose. You seem likely to be the principal Democratic spokesman on Capitol Hill. How do you view your new role?

Senator Mansfield. Well, I view it in somewhat the same status that it was when Lyndon Johnson was Majority Leader and Eisenhower was President. The purpose will be to do our best, as a party, to be of assistance to a Republican President, because we would like to see him make a go of it. If he succeeds the country will benefit. If we oppose him, as we shall on occasion, we will try to do so constructively and offer alternatives in place of what he proposes.

Mr. Shaffer. Senator Mansfield, before we explore the domestic picture further, I would like to ask you a question or so on the minds of a lot of Americans, on foreign policy. Forty Americans are dying daily in Vietnam while this haggling goes on, what President Johnson calls dilly-dallying on the shape of the conference table in Paris. Now, what are you, as a Senate leader and as a member of the Senate Foreign Relations Committee, going to do about this?

Senator Mansfield. Well, there isn't much we can do now except to deplore the fact that, while we are trying to find out what kind of a table the conferees will sit around in Paris, our men are dying in Vietnam. And I must say that I am very strongly in favor of what Secretary of Defense Clark Clifford has advocated, we ought to get down to business right away and get away from this shilly-shallying which is accomplishing nothing. As far as the table is concerned, we ought to do away with it, maybe sit like this, stand up or squat, any old way just to get negotiations going.

Mr. Mudd. Is it fair to say, Senator, that you really don't expect any progress in Paris until after the inauguration?

Senator Mansfield. I think it is very doubtful.

Mr. Mudd. And then what is the outlook after the inauguration?

Senator Mansfield. That will be largely up to Nixon, who will then be President, and I am sure he has given that a great deal of thought at the present time, but I am not in his confidence.

Mr. Mudd. Well, are you in a position now to say that peace talks in Paris should be put under some sort of time limit?

Senator Mansfield. No, I wouldn't say that, because we have to keep on talking to bring this killing to an end. I think I ought to point out that, when the conferees were selected in the first place, that he called Senator Dirksen and me down to the White House and asked us to be ready on short notice to go to Paris, if we could, to be of any assistance at any time.

Mr. Mudd. Who called you?

Senator Mansfield. The President.

Mr. Mudd. The President. You have not heard anything further?

Senator Mansfield. No. There was no need because nothing has been accomplished there except talk.

Mr. Shaffer. Senator Mansfield, at his last press conference Secretary of State Dean Rusk said that the table seating impasse reflected important questions of substance. Do you agree?

Senator Mansfield. No, I do not.

Mr. Shaffer. Well, let me ask you, do you think we should start a unilateral withdrawal of our troops from Vietnam?

Senator Mansfield. No, I don't think we can do it at this time, but I think we ought to give consideration to the possibility of decreasing our troops there if, as we have been told, the South Vietnamese Army is increasing in effectiveness and efficiency as well as in size.

Mr. Herman. Senator, it is one thing to deplore this hassle over the shape of the table in Paris, it is another thing to solve it or to do away with it or to cut the Gordian knot. How can it be done? Where do you have to start? Who is to blame, a country, a person?

Senator Mansfield. That is hard to say, but if you want an alternative I would suggest that we follow the procedure which was used by the NLF, the Viet Cong, and the American officials who met over the past two weeks to bring about the release of the three American prisoners. Now, what they did was to meet in the jungle, stand up, discuss this matter, eventually arrive at a decision.

Mr. Herman. But the important point there was that this was a bilateral meeting between Americans and the NLF. Now, is that suitable for the peace talks?

Senator Mansfield. No, but I think that we ought to have meetings between Hanoi and the United States. And if we can't get the NLF and Saigon to go together with those two, then have them meet separately and see what they can come up with in the way of a solution, then get together.

Mr. Herman. Will Hanoi agree to that kind of a bilateral meeting?

Senator Mansfield. I don't know.

Mr. Shaffer. Well, will you, as Senate Majority Leader, and as one of the most important voices in the Democratic Party today, speak up in the Senate in an effort to break this impasse?

Senator Mansfield. Only if I can do so constructively.

Mr. Mudd. Senator, you have been quoted as saying that in the Nixon Administration the Foreign Relations Committee of the Senate and the Congress generally would exercise a stronger or influential voice in foreign affairs. How do you think that will happen?

Senator Mansfield. Well, you may recall that Senator Fulbright last year had reported out of the Foreign Relations Committee unanimously his resolution seeking to bring about a greater voice in foreign affairs for the Senate, based on the Constitution's "advise and consent" clause. That was placed on the calendar, would have been brought up had it not been for the President's March 31st speech at which he announced he would not be a candidate for reelection and that he would seek to bring about negotiations, to bring an end to the war in Vietnam. Because of that factor it was not brought up. I know that Senator Fulbright is very much interested in it, as I am, and as many members of the Senate are of all political stripes. I anticipate that, following the nonproliferation treaty, it will be reported out, placed on the calendar and brought before the Senate.

Mr. Shaffer. Senator, as I understand it, this resolution expresses the sense of the Senate that American troops should not be committed to hostilities on foreign soil by a President, any President, without prior authorization by Congress, except to repel attack or to protect American lives and interests. What I want to ask you is this: Is such an approach practical in the nuclear age, in the mid-20th Century?

Senator Mansfield. Oh, I think so. The matter of nuclear emergencies would be taken care of, understood and made clear in the course of the debate.

Mr. Herman. You brought up the nonproliferation treaty, and I want to get to that in a minute. But first I want to ask you how can the Senate, or any part of the Congress, be as active as it would like to be in foreign affairs when only the administration has access to the vast body of secret information and facts?

Senator Mansfield. Well, I think that we should have access to some of that information, too, and that what we ought to do is to work cooperatively with the Executive Branch. We don't want to take away any authority from the President which is rightfully his; we would like to have some of the responsibility which is rightfully ours, and which has been eroded with the Senate's consent over the past four or five decades. We don't want to hinder the President. We know that his troubles are many and difficult. We want to be of assistance to him and we think we can be if he will allow us to.

Mr. Herman. Okay. Now, the obvious question about the nonproliferation treaty, I have to ask it in a rather naive form. Since President-Elect Nixon seems to be for it, since President Johnson seems to be for it, what is holding it up?

Senator Mansfield. Well, the fact is that we—I hoped that it could be the first order of business, but we have a debate starting on Thursday next on a change in Rule XXII. Now, that will take up the Senate's time for some days, if not a week or longer. That means that, as a result, the nonproliferation treaty will be pushed back and will not be brought out, as I see it now, before the 20th. It is my understanding that there are some members of the Foreign Relations Committee who would like to have further hearings, short hearings. It will be reported out. It will be placed on the calendar. And as soon as it is, it will be brought before the Senate for debate and disposal.

Mr. Mudd. But even without that rules fight, there really wasn't much prospect you could have gotten that treaty through before inauguration, was there?

Senator Mansfield. No, but there was a chance. Now I think the chance has been obviated.

Mr. Herman. What is the disposal going to be?

Senator Mansfield. I think it will be approved. I think it should be approved. I think it is a good treaty, it is in our interests and in the interests of mankind.

Mr. Shaffer. Senator Mansfield, it looks as if the Mideast is about to blow up again. What can we do to prevent this? And do you think—this is the other part of the question—that the United States has a commitment to go to the aid of Israel?

Senator Mansfield. No, I don't think we have any hard and fast commitment to go to the aid of Israel or any other country in that area, outside of those which are members of the North Atlantic Treaty Organization. As far as what the United States can do, it is hard to say, except that I believe we ought to, whenever possible, work in concord with the Soviet Union so that, through our joint efforts, we may be able in some fashion or other to bring about peace to that unstable area. There are many questions connected with the Middle East, and it seems to me that the situation is not getting any better but, in fact, is getting worse with the passage of time.

Mr. Herman. I presume, when you say we have no commitment, you mean a legal or a treaty commitment?

Senator Mansfield. That is what I mean.

Mr. Herman. Do we have any moral or emotional commitment?

Senator Mansfield. There have been statements made by Presidents over the past. I think Presidents Eisenhower and Kennedy have indicated that we do have such a position. How strong the position is indeterminate at this time.

Mr. Herman. Is it something which varies? Is it something which perhaps has gone down-hill a little in the face of Israel's recent aggressiveness?

Senator Mansfield. Oh, I think it has gone down-hill in spite of the fact which you have mentioned, and I think it is tied to a certain extent to our involvement in Vietnam. Vietnam has brought about a very changed situation in the Senate, in the thinking of many of its members about involvements in other areas of the world.

Mr. Mudd. Senator, one of the things that you pushed for over the last few years has been a streamlining of our foreign aid policy. How much cooperation do you expect to get from the new administration on that?

Senator Mansfield. Well, I will just have to assume the answer to that question. I would think a great deal of cooperation. I would like to see more done to help people and less done to help governments.

Mr. Mudd. Do you regard the Nixon Administration, in foreign policy, as going after the policies of ten, fifteen, twenty years ago, of reinforcing NATO and maintaining a large military commitment abroad?

Senator Mansfield. I would hope not, because times have changed, and what was good two decades ago is not necessarily good today. As far as NATO is concerned, I would hope that the European members of NATO would do a good deal more and that we would do considerably less.

Mr. Herman. Wasn't it just a year ago that you advocated a strong reduction of our troops in NATO countries?

Senator Mansfield. Oh, yes, and a sense of the Senate resolution was introduced, signed by forty-nine members, and it was in the process of being accepted, in my opinion, but Czechoslovakia changed the situation. For the time being at least, we cannot think of a withdrawal of U.S. troops from Europe.

Mr. Shaffer. But will you press it sometime during this session, Senator?

Senator Mansfield. Oh, basically I haven't changed my opinion. I still feel the same way.

Mr. Herman. This seems like a good point to interrupt. We will resume the interview with Senator Mansfield in a moment.

Senator Mansfield, Herb Klein, President-Elect Nixon's chief spokesman, said on this program some time ago he thinks the new Congress is more to the center than the old one. Is it?

Senator Mansfield. No. I would say that, as far as the Senate is concerned, it is about the same as the last one. As far as the House is concerned, I think, based on the figures, it might be a little more liberal.

Mr. Herman. What is going to happen in the Rule XXII fight in the Senate that you mentioned some time ago?

Senator Mansfield. Well, to be honest about it, I don't think that the rule will be changed, although I personally favor a shift from two-thirds of those present and voting to three-fifths.

Mr. Mudd. Senator, were you surprised at the election by your party caucus of Edward Kennedy to be your new assistant?

Senator Mansfield. No, I thought it could have gone either way and would not have been surprised at any result.

Mr. Mudd. Well, what do you think accounted for his victory?

Senator Mansfield. Well, I think the Kennedy name had something to do with it. I think that Kennedy's attention to Senate duties, both on the floor and in committee, the fact that he is a Senate man in the strictest sense of the word, far more so than were the late President Kennedy and his brother, the late Senator Robert Kennedy. All those factors tended to react in his favor.

Mr. Herman. The usual cliche is that a fight of this kind, a leadership fight, leaves scars inside the party. Realistically, does this leave any scars?

Senator Mansfield. No, I don't think so. There may have been disappointments temporarily, but Russell Long, I thought, acted with extremely good grace. It is my belief that Ted Kennedy will apply himself assiduously to his duties and that the Senators will accept the verdict and act accordingly.

Mr. Shaffer. Senator Mansfield, do you see Teddy Kennedy as your party's nominee in 1972?

Senator Mansfield. I wouldn't be in the least surprised.

Mr. Mudd. You would not be in the least surprised.

Senator Mansfield. I would not be in the least surprised.

Mr. Mudd. But do you think this move for the assistant leadership the other day was a first step toward the nomination?

Senator Mansfield. No. I think it is an indication of Senator Ted Kennedy's dedication to the Senate and the fact that he wants to participate more actively in its affairs.

Mr. Mudd. Well, now, it has been written that, if in 1970 you decide not to seek another term, Ted Kennedy would be in a position to take it all in the Senate.

Senator Mansfield. If that happens.

Mr. Mudd. Yes.

Senator Mansfield. That could happen, but I have no intention.

Mr. Mudd. No intention of what?

Senator Mansfield. Of retiring in 1970.

Mr. Mudd. Oh, you do not?

Senator Mansfield. No.

Mr. Shaffer. You mean either from the Senate or from your leadership post?

Senator Mansfield. Correct.

Mr. Shaffer. Senator Smathers said that Ted Kennedy's election will force more and more southerners into the Republican Party. I am speaking of Senator Smathers of Florida, who is retiring now. Do you agree?

Senator Mansfield. No, I don't, and George Smathers wouldn't have said that had he still been in the Senate.

Mr. Mudd. Do you think he is running for Governor of Florida? Is that——

Senator Mansfield. I don't know what his plans are. He is a good man.

Mr. Mudd. Can we get you on the record as to how you voted in caucus for the assistant majority——

Senator Mansfield. No. The session was executive, the vote was secret.

Mr. Mudd. Well, some have decided to make it public, and I just wanted to see what you would think about that.

Senator Mansfield. Well, that is their privilege.

Mr. Shaffer. Senator, quite often a party gives its presidential candidate a second crack at the White House. Do you think Hubert Humphrey will get that second chance?

Senator Mansfield. He may. He will be in there. He will be a power in the party in the years ahead, and what Hubert will do, Hubert will decide.

Mr. Mudd. Senator, your answer about Edward Kennedy—your answer that you would not be at all surprised if Edward Kennedy would be your party's nominee in '72 is intriguing. There is a large body of thought that feels that really he shouldn't, simply because of what has happened before, the death of his two brothers. Do you think that has any bearing on what a nation should expect of a politician under those circumstances?

Senator Mansfield. I think it does have a bearing, but Ted Kennedy is a man of courage.

Mr. Herman. He will make his own decision, you would say?

Senator Mansfield. He will make his own decision.

Mr. Herman. Senator, in this situation now, just a year ago, with the Democratic Administration and a Democratic Congress, the Congress imposed mandatory spending levels on the administration. Is it likely that this sort of new trail is going to be blazed still further, now that you have a Republican Administration and a Democratic Congress?

Senator Mansfield. I would hope so, and I would hope that there would be a diminution in selected areas in government spending, because the monies we are putting out are entirely too much and I think they could be distributed——

Mr. Herman. Are you saying—excuse me, I didn't mean to interrupt.

Senator Mansfield. That's all right.

Mr. Herman. Are you saying a diminution by congressional order, that Congress should specify which areas should be held down?

Senator Mansfield. Not necessarily by congressional order, though it is our primary responsibility, but I would hope in cooperation with the President.

Mr. Shaffer. Senator, I know you and your colleagues have talked a lot about cooperating with the New President, yet there are a number of Democratic Senators who are talking about opposing Secretary of Interior-

Designate Hickel for his post. What is your judgment on it?

Senator Mansfield. Well, I think that the Senate has a duty and a responsibility to look into all these candidates for the Cabinet proposed by President-Elect Nixon. And if Mr. Hickel had observed President-Elect Nixon's dictum to say nothing until January 20th, he wouldn't be in the trouble he evidently is in today. But he has made some statements which are going to be gone into quite thoroughly by the Committee on Interior and Insular Affairs.

Mr. Shaffer. Is it within the realm of probability that his nomination might not be confirmed if he stands by those earlier statements?

Senator Mansfield. Oh, I wouldn't say anything this far ahead, Sam. I think the nominee should be given every opportunity to express his opinions, should be treated with fairness. And I hope he has the answers which will satisfy the committee.

Mr. Shaffer. But you expect an inquiry in depth in this particular case?

Senator Mansfield. Yes, indeed. I understand that Senator Jackson, of Washington, has announced that hearings will be conducted beginning on the 15th of this month. Incidentally, I hope it will be possible, and I have asked all the Democratic Chairman of the committees to hold hearings, to have these nominees ready for confirmation on the day that Mr. Nixon is inaugurated.

Mr. Herman. Is there a tradition or a philosophy in the Senate that new in-coming President should have the right to the Cabinet of his choice, barring some real dereliction?

Senator Mansfield. Yes, indeed, and it is a good tradition.

Mr. Herman. And do you think that will tip the odds a little bit for Mr. Hickel?

Senator Mansfield. It will depend upon Mr. Hickel's testimony. He will be treated with fairness and discretion. He will not be badgered. He will have to answer some questions based on statements which he has made.

Mr. Mudd. Senator, are you in favor of a congressional pay raise?

Senator Mansfield. That is a tough one to ask me, but let me put it this way: I would say that it should not be on the order of the Kappel Commission's recommendations, that if there is a pay raise it should be scrutinized quite carefully and that it should be justified or not allowed.

Mr. Mudd. The Commission's recommendation was that the annual salary be jumped from $30,000 a year to $50,000.

Senator Mansfield. Too much.

Mr. Mudd. Too much. Would you strike a $40,000 compromise?

Senator Mansfield. Somewhere around there, if it was justified. But I would have to have all the facts at my disposal, speaking for myself. I can get along pretty well on what I am making. I don't come from a big state.

Mr. Shaffer. Senator, during the campaign, you know, President-Elect Nixon spoke a great deal about the need for reorganizing the government. His powers, or the powers to do this, have lapsed. Are you disposed to get through legislation quickly to give the new President the power to reorganize the Executive Branch of the government?

Senator Mansfield. Yes, I would be prone to go in that direction.

Mr. Shaffer. Do you think that Congress would feel that way, too?

Senator Mansfield. I would guess so, I wouldn't know.

Mr. Herman. Well, now, the major issue—if you finished that answer—the major issue that President-Elect Nixon campaigned on, or at least one of the major issues was crime and the disorder and lawlessness in the streets. Do you think the mood of the Congress now is such that it would accept a new load of anticrime legislation which might tip somewhat the balance between the courts and the criminals?

Senator Mansfield. That is a question that I couldn't answer at this time——

Mr. Herman. What is your own feeling?

Senator Mansfield. Until I see the legislation and have a chance to dissect it and interpret it. Then I could give you an opinion. As of now, I would have to withhold judgment.

Mr. Shaffer. Senator, I want to ask you, you Democrats control Congress now, what will——

Senator Mansfield. On paper.

Mr. Shaffer. On paper, yes. What will you do with this control? Will you initiate legislation or do you sit back and wait for the Republican President to submit his legislation?

Senator Mansfield. Basically we will wait for Mr. Nixon to submit legislation but, by the same token, we have the authority, the right and the responsibility to initiate legislation on our own. We have been prone not to assume that responsibility for all too long, and I don't think that all wisdom emanates from the Executive Branch, regardless of who is in power.

Mr. Herman. But isn't there actually a good deal of interplay back and forth between the Congress and the White House? For example, Mr. Nixon has talked to Mr. Mills, to ascertain his views on taxes. Doesn't it actually go in both directions?

Senator Mansfield. That's right, and I would hope that on legislation which the incoming administration will propose, that Mr. Nixon will follow the Johnsonian policy of calling in the chairmen and the ranking minority members of the committees concerned with the particular pieces of legislation, to get their advice and counsel.

Mr. Mudd. Senator, when and why did you decide about your 1970 retirement?

Senator Mansfield. Oh, when I was elected the last time.

Mr. Mudd. But you have always fudged a little on what your future plans were, and today you seem so definite that—you always used to put us off, if you remember, but now there is no question about it.

Senator Mansfield. There is a breaking point, even in modesty.

Mr. Shaffer. Senator, do you think a coalition of southern conservatives, Democratic conservatives and Republicans will dominate the 91st Congress?

Senator Mansfield. Not in the Senate, because I think that coalition idea has not been understood thoroughly. There have been rare occasions when the southerners and some of the Republicans had gotten together, but there have been more occasions, in my opinion, when moderate Republicans and progressive Democrats have gotten together. So you have the coalitions working both ways.

Mr. Mudd. But with the shift of Richard Russell to the Appropriations Committee, is there not a stronger possibility that there would be a more conservative cast in the Senate?

Senator Mansfield. No, I would say the cast of the Senate would be the same this year as it was last year, fairly liberal.

Mr. Herman. What is the impact of having a Republican Administration over it all? Doesn't that tend to aid Democratic Party unity in the Senate?

Senator Mansfield. It should, but time will tell.

Mr. Shaffer. Well, in that connection, now that you have divided party control in the two branches of government, are we going to have, despite all these pious declarations of cooperation, aren't we really going to have some frustration, some politicking, some stalemate?

Senator Mansfeld. Unfortunately, yes, but we will do our best to accommodate the President because, as I said in the beginning, he has great problems, almost insurmountable difficulties to overcome. We will try to make him a good President because if he succeeds, as I said before, the Nation will benefit.

Mr. Herman. The last man who held your position was Lyndon Johnson. He went on to become Vice President and President of the United States. Are you on an upwards path?

Senator Mansfield. Absolutely not. I am delighted just being a Senator from the State of Montana.

Mr. Shaffer. Senator, we have passed an awful lot of legislation in the past four years, do you think we ought to keep doing it?

Senator Mansfield. No, I do not. I think perhaps we may have passed too much legislation, spent too much money. I think it is time to reorganize, tighten our belts, and——

Mr. Herman. Senator, I'm sorry, we spent too much time as well. I am sorry, our time is up. Thank you very much, Senator Mansfield for being with us here on "Face the Nation."

Announcer. Today, on "Face the Nation," the Senate Majority Leader, Senator Mike Mansfield, of Montana, was interviewed by CBS News Correspondent Roger Mudd, Samuel Shaffer, Chief Congressional Correspondent of Newsweek Magazine, and CBS News Correspondent George Herman. Next week, another prominent figure in the news will "Face the Nation." "Face the Nation" originated, in color, from CBS Washington.

STEAM POWERPLANT SITE SELECTION

Mr. KENNEDY. Mr. President, recently the energy policy staff of the Office of Science and Technology completed a study entitled "Considerations Affecting Steam Powerplant Site Selection." The report analyzes the outlook for electric power needs in the future, and the need for powerplant sites. The bulk of the report then discusses the various environmental and other effects of large electric powerplants and the considerations which should enter into decisions on where to build the necessary plants. In its own words:

> The report assembles in a single document our present knowledge of the public interest considerations that should play a role in planning the power plants of the future.

I agree completely with the report's emphasis that—

> The siting problem is thus one that concerns not only the State and Federal regulatory agencies with long-standing responsibilities in the electric power field, but also the agencies with environmental and other public interest responsibilities. The considerations go beyond mere location and involve the extent to which special investments are required for safety, for preserving the quality of our air and water resources and for other public interest considerations.

The report underscores the need for overall planning and coordinated development in the siting of large electric powerplants.

With demand for electric power in this Nation doubling every decade, and with economies of scale dictating construction of larger and larger plants, there is a great danger that random siting of new plants will cause pollution of our natural resources and irreparable harm to the environment.

To avoid this damage, during the last session of Congress I introduced legislation calling for the development of a comprehensive national plan for the siting of large electric powerplants. The aim is to identify appropriate locations for plants to operate at maximum efficiency without harm to the environment or danger to public safety.

It has become increasingly clear that in the siting of large plants, coordinated planning is necessary to assure protection and effective utilization of environmental assets, including land, water, recreation, scenic, ecological, and historic elements.

The present report identifies many of the criteria which should be considered in the preparation of such a study and is a constructive first step in the direction of overall planning. I want to congratulate the energy policy staff for its investigation of this important area and for the high quality of its report.

I intend to reintroduce legislation calling for a national siting plan early in this session of Congress, and I am hopeful for prompt and favorable action.

Mr. President, I ask unanimous consent that the summary section, "Background and Highlights of the Report," be printed in the RECORD.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

BACKGROUND AND HIGHLIGHTS OF THE REPORT

Everyone agrees that electric power supply is vital to the Nation and that we must find sites for the power plants needed to meet the Nation's rapidly expanding use of electricity. Nevertheless, "Don't Put It Here" is increasingly becoming the public's reaction to particular sites selected by the utilities. Furthermore, the electric utilities are facing increasing competition for sites because our land resources are limited and the ingredients of a prime site for electric generation also make it attractive to many other expanding industries.

The siting problem is thus one that concerns not only the State and Federal regulatory agencies with long-standing responsibilities in the electric power field, but also the agencies with environmental and other public interest responsibilities. The considerations go beyond mere location and involve the extent to which special investments are required for safety, for preserving the quality of our air and water resources and for other public interest considerations.

There is increasing public interest in the power plant siting problem but discussion of solutions has been inhibited by the lack of a common factual base. Commissioner James T. Ramey, of the Atomic Energy Commission, in a speech to the Federal Bar Association in October 1967, suggested the establishment of a broadly based Federal interdepartmental committee on electric power plant siting to develop a coordinated approach to the planning of ways to handle the many problems affecting siting. The agencies in the Federal Government most deeply concerned with the siting problem—the Atomic Energy Commission (AEC), Federal Power Commission (FPC), Department of the Interior, Department of Health, Education, and Welfare (HEW), Rural Electrification Administration (REA), and Tennessee Valley Authority (TVA)—were happy to cooperate with the Energy Policy Staff of the President's Office of Science and Technology in implementing this suggestion which has led to the preparation of this factual report. We have also benefited from the cooperation of the National Association of Regulatory Utility Commissioners (NARUC) and the State utility commissions throughout the Nation in providing a survey of the important work of the States on this problem.

The report assembles in a single document our present knowledge of the public interest considerations that should play a role in planning the power plants of the future. We are aware that our knowledge is incomplete, and in some areas nonexistent, but focusing attention on the need for further research is also an important function of the report.

In preparing the report we have not investigated any plant sites. Such investigations are presently the initial responsibility of the individual utilities in the various segments of the electric power industry. Our purpose was rather to attempt to compile material which could be of assistance to the industry and to the various governmental units with responsibility for approvals of sites selected by the utilities, to interested groups of citizens, and individuals.

The report contains no policy pronouncements, but it may well serve as a basis for discussion of whether additional surveys, research, or other action by the industry or government is needed to protect the public interest.

The first chapter of the report attempts to delineate the dimensions of the siting problem in the future. Our projections suggest that in the next two decades we will triple the present electric power generating capacity but we can do so with far fewer new sites than the number the industry presently occupies. The reason is that most of the new capacity in the next 20 years will come from some 250 huge power plants of 2 to 3 million kilowatts each. By contrast there are some 3,000 power plants in existence today. While there will certainly be small plants in addition to the 250 or so large plants, the siting problem in the future will not be one of finding room for a proliferation of power plants, but rather being sure that the relatively small number of mammoth-sized plants are adequately planned and located to meet the twin goals of low-cost, reliable power and preserving the quality of our environment.

The need for coordinated planning to identify the prime sites that will best satisfy the many economic and environmental requirements for future plants is rather obvious. Each of these plants with an on-site investment of some $300 to $400 million will be among the largest industrial establishments in the Nation. In the aggregate they will represent upwards of $80 billion of investment profoundly affected by the public interest.

One of the interesting results of the report has been identification of the large number of public interest factors which should be considered in the siting and construction of power plants of the future. While there are probably other factors yet to be identified, the report suggests that the plans for power plant siting should:

1. Comply with the safety criteria for nuclear plants as prescribed by AEC.
2. Comply with air pollution criteria and standards as established by the States and the National Air Pollution Control Administration of HEW.
3. Comply with the water quality standards for thermal effects as established by the States and the Federal Water Pollution Control Administration of the Department of the Interior.
4. Develop the opportunities for public recreation at plant sites and avoid impairing existing recreational areas.
5. Consider aesthetic values and give adequate attention to the appearance of power plant facilities and associated transmission lines.
6. Recognize the rural development considerations in plant siting.
7. Consider the siting and lead-time requirements for reliability of service.
8. Consider the impact on defense preparedness of particular sites and power plant capacities.
9. Consider the routing of associated transmission lines and the problems of rights-of-way at various alternative plant locations.
10. Assure that the plant will be of sufficient size to meet regional loads including mutually agreeable arrangements for meeting the bulk power needs of the small utilities.
11. Consider prospects for combining power plants with other purposes such as desalting plants, industrial centers, and even new cities.

These are all considerations over and above such basic requirements as sufficient land, the availability of transmission, fuel and the whole gamut of factors which every utility considers before deciding on the size, type, and location of a power plant.

The report identifies the physical requirements for siting the large power plants of the future. A 3,000-megawatt (mw) power station requires a very large tract of land, be it nuclear or fossil fueled. A nuclear plant of that size under existing AEC criteria would require some 200 to 400 acres, not to mention one or more rights-of-way of some 250 feet in width leaving the plant site. A fossil-fueled plant would require 900 to 1,200 acres to accommodate a large coal storage area and an area for disposal of slag, and room for SO_2 removal facilities.

Access to highway, railway and water transportation are important ingredients of a site. And for a fossil plant, access to low-cost fuel is an essential ingredient. An adequate supply of cooling water is a must and even the meteorology of the area must be studied. There are numerous demanding requirements for a prime power plant site and it is obvious that the electric power industry will be competing with other industries and other land uses for such sites in the future.

The interest in power plant siting in recent months has been accentuated by the fact that large nuclear power plants have come of age. Chapter III sets forth the criteria which the AEC applies in approving such sites today and describes its research efforts for the future. Existing safety criteria rely on distance from a population center, combined with engineered safety features to protect the public. Emphasis is being placed on high-quality engineering to assure greater reliability of operation. As more experience is gained, and safety and reliability proven, greater flexibility in nuclear plant siting will be permitted and plants will undoubtedly be located closer to population centers.

AEC is stressing the need for stricter codes and standards for quality assurance in the design and construction of nuclear plants. Areas of potential earthquake present special problems for nuclear plant siting and AEC takes a conservative approach with respect to such sites for the present. The air pollution problems at nuclear plants are minimal. Significant radioactive wastes are not generated at plant sites but are a product of processing plants which are not the subject of this report because they can be located economically in remote areas.

It is of interest that under existing law, AEC's review of nuclear power plant siting is limited to nuclear plant safety and antitrust review of commercial licenses.

Air pollution control is a most important factor in siting fossil-fueled plants. Existing power plants contribute to our air pollution problem primarily through the emission of particulate matter and sulfur oxides but also through emission of oxides of nitrogen. Chapter IV describes the problem and outlines the air pollution control program of HEW in cooperation with State agencies. Control equipment is now available to collect some 99 percent of particulate matter rather than emit it to the atmosphere. The problem area is with the pollutants that are in gaseous form.

A major research effort is under way to develop economical means of removing the sulfur after fossil fuels are burned and before the resulting gases are emitted to the atmosphere. The ability to utilize this Nation's vast coal resource for power production is dependent upon the success of such research and development efforts. Tall stacks may provide sufficient dispersion at remote sites, but there is a need for more effective controls even in rural areas. Certainly the ability to locate fossil plants in or near metropolitan centers in the future requires economic air pollution control equipment. Chapter IV also describes the techniques for promulgating air pollution standards pursuant to the Clean Air Act of 1967.

A major power plant siting consideration is the disposal of waste heat into the Nation's waterways. In recent years we have come to realize that injecting huge quantities of heat into a waterway can create a new form of water pollution and for that reason the States, in cooperation with the Department of the Interior's Water Pollution Control Administration, have adopted temperature limitations for the Nation's interstate waterways. Chapter V describes the problem and solutions which can have a profound impact on power plant siting. While the problem exists for both fossil and nuclear plants it is some 40 to 50 percent greater in light water nuclear plants because of their lower thermal efficiency and the fact that more of the heat is discharged to the atmosphere through the stack in fossil fueled plants.

Power plant siting must be responsive to the increased public concern for the quality of our environment. A giant power plant and associated transmission lines can do great damage to fish and wildlife, aesthetic and recreation values if improperly located or poorly planned. On the other hand, the same plant in the right location and with proper architectural treatment and imaginative utilization of adjacent lands can be an important recreational and educational facility in itself. Chapter VI describes these areas of concern and contains many specific suggestions which would make both power plants and associated transmission lines more compatible with their surroundings. The first step is the development of a comprehensive land use plan for the area in which a power plant is to be located.

Chapter VII highlights the rural development considerations in generating station siting. A large power plant representing an investment of hundreds of millions of dollars can profoundly affect the local economy as well as the surrounding environment, and this is especially true if the plant is located in rural America. Recreational opportunities and the clean environment are major attractions of rural areas today. The chapter points out that rural America should, therefore, not be considered a place of refuge from environmental controls. However, rural America does offer opportunities for economic power plant sites that will contribute to the full development of the Nation and these opportunities are set forth.

There is a definite relationship between the problems encountered in power plant siting and the industry's success in achieving reliability of electric power service. A reliable, stable power system requires a proper balance in the location of generation with respect to concentration of loads. It is also important that a utility be able to build and operate a plant on schedule if growing loads are to be met with reliable service. These interrelationships of the reliability and siting problems are discussed in Chapter VIII.

Power plant siting and associated transmission lines are inseparably related and must be jointly considered. With the technical breakthroughs in high-capacity, low-unit-cost EHV transmission lines, sites quite remote from loads have become economically feasible. The construction of EHV lines to achieve economies of interconnected operations is making available an interconnected grid over large regions of the Nation which is providing a great deal of needed flexibility in locating power plant sites. Chapter IX discusses these aspects of power plant siting and also suggests that a great deal of research and development will be required before transmission lines can be placed underground without major additional costs.

Today steam power plants are essentially single-purpose facilities. However, there are advantages inherent in combining steam power plants with other industrial processes and such power plants are apt to become part of multipurpose operations in the future. This is, of course, nothing new for the electric power industry since multipurpose hydroelectric plants have been part of the American scene for many decades. A combination power plant and desalting plant is already under active consideration. Chapter X also describes other possibilities, including combining a huge plant to convert coal to crude oil with a power station that would be fueled by the by-product char. Large energy centers are also being considered in which the power plant would be the hub of an agro-industrial complex.

The report would be incomplete without at least a summary description of the activities of the various State agencies that are concerned with many, if not all, of the considerations which it highlights. Chapter XI contains the results of a survey we made of the activities of the State utility commissions in licensing new thermal power plants. It also presents a summary of the activities of other State agencies concerned with the quality of the environment, recreation and related matters. Air pollution control regulations are particularly complex, due to the number of local variations. Chapter XI also discusses recent novel programs undertaken by four different States as examples of State initiatives in the area of power plant siting.

CONNECTICUT RIVER

Mr. RIBICOFF. Mr. President, the Connecticut River is one of the most beautiful rivers in the world. But its beauty is threatened by pollution.

Cleaning up the Connecticut River is a serious challenge facing all of New England.

That challenge is being met. State and Federal pollution control programs are working effectively. All sections of the river, from the Canadian border to Long Island Sound, will be swimmable in just a few years.

But progress—that is, a clean river—may create a new problem: the unchecked commercial development of the Connecticut River Valley.

A pure Connecticut River will turn the river valley—the water banks, the ponds, the meadows, the heavily forested hillsides—into some of the most popular and inviting recreational areas in the Northeastern United States.

Ironically, there is the danger, real and not far down the road, that by eliminating water pollution from the Connecticut River we may introduce scenic pollution to the river valley.

A river valley landscape scarred with hotdog stands, billboards, carelessly planned trailer parks and rundown motels and cabins would be every bit as tragic as an eternally polluted Connecticut River.

Evan Hill, a professor of journalism at the University of Connecticut at Storrs, has written eloquently of this dilemma.

In the New York Times Sunday Magazine of January 12, 1969, Professor Hill points out that in the past a polluted Connecticut River was its own best defense against the scenic pollution of the river valley. Of the river he writes:

> As long as it stank, no one wanted to be near it for long. But as soon as it runs sweet and clear again, there will be no need for anyone to keep this distance, and millions of Americans won't.

Professor Hill is not alone in his concern for future development of the valley.

It was to protect the valley from uncontrolled development—and to preserve the essential peace and dignity of the 410 miles of riverfront—that I introduced legislation in 1966 to direct the Department of the Interior to study the feasibility and desirability of a national park along the Connecticut basin.

Many Senators and Congressmen from New England supported and cosponsored this measure with me. Support and cooperation also came from State and local government officials and business and civic leaders.

After a 22-month study, the Department, through its U.S. Bureau of Outdoor Recreation, recommended creation of a four-State, 56,700-acre Connecticut River National Recreation Area.

The Bureau's report, issued last September, calls for three separate units of the national park and would include parts of Connecticut, Massachusetts, New Hampshire, and Vermont.

Key among all the recommendations in the report is a strong plea for cooperation from State and local governments and private interests in the proposed recreation area.

The proposal for a Connecticut River Valley National Recreation Area has received widespread support throughout New England.

And I plan to introduce legislation to create such a park early in this session of Congress.

I am particularly pleased, therefore, that Professor Hill has demonstrated so vividly and so accurately the reasons why the park is needed.

His article in the Times magazine is fittingly titled "Connecticut: Can the River Be Saved From Its Own Beauty?"

That title sums up the problem we face. Professor Hill describes the dilemma as few other writers have. His obvious love for the Connecticut River and river valley seems matched only by his knowledge and thorough understanding of the problems that these great natural resources are burdened with.

It is encouraging to know that such a perceptive observer and dedicated conservationist is on our side in this matter.

Others will find Professor Hill's article informative and moving. I ask unanimous consent to have printed in the RECORD the article entitled "The Connecticut: Can the River Be Saved From Its Own Beauty?" which was published in the New York Times Sunday Magazine of January 12, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONNECTICUT: CAN THE RIVER BE SAVED FROM ITS OWN BEAUTY?

(By Evan Hill)

For the last three years a 33-minute documentary film about the Connecticut River has been touring New England high schools and service clubs. Its narrator calls the river "the world's most beautiful landscaped cesspool."

Not so; not so now, not so in the past and, because of such concern, it will never be in the future.

True, only a few sparkling spots remain where we can speak accurately of "the purity, salubrity, and sweetness of its waters," as did Timothy Dwight in 1837 when he wrote about the river: "This stream may perhaps with more propriety than any other in the world be named the Beautiful River."

But it is not a cesspool. It is merely polluted throughout most of its 410 miles, and it is this pollution that has saved its beauty. There is no necklace strand of wooden cottages strung along it as there is now strangling lakes and ponds only a few miles from it. There are no hot-dog stands or teetering pizza palaces garlanding its banks. It is beautiful, unsullied, unspoiled for the most part, but there are few who want to touch it. Sometimes when its flow is low and it cannot properly dilute the waste man dumps into it, its attraction to the eyes is overbalanced by its repulsiveness to the nose.

On a balmy August day last summer, a middle-aged New Hampshire hardware merchant went to picnic in a lush meadow at the junction of the Connecticut and the Sugar River near Claremont, N.H. "It was pleasant until we got to within 50 feet of the water," he recalls, "and then it smelled like a septic tank when it wasn't operating right."

Later, he thoughtfully proposed that "somewhere downstream they should build a great big septic tank and run the river through it."

In effect, that's what is happening to the Connecticut right now. It is being cleansed. As a result of recent state and Federal laws equipped with legal bite, municipalities and industry must stop dumping into it. Sewage plants are being built. Within six or seven years, the river will have regained much of its purity. Perhaps not enough to merit being called the Fresh Water River, as it was in 1614 when Adriaen Block, a Dutch explorer, discovered it. But certainly enough so that its purity will be a threat to its beauty.

As long as it stank, no one wanted to be near it for very long. But as soon as it runs sweet and clear again, there will be no need for anyone to keep his distance, and millions of Americans won't.

We have access to it. Seven interstate or limited-access highways serve the Connecticut corridor. I–91—one of the world's most beautiful highways especially in Vermont—follows the river for 224 miles north of Hartford; when completed it will leave the river at Barnet, once the head of the river navigation. I–93 runs from Boston through New Hampshire to the placid meanders of the upper river. Today the headwaters of the Connecticut are only about 10 hours from Manhattan, about five hours from Boston. When the interstates are finished, even that short travel time will shrink.

We will use those highways. Hungry for clean air and a clear view, we will burst out of the cities on weekends to taste the deep-lung bite of winter air, to smell the musty earth of a valley being born again in spring, to use the river's waters in the summer—swimming in it and skiing on it.

And there are enough of us close enough to the Connecticut to quickly turn the world's most beautifully landscaped cesspool into the world's most ugly landscape. Today more than six million persons live within 50 miles of the Connecticut. Greater Boston—with its 3.5 millions—is only 100 miles away. The mouth of the Connecticut with its clean salt marshes is less than 100 miles from the mouth of the Holland Tunnel. And we continue to breed.

Even so, it seems impossible that we could spoil it. There is so much of it. Dorothy Canfield Fisher once remarked that every Vermonter should celebrate Arbor Day by cutting down a tree—in order to get a view. Her comment seems justified. More than three-fourths of the 11,243 square miles in the Connecticut River basin is forested.

The man who flies the length of the river at 1,000 feet—as I have done—is awed by the enormous amount of unpeopled land below him. The efficient geometrical mosaic of farmer's tillage, the tufted texture of *gros point* cornfields, the miles of forest reaching past the horizon.

The beauty strikes you first. The meadows of Haddam are a delight, despite the town dump glinting in the sun as it tumbles into the river. Middletown swells around the river like the bulge in a boa constrictor, but it is inoffensive, especially when you know that its municipal wharf is a lawn, where a blue-uniformed policeman meets the river boats and slips their hawsers over a bulbous iron bullhead.

Hartford is less reassuring, webbed with bridges and gray concrete cloverleaves, spreading, smoking. But it's like a burl on a rock maple trunk; beneath its twisted gnarled bark there is a solid growth of hidden beauty.

You glide over Windsor Locks and its canal, twisting parallel to the river for 5.5 miles, four years in the digging with pick and shovel 140 years ago, and used by river freight until the steam railroad put boats out of business. Then past the shallow Enfield Dam, the first of 16 on the river. Hundreds of acres of tobacco land lie below you, shaded in summer by hundreds of acres of green cheesecloth stretched so high on stilts that a tractor can drive beneath the canopy.

The river meanders, flowing placidly, and it's so fine you want to buy it all and fence it in and invite people in to look at it. There are occasional jagged, cutting edges of esthetic corruption—the scars of gravel banks, burning town dumps on otherwise beautiful hillsides, ugly petroleum tank farms and rusty railroad bridges—but there are not many, and some are understandably needed, although you wish that industry could find ways to house itself in less offensive fashion.

The river sweeps north, broad and solid, and you think of earlier travelers, using the river itself as a highway, sailing it 300 years ago in 40-foot-long wooden ships, trading for beaver and otter pelts with Indians who met them in birchbark canoes. And the later men called "River Giants," feared in every saloon along the river's banks, from its mouth at Old Saybrook up to the dam at Windsor Locks. These thick-shouldered, heavy-drinking men poled the barges north. And now the diesel river boatmen who each year carry three million tons of cargo upriver, hauling to Hartford and waypoints, and half of this is fuel oil carried in tankers.

But you know the river is no longer important as transportation; highways parallel and straddle it. Its importance now is electric power—and recreation—and you look down on it with gratitude to nature and to man, who has spoiled it so little.

Then you are in Massachusetts, and you see Springfield and Chicopee and Holyoke ahead, bleeding into the river, staining it for miles with human and industrial corruption. (Later, a young Springfield native tells you, "If you swam in it, your arm would stick to your body; it's like glue.")

Like an ugly Rorschach blotch, the Springfield area population stains the valley, moving higher into the nearby hills and clinging there for air and view.

It is then you know the valley is in danger. You know that its size can't save it. Its beauty will kill it as soon as its bloodstream is pure again. The unplanned growth below you is proof that it always has been a pushover for fast-talking industrialists and land developers.

You think of the pizza slums of coastal Maine on the "scenic route" from Kittery to Kennebunk and the overlove lavished on large parts of Cape Cod, and you remember how beautiful these places once were. Then you know better than to underestimate the despoliation power of unchecked tourist affection, of unplanned development that allows otherwise sensible Yankees to plunder their own pride—their village commons and front yards, their own seaward views, their own white-painted piazzas.

To thwart such inevitable esthetic suicide, Senator Abraham Ribicoff three years ago began to campaign to save the river from itself. Last September, as a result of Ribicoff's efforts, the U.S. Bureau of Outdoor Recreation published a 92-page report, "New England Heritage," which had taken 22 months to prepare. It proposes a National Recreation Area for the river, with three new national parks. Two—one at the mouth of the river, and the other a few miles north of Holyoke—are to be in or near densely populated areas. The third site, despite its beauty, has very little population and negligible tourism—so far. It is in northern New Hampshire and Vermont, running for 82 miles along both sides of the river, almost to the Canadian border.

Other recommended Federal action includes the construction of about 200 miles of forest trail linked in two spots with the existing Appalachian Trail—near Hanover, N.H., and in New Hampshire's Presidential Range. In addition, the report proposes the delineating of certain existing river-valley roads in the four states as part of a "Connecticut Valley Tourway" which "would wind through country villages of great charm, across sparkling streams and picturesque coves, past many schools, including several of the nation's most honored colleges and universities, and near sites of considerable architectural, historic, archaeologic and geologic importance." Total estimated cost for the Federal efforts: $58 million.

Suggested state action includes the enlargement of Cockaponset State Forest in Connecticut, of the Mount Tom Reservation in Massachusetts and of state-owned forest lands in the Connecticut Lakes region of New Hampshire. In addition, the B.O.R. recommends two new state parks in Connecticut, two more in Massachusetts and two new interstate parks between New Hampshire and Vermont.

The report says that the beauty of the river "is threatened by the ever-growing appetite of Megalopolis for land and the shortsightedness of those who would fill and pollute the river."

How soon can the B.O.R. plan save the river—*if* it can? Even its most optimistic proponents know that it will be at least three years before a man with money in his hand can walk into a farmer's field to make him an offer on his land. Hearings must be held and legislation passed and eminent domain invoked when necessary.

But the report's authors hope for cooperation—a rare characteristic among Yankee landholders. They hope that individuals and corporations and town selectmen will work with state legislators and Federal officials to save the valley. Already some private conservation groups are considering the best way of merging their land holdings with the plan for the valley.

It is quite possible that the use of "scenic easement," a comparatively new and inexpensive way of preserving natural beauty, will be an efficient tool. In his latest book, "The Last Landscape," William H. Whyte, an authority on open-space conservation programs, explains that a scenic easement is the buying away from the owner of the land "his right to louse it up. . . . we acquire from the owner a guarantee that he will not put up billboards, dig away hillsides, or chop down trees; with a wetland easement, we acquire a guarantee that he will not dike or fill his marshland. Except for the restrictions, he continues to farm or use the land just as he has before; one of the main points of the easements, indeed, is to encourage him to do just that."

How costly could this be, and how possible?

Drive north on I–91. Cross from Massachusetts into Vermont. Keep to sixty. Since there is little traffic, you can drive safely at that speed and still appreciate the magnificent scenery as you shoot north up the Connecticut River Valley. Swing down along the big arc around Brattleboro. Then up again. Watch now.

Here comes one of the greatest views of all, sweeping for miles ahead: Vermont on your left, the river churning slowly below you on your right, and the rising wooded hills of New Hampshire above it. White paper birch and pine. Hemlock. Spruce. Clean air; clear views. Open meadows rolling along the river's edge.

Then you see them. You can't miss, for you never were intended to. The outdoor advertising people call such a place "a good shot going around a corner." And ahead of you, on the unrestricted New Hampshire side of the river—at the end of one of the best "shots" in the world—are half a dozen giant billboards, some of them several hundred feet long, painted bright, Day-glo orange, lighted at night.

They are prohibited on the Vermont side. New Hampshire does not care; it does not legislate against them. To many travelers, having ridden miles along a soothing, advertisement-free highway, they are an impertinent, polluting effrontery. The manager of one Vermont inn advertised there admits that he gets "two to three letters a week from garden-club types," who probably never stay in a hotel anyway. But he says he gets more complaints from guests who want more signs to direct them. He's convinced he needs that sign.

Not long ago the Hanover Inn, owned by Dartmouth College, advertised on that particular "shot," but was shamed away and gave up its space. It did no good, however, for another client bought the board and is polluting the view right now.

Yet, there is a view other than the purist's. Travelers do need directions. And such "shots" are revenue producers. A New England outdoor-advertising company has said it would pay $1,000 a year on a 10-year lease, with a 10-year option, as land rental to the farmer who own the land supporting an offensive (and effective) sign now advertising baskets in that area. It is not known what that farmer earns from land rental now—and the signs do not interfere with his haying or grazing—but it may well pay his taxes, and if he has dickered sharply with the advertising man, it could send him to Florida in the winter. That's what he can earn by lousing up the land.

The cost of a scenic easement to stop this sort of thing is clearly negotiable; in many cases landowners donate easements simply because they oppose scenic pollution, or feel that in the long run, beauty is a hard-cash salable commodity. Others hold out for as much as they can get. Already 1,200 acres of the Blue Ridge Parkway in Virginia and North Carolina, and 4,500 acres of the Natchez Trace Parkway in Tennessee, Alabama and Mississippi have been protected by scenic easements.

It is too early now to assess the attitude in the valley about the proposed National Recreation Area. Many of those who will be directly affected have not yet read the study, although the original printing of 10,000 copies was exhausted less than four weeks after the plan was announced.

Committed conservationists support the plan with eagerness, especially in Connecticut where population pressure is greatest. Joseph N. Gill, State Commissioner of Agriculture and Natural Resources, says, "You can't make a mistake in buying land to preserve it for beauty and conservation. It can always be sold later, but after it's bulldozed, it can't be returned to what it was."

Valley residents in New Hampshire and Vermont, with much less population density, don't feel the pressure that exists in Connecticut and Massachusetts. Thus they are inconstant conservationists; they don't believe that Manhattanites will duplicate Manhattan in Vermont if permitted to.

All in all, the chances for a national recreation area along the Connecticut seem good. Senator Ribicoff plans to introduce enabling legislation into the Congress early in its next session. All major conservation groups and the natural-resources agencies in the four involved states support the plan.

And Connecticut will preserve the river no matter what happens in Washington. George Russell, director of administrative services in the office of the state's commissioner of agriculture and natural resources, says, "We are already filling in the spaces left open between the Federal proposals." The state plans to spend about $7 million on river land acquisition and development, and already has acquired 21 miles of the abandoned riverside Middletown-Old Sayrook line of the New Haven Railroad.

Andrew George, a real-estate agent in Colebrook, N.H., says that most north country residents in the region where one of the national parks is proposed, are totally unimpressed with the scheme. "Most feel that it'll take land from the tax base," he says, "that it'll bring in people who'll clutter up the place and won't bring money in."

The New Hampshire men now fretting about a smaller tax base are typical of taxpayers faced with Federal or state land-taking. But the problem for them is indeed minor. True, the Federal Government is unlikely to give the towns tax compensation, although it has at times in the past. But the anticipated land-taking—for boat access and campsites—along the northern stretch of the Connecticut is only 1,000 acres along 82 miles of river, Such land need not be highly taxed prime farmland or timberland. In addition, studies have shown that tax earnings from private lands near parks and preserves increase after land-taking. Potential buyers are willing to pay more when they know that the beauty of the land will be preserved because their neighbor is the state or Federal Government.

Mrs. John Hennessey Jr., of Hanover, N.H., disagrees with the plan's opponents. She is chairman of the Governor's Committee on Natural Beauty. "This proposal is here in the nick of time," she says, "and perhaps not even in the nick of time. If this doesn't happen, we'll have strip development along the river, with hot-dog stands and trailer parks and run-down boat-lunch sites and shoddy 50-cent-a-night camping spots. Unplanned development will devalue property in the whole valley."

But to know a river, you must travel on it, and perhaps the most recent experts on the whole run of the river—from the Canadian border to Long Island Sound—are 20 grade-school boys and six adults from Becket Academy in East Haddam, Conn. Last August they canoed 380 miles of the river.

For eleven miles south from Lake Francis to Canaan, Vt., they drank from the river, dipping it in their dripping hands over the sides of the canoe. Then "the muck and the sewage closed in," according to 13-year-old Michael Peters.

"We wanted to see a beautiful river," says 12-year-old Dunne Iannolillo, "but sometimes we wanted to quit because it was so ugly."

Below Groveton, N.H., one boy stepped thigh-deep in human excrement. One afternoon, after hours of paddling through dead fish and raw sewage, with toilet paper hanging from the paddles, 10 of the boys and two adults threw up. Off Norwich, Vt., they saw a beer-can dump, with thousands of cans tumbling into the water.

Off Holyoke "the yellow dye running into the river looked like vomit," according to young Iannolillo. Each day they used sand to scour the scum from their aluminum canoes. At the Middletown steam-generating plant of the Hartford Electric Light Company (which consumes 3,000 tons of coal a day) they felt the heat of the river's water on their bare knees as they knelt and paddled, and they recorded the surface temperature of the water. Above the plant, 72 degrees; at the plant's outlet, 88; a half-mile downstream, 76. At the Connecticut Yankee Atomic Power Company plant at Haddam Neck, they felt the heat again. Ninety degrees at the mouth of the plant's spillway; 88 degrees a half-mile out into the wide stream.

They counted 23 town dumps on the river, and an uncountable number of private dumps. Three of the boys, assigned to count sewers, gave up on the second day. "There were just too many; we wondered if we could count that high," says 13-year-old Mark Lavigne. They paddled around wrecked automobiles dumped into the river. A man in an airplane, even as low as 1,000 feet, or driving along the river's bank, does not often see such things.

But he also does not truly sense the essence of the beauty of the river. Sidney I. DuPont, the 27-year-old teacher who directed the trip, says that "canoeing the Connecticut is like running through a chute of wilderness. You know that roads are up on the banks, but you don't see them because of the trees between you and the roads. You almost never see anything but river and sky and forest. You rarely hear anything but birds."

The boys saw deer drinking at the river's edge. An American bald eagle hovered over them as they drifted, gawking skyward. They say pintail ducks and heron, watched muskrat and otter ripple the river as they swam nearby. In the dusk they saw beaver and heard them thunder their tails against the water in warning.

Young Mike Peters soon learned that the river is as erratic in its cleanliness as are the people living on its banks. "It flushes itself out every so far and becomes clean." he says, "just in time for another town to pollute it again." (A river cleanses itself by diluting pollutants until they are harmless and by bacterial action on biological wastes. This action robs the water of oxygen, but the river aerates itself in rapids and by absorption of oxygen at the surface of the water.)

The Connecticut is not erratic in its beauty. DuPont, who has canoed six other New England rivers besides the Connecticut, calls it "the most beautiful I've ever canoed. It's clean to Groveton and Lancaster. Then bad for 30 miles. Then it cleans itself and for about 150 miles from Wells River, Vt., to Northampton, Mass., it's swimmable. I'd swim in it. Then it's very bad from Holyoke to Windsor. After that it starts cleaning up because of the tides that reach up more than 50 miles past Hartford.

"If Holyoke, Springfield, Chicopee, Groveton and Lancaster would stop dumping, the Connecticut River everywhere would be sweet and pure," he says.

If that is all it will take to clean the river—and Christopher Percy, executive director of the Connecticut River Watershed Council in Greenfield, Mass., says that DuPont's statement "is so close to being true, leave it as it is"—then the valley can be ruined sooner than we fear. DuPont saw it at its worst, when its flow was lowest, and he was enraptured by what he saw. Other months are better.

Twelve-year-old Anthony Dickey certainly remembers the beauty of the river along with its occasional ugliness, and he's impatient. "It's like killing the United States to make that valley ugly," he says. "Everybody should do something!"

True, everybody should, but will they? Everybody never has before. Indeed, why should they if doing something will cut off land rentals for giant billboards, or keep the bulldozers off the hillsides?

On the other hand, if little Mike Peters is right, there's a good reason to save the beauty of the Connecticut. "A river," he says softly, as he remembers his canoe trip, "a river forms life. It provides peace. It's life running along."

THE 19TH OLYMPIAD

Mr. MANSFIELD. Mr. President, the 19th Olympic games, held in Mexico City last October, are history. In terms of sheer size and record-shattering performances, the 1968 games were spectacular. More than 7,500 athletes from 112 nations competed at an altitude which was unprecedented for an athletic event of this stature.

Our American Olympic team performed magnificently. Every fifth medal was awarded to an American athlete. But other nations did well, too, including host Mexico with nine medals, a record for that country.

Despite dire predictions about the effects of the rarefied air of Mexico City, tragedy was averted, records fell, and glory accrued to those who shared in the 526 total medals awarded. In a larger sense, glory accrued to the host nation for assuring that the dire predictions were ill founded.

Mexico spared no effort to make the 1968 Olympic games the most successful ever. Shirley Povich, the respected sportswriter for the Washington Post, wrote:

> Mexico topped Tokyo, Rome and every other Olympic site for beauty of its installations and friendliness toward visitors.

I salute President Diaz Ordaz, his Olympic committee, and the people of Mexico for their achievement, and I ask consent that several articles describing the Olympic games be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES FINISHES WITH 107 MEDALS—80,000 WATCH OLYMPICS CLOSE

MEXICO CITY, October 27.—The controversy-riddled 1968 Olympic Games closed tonight with a burst of color and pageantry before a sombrero-waving crowd chanting college-style yells.

More than 80,000 jubilant fans, chanting "Mexico, Mexico, Mexico," saluted the flags and athletes of 112 nations at the finish of a record-shattering 15 days of athletic competition on this 1½-mile-high plateau of the ancient Aztec world.

To the strains of "Las Golondrinas," a traditional Mexican song of farewell, the Olympic flame atop the Olympic Stadium was extinguished and the giant scoreboard flashed "Munich 72" in tribute to the next Olympics.

For the United States, the games marked a return to the top position in amateur sports. After trailing Russia in total medals won for three straight Olympiads, the Americans regained the unofficial—but much-coveted—over-all team championship.

The U.S. collected 107 medals, including 45 gold. Russia, dropping to second place, won 91 medals, including 29 gold. The U.S. total was the highest ever for one nation in one Olympiad.

FINAL MEDALS

	Gold	Silver	Bronze	Total
United States	45	28	34	107
Russia	29	32	30	91
Hungary	10	10	12	32
Japan	11	7	7	25
East Germany	9	9	7	25
West Germany	5	10	10	25
Poland	5	2	11	18
Australia	5	7	5	17
Italy	3	4	9	16
France	7	3	5	15
Rumania	4	6	5	15
Czechoslovakia	7	2	4	13
Great Britain	5	5	3	13
Kenya	3	4	2	9
Mexico	3	3	3	9
Bulgaria	2	4	3	9
Yugoslavia	3	3	2	8
Denmark	1	4	3	8
Netherlands	3	3	1	7
Iran	2	1	2	5
Canada	1	3	1	5
Switzerland	0	1	4	5
Sweden	2	1	1	4
Finland	1	2	1	4
Cuba	0	4	0	4
Austria	0	2	2	4
Mongolia	0	1	3	4
New Zealand	1	0	2	3
Brazil	0	1	2	3
Turkey	2	0	0	2
Ethiopia	1	1	0	2
Norway	1	1	0	2
Tunisia	1	0	1	2
Belgium	0	1	1	2
South Korea	0	1	1	2
Uganda	0	1	1	2
Argentina	0	0	2	2
Pakistan	1	0	0	1
Venezuela	1	0	0	1
Cameroon	0	1	0	1
Jamaica	0	1	0	1
Greece	0	0	1	1
India	0	0	1	1
Taiwan	0	0	1	1

Athletes from all around the globe broke ranks and spread toward the stands at the end of tonight's closing ceremonies.

Blacks and whites, some of them in flowing African robes and others in natty sports attire, rushed toward the stands, waving hats and raising their hands in friendly salutes.

Moment's earlier, Avery Brundage, 81-year-old president of the International Olympic Committee, had stood on a small stand in the center of the infield to proclaim the end of the 19th Olympiad and summon the athletes of the world to meet in the German city in 1972.

At the conclusion of the final parade, students and gaily dressed Olympic hostesses poured from the stands to join athletes in striding arm and arm around the infield.

It was an emotional sight, one in marked contrast to bloody incidents prior to the Games when rebellious students clashed with government forces in riots which caused scores of deaths, hundreds of injuries and thousands of arrests.

There had been fear that similar riots might disrupt the competition among more than 7500 athletes, but the threat never materialized.

The U.S. delegation for the closing was a stunning one—seven athletes who won here a total of 12 gold medals.

Carrying the U.S. flag in the parade around the running track of the stadium was Al Oerter of West Islip, N.Y., who won the men's discus throw—thus becoming the first athlete in Olympic history to win the same event in four stright Olympiads.

Marching in the parade of athletes were Wyomia Tyrus of Griffin, Ga., winner of gold medals in the women's 100-meter dash and women's 400-meter relay; Debbie Meyer of Sacramento, Calif., winner of three individual gold medals in swimming; Charles Hickcox of Phoenix, Ariz., winner of three gold medals in swimming; Army Lt. Gary Anderson of Axtell, Neb., gold medalist in free rifle shooting; Army Lt. Mike Silliman of Louisville, Ky., member of the unbeaten U.S. basketball team, and George Foreman of Pleasanton, Calif., who capped the whole show for the U.S. Saturday night by technically knocking out a Russian rival to win the heavyweight boxing title.

MARKED BY CONTROVERSY

The Games had been marked by controversy almost since the time they were awarded to Mexico. There were dire predictions that Mexico City's 7350-foot elevation would prove disastrous to athletes and produce sub-par performances.

There were no fatalities, although there were many exhaustion cases. And never before have so many world marks fallen in one Game—no less than nine in men's track and field and six in women's, and one tied in each. Five world marks fell in swimming.

For the U.S., the Games were marked by the outbreak of a racial dispute, triggered when medal-winning runners Tommie Smith and John Carlos gave a black-power gesture during the medals ceremony. Smith and Carlos were subsequently dropped from the U.S. team.

America's swift track men, its youthful swimmers and its basketball team were the stars in the collection of its 107 medals. The swimming team alone won 23 gold medals.

Russia, with its huge team of 401 athletes, simply was no match for the Americans and suffered one of its most disappointing performances since entering Olympic competition in 1952.

The Russians' medals were earned largely in gymnastics, boxing and canoeing, and their women failed to win a single gold medal in track and field and their track men fell below the medal collection of little Kenya, which won nine.

The final competition ended shortly before the closing ceremonies and in it Canada won its only gold medal of the Games as Jim Elder led the Maple Leaf team to victory in the Grand Prix equestrian event.

The Canadians, not included among the favored teams when the competition opened, scored 102.75 points to win from France, 110.50, and West Germany, 117.25. The U.S. lost the bronze medal by a mere 0.25 point.

The Canadian team was made up of Elder, who rode The Immigrant, Jim Day, on Canadian Club, and Tom Gayford, on Big Dee.

HARRIS WINS BOXING TITLE

The 19-year-old Foreman's victory over Russia's Ionas Chepulis for the heavyweight boxing title came shortly before midnight Saturday and gave the U.S. its fifth gold medal of the final full day of competition in the Games.

Earlier, Ronnie Harris of Canton, Ohio, decisioned Jozef Grudzien of Poland to take the lightweight title. The third U.S. finalist in boxing, Al Robinson of Oakland, Calif., was disqualified for butting in the second round and Mexico's Antonio Roldan, bleeding from a cut over one eye, was awarded the featherweight gold medal.

Robinson won an appeal today and was awarded the silver medal which had been withheld because of his disqualification.

THREE SWIMMING VICTORIES

The other three U.S. gold medals were won by the swimming team. Michael Burton of Carmichael, Calif., set an Olympic record of 17:01.7 in winning the men's 1500-meter freestyle from teammate John Kinsella of Oak Brook, Ill., and two U.S. relay teams won in record time.

The men's 400-meter medley team of Hickcox, Don McKenzie, Doug Russell and Ken Walsh turned in a world record 3:54.9 in beating the former record-holding East German team.

The women's 400-meter freestyle team won in 4:03.5 for an Olympic record. Swimming for the U.S. were Jane Barkman, Lin. Gustavson, Sue Pederson and Jan Henne.

[From the Washington Star, Oct. 8, 1968]

ON TO MEXICO—THE 19TH OLYMPIC GAMES

(By Ben F. Carruthers)

Mexico this season presents a panorama so extensive, so varied and wide ranging that an encompassing view becomes a most worthwhile effort for all who are interested in travel. For this reason, we have decided to glimpse this ever-changing picture in two installments. First we offer the story of the XIX Olympiad, October 12–27, in Mexico City and other important parts of the country, where this year in addition to the well-publicized athletic events, the cultural Olympics will be restored to the prominent position it held during the original games.

Despite the world's troubles immediately preceding the opening ceremony (held on the 476th Anniversary of the landing of Columbus), universal attention was drawn on August 23 to the rekindling of the Olympic flame from the sun's rays at Olympia in ancient Greece, site of the original Olympic games. Thereafter, the flame made a 7,000 mile journey by land and sea via Italy, Spain and the Canary Islands to Mexico. Thousands of swift Mexican runners, after receiving the flame at Vera Cruz, followed the path of Hernán Cortes westward by relays 400 miles or more over the mountains up to the Valley of Mexico, 7,500 feet above sea level, to kindle the torch at the Olympic Stadium in Mexico City. Now aflame there, the torch will burn until the closing ceremony of the athletic competition October 27.

Drawing upon the riches of her 10,000-year-old civilization, Mexico provided a uniquely dramatic note to the pre-inaugural. Before moving on to the Olympic Stadium at the National University of Mexico, a magnificent ceremony was arranged at the ancient city of Teotihuacán, where the majestic Pyramids of the Sun and Moon, predating Aztec times, preside over impressive archeological excavations rivaling anything in Greece.

Teotihuacán was illuminated for the Aztec Ceremony of the New Fire in accordance with the Aztec calendar, dividing time into 52-year cycles. A brilliant mass pageant was arranged recapturing the grandeur of Mexico before the advent of the Spanish conquerors.

Amalia Hernández, director of the world-famous Ballet Folklórico de Mexico, organized this spectacle in the Plaze de la Luna facing the Pyramid of the Moon. A thousand dancers, flanked by impersonators of the principal gods of Aztec mythology, performed from sundown until the arrival of the Olympic flame from the east. Quetzalcoatl, god of the dawn (whose symbol is the feathered serpent), Tlaloc, god of rain, and Huehueteotl, god of old age, richly garbed and accompanied by imposing retinues, presided over the ceremonies from the summits of the Pyramids of the Sun and Moon.

Mexicans view the Olympics as a symbol of international, interracial and intercultural cooperation among all men. In this spirit they willingly agreed to exclude racist South Africa despite her promises to integrate her Olympic team racially and abide by the nondiscriminatory policies of the Olympics and of the host country. Moreover, Mexico withheld visas from Rhodesians on the same ground. As a nation which has largely overcome race prejudice, Mexico hopes that her Olympic guests, athletes and spectators will obey the "house rules." The entire organizing and planning of the 1968 Olympics has been in the capable hands of the Organizing Committee of the Games of the XIX Olympics, whose president is the noted Mexican architect, Pedro Ramirez Vazquez.

The Olympics will draw some 8,000 participants from 119 countries, 25 nations more than ever before attended the games. The competitors, their trainers, officials and press representatives will be housed in a brand-new, high-rise Olympic Village on the outskirts of the metropolis. The canny Mexicans built this Village so that it may be converted into apartments immediately after the Olympics and there are no doubt several thousand would-be permanent occupants on the waiting list already.

Understandably proud of having been appointed as host to the Olympics, Mexico has gone all-out in new construction, placing the universally-recognized talents of her leading architects, muralists and sculptors at the service of the great occasion. Everyone who has visited Mexico knows that there are few countries in the world which have made greater contributions to the plastic arts over the past quarter-century.

Building a World's Fair could hardly have been more ambitious than the work which went forward in Mexico for the Olympics. But apparently, even this was not enough. Mexico City, now second city of the Hemisphere, with more than six million inhabitants, is also constructing a huge new subway system and will open the first line next July—a ten-mile stretch from the International Airport to the Avenida Chapultepec "midtown." The authorities entrusted this construction to the engineering geniuses who constructed Montreal's magnificent new subway, a model for the world, where the trains run on rubber tires! In Mexico, however, there are many more problems since the entire city sits on a lake bed of mud and porous rock. Gigantic metal tubes, reinforced all around, will contain the tracks and stations and even permit trains to reach speeds of fifty miles per hour.

But the soft lake bed is not the only construction difficulty. Modern Mexico City sits above half-a-dozen previous metropolises including the great Aztec capital of Tenochtitlán which Hernán Cortes conquered early in the Sixteenth Century for the King of Spain. Subway excavation is proceeding with great regard for possible archeological discoveries and an electronic gadget has been used ahead of drills and earth-movers to detect metal and stone artifacts and other remnants of previous civilizations. The result has been warehouses filled with choice examples of these great Indian civilizations, some of which will become prize exhibits in the country's archeological museum, already the world's greatest.

The new Olympic installations—ranging from Mexico City to Acapulco where sailing competition will take place—are modern and commodious, fully equipped with the latest in telecommunications and electronics. The Olympic Stadium, where track and field events will be held, now seats 80,000 and is equipped with an ultra-modern lighting system for night events.

Soccer, the most popular sport of Europe and Latin America, and now fast growing in the United States, will be played at gigantic Aztec Stadium which seats 106,175! This magnificent creation is some three miles from Olympic Village and one of its most remarkable features is a drainage system so efficient that the field may be used one minute after a heavy downpour!

Although numerous track and field records are as a rule established at each succeeding Olympics, it is doubtful that many new marks will be set in Mexico City because of the high altitude, which is difficult for many ordinary people but perhaps also somewhat inhibiting to athletes, especially those who come from lowlands. For this reason, some of the leading contenders for Olympic medals have been training for months at comparable altitudes in their home countries. Members of the United States team, for example, have been spending a good deal of training time on the slopes of the Rockies so as to accustom their metabolisms to the Mexican heights.

On the other hand, the altitude should present no problem to such athletes as Abebe Bikila of Ethiopia, record-holder, and gold medal winner for the grueling marathon event in both the 1960 and 1964 Olympics.

This will be the third time the modern Olympic Games have been held in the western hemisphere and the first time they have been held in Latin America.

When she was named host country for 1968, Mexico decided to restore the cultural Olympics to the prominent place they held in ancient Greece alongside the athletic events. Accordingly, 31 countries accepted invitations to participate by sending representatives of their best in the lively and plastic arts. The total number of events listed is 145 ranging from nine classical ballet companies from around the world to three internationally known jazz combos. Most of these events are taking place in the Palacio de Bellas Artes, a building repleat with Mexican marble and onyx, which opened its doors in 1934 as one of the world's most ornate opera houses.

The auditorium of Bellas Artes is in such demand for use that performances are frequently given several times each day. On Sundays, for example, Mexico's own Ballet Folklórico frequently performs at 9 a.m., noon and in the evening. Fortunately, there are two companies. One is usually in residence while the other travels throughout the world. Offshoots of this successful venture, the Ballet of the Five Continents and the Ballet of the Americas also give performances at Bellas Artes.

Aside from Bellas Artes, numerous other auditoriums have been taken over for cultural events related to the Olympics. Aside from the classical ballet and jazz combo events, the season will have included the following: four opera companies including the Berlin Opera; seven symphony orchestras including the famous Hall's Orchestra from Britain, and the Paris Symphony; ten chamber ensembles including Moscow and Brussels aggregations; eight modern ballet companies (Martha Graham, Merc Cunningham, Maurice Béjart, etc.), eleven folkloric dance groups including eminent representations from the Philippines, Spain, Yugoslavia, Rumania and Argentina; thirteen theatrical groups from Japan, France, Greece, Germany, Britain and other countries, as well as Mexico herself.

Plastic arts from the United States, Ecuador, Bolivia, France, Great Britain, Cuba, Central America, Argentina, Japan, Yugoslavia, Italy, Peru and many other countries will also have been displayed during the latter half of 1968.

Aeronaves de Mexico, the Mexican national airline, is the official international carrier for the XIX Olympics. It has up-to-the-minute DC–8 and DC–9 equipment; flies from Los Angeles, Tucson and Phoenix from the western U.S.; from Houston, Detroit, Miami and New York farther east. Within the country it provides service to most of the important cities with frequent efficient service to such important tourist destinations as Acapulco and Guadalajara, besides service to many international points. The line maintains information and booking offices in the United States, in Boston, Detroit, El Paso, Hartford, Houston, Los Angeles, Miami, Newark, Phoenix, San Diego and San Francisco.

Few cities in the world have developed as many new hostelries as has Mexico City over the past 15 years. One of the most popular is the Continental Hilton at the corner of Paseo de la Reforma and Insurgentes Avenue. In Guadalajara there is a sister Hilton. Both have excellent cuisines, shopping facilities and rooftop nightclubs or "Belvederes" affording splendid views of the two cities. We have been guests at both and recommend them highly.

The next article will deal with Mexico's attractions other than the current Olympiad and give special attention to Mexico City and Guadalajara.

[From the New York Times, Oct. 8, 1968]

AT THE OLYMPIC VILLAGE

(By Arthur Daley)

MEXICO CITY, October 7.—The bus was filled with athletes as it made ready to take off from the enclave of the Olympic Village. Through the open windows came the haunting beat of drums and the plaintive wail of musical instruments, unfamiliar but giving rhythmic pleasure to the ear. Feet had to respond and so there was dancing in the aisles.

Gleaming smiles of the Africans aboard the bus shone as brightly as the Mexican sunlight and happy hearts responded with song. This was only a fragment of the many joyous scenes that seem to give a new significance to both the idea of an Olympic Village and to the Olympic movement that sponsored such a scheme for fostering amity among nations, athletic division. The United Nations should do even a fraction as well.

Scores of athletes frolicked in the swimming pool in the center of the recreational area that gives this Olympic Village something of a country club look. Hundreds more were sun bathing, including a few damsels in rather discreet bikinis. Thousands of local citizens streamed through on rubbernecking tours, gawking in wonderment at the kaleidoscopic display that flashed constantly before their eyes. Muscular young men paraded past in varicolored pullovers, the identity of each country lettered on the back.

NO INTERPRETERS

Some needed translation because countries do not necessarily follow an American—or even a Mexican—geography book or spelling. Some were as we were taught in school—Korea, Thailand, Israel, Ethiopia, Afghanistan, Uganda and so many others. But Suisse is Switzerland, Norge is Norway, R.A.U. is Egypt, Suomi is Finland, Turkiye is Turkey, Polska is Poland, CCCP is the Soviet Union and CSSR is Czechoslovakia. The Czechs by the way looked right through the Russians and never saw them.

This international sports festival is monstrous in its expanse and these are particularly light-hearted days, marked by camaraderie and the friendly mixing of the athletes of many nations. The tension will not start mounting for the competitors until Saturday's opening ceremonies approach.

If nothing else, those who criticized the award of these Olympics to Mexico City have been silent. The organizing committee here has done a magnificent job.

"These may be the finest facilities ever," said Douglas Roby, president of the United States Olympic Committee and also a member of the International Olympic Committee.

"I'd been to 13 Olympics," said Dan Ferris, the patriarch of amateur sports, "and I don't think I've seen anything to match the job the Mexicans have done."

When I saw the Olympic Village last November, the housing units were concrete shells, still struggling to rise from desolate piles of earth. Now they are sleek, handsome apartment buildings that will become middle-class condominums, so attractive that every one already has been sold.

Of all the Olympic Villages I have seen over the years, this is the most compact and perhaps the most artfully landscaped. It doesn't have the bus service that facilitated movement within the walls as was the case at Tokyo and Rome. But that's a minor complaint. Security soon will be tightened, now that there are so many more athletes and journalists.

THE WRONG CARD

Yesterday, for instance, I arrived with another typewriter pounder. He flashed his green identity folder at the guardian of the portals. Mine was inside my wallet. The only thing I had showing was a baseball writer's card. He glanced superficially at it.

"Hokay," he said, waving us in.

Tens of thousands of Mexicans wait patiently outside every day, standing in line for the escorted tours. There is pride of achievement in every face. And rightly so. But the traffic jams in the vicinity of the village are appalling. One shudders to think what it will be at the Olympic stadium when the games begin. At the moment, Mexico City is totally serene—except for the highways.

Before the Tokyo Olympics the police made a deal with the gangsters and established a truce for the duration. The Mexican police are less trusting. They've rounded up every known pickpocket they could find and clamped the light-fingered gentry into the jug.

[From the New York Times, Oct. 8, 1968]

U.S. TEAM WELCOMED TO OLYMPIC CITY IN FLAG-RAISING RITES—THREE OTHER NATIONS JOIN IN CEREMONY—DELEGATIONS FROM BURMA, COSTA RICA, HONG KONG LIFT NUMBER IN MEXICO TO 102

(By Joseph M. Sheehan)

MEXICO CITY, October 7.—Three hundred brightly caparisoned United States athletes and officials stood proudly erect this morning in the Plaza de las Banderas at the Olympic Village as the Stars and Stripes was raised.

In a stirring, colorful ceremony signalizing their official presence here for the games of the 19th Olympiad, the delegations of Burma Costa Rica and Hong Kong also hoisted their flags.

Today's four additions brought to 102 the number of national banners flying from the lofty white flagpoles that encircle the verdant plaza atop a rocky plateau that overlooks the eye-catching attractions of Mexico City's superbly equipped Olympic Village.

United States Ambassador to Mexico Fulton Freeman and Douglas F. Roby, the president of the United States Olympic Committee, collaborated in hauling up the United States flag hand-over-hand, as a Mexican army band played "The Star-Spangled Banner."

During the flag-raising, the entire United States squad, with subdued voices that brimmed with prideful emotion, sang the National Anthem. Bystanders, who had witnessed the previous flag-raising ceremonies here, said no other team had sung its anthem.

AMBASSADOR GREETS SQUAD

Then, after accepting the official bienvenidoes (welcomes) of Francisco Javier Miranda, the governor of the Olympic Village, Roby and Ambassador Freeman addressed the American squad.

Said Roby: "We are proud of this team. We feel confident that we have, for these Olympics, the finest team we have ever organized."

Ambassador Freeman told the American team, "individual prowess is important but team spirit is even more important. I urge you to make one for all and all for one your team motto."

The United States contingent assembled in military array just outside the modernistic administration building at the village's main entrance and, four abreast, marched the quarter mile to the Plaza de las Banderas.

Julian K. (Dooley) Roosevelt of Center Island, L.I., the treasurer of the United States Olympic Committee, led the parade, which was organized by Col. Donald Miller, the United States' Army's representative on the committee.

The girl members of the team, strikingly attractive in bright red jackets, white collarless blouses, royal blue skirts and white pumps, led the march. The men, in blue ties, glen plaid lightweight slacks and black loafers, followed.

The bright Mexican sun was no brighter than the happy smiles of the athletes who, for the most part, were on the threshold of the most meaningful experience of their young lives.

There was a few absentees among the athletes but they indicated dedication to do a job here rather than lack of interest in the niceties of Olympic protocol. For example the basketball team, which arrived yesterday, was eager to get to work and had a conflicting workout scheduled. So did the oarsmen, who have been working out regularly mornings at the distant course of Xochimilco.

The United States team will be complete with the arrival of the contingent by chartered jet from Denver tomorrow afternoon.

Meanwhile, in downtown Mexico City, the International Olympics Committee opened a scheduled pregames meeting. Before a large audience in the National Auditorium, which included President Gustavo Diaz Ordaz of Mexico, Avery Brundage of Chicago, the embattled 81-year-old I.O.C. president, made a ringing defense of the Olympic movement.

"The I.O.C. may be undemocratic." Brundage said, "but its members, pledged to the Olympic ideal above their own countries, have conducted the games with greater success each time.

"Many of our problems are the result of our own success," he added, citing that "many of the problems of the world have been dumped on the doorstep of the Olympic movement."

He specifically mentioned China, Germany, Korea and Vietnam, divided countries in which disputes have long raged over Olympic representation.

MEXICO SHOWS HER MUSCLE IN CULTURAL OLYMPICS

(By Jack McDonald)

MEXICO CITY.—You may come for the 19th Olympiad and stay for the cultural events.

After you've descended from one of the 105,000 seats in the Olympic Stadium, there are 20 cultural festivals to lure you—concerts, folklorica ballets, art exhibitions, theater, sculpture, basket-weaving, poetry recitals, parades, dancing in the streets and—hold onto your rockets—nuclear and space exhibits.

Mexico is the first Latin-American country to stage the Olympics. As host, she will conduct cultural events on a broader scale than any since the Games were revived in 1896. So much emphasis is being put on culture and youth, that some sports purists already are complaining that Mexican newspapers are giving culture more space than athletics.

A TRADITION

But the Organizing Committee, headed by Pedro Ramiro Vasquez, an architect who designed the huge Azteca soccer stadium, as well as the magnificent Anthropological Museum here, counters that the very founder of the modern Olympics, Pierre de Coubterin, the Frenchman, always contended the Games were not only for development of muscular strength but also for the education of youth in moral, intellectual and artistic fields.

So Mexico is thinking culture more than sports. Cultural events, with emphasis on youth and folklore, can be seen many places during the Games—in Chapultepec Park, the plazas, the opera house, the National University auditoriums, concert halls, on parade grounds of the Zocalo and even in the streets.

You'll not see such headlines as "U.S. Nabs Gold Medal in Poetry." Nor "Mexico Cops First Place in Ballet and Basket-Weaving." No prizes or medals are awarded in the cultural division.

U.S. EVENTS

The U.S. will participate in all 20 cultural events. American folklore, from New Orleans jazz to Eskimo dancing, will be presented in city parks and concert halls. Everything from Appalachian mountain clog dancing to "soul music" will be staged.

Which of the 20 cultural events will be

the most outstanding? This depends on your line, but it could be the Folklorica ballet. By temperament and tradition, Mexicans excel in this. A recent Olympics preview in Colima, produced and enacted by university students in a city of only about 100,000, saw ballet with a professional touch.

Each competing country of the more than 100 in the Olympics is sending fine art works as well as athletes to Mexico City. International sculptors have fashioned themes based on youth. The cultural aspect has brought a daily rash of artistic creations—hymns, poems, drawings, sculptures—monuments to youth and handicraft.

The festival of the Masses, part of the cultural program, will be staged in the Zocalo Plaza and will include a folklorica parade, costumes and music, a tableau with 1000 children and flags. Senora Rosa Reyna, the choreographer, is with Ballet Folklorica and she collaborated with Josefina la Valle, director of the Mexican dancing company on this pageant.

Mexicans believe their country's prestige as a modern nation is at stake. "If we are successful it will be because everyone connected with these cultural events has treated them with a sense of patriotic mission," says Vasquez.

One event in the cultural program will be the International Reunion of Poets. Robert Lowell, American, one of the 11 most noted modern poets has written one on the theme of international brotherhood and better understanding between nations. He will recite it in the National University Auditorium.

For the Ballet of the Five Continents, choreographer Alven Ailey has created a series of dances to traditional American Negro music.

There will be an Internation Festival of Sculpture in which Todd Williams will join with 17 other internationally famed sculptors, one of whom, Alexander Calder, designed a 70-foot-high steel structure named "Red Sun," which will be on display in Azteca Stadium.

The International Exhibit of Modern Art will display traditional and contemporary crafts of North American Indians—ceramics, sculpture, painting, jewelry and textiles.

Carrying out the youth theme, the Festival of Children's Painting will be held in Chapultepec Park. The Children's Art Gallery of New York is organizing U.S. participation in this event. Children from all over the U.S. competed. The best murals will be chosen and four children will be selected to come here for the showings.

The Martha Graham dance company leads an impressive list of concerts, art exhibits and dance recitals. Other headliners include Duke Ellington's orchestra and the Merce Cunningham dance company.

Rounding out U.S. participation will be an Apollo space capsule and an exhibition by the John F. Kennedy Center for the Performing Arts. Project Plowshare will show how nuclear energy can be used in mining and the construction of harbors and canals. The Exhibit of Space Research will be extensively illustrated by the U.S. Space Administration. Models of the Ranger, Mariner, Surveyor and Tiros will be shown, with American astronauts giving lectures.

[From the New York Times, Oct. 27, 1968]

ALTITUDE HAD LITTLE EFFECT ON OLYMPIC COMPETITION

(By Joseph M. Sheehan)

MEXICO CITY, October 26.—Now that the Games of the XIX Olympiad are about to end, what effect did Mexico City's high altitude (7,350 feet) have on athletes and their performances?

Even the viewers with alarm, who made dire predictions before the Games opened that competing so high above sea level would cause permanent damage to the health of many athletes, left here convinced that was not the case.

As to performances, they generally exceeded expectations, although the also-expected drop below normal levels occurred in the longer races and in events calling for continuing sustained maximum effort.

At Olympic Village today, Dr. Daniel Hanley of Bowdoin College in Brunswick, Me., the head physician of the United States team, paused in the job of packing his tons of equipment for shipment home and discussed the effects of altitude.

"There is not a shred of evidence that the altitude had any harmful after-effects on the athletes from all the nations who had participated here," he said. "Nor was any expected because we had researched this subject most carefully, starting as far back as 1964.

"Performances, we thought, were generally good. Who, for instance, ever would have dreamed that a man would long jump 29 feet 2½ inches here, as Bob Beamon did? And there was a bonus value in Kipchoge Keino's Olympic record of 3:34.9 in the 1,500 meters. That was one mark we thought would be unreachable.

"Our studies led us to conclude that at this altitude continuous maximum effort could not be sustained for a greater period than two minutes.

"Keino surprised us on that point. But the fact that he comes from Kenya and trains and lives the year round in high altitudes unquestionably had much to do with it.

"There's no doubt that athletes accustomed to high altitude had an advantage and that athletes from sea-level countries performed below their best capabilities in the distance events in both track and swimming, and particularly in rowing, which is the hardest test of all, because of no letup.

"The reason for this is that at this altitude they couldn't take in enough oxygen to fuel the glycogen (sugar) that makes their muscles work in sustained effort events.

"But with a high carbohydrate diet, good conditioning and acclimatization such as we had in our four weeks of pre-Olympic high-altitude training, no athlete had any reason to fear competing here. The reasons for so doing, were psychological rather than physical.

"We had perhaps a few more than the usual number of minor ailments. But that was attributable to other reasons than the altitude, I feel, we get that at Bowdoin and, in fact at any college, when the students get back in the fall.

"Viruses from New Jersey, Arizona, Alabama, California and wherever get to intermingling and get to affect systems that have not had a chance to develop immunity to them back home.

"It's the same thing here at the Olympic Village on a vastly larger scale. You can't expect to bring together thousands of people from more than 100 countries and not have a lot of colds, stomach disorders and the like.

"But all things considered, altitude was even less of a problem than anticipated."

[From the New York Post, Oct. 30, 1968]

WORD TO THE WISE

(By Gene Ward)

Hasta Luego . . . Arriverderci . . . Au Revoir . . . So Long, Mexico City, Oct. 29.

The Athletes of the world are saying goodbye to each other and to Mexico in a hundred different languages here today, and the Greatest Olympiad of all time now becomes just a memory.

But it is a memory which Mexico and its people will carry forever. The Olympic Games have left an indelible mark on the emerging nation. What Mexico and its people accomplished gives them a massive shot of confidence for the future.

Records were shattered right and left, and not only in the competitive events. The architectural splendor and imagination of the arenas, stadia and other facilities had to be a record. The city's muy magnifico decorations, especially those the length and breadth of Paseo de La Reforma . . . The vivid, warm colors . . . and the friendliness of the people . . . those, too, had to be Olympic records.

I'm certain that traffic jams shattered all Olympic standards, and I'm equally certain that never in the history of the Olympics has there been an emotional jamboree such as the one Mexican youth put on after Sunday's ceremony which marked the end of the games.

GAYETY SPILLED OVER INTO OLYMPIC VILLAGE

That's what touched it off, the grand finale at Estadio Olimpico. It spilled over into the Olympic Village and wended its way the length of the Reforma. Grizzled journalists, some of them veterans of the V-E Day celebration in London, stood on the sidewalks and gawked at the show which went on all night.

It was youth rioting, but friendly, boisterous rioting. Traffic was snarled all over the downtown area as thousands rode the streets in cars, on the hoods of cars and hanging on the backs of cars.

The motif of the clamorous night was the cheer—"Me-hi-co"—followed by three honks on the horn in the same cadence, as the three syllables of the cheer.

Early in the morning, the reveling horde poured into the Olympic Village, where the athletes were housed, and cheered them with a huge "serenata," with the singing and playing of "Las Mananitas," the nation's birthday serenade.

In the land of fiesta, these Olympics were the biggest fiesta of all time, and what a finish.

In a re-appraisal of the games, the U.S. team emerged as the most successful in a "no contest." The Soviet track and field contingent came up the biggest flop, even being out-medaled by Kenya's gallant 15-man crew.

The Best Male Athlete: Our own Charley Hickcox of Phoenix, Ariz., with three golds and a silver in swimming, plus a share of a world record.

VERA'S 4 MEDALS AND WEDDING RING

The Best Female Athlete: Czech gymnast Vera Caszlavska, who won four golds and a gold wedding band. Her marriage to Josef Odlozil resulted in such a crush of spectators that the bride was forced to take refuge in a television sound truck parked outside the Cathedral in Zocalo Square. The happy couple left for Prague last night with 77 other members of the Czech delegation.

Best Individual Performance: Bob Beamon of El Paso, Tex., with a kangaroo leap of 29-feet, 2½ inches in the long jump, which completely hurdled the 28-foot area.

Most Inspired Athlete: Al Oerter, the game Long Islander, who gets hot every fourth year, when the Olympic flame is lighted. He won his fourth consecutive gold in the discus throw — (Melbourne-Rome-Tokyo-Mexico) and says he'll probably try for five in Munich in '72.

Most Frustrated Athlete: Australia's Ron Clarke, holder of 17 records and rated the world's greatest distance runner. He failed to garner a gold.

Most Vivid Memories: Our incomparable Jesse Owens, quadruple gold medal winner of the 1936 Olympics in Berlin, surrounded by Mexican youth clamoring for his autograph in Estadio Olympico almost at the very moment militants John Carlos and Smith were making their completely-out-of-place Black Power demonstration on the medal podium. And our heavyweight gold medal winner, George Foreman, pulling his own tiny American Flag from the folds of his robe and planting a kiss on his Stars and

Stripes following his TKO victory over Iones Cepulis, of Russia, at Arena Mexico.

HONORING TIBIO STARTED THE BALL ROLLING

And Mexico's first gold medalist of the Games, 17-year-old Felipe (Tibio) Munoz, surprise winner of the 200-meter breast stroke, being hoisted on the shoulers of Mexican youths who had swarmed from the stands at the emotion-packed closing ceremony.

They carried Tibio around and around the tartan running track and off into the moonlight night, their pride in him and in their country releasing itself in the explosiveness of their wild gyrations.

This, more than any other single act, was what touched off the emotional Jamboree. This, more than anything that happened in this Olympiad, gave me my greatest personal thrill. Those moments will remain etched in my memory for a long, long time.

A HOUSE NOT IN ORDER—III

Mr. PROXMIRE. Mr. President, unless we put our domestic house in order, our position as the leading world power will be seriously diminished. We tolerate racial discrimination against blacks in a world community in which whites are a distinct minority. We live in a land in which we have a surplus of food but have not discovered the way to share the benefits with the poor. A century ago Disraeli warned that England was becoming two nations—one rich and one poor. Today the National Advisory Commission on Civil Disorders warns us, "two societies, one black and one white—separate and unequal."

This is not to say that no progress has been made. We have done much in the enactment of laws that govern education, jobs, housing, and civil rights, especially in the past few years. The world community has looked to us for leadership. But it is because of the high expectations aroused by these achievements that the world community cannot understand our failure to deal with the problems of our own society on the grand scale appropriate to our size and capacity.

Our action on United Nations Conventions to implement the noble principles written into the Universal Declaration of Human Rights has been negligible. Far from setting an example appropriate to a nation that proclaimed its own Bill of Rights nearly two centuries ago, the United States has ratified only two of more than 20 major human rights conventions adopted by the U.N. and its agencies. And, ratification of these two—concerning slavery and refugees—was completed within the last 3 months.

While we must meet our foreign policy priorities, we must recognize that the highest priority of all is that we improve our domestic society. We must never forget the wise observation that applies so emphatically to nations: "What you are speaks so loudly, I cannot hear what you say."

RULE XXII

Mr. MONDALE. Mr. President, once again, we are engaged in our lengthy and semiannual debate over the question of the "filibuster." I must confess that as I make this brief statement, I am aware of the growing sense of frustration which has come to characterize this effort to make the Senate a more responsive legislative body. The attack on the filibuster is developing into a ritual for the beginning of every Congress—a ritual led by the same group of Senators who make the same eminently logical arguments, only to be defeated and forced to await the beginning of still another Congress.

I would hope that we could once and for all put an end to this principle of minority control and get on to the urgent business of the day. For I have the unpleasant feeling that time is not on our side and that we cannot indefinitely afford to be bound by a rule which fosters obstructionism.

This year's attempt to end the filibuster is an attempt to amend rule XXII so as to allow three-fifths of those present and voting to end debate on any measure. But before that issue can even be reached, a more basic question is presented—Can a majority of the Senate amend its rules at the beginning of a new session of Congress? Or put another way, can the proponents of the filibuster use a filibuster to keep rule XXII intact?

The advocates of change argue that a majority of the Senate must possess the right under the Constitution to adopt new rules or to amend existing rules at the beginning of a new Congress. As the distinguished senior Senator from Idaho observed, the Senate has "the same right to determine the rules which shall bind them during the next 2 years as the Senate of the first Congress had when it met in 1789, or, for that matter, the same right that the Senate exercised in 1917, which wrote the two-thirds rule that we now propose to amend."

The proponents of rule XXII, on the other hand, argue that Congress is a continuing body and that any attempt to amend the rules must be based on the rules themselves. Accordingly, if a filibuster is mounted to stop a vote on a rules change, a two-thirds cloture vote is required to bring debate to an end.

Thus, the effort to end the filibuster takes on an "Alice in Wonderland" quality, as a majority's desire to change the rule is thwarted by the rule itself. As a result, the argument over a change in the rules soon becomes an argument over the nature of the Senate; in the process, the American people soon lose sight of what is really at stake, that is, the efficacy of their legislative system.

Obviously, I am in complete agreement with my colleagues, and with two Vice Presidents, that a majority of the Senate at the beginning of a new Congress has the power to change the rules of the Senate. And with all due respect to my colleagues who believe that this position will threaten the stability of the Senate, I think that their argument is based on a "parade of imaginary horribles." When in the history of the Senate has a majority threatened to "run wild" and do grave damage to our basic institutions? Is there any evidence whatsoever that 51 Senators are any more likely to tear up the Senate rules than 67 Senators? I think not.

When we come to the specific issue as to how many Senators should be required to invoke cloture, the proponents of the filibuster conjure up the same specter of a tyrannical majority. We are told that the minority can only be protected when 67 Senators decide to end debate. But what is so sacred about the two-thirds requirement? Are 67 Senators any less tyrannical than 60 or 51?

My colleagues who oppose any change in rule XXII argue that extended debate is the hallmark of the Senate. But I do not think that the cause of full and free debate is served by a filibuster, which as we all know quickly becomes an endurance contest.

We are also told that to allow even 60 Senators to invoke cloture amounts to "gag rule". I would think that this charge would more appropriately be applied to the present state of affairs under rule XXII, where a small minority of the Senate can thwart the will of even 66 Senators. The true victims of "gag rule" are the majority of Senators who want to bring an issue to a vote but are prevented from doing so by a minority. Similarly, those who are forced to "trade off" major provisions of a bill because of the threat of a filibuster are in effect gagged by being prevented from even having their colleagues pass judgment on their proposals.

In this day and time, we simply cannot afford the luxury of such archaic procedures. With the many pressing and complex issues which are facing the country and will soon be facing the Senate, we can no longer accept the spectacle of round-the-clock "debate" by a handful of Senators to prevent an issue from even coming to a vote. The attempt by any minority of Senators to impose its will on a majority by the use of a filibuster is not justifiable.

I accept the principle that three-fifths of the Senate or even a simple majority should be allowed, at some point, to bring an issue to a vote. I am willing to take my chances and I ask the rest of my colleagues to do the same.

TAX-LOSS FARMING

Mr. McGOVERN. Mr. President, the National Farmers Union last Saturday held a seminar on tax loss and corporation farming in Des Moines, Iowa, which was attended by more than 500 farmers, small businessmen, labor and church leaders, Congressmen and Senators from 30 States.

The attendance and the unanimity of this group on the need to exclude nonfarm interests from agriculture if the family farm is to survive, and the migration from farms to cities is to be stemmed, was a considerable surprise not only to the press and public generally, but even to the sponsors of the conference.

The conference adopted a seven-point program of recommendations, headed by enactment of the Metcalf-McGovern bill which would limit the writeoff of taxable nonfarm income against farm losses by wealthy urbanites who get into agriculture to convert high-bracket urban earnings into capital gains taxable at lower levels. These tax-loss farmers are little concerned with low farm prices, for their gain is in avoiding taxes, not in profitable agriculture. I ask unanimous consent to place in the RECORD the statement and recommendations of the conference.

The keynote speech at the seminar was delivered by our able colleague, Senator Lee Metcalf, of Montana.

Last year Senator Metcalf introduced S. 4059, a bill designed to remove the inequities between legitimate farm operators and taxpayers who are more interested in farming the Internal Revenue Code than they are the land. I was one of the original cosponsors of that legislation in the 90th Congress and when the bill is reintroduced shortly, I intend to resume my efforts to get this legislation before the full Senate.

This legislation has the support of all those who are sincerely interested in the working farmers of our Nation. For example, it has been endorsed in principle by both the Farmers Union and the American Farm Bureau Federation. Last year both the Treasury and Agriculture Departments submitted reports to the Senate Finance Committee, citing the need for legislation of this type. In the House, companion legislation was introduced last session and will be reintroduced again this year.

The problem which exists is that tax accounting rules designed for actual farmers are being abused by urbanites who want to convert high-rate tax income into capital gains. The principal economic activity of these tax farmers ranges from oil exploration or motion picture production to running brokerage houses or practicing medicine. These taxpayers, both individual and corporate, acquire farms and livestock for the purpose of creating paper losses which can be used to offset large amounts of their nonfarm income.

In his speech, Senator Metcalf cites Treasury's assessment of the current situation:

> This cannot help but result in a distortion of the farm economy, especially for the ordinary farmer who depends on his farm to produce the income needed to support him and his family.

Mr. President, I think it is important for further discussion that other Senators have the benefit of the full text of Senator Metcalf's remarks on this subject. Therefore, I ask unanimous consent that his speech of January 11 be printed at this point in the Record.

There being no objection, the statement and speech were ordered to be printed in the Record, as follows:

National Seminar on Tax-Loss and Corporation Farming Statement and Recommendations

Throughout the years, family farm agriculture in the United States has proved to be a remarkably efficient system for the production of abundant supplies of food and fibre and the conservation of the nation's land and water resources.

The family farm provides, in thousands of rural communities, the economic and social basis for community life for farm families and non-farm rural people. It nourishes the vitality of a host of small business enterprises on the Main Streets of these rural villages and towns.

An alarming trend in our time is the massive invasion of agriculture by corporate and non-farm interests. There is evidence that these interests are utilizing a number of devices, including vertical integration of food production by conglomerate corporations; purchases of huge blocks of land for hedging and speculative purposes, and undermining of farm markets by price manipulation, bypassing of competitive markets, and mutually advantageous agreements with chain stores and food handlers. The manipulation of markets and the movement toward monopoly bodes ill for the consumer as well as for the farmer.

These devices are made possible and abetted by the availability of virtually unlimited capital and credit in the hands of these corporate giants; and by the provisions of tax laws which make it possible for corporations or investors who are not primarily engaged as farm operators to take advantage of tax-loss deductions on their farm operations against income produced from non-farm enterprises.

The activity of corporate and non-farm interests in agriculture has resulted in commodity market price manipulation, unrealistically high prices for farm land, and the driving of farm families off the land. These farm families are frequently forced to migrate to urban centers and into situations for which they are ill-prepared which further aggravates the explosive problems of our central cities and urban areas, including flooding of the labor market with unskilled workers.

If large corporations and non-farm interests become predominant in agriculture, the need for many Main Street businesses, schools and churches and municipal facilities will be eliminated. It will destroy jobs and opportunities for merchants, bankers and professional men. The decline of the rural community will also result in an enormous waste of existing schools, churches, hospitals and municipal facilities.

This impact on community life makes the corporation farm invasion a human, as well as an economic problem. It is a problem which demands the concern of all Americans.

ACTION RECOMMENDATIONS

We Recommend:

(1) the enactment of the Metcalf Bill which would limit the write-off of taxable non-farm income against farm losses;

(2) the enactment of federal legislation which would prevent corporations whose primary sources of income are not derived from farming, from engaging in farm production;

(3) the enactment of HR 676, introduced by Congressman Neal Smith, which would place weekly limits on the number of cattle slaughtered by meat packers from their own feedlots;

(4) the enactment of legislation similar to that introduced by Senator Gaylord Nelson which would make credit available to young farmers on a long term, low interest basis.

(5) the enactment of legislation to give farmers bargaining power as a countervailing force to the economic power of corporations;

(6) the strict enforcement of the 160-acre limitation provision in federal reclamation law and the sale of excess irrigated land held by large landowners to family farmers at reasonable prices;

(7) the enactment by state legislatures of anti-corporation farm acts which would prohibit or sharply curtail the activity of corporation in farming.

Speech by Senator Lee Metcalf Before the Seminar on Corporation Farming, Des Moines, Iowa, January 11, 1969

In the second session of the 90th Congress, I introduced S. 4059, a bill designed to remove the inequities between legitimate farm operators and taxpayers who are in the business of farming mainly because of the tax advantages that serve to put their non-farm income in a lower tax bracket. It was my announced hope then that introduction of the bill before Congress adjourned would provide the impetus for an exchange of views among all interested, such as yourselves, business and farm groups, in preparation for hearings which we hope will be held early in the ninety-first Congress. And when I say "we" I mean just that. By the time Congress adjourned last year a bipartisan group of twenty other Senators had joined as cosponsors. All twenty-one of us are back to pick up the fight where we left off. What is more, a solid group of House members introduced companion legislation last year, and all of them are back to resume their efforts this session.

You know it never ceases to amaze me—the more efficient someone becomes in his non-farm interests, the more money he makes—and the more money he makes, the more money he loses farming. Last April the Joint Committee on Internal Revenue Taxation, at my request, analyzed Internal Revenue statistics on individual income tax returns and prepared a table which provided a further insight into this problem.

The table prepared by the joint committee showed the total net farm loss, the number of individual income tax returns on which a net farm loss was entered, and the average net farm loss per return in each of nine adjusted gross income classes.

The most important and obvious fact one gets from the table is the persistent rise in average net farm loss as adjusted gross income increases. In addition, the table showed that in seven of the nine adjusted gross income classes there has been an increase in the last two years for which statistics were available in the number of returns which claim a net farm loss. For example, in 1964 there were 17,969 loss returns filed in the fifteen to twenty thousand dollar class, but by nineteen hundred and sixty-six the number of loss returns filed in that same class rose to thirty-one thousand six hundred and sixty-seven. Turning to the five hundred thousand to one million dollar class, the figure has risen from one hundred and forty-five loss returns filed in nineteen hundred and sixty-six while at the same time the average loss in that category rose from about thirty-six and a half million dollars to a figure in excess of thirty-nine million. In general, this table proved that farm losses increase as the size of non-farm income increases.

The problem which now exists is that liberal tax accounting rules designed for the benefit of the ordinary farmer are being manipulated by what I call tax farmers. Tax farmers are people who engage in farming for the purpose of creating losses which can be used to offset substantial amounts of their non-farm income. And as the Treasury Department pointed out in July of last year, the tax losses which these high-bracket taxpayers show are not even true economic losses. Treasury went on to point out that when a taxpayer purchases and operates a farm for tax purposes, it inevitably leads to a distortion of the farm economy. The tax benefits allow an individual or a corporation, whatever the case happens to be, to operate a farm at an economic break-even or even a loss and still realize a profit.

I think it is important to stress just how strongly Treasury feels about the present situation. I might add that the Department of Agriculture has expressed publicly similarly strong views in favor of this legislation. But here is some more of what Treasury had to say about the current situation when reporting on the predecessor of S. 4059, the bill which was introduced last September.

And I quote . . . "For example, for a top bracket taxpayer, where a deduction is associated with eventual capital gains income, each dollar of deduction means an immediate tax savings of seventy cents to be offset in the future by only twenty-five cents of tax. This cannot help but result in a distortion of the farm economy, especially for the ordinary farmer who depends on his farm to produce the income needed to support him and his family.

"This distortion may be evidenced in a variety of ways: For one, the attractive farm tax benefits available to wealthy persons have caused them to bid up the price of farm land beyond that which would prevail in a normal farm economy. Furthermore, because of the present tax rules, the ordinary farmer must compete in the market place with these wealthy farm owners who may consider a farm profit—in the economic sense—unnecessary for their purposes. Statistics show a clear predominance of farm losses over farm gains among high-bracket taxpayers with income from other sources."

Treasury then went on to suggest certain modifications in the operation of S. 2613, the predecessor of the bill which I introduced last September. The bill introduced last fall contained Treasury's suggestions as to method of approach. As I am sure you all know, citrus farming and cattle raising are two areas of economic activity where the practice of tax farming is particularly widespread.

Now I would like to talk about the substance of the bill itself. The bill that was introduced last fall is basically the same bill that I shall reintroduce this month. However, the new bill will reflect the constructive suggestions that have been presented during the adjournment period.

The bill permits farm losses to be offset in full against non-farm income up to fifteen thousand dollars for those whose non-farm income does not exceed that amount. This means that persons not only engaged in farming but also employed perhaps on a part-time basis in a neighboring town, will be entirely unaffected by the limitation I have provided in this bill.

For those with non-farm income in excess of $15,000, the amount against which the farm losses may be offset is reduced dollar for dollar for income above $15,000. In other words, those with non-farm income of $30,000 or more cannot generally offset farm losses against their non-farm income.

There is an important exception to this rule, however. The bill in no event prevents the deduction of farm losses to the extent they relate to taxes, interest, casualty losses, losses from drought, and losses from the sale of farm property. An exception is made for these deductions since they are in general deductions which would be allowed to anyone holding property without regard to whether it was being used in farming or because they represent deductions which are clearly beyond the control of the farmer; such as losses from casualties and drought.

Even if farm losses should be denied under the provisions I have explained up to this point, they still will be available as offsets against farm income for the prior three years and the subsequent five years. In this case however, they may not exceed the income from farming in those years.

Still one more feature of the bill remains to be discussed. The limitation on the deduction of farm losses is not to apply to the taxpayer who is willing to follow, with respect to his farming income, accounting rules which apply generally to other taxpayers; that is, using inventories in determining taxable income and treating as capital items—but subject to depreciation in most cases—all expenditures which are properly treated as capital items rather than treating them as expenses fully deductible in the current year.

It is important to note that this provision merely provides an opportunity for those who would otherwise distort the farm economy to follow instead regularly established, generally applicable accounting rules. No incentive to shift to an accrual accounting system is provided by this bill for anyone who derives his income largely from farming, or even from non-farm income if it does not exceed $15,000 a year. It is fully recognized that true farmers have good reasons for not always following accrual accounting methods and there is no intent here, directly or implied, to make a change in this respect.

The dollar figure as to the exact amount of non-farm income against which farm income may be offset represents an analysis of available statistics as well as discussion generated by the introduction of S. 2613, the original bill. Substantially all the rest of the provisions of the new bill, however, represent suggestions contained in the reports of the Treasury and Agriculture Departments issued in July of last year.

It is apparent from all of the discussion that has taken place since the original bill was introduced in November of 1967 that this use of farm losses to offset other income is an ever increasing problem in large part because this is creating a new breed of person, the tax farmers, who are more interested in farming the Internal Revenue Code than they are the land, and who are making it increasingly more difficult for true farmers to earn a fair and an adequate rate of return on their effort and investment.

The intent of my bill is to eliminate the provisions of the tax laws which presently grant high-bracket taxpayers substantial tax benefits from the operation—usually indirectly—of limited types of farm operations on a part-time basis. The principle economic activities of these taxpayers is other than farming—often running a brokerage firm, law business, practicing medicine or deriving income largely from the stage or motion picture productions.

While I am on the subject of motion picture productions, just last month I read an article by Jack Lefler in the Des Moines Sunday Register. The article was captioned Cattle Buying—A Tax Shelter for Movie Stars. Here is what Mr. Lefler had to say about this. And I quote—"There's a new bull market on Wall Street but it doesn't have anything to do with stocks and bonds. It's a heightened interest in investing in cattle.

"With brokers earning big commissions from heavy trading volume on the securities exchanges, they are turning to the 'tax shelter' offered by the ownership of cattle.

" 'Wall Street's interest has been growing fast the last two years and now the new young executives are jumping in,' says Richard Bright, executive vice-president of Oppenheimer Industries of Kansas City and head of its New York office.

"Oppenheimer Industries is a cattle management firm which handles 220,000 head of cattle on more than 100 ranches in 17 states.

"These cattle are owned by investors who most likely never see them.

"When an investor buys cattle he becomes a farmer from a tax standpoint and is eligible for advantages. He puts in dollars that depreciate or are deductible and takes out capital gains.

"This means that a person in the 60 per cent bracket would be taxed on income from the sale of cattle at a 25 per cent rate instead of the 60 per cent rate on his other income.

"Oppenheimer buys cattle for its investing customers and places them on ranches, whose operators are paid for feeding and caring for them. Cattle owned by several different investors often are on the same ranch.

"Oppenheimer charges an initial fee of 5 and three quarters to 8 and one half per cent of the purchase price of the cattle. Subsequently, it charges an annual management fee in the same range.

"Bright says an investor can make about a 25 per cent profit on his investment after taxes. But there are risks of declining market prices, disease and bad weather.

"The minimum investment accepted by Oppenheimer is $10,000, which would buy about 100 head of beef cattle. The company's biggest client owns 25,000 head, worth about $2.5 million."

Skipping over some self-serving statements by Mr. Bright—I plan to let him argue his own case when the Finance Committee holds its hearings—the article goes on to inform us that—

"Oppenheimer Industries was founded in Kansas City in 1953 by Harold L. Oppenheimer. It now has offices in New York, Washington, D.C., Los Angeles and Denver."

I might add at this point that I must be doing something right—my office has already been visited by the head of the Washington, D.C. office who picked up reprints of everything I've said about the bill since its introduction last September. But I will say that General Styles (that's the name of the man who heads the Washington office) did turn around and send us autographed copies of no less than three books totaling about 1100 pages and written by the head man himself on this subject. As a point of information, those books are entitled—Cowboy Arithmetic, Cowboy Economics and Cowboy Litigation. And I understand that a new book is now in the mill entitled Cowboy Politics. Now that's one I definitely want to read.

Now back to Mr. Lefler's article. "Oppenheimer's father-in-law, Jules Stein, chairman of Music Corporation of America, interested motion picture stars in investing in cattle. Among them, says Bright, were Jack Benny and John Wayne."

(So you can see even Jack Benny is fiddling around in this area.)

"After the New York office was opened we began to attract brokers, corporate executives and television people such as Arlene Francis and Hugh Downs," says Bright.

"Each owner has his personal brand on his cattle. Some of these amateur cattle owners have bizarre ideas about their brand designs," Bright says.

"He recalls an art designer who formed the Broken Dollar Cattle Company and came up with a brand in the form of a dollar sign split down in the middle.

"Then there was the business executive whose brand was a Lazy B. He said he decided on that because his wife's name was Bea and she was lazy."

Last year, Time magazine appropriately dubbed General Oppenheimer, the Bonaparte of Beef. I shared that article with my colleagues by referring to it in a statement on the Senate floor. According to Time, other Oppenheimer clients in addition to those previously listed include Banker Robert Lehman and actress Joan Fontaine. Oppenheimer is quoted by Time as having said—Any day of the week, I'd rather have a Marine officer handling a roundup than a farmer.

Death and tax are inevitable, but the latter apparently are much less so than the former. That's the lead into another very recent revealing article on this subject. This one was written by John Lawrence of the Los Angeles Times. Once again, Oppenheimer Industries gets star billing. I'm not going to comment on this article. I think it's so important to our discussion today that I want to share with you the uncut version.

MANY WITH BEEF OVER TAXES NOW BUY CATTLE FOR RELIEF

Death and taxes are inevitable, but the latter apparently are much less so than the former.

Blocked by the Internal Revenue Service from using one popular tax shelter, wealthy individuals are rushing to get under another—by buying cattle. Trouble is, so many are trying to get under the newly popular shelter so fast that some aren't going to make it this year. There aren't enough cattle.

Investments in cattle have been growing rapidly in recent years. And so have companies that line up the cattle and manage the investments for upper-income bracket taxpayers.

The appeal is an immediate tax reduction covering the cost of handling and feeding the herd, usually paid a year in advance. In the case of breeder cattle, as opposed to those purchased simply to feed and fatten, there's also a depreciation allowance. In other words, part of the cost of the herd itself can be written off.

INTEREST DEDUCTION

What has made the program so much more attractive currently was the move by the IRS a few weeks back to practically eliminate prepaid interest on loans as a legitimate tax deduction. Previously, those seeking to limit their tax liability could purchase real estate, take out a huge mortgage and prepay a number of years' worth of the interest on the loan. They then could deduct that interest payment from current taxable income.

The IRS ruling restricting such deductions caught a number of individuals by surprise and left them to scramble for some other way out. Some of them have found it with Oppenheimer Industries, Inc., a cattle management concern.

J. P. Jones, 34-year-old vice president and western manager for the company, says he expected his business to rise 30 to 40 per cent this year from last. But thanks to the IRS, "we'll be up 80 per cent." He figures he has a waiting list of clients with well over one million dollars they'd like to invest before year end, "and that's probably conservative."

The problem is lining up the cattle. "We're contacting all sources we can, trying to find acceptable ranchers," he says. One problem is "we're the bad guys in the city," making it tough to convince some of the folks on the range they should sell. The advantage to them is that they still make money for handling the herd, but they are able to get some of their capital out of the animals and use it for something else. In short, it shifts some of the risk to the city folk.

Meanwhile, in his Beverly Hills office, Jones reports the average request he's getting is for 400 to 500 head, or an outlay of about $50,000. Oppenheimer's minimum investment program calls for about $12,000 in outlay and this program winds up giving the investor a tax deduction on the order of $14,600.

How can he deduct more than he spends? Simple. He puts down only 10 per cent of the $20,500 cost of 100 head, gets to deduct a year's interest on the loan that covers the rest of the purchase price. That's $1,300. Then he prepays the cost of next year's feed, breeding fees and other maintenance costs, adding up to $8,600. Then, assuming the taxpayer is filing a joint return with his wife, he can take a depreciation deduction on the order of $4,700.

Oppenheimer manages some 150,000 head of breeder and 75,000 head of feeder cattle on 110 ranches in some 25 to 30 feed lots around this country, Jones says. To keep track of it all, Oppenheimer employs about two score agriculture school graduates.

Jones, whose background is finance rather than farming, despairs of lining up enough cattle for his clients with so few days to go this year. Hence, he's advising some to give up for this year but come back earlier next. Cattle can be a good investment, not just a tax saving, and both can be improved with proper planning, he observes.

Just last year I saw an ad in a magazine called the Airline Pilot that read in part—"Own a citrus grove using tax dollars as your total investment." The ad was headed "Tax Shelters for 1968." I promise you that I'm going to do all I can in the 91st Congress to prevent that ad from being run again next year.

Another example, last year's Barron's did a two part series on the tax farming situation. Here are just some excerpts from what they had to say: "Last year, 34 per cent of all U.S. farm acquisitions were made by nonfarmers. The United States Department of Agriculture estimates that within 10 years, another 100,000 doctors, lawyers and businessmen will become absentee owners of agricultural properties. Who they are and what they buy makes quite a story . . . Corporation farming currently accounts for about 5 per cent, or 2 billion, of the 40 billion dollars worth of food and livestock raised on U.S. land. . . Many bona fide farmers are beginning to chafe at the competition generated by outside businessmen. Large-scale tax avoidance by non-farm investors—the IRS figures that 680,000 non-farmers (industrial firms as well as individuals) took over a billion dollars in tax losses in a recent year—also troubles the Federal government."

Here are some of the newsworthy names listed in the Barron's article.

Kern County Land (recently taken over by Tenneco, Inc.); CBK Industries; Black Watch Farms (acquired by Berman Leasing); New Mexico and Arizona Land Company (50 per cent—owned by the St. Louis-San Francisco Railway); Alico Land Development Co.; Gates Rubber Co.; Tejon Ranch; Scott-Mattson Farms (owned by Gulf and Western); Oppenheimer Industries, a subsidiary of Atlas Acceptance Corporation; the privately held Doane Agricultural Service, Inc., and King Ranch; Arizona-Colorado Land and Cattle Co. and American Agronomics—the last named pair by the way have now gone public.

So much for the list that appeared in Barron's. Now I want to share with you just a couple of the interesting phone calls that have come into my office since this all started. First, there was a call from the Washington office of Radio Corporation of America. The call went something like this—There is a man in New York who would like very much to have anything you have available about the bill. Could you send it to our Washington office and then we in turn will forward it to him? When the suggestion was made that we could save everyone some time by sending it to him directly, the embarrassed response was: Oh that's allright, he would rather handle it this way. I'm still wondering who the mystery man is.

Then there was the call that came in from Oppenheimer Fund (no relation to Oppenheimer Industries). Seems that as a mutual fund they were shareholders in one of the corporations listed in the Barron's article. According to the call that came from New York, they wanted an explanation of the bill over the telephone. When it was suggested that a package could be mailed out promptly, the caller cried out in despair. No, no, you don't understand how it works with the stock market. Since your new bill went in, the stock we are holding has dropped 10 points and we don't know whether to hold or sell, so could we please go over the bill on the telephone in advance of anything you can send us.

In closing, I want to share with you just one of the many letters I have received since this bill was introduced. This letter came in from a farmer in Hallsville, Texas. In addition to being a farmer he also happens to be an Internal Revenue Agent so you might say he has a little extra insight into this problem. For obvious reasons, I shall omit his name from my reading of his letter. Here is what he wrote:

"Dear Senator Metcalf: I wish to commend you on your proposed (S. 4059) legislation on farm losses. I am a farmer and an Internal Revenue Agent. I am keenly aware of the tax shams wealthy businessmen call farms. This abuse is very rank in this area. Longview, Texas is a real industrial area for North East Texas. Thousands of average income families desiring to live out of town buy farms where they have 3 or 4 horses for riding, two or three cows for milk and deep-freeze calves and deduct the related expenses. There is no income.

"On the other end of the pole, the rich merchants, oil men, doctors and lawyers have farms where they lose from 5,000 to 200,000 dollars each year. These people intend to operate at a loss. They improve the land and depreciable property including fences and barns. They dig ponds and clear land and plant expensive grasses. They take ordinary losses (except land clearing when we catch them) against their large incomes and then sell the improved land at capital gains rates. The Southwest Regional Appellate Division of the IRS at Dallas allows the operating losses if they say they intended to make a profit.

"As a farmer, I say they are not fairly competing with me and the other farmers. We strain to produce a $100 calf which costs us $60 or $75 while they produce a $100 calf which cost them $200. This practice sure puts the pressure on a person trying to make money from farming.

"I'm backing your bill 100% and trying to let my neighbors see benefits through November 1968 Farm Journal article 'Crackdown on Income Tax Farming' by Jerry Carlson. Keep up the good work.

Sincerely,

——— ———."

Everything I have read has proven to me that corporations are moving into farming at an increasing rate. I regret this trend. A strong agricultural citizenry—independent farmers—are infinitely preferable to corporation farming with hired labor. Family type agriculture results in a better community, with more churches, better schools, more business opportunities and a generally higher social organization than will be found in a hired labor community. But the bill I have introduced does not forbid corporations getting into farming. Lawyers tell me that is a job for the States. The bill will, however, eliminate the possibility of corporations getting Federal tax rewards for engaging in loss operations in the farming field. I hope I can count on each of you for your support.

THE GOVERNOR OF ALASKA

Mr. STEVENS. Mr. President, there has been a steady and substantial flow of telegrams and letters to my office from Alaskans regarding the Governor of Alaska. I ask unanimous consent to have five of these telegrams printed at this point in the Record.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

Anchorage, Alaska,
January 14, 1969.

Hon. Ted Stevens,
Senate Office Building,
Washington, D.C.:

I have sent following telegram to Senator Jackson:

"Dear Scoop: Hickel has a good conservation record in Alaska and I am sure he will be eminently satisfactory for all conservationists as well as others if you confirm him as Secretary of Interior.

"Anchorage Times has followed his executive abilities closely and we have rarely, if ever, had occasion to be critical of his actions or views toward water, air pollution, fish, game, timber, oil, and other resources. He has initiated such vigorous programs in behalf of Alaska natives land claims that a statewide committee on nonnatives is being organized this week for the purpose of endeavoring to avoid possibility of nonnative 'backlash.' I hope you will vote for Hickel. Best regards."

Best regards,

Bob Atwood,
Anchorage Times.

Fairbanks, Alaska,
January 13, 1969.

Senator Ted Stevens,
Senate Office Building,
Washington, D.C.:

The Fairbanks Native Association unequivocally endorses Governor Walter J. Hickel for the post of Secretary of Interior in the Cabinet of President Richard Nixon. We feel this would be in the best interest of Alaska and the Nation. Governor Hickel is an Alaskan. As Alaskans we feel that he has made great strides toward understanding and attempting to solve problems facing the people of Alaska, particularly in the fields of education and native land rights. We feel that as Secretary of Interior Governor Hickel will continue to work toward solving these problems.

Gerald Ivey,
President, Fairbanks Native Associations.

Juneau, Alaska,
January 14, 1969.

Hon. Ted Stevens,
Senate Office Building,
Washington, D.C.:

Am sending today the following wire to Senator Jackson, Chairman, Interior Committee, quote: As an Alaskan born lifelong Democrat and former Alaska legislator, I wish most emphatically to endorse Walter Hickel as Secretary of Interior. A review of Governor Hickel's highly successful business background viewed in the light of the tremendous strides in virtually every field that Alaska has made in only two short years under his administration indicates that the United States can also benefit under his dynamic and informed leadership. One of Governor Hickel's outstanding virtues is his most obvious ability to create a highly qualified cohesive working team and in this area in particular he should be most welcome in the Nation's administrative branch. Any unbiased consideration of Governor Hickel's activities the past two years will show nothing to support the unjust criticisms that extremists have made in recent weeks. I join with those who know Walter Hickel's qualifications best in urging his confirmation as Interior Secretary unquote.

Curtis G. Shattuck.

Fallbrook, Calif.,
January 14, 1969.

Theodore F. Stevens,
Senate Office Building,
Washington, D.C.:

The appointment of Walter J. Hickel (Gov. of Alaska) as Secretary of Department of Interior certainly warrants the approval by Committee on Interior and Insular Affairs and its recommendation for confirmation by the United States Senate. Having worked with him on projects of territorial, State and national scope, I have been impressed with his knowledgeable approach to all problems. I was appointed to the Alaska Purchase Centennial Commission by former Alaska Governor William A. Egan and served to the completion of the project, for the last two years under Governor Walter J. Hickel. He has done an outstanding job as our Governor and can be depended upon to do as well in the new appointment.

Arthur F. Waldron,
Member, Trustees of Alaska Methodist University.

Valdez, Alaska,
January 12, 1969.

Senator Ted Stevens,
U.S. Senate, Interior Committee,
Jefferson Hotel, Washington, D.C.:

Following is a copy of the telegram sent to the Committee on Interior and Insular Affairs, United States Senate, "Governor Hickel has done a tremendous job for the State of Alaska in the development of natural resources, in the prevention and control of pollution, and in conservation of wildlife. Consequently, I can assure you the man will do an outstanding job in these areas for all of our fifty States in the capacity of Secretary of Interior."

John T. Kelsey,
President, Alaska State Chamber of Commerce.

URBAN COALITION WORKS IN MINNEAPOLIS

Mr. MONDALE. Mr. President, one of the distinct pleasures of representing the State of Minnesota is the way in which our people dedicate themselves to solving their problems.

A case in point is the work of the Urban Coalition in Minneapolis. As an article in the January 6 issue of the Minneapolis Tribune illustrates, this group has become a powerful force for change in the city, identifying critical problems, seeking solutions, and then working to put them into effect.

In 1 year of effort, this coalition has reached the stage where the Tribune reporter, Howard Erickson, could truthfully say about their influence on a specific matter:

> To those familiar with the power the coalition packs, that is no real surprise.

Minneapolitans believe their problems can be solved, and they work hard to solve them. The result in this case is cooperative effort between various levels of government and the private sector that is going to change Minneapolis and the State of Minnesota and ought to become a model for the Nation.

Mr. President, I ask unanimous consent that the article from the Minneapolis Tribune, "Urban-Coalition Weight Gives Poor New Leverage—Group Cited Among Best in United States," be placed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Urban-Coalition Weight Gives Poor New Leverage—Group Cited Among Best in United States

(By Howard Erickson)

When Mayor Arthur Naftalin vetoed the City Council's limited expansion of a public housing program last week, his decision was influenced heavily by the Urban Coalition of Minneapolis.

To those familiar with the power the Coalition packs, that is no real surprise.

The Coalition had met Thursday night, only hours before Naftalin announced his veto Friday and urged that the City Council expand scattered site, low income housing into all parts of the city, not just four new neighborhoods.

"When I walked into the Coalition meeting Thursday night, I figured I'd probably sign the thing, with a suggestion that it be expanded city-wide very soon," Naftalin told a reporter Saturday.

"But when the Coalition voted to endorse city-wide expansion right now, there was only one dissenting vote," the mayor said.

No one can say, of course, that Naftalin might not have decided for some other reason to issue that veto.

Nor can anyone prove that any of a number of other key decisions made during the past 12 months might not have been made as they were, without the existence of an organized Urban Coalition.

But the Minneapolis Coalition, that year-old grouping of 70-some business, religious, labor, education, civil-rights and local-government agencies—bolstered with the continued interest and support of men like Donald Dayton, John S. Pillsbury Jr., Gen. Edwin Rawlings, John Cowles Jr., Judson Bemis, Atherton Bean, F. Van Konynenburg, Earl Ewald and others—in effect, the local Establishment, carries a weight that cannot be dismissed lightly.

As a result, there is at least a casual link between Coalition members—deeply involved community leaders who often wear several hats—and these steps at removing the deeply rooted potential causes of racial disorder:

The two-month campaign to persuade five Republican aldermen to switch their votes and confirm Ronald A. Edwards, a controversial young black man with a police record, as a member of the city's new Commission on Human Relations a year ago.

The recent new roster of YMCA programs, and last month's switch in emphasis by the United Fund in the programs and agencies it supports, both geared to greater attention to inner-city problems.

The naming of Negro leader Harry Davis to the city's Civil Service Commission, which sets hiring policies for city jobs—including the all-white, 562-man Fire Department and the nearly all-white Police Department.

Moving up from 1969 to last summer the landscaping and equipping of 10 children's playgrounds in poverty neighborhoods.

Local support for the California grape boycott, reaffirmed last week, though no local grocery chains have stopped stocking grapes.

Hiring of 14 additional building inspectors by the city, to check complaints of substandard or unsafe rental housing.

A new city ordinance to prevent tenants from being evicted for reporting their landlords' building-code violations to the city.

Lobbying by Coalition members with local Congressmen to fight attempts to cut federal anti-poverty, Model Cities and food-stamp appropriations.

Stephen F. Keating, president of Honeywell, Inc., was the Coalition's president last year. Dean McNeal, group vice-president of the Pillsbury Co. succeeds Keating for 1969. Both agree the major accomplishment for the Coalition's first year was getting organized on a broad base with good representation from important segments, and gaining early and continued support from key community decision-makers.

What may have been just as important was the selection of Harry Davis, a Negro spokesman respected equally by both races, as a vice-president—and last July as full-time executive director of the Coalition staff.

National Urban Coalition officials now consider the Minneapolis group one of the best-organized of 40 or so coalitions in major American cities, along with those in Detroit, Mich., and New York, N.Y.

Mayor Naftalin, one of 40 members of the National Coalition's steering committee, goes further.

"There's no doubt in my mind, from what people in other cities tell me, that Minneapolis has the best-functioning coalition in the country.

"When I tell them that we have a full-time staff of 12 persons, they're just amazed," said Naftalin. He has spoken about the Coalition to groups in Cleveland, Ohio, Chicago, Ill., and Kansas City, Mo., in hopes of spurring formation of coalitions in those cities. Davis has made similar speeches in Milwaukee, Wis., and St. Louis, Mo.

For all of Minneapolis' apparent success, however, it is not hard to find an opposite man-on-the-street view. That view says the city's Establishment has done little to solve the real roots of poverty and discrimination. It says the Coalition's efforts are a short-term, "cool-it" gesture, whose major success was in the city's freedom last summer from the racial disturbances that marked 1966 and 1967.

Not so, replies Keating, the powerful, handsome, 50-year-old executive who directs a 75,000-employe, world-wide organization.

"If we just wanted to put out fires, we would have closed down in September," Keating said quietly with just a trace of irritation.

He has never said, he adds, that the problems the Coalition faces are anything other than complex ones that demand long years of attention to solve them.

"It's true, we could have done more last year. We operated for a long time with almost exclusively volunteer help and a very small staff. We weren't as efficient as we should have been."

McNeal adds some criticisms of his own.

"In finding jobs for the hard-core unemployed, we feel we were successful, but the summer jobs for youth—we weren't quite ready for it.

"We hadn't really recognized the importance of transporting these kids to the job. And the follow-up—if a kid misses two or three days on the job, sending somebody out to ask why—that wasn't as good as it should have been," the Pillsbury executive said.

How does the Coalition work?

"We decided, right at the start, that we would not become just another agency, piled on top of all the other agencies," said McNeal.

"We merely planned to encourage, aid, cooperate with—and prod, too, if you want—existing agencies, to urge them to do more," said McNeal, who as vice-president the first year did vast amounts of legwork in setting up the task forces and meetings where much of what the Coalition accomplished was planned.

For 1969 McNeal foresees these extensions of the Coalition's program:

"Jobs were the first thing the inner-city representatives wanted to talk about in 1968, and they will continue to be important in 1969," he said. So, while the Coalition-aided National Alliance of Businessmen placed 1,121 hardcore unemployed persons in permanent jobs last summer, and placed 748 youths in summer jobs (despite 1,785 openings lined up), this year the goals will be higher.

The Housing Task Force, which in 1968 used $30,000 in donations from Minneapolis-based charitable foundations as down-payments for 81 poverty-level families to buy houses, will solicit new money to continue it in 1969.

The 75 minority-race young people who were enrolled in Minnesota colleges through Coalition efforts in 1968 will grow in number this year, McNeal expects. The Education Task Force is also informally running the current effort to raise $100,000 in public donations to expand the Minneapolis Head Start program for 4-year-olds.

The Business Development Task Force will expand the effort that rounded up $225,000 in contributions from 17 local foundations last year and approved "seed money" loans to eight Negro small businessmen who now await approval of additional loans from the U.S. Small Business Administration.

Sensitivity training sessions for employes of major corporations, and measures to attack the latent white racism uncovered by last May's survey of Hennepin County church-goers in 238 congregations, will be continued in 1969 by the Community Information Task Force.

Discriminatory practices of . . . will be attacked, and young lawyers will be recruited to aid poor people, by a new Legal Aid Task Force, which prominent lawyer Peter Dorsey will head. Basis for his work is an October study by volunteer lawyers James T. Halverson and John J. Held Jr., which recommended changes.

Another possible new task force, to deal with the worsening problem of police relations with minority races, is being studied by a committee headed by Rabbi Max Shapiro. His group will also look into ways in which the city and county attorneys' offices can be of greater assistance to poverty classes.

"At least, during 1968, we got a meaningful, continuing dialogue going," McNeal said. "Sometimes, at the start of the year, we'd sit and talk with poverty or minority-race groups for two or three hours—and get nowhere.

"That doesn't happen any more. Now we're moving."

DONALD WILLIAMS RETIRES

Mr. McGOVERN. Mr. President, a noted South Dakotan, Donald A. Williams, retired as Administrator of the Soil Conservation Service on January 10, 1969.

When Mr. Williams' retirement was first announced last year, I commented on it and paid tribute to him in the Senate.

Some of the Administrator's colleagues have now documented the great record the Soil Conservation Service has made in 15 years under his leadership in a little memorandum, "Highlights of Conservation Progress, 1953–69." It is a more eloquent tribute to Don Williams than anything that might be said about him—the facts of a solid record of accomplishments.

I ask unanimous consent, Mr. President, that it appear in the Congressional Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Highlights of Conservation Progress, 1953–69[1]

At the end of fiscal year 1952 the program activities of the Soil Conservation Service consisted primarily of technical assistance for erosion control and water management on farms and ranches in 2443 soil conservation districts and flood prevention operations in eleven large watersheds authorized by the Flood Control Act of 1944.

From fiscal year 1953 through 1968 SCS has assisted with the following major activities and accomplishments:

1. SCS assistance is being provided to 3007 soil conservation districts, an increase of 569. Today, 99 percent of all farms and ranches and 96 percent of all lands in farms and ranches in the United States are in soil conservation districts.

2. Soil surveys have been made during this period on more than 410 million acres, bringing the total acreage surveyed and mapped by our soil scientists to 731 million acres. These surveys have been interpreted for agricultural and non-agricultural uses.

3. More than two million owners and operators of agricultural land are cooperating with soil conservation districts. This number has doubled in the 15-year period. Conservation plans cover 553 million acres, an increase of 288 million acres.

4. Plant materials centers have tested, proven and made available to commercial outlets a wide variety of plants for conservation uses in major plant growth regions of the country.

5. Water supply forecasting, based on snow surveys in the mountainous western states, has been extended in coverage and made more precise. The work of measuring snow and soil moisture is being shifted to electronic measurement and estimates.

6. SCS provided approximately 185,000 conservation consultive services to non-agriculturel users of land to reduce sedimentation and to adapt land use to soil suitability in fiscal 1968. This represents a substantial increase over the preceding year, and continues a rising trend in such services.

7. State and county governments have increased their financial participation in soil and water conservation efforts many fold as a protection to their tax base.

8. Land treatment and upstream water control structures are underway or completed on 285 subwatersheds of the original eleven flood prevention projects. The authority to deal with agricultural water management, fish and wildlife, recreation, and municipal and industrial water supply has been added to original projects.

9. The pilot watershed activity, authorized by Congress in 1953, proved conclusively the effectiveness of a combination of land treatment and engineering works to reduce damaging floods on agricultural lands in the Nation's small watersheds. Fifty-four projects have been carried through to completion, with SCS providing technical help and cost-sharing to local interests.

10. More than 800 small watershed projects under Public Law 566, passed in 1954, have been completed or approved for construction; another 600 are being planned, and 1,300 other project applications have been received. Like other SCS flood prevention activities, these projects invariably exert a strong influence on economic life of the watershed area, an influence reflected in the formation of new businesses, the expansion of community services, in new employment opportunities, and in the general enhancement of community well-being.

11. Development of income-producing recreation as an appropriate use of land—an activity in which the SCS primary responsibility in the U.S. Department of Agriculture—has enabled many landowners to solve land and water problems and at the same time upgrade their own economic state. This activity has been especially significant in the watershed and rural community development activities of SCS.

12. SCS is participating in 59 comprehensive river basin surveys, in cooperation with other Federal, State, and local agencies. The purpose of these studies is to identify water and related land use problems within water resource regions, and to provide alternative approaches to solutions of these problems.

13. SCS has been responsible for providing USDA leadership on the interdepartmental Water Resources Council of Representatives. In this capacity it coordinates the interests of all USDA agencies with those of other Departments and reflects their participation in the development of national water policy.

14. Resource Conservation and Development projects, authorized by the Food and Agriculture Act of 1962, currently number 51 and 39 States. These cooperative multi-county projects are bringing about effective use and management of regional land and water resources and of local talents and skills. These projects, in addition to intensified conservation, are resulting in new job opportunities, provision of needed community facilities and a sound base for future progress. These projects, with those in the watershed programs of SCS, are helping to slow down and even to reverse the long-prevailing migration of rural populations to the urban centers.

15. Nearly 32,000 Great Plains Conservation Program contracts covering 57 million acres have been signed by cooperators in the Great Plains states since 1956 to effectively attack wind erosion and other conservation problems in a region of severe climatic conditions.

16. SCS has supplied the basic technical foundation essential to financial assistance to farmers and other rural people in Agricultural Conservation Program cost-sharing and Farmers Home Administration soil and water loans.

17. SCS is training more than 300 foreign

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[1] 15-year-period that Donald A. Williams was Soil Conservation Service Administrator.

technicians, representing 52 countries, each year in our own techniques of effective soil and water conservation. Others receive training in their own countries from technician teams assisting with conservation programs provided through international conservation assistance programs.

18. The National Inventory of Conservation Needs, completed in 1962, is being updated in 1969. This inventory provides the best available insight into modern land conditions, watershed potentials, and land use trends.

THE HIJACKING OF AIRPLANES

Mr. PEARSON. Mr. President, the continuing incidents of hijacking have been a major concern to me in the past year. These repeated and numerous hijackings are a matter of great potential tragedy. Last year, there were 18 such incidents involving American planes and numerous others involving countries in our hemisphere. In the first few days of this year, there have been three hijackings and more attempted hijackings. I feel this apparent acceleration of hijackings requires the Federal Government to take an active role in finding a solution to this problem.

Thus far, the loss can be characterized as economic to the airlines and in terms of inconvenience to the passengers, and to date no one has been harmed. Because there has been no loss of life and because the treatment of the passengers has been reasonable, these hijackings have even caused humorous comments throughout the Nation. In fact, a near carnival atmosphere has pervaded these incidents. I wish to say loudly and clearly at this time that these incidents are most serious and dangerous and are no cause for humor. There is continual threat of danger posed by potential loss of life to pilot and passengers through gun shot or through the piercing of the pressurized cabin by gunshot. Almost any such occurrence could cause a plane wreck and create certain tragedy.

There is no lack of legislation concerning penalty for the hijacker once he is apprehended. A 1961 law provides penalty of death or a minimum of 20 years in prison for such an offense. The U.S. Government has also offered rewards for information leading to arrest and conviction for anyone who attempts to hijack an airplane. However, to date there have been few prosecutions under these legal provisions.

A number of Federal agencies have become involved in the research effort to find an adequate solution to this problem. All types of detection devices are under study. Efforts to reach agreements with the Cuban Government have also been proposed. The FAA with State Department cooperation has led these efforts to come up with a practical solution.

Unfortunately, almost all the suggestions of potential solutions fall short of offering a solution. The problems of search and X-ray devices, rewards, the arming of the airlines crew, or some agreement with the Cuban Government either adds to the problem creating a more dangerous situation or is not practicable. Wherever you have a situation involving individuals criminally inclined or mentally unbalanced, who have a safe haven to which to fly, the problem is most difficult.

Because there is need to clarify this potentially dangerous problem, I have asked Senator WARREN MAGNUSON, chairman of the Commerce Committee, to hold hearings at the earliest possible date. These hearings, possibly executive session, followed by public, in the discretion of the chairman, can closely examine the existing alternatives and maybe provide an official channel for coming up with some answers. Also a public discussion of this issue may assist in bringing new ideas to light. I think there is a particular need to focus official and public attention upon the serious nature of these incidents.

One area to be explored more thoroughly is the possibility of going directly to the basis of the problem—the current noncommunicative relationship between the Cuban Government and our own Government. With the number of other hemispheric nations suffering from these incidents, pressure might be brought to bear by all of us to seek an end to these unlawful acts by returning all hijackers to the custody of the respective governments.

Another real possibility is the number of electronic devices which may detect a potential hijacker before he boards the plane. Although the FAA is searching into these alternatives and seeking the assistance of other governmental research activities, no practical results have been found. If it is found necessary, I will introduce legislation to provide extra funding for research efforts specificaly designed for this detection problem.

ORDER FOR RECESS UNTIL 8:30 P.M. TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in recess until 8:30 this evening, at which time the Senate will proceed in a body to the Hall of the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the state of the Union address this evening, the Senate adjourn until 12 meridian tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Subsequently, this order was modified to provide for a recess.)

SOCIAL HOUR FOR PRESIDENT

Mr. MANSFIELD. Mr. President, I wish to read to the Senate a letter which was sent to the President of the United States by the distinguished minority leader and me:

JANUARY 13, 1969.

The Honorable LYNDON BAINES JOHNSON,
The President,
The White House, Washington, D.C.

DEAR MR. PRESIDENT: We have discussed with colleagues the possibility of asking you to favor the Senate by attending a reception in your honor on Thursday, January 16, 1969 at 5:00 p.m. in room S-207 of the Capitol. They are unanimous in their wish that this invitation be extended to you.

We would like in this manner to express the affection and high esteem in which the former Majority Whip, Minority Leader and Majority Leader of the Senate is still held. It is an affection and esteem which, for some of us, grows out of our long association with you in the House of Representatives and the Senate of the United States and, for all of us, out of an appreciation for the total dedication with which you have served the nation in the Presidency.

It is our hope that you will permit us to extend to you this small tribute by favoring us with an acceptance.

With best personal wishes, we are
Respectfully yours,
MIKE MANSFIELD,
EVERETT MCKINLEY DIRKSEN.

I am happy to report that since this letter, sent by the joint leadership, has been received by the President, he has consented to be with us at 5 o'clock on Thursday next, in room S–207.

MAJORITY PARTY'S MEMBERSHIP ON COMMITTEES

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution (S. Res. 14), as follows:

S. RES. 14

Resolved, That the following shall constitute the majority party's membership on the standing committees and the Select Committee on Small Business of the Senate for the Ninety-first Congress:

Committee on Aeronautical and Space Sciences: Mr. Anderson (Chairman), Mr. Russell, Mr. Magnuson, Mr. Symington, Mr. Stennis, Mr. Young of Ohio, Mr. Dodd, Mr. Cannon, and Mr. Holland.

Committee on Agriculture and Forestry: Mr. Ellender (Chairman), Mr. Holland, Mr. Eastland, Mr. Talmadge, Mr. Jordan, Mr. McGovern, and Mr. Allen.

Committee on Appropriations: Mr. Russell (Chairman), Mr. Ellender, Mr. McClellan, Mr. Magnuson, Mr. Holland, Mr. Stennis, Mr. Pastore, Mr. Bible, Mr. Byrd of West Virginia, Mr. McGee, Mr. Mansfield, Mr. Proxmire, Mr. Yarborough, and Mr. Montoya.

Committee on Armed Services: Mr. Stennis (Chairman), Mr. Russell, Mr. Symington, Mr. Jackson, Mr. Ervin, Mr. Cannon, Mr. Young of Ohio, Mr. Inouye, Mr. McIntyre, and Mr. Byrd of Virginia.

Committee on Banking and Currency: Mr. Sparkman (Chairman), Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. McIntyre, Mr. Mondale, Mr. Hollings, Mr. Hughes, and Mr. Cranston.

Committee on Commerce: Mr. Magnuson (Chairman), Mr. Pastore, Mr. Hartke, Mr. Hart, Mr. Cannon, Mr. Long, Mr. Moss, Mr. Hollings, Mr. Inouye, Mr. Tydings, and Mr. Spong.

Committee on the District of Columbia: Mr. Tydings (Chairman), Mr. Bible, Mr. Spong, and Mr. Eagleton.

Committee on Finance: Mr. Long (Chairman), Mr. Anderson, Mr. Gore, Mr. Talmadge, Mr. McCarthy, Mr. Hartke, Mr. Fulbright, Mr. Ribicoff, Mr. Harris, and Mr. Byrd of Virginia.

Committee on Foreign Relations: Mr. Fulbright (Chairman), Mr. Sparkman, Mr. Mansfield, Mr. Gore, Mr. Church, Mr. Symington, Mr. Dodd, Mr. Pell, and Mr. McGee.

Committee on Government Operations: Mr. McClellan (Chairman), Mr. Jackson, Mr. Ervin, Mr. Muskie, Mr. Ribicoff, Mr. Harris, Mr. Metcalf, Mr. McCarthy, and Mr. Allen.

Committee on Interior and Insular Affairs: Mr. Jackson (Chairman), Mr. Anderson, Mr. Bible, Mr. Church, Mr. Moss, Mr. Burdick, Mr. McGovern, Mr. Nelson, Mr. Metcalf, and Mr. Gravel.

Committee on the Judiciary: Mr. Eastland (Chairman), Mr. McClellan, Mr. Ervin, Mr. Dodd, Mr. Hart, Mr. Kennedy, Mr. Bayh, Mr. Burdick, Mr. Tydings, and Mr. Byrd of West Virginia.

Committee on Labor and Public Welfare: Mr. Yarborough (Chairman), Mr. Randolph, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy, Mr. Nelson, Mr. Mondale, Mr. Eagleton, Mr. Cranston, and Mr. Hughes.

Committee on Post Office and Civil Service: Mr. McGee (Chairman), Mr. Yarborough, Mr. Randolph, Mr. Hartke, Mr. Burdick, Mr. Hollings, and Mr. Moss.

Committee on Public Works: Mr. Randolph (Chairman), Mr. Young of Ohio, Mr. Muskie, Mr. Jordan of North Carolina, Mr. Bayh, Mr. Montoya, Mr. Spong, Mr. Eagleton, and Mr. Gravel.

Committee on Rules and Administration: Mr. Jordan of North Carolina (Chairman), Mr. Cannon, Mr. Pell, Mr. Byrd of West Virginia, and Mr. Allen.

Select Committee on Small Business: Mr. Bible (Chairman), Mr. Sparkman, Mr. Long, Mr. Randolph, Mr. Williams of New Jersey, Mr. Nelson, Mr. Montoya, Mr. Harris, Mr. McIntyre, and Mr. Gravel.

Mr. DIRKSEN. Mr. President, in connection with the list I would like to ask the majority leader when the ratios have now been fixed so that for both standing committees and select committees we can feel the ratio will be 5 to 4. I would assume that is about as close an approximation as one can make.

Mr. MANSFIELD. It comes out almost exactly 57 to 43. How that could be rounded out, I do not know.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS of Delaware. It comes out to the 57 to 43 ratio when the grandfather clauses are ignored. When the so-called grandfather clauses are taken care of it is about a ratio of 41.5 percent and 58.5 percent.

Mr. MANSFIELD. The Senator is correct, but certainly every Senator knows the situation in which the grandfathers, so-called, on committees have been raised from secondary to major status. I am sure the Senator knows the position we are in on this side of the aisle.

Mr. WILLIAMS of Delaware. I am just pointing the matter out so the record will be straight.

Mr. MANSFIELD. The Senator is correct.

Mr. WILLIAMS of Delaware. It is the result of the earlier rule of the Senate 3 or 4 years ago.

Mr. MANSFIELD. The Senator is correct.

Mr. DIRKSEN. Perhaps I should say to the distinguished Senator from Delaware that at some time or other we should clarify this grandfather business because we have one member on our side who is actually two grandfathers, because that is the way it came out. However, this is not the time.

Mr. WILLIAMS of Delaware. This is not the time. I realize the facts of life and that we do not have the votes to do it today.

NOTICE OF MEETING OF REPUBLICAN CONFERENCE AND REPUBLICAN POLICY COMMITTEE

Mr. DIRKSEN. Mr. President, I would like to announce that the Republican conference will meet at 3 o'clock p.m. in room 3333 of the Old Senate Office Building. The Republican policy committee will meet in room S-124 in the Capitol at 4 p.m., which is downstairs in the corner.

PROGRAM

Mr. DIRKSEN. Mr. President, I wish to ask the majority leader about the schedule for the rest of the day. I am advised that a cloture motion will be filed some time this afternoon. If that be the case, then of course, under the rule we would not get around to a vote on it until Thursday.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, what he has just said is correct, at least as far as I know.

It is my understanding that a cloture motion will be filed shortly; and under the rule, of course, it will not be voted on until 1 hour after we meet on Thursday next, 1 day and 1 hour intervening.

I think I should say also that I hope it will be possible to bring up the presidential pay raise bill this week, because to be effective for the next President, who will be inaugurated at noon on January 20, it must be considered and agreed to before that time.

Then, I would hope that the committees would get together informally for the purpose of considering the nominees of the President-elect to fill the Cabinet appointments which are, of course, his prerogative. It would be the intention of the leadership before this qualification to endeavor to bring up under unanimous consent those nominations which may be reported on Monday or Tuesday next, depending. This is a matter which I think should be discussed with the Democratic caucus and we will have a meeting shortly to that effect.

If there are nominees about whom questions or objections have been raised, the distinguished minority leader will understand the situation, and we will guide ourselves accordingly.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. I yield.

Mr. PASTORE. The Committee on Commerce has already assigned hearings tomorrow with respect to two of the designees. In view of the fact that the Republicans have not yet assigned committee members, I am wondering how the majority leader and minority leader would like us to treat this matter.

Mr. DIRKSEN. The members have been assigned, and I am hoping, in view of the fact there will be but one long speech this afternoon, that we can meet, since we have completed the list, so that it can be confirmed today.

Mr. PASTORE. The Senator would suggest that we leave the assignment undisturbed.

ORDER FOR RECESS AT CONCLUSION OF JOINT SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for adjournment tonight be changed to provide that the Senate recess at the conclusion of the joint session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

COMMITTEE ASSIGNMENTS

The Senate resumed the consideration of the resolution (S. Res. 14) making majority party committee assignments.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

PROGRAM

Mr. DIRKSEN. Mr. President, one other question, in case the matter has not been fully explored. My understanding is that after hearings are held on the nominees for the Cabinet, the committees can informally recommend approval and they can incorporate a phrase to the effect that nominations will be approved when the new President takes the oath of office, so that on January 20 I am hoping we can come back into session, have a brief session, consider them en bloc, and approve them.

Mr. MANSFIELD. If that is the position, the leadership on this side of the aisle will do its best to accommodate the suggestion made by the distinguished minority leader. If it is not possible on that day, of course, we will make it an order of business the next day, Tuesday.

Several Senators addressed the Chair.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

CLOTURE MOTION

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which the clerk will state by title.

The LEGISLATIVE CLERK. A motion to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. CHURCH. Mr. President, I send to the desk a motion signed by myself and 19 colleagues to bring to a close the debate on the motion to proceed to the consideration of Senate Resolution 11. In filing the motion we continue to proceed under constitutional rights and privileges to change the rules of the Senate agreed to at the opening of the session.

Mr. HOLLAND addressed the Chair.

The VICE PRESIDENT. The clerk will state the motion.

The legislative clerk read as follows:

MOTION FOR CLOTURE

We the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of Senate Resolution 11, a resolution amending the Standing Rules of the Senate.

Frank Church, James B. Pearson, George McGovern, Joseph D. Tydings, Philip A. Hart, Hugh Scott, Edward W. Brooke, Quentin Burdick, Mike Mansfield, Edmund S. Muskie, Clinton P. Anderson, Stephen M. Young, Clifford P. Case, Hiram L. Fong, Gaylord Nelson, Jacob K. Javits, Frank E. Moss, Walter F. Mondale, Edward M. Kennedy, William Proxmire, John O. Pastore, Harrison Williams, Vance Hartke, Charles Goodell, Lee Metcalf.

Mr. CHURCH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Idaho will state it.

Mr. CHURCH. Mr. President, under the terms of the cloture motion just filed, the Senate will proceed to vote on the question of closing debate on next Thursday, 1 hour after the Senate convenes. It is the view of most of those Senators signing the cloture motion that with respect to questions proposing changes in the Senate rules at the opening of a new Congress, the requirement of rule XXII for an affirmative vote of two-thirds of those Senators present and voting to invoke cloture is an unconstitutional restriction on the right of the Senate to amend its rules at the opening of a new Congress. The parliamentary inquiry, therefore, is:

If a majority of the Senators present and voting, but less than two-thirds, vote in favor of this motion for cloture, will the motion have been agreed to?

The VICE PRESIDENT. The Chair would advise the Senator from Idaho——

Mr. ERVIN. Mr. President, I should like to propound a parliamentary inquiry——

The VICE PRESIDENT. The Chair would like to respond to the Senator from Idaho, as he has placed a parliamentary inquiry. May the Chair respond to that inquiry first and then the Chair will recognize the Senator from Florida and the Senator from North Carolina.

Mr. ERVIN. I wanted to ask a question——

The VICE PRESIDENT. The Chair would ask the Senator from Idaho, Does he wish to yield for that purpose?

Mr. CHURCH. No. I should like to have a response from the Chair to my parliamentary inquiry first.

The VICE PRESIDENT. The Chair wants to say, first of all, in order to handle these parliamentary inquiries that are so intricate, the Chair will try strictly to enforce the procedures of this body, so that we will have as complete and accurate thought as possible.

The Senator from Idaho has directed a parliamentary inquiry to the Chair. The Chair is aware of Senators' interest in this, and wishes to state that the Chair believes the Senate should fully understand both the Chair's views as to the parliamentary situation and the Chair's intentions with respect to the motion for cloture should a majority, but less than two-thirds, of the Senators present and voting, approve it.

There is perhaps no principle more firmly established than the constitutional right of the Senate under article I, section 5 to "determine the rules of its proceedings." The right to determine includes also the right to amend. No one has ever, to the Chair's knowledge, seriously suggested that a resolution to amend the Senate rules required the vote of more than a simple majority.

On a par with the right of the Senate to determine its rules, though perhaps not set forth so specifically in the Constitution, is the right of the Senate, a simple majority of the Senate, to decide constitutional questions.

If a majority—this is the view of the Chair—but less than two-thirds, of those present and voting, vote in favor of this cloture motion, the question whether the motion has been agreed to is a constitutional question. The constitutional question is the validity of the rule XXII requirement for an affirmative vote by two-thirds of the Senate before a majority of the Senate may exercise its right to consider a proposed change in the rules. If the Chair were to announce that the motion for cloture had not been agreed to because the affirmative vote had fallen short of the two-thirds required, the Chair would not only be violating one established principle by deciding the constitutional question himself, he would be violating the other established principle by inhibiting, if not effectively preventing, the Senate from exercising its right to decide the constitutional question. The Chair does not intend to violate both these principles.

It is the view of the Chair, just as it was the view of an earlier President of the Senate, who is now the President-elect, that, at least, at the opening of a new Congress:

> The majority has the power to cut off debate in order to exercise the right of changing or determining the rules. (Nixon, Congressional Record, vol. 105, pt. 1, pp. 8–9.)

In response to the parliamentary inquiry of the Senator from Idaho, therefore, the Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules and to determine whether the two-thirds requirement of rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting but fewer than two-thirds, vote in favor of the pending motion for cloture, the Chair will announce that a majority having agreed to limit debate on Senate Resolution 11, to amend rule XXII at the opening of a new Congress, debate will proceed under the cloture provisions of that rule.

The Chair notes that its decision that debate will proceed under the cloture provisions of rule XXII is subject to an appeal if it is taken before any other business intervenes. The Chair would place the appeal before the Senate for an immediate vote since rule XXII provides that appeals from the decision of the Chair, under cloture procedure, shall be decided without debate.

The Chair has set forth this response to the inquiry of the Senator from Idaho so that all Members of the Senate will have adequate opportunity to acquaint themselves with it and calls attention to the fact that there is now time under the terms of the cloture procedure for the Senate to debate the implications of this response and consider its own reaction to the motion for cloture in the light of the Chair's announced course of action.

Mr. CHURCH. I thank the Chair for his advisory opinion.

The VICE PRESIDENT. Now the Chair recognizes the Senator from Florida (Mr. Holland).

Mr. HOLLAND. Mr. President, I invite attention first to the fact that the cloture motion, by its very terms, is lodged under rule XXII of the Senate. Is the Chair familiar with that fact?

The VICE PRESIDENT. The Chair is very well familiar with that fact. The Chair has tried to take note of the fact that the question relates to the section of rule XXII, the two-thirds requirement at the opening of a new Congress as to whether that is unconstitutional when the Constitution provides that a majority may transact business and that the Senate shall make its own rules for its own procedures.

Mr. HOLLAND. Mr. President, the Chair has made very clear what his ruling would be, and I think he has just stated that part of the question is a constitutional question.

At what stage in the proceedings can the constitutional question be raised by those who are opposed to the amendment of rule XXII? The Senator from Florida wishes to raise the constitutional question which the Chair has already stated exists within this entire package, and he wants to know at what stage that question may be properly raised.

The VICE PRESIDENT. Under the terms governing the Senate's procedure under rule XXII, when the time has expired on the matter—that would be Thursday of this week—there is a time, under rule XXII, at which the Senate will cast its vote. The question before the Senate will be: Is it the sense of the Senate that the debate shall be brought to a close?

It is at that point where the Chair has indicated that, if a majority of the Senate votes in the affirmative to close debate, under the Chair's interpretation of the constitutional right of every Member of the Senate, and the right of the Senate, at the beginning of a new Congress, to make its own rules of procedure, a majority would prevail and that debate would be limited, and that the action of the Senate under the balance of rule XXII would proceed under the cloture provisions.

It is at that point that the appeal will be placed immediately before the Senate for decision, as to whether or not the Chair's ruling is to be upheld or the Chair's ruling is to be cast aside.

Mr. HOLLAND. Suppose the opponents to this action, of which the Senator from Florida is one, instead of voicing an appeal, raise the constitutional question at that time. What would then be the attitude of the Chair?

The VICE PRESIDENT. All constitutional questions are subject to the decision of the Senate itself, and the Chair would place the question before the Senate.

Mr. HOLLAND. In that case the question would be subject to debate; would it not?

The VICE PRESIDENT. Not under the cloture procedure. The cloture motion would have been filed and the provisions under the cloture proceedings would be adhered to.

Mr. HOLLAND. In effect, the Chair is ruling that he will not permit any appeal as to the unconstitutionality of the proposed ruling of the Chair. Is that correct?

The VICE PRESIDENT. The Chair has expressed today his views and his intention in order to forewarn the Senate—what the Chair believes is necessary fairplay. Senators are now on notice that it is the intention of the Chair—and I will repeat, so that there will be no doubt about what the Chair thinks—to rule, if a majority of the Senators present and voting, but fewer than two-thirds, vote in favor of the pending motion for cloture, that a majority having agreed to limit debate on the motion to consider Senate Resolution 11, to amend rule XXII at the opening of a new Congerss, debate will proceed then under the cloture provisions of that rule. In other words, debate will be limited except, insofar as the cloture provisions are concerned, with respect to the application of the time under the provisions of rule XXII.

The Chair wants to note that that decision, which will proceed under the cloture provisions of rule XXII, is subject to appeal, if it is taken before any other business intervenes, because we are dealing with the Chair's interpretation of the Constitution and the constitutional rights of each Member of the Senate. That constitutional issue should not be decided by the Chair, and must be decided by the Senate itself. The procedure which the Chair enunciates today permits—in fact, requires—the Senate to make the decision.

Mr. HOLLAND. Mr. President, at what stage can the constitutional question be raised under the procedure outlined by the Chair?

The VICE PRESIDENT. Under the appeal provision provided under rule XXII.

Mr. HOLLAND. But, as the Senator from Florida understands it, the Chair has ruled that when the ruling is appealed, there will be an immediate vote and no time for debate.

The VICE PRESIDENT. There would be no debate on the appeal; that is correct.

Mr. HOLLAND. If it is the intention of the learned Vice President to rule that, in effect, no chance to present the constitutional question can be had and no constitutional appeal can be made, except an appeal from the ruling of the Chair, in the opinion of this Senator that ruling, in effect, would deprive the Senate of any chance to discuss the constitutional aspects of this very serious matter; and the Senator from Florida protests vigorously against that sort of conclusion.

The Senator from Florida also calls attention to the fact that while the Chair and his distinguished friend from Idaho both say that they are proceeding under rule XXII, they proceed only so far. They proceed to the filing of the motion, under rule XXII, with the signatures of 16 Senators appended to the motion; they proceed up to the time of the setting of the vote upon the so-called cloture as it is set by rule XXII; they allow that vote to be held; and yet, in spite of the other portions of the rule, requiring that a two-thirds vote shall prevail in order to effect cloture, they insist that, under this condition, at the beginning of a Congress, a simple majority vote will permit cloture.

It seems to the Senator from Florida that, in effect, this attitude completely rewrites rule XXII and proceeds under a rule that is nonexistent. There is no rule existent for cloture of debate except upon casting of a two-thirds affirmative vote to close debate. It is that fact that the Senator from Florida wants to call to the attention of the learned Presiding Officer.

Mr. President, we will not attempt to solve the matter at this time except in respect: I want to serve notice that any way we can find to present the constitutional question for debate, notwithstanding the announced intention of the Presiding Officer to rule against debate upon the constitutional question, will be presented, and we shall ask for the opportunity to debate it. I want to serve notice to that effect.

The VICE PRESIDENT. The Chair wishes to respond briefly to the comment of the Senator from Florida. The purpose of the Chair in stating the Chair's intention relating to the parliamentary inquiry posed by the Senator from Idaho is to afford the Senate and its Members every opportunity to debate the constitutional question; and now under rule XXII time is provided for that. It is not as if the debate were foreclosed. It is, however, necessary, in order to get the constitutional question, to apply the established precedent of the Senate on an appeal from the Chair's ruling on constitutional questions; and rule XXII itself provides that such appeals, if there is no intervening business, shall be voted upon without debate.

Second, in reference to the rules, it has been held, not only by this Presiding Officer but by others—and I quote from the ruling in 1959, or the advisory opinion, I should say, in 1959——

Mr. HOLLAND. That was not a ruling of the Chair.

The VICE PRESIDENT. Advisory opinion. The Chair corrected himself.

In 1957, 85th Congress, Vice President Nixon gave an advisory ruling as follows, CONGRESSIONAL RECORD, volume 103, part 1, page 178:

> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.
>
> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.

That is the section which requires two-thirds——

Mr. RUSSELL. Mr. President, will the Presiding Officer be gracious enough to read all of the former Vice President's ruling, in which he also said if we proceeded under the rules of the preceding Congress, this advisory opinion would not be valid?

The VICE PRESIDENT. The Chair is quoting from the advisory opinion of the preceding Presiding Officer of the Senate. This Presiding Officer is announcing his intention of ruling that if a majority, less than two-thirds, but a majority of the Senators, vote in the affirmative on the motion of the Senator from Idaho, the Chair will rule that the proceedings under the cloture proceeding shall be in effect.

Mr. RUSSELL. If I understand the situation, the Chair is reversing the opinion that he made here 4 years ago. I just came into the Chamber. The Chair is quoting as an authority an advisory opinion of a former Vice President of the United States. While I have not looked it up in several years, if my memory serves me correctly, in that same advisory opinion he stated that if the Senate proceeded under the rules of the other session previously adopted, the advisory opinion would not be in effect, because it would mean that the rules had been adopted.

In the case, today, we have moved all the way up to the filing of the cloture motion.

The VICE PRESIDENT. The Chair wishes to note that it is his view that those rules that continue over from one Congress to another, that are not challenged at the opening of the new Congress or do not violate the constitutional provision of majority rule, are valid. That is the Chair's opinion. All of this is subject to appeal, once the ruling is made. The Chair has announced his intention to make a ruling. That appeal on constitutionality can only be settled by the Members of the Senate. But we have debated this question over the years, and it seems to this Presiding Officer that the time is at hand to have a decision.

Mr. RUSSELL. Mr. President, will the Chair advise just when a new Congress begins, and the old Congress ends? The Chair keeps referring to "the new Congress." The rules, of course, provide that they can only be changed in the manner prescribed therein specifically and definitely. But the Chair used the term "challenged at the opening of the new Congress." When does the new Congress begin?

The VICE PRESIDENT. The Chair responds, first, by saying that the Senator from Idaho has raised the question in his cloture motion that that section of the rule which requires a two-thirds vote is unconstitutional, and the Chair intends to make his ruling on that matter, and then the Senate will have its opportunity to decide. There has never been any question but that the rules, unless contested at the opening of the Senate, shall continue in effect. They continue by passive assent. As to whether there is a new Congress or not, I only refer the Senator to the fact that I have before me an issue of the Congressional Record regarding the proceedings and debates of the 91st Congress. That opened on the 3d day of January. The other Congress was the 90th Congress.

Mr. RUSSELL. The Chair had said that it must be during the new Congress. It seemed to me that if the challenge would apply today, it would apply in August.

In other words, take rule XL, for example, which prescribes that the rules of the Senate can only be suspended by a two-thirds vote, after notice given in writing of 1 day. Is it in order, now, to declare that unconstitutional?

The VICE PRESIDENT. I say to the Senator that if some Senator wishes to challenge it, that is his right, and the Chair would place that question before the Senate.

Mr. RUSSELL. When would that right expire?

The VICE PRESIDENT. The Chair would say to the most learned Member of this body on the rules——

Mr. RUSSELL. I thank the Chair.

The VICE PRESIDENT. You may change the rules any day that you wish. The Chair advises the Senator that it is his understanding that the Senate may change its rules any time it wishes. There is a procedure for doing that.

Mr. RUSSELL. On motion made from the floor?

The VICE PRESIDENT. If you can obtain unanimous consent. Otherwise you will have to proceed under the normal processes of the Senate.

Mr. RUSSELL. Mr. President, I thought it was unquestioned that the rules of the Senate could only be changed by written resolution.

The VICE PRESIDENT. There is no question that there is a body of rules before the Senate at this time. There is no question about that. The question as posed by the Senator from Idaho is the right of a Senator, with new Senators and a new Senate, to challenge, at the opening of a Congress, how the rules can be changed.

Mr. RUSSELL. Mr. President, I am still confused as to when a Senator is no longer a new Senator, and when a Congress is no longer a new Congress. I had always considered that each and every one of the 100 Members of the Senate were equals, and it made no difference when they entered the Senate. I think the most eloquent, or one of the most eloquent speeches that Webster ever made was in proclaiming the equality of every Senator on the floor of the Senate. I cannot conceive of a more vague or meretricious ruling than that. Simply because we have new Senators here, and a new Congress, a different state of facts exists with respect to the rules.

The VICE PRESIDENT. The Chair recognizes the Senator from Florida.

Mr. HOLLAND. Mr. President, first I ask unanimous consent that the entire advisory opinion of the former Vice President, Richard Nixon, be printed in the Record at this point.

The VICE PRESIDENT. The Chair appreciates that, and intended to so request. Is there objection? The Chair hears none, and it is so ordered.

There being no objection, the advisory ruling was ordered to be printed in the Record, as follows:

Vice President Nixon's Ruling

In 1957, during the debate on the rules at the opening of the Senate of the Eighty-fifth Congress, Vice President Nixon gave an advisory ruling as follows (Congressional Record, vol. 103, pt. 1, pp. 178–179):

"It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.

"The Chair emphasizes that this is only his own opinion, because under Senate precedents, a question of constitutionality can only be decided by the Senate itself, and not by the Chair.

"At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:

"First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.

"Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.

"Third. It can vote affirmatively to proceed with the adoption of new rules.

"Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.

"If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves.

"In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate to exercise its constitutional right to make its own rules."

Mr. HOLLAND. Mr. President, I also wish to call attention to the fact that I know of no precedent whatsoever, and I cannot conceive of any precedent, whereby a ruling should be made that a proceeding can be undertaken under an existing rule, and follow it meticulously in every respect except one, and that is that after the vote is taken, the Presiding Officer shall decide that the rule does not apply, and hold that the objectives of the rule to close debate may be attained by a lesser and a smaller vote than that announced by the rule. It seems to me that such a ruling, on the very face of it, is not only without precedent, but is without logic, and we should find any means that we can to dispose of the ruling of the Presiding Officer.

I might say, in closing at this time, that it seems to me that, having chosen to proceed under this rule, as the petitioners do, and having signed their names under the petition, saying on its very face that this petition is brought under rule XXII, and having invoked the provisions of the rule itself to limit the debate between the presentation of the rule and the taking of the vote upon the rule, that then, to declare after the vote is taken that after all, they were only joking up to that point, because they had no intention of observing the requirements of the rule as to the number that was required to vote affirmatively to bring about cloture, presents a perfectly ridiculous situation. I cannot help but say that for the Record at this time, with all respect, and great respect, to the Presiding Officer.

Several Senators addressed the Chair.

Mr. HOLLAND. I am happy to yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. RUSSELL. Will the Senator ask unanimous consent that the ruling by the same Presiding Officer on this subject 4 years ago likewise be printed in the Record?

Mr. HOLLAND. Mr. President, I make the request at this time that the ruling of the learned Vice President 2 years ago be printed in the Record as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Chair hopes that the Senate will learn as the Chair has.

The Vice President. The Chair feels that it is its obligation at this point, in light of the point of order raised by the Senator from Illinois, to state its view on this matter.

The point of order made by the Senator from Illinois involves or raises the question of the constitutionality of the motion of the Senator from South Dakota. On many occasions questions have been raised regarding the constitutional right of the Senate to act in a given manner, and the precedents are uniform. The Chair, on all these occasions, has submitted such questions to the Senate for its consideration.

The Chair is sure that Members of the Senate are well aware of the Presiding Officer's record as a U.S. Senator, at that time as an advocate of a point of view. The Chair is now the Presiding Officer of the entire Senate and stands as a servant of the Senate, rather than as an advocate within it.

Therefore, the precedent, which is a part of Senate history—namely, that the Chair has submitted constitutional questions to the Senate for its decision—the Presiding Officer believes to be a sound procedure. It has not been considered the proper role of the Chair to interpret the Constitution for the Senate. Each Senator takes his own obligation when he takes his oath of office to support and defend the Constitution. The Presiding Officer is aware of no sufficient justification for reversing this procedure.

Because the point of order made by the Senator from Illinois involves the constitutionality and propriety of the motion of the Senator from South Dakota—and at this time the Senate is attempting to modify its rules at the opening of Congress under rule XX on matters relating to questions of order—

the Presiding Officer may submit any question of order for the decision of the Senate.

Therefore, following the precedent of the Senate, the Chair submits to the Senate the question: Shall the point of order made by the Senator from Illinois be sustained? That question is debatable.

Mr. DIRKSEN. Mr. President, only for clarification—and this is a parliamentary inquiry—I think the RECORD should show now that an appeal from the ruling of the Chair will be disposed of by a majority vote.

The VICE PRESIDENT. The Senator is correct.

Mr. JAVITS. Mr. President, the papers from former Vice President Nixon, which have been placed in the RECORD, contain the following statement made at the beginning of the session in 1959:

> Under the advisory opinion, the Chair rendered at the beginning of the last Congress, it is the opinion of the Chair that until the Senate indicates otherwise by its majority vote the Senate is proceeding under the rules adopted previously by the Senate . . . but, as the Chair stated earlier today, and as he expressed himself more fully in an advisory opinion at the beginning of the last Congress, in the opinion of the Chair the rules previously adopted by the Senate and currently in effect are not, insofar as they restrict the power of the Senate to change its rules, binding on the Senate at this time.

I make this parliamentary inquiry: In the judgment of the Chair, does that precedent which the Chair has cited apply to rules by number or to any part of any rule if it can be applied without vitiating what the Chair considers to be the constitutional right of the majority of the Senate?

The VICE PRESIDENT. It would be the view of the Chair that the opinion given by the former Vice President applies to a part of the rules or could apply to the entire body of the rules.

Mr. JAVITS. Mr. President, one other parliamentary inquiry: Is it a fact that upon more than one occasion—upon several occasions—assurance was given by the majority leader, by the President pro tempore of the Senate, and by the minority leader that no rights of any kind were being waived to raise this question by virtue of the proceedings which have taken place since the opening day of this Congress, January 3?

The VICE PRESIDENT. It is the view of the Chair that such assurances have been given at the opening of this Congress and in previous Congresses.

Mr. JAVITS. Mr. President, another parliamentary inquiry.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. RUSSELL. I think it should be made clear that that also applies to the Presiding Officers other than those the Senator mentioned.

Mr. JAVITS. Of course. Is it not also a fact that the Chair, upon the opening day, followed an order of business for that day which began with a call to order, a prayer, the presentation of election certificates, the administration of oaths, a call of the roll, the receipt and referral of messages from the President, a resolution to notify the President that a quorum of the Senate had convened, the designation of a President pro tempore, and announcement of the order of business, and that then I asked, as a parliamentary inquiry, whether it was not in order to deal with the rules of the Senate.

The VICE PRESIDENT. It is the view of the Chair that that was the situation.

Mr. JAVITS. So this presents to the Senate the pattern of what was done as a regular pattern of procedure.

One final question: I find in another part of the opinion, which the Chair said was his opinion, that this is the way the Chair would rule if he had the opportunity:

> A constitutional question would be presented if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the right to move to cut off debate. Such a motion would be questioned by raising a point of order.

I ask the Chair if it is not a fact that that was precisely the procedure which was employed in 1967, when the Chair—the presently presiding Vice President—stated that if a motion to table the point of order, which was made precisely in that way, was unsuccessful, he would construe that to mean a decision on the constitutional question by the Senate.

The VICE PRESIDENT. That is the recollection of the Chair as to the situation that prevailed here in 1967.

Mr. JAVITS. I thank the Chair.

Now I should like to proceed in my own time for a few minutes. I have not yet finished. I think that at long last the Senate of the United States has reached a historic moment, when we have a Vice President who has faced the issue and decided that he is an officer having power and authority, and that he is here to do something other than to be ministerial; that he has finally tried to bring to resolution a long-standing question which, in my judgment—I speak as only one Senator—has disgraced the Senate. This problem is epitomized by the fact that we were so involved in our own footwork in terms of procedure in the Senate that we could not move, whatever might be the law or whatever might be the Constitution, without the consent of two-thirds of the Senate; epitomized by the fact that on one occasion a Vice President put to the Senate this very question, "Shall debate be closed?" but he said that that question was debatable, and that was the end of the matter. The Senate again was tied up in its own feet and its own procedure and could not move a step beyond that.

I should like to say that, in my judgment, without the persiflage and flattery that goes into so many speeches—we all do it, including myself—but just calling it straight, the Vice President of the United States has today performed one of the most historic services known to the history of this country. I may not live to see it, nor any of us here, but if this ruling stands up—and I think it will—one day the Vice President's name will be blessed, because we will have a decision which will have been made, and which cannot be vetoed by one-third of the Senate, even though a majority wants it to take place.

As one Senator, I wish to express the enormous satisfaction with our processes of government which at long last have been put on a track on which a majority of the Senate may be permitted to do its duty.

Mr. HOLLAND. Mr. President, the Presiding Officer is, of course, familiar with section 2 of rule XXXII, which reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

My parliamentary inquiry is: What weight, what importance, what effect does the Presiding Officer give to section 2 of rule XXXII, under the course of action which he has outlined as intended to be followed by him?

The VICE PRESIDENT. It is the view of the Chair that there is no rule of the Senate that can violate the Constitution, and the petition of the Senator from Idaho does not violate the rule.

Mr. HOLLAND. If the learned Presiding Officer means what I understand him to mean, he is holding that section 2 of rule XXXII is completely unconstitutional.

The VICE PRESIDENT. Not at all. The Chair is not holding that at all. That is not the question. The question before the Senate is the question posed by the Senator from Idaho relating to section 2 of rule XXII, which requires a two-thirds vote of the Senate in order to comply with the procedure for cloture. That question will be raised at the appropriate time, and the vote will come on Thursday as to whether or not it is a constitutional provision.

The Chair has expressed his intention of following what he believes the Constitution requires, namely, that the Senate shall make its own rules of procedure, but also that a majority shall constitute a quorum for the purpose of doing business.

It is the view of the Chair that in light of those constitutional provisions and precedents, the majority can cut off debate in this instance, at the beginning of a new Congress, in matters of rules. That is the view of the Chair.

Mr. HOLLAND. Then, the Presiding Officer is ruling that the words "unless they are changed as provided in these rules," which certainly mean as provided by section XXII, as by other rules——

The VICE PRESIDENT. As it may be amended.

Mr. HOLLAND. That that section is inapplicable.

The VICE PRESIDENT. No, the Chair is not ruling that at all. The question before this body is the amendment of rule XXII. That is the question. At that point, the issue of constitutionality arises, as to whether or not a majority can, at the beginning of a new Congress, exercise its right to modify, change, or adopt new rules or amend old rules. That is the question. When that is resolved, if, for example, it is agreed subsequently that three-fifths of the Senators could cut off debate, then that rule—what is the number?

Mr. HOLLAND. Rule XXXII, section 2.

The VICE PRESIDENT. That rule

would apply, because the Senate has expressed its will.

The Chair is attempting to place before the Senate a question that has been debated in this Chamber for years, as to whether or not the two-thirds vote requirement of section 2 of rule XXII is constitutional at the beginning of a new Congress when Senators, at the beginning of a new Congress are attempting to amend, change, and adopt the rules.

Mr. HOLLAND. Mr. President, does the question not go further than that? This section provides that changes in the rules cannot be made "unless they are changed as provided in these rules." Is not the Presiding Officer ruling that that part is inapplicable?

The VICE PRESIDENT. Not at all. The Chair is not so ruling at all.

The question before the Senate is on the right of the Senators—each and every Senator—and this body, at the opening of a new Congress, to adopt its rules of procedure. Since there is no express provision in the Constitution for a two-thirds requirement on rules, but rather that the Senate shall make its own rules of procedure and a quorum shall constitute a majority for the purpose of doing business, the question then arises as to whether or not any procedure that inhibits or violates that majority rule is constitutional at this point in the proceedings.

Mr. TALMADGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TALMADGE. Ninety Congresses of the United States and the U.S. Supreme Court, in the case of McGrain against Daugherty, handed down in 1926, reported in 273 U.S., page 135, have held that the Senate is a continuing body. I quote from the case of McGrain against Daugherty.

> The rule may be the same with the House of Representatives, whose Members are all elected for a period of a single Congress, but it cannot well be the same with the Senate, which is a continuing body, whose Members are elected for a term of six years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.

Now, since 90 Congresses of the United States have held that this is a continuing body, since the Supreme Court of the United States has held that this is a continuing body, since the rules of the Senate provided that these rules will remain in effect except when changed by the Senate in accordance with these rules, when did this body cease to be a continuing body?

The VICE PRESIDENT. Is the Senator asking the Chair for his opinion?

Mr. TALMADGE. I am asking the Chair a parliamentary question. When did the Senate cease to be a continuing body?

The VICE PRESIDENT. The Chair has not thought that the Senate ceases to be a continuing body. In other words, if the Senator argues that the Senate is a continuing body, it is his right.

Mr. TALMADGE. I am. I am quoting the Supreme Court and the precedent of 90 Congresses.

The VICE PRESIDENT. The Chair does not dispute that. The only question that the Chair will place before the Senate is the point of the Senator from Idaho, which challenges the constitutionality of section 2 of rule XXII. That is all.

Mr. TALMADGE. Do I correctly understand the ruling of the Chair to be that the Senate is a continuing body?

The VICE PRESIDENT. The Chair has not ruled on it, but it is the view of the Chair that the Senate is a continuing body, and he does not feel it is relevant to the issue.

Mr. TALMADGE. That is what the Supreme Court says, and I congratulate the Chair on agreeing with the Supreme Court in that instance.

The VICE PRESIDENT. The Chair has agreed with the Supreme Court on other occasions.

Mr. TALMADGE. If it is a continuing body, how can the Senate change its rules except in accordance with the rules of the Senate?

The VICE PRESIDENT. It is the view of some Senators, apparently, that a rule of the Senate which in the view of Senators—one or more—violates the constitutional rights of a Senator is subject to challenge. Also, it is the view of some Senators—and it is concurred in by the Chair—that at the opening of a new Congress, even of a continuing Senate, each Senator has all the rights and privileges under the Constitution that were present in the first Senate, and that the Constitution prescribes that a majority shall be a sufficient quorum for the purpose of doing business, that all legislation shall be passed by a majority, and that the Senate shall adopt its own rules of procedure.

The question is not whether the Senate is a continuing body. The question is posed by the Senator from Idaho, and it has nothing to do with a continuing body.

Mr. TALMADGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TALMADGE. Do I correctly understand the ruling of the Chair to be that if more than a majority vote for the cloture motion next Thursday, a Senator can proceed to speak then only in accordance with the cloture rules?

The VICE PRESIDENT. That is the intention of the Chair, and the Chair has given the Senate that forewarning.

Mr. TALMADGE. A Senator, who has been elected by his constituency and sent to the Senate, can be gagged by a ruling of the Vice President after speaking for 1 hour? Is that the ruling of the Chair?

The VICE PRESIDENT. Rule XXII does the gagging, if any gagging is to be done. It is not the Chair who does the gagging.

Mr. TALMADGE. The Vice President has held that rule to be unconstitutional in part and valid in other parts. Is that the ruling of the distinguished Vice President?

The VICE PRESIDENT. The Chair observes that questions of constitutionality are brought by the Chair to the Senate for the Senate's decision. The Chair is not ruling on constitutional questions.

So that there may be no question, the Chair believes it would be well, for purposes of understanding, to repeat what the Chair has in mind.

The Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules and to determine whether the two-thirds requirement of rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting, but fewer than two-thirds, vote in favor of the pending motion for cloture, the Chair intends to announce that a majority having agreed to limit debate on Senate Resolution 11, at the opening of a new Congress, debate will then proceed under the cloture provisions of that rule.

The Chair knows that its decision that debate will proceed under the cloture provisions of rule XXII is subject to an appeal if it is taken before any other business intervenes. The Chair will place that appeal before the Senate for an immediate vote, since rule XXII provides that appeals from the decision of the Chair, under cloture procedure, shall be decided without debate.

It all boils down to the fact that what the Chair is attempting to do is to simplify this issue to permit the Senate to work its will as to whether or not the two-thirds requirement of section 2 of rule XXII which is being challenged at the opening of this Senate is unconstitutional.

Mr. TALMADGE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TALMADGE. As I understand rule XXII, it provides that only two-thirds of the Senate present and voting may gag a Senator. Is that not correct?

The VICE PRESIDENT. I believe that is correct.

Mr. TALMADGE. Under what authority does the Vice President propose to gag Senators if the rule does not give him that authority?

The VICE PRESIDENT. The Vice President, as the Presiding Officer, would place the question before this body so that the body itself may decide whether or not that provision of rule XXII is or is not constitutional; but the Chair is expressing the desire to help the Senate work its will. It is time to face up to it.

Mr. TALMADGE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TALMADGE. As I understand the distinguished Vice President intends to use the very rule he says is unconstitutional to gag a Senator who desires to speak for his State.

The VICE PRESIDENT. The Chair does not seek to use any rule except those rules applied by Senators. The Chair does not initiate proceedings. The matter has been initiated by the Senator from Idaho.

The Chair responded to an inquiry by the Senators from New York that a rule or a portion of a rule can be contested as to its constitutionality, and that is what is happening.

The debate is not with the Chair but

with the Senator's colleagues. That may be the different point of view. The purpose of the Chair is to precipitate decision.

Mr. TALMADGE. I most respectfully disagree with the ruling of the Vice President. Ninety Congresses have taken a contrary view. The Supreme Court has taken a contrary view, which I have read to the distinguished Vice President.

The distinguished Vice President has said in effect that rule XXII itself is unconstitutional and yet he purports to use that same rule to gag Senators from 50 States sent to the Senate to represent them.

The VICE PRESIDENT. The Chair responds most respectfully that the Chair has not said rule XXII is unconstitutional. The Chair has not contested the continuing body nature of the Senate.

The Chair merely said that the question posed by the Senator from Idaho in his motion is one that challenges the constitutionality of section 2 of rule XXII; and under all the understandings in this body, in this the 91st Congress, and in preceding Congresses, the statements of the majority leader and minority leader and others, none of the rights of any Senator shall be prejudiced by the transaction of business taken in these early days of a new Congress. It has been understood that Senators could test the rules and portions thereof as to constitutionality.

Mr. TALMADGE. If rule XXII is unconstitutional, we have no cloture rule whatever. Not only a majority could not gag the Senate, but 99 Senators could not gag the Senate, if any Senator wanted to speak, if rule XXII is unconstitutional.

The Vice President is proceeding to attempt to gag Senators under the very rule that he held to be unconstitutional.

The VICE PRESIDENT. The Chair would only respond that cloture proceedings are not the subject being contested.

Mr. THURMOND. Mr. President, I cannot hear.

The VICE PRESIDENT. It is the two-thirds that is required to cut off debate under rule XXII which the Senator from Idaho challenges on a constitutional basis. That question can be decided only by the Senators who debate the question, and not by the Chair.

The Chair is attempting to precipitate a decision by a procedure he outlined in advance so the Senate will be on notice. The Chair has not ruled that rule XXII is unconstitutional.

The Chair indicated his intention that when the vote is called on the cloture motion, the one filed by the Senator from Idaho, if a majority, or less than two-thirds, a majority vote to sustain the motion, then it will be the view of the Chair that the body of rule XXII, the cloture proceedings, will prevail.

Mr. TALMADGE. If I recall correctly, 4 years ago when this question came before the Senate the distinguished Vice President ruled that he thought rule XXII was unconstitutional but he held it to be a constitutional question and submitted it to the Senate, and the Senate only could make the decision. At that time he did not attempt to try to gag Senators from the States. Therein lies the difference in the ruling.

The VICE PRESIDENT. May I say respectfully to the Senator, for whom I have the highest regard, that the Chair in this instance is not attempting to gag the Senate. The Chair is attempting to assist the Senate to meet the issue. That is the responsibility of the Presiding Officer in many of these highly controversial matters. The Chair has drawn the issue, but it is subject to appeal; it is a constitutional question which can be decided only by the Senate so the Senate can work its will. The Chair seeks to facilitate the business of the Senate; not inhibit it.

Mr. TALMADGE. If the Chair allows a Senator to speak at his sufferance for only 1 hour, he has gagged that Senator.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from New Jersey is recognized.

Mr. CASE. Mr. President, the present occupant of the chair needs no defense from any Member of this body or anyone else, either as to his integrity or skill in performing the functions of his difficult position which he is now performing. However, I would like to say this. Any suggestion that the Chair is overreaching or will overreach by following the procedure he intends to follow is utterly without foundation. The Chair will have no choice when the time comes to vote on the cloture motion but to put the question, and then, the vote having been taken, to rule, as the Chair must always rule, whether a motion has been adopted or not. So he is only performing his function in doing so. In the procedure which he has announced he will follow, he is following strictly all the precedents of this body, and it is a basic rule that the Senate decides constitutional questions.

So that decision will be made, as the Chair so clearly stated and reiterated, despite efforts made to confuse the question upon appeal from his ruling, a ruling which he must make. This is the action of the Senate itself and the Chair is absolutely correct in his statement that the rules require that appeals made during rule XXII proceedings shall be voted upon without debate. The Chair, it seems to me, is following strictly the rules of this body and the Constitution.

If I may just avert to one statement made earlier by the Senator from Georgia, I think it was, in regard to the proposition that if rule XXII is not applicable then there is no right because the Constitution requires that all Senators be allowed to speak without any restriction whatever upon their debate. There is no such provision in the Constitution. The only provision of the Constitution in that matter is that the Senate has a right to make its own rules. This entire matter of unlimited debate is something that has grown up as a practice, and not the wisest practice in all cases. There was a time in history when this body operated under proceedings by which the Chair would cut off debate when in his sole judgment he thought a man was talking in a tiresome way or in a dilatory fashion.

So there is no provision for unlimited debate; only that the Senate make its own rules. The Senate has made its own rules. The Senate made the rules here.

I have one other point. In 1959 we adopted the provision changing former rule XXII so that a two-thirds vote of those present and voting, as opposed to the two-thirds vote of the total authorized membership of the Senate, would be sufficient to adopt a cloture motion under rule XXII. As part of the price exacted for that was this little tricky provision that rule XXII shall continue from Senate to Senate unless changed as provided in these rules. At that time many of us were fully aware that literally interpreted that might prevent the kind of proceeding at the beginning of each new Congress which we are engaged in right now.

We announced that we would not accept and could not, indeed, because the constitutional rights of all Senators, then and forever in the future, would be affected, and that could not be done by any Senate action; that that provision, insofar as it might, in the future, operate to restrict the right of the Senate at the beginning of each new session to change them, would be invalid. So no one was lulled into any kind of misapprehension that the position we took then, and have always taken since, would not be taken in the future.

One further point and I shall finish. I think that not only do I fully agree with everything the Senator from New York and other Senators have said about what the President of the Senate has said, but it is not only a courageous act, it is also a fair and decent act, not to wait until the time of a vote, or the time the vote will occur and then make an announcement as a surprise, but to state now and between the time the vote is taken that Members of the Senate, agreeing or disagreeing, can fully put on the record their thoughts about this issue and what they are going to do. There will be no surprise, no entrapment, and no defrauding of anyone.

It is in accordance with the way the present occupant of the Chair has conducted himself throughout his public career. I applaud him for it, as well as for the great courage and honesty of his position.

Mr. ERVIN. Mr. President, if I understand the Chair correctly, the Chair, in the final analysis, bottoms his announced view of his proposed ruling in the ultimate analysis on the constitutional provision that says that a majority of each House of Congress shall constitute a quorum.

The VICE PRESIDENT. For the purpose of doing business.

Mr. ERVIN. Yes. Now the Chair stated that at the beginning of a session of Congress, a majority could change rules and anything that prevented them from doing so is not valid. Is that the essence of the Chair's ruling?

The VICE PRESIDENT. May the Chair state most respectfully to the Senator from North Carolina that the rules can be changed at any time by a majority.

Mr. ERVIN. That is exactly the point I was trying to make.

The VICE PRESIDENT. They may be changed at any time.

Mr. ERVIN. The power of the Senate is exactly the same every day it is in session, whether at the beginning of a session, in the middle of a session, or at the last part of a session, is it not, under the Constitution?

The VICE PRESIDENT. Is the Senator asking for a ruling of the Chair?

Mr. ERVIN. That being true, the Senate is powerless, under the Constitution, to make any rule that a majority could not set aside any time during the session of the Senate and change it; is that not correct?

The VICE PRESIDENT. Is the Senator asking for the Chair's opinion?

As it stands now, the Senate has the right, by majority vote, to change its rules. However, the Chair must observe that the Senate also has a rule that says, under rule XXII, it will take a two-thirds vote to limit debate.

Mr. ERVIN. If this Senator understands the ruling of the Chair, the Chair has ruled, in effect, that the part of the rule is unconstitutional; is that not correct?

The VICE PRESIDENT. The Chair has had that matter placed before him not at his own volition. This is not exactly a pleasant experience for the Chair. He had this question placed before him by the Senator from Idaho. The Chair has examined it very carefully. The Chair has examined this question over the years and has tried to find what was the better way to pose this question to the Senate.

The Chair is of the opinion, and so intends to rule, that when this question comes up for decision, if there are less than two-thirds, but over a majority, of Senators present and voting, and they vote in the affirmative, the Chair intends to rule that the proceedings under the cloture provision of rule XXII apply. That is subject to an appeal, an appeal on the basis of the ruling of the Chair as to the constitutionality, and will be settled by the Senate itself.

Mr. ERVIN. Well, it seems to me—I do not know whether I understand the Chair's ruling—but it seems to me that the Chair's ruling is essentially based upon the theory that since a majority of the Senate constitutes a quorum, any rule which prevents a majority from acting at any time is unconstitutional. Is that not essentially the ruling of the Chair, at least the opinion of the Chair, in announcing what ruling he will make?

The VICE PRESIDENT. It is the opinion of the Chair, in light of the proposition or the motion posed by the Senator from Idaho relating to the two-thirds requirement in section 2 of rule XXII which carries over, unless it is challenged, that if that question is raised as to whether that is an unconstitutional provision, the Chair will rule that a majority has the right to decide it.

Mr. ERVIN. The Chair will rule, in effect, that the Chair will not enforce a rule as written by the Senate in that event?

The VICE PRESIDENT. The Chair will rule that a majority, or more, having cast their votes in the affirmative, at the beginning of a new Congress, when said new Congress has the right and obligation to set its rules, a majority will be sufficient to limit debate until the Senate establishes or amends its rules of procedure.

Mr. ERVIN. How can it do that if the power of Congress is exactly the same at the beginning of a session, in the middle of a session or at the end of a session? How can Congress establish rules under the Chair's ruling that will prevent a majority from doing what it wants at any time?

The VICE PRESIDENT. By the Senate itself making its own decisions. The Senate is the judge of its own rules.

Mr. ERVIN. The Senate has the same power each day it is in session.

The VICE PRESIDENT. No doubt about it.

Mr. ERVIN. The Congress, as I interpret the proposed ruling, does not have the power to establish a ruling requiring 60 percent to cut off debate which is binding on the majority.

The VICE PRESIDENT. That is one of the motions on the calendar.

Mr. ERVIN. Does not the ruling of the Chair hold it to be unconstitutional for the Senate to establish any rule requiring more than a bare majority to silence all Senators?

The VICE PRESIDENT. The Chair will observe that since the Chair is stating opinions, and does not particularly desire to debate, when the Senate finally decides on its rules, it can decide any kind of rules it wants, by majority vote. If done under section 2 of rule XXII, they can have it, but at the beginning of a new Congress, it is the view of the Chair that it has been the long-established precedent of this body that none of the rights of any Senator are to be denied or prejudiced in any way. The right of the Senate to limit debate on a change of its rules by majority vote is a constitutional question, and that question will be placed before this body.

Mr. ERVIN. I would be more enlightened if the Chair would tell me in what part of the Constitution there is any provision which says the Senate has that power at the beginning of a session, and not all through it.

The VICE PRESIDENT. The Chair believes that the inherent right of Congress to establish its rules of procedure is there, at the beginning.

Mr. ERVIN. If I understand the Chair correctly, the Chair is also going to rule that if an appeal is made from the Chair's ruling, in case a majority but not two-thirds vote for cloture, the Chair will hold that the appeal from the Chair must be decided without debate.

The VICE PRESIDENT. That is the rule as provided in rule XXII.

Mr. ERVIN. Yes. And under that rule how could the Vice President adjudge that a previous Congress can silence all the Senators of the 50 States and hold that none of them shall be permitted to say a mumbling word. If the Vice President is right in other respects, he would have to hold that particular rule as inconsistent with the Constitution. It not only silences a majority. It silences all.

The VICE PRESIDENT. The requirement, as the Chair understands it, is that if there was not any satisfaction in that procedure, there is always the right of a Senator to move to table.

Mr. ERVIN. That would be a decision by the Senate and that would be vastly different from the Chair ruling that a previous Senate cannot prevent a majority from acting, but can prevent all from acting.

Mr. President, I would like to have this placed in the RECORD. It is a statement made by one of the wisest liberals who ever sat in the Senate and one of the greatest constitutional lawyers this country has ever known; namely, our late, beloved friend, Senator Joe O'Mahoney.

I read his statement:

> I am also utterly unable to understand how anybody can argue that the Vice President of the United States has any constitutional power to declare unconstitutional a rule which the Senate may make.
>
> ### CONSTITUTION AUTHORIZES SENATE TO WRITE ITS OWN RULES
>
> The Constitution is clear. It is very simple. Nobody can misunderstand it.
>
> Section 5 of article I provides:
>
> "Each House may determine the Rules of its Proceedings—"
>
> That is all it says about making of the rules. The authority is granted to the Senate and to the House to make their rules and to no other branch or official of the Government.
>
> The Senator from New York offers an amendment to the pending resolution offered by the leadership for both sides to make paragraph 2 of section 3 of the pending resolution read as follows:
>
> "The rules of the Senate shall continue from one Congress to the next Congress unless they are changed."
>
> The Senator from New York wants to strike out the words "as provided in these rules."
>
> ### VICE PRESIDENT HAS NO AUTHORITY TO DECLARE RULES UNCONSTITUTIONAL
>
> The Constitution of the United States, in the clause I have just read, gives to the Senate the right to write its rules. Who is it that has the right to prevent the Senate from writing its rules? It is said the Vice President has that right. I interrogated the Vice President a few days ago in an effort to discover upon what basis he claimed this authority. I have been unable to find such authority in the Constitution and he has been unable to hand it down.
>
> Of course, he made the ruling in a previous Congress, say those who claim that the Vice President has the right to declare a rule of the Senate to be unconstitutional. But it is impossible to find constitutional support for such a provision.
>
> ### THESE ARE CONSTITUTIONAL DUTIES OF VICE PRESIDENT
>
> Who is the Vice President? His office was created by the Constitutional Convention when the Founders were creating the Presidency. It was set forth in the Constitution that in the electoral college, when the votes were counted, the man who had the second largest vote for the Presidency should become Vice President. That was changed, of course, when it was provided by amendment that nominations should be made for Vice President as well as for President. But in the section which creates the Vice Presidency we find a clause which prescribes his duty. This is paragraph 5 of section 1 of article II of the Constitution:
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> "In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected."

> Having proceeded that far, the constitutional fathers, having found no duty for the Vice President to perform, decided they would make him President of the Senate. This is the only other clause of the Constitution I can find referring to the Vice President.
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> "The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided."
>
> That means that he may enforce the rules the Senate makes for itself. He cannot alter them. He cannot hold them unconstitutional.
>
> ### VICE PRESIDENT HAS NO POWER OVER MAKING OF RULES
>
> I find no word or phrase or clause in this provision saying that "the Vice President may give advisory opinions to prevent the Senate from exercising its constitutional powers to make its rules."
>
> Can anybody point out such powers? Can anybody point to any provision in the Constitution which gives the Vice President authority to render the decision the present Vice President did when he assumed the right to find some rule already made by the Senate to be unconstitutional?
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> The Constitution does not give that power to the Vice President. The Constitution gives to the Senate, and only the Senate, the power to make its rules. It does not say "shall"; it says "may." It does not say "why." Why was it the Constitution provided that each House may make its own rules?

According to the fundamental basis of the ruling which the Vice President has announced he proposes to make in a certain event, the Senate is totally without power to adopt any effective rule, which could prevent a majority of the Senate from doing anything it sees fit at any time. For all practical purposes, that theory nullifies the constitutional provision authorizing the Senate to determine rules for its own proceedings.

Mr. HOLLINGS. Mr. President, the only rule in issue is section 2 of rule XXII. Is that correct? What I am trying to do is distinguish exactly the proposed ruling.

The VICE PRESIDENT. Section 2.

Mr. HOLLINGS. Of rule XXII?

The VICE PRESIDENT. That is correct.

Mr. HOLLINGS. And none of the other rules are in issue?

The VICE PRESIDENT. That is correct.

Mr. HOLLINGS. As a matter of fact, I think at the beginning of the session we adopted all of the rules save the discussion on rule XXII, so all the other rules are in force and effect as of this time?

The VICE PRESIDENT. That is correct.

Mr. HOLLINGS. And that means that all of them have been constitutionally adopted. Is that correct?

The VICE PRESIDENT. No opposition was raised.

Mr. HOLLINGS. And, therefore, they are considered to be constitutionally adopted?

The VICE PRESIDENT. May the Chair just state for a moment that when the majority leader indicated, in response to inquiry from Senators on rule XXII and the possibility of filing of resolutions to modify rule XXII, that none of the constitutional rights of any Senator relating to amending that rule would in any way be prejudiced by the fact that the Senate was conducting business, it was understood at that time that such other rules, unless they were openly contested, were passively accepted.

Mr. HOLLINGS. So they have been accepted and we do have a constitutionally adopted set of rules save the question of rule XXII. Is that the Presiding Officer's view?

The VICE PRESIDENT. That is the Presiding Officer's view, with this proviso: that no section of any other rule which the Senate itself may judge unconstitutional can prevail.

Mr. HOLLINGS. In so far as any of the other rules are concerned, no question has been raised, and they have been constitutionally adopted by the Senate?

The VICE PRESIDENT. That is correct.

Mr. HOLLINGS. And we are to be guided by them?

The VICE PRESIDENT. That is correct.

Mr. HOLLINGS. They have been constitutionally adopted. They have also been adopted by the majority will of the Senate?

The VICE PRESIDENT. That is the opinion of the Chair.

Mr. HOLLINGS. So, with respect to all the rules save rule XXII, the Senate has, by its constitutional processes, exercised its will?

The VICE PRESIDENT. That is the view of the Chair. Of course, those rules are always subject to change by majority vote, and the majority has a right at the opening of a Congress to read and amend them.

Mr. HOLLINGS. The reason for the questions of the Senator from South Carolina is based on the tenor and temper of the Chair's ruling to the effect that somewhere, somehow—the Chair employed the expression of "dancing around the fire"—the Senate has been frustrated from exercising its will, and the Chair has only been trying to expedite the exercise of that will, and wishes to pinpoint this once and for all and permit the Senate to exercise its will.

The VICE PRESIDENT. That is the purpose of the Chair. The Chair may not be doing it well, but that is the purpose.

Mr. HOLLINGS. As far as the other rules are concerned, there is no "dancing around the fire," there is no question of constitutionality, and there is no question of the Senate's exercising its will, because the Senate has done that.

The VICE PRESIDENT. Unless a Senator raises the question.

Mr. HOLLINGS. And no Senator has raised the question.

The VICE PRESIDENT. Not thus far.

Mr. HOLLINGS. Rule XXXII, section 2, provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That is the U.S. Senate, as the Chair has just stated, now exercising its free will constitutionally, because no question was raised about it.

The VICE PRESIDENT. The Chair will observe that Congress cannot exercise unconstitutional action constitutionally; and if a Senator challenges the constitutionality of an action, then the Senate must stand in judgment.

Mr. HOLLINGS. That is right. No question has been raised about rule XXXII, section 2, and as the Chair has stated, that rule has been adopted.

The VICE PRESIDENT. The Chair understands the line of inquiry the Senator is following. The Chair wants to make it explicitly clear that no action of the Senate, even though it may be a precedent, can be justified if it proves to be unconstitutional, any more than any law passed by the Congress, which may well have applied for many years, and is subsequently challenged in court and held to be unconstitutional.

Mr. HOLLINGS. I think the Senator from South Carolina and the Chair are in agreement on that; and therefore there is nothing unconstitutional about rule XXXII, section 2, is there?

The VICE PRESIDENT. The Senator from New Jersey raised a point, some moments ago, that at the time that rule was adopted, there were those who made it very clear from the floor that, despite the language of the rule, nothing in said rule which violates the Constitution can be declared constitutional simply because the Senate has adopted it.

Mr. HOLLINGS. But there is nothing the Senator from New Jersey has stated that has questioned the constitutionality of rule XXXII, section 2.

The VICE PRESIDENT. That is the understanding of the Chair. It would be better to inquire from the Senator from New Jersey as to that. It is the understanding of the Chair that the Senator does not feel there is any ruling of the Senate that would in any way inhibit the Senator from challenging the constitutionality of rule XXII.

Mr. HOLLINGS. Rule XXXII has been the free expression of the will of the Senate; is that the Presiding Officer's feeling?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLINGS. So we have not been frustrated with respect to amending our rules?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLINGS. So if we wanted to change the proportion, under our rules, to a simple majority, three-fourths, or any proportion whatsoever, the will of the Senate has not been frustrated; a way has been shown, has it not, in the rule itself, under section 2?

The VICE PRESIDENT. That is the Senator's interpretation.

Mr. HOLLINGS. And then, having shown the way, is not the question really, not whether or not the will of the Senate should be expressed, but which will? It is the contention, obviously, of the Senator from Idaho and others, that they want to change the two-thirds and make it a simple majority. Has not the Presiding Officer really amended the rules, in contradiction of rule XXXII, section 2, by the ruling he has made today?

The VICE PRESIDENT. The Chair has stated repeatedly, and will do it again, so that there will be no ambiguity, no uncertainty, and no misunderstanding of the Chair's intention, that the constitutional question is the validity of the rule XXII requirement for an affirmative vote by two-thirds of the Senate before a majority of the Senate may exercise its right to consider a proposed change in the rules. If the Chair were to announce that the motion for cloture had not been agreed to because the affirmative vote had fallen short of the two-thirds required, the Chair would not only be violating one established principle by deciding the constitutional question himself, he would be violating the other established principle by inhibiting, if not effectively preventing, the Senate from exercising its right to decide the constitutional question. The Chair does not intend to violate both these principles.

It is the view of the Chair, just as it was the view of an earlier President of the Senate, that, at least at the opening of a new Congress, "the majority has the power to cut off debate in order to exercise the right of changing or determining the rules."

Therefore, the Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules and to determine whether the two-thirds requirement of rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting but fewer than two-thirds, vote in favor of the pending motion for cloture, the Chair will announce that a majority having agreed to limit debate on Senate Resolution 11, to amend rule XXII at the opening of a new Congress, debate will proceed under the cloture provisions of that rule.

The Chair notes that its decision that debate will proceed under the cloture provisions of rule XXII is subject to an appeal if it is taken before any other business intervenes. The Chair would place the appeal before the Senate for an immediate vote since rule XXII provides that appeals from the decision of the Chair, under cloture procedure, shall be decided without debate.

The Chair has set forth this response to the inquiry of the Senator from Idaho so that all Members of the Senate will have adequate opportunity to acquaint themselves with it and calls attention to the fact that there is now time under the terms of the cloture procedure for the Senate to debate the implications of this response and consider its own reaction to the motion for cloture in the light of the Chair's announced course of action.

The Chair must say that he, too, is doing what he can to uphold the Constitution. That is his right, duty, and privilege. The Chair is interpreting his view as to what the Constitution requires. The Chair has that obligation. It is not spelled out in the statutes; it is implied in my constitutional responsibility; and, after long consideration and a great deal of controversy in my own mind, the Chair has come to the conclusion that, at the opening of a new Congress, a majority may limit debate for the purpose of arriving at a decision that the rule in question does not violate the Constitution, but in fact fulfills the constitutional requirement, and the Chair therefore has announced his intention to rule, so that the Senate may do as it is doing today, and debate the issue. The Chair would hope that he is being helpful and not injurious.

Mr. HOLLINGS. Certainly, Mr. President, this Senator does not question the integrity or the genuineness or propriety of the Chair's feeling as to his oath under the Constitution, or even as to the ambiguity under rule XXII. I am referring, if the Chair pleases, to rule XXXII. Does the Chair find any ambiguity under section 2 of rule XXXII?

The VICE PRESIDENT. The Chair does not.

Mr. HOLLINGS. Actually, then, since the Chair finds no ambiguity under that particular rule, which states very clearly, and very much in pursuance to a majority will of this body, showing the way, and saying in so many words that "The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules," is it not a fact, then, that the Chair puts us on notice, because this is unusual, that we are now about to change the two-thirds requirement by a majority vote?

The VICE PRESIDENT. The Chair is presenting the question of the right of the Senate to adopt its own rules by a majority vote. If the Senate decides, in adopting the rules, that it wants a 75-percent vote, that is the Senate's privilege and prerogative. But the right to close debate so that the Senate can come to grips with the rules at the beginning of a new Congress until rules are adopted, or, when a rule is contested out of the body of rules that continue, the Chair will say that a majority will be adequate to limit the debate, the cloture proceedings shall be voted upon, and the Senate can work its wishes as it will, under a majority rule on the change of rules.

Mr. HOLLINGS. Certainly the Chair does not contend that I could raise a point that any rule, whatever it was, was unconstitutional, and thereby have it changed by a majority vote? The rules would have to be changed in the way the rules prescribe, is that not correct?

The VICE PRESIDENT. The Senator is correct. The point has been made that the two-thirds requirement of rule XXII is an unconstitutional limitation on the exercise of the constitutional rights and privileges of the Senate. This is a matter for the Senate to debate. The Chair will make his ruling.

Mr. HOLLINGS. But the real point is this: Taking any given rule, say rule XXII, I could not just stand on the floor of the Senate and get a majority vote on the right to amend it, could I?

The VICE PRESIDENT. The Senator certainly has a right to request a majority vote to change it.

Mr. HOLLINGS. At any time?

The VICE PRESIDENT. At any time.

Mr. HOLLINGS. That is not really what is provided in section 2, rule XXXII, because it does not provide that at all. The final rule XI provides:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof.

Then rule XXII provides for a two-thirds vote on the cloture part.

The VICE PRESIDENT. If cloture has to be applied, the Chair notes. But a majority vote may change the rules under any procedure prescribed in those rules.

The Chair recognizes the Senator from Mississippi.

Mr. STENNIS. Mr. President, I take it that it is acknowledged without argument that the purpose of rule XXII, the historical purpose, was to limit debate in the Senate. It was agreed on and passed, finally, in 1917, as I recall, and it did put a sufficient limitation on debate, that has been changed somewhat from time to time.

But a primary provision of rule XXII is that the Senate can cut off debate by a two-thirds majority vote of those present.

With great deference, the Vice President has set forth to rule, that is, he has given advance notice that he is going to rule that this two-thirds provision for cutting off debate is invalid, in his opinion, and that he is going to make such a ruling as the Presiding Officer of the Senate.

The VICE PRESIDENT. In the opening of a new Congress.

Mr. STENNIS. Yes. Then the Chair goes back in that same statement to take up another provision in rule XXII that is also designed to cut off debate, and he says in the same breath that that part of the rule is valid. That is the part that says from the points of order, including questions of relevancy and appeals decision of the Presiding Officer shall be decided without debate.

With great deference to the Chair, I pose the question, Why is one limitation on debate in rule XXII, on the same day of the session, declared unconstitutional, and the other limitation on debate, which is more severe, declared valid?

The VICE PRESIDENT. The Senator poses a worthwhile and fortuitous question, because the Presiding Officer says that in both instances a majority shall prevail. A majority can overrule an appeal or sustain an appeal. A majority can decide whether they are going to cut off debate or not. That is the view of the Chair. That was also the view of the Chair in the preceding Congress.

Mr. STENNIS. With great deference to the Chair's position and to the Chair himself, I submit that that answer does not really deal with the vitals of my question.

All of these provisions are in rule XXII, and it is all at the so-called beginning of a new Congress or a new session of Congress.

One provision is unpopular and not liked by segments of this body, and if the first part should be sustained, the second really cuts the vitals out of debate on the floor of the Senate.

Why is one part so iniquitous and so vile as to be unconstitutional, while the other is sacred and valid and must be preserved and enforced? They both relate to the same subject; they were both passed, I think, in the form that is presented here; they both deal with the same great question of the nature of the Senate.

Would the Vice President, the President of the Senate, answer that question for me?

The VICE PRESIDENT. It is the opinion of the Chair that in the opening of a new Congress, a majority of the Senate may, under the proceedings of rule XXII, prevail, because the constitutional provision, insofar as we have it, provides for majority rule and provides that the Senate may make its own rules of procedure.

The Chair believes that this is a constitutional question. That is why the Chair framed his response in a manner that tests or at least brings into question the constitutionality of the two-thirds requirement of rule XXII to limit debate.

The Chair has said he can well understand that an appeal will be made from that ruling, and the matter of appeal is a constitutional question which must be decided by the Senate.

Under rule XXII, as with other rules that are tacitly accepted until such point when a constitutional question is raised, the Chair would place the question before the Senate for an immediate vote. The Chair must say that that procedure might not be followed; it could be followed by some tortuous route by debate on the appeal, and some Senator must appeal. But it seemed to the Chair that to come to the issue and have the Chair state his opinion 2 days in advance would elicit the responses we have heard today. I think they are very helpful to the Members of the Senate.

Mr. STENNIS. Again, with all deference, I believe that my question went not so much to the very vitals, or even to the correctness, of the first part of the Vice President's ruling, but to the contrast between the two provisions of the rule, and the fact that the Vice President ruled one way as to one clause and directly the other way as to the other clause.

What I am troubled about is that the Chair has cut out one part and has left the other one binding on this body. That is not fair. It is not right. I submit that the Chair has no such authority anywhere, either in the Constitution or the Rules, or anywhere else, to do that to this body. The Chair is dealing with the Senate, not with individuals. He is dealing with representatives of the States. I submit that the Chair has no right, no valid reason, to do what his ruling will do. There is no way to remedy the mischief that could come from such a ruling except to have the Chair reconsider this matter and re-weigh it in his mind, to see if he is not driven by the parliamentary logic of the situation we are in to a different conclusion.

I know that this is a matter of an issue before the country, and even of individual Senators; but the Senate is more than all of us put together. I submit that the Senate deserves more consideration than merely a little debate this afternoon, a little tomorrow, and then a ruling that can blow the light out of this institution—and it is an institution over any other agency of Government, under our great system.

I believe that that is what will happen should a majority of this body happen to sustain the Vice President. We will be forced to do that or decide it without any debate, under this section of rule XXII, which provides that there shall be no debate on appeals from rulings of the Chair. How intolerable that can be is illustrated by this very case.

I believe that those who oppose rule XXII, and any other rules that have been rewritten, if they could have conceived of this situation, would have added a clause, after the phrase "shall be decided without debate, unless the Presiding Officer should, by a ruling, declare that other parts of the rule are invalid."

Then appeals could be taken and decided, but with debate. Now we are cut off. There is no hope and no help, should a bare majority of this body decide with the Chair. That will be the end.

It has been a long time since I went to the law books regularly, but there is a fundamental principle of constitutional law which is that if a court decides that any substantial part of a statute is unconstitutional, the whole statute has to fall, unless the parts are separable. Every lawyer knows that that is a fundamental principle of jurisprudence. If a court is going to declare anything invalid, the whole of it has to go, unless the parts are separable.

How can these two provisions of rule XXII be separated? Here is one that cuts off debate, under certain conditions, by a two-thirds vote. The other cuts off debate by saying there will be no appeal—not any—from a ruling of the Presiding Officer.

So if the Vice President is right as to the two-thirds clause in rule XXII, the whole rule goes with his ruling. The whole thing will be knocked out, lock, stock, and barrel, because that will be the result if the proponents of the motion are successful in the vote. It carries both with it. Either leave both or take both out in the ruling. After this ruling is made, there will not be a chance for anything else to be said as to the weight or the impact of that vote by any Member of the Senate, by any other interested parties, any other agency of the Government, or by the people—not a chance.

Appeals decided without debate—God save us from the day. I do not say God save us from change. We must have change. God save us from the day when an ax can be brought in here to cut out part of that rule and take the rest of that rule to crucify the great principle upon which this institution rests. If we are going to change it, let us change it some other way, rather than by this sudden death.

I think the Jets, the football team from New York, are pikers compared with whoever worked out this ruling. I mean the plan to ask for a ruling and have something cut off.

I submit to the Vice President, with all earnestness, with great sincerity, that this has brought about a situation that deserves his reconsideration, and I hope he will do that. I believe he should take counsel on this matter with more than he has counseled with beforehand. That is no reflection on the Vice President. We all need counsel.

I believe we are playing with the life and death of the Senate of the United States; and if it is going to be killed in its present form as an institution, the people should have something to do with it and the present membership should have a little longer than the Vice President's interpretation of rule XXII.

I thank the Senator for yielding.

Mr. HOLLAND. Mr. President, I wish to thank the distinguished Vice President for stating frankly his intention to rule in view of certain possibilities as to the outcome of the vote the day after tomorrow. In that respect he has been frank; in that respect he has put the Senate on notice; and I thank him for having done so.

I have been reflecting a bit during this talk about the whole question, Mr. President; and if the Chair will be patient with me for some 10 minutes, I shall be glad to review the entire question, if I may.

Prior to 1917, there was no limitation on debate in the Senate. The Senate could debate at any length it saw fit. There was no rule of materiality. There had been abuse of the rules of unlimited debate. Therefore, in 1917, Senators decided to afford a piece of machinery under which debate could be brought to an end, and rule XXII was devised by some of the best minds in the Senate; and it was adopted as a rule under which there could be an end or a closing of debate that otherwise would have been unlimited. It was a rule for limitation, not a rule for unlimited debate.

The Senator from Florida has always regarded it in that light and has always regarded it as a two-edged sword which could, in a proper instance, be used to shut off debate when Senators thought that debate had proceeded long enough and that to proceed longer would be abuse. And it could be used to prevent a vote, if the rule was unused, by failure to get a two-thirds vote, in which case the more than one-third of the Senate would have voted, in effect, that the question was of such grave importance and the passage of the legislation, or whatever was pending, was of such grave potentialities that they were unwilling to see it go to a vote.

Mr. President, it was a rule for limitation of debate, and has been so used. It has been resorted to a number of times, either in the original form or in the slightly changed form. It has been changed twice since I have been a Member of the Senate. I shall not discuss those changes, but both changes have made more liberal the opportunity to close debate.

It has been resorted to 43 times in the history of the Senate since 1917. Eight times cloture has been voted. In two of those eight times, the Senator from Florida was among those who voted to close debate.

The Senator from Florida regards this rule as two-edged sword, as he has already described it. But he desires to call the attention of the distinguished Vice President clearly to one fact: Never has any rule of cloture been adopted by the Senate which permits cloture by majority vote only. The effect of the ruling which the Vice President has said he proposes to make would be to adopt a majority closing rule for the beginning of each Congress, in the effort of the Senate to change not just rule XXII but also any other rule that it wished to change. It is against such a precedent that the Senator from Florida has the deepest kind of reservations and a feeling that it would be largely destructive of the stable quality of the Senate which has prevailed during the 180 years of the Senate's experience.

The Senator from Florida calls attention to the fact that if the Vice President struck out the two-thirds part of this rule but permitted the Senators who have advanced the petition to proceed under the rule as they have, permitted the limitation of debate to be fixed under the rule as he has indicated—that is, so that the vote would be held on the day after tomorrow, at a fixed hour—permitted the cloture to be effected by a simple majority vote instead of the two-thirds vote, permitted the limitation of the rights of speech of all Members of the Senate from that time on, as is provided by the rule—in other words, adopted the rule in toto except as to the two-thirds provision—the Vice President, by his ruling, would have created a rule not adopted by the Senate and many times considered by the Senate.

That is the point I particularly desire to make now. The Senate has not been without opportunity to adopt a majority rule and other suggestions for a requirement less than two-thirds—including the one now pending for three-fifths. The Senate has steadfastly declined to adopt any of those suggestions, and has insisted that the two-thirds requirement, as written into the Constitution to cover some 11 cases of grave importance, as viewed either by the Founding Fathers or by the States when they adopted amendments, be a test for cloture.

The thing the Senator from Florida wishes to call seriously and gravely to the attention of the distinguished Presiding Officer is this. His ruling would, in effect, rewrite this rule as applicable to this occasion and every one like it at the beginning of every Congress so that instead of reading two-thirds as the requirement for effecting cloture, it would read a simple majority vote.

I call to the attention of the distinguished Vice President that the Senate has had that proposal submitted to it, at least in the 22 years I have been a Member of the Senate, not once but many, many times and it has rejected that proposal every time.

The Senator from Florida cannot help but agree with his friend, the Senator from Mississippi, that if the two-thirds requirement is cut out and the simple majority vote made the requirement, the Chair would be creating a new rule. Mr. President, you are enforcing a new rule as a rule of the Senate, because you are calling upon all the other features in the rule and applying it as a rule of cloture, despite the fact the Senate has not once but repeatedly refused to adopt such a rule.

I call the attention of the distinguished Presiding Officer to that fact because I think he is a man of conscience and I think he will realize as he thinks through this matter again through the long hours of the night—and I hope he will—that to adopt the course he has suggested he will follow would be to rule the Senate under a rule it has never passed but declined to pass; and by his own act to interpret a Senate rule so as to cut out one of the most important portions of it, and yet consider the rule as hanging together as to its other features and still constituting a cloture rule.

There has been no cloture rule in the Senate except rule XXII as now written and as it has developed from the original rule XXII as developed in 1917. That is the only rule of cloture. Without that rule there is no chance of obtaining cloture unless that rule be brought in and worked under.

The distinguished Presiding Officer, by his intention to strike out of the rule the requirement so frequently reiterated by the Senate, that is, two-thirds, and to write in the provision of a simple majority, as he indicated, would create a new cloture rule available at that time, never passed by the Senate, never agreed to by the Senate, which is not now on the books and, in fact, a very great departure from what is on the books.

The Senator from Florida simply wanted to make this point clear for the RECORD, because he believes it to be true. He has given a great deal of study to this particular rule. He has on occasion voted to liberalize it and voted to liberalize it in some features.

The RECORD shows that nearly 20 years ago I preferred to include a feature to allow a majority to vote on matters affecting the defense of the Nation. That is shown in the RECORD. I have voted twice for cloture where I thought it was deserved, but I do not believe in rewriting the rules of the Senate simply to meet the convenience of Senators who want to make a change and feel in their own good consciences that the change should be made. That is what the Presiding Officer would do if he were to strike out the two-thirds requirement and insert in place thereof a mere majority requirement. If the Presiding Officer does that, I want him to realize he does it in the face of the fact that the Senate has many, many times considered just that proposal and every time has declined to adopt it.

In my judgment it is not sound for the Vice President to make a new rule for the Senate simply because he, in his own judgment, thinks the result would be beneficient.

I shall say no more at this time, but reserve the right to say more in the future. In closing I do wish to say I think the Vice President is to be complimented for stating frankly what he proposes to do, and for that one thing, in connection with what he said, I compliment him. I realize I disagree with him completely and wholly as to the substance of what he proposes to do.

I thank the Senator for yielding.

Mr. PEARSON addressed the Chair.

The VICE PRESIDENT. If the Senator will indulge the Chair just a moment, I wish to say that I deeply appreciate the compliment of the Senator from Florida, for whom I have very sincere admiration.

The Chair is not seeking to rewrite the rules of the Senate; that is for the Senate to do. The Chair is seeking to omit the framing of the constitutional question as to whether or not a majority of the Senate has the right at the beginning of each new Congress to write or amend the rules.

Mr. HOLLAND. I know what the Vice President is seeking to do, but I call his attention to the fact that he is doing it through the use of a rule which was not intended to do anything of the sort. He intends to do it now through the use of a rule and, indeed, the Senate not once but many times—and the Vice President knows I am speaking the truth—declined to write a cloture rule along the lines he wishes to interpret for this occasion.

Mr. PEARSON. Mr. President, for the RECORD, I think I might be helpful. Everyone knows why we are here. To briefly review the matter, a resolution was submitted to change the rule and unanimous consent was sought to take it up at that time. It laid over, written notice was filed, and today we are debating whether or not we are going to take up the resolution to amend rule XXII.

I want to indicate my own concern about proceeding through the mechanics of rule XXII, and questioning some of its provisions. However, what was the alternative? Could any Senator merely stand up at any stage of the proceedings and say, "Mr. President, I move to debate first on the motion to take up the resolution."

I am told by those who are better students of the RECORD than I that 2 years ago that procedure was followed and we got into an enormous hassle about what rule we were proceeding under and Senators were asked under what authority did they make the motion.

Mr. President, that was the alternative to proceeding under rule XXII. That point should be considered by those who make the argument for the continuing body. To proceed under rule XXII does give us the mechanics.

Then, there is questioned under the Constitution one part of that rule. I have heard a great deal of debate, and I have not been here so long that I have gotten over the feeling of sacredness of the Senate rules. What we are measuring against here is article I, section 5, of the Constitution. Therefore, I think those who raise the question about proceeding under rule XXII negating part of it, when that is measured against the Constitution and using the mechanics, together with the very gracious opinions given by the Presiding Officer of this body, it gives us the fairest chance of proceeding in this matter.

Mr. SCOTT. Mr. President, will the Senator yield to me briefly, so that I may make a unanimous-consent request?

Mr. PEARSON. I yield.

MINORITY PARTY'S MEMBERSHIP ON COMMITTEES

Mr. SCOTT. Mr. President, I send to the desk a resolution providing that the Senators named therein shall constitute the minority party membership of the standing committees of the Senate for the 91st Congress, and ask that the resolution be stated.

The legislative clerk read the resolution (S. Res. 15), as follows:

S. Res. 15

Resolved, That the following shall constitute the minority party's membership on the standing committees of the Senate for the Ninety-first Congress:

Committee on Aeronautical and Space Sciences: Mrs. Smith, Mr. Curtis, Mr. Hatfield, Mr. Goldwater, Mr. Mathias, and Mr. Saxbe.

Committee on Agriculture and Forestry: Mr. Aiken, Mr. Young of North Dakota, Mr. Miller, Mr. Curtis, Mr. Cook, and Mr. Dole.

Committee on Appropriations: Mr. Young of North Dakota, Mr. Mundt, Mrs. Smith, Mr. Hruska, Mr. Allott, Mr. Cotton, Mr. Case, Mr. Fong, Mr. Boggs, and Mr. Pearson.

Committee on Armed Services: Mrs. Smith, Mr. Thurmond, Mr. Tower, Mr. Dominick, Mr. Murphy, Mr. Brooke, Mr. Goldwater, and Mr. Schweiker.

Committee on Banking and Currency: Mr. Bennett, Mr. Tower, Mr. Brooke, Mr. Percy, Mr. Goodell, and Mr. Packwood.

Committee on Commerce: Mr. Cotton, Mr. Scott, Mr. Prouty, Mr. Pearson, Mr. Griffin, Mr. Hansen, Mr. Baker, and Mr. Goodell.

Committee on the District of Columbia: Mr. Prouty, Mr. Goodell, and Mr. Mathias.

Committee on Finance: Mr. Williams of Delaware, Mr. Bennett, Mr. Curtis, Mr. Dirksen, Mr. Miller, Mr. Jordan of Idaho, and Mr. Fannin.

Committee on Foreign Relations: Mr. Aiken, Mr. Mundt, Mr. Case, Mr. Cooper, Mr. Williams of Delaware, and Mr. Javits.

Committee on Government Operations: Mr. Mundt, Mr. Javits, Mr. Percy, Mr. Griffin, Mr. Stevens, and Mr. Gurney.

Committee on Interior and Insular Affairs: Mr. Allott, Mr. Jordan of Idaho, Mr. Fannin, Mr. Hansen, Mr. Hatfield, Mr. Stevens, and Mr. Bellmon.

Committee on the Judiciary: Mr. Dirksen, Mr. Hruska, Mr. Fong, Mr. Scott, Mr. Thurmond, Mr. Cook, and Mr. Mathias.

Committee on Labor and Public Welfare: Mr. Javits, Mr. Prouty, Mr. Dominick, Mr. Murphy, Mr. Schweiker, Mr. Bellmon, and Mr. Saxbe.

Committee on Post Office and Civil Service: Mr. Fong, Mr. Boggs, Mr. Fannin, Mr. Stevens, and Mr. Bellmon.

Committee on Public Works: Mr. Cooper, Mr. Boggs, Mr. Baker, Mr. Dole, Mr. Gurney, and Mr. Packwood.

Committee on Rules and Administration: Mr. Curtis, Mr. Cooper, Mr. Scott, and Mr. Thurmond.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. Hart) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. ERVIN. Mr. President, will the Senator from Kansas yield?

Mr. PEARSON. I am glad to yield the floor, but I am glad to yield now to the Senator from North Carolina.

Mr. ERVIN. I want to ask the Senator this question: If the Vice President rules in accordance with his announced purpose in the eventuality already described, that a majority of the Senate can proceed to write a new rule in lieu of rule XXII, would not the Vice President necessarily have to be ruling that rule XXII, with the two-thirds requirement, is unconstitutional?

Mr. PEARSON. I do not quite understand the Senator's question, but I think the answer is in the affirmative. I rely upon the Constitution.

Mr. ERVIN. Yes.

Mr. PEARSON. And the article and section I previously cited.

Mr. ERVIN. That is right.

Mr. PEARSON. That each House of Congress can make its own rules and that a majority shall constitute a quorum in order to do business.

Mr. ERVIN. The two-thirds requirement in rule XXII is certainly valid unless it conflicts with the Constitution; is that not correct?

Mr. PEARSON. I think that is true.

Mr. ERVIN. That is the basis on which the Vice President stated how he would rule in the eventuality mentioned by him.

Mr. PEARSON. I so understand.

Mr. ERVIN. Does not the Senator recognize it is a fundamental principle of constitutional interpretation that where one part of a statute is judged to be unconstitutional—the remainder of the statute must fall, too, unless it can be said that the legislative body would have passed the remainder without the part judged to be unconstitutional?

Mr. PEARSON. I think the Senator is correct The Senator from Mississippi and I went to the same law school. I think he correctly stated the rule of law, unless there is severability. I think the question of severability is proper and can be decided and a Senator may make a point of order after the Vice President rules on Thursday next.

Mr. ERVIN. Does the Senator entertain any belief that the Senate would have passed rule XXII, or any parts of it, except as a whole? In other words, does the Senator believe that the Senate would have been willing to deprive Senators of the right to speak at length on a proposal unless a two-thirds majority of its Members voted for cloture, as set forth in the first provision?

Mr. PEARSON. I apologize to the Senator. Would he kindly restate his question.

Mr. ERVIN. There are essentially two provisions in rule XXII. One is the provision which says two-thirds of the Senate can impose cloture——

Mr. PEARSON. And the other is procedure.

Mr. ERVIN. The other puts a drastic limitation on the right of a Senator to speak after cloture is imposed.

Mr. PEARSON. One hour per Senator.

Mr. ERVIN. Does not the Senator from Kansas agree with the Senator from North Carolina that it is inconceivable the Senate would have adopted one of these provisions without the other, and that if the first, the two-thirds requirement, is invalid, then the other limitation falls likewise?

Mr. PEARSON. Not necessarily. That is to say, I disagree with the Senator. I think they can adopt one part and not the other.

Mr. ERVIN. Does the Senator believe the Senate would have adopted the limitation on debate without adopting the two-thirds vote requirement?

Mr. PEARSON. Every Senator will agree with me that is precisely what we seek to do, and that is to change the provision for two-thirds to three-fifths in rule XXII as now written.

Mr. ERVIN. Exactly. Does the Senator believe that the Senate would ever have adopted these two provisions in a rule without adopting them both?

Mr. PEARSON. I am inclined to disagree with the Senator from North Carolina.

Mr. ERVIN. The Senator thinks, then, that the Senate would have adopted the second part without the first?

Mr. PEARSON. We are speculating. I can only say that it would be my judgment, or guess, that they would have, perhaps.

Mr. ERVIN. What will be the Senator's position, in case the Vice President makes the ruling that the two-thirds provision is unconstitutional? Despite his disclaimer, that is exactly what the Vice President will be doing if he makes his announced ruling.

Mr. PEARSON. I shall adhere to the interpretation of the Constitution.

Mr. ERVIN. But the Vice President will be passing on the Constitution. If there is no appeal from his ruling, it will be binding upon the Senate. Thus, he will be saying the two-thirds vote requirement is unconstitutional. Does the Senator agree with the Vice President that if his ruling is upheld, the rest of us cannot talk but 1 hour on this matter?

Mr. PEARSON. I think that is what the rule provides. I am sure that the Senator would want the Senate to proceed under the rules. That is the first point I sought to develop when I rose to speak; namely, that here we are debating as to whether we will take up a resolution. How shall we stop debate? For one might be saying, "I move we stop debate." There is no such rule. We have tried that route.

Mr. ERVIN. Then why do we vote on cloture at all? Why not just let a majority vote on whether they will silence us from discussing the rule change the Senator proposes? In my judgment, I do not think the Senate would ever have adopted one of these provisions without the other. Yet the Vice President's ruling would nullify the first but enforce the second. In other words, the Vice President's ruling would say that, notwithstanding the Senate has said only two-thirds can silence a minority, "I will silence the whole minority in the manner provided in this rule in the event any Senator appeals from my ruling."

Mr. PEARSON. Will the Senator yield for a question on my part?

Mr. ERVIN. I yield.

Mr. PEARSON. What is his interpretation as to the applicability of the Constitution of the United States in relation to the Senate's making its own rules, and the provision that a majority shall constitute a quorum in order to do business. What application does that have, if it does not apply to this case today, at this time, during the opening days of Congress?

Mr. ERVIN. That is no difference whatever between the opening and closing days of the session in respect to the constitutional power of the Senate. What the majority can do at the beginning of a session it can do any time during

the session. Therefore, I am mentally incapable of comprehending why the Vice President keeps talking about the beginning of a Congress. My position in this——

Mr. PEARSON. The relation of opening day is that the opening day is the proper time for the making of rules for the conduct of a Congress which will proceed for 2 years.

Mr. ERVIN. The Constitution does not say that. It does not even say that the Senate must make rules. It says the Senate may—not shall—determine the rules of its proceedings. Hence, the Senate can operate without rules. If the Vice President's interpretation is correct, the Senate will have no rules, for any practical purposes. I will answer the Senator's question: Congress has exactly the same power under the Constitution on the last day of the session that it has on the first day of the session.

Anything that would handicap the Senate from taking action on the first day of the session would handicap it from taking action on the last day of the session.

Under the Constitution, the Senate is a continuing body. The Supreme Court has held that it is. This is indisputably plain because two-thirds of the Senators remain in office all the time. The Constitution says the Senate may make rules. It places no limitation on what these rules shall be. A continuing body must have continuing rules.

The Senate itself declared, a few years ago, the last time we revised this rule, that the Senate is a continuing body and that its rules continue until changed as provided in those rules.

So I think rule XXII is binding on the Senate until it is changed as provided in the rules. As I see it, it is inconceivable that any legislative body can be a continuing body and not have power to establish continuing rules. So that is my answer to the question.

Mr. PEARSON. The Senator was good enough to answer my question, but did he cover the provision of providing that a majority shall constitute a quorum to do business?

Mr. ERVIN. The Constitution says that a majority shall constitute a quorum. It also says the Senate can adopt rules. The majority of the Senate has the same constitutional power on all occasions. Hence, there is no basis for the theory that a majority can change rules only at the beginning of a Congress. It has the same power throughout a session. If the rules adopted are not binding at the beginning of a Congress, the Senate cannot have any effective rules binding on a majority at any time.

Mr. PEARSON. Does the Senator feel that article I, section 5 of the Constitution, and rule XXII, which provides a two-thirds vote to cease debate, and formulating rules at the beginning of the Congress to be inconsistent?

Mr. ERVIN. Not at all, because, under the Constitution, the Senate is a continuing body. If it is a continuing body, it can have continuing rules. If it were not a continuing body, it would be like the House; it would have to adopt new rules at the beginning of each Congress. I see no incompatibility. If the two-thirds provision of rule XXII is unconstitutional, then the rule that requires two-thirds to suspend the rules and many other rules of the Senate which impede immediate action in any respect on the part of the majority are likewise unconstitutional.

Mr. PEARSON. I thank the Senator.

Mr. ERVIN. I thank the Senator.

Mr. BYRD of Virginia. Mr. President——

The VICE PRESIDENT. The Chair recognizes the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, may I ask the distinguished Vice President whether his contemplated ruling and the procedures to be followed after he rules are in conformity with the same Vice President of the United States' ruling and procedures of 4 years ago?

The VICE PRESIDENT. The Chair cannot recall the exact matters of 4 years ago, but may the Chair say that the Chair feels no sense of being bound whatsoever by any observations he may have made 4 years ago as to debate, because it is perfectly obvious that, as people are enlightened and as they see developments, they have the opportunity to change and to change their minds. The Chair is not at all mindful of just exactly the statement the Chair may have made 4 years ago. The Chair does feel, however—and this is as good a time as any to say it—that this intention of ruling with advance notice is arrived at without any consideration of any political issues, but, rather, of the procedures of this body.

The Presiding Officer of this body will soon be leaving this Chair, and he felt it was time for the Senate to decide this constitutional question. We have danced around it. We have come close to it. We have never come to it. It appears to the Chair we can decide it and will decide the most fundamental issue, which is a constitutional issue, in the only way it can be decided, by majority vote. All constitutional issues are decided by majority vote.

Mr. BYRD of Virginia. It is accurate to say, then, Mr. Vice President, that the contemplated ruling and contemplated procedures which will be followed differ substantially from the ruling of the same Vice President 4 years ago?

The VICE PRESIDENT. The Chair doubts it. The Chair will refresh his memory. But even if they were in total contradiction, this is the view of the Chair, after mature and extended consideration and thought, with due respect to the procedures of this body, which I honor with all that is in my body and spirit.

Mr. BYRD of Virginia. The Senator from Virginia recognizes the desirability of changing positions from time to time. So the Senator from Virginia is not arguing that point.

The Senator from Virginia wants to get clear in his mind, however, whether such a ruling and such a procedure as is contemplated to take place the day after tomorrow is in conformity with or substantially differs from the ruling and the procedure made by the Chair 4 years ago.

The VICE PRESIDENT. The Chair has always said, both as a Senator and as Vice President, that issues of constitutionality are to be decided by the Senate. The Chair has always been of the mind that certain provisions of rule XXII, if applied, at the beginning of a new Congress, are subject to the question of constitutionality. That is the question before this body. On whether the procedures today are the same, the Chair does not have a very definite recollection; but the purpose of the procedure being outlined by the Chair today is simplicity, to get at the central question, and not to have half a dozen motions that skirt the issue. A year ago the Chair laid down a procedure which included a point of order, a tabling motion, in an effort to seek a way of arriving at whether or not the Senate was passing judgment on the constitutionality of certain provisions of rule XXII. It was very confusing. The press did not understand it. I doubt that the Senate understood it. This time the procedure is to be simplified.

Mr. BYRD of Virginia. May I address another inquiry to the Chair? Is not the basic difference that in the past, under the ruling of the present Vice President, and under the ruling of the previous Vice President, the distinguished President of the United States, the Members of the Senate had the right of full debate on the constitutional issue or ruling propounded by the Chair?

The VICE PRESIDENT. It would be the Chair's view that debate was more extended; but there is no secret as to what this question is about.

Mr. BYRD of Virginia. It is a constitutional issue, as the Chair so construes it; but under the procedure outlined by the Chair, debate will be cut off.

The Senate, in effect, will be gagged.

The membership will have no opportunity for a full debate and a full discussion of the Chair's ruling. That is my main area of disagreement.

I feel the Chair is entitled to rule as he feels best, but I think it is very unfortunate that the Chair has ruled in such a way that the Members of the Senate do not and will not have an opportunity to debate a vital constitutional question, but, instead, will be gagged—that is the word the Senator from Georgia used, and I think it is an accurate word—and Senators will be prevented from discussing at any reasonable length this great question.

The first limitation put on debate was in 1917. I might say, Mr. President, that that limitation was presented to the Senate by one of my predecessors in this position.

He was the then distinguished senior Senator from Virginia, Thomas S. Martin. He was majority leader of the Senate, and he was chairman of the Appropriations Committee.

At the request of the President of the United States, Woodrow Wilson, he presented to the Senate a rule under which the Senate could call off debate if two-thirds of its Members felt it necessary to do so. Prior to that time, there was no debate limitation. So the rule offered by the distinguished then Senator from Virginia, Thomas S. Martin, was for the purpose of giving the Senate a way to bring an issue to a vote.

All of us know that in the last few years the Senate has voted cloture when it deemed it necessary. But I submit, Mr. President, that the power which the Presiding Officer has taken unto himself, by the method which he proposes to use next Thursday, will set a very dangerous precedent.

The distinguished Vice President is a great patriot. He has served in this body with great distinction. He has served in the position he now holds with great distinction.

But I am frank to say that I do not want any Vice President, whether it be HUBERT HUMPHREY or SPIRO AGNEW, whether he be a Republican or a Democrat, to have the power to manipulate these rules.

I submit that the way this is being done, the way the Vice President proposes to do it on Thursday, is a manipulation of the rules, and manipulation in a way which will deny to the individual Members of the Senate the right to full debate on ~~a~~ vital question.

As ~~I see it~~, the matter of adhering to the rules is a vital matter. Certain groups who are in the majority today could be in the minority tomorrow or next week, or next year; and by the same token, there are those who are in the minority today who could be in the majority later.

So I think it is most important that we adhere fairly and squarely and fully to the rules.

I say again, I deeply regret that the distinguished Vice President has seen fit to indicate that he will rule day after tomorrow in a way which will make it impossible for the Members of the Senate to have full debate on a very vital question concerning all the Senators, and I think concerning all the people, whether they realize it or not, because it is a complicated procedure. I think it is of vital importance to the people of the United States.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. First, I compliment and congratulate the distinguished Senator from Virginia for what he has just said. Second, I remind him that if cloture be voted by a single vote, so that it will be upheld by the Presiding Officer if he adheres to his present announced intention, and if the appeal from the ruling which must be voted on immediately after that should be lost by a single vote, those of us who feel deeply, as do the Senator from Virginia and myself, on this subject, will each have an hour to speak before the vote on the motion to take up will come.

That will run over the matter of the vote on the motion to take up until perhaps late Saturday, or maybe into the new administration. My own feeling is that, looking behind the screen a little, I think I can see an intention here to throw this whole subject into discussion in the opening days of the new administration, and I simply wanted that statement to appear in the RECORD tonight, because I see no other course that will be open.

I am sure that Senators will want to speak their hour out on the motion to take up. The Senator from Florida, I am sure, will. I am sure that his friend from Virginia, his friend from North Carolina, and many other Senators will, and it looks to me as though this whole thing, now, is a deliberate attempt to throw this particular matter over into the opening days of the new administration, for discussion then. I hope that the Senator will gird his loins, as the Senator from Florida proposes to do.

Mr. BYRD of Virginia. I thank the distinguished Senator from Florida. Of course, I do not know what the attempt or the reason is, but I do believe that if we proceed as it is indicated we will proceed, and if the Senate should sustain the views of the Chair, then it occurs to me that we might as well not have any rules in the Senate, and there will be somewhat of a problem around here.

The VICE PRESIDENT. The Senator from Michigan is recognized.

Mr. HART. Mr. President, as we approach the close for tonight, I rise to express a point of view apparently not universally shared on this floor in the last hour, but which feeling I entertain with as deep conviction as those who have been critical of the announced intention of the Chair. I rise to thank our Vice President, the President of the Senate, for attempting to permit the Senate, as he puts it, to come to grips with this central question. The Senator from Idaho and the Senator from Kansas earlier expressed themselves, as did the senior Senator from New York.

As I understand it, Mr. President, the Chair is indicating that when a new Congress assembles, there is a constitutional right of the Members of the Senate, as now composed, by majority action, to establish its rules.

The question has been raised with respect to that aspect of rule XXII that would require two-thirds of the Members present and voting to terminate debate on a question, and to bring the issue to a vote. It is the judgment of the Chair, as of now, that if a majority, on the day after tomorrow, should vote to close debate, constitutionally, that majority's decision will be acknowledged by the Chair, and respected and enforced; and that all rules and any rule which would inhibit that action by the majority at the beginning of a Congress are not applicable. Is my understanding correct?

The VICE PRESIDENT. The Chair, applying the question to that section of rule XXII which has raised the question as to the constitutionality of the two-thirds provision, will state that it is the considered judgment of the Chair that, at the opening of a new Congress, a majority shall have the right and the power to establish its rules and limit debate on that question.

Once those rules are established by that majority, then the Senate operates under those rules. As to those rules that are not contested, they are by their use accepted. This question is not presented for the purpose of the Chair taking this firm, intended action; it is to precipitate the issue in order that the Senate may come to grips with a constitutional question around which it has debated many years, but has never resolved. The appeal procedure is designed not to put this debate over into the next Vice Presidency but, to the contrary, to settle it in this one; in other words, to expedite the proceedings and the appeal by the Senate, so that the Senate may decide whether to overrule the Chair or to sustain the Chair.

The same Congress that by a majority can declare war can by a majority vote either sustain or overrule a decision of the Chair. The Senate is not denied its right to exercise its power. The Presiding Officer merely sets in motion the machinery and the mechanism that expedites the Senate in its decisionmaking. That is the real purpose of the Chair's ruling.

Mr. HART. It is my understanding that at this point, under the present circumstances, the Chair takes the position that any rule which would inhibit or prevent a majority from acting is not applicable.

The VICE PRESIDENT. That is the view of the Chair.

Mr. HART. Again, I think that while there continue to be deep divisions in the Senate, history's verdict of the Chair's effort to permit a majority of the Senate of the 91st Congress to resolve our rules at the outset will be recorded favorably.

The VICE PRESIDENT. The Chair must note for the Senator that the procedural motion that is before the Senate, on which the Chair intends to make a ruling if a majority or even though two-thirds vote in the affirmative, is designed for one purpose: To permit the Senate to amend its rules by a resolution that requires three-fifths instead of two-thirds.

There is a constitutional interpretation by the Chair, which he is entitled to make as the Presiding Officer, as one who has taken an oath to uphold the Constitution, that in the opening of a new Congress a majority can effectively set its rules, and that a Senator can raise questions of a constitutional nature which can be placed before this body for its decision.

Mr. HART. I thank the Chair.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, in accordance with Public Law 85-874, appoints the Senator from Texas (Mr. YARBOROUGH) to the National Cultural Center Board.

The Chair, in accordance with Senate Resolution 281 of the 90th Congress, appoints the Senator from Massachusetts (Mr. KENNEDY) to the Select Committee To Study the Unmet Basic Needs Among the People of the United States, to replace the Senator from Pennsylvania, Mr. Clark, retired.

The Chair, in accordance with Senate Resolution 223 of the 90th Congress, appoints the Senator from Indiana (Mr. HARTKE) to the Special Committee on Aging.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. THURMOND. Mr. President, I had intended to speak to the merits of this subject this afternoon; but in view of the intended ruling of the Chair, I shall make some remarks concerning the intended ruling of the Presiding Officer on this subject.

I have always been fascinated by the study of government. I have been especially fascinated by a study of the Senate, in reading the Hayne-Webster debates and in reading the speeches of John C. Calhoun, Daniel Webster, Henry Clay, and others. I have gained tremendous respect for the Senate because it has always been considered as the greatest deliberative body in the world.

If the rule as enunciated by the Vice President today is adopted, the Senate, in my judgment, will be destroyed as the world's greatest deliberative body. I believe this is the first time in the history of the Nation that any Presiding Officer—and I say this with all affection for the distinguished Presiding Officer—has ruled as the Presiding Officer today has ruled.

Our Government has been in existence for 180 years. George Washington became President in 1789, following the adoption or the ratification of the Constitution by nine States in 1788. For 180 years this Government has operated. But today the ruling of the distinguished Vice President is, in my opinion, going to do more to destroy the U.S. Senate as we have known it, and as it has been conceived by students of government, than any other action that has ever taken place in the history of the United States. I am sure the distinguished Presiding Officer does not intend that.

The Vice President, as a former Senator, has sat as a member of this body. He understands the workings of the Senate. Possibly he feels that changes should be made. But it is most unfortunate that he has taken the position he has taken today by saying that section 2 of rule XXII is unconstitutional, in his judgment, and that, therefore, he intends to rule and so, in effect, change the rulings and change the rules the Senate has made by 100 Members of this body, and take unto himself the authority to construe the rule in such a way as is equivalent to rewriting the rules of the Senate, and even rewriting the Constitution as Members of the Senate have construed the Constitution in following this rule.

When our Constitution was written, it was written to provide the greatest measure of freedom to the people of this country. It was written to protect the oppressed, to protect the minority. In instance after instance, there were written into the Constitution provisions under which the majority could not prevail. I shall cite only a few of them now, but there are many.

Article I, section 3, provides that no person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present. A majority of Senators cannot impeach another Senator; two-thirds are required.

Article I, section 5, provides that each House, with the concurrence of two-thirds of its Members, may expel a Member. Even in the House it takes two-thirds to expel a Member, although ordinarily the House can do almost anything by a majority vote.

Article I, section 7, provides that a bill returned by the President with his objections may be repassed by each House by a vote of two-thirds. Even though both bodies have passed the bill, if the President vetoes it, both bodies can pass the bill again only by a vote of two-thirds to override the President, because the President says, "Stop, look, and listen," and gives his reasons for vetoing the bill. All this in an effort to protect the minority.

Article II, section 2, provides that the President shall have authority, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. In other words, the President of the United States, with all his power as Chief Executive, all the power vested in him by the Constitution of the United States, cannot make a treaty with another nation unless the Senate—not a majority of the Senate, but two-thirds of the Senate—confirms that treaty.

Amendment XII to the Constitution provides that when the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union. In other words, a majority of the Member or Members from a majority of the States is not sufficient. There must be a quorum of a Member or Members from two-thirds of all the States of the Nation for this purpose.

Amendment XII also provides that a quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators. In other words, a majority of the U.S. Senate cannot choose a Vice President.

I am amazed, then, that the Vice President would say that a rule that has been made by the Members of this body, by the Members of the U.S. Senate, is unconstitutional because it requires two-thirds to bring a debate to a close. I am amazed that the Vice President would make this ruling. I am amazed because if this ruling is effected and becomes a precedent—and it would be a precedent, because it would be the first time in the history of this Nation that a Presiding Officer had ruled in this way—then why cannot, 2 years from now, the Senate come back and instead of advocating three-fifths or 60 percent of the Members to stop debate, change it to 51 percent? Why can they not change it to a bare majority, a raw majority?

Mr. President, we are getting away from the Constitution. We are getting away from the great Government of the United States which has provided checks and balances and has provided means to protect the minorities. If a majority in the Senate can change the rules every 2 years on this point, why can they not change any other rule they wish?

Does the Vice President mean that section 2 of rule XXII is unconstitutional and is not valid? What about some other Vice President saying that rule XXIII or rule XXXVI is invalid and therefore does not apply?

Is the Senate going to allow a Vice President to write the rules for the Senate? Is the Senate going to allow a Vice President to undo the rules of the Senate? Is the Senate going to allow a Vice President, who is not a member of the legislative branch but of the executive branch, to come in and undo the rules of the U.S. Senate which have been established by the U.S. Senate?

Mr. President, I am deeply concerned. I am gravely concerned. I feel a grave responsibility in this question, and I hope every other Member of this body does; because, if a Vice President can rule in such a way every 2 years with regard to changing these rules, it will not be long before the Vice President can rewrite the entire rules of the Senate.

I would say to the new Members who have come to the Senate this year from the House of Representatives, who have come here expecting to join a deliberative body, not a body where they can speak for only 2 or 3 minutes or 5 or 10 minutes, who have come here expecting to enjoy unlimited debate, who have come here to join the greatest deliberative body in the world, that if this ruling is affirmed and if it goes into effect, they have not joined the greatest deliberative body in the world, because this ruling will destroy the Senate as the greatest deliberative body in the world.

I hope that the Presiding Officer, between now and Thursday, will reconsider this matter. I hope for the sake of the United States, I hope for the sake of the rules of the Senate of the United States, and I hope for the protection of the minorities in this country that the Presiding Officer would respectfully review his intended decision and not rule as he has indicated. I appreciate his saying ahead of time what he thinks he will do, but sometimes we all need to pause. No man is infallible, whether he is President, Vice President, Senator, or what not. We all make mistakes. Sometimes when we see we are about to make a mistake, if some friend or a Senator or someone else can cause us to think over the question and review the question and reappraise the question, it can be highly advantageous, when such a vital constitutional question is concerned, a question which is most important to the welfare of this Nation.

I know of the Vice President's interest in minorities, I know of his humanitarianism, and I know of his affection for people. I hope that, in the goodness of his heart, he will reconsider this matter. I hope that between now and Thursday he will conclude that his previous stand in this matter was the right stand to follow, not the one he has indicated today. I hope he will decide that, for the sake of the Senate being a continuing body and for the sake of abiding by the rules of the Senate, which he alone did not write and which he alone should not destroy, he will permit the Senate to make these rules, and that he will permit the Senate to decide whether they are unconstitutional.

I hope that the Vice President, when he goes out of office, will have the satisfaction of feeling that he did not take a step which helped to bring destruction to a body in which he has served and for which he has great respect. I hope that between now and Thursday he will have the opportunity to do this.

Mr. CHURCH. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Rhode Island (Mr. PELL) be added as a cosponsor of Senate Resolution 11.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH. Mr. President, let me just say that I believe the Presiding Officer is to be commended for having placed this issue squarely before the Senate and for having done so in a manner that gives full notice to all Senators as to precisely what the issue is that we shall vote upon on Thursday.

Fundamentally, Mr. President, the question is one of giving effect to what many of us believe to be the constitutional right of the majority to act in formulating the rules of the Senate at the commencement of a new Congress.

Much has been said about special provisions in the Constitution requiring more than a majority. For example, reference has been made to the two-thirds vote of the Senate required for the ratification of treaties and the two-thirds vote requirement of both Houses in the case of constitutional amendments. However, no such requirement can be found anywhere in the Constitution when it comes to changing the rules.

The Constitution expressly provides that each House may determine its own procedures, and the precedents have consistently held that each House may do so by majority vote. The Chair is simply trying to give effect to this constitutional provision, by opening the way for a majority to assert, if it will, its prerogative in the matter of determining what the cloture rule will be for the next 2 years.

I have listened to the outcry about destroying the Senate as a great deliberative body. Well, Mr. President, the adoption of a three-fifths cloture rule won't destroy the essential character of the Senate; it won't place in jeopardy the right of extended debate. We have filed a cloture petition in order to get to a vote on the motion to take up this three-fifths rule, so that the Senate can then proceed to debate the proposition on its merits.

I hope that all Members of the Senate understand that the course we adopt is the only one that the majority can enable to assert its prerogative under the Constitution of the United States. How the majority then decides to shape the rule relating to cloture is a different question. I, for one, would feel it unwise for the Senate to adopt a majority cloture rule. I have said so before. That has consistently been my position.

I favor the adoption of a three-fifths rule, but I believe in the unfettered right of the majority to decide that question. To those who say that this is an extraordinary procedure; that we ought to make our effort to change rule XXII, while remaining subject to its present restrictions, I can only reply that this has been tried, again and again, utterly to no avail. If the majority is not to be blocked, it must assert its right directly under the Constitution itself.

I commend the distinguished Presiding Officer for the action he proposes to take. I hope the Senate will proceed on Thursday to give effect to his proposal by invoking cloture through the vote of the majority, and by then voting to sustain the Chair.

(At this point Mr. GRAVEL took the chair as Presiding Officer.)

THE JAPANESE AND ECSC VOLUNTARY STEEL IMPORT LIMITS—SOME RESERVATIONS

Mr. HARTKE. Mr. President, agreement has now been reached between the major steel producers in Japan and the European Coal and Steel Community, whose shipments to this country constitute about 82 percent of our steel imports, to limit their exports of steel mill products to the United States on a voluntary basis through 1971. The overall level of restraint for 1969 is reported to be 14 million net tons, which is about 4 million tons less than the shipments in 1968, but substantially higher than those of any other previous year.

It is hard to quarrel with the need for restraint. Restraint can either be voluntary or mandatory. Of the two, the former is preferable to the latter if it can achieve the necessary degree of restraint required. And while I view the voluntary commitments of the major steel producers in Japan and the European Coal and Steel Community as a salutary step toward a meaningful resolution of the overcapacity in world steel production, there are several problems with the commitments which cause me to have reservation.

First, the overall level constitutes over 13 percent of domestic shipments, which is not very much restraint at all. Only last year, when imports climbed to a record level of 18 million tons, did the steel industry in this country experience a higher level of import penetration than they will feel under the voluntary quotas which certain foreign producers have agreed to.

Second, the voluntary agreement calls for a growth in steel imports of 5 percent a year. This raises at least two problems: the 5-percent growth factor is substantially higher than the average annual growth in domestic shipments since 1958; and, if average growth of domestic shipments should remain at their historic rate—or for some reason should fall—the growth in foreign imports would capture an ever-increasing share of the domestic steel market.

Third, the agreement leaves out some important producers among the EFTA countries in Europe and Canada, and some in the Far East who might be tempted to take advantage of the voluntary restraint of others by increasing their share of the U.S. market. This, of course, would undermine the whole agreement.

Fourth, the possibility that foreign producers will ship more sophisticated steel into this market, while still staying within the overall restraint limits by reducing their shipments of lower priced, more basic, steel, would constitute a serious loophole in the voluntary restraint and not help the U.S. steel industry or the balance of payments of this country. Even though the letters by the foreign producers indicate they will try not to change the product mix, the temptation to do so is there, and if given in to, would not serve in our national interests.

Finally, foreign producers have placed certain conditions for their restraint which need clarification. Obviously, if the Congress enacts a mandatory quota on steel imports, such as the one I introduced in the last Congress, there would be no need for a voluntary restraint arrangement. Therefore, it is nonessential to make as a condition that the United States would not impose mandatory quotas. The letter of undertaking by Japanese producers which was graciously sent to our State Department, indicated that the voluntary restraint is premised on the assumption that "the United States will take no action, including increase of imports duties, to restrict Japanese steel mill product exports to the United States." The European producers statement is based on the assumption "that the United States will take no action to restrict ECSC steel mill products to the United States like: First, quota systems; second, increase in import duties; and third, other restrictions on the import of steel mill products to the United States."

The steel industry has filed complaints under the countervailing duty statute which have nothing to do with quotas, but deal with foreign export subsidies. Therefore, any positive action by the administering agencies in the form of a special dumping duty or a countervailing duty under these statutes should not affect in any way the need for overall restraint by foreign steel exporters. And, restraint should not affect the decisions made by these agencies under the statutes.

This same principle would also apply to any escape clause actions which might be taken to protect American industry. Such an action is independent of the need for overall restraint.

Moreover, if a special duty or quota were placed on an importation of a product which contains a substantial amount of steel, for example, automobiles, it should not be construed as an obstacle to steel imports within the meaning of the agreement. Any other interpretation could be inimical to the interests of other industries who may merit relief.

The vague language of the agreement in this regard also raises the question of whether the foreign producers would end their restraint if the United States, for balance-of-payments reasons, establish an import surcharge or a border tax. That would not be a restriction specifically directed against foreign steel. In short, we should not permit the voluntary agreements approved by these foreign producers to pressure this country in the administration of its laws, or to forestall any action which we deem advisable and necessary to help our balance of payments.

It is also important to point out that voluntary restraint of steel shipments by the EEC and Japan does not in any way obviate the need for these countries to eliminate their nontariff barriers against American exports and, in some cases, their restrictions on U.S. foreign investment. On the contrary, removing these obstacles is more imperative than ever.

Mr. President, I ask unanimous consent to have printed in the RECORD the correspondence from the Department of State relative to the voluntary undertakings for import restraints by the Japanese and ECSC producers. These include a letter from the Department of State, dated January 14, 1969, signed by Secretary of State Dean Rusk, addressed to the chairman of the Senate Finance Committee; a memorandum to the Secretary of State from the Japan Iron & Steel Exporters' Association dated December 23, 1968; and a letter to the Secretary of State from the ECSC Steel producers, dated December 18, 1968, signed by various personalities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., January 14, 1969.

Hon. RUSSELL D. LONG,
Chairman, Finance Committee,
U.S. Senate.

DEAR MR. CHAIRMAN: The President has asked me to transmit to you communications received from the steel industry of Japan and the steel industries of the European Coal and Steel Community (ECSC) expressing the intentions of these industries to limit their exports of steel mill products to the United States in the years 1969 through 1971.

We estimate that as a result of the export limitation of the Japanese and ECSC producers, which together provide about 82 percent of our steel imports, total imports will amount to about 14 million net tons in 1969, about 14.7 million net tons in 1970 and about 15.4 million net tons in 1971. Other major foreign producers have not formally offered to cooperate in the voluntary export limitations but, as a practical matter, are expected to maintain their exports at levels which yield the estimates stated above.

Sincerely yours,

DEAN RUSK.

MEMORANDUM: STATEMENT OF THE INTENTION OF THE JAPANESE STEEL INDUSTRY, DECEMBER 23, 1968.

To: The Honorable Secretary of State, Washington 25, D.C., U.S.A.

From: Yoshihiro Inayama, Chairman, Japan Iron & Steel Exporters' Association.

Subject: Statement of the Intention of the Japanese Steel Industry.

1. With the desire to assist in the maintenance of an orderly market for steel in the United States, the nine leading steel companies of Japan, namely, Yawata Iron & Steel Co., Ltd., Fuji Iron & Steel Co., Ltd., Nippon Kokan Kabushiki Kaisha, Kawasaki Steel Corporation, Sumitomo Metal Industries, Ltd., Kobe Steel Works, Ltd., Nisshin Steel Co., Ltd., Osaka Iron & Steel Co., Ltd., and Nakayama Steel Works, Ltd. gave assurances in their statement of July 5, 1968 that their steel mill product shipments from Japan to the United States would not exceed 5.5 million metric tons during Japanese fiscal year 1968. These nine companies account for approximately 85 percent of all Japanese steel mill products shipped to the United States. In the light of subsequent events and as a result of discussions concerning this matter with the representatives the Government of the United States of America, they now want to make a new statement to the following effect.

2. With greater understanding of market conditions 'for steel in the United States, and with the cooperation of the medium and small steelmakers of Japan which account for the remaining 15 percent of shipments to the United States, the same nine leading steel companies wish to state their intention, subject to measures permitted by the laws and regulations of Japan, to limit the Japanese shipments of steel mill products to the United States to a total of 5,750,000 net tons during calendar year 1969.

2. During the subsequent two calendar years (through 1971), it is also their intention to confine the Japanese shipments within limits which would represent, at most, a 5 percent increase over 5,750,000 net tons in 1970 and over 6,037,500 net tons in 1971, depending upon demand in the United States market and the necessity to maintain orderly marketing therein. During this period the Japanese steel companies will try not to change greatly the product mix and pattern of distribution of trade as compared with the present.

4. This statement is made upon the assumptions: i) that the total shipments of steel mill products from all the steel exporting nations to the United States will not exceed approximately 14,000,000 net tons during 1969, 105 percent of 14,000,000 net tons in 1970, and 105 percent of 14,700,000 net tons in 1971, ii) that the United States will take no action, including increase of import duties, to restrict Japanese steel mill product exports to the United States, and iii) that the above action by the Japanese steel companies does not infringe upon any laws of the United States of America and that it conforms to international laws.

YOSHIHIRO INAYAMA,
Chairman, Japan Iron & Steel Exporters' Association.

DECEMBER 18, 1968.

The Honorable SECRETARY OF STATE,
New State Building,
Washington, D.C.,
U.S.A.

Sir: The associations of the steel producers of the ECSC united in the "Club des Sidérurgistes", to wit:

Associazione Industries Siderurgiche Italiane ASSIDER, Milan represented by Prof. Dr. Ernesto Manuelli;

Chambre Syndicale de la Sidérurgie Francaise, Paris represented by the President, Mr. Jacques Ferry;

Goupement des Hauts Fourneaux et Aciéries Belges, Brussels represented by the President, Mr. Pierre van der Rest;

Goupement des Industries Sidérurgiques Luxembourgeoises, represented by the President, Mr. René Schmit/Luxembourg;

Vereniging de Nederlandse Ijzer-en Staalproducerende Industrie, represented by Mr. Evert van Veelen/Ijmuiden; and

Wirtschaftsvereinigung Eisen-und Stahlindustrie, Dusseldorf represented by the President, Bergassessor Dr. Hans-Günther Sohl.

Referring to the repeated talks they have had in this matter with representatives of the Government of the United States in behalf of the sustenance of liberal international trade in steel and to assist in the maintenance of an orderly market for steel in the United States declare the following:

(1) It is their intention to limit the total ECSC deliveries of steel mill products, i.e. finished rolled steel products, semis, hot rolled strip, tubes, and drawn wire products, to the United States to 5,750,000 net tons during the calendar year 1969.

(2) It is also their intention in the calendar years 1970 and 1971 to confine their deliveries within limits which would at the utmost represent for the year 1970 a five percent increase over 5,750,000 net tons and for the year 1971 a five percent increase over 6,037,500 net tons.

During the named periods the ECSC producers will try to maintain approximately the same product mix and pattern of distribution as at present.

This statement is based on the assumption:

(A) that the total shipments of steel mill products (finished rolled steel products, semis, hot rolled strip, tubes, and drawn wire products) from all the steel exporting nations to the USA will not exceed approximately 14 million net tons during 1969, and five percent over 14 million net tons in 1970, and five percent over 14.7 million net tons in 1971, and

(B) that the United States will take no action to restrict ECSC steel mill product exports to the USA like (a) quota systems; (b) increase of import duties; (c) other restrictions on the import of steel mill products to the USA.

This proposal of the ECSC steel producers is made provided that it does not infringe on any laws of the United States and that it conforms to international laws.

ERNESTO MANUELLI.
PIERRE VAN DER REST.
EVERT VAN VEELEN.
JACQUES FERRY.
RENÉ SCHMIT.
HANS-GÜNTHER SOHL.

FAREWELL TO THE ELECTORAL COLLEGE

Mr. CHURCH. Mr. President, on November 5 last, our Nation went to the brink of a serious constitutional crisis. As millions of Americans watched the tabulation of popular and electoral college votes, the possible instability and danger inherent in our antiquated electoral system nearly materialized.

On November 23, 1968, a Gallup poll was released which showed, strikingly, that the people wish, never again, to face that possibility; 81 percent of the American people were shown to be in favor of the direct popular election of the President and Vice President of the United States. It is apparent that a well-educated and politically sophisticated electorate is demanding the right to directly choose their President. They feel, as do I, that the people are the only legitimate power brokers in a democracy.

On November 23, 1968, an excellent editorial, written by Richard L. Tobin, appeared in the Saturday Review. The article sets forth the basic arguments for the abolition of the electoral college system. It deserves the attention of every Member of the Senate and, indeed, every American.

I ask unanimous consent, Mr. President, that the editorial to which I refer, "Farewell to the Electoral College," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FAREWELL TO THE ELECTORAL COLLEGE

Framers of the Constitution envisioned the Electoral College as a sort of elite gathering in which persons of the highest caliber would participate. These electors, the Constitutional Convention believed, would meet soon after the November vote to discuss and evaluate the merits of various candidates for President. Each elector would vote for two persons for President, and the man with the highest number of electoral votes would become President and the runner-up Vice President. In casting their ballots, the electors were expected to reflect the views of the people as expressed in the quadrennial vote, but they would not be bound by that vote. In other words, the office of President was too precious, too elevated, to be left to the whim of the common man, though he could express his preferences.

The design of the framers of the Constitution was never really carried out. No one needed to deliberate over the choice for President when George Washington was the candidate, and by 1800, the nation had an incipient political party system which had not been foreseen or even contemplated. With political parties came the end of the idea of an independent elector chosen among the elite. The pledged elector, instructed to vote for a certain party candidate, reflected a publicly announced slate of names bound to vote a certain way in the Electoral College. The independent role of the several states grew with each election, and any idea of a President elected by a democratic majority of the total vote of the American people gradually faded into the complex and unworkable Electoral College system we are now saddled with—unworkable and explosively dangerous.

Last month, the *Fordham Law Review* published a thoroughgoing study of the Electoral College—and why it should be abolished—a study so sharply expressed and logically presented that it bears quotation here. The critique points out that while the United States has been lucky in the caliber of its Presidents and fortunate to have avoided a Constitutional crisis because of the dangers and defects of the Electoral College, experience dictates immediate attention to the matter before it spells chaos and disaster. There is little doubt in any rational mind by now, especially after November 5, that the Electoral College poses a serious threat to the stability of our Presidential system.

To win the Presidency a man needs only a majority of electoral, not popular, votes. Such a majority is quite possible without a plurality of the total popular vote. Indeed, on fifteen occasions we have elected a President who did not have a plurality. In three Presidential elections we denied the White House to a man who had actually drawn more than half the popular vote. In 1876, Governor Samuel J. Tilden of New York, for example, polled 250,000 more votes than Rutherford B. Hayes or 51 per cent of a total vote of just over 8,000,000, but the Republican became President through the idiotic mathematics of the Electoral College system coupled with post-Civil War political chicanery. In 1824, Andrew Jackson polled 155,000 votes to 105,000 for John Quincy Adams, but when Jackson did not have the required majority in the Electoral College, the election went to the House of Representatives, and after corrupt bargaining Adams was picked for President over a candidate who had polled half again as many popular votes.

As the Fordham survey says, it is in fact possible for a candidate to win a majority of the electoral votes with considerably less than one-fourth of the total popular vote. "If a candidate were to win a plurality of the popular votes in eleven large states plus one other state," it adds, "he would have a majority of the electoral votes even if he received no popular votes in the remaining thirty-eight states. This is an extreme example but it serves to underscore the anomaly."

The matter of disproportion spills over into the states, moreover, due to the fact that each state is entitled to at least three electoral votes. That means there is one electoral vote for every 75,000 voters in Alaska, one for every 260,000 votes in Arizona, one for every 330,000 votes in Virginia, and one for every 400,000 in California. But the advantage of living in a tiny state doesn't last long when one realizes that a voter in Alaska, Nevada, Delaware, Vermont, or Wyoming can influence only three electoral votes while a single voter in New York can influence the distribution of forty-three electoral votes. Nothing, indeed, makes much sense about the Electoral College any way you look at it, but worst of all, it is not truly democratic.

Resentment, unrest, public clamor for reform of the Electoral College would surely have followed the crisis we barely avoided after November 5. As television shrinks the country and draws each state nearer every other state in common problems, reactions, and solutions, something as antique as the Electoral College is simply a form of political Russian roulette, dangerous and potentially disastrous to our nation. On the other hand, if we are to go to a straight popular vote for President and Vice President we shall need federal safeguards to watch local balloting more closely. There are those who will never be convinced that Mayor Daley's Chicago vote which gave Kennedy the election over Nixon in 1960 by just over 8,000 votes was a legitimate count, and something along these lines seemed in prospect in Illinois for a while even this November. But with careful federal surveillance there is no logical reason why the Presidential election of 1972 should not be left to the total popular vote of the American people. We should not have to depend upon tricky and antiquated procedures in electing a man to the most powerful office in the world.

RECESS UNTIL 8:30 O'CLOCK P.M. TODAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 8:30 o'clock p.m. today.

The motion was agreed to; and (at 5 o'clock and 23 minutes p.m.) the Senate took a recess until today, January 14, 1969, at 8:30 o'clock p.m.

At 8:30 p.m., under the previous order, the Senate was called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

Mr. MANSFIELD. Mr. President, at a quarter to 9 the Senate will proceed in a body to the Hall of the House of Representatives. It is my understanding that at that time the business of the Senate will in fact be concluded, and that at the end of the President's address, the Senate automatically, under the previous order, will stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT SESSION OF THE TWO HOUSES—MESSAGE OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 1)

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the Hall of the House of Representatives for the joint session.

Thereupon (at 8 o'clock and 42 minutes p.m.), the Senate, preceded by the Secretary of the Senate (Francis R. Valeo), the Sergeant at Arms (Robert G. Dunphy), and the Vice President, proceeded to the Hall of the House of Representatives to hear the address by the President of the United States on the state of the Union.

(The address by the President of the United States, this day delivered by him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's RECORD.)

RECESS

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 9 o'clock and 56 minutes p.m. the Senate took a recess until tomorrow, January 15, 1969, at 12 o'clock meridian.

CONFIRMATION

Executive nominations confirmed by the Senate January 14 (legislative day of January 10), 1969;

U.S. COURT OF MILITARY APPEALS

William H. Darden, of Georgia, to be a member of the U.S. Court of Military Appeals for the remainder of the term expiring May 1, 1976.

HOUSE OF REPRESENTATIVES—*Tuesday, January 14, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Fear the Lord and serve him faithfully with all your heart; for consider what great things He has done for you.—1 Samuel 12: 24.

O Lord, grant unto us to so love Thee with all our minds, with all our hearts, with all our strength, and our neighbors as ourselves, that the grace of brotherly love may dwell in us, that all harshness and ill will may die and our hearts be filled with compassion and love. Thus may we rejoice in the happiness and good success of others by sympathizing with them in their sorrows, by ministering to them in their needs, and by helping them in their efforts for a greater life with dignity and self-respect.

Keep ever before us the shining goal of a greater nation and a better world seeking the way to peace and the road to freedom for all.

Incline our hearts with godly fear
To seek Thy face, Thy word revere;
Cause Thou all wrongs, all strife to cease,
And lead us in the paths of peace.

In the dear Redeemer's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H.Con. Res. 77. Concurrent resolution providing for joint session of Congress to receive Presidential message.

ELECTION OF MEMBER OF THE COMMITTEE ON WAYS AND MEANS

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a privileged resolution (H. Res. 124) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 124

Resolved, That Sam Gibbons, of Florida, be, and he is hereby elected a member of the standing committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REVISION OF THE BAIL REFORM ACT OF 1966

(Mr. McCULLOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. McCULLOCH. Mr. Speaker, last Thursday, January 9, 1969, all of the minority members of the House Judiciary Committee, and eight members of the House Republican task force on crime and our minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), joined with me in introducing a comprehensive bill to revise the Bail Reform Act of 1966. Our bill would permit Federal courts to order limited pretrial detention of persons charged with crimes who would pose a danger to the community if released pending trial.

With each passing day, our crime rates are increasing at an appalling degree. Too many crimes are being committed by hard-core repeat offenders. With trial backlogs growing longer and with the requirement of the Bail Reform Act of 1966, that persons charged with crimes must be released prior to trial and whereunder courts are not permitted to take the safety of the community into consideration in setting the terms of such release, crimes committed while on pretrial release have become a significant problem. The demand is strong from prosecutors, police officials, trial judges, grand juries and citizens to provide our courts with the authority to detain pretrial dangerous persons charged with crimes. In the District of Columbia, in 1968, 130 persons were arrested for robbery—a crime of violence against persons—and were released on bail pending trial. Of these 130 defendants free on bail, 45 were indicted for at least one additional felony. These 45 defendants had 76 indictments placed against them for acts allegedly committed while on bail. That is a felony recidivist rate of 34.6 percent. National figures on recidivism are almost as appalling.

Riot connected offenses pose the most compelling case for some form of detention, especially while riotous conditions exist or when the likelihood of a defendant's return to participate in the riot can be predicted. It subverts our system of justice and endangers the public safety to allow predictably dangerous persons charged with crimes to go free on the streets for long periods of time—court backlogs are increasing daily—prior to trial where they can intimidate witnesses, destroy evidence and commit additional crimes.

The legislation just introduced would permit Federal courts to take into consideration the likelihood of the defendant's dangerousness to the community in setting conditions of pretrial release. When no such condition of release will assure safety to the community and when the defendant is charged with certain specified crimes involving violence, weapons and narcotics, then the court is empowered to detain the defendant prior to trial. In cases where defendants, charged with Federal crimes, are on pretrial release and commit an additional offense while on such release, then courts may order detention if the defendant's continued release would pose a danger to the community. In cases where defendants are charged with Federal crimes and on conditional pretrial release and violate any such condition of release, then courts may also detain them if their continued release would pose a danger to the community. However, such periods of detention may not exceed 60 days if the trial is not delayed by the defendant's own action. If the defendant is not tried within that period, then the courts shall order him released. In addition, all detention orders are subject to review in 24 hours and immediate appeal thereafter.

The bill also strengthens the penalty provision of the Bail Act in cases where defendants are released and fail to appear for subsequent court proceedings. The bill also provides stiff new penalties for crimes committed by persons who are charged with crimes and on pretrial release. The commission of a felony during such release is punishable by a minimum mandatory sentence of not less than 1 year nor more than 5 years. The commission of a misdemeanor while on pretrial release may be punished by an additional penalty of up to 1 year. These additional sentences may not be suspended, probation may not be granted and they must run consecutively to any other sentence.

The proposed amendments in our bill raise complex and controversial issues of a policy and constitutional nature. I commend to the attention of Members a memorandum discussing these issues that was prepared by the minority staff of the Committee on the Judiciary.

PROGRESS OF POOR CHILDREN IN SCHOOL PROGRAM UNDER TITLE I OF THE 1965 ELEMENTARY AND SECONDARY EDUCATION ACT

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record.)

Mr. PERKINS. Mr. Speaker, within recent days the press has carried stories reporting the results of a study of local school programs funded under title I of the 1965 Elementary and Secondary Education Act.

Although the body of the stories made it clear that some schools are investing their title I funds effectively, the headlines and lead paragraphs purported to show that the title I program "isn't producing measurable results."

This sketchy journalistic treatment is misleading in that it implies that the Federal Government is losing confidence in the title I program. This is most unfortunate, and it does not reflect the true facts in terms of the history and status of title I.

Since we are dealing here with the lives of 9 million poor children now being served in the schools, we can ill afford to pass hasty judgments on their chances for success in school and in life.

These press reports were based upon the so-called Tempo study, which was limited to a selected number of school districts. That study reflects only the early 1965–66 efforts of the schools, and it does not represent a fair assessment of the kinds of progress that may be anticipated over a longer and more sustained period.

For instance, it may take several years, perhaps a decade, to determine whether title I will significantly reduce the dropout rate of poor children in the schools and therefore enhance their chances for productive employment.

Second, the study is based solely on the gains made by children in the area of reading achievement. We must recognize that poor children require assistance from the schools in many ways that will not directly improve their reading skills, critical as this area may be. The improvement of a child's health and nutrition, and the provision of clothing which enables him to come to school, are important elements in our efforts to rescue the children of poverty from the fate to which society has thus far condemned them.

Also, it is important to recognize that the title I programs have not been supported with Federal funds at the level which is obviously required and which was originally contemplated by President Johnson and authorized by the Congress when the legislation was enacted in 1965. In fact, during the first 3 years of the program, the amount appropriated per pupil under the title I formula has actually decreased from $210 to $170. Many schools spend less than $100 per pupil per year. Thus, it is not fair to criticize the schools for failure to produce measurable results, when the Federal Government has not lived up to its promise to provide the increased funds which are obviously needed and already authorized.

Finally, I think it is more important to emphasize that effective results can be achieved by the skillful use of title I funds to serve the needs of the most deprived children. In fact, this is the main point of the Tempo study. For example, one of the projects included in the Tempo study was based in Louisville, Ky., which significantly improved the reading levels of title I children by a well-designed program aimed specifically at this objective. The average rate of growth achieved by the children in this compensatory program was twice that which was expected based on the previous year's performance before the special program was begun.

The Office of Education has emphasized the importance of designing effective programs with clear-cut objectives, and on December 9, 1968, Commissioner Harold Howe II reported to all Members of the Congress on 150 outstanding title I projects which the schools are encouraged to emulate. The States are now reporting to the Office of Education on their progress in administering their programs, and the House Committee on Education and Labor will soon be receiving testimony from the U.S. Commissioner of Education on the results as reflected in these State reports. Based on hearings to be called by our committee, the House of Representatives will consider legislation for the extension of this program, including measures which may be needed to strengthen the authority of the Commissioner of Education to assure that Federal funds are used more effectively.

Title I is unique among Federal education programs in requiring continuing evaluation and public accountability for the results of Federal funding. This factor in itself is of great potential in identifying the strengths and weaknesses of local compensatory education programs using Federal funds. Results of evaluation studies can be misused by the press if limited evaluation data are used to condemn entire programs. In my judgment, the news media could serve an increasingly constructive role by citing the continuing needs of the children in our impoverished schools, and by editorially supporting efforts to improve Federal legislation and to increase Federal appropriations in this critical area.

REMAINING AREA ON EARTH FOR EXPLORATION AND DISCOVERY—SPEECH BY JUDGE ALFRED L. LUONGO

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BARRETT. Mr. Speaker, on Columbus Day past, October 21, 1968, the Honorable Alfred L. Luongo, judge of the Federal District Court for the Eastern District of Pennsylvania, delivered a stirring speech on the area remaining for exploration and discovery on the earth—not geographical area—but in the area of human relations and human rights.

I believe this subject to be of vital concern to all of us and Judge Luongo's speech merits the reading and consideration not only by the Members of Congress but by everyone in the Nation. I therefore include it at this point in the RECORD:

COLUMBUS DAY SPEECH BY JUDGE LUONGO

Thank you, Mr. Toastmaster.

I am grateful to the Columbus Day Committee for having invited me to be the speaker on this occasion. I am honored and flattered by the departure from the custom of inviting nationally prominent persons to speak. I hope I will prove worthy of the Committee's confidence.

It is traditional for Columbus Day speakers to extol the virtues of that great Genoese explorer—or as a variation on that theme—to point out the contributions made by others of Italian ancestry to the exploration, growth and development of this continent and this country.

The temptation is great to do so today. There is such a wealth of material dealing with those subjects. One could devote an entire speech, for example, to the efforts of Christopher Columbus to get financial backing for the venture—efforts expended literally over a period of years and to the sovereigns of several nations before he was finally successful in enlisting the aid and support of Ferdinand and Isabella of Spain.

Or one could speak most interestingly of the problems Columbus encountered on his first voyage into uncharted seas with his three incredibly small sailing vessels.

Incidentally, contrary to the myth perpetuated in children's books, it was well known in Columbus' day—and long before—that the world was not flat. What was not known was its size. When Columbus sailed westward, he confidently expected to reach land, but what he expected to find was Cipangu (what we know as Japan today) and China—whose wealth and wonders had been revealed to the western world by another Italian explorer, Marco Polo, traveling an entirely different route. Those lands were generally described then as the Indies (meaning Asia). Columbus himself, in later years referred to his venture as the enterprise of the Indies. That was what Columbus was looking for—and what he thought he had reached when, after 31 days of sailing and near mutiny by his crew, he finally sighted land, which led to the discovery of this continent.

The contribution of others of Italian ancestry to this country's history would furnish material for many speeches.

Americus Vespucci, the Italian geographer, for whom the New World was named.

Giovanni da Verrazzano, the Florentine commissioned by the French to discover a northwest passage to the Pacific and India, who, in the course of his mission, discovered New York Harbor and the Lower Hudson River in 1543, years before Henrik Hudson.

Giovanni Caboto (John Cabot) navigated the first English ships to appear on this side of the ocean.

Henry Tonti, who accompanied the French explorer La Salle in expeditions on the Great Lakes and down the Mississippi River.

Filippo Mazzei, a revolutionary patriot, who emigrated from Tuscany and who, two years before the adoption of the Declaration of Independence, wrote a series of articles in the Virginia Gazette under the name "Furioso," in one of which he said:

"All men are by nature free and independent. This equality is essential to the establishment of a liberal government. Every individual must be equal to every other in his natural rights."

William Paca, a signer of the Declaration of Independence.

Francesco Vigo—who helped open the midwest in the 1770's and for whom a county in Illinois is named.

The Italian priest, Fra Marco da Nizza—who established a mission in Mexico and who made explorations there and as far north as what is now Arizona in 1531.

Father Eustabio Chino, who in the late 1600's explored the peninsula of Lower California.

And the list goes on and on and on.

It is not easy to resist the temptation to make use of such a wealth of material and to say to you things you may want to hear—things to make you even prouder of the Italian heritage.

But resist I must.

These are troubled and troubling times. We cannot afford the luxury of complacency and self-praise.

I use this opportunity instead to invoke Columbus' exploits as a symbol, and at the same time to issue a challenge, to speak to you of matters which will not necessarily please you—may even displease—but if that serves to provoke you to serious thought, I will have accomplished something worthwhile.

The symbol for which I cite Columbus is this:

He made his great discovery by breaking away from the known and daring the unknown. The reward to mankind was great—the opening of a New World, which gave birth to a nation whose founders, in the Declaration of Independence, dreamed of a new way of life and who nurtured and perpetuated the greatest concepts of freedom and liberty known to man. They brought forth a nation dedicated to the proposition expounded by Filippo Mazzei, that all men are created equal.

There are few areas left today on the face of the earth awaiting discovery. The frontiers of discovery *now* are the vast and limitless reaches of the universe known as outer space.

But there is need for exploration and discovery yet on this earth—not into new geographical areas, but in the area of human relations and human rights.

Much of the history of mankind is made up of, and devoted to, man's inability to get along with himself. Contemporary history is no different. It is the story of conflict and controversy—between nations and groups of nations—between groups within nations whose differences are political—or religious—or economic—or based on age—or color of skin.

There is abroad today in this world a pervasive spirit of unrest and discontent. The causes are many. Two of the outstanding causes here in our nation are the related problems of racism and poverty.

As a matter of coincidence, the problem that besets us today had its origin in the same age of discovery that gave us Columbus. One of the nations from which Columbus sought aid was unable to give it, because it was pre-occupied with its exploration of the west coast of Africa—and the lucrative trade in black slaves.

The growth of at least some of the colonies of the New World was tied in with the institution of slavery, so that when these United States came into being as a government dedicated to the principles of equality and freedom, it paradoxically contained within itself the horrible and degrading system of human slavery.

And that system continued to have the sanction of law in this country—this country dedicated to the principles of equality—for almost 100 years. It was only after a Civil War which almost tore this nation apart, that the Fourteenth Amendment to the Constitution was adopted and the system no longer had *legal* sanction.

But the huge residual evils of slavery remained with us—providing the root causes of our main social problem—deprivation, degradation, discrimination and poverty.

Those who offer simplistic solutions—who believe that a rap on the head with a policeman's club will solve everything—display an abysmal ignorance of the nature of the problem and its causes.

Imagine, if you *can*, a heritage which includes being treated as a *thing*—a chattel—an item of property for purchase and sale.

Imagine, if you *can*, a heritage which encompasses family life created and terminated at the whim and pleasure of a master—an owner.

Perhaps it might help you to conceive of the enormity of that injustice if you compare it with treatment accorded your parents, or grandparents, or great-grandparents, who came here as immigrants, and who were subjected to various forms of discrimination—both obvious and subtle—who were called names dripping with contempt—names designed to foster a feeling of inferiority.

Do some of you, even today, resent slurs on ethnic origin? Do some become incensed by innuendos about "Mafia"—"Cosa Nostra"?—feel that some doors are not quite as open—or suspect that opportunities are not quite as available?

Imagine then, if you can compare *those* complaints with the infinitely greater injustices which have been the lot of the Negro—the Negro who wears *his* badge of difference out in the open for all to see—imagine how you might feel if you had to bear *his* burden.

How many of you who cry loudest for law and order can honestly say—truly guarantee—that you would not resort to the streets—would not participate in demonstrations, yes, even riots, if you had been born Negro instead of what you are?

Lest I be misunderstood, I do not for one moment condone lawlessness, crime or violence. I am a firm believer that the righting of the wrongs in our society must be accomplished by the orderly processes of law. Nevertheless, is it not understandable that frustration too long contained, can erupt and produce violence and disregard for law. Is it not understandable that those who have been denied the protection of the law—might begin to act as outlaws?

Let me then invoke the name and the spirit of Christopher Columbus to throw down a challenge to explore that great wilderness, the area of greater tolerance and understanding among people—people who differ in the color of their skin—who differ in nationality—or in religion—or political views—or in economic circumstances, differences that harbor within them the seeds of conflict—disagreement — misunderstanding — controversy.

The quest for greater understanding demands a venturing into the unknown—an abandonment of the familiar and the traditional.

Abraham Lincoln said it this way:

"The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew."

I offer no easy solutions—there are none. But I firmly believe that the *key* to the solution lies within each of us. It lies within our hearts, our minds, our emotions, and our prejudices.

The events of the past week, which witnessed the closing of two high schools in this community, provide a vivid illustration of my point.

In God's name, how long can we continue divided into hostile, armed camps?

How long must children, black or white, fear to walk in the "territory" of the "enemy?"

How long will we continue to live as neighbors—yet strangers?

The time is growing short.

We *must* renounce the hatreds that consume people—and we must do it *now*.

We *must* dissolve the bitterness and misunderstanding that beget violence—and we must do it *now*.

We must dedicate ourselves to fulfillment of the promise of the words of the pledge of allegiance:

"One nation, under God, indivisible, with liberty and justice for *all*."

We must re-dedicate ourselves to the proposition that *every* individual, in Mazzei's words, must be equal to every other in his natural rights.

I close with these prayerful words by Montana's Senator Mansfield on the death of our beloved President, John F. Kennedy:

"He gave us of his love that we too, in turn, might give. He gave that we might give of ourselves, that we might give to one another until there would be no room, no room at all, for the bigotry, the hatred, prejudice and the arrogance which converged in that moment of horror to strike him down. In leaving us—these gifts he leaves *with* us. Will he take them? Will we have, now, the sense and the responsibility and the courage to take them? I pray to God that we shall and under God we will."

To which I add a fervent "Amen."

PEACE NEGOTIATIONS

(Mr. SIKES asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, statements attributed to the outgoing chief U.S. negotiator at the peace talks in Paris urging Americans to stop talking about winning the war provide cause for grave concern. It is difficult to visualize a situation which would give more aid and comfort to the Communists.

To me it is inconceivable that an American team would go to the conference table admitting, in effect, that we are no longer seeking to win; that we are interested only in making the best deal we can to get out of Vietnam.

Yet, that will be the interpretation the Communists place on Mr. Harriman's statements. Mr. Harriman has rendered valuable service to our Nation for many years, but if he made this statement, he has seriously damaged our status in the negotiations.

This type of comment destroys whatever confidence our allies have in our determination to help the Vietnamese determine their own destiny. Of course, we are there to win. How, otherwise, can we give direction to efforts to stop the spread of communism throughout Southeast Asia? How, otherwise, can we influence the course of the peace negotiations? How, otherwise, can we justify America's participation in the war itself?

SHAPING OF TAX MEASURES—ADDRESS OF STANLEY S. SURREY, ASSISTANT SECRETARY OF THE TREASURY FOR TAX POLICY

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, for the past 8 years we have witnessed intense activity in the tax area. The beginning of this activity dates from President Kennedy's 1961 tax message and its results and extends most recently to the Revenue and Expenditure Control Act of 1968.

This has been not an easy period, for we started back in 1961 with high unemployment and an anemic rate of growth and now we have been going through the turbulence of war years. During that time our tax policies have been developed to fit the needs of our vast economy and to assist and enhance our growth.

If one can point to a single individual who has done more than anyone else to shape the tax measures during this period, the name which comes to mind is that of Stanley S. Surrey, the very able Assistant Secretary of the Treasury for Tax Policy, appointed originally by President Kennedy and continuing in office under President Johnson.

During Mr. Surrey's years with the Treasury we have seen a steady pace of improvement in our tax system. A brief list of these activities would include the Revenue Acts of 1962 and 1964, depreciation reform, the Excise Tax Reduction Act of 1965, the Tax Adjustment Act of 1966, the Foreign Investors Tax Act of 1966, the Revenue and Expenditure Control Act of 1968, and, in what one newspaper columnist referred to as Mr. Surrey's "master stroke," the proposal that tax preferences and incentives be specifically accounted for as tax expenditures. That proposal may stand out as one of the most important contributions to the budgetary process of our Government.

I believe it only fitting that the Members have the benefit of Mr. Surrey's own views on these years in the Treasury, and the path he hopes will be maintained in the future. In a recent speech before the Federal Tax Institute of New England, Mr. Surrey expresses his philosophy and views. Appropriately enough, he labeled his talk "Past and Prolog in Tax Policy." I would like to bring it to the attention of the House at this time, as follows:

PAST AND PROLOGUE IN TAX POLICY

The National Archives Building in Washington contains the inscription "What is Past is Prologue." This is a comforting thought for an archivist, and may indeed be necessary for his well-being. I do not propose today to consider whether the thought is a truism for Federal tax policy, and certainty it has not always been so in past years. Of course, I would like to believe that the recent past—let us say eight years—should be a relevant guide to the future in the tax field, but here I recognize disqualification on the ground of prejudice. At any event, actions and thoughts in that recent past are there as directional guides for the years ahead if one chooses to consider the mapwork as useful. So permit me today—in a really impossibly brief and sketchy way—to consider some aspects of that recent past and some of the directional guides.

THE BROAD ECONOMIC FRONT

On the broad economic front, the past eight years have been very good indeed for the United States. They have been eight years of sustained and adequate economic growth—contrasted with three recessions in the previous eight years. One can produce endless and varied data and statistics to describe those years—not quite but almost as many as those which our sportswriters use to fill their newspaper pages and books. Whether it be in terms of a low unemployment rate, new jobs, additions to GNP, increased average income, growth in investment in plant and equipment, increased corporate profits, overall price stability, and so on—all have shown remarkable gains.

It has not been an easy period to achieve all this—for it started with a high unemployment rate and an enemic rate of growth and ends in the turbulence of war years. That turbulence has caused us to fasten our economic seat belts and to be buffeted a bit, as reflected in reecnt price and interest rate rises. But price stability is hard to achieve in war years and certainly we have been spared the controls and greater inflation of other periods of large military expenditures. Moreover, after unfortunate delay we did adopt the needed restraint and can see a moderation in the turbulence—though still recognizing that effective fiscal policy has many hostages to fortune in the uncertainties that mark periods of military activity and transition to peace.

This favorable economic growth was not an unplanned lucky event. We have a government of laws but fiscal policies are made by men. The policies are a conjunction of fiscal tools; economic forecasting as to what can be expected without action taken; the design of the action needed and the tools to be used to change the forecasted result if change is warranted; the will to take that action; and an understanding that the process must be endlessly repeated as conditions and forecasts change. Our economic progress has been a result of improvement in all these aspects, but most of all in the will to use fiscal tools when action was required.

The landmarks here are the income tax reduction of 1964 undertaken in a period when our economy was weak end under the restraint of too high a tax burden—but undertaken when our budget was in a deficit, a fact that, for all its essential irrelevance, would in the past have prevented this step; the excise tax reduction in 1965 undertaken for the same fiscal purpose; and the temporary 10 percent surcharge enacted in 1968 when our economy became too strong and restraint was needed—but undertaken in an election year amidst a war which lacked the support marking the previous military activities that had prompted tax increases in the past. Nor were these legislative measures easily enacted. The tax reduction of 1964 and the tax surcharge of 1968 involved legislative debate, doubts and desires and required a high order of political skill to shape the solutions, garner the votes, and achieve the goals.

The will to take the needed fiscal steps and the consequences of those steps have, I believe—and here one hopes past is prologue—heightened our ability to discriminate among fiscal tools and to improve our fiscal techniques. The power of tax reduction to promote economic growth is now evident, whether the reduction called for is permanent or temporary. The surcharge technique as a tool for a temporary change in income tax levels, when temporary change is required, has received acceptance. Indeed, in the eleven months that the surcharge was under Congressional consideration, the Tax Committees spent less than a half hour on the structure of the surcharge itself—and that at the end of the Conference Committee deliberations. The final legislation in this regard followed in almost every respect the President's recommendation. (Parenthetically, the experience with the temporary suspension and restoration of the investment credit as a technique showed the problems of that approach, as the Treasury had expected, and that approach is unlikely to be tried again.) It is encouraging to note that the adoption of the surcharge was not an issue in the 1968 election. When it was finally passed it had bipartisan support. An analysis of the election returns of the House of Representatives does not indicate that any member was defeated because he had voted for the tax surcharge—an outcome strongly contrary to some expectations when the House considered this legislation.

Our experience shows that our problems relating to the use of the income tax for countercyclical purposes are not problems of techniques and mechanics as respects the structural changes required. Rather, they are issues of fiscal policy at the political level—differences between Presidents and Congresses over the right fiscal policies to pursue and over the economic outlook. The task here is to seek methods and procedures of resolving those issues and differences more rapidly, since countercyclical action requires for its best results that the action be taken promptly—a lesson of the 1968 experience.

STRUCTURAL ASPECTS AND LEGISLATION

Let us turn now from the broad economic scene to structural aspects of the tax system. Here much has happened in eight years. This is not the time for a detailed review, but some of the events may be sketched briefly. The Revenue Acts of 1962 and 1964 marked the most serious efforts since World War II to cure abuses in the tax structure—and they achieved around $2 billion of revenue increasing revisions, a figure larger than all of the revenue measures since that period combined. Nearly every important change was a significant struggle in itself, for the issues had considerable emotional content and controversy as well as tax significance—remember expense accounts, the dividend credit, tax havens, compliance in reporting dividends and interest, and the like. Many an important matter was decided by a vote or two in the Tax Committees, and one learned from hard experience the problems involved in securing 13 votes in the Ways and Means Committee and 9 votes in the Senate Finance Committee in controversial matters. Each matter had special problems which made for great difficulty in achieving change. Thus the efforts to achieve a rational tax structure for investment abroad had to face the task of a complete re-orientation of tax thinking and policy in keeping with the new international requirements faced by the United States. Before this, legislation in this field had been pretty much a question of efforts constantly to reduce the tax on foreign income, with only a few understanding what the contests were all about.

There were failures as well as successes. But no realist expects full success in proposals for tax revision, or indeed in tax policy generally, for the Congress has always been the final arbiter of tax policy in the United States. And the task of revision is difficult—measured in an analogy to exploration by the efforts involved in the discovery of the Poles, with the way strewn with the bones of many an explorer, rather than by the modern systems of research and technology through which we are mastering the world of space. Nor are there unlimited opportunities to push the issues of tax revision. Many trains run on the tracks of our Tax Committees and tax revision must take its turn along with Social Security, Public Assistance, Trade, Customs and other legislation. Quite often, also, all tracks must be cleared for certain measures, including fiscal policy legislation, which in principle must highball along, such as the temporary surcharge.

Finally, failure can have its educational values and pave the way to future progress. Thus, as examples, I believe there are many now who, on reflection, in contrast with earlier held views, would say the Treasury was right in 1963 in urging the principle of income taxation at death on the appreciation in value of assets owned by the decedent or in urging reform of depreciation rules in the real estate field.

To continue the brief summary, the Excise Tax Reduction Act of 1965 ended our system of discriminatory excise taxes; the Federal Tax Lien Act of 1966 modernized our tax lien procedures; a succession of legislative measures achieved current payment for corporations and graduated withholding for individuals and, coupled with administrative measures requiring prompt payment of withheld taxes and excise taxes, have given the United States a fully current system of tax collection; the Foreign Investors Tax Act of 1966 provided a wholly revised and rational tax policy for foreigners investing in the United States; the Interest Equalization Tax Act gave us a flexible tool for controlling portfolio flows abroad. And in between were numerous, varied, and less extensive measures to solve specific problems.

In the international area, statutory improvements were accompanied by modernization and expansion of our treaty network. A new structure for income tax treaties was devised, building on the OCED Model Draft where appropriate, and the process of securing adoption of this modernised version through agreements with developed countries is well along. A basis for treaties with less developed countries varying in approach depending on the particular situations involved, has been established, and is ready for fuller implementation when the Senate Foreign Relations Committee regards our international position and our domestic budgetary posture as appropriate to permit extension of the investment credit to investment abroad. A new version of an estate tax treaty, building where appropriate on the OECD Model Draft, has been developed which will afford greater opportunity for foreign portfolio investment in the United States and greater protection for the estates of our business executives and others who may die while on overseas assignments. The process of obtaining adoption of this type of treaty is now under way, with basic agreements reached with the Netherlands and Israel. These efforts at international tax cooperation have been supplemented by affirmative positions taken by the United States in the OECD Fiscal Committee seeking steady development of the tax principles to govern international transactions, especially in the field of the allocation of income and deductions.

Structural tax revision involves the correction of inequities to taxpayers as well as the correction of tax abuses and escapes favorable to taxpayers. Here also steady progress has been made in improving the tax structure—in the introduction of the minimum standard deduction; the splitting of the first bracket of tax into four brackets; the introduction of an averaging system; the adoption of a new deduction for employee moving expenses; the unlimited carryforward of capital losses; the inclusion of tips in Social Security wages; the revised treatment of dealer's reserves.

Tax revision also involves innovative measures to keep the tax structure abreast of economic changes. The investment credit in 1962, the recapture as ordinary income on the sale of personal property of excess depreciation deductions, and the administrative depreciation reforms of 1962 and 1965, creating the guideline system and the reserve ratio test, have established the framework for a rational tax treatment of investment in machinery and equipment. The guidelines have put an end to haggling and uncertainty and the reserve ratio test is a workable device to achieve self-correction within those guidelines, as our soon to be published computer study of depreciation rules demonstrates.

Allow me to spend a moment on the subject of depreciation. Despite the improvements just mentioned, we still have many miles to go before all of the problems in the depreciation field are solved. The tax structure was severely wounded by the introduction in 1954 of accelerated depreciation methods without any groundwork of advance study to develop the safeguards and rules necessary to accompany the liberality of those methods. Such surgery produces a severe shock from which the recovery is painful, difficult and slow. This is not to say that accelerated depreciation of machinery and equipment is wrong. But in the realistic world of tax planning and maneuvering, where every possible avenue of tax escape is ingeniously exploited to the full, the failure to provide adequate safeguards when accelerated depreciation was offered is clearly evident in retrospect. It has taken years to correct, through recapture, the "ordinary income—capital gain advantage" accorded to personal property, and this is but the beginning of the steps toward recovery. We still face all the abuses, the tax escapes, and the economic distortions in the real estate area—all because accelerated depreciation happened to be given to real property as well as personal property; we face the abuses and business distortions involved in the leasing of machinery and equipment (here linked with the tax limit on the investment credit); we face the payment of tax-free dividends by many companies who use accelerated depreciation for tax deduction purposes and the computation of tax earnings and profits but straight-line depreciation for book purposes. Some of these difficulties—such as leasing—could be solved administratively and studies are here under way, but considerable legislation, especially as respects real estate, will be needed before all the damage is repaired. And there are still those who urge even more acceleration for depreciation!

As stated above, structural tax revision involves the correction of tax abuses, the elimination of unfairnesses, and the introduction of innovative changes. But along with these tasks of regaining lost terrain and seeking improvement, there is also the constant task of not yielding new ground and opening up new avenues of escape and preference. Much of the late 1940's and 1950's consisted of a steady erosion of the tax structure. But in the last eight years there have been no real breaches of that structure, with the exception perhaps of the self-employment pension plan and that has its limitations. And in the treatment of the "little tax bills" the efforts to separate justifiable correction from unfair preference and deal with each in appropriate fashion have yielded a high degree of success.

In this matter of not taking backward steps one can see the dangers ahead. Much could be lost, for example, in pursuing the "will-of-the-wisp" of value-added taxation in an effort to improve our trade position, or in plunging the tax structure into a maelstrom of tax incentives and tax credits.

STRUCTURAL ASPECTS AND ADMINISTRATIVE RULES

The tax structure is shaped by interpretations embodied in regulations, rulings, and other administrative pronouncements as well as by legislation. The last eight years have produced a steady pace of activity designed to improve the administrative interpretation of the Internal Revenue Code. One facet of this effort has involved the clarification and deepening of administrative guidance in various fields. A few examples:

The depreciation guidelines earlier mentioned provided a uniform, consistent system for the handling of the depreciation deduction and replaced the inconsistencies, discriminations, and arbitrariness under the prior method of negotiation and haggling.

The consolidated return regulations revised the rules in this area to accord with modern accounting practices for consolidated balance sheets and profit and loss statements.

The regulations on the deduction for educational expenses continued the evolution of the tax rules to match the changing patterns in training.

The recent pension plan regulations modernized the rules governing integration with Social Security benefits to keep pace with the changes in Social Security legislation and the maturing of that system.

The Section 482 regulations faced the challenging task of articulating the guidelines, drawn from modern accounting and management practices, to govern the allocation of income and deductions among related enterprises, especially in the international area.

The earnings and profits regulations under Subpart F for the first time provided a system for establishing the profits of foreign enterprises, based here also on modern accounting concepts.

Another facet of this administrative activity has been the correction of earlier administrative mistakes. The task of administrators is to make wise and proper decisions. A part of that task is the responsibility and duty of recognizing when that standard has not been achieved and errors have occurred. Here also the effort has been to acknowledge the errors and effect the correction. As examples:

The regulations providing for the recognition of gain on the creation of swap funds.

The regulations on the treatment of advertising of exempt organizations as an unrelated business (here no earlier error was involved, but rather the culmination of a long study pending which the contrary rule was permitted to obtain).

The proposed regulations on the taxation of industrial development bonds.

The recent ruling denying deduction generally for prepaid interest.

The correction of the ruling on split-dollar life insurance.

The pending revision of the restricted stock regulations.

In some of these instances the administrative action was followed by legislative consideration and efforts to undo the administrative interpretation. The outcome in each case was, however, essentially favorable to the position taken administratively and the end result was a structural improvement in the area involved. Thus, most recently, in the matter of industrial development bonds two legislative measures this year finally ended in taxation of these bonds subject to a $5 million exception for projects under that size. As a matter of tax policy even a $5 million industrial development bond issue is inappropriate and the proposed regulations had contained no dollar amount exception—there are more efficient non-tax routes to assist industrial expansion—but a $5 million issue is a long cry from the tax-free issues of $150 million with which 1968 opened.

The formulation of proper tax policies at the administrative level provides an especially difficult challenge. The great danger is that of lethargy—a hidden lethargy amidst the volume of day-to-day activity that characterizes a large organization. Unless extreme care is taken this great activity—essential as it is to the overall tasks of tax collection—will obscure the unwillingness or inability to perceive and face issues of tax policy. In this regard I would here like to repeat some earlier words on the importance of administration to tax policy, which were in the course of discussing certain financing techniques (industrial development bonds, tax-exempt organizations borrowing to acquire businesses, and leasing of machinery and equipment):

"Congress enacts legislation intended to provide a particular tax benefit or tax result for a designated group in order to accomplish a rational purpose—a tax-exempt interest status to municipal bonds to assist localities financially and to achieve a Federal-local relationship which both levels of government consider desirable for reasons apart from strictly financial considerations; a tax-exempt status to charitable organizations to encourage philanthropy in the United States; depreciation deductions that are as appropriate as possible to the measure of taxable income; investment credits to achieve an increase in industrial modernization and expansion. But there are those outside the group intended to be benefited waiting to seize on every such tax benefit to see how its operative mechanics may be distorted to achieve advantages wholly foreign to the purpose behind the benefit.

"If not checked in time these distortions begin to assert a legitimacy of their own—to assert tax squatters' rights against the Treasury. It is then said that administrative action cannot be taken to dislodge them, and a legislative command is required. Sometimes the Revenue Service itself grants a cloak of legitimacy through favorable rulings in the early stages of the transactions before their structure and scope have been clearly analyzed and appreciated. Then when it has become clear to all that the distortion has created a major problem, it is said that the administrative error cannot be corrected by the administrators who made it.

"Indeed, many of the tax preferences that today create severe unfairness in our tax system and permit many individuals and corporations to escape their share of the tax burden were never legislated at all by the Congress. Instead, their beginnings lie in a Treasury Regulations or administrative ruling, ill-considered or ill-conceived at the time or—to be more charitable, because every tax policy official wonders what mistakes his successors will charge against him—handed down to meet a legitimate problem and then in turn itself distorted. The fact that many of these tax preferences carry this bar sinister in their heritage does not, of course, make their present beneficiaries any the less forceful in defending their tax advantages.

"And so another lesson emerges from these illustrations—vigilance, skill and imagination in tax administration can be a powerful force in the maintenance of equity in the tax system. It can likewise be a powerful force to protect legislators from having to grapple years later with difficult legislative issues which they had no hand in creating."[1]

RESEARCH CAPABILITY

The conduct of tax policy today demands a high order of research capability. The problems are intricate and complicated, and the search for the data and analysis needed to help in their resolution must be avidly pursued if the solutions are to meet the standards our tax system merits. Moreover, quite an arsenal of material is required to answer the problems and questions of the host of businesses and individuals affected by any new proposal, as well as to counter the intense probing for possible weaknesses in a proposal, in so many ways and from so many angles, that inevitably accompanies its consideration.

In the past eight years, the Treasury staff engaged in tax policy activities has doubled, and that part occupied with international tax matters has grown almost five fold. There are now around fifty-five professionals (economists, lawyers and accountants) in the tax policy area. Their work is supplemented by the activities of the Internal Revenue Service, a large number of formal consultants drawn from many quarters, and by the assistance that is informally given over a wide area by those willing to make their expertise available to the Government.

Accompanying this enlargement of staff and consultants, there has been an increasing use of the tools of modern economic research—econometric models and analysis, computer analysis, and the like. These tools are being applied to the study of problems and proposals and to the task of revenue forecasting and estimating. The use of "tax models" under the individual, corporate, and estate and gift taxes—a representative statistical sample of tax return data on tape for computer use—has greatly enhanced the capability of the Treasury to estimate the effects of proposals for change. Also, data are being gathered to undertake for the first time systematic studies of the tax position of identical taxpayers over a period of time, which will provide considerable insight into the effects of the tax structure and income fluctuations (or their absence) taken together. These efforts are supplemented by programs that will add nontaxable receipts to the taxable income data, and non-taxpayers to the taxpayers in the models.

The Treasury has also engaged in large scale studies designed to advance our knowledge in a variety of fields. For example, it has financed work by several outstanding scholars on the effects of tax policy on investment; it has recently published a study on *Overseas Manufacturing Investment and the Balance of Payments;* it will publish shortly a computer study and detailed analysis of *Tax Depreciation and the Need for the Reserve Ratio Test;* and it has studies under way in a variety of areas, such as the effects of tax policy on real estate. Throughout it has maintained close liaison with other institutions and individuals engaged in tax research and facilitated their studies by making the needed data available.

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[1] Tax Trends and Bond Financing, an address before the Municipal Forum of New York, June 13, 1968 (Treasury Release F-1273).

But even though the research capability and activity have been greatly expanded, the proper development of our tax structure and our tax policies in the years ahead will require still larger research resources. The Government tax research base is still small when compared to that existing in other areas and in relation to the complexity and importance of tax issues. Moreover, there must be constant attention paid to the mix of research—Treasury consideration of immediate problems; Treasury research on the likely issues a few years ahead, on matters that should be pushed forward as issues, and on analysis to provide a better basic understanding of the workings and effects of our tax system; the obtaining of contract research by outside organizations and individuals in these areas; and the encouragement of research activity generally in the tax field.

RELATIONSHIP OF TAX POLICIES TO BUDGET EXPENDITURES

The imperative need to move forward in the solution of our social problems has brought to the Treasury a new dimension of activity not usually associated with the Department. This largely comes about because for nearly every social problem that we face we can be sure to find some groups that will urge the use of the tax system as the path to a solution. Such solutions can be generally classified under the heading of tax incentives or tax credits—and the familiar items here are incentives or credits for education, manpower training, pollution, urban and rural development, housing, and so on. For the Treasury to stand idly by and watch a procession of tax incentives would be to permit a rapid deterioration of our tax structure.

But disinclination to regard tax incentives as the path to solution is not enough, for it still leaves the problems unsolved. Consequently the Treasury has had to engage in research, on its own account and in cooperation with other agencies, on the problems themselves and on the possible nontax solutions that should be explored or advanced. This obviously expands the research requirements of the Treasury, though it has the advantages of keeping it fully involved in a great variety of domestic matters not usually considered as falling under tax policy.

This activity in turn has led to a fuller exploration of those existing tax policies which, through tax preferences and special rules, depart from the normal concepts applicable to the determination of taxable income and thereby provide within the tax system an array of so-called "tax expenditures." These tax expenditures represent the tax revenues being "spent" (through being lost to the tax system) to achieve the specific nontax goals represented by the special rules. In this regard the tax expenditures stand as alternatives to the direct Government expenditures, in the form of loans, grants, guarantees, and the like, that could have been utilized to achieve those same specific goals.

This exploration of the tax expenditure concept has involved efforts to describe and quantify the existing tax expenditures, in much the same fashion as direct Government expenditures are identified in the Budget. It has also led to studies designed to compare, on a cost-benefit approach, the efficiency of the tax expenditure route compared with the direct expenditure route and to identify the factors relevant to that comparison. Such studies relate both to existing preferences and proposed tax expenditures through new tax incentives or credits.

These efforts indicate that in some areas of Government the tax expenditures are a sizable amount, in absolute terms and in relation to the amount of direct budgetary expenditures. One would hope that other agencies of Government having direct cognizance over the activities involved would also take an interest in these tax expenditures. There is considerable basis for the belief that in some situations the amounts involved in the tax expenditures could be utilized more efficiently if they were spent as direct expenditures.

CONTINUING REVISION

The task of structural revision of our tax system should be regarded as an ever-continuing effort. Secretary Fowler earlier this year stressed this need, in speaking of areas of concern to the Treasury in which continuity of policy is essential. He used these words:

"A third area for policy continuity in 1969 is tax reform. After the reforms of the Revenue Acts of 1962 and 1964 and 1965, the Treasury Department undertook a major effort to prepare tax reform proposals of a comprehensive nature in 1966 and 1967. The plan was to launch a major legislative effort on the heels of the enactment of the temporary surcharge legislation. Because of the delays in enacting the surcharge legislation and the fact that substantial tax reform requires extensive legislative consideration, there was no suitable opportunity to push these proposals on to the legislative calendar.

"It is clear that tax reform must be a matter of high priority as respects tax policy and the work of the Congress. I and my associates in the Treasury have called attention to some of the areas that we feel should be given consideration. As one example, there is the impact of our present tax system on those in poverty. A country concerned about the plight of the poor should certainly be concerned about not imposing the 10 percent surcharge on low income taxpayers. At the other end of the scale is the serious problem of those taxpayers with very high annual incomes who make little or no contribution to the Federal Government because of the use, singly or in combination, of many of the tax preferences adopted for particular purposes. There is also need for an extensive, searching review of the rules under the estate and gift taxes and the associated question of the treatment of transfers of appreciated assets at death under the income tax.

"Two cardinal principles should guide us in considering tax reform. One is that the standards of equity and fairness and desirability must be applied in the context of the world today. Tax provisions adopted to serve certain needs in the past must constantly be tested to see if they are still appropriate. We must ask what is the net benefit to the nation from such a provision in terms of the present cost—what is the efficiency and effectiveness of the tax provision as contrasted with other forms of Government assistance that may not have the side-effects of income tax liberality to individuals or corporations that accompany the use of the tax route?

"The second principle is that change from yesterday's rule to today's new need must be orderly and fair, so that those who had planned their businesses or lives on the basis of the earlier provisions may have an orderly transition to the new standards. But it is orderly transition that I am emphasizing and not stagnation or indefinite postponement of any change, for tax preferences should not be a hereditary matter handed down from one generation to the next."[3]

The reform that Secretary Fowler spoke of involves change in the tax structure. As he indicates, there is much to be done—there always will be—in this area. In addition to such structural reform, there are important aspects of tax policy and expenditure policy having a relationship to the tax system that will, one can expect, be debated in the period ahead. Just as illustrations, one can refer to such matters as income maintenance or negative income tax programs now the subject of inquiry by a Presidential Commission; the need for re-examination of the benefit structure of the Social Security system and its financing, together with improvements in the structure of the private pension plan system; the worry over the effect on State and local interest costs and on individual windfall benefits through the greatly expanded use of State and local tax-exempt bonds that looms just ahead and for which solutions such as an Urban Development Bank have been advanced; the wisdom of revenue sharing and the feasibility of the various alternatives suggested; procedures to achieve the pace of action necessary to carry out needed countercyclical tax action effectively; procedures to achieve better coordination of Congressional consideration of revenues and expenditures.

CONCLUSION

If the tax activity of the past is indeed prologue, then the years ahead will continue to be active ones. This is as it should be in the tax field, for the appropriateness, equity, and vitality of a tax system depend upon constant attention. Proven fiscal tools are not the exclusive property of any Administration or political party. Neither are the problems. There are the difficult problems that accumulate over the years and yield only slowly to solution. There are the new problems whose outlines are already apparent. And there are the unforeseen problems that come suddenly on the scene. All must command our efforts if we are to achieve, not perfection, but that high degree of effectiveness and fairness which can properly be demanded of those who have chosen to make tax matters their professional career.

DIRECT ELECTION OF THE PRESIDENT AND VICE PRESIDENT

(Mr. HAMILTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAMILTON. Mr. Speaker, I believe the time has come to take the final step in guaranteeing to each American citizen the right to vote for the most important office in the land, the Presidency of the United States.

While we are making every effort to expand the franchise through removing the roadblocks of religious prejudice, race prejudice, and sex prejudice, we continue to tolerate the electoral college system. There are only two offices for which we do not believe the people should make the final choice, and those are the Presidency and Vice Presidency of the United States. In the United States, while we claim with pride to be the world's greatest democracy, this is an anachronism that can no longer be tolerated.

Facing the Constitutional Convention of 1787 when it convened on May 25 was the question whether the Chief Executive should be chosen by direct popular election, by the Congress, by State legislatures, or by intermediate electors. The direct popular election alternative was opposed because it was generally felt that the people lacked sufficient knowledge of the character and qualifications of possible presidential candidates to make an intelligent choice. Many delegates also feared that the people of the various States would be unlikely to agree on a single person, usually casting their votes for a favorite-son candidate well known to them. Delegates from the South opposed the direct popular election of the President for the additional reason that suffrage was more widespread in the North than in the South.

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[3] Address before the National Industrial Conference Board, September 20, 1968 (Treasury Release F-1354).

Giving Congress the power to choose the President was rejected largely because of fear that it would jeopardize the principle of executive independence. To permit State legislatures to choose the President was rejected because it was feared the President might feel so indebted to the States as to allow them to encroach on Federal authority. Unable to agree on a plan, the convention on August 31 appointed a "Committee of Eleven" to propose a solution. On September 4 the Committee suggested a compromise—today's electoral college system.

The electoral college system was created by our Founding Fathers to meet certain very real 18th century problems that no longer have relevance to Americans of today.

Of concern to our forefathers was widespread illiteracy, large numbers of slaves who could not vote, great disparity in voter qualifications and little communication between regions of the country. All of these circumstances have been altered. There has been change. Today, there is mass media, both television and press, making it possible for all to examine in detail the characteristics of each presidential candidate.

From the outset the electoral college has constituted little more than a deliberately vague political compromise. Moreover, the reasons advanced for the system at the time of its adoption are totally irrelevant, if not directly repugnant, to our modern day concept of democracy.

The existing electoral college system has long been a matter of controversy. Major objections to the current system are:

It has permitted the election of three Presidents who trailed their opponents in the national popular vote.

The Founding Fathers never intended that the States would cast their electoral votes en bloc.

The unit system offers no incentive for a heavy voter turnout in supposedly safe States.

In large States which are fairly evenly divided between the major parties, the unit system inflates the bargaining power of splinter parties and pressure groups.

The electoral college system places a premium on fraud because juggling of a few votes can swing the electoral votes of an entire State.

The electoral college system gives State legislatures the power to direct any method they wish for selecting presidential electors.

There is no legal way to force an elector to vote for the presidential candidate to whom he pledged himself.

If an election is thrown into the House because of the failure of a presidential candidate to win a majority of the electoral votes, an archaic and totally unrepresentative system goes into operation.

The unit vote method of apportioning each State's electoral votes, as it developed in the 19th century and continues today, was clearly not the intention of the Founding Fathers. So in every election, the unit vote system disenfranchises millions of voters who happen to be in the minority in their particular States by taking the voting power they represent and awarding it in the national electoral count to the candidate whom they oppose. For example, in 1960 John F. Kennedy received 2,377,846 popular votes in Illinois while Richard M. Nixon received 2,368,988 votes. The late President received all the electoral vote in Illinois. Mr. Nixon received the 13 electoral votes in Indiana where he obtained 1,175,120 popular votes. Although Mr. Kennedy received more than two-thirds of the combined electoral votes of the two States, Mr. Nixon actually received a substantial majority of the popular votes cast.

Senator Thomas Hart Benton, of Missouri, in commenting on the operation of the unit vote system, said:

> To lose their votes is the fate of all minorities, and it is their duty to submit; but this is not a case of votes lost, but of votes taken away, added to those of the majority, and given to a person to whom the minority is opposed.

The present electoral college system rests on an uneasy tension between opposing distortions of the popular will. Smaller States receive a bonus for their two Senators. Large, closely contested, industrial States are the chief prizes in the presidential contest because of the magnified value of even the smallest popular majority in the States. For example, elections in which the national outcome depended on a single large State are numerous: a shift of 2,555 votes in New York could have reversed the electoral college outcome to make Henry Clay President instead of James K. Polk in 1844. In 1880 Winfield S. Hancock would have been made President instead of James A. Garfield if there had been a shift in New York of 10,517 votes. A shift of 575 votes in New York during the 1884 election would have made James G. Blaine President instead of Grover Cleveland. In 1888 a shift of 7,189 votes in New York would have changed the electoral vote to favor Grover Cleveland instead of Benjamin Harrison—Cleveland actually won a popular vote plurality but lost in the electoral college vote. A California shift in the election of 1916 of 1,983 votes would have made Charles Evans Hughes President instead of Woodrow Wilson, although President Wilson still would have had a half million more popular votes.

The electoral college system is predicated on the treatment of States as separate voting blocs. But the essential fact about presidential politics in the United States today is its nationalization. Television, newspapers, and national magazines all bring presidential politics directly to the people wherever they may live. Dwight Eisenhower, Adlai Stevenson, John F. Kennedy, Richard Nixon, Lyndon Johnson, and HUBERT HUMPHREY were all chosen as presidential candidates because of their national stature—not because they represented a certain State.

Against this background of the nationalization of American politics, the electoral college system perpetuates the ever-present danger that a man might be elected President who had actually lost the popular vote—which already has occurred three times in our history: John Quincy Adams, Rutherford B. Hayes, and Benjamin Harrison.

The fact that a State's electoral votes remain the same regardless of voter turnout is significant. In the 1964 election with the total popular vote cast in New Jersey substantially greater than that cast in Texas, the winning candidate in Texas received 25 electoral votes while the winning candidate in New Jersey received only 17 electoral votes. In that same election, the three electoral votes of Alaska were decided by 67,259 votes at a ratio of one electoral vote for every 22,419 voters. In the same election, New York citizens voted at a ratio of one electoral vote for every 166,657 votes with 7,166,275 people voting.

Today, the vast majority of the American people never stop to think that they are not permitted to vote directly for the President and Vice President of the United States—yet they would be enraged if the system intervened to frustrate their choice.

A popular vote loser assuming the Presidency could not be explained to the people. A miscarriage of the popular will in the days of "one man, one vote" would be preposterous. The situation is all the more serious when one considers the immense power and responsibility, both at home and abroad, of the American President at this time in history.

The real choice today is between two alternatives. Either the country will continue with the existing electoral college system, or it will shift to the direct popular election of the President and Vice President of the United States.

The only reform which will meet all the major problems presented by the electoral college system in a realistic manner is to institute the direct popular election of the President and Vice President by all the people.

Direct popular election will eliminate the undemocratic unit vote system, eliminate the problem of rebel electors, eliminate the danger of a popular-vote loser entering the White House, and would place the choice of the President and Vice President where it ought to be—directly in the hands of the people.

A direct popular national vote for President would result in the natural culmination of the federal system—choosing their Chief Executive on a national one-man, one-vote basis. Any half-way steps will retain some or all of the inadequacies of the existing electoral college system, especially the danger of the popular-vote loser becoming President of the country.

Since January 6, 1797, when Representative William L. Smith, of South Carolina, introduced the first proposed constitutional amendment to reform the electoral college system, hardly a session of Congress has passed without introduction of similar resolutions. At least 109 such amendments were proposed between 1889 and 1946 and another 151 have been proposed since that time.

The direct popular election alternative for choosing the President and Vice President, considered at the Constitutional Convention in 1787, was first introduced in the Congress as a proposed constitutional amendment by Representative William McManus, of New York, in 1826.

Historically, proponents of the direct popular election alternative have endorsed halfway measures believing that the direct popular election alternative could not be ratified by the required number of States. The time has now come to make a concerted effort to convince Members of Congress and State legislators that the direct popular election alternative not only harbors no threat to anyone's special powers or privileges within the American system, but that it is the only decent democratic alternative to the danger-prone electoral college system of today.

The greatest proof of the need for reform of the electoral college system is the fact that most Americans assume the direct popular election alternative to be in effect. When asked for whom they voted, Americans do not reply for presidential elector A or B or for no presidential elector due to the application of the unit rule. Rather, they reply that they voted for the Democratic or Republican presidential candidate. Can it any longer be pretended that this great people requires presidential electors to choose wisely for it?

Hearings in the other body on the election of the President and Vice President of the United States were most recently begun on February 28, 1966. In May 1966, Senator BAYH from Indiana, chairman of the Senate Subcommittee on Constitutional Amendments, introduced a proposed constitutional amendment to provide for direct popular election of the President and Vice President—Senate Joint Resolution 163—89th Congress, second session. On January 11, 1967, the Senator from Indiana, for himself and others, reintroduced the direct popular vote alternative in the form of a proposed constitutional amendment—Senate Joint Resolution 2—90th Congress, first session.

Mr. Speaker, I now wish to introduce in the House of Representatives a proposed constitutional amendment that abolishes the electoral college and provides for direct popular election of the President and Vice President.

The provisions of the joint resolution are as follows:

H.J. RES.—Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. At a time determined by the Congress there shall be held in each State and in the District of Columbia an election in which the people thereof shall vote for President and for Vice President. In such election, each voter shall cast a single ballot for two persons who shall have consented to the joining of their names on the ballot for the offices of President and Vice President.

"The legislature of each State shall prescribe the places and manner of holding such election thereof and shall include on the ballot the names of all pairs of persons who have consented to the joining of their names on the ballot for the offices of President and Vice President but the Congress may at any time by law make or alter such regulations. The voters in each State shall have the qualifications requisite for persons voting therein for Members of the Congress, but nothing in this article shall prohibit a State from adopting a less restrictive residence requirement for voting for President and Vice President than for Members of the Congress, or prohibit the Congress from adopting uniform residence and age requirements for voting in such election.

"The Congress shall prescribe the qualifications for voting and the places and manner of holding such elections in the District of Columbia.

"Within forty-five days after the election, or at such time as the Congress may direct, the official custodian of the election returns of each State and the District of Columbia shall prepare, sign, certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and for Vice President, together with the number of votes cast for each.

"SEC. 2. On the 6th day of January following the election, unless the Congress shall by law appoint a different day not earlier than the 4th day of January, the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates, and the votes shall then be totaled. The persons joined as candidates for President and Vice Pesident, having the greatest number of votes shall be declared elected President and Vice President, respectively, if such number be a plurality amounting to at least 40 per centum of the total number of votes certified. If none of the pairs of persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified, then Congress shall provide by law, uniform throughout the United States, for a runoff election to be held between the two pairs of persons joined as candidates for President and Vice President, respectively, who received the highest number of votes certified.

"SEC. 3. If, at the time fixed for the counting of the certified vote totals from the respective States, the presidential candidate who would have been entitled to election as President shall have died, the vice presidential candidate entitled to election as Vice President shall be declared elected President.

"The Congress may by law provide for the case of the death or withdrawal, prior to the election provided for in section 1, of a candidate for President or for Vice President and for the case of the death of both the person who, except for their death, would have been entitled to become President and Vice President.

"SEC. 4. The Congress shall have power to enforce this article by appropriate legislation."

Mr. Speaker, the proposed House joint resolution is identical to Senate Joint Resolution 2 introduced in the first session of the 90th Congress. Under the proposed joint resolution, a presidential candidate must receive a 40-percent plurality for election. If no presidential candidate receives the necessary 40-percent plurality, a runoff election would be held between the two candidates receiving the largest number of popular votes.

The proposed constitutional amendment has been endorsed by the American Bar Association, the Federal Bar Association, the Committee on Federal Legislation of the New York City Bar Association, the U.S. Chamber of Commerce, the National Federation of Independent Businesses, the United Auto Workers, and the NAACP.

A survey of State legislators, conducted by the junior Senator from North Dakota, revealed that nearly 60 percent of the 2,500 respondents favored direct popular election of the President and Vice President of the United States.

On November 23 a Gallup poll indicated that 81 percent of the public favored basing the election of the President on the popular vote throughout the Nation rather than the present electoral college system where a presidential candidate can be elected President even thought he runs behind his opponents in the popular vote total.

Our entire national experience teaches that there is no safer, no better way to elect our public officials than by the choice of the people with the man who wins the most votes being awarded the office. This is the essence of the "the consent of the governed." H. G. Wells called voting "democracy's ceremonial. It's feast. It's great function."

Neil R. Pierce, perhaps the foremost authority on the electoral college system has stated in "The People's President":

> The electoral college system of electing the President is doubtless the most deficient—and potentially dangerous—section of the U.S. Constitution as it stands today.

The single constitutional reform that removes the inequities and perils of the present electoral college system without substituting others is to eliminate the electoral college altogether and give the election of their President and Vice President directly to the American people.

The Presidency is the grand prize of American politics—no effort is too great to assure that the American President will truly be a man for all seasons for all Americans.

PROGRAM INFORMATION ACT

(Mr. HAMILTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAMILTON. Mr. Speaker, as a cosponsor of the proposed Program Information Act, I emphasize that the act directs the President to transmit to the

Congress at the beginning of each calendar year a catalog of Federal assistance programs, together with a report detailing the measures taken by the President to simplify Federal program assistance application forms and procedures and to consolidate Federal assistance programs.

The Program Information Act is designed to serve the program information needs of Congress, and the Executive, and the public. The Federal assistance program catalog, being the only compendium of Federal program assistance information, would include a description of each program, the administering office, the eligibility requirements, funding information, application prerequisites, Washington and regional contacts, mechanics of application and related programs.

The catalog will be updated monthly to reflect program termination, consolidation, expansion or reorganization and changes in government organization. The monthly revisions would provide current funding information as well as other information of direct, immediate relevance to potential beneficiaries.

The Bureau of the Budget is designated the sole agency to which the President's authority under the act may be delegated. By locating the responsibility for the catalog in the Bureau of the Budget, it is intended to provide the executive branch with meaningful information to determine whether duplication, overlap, or lack of coordination exist in Federal assistance programs. Better unified and coordinated Federal assistance should, in turn, produce a more accurate planning, programing, budgeting system.

The present comprehensive catalog published by the Office of Economic Opportunity, the Catalog of Federal Assistance Programs, lacks:

First, funding information—among the most important kinds of information for local officials, mayors, and county executives is how much Federal program assistance money is available;

Second, processing time estimates—State and local officials must have such information if they are to coordinate Federal assistance programs with their requirements; and

Third, periodic updating—printing a Federal catalog without greater flexibility than annual updating forces State and local officials to find other sources of information or else make important decisions based on information that is months out of date.

The Bureau of the Budget through circular A–89 establishes new catalog guidelines which contain no provisions for cross-referencing of analogous programs, nor does it define what are "programs." Consequently, Office of Economic Opportunity instructions to Federal agencies currently request submission of limited information on approximately 600 of over 1,000 separately identified Federal assistance programs. Mr. Charles L. Schultze, former Director of the Bureau of the Budget, states on page 35 of "Agenda for the Nation":

> There are currently more than 400 Federal grant-in-aid programs and a host of special credit programs providing loans for specific purposes. A wide variety of programs are directly operated by the Federal Government—flood control projects, national parks, watershed protection projects, and so on.

State and local officials, educators, and private individuals have evidenced great difficulty in obtaining concise information about Federal assistance programs in which they may desire to participate. Specific Federal program assistance information in one compendium is required to permit these officials and private individuals to comprehend all related programs and determine which programs may be of particular assistance to them.

The information to be included in the catalog is the information shown in a federally sponsored Midwest Research Institute study to be the kind most needed by State and local officials to best utilize Federal program assistance.

The best testimony for the need for this proposed legislation is the unanimous endorsement of this bill by our Nation's State Governors, the National Association of Counties' Executives and Supervisors and the National Legislative Conference of State Representatives and Senators.

Besides being of direct assistance to potential beneficiaries, passage of this legislation would give the Congress meaningful information it needs to better determine, first, the relative worth of programs in order to establish priorities in allocating funds, and second, the desirability of proposed new programs.

ENABLING CITIZENS OF THE UNITED STATES WHO CHANGE THEIR RESIDENCES TO VOTE IN PRESIDENTIAL ELECTIONS

(Mr. HAMILTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HAMILTON. Mr. Speaker, 5 years ago President Kennedy's Commission on Registration and Voting Participation declared:

> No American should be deprived of the right to vote for President and Vice President because he changed his address before the election and did not have time to meet State residence requirements.

On May 25, 1967, President Johnson declared in "The Political Process in America," a message to the Congress proposing legislation to strengthen the political process:

> This Nation has already assured that no man can legally be denied the right to vote because of the color of his skin or his economic condition. But we find that millions of Americans are still disenfranchised—because they have moved their residence from one locality to another.

The President further declared:

> The people's right(s) to travel freely from State to State is constitutionally protected. The exercise of that right should not imperil the loss of another constitutionally protected right—the right to vote.

An analysis of the voting results of the 1960 presidential election, the last election for which studies are available, shows that between 5 and 8 million otherwise eligible voters were deprived of their right to vote because of unnecessarily long residency requirements of many States. Almost half of the States, for example, through laws enacted a century ago, require a citizen to be a resident a full 12 months prior to qualifying to vote for the only two nationwide elective offices—the Presidency and Vice-Presidency of the United States.

Public participation in the processes of government is the essence of a democracy. H. G. Wells called the voting process, "democracy's ceremonial, its feast, its great function."

No government can long survive that does not heed the public will. The American system has endured for almost two centuries because the people have become more and more involved in the process of governing. But government itself has a continuing obligation—second to no other—to keep the process of public participation functioning smoothly thereby maintaining a vibrant democracy!

Mr. Speaker, to enable citizens of the United States who change their residences to vote in presidential elections, I now introduce the Residency Voting Act of 1969. The act provides as follows:

> A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes
>
> *Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled,* That this Act may be cited as the "Residency Voting Act of 1969".
>
> Sec. 2. The Congress hereby declares that to enhance the right under the fourteenth amendment to the Constitution of citizens who change their residences to enjoy equal access to the right to vote in the election for President and Vice President of the United States, it is necessary to prohibit the States from conditioning the right to vote on the fulfillment of certain requirements of residence or registration.
>
> Sec. 3. (a) No citizen of the United States who is otherwise qualified to vote in any State or political subdivision in any election for President and Vice President of the United States shall be denied the right to vote in such election because of any requirement of residence or registration of such State or political subdivision if such citizen has resided in such State or political subdivision since the first day of September next preceding such election and has complied with the requirements of registration to the extent that such requirements provide for registration after such date. If such citizen has begun residence in a State or political subdivision after the first day of September next preceding an election referred to in the preceding sentence and does not satisfy the residence requirements of such State or political subdivision, then he shall be allowed to vote either in person or by absentee ballot in the State or political subdivision from which he most recently moved if, but for his nonresident status, he has satisfied, as of the date of such move, the requirements to vote in the State or political subdivision from which he most recently moved.
>
> (b) No citizen of the United States who is otherwise qualified to vote by absentee ballot in any State or political subdivision in any election for President and Vice President of the United States shall be denied the right to vote in such election because of any requirement of registration that does not include a provision for absentee registration.
>
> Sec. 4. (a) In the exercise of the powers of the Congress under section 5 of the fourteenth amendment to the Constitution, the Attorney General is authorized and directed to institute in the name of the United States actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief to restrain the en-

forcement or execution of any residence or registration requirements which, in his judgment, interfere with the provisions or purposes of this Act.

(b) Proceedings instituted pursuant to this section shall be heard and determined by a three-judge district court in accordance with the provisions of section 2284 of title 28 of the United States Code, and any appeal shall lie directly to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date and to cause the case to be in every way expedited.

SEC. 5. (a) Whenever any person has engaged, or there are reasonable grounds to believe that any person is about to engage, in any act or practice in violation of the rights conferred by section 3, the Attorney General is authorized to institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them to (1) permit persons benefited by this Act to vote and (2) count such votes.

(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person granted rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

SEC. 6. (a) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in a State or political subdivision for the purpose of establishing his eligibility to register or vote under this Act, or conspires with another individual for the purpose of encouraging such individual's false registration or illegal voting under this Act shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(b) Whoever shall deprive or attempt to deprive any person of any right secured by this Act shall be fined not more than $5,000, or imprisoned not more than five years, or both.

Mr. Speaker, no citizen of the United States who is otherwise qualified to vote in any election for President and Vice President of the United States should lose the right to vote because of a change in his residence.

The Residency Voting Act of 1969 provides that otherwise qualified voters residing in a State or political subdivision since the first day of September shall be entitled to vote for President and Vice President in that State or political subdivision if the voter has complied with requirements providing for registration after the first day of September. The proposed Residency Voting Act of 1969 further provides if such citizen has begun residence in a State or political subdivision after the first day of September and does not satisfy the residence requirements, then he shall be allowed to vote either in person or by absentee ballot in the State or political subdivision from which he most recently moved if, but for his nonresident status, he has satisfied, as of the date of such move, the requirements to vote in the State or political subdivision from which he most recently moved.

On May 25, 1967, the junior Senator from Nevada introduced in the other body a bill, S. 1881—90th Congress, first session—incorporating President Johnson's recommendations "that a citizen, otherwise qualified to vote under the laws of a State, may not be denied his vote in a presidential election if he becomes a resident of the State by the first day of September preceding the election." Those provisions have been incorporated in the Residency Voting Act of 1969.

Legislation enabling citizens of the United States who change their residences to vote in nationwide presidential elections should minimally provide a method of voting for otherwise qualified voters who, because they have changed their residences, have been denied the right to vote.

The provisions of the Residency Voting Act of 1969 recognize the need of the States for a minimal period of time prior to a nationwide presidential election in which to check registrations to insure that only qualified voters go to the polls to vote. With the exception of those States requiring 1 year's residence prior to voting in nationwide presidential elections, most States require a minimal period of residence—60 days or less. The Residency Voting Act of 1969 adopts that 60-day minimal residence period as the approximate uniform standard for voting in a new State of residence in the succeeding nationwide presidential election. State election laws providing for periods of residence of 60 days or less prior to voting in the nationwide presidential election remain unaffected.

However, the provisions of the Residency Voting Act of 1969 also recognize what should be the minimally acceptable standard for all persons who have qualified themselves to vote in nationwide presidential elections—that they should not be denied the right to vote because of a change in their residence. By having satisfied the voting requirements of a State or political subdivision from which he most recently moved, a citizen's voting registration remains current except for his change of residence. The Residency Voting Act of 1969 establishes a uniform standard in that a registered voter shall be allowed to vote either in person or by absentee ballot for President and Vice President in the State or political subdivision from which he most recently moved if he has not taken up residence in another State or political subdivision until after the first day of September preceding a presidential election. The initiative remains with the voter to act under the provisions of the Residency Voting Act of 1969.

ASTRONAUTS

(Mr. CASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASEY. Mr. Speaker, a magnificent heroes welcome home was given to our great Apollo 8 astronauts by the people of Houston and Texas yesterday.

Scores of thousands of proud Americans turned out to honor these brilliant, courageous and yet, modest, men during a gigantic parade through downtown Houston. It was my privilege, along with several of my colleagues, to be present at this awe-inspiring and heart-warming occasion and the ceremony following it—for like all Americans, I have a deep sense of pride in the tremendous achievement of these gallant astronauts.

To Col. Frank Borman, Capt. James Lovell and Lt. Col. Bill Anders, I join with your friends and fellow citizens in Houston and Harris County in expressing our heartiest congratulations for a job well done.

To Dr. Robert Gilruth, Director of the Manned Spacecraft Center, and the thousands of dedicated men and women of MSC who worked around the clock to make this flight a magnificent success—I say your diligent and untiring efforts in this great program have brought you the thanks of a grateful and proud Nation. Surely, if man's destiny is among the stars—you have charted the course and truly helped us take the first giant steps. Generations to come will mark the days of Christmas, 1968, as being the finest in mankind's long history of achievement in his quest for knowledge.

Frank Borman summed it up in his speech to the joint session of Congress on January 9:

> Exploration is the essence of the human spirit, and to pause, to falter, to turn our back on the quest for knowledge, is to perish—and I hope that we never forget that.

It was heartwarming to me to be present yesterday when 74 individuals in NASA, Department of Defense, and private industry who labored long and hard to make Apollo 8 flight so spectacularly successful were singled out for awards. Twelve received the NASA Distinguished Service Medal, and 62 others received Exceptional Service Medals, with group awards going to others who contributed so much to the success of this flight. To each, on behalf of a grateful nation, I again express my own personal congratulations.

Soon, my colleagues in the House will begin their deliberations on authorizing and funding the programs considered vital to the well-being and future of our Nation. National defense, of course, must have first priority. But in my considered judgment, I know of no other program which ranks higher in priority than our space program. It is unfortunate that too little attention is given to the tremendous benefits this program has brought to all Americans. Great achievements in medicine, electronics, metallurgy, plastics, and a host of other fields are directly related to the space program. The list grows daily as our space-age technology pours forth new inventions and new techniques and they are rapidly adopted by our competitive business community. I consider the tax money we have put into the space program to be one of the wisest investments of our Nation's resources, and the benefits we have received thus far are but a token of the dividends yet to come.

The great feeling of national pride we all felt at the successful conclusion of the Apollo 8 moon flight was a far cry from that grim day of October 4, 1957, when Russia opened the "space age" with the launching of Sputnik I. Because of men like Borman, Lovell and Anders, and the thousands who back them up on the ground, we are no longer second in the field of space. NASA has come far in the decade of its existence—but we have a long way to go. And I know I speak for many of my colleagues when I say we do not intend to pause—to falter—or to turn back.

STOPPING SO-CALLED TRADE SCHOOLS WHICH PREY ON UNEDUCATED AND DEPRIVED POPULATION

(Mr. CABELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CABELL. Mr. Speaker, on behalf of those individuals in this country who, in the hope of bettering themselves and the financial conditions of their families, have left their homes and native States to enroll in a business or industrial school that promises to prepare them for a more productive career, and who have discovered that promises made them in regard to facilities, faculty, and career opportunities are both false and misleading, I hereby introduce a bill that would make it a crime to induce, through fraud or misrepresentation, any person to travel in interstate commerce for educational purposes.

The dire results of such inducements have become increasingly evident within the area of Dallas County, and within the limits of my own district, the Fifth District of Texas.

Many ambitious youngsters from hard working but less privileged families, often in neighboring States of Louisiana, Arkansas, Mississippi and others, have been persuaded, by promises of lucrative careers available upon completion of technical or industrial education, to leave their homes and to journey to a larger community and invest meager savings in schooling which does not, by any measure, live up to the great hopes that have been engendered.

In many instances the heartbreak of these youngsters has been great, but even more serious has been the resultant financial tragedy. For often, the money invested in a one-way ticket to the city, in fees and tuition, in books and in living quarters, has been exhausted, and the student awakens to the cold realities that the schooling is inadequate, that the educational facilities and the living quarters are not what had been promised, and that his only courses remaining are to either incur heavy new financial burdens and to return home without funds or education, or to remain in the city as a public charge.

Many dedicated citizens of my community have contributed much of their time and money out of their concern for these youngsters. But it is far better to prevent such a disease in advance than to seek to bandage up a wound after the damage has already occurred.

This bill which I am introducing today is not a solitary effort, but joins the efforts of both my community and my State to solve this problem. The city of Dallas has already adopted an ordinance requiring salesmen for such educational institutions to be bonded. But such an ordinance is enforceable only within Dallas city limits.

Legislation will be introduced in the Texas Legislature during the coming session concerning this matter. However, neither local nor State legislation can cross State lines and prevent the grief and the financial ruin that is the inevitable result in those areas of such inducement.

To merely regulate this situation in one community, or in one State, is not enough. Federal legislation that will coordinate with local and State laws to snuff out such unscrupulous sales activity is desperately needed now.

PROPOSED CONCURRENT RESOLUTION CALLING FOR ABOLISHING OF MANDATORY CONTROLS ON FOREIGN DIRECT INVESTMENT

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TUNNEY. Mr. Speaker, the resolution which I am reintroducing today calls for the abolition of the mandatory controls on foreign direct investment established by Executive order of the President on January 1, 1968. The mandatory controls came on the heels of 3 years of voluntary controls in which American investors cooperated admirably. These controls had been described as "temporary," but there is more than a hint of permanence in the policy of these controls.

I have been amazed at the immediate outpouring of support from all segments of American business and industry for this resolution. I have also received numerous letters of support from prominent international economists from some of our best universities—Harvard and MIT among them.

The controls were initially described as a short-term expedient during the international monetary crisis associated with the devaluation of the pound and it was said at the time of their imposition that they could be justified only as a short-term expedient.

Mr. Speaker, that short term has already expired and the controls still remain.

The controls represent an extremely shortsighted policy; foreign investments have contributed materially to the U.S. balance of payments as a result of the return flow of earnings as well as through the creation, preservation, and servicing of export markets.

Far from worsening our balance of payments, foreign investments have long been a plus factor in our balance-of-payments position; between 1950 and 1966, for example, our private foreign investments of $39 billion returned $58 billion to the United States. A curtailment of these investments, therefore, has the effect of killing the goose that lays the golden egg.

Foreign investments have been a major factor in the U.S. balance of trade, since 25 percent of our exports are to U.S. overseas affiliates and subsidiaries.

Controls on free investment abroad diminish the competitiveness of American companies in the international marketplace, and have the tragic effect of depriving those developing countries whose economies have been stimulated by our private foreign investments.

An extremely inequitable aspect of the mandatory program, Mr. Speaker, is that it hurts most those companies who voluntarily cooperated with the Government in 1965–66 during the voluntary phase. The companies voluntarily sent the vast majority of their overseas profits home, often delaying or drastically curtailing needed reinvestment in plant and equipment for their foreign subsidiaries. Under the present mandatory program, 1965–66 is used as a base period to calculate allowable investment and repatriation rate of profit in the future. This program hurts those who cooperated.

Mr. Speaker, this country has worked hard to improve the conditions of commerce between nations of the world. Yet these controls jeopardize the benefits of worldwide trade and investment developed with such great difficulty by this Nation over the past 40 years.

Furthermore, by forcing partly owned American foreign subsidiaries to send a large share of its profits to the United States, we play into the hands of those who are so quick to paint the picture of American foreign enterprise as one of exploitation of other people, in other countries. I need not point out the adverse effect this has on our foreign relations with these countries.

Furthermore, these controls were established by Executive order with no direct authorization of supervision of the Congress—even though they are as fundamentally important to our economy as are taxing policies, which require the express authorization of Congress. I think it important that Congress express its deep interest in the control program quickly before the controls become a permanent part of our international investment picture.

Now is one of those times for enlightened self-interest, when a policy or a plan becomes contraproductive—when it works against itself—good sense dictates a reappraisal at the very least. That word "mandatory" works both ways, when a program works to the detriment of the national interest then it should be mandatory to take corrective action.

Therefore, Mr. Speaker, for both humanitarian and economic reasons, I believe the mandatory controls on foreign direct investments run counter to the national interest of the United States and through this resolution I hope my colleagues will join me in calling upon the President to eliminate them at the earliest possible moment.

CONGRESSMAN ANNUNZIO INTRODUCES FULL OPPORTUNITY ACT

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, Abraham Lincoln once advised the Congress, "This Government cannot endure permanently half slave and half free," and recommended legislation looking to the containment and elimination of slavery. The powers controlling Congress at the time did not heed the warning, did not follow the advice, and chaos descended on the country.

When the Full Opportunity Act was introduced in October 1967, Dr. Martin Luther King declared:

> No nation can survive containing such extremes of wealth and poverty within her borders.

He recommended passage of the act, with the object of lessening and ultimately erasing poverty.

The powers controlling Congress at the time did not heed the warning and did not follow the advice. It cannot yet be said that chaos has resulted, but I fear that chaos is the logical outcome of such shortsighted inaction. The riotous results of 1968 cannot be regarded as anything other than a forewarning of chaotic times ahead, in the event that we fail to follow the recommendations of the late Dr. King.

My distinguished colleague, the gentleman from Michigan, the Honorable JOHN CONYERS, JR., spearheaded the move during the 90th Congress to introduce the Full Opportunity Act. It is a pleasure to join him today in cosponsoring the reintroduction of this much-needed legislation.

The Full Opportunity Act involves not only employment of the so-called hard-core unemployed, it also provides for adequate housing in behalf of those ill-housed, more effective schools in poverty-stricken areas, family allowances for the poor, a comprehensive minimum wage, full post-secondary educational opportunity, effective enforcement of existing equal employment opportunity legislation, and effective enforcement of the recently enacted Fair Housing Law.

Under the terms of this legislation, 3 million subprofessional jobs would be created in such areas as health, education, recreation, and conservation, which would allow even those individuals with the lowest level of training to perform useful and necessary work.

In the matter of housing, 1 million additional federally assisted, low- and moderate-income housing units would be provided every year for the next 10 years.

So far as education is concerned, Federal grants would be authorized for greater than average per-pupil expenditures in ghetto schools to finance intensive improvement of the regular school programs. Grants would be used to lower pupil-teacher ratios, develop superior teacher-training, and provide programs suited to the particular needs of the children involved.

A program of family allowances included in the act is modeled after a Canadian program of 25 years standing and similar programs instituted by every other industrial nation on earth except ours. Grants of $10 per month per child would be provided every family in the country. Being taxable, it would mainly benefit low-income families who would not have to pay it back at tax-collection time.

Postsecondary education would be extended to thousands upon thousands of the poor, under the act, through a massive increase of Federal assistance.

Equal opportunity would be advanced by providing the Equal Opportunity Commission with the full powers of a standard Federal regulatory agency.

Fair housing would be advanced by creation of a National Fair Housing Board with the full powers of a Federal regulatory agency.

The purpose of the Full Opportunity Act is self-evident—to provide opportunity in the many vital areas of American life which are today the exclusive playground of a favored majority. Until we remedy this state of affairs, we shall remain the object of ridicule and suspicion throughout the world—the great democratic colossus of the West preaching equal opportunity abroad while carefully suppressing it at home.

Tomorrow, January 15, is the birthdate of the late hero of democracy, Dr. Martin Luther King. By reintroducing the Full Opportunity Act today, we are seeking to honor his memory, for it was he who described the Full Opportunity Act as coming "closest to what we're after." He was referring, of course, to the goals of the poor people's campaign. We also seek to emphasize his view that:

> The alternative to the passage of the Full Opportunity Act may well be a generation of social chaos. No nation can survive containing such extremes of wealth and poverty within her borders.

It remains our compelling responsibility to close the gap between the haves and the have-nots in our country. By supporting the Full Opportunity Act, we will go a long way toward eliminating the long standing inequities which have plagued the poor in our Nation. I urge my colleagues to lend their support to this worthy endeavor.

SAFETY PROTECTION NEEDED FOR FARM TRACTORS TO END UNNECESSARY DEATHS

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, in 1966 Congress adopted legislation requiring certain safety features on automobiles, Public Law 89–563. Today that law is generally hailed as one of the forward accomplishments of the 89th Congress.

But while we have recognized the need for protecting the lives and safety of those who drive automobiles, we have so far overlooked another major source of fatal vehicle accidents, the farm tractor. This is especially true in the case of children and young people, who are killed all too frequently on the farm when tractors overturn and drivers are pinned underneath.

In fact, over 600 lives annually, I am advised, are lost in farm tractor accidents. The National Safety Council's Committee on Tractor Overturn Prevention and Maintenance last year endorsed the 1967 recommendation of the American Society of Agricultural Engineers for the installation of "protective frames" on farm tractors as "basic equipment.

Mr. Speaker, I have the honor to represent in this House one of the most important farming districts in this Nation. To protect the lives and health of these individuals I introduced in this House on opening day legislation to require that roll bars and seat belts be installed, as safety devices, on all farm tractors. In addition my bill, H.R. 680, would provide for mandatory farmer representation on the National Motor Vehicle Safety Advisory Council, created under Public Law 89–563.

I know, of course, that farmers are usually very hesitant about the prospect of any additional Federal legislation affecting them and their enterprises. But I am confident that H.R. 680 will be a help to farmers, not a hindrance. And it will be a help, too, I believe, to thousands of nonfarm rural residents who use farm-type tractors for gardening, cutting grass, plowing snow, and other chores.

Already farmers and farm families are paying very high prices for necessary farm machinery. Surely the very least we can do to help them is to require that the manufacturers of farm vehicles provide these simple, basic safety features to protect farm lives and reduce crippling injuries from the most common of farm tractor accidents.

AVERELL HARRIMAN: A GREAT AMERICAN COMES TO THE CLOSE OF HIS TOUR OF DUTY IN PARIS

(Mr. BINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BINGHAM. Mr. Speaker, a great American is coming to the close of his tour of duty in Paris. I refer to Averell Harriman. In my judgment no man has served his country over the years with greater distinction, greater wisdom, and greater courage. In Paris he has shown that extraordinary combination of patience, firmness, resourcefulness, and above all ability to understand the character of his opponents that has made him America's foremost peacemaker.

He put a fitting cap to his service in Paris with his statement yesterday. I hope the incoming administration will give careful, indeed prayerful, consideration to what Ambassador Harriman said about the way we must proceed in the future if this tragic war in Vietnam is to be brought to a peaceful conclusion. He pointed out that we cannot hope for victory if we are to settle the war. This was a wise and foresighted statement and something that needed saying. Coming from a man with Ambassador Harriman's record, it should be taken very much to heart by all of us.

I hope that the incoming administration will have the wisdom to continue to make use of Ambassador Harriman's unique abilities, experience and dedication, and I am sure he will respond to any request for future service to his country with the patriotism which has motivated his entire career.

THE FULL OPPORTUNITY ACT—TOWARD A BRIGHTER FUTURE FOR ALL AMERICANS

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, I would like to take this opportunity to speak to you today about a bill I am reintroducing in the new Congress. This bill, the Full Opportunity Act, is designed to mount a full-scale offensive against the causes of poverty in both urban and rural America.

Twenty-four of my colleagues have joined me in cosponsoring this legislation. They are: Mr. Annunzio, Mr. Brown of California, Mr. Burton of California, Mrs. Chisholm, Mr. Clay, Mr. Edwards of California, Mr. Farbstein, Mr. Fraser, Mr. Gilbert, Mr. Gonzalez, Mr. Halpern, Mr. Helstoski, Mr. Kastenmeier, Mr. Lowenstein, Mr. Matsunaga, Mr. Mikva, Mr. Moorhead, Mr. Podell, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Stokes, and Mr. Charles H. Wilson.

In the simplest terms, of course, people are poor because they lack income. We can all agree that the root causes of a lack of income, and therefore poverty, are lack of educational and employment opportunities, and the consequent inability of families to earn an adequate income. Along with these basic causes of poverty, there are also other factors that are intimately related to the state of being poor, including inadequate housing, insufficient medical care, and inadequate police protection. It is against the three interrelated aspects of poverty—jobs, housing, and education—that my bill, the Full Opportunity Act, is basically addressed.

Most of us have come to believe the effort to insure that every American has a decent job is going to require massive Federal assistance. If we are to make any sort of headway in the short run in alleviating the poverty caused by a lack of employment opportunities, we must provide a full range of well paying jobs that are available to everyone willing and able to work. It seems likely that this will require more than just Federal incentives to private employers to induce them to make employment opportunities available. It will necessitate that jobs—good jobs—be made available in the public sector, at the Federal, State, and local levels, as well as in the private sector.

We must insure that the employment opportunities that are created in both the public and private sectors are available to everyone. I feel very strongly about this. There is, it seems to me, little point in creating additional jobs if they are not made available to those who need them most. One way to accomplish this is to expand and strengthen the powers of the Equal Employment Opportunity Commission. The EEOC appears to have been doing a reasonably effective job of indicating situations where discrimination in hiring and promotion policies exist. What is now needed is for the powers of the EEOC to be significantly expanded, so that the Commission can take action against the discriminatory practices that are uncovered. My bill is designed to create not only the needed number of new jobs, but to strengthen EEOC as well. This should help insure that the job opportunities that are created are in fact made available to those who are presently unemployed.

Another important fact we must recognize is that the new jobs that are created, as well as those that already exist, must pay a sufficiently high wage to enable the jobholder to support himself and his family. The Full Opportunity Act attempts to get at this problem by providing for a comprehensive minimum wage, designed to apply to virtually all wage earners, both industrial and agricultural. Minimum wage laws tend to result in the substitution of machines for unskilled labor, and therefore cause a reduction in employment opportunities. It is expected that the provisions in the Full Opportunity Act for the creation of a large number of new jobs will overcome the possible adverse effects of the proposed new minimum wage.

The provisions discussed above are designed to improve the lot of those who are presently working at low paying jobs, and those who are potentially employable. It is well recognized, however, that a large proportion of the poor are poor because they are unable to work, regardless of whether or not employment opportunities are available. It is also well recognized that the welfare system as it is presently administered is far from adequate to relieve the plight of the unemployable poor. I am not suggesting by this that the present welfare system be dismantled and nothing provided to take its place. Rather, I would say that the present system must be supplemented as well as reformed.

My Full Opportunity Act is designed to supplement the present welfare system with a monthly family allowance. A number of well-known authorities have advocated a family allowance plan for the United States for some time; and a number of other countries have successfully employed this technique as a way of providing income supplements. The major advantage of such a plan over the present welfare system is that it avoids the stigma of a means, or needs test. Almost everyone who is familiar with the present welfare setup agrees that the means test should be eliminated. The family allowance plan is one proven method for accomplishing this objective. I therefore feel that the establishment of a family allowance plan in this country, as provided in my bill, should receive the highest priority in the new Congress.

Housing is another problem of grave concern to those living in poverty. The residential construction industry appears simply incapable of providing shelter within the ability of a substantial proportion of the American population to pay. It is becoming increasingly apparent that massive Federal assistance will be required if we are to meet our housing goal of providing "a decent home and a suitable living environment for every American family." The Full Opportunity Act is designed to provide this necessary Federal assistance. Such assistance is to be provided for both the construction of new housing units, and for the rehabilitation of sound but deteriorated housing.

It is well known that a large part of the housing problem of the black minority is caused by a lack of access to decent housing located in de facto segregated neighborhoods. It is likewise obvious that in order to improve the housing choices of poor minority groups, housing constructed or rehabilitated with Federal assistance must be available everywhere to all on an equal basis. In order to insure that this will be the case, the Full Opportunity Act includes a title strengthening the fair housing provisions of the Civil Rights Act of 1968. Under this title all housing without exception must be rented or sold without regard to the race, creed, or national origin of the prospective renter or purchaser. This title provides a necessary strengthening of the fair housing provisions of the Civil Rights Act, and is in line with the recent Supreme Court decision outlawing all forms of discrimination in housing.

A third, and in some ways most significant part of the vicious circle of poverty is lack of educational opportunity. It should be obvious that no matter what is done to alleviate poverty through the provision of jobs, income supplements, and housing in the short run, the long run key to the solution of the poverty problem lies with improvement of our slum school systems. The Full Opportunity Act is designed to tackle this problem of improving education on two fronts—the public school system, and postsecondary institutions.

It is universally recognized that slum public schools are in bad shape and are getting worse. This trend must be reversed and the quality of the education provided by our central city schools must at least meet, and hopefully exceed, that of the best of the white suburban schools systems. This may sound like a far fetched dream, and perhaps it is—but unless we make a start to improve the quality of our slum area schools, and make it immediately, the poverty problem will continue to corrode the core of American society.

I cannot stress too heavily my concern with the problems of education. If no other titles of the Full Opportunity Act are acted upon in this session of the new Congress, I would hope that serious consideration be given to the titles designed to provide more effective central city schools, and to provide true equality of opportunity for obtaining postsecondary education.

The Full Opportunity Act, in addition to providing massive assistance to the public school systems in central cities, is also designed to help improve the access of minority groups to the Nation's colleges and universities. In today's complex and technologically oriented society it is becoming increasingly imperative for the individual to obtain a college education. A college degree is more and more frequently an indispensible passport to rewarding employment. Postsecondary education is also, of course, an extremely valuable investment for a nation to make for the sake of its future citizens and their well-being. The increasing complexity of modern society makes it imperative that a continuing flow of highly educated men and women be produced to administer and operate our increasingly complex institutions.

These factors make it imperative that no qualified American be denied a college education for ethnic or financial reasons. The Full Opportunity Act is designed to provide Federal assistance to both prospective university students, and to the institutions of higher learning needed to accommodate them, in order that all who may benefit from higher education may obtain it regardless of race or income level.

This discussion has indicated some of the things that my bill, the Full Opportunity Act, is designed to accomplish, and why I consider their achievement essential. I should just like to note in conclusion that Dr. King before his death, indicated that this bill represented a large step in the direction necessary to help achieve the elimination of poverty, and the achievement of economic justice for all Americans, regardless of race, creed, or national origin. I promise to do all I can to see that this legislation receives full consideration during this session of the new Congress. Your help in this effort, in the form of letters and telegrams of support to your Congressmen, can be helpful and will be deeply appreciated. If we all work together there is hope that we can begin, during this Congress, to take this needed step toward insuring a brighter future for all Americans.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the distinguished gentleman from New York.

Mr. RYAN. I thank the distinguished gentleman from Michigan for yielding.

Mr. Speaker, I am pleased to join again with my colleague in cosponsoring the Equal Opportunity Act. It is certainly fitting and proper that it should be reintroduced at the time of Dr. Martin Luther King's birthday. No one fought with greater passion or determination for the poor than he.

Tomorrow, January 15, the Reverend Dr. Martin Luther King would have celebrated his 40th birthday, and I and many of my colleagues would have risen in this Chamber to pay tribute to Dr. King's devotion to the ideals of equality, brotherhood, and nonviolence. Today I rise to honor the slain Dr. Martin Luther King by joining in the introduction of legislation which, if enacted, would bring a full and deserved measure of equality and opportunity to those poor Americans for whom Dr. King fought so passionately all his life.

The Full Opportunity Act, which I was pleased to cosponsor in the last Congress with my colleague from Michigan (Mr. CONYERS), proposes a comprehensive program for insuring that all Americans regardless of color, religion, or national origin have full opportunity for adequate employment, housing, and education. The recommendations urged by the National Advisory Commission on Civil Disorders parallel the goals of this legislation.

The bill authorizes $30 billion a year for the next 10 years, which would be used to carry out innovative programs in jobs, education, and housing.

It provides for the employment of 3 million hard-core unemployed persons, as well as job training and education which would allow the hard-core unemployed to move into more highly skilled positions.

It increases the minimum wage to $2 per hour for every working American, a figure that would yield an annual income of approximately $4,000 per year, reducing the burdens of poverty for those most severely affected by long-term joblessness and underemployment.

The Full Opportunity Act extends the coverage of title VII of the Civil Rights Act of 1964 to protect all American working men and women against discrimination in employment and provides strong enforcement powers to the Equal Employment Opportunity Commission, including the power to issue cease and desist orders.

The act would also require that every housing unit be sold or rented on a nondiscriminatory basis.

The act also provides for expanded housing programs for low- and moderate-income families—public housing, rent supplements, rehabilitation, section 221(d)(3), and homeownership assistance—designed to yield 1 million additional low- and moderate-income housing units each year for the next 10 years.

In addition, the bill would raise the quality of elementary and secondary education for low-income children through direct Federal grants to schools and a program of loans which would enable low-income students to borrow up to $15,000 over a 5-year period, with repayment spread over a 40-year period.

Mr. Speaker, this omnibus bill deserves the prompt consideration of this Congress. I have introduced a number of legislative proposals which deal separately with the problems which the Full Opportunity Act seeks to solve in its eight titles. The scope of this bill reflects the scope and seriousness of the underlying causes of poverty.

It is significant and at the same time symbolic that the estimated annual cost of the programs envisioned—$30 billion—is the equivalent of the cost of the war in Vietnam, which has diverted our Nation's energies from the task of social reconstruction at home. It is essential to reorder our national priorities if the tragic events of the past few years are not to be repeated on a wider and more convulsive scale.

The passage of the Full Opportunity Act would alleviate much of the injustice and deprivation that have plagued millions of our fellow citizens. I can quote no more eloquent champion of this bill than the late Dr. Martin Luther King, who less than 5 months before his assassination wrote:

> The alternative to the passage of the Full Opportunity Act may well be a generation of social chaos. No nation can survive containing such extremes of wealth and poverty within her borders. The sands of time are replete with bleached bones of civilizations which have neglected to include the masses of their citizenry into full participation in the nation's social and economic opportunities. The Full Opportunity Act is an excellent approach to the long-standing inequities and historic deprivation which have plagued the poor of this nation for more than a century.

I would only add that the need pictured in Dr. King's statement is, if anything, more desperate today than it was a year ago.

Mr. CONYERS. I thank the gentleman.

THE PERMITS FOR ASSEMBLIES, MARCHES, OR DEMONSTRATIONS DURING INAUGURATION SHOULD BE DENIED

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, permits for assemblies, marches, or demonstrations here in the District of Columbia to those whose announced intention is to disrupt the National Capital during the forthcoming inauguration should be denied. Those seeking such permits make no bones about their intention to create unrest, civil disobedience, and further disruption of law and order. They have been trained in schools for the disruption of law and order.

There is no constitutional requirement for the issuance of a permit to assemble or march to such persons and such permits should be denied in the interest of protecting the public peace and safety. The allowance of a permit in these circumstances would make a mockery of the constitutional right to peaceable free assembly.

We in the Congress do not want this to happen and I have today wired the Attorney General and the Secretary of the Interior as follows:

> Request denial of any permits for mass demonstrations or assemblies other than duly constituted inaugural committees in the District of Columbia during Inaugural period. To grant permit to those whose announced intentions are to break the law if necessary to attract attention is to make a mockery of the constitutional right to peaceable free assembly. There is no constitutional requirement for the issuance of a permit to assemble and march in such circumstances and we urge in the interest of the public peace, dignity and safety that all such applications be denied without exception.
>
> LOUIS C. WYMAN,
> WILLIAM CRAMER,
> *Members of Congress.*

If need be the Congress by joint resolution should call on the executive branch to deny permits under these conditions.

PUBLIC SAFETY DURING THE INAUGURAL PERIOD

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, not without significance is the fact that law enforcement precautions during the inaugural period are under the control of officials of the outgoing administration. This becomes materially important when it is considered that the failure of the outgoing Attorney General to demand firm law enforcement—reflected by a substantial increase in crime—was one of the major issues in the recent presidential campaign.

It is fervently hoped by almost all Americans that a policy of a new and needed firmness in Federal law enforcement will be the rule for at least the next 4 years, in which law and order with equal justice for all will be maintained throughout the Nation.

At this time I believe the outgoing Attorney General owes the incoming administration at least the establishment of a definition of policy in advance of January 20 that demonstrators conducting themselves within the law will be left alone but that any who deliberately break the law, either on or off the streets, will be arrested and prosecuted. This policy should be maintained by adequate law-enforcement personnel in sufficient numbers, with an available-on-call backup of Federal forces, all prepared to arrest without brutality deliberate lawbreakers without exception. Courts and prosecutors should be on a standby basis throughout whatever period is determined to be critical.

There appears to be no need nor would it be advisable to put tanks or troops on the streets in advance. A show of overforce of this type would be a provocation. But they must be ready if needed, and on a moment's notice.

Public patience with deliberate troublemongers and rioters is justifiably wearing thin. The people are entitled to observe the inauguration of President-elect Richard Nixon in peace and safety. The basic obligation of those responsible for law enforcement is to maintain and defend our citizens as they come and go upon the public thoroughfare. This obligation has never been more apparent than in the National Capital at this hour faced with the announced intention of a small minority to disrupt the inauguration and violate the law.

PERMITS FOR ASSEMBLIES, MARCHES, OR DEMONSTRATIONS DURING INAUGURATION SHOULD BE DENIED

(Mr. CRAMER asked and was given permission to extend his remarks at this point in the Record.)

Mr. CRAMER. Mr. Speaker, I join with the gentleman from New Hampshire (Mr. Wyman). If ever there was a time in the history of this country when the dignity of the inauguration should be manifest and should be preserved, it is this inauguration, when our Nation and the world are faced with such great crises.

We have been served notice that there is an intention on the part of certain groups to debauch this inauguration, to despoil it, to defile it, to not even give the new President-elect of the United States the opportunity to set the stage for his program and for peace and prosperity in this Nation and peace in the world.

We have been served notice in an underground newspaper called the Washington Free Press. It is a disgusting publication.

In this publication it is set out in detail what is being planned. It is a "counter-inaugural." Why, they are even asking for a permit to have their own ball on publicly owned property on the grounds of the Washington Monument. They are even asking to have a counterparade marching in the wrong direction the day before the right direction parade is held in commemoration of the inauguration of the President of the United States.

Regardless of party, Richard M. Nixon is the duly elected President of the United States of America. Are we going to permit Mr. Dellinger and his crowd to desecrate the high office of the Presidency? To do to this Nation's Capital and to the image of America and the world what they did outside the Pentagon not too long ago? Are we going to permit them to create a Chicago riot fiasco right here in the Nation's Capital?

We have been served notice. These revolutionaries are now "negotiating" with the Secretary of the Interior, the District of Columbia authorities, and the Attorney General, and members of the committee which I helped to negotiate with on behalf of the House to try to get the demonstrators out of "Resurrection City," and at the time I introduced a bill to make sure that such an occurrence would not happen again. I have reintroduced this bill. I hope that it will pass this session.

I join with the gentleman from New Hampshire in saying that such permits cannot be and should not be granted to permit this or any other organization in the name of any group or purpose to debauch this inauguration. I would hope that my colleagues will join us in this effort.

A copy of the press release announcing my opposition and that of my distinguished colleague, the gentleman from New Hampshire, Louis C. Wyman, is herewith included in these remarks for the information of my colleagues:

Congressmen Call for Denying Permits to Demonstrators During Inaugural Period

Two Republican Congressmen today called upon Interior Secretary Udall, Mayor Walter Washington and Attorney General Ramsey Clark, to deny the issuance of permits to "counter inauguration" protestors who are planning to erect a large tent on the grounds of the Washington Monument as well as march down Pennsylvania Avenue a day before the Inauguration.

In a speech on the House Floor, U.S. Reps. William C. Cramer, R-Fla., and Louis C. Wyman, R-N.H., read the text of a wire they sent to Udall, Clark and Washington in which they said that "there is no constitutional requirement for the issuance of a permit to assemble or march in such circumstances . . ."

The wire urged the denial of any permits "in the interest of the public peace, dignity and safety." To grant permits to those whose announced intentions are to break the law if necessary to attract attention is to make a mockery of the constitutional right to peaceable free assembly."

Cramer and Wyman also disclosed that an article in the Washington Free Press, an underground hippie newspaper, laid out plans for the counter inaugural which reveals that substantial planning and forethought has gone into the demonstration. "The article clearly anticipates acts of violence by discussing the possibility of 'police charges,' 'gassing,' and the 'overall military situation' during the inaugural week, and how this activity can be used against the 'friends of Nixon,'" Cramer and Wyman said.

The paper also calls for Communist victory in Vietnam and extension of Castro type communism on the North and South American continents.

The following is the text of the message sent to Udall, Washington and Clark:

"We request denial of any permits for mass demonstrations or assemblies in the Nation's Capitol during Inaugural period. To grant permit to those whose announced intentions are to 'Break the law if necessary to attract attention' is to make a mockery of the constitutional right to peaceable free assembly. There is no constitutional requirement for the issuance of a permit to assemble or march in such circumstances and we urge in the interest of the Public Peace, Dignity and Safety that all such permits be denied without exception.

"Louis C. Wyman,
"William C. Cramer,
Members of Congress."

WAR IN THE MIDDLE EAST

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KUYKENDALL. Mr. Speaker, once again we are threatened with war in the Middle East. The best guarantee of keeping the peace in that area is to maintain the balance of power. The surest way to increase hostilities and pave the way for the resumption of a hot war is to give a decided military advantage to one side or the other.

The action by French President de Gaulle in stopping the sale of planes to Israel and his negotiations with the Arabs with the view of supplying them planes and arms, is a serious threat to peace. The only way we can bring about a return to the status quo is by furnishing Israel the necessary planes it needs to restore the balance of power.

It is up to the United States to fill the void created by the action of France and see to it that Israel has the necessary means to defend its borders.

The situation has been worsened by indications that the Soviet Union is accelerating its shipment of arms to the Arab nations and making no effort to curtail them.

TERMINATION OF CONTROLS ON FOREIGN INVESTMENTS DUE

(Mr. MIZE asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I am pleased to cosponsor the concurrent resolution introduced today by the gentleman from California (Mr. Tunney). Our resolution calls for termination, as soon as prudently possible, of the controls imposed last year upon direct foreign investment.

These controls, announced January 1, 1968, and contained in President Johnson's Executive Order No. 11387, are of questionable legality. The President, in issuing his order, was forced to cite the Trading With the Enemy Act of 1917, and a declaration of national emergency dating to the Korean war as authority. Congress was not sufficiently consulted before the investment restrictions were imposed, and I think it is sufficient to say that the legislative history of the Trading With the Enemy Act of 1917, did not directly address itself to the international monetary crises of the middle 1960's.

Mr. Speaker, as recently as yesterday my staff requested material from the Office of Direct Foreign Investment, Department of Commerce, for documentation of the effect these controls have had on the outflow of capital. We were informed the most recent collated data was published in the September 1968 issue of Survey of Current Business, page 22, table F, which is reproduced as follows:

TABLE F.—DIRECT INVESTMENT CAPITAL OUTFLOWS SUBJECT TO RESTRICTIONS BY THE FOREIGN DIRECT INVESTMENT PROGRAM

[Millions of dollars]

	Year		1967				1968		
	1965	1966		1st quarter	2d quarter	1st half	1st quarter	2d quarter	1st half
Capital outflows for direct investments, (table 1, line 33, signs reversed)	3,468	3,623	3,020	899	423	1,322	589	836	1,425
Less transactions not subject to OFDI regulations:									
a. Investments in Canada	962	1,135	392	64	52	116	−26	240	214
b. Other nonprogram transactions [1]	81	107	55	17	19	36	57	35	92
Capital outflows subject to OFDI regulations	2,425	2,381	2,573	818	352	1,170	558	561	1,119
Schedule A countries	527	321	521	125	−52	73	73	90	163
Schedule B countries	744	677	916	396	139	535	281	271	552
Schedule C countries	1,154	1,384	1,136	297	265	562	204	200	404
Less utilization of funds obtained abroad through:									
Bond issues	52	445	278	77	61	138	140	62	202
Increases in other long-term liabilities [2]	28	193	86	117	−23	94	155	39	194
Net capital outflows subject to OFDI regulations	2,345	1,743	2,209	624	314	938	263	460	723

[1] Includes transactions by financial enterprises, securities of U.S.-owned foreign companies sold to nonaffiliated U.S. residents and other non-program transactions with countries other than Canada.

[2] Under the assumption that net changes in long-term liabilities of U.S. corporations (tables 1, 2, and 8, line 54 for all countries except Canada) reflect net proceeds of loans obtained abroad which are immediately transferred to foreign affiliates.

This table shows net capital outflows subject to OFDI regulations—that is, subject to the controls imposed by the Executive order. While third quarter data is not yet fully available, I am informed that there was no significant departure from trends established during the first half of the year.

Perhaps the most significant effect these controls have had was the corporate shift to foreign sources for funding. Funds obtained abroad by U.S. corporations through the issue of new securities increased about 350 to 400 percent during 1968—bringing the total to over $2,000 million. Increased foreign borrowing, then, must be considered in assessing the effect of the controls on U.S. capital.

Mr. Speaker, it would be foolhardy to suggest the controls have had no effect at all. When full data on 1968 is available, in about 6 months, the impact can be known. Perhaps as much as one billion in direct U.S. investment abroad will have been denied U.S. businessmen.

But the crucial question before the Congress and the Nation is simply this: Is the price for this so-called savings too steep to pay? Are our controls contraproductive? Are we damaging irreparably our future balance-of-payments position through shortsighted action for shortrun gain?

RETURN ON INVESTMENTS ABROAD

Mr. Speaker, in 1966 the United States realized $4,045 billion in dividends on its U.S. investments abroad. In 1967, the figure was $4.5 billion. This past year will similarly show a healthy surplus for U.S. businessmen who have had the courage and imagination for overseas speculation and investment.

But if U.S. investment is curtailed for a period of years, as it has been in 1968, American businessmen will be denied the ongoing opportunity to build a solid basis for return and profit in the 1970's. No one can say the U.S. balance-of-payments position will be so strong in 10 years that dividends on private foreign investment will be unnecesary to protect the dollar.

One simple statistic will dramatize my point. From 1946–66, our private sector realized a net gain in balance of payments of some $84 billion, while the Government showed a deficit of some $115 billion for the same 21-year period. The Nation could not have survived financially without that return on U.S. private investment abroad during that period. In my opinion, the 1970's will be no different.

The President's controls must be rescinded, and our balance-of-payments deficit must be remedied where the damage has been done—in the public sector. The public sector has shown the loss, and private U.S. businessmen should not be forced to pay for public fiscal folly.

FREE WORLD MERCHANT VESSELS IN NORTH VIETNAMESE TRADE

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, as the 91st Congress begins its deliberations and the Nation, under fresh leadership, looks ahead with new hope at the problems that have troubled us and the world so long there is still no question that our first concern continues to be the prolonged war in Vietnam.

No one, of course, can predict how long it will take to successfully and honorably extricate ourselves from this, the longest war in the history of our country. It appears certain, however, that the debate over the many facets of this war will occupy historians for decades to come and that it will probably be a number of years before all the relevant information will become available in order to permit a comprehensive judgment about it.

As my colleagues know, one aspect of this complex and frustrating conflict, that has particularly concerned me for some time, not only demonstrates the failure of past policy, but continues to demand our active attention and greater efforts. I speak of the longstanding and growing problem of the use of free world merchant vessels in North Vietnamese trade and I take this occasion to give my colleagues and the citizens of our country a report of this traffic to North Vietnam for the year just ended.

During 1968, according to information provided me by the Department of Defense, there were a total of 149 arrivals in North Vietnam of ships flying the flags of nine different free world countries; namely, the United Kingdom, Cyprus, Somalia, Singapore, Lebanon, Italy, Japan, Malta, and Kuwait. This represents an alarming increase in this traffic over the 78 arrivals during 1967. Furthermore, I am advised that the cargo capability of these vessels helping to supply the enemy in 1968 amounted to more than 1 million tons as compared to some 560,000 tons for 1967. In addition, last year at least 11 of these arrivals involved tankers which by their very inherent characteristics indicate the transport of strategic goods.

During this past month of December there were a total of 14 free world ship arrivals, and recently I am advised a free world ship carried cargo from Haiphong to a key supply area far to the south and close to the demilitarized zone. This, then, is the incredible record of the past 12 months. During this same period of time 14,536 U.S. servicemen gave their lives in support of our efforts in South Vietnam, a number which is approximately half of all the American fatalities for this entire war.

Now we have heard time and again the rationalizations and excuses for the continued existence of this traffic with the enemy. These vessels for the most part, so far as we know, are under charter to Communist interests to carry Communist goods to help supply Communist North Vietnam.

Supplies are vital to the enemy—and they are becoming more important with every passing day. The current report of the Special Subcommittee on National Defense Posture of the House Armed Services Committee, dated December 31, 1968, confirms this fact. It states that since November 1, 1968, there has been a fivefold increase in the southward flow of supplies in North Vietnam, and further:

> All major roads in North Vietnam are now open and rail and water crossings leading to Laos and toward the DMZ are being repaired and expanded at a rapid rate. Since November 4, massive quantities of POL, ammunition and anti-aircraft weapons have been

> **moving south. In the first 15 days of November, despite weather and seeing limitations, more POL drums were photographed than had been seen collectively in the past 12 months. Large numbers of personnel have been photographed moving south. Traffic on major routes is now moving south in large convoys on a bumper-to-bumper basis. The level of supply far exceeds replenishment needs of troops and the civilian populace and it appears that the North Vietnamese are establishing a massive logistic system which could be used as a foundation for future expanded operations.**

The war cannot continue without supplies and the wherewithal to fight. It is just that simple. This source of supply is helping to prolong the war. This should be obvious to anyone—and I fail to see how making excuses for it contributes to our cause or defangs the enemy's ability to strike from its ambushes in South Vietnam.

Although I realize this traffic is in part accomplished by people on both sides of the bamboo curtain who know how to take full advantage of loopholes in the maritime laws of the nations of the world, I shall never be able to accept any justification for the continuance of this immoral trade. No matter how difficult it may be, ways should and must be found to shut off this added source of supply for the enemy.

Finally, Mr. Speaker, I would like to express the hope that this problem will receive the urgent attention of the new administration, for I feel that more must be done than has been done if we are to stem this flow of goods that is adding to the strength of North Vietnam, contributing to our casualties, prolonging the conflict and impeding the progress of the talks in Paris.

At this point in the RECORD I include charts indicating free world flag ship trade in North Vietnam during 1967 and 1968:

FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM

Month	United Kingdom	Cyprus	Malta	Italy	Lebanon	Singapore	Somalia	Japan	Kuwait	Total
1967										
January	6									6
February	3	1	1							5
March	3									3
Apr	4	1								5
May	7	1	1							9
June	9	1		1						11
July	5									5
August	4	1	1							6
September	6			1						7
October	6									6
November	5									5
December	9				1					10
Total	67	5	3	2	1					78
1968										
January	9	1								10
February	7	1								8
March	10			1		1				12
April	10	1			1	1				13
May	13	3						1		18
June	1	2	1		1	1				17
July	6						2			8
August	9	3								12
September	11	1				1			1	14
October	7	1					2			10
November	9	1				1	2			13
December	10					1	3			14
Total	114	14	1	1	2	6	9	1	1	149

CARGO CAPACITY OF FREE WORLD SHIPS IN NORTH VIETNAM, 1968, BY FLAG OF REGISTRY

Month	British		Cyprus		Singapore		Italian		Lebanese		Japanese		Maltese		Somali		Kuwait		Total	
	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.
January	9	65,650	1	3,100															10	68,750
February	7	44,100	1	3,100															8	47,200
March	10	62,350			1	4,500	1	10,000											12	76,850
April	10	68,550	1	13,500	1	4,500	1	10,200											13	96,750
May	14	101,250	3	19,700							1	3,700							18	124,650
June	12	82,600	2	13,000	1	4,500			1	10,200			1	9,500					17	119,800
July	6	49,500													2	17,500			8	67,000
August	9	69,100	3	15,300															12	84,400
September	11	10,300	1	6,500													1	1,800	14	87,630
October	7	50,900	1	3,100											2	12,600			10	66,600
November	9	56,600	1	3,100	1	4,500									2	11,000			13	75,200
December	10	58,100			1	6,500									3	21,100			14	85,700
Total	114	777,730	14	84,200	6	31,000	1	10,000	2	20,400	1	3,700	1	9,500	9	62,200	1	1,800	149	1,000,530

SURPLUS AGRICULTURAL COMMODITIES

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, I am pleased to reintroduce a bill I initially submitted last year to permit the donation of surplus agricultural commodities to certain nonprofit organizations serving American servicemen.

In connection with this bill, which will be referred to the Committee on Agriculture, I am proud to say that I have received favorable reactions to this bill both from the chairman, the gentleman from Texas, BOB POAGE, and the ranking minority member, the gentleman from Oklahoma, PAGE BELCHER.

Also, the gentleman from South Carolina, Chairman MENDEL RIVERS of the Armed Services Committee, and the gentleman from Texas, Chairman OLIN TEAGUE of the Veterans' Affairs Committee, have responded that they feel the bill will greatly benefit our servicemen.

Under the terms of the bill, the organizations to benefit from the measure include such groups as the USO, the Red Cross, and other such agencies as the Department of Defense may select.

But in the larger sense, the real beneficiaries of the bill are the American servicemen all around the world. We owe this to our servicemen.

These organizations daily give our servicemen a place to spend leisure hours, to get oriented in a strange town, to meet friends in a hospitalble and cordial atmosphere. In addition, they provide valuable contact between the serviceman and his family.

One of the greatly appreciated services of these groups is that of providing snacks and meals. As with all volunteer donation groups, however, the budgets under which they must operate is tight, and the dollar otherwise spent on food could go a long way in providing other services.

Unfortunately, present laws dealing with the disposition of surplus foods are not broad enough to include groups providing aid to our servicemen. I feel this bill will improve the lives of our men in uniform, as well as benefit the overall operation of the food program.

Many of the surplus foods not of particular suitability to one of the programs already established could well be used to help the USO, the Red Cross, the Salvation Army and other groups.

I am hopeful, Mr. Speaker, that this move will be endorsed both by the Department of Defense, and the Depart- of Agriculture, and it is my strong hope that the Congress can move to give this question its closest consideration.

Currently, 16 commodities are being made available through the commodity distribution program. They include, dried beans, butter and margarine, cheese, corn grits, instant potatoes, cornmeal, flour, chopped meat, nonfat dry milk, peanut butter, dried split peas, raisins, shorten-before the investment restrictions were imposed, and I think it is sufficient to say that the legislative history of the Trading With the Enemy Act of 1917, did not directly address itself to the international monetary crises of the middle 1960's.

Mr. Speaker, as recently as yesterday my staff requested material from the Office of Direct Foreign Investment, Department of Commerce, for documentation of the effect these controls have had on the outflow of capital. We were informed the most recent collated data was published in the September 1968 issue of Survey of Current Business, page 22, table F, which is reproduced as follows:

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Mr. CHAMBERLAIN. Mr. Speaker, as the 91st Congress begins its deliberations and the Nation, under fresh leadership, looks ahead with new hope at the problems that have troubled us and the world so long there is still no question that our first concern continues to be the prolonged war in Vietnam.

No one, of course, can predict how long it will take to successfully and honorably extricate ourselves from this, the longest war in the history of our country. It appears certain, however, that the debate over the many facets of this war will occupy historians for decades to come and that it will probably be a number of years before all the relevant information will become available in order to permit a comprehensive judgment about it.

As my colleagues know, one aspect of this complex and frustrating conflict, that has particularly concerned me for some time, not only demonstrates the failure of past policy, but continues to demand our active attention and greater efforts. I speak of the longstanding and growing problem of the use of free world merchant vessels in North Vietnamese trade and I take this occasion to give my colleagues and the citizens of our country a report of this traffic to North Vietnam for the year just ended.

During 1968, according to information provided me by the Department of Defense, there were a total of 149 arrivals in North Vietnam of ships flying the flags of nine different free world countries; namely, the United Kingdom, Cyprus, Somalia, Singapore, Lebanon, Italy, Japan, Malta, and Kuwait. This represents an alarming increase in this traffic over the 78 arrivals during 1967. Furthermore, I am advised that the cargo capability of these vessels helping to supply the enemy in 1968 amounted to more than 1 million tons as compared to some 560,000 tons for 1967. In addition, last year at least 11 of these arrivals involved tankers which by their very inherent characteristics indicate the transport of strategic goods.

During this past month of December there were a total of 14 free world ship arrivals, and recently I am advised a free world ship carried cargo from Haiphong to a key supply area far to the south and close to the demilitarized zone. This, then, is the incredible record of the past 12 months. During this same period of time 14,536 U.S. servicemen gave their lives in support of our efforts in South Vietnam, a number which is approximately half of all the American fatalities for this entire war.

Now we have heard time and again the rationalizations and excuses for the continued existence of this traffic with the enemy. These vessels for the most part, so far as we know, are under charter to Communist interests to carry Communist goods to help supply Communist North Vietnam.

Supplies are vital to the enemy—and they are becoming more important with every passing day. The current report of the Special Subcommittee on National Defense Posture of the House Armed Services Committee, dated December 31, 1968, confirms this fact. It states that since November 1, 1968, there has been a fivefold increase in the southward flow of supplies in North Vietnam, and further:

> All major roads in North Vietnam are now open and rail and water crossings leading to Laos and toward the DMZ are being repaired and expanded at a rapid rate. Since November 4, massive quantities of POL, ammunition and anti-aircraft weapons have been

> moving south. In the first 15 days of November, despite weather and seeing limitations, more POL drums were photographed than had been seen collectively in the past 12 months. Large numbers of personnel have been photographed moving south. Traffic on major routes is now moving south in large convoys on a bumper-to-bumper basis. The level of supply far exceeds replenishment needs of troops and the civilian populace and it appears that the North Vietnamese are establishing a massive logistic system which could be used as a foundation for future expanded operations.

The war cannot continue without supplies and the wherewithal to fight. It is just that simple. This source of supply is helping to prolong the war. This should be obvious to anyone—and I fail to see how making excuses for it contributes to our cause or defangs the enemy's ability to strike from its ambushes in South Vietnam.

Although I realize this traffic is in part accomplished by people on both sides of the bamboo curtain who know how to take full advantage of loopholes in the maritime laws of the nations of the world, I shall never be able to accept any justification for the continuance of this immoral trade. No matter how difficult it may be, ways should and must be found to shut off this added source of supply for the enemy.

Finally, Mr. Speaker, I would like to express the hope that this problem will receive the urgent attention of the new administration, for I feel that more must be done than has been done if we are to stem this flow of goods that is adding to the strength of North Vietnam, contributing to our casualties, prolonging the conflict and impeding the progress of the talks in Paris.

At this point in the RECORD I include charts indicating free world flag ship trade in North Vietnam during 1967 and 1968:

FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM

Month	United Kingdom	Cyprus	Malta	Italy	Lebanon	Singapore	Somalia	Japan	Kuwait	Total
1967										
January	6									6
February	3	1	1							5
March	3									3
Apr	4	1								5
May	7	1	1							9
June	9	1		1						11
July	5									5
August	4	1	1							6
September	6			1						7
October	6									6
November	5									5
December	9				1					10
Total	67	5	3	2	1					78
1968										
January	9	1								10
February	7	1								8
March	10			1		1				12
April	10	1			1	1				13
May	13	3						1		18
June	1	2	1		1	1				17
July	6						2			8
August	9	3								12
September	11	1				1			1	14
October	7	1					2			10
November	9	1				1	2			13
December	10					1	3			14
Total	114	14	1	1	2	6	9	1	1	149

CARGO CAPACITY OF FREE WORLD SHIPS IN NORTH VIETNAM, 1968, BY FLAG OF REGISTRY

Month	British		Cyprus		Singapore		Italian		Lebanese		Japanese		Maltese		Somali		Kuwait		Total	
	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.	No.	D.w.t.
January	9	65,650	1	3,100															10	68,750
February	7	44,100	1	3,100															8	47,200
March	10	62,350			1	4,500	1	10,000											12	76,850
April	10	68,550	1	13,500	1	4,500	1	10,200											13	96,750
May	14	101,250	3	19,700							1	3,700							18	124,650
June	12	82,600	2	13,000	1	4,500			1	10,200			1	9,500					17	119,800
July	6	49,500													2	17,500			8	67,000
August	9	69,100	3	15,300															12	84,400
September	11	10,300	1	6,500													1	1,800	14	87,630
October	7	50,900	1	3,100											2	12,600			10	66,600
November	9	56,600	1	3,100	1	4,500									2	11,000			13	75,200
December	10	58,100			1	6,500									3	21,100			14	85,700
Total	114	777,730	14	84,200	6	31,000	1	10,000	2	20,400	1	3,700	1	9,500	9	62,200	1	1,800	149	1,000,530

SURPLUS AGRICULTURAL COMMODITIES

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, I am pleased to reintroduce a bill I initially submitted last year to permit the donation of surplus agricultural commodities to certain nonprofit organizations serving American servicemen.

In connection with this bill, which will be referred to the Committee on Agriculture, I am proud to say that I have received favorable reactions to this bill both from the chairman, the gentleman from Texas, BOB POAGE, and the ranking minority member, the gentleman from Oklahoma, PAGE BELCHER.

Also, the gentleman from South Carolina, Chairman MENDEL RIVERS of the Armed Services Committee, and the gentleman from Texas, Chairman OLIN TEAGUE of the Veterans' Affairs Committee, have responded that they feel the bill will greatly benefit our servicemen.

Under the terms of the bill, the organizations to benefit from the measure include such groups as the USO, the Red Cross, and other such agencies as the Department of Defense may select.

But in the larger sense, the real beneficiaries of the bill are the American servicemen all around the world. We owe this to our servicemen.

These organizations daily give our servicemen a place to spend leisure hours, to get oriented in a strange town, to meet friends in a hospitalble and cordial atmosphere. In addition, they provide valuable contact between the serviceman and his family.

One of the greatly appreciated services of these groups is that of providing snacks and meals. As with all volunteer donation groups, however, the budgets under which they must operate is tight, and the dollar otherwise spent on food could go a long way in providing other services.

Unfortunately, present laws dealing with the disposition of surplus foods are not broad enough to include groups providing aid to our servicemen. I feel this bill will improve the lives of our men in uniform, as well as benefit the overall operation of the food program.

Many of the surplus foods not of particular suitability to one of the programs already established could well be used to help the USO, the Red Cross, the Salvation Army and other groups.

I am hopeful, Mr. Speaker, that this move will be endorsed both by the Department of Defense, and the Depart-of Agriculture, and it is my strong hope that the Congress can move to give this question its closest consideration.

Currently, 16 commodities are being made available through the commodity distribution program. They include, dried beans, butter and margarine, cheese, corn grits, instant potatoes, cornmeal, flour, chopped meat, nonfat dry milk, peanut butter, dried split peas, raisins, shortening and lard, rolled wheat and oats and rice.

CURRENT ISSUE OF NAVY REPLETE WITH ARTICLES THAT SHOULD BE OF INTEREST TO MEMBERS OF THIS BODY

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record and to include an article.)

Mr. GERALD R. FORD. Mr. Speaker, the current issue of Navy, the official magazine of the Navy League of the United States, is replete with articles that should be of interest to Members of this body and particularly to former members of the Navy such as myself. It includes interesting articles concerning the naval careers of our President-elect and his Secretary of Defense designate, the gentleman from Wisconsin (Mr. Laird) but I would particularly commend to my colleagues a thought-provoking message from the national president of the Navy League, Mr. Charles F. Duchein, who emphasizes the continuing importance to the United States of a maritime strategy which includes not only naval forces second to none but also a viable merchant marine and a long-range seaward orientation of national policy both for considerations of security and economic prosperity. Mr. Duchein's editorial from the January issue of Navy follows:

Strength, Realism, and the Grand Strategy of the Oceans

(By Charles F. Duchein)

Pausing in silent prayer on December 7 at the National Directors' Meeting in Phoenix, Arizona, in a tribute to those who died 27 years ago at Pearl Harbor, one's thoughts turned naturally to the lessons to be learned from the swiftly moving history of our times.

Though events move with unprecedented rapidity, strategic factors of realism and strength punctuate the progression. Pearl Harbor will remind us forever of the deadly cost of their neglect. Largely ignored by the peace loving American people, the oversight invited the attack.

Today history unfolds daily on the TV screens in our homes. A ring side seat is afforded for everyone to witness the day to day battles of our tension filled world. People are kept abreast of world developments with hour by hour coverage of the constant conflict that attends our times. Perhaps world events move too swiftly, for to this day the strategic dialogue needed in the pre-Pearl Harbor day remains a crucial deficiency.

Those who witnessed what happened at Pearl Harbor share a common conviction that our weakness was the cause of the attack. Unpreparedness made possible the infamy of Pearl Harbor.

War came to America from across the seas, and only when we severed the sea lines of communications to the Japanese islands were the seeds of surrender sown. The "lights came on again all over the world" when the Imperial Japanese Fleet was destroyed and the Japanese isolated from their vital resources by American naval strength. Bombing, both atomic and conventional, was but the frosting on the strategic cake. From start to finish, the strategic constant of the oceans was in the forefront. But the build-up of Japanese maritime might was in evidence long before the carrier launched blitzkrieg. Well in advance of Pearl Harbor, strategic danger signals flew with discernible clarity but they were unheeded then, just as they are today.

Time and time again in subsequent years, we have been reminded that the image of a great power must be backed by substance. A world power cannot be kicked around for very long by small powers and still remain a great power. But have we learned this geo-political lesson? Can we counter the piratical seizure, and the final humiliation, of the PUEBLO with the cruise of the two U.S. destroyers in the Black Sea? Perhaps with the development of a full pattern of maritime strength the image will ultimately be repaired.

GLOBAL STRATEGY NEEDED

Though manifestations of a desire to learn are in evidence, the nation, lacking direction and a purposeful program to preserve the Republic, remains in a strategic doldrums of indecision. How strange! For never in history have the national security processes received such universal attention and study. Never has war gaming been conducted with such great vigor. Yet, to this day, we have failed to develop the strategic doctrine called for by an explosive world. As the New York Times pointed out on December 19th the President must "choose a coherent global strategy."

Happily, with the 1968 presidential election, strategic change can be expected. A change of policy to seaward called for by a platform plank can be the most significant in our century. The new President gives every evidence of grasping the import of this new strategy projection. He proposes to provide for "a Navy second to none"; he intends to "revitalize the merchant marine as a highest priority economic task"; he has called for the ship construction and maritime policy to meet the commitments under the ocean strategy so essential to the national welfare.

The primary purposes and policies of the Navy League are formulated with the focus of one fundamental factor—sustained maritime strength. The mushrooming of Soviet maritime power—and the seaward turn of Kremlin defense policy similar to that observed in pre-Pearl Harbor days, should serve as a warning. It should also serve as a reminder that our strategic strength at sea is slipping—our supremacy is in jeopardy. Nor can this fact be sloughed off with specious superficialities, for reality reminds us of the dynamism of the Soviet build-up. Our preeminence on the oceans of the world is challenged by expanding Soviet maritime power that can wrest our control of the seas, unless this trend is reversed.

LAIRD'S BLUEWATER BLUEPRINT

Secretary of Defense select, Melvin R. Laird, in his discerning "America's Strategy Gap—A House Divided," provides a blueprint for the initiatives needed to retain a position of preeminent world leadership. His selection by the new Commander-in-Chief to be the civilian defense leader is fortuitous, for out of the presidential election of 1968 and beyond Viet Nam, the United States must adopt a new grand strategy that will assure our supremacy for the century ahead. Obviously, the central direction of maritime doctrine and policy is needed to undergird the new ocean strategy, to build the maritime posture for prosperity.

Evident from his statements, his record, his writings, is the fact that the new Secretary of Defense understands the true significance of strength. His constant reminder of the need for strategic initiative bears out this thesis. He unquestionably grasps the factors of leadership that largely have been lacking in what will shortly be his Secretary's office in the Pentagon. He can well be the first Secretary in recent years who performs his task in the context of the defense mission for which his office was created. His expected decentralization of his department—by providing incentives for defense posture through true civilian policy control rather than inhibiting civilian command control in detail—will give the nation a greater measure of security.

Though largely unheeded to date, the lesson of Pearl Harbor is one of strategic realism. The new President's platform contains a promise to implement the ocean strategy. With his selection of a Secretary of Defense who by both experience and instinct understands the implications, both economic and military, of an oceanic overview, he has reinforced the portent of his promises.

We wish both the new Commander-in-Chief and his Deputy for Defense well in the gargantuan responsibilities they now assume. But beyond the ruffles and flourishes of piping a new Commander-in-Chief aboard, the Navy League stands ready, as always, to serve and to support the maritime program needed in the national interest. Committed by policy, purpose and tradition to the national strength at sea, the Navy League encourages the orientation of strategic purposes *seaward* to reinforce the strength, the determination and the will of this great nation—the maritime leader of the free world today, and with vision, for the foreseeable future.

CHAIRMAN PATMAN TO NAME BANKING AND CURRENCY AD HOC SUBCOMMITTEE TO INVESTIGATE SLUM SPECULATORS' RAIDS ON SAVINGS AND LOAN ASSETS AS EXPOSED IN WASHINGTON POST SERIES, "MORTGAGING THE GHETTO"

The SPEAKER. Under a previous order of the House the gentlewoman from Missouri (Mrs. Sullivan) is recognized for 10 minutes.

Mrs. SULLIVAN. Mr. Speaker, the Washington Post has once again performed a notable public service in the field of consumer and real estate credit by assigning two able reporters to a comprehensive investigation into mortgage financing practices in slum housing and in inner city housing generally for Negroes in the District of Columbia. The articles, written by Leonard Downie, Jr., and Jim Hoagland, have revealed in encyclopedic detail the manner in which certain federally insured savings and loans, and even some national banks here, had been milked of assets through insider loans, made at inflated values to real estate speculators and promoters preying on poor people desiring to buy homes in the central area of the city of Washington.

I was glad to learn from these articles that the Federal Home Loan Bank Board had been in the process of investigating some of these practices as they involved a now defunct savings and loan company in the Nation's Capital. But until the Washington Post series appeared, I do not think any of us realized the extent of these practices and the threat they pose to public confidence in our thrift institutions, not only in Washington, but throughout the country. The investors who have placed their money in savings accounts in these institutions, the Government which insures those deposits up to $15,000 each, and the whole system of home mortgage financing are entitled to assurance that our national housing policy—intended to open homeownership to lower income families—is not undermined and destroyed by "fast buck" operators interested only in unconscionable profits from rapid turnover of slum property at ever-rising prices.

AD HOC SUBCOMMITTEE TO BE NAMED

Therefore, Mr. Speaker, when these articles began to appear in the Washington Post describing how certain individuals were able to borrow heavily from a few savings and loans, on their own account and in the names of numerous relatives or associations acting as "straws," and overvalued residential properties in the so-called ghetto areas of the city, I immediately took up this matter with the gentleman from Texas, Chairman Wright Patman, of the House Committee on Banking and Currency, and asked for an immediate investigation into the facts. Chairman Patman has designated me as chairman of an ad hoc subcommittee he intends to appoint to make such a study nationally, and I am sure this step will have the full approval of our committee.

In the meantime, however, I have directed a series of questions to the heads of the four regulatory agencies which have supervisory powers over federally insured or chartered thrift institutions: the Federal Home Loan Bank Board, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and to the Comptroller of the Currency. The letter to the Acting Chairman of the Federal Home Loan Bank Board last Friday, similar to letters which went also to the heads of the other three agencies, was as follows:

House of Representatives,
Committee on Banking and Currency,
Washington, D.C., January 10, 1969.

Hon. Robert L. Rand,
Acting Chairman, Federal Home Loan Bank Board, Washington, D.C.

Dear Mr. Chairman: Congressman Wright Patman, Chairman of the House Committee on Banking and Currency, has appointed me as Chairman of an Ad Hoc Committee to investigate, among other matters, the role of financial institutions in financing housing for low and moderate income people in general, and specifically the role of these institutions in financing housing in inner city areas.

A recent series of articles in the *Washington Post*, of which you are aware, exposed some rather serious abuses in this area. Copies of the articles are enclosed.

It has always been my understanding that an important, if not central, purpose of the legislation creating the home loan bank system and the FSLIC is to permit aggregation of individual and family savings which could be lent at the lowest possible rates for the purchase by individual families of adequate housing. The Congress, in enacting the original legislation and subsequent amendments always intended that federal support of these institutions was in the public interest. The practices of speculators and "con artists" in using funds obtained from the savings and loan in a manner which inflates prices, interest charges, and encourages disrepair makes a mockery of the Congressional purpose and amounts to the unconscionable exploitation of low and moderate income people, most of whom are Negroes or some other minority group.

I also suspect that the kind of chicanery covered by these articles is not limited to the Washington, D.C. area. I have often admired and commended the Federal Home Loan Bank Board in their dedication to fulfilling the purposes of the aforementioned legislation and have always felt that the Board has adequate authority to prevent these situations. Now, I am beginning to wonder whether additional legislation is called for.

In anticipation of investigatory hearings within the very near future on this subject, it would be greatly appreciated if by January 31 you could provide me with some general background material on these abuses, and more specifically provide answers to the following questions:

1. How prevalent in the savings and loan institutions over which the Home Loan Bank Board and/or the FSLIC has jurisdiction are there cases like the actions involving the now defunct Republic Savings and Loan Association?

2. Within the examination and supervisory procedure of the Home Loan Bank Board, what standards are set, and what instructions are given to the examiners to detect such abuses and when discovered what remedial or punitive measures are taken?

3. What are the existing laws or regulations which authorize the Home Loan Bank Board and the FSLIC to prevent these situations from occurring and what are the penalties?

4. Please provide me with a detailed analysis of all instances in the last five years where your examiners have found abuses similar to those uncovered here in Washington.

5. If there is other lack of adequate legal authority to cope with this problem as far as your agency is concerned, what recommendations would you make to prevent these situations from reoccurring?

6. Provide me with a copy of all instructions to your examiners and supervisors which direct them to make inquiry into the books and records of the savings and loan under examination that would determine when situations such as described in the enclosed articles exist.

Sincerely yours,
Leonor K. Sullivan.

PROMPT REPLY FROM ACTING CHAIRMAN RAND

Mr. Speaker, the response from the Acting Chairman of the Home Loan Bank Board, Mr. Robert L. Rand, was immediate. I received the following reply:

Federal Home Loan Bank Board,
Washington, D.C., January 13, 1969.

Hon. Leonor K. Sullivan,
House of Representatives,
Washington, D.C.

Dear Mrs. Sullivan: The Federal Home Loan Bank Board welcomes the decision of the House Committee on Banking and Currency to inquire into the role of financial institutions in financing housing in inner city areas for low and moderate income families. It also welcomes the specific objectives of the Ad Hoc Committee, which you head, to determine (1) the nature and extent of abuses in inner city housing transactions financed by institutions under the supervision of the Board, and (2) whether additional legislation is needed to correct them.

The Board has long been aware of the types of abuses you refer to and has taken steps within its authority to correct them.

With regard to the second objective of your inquiry, Congress did enact legislation in 1966 giving the Board authority to order institutions it supervises to discontinue practices of an unsafe and unsound nature. This new authority has aided the Board's supervisors in correcting such practices as they have come to light in the examination process, and this is an additional reason for making this legislation permanent.

Financial institutions under the jurisdiction of the Board are by far the largest single source of residential mortgage financing in the nation. Continued public confidence in them, both as residential mortgage lenders and as repositories of individuals' savings, is vital to the national commitment to improve the quantity and quality of inner city housing. The vast bulk of industry members conduct their affairs in the public interest and merit this confidence.

It is essential to the industry as well as the public that illegal or unethical practices in housing sales and financing be examined and placed in perspective. The Board is confident that your inquiry will accomplish this objective and is ready to cooperate in any way to assist you in achieving it.

Sincerely,
Robert L. Rand.

NO DESIRE TO SENSATIONALIZE PAST MISTAKES

In any investigation undertaken by the committee, it will be my intention not to try to sensationalize or dramatize past mistakes. Instead, I will seek to make sure that the conditions or regulations or omissions which made possible these practices in Washington—and no doubt elsewhere—have been or are being remedied. We must maintain public confidence in the thrift institutions of this Nation, and in order to do that we must make sure at all times that the unscrupulous operators do not have open to them loopholes which encourage them to circumvent good practice and simple honesty.

Several years ago, as the acting head of the Federal Home Loan Bank Board points out in his letter to me, the Committee on Banking and Currency and the Congress enacted legislation to give the supervisory agencies the power to issue cease and desist orders to halt improper activities in institutions over which they have regulatory jurisdiction. We want to find out if this authority is being used with sufficient vigor. If additional legal safeguards are indicated, and can be justified, I will certainly want to seek their adoption.

PREVIOUS OUTSTANDING SERIES COAUTHORED BY LEONARD DOWNIE

As I said, Mr. Speaker, the Washington Post has again performed a notable public service in the consumer credit field through this series of articles. One of the coauthors of this series, Mr. Downie, was coauthor nearly 2 years ago of another series of articles in the same newspaper, with David Jewell, on the home improvement rackets preying on homeowners in the low-income areas of Washington, particularly Negroes. That series provided me, as the principal sponsor of the Consumer Credit Protection Act, with invaluable ammunition in my successful effort to retain jurisdiction in that legislation over first mortgages, after the Senate had unanimously voted to exempt any and all first mortgages from the disclosure requirements of a Federal truth-in-lending law. I had long maintained that because an instrument was a first mortgage it was not necessarily a good and honest mortgage, and the Downie-Jewell series in 1967 certainly documented that fact in the racket-ridden home improvement field in the District of Columbia.

TEXT OF ARTICLES IN WASHINGTON POST "MORTGAGING THE GHETTO" SERIES

Mr. Speaker, because of their importance to the investigation Chairman Patman desires to have me undertake as chairman of an ad hoc subcommittee of the House Committee on Banking and Currency, and because of their undoubted application to slum area mortgage practices which have occurred in many cities—not just in Washington—I am including as part of my remarks the complete text of the series of articles by

Mr. Downie and Mr. Hoagland, which began on Sunday, January 5, and ended this morning.

I have not had an opportunity to check any of the facts and statements in these articles, but I am deeply impressed by the tremendous amount of painstaking research which obviously went into their preparation—the culling of literally thousands of official documents and the interviews or attempted interviews with the principals involved or their associates or others knowledgeable about the practices described. So far as I can tell from my reading of the articles without personally checking any of the facts, I believe they reflect extreme care and a determination to be accurate in the best traditions of journalism.

However, I do want to make one cautionary statement based on the impression the articles give, or that might be taken from them, that FHA and the Veterans' Administration, as a general policy, do not insure mortgages for Negroes or that Negroes do not qualify for federally insured mortgages. I think what the authors meant by their references to FHA and the VA is that until 1966, when my amendment was adopted to provide special financing to nonprofit organizations to purchase and rehabilitate older housing and sell it to low-income families at subsidized mortgage rates, such families just could not demonstrate that they had the financial ability to meet the mortgage payments on an FHA-insured loan. They particularly were unable to undertake the heavy financial obligations of taking over badly rundown housing requiring extensive remodeling to make it usable.

As this series of articles establishes, these same people, however, were easy prey for real estate speculators who sold them houses unconscionably overpriced, with a pyramid of mortgages at who-knows-what interest rates, and with no concern over whether the family could meet the payments and hold the property. This practice, in addition to milking the assets of those savings and loans which participated in the scheme, often led to the tragedy of foreclosure, recovery of the property by the speculator or an agent, and its resale again and again to other victims.

The Washington Post articles referred to are as follows:

[From the Washington Post, Sunday, Jan. 5, 1969]

MORTGAGING THE GHETTO—I—SLUM HOMES EXPLOITED BY SPECULATION SYSTEM

(By Leonard Downie Jr. and Jim Hoagland)

A sick savings and loan association in Washington has been merged out of existence because it lent millions of dollars to slum housing speculators, many of whom could not or would not repay the loans.

Within the last six months, the presidents of three area banks have submitted resignations. All three are banks that made a number of loans to slum speculators, and also had to make frequent trips to court to sue the speculators for the money.

Evidence uncovered in a year-long investigation by The Washington Post shows that certain inner-city speculators—with cooperation and financial support from a handful of savings and loans—have charged huge markups to thousands of Negro home buyers, who had no place else to go because they were black.

Some of the city's most active slum landlords have built their empires on dollars poured into some savings and loans by unsuspecting depositors and poured out to the speculator-landlords by the associations' officers.

SYSTEM'S LEGACY

Abandoned, unsalable houses and unfinished apartment buildings now dot Washington's streets. They are the legacy for the Nation's Capital of a system that turned with a vengeance on some of the financial institutions and speculators who fathered it. Some others escaped with large profit.

Republic Savings and Loan is the one merged out of existence. It and other savings and loan associations and banks involved comprise a minority of the financial institutions doing business in the city.

At the same time, however, the savings and loan-speculator system flourished because Negro buyers generally were unable to obtain home loans from or through any sources other than speculators.

The only exception has been Washington's largest savings and loan, Perpetual, which does have a record of making loans to Negro home buyers.

The newspaper's investigation reveals a steady, abundant flow to speculators of tens of millions of dollars in mortgage loans.

Reporters who examined some 15,000 land records, 900 court suits and various other financial records found numerous loan transactions that appear to be illegal under Federal or District law, or in violation of the regulations of the Federal Home Loan Bank Board.

Many others were clearly imprudent transactions for financial institutions, where prudence counts above all.

What made the system work was the ease with which favored speculators could get large numbers of loans from some savings and loans, and the inability of Negroes to get home loans on their own.

Until very recently, most Negroes were unable to qualify for home mortgages insured by the Federal Housing Administration or the Veterans Administration. While the savings and loans, FHA and VA were financing profitable home ownership for whites, Negroes have had almost nobody to turn to but speculators.

The commodity being sold by the speculators, thus, is financing, not just the bricks and mortar of houses. The speculators have filled a vacuum left by other segments of the real estate finance industry in all but the most affluent Negro neighborhoods.

Some speculators—for the trouble of doing this—jacked up the price of thousands of heavily mortgaged houses and sold them at large profit to Negro families.

Often, a speculator would buy a house for $10,000, mortgage it for $10,000, and sell it for $15,000.

The home buyer would be charged a low down payment, often as little as $250 to $1000. The buyer would sign a second, and sometimes a third, mortgage note for the rest of the money owed to the speculator. That became the speculator's profit.

The speculation system has three basic twists:

One, for speculators who buy at one price and then try to sell far higher, it is high credit selling much like the system that permeates much of buying of goods in the ghetto.

SLUM LORDS REIGN

Two, for many of the speculators who hold on to their highly mortgaged rental properties, it is classic slumlordism, charging high rents to cover mortgage payments and skimming off profit without diluting the gravy by repairing adequately the crumbling properties.

Three, for some of those speculators who got high loans to erect new apartment houses, the system evolved into simple arithmetic. Get more money from the loan than you put into construction, and pocket the difference. If necessary, let the lender foreclose on the unfinished building.

Other, more esoteric devices are used, but they are variations of the main theme. Some speculators have, for instance, shuffled building titles and mortgages among themselves, their friends and corporations they controlled, progressively inflating the prices, with the result that they got much higher mortgage loans and sold the buildings at higher, but seemingly reasonable, prices.

The transactions in these cases are not related to the Maryland savings and loan scandal of several years ago.

The investigation by this newspaper has uncovered wide use of questionable practices. Many of them are mentioned in a confidential bank examiner's report obtained by reporters.

DISCREET MERGER

The report, written in the spring of 1967, led to Republic Federal Savings and Loan Association's being discreetly merged in mid-1968—at the insistence of Federal officials—with a healthy association.

The merger came when Federal officials found that Republic had "little likelihood of surviving," unable to get its money back from hundreds of loans made to speculators.

Republic, like many other Washington financial institutions, flourished during the boom days of the real estate market here in the mid-1960's. Real estate, in many ways, is Washington's chief private industry. Dealing in it is how struggling young men have become pillars of the community.

The system, primed by general easy credit policies, and primed by economic buoyancy of the metropolitan area and insolvency of ghetto blacks—was working well then. It was working well, that is, for the speculators.

There seemed to be little disposition at that point, on the part of Federal banking officials, the District of Columbia government or the established financial community here, to tinker with something that appeared to be working so well.

But then came the crash: "tight money." The economy was sailing along too nicely, and the Federal Government raised borrowing rates to try to curtail inflation. Mortgage money started becoming scarce.

SPECULATORS HARD HIT

In Washington, D.C., the squeeze hit many landlord-speculators doubly hard, for the city's new government started moving in on noncompliance with housing codes. You couldn't just sail along any more and leave housing violations unrepaired.

Tight money, the housing code crackdown and other elements came together to topple the paper empires of a number of big speculators.

In addition to merging Republic out of business, they demanded that those other savings and loans that had been dealing extensively with the speculators to curb their questionable practices. They have asked the Justice Department to investigate practices of some of the principals involved.

They have purposely kept these actions from public view to prevent "runs"—mass withdrawals by depositors—on savings and loans and banks involved. Accounts up to $15,000 are insured by the Government.

Since the beginning of 1967, savings and loans associations have foreclosed on nearly $5 million worth of mortgaged properties in Washington's ghettos.

Many of them are the abandoned houses and unfinished apartment buildings mentioned above. When auctioned off, they turned out to be worth far less than the mortgages on them, and have been unsalable.

REPUBLIC LOANS

Many of these buildings were financed by Republic mortgages. Up to $17 million worth of them will wind up in the hands of the Federal Savings and Loan Insurance Corp., a Government agency financed by premiums from the Nation's savings and loans.

The Insurance Corporation agreed to take up to this amount of bad risks off the hands of Home Federal, the healthy association that took over Republic's assets and liabilities.

Republic's rise and fall was only one part of the speculation story in Washington's inner city. The pattern of questionable transactions covers a much broader spectrum.

In the most flagrant transactions uncovered by the newspaper's investigation, some savings and loans frequently provided some speculators with loans that exceeded what they paid for properties. Such mortgages would put the speculators in a position to pocket the excess. Federal regulations limit a mortgage to 80 per cent of a property's value, purchase price being a main determinant of that value.

In any event, such loans enabled speculators to buy thousands of houses and apartment buildings in Negro neighborhoods with little or no cash investment of their own.

Floating along on a stream of borrowed dollars, the speculators could move with the migration of low-income white and Negro families. The speculators were looking for the easy low purchase from somebody who wanted to get out and the easy high sale to somebody who wanted to get in, and who was willing to pay high credit rates for what appeared to be easy terms.

REASON FOR FALL

In this, certain savings and loans put out more money to certain speculators than Federal officials felt was prudent. This concentration to single borrowers, all of whom happened to be speculators or investors, was one of the chief criticisms the examiners made of Republic and was one of the chief reasons for Republic's fall.

The official examination of Republic in 1967 by the Federal Home Loan Bank Board, which regulates the nation's Federally chartered savings and loan associations, showed five speculators as holding about 200 loans. They were:

George Basiliko, who owed more than $1.5 million on more than 100 mortgage loans from Republic. During the past seven years, Basiliko also borrowed nearly $1 million in more than 60 loans from Guardian Federal Savings and Loan Association, and had a large number of loans from Perpetual Building Association in the past.

Burton Dorfman, who formed syndicates of doctors and professional men to buy apartment buildings. Dorfman's syndicates subsequently defaulted on four mortgages to Republic, totaling $1.1 million.

Peter Laganas, who owed $1.4 million to Republic, largely in construction loans on four apartment buildings. One of the buildings was never finished.

Angelina and Dino Formant, sister and brother-in-law of Pete C. Kalavritinos, who was president of Republic. They owed nearly $1 million on 30 mortgages from Republic. Many of these mortgages have since been foreclosed.

The Formants also received nearly 30 loans totaling more than $500,000 from Uptown Federal of Baltimore.

George Kalavritinos, brother of Pete, owed Republic $900,000, mostly on construction loans for apartment buildings.

Other speculators who owed Republic more than $500,000 each at the time of the Bank Board examination were landlord Nathan Habib, John Swagart (Basiliko's brother-in-law) and Hymen Alpert.

OTHER LENDERS

Republic was not the only savings and loan in the District that provided large and frequent loans to speculators during the past decade. Land records show that major slum speculators procured the majority of their most favorable mortgage loans during the past decade from Republic and these others:

Guardian Federal of Silver Spring and the District; Lincoln Federal of Hyattsville and Uptown Federal of Baltimore.

Other savings and loan associations that have provided large amounts of mortgage money for speculators include Jefferson Federal, Enterprise Federal, Franklin Federal and the Perpetual Building Association, all in the District, and Montgomery Federal in Kensington.

All of these (except Perpetual) are chartered by the Federal Government and supervised by the Federal Home Loan Bank Board. Perpetual is locally chartered.

The Federal Government charters savings and loans for the primary purpose of promoting thrift and encouraging economical home ownership by as many people as possible.

This is one of the reasons Home Loan Bank Board officials have been upset by the patterns of savings and loans concentrating loans to speculators. The other is the risk of a savings and loan having too much of its cash tied up in a few borrowers.

SUPPLY OF MONEY

Speculators were able to supplement their supply of borrowed dollars with loans from a few banks in the city and the suburbs.

One bank that made a number of loans to speculators, and then had to scurry to court frequently to get its money back, is Public National Bank. Although it was expected to be merged with D.C. National Bank, a new bid for control of the bank by a group of lawyers was announced today.

Pete Kalavritinos was a director of both Republic Federal and Public National at the same time, as was Russell D. Miller. Miller, a central figure in Washington banking, was also general counsel of both institutions.

Depositions in a bitter court suit involving Public and Miller state that Kalavritinos was able to write about 50 overdrawn checks at Public National.

The three other banks that lent to some large speculators were D.C. National, City Bank and Trust of Alexandria and Old Line National of Rockville. The presidents of the last two have left in the last six months.

The entire system worked like a well-oiled machine for the speculator, until some of the main gears, such as easy money and lax housing code enforcement, failed. Then the gears stripped the machine failed.

"When the speculators were flying high and wide in Washington," says Alvin Snyder, president of Baltimore's Uptown Federal, "everything they touched turned to gold. Now, it's turning to bronze."

[From the Washington Post, Jan. 6, 1969]

Mortgaging the Ghetto—II—The Speculators' Package Easy Terms, Big Markups

(By Leonard Downie, Jr., and Jim Hoagland)

Ghetto speculation often is Negroes' paying mink prices for dyed rabbit houses, because they have no place to get the money except through white speculators.

It is credit buying, and the credit comes high. Month in, month out, the payments have to be made on the first, second or, maybe even third mortgages.

If a home buyer can keep up the payments, frequently there is nothing left over for keeping up the new home.

For many home owners, the price is thought of only in the month-to-month time framework of much of the ghetto.

"I wish I could've gotten just one mortgage, without having to run all over town to make these payments." Mrs. George E. Banks told a reporter.

She was unconcerned that Sol Lehrman had sold her and her husband a house at 764 Harvard st. nw. for $14,500 two months after he paid $9500 for it.

Her only problem with the $4256 second mortgage that Lehrman took as his markup was that she had to make payments at another office.

But Mrs. Banks is a rarity among home owners contacted by reporters of The Washington Post. She knew what the speculator had paid.

Most poor Negro home buyers don't. They don't have a real estate broker to trace the sale history of a property. They don't have the expertise to go through land records to find out what the slum speculator paid, and when.

But even if the home buyer did go through land records, he might have a tough time. Some speculators wait until they have resold a house before they file their purchase deed, which carries the recorded purchase price.

In effect, the prospective black home buyer is merely a plum ripe for the picking.

The slum speculator middle-man system inflates prices on these homes by an average of $5000 (on homes that sell for $10,000 to $20,000).

When it works, the middleman system pits the speculator's expertise and a constant stream of borrowed savings and loan dollars against the home buyer's naivete and inability to get those same dollars.

NO CONTEST

It is no contest.

Most real estate agents do not use the system. And nearly all the speculators selling houses to Negroes claim that they do not either, or at least that they do not misuse it.

But land records indicate clearly that the system abounds in the inner city, with the markups consistent.

Here are six cases, for instance, involving six active speculators:

Sol Lehrman bought the house at 1822 H st. ne. for $10,500. Three months later, he sold it to Archie Hargett, a carpenter, for $15,500.

Murray Levine's secretary, who frequently acts for him as a front (known in the trade as a "straw") bought the house at 1311 Queen st. ne. for $12,000. Seventeen days later, it was sold to Julia B. Murphy for $16,500.

Jeffrey-Martin Co., run by Hymen Alpert and Lawrence Diamond, bought the house at 4619 Kane pl. ne. for $5500 and two years later, sold it to Clifton Butler for $14,500.

Joseph Kalmus paid $17,400 in January, 1966, for the five-bedroom house at 1329 Gallatin st. nw. He sold it five months later to Oscar Webb, a maintenance engineer, for $22,950.

Melvyn Friedman paid $18,500 for the house at 5321 Colorado ave. nw. He sold it to Jackie L. Hunter for $22,950 a month later.

Chris Collier and Co., through an agent, bought the house at 6924 9th st. nw. for $15,570. A year later, Collier sold it to Earl Ashton for $21,950.

NOT EXTRAORDINARY

These six cases are not extraordinary. They fit into the usual pattern of buying and selling houses to black people in Washington.

These six cases also have common elements that are indicative of the whole spectrum of the speculation system. These elements are:

1. The black home buyer pays from $4450 to $9000 more than the slum speculator has paid. Examination by reporters of 15,000 land records shows an average of $4000 to $6000 markup on inner city sales. Most slum speculators maintain that repair costs account for much of the markup.

2. The slum speculator gets the mortgage, for himself or for the purchaser, from a savings and loan association. The home owner has been unable to get the mortgage himself, or did not bother to try.

3. The mortgage the slum speculator has arranged covers or nearly covers all the slum speculator's original investment.

4. The slum speculator has also arranged all details of title search, settlement and mortgage application, according to the home buyers. Most home owners contacted by reporters had no idea what these transactions involved, and were surprised when at settlement they found out the costs.

Julia Murphy, of the second example above, never thought of going to Liberty Loan where she had been paying off a mortgage for nine years, when she needed a new house.

"Mr. Levine arranged it all for me at Enterprise. I didn't go down to make the application."

NEVER BOTHERED

Archie Hargett and Oscar Webb of the first and fourth examples above never bothered going to a savings and loan.

And Melvyn Friedman helped Jackie L. Hunter of the fifth example above, to get a $16,000 mortgage from Jefferson Federal Savings and Loan after the Veterans Administration refused to grant Hunter a loan on the house because it was priced too high.

Earl Ashton, of the sixth example above, who bought his house from Chris Collier and Co., said he was reluctant to go to a savings and loan because he had fallen behind on payments he was making on another home earlier.

"I wish I had tried," Ashton says now. "I didn't because Mr. Collier's agent said they had everything worked out at Guardian."

All of the Negroes cited above fell prey to the system because they, as black people, were outside the generally white-only system for financing home buying.

A group of white and black businessmen, headed by William B. Fitzgerald, who is Negro, presented the Federal Home Loan Bank Board extensive testimony in 1967 to show that Negroes have it tough getting loans here.

They pointed out that not one of the city's then 24 Federally insured associations had an officer, director or even an appraiser who was Negro.

They cited examples upon examples of Negro families having been refused loans, despite impeccable credit records.

Only Perpetual Building Association placed any sizable, number of mortgages in Negro areas, the group said.

The testimony they presented led to a successful bid for their getting a charter for a new, predominantly Negro savings and loan association here.

Even Perpetual was not happy with the testimony presented.

Its president, Thornton W. Owen, sent the Bank Board a list of all 466 loans granted by the city's savings and loans in June and July, 1967, arguing that many of them were in Negro areas.

He offered no further analysis.

LIST CHECKED

Reporters who checked that list against land records found, however, that two of every three of the new mortgages in ghetto areas, granted by associations other than Perpetual went to or through slum speculators, the markup middlemen.

In these loans, for every dollar advanced to home buyers in Negro areas, four more were advanced to or through the slum speculators.

Although savings and loan associations are chartered specifically to promote thrift and economical home buying by the largest possible number of people, The Post's investigation shows a pattern holds of most loans in the inner city going to about half a hundred speculators.

The slum speculators say the savings and loans often prefer to work through them.

As long as a speculator holds a second mortgage, he has a financial interest and often will take the property back—to protect that second trust—if the home owner falls behind on payments.

Slum speculators also are frequently willing to agree to higher interest rates on loans than the average loan-shopper.

These speculators will pay more to "buy" money, since by paying higher interest, they usually can get larger loans to recover money spent from their own pockets to invest in a house.

Then the speculator merely passes on the high mortgage—and higher interest rates—to the home buyer.

"If a speculator goes in and applies for $7000, and they say they'll give him $8000 and charge him . . . more in interest, the speculator will take it," says George Basiliko, the largest single owner of property in Washington's slums.

INTEREST IS IMPORTANT

"Sure, the speculator doesn't pay the interest anyway," says Leonard Collins, Basiliko's lawyer. "He doesn't keep the mortgage."

Interest, of course, can be a make-or-break proposition with a new home owner. It makes up most of his payment on his two or three mortgages for the early years of the loans. Which frequently means that the new ghetto home buyer is so strapped from making payments that he has little or no money left to repair his house.

This in turn creates a market for those unscrupulous home-improvement contractors who make a living off of bilking poor home owners.

They offer to make repairs in return of the home owner's signature on still another mortgage.

Often, court suits show, the amount owed by the home owner on this mortgage will be twice or more the value of the repairs made.

Three officers of one such firm, Custom House Construction Co., were convicted recently of defrauding home owners this way.

Speculator Kalmus acknowledged to a reporter that "as soon as the title goes on record" when a home is sold by a speculator, "everybody and their brother is out at the house trying to sell something, as long as they can get a mortgage."

Then, as the sad story goes, if he falls even further behind on money, he might find someone to "refinance" his debts with a new set of mortgages.

The long succession of misfortune usually separates the poorer home buyer further and further from the day when he will have built appreciable equity in his house.

In case after case, court and land records document, the predicament is the product of a housing deal first made with a slum speculator.

"Don't blacken the speculator," says Leo M. Bernstein, himself a legendary figure in Washington real estate speculation before setting up Guardian Federal Savings and Loan Association. He retired as Guardian's president in 1968 and his son, Richard, became president.

"They did perform in their day a service for the underprivileged," Bernstein told reporters. "Maybe they charged a lot for it, but at least they house people."

CORRAL THE HOUSES

"The speculators gave the people an opportunity to buy houses at small down payments. . . . It was the speculator's business to corral the houses . . . Even if the Negro home buyer had the down payment needed, he still wouldn't have the expertise to get a loan." Which is why they went through the speculator, Bernstein says.

Says Kalmus: "It's the only way a colored person could become a home owner. They couldn't get loans from the savings and loans; they didn't have a big down payment; and they couldn't get FHA or VA financing.

"You'll find that the average colored man, no matter how much education he has, tends to look to the white real estate man like a father. He'll take care of them if they're short."

Kalmus was specifically referring to his practice of advancing $500 to $1000 to a home buyer if the buyer lacked enough cash to cover settlement costs. "I hate to see the deal fall through, so we try to work it out," Kalmus says.

Of course this adds another monthly payment, with interest, to the buyer's outgo.

STICKING POINTS

One of the big sticking points between speculators and their buyers is whether the houses are all they've been represented to be.

Earl Ashton, for instance, who bought the house at 6924 9th st. nw. from Chris Collier, maintains the house wasn't what he'd thought.

"The house was patched up when I moved in. When I first looked at it, it looked pretty good. But then I found all the putty over the cracks in the wall. I was green at this and I got what you might call a bad deal."

Collier disputes this: "We had $4000 worth of work done on the house, and I have the bills to prove it. We had to carry that house for 14 months, and redecorated it several times. But these are old houses. You can't make them new, even though some home owners want you to."

A Washington man named Carrington L. Epps was so enraged with one house that he sued the sellers, Hymen Alpert and Lawrence Diamond after his family had moved into and then out of the house at 4619 Kane pl. ne.

Epps's suit, for return of his deposit on the house, claims that although the sellers had maintained that it was in excellent condition, a dozen violations of the housing code existed, despite the asking price of $13,950. (The slum speculators had paid $5500 for it a month earlier.) Epps moved out before signing mortgage papers.

(This house, by the by, is the same one mentioned in the third example at the top of this story, that sold for $14,500 to Clifton Butler.

(Butler missed payments and so the house was foreclosed on and bought back by mortgage-holder Guardian Federal Savings and Loan. Guardian later sold it to a small investor for $4500.)

Another interesting suit concerning the soundness of a speculation-handled house was against Levine.

Levine has told reporters that "I deal only in better houses. I've passed the stage of being a speculator. When a person buys my house, they don't have to put a nickel into fixing it up."

HOUSE "MISREPRESENTED"

The Joseph F. Duals would disagree. Their suit against Levine maintains that the house at 1412 Geranium st. nw. they bought from him "was misrepresented as custom-built, water-tight, sound and in good repair.

"In fact," the suit said, "the house was in poor repair . . . the roof leaked . . . the plumbing was in a bad state of repair.

"The wallpaper hid cracks and breaks in the plaster beneath it. Water regularly seeped in through these cracks. There were many housing code violations."

This house, by the way, was bought by Levine for $24,000, mortgaged by Enterprise Federal Savings and Loan Association for $24,000, and sold to the Duals for $32,450 three months later.

(Federal Home Loan Bank Board regulations limit mortgage loans to 80 per cent of a property's value, of which purchase price is a main determinant.)

A jury in U.S. District Court awarded the Duals $3,000 in the case. The judge ruled that the couple still had to pay a $3690 mortgage note they had disputed in the deal.

Lawyers for both sides then agreed with the judge to set aside both judgments and settle the case outside court.

Peter T. Stathes, president of Montgomery Federal Savings and Loan, was asked by a reporter why his firm lent $8,000 to Alpert on a house at 503 G st. ne. that Alpert paid $8,000 for in September, 1967.

"Mr. Alpert remodeled that house, inside and out," said Stathes. "He put a new roof on it, new paper and paint, he put new sinks in the kitchen and fixed the floors. We held back $3,000. After we reinspected, and found he had done the work, he got the total $8,000."

That's not the way Paul H. Simmons remembers it. He bought the house from Alpert a month after Alpert's $8000 purchase.

The price to Simmons, a Negro who works as a guard for the General Services Administration, was $13,500.

"He never put a new roof on," Simmons declared angrily to a reporter as he pointed to recent patches in a peeling second-story ceiling. The patching job was paid for by him last month, he said.

Simmons' 3-year-old daughter, Delphia, scampered about the kitchen floors Stathes said were redone.

At one point, the floor nearly gave way in a deeply worn spot. No work had apparently been done on it in years. The only improvement visible was a new kitchen sink unit.

"I'm worse off than I was before, when I was renting," Simmons said. "I can't afford to fix the place up, and Alpert's not responsible any more."

Simmons had been renting the house for $125 a month when Alpert bought it.

Simmons says that Alpert explained he could buy it for only $7 additional a month (the $8000 mortgage, plus a $5922 second mortgage to Alpert) plus a $250 down payment.

Simmons and his wife have two children and should be prime candidates to prove Leo Bernstein's assertion that "a home owner is a much better citizen than a tenant," which is why speculators perform a valued service.

Paul Simmons does not feel his deal worked out quite that way:

"I keep telling my wife that I wish we could move out of this miserable house and neighborhood and find something decent. But it's the damn financing."

FACELESS PEOPLE BEHIND THE SPECULATORS

The money the slum speculator siphons from black ghettos often flows out to the white suburbs. Behind the highly visible speculators stand the faceless people, who buy the financial paper the speculator creates.

The people are as varied as are their motivations for buying second or third mortgages. They are secretaries to Congressmen, dentists, lawyers, other slum speculators. They are sometimes small, one-shot investors; sometimes speculators who make much of their living by buying second mortgages.

They all have one thing in common: they make the system work by supplying the slum speculator with cash. The only contact the home buyer has with them, often, is the monthly mailing of a check.

Even if the checks stop going out, and the second mortage holder takes the house, there are trustees of the note to take care of the details of foreclosing and auctioning off the house.

The system works like this: some slum speculators charge home buyers an average of $5000 for packaging a house and mortgage. The first trust held by the savings and loan is transferred to the home buyer. The slum speculator then tries to get a downpayment from the home buyer to recover the cash he has put into the house, and takes the $5000 markup in a second mortgage, payable to him, usually at 6 per cent interest a year for perhaps seven years.

If the slum speculator is patient, his profit on the deal comes out of the payments on that note over the seven years.

But most cannot afford to be patient. "You need cash right away to start another transaction," one slum speculator told reporters. "You can't afford to hold the second mortgage. You sell it for a discount, anywhere from 25 to 60 per cent." Thus, a $5000 trust may be sold for $2000.

The second mortgage buyer takes the chance that he will be able to get his money over the long-run. On the surface, it would appear that the larger discount he can get, the better the deal is for him.

This is usually not true. If a speculator inflates the price of a house well beyond its true value, the home buyer is likely to be strapped with payments he cannot meet and the second trust buyer will stop getting payments.

Then, if he forecloses, he finds he has to pay off the heavy first mortgage and has a house that he will not be able to sell even for the money he has in it.

That's why, in legal circles, notes that are discounted more than 40 per cent are considered of dubious value. They are hot potatoes the speculator wants to get rid of.

A second mortgage can be doubly dangerous if both the first and second trust payments are not being made.

Under law, the first trust holder has first priority at calling a foreclosure and the first trust holder is liable to foreclose and sell the property at auction with the second trust holder left with nothing.

That is why most second trust holders will pay on the first trust if a home buyer misses payments. This gives the holder of the second trust time to arrange his own foreclosure, and get the house, and then hope to get a good price on a resale that would recoup some of his investment in that second trust.

To get rid of their second trust paper—to make their money—some slum speculators follow a middle course. They "season" a note—that is, they keep it for a year to establish that a home owner can make his payments. Then, with that good record of payment, they shop around to find the highest bidder, and the discount will likely be lower than on an immediate sale.

One possible corruption of the "seasoning system," as described to reporters by a knowledgeable real estate man, is for the slum speculator to falsify his books, making it appear that regular payments have been made although the trust is actually delinquent. The speculator takes a loss for a while, but gets a better price for the trust when he finds an unsuspecting buyer. No specific instances of this practice were uncovered in this investigation.

Whatever the method, the result is the same. The slum speculator creates paper that he trades in for the dollars that will buy the next house that will enable him to create more paper to trade for dollars.

Each time, of course, some of the dollars stay in the slum speculator's pockets or bank accounts.

As long as the black home buyer pours cash in at one end and the white second trust buyer is there at the other, the system flourishes.

[From the Washington Post, Jan. 7, 1969]

Mortgaging the Ghetto—III—The Rapid Rise and Fall of a Realty Speculator

(By Leonard Downie, Jr., and Jim Hoagland)

Roscoe Jones got $30,000 when he sold the house at 1810 Kalorama rd. nw. to Basil Gogos.

Basil Gogos then got $38,000 from Guardian Federal Savings and Loan Association in a mortgage loan on the house, according to land records. Curiously, the same land records show a tax fee based on a $60,000 purchase price by Gogos.

Eight months later, the city condemned the three-story house as uninhabitable. It is now abandoned and boarded up. Where there are no boards, winter wind slashes by ragged edges of broken window panes.

It is a house nobody wants.

"I wouldn't pay $10,000 for the house," Harry Batalin told a reporter. "It was beyond redemption." The house was Batalin's for the asking, if he would agree to pick up Gogos' mortgage payments. He wouldn't.

Abandoned houses carrying high mortgages that make them unsalable are springing up throughout the overcrowded ghettoes of Washington. Like the house at 1810 Kalorama, they are the remnants of an inner-city real estate speculation bubble that has burst.

The bursting was more like an explosion for the 29-year-old Gogos, who in four years had become the owner of half-a-hundred houses and who had bought and quickly resold many others.

"He's out of the business and doesn't want to talk about real estate," callers to Gogos' home are told. Adds former associate Simon F. McHugh Jr., "That's all over. We took a real bath."

McHugh was there at the beginning of the comparatively brief rise of Gogos in real estate, but managed to sidestep the debris of the fall. He got out of inner-city real estate in 1966, before the market collapsed and shortly after he married Victoria McCammon, a tall, attractive secretary to Lyndon B. Johnson.

McHugh doesn't have to get involved anymore with such trivia as clogged drains in slum houses, foreclosures, and tenants breaking windows. He works for the Government now.

Battling the vagaries of Washington real estate with Gogos must be good training for bigger things. President Johnson apparently decided in 1967.

NAMED TO SACB

That was when he plucked McHugh from the real estate world and, after 15 weeks' experience in a $17,500-a-year job in the Small Business Administration, named McHugh to one of the cushiest jobs in Washington—the moribund Subversive Activities Control Board. McHugh has three years more to serve, at $26,000 per.

From this lofty perch, McHugh looks back on his real estate career with less than fondness.

"If I had it to do all over," says McHugh, who has been a guest with his wife at the Johnsons' Texas ranch, "I wouldn't go into real estate in Washington. Dealing with tenants and speculators is not the kind of thing I like to do.

"We were dealing with people buying out in these neighborhoods who didn't have any money. There was no other way for them to get the house. They couldn't go to the FHA (Federal Housing Administration) or the savings and loans.

"But these people have no respect for anything because they never had anything of their own. We couldn't get them to pay rents," and second mortgage notes, he said.

"But I never really was a speculator. I was interested in investment. The real speculators—and this was another reason I wouldn't be in the business today—these guys are not the type you would want to take home to dinner. I wouldn't, anyway. My wife would kick them out of the house."

ROLE OF S. & L.

The story of these real estate days is an important one, however disconcerting it may be to McHugh these days. It is basically the story of Gogos, and it provides one view of how some savings and loans have helped slum speculators operate.

Gogos tied his borrowing career closely to certain savings and loans. Guardian Federal advanced him at least 34 mortgages, totaling more than half-a-million dollars. Some went through his companies and agents.

(Guardian Federal is one of several savings and loans here that have been warned by Federal examiners to curb loans to speculators. Savings and loans are chartered by the Federal Government to promote thrift and encourage economical homebuying. Concentrating loans to speculators does neither, Federal officials feel.)

For example, Gogos frequently engaged in "straw deals," that is, using someone else's name to buy or sell property. McHugh asserts that he acted as a straw to get loans that really went to Gogos.

Gogos was also involved in the delicate matter of inflating purchase prices to get larger loans, according to a court deposition given by Ralph V. Guglielmi, a former football player.

Guglielmi, who once sold a house to Gogos, testified that Gogos persuaded him to agree to ~~state that~~ the purchase price was higher than Gogos actually paid, so Gogos could get a larger loan.

GOGOS UNREACHABLE

Reporters have been unable to determine what Gogos thinks about all this. Repeated phone messages left at his residence over several months have gone unanswered. During the last call, a man who refused to identify himself yelled, "To hell with you," and slammed down the phone.

It was different in 1961, when McHugh and Gogos graduated from Georgetown University, with lots of ambition, small bankrolls, and the conviction that real estate was the best way to satisfy one and increase the other.

"We were going to get five people to put up $20 each a month for a fund to buy stocks and then real estate. But we couldn't find five people we could trust, so we went ahead with it ourselves," McHugh recalled during an interview in his Board office.

Gogos described the beginning this way in two court depositions:

Toward 1963, he inherited some money and decided to step up his real estate activity, with help from his sister, Georgia, and advice from his father, who was a real estate salesman.

Soon, brokers were calling him ten to 15 times a day, telling him about great houses he should buy. He was looking at 500 houses a year, mostly for speculation. He also perused 50 in a year as possible Gogos homesites.

STUDY IN SPECULATION

One of the houses he looked at in 1963 was 1208 Jefferson st. nw., a case study of speculation here. It is a study of a speculator selling to a black family who had no one else to deal with.

The house was auctioned off after a mortgage foreclosure on July 1, 1963, for $12,700. The purchaser was B. C. Gogos Investments Inc., an enterprise that Gogos once said in a court deposition he owned with his sister and their father, Constantine.

On Aug. 28, McHugh, then working for IBM, bought the property from Gogos Investments for a stated purchase price of $15,950.

McHugh then received $11,000 from Guardian Federal as a mortgage on the house.

The mortgage is 68 per cent of the $15,950 price McHugh said he paid. (Sales prices are important indicators of the market value of a house, and 68 per cent is in line with the 60-to-70-per-cent limit most savings and loans use. And it is well within the 80 per cent maximum generally allowed by Federal regulations.)

The $11,000 mortgage, is, however, 86.7 per cent of the $12,700 Gogos originally paid. And McHugh asserts the property never left Gogos' control—he says he passed it back to Gogos within a month for no payment. Land records confirms this.

"I was a straw on that one. Bill (Gogos' nickname) asked me to do it as a favor. I didn't get any money."

PRACTICE SAID "WIDESPREAD"

McHugh also noted that "using straws" is a widespread practice in Washington, and then added that the basic purpose of straws in cases such as 1208 Jefferson st. was to mask the number of loans that went to one borrower. Federal bank examiners frown on concentrations of loans.

When a savings and loan association is chartered by the Federal Home Loan Bank Board, its every action is subject to audit by the Bank Board and, to retain its charter, it must operate within the Bank Board's regulations.

"The loan goes in in another's name," McHugh said. As a general rule, "the bankers know who is actually getting the loan. But they don't want to see his name come in 35 times, and have all those loans to the same person. This is to protect the savings and loan from the examiners."

He explained that speculators had to keep the loans flowing through their names, or someone else's. When tight money came, a few speculators had too many properties, they had bought but not yet resold, on which they had to make the mortgage payments. The system was to get a new loan to pay off an old one until you could sell some notes or something for cash. But at the end, the new loans weren't coming in" as credit tightened.

McHugh stoutly maintained that many of the savings and loans associations that lend heavily to speculators are well aware of the system.

There are speculators' savings and loans, run by men who were speculators. And there are bankers' savings and loans, run by bankers. If you're a speculator, you want to deal with somebody who knows what the game is about."

The $11,000 mortgage meant that all but $1,750 of Gogos' purchase price of $12,750 was covered. And Gogos already had a purchaser for the house.

SOLD FOR $17,950

He was Clinton Pitts, a stocky man with a touch of grey along his hairline and a pleasantly rumbling voice. The price to Pitts on Oct. 29, 1963, was $17,950. The house's price had jumped almost 50 per cent in four months.

Pitts, a Negro, says he gave Gogos about $1000 down, meaning that Gogos' "exposure" was about $750. "Exposure" is a speculator's term for the amount of cash that a speculator leaves exposed, above the combined down payment and mortgage money, to be collected in a second mortgage.

Pitts says he assumed the $11,000 mortgage, and a new, second mortgage for $6200 to Gogos went on file at the Recorder of Deeds. Pitts said Gogos sold the second trust at once.

During the time he had it, Gogos did no repair work on the house, Pitts asserts. "I know, because I talked to the woman who was here before."

"It wasn't this way when we moved in," he said last month when a reporter paid an unexpected visit to his house.

Pitts had just finished sanding his dining room floor, which gave off a warm brown glow. The house was spotless.

REPAIR LACK CITED

"The neighbors will tell you it was the worst house on the block when we moved in. There were no front doorsteps. I had to build them. There was no hot water. The furnace was no good." Pitts, a correctional officer for the D.C. Government, catalogued other ills of the house in a cost-conscious voice.

"I knew that I was paying more than I should," said Pitts, who was nonetheless surprised when a reporter told him how much Gogos had paid. "But I had to have a house. I had to keep my family together."

And then he told his story, which comes to the nub of the symbiotic relationship between speculator and prospective homeowner. That nub is that the speculator provides the financing that the homebuyer can't get elsewhere. That is the speculator's *raison d'etre.*

"I didn't have much money, and my credit wasn't the best. I had to go through a speculator," Pitts said.

He had bought what he considered a fairly priced house on Somerset Place nw. With the help of a real estate agent, he had obtained a mortgage from Perpetual Building Association, Washington's biggest and the only one that grants many loans directly to Negroes.

"But I had misfortune in the family, fell behind in my payments, and lost the house. Even though I've got a good steady job and take care of all my bills now, I didn't think about going to a savings and loan directly.

"Being able to get the financing through the speculator was as important as being able to get the house. I thought I was getting taken on the price. But what could I do?"

GUGLIELMI DEAL

To Clinton Pitts, Gogos was a necessity.

Ralph Guglielmi, the one-time all-American for Notre Dame and later a quarterback for the Washington Redskins, found Gogos to be a shrewd bargainer.

Now an insurance executive here, Guglielmi purchased 2008 R st. nw. for $55,500 on Feb. 26, 1964, with an eye to selling it for a small profit if he had the chance.

He got that chance in April when Gogos heard about the house. Guglielmi asked $62,500. Gogos offered less, and they compromised on $58,000, according to Guglielmi's deposition in a suit involving a disputed broker's fee on the sale.

At the settlement at District Realty Title Company, the contract was signed for $58,000, but another sheet was signed showing a $69,000 sales price, Guglielmi testified. The D.C. Recordation tax paid reflects a $69,500 price.) The ex-footballer was asked why in his deposition:

His answer:

"Mr. Gogos had called me . . . He said that he was going to put this contract in for $69,500 and I asked him why and he said, 'Well, I am going to try to get as much of a loan as I possibly can.' "

(District law requires buyer and seller to swear under oath to the purchase price and to file the statement. This is to determine recordation taxes. Reporters who asked to see the sworn statements have been told by the Recorder of Deeds, Peter S. Ridley, that they are confidential.

(The public recordation is also important to prospective homeowners who want to determine what has been paid for the house in the past.)

PRICE ACKNOWLEDGED

Gogos, in his deposition in the Guglielmi case, acknowledged that the sales price had actually been $58,000. He got a $45,000 mortgage.

In his deposition, Gogos also gave an indication of why speculators rarely worry about taking on a heavy mortgage. They don't expect to keep it.

"I was looking for . . . upper Northwest type property . . . that I could sell, turn over and take back a second trust on," Gogos said.

Another interesting Gogos transaction came in the case of Marie W. Carroll, a retired widow who once almost sold a house to Gogos. But the deal fell through, and Gogos sued the widow to force her to sell him the house, at 2810 Rhode Island ave. ne., where her sister lived.

They signed a contract on June 13, 1963, for $14,000. But Mrs. Carroll refused to hand over the deed at the settlement in August, thereby costing him $3950, Gogos alleged in his complaint.

The $3950 is the amount a purchaser Gogos had already found was willing to pay him over the $14,000 Gogos would have to pay, the complaint stated.

The profit would have come in the form of $3950 second trust. "I do not sell properties for cash," Gogos noted in his deposition in the case.

COUNTERCLAIM FILED

Mrs. Carroll's answer said that she would have gone through with the deal in August, but Gogos didn't have the money to pay her at settlement. While waiting for the money to arrive, she discovered that Gogos was a speculator and, as she stated in her counterclaim, he was ". . . ephemeral and nebulous in his dealings."

Mrs. Carroll deduced this from Gogos' conduct between the June contract and the August settlement. She described it this way in her counterclaim:

"He brought carloads of people to the property many times . . . and represented to these prospective purchasers that he owned the property and was offering it for sale . . ."

Gogos also placed a For Sale sign on the property while her sister was still living there, advertised the house in newspapers, and berated her when she protested, according to the counterclaim.

That made him a speculator, one who "enters into contracts for the purchase of real property and attempts to resell the property before . . . he settles with the owner . . ." she alleged.

Gogos denied all the charges in his deposition and said that he was ready to complete the deal. He acknowledged there had been a mixup at the settlement office because Enterprise Savings and Loan had committed to me over the phone a loan," but it had not been confirmed to the title company on time because I was still shopping to get a larger loan."

But he got that ironed out, and got the mortgage from Enterprise that would have made the deal possible, he said.

District Court Judge William B. Jones dismissed Gogos' complaint on Feb. 16, 1966. Mrs. Carroll's counterclaim was denied Feb. 17 by a jury.

The court land records show that Gogos continued turning over properties at a rapid clip through late 1966.

MONEY MARKET TIGHTENS

Then, suddenly tight money came. The flow of savings and loan dollars turned to a trickle and, court records indicate, Gogos' financial condition began wobbling.

He was able to obtain $45,000 in new loan money on 16 houses that were already heavily mortgaged, land and court records show.

He sold the 16 properties to First Mortgage Corp., a firm he had set up earlier. In return for the 16 houses, First Mortgage gave Gogos two notes for $30,000 each. His company now owed him $60,000.

He used the $60,000 debt as collateral to get a $45,000 loan to his company from Harry Batalin of Arlington and Howard Investments of Silver Spring. In effect, he promised Batalin and Paige to pay them the $45,000, or they could foreclose on the 16 properties that were now held by First Mortgage Corp.

That's just what they did when Gogos didn't pay up, the suit states, and at an auction sale, they won the properties—and the $227,000 in existing mortgages on them—for a $12,500 bid.

But they ended up taking title to only 14 of the 16 properties. "The houses were in very poor condition," Batalin told a reporter. "We had to give two of them back to the bank."

Their suit against Gogos alleges Gogos transferred 14 other properties he had owned to his parents to try to hide his assets from his creditors.

CHARGES DENIED

Gogos, in his reply, denied this and claimed that the two had charged him usurious interest on the note.

The suit is still pending in District Court here.

Meanwhile, there are those two houses that Batalin and Howard Paige, who foreclosed on them with Batalin, said were so "poor" they wouldn't keep them.

One of the two is none other than that house at 1810 Kalorama, the one Guardian gave Gogos $38,000 on in a mortgage, and the one that had a $60,000 purchase price, according to the recordation tax paid.

Roscoe Jones, himself no stranger to real estate buying and selling in Washington's slums, remembers selling the house to Gogos.

But he doesn't remember anything about $60,000. "All I got was $30,000," Jones said. A copy of the District Realty Title Company settlement sheet on the transaction states the sales price was $30,000.

A spokesman for Guardian Federal termed the $38,000 mortgage "a mistake." He also acknowledged that Gogos has been behind in the past on mortgage payments, but says that Gogos has resumed payments under pressure from the association. "We will not take a loss on the property," the spokesman said.

Guardian will not take losses on any of the large number of loans it has made to slum speculators, the spokesman asserted. The speculators were required to sign personally for the loans, making them liable to court suits if they defaulted, he said.

The $38,000 loan was partially based, he explained to reporters, on Gogos' promise to remodel and rehabilitate the house, and because it is next door to 1808 Kalorama.

That's a house owned by George Basiliko, one of the largest speculators in Washington. Basiliko paid $45,000 for it and also got a $33,000 Guardian mortgage, according to land records. "Having the two next door to each other improved the security" for the Gogos loan, the Guardian spokesman said.

Basiliko's house was condemned by the city one month after Gogos' house was condemned. It too is now abandoned.

A reporter asked Basiliko what he intended to do with 1808 Kalorama.

"I'd like to bomb it," he replied. "But I'm going to fix it up. I really got taken on that one."

[From the Washington Post, Jan. 8, 1969]

MORTGAGING THE GHETTO—IV—BASILIKO WANTS OUT OF SLUMS

(By Leonard Downie, Jr., and Jim Hoagland)

George Basiliko says he is getting out of the slum business. The little round man who has been the biggest single owner of slum properties in Washington says it wearily, defensively.

His exit is being watched apprehensively by officials of some of Washington's largest savings and loan associations. They have a multi-million dollar stake in how well Basiliko extricates himself.

He sold 108 houses in one deal last week. Another 72 will go in the next 45 days. Last summer, 51 were sold. He is selling them all to a non-profit housing corporation sponsored by the Catholic Archdiocese of Washington.

The Catholic group will pay off mortgage loans on nearly all of these houses. Basiliko got the loans from three local savings and loans: Republic Federal (merged last year into Home Federal), Guardian Federal and Perpetual Building Association.

From 1962 through 1966, Basiliko borrowed more than $3.5 million from these savings and loans. They were essential to his operation.

Since then, tight money has hurt his operation, Basiliko told a reporter during a recent interview. Basiliko requested it be held in the office of his lawyer, Leonard Collins.

Basiliko continued. "With black power and what's going on in the District Building, the business isn't worth it anymore," he said.

"Don't say anything about the District Building, George," Collins said. "Don't say anything about the District Building."

"Yeah, well, business has really gone bad," Basiliko continued. "If it wasn't for the nonprofit groups, I would have been looking for a bridge to jump off."

Beneath Basiliko's words lies the important tale of how a slum landlord builds an empire on millions of borrowed dollars, and, when the supply of dollars is cut off, scrambles to get off a very large hook.

It is not the story just of Basiliko, but also of a cluster of smaller slum landlords who have used the system. It is also the story of how the system needles rents upward and causes dilapidated buildings to go unrepaired.

LARGEST LOAN POSSIBLE

Like speculators who buy and sell ghetto houses at high profits, the slum speculator-landlord pulls in the largest loan he can get from savings and loan associations, which are chartered and protected by the Government for the primary purpose of promoting thrift and widespread individual home buying.

If he works it right, the landlord gets a loan large enough to cover or exceed his purchase price. He can roll along, buying houses with little or no money of his own, as long as he keeps the mortgage money flowing in.

The speculator pegs rents he takes in to cover what he must pay out on the mortgages. If he makes as few repairs as possible, most of the rest, if not all, is profit.

Eventually, he hopes to unload the building at a higher price for more profit which is taxed as a capital gain, rather than at higher personal income tax rates. Meanwhile, he is able to deduct depreciation of the building from his income tax.

A tax expert's report to the National Commission on Urban Problems contends that the landlord's tax benefits grow with the size of the mortgage loans he can pull in for his property.

Commission Chairman Paul H. Douglas, the former Senator, also concludes, in the report's forward, that the tax system "not only provides little encouragement for repair (of the slum property), but actually may tend to discourage improvements."

THE SYSTEM WORKS

An examination of more than 15,000 land records, 900 court suits, District housing violation notices and a confidential bank examiner's report shows that the system has worked just that way for several major Washington slum landlords.

This research, which included examination of a 2900-page District Government report on all housing code violations filed from January, 1966, to March, 1967, suggests that there are basically two categories of landlords with large holdings in Washington's ghettos.

One sinks his own cash into buying his properties and generally takes care of needed repairs promptly. The other is less likely to do either.

In Shaw, for example, landlords like the Ruppert family or the Gattis, who have put up substantial downpayments or paid cash for their properties, nearly always repaired code violations within the inspectors deadline (usually 30 days).

The other landlord fraternity is composed of those who depend largely on loans for their purchasing money (thus investing little of their own capital) and who are often slow—reluctant even—to repair their houses.

The 2900-page report on all District landlords, which was prepared by Gerald F.

Daggle, the computer systems officer of the Department of Licenses and Inspections, indicates that the following large borrowers also scored high on the number of violations written, complaints made by tenants and the length of time involved in repairs:

Basiliko, his brother-in-law, John Swagart, Diamond Housing Corporation, Nathan Habib and Melvyn Friedman.

Partial lodge brothers are Sylvan Mazo, who promptly repaired some of his properties, but who had 13 legal actions initiated by L&I against him on others, and Morton Frank and Mort Yadin (who control properties through their companies, N. W. Stewart Inc. and M and M Shops Inc.)

SERIOUS DEFICIENCIES CITED

Frank and Yadin had few outstanding housing code violations against their properties, but the inspectors' reports indicate that the deficiencies not covered by the code in a few of their buildings are serious.

Basiliko, who started his own real estate buying in 1958 after working for his brother, Nick, as a salesman, is by all standards the chief grand high potentate of the speculator fraternity.

It's all a result, Basiliko told a reporter, of his sharp business acumen ("I get a house below market value or I'm not interested in buying it") and a laissez-faire attitude of savings and loan associations during the easy money days of the early and mid-1960s.

"Then, the B & Ls (referring to local savings and loans, once known as building and loans) had to put money out and they put it out. If they came out with a loan of $15,000 on a property you paid $16,000 for, why shouldn't you take it? If there's any fault, it lies with the B & L, not the speculator . . . If they offered it, we took it."

In fact Basiliko took enough from Republic Federal Savings and Loan to provoke stern criticism from bank examiners of the Federal Home Loan Bank Board, which regulates Federally chartered institutions, and which merged Republic out of business last year.

"On March 18, 1966," the confidential bank examiner's report reads, "the total balance of outstanding loans to George Basiliko ($1,427,485) was equal to 100.4 per cent of the association's net worth ($1,422,379).

VIOLATED THE LIMIT

This, the report noted, violated Federal regulations that limit the amount a savings and loan can give to a single borrower. By Feb. 10, 1967, Basiliko's indebtedness to Republic alone had climbed to $1,550,622, which equaled 3.2 per cent of all money Republic then had lent out, the report said.

Basiliko also was able to get large numbers of loans from Guardian Federal and Perpetual during this time. From 1963 through 1968, he received at least 62 loans frm Guardian totaling $989,200, and at least 32 loans from Perpetual for $1,092,950. Basiliko himself says that he has had at least 50 other loans from Perpetual in the past.

Examination of land records shows that many of the Guardian Federal and Republic Federal loans nearly equaled or even exceeded the amount Basiliko originally paid for the property. The Perpetual loans were almost always below 80 per cent of the purchase price.

Federal regulations generally prohibit savings and loans from lending amounts greater than 80 per cent of the appraised value of the property in mortgages on landlord-owned property. It is illegal to lend more intentionally.

The purchase price is one indicator of the property's value, along with rental income and the sales prices of comparable property in the area. A savings and loan uses these indicators in appraising a property for a loan.

A Federal Home Loan Bank Board examiner, in the confidential report on Republic Federal, cited "excessive loans resulting from appraisals in excess of purchase prices" as having an "adverse effect" on the savings and loans' financial strength.

"I always try to buy at a bargain," Basiliko told a reporter. "That's what speculation means. We're willing to take a chance. I buy houses in dire need of repair, and I'm willing to spend a couple of thousand to fix them up. We might borrow more than we pay so we can fix it up."

That, Basiliko said, was why savings and loans gave him many loans that topped purchase prices he paid.

He was then asked about transactions between himself and Kebir Investments, a corporation he heads and says he formed. Two examples were discussed in detail:

2917 Sherman ave. nw. Basiliko bought it in August, 1965, for $11,000, sold it immediately to Kebir for $14,000 and then bought it back two years later for $11,000. After Kebir paid $14,000, Guardian advanced a $10,500 loan.

825 Euclid st. nw. The pattern was the same. Basiliko paid $7,050 in October, 1965, sold it to Kebir for $10,000 and bought it back for $7,800 in September, 1967. Guardian gave Kebir a $7,300 mortgage after the $10,000 deal.

District law prohibits simulated sales "executed for the purpose and with the intent of misleading others as to the value" of property.

Federal banking regulations also prohibit the use of simulated or "straw" sales to inflate purchase prices for leverages in getting more than 80 per cent of market value in mortgages from savings and loans.

Basiliko said that Kebir had been set up as a holding corporation for some of his properties and that the paper deals were "for a tax reason. We were trying to work out some gimmick. But it didn't work, and we shifted them back later."

He explained that the price he paid his company, Kebir, "would include the cost of repairs. We wanted to get a more accurate picture of the true value on the record."

By the time he repurchased the houses, the inner-city housing market was declining, he said, and the sales prices reflected this decline. Funds were actually transferred in both deals, he said.

UNAWARE OF PRICE

A spokesman for Guardian Federal said the association's loan officers were unaware of what price Basiliko originally paid for the two properties. He said they were told then only about the higher prices Kebir paid Basiliko.

The spokesman added that Basiliko was charged a cash fee for the approval of the loans to Kebir. The percentage fee, known as "points" in the trade, was $210 for the Sherman Avenue property and $146 for the one on Euclid Street.

Such fees were charged Basiliko and other speculators often "whenever there was a worry about the size of the loan," the spokesman said.

The Federal Home Loan Bank Board has ordered Guardian Federal to stop the practice of charging points on a loan based on an appraisal exceeding the price a speculator pays for a property.

Basiliko was also asked about another Guardian loan he received, this one on 804 K st. ne.

The building was purchased by Basiliko's secretary, Betty Gates, in December, 1963, for $8000. She immediately sold it to her boss for $10,250, and he got a $7500 loan from Guardian.

Basiliko said that Mrs. Gates was acting as his "straw" (that is, he used her name for a purchase he actually made), but does not remember why he asked her to do so. Again, repairs were made and the price rise reflected this, the landlord said.

He emphasized that "I damn seldom use a straw. I always put my name down and stood behind it. That was a big mistake I made."

Court documents show that besides Mrs. Gates, Basiliko has used another employe, Holton Wolfe, and a District fireman, Arnold Graves, as straws.

"When I did use a straw, maybe I didn't want people to know that I was buying. They would say, 'Basiliko's buying it, so it must be worth more.' That's one reason. Or maybe I was trying to assemble packages of property," he said.

Diamond Housing Corporation, landlord to hundreds of ghetto residents, also makes extensive use of straws to purchase property, which is then deeded to Diamond. Diamond's president, David G. Kirsch, explained to a reporter:

"Other people's names are used at the time the loaning agency comes into the picture. In some cases, the corporation is loaned up at the bank or the savings and loan.

So you use somebody else's name. It's like having a charge account at Hecht's that is at its limits. You send somebody else down there to buy something on their account and you pay them."

Other interviews with slum speculators and examination of land records indicates that this practice is a common one in Washington.

It also is one that is frowned on by the Federal Home Loan Bank Board, because it subverts the limits placed on the amount a savings and loan can lend to one borrower.

These limitations are placed, Board officials say, because savings and loans by their nature should diversify loans and because "putting too many eggs in one basket" puts the savings and loan in danger of the basket breaks.

Diamond's loans—many of which went through Meyer Levine, a former Diamond employe, and Anne Furasch, Kirsch's sister—came most frequently from Franklin Federal between 1963 and 1966.

Jerry D. Whitlock, executive vice president of Franklin, said the loans were made before he took over the association and he could not explain the concentration of loans.

"We haven't made any loans to Diamond for at least two years," Whitlock said. "We aren't lending to anybody, speculators or otherwise. We haven't made a loan in the last 14 months. We ran out of loan money.

Whitlock added that loans to speculators did not play a part in the financial squeeze now on Franklin Federal.

For landlords Sylvan Mazo and Melvyn Friedman, a primary source of loan money was Guardian.

It was not unusual for Mazo to buy a property such as 140 Uhland ter, ne. for $8500 and get a $8500 loan from Guardian. "I put an awful lot of work into the properties," Mazo told a reporter. "I made improvements." He declined to comment further.

And Friedman, who could not be reached for comment, bought 2223 1st st. nw. for $8750 and get a $10,000 loan from Guardian.

In each case, the association charged both men two percentage points of the loan to provide some protection, according to a spokesman for Guardian. This is one of the practices that the Home Loan Bank Board has ordered Guardian to stop.

Landlords Morton Frank, Nathan Habib and John Swagart borrowed heavily from Republic. Many of their loans hovered near or floated past 80 per cent of the purchase price.

On Feb. 10, 1967, Habib had 60 loans from Republic for a half million dollars. Frank's 30 loans totaled slightly more, and Swagart had 53 for $730,920.

These figures come from the bank examiners' report that preceded the merging of Republic out of business. The examiners were interested in these landlords because they were among the 40 borrowers who held $21,850,556 of Republic's money on that day.

The major recipient of Republic's largesse, was, of course, George Basiliko. And what happened in Basiliko's case is a good example of why bank examiners get upset about concentration of loans.

It also is a good example of the close relationship between mortgage payments and rents.

On Nov. 8, 1967, Republic agreed to let Basiliko suspend repayment of the principal he had borrowed (in 117 loans) for two years. In a modification agreement, Basiliko agreed to a slight interest rise on some loans in return for having only to pay interest.

This meant that Basiliko's monthly payments would be shaved sharply. Republic officials felt that it was the best way they could get their money back.

A spokesman for Guardian Federal told reporters that Basiliko had also fallen behind on payments on the mortgages he owned there. The spokesman said it was expected, however, that Basiliko would sell most, if not all, of his Guardian-mortgaged properties to the Urban Rehabilitation Corporation.

Thornton Owen, president of Perpetual Building Association said that there were no problems with Basiliko's mortgages there. He declined to discuss PBA's loans to Basiliko further.

Basiliko told a reporter that the agreement with Republic was made because his rental incomes were dropping and operating expenses were rising squeezing his income.

"WAITING AND PRAYING"

He was revising the mortgage payment schedule, he said, to match it to rents "while I was waiting and praying that I could work out something.

"You wouldn't believe the tenant vandalism and destruction that I've had to pay for. And the riots have ruined business. It's the condition of the times."

This is, of course, a standard slum landlord complaint: tenants tear up buildings, so it is no use to make repairs, or, if repairs are made, they are immediately destroyed. The speculator-landlord is just the fall guy.

To be sure, there is truth in this in many cases. There is evidence, however, that tenants will not damage a building that is well maintained.

Consider the case of the apartment building development at 23rd Street and Savannah Terrace se.

The buildings were constructed in 1948 and 1949 by a company headed by Leo and Norman Bernstein. In January, 1966, they were sold for $616,000 to the Terrace Limited Partnership, a syndicate of doctors and other professional men formed by speculator Burton Dorfman.

Dorfman, who was given full authority to mortgage and manage the apartment buildings by the syndicate agreement, obtained $772,500 in mortgage loans from Republic Federal of the District and Uptown Federal Savings and Loan of Baltimore.

The deal became a financial disaster. The syndicate fell far behind on the payments due on the big mortgages. Both savings and loans foreclosed and the buildings were put up for auction.

Nobody would buy the 11 buildings with the Republic Federal mortgages, which totaled $570,500. They were picked up by the Federal Savings and Loan Insurance Corporation, a Government agency that had agreed to take up to $17 million worth of Republic mortgages.

When the Insurance Corporation became "proud owner" of 75 apartments in 11 buildings at Savannah Terrace, they were badly deteriorated and vandalized. Only 10 apartments were occupied.

OPERATION SHAPE-UP

At this point, the Waggaman-Brawner management firm was brought in, in the person of resident manager Louis Kinard, to shape up the complex while a buyer was sought. Kinard arrived in the twilight of the Dorfman regime, in March, 1967.

"The place was broken down badly," Kinard recalled. "In 16 apartments, there were no windows, no doors, no toilets and no flooring.

"All kinds of trash—beds, mattresses, old appliances, garbage—was everywhere. The TV people came out and took films of the filth when we began to clean it out.

"The ten families still living here were using stoves for heat.

"No money was going into the place. We didn't even get paid at first."

Now, Kinard said, the Federal agency is pumping money into the 23d and Savannah complex faster than he ever believed possible.

"We couldn't get money for rakes before," he said. "Now, we get whole buildings completely repaired and redecorated."

Like others that reporters saw, Kinard's own apartment is in excellent condition, with fresh paint over solid walls and ceilings. The floors shine.

"When I came," Kinard said, "there was a radiator in the middle of the living floor and there were no ceilings in the bathroom or kitchen."

As the buildings were rehabilitated, Kinard began renting them out—at lower rents than were charged before ($75 for one-bedroom apartments and $110 for two-bedroom units now, compared with $95 and $120 before, according to Kinard).

Fifty tenants live in the complex now. And there is a long waiting list for the apartments now being renovated.

Most important to Kinard, however, is that "there has been absolutely no damage done, no tenant vandalism" since he took over.

"The people just appreciate the place," he said. "They are coming here from high-rise buildings where they paid high rents but got no maintenance. And nobody wants to spoil it here."

[From the Washington Post, Jan. 9, 1969]

Mortgaging the Ghetto—V—A Game With Real Buildings

(By Leonard Downie, Jr. and Jim Hoagland)

Walk into the five-story old red brick apartment building at 2025 Fendall st. se, and go to the manager's office in the basement, where Eulanders Taylor is. He often wears Army fatigues, a brown leather jacket and a cowboy hat.

Ask who owns the apartment building and Taylor says that it is all his, at least right now.

He has not paid a penny for it. He has no deed. He is making no payments on the $262,000 mortgage owed on the building.

Taylor just happened to be the first person to come along and clean out the abandoned building, make some repairs and put it back on its feet again.

"I live nearby," says Taylor, who was discharged a year ago after 21 years' Army service and now makes a living doing remodeling work.

"I walked by it every day. It was a mess, with all the windows broken out and trash everywhere. The fire department wanted to board it up. If I hadn't come in here, it would have been condemned."

Taylor has been allowed to keep control of the building so far because nobody else wants to own it. And the building has been available, no money down, to anyone who merely agrees to make the payments on its mortgage.

The only catch is that the rental income will not cover the mortgage payments and other ordinary expenses, such as maintenance.

One experienced real estate investor who was offered the building has estimated that if it were fully rented to ideal tenants and expertly managed, it would still lose at least $4000 a year because of the big mortgage.

But it appears that the building was once a profitable investment for slum real estate speculator Burton G. Dorfman.

Land records show that Dorfman bought the apartment house in April, 1965, for $250,000. That same day, he immediately got back most of that money in a $247,500 mortgage loan from Republic Federal Savings and Loan.

Then, in November, 1966, Dorfman formed a syndicate of doctors and professional men and sold the building for $274,966—nearly $25,000 more than what he originally paid.

The syndicate was unable to meet the payments on the big mortgage. Its members lost the money they invested when Republic Federal foreclosed.

Republic Federal also was unable to get back the money it loaned to Dorfman. At the foreclosure auction, nobody was willing to buy the building and pay the mortgage loan.

MORTGAGE NOW $262,000

The Federal agency that has guaranteed to assume Republic Federal's losses in its forced merger with a healthy savings and loan, is looking for someone willing to make payments on the big mortgage—which has now grown to $262,000, including accumulated interest due.

When Eulanders Taylor came along, he found just six families living in the neglected, vandalized, 33-unit building.

"All the iceboxes, stoves, telephones, doorknobs and a lot of the doors were gone." Taylor says. "I had to replace 356 windows. I hauled nine truckloads of trash out of the building."

Most of the elements in the story of 2025 Fendall st. se. have appeared in scores of other transactions that reporters of The Washington Post have found involving buildings in Negro neighborhoods:

A speculator who makes a big markup in buying mortgaging and selling an aging apartment building.

A savings and loan willing to give the speculator a mortgage loan big enough to cover his original investment and make the building available to a buyer for a relatively low cash down payment.

An often unsuspecting buyer lured by the small initial cash investment necessary into taking on a building so heavily mortgaged that he cannot make the mortgage payments and pay for maintenance out of the rents he collects.

An already deteriorating building that often winds up in much worse shape as repairs go unmade, or is put on the auction block and sometimes abandoned when the big mortgage goes unpaid.

FEDERAL REGULATIONS CITED

A mortgage loan made by a Federally chartered savings and loan is generally in violation of Federal regulations when it exceeds 80 percent or more of the true value of the apartment building. In many of the cases reviewed by The Washington Post, the loans often equalled or exceeded the purchase prices.

Often, the value of a building is distorted when the speculator succeeds in using the mortgage as bait to sell the building at an inflated price. But when the mortgage goes unpaid and nobody wants to pick up the auctioned building, it becomes apparent that the building actually is worth less than the amount of money loaned on it by the savings and loan.

In some cases, the person sold the building by the speculator is not an unsuspecting buyer at all, but another speculator who is not even concerned about making the payments on the big mortgage.

He just collects rents and pays little or nothing out for repairs or mortgage payments, until either the mortgage is foreclosed (which costs him nothing since he had no cash on the line) or he succeeds in peddling the building to still another speculator.

PASSED LIKE PAPER

The Washington Post's investigation found no speculators in this category being sued, even though the speculators in most cases remained liable for repaying the loan.

In the speculators' trade, collecting rents and not making payments or repairs is known as "milking" the property. Some heavily mortgaged buildings are passed from speculator to speculator several times, for little or no cash payment, like negotiable paper.

In some cases, the speculators do not even take title to the building in their own names. They set up secretaries or other people as "straw" owners or buy only a contract to purchase the building rather than a deed.

Thus housing inspectors often have difficulty tracking down owners of deteriorating buildings. You can't serve notice of a law violation on an owner when you can't determine who the owner is.

All of the elements of this "now you see it, now you don't" shell game, played with real buildings in Washington's black ghettos, is found in land records dealing with a three-story apartment building at 1320 Harvard Street nw.

The half-century-old building was bought in 1962 by David Resnick, a local bail bondsman and real estate investor, for $61,500. He obtained a $40,000 mortgage loan from Perpetual Building Association on the building.

Two years later, Resnick sold the building to Jeffrey Martin Investments Inc. for $68,000. Slum real estate speculators Hymen Alpert and Leonard Diamond, own Jeffrey Martin (Jeffrey is the first name of Diamond's son and Martin is the first name of Alpert's son, according to a court deposition of Diamond's).

MORTGAGE LOAN $75,000

Alpert and Diamond procured a $75,000 mortgage loan on the apartment building from Lincoln Federal Savings and Loan of Hyattsville. This loan money they received amounted to $7000 more than they paid and $35,000 more than Perpetual Building Association (paid off by the new mortgage) loaned on the same building two years earlier.

A few months later, Diamond and Alpert sold 1320 Harvard to Clarence and Margaret Baker. The price was $115,000, but the Bakers put up only $10,000 cash. To cover the rest, they agreed to make the payments on the $75,000 Lincoln Federal loan and then signed a second mortgage to Jeffrey Martin Investments for the $30,000 balance.

A year and a half later, the Bakers had fallen far behind on the mortgage payments and the apartment building was foreclosed and auctioned for just $77,000 to a Ben Hersh.

Baker, who had invested in real estate before, had died in the interim. Mrs. Baker and her attorney for Baker's estate, Charles B. E. Freeman, told a reporter that the building's rental income did not cover maintenance expenses and mortgage payments.

The apartment building next went to speculator William Whitted, who bought it from Hersh in the name of a "straw," Barbara E. Smith, for a recorded price of $86,000. But Whitted made no substantial cash down payment. He agreed to make payments on the Lincoln Federal mortgage ($72,000 was now owed) and signed a $14,000 second mortgage to Hersh for the balance.

Last March, Whitted was sentenced to ten days in jail by a Court of General Sessions judge when tenants at 1320 Harvard went through two months of the winter without heat, hot water or electricity. He has appealed the conviction.

In court, Whitted said that he had sold a contract to buy the building to a Floyd Patterson. It was Patterson, Whitted said, who had failed to pay utility bills, and mortgage payments totaling $5900. The deed was still in Barbara Smith's name, however. Reporters have been unable to contact Whitted or Patterson for comment.

NOBODY ELSE BID

Finally, last summer, Lincoln Federal foreclosed on its mortgage on 1320 Harvard, which was months behind in payments. Nobody else bid for the apartment building with $69,000 of the Lincoln mortgage still owed on it, and Lincoln took over the building itself.

Leonard Snyder, Lincoln Federal's chairman, said the savings and loan is currently stuck with the building and its still unpaid mortgage because 1320 Harvard is "in the section of Washington that is being raped."

"We made a mistake, true," Snyder told a reporter. "But how could we be expected to know what would happen there, with the riots and everything."

Snyder said that he did not know how much Diamond and Alpert had paid for 1320 Harvard ($68,000) when Lincoln Federal made the $75,000 mortgage loan to them.

"We were presented a contract," Snyder said, "for a transaction at a sales price of $115,000" (what Recordation Tax Records show the Bakers paid for the building five months after the loan was made.)

Diamond told a reporter that he and Alpert spent several thousand dollars repairing the building and expanding it from 15 to 20 units. He said the Lincoln Federal loan financed this work.

Diamond also blamed conditions in the inner city for the fact that 1320 Harvard wound up in Lincoln Federal's hands with the mortgage unpaid.

In another transaction, land records show, Diamond and Alpert bought a house at 4406 Lee st. ne. in 1965 in the name of Jeffrey Martin Investments for $4800. They then put the property in the name of another company they own, L and H Mortgage Funding Inc. (the initials of their first names), and got $7250 in mortgage loan money on the building from Guardian Federal Savings and Loan.

They collected rent from tenants of the house for a time and then sold it to a woman who states she was acting as a straw party for William Whitted. The building remained in Whitted's control for just six months befor Guardian Federal was forced to foreclose because the mortgage payments had fallen far behind.

Nobody else bid for the building at the auction and Guardian Federal was forced to buy it itself for $4000. This meant that the savings and loan faced a possible loss of at least $3000 on the money it loaned Diamond and Alpert.

But Guardian had required Alpert and Diamond to sign personally for the original loan and was ready to sue them for any loss that might occur, a Guardian spokesman said later. The two speculators bought the building back from Guardian for $7600 and got a new mortgage loan from Guardian for $6000.

Although a loss was averted for the savings and loan in this case, it was still warned by the Federal Home Loan Bank Board to stop making this kind of loan, the Guardian spokesman said.

If Diamond and Alpert had gone bankrupt, for instance, it would have done the savings and loan little good to threaten to sue them. The savings and loan would then have to rely only on the mortgaged house as security for the loan and would have lost much of the money loaned.

This is why, Bank Board officials have explained to reporters, that Federal regulations generally require that savings and loans lend only up to 80 per cent of the value of a building in these cases. Then, even if the property deteriorates, the savings and loan can expect to get its money back if it has to auction the property in the event of a foreclosure.

Land records reveal two dozen more cases in which Diamond and Alpert received mortgage loans from Guardian Federal and Republic Federal Savings and Loan for amounts equal to or greater than what they had just paid for properties.

In each case, Diamond says he and Alpert spent money of their own to repair and redecorate the buildings before selling them to other speculators or small investors at substantially higher prices than Diamond and Alpert originally paid.

HAD SEVEN CORPORATIONS

Land records show that similar transactions being carried out by two speculators, Ervin Unger and Herman Rosenfield, who were officers of at least seven corporations housed in a small basement office at 1000 Vermont ave. nw.

These corporations bought slum houses and buildings, and switched them from one corporation to another, at progressively higher prices. They then got mortgage loan money in amounts larger than what they had just paid for the properties. And they then passed the buildings, and the big mortgages owed on them along to somebody else.

Among the corporations involved are Colleen Inc., Kansas Investment Corp., Jaffar Investment Corp., National Homes Mortgage Corp., Parliament Investors Inc., General Properties Investment Corp. and the Fairlawn Mortgage and Investment Corp.

All were located in the basement office of 1000 Vermont at one time or another. District records show that all had among their principal officers Ervin Unger, or his wife, or Herman Rosenfield, or his wife, or various combinations of the four of them.

In one transaction, land records show, National Home Mortgage (Herman Rosenfield, president and treasurer; Irene Rosenfield, his wife, secretary) bought a house at 903 C st. nw. for $7975.

A month later, the property was transferred to Parliament Investors (Herman Rosenfield president; Ervin Unger, secretary) for a publicly recorded price of $13,950.

On the same day, Parliament got $8500 in mortgage loan money from Republic Federal Savings and Loan. This is $500 more than the amount National Home paid for the property, but appears to be far less than the "value" of the property reflected by the sale to Parliament.

On another occasion, land records show, Fairlawn paid $6800 for a house at 700 19th st. ne., transferred it immediately to Jaffar for a publicly stated price of $11,750. Jaffar immediately gathered in $7200 in mortgage loan money from Republic Federal.

And on still another occasion, Colleen bought a house at 1314 R st. nw. for $11,700, transferred it right away to Jaffar for a public stated price of $16,500. Jaffar immediately took in $12,000 in mortgage loan money from Republic Federal.

The general counsel for the Federal Home Loan Bank Board has ruled that generally it is a violation of Federal law to artificially inflate the price of a piece of property and then put the inflated price down on a loan application in order to get too large a mortgage loan from a savings and loan association.

"WE ALL LOST," SAYS SPECULATOR'S BACKER

Dr. Arthur J. Wilets, of Chevy Chase, met Burton J. Dorfman, a Washington real estate speculator, at a party a few years back.

Wilets and some of his friends told reporters that Dorfman persuaded them to invest in some apartment buildings in inner city Negro neighborhoods. Dorfman formed partnerships of the doctors and businessmen to buy and manage buildings.

"We went into a smaller one first," Wilets told a reporter, "and it paid off nicely. When more came up, we decided to go into them, too.

"And we lost money on them."

"I lost money, all right," said Dr. Herbert H. Diamond of Silver Spring.

"Sure, we all lost," said Joseph Orgel, a wholesale jeweler who lives in Silver Spring.

Dorfman has refused to talk to reporters about the partnerships he formed to buy the apartment buildings at 2025 Fendell st. se., 23d and Savannah Streets, se., 1941 Naylor rd. se. and 1401 Fairmont st. nw.

Dorfman and the businessmen were partners in these syndicates. The businessmen put up a total of $256,000 to buy these buildings. Dorfman contributed no money to three of the partnerships and $3000 to a fourth, according to records filed with the Recorder of Deeds.

Dorfman was, however, the only general partner in these ventures, and was personally liable for claims against the partnerships. He also had the sole authority to make management decisions.

In each case, Dorfman obtained so large a mortgage loan on each property from a saving and loan that the rental incomes apparently did not cover the mortgage payments and maintenance costs.

One savings and loan, Republic Federal, foreclosed on the mortgages in three of the deals. When the buildings were put up for auction, nobody (since the mortgages were so high), bid for them and Republic Federal wound up owning the buildings.

All of the members of Dorfman's partnerships interviewed by reporters said they did not know about any of the details of the mortgaging or management of the buildings.

"It is difficult for any of us to tell what happened." Dr. Wilets said: "Evidently, the mortgages were very high . . . a very tight squeeze. The break-even point for the buildings was then very high. And apparently the cost of running them went up, too high."

[From the Washington Post, Jan. 10, 1969]

Mortgaging the Ghetto—VI—Builder-Speculators Also Used System

(By Leonard Downing, Jr., and Jim Hoagland)

Paul G. Washington Jr. sat in the den of his new two-story home in North Portal Estates and remembered that he had "always tended to trust people."

He was trusting when he signed the contract to pay $55,000 for the white brick house at 1943 Tulip st. nw. as soon as construction was complete.

Washington and his wife, Jeanette, had spent two years looking for a comfortable new home in a quiet neighborhood like North Portal Estates (located just east of Rock Creek Park and south of the District line) where Negroes would be welcome in a pleasant integrated area.

The Washingtons were still trusting when they gave in to the builder's urgings and went to settlement a month later, even though the house was still not finished. They signed and began payments to Republic Federal Savings and Loan, which was financing construction.

Both the builder, Pearl G. Kelly, and the president of Republic Federal, Pete C. Kalavritinos, personally promised the house "would be finished soon," according to a court complaint the Washingtons later filed against Kelly, Kalavritinos and Republic.

But no more work was done, the Washingtons said in the suit.

In the end, they wound up paying $58,000, plus another $2,000 in settlement costs, for an unfinished house. And, so far, they have spent $1,500 more on materials, with the Washingtons supplying the labor, trying to complete the house themselves, their court complaint says.

An identical designed house next door to the Washingtons at 1939 Tulip st. nw. is still unfinished and unoccupied. It, too, was started more than three years ago by Mrs. Kelly, a local real estate speculator, with a construction loan from Republic Federal.

But by the time Mrs. Kelly had collected from Republic $81,700 of the construction money earmarked for the two houses, the value of the work done was only $65,000, according to a confidential Federal Home Loan Bank Board examiner's report.

Savings and loans are supposed to pay out construction money only as the building is completed, in accordance with a schedule set forth in the loan agreement.

The savings and loan may not be able to get back all the money it lent if the building is never finished and must be foreclosed on.

ABANDONED TO VANDALS

This is what happened with the house at 1939 Tulip, next door to the Washingtons. Abandoned amid weeds in a sea of mud and wide open to the elements and vandals, it is missing a garage door, windows, trim and fixtures.

When Republic foreclosed on the construction loan and put the house up for auction, nobody bid for the house and the big construction debt owed on it. Republic wound up with the house. A buyer is still being sought.

But Republic got out from the overdrawn construction loan on 1943 Tulip when the Washingtons signed the papers to buy it and pay a new $45,000 mortgage on it owed to Republic. The savings and loan also received $535, listed as loan and appraisal fees, in cash out of the settlement costs paid by the Washingtons.

All of this may have accounted for the concern Republic president Pete Kalavritinos showed for the Washingtons' worries about their unfinished house, and their reluctance at times to go through with the deal.

"Imagine, the president of a big savings and loan himself," Mrs. Washington remembers, "first calling up on the telephone and then coming out personally to tell us that everything would be completed to our satisfaction.

"For a while I was on cloud nine," said Mrs. Washington, who is a reading specialist for the District of Columbia schools.

DEFECTS ABOUND

But the Washingtons were left facing a continually flooded basement, clogged plumbing (clogged by nails and a metal chain, among other debris), unfinished floors, defective appliances, missing fixtures and insulation insufficient to meet electric company standards for all-electric home rate discounts.

For three months before they could make the house habitable, the Washingtons had to rent an apartment, while also making mortgage and utility payments on the new house, according to their court complaint.

Reporters have been unable to reach Mrs. Kelly or Kalavritinos for comment on the Tulip Street houses. Both have been found in default by the U.S. District Court for failure to answer the Washington's suit.

Pearl Kelly, a middle-aged woman who lives in an apartment in the plush 12-story Hampshire Towers on New Hampshire Avenue in Langley Park, dealt primarily in the buying, mortgaging and selling of old inner-city buildings before getting construction loans from Republic.

PRODUCTS OF BOOM

Several other slum speculators also succeeded in getting construction loans from Republic during the construction boom, which ended in Washington two years ago. Overdrawn loans, unfinished buildings and foreclosures have been the products of several of these loans.

One is an abandoned, weather-beaten shell of what was planned as a three-story apartment building in the 800 block of Jefferson Street nw. It is all that is left of a $90,000 construction loan made by Republic to Angelina and Dino Formant.

A secret Bank Board examiner's report shows that the Formants drew nearly $72,000 of the construction money out of Republic, but that the value of the work done was only $60,000. Mrs. Formant is the sister of former Republic president Kalavritinos.

Another half-finished apartment building, this one planned to hold 50 rental units, stands on the corner of Georgia Avenue and Aspen Streets nw., across the street from Walter Reed Hospital. Behind the four-story hulk of concrete lie stacks of bricks and other building materials dropped on the site months ago.

A $475,000 MORTGAGE

No work has been done on the building for more than a year, although it was originally scheduled to be completed in December, 1966. Real estate speculator Peter Laganas signed for a $475,000 Republic Federal construction mortgage for the project in late 1965.

Home Federal Savings and Loan, which absorbed Republic when Federal officials wanted it merged out of existence, is now searching for someone to finish both the Formant and Leganas buildings. The Federal Government, for the time being, has title to both buildings.

Another property that Home Federal has been trying to find a buyer for is a rundown, three-story, 26-unit apartment building at 2435 Ainger pl. se. Although it was put up just four years ago, the building's condition is shocking.

HALF-OCCUPIED BUILDING

Moisture has eaten away chunks of its cinderblock walls. The wind rushes through holes where warped window frames separated from the cinderblock. Separations between the walls and ceiling have been patched with blotches of cement. Plywood covers what had been windows to basement apartments. Door locks and mail boxes are vandalized or missing. The building is less than half-occupied.

Two speculators long active in the inner city, Hymen Alpert and Leonard Diamond, put the building up with a $208,000 mortgage loan from Republic Federal in 1964. An expert real estate appraiser has estimated the building's value at no more than $145,000 today.

Shortly after completing the building, Alpert and Diamond tried to sell it to landlord William T. Cofer for $258,000. Cofer put down a $3000 deposit before backing out of the deal.

In a civil suit that followed, Cofer charged that Diamond and Alpert "made misrepresentations" about the building's rental income.

"FOR SPECULATIVE SALE"

Diamond admitted in a court deposition that units had been leased to tenants at lower rentals than stated to Cofer "to achieve 100 per cent occupancy" prior to the prospective sale. He stated that the building was put up for "speculative purposes of immediate sale."

Shortly after the suit was settled (with Alpert and Diamond paying Cofer $6000, according to the court record), the building was successfully sold to Philip and Letita Randall for a stated price of $291,500, most of it in mortgages they signed to repay.

Randall is a former Post Office employe who now works at Freedmen's Hospital. Mrs. Randall is a counselor in the District school system. They had been making small investments in inner city real estate for many years.

The Randalls quickly found this investment to be unprofitable and fell far behind on their mortgage payments. Within a year, they were foreclosed on and a speculator bought the building at auction for $207,000.

He, too, failed to keep up the mortgage payments and Republic Federal was forced to take over the building itself when nobody else would buy it at another foreclosure auction. This property, too, is now legally the property of the Federal Government.

LOSSES INEVITABLE

Builder and real estate investor Edgar Weisman, adviser to the Catholic Archdiocese's nonprofit Urban Redevelopment Corp., was offered the building by Republic shortly before the merger. He described it as "very poorly designed and constructed" and estimated that any landlord would lose at least $3500 every year trying to pay off its large mortgage, even with every unit rented.

Besides the two houses on Tulip Street, Pearl Kelly has also left behind other remnants of the fling that she, financed by Republic Federal, took in building construction.

At 3609 Georgia ave, nw., Mrs. Kelly began to convert a two-story brick row house into a three-story office building with a modern glass and brick facade. Republic extended a $60,000 construction loan for this project.

The job has been half-completed. The dirt floors behind the tinted glass front window are filled with holes and debris. Walls and stairways are unfinished and splattered with cement. A hole in one window pane allows vandals easy access.

Two more houses Mrs. Kelly started, at 1707 and 1709 Tamarack st. nw., near Tulip Street, have been finished, though not by her.

NEW MORTGAGES

After using up the construction financing provided by Republic Federal for the two houses, Mrs. Kelly had them further mortgaged for money she borrowed from investor Leo P. McCann.

When this mortgage went unpaid and McCann went to foreclose, he found that construction was incomplete and that buyers had already put up their old homes as down payments on the Kelly houses.

Instead of having the houses auctioned off, McCann got contractors to finish the houses and, in effect, foreclosed on the houses and sold them to their new owners.

Each home buyer wound up owing more than $50,000 in mortgages and each lost the proceeds from the sale of each of their old homes. But they finally had clear title to their new homes.

PRAISE FOR MRS. KELLY

This, apparently, is all right with Dallas C. Clark, who now lives at 1707 Tamarack. After he signed to sell his old home and buy the new one, both through Mrs. Kelly, construction stopped on the new one. He wound up paying rent at the old house and never saw the $11,000 proceeds from its sale.

But now that he is finally settled in the new house, he told a reporter that he vowed he would "not say anything against Pearl Kelly."

He said that because he is Negro and a cab driver, he had been unable to buy a high-priced house in a "quiet neighborhood" although he believed he could afford it (and can afford now to make the large mortgage payments on 1709 Tamarack).

"If it had not been for Pearl Kelly," he said, "I never would have gotten into a good neighborhood like this. No one would have approved me for a mortgage on a house like this without Pearl Kelly to help out the way she did at Republic Federal."

[From the Washington Post, Jan. 11, 1969]

MORTGAGING THE GHETTO—VII—SPECULATORS GAINED CONTROL OF SOME S. & L.'S

(By Leonard Downie, Jr. and Jim Hoagland)

What steel means to Pittsburgh, cars to Detroit, tobacco to Durham, cattle to Kansas City, oil to Houston—that's what real estate means to Washington.

"It's our industry. This is a real estate town," says a close associate of Leo M. Bernstein, the hero of one of Washington real estate's many Horatio Alger legends.

Real estate speculation, even in the old houses and apartments of the inner city, has often provided a fast inside track to financial success for the son of a penniless immigrant or a bright young man with just a few dollars to invest.

As this series of articles on inner-city speculation has shown, some local savings and loan associations have been the principal arteries for the flow of mortgage money that is the lifeblood of the speculators' system.

So it was natural that some successful speculators eventually took control of some of these savings and loans themselves. And that other speculators would be among their best customers.

In some cases, this meant that a small savings and loan taken over by a speculator grew rapidly into a much larger institution, thanks principally to the booming business it did with other speculators.

But for one savings and loan—Republic Federal—a startingly rapid rise in assets led only to a great financial crash last year. Reported assets of the savings and loan dropped $17 million in one year.

Although the Republic story has been kept secret from the public until now, its explosion behind the scenes of Washington's inner-city real estate industry sent out shock waves that are still rocking the industry's foundations.

MERGER EFFECTED

Republic was merged out of existence last year by the Federal Home Loan Bank Board. If its doors had remained open just a month or two longer, Board examiners feared, Republic would not have had enough money to cover withdrawals.

A confidential report by a Board examiner concluded that Republic's president, Pete C. Kalavritinos, placed "undue emphasis" on quick growth of the savings and loan through loans to speculators.

The savings and loan's huge portfolio of mortgage loans to speculators promised big returns in interest if the loans were repaid.

But scores of them were not being repaid on time. And Republic was unable to get its money back by foreclosing and auctioning off the mortgaged properties, because these slum houses and buildings could not be sold for the amount of money lent on them.

Specifically, the Bank Board examiner criticized Republic in his secret report for:

Making too many loans to speculators.

Violating a Federal regulation by landing too much money to a single speculator.

Making excessively large mortgage loans to speculators. (The Washington Post's investigation has turned up hundreds of cases in which Republic lent as much or more money than speculators paid for properties.)

Violating Federal regulations in the way the value of properties was appraised for mortgage loans.

Making too many loans to "favored borrowers and relatives" of Kalavritinos.

Violating Federal regulations covering application for, approval of and paying out of mortgage loans.

Paying out construction loan money not justified by progress of construction.

Paying expenses to Kalavritinos and two other directors (including $270 a month each for the rental and parking of Cadillacs) that ran four times higher than the average locally.

WARNINGS CITED

The examiner said in his 1967 report that Republic had failed to correct these practices, even though the savings and loan had been cautioned "repeatedly" about many of them since 1962, two years after Kalavritinos became Republic's president.

The rise and fall of Republic under Kalavritinos is of more than passing interest to the operators of a handful of other local savings and loans. They have also been warned by Federal officials to stop some of the same practices engaged in by Republic.

What was to become Republic Federal Savings and Loan Association was once the tiny Kenilworth Building and Loan Association. Kenilworth had $30,000 in assets when insurance broker Woodrow W. Miller became its president in 1952.

Miller got a Federal charter and a new name for the association and moved it from Northeast Washington to 1012 Vermont ave. nw., near K Street. This is the hub of the city's real-estate speculation industry.

Many speculators worked out of offices near Republic including Pete, John, Louis and James Kalavritinos, whose Kalavritinos Investments was next door to the savings and loan.

Woodrow Miller brought Pete and John Kalavritinos onto Republic's board in 1957 and, by 1960, its assets had risen to $10 million. Much of its rapid growth was the result of heavy lending to speculators.

"Republic had loaned Pete money before we took him on the board," Miller told reporters. "And then Pete brought a lot of his friends and speculators he did business with into our office for loans."

By the end of 1960, Pete Kalavritinos had become president and his brother John had become vice president of Republic. Woodrow Miller had left the savings and loan business to take over the struggling WMA Transit Co. in Prince George's County.

At the time, ascension to the presidency of a fast-growing savings and loan was merely the latest in a series of business successes for Pete Kalavritinos, the son of Greek immigrants who settled in Washington's downtown slums.

Pete and his four brothers and two sisters helped their parents sell fruits and vegetables in stores and on street corners. Pete had a stand on 7th Street nw., near Massachusetts Avenue.

Later, the Kalavritinos children turned to real estate speculation—buying, renting and selling old houses in the neighborhoods they grew up in. They prospered.

By the time Pete and John moved to Republic as full-time officers, they left brothers Louis and James next door to run Kalavritinos Investments. Another brother, George, went into business by himself. And their two married sisters, Angelina Formant and Helen Tsintolas, also wound up in slum real estate speculation.

The success story of the Kalavritinos family in slum speculation was not unprecedented here. Nor was the entry of Pete and John into the savings and loan field.

Kalavritinos's cousin, William Calomiris, another Greek immigrant's son, accumulated vast holdings in real estate, mostly in the inner city, with his brothers, James, Peter and Donald. And, in 1957, he became a director of Jefferson Federal Savings and Loan, where his close business associate, Fred A. Smith, was president.

Smith had risen from a rent collector's job to wealthy status in real estate speculation himself. He converted a small building and loan association into Jefferson Federal and presided over its steady growth for many years before his death. His son, Fred W. Smith, is now Jefferson Federal's president. And Colomiris is still an influential director, as he is of the Metropolitan Washington Board of Trade (he is its past president).

Over the years and up until recently, Jefferson Federal has made many loans to or through speculators, land records show.

Meanwhile, Leo Bernstein, who had become Washington's most successful inner-city real estate speculator, was presiding over one of the city's fastest growing savings and loans.

His relationships from his years of speculation obviously did the association no harm. A Bernstein press release once described "over 350 active Washington real estate agents (who) consider themselves graduates of . . . the 'Leo Bernstein Unofficial School of Brokerage'." Dozens of today's speculators once worked for Bernstein.

Bernstein became a director of what was then the Guardian Building and Loan of Silver Spring in 1950. He eventually took over as president and got a Federal charter, pushing Guardian's loan-making territory out to a 50-mile limit, which gave Guardian the right to make loans in the District of Columbia as well as Maryland. Guardian's branch on Dupont Circle soon became the heart of its loan-making operations.

From 1962 to the end of 1967, Guardian's assets grew from $22 million to $41 million. During this time, the majority of its mortgage loans were made to or through inner-city real estate speculators.

But growth at Republic under Pete Kalavritinos appeared to be even more impressive. Its stated assets shot from $10 million in 1960 (when Kalavritinos became president) to $20 million in 1962, to a high of $57 million in the middle of 1967.

(When the imminent collapse came at Republic, its stated $57 million in assets fell to $40 million in less than a year before it was quietly merged with Home Federal Savings and Loan Association last June.)

The great bulk of Republic's outstanding mortgage loans had been made to real estate speculators, according to the Federal Home Loan Bank Board examination of Republic just before its slide.

Three of every four dollars handed out by Republic in mortgage loans went directly to speculators, the confidential examiner's report shows. And the examiner added that nearly all of the applications for loans made to other borrowers—home owners and builders, primarily—were made through speculators.

Just 40 "real estate or investment speculators" owed Republic a total of $21.8 million—45 per cent of its outstanding mortgage loan money—in 1967, the examiner's report shows.

The examiner listed the following 17 speculators (who owed a total of $13.3 million) as the largest of these 40 borrowers:

William, James and Peter Calomiris—who owed a total of $2.4 million on 22 mortgage loans made to them by Republic.

Peter Laganas—a speculator who built apartment buildings in Negro neighborhoods and who owed Republic $1.4 million. He failed to keep up payments on most of his mortgages.

George Basiliko—Washington's single largest slum landlord, who owed Republic $1.5 million on 117 mortgage loans. He made an agreement with Republic to postpone repaying the principal on these loans.

Burton Dorfman—a speculator who formed syndicates of businessmen to buy and manage heavily mortgaged buildings, and who owed Republic $1 million on nine mortgages. Most of these mortgages have been foreclosed because of nonpayment.

George Kalavritinos—Pete's brother, who owed $900,000 on four construction loans, which were later foreclosed.

Angelina and Dino Formant—Pete's sister and brother-in-law, who owed $960,000 on 33 loans, the majority of which were foreclosed.

William Cohen—a builder and investment speculator who owed $300,000.

John Swagart—George Basiliko's brother-in-law, and a slum landlord, who owed $730,000.

Frank Marzullo—a building maintenance contractor and speculator who owed $690,000.

Leo Bernstein—Guardian's president until last year, and now president of D.C. National Bank, who owed $600,000 on 11 mortgages, mostly on Georgetown property.

Morton Frank—a slum speculator and landlord who owed $560,000 on 30 mortgages.

Nathan Habib—a slum landlord who owed $550,000 on 60 mortgages.

Stuart Bernstein—Leo Bernstein's son, who is now president of Guardian, who owed $530,000 on ten mortgages.

Hymen Alpert—a partner with Leonard Diamond in slum speculation firms, who owed $520,000 on 30 mortgages.

As an officer of Republic, Pete Kalavritinos was forbidden by law to obtain any mortgage loans for property he owned himself. So he went to other people's savings and loans and got money there.

These loans went to the Sturbridge Investment Corp., which operated out of 1820 Plymouth st. nw., the address of Pete Kalavritinos's three-story brick home. Sturbridge's president is Nicholas G. Juvelis, Pete's father-in-law. Its secretary-treasurer is Angelina Kalavritinos, Pete's wife. And its vice president is Allen Lewis Kay, who was an appraiser for Republic while Kalavritinos was president.

Sturbridge bought 24 inner-city Washington properties, nearly all old houses, between 1963, when the corporation was organized, and 1967.

Sturbridge received a total of $529,400 in mortgage loans on 19 of these properties from Guardian Federal Savings and Loan where Leo Bernstein was presiding. And land records show that 13 of these mortgage loans ranged in amount from just a little less to somewhat more than what Sturbridge paid for the properties.

The biggest difference between the amount Sturbridge paid and the amount it got in mortgage loans from Guardian occurred in transactions involving houses at 1603 Massachusetts ave. s.e., 313 10th st. ne. and 727 5th st. ne.

Sturbridge paid $34,000 to buy these three houses in 1966, land records show. Within a month of the sale, Sturbridge received a total of $39,500 in three mortgage loans made on the houses by Guardian.

In the confidential Federal Home Loan Bank Board report on Republic Federal, the examiner had criticized the practice of granting loans as large or larger than the prices paid.

A spokesman for Guardian said the savings and loan required that large amounts of cash be deposited in "escrow" accounts at Guardian every time "there was any worry about the size of a loan" made to Sturbridge. This money—$1,000 or more for each loan—would be returned to Sturbridge when the loans were paid down to a reasonable level, the spokesman said.

The Federal Home Loan Bank Board ordered Guardian to stop this practice, the spokesman said.

The spokesman also said that Guardian did not know what Sturbridge paid for the houses at 1603 Massachusetts ave. s.e., 313 10th st. ne. and 727 5th st. ne. He said a separate application was presented for each loan and separate appraisals were made. (Sturbridge had bought the three properties in a single package.)

The savings and loan appraised the house at 1603 Massachusetts ave. se. as being worth $10,500 before lending Sturbridge 9,500 on it, the spokesman said. This would mean that the amount lent was more than 90 per cent of the appraised value of the property.

Federal regulations prohibit lending more than 80 per cent of appraised value of a house, unless the owner lives in it. Neither Pete Kalavritinos nor any of the officers of his Sturbridge Investment Corp. lived at 1603 Massachusetts ave. se.

When asked about the loans that Guardian made to Sturbridge, Leo Bernstein, Guardian's president at the time, said:

"We always liked Pete Kalavritinos. He was a very charming fellow. He always paid his bills to us and he was pleasant to deal with."

Sturbridge also succeeded in getting a total of $141,000 in five mortgage loans from Uptown Federal Savings and Loan of Baltimore. Interestingly, Sturbridge paid only a total of $126,850 to buy the five properties mortgaged for the $141,000.

LOANS FROM UPTOWN

Pete Kalavritinos's sister, Angelina Formant, was a much more frequent customer at Uptown in recent years. Angelina and her husband, Dino, received $475,350 in 20 mortgage loans from Uptown on properties that the Formants or their representatives had bought for a total of $439,152 in various transactions.

Two houses that the Formants bought in the 1500 block of Meridian Place nw. for $31,000 each were mortgaged for loans of $35,000 each from Uptown. Two houses on U Street nw., bought by the Formants for $30,000, brought them a total of $33,300 cash in two mortgage loans from Uptown.

An apartment building at 1840–42 California st. nw., bought by the Formants for $155,000, was used as security for a $165,000 mortgage loan from Uptown.

Uptown's president, Alvin Snyder, told a reporter that it was misleading to compare the sales prices and amounts of loans in these and other loan transactions between the Formants and Uptown. He said the speculator can often buy at a bargain price.

The Formants fell behind on the payments of many of the mortgage loans they received from Uptown, court records show. In May, 1967, the savings and loan and the Formants negotiated an agreement to bring the payments up to date.

But in the end, Snyder said, Uptown foreclosed on "all the large loans made to the Formants." This was at the same time that the Formants lost many other properties through foreclosures by Republic Federal Savings and Loan in the District.

"You've got a lot of what we call 'Washington paper millionaires,'" Snyder said. "They build all this up on paper, but don't really have the money to stand behind it."

Control of most savings and loans here rests in the hands of a very small group of each association's shareholders, despite the fact that everyone with a savings account in one theoretically has a vote in the management of a savings and loan.

But at many local savings and loans, a person opening a savings account also signs a "proxy card" giving his vote to one or two of the association's directors. Usually, the depositor does not realize the significance of doing this.

The few people who hold the most proxy votes signed to them then control the savings and loan. And they can perpetuate that control, and pass it along to their relatives or friends, by getting all new depositors' proxy cards signed to them.

Those few directors left with voting power gained through the signed proxies then elect the savings and loan's officers, decide its loan policies and authorize the payment of fees and expenses to themselves. Since the depositors who signed proxy cards do not take a voice in running the association, the principal check on the directors' activities is regulation by the Federal Home Loan Bank Board.

When Woodrow Miller brought Pete and John Kalavritinos onto the board of Republic (and brought with them the deposits and mortgage-loan business of their speculator friends), he gave them a powerful voice in the running of the association.

For a time, the executive committee of the association, which acts on all mortgage loans and holds most other important powers, was evenly divided between Pete and John Kalavritinos and Miller and his wife. It became the battleground of a struggle for control of the savings and loan, Miller says now.

It was about this time, early in 1960, that a real estate speculator filed a suit against Miller and his insurance agency.

The speculator's suit said he obtained a mortgage loan from Republic on a building he owned and got fire insurance coverage from Miller's agency. The building was owned by a straw party who was acting for the speculator, according to the complaint.

Later, when the building was transferred to the speculator's name and there was a fire in it, the insurance company refused to pay because the policy was made out to the straw, not the speculator. The suit complained that Republic and Miller knew that the straw was merely a straw and that the insurance should have been transferred to the speculator's name.

In an official court document, Miller denied that he knew that the straw was acting for the speculator.

Pete Kalavritinos, however, Miller's vice president, contradicted Miller in a deposition taken by the speculator's lawyer. "Miller knew about and agreed to" the use of the straw, Kalavritinos testified.

Kalavritinos also swore in the deposition that, contrary to previous denials by Miller, Republic to Pete and John Kalavritinos, and

The suit, after these depositions, never made it to trial. It was settled privately. At the same time, Miller relinquished control of Republic to Pete and John Kalavritinos, and the proxies he controlled were transferred to them.

Miller told reporters recently that he left Republic principally to take control of the WMA bus company. He already had a large financial interest in the bus company, he said, and he wanted to supervise a strengthening of the company's financial position, which was then shaky.

He also admitted that the in-fighting over control of the savings and loan, and the court struggle with the speculator figured in his decision to leave Republic Federal.

Later, after Kalavritinos took full control of Republic, the speculator who sued Miller arranged for several mortgage loans from Republic. The speculator's deposition in a later court suit shows that he received thousands of dollars in proceeds from these loans, which actually were made to other speculators.

[From The Washington Post, Jan. 12, 1969]

MORTGAGING THE GHETTO—VIII—WHEN BUBBLE BURST, SPECULATORS LANDED IN COURT

(By Leonard Downie, Jr. and Jim Hoagland)

"We were strangled to death with land," Dino Formant explained sadly.

He was telling Harold H. Greene, chief judge of the Court of General Sessions, recently how hard times had hit him and his wife, in explaining why they had not displayed occupancy permits in their apartment buildings in Washington's slums.

"We were involved in construction deals and buying ground to build on," Formant told the Judge. But the riots and tight money came along, he said, and the whole thing collapsed.

Formant, and his wife, Angelina, were explaining to Judge Greene the top of their pyramid of woe. The base of that pyramid had been crushed into pebbles, an event symptomatic of the crunch that has hit much of Washington's speculation industry.

Court records show that the Formant husband and wife speculation team plunged heavily into debt.

When the bust came, contractors they had hired, firms that managed their rental properties, banks and individuals that had lent them money, and others sued them for unpaid bills and notes.

These court records indicate that the Formants tried to dip into the rental income from their properties to try to pay various personal bills ahead of their mortgage debts.

When the Formants sued their rental agent, Joseph Bruno, in one case, Bruno stated in his answer that Angelina Formant, before mortgage payments were made, had channeled rent collection proceeds to car payments, "Angelina Formant's account at the Elizabeth Arden beauty shop," and the "payment of bills accumulated by Dino Formant at the Heliegh Club in Atlantic City." Mrs. Formant said in another suit that her husband had gone to Atlantic City on doctor's orders to recover from a heart attack.

Back in General Sessions, Formant testified that as their financial condition worsened, they had to borrow "considerable amounts of money" from his parents.

"They endorsed to us a couple hundred thousand dollars worth of notes," Formant testified. Finally, they transferred property they owned to his parents, he told Judge Greene.

About this same time that the Formants were running into deep troubles (from early 1967 on), some of their other relatives were speeding there with them.

It was at this time that Mrs. Formant's brother—Pete C. Kalavritinos—started coming under heavy fire from the Federal Home Loan Bank Board. Kalavritinos was president of what had been the city's fastest growing savings and loan association, Republic Federal, which was then facing a financial crisis.

At this time a Bank Board examiner was visiting Republic and was finding things he did not like in the loans that Republic was making to its president's sister and her husband, and to George Basiliko, Burton Dorfman, Hymen Alpert and other slum speculators.

REPUBLIC IN TROUBLE

In fact, the Formants' financial collapse, and the weakening of other slum speculators, was taking Republic down with them.

What the examiner found at Republic in his lengthy 1967 report were practices that Republic had been warned about by Bank Board examiners since 1962.

For instance, the examiners found Federal regulations requiring that applications for mortgage loans be completely filled out were being violated.

Forms for appraisal of properties also were not filled out completely, the examiner found. Often, the forms showed insufficient evidence for the appraisers' estimates of properties' market values.

The examiner, in a spot check of Republic appraisals, pointed out that appraisals made by Kalavritinos himself, by Willie Peckover and by Kalavritinos' brother, James, were incomplete.

The examiner went further.

Republic's system for acting on loan applications "defies definition," his report said.

The examiner said that individual officers of Republic would give a verbal promise to a speculator to make him a loan, without consulting other members of the executive committee as required by Bank Board regulations. "Approval of loans by the executive committee was a mere formality," the examiner wrote.

The examiner said that verbal commitments were given for hundreds of thousands of dollars of loans at one time. Sometimes, the examiner said, commitments were forgotten or, for some other reason, were not reported, as they should have been, to the Bank Board.

DIRECTOR'S EXPENSES

The examiner's report also complained that the auto, restaurant and other credit card expenses charged to Republic by its directors were four times higher than the average for other savings and loan associations here.

Directors whose expenses were charged directly to Republic included Kalavritinos, his brother John (Republic's executive vice president) and Russell Miller, the firm's general counsel.

Each rented a Cadillac, for $232 a month, each paid $35 a month to park it, all charged to Republic.

These three directors composed the powerful executive committee of Republic. Two of them, the examiner's report shows, also had close ties with local banks.

The tie between the Formants and Kalavritinos helped undo Republic. The tie between Pete Kalavritinos and Miller in turn, helped to create problems for Public National Bank.

Pete Kalavritinos was a director and a member of the executive committee of Public National Bank. Russell Miller was a director, executive committee member and general counsel of Public National.

Public National, like Republic, made numbers of loans to speculators that it had had difficulty collecting.

Miller also was attorney for, and past vice chairman of, Metropolitan National Bank of Wheaton, which, court and land records show, has made some loans to speculators in inner-city Washington housing.

The examiner's report showed a further tie between Republic and those two banks. Republic had put money in demand deposit accounts in Public National and Metropolitan, as well as in a third bank.

The interrelationships between Republic and relatives of Pete Kalavritinos and the kind of loan that worried the Bank Board, are visible in the half-finished construction project begun by the Formants at 811 Jefferson st. nw.

What is left there is the weathering hulk of a three-story apartment building, shoehorned into a line of neat rowhouses.

Construction on 811 Jefferson stopped two years ago. The unsightly shell of concrete and unfinished brickwork is pocketed by window frames that don't fit, by broken glass, by holes where windows and air-conditioning units should be, rotting boards that fail to keep out adventurous children.

By the time work on the building had stopped, Angelina and Dino Formant had drawn $72,000 in loans from her brother's savings and loan.

But, as the examiner's report shows, the work done on 811 Jefferson st. nw. was worth only $60,000.

SUIT IS BROUGHT

That unfinished apartment building, at 811 Jefferson, became the nub of a court suit brought against the Formants in 1966 by another of Mrs. Formant's brothers, George Kalavritinos.

At one point, according to the depositions in this case, George was going to step in and bail out his sister and her husband, take over their notes and finish the building. But he later backed out, and the suit was brought over one of the notes.

"My only interest in this," George Kalavritinos said in his deposition, "was not to help my sister, but to help my brother, Pete, who loaned her the money from Republic Savings and Loan."

He testified in the deposition that Angelina "took over $70,000" of the construction money . . .

He testified in the deposition that Angelina "took over $70,000" of the construction money "and never paid over half of that money" for construction work on the building.

"I don't know where it (the money) went to," George testified. "She never paid the bills, and the job was being vandalized.

"The Formants were supposed to turn over to me four, five or six pieces of property" in the deal, he said.

In return, he testified in his deposition, "I would . . . go in there and finish it, even though I knew I was going to lose, . . . to help my brother Pete but, because the examiners were coming in, and he was going to get criticized."

"My only purpose," George said in his deposition, "was to try to protect my family's name."

George said that his brother Pete called him from Republic to propose the deal.

"He wanted me to go in there as a favor and finish it," he said. "I told him in plain language that I needed a job like that like a hole in the head."

In another deposition in the suit, Dino Formant testified that he and his wife "wanted to dispose of the building" and that Pete Kalavritinos "said that George was interested.

"Whatever Pete said to do, we did," Formant testified.

George said in his court deposition that he finally agreed to help out the Formants at the urging of Pete. But, later, he testified, he changed his mind after discovering that the unpaid mortgage construction debts on 811 Jefferson st. were much higher than he first thought.

"It would have taken another $35,000 in my estimation to finish" the building, George said. And, with another note (the depositions showed that the Formants had borrowed yet another $15,000 for the project from City Bank and Trust Co. of Alexandria) to be paid, it would have cost him $50,000, he figured.

In any case, this suit is still pending. The mortgage on the property at 811 Jefferson was foreclosed, and the savings and loan had to buy it when no buyer could be found.

REAL ESTATE SLUMP

That building, and others like it, are the bricks and mortar evidence of the shattering slump in the city's real-estate speculation industry.

The Formants had accumulated $2 million worth of heavily mortgaged inner-city lots, land records show, and planned to replace many of the old houses and apartment houses with new buildings.

Republic Federal gave the Formants several mortgage loans that equalled or exceeded what the Formants paid for the properties mortgaged. This was one of Republic's practices that the Federal Home Bank Board examiner sharply criticized. It is illegal for a savings and loan to lend an amount greater than 80 per cent of the value of the property mortgaged.

By the time the Bank Board examiner made his report in February, 1967, the Formants owed nearly $1 million to Republic, the savings and loan controlled by Angelina's brothers, Pete and John Kalavritinos.

Of that sum, $155,000 was owed on a single mortgage loan the Formants received from Republic on a half-century-old apartment building at 2415 20th st. nw.

The Formants bought the building for $140,000 from heirs to the previous owner's estate, land records show, and transferred it two months later to a corporation named 2415 Inc. Its officers happened to be Angelina Formant, president, and Dino Formant, vice president. According to the recordation tax paid on this transaction the Formants' corporation, 2415 Inc., paid the Formants $225,000 for the apartment building.

The day after that transaction, Republic gave the Formants $155,000 in a mortgage loan on the building. This is $15,000 more than the Formants originally paid for the apartment house.

The Formants fell behind on the payments on this mortgage and Republic later foreclosed. The building was sold at auction for $152,800—a little more than the amount still owed on the mortgage.

MORTGAGE SOLD

A court suit involving the Formants' failure to keep up payments revealed that Republic actually sold this mortgage to the Colonial Mortgage Service Corp. of Philadelphia. Other suits and Bank Board records show that Republic sold other large mortgages to Colonial.

(Colonial is a wholly owned subsidiary of Sunasco, Inc. of Philadelphia. Another Sunasco subsidiary, the Atlas Financial Corp. was a heavy buyer of second mortgages generated by some unscrupulous home improvement contractors here, court suits and land records have shown. The officers of one home improvement firm who sold some mortgage notes to Atlas were recently convicted of fraud.)

The apartment building at 2415 20th st. nw. and the unfinished apartment building at 811 Jefferson st. nw. were among 15 Formant properties, mortgaged for a total of $720,000 at Republic, that were foreclosed on by the savings and loan.

Republic was unable to sell many of these buildings at foreclosure auctions. The Federal Government wound up with the mortgages on these properties when it finally merged Republic out of existence.

Some people in real estate circles here dismiss Republic's virtual collapse as typical of savings and loan associations generally. It is a freak, they say, due largely to financial overreaching by the Formants with Republic money.

But in fact, lending to the Formants was only one of many things criticized in the examiner's report on Republic.

And some other savings and loan associations here engaged in many practices similar to Republic's. Some other savings and loans also were particularly liberal in lending their mortgage money to slum speculators.

Republic undoubtedly was the most overextended. But others have shared their tendency to want to grow too fast, by lending too often and too much and too easily to speculators.

Despite a meeting between Federal officials and Republic's directors, and despite a letter from the Kalavritinos brothers and Miller to the Bank Board promising to make changes, financial reports showed that Republic's condition worsened rapidly during the last half of 1967.

Payments on hundreds of loans were overdue. Some payments were as much as a year or more behind.

Brother George Kalavritinos volunteered to help persuade laggards to catch up on their payments. But George himself lost two new buildings when Republic had to foreclose on his loans, land records show.

So, the Bank Board ordered Republic to bring in an outside management expert to try to salvage the firm. A Virginia savings and loan executive, Robert H. Rush, was hired by Republic, and the Bank Board approved the selection.

But after several months with Republic, Rush decided that no matter what he did, he couldn't improve Republic's position enough.

Republic had taken over dozens of heavily mortgaged buildings. But although these mortgages went unpaid, Republic had not been showing them as losses before Rush came. The Bank Board examiners felt that this gave a distorted picture of Republic's assets.

Finally, the Bank Board ordered Republic to cut the rate on dividends it paid on deposits. The Bank Board has ordered some other savings and loan to tighten their belts in this way also. Many depositors responded to the lowered dividends by withdrawing their money from Republic. And, as word got out about the unpaid mortgages and unsalable buildings, more depositors fled Republic.

By the spring of 1968, Republic's stated assets, had fallen from a high of more than $57 million in 1967 to just $40 million, according to its financial statements. The firm's net worth and reserve funds had both dropped below Federally required minimums.

The Bank Board examiners soon estimated that Republic might not have enough cash left to pay dividends or cover withdrawals, and had "little likelihood of surviving."

The Bank Board decided to get Republic quietly merged with a healthy saving and loan association.

Word got out in some circles familiar with Washington real estate that Republic was in trouble. One group of local officials and businessmen—headed by Julian R. Dugas, the city's chief of Licenses and Inspections—offered to take over Republic and put it back on its feet. But they could not raise the $3 million in cash that the Bank Board insisted be put up.

OFFERS MERGER

Then Home Federal Saving and Loan, a 72-year-old conservative association of medium size came forward and asked to take over Republic.

Home's president, John U. Raymond, told reporters recently that he knew Republic would be merged with somebody and he did not want that somebody to be any other savings and loan but his, since Republic's old office, at 1012 Vermont ave. nw., is just a block away from Home's office at 15th and K streets, and he did not want the competition.

The Federal Savings and Loan Insurance Corp., a Federal agency, gave Home its guarantee that it would absorb up to $17 million in mortgage loan losses if Home merged with Republic.

Raymond pointed out later that this would cover all loans made by Republic that might be problems.

The Insurance Corporation is now holding, and Home is managing, foreclosed properties which will be renovated and offered for sale. The Insurance Corporation will absorb any losses incurred.

Importantly, Republic's depositors and Home's depositors have suffered no losses. Raymond stressed, in talking with reporters, that there was no danger to their funds.

Seven months ago, in June, the merger was quietly consummated. As publicly announced, the merger appeared to be no different from the normal, voluntary merger of two happy, thriving corporations.

For Republic's directors, it wasn't so happy. They were given the latest report of Republic's deterioration by Federal officials at an April meeting. They were then urged strongly to sign the merger papers.

Most signed without argument. But a witness says that Pete Kalavritinos, insisting to the end that Republican could make its way back, had to be persuaded with some strong talk by another officer of Republic. He finally signed, too.

Weeks later, the headquarters office of Republic, which had been the speculators' capital in the Nation's capital, was vacated.

Next to the "For Rent" sign in its window was placed another sign that says: "We had the urge to merge."

[From the Washington Post, Jan. 12, 1969]

Cohen Holdings Include No Slums

The Federal Home Loan Bank Board examiner's report on Republic Federal Savings and Loan, published in yesterday's editions of The Washington Post, listed William Cohen as one of Republic's 17 major borrowers. For the record, the newspaper's investigation of slum ownership and speculation shows no indication that Cohen has slum holdings. He is a director of the Madison National Bank and a downtown builder.

Yesterday's article incorrectly identified Stuart Bernstein, who the examiner's report said owed $530,000 to Republic, as the current president of Guardian Federal Savings and Loan. Stuart Bernstein's brother, Richard, is the president of Guardian.

[From the Washington Post, Jan. 13, 1969]

Mortgaging the Ghetto—IX—Four Banks Flirted With Speculators

(By Leonard Downie, Jr., and Jim Hoagland)

William M. O'Neill sat in the president's office of the Public National Bank and spoke softly, so softly that he could hardly be heard. Outside, snowflakes were wafting against the bank's diamond-shaped concrete window frames.

It was the last day of 1968; the last day that O'Neill, Public's president, would work there, and one of the last days of Public's existence under its current ownership. Public was on its way to being merged with D.C. National Bank when a group of businessmen began buying up Public's stock last week.

O'Neill had little to say about Public's difficult past year, in which it suffered losses from unpaid loans and a drop in the amount of money deposited in the bank.

"I don't want to get involved in any suits with these people," he told a reporter who asked about loans the bank made to local slum speculators. "They have no money left. They have nothing to lose."

The money that slum speculators no longer have, in many cases, is money owed to local banks like Public National which flirted with the attractive real estate boom of the mid-1960's, only to wake up in 1967 and find that the tempting mistress had turned into an overpainted harlot.

The Washington Post's examination of land and court records has established that the slum speculators turned to four local banks for a number of loans to supplement the supply of dollars they siphoned from some savings and loan associations.

The management of three of the banks has been changed within the last four months.

The four that made loans to slum speculators are:

D.C. National established in 1962, and which is headed by Leo M. Bernstein, former real estate magnate, and, until last year, president of Guardian Federal Savings and Loan Association.

Public National, established in 1963 by a group of businessmen headed by real estate man Sol C. Snider and Walter Ogus. Ogus, an insurance executive, is chairman of the board of directors. For a time, Public shared two directors with Republic Savings and Loan.

City Bank and Trust Co. of Arlington, which opened in 1964. William A. Bryarly was the bank's president until November. James M. Thompson is chairman of the board.

Old Line National Bank of Rockville, which opened in 1965 and which was organized by Alan I. Kay, construction millionaire, Howard Bernstein (no relation to Leo), a former real estate title company executive, and John P. Moore, an attorney then and a Montgomery Circuit Court judge now. John P. Dalton resigned as president of the bank Sept. 30.

Each of the four banks has had to go to court or foreclose on loans in an effort to get back money it lent to some of the slum speculators identified by The Washington Post in this series.

ALL NEW BANKS

Each of the four is a new bank. The three national banks—Public, D.C. and Old Line—were chartered during the stormy regime of former U.S. Comptroller of the Currency James J. Saxon.

Saxon, now in private law practice in Washington, drew blasts from Congress for chartering too many banks too fast. Saxon's reply was that the banking business needed new blood.

Approval by Saxon of D.C. National's charter in 1962—the first granted here in 29 years—set off a chain of approvals over the next few years. Public National's was second.

"It can be tough on a new bank fighting for business," O'Neill recalled. "We don't get the Cafritzes." Established wealth, such as that of the Morris Cafritz family, tends to stay with established banks, he said.

This is true throughout the country. But Washington, a city virtually without industry, poses a unique problem for bankers. Says a close associate of Leo Bernstein:

"Real estate is our industry. Big realtors and speculators can go to banks here and get unsecured loans based on their personal worth. In almost any other city, the big industrialists are the big borrowers, and there's nothing left for the real estate man. Here, he is the big borrower."

When the industry turned sour under the tight money market days of 1966 and after, the crunch came with a vengeance for those slum speculators and landlords who operated with slim equity and those who had bankrolled them.

"In 1963, some of these people came in with very fine personal financial statements, in excess of $2 million to $3 million. Their credit reports were all in order. There was no reason not to make the loans," O'Neill said of Public National's opening days.

"But when the market tightened up, they had a hard time finishing their projects, and we had problems."

WRITE OFF UNPAID LOANS

Public National will write off $250,000 in unpaid loans for 1968, Ogus told a reporter. He said he could not estimate how much of this amount involved loans to slum speculators. But he said the bank hopes eventually to get 50 to 60 per cent of the thus far uncollectable debts.

"When we opened, some got more than they should have," he said. "We got hit by a few . . . But this is really a minor thing, considering our assets." Public's assets have fluctuated between $24 million and $25 million in the past two years.

Court records show loans made by Public to slum speculators here include:

$69,605 advanced to Harry Isard's 1st United Mortgage Co. Inc. The bank got a default judgment against Isard, a slum speculator. But Ogus says the bank has given up on getting the money.

$24,500 to Burton Dorfman. When the bank sued Dorfman, it got a stipulation judgment for the balance owed, $19,362. Ogus says this loan also is uncollectable.

$29,549 was the balance due to the bank on a series of loans that were made to Angelina and Dino Formant when the bank sued them. The Formants, brother-in-law and sister of former Republic Federal Savings and Loan president Pete C. Kalavritinos, owed the bank $123,903 in 1964. Public won its suit against the Formants, and Ogus said the bill had been paid.

Other slum speculators identified in this investigation who got loans from Public and then had to be sued for the outstanding balance include William Whitted, Basil Gogos and George Panagos.

Kalavritinos' brother, George, has been sued by the bank over a $38,000 loan. Public National obtained a default judgment for more than $4,000, plus interest, it claimed was still owed.

Republic Federal itself once received a $135,000 loan from Public National. Ogus said this has been repaid.

Republic Federal was merged out of business last year by the Federal Home Loan Bank Board after Board examiners uncovered widespread irregularities there.

There were strong links between Republic and Public. Pete Kalavritinos was president of Republic and a director of both Republic and Public. Also on both boards was Russell D. Miller, a little known but central figure in Washington banking.

Miller, former counsel and treasurer of the Federal Deposit Insurance Corp. (the government agency that insures all national banks) also was general counsel for both Public and Republic.

Miller was the lawyer who handled the charter applications for Public, Madison National and D.C. National and he is named in a suit as the controlling stockholder in Metropolitan National Bank of Wheaton.

Depositions in that suit state that Kalavritinos was ousted as a director of Public after a secret comptroller's report criticized the bank for allowing Kalavritinos to overdraw 50 checks on his account there.

The depositions also state that Miller was not rehired as general counsel and was removed from his post on the bank's executive committee at the same time Kalavritinos was dropped. (Miller refused to discuss this suit with reporters.)

Several Public directors state in their depositions that they were upset over Miller's ownership of stock in Metropolitan, and his role in helping Madison National get a charter so soon after he performed the same service for D.C. National and Public National.

SUIT IS SETTLED

The bitterness of this dispute spilled over into the court suit, which was filed by Miller when the bank rejected his bill for $26,295 for legal fees.

The suit was settled out of court last week, but the depositions taken put on public record an extraordinary account of the formation and problems of a young bank.

The 1175 pages of transcribed testimony come from Ogus, Snider, O'Neill, two other bank employes and these other Public National directors:

Meyer Mazor, owner of one of Washington's largest furniture stores; Jack Blank, automobile dealer; Oscar Dodek, president of D. J. Kaufman clothing store; Allen Baer, head of a large accounting firm; William Farris, a plastering contractor; and Joel Kline, a 38-year-old real estate man who, according to O'Neill's deposition, was once refused a loan by Public National, only to buy up later enough shares to be able to elect himself to the board.

The depositions agree in all essential details, and outline this story of Public National:

The key organizers were Ogus and Snider, who are neighbors in the luxurious Shoreham apartment building at 2500 Calvert st. nw., and their accountant, Baer.

Miller heard of their plans to form a bank and offered to represent them in getting the charter, for a $25,000 fee. Miller also asked to be made chairman of the board's executive committee, the nerve center of most banks.

They added Dodek, Kalavritinos, Blank (also a Shoreham resident) and Jack Pry, another auto dealer, as the organizing directors, and obtained the charter from Saxon's agency. O'Neill, then the head of a New York bank, became Public's president.

INVOLVEMENT GROWS

The bank opened its doors in July, 1963, two doors away from Ogus's insurance agency, at 1420 K st. nw., and a block from Snider's real estate firm.

As business grew, so did the involvement of some of the directors with their new bank.

Ogus, for example, got the bank's general liability and group hospitalization accounts. (He told a reporter that the premiums for this were about $20,000 a year, with $3,000 going to his agency in commissions.)

Baer's accounting firm did an annual audit of the bank, for an average fee of $4200. The bank also was audited, of course, by the U.S. Comptroller's office.

Miller usually charged the bank about $50 an hour for his legal services, which often involved trying to get money back from slum speculators. He billed the bank $6200 for his services in the purchase of the land on which the bank stands. Kalavritinos and Snider also received a commission of $25,000 on the sale.

Directors are encouraged in any bank to bring in new business, and this was true for Public. For example, Muscoe Garnett, a Virginia oil executive who was elected to the board after its organization, was considered an asset by the board because he might bring large deposits to the bank from the American Oil Co.

Other directors brought in new loan business. Appliance dealer George Wasserman (another addition to the board) and two business partners borrowed $175,000 from the bank for a business venture, for example.

Snider's real estate corporation borrowed $50,000, and his son-in-law, Earl M. Forman, borrowed at least $50,000 in a loan secured by a deed of trust on property owned by Snider.

DENIES LOAN TO WOLMAN

Forman, part owner of the Philadelphia Eagles along with financier Jerry Wolman, approached the bank with Wolman and Howard Bernstein for a large loan, and got the bank to participate in a loan that eventually went to Wolman, according to depositions. (Ogus denied to a reporter that Public National has ever had a loan with Wolman.)

Forman, in fact, was proposed for a directorship on the bank in 1967, but, according to Ogus's deposition, was blocked by Miller. Forman is an attorney and Miller "said that no lawyer would ever be on the board as long as he was on the board," Ogus stated.

Miller came off the board in the fall of 1967, as did Pete Kalavritinos.

Republic Federal had been ripped by Federal Home Loan Bank Board examiners in the spring because of its loans to speculators. Shortly after, the Comptroller's examiners moved in on Kalavritinos's chronic bad checks.

By October, 1967, the men who had invited Kalavritinos to help organize Public National had invited him to resign. When he refused, they dropped him from the directors' slate that management presented to stockholders at the next election.

(Eight months later, Kalavritinos's savings and loan was merged out of business. Reporters who have visited his home at 1820 Plymouth st. nw. have been unable to contact him.)

Miller could have stayed on the board of Public, but resigned after the directors told him he would no longer be general counsel.

SELLS 5,500 SHARES

At this point, the depositions state, Kalavritinos sold 5500 to 6000 shares of the bank's stock to Joel Kline and an associate, Eric Baer (no kin to Allen Baer). Kline is identified in O'Neill's deposition as a real estate speculator and money lender. He has an office in Silver Spring.

Kline testified that he is on the advisory board of Fidelity National Bank in Arlington, and, with his friends and family, controls the stock of Colonial Bank and Trust, which opened last year in Annapolis.

(Kline described himself to a reporter last week as a real estate investor. Although he once had real estate holdings in the District of Columbia, he has sold much of them, he said.)

O'Neill, under questioning by Miller's lawyer, James F. Fitz Gerald, said that Kline previously had borrowed from Public, but once had been turned down when he asked for a $20,000 loan because of the purpose of the loan. O'Neill did not amplify on this statement.

Throughout the summer of 1967, Kline and Eric Baer quietly bought up 20,000 shares of Public's stock at $18 a share and soon had enough to elect themselves to the board of directors. The then board members suggested that only one of them should take a seat on the board, and Kline suggested that Baer was the man.

But the board decided to put Kline into the directorship. Ogus was asked in his deposition why they had not picked Eric Baer. Ogus: "Actually, at that time, there was an article in the paper, and they had some sort of . . . something to do with second trust notes and his name appeared in the paper at that time."

Fitz Gerald: "In other words, he (Eric Baer) was objected to because he was a money lender?"

Ogus: "No. No, it wasn't the fact that he was a money lender; that wasn't brought up. It was because of the fact of the publicity in one of the newspapers."

Eric Baer and his partner, Meyer Morse, were identified in a series of articles in The Washington Post last year as purchasers of second mortgages signed by Negro home owners in exchange for cash loans.

Angry home owners complained in court suits and interviews with reporters that they were persuaded to sign mortgages for twice the amount they actually received in these transactions, some of which involved Eric Baer and Morse.

Kline confirmed to reporters that he has sold almost all of the stock he had bought in Public to a North Carolina builder. He and Baer no longer have a substantial interest in the bank.

But, for a while at least the classic pattern of successful speculators' getting into the ownership of an institution that lends to speculators was repeated.

Soon after Miller resigned, the suit shows, the bank demanded that he pay off four personal loans that Public had made to him, totaling $40,263.52.

Miller sent the bank $13,970 and claimed $26,295 in back legal fees that would cancel the debt. The bank rejected his bill as "unreasonably high" and Miller sued over the disputed amount.

He also asked the court to order Public not to sue him because, he asserted, that would damage his professional reputation.

Miller was not retained as general counsel or as a member of the board when Republic was merged with Home Federal. In addition to being listed as a major stockholder of Metropolitan National Bank in the depositions cited above, Miller also is identified as vice chairman of the board and attorney for Metropolitan in the bank examiners' report on Republic Federal.

Meanwhile, Public National's directors agreed to merge the bank with D.C. National. Under the terms of the agreement, reporters learned, none of Public's directors would be on the board of the merged institution.

The merger had been accepted as a completed deal by several members of both boards who discussed it with reporters. All that remained was for the stockholders to approve the directors' decision.

OFFER OF $32 PER SHARE

Then, nine days ago, a group of investors headed by two lawyers and an advertising executive announced an offer to buy any or all shares of common stock in Public National for $32 a share. Public's stock was being quoted at $25 to $27 a share at the time. The investors' offer to buy the stock ends today.

At the end of last week, the businessmen announced that they had purchased 75 per cent of Public's stock.

The investors' group, known as the PTZ Investment Co., is headed by lawyers David L. Tennent of Washington and Donald H. Parsons of Detroit and advertising executive Herbert Fisher of Detroit.

A spokesman for PTZ, attorney said that PTZ's investors saw Public as providing them with an unusual opportunity to become owners of a bank.

"Washington, D.C., has a tremendous potential for banking," said Zeidman, a law partner of Parsons, "and is a great opportunity for someone with social vision like that of Parsons."

Zeidman added that PTZ does not know what it would do about the proposed merger with D.C. National. "We do not intend to liquidate (Public) or to sell its assets," PTZ's formal offer to purchase stock stated.

It is ironic that D.C. National came close to absorbing Public National. Four years ago, Public was eagerly eyeing taking over a beleagured D.C. National.

That was immediately after Comptroller Saxon told Senate investigators that D.C. National should be "merged out of existence" because of the furor over a loan made by the bank to Robert G. (Bobby) Baker.

Baker, the former Senate wheeler-dealer who is currently appealing a conviction for income tax evasion, obtained from D.C. National a $125,000 loan, allegedly unsecured, to buy a home in Spring Valley here.

The loan was made after the then executive vice president of D.C. National, William F. Collins, recommended the loan because of Baker's "innumerable friendships and connections." The Senate investigation also revealed that Baker owned 1500 shares of stock in the bank.

SAXON DEFENDED LOAN

Saxon, who defended the loan and denied that any political influence had been exerted in the granting of the charter to the organizing group represented by Russell D. Miller, nonetheless said that "innuendos" surrounding the Baker loan made a quick merger necessary.

Instead Collins and the chairman of the board, Dr. Irving S. Lichtman, resigned, with Lichtman selling his stock to Leo M. Bernstein. Soon after Bernstein and his attorney, Leonard S. Melrod, were named to the board, Bernstein became the bank's major stockholder and president.

Like Public, D.C. National has made loans to ghetto speculators. But it seldom had to go to court to collect them.

In several instances, D.C. National used one of its employes, Dorothy Wakeham, to make speculators loans secured by a second trust. The bank advanced the money, and she got the secured note, which she then signed over to the bank.

One such loan, for $16,000, went to the Formants. Another, for $5000, went to Louis Bressler Inc. Dorothy Wakeham is the lender of record, although she is lending her bank's money.

Bernstein told reporters that this was not an unusual practice for his bank. "We take second trusts" (created or purchased by the speculator) "as side collateral on the loan. Dorothy Wakeham endorses it and holds it for the bank."

Banks are not allowed to use second trusts as primary collateral on loans. They may take them into consideration in determining a potential borrower's personal worth—thus making them "side collateral."

City Bank & Trust of Alexander has been pained by loans to Washington speculators. A discernible pattern exists of speculators, as soon as money started to tighten, journeying across the Potomac and coming back with City Bank & Trust dollars.

City Bank often has had to come across the river to Washington courtrooms to get its dollars back.

SOME OF CLIENTS

A few of its clients of the boom days, who turned into its targets for successful legal action in the bust days, include:

Sturbridge Investment Corporation, which is located in Pete Kalavritinos's houses; the Dorfman brothers, Richard, Arnold and Burton; builder Pearl Kelly; Ervin Unger; the Formants, and Basil Gogos.

James M. Thompson, Chairman of City Bank, refused to comment to reporters on his bank's lending practices.

The fourth new bank that put up dollars for the speculator's game was Old Line National of Maryland.

All of the officers of the bank have been changed in the past six weeks, Old Line's new executive vice president, Patrick J. Moses, told reporters.

"We're financially sound and have no problems," Moses said. He minimized court suits that have resulted in judgments against slum speculators like Pearl Kelly ($14,800), General Property Investment Corp., headed by Ervin Unger ($16,400), and a pending suit against George Kalavritinos for $4,499 due on a $12,499 loan.

Moses also said Old Line had advanced large loans to Burton Dorfman with varying results. Two went well, but the bank had to foreclose on 1420 Clifton st. nw. after Dorfman had drawn all of a $365,000 construction loan, made by Old Line and another bank and had failed to complete the building.

"We will spend $100,000 to put the building in sellable shape," Moses said. "We already have a buyer."

He could offer no explanation for the bank's involvement with slum speculators. "That was before I came . . . The directors have made serious and important changes here. We're trying very hard here."

His words reflect a realization on the part of many members of Washington's money lending world that things have not been all they should be. Some banks and savings and loan organizations are groping about in the twilight of an incredible decade in housing speculation in the Nation's Capital.

[From the Washington Post, Jan. 14, 1969]

Mortgaging the Ghetto—X—Slum Speculation Seems Dead, but It Could Revive

(By Leonard Downie, Jr. and Jim Hoagland)

Slum speculation in Washington is dead, say many of the speculators themselves and some of the savings and loan operators who helped finance them.

Don't believe it, says a lawyer who has represented many speculators in court over the years.

"This is just a phase in a cycle that has repeated itself several times in this town," he says. "A credit squeeze or some action by the Federal regulatory agencies can slow things down for a while. But then it will all start up again. It's happened that way before."

Land records show that some of the city's savings and loans that stay away from speculator dealings now built up their loan business a decade or two or three ago with loans to speculators. Later, sometimes after warnings about their loan practices from Federal authorities, these associations sought other customers, and the speculators turned to a new group of ambitious young savings and loans.

Generations of speculators have fed on the migrations of low-income white and Negro families from one part of Washington to another.

They moved from the old Southwest and Georgetown slums to what are now the near Northwest and Northeast urban renewal areas, then to the Shaw area, and, most recently, to more distant, quiet neighborhoods like Brightwood and Petworth in the Northwest, Woodbridge and Brookland in the Northeast, and Fort Stanton in the Southeast.

Right now, some speculators say, the current tight money market and a crackdown on code enforcement by the city housing inspectors are driving them out of business.

Reporters have found, however, that some of the speculators who have lost or are giving up much of their holdings, or are being sued in court for unpaid debts, are still driving luxury cars and taking trips to distant vacation spas.

Many other speculators are still buying and selling properties, they say, financed by a new group of savings and loans and by loans guaranteed by the Federal Housing Administration. FHA-insured loans have only recently become widely available to black home buyers here.

REASONS CITED

People involved in or close to the speculator-savings and loan system cite these reasons for the flourishing, year-in and year-out, of the practices uncovered by The Washington Post in its year-long investigation:

Failure of authorities to prosecute savings and loan operators or speculators for apparent violations of Federal savings and loan regulations, and Federal and D.C. criminal laws.

Loopholes in D.C. regulations covering the buying and selling of property.

Failure of the D.C. Real Estate Commission or any other arm of the city government, except the housing inspectors, to take any action to correct slum-speculation practices despite city officials acknowledging readily that slum speculation is generally harmful to the city.

Encouragement that present income and real estate tax laws give real estate investors to buy and sell property, to mortgage their property heavily, and to do little to maintain it.

Lack of regulation of local title settlement firms that help make possible the manipulation of real estate transactions by some savings and loan operators and speculators to their advantage, and to the disadvantage of Negro customers.

Involvement of respected professional men in the system, especially lawyers, some of whom closely advise slum speculators on how to take advantage of the system, who help finance speculators, or who speculate themselves.

Inaction of the local bar to do anything about a few attorneys charged in court suits and grievance complaints with highly questionable practices in slum speculation dealings.

Failure of the savings and loan industry, real estate brokers and the Federal Housing Administration to provide for Negroes the same opportunity to make safe, economical investments in home buying that have been available since the Depression to white families.

The resulting dearth of any viable alternatives to the speculators' system for tens of thousands of Negro families seeking a home to buy or an apartment to rent.

SPECULATORS PROSPER

For decades, the slum speculator has prospered free of competition from established real estate investors, free of the theoretical constraint of regulations and free from prosecution when laws are broken.

It is illegal under District of Columbia law, for instance, to use straw parties, simulated sales or other means to inflate prices "for the purpose . . . of misleading others as to the value" of property.

Last year a Neighborhood Legal Services lawyer wrote D.C. Corporation Counsel Charles Duncan to ask him to investigate the "common suspicion" that speculators are violating this D.C. law by artificially inflating property values in Negro neighborhoods.

Duncan answered the attorney with a letter stating that without evidence of specific transactions, "there is little we can do at this time to correct the evils which you cite."

DUNCAN'S STAND

His office was "not in the practice of conducting general investigations" of the kind needed to gather such evidence, Duncan added. He advised the attorney to write to the District Real Estate Commission.

But the Real Estate Commission, even though armed with an arsenal of regulations governing mortgage brokers, does not check up on much of what the slum speculators are doing.

It seems that once a speculator buys a property (as they usually do before mortgaging and reselling it), he becomes, in the eyes of the law, a "home owner."

The speculator is not technically acting as a real estate broker in this kind of transaction, the Real Estate Commission has said, and therefore can not be regulated by the Commission under the law, as now written. The Real Estate Commission, composed of real estate investors, has not sought a change in the regulations from the city government.

Federal Home Loan Bank officials have acknowledged that a number of practices uncovered in The Washington Post investigation do appear to violate Loan Bank Board regulations and the Federal law that authorizes the regulations.

They refused to discuss with reporters cases of any specific individuals or savings and loans, or to explain why there have been no prosecutions.

Generally, said Paul Bowman, supervisor for this region, the Bank Board's interest is to put troubled savings and loans back on a sound footing.

S. & L. FIRMS MERGED

They are now going about this quietly in Washington, Bowman and other officials acknowledged. They have merged Republic Savings and Loan out of existence and warned a handful of other savings and loans, which they would not name, to cease certain practices, mostly in connection with loans to speculators.

For years, the Bank Board officials told reporters, they had warned savings and loans about some of these practices. But the savings and loans have always answered by saying that their loans to speculators were being repaid on time.

Tight money changed much of that recently. And the troubles of Republic have shocked and chastened the operators of a few other savings and loans who came under fire from the Home Loan Bank Board.

Regional supervisor Bowman also insists that new regulatory powers spelled out under a 1966 law, will help the Bank Board lean more heavily on recalcitrant savings and loans. Among the new powers is authority to obtain a court order for a savings and loan to "cease and desist" dangerous practices.

When Republic careened into financial trouble, its dividend rate was cut by the Bank Board in an attempt to force the association to tighten its belt. Republic's depositors received smaller dividends on their deposits.

Then, to merge Republic with a healthy savings and loan, the Federal Savings and Loan Insurance Corporation guaranteed to absorb up to $17 million in possible losses of Republic assets. The Insurance Corporation funds come from required premiums from member savings and loans across the country. Those premiums come from savings and loans "income, not from depositors" accounts or dividends.

Court suits and interviews have shown that the slum speculation system has depended heavily on one part of the industry that goes completely unregulated: the title settlement offices.

In the majority of property sales and mortgage loan deals, the paperwork and the transfers of money, mortgages and deeds are handled by clerks of title firms in transactions called "settlements."

TITLE CLERK'S ROLE

When a person is buying a house from a speculator, he often is under the impression that the settlement is a protective, official dealing in which his interests, as well as those of the seller, are protected by an impartial title clerk.

But lawsuits filed here claim that this is often not so. Some title clerks, whose livelihood depends largely on the fees from business brought to them by speculators, perform many services, the suits say, that favor the speculator:

When the speculator signs a contract to purchase a house for, say, $10,000, the title clerk will hold up settlement on the deal (sometimes for months, court suits show) until the speculator is able to arrange to borrow, say, $10,000 from a savings and loan and avoid making any cash investment himself.

When the speculator then turns around and immediately sells that house (with some repairs made on it, the speculator says) for, say, $15,000 to a new home buyer, the title clerk does not volunteer to the buyer information that the speculator had just bought the same house for $5000 less than what he is now charging for it.

The clerk may even hold up public filing of the papers in the $10,000 sale to the speculator until the $15,000 sale to the home buyer is made.

Title clerks have sometimes held up payment of checks signed by speculators to other people, while giving the speculators signed but uncompleted title company checks to fill in, court suits say.

SETTLEMENT COSTS

Suits show that many home buyers are surprised by the large amount of settlement costs charged them by the title clerk. Sometimes, suits show, they total nearly $1000 for a $15,000 to $20,000 sale, much higher than the average claimed by large title firms for their transactions.

Settlement sheets filed with some suits resemble sieves, with the home buyer's money falling through a dozen or more holes itemized on the sheet: title search fees, settlement costs, insurance, fees for drawing up and filing papers, loan fees paid to the savings and loan and, sometimes, additional fees paid directly to the speculator (above the price of the house) or others.

Land records and lawsuits show that each major slum speculator here has dealt regularly with just one or two title settlement clerks.

For years, most of the few clerks favored by speculators worked at the District-Realty Title Insurance Corp. and antecedent firms headquartered at 1424 K st. nw. and 1413 I st. nw.

Shortly after the ownership of District-Realty changed hands in 1964, these clerks left the big title firm. Some of them established small title offices of their own. Most of them performed only title settlements in these offices, and title searches and title insurance business was farmed out to the large, established title companies.

Among these title clerks are:

Francis Craven, Brady Higgins, and J. A. Rushing—all now at Metropolitan Settlements, Inc., headquartered at 411 Kennedy st. nw.

Charles and Lawrence Mitchell—now at Berks Title Insurance Co., 1413 I st. nw.

Lawrence Sinclitico—who now runs District Settlements, Inc., 1522 K st. nw.

Richard Sugarman and William Carter—who now run City Title and Escrow at 706 Kennedy st. nw.

Another title clerk who has many transactions for slum speculators, land records show, is Charlotte L. Horan of Lyon, Roache and Horan, 1012 17th st. nw.

LICENSED AS NOTARIES

All of these clerks are also licensed as notary publics in the District of Columbia.

Court suits show that some of them also arrange loans to speculators and home buyers and buy second mortgages generated by speculators.

Richard Sugarman is also an officer of the Fairlawn Mortgage and Investment Corp., now located in City Title's office at 706 Kennedy st. nw. He is named as defendant in some court suits charging that second mortgages arranged or bought by Fairlawn or Sugarman himself were for considerably more than home owners believed they had borrowed. Land records show that Fairlawn has also bought, mortgaged and sold slum houses.

No D.C. laws regulate actions of title clerks, or anyone else, in the settlement of sales and mortgage transactions. The clerks are not required to be impartial or to protect the interests of inexperienced home buyers.

Title settlements are just one phase of the system that may work to favor speculators. Another is the tax structure.

The National Commission on Urban Problems, headed by former Sen. Paul Douglas of Illinois, is concluding, based on a year's study, that Federal tax laws actually encourage deterioration of inner-city property and greatly benefit those who buy and sell it.

The speculator's profits on buying and selling property held over six months are not taxed as ordinary income, but are lower than ordinary personal rates in the higher tax brackets.

If the speculator can borrow more money from a savings and loan in mortgaging a property than he originally paid for it, he can spend the excess, and it is not taxable.

DEPRECIATION SCALE

Depreciation is really the raison d'etre for much apartment building speculation. Frequently speculators have cash incomes in the hundreds of thousands of dollars, but their tax paid is lower than that of many of their poor tenants.

The reason is that the owner of a building can depreciate that building at a very high rate during the first years he owns it. When in later years the allowable depreciation goes down, he can sell that building to another landlord who, in turn, starts depreciating the building all over again, while the original landlord has bought another to start depreciating.

A building does not have to be "new" to be depreciated, although new buildings can be depreciated at a higher rate. Sometimes, businessmen swap comparable properties to defer paying capital gains taxes.

To illustrate: A speculator pays $200,000 for a ten-year-old apartment building. The money left over from rents at the end of the year, after making interest and mortgage payments and paying for necessary repairs, may amount to $15,000. The speculator's income, subject to tax, however, may be nothing.

To begin with, he uses what the Internal Revenue Service calls "the 150 per cent declining balance formula" for depreciating the property.

If the building has what IRS calls a "life" of 25 years, even though he may not have put a cent of his own money into the building, he can deduct $12,000 from his taxable income, plus his expenses of maintaining the investment.

To add to that, he also deducts the interest payments on his loan, which would run into many thousands of dollars.

All of this means that he is taxed little or nothing on this investment. Many businessmen wind up with a minus tax balance on particular investments and, in the example above, not only is the $15,000 cash flow protected, the businessmen probably would have deductions in excess of that to lessen taxes on other income.

These investments are usually referred to as "tax shelters."

There is evidence that what happens in Washington apparently is typical for the Nation's big cities.

CHICAGO STUDY

A group of Jesuit seminarians and college students who have spent the last two years in Chicago's west side ghetto made a study of the buying and selling by slum speculators there of hundreds of houses and buildings.

The pattern they found of the speculator buying for one price, getting a favorable mortgage and selling at a much higher price, with an attractively low down payment, matches the pattern here. In a typical case cited by the study team, a family wound up indebted to pay $22,000 interest on the mortgages they owed on a $25,000 home purchase in the ghetto (the speculator had paid $14,000 for the house).

The study team also blamed savings and loans and banks that would not lend directly to Negroes, the FHA, established real estate brokers, and the legal system for allowing the speculators to flourish there.

The students organized ghetto residents into picket and other protest groups that succeeded in forcing some speculators to renegotiate sales contracts to many home buyers and cut sharply the buyers' indebtedness.

The need seems to be apparent for both local and national agencies, revolutionary in scope and power, to finance economical homebuying for Negro families, regulate speculators and others in innercity real estate dealings and come up with new ideas for housing low-income families.

Overpriced and overmortgaged inner-city houses and apartment buildings, many of them already abandoned by their owners, are now available, here and in other cities, for someone to do something with. But there are problems with removing the mortgages on them, finding the money to renovate them and still making them available at reasonable cost to low-income families.

The city's public housing authority could move in on the city's now-decaying buildings, condemn them, take them over by assuming the mortgages, renovate them and use them for badly needed, scattered-site public housing.

NEW HOUSING LAWS

But this would not solve the problem of those many buildings that have not been abandoned.

Recently passed Federal law provides a broad variety of new ways to provide low-income housing, including low interest loans to buyers and renovation financing. But Congress appropriated very little money for this use, and there is still much confusion over administration of the grants.

Already there is internecine warfare between two nonprofit housing groups in Washington over just what and how to do something here. Both the Urban Rehabilitation Corporation, financed by the Catholic Archdiocese here, and the Housing Development Corporation, headed by the city's Democratic National Committeeman, the Rev. Channing E. Phillips, are well motivated, but are sniping at each other.

There is no agency to coordinate their efforts, or to guide them through the machinations of bureaucracies. Two other, smaller nonprofit housing groups have had to hire slum speculators, like Nathan Habib and attorney Kurt Berlin, to show them where properties are and how to get them.

Just as the burned-out buildings on 14th Street nw. are grim reminders of Washington's 1968 riots, the abandoned moldering houses and shabby apartment buildings, those financial institutions in turmoil, and the Negro families faced with seemingly impossible debts are the grim reminders of the last whirlwind decade of speculation in the growing ghetto here.

RECESS

The SPEAKER. The Chair declares a recess until approximately 8:40 o'clock p.m. this evening, subject to the call of the Chair. The bells will be rung.

Accordingly (at 12 o'clock and 21 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 48 minutes p.m.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION NO. 77 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The SPEAKER of the House presided.

The Doorkeeper, Hon. William M. Miller, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from New York, Mr. CELLER; the gentleman from Texas, Mr. PATMAN; the gentleman from Texas, Mr. MAHON; the gentleman from Michigan, Mr. GERALD R. FORD; the gentleman from Illinois, Mr. ARENDS; the gentleman from Texas, Mr. BUSH; and the gentleman from Texas, Mr. PRICE.

The VICE PRESIDENT. On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Georgia, Mr. RUSSELL; the Senator from Montana, Mr. MANSFIELD; the Senator from Massachusetts, Mr. KENNEDY; the Senator from West Virginia, Mr. BYRD; the Senator from Louisiana, Mr. Ellender; the Senator from Illinois, Mr. Dirksen; the Senator from Pennsylvania, Mr. Scott; the Senator from Vermont, Mr. Aiken; the Senator from North Dakota, Mr. Young; and the Senator from Colorado, Mr. Allott.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 2 minutes p.m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My distinguished colleagues in the Congress, I have the high privilege and the distinct honor not only officially but personally to me of presenting to you the President of the United States.

[Applause, the Members rising.]

THE STATE OF THE UNION—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-1)

The PRESIDENT. Thank you very much. Mr. Speaker, Mr. President, Members of the Congress and my fellow Americans, for the sixth and the last time, I present to the Congress my assessment of the State of the Union.

I shall speak to you tonight about challenge and opportunity, about the commitments that all of us have made together that will, if we carry them out, give America our best chance to achieve the kind of a great society that we all want.

Every President lives, not only with what is, but with what has been, and what could be.

Most of the great events in his Presidency are parts of a larger sequence extending back through several years and extending back through several other administrations.

Urban unrest, poverty, pressures on welfare, education of our people, law enforcement and law and order, the continuing crisis in the Middle East, the conflict in Vietnam, the dangers of nuclear war, the great difficulties of dealing with the Communist powers, all have this much in common.

They and their causes, the causes that gave rise to them, all of these have existed with us for many years. Several Presidents have already sought to try to deal with them. One or more Presidents will try to resolve them or try to contain them in the years that are ahead of us.

But if the Nation's problems are continuing, so are this great Nation's assets: our economy, the democratic system, our sense of exploration, symbolized most recently by the wonderful flight of the Apollo 8 in which all Americans took great pride, and the good common sense and sound judgment of the American people and their essential love of justice.

We must not ignore our problems. But neither should we ignore our strengths. Those strengths are available to sustain a President of either party, to support his progressive efforts, both at home and overseas.

Unfortunately, the departure of an administration does not mean the end of the problems that this administration has faced. The effort to meet the problems must go on, year after year, if the momentum that we have all mounted together in these past years is not to be lost.

Although the struggle for progressive change is continuous, there are times when a watershed is reached—when there is—if not really a break with the past—at least the fulfillment of many of its oldest hopes, and a stepping forth into a new environment to seek new goals.

And I think the past five years have been such a time. We have finished a major part of the old agenda. Some of the laws we wrote have already, in front of our eyes, taken on the flesh of achievement.

Medicare, that we were unable to pass for so many years, is now a part of American life. Voting rights, and the voting booth, that we debated so long back in the '50s—and the doors to public service—are open at last to all Americans, regardless of their color. Schools and school children all over America tonight are receiving Federal assistance to go to good schools, and pre-school education Head Start is already here to stay, and I think so are the Federal programs that tonight are keeping more than a million and a half of our cream of our young people in the colleges and universities of this country.

Part of the American earth—not only in a description on a map, but in the reality of our shores and our hills and our parks and our forests and our mountains—has been permanently set aside for the American public and for their benefit, and there is more that is going to be set aside before this administration ends.

Five million Americans have been trained for jobs in new Federal programs—and I think it is most important that we all realize tonight that this nation is close to full employment, with less unemployment than we have had at any time in almost 20 years—and that is not in theory—that is in fact. Tonight the unemployment rate is down to 3.3%. The number of jobs has grown by more than 8½ million in the last five years—and that is more than in all the preceding twelve years.

These achievements completed the full cycle—from idea to enactment, and finally to a place in the lives of citizens all across this country.

I wish it were possible to say that everything that this Congress and the Administration achieved during this period had already completed that cycle, but a great deal of what we have committed needs additional funding to become a tangible realization.

Yet, the very existence of those commitments—those promises to the American people made by this Congress and by the Executive Branch of the government are achievements in themselves and the failure to carry through on our commitments would be tragedy for this nation.

This much is certain: no one man or group of men made these commitments alone. Congress and the Executive Branch with their checks and balances reasoned together and finally wrote them into the law of the land. They now have all the moral force that the American political system can summon when it acts as one.

They express America's common determination to achieve goals. They imply action.

In most cases, you have already begun that action but it is not fully completed, of course.

Let me speak for a moment about these commitments, and I am going to speak in the language that the Congress itself spoke when it passed these measures. I am going to quote from your words.

IMPROVING THE QUALITY OF LIFE

—In 1966 Congress declared that "improving the quality of urban life is the most critical domestic problem facing the United States." Two years later, it affirmed the historic goal of "a decent home . . . for every American family." That is your language.

Now to meet these commitments, we must increase our support for the Model Cities program, where blueprints of change are already being prepared in 150 American cities.

To achieve the goals of the Housing Act of 1968, which was just passed, we should begin this year more than 500,000 homes for needy families in the coming fiscal year. Funds are provided in the new budget to do this. And this is almost ten times, ten times the average rate of the past ten years.

Our cities and our towns are being pressed for funds to meet the needs of their growing populations. I believe an Urban Development Bank should be created by the Congress. This Bank could obtain resources through the issuance of taxable bonds, and it could lend these resources at reduced rates to communities throughout the land for schools, hospitals, parks, and other public facilities.

INSURING A LIFE OF DIGNITY

—Since the enactment of the Social Security Act in 1935, Congress has recognized the necessity to "make more adequate provision for aged persons . . . maternal and child welfare . . . and public health."

And that is the words of Congress.

The time has come, I think, to make it more adequate and I think we should increase social security benefits, and I am so recommending.

I am suggesting that there should be an overall increase in the benefits of at least 13%. Those who receive only the minimum of $55 should get $80 a month.

Our nation is rightly proud of its medical advances. But we should remember that our country ranks 15th among the nations of the world in its infant mortality rate.

I think we should assure decent medical care for every expectant mother, and for their children during the first year of their life in the United States of America.

I think we should protect our children and their families from the costs of catastrophic illness.

I think nothing is clearer than the commitment that Congress made to end poverty. Congress expressed it well, I think, in 1964 when they said:

"It is the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this nation," this, the richest nation in the world.

The anti-poverty program has had many achievements, and it also has some failures. But we must not cripple it after only three years of trying to solve the human problems that have been with us and have been building up among us for generations. I believe the Congress this year will want to improve the administration of the poverty program by reorganizing portions of it and transferring them to other agencies. I believe, though, it will want to continue until we have broken the back of poverty with the efforts we are now making throughout this land.

I believe and I hope the next administration, I believe they believe, is that the key to success in this effort is jobs, is work for people who want to work. In the budget for fiscal 1970, I shall recommend a total of $3.5 billion for our job training programs, and that is five times as much as we spent in 1964, trying to prepare Americans so they can work to earn their own living.

The nation's commitments in the field of civil rights began with the Declaration of Independence. They were extended by the Thirteenth, and Fourteenth, and Fifteenth Amendments, and they have been powerfully strengthened by the enactment of three far-reaching civil rights laws within the past five years that this Congress in its wisdom passed.

On January the first of this year, the Fair Housing Act of 1968 covered over twenty million American homes and apartments. The prohibition against racial discrimination in that Act should be remembered and it should be vigorously enforced throughout this land.

I believe we should also extend the vital provisions of the Voting Rights Act for another five years.

PROTECTING LIFE

In the Safe Streets Act of 1968, Congress determined "To assist state and local governments in reducing the incidence of crime."

This year I am proposing that the Congress provide the full $300 million that the Congress authorized to do just that. And I hope the Congress will put the money where the authorization is.

I believe this is an essential contribution to justice and to public order in the United States. And I hope these grants can be made to the states and they can be used effectively to reduce the crime rate in this country.

But all of this is only a small part of the total effort that must be made, I think chiefly by the local governments throughout the nation, if we expect to reduce the toll of crime that we all detest.

Frankly, as I leave the office of the Presidency, one of my greatest disappointments is our failure to secure passage of a licensing and registration act for firearms. I think if we had passed that act, it would have reduced the incidence of crime, and I believe that the Congress should adopt such a law, and I hope that it will at a not too distant date.

IMPROVING GOVERNMENT

In order to meet our long-standing commitment to make government as efficient as possible, I believe we should reorganize our postal system along the lines of the Kappel Report. I hope we can all agree that public service should never impose an unreasonable financial sacrifice on able men and women who want to serve their country.

So I believe that the recommendations of the Commission on Executive, Legislative and Judicial Salaries are generally sound. Later this week I shall submit a special message which I reviewed with the leadership this evening containing a proposal that has been reduced and has modified the Commission's recommendation to some extent on the Congressional salaries. For Members of Congress I will recommend a basic compensation not at the $50,000 unanimously recommended by the Kappel Commission and the other distinguished Members, but I shall reduce that $50,000 to $42,500. And I will suggest that Congress appropriate a very small additional allowance for official expenses so that Members will not be required to use their salary increase for essential official business.

I would have submitted the Commission's recommendations except that the advice that I received from the leadership—and you usually are consulted about matters that affect the Congress—was that the Congress would not accept the $50,000 recommendation and if I expected my recommendation to be seriously considered I should make substantial reductions. That is the only reason I did not go along with the Kappel report.

In 1967 I recommended to Congress a fair and impartial random selection system for the draft. I submit it again tonight for your most respectful consideration.

THE MEANS TO MEET OUR COMMITMENTS

I know that all of us recognize that most of the things we do to meet all of these commitments I talk about will cost money. And if we maintain the strong rate of growth that we have had in this country in the past eight years, I think we shall generate the resources that we need to meet these commitments.

We have already been able to increase our support of major social programs. Although we have heard a lot about not being able to do anything on the home front because of Vietnam, we have been able in the last five years to increase our commitments for such things as health and education from $30 billion in 1964 to $68 billion in the coming fiscal year. That is more than double. And that is more than it has ever been increased in the 188 years of this Republic, notwithstanding Vietnam.

We must continue to budget our resources and budget them responsibly in a way that will preserve our prosperity and will strengthen our dollar.

Greater revenues and the reduced Federal spending required by Congress last year have changed the budgetary picture dramatically since last January, when we made our estimates. At that time you will remember that we estimated would have a deficit of $8 billion. Well, I am glad to report to you tonight that for the fiscal year ending June 30, 1969, this June, we are going to have not a deficit, but we are going to have a $2.4 billion surplus.

You will receive the budget tomorrow, that is the budget for the next fiscal year that begins next July the 1st, which you will want to examine very carefully in the days ahead. It will provide a $3.4 billion surplus.

This budget anticipates the extension of the surtax that Congress enacted last year. I have communicated with President-elect Nixon in connection with this policy and continuing the surtax for the time being. I want to tell you that both of us want to see it removed just as soon as circumstances will permit, but the President-elect has told me that he has concluded that until his Administration and this Congress can examine the appropriation bills and each item in the budget and can ascertain that the facts justify permitting the surtax to expire or be reduced, he, Mr. Nixon, will support my recommendation that the surtax be continued.

Americans, I believe, are united in the hope that the Paris talks will bring an early peace to Vietnam. And if our hopes for an early settlement of the war are realized, then our military expenditures can be reduced, and very substantial savings can be made, to be used for other desirable purposes as the Congress may determine.

In any event, I think it is imperative that we do all we responsibly can to resist inflation, while maintaining our prosperity.

I think all Americans know that our prosperity is broad and it is deep—that it has brought record profits—the highest in our history—record wages—our gross national product has grown more in the last five years than in any other period in our nation's history—our wages have been the highest, our profits have been the best—and this prosperity has enabled millions to escape the poverty that they would have otherwise had the last few years.

And I think also you will be very glad to hear that the Secretary of the Treasury informs me tonight that in 1968 in our balance of payments we have achieved a surplus. It appears that we have, in fact, done better this year than we have done in any year in this regard since the year 1957.

THE QUEST FOR PEACE

The quest for a durable peace has, I think, absorbed every Administration since the end of World War II.

It has required us to seek a limitation of arms races, not only among the super-powers, but among the smaller nations as well. We have joined in the Test Ban Treaty of 1963, the Outer Space Treaty of 1967, the treaty against the spread of nuclear weapons in 1968.

And this latter agreement—the Non-Proliferation Treaty—is now pending in the Senate and it has been pending there since last July. In my opinion, delay in ratifying it is not going to be helpful to the cause of peace. America took the lead in negotiating this treaty, and America should now take steps to have it approved at the earliest possible date.

And until a way can be found to scale down the level of arms among the superpowers, mankind cannot view the future without fear and great apprehension. So I believe that we should resume talks with the Soviet Union about limiting offensive and defensive missile systems. And I think they would have already been resumed except for Czechoslovakia and our election this year.

It was more than 20 years ago that we embarked on a program of trying to aid the developing nations. We knew then that we could not live in good conscience as a rich enclave on an earth that was seething in misery. And during these years there have been great advances made under our program, particularly against want and hunger. And although we were disappointed at the appropriations last year—we thought they were awfully inadequate—this year I am asking for adequate funds for economic assistance in the hope that we can further peace throughout the world.

I think we must continue to support efforts in regional cooperation. Among those efforts, that of Western Europe has a very special place in America's concern.

The only course that is going to permit Europe to play the great role, the world role that its resources permit, is to go forward to unity. I think America remains ready to work with a united Europe, work as a partner, on the basis of equality.

For the future, the quest for peace I believe requires that we maintain the liberal trade policies that have helped us become the leading nation in world trade; that we strengthen the international monetary system as an instrument of world prosperity; and that we seek areas of agreement with the Soviet Union where the interests of both nations, and the interests of world peace, are properly served.

The strained relationship between us and the world's leading Communist power has not ended, especially in the light of the brutal invasion of Czechoslovakia. The totalitarianism is no less odious to us, because we are able to reach some accommodation that reduces the danger of world catastrophe. What we do, we do in the interest of peace in the world and we earnestly hope that time will bring a Russia that is less afraid of diversity and individual freedom.

VIETNAM AND THE MIDDLE EAST

The quest for peace tonight continues in Vietnam, and in the Paris talks.

I regret more than any of you know it has not been possible to restore peace to South Vietnam. The prospects I think for peace are better today than at any time since North Vietnam began its invasion into its regular forces more than four years ago. And, the free nations of Asia know what they were not sure of at that time, that America cares about their freedom, and it also cares about America's own vital interests in Asia and throughout the Pacific.

The North Vietnamese know that they cannot achieve their aggressive purposes by force. There may be hard fighting before a settlement is reached; but I can assure you it will yield no victory to the Communist cause.

I cannot speak to you tonight about Vietnam without paying a very personal tribute to the men who have carried the battle out there for all of us, and I have been honored to be their Commander-in-Chief. The Nation owes them its unstinting support while the battle continues, and its enduring gratitude when their service is done.

Finally, the quest for stable peace in the Middle East goes on in many capitals tonight. America fully supports the unanimous resolution of the U.N. Security Council which points the way. There must be a settlement of the armed hostility that exists in that region of the world today. It is a threat not only to Israel and to all the Arab states, but it is a threat to every one of us and to the entire world as well.

A MESSAGE TO CONGRESS

Now, my friends in Congress, I want to conclude with a few very personal words to you.

I rejected and rejected and then finally accepted the congressional leadership's invitation to come here to speak this farewell to you in person tonight. I did that for two reasons. One was philosophical. I wanted to give you my judgment as I saw it on some of the issues before our nation as I view them before I leave.

The other was just pure sentimental. [Applause, Members rising.] Most all of my life as a public official has been spent here in this building. For thirty-eight years—since I worked on that gallery as a doorkeeper in the House of Representatives—I have known these halls and I have known most of the men pretty well who walked them. I know the questions that you face, I know the conflicts that you endure, I know the ideals that you seek to serve.

I left here first to become Vice President, and then to become—in a moment of tragedy—the President of the United States. My term of office has been marked by a series of challenges both at home and throughout the world. In meeting some of these challenges, the nation has found a new confidence. In meeting others, it knew turbulence and doubt, and fear and hate.

Throughout this time, I have been sustained by my faith in representative democracy—a faith that I had learned here in this Capitol Building as an employee and as a Congressman, and as a Senator. I believe deeply in the ultimate purposes of this nation—described by the Constitution, tempered by history, embodied in progressive laws, and given life by men and women who have been elected to serve their fellow citizens.

For five most demanding years in the White House, I have been strengthened by the counsel and the cooperation of two great former Presidents, Harry S. Truman and Dwight David Eisenhower. I have been guided by the memory of my pleasant and close association with the beloved John F. Kennedy, and with our greatest modern legislator, Speaker Sam Rayburn. I have been assisted by my friend every step of the way, Vice President HUBERT HUMPHREY. I am so grateful that I have been supported daily by the loyalty of Speaker McCORMACK and Majority Leader ALBERT. I have benefited from the wisdom of Senator MIKE MANSFIELD, and I am sure I have avoided many dangerous pitfalls by the good common sense counsel of the President Pro Tempore of the Senate, Senator RICHARD B. RUSSELL of the State of Georgia. I have received the most generous cooperation from the leaders of the Republican Party in the Congress of the United States, Senator DIRKSEN and Congressman GERALD R. FORD, the minority leader.

No President should ask for more, although I did upon occasion. But few Presidents have ever been blessed with so much.

President-elect Nixon in the days ahead is going to need your understanding, just as I did. He is entitled to have it. I hope every Member will remember that the burdens he will bear as our President will be borne for all of us. Each of us should try not to increase these burdens for the sake of narrow personal or partisan advantage.

And now it is time to leave.

I hope it may be said, a hundred years from now, that by working together we helped to make our country more just, more just for all of its people—as well as to insure and guarantee the blessings of liberty for all of our posterity. That is what I hope, but I believe that it will be said that we tried.

Thank you.

[Applause, the Members rising.]

At 9 o'clock and 50 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 9 o'clock and 56 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will be in order.

RESIGNATION FROM THE COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER laid before the House the following resignation from a committee:

Congress of the United States,
House of Representatives,
Washington, D.C., January 14, 1969.
Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: I herewith submit my resignation from the House Administration Committee of the House of Representatives.

Respectfuly,
Sam M. Gibbons,
U.S. Congressman.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

MESSAGE OF THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I move that the message of the President of the United States be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Albert, on Thursday, January 16, for 1 hour; and to revise and extend his remarks.

Mrs. Sullivan, for 10 minutes, today; to revise and extend her remarks and include extraneous matter.

Mr. Pickle (at the request of Mr. Caffery), for 30 minutes, on January 16; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Dulski and to include extraneous matter in three instances.

(The following Members (at the request of Mr. Arends) to extend their remarks and include extraneous matter:)

Mr. Derwinski in three instances.
Mr. Burton of Utah in 10 instances.
Mr. Mize.
Mr. Hunt.
Mr. Frelinghuysen.
Mr. Nelsen.
Mr. Morse.
Mr. Scherle in two instances.
Mr. Zwach in two instances.
Mr. McClory.
Mr. Utt.
Mr. Broyhill of Virginia.

(The following Members (at the request of Mr. Caffery) and to include additional matter in that section of the Record entitled "Extensions of Remarks":)

Mr. Ottinger in two instances.
Mr. Rodino.
Mr. William D. Ford.
Mr. Daniel of Virginia.
Mr. Edwards of Louisiana.
Mr. Rosenthal in three instances.
Mr. O'Neal of Georgia in two instances
Mr. Bingham.
Mr. Marsh in two instances.
Mr. Flowers.
Mr. Taylor in two instances.
Mr. Fascell in two instances.
Mr. Pickle in two instances.
Mr. Pucinski in six instances.
Mr. Celler.
Mr. Gonzalez in three instances.
Mr. Rarick in four instances.
Mr. Brown of California.

(The following Members (at the request of Mr. Montgomery) to revise and extend their remarks and include extraneous matter:)

Mr. Flood.
Mr. Murphy of New York.
Mr. Feighan.
Mr. Gonzalez in three instances.
Mr. Dulski.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 58 minutes p.m.) the House adjourned until tomorrow, Wednesday, January 15, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clauses 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

215. A letter from the Secretary of Health, Education, and Welfare, transmitting the findings of the Department of Health, Education, and Welfare with respect to the coverage of drugs under part B of title XVIII of the Social Security Act, pursuant to the provisions of section 405 of the Social Security Amendments of 1967 (H. Doc. No. 91–43); to the Committee on Ways and Means and ordered to be printed.

216. A letter from the Secretary of Health, Education, and Welfare, transmitting the findings of the Department of Health, Education, and Welfare with respect to the establishment of quality and cost standards for drugs for which payments are made under the Social Security Amendments of 1967, pursuant to the provisions of section 405 of the Social Security Amendments of 1967 (H. Doc. No. 91–44); to the Committee on Ways and Means and ordered to be printed.

217. A letter from the president, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 40th annual report of the work and operations of the Gorgas Memorial Laboratory for fiscal year 1968, pursuant to the provisions of 45 Stat. 491 (22 U.S.C. 278a) (H. Doc. No. 91–10); to the Committee on Foreign Affairs and ordered to be printed.

218. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the demand for personnel and training in the field of aging, pursuant to the provisions of Public Law 90–42; to the Committee on Education and Labor.

219. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in November 1968, in connection with U.S. exports to Yugoslavia, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination thereunder, dated May 7, 1968; to the Committee on Foreign Affairs.

220. A letter from the Comptroller General of the United States, transmitting the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1968, pursuant to the provisions of section 312(a) of the Budget and Accounting Act of 1921; to the Committee on Government Operations.

221. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract under which Canyon Tours, Inc., will be authorized to continue to provide concession facilities and services for the public in Glen Canyon National Recreation Area, Ariz. and Utah, for a 30-year period from January 1, 1969, through December 31, 1998, pursuant to the provisions of 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

222. A letter from the Secretary of Transportation, transmitting a certified copy of the amendments to the regulations governing the numbering of undocumented vessels (primarily recreational craft), promulgated by the Commandant, U.S. Coast Guard, and submitted for publication in the Federal Register, pursuant to the provisions of 46 U.S.C. 527d; to the Committee on Merchant Marine and Fisheries.

223. A letter from the Naturalization Service, U.S. Department of Justice, transmitting a report on positions in the Immigration and Naturalization Service in grades GS–16, GS–17, and GS–18 during the 1968 calendar year, pursuant to the provisions of 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

224. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 313 of the act approved October 27, 1965, as amended (82 Stat. 735); to the Committee on Public Works.

225. A letter from the Secretary of the Treasury, transmitting the statement of liabilities and other financial commitments of the U.S. Government as of June 30, 1968, pursuant to the provisions of section 402, Public Law 89–809 (80 Stat. 1590); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXI, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 3236. A bill to require all insured banks to clear checks at par; to the Committee on Banking and Currency.

H.R. 3237. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

H.R. 3238. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3239. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 3240. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3241. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

H.R. 3242. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

H.R. 3243. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 3244. A bill to provide for the establishment of a mint of the United States at Chicago, Ill.; to the Committee on Public Works.

H.R. 3245. A bill to amend the Internal Revenue Code of 1954 to allow a deduction, for income tax purposes, based on expenses incurred by the taxpayer for the higher education of his children; to the Committee on Ways and Means.

H.R. 3246. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3247. A bill to amend the act of December 11, 1963 (77 Stat. 349); to the Committee on Interior and Insular Affairs.

By Mr. BROOMFIELD:

H.R. 3248. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 3249. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 3250. A bill to appropriate funds for the construction of a multilevel parking facility in connection with the Federal building, 300 North Los Angeles Street, Los Angeles, Calif.; to the Committee on Appropriations.

H.R. 3251. A bill to provide for the issuance of a special postage stamp to commemorate the 200th anniversary of the San Gabriel Mission; to the Committee on Post Office and Civil Service.

H.R. 3252. A bill to amend title 38, United States Code, to assure availability of rent supplement payments and food coupons for certain seriously disabled veterans; to the Committee on Veterans' Affairs.

H.R. 3253. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Veterans' Affairs.

H.R. 3254. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 3255. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 3256. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 3257. A bill to amend the Small Business Act to apply an acceptable credit risk standard for loans to small business concerns in certain high-risk areas; to the Committee on Banking and Currency.

By Mr. DENNEY:

H.R. 3258. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for insured operating loans, including loans to low-income farmers and ranchers, and for other purposes; to the Committee on Agriculture.

H.R. 3259. A bill providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3260. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DENNEY (for himself, Mr. HUNT, and Mr. BROTZMAN):

H.R. 3261. A bill to require the Bureau of the Budget to submit to the Congress certain monthly estimates concerning national income and expenditures; to the Committee on Government Operations.

By Mr. DERWINSKI:

H.R. 3262. A bill to provide for the transfer of income taxes to the States for use for educational and other purposes without Federal direction, control, or interference; to the Committee on Ways and Means.

H.R. 3263. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. FRIEDEL (for himself and Mr. FALLON):

H.R. 3264. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 3265. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. GILBERT:

H.R. 3266. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 3267. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent who is permanently handicapped; to the Committee on Ways and Means.

H.R. 3268. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 3269. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder, and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 3270. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption to certain physically handicapped individuals; to the Committee on Ways and Means.

H.R. 3271. A bill to amend title IV of the Social Security Act to eliminate the mandatory work incentive program for recipients of aid to families with dependent children which was added by the Social Security Amendments of 1967; to the Committee on Ways and Means.

H.R. 3272. A bill to amend the Social Security Act to remove the provisions (added in 1967) which limit the number of children who may receive aid to families with dependent children under title IV and the families who may be eligible for medical assistance under title XIX; to the Committee on Ways and Means.

H.R. 3273. A bill to exempt inner tubes from Federal excise tax when used in certain toys; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 3274. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 3275. A bill to establish a commission to plan a permanent memorial to the Reverend Martin Luther King, Jr.; to the Committee on House Administration.

H.R. 3276. A bill to amend the Communications Act of 1934 in order to impose a license fee on radio and television broadcasting licensees in an amount equal to 1 percentum of their gross receipts; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 3277. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Cosumnes River division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KYROS:

H.R. 3278. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindess); to the Commmittee on Ways and Means.

By Mr. McFALL:

H.R. 3279. A bill to amend section 2(3), section 8c(2), and section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

By Mr. NATCHER:

H.R. 3280. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 3281. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3282. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 3283. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

H.R. 3284. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 3285. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

H.R. 3286. A bill to provide for posting information in post offices with respect to registration and voting, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 3287. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 20 percent, and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 3288. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 3289. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. PERKINS (for himself, Mrs. GREEN of Oregon, Mr THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. DANIELS of New Jersey, Mr. BRADEMAS, Mr. O'HARA, Mr. CAREY, Mr. HAWKINS, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. MEEDS, Mr. BURTON of

California, and Mr. Reid of New York):

H.R. 3290. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 3291. A bill to permit the donation of surplus agricultural commodities to certain nonprofit organizations serving American servicemen; to the Committee on Agriculture.

By Mr. REID of New York:

H.R. 3292. A bill to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes; to the Committee on Government Operations.

By Mr. REUSS:

H.R. 3293. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 3294. A bill to incorporate the Fleet Reserve Association; to the Committee on the Judiciary.

By Mr. SCHEUER (for himself, Mr. Addabbo, Mr. Bingham, Mr. Burton, of California, Mrs. Chisholm, Mr. Cohelan, Mr. Edwards of California, Mr. Farbstein, Mr. Friedel, Mr. Gilbert, Mr. Halpern, Mr. Hathaway, and Mr. Hawkins):

H.R. 3295. A bill to provide for the establishment of a Commission on Afro-American History and Culture; to the Committee on Education and Labor.

By Mr. SCHEUER (for himself, Mr. Koch, Mr. McCarthy, Mr. Mikva, Mr. Moorhead, Mr. Morse, Mr. Nix, Mr. Podell, Mr. Reid of New York, Mr. Reuss, Mr. Rosenthal, Mr. Ryan, Mr. Tiernan, and Mr. Whalen):

H.R. 3296. A bill to provide for the establishment of a Commission on Afro-American History and Culture; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 3297. A bill to assist the State of Florida and certain property owners in resolving problems of land ownership and use of the former Naval Live Oak Reservation property in Gulf Breeze, Fla., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TAYLOR:

H.R. 3298. A bill to amend title 5, United States Code, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, for the purpose of computing a civil service annuity, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas:

H.R. 3299. A bill to amend title 38 of the United States Code in order to provide pensions for children of Mexican War veterans; to the Committee on Veterans' Affairs.

H.R. 3300. A bill to amend title 38 of the United States Code in order to clarify the duties of the Administrator of Veterans' Affairs with respect to the training of health service personnel; to the Committee on Veterans' Affairs.

H.R. 3301. A bill to amend title 38 of the United States Code to provide increased dependency and indemnity compensation to widows in need of the regular aid and attendance of another person; to the Committee on Veterans' Affairs.

H.R. 3302. A bill to amend title 38 of the United States Code to provide that amounts inherited from bank accounts jointly or separately owned shall not count as income for death or disability pension or for dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 3303. A bill to amend title 38 of the United States Code to provide that progressive muscular atrophy developing a 10 percent or more degree of disability within 7 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 3304. A bill to amend title 38 of the United States Code to restore entitlement to benefits on termination of a widow's remarriage; to the Committee on Veterans' Affairs.

H.R. 3305. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 3306. A bill to amend title 38 of the United States Code to permit the furnishing of benefits to certain veterans conditionally discharged or released from active military, naval, or air service; to the Committee on Veterans' Affairs.

H.R. 3307. A bill to amend title 38 of the United States Code to provide a monthly clothing allowance to certain veterans who, because of a service-connected disability, regularly wear a prosthetic appliance or appliances which causes exceptional wear or tear of clothing; to the Committee on Veterans' Affairs.

H.R. 3308. A bill to amend section 4001 of title 38, United States Code, to prescribe qualifications for members of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3309. A bill to amend chapter 61 of title 38 of the United States Code in order to prohibit abuses in the solicitation of contributions in the name of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 3310. A bill to amend section 3203 of title 38, United States Code, to provide that veterans entitled to pension who are being maintained in State homes shall receive pension at the rate of $30 per month; to the Committee on Veterans' Affairs.

H.R. 3311. A bill to amend title 38 of the United States Code to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to construction, acquisition, or alteration of veterans' hospitals and the closing of such hospitals; to the Committee on Veterans' Affairs.

H.R. 3312. A bill to amend title 38 of the United States Code to provide legal defense for employees of the Veterans' Administration who are sued for acts or omissions within the scope of their employment; to the Committee on Veterans' Affairs.

H.R. 3313. A bill to prohibit the processing of stale claims for special dividends by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 3314. A bill to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance; to the Committee on Veterans' Affairs.

H.R. 3315. A bill to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities; to the Committee on Veterans' Affairs.

H.R. 3316. A bill to limit the Administrator's authority to adjust premium rates on insurance issued under section 725(b) of title 38, United States Code, and to authorize the payment of dividends on such insurance after 5 years; to the Committee on Veterans' Affairs.

H.R. 3317. A bill to amend chapter 39 of title 38, United States Code, to increase the assistance payable by the Administrator of Veterans' Affairs toward the purchase price of specially equipped automobiles for disabled veterans; to the Committee on Veterans' Affairs.

H.R. 3318. A bill to amend title 38, United States Code, to provide that certain special hand or foot controls for automobiles shall be considered to be prosthetic appliances; to the Committee on Veterans' Affairs.

H.R. 3319. A bill to amend chapter 73 of title 38, United States Code, to credit physicians and dentists in the Department of Medicine and Surgery of the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

H.R. 3320. A bill to amend title 38, United States Code, in order to credit physicians and dentists with 20 or more years of service in the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

H.R. 3321. A bill to amend chapter 73 of title 38, United States Code, to make a career in the Department of Medicine and Surgery more attractive; to the Committee on Veterans' Affairs.

H.R. 3322. A bill to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance; to authorize policyholders to purchase annuities with the cash surrender value or the proceeds of a matured endowment policy of such insurance; and to prohibit the payment of certain stale claims by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 3323. A bill to amend chapter 19 of title 38 of the United States Code to permit the inclusion of provisions providing for double indemnity for accidental death in national service life insurance policies, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3324. A bill to amend section 111(a) of title 38, United States Code, to increase the rate of reimbursement of travel authorized Veterans' Administration beneficiaries, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (for himself and Mr. Brown of California) (by request):

H.R. 3325. A bill to amend title 38, United States Code, to relieve certain persons from filing the annual income questionnaire in connection with non-service-connected pensions; to the Committee on Veterans' Affairs.

H.R. 3326. A bill to liberalize certain eligibility requirements for payment of benefits to widows of veterans under title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. TUNNEY:

H.R. 3327. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

H.R. 3328. A bill to authorize the Secretary of the Interior to approve an agreement entered into by the Soboba Band of Mission Indians releasing a claim against the Metropolitan Water District of Southern California and Eastern Municipal Water District, California, and to provide for construction of a water distribution system and a water supply for the Soboba Indian Reservation; to the Committee on Interior and Insular Affairs.

H.R. 3329. A bill to create in the Executive Office of the President a Council of Ecological Advisers; to the Committee on Science and Astronautics.

By Mr. VANIK (for himself, Mr. Betts, Mr. Morgan, Mr. Feighan, Mr. Ashbrook, Mr. Bow, Mr. Brown of Ohio, Mr. Buchanan, Mr. Clancy, Mr. Coughlin, Mr. Fulton of Pennsylvania, Mr. Harsha, Mr. Hays, Mr. Latta, Mr. Lukens, Mr. McCulloch, Mr. Minshall, Mr. Miller of Ohio, Mr. Moorhead, Mr. Mosher, Mr. Nix, Mr. Rooney of Pennsylvania, Mr.

Ruppe, Mr. Saylor, and Mr. Stanton):

H.R. 3330. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. VANIK (for himself, Mr. Stokes, and Mr. Williams):

H.R. 3331. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 3332. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 3333. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 3334. A bill to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. CABELL:

H.R. 3335. A bill to make it a crime to induce, through fraud or misrepresentation, any person to travel in interstate commerce for educational purposes; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 3336. A bill to amend the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 3337. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONYERS (for himself, Mr. Annunzio, Mr. Brown of California, Mr. Burton of California, Mrs. Chisholm, Mr. Clay, Mr. Edwards of California, Mr. Farbstein, Mr. Fraser, Mr. Gilbert, Mr. Gonzalez, Mr. Halpern, Mr. Helstoski, Mr. Kastenmeier, Mr. Lowenstein, Mr. Matsunaga, Mr. Mikva, Mr. Moorhead, Mr. Podell, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Stokes, and Mr. Charles H. Wilson):

H.R. 3338. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. CONYERS (for himself, Mr. Eckhardt, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Reid of New York, and Mr. Thompson of New Jersey):

H.R. 3339. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DAVIS of Wisconsin:

H.R. 3340. A bill to provide for a device for recording and counting votes in the House of Representatives; to the Committee on House Administration.

By Mr. GILBERT:

H.R. 3341. A bill to authorize withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 3342. A bill to amend titles 10 and 32, United States Code, to authorize additional medical and dental care and other related benefits for reservists and members of the National Guard, under certain conditions, and for other purposes; to the Committee on Armed Services.

By Mr. LEGGETT:

H.R. 3343. A bill to amend chapter 55 of title 10 to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

H.R. 3344. A bill to amend the Public Health Service Act to establish the position of chief veterinary officer of the service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT (for himself, Mr. Hogan, and Mr. Hungate):

H.R. 3345. A bill to promote fair competition among prime contractors and subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to specify certain subcontractors who will assist in carrying them out; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 3346. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 3347. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for expenses incurred in providing education and training for mentally retarded or physically handicapped children; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.J. Res. 245. Joint resolution to provide for the designation of the second week of May of each year as "National School Safety Patrol Week"; to the Committee on the Judiciary.

H.J. Res. 246. Joint resolution authorizing the President to proclaim annually the week including February 14 (the birthday of Frederick Douglass) as "Afro-American History Week"; to the Committee on the Judiciary.

By Mr. ASPINALL (for himself, Mr. Saylor, Mr. Haley, Mr. Skubitz, Mr. Edmondson, Mr. Burton of Utah, Mr. Taylor, Mr. Morton, Mr. Johnson of California, Mr. Kyl, Mr. Foley, Mr. Steiger of Arizona, Mr. White, Mr. McClure, Mr. Kee, and Mr. Kazen):

H.J. Res. 247. Joint resolution relating to the administration of the national park system; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.J. Res. 248. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Con. Res. 80. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 81. Concurrent resolution expressing the sense of the Congress with respect to the incorporation of Latvia, Lithuania, and Estonia into the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. CABELL:

H. Con. Res. 82. Concurrent resolution designating October 6 of each year as "German-American Day"; to the Committee on the Judiciary.

By Mr. DENNEY:

H. Con. Res. 83. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. DERWINSKI:

H. Con. Res. 84. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY (for himself, Mr. Adams, Mr. Biester, Mr. Brock, Mr. Brown of Michigan, Mr. Cleveland, Mr. Eckhardt, Mr. Edwards of California, Mr. Fulton of Pennsylvania, Mr. Giaimo, Mr. Halpern, Mr. Hanna, Mr. Hathaway, Mr. Hicks, Mr. Horton, Mr. Johnson of California, Mr. Leggett, Mr. Lukens, Mr. Mailliard, Mr. McFall, Mr. Mikva, Mr. Mize, Mr. Morse, and Mr. Moss):

H. Con. Res. 85. Concurrent resolution calling upon the President to terminate foreign direct investment controls; to the Committee on Foreign Affairs.

By Mr. TUNNEY (for himself, Mr. Ottinger, Mr. Patten, Mr. Perkins, Mr. Pryor of Arkansas, Mr. Rosenthal, Mr. Roth, Mr. St. Onge, Mr. Teague of California, Mr. Thompson of New Jersey, Mr. Utt, Mr. Whalen, and Mr. Williams):

H. Con. Res. 86. Concurrent resolution calling upon the President to terminate foreign direct investment controls; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 125. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. DENNEY (for himself, Mr. Hunt, and Mr. Brotzman):

H. Res. 126. Resolution amending the Rules of the House of Representatives to provide that each public bill or resolution introduced in the House of Representatives shall contain an estimate of the cost to the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. POAGE:

H. Res. 127. Resolution to authorize investigations by the Committee on Agriculture; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 3348. A bill for the relief of the estate of Pierre Samuel du Pont Darden; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 3349. A bill for the relief of Maria Conchita R. Agcaoili; to the Committee on the Judiciary.

H.R. 3350. A bill for the relief of Guiseppe Birardi; to the Committee on the Judiciary.

H.R. 3351. A bill for the relief of Luigi Pedrotti; to the Committee on the Judiciary.

H.R. 3352. A bill for the relief of Nicola Gagliardi; to the Committee on the Judiciary.

H.R. 3353. A bill for the relief of Theofanis Koutsiaftis: to the Committee on the Judiciary.

H.R. 3354. A bill for the relief of Calogero, Maria, and minor child, Fabio Lauria; to the Committee on the Judiciary.

H.R. 3355. A bill for the relief of Dr. Shama Sunder Rao; to the Committee on the Judiciary.

H.R. 3356. A bill for the relief of Maria Ann Margarete Schupp; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 3357. A bill for the relief of Giuseppe Pileggi; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 3358. A bill for the relief of the McCarran Ranch; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 3359. A bill for the relief of Mrs. Maria De Simone; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 3360. A bill for the relief of Dr. Olga J. Agbayani Asar and Dr. Sedat Ali Asar; to the Committee on the Judiciary.

H.R. 3361. A bill for the relief of Shyrill Burton; to the Committee on the Judiciary.

H.R. 3362. A bill for the relief of Rita Elizabeth Clarke; to the Committee on the Judiciary.

H.R. 3363. A bill for the relief of Zorah Veronica Clarke; to the Committee on the Judiciary.

H.R. 3364. A bill for the relief of John Faughnan; to the Committee on the Judiciary.

H.R. 3365. A bill for the relief of Wei Lian Lee; to the Committee on the Judiciary.

H.R. 3366. A bill for the relief of Melba Nunez; to the Committee on the Judiciary.

H.R. 3367. A bill for the relief of Richard Joseph O'Callahan; to the Committee on the Judiciary.

H.R. 3368. A bill for the relief of Sara Parobkiewitz; to the Committee on the Judiciary.

H.R. 3369. A bill for the relief of Dr. Gollamudi Ramachander, Mrs. Devasena Ramachander and Subbarao Ramachander; to the Committee on the Judiciary.

H.R. 3370. A bill for the relief of Eftihia Tsavalou; to the Committee on the Judiciary.

H.R. 3371. A bill for the relief of Ruby S. Woodley; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 3372. A bill for the relief of Genowefa Libera Budzyna; to the Committee on Judiciary.

H.R. 3373. A bill for the relief of Giuseppe Delina; to the Committee on the Judiciary.

H.R. 3374. A bill for the relief of Lesvia M. Doukellis; to the Committee on the Judiciary.

H.R. 3375. A bill for the relief of Dr. Esmat M. El-Maayergy; to the Committee on the Judiciary.

H.R. 3376. A bill for the relief of Maria da Conceicao Evaristo; to the Committee on the Judiciary.

H.R. 3377. A bill for the relief of Frank Kleinerman; to the Committee on the Judiciary.

H.R. 3378. A bill for the relief of Donald P. Lariviere; to the Committee on the Judiciary.

H.R. 3379. A bill for the relief of Sfc. Patrick Marratto, U.S. Army (retired); to the Committee on the Judiciary.

H.R. 3380. A bill for the relief of Joseph J. Morris; to the Committee on the Judiciary.

H.R. 3381. A bill for the relief of Ahuva Ovadia; to the Committee on the Judiciary.

H.R. 3382. A bill for the relief of Aniello Peluso; to the Committee on the Judiciary.

H.R. 3383. A bill for the relief of Alberigo Romeo; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 3384. A bill for the relief of Chun-Ying Sa; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3385. A bill for the relief of Lauro Alfonso Ochoa Gonzalez; to the Committee on the Judiciary.

H.R. 3386. A bill for the relief of Hyung Sook Lee; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 3387. A bill for the relief of Manuel Vieira Andrade, Jr.; to the Committee on the Judiciary.

H.R. 3388. A bill for the relief of Elsa T. Arce and Esther T. Arce; to the Committee on the Judiciary.

H.R. 3389. A bill for the relief of Domenico Calderone and Carmela Magazzu Calderone; to the Committee on the Judiciary.

H.R. 3390. A bill for the relief of Dong Ping Chin; to the Committee on the Judiciary.

H.R. 3391. A bill for the relief of Giuseppe A. Cicoria; to the Committee on the Judiciary.

H.R. 3392. A bill for the relief of Manlio DeGrandis; to the Committee on the Judiciary.

H.R. 3393. A bill for the relief of Catherine A. Gallagher and Annie E. Gallagher; to the Committee on the Judiciary.

H.R. 3394. A bill for the relief of Antonio Giacobbe; to the Committee on the Judiciary.

H.R. 3395. A bill for the relief of Vincenzo Guarino; to the Committee on the Judiciary.

H.R. 3396. A bill for the relief of Jose Mendoza Lalinde; to the Committee on the Judiciary.

H.R. 3397. A bill for the relief of Hernan Lalinde Mendoza; to the Committee on the Judiciary.

H.R. 3398. A bill for the relief of Sebastiano Patti, Maria Rita Repici Patti, and Francesco Patti; to the Committee on the Judiciary.

H.R. 3399. A bill for the relief of Antonino Venuto; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 3400. A bill for the relief of Alezandros Goumas; to the Committee on the Judiciary.

H.R. 3401. A bill for the relief of Ada G. Morco; to the Committee on the Judiciary.

H.R. 3402. A bill for the relief of Aida Santos Reyes; to the Committee on the Judiciary.

H.R. 3403. A bill for the relief of Ruth Dela Cruz Sioson; to the Committee on the Judiciary.

H.R. 3404. A bill for the relief of Luis Alberto Solari; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 3405. A bill for the relief of certain aliens; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 3406. A bill for the relief of Angelina Elida Matthews; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3407. A bill for the relief of George Fouad Akrouche; to the Committee on the Judiciary.

H.R. 3408. A bill for the relief of Abou Samir Semaan; to the Committee on the Judiciary.

By Mr. DANIEL of Virginia:

H.R. 3409. A bill for the relief of Miss I. Pang Ho; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3410. A bill for the relief of Elda Ananyan; to the Committee on the Judiciary.

H.R. 3411. A bill for the relief of Salvatore Barone, Domitilla Barone, and Josephine Barone; to the Committee on the Judiciary.

H.R. 3412. A bill for the relief of Liya Hirina Bernaht; to the Committee on the Judiciary.

H.R. 3413. A bill for the relief of Salvatore Coico, Vincenza Coico, Francesca Coice, and Luigi Coico; to the Committee on the Judiciary.

H.R. 3414. A bill for the relief of George Filipopoulos; to the Committee on the Judiciary.

H.R. 3415. A bill for the relief of Carmela Pitruzzella; to the Committee on the Judiciary.

H.R. 3416. A bill for the relief of Helen Tziminadis; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 3417. A bill for the relief of Mrs. Gracia Trias Digal; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 3418. A bill for the relief of Francis M. Rogallo and Gertrude S. Rogallo; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 3419. A bill for the relief of Saad Ali Mohamed Ahmed; to the Committee on the Judiciary.

H.R. 3420. A bill for the relief of Barbara I. Krzewicka; to the Committee on the Judiciary.

H.R. 3421. A bill for the relief of Dr. Oscar H. Piedad; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 3422. A bill for the relief of Dr. Ebhrain Barzaga; to the Committee on the Judiciary.

H.R. 3423. A bill for the relief of Dr. Adolf Stafl, his wife, Jaroslava BuManova Stafl, and their minor children, Jan Stafl and Zdenek Stafl; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 3424. A bill for the relief of Alberto Aranibar-Zerpa; to the Committee on the Judiciary.

H.R. 3425. A bill for the relief of Pablo and Magdalena Paragas; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3426. A bill for the relief of Vito Barresi; to the Committee on the Judiciary.

H.R. 3427. A bill for the relief of Giuseppe Rocco; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3428. A bill for the relief of Jadwiga Adamkiewicz; to the Committee on the Judiciary.

H.R. 3429. A bill for the relief of Luis Barbato Alvarado; to the Committee on the Judiciary.

H.R. 3430. A bill for the relief of Daniela Auerbach; to the Committee on the Judiciary.

H.R. 3431. A bill for the relief of Pauline Bujnovska; to the Committee on the Judiciary.

H.R. 3432. A bill for the relief of Falicitas B. Burgonio; to the Committee on the Judiciary.

H.R. 3433. A bill for the relief of Antonio Demonte; to the Committee on the Judiciary.

H.R. 3434. A bill for the relief of Emerita Dinglas; to the Committee on the Judiciary.

H.R. 3435. A bill for the relief of Amelia Garcia; to the Committee on the Judiciary.

H.R. 3436. A bill for the relief of Matyas Hunyadi; to the Committee on the Judiciary.

H.R. 3437. A bill for the relief of Hee Sook Kim; to the Committee on the Judiciary.

H.R. 3438. A bill for the relief of Salvatore Miceli and Santa Maria Rita Miceli; to the Committee on the Judiciary.

H.R. 3439. A bill for the relief of Virginia O. Olympia; to the Committee on the Judiciary.

H.R. 3440. A bill for the relief of Muammer Onguner, her son, Erol Onguner, and her granddaughter, Yasemin Onguner; to the Committee on the Judiciary.

H.R. 3441. A bill for the relief of Raquel Maria Pellegrini; to the Committee on the Judiciary.

H.R. 3442. A bill for the relief of Juan Peral; to the Committee on the Judiciary.

H.R. 3443. A bill for the relief of Evanthia Psichopedas; to the Committee on the Judiciary.

H.R. 3444. A bill for the relief of Dr. Pacifico C. Ramon, Jr., and his wife, Maria Luisa Ramon; to the Committee on the Judiciary.

H.R. 3445. A bill for the relief of Mrs. Rosario Rodriguez; to the Committee on the Judiciary.

H.R. 3446. A bill for the relief of Dr. Jose Sarabia, his wife, Maria Teresa Sarabia, and their son, Jose S. Sarabia; to the Committee on the Judiciary.

H.R. 3447. A bill for the relief of Francesco Scatigno; to the Committee on the Judiciary.

H.R. 3448. A bill for the relief of Mary Seferian; to the Committee on the Judiciary.

H.R. 3449. A bill for the relief of Vassiliki Vacalopoulou; to the Committee on the Judiciary.

H.R. 3450. A bill for the relief of Leonor Valmores; to the Committee on the Judiciary.

H.R. 3451. A bill for the relief of Bernardino Ventura; to the Committee on the Judiciary.

H.R. 3452. A bill for the relief of Rosa Vexelman; to the Committee on the Judiciary.

H.R. 3453. A bill for the relief of Zofia Wojcik; to the Committee on the Judiciary.

H.R. 3454. A bill for the relief of Mario Michele Zito; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 3455. A bill for the relief of Gaetano Di Marco, Benedetta Di Marco, and Gustavo Di Marco, husband and wife, and minor child; to the Committee on the Judiciary.

H.R. 3456. A bill for the relief of Sergio Petrucci; to the Committee on the Judiciary.

H.R. 3457. A bill for the relief of Alice Pua; to the Committee on the Judiciary.

H.R. 3458. A bill for the relief of Saverio Tassone; to the Committee on the Judiciary.

H.R. 3459. A bill for the relief of Lorenzo Vittore; to the Committee on the Judiciary.

H.R. 3460. A bill for the relief of Wen-Yuan-Yu; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 3461. A bill for the relief of Bernardine McSweaney Cannon; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 3462. A bill for the relief of Royden P. Goodwin and family; to the Committee on the Judiciary.

By Mr. HUNT:

H.R. 3463. A bill for the relief of Nicholas J. Battiste and George F. Whelan; to the Committee on the Judiciary.

H.R. 3464. A bill for the relief of Maria Balluardo Frasca; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3465. A bill for the relief of Joaquina Januario; to the Committee on the Judiciary.

H.R. 3466. A bill for the relief of Emanuela Trovato; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 3467. A bill for the relief of Miss Bianca Maria Brazzola; to the Committee on the Judiciary.

H.R. 3468. A bill for the relief of Giovanni Paolini and his wife, Malfada Cipriani Paolini; to the Committee on the Judiciary.

H.R. 3469. A bill for the relief of Dr. Manuel Nate Roco, his wife, Nellie Marcelo Roco, and two children, Jonas Marcelo Roco, and Manuel Marcelo Roco; to the Committee on the Judiciary.

H.R. 3470. A bill for the relief of Dr. Segundo Sanchez, his wife, Graciela Sanchez, and four children, Segundo Humberto Sanchez, Oscar Sanchez, Fernando Sanchez, and Orlando Sanchez; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 3471. A bill for the relief of Maria Anunciacao; to the Committee on the Judiciary.

H.R. 3472. A bill for the relief of Alberto Gomes DePina; to the Committee on the Judiciary.

H.R. 3473. A bill for the relief of Franklin Areias Duarte; to the Committee on the Judiciary.

H.R. 3474. A bill for the relief of Branca da Gloria Franco Freitas; to the Committee on the Judiciary.

H.R. 3475. A bill for the relief of Francisco Arguilo Alves da Rocha Gomes; to the Committee on the Judiciary.

H.R. 3476. A bill for the relief of the estate of Patrick H. Harrington, deceased; to the Committee on the Judiciary.

H.R. 3477. A bill for the relief of Margrethe Kristensen; to the Committee on the Judiciary.

H.R. 3478. A bill for the relief of Luiz Pereira Moco; to the Committee on the Judiciary.

H.R. 3479. A bill for the relief of Raymond P. Murphy; to the Committee on the Judiciary.

H.R. 3480. A bill for the relief of the New Bedford Storage Warehouse Co.; to the Committee on the Judiciary.

H.R. 3481. A bill for the relief of Dr. Raghuram Pothapu Reddy; to the Committee on the Judiciary.

H.R. 3482. A bill for the relief of Maria Ascencao Reis; to the Committee on the Judiciary.

H.R. 3483. A bill for the relief of Jane Velsa Smith; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 3484. A bill for the relief of Szeto Kit Hang; to the Committee on the Judiciary.

H.R. 3485. A bill for the relief of Eugene L. Monagin; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 3486. A bill for the relief of Ivo Lopes Mendes Brandao and Jose Mendes Brandao, Jr.; to the Committee on the Judiciary.

H.R. 3487. A bill for the relief of Paolo Cassarino; to the Committee on the Judiciary.

H.R. 3488. A bill for the relief of Slavko Firman; to the Committee on the Judiciary.

H.R. 3489. A bill for the relief of Houmer C. Godje; to the Committee on the Judiciary.

H.R. 3490. A bill for the relief of Frederico Guercio; to the Committee on the Judiciary.

H.R. 3491. A bill for the relief of Ilona Hiermann; to the Committee on the Judiciary.

H.R. 3492. A bill for the relief of Edmund Kaminski; to the Committee on the Judiciary.

H.R. 3493. A bill for the relief of Michelino Miano; to the Committee on the Judiciary.

H.R. 3494. A bill for the relief of Benito Mirmina, his wife, Nunziata Mirmina, and their children, Franca Mirmina, Guiseppina Mirmina, and Francesco Mirmina; to the Committee on the Judiciary.

H.R. 3495. A bill for the relief of Salvatore Pappalardo; to the Committee on the Judiciary.

H.R. 3496. A bill for the relief of Pasquale Pizzimenti; to the Committee on the Judiciary.

H.R. 3497. A bill for the relief of Luis Elkin Echavarria Quintero; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 3498. A bill for the relief of Illuminada Macasieb; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 3499. A bill for the relief of Filippo Butera; to the Committee on the Judiciary.

H.R. 3500. A bill for the relief of Guiseppe Calva; to the Committee on the Judiciary.

H.R. 3501. A bill for the relief of Marcelo F. Gregorio, Beatriz Ozan deGregorio, and Marcelo F. Gregorio; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 3502. A bill for the relief of Giovanni and Terrana Grottadauria; to the Committee on the Judiciary.

H.R. 3503. A bill for the relief of Maria Fanzarella; to the Committee on the Judiciary.

H.R. 3504. A bill for the relief of Juana Reyes; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 3505. A bill for the relief of Timothy J. B. Clarke; to the Committee on the Judiciary.

H.R. 3506. A bill for the relief of Miss Zenaida Carreon Alcasid; to the Committee on the Judiciary.

H.R. 3507. A bill for the relief of Mrs. Carmen Figueroa-Fernandez de Santana; to the Committee on the Judiciary.

H.R. 3508. A bill for the relief of Joseph Paul Lucien Fontaine; to the Committee on the Judiciary.

H.R. 3509. A bill for the relief of Francesco Frasca; to the Committee on the Judiciary.

H.R. 3510. A bill for the relief of Miss Fe Enerlan Galindo; to the Committee on the Judiciary.

H.R. 3511. A bill for the relief of Nobuyoshi Higashi; to the Committee on the Judiciary.

H.R. 3512. A bill for the relief of Lapaz Mercado Ibea; to the Committee on the Judiciary.

H.R. 3513. A bill for the relief of Bernardine Geertrude Jackson; to the Committee on the Judiciary.

H.R. 3514. A bill for the relief of Gelina Jean-Louis; to the Committee on the Judiciary.

H.R. 3515. A bill for the relief of Miss Florence Logan; to the Committee on the Judiciary.

H.R. 3516. A bill for the relief of Vicenta Aida Manjon; to the Committee on the Judiciary.

H.R. 3517. A bill for the relief of Celestina Martorana; to the Committee on the Judiciary.

H.R. 3518. A bill for the relief of Maria Carmen Valente Pereira; to the Committee on the Judiciary.

H.R. 3519. A bill for the relief of Attilio Praino and his wife, Malena Carmen Garcia Praino; to the Committee on the Judiciary.

H.R. 3520. A bill for the relief of Franco Praino; to the Committee on the Judiciary.

H.R. 3521. A bill for the relief of Giuseppe Praino; to the Committee on the Judiciary.

H.R. 3522. A bill for the relief of Luigi Praino and his wife, Sara Lillian Praino; to the Committee on the Judiciary.

H.R. 3523. A bill for the relief of Antonio Scopino; to the Committee on the Judiciary.

H.R. 3524. A bill for the relief of Dr. Raymundo S. Sison; to the Committee on the Judiciary.

H.R. 3525. A bill for the relief of Imeon Magdalene Soberanis; to the Committee on the Judiciary.

H.R. 3526. A bill for the relief of Nikolaos Thanos; to the Committee on the Judiciary.

H.R. 3527. A bill for the relief of Anastasis Tsimpidis; to the Committee on the Judiciary.

H.R. 3528. A bill for the relief of Waimir Turolla; to the Committee on the Judiciary.

H.R. 3529. A bill for the relief of Enrica Undelac; to the Committee on the Judiciary.

H.R. 3530. A bill for the relief of Janis Zalcmanis, Gertrude Jansons, Lorena Jansons Murphy, and Asja Jansons Liders; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 3531. A bill for the relief of Dr. Miguel Miari Alvarez; to the Committee on the Judiciary.

H.R. 3532. A bill for the relief of Bernardo Benes; to the Committee on the Judiciary.

H.R. 3533. A bill for the relief of Dr. Isaac Cohen; to the Committee on the Judiciary.

H.R. 3534. A bill for the relief of Luis A. de la Vega; to the Committee on the Judiciary.

H.R. 3535. A bill for the relief of Jorge E. De Moya; to the Committee on the Judiciary.

H.R. 3536. A bill for the relief of Nicolas Duarte; to the Committee on the Judiciary.

H.R. 3537. A bill for the relief of Dr. Dario Duque; to the Committee on the Judiciary.

H.R. 3538. A bill for the relief of Dr. Jose Esquenazi; to the Committee on the Judiciary.

H.R. 3539. A bill for the relief of Dr. Angela Zabarte Fandino; to the Committee on the Judiciary.

H.R. 3540. A bill for the relief of Salustiano Garcia-Diaz; to the Committee on the Judiciary.

H.R. 3541. A bill for the relief of Joseph Giardina; to the Committee on the Judiciary.

H.R. 3542. A bill for the relief of Dr. Arthur Gosselin; to the Committee on the Judiciary.

H.R. 3543. A bill for the relief of Dr. Juliet Helmkin; to the Committee on the Judiciary.

H.R. 3544. A bill for the relief of Dr. Carlos Modesto Hernandez; to the Committee on the Judiciary.

H.R. 3545. A bill for the relief of Jose H. Kates; to the Committee on the Judiciary.

H.R. 3546. A bill for the relief of Dr. Gustavo Leon Lemus; to the Committee on the Judiciary.

H.R. 3547. A bill for the relief of Dr. Julio C. Mena; to the Committee on the Judiciary.

H.R. 3548. A bill for the relief of Dr. Roberto de la Caridad Miquel; to the Committee on the Judiciary.

H.R. 3549. A bill for the relief of Dr. Moises Mitrani, M.D.; to the Committee on the Judiciary.

H.R. 3550. A bill for the relief of William H. Nickerson; to the Committee on the Judiciary.

H.R. 3551. A bill for the relief of Alberto Vadra; to the Committee on the Judiciary.

H.R. 3552. A bill for the relief of Jean M. Vorbe; to the Committee on the Judiciary.

H.R. 3553. A bill for the relief of World Mart, Inc.; to the Committee on the Judiciary.

H.R. 3554. A bill for the relief of Dr. Jose R. Zayas-Bazan; to the Committee on the Judiciary.

H.R. 3555. A bill for the relief of Mrs. Rosa Zimmerman; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 3556. A bill for the relief of Daisy Olivia A. Caponong; to the Committee on the Judiciary.

H.R. 3557. A bill for the relief of Chan Pui Chang; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 3558. A bill for the relief of Thomas A. Smith; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 3559. A bill for the relief of Alkiviadis Peter Bouras; to the Committee on the Judiciary.

H.R. 3560. A bill for the relief of Harry Bush; to the Committee on the Judiciary.

H.R. 3561. A bill for the relief of Marta Bru Giusto; to the Committee on the Judiciary.

H.R. 3562. A bill for the relief of Constantin Koumantakis; to the Committee on the Judiciary.

H.R. 3563. A bill for the relief of Melunka Krunic; to the Committee on the Judiciary.

H.R. 3564. A bill for the relief of Pasquale (Pat) LaValle; to the Committee on the Judiciary.

H.R. 3565. A bill for the relief of Licia Marchi; to the Committee on the Judiciary.

H.R. 3566. A bill for the relief of Antonio E. Marti; to the Committee on the Judiciary.

H.R. 3567. A bill for the relief of Faustina Pereda; to the Committee on the Judiciary.

H.R. 3568. A bill for the relief of Motek Rodzynek; to the Committee on the Judiciary.

H.R. 3569. A bill for the relief of Dr. Juan G. Roederer; to the Committee on the Judiciary.

H.R. 3570. A bill for the relief of Sgt. John E. Scott, U.S. Air Force (retired); to the Committee on the Judiciary.

H.R. 3571. A bill for the relief of Miloye M. Sokitch; to the Committee on the Judiciary.

H.R. 3572. A bill for the relief of Sangwoo Suh and Yeong-Yull Suh; to the Committee on the Judiciary.

H.R. 3573. A bill for the relief of Apostolos Todis; to the Committee on the Judiciary.

H.R. 3574. A bill for the relief of Demetrios Verdos; to the Committee on the Judiciary.

H.R. 3575. A bill for the relief of Carl F. Yee; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 3576. A bill for the relief of Carlo Crinto; to the Committee on the Judiciary.

H.R. 3577. A bill for the relief of Giuseppe Desiderio; to the Committee on the Judiciary.

H.R. 3578. A bill for the relief of Gabriele Fioriti; to the Committee on the Judiciary.

H.R. 3579. A bill for the relief of Ronald C. Mullin; to the Committee on the Judiciary.

H.R. 3580. A bill for the relief of Michele Pucillo, his wife, Giagina Ragozzino Pucillo, and their minor daughter, Geraldina Pucillo; to the Committee on the Judiciary.

H.R. 3581. A bill for the relief of Jayarama Reddi Perumareddi; to the Committee on the Judiciary.

H.R. 3582. A bill for the relief of Valerio Rosai; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 3583. A bill for the relief of Emanuele Catanzariti; to the Committee on the Judiciary.

H.R. 3584. A bill for the relief of Rosina Cervini; to the Committee on the Judiciary.

H.R. 3585. A bill for the relief of Nehmetallah Youssef Khouri; to the Committee on the Judiciary.

H.R. 3586. A bill for the relief of Andonios Merkouris; to the Committee on the Judiciary.

H.R. 3587. A bill for the relief of Marina Merkouris; to the Committee on the Judiciary.

H.R. 3588. A bill for the relief of Giovanni Rampulla; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 3589. A bill for the relief of Erodita Agard; to the Committee on the Judiciary.

H.R. 3590. A bill for the relief of Timothy L. Ancrum (also known as Timmie Rogers); to the Committee on the Judiciary.

H.R. 3591. A bill for the relief of Gisele Berjonneau; to the Committee on the Judiciary.

H.R. 3592. A bill for the relief of Sylvia Jean Bound; to the Committee on the Judiciary.

H.R. 3593. A bill for the relief of Samuel Castro and his wife, Sarah; to the Committee on the Judiciary.

H.R. 3594. A bill for the relief of Edith Cohen; to the Committee on the Judiciary.

H.R. 3595. A bill for the relief of Arie and Tova Edrich; to the Committee on the Judiciary.

H.R. 3596. A bill for the relief of Arita Zannides Genidounia; to the Committee on the Judiciary.

H.R. 3597. A bill for the relief of Grace Marie Gladden; to the Committee on the Judiciary.

H.R. 3598. A bill for the relief of Lea Gross and her son, Amir; to the Committee on the Judiciary.

H.R. 3599. A bill for the relief of Jose Z. Gutierrez, Jr., M.D.; to the Committee on the Judiciary.

H.R. 3600. A bill for the relief of Antonio Acupan Madrinan and Lilia Madrinan; to the Committee on the Judiciary.

H.R. 3601. A bill for the relief of Judith Novella Matthew; to the Committee on the Judiciary.

H.R. 3602. A bill for the relief of Vallan Pitts; to the Committee on the Judiciary.

H.R. 3603. A bill for the relief Dr. Nasser Shekib and Lila Shekib; to the Committee on the Judiciary.

H.R. 3604. A bill for the relief of Mary May Stout; to the Committee on the Judiciary.

H.R. 3605. A bill for the relief of Duke H. Vanderpuije; to the Committee on the Judiciary.

H.R. 3606. A bill for the relief of Sergio Villar; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 3607. A bill for the relief of Kalender Arslan; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 3608. A bill for the relief of Sung-Won Ko; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 3609. A bill for the relief of Mah Bing Shoung (Lee Nyin); to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 3610. A bill for the relief of Janet Sandra Jenkins; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 3611. A bill for the relief of Teresita Gorostica Reyes; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.R. 3612. A bill for the relief of Alois Josef Betschart; to the Committee on the Judiciary.

H.R. 3613. A bill for the relief of Henry E. Dooley; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 3614. A bill for the relief of Teofila Pardo Ruiz; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 3615. A bill for the relief of Ricardo V. Alberto; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 3616. A bill for the relief of Menita Remoran Agriam; to the Committee on the Judiciary.

H.R. 3617. A bill for the relief of Delia Gayla Avecilla; to the Committee on the Judiciary.

H.R. 3618. A bill for the relief of Feliciana G. Avecilla; to the Committee on the Judiciary.

H.R. 3619. A bill for the relief of Jaime C. Avecilla, Sr.; to the Committee on the Judiciary.

H.R. 3620. A bill for the relief of Jamie G. Avecilla, Jr.; to the Committee on the Judiciary.

H.R. 3621. A bill for the relief of Josephine Avecilla; to the Committee on the Judiciary.

H.R. 3622. A bill for the relief of John Sebastian Bell; to the Committee on the Judiciary.

H.R. 3623. A bill for the relief of Aggeliki J. Boudouvas; to the Committee on the Judiciary.

H.R. 3624. A bill for the relief of A. C. Brown; to the Committee on the Judiciary.

H.R. 3625. A bill for the relief of Attilio and Elda Corrado and sons, Henry and Albert; to the Committee on the Judiciary.

H.R. 3626. A bill for the relief Armindo Lopez Fernandez de Carvalho; to the Committee on the Judiciary.

H.R. 3627. A bill for the relief of Manuel Miranda de Castro; to the Committee on the Judiciary.

H.R. 3628. A bill for the relief of Erna Karla Auguste Deumlich; to the Committee on the Judiciary.

H.R. 3629. A bill for the relief of Mrs. Sabina Riggi Farina; to the Committee on the Judiciary.

H.R. 3630. A bill for the relief of Joo Bok Lee; to the Committee on the Judiciary.

H.R. 3631. A bill for the relief of Daniel Marin Macias; to the Committee on the Judiciary.

H.R. 3632. A bill for the relief of Tao Shel Mah; to the Committee on the Judiciary.

H.R. 3633. A bill for the relief of Parachuting Associates, Inc.; to the Committee on the Judiciary.

H.R. 3634. A bill for the relief of Ephy Grace Peshek; to the Committee on the Judiciary.

H.R. 3635. A bill for the relief of Yee Yam Pong and his wife, Wong Kam Fong; to the Committee on the Judiciary.

H.R. 3636. A bill for the relief of Virginia Sansano Quidangen; to the Committee on the Judiciary.

H.R. 3637. A bill for the relief of Mrs. Marie J. Saladino; to the Committee on the Judiciary.

H.R. 3638. A bill for the relief of Rudolf Sandor, and his wife, Klara, and their son, Rudolph; to the Committee on the Judiciary.

H.R. 3639. A bill for the relief of Mrs. Constancia D. Saso; to the Committee on the Judiciary.

H.R. 3640. A bill for the relief of Susana Tomasa Ibay Valdez; to the Committee on the Judiciary.

H.R. 3641. A bill for the relief of Antonio Pesic Villero; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 3642. A bill for the relief of Renee Bernat; to the Committee on the Judiciary.

H.R. 3643. A bill for the relief of Tan J. I. Kie Sioe; to the Committee on the Judiciary.

H.R. 3644. A bill for the relief of Esther Tofahi; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE CUBAN MISSILE CRISIS

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. CHURCH. Mr. President, several weeks ago, there appeared in the magazine Commonweal an article commenting upon the book "13 Days," authored by our late colleague, Senator Robert F. Kennedy, concerning the 1962 Cuban missile crisis—a crisis in which he played a central role as adviser and confidant of his brother, the late President Kennedy.

Written by former State Department official Roger Hilsman, the Commonweal article deals with an analysis of the book from an "insiders" point of view, for Mr. Hilsman has an active part in the Kennedy administration at the time of the 1962 Cuban confrontation.

I recommend Mr. Hilsman's article to all Senators as a worthy contribution to our better understanding of one of the most crucial events in the history of the Nation. I ask that it be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

R. F. K. ON CUBA: AN INSIDER'S ANALYSIS

(By Roger Hilsman)

Robert Kennedy's *Thirteen Days* is unique—an account of the world's first nuclear crisis by a man who shared presidential responsibility. For of all of the men around John F. Kennedy in those fateful days, only Robert F. Kennedy, his brother, could feel the personal sense that John Kennedy did of responsibility for all of mankind and for generations yet unborn. It is the closest thing we will ever have to the reflections of John F. Kennedy himself.

The awesome drama of those thirteen days, the tension, the clashing wills of patriotic, intelligent, but overwrought men of deeply differing convictions is all here. This manuscript was a first-draft, and Robert Kennedy had intended to polish and edit it. But, in a way, the first-draft roughness, contributes to the drama of the account, conveying something of the striving for deliberateness in the midst of overwhelming pressure for speed.

Some commentators have said that there is nothing in Robert Kennedy's account that had not already appeared. But as one who was himself involved in those events as the Director of the State Department's Bureau of Intelligence and Research, I believe that judgment is unfair. There are no "now-it-can-be-told" state secrets revealed, but there is still much that is new.

First, of course, is the account of how John Kennedy felt, how he saw the crisis, and both his and Robert Kennedy's joint reflections on the lessons to be learned. This is new. John Kennedy was determined to avoid recrimination or exultation in his dealing with the Soviet Union and to take the opportunity to move to achieve agreements, such as the limited nuclear test ban agreement, that would help to end the Cold War, and he refrained from confiding his feelings about the crisis to anyone but his brother.

Other details are also new. Robert Kennedy gives a much fuller account than has ever before appeared in print of the long, four-part cable that Chairman Khrushchev sent the afternoon of Friday, Oct. 26. This cable marked the turning point in the Soviet attitude and was the basis of the agreement that resolved the crisis. Kennedy also documents what had only been deduced before about the course events would probably have taken if the Soviets had not backed down—the United States would have been forced to take out the Soviet anti-aircraft SAM sites, and, then, if the Soviets still persisted, to launch an invasion.

Many other details are also new, but one is particularly significant—the account of Robert Kennedy's meeting with Ambassador Dobrynin, the details of which supply a missing link that has puzzled historians. There has long been speculation that something happened Saturady Oct. 27, that finally convinced the Soviets just how determined the Americans were and caused them to recognize the full gravity of the situation. Kennedy's account of his meeting with Dobrynin provides the explanation. For Robert Kennedy was able to make it clear how events must inevitably proceed, how short time was before events took command, and yet to do so without threats or posturing.

The final section of *Thirteen Days* is devoted to reflections on the crisis and on the lessons learned. Here, Robert Kennedy is speaking to future Presidents and other officials who will sit around that same table making other fateful decisions. And what he has to say is worthy of their attention.

It is at this point, however, that a criticism must be made. Once during the crisis, a member of the Joint Chiefs of Staff said that he believed in a preventive attack on the Soviet Union. Others advocated attacks on Cuba without warning. "They seemed always to assume," Kennedy writes, "that the Russians and the Cubans would not respond or, if they did, that a war was in our national interest." There is no question that these remarks were made, but it is also clear that the deliberated positions taken by the Joint Chiefs of Staff were more responsible and took greater account of the proper limitations of military advice. The inability to look beyond the limited military field illustrated by these remarks appalled Robert Kennedy and led him to the sharp judgment given in the manuscript. But had he lived to go over it once more, he might well have made some changes. For he quotes John Kennedy in a different vein: "When we talked about this later, he said we had to remember that they were trained to fight and to wage war—that was their life. Perhaps we would feel even more concerned if they were always opposed to using arms or military means—for if they would not be willing, who would be?"

One final observation must be made. Because Robert Kennedy is the author of this account, his own role is played down. But the truth of the matter is that Robert Kennedy's role was central, second only to that of his brother. And on two occasions his contribution was the higher. On Friday night, Oct. 19, support in the ExCom for blockading Cuba as the first step began to fall apart, with more and more members shifting to the idea of opening with a bombing strike against the missile sites. It was Robert Kennedy who eloquently, even passionately, argued against an "American Pearl Harbor"—and who won the day.

The second occasion was on Saturday, Oct. 27, the blackest day of the crisis. The night before Khrushchev's long cable seemed to open the door to a resolution. This was reinforced by a very specific set of proposals delivered informally by the representative of Soviet intelligence in their Washington embassy to an American newsman. Then on Saturday, the Soviets reneged in a message broadcast from Moscow, and a U-2 was shot down over Cuba, killing the pilot, Major Anderson. There seemed no alternative to bombing the missiles sites, and following this with an invasion.

But it was Robert Kennedy who conceived a brilliant diplomatic maneuver—later dubbed the "Trollope ploy," after the recurrent scene in Anthony Trollope's novels in which the girl interprets a squeeze of her hand as a proposal of marriage. His suggestion was to deal with Friday's package of signals—Khrushchev's cable and the approach through the Soviet intelligence agent—as if the reneging message of Saturday simply did not exist. Picking out of the various signals those items which the United States found acceptable, Robert Kennedy drafted a message to Khrushchev. At the President's direction, he then had his crucial conversation with Dobrynin, as described above. And the crisis was resolved.

There is no doubt of the debt that America—and all of humankind—owes to Robert F. Kennedy.

NEW HIGHWAY DEPARTMENT REGULATIONS MAY SLOW DOWN CONSTRUCTION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. ZWACH. Mr. Speaker, during this past month, I was beseiged by calls from county commissioners and State organizations and officials regarding the proposed change in Federal or interstate highway location regulations.

Upon checking with these and other authorities, I then submitted a statement to the Department urging them to extend the hearing or to delay such hearings in order that all segments of administrative agencies dealing with highway location and construction become thoroughly aware of the drastic changes being proposed.

I also received a copy of the statement made at the Department of Transportation hearing by the president of the Minnesota Good Roads Association which I believe point up the ramifications of these broad proposals. The president, Mr. Frank Marzitelli, was formerly deputy highway commissioner in Minnesota, and is able to speak authoritatively on this subject. I commend the reading and study of his statement which follows:

Mr. Chairman, my name is Frank D. Marzitelli, and I have ventured here from St. Paul, Minnesota. Formerly I served as Deputy Commissioner of the Minnesota Department of Highways. Currently I am Executive Vice President of the Port Authority of the City of St. Paul. I also am President of Minnesota Good Roads, Incorporated, and I primarily appear before you in the latter capacity.

Minnesota Good Roads, Incorporated is an organization composed of interested and concerned citizens who urgenty believe that Minnesota's industrial and economic development hinges upon a growing transportation system that can effectively and expeditiously move goods and people. For 75 years our organization has been a leader in efforts to improve Minnesota's highway transportation in municipal, County and State governmental areas. Our organization has consistently and actively supported the Minnesota Department of Highways in its policy of dual public hearings and early public involvement. The record proves conclusively that Minnesota Good Roads, Incorporated, far from questioning or condemning public involvement in the location of highways, aggressively encourages said involvement.

That being established, I now wish to state that our organization and, in view of my special experience in highway matters, I, particularly, are unalterably opposed to the addition of the proposed new Part 3 to Title 23, Code of Federal Regulations. Unalterably, Sir!

We gravely question the constitutionality of the proposed super-imposed regulations, and are shockingly upset by the likely social, political, economic, and public safety consequences if these ill-advised regulations are forced upon the citizens and taxpayers of the United States of America.

I am not a constitutional lawyer, nor yet a lawyer at all, but my training and experience enable me to detect the ominous significance of proposed Section 3.1 applicability:

"A. This part applies to all Federal Aid Highway projects."

Gentlemen, that is the meat of it: meat for the bottomless appetites of Federal bureaucrats.

These proposed regulations are a gross invasion of the reserved and inherent powers of the several States of the Union. They would usurp a primary responsibility of the State Highway Commissioners by placing final authority for virtually all highway location and construction in the hands of the Federal Highway Administrator. They give him control of intrastate as well as interstate construction, and this must not be!

Governor Volpe of Massachusetts, Secretary-designate of the Department of Transportation, puts it in a nutshell. The proposed rule would "remove the power of location selection from the States and place it in the hands of Federal authorities who are removed from the many intricacies of each project."

Gentlemen, surely you are even more aware than I that these proposed regulations probably violate the Constitution of the United States and surely violate the intent of Congress. I beg you to abandon this reckless, headstrong course of action.

Should you, in fact, activate these proposed regulations, I foresee chaos.

I speak from peculiar and painful experience.

Minnesota is unusual in that it is one of a handful of States with a law absolutely requiring that any highway construction contract entered into within or immediately adjacent to a municipality must be consented to by the governing body of that municipality. We now know that Minnesota motorists have paid a high price indeed for the absolute right of a municipality to veto any non-interstate highway plan. The price has been paid in such expensive coin as delay, disruption, inconvenience, bickering and, all too often, death.

By injecting these new rules promulgated by the Federal Highway Administration into our already restrictive situation, there will be many roads, streets, and highways, now desperately needed, that will never be built because of lack of agreement between different levels of government. When I inform you that Saturday, December 14th, 1968, Minnesota, for the first time in its entire history, recorded its 1,000th highway traffic death within a calendar year, you can understand the depth of my concern.

We need more roads, better roads . . . and we need them now! We cannot endure additional bureaucratic delays!

It has wisely been said that: "Justice delayed is justice denied". Highway construction delayed is more than highway construction denied; it is transportation denied; it is social justice denied; it is economy denied; it is public safety denied!

Yet the appellate provisions of 3.17 virtually seek out objections and delays by permitting but one disgruntled person to halt any construction project. As you well know, the filing of such an appeal with the Federal Highway Administration would automatically stop further progress until the appeal is settled. To make matters worse: the proposed regulations impose no time limit on the Federal Highway Administrator within which to make his decision on an appeal. This, gentlemen, is indeed a mockery of justice!

Under the seductive disguise of affording "effective public participation in the consideration of highway location and design proposals", the proposed new regulations would effectively cripple State, County and local highway construction while robbing the several States of their constitutional heritage.

As Edmund Burke remarked in 1784, "The people never give up their liberties but under some delusion". Your proposed regulations, gentlemen, are the great delusion of this decade.

Again, I beg you to withdraw these proposed rules and regulations.

THE CASTLE VALLEY JOB CORPS CIVILIAN CONSERVATION CENTER NEAR PRICE, UTAH

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. MOSS. Mr. President, the Castle Valley Job Corps Civilian Conservation Center near Price, Utah, operated for the Office of Economic Opportunity by the Bureau of Land Management, is now over 3 years old. The Salt Lake City Tribune has aptly stated:

> An unwanted stranger in town has an uphill fight to establish a good reputation.

I am pleased to note today, over 3 years later, that the people of our State have welcomed the Job Corpsmen into the community to the point where the city council of Price adopted a resolution praising the Castle Valley Center corpsmen and staff and recommending its continuance. I concur with the statement in the editorial "The Image Is Mended" to the effect that—

> They are increasingly being welcomed is a credit to the Job Corps and the home folks alike.

I ask unanimous consent that a copy of the editorial and the resolution be inserted in the Extensions of Remarks in the CONGRESSIONAL RECORD.

There being no objection, the editorial and resolution were ordered to be printed in the RECORD, as follows:

[From the Salt Lake City (Utah) Tribune, Sept. 21, 1968]

AN IMAGE IS MENDED

An unwanted stranger in town has an uphill fight to establish a good reputation. This has been the experience of more than one Job Crops center throughout the country.

Many communities initially resented having a center dropped in their midst. Sometimes incidents involving corpsmen and local citizens or police added to the resentment. But as center administrators and personnel became more experienced in guiding their youthful charges into projects benefitting the host communities ugly incidents declined and resentment has many times turned to appreciation.

Not long ago the mayor and City Council of Price adopted a resolution praising corpsmen at nearby Castle Valley Civilian Conservation Center, operated by the Bureau of Land Management, for their good conduct and many material contributions to the city. Similar commendation for other centers has come from various civic and government bodies.

This change in community attitude is testimony of what can be accomplished by mutual respect and willingness to reserve judgment. Job Corpsmen come to town under many disadvantages. That they are increasingly being welcomed is a credit to the Job Corps and the home folks alike.

RESOLUTION OF PRICE, UTAH, MUNICIPAL CORP.

Whereas, the Job Corps located south of Price, Utah, has been of substantial economic benefit to the people of this community and the citizens of Price, Utah, in that much useful work has been done by the Job Corps of lasting benefit to this area and the economy of the County has been advanced thereby, and

Whereas, the Job Corp has provided needed schooling and training for the members, thus improving their education and ability to later to be of help to the welfare of our society and to earn their own way and raise their living standards, and

Whereas, the members of the Job Corps on the whole have been law-abiding and have shown respect for the laws and the rights of the people of this community, and

Whereas, they have assisted in doing useful and necessary work for the benefit of this community when their assistance has been requested,

Therefore, be it Resolved that the Mayor and City Council of Price, hereby commend the Job Corps and its Officers and members for the excellent work it is doing for the betterment and improvement of this area and the advancement and development of its members and the moral and spiritual uplift it is providing for its members in addition to all of the economic improvement which is derived from the Job Corps, and

Be it further resolved that we recommend the continuance of this program.

MURRAY MATHIS,
Mayor.
HAROLD O. PATTERICK,
WALTER T. AXELGARD,
JAMES FAUSETT,
GUIDO RACHIELE,
MACK BUDGE,
Councilmen.

SIMPLE JUSTICE FOR CONSCIENTIOUS FEDERAL EMPLOYEES

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. GONZALEZ. Mr. Speaker, I am today reintroducing a bill which gives simple justice to the many conscientious Federal employees who use their sick leave only when they are ill. At present, the sick leave accumulated by the majority of civil servants who retire without disability saves their Government a considerable sum, but does not benefit them at all. My bill would permit these employees the option of receiving full credit for each day of accumulated sick leave in computing their retirement benefits, or for receiving a lump payment equal to one-fourth the cash value of their sick leave.

There is a double rationale for my bill. On the one hand, it is designed to improve the efficiency of the Federal service by reducing the unusual use of sick leave by employees whose retirement is imminent. A recent study found that employees retiring from Government service use an average of 40 days of sick leave during their last year of employment, which contrasts sharply with the Government-wide average of 8.3 days of sick leave a year. The impulse to use sick leave before retirement is understandable, for it is lost completely—unless an employee retires for disability.

The disability retiree draws full salary for each day of sick leave remaining to him. Thus, on the other hand, my bill is designed to give the vast majority of employees not retiring on disability some measure of equity with those retiring on disability.

I realize that in the 90th Congress, the Post Office and Civil Service Committee of the House decided against the retirement option of a lump sum for sick leave, in reporting H.R. 17682. This was due in part to the persistent opposition to it by the Civil Service Commission, the Bureau of the Budget, and the Post Office Department. These agencies held it would be an expensive change in the sick leave principle.

However, the committee did recommend that accumulated sick leave be fully credited for purposes of computing an employee's retirement annuity. For example, an employee who retires with 30 years of service could easily accumulate 1 year of sick leave if he were reasonably healthy. He would therefore have his retirement annuity computed as if he had performed 31 years of service. This additional service, however, could not be counted in determining average pay or in attaining eligibility for retirement.

This section of H.R. 17682 was designed to cut down on the heavy use of sick leave by retiring employees. The savings to the Government are obvious, for persons on sick leave are drawing pay, and must be counted as part of the agencies' personnel ceilings. His work is either undone or a temporary employee must be hired and trained.

On this point, Civil Service Commission Chairman John Macy told the committee he thought the estimated $22 million annual cost of the sick leave credit section "would be offset significantly by a lesser use of sick leave on an annual basis by employees. If we were able to reduce the average use from 8.3 days a year to, say, 7 days a year, that would represent a substantial savings." He went on to say later:

> If you got everybody to work one more day that would otherwise be spent on sick leave, 90 million dollars would be a reasonable estimate.

I was impressed with the full consideration the committee gave to the unused sick leave question, and with the fact that several ranking members on the committee had initially cosponsored the same bill I did to provide not only annuity credit for sick leave but the option of reimbursement as well. Therefore, I supported H.R. 17282 in its successful House passage, and was disappointed the Senate did not act upon our bill.

Although I supported the committee version last year, and would do so again if it were again reported out, I have not abandoned my belief that the principle of equity for nondisability retirees justifies a lump-sum option.

It was voiced in last year's floor debate that the accumulation of sick leave by an employee was "a type of insurance against loss of income during periods of illness." But it is insurance in a limited sense only. An employee who saves most of the 13 days of sick leave a year due him is indeed building up a reserve for that day when he may have an extended illness. If he remains healthy, he loses the sick leave. But if he is part of that one-third of Government employees who retire on disability he receives pay for his days of sick leave, and benefits twice because all time spent in a pay status is credited toward his retirement annuities. Thus to the disabled retiree, accumulated sick leave is money in the bank, on which he has paid no premiums. It is in this special sense not insurance at all, but a donation from his Government.

The civil servant who conscientiously accumulates his sick leave sees one-third of his fellow employees retiring on disability and receiving monetary benefit for their sick leave, and he sees other employees who are similarly retiring on a nondisability status using up all the sick leave they can in the last years. This man deserves to be rewarded for part of the amount his restraint is saving his Government. He should certainly be afforded retirement credit for accumulated sick leave, and I am convinced he also deserves the option of a lump-sum payment upon retirement, equal to one-fourth the cash value of his sick leave.

THE GROWTH OF SHOW BUSINESS UNIONS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. JAVITS. Mr. President, many people in America still think of the trade union movement as composed primarily of blue-collar workers. This is becoming less and less true as the American work force changes. However, it was never completely true. One of the most fascinating chapters in American trade union history has been the growth and development of the trade unions representing the musicians, actors, artists, and others involved in show business. The history of these unions has been chronicled in the September 1968 issue of American Labor magazine. The article makes extremely interesting reading for anyone interested in the history of either the stage or this particular chapter to the American labor movement. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THERE'S NO BUSINESS LIKE—AND NO HISTORY QUITE LIKE THE HISTORY OF THE VARIOUS LABOR UNIONS IN SHOW BUSINESS

Lightnin' struck on Broadway at 8:20 on the evening of August 7, 1919.

That play, the first to close in the first actors' strike ever to hit Broadway starred Frank Bacon, a middleaged actor who was making his bid for the big time with it—maybe his last.

After more than twenty years on the road and in stock companies, Bacon was playing a lead part on the Great White Way for the first time, in a play that he had written and helped produce.

Lightnin' represented everything that he had hoped and worked for. But when the actors struck, Frank Bacon was the first to go, leading his cast out of the theatre, past the paying customers.

His decision was made all the more difficult because with the opening of *Lightnin* , of which he was also part owner, Bacon had become a theatre manager, and it was the managers that the actors were striking against.

But he counted himself an actor first, and an owner second. "We'll stick with our own kind," he said. "I may be sold down the river for this, but if I am, Bacon will bring a higher price than ever before."

That long-ago strike on Broadway, called by the Actors' Equity Association, was the culmination of a long battle to obtain recognition of an organization of actors, empowered to have a voice on wages and working conditions in the theatre.

ACTORS ARE ACTORS

Organizing actors was probably one of the most difficult tasks ever faced by the labor movement. Time and again, any group of performers who banded together to protect their rights were wrecked both by outside pressure from employers and internal dissension among the performers themselves. For actors, almost by definition, are starstruck.

To them, "The show must go on" is not an empty phrase. The great ones believe it with their hearts and souls. They are dedicated to their profession almost as lovers are dedicated to each other. And like lovers, they can be blind to any flaws in the object of their affections.

Even when a group did organize, staying organized didn't last long. Actors' groups had always been easy prey to the divisive tactics of theatre managers and producers.

There have always been, and probably always will be, more actors and would-be actors than there are theatre jobs. With twenty, or a hundred, eager and compliant applicants for every opening available—kids who will suffer any deprivation for their chance at the big time—an employer didn't worry too much if a few of his cast started to complain about unfair conditions.

Usually, just the threat of replacing one with any of the many other people waiting his turn was enough to bring any disgruntled actor into line.

The relatively few performers who were important to a producer had no such problems of course. They could get fair contracts and generous salaries. The plight of the struggling actor no longer involved them, and they could not always be counted on to stand up for the little guy.

THE WHITE RATS

A few actors groups did manage to form, even in the face of such difficulties. One of the most successful of these was the White Rats, a group composed largely of vaudevillians.

The White Rats were organized in 1900 and received a charter from the American Federation of Labor in 1910. They flourished briefly in those early years, wrung a few concessions from managers and attracted several thousand members, including some of the big-names any performers organization must have.

Digby Bell, Weber and Fields, Eddie Foy and Maurice Barrymore all joined the Rats and attempted to pit themselves against the Vaudeville Protective Managers' Association, which was guided by producer E. F. Albee.

But Albee declared war on the Rats, and won. In 1916 he instituted a lock-out of all White Rats members and made it stick. Members who retained their cards had to do so secretly, and were in constant danger of being denounced and bounced from their bookings. Just as Equity's star was rising, the White Rats seemed destined to go the way of all other performers' groups.

STILL ANOTHER FAILURE

Equity, in fact, was founded on the rubble of still another unsuccessful attempt to organize. In 1896, an association known as the Actors' Society had been formed as both a social and business group. One of its stated purposes was to "discriminate against irresponsible managers and help its members secure contracts with only responsible managers."

But the Actors' Society did nothing. Weak and ineffective, it was ignored by the producers. Finally, on a wintry day in 1912, 100 of its members met for the final meeting, and that was that.

It had served no one, accomplished nothing, but its final meeting was probably its most significant. For at that last gathering, some members still stubbornly clung to the idea that an actors' organization could survive. Though they'd failed, they thought they could profit from their mistakes, and succeeded with a second try.

Howard Kyle, chairman of the meeting, appointed a committee to plan for an actors' organization concerned only with the actors' business interests.

NO BED OF ROSES

Facing the new organization would be a set of abuses that had grown steadily worse from year to year, as the theatre managers who were enjoying a profitable boom, became less and less dedicated to the theatre, and more and more dedicated to making money.

The Albees, the Shuberts and the Ziegfelds were businessmen first, show people second. When hiring performers, these businessmen had their lawyers draw up contracts, which would be to their own best interests, naturally. Most performers who needed a job had little recourse but to sign.

Then there was the problem of stranding . . . a much too common practice of the times. Artists of that era were required to pay their own way to out-of-town performances. If the show closed out-of-town, they were often left in whatever backwater stop they happened to be appearing in.

When box-office receipts were bad, they often weren't paid for their performances as well. They were hung up, with no money, and no transportation back to New York, where their only hope of reemployment lay.

SALARIES—IF PAID

The salary situation, under any circumstances, was chancy. Managers were casual about remunerations, often simply disappeared on payday. The check, if it came at all, might be days or even weeks late.

When performers were paid, they were paid only for the time actually spent in front of an audience. Rehearsal time was free—and unlimited. One prominent star of the day, John Goldsworthy who was under contract to the Shuberts, once rehearsed for fifty-seven weeks, and played for twenty-two. Although "employed" for a year-and-a-half, he was paid for less than six months.

The situation was even more desperate if the producer chose a bad script and a play was unsuccessful. The actor might rehearse for weeks and months, for free, and give a good performance only to see his play close in a few days. In that case, he'd worked for nothing.

THE "SATISFACTION" CLAUSE

Finally, there was the so-called "satisfaction" clause. Under this clause, the actor agreed to play his parts to the satisfaction of the manager. Reviews, box-office receipts, meant nothing. The manager was the sole judge of a satisfactory performance.

If he decided for any reason to make a change—perhaps he saw another performer who would work for less money—he could, and did, simply dismiss his contracted performer under this clause.

These were some of the abuses Equity set out to correct. By May of 1913, the fledgling organization had drafted a constitution, set up guidelines for a standard contract that would protect actors from unethical managers, and felt strong enough to call its first meeting in the Elks Hall at the Pabst Grand Circle Hotel on New York's West 59th Street.

There were 112 actors at the meeting, including some of the biggest stars of the day. Lionel Hogarth, William Holden, Sr., and De Wolf Hopper were among the personalities who voted to accept Equity's Constitution and elected its first officers.

THE CURTAIN RISES

Its first president was Francis Wilson, and on its first Council was Grant Stewart. These two men were to make the cause of the actors' association one of their life-long crusades.

It is well they were so dedicated, for they were about to launch a long, frustrating battle that would last for nearly six years before even their most basic aims—recognition and a standard Equity contract—would be achieved.

It would be a battle made all the more difficult because it would be carried out, for a while, under a facade of good fellowship and courtesy. The producers and managers were almost patronizing about Equity at first. They'd seen so many actors' organizations rise and fall that this new one caused little more than smiles.

For months, and then for years, they seemed always on the verge of accepting Equity and its contract. They would sign if only this or that minor flaw could be ironed out. When it was, another flaw needed ironing out and so on and on and on.

But though it could not get a contract, Equity was steadily growing stronger during those years of negotiations. Its memberships rose to include some of the biggest names in show business. Ed Wynn, Pearl White, Ethel Barrymore, Grant Mills, Marie Dressler, Otto Kruger, Douglas Fairbanks and Eddie Foy were among the stars who pledged their support in those early days.

ACT ONE—SCENE ONE

In small ways, Equity began to make itself felt. By 1919 it was managing to wring out a better contract here, a special payment for an extra matinee there. From time to time, a manager even found himself forced to pay for rehearsal time or to reimburse an actress for her costumes—miniature victories in minor frays. But like a mosquito buzzing around the back of a head, the Actors Equity Association was becoming an annoyance to the managers.

Also, it was contemplating a step that was anathema; affiliation with the American Federation of Labor. The musicians and stage hands of the theatre were already organized and affiliated with the AFL. The managers' experience with these groups was enough to convince them that they didn't want their actors in that combine as well.

Equity's projected affiliation with organized labor had long been a sensitive area, delayed by two factors. One was the reluctance of an influential group of actors to identify themselves with the laboring classes, a feeling that they were somehow above them. The second factor was a far more practical one—the White Rats.

The Rats had almost no members and virtually no power, but they did have an International Charter from the AFL. If Equity wanted to join with organized labor, the Rats maintained it would have to enter as a branch of their International.

This, Equity was not willing to do. Not only did the WR's represent a group with which the actors felt no common cause—vaudevillians and variety acts—but it was also floundering badly.

It had made many powerful enemies and Equity felt barely able to handle its own problems. If it was forced to take on the problems of the older organization besides, its members were convinced that both groups would go down the drain.

ACT ONE—SCENE TWO

The anti-union feeling was settled at a turbulent and emotional Equity meeting in May of 1919, shortly after the producers had flatly refused to recognize Equity or sign its contract.

Twenty-five hundred members gathered to hear the arguments for and against affiliation. Blanche Bates, a prominent actress and persuasive speaker, gained the floor and turned her years of experience in moving an audience to moving her present audience away from affiliation.

"I cannot stand here," Miss Bates said in an impassioned speech, "as a woman who has put twenty-five years into this work . . . who has been true to the traditions of it all, and see us putting ourselves in the position of disgruntled laborers. We are not laborers and what we do cannot be capitalized. What we give cannot be weighed and measured. Don't let us do something that we will regret doing."

But when Miss Bates pounded the table and said, "We are not laborers," the audience shouted back "We are! We are!"

Other speakers pointed out that with only a few concessions, the managers could take the actors out of the position of disgruntled laborers, and all could continue in the grand traditions of the theatre of which Miss Bates was so proud.

In the end, the members voted to leave all authority in the hands of the Equity Council. Since the Council had already declared itself on the side of affiliation, this was tantamount to a vote to join the AFL.

FIRST ACT ENDING

The White Rats situation was more difficult to solve. In previous meetings, led by Harry Mountford and James Fitzpatrick, the WR's had fought fiercely to hang on to their charter as their only hope of saving their organization.

But in their hopeless condition they were more willing to talk compromise. The final solutions worked out for Equity's admission into the AFL proved to reduce not only the current difficulties, but turned out to be tailor-made to handle the admission later, of other highly individualistic performing arts unions as well.

As it was worked out, neither Equity nor the White Rats would hold the International Charter. The White Rats surrendered it and the AFL issued a new one to cover the entire performing arts field.

Thus, a new International was created, to be known as the Associated Actors and Artistes of America, or more simply, the Four A's.

Within the Four A's, each of the performing arts unions were, and are, relatively autonomous and, in theory at least, on an equal footing. This structure still exists 50 years later and has proved ideal for the independent-spirited performers it represents.

ACT TWO—SCENE ONE

It was now July, 1919, six years since the first Equity meeting had been called, and battle lines were hardening. In August, the Producing Managers Association, the protective organization formed to fight Equity called a meeting of virtually every management group in show business.

The National Association of the Motion Picture Industry, the Columbia Amusement and Burlesque Interests and the Vaudeville Protective Managers Association all sent representatives to the meeting in New York. From there they issued a resolution to act in concert to "protect the actors of the stage and screen from inequitable contracts and assure the employers thereof a continuance of the privilege to deal with them individually as artists."

Boiled down and retranslated, it meant simply this: not only would Equity not be recognized in New York, but any member who insisted on any of the small gains Equity had made so far would have a hard time finding a job in any theatre, motion picture studio or vaudeville house any place in the country. It was a lock-out.

On August 7, 1919, Equity's members voted to strike all the theatres of the Producing Managers Association.

The gesture was brave enough; actors have a sense of the dramatic, but would it work? Nobody, including Equity's officers was sure. Though Equity had 2700 members at that point, their loyalty (when asked to actually defy the producers and walk out of their jobs) had not yet been put to the test, and actors being what they are—were unpredictable.

ACT TWO—SCENE TWO

Nevertheless, at 7:15 on August 7, 1919, fifteen minutes after the last deadline set by Equity for a truce, the strike call went out.

There were more than twenty shows on Broadway that night, but Equity's expectations were so mixed that when reporters asked its officers how many shows they thought would go out, they merely shrugged and said, "Maybe seven."

The first to go was *"Lightnin'"* mentioned earlier. Then—in quick succession calls came into strike headquarters saying that the cast of a dozen other productions had walked out as well.

Lightning struck, not only at the Gaiety, but all up and down Broadway. At the New Amsterdam Theatre on 42nd Street, Eddie Cantor walked out of the Ziegfeld Follies while the chorus congregated on the fire escape, replete in their Follies costumes, to watch the strikers from other shows marching on the street below.

Ed Wynn stationed himself in front of the 44th Street Theatre, where the Shuberts' "Gaities of 1919" had been playing, and explained Equity's cause to the audience lined up to collect their money back. The crowd was so carried away by the words of the "Perfect Fool" that they hoisted him up on their shoulders and paraded up and down Broadway with him.

The streets were jammed with the striking actors and audiences with no place to go. The managers had apparently been caught by surprise, and had made no arrangements to fill in for the striking actors. Nobody knows how many thousands of dollars they had to return that night.

Producer Sam Harris of (George M.) Cohan and Harris sighed "I didn't think the boys would go that far." Producer David Belasco, on the other hand, snarled that if necessary the producers would "starve the actors out."

Not all of the theatres were struck. Those whose managers didn't belong to the P.M.A. were allowed to continue their performances. But by and large, what Equity called out—went. The new organization had scored beyond its most optimistic hopes.

ACT THREE—SCENE ONE

In the days that followed, the managers countered with a flood of advertisements, presenting their cause in the press with alluring contract offers and at least one suit, initiated by Lee Shubert, against almost every member of Equity, whether they were striking him or not.

But nothing helped. A notice that they were restrained from picketing brought cries of, "Who wants to get arrested? Let's go picketing!" When the producers threatened a blacklist, 600 new applications were received at Equity headquarters in one day.

One management ploy, however, did hurt the strikers—not so much in their backbone, but in their hearts. This was the establishment of a counter-union, the Actors' Fidelity League, headed by no less a personality than George M. Cohan.

Though Cohan was a prosperous producer by this time, the actors still counted him as one of their own. In the early days of the strike, his fellow performers had begged him to join with them, but he turned them down.

LYRIC BY GEORGE M.

As the walk-out threatened to be successful, Cohan angrily declared "Before I will do business with the Actors' Equity Association, I will lose every dollar I have, even if I have to run an elevator to make a living."

To prove that he meant it, Cohan offered to donate $100,000 to a new union, or rather a non-union—an "association" of actors, not affiliated with organized labor.

His offer, and the prospect of his prestigious support, spurred on those who had opposed Equity's affiliation with the AFL. In the middle of the strike, while some of their brother actors were struggling to feed their families, these dissenters organized a rival association to fight them.

It, too, marshaled some impressive names on its roster. Aside from Cohan, there were such luminaries as Fay Bainter, Otis Skinner and the young Helen Hayes (who joined out of loyalty to her manager but later resigned and fought wholeheartedly for Equity's cause in subsequent battles).

In the long run, the Actors' Fidelity League served little purpose. Most of its members had already declared themselves opposed to the strike, and it never succeeded in drawing any significant support away from Equity.

By 1924, after Equity had fought and won its first round, and was deep in negotiating its second contract, the League could only attest to 83 members in good standing.

However, it did cause a bitter rift between actor and actor, wounds that took years to heal. George M. Cohan, who had declared he would never again produce on Broadway if Equity won, kept his word.

In 1921 he transferred all his interests to England, and didn't appear on Broadway again until 1937 when he starred in, but did not produce, *"I'd Rather Be Right."*

But back to 1919. As the weeks wore on, the strike, rather than losing impetus as the managers had predicted, gained momentum. Huge blocks of performers, 300 members of the *Happy Times* chorus at the Hippodrome, the entire chorus of the Wintergarden, marched into strike headquarters to the rousing cheers of their fellow performers and a jubilant "Hail, Hail, The Gang's All Here!" from one of the many bands in residence there.

ENTER THE LADIES

The chorus girls, in fact, were not members of Equity. In the struggle to organize the actor, no one had gotten around to formally organizing Broadway's choruses.

In the middle of the strike, this oversight was remedied. The chorus Equity was formally voted into existence on August 12, 1919, with Marie Dressler, who had started her career as an $8 a week chorus girl, as its first president.

Ethel Barrymore, although she was not then, and never had been, a member of the chorus, came to the meeting to pledge her support. "I am with you heart and soul," she said to the young chorus members that day, "and more than that. Don't be discouraged. Stick! It's all coming out just the way it ought to for us."

Miss Barrymore's words proved to be prophetic. Equity's tacticians had managed the strike so that each day brought a new pressure to bear on the opposition. When the first few days went by with no results, the strike was spread from the legitimate theatre to vaudeville. Then the offered support of the stagehands (International Alliance of Theatrical Stage Employees) and musicians (American Federation of Musicians) was accepted, and more shows closed.

ACT THREE—SCENE TWO

Equity staged benefits to raise money, presenting all the stars denied to the managers, with W. C. Fields acting as Master of Ceremonies, and found its strike fund bulging. The strike spread from New York to Boston and Chicago, also important theatre centers. Finally, on September 5, after a last breakdown in the talks that had gone on continuously between the union and the managers, Equity played its trump card; as a member of AFL it called on organized labor for national support.

Letters and telegrams were sent out to the 969 locals of IATSE calling for a close-down of all the Shubert chain of theatres around the country.

That move proved to be the straw that broke the camel's back. The managers asked for peace the same afternoon that the national call went out, and Equity's strike was over almost as fast as it had begun.

By the evening of September 5, Frances Wilson, Marie Dressler, Ethel Barrymore, and Lillian Russell, an all-star cast if there ever was one, were meeting with the managers. At 3 A.M. on the morning of September 6, they had an agreement, and that evening some of the closed plays reopened.

EPILOGUE

One of the first to see the lights of Broadway, and play to a capacity audience, was Frank Bacon's *"Lightnin'"*. He'd won his gamble.

The most important gain in that first agreement was the recognition of Equity as the representative of its members. This did not imply an all Equity cast—that would take more long meetings, court suits and strike threats.

The managers did not become instantly docile. Many believed that Equity's victory was a fluke. It would take years of defeats in arbitration decisions and failure to woo stars from the union before the producers were to become convinced that the tide had turned.

But with that strike Equity made history. For the first time, the actors had presented a united front to the managers, and managed to maintain it until they won. And they strengthened their organization in the bargain.

Equity started the strike with 2700 members and $13,500 in its treasury. A month later, at the strike's end, it had 14,000 members and $120,000. Perhaps most important, it had learned that the producers were not invincible.

Within the following decade Equity had planted itself firmly on Broadway and proved, once and for all, that a union of actors could survive.

HOLLYWOOD NEXT

Meanwhile, another form of entertainment was rising—the screen. Far away from Broadway, in Hollywood, California, new stars were being born, new producers were making fortunes and a different set of situations was cropping up.

Equity made several attempts to organize the screen stars, but never succeeded. The Broadway union was considered an intruder in Hollywood, a representative of New York and the legitimate stage. Equity withdrew from Hollywood in 1929 to mend some of its fences back home on Broadway and leave the screen stars to their own organization.

"It's hard to imagine what Hollywood was like in those days," says Conrad Nagel, the courtly gentleman of many a stage and screen hit. Nagel, now president of the Four A's, is a charter member of both Equity and the Screen Actors Guild and remembers those early organizing days well.

"It was not only an open shop town, it was almost anti-union," he says. "The old Los Angeles Times used to run editorial after editorial extolling the virtues of the open shop, and many of the people in the town absorbed this philosophy. They were very suspicious of unions."

But the screen actors were not exactly unorganized. Perhaps partly because of Equity's efforts, the Hollywood producers and studio owners had joined with the actors in establishing the Academy of Motion Picture Arts and Sciences in 1927.

THE ACADEMY

The Academy was to represent all branches of the motion picture industry—producers, directors, writers, actors and technicians.

In the five years of its existence it did manage to draw up a standard contract that eliminated some of the abuses that had raised Equity's ire, most notably the hated "satisfaction clause", and set up a structure for fair, and impartial arbitration of disputes.

But membership in the Academy was gained only by invitation, on the basis of "distinguished accomplishment" in the production of films. This invitation-only policy insured that the membership, and the policies, could be controlled by a select few.

Moreover, the Academy included producers in its membership and on its board of directors. This was too cozy for Equity, who denounced the Academy as a company union.

Whatever its original intentions had been, the Academy was by 1933, "completely employer-controlled," according to Robert Montgomery who was a member of the Academy at that time and one of the founders of the union that was to succeed it—the Screen Actors Guild.

The year 1933 dawned on a world sunk deep into the Great Depression. In March, President Roosevelt declared a nation-wide bank moratorium that sounded the death knell for, among many businesses and institutions, the Academy.

The producers decided to absorb the shock of the moratorium by cutting the actors' salaries, and the Academy decided to help them do it. With both their "union" and their employers talking pay cut, the actors had no choice.

They took the cut, but many, including Nagel who was then president of the Academy, resigned, and the actors began looking around for a new organization.

CLOAK AND DAGGER STUFF

Quietly, in fact secretly, they began to hold informal meetings in each other's homes. Some of the stars drove their Cadillacs or Rolls Royces to sumptuous mansions in Bel Air or Santa Monica, but parked them blocks away and walked to the meeting place. They remembered the blacklist that had followed Equity's last attempt to organize an independent union, and they weren't ready to come out in the open yet.

Among the first of these meetings was one held in the home of Kenneth Thomson and attended by Ralph Morgan, Grant Mitchell, Berton Churchill, Charles Miller, and Alden Gay Thomson. It was here that the idea of a self-governing organization of all motion picture actors to gain fair economic conditions was formed.

In June of 1933, articles of incorporation for the new group, by now known as the Screen Actors Guild, were quietly filed far away from Hollywood in Sacramento, California with Alan Mowbray writing the check to cover the incorporation expenses.

Ralph Morgan was elected the first president of the group that numbered, at that time, eighteen members.

Through the rest of that summer, the Guild did nothing. Almost by instinct, its founders had recognized the need for such an organization. But now that they had it, they also knew that the time was not right to press it. The pay cut was a fact; no sense pressing that.

To exercise any influence in Hollywood, SAG would have to rally the powerful and prominent stars whose good will the producers had to have. To do that, it needed a powerful issue, one that would unite every performer in Hollywood.

SEGUE TO NRA

It came in September of 1933 when the final draft of the National Recovery Act was published. The motion picture code it contained was the fuse that lit the fire.

Among other things, the Code severely weakened the actor's right to negotiate their salaries. It set maximum wages for performers and provided a heavy fine for any producer who paid a wage considered "excessive."

It also contained an "anti-raiding" clause under which an actor under contract could only negotiate for a new contract at a higher salary during the last 30 days of his existing contract. Simply put—this meant that an actor who was in a particularly good bargaining position because he'd just played in a box-office smash might have to wait years before he could try to translate his popularity into a higher salary. In Hollywood where fame is often fleeting, this would add up to missing the chance of a lifetime.

But the real provocation was that the actors knew that J. T. Reed, the producer who was the current president of the Academy, had had a hand in drafting that NRA Code. In theory, Reed should have represented the interests of both the actors and the producers. The actors' position was that he had represented only the producers to the Code Authority.

Any lingering doubt as to whose side the power machinery of the Academy was on was now dispelled. For the performers the Academy represented the producers. The artists would have to build their own, independent organization.

EXODUS AND GENESIS

They resigned from the Academy en masse, and the Guild signed up some of the biggest names in Hollywood. Among the stars who joined were Groucho Marx, Ralph Bellamy, George Raft, Eddie Cantor, Gary Cooper, Spencer Tracy, Otto Kruger, Paul Muni and Robert Montgomery, to name a few.

Most of these stars were big enough to get any terms they wanted from the producers, NRA Code or no code. Why then did they decide to take up the cudgels for the performers who could not protect themselves?

Robert Montgomery, now a prosperous communications consultant who numbers John D. Rockefeller III among his clients, explains: "I came to Hollywood like every other kid, believing all the myths. The streets were paved with gold and everybody made at least $50 a day. It didn't take long to find out that the average wage was about $2 a day, and the performer earned that, maybe 45 days out of the year. The producers said they couldn't afford any more than that. But if you offered to gamble on your talent, to take a small percentage of the profit from a film, they very quickly said no. It was all wrong, and it had to be made right."

In the months following the first public reading of the NRA Code, SAG launched a massive campaign against it. They bombarded Washington with telegrams, issued spirited press releases and finally threatened to strike. Washington listened.

Eddie Cantor, who succeeded Ralph Morgan as president of SAG, was invited to Warm Springs, Ga., to present the actors' case directly to President Roosevelt. Banjo Eyes must have had a silver tongue too, because when the final version of the NRA Code appeared in November of 1933, the actors had managed to nullify its most objectionable clauses.

The whole NRA Code was held unconstitutional in 1934, but from this preliminary skirmish several things had been made clear. The clauses the actors considered important had been rectified, the stars had demonstrated that they could launch a united campaign, and most important, the need for an independent bargaining agent to represent the actors had been demonstrated beyond the shadow of a doubt. SAG now turned its efforts to being recognized as that bargaining agent.

GROWING PAINS

One of its first moves was to join the Four A's, thus affiliating itself with the AFL. There was no voice raised in protest this time, and SAG was recognized by labor as the representative of the screen actors.

Now began the long haul for recognition from the producers, marked, as it had been on Broadway, by circumlocutions and delays.

SAG elected a negotiating committee of four: Aubrey Blair, Robert Montgomery, Franchot Tone and Kenneth Thomson. These men literally took their careers in their hands to press SAG's cause with the producers. Montgomery remembers more than one threat that he'd "never work in the motion picture industry again."

In 1937, SAG seemed no closer to recognition than it had been in 1933. Like Equity though, the new union had used its time well. By now virtually every top star was a member. The only question was would their top stars, who made thousands of dollars a week join the extras, the bit players, the struggling newcomers, and walk out on the producers?

Once again came the secret meetings, the impromptu conversations on movie sets or in dressing rooms. The question was always the same: Will you support a strike by the Screen Actors Guild if it is necessary to win a contract with the motion picture industry? More than 98 percent answered "Yes!"

On May 7, 1937, the *Hollywood Reporter*, a trade publication, used its largest type to headline Stars in Strike Pact. "Ninety-two stars and featured players," the story ran, "with combined weekly salaries of more than $200,000 have agreed to strike if SAG calls it."

Who were those stars? "There wasn't one of them who wasn't with us," Nagel remembers. "Or if there was, they kept quiet about it. All the big ones were with us, and that's what mattered."

PRODUCERS CAPITULATE

The producers saw that SAG meant business. Negotiations went on round-the-clock in those final, hectic hours and all the big studios signed, or agreed to sign agreements recognizing SAG. All that is, except Metro-Goldwyn-Mayer. But SAG's position was that unless it got agreements from all the major studios, it still intended to strike.

A mass membership meeting had been set for the evening of Sunday May 9, 1937. On Sunday morning, Robert Montgomery, then president of the union received a call asking if he would meet with Louis B. Mayer at Mayer's beach house in Santa Monica.

"Mayer was a flamboyant, dramatic kind of guy, always the grand-stand player," Montgomery says now. "He knew he was standing alone, and that he'd have to sign. He could've told me over the telephone, but instead he insisted on this meeting.

"When we got there, he carried on for a while about what a great industry this was; what a great tradition we had, how the show must go on. That was always the line they used when their backs were to the walls. When I got tired of listening, I asked him what he was going to do about this agreement. 'Well,' he said, 'I guess we'll have to go along.'"

Montgomery hurried to the Hollywood Legion Stadium where several thousand motion picture actors were waiting. The turnout included every star and prominent player in the industry. Three hundred autograph hunters waited outside, and because of the emotional atmosphere present in Hollywood in those days, police guarded the door.

When Kenneth Thomson, then executive secretary, announced that all of the major motion picture studios had agreed to recognize SAG, the meeting went wild. Bit players and stars hugged each other, some cried, and the Legion Hall rained down the hats that had been thrown into the air by the exultant SAG members. Then Ralph Morgan took the floor and opened his speech with his own interpretation of a quotation from Victor Hugo:

"You can stop, maybe, an army of a million men," Morgan quoted, "But you can't stop a right idea when its time has come."

Even while the actors were fighting their battle, other branches of the entertainment field were joining the wave of organization that swept the country with the passage of the Wagner Act in 1935.

TWO GROWS TO FIVE

In quick succession opera and concert performers organized the American Guild of Musical Artists (AGMA), radio announcers and performers organized the American Federation of Radio Artists (AFRA) and performers on the night club circuit organized the American Guild of Variety Artists (AGVA). Each, in turn, applied for, and received its charter from the Four A's.

It is interesting to note that the problems prevalent in each of these fields were almost identical to the problems that had led to the founding of Equity almost a quarter of a century before.

In the unorganized sectors of show business, many performers still worked for excessively low wages, or none at all if business was bad. They worked without any contract or if they had one, it was favorable to the employer. Rehearsal time was usually not paid for, and often stretched hours or days beyond the time necessary to get a show in shape.

Not even stars were protected. Lawrence Tibbett, one of the greats of the Metropolitan Opera, was under contract to the Met during the late thirties. He had what was known as an "exclusive contract", meaning that if he performed any place other than the Opera House, he had to pay the Met a percentage of his fees.

One year, in going over his accounts, Tibbett discovered that he had paid the Met more in percentages than they had paid him for their own performances.

It was Tibbett, along with other prominent stars, who founded AGMA in 1936. In less than two years, they were able to gain recognition from the Met by proving that they represented over 75 percent of its employes.

AGMA's most important victory in those early days though, was the establishment of a basic agreement with the Columbia Concerts Corporation and the NBC Artists Service. These two were large organizations of managers or agents for the performers.

A performer's agent is usually his only line to employment. With varying degrees, the manager truly "manages" the performer's whole career. He secures engagements, works out contracts, keeps the performer's accounts, and, of course, collects a fee.

But until AGMA's intervention, there were no rules governing this relationship. The manager might charge high fees for his services, negotiate poor contracts, prevent the performer from looking at his accounts for months, spend his money for "expenses" without restraint and sometimes even collect a fee for securing an appearance for which the artist was never paid. AGMA's basic agreement eliminated most of these practices by setting up safeguards. Today, AGMA, with its 2,000 members, though one of the smallest unions in the country, represents the most prestigious names in the concert and opera fields.

RADIO MAKES IT BIG

It was little AGMA, along with SAG and Equity that joined to sponsor still another organization, the Radio Performers' AFRA. (Later, when television developed into a commercial success, AFRA became AFTRA, the American Federation of Radio and Television Artists).

By the late 1930's radio had come into its own as a big business. Advertisers were discovering that the little boxes that sat in almost every home were an ideal way to sell their products, and they were willing to pay the networks handsomely for air time. Yet wages and working conditions of the performers reflected little of this new affluence.

Payments ranged from $75 for a half-hour show on prime time, to as little as $5 for a fifteen minutes spot on some of the soap operas. To make matters worse, the performer, in those faceless days of radio, sometimes played two or three parts in the same show. But got paid for only one. Rehearsal time was free, and unlimited.

How did performers survive on those wages? "You hustled," says Bud Collyer, who was the M. C. on *Cavalcade of America* and also performed on a dozen or so of the soap operas in those early, unorganized days. "It was common for an actor to do fifteen or twenty shows a week. We had the commuting time from one studio to the next measured down to the last minute. I remember one season when I was doing 34 shows a week. It was brutal, but it was the only way to make a living."

It is difficult to say exactly who founded the radio performers union. Radio artists had been talking about organizing as far back as 1930, and many had a hand in putting together what eventually turned out to be AFRA.

The three existing performing arts unions all loaned it money to get started, and its early officers were veterans of other organizational fights.

Eddie Cantor was AFRA's first president, Lawrence Tibbett its first vice-president. Jack Benny, Rudy Vallee, Edgar Bergen and Bing Crosby all served on its early Council, and Collyer was a member of its first Board of Directors. But when it came to the actual toe-to-toe negotiations with the networks and sponsors one name keeps coming up—George Heller.

Heller was a young actor-singer who was appearing on Broadway in *"You Can't Take It With You"* while AFRA was fighting for recognition in 1938. Also a radio performer, he immersed himself in the struggle to organize the people in front of the mike.

It was Heller, along with Emily Holt, a lawyer and veteran of Equity's battle on Broadway, who led the negotiations.

SAME STORY—DIFFERENT CAST

The pattern was the same. Networks and sponsors stalled, or refused outright to discuss any grievances or to recognize AFRA as a bargaining agent. The situation was made even more difficult by the diffusion of the producers in those days. Everyone, it seems, was putting shows together—networks, advertising agencies, individual companies and individual entrepreneurs.

"We were treated very civilly," Mrs. Holt remembers. "Nevertheless the answer was—go away. The networks said we'd have to speak to the sponsors. The sponsors said they couldn't talk because there was no one empowered to negotiate for all of them. They had nothing like a bargaining committee."

But AFRA, taking its cue from SAG's experience, went to its stars and asked for their support in a walk-out and got it. Jack Benny, Gene Hersholt, Fred Allen—all of the names rallied around once more.

"When the word got out there was a little scurrying around, you can be sure," Mrs. Holt remembers. "They got a committee together fast enough, and agreed to talk if we'd postpone the strike. We agreed to hold off for a week."

Heller and Holt, backed by Henry Jaffe, another attorney, Alex McGee, a singer, and Mark Smith, president of the New York local, met with that committee for four days and nights.

DAILY REWRITES

AFRA's committee walked into that first meeting with a printed contract. ("People have great regard for the printed word," Mrs. Holt explains). Every evening, when negotiations were finished, a member of the committee would be designated to ride downtown to a printer, and have a new contract, incorporating the changes that had been made that day, printed up.

The next day, the new, official-looking contract confronted the producers. Their concessions were immediately set down in black and white and they were never allowed to bring them up again.

Within four days, AFRA had negotiated the first collectively bargained agreement on a national scale in broadcasting.

The last group of performers to join the Four A's were the descendants of the vaudevillians—the night club performers.

Night club performers are a large, diversified group that includes such luminaries as Tony Bennett, Sammy Davis, Danny Thomas (Thomas is the current president of AGVA) as well as every young newcomer facing his first audience in out-of-the-way roadhouses across the country. This diversity made organizing difficult and policing agreements even tougher.

Life was not a bowl of cherries in this area of show-biz. Smaller clubs had no such thing as a contract. Talent was hired and fired at will. Payment was at the whim of the club owner. Female talent had other problems. A girl was never sure just how far she would be expected to go in "co-operating" with the owner or "mixing" with the customers.

The American Guild of Variety Artists received their charter from the Four A's in 1939. Since then, AGVA has made significant gains. Most recently, under the guidance of Vice-President Penny Singleton, it succeeded in raising the pay scales and instituting rehearsal pay for the Rockettes at New York's Radio City Music Hall.

With the night club performers, the last group in show business was brought into the fold of organized labor. Their story is one of the most colorful chapters in the history of labor, not only because of the great names involved, but because of the altruism they displayed.

Probably in no other time have so many of the rich and famous united together, as Eddie Cantor once said, "to help the little guy who can't help himself."

THE 4A'S ARE UNIQUE

Compared to other Internationals, the Associated Actors and Artistes of America are a tiny group. With all its member locals—the five already mentioned and three others, the Hebrew Actors' Union, the Italian Actors' Union and the Screen Extras' Guild, it has a total membership of only 64,500.

But in many ways, it exemplifies the "unity" of the labor movement. Its elected officers, important personalities with handsome incomes, serve without pay, but give unstintingly of their time.

Charlton Heston, national president of SAG, is just as likely to be found at a union meeting as on a film set. Conrad Nagel is at his Four A's office every day, keeping track of the unions under his dominion.

It is interesting to note, too, that the associated groups have done an almost complete about-face in their attitudes toward labor. Gone are the early suspicions that the performers were somehow above the electricians, carpenters and other wage earners who make up the work force.

The performer's pride in his profession is undiminished. And it exists now along the recognition that organization and a united front are the best means of maintaining what is good in show business, and eliminating what is bad.

During the recent Equity strike on Broadway, Equity president Frederick O'Neal, who has been in the theatre for 25 years and is one of the founders of the American Negro Theatre, led the union negotiators in their demands for higher wages and shorter contract lengths, and got them.

"I don't feel any conflict between my role as president of this union and my role as an artist," Mr. O'Neal said during the srtike. "Actors have to eat too, in spite of the romantic image the public has of them. They don't realize that 80 or 85 percent of the people in our jurisdiction earn less than $5,000 a year."

Or take Mel Brandt, announcer on the NBC soap opera, *"The Doctors"* and president of AFTRA. At a recent interview, Mr. Brandt sat in his television-blue shirt and spoke in the deep, well-modulated tones that are the trademarks of his profession. But what he was saying was: "There's a new militancy in AFTRA, a willingness to fight for what we have to have. The broadcasting unions, all of them, the engineers, the actors, the writers, are in a powerful bargaining position when they cooperate with each other. The companies are going to have to realize this."

And this is the essence of the change. Actors still look and dress like actors, but at the bargaining table—though the tonal qualities may be richer, they talk like labor leaders.

They now know that a bundle of straws is a lot harder to break than one.

REORGANIZATION OF POST OFFICE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. ZWACH. Mr. Speaker I have introduced a bill today designed to improve our post office and mail service. This great Department has become a multibillion-dollar industry and the volume of mail handled by this Department increases yearly. The Post Office Department is one of the largest employers in Government and we should not waste any time in providing the same care and qualification yardsticks to the selection of the administrators of this political borough.

My bill would remove the Postmaster General from the President's Cabinet, and give him a term of up to 12 years. The bill specifically limits the Postmaster's duties to that directly affecting the efficient conduct of postal business. In addition the office of the Deputy Postmaster General shall be filled by Presidential appointment with advice and consent of the Senate, and his term of office shall be for 6 years.

The bill also creates six Assistant Postmasters General for a 6-year term, except that none of the terms shall expire simultaneously. These positions would allow and bring to the Post Office Department the needed efficiency and administration that is so sorely lacking.

I have also stipulated that the duties of these men shall be entirely that of conducting their work in the Department. It further states that no more than three Assistant Postmasters General shall be appointed from the same political party, in a great sense nullifying this agency as a home for political activists.

I urge your consideration of this recommendation.

LAW ENFORCEMENT AS A BUSINESS

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, January 14, 1969

Mr. TOWER. Mr. President, Mr. John L. Guseman, director of the police department in Victoria, Tex., has recently written an article for the January 1969, FBI Law Enforcement Bulletin entitled "Law Enforcement as a Business." The article shows that Mr. Guseman has a keen insight into what it takes not only to train policemen, but perhaps more importantly, how to keep them interested in their most important jobs and make them even more active and vital parts of their community. With the ever-increasing emphasis on the training and vitalization of our Nation's police departments, I believe that Mr. Guseman has some important words for us. I therefore commend this article to my colleagues and those others interested in improving law enforcement and ask unanimous consent that this article be included at the appropriate place in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAW ENFORCEMENT AS A BUSINESS

(By John L. Guseman, director of police, Victoria, Tex.)

"OUR BUSINESS IS PEOPLE"

Someone once said that progress is not possible without change.

We of the Victoria Police Department believe that we made tremendous progress when we reorganized the department on January 1, 1968. To us, it is an entirely new concept of police organization. Military ranks within the department were phased out, and the department was organized on a basis of business management. One reason we did this was to prevent the continued loss of officers to other police departments because of the lack of advancement opportunities and the loss of officers to higher paying jobs in industry and business.

Under the old system, a man would go to work as a probationary patrolman. After 6 months of training and probation, he would advance automatically to the rank of patrolman. He remained a patrolman for a period of years, or until such time as a sergeant vacancy occurred. Then the patrolman would be required to compete with other patrolmen for this particular position.

We believe that the man who does the work out in the field, the so-called patrolman, is the backbone of the police operation and we must retain this man in the department. We can no longer afford to lose his valuable training and experience.

Under our new organization, we have a median classification. This professional classification enables an officer, after completing basic training, to advance in responsibility and compensation without becoming a supervisor. We feel that a properly trained police officer does most of his work without supervision anyway. Why make it impossible to progress in responsibility and compensation without advancing to a supervisory position?

The long-range aim of our new organization is to provide administrative mechanics through which officers with proven ability and preparation can achieve greater responsibility and increased income. These were not, in all instances, possible under the old system.

This new organization plan was not conceived by the head of the department alone, nor was it instigated or instituted just for the sake of change. After the report of the President's Commission on Law Enforcement and Administration of Justice was released, the staff and I studied it very carefully, analyzed the thoughts and ideas, and found some things we did not agree with and many things that we did agree with. We then started sending the higher ranking officers, the captains and lieutenants, to business management school. The captains, lieutenants, and I completed a short course in business management at the University of Texas. We also completed a course in police administration sponsored by the Texas Department of Public Safety and the Texas Police Association and a comprehensive course in police administration conducted by the FBI here in Victoria.

CONFERENCES HELD

Following this training and research, the captains, lieutenants, and I held many staff conferences. After we discussed the situation and talked to other employees in the department, we devised a tentative plan for reorganization. Our plan was that a new employee would come into the department at a position, at that time unnamed, and, after a period of probation and basic training, would advance one step. In the second step the employee would still be on probation but would have more responsibility. We wanted to see what he could do on his own initiative with minimal supervision. If, after a period of 6 months, the employee had shown considerable self-improvement, and his services were satisfactory for the amount of training and experience he had acquired, he would advance another step and the same evaluation would be made.

After a period of 18 months of satisfactory service, which included selected training and three minor advancements, the employee would advance to the first position in the "professional corps" of the police department. This position would be the end of changing titles or changing of position names.

We decided that the professional grade should have eight pay levels. The professional police officer, we felt, should be able to advance in pay grade by self-improvement, satisfactory service, and completion of a required number of police training hours plus college semester hours.

One of the problems we faced was selecting proper titles for the new position created by the reorganization. We were particularly anxious to get away from "military" ranks since we believed that position descriptions similar to those in the business community would be more consistent with our goal.

Many names and titles were brought into the discussion, but most were discarded. Since the beginning officer is on probation for a time, the position was finally named Probationary Employee (PE). At the end of a 6-month period of training and satisfactory service, the Probationary Employee advances one step. Since our business is public safety, the second position, or the step just above PE, was named Public Safety Officer (PSO). The Public Safety Officer has some training and experience, but is still actually on probation with much to learn and experience to gain.

PST

After a period of 18 months' satisfactory service and extensive training, the Public Safety Officer advances to the grade of Public Safety Technician (PST). This position too was named with our utmost concern—public safety—in mind. We felt that Public Safety Technician would be the proper title for a police officer who requires little supervision and who is proficient in his work.

Once the officer attains the Public Safety Technician position, he has opportunity for higher salary and more responsibility. PST is the highest position available outside the "management" level; however, a PST may serve as a supervisor when needed.

In the management area of the department, we again borrowed from the business world. We believe that an officer responsible for a division of the department is, in truth, managing the division. Consequently, we selected the title of Division Manager for this position. The assistant to this position is called Assistant Division Manager. These two positions replace the Captain and Lieutenant ranks in our old setup. The Division Managers are also staff officers to the Director, which, of course, is the new position title for Chief of Police.

This method of organization has been in operation for a number of months. Even though we still have separations from the department, under this new plan we have been able to retain those officers who are better trained and more experienced. I think the redeeming factor of the Public Safety Technician position is that there does not have to be a vacancy in a higher position before a man can advance in salary and responsibility. Within our allotted manpower, we may have, by the authority of the city council, any number of Probationary Employees, Public Safety Officers, or Public Safety Technicians without regard to the number of personnel in each position or in each pay grade within each position. In theory, every officer outside of management could hold the position of Public Safety Technician. Consequently, the Probationary Employee knows that he is going to become a Public Safety Officer if he meets all the criteria, and a Public Safety Officer knows that he will advance to the position of Public Safety Technician after he has met the requirements. He also knows that to do this, he does not have to wait for someone to retire, to be promoted, to be demoted, or for the department to increase in size.

ADVANCES IN PAY

We have devised a point system of measurement to advance the men within grade to increase their income. We believe that 1 year's experience as a police officer teaches a man something that he cannot possibly learn any other way. Consequently, we give 30 points for 1 year of police service. We know that college training is very important, so we give 30 points for 30 semester hours of college. Knowing also that police training is important, we have related police training to semester hours of college work and have given 1 point for 20 classroom hours of police training. Thus, an officer knows in advance how he can accumulate points. He knows that he can accumulate as many points in two semesters of college as he can in one full year of police service. If the man is ambitious and wants to get ahead, he is going to get semester hours. He also knows that for each 20 classroom hours of police training, he can get one point.

TRAINING INITIATIVE

The classroom training is conducted by our own police academy. We believe training, except for basic and operational training, should be on a voluntary basis rather than compulsory. Consequently, all advanced training is voluntary. If a man wants to advance to a certain position, the training necessary to obtain that level is available to him.

In this new system we can hire individuals with 60 college hours directly from the outside and give them a higher salary to start—the same compensation that they would receive if they had been in the police department for a period of 2 years. This does not mean that they would immediately become Public Safety Technicians, nor does it mean that they would not have to serve a probationary period. Applicants with college training start as Probationary Employees, advance to Public Safety Officers, and then to Public Safety Technicians. During this time we pay them to take police training and gain police experience because we believe they have greater potential.

The requirements of law enforcement today, particularly in the technical and legal fields, are most demanding. We go along with the theory that a good educational background, other things being equal, enables a police officer to better serve his community.

The question is asked for our department, "What happened to the individuals already in the department who cannot compete with the new appointees who have 2 or 3 years of college or a college degree?" Our entrance standards are very high and we have very few people in the department who did not meet these standards on entering. These persons have been in the department for 15 years or more, and we have been able to assign them to positions compatible with their education and training. These men are still valuable to our department because their experience cannot be replaced, and we have no intention of phasing them out.

POSITION FOR WOMEN

We have established still another position within the department that is open to persons who meet all our standards, except possibly that of education, age, or physical condition. In this group are certain key female employees of the department who are unable to function as full-time Public Safety Technicians. The position has been designated Police Agent. There are five salary steps in the Police Agent position, and the fifth is immediately below that of a Probationary Employee.

The Police Agents work primarily in civilian clothes. Most of the female Police Agents are assigned to work within the station house, such as interviewing females, matron duty, typing, clerical work, radio dispatching, and assisting in the identification section.

We do not anticipate that all our female employees will become Police Agents. Police Agents must take the same classroom instruction as other police officers, as well as defensive tactics and firearms training, be able to pass all examinations satisfactorily, and be available for outside work when necessary. A number of our female employees have already had the basic training phase.

New insignia to designate the various positions within the department are still under consideration. At present the Probatonary Employee's uniform consists of Khaki trousers and shirt, and his badge and cap piece have the wording, "Police—Victoria, Texas." The Public Safety Officer wears the regular blue uniform with sidearm and the same badge as the Probationary Employee. The Public Safety Technician wears the same uniform and a two-tone badge with the wording "Technician—Victoria Police." The Assistant Division Manager and the Division Manager wear the same blue unform and badge as they did under the old system.

Currently, we are surveying and evaluating our reorganization. We have found that the public as a whole, especially those of the business community, are all for the new system. They understand we are in a business and our business is people. We are better able to relate to them and they are better able to understand our problems. We believe that public acceptance of our reorganization will mean renewed interest and support of our department and its responsibilities.

Our department is not covered by police civil service. We operate under a merit system. New employees are brought into the department after the completion of a very complicated and extensive application. The applicant is also submitted to a rigorous and thorough background investigation, and a physical examination. After he enters the department, his compensation and responsibility are increased as he proves himself.

The department is operated in a very flexible manner as opposed to military rigidity. All changes of policy are thoroughly discussed in staff meetings and any alternatives are considered. The department is not operated by majority vote, but the Director of Police receives and considers the combined ideas of his staff and then makes his decision based on the proposals brought out in the staff meetings. There is no way for the Director of Police to transfer his responsibility to the staff; consequently, he must make the final decision.

After working under our reorganization for the past year, we are of the opinion that it is a workable structure and that we wish to continue the plan with modifications as they are needed.

A LESSON FOR LIBERALS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. MIZE. Mr. Speaker, everyone knows that riot and resentment have followed the greatest outpouring of governmental assistance to the poor in our Nation's history. This deeply tragic condition has threatened to destroy what significant social progress the United States has made, under five Presidents, since the early 1930's.

Republicans, in assuming the burdens of the Executive, cannot and will not return blindly to the economics of pre-F. D. R. days. Just as Apollo flight contrasts sharply with Charles Lindberg's historic *Spirit of St. Louis,* so also do the responsibilities and functions of the American Presidency today provide marked contrast to Calvin Coolidge's appreciation of his duties.

The opportunities for Richard Nixon and his administration are unparalleled. The new administration may synthesize and innovate—embrace the challenge of the future armed with the lessons of the past. The challenge could not be greater.

Mr. Speaker, in his Newsweek column of January 13, Stewart Alsop has stated Mr. Nixon's opportunity quite well. Because its message will be of value to

Members, I insert the column at this point in the Record:

A Lesson for Liberals

(By Stewart Alsop)

Washington.—One deeply important lesson of the Johnson era, now so soon to end, seems to be this: American liberalism, New Deal-style, doesn't work very well any more.

Oddly enough, a lot of the evidence supporting this conclusion has been supplied by a great New Deal-style liberal, Wilbur Cohen, the outgoing Secretary of Health, Education and Welfare. Cohen is a small, bouncy and wholly admirable man—he is the kind of liberal who really does want to help other people to be better and happier people.

Cohen is also the very achetype of the New Deal liberal—as a young man, he played an important part in Franklin Roosevelt's New Deal. Cohen's kind of liberalism is the liberalism of a whole generation. Its basic thesis is that social problems are essentially economic; and that therefore social problems can be solved by the vast economic power of the Federal government.

This theory has been tested as never before during the Kennedy-Johnson years. The results are outlined in a chart-filled and statistic-crammed booklet which Wilbur Cohen has had prepared as a going-away present for President Johnson. The statistics are impressive—so impressive that, if the basic thesis of American liberalism were correct, this country's major social problems ought to be just about solved.

GOODBY TO POVERTY?

For example, to judge from Wilbur Cohen's booklet, poverty should fairly soon be a thing of the past. When President Kennedy took office, 22 per cent of the American people were poor. Now, just half that percentage—11 per cent—are poor. Negroes have moved above the poverty line in greater proportions than whites—in the last five years, 40 per cent of the poor Negroes have ceased to be poor, as against 36 per cent of the poor whites.

Funds spent specifically to help the poor, according to Secretary Cohen's figures, have doubled in the five Johnson years, and they have tripled—from around $8 billion to around $25 billion—since John Kennedy was elected. Funds spent by HEW for social purposes of all sorts have shown an equally startling increase.

In the Johnson era alone, over-all HEW spending, including social-security outlays, has risen from $20 billion to $50 billion. Spending on health has gone from $1.6 billion to $12.3 billion; on education, from a measly $700 million to $3.8 billion, on welfare from $3 billion to $4.4 billion. As a percentage of the ever-climbing gross national product, spending by HEW (by no means the only government agency spending money for social purposes) has climbed sharply, from 3.7 per cent to 4.8 per cent.

EVERYTHING JIM-DANDY?

Moreover, the Keynesian theories which are an integral part of New Deal-style economic liberalism have clearly worked and worked very well. While the government has been spending money at a rate undreamed of by the Keynesians of Franklin Roosevelt's day, average personal incomes measured in real dollars have increased dramatically, while unemployment has been held fairly close to the vanishing point.

So everything ought to be just jim-dandy, and American society ought to be blooming with exurberant health. Instead, American society has rarely, if ever, been sicker.

There is no thermometer to measure a society's sickness, of course. But there are plenty of statistics, like the appalling crime rates, or the figures of lives lost and property destroyed in the big-city riots, to suggest that American society is suffering from some sort of wasting disease. All the major riots occurred during the five Johnson years of unprecedented prosperity, while spending for the poor was doubled, and 40 per cent of the Negro poor were escaping from poverty.

The major symptom of the American disease is the alienation between the races. The gap of suspicion and fear that divides white from black has grown even more rapidly than the gross national product. But racism is not the only symptom—everywhere, even in the affluent suburbs, there is a restlessness and discontent such as this country has not known before, and for the first time large numbers of people question the validity of the country's basic institutions. It could be argued, however speciously, from Wilbur Cohen's statistics, that national unhappiness increases in direct proportion to increases in funds spent for social purposes.

Wilbur Cohen is quite aware of this anomaly. To explain it, he quotes de Tocqueville: "The evils which are endured with patience so long as they are incurable, seem intolerable as soon as hope can be entertained of escaping from them." Maybe so, but it will be a long time before mankind's ancient evils are escaped from. Meanwhile, it is time for a searching new look at the whole Federal social-spending program, and a lot of rethinking of priorities.

In the Nixon Administration, the chief new looker and rethinker will be Cohen's successor, Robert Finch, who will be President Nixon's chief of staff for domestic affairs. Finch, handsome, cool-mannered and reserved, is a very different sort of man from the ebullient Cohen. Finch is no New Dealer, but he is no orthodox, old-school "real Republican" either—it is significant that he tried hard to persuade New Dealer Cohen to stay on in some capacity at HEW. Finch is what Nixon calls a "pragmatic centrist," and his new look at the social programs will be coolly non-ideological.

PLEASANT SURPRISE?

Finch starts with a big advantage of which he himself is well aware—since the new Administration owes little to the Negroes politically, the Negroes expect little, and they may be pleasantly surprised. If, for example, Finch succeeds in making sense out of the welfare mess, which is his first objective, he will deserve the wholehearted thanks of the Negro community. For the welfare system, by making the ghetto poor furiously resentful wards of big-daddy government, has had a lot to do with the alienation between the races.

Finch is certainly sensible enough not to try to turn any clocks back. If he can deal pragmatically and reasonably successfully with the vast social problems which confront the Nixon Administration, that could mean the end of the long era of New Deal liberalism, which has also been the era of the Democratic Party's dominance, and the beginning of an era in which the Republican Party will again be the majority party in the nation.

THE NEW UNDER SECRETARY OF AGRICULTURE PHIL CAMPBELL

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. O'NEAL of Georgia. Mr. Speaker, Georgians generally are delighted that the new Under Secretary of Agriculture will be the Honorable Phil Campbell.

All political considerations are forgotten. Georgians only remember that he served the State well for many years as State commissioner of agriculture and will bring the same background knowledge, incisive logic, and forthrightness to the national problems.

As a matter of fact, his work with the State commissioners of agriculture in all 50 States caused the first suggestions of his suitability to come from outside Georgia.

Georgians are pleased, as will be seen from sample editorials from Georgia newspapers:

[From the Atlanta (Ga.) Journal]

Phil Campbell

Phil Campbell is leaving the post of Commissioner of Agriculture of Georgia to become Number Two man in the U.S. Department of Agriculture.

Mr. Campbell is a fine forthright man who knows his job and is good at it. He also is one of the Georgia Democrats who turned Republican after the Democratic convention. There is no inconsistency in this decision, though some political observers wonder why he did it.

We suggest one reason which has nothing to do with self-seeking or self-serving. Agriculture is Mr. Campbell's life and it may be he thinks he has done all he can as Commissioner of Agriculture in a state which is converting its fields into forests and pastures.

The national field is broader, much broader, and if everything we read about the federal agricultural program needing reform is true, then Hercules himself is needed in Washington.

It is possible, even probable, that Mr. Campbell is looking for broader fields and more of a challenge than he currently has at home. We hope so, anyhow, for the farm program does need reforming and Mr. Campbell has the talent and experience which can be helpful.

[From the Albany (Ga.) Herald]

Phil Campbell to Washington

President-elect Nixon's appointment of J. Phil Campbell as Under-Secretary of Agriculture will be hailed in all quarters of Georgia. Such widespread approbation lies above the realm of politics. It comes to him as much for his ability as for his strong personality.

Mr. Campbell has put together an exemplary career in public service in this State. He was a member of the Georgia Legislature for six years, acting as chairman of the House Agriculture Committee for four years. In 1955, he was elected Commissioner of Agriculture for the State, a tenure which has been long and fruitful. The experience gained in that capacity will serve him well in Washington, as he moves into one of the most sensitive areas of Governmental function—not only commercially but politically. We have no doubt of his capabilities in either direction. For, over the years, he has demonstrated his astuteness, intelligence and vigor along lines that went beyond his ordinary duties.

Mr. Campbell is a warm and human person, whom success has not dissuaded from genuine concern and affection for the whole human family. He has given his zeal and his resources of every kind generously, not only to "good causes" broadly but also to many individuals. He has a deep and abiding love for his home State, and it was this feeling, more than any other, that prompted his recent political switch-over to the Republican Party after the unfortunate events at the Democratic National Convention where the only established Democratic Party in the State was set down rudely for inside political deals in which it had no part.

As the No. 2 man in the nation's agricultural department, Mr. Campbell will face many problems. In particular is the plight of the small farmer a cause for concern, to say nothing of supplying food for American impoverished. That he will rise to the occasion is beyond question. He has the talent and organizational ability to make an outstanding administrator. We wish him well.

GI'S ARE PUZZLED AT STATESIDE NEWS

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. TAYLOR. Mr. Speaker, it is my privilege to submit for my colleague's consideration the following "letter to the editor" which appeared in the Asheville Citizen in Asheville, N.C. on December 9, 1968, from Cpl. J. H. Gibson.

Also enclosed is a copy of response which I would like to submit from the ~~Reverend~~ Jimmy Lyons, of Swannanoa, ~~N.C.~~, ~~one of~~ my constituents:

[From the Asheville (N.C.) Citizen, Dec. 9, 1968]

GI'S ARE PUZZLED AT STATESIDE NEWS

In a combat zone in Vietnam a black man holds his wounded white buddy and weeps in sorrow, while back in the States the white and black men preach "hate" against each other.

A Marine in Hue crawls up a flagpole, blood on his hands, to rip down a Communist flag. In the States, a student wraps a Communist flag around him to show defiance against his country.

A Company on sweep near the D.M.Z. takes 30 per cent casualties from North Vietnam fire. In Washington they halt the bombing of North Vietnam.

On a hospital ship off the coast of Vietnam, a Navy medical man works nine hours to save the life of a wounded soldier. On a campus in Berkeley, California, a student lies on a dirty cot, donating blood to my enemy.

The Armed Forces of the United States has lost over 28,000 men in Vietnam since 1965. The protestors, hippies, yippies, and "power" leaders have lost relatively few.

Now we Ask America, "Why?"

Cpl. J. H. GIBSON.

THE FIRST PRESBYTERIAN CHURCH,
Swannanoa, N.C., December 9, 1968.
Cpl. J. H. GIBSON,
FPO, San Francisco, Calif.

DEAR CORPORAL: Your letter was published in the Asheville Citizen today. I read it with shame—and pride—and hope.

There was shame because you wrote of a paradox that is mercilessly imposed on all Americans today. The paradox of black and white fighting together for all of us in Vietnam while pariahs of hate seek division of the races at home; the Communist banner of our enemies flaunted by students who have been beguiled by artless sophistication to parade their foolish treachery as if it were virtue; rivers of armament unleashed against you from the North while our own government stops the bombing; . . . pitiless portions of the paradox that bids you ask, "Why, America, Why?"

I am shamed, Corporal, for I do not know the answer to your question. I don't believe there is one.

But your letter brought pride, too. Pride in you and your fellow Marines. Pride because I know what you are going through. Many of us went through the same thing in Korea in the fifties.

You're up against the same enemy—relentless, crazed, and deadly. Yet you fight on. There is anger in your letter but it is right for it so to be. But beyond the anger is a confidence that cannot be hidden bespeaking your conviction that our cause on the battlefield is just and that victory must surely be seized and held. You back that conviction with your life and because you do, I believe America will live.

It isn't the first time our countrymen have been committed to battle and then denied the loyal support of their own people. While Washington camped at Valley Forge, Tories sold food to the Redcoats for British gold. But America lived. She lived because the love of her Patriots was greater than the contempt of her traitors. You and your men stand where gallant men of your nation have always stood—and prevailed.

Your letter brought me hope, too, Corporal. The hope is that your love of country will not waver. I don't believe it will for I see in your words that which will never indulge your nation's faults and weaknesses but which will never abandon her dream. That dream has led us on for nearly two hundred years. It is a dream woven of freedom and liberty, equal justice under law, genuine peace, and the right to worship God as each man would choose for himself. It is a dream robed in honesty and industry of her people unashamed to demand integrity and honor of her national life despite the sneers of her detractors.

Thank you for that shame, Corporal. I needed to feel it. Thank you for that pride, too, for without it I would despair. Thank you for that hope. It is the mandate for renewed dedication to the greatest country on earth.

God love and keep you, soldier, and all who fight for us there. We pray for the day when you can all come marching home again.

II Corinthians 13:14.

Kept with you in His Love,

JIMMY LYONS.

MORAL POLLUTION IN EDUCATION

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. HUNT. Mr. Speaker, the academic upheaval on our college and university campuses over the last half of the present decade has no precedent in the 193-year history of our Republic.

The perpetrators of this "revolution" justify their ill-defined cause in the name of academic and intellectual freedom and claim in their defense the cherished freedoms guaranteed by the Constitution. when cited as the framework within which our society conducts its affairs, however, these same individuals deride the Constitution as an outmoded document conceived in an age whose principles defy application to present-day life.

As the times change, Mr. Speaker, the pendulum swings, and I feel the emergence of a new awareness of and rededication to the American ideal from among the masses. As recalcitrant minorities encroach upon the rights of society taken as a whole, the dangers inherent in the unrestricted abuse of our constitutionally guaranteed freedoms must not be allowed to prevail.

A recent news article caught my attention in the use of the phrase "moral pollution," a phrase one might more readily associate with the spiritual preachings from the pulpit. It was found, however, to be applied to the conduct of faculty and paid speakers at one of our large Midwestern universities. Even more interesting is the fact that it was the result of a grand jury investigation which claimed, "There is a need for increased emphasis at all levels of education of the American ideal."

It is strange, indeed, that academic freedom has been allowed to justify the conduct of those who would pollute and corrupt the minds of our young citizens; that "militant activists" and "student radicals" be permitted the "freedom" to infringe upon the ambitions of those who responsibly seek an education imbued with the spirit of our American heritage and love of God and country. I am heartened in some quarters that there are those among the educational administrators who are dealing forthrightly with these alien and destructive forces at the behest of an aroused public which sees the survival of a free society at stake.

The American ideal, embodied in the spirit and words of the Declaration of Independence and the Constitution of the United States, is being constantly challenged. Our educational institutions must teach and enhance it rather than fall to the hands of those who would subvert and destroy it.

At this point in the RECORD, Mr. Speaker, and with the permission of the House, the full text of the news article, as reported in the December 29, 1968, issue of the Philadelphia Inquirer, follows:

PROBERS CITE MORAL POLLUTION AT IOWA SCHOOL

AMES, IOWA, December 28.—A grand jury in Story County, Ia., wants "moral pollution by faculty and paid speakers" at Iowa State University discouraged by changes in the humanities curriculum.

"The militant radical activist, both teacher and student, is involved in the humanities," said the jury after a three-month investigation.

The jury said it was up to the State Board of Regents to make "corrective" policy changes, and said regents' membership should be changed if the public is not satisfied with what it does.

REPORTS CITED

"There is a need for increased emphasis at all levels of education of the American ideal," the jury report said. "Our soldier boys have been dying for this ideal. Education as never before should clearly teach it."

The jury said it began the investigation after frequent reports of "student radicals and other activists using campus media to pulpiteer, sensationalize and otherwise promote illicit sex, drug use, draft evasion and defamation of our country."

Iowa State, with an enrollment around 18,000 is one of three state universities governed by the nine regents.

DOING ITS BEST

"Is it unreasonable to expect the Board of Regents through definitive delegation of responsibility to school executives to discontinue speakers who are liars, who blaspheme our Flag, our heritage, our moral scruples on the ground of academic freedom?" the jury asked.

The jury said it concluded that having radicals centered in the humanities was not a problem "peculiar" to this university, and the administration was doing its "level best" to meet it.

A related item, addressed to the subject of campus violence, appeared in the January 9, 1969, issue of the Evening Star in a column written by James J. Kilpatrick. I call your attention to the heart of the issue which, I believe, is plainly stated by Mr. Kilpatrick when he says:

> The campus of a college or university is like any other community. In the presence of violence, the rights of the law-abiding residents—the sudents who want to learn, the teachers who want to teach—have to be defended at any cost. These come first. Any compromise with this principle is an invitation to anarchy.

I commend to your reading Mr. Kilpatrick's column which follows:

Reagan Hailed for Getting Tough on Campus

Those who undertake to read the currents of public opinion are engaged in a difficult art. Such tides never can be predicted to the fraction of an inch. Mostly it's guesswork or just plain hunch. But it's a good bet that California's Governor Reagan has sensed public attitudes exactly in his resolute statement on campus violence.

The governor ran into newsmen this past Sunday at the Sacramento airport. It was the day before San Francisco State College was scheduled to reopen. Reagan was asked for comment. He paused deliberately; then he laid it on the line.

"Those who want to get an education, those who want to teach, should be protected in that at the point of bayonet if necessary. The college has to be kept open. I don't care what force it takes. That force must be applied."

Hallelujah! That is precisely what should have been said and done all along. It is amazing, in retrospect, that such eminent men as Grayson Kirk of Columbia ever could have lost track of the truth that Reagan stated so bluntly. The campus of a college or university is like any other community. In the presence of violence, the rights of the law-abiding residents—the students who want to learn, the teachers who want to teach—have to be defended at any cost. These come first. Any compromise with this principle is an invitation to anarchy.

A year or so ago, Reagan's statement would have provoked moans, groans and gasps from the intellectual community. No more. The professors and presidents who have condoned the outrages, and sought to appease the firebrands, have gone out of style. Increasingly, the public demand is to expel the fascist students and to fire the faculty members who enter into conspiracy with them. These militants can respect the rights of others, or they can get out. It's as simple as that, and no phony invocations of "tenure" or "academic freedom" or "the right to dissent" should be heeded any longer.

The firmness voiced in California by Reagan is not unique. Other responsible administrators have taken the same high-principled view. The trustees of Worcester Polytechnic Institute adopted a statement of policy last June—a copy has just come across my desk—that provides a model for every college in the land.

The Worcester statement opens by affirming the institute's belief in individual freedom. But "academic freedom is not academic license, and the right to criticize and protest is not the right to disrupt or to interfere with the freedom of others." The statement continues:

"Students enter Worcester Tech voluntarily. They apply presumably because they wish to further their education and hopefully because they believe Worcester Tech, with its traditions and reputation, is capable of advancing their intellectual attainments. Students come to learn, to be guided, not to direct.

"If they do not like some of the rules and regulations, traditions and policies of Worcester Tech, they do not have to enter. But let it be understood that having been accepted, and having decided to enter, they are expected to abide by the laws of our nation and comply with the rules and policies of Worcester Tech. Criticisms and suggestions are always in order and will continue to be welcomed, but threats, disturbances or force of any kind—whether by a single student, a minority or a majority—will not be tolerated."

The Worcester statement concludes with an explicit warning that the college offers no sanctuary to any person who condones advocates, or exercises the seizure of private property or the use of intimidation. "Any who engage in such activities will be held fully responsible, and punishment at this college for such acts will be prompt and sufficient to the cause, including expulsion."

Worcester Tech hasn't had the first breath of trouble.

This is the sound approach. It is right in principle; it is right politically, too. The tides of permissiveness are running out. From San Francisco to Worcester, the new year sees a determination among free men to restore the order on which freedom itself depends.

J. W. McSPADDEN COMPILES OUTSTANDING RECORD

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. EDMONDSON. Mr. Speaker, I have in my district a remarkable public servant. He is Mr. J. W. McSpadden, of Tahlequah, who is contemplating, at age 84, seeking his 26th term as Tahlequah city treasurer.

During the 51 years Mr. McSpadden has held this job, he has earned the honor and respect of the people of his city. A measure of their respect for him can be seen in the fact that only twice in 25 elections has Mr. McSpadden been opposed. This is a record almost without parallel in Oklahoma.

I know and admire Mr. McSpadden, and I was pleased to see that Liz Gilbert, a fine writer for the Muskogee (Okla.) Phoenix & Times-Democrat, had recently visited and talked with Mr. McSpadden. Her report of this interview in the Muskogee Sunday Phoenix & Times-Democrat on January 12 under the heading, "He'll Decide When It's Time."

I would like to have Miss Gilbert's excellent story about this outstanding public servant appear in the Record.

He'll Decide When It's Time—At 84, Tahlequah Treasurer Has Held Position 51 Years

(By Liz Gilbert)

Tahlequah.—Tahlequah's city treasurer hasn't yet decided whether he will file for re-election this May. Oddly enough however, his indecision on the matter does not arise from local politics.

"I won't make up my mind until I see how I feel," J. W. McSpadden says. He recently celebrated his 84th birthday and is beginning his 52nd year as treasurer.

Should he re-file for the office it will mark the 26th time he has done so. An opponent in the contest would make only number three for McSpadden.

He campaigned against Ed Hicks many years ago and W. E. Hicks about 10 or 15 years ago.

"I was manager of the mill and elevator company and it took a lot of time. I didn't have any time to electioneer and it didn't pay enough to work hard to get it," he says of his campaign for the post in the latter race.

Tahlequah's several bonds and "figuring all those different rates of interest" takes more of McSpadden's book work time than any other single phase of the accounting project.

He says he just works on the books in his spare time. He keeps the records at his home and makes two or three trips a week to the city clerk's office or to the bank.

"I'm too old for hobbies," McSpadden says when asked how he fills the rest of his days in the rambling two-story house built on Bluff Street in Tahlequah 79 years ago by his father.

He first became city treasurer in 1917, when he was appointed to the position vacated by H. B. Upton, who is now a Tahlequah bank vice president.

Prior to his appointment, McSpadden had served on the city council, school board and library board.

During those first years as treasurer, he also served as Tahlequah's first tag agent, a position he held 14 years.

For several years McSpadden operated the flour mill begun in Tahlequah by his father, who came to Indian Territory as a child with McSpadden's grandfather, a Methodist minister from Alabama.

He took over the Tahlequah Mill and Elevator in 1915 and operated it until 1962, when he retired because of his wife's illness.

Mrs. McSpadden (Callie) a native of Tahlequah, was frequently cited by the Cherokee Tribe for her work with the Cherokees.

Shortly after her death in 1964, W. W. "Bill" Keeler, principal chief of the Cherokees, wrote her family a letter praising Mrs. McSpadden. The framed letter is a treasure of the McSpadden's and hangs in his home alongside other mementos of a colorful family history.

McSpadden has eight children—four daughters, Mary Layton of Collinsville, Caroline Crawford of Tulsa, and Cora Ann O'Reilly and Nancy Grimes, both of Muskogee, and four sons, Tom and Vance, both of Muskogee, J. A. of Tahlequah and Ray of Bartlesville. He has 18 grandchildren and six great-grandchildren.

COMMISSION ON AFRO-AMERICAN HISTORY AND CULTURE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. SCHEUER. Mr. Speaker, I have the pleasure to introduce today for myself and Messrs. Addabbo, Bingham, Burton of California, Mrs. Chisholm, Messrs. Cohelan, Edwards of California, Farbstein, Friedel, Gilbert, Halpern, Hathaway, Hawkins, Koch, McCarthy, Mikva, Moorhead, Morse, Nix, Podell, Reid, Reuss, Rosenthal, Ryan, Tiernan, and Whalen a bill providing for the establishment of a Commission on Afro-American History and Culture. The bill would establish an 11-member Presidential Commission which would be empowered to conduct a thorough study of all proposals designed to create a better understanding and knowledge of the contributions of Afro-Americans and their heritage to American history and culture.

This Commission would be composed of authorities on Afro-American history and culture, American history, education, journalism, communications, and other related fields. The Commission's findings and recommendations would be submitted to the President and Congress within 1 year after the enactment of the bill creating it.

I have been working on this legislation for several years, and I reintroduce it today in recognition of the urgent need, in these times of stress and tension, to document and disseminate the facts, materials, and artifacts relating to the many contributions of the Afro-American to this country's history. This legislation, in its present form, holds promise of rich achievement, not only for the black population in America, not only for black children in finding a new pride and identity in self-image, but also for white America, so that white children in our school system can have a new appreciation of their fellows and a new understanding of the contributions that our black citizens have made to every aspect of American life.

Our politics, our arts and letters, our war, our peace, our humanities are permeated with the contributions to our civilization made by black citizens. Unfortunately, our education curriculum, our textbooks, and by and large our public media—radio, television, press, have failed to convey even a marginally adequate understanding to black and white children alike of the role that blacks are playing today and the contributions their people have made in the past. This gap diminishes us all.

Happily there is much evidence of concern over the problem. In recent months, we have seen scattered efforts on the part of leaders in the radio and TV industry and in our magazines to begin the lengthy process of improving the situation. I hope that the Commission on Afro-American History and Culture can give leadership and direction to this effort and distill the most creative ideas and the most thoughtful and sensitive insights into the problem from among black educators, archivists, and the like, and from experts in the media themselves, experts in education and textbooks and education curricula.

Mr. Speaker, I strongly believe that this Commission could play a significant role in reversing the widening racial divisions within our society. It could help bridge the gap between black and white, bring the two communities closer together, and prevent the creation of two separate and unequal societies.

GAO CONFIRMS CHARGES OF ABUSE IN MDTA

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. SCHERLE. Mr. Speaker, in April of 1968 I reported to my colleagues in the House that the alert Iowa State auditor, Mr. Lloyd Smith, had discovered serious mishandling of certain OJT contracts under the Manpower Development and Training Act. Because of denials made by those charged with the responsibility for the administration of this program it was necessary to request an investigation of this matter by the General Accounting Office.

The findings are now in, and they confirm the existence of the abuses alleged. In an article published in the Des Moines Register on January 5, Mr. Clark Mollenhoff, nationally known writer and author, discusses the GAO audit. I commend his fine report to your attention:

U.S. CHARGES ABUSE IN IOWA JOB TRAINING: WILL SEEK TO GET FUNDS BACK

(By Clark Mollenhoff)

WASHINGTON, D.C.—The comptroller general has ruled that an Iowa Public Safety Department job training program violated the provisions of the contract as well as the federal law.

The opinion of Comptroller General Elmer B. Staats was included in a report made Saturday to Senator Jack Miller (Rep., Ia.) who had asked for the study of the operations of the Iowa State Manpower Development Council program with the Public Safety Department.

In a report to Miller, Staats said the Labor Department already has instituted action to recover the funds that were improperly and illegally expended in the Iowa program.

Although the amount of money involved in the Iowa Public Safety Department programs was small, the comptroller general said that the General Accounting Office (GAO) investigation indicated weaknesses in the administration of the job training program that has caused it "to expand our already considerable efforts of reviewing program operations under the MDTA (Manpower Development Training Act)."

Iowa State Auditor Lloyd Smith first revealed last March that the Iowa Public Safety Department was obtaining funds for a federal-state job training program that existed only on paper.

Smith, a Republican, declared that several state safety department employes were listed as trainees in a program the trainees didn't even know existed.

Smith called the project "a pet project" of the then Gov. Harold Hughes. The comments by Smith prompted Hughes to announce he was starting his own investigation of the Iowa Manpower Development Council. The council operated under Director John Ropes.

The GAO investigators are career Civil Service employes, and in carrying out the federal investigation were under the direction of Staats, appointed by a Democratic administration.

In releasing the report, Miller said he asked for the GAO investigation after reading of State Auditor Smith's report in The Des Moines Register, and noting "partisan criticism of the report."

"I decided that the best way to get an objective view of the Iowa job training program was to ask for a GAO investigation," Miller said.

"The GAO report fully substantiates State Auditor Smith's reports, and indicates that the criticism of Smith was completely unjustified."

Miller also noted that the Department of Labor in a Democratic administration has "disallowed" the funds used in the program and has requested a refund from the state of Iowa.

The GAO stated: "If the state does not refund the amount involved, then the matter should be referred to the Department of Justice for collection."

The GAO report stated that the objective of the Manpower Development and Training Act of 1962 was to alleviate the hardship of unemployment and to institute training programs for unemployed and under-employed individuals.

A Labor Department survey was made in May that questioned the payment of the full amount of $4,365 provided in three on-the-job training subcontracts with the Public Safety Department.

JOB OPPORTUNITIES

Two of the subcontracts were for the purpose of upgrading a total of 13 existing employes and thus providing job vacancies at the entrance level which could reasonably be filled by applicants recruited from employed, disadvantaged rural or minority groups.

The third subcontract was for the training of 10 new employes at the job entry level.

The GAO had these conclusions on the first two contracts:

"1. Training provided under the subcontracts did not have the effect of generating job slots at the job entry level.

"2. The employes who were reported to have participated in the training programs were not upgraded.

"3. The training was to include a two-day seminar at one of the state universities, and four follow-up lectures at the sub-contractors' office. All the trainees attended the seminar; however, not all the trainees attended the follow-up lectures."

With regard to the contract dealing with training employes at the entry level, the GAO stated:

"1. Seven of the 10 trainees had been employed prior to the time of their enrollment. Three of the seven were employes of the Public Safety Department.

"2. Two of the five trainees who, at the time of the audit, were still employed by the Public Safety Department stated that they had not received any training and did not know that they had been enrolled in the . . . program."

The GAO concluded that the funds provided to the Iowa Public Safety Department "were not used in accordance with the provisions of the contract or the purposes of the Manpower Development Training Act.

"Also, we believe that the findings of the state auditor and the Department of Labor auditors point to a need for improvement in the administration of the Manpower Development Program in Iowa."

BAIL REFORM ACT NEEDS REVISING

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. McCLORY. Mr. Speaker, the dilemma created by the passage—in all good faith—of the Bail Reform Act of 1966 demands that prompt action be taken to revise this new, well-intentioned law.

It was clearly not the intention of Congress to compel the release of a criminal on his personal bond—where there was danger that the defendant would engage in further criminal activity—pending a trial.

My colleagues, the Republican leader of the House, Mr. FORD of Michigan, and the ranking Republican on the House Judiciary Committee, Mr. MCCULLOCH, of Ohio, have taken leadership in sponsoring H.R. 2781 designed to overcome the defects in the Bail Reform Act.

Both the Washington Evening Star in its issue of Friday, January 10, 1969, and the Washington Post in the Sunday issue of January 12, 1969, have editorialized in favor of revising the law respecting bail in the Federal courts.

In the Evening Star editorial justifiable support is extended to District Judge Gerhard A. Gesell who refused to release a convicted criminal without bail although the U.S. Court of Appeals had directed otherwise. As the editorial points out, Judge Gesell has expressed his primary interest in the law-abiding public.

In order to bring these two excellent editorials to the special attention of my colleagues in the House of Representatives and to the American public, I am including them in the CONGRESSIONAL RECORD as follows:

[From the Washington (D.C.) Evening Star, Jan. 10, 1969]

CONCERN FOR THE PUBLIC

District Court Judge Gerhard A. Gesell has taken the eminently sound position that he is not going to be pressured by the U.S. Court of Appeals into releasing a convicted criminal who might be a menace to the community.

Judge Gesell, of course, did not state the case quite so bluntly. Nevertheless, his meaning was clear.

Archie Blyther Jr., 33, was convicted last summer of carrying a dangerous weapon. He and a companion, also a "frequent criminal," had been caught in an automobile that shortly before had been used as a getaway car in a Maryland bank robbery. Each man had a loaded revolver under his car seat.

After being convicted, Blyther asked to be released on personal bond pending an appeal. Judge Gesell refused. The appeal, he said, was frivolous. Furthermore, Blyther's record showed three felony convictions, a conviction for contributing to the delinquency of a minor girl, and a yoke robbery while still a juvenile.

This record did not impress Chief Judge David Bazelon and Senior Judge Charles Fahy of the Court of Appeals. They ordered Judge Gesell to make a statement, in writing, of his reasons for refusing to release Blyther, meanwhile holding the appeal in abeyance.

The trial judge, although saying he was not obliged to do so, responded by setting forth in detail the defendant's record—a record which also had been fully available to the appellate judges. If Blyther, on his record, is to be released, Judge Gesell said, the appellate judges will have to release him and assume the responsibility for the consequences. Then he added: "There is not a judge of this (District) court that takes commitment of an individual to prison lightly or with disregard for the human factors involved. But as trial judges there is also a responsibility placed on this court to protect the interests of the community. These interests are paramount whenever a jail sentence is imposed on a convicted felon with a substantial anti-social criminal record whose appeal, as in this case, is frivolous."

This show of concern for the rights of the public is refreshing. It is too bad that there is not more evidence of a similar concern in the Court of Appeals.

[From the Washington (D.C.) Post, Jan. 12, 1969]

THE CRIME CRISIS IN WASHINGTON

The murder of two young FBI special agents who were trying to arrest a robbery suspect, taken together with the recent rash of bank holdups and multiple shootings, are grim confirmation in dramatic form of a far wider condition—a kind of crisis of crime—in our community. The killing of law enforcement officers in the performance of their duty has a special shock effect. So do bank holdups, because they are daring and usually involve a deadly weapon and large amounts of cash. There have been 14 such robberies in this area just since the beginning of this year, and if the rate continues, bank holdups this year could more than double the number in 1968. This prospect is harrowing enough, and all the more so when placed in the perspective of the total crime problem. For the robberies of banks and other large businesses actually account for only a fraction of all robberies that occur on streets and in alleys and dark hallways, and probably inflict the least human suffering. Insurance does not usually cover the week's wages snatched from a handbag, or the week's earnings taken from a small shopkeeper's cash register. For these victims, small crimes can be a very large personal catastrophe.

The minutely detailed statistics in the President's Commission on Crime in the District of Columbia illustrate this point. Between 1960 and 1965, the Commission reports there were 14,187 robberies. Of these, 10,509 (74.1 per cent) took place on the street. During that six-year period, banks accounted for 35 (or .2 per cent) of all robberies.

These statistics are the most accurate available and yet they do not give the full picture for they do not take into account the countless robberies that are not reported—the purse-snatchings and muggings which the police are never told about. And these statistics, it has to be emphasized, deal only with the crime of robbery, which is in itself only a piece of the larger crime problem, running the gamut from prostitution and narcotics traffic to rape and murder. Crime of all kinds must be counted in, not only because almost all kinds of crime are on the rise, but because it is crime, in its totality, which is creating a growing crisis of confidence in our community. This secondary, psychological effect, this sense of near-hysteria, is not always rational; it contributes very little to a reasoned solution of the problem. But it is no less real on that account and no less reasonable—the fear of the private citizen, black as well as white, to walk the streets and the fear of corporate leaders, and of businessmen big and little, black as well as white, of doing business in our city.

Plainly, more, much more must be done. To say that, however, is not to say very much, for if any of the answers were easy, we would not have the problem that we have. Yet there are things that can be done, for the long haul and for right now, and as good a place as any to begin looking for them is in the Crime Commission's recommendations for improving the entire system of law enforcement, criminal justice, punishment and rehabilitation. The report was issued in December, 1966, yet two years later little has been done with it beyond a significant beginning in reorganizing the police department.

For example, the Commission called for substantial reduction in the time it takes for a felon to be brought to trial and for additional court personnel to make this speedup possible. Yet the delays and backlogs get longer, so much so, in fact, that of the 53 adult suspects arrested for robbing Federal banking institutions in 1968, none has been tried. And of the five judges the Commission suggested be added to the Court of General Sessions, Congress authorized only two—and they have not been appointed.

The "major effort" the Commission called for to upgrade the city's correctional institutions has been miniscule. Ironically, the Commission called for an improvement of the security of Lorton Reformatory, from which the man accused of slaying the FBI agents escaped last year. Perhaps the most important set of recommendations—on which the least action has been taken—was for a major expansion of rehabilitative services for juvenile delinquents, because that would serve to interrupt a juvenile career in crime before behavior patterns became permanent. And still the facilities for handling youthful delinquents are badly understaffed—and still ineffective.

Apart from these longer-term proposals, there is one area of potential reform—bail procedures—which might offer some promise of more immediate benefit. The right to release pending trial is basic—but not necessarily immune to sensible and reasonable restrictions in cases where an overriding public interest is found to be involved. Under present law, in most cases, judges are required to grant bail unless there is some good reason to believe an accused person will not show up for trial. But release of an accused is now such a simple, routine business that cases abound of defendants committing the same or more serious crimes while awaiting trial. Serious consideration should be given to an amendment that would make it possible for a judge to use more discretion before making it too easy for hardened criminals to be set free for prolonged periods; tougher bail regulations, however, must come accompanied by judicial reform to prevent long delays before a defendant is brought to trial. In any event, a set of bail procedures appropriate to shoplifters is not necessarily appropriate to an accused holdup man with a long history of arrests.

Not even a combination of many measures offers certain promise of an early end to the current crisis in crime. What is certain, however, is that if extraordinary measures are not taken, an already intolerable situation will get still less tolerable, and the measures that may then become necessary—or that an alarmed and outraged public may insist are necessary—will be of a kind that will seriously threaten those elementary human rights which must always be upheld if we are to remain a free society under law. It is not too late to find that proper balance between justice and effective law enforcement, to move forcefully along lines the President's Crime Commission has already laid out. But it is getting very late.

MR. TUCK RETIRES

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DANIEL of Virginia. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased and privileged to include an editorial from the Richmond News Leader, of Thursday, January 2, 1969, complimenting my distinguished predecessor, Hon. William M. Tuck, of South Boston, Va.

Governor Tuck, as he is fondly known by a host of friends and admirers, is one of Virginia's most beloved public servants. His career, beginning in 1924, and spanning a period of 45 years, included membership in the house of delegates and State senate; Lieutenant Governor and Governor of the Commonwealth; and Representative in the Congress from the Fifth District of Virginia, until his retirement at the end of the 90th Congress.

The text of the editorial is as follows:

MR. TUCK RETIRES

The final days of the 90th Congress cannot be permitted to slip past without a word of affectionate farewell to one of Virginia's departing statesmen: William M. Tuck of South Boston, member of the House from the Fifth District of Virginia. At 72, he is returning to Halifax County and marking an end to a long career in public life.

Inevitably, such a tribute tends to take on obituary trappings. This is especially regrettable in the case of Mr. Tuck, who has a vast deal of life remaining in his well-padded bones; but it does no harm for a man to read a few friendly observations while he's still alive. They won't read nearly so well later on.

Forty-five years have elapsed since Mr. Tuck first came to Richmond, in January of 1924, a 28-year-old member of the House of Delegates. Eight years later he moved to the State Senate, where he was one of that grand company of men that included Aubrey Weaver, Burr Harrison, Robert O. Norris, Lloyd Robinette, Morton Goode, Vivian Page, Hunsdon Cary, Charlie Moses—*eheu!* The names stir memories of happy times. Mr. Tuck fitted into this fraternity as an oyster fits in its shell. He went on to become presiding officer of the Senate, as Lieutenant Governor from 1942 to 1946. Then came his unforgettable four years as Governor from 1946 to 1950.

It seems impossible that a whole generation could have grown up that knew him not. Mr. Tuck gained the governorship in the same way that cream rises to the top of the bottle, because it is the natural order of cream to rise. This was the glorious heyday of the Byrd Organization, and Mr. Tuck was quintessentially the symbol of its strength—a small town lawyer and countryman, a farmer, a conservative, a loyal Organization man. He had "waited his turn," as the saying used to go; he had labored in the vineyards and was entitled to the office.

There was a good deal of delicate twittering, all the same, when Mr. Tuck assumed the gubernatorial chair. He had not then acquired the Falstaffian dimensions he would later take on, but he had the comfortable appearance of a man who has just dined on a dozen pork chops. He was known to chew tobacco, drink whiskey, and play a wicked hand of poker. His taste in music ran to opera, but this was opera Tennessee style. His vocabulary began where the resources of Mark Twain left off; he once denounced some of his foes as fuglemen and thimbleriggers, and he teed off on a lean and lanky editor from Virginia Beach as a *spider-legged* you-know-what. Coming on the heels of the erudite Colgate Darden, Mr. Tuck seemed something of a scow in the wake of a yacht.

That was at first. Mr. Tuck confounded his critics and delighted his friends. He sponsored Virginia's right-to-work law. He drafted a public utilities labor relations act that proved remarkably effective. Virginia's progress in the control of stream pollution dates from his administration. He found Virginia's mental hospitals in abominable condition, and plunged into spectacular reforms. To glance over the indexes of the 1946 and 1948 sessions of the Assembly is to understand Mr. Tuck's rank as one of the two most effective and able Governors of this century. The other was Harry Byrd himself.

And all the time—this is what we really wanted to say—Mr. Tuck was preaching what he called "the sound doctrine." He *believed* in the power and dignity of the States; he *believed* in strict construction of the Constitution; he loved his people, his Commonwealth and his country, and if he took delight in a good joke—he was one of the finest story-tellers of his time—the twinkle in his eye belied a deep seriousness of purpose down below.

When he left the Governor's office, this newspaper urged him to return to the General Assembly. It seemed good advice then, and in retrospect it seems good advice now. Mr. Tuck chose instead to move on to the Congress. In the indifferent confusion of Washington, he was a whale in shoal waters. These past fifteen years have not been notably happy years for the Governor. He became immensely popular in the House, but his sound doctrine made small impression. Much of the time he seemed an old-fashioned figure, an aging ship of the line in a flotilla of snappy speedboats. Any man who has a deep love of place—of community—finds that he lives in Washington an exile's life. Mr. Tuck used to say that the *elevator* operators, dammit, had more prestige than a mere *Con*-gressman. But he stuck it out as long as Judge Howard Smith was around. When Judge Smith fell by the political waysides in 1966, Mr. Tuck let it be known that his eighth term would be his last.

We wish him the best of everything in retirement—the best companions, the best stories, the best courtroom battles, the best reminiscences of good times past. In any gallery of the most colorful Virginians of the Twentieth Century, Mr. Tuck will dominate the hall.

RHODESIA

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. UTT. Mr. Speaker, former Secretary of State Dean Acheson, speaking of the claimed international threat to peace of Rhodesia's independence, on the grounds that its existing electoral system would so outrage the black dictatorships of Africa that they might attack her, said:

> This theory has the authority of the wolf in Aesop's fable who dictated that his prospective dinner, the lamb drinking downstream from him, was polluting his water.

All the people of these United States who celebrate July 4, Independence Day, and recall our glorious history, should be as outraged as I, at President Johnson's Executive Order No. 11419, which was not only a reaffirmation of an unconscionable boycott of Rhodesia, but which actually intensified and expanded the previous restrictions, down even to preventing the shipment of a small potted plant to that country by one of my constituents.

Mr. Acheson suggests that the United States can help to settle the matter, by encouraging a guarantee by Rhodesian Prime Minister Ian Smith of internal constitutional safeguards, in exchange for British Prime Minister Wilson's demand, in the recent negotiations with Smith, for a veto power for the London Judicial Committee of the Privy Council over proposed constitutional changes.

Certainly, for the good of Rhodesia, and of those American citizens who find it desirable to do business with her, any such settlement of this dispute would be welcome.

Yet any objective study of Rhodesia's recent and relatively late past, when devoid of the blinding influences of attempts at racial equalization, will show that there is as much, if not more, racial disharmony between whites and blacks in the United States as there is in Rhodesia, and thus we are in no position to cast the first stone against her.

Mr. Acheson calls attention to the immense importance to the free world of the good will of Southern Africa, "the use of its ports, the cooperation of its government—including their participation with immense resources and advanced technology in aiding the development of adjoining black states." He says:

> As the principal responsible power in the free world, it is our duty and responsibility to encourage these attributes while it is the height of folly to sacrifice (them) to an aggressive reformist intervention in the internal affairs of these states.

The latest British proposal would require that Rhodesia guarantee conditions that would lead to eventual rule by the black African majority, but Mr. Acheson considers this to be an electoral practice "that none of the black African or Communist states and few of the Asian accept."

Mr. Speaker, I am reintroducing my joint resolution calling attention to the illegal action of the United Nations, which was in violation of chapter 1 of its own charter, when it ordered economic sanctions against Rhodesia. It points out the inconsistency of this so-called "Peacekeeping Body," which seriously threatens international peace by such sanctions, and it demands that the restrictions on commerce between Rhodesia and the United States be terminated. I hope that many of my colleagues will join with me in this effort, and that a change in the administration will result in the recognition of the error of supporting the United Nation's sanctions, so that affirmative action can be taken quickly, either by passage of this resolution or by recision of Mr. Johnson's actions by our new President.

A LAW NIXON NEEDS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. PELLY. Mr. Speaker, the modernization of Congress already has been discussed openly in this new session, and one of the areas of interest to most of us is the Reorganization Act of 1949 which was allowed to die in a Government Operations Subcommittee in the Senate last year.

The Seattle Times recently carried a thoughtful editorial on this subject which I would like to bring to the attention of my colleagues. The editorial, entitled "A Law Nixon Needs," follows:

A LAW NIXON NEEDS

Congressional quarterly points out that because Congress last year failed to extend a 20-year-old government-reorganization law, Richard M. Nixon will be unable to make the slightest changes in the federal government's structure when he takes office this month.

The Reorganization Act of 1949, which had bipartisan support, has been of value to four Presidents in the unending quest for efficiency and economy in the federal government.

It allowed the President to propose reorganization plans for federal agencies—changes which automatically took effect unless vetoed within 30 days by either the House or Senate.

President Johnson last year asked Congress to extend the basic law for four more years. In April, the House authorized a two-year extension.

But the measure was allowed to die in a government-operations subcommittee headed by Senator Abraham Ribicoff of Connecticut.

Although Capitol Hill sources insist that politics was not a consideration in the failure to act, Congressional Quarterly quotes a subcommittee aide as saying Ribicoff felt "no great urgency" about pushing the bill, especially since a new administration would be in power.

It ought to be obvious in this era of swift change in virtually every aspect of American society that the often-cumbersome federal structure requires constant modernizing.

The 90th Congress ought to act promptly to give the new President the tools to do the job. In times past, this has not been a partisan issue. There is no reason why it should be now.

DJILAS AND EICHMANN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DERWINSKI. Mr. Speaker, recently the Freedom House presented an award to Milovan Djilas, a Yugoslav Communist, who has consistently been a source of controversy and debate. The Macedonian Tribune of Indianapolis, Ind., in its editorial of January 9, discussed this award presentation in an interesting and spirited fashion. I believe it merits attention in order to present the American public with a balanced interpretation of Djilas which was lacking in metropolitan press during his recent visit to the United States.

The editorial follows:

DJILAS AND EICHMANN

(By Christo N. Nizamoff)

A few weeks ago, for reasons hard to comprehend, America's Freedom House granted its 1969 award to Milovan Djilas, whom Yugoslav refugees in New York City, demonstrating outside the Roosevelt Hotel, branded as "Bloody Executioner", and "The Yugoslav Eichmann".

We hold that the grant is a travesty of good taste and a mockery of the meaning of freedom, such as it is accepted by the non totalitarian world. And we are at a loss to understand how the recipient merited that award.

Until a few years ago Mr. Djilas was the right hand man of Marshal Tito and one of the most feared and blood thirsty Communists in Yugoslavia. Like Eichmann, his name was synonymous with torture and death.

Since his confinement to prison, and release, Djilas has not repudiated Communism nor the avowed purpose of the Communist party. He has not renounced his own theory that the new social order, meaning of course the Communist order, must be built upon death and blood, because death and blood accelerate the revolutionary process and clear the ground for a party take over. When did Djilas emerge as a devotee, as a fighter for freedom?

If confinement in a Communist jail is the sole merit badge for a Freedom House award, then millions of people behind the Iron Curtain, thousands of whom have fled in desperation to the West, must become recipients of that award. Some of the refugees who demonstrated outside the hotel, may deserve it more than Djilas.

The fact that Djilas was a high ranking Communist should have no bearing on the case. Many high ranking Communists have passed through the torture chambers of their own making. But that experience has not mellowed them and it has not changed their concept of freedom. They have remained ruthless men.

Kadar of Hungary and Gomulka of Poland have tasted life in the Communist Hell House, but that has not prevented them from becoming torturers of their own people and their own associates once they climbed back to the helm of power.

It must be remembered too that when Mr. Djilas first came out against certain practices of the Yugoslav Communist Party, and some of its hierarchy, he did not, we repeat, he did not propose that the power of the government be turned over to the people. He stood for certain changes in conduct and application, but this did not envisage free speech and free press, nor the formation of opposition parties to compete for the vote and the confidence of the people. On this vital issue, which separates Communism from democracy, he has remained as adamant as Tito, or any of the other Red leaders.

Aside from this everyone in Belgrade knows that Djilas had reasons of high personal nature for breaking with his former partners in murder and crime. These reasons had absolutely nothing to do with party policies and ideology or freedom.

The granting of this award to Djilas was a major blunder by a group of well meaning, but utterly naive persons, whose ultra liberal leanings permit them to equate freedom in the United States with the supposed freedom in Communist countries like Yugoslavia.

We are certain that none of these gentlemen would be able to live more than 24 hours under a government headed by men like Djilas, with their perverted concept of democracy and their maniacal urge for death and blood.

Our true sentiments of the matter are that someone should recommend Eichmann posthumously for a similar award, since he and Djilas are so alike in their pursuit of . . . murder.

DEDICATION TO LEARNING

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. FLOOD. Mr. Speaker, one of our most outstanding public servants will be leaving the Federal Government next Monday. I have reference to the Honorable Wilbur J. Cohen, Secretary of Health, Education, and Welfare. He has made enormous contributions to a better America in numerous fields and I, as chairman of the Appropriations Subcommittee for the Department of Heath, Education, and Welfare, am well aware of the truly outstanding job he did as Secretary of that important Department. On December 1, 1968, Secretary Cohen delivered the dedicatory address of the Physical Education Building at King's College in Wilkes-Barre, Pa., my hometown, and as part of my remarks today I include the text of the Secretary's remarks. Secretary Cohen's address follows:

DEDICATION TO LEARNING

I am indeed pleased to participate in the dedication of this splendid new Physical Education Building. This is a very satisfying and happy occasion for all of us. It is one more step in the development of a truly fine college which is affording many young men the opportunity for intellectual and spiritual enrichment. In its brief history, the college has gained national recognition as a center of academic excellence. The growth of your college is a tribute to the farsightedness and the commitment of many individuals and groups.

Congressman Daniel Flood, a man who has been closely associated with this institution since its establishment, has told me a great deal about your work here. He, of course, has had a major role in the expansion of the college. His deep personal interest and involvement has been reflected in his work as the distinguished Chairman of the House of Representatives Appropriations subcommittee for labor, health, education and welfare. Through his able and competent representation he has been responsible for the significant improvements that are taking place in education throughout the entire nation, as well as in Wilkes-Barre.

He has served his community, State, and the country in many ways. It has been my privilege to work closely with him for many years. His experience and his dedication as well as his skill and expertise have been responsible for the success of many of the new historic social programs that were enacted in the past decade.

I am pleased that the Department of Health, Education, and Welfare, with Congressman Flood's support, was able to assist through grants and loans, in this venture.

I would also like to commend the founders of this institution for their choice of a location in the heart of the community. In cooperation with the Wilkes-Barre Redevelopment Authority you are helping to rebuild a great American city. Your students are where the action is. The community is one of your laboratories. And the citizens of Wilkes-Barre are the benefactors of your many facilities, academic activities and cultural programs. You have a unique opportunity to help solve the mounting problems of urbanization and the perplexities of our modern society.

The age in which we live is most trying. We are confronted with monumental problems and pervasive paradoxes. The sweeping change brought about by science and technology, communications and rising expectations confuse, frustrate, and unsettle us.

Although we have been able to unravel the genetic code, transplant hearts and other vital organs, send men into space, transmit instantaneously pictures around the world, mass produce goods and services on a scale never dreamed of by our forefathers, we are not able to cope with the social implication of these dramatic developments.

Poverty, racial tensions, the generation gap, decay of the cities, the destruction of our physical environment, technological unemployment, the world population explosion, the attacks on long established institutions, although soluable if taken one at a time, collectively paralyze our minds.

We have not yet learned how to apply all of our intellectual resources, which if combined with the vast collection of knowledge we now have, would offer a world of greater promise.

We must learn to cope with this difficult world in which we live. How well we cope will depend on the degree to which our people are educated and trained to live in society which becomes more infinitely complex each day.

The education of these men and women must begin at birth and be reinforced through life.

It begins with a healthy, wholesome home environment—an environment that encourages and motivates, stimulates curiosity giving the child a sense of achievement, of being able to deal with his or her environment, and a willingness to grapple with problems and seek solutions.

One of our greatest needs, in this country and throughout the world, are adequate preschool programs—the kind of start in life that will enable each child to develop his abilities to the highest extent of his capacity. Today, many of our children are damaged by our failure to stimulate them intellectually in the years when they are most eager to learn—the years between birth and age 6.

Some of the most exciting and promising new ideas in education relate to the early learning abilities of children. There is a growing body of knowledge that very, very young children can be stimulated to learn far more than has been expected in the past. One scientist believes that by beginning at the earliest possible stage in the child's development, we could perhaps stretch the IQ of future generations by as much as 30 points. I believe that we could have a "Revolution in Learning" within this generation by investing more attention, time and money in the early years of a child's life.

Young children, particularly the socially and culturally deprived, can be given a head start in learning through creative, stimulating experiences in day care centers, nurseries and kindergartens. The Head Start program has demonstrated what can be done for children in the immediate preschool years. Such programs need to be extended.

Some of our universities are beginning to develop programs specifically addressed to the problems of child development in the preschool years. For example, one university is training lay leaders to understand the behavior of children so that these adults can lead study and discussion groups. The newly trained leaders then go out into the neighborhoods and come into direct contact with the parents and children.

Much more can be done to reach out directly to the parents of very young children. Mothers should become as well versed in the skills of preschool education as they are in the skills of homemaking. The home should become an increasingly productive educational environment. We must bring vital learning experiences to children wherever they are and in all their activities.

We must, in short, be concerned with the whole child and all the factors that relate to his potential. Healthy development depends on the parents and other members of the family, the neighborhood, the surroundings, the school and the attitudes which influence the child.

A child who is hungry cannot learn. A child with uncorrected vision or hearing impairment can fall so far behind that it is virtually impossible to make up for the lost early years. A child who has no access to books or museums or the theater is culturally stunted before he starts. A child whose only companion is the squalor of the slums is almost hopelessly defeated.

We are discovering, therefore, that we must go far beyond the traditional school setting in order to have an impact on learning and motivation. We must take advantage of the knowledge and skills of many professional groups, as well as the skills of parents, neighbors, and other children. We must broaden our approach to involve substantial numbers of people outside the professions. Our real hope lies in these very young children, for if we fail them, our future fails.

We need to further improve the quality of education in our elementary and secondary schools. Today many of our schools are inefficiently organized and inadequately financed. There are vast disparities in educational opportunities and resulting inequities. In the 1966–67 school year, average per pupil expenditures ranged from $912 in New York to $335 in Mississippi with a national average of $569. Within States, similar disparities exist in urban and suburban schools.

The financial problems of the schools are deeply rooted in the tax structures of our communities. Most school systems are financed by a property tax which is incapable of producing the revenue needed to pay for high quality education. We must find other ways of financing our schools.

Although I do not have answers to the fiscal problems of the States and localities, I have suggested that the present welfare system be replaced by a wholly Federally financed system, which would relieve the States and localities of the tremendously growing cost of welfare and enable them to devote more of their resources to education. A sound Federal welfare system would really be a good Federal aid to education program.

A good education costs money. When schools are inadequately financed they are not able to attract competent teachers, enrich the curriculum, introduce innovation, or support research which could lead to great improvements.

We must do more at the elementary and secondary level to prepare students for responsible citizenship and for the world of work. Counseling should begin in the early grades to develop each student's potential as a worker as well as a responsible citizen, as a parent, and as an individual with a life to live as well as a living to earn.

Every year millions of high school graduates enter the labor market totally unprepared. They lack skills and motivation. For those students who do not wish to go on to college, we have to build better bridges between the schools and employers; design vocational courses which are relevant to the job market, devote more time to anticipating future manpower needs.

It is often said that higher education faces a crisis. Students are rebelling, costs are soaring, enrollments doubling, responsibilities expanding. The challenge to higher education is of awesome magnitude.

During the past 5 years, Federal aid for higher education has expanded dramatically. The Higher Education Facilities Act; the Higher Education Act, and improvements in the National Defense Education Act have been enacted into law. But much remains to be done, as college enrollments do spiral and college costs do soar.

In the years ahead we must redouble our efforts to insure the vitality of a diverse post-secondary education system — with ample assistance to all types of institutions, public and private, large and small, great research institutions, and high quality teaching colleges for the facilities, library, fellowship, and other programs which help to insure quality in our institutions of higher learning.

We are still distant from the goal of providing educational opportunities beyond high school to all our youth who deserve such opportunities and can benefit from them. Despite our progress, the hard truth remains that for many of our financially needy youth the college doors are closed. For a Nation dedicated to the proposition that an adequate education is the rightful heritage of all its youth and that no economic or racial barriers should be allowed to stand in the way of claiming that inheritance, this is an intolerable situation. Therefore, we must resolve that sufficient Federal resources be made available to see that no student of ability will be denied an opportunity to develop his talents because of financial inability to meet the costs of obtaining an adequate education beyond high school.

This national goal is within our grasp. It can be achieved over the next four years by increasing the funding of our present basic student financial aid programs by about $1 billion annually. This would provide an opportunity for more than two million more of our youth to contribute their fullest talents to our society. A total of over 3 million students would be aided.

To assure that all funds for education are well spent, we need a continuing national assessment of the state of learning in the United States. Today we know little about what our students learn or what good they get out of what they learn. Without such an assessment, the Federal Government cannot know where its financial help is most needed, or how much the Nation is getting for its educational dollar. More important still, the local school systems have difficulty deciding what educational methods to use, or assessing the extent to which their educational institutions are adjusting to new problems and potentialities.

A project known as National Assessment, authorized by Congress last month, will begin soon. It will consist of a set of tests of basic academic skills that will be given to a random sample of Americans, both children and adults. This assessment will give the American people an idea of whether we are making any progress in education, and also help us learn what results emerge from different methods of education or different levels of educational expenditure. With proper precautions, a system of knowing something about what our schools and colleges actually produce in the way of learning, understanding, and skills is a necessity for the years ahead. Such a national assessment will help local school boards and superintendents, State educational agencies, and colleges and universities evaluate educational policies and programs and improve the equality of education in the 1970's and beyond. Although the Congress authorized funds for the first year, I believe and hope that funds should be provided for the 3-year study authorized in the law.

The problems facing our country today call for an educated and adaptable society, and a growing, dynamic, and health economy. If further generations are going to have the capacity to deal with our constantly changing environment, they must have as early a start as possible. But the follow through to this head start must be a lifelong pursuit.

As we become a more affluent society, to a greater degree the quality of life will depend on education and the many new enjoyments it can provide.

As I look into the future I envision a society in which—

Educational opportunities will be provided for all Americans from age 9 months to 90 years—with every child having the opportunity for creative, stimulating early education, every youth having the opportunity to continue education as far as his or her talents will take them, and every adult having the opportunity to continue learning throughout life.

New research will uncover the secrets of learning and creativity, finding ways of fostering intellectual growth, beginning with infancy throughout the life span.

The barriers between home and school, school and work, school and community will crumble and education will penetrate even more formidable barriers—between old and young, rich and poor, city, farm, and suburb.

Instead of a school year of around 180 days, I believe a school year of 200 days is required in the decade ahead.

The schools will become community centers for youth and adult activities—keeping their doors open 18 hours a day, 7 days a week, 12 months a year.

The educational system will be tailored to the needs of the individual rather than the other way around.

New special educational services for the creative, brilliant child, as well as for the retarded, the physically handicapped, and the average child, will be provided to help every child develop his full potential.

The Nation will accept learning as a truly joyous experience, with a wide variety of choices for each individual, and the learning force will continually increase in quality and quantity—for exceeding the labor force.

The individual through education, will gain a respect for learning in the present, a hope for the future, and a sense of purpose and direction in sharing the problems, challenges, rewards and responsibilities of society.

Dreams, you may say. But I believe that we have already begun to implement the most important dream of our time—education for everyone who wants it and will work for it. Many of the foundations have already been laid. But ahead of us lies a great testing of our Nation to see whether we have the will and the determination to fully achieve them.

I believe that we do and that we will consummate one of the most exciting and demanding dreams in the Nation's history.

JOB TRAINING MUST BE PART OF BASIC EDUCATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. PUCINSKI. Mr. Speaker, I recently had the privilege of addressing a gathering of the National Business Education Association in Chicago on the subject of the ever-increasing need to provide basic job training to youngsters in school before graduation.

It is my firm belief that we must provide marketable skills to students who will not have an opportunity to attend college following high school.

As chairman of the General Subcommittee on Education, and coauthor of the 1968 Vocational Education Act Amendments, I would like to include in the RECORD at this point the text of an article which appeared in the Northwest Side Press of January 8, 1969, outlining my remarks to the National Business Education Association on the crises many of our young people are facing.

The text of this article follows:

JOB TRAINING MUST BE PART OF BASIC EDUCATION, ROMAN PUCINSKI TELLS NBEA

Telling young people they must remain in school until they get their diploma may become a cruel hoax unless those students get job training as part of their basic education, U.S. Congressman Roman C. Pucinski [D-Ill] recently told a group of educators.

When speaking to the National Business Education Association, Pucinski assailed American education "for its failure to reach the 83 percent of young men and women in our nation who never will achieve a college education.

"American education confers prestige upon occupational preparation in college or graduate school, while scorning occupational programs taught at the high school level," he added.

Pucinski is chairman of the House Subcommittee on General Education which has jurisdiction over all education legislation affecting 55 million elementary and high school youngsters in America.

He said the mounting number of school bond issues being defeated all over the nation shows a tax payers' revolt against educators for their failure to make education relevant to what parents believe are the needs of young people.

"These defeats will mount," Pucinski said. "If they put another school bond issue to the people of Chicago at this time, it would go down to ignominious defeat."

He warned that "young people who fail to find jobs because of poor education or lack of education become easy prey for those who would exploit their frustration and anger.

"It is this frustration and anger which has too frequently resulted in the explosions in our city streets," he added.

"This nation has developed more than 5,000 new skills during the past decade and yet very little is being done to provide in our elementary and secondary educational system any guidance or education for young people in these newly developed skills.

"Unfortunately, the too familiar practice of separating academic education from occupational skill development is not easily abandoned.

"To speed its demise, the 1968 Vocational Education Amendments emphasize that the dichotomy between academic and vocational education is obsolete and should be discarded.

Pucinski said it is the essence of acceptable education that it be socially relevant and adaptable to change, and that it comprehend a broad range of instruction, designed to develop the particular talents and abilities of each student as well as fulfill his need for basic education.

The Amendments seek to eliminate the point of view which confers prestige upon occupational preparation in college or graduate school, while scoring occupational programs taught at less than a college level.

"College is not the only means to self-development, nor is it the only path to a successful life.

"The public schools can ease the student's transition from the classroom setting to the next stage of his personal growth by offering liberal mixture of academic and vocational courses.

"The Congressman said the 1968 Vocational Education Amendments are designed to aid in this endeavor. One of the most important goals, that of resolving the critical problem of youth unemployment, may in this way be substantially alleviated, he continued.

"The paradox of the high unemployment rates among our young men and women at a time of unparalleled prosperity was underscored in the President's 1968 Manpower Report: 'The United States keeps larger proportions of its children in school longer than does any other nation, to insure their preparation for lifetime activity. Yet the unemployment rate among youth is far higher than in any other industrial nation and 'had been rising sharply.' "

"The unemployment of our nation's young people remains at a disgracefully high level."

In October 1968, he pointed out when the national unemployment rate was only 3.2 per cent, 9.8 per cent of the white young men and women, 16 to 19 years old, were unemployed; and 25.1 per cent of the nonwhite young men and women of the same age group were without work.

"The President's 1968 Manpower Report also states that 'No inroads have been made into the extremely serious problems of nonwhite teenage joblessness. While the unemployment rate for white teenagers dropped as the economic climate improved, among nonwhite teenagers the rate in 1967 was actually higher than in 1960.'

"A high school diploma is no longer a guarantee of a good job, nor is it even a guarantee for job market entry, unless it is accompanied by some sort of occupational preparation.

"To advise a child to remain in school until he receives his diploma because it automatically opens doors to a good job, decent wages and a better life may become a cruel hoax, unless that child has been given a skill which he can sell to a prospective employer."

Pucinski quoted the 1968 National Advisory Council Report on Vocational Education which states that 83 per cent of the young men and women in the nation never would achieve a college education, but only 25 per cent of the total high school population would receive vocational training.

"Less than 4 per cent of the 18 to 21 age group population were enrolled in post-secondary full-time vocational education and less than 3 per cent of those aged 22 to 64 were enrolled in part-time adult extension courses," he said.

Pucinski called for a more liberal mixture of academic and vocational courses and urged state legislatures to vote matching funds for the Vocational Education Act Amendments of 1968 which Pucinski sponsored and which will bring to local communities more than $2 billion of federal aid for improving vocational education programs.

He pledged he would seek full funding to finance the authorization incorporated in his vocational education bill.

AIR TRAFFIC CONGESTION: TWO POINTS OF VIEW

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. OTTINGER. Mr. Speaker, much has been said and written regarding the critical congestion and safety problems which have arisen in our Nation's more crowded air corridors. I and a number of my colleagues have made recommendations for action to the Federal Aviation Administration and a wide range of proposals have come from various members of the aviation industry.

To its credit, the FAA has begun to adopt a new attitude toward the related problems of congestion and safety. It seems there is less concern over the fact that a safety proposal may be controversial within some segment of the industry, than whether it would be an effective step toward alleviating the problem.

Perhaps the most controversial proposal made by the FAA in many years was its high-density-traffic airports regulation. Because this subject is certain to come under congressional scrutiny in the months ahead, I offer, for inclusion in the RECORD, an article on the regulation from the January issue of the AOPA Pilot, and the text of a recent speech by Robert E. Peach, chairman of the board and chief executive officer of Mohawk Airlines, Inc. I do not subscribe entirely to either point of view but I do believe both merit our attention:

IT'S HERE, ALMOST: FAA ORDERS "RATIONING" AT FIVE AIRPORTS

(By Lew Townsend)

Federal officials, shrugging off massive opposition from all classes of users and some law-makers, adopted the highly controversial "high density traffic airports" regulation which all but bans private pilots and aircraft owners from using certain major public airports and gives the airlines special privileges.

Though initially affecting only five major airports, the new Federal regulation is considered the opening wedge in a move to force elimination of private pilots and aircraft owners from any public airport where airline traffic is heavy.

The new regulations, which basically require rationing of operations at the "high density airports," were announced officially Dec. 3 and are scheduled to go into effect April 27, 1969, at John F. Kennedy International and LaGuardia Airports in New York; Newark, N.J.; Washington National in Washington, D.C.; and Chicago O'Hare. The airlines are given the lion's share of the allowable operations at these airports.

AOPA President J. B. Hartranft, Jr., said the new restrictions would seriously hamper general aviation. Among the many things under consideration as countermeasures is a massive fly-in demonstration in the nation's capitol by general aviation pilots and aircraft owners.

Such a fly-in demonstration, if determined to be practical, would allow general aviation pilots to confront their individual Congressional representatives and impress upon them the extreme seriousness of the restrictions—restrictions which could lead to elimination of the privately owned and operated aircraft as an effective tool in air transportation.

"The rules, which would grant priority and sometimes exclusive use of public facilities to one class of the public over others, are illegal, discriminatory and induce Federally imposed segregation," the AOPA said in an official statement following the Dec. 3 announcement.

AOPA stated it felt adoption of the new restrictions was unnecessary and had been engineered by Department of Transportation (DOT) Secretary Alan S. Boyd as a parting blow against general aviation.

". . . they serve no constructive purpose at this time and act only as a means of increasing dissent and retarding progress toward positive solutions for meeting the needs of air transportation of all types," the AOPA said, after noting that though adopted in 1968 the restrictions were not to be put into effect until after Boyd's regular term of office expired.

Acting FAA Administrator David D. Thomas reportedly opposed adoption of the new regulation but refused to comment on his agency's position. As reported in the Washington (D.C.) Post on Dec. 6, "Two basic options open to the Transportation Department, parent agency of the FAA, were to give up top priority to handling commercial airplanes during rush hours or to work out a mix of commercial and private aircraft on the basis of past experience.

"The Transportation Department chose the first option," the Post article said, then added, "While Thomas himself, in an interview, would not comment on his agency's position, it is known that the FAA favored the second option to preserve more of the 'first-come-first-served tradition' of the skies. Transportation Secretary Alan S. Boyd evidently saw it the other way."

The FAA restrictions announced Dec. 3 differ only slightly from those first proposed by DOT through the subservient FAA in early September. Details on the restrictions and public hearings conducted in September and October appeared in the October and November issues of The Pilot.

Final form of the restrictions does not include the originally proposed requirements that all aircraft operating IFR into or out of "high density traffic airports" have a minimum of two pilots and be able to maintain a minimum airspeed of 150 knots. Deletion of these two items, which came under heavy fire from AOPA and others during the public hearings, was considered by some as a prearranged sop to general aviation interests, with the items never meant for adoption in the first place.

Though the objectionable two-pilot and speed requirements were killed before final adoption, the regulation still contains the requirement that each aircraft hoping to use "high density traffic airports" must be equipped with a 64-code radar beacon transponder. The only other significant change in the final regulation involved granting supplemental airlines the same preferred treatment in priorities to be given major scheduled airlines in the allocation of airport capacities. Supplementals originally were relegated to the lowest priority class along with general aviation.

All but a handful of airlines-oriented individuals and organizations registered strong opposition to the regulations during the public hearings and in written comments to the FAA. Most opponents, including AOPA, submitted counterproposals to solve air traffic problems. There were no indications any of the counter-proposals were incorporated into the final regulations except for the addition of the supplemental carriers to the privileged ranks of the major airlines.

The date for putting the new regulation into effect is the normal date for airlines to make seasonal schedule changes.

Thomas called the departure from past philosophies in governing use of airspace and public airports a "monumental change."

Closest parallel in the history of American transportation development to the new changes is the Federal action taken in the late 1800's to award large land grants to a few influential individuals during the heyday of early railroad development.

The new Federal regulation not only blocks off massive portions of airspace for the primary use of the airlines, it also provides the airlines with nearly exclusive use of public airports which were conceived, built and maintained over the years with general public funds for use by all segments of the air traveling public.

Cast in the role of interlopers are those of the estimated 680,000 private and business pilots who might seek advance permission to use the affected public airports. This group owns and operates more than 125,000 aircraft, which constitute 98% of the total U.S. civil aviation fleet.

Under the new rules, the FAA will use its authority as the nation's air traffic policeman to set specific limits on the number and types of aircraft which can make landings and takeoffs at any of the five airports. All five have experienced degrees of traffic congestion both in the air and on the ground due to their heavy use by airlines.

Both Boyd and Thomas have indicated other strategic public airports throughout the United States are likely to be stamped with the same "high density traffic airports" label. Under the adopted regulation, airlines and air taxis will be given all but a handful of available takeoff and landing slots at the pubic airports.

Hourly limitations on IFR operations at Kennedy will be 80 and for LaGuardia, Newark and Washington National, 60. Chicago O'Hare will have an hourly limitation of 135 IFR operations. Each takeoff and landing will count as one operation. All IFR operations will be allocated on an advance reservation basis, with the airlines granted their block of reserved slots merely by publishing their schedules. All others will have to obtain their IFR "reservations" through regular procedures and hope they can be squeezed in between the airlines.

The airport limitations apply in all weather. VFR flights also are subject to the reservation system, requiring advance approval.

Of the 80 hourly IFR operations at Kennedy, 70 automatically will be reserved for scheduled and supplemental airlines; five will be reserved for air taxis whose main business involves hauling passengers to make connections on airlines; and the remaining five allocations will be available to any of the nation's estimated 680,000 private and business aircraft pilots and "others" under the advance reservation system.

In addition, during the three-hour period from 5 p.m. to 8 p.m. at Kennedy, only scheduled airlines will be allowed either to land or to take off. The FAA did not adopt an earlier suggestion made by the Air Transport Association (ATA) that the period of exclusive use by airlines be expanded and extended to the other airports.

At LaGuardia, 48 of that airport's 60 hourly IFR allocations automatically will go to the mass transit airlines; six will be reserved for air taxis; and six will be open to general aviation, the military, and other operators. Hourly operations at the remaining three airports will be: Newark, 40 for airlines, 10 for air taxis, 10 for others; O'Hare, 115 for airlines, 10 for air taxis, 10 for others; Washington National, 40 for airlines, eight for air taxis and 12 for others.

The specific allocations for "air taxis" are for scheduled air taxis. All unscheduled air taxi operations will compete for allocations set aside for "other." "Other" also includes general aviation, military and Government aircraft operations. Washington National currently is averaging about 4,000 military operations annually.

The hourly allocations will be in effect from 6 a.m. to midnight daily at each of the airports, the FAA reported. Officials also said the new regulation was adopted as a permanent rule and not as a "temporary" measure. "While the rule will not be 'temporary,' as many commentators urged, it will be kept under continuing review and modified as circumstances require or permit," the FAA rule-making preamble stated.

"Additional reserved IFR and VFR operations at the five high density traffic airports, over and above the established hourly quotas, may be permitted on short notice when these operations can be conducted 'without significant additional delay to the allocated operations,'" the FAA said in spelling out details of the new regulations.

"In addition, the rule provides for local 'Letters of Agreement' to cover aircraft, such as helicopters and V/STOL aircraft, which can be operated either IFR or VFR without interference to any other aircraft using the airport," the FAA added.

"Extra sections, charters and other nonscheduled flights of scheduled or supplemental air carriers at Washington would not count against the total limitation," the regulatory agency continued. "Extra sections at the other four airports will count against the total allocations for those airports, however.

"Under the rule, reservations will be required in advance for each flight operated under instrument flight rules to or from a designated high density traffic airport. Approvals will be granted by Air Traffic Control up to the allocated limitations." The reservation system also applies to VFR flights.

In officially announcing the new rules, the FAA attempted to justify its actions in killing the "first-come-first-served" principle and in granting preferred treatment to airline operators.

"This rule grants a greater priority to certificated air carriers and scheduled air taxis who provide common carriage service in accordance with the policy of recognizing the national interest in maintaining a public mass air transportation system offering efficient economical service on equal terms to all who would travel," the FAA stated, ignoring widespread use of private and business aircraft by adding, "For the traveler today, there is frequently no feasible alternative mode of travel [to the certificated air carriers].

"The concept of 'first-come-first served' remains as the fundamental policy governing the use of airspace, so long as capacity is adequate to meet the demands of all users without unreasonable delay or inconvenience," the FAA said.

"When capacity limitations compel a choice, however, the public service offered by common carriers must be preferred. This policy is fully consistent with the Federal Aviation Act's provisions relating to the certification of common carriers by the Civil Aeronautics Board (CAB), wherein the Board finds that the service provided is required by the public convenience and necessity."

Adoption of FAA's new regulations with their built-in restrictions on the use of private and business aircraft in air travel was viewed by many as a protectionistic move to insure the 40-odd major airlines of a steady flow of passengers who because of the Government restrictions will be all but denied the right to use private transportation to and from "high density traffic airports."

Immediately following announcement of the new rules, which were signed by Acting FAA Administrator Thomas on Nov. 27 but not made public until Dec. 3, AOPA issued its formal statement to meet a flood of telephone inquiries.

The statement said: "The decision of the Department of Transportation to issue flight restriction rules against the overwhelming objections to them voiced at both public hearings (November 1968 Pilot) and in written comments to the FAA is a mistake which fortunately can be corrected by the incoming Administration before the effective date for the rules.

"The rules, which would grant priority and sometimes exclusive use of public facilities to one class of the public over others, are illegal, discriminatory and induce Federally imposed segregation. Obviously, the present Secretary of Transportation is making a last-ditch attempt before he leaves office to impose his views against the wills of the people who strongly opposed this destructive attempt to solve air transportation problems.

"There have been no abnormal air traffic delays since midsummer when air traffic controllers exercised their decision to 'follow the book' as a means of calling attention to their requests for added personnel and equipment. Even the peak travel season of Thanksgiving weekend did not cause unusual delays or congestion. This should have demonstrated conclusively that the imposition of restrictions was not necessary at this time. This is further borne out by the fact that although the rules were issued during the last weeks of the term of office of the present Secretary of Transportation, they are not to become effective until three months after his term expires.

"Thus, they serve no constructive purposes at this time and act only as a means of increasing dissent and retarding progress toward positive solutions for meeting the needs of air transportation of all types.

"We are confident that whoever is selected to replace Alan S. Boyd as Secretary of Transportation will recognize the illegal and unjust and unnecessary aspects of this rule making and take immediate steps to have the rules withdrawn. In the meantime, AOPA intends to take any and all measures to cause this rule to be withdrawn."

Shortly before the Dec. 3 formal announcement, AOPA officials received indications Secretary Boyd and the FAA had decided to shrug off the strenuous objections lodged against the regulations during public hearings conducted in September and October.

Acting on the information that the public hearings amounted to nothing but a sounding-off period for objectors before Federal regulators proceeded to implement what they already had deemed to be in the "public interest," AOPA sent telegrams to President-elect Richard M. Nixon, President Johnson and some members of both parties in Congress.

The telegrams pointed out the discriminatory and unnecessary aspects of the rules and recommended they not be put into effect. They also suggested the FAA adopt constructive suggestions offered by AOPA and other aviation leaders to alleviate the nation's air traffic problems.

"Abnormal delay of air traffic at one or two airports last summer was caused by peak season airline traffic," the AOPA wired President-elect Nixon. "There is no immediate need for action in this situation since delays have subsided to normal and safety is not impaired. Remedial studies are in progress," the wire continued.

"Your administration should have a chance to give serious consideration to the many constructive measures that can be taken to improve the adequacy of our nation's facilities in consonance with your policy statement on aviation as printed in the October issue of The AOPA Pilot magazine.

"Imposition of this negative and restrictive regulation should be deferred," the AOPA recommended to Nixon. "We strongly believe that the Federal Government should be fostering the development of civil aviation rather than restricting and inhibiting its growth and usefulness."

The AOPA wire mentioned the rules were being implemented "despite thousands of protests filed with the FAA," and added, "We understand also that this is against advice of the technical experts within the FAA. Many members of the Congress also have expressed opposition."

In announcing adoption of the controversial rules, FAA attempted to dispel beliefs, fostered in the public's mind by some individuals and news media, that the restrictive rules were being put into effect to correct failings in safety practices of pilots.

Referring to statements made during the September and October public hearings, the FAA said, "In regard to some of the comments, it appears important to correct any misunderstanding in regard to the purpose of NPRM 68–20. The proposals contained in that Notice were intended to provide relief from excessive delays at certain major terminals. They were not, as some persons concluded, intended to correct a safety problem."

The after-the-fact admission by the Federal regulators that safety in air travel is not a factor in the current restrictions was expected to have little effect on correcting impressions given the public during the public hearings that midair collisions and other accidents would increase if the new rules were not adopted.

The lingering impression that safety still is a factor remains even after the FAA denial. This impression was shown in a Dec. 5 editorial in the daily Washington (D.C.) Post, which commented on adoption of the new rules.

"Despite the inevitable protests of those involved in noncommercial aviation," the editorial said, "the tight limits placed on operations at five major airports by the FAA are fully justified. The new rules, which go into effect April 27, will decrease some of the safety hazards now involved in flying into Washington, New York and Chicago and will make it possible for those who fly to be reasonably confident that they won't spend most of a day waiting for air traffic to lessen."

Reversal of the DOT/FAA decision through Congressional action was viewed by many as the final course of action which might have to be taken if President-elect Nixon or his new Secretary of Transportation fail to abandon the devastating new restrictions.

The Golden Cart

(By Robert E. Peach, Chairman of the Board and Chief Executive Officer, Mohawk Airlines, Inc., Utica, N.Y.)

I am honored to be present today at this, the Twentieth occasion of the Salzberg Memorial Lecture. Through the years, under the imaginative leadership of Chancellor William P. Tolley, Syracuse University has become nationally known as a forerunner in the development and implementation of refreshing new ideas in all phases of public transportation, and particularly in the training of able transportation administrators. If I may be permitted a personal note, Chancellor Tolley's human understanding and business acumen have been in no small measure responsible for the development of our own company, which he has served as a Member of the Board of Directors for the past five years. Also, at the moment Syracuse University is playing an important role in the training of future management leadership for Mohawk in that my own Executive Assistant, Mr. Peter Cass, is currently a candidate for a Master's Degree in Business Administration at Syracuse. So it is with considerable enthusiasm that we participate in today's program.

I would like to discuss briefly with you today the most critical problem concerning the mass transportation of people and, to some extent, cargo over other than very short-range suburban commuting distances. This is the problem of the development of an adequate *system* of air traffic control, airport development, airport traffic control, airport access and, most particularly, a fair resolution of the impending conflict between private aviation and common carriers by air.

For twenty years the growing inadequacy of the patchwork system of air, ground and air traffic control has been obvious to any thinking person engaged in any field of aeronautics. The problem has been the subject of never-ending, expensive studies by various governmental agencies and contractors. Some of these reports have never seen the light of day—others have been emasculated and adopted in bits and pieces at the whim of the then-controlling agency. Never to date has there been a system attack on this very complex problem—never has there been a consistent effort to meld together the various interests concerned and to place the available solutions above the reach of petty bureaucracy and political expediency.

For this the government and, more specifically, both the FAA and the Congress, must be blamed: so also must the airline industry, the air frame and engine manufacturers, and the lobbying interests representing corporate and private aviation. The result of twenty years of incompetency, neglect, and apathy is obvious today to every layman. It culminated in an almost total breakdown of the ability to fly in and out of New York City, Washington and Chicago during the summer months of 1968, whether in a Piper Cub or an intercontinental jetliner. Accusations as to blame flew thick and fast. Honest, non-self-serving attempts at solutions were and are few and far between.

Plainly speaking, today's airports and air traffic control procedures differ from those of twenty years ago in only one relatively minor aspect—the increased use of radar. Other than that improvements have been solely a patch-upon-patch increase in numbers, whether it be of instrument landing systems, high intensity approach lights, additional navigational fixes or more control towers.

The FAA, nominally charged with the responsibility for the development of adequate systems to permit the flow of air traffic from runway end to runway end, has consistently reacted instead of acting. For example, when the inherent difficulties became apparent in managing a single-engine, eighty-mile-an-hour pleasure aircraft in the same congested approach area with a four-engine, six-hundred-mile-an-hour jet aircraft, the first solution proposed and adopted by the FAA was to place all jet aircraft under instrument flight rules, regardless of weather. This told the over-worked, under-equipped and underpaid air traffic controller within fuzzy limits where the jet aircraft was located. It told him nothing about the presence of the eighty-mile-an-hour small aircraft.

The next suggestion also adopted was akin to seeking the least common denominator, i.e., reducing the speed of jet aircraft to not more than 250 knots below 10,000 feet. Therefore, for example, a Mohawk jet traveling from Syracuse to New York City some two hundred direct air miles can achieve its economical cruising speed for only ten minutes, and spends the rest of the time literally dragging its brakes.

The third proposal, effective now for over two years at Washington National Airport, was to restrict the number of common carrier movements which could be handled at and within the airport to an arbitrary level set for the worst possible conditions. Fortunately those conditions seldom prevail, but the restrictions always do. The net effect of this shortsighted ruling has been to reduce the common carrier ability to best serve the nation's Capital, while the openings left vacant the great bulk of the time by the common carriers have been filled by the planes of corporate and private aviation—whose movements have increased some 40% at Washington National over the past year. Incidentially, I would stress that this and other comments having to do with private aviation are by no means critical of the practices of private aviation, and particularly those of the extremely sophisticated, well-equipped and well-managed corporate aircraft fleet. Indeed, to our knowledge, much of the increase in corporate flying has been necessitated by the arbitrary restrictions, such as those named above, imposed upon common carriers.

In short, the entire governmental effort to date has been based on arbitrary and artificial restriction of aviation activity, designed to fit the various segments of this great industry into the known inadequacies of an inflexible, ill-administered set of bureaucratic rules. There has not been any commensurate effort at thinking through objectively and attempting to implement either short or long range solutions to what has become one of the major problems of our society. I must add that, in my opinion, no segment of our industry can take much credit for attempting to spur our government to such developmental efforts. It was only the crunch of last July's and August's near paralysis in New York and adjacent cities that focused public political and industry attention on the gravity of the problem.

I can state with some pride that I believe Mohawk Airlines has been more vocal and more active in promulgating both short and long term solutions to these problems than any other carrier, primarily and admittedly due to self-interest in that a higher proportion of our total company economics are involved in high-density traffic areas than those of any other air carrier. The Port of New York Authority, the FAA, other air carriers and corporate aviation have gradually responded to some of these suggestions, rejected some, improved upon others, and today for the first time in decades it appears that constructive, forward planning is underway at various levels.

Such planning must involve a compromise of interests within the aviation community so that airlines are not helped at the expense of military and private aviation and vice versa. It must involve a realistic appraisal of how the best interests of various segments of the industry can best be served. For example STOL airports can and must be developed in high density areas. All classes of pilots must be better trained in their ability to traverse and land at high-density areas. Outmoded World War II military surplus equipment must be replaced with today's generation of electronic capabilities. There must be an ability for airlines to talk among themselves to avoid over-scheduling and schedule peaking where possible, which does not exist today under anti-trust restrictions. Let me hasten to add, however, that the so-called peaking of airline schedules or its elimination is not the panacea that the less reasonable elements of government and private aviation would have you believe.

Perhaps highest on the list of priorities must be a compromise on the subject of jet noise and its impact on communities surrounding the airports. The same cries were raised in the early 1900s by horseowners about automobiles as are raised today by suburban home owners about jet aircraft. Yet the largest single employer by far of the people living in the communities surrounding Kennedy Airport is the aviation industry based at Kennedy. Have a look at the south side of Chicago surrounding Midway Airport where an effective compromise was not reached, and a major segment of one of the world's largest cities virtually disappeared economically when the airplanes left. Unfortunately, but true, there is a price to be paid for every technological improvement in our society, including the jet airplane. At the same time, realistic efforts must be made by manufacturers and operators alike to reduce jet noise and dirt, to control surrounding land areas for industrial uses rather than residential, and to be responsive to legitimate complaints of the public.

Ultimately, when the action plans are jelled, we will be limited only by the common denominator that stands before all progress in our society. Money.

Today I would like to propose a way to get the ball rolling that would, initially, have very little effect on the public pocketbook. In fact, I suspect it would be applauded, either openly or privately, by many more people in the transportation industry that you'd imagine.

I'm quoting from the introduction of a rather elaborate FAA brochure on the U.S. Supersonic Transport program. It says, "In the 1970s, man will outrace the sun across the world's oceans, riding serenely in a needle-nose aircraft at supersonic speed miles above the earth's surface . . . The history of transportation, ever since the first horse was 'broke to saddle,' indicates man's desire to travel faster and farther."

The fact is, at a cost to the public of some $2 billion, the SST *might* be flying by 1976. Cruising at 1,800 miles per hour, it should be able to span the Atlantic in about two and one-half hours—but will probably spend more time than that in holding patterns over Kennedy.

As you know, the billion-dollar SST development program got underway in 1963. It has the *largest* financial requirement of any industrial project in history. Some $186 million is now planned for continuing work in Fiscal 69 and the project is expected to cost $300 million more in 1970. If the design work goes well,—and by all reports it isn't—the plane might go into production in 1971. And *that* could cost another billion dollars.

Just recently, the FAA said the program is now two years behind schedule. Boeing will present its final design to the FAA next January. If accepted, and if test flights of prototypes in 1972 are successful, FAA certification for passenger service could come by 1976, unless major technical problems arise.

In any event, the first production version of the SST will probably not be permitted to fly over land because of the sonic boom it will leave in its wake. Possibly, with expenditures of more billions, this problem will be solved someday.

But while billions are being spent to develop this airplane, relatively little funding is targeted to improving the conditions in which it and the rest of the air-transport fleet must operate. Next year, for example, less than $75 million in Federal help will go into airport construction and improvements—less than half of the SST appropriation.

Let's take an objective look at what the average taxpayer and the traveling public really want and really need. As the FAA brochure says, "essentially the SST will be a time saving machine." For whom? Do you really care whether it's possible to go to London from Syracuse in eight hours or in three? How often do you go?

Conversely, do you care whether you can get from Syracuse to New York in twenty minutes, which every airplane flying between Syracuse and New York twenty round-trips a day is now capable of, or in three hours, of which two and one-half are spent circling LaGuardia or Kennedy or waiting for a gate on the ground? The cold, hard facts are that more than 50% of the flight plans filed from New York City are for distances of two hundred miles or less. This includes the single-passenger pleasure airplane as well as the Boeing 707 destined for Syracuse, so that more than 50% of the human beings involved are obviously interested in the ability to travel two hundred miles in half an hour—work, play, visit—and return with assurance at a time of their choice.

It is said that the SST will bolster national prestige. Why? We already have multiple numbers of military supersonic aircraft. The French-English combine and the Russians will have SSTs in scheduled service well ahead of the United States program. The Anglo-French Concorde is scheduled to fly this year and has already undergone extensive ground and taxiing tests.

It strikes me, thinking of national prestige, that the U.S. manufactured SST flying in scheduled service eight years hence at the earliest will be a sorry substitute for the painful contrast several months ago when the first New York to Moscow direct air service started. You will remember that the initial Russian flight circled JFK for forty-five minutes and then was able to land only because it was accepted out of sequence at the expense of dozens of inter-continental and domestic airplanes of all types who were further delayed. Its U.S. counter-part landed in Moscow without delay.

So why are we spending billions to develop the SST? At the inception of the program, and in great controversy, it was adjudged to be "in the public interest." This meant that it would create new jobs, would have a favorable affect on foreign sales and thus upon the balance of payments, and would gain economic benefits by continuing U.S. leadership in the commercial aircraft industry. And, it was also pointed out, the government will someday recover its investment by way of a complicated "royalty" formula on the sale of the aircraft. It has been calculated that Boeing will have to sell 300 SSTs for such a recovery, and by the time 500 have been sold the government will have received sufficient return to pay for the additional cost of borrowing. Under the agreement, the government will collect royalties on the airframe for at least fifteen years after certification, but after recovering its investment and receiving a return of six percent, compounded annually, the royalty will be reduced. If at least six percent return is not realized in fifteen years, the government may collect royalties until 1999 or until a six percent compounded return is realized, whichever comes first.

In any event, the public won't get its tax money back. Presumedly, the royalties will go right back out again for some other project "in the public interest." Hopefully, this won't be a Mach-5-plus hypersonic jet.

Hopefully, like or even greater sums of money will be spent in the first-time development and implementation of all facets of the system required to permit human beings and cargo to move rapidly, efficiently and dependably from door to door. The great bulk of these expenditures should and can be financed by the users of the system, whether it be the flying public, the air carriers, the military or private aviation. Some facets of the system, like high-speed rail and highway systems, will have important side effects which can and should be financed through public funds.

To continue today's pace of public expenditures for the present development schedule of the SST in the face of the current chaos in this nation's traffic control system is little short of gross negligence. Not only will the inherent advantages of the SST be completely wiped out by the inadequacies of the present system even as currently forecast to be developed by 1976, but the other 99% of the air commerce of the United States will be completely stymied unless the same imagination, initiative, enthusiasm and money is applied to the orderly short and long term system development of aviation controls as has been applied to the SST to date. Let's put first things first!

Admittedly, the SST *is* in the public interest as outlined in the FAA sales pitch. It *has* created more jobs and there *will* be many other economic benefits. But there must also be a logical utilization of the end product; elsewise, the program becomes no more than a technological welfare ploy. In the case of the SST, this utilization must be seriously questioned.

I believe that the public has a far greater interest in simply getting to their destinations safely, comfortably, on time, and at a reasonable cost. If a small segment of the public wishes to travel further and faster—and can afford it—all well and good. But the problem is that the limitations of the present air-transport system usually prevent a smooth flow of traffic and, unless drastic changes are made, the day is drawing near when nobody will get into or out of a major airport on time or even at all.

Keeping this in mind, I suggest the SST program be stretched out to the point where private industry can take a greater share of the investment, while at the same time making sure that the plane will have favorable conditions in which to utilize its potential. And if someone just *has* to get to Europe faster, let him take a Concorde for three or four more years. Will it hurt our pride more to fly a Concorde in 1980 than in 1970?

You've all heard the figures on the growth of aviation in the next decade. 1,300 new jetliners. 68,000 new business and private planes. Air-busses and 490-passenger jumbo jets. Our present system, even if enlarged to its full potential, just can't handle them.

I propose we use the billions we're planning to spend on the SST and other future aircraft to lick instead the problems of today and tomorrow's traffic control and airport system, and charged to their users.

The time for action is *now*. New runway construction . . . more jetports . . . special facilities for private aircraft . . . construction or expansion of regional airports . . . better ground access to terminals . . . improved navigation systems to better utilize airspace. And the shopping list of "mores" and "betters" goes on and on.

Unless this is done, by 1976 in all likelihood we will have built a golden supersonic cart, but we'll have only a broken down horse with which to pull it.

TRIBUTE TO WILLIAMS AIR FORCE BASE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. RHODES. Mr. Speaker, the flag that is flying over the U.S. Capitol today will be presented to Williams Air Force Base, Ariz., which today celebrates its 27th anniversary. Williams—or "Willie" as it is affectionately called by the personnel stationed there and by the residents of surrounding communities—was the Nation's first jet fighter school and is now the largest Air Force undergraduate pilot training base. Well over 10,000 Air Force officers have been trained there since 1942 in what is now a 53-week program which earns a student the coveted silver wings of an Air Force pilot. The base was named for Lt. Charles Linton Williams, a native Arizonian who died when his plane crashed into the sea during an aerial demonstration for Lts. Lester J. Maitland and Albert Hegenberger, the first men to fly nonstop across the Pacific shortly after Lindbergh's historic flight in 1927. The contribution of Williams Air Force Base to our national defense is immeasurable, and I take this opportunity to salute the base and to congratulate its wing commander, Col. Roger B. Ludeman, and the men who support its mission.

It is particularly gratifying to me to be able to present this flag. I was one of the first officers assigned to Williams Air Force Base, and had been stationed there for over 6 weeks when it was finally named. It was my "home" for 4 years and 3 months during World War II, and as my duty station it allowed me to become acquainted with Arizona and Arizonians, resulting in my decision to become a citizen of that State. Therefore, I have a very special spot in my heart for Williams Air Force Base.

CLARY ANDERSON—HAIL AND FAREWELL

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. RODINO. Mr. Speaker, the Clary Anderson era has come to an end at Montclair High School with the departure of the school's distinguished athletic director, who for 25 years directed an outstanding five-sport athletic program. This is a tremendous loss to Montclair High School, for he has been more than a teacher and coach—most importantly, he was "a major molder of the young people in their most impressionable years."

But Clary Anderson, with characteristic skill and foresight, has left the school with a fine and promising athletic staff to carry on his work. And, most fortunately, this is one occasion where the community will not lose the counsel and dedication of a valued citizen, for Clary Anderson has accepted a unique offer to serve as assistant athletic director and head baseball and football coach at Montclair State College. Mr. Speaker, I join with his many friends and admirers in honoring Clary Anderson. I know his future activities will equal his incalculable contributions to the community, and particularly its young people, over the past 25 years. A fine editorial in tribute to Clary Anderson appeared in the Montclair Times of January 9, and I ask that it be printed in the RECORD following my remarks:

CLARY ANDERSON—HAIL AND FAREWELL

The announcement that Clary Anderson will leave Montclair High School at the end of this school year means that a brilliant 25-year five-sport coaching career will come to an end.

This will leave a deep void in the athletic affairs of Montclair High School. But such is the organizational genius of Mr. Anderson that in recent years as Athletic Director he has had a hand in making certain that the best available men have been hired to fill positions as they became vacant in the athletic section.

There may never be another Clary Anderson Era at Montclair High School, but there are those at the high school ready and willing to take up the cudgels. When chosen, they deserve the completely unfettered opportunities to make eras for themselves.

Residents can take pride from the fact that a Clary Anderson Era may well be starting at Montclair College, where beginning in June, Mr. Anderson will become Assistant Athletic Director and Head Baseball and Football Coach. At Montclair High School, he is now Athletic Director, Director of Physical Education and Head Baseball, Hockey and Football Coach. Previously he had coached basketball and swimming.

It is comforting to realize that Mr. Anderson will not be leaving Montclair, which may have been an important factor in his decision to accept what Superintendent of Schools Dr. Robert W. Blanchard last week described as a "unique" offer.

In years past, the 57-year-old graduate of Montclair High School had at least 3 college offers which he, himself, characterized several years ago as "good ones." However, those would have required him to leave a community that recognizes Mr. Anderson as more than a teacher and coach but also most importantly as a major molder of the young people in their most impressionable years.

The vast majority of people of good will in Montclair, we feel sure, will join with us in extending congratulations to Mr. Anderson and hoping that the future years will bring the same successes he enjoyed at Montclair High School. Those closest to Mr. Anderson know that this will come to pass.

There aren't very many of us who can point with pride to honors from friends and associates, from those working in a community, and from competitors who spend many waking hours devising schemes which, if successful, ultimately might bring about our own downfalls.

And yet, Clary Anderson has been honored with his own "Day" by friends and associates between the halves of a football game as "friend, teacher, coach, counselor" and as an example to the young people of the community.

He also received the Annual Joint Service Clubs Council Award as one of Montclair's "most outstanding" citizens, thus joining a group which included such as former mayors, former Town Commissioners, the developer of the Presby Memorial Iris Gardens, a minister and a hospital president.

Perhaps most treasured by Mr. Anderson are sentiments expressed several years ago by other coaches in New Jersey when they honored him as the High School Football Coach of the Year.

He won the honor, the coaches said, as a leader who exerted a positive influence in the development of sportsmanship and moral responsibility both on and off the field, who recognized and met his responsibility to his school and community and who demonstrated superior skill in the coaching profession.

We, like so many in Montclair, are proud to be a friend to a man who when honored used these occasions to thank his parents, his wife and daughter, his associates on coaching staffs, the type of people who make Montclair the town it is, administrative personnel and most of all to the youngsters themselves for maintaining and adding to the reputation.

INTRODUCTION OF H.R. 913, TO REPEAL RECORDKEEPING PROVISIONS OF FIREARMS CONTROL ACT OF 1968

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. ULLMAN. Mr. Speaker, on January 3, 1969, I introduced H.R. 913 to repeal the ammunition sales recordkeeping provisions of the Firearms Control Act of 1968.

I have received genuine complaints from legitimate dealers and purchasers of ammunition concerning these recordkeeping provisions. I think most of my colleagues will agree that these provisions will be totally ineffective in preventing crime or the indiscriminate use of firearms. Mr. Speaker, you will remember that during House debate on the Firearms Control Act last September, we defeated all amendments calling for Federal firearms registration, licensing, and ammunition sales recordkeeping. The Senate added the ammunition restrictions which have proved to be burdensome, objectionable, and as some employees of the Treasury Department will privately admit, unenforceable.

I am asking for the support of all my colleagues in passing this corrective legislation. I urge your full consideration and approval of H.R. 913.

TOP LEVEL PAY RAISES WILL FAN INFLATION, SET POOR CONGRESSIONAL EXAMPLE

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. NELSEN. Mr. Speaker, back in 1967, some of us took a lot of heat for our failure to support the Federal postal rate and pay raise bill. However, when the President's state of the Union and budget messages are delivered, it is likely that our reasons for voting in the negative on that bill will become crystal clear.

The 1967 legislation permitted the creation of a commission to make recommendations on salaries of the top-level officials of the three branches of Government, including for Members of Congress. The legislation specified that the President was to use these recommendations in drawing up his budget. The new pay rates would become effective after 30 days unless in that period either House of Congress specifically disapproved any or all of them, or a statute had been enacted into law establishing different rates of pay.

At the time this unwarranted procedure was established, I wired the editors of the daily papers in my district:

> The omnibus bill includes questionable rate increases, disguises a pay hike for Congressmen themselves, and so inflates the President's own recommendations as to make likely the passage of the President's income tax increase.
>
> It was my hope that salary adjustments could have been made for lower level postal workers, with a step increase which would have been fully justified. It is regrettable that this bill was loaded down with increases for the higher salaried Federal employees, including Members of Congress.

I further pointed out to constituents, in a report dated October 23, 1967:

> Such a (commission) procedure might take some of the pressure off Congressmen who want to vote themselves more pay but fear the public wrath. But such a procedure is also a sorry abdication of congressional integrity and responsibility.

Mr. Speaker, I believe subsequent events have upheld these views. The tax increase is now an unwelcome fact of life. The Commission on Executive, Legislative, and Judicial Salaries, as suspected, has determined that "present salary levels are inadequate" and "not sufficient to support a standard of living that individuals qualified for such posts can fairly expect to enjoy." In its report to the President on December 2, 1968, it recommended increases totaling $34,700,000 spread over 2,047 Federal officials. These increases would cover virtually the top hierarchy of the Federal Government including Senators, Congressmen, Supreme Court Justices, and many lesser Federal judges, heads of departments, agencies, bureaus, and so forth.

It seems almost a certainty that President Johnson will touch on these increases short hours from now. To all Americans beset by war, inflation and heavier taxes, this is deeply distressing. And it will be considerably more distressing if such top-level pay hikes become effective through a backdoor spending device that conceals from the people how their elected representatives stand.

Hefty pay raises at this time will fan inflationary flames that have already scorched the dollar and incinerated buying power.

The need to set a responsible and moderate example is pressing on all who serve in the Federal Government in these difficult times. In accordance with this obvious need, I urge the Congress to look with a probing and unselfish eye at any salary recommendations which may be forthcoming. In fact, we should be given the opportunity to reject the whole kit and caboodle. In basic fairness to the taxpayers, any such salary boosts should be subject to a recorded vote before they become effective.

HON. WILLIAM C. FOSTER RETIRES

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, on December 31 the Honorable William C. Foster retired from his position as Director of the U.S. Arms Control and Disarmament Agency. As all of us know, Mr. Foster, a lifelong Republican, has served in major capacities in the executive branch in each of the last four administrations. He served at various times as Deputy Secretary of Defense, Under Secretary of Commerce, and as administrator of the Marshall plan. During the Eisenhower years, he served as a prominent national security adviser, including participation as Co-Chairman of the blue-ribbon Gaither Panel, consultant on reorganization of the Pentagon, adviser to Secretary Dulles on arms control matters, and U.S. representative to the 1958 Technical Conference on the Problem of Surprise Attack. During the Kennedy and Johnson administrations, he has been an originator as well as first Director of ACDA.

The United States has been fortunate indeed that a man of Bill Foster's talents and energy has devoted so much of his many-faceted career to the service of his country. As a member of the Committee on Foreign Affairs, I have had the honor and pleasure of having a close personal relationship with this outstanding American. In 1965 I served with him on the U.S. delegation to the 20th Assembly of the United Nations, and saw at firsthand his skill and good judgment in the exercise of his responsibilities. It has been my particular privilege also to serve in recent years as congressional adviser to the Eighteen-Nation Disarmament Conference; in that capacity I have knowledge of the sensitive and critical tasks which Bill Foster has handled so ably in his years as head of ACDA and as chief U.S. representative to ENDC.

Trying to check the arms race, both in terms of nuclear and conventional weapons, is, as we are all aware, a frustrating and sometimes seemingly hopeless affair. But to Bill Foster, the challenge of making efforts to curb the arms race has been consistently pursued with intelligence, toughness, high diplomacy, and great determination. And to the benefit of the United States and the rest of the world, his painstaking efforts have met with not inconsiderable success.

The Limited Test Ban Treaty, the hot line, the Outer Space Treaty, and now the Nonproliferation Treaty all attest to the progress which Bill Foster was able to achieve. Of course, there is still a long, long way to go. But at least a significant beginning has been made. Even when prospects for reaching meaningful and realistic agreements seemed dim indeed, Bill Foster never wavered from his task or lost the determination that progress could and must be made.

I am proud to have this opportunity to pay tribute to one of those durable Americans who has performed so many important duties for his country over such a long period of time. We are all grateful for his accomplishments and we regret that we shall lose his services. In conclusion, I am sure I speak for your many friends on Capitol Hill in wishing you, Bill Foster, the pleasant but rewarding retirement which you so richly deserve.

OUR NATION NEEDS MORE LOYAL AMERICANS

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. EDWARDS of Louisiana. Mr. Speaker, at a time when so many people have the false impression that beatniks and hippies of our country are representative of the youth of the day, it is most encouraging to come from an area in which our young people are loyal, dedicated Americans, proud to accept their roles as future leaders of our country. The spirit of the youth of Louisiana is exemplified by the following essay by Miss Carolyn Foreman, a student at Father Teurlings Central High School in Lafayette, La. Louisiana is most proud of her future citizens such as Miss Foreman who reflect in the best possible way the hope and inspiration of our country. Our Nation needs more loyal Americans such as Miss Foreman. Mr. Speaker, I am pleased to place the following essay in the RECORD as a fine example of the work of young Americans:

WHY IT'S GREAT TO BE AN AMERICAN

(An essay by Miss Carolyn Foreman, Teurlings Central High School, Lafayette, La.)

Ah, it's so very wonderful that I am living in wealth, for you see, I was born rich. Every person, regardless of race, creed, or former nationality has the privilege to enjoy the freedom that prevails in the United States: Citizens often say, "What about the people living in slums and ghettos in the United States; are they born rich?" Regardless of the amount of money one has, everyone is born rich in America because he is born free. Each citizen votes for the candidate of his choice. An abundant number of people are not born free; furthermore, they will never enjoy the joys of freedom.

A few years ago an eighty year old Russian immigrant couple came to America. Although they were frail and weak, they were determined to make the strenuous journey. When asked the reason for their long journey to America, they remarked by saying that they had often dreamed of this refuge for the young and old alike. To them, America was a land of promise. They had never acquired this precious gift of "life, liberty, and the pursuit of happiness."

In 1776 thirteen small colonies desired freedom strongly enough to revolt against their mother country—England. America had a courageous spirit and a determined will; these two basic attributes were the basis for freedom. America began to grow and expand. As a nation we proudly adopted this following motto: "Together we stand; divided we fall."

"Why is it great to be an American?" I can freely live, speak, and breathe without any fear. Frankly, there is no other country that compares to America in superiority and equality.

EYE WITNESS REPORT—NORTHERN ISRAEL "SEMI" WAR

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. BROWN of California. Mr. Speaker, one of the local newspaper chains in my congressional district is performing a unique public service by having its own foreign correspondent located in Israel, sending exclusive eye witness reports on the Middle East crisis back home.

Miss Carol Kovner, although young in years, is a seasoned journalist with years of experience in reporting and commenting on the news. She has worked as a managing editor for a national magazine for more than 5 years, and also as managing editor for her present employer, Kovner Publications, located in Los Angeles.

The first in a series of articles which she will be writing appeared recently. I believe that all of my colleagues will find this stirring account of life today in a small Israeli border town to be quite revealing. The article follows:

EYE WITNESS REPORT FROM CAROL KOVNER ON NORTHERN ISRAEL "SEMI" WAR

(By Carol Stevens Kovner)

The Emek Beisan is a valley next to Jordan's border across the river Jordan in Northern Israel. Because of the 6-day War, its kibbutzim and towns have become the target of almost daily shelling by the Arabs, Iraquis as well as Jordanians.

The shelling has become a spiralling escalation that is sure to become a bone of contention in the UN this winter. The reason is the Beisan and Jordan valleys are the only places in Israel where Arabs can directly hit populated areas without infiltrating.

On November 11th we visited Beit She-an, a town of 12,400 where homes have been and are being shelled by the Arabs. All apartments have shelters against the bombs. Sand bags are stacked deep and high around their entrances.

Gadna boys of 15–16 who come to Beit She'an from a different high school every day, had come up from Tel Aviv this day to fill and stack the sand bags. Gadna is Israel's Youth Corps for boys and girls 14–18 with training along Scout Lines. They worked hard and with a great will, but like all boys, they cut up a little, too.

Michael Saraga, Segan-Mishneh or 2nd Lt., wiped the smile from our face at the antics of the boys when he brought us to the synagogue that had been hit the week before, on a Saturday, November 2nd. A huge crater and collapsed wall were the work of a Katyusha rocket, a Russian-made bomb famous from WW2. It is actually six bombs in one. The synagogue was in the process of being repaired.

At the synagogue we heard that Kfar Ruppin had been hit earlier that morning. The conducting officer from the Israel Government Press Office, Missem Gabbi, took us to the Kibbutz. We were the first news people there.

Mortar fire holes had pockmarked two buildings, scarred the thick lawn and damaged one sidewalk. Three people were wounded, one girl seriously. She was 18.

At the dining hall, where the kibbutzniks were matter-of-factly eating their noon meal and listening for news on the radio of what had occurred, we talked with Axraham Yakir, whose house had been most seriously hit. He had just recently been Secretary of the Kibbutz.

Anger was still fresh on his face from what had happened not to his home, but to his friends. The shelling had begun at 8:30 a.m. and had lasted for several minutes, he told us.

Yakir said the Jordanians had begun firing into the valley last January, finally bringing the kibutz members at Kfar Ruppin and the other settlements in the area to a decision to let the children sleep in the shelters every night. It has been found through a study, that it is less psychologically harmful than rushing them in whenever there is danger. The shelling is done mostly at night.

They had lived quietly, he said, for 20 years, communicating with the Arab farmers across the river. After the war, the farmers were moved away and the would-be infiltrators, frustrated by double fences with mine fields along the border, now shoot at them from safe vantage-point.

Kfaar Ruppin was originally founded in 1938 because of Arab attacks. It was part of the Young Maccabee movement from Europe, and now belongs to the new United Labor Party, because of its membership in Mapai. It is a prosperous, well-established community, with many new buildings going up. There have never been any American volunteers here.

We asked Yakir what he thought about the day's shelling. "It is part of the plan of the Arabs to destroy us and cause suffering in several locations in Israel," he stated quietly.

"What has happened today . . . is a good example of the way Arabs speak from one end of their mouth about peace, but shell and kill and destroy at the same time. It is a good example of their ambivalent attitude always when their real aim is to destroy.

"They accuse us of not accepting their 'peace offers' but meanwhile attack peaceful people. What else could prove their real aim? To kill civilians . . . and children, learning and playing."

Later that evening we learned that the young girl who had been seriously wounded by that morning's shelling had died.

The fortnight following this visit was a period of steadily escalating, worsening attacks on the villages and farms in the Beisan and Jordan valleys, and the new settlements on the Golan finally.

Then on Sunday night, December 1, Tel Katzir on the Sea of Galilee and Nave Ur came under fire at about 10, in a continuation of an exchange in the Beisan Valley that earlier in the evening had left Yardena and Degania Alef (called the mother of settlements) on the south end of the Sea slightly scarred. At the time the artillery was not identified.

After midnight, following shelling of four hours duration, Israeli jets were sent out to silence artillery positions in Jordan. Targets included Iraqi positions using 122-mm guns of Russian make with which they were shelling new settlements on the Golan Heights; El Al, a private moshav where settlers are temporarily in the black basalt huts of the former Syrian army digs, and Nahal Golan, a farming settlement of young soldier-farmers sponsored by the army.

On a previous visit to the Golan Heights settlements, one of the young officers at Nahal Golan had explained to us the reasons for Nahal's presence there. His age is 22. He is the young son of Avraham Yakin of Kfar Ruppin.

He told us, in the laconic Sabra manner, "The aims of Nohal are 1. to settle here. 2. to make modern agriculture, There are good fields here and they were never used. Only the Syrian army was here for 20 years, no farmers. 3. Stop the Fatah, Syrian, Jordanian and all guerrillas. We will stop them with the army and with agriculture. We stop the enemy with staying in the place, working the fields and guarding them."

In the valley below the Golan Heights Monday night, December 2, enemy shells rained down over a wide sector ranging from Tel Katzir to Maoz Haim where four cows were killed, Kaytusha rockets were used. (The use of such missiles were sited in the reasons for the commando raid on December 1st on two bridges in southern Jordan, one the railroad bridge of the Hedjaz line, familiar from the Lawrence of Arabia adventures.)

Settlers in the Jordan and Beisan Valleys spent the night in their shelters or at defense posts. The children in most of the settlements had spent long periods in the shelters over the last fortnight, as well as the last several months.

On Tuesday, December 3, it became apparent this was the heaviest shelling of civilian settlements since the 6-Day War. Settlements hit included Hamadiya near Beit She'an where a poultry shed was leveled, Beit Josef, Neve Etan, Maoz Haim, Kfar Ruppin, and near the Sea of Galilee, Massada, Degania Alef and Bet, Ashdot Ya 'akov, Kinneret, Tel Katzir. The shelling ended only when Air Force jets silenced the artillery.

Military observers here believed that the shelling was authorized by Amman. Reasons ranged from retaliation for the Hedjaz bridge raid on Sunday by Israelis in which the communication lines were cut to Akaba, Jordan's only sea outlet, to diversionary tactics hiding internal troubles in Iraq, or between Iraq and Jordan.

On the December 2–3 nights, it was apparent that the Iraqis took the initiative for the first time, opening with an intensive artillery bombardment, unlike earlier occasions in which they joined in after border incidents with Fatah infiltrators had become duels with Jordanian artillery.

On Wednesday, Israeli Ambassador to the UN, Josef Tckosh, sent a letter to the Security Council accusing Iraqi troops of being responsible for eight major artillery attacks since Oct. 17.

Also on Wednesday, December 4, Israeli jets struck at two Iraqi artillery, ammunition dumps and troop concentration sites, near Irbid and Mafraq in Jordan. One Israeli pilot and jet was lost, but the one and one-half hour attack stopped the long bombardment of the villages.

At Kfar Ruppin, the following Saturday, one of the members said the children had been forced to stay in the shelters for a solid week. They were very much aware of what was happening. When not in the shelters, if they heard a door slam, they asked immediately, "What's that!"

Although Kfar Ruppin was hit only in the fields this time, the week's work and schooling was disrupted. "Usually we hear an armoured patrol being attacked or another sign of danger. But this time, on Monday and Tuesday, the shelling began with no warning.

"There has been two days of peace, since the Iraqi's artillery was silenced by the IDF, but we want more than two days, we want more than two years of peace, we want peace for good."

And the children of Kfar Ruppin? When they are allowed to play in their sandboxes, their games now include "bomb attack", building a farm of sand and then destroying it.

ONE MAN'S PERSONAL CRUSADE AGAINST MOUNTAIN POVERTY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. MARSH. Mr. Speaker, John Lamb, age 77, is an ambassador of good will and help to the poor, both materially and spiritually.

This man's dedicated efforts to his fellow man is described in the current edition of the magazine, "Rural America."

I think it is a fitting testimony for us all as to what one man can do who is dedicated to the service of mankind.

For this reason, I would like to bring to the attention of the other Members this article:

One Man's Personal Crusade Against Mountain Poverty; at Age 77 Good Samaritan John Lamb Begins His 21st Year of Help to Rural Poor

(By Ray J. Taylor)

Barely 60 miles west of D.C. I turned off Route 50 across a narrow bridge into Sperryville, Va., and pulled up to an ancient diner.

Slow-moving traffic headed for Skyline Drive had me twenty minutes late for my rendezvous with Washington's good samaritan, John Lamb.

"Do you know John Lamb? Have you seen him this morning?" I asked as I ordered coffee.

"Saw Mr. John earlier with a bunch of kids on his truck; he was headed into the hills."

"Said something about making applebutter," volunteered the lone departing customer.

"Know John Lamb very well?" I asked the waitress.

"About 20 years I guess. He's sure been a God-send to most of us around here at one time or another. He's always bringin' clothes, books, furniture, toys and even jars to help folks canning. If you see him tell him folks around here could sure use some more clothes like he brought last Christmas. Not much money around here now you know, not past apple pickin' time."

I finished my coffee and wandered back across the road past an abandoned frame schoolhouse. Five miles back up the road I had passed the new consolidated school.

SAVE THE CHILDREN

John's warning still rang in my ear: "We'll never get rid of rural hard core poverty unless we do it through the children. But these kids don't have a chance. No money for lunches, or books or supplies, ill fitting clothes, no help at home, kept out of school to pick apples or take care of smaller children until they're so far behind each year they fail. Then they don't want to face their school friends and as a result dropout—and our next generation of hard core poor families has its start."

A DAY IN THE HILLS

A beep on a horn and a tall, lanky, ruddy-faced John Lamb waved me into his truck with an enthusiasm at least 30 years younger than his age of 77. Thirty minutes and twenty miles later we drove up a tortuous "Rag" mountain road into a lane and up to a two-room log house.

One of Mr. Lamb's pet projects was well under way. High school students from Arlington Trinity Presbyterian Church choir were helping the Archie Dodson family build another two-room log cabin to accommodate the girls in their 11-member family.

Archie told me they had tried moving off this mountain site into a home closer to town but didn't like it and returned to their isolated cabin homestead.

More skilled for pioneer building needs than some, Archie was adept with axe, saw and hammer and could lay a foundation, wall or chimney with equal ease. More at home with rifle and reels, most mountain men lack job skills.

Mrs. Dodson proudly showed me the hundreds of jars of canned vegetables that Mr. Lamb had helped her preserve. He had supplied the jars. The side hill acre that was a garden plot couldn't have produced very much. Before this day would end I would see again and again the need for basic skills in survival farming and rudimentary housekeeping.

Throughout the day I visited homes that did not deserve the description as homes. Barely one hour from the nation's capital I found myself 60 to 100 years behind the times.

Back in 1947, John Lamb bought a mountain home with 37 acres near Shenandoah for his summer retreat and retirement home. He soon learned that the famed beauty of the Skyline Drive hid countless pockets of poverty-stricken families in heart-breaking squalor.

Touched by the plight of the ill-fed, poorly clothed children whose education is mostly too little, too late and constantly interrupted, Mr. Lamb turned his mountain home into a training center and meeting place. He concentrated first on introducing his city friends to the overwhelming need.

His personal dedication was never more apparent than when he entered and won a local newspaper subscription selling contest that offered a new truck as first prize. He needed that truck to make his almost daily deliveries from donors to the hill folk.

Mr. Lamb's home at 4402 44th St., N.W., Washington, became a focal point for charitable donations. Literally tons of clothing, food, furniture, books and toys have found their way into more than 1,000 mountain homes in an eight-county area since 1947.

"MR. JOHN" FOUNDATION STARTED

In 1962, Mr. John Lamb retired as superintendent of the Alexandria Dairy and organized the "Mr. John" Foundation to enlarge upon his effort. Since then he has depended more upon volunteer groups such as Girl Scouts, church groups and high school students from Arlington, Fairfax and the Washington area to collect and sort books for his "home library projects," collecting and sorting clothing, and making deliveries. Others have donated quilting frames, canning equipment and money for medical and dental aid.

Thanks to Mr. Lamb a way may yet be found to recover this lost generation from the bonds of poverty and rescue their children from a similar fate.

A PLAN OF ACTION

It is becoming obvious that there is a need to teach survival farming, pioneer skills, canning, quilting, sewing, basic home making and early American handicraft skills as well as 20th century job training.

A really strong argument can be made for a domestic Peace Corps to effectively reach and deal with the needs of the nation's hard core poverty families. Too proud to seek help, too unsure of themselves to move to town or city, too uneducated and unskilled to know where to turn, these 14 million hard core families need personal, day-to-day help, training and counsel to become self sufficient.

Repeated efforts in the past by John Lamb to secure government program or funding help have failed. Such meager public services as do exist are largely inaccessible to most of these families because they lack means of transportation. Meanwhile, poor health, rotting teeth, unsanitary water supplies, poor diets and disease could be alleviated by help from the proper agencies of state and federal government.

For example, OEO has channeled about 5 million dollars into the Richmond area to help approximately the same number of poverty families as are in the eight-county mountain region that has received none.

It takes hard work, personal involvement and know-how to help overcome the obstacles our rural poor are facing. Mr. Lamb is both an example and inspiration for those who share our concern. He deserves our commendation and support. He points the way.

U.S. SOUTH AFRICAN POLICY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. RARICK. Mr. Speaker, when one is able to obtain comments from members of South African Parliament on matters of interest to Americans, I think their remarks are entitled to dissemination to our colleagues.

The Honorable Marais Steyn and Paul Vander Merwe of the South African Parliament were interviewed by Mr. Dean Manion on "Manion Forum," and under unanimous consent I submit the colloquy as follows:

[From the Manion Forum, South Bend (Ind.), Jan. 12, 1969]

U.S. South African Policy Is Doubly Self-Defeating—Sale of Subs and Jets Would Bolster Cape Defense and Swell Trade Balance

(Hon. Marais Steyn, Member of the South African Parliament)

Dean Manion. With me here at the microphone today is the Honorable Marais Steyn, a member of the South African Parliament, representing a Parliamentary district in the city of Johannesburg.

Mr. Steyn, welcome to the Manion Forum.

Mr. Steyn. Thank you, Dean Manion. I do appreciate the opportunity of being with you.

Dean Manion. Mr. Steyn, last week on this program we had Dr. Paul Vander Merwe, who, as you know, is a representative in the South African Parliament, representing a district in Southwest Africa.

Mr. Steyn. Yes, I know him well.

Dean Manion. Now, as I recall, Dr. Vander Merwe is a member of the National Party, the party that now controls the Government of South Africa. Are you a member of his party, or are you a member of the opposition party?

Mr. Steyn. I'm a member of the oppositional minority party, the official opposition in our Parliament. It is known as the United Party.

Dean Manion. As a member of the opposition party, am I to understand that you oppose the policies and principles of the government party? For instance, on our program here last week Dr. Vander Merwe defended the policy of apartheid—does your party support that policy?

Mr. Steyn. No. I think that I should explain to you that there's much misunderstanding in the world about this concept of apartheid, and I'm glad Dr. Vander Merwe had the opportunity to explain it. But my party in South Africa opposes the idea that the people of our multiracial state cannot exist in peace and the idea that we have to dismember South Africa into separate sovereign states.

Our attitude is that we *are* a multiracial state, that the races *are* interdependent, especially economically. We believe, in fact, that they cannot be separated now successfully; that we have to devise some way of making a multiracial state work, making it possible for the people to live together in peace. I don't want to go into details, but our idea is to establish a federal relationship among the races in Southern Africa.

Dean Manion. So this matter of apartheid, at least how it is to be applied in the future, is a matter of political dispute in South Africa?

Mr. Steyn. I think I can tell you that the Parliament of South Africa devotes more than half its time to a discussion of questions of race and race relations in our country. It's a subject of the most lively, and vigorous and intelligent debate among South Africans.

Dean Manion. That's very interesting, because we don't hear about that over here. Now, tell me, what are some of the positive achievements of the party in power to which you do subscribe?

Mr. Steyn. Well, you know no government is completely bad. I think that here a Republican would admit that the Democrats are not completely bad, and I have to do the same as far as our government is concerned. They have some positive achievements.

Indeed, the South African people, beyond government, have positive achievements, I think, for example, in the field of education. Although we are putting South Africa together with primitive people, we have succeeded in getting 85 per cent of the African children, the black children in my country, of school-going age, in school, which is three times higher than any other country in Africa. We have in South Africa more university graduates than the rest of Africa put together.

Dean Manion. White and black?

Mr. Steyn. There are more black university graduates in my country than of any color, any creed, any race, in the rest of Africa put together. And that is something—a fact that no one can dispute. That is an achievement. We have at the moment, because education is one of our main objects, no fewer than 35 training colleges producing black teachers to educate black children. The standard for the black teacher is exactly the same as the standard for the white teacher. We do not allow them to teach at lower qualifications than white teachers.

Dean Manion. Mr. Steyn, these expenditures that you talk about being made for the black people must amount to a lot of money. Now what is the proportion again of whites to blacks in South Africa?

Mr. Steyn. Well, out of a population of about 18 million, we have 3½ million whites and 12½ to 13 million black people. The others are minor groups.

Dean Manion. Who pays for all of this education that you're providing for the blacks?

Mr. Steyn. The people of South Africa. The whites and the blacks, but obviously because the whites are, at the moment, very much the wealthier community, we pay proportionately very much more in direct and indirect taxation for this purpose. Fortunately, we can do it.

Dean Manion. Is there any inferiority in the facilities provided for black people—hospitals, education and so forth—as compared to the white people, or are the blacks treated as well in this respect as the whites?

Mr. Steyn. You must appreciate that the black people come from primitive reservations, primitive homelands, and there the facilities have fallen behind. But in our cities we do our best to give them treatment which is equal to anything in the Western world. One of the largest hospitals in the Southern Hemisphere is the hospital at Baraqwanath, near Johannesburg, for blacks only, and it is the pride of Southern Africa. We are, indeed, tremendously proud of this most astonishing hospital which is available to our black citizens.

Dean Manion. I can subscribe to that because I was there and went through it and saw it.

Mr. Steyn. Good, so I'm not exaggerating.

Dean Manion. Well, in this expenditure of money, how can you afford it? Do you get foreign aid, or what?

RAPID PROGRESS THROUGH FREE ENTERPRISE

Mr. Steyn. South Africa is one of the few developing countries of the world that has never asked America for money, except on a business basis. We borrow money, we pay interest like a normal business client. We are the only country that has paid its war debt in full, interest and capital. Our economy is expanding, almost by the hour. We have one of the fastest expanding economies in the world, and that is because we work together in South Africa in a peaceful effort to raise the standard of living of all our people through capitalist methods, through methods of private enterprise.

We believe, and we prove it, and you have proved it in America, that there is no economic system that raises the standard of living of the masses faster than the system of private enterprise. And we are proud that we can prove it in South Africa.

Dean Manion. What are some of the economic resources of South Africa from which all this prosperity comes?

Mr. Steyn. Like the United States of America, we started off with agriculture. That was for a long time our only economic activity, and then in the middle of the 19th century, gold and diamonds and other minerals were discovered in South Africa. That brought about a revolution in our economic organization. It stimulated the development of secondary industry, a stimulus that was taken further by the First and the Second World Wars in which we participated on your side. As a result, today manufacturing industry is by far the most important economic activity in South Africa.

Dean Manion. Mr. Steyn, does South Africa buy anything from the United States?

Mr. Steyn. Oh, we have a very healhy trade between our two countries. In round figures we buy from you every year something like 450 million dollars worth of goods, and you buy from us about 250 million dollars of goods. You have a favorable balance of trade with South Africa, very favorable. You also have invested in South Africa something like 715 million dollars today of capital in the business of South Africa. I think any American businessman who has money invested in South Africa will agree that it is a most profitable and remunerative investment.

Of course, it is a pity that some of the things we need from you, we are not allowed to buy from you.

Dean Manion. What are those things?

Mr. Steyn. Well, I think, for example, of armaments. You know, we in South Africa have responsibilities. One of them is to defend the sea route around the Cape of Good Hope, which is strategically of tremendous importance. For that we need things like jet planes and submarines. We would like to buy those from Britain, from America, but for political reasons you've imposed an embargo upon the sale of such armaments to South Africa.

Dean Manion. Is that the embargo that was routed out of the United Nations and that we followed along like the tail of a kite?

Mr. Steyn. I'm not passing on that comment. But it did follow from a decision of the United Nations.

Dean Manion. Well, I think the people listening ought to know that. With our unfavorable trade balance with the outside world, you are ready and willing to buy how much armament from us which we won't sell to you?

Mr. Steyn. I can't tell you how much it is from the United States of America specifically, but it runs into about half a billion dollars worth of armaments that we wanted to buy from various countries, and you were one of them. You know, we don't want stuff that one uses for anti-personnel purposes—to use for mob suppression or riot suppression internally. Those arms we make ourselves; we can export to others. What we want are submarines and supersonic jets and things like that to defend the sea route around the Cape of Good Hope in the interest of the Western World.

Dean Manion. Now that the Suez is closed, that becomes a very strategic pathway for the advance of Communism, doesn't it?

CONTROL OF CAPE ESSENTIAL TO WEST

Mr. Steyn. Now that the Suez is closed and it has become a strategic routing point, one could say, and also with the withdrawal of the British from the Indian Ocean, there is a vacuum there. And we are on the edge of the vacuum.

Dean Manion. And if you fall, the whole West will fall, if I interpret the map correctly.

Mr. Steyn. Well, I'm not a military expert to the extent that I can say that, but it is generally accepted that the loss of Suez and of the route around the Cape would be a major disaster for the Western democracies.

Dean Manion. Mr. Steyn, how do you account for the fact that South Africa is so unpopular? In the United States, in Canada, and in other places, South Africa has become a bad word. What is your explanation for that?

Mr. Steyn. Well, I suppose we are not a perfect community. I suppose we do make mistakes. I think there are things wrong in South Africa, but I am satisfied that the propaganda against South Africa is gravely exaggerated, it is truly exaggerated. I believe the reason is that there are a great many of the have-not peoples of the world who are today envious of the success of the have nations of the world.

I don't think I need emphasize that to an American. You are six per cent of the world's population; are extraordinarily wealthy for your own enterprise and for the gifts of Providence given to you and in the use of those gifts. And six per cent of the world's population in America produce more than half of the manufactured goods in the world. And that is why many people think that you have an unfair proportion of the world's wealth.

And South Africa, it's an interesting fact, which is six per cent of the population of Africa, produces more than half of the manufactured goods of Africa. And that, too, engenders jealousy and envy, and perhaps greed. I think, fundamentally, the reason for South Africa's great unpopularity is that we are wealthy. People who are poor resent the wealth of the white man on the Southern tip of Africa.

Dean MANION. Mr. Steyn, what is the attitude of South Africa to the threat to freedom which is presented to the world by the advance of the Communist conquest?

Mr. STEYN. We in South Africa, I think, are unanimous as a people in our condemnation of Communism. We do so for many reasons, but, I think, intellectually, the reason we do it is this: Communism wants to use the machinery of the privileges of freedom in a democracy in order to subvert that democracy. And when they succeed, they will not extend to the people of the country they govern their right of organization and of freedom of expression in order to rectify a mistake if it's proved to be a mistake. That we've seen in Hungary and in Czechoslovakia.

For that reason, we think that Communism has no right to claim to itself the privileges of freedom in a democracy in order to destroy democracy finally for the people concerned.

America, Sir, can rely upon South Africa. The world can rely upon South Africa. We have proved our loyalty to Western democracy in two world wars; we were one of the few countries that supported you in Korea—not with words and gifts and comforts, but with a squadron of our Air Force and the blood of our young men. And we are loyal in our support of America's attitude in a country like Viet Nam. We look upon America's championship of freedom in the world with sympathy, with understanding, and with gratitude.

Dean MANION. As a final word, South Africa is a very attractive target for the Communist conquest, isn't it? Your gold, your diamonds, your industry—wouldn't that be a very fat prize to fall into the lap of the Communists?

Mr. STEYN. It has been publicly said at meetings of the Organization of African States—the anti-South African organization—that they cannot achieve their ends for Africa unless they obtain the riches of the Southern part of Africa.

Dean MANION. Thank you, Mr. Marais Steyn, member of Parliament for South Africa, for this revealing account of the power and peace of your fascinating country in the perspective of America and the world.

Ladies and gentlemen, last week we brought you a broadcast by Dr. Paul Vander Merwe, a member of the South African Parliament representing the territory of Southwest Africa and a member of the party in power in South Africa, the National Party. Mr. Steyn is a member of the opposition party in the South African Parliament. Together, these two broadcasts give you an authentic condensed account of South Africa vis-a-vis the United States that you can find nowhere else on American radio or television. Get these broadcasts and use the facts disclosed therein to refute the Communist propaganda against South Africa and against our own American interest in that country, with which our communications media are unfortunately loaded today.

[From the Manion Forum, South Bend (Ind.), Jan. 5, 1969]

APARTHEID OR ANNIHILATION—ONE MAN, ONE VOTE WOULD MEAN END OF WHITE AND BLACK MINORITIES IN SOUTH AFRICA

(Hon. Paul Vander Merwe, Representative of Southwest Africa in the Parliament of South Africa)

Dean MANION. I have a distinguished foreign visitor with me here at the microphone today. He is the Honorable Paul Vander Merwe, a member of Parliament representing Southwest Africa in the Parliament of South Africa. Dr. Vander Merwe, welcome to the Manion Forum.

Dr. VANDER MERWE. Thank you very much, Dean Manion. I'm delighted to be here.

Dean MANION. Now, tell, us, Doctor, you are a member of Parliament representing Southwest Africa in the Parliament of South Africa. How were you chosen for that position?

Dr. VANDER MERWE. Southwest Africa has six members in the Parliament of the Republic of South Africa and they are elected by the population of Southwest Africa. I'm one of those six elected members.

Dean MANION. How frequently do you have elections?

Dr. VANDER MERWE. Just about every five years.

Dean MANION. Now, tell us, what is the relationship of Southwest Africa to South Africa?

Dr. VANDER MERWE. Southwest Africa is at present regarded as a fifth territory to South Africa. We have four provinces—the Transvaal, Cape Province, Natal and the Orange Free State. Those are provinces, constitutional provinces of South Africa. Now Southwest Africa is a fifth territory, formerly a mandated territory. It is now part and parcel of South Africa.

Dean MANION. To give the audience some appreciation of the extent of this territory, how would it compare, for instance, with the size of some of our states?

Dr. VANDER MERWE. It covers an area of 318 thousand square miles, that means about twice the area of California.

Dean MANION. Twice the area of California. I realized that it was a vast territory when I flew in and around it last winter, but I had no idea that it was as large as that.

When I came home from South Africa last March, the first thing people here wanted to know about your great country was "apartheid," or as it is more properly called in South Africa, "separate development"—the separate development of the races in South Africa. Would you undertake to explain that to this audience, please?

Dr. VANDER MERWE. Yes,. Apartheid or separate development could perhaps be defined as a policy which aims at the preservation and promotion of the cultural identity and individuality and personality of the various peoples where they live in South Africa, and their economic, social and political development until they attain self-determination, and eventually, if they wish to, national sovereignty.

Perhaps I could explain to you why we feel that is the only policy which we could pursue in South Africa. I take it that you know that South Africa is quite different from the United States of America where the Negroes speak the American language and where they have the same customs, religion and so on.

In Africa and in South Africa it's quite different. In Africa there are more than 800 different languages; there are more than 400 different nations in Africa. There are, at present, 42 independent states in Africa.

Now we in Africa have to contend with the sins of the old colonial powers. When they entered the scene in Africa centuries ago, they simply demarcated their colonies according to the river banks, coast lines, mountain ranges and so on. They did not take into consideration the fact that in some instances they were dividing nations into two, three or four parts. And that in other instances they were including four, five or even more nations into one national unity. The result is that today, in about every African state there are five, six or even more nations.

That is why in Africa today, referring to Nigeria and Biafra, for example, those different peoples just can't live together. That is why in Africa during the last 13 months there were 16 coups d'etat. That is why in Uganda, for example, there were last year 266 tribal clashes. That is why in Burundi 25,000 people were killed last year. That is why in the Congo large sections of the population were simply wiped out. That is why in Nigeria more than 200,000 people were killed in combat and why 10 times that figure are presently dying of hunger. That is why in the Sudan more than half a million, more than the entire population of Southwest Africa, were killed during the last 13 months.

Dean MANION. Dr. Vander Merwe, I think you said that you had seven separate black nations in the country of South Africa. These are different tribes, speaking different languages, as I understand it?

Dr. VANDER MERWE. Yes, quite right.

Dean MANION. What is the total population of these seven tribes?

Dr. VANDER MERWE. About twelve and a half million.

Dean MANION. And what is the total population of the white people in South Africa?

Dr. VANDER MERWE. About 3 and one-half million.

Dean MANION. So you have 3 and one-half million whites as against how many blacks?

Dr. VANDER MERWE. Twelve and a half million blacks.

Dean MANION. Yes, now go ahead. Pardon the interruption.

SEPARATE DEVELOPMENT IS NOT SEGREGATION

Dr. VANDER MERWE. So, in South Africa we must either maintain apartheid or embark upon a policy of one-man, one-vote, which will mean that the majority nation will rule the country. That will mean not only the end of the white population, but also of all the minority black nations in South Africa. Therefore, the Government in South Africa, and that is my party, pursues a policy of separate development.

Now separate development, let me just explain to you, is not segregation—segregation amounting to discrimination between people who form part of the same state and are subject to the same government. Perhaps the most striking difference between apartheid and segregation is that apartheid aims to change horizontal lines into vertical lines. In South Africa we have embarked upon a policy of developing the separate homelands, the historic homelands of all the black people, so that they could have in their own countries self-determination and, eventually, if they wish to, sovereignty.

Now the most advanced one is the Transkei, with a population of about 3 million. They have their own legislative assembly; they have their own Prime Minister; they have their own political parties and eventually they could have their own sovereignty if they wish to.

Dean MANION. The Transkei is the traditional homeland of this particular tribe?

Dr. VANDER MERWE. The Transkei is the traditional homeland of the Xhosa people. It is very significant that only about two weeks ago they have had an election there. There are two political parties—the party of Mr. Matanzima, which supports the separate development of the government of South Africa, and his opposition, the party of Mr. Guzana, which goes for integration in South Africa. And it is very significant that Mr. Matanizima scored an overwhelming victory in the election two weeks ago. That means even the people of the Transkei voted to support the policy of apartheid.

Dean MANION. Do you have other homelands that are being developed the same way for other tribes?

Dr. VANDER MERWE. Yes, we have a homeland for every one of those nations. As a matter of fact, in Southwest Africa the Ovambo people got their own legislative assembly only a couple of weeks ago. And before the end of the year there will be two more other nations getting their own legislative assemblies in South Africa.

Dean MANION. Dr. Vander Merwe, when the white people came to Africa years and years ago, did they drive the black people out of the territory or did they find any black people?

Dr. Vander Merwe. No, they did not. As a matter of fact, the black people moved down from the north of Africa to the Southern parts. The white settlement came to South Africa in 1652, and we met them about half way as we went north.

Dean Manion. Were there ever any black slaves held by South Africans?

Dr. Vander Merwe. No. There were no black slaves in South Africa, ever.

Dean Manion. Dr. Vander Merwe, how is apartheid working and what do you envision for it in the future?

ENVISION EUROPEAN PATTERN

Dr. Vander Merwe. At this stage we are still in a sort of a transitional stage. But we visualize a pattern similar to that one in Europe today. As you will remember, Europe, centuries ago, had the Gauls and the Romans and the Anglosaxons and the Prussians and all those people. And they had their battles and many of them were killed—they had their conquests and defeats and so on. Eventually, after so many centuries, they are settled in separate countries now. The Germans separately, the Hollanders separately, the Italians, the French and all of them.

In South Africa we visualize in more or less the same pattern, only that we'll attain that pattern not by wars and conquests and defeats and by killing people, but by peaceful means, so that eventually in South Africa you will have a separate homeland for the Xhosa, one for the Zulus, one for the Tswana, one for the Venda and one for every one of those black nations in South Africa, so that they could work together, not politically only but on an economic basis like the European economic market today, and so that we could have political and economic stability in the southern tip of Africa, which could, perhaps, contribute towards solving the problems of the rest of Africa.

Dean Manion. At the present time do you have any sharp conflicts, riots and so forth, between the whites and the blacks in South Africa?

Dr. Vander Merwe. No. As a matter of fact, for the last 100 years in South Africa we have quite a clean record of relations between blacks and whites. As you probably know we had a war between the English people and the Afrikaans people only about 60 years ago, but we have maintained very good relations between black and white for more than a century. We had, of course, this occasion at Sharpesville some ten years ago, but that was a very minor incident in comparison with what is happening elsewhere in Africa today.

Dean Manion. Dr. Vander Merwe, you represent Southwest Africa in the South African Parliament, and you've told us how big this area is. What is its future, population-wise and with reference to industry and so forth?

Dr. Vander Merwe. The Government of the Republic of South Africa is developing Southwest Africa now as fast as possible. As a matter of fact, within the next five years some 460 million rand—that is the equivalent of about 700 million dollars—will be spent on Southwest Africa. That is, on the population basis, in comparison with the population of the United States, equal to about five billion dollars of foreign aid, and that is quite unique in the history of the world.

Dean Manion. Thank you, Dr. Paul Vander Merwe, member of the Parliament of South Africa, representing the territory of Southwest Africa.

Ladies and gentlemen, Dr. Vander Merwe has given us vital statistics in this broadcast which we all must remember. For instance, South Africa is practically the only country in Africa where black people are not engaging in the wholesale massacre of other black people.

Dr. Vander Merwe told you that in just one African country more than half a million people were killed in the last 13 months. Do you recall what country that is?

Get a copy of this broadcast and remember these statistics. And be back with us next week when we will interview another member of Parliament from South Africa, one who belongs to the United Party—the party that opposes the National Party represented by Dr. Vander Merwe. Be with us next week to hear what the opposition has to say about apartheid and other political issues in South Africa.

ONE PLUS FOR RUMANIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DERWINSKI. Mr. Speaker, the distinguished international columnist of the Copley Press, Dumitru Danielopol, is especially equipped to discuss developments in Rumania since he was in the diplomatic service of that country prior to and during World War II and has intimate insight into domestic as well as foreign policy developments.

His analysis of the Rumanian performance during the tragic Soviet seizure of Czechoslovakia is especially pertinent.

His column, which appeared in the Elgin, Ill., Daily Courier-News of December 27, 1968, follows:

One Plus for Rumania

(By Dumitru Danielopol)

Washington.—"You only write the bad things about us. Can't you find anything good in our behaviour?" asked a Communist Rumanian diplomat.

Until recently the answer was "no." Any movment toward independence in foreign policy by the Bucharest regime did not matter much so long as the Rumanian people continued to suffer under the most Stalinist regime in Eastern Europe.

What was particularly objectionable was the refusal with rare exceptions—to grant passports or exit visas to their people.

The restrictions on travel were so strict that many people feared they would be persecuted even for requesting a passport. Answers to such requests took months, even years, and sometimes never came.

But it looks as if Rumania has finally changed, perhaps in an anxious effort to count Western support after seeing what happened in Czechoslovakia.

Since October the Ceausescu government has passed a series of decrees to facilitate passports and exit visas.

Every demand for a passport must now be solved within 30 days, either one way or another.

What is more, an increasing number of people have already been allowed to rejoin their families abroad. Some of these are people who had lost all hope of getting out.

That is all to the good. I hope this trend will continue.

Also to be commended was the correct attitude of the Bucharest government in the Czechoslovak crisis.

While other Warsaw Pact nations—Poland, Bulgaria, East Germany and Hungary—helped in the invasion of Czechoslovakia, Rumania not only refused to participate, but protested venemently to the Kremlin.

Bucharest, albeit Communist, was true in this instance to its historical tradition.

Here are some facts from the tradition:

In 1938 during the Czechoslovak crisis, King Carol of Rumania stood by President Edward Benes. He promised that, should Czechoslovakia fight the Nazis, Rumania would enter the war immediately and would grant passage to Soviet troops en route to Czechoslovakia.

After Munich where Hitler, Mussolini, Britain's Chamberlain and France's Daladier carved up that country, Poland and Hungary also helped themselves from Czechoslovak territory.

Carol also was offered a slice by the president of Poland, Col. Beck. The king vehemently refused.

A similar situation developed after Hitler invaded Yugoslavia in 1941. Bulgaria and Hungary both helped themselves. Hitler's offer to Marshal Ion Antonescu, to take the part of the Yugoslav Banat mostly inhabited by Rumanians was rejected.

In 1968, the Rumanians once again refused to join the jackals.

For that, Ceausescu deserves credit.

ELECTORAL CHALLENGE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, on Monday, January 6, this House rendered a decision on a historic challenge to the vote of a member of the electoral college.

That challenge, while it was overruled by the House of Representatives and the Senate, could well lead to reform of what is now widely recognized as an anachronistic and potentially dangerous procedure for electing our President.

The originator of the challenge was my good friend and colleague from Michigan, Congressman James G. O'Hara. While I am sure he would have preferred to win the battle, he knew that either way the Congress decided, his action to contest the vote of the elector from North Carolina would dramatically demonstrate once again the potential danger of the electoral college system.

He was joined in this effort by Senator Edmund S. Muskie, and they enlisted six other Senators and 37 Representatives—including members of both political parties—to join in the objection.

In this case there was only one "faithless" elector—a man who chose to disregard the voters of his State and the ticket he ostensibly represented—the Republican nominees for President and Vice President—and cast his ballot for the third-party candidate, George C. Wallace.

While this single errant vote is of little immediate consequence, one can see that a substantial block of faithless voters could swing the election to a man who was not the popular choice of the electorate.

Thus the peril remains that electors, by either capriciously abandoning the candidate to whom they are pledged or by casting their vote at the candidate's whim in a political power play, could thwart the will of the electorate.

On Monday, the day that Congress counted the electoral college vote, the New York Times published an editorial in which it discussed the impending challenge by Representative O'Hara and Senator Muskie. The editorial declared that, while the elector chose to exercise the discretion that the Constitution gives presidential electors, "he was wrong in the sense that his action violated party pledges and disenfranchised those who voted for him."

The Times hopefully concluded that the challenge "should remind a nation which still seems to need reminding, that fundamental electoral reform is long overdue."

Mr. Speaker, I commend the effort of Representative O'HARA and Senator MUSKIE and include the editorial from the New York Times, "Electoral Challenge" in the RECORD:

Electoral Challenge

Representative James G. O'Hara and Senator Edmund Muskie—acting with Republican as well as Democratic support—plan to make an important challenge when Congress counts the electoral votes today. Viewed technically, their action may perhaps be viewed only as an effort to correct one wrong by committing another. It is, in a larger sense however, a challenge to the nation to get on with the business of electoral reform.

The two Democrats plan to challenge the electoral vote cast in North Carolina by Dr. Lloyd W. Bailey, who was elected on a slate of electors committed to Richard Nixon, then became disenchanted with Mr. Nixon's initial appointments and switched to vote for George C. Wallace. Dr. Bailey chose to exercise the discretion that the Constitution gives Presidential electors. Yet he was wrong in the sense that his action violated party pledges and disfranchised those who voted for him.

Representative O'Hara and Senator Muskie will doubtless make this argument in their challenge. Congress is empowered to count electoral votes, and the power to count implies the power not to count. In the elections of 1820 and 1832 several electoral ballots were rejected by Congress on technical grounds. In 1880 the ballots of Georgia's electors were not counted because they had been cast on the wrong day. In 1872 Horace Greeley, the Democratic nominee, died after the popular voting but before the Electoral College convened, and Congress refused to count electoral ballots cast for him on the ground they had been cast for a deceased candidate. A Congressional commission set up after the disputed Hayes-Tilden election chose between several competing slates of electors.

All of this gives some precedent to the move expected today. Never before, however, has Congress refused to count the ballot of an elector who simply disregards his pledge and votes his personal whim. This electoral discretion, enshrined in the Constitution, has formed the basis of unpledged elector and third-party movements. The two challengers would like to deny third-party candidates the leverage that Wallace planned to exercise by promising his electoral votes, in a deadlock, to whichever major candidate agreed to certain of his policies.

The challenge itself raises constitutional issues. Certainly any attempt to give the defecting elector's ballot to Mr. Nixon, as Representative O'Hara and Senator Muskie have indicated they plan, would raise grave doubts. Who would cast this ballot? How?

In the sense that the challenge runs contrary to the Constitution, it too can be considered wrong. While two wrongs of this sort cannot make a right, the challenge nonetheless should serve to alert the nation once again to the dangers inherent in the present Electoral College system for choosing Presidents and Vice Presidents. And, by their own admission, this is the challengers' main purpose. Their action should remind a nation, which still seems to need reminding, that fundamental electoral reform is long overdue.

A CHRONIC DISEASE HOSPITAL MONTH PROGRAM LAUNCHED IN BEHALF OF KINGSBROOK JEWISH MEDICAL CENTER

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. CELLER. Mr. Speaker, chronic diseases are America's No. 1 medical problem afflicting more than 26 million Americans, of whom at least 3 million require hospitalization.

In support of programs which require public support for the maintenance and expansion of these institutions, Mayor John V. Lindsay proclaimed the month of September 1968, as Chronic Disease Hospital Month in New York City.

This annual Chronic Disease Hospital Month program, which focuses attention on the problem of chronic diseases, has been sponsored annually by the Kingsbrook Jewish Medical Center, formerly known as the Jewish Chronic Disease Hospital, located at Rutland Road and East 49th Street, Brooklyn, the leading institution in this field.

At ceremonies at city hall, Commissioner John S. Palmer of the department of public events, greeted hospital president, the Honorable Morris Kirsch and Gig Young, distinguished star of stage, screen, and TV and chairman of Chronic Disease Hospital Month, 1968.

He presented to them the mayor's proclamation, which reads as follows:

Whereas chronic diseases are America's number one medical problem afflicting more than 26,000,000 Americans, of whom at least 3,000,000 require hospitalization; and

Whereas services available for the care and treatment of the chronically sick are not adequate to meet the needs and existing hospitals in the city of New York which service the chronically sick patients are not sufficient to serve all those who require the services of such hospitals; and

Whereas the Kingsbrook Jewish Medical Center, our country's leading institution in the field of long term care, has launched a half century development program designed to expand its facilities, and the hospital is also expanding its area of specialized service to include a home care program, a nursing home and expanded rehabilitation facilities to help relieve this very serious problem,

Now, therefore, I, John V. Lindsay, mayor of the City of New York, do hereby proclaim September 1968 as "Chronic Disease Hospital Month" in New York City, and appeal to my fellow citizens to support our chronic disease hospitals by contributing towards their maintenance and assisting in their expansion and renovation program.

While September was designated as Chronic Disease Hospital Month in New York City, the institution as the leading hospital in this field carries on a year-round program to acquaint the public with the problem of chronic diseases and the need for supporting local institutions which specialize in the care and treatment of men, women, and children afflicted with long-term ailments, and to erect new facilities and to expand existing ones.

The Kingsbrook Jewish Medical Center is an 817-bed rehabilitation, teaching and research center devoted to the treatment of acute and long-term illnesses.

CONGRESSMAN DOMINICK V. DANIELS OF NEW JERSEY, HAILS JUDGE CHARLES DeFAZIO, JR., AND COL. ISIDORE HORNSTEIN, OF THE HUDSON COUNTY BAR ASSOCIATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, late last year a very distinguished leader of the Hudson County, N.J., bar, Judge Charles DeFazio, of Hoboken, completed his year of service as president of the county bar association. Indicating the strength of the bar association, Judge DeFazio is to be followed in office by another equally distinguished son of Hudson County, Col. Isidore Hornstein, U.S. Army, retired.

Mr. Speaker, as a longtime member of the Hudson County Bar Association, I am proud to be associated with men like Judge DeFazio and Colonel Hornstein. I ask unanimous consent that an editorial published in the December 21, 1968, edition of the Hudson Dispatch, a leading and highly respected daily newspaper, published in Union City, N.J., be inserted in the RECORD following my remarks.

The editorial follows:

Two Bar Leaders of High Caliber

One good term of service should be followed by another of equal capability. Former Judge Charles DeFazio Jr., of Hoboken technically concluded a year as head of the Hudson County Bar Assn. Thursday night—a year which was marked by notable accomplishments—and he was succeeded by Col. Isidore Hornstein, U.S. Army (Ret.), who can be counted upon to live up to the standards set by his predecessor. Actually, the gavel won't be handed over until the installation dinner Jan. 16.

"Dory" Hornstein, who is senior partner of a Jersey City law firm with which his son Major Leonard Hornstein is associated, througout his entire life has been a doer. He has gotten so many things done, it would be impossible to list them. He is especially noted for his services to the oppressed and the destitute.

Not only has he had an illustrious military and legal record, but he somehow has found time to devote himself to duties on behalf of civic, philanthropic, business and professional groups. Notably, he has served Jersey City Salvation Army and Christ Hospital. He has been a member of the Jersey City Board of Education for a number of years.

A month before his election as president of the Hudson Bar Assn., Mr. Hornstein was accorded the signal honor of being chosen a Fellow of the American Bar Association, a goal attained by only three other Hudson County barristers. In all there are but 26 attorneys in New Jersey who are members of this highly esteemed group.

Mr. Hornstein was admitted to the New Jersey and New York Bars in 1919, having been graduated from New York University Law School as was his son. Next November he will celebrate his 50th anniversary as a lawyer.

"Dory" interrupted his law studies in 1918 and enlisted in the army as a private. After that war was over, he resumed his pursuit of a legal degree and admittance to the bar. He served his clerkship under the late Chief Justice Arthur T. Vanderbilt, who served a term as president of the American Bar Association.

In 1940, the elder Hornstein was recalled to active army duty and attained the rank of a full colonel. He served in Germany, France and Belgium in World War 2. He was the staff judge advocate for all of Belgium.

Having enjoyed treasured friendships for years with both "Charlie" and "Dory," we are delighted at the bar association's transition of leadership. Although never a legal beagle ourselves, we've had decades of close association attorneys in our area. They've helped us on unnumbered occasions and, we think, we reciprocated.

Mr. DeFazio following his election as president of the county Bar last January was chosen by the late Hoboken Democratic leader, John J. Grogan, who served many years as mayor of the "Mile-Square City" and later as county clerk to succeed Attorney John McAlevy as an assistant county counsel.

When named to be a vital cog in the Hudson County legal department, Mr. DiFazio ended a long term of service in the Hoboken legal department as a member of the staff headed by Law Director E. Norman Wilson. Hoboken's loss of this efficient barrister's services has been Hudson County's gain.

Nothing in any phase of life can remain static. If such were the case, everything would stagnate. And, of our own knowledge, "Charlie" DeFazio would be the last one to subscribe to a fait accompli. He has always looked toward new horizons, whether personal or for the benefit of the community, which is why he has devoted so much time and effort to promoting one cause after the other.

Aside from his natural, human desire to advance himself in the legal profession, Counselor DeFazio has, we have personally observed over many years, been most interested in such activities as the Hudson County Mental Health Assn., to which he gave several years as president; and in Hoboken's UNICO Chapter, of which he is a former president. The organization honored him in October, 1967, as its "Man of the Year."

In setting forth these services, we haven't begun to scratch the surface of this man's freely-given and extensive dedication to such organizations as the Hoboken Lawyers Club, the Hoboken Elks, Hoboken Red Cross, the Hoboken and the International Lions Club and the Hoboken Knights of Columbus. He has been the recipient of so many citations that we find ourselves at loss to detail all of them.

Mr. DeFazio has been local, state and international president of more groups than one could count on the fingers of both hands. We can only refer briefly to his work for the Red Cross, of which he was director in Hoboken for more than 20 years.

We will always remember his dedication year after year to his city's observances of Columbus Day and his appearances at the annual services held for the past seven years every June 20 in Church Square Park at the life-sized monument of the famous Italian inventor, Guglielmo Marconi, "Father of Wireless" and the pioneer of today's marvelous age of television and radio.

NO FUNERAL FOR THE "ALIANZA"

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. MORSE. Mr. Speaker, in the Washington Post of last Friday, January 10, there appeared an article about outgoing Assistant Secretary of State for Latin America, Covey T. Oliver. Mr. Oliver has been a dedicated public servant serving in a sensitive position and I think he deserves both our praise and thanks as he leaves the State Department to resume teaching duties at the University of Pennsylvania and to serve as U.S. Executive Director of the World Bank.

Covey Oliver's understanding of the need for political and social as well as economic development have marked his service as Assistant Secretary. And, while I do not always agree with his assessments, I have great respect for his devotion to the development process, and his untiring work for the strengthening of Latin American relations, and high regard for his quick intelligence, deep sensitivity, and humanitarian instincts.

I ask unanimous consent to have the text of the Washington Post article reprinted in full at this point in the Record.

No Funeral for the "Alianza"

(By Stephen S. Rosenfeld)

President Johnson gave him three instructions, says Covey T. Oliver, when he took over Latin affairs in the State Department 18 months ago. First, maintain a stance of idealism—don't get tagged as "pragmatic." Second, emphasize social as much as economic development. Third, don't get outflanked from the left rhetorically—that is, develop a rational and attractive set of concepts to put down the Marxists and fend off the notion that violence will bring social revolution.

Covey Oliver, the short, rumpled law professor and Latin hand who has just bowed out as Assistant Secretary of State and U.S. Coordinator of the Alliance for Progress, believes his presidential mandate was correct and wise. He gave the impression, in a recent on-the-record interview, of a man shaken but still upright after trying to fulfill it.

This is an attitude somewhat more positive than the intense frustration known to have been expressed privately in some Johnson Administration quarters over the series of Latin coups which peaked last December in Brazil's reversion to near-full dictatorship. After Brazil fell under military rule in 1964, U.S. officials decided—in the name of "realism"—to back the Rio government. About a quarter billion dollars worth of American aid a year has been given since then, despite widespread misgivings throughout the Hemisphere about undermining the social and political premises of the Alliance by supporting an undemocratic regime. Officials had seized anxiously on any signs of a return to constitutionalism. So the backsliding last month in Brazil, the largest country in Latin America, was felt here as a bitter blow, in some cases virtually as a personal betrayal.

But as Oliver heads back to the University of Pennsylvania to teach and begins working part-time as U.S. executive director at the World Bank, nobody can accuse him of discouragement. "To appraise difficulties is not to admit defeat," he says. He finds Americans positively masochistic about Latin America, too rough on themselves. Especially liberals, he feels, figure wrongly that the United States controls Latin America and that therefore the United States should take the rap for what goes wrong there ("the control-blame syndrome"). "I want to dredge up the collective guilt out of the Jungian subconscious," he says very seriously.

Oliver regards himself as a liberal, but without liberal illusions. He smarts under the charge that U.S. Latin policy caters to business ("outmoded Marxism"), and moans over the Latin coups. Coups, he says, breaks the Alliance compact; they lead to congressional aid-pinching; they impede development.

On development, Oliver expands: the United States understands its economics but not its sociology. Under the best conditions, development is a great strain. Invariably its burden falls on the common man. Summary confiscation of all oligarchy property wouldn't provide the requisite funds. The people must sacrifice. But if they are asked to sacrifice, they must have some reasonable degree of participation in the society. "Imposed government based on the organized use of arms is not popular participation." That's why coups hurt development.

Oliver confesses to wry bemusement at the "widespread tendencies to a death wish for the Alliance." As Ambassador to Colombia in 1964, he began hearing that the Alliance had died with John Kennedy. He won't buy it. His explanation is that by 1963 the Alliance had moved from conceptualizing and goal-setting to operations, and a letdown was in order for any President. He locates the "funeral orators "among Latin opponents of change, among articulate Latin genuinely concerned about the patient's health, among critics wishing to spur on the U.S. Government, and "maybe even among a few competitors in the assistance business." He detects too "a touch of morbidity in Hispanic culture."

"We are long past the point of being able to walk away from the Alliance as though it was a crashed aircraft," he states. "It was not just Communists who arranged Mr. Nixon's bad reception in 1958, but the pent-up fury at having been ignored by the United States since World War II. Belatedly we have begun to help. The consequences of walking away would be very serious, beginning with a national guilt complex. Latin alienation would produce a dismal effect on our own national psyche. The 'lost China' syndrome was terribly bad and it could be repeated if we 'lost' Latin America.

He stews over foreign aid, saying "there is no substitute for large scale transfers of public capital." Private-sector investment is useful but can't be easily targeted on essential areas like education, highways, liquidity in national accounts. The best possible terms of trade would not earn Latins adequate foreign exchange.

He is worried about Mr. Nixon's past stress on trade and private investment. "I hope the new Administration will be very careful about its rhetoric," he advises. "Unless it really believes in trade and private investment, I hope it won't speak as though it did. The effect would be to send a spurious signal of very great damage to our relations and to shared goals of development." Trickle-down economics won't work, he says, won't promote quick, effective and equitable sharing of benefits. He's sure of this.

Money leads Oliver to the country's "most serious" foreign policy problem, congressional "intrusions" into Executive policymaking. He fears that past bridges across the Executive-Legislative gap—coordination through the political party, the President capturing the popular spirit and bringing it to bear on Congress, the current "novel" doctrine of Senate participation in policymaking—have broken, and he anticipates the problem will be acute for Richard Nixon.

Oliver laments that diplomacy is still too much understood as a "narrowly defined national-interest game of maneuver in the 'world arena,' " a model ignoring the crucial difference induced by the status of the United States as a superpower. The superpower courts troubles that do not afflict a middlepower, for instance, while exercising the traditional obligation to defend maltreated nationals. The discrepancy calls for "psychodiplomacy—we have to be therapists, and we don't know how to do it."

On Government operations, Oliver found that the Johnson procedure of putting responsibility for regional policy in an Interdepartmental Regional Group, chaired by the appropriate Assistant Secretary of State, was sound and facilitated effective coordination in the Executive branch. "The Johnson Administration and the White House staff let the major departments carry out their mission." This Johnson procedure, he says, is "compatible" with the systems-analysis technique known as PPBS (Program Planning Budgeting System); he expresses pride that his bureau has been "in the forefront of this new technique."

Covey Oliver says: "We need powerful new thought about international relations and development. We don't have great words from great men, just a lot of niggling experts. It is somewhat horrifying that a busy generalist late in middle age, modest with much to be modest about, should leave office feeling that he has put more new ideas into practice in our Latin affairs than anyone else he knows."

RIGHT PROBLEM—WRONG SOLUTION

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, the January 1969 edition of Analog Science Fiction, Science Fact carried an excellent editorial which I commend to all our colleagues for thoughtful consideration. I include the editorial, entitled "Right Problem—Wrong Solution," at this point in the RECORD:

RIGHT PROBLEM—WRONG SOLUTION

(An editorial by John W. Campbell)

I cannot recall ever having read of any instance in which a gun killed a human being. I cannot, therefore, see any reason to pass laws against guns.

I have, however, seen far, far too many instances in which human beings have used guns to commit murder, and I can see the absolute necessity for having, and enforcing, stringent laws against the *misuse* of guns.

Guns, as manufactured today, are extremely reliable, safe, stable devices; they do not spontaneously explode save under the most drastic conditions such as fire, or extremely violent impact in just the wrong direction.

Human beings, on the other hand, are remarkably unsafe and unstable devices who do explode spontaneously under quite unpredictable circumstances.

I am strongly opposed to the "gun laws" currently being discussed, because they are one hundred percent directed at the wrong problem. They will, if enacted, make the situation more dangerous, rather than less. They are, in effect, equivalent to treating a man with acute appendicitis by giving him a heavy dose of morphine. The dope makes him feel much better—it damps out the frantic pain-warnings his nervous system has been giving him, and he can comfortably drift off to sleep while the appendix ruptures and spreads lethal peritonitis through his body.

Laws directed at guns will tend to make the public feel as the appendicitis victim did—that something useful has been done, and they can go back to sleep because the symptom—but not the disease!—has been treated.

Nothing is, in the long run, more dangerous than so treating a symptom that the cause of that symptom is happily ignored.

To pass laws against ownership of guns, to require licensing, as a means of restraining murderers, is about as useful as morphine as a treatment for acute appendicitis.

First, consider the registration concept as a means of stopping murderers-with-guns.

Problem No. 1: Grandfather, thirty years dead now, had a fine high-power rifle he used in hunting when he was more active. He stored it—carefully greased and cared for—in the attic forty years ago, back in 1928. That rifle is still in perfect condition; the ammunition stored with it may be a bit unreliable now, but it's still usable. Modern explosives engineers—and those of forty-five years ago, too!—know and knew their business.

But . . . who, in the family, now remembers that the gun is still up there? And who, in the family, is most apt to find the gun? Great-grandson, age fourteen or so, in his ceaseless explorations. Who else would dig that far down among the dusty mementos of bygone days?

Consequence: An illegally unregistered gun in the hands of a teen-ager who couldn't get a license anyway.

Problem No. 2: Bill Blow has a rifle, knows it's there, but hasn't used it in years and doesn't have any intention of using it, because he never has time to go out after rabbits any more. Since he doesn't intend to use it, and registration is a damn nuisance, he doesn't bother.

Problem No. 3: It's easy to license and register automobiles; an automobile hidden away in a garage somewhere may escape notice—but you can't use it *as an automobile* without exposing it to immediate notice, and immediate demands for registration. Take it on the road, and people see it.

So all usable automobiles are registered and licensed.

Yet practically every major crime involves the use of an automobile, properly registered and licensed . . . to some good citizen from whom it was stolen just before the criminal act.

If licensing and registration were any good whatever in preventing the use of an object—automobile or gun—in crime, the one hundred percent complete registration of functional automobiles would make bank-robbery getaway cars impossible.

Problem No. 4: When is a piece of pipe a gun? Every major-city JD knows the technique of making a perfectly workable, adequately deadly bullet-projector from things as common as a piece of water pipe, nails, wood scrap and rubber bands. Can you arrest anyone carrying a piece of water pipe along the street on the grounds he has "a concealed gun"?

O.K.—so such guns won't carry accurately more than about twenty feet. But how far was Sirhan Sirhan from Robert Kennedy when the lethal wounds were inflicted?

Overall conclusion: It's impossible to register all guns; even with intentional cooperation they wouldn't all be remembered. If they were all registered, it wouldn't do any more good than the registration of cars does in preventing their use in crimes. Besides which, anyone who wants to can flange up a workable bullet-projector.

And that leaves out the possibilities of longbows, crossbows, and assorted simple, highly effective bombs.

Criminals are generally willing to take risks—they're usually nutty enough to take crazy risks, like the famous New York City case of the safecracker who got off *because* he took insane risks. The man was a known cracksman, who specialized in blowing safes by pouring in some nitroglycerin and then setting it off.

The police had walked in on him, and found him prepared for his next jobs—he had a quart milk-bottle half full of nitroglycerin sitting on the mantlepiece in his cheap apartment. He had prepared it by putting commercial dynamite in hot water, so the nitroglycerin was displaced from the adsorbent by water, and floated to the top, where he skimmed it off.

When he was brought to trial, his lawyer claimed insanity, and the jury agreed with the lawyer—no psychiatrist needed. Any man who lives for ten days or more with a half-quart of nitroglycerine sitting in a milk bottle on his mantlepiece *must* be insane.

Your friendly corner drugstore can readily supply the ingredients for a simple, effective, high-power bomb that doesn't even need a detonator. Just mix a couple of white, crystalline powders—being *very* gentle!—and put them in a length of gas pipe, capped at both ends, and all you need do is throw it.*

There are plenty of simple chemicals, available at drugstores, hardware stores or supermarkets that can readily be combined to make bombs that don't even need detonators.

However, dynamite caps aren't too hard to steal, if you're in the crime business anyway, or planning to get in. And then all you need is some fertilizer and household heating oil for a really professional high-explosive bomb.

If the detonators seem hard to come by, a little disinfectant from the drugstore, and some innocent ammonia can be converted to a real dilly. (Any chemist present knows what I mean.)

The point of all this? Simply that guns are not the problem—they're the symptom. Take that symptom away, and in any high technology culture alternative technical weapons are available on every supermarket, hardware store or drugstore shelf.

In a modern high-technology civilization, the smart and utterly unprincipled barbarian has a million tools of death available to him.

If you insist on death-by-remote-control, remember that a crossbow is just as deadly now as it was five hundred years ago—and with modern metallurgical products available—such as automobile springs—could be made capable of even greater range and penetration power.

The problem is not weapons.

The problem is murderers.

The problem is the problem of imposing discipline on the unprincipled.

Punishment of criminals is not intended to restore the victim; nobody ever considered it would. It's intended to prevent the criminal considering the crime worth the cost.

Fools have said that, because punishment of criminals never stopped murder, punishment is, therefore, useless.

This is like saying that, because doctors can't cure death, there's no use for doctors. That because the space vehicles, such as Gemini and Apollo, leak air into space, there's no point in having seals around the windows and lock-doors. That because heat still leaks out of your house during the winter, there's no use having insulation and storm windows installed.

In effect, that because total success cannot be achieved, there's no use trying.

The death penalty for murder makes a great deal of sense; most people prefer not to die, and the stronger the probability that a certain act, murder, will lead to execution, the less attractive murder will appear. Moreover, execution has the great advantage that one known murderer—for whatever reason he may have chosen to commit the crime—definitely will not repeat his act.

Sure . . . there's some degree of probability a few innocent men will be wrongfully convicted and executed. That probability is less than the probability that a murderer will mistake his victim and kill somebody else, and much lower than the probability that a murderer, seeking to kill A, sprays the neighborhood with death killing B, C, D, and E also, while wounding and crippling for life four other bystanders. (He had to use a bomb because the gun laws made a selective death tool much less convenient for him.)

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*Any chemist can name the two powders; pardon me if I skip publishing the details involved for some not-too-bright kid to try experimenting with. Only the stupid and/or insane would do so, but there're always some around.

All that we-may-make-a-mistake argument means is that nothing human is perfect. O.K.—so face up to it, acknowledge that that's how life is, and don't expect perfection as your natural right. It isn't. You're stuck in a Universe too complex for human-of-the-present-level understanding; give over the idea you'll ever get perfection, and do what any sane, responsible engineer does: Design for *optimum function*—not expecting perfection. Later, when we learn more, we can improve the optimum.

For instance, given full telepathic probes, we could assure that only the truly guilty were punished, and that all truly guilty were punished. All that would be needed would be a mind-reading probe of all those around the scene, and guilt would be immediately and infallibly determined.

The citizens remaining in any area would certainly be clean, law-abiding citizens, too—every one of them. Because the only kind of person who would not mind such a probing would be those who had absolutely nothing, either public or private, that he felt should be hidden.

That might be a perfect, crime-free state all right—but how many of you want to vote for it?

So we need an optimum. And that we definitely do *not* have—not with the swiftly rising crime rate. Of course the spectacular murders of leaders make headlines, but they are, actually, a very minor part of the crime bill. The great crime bill has to do with muggings, small-store stickups, private murders, and things that hardly make a three-inch item in the daily paper.

The reason the crime syndicate flourishes is that they do, in fact, operate with reason and restraint; the organization is run by intelligent, competent executives who have an excellent sense of what constitutes optimum from their viewpoint. They're not unduly greedy; their income derives from things the public actually wants, but won't acknowledge it wants, and won't make legal. The public wants to gamble—and doesn't pass laws making it legal and open and controlled. So the Syndicate supplies what is wanted.

Prostitution is referred to as "the oldest profession"; it's pretty evident that it's something human beings want, but are too dishonest to acknowledge—so the Syndicate supplies it.

The Syndicate is completely amoral—but not witless. They minimize murder, and confine it almost entirely to disciplining the members of their own community. The individuals who drift into professional crime are essentially undisciplined, rebellious, untrustworthy types; it takes hard-handed, hard-headed management to keep such petty crooks in line and behaving properly.

The Syndicate represents an "optimum" given the cockeyed situation of a culture that insists on having something which it insists it doesn't consider proper.

It isn't Cosa Nostra crime-in-the-streets we have to worry about; that's controlled by intelligent, though amoral, men.

Our problem is the undisciplined rebel who has *not* been taken in by the Syndicate, and disciplined in the only way that works with that type—by beatings, and a certainty that death will most assuredly follow major violation of the Syndicate rules.

The problem is the mugger, the rapist, the crackpot, and the petty crook—the type that hasn't wits enough to realize he's incompetent and a conviction that he can get away with it because he's so much smarter than the law-abiding fools. The James Earl Ray type, who spent decades trying to be a big-shot criminal, and never once got away with his crimes. And *still* didn't catch on to the fact that he was a fool.

But that, of course, is the inevitable consequence of being a fool—he doesn't see what anyone but a fool could see.

This wasn't because his childhood and home life were less than ideal—it wasn't "society's fault."

Save only in that Society didn't give him the hard-handed, hard-headed discipline that would have forced even a fool to see that he couldn't live the way he wanted to.

Our problems stem from the failure of Society to recognize that *not all men are equally competent*. That not all men have equal IQ's, or equal Moral Quotients either. Some men are born mentally defective—no fault of theirs, or of anything but The Way Things Happen. The Way the Statistical Laws of Genetics work.

And some are born morally defective; some quirk of genetics has produced an entity simply totally lacking what we know as "conscience." Such an individual simply cannot be moral-by-nature; it is no more his "evil will" than that a genetic moron's stupidity results from "willful refusal" to learn.

Incidentally, it has now been demonstrated, in a beautifully neat experiment with dogs, that conscience is *a genetically controlled factor*. The experiment—very briefly—involved testing different breeds of dogs in a "conscience test." The test involved taking the dog into a room, with a pan of food on the floor; the dog's master-trainer then told the dog he was not to eat that food, making sure the dog understood by a few swats with a folded newspaper when he first went for it.

Then the trainer left the room—while observers watched through a one-way mirror-window. If the dog had not touched the food after ten minutes alone in the room—he had a conscience!

There isn't room here to give the whole experimental setup, but the essence of it was that the African Basenji dogs showed no conscience; they devoured the food as soon as the trainer was out of the room. (The Basenji is a dog bred for ages as a lion-hunter—bred specially for bravery, persistence, and hunting ability.)

The Shetland collies proved to have one hundred percent conscience; they didn't touch the food at any time during the ten-minute test.

Retrievers showed a near-perfect record.

Shetlands have, for centuries, been bred as working sheep-dogs—and shepherds hate a sheep-killing dog with an abiding hatred. A sheep-killer, when caught, not only earns death for himself—but for all his get. The dog must *never* attack a sheep or a lamb; he must *always* herd them, care for them, and protect them against enemies—although a sheep is a wolf-dog's natural prey.

Keep up that selective breeding program for a few hundred generations and what do you expect? Dogs with a tremendously strong conscience!

Retrievers, on the other hand, are required to find downed birds, and carry them gently—uninjured—in their mouths, to their masters. They must not break the bird's skin, and must not eat the bird (despite having the odor and taste of the killed bird's blood in its mouth—something of a difficult problem for an instinctive carnivore!) on the way back to the master.

Though that was not the original intent of the experiment, it definitely showed that conscience in mammalian organisms is a heritable, genetically controlled potential.

The conclusion for humans, it seems to me, is that some people are born with consciences, and refrain from crime because they have that built-in self-discipline; others can refrain from crime when they feel that there is a pressure that backs up their somewhat feeble self-discipline with a strong, firm external discipline. And some simply have no conscience.

And these variations of natural potential are genetic, not due to any fault, or flaw, in Society.

The evil flaw in our current society is, simply, the failure to help those with intermediate, present-but-weak conscience by supplying the firm external discipline.

The strong-conscience types don't need a policeman on the beat—they have one built in. And, obviously, policemen should be selected from the "Shetland collie" types who have born-in one hundred percent self-discipline. (Note that the true sheep dog will not harm a lamb—but will attack a coyote, or a wolf, that threatens his flock. He's gentle—but by no means unready, or unwilling, to attack enemies with slashing fangs. He's got just as much iron-willed courage as the Bessanji—plus a conscience that directs it.)

The intermediate types do need a policeman on the beat—a policeman who can, and will apply real discipline if their own self-discipline slips. These are the ones who can be saved for their own, and Society's benefit, by effective, firm, external discipline.

The third class has no built-in discipline—and will behave only so long as the policeman is immedately watching. That's the type that punishment does not affect—they are the ones who will murder even when the policeman *is* watching. The ones who are not stopped by punishment—they are the ones who have led the oft-repeated cry that "Capital punishment has never stopped murder—it does no good! It's mere angry vengeance, which is inhuman!"

It is not mere angry vengeance; it helps to eliminate from the human gene pool individuals who do not have the gene for conscience. It assures that one murder is all the killer has a chance to commit.

And it does help the intermediate type to brace their somewhat weak self-disciplined conscience.

We've removed that restraint recently.

And we wonder why there's been such a ghastly increase in crime in the streets.

Isn't it mysterious?

PLAUDITS FOR POST OFFICE AT FAYETTE, IOWA

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DULSKI. Mr. Speaker, it is pretty much human nature to complain quickly, but to put off and often to eventually forget to pay compliments for jobs well done.

It was a great pleasure for me to receive the following complimentary letter a few days ago about the postal service in Fayette, Iowa:

UPPER IOWA COLLEGE,
Fayette, Iowa, December 7, 1968.

Hon. THADDEUS DULSKI,
Chairman, Post Office and Civil Service Committee, House of Representatives, Washington, D.C.

DEAR SIR: I feel impelled to write to you about a matter that has come under my observation.

In the small town of Fayette, Iowa, I have been deeply impressed by the fine new Post Office Building, and I particularly want you to know of the excellent service we are getting.

The Post-Master here and his staff are extremely courteous and hard working. As public servants, in my long years of experience, they seem to me to be exceptional. They are patient, efficient, and much respected by those of us who observe these kinds of things.

Would you be kind enough to let them know that at least one citizen appreciates their efforts.

Yours truly,

FRANK JONES,
Chairman, Department of Philosophy.

Mr. Speaker, I am sure that this kind of service is duplicated all across our country—but all we normally hear about are the complaints about mail delays, and so forth.

The Post Office Department is doing basically a very good job in handling the mail on a day-to-day basis. This is not to say that the postal operation is perfect, by any means. But many of the problems are due to the intolerable restrictions on the Department's administrative authority.

Postmaster William H. Merkle, of Fayette, is to be commended for the excellent job he and his staff are doing. They are a credit to the postal service.

TAX CREDIT FOR EXPENDITURES FOR THE EDUCATION AND TRAINING OF MENTALLY RETARDED AND PHYSICALLY HANDICAPPED CHILDREN

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. VANIK. Mr. Speaker, I am pleased to reintroduce my legislation of the 90th Congress which would allow parents of mentally retarded and physically handicapped children tax credit up to $600 per year for the costs of providing education and training for their children. It has become abundantly clear that progress has not been sufficiently accelerated in the regular school system to provide for adequate education for these youngsters.

There is no reason why parents should assume the tremendous burdens of assisting their children to lead normal lives without some benefit of tax relief. For this reason, I have consistently supported this legislation and plan to do so in the 91st Congress.

It is my hope that full hearings into this problem of providing special education for mentally retarded and physically handicapped youngsters can be started in the Education and Labor Committee of the House of Representatives at the earliest possible time.

Until such time as regular facilities will be available, free of charge, to the parents of these children, I will press for hearings before my Committee on Ways and Means to determine the feasible formula for tax relief for parents who must now bear tremendous expenses to provide adequate education and training for their children.

The legislation reads as follows:

H.R. 16940

A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for expenses incurred in providing education and training for mentally retarded or physically handicapped children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asesmbled, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 40 as section 41, and by inserting after section 39 the following new section:

"Sec. 40. Expenses of education and training for mentally retarded or physically handicapped children.

"(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, the amount of any expenses which are paid by him during the taxable year for the education and training of any person who (at the time the expenses are paid) is under 21 years of age and is mentally retarded or physically handicapped, and with respect to whom such individual is entitled for the taxable year to an exemption under section 151, to the extent that such expenses paid by such individual during the taxable year do not exceed $600.

"(b) TYPE OF EXPENSES INCLUDIBLE.—The expenses paid for the education and training of any person which may be taken into account for purposes of the credit under subsection (a) shall include only (1) expenses of tuition, fees, books, supplies, and equipment which are necessary for the education and training of such person at a private school for the mentally retarded or physically handicapped, or for home tutoring, and (2) such other expenses as the Secretary or his delegate may determine to be reasonable and appropriate for the education and training of such person.

"(c) MENTALLY RETARDED OR PHYSICALLY HANDICAPPED PERSON DEFINED.—For purposes of this section, a person is mentally retarded or physically handicapped if he suffers from mental retardation, or from any other health impairment, to such an extent that he requires special education or training by reason thereof.

"(d) APPLICATION WITH OTHER CREDITS.—The credit allowed a taxpayer by subsection (a) shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(e) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Expenses of education and training for mentally retarded or physically handicapped children.

"Sec. 41. Overpayments of tax."

SEC. 2. The amendments made by this Act shall apply only with respect to taxable years beginning after December 31, 1969.

UNTOUCHABLES—UNFRUITFUL: W. AVERELL HARRIMAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. RARICK. Mr. Speaker, I have frequently had inquiries concerning the peace talks at Paris—are they to alienate and belittle our South Vietnamese ally or to negotiate terms of peace?

Accordingly, I think Frank Capell's Herald of Freedom for November 29, 1968, may well permit any inquirer to arrive at his own conclusion.

I include the Herald of Freedom report, as follows:

HON. W. AVERELL HARRIMAN

Having failed to keep the Democrats in power by every kind of maneuver imaginable, the "liberals" and their kept press are now working on the next item on the agenda—keeping the Democrats' architects of surrender at work in Paris. Top architect is W. Averell Harriman, expert in forcing coalition governments on unhappy countries, and assisting him is Cyrus Vance, sifted through the Adam Yarmolinsky screen into the Defense Department in the Kennedy Administration. We are now being treated to long harangues about how successful Harriman has been in the "Paris Peace Talks" and what a shame it would be for Nixon to rock the boat now that "peace" is almost here.

The bombing halt in Vietnam did not win the election even though it permitted the Republicans to vote with a clear conscience. About the only thing the bombing halt has produced is trouble. An article in the N.Y. Times of Nov. 19, 1968 stated that American officers in Vietnam are not even trying to conceal their irritation that enemy troops can move around within range of their guns and remain unchallenged. The article quotes remarks of Maj. Gen. Raymond G. Davis, commander of the Third Marine Division which "reflected the rising concern of officers that the halt in the bombing of North Vietnam, which began Nov. 1, was allowing the enemy to refurbish positions in the lower half of the (demilitarized) zone * * * These officers are convinced that the North Vietnamese are digging in for protracted warfare during what they expect will be long, drawn-out peace talks."

Meanwhile back in Paris, Harriman is fumbling the ball with his usual diplomatic finesse. Human Events of Nov. 23, 1968 reports on "Another Harriman Fumble" based on an article in the Christian Science Monitor by Beverly Deepe, Saigon correspondent, as follows:

"As the story is now unravelling, W. Averell Harriman, America's chief negotiator in Paris, may turn out to be the major reason why Saigon-Washington relationships have nearly come apart at the seams in the past two weeks. . . .

"Harriman . . . had made a major concession to Hanoi in the now famous secret peace package deal. But in Saigon, American Ambassador Ellsworth Bunker explained the package deal to President Thieu and the South Vietnamese government in such a way that this major concession was glossed over.

"'The American concession,' says Miss Deepe, 'was the seating of the National Liberation Front (NLF) as a separate delegation at Paris—meaning that the expanded peace talks would be a four-power conference. Hanoi has consistently wanted such a conference, but Saigon has vowed for years that it would never negotiate with the Viet Cong as a separate entity.'

". . . the South Vietnamese have been worried that the United States plans to recognize the NLF and foist a coalition government on South Viet Nam. This has been repeatedly denied, but Harriman's actions and words have been most disquieting. And they are even more frightening when it is recalled that he played a major role in imposing coalition regimes in both Asia and Europe in the past."

When forcing the "coalition" government on Laos, Harriman reportedly did not even try to be diplomatic. The incident was described by Joseph Alsop as Harriman "berated" the anti-Communist leaders:

"Governor Harriman looked at the Lao leaders one by one; pointed a stern forefinger at each of them in turn; and told them that he wished them to know they would be 'responsible for the destruction of their country' if they refused to do his bidding. There was a brief silence, and General Phoumi then replied: 'You know, Governor Harriman, we in Laos have many years' experience of colonial rule. But we were never spoken to in quite that fashion in colonial times.' "

Harriman, as Undersecretary of State, was a member of the pro-coup d'etat faction led by Ambassador Henry Cabot Lodge, which encouraged the overthrow and murder of Vietnam president, Diem. Diem was a staunch anti-Communist and therefore unacceptable to the United States 'liberals.' By withholding financial and military aid when badly needed, the United States has been able to force coalition governments on nations depending upon it for help. A coalition government with Communists and anti-Communists participating always ends up with the Communists in control . . . it doesn't take long to oust the anti-Communists. It's like putting a tame pussy cat and a man-eating tiger in the same cage; one is surely going to get eaten, and the people who make the arrangements know it, even though they pretend surprise when it happens.

Harriman always seems to be in the thick of it when negotiations with Communists are involved. In his new book, "The Suicide of Europe," Prince Michel Sturdza, former foreign minister of Rumania, described Harriman in his Index of Persons as "in a leading or cooperating position in all U.S.-Soviet diplomatic arguments; less successful than in business he failed to win any of them." Sturdza watched the Communist take-over of his country, described by M. Stanton Evans in "The Politics of Surrender:"

"In late 1945, a similar (to Yugoslavia) coalition was imposed on Rumania. The non-Communist leaders wanted no part of such an arrangement, but were chivvied into it by Averell Harriman, who performed there the role assigned to Marshall in China. At Harriman's urging, the Rumanian anti-Communists reluctantly entered the coalition, and not too long after that entered prison as well. Rumania went Communist."

Human events of March 3, 1962 pointed out that "From Rome it is reported that conservative and center politicians have personally reproached the American ambassador with remarks like 'Why did you not try to stop this disaster?' Averell Harriman and other diplomatic personalities of the Kennedy regime have been accused by Italian newspapers of fostering this changeover to a left-of-center government in Rome and a 'neutralist' policy for Italy."

The Allen-Scott Report of February 20, 1965, referring to the situation in the Congo, stated. "Under Secretary of State Averell Harriman either isn't reading the Central Intelligence reports from Africa or he is deliberately misleading Congress.

"That's the opinion of one legislator briefed on the Congo by Harriman during a closed-door meeting of the House Foreign Affairs Committee.

"When Harriman failed to mention anything about Soviet or Chinese Communist activities in the strife-torn Congo, Rep. Frances Bolton of Ohio, ranking Republican on the committee, asked the former U.S. ambassador to the Soviet Union if he had overlooked this.

" 'There is no Chinese or Soviet intervention in the Congo,' replied Harriman. 'We have no evidence that Peking or Moscow has sent either arms or men there.'

" 'You must be mistaken,' challenged the soft-spoken Mrs. Bolton. 'Pictures have been sent me from Africa showing both Chinese and Soviet arms captured from the Congolese rebels. I am told this information has also been gathered by the CIA. Haven't you been advised?' "

William Averell Harriman was born in New York, N.Y., November 15, 1891, the son of Edward Henry (Ned) Harriman and the former Mary W. Averell. He was educated at Groton and graduated from Yale in 1913. His father died before he entered college, leaving him and his brother, E. Roland Harriman, about a hundred million dollars. The story of how his father acquired such a fortune is extremely interesting.

We are indebted to the book by Stephen Birmingham about "The Great Jewish Families of New York," entitled "Our Crowd" for much information about the father of W. Averell Harriman. In this book is traced the progress of this ex-office boy and son of a poor Episcopal clergyman who made a fortune in railroads with the financial backing of Jacob Schiff of Kuhn, Loeb and Company, who were also the financial backers of the Communist take-over of Russia, commonly known as the Russian Revolution.

The collaboration of Schiff and Harriman began when they bought the Union Pacific Railroad on November 2, 1897, and continued for over twenty years during which the two men were in "almost daily contact." Harriman amassed the "greatest single railroad fortune in the world," and Schiff became rich through his alliance with him. Schiff lived at 932 Fifth Avenue and Harriman at 881 Fifth Avenue, the elegant section of New York City. When E. H. Harriman died in 1909 his sons inherited his wealth and railroad holdings.

W. Averell Harriman went to work for the Union Pacific Railroad after graduation from Yale and rose within two years to become a Vice President, which isn't too hard to do when you own the company. He established the Merchant Shipping Corporation shortly before World War I and in 1920 established the private bank of W. A. Harriman and Company which merged with Brown Brothers in 1931 to become Brown Brothers, Harriman and Company. In 1927 he had disposed of his shipping interests to devote his time to finance and became chairman of the board of the Union Pacific Railway in 1932 and later established the winter resort, Sun Valley, on land owned by the railroad.

As early as 1920 Harriman and Co. granted a loan to Lenin who had been put in business by his father's friend, Schiff. In 1928 Harriman and Co. were the chief organizers of the engineering undertaking that put afoot heavy Soviet industry. It furnished securities for all the Soviet purchases in the United States and collected all the commissions. ("The Suicide of Europe," Sturdza, $6.95, Western Islands) in the book "Present-Day Russia" by Ivy Lee (Macmillan Co., 1928) we read about the Harriman Concession:

"The Russians consider that the best illustration of their real concessions policy is to be found in the Harriman case. Mr. W. A. Harriman made a contract with the Russian Government involving the development of manganese ore properties in the Causasus. Under his contract he was to pay to the Government a certain royalty on each ton exported, he was to build a railroad, and of course he had to employ labor to work on his properties. The concession has been found unworkable, however.

"The Harriman concession has now been renewed upon terms far more favorable to Mr. Harriman. . . . The Russian Government officials instance the Harriman case as an example of their reasonableness and disposition to meet the concessionaire halfway in taking care of unexpected conditions. Just how much of the attitude of the Government is due to its quite frank recognition of the fact that upon the success of the Harriman concession will depend any possibility whatever of enlisting the interest of American capital in Russia, cannot be estimated.

"One of the members of the Concessions Committee outlined the attitude of the Committee toward the Harriman concession in the following language:

" 'We are interested more in the organization of enterprises conducted by the newest and best methods. . . .

" 'When we signed the original agreement with Harriman, its conditions must have been acceptable both for him and for us. . . .

" 'However, we did not hold to the letter of the agreement. We decided to meet him halfway and help him organize a model enterprise. We are ready to alter some of the provisions of the contract. In so far as it depends on us to do it, we are willing to help him solve his troubles.

" 'Of course we are naturally interested in finding a place in the sun for our own manganese which is produced at the Nikipol mines. We want to find a niche for it in the world market, but we are willing to curtail our export in order to make it possible for Mr. Harriman to fight his competitors. . . . We know that if one big concession becomes a failure it will mean a serious blow to our concessions policy. That is why we are interested, no less than the concessionaires themselves, in making concessions successful.' "

So we see that W. A. Harriman was cooperating with the Communists even before they were officially recognized by the United States as the legal government of Russia. He seems to have never stopped cooperating, even when we are presumably "fighting Communism" in Vietnam. His machinations have helped turn country after country over to the Communists.

Harriman reportedly entered government service under Roosevelt through a "chance meeting" with Harry Hopkins (a Communist agent) on the croquet field at the Long Island estate of Herbert Bayard Swope. Harriman had originally been a Republican but became a Democrat in 1928 because he liked Al Smith. Harriman was appointed by Roosevelt to be Administrator of Division II of the NRA in January 1934, moving up rapidly to become special assistant administrator for the NRA in March 1934 and two months later replaced Gen. Hugh Johnson as administrator. He joined the Business Advisory Council for the Department of Commerce in 1933 and was its chairman from 1937 to 1940.

Before the American entry into World War II Roosevelt created the job of "defense expediter" for Harriman who worked in London as liaison officer between the American and British Governments, keeping the President informed of British needs. After the Lend-Lease Act was passed in March 1941 Harriman extended his orbit, going to the Near East and Russia. Harriman promised that hundreds of planes and tanks would be sent to Russia, stating "The flow will be constantly increased and eventually will be limited only by problems of transport." He stated, "Hitler will never destroy Russia" and called for "quick and increasing" aid to Russia.

In the book "The Roosevelt Myth" by John T. Flynn (page 340) our "negotiating" ambassador was referred to as follows: "Harriman told various persons that Stalin was not at all a revolutionary communist but just a Russian nationalist."

In the Senate Internal Security Sub-Committee Hearings on the Institute of Pacific Relation, page 2682, the following appears: "September 30, 1941 New Masses (communist magazine) . . . It is good to hear from Averell Harriman . . . that hundreds of American planes are arriving on Soviet soil. But the plain fact is that American aid, both for Britain and the Soviet Union, is still a shadow of what it ought to be."

Harriman was present at Roosevelt's meetings at Casablanca (Jan. 1943), Quebec, Moscow, Teheran, San Francisco and Potsdam. On October 1, 1943, Harriman was named Ambassador to Russia, a position which he held three years during which he consulted with Salin approximately once a month, a courtesy supposedly not accorded any other diplomat. At his first press conference Harriman stated: "One matter I think deserves the greatest possible consideration at this time is the assistance the United States can give to the Soviet Union in the rehabilitation of devastated areas and the repairing of other dislocations caused by the war."

Current Biography 1946 describes Harriman's activities at this time: "The American Ambassador often acted in concord with the Russians, as when he told the Polish Committee of National Liberation that the United States would not oppose Russian wishes in regard to the Polish question. In February 1945 he was appointed to the committee conferring in Moscow with the various Polish factions. He attended the conference at Potsdam in July and soon after Christmas of 1945 transmitted the terms of the peace treaty to the Rumanians which facilitated the *broadening* (Emphasis ours-Ed.) of the Bucharest Cabinet as a condition of recognition."

While in Moscow, Harriman was instrumental in the turning over of plates for printing U.S. currency to the Soviets. In "From Major Jordan's Diary" we read:

"It started early in 1944 when the need for uniform occupation currency in Germany was acknowledged by the Allies. On January 29th Ambassador Averell Harriman informed our State Department from Moscow: 'Great importance is attached by the British Government to the Russian Government's participation in this arrangement.' Cordell Hull informed Harriman on February 8th that the U.S. would be glad to print money for Russia: 'The production of sufficient currency to take care of Soviet requirements, if desired is being contemplated.'

"On February 15th Moscow's answer came from Harriman: 'The Commissariat for Finance considers that in preparing the currency it would be more correct to print a part of it in the Soviet Union in order that a constant supply of currency may be guaranteed to the Red Army. . . . It will be necessary to furnish the Commissariat for Finance, in order that the M-marks may be of identical design, with plates of all denominations, a list of serial numbers, and models of paper and colors for printing.'

"The Russian technique was clever: don't ask whether your demand will be met; ask when it will be met. Harriman's cable ended as follows: 'Molotov asks in conclusion that he is informed soon when the Commissariat for Finance may receive the prints, models of paper and colors, and list of serial numbers. Please instruct.' "

The Russians printed hundreds of millions of dollars with the U.S. plates, all of which were redeemed at U.S. taxpayers' expense. In this connection Harriman cooperated with Soviet agent, Harry Dexter White, who had infiltrated the U.S. Treasury Department and approved the turning over of the plates to the Communists.

When Harriman resigned as Ambassador to Russia in February 1946, he returned home via Chungking where he conferred with Chiang Kai-shek and Gen. George C. Marshall, who was the one who forced the coalition government on China which resulted in the Communist take-over of those unfortunate people. Upon his return to the United States Harriman held a press conference in which he stated: "Russia does not want war with the United States and is trying to cut off avenues of invasion by surrounding herself with friendly small nations."

Harriman was named Ambassador to Great Britain in March 1946 and appointed Secretary of Commerce in September, 1946, a position he held until April, 1948. He was the U.S. representative in Europe under the Econ. Cooperative Act of 1948; special assistant to the president, 1950–1; the American representative on NATO, 1951; director of the Mutual Security Agency 1951–3. Harriman had presidential aspirations in 1952 and 1956 but was unsuccessful in obtaining the nomination. His only elective office was that of Governor of New York, being elected in 1954 to serve from 1955 to 1958. He failed in his attempt at reelection and remained in the background until resurected by the Kennedy Administration. He was named ambassador-at-large, Assistant Secretary of State for Far Eastern Affairs, 1961–3; Undersecretary of State for Political Affairs 1963–65; reverting to ambassador-at-large on March 11, 1965. Among his accomplishments was the no-inspection test ban treaty with Moscow in 1963.

Harriman married Kitty Lanier Lawrance on September 21, 1915, and they were divorced in 1929. The following year he married Mrs. Marie Norton Whitney, former wife of Cornelius "Sonny" Whitney. He has two children by his first wife: Mary Averell (Mrs. Shirley Carter Fish) and Kathleen Lanier (Mrs. Stanley Grafton Mortimer, Jr.). He is a member of the Council on Foreign Relations.

Since June, Harriman, who has supported a cease-fire since 1965, has been in Paris participating in "Peace Talks" which have accomplished exactly nothing except the alienation of our supposed ally, South Vietnam. In spite of this poor record, the N.Y. Times and "liberal" spokesmen are calling for Nixon to retain him when he takes over the presidency in January. An article in the N.Y. Times of November 17, 1968 states:

"Ambassadors W. Averell Harriman and Cyrus Vance hailed as a 'splendid team' today and said that he would recommend to President-elect Richard M. Nixon that they continue to direct the Paris talks with Hanoi after the inauguration. . . .

"Both Mr. Harriman and Mr. Vance are warmly endorsed as well as the Administration's over-all peace efforts.

" 'I think continuity is extremely valuable in the situation,' he said. 'Whether it is fair to ask these two men to stay on is another question. I know that Mr. Vance has been trying to return to his civilian practice for some time. But if at least one of them could be persuaded to stay, it would be a good thing.'

"Mr. Harriman, a stanch (sic) Democrat who is 77 years old, has said that he intends to return to his home in Washington. He is known to bear personal opposition to Mr. Nixon, and in recent weeks it has been said that he probably would decline to serve under him."

However, newscasters have said that Harriman would probably put the good of the country ahead of his personal feelings and stay if Mr. Nixon requests him to do so. When it comes to a choice between his private feelings and the opportunity to help a country go Communist, Mr. Harriman can be depended upon to choose the latter, if previous experience counts for anything. We hope Mr. Nixon won't give him the opportunity to make that choice.

PRIORITY FOR ELECTORAL REFORM

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. ULLMAN. Mr. Speaker, the first day of the 91st Congress I introduced legislation which would be known as the National Presidential Elections Act. One measure, House Joint Resolution 99, would amend the Constitution to abolish the electoral college, provide for a direct popular election of the President, and establish a national presidential primary election. It is accompanied by a bill, H.R. 18, which outlines the procedures for accomplishing these reforms.

In an editorial last Monday, the editors of the New York Times asked Congress and the new administration to address themselves to the need for electoral reform in our country. I include this editorial in full in today's CONGRESSIONAL RECORD:

PRIORITY FOR ELECTORAL REFORM

A tide of public and Congressional support is building up for an end of the Electoral College system of selecting Presidents and Vice Presidents. The 1968 election loser, Hubert Humphrey, has already set forth his conviction that the system is "archaic" and in need of fundamental reform. The winner, President-elect Nixon, has perhaps even more reason to share that view. Circumstances have conspired to involve him in a series of potential constitutional crises.

It was Mr. Nixon, as Vice President in the Eisenhower Administration, who endured the agonizing dilemma of not knowing when or how the powers and duties of the nuclear-age Presidency would become his should an incumbent President prove too seriously ill to discharge them. This uncertainty produced the 25th Amendment detailing procedures on succession and disability.

Then, as a candidate for the Presidency in 1960, Mr. Nixon lost narrowly to John F. Kennedy under circumstances in which a slate of unpledged electors might have denied both candidates the requisite electoral majority.

If there had been a deadlock, the unpledged electors would have been in position to offer their votes on an auction-block basis in exchange for commitments from the candidates.

In November Mr. Nixon won under circumstances in which a third-party candidate might—by the shift of a few thousand votes in Illinois and Missouri—have created an Electoral College deadlock. This deadlock could have forced selection of the President into the House under an inequitable one-state, one-vote procedure susceptible to political wheeling-and-dealing and subversion of the popular will.

Fate has not left things at this.

Only shortly after winning an electoral majority, Mr. Nixon and the nation learned of the arrest of three men charged with conspiring to take his life. Despite constitutional amendments clarifying some aspects of succession, large, gray areas of doubt remain and the death of a President-elect could still create a crisis. Who would become President?

It is time the nation revised an electoral system that was designed for a wholly different day. Mr. Nixon could prepare the way by appointing a Presidential commission to study existing problems and recommend solutions. Such a commission could draw on work already done by the American Bar Association and the Congressional hearings already held. It could also provide a focus for the new hearings planned by Senator Birch Bayh and Representative Emanuel Celler.

This newspaper favors simple, direct election of Presidents and Vice Presidents, as does Vice President Humphrey, and there seems to be growing sentiment for that sort of reform. A Presidential commission could study ways of implementing direct election, including ways of providing for national voting standards, assuring the honesty of the tally and setting up machinery for swiftly resolving disputes.

The search for electoral reform deserves priority in the new Administration.

HOW THE RUSSIANS HELPED THE CZECHS

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. O'NEAL of Georgia. Mr. Speaker, a cogent and pungent editorial appearing in the Daily Tifton Gazette of Tifton, Ga., deserves sharing with my colleagues.

With withering logic and powerful expression, it deals with the Soviet occupation of Czechoslovakia and the lame excuses of the American Communist rat, Gus Hall. The editorial follows:

HOW THE RUSSIANS HELPED THE CZECHS

The Soviet occupation of Czechoslovakia has not occasioned a crisis of conscience among American Communists or Communist sympathizers like the one that turned hordes of them away from the religion of Marx and Lenin during the bloody suppression of the Hungarian revolt in 1956.

There has been muttering in the ranks, however, enough to warrant the publication of a 36-page apologia by Gus Hall, general secretary of the Communist Party, U.S.A.

To the charge that the Soviet Union, Hungary, Poland, East Germany and Bulgaria violated the national sovereignty of Czechoslovakia, Hall answers with a homely analogy:

"No man has the right to enter another man's house without his permission. Suppose, however, that a fire has broken out at night in your neighbor's house, endangering his house and yours and others. You knock on the door to awaken him." (Translation: The Kremlin issues a warning.)

"No answer. You knock louder." (You summon Czechoslovakia's leaders to a meeting.) "No answer." (They refuse to knuckle under.) "You break in and help put the fire out." (You send in a couple hundred thousand troops.)

"Does anyone really believe that the five powers were really violating national sovereignty?" asks Hall.

We suggest the question be put to the Czechs and the Slovaks, who seem remarkably ungrateful to their neighbors for their timely aid. Perhaps it is because the fire which Russia saw raging in their house was to them merely the flickering flame of democracy.

Hall grants that there were abuses of democracy by the Communist bureaucracy in Czechoslovakia and legitimate grievances against its policies.

"But in the correction of these policies the new leadership of the party went to the other extreme and forgot the limitations of democracy under conditions of the dictatorship of the proletariat," explains Hall.

"What are those limitations? That democracy, the right of free speech, press, etc., does not mean the right to undermine the leading role of the party, nor to undermine socialism."

This definition of democracy reminds one of Henry Ford's statement that customers could have any color car they wanted, so long as it was black.

As an American, Hall takes full advantage of his constitutionally guaranteed rights of free speech, press, etc., to attempt to undermine this country's political system.

Is it not passing strange that this system—false, brutal, corrupt, evil, oppressive and enslaving, as the Communists tell us it is—seems absolutely immune to any assaults by print or speech that Hall or anybody else can mount against it, while the noble people's governments of socialist lands tremble at the mere thought of allowing the people to freely express their opinions?

America will only be in danger when it begins imitating the Communists—when it begins to be afraid of the likes of Gus Hall and afraid of letting him say whatever he wants to say, as loud and long as he wants.

QUALITY EDUCATION

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune, on January 9, carried an editorial entitled "Quality Education," which addresses itself to the dilemma of providing adequate education in this country today.

Intent attempts at every level of government are now being made to insure the finest educational systems in the world throughout this country. Needless to say, in a country where the greatest educational programs are carried out—as is the case in America today—we find ourselves confronted with the tremendous task of providing quality education for all.

As chairman of the General Subcommittee on Education here in the House, I cannot impress too deeply upon my colleagues the need for direct and positive action in the area of education.

I urge each and every one of my colleagues to review the excellent editorial prepared on the question of quality education by the Chicago Tribune, which follows:

QUALITY EDUCATION

Current discussions involving the Chicago board of education and the Chicago Teachers union provide but one of an infinite number of examples of loose talk in the United States about "quality education." Educationists have been so secretive about what goes on in American schoolrooms that discussions of "quality" in American education are all too often based on too many assumptions and too few facts.

It is known that some individuals manage to reach college age with an admirably sound eduction—and that far too many, both dropouts and high school graduates, reach mature years still functionally illiterate. That formal education is ineffective with a dangerously high proportion of youngsters cannot be denied. But that school problems are soluble in more money is a bald assumption. It just has not been demonstrated that if teachers' salaries were high enough, classes were small enough, and teachers took enough courses in pedagogy all would be well.

Roger A. Freeman, economist on the staff of the Hoover Institution at Palo Alto, Cal., and for many years a close student of school financing, has written for the current issue of National Review a cogent article entitled "Dead End in American Education." Here he uses a number of official reports to deflate the assumption that what the schools need is more money rather than more intelligence.

For example, the Coleman report to the federal office of education in 1965 stated, "The physical and economic resources going into a school had very little relationship to the achievements coming out of it. . . . If it were otherwise, we could give simple prescriptions: increase teachers' salaries, lower classroom size, enlarge libraries, and so on. But the evidence does not allow such simple answers." This report found that pupil-teacher ratios "showed a consistent lack of relation to achievements among all groups under all conditions." These conclusions followed a study of 4,000 schools with 600,000 pupils.

To back this up, Mr. Freeman quotes an underpublicized passage in "The Encyclopedia of Educational Research" [1950] stating, "On the whole the statistical findings definitely favor large classes at every level of instruction except the kindergarten." Obviously, small classes make life easier for teachers—and harder for taxpayers—but there is no evidence that they are a great help to pupils' learning.

And how successful have various expensive educational experiments been? Mr. Freeman has found several little-known official reports. One by the Center for Urban Education to the New York school board on the "More Effective Schools [MES] project read: "The achievement test data showed that the profiles of MES schools were no different from the profiles of these same schools before the program was instituted." Of "compensatory" education under title I of the 1965 school aid bill, Rep. Roman Pucinski of Chicago, one of the bills' sponsors and chairman of a House education subcommittee, said, "It is a monumental flop." Assistant Commissioner of Education Joseph Froomkin said of the program, "We still have little evidence that the problem is being licked; in fact, we may even be falling behind."

Headstart, the most appealing of the federal educational experiments, yielded some positive evidence. But time has shown that gains in the test performance of Headstart youngsters did not last. After these children had spent some time in ineffectual schools, they were no better off than classmates who had not been in Headstart.

In short, this country's school problems cannot be dissolved by putting ever more millions of dollars into the hands of people who do not know how to make good use of money. All of us with a sincere interest in quality education should insist not so much on more money for education as on more education for the money.

In a book published in 1960, Mr. Freeman wrote, "Productivity in other types of activity [than education] has been climbing steadily and steeply. . . . But each teacher now instructs fewer pupils than she did 30 or 50 years ago. Whether the achievement level of the schools' graduates meanwhile has improved or deteriorated is controversial. . . . Pupils in American public schools are reported to be two or more years behind their European counterparts in academic achievement."

What American education needs most is a clear-eyed, forthright, public examination of the results. We strongly support efforts to develop before-and-after information which will make possible identification of educational practices which succeed [and thus deserve wider use and funding] and of those practices which fail. Without such information, multiplying money too often will only multiply waste and frustration.

HONESTY IS THE BEST POLICY: THE U.S. COMMISSION ON CIVIL RIGHTS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. GONZALEZ. Mr. Speaker, I have learned from lifelong observation, from bitter political fights, and from deep personal experience that racial discrimination is among the most devastating and destructive forces in any society. Nothing is more callous, more unmindful of human decency, or more irrational than racial discrimination. Decency demands an end to it, and I have engaged in long and bitter fights to bring about an end to discrimination. I need no lessons in what this evil practice is or what it can do, nor do I need any lessons in the courage required to fight it.

The U.S. Commission on Civil Rights is empowered to investigate alleged violations of voting rights, study and collect information on legal developments which constitute a denial of equal protection of the laws as guaranteed in the 14th amendment, serve as a clearinghouse for information related to civil rights matters, and appraise Federal laws and policies bearing on civil rights matters. In short, Congress created this Commission to keep abreast of civil rights-related developments and to recommend such changes in law or policy as might be necessary to help assure that every citizen in this land does in fact enjoy his full rights. My recent experience with the Commission leads me to believe that it is failing in its function, and that it ought to reform its activities so as to be more productive, and to serve the goals set out for it in the Civil Rights Act.

I do not believe, for example, that there is any profit in the Commission investigating facts that are already known. Nor do I believe that there is anything to be gained if the Commission staff establishes investigations or hearings that are unfair or unobjective. The Commission has just recently concluded hearings in San Antonio, and I have every reason to believe that the hearings developed nothing new, and that they certainly were not conducted in anything like the thorough and fair manner that must be expected of such an organ of the Government. Commission staff members seemed to have been far more inspired by moral fervor than pursuit of facts, and far more interested in political hay than individual rights. Emotion replaced judgment, and a desire for exposé overcame any hope for sound findings and recommendations. At one time my staff pointed out patently false charges made by a Commission advisory board, and asked for the Commission to correct the record, but the reply was that the result had been to the Commission's liking, so there was no real need to correct any record. In short, the end justified the means. At one time I asked why I had not been kept informed of Commission activity, and received the incredible response that Congressmen generally were not interested in such matters, and anyway if I had been informed, every other Member of Congress in the Southwest would also have had to be informed; it was just too much trouble apparently. Deceit, poor judgment, plain discourtesy, and other failings are failings whether they are committed by a righteous or an unrighteous man, and I suggest that for all its good intentions, the Commission staff has serious shortcomings.

It is unfortunate that the members of the Commission on Civil Rights are not full-time members, but must instead take time from their busy lives to run hearings from time to time, and attend to Commission business only as it suits them or as they are able to find time. The result is that the Commission staff acts independently from the Commission itself; the least informed people about Commission work seem to be the Commissioners themselves. I think that if they were able to spend more time on the job and devote more energies to their work, the Commission members would have a very much more effective organization. I suggest that Congress should consider creating a full-time Commission on Civil Rights, with paid full-time commissioners. This would present us with work that is truly the work of the Commission rather than a staff that appears to be less than objective, and often less than competent, sometimes almost comical. This is work that needs attention and needs direction of able and dedicated men, not the staff work of men who may be dedicated, but not terribly able. Those who suffer from poor Commission work are the people who need help—the poor, the left-outs, and the left-behinds of society. I suggest that as long as Commission work continues as I have seen it in my own experience, there is little hope that substantive progress can be achieved in writing such new laws as may be needed, or in setting up new programs that could be of benefit.

The conception of the Commission staff seems to be that their job is to expose injustice. But the fact is that we know about injustice, and there is little need to keep investigating what we already know. For instance, in the San Antonio hearings, a migrant family told of its problems. This is good, but the Senate Subcommittee on Migratory Labor already knows about these problems, and has been pushing for corrective legislation for many years. I myself know these problems, and have made it my business to know them, and have sponsored and will again this year sponsor laws to prevent the exploitation of migrant workers, to improve their wage and working conditions, and to enable them to enter into collective bargaining under the National Labor Relations Act. The San Antonio hearings elicited information about certain school problems, but these are already known matters, and these are matters that are being dealt with through new programs, new laws, and through certain court actions. There was discussion about the identity crisis and other race-related matters, but these too are already known to scholars and laymen alike. Much testimony the Commission heard could have been read from my speeches to this House and my articles in various publications, some of them dating back 5 and 6 years. In short, the Commission made good headlines, but it broke no new ground and discovered no uncharted lands. The quality of injustice is known, and what we need is proposals for bringing justice about, suggestions for action and reform rather than repetitious exercises in frustration.

Mr. Speaker, the Commission on Civil Rights can play a valuable function in the urgent business of this land, but only if its affairs are conducted efficiently and effectively, only if its words and actions are credible, and all of these can only be if the Commissioners themselves devote enough time and energy to giving direction to the work of the staff; they cannot hope to achieve success by remaining mere figureheads and decorations at setpiece hearings.

I say to the Commission: Honesty is the best policy.

I propose in future days to bring before the House details which will support my claims, and which will show why reforms are needed. I thank you for your attention.

V/STOL AIRCRAFT: A DEFINITIVE VIEW

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. OTTINGER. Mr. Speaker, the pilot issue of Government Executive includes a definitive and perceptive article on V/STOL aircraft. Development of V/STOL is reaching a critical point. The decisions and policies made in the next year or so will have profound effects on the shape of aviation and air travel for decades to come.

I commend Government Executive's article to the attention of all those who share my concerns over aviation development and offer it for inclusion in the RECORD:

V/STOL AIRCRAFT NEARING DECISIONS: QUESTION IS: WHAT WILL THEY BE?

Highlights: The Vertical Takeoff and Landing (VTOL) and Short Takeoff and Landing (STOL) aircraft are a puzzlement and imminent. The future of V/STOL is both assured and uncertain. These points are established.

1. Neither the Federal Aviation Administration nor the Armed Services have successfully defined what a STOL aircraft is;

2. This lack of definition is hampering development of the aircraft and the STOL ports they would operate from;

3. STOL, when it arrives, will help solve noise abatement and air pollution problems as well as relieve air and terminal congestion;

4. Military requirements are established sufficiently to justify research and development, but some programs will terminate in 1970;

5. Studies are underway to improve Instrument Landing System equipment for STOL and VTOL aircraft but it may be years before refined equipment is available for both aircraft and the ports that will handle them.

VTOL is fairly easy to define, but STOL is not; both FAA and the military agree on this. VTOL is a helicopter pure and simple; STOL is not simply an aircraft that takes off and lands on a short strip of real estate. "Every time you say STOL," said one Air Force expert, "you have to put a number with it, . . . a 1,000-ft. STOL, a 1,500-ft. STOL, a 2,000-ft. STOL—however much runway you need to get that aircraft off the ground or back on it. If you go to a 3,000-ft. STOL, why that isn't a STOL, it's a C–130 *Hercules*, and that's a different horse. It depends on lift and payload; how much payload are you going to sacrifice if you're going to get that aircraft airborne in the length of strip you want to restrict it to. I cannot assess the word STOL; the 'V' I can."

Last March, FAA, in announcing a four-day meeting of experts from military and Government agencies and industry to discuss tentative airworthiness standards proposed by FAA for V/STOL aircraft, admitted it too had difficulty in defining STOL. It said:

"For convenience, VTOLs are defined as those aircraft capable of vertical lift and hovering with respect to a fixed point in space under calm conditions, while the STOL class is identified mainly with conventional fixed wing types having lift augmentation.

"Many VTOLs also have a STOL mode of operation at higher weights; however, some STOL types may employ additional lifting means simillar to VTOLs.

"The more inclusive term, 'V/STOL,' therefore, is used to designate such aircraft. An aircraft found capable of meeting the certification requirements for both VTOL and STOL types would be certified V/STOL."

The tentative standards being proposed by FAA were based to a large extent on existing certification requirements applicable to transport category rotor-craft and fixed wing aircraft where design features were similar to those aircraft. "At the same time," said FAA, "they attempt to reflect the wide variety of novel design and operating features characteristic of V/STOLs and on which these new classes of aircraft depend for lift and control."

Still under study are such diverse features as boundary layer control, lift fans, tilt wing turboprops, ejector jets, rotable props and ducted fans, direct lift jets, deflected thrust devices, stowed or stopped rotors and propulsive wings.

In December 1965, FAA called in military and industry experts, as well as some of their own, to form a group known as the Airworthiness Standards Evaluation Committee (ASEC). The purpose of the group was to study FAA's airworthiness regulations from the standpoint of their timeliness and applicability to modern types of aircraft. The Committee recommended that a set of tentative standards be developed for V/STOLs to serve as the basis for "special conditions" to be applied by the FAA in V/STOL certification.

Industry thought the 1970s would be the market years for large V/STOL transports for 100 passengers and more and told FAA that if it, industry, was to develop such an aircraft for operational use in 1975, it would need the tentative standards by July 1968. As a result of a series of meetings by a team headed by Charles E. Chapman, Acting Chief of Program and Planning in the Flight Standards Service of FAA, the Agency, in one year's time, wrote and published a detailed "guidance" users refer to as the "Yellow Book"—because of the color of its cover page. It is titled "Tentative Airworthiness for Verticraft/Powered Lift Transport Category Aircraft"; it was published last July.

"It is a guide," Herb Slaughter, Jr., FAA's Chief of Engineering and Manufacturing Division, told *Government Executive*, "it has no legal basis—but it does give a feel of present FAA thinking in the design of this type civil aircraft." Generally, he said, all major manufacturers are looking at paper designs of STOL. All major manufacturers participated in preparing the Yellow Book and FAA may soon get requests for certification from two or three companies.

The Yellow Book recommends STOL airport facilities have runways 1,500 feet long and 100 feet wide, taxiways 60 feet wide, and pavements strong enough to support 150,000-pound transports. This gives a silhouette of sorts of an aircraft design that is most likely to get approval. The recommendations, of course, are only that—recommendations—and industry may rightfully feel that the cost of developing a 1,500-ft. STOL aircraft would be excessive in cost at this time and costly in delay required by design. The Yellow Book does provide an extra 150 feet at either end of the runway for overruns, with an extra 50 feet of prepared shoulder surface on each side of the strip.

Slaughter believes that the difficulties for STOL should not be great because of the state of the art. He also believes that STOL aircraft should have a tendency—power being equal—to reduce noise because it climbs at a higher angle, getting away soon from the immediate area.

To this latter point, Miss Joan B. Barriage agrees. She is FAA's Program Manager for VTOL and STOL in the Aircraft Division, and one of two or three ladies in the country with a degree in aeronautical engineering (Purdue). A STOL designed with deflected slip-stream can climb, after takeoff, at 133 knots at a 16° climb angle for noise abatement, or it could accelerate to 200 knots in level flight in approximately 20 seconds and climb at 4,000 feet per minute at a 13° angle.

The McDonald Douglas Corp, is working with Societe Breguet of France on the type of certification of a 50-passenger version of the cross-shafted, deflected-slipstream STOL concept. It has been flight demonstrated since June 1961 by the Breguet 941–01 model. Lockheed has conducted studies of manufacturing a 30-passenger compound helicopter using the rotor and other system technology developed for the Army in the AH–56A. But it would be about three years before either of these concepts would be ready for airline service.

"A large STOL would be economic," Miss Barriage told *Government Executive*, "it would be using its own facilities. The airline industry is looking upon STOL aircraft in view of public acceptance and maintenance and feels it is just another aircraft which the industry can handle. But I don't think the public will accept such a large passenger-carrying rotary."

It is possible to operate V/STOL aircraft at busy terminals, but FAA would insist that the aircraft can be controlled more efficiently at high density airports by using a separate approach pattern and runway. This was concluded in a recent FAA study. The tests were conducted near Atlantic City, N.J., and showed that, although it was possible to operate using present air traffic control procedures, it may be difficult to get desired spacing between aircraft on final approach. "This difficulty," said FAA, "is due to the great differences in final approach speeds between V/STOL and conventional airplanes and also the variations in approach and landing speeds of different STOLs." Separate, but parallel facilities are recommended.

Said Miss Barriage, in a paper prepared in collaboration with Richard E. Kuhn of NASA's Langley Research Center, "Whether undertaken by municipal governments or by air-transportation services, construction of the VTOL and STOL facilities must be done concurrently with the aircraft and airspace developments. The ports must be much nearer, either physically or timewise to concentrations of travelers than the conventional airport, must have good interface with ground-transportation facilities and must be compatible with surrounding land use, primarily from the point of view of noise."

If our aviation system can provide a parallel strip for STOL shorter than that which jet transports are using today, Miss Barriage told *Government Executive*, then the system stands a chance of succeeding. An FAA air control team covered some 20 sites, talked to airport authorities and asked, What can be provided for a STOL strip? "STOL strips at airports are not a simultaneous, independent operation *yet*," said Miss Barriage. It is, again, a question of requirements. "There is a need for an instrument approach system—not just on the ground, but in the aircraft as well. The Agency has in the works now a prototype for evaluation.

"How much STOL do you need? That's a big question. The more STOL, the more costly the aircraft because of development. And the airport vs. aircraft facilities acceptability is a question of which will come first, the chicken or the egg. The companies won't build aircraft until land is available and cities won't build STOL ports until they see the aircraft. An investigation of the Northeast corridor is bringing the Government, manufacturers, industry, airports and cities together, to study routes for airlines. This might break the cycle.

"In Phase I of this study, we're establishing the need and feasibility of V/STOL service and is tentatively set up so that it will be completed next June or July. In Phase II, the routes will be awarded."

Conceivably, by that time major decisions by airports and manufacturers will be made, for routes in the Northeast corridor are very lucrative ones.

Military interest in V/STOL is real and dates back many years. Hugo G. Sheridan, Technical Advisor for Aerospace Sciences on the staff of the Deputy Chief of Naval Operations for Development, dates the Navy's interest back to 1911 when Eugene Ely, flying a Curtiss pusher, landed on a specially built platform aboard the armored cruiser USS *Pennsylvania* at anchor in San Francisco Bay and 57 minutes later took off from the same platform. "An aircraft launched by catapult from an aircraft carrier is a STOL," he said. And technically, he is correct. "The attention today is in the design of STOL rather than VTOL for it can carry a better payload." Said the Air Force expert, "We've been interested in V/STOL as far back as I can remember. More recently, we launched a real effort in 1964 and in 1965 came Light Intratheater Transport (LIT)." In the late Fifties, the Marine Corps wanted to improve the Amphibious Force by introducing an aircraft with more capabilities than helicopter. In 1956, the Navy participated in an Army-funded testbed investigation of the Vertol 76 tilt-wing and Ryan 92 deflected-slipstream aircraft. Other studies were undertaken, research projects begun, until in February 1961 a request for proposals was sent to 31 prospective bidders for a Tri-Service VTOL transport aircraft.

Said Sheridan: "Evaluation of the proposals indicated that meeting the Navy's carrier compatibility requirement was difficult and, if included in the project, would increase the risk. Rather than continue under these stringent conditions, the three services decided to proceed immediately under Air Force management with full consideration of the Navy's need in all plans and decisions."

Another Navy expert said that there were three configurations that came out of the tri-service competition: tilt wing with some variations; tandem tilted duct; and tandem tilted prop.

"The general feeling among people evaluating the proposals," he said, "was that the tilt wing with the standard prop was closer to a real aircraft and therefore offered minimum risk in proceeding with development. This resulted in the XC–142 as winner of that competition. Problems in the X–19 and the X–22A proved this was good judgment—they got the best aircraft to do the best operational evaluation job. As a result of decisions on the XC–142, Air Force felt the tandem tilted prop was the best, but the Navy thought the duct was better. Defense Research and Engineering told each service to go ahead with individual development.

"The only reason the X–22A is continuing today is that it has a variable stability system and can be used in a flight research program to develop requirements and an understanding of flying qualities in the transition region—hovering to flying or flying to hovering situations."

A variable stability system (VSS) was installed in the aircraft in June this year. Initial tests gave indication that the system would be satisfactory. However, minor difficulties involving portions of the circuitry were encountered. Testing of the VSS will be a joint effort between Bell Aerosystems Company, developer of the aircraft, and the Cornell Aeronautical Laboratory, supplier of the VSS.

The X–22A is being flown with a gross weight of 15,700 pounds. This is the estimated structural limit of the aircraft. But due to funding limitations, structural testing has been curtailed and no effort is planned to raise the weight limitation through static tests. Funding restriction has also eliminated planned flutter tests. "Consequently," said the Navy, "the planned X–22A flight envelope investigation has been reduced and flight tests are limited to a speed of 200 knots."

Flight test results indicate overall stability and control characteristics appear satisfactory, but the side force characteristics are somewhat higher than estimated. And it appears to have higher drag than estimated. The Naval Air Systems Command now estimates the maximum speed to be in the order of 230 knots. This compares to the original Bell estimate of about 303 knots which was later revised downward to 283 knots as a result of wind tunnel tests.

Said Hugo G. Sheridan, a Navy Technical Advisor for Aerospace Sciences, "The X–22A has been threatened by Budget restrictions because of Vietnam expenditures and the cutdown of monies available for research and development. This will probably be the last year it is funded. It is a research vehicle, *not* a transport VTOL. It may go to NASA."

The Air Force program in VTOL transports is in full swing.

A series of studies was launched by six contractors for the Light Intratheater Transport (LIT) to meet Air Force requirements. These requirements were determined by the Tactical Air Command which will supply the pilots and crews, as well as the aircraft, for operation in the theater force command—Strike Command, Air Force Pacific Command, etc. One firm requirement: it *must* be capable of deploying without refueling.

The STOL aircraft is less attractive in LIT than the VTOL, but this surface comment will have no bearing on the final decision—if the STOL design appears superior. "If you have a 1,500-ft. runway with a STOL parked at one end of it and a bomb blasts a hole in the middle of the strip, the STOL is parked period. Now, a VTOL could take off regardless—with a lighter payload, obviously, but it could take off. If you have a 1,500-ft. STOL and later decide you'd rather have a 1,000-ft. STOL, you're out of luck unless you want to spend more money on VTOL development—and time, which you may not have a lot of.

"But even if you go to STOL, you've got to go to VTOL to get the maximum lift-weight ratio. If you had a V/STOL aircraft and only used it as a STOL, you'd have a better STOL."

Six companies are participating in the competition, each submitting VTOL designs and three of them also submitting separate STOL designs. They are: Lockheed California (stop and stowed rotors); Sikorsky (also stop and stowed); McDonnell Douglas (lift fans); Lockheed Georgia (lift fans and a separate study on lift jets); Boeing Vertol (tilt wing turboprop); and LTV (also tilt wing turboprop). The STOL submissions are by Boeing, LTV and McDonnell Douglas.

Air Force believes it has identified a good breakpoint in size of the aircraft, but will not divulge it at this time, pending full evaluation of all the studies. The studied payload range is from three tons vertical to 24 tons STOL.

The LIT research and development was not touched in the 1969 Budget, but how it fares in future Budgets is unknown. "We're encouraged," said the Air Force official, "but I just don't know the future." Air Force hopes to make contract definition awards before July.

The future of the Marine Corps' OV–10A aircraft may be in question. As one expert said, it is hard to get an unbiased opinion of it. "It began on an emotional basis in the Department of Defense by non-engineers. Defense assigned the Navy agent for the aircraft for the Marine Corps—who didn't want it. It began with the Light Armed Reconnaissance Aircraft (LARA) with an original wing span of 25 feet; it's now nearly 40'."

The Marine Corps *Gazette* (professional magazine for the Corps) last May carried an article praising the OV–10A. The November issue published a blistering rejoinder. The writer's comments are contained in a section clearly marked "Opinion." A few excerpts:

". . . Because it is not a VTOL, it cannot 'live' with the troops by reason of flight performance; nor can it 'live' with any troops but its own organizational maintenance support troops, and in this respect it will need a great deal more maintenance than the O–1 it replaces. . . .

The 'need' for this aircraft . . . needs some elucidation. Four years ago, Marine Corps Landing Force Development Center issued what purported to be a comprehensive operational study and program analysis to support the 'need' not only for the OV–10A but also for the accompanying support (personnel and equipment). This document was remarkable for a number of pseudo-analytical rationalizations, not the least of which was total omission of any comparison with or even reference to the OV–1, which was not only the only comparable twin-turbo-prop aircraft then in existence, but which had previously undergone extensive study by the Marine Corps and had even been evaluated in combat by a Marine pilot . . .

"I would be the first to agree that the OV–1 was not (and is not) the world's greatest airplane, but it was (and is) a whole lot better airplane than the OV-110 is or will ever be. In point of fact, the OV–1 is an operational member of the 1st Marine Air Wing team and has proven to be a valuable supplement to I Corp reconnaissance capability."

At the same time, some pilots of the OV–10A swear by it, not at it. How the Marine Corps will resolve this requirement can only, publicly, be the subject of educated guess work. It has been reported, however, that the Corps has expressed interest in the British vectored thrust Hawker Siddeley *Harrier* V/STOL being produced in quantity for the Royal Air Force. It is the first V/STOL fighter and the only fixed wing V/STOL aircraft of any type to get beyond the experimental stage.

The U.S. assisted in developing this aircraft, financing engine development and providing research facilities at NASA. Said Roy M. Braybrook, Senior Project Engineer at Hawker Siddeley in *Vertiflite*, "In addition, we found that under the impetus of John Stack (now Vice President-Engineering, Fairchild Hiller) the models were manufactured by three-shift working so that they were actually completed much earlier than was possible (in England)."

A development contract of a new design was let in August 1966 and Hawker Siddeley is now manufacturing 60 single seat *Harriers*, the first of which flew last December, and ten two-seat models, which will follow about one year behind the schedule of the single-seaters.

Several lessons are clear from all of the foregoing: 1—that research and development of V/STOL aircraft is active by both industry and military—each for their separate reasons; 2—that industry can learn much from the fallout of military-gained expertise; 3—that research and development are falling off both in industry (awaiting STOL ports) and military (by cuts in R&D funding); and 4—proliferating air traffic insures the relatively early introduction of commercial STOL on a large scale—indeed, some airports (e.g., New York and Washington) are already operating such craft.

HENRY A. KISSINGER—SPECIAL ASSISTANT FOR NATIONAL SECURITY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. RARICK. Mr. Speaker, can the American people feel secure if the special assistant for national security does not believe in security?

An interesting documentary on the new special assistant to replace Walt Rostow has been prepared by OSTH Information Service, Box 448, Berryville, Va., which I ask be here reproduced for our colleagues' attention and perusal, followed by several news clippings.

The material follows:

[From the OSTH Information Service, Berryville, Va., Jan. 19, and 26, 1969]

HENRY A. KISSINGER

No appointment made by Richard M. Nixon is nearly so important as that of Prof. Henry A. Kissinger of Harvard as special assistant for national security affairs. Much of the conservative press has praised the appointment thinking Dr. Kissinger was a hard-liner insofar as opposing Moscow is concerned. Many more sophisticated political and cold-war experts believe otherwise. Consider the following commentary from well-known liberal and even socialistic sources:

Adam Yarmolinsky declared, "I will sleep better with Henry Kissinger in Washington. He has the kind of judgment, balance, and ability to see that the President is exposed to the whole spectrum of views he should get."

Said Arthur Schlesinger, Jr., "I think it's an excellent appointment. It's very encouraging. He's the best they'll get. He asked for my advice a few weeks ago and I urged him to accept."

According to reports, George F. Kennan "applauded the appointment." Carl Kaysen called Kissinger "a very able man." John Kenneth Galbraith "called the appointment of his friend 'a good one.'"

The New York Times commented editorially, "His appointment as President-elect Nixon's assistant for national security should assure the new Administration of strategic assessments that keep military and political factors in balance . . . As an active participant in arms control studies in Cambridge, Washington and abroad since the early 1960's, he is known as a strong proponent of ratification of the nuclear non-proliferation treaty and of talks with Moscow to curb the missile race. No contribution he can make in his new post will be more important than the role he plays as efforts are made to bring these measures to fruition."

What is the background of Henry A. Kissinger?

A B.A. from Harvard in 1950, with the aid of a Rockefeller Foundation Fellowship for Political Theory. From 1951 to the present, he has been Director of the Harvard International Seminar which has been revealed as having been CIA financed in 1967. A Ph. D.

from Harvard in 1954, under McGeorge Bundy. From 1954 through 1956 he was Study Director for the Council on Foreign Relations on Nuclear Problems. CFR, as is generally known, is substantially subsidized by Rockefeller money. In 1957 his CFR study expounding the theory of limited warfare was published under the title, *Nuclear Weapons and Foreign Policy*. From 1956 through 1958 he was Director of a Special Studies Project for Rockefeller Brothers Fund, Inc. In January of 1958 the "Kissinger Report" appeared. It dealt with military strategy and said the U.S. should spend $3 billion on arms, and reorganize services under a single command, and prepare for limited warfare.

In 1958 and 1959 Kissinger was Research Secretary for a CFR discussion group on Political and Strategic Problems of Deterrence. The group also included Frank Altschul, Robert Amory, William C. Foster, Roswell Gilpatric, Hans Morganthau, Dean Rusk and James Perkins.

By 1961 Kissinger was Special consultant to President Kennedy on the Berlin Crisis. He was also consultant to the Operations Research Office, the Operations Coordinating Board, the Weapons Systems Evaluation Group, the Psychological Strategy Board, the National Security Council and the Arms Control and Disarmament Agency. That same year, 1961, he published *The Necessity for Choice*, under the auspices of Harvard's Center for International Affairs which is also a probable recipient of CIA funds. Kissinger thanked both the Center and the Council on Foreign Relations for assistance, and also thanked the Carnegie Corporation and John Gardner.

In 1962 Kissinger was a full Professor at Harvard, on the faculty of the Center for International Affairs. In 1965 he published *Problems of National Strategy* under the Center's auspices. In 1967 he was cited in the New York Times as foreign policy advisor to Governor Rockefeller with regard to a reported soft policy on Vietnam (Oct. 4 issue). On July 14, 1968, when Governor Rockefeller announced a 4-stage pull-out for Vietnam, he cited Kissinger as his adviser.

Kissinger's ideas have often been self-contradictory. When this Service asked one of Washington's top experts on foreign policy to categorize Kissinger's ideas the reply came back that this was difficult to do because his basic thesis is presented in the form of a paradox. He says we must be militarily strong so that we can negotiate universal disarmament. He is fascinated with the thought that diplomacy will solve all our problems. Military strength is only one tool in the diplomat's pouch. The job of the military is to hold off the aggressor until brilliant diplomacy reconstructs world order.

One may read Kissinger's historical study of Metternich and Castlereagh entitled "A World Restored" to note his confidence in and fascination with diplomacy.

Our Washington contact said that Kissinger differs from McGeorge Bundy and Walt Rostow in that he places more emphasis on military preparedness, but his goals are essentially the same, i.e., *the surrender of national sovereignty and nuclear superiority through arms control and disarmament*. It is a mistake, we were assured, to look only at his remarks on military preparedness because they mean little in the context of his obsession with arms control. The paradox in his thesis is evident in the following quotes from *The Necessity for Choice* (Anchor Books, 1962):

"We must be willing to face the paradox that we must be dedicated both to military strength and to arms control, to security as well as to negotiation, to assisting the new nations towards freedom and self respect without accepting their interpretation of all issues." (p. 9)

"The flexibility so often demanded of our diplomacy is impossible without a spectrum of military capabilities." (p. 58)

"Limited war is based on a kind of tacit bargain not to exceed certain restraints . . . it takes two to keep a limited war limited or a local defense local." (p. 62) (Compare this with our no-win type of Vietnam policy.)

"However paradoxical it may seem, the danger of escalation is one of the chief reasons why a strategy of limited war contributes to deterrence and also why, if deterrence fails, there is a chance of keeping a conflict limited." (p. 62)

"Any limited war must have some sanctuary areas." (p. 63)

"Limited war should not be considered a cheaper method of imposing unconditional surrender but an opportunity for another attempt to prevent a final showdown. We must enter it prepared to negotiate and to settle for something less than our traditional notion of complete victory. To be sure, the most likely outcome of a conflict fought in this manner is a stalemate." (p. 64)

"If we make the issue depend on 'purely' military considerations, any conflict is likely to expand by stages into a conflagration. . . . Graduated retaliation would not strive for a military advantage as such." (p. 68)

"We would have to weight the tactical advantage of nuclear weapons against the political cost. Once nuclear weapons were used in limited war, it is possible that the pressure of other countries to acquire nuclear weapons of their own would grow irresistible. Or else world opinion would impel a renunciation of a strategy which might appear to have brought humanity to the brink of a catastrope. Whatever the likely result, the concern that use of nuclear weapons may have incalculable political effects could outweigh all military considerations." (p. 88)

"This is the measure of the task ahead. At the same time that we build up our capability for limited war and our conventional forces, we will be embarked on arms control negotiations of crucial importance. Our leadership must convince public opinion that we have to increase our military expenditures even while making earnest efforts to negotiate on arms control." (p. 97)

"Unilateral disarmament—tacit or avowed—and the quest for independent retaliatory forces are two sides of the same coin." (p. 116)

Liberal columnists Rowland Evans and Robert Novak commented on the appointment by Nixon of Kissinger very favorably. However, they deplored the choice of Dr. Richard V. Allen of the Hoover Institution on War, Revolution and Peace as "senior staff assistant" to "the highly respected Dr. Henry Kissinger." Evans and Novak declare that "For his part, it is inconceivable that Kissinger will make much use of Allen. His personal aide will be not Allen but an outstanding young diplomatist (Daniel Davidson, currently an aide to Ambassador Averell Harriman). . . ."

New York Times reporter Hedrick Smith mentioned Allen and Kissinger on December 14, 1968. He wrote that Dr. Allen had maintained discreet contact with Dr. Kissinger during the Nixon campaign, and later with Dr. Zbigniew K. Brezezinski, who advised Vice President Humphrey on foreign affairs in the election campaign. But Hedrick Smith pointed out that while Dr. Allen is known as a conservative or relatively hard-line analyst of Soviet affairs, "He is not, as he has explained to friends, 'a visceral anti-Communist who believes in a monolithic Communist conspiracy or that the Sino-Soviet dispute is a hoax.'" Congressional committees investigating international Communism have declared there is a conspiracy and the record points that out very clearly.

With the replacement of Walt Rostow by Henry Kissinger, will our policies in regard to the Soviet Union continue consistently to overlap or complement the Communist design? Will the 20-year old U.S. policy of mutual accommodation continue?

In March 1967 Senator Strom Thurmond delivered a major speech given no publicity at all to the Cornell University Forum. In discussing the international Communist conspiracy he pointed out the similarities between Soviet Policy and U.S. Policy as follows:

1. Soviet Foreign policy must not be identified with the organized world communist movement under Soviet domination. U.S. policy has shown no evidence of Soviet control of international communist conspiracy by Soviets. The Empire is now fragmenting. We should support independent Communist regimes.

2. Soviet Policy: There is no force in the world that can halt the advance of Soviet society. Our cause is invincible. We must keep a firm hand on the helm and go our own course, yielding neither to provocation nor to intimidation. U.S. Policy: Do not provoke the Soviets since this will increase the danger of general war. Bring about changes in Soviet Union by containment and Evolutionary processes, take no action which might escalate into general nuclear war.

3. World Union of Soviet Socialist Republics uniting the whole of mankind under the hegemony of the international proletariat organized as a state, is Soviet Policy. U.S. Policy says, no direct reference should be made to Soviet control of the International Communist Conspiracy. World domination theme should not be used against USSR. Changes are taking place within the USSR. They are mellowing into a peaceful state.

4. Soviet policy: Socialist Society leading to a world communist society. U.S. policy, bring about changes in Soviet Union by evolution instead of revolution. Support socialist causes. This will keep the violent form of communism from emerging. We are now moving through a period of great transition.

Regarding Cuba: Soviet policy has been to establish Missile Bases there in order to secure a Communist Base for subversion and reveal weakness of U.S. U.S. policy contends the establishment on Cuban soil of Soviet nuclear striking forces would be incompatible with Soviet policy.

Still regarding Cuba, Soviet policy has been that the USSR will support the Castro Regime and assure its continued existence as a Socialist state. U.S. policy is that we should peacefully coexist with Cuba since we cannot allow any military action to escalate.

Senator Thurmond also noted in 1967 that we were then in the midst of stepped up activity in the policy of "mutual accommodation," of which the prime factor was universal disarmament, both psychological and military. That remains true today. The Senator said the Soviet government, under orders from the Central Committee (of which the Soviet Government is merely the "front"), has been the most extreme advocate of all the steps of disarmament; and U.S. policy has fallen along in step. The Central Committee, on the other hand, has not stopped arming. Senator Thurmond cited five points on that subject showing how the policies of the Soviet Union and the United States coincided. Some of these aims have been accomplished while others still remain up in the air.

1. Soviet Policy: The disarmament policy of the Soviet Government must be utilized for purposes of agitation and as means for recruiting sympathizers for the Soviet Union,

the champion of peace and socialism. U.S. Policy: In the interest of peace, we should try to arrive at some form of disarmament with the Soviets, even to the point of unilateral disarmament on our part.

2. Soviet policy: Obtain ratification of the "Moscow" treaty or nuclear test ban once 1962 tests were completed. U.S. policy: Ratify nuclear test ban treaty in the U.S. Senate.

3. Soviet Policy: Obtain U.S. Senate ratification of the Consular Treaty. U.S. Policy: Obtain U.S. Senate Ratification of the Consular Treaty.

4. Soviet Policy: Obtain a treaty on peaceful uses of outer space in order to keep U.S. from placing in orbit objects carrying nuclear weapons. U.S. Policy: Obtain a treaty on peaceful uses of outer space.

5. Soviet Policy: Disrupt NATO. U.S. Policy: NATO is no longer necessary since USSR is no longer a threat.

Above we see the outline of U.S. foreign policy over the past number of years. We will note with interest any change for the better under the new Administration and we will watch the words and actions of Dr. Henry Kissinger and his advisers.

[From the New York Times, Dec. 3, 1968]

NIXON'S KEY ADVISER ON DEFENSE—HENRY ALFRED KISSINGER

Some years ago, Dr. Henry Alfred Kissinger, lecturing his Harvard undergraduate class on the principles of international politics, began with the remark:

"As I was saying to General de Gaulle last summer . . ."

The remark was not typical of Dr. Kissinger, for although he is known at Harvard as being, in the words of one colleague, "impatiently arrogant," he is usually somewhat circumspect when it comes to namedropping.

Circumspection was apparent in his attitude yesterday when Dr. Kissinger, named as President-elect Richard M. Nixon's assistant for national security affairs, was asked how he would counsel Mr. Nixon on the war in Vietnam.

"I believe very strongly that the position of a White House assistant is inconsistent with making public statements on substantive matters," Dr. Kissinger said briskly.

MET AT CHRISTMAS PARTY

Dr. Kissinger has known Mr. Nixon less than a year—they met at a Christmas party at the home of Mrs. Clare Boothe Luce—but Mr. Nixon said he knew Mr. Kissinger long before through his writings.

Mr. Nixon indicated he was particularly impressed with Dr. Kissinger's book in 1957, "Nuclear Weapons and Foreign Policy." That was the volume that brought Mr. Kissinger to the attention of scores of politicians, diplomats and military men and became a source book for American policymakers.

In the book, Dr. Kissinger said that survival for America "depends not only on our strength, but also on our ability to recognize [and fight] aggression in all its forms. In the nuclear age, by the time a threat has become unambiguous it may be too late to resist it."

Mr. Kissinger, who was only 34 years old when the book came out, was born in Fuerth, Germany, on May 23, 1923. His parents, Louis and Paula Stern Kissinger, brought him and his brother, Walter, to New York in 1938 to escape Hitler. He was graduated from George Washington High School in 1941.

During World War II, Dr. Kissinger served with the 84th Infantry Division and with the 970th Counterintelligence Corps. He was released as a sergeant and went to Harvard, from which he received a bachelor's degree, summa cum laude, in 1950. Harvard, which gave him four scholarships, conferred a master's degree on the political scientist in 1952, a doctorate in 1954.

Dr. Kissinger married the former Ann Fleisher in 1949. They had two children, Elizabeth and David. They were divorced in 1964. He now lives at 419 Beacon Street in Boston.

The first of Dr. Kissinger's five books, "Nuclear Weapons and Foreign Policy," was the outgrowth of his work for the Council on Foreign Relations, which had begun an effort to find answers to the possibility of the threat of Soviet action against what was considered "insufficient American initiatives."

Dr. Kissinger was study director of three subcommittees, and after 18 months it was decided that he should write an analysis of the groups' mediations.

The year the study was published, Dr. Kissinger's "A World Restored," subtitled "Metternich, Castlereagh and the Problems of Peace, 1812–22," was released. A New York Times reviewer said that Dr. Kissinger's analysis of the Metternich era was "brilliantly formulated."

A ROCKEFELLER FUND AIDE

In 1957, Dr. Kissinger began a long association with Governor Rockefeller when he became director of the Rockefeller Brothers Fund's Special Studies Project. One study for the fund found the United States lagging behind the Soviet Union in major areas of military technology, and suggested that the United States increase its defense expenditures by $30-billion a year.

During this year's campaign for the Republican Presidential nomination, Dr. Kissinger was an adviser to Mr. Rockefeller on foreign affairs, in the Governor's effort to prevent Mr. Nixon from receiving the nomination. Dr. Kissinger was one of several Rockefeller aides credited at the Republican Convention with transforming the party's Vietnam war plank from a hawkish to a dovish one.

The graying, bespectacled Dr. Kissinger, who is 5 feet 9 inches tall and weighs 175 pounds, retains a slight trace of his Germanic accept. He pronounces his name KISSing-er.

At Harvard, where he has been serving lately as a professor in the Department of Government, from which he will take a leave of absence to serve Mr. Nixon, Dr. Kissinger is known as a brisk, businesslike and demanding teacher and scholar.

Some colleagues say he sometimes shows a self-deprecatory sense of humor. For example, when introducing one staff member to another, he is said to have remarked:

"He's a kind of mother to me. He does all the work and I get all the credit."

[From the New York Times, Sept. 10, 1962]

FOREIGN AFFAIRS MAGAZINE MARKS ITS 40TH YEAR

Articles by Chancellor Adenauer and the Earl of Avon, formerly Anthony Eden, highlight the 40th-anniversary issue of Foreign Affairs which appears today.

The distinguished quarterly with the blue-gray cover has changed little since its founding in September 1922 except that the price is now $1.50 instead of $1.25. However, the 40th anniversary issue illuminates the historic changes that have occurred in the field of foreign affairs since then.

The magazine, published by the Council on Foreign Relations, 58 East 68th Street, prints articles by the world's foremost statesmen and by historians and other students of international affairs.

Foreign Affairs has published the opinions of such diverse figures as John F. Kennedy, Trotsky, John Foster Dulles, Marshal Tito and Arnold Toynbee.

On occasion the magazine publishes pieces signed "L" or "X." In 1947, for instance, the magazine published an article by "X," who was George F. Kennan, then the State Department's chief policy planner.

The quarterly began with a printing of 4,000 copies. With the anniversary issue its circulation will exceed 50,000, according to John J. McCloy, the chairman of the Council on Foreign Relations and President Kennedy's adviser on disarmament.

The editor of Foreign Affairs is Hamilton Fish Armstrong. He joined the magazine at its inception and became editor in 1928.

The Council on Foreign Relations was founded after World War I by United States delegates to the Versailles Conference to "create and stimulate international thought," in the United States.

The anniversary issue of Foreign Affairs contains seventeen articles. The lead piece, "Then and Now," is by Mr. Armstrong. In it he compares the post-war years of the Nineteen Twenties with the Nineteen Fifties and the League of Nations with the United Nations.

In assessing the differences in the two organizations brought about by the participation of the United States in the United Nations, Mr. Armstrong writes that this country is sometimes thought to use its power unwisely "but there no longer is doubt, as there was four decades ago, that we shall use it."

An article by Chancellor Adenauer urges that negotiations on a European political union be concluded this year. The West German leader implies that delay might make the movement lose momentum and thus aid the Soviet Union.

The Earl of Avon looks back on forty years and decries what he considers a decline in respect for international obligations. He writes that the Council of the League of Nations was "as serviceable a piece of diplomatic machinery as I have ever known," while the United Nations is "an instrument ready to the hand of the prejudiced propagandist, but not always so pliant to the patient toiler for peace."

(By Walter Trohan, Chief of Chicago Tribune's Washington Bureau)

WASHINGTON, May 29.— Within a few weeks, a heavily financed organization, which boasts that its discussion groups often "serve as a training ground for members called upon to serve the government in important positions," will celebrate its 41st birthday.

This is the Council on Foreign Relations, which propagandizes and researches in the field of international relations with startling success from sumptuous quarters, Council House, with generous foundation grants. Few organizations can boast of such influence as the council does in its annual reports, which frankly assert that the state department welcomed the council's suggestions and asked for more detailed plans on foreign policy.

President Kennedy was a member at the time of his election, altho he has dropped the association in the White House. Dwight D. Eisenhower was a member before, was during, and has been since his occupancy of the Executive mansion.

Virtually every secretary of state, every undersecretary of state, and a host of top foreign policy officials have been members or still are members of the Council on Foreign Relations, whether the administration be Democratic or Republican.

NUMBERS MANY INFLUENTIAL IN GOVERNMENT

Secretary of State Dean Rusk and Undersecretary George W. Ball are members. Dean Acheson, secretary of state under Harry S. Truman, and Christian A. Herter, secretary under Eisenhower, are also members. So was the late John Foster Dulles, secretary under Eisenhower, who had served also in the state department as a special consultant under Truman.

A few of the members influencing the government today include:

Charles E. Bohlen, special assistant to the secretary of state.

Chester Bowles, special White House adviser on Asia, Africa, and Latin America.

Arthur H. Dean, head of the United States delegation to the Geneva disarmament talks.

Douglas Dillon, secretary of the treasury.

Felix Frankfurter, justice of the Supreme court.

J. Kenneth Galbraith, ambassador to India.

Fowler Hamilton, director of the agency for international development.

George F. Kennan, ambassador to Yugoslavia.

Edward R. Murrow head of the United States information agency.

Walt W. Rostow, state department counselor.

Adlai E. Stevenson, United Nations ambassador.

Arthur M. Schlesinger Jr., White House special assistant.

Maxwell D. Taylor, White House military adviser.

NUMBERS SOME WHOSE NAMES ARE TARNISHED

The council is not so proud of some of its former members. Alger Hiss, the spy-perjurer, was an important member. Harry Dexter White, the treasury aid who died and was buried with secrecy just before he was about to be questioned on his communist associations or connections, also was a member. John Carter Vincent, Philip Jaffe, and the late Lawrence Duggan, all targets of the late Sen. Joseph McCarthy [R., Wis.], the controversial investigator of communist activities and associations, were council members.

Other members who figured in congressional investigations are still on the rolls, such as Owen Lattimore and Philip Jessup, who were questioned about their connections with the Institute of Pacific Relations. There are a handful of members out of step with the international majority. Herbert Hoover, for instance.

The council began as an idea in France in 1919, when a group of Britons and Americans decided that their countries needed internationalist inspiration. The Britishers went home and established what is now the Royal Institute for International Affairs. The Americans set up the council.

The original thought had been to set up one organization, but it was concluded that internationalism could best be advanced by independent groups working toward the same end. It was felt that the tag of patriotism would hamper the aims and objectives of the council, which are chiefly to develop a new look of internationalism.

"To create and stimulate international thought among the people of the United States, and to this end, to cooperate with the government of the United States and with international agencies, coordinating international activities by eliminating, in so far as possible, duplication of effort, to create new bodies, and to employ such other means, as from time to time may seem wise and proper," is the way the council states it.

[From the New York Times, Dec. 6, 1968]

BUCHAN, LONDON STRATEGIC STUDIES HEAD, PRAISES KISSINGER BUT CRITICIZES U.S. POLICIES

PRINCETON, N.J., December 5.—On being named assistant for national security affairs to President-elect Richard M. Nixon, Henry A. Kissinger said on Monday that he would call on the services of foreigners such as Alastair Buchan, director of London's Institute of Strategic Studies.

Mr. Buchan, who is attending a seminar at Princeton University on the problems of America, says he doesn't know what Dr. Kissinger has in mind. "I've no idea," he insisted in an interview, "and I'm not sure I would do it, I have a very active and busy life of my own." he continued.

"Henry Kissinger is a very old friend of mine—I've known him for at least 10 years. But I've had lines of communication into the White House ever since the Kennedy Administration.

"I've got great regard for Kissinger. I think his appointment excellent. He doesn't look at problems of security in a purely technologic way.

"We've had a lot of discussions about what form of European cooperation is feasible and what the United States should encourage."

"One of the things he has been keen on," Mr. Buchan said, "is the reopening of American lines between the United States and France—which I attach a lot of importance to as well.

"The United States has very little freedom of action. It's one of the two main pillars of the balance of power in the world. This difficult dual position requires it to be in dialogue with the Soviet Union for its own safety, and also with its allies.

"Once Vietnam is over the United States is going to be involved in a dialogue with the developed powers—Europe and Japan. Its role as policeman will end. The role isn't feasible anyway."

Mr. Buchan said that in the last 30 years his respect for the United States Administration had steadily declined. He maintained that successive American executives pursued action instead of thought and that it was impossible to tell which of half a dozen policies running in Washington would predominate at any time.

Alastair Buchan (pronounced BUCK-an) grew up in the world of letters and diplomacy. His father was the Scottish author John Buchan (1875–1940) who wrote historical works, thrillers such as "The 39 Steps," and an autobiography published in the United States as "Pilgrim's Way." John Buchan became Lord Tweedsmuir in 1935 and from that year until 1940 served as Governor-General of Canada.

Alastair, the youngest of four children, was born in London Sept. 9, 1918. He is a moderately rugged-looking man with thick, dark blond hair. He was educated at Oxford and Eton, lived with his family in Canada, and was on his way to graduate work at the University of Virginia when World War II broke out.

Mr. Buchan spent six years in the Canadian Army, emerging as a major of the 14th Canadian Hussars (tank) regiment. "I hated the army," he said.

From 1948 to 1951, he was assistant editor of The Observer, a British weekly that ranks as one of the so-called "quality" papers to distinguish it from the popular press.

He spent 1951 to 1955 in Washington for The Observer. During this period, as he explained, "one could see that strategic studies were going to dominate policy."

The creation of the H-bomb, the cold war, the thinking of Dulles, Eden, and foreign officers all over the world was getting affected by strategic questions, and I became more absorbed in them," he continued.

From 1955 to 1958 he was The Observer's diplomatic and defense editor.

He was then invited to be director of a new body called the Institute of Strategic Studies. Mr. Buchan described this organization as an "internation institute for the study of the role of force to international relations—the problems of strategy and arms control."

He added: "It has no real American counterpart. Membership stretches to 32 countries, with about 1,000 members."

"We have an enormous library organization," Mr. Buchan said, "and scan about 24 daily newspapers and about 120 journals. We run a series of conferences, and a number of working groups with a mixture of officials, academics and journalists.

"For some things we have to go to governments, as for figures. By and large we run our own research."

He said that about one fourth of the institute's 1,000 members were government people and maintained that foreign governments "recognize the value of an independent organization such as ours."

"This is not a cold war organization. We have quite a lot of dealing with Eastern Europe," he said.

Mr. Buchan said that his institute was financed principally by foundations—American, British, German, Canadian and Swiss. It gets no Government money, he added, though about six years ago it did a contract study for the United States Arms Control and Disarmament Agency on the effect that implementing United States or Soviet comprehensive armament proposals would have on the balance of power in Europe.

Mr. Buchan said that the institute got $90,000 a year—or 40 per cent of its budget—from the Ford Foundation, and about $25,000 from each of the following: the Rockefeller, Nuffield, and Volkswagen Foundations.

BEST KNOWN WORK

He said that his group has never had any money directly or indirectly from the Central Intelligence Agency, noting, "I would perfectly recognize C.I.A. money if I saw it, because I know a lot about it."

"The institute opened up the debate on nuclear proliferation about eight years ago, and we are best known for our work on alliance problems," Mr. Buchan said.

In addition to a monthly called "Survival," the institute publishes a series of Adelphi papers, named after the area of London in which the institute has its headquarters and a permanent staff of about 20.

Mr. Buchan is married to a Canadian, and they have two sons and a daughter. He is the author of "NATO in the 60's." Since Septembe he has been teaching a course entitled "Force in Modern International Politics" at Carleton University at Ottawa.

The course ends next week and Mr. Buchan plans to return to London. He lives in the country near Oxford, and likes to garden, fish, and hunt birds.

A TRIBUTE TO TWO WOMEN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 14, 1969

Mr. DERWINSKI. Mr. Speaker, as we gathered for the opening session and renewed old friendships, many Members, I am sure, had in mind our colleagues of the 90th Congress who were no longer there.

Two in particular came to my mind, both being outstanding ladies and members of the House Foreign Affairs Committee.

Therefore, I believe the column in the November 20 Sacramento Union by the noted Washington columnist, Dumitru Danielopol, very properly expressed the thoughts that many of us have when we think of these two outstanding ladies, the Honorable Frances Bolton and the Honorable Edna Kelly.

I insert the article at this point:

A TRIBUTE TO TWO WOMEN

(By Dumitru Danielopol)

WASHINGTON.—The time of political celebrations by election winners should also be a time of tribute to some losers.

The United States Congress is going to miss two distinguished, gracious ladies—Rep. Frances P. Bolton, R-Ohio, and Rep. Edna Kelly, D-N.Y.

Spry and active octogenarian Frances Bolton entered the House 28 years ago when she was elected to fill the unexpired term of her late husband, Chester C. Bolton.

A dynamic and energetic reformer, she served on many committees including the Committee of Foreign Affairs since 1941. She was a member of subcommittees whose attentions focused on Europe, the Near East, the Balkans and Africa. She travelled widely and is considered an expert on the Near East and a specialist of African Affairs.

Also interesting in nursing and medical care afforded American fighting men, she contributed progressive legislation in health. She was largely responsible for the Army School of Nursing. The Bolton Bill created the U.S. Cadet Nurse Corps that graduated 125,000 nurses for World War II.

She was chairman of the Subcommittee on National and International Movements which issued the report "Strategy and Tactics of World Communism."

One of her bills sought the return of 28,000 Greek children kidnaped by Communist guerrillas during the Red insurrection in Greece.

In 1953 President Eisenhower named Mrs. Bolton a delegate to the General Assembly of the United Nations.

Her decorations would fill pages. A private law authorized Mrs. Bolton to wear the French Legion of Honor "Officer Class" conferred to her for her work during and after the war.

Edna Kelly established an equally proud record as a liberal in internal affairs, as a hard-minded patriot in foreign affairs. Unlike many self-styled liberals, she was never duped by Communist dialectics.

In a report to her constituents last October she wrote:

"We live in an age in which forces of revolution—simulated, enticed and guided by Communist ideology—are hell bent on destroying the existing order and plunging the world into mass violence and disorder to be followed by an era of totalitarian, Communist regimes."

Mrs. Kelly knows the facts and she used her knowledge with distinction as chairman of the Subcommittee on Europe on the Committee for Foreign Affairs.

Since entering the House in 1949 in a special election in Brooklyn she was active on a number of congressional subcommittees including national security, the Middle-East and East-West trade.

She came to be respected and loved by exiles from Eastern Europe for her activities concerning the Captive Nations. In 1962 as chairman of the Subcommittee on Europe she held hearings "to explore new methods of communicating with freedom-loving people behind the Iron Curtain".

Mrs. Kelly lost her seat to Rep. Emanuel Celler, D-N.Y., when a quirk of redistriction threw the two into the same district. But she has time for a comeback. She belongs in Washington.

Both Mrs. Bolton and Mrs. Kelly deserve to be remembered.

HOUSE OF REPRESENTATIVES—*Wednesday, January 15, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Spirit of the Lord is upon me.—Luke 4: 18.

Eternal God, our heavenly Father, we come to Thee at this noontide moment of prayer humbly and gratefully for in Thee is the answer to our questions, the solution of our problems, and the goal of our noblest endeavors.

May it be our aim, as we meet daily in this historic Chamber, to meet the needs of struggling humanity, to strengthen the ties that bind free men together, and to find the way to peace among the nations of the world.

God bless America. Unite our people in safeguarding our liberties, in defending our institutions, and in supporting all men everywhere who live and fight and die for freedom.

May we realize more than ever that Thy spirit must touch and transform our own spirits if we are to continue to be free for in Thee alone is the life and the light and the law of liberty.

We pray in the name of Him whose life never fails, whose light never fades, and whose law never falters. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MILITARY SUPPLY SYSTEMS

(Mr. MOORHEAD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, I believe the Members will be greatly interested in reading an article entitled "Military Supply Management: A View From the Hill," written by my distinguished colleague and good friend, the gentleman from California, Congressman CHET HOLIFIELD. The article appears in the Defense Management Journal, volume IV, issue No. 4, fall of 1968, beginning at page 6.

The Defense Management Journal is published by the Directorate for Cost Reduction and Management Improvement Policy in the Office of the Assistant Secretary of Defense, Installations and Logistics. It is concerned with Government management, and its contributors are experts in this field.

In the 90th Congress the gentleman from California (Mr. HOLIFIELD) directed hearings on military supply systems as chairman of the Military Operations Subcommittee, Committee on Government Operations. He has drawn upon these hearings and upon his long experience and extensive knowledge of defense management problems to prepare this article, which describes in candid fashion the work of our committees in this field and some of the major problems which require attention.

I include the article at this point in the RECORD:

MILITARY SUPPLY MANAGEMENT: A VIEW FROM THE HILL

(By Congressman CHET HOLIFIELD)

(NOTE.—Mr. HOLIFIELD represents the 19th Congressional District of California. He is Chairman of the Military Operations Subcommittee, House Committee on Government Operations, and is now Chairman of the Joint Committee on Atomic Energy. Mr. HOLIFIELD is serving his 14th continuous term in Congress, having been first elected to the 78th Congress in November 1942.)

The Congress gets involved in defense management in many ways. It enacts the basic legislation upon which the whole complex superstructure of procurement regulations is built. It authorizes yearly programs and provides the funds for their execution. It monitors performance and investigates complaints. In the Congress are heard many complaints by unsuccessful bidders, aggrieved subcontractors, and potential sellers seeking entry. You would think at times that the Congress is a source selection board, a board of contract appeals, or even a court of claims.

The point is, of course, that procurement impacts on the economy, on community welfare, on specific industries and occupations, all of which flourish or wither in the district of one Congressman or another. Contractors are even known to locate branch plants in districts where the chairman of a key committee or subcommittee might become a legitimate champion of their cause before the Pentagon for a sustained flow of Government business.

Military supply systems, which absorb the vast outpouring of military goods procured, are less visible to the Congress and hence less well understood—at least in problem terms. This is the realm of the commodity manager and the weapon system manager, who employ methods and terminology strange to the public and familiar to few members in the Congress. It is easier to lose sight of the taxpayer's dollar once the goods enter the distribution system. The contracts have been let, the items bought and paid for. But distribution costs are important too. Each purchased item sooner or later is cataloged, stocked, transported, stored, maintained, possibly reconditioned or redistributed, and if not used up, ultimately sold, given away, or scrapped. And if procurement is excessive because of unnecessary duplication of stocks or other inefficiencies, costs are compounded all the way along the supply chain.

CATALOGING AND STANDARDIZATION

The sheer diversity of military goods is awesome. We are told that there are no less than 4 million separately identified items in military supply systems. This estimate undoubtedly is better today than it was before the Federal Catalog System became reasonably complete and maintained on an up-to-date basis. Some 20 years ago, as a member of the House Committee on Expenditures in the Executive Departments (now Government Operations) I was active in the fight for a Federal Catalog System as a basic tool in supply management. Unless and until the great mass and mix of names, numbers, and descriptions could be rationalized, supply systems never would be brought under control. And when I refer to a fight for a Federal Catalog System, I mean just that. It took 10 years to establish the system. There was always a fight for funds, and a transient contest between DOD and GSA for management control. There were military service diehards and holdouts against central direction, and doctrinal differences among catalog experts. There were even a few unregenerate enemies of the accepted program. I trust their criticisms now are history and that we have a good working system today.

Logically, standardization would seem to follow cataloging, for when items are identified and properly described, and redundancies weeded out, those items that are sufficiently similar in function and use are candidates for standardization. The Military Operations Subcommittee, under my direction, has been a vigorous advocate of standardization as a means of reducing inventories and new procurement, simplifying supply operations, and saving money. The need to standardize extends, of course, beyond material things to processes and paperwork. The proliferation of items, the diversity of systems, and the rush of new technologies make standardization inordinately difficult, but a task that cannot be set aside.

INTEGRATED MANAGEMENT

Again, our committee has been an advocate of integrated supply management through single-agency assignments and has watched their evolution into the Defense Supply Agency. The Second Hoover Commission, on which I served, proposed an agency along these lines 5 or 6 years before the DSA was established. I recall writing in 1955 some "additional views" in the Commission's report, "Business Organization of the Department of Defense," tracing the ideas for centralized supply and service activities which emerged from the World War II experience. Though supporting the Commission's proposal, I recommended clarification in the interest of a strong, effective agency.

The DSA, since it was created in 1961, has had its ups and downs, stepping on toes, working out kinks, but it is an institution which would have to be invented if it weren't already here. Of course, it must be continually improved. The commonsense proposition which energizes the DSA is that common item support of the military services, when centrally managed and controlled, enhances the efficiency of the supply system as a whole. I understand that more than 60 percent of the 4 million items in Defense Department inventories now come under integrated management, through either the DSA, single-manager assignments in the military services, or the General Services Administration.

THE GSA ROLE

The GSA role in military supply is a story in itself. I sponsored the GSA bill and had charge of the subcommittee which handled the GSA legislation in 1949. How much policy control the new civilian agency would have over the defense establishment was a complex question, finally answered by a compromise permitting the Secretary of Defense to exempt his establishment from GSA jurisdiction in procurement and supply management matters when national security considerations dictated and the President did not object. In theory the exemption privilege has been sparingly used; in fact, the GSA has had an uphill fight to persuade the DOD that a central civilian agency has something useful to offer to military procurement and supply management.

Our thought was, in the beginning, that a central civilian agency could provide many services for military users. True, military systems are complex and military readiness always paramount. But on a commonsense basis we knew that most military supply functions are performed with background noise from the whir of air conditioners rather than the rumble of artillery. The combat role does not change the need for ordinary supplies and equipment to carry out routine functions. The military use davenports, paperclips, and typewriters in much the same fashion as the civilian agencies, and many loads of cargo hauled on trucks, ships, and airplanes to the far corners of the earth consist of ordinary, everyday items.

Slowly—and perhaps painfully at times—the GSA and the DSA have been working toward the concept of a national supply system in which each agency will procure and supply selected commodities, as economy and efficiency prescribe, for the Government as a whole. This means that the GSA will help the military, and the DSA will help the civilian branch of the Government. Compared to DSA's $3 billion inventory and $3.7 billion in yearly stock fund "sales," GSA's participation in military business is quite modest but still significant. GSA recently reported to my subcommittee that items worth $513 million were processed from depot stocks in fiscal year 1968, of which $378 million represented shipments to DOD.

As central management agencies, the DSA within the military establishment and the GSA outside have shared common problems of resistance by service and agency managers accustomed to doing things in their own way and always seeking self-sufficiency in the interest of quick response to their own users. There are complications in central agency support, possibly more aggravated in the case of an external agency than in an internal one, but these need not be defeating. Central supply management of common military items by DSA and of common commercial-type items by GSA, as the basic rationale for a division of labor, is becoming more accepted in practice.

COMMITTEE ATTITUDES

From the legislative side, committees approach these problems in different ways. In procurement and supply management, lines of legislative jurisdiction run from the Armed Services Committees to the DOD and from the Government Operations Committees to the GSA. Both committees engage in investigative activities, with the Government Operations Committees having broader reach through their concern with economy and efficiency in military as well as civilian spheres. Other committees, such as the Small Business Committees and the Joint Economic Committee, also conduct nonlegislative hearings and studies on procurement and related matters from time to time.

The Armed Services Committees, charged with yearly authorizations for facilities and weapons, are policy and project oriented, solicitous of service autonomy, attuned to professional military opinion, and suspicious of systems analysis or cost effectiveness studies by civilian analysts. The Government Operations Committees, concerned with organization and management, with efficiency and economy at all levels, are perhaps more heedful of civilian opinions and more inclined to support integrative measures above the military service level. It is useful to recall that the military "unification" bill of 1947 was handled in the House by the Committee on Expenditures in the Executive Departments. Even in the case of the Department of Defense Reorganization Act of 1958, after the Armed Services Committee had reasserted jurisdiction, the McCormack floor amendment authorizing the Secretary to create single or central agencies for supplies and services was sponsored by a longtime member of the Committee on Expenditures, who is now Speaker of the House of Representatives.

The Appropriations Committees, in their defense involvement, stand somewhere between the other groups of committees. They have to work within the program authorizations and dollar ceilings set by the Armed Services Committees; and because they have to "pay the bill", they are always advocating management improvements to keep expenses down. However, the recurring yearly pressures of their work afford little time for broad and deep study of military supply management. Their enforcing instrument is the budget cut.

All committees depend to a varying extent on General Accounting Office investigations and reports either as raw material to be developed in hearings or as the basis for recommendations toward remedial action.

If the thrust of Government Operations Committee studies and recommendations over the years has been toward more integrated management, we have not recommended centralization merely for its own sake. In the Military Operations Subcommittee, at least, we are sensitive to the fact that overcentralization can defeat itself, that overmanagement from the top can be detrimental to the exercise of initiative and effective performance down below. We also recognize that the first necessity is to keep the fighting man well supplied and to keep the military machine well oiled for combat readiness in peacetime. The management problem arises in large part from the natural and inevitable tendency of military supply functionaries to err on the side of oversupply rather than risk shortages. The management objective is conservation of material and economical use of resources without impairing the effectiveness of supply support.

DIFFERENT PERSPECTIVES

To sort out the issues is not easy, particularly since judgments are made from different perspectives. What is waste and extravagance to a member of Congress, remote from the intricacies of the administrative process, may be prudence to the harried supply manager trying to be responsive to urgent military demands. The supply manager seeking worldwide "visibility" of stocks in the interest of rational and responsive distribution, may run up against the prerogatives of the theater commander who seeks to control his own supplies. This clash of management concepts particularly characterizes Army supply, as developed in our recent hearings.

Differing perspectives give rise to different evaluations of supply support effectiveness. For example, the depot that fills requisitions promptly gets a high score for efficiency, but if too many requisitions of ordinary items carry high priority tags, we cannot say there is supply management efficiency as a whole. In part the problem is one of developing acceptable criteria for evaluation of performance. James Forrestal, the first Secretary of Defense, once reported an observation of Senator Robert A. Taft to this effect: "He said there was a general impression in Congress of waste and extravagance in military spending because of the lack of any criterion by which efficiency could be proved or disproved."

If this is a valid generalization, it applies with particular force to supply management. Better yardsticks are needed for evaluation. What is an acceptable response to user demands for various classes of items? What stockage levels will permit rapid response with least investment in inventories? When military managers are able to answer these and many other questions in a reliable and persuasive way, the Congress as well as the Department of Defense will be able to get a better handle on supply performance, and perhaps criticisms of waste and extravagance will diminish in intensity.

VIETNAM A TEST

Combat is the ultimate test for military supply systems, and so Vietnam is the testing ground and the subject of constant questioning about the adequacy of supply support. Every war, of course, generates a cycle of scarcity and abundance. In World War II, as a member of the then House Military Affairs Committee, I was first made aware of the enormous problems of mobilization to overcome shortages. Then, as a member of the Committee on Expenditures, I was exposed to the problems of liquidating accumulated excesses. I sat on the Rizley Subcommittee in 1947 which heard horrendous tales of windfall profits and questionable dealings in the disposal of war surplus.

In the Korean war, again, the progression was from low-budget levels and shortages to hurried spending and excesses. Secretary Robert S. McNamara frequently has pointed to the Korean experience as an example of what he wanted to avoid in Vietnam. When shortages came with the rapid buildup and deployment of American troops in Vietnam, Gen. William Westmoreland made it clear that he chose quick deployment with austere supply, leaving abundance to "catch up" with the troops. In any case, we went through the same cycle, reaching an intensity of supply support characterized by the current delivery of 1,000 tons an hour to Vietnam.

In a visit to Vietnam early this year and in recent hearings the Military Operations Subcommittee reviewed the supply support situation and the efforts now being made to redistribute excesses and to salvage reparable equipment. The "push" of material to Vietnam to overcome early shortages has given way to the "pull" of redistribution and reclamation. The Department of Defense has acted with commendable dispatch to establish the necessary control mechanisms.

The larger and more basic question is, have the military supply systems been found satisfactory or wanting in Vietnam? Our distinct impression is that it was less the efficiency of the supply systems than the American resilience and aptitude for improvisation that made supply support to Vietnam so impressive an achievement. The Vietnam experience suggests that the unending streams of procurement actions will cut out their own paths if well-defined channels are not provided. The job somehow gets done, but done at much greater cost than would otherwise be necessary.

LOOKING TO THE FUTURE

Recognizing that there are no simple, pat formulas to guarantee supply support effectiveness, I am sure that many lessons can be drawn from Vietnam by all the services. Certainly the supply job is too vast and costly for separate service handling and ad hoc adjustments. Supply systems must be better designed, with more central direction and control in the theater as well as in the States. It will be interesting to observe, in this connection, how the Army does in developing the model of a quick reaction inventory control center. As shown in our recent hearings, lack of uniformity and standardization characterize the systems for automatic data processing, which differ within and among the services, with the Army having the most troublesome problems.

It is clear to me that the Department of Defense, and particularly the Office of the Assistant Secretary for Installations and Logistics, will have to take a firmer, more participatory, role in the planning and systematizing of data processing programs from the standpoint of supply management. I know that high-level attention to a common format for requisitions and other computer inputs has led to such standard systems as Milstrip and Milstamp, and that the Department also has been active in promoting the use of a common business language, COBOL, in computer applications. Much more has to be done.

Long-range planning is needed, not only for automatic data processing but for supply and logistics systems in the broadest sense, to keep pace with technological changes and new developments. While these developments will be assimilated by the services in varying ways, it is important to avoid the repetition of proliferating systems and incompatibilities between the services. The Department of Defense must take the initiative in guiding and directing the materiel plans and programs of the services in the interests of economy and efficiency. I am told that the Department of Defense is beginning to assemble some experts and start some planning in this area. It is an effort which would receive very high priority.

Looking down the road, I can foresee vast changes in military supply system concepts. The computer, already indispensable for supply support, offers more and more capabilities and marches increasingly closer to the scene of combat. The satellite relay in space orbit is opening up more communications capacity year by year. New giant transport aircraft are being built, and new cargo ships are planned for logistics deployment. These technical resource and expanding capabilities for sending messages, moving goods, and keeping accurate count and precise control of the many complex enterprises of the defense establishment, challenge the best brains and skills of our military managers. It is timely to think and plan not only how to improve what we have now, but to intelligently and fully exploit what will swiftly come to pass.

CONGRESSMAN MOORHEAD ANALYZES PRESIDENT JOHNSON'S $196 MILLION 1970 BUDGET

(Mr. MOORHEAD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, I think President Johnson presented the Nation, and Richard Nixon, with a very workable fiscal plan for 1970.

In effect President Johnson, in his own words, specifically "challenged" Richard Nixon to carry on the Federal attack against the urban dilemmas of inadequate housing, too few jobs, crime and violence, and the problems of the elderly and schoolchildren.

He challenged Nixon to maintain our strategic military capabilities abroad while simultaneously working to eradicate our domestic ills.

But more significant than the future road engineered by Johnson is the excellent record of the past 5 years he established facing these same demands of state.

Johnson's new budget summarily charted a sound manageable course for the future administration but at the same time as President he set a high performance standard to measure future efforts—the achievements of the past 8 years of the combined Kennedy-Johnson era.

The Johnson budget for fiscal 1970 is first off a balanced one, a recognition of the inflationary dangers present in a dynamic economy such as ours.

Cognizant of the current threat of inflation, Mr. Johnson scrupulously cut sums, ranging from $2 to $300 million, from several key budget areas—yet almost none of the important social or welfare categories was deemed the least bit expendable.

Social security recipients and mothers and children receiving assistance will this year be given $6.1 billion more than last. Insuring the dignity of our aged and providing a sound footing for the young is a growing and very necessary responsibility.

More money will be spent for improved commerce and highways and transportation systems, easing the pressure on our cities and providing the means for families to travel our Nation's roads and enjoy America's scenic beauty.

Urgent housing needs and the problems of community development will be met in 1970 with an increased outlay of $450 million.

President Johnson authorized $710 million for education and manpower demands. Our growing technological competence commands able and qualified workers and students possessing the talent to meet the requirements of interstate and world competition.

The mammoth Defense budget is up $1 billion owing obviously to our deep commitment in Southeast Asia. But successful developments in Paris in the coming months I hope will revise that figure downward.

But with these allowances for more money Mr. Johnson also balanced the budget, and I might add created a surplus, with slices of $267 from 1969's agriculture outlay and a $300 million drop in our space effort. This latter development is due primarily to the fruition of one of the costlier aspects of the program, the lunar orbit.

Foreign aid was trimmed by $183 million over the preceding year and Mr. Johnson sounded a reassuring note with his report that the United States has a surplus balance of payments, the first time this has occurred since 1957.

The President also noted that unemployment is at an alltime low, down to 3.3 percent—with more than 8 million jobs being added in the past 5 years.

President Johnson asked for, and received according to Mr. Nixon's statement last night, a continuation of the 10-percent surcharge. He also requested an increase in social security taxable wages base and maintenance of certain excise taxes.

These revenue sources, along with the normal growth of our economy should provide the additional funds that the 1970 budget calls for.

In the main, President Johnson left a budget that reflects the problems and successes of an old era and the demands and opportunities of a new one.

If the incoming Republican administration accepts most of the Johnson plan with only nominal and traditional objections, I think Mr. Nixon will have taken a proper step in directing his administration to the salient problems facing the United States and the world today. And if he does, he will have my support.

THE LATE E. C. HALLBECK

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. OLSEN. Mr. Speaker, I am deeply saddened by the death last night of my very good friend, E. C. Hallbeck, president of the United Federation of Postal Clerks. His death brings to an end an era in which under his leadership, and that of the late Leo George, the United Federation of Postal Clerks came to the forefront of organized labor in this country. It was under his guidance, first as national legislative director and later as national president, that the postal clerks began to make meaningful progress in the areas of salary, working conditions, retirement, and health benefits. It is because Roy Hallbeck lived and worked that the postal worker today can live in dignity and take pride in his job.

Roy had a vast knowledge of postal affairs stemming from both his innate intelligence and long experience. He started as a clerk in the Chicago Post Office when he was 19 and held various local and State offices in the United Federation of Postal Clerks until 1940 when he was elected assistant national legislative director. In 1946 he became national legislative director and in 1960, president of the United Federation of Postal Clerks.

Roy had the respect of everyone with whom he came in contact. His personal warmth, his quick humor, his sheer ability, and well-earned reputation as a hard worker made him a very well-liked figure not only in the labor movement but on Capitol Hill. The large amount of legislation beneficial to postal workers passed during the last 20 years attests to the high regard held for him by Members of Congress, as well as to his effectiveness as an employee leader.

His death, at the age of 66, comes at a time when his experience, knowledge, and guidance are needed most. With the postal operation under attack from all sides the country can ill afford the loss of one of its outstanding postal leaders.

I extend my deepest sympathies to Roy's widow, Mrs. Elizabeth Hallbeck, and to his daughter, Mrs. Anna Colbert, as well as to all the members of the United Federation of Postal Clerks.

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. OLSEN. I yield to the gentleman from New York.

Mr. DULSKI. Mr. Speaker, I commend the gentleman from Montana (Mr. OLSEN) for bringing to the attention of the Members of the House the sad news of the passing of a great friend of all postal workers, E. C. "Roy" Hallbeck, president of the United Federation of Postal Clerks.

Roy Hallbeck had devoted nearly a half century of his life to the postal service and was serving his fifth consecutive term as president of the organization.

Earlier Tuesday, he had been presiding over a meeting of the federation's national executive board.

Ironically, death has cheated him out of presiding over his most cherished goal—the reunification of the federation with the National Postal Union whose own national executive board is also currently in session, with merger reported to be high on its agenda.

Although the merger with NPU escaped him, Roy Hallbeck has left a legacy of union growth and great contributions to the way of life of the postal worker.

Roy was well known on Capitol Hill. Before becoming president of UFPC, he served for 15 years as national legislative director of the old National Federation of Post Office Clerks, predecessor of the present UFPC.

Roy Hallbeck will be missed sincerely by all who are associated with the postal service.

Mr. OLSEN. I thank the gentleman from New York.

TRIBUTE TO MAJ. NIKKI ROWE

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include a telegram.)

Mr. DE LA GARZA. Mr. Speaker, at this hour in McAllen, in the Rio Grande Valley of south Texas in my congressional district, they are having a welcoming home celebration for a young man who has, perhaps, singlehandedly captured the imagination and the hearts of the American people by having survived 5 years as a prisoner of the Vietcong in a jungle prison camp, and finally escaping from them, in what was perhaps the greatest individual feat of the Vietnam conflict.

I have sent the following telegram which I would like to read to my colleagues:

> JANUARY 15, 1969.
>
> Maj. NIKKI ROWE,
> *c/o Mr. and Mrs. Lee D. Rowe,*
> *McAllen, Tex.:*
>
> Your courage, you stamina, your determination, your great statement regarding the value of freedom have not surprised those who know you, and they have inspired Americans everywhere. Your friends are delighted to know that the Vietcong considered you sneaky and smart. We translate that judgment to mean that you never fell for communist propaganda and never lost your desire to win your freedom. At a time when our national pride can stand a shot in the arm, you are a hero to the American people. I would like nothing better than to be there in person for "Nikki Rowe Day"—so I could tell you and your Father and your Mother, who never lost faith that you would come back, how proud I am to know you. How proud everyone is to know you—our home folks, the Valley—our great state. In behalf of the people of the 15th District of Texas, I officially welcome you home—and in their name I salute you. Warm regards and may the best of good fortune always be yours.
>
> KIKA DE LA GARZA,
> *Member of Congress.*

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

CHAIRMAN DULSKI LAUDS POSTMASTER GENERAL WATSON'S PROPOSALS FOR IMPROVEMENTS IN OUR POSTAL SYSTEM

(Mr. DULSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include an address by the Postmaster General.)

Mr. DULSKI. Mr. Speaker, Postmaster General Watson has made a great contribution to the future of the postal service by the comprehensive recommendations which he has made today for improvements.

Clearly, the postal system needs a complete reorganization along the lines recommended by the Kappel Commission. I concur completely and already I have introduced detailed legislation, H.R. 4, aimed at accomplishing these recommendations.

I intend to call prompt hearings on this matter by our Committee on Post Office and Civil Service and I will ask General Watson to testify. In his relatively short tenure as Postmaster General, Mr. Watson has assembled a wealth of information and understanding on the Department's problems which will be vital to our committee studies.

General Watson has proposed a massive plan for improving our postal facilities—buildings and equipment. What will be absolutely essential is a plan for orderly financing of such improvements. That calls for a whole new concept of financial operation for the Department, an integral feature of my bill, H.R. 4.

The present financial redtape faced by the Department was emphasized in an example given me by General Watson of his frustration last year at his inability to transfer $1 million within his $7 billion operation in order to meet an urgent necessity.

This, of course, is no way to hamstring an executive and expect him to do his job. Again, H.R. 4 would deal effectively with this problem, giving management the authority it must have.

Mr. Watson goes along with the Kappel Commission's recommendation that the Department be converted into a nonprofit corporation. I have not closed my mind to this concept, but my careful study has made me acutely aware of the limitation of such a major changeover in operation.

Other Members of Congress have also expressed to me their reservations and General Watson has acknowledged the Presidential report has weaknesses.

I intend to explore fully the corporation idea as well as alternates such as my own H.R. 4 during the forthcoming hearings.

President Johnson has called for the creation of a single-priority mail rate, combining first-class and airmail into a single rate of 7 cents an ounce.

This proposal comes as no surprise to me. I have said for 2 years that this combination might be inevitable in view of the space-available airlift to meet current transportation needs.

The single priority rate needs careful study, however. For instance, we may still need a higher super-priority rate to insure air service to those requiring it in peak periods.

We also may need to consider some provision for the three out of every four letters which never leave the local post office area. In this field, I would cite greeting cards and local utility bills to which some arrangement for a local rate could be very important.

On this matter of postal rates, I asked General Watson during a private briefing today as to how rates would be supervised if the Department was converted into a corporation, as he urges. He gave me no firm answer.

My own fear in this matter is that mail rates could easily go sky high under the corporate plan—perhaps a first-class rate of 15 cents an ounce—and it would be next to impossible for Congress to keep them within bounds.

We are constantly reminded of service provided in foreign countries. Actually, our rates are cheaper and the service is comparable, remembering of course that most of the European countries, for example, are smaller than many of our individual States. And as for the competence of mail employes, the production per man-hour in the United States is considerably better than those of other countries.

Postmaster General Watson has been truly a great Postmaster General as is evidenced by the comprehension which he acquired in so short a time and the detailed recommendations which he is leaving behind for his successor and for the Congress to utilize in seeking to reshape the entire postal system.

Mr. Speaker, as part of my remarks I am including the text of the statement which General Watson made in a press conference this morning:

Remarks by Postmaster General W. Marvin Watson at Press Briefing, January 15, 1969

I have three announcements to make this morning.

The first comes as no surprise to you. For the second time in two years, a Postmaster General is recommending the formation of a government postal corporation.

There is a great deal of background which goes into this decision and I wish to explain it in some depth.

Following this explanation, I will then present our new plan for modular mail factories, which is the only immediate solution to the problems of handling the ever growing burden of mail.

Lastly, I will explain the necessity for the rate increase in first class mail effective next July.

Actually, all three are part of one package that can solve our postal problems within the next five years and can reduce rates and make the post office pay its own way.

This is the only solution possible, for the postal service has become lost in a paper jungle, gradually being overwhelmed by both the mail and the archaic methods of handling it.

Thus, over these past 18 months, we have been involved in a three-pronged study which enveloped all the problems of what has, over the past century, become a prime example of bureaucracy at its worst.

When I was at the White House, one of my assignments as Special Assistant to the President was to serve as liaison with the Post Office Department. Therefore, when Postmaster General O'Brien originally presented this idea, I assisted in its presentation and assisted the President in forming the Kappel Commission.

This commission has made one of the major contributions in history to more effective government—a contribution of such magnitude that it will be a forerunner and an example for other commissions studying all government agencies. For we all recognize the need to change the direction of bureaucracy and make it more responsive to the modern needs of our people.

We also recognize that some attempts have been made in the past, but have not been successful.

Well, this attempt is going to be successful. It may be controversial, but it will go through because if we are to truly have a good postal service this is the only solution.

In April, by completely unforeseen circumstances, I became Postmaster General and it then became my duty to study the corporation proposal and to seek other methods which could change the down-hill direction of the department.

Our in depth study of the Kappel Commission Report has been the subject of much speculation. I believe it may be helpful if you understand that a department so huge and so deeply involved with our national welfare is such that our study basically had to be in the form of seeing the specifics—of seeing if the decision to form a corporation would work as well in fact as it does on paper.

Our considerations were manifold. Our first concern had to be service to the American people. We, secondly, had to consider the welfare of over 725,000 employees in one of the largest businesses in the world. We had to consider the effect on the national economy—for the mail literally is the lifeblood of business. And we had to begin to develop legislation for the Congress for what will surely be a lengthy and heated debate.

All at one and the same time, we had to keep the mail moving.

I believe we have been successful in this. The Post Office has teetered on the brink of a catastrophe, but we have moved it back from that brink and turned the direction into one of progress.

The major issue at the moment is one of decision.

We could maintain the status quo—but it will only lead to ultimate stagnation.

We could offer a compromise—but a compromise in this period will not accomplish the goal of a completely modern system.

Therefore, facing this crisis of decision, we have decided to go all out for the formation of a government corporation.

In coming to this decision, we purposely thrashed out every alternative. The last alternative discussed was retention of the Postmaster General in the Cabinet, along with a restructuring of the Department as a government corporation operating outside the Federal Budget.

I am certain that some who have supported that position will be heard during the Congressional debate which will shortly follow.

If this occurs, I make only one recommendation—that is that it be made perfectly clear that the Postmaster General should not be a political arm of the President, but rather a businessman, chosen because of his ability to run a huge department of government.

Further, I stress and strongly urge that there be no hedging on the proposal for the government corporation and that for the first time politics be taken completely out of the post office.

Only through the medium of the corporation can we possibly accomplish the objectives of stopping this billion-dollar-a-year drain on the taxpayers and only through the corporation can we provide better opportunities for our postal employees, who are now so unfairly treated in working conditions which often resemble dungeons.

Our employees must always be a primary consideration. They are dedicated and able—so much so that they will move 82.3 billion pieces of mail this year. We should give them more credit for this effort and we should cease being so critical of these people even while we seek to correct the archaic system itself.

In the past eight months, in addition to studying the Kappel proposal, we have also developed other plans and have had some successes within the system as it exists today.

I believe we should cite some of these because it demonstrates that this postal system can be directed if sound business principles are applied.

In this context, I can report that we have had some savings during these past eight and one half months while instituting new administrative practices that planted the seed for programs that will develop even further savings in this fiscal year and next. Actual dollar savings have amounted to $128 million. In addition, a cost reduction plan saved $148.8 million—a total improvement in financial position of $276.8 million.

By applying new manpower training concepts and by enlarging our Postal Service Institute we have opened up new fields for our people—creating paths which lead them to better positions and greater contribution.

But we also recognized that this was not enough. Over the past century, the Post Office Department has become an unwieldy structure composed of separate fiefdoms where every major post office is different.

When I became Postmaster General, I decided that the only way to learn about the department was a crash program of seeing it in action. I also felt the only way to aid the low morale of our people was to go to their post offices and meet with them.

In the course of visiting 205 post offices in 48 states, I constantly saw that our mechanization was not being used properly.

Despite claims of success in modernization of machinery, every major post office had the same problem—expensive machines sitting as isolated little islands in the middle of the workroom floor, with none of the machinery working to its potential and all of it being fed by hand-labor.

I also saw buildings constructed under the most wasteful procedures imaginable—huge marble and bronze public monuments built in congested downtown areas.

In one city I found a new building which had a hole in the middle through which ran a railroad. Almost simultaneously with the completion of the building the railroad stopped running.

In another major city, I found a post office built in 1872— and the only thing which had been done for it since was the installation of the light fixtures.

Such extremes exist everywhere.

The two factors—inadequate buildings and inadequate use of machinery—add up to the dollar drain of the post office on the taxpayers.

Therefore, we have created a new system—the modular mail factory.

In creating this system, we have devised a balance sheet for return on investment. This is the first time this has been done in government. But we approached it in this way because the post office is a business, it does take in money for handling its product, as well as paying money out. Under this system, the Post Office could finance all of its buildings.

The modular mail factory system is also aimed at defeating the slowdown of the mail as the volume increases.

And lastly, the modular mail system is one which can be installed beginning next year and can be completely effective as part of the corporation once that is finally passed by the Congress.

Let me explain this in some depth.

First, the problem of a slower mail. Although everyone in the country seems to feel that it is his post office which is slowest, the bulk of the mail centers in 300 post offices handle at least 70 per cent of all the mail in the country.

Of these 300, the top 74 handle 52 per cent of all the mail in the country.

Therefore, we developed a modular system and a mail factory concept which can be applied to those 300 offices—thus, when it is applied it will solve the majority of our mail problems, at least at the production end. The total cost is $1,455,000,000.

The breakdown is as follows:

Modular mechanization in 300 offices—one billion 18 million dollars.

Return on investment over the 15 year life-span of the machinery—$10.6 billion.

Total savings applicable to the operations of the department over 15 years—$9.6 billion.

Or an average annual return of 69.3 per cent on the initial mechanical investment.

Mail factories in those of the 300 offices where replacement buildings are needed—one time investment—$316.8 million. Land and modification of 119 existing facilities, $121 million.

Savings as opposed to the contemporary construction now used—$1 billion, 43 million.

The total return of an investment for the whole system—mechanization and buildings—is 65 percent.

These are the basic figures of this proposal. In any organization as vast as the Post Office, many other figures must be included. You have in your press kit a fact sheet which details these.

But the most important fact is that a program such as this can put the Post Office into the black within five years.

It means that in moving the post office into this structure we will even be able to absorb the public service deficit, which is, by example, 633 million, 400 thousand dollars this year alone. In other words, we can continue public service without charging it to the taxpayers; we can operate in the black without seeking a subsidy each year for postal loss—which this year amounts to 271 million, 300 thousand dollars; we can speed up the delivery of the mail; we can retrain our people to modern methods of industry and we can, finally, reduce postal rates to a point where stamps can come back to three and four cents instead of constantly being raised.

Without this system, our research indicates that within the next five to ten years the postal deficit will amount to two and one half billion dollars annually and a first class stamp will cost 15 cents.

Permit me now to explain each facet of the modular mail factory concept.

First the mail factory concept.

A mail factory is just what it sounds like. For that is what the mail is—a product which must be moved through a factory-like structure, a factory which provides good working conditions for the employees and a factory which can move the product as swiftly as possible.

The old system of building huge public monuments is no longer necessary. When the public monuments originally were built back in the 1930's, they were used as a vehicle to put people to work in a time of depression. Since then the United States has changed—but the postal service to this point has not.

Building a huge monument downtown only adds to the traffic congestion. There is dollar waste on land, and on construction and each new post office requires a new set of architectural and engineering plans which means further dollar waste.

And—as the mail grows with the population—the time ultimately comes when the building must be enlarged. If it is built downtown there is no room for enlarging it and the whole process must begin again.

We recommend then, the mail factory. These will be constructed according to one master floor plan, will be one story in height, and can have an exterior facade which can be appropriately designed to fit into the architectural or cultural surroundings.

But the interior will always be the same.

These mail factories will be built on the arterial highways bordering the core city, close to the airports where possible.

Enough land will be acquired to provide employee parking—something which is not now possible—and there will also be enough land to permit extension in the future. Two walls of the building will be constructed in such a way that this extension will be easily possible.

Naturally, the Post Office will continue to maintain customer service facilities and some of its administrative functions in the downtown business and residential areas. But we cannot exist any longer with a public monument program bound in wasted expense and inner-city traffic congestion, using buildings which usually require seven years for completion.

This new mail factory system can be built and be in full operation within 24 months after the decision to embark on this program.

It will be aimed at the 300 largest post offices.

At this time, we have plans in various preliminary stages to replace or improve 181 of our top 300 offices. These plans, which call for the construction of public monument-type buildings, would require an expenditure of $1,100,000,000.

This figure includes the cost of new construction and improvements in existing buildings. It is based on a construction cost of $26 per square foot, which is an average of what must be spent nationally. In some buildings in major cities the cost is $32 a foot—but the national average is $26.

On the other hand, to build modular mail factories with sufficient space to accomplish the same amount of mail processing would cost only an estimated $273,700,000. This is based on a construction cost of $14 a square foot, which we believe to be a fair estimate for a modular mail factory. Much of the cost difference stems from the fact that modular buildings in the peripheral areas of cities require only about one-half the amount of interior space as do the downtown monuments.

These estimates do not include the cost of land. There should be considerable extra savings on land costs by building in outlying areas rather than mid-town.

Having built the mail factory will, however, not be enough. We must have a mechanical system to install in it.

This leads to the modules of which I spoke earlier.

Remember now that all of this machinery already exists.

Some of it is on our workroom floors and some of it exists in foreign countries. In fact some of it is made here and shipped to England, Belgium and Sweden. When I found that out I asked the company why it never offered the equipment here. They answered: "We never offered it because there is just too much red tape in the U.S. Post Office."

Well, I couldn't agree with them more. But we've cut some of that red tape and now we can get this machinery as well.

But the history of the Post Office has been such that no one has ever previously tried to tie it all together. For much too long each administration and each Postmaster General has concentrated on only one element without tying together all the pieces.

As a result, we have letter-sorting machines which are the most advanced in the world, but which have no inter-faced mechanization for ease of processing. We have optical character readers which have great capability, but which are not extended to their potential. And flirting around the edges we have other smaller machinery which if inter-faced would make it possible for the mail to be more swiftly processed without so much proclivity for human error. And using this machinery we can also for the first time come up with a standardization formula for handling the mail instead of the varying techniques now used.

I would also point out that this change into mechanization can be done without cutting down the labor force of the post offices. There must be a retraining of some skills of course. But this retraining can only help all our people to a higher standard of pay and ability.

The reason that this requires no cutback in the current work force is because the mail volume constantly increases. Our studies indicate that twenty years from now there will be 140 billion pieces of mail—and that is a good indication of why we must plan now.

To explain the module, permit me to use these charts.

The first chart shows you the isolated islands which sit in workroom floors today. The second shows the same machinery, plus some new pieces which interface it all and which gives us the capacity to handle 107,000 pieces of mail per hour per module.

Each module cost $2,107,000. Our figures indicate an average savings of $1,460,000 a year in operating costs over the life of the equipment. This is based on a 10 hour a day, six day work week. Thus, each module pays for itself within two years—and each module has a lifespan of 15 years. You can easily see the profit factor there.

Attacking the problem on the basis of the 300 largest offices a total of 483 modules will be necessary. In some cities, such as Topeka, Kansas, only one module will be needed. In other cities such as New York, 25 will be needed.

The cost of these 483 modules as I said before will be one billion dollars and the profit will be nine point six billion.

There is one major element of these modules which is new to the American Postal Service—an encoding system. A number of other nations use this system effectively.

The encoding system works in this fashion—

A code extracted from the address is placed on each letter the first time it is handled in the post office. The code can then be read by machine and once it is placed on an envelope that piece of mail can be completely machine processed. In essence, the code is an abbreviated form of the major elements of an address. The ZIP code would continue to be a vital part of the address and would be essential to an efficient operation of the coding system.

We have signed a contract for the first prototype module with Ling-Temco-Vought Electro Systems, Inc. The contract is for $3,163,903. Testing of this module will begin shortly in Atlanta, Georgia. Various aspects of the testing will range from six months to 18 months. When the testing is concluded, we will be ready to go with installation—and the installation will begin in mail factories, not public monuments.

The final element I wish to discuss today is in the change in the rate structure which was included in the budget announced this morning.

This marks the first time that the Post Office Department will be able to operate in the black since World War II.

We have recommended the elimination of the air mail stamp and the increase of first class postage from 6¢ to 7¢.

There were several reasons for this decision.

The first is the concept of putting the post office on a business footing. The constant rise in our deficit must be stopped. This could only be done by a rate increase at this time.

Thanks to our air taxi service and our space available system on first class mail, virtually all of the first class mail carrying a 6¢ stamp now goes by air anytime the distance is over 200 miles.

The air mail stamp will no longer be necessary.

By eliminating it and its processing requirements we will have considerable savings. By raising the rates, we contribute—after deductions for the 10 cent stamp—519 million, 400 thousand dollars to our operating fund. This eliminates the postal deficit.

The decision to adjust the rates in this fashion was, in our opinion, the only way we could possibly administer the problems of the postal service at this moment.

It was a hard decision, but one which must be made.

This is a time when other hard decisions will also have to be made.

But there can no longer be any hiding from the problems . . . there can no longer be any shunting aside of the issue.

The government corporation and the modular mail factory system can together provide the most modern mail service in the history of the world within the next five years . . . and a service which also will come with reduced cost to each of our citizens while at the same time raising the standards of living for our postal people.

With these moves we have cut through the paper jungle which was slowly strangling the Department.

THE FUTURE OF U.S. PUBLIC DIPLOMACY—I

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, on December 22, 1968, shortly before the 91st Congress was sworn in, the Foreign Affairs Subcommittee, which I have the honor to chair, issued a report on "The Future of U.S. Public Diplomacy."

Consisting of only 8 pages, this report deals with issues which have an important bearing on our foreign policy and the prospects of peace in the world.

It concentrates on three associated topics: the "U.S. image" abroad; the relevance of that "image" to the success or failure of our foreign policy; and the bearing which that "image" has on American nongovernmental operations abroad—be they business, or charity, or education, or other.

The recommendations of our subcommittee cover slightly more than one page of print in the report. Because they are timely and pertain to the tasks confronting the new administration, I am going to put them into the Congressional Record.

In the days to come, I shall provide additional information regarding the report, comments made on it by leaders of American industry, foundations and education, and by the news media.

The subcommittee's findings and recommendations about "The Future of U.S. Public Diplomacy" follow:

Subcommittee's Findings and Recommendations

It is the consensus of this subcommittee that the record of the hearings contained in this volume, summarized above, speaks for itself.

The condition of the U.S. image abroad, as described by expert witnesses, and its potential implications for the future security and economic well being of the United States should give all of us reason for concern.

It is astonishing in some respects how little the U.S. Government has done over the years to adjust its overseas information policy and operations to the new realities in international relations: realities fashioned largely by the on-going revolution in communication technology.

This is particularly surprising because the United States has led the world in applying innovations produced by the communication revolution to commercial, economic, and other domestic purposes.

The subcommittee believes that the developments which are responsible for the expanding role and prominence of public diplomacy, will continue to avail in international relations. These developments require a serious response on the part of the U.S. Government.

To this end, the subcommittee comends to the attention of appropriate Government officials and public-minded citizenry the many thoughtful suggestions for changes (particularly in the U.S. Information Agency) outlined in this document by some of our leading experts.

We do not feel, however, that reforms in any one agency will catapult the U.S. Government into the present in this vital field of foreign policy operations.

The subcommittee believes that a thorough, systematic reappraisal of the entire information policy of the U.S. Government should be undertaken—preferably by a bipartisan commission of outstanding national leaders and experts in communication and in the social sciences.

This effort deserves the wholehearted support of the President of the United States, the executive branch, and the Congress.

For we stand today at the threshold of a new dimension in communications.

International communication is rapidly moving beyond the domain of information, persuasion, and influence. It is becoming the vehicle for the world community's discussion of its common problems, common fears, common hopes, and aspirations. It is on the verge of becoming an integral part of the international political process—providing the means for the resolution of conflicts in a peaceful way, and for the improvement of man's material condition.

In time, as one witness observed, international communication can become the basis of a rational discourse of mankind about life and the destiny of our world.

There are four main channels of foreign affairs: diplomacy, trade, communications—and force. The first three are complementary, the fourth an alternative.

Today, the United States spends 95 percent of the resources devoted to foreign affairs through the fourth channel; only 5 percent through the other three.

Isn't it about time to start changing that ratio?

ANTITRUST EXEMPTION FOR CERTAIN TERRITORIAL FRANCHISES

(Mr. ROGERS of Colorado asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ROGERS of Colorado. Mr. Speaker, for the last two Congresses I have introduced legislation to aid small business and to clarify the antitrust laws applicable to franchise operators. In the 90th Congress, I introduced H.R. 4069, a bill to amend the Sherman Act to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize. Today I will reintroduce this bill as H.R. 3645.

In the past decade the franchise system for distribution and marketing of goods and services in this country has had an unsurpassed growth. The franchise system of distribution now accounts for nearly 10 percent of this Nation's gross national product, and 25 percent of all retail sales are made through this system. Almost any item or service which the public desires is available under one type of franchise program or another.

The reason for this tremendous growth in franchising operations is the mutual advantage the system has for both the manufacturer and the distributor. The franchisee is provided an opportunity to become an independent businessman with the benefit of national advertising support, know-how, and proved bookkeeping and accounting methods. These techniques and advantages customarily flow from the franchisor to the franchisee. The franchisee, typically a small businessman, normally does not possess the resources to undertake the financial burden that would be required to obtain this assistance for himself.

The franchisor, on the other hand, receives the benefit of nationwide distribution without the attendant problems of employee management and organizational administrative costs. The relationship between the franchisor and the franchisee is such that both parties gain or lose, by the other's action.

Many franchise systems are, by their very nature, based upon exclusive territorial arrangements. The franchisee needs such protection in order to provide aggressive servicing for the manufacturer's product. In his territory, to which he may devote his undivided attention, the franchise operator is able to secure advantages for the consumer. The franchise operator, because he has a stake in maintaining his reputation in the territory, shows concern for product and service that otherwise would not be made available.

On the other hand, by giving each operator a territory of personal responsibility, the manufacturer is able to establish a systematic distribution pattern. When there are other goods and services in competition with those of the manufacturer, the franchise system allows each manufacturer to bring the utmost vigor to his marketing program.

Recently there have been court decisions which may restrict the freedom of franchisors to enter into exclusive territorial arrangements with their franchisees. The Supreme Court in the Schwinn case (*U.S.* v. *Arnold Schwinn & Co.*, 388 U.S. 365 (1966)), has ruled that territorial restrictions, once the manufacturer has parted with dominion over the product and shifted title and risk to the distributor, would violate the antitrust laws. This ruling does not take into account the realities of our present marketing operations. Small business and franchised operators need assistance.

My bill makes it clear that the antitrust laws shall not strike down reasonable territorial arrangements where there are products of like grade of quality in free and open competition with those of the franchisor.

CHRISTMAS EVE IN ORBIT OF THE MOON

(Mr. VIGORITO asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. VIGORITO. Mr. Speaker, the Nation and the world has praised the three brave men who orbited the moon at the end of December. The Congress of the United States has given them deserved tribute at a joint session just last week.

Colonel Borman, Captain Lovell, and Major Anders, by their conquest of unknown space, have made us all proud to be Americans. I feel that one of the most touching episodes of their journey was when, on Christmas eve, they beamed back a Christmas message to all of us "on the good earth."

In tribute to our astronauts I am including in the Record their Christmas eve conversation. I also wish to thank Mrs. Ruth Piel, a constituent from Sandy Lake, Pa., for her thoughtful suggestion to so acknowledge our thanks to the three men. The message follows:

CHRISTMAS EVE IN ORBIT OF THE MOON

Colonel BORMAN. We are now approaching lunar sunrise and for all the people back on earth, the crew of Apollo 8 has a message that we would like to send to you:

Major ANDERS. "In the beginning God created the heaven and the earth. And the earth was without form and void, and darkness was upon the face of the deep. And the spirit of God moved upon the face of the waters. And God said: Let there be light. And God saw the light; that it was good. And God divided the light from the darkness."

Captain LOVELL. "And God called the light day. And the darkness he called night. And the evening and the morning were the first day. And God said let there be a firmament in the midst of the waters, and let it divide the waters from the waters. And God made the firmament, and divided the waters which were under the firmament from the waters which were above the firmament; and it was so. And God called the firmament heaven. And the evening and the morning were the second day. And God said let the waters under the heaven be gathered together into one place, and let the dry land appear; and it was so."

Colonel BORMAN. "And God called the dry land earth; and the gathering together of the waters He called seas; and God saw that it was good."

And from the crew of Apollo 8 we close with good night, good luck, a Merry Christmas and God bless all of you—all of you on the good earth.

THE RURAL JOB DEVELOPMENT ACT OF 1969

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I introduce today the Rural Job Development Act of 1969. This bill represents a major legislative initiative. It is a sincere effort to reverse the destructive depletion of rural America's most valuable resource, and hope for future prosperity: its people.

The senior Senator from Kansas, the Honorable JAMES B. PEARSON, and his colleague from Oklahoma, Mr. HARRIS, are principal cosponsors of the act in the other body. It is largely through their untiring effort that this improved Rural Job Development Act is fully prepared for timely introduction in the 91st Congress. The gentleman from Kansas (Mr. SEBELIUS) joins me as cosponsor today, and we shall be relentless in our efforts to secure House consideration at the earliest practicable time.

NATURE OF THE ACT

Mr. Speaker, this act provides tax credits to industrial and commercial enterprises, with the belief that they will respond by locating in counties to be designated as "rural job development areas" by the Secretary of Agriculture. Tax incentives will be provided to industries which choose to provide on-the-job training to unskilled local laborers. Tax credits will also be allowed on real property, along with an accelerated plant depreciation schedule.

Rural job development areas will contain no city of over 50,000 in population, with at least 15 percent of the population earning less than $3,000 per family.

It is significant to note that every State in the Union has counties which today would qualify as "rural job development areas." Thus every State, every region, every segment of the Nation's economy would have the opportunity to benefit from enactment of this legislation.

THE NEED IS NOW

Mr. Speaker, during the past 16 years, some 1.8 million farmsteads have been disbanded. Millions have migrated to our glutted urban areas in search of decent housing, better income, job security, and educational opportunity for their children. To a large extent, their hopes have been dashed by substandard housing conditions, skyrocketing living costs, and an urban community that seemed it did not care.

Negro families, faced with rural agricultural mechanization and inadequate industrial alternatives, moved to the center cities, to unemployment and welfare.

White families moved to the fringes of the great metropolitan centers to take jobs clearly below their capacity to perform. Both groups became desperately unhappy, and quite understandably so.

The Rural Job Development Act, if its opportunities are grasped by the American business community, will provide an alternative to those who would choose to remain in rural America—or return to it.

A PRACTICAL PLAN

Mr. Speaker, we have no illusions in introducing this legislation. It cannot solve the desperate conditions which boggle our cities, nor can it solve all the problems of some 14 million rural Americans who are today below the poverty line. And it will cost money, for tax incentives are a form of taxation. But industrial tax incentives, as envisioned in this act, will surely pay for themselves in new revenue through increased rural economic expansion. Further, on-the-job training performed by private industry reduces the Government's obligation to provide parallel vocational education, and thus reduces Federal expenditure in this important area.

Finally, the most urgent demand of the Nation's rural counties is for new industry and jobs. This act will move to meet that demand, involving the leadership and the proved ability of businessmen to generate prosperity in an expanding economy.

Mr. Speaker, it is my belief that the Rural Job Development Act can provide a catalyst for broader-based prosperity throughout the Nation. Therefore, I urge its enactment to meet the needs of all America today.

DESTROYING THE RIGHT OF DISSENT

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, on Monday of next week a new President of the United States will be inaugurated on the east steps of this building.

This event, and the activities related to it, symbolize our system of government by the people. They dramatize for all the world to see the great success which we in this country have made of a Nation's people governing themselves through free elections.

But now we are told that a group of protestors will stage what they call a "counter-inauguration." They will be coming, perhaps as many as 10,000 of them, from various places to demonstrate in the streets.

It is not quite clear exactly what it is about the new administration that they are protesting, since they are beginning to protest even before the new administration takes office.

But we can be sure that the basic long run interest of the organizers of this effort is destruction of the Government itself. They use various emotional appeals to mobilize well-meaning people to their support. But their only real objective is to bring down our free Government.

Toward this goal these people are following the exact same tactics they used in Chicago in July and right here in Washington last April.

First they make a request for some manner of special privilege which supposedly is required for them to exercise their right to "dissent."

If this first request is granted they make another, more far-reaching request, but now calling it a demand. If this is granted then they escalate their demands still further, until at some point the authorities have to hesitate or say no.

At that point they claim they are being denied their rights, and they can get into the newspapers across the land. And they threaten to make trouble.

The extent of their arrogance is so great as to stretch the belief of most Americans to the breaking point.

This process is taking place here in Washington today. The protestors wanted first to parade up Pennsylvania Avenue the day before the inauguration. The request was granted, according to a newspaper report January 13.

Next they wanted permission to set up a large tent on public grounds and to stage a rally. They say these demands are nonnegotiable, and if they are not met they may engage in civil disobedience.

The names of the sponsors of this tragi-comedy are familiar because they are generally the same people responsible for similar protests and related violence in recent months.

They can be expected to practice their technique of provocation with at least the same skill they demonstrated at Chicago and elsewhere.

And they will do this only when the television and newspaper photographers are close at hand, ready to provide the publicity which is a vital ingredient in their program.

Let us make no mistake about this. These people represent only a tiny group of people. They are semiprofessional malcontents who march under the banner of righteousness, but who actually have no interest in the rights of anyone.

For those who are tempted to join in these cynical demonstrations at this time of a Presidential inauguration we can only say:

Look about you and get a balanced perspective of the real sources of right and wrong in our country and the world. Ask yourselves about freedom of expression and individual freedom to behave as you like within the bounds of other peoples rights.

Ask yourselves about chances for Americans to change their government leadership as they have just done, and compare our system with that of any other country in the matter of an individual's influence on the course of government.

And when you have taken a good hard look at yourselves, your goals, and at our system, ask if you really want to play the game of those very few who are intent on plotting a revolution.

I urge you to join with other Americans in the pride that we rightfully feel as we are about to inaugurate a new President. This is an event which results directly from an elective process which provides for greater freedom of expression than any other system the world has ever known.

It is part of a system which guarantees to each of us full rights of dissent. And those who seek to destroy the system can only do harm to the very values which they profess to support.

MANDATORY JAIL TERM FOR POSSESSION OF DEADLY WEAPON DURING COMMISSION OF A CRIME

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TALCOTT. Mr. Speaker, the appalling escalation of crime in America must be halted. The tranquility and security which was enjoyed in almost every community in America a relatively few years ago must be restored. The present fear in the hearts of our citizens when they step out into the city streets must be replaced with confidence.

In my opinion, one reason, among others, for the development of this situation is that the courts have been too lenient in the sentences meted out for various crimes. There is little deterrent effect if a would-be law violator knows he will spend a very short time incarcerated if he is apprehended and convicted.

To help remedy this situation, I believe any person who uses, or even has on his person, a gun or other dangerous or deadly weapon when committing a crime carrying a 1-year prison term should be imprisoned for a minimum of 5 years, but not over 10 years. This second jail term would be nonsuspendable and nonpardonable. Every intending criminal who uses a gun must know that he will serve this period in prison if he is apprehended and convicted. The language of the bill I am introducing today would impose this extra minimum mandatory penalty for commission of both Federal and State crimes.

Mr. Speaker, some persons advocate licensing all guns and registering all gun owners. I am convinced that the enactment of my proposal would eliminate the need for considering any additional gun control legislation.

I welcome the support of my colleagues and call upon the Judiciary Committee to consider this proposal in the immediate future.

CREATE THE VENTANA WILDERNESS NOW

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, I am today introducing a bill to designate the Ventana Wilderness as an integral part of the national wilderness preservation system.

The Ventana Primitive Area, comprising 54,407 acres, was previously set aside in the Los Padres National Forest in its natural condition. This area will form the nucleus of the Ventana Wilderness. Some 40,321 acres in the national forest would be added to the primitive area to make a total wilderness area of 94,728 acres.

The wilderness lies on both sides of the Santa Lucia Range of mountains and the east side of the crest of the Coast Range in Monterey County, Calif. It contains the headwaters of the Carmel, Arroyo Seco, the Little Sur, and the north and south forks of the Big Sur Rivers. Elevations vary from 1,200 feet to 4,800 feet.

Many interesting species of flora exist in the area. A rain forest is located on the westerly boundaries. Typical southern California brush-type vegetation exists in the easterly portion. Several varieties of conifers and hardwoods grow in the area. Among them are the California coast redwood and the Santa Lucia fir or bristlecone fir.

The proposed wilderness is within 100 miles of the San Francisco Bay region having over 8,000,000 people.

Mr. Speaker, this area will be a very valuable addition to the national wilderness preservation system, and I urge the House Committee on the Interior to approve this bill in the near future to preserve this unique area for future generations.

ANNUAL REPORT ON THE FOREIGN ASSISTANCE PROGRAM FOR FISCAL YEAR 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-23)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

I am proud to transmit the Annual Report on the Foreign Assistance Program for Fiscal Year 1968.

The year's most significant development was the sharpened focus of our aid program on the priority problems of food and population.

During the 12 months covered by this report, major breakthroughs in food production occurred in the less developed countries.

—Record harvests were achieved in Pakistan, Turkey and the Philippines. In India food grain harvests jumped to nearly 100 million tons, 10 percent above the previous record.

—Total food output in the developing countries rose 7 percent, the largest increase on record.

United States economic aid played a major role in this Green Revolution. Our programs encouraged more effective farm price policies, helped to extend irrigation and establish farm credit systems, and provided technical assistance, fertilizer, pesticides and tools that farmers need to take full advantage of the new "miracle" seeds.

Many less developed nations are now establishing family planning programs. During Fiscal 1968 the Agency for International Development committed $35 million to help them carry out these programs. This was nine times more than AID devoted to population programs during the previous year.

This report records the continuing concentration of American aid in relatively few countries where it can be most effectively used to help others help themselves. Fifteen nations accounted for 84 percent of total economic commitments by AID during the year. They were Brazil, Chile, Colombia, Dominican Republic, India, Indonesia, Korea, Laos, Nicaragua, Nigeria, Pakistan, Panama, Thailand, Turkey, and Vietnam.

Another country, Iran, achieved self-support during the fiscal year and the United States AID mission there was formally closed.

Among the most helpful signs of our times are the breakthroughs being made by the less developed countries in food production, and the programs they have launched in the field of family planning.

It is our responsibility—and the responsibility of other more developed nations—to give their efforts firm support through our foreign assistance program. To do less would be to court catastrophe in a world growing smaller day by day.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 15, 1969.*

LEGISLATION TO PROHIBIT STATE OR POLITICAL SUBDIVISION FROM LEVYING INCOME TAXES ON NONRESIDENTS

(Mr. HUNT asked and was given permission to address the House for 1 minute.)

Mr. HUNT. Mr. Speaker, a substantial number of my constituents, residents of the First Congressional District, New Jersey, are faced with a not wholly unique situation with respect to income taxes. It is not entirely unique in that with the mounting pressures for additional sources of revenue, many of our more populace cities are finding a windfall in the form of the out-of-State, nonvoting, nonresident whose only status is that of worker, income-earner, breadwinner, or whatever else you may want to call him.

Such is the case with New Jersey residents who are obliged, by reason of circumstances and proximity, to work in the city of Philadelphia. The city imposes a wage tax on wage earners within its jurisdiction regardless of residency and without regard to any equitable standard whereby city residents now reap virtually the full benefits. It is, in the truest sense, taxation without representation, a matter which was fundamental to the cause for which the Revolutionary War was fought.

The State of New Jersey is unique in that it is one of only 12 States which does not impose an income tax on its residents. This should not lead one to the conclusion, however, that individuals benefit from a lighter tax burden. Emphatically, this is not the case. Property taxes are commensurately higher, and in fact, have borne the brunt of rapidly increasing public expenditures within the State that ranks 46th in size but eighth in population.

Mr. Speaker, there are none among us who, despite considerable reluctance and frustration at times, fails to pay his fair share of taxes at all levels, but I dare say there are a few who unequivocally resent taxation in entities where they neither claim nor seek residency. In my estimation, it is simply an injustice and one which it appears will only be resolved by act of Congress.

I have, therefore, reintroduced a bill, H.R. 849, which would prohibit any State or political subdivision thereof from levying income taxes on nonresidents of that State. This legislation may need refinement, in the wisdom of the committee, but I believe the subject matter in question was touched upon during the consideration of the Interstate Taxation Act of 1968. I am hopeful, and earnestly urge, that this legislation be taken up at any early date and I solicit your diligent consideration of the intent and purposes of my bill.

MESSAGE FROM THE PRESIDENT

The SPEAKER. The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HALL. Mr. Speaker, in the belief that this is the President's annual budget message, I think Members would want to know that it is being read.

Therefore, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 10]

Abbitt
Addabbo
Alexander
Ashbrook
Ashley
Ayres
Barrett
Battin
Bell, Calif.
Betts
Biester
Blatnik
Bolling
Brademas
Brasco
Brown, Calif.
Byrne Pa.
Byrnes, Wis
Cabell
Cahill
Camp
Clancy
Clark
Clawson, Del
Clay
Collier
Conte
Conyers
Coughlin
Delaney
Dent
Diggs
Dingell
Donohue
Dwyer
Eckhardt
Edwards, Calif.
Eilberg
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Flowers
Ford, Gerald R.
Friedel
Fuqua
Galifianakis
Gallagher
Garmatz
Gray
Griffin
Grover
Gubser
Hagan
Halpern
Heckler, Mass.
Holifield
Hosmer
Howard
Hull
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Karth
Kastenmeier
Kee
Kuykendall
Kyros
Laird
Landgrebe
Lipscomb
Long, La.
Lowenstein
Lujan
McDade
McEwen
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Miller, Calif.
Moorhead
Morton
Mosher
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Passman
Pepper
Pettis
Philbin
Pickle
Powell
Price, Tex.
Pryor
Quillen
Randall
Rees
Reinecke
Riegle
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Ruppe
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scheuer
Shipley
Sisk
Smith, Calif.
Smith, Iowa
Snyder
Steed
Sullivan
Teague, Calif.
Teague, Tex.
Udall
Watkins
Weicker
Whalley
Widnall
Wiggins
Wydler
Yates
Yatron

The SPEAKER. On this rollcall 299 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Note: The following Member has not yet taken the oath of office: HANNA.

THE BUDGET MESSAGE OF THE PRESIDENT, 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–15)

The SPEAKER. The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

To the Congress of the United States:

The 1970 budget, which I am transmitting to you today, points the way toward maintaining a strong, healthy economy and continuing progress in meeting the Nation's highest priority military and domestic needs.

The record of achievements of the past 5 years is an impressive one. We have witnessed a period of unprecedented economic growth, with expanded production, rising standards of living, and the lowest rates of unemployment in a decade and a half. Our military forces today are the strongest in the world, capable of protecting the Nation against any foreseeable challenge or threat. Last month saw man's first successful flight to the moon. In domestic matters, the legislative and executive branches, cooperatively, have forged new tools to open wider the doors of opportunity for a better life for all Americans.

In my first budget message 5 years ago, I stated: "A government that is strong, a government that is solvent, a government that is compassionate is the kind of government that endures." I have sought to provide that kind of government as your President. With this budget, I leave that kind of government to my successor.

The 1970 budget program calls for:

- —Support for our commitments in Southeast Asia, and necessary improvements to maintain and strengthen our overall military capabilities.
- —Continued emphasis on domestic programs which help disadvantaged groups obtain a fairer share of the Nation's economic and cultural advancements.
- —A budget surplus in the year ahead, as well as in the current fiscal year, to relieve the inflationary pressures in the economy and to reduce the strains that Federal borrowing would place on financial markets and interest rates.

This Nation can and must bear the cost of the defense of freedom, and must at the same time move ahead in meeting the pressing needs we face at home. But caution and prudence require that we budget our resources in a way which enables us to preserve our prosperity, strengthen the U.S. dollar, and stem the increased price pressures we have experienced in the past few years.

We can meet these objectives and achieve desirable budget surpluses by:

- —Holding down total Federal spending and lending through strict control of the program commitments.
- —Extending for one year the 10% tax surcharge on individual and corporation income taxes enacted last June beyond the present expiration date of June 30, 1969.

Americans are united in the hope that the Vietnam peace talks now taking place in Paris will be soon and successfully concluded, so that reconstruction can begin. Meanwhile, the fighting continues. Under these circumstances, the 1970 budget necessarily provides funds to support our military operations in Vietnam for the year ahead. At the same time, we are taking steps to assure an orderly reduction in Southeast Asia support as soon as conditions permit.

With the attainment of a just and honorable peace, consideration can be given to removal of the tax surcharge as military spending declines. At that time, such action could ease the post-Vietnam transition, smooth the conversion to greater peacetime production, and help assure continued economic growth and full employment.

Our domestic programs are increasingly focused on urgent national problems—inadequate educational opportunities, slum housing, increased crime, urban congestion and decay, pollution of our air and water, lack of proper health care, and hunger and malnutrition. The 1970 budget continues to place the greatest emphasis on progress in overcoming these ills.

A substantial part of every budget reflects the continuing momentum of program decisions made in past years, by past Presidents and past Congresses. While adhering to a restrictive expenditure policy, I am making reasonable provision in the 1970 budget for the requirements of ongoing programs, proposing reductions wherever possible and recommending some selective improvements and expansions, including social security benefit increases.

BUDGET SUMMARY

The 1970 budget proposes total outlays of $195.3 billion, made up of $194.4 billion in expenditures and $0.9 billion for net lending.

Budget receipts are estimated at $198.7 billion in 1970, including the effects of extending present income and excise tax rates.

Accordingly, the budget surplus will be $3.4 billion.

The budget totals are, as in last year's budget, based on the new budget concept adopted upon the unanimous recommendation of the bipartisan Commission on Budget Concepts which I appointed in 1967. They include the transactions of the social security and other Government trust funds, and distinguish between expenditures and fully repayable loans.

Assuming the adoption of the recommendations in this budget, the surplus for fiscal year 1970 would follow a surplus of $2.4 billion in 1969. This outlook represents a sharp reversal from the $25.2 billion deficit incurred in fiscal year 1968.

The totals in the *expenditure account* alone are estimated to produce a surplus of $4.3 billion in fiscal year 1970. This expenditure surplus offers a better measure of the direct effect of the Federal budget on the Nation's income and output, and highlights the fiscal policy which underpins my budget recommendations.

To finance the proposals in this budget, I am recommending appropriations and other new budget authority of $210.1 billion for 1970. Of this amount, $143.9 billion depends on action during the current session of the Congress. The remaining authority will become available under existing law without current congressional action.

SUMMARY OF THE BUDGET AND FINANCIAL PLAN

[Fiscal years. In billions]

Description		1968 actual	1969 estimate	1970 estimate
Budget authority (largely appropriations):				
Previously enacted		$134.4	$127.8	
Proposed for current action by Congress			4.8	$143.9
Becoming available without current action by Congress		67.8	75.3	80.2
Deductions for offsetting receipts		−11.6	−13.3	−13.9
Total budget authority		190.6	194.6	210.1
Receipts, expenditures, and net lending:				
Expenditure account:				
Receipts		153.7	186.1	198.7
Expenditures (excludes net lending)		172.8	182.3	194.4
Expenditure account surplus or deficit (−)		−19.2	3.8	4.3
Loan account:				
Loan disbursements		20.4	12.5	8.1
Loan repayments		14.4	11.1	7.2
Net lending		6.0	1.4	.9
Total budget:				
Receipts		153.7	186.1	198.7
Outlays (expenditures and net lending)		178.9	183.7	195.3
Budget surplus or deficit (−)		−25.2	2.4	3.4
Budget financing:				
Net borrowing from the public or repayment of borrowing (−)		23.1	−3.1	−4.0
Other means of financing		2.1	.7	.6
Total budget financing		25.2	−2.4	−3.4
Outstanding debt, end of year:	1967 actual			
Gross Federal debt	341.3	369.7	365.2	371.5
Debt held by the public	267.5	290.6	276.6	272.6

FISCAL PROGRAM FOR 1970

The revenues and budget program I recommend for fiscal year 1970 are described in detail in Parts 2 and 3 of this budget document. The major features of the overall fiscal program follow.

Economic setting.—The fiscal policy I am recommending is designed to:

- —Foster continued growth in employment and real income;
- —Contain inflationary pressures;
- —Ease the upward pressure on interest rates; and
- —Continue the improvement in our balance of payments position.

Early in 1961, the American economy entered into a record-breaking period of prosperity which has continued for 8 years. Between 1960 and 1968, we have achieved:

- —An increase of 45% in the Nation's output of goods and services;
- —A rise of $24 billion in annual corporation profits, after taxes;
- —An increase of 31% in real per capita spendable personal income (after adjustment for prices);
- —The creation of more than 10 million new jobs;
- —An average annual increase of 3.5% in output per man-hour;
- —A reduction in the rate of unemployment to 3.3% of the labor force, the lowest level since October 1953; and
- —A decrease of over 17 million in the number of people living in poverty.

In contrast, recent price developments have not been satisfactory, even though our record compares favorably with other major nations of the world. We have also had a sharp increase in interest rates, and our balance of payments position needs strengthening, although substantial progress has been made toward equilibrium.

To help correct these conditions, I requested and—after considerable delay—the Congress enacted the 10% tax surcharge. This measure has helped to calm fears abroad about our willingness and determination to take the steps needed to protect the American dollar. The delay in enacting the surcharge was costly, however. During the prolonged period of debate, price and cost increases gathered momentum. The fiscal restraint proposed in the 1969 and 1970 budget is essential if we are to look toward a satisfactory price performance and a return to a sustainable rate of economic growth.

Many factors underlie the economic imbalances we are experiencing. A return to reasonable price stability will require continued fiscal restraint with appropriate adjustments in monetary policy and restraint in price and wage decisions by American business and labor. With a reduction in inflationary pressures, our balance of payments should improve as we strengthen our competitive position in world trade. Relative price stability should also relieve some of the pressures on the money markets and foster a reduction in interest rates. A year ago the very heavy borrowing requirements of the Federal Government were exerting extreme pressure on interest rates. This is no longer the case.

Although we are optimistic, we cannot predict with any certainty when the peace talks in Paris will reach a successful conclusion. Nor can we predict precisely the timing or magnitude of movements in our highly complex economy. Accordingly, I believe the wisest plan of action at this time calls for extension of the tax surcharge. Should the situation change significantly in the coming months, fiscal policy adjustments could be undertaken appropriate to the conditions then forecast.

When I signed the act providing for the tax surcharge, I pointed to the need for procedures in the future to assure closer cooperation between the executive and legislative branches in accomplishing the timely adjustment of fiscal policy. I believe the current uncertain outlook presents an excellent opportunity for attempting corrective action in this area.

- —I urge the Congress to give serious consideration to coupling extension of the temporary surcharge beyond June 30, 1969, with authority for the President to remove it entirely or partially if warranted by developments. Such Presidential discretion would be subject to congressional veto within a limited time period.
- —For the longer run, consideration should be given to establishing as a permanent part of our tax system an element of flexibility under which the President, again subject to con-

gressional veto, would have discretion to raise or lower personal and corporation income tax rates within specified limits—such as 5% in either direction.

The Congress should take this action or develop a comparable alternative procedure to prevent in the future the kind of costly fiscal stalemate we experienced in the last year and a half.

Revenues.—In addition to extending the temporary income tax surcharge, I believe we should also extend the present excise tax rates of 7% on automobiles and 10% on telephone service, rather than allow these rates to drop to 5% on January 1, 1970, as currently scheduled by the Revenue and Expenditure Control Act of 1968. The $198.7 billion total estimated revenues for fiscal year 1970 includes $9.5 billion to be collected from extending the income tax surcharge and current automobile and telephone excise tax rates.

Budget receipts in fiscal year 1969 are estimated at $186.1 billion. Although declining, the continued high cost of supporting our operations in Southeast Asia will amount to more than double the revenue yields anticipated from extending the surcharge and excise tax rates into fiscal year 1970. If the surcharge were allowed to expire on June 30, 1969, and the excise taxes to decline on January 1, 1970, the growth in revenues, mainly resulting from an expanding economy and rising incomes, would approximately offset the revenue loss from the scheduled decline in tax rates. Receipts in fiscal year 1970 under existing law would be close to the estimated revenues in fiscal year 1969, and would be inadequate to cover the unavoidable, built-in increases in outlays.

BUDGET RECEIPTS

[Fiscal years. In billions]

Source	1968 actual	1969 estimate	1970 estimate
Individual income taxes	$68.7	$84.4	$90.4
Corporation income taxes	28.7	38.1	37.9
Social insurance taxes and contributions	34.6	40.5	45.9
Excise taxes	14.1	14.8	15.7
All other receipts	7.6	8.3	8.8
Total budget receipts	153.7	186.1	198.7
Under existing law	153.7	185.6	186.8
Under proposed legislation:			
Income and excise tax rate extensions		.5	9.5
Increase in social security wage base and tax rate			1.7
Accelerated unemployment tax payments			.3
User charges			.4

The rise of $12.6 billion in revenues between 1969 and 1970 includes an estimated $5.4 billion increase under social insurance programs, such as social security and unemployment insurance.

Most of this rise, $5.0 billion, is in social security receipts, including:

—The full-year effect of the increase from 8.8% to 9.6% in the combined employer-employee payroll tax rate, which occurred on January 1, 1969, and

—A proposed increase in the taxable wage base from $7,800 to $9,000 and in the combined employer-employee tax rate from 9.6% to 10.4%, effective January 1, 1970, in order to finance proposed benefit increases. The increase in the tax rate is currently scheduled by law to take effect on January 1, 1971.

Another $0.3 billion of the increase from 1969 to 1970 reflects proposed legislation to shift the timing of collections of the Federal unemployment tax from a lump-sum annual basis to a current quarterly basis. This change will provide more adequately for the administrative costs of the Federal-State employment security system.

Many Government programs offer services which yield direct and identifiable benefits to specific groups. Some of these programs should be financed by charging users for the services rather than having them financed by the general taxpayer. I believe this is sound public policy and should be extended to new areas.

In the past few years I have recommended legislation for user charges in the field of transportation, so that those who benefit directly will pay a fairer share of the costs involved. I am again recommending such user charges, and the 1970 estimate of revenues includes $0.4 billion based on my proposals.

Outlays.—The estimate of $195.3 billion in total budget outlays in fiscal year 1970 represents our minimum requirements to fill urgent needs at home and abroad. It is based on a detailed review of all Federal programs, with the objective of holding outlays down as much as possible, consistent with essential national economic and program objectives.

For fiscal year 1968, a reduction in agency obligations was enacted. For fiscal year 1969, the Congress enacted an arbitrary ceiling on total outlays in the Revenue and Expenditure Control Act of 1968. Each of these devices conflicts with the normal appropriations process and with current techniques of program planning and execution. Effective Government operations require that we reach an agreement on which of these conflicting budgetary approaches will be used in the future.

In limiting total outlays, the Congress departed from its traditional procedure of using individual appropriation actions as the primary means of exercising its control over the Federal budget. In contrast with normal practice, the Congress placed direct restrictions on the amount of checks that could be issued or cash disbursements that could be made in the 12-month period ending June 30, 1969.

To implement this new restriction, the executive departments and agencies have had to add to their financial control machinery. In prior years, executive control of the budget was exercised at the stage of placing contracts, hiring personnel, making loan and grant commitments, or incurring some other obligation. These obligations lead, of course, to Federal disbursements, sometimes in the same fiscal year and sometimes in a later fiscal year. Now, in fiscal year 1969, each executive establishment must also exercise direct control over the amount of disbursements it makes *within* the year.

An inflexible spending ceiling unrelated to the appropriations process forces inefficient or uneconomical practices in carrying out legislatively approved programs. In some cases, national priorities are arbitrarily distorted by the fact that the outlays for some Federal programs are sheltered in basic law from meaningful annual control, and, consequently, compensating reductions have to be made elsewhere.

In periods of inflationary pressure, such as we are now experiencing, the need for holding down Federal outlays is beyond dispute. Also, it would be unwise to try to correct within fiscal year 1970 the distortions from the obligation reductions of 1968 and the outlay controls of 1969. Therefore, in this budget, the estimates of expenditures and net lending in fiscal year 1970 must reflect the continuation of an executive policy of outlay management.

With such a policy, total budget outlays in 1970 are estimated to be up $11.6 billion from 1969. This includes $0.5 billion for national defense, largely for improvements in our strategic forces, modernization of our tactical air forces, and other increased research and development efforts needed to assure sufficient deterrent power in the future. These increases will be substantially offset by reduced outlays for Vietnam resulting from changing combat patterns and revised supply requirements.

Apart from national defense, three-quarters of the increase between 1969 and 1970 reflects relatively uncontrollable charges which must be met under present laws. The overall increase must, further, be judged in the light of the rising workloads and costs to which the Government—just as businesses, consumers, and other sectors of the economy—must accommodate.

The $8.6 billion increase in relatively uncontrollable outlays consists of:

—$2.9 billion for benefit payments and other outlays for social security, Medicare, and other social insurance programs financed through trust funds; this increase represents the automatic growth in benefits for these programs under existing law.

—$2.8 billion for the final stage of the pay increases for military and civilian employees enacted in 1967, to achieve pay comparability with the private sector.

—$1.6 billion for other charges which are relatively fixed in the short run under requirements of existing law (for example, interest on the debt, public assistance and Medicaid, and veterans benefits).

—$1.3 billion for outlays arising out of prior year contracts and other commitments now reaching the payment stage. This includes substantial amounts for highways, construction of education facilities, and health and community development programs.

BUDGET OUTLAYS

[Fiscal years, in billions]

Controllability	1968 actual	1969 estimate	1970 estimate	Change 1969–70
National defense	$80.5	$81.0	$81.5	+$0.5
Relatively uncontrollable civilian outlays under present law:				
Open-ended programs and fixed costs:				
Social security, medicare, and other social insurance trust funds	35.5	39.6	42.4	+2.9
Interest	13.7	15.2	16.0	+.8
Civilian and military pay increase			2.8	+2.8
Veterans pensions, compensation, and insurance	5.0	5.6	5.9	+.2
Public assistance grants (including medicaid)	5.3	6.3	7.4	+1.1
Farm price supports (Commodity Credit Corporation)	3.2	3.6	3.1	−.5
Postal operations directly related to mail volume	.7	.5	.5	+.1
Legislative and judiciary	.3	.4	.4	[1]+
Other	1.3	1.6	1.5	−.1
Outlays from prior year contracts and obligations	17.3	17.6	18.9	+1.3
Subtotal, relatively uncontrollable civilian outlays	82.4	90.2	98.8	+8.6
Relatively controllable civilian outlays:				
Proposed social security benefit increases			1.6	+1.6
Other	20.5	17.6	19.0	+1.5
Undistributed intragovernmental transactions	−4.6	−5.1	−5.7	−.6
Total, budget outlays	178.9	183.7	195.3	+11.6

[1] Less than $50,000,000.

In keeping with national priorities, major social programs account for the largest portion of the $11.6 billion increase in outlays between 1969 and 1970. Of the $7.9 billion increase for these programs, $4.5 billion is for social insurance payments including my proposals for an increase in social security benefits.

Aside from the increases for national defense and such relatively uncontrollable outlays as Federal pay and interest, outlays for all other civilian programs are estimated to increase by only $0.2 billion.

Budget authority.—For fiscal year 1970, a total of $210.1 billion of budget authority is recommended, including:

—New obligational authority of $209.6 billion for programs in the expenditure account of the budget, and

—Loan authority of $0.5 billion for loan account programs.

Budget authority—mostly in the form of appropriations—must be provided by the Congress before Federal agencies can spend or lend funds. Some authority requires congressional action each year or at fairly regular intervals. Other amounts of authority become available under basic law, and require no specific additional action by the Congress.

Of the total budget authority I am recommending for 1970, $143.9 billion would have to be acted on during this session of the Congress. The estimated 1970 outlays related to such action total $93.8 billion.

The remaining authority, which does not require further congressional action, consists mainly of amounts for social insurance trust fund programs, under which the special receipts financing the programs are automatically appropriated, and for interest on the public debt.

The $15.5 billion increase in total budget authority estimated between 1969 and 1970 consists mainly of $5.4 billion representing the increase in social insurance trust fund receipts, $3.6 billion for the Department of Defense and the military assistance program, and $2.8 billion for the military and civilian pay increase to be put into effect in July 1969.

The remaining increase of $3.6 billion in budget authority for 1970 is the net result of a number of increases and decreases.

The major *increases* are:

—$2.0 billion, primarily for Medicaid and other public assistance, health, and rehabilitation programs in the Department of Health, Education, and Welfare.

—$966 million for foreign economic assistance, to enable us to provide urgently needed resources to developing areas on a selective basis, following the large reductions of the past two years.

—$800 million for interest on the public debt.

—$522 million for airway modernization, highways, and other activities in the Department of Transportation.

—$429 million for job training and other manpower activities of the Department of Labor and the Office of Economic Opportunity.

—$422 million for the Veterans Administration, mainly for increases in compensation, pensions, and medical care.

—$286 million for the Department of Justice, primarily to increase assistance to States and localities for law enforcement activities.

Major *decreases* from 1969 to 1970 are:

—$635 million for the Department of Agriculture, largely reflecting lower costs for the Commodity Credit Corporation associated with smaller crops of wheat and soybeans, and increased use of feed grains.

—$286 million for the Post Office, reflecting proposed legislation to consolidate first-class and domestic air mail into a single category with a rate 1 cent higher than the present first-class rate, and to adjust the rate for single-piece third-class mail.

—$236 million for the Department of Housing and Urban Development, as increases for various programs are more than offset by reductions in direct loans for college housing and housing for moderate-income families, which are being replaced by programs relying on private financing.

—$235 million for the National Aeronautics and Space Administration, which will provide for a program level equal to 1969 when combined with prior year funds.

—$133 million for the Atomic Energy Commission, reflecting reductions in procurement of raw uranium concentrates and in construction of facilities.

An allowance for contingencies of $500 million is included in the total of budget authority for 1970 to cover unforeseen developments and the costs of proposals for which specific estimates cannot be made at this time.

BUDGET AUTHORITY

[Fiscal years. In billions]

Description	1968 actual	1969 estimate	1970 estimate
Available through current action by the Congress:			
Previously enacted	$134.4	$127.8	
Proposed in this budget			$139.3
To be requested separately:			
For supplemental requirements under present law		4.5	
Upon enactment of proposed legislation		.2	1.3
Allowances:			
Civilian and military pay increase			2.8
Contingencies		.2	.5
Subtotal, available through current action by the Congress	134.4	132.6	143.9
Available without current action by the Congress (permanent authorizations):			
Trust funds (existing law)	47.8	53.5	59.1
Interest on the public debt	14.6	16.0	16.8
Other	5.4	5.8	4.3
Deductions for offsetting receipts:			
Interfund and intragovernmental transactions	−6.9	−8.7	−9.1
Proprietary receipts from the public	−4.7	−4.6	−4.8
Total budget authority	190.6	194.6	210.1

The total budget authority shown in this budget for 1969 includes $4.7 billion of supplemental appropriations recommended for action in the current session of the Congress. Of this amount, $1.6 billion is needed to provide for the pay increase which became effective on July 1, 1968. A supplemental appropriation of $1.6 billion is also recommended for the Department of Defense, for special Southeast Asia support.

In addition, the 1969 total makes provision for supplemental appropriations required for public assistance and veterans compensation and pensions, which are now estimated at higher levels than provided for last year, and for the urgently needed replenishment of the resources of the International Development Association and a contribution to the special funds of the Asian Development Bank, following enactment of the necessary authorizations.

The estimate of total outlays in 1969 and 1970 includes the outlays related to these supplemental funds.

IMPACT OF REVENUE AND EXPENDITURE CONTROL ACT IN FISCAL YEAR 1969

In addition to various provisions affecting the tax system, the Revenue and Expenditure Control Act of 1968 (Public Law 90-364) contained several sections designed to curb current and future budget outlays. The act provided for:

—Specific limitations on budget authority and outlays in fiscal year 1969, representing—for the programs covered—reductions of $10 billion and $6 billion, respectively, below the levels in the 1969 budget which I sent to the Congress on January 29, 1968.

—An analysis of funds previously made available by the Congress which are estimated to be unobligated on June 30, 1969, and to remain available in 1970, with a report including recommendations for rescissions of at least $8 billion of such balances.

—Restrictions on the hiring of full-time, permanent employees of Federal agencies to 75% of separations, until the total of such employees reaches the June 1966 level.

Budget authority and outlays.—In setting the limitations on budget authority and outlays, the Congress excepted certain programs from the required reductions and subsequently added other exceptions. The exceptions amount in total to more than half of the currently estimated budget, including special support of Vietnam operations and the largest uncontrollable programs in the budget—programs which have shown the sharpest growth in recent years.

The current estimate of $194.6 billion in total budget authority for fiscal year 1969 is $7.1 billion below the estimate in last year's budget. An increase of $6.1 billion is now estimated for the programs exempted from the provisions of Public Law 90-364, largely for (1) special Vietnam costs, reflecting mainly the adjustments I announced on March 31, 1968, (2) the price support operations of the Commodity Credit Corporation, because of larger crops than anticipated last January, (3) social security trust funds, in which the receipts—which constitute budget authority—are greater than originally estimated, (4) interest costs, reflecting both a larger debt and higher interest rates, and (5) public assistance grants, based on reports received from participating State governments.

The current status of *budget authority* for fiscal year 1969 is as follows:

BUDGET AUTHORITY FOR FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$25.4	$28.0	+$2.6
Interest	14.4	15.2	+.8
Veterans benefits and services	7.8	7.5	−.3
Social Security Act trust funds	41.8	42.6	+.9
Old-age and survivors insurance	(27.2)	(27.8)	(+.7)
Disability insurance	(3.7)	(3.8)	(+.1)
Health insurance	(6.8)	(7.3)	(+.5)
Unemployment insurance	(4.1)	(3.8)	(−.3)
Commodity Credit Corporation (price support and related programs)	3.3	4.8	+1.6
Public assistance grants to States (including Medicaid)	5.8	6.4	+.7
Subtotal, excepted programs	98.4	104.6	+6.1
Remainder—covered by Public Law 90-364 limitation	103.3	90.1	−13.2
Total	201.7	194.6	−7.1

For the programs affected by the limitation required under Public Law 90-364, budget authority is now estimated to be $13.2 billion under last January's estimate. A portion of this reduction reflects the conversion to complete private ownership of the Federal National Mortgage Association's secondary market operations, the Federal intermediate credit banks, and the banks for cooperatives. However, the $10 billion required reduction is being achieved over and above these factors, and without the need for me to establish reserves which would result in automatic rescission of enacted 1969 budget authority as authorized under the law.

For *budget outlays*, the current situation is as follows:

BUDGET OUTLAYS IN FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$26.3	$29.2	+$2.9
Interest	14.4	15.2	+.8
Veterans benefits and services	7.3	7.7	+.4
Social Security Act trust funds	36.0	36.4	+.4
Old-age and survivors insurance	(24.6)	(24.6)	(+.1)
Disability insurance	(2.6)	(2.6)	[1] —
Health insurance	(5.8)	(6.2)	(+.5)
Unemployment insurance	(3.1)	(3.0)	(−.1)
Tennessee Valley Authority (portion financed from power proceeds and borrowing)	.1	.1	[1] +
Commodity Credit Corporation (price support and related programs)	2.8	3.6	[2] +.9
Public assistance grants to States (including Medicaid)	5.7	6.2	[2] +.6
Aid to schools in federally impacted areas (special 1968 supplemental payments made in 1969)		.1	+.1
Subtotal, excepted programs	92.6	98.6	+6.0
Remainder—covered by Public Law 90-364 limitation	93.5	85.1	−8.3
Total	186.1	183.7	−2.4

[1] Less than $50,000,000.

[2] Outlays exceeding the January 1968 estimates by more than $907,000,000 for farm price supports and $560,000,000 for public assistance grants are not excepted from the Public Law 90-364 limitation.

In total, outlays in 1969 are now estimated to be $2.4 billion below the original estimate last January. Upward reestimates amounting to $6.0 billion have been necessary in the programs excepted from the spending limitation, reflecting the same factors as those affecting budget authority.

For the portion of the budget covered by the limitation in Public Law 90-364, the current estimate of outlays represents a reduction of $8.3 billion below the January 1968 estimate for fiscal year 1969. These reductions include decreases in Department of Defense programs apart from Southeast Asia support as well as in the civilian agencies of the Government.

As in the case of budget authority, the required $6 billion cutback in outlays for covered programs is being accomplished over and above reductions resulting from financing changes associated with the conversion of certain credit institutions to private ownership. The currently estimated reduction will allow leeway in carrying out the provisions of Public Law 90-364, should unforeseen increases occur in the affected programs in the months ahead.

The Vocational Education Amendments of 1968 contain a provision permanently exempting appropriations made to the Office of Education from administrative controls on obligations and spending. While this administration has made education an urgent national priority, it is highly undesirable to restrict in this way the actions which a future President might find necessary for prudent management of the Government.

Unobligated balances.—As required by section 204 of Public Law 90–364, an analysis has been made of the unobligated balances estimated to remain available in fiscal year 1970. A report of the results, indicating possible rescissions of the required $8 billion of these balances, is provided in Special Analysis G. I do not favor those rescissions and therefore the tables and schedules in the various parts of the budget do not reflect such action.

Federal civilian employment.—The requirement in Public Law 90–364 that restrictions on hiring be imposed until the Government's full-time permanent civilian employment is reduced to the June 1966 level has inevitably created many difficulties for orderly management of the Government's activities. As originally enacted, this requirement would have necessitated an eventual reduction of over 250,000 employees from the level of June 1968, despite a substantial increase in workloads compared with 2 years earlier. Shortly after enactment of the law, the Congress exempted roughly one-third of the Government's full-time employees in specified agencies, with the effect of lowering the required reduction to about 115,000.

The controls in the law also affect temporary and part-time employment, requiring that such employment each month in any agency not exceed the level of the corresponding month in 1967.

The administration has successfully enforced these provisions to date. However, it is clear that continued arbitrary reductions in employment over a period of time will hamstring effective management of programs and personnel practices, will reduce efficiency and increase costs, and will lead to further curtailment or to interruption of Government services. This situation is aggravated by the need to provide staff for new programs adopted after June 1966 and for enlarged workloads which occur as the population grows and the economy expands.

During the past 5 years, I have, as a regular practice, imposed employment limitations on the agencies to provide incentives for improving productivity and to keep the Federal payroll to a minimum. Limitations for each department and agency were related to the program and budgetary levels recommended by me and approved by the Congress, rather than to some arbitrary formula or unrelated benchmark period.

The Congress should rely on its appropriations process—or develop an acceptable accompanying process—to relate employment levels specifically to the work it wants done by each agency and for which it provides the necessary funds. The 1970 estimates in this budget are based on such action.

FEDERAL DEBT

On the basis of the estimates of receipts and outlays in this budget, the ***Federal debt held by the public*** will decrease from $290.6 billion on June 30, 1968, to $276.6 billion on June 30, 1969, and will further decline to an estimated $272.6 billion on June 30, 1970. This decrease reflects:

- —The sharp reduction in net Federal borrowing requirements from the unusually high level in 1968, since outlays in both 1969 and 1970 will be financed entirely from current revenues; and
- —The conversion to complete private ownership during 1969 of the secondary market operations of the Federal National Mortgage Association, the Federal intermediate credit banks, and the banks for cooperatives, causing a net reduction of $10.9 billion in outstanding obligations to the public previously included in the Federal debt.

Gross Federal debt—which is the sum of the amount of debt held by the public and the amount held within the Government—is estimated at $371.5 billion at the end of the fiscal year 1970. This total includes not only the direct obligations of the Treasury, but also $14.1 billion in securities issued by various other Federal agencies.

FEDERAL DEBT AND BUDGET FINANCING

[End of fiscal years. In billions]

Description	1968 actual	1969 estimate	1970 estimate
Federal debt held by the public	$290.6	$276.6	$272.6
Plus: Debt held by Federal agencies and trust funds	79.1	88.6	98.9
Equals gross Federal debt	369.7	365.2	371.5
Of which:			
Treasury debt[1]	345.3	350.2	357.4
Other agency debt	24.4	15.0	14.1
Budget financing:			
Net borrowing from the public or repayment of borrowing (—)	23.1	—3.1	—4.0
Other means of financing	2.1	.7	.6
Total, budget financing	25.2	[2] —2.4	—3.4
Total, budget surplus or deficit (—)	—25.2	2.4	3.4

[1] Excludes notes issued to the International Monetary Fund.

[2] Excludes $10,800,000,000 of net credits for conversion of certain mixed-ownership credit institutions to private ownership.

The statutory debt limit now stands at $358 billion, with a temporary seasonal increase to $365 billion permitted within each fiscal year. These limits apply mainly to the direct Treasury debt and do not cover most of the publicly issued agency debt. As a result of the unusually large increase in special Treasury issues to Government trust funds for investment of their surplus receipts in the latter half of the fiscal year, the direct Treasury debt will be relatively high, even though a budget surplus is in prospect and borrowing from the public will decline. It may be necessary, therefore, within the next few months, to revise the present debt limit. Even if this does not prove necessary at that time, the need for such action will, in all probability, arise next fall, when budget receipts will be seasonally low.

THE SETTING OF PRIORITIES

The overall *size* of the Federal budget reflects the needs and demands for public services as a whole. The *composition* of the budget reveals much about the Nation's priorities.

As the population grows and the economy expands, outlays for such public services as improvements in our national parks and other Federal recreation areas, air safety, law enforcement, and the collection of taxes and customs duties inevitably increase.

In other areas—such as space exploration, veterans' benefits, farm price supports, housing aids, and conservation of our natural resources—the Federal Government has undertaken long-range commitments and programs. And, in recent decades, the Government has responded to urgent national social problems by launching programs to reduce unemployment of our workers, protect the incomes and health of our older citizens, revitalize urban areas, attack the sources of poverty, improve educational opportunities for our children and youth, and ensure equal treatment and justice for all Americans.

Outlays for national defense are the heaviest single expense of the Federal Government, representing more than two-fifths of the total budget. Defense outlays in 1970 will be $28.0 billion higher than in 1964, largely reflecting the costs of supporting our efforts in Vietnam.

Within the remainder of the budget, there have been significant shifts in emphasis in these 6 years.

As we have increased our efforts to widen the opportunities for the disadvantaged, and improve the quality of life for all Americans, outlays for major social programs have risen by $37.4 billion, more than doubling since 1964. This is twice the rate of increase of outlays for any other category of Government programs.

Nearly two-fifths of the increase in these social programs is for social security and other social insurance trust fund benefits to ease the burdens of income loss because of retirement or unemployment. But among the most rapidly growing Federal programs have been those which represent *investment in human resources*—through education, manpower training, improved health care, and aid to the needy.

CHANGING STRUCTURE OF FEDERAL BUDGET OUTLAYS

[Fiscal years. In billions]

Program	1964 actual	1968 actual	1969 estimate	1970 estimate	Change, 1964–70
National defense	$53.6	$80.5	$81.0	$81.5	+$28.0
(Special Southeast Asia support)		(26.5)	(28.8)	(25.4)	(+25.4)
Major social programs:					
Social insurance trust funds (excluding medicare)	22.7	30.2	33.3	37.2	+14.4
Welfare payments and services	3.4	4.6	5.3	6.1	+2.6
Education and manpower training	1.6	6.4	6.5	7.2	+5.6
Health (including medicare)	1.8	9.7	11.4	13.0	+11.2
Low- and moderate-income housing	(1)	.9	.9	1.1	+1.1
Community and regional development	.8	1.8	2.4	3.3	+2.4
Subtotal, major social programs	30.4	53.7	59.8	67.8	+37.4
Interest	9.8	13.7	15.2	16.0	+6.1
Veterans benefits and services	5.7	6.9	7.7	7.7	+2.0
All other programs	22.1	28.6	25.0	24.9	+2.8
Allowances for pay increases and contingencies			.1	3.2	+3.2
Undistributed intragovernmental transactions	−2.9	−4.6	−5.1	−5.7	−2.8
Total	118.6	178.9	183.7	195.3	+76.7

[1] Less than $50,000,000.

More than one-tenth of total budget outlays are for unavoidable interest costs and for benefits and services to veterans. These show a combined increase of $8.2 billion between 1964 and 1970, representing a growth of 53%.

Outlays for all the other programs of the Federal Government are estimated at $24.9 billion in 1970, compared with $22.1 billion in 1964. The rise of only one-eighth for these programs in 6 years reflects the general policy throughout the budget of providing increases strictly on a selective basis, giving highest priority to programs which strike at the most urgent problems, holding down those with less urgency, and reducing outlays wherever possible and appropriate to current priorities.

During the six-year period, 1964 to 1970, annual budget outlays will have increased by $76.7 billion, from a total of $118.6 billion in fiscal year 1964 to an estimated $195.3 billion for 1970.

Nevertheless, Federal outlays as a proportion of gross national product—that is, as a share of our total economy—have remained at about one-fifth for the past 15 years. Excluding special Vietnam costs and the self-financed social insurance trust funds, outlays have been declining as a share of the Nation's output.

BUDGET OUTLAYS AS A PERCENTAGE OF GROSS NATIONAL PRODUCT

[Fiscal years]

	Average, 1955-60 actual	1965 actual	1968 actual	1969 estimate	1970 estimate
Total outlays:					
Vietnam		(1)	3.3	3.3	2.7
Social insurance trust funds	2.4	3.5	4.3	4.4	4.6
Other outlays	15.9	14.5	14.2	12.9	13.2

[1] Less than 0.05 percent.

In the budgets covering the years of my administration, including the budget I am transmitting today, the Federal Government will have:

—Provided $969 billion for programs to improve the lives of our citizens and to protect the Nation's security. About two-thirds of the total increase in outlays are in domestic activities.

—Received $936 billion in revenues to finance Federal defense and civilian programs.

The total deficit in the fiscal years 1965 through 1970 is estimated at $33½ billion. That deficit, however, is more than offset by over $35 billion in lower taxes returned to individuals, families, and corporations during this period as a result of the reduced tax rates put into effect shortly after I became President. This reduction takes into account increases in social security taxes to provide higher benefits, and extension of the income tax surcharge and present automobile and telephone excise tax rates through 1970.

BUDGET PERSPECTIVES

The expansion of the Federal Government's social programs in recent years is highlighted by looking separately at selected areas in which the Government is making important contributions to improving the quality of American life. Many of the Government's efforts to develop the Nation's human resources and aid the deprived contribute to more than one important social objective. Outlays devoted to attacking the sources and symptoms of poverty, for example, take the form of improved educational opportunities, health services, manpower training, income security, or a combination of all of these.

The figures used in the following sections are designed to show the full range of Federal activities in the fields covered. They are therefore more inclusive than the functional data used in adding to the budget total, and contain some duplication. However, they do offer a broad perspective of the trends and accomplishments in the total Federal effort to resolve urgent national problems.

Housing.—Last year I recommended, and the Congress enacted, the Housing and Urban Development Act of 1968 to fulfill a goal set by this Nation almost two decades ago—"a decent home and a suitable living environment for every American family."

In the years since passage of the Housing Act of 1949, the Nation has made progress in meeting housing needs. However, the goal of decent housing is still unfulfilled for many Americans.

The 1968 Act will involve the Federal Government in a new and closer partnership with private industry and labor to provide 26 million new or rehabilitated homes and apartments over the next 10 years. A significant part of this new program will be Federal assistance for 6 million dwelling units to assure adequate housing for families with meager resources. The initial goal is to build or repair 700,000 homes and apartments for low and moderate income urban and rural families in the first 2 years. Both the Department of Housing and Urban Development and the Department of Agriculture are involved in this major undertaking.

The Housing Act of 1968 is the most significant and comprehensive action in the Nation's history to bring decent, safe, and sanitary housing to all Americans. Its provisions include:

—A new home ownership assistance program to enable lower income families to own homes—a goal which has previously been beyond the resources of these families.

—A new rental housing assistance program, in order to make it possible for lower income families and elderly persons to obtain decent shelter for 25% of their income.

—Establishment of an insured loan program in the Farmers Home Administration to provide assistance for lower income housing in rural areas, at interest rates as low as 1%.

—The creation of New Communities to complement our efforts to revitalize the inner city.

—Improved services in public housing developments so that tenants can take better advantage of job and education opportunities, and become more involved in solving the problems of the developments in which they live.

—Expanded use of rent supplements to enable families eligible for public housing to rent new or rehabilitated private housing, for which they will pay a minimum of 25% of the family's income.

—Encouragement for the establishment of national housing partnerships, in which major corporations can work with local builders to help increase housing production.

Private financing is essential if the goals of the Housing and Urban Development Act of 1968 are to be achieved. In addition to the private financing, the 1970 budget contains $1.1 billion in outlays by the Department of Housing and Urban Development for assistance for low and moderate income housing.

We must bring an end to discrimination against prospective homebuyers or renters based on race, color, religion, or national origin. Since January 1, 1969, Civil Rights Act have been applicable to 20 million dwelling units. An estimated 55 million additional units will be covered in 1970. The budget provides for the Department of Housing and Urban Development to carry out its responsibilities for education, investigation, and conciliation under the act, and for the Department of Justice to start investigating patterns of discrimination in housing and to take cases to court where conciliation efforts fail.

The massive housing needs of our growing Nation can only be met through a major commitment by governments at all levels working with private industry and labor to provide suitable housing for all Americans—and to eliminate the rat-infested city slum and the dilapidated shacks which dot the countryside. We have now made such a commitment.

Aids to urban areas.—America is an urban nation. Almost two-thirds of our people live in metropolitan areas—consisting of clusters of people and problems. More than 80% of the Nation's population growth between 1960 and 1966 occurred in such major urban centers.

The national interest in the cities could be explained solely in terms of these population statistics. But this explanation is not sufficient. Over a period of years, the American city has been plagued by problems which are now reaching crisis proportions—aggravated by multiple and overlapping governmental responsibilities and racial and economic separation. Central cities and suburbs are both hard-pressed to provide the public services required by their citizens. Their revenue sources lag behind service needs. Frequent tax increases—based mainly on property and retail sales—bear down heavily on the poor and middle-income families.

To meet the serious urban challenges of today, and to plan for a better tomorrow, the Federal Government is channeling steadily rising amounts of funds into these metropolitan areas. In part, these funds are used for direct Federal programs, such as social security benefits to individuals and construction of post offices. In addition, Federal grant-in-aid programs are increasingly focused on the special needs of the city. In 1964 we spent an estimated $5.6 billion, or 55% of total Federal grants in such areas. The 1970 budget provides $16.7 billion for aid in metropolitan areas, about 67% of total Federal grants.

This increase in urban assistance is the result of both new programs and the reshaping of existing efforts.

To help meet the financial needs of the Nation's fastest growing urban areas, I recommend legislation to create a federally assisted Urban Development Bank. This Bank will provide long-term financing and technical assistance for capital improvements vitally needed by urban communities, large and small.

The Model Cities program is concentrating all available resources in a comprehensive attack on neighborhood social and physical blight. I am requesting $750 million for 1970 and $1,250 million for 1971 to provide special supplementary grants to the cities participating in the program.

Other existing programs are being molded into more effective patterns for urban use. The urban renewal program, for example, is giving priority to city actions which increase the supply of low-income housing or jobs for the unemployed. A new approach, enacted last year, will allow cities to schedule renewal as they do other capital expenditures, speed renewal activity, and obtain annual Federal grants for a citywide program, rather than grants for single projects. The Congress has already provided $750 million for urban renewal for 1970. To assure continued progress, I recommend an additional $250 million for 1970 and another $1,250 million for 1971.

Although sufficient funds must be available to permit concentrated development, we know that money alone is not enough. To be effective, the funds provided must aid local plans developed with the involvement of the entire community. Both the Community Action and the Model Cities programs help communities carry out their own plans, and require that the plans be developed with the participation of the citizens concerned, an essential ingredient in revitalizing blighted areas of our cities.

During 1970, 150 cities will be on their way to shaping Model Neighborhoods, and some 1,000 Community Action programs will actively continue to help localities and their citizens find their own solutions to the acute problems of poverty they now endure.

A concerted effort is also being launched to increase the number of independent businessmen from racial or ethnic minority groups. The Small Business Administration will make or guarantee loans valued at more than $300 million in 1970 for this purpose—almost a tenfold increase in just 2 years. In addition, the Special Impact programs financed under the Economic Opportunity Act will provide for economic development of disadvantaged communities, including encouragement of local businesses, and incentives for industry to locate in these communities and provide jobs and training for local residents.

We have set forth on an ambitious and challenging task—reclaiming the American city for ourselves and our posterity.

Crime control.—The first business of government is public order. This Administration has made public safety and order one of its principal concerns. Since 1964, Federal outlays aimed at crime reduction have risen each year, and will approach $900 million in 1970.

We have moved forward on two fronts:

—Improved law enforcement at the State and local level, where the primary responsibility rests.

—Strengthened Federal Government support through its own enforcement agencies and by expanded aid to States and localities.

The National Crime Commission, appointed in 1965, called attention to our mounting crime problem, the need for modernizing our entire system of criminal justice, and the necessity for additional resources to be devoted to law enforcement. The Commission recommended as a primary thrust, a major Federal effort to improve the administration of justice by assisting and strengthening law enforcement in our States and communities.

The Crime Control and Safe Streets Act, proposed in 1967 and enacted last year, grew out of this recommendation. This landmark law represents the first Federal program for direct major assistance to States and cities to combat lawlessness, bolster law enforcement, and improve court and correctional systems. Its provisions offer a full range of anticrime activity through grants to States and localities, academic assistance to improve the quality of law enforcement manpower, and a research and development effort to bring the knowledge of the physical and social sciences more sharply to bear on the problem of crime.

Also based on this administration's recommendation, the Congress last year enacted the Juvenile Delinquency Prevention and Control Act. This program authorizes grants to assist States and local agencies in dealing with youths individually in their own communities, and in providing special community treatment facilities. Through the use of these facilities, much of the stigma associated with jail and prison environment will be avoided and a barrier to rehabilitation will be removed.

This budget includes outlays of $206 million in 1970 for these two new programs to fight crime and delinquency at the State and local level.

We are also substantially increasing the range and the impact of Federal criminal law and effectively strengthening Federal enforcement agencies.

Other legislative milestones to strengthen the effort toward reducing crime and improving the administration of justice are:

—The Gun Control Act of 1968, which regulates the import, manufacture, and distribution of guns.

—The Prisoner Rehabilitation Act and the Narcotic Addict Rehabilitation Act, which represent major steps toward returning law violators to society better equipped to be responsible citizens.

—Provision of criminal penalties for the illegal manufacture, sale, distribution, or possession of LSD and certain other drugs.

—Laws to reinforce the drive against organized crime by easing the gathering of competent evidence, deterring obstruction of criminal investigations, and permitting the Federal Government to attack loan sharking, an activity that provides organized crime with its second largest source of income.

Action has also been taken to strengthen directly the law enforcement agencies of the Federal Government:

—The staff of the Federal Bureau of Investigation has increased by over 15% since 1964.

—A new FBI Academy is being built which will permit an increase in the number of State and local law enforcement personnel trained from 200 to 3,000 annually.

—A new Bureau of Narcotics and Dangerous Drugs has been established in the Department of Justice, effectively consolidating functions previously performed separately in the Treasury Department and the Department of Health, Education, and Welfare.

—The Treasury Department's law enforcement staff dealing with counterfeiting, forgery, contraband, and tax fraud has been increased. The Department is taking the lead in planning for a new training center for law enforcement personnel of the Federal Government.

—The National Crime Information Center, which began operation in the FBI in 1967, computerizes information on crime, and enables States and cities to make direct requests of the system for information that is instantly available regarding law violators and stolen property.

These and other advances provide a firm basis for an improved anticrime effort. As an urgent next step, the Congress should enact legislation requiring Federal gun registration and licensing, to reduce the tragically large number of violent crimes and deaths involving firearms. A stronger anti-gambling law is also needed to strike at organized crime. Further progress will require both increases in resources and bold new approaches to crime prevention and rehabilitation of criminals to turn them permanently away from crime.

Education.—This Administration has sought two goals in American education above all others:

—That every child, regardless of family income, race, or place of residence, should have an opportunity for all the education he wants and can absorb.

—That the schools and colleges should undergo continuing regeneration to improve the quality of education—through experimentation with new materials and methods, new ways of using staff, and new organizations.

The years 1964 to 1970 are witness to an unprecedented growth in Federal support for education. Total Federal outlays for education are estimated at $9.8 billion in 1970, compared with $3.1 billion in 1964. Federal funds represented about 9% of total national expenditures for schools and colleges in 1964. They now equal approximately 14% of the total—including 8% of the support for elementary and secondary education, and 23% for higher education.

This has been a period in which 60 education measures have been enacted, including such landmarks as the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, the Vocational Education Amendments of 1968, and the Higher Education Amendments of 1968. These and other laws have enabled us to make major strides toward the realization of our education goals.

—We are now assisting in the education of 9 million children from low-income families under Title I of the Elementary and Secondary Education Act of 1965.

—We are providing a Head Start for 716,000 preschool children, many of whom would otherwise enter school with two strikes against them, and Follow Through for 63,500 children to preserve their gains.

—About 182,000 children who suffer mental or physical handicaps requiring special educational methods are now enrolled in classes with Federal support.

None of these programs were available in 1964.

Under the budget proposal for 1970, college students will receive a total of 2 million grants, loans, and interest subsidies for guaranteed loans, compared with 247,000 in 1964. This assistance is reaching about 1 out of every 4 students.

Between 1965 and 1970, the Federal Government will have assisted in the construction of more than $9 billion worth of college classrooms, libraries, and other facilities, providing space needed to cope with rapidly expanding enrollments. This investment is helping colleges and universities to achieve a level of construction almost double the level of the previous 5 years.

About 500,000 students will receive support for education and training in 1970 under Veterans Administration programs—principally the GI bill—compared with about 30,000 in 1964.

More than 4 million high school students and 845,000 technical students will be enrolled in federally supported vocational education programs in 1970, an increase of 200% in 5 years.

The past few years have been a period of innovation and experimentation to improve the quality of American education. They have been years of:

—The "new" physics, math, and history;

—Introduction of more effective ways to use personnel in the schools;

—Improvement in the quality of teaching through graduate fellowships and short-term refresher training which will reach about one teacher out of 11 in 1970; and

—Creation of the Teacher Corps, which in 1970 will bring 2,400 talented and concerned young people into the most demanding classes in the Nation—those in our city slums and poor rural areas.

In recent years, the Federal investment in academic research and development has continued at a high level—mainly through grants by the Department of Health, Education, and Welfare, the Department of Defense, and the National Science Foundation. Federal funds represent about two-thirds of the total research and development performed by universities. They have been of mutual benefit to the institutions—by strengthening their courses of graduate study—and to the people of the Nation, whose health, security, and amenities of daily life are dependent on the results of this research.

The Nation can take great pride in its recent educational advances. For the future, we should set as a national goal a cooperative Federal-State-local government effort to offer quality preschool education not only to poor children, but to all children. And we must increase our efforts to meet the growing financial needs of higher education and to remove all financial barriers which prevent some American children from attending college.

We look forward to further progress in developing a creative and revitalized educational system which draws on the growing store of new and exciting ways of fostering learning and helping every American to fulfill his potential.

Manpower.—At a time when more Americans are productively employed than ever before, millions of Americans lack the skills and opportunity to earn a decent living. To help overcome this problem, the Federal Government has significantly expanded its manpower programs.

Outlays for these programs are estimated to rise from $735 million in 1964 to $3.5 billion in 1970, about a fivefold increase. As a result, 2 million individuals will be helped to find suitable jobs, compared with 278,000 individuals in 1964.

Most in need of assistance are those who are ill-equipped for gainful employment through lack of education and job skills, or are handicapped by racial and other discrimination, physical disabilities, and deprived environments. This group has received increasing attention in the Government's manpower development efforts. In 1970, the poor will comprise over 85% of those aided.

Last year I began a new on-the-job training effort, the program for Job Opportunities in the Business Sector (JOBS), to enlist the services of private industry and labor in providing training and employment for the disadvantaged. With the able support of the National Alliance of Businessmen, JOBS has already reached its initial goal of employing 100,000 men and women in the Nation's 50 largest cities almost 6 months ahead of schedule. This budget provides funds for 140,000 additional JOBS training slots in 1970, double the number in 1969. With the continued commitment of the private sector, the goal of 500,000 individuals in jobs by June 1971 will be attained.

In 1970, the broad range of manpower services provided our Nation's population will be expanded:

—The Job Corps will provide education and training for 70,000 young people from the poorest families, to help them become productive, self-supporting adults.

—The Neighborhood Youth Corps will provide 100,000 part-time job opportunities during the school year and nearly 300,000 such opportunities during the summer months to help needy high school students remain in school. It will also provide work and training experience for over 100,000 out-of-school youths and adults.

—The Vocational Rehabilitation program will restore 265,000 of the physically and mentally handicapped to productive lives, 145,000 more than in 1964.

—The new Work Incentive (WIN) program, started in 1969, will be operational for the full year, providing training, work experience, and placement opportunities for 175,000 welfare recipients. Care will be provided for 146,000 children of these recipients, to enable them to stay on the job.

—The Concentrated Employment Program (CEP), started in 1967, will operate in 82 urban and rural areas, providing concentrated and comprehensive manpower services to 115,000 individuals. These services range from seeking out and recruiting the hard core unemployed, to testing, counseling, and providing them with medical and educational services, through training and placement in jobs.

Other programs will train over 500,000 people in 1970, compared with about 100,000 in 1964, and will provide job placement services for over 12 million people. These programs include:

—Classroom and on-the-job training under the Manpower Development and Training Act,

—The New Careers program to open sub-professional jobs in the public sector to the disadvantaged,

—Training of servicemen by the Department of Defense which helps prepare them for civilian jobs, including special training of those from disadvantaged backgrounds,

—Veterans Assistance Centers to help newly-discharged veterans through counseling and placement in suitable jobs, and

—Training provided for Indians by the Department of the Interior.

Helping those who want to work to get a job provides benefits to the entire Nation—to the individual, self-respect; to his family, a better and more secure life; and to society as a whole, a reduced welfare burden and expanded economic activity.

Health.—A primary goal of our Nation is to provide decent medical care for every citizen. Toward this end, Federal outlays for health in 1970 will rise to an estimated $18.3 billion, an almost fourfold increase since 1964. As a proportion of the Nation's total health expenditures, Federal outlays will increase from 13% in 1964 to about 30% in 1970.

The record of the last 5 years has been truly remarkable. Over 40 health laws have been enacted, enabling more people than ever before to get adequate health care.

—Twenty million Americans over the age of 65 are being assured financial assistance for their health care needs through the Medicare program.

—The Medicaid program will help to meet the medical costs of more than 10 million men, women, and children from low-income families in 1970.

—Infant mortality has been reduced from 24.8 per 1,000 births in 1964 to a new low of 22.1 in 1967, sparing an estimated 14,000 lives.

—Over 20 million children have been inoculated with a new measles vaccine, and cases of measles have dropped from 400,000 in 1963 to an estimated 20,000 in 1968.

In recent years, major investments have been made to develop the *health resources* needed now and for the future. Outlays in 1970 for this purpose are estimated at $3.5 billion compared with $1.8 billion in 1964.

—To improve the organization and delivery of health services, regional medical programs have been inaugurated under legislation enacted in 1965, helping to disseminate the latest advances in medical knowledge and techniques across the Nation.

—Work has also been started on studies aimed at controlling the rise in medical costs. Legislation is needed to enable the Government to install new methods of payment, as they prove effective, for providing quality care at lower costs. The legislation should also establish a reasonable cost range to govern reimbursements for drugs now covered by Federal programs involving payment for health care.

—Funds invested since 1964 have built 331 community mental health centers serving areas containing 51 million people, and 240 community mental retardation centers serving 66,000 people. Such facilities were nonexistent only a few years ago.

—The Office of Economic Opportunity has supported the development of 48 neighborhood health centers to demonstrate more effective ways of providing comprehensive family health services to the poor.

—The Federal-State Partnership for Health program is moving forward in the development of comprehensive health plans on a State and area-wide basis.

Hospital and long-term care facilities have recently been constructed or renovated under the Hill-Burton program at the rate of about 25,000 beds per year. This program expires at the end of 1970, and should be revised to provide Federal loan guarantees and interest subsidies for modernizing our hospitals and building needed new facilities. Grants should also be provided to help build special innovative facilities.

To reduce the shortage of physicians, dentists, nurses, and other health workers, the Federal Government will have provided during the 1964–69 period $859 million to assist and enlarge the schools training health professionals. More than 40,000 medical and dental students and 45,000 nurse trainees will have received financial assistance over this period. Total outlays for training and education activities related to health professions will reach $932 million in 1970, compared with $298 million in 1964.

Outlays for *health services* will rise to $14.0 billion in 1970, with $9.8 billion going for the Medicare and Medicaid programs, and $3.1 billion for the health care programs of the Veterans Administration and the Department of Defense. An estimated 9.5 million aged individuals will receive assistance in paying their hospital and doctor bills through Medicare payments. Medicaid will provide medical assistance for more than 10 million needy people. The Veterans Administration will provide hospital and nursing treatment for an estimated 865,000 patients in 1970, and the Defense Department will make medical care available to over 9 million servicemen, retired military personnel, and their dependents.

Outlays for programs directed to *preventing and controlling health problems* will rise to $804 million in 1970, compared with $393 million in 1964. Of the total, $522 million will go for disease prevention and control, $102 million for air pollution and other environmental control activities, and $180 million for consumer protection.

To provide for further improvements in health programs beyond 1970, legislation should be enacted to:

—Extend Medicare protection to the almost 2 million individuals who are totally disabled and will be receiving social security or railroad retirement cash benefits;

—Provide, for families who cannot afford it, access to health services from prenatal care for the mother to complete medical care for the child through the age of one; and

—Offer, within the next decade, protection to the families of all children against the costs of catastrophic illness or injuries.

Food assistance.—Most Americans enjoy a wholesome and adequate diet, knowing persistent hunger only as something to be imagined rather than felt. But for some Americans, hunger and malnutrition are a reality. Even where hunger and malnutrition are not obvious, a chronically poor diet can produce an insidious effect on health, intellect, and productivity. Whenever this occurs, it is a personal tragedy and an affront to our concept of the dignity of man.

We have done much in recent years to overcome the problems of hunger and malnutrition among the poor of our Nation. Federal outlays for food assistance to the poor are estimated at close to $1 billion in 1970, three and a half times the amount spent in 1964.

FEDERAL FOOD ASSISTANCE PROGRAMS FOR THE POOR

[Fiscal years. In millions]

Program	1961 actual	1964 actual	1968 actual	1969 estimate	1970 estimate
Food stamp program	$1	$30	$187	$273	$338
Direct distribution to families	143	200	146	264	385
Food assistance for children	29	39	70	128	233
Total	173	269	403	665	956

At the beginning of 1961, fewer than 4 million people were receiving surplus food items under Federal programs, and the food distributed was worth roughly $2.20 per month per person. A *food stamp program* was started in 1961 to help overcome the inadequacy of this assistance to poor families. In 1970, food stamps, on the average, will be adding $6.80 a month per person to the food purchasing power of each participating family. For the poorest families, the addition to the food budget can amount to more than $15.00 per person per month. This program alone will reach an estimated 3.9 million persons.

We have also enlarged and improved the *direct distribution program,* so that the Federal Government now makes available 22 foods which, when combined with other carefully selected and inexpensive foods can provide needy families with an adequate diet. Commodities will be distributed to more than 4 million persons by the end of 1970.

Adequate food is especially important in the formative stages of life. Accordingly, under a program begun in 1968 the Federal Government is expanding donations of *supplementary food packages* to families in which there are infants or expectant or nursing mothers. The budget includes funds to provide about 1 million persons with supplementary food packages through this program by the end of 1970, compared with 225,000 at the end of 1969.

No American school child should have to suffer for lack of food because his family cannot afford the price. In 1964, our *food assistance for children* reached only 1.6 million of the then 9.4 million school-age children from poor families. Under the proposals in this budget, by the end of 1970, we will have the capacity to help meet the dietary needs of all the poor children in school.

The growth in food assistance programs over the last 5 years reflects the judgment of this administration that hunger and malnutrition in the United States are intolerable. We have come far in our struggle to banish these longstanding conditions, but further efforts are needed by all levels of Government—State, local, and Federal—as well as by the private sector. The Nation cannot be satisfied until no man, woman, or child in it is hungry or undernourished because of poverty beyond his control.

Income security.—The vast majority of Americans are economically independent throughout their working years, but face separation from the labor force at some point. Many other Americans, because of age, disability, family responsibilities, or other factors, are unable to earn the income needed for their minimum living requirements. To help assure *all Americans* greater financial security now and for the future, the Federal Government has developed programs to provide retirement benefits, unemployment insurance, public assistance, and other cash payments. Many of these benefits are financed through payroll taxes.

Income security programs have been substantially improved in recent years, both through increased benefit rates and expanded coverage. As a result:

—Cash payments will rise from $29 billion in 1964 to more than $47 billion in 1970.

—Over that period, the number of people receiving payments will increase from about 3.5 million to an estimated 44 million, reflecting not only population growth but also the extension of eligibility to the very old, young disabled workers, and disabled widows.

These programs still face problems of gaps in coverage and inadequate payment levels. In recognition of this situation, I appointed a commission in 1968 to review the entire range of income maintenance programs. A final report is expected within the next year which should provide a basis for constructive change.

Retirement benefits.—The Social Security Act of 1935 committed the Federal Government to fostering a life of dignity and economic independence for the older American. We have made considerable progress towards this objective in the last 30 years.

The social security system now covers 90% of all working Americans. Almost all other workers are covered by Federal retirement systems providing protection for railroad workers, Federal employees, and military personnel. Combined, the Federal retirement programs will pay an estimated $23 billion in benefits in 1970 under existing laws, a 69% increase over 1964.

During my administration, three major improvements in social security benefits have been enacted. These improvements:

—Raised the average benefit to a retired worker from $74 to $98 per month.

—Raised the minimum monthly retirement benefits from $40 to $55.

—Provided special benefit payments to more than 700,000 senior citizens aged 72 and over who were not previously eligible.

To enable social security beneficiaries to share more equitably in the productivity of our Nation, I am recommending, effective January 1, 1970:

—A 13% overall increase in social security benefits including:

—at least a 10% increase for almost 25 million social security beneficiaries,

—a 45% increase to $80 in monthly benefits for the 2 million receiving minimum benefits,

—an increase from $1,680 to $1,800 a year in the amount of money which beneficiaries may earn without losing benefits, and

—a minimum benefit of $100 a month to individuals who have worked in covered employment for 20 years.

These changes will add $1.6 billion to the incomes of social security beneficiaries in fiscal year 1970.

Survivor benefits.—Special efforts have been made to improve assistance to families whose economic security is endangered by the loss of the breadwinner. These survivor benefits will total $8.4 billion in 1970.

—Average monthly social security benefits for widows have been increased from $68 in 1964 to $92 in 1970.

—The age at which widows without children can collect benefits has been lowered, while the age at which children in school can receive benefits has been raised.

—As a result of such liberalizations, and the normal growth in the number of beneficiaries, total social security payments for survivors will rise from $3.5 billion in 1964 to $6.6 billion in 1970. In the same period, the annual average payment to each survivor will rise from about $800 to $1,020.

To help the young war widow, a "widow's GI bill" was enacted in 1968, authorizing payment of a $130 monthly allowance to a widow enrolled in an educational or training course preparing her for a good job and financial independence. Similar benefits are given to wives of veterans totally disabled in military service. In 1970, nearly 9,000 widows and wives will be enrolled at a cost of $17 million.

Disability benefits.—Federal programs assist a broad spectrum of the disabled. The largest dollar share goes to those disabled in their productive years, in the form of cash assistance and rehabilitation. For this group, the 1970 budget will finance a total of $6.0 billion in cash benefits to 5.1 million beneficiaries.

An estimated 2 million disabled veterans will receive $2.2 billion in compensation payments, and the social security system will provide 2.6 million eligible disabled persons with $2.6 billion in benefits.

As part of my proposed improvements in the social security system, I recommend that, effective July 1, 1970, the waiting period for disability benefits be reduced from 6 months to 3 months, and eligibility not be limited to disabilities lasting more than one year.

In 1970, rehabilitation training will be provided for an estimated 12,000 veterans receiving service-connected compensation payments, 32,000 persons receiving public assistance, and 2,000 social security beneficiaries. Such training, estimated to cost $60 million in 1970, has enabled many disabled persons to achieve economic independence.

To overcome the shortcomings in coverage and benefits under State workmen's compensation laws, legislation should be enacted to assure adequate benefit levels and to extend coverage to most of the 20% of the Nation's work force not now covered, so that they will be protected against the loss of income and the cost of medical care from industrial accidents and diseases.

Unemployment benefits.—A large share—about 75%—of the working force is protected against temporary periods of unemployment by the Federal-State unemployment insurance program. In 1970, benefits totaling $2.3 billion will be paid to a weekly average of 1.2 million workers. The unemployment insurance system should be improved by enactment of legislation to:

—Extend coverage,

—Raise benefit levels,

—Increase the duration of benefits and provide services to increase the employability of covered workers, and

—Correct abuses in the present system.

Income support.—In 1970, an estimated 12.4 million persons will receive

$5.9 billion in payments based on their need. Public assistance grants to the States will provide income maintenance payments to 10 million needy individuals who are elderly, blind, disabled, or members of families with dependent children. The 1970 budget includes $3.7 billion for this purpose. Pension assistance totaling $2.2 billion will be provided 2.3 million veterans and their survivors.

Federal aid to the poor.—A major weapon in the fight against poverty is a growing economy, with full use of our human and physical resources. The overall economic expansion of the past 8 years has opened up countless new job opportunities for persons who would otherwise be unemployed or underemployed. And the benefits of our unparalleled levels of prosperity and productivity are widely distributed among our people.

Nevertheless, 22 million Americans still living under conditions of poverty do not enjoy the comforts and abundance most of us take for granted. There is no single cause of poverty, nor is there a single cure. Lack of education, inadequate or outmoded skills, poor health, racial injustice, substandard housing—these are the conditions on which poverty feeds. Without a concerted national effort, these conditions are passed along from one generation to the next, in a vicious cycle of hopelessness and dependency.

In 1964, the Nation launched a war on poverty designed to strike at its causes. This has called for both better coordination of programs already in existence to aid the poor and, more importantly, a determined effort to find new means for offering disadvantaged groups in urban and rural America a chance to develop their own capacities and become productive members of our society.

The effort to eliminate poverty requires a comprehensive response to a wide range of physical and human needs. Under this approach, aid to the poor from programs of the Federal Government has risen sharply in recent years. The estimated $27.2 billion included in the 1970 budget for such aid represents an increase of $15.3 billion or 130% over 1964, and is almost three times the level of 1961. This increase reflects both the expansion of programs designed to attack poverty directly, and a greater focusing of other social programs on the problems of the poor and disadvantaged.

About three-fifths of the total aid provided currently takes the form of income and other assistance directed toward individual and family maintenance for the poor. The largest relative increases since 1964, however, are in education, job training, and other employment aids, and health assistance, which promote greater self-reliance and provide the basis for material and cultural advancement. Outlays for these purposes will rise from 11% of total aid in 1964 to nearly 40% in 1970.

FEDERAL AID TO THE POOR[1]

[Fiscal years. In billions]

Category	1961 actual	1964 actual	1968 actual	1969 estimate	1970 estimate
Education	$0.1	$0.1	$2.3	$2.2	$2.4
Employment assistance	.1	.2	1.6	2.0	2.4
Health assistance	.7	1.0	4.1	5.0	5.8
Maintenance of individuals and families:					
Income assistance	8.3	9.8	12.4	12.9	13.5
Other maintenance assistance	.5	.7	1.3	1.9	2.7
Research, demonstration, and other support	(2)	(2)	.4	.4	.4
Total	9.8	11.9	22.1	24.4	27.2

[1] Figures represent outlays, except for direct loan programs, in which they represent program levels.

[2] Less than $50,000,000.

Since 1964, about 12 million citizens have moved out of the bonds of poverty. The past few years have necessarily involved considerable experimentation. We have had many successes and some failures. We knew from the start that elimination of this long-standing problem could not be accomplished quickly. But I continue to believe that we should not falter in our commitment to the basic objective of giving every American a chance to share in the promise of America. The investment involved will return many times its cost, with benefit for all of us.

The Economic Opportunity Act has been successfully administered by the Office of Economic Opportunity, and should be extended for two more years.

ACHIEVING EFFECTIVE GOVERNMENT OPERATIONS

Good government involves more than good laws and intentions. To attain program goals effectively and provide Government services efficiently, we need:

—Proper organizational arrangements;

—Efficient and economical procedures and practices;

—Sound decisionmaking processes; and

—Well-qualified personnel.

The vast size and scope of the activities carried out by the Federal Government makes the achievement of these objectives a difficult and unending job. As added functions are assumed or existing ones changed, we must constantly strive to see that the Government's organization and procedures stay in step with the new roles involved, that wasteful methods are uncovered and eliminated, and that the Government is responsive to the needs of the people. The American taxpayer expects and must receive an alert and effective public service.

The last 5 years have been a period of extensive organizational and management improvements. The Federal Government's structure has been better adapted to increasingly complex and multipurpose activities that require closer working relationships with State and local governments. Cost-consciousness has been pressed in all the agencies of the Government. This work can never be finished, and further improvements must continue to be made.

Improved Government organization.—The continuous drive for organizational improvements has been marked by four principal approaches:

First, there has been a fundamental restructuring of organizations to provide a single focal point for leadership in broad functional areas. In 1964, the Office of Economic Opportunity was established to spearhead the planning, coordination, and operation of the national attack on poverty. Two new Cabinet agencies have also been established. In 1965, the Department of Housing and Urban Development was established to provide overall coordination of programs to improve our urban areas. In 1966, the Department of Transportation was created, bringing together a number of major transportation programs previously administered in separate agencies.

After thorough study of the Post Office Department, the Commission on Postal Organization has recommended a new corporate form of organization for the postal service under Federal ownership, providing for significant management and operating improvements. I urge enactment of legislation along the lines recommended by the Commission.

Second, program responsibilities have been realigned, relating them more closely to agency missions. For example, in 1966, the operation and coordination of efforts to secure civil rights for all our citizens was strengthened by transfer of the Community Relations Service to the Department of Justice from the Department of Commerce. Also in that year, programs to combat water pollution were brought together by moving the Federal Water Pollution Control Administration from the Department of Health, Education, and Welfare to the Department of the Interior.

In 1968, a further consolidation of transportation programs was achieved through the transfer of programs for urban mass transportation facilities from the Department of Housing and Urban Development to the Department of Transportation. This leaves the Maritime Administration as the only major transportation agency still outside of the Department of Transportation. To help facilitate attainment of an efficient national transportation system, the Maritime Administration should be transferred from the Department of Commerce to the Department of Transportation.

Third, internal organization and coordination of programs have been strengthened within a number of agencies. The Environmental Science Services Administration was established in the Department of Commerce, bringing together various related functions of that Department. A major reorganization of the customs activities of the Treasury Department has made possible better conduct of those functions. The welfare and health programs of the Department of Health, Education, and Welfare were reorganized to achieve better coordination and supervision.

Fourth, cooperative interagency arrangements have been developed, where consolidation of related functions in a single agency has not proved practical or desirable. For example:

- —Under an interagency agreement, only one preliminary application form is used for water and sewer grant and loan programs administered by several agencies.
- —A special procedure at certain international airports speeds the clearance of incoming passengers through customs, immigration, health, and agricultural inspections.

Many of the improvements in Government organization were achieved under the provisions of the reorganization statute, which authorizes the President to submit reorganization plans to the Congress. The latest extension of this authority terminated on December 31, 1968. This statute should be extended again to permit the new President to continue to make adjustments and improvements in governmental structure to meet changing requirements.

A strengthened Federal system.—In our expanded efforts to attack complex domestic social and economic problems in our society, the Federal Government has relied heavily on the talents and resources of State and local governmental units. In recent years, States and localities have administered more than two-thirds of the total expenditures by all levels of government for domestic civilian programs, and have financed over half of that total from their own funds. Reliance on a partnership between all levels of government is in keeping with time-honored traditions—forged in the early days of the Republic, and reconfirmed with the passage of time.

To help cope with the relentless rise in public service requirements facing the Nation, the Federal Government has provided large-scale financial aid to the 50 States and their 80,000 local governments. Budget outlays for Federal aid will more than triple in the course of only a decade, rising from $7 billion in 1960 to about $25 billion in 1970. The increase from 1964 alone represents a doubling in amount. Between 1964 and 1970, Federal aids will have added a cumulative total of over $110 billion to State and local funds.

Federal grants to State and local governments now make up more than one-fifth of total Federal spending for civilian domestic programs, and represent about 18% of State and local revenues.

The recent rapid increase in both the number and scale of Federal grant programs has created some stress and complexity, pointing up the need for closer cooperation and coordination among the various levels of government. We have taken a number of steps in the last few years to meet this challenge.

Cooperation among the different levels of government has been facilitated by providing *clear paths of communication* between the Federal Government, State Governors, and the thousands of Mayors and other local officials. I have opened these lines of communication even further by directing that the executive branch of the Federal Government *consult with State and local chief executives* in developing rules and regulations, and on other matters that affect their governments. Through *training programs* and grants, Federal agencies have assisted States and localities in improving the caliber of their personnel in selected program areas.

The Intergovernmental Cooperation Act of 1968 augments these measures by providing more program information to Governors and State legislatures, permitting the selective waiver of grant requirements that unduly restrict State and local operations, and involving State and local governments in the development, execution, and evaluation of Federal programs and projects.

Other steps have been taken to *reform and simplify procedures.*

- —We have relieved some of the administrative problems of State and local governments by consolidating a number of categorical grants-in-aid in the field of health. Similar measures in other program areas are necessary.
- —Procedures have been simplified to speed up the processing of high-priority grants to State and local governments, including the use of a standard interagency application form for certain types of public works projects.
- —Arrangements are being made for simplified interagency funding of certain State and local projects related to reducing poverty and juvenile delinquency. General authority should now be provided for joint funding simplification in all grant-in-aid programs.

These recent efforts have brought significant progress in improving intergovernmental communication and procedural arrangements. We must build on that progress through a continued and imaginative search for further improvements.

Better decisionmaking processes.—In the summer of 1965, I directed the development and application of a Government-wide Planning-Programing-Budgeting (PPB) system to improve the decisionmaking processes by which resources are allocated among Federal programs, and by which the annual budget is prepared. Under this system, the departments and agencies are developing information and analyses that relate program planning and performance to identified goals and objectives. These goals are reviewed, alternate means of achieving them are identified, and the effectiveness and costs of the alternatives are compared in determining which to select. This is followed by evaluation of each program at suitable intervals.

During its 3 years in operation, the PPB system has improved substantially the basis for decisionmaking within the executive branch. This year, new analyses have played a role in decisions about areas as diverse as the possible leasing of public lands for oil shale development, the choice of means to make materials in the Government's archives more widely available, and the urgency of increasing the effectiveness of family planning.

Twenty-two agencies, representing over 95% of the 1970 budget, are now operating within this system. The annual budget recommendations of these agencies are submitted for Executive consideration within a framework that permits better decisions on programs and alternatives in relation to objectives. A new Special Analysis, published this year for the first time, shows my recommendations for budget authority for selected agencies classified in terms of the program structures developed under the PPB system.

The example of the Federal Government in adopting improved procedures for reaching decisions has been followed by a number of State and local governments. This is a particularly promising development, both for the effectiveness of government at each level and for intergovernmental cooperation.

Cost reduction.—Shortly after I became President, I promised that in my administration the Government would conduct its operations with the utmost thrift and frugality, get a dollar's value for a dollar spent, and set an example of prudence and economy.

In 1965, a systematic, formal cost reduction program was initiated throughout the Federal Government. The key points of this new effort were that the head of each department and agency would:

- —Assume direct supervision of a formal cost reduction program;
- —Establish specific dollar cost reduction goals;
- —Subject every major proposed expenditure to searching scrutiny in terms of costs and benefits;
- —Employ independent means to verify savings; and
- —Recommend high priority use of savings achieved.

Federal employees were asked to make cost reduction a personal goal and to redouble their efforts to achieve savings and conduct their work as efficiently as possible.

To cite only a few examples of accomplishments in the past year alone:

- —The Department of Agriculture conducted a drive to reduce procurement and property management costs which produced savings of $13.4 million by using property that other agencies found to be in excess of their needs, consolidating orders, improving contract procedures, and conserving utilities.
- —The National Aeronautics and Space Administration reported savings of $184 million last year under its formal contractor cost reduction program, in which 38 principal contractors actively participate.
- —The Department of Defense achieved savings of $1.2 billion last year from more than 27,000 separate and validated management actions. As one example, the Air Force developed a way to repair the worn turbine shafts of jet engines, thus eliminating replacement costs of $2.4 million.

In order to broaden and strengthen the Government's drive for economy and efficiency in all its operations, I established an Advisory Council on Cost Reduction in 1967, with members selected from both Government and private life.

The Council has been evaluating the cost reduction program, exploring opportunities for further savings, and consulting with leaders in business, industry, and research to draw on their experience and ideas for reducing costs.

A FAIR Selective Service System.—Over the last 10 years, the number of young men inducted into the Armed Forces from the eligible and available group has declined from 70% to 50%. This development has made it increasingly important that those called into military service are selected in an equitable manner.

It was my intention to develop a fair and impartial random system of selection (FAIR) and put it into effect by administrative action. However, in the Military Selective Service Act of 1967, the Congress prohibited such action without specific authorizing legislation. I believe that the Congress should now enact such legislation so that a FAIR selective service system can be instituted at an early date.

An improved Federal service.—Regardless of how appropriate our organization and administrative procedures are, the ultimate, effective delivery of services depends on people. The complex nature of the interagency and intergovernmental programs demands highly competent, well trained, imaginative public servants at all levels of government.

We must be in a position to recruit and retain skilled people willing to devote their careers to public service. They should not have to do this at personal sacrifice. In 1967, I therefore proposed, and the Congress enacted, legislation to increase the pay of Federal employees in several stages until it is comparable to pay for similar work in private employment. Under the law, the final step in achieving pay comparability is to occur in July 1969. This budget provides funds to fulfill that promise.

Prompt action is now needed to lessen the financial sacrifice currently required of high-ranking Federal officials—Members of the Congress, judges, and those in executive positions in all three branches of the Government. The Commission on Executive, Legislative, and Judicial Salaries, which the Congress established in 1967, has concluded that higher rates of pay are urgently needed to improve the Government's ability to attract able men and women for these offices and positions. In accordance with the requirements of law, this budget includes a supplement which contains my recommendations on increased salary levels for these Federal officials.

This budget provides an allowance of $2.8 billion to cover the costs of pay increases in fiscal year 1970 for Federal military personnel and civilian employees, and for Government officials and executives.

In addition, consideration should be given in the near future to modernizing the military pay structure by converting to a full salary system and improving the retirement system.

CONCLUSION

This Nation remains firmly committed to a world of peace and human dignity. In seeking these goals, we have achieved great military strength with the sole aim of deterring and resisting aggression. We have continued to assist other nations struggling to provide a better life for their people. We are successfully pushing forward the frontiers of knowledge to outer space and promoting scientific and technological advances of enormous potential for benefit to mankind.

In recent years, we have taken significant strides toward expanding the opportunity for each American to:

- —Develop his mind, skills, and earning power to their maximum potential.
- —Contribute his full share to a society which respects and values differences in race, religion, or culture.
- —Escape the withering bonds of poverty, which stifle and starve the spirit.
- —Live in an environment free of pollution, in a community stimulating but safe, in a neighborhood diverse but harmonious, and in a home or apartment both adequate and available at a reasonable price.

We have come far in our journey, but we are still a long way from our destination. We can be justly proud of our recent achievements, but we must look ahead to those victories yet to be won.

No course of action can have a higher purpose than that of furthering world peace and human freedom. In this budget, as in my previous budgets, I have pursued that course to the best of my ability. I have faith that America will not now fail in its resolve, nor founder in its responsibility, to press ahead for freedom and justice at home and abroad.

LYNDON B. JOHNSON.

JANUARY 15, 1969.

THE PRESIDENT'S BUDGET MESSAGE

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. MAHON) is recognized for 30 minutes.

SOME BUDGET HIGHLIGHTS

Mr. MAHON. Mr. Speaker, it is customary to make some general observations about the President's budget when it is sent to the Congress each January.

Even though Mr. Johnson will not continue beyond the 20th of January as the President of the United States, the law requires that he submit a budget for the forthcoming year. It is very valuable to have the estimate of the outgoing President on what he believes we should do during the next fiscal year.

The cloth has already been cut for the fiscal year 1969, which ends on June 30, 1969, and there is little credit that could be given to the incoming President or very little blame that could be leveled at the incoming President in regard to whether or not the budget for the fiscal year 1969 is in balance or out of balance. We have already made the basic decisions during the time of the Johnson administration on spending up through June 30 of this year, and whatever happens to the fiscal situation from the standpoint of the budget between now and June 30 is more or less the responsibility of the present administration.

In many ways the submission of a balanced budget, as the President has done today, is an exciting and encouraging event. Members will bear in mind, as I do, that since 1930, during these 38 years, we have had only six balanced budgets. Now the President has submitted a balanced budget for the current fiscal year 1969, and an estimate also of a balanced budget for the forthcoming fiscal year 1970 which begins on July 1, 1969.

If these two balanced budgets are actually accomplished, back to back, it will considerably atone for the $25 billion deficit of last fiscal year, brought on by a number of situations, principally the war. This is a very hopeful prospect and I think the country and the Congress feel a sense of uplift as a result of the President's state of the Union address last night and the budget submitted today.

We need the tonic of a balanced budget. We need to be responsible. We need, at times of a high level of economic activity, to pay our way. We need to reverse or, rather, to halt the present situation wherein inflation is proceeding at the rate of nearly 5 percent per year. This is intolerable. It must be stopped.

During the past 8 years we have had an average inflation of about 2 percent a year as measured by the Consumer Price Index, and that is not too uncharacteristic of the preceding 8 years. But during the past year it has been about 5 percent or so; it has accelerated. This has to be stopped.

I was heartened by the firm statement of the President with respect to the necessity of holding the line, of preventing further inflation, and further stabilizing the dollar at home and abroad. So I compliment the President warmly upon the submission of a balanced budget.

Now, I must say that the balanced budget is not self-enacting. It will not necessarily be balanced as a result of the estimates of the President. It will only be balanced if the underlying assumptions prove to be true with respect to the growth in the gross national product, projected at $921 billion, and only if corporate and individual profits continue somewhat as estimated, and only if Congress takes certain painful actions involving spending and retrenchment and revenues. Only in that case will there be a balanced budget.

It is up to the current Congress to make sure, insofar as its responsibilities go, as I see it, that the projections of the outgoing President become reality and that we have a balanced budget.

RESPONSIBILITIES FOR THE BUDGET

There are many proposals in the President's budget which we as Members will not like. We will complain that the President was too niggardly in requesting funds for certain programs in which we have a great interest. And we will complain that the President submitted an extravagant and indefensible request for funds for programs in which we have no interest. Much will depend upon geography. Much will depend upon the character of the districts we represent as to what our attitudes will be.

The budget is submitted by the executive branch. While there are two elected officials in the executive branch—the President and the Vice President—I believe it is fair to say that only the President exercises a major part in respect to the budget. So here we have a President advised, as he has been, by the Director of the Bureau of the Budget and many of the career professionals, by members of his Cabinet, and by countless others. The President has brought to bear his own judgment after having received the judgment, somewhat, of the legislative branch—I say somewhat, because the President has conferred with members of the legislative branch. But largely the budget is a result of his own judgment and the advice he has accepted from the executive branch. So we have here the recommendation of one elected official, the President.

Then we have the budget submitted to a Congress made up of 535 Members. We are all elected by the people, and we come from various areas of the country. We, in our own right, have certain responsibilities which career people and nonelected officials in the executive branch do not have. It would certainly be surprising indeed—it would be very surprising; it would be unthinkable—if the Congress should agree wholeheartedly and in every detail with the President. It just is not that kind of a situation.

Now, of course, we will differ with the President. We will differ very materially in some respects with the President. I am sure that the members of the President's Cabinet differed very sharply with the President with respect to the budget which he submitted. I am not authorized to say it, and I could be in error, but I would say that the Secretary of Health, Education, and Welfare, Wilbur Cohen, would have increased this budget for HEW, by $1 billion or more, and he would have been perfectly honest in it. He is absorbed with the idea of trying to do more things for more people through the Federal Government. But the budget is not $1 billion or more higher as a result of the acceptance of what he may have recommended.

I am sure that as to former Secretary of Housing and Urban Development, Mr. Robert Weaver, if he had had his way and if his successor, Mr. Wood, had had his way for model cities and rent supplements and other programs involving urban areas, the budget would have been very much higher indeed.

So, while we may complain in some instances that the budget is too high from our viewpoint, I think we should give the President credit, certainly, for a considerable degree of austerity and restraint in refusing to accept the higher figures which no doubt were urged upon him by members of the executive branch and by various organizations and individuals throughout the Nation.

Of course, the President represents all of the people and all of the areas of our Nation. As individuals in the House, we represent only our own districts, although we have a very marked responsibility to the Nation as a whole.

The budget is a presentation of a set of legislative and fiscal recommendations which the President believes should be adopted in the overall best interests of the Nation as he sees the situation. This enables the Congress to have some basis on which to start its deliberations. This is a very good thing. But there is nothing sacred about the budget. It is a guideline, and the budget could very well be increased in some areas and decreased in other areas. Nobody understands the nature of a budget submission any better than the President or than you and I.

So here we are now with this important tool. We cannot move along as fast in the consideration of this budget as we would like to because the incoming President has been requested by myself—and I am sure by others—to submit his proposed amendments to the budget. It would be wholly unrealistic and unfair to expect the incoming President to submit a 1,200 page new budget and say "Please discard the Johnson budget and accept my budget." It is just not feasible. It takes months and months and thousands of man-hours to build a budget. However, the incoming President does owe to the Congress a statement in writing as to what changes he wants to make in the budget. I think that when we deliberate in this body on appropriation bills and legislative proposals involving the budget, we are entitled to have before us a recommendation of the outgoing President and the recommendation of the incoming President. That is going to slow us down awhile, because it will take some time for this to be done. So, somehow, we have to innovate sufficiently to move along and discharge our business at least within the 12-month period, taking time out for the recesses which have already been announced. This will not be an easy problem.

Yes, the President in making the budget has used a great deal of restraint from his standpoint. There are many items in this budget. I am sure that if Orville Freeman, the outgoing Secretary of Agriculture, had been able to secure all of the funds that he would have preferred to have, the funds in the budget for the elimination of malnutrition, hunger, and so forth, would have been much higher. I am sure that the Joint Chiefs of Staff and the members of that body, had they been able to get all they wanted in this budget, we would have had a budget several billions of dollars higher.

So, there is a diversity of opinion within the executive branch. But, of course, the executive branch speaks with one voice and this is the voice of the President. We in the legislative branch speak with 535 voices.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Yes, I yield to the gentleman from Iowa.

INFLATION PROBLEMS

Mr. GROSS. Do I understand the gentleman to say that inflation is increasing at the annual rate of 4 to 5 percent?

Mr. MAHON. Last year, yes.

Mr. GROSS. Last year? Is the gentleman referring to the calendar year or to the current fiscal year?

Mr. MAHON. The calendar year. Of course, we do not at this time know how fast inflation will proceed in the future. But in the last year, inflation has been at a rate of nearly 5 percent a year.

Mr. GROSS. Well, has it increased at approximately that rate for the first 6 months of this fiscal year?

Mr. MAHON. I think generally we can say "Yes" on that point.

Mr. GROSS. The answer is "Yes," that it has increased?

Mr. MAHON. Yes. This is unfortunate. It is intolerable and it is unacceptable. That is a reason why we have got to have a budget into balance. We have got to use restraint in spending and appropriations.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, does the gentleman estimate that during the last 6 months of this fiscal year it will increase at the annual rate of 4 to 5 percent?

Mr. MAHON. I think it will, unless the new administration and the new Congress are able to hold the line to a great degree. But if wages and salaries keep going up all along the line, and if big business, rather than holding the line, increases its costs and raises its prices to the consumer—if this type of thing continues we are going to have a continuation of serious inflationary problems. If wages, and prices, and salaries, continue to increase to the point where we cannot achieve reasonable price stability, we are headed for further economic difficulties. The value of the dollar would drop still further.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, is the gentleman now saying that the President has established a balanced budget as of July 1 of this year?

Mr. MAHON. The President's budget is an estimate and, therefore, is, of course, based upon many assumptions, as the distinguished gentleman from Iowa well knows. It will be up to us, insofar as Congress can do so, to achieve a balanced budget. The President has projected a balanced budget.

Mr. GROSS. I am talking about the end of this fiscal year. Will we end the fiscal year in the red or with a surplus? President Johnson seems to indicate we will have a surplus at the end of this fiscal year on June 30.

Mr. MAHON. I would assume that the President's estimate is not too far off. Of course, the status of the economy will be unpredictable in the next 6 months. But he has estimated a $2.4 billion surplus which tends to be anti-inflationary.

Mr. GROSS. How much did the gentleman say?

Mr. MAHON. The figure the President used was $2.4 billion.

Mr. GROSS. A surplus of $2.4 billion at the end of this fiscal year?

Mr. MAHON. Yes, and at the end of the next fiscal year, 1970, it is hopefully suggested that it might be $3.4 billion.

Mr. GROSS. Does the gentleman think the present President has indulged in any financial legerdemain in reaching the situation of a surplus as of July 1, when inflation is increasing at the rate as the gentleman from Texas says of 4 or 5 percent? This seems to me to be utterly contradictory.

Mr. MAHON. I do not so interpret that. I would assume that the figures projected by the President are reasonably accurate. But, of course, this is an estimate based on many assumptions.

We have not mentioned it but, of course, we both know the future course of the war could have heavy implications, budgetwise.

The Director of the Budget sometimes makes recommendations, and we may find it true in this budget when we examine it, that maybe indicates resorting to what some may regard as "gimmicky." All Presidents and Budget Directors have, to some limited extent, done this. But we are not aware at the moment of all the intricacies contained in the new budget. As the gentleman knows, we now have a new type of budget concept first used last year. Whatever the recommendations, we may accept, reject, modify—as we see fit.

Mr. GROSS. Mr. Speaker, will the gentleman yield further just very briefly?

Mr. MAHON. Yes, I yield further to the gentleman from Iowa.

EXECUTIVE PAY BILL

Mr. GROSS. I am pleased that the gentleman mentioned the impending so-called executive pay bill, and said that we could achieve a balanced budget if we did not go into further pay increases, and so on and so forth. I only want to say to the gentleman that I have already introduced a resolution disapproving this so-called executive pay bill, and I would hope to have the support of the gentleman from Texas in disapproving the recommendations of President Johnson.

Mr. MAHON. I thank the gentleman from Iowa. I did not mean to say that if there were no pay increases we would stop inflation. I believe my own words will speak for myself better in that regard.

Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore (Mr. HUNGATE). The gentleman from Texas has consumed 20 minutes.

Mr. MAHON. Mr. Speaker, I asked for this time for the purpose of discussing in a general way the President's budget. Through the cooperation and the assistance of the members of the staff of the Committee on Appropriations, who are career professionals, who are very knowledgeable, I have prepared further remarks which go into more detail. On this occasion I have spoken off the cuff, so to speak, but I shall insert a further statement in regard to this whole matter. Mr. Paul Wilson, assistant clerk and staff director, has been especially helpful in preparing this additional material.

Mr. Speaker, I see on the floor the gentleman from Ohio (Mr. Bow) the ranking minority member of the Committee on Appropriations. I asked for this time for myself and for the gentleman from Ohio, and I would be glad to yield to him at this time.

SELECTED BUDGET ITEMS

Mr. BOW. Mr. Speaker, I appreciate the gentleman's yield. I have a prepared statement which I will ask to insert in the RECORD.

I might say, however, Mr. Speaker, that having been a consistent advocate for a number of years, as my colleagues know, of a balanced budget, and this never having been practical in recent years to achieve, I would be remiss if I did not say that I am delighted to see a balanced budget for fiscal 1970 come to the Congress this year, and also to hear that we might have a balanced budget at the end of this fiscal year and instead of an $8 billion deficit, we may have a $2.4 billion surplus.

I might also say, Mr. Speaker, to my distinguished chairman, that I will be much happier when the end of the fiscal year comes, and we actually have a surplus rather than a deficit, and then at that time we could make our speeches and pat ourselves on the back, if we do accomplish such a fact.

But I sometimes wonder whether we are going to accomplish this fact.

Again I say I appreciate the fact that the President has suggested that in fiscal year 1970 we will have a balanced budget, but I believe we have to take a look at how we are balancing the budget. I have just one item from this budget which I might call to the attention of the Members, and that is a reduction of $500 million in projected farm price support costs. Well, that is fine, but the price supports for 1969 are now projected at some $700 million more than the original projection of last January. So what we have here is certain projections that may have been estimated at lower figures than will be realized when the fiscal year is over.

PROPOSED SUPPLEMENTALS

Now, as the Members know, in the past we have had to come in here with supplemental budget requests in order to replenish certain funds. So I believe we should wait to see.

But this is a challenge to the Congress, one I hope we can follow through on so that we can come up with a balanced budget.

There are other items in here. There is going to be a supplemental, as I understand, of $4.8 billion that we are going to have to act on very shortly. Am I correct in that?

Mr. MAHON. That is the figure in the budget. I have not gone into it further.

Mr. BOW. As I recall, it is $4.8 billion. So we do have that supplemental coming, but it is accounted for in this surplus we are going to have.

I should also like to suggest that this is a wonderful thing we have here, and much of it came about because of the surtax which we enacted last year.

REVENUE AND EXPENDITURE ACT ECONOMY PROVISIONS

But I think it should also be pointed out what might have happened in this budget if the Congress had not insisted along with the surtax that there be a reduction in spending, a spending limitation, if you please, of $6 billion and a reduction of $10 billion in new obligational authority. This was the act of the Congress, in the 90th Congress. We also provided for rescissions of $8 billion in appropriations existent on June 30, 1969.

(Mr. MAHON asked and was given permission to proceed for 10 additional minutes.)

Mr. BOW. Now the President has complied with the law and he has shown us some places where rescissions can be made.

However, he says in the budget that he does not approve of these rescissions and does not think they will be carried out.

But, it seems to me, we must not lose sight of the expenditure limitation and the surtax that we brought about.

I shall ask permission to extend my remarks, but I do want to point this out—the gentleman attended with me this morning the signing of this budget at the White House. It was very interesting. The President suggested that during his term of office we had spent a trillion dollars. He also mentioned when he first came to the Congress, the budget was $5 billion. Now we are operating on a budget of over $200 billion. So we can see the pace at which we have gone on these figures.

I would suggest again—let us be very happy about a projected balanced budget and a surplus, but let us reserve time at the end of this fiscal year when we can take a look and see whether we have accomplished this or not. That is the day, I think, when we can come in and congratulate the Congress and the executive branch of the Government, when we have actually accomplished budget balance, rather than this projection which we have not yet been able to study, and determine where or when we shall find some places where cuts can be made.

THE FEDERAL BUDGET FOR 1970 AND THE KENNEDY-JOHNSON FISCAL LEGACY

I repeat, Mr. Speaker, having always been a consistent advocate of balanced budgets whenever practicable, I would be remiss if I did not say I am pleased that a balance between revenues and expenditures is anticipated in the budget not only for fiscal 1970 but also for the current year as well. Following on the heels of a deficit of more than $25 billion in fiscal 1968, it is an achievement indeed that balanced budgets are forecast for 1969 and 1970. Time and circumstances will determine the validity of these forecasts and while I may very well not agree with the manner in which budget balance is being achieved, I am compelled to express my joy over the prospect of such a happy circumstance.

Of course, Mr. Speaker, I would emphasize that the revenue and expenditure figures proposed in this budget are projections and nothing more. If projected revenues do not reach their anticipated goal and if expenditures should materially exceed their proposed levels, and very often they do, then the budget balance assumptions for fiscals 1969 and 1970 will be tenuous indeed. In this connection, I would point out, for example, that a reduction of $500 million is projected in farm price support costs. While I would like very much to see this reduction, price support costs in 1969 are now projected at some $700 million above the original 1969 estimate.

Furthermore, although the President has projected these balanced budgets, he has also indicated that it may be necessary to revise the present debt limit within the next few months. Such a conclusion on his part may very well indicate a lack of firmness in his projections of revenues and expenditures during the balance of this year and throughout fiscal

1970. A statutory debt limit of $358 billion, with a built-in seasonal increase to $365 billion permitted each fiscal year, should be adequate if revenues and expenditures do not fluctuate unduly from their presently projected levels.

EXPENDITURE AND RECEIPT PROJECTIONS FOR 1969 AND 1970

President Johnson's budget for 1970 proposes the expenditure of $195.3 billion, which would be more than offset by anticipated receipts of $198.7 billion, thus leaving a surplus of $3.4 billion.

His budget also indicates that for the current year of 1969, expenditures will approximate $183.7 billion—down $2.4 billion from his $186.1 billion estimate of last January—and receipts will reach a level of $186.1 billion—up $8 billion from his original estimate of $178.1 billion—thus leaving a surplus of $2.4 billion rather than a deficit of $8 billion which he originally projected a year ago.

This significant and desirable turn around from a deficit of more than $25 billion in fiscal 1968 and one projected originally at $8 billion in the current fiscal year is not to be belittled in any wise. We must keep in mind, however, that while the Johnson administration recommended the 10-percent surtax which was enacted last year in Public Law 90–364, it was Congress alone who insisted upon restraint in spending and in new obligational authority.

The Revenue and Expenditure Control Act of 1968—Public Law 90–364—required a reduction in 1969 of $6 billion in proposed spending, of $10 billion in new obligational authority and $8 billion of recommended rescissions in spending authority existent on June 30, 1969. The Johnson administration resisted this restraint but eventually accepted it as the price it had to pay for enactment of the surtax proposal.

If Congress had failed to enact the expenditure restraint provisions of Public Law 90–364, then it is reasonable to assume that spending this year would have reached the level of about $190 billion instead of $184 billion. Moreover, the lack of such restraint almost surely would have propelled spending in fiscal 1970 to about $200 billion rather than the $195 billion presently proposed for next year.

Just think, Mr. Speaker, it was just a very few years ago that we were viewing with great alarm the prospects of being confronted with a $100 billion budget and now we have one before us which proposes $210 billion of new appropriations and $195 billion of spending in 1970.

NEW SPENDING AUTHORITY

The President's budget recommends new obligational authority of $210.1 billion for fiscal 1970. Of that amount $143.9 billion must be acted upon by Congress but the balance of $66.2 billion will become available automatically from permanent authorizations for social security benefits, interest on the public debt and other permanent appropriations.

In addition to the $189.8 billion of spending authority already provided for fiscal 1969, the President is requesting supplemental appropriations of $4.8 billion. These supplementals include $1.6 billion for the civilian and military pay increase which became effective last July 1, $1.6 billion for the Defense Department's use in Southeast Asia, and $1.5 billion for public assistance, veterans benefits, International Development Association resources, Asian Development Bank special funds and for other purposes. If these supplementals are enacted, spending authority available in the current year will total $194.6 billion.

Actions taken by Congress last year resulted in a net reduction of $11.9 billion from the $201.7 billion of new spending authority requested in the original 1969 budget of last January. If Congress approves the $4.8 billion of supplementals now requested for 1969, the $11.9 billion reduction of last year will become a net reduction of $7.1 billion, which represents the real impact that Congress will have made upon obligational authority for the current year. This erosion of the congressional impact upon the President's budget is not unexpected but rather is an annual affair occurring most often by reason of the fact that the administration either underestimates the need for funds or fails to advance timely requests for needed appropriations. Of course, had it not been for the appropriation reductions of $13 billion made by Congress last year, total appropriations for 1969 would substantially exceed the original budget estimate of $201.7 billion instead of being $7 billion under the original budget request.

As I mentioned earlier, in addition to the 1969 reductions of $6 billion in spending and $10 billion in new obligational authority, the Revenue, and Expenditure Control Act of 1968 required the President to recommend the rescission of $8 billion of previously approved spending authority that will still exist on June 30, 1969.

While the President has complied with the law in this regard by detailing possible rescissions in the budget addendum identified as "Special Analysis G," he said in his budget message:

> I do not favor those rescissions and therefore the tables and schedules in various parts of the budget do not reflect such action.

Certainly the new administration and Congress should examine these "possible rescissions" to determine which, if any, can be rescinded without adverse effect on the essential functions of Government.

Without any attempt on my part to evaluate the efficacy of President Johnson's rescission selections, they include the following:

[In millions]

Agency and account	End of 1969 estimate
From balances where changes are not required:	
Department of Housing and Urban Development	$3,936
College housing loans	2,349
Government National Mortgage Association: Special assistance functions	1,353
Public facility loans	234
Export-Import Bank: Export-Import Bank fund	1,026
Veterans' Administration: Direct loan revolving fund	553
Department of Agriculture:	
Farmers Home Administration	518
Direct loan account	268
Rural housing direct loan account	250
Department of Health, Education, and Welfare: Higher education facilities loan fund	153
From balances where rescission requires change in practices:	
Department of Defense—Military	$2,000
Procurement (mainly from full funding requirements beyond 1970)	1,850
Military construction (mainly from full funding requirements beyond 1970)	150
Total	8,186

Covers accounts with balances of $20,000,000 or more.

PRESIDENT JOHNSON'S LEGISLATIVE PROPOSALS

Mr. Speaker, the brief time during which the budget document has been available to me has precluded any attempt on my part to assay the President's legislative proposals. I do think, however, that they are of sufficient importance to detail them here for the benefit of Members and of that segment of the public who read the daily RECORD. His proposals that require legislative authority are:

REVENUE RECOMMENDATIONS

First. Extend the 10-percent surtax on individual and corporate income tax liabilities for 1 year beyond its scheduled expiration next June 30. This is estimated to bring in $9 billion of revenue.

Second. Extend for 1 year to January 1, 1971, the present excise tax rates of 7 percent on automobiles and 10 percent on telephone service, which otherwise would be reduced to 5 percent on January 1, 1970. This extension is estimated to account for $500 million in revenue.

Third. Raise the taxable income base for the OASDI program from $7,800 to $9,000 and the combined employer-employee tax rate from 9.6 to 10.4 percent effective January 1, 1970. Estimated additional revenues of $1.7 billion would follow the adoption of this proposal.

Fourth. Impose a variety of user charges, principally in the field of transportation, to bring in $410 million of added revenue in fiscal 1970.

Fifth. Require quarterly rather than annual collection of Federal unemployment insurance tax. It is estimated that $300 million of revenue would be realized in 1970 from this one-shot acceleration.

Sixth. Consolidate current first-class and domestic airmail into a single category of first-class mail and increase the rate by 1 cent per ounce on first-class mail and cards and increase the third-class single piece postal rate by 1 cent. Although this proposal would increase postal revenues by $519 million such revenues would be counted as negative expenditures in offsetting the postal deficit now estimated about $1 billion for 1970 under existing law.

EXPENDITURE RECOMMENDATIONS

Increase revenues which would result from the President's proposal to expand the taxable wage base and increase the OASDI tax rates would be utilized to finance his recommendations which call for:

First. A 13-percent overall increase in social security benefits, with a minimum monthly benefit of $80 generally but with a minimum monthly benefit of $100 for those individuals who have worked in covered employment for 20 years;

Second. An increase from $1,680 to $1,800 a year in the amount of money which beneficiaries may earn without loss of benefits; and

Third. Reduction in the waiting period for disability benefits from 6 months to 3 months and removal of the eligibility requirement that disability last more than 1 year.

In addition to the multitude of Federal programs which may be financed without further authorization by Congress, the following proposals require legislative action by Congress before our committee can act to fund them:

[In thousands]

Funds appropriated to the President:	
Appalachian regional development programs	$112,500
Military assistance	650,000
Economic assistance	2,325,000
Office of Economic Opportunity	2,180,000
Peace Corps	109,800
Total, funds appropriated to the President	5,377,300
Commerce:	
Economic development assistance: Development facilities	145,361
International activities:	
Salaries and expenses	166
Export control	5,532
U.S. Travel Service: Salaries and expenses	1,300
National Bureau of Standards:	
Research and technical services	3,480
Special foreign currency program	150
Maritime Administration:	
Ship construction	15,918
Operating-differential subsidies	159,577
Liquidation of contract authorization	(64,423)
Research and development	7,700
Salaries and expenses	5,174
Maritime training	6,164
State marine schools	2,040
Total, Commerce	352,562
Defense—Military:	
Procurement of equipment and missiles, Army	2,578,400
Procurement of aircraft and missiles, Navy	3,409,000
Shipbuilding and conversion, Navy	2,698,300
Procurement, Marine Corps	57,800
Aircraft procurement, Air Force	4,081,000
Missile procurement, Air Force	1,794,000
Research, development, test, and evaluation:	
Army	1,822,500
Navy	2,207,100
Air Force	3,594,300
Defense agencies	500,200
Emergency fund, Defense	50,000
Military construction:	
Army	959,343
Navy	353,582
Air Force	352,129
Defense agencies	72,500
Army National Guard	15,000
Air National Guard	13,200
Army Reserve	10,000
Naval Reserve	9,600
Air Force Reserve	5,300
Family housing, Defense	607,800
Homeowners assistance fund, Defense	1,850
Total, Defense—Military	25,192,964
Health, Education, and Welfare:	
Consumer Protection and Environmental Health Services:	
Air pollution control	$21,900
Health Service and Mental Health Administration:	
Comprehensive health planning services	18,000
Office of Education:	
Elementary and secondary education	9,397
Education for the handicapped	60
Social and Rehabilitation Service:	
Assistance for repatriated U.S. nationals	316
Development of programs for the aging	29,250
Total, Health, Education, and Welfare	78,923
Housing and Urban Development: Fellowships for city planning and urban studies	500
Interior:	
Bureau of Commercial Fisheries: Construction of fishing vessels	6,000
National Park Service: Management and protection	125
Bureau of Reclamation: Construction and rehabilitation	172
Office of Saline Water: Saline water conversion	27,000
Federal Water Pollution Control Administration: Pollution control operations and research	57,730
Total, Interior	91,027
Transportation:	
Coast Guard:	
Acquisition, construction, and improvements	82,800
Research, development, test, and evaluation	3,000
Federal Highway Administration:	
Highway beautification (contract authorization)	85,000
Traffic and highway safety	23,000
Total, transportation	193,800
Atomic Energy Commission:	
Operating expenses	2,037,500
Plant and capital equipment	350,509
Total, Atomic Energy Commission	2,388,009
National Aeronautics and Space Administration	$3,760,527
Other independent agencies:	
American Revolution Bicentennial Commission	265
Appalachian Regional Commission	890
Small Business Administration: Salaries and expenses	5,000
National Commission on Refrom of Federal Criminal Laws	260
Total, other independent agencies	6,415
Grand total:	
Budget authority	37,442,027
Liquidation of contract authorization	64,423

Mr. Speaker, as I have done over the years I again urge the legislative committees concerned with the foregoing proposals to act on them in a timely fashion and not unduly delay the Appropriations Committee in funding the proposals which are enacted.

I certainly agree with President Johnson's recommendation which calls for repeal of the provision in the Vocational Education Amendments of 1968 which permanently excepts education appropriations from administrative controls on obligations and spending. This provision was added by the other body last year and accepted by our conferees and the House over my opposition. To single out one group of controllable domestic spending programs for such special treatment is unfortunate indeed.

THE KENNEDY-JOHNSON FISCAL LEGACY

Mr. Speaker, the charm of projected budget balance in 1969 and 1970 certainly should not blind us to the fiscal legacy which the Kennedy and Johnson administrations are leaving to President-elect Nixon.

Fiscal 1969 will mark the first time in 8 years that a balanced budget may be achieved. Such balance was most recently accomplished in 1960, the last full fiscal year of the Eisenhower administration.

The table which follows reflects in part the fiscal record from 1960 to 1970, and compares the Kennedy and Johnson years with the last fiscal year in which Republicans held the reins downtown:

BUDGET OUTLAYS 1960-70

[Dollar amounts in millions]

	Last Eisenhower year, 1960	Last Kennedy year, 1964	Last Johnson year estimated 1969	Estimated 1970	Percentage comparisons		
					1964 with 1960	1969 with 1960	1970 with 1960
National defense	$45,908	$53,591	$80,999	$81,542	+16.7	+76.4	+77.6
Interest	8,299	9,810	15,171	15,958	+18.2	+82.8	+92.2
Nondefense	40,319	58,123	92,536	100,367	+44.2	+129.5	+148.9
Special allowances			100	3,150			
Undistributed intergovernmental transactions	−2,296	−2,939	−5,165	−5,745			
Total, budget outlays	92,230	118,585	183,701	195,272	+28.6	+99.2	+111.7

It has been alleged over recent years that provision for our national security has been the principal culprit in the ever-rising costs of the Federal service. Of course, defense costs have risen not only because of the war in Vietnam but also because of events occurring in many other places throughout the world but the truth is that the percentage increase in nondefense spending in the last 8 years is almost twice as great as that for defense. In the intervening 8 years between a balanced budget in 1960 and the one projected for the current year, defense expenditures—including those for Vietnam—have increased 76.4 percent, interest on the public debt has increased 82.8 percent and all other nondefense programs have skyrocketed to 129.5 percent above their level of 8 years ago. Furthermore, in fiscal 1970 defense expenditures are estimated to increase another 1.2 percent to 77.6 percent above their level in 1960. Interest on the public debt is expected to increase another 9.4 percent to 92.2 percent above its 1960 level. But, Mr. Speaker, the real shocker is the spending for all other nondefense programs which are projected to escalate by 19.4 percent to a level of 148.9 percent greater than they were in 1960.

We are still fighting a hot war in Vietnam which is expected to cost more than $29 billion in fiscal 1969 and more than $25 billion in 1970 and, to date, a just and honorable peace is not in sight.

We have spent billions on the education of our youth but recent newspaper accounts indicate that the bureaucrats in the Office of Education feel we have done precious little in improving education for the youthful poor.

We have provided untold billions in income maintenance and medical care payments for our impoverished but the welfare recipient rolls continue to grow.

We have been unstintingly generous in our efforts to abolish poverty and train our disadvantaged so they may become a productive part of our economy but the President says in his budget message that 22 million Americans still live in poverty.

We have distributed hundreds of millions of dollars worth of food to the less fortunate but some Americans still suffer from hunger and malnutrition.

We spent $531 million in 1968, expect to spend $639 million in 1969 and the President proposes to spend almost $900 million in 1970 for crime reduction but violent crime continues to increase by leaps and bounds.

We are experiencing an unprecedented high level of economic activity with an unemployment rate of about 3.3 percent, the lowest since October 1953, but at the same time we are in the throes of runaway inflation with prices advancing at a current rate of 5 percent.

Mr. Speaker, these are some of the legacies which the Kennedy-Johnson administrations are bequeathing to President-elect Nixon. The days and months and years ahead probably will not provide President Nixon with any easy solutions to these problems which are besetting the Nation. For that reason I caution my colleagues and the American public not to look for miracles but rather to expect the same day-to-day devotion to the solution, as he sees it, of our national problems that President Johnson gave to their solution, as he saw it.

Peace in the world, our national security, the integrity of our dollar, a healthy and growing economy and the right of all Americans to peacefully pursue legitimate goals transcend partisan politics. In those regards I supported Presidents Kennedy and Johnson and I call upon my colleagues today to do likewise when the mantle of leadership is transferred next Monday from President Johnson's shoulders to those of President Nixon.

BUDGET IS NOT SELF-ENACTING

Mr. MAHON. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, the gentleman from Ohio has pointed out so correctly that whatever credit or blame is due in fiscal matters must be borne very heavily by the Congress because it is up to us to make decisions with respect to the expenditure of Federal funds by the executive branch.

We have had a major role in reductions which have been achieved during the past calendar year and which will be projected into the future, and I think a very wholesome role. Of course, the President has an important leadership role.

This role is going to continue to be our responsibility. There is no absolute, ironclad guarantee that there will be a balanced budget in this fiscal year or in the next fiscal year. The President has pointed the way toward a balanced budget.

We should, wherever reasonably possible, make reductions below those recommended by the President. I think we can reduce this budget.

I think it fair to say that, in my opinion, we probably will not be able to reduce the budget during this calendar year, that is, reduce the President's budget in this calendar year by as much as we did in the last calendar year, for fiscal years 1968 and 1969, when we reduced the budget estimates by $14 billion.

Mr. BOW. Mr. Speaker, will the gentleman yield at this point?

Mr. MAHON. I yield to the gentleman.

Mr. BOW. Am I correct in understanding that the anticipated expenditures for the fiscal year 1970 are $11.6 billion higher than in this fiscal year?

Mr. MAHON. The gentleman is correct.

Mr. BOW. If we have an estimated expenditure of $11.6 billion more than the expenditures in this fiscal year, it seems to me that the Congress ought to take a good hard look to find out whether we cannot make some additional savings in the $11.6 billion increase over this fiscal year.

Mr. MAHON. This we can do and will do. Some reductions can be made and will be made. But some of these increases are built in, such as for example, the increase in the cost of the interest on the public debt. I will insert some material on the makeup of the increases. There is very considerable detail in the budget message, of course.

The budget has many, many items in it. Much is involved. I hope that all Members of the House can study more deeply than in prior years the President's budget. It takes a little time to comprehend such a complex document.

I was about to say, we have had for several hundred years in this country, and for several thousand years in this world, the problem of poverty, the problem of education and its deficiencies, the problem of crime, the problem of men living together in groups, communities or cities, and it is not possible in a short length of time to find and spend the resources to fully solve the problem. And they cannot be solved by money alone. It is a long-range kind of problem. I do not think we can ever fully solve the problem of poverty, and therefore contradict the teaching of the Bible that, "The poor ye will have with you always." But we ought to do as much as we can reasonably do in that field.

In government, we can only wisely take a certain limited step at one time; otherwise, we would destroy our economy and our capability to go forward. So we must have some patience in dealing with these problems. In dealing with our new President we must have some patience. We must give him the time, the support and appropriate cooperation needed in order to confront the problems which face us.

Mr. KYL. Mr. Speaker, will the gentleman yield,

Mr. MAHON. I am delighted to yield to the gentleman from Iowa.

DEBT LIMITATION

Mr. KYL. There always seems to be worry about projected budget balances. Can the gentleman tell us if at this time we have indeed borrowed from some of the trust funds to help simulate a balance, as we have sometimes in the past, and then we will quite suddenly face a condition in which the administration comes to us and says to us, "We must have an increase in the statutory debt limit or we can't continue the highway program, we cannot continue to pay social security, et cetera." Is there any danger of that happening at this time?

Mr. MAHON. Of course, under the new budget concept which is embodied in the President's budget, highway trust funds, social security trust funds, and so forth, such expenditures are involved. It is true that in the past, and in the recent past, trust fund expenditures have been reduced in order to avoid inflationary pressures. I do not know what may develop, but all trust funds will be in jeopardy unless we hold the line and maintain the integrity of the dollar at home and abroad, and proceed with caution in executing and in embracing expensive programs in agriculture, in education, in health, and in urban affairs.

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. KYL. The presentation of a new budget may be new technique, or whatever you want to call it, but it does not change the basic law which provides that any surplus in a trust fund must be invested. I will put it in another way. This means the administration can borrow and must borrow those funds to pay Government obligations. If we get into a position again, as we have in the recent past, as the gentleman suggests, where you do not have income sufficient to pay back those funds, then we must again turn to an increase in the statutory debt limit. Has the gentleman heard any rumor or seen any signs that the Congress will be asked again to increase the statutory debt limit?

Mr. MAHON. That would be up to the incoming President. He would have to look the situation over. I am sure he will, and I am sure he will confer with the gentleman from Arkansas (Mr. MILLS) and others on the Ways and Means Committee, and with congressional leaders generally, and with the leaders in the Senate in regard to procedure.

I grow weary, as I know the gentleman does, of voting for proposals to raise the debt ceiling. The so-called permanent national debt limit is now $358 billion and, under the law, I believe, goes to $365 billion during the year, and then reverts to the $358 billion at the end of the year.

I do not know where we are headed, but it would be a very salutary thing if we were able to achieve a balanced budget and were able to live within the debt ceiling approved by the Congress.

Mr. KYL. Mr. Speaker, if the gentleman would yield further, if we, indeed, have a budget balanced picture, as has been presented, then the necessity for increasing the debt ceiling would be obviated, would it not?

Mr. MAHON. I do not know that it would be completely obviated. Of course, we are going to be spending more money. This is a growing country. Also, of course, our revenues will be growing. We have had some inflation, but in terms of real money, in "real" dollars as the economists term it, we have also had growth in our economy and growth in the individual and corporate profits in real dollars, bigger profits. The last 8 years has been a tremendous growth period; in fact for the long span it is an unprecedented period. The budget message has some highlight figures on this growth.

I just do not know what may develop with respect to the debt ceiling.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. CONABLE. Mr. Speaker, I would like to follow up on the question about the debt ceiling as posed by the gentleman who preceded me. I believe the worst time of year for the greatest pressure on the debt ceiling usually comes in February or March. I wonder if the gentleman has any information about whether or not the present debt ceiling is high enough to get us through that difficult period and whether or not, therefore, we might have to move in the near future on the debt ceiling, or whether we can wait and make further adjustments in the debt ceiling with respect to the next fiscal year instead.

Mr. MAHON. Mr. Speaker, I have put so much of my energies into working on appropriations and into seeking to hold the line on appropriatins bills that I have not been able to get as fully into the area of the debt ceilings as the Ways and Means Committee has, and probably as the gentleman himself has. I just do not know what the whole problem is.

Mr. CONABLE. Mr. Speaker, the gentleman knows of no immediate pressure on the debt ceiling at this point due to the difficult time of the year that is coming up in February or March?

Mr. MAHON. Yes, but we do not know for sure what the collections actually will be. We have them projected, but we do not know what they will actually be.

Mr. CONABLE. It is true, is it not, that if we get through February and March, we will be able to get through the year?

Mr. MAHON. I would hope so but this is a very complex issue.

In elaboration, upon checking through the details of the budget we find this statement about the debt ceiling:

Gross Federal debt—which is the sum of the amount of debt held by the public and the amount held within the Government—is estimated at $371.5 billion at the end of the fiscal year 1970. This total includes not only the direct obligations of the Treasury, but also $14.1 billion in securities issued by various other Federal agencies.

The statutory debt limit now stands at $358 billion, with a temporary seasonal increase to $365 billion permitted within each fiscal year. These limits apply mainly to the direct Treasury debt and do not cover most of the publicly issued agency debt. As a result of the unusually large increase in special Treasury issues to Government trust funds for investment of their surplus receipts in the latter half of the fiscal year, the direct Treasury debt will be relatively high, even though a budget surplus is in prospect and borrowing from the public will decline. It may be necessary, therefore, within the next few months, to revise the present debt limit. Even if this does not prove necessary at that time, the need for such action will, in all probability, arise next fall, when budget receipts will be seasonally low.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

INTERGOVERNMENTAL TRANSACTIONS FIGURES

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. Certainly I concur with many of the statements the chairman of the Committee on Appropriations has made. Yesterday I had delivered to my desk, as I am sure other Members did likewise, the copy of the budget and the copy of the "Budget in Brief." I have had an opportunity to study it and my query goes back to the question of balancing the budget, and the prediction that if we continue to have income as we have, and if the national product continues to grow, we will allegedly have a balanced budget in fiscal year 1969, and 1970.

The thing that concerns me, and to which I direct my question, is on page 65 of the "Budget in Brief," wherein it deals with receipts by source, and outlays by function. Therein in summary the receipts by source total $199 billion, of which the so-called Federal funds will be $148 billion in rounded figures, and the trust funds will be $51 billion. By simple addition that totals to $199 billion, whereas the outlays by function are totaled in three different characters, also showing Federal funds $155 billion and the trust funds $48.5 billion. The trust fund outlay is just a little less than the trust fund income, but the Federal fund outlay or expenditure is almost $8 billion more than the Federal fund income. The differential is made up, as I am sure the distinguished chairman knows and has already analyzed, by the $8 billion in "Intergovernmental transactions."

I think many of the people are concerned—as certainly are those Members who do study the budget and do their homework—as to whether or not this is in fact a balanced budget, or whether it is balanced only out of the trust funds and/or by the participation sales certificates and other devices we have developed for intergovernmental transactions. I am certain that we all have a right to know.

Could the gentleman enlighten the Members on that, in view of the excellent statement he has made thus far?

The SPEAKER pro tempore (Mr. HUNGATE). The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 5 additional minutes.)

Mr. MAHON. I do not have that page before me, and I have not had an opportunity to look at the "Budget in Brief."

After I receive permission to revise and extend my remarks I shall undertake to comment on this matter.

I believe a quick answer to a portion of the question is that it will be balanced on the new budget concept basis as accepted by the administration, and used in last year's budget and in this budget. I will elaborate for the RECORD in regard to that.

Mr. HALL. I thank the gentleman. I know he will. I believe it is important not only to those of us who will be asked to vote on the appropriations recommended by the various subcommittees of his distinguished committee, but also to the people of the United States.

Mr. MAHON. I thank the gentleman.

After checking on this matter, the explanation for the "intergovernmental transactions" item referred to—the precise amount is $7,881 million—lies in the need to make that deduction when summarizing the many accounts into a grand total in order to avoid double counting that would otherwise arise from payments between accounts within the Government. Here is an explanation from the budget documents and in the aggregate, the total involved for the whole Government budget is more than just the one figure of $7,881 million mentioned:

Interfund and intergovernmental transactions.—These items are payments by one agency or fund of the Federal Government and receipts of another in exactly the same amount. They do not affect the budget deficit, and are excluded from both outlays and receipts.

Certain payments between funds are accounted for as expenditures of one fund and as receipts of another in financial statements that relate to the individual funds. When all funds are consolidated into a single schedule as in the budget, the duplication involved in the interfund and intragovernmental transactions must be eliminated. This is generally done by deducting the amounts involved from both the outlays and the budget authority for the agency receiving the payment. However, in a few cases where the payment is in the nature of a transfer of receipts, the deduction is made instead from the agency making payment.

In two situations the interfund and intragovernmental transactions are not deducted from the figures of any agency or function, but appear as special deduct lines in computing total outlays and budget authority for the Government as a whole. One of these constitutes the Government's payments as employer into trust funds for retirement of its employees. The other consists of the interest receipts of the trust funds.

(Mr. MAHON asked and was given permission to revise and extend his remarks and to include pertinent additional material, including tables and quotations.)

Mr. MAHON. Under permission granted, I am inserting considerable additional material on the budget and related matters, including both general and specific observations, and a number of statistical tabulations.

Mr. Speaker, it is a truism that, year in and year out, the President's annual budget is probably the most important message, the most encompassing executive communication to come to the Congress. It embraces the whole range of governmental endeavor, the policies and programs that affect the lives and welfare of every citizen. To some considerable extent it influences our national course and destiny.

I should like to make a few observations about the thrust of the message and some of its big features. It will be some weeks, even months, before we can fully analyze and come to conclusions about all the countless features of the budget.

HIGHLIGHTS RÉSUMÉ OF THE MESSAGE

This is a transitional budget, submitted by an outgoing administration. It undoubtedly will be revised in many respects by the incoming administration. Nevertheless, it is a budget in balance for both fiscal 1969 and 1970, with projected surpluses of approximately $2.4 billion and $3.4 billion respectively.

The projected surplus for 1970 is based upon extension of the 10-percent surtax for a full year beyond the July 1, 1969 expiration date and a few other revenue-producing measures. It also hinges on such important contingencies as performance of the economy. And there are a number of legislative proposals affecting the expenditure side of the budget.

The budget would provide about $224 billion in gross new budget (obligational) authority for fiscal 1970, an increase, on a gross basis, of nearly $16.1 billion over the comparable reestimated gross total for fiscal 1969. It is this new budget (obligational) authority basis on which the Congress acts in various bills. However, Congress does not act on all of this $224 billion.

Only about $143.9 billion of this new budget authority for fiscal 1970 will be required to come before Congress in individual bills. The remainder, some $80.1 billion, is already authorized and appropriated under earlier so-called permanent appropriations for such major items as interest on the debt, social security benefits, various retirement funds, highways, and so on. The difference between the gross budget authority of $224 billion on which the Congress acts in part and the net budget authority of $210.1 billion, most often referred to and seen in the general budget tables, is $13.9 billion in "intragovernmental transactions" and certain "proprietary receipts" from the public not credited to revenues but applied directly as offset outlays.

Thus, Mr. Speaker, as the budget message states, the net increase in new budget (obligational) authority proposed for 1970, over the reestimated total for 1969, is some $15.5 billion.

Estimated outlays (expenditures) are projected to be $195.3 billion for fiscal 1970, an increase of about $11.6 billion over the reestimated total for fiscal 1969.

Projected receipts for fiscal 1970, including extension of the surtax and enactment of other revenue-producing measures, are estimated to be $198.7 billion, an increase of $12.6 billion over the reestimated total for fiscal 1969.

The President has done his duty as he sees it. That is what the law contemplates. It gives him carte blanche to recommend whatever he considers appropriate to the times and the circumstances of those times.

This is a hold-the-line budget from the President's standpoint. It urges continuation of budgetary equilibrium. It proposes no major legislative innovations in the way of new programs. In this sense it sows no major new seedbeds of expenditure growth.

The increase of some $11.6 billion in spending projected in this budget for fiscal 1970 is by and large a built-in increase. About 75 percent of the $11.6 billion increase arises from laws already enacted or otherwise of a mandatory character, such as interest on the debt; social security; public assistance, including medicaid; veterans; pay increases already authorized; payment of prior obligations; and the like, excluding defense. These are expenditure increases that cannot be effectively controlled without changing the underlying laws that direct them.

Not counting national defense, the budget classifies roughly only $20 billion of civilian expenditures—some 10 percent of the spending total—as the areas relatively controllable in the annual authorization and appropriation bills.

The increases in net new budget authority for fiscal 1970 over fiscal 1969, of $15.5 billion, are accounted for in capsule form, as follows:

1. Increase for items not requiring current action by Congress	+$4.9 bil.
Interest	+$800 mil.
Trust funds (social security, etc.)	+$5,600 mil.
All other (net)	−$1,500 mil.
2. Increases for proposed legislation (net)	+$1.1 bil.
3. Increases in annual bills requiring action by Congress	+$9.5 bil.
National defense	+$3,462 mil.
July 1, 1969, civilian and military pay increase (already authorized)	+$2,800 mil.
Public assistance, medicaid, etc	+$2,000 mil.
Foreign economic assistance	+$966 mil.
All others (net)	+$272 mil.

The budget makes provision for supplemental appropriations of some $4,813 million for the current fiscal year 1969, covering a number of items as set out in the budget, but in significant measure accounted for in additional Southeast Asia defense costs and unabsorbed costs of the general civilian and military pay increases effective last July 1 and which were not specifically appropriated for in the regular 1969 appropriations. A lump-sum allowance of $1.6 billion was, however, included in the original fiscal 1969 budget total for such pay costs.

For a few programs, today's budget proposes advance appropriations of $4,161,000,000 for fiscal 1971.

In summary, then, on new appropriations—new budget (obligational) authority—a capsule situation of today's budget is this:

	Millions
New appropriations or budget authority proposed for 1970	$224, 035
Proposed supplemental for 1969	4, 813
Proposed advances for 1971	4, 161
Grand total	233, 009
Less amounts for 1970 permanent-type items not requiring action in bills this session	—80, 168
Grand total, for action in bills this session (all three fiscal years)	152, 841

Projected budget receipts and the underlying economic assumptions are, of course, fundamental to the tentatively projected balance or imbalance of any budget. Receipts for fiscal 1970 are projected in the budget to increase $12.6 billion over the current estimate for fiscal 1969.

In the aggregate, some $11.9 billion of the 1970 budget revenue total requires legislation. Any legislative denials would unhinge the budget balance outlook just that much.

Although technically not classified as a budget revenue matter, there is another item, counted as a $519 million reduction in postal costs, involving proposed legislation to combine first-class and domestic airmail and adjust rate for this and for certain third-class mail.

On the economic side, the budget assumes a gross national product of $921 billion, a 7 percent rise in calendar 1969 over calendar 1968. The actual increase last year over 1967 was about 9 percent. Corporate profits before taxes are projected at $96 billion, compared to some $92.3 billion last year. Personal income is estimated at $736 billion, up $50.2 billion from 1968. Of course, how close to the mark these projections prove to be weighs heavily in the final outcome of the budget balance.

RESPONSIBILITIES FOR THE BUDGET

Mr. Speaker, there are certain fundamental points generally applicable to all budgets in all administrations.

We hear much about priorities in spending—deciding how much is to be allocated and where, on what programs and activities. The budget necessarily reflects great compromises. The President—alone among all public officials—has the biggest constituency and the broadest horizon of interests to consider when he prepares the budget. The budget is the convening place for all of the policies and programs of the Government; the occasion for great contesting for a place and a share in the budget that never includes enough money to cover all of the national wants and often not enough to cover all of our national needs. Making the budget is a great priorities undertaking—priorities both seen in the budget allocations and unseen in what fails to get in the budget.

I am confident that the President, from his unique position representing 200 million people with many competing and conflicting interests, has put together what he regards as a reasonably acceptable set of fiscal recommendations in the light of all the circumstances.

But it is entirely understandable that the budget includes things which some may regard as proper and necessary but which others may regard as unjustified or of low priority. Some will say the budget is too low in certain respects; others will say it is too high. Some will criticize it for what it includes, while others may take exception because of what it omits.

The people of my area will not agree with all of the budget. Nor will I. Citizens of many Members' districts, and many Members themselves, will be in disagreement with some features of the budget—as they generally have with all previous budgets.

In any event, Mr. Speaker, processing the budget—both the revenue side and the outgo side—is solely the responsibility of Congress. We may criticize and we may take exception, but we have the final responsibility of determining what the appropriations, and eventually the expenditures, shall be; and what revenue-raising measures shall be adopted. Moreover, we have opportunities to alter, to subtract, to add, to approve, and to disapprove in any way we collectively see fit.

For my part, speaking generally—and in advance of opportunity to submit the countless details of the budget to committee and floor study and consideration—I would say that, as we did last year, we must again make an Herculean effort to reduce expenses wherever reasonably possible, and at all costs, in most instances at least, do no less than hold the line on the budget.

The President points the way to a restrained course of fiscal action. In a broad directional sense, I would say the case made for continued restraint is perhaps the single most distinguishing thrust of his fiscal program. But we as legislators have a separate and high responsibility to do everything reasonably acceptable to improve on the budget, to follow a course of great fiscal restraint and caution.

Last year, the cost of living index showed nearly a 5-percent annual rise—the highest in 17 years. People's money was cheapened that much.

Interest rates generally are the highest in a hundred years.

We closed the fiscal year 1968 only 6 months ago with the largest budget deficit since World War II—$25.2 billion—adding much pressure on the money markets through borrowings to pay our bills.

All taxes on the people come out of the same pocketbook, the same paycheck. State and local government spending has also risen sharply, and continues upward.

Our international balance of payments with other nations has been in deficit in 17 of the last 19 years. The President said last night that for calendar 1968, there was a balance achieved. It is the first in 10 years.

Perhaps the major accomplishment of the last session of Congress was the adoption of appropriation cuts of about $13 billion and expenditure reductions of not less than $6 billion—today's budget indicates that the executive branch has upped the total to $8.3 billion—and enactment of the surtax in order to help in the overriding task of maintaining the stability of the dollar which was in a crisis of confidence and insecurity both at home and abroad.

Integrity of the dollar and confidence in it cannot be secured all at one session or in one budget. It is a continuing battle. And controlling inflation and maintaining confidence in the dollar—so essential to our national well-being—is not alone a matter of Government action. It requires restraint and the active cooperation of all concerned.

Prudence and self-discipline make mighty good sense in public spending decisions at all times. But when we are under damaging inflationary pressures; when we are at war; when foreign holders of dollars are in a position to foreclose on our shrinking gold supply if we do not act with great prudence and restraint in these circumstances, clearly commonsense suggests that we ought to practice every fiscal restraint reasonably possible.

ALL BUDGETS ARE TENTATIVE

Mr. Speaker, it is also well to keep in mind as we consider and vote on the budget that budgets of all administrations, all Presidents, are characteristically—and understandably—optimistic in tone and outlook. A budget is a plan, a projection, a set of recommendations. It is not self-executing. Uncertainties abound. It depends on legislative action, or legislative inaction; on performance of the economy; on the state of world affairs, and so on.

The budget outlook is therefore tentative. For many reasons it very often winds up wide of the mark on both sides of the ledger. The realizations often do not match the expectations or projections.

Emergencies arise.

War requirements—as James A. Garfield once so well observed—"war overturns all ordinary calculations."

History strongly cautions us to assume that the budget will turn out for the worse rather than the better; that it is wise to hedge against the uncertainties, the slippages, the failures.

The turnabout in just the last 12 months in the budgets for fiscals 1968 and 1969 is fresh evidence. The budget for 1968, reestimated in the 1969 budget a year ago, projected a deficit of $19.8 billion. But when the year closed 6 months later, the actual deficit was $25.2 billion—a turn for the worse of $5.4 billion. Revenues were off $2.1 billion; outlays up $3.3 billion, in just 6 months.

The orginal 1969 budget, of a year ago, projected a deficit of $8 billion, counting in the 10-percent surtax proposal. In the September Summer Review, the revised Executive outlook was for a $5 billion deficit. Today's budget projects a surplus of $2.4 billion. Revenues are up $8 billion; outlays are down only $2.4 billion, because while Congress enacted a cut of not less than $6 billion—and the executive branch raised that to $8.3 billion—expenditures in programs exempted from the cut are now estimated to be $6 billion higher than a year ago. But the outlook for overall budget results improved—just the opposite from what happened in the fiscal 1968 budget.

But, Mr. Speaker, a look at budgetary variations over a length of years not only discloses a constant pattern of wide swings on both sides of the books—for many accountable reasons—but importantly, a multibillion shortfall in end results.

In seven of the last 14 budgets, for the years 1955–68, actual revenues were less than the original January budget projections. And in 11 of the 14 years, expenditures or outlays exceeded original January budget projections. In end results, instead of a combined net deficit of about $28 billion, the actual deficit was some $80 billion—a worsening, in other words, of about $52 billion over the 14 years.

I shall have more to say later with regard to the past 5 years.

THE BUDGET HAS TWO SIDES—AND MANY FEATURES

Mr. Speaker, processing the budget will be the work of many minds and hands; of all Members; and of several committees. There are many opportunities to practice fiscal discipline—in committees and on the floor.

In addition to the half dozen or so revenue proposals requiring action by Congress, involving some $11.9 billion relating to fiscal 1970 (and they are counted in arriving at the $3.4 billion surplus projection), there is also a postal rate increase proposal that calls for legislation, valued in the 1970 figures at $519 million.

Something like $38 billion of the budget for a multitude of continuing programs is involved in the legislative authorization process—space, foreign aid, maritime administration, National Science Foundation, defense procurement, and so on, where the basic legislative authority comes annually or periodically for renewal. A number of legislative committees have an opportunity to exercise restraint in all these bills. The House will have two bites, two chances to exercise restraint in all these programs involving, as I indicated, about $38 billion—first in the authorization process and again at the appropriations stage.

Thus, today's budget hinges on a number of significant specific contingencies.

Of course, performance of the economy weighs heavily in the picture. And defense spending in time of war is always unpredictable far in advance.

I am inserting a brief table illustrative of some of the budgetary consequences if several significant revenue propositions in the 1970 budget were not enacted:

Selected major contingencies surrounding the projected budget surplus for fiscal year 1970 (partial listing only; rounded amounts used) [1]

Budget for fiscal year 1970:

	Millions
1. Budget surplus projected by President, Jan. 15, 1969 (with all the attending assumptions and contingencies)	+$3,414
2. If the 10% income tax surcharge is not extended (expires June 30, 1969. The budget also indicates an additional $500,000,000 in fiscal 1969 receipts will accrue if surcharge is extended)	−9,000
Then the projected figure would be	−5,586
3. If the proposal to extend excise tax rates declining Jan. 1, 1970 is not adopted (auto from 7% to 5%; telephone from 10% to 5%	−500
Then the projected figure would be	−6,086
4. If the proposal to increase social security payroll taxes and the taxable wage base is not adopted (The budget indicates $1,700,000,000 in additional receipts and $1,600,000,000 in additional expenditures, making a net of $100,000,000 applicable to the fiscal 1970 projected surplus)	−$100
Then the projected figure would be	−6,186
5. If the proposal to accelerate Federal unemployment insurance tax collections is not adopted	−300
Then the projected figure would be	−6,486
6. If the various proposals for user charges are not adopted (aviation services, $154,000,000; waterways, $7,000,000; highways, $241,000,000; all other $8,000,000)	−410
Then the projected figure would be	−6,896
7. If the proposal for the postal rate increase is not adopted	−519
Then the projected figure would be (this is a partial listing only—other considerations enter)	−7,415

[1] Perhaps the most important single contingency, other than those listed above, that could affect the tentatively projected budget picture would be if the general performance of the economy in calendar year 1969 were to vary significantly from the economic assumptions underpinning the budget, or if additional unpredictable defense needs should arise. Principally, the assumption that GNP (gross national product) for calendar 1969 will be about $921,000,000,000—about $60,000,000,000 above 1968, an increase of 7 percent, which compares with an increase in 1968 over 1967 of about 9 percent.

In addition to dependency of the $3.4 billion projected surplus on the assumed level of performance of the economy, and enactment of revenue measures valued in the budget at some $12.4 billion, the budget figures also assume enactment of a number of legislative proposals that would, if adopted, in one way or another reduce spending in 1970. Failure of any of these would mean some increases above the budget in direct Federal spending to continue the programs, and thus also have some adverse bearing on the projected budget surplus.

I am also appending a list in this connection, prepared by the Bureau of the Budget:

ITEMS PROPOSED FOR SEPARATE TRANSMITTAL UNDER PROPOSED LEGISLATION

[In thousands of dollars]

	1969		1970	
	Budget authority	Budget outlays	Budget authority	Budget outlays
Funds appropriated to the President:				
International financial institutions:				
Subscription to the International Development Association—the first 2 of 3 installments of a total $480,000,000 U.S. contribution to a replenishment of IDA's resources	160,000		160,000	40,000
Asian Development Bank—the first 2 installments of a maximum $200,000,000 U.S. contribution to the Bank. The exact amount of the total contribution tied to the procurement of U.S. goods and services	25,000		25,000	6,000
Total, FAP	185,000		185,000	46,000
Department of Agriculture:				
Consumer and Marketing Service:				
Consumer protective, marketing, and regulatory programs—to repeal the Tobacco Seed and Plant Exportation Act of 1940, the Naval Stores Act of 1923, and the Wool Standards Act of 1928			−113	−113
Removal of surplus agricultural commodities—to establish user charges to defray Federal administrative costs of the marketing agreements and orders program				−2,900
Farmers Home Administration:				
Direct loan account—to authorize insured operating loans to individuals, and to provide that all insured loans made to public bodies for water and waste disposal facilities shall bear taxable interest upon sale to private investors				−292,000
Agricultural credit insurance fund—to authorize insured loans to individuals and rural cooperatives, and to provide that all insured loans made to public bodies for water and waste disposal facilities shall bear taxable interest upon sale to private investors				
Total USDA			−113	−295,013
Department of Health, Education and Welfare:				
Social Security Administration			1,619,000	1,519,000
Federal old-age and survivors insurance trust fund			(1,300,000)	(1,500,000)
Federal disability insurance trust fund			(400,000)	(100,000)
Grants to States for maintenance payments (Federal funds)—to increase benefits under the first 2 programs by an average of 10 percent, and the minimum from $55 to $80 per month. Offsetting reductions are expected in the old-age assistance program. The changes would be financed by increases in the taxable wage and in the payroll tax rate			(−81,000)	(−81,000)
Office of the Secretary: Payment to the corporation for public broadcasting—to extend the authorization beyond the present termination date of June 30, 1969			20,000	20,000
Total, HEW			1,639,000	1,539,000
Department of Housing and Urban Development: Mortgage credit: Government National Mortgage Association—to defer until 1971 the $500,000,000 increase in authority to purchase mortgages which would otherwise become automatically available in 1970 under statute but is not needed to support program operations			−500,000	
Department of Labor:				
Unemployment trust fund—for quarterly collection of the Federal unemployment tax account taxes beginning in 1970 which is expected to raise receipts in 1970			278,000	
Limitation on grants to States for unemployment compensation and employment service administration—to raise the ceiling on administrative expenses, and to transfer funds from the Federal unemployment account				36,928
Longshoremen omnibus bill			−3,475	−3,475
Total, Labor			274,525	33,453
Post Office Department: Proposed legislative rate increase—to establish a single-rate scale for all first-class mail and increase the rate for postcards			−519,400	−519,400

ITEMS PROPOSED FOR SEPARATE TRANSMITTAL UNDER PROPOSED LEGISLATION—Continued

[In thousands of dollars]

	1969		1970	
	Budget authority	Budget outlays	Budget authority	Budget outlays
Department of Transportation:				
Federal Aviation Administration: Airways and airport development—to expand the capacity and effectiveness of the Federal airways system, and for a new and expanded airport development program. Legislation for airways users charges is also proposed to offset the additional costs of these programs			275,000	150,000
Federal Highway Administration: Legislation will be proposed to finance the highway beautification, traffic and highway safety, State and community highway safety, motor carrier safety, forest highways, and public lands highway programs from the highway trust fund:				
Federal funds:				
Highway beautification (liquidation of contract authorization)			−133,510	−43,000
Traffic and highway safety			−48,455	−34,000
State and community highway safety programs (liquidation of contract authorization)			−380,037	−97,000
Motor carrier safety			−2,857	−2,720
Forest highways (liquidation of contract authorization)			−113,476	−31,000
Public lands highways (liquidation of contract authorization)			−54,194	−12,000
Trust funds:				
Highway beautification (liquidation of contract authorization)			133,510	43,000
Traffic and highway safety			48,455	34,000
State and community highway safety programs (liquidation of contract authorization)			380,037	97,000
Motor carrier safety			2,857	2,720
Forest highways (liquidation of contract authorization)			113,476	31,000
Public lands highways (liquidation of contract authorization)			54,194	12,000
St. Lawrence Seaway Development Corporation—for reimbursement of the costs of rehabilitation work on docks already undertaken and financed from borrowing authority	13,105			
Total, DOT	13,105		275,000	150,000
Veterans' Administration:				
Compensation and pensions			−106,000	−106,000
Repeal of compensation in cases of arrested TB (veterans service-connected compensation)			(−46,000)	(−46,000)
Repeal of the exclusion of railroad retirement payments from countable income in pension computation (veterans non-service-connected pensions)			(−6,000)	(−6,000)
Repeal of duplicate burial benefits paid by Social Security and Veterans' Administration (other veterans benefits and services)			(−54,000)	(−54,000)
Readjustment benefits: Adaptation housing grants to certain classes of wheelchair veterans			750	750
Total, VA			−105,250	−105,250
District of Columbia:				
Federal funds:				
Federal payment to the District of Columbia—to fix the authorization for a Federal payment to the District at 30 percent of the local tax revenues accruing to the general fund			22,400	22,400
Loans to the District of Columbia for capital outlay—to authorize the District's 1970 share of local contributions for financing the regional rapid transit system by borrowing from the U.S. Treasury			1,293	
Subtotal, District of Columbia			23,693	22,400
Intergovernmental agencies: Washington Metropolitan Area Transit Authority: Federal contribution—to authorize the payment of the Federal share of the adopted regional system in the form of debt service grants which will support Federal share bonds of $83,000,000			6,200	6,200
Railroad Retirement Board: Trust funds: Limitation on salaries and expenses			23,000	19,000
Total, other independent agencies			52,893	47,600
Total, increases	198,105		3,244,172	2,120,998
Total, recissions			−1,942,517	−1,224,608
Grand total, net	198,105		1,301,655	896,390

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN TODAY'S BUDGET—AGAIN OVER $200 BILLION

Mr. Speaker, a key question from the point of view of congressional action is, What is the total of today's budget?

It is not the $195,272,000,000 expenditure—or outlays—budget mentioned prominently in the message and in the press. That figure is essentially the "checks - to - be - issued" disbursements budget. That figure includes, for example, $85,887,000,000 estimated to be disbursed in 1970 from carryover balances of funds already appropriated in previous years. Congress does not vote directly on the expenditure—or outlay—figures. Congress acts on new budget obligating authority. The authorization bills are stated on this basis. The appropriation bills are also stated on this general concept.

Then, of course, there are the expenditures—outlays—in the $195.3 billion figure—that will flow in 1970 from new (obligating)—authority—interest, social trust funds, and so forth—that becomes available automatically under permanent law of earlier sessions and thus also not coming before the House for a vote in the fiscal 1970 bills. The outlay amount so involved is $29.5 billion.

So, the $195.3 billion expenditure—outlay—figure is not by any means the one on which Congress will be acting this session.

The key figure is the new budget (obligational) authority total. The grant of appropriations or other authority to obligate the Government is the significant point of legislative decision; the basis on which legislative decisions are grounded. Appropriations are the leading edge, the forerunner of expenditures. A higher obligational authority means, sooner or later, a higher expenditure—outlay.

The key figure in this connection in today's budget, as to fiscal 1970, is $210,116 million, net, using the new unified budget which includes trust funds. Actually, the gross total is $224,035 million, discounted—for budget summary presentation purposes only—by reflecting so-called market-oriented type receipts as offsets to expenditures rather than as budget receipts, but in today's budget they are also offset against budget obligational authority, although they do not in fact impinge upon the amounts of authority requested or granted. Interfund and intragovernmental transactions are also similarly handled for the first time. The total is $13,923 million.

But I should quickly add that some $80,168 million of the $224,035 million has already been authorized and actually appropriated in earlier Congresses for the trust funds or as permanent appropriations or authorizations. The $80 billion principally involves such major items as the social security and other trust funds, interest on the public debt, and so forth. They are detailed in the budget. They recur automatically under earlier laws without need for annual grant of obligating authority in the current session.

The congressional action total, as to new budget (obligational) authority for 1970, therefore, is $143,867 million.

There are also supplementals recommended for fiscal 1969, totaling $4,813 million.

And there are proposed advance appropriations for fiscal 1971 of $4,161 million.

Thus, more precisely, Mr. Speaker, the new budget (obligational) authority which, according to today's budget, we are asked to consider and act upon at this session aggregates some $152.8 billion as follows:

	Millions
For fiscal 1970	$143,867
For fiscal 1969 (supplements)	4,813
For fiscal 1971 (advances)	4,161
Total for session to be acted on	152,841

I include tables that capsule most of

the big increases that make up the $15.5 billion obligational authority increase proposed for 1970 over 1969 and an agency breakdown of the $143.9 billion congressional action total for 1970 and the $4.8 billion for 1969:

ESTIMATED BUDGET OUTLAYS AND BUDGET AUTHORITY REQUESTED—PORTIONS SUBJECT TO ACTION IN BILLS DURING THE 91ST CONG., 1ST SESS.

[Rounded amounts used]

	Budget estimates of expenditures (outlays)	Budget estimates of appropriations (budget authority)
RELATING TO FISCAL 1970		
1. Total proposed, President's budget, Jan. 15, 1969 (gross basis)	$209,192,000,000	$224,035,000,000
2. Deduct amount available without current action by Congress	−29,509,000,000	−80,168,000,000
3. Deduct estimate of expenditures (outlays) in fiscal 1970 out of appropriations made in prior sessions and thus not for action this session (consisting of outlays from obligated balances, $50,543,000,000; outlays from unobligated balances, $35,344,000,000	−85,887,000,000	
Amounts relating to fiscal 1970 that would be involved in proposals for direct consideration and action in the present session	[1] 93,796,000,000	[1] 143,867,000,000
RELATING TO FISCAL 1969		
4. Supplementals contemplated for fiscal year 1969 as shown in President's 1970 budget, Jan. 15, 1969, for direct consideration and action in the present session	[1] 3,871,000,000	[1] 4,813,000,000
RELATING TO FISCAL 1971		
5. Advance funding contemplated for fiscal 1971 as shown in President's 1970 budget, Jan. 15, 1969, for direct consideration and action in the present session		4,161,000,000
TOTAL FOR THE PRESENT SESSION		
6. Total proposed, President's budget, Jan. 15, 1969 (items 1, 4, and 5)	$213,063,000,000	$233,009,000,000
7. Total for direct consideration and action in the present session (item 6, less items 2 and 3 which arise out of actions taken in prior sessions)	97,667,000,000	152,841,000,000

[1] The differences between budget outlays and budget anthority as reflected in these figures represents the amount which will be expended in future fiscal years.

BUDGET AUTHORITY AVAILABLE THROUGH CURRENT ACTION BY CONGRESS

[In millions of dollars]

Department or other unit	1968 enacted	1969 estimate			1970 total estimate	1970 total estimate compared to 1969 total estimate
		Enacted	Later transmittal	Total		
Legislative branch	281	299	12	311	333	+22
The Judiciary	95	103	3	106	117	+11
Executive Office of the President	31	31	*	32	34	+2
Funds appropriated to the President	4,821	4,814	186	5,000	6,101	+1,101
Agriculture	6,435	6,013	49	6,062	7,275	+1,213
Commerce	919	905	10	914	1,008	+94
Defense—Military	76,248	73,599	3,012	76,611	80,374	+3,763
Defense—Civil	1,387	1,298	6	1,303	1,248	−55
Health, Education, and Welfare	14,463	14,942	666	15,607	18,166	+2,559
Housing and Urban Development	3,352	1,637	25	1,662	1,745	+83
Interior	1,675	1,760	37	1,797	1,749	−48
Justice	442	523	21	544	829	+285
Labor	666	692	49	741	1,265	+524
Post Office	1,192	840	196	1,036	749	−287
State	389	395	7	402	419	+17
Transportation	1,528	3,508	58	3,566	2,041	−1,525
Treasury	999	1,040	20	1,061	1,092	+31
Atomic Energy Commission	2,509	2,571		2,571	2,438	−133
General Services Administration	577	518	6	524	560	+36
National Aeronautics and Space Administration	4,589	3,995		3,995	3,761	−234
Veterans' Administration	7,557	6,975	254	7,228	7,636	+408
Other independent agencies	4,289	1,373	49	1,422	1,627	+205
Allowances for—						
Civilian and military pay increase					2,800	+2,800
Contingencies			150	150	500	+350
Total budget authority available through current action by Congress	134,444	127,832	4,813	132,645	143,867	+11,222

*Less than $500 thousand.

New Budget (Obligational) Authority Proposed in This Budget for Fiscal Year 1970 Over Fiscal Year 1969

(Total increase of $15,496,000,000, of which $11,222,000,000 involves current action by Congress and $4,274,000,000 is under permanent law and therefore does not require current action. In addition, some $4,813,000,000 of contemplated fiscal year 1969 supplementals would require current action when submitted (rounded amounts used).)

[Fiscal year 1970 compared to fiscal year 1969]

Item	*Millions*
Available through current action by the Congress:	
Department of Defense (excludes defense share of the $2,800,000,000 pay increment effective July 1, 1969, listed below)	+$3,700
Medicaid	+661
Proposed increase in social security benefits	+$1,700
Foreign economic assistance	+966
Proposed legislation for a new airports development program, FAA	+275
Job training and other manpower activities of the Department of Labor and the Office of Economic Opportunity	+429
Veterans' Administration (mainly for increases in compensation, pensions, and medical care)	+422
Department of Justice (increased assistance to States and localities for law enforcement activities)	+236
Military and civilian pay increase (already authorized, effective July 1, 1969)	+2,800
Contingencies	+300
All other, net (consisting of many increases and decreases)	−267
Total, increase proposed through current action by the Congress	+11,222
Available without current action by the Congress:	
Trust funds (principally social security)	+5,600
Interest on the public debt	+800
Other	−1,512
Total, increase without current action by the Congress	+4,888
Deduct interfund and intragovernmental transactions and applicable receipts from the public	−614
Total, proposed budget authority increase	+15,496

THE LAST 5 FISCAL YEARS

Mr. Speaker, with the conclusion of the administration of President Johnson, it may be of some interest to very briefly capsule the budgetary results for the years of his administration.

As the President points out, at page 28 of the message, despite rising Federal expenditures the Federal budget now takes roughly the same percentage bite out of the total economy—out of the gross national product—as over the last 15 years. For the current fiscal year, 1969, it is some 20.6 percent. Excluding Vietnam costs, it is 17.3 percent—less than 5 years ago; even less than the 18.3 percent average for the years 1955–60.

Fiscally speaking, the administration of President Johnson spans 5 fiscal years: The latter half of fiscal 1964; all of fiscal years 1965–68; and the first half of the current fiscal year 1969. The previous administration essentially set the framework for the fiscal 1964 budget. And similarly, the present administration has basically set the budget framework for fiscal 1969. Thus the "accountable" years of the Johnson administration, fiscally speaking, are fiscals 1965–69.

Fiscal 1964 showed a budget deficit of $8.2 billion according to the "administrative" budget accounting method being used at that time.

The deficit went down in the next fiscal year 1965, to $3.4 billion. In 1966, it went down still further, to $2.2 billion. We were moving rapidly toward a balanced budget.

But beginning in midcalendar year 1965 the war situation became increasingly intense and expensive, and largely as a result of the war the deficits began to mount in fiscal 1967, running to the unacceptably high amount for fiscal 1968.

For fiscal 1967, still on the "administrative" budget basis of counting, the deficit deepened to $9.9 billion. For 1968, under the new unified budget basis which folds in the trust funds and uses certain other new concepts, the deficit was $25.2 billion.

Of course, Mr. Speaker, the long truth of history is that growth of the population and growth of the country virtually ordain some growth in public services, that is, over the long stretch of time. This has been more or less the unvarying case from the beginning. Civilian-type expenditures have constantly increased in the last 5 years.

But the war has heavily burdened recent budgets. Special support costs for Southeast Asia operations in the 5 years 1965–69, as shown in today's budget, are some $103 million for 1965; $6,094 million for 1966; $20,557 million for 1967; $26,839 million for 1968; and $29,192 million for 1969. For 1970, the figure is shown at $25,733 million. These sums far exceed the aggregate budget deficit amounts for the years shown. Without these war costs, in other words, the budgets would be in the black assuming, of course, that there would be no changes otherwise.

However, notwithstanding the defense and war costs and enlarged and enlarging nondefense outlays, a rising tide of revenue primarily from the unparalleled general national economic boom—which has lasted virtually without interruption for 8 years—has brought the budget, under President Johnson's leadership, into balance. The budget surplus of $2.4 billion now projected for the current fiscal year 1969 is a sharp reversal from last year, due to two major factors: Stringent expenditure limitations, and revenues substantially above earlier projections arising from the unparalleled economic boom and enactment of the surtax.

Perhaps the major accomplishment of the last session of the Congress was the adoption of unprecedented appropriation and expenditure reductions and enactment of the surtax in order to help in the overriding task of maintaining the stability of the dollar which was in a crisis of confidence and insecurity both at home and abroad.

And this last budget, for 1970, submitted today by President Johnson as he leaves office, projects another budget surplus—of $3.4 billion—and makes a major case for a course of continued fiscal restraint.

I append a capsule table of the budget results for the years involved:

THE BALANCE OF THE BUDGET FOR FISCAL YEARS 1964–70

[In millions of dollars]

Fiscal year	Old "administrative budget" basis (deficit—, surplus+)	New budget basis (deficit—, surplus +)
1964	—$8,226	—$5,916
1965	—3,435	—1,618
1966	—2,251	—3,790
1967	—9,869	—8,790
1968	(1)	—25,187
1969 estimate	(1)	+2,391
Total these 5 years (1965–69)		—36,994
1970 estimate	(1)	+3,414

[1] Not available. Switch made to new budget basis n adjoining column.

FEDERAL, STATE, LOCAL SPENDING AND DEBT

Mr. Speaker, all Americans generally have but one pocketbook, one paycheck from which to pay taxes to support public expenditures at all levels of government. To help round out this résumé, I am including some pertinent data on our governmental spending and public debt—Federal, State, local. Increased debt results from unbalanced budgets that have to be met by borrowing to cover the difference. Accumulation of great debt in time of great stress is virtually unavoidable, but piling it up—refusing to pay as we go—especially in times of unmatched general national prosperity with the accompanying flood of revenue is a policy that many, myself included, find unsettling.

Despite the population explosion that has now put the United States over the 200,000,000 mark, we have been accumulating public debt at the various levels of government at such a rate that the overall debt per capita keeps climbing.

State and local government spending has increased sharply over the last 20 or so years—somewhat more so than Federal spending. So has State and local government debt.

I am appending tables on per capita spending and debt, and a sheet from a recent Treasury statement, giving some illumination on the matters:

PER CAPITA EXPENDITURES—FEDERAL, STATE, LOCAL GOVERNMENTS

Fiscal years	Total	Federal	State	Local
1940	$155	$77	$35	$44
1946 (end of World War II)	581	485	45	51
1950 (pre-Korea)	467	297	85	85
1954 (post-Korea)	694	484	98	111
1961	907	577	155	175
1964	1,033	662	176	195
1968 (preliminary)	1,444	947	247	250

Source: Tax Foundation.

PER CAPITA DEBT—FEDERAL, STATE, AND LOCAL GOVERNMENTS

Fiscal yearend	Total	Federal	State	Local
1940	$479	$326	$27	$127
1946 (end of World War II)	2,037	1,924	17	97
1950 (pre-Korea)	1,861	1,702	35	125
1954 (post-Korea)	1,925	1,683	60	182
1961	1,988	1,579	109	301
1964	2,111	1,629	131	351
1968 (preliminary)	2,355	1,739	179	436

Note: Gross Federal public debt and guaranteed debt on Dec. 31, 1968, as reported in the Treasury statement, was $358,630,000,000, for a per capita equivalent on that date of $1,773. Debt ceiling is currently $365,000,000,000; total subject to ceiling, including $3,250,000,000 of participation certificates, was $361,242,000,000.

Source: Tax Foundation.

SUMMARY OF DIRECT AND GUARANTEED DEBT ON SIGNIFICANT DATES

[Based upon statement of the public debt published monthly; consequently all figures are stated as of the end of a month]

Date	Classification	Total debt (Including interest bearing debt, matured debt on which interest has ceased and debt bearing no interest)				
		Direct debt (gross)	Guaranteed debt [1][3]	Total direct and guaranteed debt	Per capita [3]	General fund balance [2]
	WORLD WAR I					
Mar. 31, 1917	Prewar debt	$1,282,044,346.28		$1,282,044,346.28	$12.36	$74,216,460.05
Aug. 31, 1919	Highest war debt	26,596,701,648.01		26,596,701,648.01	250.18	1,118,109,534.76
Dec. 31, 1930	Lowest postwar debt	16,026,087,087.07		16,026,087,087.07	129.66	306,803,319.55
	WORLD WAR II					
June 30, 1940	Debt preceding defense program	42,967,531,037.68	$5,529,070,655.28	48,496,601,692.96	367.08	1,890,743,141.34
Nov. 30, 1941	Pre-Pearl Harbor debt	55,039,819,926.98	6,324,048,005.28	61,363,867,932.26	458.47	2,319,496,021.87
Feb. 28, 1946	Highest war debt	279,213,558,897.10	550,810,451.19	279,764,369,348.29	1,989.75	25,960,900,919.30
June 30, 1946	Debt at end of year in which hostilities ceased	269,422,099,173.26	476,384,859.30	269,898,484,032.56	1,908.79	14,237,883,295.31
Apr. 30, 1949	Lowest postwar debt [4]	251,530,468,254.82	22,851,485.16	251,553,319,739.98	1,690.29	3,995,156,916.79

See footnotes at end of table.

SUMMARY OF DIRECT AND GUARANTEED DEBT ON SIGNIFICANT DATES—Continued

[Based upon statement of the public debt published monthly; consequently all figures are stated as of the end of a month]

Date	Classification	Total debt (Including interest bearing debt, matured debt on which interest has ceased and debt bearing no interest) Direct debt (gross)	Guaranteed debt[1] [2]	Total direct and guaranteed debt	Per capita[3]	General fund balance
	SINCE KOREA					
June 30, 1950	Debt at time of opening of hostilities in Korea (hostilities began June 24, 1950).	$257, 357, 352, 351. 04	$19, 503, 033. 97	$257, 376, 855, 385. 01	$1, 696. 74	$5, 517, 087, 691. 65
Dec. 31, 1952		267, 391, 155, 979. 65	53, 969, 565. 31	267, 445, 125, 544. 96	1, 687. 90	6, 064, 343, 775. 84
Dec. 31, 1968	Highest debt[5]	358, 028, 625, 002. 91	601, 884, 900. 00	358, 630, 509, 902. 91	[b] 1, 773. 17	5, 770, 062, 775. 46
Dec. 31, 1967	Debt a year ago	344, 663, 009, 745. 18	545, 038, 100. 00	345, 208, 047, 845. 18	[a] 1, 723. 90	7, 045, 807, 409. 15
Nov. 30, 1968	Debt last month	356, 862, 640, 807. 83	603, 227, 750. 00	357, 465, 868, 557. 83	[b] 1, 768. 73	3, 901, 350, 448. 27
Dec. 31, 1968	Debt this month	358, 028, 625, 002. 91	601, 884, 900. 00	358, 630, 509, 902. 91	[b] 1, 773. 37	5, 770, 062, 775. 46

[1] Does not include securities owned by the Treasury.

[2] Includes outstanding matured principal of guaranteed debt of U.S. Government agencies for which cash to make payment is held by the Treasurer of the United States in the general fund balance.

[3] Based upon estimates of the Bureau of the Census.

[4] Represents the lowest point of the debt at the end of any month following World War II. The lowest point of the debt on any day following that war was on June 27, 1949, when the debt was as follows:

Direct debt (gross)	$251, 245, 889, 059. 02
Guaranteed debt of U.S. Government agencies	23, 876, 001. 12
Total direct and guaranteed debt	251, 269, 765, 060. 14

[5] Represents the highest point of the debt at the end of any month. The highest point of the debt on any day was on Dec. 13, 1968, when the debt was as follows:

Direct debt (gross)	$360, 341, 363, 053. 26
Guaranteed debt of U.S. Government agencies	601, 957, 800. 00
Total direct and guaranteed debt (includes $638,516,380.10 not subject to statutory limitation)	360, 943, 320, 853. 26

[a] Revised.

[b] Subject to revision.

COST OF LIVING—BUYING POWER OF THE DOLLAR

Mr. Speaker, the matter of inflation and the consequent reduced buying power of the dollar is reflected in the official Government figures in the tables I am including herewith.

The consumers price index in November stood at 123.4 percent of the 1957–59 average, up nearly 5 percent from a year earlier; at 151.4 percent of the 1947–49 average; and at 254.8 percent of the 1939—pre-World War II—average.

As measured by the index, the buying power of the dollar was down to about 81 cents from the 1957–59 period; down to 66 cents from the 1947–49 period; and down to 39 cents as compared to its 1939 buying power.

CONSUMER PRICE INDEX

Years	All items 1939=100	1947–49 =100	1957–59 =100
1939	100. 0	59. 4	48. 4
1946	140. 4	83. 4	68. 0
1954	193. 3	114. 8	93. 6
1955	192. 8	114. 5	93. 3
1956	195. 6	116. 2	94. 7
1957	202. 4	120. 2	98. 0
1958	207. 9	123. 5	100. 7
1959	209. 8	124. 6	101. 5
1960	213. 0	126. 5	103. 1
1961	215. 2	127. 8	104. 2
1962	217. 7	129. 3	105. 4
1963	220. 4	131. 0	106. 7
1964	223. 2	132. 6	108. 1
1965	227. 0	136. 2	109. 9
1966	233. 6	138. 8	113. 1
1967	240. 1	142. 7	116. 3
1968—January	244. 9	145. 5	118. 6
February	245. 7	146. 0	119. 0
March	246. 8	146. 6	119. 5
April	247. 6	147. 1	119. 9
May	248. 4	147. 6	120. 3
June	249. 7	148. 4	120. 9
July	250. 9	149. 1	121. 5
August	251. 8	149. 6	121. 9
September	252. 4	150. 0	122. 2
October	253. 9	150. 9	122. 9
November	254. 8	151. 4	123. 4

PURCHASING POWER OF THE DOLLAR

Years	1939= $1. 000	1947–49= $1. 000	1957–59= $1. 000
1939	$1. 000	$1. 684	$2. 066
1946	. 712	1. 199	1. 471
1954	. 517	. 871	1. 069
1955	. 519	. 873	1. 071
1956	. 511	. 861	1. 056
1957	. 494	. 832	1. 021
1958	. 481	. 810	. 994
1959	. 477	. 803	. 985
1960	$. 469	$. 791	$. 971
1961	. 465	. 782	. 960
1962	. 459	. 773	. 949
1963	. 454	. 764	. 937
1964	. 448	. 754	. 925
1965	. 441	. 734	. 910
1966	. 428	. 720	. 884
1967	. 416	. 701	. 860
1968			
January	. 408	. 687	. 843
February	. 407	. 685	. 840
March	. 405	. 682	. 837
April	. 404	. 680	. 834
May	. 403	. 678	. 831
June	. 400	. 674	. 827
July	. 399	. 671	. 823
August	. 397	. 668	. 820
September	. 396	. 667	. 818
October	. 394	. 663	. 814
November	. 392	. 661	. 810

Source: Office of the Secretary of the Treasury, office of Financial Analysis, Jan. 6, 1969.

GOLD SUPPLY, POTENTIAL DOLLAR CLAIMS AGAINST IT, AND BALANCE-OF-PAYMENTS DEFICITS

Mr. Speaker, the following tabulation succinctly charts the steadily deteriorating condition of our gold supply, and the reserves and possible foreign claims against it, from 1957 down to last October—the last date for which complete data are available.

I also include a list of our balance of international payments of the last 19 years. It will be noted that only 2 of the 19 years show a favorable balance; according to the President's statement in his state of the Union message last night, the calendar year 1968 closed with a small surplus, the first in 10 years.

CURRENT DATA ON GOLD STOCK AND DOLLAR CLAIMS

[In billions of dollars]

	U.S. gold stock	Gold stock (above required 25 percent backing for currency and for deposits before March 1965)	Possible foreign claims	Potential shortage of gold
End of calendar year—				
1957	$22. 9	$10. 8	$14. 9	$4. 1
1958	20. 6	8. 5	15. 6	7. 1
1959	19. 5	7. 3	17. 7	10. 4
1960	17. 8	6. 1	18. 8	12. 7
1961	$16. 9	$4. 9	$20. 4	$15. 5
1962	16. 1	3. 7	21. 4	17. 7
1963	15. 6	2. 8	23. 1	20. 3
1964	15. 5	1. 8	25. 6	23. 8
1965	13. 8	[1] 4. 3	25. 8	[1] 21. 5
1966	13. 2	3. 2	27. 8	24. 6
1967	12. 1	1. 5	30. 9	29. 4
10-year change	−10. 8	−9. 3	+16. 0	+25. 3
1968:				
January	12. 0	1. 7	30. 8	29. 1
February	11. 9	1. 6	31. 1	29. 5
March	10. 7	([2] [3])	30. 0	[2] 19. 3
April	10. 5	([3])	30. 5	20. 0
May	10. 5	([3])	30. 8	20. 3
June	10. 7	([3])	30. 2	19. 5
July	10. 7	([3])	30. 7	20. 0
August	10. 7	([3])	31. 2	20. 5
September	10. 8	([3])	31. 3	20. 5
October[4]	10. 9	([3])	31. 6	20. 7
Change, end of 1957 October 1968	−12. 0	([3])	+16. 7	[1] [2] +16. 6

[1] Public Law 89–3 approved Mar. 3, 1965, eliminated the requirement for the maintenance of reserves in gold certificates against Federal Reserve bank deposit liabilities.

[2] Public Law 90–269 approved Mar. 18, 1968, eliminated the requirement for the maintenance of reserves in gold certificates against Federal Reserve notes.

[3] Not applicable.

[4] Preliminary.

Source: U.S. Department of Commerce, Office of Business Economics.

The United States balance-of-payments position for the last 19 years, 1950–68 (rounded amounts used)

Deficit (−) or surplus (+):	
1950	−$3, 489, 000, 000
1951	−8, 000, 000
1952	−1, 206, 000, 000
1953	−2, 184, 000, 000
1954	−1, 541, 000, 000
1955	−1, 242, 000, 000
1956	−973, 000, 000
1957	+578, 000, 000
1958	−3, 365, 000, 000
1959	−3, 870, 000, 000
1960	−3, 901, 000, 000
1961	−2, 370, 000, 000

The United States balance-of-payments position for the last 19 years, 1950–68 (rounded amounts used)—Continued

Deficit (−) or surplus (+):	
1962	−$2, 203, 000, 000
1963	−2, 671, 000, 000
1964	−2, 800, 000, 000
1965	−1, 335, 000, 000
1966	−1, 357, 000, 000
1967	−3, 571, 000, 000
1968 estimated (subject to revisions)	+150, 000, 000
Total since 1950	−37, 358, 000, 000

NOTE.—Figures are computed on the liquidity basis.

Source: Economic Report of the President, Feb., 1968.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968

Mr. Speaker, the Revenue and Expenditure Control Act of 1968 embodied several significant economy provisions. The President's message contains considerable elaboration on the impact of those provisions. I should like to make some brief references at this time.

It will be recalled that one provision related to $8 billion of rescissions of unspent, unobligated carryover balances of funds heretofore appropriated. Special analysis accompanying the budget discusses carryover balances and identifies areas of possible rescissions. But the President today says that he does not favor the rescissions; they are not, therefore, reflected in the budget details on individual appropriations.

Another provision required cutbacks in 1969 budgeted obligational authority requests of at least $10 billion. Congress cut the fiscal 1969 requests in appropriation bills last session by about $13 billion. I am including herewith a capsule summary on the matter from today's message:

BUDGET AUTHORITY FOR FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$25.4	$28.0	+$2.6
Interest	14.4	15.2	+0.8
Veterans benefits and services	7.8	7.5	−0.3
Social Security Act trust funds	41.8	42.6	+0.9
Old-age and survivors insurance	(27.2)	(27.8)	(+0.7)
Disability insurance	(3.7)	(3.8)	(+0.1)
Health insurance	(6.8)	(7.3)	(+0.5)
Unemployment insurance	(4.1)	(3.8)	(−0.3)
Commodity Credit Corporation (price support and related programs)	3.3	4.8	+1.6
Public assistance grants to States (including Medicaid)	5.8	6.4	+0.7
Subtotal excepted programs	98.4	104.6	+6.1
Remainder—covered by Public Law 90-364 limitation	103.3	90.1	−13.2
Total	201.7	194.6	−7.1

For the programs affected by the limitation required under Public Law 90-364, budget authority is now estimated to be $13.2 billion under last January's estimate. A portion of this reduction reflects the conversion to complete private ownership of the Federal National Mortgage Association's secondary market operations, the Federal intermediate credit banks, and the banks for cooperatives. However, the $10 billion required reduction is being achieved over and above these factors, and without the need for me to establish reserves which would result in automatic rescission of enacted 1969 budget authority as authorized under the law.

Mr. Speaker, another key economy provision of the act required a cutback of at least $6 billion in 1969 budgeted outlays. The law required the President to make the cuts in nonexempted programs to the extent Congress, in its actions on specific spending bills, failed to do so. Congress cut spending in specific actions something less than $4 billion.

Today's message, on the basis of the reestimates for 1969, shows that in the nonexempt programs, the cutback aggregates some $8.3 billion rather than the $6 billion. But in areas exempted from the cutback, outlays for 1969 are now estimated some $6 billion higher than in the original budget.

The President makes no specific recommendation about continuation of an overall ceiling on Federal expenditures under which—after exempting about half the total—original 1969 budget expenditure estimates were directed by Congress to be cut by not less than $6 billion. It is clear from the message, however, that the executive branch regards the overall ceiling approach as unsatisfactory.

I include an excerpt from today's budget showing the figures on this:

BUDGET OUTLAYS IN FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$26.3	$29.2	+$2.9
Interest	14.4	15.2	+0.8
Veterans benefits and services	7.3	7.7	+0.4
Social Security Act trust funds	36.0	36.4	+0.4
Old-age and survivors insurance	(24.6)	(24.6)	(+0.1)
Disability insurance	(2.6)	(2.6)	([1])−
Health insurance	(5.8)	(6.2)	(+0.5)
Unemployment insurance	(3.1)	(3.0)	(−0.1)
Tennessee Valley Authority (portion financed from power proceeds and borrowing)	0.1	0.1	([1])+
Commodity Credit Corporation (price support and related programs)	2.8	3.6	[2]+0.9
Public assistance grants to States (including medicaid)	5.7	6.2	[2]+0.6
Aid to schools in federally impacted areas (special 1968 supplemental payments made in 1969)		0.1	+0.1
Subtotal, excepted programs	92.6	98.6	+6.0
Remainder—covered by Public Law 90-364 limitation	93.5	85.1	−8.3
Total	186.1	183.7	−2.4

[1] Less than $50,000,000.

[2] Outlays exceeding the January 1968 estimates by more than $907,000,000 for farm price supports and $560,000,000 for public assistance grants are not excepted from the Public Law 90-364 limitation.

As in the case of budget authority, the required $6 billion cutback in outlays for covered programs is being accomplished over and above reductions resulting from financing changes associated with the conversion of certain credit institutions to private ownership. The currently estimated reduction will allow leeway in carrying out the provisions of Public Law 90-364, should unforeseen increases occur in the affected programs in the months ahead.

Mr. Speaker, the act also contained a significant provision requiring a general cutback in full-time permanent personnel by allowing the filling of only 75 percent of vacancies. The provision would mean, in round numbers, an eventual rollback of some 115,000 employees over a period of time. There were also certain limitations placed on part-time and temporary employment.

Congress exempted almost a third of the full-time permanent employees from the provision.

The President does not specifically recommend repeal of the overall personnel ceiling which, as finally enacted, was designed to eventually cut full-time permanent employment in nonexempt agencies back to the June 1966 level. But it is clear from the message and the detailed estimates that the budget does not contemplate continuation of the ceiling beyond July 1, 1969. In the aggregate for all agencies, the budget projects an increase of some 43,000 full-time permanent employees during fiscal 1970.

According to data gathered by the staff of the Joint Committee on Reduction of Federal Expenditures, nearly 35,000 of the 115,000 rollback objective was achieved during the first 5 months of operation of the provision.

I am including pertinent tabulations in this connection:

Estimated reduction in full time permanent Federal civilian employment, pursuant to personnel ceiling limitation of revenue act of 1968—June-November 1968

Full time permanent employment limited by Revenue Act (as amended to date): [1]	
June 30, 1966 (target date)	1, 694, 810
June 30, 1968 (effective date)	1, 809, 810
November 30, 1968 (latest information)	1, 773, 062
Reduction in full time permanent employment required by Revenue Act (as amended to date)	115, 000
Reduction in full time permanent employment limited by Revenue Act, in first five months of application—June-November 1968	34, 748
Further reduction in full time permanent employment limited by Revenue Act required to bring employment down to its June 30, 1966 level	80, 252

[1] Excludes nearly one-third of the total full time permanent Federal employment exempt from limitation of the Revenue Act, totaling approximately 829,000 in November 1968 (presidential appointees, postal field service, FBI, FAA Air Traffic Control, TVA power activities, VA, and DOD activities in Southeast Asia).

FULL-TIME PERMANENT CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH OF FEDERAL GOVERNMENT, JUNE–NOVEMBER 1968 (WITH RECONCILIATION TO TOTAL EMPLOYMENT)—SHOWING ESTIMATED REDUCTIONS PURSUANT TO REVENUE ACT OF 1968

Major agencies	June 1968	November 1968	Change
Full-time permanent employment limited by Revenue Act:[1]			
Agriculture	85,390	83,564	−1,826
Commerce	25,893	25,305	−588
Defense:			
Civil functions	32,003	31,341	−662
Military functions	1,146,982	1,129,912	−17,070
Health, Education, and Welfare	104,700	101,319	−3,381
Housing and Urban Development	14,980	14,526	−454
Interior	61,172	60,544	−628
Justice	18,255	18,551	[2] +296
Labor	9,762	9,452	−310
Post Office	5,072	4,963	−109
State	22,276	21,443	−833
Agency for International Development	17,560	16,419	−1,141
Peace Corps	1,343	1,289	−54
Transportation	27,262	26,823	−439
Treasury	82,151	81,193	−958
Atomic Energy Commission	7,165	7,102	−63
General Services Administration	37,453	36,607	−846
National Aeronautics and Space Administration	32,469	31,925	−544
Veterans Administration[3]	3,388		−3,388
Tennessee Valley Authority	4,462	4,319	−143
U.S. Information Agency	10,631	10,370	−261
Subtotal, major agencies	1,750,369	1,716,967	−33,402
All other agencies[4]	59,441	58,095	−1,346
Total, limited by Revenue Act	1,809,810	1,775,062	−34,748
Full-time permanent employment exempt from Revenue Act[5]	820,634	829,293	+8,659
Total, full-time permanent employment	2,630,444	2,604,355	−26,089
Other than full-time permanent employment (reconciliation to total):[6]			
Part-time and temporary	269,885	238,459	−77,643
Casual (intermittent)	57,330	72,766	
Summer youth	61,653		
Grand total[7]	3,019,312	2,915,580	−103,732
RECAPITULATION			
Full-time permanent employment limited by Revenue Act:			
Military functions, DOD	1,146,982	1,129,912	−17,070
Civilian agencies	662,828	645,150	−17,678
Subtotal	1,809,810	1,775,062	−34,748
Full-time permanent employment exempt from Revenue Act	820,634	829,293	+8,659
Total, full-time permanent employment	2,630,444	2,604,355	−26,089
Other than full-time permanent employment	388,868	311,225	−77,643
Grand total	3,019,312	2,915,580	−103,732

[1] Law directed reduction in covered employment by attrition (by filling 3 out of 4 vacancies) until level of June 30, 1966, is reached.

[2] Increase in Justice due to reassignment of vacancies by the Budget Director.

[3] Veterans' Administration exemption is effective when VA employment has reached its June 1966 level. As of that time, under the law, VA is exempt from further reduction under the attrition formula. Figures above for VA reflect the reduction required by law; exempted VA employment is included in the total exempt from the act.

[4] Partially estimated. Excludes employment of National Capital Housing Authority which is no longer reported as Federal employment. Includes employment of the Federal Reserve Board, Federal Deposit Insurance Corporation, and Public Land Law Review Commission, which the Budget Bureau has not included in its reporting under the Revenue Act.

[5] Statutory exemptions in effect as of November 1968 include presidential appointees (by and with consent of Senate), postal field service, FAA air traffic control, FBI, TVA power activities, and, with certain qualifications, VA and DOD personnel in Southeast Asia.

[6] For reconciliation purposes only. Figures are gross and reflect reductions due to seasonal factors rather than direct application of the Revenue Act limitations (which hold such employment, with certain exemptions, to its level in the corresponding month of the previous year).

[7] Totals reflect official reporting of actual Federal employment. To reconcile personnel presentations in the 1970 budget document (p. 23 of Message and Special Analysis I) to actual employment, the following major adjustments should be noted: For June 30, 1968, budget figures include 42,000 full-time permanent civilian technicians of the Army and Air Force National Guard, and exclude temporary employment of 61,653 summer youth and 6,756 merchant seamen.

Source: Material is partially estimated and based on figures informally furnished by the Bureau of the Budget. Figures also based on and reconciled to Civil Service Commission figures on total executive branch employment.

CONCLUSION

Mr. Speaker, if I may briefly recapitulate a few things:

The President's budget points the way to a balancing of income and outgo.

The incoming administration will want to review the budget and come in with its recommendations. We will want to have them.

But budgets are, in the last analysis, somewhat advisory only. Congress has the final responsibility, the final say, where revenues and appropriations are involved.

The budget has two sides—income and outgo. It involves the work of many committees and all Members.

There are some $12.4 billions of dollars, more or less, that this budget assumes will derive from tax and user charge legislation not yet enacted. That is for consideration by the Congress.

Some $38 billion of this budget must run the gauntlet twice—once through the authorization bill process out of various legislative committees, and then the appropriations process. There are many opportunities to take cold, hard, critical looks at these requests for new obligating and appropriating authority.

Above all, perhaps, we should heed the long history of initial budget outlooks—they often turn out for the worse. For a variety of reasons, there is often a shortfall of revenues and an excess of expenditures over the first projections. It is prudent to hedge against these uncertainties and try to err on the side of caution so as to avoid the fiscal shoals on which we found ourselves just last year.

Especially in the presently overheated inflationary and tight monetary situation; and with the budget burdened by the necessities of national defense and security, great fiscal prudence would be the wise course.

I would therefore hope that we will bend every effort to reduce expenses wherever reasonably possible, and at all costs, in most instances at least, do no less than hold the line on the budget.

The Committee on Appropriations begins preliminary consideration of the portions of the budget committed to it with a general hearing tomorrow, with the Secretary of the Treasury and the Director of the Budget. This will be in the nature of a general familiarization with the overall features of this budget, which is subject to review and amendment by the incoming administration.

In the meantime, we would welcome any constructive suggestions that would be helpful in connection with the business at hand.

I might add this closing note. The Joint Committee on Reduction of Federal Expenditures last year inaugurated a congressional budget scorekeeping procedure to keep tabs currently on congressional actions on all phases of the budget—the appropriation bills, revenue measures, legislative bill actions having budgetary impact, backdoor provisions, et cetera. Periodic "scorecard" reports were prepared by the staff and made available to all Members of Congress, committees, to the press, and others interested.

Timely, concise, comprehensive, factual tallies on what's happening to the budget in all its ramifications as it moves through the congressional review and decision processes can be helpful. We hope to continue this service and improve its usefulness this session.

NASA APOLLO 8 AWARDS

(Mr. CASEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CASEY. Mr. Speaker, in my remarks of yesterday, I paid tribute to the crew of the Apollo 8 and the many dedicated people who made this successful flight possible.

There are thousands of men and women in NASA, the Department of Defense, and private industry who, working as a team, have built our great program in space. Many of these people are never known. Their efforts do not attract the headlines, but each and every individual had played an important part which led to the successful flight of Apollo 8.

Not all can be individually noted, but it was very fitting that the 74 individuals which I mentioned in my remarks yesterday receive special recognition, not only in their individual right, but also as recognition for the people who work with them.

Mr. Speaker, so that my colleagues may know the recipients of the various awards and share with me the pride of their accomplishments, I attach a list of these 74 dedicated persons and industries:

NASA APOLLO 8 AWARDS

The DSM, NASA's top award, went to Dr. Kurt H. Debus, director, Kennedy Space Center, Fla.; Dr. Robert R. Gilruth, director, Manned Spacecraft Center, Houston; Christopher C. Kraft, Jr., director of flight operations, MSC; George M. Low, manager, Apollo program office, MSC; Dr. George E. Mueller, associate administrator for manned space flight, NASA Headquarters; Rocco A. Petrone, director of launch operations, KSC; Lt. Gen.

Samuel C. Phillips, Apollo program director, Hq.; Dr. Eberhard F. M. Rees, deputy director (technical), Marshall Space Flight Center, Huntsville, Ala.; Arthur Rudolph, manager, Saturn V program office, MSFC; William C. Schneider, manager, Apollo Applications program, Hq.; Gerald M. Truszynski, associate administrator for tracking and data acquisition, Hq.; and Dr. Wernher Von Braun, director, MSFC.

Those receiving Exceptional Service Medals were: Donald A. Arabian, MSC; Rear Adm. Fred E. Bakutis, Task Force 130, Department of Defense; Col. Oakley W. Baron, A/RIA Commander, DOD; William O. Brown, MSFC; Clifford E. Charlesworth, MSC; John F. Clark, Goddard Space Flight Center, Greenbelt, Md.;

Also, Raymond L. Clark, KSC; Aaron Cohen, MSC; Ozro Covington, GSFC; Leroy E. Day, Hq.; Paul C. Donnelly, KSC; Friedrich Duerr, MSFC; Lynwood C. Dunseith, MSC; Maxime A. Faget, MSC; Robert A. Gardiner, MSC; Ernst D. Geissler, MSFC;

Also, Roy E. Godfrey, MSFC; Erich E. Goerner, MSFC; Robert E. Gorman, KSC; Wilbur H. Gray, MSC; Hans F. Gruene, KSC; Walter Haeussermann, MSFC; George H. Hage, Hq.; Jerome B. Hammack, MSC; Karl L. Heimburg, MSFC; Gen. Vincent G. Huston, DOD;

Also, Lee B. James, MSFC; Richard S. Johnston, MSC; Gen. David M. Jones, DOD; Kenneth S. Kleinknecht, MSC; Joseph N. Kotanchik, MSC; Chester M. Lee, Hq.; William R. Lucas, MSFC; Edward R. Mathews, KSC; John P. Mayer, MSC; Owen E. Maynard, MSC;

Also, James C. McCulloch, MSFC; Roderick O. Middleton, KSC; William A. Mrazek, MSFC; Warren J. North, MSC; Edmund F. O'Connor, MSFC; George F. Page, KSC; G. Merritt Preston, KSC; Ludie G. Richard, MSFC; Tecwyn Roberts, GSFC; Ralph S. Swayer, MSC;

Also, Julian Scheer, Hq.; Karl Sendler, KSC; Scott H. Simpkinson, MSC; Sigurd A. Sjoberg, MSC; Donald K. Slayton, MSC; Fridtjof A. Speer, MSFC; Laverne R. Stelter, GSFC; Joseph G. Thibodaux, Jr., MSC; Henry F. Thompson, GSFC; Howard W. Tindall, MSC;

Also, Matthew W. Urlaub, MSFC; William P. Varson, GSFC; Eugene W. Wasielewski, GSFC; Hermann K. Weidner, MSFC; John J. Williams, KSC; and H. William Wood, GSFC.

Public Service awards went to: Charles R. Able, McDonnell Douglas Corp.; William M. Allen, Boeing Co.; John L. Atwood, North American Rockwell Corp.; William B. Bergen, North American Rockwell Corp.; B. Paul Blasingame, A C Electronics Division, General Mortors Corp.; Richard D. DeLauer, TRW Inc.; C. Stark Draper, Massachusetts Institute of Technology; Bob O. Evans, International Business Machines Corp.; L. F. Graffis, Benedix Field Engineering Corp.; William P. Gwinn, United Aircraft Corp.;

Also, Samuel K. Hoffman, North American Rockwell Corp.; Robert E. Hunter, Philco-Ford Corp.; Howard W. Johnson, Massachusetts Institute of Technology; T. Vincent Learson, International Business Machines Corp.; James S. McDonnell, McDonnell Douglas Corp.; Kenneth G. McKay, American Telephone & Telegraph Co.; Reginald I. McKenzie, Aerojet-General Corp.; Hilliard W. Paige, General Electric Co.; Ian M. Ross, Bellcomm, Inc.; Robert W. Schaeffer, Bendix Field Engineering Corp.;

Also, George H. Stoner, Boeing Co.; and Robert B. Young, Aerojet-General Corp.

Group Achievement awards went to the USS Yorktown (CVS-10) and Embarked Air Group, Manned Space Flight Network and NASA's Office of Public Affairs.

A public Service Group Achievement Award was presented to the Apollo 8 Communication Network.

A Certificate of Appreciation was awarded to University-NASA Scientific and Technology Advisory Committee (STAC) members; Luis Alvarez, H. Stanley Bennett, Francis H. Clauser, Lee DuBridge, Leo Goldberg, Harry Hess, T. William Lambe, Gordon J. F. MacDonald, William G. Sheperd, William Shockley, William Sweet, Charles Townes, John Whinnery and George D. Zuidema.

ANTICRIME LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. POFF) is recognized for 15 minutes.

Mr. POFF. Mr. Speaker, on January 3, I introduced a 10-bill package of anticrime legislation. The bills are numbered H.R. 319 to 328, consecutively. I would like to explain each bill briefly and to invite cosponsorship.

First. H.R. 319, a bill to strengthen the penalty provisions applicable to a Federal felony committed with a firearm. This is identical to the so-called Poff amendment to the Gun Control Act of 1968. It provides for the imposition of mandatory minimum terms of imprisonment where an individual has been convicted of a Federal felony involving the use of a firearm. For the first such conviction, the term is 1 to 5 years and for the second and subsequent convictions it is 5 to 25 years. Such sentences must run consecutively with whatever sentence is imposed for the felony conviction itself. Further, such sentences may not be suspended and probation may not be granted.

It may be recalled that the House adopted the Poff amendment by an overwhelming vote of 412 to 11 in the 90th Congress. The other body, however, considerably weakened it prior to enactment of the Gun Control Act itself. I have reintroduced the amendment in the form of a separate bill for the 91st Congress in order to reemphasize the will of the House, previously expressed.

Second. H.R. 320, a bill to establish a Joint Congressional Committee on Organized Crime. There is little further that need be said concerning the provisions of this bill except to point out the need for separate bipartisan congressional oversight over the conduct of the war on organized crime which is carried on by the executive branch of the Federal Government. I sponsored a similar bill in the 90th Congress when my party was not in control of the executive branch and I do not hesitate to do so in this Congress despite the changed circumstances. I believe the creation of such a committee will be in the best interests of both branches of the Federal Government, to say nothing of the overall benefit to the American people of a nonpartisan inventory on a continuing basis of the Federal effort in perhaps the most important area of law enforcement in which it is involved. Such a committee, moreover, will be able to perform one function inappropriate to the responsibilities of the executive branch, that of informing the American people, by clear and convincing evidence, of the nature, scope, and threat of organized crime to the Nation's security.

Third. H.R. 321, a bill to provide for improved criminal procedures in the federal system. The 90th Congress enacted several items of legislation which materially improved the procedural aspects of the Federal criminal law. This bill contains three additional provisions. Title I pertains to criminal investigations and, in particular, to the execution of search warrants. It is, in effect, a Federal "no knock" statute permitting forcible entry to execute such warrants under circumstances where present requirements that the officers formally state identity and purpose would be useless, counterproductive or dangerous to the officer. Title II pertains to witnesses and evidence and contains two sections. The first creates a general witness immunity statute and the second substantially ameliorates the inflexibilities of the present law concerning the proof required to sustain a perjury conviction. Each of the three provisions of this bill has received substantial support from lawyers, judges, and law enforcement personnel. As procedural reforms, they are long overdue.

Fourth. H.R. 322, a bill to amend the Internal Revenue Code by modifying the wagering tax provisions to insure the constitutional rights of taxpayers and to facilitate the collection of such taxes. The chief purpose of this bill is to reinstate and revitalize the enforcement of the wagering tax laws which the Supreme Court decision rendered ineffective more than a year ago. The Court found that the registration and tax provisions of existing law could not be enforced because they violated the taxpayer's privilege against self-incrimination. The proposed statute meets this problem by creating ironclad restrictions upon the use of information provided by taxpayers, an approach which the Supreme Court, indicated would cure constitutional objection.

Fifth. H.R. 323, a bill to authorize conditional pretrial release or detention of persons charged with noncapital offenses who are determined to pose a danger to the community or persons as property in the community. This bill may accurately be called "The 1969 Reform of the Bail Reform Act of 1966." As a result of the 1966 act, Federal judges are without discretion to detain even those arrestees whom they believe to be a danger to the community unless they have reason to believe they will fail to appear for trial. Thus, our crime rate has swelled with the additional crimes committed by those who roam the streets for 6 to 9 months while awaiting trial. Nowhere is this problem more acute than in the District of Columbia. The proposed statute attempts to remedy this. I must stress, however, that this bill is not proposed as the final answer to a problem that is not without substantial constitutional ramifications. Rather, it is intended to be the starting point on which, hopefully, such refinements will be made as will fully protect individual liberties as well as promote effective law enforcement. Working toward that end, I have cosponsored another bill, H.R. 2781.

Sixth. H.R. 324, a bill to establish extended terms of imprisonment for certain offenders convicted of felonies in Federal courts. This is aimed primarily at two classes of criminals—racketeers and recidivists, or habitual offenders. The proposed statute will enable judges to impose additional prison terms of up to 20 years upon persons who are convicted of a Federal felony and who are shown to be participating in organized criminal activity. The same is true upon an individual's third conviction in Federal court. Whether to impose the additional term of imprisonment is, of course, entirely within the court's discretion. It is my belief, that the enactment of such a measure as this will substantially improve the sentencing system by enabling Federal judges to deal more realistically with hard-core professional criminals.

Seventh. H.R. 325, a bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes. Simply stated, this bill creates a Federal "stop and frisk" law. It enables Federal law enforcement officers to stop and detain for questioning suspicious persons under circumstances that do not amount to probable cause for arrest. The period of detention may not exceed 20 minutes. The purpose of the detention and questioning may be to request identity, to obtain an explanation of the individual's actions, to obtain information concerning a crime that has been committed and to verify any such information that is given. As an incident to such detention Federal officers will also be permitted to "frisk" those detained for dangerous weapons. The U.S. Supreme Court has already ruled that limited abridgements of personal freedom such as this are constitutionally permissible. In view of the increasingly dangerous nature of police work, I believe Federal law enforcement officers should be afforded the additional personal protection this bill provides, and I believe the public is entitled to the potential for crime prevention which this procedure offers.

Eighth. H.R. 326, a bill to prohibit the investment of income derived from certain criminal activities in any business affecting interstate or foreign commerce. This measure, like its companion H.R. 327, is aimed at organized crime in general and in particular, at racketeer infiltration of legitimate businesses. Organized crime has made substantial inroads into the legitimate business community through the investment of money acquired from gambling, bribery, extortion, counterfeiting, narcotics traffic, white slavery and so forth. The proposed statute outlaws the investment of funds derived from these and related racket activities. Moreover, it gives Federal investigators broader and more certain jurisdiction to investigate the activities of syndicated crime and identify its illegal revenue sources.

Ninth. H.R. 327, a bill to amend the Sherman Antitrust Act to prohibit the investment of income upon which Federal income tax has not been paid in any business affecting interstate or foreign commerce. This bill is also aimed principally at organized crime and its infiltration of legitimate business. Apart from all other considerations, it is axiomatic that racketeers who do not pay income taxes have substantial advantages in competing with honest businessmen. This bill is intended to diminish that advantage and it has the additional feature of bringing to bear the multiple damages provisions of the Sherman Act where it can be shown that legitimate businesses have, in fact, been damaged by unfair competition from racketeers.

Tenth. H.R. 328, a bill making it unlawful to injure, intimidate or interfere with any fireman performing his duties during the course of a riot. There are two penalty structures. A 10-year term of imprisonment and a $10,000 fine may be imposed where such interference consists of discharging a firearm; that is, sniping and a life term may be imposed if death results. Otherwise any interference by force or threat with firemen performing riot-duty may result in a prison term of up to 5 years and, again, a $10,000 fine.

This package of bills is not intended to be a complete inventory of crime legislation. Indeed, it is nothing more than a skeletal structure. Hopefully, it can be the foundation for thorough and searching hearings by the Committee on the Judiciary. People of this country will not tolerate inaction in this field this year.

A TRUE LIKENESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, a most appealing editorial tribute to our First Lady, Lady Bird Johnson, appears in the December 30, 1968, edition of the Herald-Dispatch, a newspaper published in Huntington, W. Va. It was written by the editor in chief, Raymond Brewster, and it is a gem of sensitive and appreciative portraiture. It is the character and personality picture of an always sincere and warmly human lady, who was unimpressed by glamour, who was indifferent to the place that might be allotted her in history, and who was occupied with efforts to make life brighter and better for her immediate family and for the widening circle of humanity which she could touch with the magic of consideration and kindness.

The story of Lady Bird's years in the White House "sings of America," as Editor Brewster puts it. It uplifts the heart and assures us that the sun of good will is still shining behind the clouds of frustration and uncertainty which have obscured our vision of reality in recent years. I feel, Mr. Speaker, that it would do every American good to read the editorial. I am placing it in the RECORD at this point:

THE HERALD-DISPATCH SALUTES A WHOLLY ADMIRABLE FIRST LADY

Regardless of the grade historians of the future give to President Lyndon Johnson, they are certain to give high marks to the First Lady who is completing her fifth year in the White House.

Nan Robertson's interview with Mrs. Johnson, published in The Herald-Dispatch last Friday morning, was one of the most touching and endearing summaries of White House life from the standpoint of the chatelaine that has ever been given to the American people. It sings of America.

Not the song of a dilettante, but that of an energetic, loyal, down-to-earth and wholly admirable wife and mother devoted to her family and friends, and inspired to strive beyond what she believed was her capacity by the challenge so abruptly placed before her five years ago.

She enjoyed "to beat the band" her daughters' spectacular weddings in 1966 and 1967. And now, although both her sons-in-law are in Vietnam and she is counting the days until they are back safely, she wouldn't have it any other way. "I have an old-fashioned feeling that if my country is in it, I want my folks to be in it."

Reading Mrs. Johnson's comments on her White House life, you keep wanting to say that she is as American as apple pie. And you are reminded of the jokes that tittered outward from Washington in the early Johnson days, when White House chefs were changed because—allegedly—they scorned to cook chick peas and chili after having prepared only gourment dishes for the Kennedys.

Somehow, those jokes now have a quality of effete posturing. Especially when you read Mrs. Johnson's lament that the White House is a lonely place, where one seldom receives a spur-of-the-moment call from a neighbor to "come over for a hamburger in the back yard."

For the simple truth is that Americans are more like the Johnsons than they ever were like the Kennedys. Mostly they prefer hamburgers in the back yard to truffles and breast-of-pheasant-under-glass served in the main White House dining room to tightly-trussed ladies and their white-tie escorts.

It has been good for America to have a woman like Lady Bird Johnson devoting her time to things like conservation and beautification. The kidding she has received in her attempts to beautify American highways has been an affectionate teasing. We gladly acknowledge that she has started something that will not fade and die with her exit as First Lady.

Mrs. Johnson has constantly shown modestly and even humility in her efforts. She has been a hostess no less genteel because she disdained excessive formality. Yet, on occasion, she could be resolute and masterful—as when she rebuked singer Eartha Kitt for her angry (and insulting) denunciation of the Vietnam War at a White House "woman-doers" luncheon.

And finally, the "saddest" experiences of all in Mrs. Johnson's reign as First Lady, were the friends alienated through Presidential decisions "that had to be made." She never questioned them. "I cannot separate myself from my husband on that score."

An admirable woman, Lady Bird Johnson. The Herald-Dispatch salutes her and thanks her for her graciousness, her simplicity and her good deeds.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BYRNE of Pennsylvania (at the request of Mr. MORGAN), for today, and the balance of the week, on account of illness.

Mr. ADDABBO (at the request of Mr. BOGGS), for today, and the balance of the week.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MAHON, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Member (at the request of Mr. HALL) and to revise and extend his remarks and include extraneous matter:)

Mr. POFF, for 15 minutes, today.

(The following Members (at the request of Mr. SYMINGTON) and to revise and extend their remarks and include extraneous matter:)

Mr. Staggers, for 5 minutes, today.

Mr. Morgan, for 15 minutes, on January 16.

Mr. Taylor, for 15 minutes, on January 16.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Rarick in two instances and to include extraneous matter.

Mr. Dulski in two instances and to include extraneous matter.

Mr. Michel and to include extraneous matter.

Mr. Bow to revise and extend his remarks following the remarks of Mr. Mahon.

(The following Members (at the request of Mr. Hall) to revise and extend their remarks and include extraneous matter:)

Mr. Burke of Florida.

Mr. Ashbrook in three instances.

Mr. Quie.

Mr. Zwach.

Mr. Wyman in two instances.

Mr. Morse.

Mr. Cowger in two instances.

Mr. Edwards of Alabama.

Mr. Reid of New York in two instances.

Mr. O'Konski.

(The following Members (at the request of Mr. Symington) to revise and extend their remarks and include extraneous matter:)

Mr. O'Hara in two instances.

Mr. Bingham.

Mr. Long of Maryland in two instances.

Mr. Rooney of New York in two instances.

Mr. Fuqua.

Mr. Yatron.

Mr. Moorhead in two instances.

Mr. Koch in six instances.

Mr. Barrett.

Mr. Wolff in three instances.

Mr. Hagan.

ADJOURNMENT

Mr. SYMINGTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, January 16, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

226. A letter from the Secretary of Defense transmitting a draft of proposed legislation to provide the grade of general for the Assistant Commandant of the Marine Corps so long as such office is held by the present incumbent; to the Committee on Armed Services.

227. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes; to the Committee on Armed Services.

228. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; to the Committee on Armed Services.

229. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize an increase in the number of flag officers who may serve on certain selection boards in the Navy, and in the number of officers of the Naval Reserve and Marine Corps Reserve who are eligible to serve on selection boards considering reserves for promotion; to the Committee on Armed Services.

230. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide for the payment of uniform allowances to certain persons originally appointed, temporarily or permanently, as commissioned or warrant officers in a regular component of the Armed Forces; to the Committee on Armed Services.

231. A letter from the Chairman, U.S. section, United States-Mexico Commission for Border Development and Friendship, transmitting a draft of proposed legislation to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

232. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes; to the Committee on Government Operations.

233. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Uniform Time Act to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

234. A letter from the Chairman, Administrative Conference of the United States, transmitting an interim report on the activities of the Conference during the calendar year 1968, pursuant to 5 U.S.C. 575(c); to the Committee on the Judiciary.

235. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report on positions in grades GS–18, GS–17, and GS–16 for the calendar year 1968, pursuant to the provisions of section 5114, title 5, United States Code; to the Committee on Post Office and Civil Service.

236. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a report with respect to certain civilian positions established during calendar year 1968, pursuant to the provisions of section 3104(c), title 5, United States Code; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROGERS of Colorado:

H.R. 3645. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

H.R. 3646. A bill for the relief of the Southwest Metropolitan Water and Sanitation District, Colorado; to the Committee on the Judiciary.

H.R. 3647. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3648. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3649. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 3650. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

H.R. 3651. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 3652. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 3653. A bill to provide that the use and occupancy of trust land on the Cheyenne River Sioux Reservation in South Dakota pursuant to section V of Public Law 776 (83d Cong.), 68 Stat. 1192, shall have the same force and effect as a trust patent, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3654. A bill to amend the act of April 16, 1934, with respect to the furnishing of library services to Indians; to the Committee on Interior and Insular Affairs.

By Mr. BINGHAM:

H.R. 3655. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. BLANTON:

H.R. 3656. A bill to provide for the appointment of an additional district judge for the western district of Tennessee; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 3657. A bill to amend the Internal Revenue Code of 1954 to provide for certain costs of construction; to the Committee on Ways and Means.

H.R. 3658. A bill to amend the Internal Revenue Code of 1954 to provide tax incentives for the rehabilitation of buildings; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 3659. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 3660. A bill to amend title 18 of the United States Code to establish extended terms of imprisonment for certain offenders convicted of felonies in Federal courts; to the Committee on the Judiciary.

By Mr. DULSKI:

H.R. 3661. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 3662. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 3663. A bill to amend the Federal Hazardous Substances Labeling Act to require additional labeling on some types of airplane glue and other products containing certain highly toxic substances; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 3664. A bill to convey certain land of the United States to Inter-Tribal Council, Inc., Miami, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 3665. A bill to extend the program of health insurance benefits under title XVIII of the Social Security Act to disabled individuals aged 60 or over who are entitled to monthly cash benefits under section 223 of such act, and individuals aged 60 or over who are retired for disability under the Railroad Retirement Act of 1937; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 3666. A bill to amend section 336(c) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3667. A bill to amend section 312 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 3668. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general-purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3669. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 3670. A bill to incorporate the Currie Woods Violet Flower Club; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3671. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3672. A bill to provide for the temporary suspension of duty on regranulated cork; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 3673. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 of the income of a retired teacher shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 3674. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on furniture parts made of nonmalleable cast iron; to the Committee on Ways and Means.

H.R. 3675. A bill to provide for the temporary suspension of duty on certain granulated and ground cork and on certain natural and composition cork cut or molded into rods; to the Committee on Ways and Means.

By Mr. HUNT (for himself, Mr. Wylie, Mr. Watkins, Mr. King, Mr. Denney, Mr. Williams, and Mr. Steiger of Arizona):

H.R. 3676. A bill to amend section 64 of the Bankruptcy Act to afford priority to pension fund contributions earned within 3 months of bankruptcy; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3677. A bill to amend section 101(a) (27) (D) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. JOHNSON of California (for himself and Mr. Baring):

H.R. 3678. A bill to grant the consent of the Congress to the Tahoe regional planning compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes; to the Committee on the Judiciary.

By Mr. MIZE (for himself and Mr. Sebelius):

H.R. 3679. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 3680. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr.; to the Committee on Banking and Currency.

By Mr. MORSE:

H.R. 3681. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 3682. A bill to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln back country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes; to the Committee on Agriculture.

H.R. 3683. A bill to regulate interstate commerce by amending the Federal Food, Drug, and Cosmetic Act to provide for the inspection of facilities used in the harvesting and processing of fish and fishery products for commercial purposes, for the inspection of fish and fishery products, and for cooperation with the States in the regulation of intrastate commerce with respect to State fish inspection programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY of Pennsylvania:

H.R. 3684. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

By Mr. ROUDEBUSH:

H.R. 3685. A bill to amend chapter 44 of title 18, United States Code, to strengthen the penalty provision applicable to a Federal felony committed with a firearm; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 3686. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 3687. A bill to designate the Ventana wilderness, Los Padres National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 3688. A bill to make it a Federal crime to possess a firearm or dangerous or deadly weapon during the commission of certain crimes; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 3689. A bill to cede to the State of Montana concurrent jurisdiction with the United States over the real property comprising the Veterans' Administration Center, Fort Harrison, Mont.; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Georgia:

H.R. 3690. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. TUNNEY:

H.R. 3691. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 3692. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 3693. A bill to amend the Communications Act of 1934 to prescribe a minimum term of 5 years for station licenses granted under such act; to the Committee on Interstate and Foreign Commerce.

H.R. 3694. A bill to amend section 170(c) of the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to, or for the use of, certain conservation organizations; to the Committee on Ways and Means.

H.R. 3695. A bill to amend the Internal Revenue Code of 1954 to provide that construction workers and seasonal or migrant agricultural workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new principal place of work; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 3696. A bill relating to the status of volunteer firemen's organizations for purposes of liability for Federal income taxes and reports: to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 3697. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 3698. A bill to authorize the President to proclaim the second Saturday in May of each year as a "Day of Recognition" for firefighters; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 3699. A bill to insure that individuals paying wage taxes in any municipality will be accorded the right to vote in local elections held therein, regardless of their legal, or voting, place of residence; to the Committee on the Judiciary.

H.R. 3700. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WOLD:

H.R. 3701. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

H.R. 3702. A bill to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation; to the Committee on Interior and Insular Affairs.

H.R. 3703. A bill to provide for the application of certain credits toward annual installments due under the repayment contract between the United States and the Deaver Irrigation District, Frannie division, Shoshone project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WRIGHT:

H.R. 3704. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 3705. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for a taxpayer with one or more children in college; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 3706. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed

Forces in Vietnam; to the Committee on Armed Services.

By Mr. ASHLEY:

H.J. Res. 249. Joint resolution authorizing the President to proclaim annually the first week in March as "National Housing for the Physically Handicapped Week"; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, "General von Steuben Memorial Day" for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

By Mr. MINISH:

H.J. Res. 251. Joint resolution to authorize the President to proclaim the last Friday of April of each year as "National Arbor Day"; to the Committee on the Judiciary.

By Mr. MURPHY of New York (for himself, Mr. Abernethy, Mr. Leggett, Mr. Halpern, Mr. Ottinger, Mr. King, Mr. St Germain, Mr. Conyers, Mr. Vigorito, Mr. Pepper, Mr. Addabbo, Mr. Tiernan, Mr. Derwinski, Mr. Hull, Mr. Boland, Mr. Nedzi, Mr. Wright, Mr. Slack, Mr. Farbstein, Mr. Ashley, Mr. Pollock, Mr. Yatron, Mr. Sisk, Mr. Saylor, and Mr. Corman):

H.J. Res. 252. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. Eilberg, Mr. Hicks, Mr. Podell, Mr. Howard, Mr. Cowger, Mr. McClure, Mr. Sikes, Mr. Adams, Mr. Eshleman, Mr. Burlison of Missouri, Mr. Biester, Mr. Thompson of New Jersey, Mrs. Sullivan, Mr. Pickle, Mr. Charles H. Wilson, Mr. Garmatz, Mr. Donohue, Mr. Zwach, Mr. Wyman, Mr. Helstoski, Mr. Kyros, Mr. Conable, Mr. Randall, and Mr. Monagan):

H.J. Res. 253. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. Moorhead, Mr. Fulton of Tennessee, Mr. Railsback, Mr. Matsunaga, Mr. Gallagher, Mr. Winn, Mr. Scott, Mr. Miller of California, Mr. Button, Mr. Bingham, Mrs. Mink, Mr. Wydler, Mr. Hathaway, Mr. Horton, Mr. Fallon, and Mr. Price of Illinois):

H.J. Res. 254. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. YATRON:

H.J. Res. 255. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. BARRETT (for himself, Mr. Nix, Mr. Byrne of Pennsylvania, Mr. Eilberg, and Mr. Green of Pennsylvania):

H. Con. Res. 87. Concurrent resolution expressing the sense of Congress concerning certain proposed new CATV rules; to the Committee on Interstate and Foreign Commerce.

By Mr. ABERNETHY:

H. Res. 128. A resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H. Res. 129. Resolution, investigation of cooperative associations; to the Committee on Rules.

H. Res. 130. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H. Res. 131. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; to the Committee on Rules.

H. Res. 132. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 131; to the Committee on House Administration.

By Mr. GROSS (for himself, Mr. Schwengel, Mr. Kyl, Mr. Mayne, Mr. Scherle, and Mr. Hall):

H. Res. 133. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3707. A bill for the relief of Angelina and Bartolomeo Capolongo; to the Committee on the Judiciary.

H.R. 3708. A bill for the relief of Gaetana Cefalu; to the Committee on the Judiciary.

H.R. 3709. A bill for the relief of Teresa Carratello Cefalu; to the Committee on the Judiciary.

H.R. 3710. A bill for the relief of Giovanni Nardulli, also known as Juan Nardulli, and his wife, Antonia Nardulli, and their minor child, Anna Nardulli; to the Committee on the Judiciary.

H.R. 3711. A bill for the relief of Maria Vallone; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 3712. A bill for the relief of Athanasios Belesiotis; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 3713. A bill for the relief of Mrs. Setsuko McFellin; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 3714. A bill for the relief of Vittorino Brunelli; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 3715. A bill for the relief of Leonardo Balistreri, his wife, Rosa Balistreri, and their children, Elvira and Silvana; to the Committee on the Judiciary.

H.R. 3716. A bill for the relief of Felice Esposito; to the Committee on the Judiciary.

H.R. 3717. A bill for the relief of Salvatore Passalaqua; to the Committee on the Judiciary.

H.R. 3718. A bill for the relief of Girolamo Sassano; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 3719. A bill for the relief of Dr. Alfonzo Z. Valle, his wife, Concepcion Cadiz Valle, and their son, Mario Valle; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3720. A bill for the relief of Erlinda De Los Santos; to the Committee on the Judiciary.

H.R. 3721. A bill for the relief of Jesus Castro Gonzalez; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 3722. A bill for the relief of John S. Attinello; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 3723. A bill for the relief of Robert G. Smith; to the Committee on the Judiciary.

H.R. 3724. A bill for the relief of William L. Wilde; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 3725. A bill for the relief of Fakhreddin Entezary, M.D.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 3726. A bill for the relief of Generosa Fusco; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 3727. A bill to allow the Sierra Club to retain its status as a tax-exempt organization until its right to this status has been adjudicated; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 3728. A bill for the relief of Renee Raymonde Spielmann Bee; to the Committee on the Judiciary.

H.R. 3729. A bill for the relief of Osvaldo Giacomello, Gabriella Giacomello, and Tiziana Giacomello; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 3730. A bill for the relief of Mercedes Arcangeli; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.R. 3731. A bill for the relief of Miss Miyako Kohori; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3732. A bill for the relief of Constantin Andreopoulos; to the Committee on the Judiciary.

H.R. 3733. A bill for the relief of Felix Angelis Kempadoo, Virginia Kempadoo, and Sharon Virginia and Randolph Raymond Kempadoo; to the Committee on the Judiciary.

H.R. 3734. A bill for the relief of Jamie Chuntianlay Siy; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 3735. A bill for the relief of George P. Panagiotopoulos; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 3736. A bill for the relief of Dandolo Frati; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 3737. A bill for the relief of Juliet L. and Renato M. Bosita; to the Committee on the Judiciary.

H.R. 3738. A bill for the relief of Dr. Ruben D. Bunag; to the Committee on the Judiciary.

H.R. 3739. A bill for the relief of Jose Sanchez Tan; to the Committee on the Judiciary.

By Mr. FISH:

H.R. 3740. A bill for the relief of Dr. Stephen Shung-Tsit Chan; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3741. A bill for the relief of Miss Carmela Giordano; to the Committee on the Judiciary.

H.R. 3742. A bill for the relief of Aspasia Kostantinos Longovitis; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3743. A bill for the relief of Evena Campbell; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 3744. A bill for the relief of Adelina Gentiluomo; to the Committee on the Judiciary.

H.R. 3745. A bill for the relief of Vincenzo Trematerra; to the Committee on the Judiciary.

H.R. 3746. A bill for the relief of Luigi Turnaturi; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3747. A bill for the relief of Fernando Carreira Martins; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 3748. A bill for the relief of Lourdes P. Manalota; to the Committee on the Judiciary.

H.R. 3749. A bill for the relief of Zofia Zieciak; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 3750. A bill for the relief of Ubaldo Angelo Marino; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 3751. A bill for the relief of Wong Kwai Ming; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 3752. A bill for the relief of Maria Kovac; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 3753. A bill for the relief of Anna DiStefano; to the Committee on the Judiciary.

H.R. 3754. A bill for the relief of Guiseppe Neri; to the Committee on the Judiciary.

H.R. 3755. A bill for the relief of Calogero and Maria Piro; to the Committee on the Judiciary.

H.R. 3756. A bill for the relief of Guillermina Pulgar; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 3757. A bill for the relief of Giuseppe Meli; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 3758. A bill to authorize and direct the President to award the Medal for Merit to Charles H. Payne in recognition of his services in the development of the "jeep"; to the Committee on Armed Services.

H.R. 3759. A bill for the relief of Ferrum Trading Co., Inc.; to the Committee on the Judiciary.

H.R. 3760. A bill for the relief of Clarence Nuckols; to the Committee on the Judiciary.

H.R. 3761. A bill for the relief of Capt. Bruce E. Wiita, U.S. Air Force; to the Committee on the Judiciary.

By Mr. PIKE:

H.R. 3762. A bill for the relief of Antonio and Adelina Pirozzolo, and their two children, Marino and Marco Pirozzolo; to the Committee on the Judiciary.

By Mr. REES:

H.R. 3763. A bill for the relief of Gerardo Caballero-Goyeneche; to the Committee on the Judiciary.

H.R. 3764. A bill for the relief of Ofelia De Veyra; to the Committee on the Judiciary.

H.R. 3765. A bill for the relief of Mr. and Mrs. Chung Jin Kim; to the Committee on the Judiciary.

H.R. 3766. A bill for the relief of Miss Elizabeth P. Landman; to the Committee on the Judiciary.

H.R. 3767. A bill for the relief of Mohammed Aslam A. R. Munjee; to the Committee on the Judiciary.

H.R. 3768. A bill for the relief of Byung Yuk Yu and Myoung Ja Yu; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3769. A bill for the relief of Miss Bettina Woon Sum Yau; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 3770. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. SCHEUER:

H.R. 3771. A bill for the relief of Mary Lou Joseph; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 3772. A bill for the relief of Mrs. Nguong Thi Tran (formerly Nguyen Thi Nguong, A13707–473D/3); to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 3773. A bill for the relief of Tuncer Someren and Mrs. Ayten Ozdil Someren; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 3774. A bill for the relief of Sa Cha Bai; to the Committee on the Judiciary.

H.R. 3775. A bill for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired), to the Committee on the Judiciary.

By Mr. WYMAN:

H.R. 3776. A bill for the relief of Rajkumar Jain; to the Committee on the Judiciary.

H.R. 3777. A bill for the relief of Demetrius Theodore Macris; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

29. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to reduction of the U.S. public debt; to the Committee on Appropriations.

30. Also, petition of the Gushikawa City Assembly, Okinawa, Ryuku Islands, relative to removal of B–52 bombers from Okinawa; to the Committee on Foreign Affairs.

31. Also, petition of Gordon Levon Dollar, Springfield, Mo., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Wednesday, January 15, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we thank Thee for this good land which Thou hast given us for our heritage, for it is Thine and not our own. Teach us the invincibility of goodness and justice and mercy, and, by the strength which comes from Thee, in all our daily duties to practice the admonition of the Apostle, *"Be not overcome of evil but overcome the evil with good."*

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, January 14, 1969, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT ON FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am proud to transmit the Annual Report on the Foreign Assistance Program for Fiscal Year 1968.

The year's most significant development was the sharpened focus of our aid program on the priority problems of food and population.

During the 12 months covered by this report, major breakthroughs in food production occurred in the less developed countries.

—Record harvests were achieved in Pakistan, Turkey, and the Philippines. In India food grain harvests jumped to nearly 100 million tons, 10 percent above the previous record.

—Total food output in the developing countries rose 7 percent, the largest increase on record.

United States economic aid played a major role in this Green Revolution. Our programs encouraged more effective farm price policies, helped to extend irrigation and establish farm credit systems, and provided technical assistance, fertilizer, pesticides and tools that farmers need to take full advantage of the new "miracle" seeds.

Many less developed nations are now establishing family planning programs. During fiscal 1968 the Agency for International Development committed $35 million to help them carry out these programs. This was nine times more than AID devoted to population programs during the previous year.

This report records the continuing concentration of American aid in relatively few countries where it can be most effectively used to help others help themselves. Fifteen nations accounted for 84 percent of total economic commitments by AID during the year. They were Brazil, Chile, Colombia, Dominican Republic, India, Indonesia, Korea, Laos, Nicaragua, Nigeria, Pakistan, Panama, Thailand, Turkey, and Vietnam.

Another country, Iran, achieved self-support during the fiscal year and the U.S. AID mission there was formally closed.

Among the most helpful signs of our times are the breakthroughs being made by the less developed countries in food production, and the programs they have launched in the field of family planning.

It is our responsibility—and the responsibility of other more developed nations—to give their efforts firm support through our foreign assistance program.

To do less would be to court catastrophe in a world growing smaller day by day.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 15, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, for the introduction of bills, and for other pertinent matters, with a time limitation of 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. McCLELLAN. Mr. President, I ask unanimous consent to proceed for 15 minutes.

The PRESIDENT pro tempore. Without objection, the senior Senator from Arkansas will be permitted to proceed for 15 minutes.

THE BUDGET MESSAGE OF THE PRESIDENT, 1970 (H. DOC. NO. 91–2)

The PRESIDING OFFICER (Mr. HUGHES in the chair). The Chair lays before the Senate the President's budget message. Without objection, it will be printed in the RECORD without being read, and appropriately referred.

The message from the President of the United States, with the accompanying document, was referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

The 1970 budget, which I am transmitting to you today, points the way toward maintaining a strong, healthy economy and continuing progress in meeting the Nation's highest priority military and domestic needs.

The record of achievements of the past 5 years is an impressive one. We have witnessed a period of unprecedented economic growth, with expanded production, rising standards of living, and the lowest rates of unemployment in a decade and a half. Our military forces today are the strongest in the world, capable of protecting the Nation against any foreseeable challenge or threat. Last month saw man's first successful flight to the moon. In domestic matters, the legislative and executive branches, cooperatively, have forged new tools to open wider the doors of opportunity for a better life for all Americans.

In my first budget message 5 years ago, I stated: "A government that is strong, a government that is solvent, a government that is compassionate is the kind of government that endures." I have sought to provide that kind of government as your President. With this budget, I leave that kind of government to my successor.

The 1970 budget program calls for:

—Support for our commitments in Southeast Asia, and necessary improvements to maintain and strengthen our overall military capabilities.

—Continued emphasis on domestic programs which help disadvantaged groups obtain a fairer share of the Nation's economic and cultural advancements.

—A budget surplus in the year ahead, as well as in the current fiscal year, to relieve the inflationary pressures in the economy and to reduce the strains that Federal borrowing would place on financial markets and interest rates.

This Nation can and must bear the cost of the defense of freedom, and must at the same time move ahead in meeting the pressing needs we face at home. But caution and prudence require that we budget our resources in a way which enables us to preserve our prosperity, strengthen the U.S. dollar, and stem the increased price pressures we have experienced in the past few years.

We can meet these objectives and achieve desirable budget surpluses by:

—Holding down total Federal spending and lending through strict control of program commitments.

—Extending for one year the 10% tax surcharge on individual and corporation income taxes enacted last June beyond the present expiration date of June 30, 1969.

Americans are united in the hope that the Vietnam peace talks now taking place in Paris will be soon and successfully concluded, so that reconstruction can begin. Meanwhile, the fighting continues. Under these circumstances, the 1970 budget necessarily provides funds to support our military operations in Vietnam for the year ahead. At the same time, we are taking steps to assure an orderly reduction in Southeast Asia support as soon as conditions permit.

With the attainment of a just and honorable peace, consideration can be given to removal of the tax surcharge as military spending declines. At that time, such action could ease the post-Vietnam transition, smooth the conversion to greater peacetime production, and help assure continued economic growth and full employment.

Our domestic programs are increasingly focused on urgent national problems—inadequate educational opportunities, slum housing, increased crime, urban congestion and decay, pollution of our air and water, lack of proper health care, and hunger and malnutrition. The 1970 budget continues to place the greatest emphasis on progress in overcoming these ills.

A substantial part of every budget reflects the continuing momentum of program decisions made in past years, by past Presidents and past Congresses. While adhering to a restrictive expenditure policy, I am making reasonable provision in the 1970 budget for the requirements of ongoing programs, proposing reductions wherever possible and recommending some selective improvements and expansions, including social security benefit increases.

BUDGET SUMMARY

The 1970 budget proposes total outlays of $195.3 billion, made up of $194.4 billion in expenditures and $0.9 billion for net lending.

Budget receipts are estimated at $198.7 billion in 1970, including the effects of extending present income and excise tax rates.

Accordingly, the budget surplus will be $3.4 billion.

The budget totals are, as in last year's budget, based on the new budget concept adopted upon the unanimous recommendation of the bipartisan Commission on Budget Concepts which I appointed in 1967. They include the transactions of the social security and other Government trust funds, and distinguish between expenditures and fully repayable loans.

Assuming the adoption of the recommendations in this budget, the surplus for fiscal year 1970 would follow a surplus of $2.4 billion in 1969. This outlook represents a sharp reversal from the $25.2 billion deficit incurred in fiscal year 1968.

The totals in the *expenditure account* alone are estimated to produce a surplus of $4.3 billion in fiscal year 1970. This expenditure surplus offers a better measure of the direct effect of the Federal budget on the Nation's income and output, and highlights the fiscal policy which underpins my budget recommendations.

To finance the proposals in this budget, I am recommending appropriations and other new budget authority of $210.1 billion for 1970. Of this amount, $143.9 billion depends on action during the current session of the Congress. The remaining authority will become available under existing law without current congressional action.

SUMMARY OF THE BUDGET AND FINANCIAL PLAN

[Fiscal years. In billions]

Description	1968 actual	1969 estimate	1970 estimate
Budget authority (largely appropriations):			
Previously enacted	$134.4	$127.8	
Proposed for current action by Congress		4.8	$143.9
Becoming available without current action by Congress	67.8	75.3	80.2
Deductions for offsetting receipts	−11.6	−13.3	−13.9
Total budget authority	190.6	194.6	210.1

SUMMARY OF THE BUDGET AND FINANCIAL PLAN—Continued

[Fiscal years. In billions]

Description	1967 actual	1968 actual	1969 estimate	1970 estimate
Receipts, expenditures, and net lending:				
Expenditure account:				
Receipts		$153.7	$186.1	$198.7
Expenditures (excludes net lending)		172.8	182.3	194.4
Expenditure account surplus or deficit (—)		—19.2	3.8	4.3
Loan account:				
Loan disbursements		20.4	12.5	8.1
Loan repayments		14.4	11.1	7.2
Net lending		6.0	1.4	.9
Total budget:				
Receipts		153.7	186.1	198.7
Outlays (expenditures and net lending)		178.9	183.7	195.3
Budget surplus or deficit (—)		—25.2	2.4	3.4
Budget financing:				
Net borrowing from the public or repayment of borrowing (—)		23.1	—3.1	—4.0
Other means of financing		2.1	.7	.6
Total budget financing		25.2	—2.4	—3.4
Outstanding debt, end of year:				
Gross Federal debt	$341.3	369.7	365.2	371.5
Debt held by the public	267.5	290.6	276.6	272.6

FISCAL PROGRAM FOR 1970

The revenues and budget program I recommend for fiscal year 1970 are described in detail in Parts 2 and 3 of this budget document. The major features of the overall fiscal program follow.

Economic setting.—The fiscal policy I am recommending is designed to:

—Foster continued growth in employment and real income;

—Contain inflationary pressures;

—Ease the upward pressure on interest rates; and

—Continue the improvement in our balance of payments position.

Early in 1961, the American economy entered into a record-breaking period of prosperity which has continued for 8 years. Between 1960 and 1968, we have achieved:

—An increase of 45% in the Nation's output of goods and services;

—A rise of $24 billion in annual corporation profits, after taxes;

—An increase of 31% in real per capita spendable personal income (after adjustment for prices);

—The creation of more than 10 million new jobs;

—An average annual increase of 3.5% in output per man-hour;

—A reduction in the rate of unemployment to 3.3% of the labor force, the lowest level since October 1953; and

—A decrease of over 17 million in the number of people living in poverty.

In contrast, recent price developments have not been satisfactory, even though our record compares favorably with other major nations of the world. We have also had a sharp increase in interest rates, and our balance of payments position needs strengthening, although substantial progress has been made toward equilibrium.

To help correct these conditions, I requested and—after considerable delay—the Congress enacted the 10% tax surcharge. This measure has helped to calm fears abroad about our willingness and determination to take the steps needed to protect the American dollar. The delay in enacting the surcharge was costly, however. During the prolonged period of debate, price and cost increases gathered momentum. The fiscal restraint proposed in the 1969 and 1970 budgets is essential if we are to look toward a satisfactory price performance and a return to a sustainable rate of economic growth.

Many factors underlie the economic imbalances we are experiencing. A return to reasonable price stability will require continued fiscal restraint with appropriate adjustments in monetary policy and restraint in price and wage decisions by American business and labor. With a reduction in inflationary pressures, our balance of payments should improve as we strengthen our competitive position in world trade. Relative price stability should also relieve some of the pressures on the money markets and foster a reduction in interest rates. A year ago the very heavy borrowing requirements of the Federal Government were exerting extreme pressure on interest rates. This is no longer the case.

Although we are optimistic, we cannot predict with any certainty when the peace talks in Paris will reach a successful conclusion. Nor can we predict precisely the timing or magnitude of movements in our highly complex economy. Accordingly, I believe the wisest plan of action at this time calls for extension of the tax surcharge. Should the situation change significantly in the coming months, fiscal policy adjustments could be undertaken appropriate to the conditions then forecast.

When I signed the act providing for the tax surcharge, I pointed to the need for procedures in the future to assure closer cooperation between the executive and legislative branches in accomplishing the timely adjustment of fiscal policy. I believe the current uncertain outlook presents an excellent opportunity for attempting corrective action in this area.

—I urge the Congress to give serious consideration to coupling extension of the temporary surcharge beyond June 30, 1969, with authority for the President to remove it entirely or partially if warranted by developments. Such Presidential discretion would be subject to congressional veto within a limited time period.

—For the longer run, consideration should be given to establishing as a permanent part of our tax system an element of flexibility under which the President, again subject to congressional veto, would have discretion to raise or lower personal and corporation income tax rates within specified limits—such as 5% in either direction.

The Congress should take this action or develop a comparable alternative procedure to prevent in the future the kind of costly fiscal stalemate we experienced in the last year and a half.

Revenues.—In addition to extending the temporary income tax surcharge, I believe we should also extend the present excise tax rates of 7% on automobiles and 10% on telephone service, rather than allow these rates to drop to 5% on January 1, 1970, as currently scheduled by the Revenue and Expenditure Control Act of 1968. The $198.7 billion total estimated revenues for fiscal year 1970 includes $9.5 billion to be collected from extending the income tax surcharge and current automobile and telephone excise tax rates.

Budget receipts in fiscal year 1969 are estimated at $186.1 billion. Although declining, the continued high cost of supporting our operations in Southeast Asia will amount to more than double the revenue yields anticipated from extending the surcharge and excise tax rates into fiscal year 1970. If the surcharge were allowed to expire on June 30, 1969, and the excise taxes to decline on January 1, 1970, the growth in revenues, mainly resulting from an expanding economy and rising incomes, would approximately offset the revenue loss from the scheduled decline in tax rates. Receipts in fiscal year 1970 under existing law would be close to the estimated revenues in fiscal year 1969, and would be inadequate to cover the unavoidable, built-in increases in outlays.

BUDGET RECEIPTS

[Fiscal years. In billions]

Source	1968 actual	1969 estimate	1970 estimate
Individual income taxes	$68.7	$84.4	$90.4
Corporation income taxes	28.7	38.1	37.9
Social insurance taxes and contributions	34.6	40.5	45.9
Excise taxes	14.1	14.8	15.7
All other receipts	7.6	8.3	8.8
Total budget receipts	153.7	186.1	198.7
Under existing law	153.7	185.6	186.8
Under proposed legislation:			
Income and excise tax rate extensions		.5	9.5
Increase in social security wage base and tax rate			1.7
Accelerated unemployment tax payments			.3
User charges			.4

The rise of $12.6 billion in revenues between 1969 and 1970 includes an estimated $5.4 billion increase under social insurance programs, such as social security and unemployment insurance.

Most of this rise, $5.0 billion, is in social security receipts, including:

—The full-year effect of the increase from 8.8% to 9.6% in the combined employer-employee payroll tax rate, which occurred on January 1, 1969, and

—A proposed increase in the taxable wage base from $7,800 to $9,000 and in the combined employer-employee tax rate from 9.6% to 10.4%, effective January 1, 1970, in order to finance proposed benefit increases. The increase in the tax rate is currently scheduled by law to take effect on January 1, 1971.

Another $0.3 billion of the increase from 1969 to 1970 reflects proposed legislation to shift the timing of collections of the Federal unemployment tax from a lump-sum annual basis to a current quarterly basis. This change will provide more adequately for the administrative costs of the Federal-State employment security system.

Many Government programs offer services which yield direct and identifiable benefits to specific groups. Some of these programs should be financed by charging users for the services rather than having them financed by the general taxpayer. I believe this is sound public policy and should be extended to new areas.

In the past few years I have recommended legislation for user charges in the field of transportation, so that those who benefit directly will pay a fairer share of the costs involved. I am again recommending such user charges, and the 1970 estimate of revenues includes $0.4 billion based on my proposals.

Outlays.—The estimate of $195.3 billion in total budget outlays in fiscal year 1970 represents our minimum requirements to fill urgent needs at home and abroad. It is based on a detailed review of all Federal programs, with the objective of holding outlays down as much as possible, consistent with essential national economic and program objectives.

For fiscal year 1968, a reduction in agency obligations was enacted. For fiscal year 1969, the Congress enacted an arbitrary ceiling on total outlays in the Revenue and Expenditure Control Act of 1968. Each of these devices conflicts with the normal appropriations process and with current techniques of program planning and execution. Effective Government operations require that we reach an agreement on which of these conflicting budgetary approaches will be used in the future.

In limiting total outlays, the Congress departed from its traditional procedure of using individual appropriation actions as the primary means of exercising its control over the Federal budget. In contrast with normal practice, the Congress placed direct restrictions on the amount of checks that could be issued or cash disbursements that could be made in the 12-month period ending June 30, 1969.

To implement this new restriction, the executive departments and agencies have had to add to their financial control machinery. In prior years, executive control of the budget was exercised at the stage of placing contracts, hiring personnel, making loan and grant commitments, or incurring some other obligation. These obligations lead, of course, to Federal disbursements, sometimes in the same fiscal year and sometimes in a later fiscal year. Now, in fiscal year 1969, each executive establishment must also exercise direct control over the amount of disbursements it makes *within* the year.

An inflexible spending ceiling unrelated to the appropriations process forces inefficient or uneconomical practices in carrying out legislatively approved programs. In some cases, national priorities are arbitrarily distorted by the fact that the outlays for some Federal programs are sheltered in basic law from meaningful annual control, and, consequently, compensating reductions have to be made elsewhere.

In periods of inflationary pressure, such as we are now experiencing, the need for holding down Federal outlays is beyond dispute. Also, it would be unwise to try to correct within fiscal year 1970 the distortions from the obligation reductions of 1968 and the outlay controls of 1969. Therefore, in this budget, the estimates of expenditures and net lending in fiscal year 1970 must reflect the continuation of an executive policy of outlay management.

With such a policy, total budget outlays in 1970 are estimated to be up $11.6 billion from 1969. This includes $0.5 billion for national defense, largely for improvements in our strategic forces, modernization of our tactical air forces, and other increased research and development efforts needed to assure sufficient deterrent power in the future. These increases will be substantially offset by reduced outlays for Vietnam resulting from changing combat patterns and revised supply requirements.

Apart from national defense, three-quarters of the increase between 1969 and 1970 reflects relatively uncontrollable charges which must be met under present laws. The overall increase must, further, be judged in the light of the rising workloads and costs to which the Government—just as businesses, consumers, and other sectors of the economy—must accommodate.

The $8.6 billion increase in relatively uncontrollable outlays consists of:

—$2.9 billion for benefit payments and other outlays for social security, Medicare, and other social insurance programs financed through trust funds; this increase represents the automatic growth in benefits for these programs under existing law.

—$2.8 billion for the final stage of the pay increases for military and civilian employees enacted in 1967, to achieve pay comparability with the private sector.

—$1.6 billion for other charges which are relatively fixed in the short run under requirements of existing law (for example, interest on the debt, public assistance and Medicaid, and veterans benefits).

—$1.3 billion for outlays arising out of prior year contracts and other commitments now reaching the payment stage. This includes substantial amounts for highways, construction of education facilities, and health and community development programs.

BUDGET OUTLAYS

[Fiscal years, in billions]

Controllability	1968 actual	1969 estimate	1970 estimate	Change 1969-70
National defense	$80.5	$81.0	$81.5	+$0.5
Relatively uncontrollable civilian outlays under present law:				
Open-ended programs and fixed costs:				
Social security, medicare, and other social insurance trust funds	35.5	39.6	42.4	+2.9
Interest	13.7	15.2	16.0	+.8
Civilian and military pay increase			2.8	+2.8
Veterans pensions, compensation, and insurance	5.0	5.6	5.9	+.2
Public assistance grants (including medicaid)	5.3	6.3	7.4	+1.1
Farm price supports (Commodity Credit Corporation)	3.2	3.6	3.1	−.5
Postal operations directly related to mail volume	.7	.5	.5	+.1
Legislative and judiciary	.3	.4	.4	[1]+
Other	1.3	1.6	1.5	−.1
Outlays from prior year contracts and obligations	17.3	17.6	18.9	+1.3
Subtotal, relatively uncontrollable civilian outlays	82.4	90.2	98.8	+8.6
Relatively controllable civilian outlays:				
Proposed social security benefit increases			1.6	+1.6
Other	20.5	17.6	19.0	+1.5
Undistributed intragovernmental transactions	−4.6	−5.1	−5.7	−.6
Total, budget outlays	178.9	183.7	195.3	+11.6

[1] Less than $50,000,000.

In keeping with national priorities, major social programs account for the largest portion of the $11.6 billion increase in outlays between 1969 and 1970. Of the $7.9 billion increase for these programs, $4.5 billion is for social insurance payments including my proposals for an increase in social security benefits.

Aside from the increases for national defense and such relatively uncontrollable outlays as Federal pay and interest, outlays for all other civilian programs are estimated to increase by only $0.2 billion.

Budget authority.—For fiscal year 1970, a total of $210.1 billion of budget authority is recommended, including:

—New obligational authority of $209.6 billion for programs in the expenditure account of the budget, and

—Loan authority of $0.5 billion for loan account programs.

Budget authority—mostly in the form of appropriations—must be provided by the Congress before Federal agencies can spend or lend funds. Some authority requires congressional action each year or at fairly regular intervals. Other amounts of authority become available under basic law, and require no specific additional action by the Congress.

Of the total budget authority I am recommending for 1970, $143.9 billion would have to be acted on during this session of the Congress. The estimated 1970 outlays related to such action total $93.8 billion.

The remaining authority, which does not require further congressional action, consists mainly of amounts for social insurance trust fund programs, under which the special receipts financing the programs are automatically appropriated, and for interest on the public debt.

The $15.5 billion increase in total budget authority estimated between 1969 and 1970 consists mainly of $5.4 billion representing the increase in social insurance trust fund receipts, $3.6 billion for the Department of Defense and the military assistance program, and $2.8 billion for the military and civilian pay increase to be put into effect in July 1969.

The remaining increase of $3.6 billion in budget authority for 1970 is the net result of a number of increases and decreases.

The major *increases* are:

—$2.0 billion, primarily for Medicaid and other public assistance, health, and rehabilitation programs in the Department of Health, Education, and Welfare.

—$966 million for foreign economic assistance, to enable us to provide urgently needed resources to developing areas on a selective basis following the large reductions of the past two years.

—$800 million for interest on the public debt.

—$522 million for airway modernization, highways, and other activities in the Department of Transportation.

—$429 million for job training and other manpower activities of the Department of Labor and the Office of Economic Opportunity.

—$422 million for the Veterans Administration, mainly for increases in compensation, pensions, and medical care.

—$286 million for the Department of Justice, primarily to increase assistance to States and localities for law enforcement activities.

Major *decreases* from 1969 to 1970 are:

—$635 million for the Department of Agriculture, largely reflecting lower costs for the Commodity Credit Corporation associated with smaller crops of wheat and soybeans, and increased use of feed grains.

—$286 million for the Post Office, reflecting proposed legislation to consolidate first-class and domestic air mail into a single category with a rate 1 cent higher than the present first class rate, and to adjust the rate for single-piece third-class mail.

—$236 million for the Department of Housing and Urban Development, as increases for various programs are more than offset by reductions in direct loans for college housing and housing for moderate-income families, which are being replaced by programs relying on private financing.

—$235 million for the National Aeronautics and Space Administration, which will provide for a program level equal to 1969 when combined with prior year funds.

—$133 million for the Atomic Energy Commission, reflecting reductions in procurement of raw uranium concentrates and in construction of facilities.

An allowance for contingencies of $500 million is included in the total of budget authority for 1970 to cover unforeseen developments and the costs of proposals for which specific estimates cannot be made at this time.

BUDGET AUTHORITY

[Fiscal years. In billions]

Description	1968 actual	1969 estimate	1970 estimate
Available through current action by the Congress:			
Previously enacted	$134.4	$127.8	
Proposed in this budget			$139.3
To be requested separately:			
For supplemental requirements under present law		4.5	
Upon enactment of proposed legislation		.2	1.3
Allowances:			
Civilian and military pay increase			2.8
Contingencies		.2	.5
Subtotal, available through current action by the Congress	134.4	132.6	143.9
Available without current action by the Congress (permanent authorizations):			
Trust funds (existing law)	47.8	53.5	59.1
Interest on the public debt	14.6	16.0	16.8
Other	5.4	5.8	4.3
Deductions for offsetting receipts:			
Interfund and intragovernmental transactions	−6.9	−8.7	−9.1
Proprietary receipts from the public	−4.7	−4.6	−4.8
Total budget authority	190.6	194.6	210.1

The total budget authority shown in this budget for 1969 includes $4.7 billion of supplemental appropriations recommended for action in the current session of the Congress. Of this amount, $1.6 billion is needed to provide for the pay increase which became effective on July 1, 1968. A supplemental appropriation of $1.6 billion is also recommended for the Department of Defense, for special Southeast Asia support.

In addition, the 1969 total makes provision for supplemental appropriations required for public assistance and veterans compensation and pensions, which are now estimated at higher levels than provided for last year, and for the urgently needed replenishment of the resources of the International Development Association and a contribution to the special funds of the Asian Development Bank, following enactment of the necessary authorizations.

The estimate of total outlays in 1969 and 1970 includes the outlays related to these supplemental funds.

IMPACT OF REVENUE AND EXPENDITURE CONTROL ACT IN FISCAL YEAR 1969

In addition to various provisions affecting the tax system, the Revenue and Expenditure Control Act of 1968 (Public Law 90–364) contained several sections designed to curb current and future budget outlays. The act provided for:

—Specific limitations on budget authority and outlays in fiscal year 1969, representing—for the programs covered—reductions of $10 billion and $6 billion, respectively, below the levels in the 1969 budget which I sent to the Congress on January 29, 1968.

—An analysis of funds previously made available by the Congress which are estimated to be unobligated on June 30, 1969, and to remain available in 1970, with a report including recommendations for rescissions of at least $8 billion of such balances.

—Restrictions on the hiring of full-time, permanent employees of Federal agencies to 75% of separations, until the total of such employees reaches the June 1966 level.

Budget authority and outlays.—In setting the limitations on budget authority and outlays, the Congress excepted certain programs from the required reductions and subsequently added other exceptions. The exceptions amount in total to more than half of the currently estimated budget, including special support of Vietnam operations and the largest uncontrollable programs in the budget—programs which have shown the sharpest growth in recent years.

The current estimate of $194.6 billion in total budget authority for fiscal year 1969 is $7.1 billion below the estimate in last year's budget. An increase of $6.1 billion is now estimated for the programs exempted from the provisions of Public Law 90–364, largely for (1) special Vietnam costs, reflecting mainly the adjustments I announced on March 31, 1968, (2) the price support operations of the Commodity Credit Corporation, because of larger crops than anticipated last January, (3) social security trust funds, in which the receipts—which constitute budget authority—are greater than originally estimated, (4) interest costs, reflecting both a larger debt and higher interest rates, and (5) public assistance grants, based on reports received from participating State governments.

The current status of *budget authority* for fiscal year 1969 is as follows:

BUDGET AUTHORITY FOR FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$25.4	$28.0	+$2.6
Interest	14.4	15.2	+.8
Veterans benefits and services	7.8	7.5	−.3
Social Security Act trust funds	41.8	42.6	+.9
Old-age and survivors insurance	(27.2)	(27.8)	(+.7)
Disability insurance	(3.7)	(3.8)	(+.1)
Health insurance	(6.8)	(7.3)	(+.5)
Unemployment insurance	(4.1)	(3.8)	(−.3)
Commodity Credit Corporation (price support and related programs)	3.3	4.8	+1.6
Public assistance grants to States (including Medicaid)	5.8	6.4	+.7
Subtotal, excepted programs	98.4	104.6	+6.1
Remainder—covered by Public Law 90-364 limitation	103.3	90.1	−13.2
Total	201.7	194.6	−7.1

For the programs affected by the limitation required under Public Law 90-364, budget authority is now estimated to be $13.2 billion under last January's estimate. A portion of this reduction reflects the conversion to complete private ownership of the Federal National Mortgage Association's secondary market operations, the Federal intermediate credit banks, and the banks for cooperatives. However, the $10 billion required reduction is being achieved over and above these factors, and without the need for me to establish reserves which would result in automatic rescission of enacted 1969 budget authority as authorized under the law.

For *budget outlays*, the current situation is as follows:

BUDGET OUTLAYS IN FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Current estimate	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$26.3	$29.2	+$2.9
Interest	14.4	15.2	+.8
Veterans benefits and services	7.3	7.7	+.4
Social Security Act trust funds	36.0	36.4	+.4
Old-age and survivors insurance	(24.6)	(24.6)	(+.1)
Disability insurance	(2.6)	(2.6)	[1] —
Health insurance	(5.8)	(6.2)	(+.5)
Unemployment insurance	(3.1)	(3.0)	(−.1)
Tennessee Valley Authority (portion financed from power proceeds and borrowing)	0.1	0.1	[1] +
Commodity Credit Corporation (price support and related programs)	2.8	3.6	[2] +0.9
Public assistance grants to States (including Medicaid)	5.7	6.2	[2] +.6
Aid to schools in federally impacted areas (special 1968 supplemental payments made in 1969)		.1	+.1
Subtotal, excepted programs	92.6	98.6	+6.0
Remainder—covered by Public Law 90-364 limitation	93.5	85.1	−8.3
Total	186.1	183.7	−2.4

[1] Less than $50,000,000.

[2] Outlays exceeding the January 1968 estimates by more than $907,000,000 for farm price supports and $560,000,000 for public assistance grants are not excepted from the Public Law 90-364 limitation.

In total, outlays in 1969 are now estimated to be $2.4 billion below the original estimate last January. Upward reestimates amounting to $6.0 billion have been necessary in the programs excepted from the spending limitation, reflecting the same factors as those affecting budget authority.

For the portion of the budget covered by the limitation in Public Law 90-364, the current estimate of outlays represents a reduction of $8.3 billion below the January 1968 estimate for fiscal year 1969. These reductions include decreases in Department of Defense programs apart from Southeast Asia support as well as in the civilian agencies of the Government.

As in the case of budget authority, the required $6 billion cutback in outlays for covered programs is being accomplished over and above reductions resulting from financing changes associated with the conversion of certain credit institutions to private ownership. The currently estimated reduction will allow leeway in carrying out the provisions of Public Law 90-364, should unforeseen increases occur in the affected programs in the months ahead.

The Vocational Education Amendments of 1968 contain a provision permanently exempting appropriations made to the Office of Education from administrative controls on obligations and spending. While this administration has made education an urgent national priority, it is highly undesirable to restrict in this way the actions which a future President might find necessary for prudent management of the Government.

Unobligated balances.—As required by section 204 of Public Law 90-364, an analysis has been made of the unobligated balances estimated to remain available in fiscal year 1970. A report of the results, indicating possible rescissions of the required $8 billion of these balances, is provided in Special Analysis G. I do not favor those rescissions and therefore the tables and schedules in the various parts of the budget do not reflect such action.

Federal civilian employment.—The requirement in Public Law 90-364 that restrictions on hiring be imposed until the Government's full-time permanent civilian employment is reduced to the June 1966 level has inevitably created many difficulties for orderly management of the Government's activities. As originally enacted, this requirement would have necessitated an eventual reduction of over 250,000 employees from the level of June 1968, despite a substantial increase in workloads compared with 2 years earlier. Shortly after enactment of the law, the Congress exempted roughly one-third of the Government's full-time employees in specified agencies, with the effect of lowering the required reduction to about 115,000.

The controls in the law also affect temporary and part-time employment, requiring that such employment each month in any agency not exceed the level of the corresponding month in 1967.

The administration has successfully enforced these provisions to date. However, it is clear that continued arbitrary reductions in employment over a period of time will hamstring effective management of programs and personnel practices, will reduce efficiency and increase costs, and will lead to further curtailment or to interruption of Government services. This situation is aggravated by the need to provide staff for new programs adopted after June 1966 and for enlarged workloads which occur as the population grows and the economy expands.

During the past 5 years, I have, as a regular practice, imposed employment limitations on the agencies to provide incentives for improving productivity and to keep the Federal payroll to a minimum. Limitations for each department and agency were related to the program and budgetary levels recommended by me and approved by the Congress, rather than to some arbitrary formula or unrelated benchmark period.

The Congress should rely on its appropriations process—or develop an acceptable accompanying process—to relate employment levels specifically to the work it wants done by each agency and for which it provides the necessary funds. The 1970 estimates in this budget are based on such action.

FEDERAL DEBT

On the basis of the estimates of receipts and outlays in this budget, the *Federal debt held by the public* will decrease from $290.6 billion on June 30, 1968 to $276.6 billion on June 30, 1969, and will further decline to an estimated $272.6 billion on June 30, 1970. This decrease reflects:

- —The sharp reduction in net Federal borrowing requirements from the unusually high level in 1968, since outlays in both 1969 and 1970 will be financed entirely from current revenues; and
- —The conversion to complete private ownership during 1969 of the secondary market operations of the

Federal National Mortgage Association, the Federal intermediate credit banks, and the banks for cooperatives, causing a net reduction of $10.9 billion in outstanding obligations to the public previously included in the Federal debt.

Gross Federal debt—which is the sum of the amount of debt held by the public and the amount held within the Government—is estimated at $371.5 billion at the end of the fiscal year 1970. This total includes not only the direct obligations of the Treasury, but also $14.1 billion in securities issued by various other Federal agencies.

FEDERAL DEBT AND BUDGET FINANCING

[End of fiscal years. In billions]

Description	1968 actual	1969 estimate	1970 estimate
Federal debt held by the public	$290.6	$276.6	$272.6
Plus: Debt held by Federal agencies and trust funds	79.1	88.6	98.9
Equals gross Federal debt	369.7	365.2	371.5
Of which:			
Treasury debt[1]	345.3	350.2	357.4
Other agency debt	24.4	15.0	14.1
Budget financing:			
Net borrowing from the public or repayment of borrowing (−)	23.1	−3.1	−4.0
Other means of financing	2.1	.7	.6
Total, budget financing	25.2	[2] −2.4	−3.4
Total, budget surplus or deficit (−)	−25.2	2.4	3.4

[1] Excludes notes issued to the International Monetary Fund.

[2] Excludes $10,800,000,000 of net credits for conversion of certain mixed-ownership credit institutions to private ownership.

The statutory debt limit now stands at $358 billion, with a temporary seasonal increase to $365 billion permitted within each fiscal year. These limits apply mainly to the direct Treasury debt and do not cover most of the publicly issued agency debt. As a result of the unusually large increase in special Treasury issues to Government trust funds for investment of their surplus receipts in the latter half of the fiscal year, the direct Treasury debt will be relatively high, even though a budget surplus is in prospect and borrowing from the public will decline. It may be necessary, therefore, within the next few months, to revise the present debt limit. Even if this does not prove necessary at that time, the need for such action will, in all probability, arise next fall, when budget receipts will be seasonally low.

THE SETTING OF PRIORITIES

The overall *size* of the Federal budget reflects the needs and demands for public services as a whole. The *composition* of the budget reveals much about the Nation's priorities.

As the population grows and the economy expands, outlays for such public services as improvements in our national parks and other Federal recreation areas, air safety, law enforcement, and the collection of taxes and customs duties inevitably increase.

In other areas—such as space exploration, veterans benefits, farm price supports, housing aids, and conservation of our natural resources—the Federal Government has undertaken long-range commitments and programs. And, in recent decades, the Government has responded to urgent national social problems by launching programs to reduce unemployment of our workers, protect the incomes and health of our older citizens, revitalize urban areas, attack the sources of poverty, improve educational opportunities for our children and youth, and ensure equal treatment and justice for all Americans.

Outlays for national defense are the heaviest single expense of the Federal Government, representing more than two-fifths of the total budget. Defense outlays in 1970 will be $28.0 billion higher than in 1964, largely reflecting the costs of supporting our efforts in Vietnam.

Within the remainder of the budget, there have been significant shifts in emphasis in these 6 years.

As we have increased our efforts to widen the opportunities for the disadvantaged, and improve the quality of life for all Americans, outlays for major social programs have risen by $37.4 billion, more than doubling since 1964. This is twice the rate of increase of outlays for any other category of Government programs.

Nearly two-fifths of the increase in these social programs is for social security and other social insurance trust fund benefits to ease the burdens of income loss because of retirement or unemployment. But among the most rapidly growing Federal programs have been those which represent *investment in human resources*—through education, manpower training, improved health care, and aid to the needy.

CHANGING STRUCTURE OF FEDERAL BUDGET OUTLAYS

[Fiscal years. In billions]

Program	1964 actual	1968 actual	1969 estimate	1970 estimate	Change, 1964-70
National defense	$53.6	$80.5	$81.0	$81.5	+$28.0
(Special Southeast Asia support)		(26.5)	(28.8)	(25.4)	(+25.4)
Major social programs:					
Social insurance trust funds (excluding medicare)	22.7	30.2	33.3	37.2	+14.4
Welfare payments and services	3.4	4.6	5.3	6.1	+2.6
Education and manpower training	1.6	6.4	6.5	7.2	+5.6
Health (including medicare)	1.8	9.7	11.4	13.0	+11.2
Low- and moderate-income housing	(1)	.9	.9	1.1	+1.1
Community and regional development	.8	1.8	2.4	3.3	+2.4
Subtotal, major social programs	30.4	53.7	59.8	67.8	+37.4
Interest	9.8	13.7	15.2	16.0	+6.1
Veterans benefits and services	5.7	6.9	7.7	7.7	+2.0
All other programs	22.1	28.6	25.0	24.9	+2.8
Allowances for pay increases and contingencies			.1	3.2	+3.2
Undistributed intragovernmental transactions	−2.9	−4.6	−5.1	−5.7	−2.8
Total	118.6	178.9	183.7	195.3	+76.7

[1] Less than $50,000,000.

BUDGET OUTLAYS AS A PERCENTAGE OF GROSS NATIONAL PRODUCT

[Fiscal years]

	Average, 1955-60 actual	1965 actual	1968 actual	1969 estimate	1970 estimate
Total outlays:					
Vietnam		(1)	3.3	3.3	2.7
Social insurance trust funds	2.4	3.5	4.3	4.4	4.6
Other outlays	15.9	14.5	14.2	12.9	13.2

[1] Less than 0.05 percent.

More than one-tenth of total budget outlays are for unavoidable interest costs and for benefits and services to veterans. These show a combined increase of $8.2 billion between 1964 and 1970, representing a growth of 53%.

Outlays for all the other programs of the Federal Government are estimated at $24.9 billion in 1970, compared with $22.1 billion in 1964. The rise of only one-eighth for these programs in 6 years reflects the general policy throughout the budget of providing increases strictly on a selective basis, giving highest priority to programs which strike at the most urgent problems, holding down those with less urgency, and reducing outlays wherever possible and appropriate to current priorities.

During the six-year period, 1964 to 1970, annual budget outlays will have increased by $76.7 billion, from a total of

$118.6 billion in fiscal year 1964 to an estimated $195.3 billion for 1970.

Nevertheless, Federal outlays as a proportion of gross national product—that is, as a share of our total economy—have remained at about one-fifth for the past 15 years. Excluding special Vietnam costs and the self-financed social insurance trust funds, outlays have been declining as a share of the Nation's output.

In the budgets covering the years of my administration, including the budget I am transmitting today, the Federal Government will have:

- —Provided $969 billion for programs to improve the lives of our citizens and to protect the Nation's security. About two-thirds of the total increase in outlays are in domestic activities.
- —Received $936 billion in revenues to finance Federal defense and civilian programs.

The total deficit in the fiscal years 1965 through 1970 is estimated at $33½ billion. That deficit, however, is more than offset by over $35 billion in lower taxes returned to individuals, families, and corporations during this period as a result of the reduced tax rates put into effect shortly after I became President. This reduction takes into account increases in social security taxes to provide higher benefits, and extension of the income tax surcharge and present automobile and telephone excise tax rates through 1970.

BUDGET PERSPECTIVES

The expansion of the Federal Government's social programs in recent years is highlighted by looking separately at selected areas in which the Government is making important contributions to improving the quality of American life. Many of the Government's efforts to develop the Nation's human resources and aid the deprived contribute to more than one important social objective. Outlays devoted to attacking the sources and symptoms of poverty, for example, take the form of improved educational opportunities, health services, manpower training, income security, or a combination of all of these.

The figures used in the following sections are designed to show the full range of Federal activities in the fields covered. They are therefore more inclusive than the functional data used in adding to the budget total, and contain some duplication. However, they do offer a broad perspective of the trends and accomplishments in the total Federal effort to resolve urgent national problems.

Housing.—Last year I recommended, and the Congress enacted, the Housing and Urban Development Act of 1968 to fulfill a goal set by this Nation almost two decades ago—"a decent home and a suitable living environment for every American family."

In the years since passage of the Housing Act of 1949, the Nation has made progress in meeting housing needs. However, the goal of decent housing is still unfulfilled for many Americans.

The 1968 Act will involve the Federal Government in a new and closer partnership with private industry and labor to provide 26 million new or rehabilitated homes and apartments over the next 10 years. A significant part of this new program will be Federal assistance for 6 million dwelling units to assure adequate housing for families with meager resources. The initial goal is to build or repair 700,000 homes and apartments for low and moderate income urban and rural families in the first 2 years. Both the Department of Housing and Urban Development and the Department of Agriculture are involved in this major undertaking.

The Housing Act of 1968 is the most significant and comprehensive action in the Nation's history to bring decent, safe, and sanitary housing to all Americans. Its provisions include:

- —A new home ownership assistance program to enable lower income families to own homes—a goal which has previously been beyond the resources of these families.
- —A new rental housing assistance program, in order to make it possible for lower income families and elderly persons to obtain decent shelter for 25% of their income.
- —Establishment of an insured loan program in the Farmers Home Administration to provide assistance for lower income housing in rural areas, at interest rates as low as 1%.
- —The creation of New Communities to complement our efforts to revitalize the inner city.
- —Improved services in public housing developments so that tenants can take better advantage of job and education opportunities, and become more involved in solving the problems of the developments in which they live.
- —Expanded use of rent supplements to enable families eligible for public housing to rent new or rehabilitated private housing, for which they will pay a minimum of 25% of the family's income.
- —Encouragement for the establishment of national housing partnerships, in which major corporations can work with local builders to help increase housing production.

Private financing is essential if the goals of the Housing and Urban Development Act of 1968 are to be achieved. In addition to the private financing, the 1970 budget contains $1.1 billion in outlays by the Department of Housing and Urban Development for assistance for low and moderate income housing.

We must bring an end to discrimination against prospective homebuyers or renters based on race, color, religion, or national origin. Since January 1, 1969, the fair housing provisions of the 1968 Civil Rights Act have been applicable to 20 million dwelling units. An estimated 55 million additional units will be covered in 1970. The budget provides for the Department of Housing and Urban Development to carry out its responsibilities for education, investigation, and conciliation under the act, and for the Department of Justice to start investigating patterns of discrimination in housing and to take cases to court where conciliation efforts fail.

The massive housing needs of our growing Nation can only be met through a major commitment by governments at all levels working with private industry and labor to provide suitable housing for all Americans—and to eliminate the rat-infested city slum and the dilapidated shacks which dot the countryside. We have now made such a commitment.

Aids to urban areas.—America is an urban nation. Almost two-thirds of our people live in metropolitan areas—consisting of clusters of people and problems. More than 80% of the Nation's population growth between 1960 and 1966 occurred in such major urban centers.

The national interest in the cities could be explained solely in terms of these population statistics. But this explanation is not sufficient. Over a period of years, the American city has been plagued by problems which are now reaching crisis proportions—aggravated by multiple and overlapping governmental responsibilities and racial and economic separation. Central cities and suburbs are both hard-pressed to provide the public services required by their citizens. Their revenue sources lag behind service needs. Frequent tax increases—based mainly on property and retail sales—bear down heavily on the poor and middle-income families.

To meet the serious urban challenges of today, and to plan for a better tomorrow, the Federal Government is channeling steadily rising amounts of funds into these metropolitan areas. In part, these funds are used for direct Federal programs, such as social security benefits to individuals and construction of post offices. In addition, Federal grant-in-aid programs are increasingly focused on the special needs of the city. In 1964 we spent an estimated $5.6 billion, or 55% of total Federal grants in such areas. The 1970 budget provides $16.7 billion for aid in metropolitan areas, about 67% of total Federal grants.

This increase in urban assistance is the result of both new programs and the reshaping of existing efforts.

To help meet the financial needs of the Nation's fastest growing urban areas, I recommend legislation to create a federally assisted Urban Development Bank. This Bank will provide long-term financing and technical assistance for capital improvements vitally needed by urban communities, large and small.

The Model Cities program is concentrating all available resources in a comprehensive attack on neighborhood social and physical blight. I am requesting $750 million for 1970 and $1,250 million for 1971 to provide special supplementary grants to the cities participating in the program.

Other existing programs are being molded into more effective patterns for urban use. The urban renewal program, for example, is giving priority to city actions which increase the supply of low-income housing or jobs for the unemployed. A new approach, enacted last year, will allow cities to schedule renewal as they do other capital expenditures, speed renewal activity, and obtain annual Federal grants for a citywide program, rather than grants for single projects. The Congress has already provided $750 million for urban renewal for 1970. To assure continued progress, I recommend an additional $250 million for 1970 and another $1,250 million for 1971.

Although sufficient funds must be available to permit concentrated development, we know that money alone is not enough. To be effective, the funds provided must aid local plans developed with the involvement of the entire community. Both the Community Action and the Model Cities programs help communities carry out their own plans, and require that the plans be developed with the participation of the citizens concerned, an essential ingredient in revitalizing blighted areas of our cities.

During 1970, 150 cities will be on their way to shaping Model Neighborhoods, and some 1,000 Community Action programs will actively continue to help localities and their citizens find their own solutions to the acute problems of poverty they now endure.

A concerted effort is also being launched to increase the number of independent businessmen from racial or ethnic minority groups. The Small Business Administration will make or guarantee loans valued at more than $300 million in 1970 for this purpose—almost a tenfold increase in just 2 years. In addition, the Special Impact programs financed under the Economic Opportunity Act will provide for economic development of disadvantaged communities, including encouragement of local businesses, and incentives for industry to locate in these communities and provide jobs and training for local residents.

We have set forth on an ambitious and challenging task—reclaiming the American city for ourselves and our posterity.

Crime control.—The first business of government is public order. This Administration has made public safety and order one of its principal concerns. Since 1964, Federal outlays aimed at crime reduction have risen each year, and will approach $900 million in 1970.

We have moved forward on two fronts:

—Improved law enforcement at the State and local level, where the primary responsibility rests.

—Strengthened Federal Government support through its own enforcement agencies and by expanded aid to States and localities.

The National Crime Commission, appointed in 1965, called attention to our mounting crime problem, the need for modernizing our entire system of criminal justice, and the necessity for additional resources to be devoted to law enforcement. The Commission recommended as a primary thrust, a major Federal effort to improve the administration of justice by assisting and strengthening law enforcement in our States and communities.

The Crime Control and Safe Streets Act, proposed in 1967 and enacted last year, grew out of this recommendation. This landmark law represents the first Federal program for direct major assistance to States and cities to combat lawlessness, bolster law enforcement, and improve court and correctional systems. Its provisions offer a full range of anticrime activity through grants to States and localities, academic assistance to improve the quality of law enforcement manpower, and a research and development effort to bring the knowledge of the physical and social sciences more sharply to bear on the problem of crime.

Also based on this administration's recommendation, the Congress last year enacted the Juvenile Delinquency Prevention and Control Act. This program authorizes grants to assist States and local agencies in dealing with youths individually in their own communities, and in providing special community treatment facilities. Through the use of these facilities, much of the stigma associated with jail and prison environment will be avoided and a barrier to rehabilitation will be removed.

This budget includes outlays of $206 million in 1970 for these two new programs to fight crime and delinquency at the State and local level.

We are also substantially increasing the range and the impact of Federal criminal law and effectively strengthening Federal enforcement agencies.

Other legislative milestones to strengthen the effort toward reducing crime and improving the administration of justice are:

—The Gun Control Act of 1968, which regulates the import, manufacture, and distribution of guns.

—The Prisoner Rehabilitation Act and the Narcotic Addict Rehabilitation Act, which represent major steps toward returning law violators to society better equipped to be responsible citizens.

—Provision of criminal penalties for the illegal manufacture, sale, distribution, or possession of LSD and certain other drugs.

—Laws to reinforce the drive against organized crime by easing the gathering of competent evidence, deterring obstruction of criminal investigations, and permitting the Federal Government to attack loan sharking, an activity that provides organized crime with its second largest source of income.

Action has also been taken to strengthen directly the law enforcement agencies of the Federal Government:

—The staff of the Federal Bureau of Investigation has increased by over 15% since 1964.

—A new FBI Academy is being built which will permit an increase in the number of State and local law enforcement personnel trained from 200 to 3,000 annually.

—A new Bureau of Narcotics and Dangerous Drugs has been established in the Department of Justice, effectively consolidating functions previously performed separately in the Treasury Department and the Department of Health, Education, and Welfare.

—The Treasury Department's law enforcement staff dealing with counterfeiting, forgery, contraband, and tax fraud has been increased. The Department is taking the lead in planning for a new training center for law enforcement personnel of the Federal Government.

—The National Crime Information Center, which began operation in the FBI in 1967, computerizes information on crime, and enables States and cities to make direct requests of the system for information that is instantly available regarding law violators and stolen property.

These and other advances provide a firm basis for an improved anticrime effort. As an urgent next step, the Congress should enact legislation requiring Federal gun registration and licensing, to reduce the tragically large number of violent crimes and deaths involving firearms. A stronger anti-gambling law is also needed to strike at organized crime. Further progress will require both increases in resources and bold new approaches to crime prevention and rehabilitation of criminals to turn them permanently away from crime.

Education.—This Administration has sought two goals in American education above all others:

—That every child, regardless of family income, race, or place of residence, should have an opportunity for all the education he wants and can absorb.

—That the schools and colleges should undergo continuing regeneration to improve the quality of education—through experimentation with new materials and methods, new ways of using staff, and new organizations.

The years 1964 to 1970 are witness to an unprecedented growth in Federal support for education. Total Federal outlays for education are estimated at $9.8 billion in 1970, compared with $3.1 billion in 1964. Federal funds represented about 9% of total national expenditures for schools and colleges in 1964. They now equal approximately 14% of the total—including 8% of the support for elementary and secondary education, and 23% for higher education.

This has been a period in which 60 education measures have been enacted, including such landmarks as the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, the Vocational Education Amendments of 1968, and the Higher Education Amendments of 1968. These and other laws have enabled us to make major strides toward the realization of our education goals.

—We are now assisting in the education of 9 million children from low-income families under Title I of the Elementary and Secondary Education Act of 1965.

—We are providing a Head Start for 716,000 preschool children, many of whom would otherwise enter school with two strikes against them, and Follow Through for 63,500 children to preserve their gains.

—About 182,000 children who suffer mental or physical handicaps requiring special educational methods are now enrolled in classes with Federal support.

None of these programs were available in 1964.

Under the budget proposals for 1970, college students will receive a total of 2 million grants, loans, and interest subsidies for guaranteed loans, compared with 247,000 in 1964. This assistance is reaching about 1 out of every 4 students.

Between 1965 and 1970, the Federal Government will have assisted in the construction of more than $9 billion worth of college classrooms, libraries, and other facilities, providing space needed to cope with rapidly expanding enrollments. This investment is helping colleges and universities to achieve a level of construction almost double the level of the previous 5 years.

About 500,000 students will receive support for education and training in 1970 under Veterans Administration programs—principally the GI bill—compared with about 30,000 in 1964.

More than 4 million high school students and 845,000 technical students will be enrolled in federally supported vocational education programs in 1970, an increase of 200% in 5 years.

The past few years have been a period of innovation and experimentation to improve the quality of American education. They have been years of:

—The "new" physics, math, and history;

—Introduction of more effective ways to use personnel in the schools;

—Improvement in the quality of teaching through graduate fellowships and short-term refresher training which will reach about one teacher out of 11 in 1970; and

—Creation of the Teacher Corps, which in 1970 will bring 2,400 talented and concerned young people into the most demanding classes in the Nation—those in our city slums and poor rural areas.

In recent years, the Federal investment in academic research and development has continued at a high level—mainly through grants by the Department of Health, Education, and Welfare, the Department of Defense, and the National Science Foundation. Federal funds represent about two-thirds of the total research and development performed by universities. They have been of mutual benefit to the institutions—by strengthening their courses of graduate study—and to the people of the Nation, whose health, security, and amenities of daily life are dependent on the results of this research.

The Nation can take great pride in its recent educational advances. For the future, we should set as a national goal a cooperative Federal-State-local government effort to offer quality preschool education not only to poor children, but to all children. And we must increase our efforts to meet the growing financial needs of higher education and to remove all financial barriers which prevent some American children from attending college.

We look forward to further progress in developing a creative and revitalized educational system which draws on the growing store of new and exciting ways of fostering learning and helping every American to fulfill his potential.

Manpower.—At a time when more Americans are productively employed than ever before, millions of Americans lack the skills and opportunity to earn a decent living. To help overcome this problem, the Federal Government has significantly expanded its manpower programs.

Outlays for these programs are estimated to rise from $735 million in 1964 to $3.5 billion in 1970, about a fivefold increase. As a result, 2 million individuals will be helped to find suitable jobs, compared with 278,000 individuals in 1964.

Most in need of assistance are those who are ill-equipped for gainful employment through lack of education and job skills, or are handicapped by racial and other discrimination, physical disabilities, and deprived environments. This group has received increasing attention in the Government's manpower development efforts. In 1970, the poor will comprise over 85% of those aided.

Last year I began a new on-the-job training effort, the program for Job Opportunities in the Business Sector (JOBS), to enlist the services of private industry and labor in providing training and employment for the disadvantaged. With the able support of the National Alliance of Businessmen, JOBS has already reached its initial goal of employing 100,000 men and women in the Nation's 50 largest cities almost 6 months ahead of schedule. This budget provides funds for 140,000 additional JOBS training slots in 1970, double the number in 1969. With the continued commitment of the private sector, the goal of 500,000 individuals in jobs by June 1971 will be attained.

In 1970, the broad range of manpower services provided our Nation's population will be expanded:

—The Job Corps will provide education and training for 70,000 young people from the poorest families, to help them become productive, self-supporting adults.

—The Neighborhood Youth Corps will provide 100,000 part-time job opportunities during the school year and nearly 300,000 such opportunities during the summer months to help needy high school students remain in school. It will also provide work and training experience for over 100,000 out-of-school youths and adults.

—The Vocational Rehabilitation program will restore 265,000 of the physically and mentally handicapped to productive lives, 145,000 more than in 1964.

—The new Work Incentive (WIN) program, started in 1969, will be operational for the full year, providing training, work experience, and placement opportunities for 175,000 welfare recipients. Care will be provided for 146,000 children of these recipients, to enable them to stay on the job.

—The Concentrated Employment Program (CEP), started in 1967, will operate in 82 urban and rural areas, providing concentrated and comprehensive manpower services to 115,000 individuals. These services range from seeking out and recruiting the hard core unemployed, to testing, counseling, and providing them with medical and educational services, through training and placement in jobs.

Other programs will train over 500,000 people in 1970, compared with about 100,000 in 1964, and will provide job placement services for over 12 million people. These programs include:

—Classroom and on-the-job training under the Manpower Development and Training Act,

—The New Careers program to open sub-professional jobs in the public sector to the disadvantaged,

—Training of servicemen by the Department of Defense which helps prepare them for civilian jobs, including special training of those from disadvantaged backgrounds,

—Veterans Assistance Centers to help newly-discharged veterans through counseling and placement in suitable jobs, and

—Training provided for Indians by the Department of the Interior.

Helping those who want to work to get a job provides benefits to the entire Nation—to the individual, self-respect; to his family, a better and more secure life; and to society as a whole, a reduced welfare burden and expanded economic activity.

Health.—A primary goal of our Nation is to provide decent medical care for every citizen. Toward this end, Federal outlays for health in 1970 will rise to an estimated $18.3 billion, an almost fourfold increase since 1964. As a proportion of the Nation's total health expenditures, Federal outlays will increase from 13% in 1964 to about 30% in 1970.

The record of the last 5 years has been truly remarkable. Over 40 health laws have been enacted, enabling more people than ever before to get adequate health care.

—Twenty million Americans over the age of 65 are being assured financial assistance for their health care needs through the Medicare program.

—The Medicaid program will help to meet the medical costs of more than 10 million men, women, and children from low-income families in 1970.

—Infant mortality has been reduced from 24.8 per 1,000 births in 1964 to a new low of 22.1 in 1967, sparing an estimated 14,000 lives.

—Over 20 million children have been innoculated with a new measles vaccine, and cases of measles have dropped from 400,000 in 1963 to an estimated 20,000 in 1968.

In recent years, major investments have been made to develop the *health resources* needed now and for the future. Outlays in 1970 for this purpose are estimated at $3.5 billion compared with $1.8 billion in 1964.

—To improve the organization and delivery of health services, regional medical programs have been inaugurated under legislation enacted in 1965, helping to disseminate the latest advances in medical knowledge and techniques across the Nation.

—Work has also been started on studies aimed at controlling the rise in medical costs. Legislation is needed to enable the Government to install new methods of payment, as they prove effective, for providing quality care at lower costs. The legislation should also establish a reasonable cost range to govern reimbursements for drugs now covered by Federal programs involving payment for health care.

—Funds invested since 1964 have built 331 community mental health centers serving areas containing 51 million people, and 240 community mental retardation centers serving 66,000 people. Such facilities were nonexistent only a few years ago.

—The Office of Economic Opportunity has supported the development of 48 neighborhood health centers to demonstrate more effective ways of providing comprehensive family health services to the poor.

—The Federal-State Partnership for Health program is moving forward in the development of comprehensive health plans on a State and areawide basis.

Hospital and long-term care facilities have recently been constructed or renovated under the Hill-Burton program at the rate of about 25,000 beds per year. This program expires at the end of 1970, and should be revised to provide Federal loan guarantees and interest subsidies for modernizing our hospitals and building needed new facilities. Grants should also be provided to help build special innovative facilities.

To reduce the shortage of physicians, dentists, nurses, and other health workers, the Federal Government will have provided during the 1964–69 period $859 million to assist and enlarge the schools training health professionals. More than 40,000 medical and dental students and 45,000 nurse trainees will have received financial assistance over this period. Total outlays for training and education activities related to health professions will reach $932 million in 1970, compared with $298 million in 1964.

Outlays for *health services* will rise to $14.0 billion in 1970, with $9.8 billion going for the Medicare and Medicaid programs, and $3.1 billion for the health care programs of the Veterans Administration and the Department of Defense. An estimated 9.5 million aged individuals will receive assistance in paying their hospital and doctor bills through Medicare payments. Medicaid will provide medical assistance for more than 10 million needy people. The Veterans Administration will provide hospital and nursing treatment for an estimated 865,000 patients in 1970, and the Defense Department will make medical care available to over 9 million servicemen, retired military personnel, and their dependents.

Outlays for programs directed to *preventing and controlling health problems* will rise to $804 million in 1970, compared with $393 million in 1964. Of the total, $522 million will go for disease prevention and control, $102 million for air pollution and other environmental control activities, and $180 million for consumer protection.

To provide for further improvements in health programs beyond 1970, legislation should be enacted to:

—Extend Medicare protection to the almost 2 million individuals who are totally disabled and will be receiving social security or railroad retirement cash benefits;

—Provide, for families who cannot afford it, access to health services from prenatal care for the mother to complete medical care for the child through the age of one; and

—Offer, within the next decade, protection to the families of all children against the costs of catastrophic illness or injuries.

Food assistance.—Most Americans enjoy a wholesome and adequate diet, knowing persistent hunger only as something to be imagined rather than felt. But for some Americans, hunger and malnutrition are a reality. Even where hunger and malnutrition are not obvious, a chronically poor diet can produce an insidious effect on health, intellect, and productivity. Whenever this occurs, it is a personal tragedy and an affront to our concept of the dignity of man.

We have done much in recent years to overcome the problems of hunger and malnutrition among the poor of our Nation. Federal outlays for food assistance to the poor are estimated at close to $1 billion in 1970, three and a half times the amount spent in 1964.

FEDERAL FOOD ASSISTANCE PROGRAMS FOR THE POOR

[Fiscal years. In millions]

Program	1961 actual	1964 actual	1968 actual	1969 estimate	1970 estimate
Food stamp program	$1	$30	$187	$273	$338
Direct distribution to families	143	200	146	264	385
Food assistance for children	29	39	70	128	233
Total	173	269	403	665	956

At the beginning of 1961, fewer than 4 million people were receiving surplus food items under Federal programs, and the food distributed was worth roughly $2.20 per month per person. A *food stamp program* was started in 1961 to help overcome the inadequacy of this assistance to poor families. In 1970, food stamps, on the average, will be adding $6.80 a month per person to the food purchasing power of each participating family. For the poorest families, the addition to the food budget can amount to more than $15.00 per person per month. This program alone will reach an estimated 3.9 million persons.

We have also enlarged and improved the *direct distribution program*, so that the Federal Government now makes available 22 foods which, when combined with other carefully selected and inexpensive foods, can provide needy families with an adequate diet. Commodities will be distributed to more than 4 million persons by the end of 1970.

Adequate food is especially important in the formative stages of life. Accordingly, under a program begun in 1968 the Federal Government is expanding donations of *supplementary food packages* to families in which there are infants or expectant or nursing mothers. The budget includes funds to provide about 1 million persons with supplementary food packages through this program by the end of 1970, compared with 225,000 at the end of 1969.

No American school child should have to suffer for lack of food because his family cannot afford the price. In 1964, our *food assistance for children* reached only 1.6 million of the then 9.4 million school-age children from poor families. Under the proposals in this budget, by the end of 1970, we will have the capacity to help meet the dietary needs of all the poor children in school.

The growth in food assistance programs over the last 5 years reflects the judgment of this administration that hunger and malnutrition in the United States are intolerable. We have come far in our struggle to banish these longstanding conditions, but further efforts are needed by all levels of Government—State, local, and Federal—as well as by the private sector. The Nation cannot be satisfied until no man, woman, or child in it is hungry or undernourished because of poverty beyond his control.

Income security.—The vast majority of Americans are economically independent throughout their working years, but face separation from the labor force at some point. Many other Americans, because of age, disability, family responsibilities, or other factors, are unable to earn the income needed for their minimum living requirements. To help assure *all Americans* greater financial security now and for the future, the Federal Government has developed programs to provide retirement benefits, unemployment insurance, public assistance, and other cash payments. Many of these benefits are financed through payroll taxes.

Income security programs have been substantially improved in recent years, both through increased benefit rates and expanded coverage. As a result:

—Cash payments will rise from $29 billion in 1964 to more than $47 billion in 1970.

—Over that period, the number of people receiving payments will increase from about 35 million to an estimated 44 million, reflecting not only population growth but also the extension of eligibility to the very old, young disabled workers, and disabled widows.

These programs still face problems of gaps in coverage and inadequate payment levels. In recognition of this situation, I appointed a commission in 1968 to review the entire range of income maintenance programs. A final report is expected within the next year which should provide a basis for constructive change.

Retirement benefits.—The Social Security Act of 1935 committed the Federal Government to fostering a life of dignity and economic independence for the older American. We have made considerable progress towards this objective in the last 30 years.

The social security system now covers 90% of all working Americans. Almost all other workers are covered by Federal retirement systems providing protection for railroad workers, Federal employees, and military personnel. Combined, the Federal retirement programs will pay an estimated $23 billion in benefits in 1970 under existing laws, a 69% increase over 1964.

During my administration, three major improvements in social security benefits have been enacted. These improvements:

—Raised the average benefit to a retired worker from $74 to $98 per month.

—Raised the minimum monthly retirement benefits from $40 to $55.

—Provided special benefit payments to more than 700,000 senior citizens aged 72 and over who were not previously eligible.

To enable social security beneficiaries to share more equitably in the productivity of our Nation, I am recommending, effective January 1, 1970:

—A 13% overall increase in social security benefits including:

—at least a 10% increase for almost 25 million social security beneficiaries,

—a 45% increase to $80 in monthly benefits for the 2 million receiving minimum benefits,

—an increase from $1,680 to $1,800 a year in the amount of money which beneficiaries may earn without losing benefits, and

—a minimum benefit of $100 a month to individuals who have worked in covered employment for 20 years.

These changes will add $1.6 billion to the incomes of social security beneficiaries in fiscal year 1970.

Survivor benefits.—Special efforts have been made to improve assistance to families whose economic security is endangered by the loss of the breadwinner. These survivor benefits will total $8.4 billion in 1970.

—Average monthly social security benefits for widows have been increased from $68 in 1964 to $92 in 1970.

—The age at which widows without children can collect benefits has been lowered, while the age at which children in school can receive benefits has been raised.

—As a result of such liberalizations, and the normal growth in the number of beneficiaries, total social security payments for survivors will rise from $3.5 billion in 1964 to $6.6 billion in 1970. In the same period, the annual average payment to each survivor will rise from about $800 to $1,020.

To help the young war widow, a "widow's GI Bill" was enacted in 1968, authorizing payment of a $130 monthly allowance to a widow enrolled in an educational or training course preparing her for a good job and financial independence. Similar benefits are given to wives of veterans totally disabled in military service. In 1970, nearly 9,000 widows and wives will be enrolled at a cost of $17 million.

Disability benefits.—Federal programs assist a broad spectrum of the disabled. The largest dollar share goes to those disabled in their productive years, in the form of cash assistance and rehabilitation. For this group, the 1970 budget will finance a total of $6.0 billion in cash benefits to 5.1 million beneficiaries.

An estimated 2 million disabled veterans will receive $2.2 billion in compensation payments, and the social security system will provide 2.6 million eligible disabled persons with $2.6 billion in benefits.

As part of my proposed improvements in the social security system, I recommend that, effective July 1, 1970, the waiting period for disability benefits be reduced from 6 months to 3 months, and eligibility not be limited to disabilities lasting more than one year.

In 1970, rehabilitation training will be provided for an estimated 12,000 veterans receiving service-connected compensation payments, 32,000 persons receiving public assistance, and 2,000 social security beneficiaries. Such training, estimated to cost $60 million in 1970, has enabled many disabled persons to achieve economic independence.

To overcome the shortcomings in coverage and benefits under State workmen's compensation laws, legislation should be enacted to assure adequate benefit levels and to extend coverage to most of the 20% of the Nation's work force not now covered, so that they will be protected against the loss of income and the cost of medical care from industrial accidents and diseases.

Unemployment benefits.—A large share—about 75%—of the working force is protected against temporary periods of unemployment by the Federal-State unemployment insurance program. In 1970, benefits totaling $2.3 billion will be paid to a weekly average of 1.2 million workers. The unemployment insurance system should be improved by enactment of legislation to:

—Extend coverage,

—Raise benefit levels,

—Increase the duration of benefits and provide services to increase the employability of covered workers, and

—Correct abuses in the present system.

Income support.—In 1970, an estimated 12.4 million persons will receive $5.9 billion in payments based on their need. Public assistance grants to the States will provide income maintenance payments to 10 million needy individuals who are elderly, blind, disabled, or members of families with dependent children. The 1970 budget includes $3.7 billion for this purpose. Pension assistance totaling $2.2 billion will be provided 2.3 million veterans and their survivors.

Federal aid to the poor.—A major weapon in the fight against poverty is a growing economy, with full use of our human and physical resources. The overall economic expansion of the past 8 years has opened up countless new job opportunities for persons who would otherwise be unemployed or underemployed. And the benefits of our unparalleled levels of prosperity and productivity are widely distributed among our people.

Nevertheless, 22 million Americans still living under conditions of poverty do not enjoy the comforts and abundance most of us take for granted. There is no single cause of poverty, nor is there a single cure. Lack of education, inadequate or outmoded skills, poor health, racial injustice, substandard housing—these are the conditions on which poverty feeds. Without a concerted national effort, these conditions are passed along from one generation to the next, in a vicious cycle of hopelessness and dependency.

In 1964, the Nation launched a war on poverty designed to strike at its causes. This has called for both better coordination of programs already in existence to aid the poor and, more importantly, a determined effort to find new means for offering disadvantaged groups in urban and rural America a chance to develop their own capacities and become productive members of our society.

The effort to eliminate poverty requires a comprehensive response to a wide range of physical and human needs. Under this approach, aid to the poor from programs of the Federal Government has risen sharply in recent years. The estimated $27.2 billion included in the 1970 budget for such aid represents an increase of $15.3 billion or 130% over 1964, and is almost three times the level of 1961. This increase reflects both the expansion of programs designed to attack poverty directly, and a greater focusing of other social programs on the problems of the poor and disadvantaged.

About three-fifths of the total aid provided currently takes the form of income and other assistance directed toward individual and family maintenance for the poor. The largest relative increases since 1964, however, are in education, job training and other employment aids, and health assistance, which promote greater self-reliance and provide the basis for material and cultural advancement. Outlays for these purposes will rise from 11% of total aid in 1964 to nearly 40% in 1970.

FEDERAL AID TO THE POOR[1]

[Fiscal years. In billions]

Category	1961 actual	1964 actual	1968 actual	1969 estimate	1970 estimate
Education	$0.1	$0.1	$2.3	$2.2	$2.4
Employment assistance	.1	.2	1.6	2.0	2.4
Health assistance	.7	1.0	4.1	5.0	5.8
Maintenance of individuals and families:					
Income assistance	8.3	9.8	12.4	12.9	13.5
Other maintenance assistance	.5	.7	1.3	1.9	2.7
Research, demonstration, and other support	(2)	(2)	.4	.4	.4
Total	9.8	11.9	22.1	24.4	27.2

[1] Figures represent outlays, except for direct loan programs, in which they represent program levels.

[2] Less than $50,000,000.

Since 1964, about 12 million citizens have moved out of the bonds of poverty. The past few years have necessarily involved considerable experimentation. We have had many successes and some failures. We knew from the start that elimination of this long-standing problem could not be accomplished quickly. But I continue to believe that we should not falter in our commitment to the basic objective of giving every American a chance to share in the promise of America. The investment involved will return many times its cost, with benefit for all of us.

The Economic Opportunity Act has been successfully administered by the Office of Economic Opportunity, and should be extended for 2 more years.

ACHIEVING EFFECTIVE GOVERNMENT OPERATIONS

Good government involves more than good laws and intentions. To attain program goals effectively and provide Government services efficiently, we need:

—Proper organizational arrangements;

—Efficient and economical procedures and practices;

—Sound decisionmaking processes; and

—Well-qualified personnel.

The vast size and scope of the activities carried out by the Federal Government makes the achievement of these objectives a difficult and unending job. As added functions are assumed or existing ones changed, we must constantly strive to see that the Government's organization and procedures stay in step with the new roles involved, that wasteful methods are uncovered and eliminated, and that the Government is responsive to the needs of the people. The American taxpayer expects and must receive an alert and effective public service.

The last 5 years have been a period of extensive organizational and management improvements. The Federal Government's structure has been better adapted to increasingly complex and multipurpose activities that require closer working relationships with State and local governments. Cost-consciousness has been pressed in all the agencies of the Government. This work can never be finished, and further improvements must continue to be made.

Improved Government organization.—The continuous drive for organizational improvements has been marked by four principal approaches:

First, there has been a fundamental restructuring of organizations to provide a single focal point for leadership in broad functional areas. In 1964, the Office of Economic Opportunity was established to spearhead the planning, coordination, and operation of the national attack on poverty. Two new Cabinet agencies have also been established. In 1965, the Department of Housing and Urban Development was established to provide overall coordination of programs to improve our urban areas. In 1966, the Department of Transportation was created, bringing together a number of major transportation programs previously administered in separate agencies.

After thorough study of the Post Office Department, the Commission on Postal Organization has recommended a new corporate form of organization for the postal service under Federal ownership, providing for significant management and operating improvements. I urge enactment of legislation along the lines recommended by the Commission.

Second, program responsibilities have been realigned, relating them more closely to agency missions. For example, in 1966, the operation and coordination of efforts to secure civil rights for all our citizens was strengthened by transfer of the Community Relations Service to the Department of Justice from the Department of Commerce. Also in that year, programs to combat water pollution were brought together by moving the Federal Water Pollution Control Administration from the Department of Health, Education, and Welfare to the Department of the Interior.

In 1968, a further consolidation of transportation programs was achieved through the transfer of programs for urban mass transportation facilities from the Department of Housing and Urban Development to the Department of Transportation. This leaves the Maritime Administration as the only major transportation agency still outside of the Department of Transportation. To help facilitate attainment of an efficient national transportation system, the Maritime Administration should be transferred from the Department of Commerce to the Department of Transportation.

Third, internal organization and coordination of programs have been strengthened within a number of agencies. The Environmental Science Services Administration was established in the Department of Commerce, bringing together various related functions of that Department. A major reorganization of the customs activities of the Treasury Department has made possible better conduct of those functions. The welfare and health programs of the Department of Health, Education, and Welfare were reorganized to achieve better coordination and supervision.

Fourth, cooperative interagency arrangements have been developed, where consolidation of related functions in a single agency has not proved practical or desirable. For example:

—Under an interagency agreement, only one preliminary application form is used for water and sewer grant and loan programs administered by several agencies.

—A special procedure at certain international airports speeds the clearance of incoming passengers through customs, immigration, health, and agricultural inspections.

Many of the improvements in Government organization were achieved under the provisions of the reorganization statute, which authorizes the President to submit reorganization plans to the Congress. The latest extension of this authority terminated on December 31, 1968. This statute should be extended again to permit the new President to continue to make adjustments and improvements in governmental structure to meet changing requirements.

A strengthened Federal system.—In our expanded efforts to attack complex domestic social and economic problems in our society, the Federal Government has relied heavily on the talents and resources of State and local governmental units. In recent years, States and localities have administered more than two-thirds of the total expenditures by all levels of government for domestic civilian programs, and have financed over half of that total from their own funds. Reliance on a partnership between all levels of government is in keeping with time-honored traditions—forged in the early days of the Republic, and reconfirmed with the passage of time.

To help cope with the relentless rise in public service requirements facing the Nation, the Federal Government has provided large-scale financial aid to the 50 States and their 80,000 local governments. Budget outlays for Federal aid will more than triple in the course of only a decade, rising from $7 billion in 1960 to about $25 billion in 1970. The increase from 1964 alone represents a doubling in amount. Between 1964 and 1970, Federal aids will have added a cumulative total of over $110 billion to State and local funds.

Federal grants to State and local governments now make up more than one-fifth of total Federal spending for civilian domestic programs, and represent about 18% of State and local revenues.

The recent rapid increase in both the number and scale of Federal grant programs has created some stress and complexity, pointing up the need for closer cooperation and coordination among the various levels of government. We have taken a number of steps in the last few years to meet this challenge.

Cooperation among the different levels of government has been facilitated by providing *clear paths of communications* between the Federal Government, State Governors, and the thousands of Mayors and other local officials. I have opened these lines of communication even further by directing that the executive branch of the Federal Government *consult with State and local chief executives* in developing rules and regulations, and on other matters that affect their governments. Through *training programs* and grants, Federal agencies have assisted States and localities in improving the caliber of their personnel in selected program areas.

The Intergovernmental Cooperation Act of 1968 augments these measures by providing more program information to Governors and State legislatures, permitting the selective waiver of grant requirements that unduly restrict State and local operations, and involving State and local governments in the development, execution, and evaluation of Federal programs and projects.

Other steps have been taken to *reform and simplify procedures.*

—We have relieved some of the administrative problems of State and local governments by consolidating a number of categorical grants-in-aid in the field of health. Similar measures in other program areas are necessary.

—Procedures have been simplified to speed up the processing of high-priority grants to State and local governments, including the use of a standard interagency application form for certain types of public works projects.

—Arrangements are being made for simplified interagency funding of certain State and local projects related to reducing poverty and juvenile delinquency. General authority should now be provided for joint funding simplification in all grant-in-aid programs.

These recent efforts have brought significant progress in improving intergovernmental communication and procedural arrangements. We must build on that progress through a continued and imaginative search for further improvements.

Better decisionmaking processes.—In the summer of 1965, I directed the development and application of a Government-wide Planning-Programing-Budgeting (PPB) system to improve the decisionmaking processes by which resources are allocated among Federal programs, and by which the annual budget is prepared. Under this system, the departments and agencies are developing information and analyses that relate program planning and performance to identified goals and objectives. These goals are reviewed, alternate means of achieving them are identified, and the effectiveness and costs of the alternatives are compared in determining which to select. This is followed by evaluation of each program at suitable intervals.

During its 3 years in operation, the PPB system has improved substantially the basis for decisionmaking within the executive branch. This year, new analyses have played a role in decisions about areas as diverse as the possible leasing of public lands for oil shale development, the choice of means to make materials in the Government's archives more widely available, and the urgency of increasing the effectiveness of family planning.

Twenty-two agencies, representing over 95% of the 1970 budget, are now operating within this system. The annual budget recommendations of these agencies are submitted for Executive consideration within a framework that permits better decisions on programs and alternatives in relation to objectives. A new Special Analysis, published this year for the first time, shows my recommendations for budget authority for selected agencies classified in terms of the program structures developed under the PPB system.

The example of the Federal Government in adopting improved procedures for reaching decisions has been followed by a number of State and local governments. This is a particularly promising development, both for the effectiveness of government at each level and for intergovernmental cooperation.

Cost reduction.—Shortly after I became President, I promised that in my administration the Government would conduct its operations with the utmost thrift and frugality, get a dollar's value for a dollar spent, and set an example of prudence and economy.

In 1965, a systematic, formal cost reduction program was initiated throughout the Federal Government. The key points of this new effort were that the head of each department and agency would:

—Assume direct supervision of a formal cost reduction program;

—Establish specific dollar cost reduction goals;

—Subject every major proposed expenditure to searching scrutiny in terms of costs and benefits;

—Employ independent means to verify savings; and

—Recommend high priority use of savings achieved.

Federal employees were asked to make cost reduction a personal goal and to redouble their efforts to achieve savings and conduct their work as efficiently as possible.

To cite only a few examples of accomplishments in the past year alone:

—The Department of Agriculture conducted a drive to reduce procurement and property management costs which produced savings of $13.4 million by using property that other agencies found to be in excess of their needs, consolidating orders, improving contract procedures, and conserving utilities.

—The National Aeronautics and Space Administration reported savings of $184 million last year under its formal contractor cost reduction program, in which 38 principal contractors actively participate.

—The Department of Defense achieved savings of $1.2 billion last year from more than 27,000 separate and validated management actions. As one example, the Air Force developed a way to repair the worn turbine shafts of jet engines, thus eliminating replacement costs of $2.4 million.

In order to broaden and strengthen the Government's drive for economy and efficiency in all its operations, I established an Advisory Council on Cost Reduction in 1967, with members selected from both Government and private life. The Council has been evaluating the cost reduction program, exploring opportunities for further savings, and consulting with leaders in business, industry, and research to draw on their experience and ideas for reducing costs.

A FAIR Selective Service System.—Over the last 10 years, the number of young men inducted into the Armed Forces from the eligible and available group has declined from 70% to 50%. This development has made it increasingly important that those called into military service are selected in an equitable manner.

It was my intention to develop a fair and impartial random system of selection (FAIR) and put it into effect by administrative action. However, in the Military Selective Service Act of 1967, the Congress prohibited such action without specific authorizing legislation. I believe that the Congress should now enact such legislation so that a FAIR selective service system can be instituted at an early date.

An improved Federal service.—Regardless of how appropriate our organization and administrative procedures are, the ultimate, effective delivery of services depends on people. The complex nature of the interagency and intergovernmental programs demands highly competent, well trained, imaginative public servants at all levels of government.

We must be in a position to recruit and retain skilled people willing to devote their careers to public service. They should not have to do this at personal sacrifice. In 1967, I therefore proposed, and the Congress enacted, legislation to increase the pay of Federal employees in several stages until it is comparable to pay for similar work in private employment. Under the law, the final step in achieving pay comparability is to occur in July 1969. This budget provides funds to fulfill that promise.

Prompt action is now needed to lessen the financial sacrifice currently required of high-ranking Federal officials—Members of the Congress, judges, and those in executive positions in all three branches of the Government. The Commission on Executive, Legislative, and Judicial Salaries, which the Congress established in 1967, has concluded that higher rates of pay are urgently needed to improve the Government's ability to attract able men and women for these offices and positions. In accordance with the requirements of law, this budget includes a supplement which contains my recommendations on increased salary levels for these Federal officials.

This budget provides an allowance of $2.8 billion to cover the costs of pay increases in fiscal year 1970 for Federal military personnel and civilian employees, and for Government officials and executives.

In addition, consideration should be given in the near future to modernizing the military pay structure by converting to a full salary system and improving the retirement system.

CONCLUSION

This Nation remains firmly committed to a world of peace and human dignity. In seeking these goals, we have achieved great military strength with the sole aim of deterring and resisting aggression. We have continued to assist other nations struggling to provide a better life for their people. We are successfully pushing forward the frontiers of knowledge to outer space and promoting scientific and technological advances of enormous potential for benefit to mankind.

In recent years, we have taken significant strides toward expanding the opportunity for each American to:

—Develop his mind, skills, and earning power to their maximum potential.

—Contribute his full share to a society which respects and values differences in race, religion, or culture.

—Escape the withering bonds of poverty, which stifle and starve the spirit.

—Live in an environment free of pollution, in a community stimulating but safe, in a neighborhood diverse but harmonious, and in a home or apartment both adequate and available at a reasonable price.

We have come far in our journey, but we are still a long way from our destination. We can be justly proud of our recent achievements, but we must look ahead to those victories yet to be won.

No course of action can have a higher purpose than that of furthering world peace and human freedom. In this budget, as in my previous budgets, I have pursued that course to the best of my ability. I have faith that America will not now fail in its resolve, nor founder in its responsibility, to press ahead for freedom and justice at home and abroad.

JANUARY 15, 1969.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 15 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

Mr. HOLLAND. Mr. President, I have no objection. Will the Senator yield for half a minute to allow me to introduce some bills?

Mr. ERVIN. The same for me.

Mr. YOUNG of Ohio. I have already cleared my request with the majority leader. I am glad to yield to the Senator from Florida.

THE PRESIDENTIAL PAY BILL

Mr. MANSFIELD. Mr. President, for the information of the Senate and because of the limitation of time involved, it is the intention of the leadership, conditions permitting, sometime later this afternoon, to call up H.R. 10, the Presidential pay bill.

The Senate is aware of the fact that if this is not done this week, the increases already allowed by the House will not accrue to the next President of the United States.

It is for that purpose that I rise to make that announcement at this time.

KY SEEKS TO FIGHT ON TO THE LAST AMERICAN

Mr. YOUNG of Ohio. Mr. President——

The PRESIDING OFFICER. Is there objection to the Senator from Ohio being recognized for 15 minutes?

The Chair hears none, and it is so ordered.

Mr. YOUNG of Ohio. Mr. President, Vice President Nguyen Cao Ky of the Saigon militarist regime, whom I interviewed for nearly an hour while in Vietnam, is an abominable fellow. This minidictator, who is a fraud and a phony air marshal, was born and reared in Hanoi. He along with nine generals born in North Vietnam who overthrew the legal civilian government in Saigon in June 1965, fought with the French armed forces seeking to reestablish their tyrannical colonial Indochinese empire against their fellow countrymen fighting for national liberation then termed Viet Minh, now Vietcong. Ky proudly displayed on his flamboyant flying jacket a decoration he was awarded by the French. He is a traitor to his nation now the same as he was at the time of Dien Bien Phu. He and President Thieu stalled for 4 weeks before sending delegates to join Ambassador Averell Harriman at the Paris conference. Their refusal caused a halt to all proceedings toward peace. During a period when 200 or more Americans were being killed in Vietnam each week, he and President Thieu refused to join the conference. Last month 5,380 Americans were killed and wounded while 3,602 of the so-called friendly forces of the Saigon regime were killed and wounded. After all that delay, this boastful pipsqueak refused to permit the peace talks to resume. Meetings have been postponed week after week while corruption continues in Saigon and Americans fight and die helping these pusillanimous dictators. Supposedly, seating arrangements are unsatisfactory to Ky.

Mr. President, this foolish squabbling brings to mind a similar historical event that occurred 333 years ago. In 1618 what is known as the 30 Years War commenced. Before it ended all Europe was devastated. Millions of soldiers and civilians—German, Austrian, Spanish, Italian, French, Swedish, in fact of all European nations—were killed and multitudes of civilians—men, women, and children died. Civilization was set back hundreds of years.

In 1636, peace emissaries gathered at Cologne seeking an armistice and cease-fire. Just like Ky, leader of the Saigon delegation in Paris, these emissaries were immediately confronted and confounded by the table at which they were invited to sit and negotiate. They could not agree who would sit where. Should the table be long and straight or U-shaped or T-shaped? Who was to sit at the head of the table? Envoys of Duke Maximilian of Bavaria, King Ferdinand of Bohemia, Gustavus Adolphus of Sweden, Elector John George of Saxony? Unfortunately this silly controversy was never settled. They even discussed "Why not a round table?" This suggestion was buried immediately as Elector George William of Brandenburg coveted the choicest seat at the round table—the one closest to the door. They never did sit down. There just were not any talks leading to an armistice.

So, the fighting continued, even more bitterly. There was more plundering, more battles, more terror, more lives lost by sword, bayonets, guns, starvation and to ruffians and plague. The 30 Years War lasted 12 years longer because the kings, princes, dukes, and their ministers could not agree on the form of a table. That was in 1636. Finally 12 years later leaders representing what was left of the inhabitants of various European nations finally sat down at tables in Westphalia. By then problems of protocol and seating seemed unimportant. The peace of Westphalia was signed. Europe was left in comparative peace for more than half a century.

Now, 333 years later, history repeats. Sallust, the great Roman historian about 50 years before the birth of our Savior wrote:

> It is always easy to begin a war but very difficult to stop one, since its beginning and end are not under the control of the same man.

Vice President Ky of the Saigon regime delayed peace negotiations in Paris nearly 4 months. Then, the South Vietnamese delegation, brought and maintained in Paris at our taxpayers' expense, did nothing except hold lavish receptions.

After Ambassador Averell Harriman was compelled to postpone three different Wednesday peace conferences due to failure of the Saigon government to attend, finally Ky arrived with a delegation of 100. He first insulted Ambassador Harriman, making a public statement calling attention that he was deaf in one ear. While American taxpayers are bearing the expense of this social reception of the year in Paris, we tolerate Ky preening himself, insulting Averell Harriman, a very great American, denouncing Defense Secretary Clifford, and terming the Kissinger proposals as "junk."

Ky refused to meet in the same room with representatives of Hanoi and the National Liberation Front, the political arm of the VC. When it was thought his objections had been overcome, he quarreled about the sort of table where the various delegates would sit. Then he denounced Defense Secretary Clifford and left Paris in anger. Peace talks have been delayed indefinitely. A round table was rejected by Ky, nor was a U-shaped or T-shaped table acceptable to this egotistical, self-appointed air marshal. Ky made irresponsible statements in Paris denouncing our Nation, left in anger, and then issued contradictory statements in Saigon. The facts are Saigon militarist leaders Thieu and Ky prefer war instead of peace. They seek to fight on to the last American. Their regime represents but a minority in South Vietnam. They realize a cease-fire and an armistice would result in a coalition government of South Vietnam. When peace comes, Ky and his cohorts will be ousted unless they flee forthwith to Hong Kong or to the French Riviera.

The American public paying for the Ky and Madame Ky extravaganza in Paris will not tolerate continuing insults from this little caesar, a proven traitor to his own country whose militarist regime in Saigon would not survive 48 hours except for the support of our GI's and CIA. Recently Ky stated in an interview:

> Americans say they are in Vietnam in the name of their principles of democracy and freedom. I do not believe them; at best I believe them 50 percent of the time. Americans are not here for democracy or freedom. It is always these big powerful countries that talk about democracy, and freedom that are the colonialists. They begin by saying, "We are here to help you." And then they become bosses and they become colonialists. Enough of that.

More than 3 years ago we Americans should have said enough of that, for sure.

We Americans should proceed immediately with negotiations with Hanoi and the VC. We should proceed to a diplomatic settlement disregarding Gen. Maxwell D. Taylor and other of our generals who seek a military victory.

In that regard, Vice President Ky claims in 1965 he suggested to Gen. Maxwell D. Taylor, then U.S. Ambassador in Saigon, a plan of general mobilization, of drafting and training all the youth of South Vietnam for fighting against the VC. He said Taylor discouraged his proposal and that because of General Taylor's contrary advice South Vietnam has wasted 3 years without a general mobilization. This is a shameful accusation. If General Taylor advocated that, American GI's, who have been drafted, do the fighting and dying for South Vietnamese who have not been drafted, as Ky charges, he is beneath contempt for poor judgment prejudicial to our Nation. If those charges are untrue, Taylor should denounce Ky.

I hope and believe that President Johnson as one of the final great acts of his administration will order 200,000 American soldiers returned from Vietnam within the first 4 months of this new year. If President Johnson does not do this, I hope that President-elect Nixon, upon assuming office, will give top priority to doing so.

Pham Dang Lam, who officially is the chief of Saigon's delegation in Paris, admitted a few weeks ago that we Americans have involved ourselves in a civil war in South Vietnam. Said Lam:

> I am sure any other government would refuse to consider as an equal a representative of a seditious movement in an international conference.

The "seditious movement" or civil war in South Vietnam is carried on by the VC, the military arm of the National Liberation Front, formerly the Viet Minh. The Geneva Accords specifically stated that separation of Vietnam into North and South Vietnam was temporary. Historically, for thousands of years there has never been a North Vietnam or a South Vietnam. The Geneva Accords of 1954 stated that the separation at the 17th parallel with a 6-mile demilitarized zone along the parallel was not a national boundary but marked a temporary demarcation line and was to be followed by an election in 1956 unifying Vietnam. This proposed election our puppet Diem installed by the CIA called off and the struggle was resumed.

Every community in the United States has suffered the tragedy of their finest youngsters having been killed in Vietnam or dying from malaria, fever, hepatitis, bubonic plague, and other jungle diseases, as a result of our involvement in the Vietnam civil war. The American people want the war to end. They know now that we should never have sent 1,900,000 American troops to Vietnam. They seek disengagement. Secretary Clifford properly denounced the Saigon regime for demanding that Americans continue fighting and dying to maintain a corrupt regime in power. Then, the petty dictator Ky replied:

> Clifford has the gift of saying the wrong thing at the wrong time.

Defense Secretary Clark Clifford deserves the encouragement and support of the American people right up to January 20, when he becomes a private citizen. He has performed a great public service in his efforts to end our involvement in the civil war in Vietnam and in his remarkable candor and forthrightness in "telling it like it is" to Americans and talking bluntly to the Saigon regime.

When appointed by President Johnson he was regarded as a warhawk on Vietnam. If that was his view, he must have become disillusioned at the time he made first-hand observations in Saigon and elsewhere in South Vietnam.

He reported that the Saigon militarist regime is not winning the war in South Vietnam. He learned that we were involved in a civil war there. He listened to the boast of President Thieu and Ky that the forces of their Saigon regime now numbered 1 million men under arms—of course arms, equipment, and maintenance all supplied by American taxpayers' money. He learned from Averell Harriman and others, including our CIA, who are all over the place in South Vietnam and Thailand, that probably 40,000 soldiers of the Hanoi government had returned to North Vietnam and at the most, probably a mere 40,000 remained in South Vietnam.

Clark Clifford obviously concluded that 40,000 or even 80,000 North Vietnamese soldiers were not holding to a stalemate 600,000 Americans and, in addition, some 53,000 South Koreans we had brought to fight with us. Knowing that we are involved in an unwinnable civil war in South Vietnam and that the Thieu-Ky regime controls but a small part of South Vietnam, he announced that Saigon and Hanoi should "quit squabbling over details and get down to substantive negotiations." He added that the United States should move forward toward early withdrawal of some of more than 540,000 troops we have in Vietnam and some of the 60,000 we have in Thailand.

While Ky is demanding that he sit at the head of the table in any Paris conference, and that he will not confer in the same room with any of his fellow countrymen who represent the National Liberation Front, or the VC, Clark Clifford reached the only conclusion possible—that Ky knows his regime would be thrown out of Saigon directly after an armistice and cease-fire had been brought about.

It is a sad situation that we, a great nation, humiliate ourselves to a dictator who once said that Adolf Hitler was his hero and who, along with his cronies in the Saigon regime, has deposited many millions of American taxpayers' dollars in Swiss and Hong Kong banks.

Let us hope Ambassador Harriman will demand that negotiations proceed and that no further delay will be tolerated. Let Ky sit on the floor or in a baby crib or take off to the French Riviera, and we Americans will reach an agreement with Hanoi and with representatives of the National Liberation Front, with or without Ky. In any event, at least 200,000 of our soldiers should be returned to the United States during the first half of 1969. Our efforts by negotiating with Hanoi and representatives of the NLF must go on.

It is unconscionable and inexcusable that the puppet Vice President of South Vietnam be permitted to continue to delay the progress of the peace talks in Paris and to block efforts to bring about a quick cease-fire and armistice that would stop the shedding of the blood of young Americans. While this petty tyrant frolicked in the fleshpots of Paris, and haggled over the shape of the table at which he will negotiate, thousands of Americans were being killed and wounded week after week in the miserable civil war in Vietnam.

These outrageous stalling tactics should be ignored. Our negotiators should get on with the business of arranging for a speedy ceasefire and an early withdrawal of our troops from South Vietnam. The United States should unilaterally begin pulling out a sizable number of Armed Forces from South Vietnam as an indication of our willingness to negotiate. We should commence discussing peace with representatives of the Hanoi government and of the National Liberation Front with or without the cooperation of the Saigon government.

How can administration leaders justify their kowtowing to the dictator Ky to parents and wives of young Americans risking their lives and, unfortunately many of them dying, in the civil war in South Vietnam? It is unfortunate that the United States, which was born in revolution, now supports the tories of Vietnam, the traitors, and opportunists who sold out to the French for their own personal gain. We should get on with the business of belatedly correcting our mistakes of the past 8 years in Vietnam and of bringing home the 545,000 American servicemen engaged in that futile and tragic effort. It is an affront and an insult to every American who has fought in Vietnam and to every American now fighting there that procedural discussions continue to hold up the peace conference. We should seek a speedy diplomatic settlement in Paris, and then immediately proceed to a deescalation of the war, to a disengagement, and to withdraw as rapidly as possible the hundreds of thousands of GI's now engaged in combat in Vietnam and in Thailand.

1968 HUMAN RIGHTS YEAR—WHAT DID WE DO?—IV

Mr. PROXMIRE. Mr. President, last year was designated by the President for the commemoration of International Human Rights Year; 1968 was also designated by the United Nations General Assembly to commemorate the 20th anniversary of the Universal Declaration of Human Rights. This dedication to the principle of human rights was not only to celebrate human rights but also to advance them. What did we do?

Over 20 major human rights conventions have been adopted by the United Nations, the International Labor Organization, and UNESCO. Unfortunately the United States is a party to only two of them and this status was reached only in the last year. We are still not a party to such major conventions as the Convention on the Abolition of Forced Labor, the Convention on the Political Rights of Women, the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Elimination of all Forms of Racial Discrimination. Nor have we as yet even signed—no less ratified—the two Conventions on Civil and Political Rights and Economic, Social and Cultural

Rights which grow directly out of the Universal Declaration.

We are a nation of minorities—minorities which have confronted major problems of war and peace, and self-government as a majority. We have even made our heterogeneous origins a national strength and a point of national pride. We feel a natural sympathy and understanding for oppressed groups, we seek to preserve elements of our varied cultural heritage and weave them into our national fabric. Nevertheless, we have failed ourselves in not ratifying important Human Rights Conventions. This sad record and the responsibility for it lies squarely with those who have a parochial outlook on our world problems. We have failed to measure the climate of change in the world.

WILLIAM C. FOSTER—A GREAT PATRIOT RETIRES

Mr. PROXMIRE. Mr. President, I rise to honor William C. Foster, recently retired Director of the United States Arms Control and Disarmament Agency.

Mr. Foster has been the head of ACDA since its creation in 1961. During his tenure, he has been greatly responsible for the successful negotiation of the limited test ban treaty, the "hot line," and the recent nonproliferation treaty. The country owes to this great American a large debt, not only for his services as Director of ACDA, but for the many other responsibilities he has so ably undertaken in his long Government career.

Mr. Foster will, I believe, be especially remembered for having educated and convinced the U.S. Government and the American public that arms control is not a "pie in the sky" or a "pig in a poke," but rather can produce realistic and practical international agreements which are very much in the national security interest of the United States as well as a benefit to other nations around the world.

William Foster is a man who has never searched for publicity or recognition but has rather devoted himself to the awesome tasks confronting him, with wisdom and ability, with poise and charm. The frustration in spending many years in arduous negotiations has never daunted his spirit or his knowledge that the world simply has to progress in curbing the ever-spiraling nuclear arms race if man is to survive.

Mr. President, the Milwaukee Journal paid tribute to Mr. Foster on December 21, 1968, in an editorial which I ask unanimous consent to have printed in the RECORD as part of my remarks. The editors note that William Foster "has been a strong voice for peace, lasting peace." The article ends with this highly deserved encomium:

> The United States has been fortunate to have had men like Foster, who have served the cause of peace constantly and have remained above partisan politics. His sense of urgency is needed throughout the world to find a way to prevent nuclear tragedy. This finest of patriots will be hard to replace, but he has already given more than most at the very top levels of our government. The country owes him a great deal.

Mr. President, I know all of us in this Chamber wish Bill Foster God-speed, and a happy retirement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, December 21, 1968]

THE DEBT TO WILLIAM FOSTER

William C. Foster, who will shortly retire as director of the arms control and disarmament agency, has had a notable career in government service. He is one of a group of extremely able businessmen who have served Democratic and Republican administrations in vital posts. He is a Republican. He is now 71.

Early in World War II Foster left a highly paid business position to work on procurement for the army, later becoming director of the army service forces. That was in the Roosevelt administration. In the Truman administration he served as undersecretary of commerce. When the Marshall plan was started Foster became top assistant to Director Paul Hoffman, then succeeded Hoffman as head of the program which rebuilt the European economy. In the Eisenhower administration he was deputy secretary of defense and chief of the United States delegation to the Geneva disarmament conference in 1958.

When John Kennedy became president he named Foster head of the new arms control and disarmament agency, where he has served brilliantly ever since. He led in workout the nuclear test ban treaty and in establishment of the "hot line" between Washington and Moscow. His has been a strong voice for peace, lasting peace. He believes that "the more dangerous the world situation becomes, the more urgent is the necessity for arms control agreement." He has over the years preached that American industry must plan for the peacetime economy in which military production will not play a major role—a situation he believes must come if the world is to avoid disaster.

The United States has been fortunate to have had men like Foster, who have served the cause of peace constantly and have remained above partisan politics. His sense of urgency is needed throughout the world to find a way to prevent nuclear tragedy. This finest of patriots will be hard to replace, but he has already given more than most at the very top levels of our government. The country owes him a great deal.

OMNIBUS WATER POLLUTION ACT OF 1969

Mr. MONDALE. Mr. President, I am pleased to join with Senator MUSKIE and many other Senators in sponsoring the Omnibus Water Pollution Act of 1969. This measure was basically approved in both Houses on the last day of the session in the 90th Congress, but time ran out and final action was not completed. We are hopeful that it will move quickly in this Congress.

In particular I would like to note for the Senate that this bill contains as a separate provision my Clean Lakes Act of 1969, which would provide Federal funds for developing the technology necessary to attack the growing and serious problem of pollution in small lakes.

Senator BURDICK and I joined in 1967 in introduction of the Clean Lakes Act of 1967. Hearings were held, and it soon became obvious that this was a widespread problem in which many people were interested. Six months after that bill was introduced, the House Committee on Government Operations released an excellent report describing "the grave threat to the future of America's small lakes."

This report concluded:

> Greatly expanded Federal, State and local research and demonstration programs are needed to develop practical and effective methods for improving the quality of lake waters through the removal or dissipation of existing nutrients, and the reduction of nutrients entering the lake.

All across the country small lakes are dying—the scientific term is "eutrophication"—from an ever-increasing rate of pollution and decay. Pollutants and nutrients cause excessive weed and algae growth, which in turn consumes available oxygen in the water. This process, coupled with siltation, will over many years turn nearly every freshwater lake into a marshy bog, but at a faster and faster pace as pollution increases. Time is of the essence, because small lakes, unlike rivers and streams, have very little capacity to rid themselves of pollution.

The destruction of lakes is not only an aesthetic and conservation issue. It is, as well, a dollars and cents issue to most communities, which depend upon lakes for water supplies, public recreational dollars, and tax base of shore properties.

I am proud to say that my own State of Minnesota is taking the lead on this issue. Our lakes—about 15 percent of all lakes in the Nation—exist in nearly every county in Minnesota, from the densely forested areas of the northeast to the prairies of the southwest. Because of the glacial terrain in many parts of the State, together with wide variations in climate and vegetation, Minnesota has the greatest number and diversity of lakes and wet lands of any area of comparable size in the United States, or anywhere in the world.

We are taking the lead, therefore, not only in legislation, but as a matter of academic concern and local community concern. The University of Minnesota is seeking to establish a Freshwater Biological Laboratory to assist in development of methods to attack this growing problem. Several communities in Minnesota have helped in the drafting and progress of this legislation, particularly Albert Lea, Minn., which sent many of its elected officials to Washington to testify in support of the legislation.

In addition, I would like to acknowledge our debt to the distinguished Senator from Maine (Mr. MUSKIE) for his support and response to this issue. He is truly the leader in the Senate in the area of air and water pollution legislation—and I might add a very creative and vigorous leader. I thank the Senator from Maine for making the Clean Lakes Act of 1969 a part of the overall package on water pollution legislation in the 91st Congress.

Mr. SPONG. Mr. President, the bill being introduced today by the distinguished chairman of the Air and Water Pollution Subcommittee is designed to establish machinery for a broad-ranged attack upon the growing menace of water pollution. It is a privilege to join him in the sponsorship of this important legislation.

The bill deals with the discharge of sewage from vessels, with oil pollution from vessels and offshore and onshore facilities other than vessels, and authorizes demonstration projects for another 2 years on lake and acid mine pollution control. In addition, the measure includes provision for consideration of the effect of thermal discharges upon waterways and to assure that such discharges shall comply with the water quality standards of the States.

Virginia has been a victim of several costly oil spills, and the number of these accidents has been increasing in recent years. The Virginia State Water Control Board has advised me that there were 16 spills in 1968, 11 in 1967, six in 1966, and five in 1965. The U.S. Corps of Engineers has estimated in a special report prepared by the Secretaries of the Interior and Transportation that there were more than 2,000 oil spills within U.S. waters in 1966. Forty percent of these mishaps occurred at landbased facilities.

It is significant that the transportation of petroleum products accounts for more than 40 percent of the total waterborne tonnage in the United States, with more than one million tons being moved daily through our coastal and inland waters. In addition, with the larger capacity of today's tankers, the hazard from each spill is greater. Tankers of the World War II era had a capacity of 16,000 tons. The *Torrey Canyon*, which ran aground and broke up off the southern coast of England in 1967, carried 119,000 tons of crude oil. Even larger tankers are being built today.

As a consequence of the *Torrey Canyon* disaster, a national multiagency plan was developed to coordinate the Federal response to spills of oil and other hazardous materials. This was a forward step, but there can be no effective prosecution of oil-pollution offenders until existing inadequate laws are strengthened.

Because Virginia is a coastal State and has experienced several damaging spills, I am particularly concerned with that section of Senator Muskie's bill which would provide recourse when these accidents occur.

With one or two modifications, this is the same bill which the Senate approved unanimously last year. I hope that with its early introduction and consideration in the 91st session of Congress, we can resolve the differences which developed with the House in the closing hours of the 90th session.

Senator Muskie, one of the most knowledgeable persons in the country on the problems this bill seeks to cure, is to be commended for his dedication to the task of ending the pollution which defiles our beaches, destroys valuable shellfish beds, and makes our water unfit for swimming, boating, or fishing. We owe him a debt of gratitude for his leadership in what must become a national effort to protect our environment.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCIAL STATEMENT OF SENATOR SPONG

Mr. SPONG. Mr. President, I ask unanimous consent to have printed in the Record a letter addressed to the Secretary of the Senate, dated January 8, 1969, wherein I certified as true a complete statement of the financial assets of my wife and myself.

There being no objection, the statement was ordered to be printed in the Record, as follows:

January 8, 1969.

Hon. Francis R. Valeo,
Secretary of the Senate,
Washington, D.C.

Dear Mr. Secretary: My purpose in writing is to again report to you a statement of the financial status, holdings and liabilities for my wife and myself. This statement is as of January 1, 1969:

ASSETS

Cash in checking and savings account (after provision for federal income tax for 1968) approximately	$4,200.00
Life insurance policies with the following insurers (currently providing for death benefits totaling $129,500): Minnesota Mutual Life Insurance Co.; National Service Life Insurance Co.; Aetna Life Insurance Co.; Southwestern Life Insurance Co.; Jefferson Standard Insurance Co.; Northwestern National Insurance Co.; Continental Assurance Co.; Federal Employees Group Life Insurance: cash surrender value and accumulated dividends	14,495.97
Stocks as listed on schedule A	64,949.35
Note of Cherdel Corp. secured by deed of trust on 200 acres of unimproved property at Great Bridge, Chesapeake, Va	45,000.00
Real estate: consisting of residence at 316 North Street, Portsmouth, Va.; one-half interest in service station at Gosport Road, Portsmouth, Va	35,000.00
Tangible personal property in Portsmouth home and rented home in Alexandria, Va., estimate	10,500.00
1968 Ford station wagon, Country Squire	3,000.00
Notes receivable and accounts receivable, estimate	5,994.00

LIABILITIES

Notes at First National Bank of Norfolk, Norfolk, Va	36,000.00
Note at American National Bank, Portsmouth, Va	5,000.00
Mortgage on home in Portsmouth, Va. at Norfolk Federal Savings & Loan Association	9,683.52

These figures disclose a net worth of approximately $132,455.80.

The foregoing, Mr. Secretary, I attest as being a true and accurate statement of the financial holdings and liabilities of my wife and myself.

Yours very truly,
William B. Spong, Jr.

Schedule A— Stocks

	Number of shares
American National Bank	2,113
Old Town Corp	15
Crawford properties	10
Poplar Hill Farm, Inc	21
Cedar Point Country Club	1
Russell Island Corp	3

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report Relating to Trade and Other Transactions Involving Southern Rhodesia

A communication from the President of the United States transmitting, pursuant to law, a report relating to trade and other transactions involving Southern Rhodesia (with an accompanying report and paper); to the Committee on Foreign Relations.

Tax Reform Proposals

A communication from the President of the United States, transmitting information on tax reform proposals; to the Committee on Finance.

A communication from the President of the United States transmitting, pursuant to law, the first assessment of the Nation's water resources; to the Committee on Interior and Insular Affairs.

Report of National Aeronautics and Space Administration

A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on contracts negotiated for the period January 1, 1968 through June 30, 1968 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Report on Status of Research Facilities Funds

A letter from the Secretary of Agriculture, transmitting, pursuant to law, a report on the status of research facilities funds as of June 30, 1968 (with an accompanying report); to the Committee on Agriculture and Forestry.

Reports on Agreements for Use of Foreign Currencies

A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting, pursuant to law, a report of agreements signed in September and October 1968 for use of foreign currencies (with an accompanying report and papers); to the Committee on Agriculture and Forestry.

A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting, pursuant to law, a report of agreements signed in November and December 1968, also copies of the October 23, 1968 second supplement to the March 25, 1967 agreement with Korea (with an accompanying report and paper); to the Committee on Agriculture and Forestry.

Report of National Forest Reservation Commission

A letter from the Secretary of the Army, President of the National Forest Reservation Commission, transmitting, pursuant to law, a report of the Commission for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Agriculture and Forestry.

Proposed Repeal of Certain Acts Relating to Exportation of Tobacco Plants and Seed, Naval Stores; and Wool

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to exportation of tobacco plants and seed; naval stores; and wool (with an accompanying paper); to the Committee on Agriculture and Forestry.

Reports on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Agriculture for "Forest protection utilization", Forest Service, for the fiscal year 1969, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriations; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Defense for "Operation and maintenance, Air National Guard," for the fiscal year 1969, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Defense for "Operation and maintenance, Army National Guard," for the fiscal year 1969, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation for the Department of the Interior for "Management of lands and resources," Bureau of Land Management, for the fiscal year 1969, had been apportioned on a basis indicating a need for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Employees' compensation claims and expenses", for the fiscal year 1969, had been apportioned on a basis which indicates the necessity for a supplemental estimate for appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Unemployment compensation for federal employees and ex-servicemen", for the fiscal year 1969, had been apportioned on a basis which indicates the necessity for a supplemental estimate for appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Compensation and pensions," for the fiscal year 1969, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "General operating expenses," for the fiscal year 1969, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Medical care," for the fiscal year 1969, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Readjustment benefits," for the fiscal year 1969, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Reports on Overobligation of Appropriations

A letter from the Administrator, Veterans' Administration, reporting, pursuant to law, an overobligation of appropriations; to the Committee on Appropriations.

A letter from the Secretary, Department of Transportation, reporting, pursuant to law, an overobligation of appropriations; to the Committee on Appropriations.

Report of Commissary Operations for Fiscal Year 1968

A letter from the Secretary, Department of Transportation, transmitting, pursuant to law, a report of commissary operations for fiscal year 1968 (with an accompanying report); to the Committee on Appropriations.

Report of Export-Import Bank of the United States

A letter from the Secretary, Export-Import Bank of the United States, transmitting, pursuant to law, a report of the Bank insurance and guarantees issued in July and August 1968 in connection with U.S. exports to Yugoslavia; to the Committee on Appropriations.

Financing of Certain Generation and Transmission Facilities

A letter from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to law, information relating to "C" loan to the Indiana Statewide Rural Electric Cooperative, Inc. (with an accompanying paper); to the Committee on Appropriations.

A letter from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to law, information relating to loan to Basin Electric Power Cooperative, Bismarck, N. Dak. (with an accompanying paper); to the Committee on Appropriations.

Reports of Claims Settled by the Indian Claims Commission

Four letters from the Chairman, Indian Claims Commission, reporting, pursuant to law, claims settled by the Commission (with accompanying reports); to the Committee on Appropriations.

Report of Judgments Rendered by U.S. Court of Claims

A letter from the clerk, U.S. Court of Claims, transmitting, pursuant to law, a report of all the judgments rendered by the U.S. Court of Claims for the year ended September 30, 1968 (with an accompanying report); to the Committee on Appropriations.

Report on Overexpenditure by Federal Prison Industries, Inc.

A letter from the Attorney General, reporting, pursuant to law, an overexpenditure resulting from an accounting judgment, by the Federal Prison Industries, Inc.; to the Committee on Appropriations.

Report on Operations of U.S. Marine Forces in Vietnam

A letter from the Headquarters, U.S. Marine Corps, Department of the Navy, transmitting, pursuant to law, a secret report on the operations of U.S. Marine Forces in Vietnam (with an accompanying report); to the Committee on Armed Services.

Report on Strategic and Critical Materials Stockpiling Program

A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program for the period January 1, to June 30, 1968 (with an accompanying report); to the Committee on Armed Services.

Report on Medical Stockpile of Civil Defense Emergency Supplies

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment for the quarter ended September 30, 1968; to the Committee on Armed Services.

Report of Proposed Facilities Projects, Naval Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) reporting, pursuant to law, the location, nature and estimated cost of an additional facilities project proposed to be undertaken for the Naval Reserve; to the Committee on Armed Services.

Report of Department of Defense on Military Procurement

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on military procurement actions negotiated for experimental development, test or research work (with an accompanying report); to the Committee on Armed Services.

Report of Proposed Facilities Projects, Naval and Marine Corps Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) transmitting, pursuant to law, a report on the location, nature and estimated cost of additional facilities projects proposed to be undertaken for the Naval and Marine Corps Reserve (with an accompanying report); to the Committee on Armed Services.

Report of Proposed Facilities Projects, Air Force Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, the location, nature, and estimated cost of additional facilities projects proposed to be undertaken for the Air Force Reserve; to the Committee on Armed Services.

Report of Proposed Facilities Projects, Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, the location, nature, and estimated cost of additional facilities projects proposed to be undertaken for the Army National Guard; to the Committee on Armed Services.

Report of Legislation Enacted by Ryukyuan Legislature

A letter from the Deputy Under Secretary of the Army (International Affairs), transmitting, pursuant to law, a report on legislation enacted by the Ryukyuan Legislature during 1968 (with an accompanying report); to the Committee on Armed Services.

Report of Number of Officers on Duty With Headquarters, Department of the Army

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on September 30, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF REAL AND PERSONAL PROPERTY OF THE DEPARTMENT OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on real and personal property of the Department as of June 30, 1968 (with an accompanying report); to the Committee on Armed Services.

U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE, AWARDING OF DEGREE OF MASTER OF MILITARY ART AND SCIENCE

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the Commandant of the U.S. Army Command and General Staff College to award the degree of master of military art and science (with an accompanying paper); to the Committee on Armed Services.

REPORTS OF OFFICE OF CIVIL DEFENSE

A letter from the Director of Civil Defense, Department of the Army, Office of the Secretary of the Army, transmitting, pursuant to law, a report on the Federal contributions program equipment and facilities for the quarter ended September 30, 1968 (with an accompanying report); to the Committee on Armed Services.

Two letters from the Director of Civil Defense, Department of the Army, Office of the Secretary of the Army, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment for the quarters ended September 30, 1968, and December 31, 1968; to the Committee on Armed Services.

REPORT ON FLIGHT PAY, U.S. AIR FORCE

A letter from the Secretary, Department of the Air Force, transmitting, pursuant to law, a report of all officers on flying status above the grade of major for the 12-month period November 1, 1967, through October 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT ON FLIGHT PAY, DEPARTMENT OF THE ARMY

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the Department's aviation personnel above the grade of major (with an accompanying report); to the Committee on Armed Services.

PROPOSED AUTHORIZATION OF ADDITIONAL MEDICAL AND DENTAL CARE FOR RESERVISTS AND MEMBERS OF THE NATIONAL GUARD

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to authorize additional medical and dental care and other related benefits for reservists and members of the National Guard, under certain conditions, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

PROPOSED AUTHORIZATION TO INCLUDE A FOSTER CHILD AS A DEPENDENT

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent (with an accompanying paper); to the Committee on Armed Services.

PROPOSED AUTHORITY TO SELL PRODUCTION EQUIPMENT TO CONTRACTORS AND SUBCONTRACTORS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the Secretary of a military department or the head of a Defense agency to sell production equipment to contractors and subcontractors (with accompanying papers); to the Committee on Armed Services.

PROPOSED AUTHORIZATION FOR THE CONVENING OF SELECTION BOARDS TO CONSIDER CERTAIN OFFICERS

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10 United States Code, to authorize the convening of selection boards to consider certain officers of the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps for continuation on the active list, and for other purposes (with accompanying papers); to the Committee on Armed Services.

PROPOSED FAMILY SEPARATION ALLOWANCE

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service assigned to Government quarters if he is otherwise entitled to such a separation allowance (with an accompanying paper); to the Committee on Armed Services.

PROPOSED AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT ARMY, AIR FORCE, NAVY AND MARINE CORPS EXCHANGES

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the use of appropriated funds to support Army, Air Force, Navy, and Marine Corps exchanges in certain situations (with an accompanying paper); to the Committee on Armed Services.

PROPOSED PROVISION FOR PROTECTION OF CERTAIN DISTINGUISHED PERSONS

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide for the protection of certain distinguished persons by security forces of the Department of Defense, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

PROPOSED PAYMENT OF FAMILY SEPARATION ALLOWANCE

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend section 427(b) of title 37, United States Code, to provide payment of a family separation allowance, even though the member does not maintain a residence or household for his primary dependents (wife and children) subject to his management and control (with an accompanying paper); to the Committee on Armed Services.

PROPOSED INCREASE IN NUMBER OF PERMANENT PROFESSORS AT THE U.S. MILITARY AND AIR FORCE ACADEMIES

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize an increase in the number of permanent professors at the U.S. Military and Air Force Academies (with an accompanying paper); to the Committee on Armed Services.

PROPOSED EXTENSION OF NONJUDICIAL PUNISHMENT POWERS OF CERTAIN OFFICERS

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 815 of title 10, United States Code, to authorize the Secretaries of the military departments to extend increased nonjudicial punishment powers to certain officers (with an accompanying paper); to the Committee on Armed Services.

PROPOSED LEGISLATION TO PERMIT NAVAL FLIGHT OFFICERS TO COMMAND CERTAIN NAVAL AVIATION ACTIVITIES

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval aviation activities and for other purposes (with an accompanying paper); to the Committee on Armed Services.

PROPOSED TRAVEL, TRANSPORTATION, AND EDUCATIONAL ALLOWANCES TO CERTAIN MEMBERS OF THE UNIFORMED SERVICES FOR DEPENDENTS' SCHOOLING

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize travel, transportation and education allowances to certain members of the uniformed services for dependents' schooling and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORT OF SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the 34th annual report of the Commission for the period ended June 30, 1968 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF NATIONAL COMMISSION ON URBAN PROBLEMS

A letter from the Acting Secretary, National Commission on Urban Problems transmitting, pursuant to law, a report of the National Commission on Urban Affairs (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON CRIME AGAINST SMALL BUSINESS

A letter from the Small Business Administration, transmitting, pursuant to law, a confidential report (volumes I and II) on crime against small business (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF EXPORT-IMPORT BANK OF THE UNITED STATES

A letter from the Secretary, Export-Import Bank of the United States, transmitting, pursuant to law, a report of the Bank for the quarter ended September 30, 1968 (with an accompanying report); to the Committee on Banking and Currency.

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Bank insurance and guarantees issued in September 1968 in connection with United States exports to Yugoslavia; to the Committee on Banking and Currency.

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Bank insurance and guarantees issued in October 1968 in connection with United States exports to Yugoslavia; to the Committee on Banking and Currency.

REPORT OF JOINT COMMISSION ON THE COINAGE

A letter from the Secretary of the Treasury, reporting, pursuant to law, on the meetings of the Joint Commission on the Coinage; to the Committee on Banking and Currency.

REPORT OF NATIONAL COMMISSION ON URBAN PROBLEMS

A letter from the Chairman, National Commission on Urban Problems, transmitting, pursuant to law a report of the Commission (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics) transmitting, pursuant to law, a report on the Department's procurement from small and other business firms, for the period July to August 1968 (with an accompanying report); to the Committee on Banking and Currency.

A letter from the Assistant Secretary of Defense (Installations and Logistics) transmitting, pursuant to law, a report on the Department's procurement from small and other business firms for the period July to September 1968 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Authority for Appropriations of the Department of Commerce To Be Made Available for Periods Longer Than 1 Fiscal Year

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations of the Department of Commerce to be available until expended or for periods in excess of 1 year (with accompanying papers); to the Committee on Commerce.

Interim Report of National Commission on Product Safety

A letter from the Chairman, National Commission on Product Safety, reporting, pursuant to law, on a comprehensive study and investigation being made of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which may be caused by hazardous household products; to the Committee on Commerce.

Announcement of Hearings by the Foreign-Trade Zones Board

A letter from the Acting Executive Secretary, the Foreign-Trade Zones Board, transmitting for the information of the Senate, a notice of hearings by the Board on the applications by the State of Hawaii for a special-purpose oil refining subzone in Honouliuli, Ewa, Oahu, Hawaii and by the Georgia Ports Authority for a foreign-trade zone and subzone in Savannah, Ga.; to the Committee on Commerce.

Report of Purchases and Contracts, U.S. Coast Guard

A letter from the Assistant Secretary for Administration, Office of the Secretary of Transportation, transmitting, pursuant to law, a report of the purchases and contracts made by the U.S. Coast Guard under clause 11 of section 2304(a) of title 10 since April 30, 1968 (with an accompanying report); to the Committee on Commerce.

Proposed Amendments of Merchant Marine Act

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 510(a)(1) of the Merchant Marine Act, 1936 (with accompanying papers); to the Committee on Commerce.

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the last sentence of section 201(b) of the Merchant Marine Act, 1936, and for other purposes (with accompanying papers); to the Committee on Commerce.

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to permit tacking of citizen ownership of vessels for trade-in purposes (with accompanying papers); to the Committee on Commerce.

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 212(B) of the Merchant Marine Act, 1936, as amended (with accompanying papers); to the Committee on Commerce.

Report of Instruments Issued by Federal Power Commission

A letter from the Chairman, Federal Power Commission, transmitting, pursuant to law, a report showing information on the permits and licenses for hydroelectric projects issued by the Commission during the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Commerce.

Proposed Employment of Aliens in a Scientific or Technical Capacity

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to employ aliens in a scientific or technical capacity (with accompanying papers); to the Committee on Commerce.

Report of Coast Guard Officers Receiving Flight Pay

A letter from the Secretary of Transportation, reporting for the information of the Senate the number of Coast Guard officers above the grade of lieutenant commander, or equivalent, entitled to receive incentive pay for flight duty for the 6-month period preceding January 7, 1969; to the Committee on Commerce.

Proposed Amendments of Federal Aviation Act of 1958

A letter from the Chairman, Civil Aeronautics Board, transmitting, pursuant to law, a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect to consolidation of certain proceedings (with accompanying papers); to the Committee on Commerce.

A letter from the Chairman, Civil Aeronautics Board, transmitting, a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to specifically provide that remedial orders issued by the Civil Aeronautics Board in enforcement proceedings may receive the repayment of charges in excess of those in lawfully filed tariffs (with accompanying papers); to the Committee on Commerce.

Annual Report on Fair Packaging and Labeling Act

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Department regarding the implementation and administration of the Fair Packaging and Labeling Act by the Food and Drug Administration during fiscal year 1968 (with an accompanying report); to the Committee on Commerce.

Proposed Legislation Waiving Performance and Payment Bonds

A letter from the Secretary of Commerce, transmitting, pursuant to law, a draft of proposed legislation to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain contracts entered into by the Secretary of Commerce (with accompanying papers); to the Committee on Commerce.

Publications of the Federal Power Commission

Two letters from the Chairman, Federal Power Commission, transmitting for the information of the Senate copies of recently-issued publications (with accompanying documents); to the Committee on Commerce.

Report of Migratory Bird Conservation Commission

A letter from the Secretary of the Interior, transmitting, pursuant to law, the report of the Migratory Bird Conservation Commission for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Commerce.

Claim of Roy J. Meyer

A letter from the Chairman, Interstate Commerce Commission, transmitting information on the claim of Roy J. Meyer in connection with the abandonment of Southern Pacific Railroad's operations over its "Southline" between El Paso, Tex., and Tucson, Ariz. (with accompanying papers); to the Committee on Commerce.

Proposed Authorization for the Department of Commerce To Make Special Studies, To Provide Services and To Engage in Joint Projects

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes (with accompanying papers); to the Committee on Commerce.

Report of the Chesapeake & Potomac Telephone Co.

A letter from the Vice President, The Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, the annual report of the company for the year ended December 31, 1968 (with an accompanying report); to the Committee on the District of Columbia.

Report of Secretary of Health, Education, and Welfare on Preventive Care

A letter from the Secretary, Health, Education, and Welfare, transmitting, pursuant to law, a report on preventive care dated December 1968 (with an accompanying report); to the Committee on Finance.

Report on the Retirement Test Under Social Security

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the retirement test under Social Security dated 1968 (with an accompaying report); to the Committee on Finance.

Report on Independent Practitioners Under Medicare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on independent practitioners under medicare (with an accompanying report); to the Committee on Finance.

Report of the Advisory Council on Health Insurance for the Disabled

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the report of the Advisory Council on Health Insurance for the Disabled, dated 1969 (with an accompanying report); to the Committee on Finance.

Report of the Renegotiation Board

A letter from the Chairman, the Renegotiation Board, transmitting, pursuant to law, the 13th annual report of the Board for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Finance.

Report on Number of Civilian Officers and Employees in the Executive Branch

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report on the number of civilian officers and employees in the executive branch for the calendar quarter ended September 30, 1968 (with an accompanying report); to the Committee on Finance.

Report of Grants Approved by Department of Health, Education and Welfare

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting, pursuant to law, a report of grants approved by this Department for the period July 1, to September 30, 1968 (with an accompanying report); to the Committee on Finance.

Report of Federal Bureau of Narcotics

A letter from the Special Assistant to the Secretary (for enforcement), Secretary of the Treasury, transmitting, pursuant to law, the annual report of the Federal Bureau of Narcotics for the calendar year ended December 31, 1967 (with an accompanying report); to the Committee on Finance.

Report of the Secretary of the Treasury

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on liabilities and other financial commitments of the U.S. Government as of June 30, 1968 (with an accompanying report); to the Committee on Finance.

Proposed 2-Year Extension of Duty-Free Entry of Gifts From Members of Armed Services

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to extend for a temporary period the existing provisions of law relating to the duty-free entry of gifts, not exceeding $50 in retail value, from members of the Armed Forces serving in combat zones (with an accompanying paper); to the Committee on Finance.

Report of the Secretary of the Treasury on the State of the Finances

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the state of the finances for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Finance.

Report of U.S. Information Agency

A letter from the Director, U.S. Information Agency, transmitting, pursuant to law, the 30th semiannual report of the Agency for the period January 1, June 30, 1968 (with an accompanying report); to the Committee on Foreign Relations.

Report of Balances of Foreign Currencies Acquired Without Payment of Dollars

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a semiannual consolidated report of balances of foreign currencies acquired without payment of dollars as of June 30, 1968 (with an accompanying report); to the Committee on Foreign Relations.

The Battle Act Report, 1968

A letter from the Assistant Secretary for Economic Affairs, Department of State, transmitting, pursuant to law, the 21st report on operations under the Battle Act (with an accompanying report); to the Committee on Foreign Relations.

Proposed Federal Government Recognition of and Participation in International Expositions Held in the United States

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for Federal Government recognition of and participation in international expositions to be held in the United States, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

Reports on Disposition of Foreign Excess Personal Property

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the disposition of foreign excess personal property as of June 30, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting, pursuant to law, a report on the disposition of foreign excess property for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Assistant Secretary for Administration, Office of the Secretary of Transportation, reporting, pursuant to law, a report of foreign excess property disposed of during the fiscal year 1968 by the Federal Aviation Administration; to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need for strengthening controls for determining compliance with statutory restrictions on use of academic facilities constructed with Federal financial assistance, Office of Education, Department of Health, Education, and Welfare, dated December 23, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on negotiation of contracts for water from the Central Valley Project, Bureau of Reclamation, Department of the Interior, dated October 18, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of certain products from private industry by the Atomic Energy Commission, dated October 22, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings attainable by preventing condemnation of economically repairable equipment, Department of the Air Force, dated October 23, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report of increased costs to the Government attributed to leasing rather than purchasing land and buildings by Department of Defense contractors, dated October 23, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of an examination of the financial statements of the Federal Home Loan Bank Board for the year ended December 31, 1967, dated October 31, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the examination of financial statements of the U.S. Government Printing Office, for the fiscal year 1967, dated November 1, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve procurement procedures for outfitting vessels activated for use in Southeast Asia, Maritime Administration, Department of Commerce, dated November 4, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of a review of the procedures and practices for control of materials under the Apollo program, National Aeronautics and Space Administration, dated November 8, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available in Federal share of cost of demolishing buildings, Department of Housing and Urban Development, dated November 12, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on U.S. construction activities in Thailand, 1966 and 1967, Department of Defense, Department of State, and the Agency for International Development, dated November 13, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on difficulties encountered in arranging air support services for U.S. contractors in Vietnam, dated November 14, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on differences in allowing corporate expenses as charges to Government contracts at Government-owned, contractor-operated plants, Department of Defense, Atomic Energy Commission, National Aeronautics and Space Administration, dated November 14, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve the management of the detailing of civilians employed at military installations, Department of Defense, dated November 15, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the opportunity for economies in counseling services provided under children's educational assistance program, Veterans' Administration, dated November 15, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need for improved appraisal practices for right-of-way acquisitions in Rhode Island, Federal Highway Administration, Department of Transportation, dated November 19, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the need to improve procedures for reporting individuals as rehabilitated under the Vocational Rehabilitation Program, Department of Health, Education, and Welfare, dated November 26, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements needed in contracting for on-the-job training under the Manpower Development and Training Act of 1962, Department of Labor, dated November 26, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report on the need to improve the management of ammunition research and development at Picatinny Arsenal, Dover, N.J., Department of the Army, dated November 27, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of payroll activities of the Architect of the Capitol, dated November 27, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report on the examination of financial statements for fiscal year 1967, Federal Housing Administration, Department of Housing and Urban Development, dated November 29, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report of cost reductions obtainable by improving the management of maintenance of commercial vehicles, Department of Defense, dated December 3, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on problem areas in implementing amendatory legislation affecting Railroad Retirement annuities, Railroad Retirement Board, dated November 29, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements, Southwestern Federal Power System, fiscal year 1967, Department of the Interior, Department of the Army, dated December 19, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of financial statements of the Veterans Canteen Service for fiscal year 1968, Veterans' Administration, dated December 20, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain aspects of the administration of the Neighborhood Youth Corps program in Los Angeles County, Calif., Department of Labor, dated January 7, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for further action to determine allowable costs and recover overpayments under general clinical research center grants, National Institutes of Health, Department of Health, Education, and Welfare, dated December 26, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve policies and procedures for relocating railroad facilities at Federal water resources projects, Bureau of Reclamation, Department of the Interior (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of policies, procedures, and practices for developing and reviewing proposed military hospital construction projects, Department of Defense, dated December 31, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the cost evaluation for movement of household goods between the United States and Germany, Department of Defense, dated January 6, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvements in certain Neighborhood Youth Corps program operations in Detroit, Mich., Department of Labor, dated December 26, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on U.S. participation in the World Health Organization, Department of State; Department of Health, Education, and Welfare dated January 9, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for timely action in resolving problems affecting the eligibility of hospitals under the medicare program, Social Security Administration; Department of Health, Education, and Welfare, dated December 27, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the use of the second-phase method of contracting—a method that does not encourage maximum price competition, General Services Administration, dated January 10, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Government Operations.

Report on Claim of Henry E. Dooley

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation to the Congress concerning the claim of Henry E. Dooley against the United States (with an accompanying report); to the Committee on the Judiciary.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on the opportunities for improving reliability evaluation of nuclear weapons (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the need for central control and coordination in the use of transportation resources in Europe (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contracts

Four letters from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of proposed concession contracts (with accompanying papers); to the Committee on Interior and Insular Affairs.

Cancellation of Reimbursable Charges Against Indians

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a notice of cancellation of reimbursable charges dated June 28, 1968 and a cancellation of certain irrigation charges against Indian-owned lands within the Fort Peck Indian Reservation, Mont. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Loan Application by Mitchell Irrigation District

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of an application by the Mitchell Irrigation District of Mitchell, Nebr. for a loan under the Small Reclamation Projects Act; to the Committee on Interior and Insular Affairs.

Deferral and Rescheduling of Construction Charges

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the Department's determination relating to deferment of the 1969–73 construction charge installments due to the United States on behalf of a part of the land in the Brewster Flat Irrigation District, Foster Creek Division, Chief Joseph Dam project, Washington; to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the Department's determinations relating to partial deferment of the scheduled 1969, 1970, 1971, 1972, and 1973 installments payable by the Vermejo Conservancy District toward repayment of the reimbursable cost of the Vermejo project, New Meixco; to the Committee on Interior and Insular Affairs.

Reports of Attorney General

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on the administration of the Foreign Agents Registration Act of 1938, as amended for the calendar year 1967 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report with respect to proceedings instituted before the Subversive Activities Control Board during the period January 2, 1968 through December 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

Correction of Attorney General's Report

A letter from the Acting Chief, Registration Section, U.S. Department of Justice, calling attention to a typographical error in the report of the Attorney General on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1967; to the Committee on the Judiciary.

Interim Report of National Commission on Reform of Federal Criminal Laws

A letter from the Chairman, National Commission on Reform of Federal Criminal Laws, transmitting, pursuant to law, an interim report discussing the appointment of members of the Commission and its Advisory Committee, its organization and administration, its objectives and work methods, and some directions in which its reform efforts are moving; to the Committee on the Judiciary.

Proposed Amendment of the Court Reporters Act

A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend title 28 of the United States Code, section 753, to authorize payment by the United States of fees charged by court reporters for furnishing certain transcripts in proceedings under the Criminal Justice Act (with an accompanying paper); to the Committee on the Judiciary.

Report of Subversive Activities Control Board

A letter from the Chairman, Subversive Activities Control Board transmitting, pursuant to law, the 18th annual report of the Board (with an accompanying report); to the Committee on the Judiciary.

Additional Judgeships for U.S. District Courts

A letter from the Director, Administrative Office of the U.S. Courts, transmitting, pursuant to law, a draft of proposed legislation to provide additional judgeships for the U.S. district courts (with an accompanyinging paper); to the Committee on the Judiciary.

Report of Agricultural Hall of Fame and National Center

A letter from the Executive Vice President, Agricultural Hall of Fame and National Center, transmitting, pursuant to law, an annual audit and report to the Board of Governors (with an accompanying report); to the Committee on the Judiciary.

Report of Attorney General on Identical Bidding

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on identical bidding in advertised public procurement during the calendar year 1967 (with an accompanying report); to the Committee on the Judiciary.

Audit Report of Veterans of World War I of the U.S.A., Inc.

A letter from the national quartermaster, Veterans of World War I of the U.S.A., Inc., transmitting, pursuant to law, a audit report of the organization as of September 30, 1968 (with an accompanying report); to the Committee on the Judiciary.

Report on Claim of Clifford L. Petty

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of the United States against Clifford L. Petty and his claim against the United States (with an accompanying report); to the Committee on the Judiciary.

Reports of Claims Settled Under the Military Personnel and Civilian Employees' Claims Act

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of claims settled under the Military Personnel and Civilian Employees' Claims Act during the fiscal year 1968 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report of claims settled under the Military Personnel and Civil Employees' Claims Act of 1964 during the fiscal year ended June 30, 1968; to the Committee on the Judiciary.

A letter from the Administrator of Veterans Affairs, Veterans' Administration, transmitting, pursuant to law, a report of claims settled under the Military Personnel and Civilian Employees' Claims Act during the fiscal year 1968 (with an accompanying report); to the Committee on the Judiciary.

Applications for Permanent Residence Filed by Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of Proceedings of Judicial Conference of the United States

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report of the proceedings of the annual meeting of the Judiciary Conference of the United States, held at Washington, D.C., September 19 and 20, 1968 (with an accompanying report); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Aliens—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Chou Tsi Wan from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on September 3, 1968; to the Committee on the Judiciary.

Adjustment of Status of James Arthur McIntosh

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order relating to the adjustment of the status of James Arthur McIntosh (with an accompanying paper); to the Committee on the Judiciary.

Proposed Authority To Make Partial Payments on Certain Claims

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress (with an accompanying paper); to the Committee on the Judiciary.

Proposed Penalties for Interference With Defense Security Systems

A letter from the Under Secretary of the Air Force, transmitting, a draft of proposed legislation to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems (with an accompanying paper); to the Committee on the Judiciary.

Proposed Authorization of Civilians Employed by the Department of Defense To Administer Oaths While Conducting Official Investigations

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize civilians employed by the Department of Defense to administer oaths while conducting official investigations (with an accompanying paper); to the Committee on the Judiciary.

Personal Property Claims of Military Personnel and Civilian Employees

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees (with an accompanying paper); to the Committee on the Judiciary.

Proposed Amendment to the Administrative Conference Act

A letter from the Chairman, Administrative Conference of the United States, transmitting a draft of proposed legislation to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations (with accompanying papers); to the Committee on the Judiciary.

Recommendation of Secretary of Labor on Age Discrimination in Employment Act of 1967

A letter from the Secretary of Labor, transmitting, pursuant to law, recommendations with respect to the appropriateness of the lower and upper age limits incorporated in the Age Discrimination in Employment Act of 1967; to the Committee on Labor and Public Welfare.

Recommendations of Secretary of Labor on National Library of Medicine

A letter from the Secretary of Health, Education, and Welfare, transmitting for the information of the Senate, the recently submitted recommendations of the Board of Regent of the National Library of Medicine (with an accompanying paper); to the Committee on Labor and Public Welfare.

Veterans Administration Center, Fort Harrison, Mont.

A letter from the Administrator Veterans' Administration, transmitting a draft of proposed legislation to cede to the State of Montana concurrent jurisdiction with the United States over the real property, comprising the Veterans' Administration Center, Fort Harrison, Mont. (with an accompanying paper); to the Committee on Labor and Public Welfare.

Report on the Demand for Personnel and Training in the Field of Aging

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the demand for personnel and training in the field of aging (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of U.S. Arms Control and Disarmament Agency

A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, transmitting, pursuant to law, the annual report of the Agency for the calendar year 1968 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report of Scientific and Professional Positions Established in the Department of Commerce

A letter from the Director of Personnel, Office of the Secretary, U.S. Department of Commerce, transmitting a report of scientific and professional positions established in the Department of Commerce (with an accompanying report); to the Committee on Post Office and Civil Service.

Report of Scientific and Professional Positions in the Department of the Interior

A letter from the Deputy Assistant Secretary for Administration, Office of the Secretary, Department of the Interior, reporting, pursuant to law, the title, incumbent, and salary of each of the eight scientific and professional positions authorized by 5 U.S.C. 3104, as of December 31, 1968; to the Committee on Post Office and Civil Service.

Proposed Building To House Geological Survey, Reston, Va.

A letter from the Administrator, General Services Administration, transmitting for consideration of the Committee on Public Works a prospectus which proposes acquisition of facilities to house the Geological Survey, Department of the Interior, by leasing a building to be constructed on Government-owned land at Reston, Va. (with accompanying papers); to the Committee on Public Works.

Report on John F. Kennedy Center for the Performing Arts

A letter from the Chairman, John F. Kennedy Center for the Performing Arts, transmitting, pursuant to law, the annual reports of the Board of Trustees, for the John F. Kennedy Center for the Performing Arts for the fiscal years 1967 and 1968 (with accompanying reports); to the Committee on Public Works.

Report of Tennessee Valley Authority

A letter from the Board of Directors, Tennessee Valley Authority, transmitting, pursuant to law, its 35th annual report for the fiscal year 1968 (with an accompanying report); to the Committee on Public Works.

Proposed Rehabilitation of Navigation Structures and Appurtenant Works of the St. Lawrence Seaway

A letter from the Secretary of Transportation, St. Lawrence Seaway, transmitting a draft of proposed legislation to authorize rehabilitation of navigation structures and appurtenant works of the St. Lawrence Seaway project to be carried out by the St. Lawrence Seaway Development Corporation and financed from appropriations (with an accompanying paper); to the Committee on Public Works.

Report of Government Printing Office

A letter from the Public Printer, United States Government Printing Office, transmitting, pursuant to law, the annual report of the Government Printing Office for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Rules and Administration.

PROPOSED AMENDMENTS OF ATOMIC ENERGY ACT

A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended (with an accompanying paper); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution adopted by the National Association of State Departments of Agriculture, Sun Valley, Idaho, favoring the enactment of legislation relating to import controls; to the Committee on Agriculture and Forestry.

A resolution adopted by the Fair Employment Practice Commission, State of California, praying for the enactment of legislation to provide funds for the enforcement of the housing provisions of the Civil Rights Act of 1968; to the Committee on Appropriations.

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Armed Services:

"HOUSE CONCURRENT RESOLUTION 104

"A concurrent resolution to memorialize the Congress of the United States to take appropriate steps to investigate alleged corrupt practices that are hindering the war effort in the Republic of South Viet Nam

"Whereas, there are more than one half million members of the United States Armed Forces in the Republic of South Viet Nam who are fighting to defend the freedom and liberty of the South Vietnamese people, and

"Whereas, wherever and whenever the military forces of the United States or America are committed in a life and death struggle, governmental policy should be pledged to the wholehearted support of our fighting men and all necessary measures should be undertaken to insure this commitment, and

"Whereas, a well respected authority on Southeast Asia, William J. Lederer, author of the books "The Ugly American" and "Our Own Worst Enemy", has leveled the serious charge in a recent edition of the Saturday Evening Post Magazine that the war effort is being hindered, not by the strength of the Communist aggressor but by mistakes and incompetence in the combat support area, particularly through certain corrupt practices which will be enumerated hereinafter, and

"Whereas, the aforementioned article stated that American fighting troops are denied necessary supplies and equipment due to the theft of supplies by the infamous Black Market, yet this very equipment, such as jungle boots, canned food, automatic rifles, mortars and uniforms are sold on the Black Market and even find their way into the hands of the Viet Cong; and in addition, other supplies such as transistor radios, blankets, watches, pens, cameras and innumerable multitudes of other items ranging from television sets to a variety of the best-advertised American liquors are readily obtainable on the Black Market; and

"Whereas, the aforementioned article alleges that these commodities are obtained through the theft of supplies from numerous post exchanges in the Republic of South Viet Nam, and that this nefarious ring of thieves not only involves but is actively supported and participated in by some officials in the Vietnamese government and also by some of the Vietnamese, Korean and Filipino personnel employed in the post exchanges as evidenced by the fact that when it was discovered that a small PX in Saigon lost $65,000 in petty pilferage alone, a search of the clerks employed at the PX was stopped due to the threats of a strike by these personnel, and

"Whereas, the illicit black market trade flourishes in the 'Little Black Market' in Saigon which operates almost in the very shadow of the United States Embassy, and

"Whereas, the volume of trade has reached such a vast proportion that the article quotes a Viet Cong officer as saying that 'Without American money, guns, food, medicine and supplies, we of the National Liberation Front would have a hard time surviving . . .,' and

"Whereas, there are additional instances of theft, corruption and war profiteering such as the theft of materials from American cargo vessels as they are unloaded at the docks and by charging inflated and outrageous prices for the rental of living quarters by American troops, which quarters are more often than not the most squalid and filthy of hovels, and

"Whereas, it seems that no concerted effort has been undertaken by officials in charge of post exchanges to stop the massive looting of supplies and equipment, and that this lack of interest of American officials in these corrupt practices exercises a demoralizing effect not only upon the average Vietnamese citizen but also upon our American fighting men, and

"Whereas, the serious nature of the charges levied in the aforementioned article would seem to call for an investigation into the aforementioned corrupt practices, so that the efforts of our valiant fighting men may not be sabotaged by unscrupulous war profiteers.

"Therefore, be it resolved by the House of Representatives of the Legislature of the State of Louisiana, the Senate concurring herein, that the Congress of the United States is hereby memorialized and respectfully requested to take appropriate steps to investigate alleged corrupt practices, particularly in the operation of post exchanges, that are hindering the war effort in Viet Nam.

"Be it further resolved that copies of this resolution be transmitted to the presiding officers of the two houses of the Congress of the United States, to each member of the Louisiana Delegation in the Congress of the United States, to the Honorable Lyndon B. Johnson, President of the United States of America and to the Honorable Richard M. Nixon, President-Elect of the United States of America.

"JOHN S. GARRETT,
"Speaker of the House of Representatives.
"C. C. AYCOCK,
"Lieutenant Governor and President of the Senate."

Resolutions adopted by the National Guard Association of the United States, relating to the National Guard and the Nation; to the Committee on Armed Services.

A resolution adopted by the Chubu City and Son Assemblies, Okinawa, protesting immediate withdrawal of B–52 bombers from Okinawa; to the Committee on Armed Services.

A petition, signed by Lee A. Christiansen, and sundry other reservists stationed at Schofield Barracks, Wahiawa, Hawaii, praying for a redress of grievances; to the Committee on Armed Services.

A resolution, adopted by the Nago Municipal Assembly, Nago, Okinawa, protesting against the explosions of a B–52 bomber; to the Committee on Armed Services.

A resolution adopted by the Italian-American War Veterans of the United States, Inc., Hartford, Conn., praying for the resumption of the original position of the United States in Vietnam; to the Committee on Armed Services.

A resolution of the Legislature of the Trust Territory of the Pacific Islands; to the Committee on Banking and Currency:

"RESOLUTION 65–1968

"A resolution relative to expressing sincere gratitude and appreciation to the administering authority for extending the benefits of the Federal Housing Authority and the Small Business Administration to the Trust Territory of the Pacific Islands

"Whereas, according to information received by this body, President Lyndon B. Johnson has signed into law bills passed by the United States Congress to extend benefits of the Federal Housing Authority (FHA) and the Small Business Administration (SBA) to the Trust Territory of the Pacific Islands; and

"Whereas, the extension of benefits of these federal agencies will afford the people of the Trust Territory an opportunity to obtain long term loans for permanent homes and businesses; and

"Whereas, most of the homes in the Mariana Islands District were constructed after the end of World War II out of surplus materials that are now deteriorated and the people are forced to live in sub-standard of housing; and

"Whereas, before the start of World War II, many inhabitants owned their own businesses that were either confiscated by the Japanese soldiers or destroyed during the invasion of Saipan in 1944, and have not been financially able to re-establish themselves since the end of the war; and

"Whereas, with the availability of long term loans under the Federal Housing Authority (FHA) and the Small Business Administration (SBA), the people of the Trust Territory now have an opportunity to build better homes and start businesses; and

"Whereas, we, the elected representatives of the inhabitants of the Mariana Islands District, are deeply gratified at this noble effort on the part of the Administering Authority to provide for the health, safety and welfare of the people of the Trust Territory of the Pacific Islands;

"Now, therefore, be it resolved by the 2nd. Mariana Islands District Legislature that sincere gratitude and appreciation be and hereby is extended to the Administering Authority for extending the benefits of the Federal Housing Authority (FH) and the Small Business Administration (SBA) to the Trust Territory of the Pacific Islands; and

"Be it further resolved that the President certify to and the Legislative Secretary attest the adoption hereof and thereafter transmit copies of the same to the President of the United States of America, the Secretary of the U.S. Department of the Interior, the President of the United States Senate, the Speaker of the United States House of Representatives, the Chairman of the Senate Committee on Interior and Insular Affairs, the Chairman of the House Committee on Interior and Insular Affairs, and High Commissioner of the Trust Territory of the Pacific Islands.

"Passed by the 2d. Mariana Islands District Legislature, August 28, 1968.

"VICENTE N. SANTOS,
"President.
"DANIEL T. MUNA,
"Legislative Secretary."

A resolution adopted by the Italian American War Veterans of the United States, Inc., Hartford, Conn., urging the U.S. Government to initiate procedures leading to the eventual establishment of diplomatic relations with the Vatican; to the Committee on Foreign Relations.

A petition, signed by Emma Rupert, and sundry other citizens of Wyandotte, Mich., expressing sympathy to the citizens of Biafra; to the Committee on Foreign Relations.

A resolution adopted by the City Council of Parma, Ohio, praying for the enactment of legislation to transfer certain land to the cities of Parma and Parma Heights, Ohio; to the Committee on Government Operations.

A resolution adopted by the Marshall Islands Nitijela, requesting the United Nations to reconsider the legal and political status of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Arctic Slope Native Association, Barrow, Alaska, remonstrating against present legislation proposing an overall settlement for native land claims; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Italian American War Veterans of the United States, Inc., Hartford, Conn., praying for the enactment of legislation to establish a national cemetery within the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

A resolution adopted by the electoral college of the State of Louisiana, praying for the enactment of legislation relating to the election of the President and Vice President; to the Committee on the Judiciary.

A resolution adopted by the board of directors of the Missouri Restaurant Association, St. Louis, Mo., praying for the enactment of legislation relating to the maintenance of law and order; to the Committee on the Judiciary.

A resolution adopted by the convention of Sertoma International, at Miami Beach, Fla., praying for the enactment of legislation relating to the maintenance of law and order; to the Committee on the Judiciary.

A resolution adopted by the City Council of Elizabeth, N.J., praying for the enactment of legislation relating to absenteeism voting; to the Committee on the Judiciary.

A resolution adopted by the City Council of Elizabeth, N.J., praying for the enactment of legislation to permit the reduction of the voting age to 18 years; to the Committee on the Judiciary.

A letter, in the nature of a petition, from Oswald C. Ludwig, of San Diego, Calif., praying for the enactment of legislation relating to the election of the President and Vice President; to the Committee on the Judiciary.

A resolution signed by Elroy X. Lewis, Lorton, Va., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution adopted by the New England Theatre Conference, Waltham, Mass., praying for the enactment of legislation to support the arts and humanities; to the Committee on Labor and Public Welfare.

A resolution adopted by the Angeles Regional Convention, Los Angeles, Calif., relating to the time span between the primaries and the final election; to the Committee on Rules and Administration.

A resolution adopted by the board of supervisors of the county of Kauai, State of Hawaii, congratulating the Humphrey-Muskie team for a job well done in the recent presidential campaign; ordered to lie on the table.

A resolution adopted by the Humane Educational Council of Southeast Texas, Beaumont, Tex., praying for the enactment of legislation relating to the protection of laboratory animals; ordered to lie on the table.

A resolution adopted by the American Park and Recreation Society, Washington, D.C., commending the President and Congress on the passage of legislation relating to the park, recreation and conservation movement; ordered to lie on the table.

A resolution adopted by the Italian American War Veterans of the United States, Inc., Hartford, Conn., urging the President of the United States to do all within his power to expedite the safe return of the U.S.S. *Pueblo* and its crew; ordered to lie on the table.

A resolution adopted by the Japanese House of Councillors, congratulating the United States on the success of the flight of Apollo 8; ordered to lie on the table.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of October 8, 1968, Mr. Smathers, from the Select Committee on Small Business, on December 3, 1968, submitted a report entitled "Selected Problems of Small Business in the Area of Federal Procurement" (Rept. No. 1671), which was printed.

REPORT OF JOINT COMMITTEE ON DEFENSE PRODUCTION

Mr. SPARKMAN. By unanimous consent, from the Joint Committee on Defense Production, I submit a report entitled, "Eighteenth Annual Report of the Activities of the Joint Committee on Defense Production," which has heretofore been printed as a House report, with illustrations.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:

Theodore R. McKeldin, of Maryland, to be a Commissioner of the Indian Claims Commission.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUSKIE (for himself, Mr. Anderson, Mr. Baker, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Brooke, Mr. Church, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Fulbright, Mr. Hart, Mr. Hatfield, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy, Mr. McGee, Mr. McIntyre, Mr. McGovern, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Mundt, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Sparkman, Mr. Tydings, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 1. A bill to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 2. A bill to provide for the sharing with the States of a portion of the Federal revenues based on a percentage of the total taxable income reported on individual and corporate income tax returns; to the Committee on Finance.

By Mr. KENNEDY:

S. 3. A bill to authorize the Attorney General to provide a group life insurance program for State and local government law enforcement officers; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 4. A bill to establish the Big Thicket National Park in Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE (for himself and Mr. Anderson, Mr. Dodd, Mr. Eagleton, Mr. Gravel, Mr. Hart, Mr. Harris, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Randolph, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 5. A bill to promote the public welfare; to the Committee on Labor and Public Welfare, by unanimous consent.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 6. A bill to repeal the Food Stamp Act of 1964 and enact in lieu thereof the Domestic Food Assistance Act of 1969; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself and Mr. Randolph, Mr. Baker, Mr. Boggs, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Case, Mr. Cooper, Mr. Dodd, Mr. Fong, Mr. Hart, Mr. Inouye, Mr. Kennedy, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Ribicoff, Mr. Spong, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 7. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself and Mr. Brooke, Mr. Case, Mr. Cranston, Mr. Gravel, Mr. Harris, Mr. Hart, Mr. Inouye,, Mr. Javits, Mr. Kennedy, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Tydings, and Mr. Young of Ohio):

S. 8. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to the agriculture industry; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 9. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 10. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. MUSKIE (for himself and Mr. Anderson, Mr. Bayh, Mr. Brooke, Mr. Byrd of West Virginia, Mr. Dodd, Mr. Gravel, Mr. Hart, Mr. Hatfield, Mr. Inouye, Mr. Jackson, Mr. Kennedy, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Tydings, Mr. Yarborough, and Mr. Young of Ohio):

S. 11. A bill to reinforce the federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself, Mr. Bennett, Mr. Bible, Mr. Byrd of West Virginia, Mr. Cotton, Mr. Dirksen, Mr. Dodd, Mr. Fannin, Mr. Holland, Mr. Hollings, Mr. Hruska, Mr. Jordan of Idaho, Mr. Mundt, Mr. Murphy, Mr. Stennis, Mr. Talmadge, and Mr. Thurmond):

S. 12. A bill to strengthen the internal security of the United States; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 13. A bill for the relief of George Karlin; to the Committee on the Judiciary.

By Mr. Scott (for himself, Mr. Bayh, Mr. Brooke, Mr. Case, Mr. Cook, Mr. Goodell, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Inouye, Mr. Javits, Mr. McGee, Mr. Mathias, Mr. Miller, Mr. Mondale, Mr. Muskie, Mr. Nelson, Mr. Percy, Mr. Schweiker, Mr. Williams of New Jersey):

S. 14. A bill to provide for the establishment of a Commission on Afro-American History and Culture; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for himself and Mr. Harris, Mr. Aiken, Mr. Allen, Mr. Bennett, Mr. Brooke, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Cook, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Gravel, Mr. Hansen, Mr. Hart, Mr. Hatfield, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Talmadge, Mr. Thurmond, Mr. Tydings, and Mr. Young of North Dakota):

S. 15. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Finance.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

Mr. WILLIAMS of New Jersey:

S. 16. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself and Mr. Anderson) (by request):

S. 17. A bill to amend the Communications Satellite Act of 1962 with respect to the election of the board of the Communications Satellite Corporation; to the Committee on Commerce.

By Mr. MONTOYA (for himself and Mr. Anderson, Mr. Byrd of West Virginia, Mr. Fulbright, Mr. Gore, Mr. Hart, Mr. Hartke, Mr. Kennedy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Mondale, Mr. Yarborough, and Mr. Williams of New Jersey):

S. 18. A bill to exempt the National Park Service from certain employee limitations; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 19. A bill to reimburse certain persons for amounts contributed to the Department of the Interior; to the Committee on the Judiciary.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS (for himself and Mr. Bayh, Mr. Burdick, Mr. Cotton, Mr. Curtis, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Griffin, Mr. Goodell, Mr. Hart, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. McGee, Mr. Miller, Mr. Moss, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Ribicoff, Mr. Scott, Mr. Thurmond, Mr. Tydings, Mr. Williams of Delaware, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Schweiker):

S. 20. A bill to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 21. A bill for the relief of Loreta Valido Balbas; to the Committee on the Judiciary.

By Mr. HOLLINGS (for himself, Mr. Pastore, and Mr. Cotton):

S. 22. A bill to impose quotas on the importation of certain textile articles; to the Committee on Finance.

By Mr. YARBOROUGH:

S. 23. A bill for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 24. A bill to amend the Foreign Service Act of 1946 so as to permit payment of certain costs of treatment of dependents of Foreign Service personnel where illnesses or injuries incurred abroad are aggravated by lack of prompt and adequate medical attention; to the Committee on Foreign Relations.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 25. bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 26. A bill to revise boundaries of the Canyonlands National Park in the State of Utah;

S. 27. A bill to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah; and

S. 28. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under separate headings.)

By Mr. WILLIAMS of Delaware:

S. 29. A bill to provide for the appointment of postmasters without Senate confirmation, and to prohibit the solicitation, making, or consideration of recommendations by Members of Congress or officials of political parties concerning appointments of postmasters and rural carriers; to the Committee on Post Office and Civil Service.

By Mr. McCLELLAN (for himself, Mr. Hruska and Mr. Ervin):

S. 30. A bill relating to the control of organized crime in the United States; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 31. A bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent; and

S. 32. A bill to remove the limitations on the rates of interest or investment yield on Government bonds; to the Committee on Finance.

By Mr. GOODELL:

S. 33. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Finance.

(See the remarks of Mr. Goodell when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 34. A bill to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Cooper, Mr. Hart, Mr. McGee, Mr. Mondale, Mr. Moss, Mr. Prouty, Mr. Scott, Mrs. Smith, and Mr. Young of North Dakota:

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Finance.

By Mr. HANSEN:

S. 36. A bill to authorize the sale of certain lands under the jurisdiction of the Department of Agriculture; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN:

S. 37. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Missouri River Basin project, Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN (for himself and Mr. Hruska, Mr. Curtis, and Mr. McGee):

S. 38. A bill to consent to the Upper Niobrara River Compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN:

S. 39. A bill to authorize the Secretary of the Interior to make dispostion of federally owned mineral rights, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 40. A bill to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation; to the Committee on Interior and Insular Affairs.

S. 41. A bill to provide for the issuance of a special postage stamp in commemoration of the work of Esther Hobart Morris for her role in women's suffrage in Wyoming; and

S. 42. A bill to provide for the issuance of a special postage stamp in commemoration of the Territorial Centennial of Wyoming in 1969; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hansen when he introduced the above bills, which appear under separate headings.)

By Mr. McGOVERN (for himself and Mr. Anderson, Mr. Burdick, Mr. Dole, Mr. Harris, Mr. Mansfield, Mr. McGee, Mr. Metcalf, Mr. Montoya, Mr. Nelson, Mr. Pearson, Mr. Talmadge, and Mr. Yarborough):

S. 43. A bill to amend section 16 of the Soil Conservation and Domestic Allotment Act, as amended, to extend the Great Plains conservation program; to the Committee on Agriculture and Forestry.

(See the remarks of Mr McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN:

S. 44. A bill to provide for the application of certain credits toward annual installments due under the repayment contract between the United States and the Deaver Irrigation District, Frannie division, Shoshone project, Wyoming, and for other purposes; and

S. 45. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bills, which appear under separate headings.)

By Mr. SPONG:

S. 46. A bill for the relief of the estate of Pierre Samuel du Pont Darden; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 47. A bill for the relief of Takaaki Shiraki;

S. 48. A bill for the relief of Mr. Mathew Hamilton Benjamin Murray and Mrs. Elizabeth King Murray; and

S. 49. A bill for the relief of Elizabeth McKelvie; to the Committee on the Judiciary.

By Mr. GOODELL:

S. 50. A bill to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties; to the Committee on Finance.

(See the remarks of Mr. Goodell when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 51. A bill to provide annuities payable from the civil service retirement and disability fund for certain widows and widowers by reducing the required period of marriage; to the Committee on Post Office and Civil Service.

S. 52. A bill for the relief of Harold W. Strohl and his wife, Edna J. Strohl;

S. 53. A bill for the relief of Zarko Vucinich and wife, Alexandra Vucinich; and

S. 54. A bill for the relief of Vladko Dimitrov Denev; to the Committee on the Judiciary.

S. 55. A bill for the relief of Leonard N. Rogers, John P. Corcoran, Mrs. Charles W. (Ethel J.) Pensinger, Marion M. Lee, and Arthur N. Lee; to the Committee on Agriculture and Forestry.

By Mr. YOUNG of North Dakota:

S. 56. A bill for the relief of Lela G. Gustafson; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 57. A bill for the relief of Gerda Meckling Mostek; to the Committee on the Judiciary.

By Mr. CURTIS (for himself and Mr. Hruska):

S. 58. A bill providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. AIKEN (for himself and Mr. Prouty):

S. 59. A bill to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen and the U.S. Army Materiel Command Firing Range, Underhill, Vt.; to the Committee on Armed Services.

By Mr. BOGGS (for himself, Mr. Case, Mr. Cotton, Mr. Montoya, Mr. Scott, Mr. Bennett, Mr. Javits, Mr. Williams of Delaware, Mr. Goodell, Mr. Mathias, and Mr. Kennedy):

S. 60. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS:

S. 61. A bill for the relief of Salvatore Vassallo;

S. 62. A bill for the relief of Dr. Abid Mohiuddin;

S. 63. A bill for the relief of Bartolo Marco Vassallo; and

S. 64. A bill for the relief of Sheng-Kee Woo and Kou-Ing Woo; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 65. A bill to direct the Secretary of Agriculture to convey sand, gravel, stone, clay and similar materials in certain lands to Emogene Tilmon of Logan County, Ark.; to the Committee on Agriculture and Forestry.

By Mr. GOOODELL:

S. 66. A bill to establish the Commission on Economy and Efficiency in Government; to the Committee on Government Operations.

By Mr. MUNDT:

S. 67. A bill to provide for an investigation and study of future water needs of the Missouri River Basin; to the Committee on Public Works.

S. 68. A bill for the relief of Miss Fructuosa Gonzales; and

S. 69. A bill for the relief of Mohan Doulatram Asnani and his wife Bina Mohan Asnani; to the Committee on the Judiciary.

S. 70. A bill to establish a national cemetery at Fort Randall Dam, S. Dak.; to the Committee on Interior and Insular Affairs.

S. 71. A bill to provide that an impression of Mount Rushmore, S. Dak., shall appear on the back of all U.S. currency in the denomination of $1; to the Committee on Banking and Currency.

S. 72. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Pollock-Herreid unit, South Dakota pumping division, Missouri River Basin project, South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. MUNDT (for himself and Mr. McGovern):

S. 73. A bill to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak."; and

S. 74. A bill to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. PROXMIRE:

S. 75. A bill to authorize the erection of a monument to honor the war veterans of the Oneida Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Ohio:

S. 76. A bill for the relief of Soon-Hie Cho Young; to the Committee on the Judiciary.

By Mr. GOODELL:

S. 77. A bill to revise the Federal election laws, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Goodell when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 78. A bill for the relief of Chung Hang Kwan; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 79. A bill for the relief of Hawk Ken Seto; to the Committee on the Judiciary.

S. 80. A bill to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Enoch A. Lowder of Logan County, Ark.;

S. 81. A bill to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to J. B. Smith and Sula E. Smith of Magazine, Ark.; and

S. 82. A bill to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Wayne Tilmon and Emogene Tilmon of Logan County, Ark.; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Fulbright when he introduced the above bills, which appear under a separate heading.)

By Mr. MONTOYA:

S. 83. A bill for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation;

S. 84. A bill for the relief of Cecilio Benitez-Cabot;

S. 85. A bill for the relief of Dr. Jagir Singh Randhawa;

S. 86 A bill for the relief of Nathan Altintas; and

S. 87. A bill for the relief of Luciano Vittorio Guiseppe Giomo; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 88. A bill to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. GORE (for himself and Mr. Baker):

S. 89. A bill to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EASTLAND:

S. 90. A bill for the relief of Anthony Glorioso;

S. 91. A bill for the relief of Dr. Mustafa Salih Abdulrahman; and

S. 92. A bill for the relief of Mr. and Mrs. Wong Yui; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 93. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of certain oil and gas leases; and

S. 94. A bill to authorize the establishment of the Old Kodiak National Historic Site in the State of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEVENS (for himself and Mr. Gravel):

S. 95. A bill to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State; to the Committee on Interior and Insular Affairs.

By Mr. GORE:

S. 96. A bill for the relief of Marble International, Inc.—Alexander Marble & Tile Co.; to the Committee on the Judiciary.

By Mr. FANNIN:

S. 97. A bill to provide for the free entry of one mass spectrometer for the use of Arizona State University; to the Committee on Finance.

By Mr. GORE:

S. 98. A bill for the relief of Phu Loc Ho Thi Khiet Tran-Kiem; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

S. 99. A bill for the relief of Raijany Rubins Santini; to the Committee on the Judiciary.

By Mr. BROOKE (for himself, Mr. Javits, Mr. Fong, Mr. Williams of New Jersey, and Mr. Case):

S. 100. A bill to provide for the establishment of a National Firearms Information Center; to the Committee on the Judiciary.

(See the remarks of Mr. Brooke when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 101. A bill for the relief of Atmaran Harilal Soni and his wife, Ila Atmaran Soni; and

S. 102. A bill for the relief of Dr. Jose Cruz Fermo, Jr., and his wife, Dr. Merli Gorospe Fermo; to the Committee on the Judiciary.

By Mr. GRIFFIN:

S. 103. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the U.S. Labor Court, and for other purposes;

S. 104. A bill for the relief of Dr. Petre Lubarovski;

S. 105. A bill for the relief of Ai Bok Chun;

S. 106. A bill for the relief of Waldemar E. Kunstmann;

S.107. A bill for the relief of Tin Yok Chan; and

S. 108. A bill for the relief of David H. Esshaki; to the Committee on the Judiciary.

By Mr. ELLENDER:

S. 109. A bill for the relief of Dr. Benito V. Odulio and his wife, Dr. Brunhilda G. Odulio; to the Committee on the Judiciary.

By Mr. AIKEN (for himself, Mr. Mansfield and Mr. Prouty):

S. 110. A bill to amend title XVIII of the Social Security Act and related provisions of law so as to eliminate the deductible and coinsurance features of the health benefits program established by such title, to permit women to qualify for such benefits provided thereunder services of certain medical specialists, to include prescribed drugs among the benefits provided by part B of such title, to include eye and dental care among the benefits provided under such part B, and otherwise to extend and approve such program; and

S. 111. A bill to amend title XVIII of the Social Security Act so as to provide a more uniform, orderly, and economical method for the payment for physicians services under the supplementary medical insurance program for the aged established by part B of such title; to the Committee on Finance.

(See the remarks of Mr. Aiken when he introduced the above bills, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 112. A bill for the relief of Dr. Kenneth Siu;

S. 113. A bill for the relief of Dr. Mete V. Altug; and

S. 114. A bill for the relief of Ali Nail and Meral Kubali; to the Committee on the Judiciary.

By Mr. GORE:

S. 115. A bill for the relief of Bonnie Ann Lowrie, Mark Wayne Lowrie, and Paul Cameron Lowrie;

S. 116. A bill for the relief of Phillip F. Thomas; and

S. 117. A bill for the relief of Dimitrios Vassiliadis; to the Committee on the Judiciary.

By Mr. BIBLE (for himself, Mr. Cannon, Mr. Murphy, and Mr. Cranston):

S. 118. A bill to grant the consent of the Congress to the Tahoe Regional Planning Compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 119. A bill for the relief of Jan Nowicki, his wife, Wladyslawa Nowicki, and his son, Piotr Nowicki; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. Aiken, Mr. Bellmon, Mr. Bible, Mr. Burdick, Mr. Byrd, of West Virginia, Mr. Case, Mr. Church, Mr. Cook, Mr. Cranston, Mr. Eagleton, Mr. Goodell, Mr. Gravel, Mr. Harris, Mr. Hatfield, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Magnuson, Mr. Mansfield, Mr. Mathias, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN (for himself, Mr. Byrd of West Virginia, Mr. Byrd of Virginia, Mr. Miller, Mr. Dodd, Mr. Dominick, Mr. Sparkman, Mr. Talmadge, and Mr. Jordan of North Carolina):

S.J. Res. 2. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ERVIN (for himself, Mr. Allen, Mr. Talmadge, Mr. Byrd of West Virginia, and Mr. Stennis):

S.J. Res. 3. Joint resolution proposing an amendment to the Constitution relating to members of the Supreme Court of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HOLLAND:

S.J. Res. 4. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Tydings, Mr. Bayh, Mr. Bible, Mr. Brooke, Mr. Church, Mr. Cannon, Mr. Muskie, Mr. Mondale, Mr. Nelson, Mr. Yarborough, Mr. Williams of New Jersey, and Mr. Hatfield):

S.J. Res. 5. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on the Judiciary.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DIRKSEN (for himself, Mr. Allen, Mr. Allott, Mr. Bellmon, Mr. Bennett, Mr. Boggs, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cook, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dole, Mr. Dominick, Mr. Eastland, Mr. Fannin, Mr. Goldwater, Mr. Griffin, Mr. Hansen, Mr. Holland, Mr. Hollings, Mr. Hruska, Mr. Jordan of Idaho, Mr. Moss, Mr. Mundt, Mr. Pearson, Mr. Prouty, Mr. Randolph, Mrs. Smith, Mr. Sparkman, Mr. Stennis, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota):

S.J. Res. 6. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S.J. Res. 7. Joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S.J. Res. 8. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

S.J. Res. 9. Joint resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program; to the Committee on Aeronautical and Space Sciences.

By Mr. GOLDWATER:

S.J. Res. 10. Joint resolution to provide for the designation of the calendar week beginning on February 9, 1969, and ending on February 15, 1969, as "Active 20–30 Week"; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. Fulbright, and Mr. Scott):

S.J. Res. 11. Joint resolution to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. Mundt (for himself, Mr. Jordan of Idaho, Mr. Sparkman, Mr. Miller, Mr. Byrd of West Virginia, Mr. Williams of Delaware, Mr. Dominick, Mr. Hruska, Mr. Cotton, Mr. Thurmond, Mr. Fong, Mr. Curtis, Mr. Young of North Dakota, Mr. Stennis, Mr. Tower, Mr. Boggs, Mr. Hansen, and Mr. Goldwater):

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of

the President and Vice President; to the Committee on the Judiciary.

By Mr. ANDERSON:

S.J. Res. 13. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. BROOKE:

S.J. Res. 14. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

(See the remarks of Mr. Brooke when he introduced the above joint resolution, which appear under a separate heading.)

(For remainder of bills introduced today, see proceedings of tomorrow, Thursday, January 16, 1969.)

S. 1—INTRODUCTION OF BILL—THE UNIFORM RELOCATION ASSISTANCE AND LAND ACQUISITION POLICIES ACT OF 1969

Mr. MUSKIE. Mr. President, on behalf of myself and Senators Anderson, Baker, Bayh, Bible, Boggs, Brooke, Church, Cooper, Curtis, Dodd, Fulbright, Hart, Hatfield, Inouye, Javits, Jordan of Idaho, Kennedy, McGee, McIntyre, McGovern, Metcalf, Miller, Mondale, Montoya, Moss, Mundt, Nelson, Pell, Randolph, Sparkman, Tydings, Williams of New Jersey, Yarborough, and Young of Ohio, I introduce, for appropriate reference, a bill to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs.

I ask unanimous consent that the text of the bill be printed in the Record following my remarks.

Mr. President, a major item of unfinished business which should be accorded highest priority in this new Congress is the passage of legislation assuring consistent and fair treatment of those who are uprooted from their homes and places of business by projects carried out by the Federal Government and by State and local governments with Federal assistance. That is the purpose of the bill I am introducing today.

This is an old problem that should weigh heavily on the conscience of all who are responsible for the setting of Federal policies. It has been a matter of great concern to Senators over the last decade.

Provisions for uniform relocation assistance and land acquisition policies were included in the Intergovernmental Cooperation Act of 1968, as it was introduced and as it was passed by the Senate. Thirty-one Senators joined me in cosponsoring that measure.

The hearings conducted by the Subcommittee on Intergovernmental Relations demonstrated in intensely human terms the shattering effects of the displacement of people from their homes, their neighborhoods, their businesses to make way for public projects. They brought out clearly the confusion and inequities caused by the diversity and inadequacy of the measures available to public agencies to reduce the hardships of displacement.

It was in the 86th Congress that the senior Senator from Alabama (Mr. Sparkman) introduced his bill for a comprehensive study of this whole problem by an independent commission. When the view prevailed that this study should be conducted within the legislative branch, Members of both Houses looked to the Select Subcommittee on Real Property Acquisition, established in 1962 by the House Committee on Public Works, to provide the basis for legislative action. That subcommittee rendered its monumental report in 1964. It showed conclusively and in detail the inequities and hardships suffered by hundreds of thousands of families, businessmen, and farmers for the sake of projects intended to benefit the public as a whole. In the following year I introduced a bill, S. 1681, to implement many of the recommendations of that report, and it was unanimously passed by the Senate, though it did not come to final action in the House.

The Intergovernmental Cooperation Act, in the form approved by the Senate, would have made a fair and reasonable measure of assistance available on a uniform basis to those displaced by any Federal program or by any State or local program which uses Federal financial assistance. It provided that assurances must be given in advance that suitable housing would be available for relocation of families and individuals. It directed that advisory assistance be given to all displaced persons in finding new homes or places of business. It established schedules of relocation payments geared to the actual cost of moving and economic adjustment. It provided that this assistance should be applied uniformly in all programs, under regulations issued by authority of the President.

Two other measures addressed themselves to this problem in the 90th Congress, the Federal Aid Highway Act of 1968 and the Housing and Urban Development Act of 1968.

The Highway Act, this year for the first time, included mandatory provision for relocation assistance to those displaced in the Federal aid highway system, closely comparable to and, in fact, borrowed from the provisions of the Intergovernmental Cooperation Act. That act became law on August 23, 1968. The Housing and Urban Development Act, which became law on August 1, 1968, added to the relocation assistance already available in housing and urban programs, bringing it close to the level that would have been established by the Intergovernmental Cooperation Act.

In these two acts provision has now been made for assistance to the great majority of those displaced by Federal or federally assisted programs.

There still was lacking, however, a system for applying relocation assistance uniformly in all programs, and this is what the Intergovernmental Cooperation Act would have accomplished. Unfortunately, because of a conflict of committee jurisdiction in the House of Representatives, it was not possible for the Senate and the House to agree on this portion of the bill. In the same manner, provisions establishing uniform policies to be followed in all Federal or federally assisted programs governing the acquisition of land for public projects were left from the bill.

This was a jurisdictional problem; there was no disagreement on the merits of these provisions. In fact, the managers on the part of the House in reporting the conference report stated:

> The conferees were in agreement on the desirability of the Congress enacting a uniform relocation policy to assist those displaced from their homes, farms, or businesses by Federal and federally assisted projects. They were also agreed upon the desirability of a uniform land acquisition policy in cases where Federal or federally assisted programs result in the taking of the land of private owners. They recommend to the appropriate committees of both Houses that action be taken on those objectives as soon as possible.

This unfinished business deserves to be given the highest priority in the 91st Congress. It is imperative that the Government of the United States deal consistently and fairly with all those whose property is taken for public projects and all those who are displaced from their homes and their businesses. When called upon to make this adjustment in their personal lives for the public good, such persons must be able to turn to the responsible agency, whether of a local government, the State, or the Federal Government, and be assured of the help they need to reestablish themselves in homes or places of business no less satisfactory than those they were forced to leave.

The bill which I am introducing today can serve as the means of discharging that responsibility. It is based on the provisions which were included in the Intergovernmental Cooperation Act of last year, and takes fully into account past congressional actions on relocation and land acquisition problems. It has benefited by the consideration given to relocation and land acquisition measures not only by the Committee on Government Operations but also by the Committees on Public Works and Banking and Currency. It follows as closely as possible the substantive provisions of the Housing and Urban Development Act and the Federal Aid Highway Act, modifying them only as necessary to achieve a system of requirements and aids that can be applied uniformly in all Federal and federally assisted programs. It gives particular attention to the need for consistency and evenhandedness in dealings with property owners and displaced persons. It places responsibility for coordination of all Federal operations under the act where it belongs—in the Executive Office of the President. To reduce conflict and confusion in the federally aided programs, the bill provides that one State or local agency may make relocation payments and provide relocation assistance on behalf of all programs causing displacements in the locality.

The time has come to bring our studies of these problems to an early conclusion and proceed to final congressional action. I am hopeful that the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969 will be approved in both Houses of Congress and sent to the President during the first session of the 91st Congress.

The PRESIDING OFFICER. The bill

will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1) to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs, introduced by Mr. MUSKIE and other Senators, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 1

A bill to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Uniform Relocation Assistance and Land Acquisition Policies Act of 1969".

TITLE I—DEFINITIONS

As used in this Act—

FEDERAL AGENCY

SEC. 101. The term "Federal agency" means any department, agency, or instrumentality in the executive branch of the Government, any wholly owned Government corporation (except the District of Columbia Redevelopment Land Agency), and the Architect of the Capitol.

STATE

SEC. 102. The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and territory or possession of the United States, and any political subdivision thereof.

STATE AGENCY

SEC. 103. The term "State agency" means the District of Columbia Redevelopment Land Agency and any public body, agency or instrumentality of a State or of a political subdivision of a State, or any public agency or instrumentality of two or more States or of two or more political subdivisions of a State or States.

HEAD OF AGENCY

SEC. 104. The term "head of a Federal agency" or "head of a State agency" includes a duly designated delegate of such agency head.

DISPLACED PERSON

SEC. 105. The term "displaced person" means—

(1) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency;

(2) any person who is the operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency;

(3) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition by such Federal or State agency of other real property on which such family conducts a business or farm operation;

(4) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency, or who moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition by such Federal or State agency of other real property on which such individual conducts a business or farm operation; or

(5) any person, not described in paragraph (1), (2), (3), or (4) of this section, who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, by a Federal or State agency. Under this paragraph, the term "displaced person" shall not include the owner of personal property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such lease or license to move such property at his own expense.

BUSINESS

SEC. 106. The term "business" means any lawful activity conducted primarily (1) for the purchase and resale of products, commodities, or any other personal property; (2) for the manufacture, processing, or marketing of any such property; (3) for the cultivation, processing, and marketing of timber; or (4) for the sale of services to the public. Such term does not include the activity of an investor in acquiring or holding real property for resale for gain.

FARM OPERATION

SEC. 107. The term "farm operation" means any activity conducted solely or primarily for the production for sale or for home use, of one or more agricultural products or commodities other than timber, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

FARM OPERATOR

SEC. 108. The term "farm operator" means any owner, part owner, tenant, or sharecropper who operates a farm.

FAMILY

SEC. 109. The term "family" means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption, or guardianship.

DISPLACED

SEC. 110. The term "displaced", when used in relation to any person, means any person moved or to be moved from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such property for a public improvement constructed or developed by or with funds provided in whole or in part by the Federal Government.

OWNER AND PERSON

SEC. 111. The terms "owner" and "person" include any individual, or any partnership, corporation, or association, whether organized for profit or not for profit.

REAL PROPERTY

SEC. 112. The term "real property" as used in this Act shall include land, and any interest in land, including but not limited to easements, rights-of-way, water rights, and mineral interests.

TITLT II—UNIFORM RELOCATION ASSISTANCE

DECLARATION OF POLICY

SEC. 201. The purpose of this title is to establish a uniform policy for the fair and equitable treatment of owners, tenants, and other persons displaced by the acquisition of real property in Federal and federally assisted programs to the end that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Such a policy shall be as uniform as practicable as to (1) relocation payments, (2) advisory assistance, (3) assurance of availability of standard housing, and (4) Federal reimbursement for relocation payments under federally assisted programs.

PART A—FEDERAL PROGRAMS

RELOCATION PAYMENTS

SEC. 211. (a) If the head of any Federal agency acquires real property for public use in a State, he shall make fair and reasonable relocation payments to displaced persons in accordance with the regulations established by the President under section 241 of this Act.

(b) Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive—

(1) a moving expense allowance, determined according to a schedule established by the head of the Federal agency, not to exceed $200; and

(2) a dislocation allowance of $100.

(c)(1) In addition to amounts otherwise authorized by this section, the head of the Federal agency shall make a payment to any displaced person who moves or discontinues his business provided the average annual net earnings of the business are less than $10,000 per year. This payment shall be in an amount equal to the average annual net earnings of the business or $5,000, whichever is the lesser. In the case of a displaced person who is sixty-two years of age or over, this payment shall be increased by an amount equal to twice the average annual net earnings of the business or $5,000, whichever is the lesser.

(2) No payment shall be made under this subsection unless the head of the Federal agency is satisfied that the business—

(A) cannot be relocated without a substantial loss of its existing patronage; and

(B) is not part of a commercial enterprise having at least one other establishment, not being acquired, which is engaged in the same or similar business.

(3) For purposes of this subsection, the term "average annual net earnings" means one-half of any net earnings of the business, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired, and includes any compensation paid by the business to the owner, his spouse, or his dependents during such two-year period.

(d)(1) In addition to amounts otherwise authorized by this section, the head of the Federal agency shall make a payment in the amount of $1,000 to any displaced person who moves or discontinues a farm operation, provided the average annual net earnings of the farm operation are less than $10,000 a year.

(2) In the case where the entire farm operation is not acquired by such Federal agency, the payment authorized by this subsection shall be made only if the head of such agency determines that the property not acquired is no longer a viable economic unit.

(3) For purposes of this subsection, the term "average annual net earnings" means one-half of any net earnings of the farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such farm operation moves from the real property acquired, and includes any compensation paid by the farm operation to the owner, his spouse, or his dependents during such two-year period.

(e)(1) In addition to amounts otherwise authorized by this section, the head of the

Federal agency shall make a payment to the owner of real property which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a decent, safe, and sanitary dwelling of modest standards adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment. Such payment shall be made only to a displaced owner who purchases and occupies another dwelling within one year after the date on which he is required to move from the dwelling acquired for the project.

(2) The Secretary of Housing and Urban Development shall determine the prices prevailing in the locality for dwellings meeting the requirements of paragraph (1) of this subsection for all agencies making such payments.

(f)(1) In addition to amounts otherwise authorized by this section, the head of the Federal agency shall make a payment to any individual or family displaced from a dwelling and not eligible to receive a payment under subsection (e)(1) of this section, provided such dwelling was actually and lawfully occupied by such individual or family for not less than ninety days prior to the initiation of negotiations for acquisition of such property. The additional payment, not to exceed $1,500, shall be an amount which, when added to 20 per centum of the income of the displaced individual or family during the two-year period immediately preceding displacement, equals the average rental required for a two-year period for a decent, safe, and sanitary dwelling of modest standards adequate in the size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities. Such payment shall be made only to an individual or family who is unable to secure a dwelling in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

(2) The Secretary of Housing and Urban Development shall determine the amount of assistance under this subsection according to family size, family or individual income, average rents required, or similar considerations for all agencies making such payments.

(g) No payment received under this section shall be considered as income for the purposes of the Internal Revenue Code of 1954, or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

RELOCATION ASSISTANCE PROGRAMS

SEC. 212. (a) If the head of any Federal agency acquires real property for public use in a State, he shall provide a relocation assistance program for displaced persons which shall offer the services described in subsection (c) of this section. If the head of such agency determines that persons occupying property immediately adjacent to the real property acquired are caused substantial economic injury because of the acquisition of real property for public use, he may offer such persons relocation services under such program.

(b) Federal agencies administering programs which may be of assistance to displaced persons covered by this Act shall cooperate to the maximum extent feasible with the Federal or State agency causing the displacement to assure that such displaced persons receive the maximum assistance available to them.

(c) Each relocation assistance program required by subsection (a) of this section shall include, to the maximum extent practicable, such measures, facilities, or services as may be necessary or appropriate in order—

(1) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

(2) to assure that, within a reasonable period of time, prior to displacement there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment except that the President may prescribe by regulation situations when such assurances may be waived;

(3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations;

(4) to supply information concerning the Federal Housing Administration home acquisition program of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

(5) to assist in minimizing hardships to displaced persons in adjusting to relocation; and

(6) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

STATES FURNISHING REAL PROPERTY INCIDENT TO FEDERAL ASSISTANCE

Sec. 213. Whenever real property is acquired by a State agency and furnished as a required contribution incident to a Federal project to improve a locality, the Federal agency may not accept such property unless the acquiring State agency has made relocation payments, provided relocation assistance, and provided assurance of availability of housing as required in the case of acquisitions of real property by a Federal agency. The State agency shall bear the costs of relocation payments and assistance as a part of the real property acquisition cost, except that the Federal agency having authority over the project shall contribute the first $25,000 of the cost of providing such payments and assistance to any person displaced prior to July 1, 1972.

FUND AVAILABILITY

SEC. 215. Funds appropriated or otherwise available to any Federal agency for the acquisition of real property or any interest therein shall be available also for obligation and expenditure to carry out the provisions of this title.

PART B.—FEDERALLY ASSISTED PROGRAMS

RELOCATION PAYMENTS AND ASSISTANCE; ASSURANCE OF AVAILABILITY OF HOUSING

SEC. 231. (a) Notwithstanding any other provision of law, on and after the effective date of this section, no grant to, or contract or agreement with a State agency, under which Federal financial assistance will be available to pay all or part of the cost of (1) the acquisition of real property, (2) a public improvement for which real property is to be acquired, or (3) a program which will otherwise result in the displacement of persons may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance unless such State agency has entered into an agreement with the head of such Federal agency to provide to displaced persons for moves from such real property—

(1) fair and reasonable relocation payments in the same amounts and under the same terms and conditions as are required to be made by a Federal agency by section 211(a) of this title and in accordance with regulations established by the President under section 241 of this title;

(2) relocation payments in the same amounts and under the same terms and conditions as are required to be made by a Federal agency by sections 211 (b), (c), and (d)(2) of this title;

(3) relocation assistance programs offering the services described in section 212(c) of this title;

(4) a feasible method for the temporary relocation of families and individuals displaced from the property acquired, and assurance that within a reasonable period of time prior to displacement, there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment; and

(5) a payment for owner-occupants under the same terms and conditions as are required to be made by Federal agencies by subsection 211(d)(1) of this Act, except that no such payment shall be required or included as a project cost under subsection 231(c) if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the head of the Federal agency to have substantially the same purpose and effect as subsection 211(d)(1) and to be part of the cost of the project for which Federal financial assistance is available.

(b) As a condition to further assistance to a State agency for (1) part or all of the cost of real property acquisition, (2) part or all of the cost of a public improvement for which real property is to be acquired, or (3) a program which will otherwise result in the displacement of persons, the head of the Federal agency shall require, within a reasonable time prior to actual displacement, satisfactory assurance by the State agency that decent, safe, and sanitary dwellings as required by subsection 231(a)(4) are available for the relocation of each such individual or family.

(c) The cost to a State agency of providing the payments and services described in subsection (a) of this section may be included as part of the cost of the project for which Federal financial assistance is available to such State agency, and such State agency shall be eligible for Federal financial assistance with respect to such payments and services in the same manner and to the same extent as with respect to other project costs. Notwithstanding any other law, the Federal agency providing such assistance shall contribute the first $25,000 of the cost of providing such payments to any person displaced prior to July 1, 1972. Any funds appropriated or otherwise available to a Federal agency for assistance to State agencies for such projects shall be available also for obligation and expenditure to carry out the provisions of this subsection. No State agency need agree to make any relocation payment in excess of $25,000 to any displaced person in order to receive the assistance authorized by this subsection.

(d) In order to prevent unnecessary expenses and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, any agreement by a State agency under subsection (a) of this section shall provide that such agency may make relocation payments or provide relocation assistance or otherwise carry out its functions under this title by utilizing the facilities, personnel, and services of any other State agency having an established organization for conducting relocation assistance programs.

(e) Any grant to, or contract or agreement with a State agency executed before the effective date of this section, under which Federal financial assistance is available to pay the cost in connection with the acquisition of real property, or of the improvement for which such property is acquired, may be amended to include the terms and conditions required by subsection (a) of this section.

(f) If the head of a Federal agency determines that it is necessary for the expeditious completion of a public improvement for which a State agency has entered into agreement, as described in subsection (a) of this section, to make relocation payments to displaced persons, or to provide the funds necessary to meet the requirements of section 321(b)(1) of this Act, he may advance to the State agency the Federal share of such relocation payments and an amount necessary to make the required payments under section 321(b)(1). Upon determination by the head of such Federal agency that any part of the funds advanced to a State agency under this subsection are no longer required, the amount which he determines not to be required shall be repaid upon demand. Any sum advanced and not repaid on demand shall be deducted from sums otherwise available to such State agency from Federal sources.

DISPLACEMENT BY CERTAIN PROGRAMS RECEIVING ASSISTANCE UNDER TITLE I OF THE HOUSING ACT OF 1949, AS AMENDED

SEC. 232. A person who moves or discontinues his business, or moves other personal property, or moves from his dwelling on or after the effective date of this Act, as a direct result of any project or program which receives Federal financial assistance under title I of the Housing Act of 1949, as amended, or the Demonstration Cities and Metropolitan Development Act of 1966 shall, for the purposes of this title, be deemed to be a displaced person.

Part C—Authority of the President

SEC. 241. (a) To carry out the provisions of this title, the President is authorized to make such rules and regulations as he may determine to be necessary to assure—

(1) that relocation payments authorized by section 211 shall be fair and reasonable and as uniform as practicable;

(2) that a displaced person entitled to a relocation payment under section 211(a) shall be reimbursed for or paid—

(A) his reasonable and necessary expenses in moving himself, his family, his business, farm operation, or other personal property, and for his reasonable and necessary expenses in searching for a replacement property;

(B) if he disposes of personal property on moving or discontinuing his business or farm operation at a price which is less than its replacement value, the amount of the difference between such price and such value; and

(C) such other expenses authorized by section 211(a) as may be provided for in regulations issued under this section;

(3) that a displaced person who makes proper application for a relocation payment authorized for such person by this title shall be paid promptly after a move or, in certain hardship cases, the President may, by regulation, authorize advance payment of certain relocation costs;

(4) that any person aggrieved by a determination as to eligibility for a relocation payment authorized by this title, or the amount of a payment, may have his application reviewed by the head of the agency; and

(5) that a displaced person shall have a reasonable time in which to apply for a relocation payment authorized by this title.

(b) The President may, by regulation, establish a limitation on the amount of a relocation payment authorized by section 211 (a) with due consideration for the declaration of policy of this title and the provisions of subsection (a) of this section and section 231(c).

(c) In order to prevent unnecessary expense and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, the President is authorized to require that any Federal agency make relocation payments or provide relocation services, or otherwise carry out its functions under this title, by utilizing the facilities, personnel, and services of any other Federal agency, or by entering into appropriate contracts or agreements with any State agency having an established organization for conducting relocation assistance programs.

(d) The President may make such other rules and regulations consistent with the provisions of this title as he deems necessary or appropriate to carry out this title.

Part D—General Provisions

SEVERABILITY

SEC. 251. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of the provision to other persons or circumstances shall not be affected thereby.

REPEALED

SEC. 252. (a) The following laws and parts of laws are hereby repealed:

(1) the act entitled "An Act to authorize the Secretary of the Interior to reimburse owners of lands required for development under his jurisdiction for their moving expenses, and for other purposes," approved May 29, 1958 (43 U.S.C. 1231–1234);

(2) paragraph 14 of section 203(b) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473);

(3) section 2680 of title 10, United States Code;

(4) section 133 of title 23, United States Code;

(5) section 7(b) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1606(b));

(6) section 105(c) of the Housing Act of 1949 (42 U.S.C. 1455(c));

(7) section 114 of the Housing Act of 1949 (42 U.S.C. 1465);

(8) paragraph (7)(b)(iii) of section 15 of the United States Housing Act of 1937 (42 U.S.C. 1415 (7)(b)(iii));

(9) paragraph (8) of section 15 of the United States Housing Act of 1937 (42 U.S.C. 1415 (8)), except the first sentence of such paragraph;

(10) section 404 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3074);

(11) section 107 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3307);

(12) chapter 5 of title 23, United States Code; and

(13) sections 32 and 33 of the Federal Aid Highway Act of 1968 (Public Law 90–495).

(b) Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions thereof under subsection (a) of this section.

EFFECTIVE DATE

SEC. 253. This title and the amendments made by this title shall become effective one hundred eighty days after the date of its enactment, except that sections 231, 232, and 252(a)(4), (5), (6), (7), (8), (9), and (10) shall take effect on July 1, 1971, except that, commencing one hundred eighty days after enactment, the provisions of sections 231 and 232 shall be applicable with respect to any grant to or contract or agreement with a State agency to the extent it is able under its laws to comply with such sections and the provisions of Federal law governing relocation payments and assistance otherwise applicable to grants to or contracts or agreements with such agency shall be superseded by this title.

TITLE III—UNIFORM LAND ACQUISITION POLICY

Part A—Federal Programs

UNIFORM POLICY ON LAND ACQUISITION PRACTICES

SEC. 301. (a) In order to encourage the acquisition of real property by amicable agreements with owners, to relieve congestion in the courts, to assure consistent treatment for owners in the many Federal programs, and to promote public confidence in Federal land acquisition practices, heads of Federal agencies shall be governed by the following policies:

(1) The head of a Federal agency shall conduct transactions for the acquisition of real property in such a manner as to assure to the extent possible that persons whose property is acquired shall not be worse off economically than they were before the property was acquired.

(2) The head of a Federal agency shall make every reasonable effort to acquire real property by negotiated purchase.

(3) Real property shall be appraised before the initiation of negotiations, and the owner or his designated representative shall be given an opportunity to accompany the appraiser during his inspection of the property.

(4) Before the initiation of negotiations for real property, the head of the Federal agency concerned shall establish an amount which he believes to be just compensation, such amount not to be less than the appraised value of the property as approved by such agency head, and shall make a prompt offer to acquire the property for the full amount so established. Any decrease in the value of real property prior to the date of valuation cause by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for the proposed public improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property.

(5) No owner shall be required to surrender possession of real property before the head of the Federal agency concerned pays the agreed purchase price, or deposits with the court in accordance with section 1 of the Act of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a), for the benefit of the owner an amount not less than the appraised fair value of such property as determined by such agency head, or the amount of the award of compensation in the condemnation proceeding for such property.

(6) The construction or development of public improvements shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days' written notice from the head of the Federal agency concerned.

(7) If the head of the Federal agency concerned does not require a building, structure, or other improvement acquired as a part of the real property, he shall where practicable offer to permit its owner to remove it. As a condition of removal, an appropriate agreement shall be required whereby the fair value of such building, structure, or improvement for removal from the real property, as determined by such agency head, will be deducted from the compensation otherwise to be paid for the real property, however such compensation may be determined.

(8) If the head of a Federal agency permits an owner or tenant to occupy the real property acquired on a rental basis for a short

term or for a period subject to termination by the Government on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short-term occupier.

(9) In no event shall the head of a Federal agency either advance the time of condemnation, or defer the condemnation and the deposit of funds in court for the use of the owner, in order to compel an agreement on the price to be paid for the property. If an agency head cannot reach an agreement with the owner, after negotiations have continued for a reasonable time, he shall promptly institute condemnation proceedings and, at the same time or as soon thereafter as practicable, file a declaration of taking and deposit funds with the court in accordance with the Act of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a), if possession is required prior to the entry of the judgment in the condemnation proceeding.

(10) If an interest in real property is to be acquired by exercise of the power of eminent domain, the head of the Federal agency concerned shall, except as to property to be acquired under section 25 of the Tennessee Valley Authority Act of 1933 (48 Stat. 70, as amended; 16 U.S.C. 831x), require the Attorney General to institute formal condemnation proceedings. No Federal agency head shall intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his property.

(11) If only a portion of a parcel of real property is to be acquired, thereby leaving the unacquired portion without economic use, the head of the Federal agency concerned shall offer to acquire the entire property.

(12) In determining the boundaries of a proposed public improvement, the head of the Federal agency concerned should take into account human considerations, including the economic and social effects of such determination on the owners and tenants of real property in the area, in addition to engineering and other factors.

(b) The provisions of this section shall not affect the validity of any property acquisitions by purchase or condemnation.

BUILDINGS, STRUCTURES, AND IMPROVEMENTS

SEC. 302. (a) Notwithstanding any other provisions of law, if the head of a Federal agency acquires land or any interest in land for public use in a State, he shall acquire a like interest, or greater interest, in all buildings, structures, or other improvements on the land so acquired which are required to be removed from the land or which, in the opinion of such agency head, will be adversely affected by such public use, if such improvements are not required to be removed.

(b) As used in this section, the term "real property" means land, or any interest in land, and (1) any building, structure, or other improvement imbedded in or affixed to land, and any article so affixed or attached to such building, structure, or improvement as to be an essential and integral part thereof; (2) any article affixed or attached to such real property in such manner that it cannot be removed without material injury to itself or the real property; and (3) any article so designed, constructed, or specially adapted for the purpose for which such real property is used that (A) it is an essential accessory or part of such real property, (B) it is not capable of use elsewhere, and (C) it would lose substantially all its value if removed from the real property.

(c) (1) For the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement shall be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the Federal agency shall pay to the tenant the fair value of the building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (A) the contributive value of the improvement to the present use of the entirety, (B) the current cost of replacement less depreciation of the improvement, or (C) the value of the improvement for removal from the property.

(2) Payment under this subsection shall not result in duplication of any payments otherwise authorized by law. No such payment shall be made unless the fee owner of the land involved disclaims any interest in the improvements of the lessee. In consideration for any such payment, the lessee shall assign, transfer and release to the United States all his rights, title, and interest in and to such improvements. No provision of this subsection shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment for his property interests of just compensation as otherwise defined by law.

EXPENSES INCIDENTAL TO TRANSFER OF TITLE TO UNITED STATES

SEC. 303. The head of a Federal agency as soon as practicable after the date of payment of the purchase price or the date of deposit of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, shall reimburse the owner for necessary and reasonable expenses incurred for—

(1) recording fees, transfer taxes, and similar expenses incidental to conveying such real property;

(2) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date the official announcement of the project is made by the authorized Federal agency; and

(3) the pro rata portion of real property taxes allocable to a period subsequent to the date of vesting title in the United States or the effective date of a court order of possession, whichever is the earlier.

PART B—FEDERALLY ASSISTED PROGRAMS

REQUIREMENTS FOR APPROVAL OF CONTRACTS OR AGREEMENTS FOR FEDERAL FINANCIAL ASSISTANCE

SEC. 321. (a) Notwithstanding any other provision of law, on and after the date of enactment of this section no grant to or contract or agreement with a State agency, under which Federal financial assistance will be available to pay in whole or in part the cost of the acquisition of real property or of a public improvement for which real property is to be acquired, may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance unless such State agency has entered into an agreement which shall provide—

(1) that every reasonable effort shall be made to acquire the real property by negotiated purchase;

(2) that the construction or development of the public improvement shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days' written notice from such State agency; and

(3) that it shall be the policy of the head of the State agency, before initiating negotiations for real property, to establish an amount which he believes to be just compensation, under the laws of the State, such amount not to be less than the appraised value of the property as approved by such State agency head, and to make a prompt offer to acquire the property for the full amount so established.

(b) Notwithstanding any other provision of law, no grant to, or contract or agreement with a State agency, under which Federal financial assistance will be available to pay in whole or in part the cost of the acquisition of real property, or of a public improvement for which real property is to be acquired, may be approved by the head of the Federal agency responsible for the administration of such Federal financial assistance, unless such State agency has entered into the agreements described in subsection (a) of this section and has also agreed—

(1) that no owner will be required to surrender possession of real property before the head of the State agency (A) pays the agreed purchase price, (B) makes available to the owner, by court deposit or otherwise, an amount not less than the appraised fair value of such property, as approved by such State agency head, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

(2) that the head of the State agency, as soon as practicable after the date of payment of the purchase price or the date of deposit of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, shall reimburse the owner for necessary and reasonable expenses incurred for—

(A) recording fees, transfer taxes, and similar expenses incidental to conveying such real property;

(B) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date the official announcement of the project is made by the State agency; and

(C) the pro rata portion of real property taxes allocable to a period subsequent to the date of vesting title in the State or the effective date of a court order of possession, whichever is the earlier;

(3) that any decrease in the value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for the proposed public improvements, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

(4) that for the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement shall be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the State agency shall pay to the tenant the fair value of the building, structure, or improvement which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property, except that (1) payment hereunder will not result in duplication of any payments otherwise authorized by law; (2) the fee owner of the land involved disclaims any interest in the improvements of the lessee; and (3) the lessee in consideration for such payment shall assign, transfer, and release to the State agency all his right, title, and interest in and to such improvements. No provision of this subsection shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment

for his property interests of just compensation as otherwise defined by law.

PROVISIONS REPEALED

SEC. 322. Sections 401, 402, and 403 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071–3073) and Section 35 of the Federal Aid Highway Act of 1968 (Public Law 90–495) are hereby repealed.

EFFECTIVE DATE

SEC. 323. This title shall become effective one hundred eighty days after enactment, except that sections 321(b) and 322 shall take effect on July 1, 1971, except that commencing one hundred eighty days after enactment, the provisions of section 321(b) shall be applicable with respect to any grant to or contract or agreement with a State agency to the extent it is able under its laws to comply with such sections and the provisions of Federal law governing acquisition of real property otherwise applicable to grants to or contracts or agreements with such agency shall be superseded by this title.

S. 4—INTRODUCTION OF BILL—THE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill to establish a Big Thicket National Park in southeast Texas. This beautiful and unique area of heavy rainfall and dense vegetation, which covers parts of Hardin, Polk, Tyler, Liberty, and San Jacinto Counties, near Beaumont, Tex., is one of our country's most valuable regions of biological and ecological development. Until recently, this portion of the Texas gulf plains has remained an unspoiled refuge for rare species of plant and animal life. However, increasing development and exploitation of the area now threatens the existence of the Big Thicket as an identifiable ecological unity.

I originally introduced a bill substantially the same as this one in October of 1966, as S. 3929 of the 89th Congress, and reintroduced it again in January 1967, as S. 4 of the 90th Congress. It was presented as an integral part of my overall agenda for the conservation and preservation of our national resources, and it followed the establishment of the Padre Island National Seashore in 1962 and the Guadalupe Mountains National Park in 1966. It is now presented as a vitally important aspect of my conservation legislation for the 91st Congress.

Since the introduction of the original bill in 1966, I have received a vast amount of support for such legislation There is substantial agreement in all quarters that some form of preservation of the Big Thicket is needed—indeed, imperative. There is great concern that immediate action be taken to preserve at least some of this area, thereby saving a portion of one of the most stimulating and unique of our wilderness areas.

On October 24, 1968, and again on November 27, 1968, I received notice from the Secretary of the Interior Stewart Udall, that a proposal for a Big Thicket Monument or National Recreation area has been approved by the Department of the Interior. The Advisory Board on National Parks, Historical Sites, Buildings and Monuments has recognized the importance of preserving this "unique ecological region"—but, unfortunately, the 35,000 acres called for in this plan are a mere token, far short of what is actually needed.

On December 14, 1968, at a meeting of conservationist groups in Silsbee, Tex., the National Park Service revised its position and revealed another plan to provide for a more comprehensive program of some 48,000 acres. After giving further consideration to a proposal to preserve representative samples of the area, the Park Service has now proposed a large Big Thicket environmental conservation zone which would contain the original recreation area supplemented by scenic easements and local zoning controls along some 400 miles of rivers and roads.

This proposal offered by the National Park Service is closer to what is needed, but I think careful consideration should be given to the specific amount of acreage called for, and to the particular developmental concept advocated. This "recreation area" approach does not offer needed protection to much of the valuable plant and animal habitat and wilderness areas. I am convinced that only a comprehensive program that will provide for the preservation of ecologically valuable regions as well as the establishment of recreational facilities and wildlife preserves can prevent further such spoilation of the Big Thicket area as to destroy its ecological identity.

In my bill, I ask that at least 100,000 acres be set aside as a Big Thicket National Park. I believe that this is a minimum amount that must be preserved and protected if we are to make more than a token effort to insure the natural development of this beautiful land. Even though I am grateful that the Interior Department has recognized the need and taken this limited action, I do not think we can settle for a plan that falls so far short of our own limited goals. We simply cannot be satisfied with a "monument" or a "play ground" which does not meet the basic need of preserving the natural beauty and biological uniqueness of the Big Thicket.

I originally introduced my Big Thicket bill in 1966, not as a detailed proposal ready for immediate enactment, but as an attempt to focus attention on this need until the best recommendations from all interested parties became available. These recommendations from the Department of the Interior are based upon the onsite inspections made by the National Park Service in November 1965. I have recently received other suggestions from such nationally known groups as the Wilderness Society and the Sierra Club, who have become quite concerned with this project. I feel we may have now accomplished some of our original purpose, inasmuch as the Big Thicket has now received attention and nationwide publicity, in addition to the recognition and support gained throughout the State of Texas—but now we need more than recognition; we need action.

When first seen by Europeans, the Big Thicket, a forest barrier to pioneer travel, contained about 3½ million acres. Forty years ago, logging and agriculture had cut that original acreage to one and a half million acres. Now only a few hundred thousand acres remain; probably a 10-percent remnant of one of the most unique growths and areas in Texas.

Justice William O. Douglas said on a visit to the Big Thicket that we ought to save 300,000 or a half million acres, here. My proposal is too modest to admit of delay.

Time is running out. We simply do not have the luxury to deal leisurely with this matter—or with any matter that concerns conservation of our natural resources. I was shocked to learn last year that the Big Thicket is vanishing at the rate of some 50 acres per day. That does not leave us much time. And, we must remember, once we have depleted and destroyed the natural beauty of our wilderness acres, we can never again replace it. The process is—tragically—irreversible.

I have personally traveled through the Big Thicket area, viewing its huge trees and dense undergrowth at firsthand. The many rare and beautiful birds: water, land, trees, and air birds, including possibly the last ivory-billed woodpecker, over 300 species of birds in all; the wild animals such as the deer and wildcat; the fast vanishing alligator, the exotic wild orchids, azaleas, and gardenias—all make it a wonderful sight to behold. Its sloughs and creeks, magnolia trees, palmettos, and water plants create an aura of the primeval beginning of our world.

Four of the five carnivorous plants found in North America are in this Big Thicket. The largest living examples of three different species of American trees are found there. Sugar maples, and white beech from the far north, relics and residents left behind by the Ice Age grow here alongside sweet bay trees, flowering magnolias, 40-foot-high wild peach trees, and flowering shrubs, climbing vines, and clinging Spanish moss.

As a whole, this unique phenomenon of ecological unity is irreplaceable—but it will be lost forever unless immediate action is taken to preserve its many treasures for future generations to see.

Mr. President, the highly respected Sierra Club has called for the protection of the Big Thicket and has given its support to my efforts in this cause. The September 1968 issue of the Sierra Club Bulletin contains an editorial by Mr. Michael McCloskey, conservation director of the Sierra Club Council entitled "Preserving the Quality of Our Environment." This clear and cogent argument for an effective and responsible national conservation program was presented to the platform committees of both parties during the last election, and is an excellent statement of purpose for the basic cause of conservation. High on the Sierra Club's list of priorities is the protection of the Big Thicket area. I ask unanimous consent that this article appearing on page 19 of the September 1968 issue of Sierra Club Bulletin be printed at the end of my remarks.

I would also like to have included at the end of my remarks an article by Orrin H. Bonney which appeared in the Sierra Club Bulletin last May. This article, entitled "The Biological Crossroads of North America: The Big Thicket," gives an excellent introduction to the specific and unique qualities of the Big Thicket area, and outlines a more comprehensive program for its preservation. I ask unanimous consent that this article appearing on page 7 be inserted in the Record at the appropriate point.

Mr. President, I am deeply concerned that immediate action be taken on this bill, for time is of the essence. Many concerned people, organizations, and conservationists join me in supporting this bill; and many interested individuals and groups are continuing to work long and hard for its passage. More than 25 different conservation-oriented organizations are now supporting this bill. Now is the time to make the preservation of the Big Thicket a reality.

I ask unanimous consent that my bill to establish a Big Thicket National Park in Texas be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the articles and bill will be printed in the Record.

The bill (S. 4) to establish the Big Thicket National Park in Texas, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership an area in the State of Texas possessing outstanding botanical and zoological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Big Thicket National Park, consisting of land and interests in land not less than one hundred thousand acres in Hardin, Liberty, San Jacinto, Polk, and Tyler Counties, Texas.

Sec. 2. (a) To establish the Big Thicket National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Wherever feasible, land shall be acquired by transfer from other Federal agencies.

Any property, or interest therein, owned by the State of Texas or political subdivision thereof may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire land which lies adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the value of the properties exchanged.

Sec. 3. When title to all privately owned land within the boundary of the park, other than such outstanding interests, rights, and easements as the Secretary determines are not objectionable, is vested in the United States, notice thereof and notice of the establishment of the Big Thicket National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park.

Sec. 4. The Big Thicket National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Sec. 5. There are hereby authorized to be appropriated such funds as are necessary to accomplish the purposes of this Act.

The articles referred to are as follows:

Preserving the Quality of Our Environment—Suggestions to the Platform Committees of the Republican and Democratic Parties

(Prepared by Michael McCloskey, Conservation Director)

The dream of a peaceful and prosperous America will have little meaning if it is bought at the price of a degraded environment. Private prosperity amidst blight, foul air, crowding, and a wasted landscape can hardly be the answer to the American dream. Our concern for individual advancement must be matched by equal concern for the environment that we are all fated to share.

Increasingly, life will be worth living to the extent we make man's habitat habitable. Man's habitat must be treated as a whole, an interrelated system just as it is for astronauts in space. We must relearn what early conservation leaders, John Muir and Gifford Pinchot, taught us: each thing in the universe is hitched to everything else. Public policy must treat the environment as a system. Technology has been pursued with singleness of purpose to change much of our environment for the worse. With new purpose and vision, we can also use that same technology to restore our environment.

The Sierra Club urges that public policy be redirected to harness technology to protect the environment on which man, and all life, depends. Three basic things should be done. One, protective systems should be devised for the more vulnerable parts of the environment, and systems analysis should be used to understand environmental relationships. Systems analysis, armed with automatic data processing, can help us predict the effects of what we might do, allowing us to change our plans in time to safeguard our environment. Two, independent monitors are needed at high levels in government to chart the effects of public and private decisions on the environment, and public defenders are needed to combat those decisions which would be damaging. Three, public policy should be coordinated to help curb population growth so that a balance can be struck between a stable population and an environment of limited capacity.

These suggestions all need elaboration, but only a broad outline can be presented here.

I

As a system, the environment embraces those resources of fixed location and those in motion. It deals with those in public and private ownership alike.

We need to look across these categories to find those special parts of the environment that are fragile, rare, or indispensable. They need to be placed in protective systems. A number of such systems have been established. They need to be filled out and given secure protection.

Preëminent among such systems is the National Park system, preserving unique examples of biota and geology. With 203 units, it is still far from complete. Outstanding candidates for inclusion are a Voyageurs National Park in Minnesota, a Kauai National Park in Hawaii, a *Big Thicket National Monument in Texas,* Sleeping Bear Dunes National Lakeshore in Michigan, and a Channel Islands National Park in California. Many existing parks or those to be newly established need enlargement: Grand Canyon, Redwoods, the North Cascades, Canyonlands, and Mt. McKinley. Inholdings in the parks need to be purchased, and four parks still need protection from mining.

In 1964 Congress established a system to preserve remnants of the wilderness that once characterized this continent. Presently there are 56 units in the National Wilderness Preservation System, embracing less than one-half of one percent of the nation's surface. This system needs to be fleshed out to embrace the two percent of our land that is still untrammeled. A system of this size can serve as an effective yardstick for understanding what we are doing to the other 98 percent of the face of our nation.

Other systems that exist to preserve smaller samples of habitat for flora and fauna also need to be completed. The National Wildlife Refuge System is yet short of much of the wetland needed to sustain breeding stocks for waterfowl, and much needs to be done to preserve the habitat for rare and endangered animals, such as the alligator. The Natural Landmark System has made great progress in encouraging preservation of natural areas harboring typical or rare plant habitats, but only a beginning has been made.

Congress is now on the verge of establishing two important new systems: a *National Scenic Rivers System* to preserve free-flowing rivers, and a National Trails System. Probably only six rivers will be in the Scenic Rivers System at the outset, but ultimately some five dozen or more rivers should be included. The Trails System may initially include only a few nationally significant trails, such as the Appalachian, but many deserve inclusion. Finally, Congress is about to authorize a study of the nation's vanishing estuarine areas, those nurseries of sealife along our coast. A system for preserving these critical areas should be established.

These seven systems to preserve special environments need strong support to be filled out, to function effectively, and to resist destructive incursions.

Beyond these special systems stand the bulk of public lands, embracing about one-third of the nation's surface. Traditionally, these lands administered by the Forest Service and the Bureau of Land Management have served largely local purposes, in the early tradition of rural settlement and development. With the depopulation of rural areas and the decline of old extractive industries, the purposes for which these lands are administered should be redirected. Uneconomic public investments should not be made in these lands to sustain declining industries. Rather, these lands should be the base for a national open space policy to serve the growing needs of a crowded, urban society. Four things should be done: (1) after careful inventories, clear policy should be established to retain most of these lands in public ownership, ending obsolete disposal policies; (2) uneconomic public investments in commodity production should end, as in marginal timber areas; (3) administering agencies should be empowered to decide whether dams and mining on these lands serve the public interest, rather than having decisions to engage in these activities made solely as a matter of private option; and (4) a national landscape policy should be established for public lands whereby the federal government will inventory them to identify the most scenic zones and will pledge itself to protect them from incompatible uses.

An open space policy for federal lands needs to be complemented by a similar policy for the other two-thirds of the country that is privately owned. Most of the sprawl and deterioration is taking place on these lands. While we do not question the desirability of leaving most of these lands in private ownership, two things should be done here. One, studies should be made to determine how much privately owned open space should be preserved, and following that a specific plan should be mapped for the country identifying the exact open space to be preserved. Two, the federal government should tie all its programs of grants and regulations into the achievement of such a plan. Planning grants, mortgage insurance, and housing programs should all be conditioned on local conformance to an acceptable plan, one that will protect enough open space from sprawl. States should be given grants to encourage development of comprehensive state open space plans, such as California is now preparing. Moreover, the federal government should ensure that all its agencies operate in conformance with open space objectives, keeping developments out of areas that should be kept open. It is particularly important, too, that developments such as freeways and transmission lines be kept out of sensitive environments, such as parks and refuges. Finally, the federal government should aid the states in protecting rural lands from open space uses which degrade them, such as strip mining and deforestation.

The more fluid resources—air, water, and sound—which move across the land irrespective of ownership lines must also be husbanded to protect them from degradation. Public policy should aim at maintaining the highest levels of quality possible, with no one given the right to degrade these common resources for his own use. In this regard, three points need emphasis. First, the federal government should lead in assuring that it does not contribute directly or indirectly to pollution of air, water, or the soundwaves wherever it can be helped, particularly through its subsidy programs. Second, within air and watersheds the latest technology, including computer models and systems analysis, should be used to predict and control pollution effects. Third, a more reliable method of financing federal pollution abatement programs must be found, one that will provide dependable aid to state and local government according to announced schedules.

II

Even with functioning systems to protect sensitive environments, a national open space policy, and effective pollution control programs, some method of maintaining surveillance should exist. To do this, the President should be aided by a Council of Environmental Advisors who will monitor trends in the environment and advise on the need for new corrective programs. These advisors should be independent of any agency and should report directly to the President. In seeing the environment as a system, they should give the public a professional and impartial diagnosis of the state of its health.

These general advisors should be complemented by a new body of experts in the Executive Office of the President who can act to defend the public interest when environmental dangers are identified. An office of Public Environmental Defenders should be established to review all agency programs in detail, and to monitor private action subject to public regulation. The office would advise the agencies, Congress, and regulatory authorities of changes it deems necessary to safeguard the environment. The office would be staffed in sufficient depth to effectively counterpose the technical proficiency of agencies with narrow conceptions of the public interest. Presently there is no public body equipped to contest the claims of such agencies.

III

All efforts to maintain environmental quality can be overrun if our population continues to grow rapidly. What was once an empty land is now a full one. Present growth rates cannot continue without marked deterioration in the environment. As a start, three things should be done by the federal government to curb these trends. One, there should be clear recognition in public policy that a stable population is a desirable and necessary aim. Two, studies should be undertaken to determine which population level is the most feasible and conservative at which to aim. Three, all federal programs should be coordinated to keep our population at that level.

CONCLUSION

This program for environmental quality is but a summary of what should be a vast public effort—for the sake of mankind, all life on this planet, and all the generations of both ahead. It can come about only if the leaders of American society, represented here at this convention, understand its necessity and embrace it.

We stand ready to help in any way we can, but the kind of America we will all have will depend on what you determine to do.

The Biological Crossroads of North America: Big Thicket

(By Orrin H. Bonney [1])

Near the great population centers of Dallas, Houston, and the Beaumont-Orange-Port Arthur complex of East Texas is Big Thicket. Once a sweeping expanse of about 3.5 million luxuriantly forested acres, Big Thicket has been whittled down to less than one-tenth its former size. But the 300,000 remaining acres contain great beauty and habitats that are ecologically unique.

The beauty of Big Thicket is elusive. Travelers who look at forest skimming past their car windows are likely to ask, "But where is Big Thicket?" The Thicket's special beauties are not for the motorist, only for walkers who penetrate its dense woods to see the breathtaking loveliness of ferns growing from the moss of gnarled tree trunks, the unbelievable green solitude of duckweed-matted bayous, tree-encircled meadows resplendent with wildflowers, magnificent magnolia groves, azaleas exploding with color, luminous beech forests, eerie cypress swamps.

Big Thicket is unparalleled in the richness and diversity of its plant life. Sometimes called the "biological crossroads of North America," its 60-inch annual rainfall and gulf climate make the Thicket a lapping-over point of subtropical and temperate vegetation, found nowhere else in the United States. A National Park Service study states that "the forest contains elements common to the Florida Everglades, the Okefenokee Swamp, the Appalachian region, the Piedmont forests, and the open woodlands of the coastal plains." Large areas resemble tropical jungles in the Mexican states of Tamaulipas and Vera Cruz. Big Thicket's ecologic complex encompasses eight plant communities—upland, savannah, beech-magnolia, baygall, palmetto-baldcypress-hardwood, bog, streambank, and flood-plain forest—with intermediate gradations.

At least 21 varieties of wild orchids and 25 ferns grow in the area, and four of America's five insect-eating plants. "Mr. Big Thicket," Lance Rosier, has spent a lifetime here; he calls it a matchless area for the study of fungi, mosses, and algae. A study of fungi and algae would doubtless disclose many species that hitherto have been unclassified and unnamed.

Several species of trees have reached their finest development in Big Thicket, and champion-sized trees continue to be discovered: the world's largest American holly, eastern red cedar, Chinese tallow, sycamore, red bay, yaupon, black hickory, sparkleberry, sweetleaf, and two-wing silverbell. The world's tallest cypress tree towered undiscovered in Trinity River bottomlands until a year or two ago.

For reasons still unknown, Big Thicket is a "region of critical species changes." As Dr. D. S. Correll, noted botanist of the Texas Research Foundation, has pointed out, Appalachia flora grow in Big Thicket, the flowers coming in a direct line from Tennessee. As each species reaches the western extreme of its range in East Texas, it tends to differ from its more easterly cousins. "The variations are often so great that the plant has to be segregated as a distinct species," says Dr. Correll.

At least 300 bird species make Big Thicket their home, year-round; countless migratory birds visit the area, which lies on the dividing line between the great flyway of the Mississippi Valley and the migration route that curves along the gulf coast.

The ivory-billed woodpecker, gaudily plumed and larger than a crow, ranged through southern forests in the past. With the gradual passing of vast, virgin hardwood stands that were its home, this regal bird was thought to be extinct. But a number of ivory-bills—estimates range from seven to ten—have been observed in the Neches River bottomlands of Big Thicket. Preservation of the area would be justified on this basis alone.

Hunters have roved Big Thicket since Indians paddled across the waters of the "Big Woods," as they called it, in search of once-abundant game. (Enforcement of game laws reached the area in 1964; poaching and hunting out of season are still a way of life there.) Bear and panther are rarely seen now, but smaller game animals are well represented. Reptiles and amphibians—ranging in size from alligators to tiny worm snakes—add to the interest of the region.

Archaeologists haven't studied Big Thicket yet, but nearby studies indicate that artifacts from all four eras represented in Texas will be found there—the Paleo-American, Archaic, Neo-American, and Historical. Early Indians in the area were the Akokisa and the Bidai. The Coushatta Indians (then the Alabama) came west in about 1800 and settled in Big Thicket. They still remain there, on the only Indian reservation in Texas.

Until the 1820's, the Thicket wilderness was inviolate. Historic trails—such as the Old San Antonio Road, the Atascosita-Opelousas Trail, and the Contraband Trail—bypassed the "impenetrable wood" with its luxuriant undergrowth, unfordable streams, and bogs. But in the 1820's, the wilderness was penetrated from the north by Anglo-American settlers who moved in by way of flatboats, keel boats, and rafts. Farm settlements mushroomed along streams to form towns like Jasper (1824) and Woodville and Hillister (1830). Old men in dying crossroad towns will still tell you stories of epic bear hunts, of bawdy sawmill days, of hiding Civil War deserters, runaway slaves, and other fugitives.

Economic development of Big Thicket began on a small scale during the 1850's, when logs were floated down the Sabine and Neches rivers to three sawmills. In 1876 a narrow-gauge railroad, with an eventual 250 miles of tram offshoots, launched the lumbering industry into the big time and doomed the western Thicket wilderness. Railroad builders took another giant step in 1896, positioning their rights of way to facilitate plundering of Big Thickets unspoiled eastern half. Their lines slashed through the Great Woods, with sawmill towns strung along them like beads on a necklace. Moving out—lock, stock, and railroad tracks—when the accessible and marketable timber was gone from an area, lumber companies left denuded chaos and disintegrating sawmill towns behind them. The turn of the century saw a sustained assault on Big Thicket resources that did not end until practically all of the virgin pine forests had been reduced to cut-over woodlands.

Most of its wilderness was raped decades ago, but Big Thicket has remarkable recuperative powers. Stumps decayed, and dense undergrowth recaptured the sites of old sawmill towns. And fortunately, there are areas that axe and machine have never reached.

Today, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up Big Thicket at the dismaying rate of 50 acres a day. But growing numbers of Texans—keenly aware of their state's lack of public land, its dwindling natural areas, its mere 106 miles of trails—are becoming seriously concerned at last. More and more of them are realizing that it's now or never if significant parts of Big Thicket's last 300,000 acres are to be preserved for the people of Texas and the nation.

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[1] Orrin Bonney, author of Guide to the Wyoming Mountains and Wilderness Areas, is a resident of Houston and Chairman of the Sierra Club's Lone Star Chapter.

Battle lines were drawn when the Texas conservationist and statesman, Senator Ralph Yarborough, introduced in 1967 a bill to establish a Big Thicket National Park of 75,000 acres: S. 4. While the National Park Service has made no final recommendations, its preliminary study of 1965 envisioned a nine-unit national monument of 35,000 acres built on a "string of pearls" concept.

(1) The Big Thicket Profile Unit, 18,180 acres, which is in the heart of the original Thicket and contains a representative selection of almost every kind of land and vegetation to be found in the area.

(2) The Beach Creek Unit, 6,100 acres, with its virgin beech forest.

(3) The Neches Bottom Unit, 3,040 acres.

(4) The Tanner Bayou Unit, 4,800 acres, on the Trinity River.

(5) The Beaumont Unit, 1,700 acres, containing an entirely untouched cypress swamp.

(6) The Little Cypress Creek Unit, 860 acres.

(7) The Hickory Creek Savannah, 220 acres, which contains an unusually lush growth of insect-eating plants.

(8) The Loblolly Unit, 550 acres, which contains the largest (and almost the last) stand of virgin pine in the state of Texas.

(9) Clear Fork Bog, 50 acres.

The Lone Star Chapter of the Sierra Club has studied the 35,000-acre "string of pearls" plan, and believes it is too small and too fragmented to preserve Big Thicket's special values. Accordingly, the chapter recommends the following changes and additions:

The Big Thicket Profile Unit should be extended southward and eastward down both sides of Pine Island Bayou to its confluence with the Neches River. No "motorized nature road" should cut this strip, as has been suggested. The extension would protect Pine Island Bayou from the proposed Pine Island Bayou Water Management Program, a drainage project that would undoubtedly upset the ecology of Big Thicket.*

The Neches Bottom Unit should be expanded to include most of the wildlands and forest along the Neches between highway U.S. 190 and the confluence of Pine Island Bayou. The almost extinct ivory-billed woodpecker has been seen here, and the Neches is a fine river for canoeing.

A Village Creek Unit should be added, protecting both sides of Village Creek between the Big Thicket Profile Unit and the Neches Bottom Unit.

A substantial area south and east of Saratoga, bounded by highways 770, 326, and 105, should be added. Here the larger wildlife species, such as black bear, puma, and red wolf, may survive.

Major units should be connected by corridors at least a half mile wide, with a hiking trail along each corridor but without new public roads.

Such additions would form a greenbelt of about 100,000 acres through which wildlife and people could move along a continuous circuit of more than 100 miles.

Conservationists worry that lumber companies may strip every acre of ground they own within the proposed boundaries of Big Thicket National Monument to make it worthless for preservation. Already, the Beech Creek Unit has been compromised; and we hear of plans to bulldoze the Loblolly Unit and plant it in cottonwoods for pulp. A well-known lumber executive was heard saying this: "The Big Thicket? In four years there won't be any Big Thicket!"

This dire prediction could come true unless the preservation of North America's "biological crossroads" is recognized as a national issue. The Sierra Club's national Board of Directors has recognized it as such, resolving that: "The Sierra Club supports establishment of a Big Thicket National Monument in East Texas of no less than 100,000 acres. Among other units the Monument should preserve a portion of Village Creek and a substantial portion of the Neches River bottom. All of the units should be maintained essentially in a roadless condition."

S. 5—INTRODUCTION OF BILL—FULL OPPORTUNITY ACT OF 1969

Mr. MONDALE. Mr. President, I introduce, for myself and Senators Anderson, Dodd, Eagleton, Gravel, Hart, Harris, Inouye, Javits, Kennedy, McCarthy, McGee, McGovern, Metcalf, Montoya, Muskie, Nelson, Randolph, Williams of New Jersey, Yarborough, and Young of Ohio, a bill entitled "The Full Opportunity Act of 1969." Since the bill was referred in 1967 to both the Government Operations Committee and the Labor and Public Welfare Committee and has now had hearings before the Government Operations Committee, I ask that it be referred at this time to the Committee on Labor and Public Welfare.

Mr. President, it is nearly 2 years since I first proposed the rationale and structure incorporated in this measure. Hearings on the bill and the events of the past 2 years have strengthened the case for this bill. Today we are more frank to admit both our ignorance of many of the Nation's social needs and the necessity for better social information on which to base our decisionmaking and our experiments in providing opportunity for all Americans.

In introducing the Full Opportunity and Social Accounting Act of 1967, I pointed out how little we know about the interrelationships of social programs and the disastrous consequences of our ignorance. In building highways, rebuilding urban areas, developing transportation systems, for example, we have created a tremendous collection of social problems—relocation, displacement of communities, movement of employment opportunities out of central cities, and others—that we are only beginning to recognize and deal with.

Since 1967, new and compelling—and sometimes violent—social phenomena have underscored our lack of knowledge and insensitivity to the human tragedies in our midst. Not only do we lack prediction of the social consequences of individual program decisions; beyond that, our means of measuring results are so primitive as to be practically nonexistent. So how do we measure the gap between vague social goals and our supposed performance as a society in meeting them?

Why were the riots of 1967 such a surprise, and why were we so unprepared? One of the reasons is that none of us—policymakers, program directors, citizens—knew how close we were to explosion.

And in the wake of discovering our ignorance about the state of hunger in America, there is now much talk of establishing priorities, of making choices among programs and means of spending the money that is available to further our national social effort.

Until we can describe the conditions we have, until we can define the results we want, until we can speak in terms of what has happened to a human being instead of how much money has been spent on him, this will be empty talk. Our measures so far have been measures of effort when what we need are measures of change.

Our hearings, the journals of social science, and the experimental social report soon to be released by the Department of Health, Education, and Welfare all tell us that it is becoming more and more possible to speak in terms of results in social analysis. Instead of changes in real dollars per person spent on health care, for example, we can describe the change in years of expectation of a life free from bed care or institutionalization. Instead of changes in dollars per pupil in title I or number of students per teacher, or years of education, we must be able to talk of change in achievement.

Until we are able to do this, make these real measurements, we risk the probability of remaining sadly limited in our ability to gather public support and public funds for our social efforts.

Like the bill introduced in 1967, the Full Opportunity Act of 1969 establishes a council of social advisers patterned after the council of economic advisers created by the Employment Act of 1946.

The act would create a three-member council of social advisers, to be assisted by an adequate staff, require an annual social report to the Nation, and establish a joint congressional committee on the social report.

Perhaps most important of all, this act declares full opportunity for all Americans to be a national goal. In the troubled times of 1946, we made a great step forward in declaring a national goal of full employment for all Americans. Today, amid our unprecedented wealth, it is fitting to establish a new national goal of opportunity for every American. And it is none too soon to do so.

Hearings on the previous bill are instructive in regard to this proposal. Informal seminar hearings were held on the measure in June 1967, followed by formal hearings in July. Among those who testified favorably on some aspects of the bill were Dr. Daniel Moynihan, soon to be the President's Assistant for Urban Affairs; Bertram Gross, professor of social planning at Wayne State University in Detroit, and one of the architects of the Employment Act of 1946 which created the council of economic advisers; Dr. Amitai Etzioni, professor of sociology at Columbia University, and others. Many of their helpful suggestions have led to changes in the legislation as presently presented.

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* The water management program has been advocated by an agency of the U.S. Department of Agriculture: Southeast Texas Resource Conservation and Development. The agency's goal is "full development of the area's resources," which includes the harvesting of mature timber, the thinning out of overstocked stands, and the destruction of all sorts of vegetation "to reduce competition" for timber-producing pines.

Participants in the seminar were overwhelmingly in favor of the principles of social measurement and institutionalization within the Government. Almost all agreed with John Gardner, director of the Urban Coalition and former Secretary of Health, Education, and Welfare, that we are currently "stumbling into the future" and that establishing a more appropriate gait would take better descriptive information, the development of predictive tools, and careful analysis of both our problems and our resources.

Among the specific matters discussed in those hearings were such present efforts to rationalize decisionmaking as the program-planning-budgeting system; possible beefits for both the Government and the social sciences of the involvement of social scientists in planning and evaluation of public social policy and programs; the differences between measurement in social matters and measurement in economic matters; the importance of preserving individual privacy; and some alternative organizational possibilities.

From the hearings and from examination of the social health of the Nation, it is apparent that—

First. The Nation presently lacks a comprehensive and consistent information base upon which major decisions in social affairs may be made.

Second. Scattered, fragmentary efforts are underway within the Government, in the universities, and elsewhere to develop indices of social progress. Although sophistication in social measurement techniques is growing, as evidenced by the forthcoming social report of the Department of Health, Education, and Welfare, neither the information measured nor the measures themselves have been sufficiently precise, consistent, or systematic to allow rational judgments about the gaps between present programs and urgent social needs, or even to measure satisfactorily the impact of those programs.

Third. Present efforts in the development and collection of social data and predictive tools suggest that significant improvement is possible in the gathering analysis and interpretation of social information needed to establish priorities among competing social and other alternatives.

Fourth. Enactment of legislation creating a structure like the one proposed in the Full Opportunity Act would provide the institutional and procedural framework to first, coordinate attempts to measure the Nation's social health; second, stimulate research geared to the development of more informative social indicators; third, focus public attention on developing social problems; and, fourth, provide policymakers with the information and analysis needed to make rational allocations of resources.

It has become clear in the past 2 years, as it was not clear before, that some such effort is vital to the national welfare. Furthermore, the attention that has been given to the question of social indicators during this period of time has essentially eliminated any doubts about the usefulness of social indicators to help in the task.

The forthcoming social report of the Department of Health, Education, and Welfare, for example, contains a measure of years of expectancy of a healthy life for Americans. It defines healthy life as life free from institutionalization or bed care, and measures the difference over a period of years to try to shed some light on the question of whether our national public and private health efforts are making a difference in the daily health of Americans.

In this report, in our hearings, in developments in the social sciences, in the establishment of the Social Indicators Panel and appointment of an Assistant Secretary for Social Indicators in the Department of Health, Education, and Welfare—the case has been made. Indicators can be and have been devised which reveal certain social facts.

What remains before us is the determination of the kind of structure within the government that can best direct the gathering and analysis of information and recommendation of priorities, goals, and programs for the Nation. It is my hope that early hearings on this act in the Labor and Public Welfare Committee will direct themselves specifically to that subject.

In proposing the structure of a Council of Social Advisers, a Joint Social Committee of the Congress, and an annual social report to the Nation in the initial draft of the Full Opportunity Act, I leaned heavily on the Nation's experience with the Council of Economic Advisers created by the Full Employment Act of 1946.

This is not to say that economic analysis and social analysis are directly comparable. The previous hearings and discussion of the Full Opportunity Act have made it clear that they are not. But there is nothing in the proposal for a Council of Social Advisers that depends on a parallel between economic and social analysis.

Where the parallel does come is the urgent demand for excellence in quality, direction, and level of visibility of the advice the Nation needs.

Any structure for advising the President, the Congress, and the Nation on its social conditions and needs must meet the following criteria if it is to be effective:

First. It must provide an arms-length perspective on the Nation's social conditions and needs, free from the vested interests and channel vision of individual agencies and pressure groups.

Second. It must attract nationally recognized members of the social science community who can bring both their expert knowledge and their prestige to the task of developing social information and advising the President, the Congress, and the Nation.

Third. It must create a highly visible public forum, capable of attracting the attention of the Nation and situated with direct access to the President.

Fourth. Its analyses and recommendations must be subject to the review of the legislative branch, the academic world, and the private sector.

Fifth. It must devote itself to using the most sophisticated techniques of social research available to develop effective social indicators to identify areas of social need and illustrate our progress—or lack of it—over periods of time.

All of our efforts so far fail to meet one or more of these criteria. They are limited to single units or to a single branch or level of government, or they are limited to describing and analyzing only Federal efforts or only governmental efforts, or they are structured so that they fail to achieve—and possibly they even avoid—public attention.

The establishment of the Council of Urban Affairs in the executive branch headed by Dr. Daniel P. Moynihan of the White House staff, for example, is certainly a step toward the coordination of our efforts at a high level of the Government, and we are much better off for having it than we would be without it.

But it is limited to the executive branch and it is limited to the efforts of the Federal Government and to urban affairs. Its members will represent individual agencies and be responsible to those agencies as well as the President. They can be forgiven if they try to protect either the general efforts or the individual programs of their agencies, or both. If this Council limits itself to analyzing and coordinating the programs in urban affairs of the agencies, it will be contributing a great deal to our national social effort.

But it will not be enough. The time has come for this Nation to devote the same intense effort to analysis of its social trends, and recommendations of techniques to deal with them, as it now devotes to economic description, analysis, prediction, and recommendation.

The gulf between those who participate in the promise of America and those who cannot cries out for a bridge, but we still do not know how long a bridge we need, or what it must be built of, or how to anchor it on either side of the abyss. Perhaps we will need more than one kind of bridge.

We have made some beginning attempts to build a bridge, but we do not really know whether people are moving across. It may be that we will find some who must be taught to walk before they can cross.

We will never find out unless we devote our best resources to a broad, systematic effort on a continuing basis, until we define what it means to have crossed that bridge, until we have measured the capacities and weaknesses of those who must cross, until we really know whether the bridges that have worked so long and so well for most of us need only minor repairs, must be completely rebuilt, or can serve side by side with new ones built to carry their special loads.

Something like the structure proposed in the Full Opportunity Act is absolutely essential to such an effort. Perhaps the present Council of Economic Advisers is the best example of the effects it can have.

I believe it is fair to say that over the years the Council of Economic Advisers has had at least the following effects:

It has sensitized the Nation to the importance and effects of changes in our economic growth.

It has helped make possible sustained economic progress, and has helped to eliminate the traditional pattern of periodic recession or depression in the Nation.

It has helped to demonstrate that our national economy can be manipulated to some extent, and has built public support for Government intervention in the economy.

It has provided a forum where economists, Presidents, Members of Congress, academicians, and leaders of business and labor in this country can speak and be heard and understood on questions of our national economic health.

It has educated all of us—some more than others—on the stake we have in steady economic progress.

It has greatly sophisticated our economic measurement techniques as the need for economic indicators emerged and forced sweeping changes in the kinds of statistics gathered by the Government.

And there is also something which the Council of Economic Advisers has not done. It has not diminished the authority of the Congress or the executive branch or the businessman or the individual citizen to make decisions for himself. Instead, it has changed the level of discussion involved in the decisionmaking of everyone.

The recent debate over the imposition of an income tax surtax is a good example of this. It became quite clear in that debate that the decisionmaking had not left the hands of the Congress. The debate was over whether this means should be employed in cooling off an overheated economy. There was disagreement over whether the proposal was too severe or not severe enough, or even whether it was relevant. The traditional interplay between Congress and the President went on as usual.

In short, the Council of Economic Advisers has helped to change the Nation's attitude toward its economy. It has been able to do so partly because it could attract prestigious and sophisticated experts to the economic debate. Their views attracted the attention of the President, the Congress, the business community, and the people. And I believe we are all better off for installing this structure at the highest, most visible level of our Government.

I believe that we can hope for similar results in social analysis, reporting, and discussion from the establishment of a structure like the Council of Social Advisers I propose in this act. And I believe we have every indication that it is none too soon to start.

Mr. President, a very interesting article which establishes the need for the creation and the adoption of the proposed legislation was published in the New York Times on Sunday, under the name of Daniel Bell. I ask unanimous consent that the article be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the Record.

The bill (S. 5) introduced by Mr. MONDALE for himself and other Senators was received, read twice by its title, referred to the Committee on Labor and Public Welfare by unanimous consent, and ordered to be printed in the Record.

S. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Full Opportunity Act."

DECLARATION OF POLICY

SEC. 2. In order to promote the general welfare, the Congress declares that it is the continuing policy and responsibility of the Federal Government, consistent with the primary responsibilities of State and local governments and the private sector, to promote and encourage such conditions as will give every American the opportunity to live in decency and dignity, and to provide a clear and precise picture of whether such conditions are promoted and encouraged in such areas as health, education, and training, rehabilitation, housing, vocational opportunities, the arts and humanities, and special assistance for the mentally ill and retarded, the deprived, the abandoned, and the criminal, and by measuring progress in meeting such needs.

SOCIAL REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall transmit to the Congress not later than March 20 of each year a report to be known as the social report, setting forth (1) the overall progress and effectiveness of Federal efforts designed to carry out the policy declared in section 2 with particular emphasis upon the manner in which such efforts serve to meet national social needs in such areas as health, education and training, rehabilitation, housing, vocational opportunities, the arts and humanities, and special assistance for the mentally ill and retarded, the deprived, the abandoned, and the criminal; (2) a review of State, local, and private efforts designed to create the conditions specified in section 2; (3) current and foreseeable needs in the areas served by such efforts and the progress of development of plans to meet such needs; and (4) programs and policies for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports and supplementary to the social report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

(c) The social report, and all supplementary reports transmitted under subsection (b) of this section, shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF SOCIAL ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is created in the Executive Office of the President a Council of Social Advisers (hereinafter called the Council). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend programs to carry out such policy. Each member of the Council, other than the Chairman, shall receive compensation at the rate prescribed for level IV of the Executive Schedule by section 5315 of title 5 of the United States Code. The President shall designate one of the members of the Council as Chairman who shall receive compensation at the rate prescribed for level II of such Schedule.

(b) The Chairman of the Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and is authorized, subject to such provisions, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the provisions of such chapter 51 and subchapter III of chapter 53.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparing of the social report;

(2) to gather timely and authoritative information and statistical data concerning developments and programs designed to carry out the policy declared in section 2, both current and prospective, and to develop a series of social indicators to analyze and interpret such information and data in the light of the policy declared in section 2 and to compile and submit to the President studies relating to such developments and programs;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 of this Act for the purpose of determining the extent to which such programs and activities contribute to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop priorities for programs designed to carry out the policy declared in section 2 and recommend to the President the most efficient way to allocate Federal resources and the level of government—Federal, State, or local—best suited to carry out such programs;

(5) to make and furnish such studies, reports thereon, and recommendations with respect to programs, activities, and legislation to carry out the policy declared in section 2 as the President may request.

(6) to make and furnish such studies, reports thereon, and recommendations with respect to programs, activities and legislation as the President may request in appraising long-range aspects of social policy and programing consistent with the policy declared in section 2.

(d) Recognizing the predominance of State and local governments in the social area, the President shall, when appropriate, provide for the dissemination to such states and localities information or data developed by the Council pursuant to subsection (c) of this section.

(e) The Council shall make an annual report to the President in February of each year.

(f) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, State and local governments, and other groups, organizations, and individuals as it deems advisable to insure the direct participation in the Council's planning of such interested parties;

(2) the Council shall, to the fullest extent possible, use the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided;

(3) the Council shall, to the fullest extent possible, insure that the individual's right to privacy is not infringed by its activities; and

(4) the Council may enter into essential contractual relationships with educational institutions, private research organizations and others as needed to fulfill its duties and functions enumerated in section 4(c).

(g) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and officers and employees of the Council) such sums as may be necessary. For the salaries of the members and salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $900,000 in the aggregate for each fiscal year.

JOINT COMMITTEE ON THE SOCIAL REPORT

SEC. 5(a) There is established a Joint Committee on the Social Report, to be composed of eight Members of the Senate, to be appointed by the President of the Senate and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by five Members and the minority party shall be represented by three Members.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of all matters relating to the social report; and

(2) as a guide to the several committees of the Congress dealing with legislation relating to the social report, not later than June 1 of each year to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the social report, and from time to time make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and agencies of the Government, and private research agencies.

(e) There is hereby authorized to be appropriated for each fiscal year the sum of $425,000, or so much thereof as may be necessary, to carry out the provisions of this section to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

The article presented by Mr. Mondale, is as follows:

The Art of Forecasting Social Change

(By Daniel Bell)

At periodic intervals, the Central Intelligence Agency prepares for the National Security Council a "national estimate" of the Soviet Union. This is an assessment of intentions and capabilities, a characterization of national will, the health of the economy, the military strength, the loyalty or disaffection of the population and the like.

Such national estimates are also made for a five-year period in order to forecast longer-range build-ups and capabilities of the Soviet society. Presumably, the Russian counterpart of the C.I.A. makes a similar forecast about the United States. Each side needs these forecasts to act intelligently against the other's political intentions and maneuvers.

Paradoxically, the United States Government does not have any central institution to gather the varied economic, sociological and technological information into one central set of forecasts and projections, a national estimate about itself and its future. Most large corporations plan ahead 5, 10 and 20 years.

DEFENSE AGENCIES' WORK

The American Telephone and Telegraph Company has estimates to the year 2000, to gauge its capital needs, new technologies, new product markets, manpower needs and the like. The United States Government does not even have a "capital budget" to allow for long-term commitments; each budget must be voted each fiscal year.

What is not done for the whole is, however, done by many parts. The Defense Department, inevitably, is engaged in long-range technological forecasting. The Air Force has Project Forecast, which makes projections for 15- to 20-year periods. Since 1963, annual classified Army Long-Range Technological Forecasts have been prepared by a special full-time group in the Army Materiel Command. And since 1967, a Navy Technological Forecast has been prepared by a full-time group in the Advanced Concepts Branch of the Navy Material Command. Given the rapid revolutions in military technology in recent years, and the need to anticipate lead times for production, such forecasting has become a necessity.

WHAT CAN WE PREDICT?

And yet, there is no social forecasting, though the needs are as great. With the growth of modern communications and transportation, we are more quickly aware of the linked consequences of change and the need to anticipate and to plan for them from the community to the national level. The rebuilding of American cities, for example, involves a a 35-year cycle. The expansion of medical services involves a minimum of 15 years' planning. The planning of airports, the recycling of our physical environment (e.g., the need to conserve water as an increasingly scarce resource), the extension of education beyond the graduate level as a continuing training to keep persons abreast of new knowledge and techniques—all involve a statement of coordinated national goals and long-range forecasting. And this we do not have.

What kind of phenomena are predictable? For one, certain broad historical trends. Take, for example, the remarkable forecasts made in 1793 by one of the remarkable philosophers, a mathematician and a moderate member of the French Revolutionary movement, the Marquis de Condorcet.

While hiding from the Jacobin squads of Robespierre, this remarkable man wrote a "Sketch for a Historical Picture of the Human Mind." In it he forecast that the principles of the French Revolution would inspire reform in many nations, that all European colonies in the Americas would become politically independent, that social insurance for the aged and the needy would be established, that education would become public and universal, that inequality between persons would be reduced, that women would gain legal rights.

In what sense was Condorcet able to make these predictions? Why did he possess a sense of the future while few of his contemporaries displayed such imagination? What Condorcet did was to determine crucial changes in three areas: in the basic *values* of society which are the legitimatizing agents of behavior; in the *processes* which facilitated the diffusion of these values, and in the modes of thought which shape the fundamental responses of society. It could be said that Condorcet seized on three irreversible keys that were to transform the nature of his time.

The first, in the realm of values, was in the idea of equality. Believing that equality had caught the imagination of the people of the time, Condorcet worked out the consequences of this belief on the customs and practices of society. The second, the means whereby this idea could take hold, was the invention of printing. Previous movements, he pointed out, could not disseminate their ideas.

Finally, the third key was the method of science. Condorcet, as a mathematician, believed that the quantitative mode of thinking would spread through society. He himself constructed some rough actuarial tables and on the basis of these calculations worked out the principle of "social insurance" so that the social monies of those who died "before their time" could be used to pay income for those who lived longer.

MULTIFOLD TREND

Thus, in the area of values and rationality, Condorcet sought to work out the logical consequences of the new commitments in the realm of ideas and method that society was making.

To the changes in the areas of values, means of diffusion and modes of thought, sociological theorists add a fourth dimension, that of *structural changes*, or the change in the character of fundamental social arrangements which determine the kind of work men do and the nature of the primary institutions of the society.

If one looks ahead to the end of the century, it seems clear that the United States is entering into what I have termed a "post-industrial society."

How does one make such a prediction? By observing certain key indicators of the economy and of the class structure, but more important, by being aware of a change in the basic paradigm of social organization.

The first indicator is the fact that the United States is no longer concerned primarily with the production of goods but with services.

The second indicator deals not with *where* people work but the *type* of work they do. The largest single growing class in the society is the technical-professional. Its growth rate, projected from 1960 to 1975, is double that of the labor force as a whole. By 1975, there will be 14 million such persons in the society, making it the second largest of eight occupational classes, with the semiskilled group being, numerically, the largest, though the semiskilled are shrinking relative to other classes.

But the most significant element of change is that in the "skeleton structure" of the society. Western society, historically, has been organized around property, and most social institutions and legal arrangements cluster about the perpetuation of property. But the post-industrial society is primarily a knowledge society, in which skill and education become paramount. Now every society, to some extent, is based on knowledge, but the singular characteristic of the post-industrial society, particularly in the new relation between science and technology, is that innovation and invention become increasingly dependent on the codification of theoretical knowledge.

ROLE OF THE UNIVERSITY

Theoretical knowledge is rooted in the university, because it is there that it is sought and tested in a disinterested way. For this reason, in the next 50 years, the university—and the other centers of research—will become the primary institutions of society, not in the sense of wielding political power, but as possessing the scarcest and most necessary resources in the society.

Finally, in the area of social forecasting, one can, with some high degree of accuracy, predict shorter-run trends, based on the simple extrapolations of population and the knowledge that citizens in this kind of society will have expanded social needs and new expectations of services and levels of living.

What distinguishes the art of forecasting of today from the past is a significant difference in methodology and in intention.

But what is most distinctive about the middle of the 20th century is the awareness of the need, and of the possibility, of deliberate intervention by government, to control change for specified ends. All of this puts us on the threshold of an ancient and persistent human quest: to choose our future. What is central, therefore, to "futurist studies" is not simply the effort to "predict," as if the future were a foreordained point in time, but to sketch "alternative futures."

THE ELEMENT OF CHOICE

All social change today involves social policy and social choice. A large part of America since the end of World War II, for example, has been reshaped by the desire of individuals to own their own homes, a desire made possible largely by the tax and credit policies of the government. Yet such choices were made without any awareness of the additional social costs of such changes: the needs for such new services as schools, water, police, roads.

It would have been possible, for example, not to accept such a choice, uncritically, but to sketch alternative choices: Communities could be built as single-unit detached homes; or as cluster developments, or as high rise in the suburbs with large open spaces. Each of these have different social costs. It may well be that, in the end, Americans would have chosen the pattern they did, but then it would have been done more consciously than in the past.

The art of forecasting, then, is primarily an awareness of consequence, and only by knowing consequences can one make full rational and moral choices.

Mr. HARRIS. Mr. President, I am glad to rise in support of the legislation introduced by the distinguished Senator from Minnesoto. The Full Opportunity Act, which I also cosponsored when it was first introduced some 2 years ago, is an important piece of legislation which deserves early and favorable action by the Senate this session.

The act declares full opportunity for all Americans as a national policy and declares that every citizen has the right to live in decency and dignity.

New mechanisms would be established, somewhat similar to the Council of Economic Advisers and the Joint Economic Committee. A Council of Social Advisers, making social policy recommendations to the President, would annually prepare a social report for the President who would transmit it to the Congress. A newly created Joint Committee on the Social Report would scrutinize the Nation's social priorities, goals and trends as outlined and discussed in the report.

The act would encourage the development of a set of social indicators, or "yardsticks," designed to measure the progress of our national programs, and of a system of social accounting to determine the cost-benefit ratios of these programs with an emphasis on the human side of the ledger.

Altogether the mechanism and the approaches employed to gage social progress should give more visibility to social policymaking in the Federal Government. The publication of the Social Report would generate interaction between the legislative and executive branches. The continuous exercise of the congressional oversight function would foster a dialog on the question: "How well is our country doing?" and serve to sharpen social issues and provide more and better social data upon which sounder judgments on setting priorities and goals could be made.

In addition a more viable and visible national debate would educate and involve the public to a much greater extent. As a result Americans would be sensitized to present and impending social problems and would be more responsive to the urgent needs of our times.

Finally the Full Opportunity Act would tend to enhance the status and prestige of social scientists much as the Full Employment Act did for economists. The proposed act would place at the right hand of the President a select group of social scientists upon whom he would look for advice on social affairs, both short term and long range.

The National Foundation for the Social Sciences, a bill I authored in the 89th Congress and plan to reintroduce shortly, also has the enhancement of the status and prestige of the social sciences as one of its main objectives, and I believe the two bills obviously complement and mutually reinforce one another.

SUBCOMMITTEE ACTIVITY

The Senate has already spent considerable time and effort on this bill. The Subcommittee on Government Research, of which I am Chairman, held an unprecedented seminar and followed through with an extensive set of hearings during the 90th Congress. The overall result of the subcommittee's activities was to make a strong case for the passage of the bill.

Why an informally structured seminar before a regular set of hearings? The scope of the proposed act was so broad that it was felt that a seminar format would be the best method by which the thinking of the Subcommittee and all those concerned might be sharpened and refined prior to actual hearings on the legislation.

The seminar was an innovative approach to dealing with legislation pending before a committee of the Senate, and the 18 experts assembled participated in a rather historical event in the national legislative process.

The distinguished panel was composed of many nationally known figures in public affairs including Dr. Gerhard Colm, former member of the Council of Economic Advisers and an architect of the Full Employment Act of 1946, whose unfortunate death occurred just weeks ago. Among the other participants, to name a few, were Dr. Howard Bowen, president, the University of Iowa, and former Chairman of the National Advisory Commission on Technology, Automation, and Economic Progress; Dr. Irving L. Horowitz, professor of sociology, Washington University, St. Louis, and editor of Transaction magazine; Mr. Francis Keppell, former Commissioner of Education and now chairman, board of directors, General Learning Corp.; and Dr. Joseph Kraft, syndicated columnist.

The roundtable discussion, focused periodically by the delivery of prepared statements on the bill, produced a lively and stimulating exchange of ideas and points of view and, as a result, the nature and scope of the bill were more carefully delineated.

The subsequent hearings, held in July 1967, were conducted at a time when an incredible wave of civil disorders was sweeping the Nation, leaving many cities scarred by acts of flaming violence. Testimony given during the hearings poignantly pointed out our inability to predict or prevent social disruptions, and how ill prepared we were to deal effectively with the resulting lawlessness and disorder. The creation of the President's National Advisory Commission on Civil Disorders near the climax of the hearings highlighted the intensity of national concern and made arguments in favor of the Full Opportunity Act even more compelling.

Twenty-eight distinguished witnesses from the public and private sectors testified during the hearings and addressed their remarks to a set of questions concerning the following six areas:

First. The possibility of establishing a national social accounting system and designing a set of social indicators.

Second. Methods to prevent an invasion of privacy while securing necessary social data.

Third. The role of State and local governments in formulating and implementing national social policies.

Fourth. Whether data collection should be a State, regional, or national responsibility.

Fifth. The suitability of a Council of Social Advisers to achieve the objectives of the bill.

Sixth. What can and should be done to excite, involve and commit the American people to social goals?

The fruitful hearings helped to identify many issues including the deficiencies and fragmentation of present social accounting efforts. Several witnesses suggested modifications to increase the utility of the bill. In summary, the hearings were highlighted by expressions of deep concern for devising better ways to predict and prevent civil disorders, to discover and correct social inequities and to gage improvements in the quality of life in America through an interlocking framework of social indicators and a coordinated system of social accounts.

THE CASE FOR THE FULL OPPORTUNITY ACT

Several compelling arguments in favor of the proposed Act evolved during the seminar and the hearings. I will not go into each one in detail but will discuss the utility of a system of social accounting and a set of social indicators and briefly cover other salient features of the bill that makes swift passage imperative.

Once passed into law the Full Opportunity Act would declare as a national policy the promotion and encouragement of such conditions as will give every American the opportunity to live in decency and dignity. The creation of a Council of Social Advisers, complemented on the legislative side by a Joint Committee on the Social Report, will give more visibility and urgency to all efforts designed to achieve this objective.

These new mechanisms will serve as forums which would stimulate debate, comment and criticism on how well our Nation is doing in improving the quality of American life. The debate will sharpen and rationalize decision-making on social policy and result in greater accountability to the public for the rate of social progress we are making.

A system of social accounts and a set of social indicators will not be established by this act of Congress. They have to be developed, designed, tested, and perfected. Regardless of how successful these attempts may be, the resulting accounting techniques and social yardsticks will not be so precise as to freeze our priorities, goals, and overall national strategy for social betterment. The intent of the legislation is to improve our capabilities to chart our way toward reaching the goal of equal social and economic opportunity.

Social accounting can offer a better idea, on an input-output basis, of how well we are using manpower, funds, and facilities to expand the opportunities available to the deprived and disadvantaged.

A set of social indicators would constitute a set of tools to arrange social data in certain patterns so as to discern trends, both favorable and unfavorable, and take action as appropriate. In this sense the Council of Social Advisers would function very much like the Council of Economic Advisers.

The Full Opportunity Act will stimulate new and better social data gatherings. Many shocking instances that illustrate the primitive state of data collection can be given. For example, as Dr. Harvey Perloff, dean, School of Architecture and Urban Planning, University of California, stated at the seminar:

> It is striking that it wasn't until OEO asked the Census Bureau to collect data on neighborhoods—communities, such as Watts and Harlem—that we really came to know how difficult the situation was in these various neighborhoods in terms of income and employment.

Also, the shocking fact was recently discovered that about 6 million Negroes were not counted during the 1960 census. Six million people, in effect, were considered nonexistent. Can alienation from our society be any more complete? These typical situations are deplorable and demand immediate attention.

With more and better data and indicators to trace social trends problems will be forced to the surface more quickly. Dr. S. M. Miller, program adviser in social development, Ford Foundation, made the observation that—

> I think one of the interesting things about poverty is that it took so long to discover it. There were pieces of discussions but the issue didn't emerge; economists weren't really centrally concerned about it until the sixties.

He might have added that it took the shocking revelations of Michael Harrington's "The Other America" to sensitize the Nation to realities that had prevailed for decades. We cannot afford such tunnel vision in the future. We should be able to deal with problems as they arise and act to prevent rather than react to repair.

The Council of Social Advisers with its congressional mandate would have the power to upgrade and coordinate present social accounting efforts. It would be in a position to advise the President on social issues including the social impact of economic decisions. In this manner it would serve as a complimentary and countervailing force to the Council of Economic Advisers.

More attention to social consequences of policymaking and priority setting would result. For example, while a tax increase or a Federal budgetary cutback might have the same economic impact, the social impact of each would be dramatically different. I believe matters such as this are not now receiving the fullest possible attention in the inner circles of Government.

The invasion of privacy issue came up repeatedly before the subcommittee. Undoubtedly there can be conflict between the need to gather more social data and the rights of an individual to privacy. This is an area where progress in information acquisition has to be accompanied by caution and circumspection.

Data collection on a large scale is not just in the offing but is underway and, therefore, invasion of privacy is already an issue. Because of its visibility, the Council of Social Advisers would be a good agency for the collection of such data. Its position of power would tend to expose any manipulation that might be underway. Bureaucratic secrecy and the tendency to use self-serving and self-fulfilling statistics would be minimized.

The Joint Committee on the Social Report, performing the traditional legislative oversight function, would serve as another check on the methods employed to acquire data and the purposes for which they are used.

Regardless of these built-in safeguards the area remains very sensitive and all precautions should be taken to guarantee that the nature of the social data required for the work of the proposed Council be of a generalized nature; individual as opposed to societywide behavior is of no utility in developing information indicative of social trends. Also, every effort must be taken to insure that methods of acquiring data are ethically and legally sound.

The role of Federal, State, and local governments—as well as the private sector—in relation to the collection and use of social data was another salient topic of discussion before the subcommittee. This legislation would encourage the acquisition, exchange, and use of social information by all governmental jurisdictions and interested private organizations.

The function of the Council to foster more relevant, timely, and accurate information was squarely addressed by those who testified. Dr. Robert P. Abelson, professor of psychology, Yale University, saw the Council of Social Advisers serving "as a lightning rod to focus national attention on problems of common concerns to disparate locales. A series of review and new studies of ghetto conditions, in particular, would be a matter of national urgency."

Dr. Howard E. Freeman, professor of social research, Florence Heller Graduate School for Advanced Studies in Social Welfare, Brandeis University, observed that—

> We have a very bizarre form of government from the standpoint of gathering statistics. We have a city, country, state, regional and Federal establishment, all of which make figures available. These figures differ greatly in their validity, reliability, and precision. It seems to me it is an important mandate of the Council of Social Advisors to coordinate and exert influence and pressure to permit a more integrated type of approach in terms of the various available data.

In both cases the Council is portrayed as playing a decisive role in stimulating and coordinating the acquisition of data, and upgrading its quality. Specifically it is a function of orchestration without domination.

Many changes in the bill have been proposed and some already adopted. I agree with the Senator from Minnesota that the case for passage already has been made before the Subcommittee on Government Research. What is left are possibly a few structural changes which can be made during further committee hearings, which I hope will soon be held. My statements in the public record compiled before the subcommittee reveal my concerns for modifications in the bill as it was originally introduced.

As I have stated, the invasion of privacy issue demands the consideration which I believe the Senator from Minnesota has given to it. I would heartily recommend that in the final report on the bill the intent of Congress in this matter be clearly and forcefully elaborated. In this way any unforeseen gaps in the legislation will be covered by the congressional report.

Staffing is also a crucial factor upon which the success of the Full Opportunity Act depends. Again, I would suggest including a section in the final report on the staffing of the joint committee. It should emphasize the need for a cadre of high-caliber professionals who could ably assist the members of the Committee to carry out their responsibilities. Such a staff is essential if a thorough assessment of the social report is to be made.

Also, I believe some guidelines on an agenda for the social report should be given in order to provide the proposed Council with a better starting point for preparing the report.

Finally, I want to say that this is a propitious time for the passage of the Full Opportunity Act. Because the setting of social goals and priorities is both difficult and complex, it is even more incumbent upon us to undertake such efforts on a more systematic basis. Mr. Whitney Young, executive director of the National Urban League, underscored the need for this legislation when he asserted that—

> Just as we once floundered in the area of economic policy for lack of hard factual information, so today we are floundering in the area of adequate social policy due to lack of hard factual information.

He continued by citing an event in mid-1967 that vividly demonstrated the desperate need for reliable social indicators, namely the sudden official discovery that there was human starvation in our country, a matter that will be the subject of considerable attention this session.

Young pointed out that—

> Irrefutable testimony to the suffering in Mississippi was introduced into the record

> of hearings before the Senate Subcommittee on Manpower, Employment and Poverty by doctors at work in Mississippi; and we were treated to the incredible sight of a parade of public officials who, shamefacedly, had to admit their ignorance of the situation. Nobody, it turned out, knew the extent or degree or geographical distribution of hunger and malnutrition in America.
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> The Secretary of Agriculture, who runs the food programs, did not know. The Surgeon General of the United States did not know. The Director of the Office of Economic Opportunity did not know. The Secretary of Health, Education and Welfare did not know.

Mr. President, America the wealthiest and most powerful Nation in the world cannot permit this type of situation to continue. We must get down to the root causes of our social problems. An active Council of Social Advisers will not only tend to prevent sudden shocking discoveries, such as those associated with widespread hunger and malnutrition, but will offer a better assessment of the social health of the Nation and will give us a fighting chance to provide full opportunity to all Americans.

S 6.—INTRODUCTION OF BILL—THE DOMESTIC FOOD ASSISTANCE ACT OF 1969

Mr. MONDALE. Mr. President, I introduce again in the 91st Congress the Domestic Food Assistance Act of 1969, a bill to revise and completely overhaul the food stamp and commodity distribution programs in the United States. I ask that it be received and appropriately referred.

In the early 1960's, thanks to Michael Harrington and others, we began to hear about the forgotten Americans—39 million men, women, and children who live in poverty; who live in dilapidated housing; who have no jobs, or if they do make less than enough to live on; and whose children go to poor schools where, if they are lucky enough to graduate from high school, will have an eighth grade education.

More recently, of course, we have heard political appeals to other forgotten Americans—those of us who work and pay taxes and take our homes and the education of our children for granted—appeals designed to convey the impression that the poor are paid too much attention.

Perhaps there is some truth to this, but I am not one who thinks we have done too much for the poor. There are still 29 million impoverished Americans, and at the rate we have progressed in the last 10 years it will take another 20 to wipe out poverty.

But this bill deals with about 10 million of our 29 million poor—10 million who suffer not just from joblessness and bad housing and poor education, but who lack the first necessity of life, food. It is these poorest of the poor with whom I believe we must be concerned. We read of famine in India and Biafrans starving by the millions because their leaders and neighbors are playing politics with their right to eat. But we have only recently become aware of the fact that an estimated 10 million of our own people, perhaps half of them children like yours and mine, suffer from hunger and malnutrition so severe that many are slowly starving and most are physically and mentally impaired for life.

You will not find these people dying in the streets as in Calcutta, but you will find them on the plantations in Mississippi and Alabama, on the Indian reservations of South Dakota and Arizona and in the ghettos of Chicago and New York.

Let me illustrate. Last year, a witness before a Senate subcpommittee related how her five small children had gone without meat or vegetables for 3 months—so hungry at times they ate grass from a neighboring field. They acquired a chicken from a friend one day, but before the mother could cook it the children tore the feathers off and ate it raw. That happened in Virginia.

In the San Joaquin Valley of California, 50 yards off a seldom-traveled road, a migrant family of seven, the youngest child not yet two, were living in a pickup truck abandoned by a small stream. They had no breakfast and did not know where they would find food for lunch. In other years they could have fished but the stream had dried up.

In Cleveland, Miss., a middle-aged mother had signed up for food stamps but had never been able to pay the $12 to buy $76 worth of food stamps because she had no income. She and her six children had eaten rice and biscuits left over from surplus commodities which had been distributed the month before. They would go without lunch. Her youngest baby, a few weeks old, had never had milk.

In the village of Anatuvak Pass, Alaska, the population of 114 lives almost entirely on caribou meat, shot once each year and buried in the frozen ground during the 3 days on which thousands of caribou pass through that area. Because she lacked the nutrients to sustain proper bone development, a 5-year-old girl lost all her teeth and can no longer eat caribou meat.

These are but four hungry American families which the Senate Poverty Subcommittee of which I am a member saw or had reported to it in 1967. And there are the countless children who go to school without breakfast and cannot afford to bring or buy their lunch. I saw some of them in a school in St. Paul, Minn., just a few weeks ago. While their classmates lined up in the school cafeteria, those who could not afford 25 cents for lunch ate cookies they had brought with them or went without lunch.

These conditions were observed by a team of physicians who went to the Mississippi delta a year and a half ago. They reported their findings to the Congress and the public. I think it worth reading their words:

> We saw children whose nutritional and medical conditions we can only describe as shocking—even to a group of physicians whose work involves daily confrontations with disease and suffering. In child after child we saw . . . in every county we visited, obvious evidence of severe malnutrition, with injury to the body's tissues—its muscles, bones, and skin as well as an associated psychological state of fatigue, listlessness, and exhaustion.
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> We saw children afflicted with chronic diarrhea, chronic sores, chronic leg and arm (untreated) injuries and deformities. We saw homes without running water, without electricity, without screens, in which children drink contaminated water and live with germ-bearing mosquitoes and flies everywhere around. We saw homes with children who are lucky to eat one meal a day—and that one inadequate so far as vitamins, minerals, or protein is concerned. We saw children who don't get to drink milk, don't get to eat fruit, green vegetables, or meat. They live on starches—grits, bread, Kool-Aid. Their parents may be declared ineligible for commodities, ineligible for the food stamp program, even though they have literally nothing. We saw children fed communally—that is by neighbors who give scraps of food to children whose own parents have nothing to give them. Not only are these children receiving no food from the government, they are also getting no medical attention whatsoever. They are out of sight and ignored. They are living under such primitive conditions that we found it hard to believe we were examining American children of the twentieth century.
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> In sum, we saw children who are hungry and who are sick—children for whom hunger is a daily fact of life and sickness, in many forms an inevitability. We do not want to quibble over words, but "malnutrition" is not quite what we found; the boys and girls we saw were hungry—weak, in pain, sick; their lives are being shortened; they are, in fact, visibly and predictably losing their health, their energy, their spirits. They are suffering from hunger and disease, and directly or indirectly they are dying from them—which is exactly what "starvation" means.

Unbelievable as this seems in America today, these cases are not isolated or untypical of the conditions in our poorest families. And they exist because such families are the least observed, because comfortable middle-class America finds it easy to ignore their existence and because some of our unforgettable politicians find it politically expedient to deny their existence.

What are the dimensions of the problem? I have referred to 10 million Americans who are hungry and malnourished. But we really do not know how many of us suffer from slow starvation. We ignored the problems for so long that no one in or out of Government took the trouble to find out. But we are making headway at least in defining the problem. Last spring a private citizens board of inquiry, composed of nutrition and other experts held hearings throughout the country and examined all available data. They concluded in a report entitled "Hunger, U.S.A.," that between a third and a half of the poor in America suffered from hunger and malnutrition, that is, between 10 and 14 million people. Yet, present family food assistance programs reach less than 6 million poor persons, and no family receives a nutritionally adequate diet from these programs. Six million of our schoolchildren come from poor families. Eighteen million schoolchildren receive lunches under the Federal school lunch program, yet only 2 million of these are poor children. In other words, 4 million poor children go without lunch at all while 16 million who can afford to buy their own lunch are subsidized.

But statistics do not tell the whole story. The real tragedy is evident when we list some of the effects of malnutrition. And not just the visible effects—the bloated bellies and emaciated bodies—but the internal mental and physical effects. A child's brain grows to

90 percent of its full size between the ages of 1 and 4. If his brain is not supplied with enough protein, it will not grow. And it will not grow after he is 4 even if he gets enough protein. This kind of brain damage is irreversible and the child will be mentally retarded for life.

Then there are the physical effects of malnutrition. A poorly nourished child has little or no resistance to infections and diseases. He is infinitely more susceptible to parasites, viruses, and bacterial infections. And when he gets sick his illness is more severe and prolonged because he does not have the curing mechanisms in his body to fight off the infection.

Not the least of the effects of hunger are the educational, psychological, and social effects. A hungry child does not learn at school. He is listless. He fights with other children. He has hunger pangs. He withdraws. He cries. As one doctor has said, "He becomes tired, petulant, suspicious and finally apathetic."

If these problems exist—and we know they do—we have failed a substantial portion of our people. We have failed to make good on John F. Kennedy's first commitment as President, to assure every American an adequate diet, when he issued an Executive order on January 23, 1961, that expanded the commodities program and started today's food stamp program.

The commodity distribution program since its inception in the early forties has been our first line of defense against domestic hunger. It is designed to donate our agricultural surplus free to needy families. Today more than 20 separate commodities are given to 3½ million participants. Yet these commodities provide less than 50 percent of the calories, less than 60 percent of the iron needs and only 70 percent of the protein and calcium needed by those served.

In 1964 we passed the Food Stamp Act. It is designed to enable the poor to buy stamps at their local welfare office and redeem them at a premium at their local grocery store. But it has been a mixed blessing. It was supposed to replace the commodities program. But those who participate must pay, and their payments are supposed to equal their normal expenditures for food. Moreover, the food stamp and commodities programs cannot be operated in the same county. Many who were given free food under the commodities program and spent nothing for food before, cannot afford food stamps. As a result, fewer people are fed today through family food assistance programs than in January 1962. Thus a year after President Kennedy expanded the commodities program and began a pilot food stamp program, nearly 7½ million persons were fed through family food assistance. But in early 1967, when we began to rediscover hunger in America and the food stamp program was in full swing, less than 5 million Americans were participating in the two programs. Today, participation has increased to 6.1 million, but still fewer than were fed in 1962.

There are other problems with the food stamp program. The average American family spends 17 percent of its income on food. But a poor family of four with a monthly income of $39 must pay $10 or about 25 percent of its income for food stamps. Added to this $10 purchase price is a $42 bonus. If their next door neighbors, also a family of four, make only a dollar more, or $40 a month, it has to pay $6 more for its food stamps, and it gets $2 less in bonus. This is just one illustration of how the food stamp purchase schedules discriminate among various income levels of poor people.

To compound the problem, the total redemption value of food stamps—that is, the amount of food that the poor family can buy with the stamps—is only half what the Department of Agriculture itself says the family needs.

But the basic reason that our domestic food assistance programs have never begun to meet the needs of our poor people stems from their dual purpose. Neither is designed solely to feed people. The commodities program was designed and is still used primarily to support farm prices. Only a commodities in surplus, bought under farm price support programs can be distributed. While the food stamp program has the specific purpose of helping needy families achieve adequate diets, it was also designed by Congress "to strengthen our agricultural economy, as well as result in more orderly marketing and distribution of food." Both programs, therefore, are concerned with providing subsidies, direct and indirect, to the business of agriculture, as well as providing food assistance to the needy.

Among nutritionists, while there is no dispute about the existence of hunger, there is a running debate over its causes and cures. There are those who maintain the hunger problem is the result of bad sanitation, deplorable housing, lack of health care and lack of education. They say food alone is not the answer.

Others focus solely on nutrition, maintaining that hunger stems from the failure of our agriculture economy and the inadequacies of our food programs.

Both are right. We must get nutritious food into empty stomachs, and the best qualified people to accomplish that are people who grow and process food. But we cannot do that without at the same time providing hungry people with the education so they know what to buy and what to eat. By the same token, filling the stomach of a child whose insides are infested with worms is self-defeating. And getting rid of the worms at a local health clinic will not either unless he can go home to a clean house where parasites cannot survive.

What we need, I suggest, is to put together a coalition to end hunger in America. The Members of Congress with conflicting views need to listen dispassionately to all sides and separate the emotional from the practical issues. The private sector, including both farmers and food processors, must join with the do-gooders and bureaucrats to work out practical reforms designed to assure that no American need go to bed or to school with an empty stomach.

There has been some progress in the past year. Fifty-five million dollars more was appropriated for the food stamp program this year than last. This has enabled the Department of Agriculture to institute food programs in each of our 1,000 poorest counties. An emergency fund of $45 million was appropriated last fall which will be used to start a program providing special foods to pregnant women, infants, and old people and to hire 4,000 subprofessional nutrition aids to teach the poor what food to buy and how to prepare it.

But these are small steps compared with the need. We need new reforms in the food stamp, commodity distribution, and school lunch programs.

The food stamp program must be revised so that the purchase schedules and bonuses no longer discriminate among different income levels of poor people. The purchase requirements should be scaled so that the poorest poor who, after they have paid for their heat, light, rent, and clothing, have nothing left for food, get free stamps, and so that no family need spend more of its income than the average American spends on food. And the food stamp bonus should be increased to permit the purchase of an adequate diet by all participants.

The commodity distribution program need not be tied to the existence of surpluses. We know we can grow more than enough food for our people. We must devise a system that allows our full agricultural potential and expertise to be mobilized to assure that no one go hungry.

The school lunch program should guarantee that free meals, including breakfast, are available to any child unable to afford the regular price.

Finally, these programs should be expanded so that every county and city in the Nation that needs them can operate food assistance programs under uniform standards of eligibility that will allow all 29 million of our poor to participate.

These reforms in our present food programs are needed now. They are long overdue. But they are clostly. They would require that present expenditures of about $1 billion for the food stamp, commodities and school lunch programs be doubled. And I doubt that the next administration will propose or the Congress will provide the funds.

But even a billion dollars more for food assistance is not the ultimate answer. It doesn't solve the health, housing, sanitation, clothing and education problems of the poor. It does not give them jobs so they can be self-sufficient. And for those who cannot work or find a job, it does not put money in their pockets. The problems of poverty are complex. They require complex solutions. But the least we can do is keep 10 million Americans from slowly starving by giving them three good meals a day.

Mr. President, the bill I am introducing today would remedy some of the defects in the existing programs. While it preserves and continues the best features of the Food Stamp Act and other programs, it is a complete legislative overhaul of those laws. Its purpose is to assure that no person in this land of riches and plenty need starve or suffer malnutrition because of insufficient income.

Its main provisions are—

Free food stamps to those under the poverty level or whose income prevents them from attaining a fully adequate and nutritious diet;

Establishment of a task force on hunger, composed of commercial enterprises in the food and grocery business to bring the power and imagination of the private sector to bear on the hunger problem, following the pattern of the urban coalition;

Provision for new food stamp programs and direct food distribution programs to exist side by side;

Provision for nonprofit and charitable agencies, any capable agency of Federal, State, or local government, in addition to commercial enterprises, to run programs to feed eligible households;

Requirement that nutrition counseling and home economic services be provided food recipients;

Eligibility upon applicant affidavit, with no onerous red tape;

Changes in emphasis of standards from normal food expenditures to enough food for an adequate and nutritious diet;

Requirement and authorization for distribution by Federal Government of all commodities, whether or not in surplus, to supplement the food stamp program;

Involvement and self-help by the poor, through formation of cooperatives of low-income consumers, local advisory committees, and a National Food Assistance Commission.

The bill does not establish a monetary standard for the amount of food stamps, since this will necessarily vary from region to region, and according to circumstances. But it is difficult to see how it could go much below $90 a month, the level USDA determines it a minimum needed to assure a nutritious diet.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 6) to repeal the Food Stamp Act of 1964 and enact in lieu thereof the Domestic Food Assistance Act of 1969, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 7—INTRODUCTION OF BILL—THE 1969 WATER QUALITY IMPROVEMENT ACT

Mr. MUSKIE. Mr. President, on behalf of myself and Senators RANDOLPH, BAKER, BOGGS, BURDICK, BYRD of West Virginia, CASE, COOPER, DODD, ERVIN, FONG, HART, INOUYE, KENNEDY, MAGNUSON, MANSFIELD, METCALF, MONDALE, MONTOYA, MOSS, NELSON, RIBICOFF, SPONG, TYDINGS, WILLIAMS of New Jersey, and YOUNG, I introduce the Water Quality Improvement Act of 1969.

When the Congress adjourned last year, legislation substantially similar to this bill was a part of its unfinished business. Since the end of the 90th Congress, the Water Quality Improvement Act has been redrafted to clarify some misconceptions about its predecessor and to incorporate provisions passed in both the House and the Senate versions of the bill. Except for deletion of the financing provision of last year's bill, which will be submitted as separate legislation, this year's legislation follows the essential pattern of last year's.

This legislation is designed to deal with three major sources of pollution which continue to damage our water resources: oil pollution, vessel pollution, and thermal pollution.

Frequent oil spills from vessels and from on- and off-shore petroleum facilities have ruined beaches and lowered the quality of our rivers and shore waters and have put in jeopardy animal and vegetable life. The spills from the *Torrey Canyon* and the *Ocean Eagle* have been spectacular examples of this danger, but the damage of continuous but unpublicized lesser accidents and intentional dumping is steadily increasing. It can no longer be tolerated.

Too often, the Government has been unable to react quickly enough to control the situation, or has not been informed of the incident. Frequently, the offenders have made no attempt to clean up the spill and have gone unpunished. This bill attempts to correct these deficiencies.

As pleasure boating becomes an increasingly popular recreation, more and more untreated sewage is dumped in our rivers, lakes, and oceans. Combined with increased wastes from commercial vessels, this pollution has created health hazards in waters previously known for their beauty and high quality.

Those who benefit from our water resources for trade or recreation must also accept the responsibility for preserving and enhancing its quality. The Water Quality Improvement Act provides for the establishment of standards of performance for vessel waste treatment systems to prevent the discharge of untreated or inadequately treated sewage from these sources.

Finally, this bill recognizes the responsibility of Federal agencies to protect water quality wherever their activities, including assistance or authorization for activities by public or private bodies, affect public waterways. I would like to call particular attention to the problem of thermal pollution and the responsibilities of the Atomic Energy Commission in connection with the licensing of nuclear powerplants.

Thermal pollution can seriously and adversely affect the ecological balance of the receiving waters, and a sufficient body of evidence exists to require control. However, the AEC has not considered these factors in passing on the site selection and construction design of nuclear powerplants.

Under the terms of this bill, no Federal agency shall issue a license or permit for any activity which may affect water quality until it has determined from the appropriate State agency or the Secretary of the Interior that the proposed activity will be designed to insure compliance with applicable water quality standards.

In the past, these licenses and permits have been granted without any assurance that the standards will be met or even considered.

In the past 8 years, Congress has maintained that the effort to clean up our Nation's waters requires the most urgent commitment of organization, planning, engineering skill, and funds directed toward improvement of the quality of our environment. We have acknowledged the need for clean water in the broadest sense. But the demand for clean water is so great and is growing so fast that we cannot afford to overlook any opportunity to increase the available supply of water, or to prevent and control sources of pollution which threaten the existing supply.

The legislation which I now introduce will help insure that clean water will be available when it is needed.

I hope that Congress will move swiftly on this bill. There are few tasks as urgent or responsibilities as great.

Mr. President, I ask unanimous consent that the text of the bill be inserted in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 7) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, introduced by Mr. MUSKIE, for himself and other Senators, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Water Quality Improvement Act of 1969".

SEC. 2. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended, are hereby repealed. Section 19 of the Federal Water Pollution Control Act, as amended, is redesignated as section 20. Sections 11 through 16 of the Federal Water Pollution Control Act, as amended, are redesignated as sections 14 through 19. The Federal Water Pollution Control Act, as amended, is further amended by inserting after section 10 three new sections to read as follows:

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 11. (a) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, the construction of which has been completed before promulgation of standards and regulations under this section;

"(3) 'public vessel' means a vessel owned or bareboat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation or by a political subdivision thereof, except in any case in which such vessel is used primarily to carry freight or passengers to or engage in commercial fishing;

"(4) 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(5) 'marine sanitation device' means any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage;

"(6) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(7) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

"(8) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel.

"(b)(1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Secretary of the department in which the Coast Guard is operating, after giving appropriate consideration to the economic costs involved and within the limits of available technology, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except vessels not equipped with installed toilet facilities. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations shall be coordinated with the regulations issued under this subsection by the Secretary of the department in which the Coast Guard is operating. The Secretary of the department in which the Coast Guard is operating shall promulgate regulations, which are consistent with the standards issued under this subsection and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the promulgation of the initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

"(c)(1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation; but not earlier than December 31, 1971, and for existing vessels five years after promulgation. Revisions of standards and regulations shall be effective upon promulgation, unless another effective date is specified.

"(2) The Secretary and the Secretary of the department in which the Coast Guard is operating with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations as necessary or appropriate for such classes, types, and sizes of vessels and upon application, for individual vessels.

"(d) The provisions of this section and the standards and regulations promulgated thereunder shall apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

"(e) Before the standards and regulations under this section are promulgated, the Secretary and the Secretary of the department in which the Coast Guard is operating shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(f)(1) After the effective date of this section, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device with any vessel subject to the provisions of this section, except as provided in this subsection.

"(2) Any State or political subdivision thereof having, on the effective date of this section, any statute or regulation with respect to such a device may continue to enforce such statute or regulation unless the Secretary or the Secretary of the department in which the Coast Guard is operating determines, in accordance with section 553, title 5 of the United States Code, that said statute or regulation is inconsistent or in conflict with any standard or regulation promulgated under this section. Any such determination shall be subject to judicial review in the United States Court of Appeals for the circuit in which such State or subdivision is located and such court shall have jurisdiction to hear and decide such matters.

"(g) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations promulgated under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Secretary of the department in which the Coast Guard is operating shall so certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Secretary of the department in which the Coast Guard is operating shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Secretary of the department in which the Coast Guard is operating of his determination. Upon such notification the Secretary of the department in which the Coast Guard is operating, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify the device. Any device manufactured by such manufacturer which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the appropriate standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Secretary of the department in which the Coast Guard is operating may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Secretary of the department in which the Coast Guard is operating, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Secretary of the department in which the Coast Guard is operating or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(h) After the effective date of standards and regulations promulgated under this section, it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device which is in all material respects substantially the same as the appropriate test device certified pursuant to this section;

"(2) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations of the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States, except with the use of a marine sanitation device certified pursuant to this section.

"(i) The district courts of the United States shall have jurisdiction to restrain violators of subsection (h)(1) through (3) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"(j) Any person who violates clauses (1) or (2) of subsection (h) of this section shall be liable to a civil penalty of not more than $5,000 for each violation. Any person who violates clause (4) of subsection (h) of this section shall be liable to a civil penalty of not more than $2,000 for each violation. Each violation shall be a separate offense. The Secretary of the department in which the Coast Guard is operating may assess and compromise any such penalty. In determining the amount of the penalty, of the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance after notification of a violation shall be considered by said Secretary.

"(k) The provisions of this section shall be enforced by the Secretary of the department in which the Coast Guard is operating and he may utilize by agreement, with or without reimbursement, law-enforcement officers or other personnel and facilities of the Secretary, other Federal agencies, or the States to carry out the provisions of this section.

"(l) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"CONTROL OF OIL DISCHARGES

"SEC. 12. (a) For the purpose of this section, the term—

"(1) 'oil' means oil of any kind or in any form including, but not limited to, petroleum, fuel, oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

"(3) 'vessel' includes every description of water craft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) 'public vessel' means a vessel owned or bareboat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation or political subdivision thereof, except in any case in which such vessel is used primarily to carry freight or passengers or to engage in commercial fishing;

"(5) 'United States' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(6) 'owner or operator' means any person owning, operating, or chartering by demise, a vessel; and

"(7) 'person' includes an individual, firm, corporation, association, or partnership.

"(b) (1) Except in case of an emergency imperiling life or property or an act of war, or an unavoidable accident, collision, or stranding, or act of sabotage, or except as otherwise permitted by regulations issued by the Secretary under this section, any owner or operator who, either directly or through any person, whether or not his servant or agent, concerned in the operation, navigation, or management of the vessel, discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines, shall be punished in accordance with the provisions of this subsection.

"(2) The owner or operator of any vessel (other than a public vessel), or any such vessel which willfully or negligently discharges oil in violation of paragraph (1) of this subsection shall be assessed a civil penalty by the Secretary of not more than $10,000 for each offense. Each violation is a separate offense. Any such civil penalty may be compromised by the Secretary. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the owner or operator of the vessel charged, the effect on the owner or operator's ability to continue in business, and the gravity of the violation, shall be considered by the Secretary. The district director of customs at the port or place of departure from the United States shall withhold, at the request of the Secretary, the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), of any vessel subject to the foregoing penalty. Clearance may be granted in such cases upon the filing of a bond or other surety satisfactory to the Secretary. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

"(c) (1) Any person who discharges or permits or causes or contributes to the discharge of oil in substantial quantities from any source into or upon the navigable waters of the United States or adjoining shorelines, shall immediately notify the Secretary or his delegate of such discharge. Any person subject to the jurisdiction of the United States who knowingly fails to make such notification immediately shall, upon conviction, be fined not more than $5,000, or imprisoned not more than one year, or both.

"(2) Whenever advice is received of any discharge of oil into or upon any waters, shorelines, or beaches, the United States may, unless arrangements for removal of the discharged oil have been made pursuant to paragraph (4) or (5), remove or arrange for the removal thereof in accordance with the regulations prescribed under subsection (g) of this section when, in the judgment of the Secretary, such oil presents a pollution hazard to the public health or welfare of the United States, including, but not limited to, fish, shellfish, and wildlife, or to shorelines and beaches of the United States.

"(3) There is hereby authorized to be appropriated to a revolving fund to be established in the Treasury to carry out the provisions of paragraphs (2) (4) or (5) of this subsection such sums as may be necessary. Any funds received by the United States under this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

"(4) The owner or operator of any vessel who, either directly or through any person, whether or not his servant or agent, concerned in the operation, navigation, or management of the vessel, willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines shall immediately remove such oil from such waters or shorelines in accordance with the regulations issued under this section. If such oil is not removed the Secretary is authorized to remove it, and such owner or operator, and, as appropriate, the vessel shall be liable to the United States for the full amount of the actual costs reasonably incurred under this subsection for the removal of such oil by the United States. Such aggregate liability under this paragraph for the cost of removal of discharged oil or matter shall not exceed $15,000,000 or $450 per registered gross ton of such offending vessel, whichever is the lesser amount. The district director of customs at the port or place of departure from the United States shall withhold, at the request of the Secretary, the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), of a vessel, other than a public vessel, liable for such costs until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered in an action in rem in the district court of the United States for any district within which such vessel may be found.

"(5) Any person who owns or operates an onshore or offshore facility, other than a vessel, of any kind, who either directly or through any person, whether or not his servant or agent, concerned in the operation or management of such facility, willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines shall immediately remove such oil from such waters or shorelines in accordance with the regulations issued under this section. If such oil is not removed the Secretary is authorized to remove it, and such person shall be liable to the United States for the full amount of the actual costs reasonably incurred by the Secretary for such removal. Such aggregate liability under this paragraph shall not exceed $15,000,000.

"(6) The removal of oil under this subsection shall be carried out in accordance with the regulations prescribed under subsection (e) of this section.

"(7) For the purpose of insuring the efficient and economic removal of oil under subsection (c) (2) of this section, the President shall within ninety days after enactment of this subsection, delegate, by agreement, to the Secretary, the Secretary of the department in which the Coast Guard is operating, the Secretary of Defense, and other appropriate Federal agencies all or part of the responsibility under subsection (c) (2) of this section for removing discharged oil, in accordance with a national contingency plan or revision thereof, approved by the President, establishing procedures to be followed in removing such oil. The Secretary is authorized to make, from any moneys in the fund established by this subsection, available to such Federal agencies such sums as may be necessary to effectuate such removal. Each such agency, in order to avoid duplication of effort, shall, whenever practicable, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

"(d) (1) In any action instituted by the United States under subsection (c) (4) of this section, evidence of a discharge of oil from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (c) (4) of this section against any owner or operator of a vessel whose willful act or negligence is found to have caused or contributed to the discharge of oil from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act or negligence may in any way have caused or contributed to such discharge.

"(2) In any action instituted by the United States under subsection (c) (5) of this section, evidence of a discharge of oil from an onshore or offshore facility of any kind, other than a vessel, shall constitute a prima facie case of liability on the part of any person who owns or operates such facility and the burden of rebutting such prima facie case shall be upon such person.

"(e) Within one hundred and eighty days after the effective date of this section—

"(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws, establishing criteria for the removal of discharged oil, including criteria relative to the methods and means of removal, from waters and shorelines.

"(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the Secretary, establishing procedures, methods, and equipment (A) to prevent discharges of oil from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil.

"(f) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations authorizing the discharge of oil from a vessel in quantities, under conditions, and at times and locations deemed appropriate by him, after taking into consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

"(g) The provisions of subsection (b) of this section and the regulations issued under subsections (e) and (f) of this section shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out these provisions and regulations.

"(h) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(i) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(j) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, shall conduct a study of the need for, and the desirability of, establishing a system of requiring vessels using the navigable waters of the United States to give evidence that such vessels have adequate financial capability within appropriate limitations to reimburse the United States in accordance with the provisions of subsection (c) of this section for the removal of discharged oil and to pay damage claims covering private real or personal property injured or destroyed by such discharged oil. In carrying out this study, the Secretary of Transportation shall seek detailed information relative to the economic effects of such a system on the merchant marine industry, and shall seek the advice and recommendations of representatives of the merchant marine, oil, and insurance industries, labor, and other national and international organizations relative to the need for, and desirability of, such a system. The Secretary of Transportation shall submit a report, together with recommendations thereon, to the Congress, through the President, by July 1, 1970.

"AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"Sec. 13. (a) The Secretary in cooperation with other Federal agencies is authorized to enter into agreements with any State or interstate agency to carry out one or more projects to demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential value for public use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State or interstate agency shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

"(2) that the State or interstate agency shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated $15,000,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State."

Sec. 3. (a) Redesignated section 14 of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF POLLUTION

"Sec. 14. (a) Each Federal agency having jurisdiction over any real property or facility of any kind shall, within available appropriations and consistent with the interests of the United States, insure compliance with applicable water quality standards and the purposes of this Act in the administration of such property, or facility. In his summary of any conference pursuant to section 10(d) (4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any such Federal property or facility, and shall transmit a copy of such summary to the head of the Federal agency having jurisdiction of such property or facility. Notice of any hearing pursuant to section 10(f) of this Act involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property or facility involved, and the findings and recommendations of the hearing board conducting such hearing shall include references to any such discharges which are contributing to the pollution found by such board.

"(b) Any applicant for a Federal license or permit to conduct any activity which may result in discharge into the waters of the United States shall provide the licensing or permitting agency with certification from the appropriate State or interstate water pollution control agency that such activity will be conducted in a manner which shall insure compliance with applicable water quality standards. In any case where such standards have been established by the Secretary pursuant to section 10 of this Act, such certification shall be from the Secretary. No license or permit shall be granted until such certification has been obtained or unless good cause is shown for not obtaining such certification. Such license or permit shall be suspended if a court of competent jurisdiction finds, pursuant to section 10(c) (5) of this Act that such licensee or permittee is not in compliance with applicable water quality standards. Nothing in this section shall be construed to limit the authority of any department or agency pursuant to any other provision of law to require compliance with applicable water quality standards. The Secretary shall, upon the request of any Federal department or agency, provide, for the purposes of this section, any relevant information on applicable water quality standards and shall, when requested by any such department or agency, comment on the methods proposed by the applicant to comply with such standards."

Sec. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

(1) by redesignating subsections (g) and (h) as (j) and (k);

(2) by inserting after subsection (f) three new subsections to read as follows:

"(g) The Secretary is authorized to enter into contracts with or make grants to, public or private agencies and organizations and individuals for (A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation, and (B) the construction of publicly owned research facilities for such purpose.

"(h) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities. In carrying out this subsection, the Secretary may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.";

(3) by changing in redesignated subsection (j) (4) the words "and June 30, 1969," to "June 30, 1969, and June 30, 1970,"; and

(4) by amending the first sentence of redesignated subsection (k) to read as follows: "There is authorized to be appropriated to carry out this section, other than subsection (j), not to exceed $65,000,000 for the fiscal year ending June 30, 1969, and for the two succeeding fiscal years."

Sec. 5. Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c–1), is amended—

(1) by changing in subsection (e) (1) the word "three" to "five"; and

(2) by changing in subsection (e) (2) and (3) the word "two" to "four".

Sec. 6. Redesignated section 17 of the Federal Water Pollution Control Act, as amended, is amended by deleting the following: "the Oil Pollution Act, 1924, or".

Sec. 7. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed.

S. 8—INTRODUCTION OF BILL—EXTENSION OF THE NATIONAL LABOR RELATIONS ACT TO THE AGRICULTURE INDUSTRY

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and a number of distinguished Members of this body, I introduce for appropriate reference, a bill to remove the discriminatory exclusion of the agricultural industry from the protections and procedures of the National Labor Relations Act.

The bill is entitled "An act to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture." It is cosponsored by the Senator from Massachusetts (Mr. Brooke), the Senator from New Jersey (Mr. Case), the Senator from California (Mr. Cranston), the Senator from Alaska (Mr. Gravel), the Senator from Oklahoma (Mr. Harris), the Senator from Michigan (Mr. Hart), the Senator from Hawaii (Mr. Inouye), the Senator from New York (Mr. Javits), the Senator from Massachusetts (Mr. Kennedy), the Senator from Minnesota (Mr. McCarthy), the Senator from Montana (Mr. Metcalf), the Senator from South Dakota (Mr. McGovern), the Senator from Minnesota (Mr. Mondale), the Senator from Utah (Mr. Moss), the Senator from Maine (Mr. Muskie), the Senator from Wisconsin (Mr. Nelson), the Senator from Rhode Island (Mr. Pell), the Senator from Maryland (Mr. Tydings), and the Senator from Ohio (Mr. Young).

EXPLANATION OF BILL

This bill includes agricultural employees under the National Labor Relations Act, as amended. The bill also amends section 8(f) of the act to permit prehire contracts in the agriculture industry.

Basic provisions: The bill provides an orderly process for the conduct of elections by the NLRB to permit employees freely to choose whether they wish to be represented by a union. Should a majority wish union representation, the employer and the majority representative are thereafter both obligated to bargain collectively and discuss grievances. By coverage under the act, protection of the rights of employees to join, or not to join, a labor organization is guaranteed, and the NLRB investigates and decides cases involving unfair labor practices of unions and employers on charges presented by workers, unions, or employers.

Jurisdiction: It is expected that the NLRB will apply a jurisdictional standard of $50,000 in interstate commerce. Statistics supplied by the Department of Agriculture and Labor indicate that only 108,400 of 3,157,900 farms in the United States, or 3.5 percent, would be covered by the proposed legislation. Yet, it is estimated that over 45 percent of the total farm wage work force is employed on these 3.5 percent of farms, and would be included under the legislation. Interestingly, only 338,200 of all commercial farms, or less than 11 percent, hire any full-time workers.

The small family farm would not be covered under this legislation. Not only is it unlikely that it would meet any of the jurisdictional tests, but immediate relatives as well as managers and supervisors of an employer are excluded from a bargaining unit by existing provisions of the act. Moreover, at least two employees are necessary under existing law to constitute a bargaining unit and, therefore, the small family farm that has only one hired man would be excluded.

Section 8(f) provisions: The bill permits, but does not require, employers in the agricultural industry to enter into an agreement with a union—commonly referred to as a prehire agreement—before employees are actually hired and before a majority status of a union is actually determined. This presents a maximum opportunity to the grower or farmer—presently available only in the construction industry—to stabilize his labor situation and reliably estimate his labor cost in advance of planting and harvesting. This purely voluntary prehire procedure is particularly valuable to all parties in a seasonal industry, and, even if a contract is made, an election proceeding may always be held after all employees are hired.

Other provisions of section 8(f) permit arrangements for a union hiring hall, and union security agreements providing for union membership 7 days after employment. The 7-day provisions modifies the law under NLRA; that is, it allows a shorter grace period of 7 days as opposed to 30 days authorized generally under NLRA, primarily because of the seasonal nature of and short duration of employment. In a right-to-work jurisdiction, 19 States, the parties would be prohibited from entering into a union security agreement. Indeed, NLRA—(sec. 705(b), Public Law 86-257)—expressly provides:

> Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of an agreement requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

HISTORY OF COLLECTIVE BARGAINING

Mr. President, in the midthirties the Congress declared a national labor policy for industrial employees and employers through the enactment of the National Labor Relations Act. The purpose of that act was to establish an equitable framework for industrial peace and therefore maintain the free flow of industrial products in interstate commerce. The act had been amazingly successful.

Farmworkers were expressly excluded from the National Labor Relations Act when it was first enacted in 1935. Since then, industrial workers for three decades have had the rights and responsibilities of that act; and, industrial employers have realized that the act is a necessary and desirable instrument for handling labor management relations in our dynamic economy.

But today, almost 40 years after the National Labor Relations Act began to bring labor peace to industrial life—we have not yet seen the wisdom of extending the benefits of the act to agriculture. The continuation of this discriminatory exclusion of agriculture from the National Labor Relations laws means that farm employees have no meaningful right to organize and bargain collectively, and that farmers and growers are unable to relieve themselves from costly boycott activities. There is a resulting adverse impact on the entire economy and consuming public.

MOUNTING TENSIONS AND STRIFE

Farmworkers today, believing that collective bargaining is an essential self-help device for improving their economic and social status, are striving vigorously for elections and other means to obtain union recognition. Farmers generally, with equal intensity, taking the position that collective bargaining imposes an intolerable burden on employers' interests, have refused to agree to elections or other methods for resolving labor disputes.

These conditions have produced increasingly serious community unrest, strikes, and violence. Most recently the industry has become caught up in a most costly and economically wasteful boycott of particular farm products.

A nationwide boycott of California table grapes was called by the United Farm Workers Organizing Committee, and supported by civic and church groups, presidential candidates, Congressmen, and other political leaders including mayors. Some retail chain stores voluntarily refused to handle grapes. Statistics reveal that the boycott has had a severe impact on the wholesale and retail purchase, distribution, warehousing, and transport of grapes. Prices received by growers for their grapes are down; more sales are on consignment than ever before; and, large sums of money have been expended on advertising campaigns by the involved parties.

Farmworkers, already on the bottom of the economic and social ladder, are out of jobs; and strikebreakers, many of them from Mexico, increase tensions. The farmers and growers remain intransigent, and the workers are adamant. Communities are racked with bitterness, dissent, and conflict, and racial overtones mark much of the controversy.

COLLECTIVE BARGAINING CAN AND HAS WORKED IN THE AGRICULTURE INDUSTRY

The principle of collective bargaining can, and has worked in the agriculture industry. Contracts have been in existence for a number of years where the employers' voluntarily agreed to reasonable procedures for determining majority status and then bargained with the democratically chosen representative of their employees. In California, for example, many large wine grape growers have entered into collective bargaining agreements with the United Farm Workers Organizing Committee.

The long history of successful collective bargaining in the sugar and pineapple industry in Hawaii, where there is a "little NLRA," is further evidence that collective bargaining does work in agriculture. Agricultural employees have long been permitted to form and join labor organizations for the purposes of collective bargaining in foreign countries—Great Britain, Italy, Cameroon, Ivory Coast, India, Indonesia, Colombia, Costa Rica, Ecuador, and Peru. And most importantly, there has been successful collective bargaining in industries which are part and parcel of agriculture—industries involving packing sheds, food processing, and canning. The work is seasonal, the workers travel, and the products are highly perishable when they arrive at the doors of the cannery, just as they are at the time of harvest in the field.

I ask unanimous consent that the bill be reprinted at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 8) to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to the agriculture industry, introduced by Mr. WILLIAMS of New Jersey, for himself and other Senators, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 8

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(3) of the National Labor Relations Act, as amended, is amended by striking out the following phrase: "as an agricultural laborer, or".

SEC. 2. Section 8(f) of the National Labor Relations Act, as amended, is amended to read as follows:

"(f) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry, or an employer engaged in agriculture, to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, or as agricultural employees with a labor organization of which such employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided*, That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further*, That any agreement which would be invalid, but for clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)."

SEC. 3. Notwithstanding the provisions of any other law, the amendments made by this Act shall take effect sixty days after the date of enactment.

S. 9—INTRODUCTION OF BILL TO PROVIDE COMPENSATION TO THE INNOCENT VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, throughout the history of our Nation, we have sought to establish an effective system of fair and equal justice under law. This has been the primary responsibility of lawmakers and administrators alike. We have constantly worked to protect the personal rights of each of our citizens, while at the same time providing for the protection and general welfare of society as a whole. To this end we have attempted to maintain a delicate balance between the enforcement of law on the one hand, and the preservation of personal liberty on the other.

In most respects, we have been successful and have managed to carry out our basic purpose. We have reason to be proud of the institutions which administer justice in America. In spite of their various shortcomings, they represent a record of justice and equality seldom achieved in man's history.

However, I think we must recognize one aspect of our judicial system that is ironically and tragically unjust—and that is the whole area of compensation to the innocent victims of crime.

The question of victim compensation is a critical issue and must receive careful consideration if we are to deal effectively with the various dimensions of violent crime. Every day in this country we witness a gross discrepancy in the way we attempt to administer justice. This discrepancy usually works in this way:

A violent crime against the person occurs—perhaps assault, murder, or rape or malicious disfiguration—and the attacker is apprehended. What then takes place? The attacker may receive legal counsel, psychiatric examinations and treatment, hospitalization, food, clothing, and even vocational training or an education—all paid for by the State. Yet, the victim, whose life may have been turned to chaos or even destroyed by the crime, will more than likely be ignored. The only way he can collect reimbursement for medical bills, lost wages, or other expenses is to sue his attacker—a process which brings highly dubious results. The victim suffers serious injury, entailing great expense, pain, and personal loss, but he is in no position to obtain any type of adequate compensation.

I have been deeply disturbed by this unfair irony in our judicial system ever since I served as a district judge in Texas over 30 years ago, and have long believed that something should be done to rectify this deplorable situation.

In 1965, I introduced a bill, S. 2155 of the 89th Congress, which attempted to deal with this intolerable situation by calling for the creation of a Federal Violent Crimes Compensation Commission which could consider claims, examine evidence, and provide up to but not in excess of $25,000 compensation for individuals injured by criminal violence.

S. 2155 was the first bill ever introduced in Congress to compensate the innocent victim of crime. Since that time, support for such legislation has grown steadily. The Minnesota Law Review of December 1965, carried a symposium on victim compensation which contributed a great deal to this area. A more recent study by Stephen Shafer entitled, "The Victim and His Criminal," dealt exclusively with the background and development of victim compensation. In December of 1968, the National Commission on the Causes and Prevention of Violence conducted an international conference on the compensation to innocent victims of violent crime at the University of Southern California in Los Angeles. The whole purpose of these hearings was to investigate the problem of victim compensation.

Due to the considerable discussion and debate which has taken place since the introduction of my first bill, I was able to improve and refine the legislation. Then, in January of 1967, I introduced the "Criminal Injuries Compensation Act of 1967," as S. 646 of the 90th Congress. Again, these efforts have created much interest and support, but the time has come to take positive action in this vitally important area of concern.

Mr. President, there is a new awareness of the need for such legislation in the country today. Recent nationwide polls have shown as many as 65 percent of those polled favored victim compensation. We have begun to see more clearly that such a discrepancy in our judicial system should not exist in our society.

Therefore, today I am introducing a bill to provide for the compensation to innocent victims of crime. This bill is the product of a great deal of study, and has resulted from serious efforts to formulate a fair and effective approach to victim compensation. The past 4 years have seen much work done in this area, and my bill has benefited greatly from these various contributions.

This bill provides for the setting up of a commission to deal with the claims of victims of violent crimes who live in the District of Columbia and other federally administered areas. These persons who have suffered personal pain and loss due to a criminal act will be able to receive up to $25,000 in compensation—an assistance which would not ordinarily be available to them. I am especially concerned that people who are unable to protect themselves with extensive insurance coverage can obtain some type of compensation for the personal injuries and economic difficulties which may ensue as a result of a violent crime. Someone who must work hard for a living, and must account for every penny earned, should not be severely penalized because he suddenly becomes the victim of a malicious act of violence, when the government fails in its duty to protect him.

We must see crime in terms of a three-part equation: The conditions of life that produce a criminal act, the criminal act itself, and the victim's loss. At the moment, our major resources center upon the act of the criminal. Surely we owe as much assistance and concern to the victim of a violent crime as we do to his attacker.

Society's responsibility to the victims of crimes of violence is directly related to society's dereliction in fulfilling its responsibilities for preserving law and order within the society. Unlike an earlier time in our history when citizens bore arms and largely were responsible for their own protection, various laws, institutions, and mores within today's social structure exist as a pledge that society will provide protection. When society fails in its assumed duty to protect its citizens, society ought to have the responsibility of compensating the innocent victim for his personal pain and injury.

I believe that my bill, which I am introducing today, contains provisions that make it an important steppingstone in dealing with this urgent matter. I have given its passage top priority, and I hope that it will receive early consideration by the Senate.

Mr. President, I ask unanimous consent that the text of my bill to provide for compensation to the innocent victims of crime be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 9) to provide for the compensation of persons injured by certain criminal acts, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 9

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE II—SHORT TITLE AND DEFINITIONS

SHORT TITLE

SEC. 101. This Act may be cited as the "Criminal Injuries Compensation Act of 1969".

DEFINITIONS

SEC. 102. As used in this Act—

(1) The term "child" means an unmarried person who is under eighteen years of age and includes a stepchild or an adopted child;

(2) The term "Commission" means the Violent Crimes Compensation Commission established by this Act;

(3) The term "dependents" means those who were wholly or partially dependent upon his income at the time of his death or would have been so dependent but for the incapacity due to the injury from which the death resulted and shall include the child of such victim born after his death;

(4) the term "personal injury" means actual bodily harm and includes pregnancy and mental or nervous shock;

(5) The term "relative" means his spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half brother, half sister, or spouse's parents;

(6) The term "victim" means a person who is injured or killed by any act or omission of any other person which is within the description of any of the offenses specified in section 302 of this Act.

TITLE II—ESTABLISHMENT OF VIOLENT CRIMES COMPENSATION COMMISSION

VIOLENT CRIMES COMPENSATION COMMISSION

SEC. 201. (a) There is established a Violent Crimes Compensation Commission which shall be composed of three members to be appointed by the President, by and with the advice and consent of the Senate, solely on the grounds of fitness to perform the duties of the office. The President shall designate one of the members of the Commission who has been a member of the bar of a Federal court or of the highest court of a State for at least eight years, as Chairman.

(b) No member of the Commission shall engage in any other business, vocation, or employment.

(c) The Chairman and one other member of the Commission shall constitute a quorum, except as provided in section 205(b); and where opinion is divided and only one other member is present, the opinion of the Chairman shall prevail.

(d) The Commission shall have an official seal.

TERMS AND COMPENSATION OF MEMBERS

SEC. 202. (a) The term of office of each member of the Commission taking office after December 31, 1969, shall be eight years, except that (1) the terms of office of the members first taking office after December 31, 1969, shall expire as designated by the President at the time of the appointment, one at the end of four years, one at the end of six years, and one at the end of eight years, after December 31, 1969; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the terms for which his predecessor was appointed, shall be appointed for the remainder of such term.

(b) Each member of the Commission shall be eligible for reappointment.

(c) A vacancy in the Commission shall not affect its powers.

(d) Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(e) Each member of the Commission shall be compensated at the rate prescribed for level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964 except the Chairman who shall be compensated at the rate prescribed for level III of such schedule.

ATTORNEYS, EXAMINERS, AND EMPLOYEES OF THE COMMISSION; EXPENSES

SEC. 203. (a) The Commission is authorized to appoint such officers, attorneys, examiners, and other experts as may be necessary for carrying out its functions under this Act and the Commission may, subject to the civil service laws, appoint such other officers and employees as are necessary and fix their compensation in accordance with the Classification Act of 1949.

(b) All expenses of the Commission, including all necessary traveling and subsistence expenses of the Commission outside the District of Columbia incurred by the members or employees of the Commission under its orders shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Commission or by any individual it designates for that purpose.

PRINCIPAL OFFICE

SEC. 204. (a) The principal office of the Commission shall be in or near the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place.

(b) The Commission shall maintain an office for the service of process and papers within the District of Columbia.

POWERS AND PROCEDURES OF THE COMMISSION

SEC. 205. (a) Upon request made to the Commission after the filing of an application under the provisions of this Act, the Commission or its duly authorized representative shall have a hearing on such application, shall fix a time and place for such hearing, and shall cause notice thereof to be given to the applicant.

(b) For the purpose of carrying out the provisions of this Act, the Commission, or any member thereof, or its duly authorized representative, may hold such hearings, sit and act at such times and places, and take such testimony as the Commission or such member may deem advisable. Any member of the Commission may administer oaths, or affirmations to witnesses appearing before the Commission or before such member. The Commission shall have such powers of subpena and compulsion of attendance and production of documents as are conferred upon the Securities and Exchange Commission by subsection (c) of section 18 of the Act of August 26, 1935, and the provisions of subsection (d) of such section shall be applicable to all persons summoned by subpena or otherwise to attend or testify or produce such documents as are described therein before the Commission, except that no subpena shall be issued except under the signature of the Chairman, and application to any court for aid in enforcing such subpena may be made only by said Chairman. Subpenas shall be served by any person designated by the said Chairman.

(c) In any case in which the person entitled to make an application is a child, the application may be made on his behalf by any person acting as his parent or guardian. In any case in which the person entitled to make an application is mentally defective, the application may be made on his behalf by his guardian or such other individual authorized to administer his estate.

(d) Where any application is made to the Commission under this Act, the applicant, and any attorney assisting the Commission, shall be entitled to appear and be heard.

(c) Any other person may appear and be heard who satisfies the Commission that he has a substantial interest in the proceedings.

(f) Where under this Act any person is entitled to appear and be heard by the Commission, that person may appear in person or by his attorney.

(g) Every person appearing under the preceding subsections of this section shall have the right to produce evidence and to cross-examine witnesses.

(h) The Commission or its duly authorized representative may receive in evidence any statement, document, information, or matter that may in the opinion of the Commission contribute to its functions under this Act, whether or not such statement, document, information, or matter would be admissible in a court of law, except that any evidence introduced by or on behalf of the person or persons charged with causing the injury or death of the victim, any request for a stay of the Commission's action, and the fact of any award granted by the Commission shall not be admissible against such person or persons in any prosecution for such injury or death.

(i) If any person has been convicted of any offense with respect to an act or omission on which a claim under this Act is based, proof of that conviction shall, unless an appeal against the conviction or a petition for a rehearing or certiorari in respect of the charge is pending or a new trial or rehearing has been ordered, be taken as conclusive evidence that the offense has been committed.

(j) Except as otherwise provided in this Act, the Administrative Procedure Act shall apply to the proceedings of the Commission.

ATTORNEYS' FEES

SEC. 206. (a) The Commission shall publish regulations providing that an attorney shall, at the conclusion of proceedings under this Act, file with the agency the amount of fee charged in connection with his services rendered in such proceedings.

(b) After the fee information is filed by an attorney under (a) above, the Commission may determine, in accordance with such published rules or regulations as it may provide, that such fee charged is excessive. If, after notice to the attorney of this determination, the Commission and the attorney fail to agree upon a fee, the Commission may, within ninety days after the receipt of the information required by (a) above, petition the United States district court in the district in which the attorney maintains an office, and the court shall determine a reasonable fee for the services rendered by the attorney.

(c) Any attorney who charges, demands, receives, or collects for services rendered in connection with any proceedings under this Act any amount in excess of that allowed under this section, if any compensation is paid, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

FINALITY OF DECISION

SEC. 207. The orders and decisions of the Commission shall be reviewable on appeal, except that no trial de novo of the facts determined by the Commission shall be allowed.

REGULATIONS

SEC. 208. In the performance of its functions, the Commission is authorized to make, promulgate, issue, rescind, and amend rules and regulations prescribing the procedures to be followed in the filing of applications and the proceedings under this Act, and such other matters as the Commission deems appropriate.

TITLE III—AWARD AND PAYMENT OF COMPENSATION

AWARDING COMPENSATION

SEC. 301. (a) In any case in which a person is injured or killed by any act or omission of any other person which is within the description of the offenses listed in section 302 of this Act, the Commission may, in its discretion, upon an application, order the payment of compensation in accordance with the provisions of this Act, if such act or omission occurs—

(1) within the "special maritime and territorial jurisdiction of the United States" as defined in section 7 of title 18 of the United States Code; or

(2) within the District of Columbia.

(b) The Commission may order the payment of compensation—

(1) to or on behalf of the injured person; or

(2) in the case of the personal injury of the victim, where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person; or

(3) in the case of the death of the victim, to or for the benefit of the dependents or closest relative of the deceased victim, or any one or more of such dependents.

(c) For the purposes of this Act, a person shall be deemed to have intended an act or omission notwithstanding that by reason of age, insanity, drunkenness, or otherwise he was legally incapable of forming a criminal intent.

(d) In determining whether to make an order under this section, or the amount of any award, the Commission may consider any circumstances it determines to be relevant, including the behavior of the victim which directly or indirectly contributed to his injury or death, unless such injury or death resulted from the victim's lawful attempt to prevent the commission of a crime or to apprehend an offender.

(e) No order may be made under this section unless the Commission, supported by substantial evidence, finds that—

(1) such an act or omission did occur; and

(2) the injury or death resulted from such act or omission.

(f) An order may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of such act or omission, or if such act or omission is the subject of any other legal action. Upon application from the Attorney General or the person or persons alleged to have caused the injury or death, the Commission shall suspend proceedings under this Act until such application is withdrawn or until a prosecution for an offense arising out of such act or omission is no longer pending or imminent. The Commission may suspend proceedings in the interest of justice if a civil action arising from such act or omission is pending or imminent.

(g) Upon certification by the Commission, the Secretary of the Treasury shall pay to the person named in such order the amount specified therein.

OFFENSES TO WHICH THIS ACT APPLIES

Sec. 302. The Commission may order the payment of compensation in accordance with the provisions of this Act for personal injury or death which resulted from offenses in the following categories:

(1) assault with intent to kill, rob, rape, or poison;

(2) assault with intent to commit mayhem;

(3) assault with a dangerous weapon;

(4) assault;

(5) mayhem;

(6) malicious disfiguring;

(7) threats to do bodily harm;

(8) lewd, indecent, or obscene acts;

(9) indecent act with children;

(10) arson;

(11) kidnapping;

(12) robbery;

(13) murder;

(14) manslaughter, voluntary;

(15) attempted murder;

(16) rape;

(17) attempted rape;

(18) other crimes involving force to the person.

NATURE OF THE COMPENSATION

Sec. 303. The Commission may order the payment of compensation under this Act for—

(a) expenses actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) loss of earning power as a result of total or partial incapacity of such victim;

(c) pecuniary loss to the dependents of the deceased victim;

(d) pain and suffering of the victim; and

(e) any other pecuniary loss resulting from the personal injury or death of the victim which the Commission determines to be reasonable.

LIMITATIONS UPON AWARDING COMPENSATION

Sec. 304. (a) No order for the payment of compensation shall be made under section 301 of this Act unless the application has been made within two years after the date of the personal injury or death.

(b) No compensation shall be awarded under this Act to or on behalf of any victim in an amount in excess of $25,000.

(c) No compensation shall be awarded if the victim was at the time of the personal injury or death of the victim living with the offender as his wife or her husband or in situations when the Commission at its discretion feels unjust enrichment to or on behalf of the offender would result.

TERMS OF THE ORDER

Sec. 305. (a) Except as otherwise provided in this section, any order for the payment of compensation under this Act may be made on such terms as the Commission deems appropriate.

(b) The Commission shall deduct from any payments awarded under section 301 of this Act any payments received by the victim or by any of his dependents from the offender or from any person on behalf of the offender, or from the United States (except those received under this Act), a State or any of its subdivisions, for personal injury or death compensable under this Act, but only to the extent that the sum of such payments and any award under this Act are in excess of the total compensable injuries suffered by the victim as determined by the Commission.

(c) The Commission may at any time, on its own motion or on the application of the Attorney General, or of the victim or his dependents, or of the offender, vary any order for the payment of compensation made under this Act in such manner as the Commission thinks fit, whether as to terms of the order or by increasing or decreasing the amount of the award or otherwise.

TITLE IV—RECOVERY OF COMPENSATION

RECOVERY FROM OFFENDER

Sec. 401. (a) Whenever any person is convicted of an offense and an order for the payment of compensation is or has been made under this Act for a personal injury or death resulting from the act or omission constituting such offense, the Commission may institute an action against such person for the recovery of the whole or any specified part of such compensation in the district court of the United States for any judicial district in which such person resides or is found. Such court shall have jurisdiction to hear, determine, and render judgment in any such action.

(b) Process of the district court for any judicial district in any action under this section may be served in any other judicial district by the United States marshal thereof. Whenever it appears to the court in which any action under this section is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

(c) An order for the payment of compensation under this Act shall not affect the right of any person to recover damages from any other person by a civil action for the injury or death.

TITLE V—MISCELLANEOUS

REPORTS TO THE CONGRESS

Sec. 501. The Commission shall transmit to the President and to the Congress annually a report of its activities under this Act including the name of each applicant, a brief description of the facts in each case, and the amount, if any, of compensation awarded.

PENALTIES

Sec. 502. The provisions of section 1001 of title 18 of the United States Code shall apply to any application, statement, document, or information presented to the Commission under this Act.

APPROPRIATIONS

Sec. 503. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

Sec. 504. This Act shall take effect on January 1, 1970.

S. 11—INTRODUCTION OF BILL—THE INTERGOVERNMENTAL PERSONNEL ACT OF 1969

Mr. MUSKIE. Mr. President, on behalf of myself and Senators Anderson, Bayh, Brooke, Byrd of West Virginia, Dodd, Ervin, Gravel, Hart, Hatfield, Inouye, Jackson, Kennedy, McCarthy, McGee, McGovern, Metcalf, Mondale, Montoya, Moss, Nelson, Pell, Randolph, Ribicoff, Tydings, Yarborough, and Young of Ohio, I introduce, for appropriate reference, the Intergovernmental Personnel Act of 1969, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

I also ask unanimous consent that the text and a section-by-section analysis of the bill be printed in the Record following my remarks.

Mr. President, among the bills passed by the Senate in the last Congress was the Intergovernmental Personnel Act of 1967, which was a set of measures designed to help strengthen State and local governments through improved personnel administration and more efficient recruitment and training of personnel, particularly in the administrative, technical, and professional categories.

That bill was reported to the Senate from the Government Operations Committee after several years of study, followed by extensive hearings held by the Subcommittee on Intergovernmental Relations. It came to the floor of the Senate with the sponsorship of 16 Senators, the endorsement of Governors, mayors, and other public officials throughout the country, and the strong support of citizen groups devoted to the public interest, and it was passed by a substantial majority. Unfortunately, the other House did not have an opportunity to act on it, and it died with the adjournment of Congress.

The bill which I and others are introducing today is almost identical with the bill which was reported to the Senate in the last Congress. It is crucially important to the successful execution of the wide-ranging programs of Federal aid to State and local government which Congress has authorized. It is urgently necessary in order that government below the Federal level may assume its full share of responsibility for the public services demanded in this period of rapid growth and social change.

We have delayed much too long in dealing with the critical shortage of properly qualified personnel for the public service. Since the great expansion in public programs that occurred during the depression thirties, government has been chronically deficient in manpower. Take, for example, this statement from the report of the Commission of Inquiry on Public Service Personnel, in 1933:

> In spite of the vital importance of government and governmental services, American national, State, and local governments do not at the present time attract to their service their full share of the men and women of capacity and character. This is

> due primarily to our delay in adjusting our attitudes, institutions, and public personnel policies to fit social and economic changes of the past seventy years.

This must now be revised to read—"the past hundred years," since 35 years have passed since that report and we have still not taken the obviously needed actions.

The present state of the public service was characterized in these terms by the Committee on Economic Development in its recent report, "Modernizing Local Government To Secure a Balanced Federalism":

> Positions requiring knowledge of modern technology are frequently occupied by unqualified personnel.
>
> Except in large cities, most department heads are amateurs.
>
> The spoils system still prevailing in parts of the nation has deep roots in many local governments.
>
> Pay scales are usually too low to attract competent professional applicants.

Such conditions are deplorable from any point of view, but they are intolerable when we consider that the vast programs of Federal aid, costing some $20 billion a year, are largely dependent upon State and local governments for their execution.

The burden carried by government below the Federal level grows constantly. Citizens are demanding better education for their children, more and better roads and public transit systems, clean and plentiful water, unpolluted air, better police and fire protection, more and better recreation facilities, more and better health care and hospitals, programs for enlarging job opportunities, and many other services.

In response to these demands, State and local government employment has been expanding at a rate of growth four times that of the U.S. economy and seven times that of the Federal Government. In the decade from 1955 to 1965 State and local employment increased from 4.7 to 7.7 million persons, and is expected to exceed 11 million by 1975. Total recruiting needs for administrative, professional, and technical employees are estimated at 250,000 a year.

It is to this crisis of governmental manpower that the Intergovernmental Personnel Act of 1969 is addressed. The bill provides for a system of Federal financial and technical assistance and other Federal support of State and local governments for personnel administration, training, and recruitment, on a purely voluntary basis. The authorities granted by the bill would be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration and their own training programs.

The bill would:

First. Provide for intergovernmental cooperation, through an advisory council appointed by the President, in the development of policies and standards for the administration of programs for improvement of State and local personnel administration and training. The advisory council would report from time to time to the President and to the Congress, and in transmitting to the Congress reports of the advisory council, the President would submit to the Congress proposals of legislation which he deems desirable to carry out recommendations of the advisory council.

Second. Authorize the Civil Service Commission to make grants to State and local governments to plan and to make improvements in their systems of personnel administration.

Third. Transfer to the Civil Service Commission responsibility for administration of existing Federal statutory provisions requiring merit personnel administration for State and local employees engaged in certain federally assisted programs.

Fourth. Authorize Federal agencies to admit State and local government officials and employees, particularly in administrative, professional, and technical occupations, to Federal training programs. To meet the costs resulting from the admission of State or local employees or officials to such training programs, the Federal agency concerned may use its appropriations or may be reimbursed by State or local governments, or the Civil Service Commission may use its appropriations to reimburse the Federal agency concerned or make advances toward these costs.

Fifth. Authorize Federal agencies administering programs of financial grants or assistance to State or local governments to provide special training for State and local government officials or employees who have responsibilities related to those programs; and permit State and local governments to use appropriate Federal funds to establish training courses for or to pay certain education expenses of their officials or employees who have responsibilities related to the program concerned.

Sixth. Authorize the Civil Service Commission to make grants to State and local governments and other appropriate organizations for carrying out approved plans for training State and local government employees, for the development of such plans by State and local governments, and for government service fellowships for employees selected for special graduate-level university training.

Seventh. Authorize the Civil Service Commission to join with State and local governments in cooperative recruitment and examining activities and to furnish technical advice and assistance, at the request of State and local governments, to strengthen personnel administration.

Eighth. Give consent of Congress to interstate compacts designed to improve personnel administration and training for State and local employees.

Ninth. Authorize the temporary exchanging of personnel between the Federal Government and States and local governments.

Tenth. Direct the Civil Service Commission to coordinate activities of Federal agencies in providing training and technical assistance services to State and local governments, so as to avoid duplication of effort and to insure maximum effectiveness of administration.

Mr. President, I hope that this bill can be given early consideration in the Senate, and that it will receive final approval by the Congress in time for it to be put into execution before the end of 1969.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis of the bill will be printed in the RECORD.

The bill (S. 11) to reinforce the Federal system by strengthening the personnel resources of State and local governments, to improve intergovernmental cooperation in the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 11

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

That effective State and local governmental institutions are essential in the maintenance and development of the Federal system in an increasingly complex and interdependent society.

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments.

That the quality of public service at all levels of government can be improved by the development of systems of personnel administration consistent with such merit principles as—

(1) recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;

(2) providing equitable and adequate compensation;

(3) training employees, as needed, to assure high-quality performance;

(4) retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;

(5) assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens; and

(6) assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration in a manner consistent with these principles is in the national interest.

SEC. 3. The authorities provided by this Act shall be administered in such manner as to recognize fully the rights, powers, and responsibilities of State and local governments.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

DECLARATION OF PURPOSE

SEC. 101. The purpose of this title is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

ADVISORY COUNCIL

SEC. 102. (a) Within one hundred and eighty days following the date of enactment of this Act, the President shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an advisory council on intergovernmental personnel policy.

(b) The advisory council, of not to exceed fifteen members, shall be composed primarily of officials of the Federal Government and State and local governments, but shall also include members selected from educational and training institutions or organizations, public employee organizations, and the general public. At least half of the governmental members shall be officials of State and local governments. The President shall designate a Chairman and a Vice-Chairman from among the members of the advisory council.

(c) It shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of—

(1) improving the quality of public administration at State and local levels of government, particularly in connection with programs that are financed in whole or in part from Federal funds;

(2) strengthening the capacity of State and local governments to deal with complex problems confronting them;

(3) aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) aiding State and local governments in developing systems of personnel administration that are responsive to the goals and needs of their programs and effective in attracting and retaining capable employees; and

(5) facilitating temporary assignments of personnel between the Federal Government and State and local governments and institutions of higher education.

(d) Members of the advisory council who are not regular full-time employees of the United States, while serving on the business of the council, including travel time, may receive compensation at rates not exceeding the daily rate for GS–18; and while so serving away from their homes or regular places of business, all members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

REPORTS OF ADVISORY COUNCIL

SEC. 103. (a) The advisory council on intergovernmental personnel policy shall from time to time report to the President and to the Congress its findings and recommendations.

(b) Not later than eighteen months after its establishment, the advisory council shall submit an initial report on its activities, which shall include its views and recommendations on—

(1) the feasibility and desirability of extending merit policies and standards to additional Federal-State grant-in-aid programs;

(2) the feasibility and desirability of extending merit policies and standards to grant-in-aid programs of a Federal-local character;

(3) appropriate standards for merit personnel administration, where applicable, including those established by regulations with respect to existing Federal grant-in-aid programs; and

(4) the feasibility and desirability of financial and other incentives to encourage State and local governments in the development of comprehensive systems of personnel administration based on merit principles.

(c) In transmitting to the Congress reports of the advisory council, the President shall submit to the Congress proposals of legislation which he deems desirable to carry out the recommendations of the advisory council.

TITLE II—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is to assist State and local governments to strengthen their staffs by improving their personnel administration.

STATE GOVERNMENT AND STATEWIDE PROGRAMS AND GRANTS

SEC. 202. (a) The United States Civil Service Commission (hereinafter referred to as the Commission) is authorized to make grants to States for up to 75 per centum of the costs of developing and of carrying out programs or projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to strengthen State and local government personnel administration and to furnish needed personnel administration services to local governments in that State. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

(b) An application for a grant shall be made at such time or times, and contain such information, as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section only if the application therefor—

(1) provides for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the approved program or project at the State level;

(2) provides for the establishment of merit personnel administration where appropriate and the further improvement of existing systems based on merit principles;

(3) provides for specific personnel administration improvement needs of the State government and, to the extent appropriate, of the local governments in that State, including State personnel administration services for local governments;

(4) provides assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes; and

(5) sets forth clear and practicable actions for the improvement of particular aspects of personnel administration such as—

(A) establishment of statewide personnel systems of general or special functional coverage to meet the needs of urban, suburban, or rural governmental jurisdictions that are not able to provide sound career services, opportunities for advancement, adequate retirement and leave systems, and other career inducements to well-qualified professional, administrative, and technical personnel;

(B) making State grants to local governments to strengthen their staffs by improving their personnel administration;

(C) assessment of State and local government needs for professional, administrative, and technical manpower, and the initiation of timely and appropriate action to meet such needs;

(D) strengthening one or more major areas of personnel administration, such as recruitment and selection, training and development, and pay administration;

(E) undertaking research and demonstration projects to develop and apply better personnel administration techniques, including both projects conducted by State and local government staffs and projects conducted by colleges or universities or other appropriate nonprofit organizations under grants or contracts;

(F) strengthening the recruitment, selection, assignment, and development of handicapped persons, women, and members of disadvantaged groups whose capacities are not being utilized fully;

(G) achieving the most effective use of scarce professional, administrative, and technical manpower; and

(H) increasing intergovernmental cooperation in personnel administration, with respect to such matters as recruiting, examining, pay studies, training, education, personnel interchange, manpower utilization, and fringe benefits.

LOCAL GOVERNMENTS AND GRANTS

SEC. 203. (a) The Commission is authorized to make grants to general local governments, or combinations of such governments, that serve a population of fifty thousand or more, for up to 75 per centum of the cost of developing and carrying out programs or projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)-(6) of the third paragraph of section 2 of this Act, to strengthen the personnel administration of such governments. Such a grant may be made only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant adequately providing, in the judgment of the Commission, for assistance in strengthening the personnel administration of that local government or a combination of local governments. However, such a grant, except as provided in subsection (b)(1) of this section, may not be made until the expiration of one year from the effective date of the grant provisions, as provided in section 513 of this Act.

(b) An application for a grant from a general local government or combination of general local governments shall be made at such time or times and shall contain such information as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section only if the application therefor meets requirements similar to those established in section 202(b) of this Act for a State application for a grant, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (c) of this section. Such a grant may cover the costs of developing the program or project covered by the application. The Commission may—

(1) waive, at the request of a general local government or combination of such governments, the one-year waiting period, unless the State concerned declares, within ninety days from the effective date of the grant provisions, as provided in section 513 of this Act, an intent to file an application for a grant that will provide adequately for assistance to the local government or governments; and

(2) make grants to general local governments, or combinations of such governments, that serve a population of less than fifty thousand, if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special problems in personnel administration related to such programs or projects.

(c) An application to be submitted to the Commission under subsection (b) of this section shall first be submitted by the general local government or governments to the State office designated under section 202(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office or of the Governor, as the case may be, and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

INTERGOVERNMENTAL COOPERATION IN RECRUITING AND EXAMINING

SEC. 204. (a) The Commission may join, on a shared-costs basis, with State and local governments in cooperative recruiting and examining activities under such procedures and regulations as may jointly be agreed upon.

(b) The Commission also may, on the written request of a State or local government and under such procedures as may be jointly agreed upon, certify to such governments from appropriate Federal registers the names of potential employees. The State or local government making the request shall pay the Commission for the costs, as determined by the Commission, of performing the service, and such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

TECHNICAL ASSISTANCE

SEC. 205. The Commission may furnish technical advice and assistance, on request, to the State and general local governments seeking to improve their systems of personnel administration. The Commission may accept from such governments payments, in whole or in part, for the costs of furnishing such assistance. All such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

COORDINATION OF FEDERAL PROGRAMS

SEC. 206. The Commission, after consultation with other agencies concerned, shall—

(1) coordinate the personnel administration support and technical assistance given to State and local governments and the support given State programs or projects to strengthen local government personnel administration, including the furnishing of needed personnel administration services and technical assistance, under authority of this Act with any such support given under other Federal programs; and

(2) make such arrangements, including the collection, maintenance, and dissemination of data on grants for strengthening State and local government personnel administration and on grants to States for furnishing needed personnel administration services and technical assistance to local governments, as needed to avoid duplication and insure consistent administration of related Federal activities.

INTERSTATE COMPACTS

SEC. 207. The consent of the Congress is hereby given to any two or more States to enter into compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of State and local governments.

TRANSFER OF FUNCTIONS

SEC. 208. (a) There are hereby transferred to the Commission all functions, powers, and duties of—

(1) the Secretary of Agriculture under section 10(a)(2) of the Food Stamp Act of 1964 (7 U.S.C. 2019(e)(2));

(2) the Secretary of Labor under—

(A) the Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.); and

(B) section 303(a)(1) of the Social Security Act (42 U.S.C. 503(a)(1));

(3) the Secretary of Health, Education, and Welfare under—

(A) sections 134(a)(6) and 204(a)(6) of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (42 U.S.C. 2674(a)(6) and 2684(a)(6));

(B) section 303(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)(5));

(C) sections 314 (a)(2)(F) and (d)(2)(F) and 604(a)(8) of the Public Health Service Act (42 U.S.C. 246 (a)(2)(F) and (d)(2)(F) and 291d (a)(8)); and

(D) sections 2(a)(5), 402(a)(5), 503(a)(3), 513(a)(3), 1002(a)(5), 1402(a)(5), 1062(a)(5), and 1902(a)(4) of the Social Security Act (42 U.S.C. 302(a)(5), 602(a)(5), 703(a)(3), 713(a)(3), 1202(a)(5), 1352(a)(5), 1382(a)(5), and 1396a(a)(4)); and

(4) any other department, agency, office, or officer (other than the President) under any other provision of law or regulation applicable to a program of grant-in-aid that specifically requires the establishment and maintenance of personnel standards on a merit basis with respect to the program; insofar as the functions, powers, and duties relate to the prescription of personnel standards on a merit basis.

(b) The Commission shall—

(1) provide consultation and technical advice and assistance to State and local governments to aid them in complying with standards prescribed by the Commission under subsection (a) of this section; and

(2) advise Federal agencies administering programs of grants or financial assistance as to the application of required personnel administration standards, and recommend and coordinate the taking of such actions by the Federal agencies as the Commission considers will most effectively carry out the purpose of this title.

(c) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds of any Federal agency employed, used, held, available, or to be made available in connection with the functions, powers, and duties vested in the Commission by this section as the Director of the Bureau of the Budget shall determine shall be transferred to the Commission at such time or times as the Director shall direct.

(d) Personnel standards prescribed by Federal agencies under laws and regulations referred to in subsection (a) of this section shall continue in effect until modified or superseded by standards prescribed by the Commission under subsection (a) of this section.

(e) Any standards or regulations established pursuant to the provisions of this section shall be such as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own individual systems of personnel administration.

(f) Nothing in this section or in section 202 or 203 of this Act shall be construed to—

(1) authorize any agency or official of the Federal Government to exercise any authority, direction, or control over the selection, assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee;

(2) authorize the application of personnel standards on a merit basis to the teaching personnel of educational institutions or school systems;

(3) prevent participation by employees or employee organizations in the formulation of policies and procedures affecting the conditions of their employment, subject to the laws and ordinances of the State or local government concerned;

(4) require or request any State or local government employee to disclose his race, religion, or national origin, or the race, religion, or national origin, of any of his forebears;

(5) require or request any State or local government employee, or any person applying for employment as a State or local government employee, to submit to any interrogation or examination or to take any psychological test or any polygraph test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters; or

(6) require or request any State or local government employee to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(g) This section shall become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 301. The purpose of this title is to strengthen the training and development of State and local government employees and officials, particularly in professional, administrative, and technical fields.

ADMISSION TO FEDERAL EMPLOYEE TRAINING PROGRAMS

SEC. 302. (a) In accordance with such conditions as may be prescribed by the head of the Federal agency concerned, a Federal agency may admit State and local government employees and officials to agency training programs established for Federal professional, administrative, or technical personnel.

(b) Federal agencies are authorized to receive payments from, or on behalf of, State and local governments for the costs of training provided under this section, and to enter into agreements with them for this purpose. The head of the Federal agency concerned may waive all or part of such payments. Payments received by the Federal agency concerned for training under this section shall be credited to the appropriation or fund used for paying the training costs.

(c) The Commission may use appropriations authorized by this Act to pay the additional developmental or overhead costs that are incurred by reason of admittance of State and local government employees to Federal training courses and to reimburse other Federal agencies for such costs.

TRAINING OF PERSONNEL ENGAGED IN GRANT-IN-AID PROGRAMS

SEC. 303. (a) Any Federal agency administering a program of grants or financial assistance to State or local governments may—

(1) establish, provide, and conduct training programs for employees and officials of State and local governments who have responsibilities related to the federally aided program, and, to the same extent provided in section 302(b) of this Act, receive or waive payments for such training and credit any such payments to the appropriation or fund used for paying the training costs; and

(2) authorize State and local governments—

(A) from Federal funds available for State or local program administration expenses under grants or financial assistance; or

(B) from other Federal grant or financial assistance funds when so provided in appropriation or other Acts;

to establish, conduct, provide, and support training and education programs for their employees and officials who have responsibilities related to the federally aided program, including internship, work-study, fellowship, and similar programs if approved by the Federal agency concerned, provided that full-time, graduate-level education supported under this subsection shall be consistent with provisions made for Government Service Fellowships under section 306 of this Act.

(b) The State or local government concerned shall—

(1) in accordance with eligibility criteria prescribed by the Federal agency concerned, select the individual employees and officials to receive education and training in programs established under this section; and

(2) during the period of the education or training, continue the full salary of the employee or official concerned and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance.

GRANTS TO STATE AND LOCAL GOVERNMENTS FOR TRAINING

SEC. 304. (a) If in its judgment training is not adequately provided for under grant-in-aid or other statutes, the Commission is authorized to make grants to State and general local governments for up to 75 per centum of the cost of developing and carrying out training and education programs for their professional, administrative, and technical employees and officials, which the Commission finds are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act. Such grants may not be used to cover costs of full-time graduate-level study, provided for in section 306 of this Act, or the costs of the construction or acquisition of training facilities. The State and local government share of the cost of developing and carrying out training and education plans and programs may include, but shall not consist solely of, the reasonable value of facilities and of supervisory and other personal services made available by such governments. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in developing and carrying out training and education programs for their personnel.

(b) An application for a grant from a State or general local government shall be made at such time or times, and shall contain such information, as the Commission may prescribe. The Commission may make a grant under subsection (a) of this section, only if the application therefor meets requirements established by this subsection unless any requirement is specifically waived by the Commission. Such grant to a State, or to a general local government under subsection (c) of this section, may cover the costs of developing the program covered by the application. The program covered by the application shall—

(1) provide for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the program at the State level;

(2) provide, to the extent feasible, for coordination with relevant training available under or supported by other Federal Government programs or grants;

(3) provide for training needs of the State government and of local governments in that State;

(4) provide, to the extent feasible, for intergovernmental cooperation in employee training matters, especially within metropolitan or regional areas; and

(5) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes.

(c) A grant authorized by subsection (a) of this section may be made to a general local government, or a combination of such governments, that serves a population of fifty thousand or more only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant adequately providing, in the judgment of the Commission, for training of employees of that local government or combination of local governments. However, such a grant, except as further provided in this subsection, may not be made until the expiration of one year from the effective date of the grant provisions of this Act. To be approved, an application for a grant under this subsection must meet requirements similar to those established in subsection (b) of this section for State applications, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (d) of this section. The Commission may—

(1) waive, at the request of a general local government or a combination of such governments, the one-year waiting period provided under subsection (c) of this section unless the State concerned declares, within ninety days from the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide adequately for the training of employees of the general local government or governments; and

(2) make grants to general local governments, or combinations of such governments that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special needs for personnel training and education related to such programs or projects.

(d) An application to be submitted to the Commission under subsection (c) of this section shall first be submitted by the general local government or governments to the State office designated under section 304(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of such State office or the Governor, as the case may be, and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before such State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

GRANTS TO OTHER ORGANIZATIONS

SEC. 305. (a) The Commission is authorized to make grants to other organizations to pay up to 75 per centum of the costs of providing training to professional, administrative, or technical employees and officials of State or local governments if the Commission—

(1) finds substantial State and local government interest in the proposed program; and

(2) approves the program as meeting such requirements as may be prescribed by the Commission in its regulations pursuant to this Act.

(b) For the purpose of this section "other organization" means—

(1) a national, regional, statewide, areawide, or metropolitan organization, representing member State or local governments;

(2) an association of State or local public officials; or

(3) a nonprofit organization one of whose principal functions is to offer professional advisory, research, development, educational or related services to governments.

GOVERNMENT SERVICE FELLOWSHIPS

SEC. 306. (a) The Commission is authorized to make grants to State and general local governments to support programs approved by the Commission for providing Government Service Fellowships for State and local governmental personnel. The grants may cover—

(1) the necessary costs of the fellowship recipient's books, travel, and transportation, and such related expenses as may be authorized by the Commission;

(2) reimbursement to the State or local government for not to exceed one-fourth of the salary of each fellow during the period of the fellowship; and

(3) payment to the educational institutions involved of such amounts as the Commission determines to be consistent with prevailing practices under comparable Federally supported programs for each fellow, less any amount charged the fellow for tuition and nonrefundable fees and deposits.

(b) Fellowships awarded under this section may not exceed two years of full-time graduate-level study for professional, administrative, and technical employees. The regulations of the Commission shall include eligibility criteria for the selection of fellowship recipients by State and local governments.

(c) The State or local government concerned shall—

(1) select the individual recipients of the fellowships;

(2) during the period of the fellowship, continue the full salary of the recipient and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance; and

(3) make appropriate plans for the utilization and continuation in public service of employees completing fellowships and outline such plans in the application for the grant.

COORDINATION OF FEDERAL PROGRAMS

SEC. 307. The Commission, after consultation with other agencies concerned, shall—

(1) prescribe regulations concerning administration of training for employees and officials of State and local governments provided for in this title, including requirements for coordination of and reasonable consistency in such training programs;

(2) coordinate the training support given to State and local governments under authority of this Act with training support given such governments under other Federal programs; and

(3) make such arrangements, including the collection and maintenance of data on training grants and programs, as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of related Federal training activities.

TITLE IV—MOBILITY OF FEDERAL, STATE, AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 401. The purpose of this title is to provide for the temporary assignment of personnel between the Federal Government and State and local governments and institutions of higher education.

AMENDMENTS TO TITLE 5, UNITED STATES CODE

SEC. 402. (a) Chapter 33 of title 5, United States Code, is amended by inserting the following new subchapter at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"§ 3371. Definitions

"For the purpose of this subchapter—

"(1) 'State' means—

"(A) a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

"(B) an instrumentality or authority of a State or States as defined in subparagraph (A) of this paragraph (1) and a Federal-State authority or instrumentality; and

"(2) 'local government' means—

"(A) any political subdivision, instrumentality, or authority of a State or States as defined in subparagraph (A) of paragraph (1); and

"(B) any general or special purpose agency of such a political subdivision, instrumentality, or authority.

"§ 3372. General provisions

"(a) On request from or with the concurrence of a State or local government, and with the consent of the employee concerned, the head of an Executive agency may arrange for the assignment of—

"(1) an employee of his agency to a State or local government; and

"(2) an employee of a State or local government to his agency;

for work of mutual concern to his agency and the State or local government that he determines will be beneficial to both. The period of an assignment under this subchapter may not exceed two years. However, the head of an Executive agency may extend the period of assignment for not more than two additional years.

"(b) This subchapter is authority for and applies to the assignment of—

"(1) an employee of an Executive agency to an institution of higher education; and

"(2) an employee of an institution of higher education to an Executive agency.

"§ 3373. Assignment of employees to State and local governments

"(a) An employee of an Executive agency assigned to a State or local government under this subchapter is deemed, during the assignment, to be either—

"(1) on detail to a regular work assignment in his agency; or

"(2) on leave without pay from his position in the agency.

An employee assigned either on detail or on leave without pay remains an employee of his agency. The Federal Tort Claims Act and any other Federal tort liability statute apply to an employee so assigned. The supervision of the duties of an employee on detail may be governed by agreement between the Executive agency and the State or local government concerned.

"(b) The assignment of an employee of an Executive agency either on detail or on leave without pay to a State or local government under this subchapter may be made with or without reimbursement by the State or local government for the travel and transportation expenses to or from the place of assignment and for the pay, or supplemental pay, or a part thereof, of the employee during assignment. Any reimbursements shall be credited to the appropriation of the Executive agency used for paying the travel and transportation expenses or pay.

"(c) For an employee so assigned and on leave without pay—

"(1) if the rate of pay for his employment by the State or local government is less than the rate of pay he would have received had he continued in his regular assignment in the agency, he is entitled to receive supplemental pay from the agency in an amount equal to the difference between the State or local government rate and the agency rate;

"(2) he is entitled to annual and sick leave to the same extent as if he had continued in his regular assignment in the agency; and

"(3) he is entitled, notwithstanding other statutes—

"(A) to continuation of his insurance under chapter 87 of this title, and coverage under chapter 89 of this title or other applicable authority, so long as he pays currently into the Employee's Life Insurance Fund and the Employee's Health Benefits Fund or other applicable health benefits system (through his employing agency) the amount of the employee contributions;

"(B) to credit the period of his assignment under this subchapter toward periodic step-increases, retention, and leave accrual purposes, and, on payment into the Civil Service Retirement and Disability Fund or other applicable retirement system of the percentage of his State or local government pay, and of his supplemental pay, if any, that would have been deducted from a like agency pay for the period of the assignment and payment by the Executive agency into the fund or system of the amount that would have been payable by the agency during the period of the assignment with respect to a like agency pay, to treat (notwithstanding section 8348(g) of this title) his service during that period as service of the type performed in the agency immediately before his assignment; and

"(C) for the purpose of subchapter I of chapter 85 of this title, to credit the service performed during the period of his assignment under this subchapter as Federal service, and to consider his State or local government pay (and his supplemental pay, if any) as Federal wages. To the extent that the service could also be the basis for entitlement to unemployment compensation under a State law, the employee may elect to claim unemployment compensation on the basis of the service under either the State law or subchapter I of chapter 85 of this title.

However, an employee or his beneficiary may not receive benefits referred to in subparagraphs (A) and (B) of this paragraph (3), based on service during an assignment under this subchapter for which the employee or, if he dies without making such an election, his beneficiary elects to receive benefits, under any State or local government retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Executive agency shall deposit currently in the Employee's Life Insurance Fund, the Employee's Health Benefits Fund or other applicable health benefits system, respectively, the amount of the Government's contributions on account of service with respect to which employee contributions are collected as provided in subparagraphs (A) and (B) of this paragraph (3).

"(d) (1) An employee so assigned and on leave without pay who dies or suffers disability as a result of personal injury sustained while in the performance of his duty during an assignment under this subchapter shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(2) An employee who elects to receive benefits from a State or local government may not receive an annuity under subchapter II of chapter 83 of this title and benefits from the State or local government for injury or disability to himself covering the same period of time. This provision does not—

"(A) bar the right of a claimant to the greater benefit conferred by either the State or local government or subchapter III of chapter 83 of this title for any part of the same period of time;

"(B) deny to an employee an annuity accruing to him under subchapter III of chapter 83 of this title on account of service performed by him; or

"(C) deny any concurrent benefit to him from the State or local government on account of the death of another individual.

"§ 3374. Assignments of employees from State or local governments

"(a) An employee of a State or local government who is assigned to an Executive agency under an arrangement under this subchapter may—

"(1) be appointed in the Executive agency without regard to the provisions of this title governing appointment in the competitive service for the agreed period of the assignment; or

"(2) be deemed on detail to the Executive agency.

"(b) An employee given an appointment is entitled to pay in accordance with chapter 51 and subchapter III of chapter 53 of this title or other applicable law, and is deemed an employee of the Executive agency for all purposes except—

"(1) subchapter III of chapter 83 of this title or other applicable retirement system;

"(2) chapter 87 of this title; and

"(3) chapter 89 of this title or other applicable health benefits system unless his appointment results in the loss of coverage in a group health benefits plan the premium of which has been paid in whole or in part by a State or local government contribution.

"(c) During the period of assignment, a State or local government employee on detail to an Executive agency—

"(1) is not entitled to pay from the agency;

"(2) is deemed an employee of the agency for the purpose of chapter 73 of this title, sections 203, 205, 207, 208, 209, 602, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, section 638a of title 31, and the Federal Tort Claims Act and any other Federal tort liability statute; and

"(3) is subject to such regulations as the President may prescribe.

The supervision of the duties of such an employee may be governed by agreement between the Executive agency and the State or local government concerned. A detail of a State or local government employee to an Executive agency may be made with or without reimbursement by the Executive agency for the pay, or a part thereof, of the employee during the period of assignment.

"(d) A State or local government employee who is given an appointment in an Executive agency for the period of the assignment or who is on detail to an Executive agency and who suffers disability or dies as a result of personal injury sustained while in the performance of his duty during the assignment shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(e) If a State or local government fails to continue the employer's contribution to State or local government retirement, life insurance, and health benefit plans for a State or local government employee who is given an appointment in an Executive agency, the employer's contributions covering the State or local government employee's period of assignment, or any part thereof, may be made from the appropriations of the Executive agency concerned.

"§ 3375. Travel Expenses

"(a) Appropriations of an Executive agency are available to pay, or reimburse, a Federal or State or local government employee in accordance with—

"(1) subchapter I of chapter 57 of this title, for the expenses of—

"(A) travel and per diem instead of subsistence to and from the assignment location;

"(B) per diem instead of subsistence at the assignment location during the period of the assignment; and

"(C) travel and per diem instead of subsistence while traveling on official business away from his designated post of duty during the assignment when the head of the Executive agency considers the travel in the interest of the United States;

"(2) section 5724 of this title, for the expense of transportation of his immediate family and of his household goods and personal effects to and from the assignment location;

"(3) section 5724a(a)(1) of this title, for the expenses of per diem allowances for the immediate family of the employee to and from the assignment location;

"(4) section 5724a(a)(3) of this title, for subsistence expenses of the employee and his immediate family while occupying temporary quarters at the assignment location and on return to his former post of duty; and

"(5) section 5726(c) of this title, for the expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location.

"(b) Expenses specified in subsection (a) of this section, other than those in paragraph (1)(C), may not be allowed in connection with the assignment of a Federal or State or local government employee under this subchapter, unless and until the employee agrees in writing to complete the entire period of his assignment or one year, whichever is shorter, unless separated or reassigned for reasons beyond his control that are acceptable to the Executive agency concerned. If the employee violates the agreement, the money spent by the United States for these expenses is recoverable from the employee as debt due the United States. The head of the Executive agency concerned may waive in whole or in part a right of recovery under this subsection with respect to a State or local government employee on assignment with the agency.

"(c) Appropriations of an Executive agency are available to pay expenses under section 5742 of this title with respect to a Federal or State or local government employee assigned under this subchapter.

"§ 3376. Regulations

"The President may prescribe regulations for the administration of this subchapter."

(b) The analysis of chapter 33 of title 5, United States Code, is amended by inserting the following at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"Sec.
"3371. Definitions.
"3372. General provisions.
"3373. Assignments of employees to State or local governments.
"3374. Assignments of employees from State or local governments.
"3375. Travel expenses.
"3376. Regulations."

REPEAL OF SPECIAL AUTHORITIES

SEC. 403. The Act of August 2, 1956, as amended (7 U.S.C. 1881–1888), section 507 of the Act of April 11, 1965 (20 U.S.C. 867), and section 314(f) of the Public Health Service Act (42 U.S.C. 246(f)) (less applicability to commissioned officers of the Public Health Service) and are hereby repealed.

SEC. 404. This title shall become effective 60 days after the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

DECLARATION OF PURPOSE

SEC. 501. The purpose of this title is to provide for the general administration of titles I, II, III, and V of this Act (hereinafter referred to as "this Act"), and to provide for the establishment of certain advisory committees.

DEFINITIONS

SEC. 502. For the purpose of this Act—

(1) "Commission" means the United States Civil Service Commission;

(2) "Federal agency" means an executive department, military department, independent establishment, or agency in the executive branch of the Government of the United States, including Government owned or controlled corporations;

(3) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States, and includes interstate and Federal-interstate agencies but does not include the governments of the political subdivisions of a State; and

(4) "local government" means a city, town, county, or other subdivision or district of a State, including agencies, instrumentalities, and authorities of any of the foregoing and any combination of such units or combination of such units and a State. A "general local government" means a city, town, county, or comparable general-purpose political subdivision of a State.

GENERAL ADMINISTRATIVE PROVISIONS

SEC. 503. (a) Unless otherwise specifically provided, the Commission shall administer this Act.

(b) The Commission shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of this Act.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in it by this Act, the Commission may—

(1) issue such standards and regulations as may be necessary to carry out the purposes of this Act;

(2) consent to the modification of any contract entered into pursuant to this Act, such consent being subject to any specific limitations of this Act;

(3) include in any contract made pursuant to this Act such covenants, conditions, or provisions as it deems necessary to assure that the purposes of this Act will be achieved; and

(4) utilize the services and facilities of any Federal agency, any State or local government, and any other public or nonprofit agency or institution, on a reimbursable basis or otherwise, in accordance with agreements between the Commission and the head thereof.

(d) In the performance of, and with respect to the functions, powers, and duties vested in it by this Act, the Commission—

(1) may collect information from time to time with respect to State and local government training programs and personnel administration improvement programs and projects under this Act, and make such information available to interested groups, organizations, or agencies, public or private;

(2) may conduct such research and make such evaluation as needed for the efficient administration of this Act; and

(3) shall include in its annual report, a report of the administration of this Act.

(e) The provisions of this Act are not a limitation on existing authorities under other statutes but are in addition to any such authorities, unless otherwise specifically provided in this Act.

REPORTING REQUIREMENTS

SEC. 504. (a) A State or local government office designated to administer a program or project under this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal funds and the operation of the approved program or project as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

(b) An organization which receives a training grant under section 305 of this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal grant funds and the operation of the training program as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

REVIEW AND AUDIT

SEC. 505. The Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a grant recipient that are pertinent to the grant received.

DISTRIBUTION OF GRANTS

SEC. 506. (a) The Commission shall allocate grants under this Act in such manner as will most nearly provide an equitable distribution of the grants among States and between State and local governments, taking into consideration such factors as the size of the population, number of employees affected, the urgency of the programs or projects, the need for funds to carry out the purposes of this Act, and the potential of the governmental jurisdictions concerned to use the funds most effectively.

(b) In each fiscal year, 15 per centum of the total amount available for grants under this Act shall be apportioned equally among the States and the amount apportioned for each State shall be reserved for programs or projects in that State. However, any amount so reserved but not used in any fiscal year shall be added to the total amount available for grants under this Act in the next suceeding fiscal year. For the purpose of this subsection, "State" means the several States of the United States, and the District of Columbia.

(c) Notwithstanding the other provisions of this section, the total of the payments from the appropriations for any fiscal year under this Act made with respect to programs or projects in any one State may not exceed an amount equal to 12½ per centum of such appropriation.

TERMINATION OF GRANTS

SEC. 507. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or general local government concerned, finds—

(1) that a program or project has been so changed that it no longer complies with the provisions of this Act; or

(2) that in the operation of the program or project there is a failure to comply substantially with any such provision;

the Commission shall notify the State or general local government of its findings and no further payments may be made to such government by the Commission until it is satisfied that such noncompliance has been, or will promptly be, corrected. However, the Commission may authorize the continuance of payments to those projects approved under this Act which are not involved in the noncompliance.

ADVISORY COMMITTEES

SEC. 508. (a) The Commission may appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, such advisory committee or committees as it may determine to be necessary to facilitate the administration of this Act.

(b) Members of advisory committees who are not regular full-time employees of the United States, while serving on the business of the committees, including traveltime, may receive compensation at rates not exceeding the daily rate for GS–18; and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

APPROPRIATION AUTHORIZATION

SEC. 509. (a) To carry out the programs authorized by this Act, there are authorized to be appropriated at any time after its enactment not to exceed $20,000,000 for fiscal year 1970; $30,000,000 for fiscal year 1971; and $40,000,000 for fiscal year 1972.

(b) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1972.

REVOLVING FUND

SEC. 510. (a) There is established a revolving fund, to be available without fiscal year limitation, for financing training and such other functions as are authorized or required to be performed by the Commission on a reimbursable basis by this Act and such other services as the Commission, with the approval of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

(b) The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized), and such unexpended balances of appropriations or funds relating to the activities transferred to the fund and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Commission may transfer to the fund, less the related liabilities, unpaid obligations, and accrued annual leave of employees who are transferred to the activities financed by the fund at its inception.

(c) The fund shall be credited with—

(1) reimbursements or advance payments from available funds of the Commission, other Federal agencies, State or local governments, or other sources for supplies and services at rates which will approximate the expense of operations, including the accrual of annual leave, the depreciation of equipment, and the net losses on property transferred or donated; and

(2) receipts from sales or exchanges of property and payments for losses or damage to property accounted for under the fund.

(d) Any unobligated and unexpended balance in the fund that the Commission determines to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

LIMITATIONS ON AVAILABILITY OF FUNDS FOR COST SHARING

SEC. 511. Federal funds made available to State or local governments under other programs may not be used by the State or local government for cost-sharing purposes under grant provisions of this Act, except that Federal funds of a program financed wholly by Federal funds may be used to pay a pro-rata share of such cost-sharing. State or local government funds used for cost-sharing on other federally assisted programs may not be used for cost-sharing under grant provisions of this Act.

METHOD OF PAYMENT

SEC. 512. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as the Commission may determine, with necessary adjustments on account of overpayments or underpayments.

EFFECTIVE DATE OF GRANT PROVISIONS

SEC. 513. Grant provisions of this Act shall become effective on hundred and eighty days following the date of enactment of this Act.

The section-by-section analysis of S. 11, presented by Mr. MUSKIE, is as follows:

SECTION ANALYSIS OF INTERGOVERNMENTAL PERSONNEL ACT OF 1969

The title sets forth the basic purpose of the Act as a whole and provides that it may be cited as the Intergovernmental Personnel Act of 1969.

SECTION 2. This section sets forth the finding and declaration of Congress that since the effectiveness of State, local, and Federal governments are interdependent, it is in the national interest that the quality of public service at all levels of government be improved. This can be achieved through the development of systems of personnel administration consistent with such merit principles as insuring openness and equity in recruitment, appointment, advancement, retention, and separation; providing equitable and adequate pay scales and benefits; upgrading of skills through training; and insulating employees from partisan political pressures. To this end, Federal financial and technical assistance is in the national interest.

SEC. 3. This section provides that the Act shall be administered in such a manner that the rights, powers, and responsibilities of State and local governments are fully recognized.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

SEC. 101. This section sets forth the purpose of the title, which is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

Advisory council

SEC. 102. This section provides for the appointment by the President of an advisory council on intergovernmental personnel policy within 180 days after enactment. This shall be done without adherence to provisions regarding appointments in the competitive service.

Subsection (b) provides that the council, not exceeding fifteen members, shall be composed primarily of officials from all levels of government but shall also include members selected from employee organizations, educational institutions, and the general public. At least half its governmental members shall be officials of State and local governments.

Subsection (c) states that it shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of improving personnel administration in State and local governments, strengthening these governments in their training efforts, and in their development of personnel administration systems, and facilitating assignments of personnel between the Federal Government and State and local governments.

Subsection (d) provides that members of this council who are not full-time employees of the Federal Government may be compensated at rates not in excess of the daily rates for GS–18 employees, including travel time and per diem.

Reports of the advisory council

SEC. 103. This section provides that the council shall report its findings and recommendations to Congress and the President from time to time.

Subsection (b) states that the initial report is to be made not later than 18 months after the council's establishment, and shall include its views and recommendations on: the feasibility and desirability of extending merit requirements to additional grant-in-aid programs; appropriate standards for merit personnel administration; and the possible use of financial and other incentives to encourage the development of such comprehensive systems of personnel administration based on merit.

Subsection (c) provides that the President shall propose legislation to Congress which he judges desirable to implement the recommendations of the council.

TITLE—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

SEC. 201. This section states the purpose of the title which is to assist State and local governments in strengthening their staffs by improving personnel administration.

State government and statewide programs and grants

SEC. 202. This section provides that the Civil Service Commission (from now on referred to as the Commission) is authorized to make grants to States for up to 75% of the costs of developing and implementing programs or projects to strengthen personnel administration which the Commission finds are consistent with the merit principles set forth in Section 2 of the Act. Inasmuch as these grants are designed to strengthen personnel administration on the part of State and local governments, the authority provided by this section is to be employed in such manner as to encourage innovation and allow for diversity in the design, execution, and management of such programs by the governments concerned.

Subsection (b) states that, to be approved, an application by a State for a personnel administration grants must provide for designation, by the Governor, of the State office that will have responsibility for the program or project; establishment, where appropriate, or improvement of personnel systems based on principles of merit; specific personnel administration improvement needs of the State; assurance that such a grant will not effect a reduction in pertinent State or local spending; and clear and practical actions for improving such aspects of personnel administration as:

The establishment of Statewide personnel systems to meet the needs of jurisdictions not able to provide such systems for themselves;

The effecting of State grants to local governments for improved personnel systems;

The conduct of manpower requirements studies, and remedial action where appropriate;

The strengthening of one or more of the major areas of personnel administration;

The conduct of research and demonstration projects by the State and by appropriate non-profit institutions;

The strengthening of programs for the disadvantaged and underutilized, as well as shortage category personnel;

The augmentation of intergovernmental cooperation in all areas of personnel administration wherever feasible.

Local government programs and grants

SEC. 203. This section authorizes the Commission to make grants to general local governments, or combinations thereof, that serve a population of 50,000 or more. Funding can be 75% of the cost of development and implementation of programs or projects which the Commission finds are consistent with the principles set forth in Section 2 of this Act. Such a grant may be made only if, at the time the application is submitted, the State concerned does not have an approved application for a grant which adequately covers the particular local government(s) in question.

Such a grant, however, shall not generally be made until the expiration of one year from the time the grant provisions of this Act become effective. The Commission may waive this one year waiting period at the request of the local government(s) concerned, unless the State in which the government(s) are located declares, within 90 days from the effective date of the grant provisions, an intent to file an application for a grant which will include the local government(s).

The Commission may also make grants to local governments, or combinations of governments, which serve a population of less than 50,000, if it finds that this will help them meet essential needs in programs or projects of national interest and will assist such governments in alleviating personnel problems relating to these programs.

The application must be submitted to the designated State office for review. If no such office has been designated, it shall be submitted for this purpose to the Governor. Any comments or recommendations made during this review shall be included with the application, and a statement as to the fact that they have been considered shall also be included by the local government(s), unless it is certified that the application has been so submitted and no comments or recommendations have been made by the State for a 60 day period.

Intergovernmental cooperation in recruiting and examining

SEC. 204. This section authorizes the Commission to join State and local governments in cooperative recruiting and examining programs on a shared-cost basis, under procedures and regulations to be jointly agreed upon.

Subsection (b) authorizes the Commission to certify to such governments from Federal registers the names of potential employees. Procedures are to be jointly agreed upon, and there must be a written request for such services from the State or local government. The Commission will determine the costs of the operation and reimbursements shall be credited to the appropriation or fund from which the expenses were, or are to be paid.

Technical assistance

SEC. 205. The Commission is authorized by this section to furnish, on request, technical advice and assistance to State and local governments seeking to improve their systems of personnel administration. The Commission may accept from such governments payments, in whole or in part, for the costs involved in furnishing this assistance.

Coordination of Federal programs

SEC. 206. This section authorizes the Commission (after consultation with other concerned agencies) to (1) coordinate the personnel administration support and assistance rendered to State and local governments within the terms of this Act, and any such support given under other Federal programs; and, (2) make the arrangements necessary to avoid duplication and to insure consistent administration of related Federal activities, including the collection, maintenance, and dissemination of data on grants for personnel systems' support and technical assistance.

Interstate compacts

SEC. 207. This section gives the consent of Congress for any two or more States to enter into compacts or agreements for cooperative efforts and mutual assistance (including establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of the States concerned and for employees of their local government jurisdictions. Such compacts and agreements must not be in conflict with any Federal laws.

Transfer of functions

SEC. 208. Subsection (a) of this section transfers to the Commission all functions, powers and duties of any Federal department, agency, office or official (other than the President) that relate to the prescription of personnel standards on a merit basis under any provision of law or regulation that specifically requires the establishment and maintenance of personnel standards on a merit basis for programs financed in whole or in part by Federal grant-in-aid funds.

Subsection (b) of this section directs the Commission to aid State and local governments to comply with the personnel standards prescribed by the Commission under the authorities transferred to it by Subsection (a) of this section. Subsection (b) directs the Commission to advise Federal agencies administering grant programs as to the application of such standards and to recommend actions which will most effectively achieve the purposes of this title.

Subsection (c) of this section provides for the transfer from applicable Federal agencies to the Commission, to the extent determined by the Director of the Bureau of the Budget, of the personnel, property, records, unexpended appropriations, allocations and other funds which are concerned with the functions, powers, and duties transferred to the Commission by Section 208(a). It is understood that any personnel engaged in functions transferred will be transferred in accordance with applicable laws and regulations relating to transfer of functions.

Subsection (d) and (e) of this section provide that personnel standards issued by Federal agencies under current laws will remain in effect until modified or superseded by standards issued under this Act; and that standards issued pursuant to this Act by the Commission must encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management in their own individual systems of personnel administration.

Subsection (f) states that neither Section 202 nor 203 (1) authorize Federal control over any personnel action concerning an individual State or local employee; (2) direct the application of personnel standards to teaching personnel; (3) prevent employees' or their organization's participation in the development of policies and procedures affecting their employment; (4) require or request disclosure of an employee's race, religion or national origin, or that of his forebears; (5) require or request an applicant or an employee to submit to examination on his personal relationship with persons connected by blood or marriage, or concerning his attitude with respect to sexual matters; or require his participation in any activities not related to the performance of official duties.

Subsection (g) provides that Section 208 will become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

SEC. 301. This section sets forth the basic purpose of this title, which is to strengthen State and local government programs for the training and development of their employees and officials, particularly those in professional, administrative, and technical occupations.

Admission to Federal employee training programs

SEC. 302. Subsection (a) of this section authorizes admittance of State and local government employees and officials to training programs established by a Federal agency to train Federal professional, administrative, or technical personnel. The subsection provides that the admittance of State and local employees and officials is subject to such conditions as the head of the Federal agency establishing the training program may prescribe.

Subsection (b) of this section authorizes Federal agencies admitting State and local government employees and officials to their training programs to receive payments for the training from, or on behalf of, State and local governments, to waive all or part of such payments, and to enter into agreements concerning the payments with the State or local government concerned.

Subsection (c) of this section authorizes the Commission to use appropriations authorized by this Act to meet the additional developmental or overhead costs incurred because of the admittance of State or local employees to Federal training courses, and to reimburse other Federal agencies for these costs.

Training of personnel engaged in grant-in-aid program

SEC. 303. This section authorizes any Federal agency that administers a program of grants or financial assistance to State or local governments to establish, provide, and conduct training programs specifically for State and local government employees and officials who have responsibilities related to the said program. Federal agencies may, to the same extent provided in Section 302(b) of this Act, accept payments for such training from, or on behalf of, State and local governments, waive such payments, and enter into agreements concerning the payments.

The section further provides that any Federal agency administering a program of grants or financial assistance may authorize a State or local government, from Federal funds available for State or local program administration expenses, to establish, provide, conduct, and support training and education programs, including fellowship programs providing for full-time graduate-level study, for those of their employees and officials who have responsibilities related to the aided program. Full-time graduate-level fellowship programs, to be approved, must be consistent with the provisions made for Government Service Fellowships under Section 306 of this Act.

Section 306 provides that fellowships may not exceed two years of full-time graduate level study for professional, administrative and technical personnel. Grants made to State and general local governments to support fellowship programs may—

Cover the necessary costs of books, travel and transportation, and such related expenses as may be authorized;

Provide reimbursement to the State or local government for up to 25 percent of the salary of each fellow during the period of the fellowship; and

Cover payment to the educational institution involved of such amounts as the Commission determines to be consistent with prevailing practices under comparable Federally supported programs less amounts charged the fellow for tuition and fees.

Section 303 also provides that the State or local government concerned shall select the employee or official to receive the education or training and shall continue his full salary and normal employment benefits during the period of training. State and local governments, however, must make their selections in accordance with such eligibility criteria as may be prescribed by the Federal agency concerned.

Grants to State and local governments for training

Sec. 304. This section authorizes the Commission, if training is not adequately provided for under grant-in-aid or other statutes, to make grants to States and, under certain circumstances, to general local governments to meet up to seventy-five percent of the cost of developing and carrying out programs approved by the Commission, and consistent with the applicable principles of merit outlined in Section 2, for training their professional, administrative, and technical employees and officials. Such grants may not be used to cover the costs of full-time graduate-level study, which is covered in Section 306 of this Act, or of the construction or acquisition of training facilities.

The State and local government's share of the costs may include the reasonable value of the facilities and personal services they provide. The State and local government's share of costs may not, however, consist solely of providing such facilities and services.

An application for a grant shall be made at such time or times, and contain such information as the Commission may prescribe. Subsection (b) sets forth the minimum requirements a State or general local government application for a training program grant must meet in order to be approved by the Commission. The Commission is authorized to waive any of the requirements in a specified justified case. In general, these requirements emphasize the importance of careful planning, a comprehensive approach, strong leadership by the chief executive, inter-program and inter-jurisdictional coordination, and similar matters. In addition, a State or local government is required to provide assurance that the grant will not result in the reduction of relevant expenditures or the substitution of Federal funds for funds previously made available for these purposes by the State or local governments.

The Commission is authorized by Subsection (c) to make grants to a general local government serving a population of 50,000 or more, or a combination of such local governments, if within one year from the effective date of the grant provisions of this Act the State has not submitted and received approval of an application for a training program grant which adequately provides for such local government. The application submitted by the local government must meet requirements similar to those established for State applications unless any requirement is waived by the Commission.

The Commission is authorized to waive the one year waiting period and make grants to general local governments if such a government requests the waiver and the State government concerned has not declared, within 90 days of the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide adequately for the training of employees of the local government.

The Commission may also waive the 50,000 population requirement and make grants to smaller general local governments, or combinations of such governments if it finds such grants will meet other essential needs in programs of national interest.

Subsection (d) provides that an application submitted to the Commission under Subsection (c) shall first be submitted by the local government(s) to the designated State office for review. If no such office has been designated, it shall be submitted to the Governor. The application will be accompanied to the Commission by any comments or recommendations received from the above State officials, and by a statement by the local government indicating that such comments have been considered. However, if a 60 day period should elapse without such review being affected by the above State officials, the local government(s) may certify such fact, and forward the application to the Commission.

Grants to other organizations

Sec. 305. This section authorizes the Commission to make grants to an organization representing member State or local governments, or an association of State or local officials, as well as nonprofit organizations that meet certain requirements specified in the section. These grants may pay up to seventy-five percent of the costs of providing training to State and local government professional, administrative, or technical employees and officials. To make such grants, the Commission must first find sufficient State or local government interest in the training program and, in addition, must approve the training program as meeting such requirements as may be prescribed by its regulations.

Government service fellowships

Sec. 306. This section authorizes the Commission to make grants to States and general local governments to support programs, approved by the Commission, to provide fellowships for graduate-level study to professional, administrative, and technical employees such State and local governments have selected for this training. The grants may cover the necessary costs of travel and transportation, books and such related expenses as the Commission may authorize; reimbursement to the State or local government not to exceed one-fourth of the salary of the employee selected for the period of the graduate study, and payment to the educational institutions involved of such amounts as the Commission determines to be consistent with other prevailing practices under comparable Federally-funded programs, less any amount charged by the institution for tuition and non-refundable fees and deposits.

A fellowship awarded by a State or general local government to a professional, administrative or technical employee will be for a period not exceeding two years of full-time graduate-level study.

This section provides that the State or general local government will, subject to eligibility criteria prescribed by the Commission, select the individual employee to be awarded a fellowship. The State or general local government must, during the period of the fellowship, continue the full salary and normal employment benefits (such as credit for seniority, leave accrual, retirement, and insurance) to which the recipient of the fellowship is entitled, and outline in the application the plans made for the employer's continued utilization in the public service.

Coordination of Federal programs

Sec. 307. This section directs the Commission, after consultation with other concerned Federal agencies, to prescribe regulations covering the training provided for in title III of the Act. The regulations are to include requirements for coordination of, and reasonable consistency in, the training programs established by the Commission and by other Federal agencies under title III.

In addition, the section directs the Commission, again after consultation with other Federal agencies concerned, to coordinate the training support given State and local governments under this Act with that provided under other Federal programs. The Commission is to make such arrangements as needed to avoid duplication among Federal programs providing for training of State and local government employees and to insure consistent administration of related Federal training activities. The Commission is authorized to collect and maintain appropriate data on Federal agency training grants and programs.

TITLE V—MOBILITY OF FEDERAL, STATE, AND LOCAL EMPLOYEES

Sec. 401. This section set forth the purpose of title IV, namely to facilitate intergovernmental cooperation by authorizing temporary assignments of personnel between the Federal Government and State and local governments.

Sec. 402. This section adds a new subchapter VI at the end of Chapter 33 of title 5 of the United States Code embodying the mobility provisions.

Definitions

Section 3371 of the new subchapter defines "State" and "local government" for the purpose of this title. These definitions are intended to be broad enough to include any agency of a State or local government at any level; their instrumentalities, including multi-State authorities and intra-State authorities; Federal-State authorities; and the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States.

There is no special definition of a Federal agency or a Federal employee in this section. For the purposes of this title a Federal agency would be any Executive agency as defined under section 105 of title 5 of the United States Code. The definition of Federal employee would be that which appears in section 2105 of title 5. Uniformed personnel, including those in the Coast Guard, the Public Health Service, and the Coast and Geodetic Survey do not come under its coverage.

General provisions

Sec. 3372. This section provides the broad framework for establishing mobility programs. It authorizes assignments of employees, with their consent, from one governmental jurisdiction to another for periods up to two years. Assignments could be extended by the Federal agency head concerned for not to exceed two years. The assignment would have to be for work which the Federal agency head determined would be of mutual benefit to his agency and the State or local jurisdiction concerned. Subchapter (b) authorizes the assignment of an employee of an Executive agency to an institution of higher learning, and vice versa. Private as well as public institutions of higher learning would come under the purview of this provision.

Assignment of Federal employees to States or local governments

Sec. 3373. This section deals with the assignment of Federal employees to State and local jurisdictions. Under subsection (a) employees could be assigned either on a detail or leave without pay basis, whichever seems most desirable to the agencies involved. Employees serving on a detail basis would be treated as Federal employees for all purposes except that their supervision would be governed by agreement between the participating agencies. The Federal Tort Claims Act and any other Federal tort liability statute would continue to apply to Federal employees whether on detail or on leave without pay.

Subsection (b) provides that assignments either on a detail or leave without pay basis may be made with or without reimbursement by the State or local government for salary, supplemental salary, and travel and transportation expenses of Federal personnel. Authority would be available for Federal agencies to receive reimbursement from the State or local agency for all or part of the expenses of Federal employees.

Subsection (c) sets the ground rules for assignments of Federal employees to State and local governments on leave without pay. Such personnel would be given State or local government appointments, and their salary would come from State or local funds. However, Federal appropriations would be authorized for certain expenses. If the rate of pay for a State position is less than the rate of pay the Federal employee would have received had he remained at his Federal post, the Federal agency would pay a salary supplement equal to the difference. The supplement would be payable as earned, and would not be conditional on such factors as completion of the full period of assignment.

Employees serving on leave without pay would earn leave at the same rate as they would have earned it had they remained in their regular jobs. Employees would not be authorized to earn leave at a higher rate even if the position they occupied in the State government normally called for a higher earning rate. The determination whether the Federal Government or the State or local government paid for the leave would be arrived at by agreement between the participating agencies.

Federal employees on leave without pay would be entitled to continuation of their retirement, life insurance, and health benefits coverage under the civil service or other applicable systems as long as they currently paid the employee contribution into the appropriate fund or system. The employer contribution would be paid by the Federal agency originating the assignment for all three types of coverage. These personnel would continue to be covered under 5 U.S.C. 8501–8508 relating to unemployment compensation benefits.

Service performed on such assignments on leave without pay would be creditable for Federal salary, retention, retirement, and leave accrual purposes. Such service would also be creditable for early retirement purposes for law enforcement personnel under 5 U.S.C. 8336(c).

There is one circumstance, however, under which Federal health, life insurance, and retirement benefits would not be authorized. That would be when employees or their beneficiaries elected to receive benefits under State or local systems instead. The policy throughout this title is to bar the receipt of dual benefits by Federal employees for any purpose.

Subsection (d)(1) provides that if an employee on leave without pay is injured or killed in the performance of official duty, he or his beneficiary shall be treated for the purpose of injury compensation benefits as if he had been injured or killed while on active duty in his agency. Here, too, the employee or his beneficiary would have a choice between Federal and State benefits. And if the non-Federal benefit is selected, the employee or his beneficiary would not be entitled to a parallel Federal benefit.

Under subsection (d)(2) an employee who elects to receive State workmen's compensation benefits would not be entitled to Federal disability retirement for the same period.

Assignment of State or local government employees

SEC. 3374. This section sets forth the conditions for assignment of State and local employees to the Federal Government.

Subsection (a) provides two methods for assigning State and local employees to Federal agencies which are comparable to the two methods authorized for Federal employee assignments to State and local governments. State or local employees could serve either on a detail basis or under a temporary Federal appointment without regard to the provisions governing appointment in the competitive civil service. An employee who is detailed to the Federal Government would remain a State government employee for most purposes. A State employee given a Federal appointment would be treated in the same way as any other temporary Federal employee for most purposes. He would not be entitled to tenure, and his appointment could be terminated at any time by the Federal agency employing him.

Subsection (b) provides that a State employee given a Federal appointment would come under the coverage of the Civil Service Retirement Act or other applicable retirement systems or the Federal Employees Group Life Insurance Act. He would not be covered under the Federal Employees Health Benefits Act or similar authority unless his Federal appointment resulted in the loss of coverage under a State or local health benefits system.

Subsection (c) is concerned with the status of State and local personnel detailed to a Federal agency. Such personnel would not be entitled to Federal pay, but would be considered Federal employees for the purpose of certain Federal employee laws including those relating to conflict of interest, political activity, failure to account for public money, disclosure of confidential information, lobbying with appropriated funds, and tort claims. In addition, they would be subject to such regulations as the President may prescribe. The supervision of the duties of a State or local detailee would be governed by agreement between the participating agencies. A Federal agency could reimburse a State or local agency for all or part of the salary of a State or local detailee.

Subsection (d) provides that a State or local government employee serving on detail or under Federal appointment who is disabled or dies as a result of personal injury sustained while in the performance of official duty is to be treated as a Federal employee for on-the-job injury compensation benefits. However, as in the case of the Federal employee who is injured serving on a State or local government assignment, the State or local employee or his beneficiary would not be entitled to receive both Federal and State benefits for the same injury.

Subsection (e) provides that if a State or local government fails to continue the employer's contribution to the State or local government retirement, life insurance, and health benefit plans for a State or local government employee under Federal appointment, the employer's contribution or a part thereof, may be paid by the Federal agency concerned. In these situations, the Federal agency would transmit deposits directly to the State or local government system.

Travel expenses

SEC. 3375. This section authorizes the payment of travel and transportation expenses and per diem for State and local government employees assigned to Federal agencies and Federal employees assigned to State and local governments. This section is intended to be broad enough to provide for the needs of Federal, State, and local employees enroute to, from, and during their assignments in either the Federal Government or State and local governments.

The authorizations provided would be available for Federal agency use on a discretionary basis under regulations prescribed by the President.

Subsection (a)(1) provides authority for a Federal agency to pay the costs of travel, including mileage and allowances, and per diem in lieu of subsistence in accordance with subchapter I of Chapter 57, title 5, United States Code, of Federal, State and local employees enroute to, from, and during assignment.

Subsection (a)(2) provides authority to pay the travel and transportation expenses of the immediate families of employees assigned to another governmental jurisdiction and return. This includes transportation of household goods and personal effects, packing, crating, temporarily storing and unpacking, etc.

Subsection (a)(3) provides authority to pay a per diem allowance for the immediate family of the employee while enroute to and from the assignment location in accordance with section 5724a(a)(1) of title 5 of the United States Code.

Subsection (a)(4) would authorize payment of subsistence expenses for the employee and his immediate family for a period up to 30 days while occupying temporary quarters at the assignment location with section 5724a(a)(3) of title 5.

Subsection (a)(5) provides for the payment of expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location in accordance with section 5726(c) of title 5.

Subsection (b) provides that the expenses specified in subsection (a) may not be allowed unless the employee signs a written agreement to complete the entire period of his assignment or one year, whichever is shorter, unless separated for reasons beyond his control. If the agreement is violated, the expenses would be recoverable by the United States. However, an agency head could waive the right of recovery with respect to State or local government employees assigned to his agency.

Subsection (c) authorizes the use of appropriations to transport the remains and personal effects of employees and their dependents who die while on an assignment.

Regulations

SEC. 3376. This section sets forth section headings for each of the major provisions of this title, and states that the President may prescribe regulations for the administration of this subchapter.

Repeal of special authorities

SEC. 403. This section repeals other employee mobility authorities with the exception of section 314(f) of the Public Health Service Act relating to Commission officers of the Public Health Service.

Effective date

SEC. 404. This section sets the effective date of this title at sixty days after enactment.

TITLE V—GENERAL PROVISIONS

Declaration of purpose

SEC. 501. This section sets forth the purpose of this title, which is to provide for the general administration of titles I, II, III, and V of the Act, and to provide for the establishment of certain advisory committees.

Definitions

SEC. 502. This section defines, for the purposes of the Act, the terms "Commission", "Federal agency", "State", "local government", and "general local government".

General administrative provisions

SEC. 503. This section provides that, unless otherwise specifically provided, the Commission shall administer the Act, and shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of the Act.

In the performance of, and with respect to, the functions, powers, and duties vested in it by the Act, the Commission is authorized by subsection (c) to issue standards and regulations necessary to carry out the purposes of the Act; to consent to the modification of any contract entered into under the Act; to include in any such contracts those covenants, conditions, or provisions the Commission deems necessary to assure that the purposes of the Act will be achieved; and to enter into agreements with any Federal agency, State or local government, or other public or non-profit agency or institution, for the use (on a reimbursable, non-reimbursable, or other basis) of their services and facilities.

Subsection (d) authorizes the Commission to collect information from time to time with respect to State and local government training and personnel administration programs under the Act; to make such information available to interested public or private groups, organizations, or agencies; and to conduct research and make evaluations as needed for the efficient administration of the Act. In addition, subsection (d) requires the Commission to include a report on the administration of the Act in its annual report.

Section 503 further provides that the Act's provisions are not a limitation on existing authorities under other statutes. Unless specifically provided otherwise, the Act's provisions are in addition to such authorities.

Reporting requirements

SEC. 504. This section provides that reports and evaluations shall be made by those State or local government offices designated to administer an approved program under the Act.

Such reports and evaluations will be made in such form, at such times, and containing such information concerning the status and use of Federal funds and the operation of the program as may be required by the Commission. In addition, the section requires that such designated State and local government offices keep and make available such records as the Commission may require for the verification of the reports. Similar requirements apply to organizations receiving training grants.

Review and audit

SEC. 505. This section requires grant recipients, for the purpose of audit and examination by the Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, to permit access to any books, documents, papers, and records that are pertinent to the grants received.

Distribution of grants

SEC. 506. This section provides that the Commission shall allocate grants under this Act in the most equitable fashion among State and between State and local governments taking into account the population of the recipient jurisdiction, the number of employees affected, the urgency of the program, the need for funds, and the potential of the particular jurisdiction to use the funds most effectively.

Subsection (b) states that 15% of the total funds available for grants in each fiscal year shall be apportioned equally among the States.

Any unused portion of such funds at the end of the fiscal year shall be added to the total available funds for the next succeeding fiscal year. Total payments to any one State in any one fiscal year may not exceed 12½% of the total appropriation for that year.

Termination of grants

SEC. 507. This section authorizes the Commission to terminate payments made by the Commission under the Act to a State or local government whenever it finds, after giving the government concerned reasonable notice and opportunity for a hearing, that a program approved under the Act has been so changed that it no longer complies with the provisions of the Act or that in the operation of the program there is a failure to comply substantially with the provisions of the Act.

The government concerned shall be notified by the Commission of its finding before payments are terminated. The Commission may, however, authorize the continuance of payments to those projects which are not involved in the noncompliance. The Commission is also authorized to resume payments when it is satisfied that such noncompliance has been, or will promptly be, corrected.

Advisory committees

SEC. 508. This section authorizes the Commission to appoint, without regard to the provisions governing appointments in the competitive service, advisory committees to facilitate the administration of this Act.

Subsection (b) provides that members of such committees who are not full-time employees of the United States may be compensated at rates not to exceed the daily rate for GS-18 employees, including travel and per diem, while serving on the business of the committees.

Appropriation authorization

SEC. 509. This section authorizes to be appropriated not more than $20,000,000 for fiscal year 1970; $30,000,000 for fiscal year 1971; and $40,000,000 for fiscal year 1972. Any amounts appropriated shall remain available until expended.

Revolving fund

SEC. 510. This section establishes, within the Commission, a revolving fund for financing functions authorized by the Act to be performed on a reimbursable basis, and such other services as the Commission, with the concurrence of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

The capital of this fund shall consist of appropriations made for this purpose, as well as unexpended balances of appropriations or funds of activities transferred to the fund and the reasonable value of other assets transferred to the fund.

Reimbursements or advance payments made by Federal agencies, the Commission, from State and local governments, or other sources, for supplies and services will be credited to the fund, at rates approximating the expenses of operations.

Unobligated and unexpended funds determined by the Commission to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

Limitations on availability of funds for cost sharing

SEC. 511. This section provides that State or local governments, in meeting their share of the costs under this Act's grant provisions, may not use Federal funds made available to them under other programs, or funds they have used to meet their share of the costs on other Federally assisted programs, except that Federal funds of a program wholly financed by Federal funds may be used to pay a *pro-rata* share of such cost-sharing.

Method of payment

SEC. 512. This section authorizes the Commission to pay or accept payments under this Act in installments and in advance or by reimbursement. The Commission is authorized to determine the specific method of payment to be employed in a particular case.

Effective date of grant provisions

SEC. 513. This section provides that the effective date of the grant provisions of this Act shall be 180 days after its enactment.

S. 14—INTRODUCTION OF BILL TO PROVIDE FOR THE ESTABLISHMENT OF A COMMISSION ON AFRO-AMERICAN HISTORY AND CULTURE

Mr. SCOTT. Mr. President, on behalf of Senators BAYH, BROOKE, CASE, COOK, GOODELL, HART, HARTKE, HATFIELD, INOUYE, JAVITS, MCGEE, MATHIAS, MILLER, MONDALE, MUSKIE, NELSON, PERCY, SCHWEIKER, WILLIAMS of New Jersey, and myself, I introduce for appropriate reference a bill to establish a Commission on Afro-American History and Culture. Congressman SCHEUER, of New York, is introducing a companion measure in the House of Representatives. A similar proposal, H.R. 12962, was approved late in the second session of the last Congress by the House. My bill of last year was approved by the Subcommittee on Arts and Humanities of the Senate Labor and Public Welfare Committee. The imminence of adjournment prevented the 90th Congress from completing action on the legislation.

I am encouraged by the actions taken by the full House and the Senate subcommittee and I feel sure that the proposal to establish a Commission on Afro-American History and Culture will be accepted by this Congress.

The congressional hearings on last year's bill emphasized a black imbalance in American history as taught in our schools as well as in other areas. I do not believe that stepping from total neglect of Negro history into crash programs with short life spans can adequately meet the challenge of dissemination of black history and culture. There must be positive and deliberate programs of research, preservation and dissemination of the black heritage. My proposal to establish a Commission on Afro-American History and Culture can do this. It could be the catalyst which brings better understanding of the total nature of our society to all Americans.

The challenge goes out to all citizens to spread the word that Negroes have made sound contributions to our country. It must be met by those in the communications media, historians, sociologists, and politicians.

The academic community is taking some positive steps by providing studies of African-American history and culture. For the first time in history a major American university, Yale, is offering a degree in black culture. Seven institutions of higher learning this past summer conducted workshops designed to inform faculty members of available materials in the area of Negro history and culture. However, such workshops are handicapped by the shortage of books, monographs, and research work in this field. Many State colleges, State universities, and land-grant colleges have added a black-American dimension to their curriculum through courses in black history and culture. But there is a need for much more historical data on the Negro in America to add to the substance of curriculum. The scarcity of organized reference material on the black American makes research extremely difficult.

The time is ripe for national leadership in fostering better understanding and knowledge of the contributions of African-Americans and their heritage to American society.

This does not mean just including an African-American history course in school curriculums; it also means highlighting the presence of the Negro in a wide range of activities such as literature, economics, music, or political science as the activity itself is studied or publicized. I believe the Commission will serve best when it performs this task of identifying and dramatizing, in the classroom and out, the black man's contributions to the total American experience. At its best, such an effort will support the long and often tragic struggle of the Negro, himself, to feel a part of this experience.

Mr. President, I ask unanimous consent that the text of my proposal be printed in the RECORD, together with an article which appeared in the Johns Hopkins magazine, summer 1968 issue entitled "The Burden of Negro History," which will shed further light on this subject. In this article, its author, Hugh Davis Graham, says:

> To the degree that classroom courses in Negro history and culture, if taught by competent instructors with a critical sense of responsibility to the evidence, can contribute to both white and black understanding of the legacy of American Negroes, then this is clearly desirable—even urgent.

May I add that a critical sense of responsibility to the evidence by all Americans should and must begin to be woven into every facet of our society, and that this, too, is clearly desirable—even urgent.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 14) to provide for the establishment of a Commission on Afro-American History and Culture, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 14

A bill to provide for the establishment of a Commission on Afro-American History and Culture

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission to be known as the Commission on Afro-American History and Culture (hereinafter referred to as the "Commission"). The Commission shall be composed of eleven members, appointed by the President from persons who are authorities on Afro-American history and culture, American history, education, journalism, communications and other related fields.

(b) The President shall designate one of the members of the Commission as Chairman, and one as Vice Chairman. Six members of the Commission shall constitute a quorum.

(c) Members of the Commission shall each be entitled to receive $100 per diem when engaged in the performance of the duties vested in the Commission, including traveltime; and while so engaged when away from their home or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in Government service employed intermittently.

(d) The Commission shall meet at the call of the Chairman or at the call of a majority of the members thereof.

SEC. 2. (a) The Commission shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(b) The Commission may procure, in accordance with the provisions of section 3109 of title 5, United States Code, the temporary or intermittent services of experts or consultants. Persons so employed shall receive compensation at a rate to be fixed by the Commission, but not in excess of $75 per diem, including travel-time. While away from his home or regular place of business in the performance of services for the Commission, any such person may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

SEC. 3. The Commission shall conduct a study of all proposals to create a better understanding and knowledge of the contributions of Afro-Americans and their heritage to American history and culture.

SEC. 4. Within one year after the enactment of this Act, the Commission shall submit to the President and the Congress a comprehensive report on its study and investigation which shall include its recommendations and such proposals for legislation and administrative action as may be necessary to carry out its recommendations. The Commission shall cease to exist thirty days after such report is submitted.

SEC. 5. Total expenditures of the Commission shall not exceed $500,000.

The article presented by Mr. SCOTT is as follows:

THE BURDEN OF NEGRO HISTORY

(NOTE.—There are profound dangers in using history as therapy, says the author, a white Arkansas-bred scholar of Southern and Negro history.)

(By Hugh Davis Graham)

In recent years the San Francisco Mime Troupe, a talented young group of satirical players to whom nothing is sacred save the high art of dramatic travesty, has developed a favorite little farce ingeniously designed to outrage the most liberal of sensibilities. The setting is Boston's King Street on a wintry morning in March, 1770. A mob, fueled by genuine grievances and considerable rum, is hurling taunts and brickbats at Captain Preston's thin line of Redcoats. Upstage, a wretched and bent old Negro, clad in rags, ignores the tumult and dutifully busies himself sweeping the gutter. Suddenly a fusillade rings out; amidst the confusion, the innocent old Negro falls, mortally wounded. Observes the narrator: "*That* was the role played by Crispus Attucks in the American Revolution."

Obviously, the dramatic effect of the farce is totally dependent upon audience awareness that Crispus Attucks was a Negro martyred at the Boston Massacre. Presumably its debunking bite drives from the considerable extent to which sophisticated liberal San Franciscans can be counted on to sympathize with the contemporary quest by American Negroes for a proud historic heritage with which they can identify. (The Mime Troupe mimics sacred cows without regard to ideological boundaries; they also have a lot of fun with Ronald Reagan.)

The Troupe's deliciously cruel travesty of liberal martyrdom can be forgiven because its art is properly unbound by the canons of objective history. But the problem of Crispus Attucks, while of only minor importance in itself, is symbolic of the larger problem that contemporary American universities are being forced to confront: the demands by students for an exclusive focus on Negro history and culture.

These demands range from a minimal insistence upon courses in Negro history, to appeals for the creation of divisional majors and even multi-disciplinary institutes designed to focus exclusively and comprehensively on Afro-American history and culture. They are prompted in part by the indubitable fact that the American social sciences and humanities have been so excessively oriented toward our European antecedents that the legitimate and substantial contributions of American Negroes have been ignored or at best minimized. Contemporary Negroes rightfully insist that this historic distortion be speedily rectified, and in response the universities are frenetically searching for competent teachers of Negro history and culture, and publishers are competing zealously for relevant manuscripts. The resulting cascade of literature on race relations has reached such proportions that the old professional problem of how best to keep abreast has been replaced by the problem of how to fall behind most strategically.

But does this belated avalanche of attention mean that the problem is being squarely met? One might presume that the logical remedy for Negroes' having been segregated out of the mainstream of American history would be simply to integrate our history and culture as well as our lunch counters. To some degree this is being done, especially in textbook publishing. And it should be observed that the mass media are belatedly beginning to focus on the historical as well as the contemporary Negro. But such efforts apparently fall far short of satisfying those who stridently demand a new curriculum that will inculcate what has been called "Black Awareness." These demands have come from black and white students alike. I am more concerned here with an assessment of the felt needs of black students—and of legions of former black students—than with that of supportive whites, whom I judge to be motivated by an amalgam of liberal sympathy, healthy curiosity, generational identity, and possibly a measure of vicarious guilt for the sins of their forebears.

It is extremely difficult to assess the wisdom and estimate the impact of ambiguous and abstract demands for a "black curriculum" that will be "relevant" to the black community and will instill "black consciousness." But the demand that American Negro history be taught is explicit and self-defining, and its implications can better be explored because we are talking about a historic experience for which evidence exists.

The strictly historical problem of Crispus Attucks is one all too familiar to historians, and especially to historians of the American Negro: the evidence is both insufficient and inconsistent. Attucks is popularly regarded as a mulatto who escaped from slavery and paid the ultimate price for his courageous and patriotic assault on the British colonial garrison. But the recollections of eyewitnesses to that confusing "massacre" are contradictory. Indeed, Attucks ironically owes much of his posthumous prominence to John Adams, who as counsel defending the British soldiers apparently chose to appeal to the jury's racist emotions by focusing on the dark Attucks, "whose very looks was enough to terrify any person," as symbolically representative of the deplorable "rabble of negroes, &c., (Irishmen)" who had ganged up on the hapless British. The historical dilemma is that probably we shall never know for certain just who Crispus Attucks was and what he did. (One historian has even argued that Attucks was a full-blooded Natick Indian.)

But even were we to conclude that Attucks was a Negro and did strike the first blow against the British in the late winter of 1770, there is reason seriously to question the legitimacy of the noble credentials of that celebrated patriotic event. Professor Thomas A. Bailey, in his myth-busting Presidential Address to the Organization of American Historians this past spring, dismissed "the so-called Boston Massacre" as little more than an instance of "hooliganism."

Far more important, of course, than this evidential dispute is the contemporary problem symbolized by Attucks—or, more specifically, the problem posed by Negro school children in New York demanding an annual holiday in commemoration of Attucks. By "problem" I do not mean to imply that I categorically object to such a demand. Indeed, the recent near-hysteria of much of America's Italian community, in response to the assertion by Yale cartographers that new evidence convinced them that America was first discovered by a Nordic, clearly suggests that all of America's ethnic subcommunities feel a profound emotional need to identify with fraternal heroes of our past. But the roots of the problem run much deeper than this conventional need for historical hero-worship.

American racial relations have recently deteriorated to such a depressing extent that one cannot help but be alarmed at the groundswell of black counter-racist hatred and defamation of Whitey as inherently evil. Yet it is my conviction that behind much of the angry rhetoric of black nationalism lies a longing carefully disguised, but typically American. That is a hope, probably tenuous and potentially forlorn, that the insights of an oppressed black minority, if pressed forcefully upon the collective conscience of the white majority, will not only prompt meaningful and perhaps necessarily radical reform, but in the process will humanize a majority which has grown brutally callous in its myopic affluence, but which is not beyond redemption.

There are, after all, abundant precedents in American history of the increased humanization, or at least liberalization, of the largest society through a new awareness of and an emphathic concern for the plight of an oppressed minority. American society has repeatedly been moved into a closer correspondence with its equalitarian creed because of the sufferings of industrial workers, ethnic groups, and unpopular political and religious minorities. Hopefully the recent destruction of most of the legal underpinnings of Jim Crow in the South will remove a symbol of caste which have brutalized the minds not only of Southern Negroes, but also, as Lillian Smith has so persuasively argued in her bittersweet *Killers of the Dream*, of Southern whites alike. To the degree that this is true, Southern whites may owe far more homage to the memory of Martin Luther King than they are ever likely to admit.

But how does this contemporary social dilemma affect the substance and transmission of history? Radical black students are insisting that typically piecemeal American liberal reform is not enough—that American society is so riven with the cancer of racism that only a radical new self-awareness leading to an equally radical national catharsis can save us. They demand that whites must first admit that they are deeply racist; history, they allege, abundantly "proves" this. While professionally chary of the tendency of militant advocates to insist that God and history are on their side, this historian is sadly inclined to agree with the general proposition that most white Americans have historically regarded Negroes as essentially inferior. While white America has continually been troubled by the conflict between this prejudice and its professed equalitarian creed, the history of white treatment of blacks is essentially a history of the limited progress that saw slavery replaced by caste—rigidly explicit in the South and subtly implicit in the North.

We are shocked by contemporary charges that white America is racist. Yet would the converse not be more astonishing in light of our past? Probably no race can enslave another for over two centuries without coming to despise the enslaved race. Even more astonishing is the degree to which white American historians have managed largely to ignore such a fundamental question. We have historically preferred to accept the flattering Jeffersonian image of ourselves, and to press on to such questions as what happened at Shiloh. But contemporary black Americans are forcing us to confront the stark reality that our national character is and has been seriously flawed by racist assumptions. Given the curious ambiguity of American liberalism, such a confrontation will doubtless prompt self-righteous denials and, simultaneously, an unhealthy measure of maudlin self-flagellation over how very wicked we all are. Recently Nathan Glazer, an eminent sociologist but no historian, has written that the central question concerning American Negro slavery was: "Why was American slavery the most awful the world has ever known?" Such *ex cathedra* judgments tend to be pronounced, in the immoral words of Carl Becker, "without fear and without research."

However therapeutic orgies of white guilt may be, they cannot modify the historical legacy of slavery and caste. Enslaved Negroes basically adopted a form of psychological defense that generally manifested itself in what has been called Sambo-like behavior, and whites were quick to rationalize that such behavior proved that Negroes were primitive children inherently unfit for freedom. Through a similar process of circular logic, post-bellum Southern whites disfranchised the freedmen and relegated them to inferior jobs and education, and then cited their inferior performance as conclusive evidence of innate inferiority.

The stereotype is still widespread. According to poll taken by Louis Harris in the summer of 1963, 66 per cent of American whites agreed that Negroes have less ambition than whites; 55 per cent that Negroes have looser morals; 41 per cent that Negroes want to live off the handout; and 39 per cent that Negroes have less native intelligence. (In the South, the proportions were considerably higher on all counts—e.g., 60 percent agreed that Negroes have less native intelligence.)

An even more depressing corollary to white racism is that slavery and the subsequent caste system led Negroes to despise themselves. The widely reported and depressed research of Kenneth and Mamie Clark into the dynamics of self-identification revealed that large majorities of both the Negro and the white children tested preferred to play with white rather than colored dolls. In a more recent study, New York Medical College's Institute for Developmental Studies invited children to compare themselves with other children by sentence completion. Whereas 30 per cent of the white children completed the sentence ("When I look at other boys and girls, and then look at myself, I feel ———.") with some unfavorable judgment about how they compare with other children, the proportion for Negro children was an appalling 80 per cent. Even the tenderest minds had recognized our society's overwhelming cues that white was right and brown was down.

Clearly, then, much of the thrust of the rhetoric of Black Power and "Black is Beautiful" is purposefully directed toward boosting this psychologically crippling self-contempt. To the degree that classroom courses in Negro history and culture, if taught by competent instructors with a critical sense of responsibility to the evidence, can contribute to both white and black understanding of the legacy of American Negroes, then this is clearly desirable—even urgent. But there are also profound dangers inherent in using history as therapy—although it should be confessed that history is peculiarly vulnerable to this kind of distortion in the interest of glorifying one's antecedents. I am aware of courses in Negro history being taught simply by parading a pageant of black heroes from obscurity into the limelight. Such an approach may well inculcate race pride, but it inevitably distorts history. First, it deprives Negroes of their fair share of knaves, fools and mediocrities; there was more reality to "Sambo" than contemporary apologists are willing to admit, although there is no credible evidence that such behavior had anything to do with genetics. Second, and more seriously, such an exclusive focus on relatively unimportant figures pre-empts an inquiry into the roles of crucially important persons and processes. This is especially true in the treatment of ante-bellum America, where White Power may well have botched things up very badly, but where whites nevertheless possessed a near monopoly on wealth and education and the levers of economic and political power, if not on the reservoir of native intelligence. No amount of romanticizing concerning Frederick Douglass or Nat Turner and incipient slave revolts can modify this essential fact.

An understanding of the "peculiar institution" of Negro slavery and its sequel, Jim Crow, is compelling because it is so crucial to our response to its contemporary legacy. Yet the issues involved are so inherently controversial that such inquiries are peculiarly susceptible to ideological bickering and obscurantism. One classic case of well-intentioned white distortion involves the American communist historian, Herbert Aptheker. Aptheker is an intelligent scholar and deserves credit for having toiled in the neglected vineyard of Negro history during its long years of virtual neglect by major white historians. But Aptheker's dialectical materialism corrupted his history. He dogmatically insisted that Negro slaves constituted an oppressed rural proletariat and as such must perforce have been seething in class revolt. Accordingly, Aptheker exhaustingly combed the ante-bellum hinterland for evidence of predicted slave rebellion. By indiscriminately accepting even the most implausible of reports and rumors circulated with alacrity by fearful and guilt-ridden Southern whites, he produced a lengthy—and absurd—catalogue of alleged uprisings by the black proletariat.

Indeed, the curious fact that genuine slave revolts were so *few* in the United States, in contrast to frequent and occasionally massive revolts by Negro slaves in Latin America, has invited speculation in an area paltry in evidence but rich in racial and ideological and even regional controversy. Briefly, conservative historians, most notably the Southerner Ulrich Phillips, have employed frankly racist assumptions in arguing that slavery was essentially a civilizing school for childlike primitives who appreciated the sustenance and paternalistic stewardship afforded by the plantation. The slaves thus felt little compunction to rebel—other than occasionally against infrequent incidents of sadistic cruelty. Liberal historians have countered by insisting, in the words of Northerner Kenneth Stampp, that "innately Negroes *are*, after all, only white men with black skins, nothing more, nothing less." (One critic has nicely called this "reading physiology with the eye of faith.")

They have emphasized the considerable degree to which slave folklore, songs, religion, and ostensibly Sambo-like behavior were really reflective not of acquiescence but of manful protest. Understandably, Negro historians have aligned themselves solidly behind this darker view of slavery and more flattering view of the slave. Predictably, these deeply-rooted philosophical conflicts, which inevitably becloud our common perception of our past, are transmitted and often magnified in the process of teaching it.

Having introduced the controversy over American Negro slavery, I am powerfully tempted to trace its evolution, which has involved fascinating debates over the appropriateness of analogies with Nazi extermination camps, American penitentiaries, and mental asylums. But my purpose in introducing it was not only to suggest how a course in Negro history, by inescapably linking the volatile concepts of race and ideology, is especially vulnerable to befogging emotionalism. It was also to suggest why students can be expected to bring a high degree of interest and concern to such a course. This past spring 150 students jammed into my course in American Negro history, and even my marathon two-hour lectures could not totally dim their enthusiasm.

But while the contemporary relevance of Negro history is rewardingly conducive to interesting discussions and interested students, it also is potentially and frighteningly conducive to the destruction of the teaching situation. My classes were free of the kind of disruption that several colleagues on other campuses have reported with considerable distress. Whatever profound misgivings Hopkins students may have had about either the legitimacy of the course or the credentials and interpretations of the instructor, they either voted with their feet or kept them to themselves.

Teachers of Negro history on other campuses, however, have reported severely disruptive episodes which are alarming to contemplate—yet even these are surprisingly revealing. Several Negroes who this past year were visiting Fellows of the Institute of Southern History at Hopkins, and who have taught Negro history for years in Southern

Negro colleges, have reported that during the 1950's, when the social thrust on their campuses was toward integration with white society, courses in Negro history were unpopular because they necessarily focused on historic racial separation. Today, I am told, they are very much in demand, but older professors accustomed to teaching such courses in relative tranquility are likely today to be severely buffeted by radical charges of Uncle Tomism.

A white historian teaching Negro history at a nearby predominantly Negro state college reports that while radical black students who dispute his interpretations are certainly uninhibited about interrupting his lectures to sound off, he has been able successfully to rally the support of the *non*-radical Negro majority in maintaining control. But at a predominantly white state university in the Midwest, another white teacher of Negro history reports that the Negro student minority is so small that the radicals easily dominate it. Their editorial demands have kept his class in chaos, largely because the white student majority was unwilling to stage a confrontation based upon both ideology and race.

These classroom phenomena, it seems to me, reflect an important reality that radical black nationalist rhetoric has recently obscured. Despite the genius of black nationalists in commanding the attention of the mass media, the public opinion polls repeatedly have reflected a substantial Negro consensus for the old-fashioned liberal goal of integration (witness the Fortune poll of this past January). To be sure, that consensus appears to be rapidly eroding, especially among young inner-city black males.

On only one occasion in my own classroom was such a basic challenge raised, although not by a student. That was when Dr. Nathan Wright, prominent black clergyman and author and Plans Committee Chairman of the National Conference on Black Power held in 1967 in Newark, New Jersey, preached Black Power in a Hopkins symposium. I say "black" clergyman because the Reverend Wright subscribes most deeply to the increasingly popular view among young Afro-Americans that the label "Negro" is a white man's pejorative term, heavily freighted with paternalism and contempt. By definition, according to Dr. Wright, any course called "Negro history" begins with an ominous strike against it. In my lectures and in response to student questions, I have used the terms Negro, black, and Afro-American interchangeably. Indeed, one can justify the "Negro" in the course title as a gesture of professional deference to the black historians' own Association for the Study of Negro Life and History, the institutional home of Negro studies for over half a century and publisher of the *Journal of Negro History*. Even so, I don't object to Dr. Wright's objection, and readily concede that people have a private right not to be personally identified by a label they find insulting. This is proper and simple as an individual matter, once preferences are determined. But it is quite impossible when one is dealing collectively with a group that is now and has historically been extraordinarily riven with internal dissent—not only over what they should be called, but more importantly over what tactics should be employed in resisting oppression. Clearly, when one insists that "black" is a meritorious noun as well as an adjective, the twin goals are, first, to cultivate racial pride in a group that has been historically divested of much of it, and second, to seek to create unity among a people long divided by tenacious internal distinctions of color, class, ideology, generation, and sex. (By the last I mean not numerical but profound attitudinal division associated with matriarchy and what has been called the Negro male's "castration complex.")

One could erase that first strike easily enough, then, by designating the new courses or curricula not as Negro but as Black or Afro-American studies. Currently, many university administrations and student newspapers are quite willingly adopting the new terminology. But there is little that universities can do immediately to avoid incurring what appears in the eyes of many black students to be a second strike. That is, since there simply aren't enough available and qualified black professors to staff the new courses and institutes, many and perhaps most will have to be taught by whites, at least for several years.

I am most sympathetic to the legitimate complaint of Negroes that there are so few Negro professors in the predominantly white universities. Hopkins has none on the Homewood Campus. I am proud to report that the Hopkins history department last year voted unanimously to invite a highly qualified Negro historian to join our faculty. I am also deeply disappointed to report that he declined—for what were apparently quite sensible personal reasons that in no way reflected reservations about the appointment. But this episode is reflective of how formidable are the barriers to recruiting black faculty. For the competition is keen over the few Negro academicians who have credentials as impressive as this candidate—as it is over black undergraduates who meet Hopkins' standard entrance requirements. It is my conviction that careful discrimination is desirable in favor of promising Negro students who would not otherwise gain admission, as is vigorous recruitment of those who academically qualify. But to appoint weak faculty because they belong to *any* desirable racial, ethnic, political, or religious group is surely to invite disaster. One contemplates with a shudder the disruption in American higher education that would inevitably flow from an insistence that faculties should reflect the ethnic proportions of the general population—e.g., that Jews should not constitute more than 2½ per cent of any faculty.

To Negroes who insist that only Negroes are qualified to teach Negro history and culture, I would quickly reply—I hope more through rationality than through rationalization—that that is nonsense. Obviously Negroes have insights into Negro life that no white can be expected either to possess or to acquire. Thankfully, many of them write books and portray their feelings in documentary films. But the intolerable extension of this logic would require that only Japanese could teach Japanese history, and so on *ad absurdum*. Even so, I must confess that I was faced with what any self-respecting black radical student, simply upon hearing my introductory remarks, would surely regard as an automatic third strike: my years of apostasy at Yale and Stanford have not totally diluted an accent that still betrays the flat drawl of Arkansas and Tennessee. If Negro history should be taught, then, should a white native of Little Rock teach it?

I suspect that this bothered me less than it bothered the students, especially that bakers' dozen of them who were Negroes. I was braced for the howl that me my raising the question, but I thought that I had better confront it, and so I dogmatically affirmed that I shared the region but not the philosophical views of George Wallace. I also suggested that it was possible that a student of a culture that is in many ways external to his own may well be afforded, by dint of that perspective, penetrating new insight into the observed culture—much as Alexis de Toqueville produced the most magisterial analysis of democratic America in large part precisely because he was a French aristocrat.

Having completed the course, I modestly confess that I failed to live up to my immodest Tocquevillian analogy, although I was gratified that several of the Negro students observed at the end of the course that they had been surprised to discover how little they knew about their past. At the course's conclusion I invited the students to submit anonymous comments, specifically about the course and generally about the notion of separate courses in Negro history and culture. (Upon rereading the score of responses I have received, I am struck first by a pronounced sense of amazement and gratitude that any professor should care what they thought.)

Substantively, a student consensus seemed to be based upon the view that while the Negro struggle for sheer survival had endowed American Negroes with a kind of Darwinian understanding of the white man, the powerful but guilt-ridden whites had massively deluded themselves into believing that they understood the Negro best and that he shared their preference for the biracial society that had emerged from the abortive Reconstruction. Although this historic white delusion was surely withering under the recent impact of accelerating Negro protest, most of the responding students seemed to be convinced that both white and black Americans still rather desperately needed to know more about Negro history and culture, although for different reasons.

Only one responding student appeared to share my nagging concern that a separate and intensive focus on the Negro, which might be justified in the short run, could unfortunately be transformed by the Parkinsonian imperative into a rigid and permanent academic entity that necessarily generated and perpetuated a separatist momentum. As this student sensibly observed, "hopefully this compensatory need will pass and a new synthesis of American history might emerge stressing the unity within plurality." But a democratic extension of the logic of ethnic exclusivism in curriculum can potentially lead to a Pandora's Box. For instance, a colleague in a large California state college that has been severely shaken by black revolt reported to me a recent episode in the politics of curriculum-development. "Our current problem," he wrote, "is less with the black students than with the Mexican-American community. They put pressure on the administration for a course in Mexican-American history, so the department installed one. . . . Pressure is now being applied to the Political Science Department for them to give a Mexican-American course—so far, no one can figure out what it would be, since the pressure-appliers are not interested in something like 'Ethnic Politics' or 'Minority Groups.' "

Since historians invariably get into trouble when they gaze into crystal balls, I will hazard no prediction as to where this curricular explosion will lead us. Its destructive potential is clear enough; but all change is potentially destructive. Reactionaries in my own home state of Tennessee for two generations covered the Volunteer State with glory by successfully defending sacred curricular tradition from the profane corrosions of Darwinian biology. Perhaps there is far more potential destruction, then, for schools—and even more so for society—in the inertial tendency of the fearful and the favored to stand still in the midst of change.

S. 15—INTRODUCTION OF RURAL JOB DEVELOPMENT ACT

Mr. PEARSON. Mr. President, I introduce today, with the senior Senator from Oklahoma (Mr. HARRIS) and other Senators, a bill to encourage the development of new job-creating industries in rural areas, thus serving to expand the economic base and more fully and effectively utilize the human and natural resources of our rural communities. The resulting expansion of economic opportunities would help to slow the migration from rural areas, which is primarily the result of a lack of economic opportunity, and therefore, at the same time, reduce the population pressures of our overcrowded and overburdened metropolitan areas.

Providing a judicious blend of private initiative and public responsibility—the bill, in brief summary, would work as follows:

A series of tax incentives—a 14-percent tax credit on personal property, a 7-percent tax credit on real property, an accelerated depreciation of two-thirds of normal life, and a 50-percent tax deduction on wages paid workers given on-the-job training—would be offered to industrial and commercial enterprises locating in counties designated as "rural job development areas" by the Secretary of Agriculture. Rural job development areas are counties which have no city of over 50,000 population and where at least 15 percent of the families have incomes of less than $3,000. Indian reservations are also included. To be eligible the enterprise must hire at least 10 people and wherever possible must hire at least 50 percent of the workforce from the local area. The bill contains a prohibition against "runaway" firms and recapture provisions for those firms which willfully violate the terms of the program. It authorizes $250,000 to service the rural industrialization program in the Department of Agriculture.

Mr. President, although several improvements have been made, the bill we introduce today is essentially the same as the Rural Job Development Act of 1967 which was introduced during the first session of the 90th Congress. The original bill was very well received. In the Senate 33 of our colleagues joined Senator HARRIS and me in cosponsoring the bill. Also on the House side the 1967 bill was introduced by a number of Republicans and Democrats alike.

Since that time a number of groups and individuals have endorsed the principle of tax incentives for the purpose of bringing new business and industry into our rural communities. For example, the use of tax incentives for rural industrialization has been endorsed by the National Advisory Commission on Civil Disorders as well as a special task force of the Republican Coordinating Committee. President-elect Nixon has spoken with favor of rural tax incentives and the National Rural Electrification Association has also given its strong endorsement to this approach.

These are only a few of the endorsements by public officials. In addition, the Rural Job Development Act has received many editorial endorsements by newspapers all across the country.

Mr. President, the support for the Rural Job Development Act is but one manifestation of the great interest in the overall theme of rural development, which has also been variously referred to as rural revitalization, rural urban balance, and balanced urbanization. But whatever label we use we are all talking about the urgent necessity of expanding economic and social opportunities in our rural communities.

As we all know major portions of rural America are economically depressed, and often lacking adequate public services. These conditions in and of themselves justify and, indeed, demand major new efforts to improve and expand economic and social opportunities available in rural communities.

But the objectives of the rural development movement are truly national, not sectional. For, in fact, the rural development movement represents a new and vital part of our growing effort to deal with the crisis of the cities.

We have finally been forced to recognize that many of the problems which constitute the crisis of the cities can be traced to the overcrowding of people and the excessive concentration of industry. Thus the rural development movement, which ultimately seeks to slow down the great rural to urban migration, if successful, will be of benefit not only to our rural communities but to our cities as well.

And within the past 2 years we have come to realize that rural development is not simply a desirable objective but, indeed, a national necessity.

Mr. President, we now realize that many of our old notions about urbanization and rural migration simply are not valid.

Into the cities have come the unskilled rural poor attracted by the lure of economic advancement. Many gain, but a tragically high number do not. Instead of economic salvation, too many of the rural poor, both white and black, find tenements, unemployment, welfare, and the depersonalized, demoralized environment of the slum-ghetto.

Into the cities also come the young, the educated, and the talented. They often do much better materially, but for this economic gain they pay the social costs of the loneliness of the crowd, the frustrations of congested streets and crowded stores, and stultifying sameness of the bedroom suburbs, and the loss of community identity.

Into the cities come industry and for the most part it has prospered. But increasing numbers are now finding the cost of doing business in the city prohibitive. And as the urban resident breathes the fouled air of industrial smog, he comes to understand the hazards as well as the benefits of commercial concentration.

When it takes $20,000 in tax dollars to bring one more automobile into New York City during rush hour, we must wonder at the burden of maintaining our giant metropolitan areas.

When a freight truck can move from one side of the city to the other no faster than the old horse-drawn freight wagon, we realize there is an awful lot of economic waste and inefficiency associated with doing business in a megalopolis.

When millions of city dwellers cannot find jobs, we see more clearly how ridiculous it is not to try to make it possible for more people to stay where they are, rather than moving to the city only to wind up on the welfare roles.

When we contemplate the adverse effect that crowding, congestion, and other urban environmental hazards have on the quality of human life, we value more highly the living opportunities enjoyed in the countryside and small towns.

Thus, Mr. President, the growing national commitment to the goals of rural development stems in a very large part from the recognition that major sections of our great metropolitan centers have become economically inefficient, physically unhealthy, socially undesirable, and psychologically depressing.

The task ahead is clear. We must expand the quantity and quality of economic and social opportunities in rural America so that those who choose to do so will have the freedom to remain where they are and not be forced to move to the already overcrowded and overburdened metropolitan areas.

This task will not be easily or quickly accomplished. And we do not yet fully understand all the needs which must be met nor all the policy alternatives which must be considered.

But I think it is clear to all that new jobs lie at the heart of the rural development effort. For unless we can create upward of 500,000 new and better jobs each year in our rural communities, nothing else we will do will have any meaningful or lasting effect.

DESCRIPTION OF THE BILL

Mr. President, the bill we introduce today aims precisely at this goal of creating new jobs. It applies a proven principle to a particular need. The principle is that tax policy does in fact influence the course of business investment. The particular need is that that special incentives are necessary to encourage a substantial increase of private investment in rural areas in order to overcome some of the factors which otherwise discourage business expansion into these areas.

Many potential locations are far removed from substantial market areas, thus adding extra transportation costs to the product. But by the same token, firms incur higher transportation costs in bringing in the supplies necessary to produce the product.

The shortage of trained labor may also serve as a barrier. Another barrier is that in many cases, public services such as electricity and water and sewage facilities may be inadequate and expensive.

An additional barrier, which is difficult to measure, but which nevertheless exists, is a social outlook which discourages location in smaller cities. We don't attempt to claim that this bill would change this. We do believe, however, that it will at least serve to stimulate a new questioning and debate among the directors of private enterprise and from this a new outlook may be developed.

Mr. President, the tax incentives provided by this bill are as follows:

First. A 14-percent tax credit on personal property—machinery and equipment. A 7-percent tax credit on real property—land and buildings.

And if the rural job development area has a population density of less than 25 persons per square mile—the national average is 51—the credit on personal property is increased to 17 percent and the credit on real property is increased to 10 percent. This incentive recognizes that the normal factors which often work against expanded rural investment are magnified in the more sparsely populated areas. These areas are often quite far removed from major industrial and commercial centers thus adding to transportation costs for example. Certainly we believe that these additional incentives are consistent with the objective of promoting the maximum feasible geographical distribution of new job-creating industries.

Second. An accelerated depreciation of two-thirds of normal, useful, or class life for machinery, equipment and buildings;

Third. A tax deduction equal to 50 percent of the wages paid to workers for whom the enterprise must provide on-the-job training.

This special deduction, which would be in effect during the training period, is intended to encourage the enterprise to hire and train local people who lack the required labor skills.

Fourth. All credits and deductions can be carried backward 3 years or forward for a maximum of 10 years, or if the business is a corporate subsidiary, utilized against other outside income of the parent corporation.

Business enterprises would receive these tax benefits under the following conditions:

First. The enterprise must be located in a "rural job development area" designated by the Secretary of Agriculture and defined as follows: A county, no part of which contains a standard metropolitan statistical area and which has no city with a population in excess of 50,000, and where at least 15 percent of the families have incomes under $3,000 or where employment has declined at a rate of more than 5 percent during the previous 5-year period; or where the closing or curtailing of operations of an installation of the Department of Defense is likely to cause a substantial migration of persons residing in the area.

The Secretary of Agriculture, after consulting with the Secretary of the Interior may also certify Indian reservations.

Second. To receive an eligibility certificate, the enterprise must demonstrate that it has not discontinued a comparable enterprise in any other area and will not reduce the employment in any other area.

Third. The enterprise must create at least 10 new jobs at the beginning of the operation.

Fourth. To assure benefits to a local community, at least 50 percent of the original working force must be residents of the rural job development area. However, the Secretary can waive this requirement if the labor requirements of the enterprise exceeds the local labor supply, and if the Secretary determines that the establishment of the enterprise in the area will promote economic benefits consistent with the purposes of this act.

Fifth. To continue to qualify, the enterprise must maintain the same working force unless circumstances beyond its control prevent it from doing so. The bill also provides an effective recapture provision in those cases where a firm willfully violates the eligibility requirements.

Sixth. Before the enterprise is given an eligibility certificate, the Secretary must have written notice from the local governmental unit responsible for zoning requirements to the effect that the proposed enterprise meets the existing regulations and that there are no immediate plans for altering those regulations. This will assure that the local community is aware that the enterprise anticipates locating there, thus giving the community a chance to prevent the move should it choose to do so.

Seventh. The enterprise must be engaged in industrial or commercial production—manufacturing, producing, processing, assembling, wholesale operations, or the construction of buildings and facilities in the authorized area. This precludes benefits to retail and service enterprises which might be competitive with local establishments. Recreational enterprises may be certified provided they would not be competitive with existing enterprises in the area.

Mr. President, in addition to the tax incentives the bill would authorize $250,000 for the Department of Agriculture so that the Secretary may collect and disseminate relevant economic data and to serve as an information clearinghouse for local communities and businesses considering establishing job-creating enterprises in job development areas.

Mr. President, we believe that an important feature of the Rural Job Development Act is that it employs Federal inducements to private enterprise in the belief that the new economic activity which will thereby be generated will bring broad economic gains to the whole rural community.

This is not a revision to the old dogma that whatever is good for business necessarily has to be good for the country. Rather it is a modern, pragmatic recognition, on the one hand, that government cannot do everything and, on the other hand, an acceptance of the fact that through a more judicious stimulus and control of the private sector we can ease many of our economic and social problems.

Mr. President, it is also important to note that most rural areas, not just the poverty stricken ones, would be covered under the area eligibility definitions of the bill.

This follows from the fact that the purpose of this bill is to encourage rural development in general. Thus we wanted to make sure that it would be broadly applied to all rural areas and not be limited to such poverty stricken areas as Appalachia and the Ozarks.

Although we believe it will complement existing rural poverty programs, this is not a rural poverty bill as such. Of equal or greater importance, it will help prevent the further spread of poverty and eventually generate new heights of prosperity throughout much of rural America.

Some have suggested that the bill should be more precisely tailored to potential rural growth centers. We are aware, of course, that not all rural areas have the potential for growth. But the problem is that of reliably identifying those which have the potential for growth and those which do not.

The birth of new types of industry, the continued improvements in transportation and communication, and the changing tastes of the American consumer make it extremely difficult to predict with any certainty the economic potential of any given area. By making the incentives in this bill broadly available, all the factors which effect economic growth, many of which we do not know with precision, will be allowed to operate freely.

Mr. President, the enactment of this bill would result in a drain on the Treasury to the extent that businessmen take advantage of tax incentives. But at the same time, the new economic activity thus stimulated would generate an increased flow of revenue to the Treasury. Precise predictions are impossible, but we believe that over the intermediate and long run the benefits will more than offset the losses; that the total tax revenue flow will be expanded, rather than decreased.

But beyond the tax losses and gains directly attributable to this program, one must also consider its indirect influence. We believe that a more extensive geographical distribution of our industrial and commercial capacities will strengthen the overall national economy. We believe that strengthening of rural communities will result in substantial social benefits. We believe that the slowing of the flow of rural people to the urban slums will reduce the public costs of unemployment and welfare payments and also ultimately, the costs for other public services in those areas such as those for law enforcement.

Mr. President, the passage of the Rural Job Development Act will not solve all the problems of rural America. Its adoption would, I believe, do a great deal to create the type of new job opportunities which rural America so urgently needs. And because of this its enactment constitutes, I believe, the necessary first step toward the attainment of a more reasonable and healthy rural-urban balance.

Mr. President, I ask unanimous consent that the text of the Rural Job Development Act of 1969 be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 15) to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas, introduced by Mr. Pearson (for himself and Senators Harris, Aiken, Allen, Bennett, Brooke, Byrd of West Virginia, Cannon, Cook, Cooper, Cotton, Curtis, Gravel, Hansen, Hart, Hatfield, Hruska, Inouye, Javits, McGee, McGovern, Metcalf, Miller, Mondale, Montoya, Moss, Nelson, Percy, Prouty, Randolph, Ribicoff, Scott, Talmadge, Thurmond, Tydings, and Young of North Dakota) was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rural Job Development Act of 1969".

DECLARATION OF PURPOSE

Sec. 2. The purpose of this Act is to increase the effective use of the human and natural resources of rural America; to slow the migration from rural areas due to lack of economic opportunity; and to reduce population pressures in urban centers resulting from such forced migration.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "rural job development area" means any area which the Secretary of Agriculture determines is—

(A) a county—

(i) no part of which is within an area designated as a standard metropolitan statistical area by the Bureau of the Budget,

(ii) does not contain a city whose population exceeds fifty thousand, and

(iii) in which more than 15 per centum of the families residing therein have incomes under $3,000 per annum; or

(B) a county defined in paragraph (A) (i) and (ii) in which for the most recent five years employment has declined at an annual rate of more than 5 per centum; or

(C) an Indian reservation or a native community designated by the Secretary after consultation with the Secretary of the Interior; or

(D) a county defined in paragraph (A) (i) and (ii) and is undergoing or is likely to undergo a substantial emigration of persons residing therein (other than military personnel and their dependents) as a consequence of the closing, or curtailing of operations, of an installation of the Department of Defense.

The Secretary's findings under this subsection shall be made on the basis of the most recent satisfactory data available to him.

(3) The term "person" means an individual, a trust, estate, partnership, association, company, or corporation.

(4) The term "industrial or commercial enterprise" means any of the following types of business engaged in, by any person, through an industrial or commercial facility,

(A) the manufacture, production, processing, or assembling of personal property—

(i) for sale to customers in the ordinary course of business excluding any part of the activities of such business consisting of retail sales and leases or

(ii) for use in such person's business,

(B) the distribution of personal property as principal or agent, including, but not limited to, the sale, leasing storage, handling, and transportation on thereof but excluding any part of the activties of such business consisting of retail sales and leases, or

(C) the construction of any building in a rural job development area as contractor for, or for sale to, any customer, but only in the case of a person engaged in the business of constructing such buildings as a contractor for, or for sale to, customers.

The term "industrial or commercial enterprise" does not include the activities of selling, leasing, or renting out of real property including the selling or leasing or renting out of a factory, workshop, office, warehouse, sales outlet, apartment house, hotel, motel, or other residence, or the lending of money or extending of credit.

(5) The term "industrial or commercial facility" means a fixed place of business, in which an industrial or commercial enterprise is wholly or partly carried on, including but not limited to:

(A) a place of management or office,

(B) a factory, processing facility, plant, or other workshop,

(C) a warehouse or sales outlet,

(D) a center for the transportation, shipping, or handling of property,

(E) a recreation facility, including guest accommodations constructed as part of such a facility, providing recreation to the public for a charge or fee which is (i) not inconsistent with State recreation plans, approved by the Bureau of Outdoor Recreation, (ii) other recreation facilities consistent with local economic development plans, but no benefit shall be granted for recreation facilities where the tax credit would result in an undue local competitive advantage.

The term "industrial or commercial facility" does not include any store, or other premises, or portion of premises used as a retail facility.

(6) The term "retail sale or lease" means a sale or lease made to a party whose payments therefor do not constitute the expenses or costs of a business.

(7) The term "retail facility" means a store, premises, or portion of premises in which a substantial percentage if the sales or leases are retail sales or leases.

TITLE I—ELIGIBILITY FOR ASSISTANCE CERTIFICATION

SEC. 101. (a) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person, who is engaged in an industrial or commercial enterprise, through a new industrial or commercial facility (or a new portion of such a facility) located in a rural job development area, if—

(1) such facility has been approved by local authority as consistent with local zoning ordinances and economic and physical planning;

(2) such facility (or new portion thereof) was placed in service by the person to whom the certificate is to be issued in a rural job development area in the first taxable year of the certification period;

(3) placing such facility (or new portion thereof) in service has resulted in regular, full-time employment by such person of at least ten additional persons;

(4) at least 50 per centum of the persons employed at such facility (including the existing portion of an expanded facility) in such first taxable year are (A) persons who reside within such rural job development area or any other rural job development area within reasonable commuting distance of such facility; or (B) persons who within the three years preceding the commencement of their employment (i) have served at least one year on active duty in the Armed Forces of the United States or (ii) have been enrolled for at least one year in the Job Corps;

(5) the Secretary determines that the industrial or commercial enterprise was not relocated from one area to another except that he may waive this requirement if (A) the establishment of such industrial or commercial facility will not result in an increase in unemployment in the area of original location (or in any other area where such enterprise conducts business operations), or (B) such industrial or commercial facility is not being established with any intention of closing down the operations of such enterprise in the area of its original location or in any other area where it conducts such operations;

(6) the person to whom the certificate is to be issued agrees, in such form and manner as the Secretary may prescribe, to maintain records listing the names and residences of all full-time employees at the industrial or commercial facility for which the certificate is being issued, the date on which they were hired, their employment, their residences and economic situation at the time of hiring, and any other information reasonably required by the Secretary for the purposes of this title; and

(7) the Secretary determines that the expected benefits to employment and to other aspects of the economic and social welfare of such rural job development area warrant the granting of the income tax incentives under title II of this Act as to the capital investment in such industrial or commercial facility.

(b) The Secretary shall issue a separate certificate of eligibility with regard to each industrial or commercial facility (or new portion thereof) which meets the requirements of subsection (a) regardless of whether such facility is operated by any person as part of a single industrial or commercial enterprise.

(c) The Secretary shall issue a certificate of eligibility for benefits under this Act to any person who is a successor in interest to any person operating an industrial or commercial enterprise which has established an industrial or commercial facility in a rural job development area and with respect to which facility a certificate of eligibility was issued under subsection (a), if—

(1) such person agrees to continue to use the facility as an industrial or commercial facility, and to conform to the requirements of subsection (a); and

(2) the issuance of such certificate is in accordance, as determined by the Secretary, with the policy set forth in subsection (a) (5) respecting the relocation of industry.

(d) The Secretary shall terminate a certificate of eligibility issued to any person under this section to operate an industrial or commercial facility whenever he determines, after an appropriate hearing, that the person to whom such certificate was issued has failed, after due notice and a reasonable opportunity to correct the failure at such facility, to carry out its agreement under subsection (a) (4). In making a determination under this subsection, the Secretary shall be guided by, but not limited to, the following criteria:

(1) a reduction in the number of qualified jobs provided by any such enterprise below the minimums specified in subsection (a) (4), shall not be grounds for termination of a certificate of eligibility issued to such enterprise, if the Secretary determines that (i) such reduction results from business or economic factors beyond the control of such enterprise, and (ii) not less than two-thirds of all the persons employed full-time in such jobs by such enterprise to meet the requirements of subsection (a) (4), continue to meet those requirements,

(2) a change in the residence of any person employed by such enterprise, after his employment has commenced, shall not affect his status for purposes of applying section (a) (4).

(e) The Secretary may waive all or part of the requirements specified in subsection (a) (4) if he finds that the operation of a facility requires skills that are not available within the rural job development area and that the expected benefits to other aspects of the economic and social welfare of the rural job development area warrant the granting of tax incentives under title II of this Act.

(f) Each certificate of eligibility issued under this section shall describe the industrial or commercial enterprise and the industrial or commercial facility (or the portion thereof) with respect to which it is issued in such detail as may be necessary for purposes of administering the income tax incentives under title II of this Act.

(g) The Secretary shall keep interested and participating Federal, State, and local agencies fully apprised of any action taken by him under this section.

(h) No certificate of eligibility shall be issued under this section to any person, unless application therefor is received by the Secretary prior to the expiration of ten years after the date of enactment of this Act.

REPORTS

SEC. 102. (a) The Secretary may by regulation require any person to whom a certificate of eligibility is issued under section 101 to file such reports from time to time as he may deem necessary in order to carry out his functions under this title.

(b) Whoever, in any report required to be filed under this section, knowingly makes a false statement of a material fact, shall be fined not more than $——— or imprisoned for not more than ——— years, or both.

TITLE II—TAX INCENTIVES

INCOME TAX CREDIT FOR INVESTMENT IN DEPRECIABLE PROPERTY IN RURAL JOB DEVELOPMENT AREAS

Sec. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"Sec. 40. Investment in certain depreciable property in rural job development areas.

"(a) General Rule.—There shall be allowed, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of such Code (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for computing credit for investment in certain depreciable property in rural job development areas

"Sec. 51. Amount of credit.
"Sec. 52. Certain dispositions, etc., of section 40 property.
"Sec. 53. Definitions; special rules.

"Sec. 51. Amount of credit.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed by section 40 for the taxable year shall be equal to:

"(A) 7 percent of the qualified expenditures (as defined in section 53(b)) made during the taxable year in regard to section 40 real property (as defined in section 53(a)(3)), and

"(B) 14 percent of the qualified expenditures made during the taxable year in regard to section 40 personal property (as defined in section 53(a)(4)).

In the case of qualified expenditures made with respect to a section 40 facility (as defined in section 53(a)(5)) which is located in a rural development area (as defined in section 3(2) of the Rural Job Development Act of 1969) which has a population density of less than 25 persons per square mile, the percentages specified in subparagraphs (A) and (B) shall be 10 percent and 17 percent, respectively.

"(2) Limitation.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed the taxpayer's liability for tax for such year.

"(3) Liability for tax.—For purposes of this section, the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the taxpayer's liability for tax for such taxable year (hereafter in this subsection referred to as the 'unused credit year'), such excess shall be—

"(A) a section 40 credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) a section 40 credit carryover to each of the 10 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Rural Job Development Act of 1969. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 13 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried and then to each of the other 12 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the taxpayer's liability for tax for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"Sec. 52. Certain Dispositions, Etc., of Section 40 Property.

"(a) General Rule.—Under regulations prescribed by the Secretary or his delegate—

"(1) Early dispositions.—If section 40 property (as defined in section 53(a)(2)) is disposed of, or otherwise ceases to qualify as section 40 property with respect to the taxpayer, the tax under this chapter for the taxable year in which the disposition occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures (as defined in section 53(b)) which were made—

"(A) in the case of section 40 real property (as defined in section 53(a)(3)) within 10 years before the date of the disposition, or

"(B) in the case of section 40 personal property (as defined in section 53(a)(4)) within 4 years before the date of the disposition.

This paragraph shall not apply to any qualified expenditures with respect to which there has been an increase of tax under paragraph (2).

"(2) Termination of certificates.—If the section 40 certificate (as defined in section 53(a)(1)) is terminated under section 101(d) of the Rural Job Development Act of 1969, with respect to a section 40 facility of the taxpayer—

"(A) the taxpayer's tax under this chapter for the taxable year in which the termination occurs shall be increased by an amount equal to the credits allowed under section 40 for prior taxable years for qualified expenditures which were made in accordance with section 53(b)(3) within 3 years before the date of the termination with respect to all section 40 property used at, or in connection with, such facility; and

"(B) the taxpayer's gross income for the taxable year in which the termination occurs shall be increased by an amount equal to the deductions allowed to the taxpayer under section 183 in such taxable year and the 2 preceding taxable years with respect to employees employed at such facility.

"(3) Carrybacks and carryovers adjusted.—In the case of any disposition described in paragraph (1) or any termination described in paragraph (2), the carrybacks and carryovers under section 51(b) shall be adjusted.

"(b) Section Not To Apply in Certain Cases.—Subsection (a) shall not apply to—

"(1) a disposition by reason of death,

"(2) a disposition to which section 381(a) applies,

"(3) a disposition necessitated by the cessation of the operation of a section 40 facility where the Secretary of Agriculture certifies that such cessation results from economic factors beyond the control of the section 40 business (as defined in section 53(a)(6)), or

"(4) a disposition on account of the destruction or damage of section 40 property by fire, storm, shipwreck, or other casualty, or by reason of its theft.

For purposes of subsection (a), property shall not be treated as ceasing to be section 40 property with respect to the taxpayer by reason of a mere change in the form of conducting the section 40 business so long as the property is retained in such business as section 40 property and the taxpayer retains a substantial interest in such business.

"Sec. 53. Definitions; Special Rules.

"(a) Section 40 Certificate, Etc.—For purposes of this chapter—

"(1) Section 40 certificate.—The term 'section 40 certificate' means a certificate of eligibility issued by the Secretary of Agriculture under section 101 of the Rural Job Development Act of 1969.

"(2) Section 40 property.—The term 'section 40 property' means property which, in regard to a taxpayer conducting a section 40 business—

"(A) is of a character which is subject to the allowance for depreciation provided in section 167 and which is not property of a kind which would properly be includible in the inventory of the taxpayer if on hand at the close of the taxable year or which is not property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business,

"(B) will be used by such taxpayer (i) as a section 40 facility, (ii) as an integral part of, or in the operation of, any such facility, (iii) in furnishing transportation, communications, electrical energy, gas, water, or sewerage disposal primarily to any such facility, and

"(C) has at the time it is first used by such taxpayer after such taxpayer has been issued a section 40 certificate in regard to the section 40 facility at, or in connection with which, such property is used, a useful life of at least (i) 4 years in the case of section 40 personal property, (ii) 10 years in the case of section 40 real property.

Property shall not be treated as section 40 property if, after its acquisition by the taxpayer, it is used by a person who used such property before such acquisition (or by a person who bears a relationship described in section 179(d)(2) (A) or (B) to a person who used such property before such acquisition).

"(3) Section 40 real property.—The term 'section 40 real property' means section 40 property which is section 1250 property (within the meaning of section 1250(c)).

"(4) Section 40 personal property.—The term 'section 40 personal property' means section 40 property which is section 1245 property (within the meaning of section 1245(b)).

"(5) Section 40 facility.—The term 'section 40 facility' means an industrial or commercial facility (as defined in section 3(5) of the Rural Job Development Act of 1969) which is specified by the Secretary of Agriculture in a section 40 certificate.

"(6) Section 40 business.—The term 'section 40 business' means an industrial or commercial enterprise (as defined in section 3(4), of the Rural Job Development Act of 1969) with respect to which a section 40 certificate has been issued which has not been terminated under section 101(d) of such Act.

"(b) Qualified Expenditures.—

"(1) In general.—The term 'qualified expenditures' means, with respect to each taxable year, expenditures by the taxpayer—

"(A) properly chargeable to capital account,

"(B) paid or accrued for—

"(i) the manufacture, production, construction, or erection of section 40 property,

"(ii) the acquisition of section 40 property by a purchase (as defined in section 179 (d) (2) and subsection (d) of this section), or

"(iii) the reconstruction, permanent improvement, or betterment of section 40 property, and

"(C) made before the close of the 10-year period beginning with the date on which a section 40 certificate is first issued to any person with respect to the section 40 facility, at, or in connection with which, such property is used.

"(2) Limitation.—Expenditures in regard to section 40 real property shall be treated as qualified expenditures only if the construction, erection, acquisition, reconstruction, permanent improvement, or betterment for which such expenditures are made, conforms to the standards prescribed by the Secretary of Agriculture.

"(3) Year of qualified expenditures.—All qualified expenditures shall be deemed made in the taxable year in which—

"(A) in the case of qualified expenditures for the manufacture, production, construction, erection, or acquisition by purchase of section 40 property, the year in which the section 40 property is placed in service, and

"(B) in the case of qualified expenditures for the reconstruction, permanent improvement, or betterment of section 40 property, the year in which the section 40 property as reconstructed, improved, or bettered as a result of the qualified expenditure is placed in service.

For purposes of this paragraph, any manufactured, produced, constructed, erected, or acquired section 40 property, or any reconstructed, improved, or bettered section 40 property, shall be deemed placed in service in the taxable year in which such manufactured, produced, constructed, erected, or acquired section 40 property, or such section 40 property as reconstructed, improved, or bettered, first becomes subject to depreciation by a taxpayer computing depreciation on a daily basis.

"(4) Replacement property.—If section 40 property is manufactured, produced, constructed, erected, reconstructed, or acquired to replace property which was destroyed or damaged by fire, storm, shipwreck, or other casualty, or was stolen, the qualified expenditures with respect to such section 40 property which would (but for this paragraph) be taken into account for purposes of section 51(a) shall be reduced by an amount equal to the amount received by the taxpayer as compensation, by insurance or otherwise, for the property so destroyed, damaged, or stolen, or to the adjusted basis of such property, whichever is the lesser.

"(c) Certain Leased Property.—A person who is a lessor of property, which in the hands of the lessee constitutes section 40 property, may (at such time, in such manner, and subject to such conditions as are provided by regulations prescribed by the Secretary or his delegate) elect with respect to any section 40 property, as to which no prior credit under section 40 has previously been taken, to treat the lessee as having purchased such property for an amount equal to—

"(1) except as provided in paragraph (2), the fair market value of such property, or

"(2) if such property is leased by a corporation which is a member of an affiliated group (within the meaning of section 46(a) (5)) to another corporation which is a member of the same affiliated group, the basis of such property to the lessor. If a lessor makes the election provided by this subsection with respect to any property, the lessee shall be treated for all purposes of this subpart as having acquired such property. For purposes of this subpart, the useful life of property in the hands of the lessee is the useful life of such property in the hands of the lessor.

"(d) Subchapter S Corporation.—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified expenditures for each taxable year shall be apportioned pro rata among the persons who are shareholders for such corporation on the last day of such taxable year, and

"(2) any person to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(e) Estates and Trusts.—In the case of an estate or trust—

"(1) the qualified expenditures for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each, and

"(2) any beneficiary to whom any expenditures have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expenditures, and such expenditures shall not (by reason of such apportionment) lose their character as qualified expenditures.

"(f) Cross Reference.—'For application of this subpart to certain acquiring corporations, see section 381(c) (24)'."

(c) Section 48(a) of such Code (relating to definition of section 38 property) is amended by adding at the end thereof the following new paragraph:

"(7) Section 40 property.—Any property which is section 40 property (as defined in section 53(a) (2)) shall not be treated as section 38 property to the extent that expenditures for the manufacture, production, construction, erection, reconstruction, permanent improvement, betterment, or acquisition of such property constitute qualified expenditures (as defined in section 53 (b))."

(d) Section 381(c) of such Code (relating to carryovers in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for investment in certain depreciable property in rural job development areas.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect to the distributor or transferor corporation."

(e) (1) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Subpart C—Rules for computing credit for investment in certain depreciable property in rural job development areas."

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Investment in certain depreciable property in rural job development areas.

"Sec. 41. Overpayment of tax."

(3) Part V of subchapter A of chapter 1 of such Code (relating to tax surcharge) is amended—

(A) by renumbering section 51 as 56, and

(B) by striking out "51" in the table of sections and inserting in lieu thereof "56".

DEPRECIATION DEDUCTION

Sec. 202. Section 167 of the Internal Revenue Code of 1954 (relating to depreciation) is amended by redesignating subsection (j) as (k) and by inserting after subsection (i) the following new subsection:

"(i) Section 40 Property.—

"(1) Useful life.—At the election of the taxpayer—

"(A) the useful life of any property which is section 40 property (as defined in section 53(a) (2)) shall, for purposes of this section, be 66⅔ percent of the useful life of such property determined without regard to this paragraph; and

"(B) the guideline class lives prescribed by the Secretary or his delegate which are applicable to any property which is section 40 property shall, for purposes of this section, be 66⅔ percent of the guideline class lives applicable to such property determined without regard to this paragraph.

An election under this paragraph shall be made at such time and in such manner as the Secretary or his delegate prescribes by regulations.

"(2) Nearest full year.—If the useful life or guideline class life of any property as determined under subsection (i) includes a fraction of a year, such useful life shall be deemed the nearest full year.

"(3) Reserve ratio tests.—In justifying class lives used for purposes of the deduction allowed by this section under the reserve ratio tests prescribed by the Secretary or his delegate, a taxpayer who makes an election under paragraph (1) (B) shall, for all purposes, be deemed to have utilized class lives equal to 150 percent of those applicable determined without regard to this subsection.

"(4) Salvage value.—In determining the salvage value of section 40 property subject to an election under paragraph (1), the useful life of the property shall be deemed that life which would be applicable without regard to paragraph (1).

"(5) Exception.—No election may be made under paragraph (1) with respect to any section 40 property which is placed in service after the expiration of the 10-year period beginning on the date on which a section 40 certificate (as defined in section 53 (a) (1)) is first issued to any person for the section 40 facility (as defined in section 53(a) (5)) at, or in connection with which, such section 40 property is used."

NET OPERATING LOSS CARRYOVERS

Sec. 203. Section 172 of the Internal Revenue Code of 1954 (relating to net operating loss deduction) is amended—

(1) by striking out "(D), and (E)" in subsection (b) (1) (B) and inserting in lieu thereof "(D), (E), and (F)";

(2) by adding at the end of subsection (b) (1) the following new subparagraph:

"(F) The portion of a net operating loss for any taxable year to which (under subsection (l)) this subparagraph applies which is allocable to the operation of a section 40 business (as defined in section 53(a) (6)) through a section 40 facility (as defined in section 53(a) (5)) shall be a net operating loss carryover to each of the 10 taxable years following the taxable year of such loss."

(3) by redesignating subsection (l) as (m), and by inserting after subsection (k) the following new subsection:

"(l) Carryover of Net Operating Losses of Section 40 Businesses.—Subsection (b) (1) (F) shall apply, with respect to the operation of a section 40 business through a section 40 facility, only to a net operating loss for (A) the taxable year in which the operation of such facility is begun by any section 40 business under a section 40 certificate (as defined in section 53(a) (1)), or (B) any of the 9 succeeding taxable years."

SPECIAL DEDUCTION FOR COMPENSATION PAID DURING TRAINING OF EMPLOYEES

Sec. 204. (a) Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end the following new section:

"Sec. 183. Special deduction for certain businesses operating in rural job development areas.

"(a) General Rule.—In the case of any person engaged in a section 40 business (as defined in section 53(a)(6)), there shall be allowed as a deduction for the taxable year (in addition to any deduction under section 162) an amount equal to 50 percent of the compensation paid or incurred in money during the taxable year to each employee who—

"(1) satisfies the requirements of section 101(a)(4) (A) or (B) of the Rural Job Development Act of 1969,

"(2) performs substantially all of his services as an employee at a section 40 facility (as defined in section 53(a)(5)) through which such section 40 business is conducted, and

"(3) is receiving training to acquire the skills necessary to perform (A) the position or job in which he is employed or (B) another position or job as an employee at such section 40 facility.

"(b) Limitations.—

"(1) In general.—The deduction under subsection (a) shall be allowed with respect to the compensation of an employee only—

"(A) if the Secretary of Labor certifies that such employee requires training to acquire the skills in order to perform satisfactorily the position or job in which he is employed or for which he is being trained, and

"(B) for the period that the Secretary of Labor certifies that such training is so required.

"(2) Delegation of duties.—The Secretary of Labor may perform his duties under paragraph (1) through the United States Employment Service or through such State agencies as he may prescribe."

(b) The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 183. Special deduction for certain businesses operating in rural job development areas."

EFFECTIVE DATE

Sec. 205. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

TITLE III—MISCELLANEOUS PROVISIONS

ECONOMIC AND BUSINESS DATA

Sec. 301. The Secretary may collect, analyze, and publish data pertaining to investments in various types of enterprises in relation to employment, inventories of resources, unemployment and underemployment, suitability of potential locations for various types of enterprises, qualifications, and skills and training needs of the labor force in various areas, market information, and other economic subjects, for use in carrying out the purposes of this Act and for the information and guidance of businessmen who may seek to establish job-creating enterprises in rural job development areas. In the connection of such data, existing sources and facilities shall be utilized to the maximum extent feasible.

NATIONAL ADVISORY COMMITTEE

Sec. 302. The Secretary may appoint a National Advisory Committee on Rural Industrialization which shall consist of twenty-five members and shall be composed of representatives of business, industry, labor, agriculture, State, and local governments, and the general public. The Secretary shall designate a Chairman from the members appointed to such Committee. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

ANNUAL REPORT

Sec. 303. The Secretary shall make a comprehensive and detailed annual report to the Congress of his operations under this Act for each fiscal year beginning with the fiscal year ending after the date of enactment of this Act. Such report shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made.

APPROPRIATIONS AUTHORIZED FOR INFORMATION PROGRAM

Sec. 304. (a) The Secretary is authorized to collect and disseminate relevant economic data and to serve as an information clearinghouse for local communities and businesses considering establishing job-creating enterprises in job development areas. Information programs under this section shall include—

(1) telling businessmen of the advantages of locating plants in rural America;

(2) providing a site location and analysis service; and

(3) assisting in the coordination of community, State, and Federal programs for industrial and community development.

(b) There is authorized to be appropriated $250,000 for each fiscal year to carry out the provisions of this section.

Mr. HARRIS. Mr. President, every country in the world, developed and undeveloped, is faced with the problems of urbanization, the rural-to-urban shift of population.

In our own country national policy, consciously and unconsciously, has encouraged our people to move from the rural areas and small towns into the larger cities.

Expanded opportunity for self-sufficiency and employment is in many ways more difficult to foster in rural areas and small towns than it is in the urban centers. For example, technical skills training, necessary for employment in modern industry, is not so readily available. Moreover, if such training is available and utilized, trainees must then generally move to the larger cities to find employment.

Increased opportunity must be, and is, our national goal for those living in poverty, both urban and rural. But this bill has an additional purpose: to balance economic development throughout the entire country and to slow down the whole process of urbanization, if possible.

A few countries of the world are beginning to ask whether it is inevitable that more and more of their people must be packed into less and less living space.

It is time we in America begin to ask ourselves that question, also.

I am glad that the Senate has begun to ask this question and to seek answers to it. The Senate Committee on Government Operations has conducted hearings on legislation to create a National Commission on Balanced Economic Growth. The Senate Subcommittee on Government Research, which I chair, has held hearings on legislation to bring about a more equitable distribution of Federal research and development funds, which have such great impact on higher education and economic growth.

We have passed legislation over the years to make life in the rural areas and small towns more comfortable, healthy and rewarding. And, much is yet to be done. In particular, we must, for example, do a much better job of assuring the farmers, dairymen, and ranchers of America a fair return on their work and investment, and many of us in this body are working diligently toward that end.

But the time has come, Mr. President, when we must face up to the fundamental imbalance in opportunity between rural and urban areas.

Therefore, I am pleased to join with my distinguished colleague, the senior Senator from Kansas (Mr. Pearson) in introducing today the Rural Job Development Act of 1969. The purpose of this bill is to attract and help build new, job-producing industrial and commercial establishments in rural areas, in order to give people a chance and a choice to decide for themselves where they will live and work.

The economic decline of rural America can be traced almost exclusively to the lack of private jobs. The search for better economic opportunity has forced the migration of our rural population to our already overburdened, overcrowded cities. The same is true of many American Indians to whom this bill also applies.

Unfortunately, and regrettably, many of these rural-to-urban migrants lack the education and skills to compete in the technical labor markets of our urban centers. Therefore, many become residents of the city slums and ghettos, and great human resources are wasted. Many people who once made a real contribution to society suddenly became dependent upon it, unable to cope with the complexities of city life. It is not surprising that a Gallup Poll shows that nearly half of all Americans would prefer to live in a small town or on a farm. Yet, only a third do, and the number is dwindling.

Unofficial estimates based on Census Bureau data, indicate that by 1985, 125 million people—one-half of all Americans—will be living in three "strip cities," reaching from Boston to Washington, from Buffalo to Chicago, and from San Francisco to Los Angeles. This is a most disturbing trend, and one which, unless checked, holds grave portent for our country. Regardless of the increased effort and investment in programs to assist cities, the problems each year become greater; more and more people continue to pour into the cities from the countryside during each passing year. The war on urban poverty, slums, substandard housing, air and water pollution, crime and delinquency and overcrowded schools and transportation facilities must be won, but victory will come slowly, indeed, unless we can stem the influx each year of new people into the cities.

In order to stabilize our rural area and small town population, we must foster, if we can, a rethinking of national policy. Job opportunity is the central need.

The Rural Job Development Act proposes the following tax incentives for a 10-year period from the date of enactment: A 14-percent investment credit on machinery; a 7-percent investment credit on the cost of buildings; an accelerated depreciation of two-thirds of normal, useful, or class life for machinery; equipment, and buildings; a tax deduction equal to 50 percent of the wages paid to low income persons hired for a period of three years; and a stipulation that all credits and deductions can be carried backward three years or forward for a maximum of 10 years.

The Secretary of Agriculture is authorized to issue a certificate of eligibility to an industry, provided: First, the firm locates in a county which does not have a city with a population in excess of 50,000; second, at least 15 percent of the families in the county have incomes of under $3,000 or employment in the county has declined at an annual rate of more than 5 percent during the last 5-year period, or the closing or curtailing of operations of an installation of the Department of Defense in the county is likely to cause a substantial out-migration of residents; Third, the Secretary of Agriculture may also certify the eligibility of Indian reservations.

In order to qualify for these tax incentives an enterprise must create at least 10 new jobs at the beginning of its operation and must show a reasonable ratio between capital invested and jobs created. At least 50 percent of the original working force must be residents of the area or within convenient daily commuting distance.

We are not seeking "run-away" industry. The employer must demonstrate that he has not discontinued a comparable enterprise in any other area and will not reduce his employment in any other area as a result of the establishment and operation of the new facility. The new enterprise must be engaged in industrial production and must meet zoning requirements and regulation of local governmental units. The bill contains an adequate recapture clause, in order to prevent firms from willfully violating employment requirements, or from taking advantage of the benefits, and then closing down operations without proper economic justification.

The idea of Government incentives to stimulate private investment is not a new one. Capital gains are taxed at half the normal rate to encourage long term investment. Oil and mineral exploration and production is encouraged through our system of depletion allowances. In recent years, we have allowed accelerated depreciation rates to encourage the building of grain storage facilities and defense plants. Thus, Government incentives are a tried and proven method of encouraging the certain types of investment. These incentives should now be broadened to include a tax incentive for the location of job-producing industries in the rural areas and small towns of our country.

Industrial development in rural America has been slow, because of the high risk involved. Transportation facilities are substandard in many rural areas. Market accessibility is sometimes a problem, and shipment of finished products is often more expensive. Adequate buildings are not always available, and must be constructed at company expense. But, perhaps the biggest deterrent to industrial development in rural America has been the lack of an adequately trained labor force. People in rural America are willing to work, but unfortunately many lack the skills required in today's technical industries. Therefore, to provide adequate training assistance to those enterprises locating in rural areas the Rural Job Development Act encourages on the job training of local labor by allowing the deduction of 50 percent of wages paid such employee.

Mr. President, as President Johnson pointed out in the message to Congress on January 25, 1966, the problems of rural poverty are difficult and shocking. He said:

> Last year in my message on Agriculture I described poverty's grip on rural America:
>
> Nearly half of the poor in the United States live in rural areas.
>
> Almost one in every two rural families has a cash income under $3,000.
>
> One-fourth of rural non-farm homes are without running water.
>
> Rural people lag almost two years behind the urban residents in educational attainment.
>
> Health facilities in rural areas are so inadequate that rural children receive one-third less medical attention than urban children.
>
> These deficiencies persist in 1966. Their effect is as grievous on urban America—the recipient of millions of unskilled migrants from rural areas in the past two decades—as on the rundown farms and impoverished communities that still house 4.4 million poor rural families.

Most of the problems of rural America would be immediately manageable if there were private jobs in sufficient number and the skills to perform those jobs. This bill would be a long step toward filling both needs.

The details of this bill and the criteria involved are certainly not intended as the final answers. They are meant to open the debate and discussion on this subject of broad national policy and will be altered as better suggestions are made during hearings. The details are not so important; what is important is that we start now to face up to this national problem and provide immediate and workable solutions.

Any policy adopted must not lose sight of the national need to slow down and reverse, if possible, the process of urbanization, at the very heart of so many increasingly acute urban problems.

Mr. President, far too long we have simply shrugged our shoulders and said that there is nothing which can be done about the process of urbanization, even though all of us have been increasingly aware of the paradox in our nation, where so many people live in overcrowded conditions, choked down by smoke and smog and confined by concrete and steel, while the rest of the country contains great and beautiful and usable, underpopulated, open spaces. The Rural Job Development Act is a new approach, but we should remember the words of George Bernard Shaw, who wrote:

> Some men see things as they are and ask, Why? I see things that have never been and ask, Why not?

If we dare to think anew, examine new ways of doing things, I am confident our country will be the better for it.

S. 16—INTRODUCTION OF ADULT HEALTH PROTECTION ACT OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to establish health screening programs in a limited number of regional and community centers equipped with the latest in instrumentation and communication systems. The service would be free and voluntary for persons of age 50 or over, and it could become the cornerstone for a genuine national effort to prevent or reduce chronic disease by detecting it in its early stages.

This bill has been called Preventicare in press accounts, and I offer that nickname today for additional identification. Together with a number of cosponsors, I introduced similar proposals in previous Congresses. I first introduced the proposal in February 1966 as S. 2983 of the 89th Congress. I reintroduced it in January 1967 as S. 513 of the 90th Congress. I am reintroducing it with the hope that it will receive early consideration because of its potential effect upon national health habits and services.

Available evidence indicates a modest national investment in more and better preventive health services would pay for itself many times over in reduced public and private outlays for curative measures after illness strikes, and, even more important, would prevent much human suffering, disability, and death.

Someone has said that we in the United States live in a golden age of treatment and a dark age of preventive medicine. While chronic disease in the United States takes an economic toll of approximately $57 billion annually in direct and indirect costs, we spend just a small fraction of that for the prevention of illness. In other words, we sit patiently while disease develops, then treat it when it has reached crisis stage. We give disease a headstart, and then we run to catch up with it.

Why should we continue to endure such a fundamental disadvantage in our struggle against disease?

Why not, instead, work for health maintenance rather than repair work after disease takes its toll?

Fortunately, there are signs that such questions are being asked with greater frequency by medical practitioners and others.

I will not—as I have done on previous occasions—give a summary of the weighty documentation provided at congressional hearings and elsewhere on the need for greater preventive efforts.

Instead I will submit for the record several recent articles that explore the need for preventicare or for health screening in general.

The first article, "Will Massive Multiphasic Screening Work?" appeared in the Hospital Physician of October 1968. The author, Dr. Joel H. Goldberg, gives an objective account of pilot projects now under way and adds:

> If programs like these spring up everywhere under Preventicare, the effect on American Medicine could be even more profound than Medicare's.

Earlier last year, Sylvia Porter devoted one of her columns to "Preventicare". I think it is significant that a writer who usually concerns herself with economics and consumer finances saw the Adult Health Protection Act as one of direct importance to every American, young and old. Her column, which appeared on April 10, is submitted for reprinting here.

Two articles from the Medical Tribune also deserve consideration. They are concerned with the reliability of multiphasic health checkups, and they deal primarily with the observations given by Dr. Morris Collen, who has pioneered with multi-testing at the Permanente Medical Group in California. Dr. Collen is careful to say that much work yet remains in improving quality and variety of test procedures, but he also is quoted as saying that the accuracy of the automated physical examination will turn out to be more reliable than standard examinations because "the more information a physician has about his patient, the greater will be his diagnostic accuracy, the less will be the percentage of false positives and negatives, and the better the quality of medical care."

For additional discussion of health screening, I refer once again to "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques," a publication which provides a summary of lengthy testimony taken by the Health Subcommittee of the U.S. Senate Special Committee on Aging in 1966.

The findings of that report, together with other evidence gathered by the Health Subcommittee, led to the recommendation by the full Committee on Aging in its last annual report that—

> Greater emphasis and financial support must be provided for programs intended to promote preventive medicine. The committee reaffirms the 1966 finding, submitted by its Subcommittee on Health of the Elderly, that "there is a great need for additional efforts to prevent chronic disease on a national scale. Federal legislation should be enacted to establish a multiphasic health screening program on a large scale with eventual expansion nationwide."

Mr. President, I also submit for the RECORD a summary of major provisions of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the articles and summary will be printed in the RECORD.

The bill (S. 16) to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The articles presented by Mr. WILLIAMS of New Jersey are as follows:

[From the Medical Tribune, Feb. 19, 1968]

OUTLINE OF THE FUTURE

One of the great difficulties in estimating the future needs for manpower in the medical profession and its ancillary services is the lack of certitude about the shape and form of the practice of medicine in 10 or 20 or 30 years from now. There are forces making for complexity of medical care, demanding formidable surgical and medical teams devoted to the care of a limited number of patients. One need but mention the transplant of organs, and there is a prompt visualization of the tremendous burden that the future may take place on all the elements of medical care. There are other forces, however, that can lead to greater efficiency in the use of medical personnel.

The "In Constitution" column of MEDICAL TRIBUNE of February 12 was devoted to a consideration of the "automated physical examination." Maj. Joseph E. Brannock, MSC, Department of the Army, who is the project officer of a study having to do with modernization of the routine physical examination, raised provocative questions about the accuracy, cost, and time requirements of the automated physical examinations. The consultant who answered the questions was Dr. Morris F. Collen, director, Department of Medical Methods Research, Permanente Medical Group, Oakland, Calif.

Dr. Collen defined the automated physical examination as "one in which an automated multitest laboratory first provides a broad panel of laboratory tests, including a self-administered medical history, subsequently followed by a supplemental history and physical examination by the physician." The preliminary tests performed by Dr. Collen's group before the patient sees the physician include "electrocardiography, blood pressure and pulse rates, respirometry, audiometry, visual acuity, retinal photography, tonometry, anthropometry, medical and psychological questionnaires, chest x-rays, mammography for women over age 48, eight serum chemistries, blood count, urinalysis and culture, and computer analysis."

Dr. Collen firmly believes that the accuracy of the automated physical examination will turn out to be better than that of the standard examination because "the more information a physician has about his patient, the greater will be his diagnostic accuracy, the less will be the percentage of false positives and false negatives, and the better the quality of medical care." He also believes there are savings in both money and time. Dr. Collen observes that "the status of automated multiphasic screening is still in its infancy today and much work has yet to be accomplished in improving quality and variety of test procedures, to measure reliably the status of all the physiologic systems, organs, and functions."

There is no doubt that the automated physical examination is in its infancy. All aspects of the automation and computerization of certain elements of medical diagnosis and treatment are just beginning to be studied. It may well be that adequate data are not available for any estimate of the effects these techniques will have upon manpower needs in the future. But there is no escaping the reality that we are dimly perceiving the shape and outline of the future of the practice of medicine and these will determine the demands for professional and ancillary personnel in the years to come.

[From the Medical Tribune, Apr. 22, 1968]

OAKLAND'S AUTOMATED MULTITEST LABS HELP HANDLE 4,000 PERIODIC EXAMINATIONS PER MONTH

BOSTON.—Automated multitest laboratories are used as a part of the routine periodic health examination for 4,000 patients a month in Oakland, Calif., a meeting of the American Society of Internal Medicine was told here.

The multiphasic health checkup consists of three parts: a battery of tests and procedures using the automated equipment; a physical examination by an internist; and a group of physical examinations by specialists, including a gynecologic examination (with cervical smear) and a sigmoidoscopy.

The program, conducted by the Permanente Medical Group, was described by Drs. Morris F. Collen and Robert C. Goldberg.

The automated multitest laboratory portion of the examination takes two to three hours and includes electrocardiogram; chest-x-ray; breast x-ray (in women age 48 and over); weight, skinfold, height, and other body measurements; pulse and blood pressure recorded supine; visual acuity; ocular tension; retinal photograph; forced expiratory vital capacity; pressure tolerance test; hearing test; health and psychologic questionnaires; tetanus toxoid immunization; automated blood chemistries, including serum glucose one hour after 75 Gm. glucose orally, serum creatinine, serum albumin, serum total protein, serum cholesterol, serum uric acid, serum calcium, and SGOT; five serum trace metals; blood hemoglobin and white cell count; blood group; serologic test for syphilis; blood rheumatoid factor; and urinalyses for urine pH, glucose, protein, and blood (paper strip) tests, and for urine bacteria.

In accordance with programmed "advice" rules, based upon normal limits for test values generated from the population studied, additional tests are arranged by means of a computer.

A report is provided the physician before the time of his appointment with the patient. If the patient has certain combinations of symptoms and test values that fulfill the criteria for selected diagnostic categories, it is suggested that the physician consider these diagnoses.

The physician reviews the report, seeks from the patient further information on questions to which the patient has answered affirmatively and on reported test abnormalities. He then completes his physical examination, and records his findings on a form that is processed and stored in the computer.

The computer storage of data on more than 40,000 adults annually permits extensive epidemiologic research, especially directed towards the preventive aspects of chronic disease, it was pointed out. Using the laboratories and resources of the medical care program, the physicians said, investigations are being conducted on methods for more effective detection, prevention, and control of chronic disease and disability.

The large numbers of measurements collected are also used to establish norms for the population, and asymptomatic patients found to have certain abnormalities are included in studies of the effectiveness of treatment directed to postponing or preventing overt illness or disability.

[From the Washington (D.C.) Evening Star, Apr. 10, 1968]

PREVENTICARE NEED GROWS

(By Sylvia Porter)

An estimated 1,200,000 Americans suffer from glaucoma but don't know it. Almost all cases of blindness due to glaucoma could be prevented by early detection procedures.

An estimated 2,000,000 Americans suffer from diabetes without knowing it. This disease, which can be costly and debilitating if it is not treated early, also can be detected by the simplest methods.

There are almost foolproof ways to detect cervical cancer in women, and thus the chance to make it 100 percent curable. It is further estimated that for every $1 invested in the early detection of cervical cancer, there is a $9 savings—through avoiding high treatment costs and allowing the victims to live longer, more productive lives. Yet 8,000 American women die each year from this type of cancer.

Reliable and economical disease screening tests exist today for other diseases ranging from heart disease to blood disorders. Yet, preventive tests are reaching only a fraction of the population. Of the national bill of about $50 billion a year, only $3 billion is being spent for all types of preventive medicine.

BILL CITED

The yearly Medicare-Medicaid bill is now more than $4 billion. The total cost of chronic disease to the U.S. economy is $57.8 billion a year. More than 87,300,000 Americans suffer from one or more chronic conditions, most of which might have been prevented or controlled had they been discovered in time.

Yet, notes Dr. Robert H. Ebert, Dean of the Harvard Medical School: "treatment of the end stages of disease is the least productive investment a nation can make in health."

To apply disease-preventive techniques toward slashing the enormous costs, a bill entitled the Adult Health Protection Act has been introduced in the Senate. The "Preventicare" bill calls for a network of five regional health screening centers in the United States, computer-linked to 20 smaller centers throughout the nation.

SUGGESTIONS OUTLINED

Every American over age 50 would be invited, at little or no cost, to get periodic diagnostic tests. The cost of screening one person would be in the $25–$30 range. Spending would be held to a modest $60 million during the first three years.

The bill is as of now one of the many legislative casualties of the Vietnam era, but it has the support of both the U.S. medical community and congressmen across political lines—and its very existence prompts some key questions.

Why, for instance, couldn't private corporations set up their own screening centers as an employe fringe benefit, as the famed Kaiser Foundation has done in California?

Why couldn't whole states or cities make routine, comprehensive health screening a part of their public health programs? Why couldn't cities establish, as the city of Hope, Calif., is now doing, fleets of mobile screening clinics which operate near such places of work as factory parking lots?

Why couldn't the private health insurance companies push for—and pay for—widespread diagnostic facilities?

We are still in the dark age of preventive medicine. But to quote the hope recently expressed by Dr. George James, Dean of the Mt. Sinai School of Medicine:

"People may some day begin taking as good care of themselves as they now do of their automobiles, which are generally sent for at least a spring and fall checkup."

[From the Hospital Physician, October 1968]

WILL MASSIVE MULTIPHASIC SCREENING WORK?

(By Joel H. Goldberg)

Three Federally supported centers (and a fourth on the way) are out to prove their worth in screening large populations for chronic disease. Early experience suggests the computer is an efficient pre-examiner that offers real possibilities for saving physician time.

At 9:30 a.m. in Brooklyn, N.Y., a patient arrives at the Brookdale Hospital Center for her annual checkup. The setting is much like any good hospital's outpatient department—except there's no physician present. The patient goes through all the usual examination procedures—and some unusual ones. Her hearing is tested by a Bekesy audiometer, and she has an ECG with a vectocardiograph to complement it. At the ophthalmology station, a technician measures intraocular pressure and takes a retinal photograph.

Still with no doctor in the picture, the patient "takes her own history" by dropping pre-punched IBM cards bearing questions about medical problems into slots marked Yes and No. She has blood drawn and presents a urine specimen. In an automated laboratory, a blood chemistry machine separates samples into a dozen biochemical elements and analyzes them in as many minutes. A technician jots down the readings, and a key-punch operator transfers them to IBM cards.

By noon, when the patient leaves the center, her tests are already being calculated and compared with normal ranges by computer. By the next day, all results will have been automatically printed out—along with the "history" of Yes answers—for delivery to the patient's physician. The computerized report gives the M.D. a giant head start on the final phase of health evaluation.

Between 45 and 55 patients a day are getting precisely that kind of examination at Brookdale, one of the four multiphasic screening centers supported by the U.S. Public Health Service in a new program. The ultimate aim: "to decrease mortality and morbidity through early disease detection and intervention." Similar screening is now being done at the Milwaukee, Wis., health department's medical clinic and at the Tulane University School of Medicine in New Orleans. The fourth center, in Providence, R.I., will open early in 1969 upon the completion of a new $600,000 building at Rhode Island Hospital.

Through the pilot program, the P.H.S. hopes "to educate the public about the importance of health protection and educate physicians about advances in health screening technology." It is also out to prove that multiphasic screening can:

Provide health appraisal to large numbers of the adult population economically.

Bring into the mainstream of medical care many who require care and might not otherwise receive it.

Relieve the acute medical manpower shortage by "conserving the valuable time of physicians and other skilled health professionals."

Provide a population laboratory that will serve as a base for epidemiological and social science research.

WILL MASSIVE MULTIPHASIC SCREENING WORK?

The agency also wants to convince M.D.s that automated testing is not intended to bypass the physician's judgment, but rather to give him more complete information. "Multiphasic screening," says Dr. E. R. Krumbiegel, Milwaukee's health commissioner, "is simply a means to an end—the early diagnosis and treatment of chronic disease."

If it can demonstrate that these goals are attainable and that U.S. physicians support them, the P.H.S. will have strong grounds for asking Congress to enact the proposed Adult Health Protection Act that would establish a massive multiphasic screening program ("Preventicare") at Federal expense.

The P.H.S. centers are not without precedent. In the technical aspects, they closely parallel the well-tried Kaiser Permanente program in California, using similar equipment, tests, and forms. There's a big difference, however, in the patients. Notes Dr. Elanor Smith, chief of the P.H.S. Health Protection Systems Program, "Kaiser's patients are members of a prepaid medical plan, so follow-up medical services are built into the system. In contrast, each of our projects has a major hurdle: fitting the screening program into the complex community health services structure."

Multiphasic screening will be getting another big push soon through the Regional Medical Programs. Missouri, Tennessee, and the Rochester, N.Y., area R.M.P.s are the first to launch large-scale screening programs. There is a private multiphasic screening center in Southfield, Mich. It is operated by the Medical Diagnostic Center, Inc., under the name "Check-Up."

The P.H.S. pilot programs are by no means without problems. Brookdale Hospital, for instance, is situated in the heart of an area dominated by the urban poor. To get the program to full capacity, Dr. Leo Gitman, Brookdale's community health director, has had to overcome the indifference of the poor about visiting a clinic when nothing is hurting. He and his staff are using ingenious approaches to accomplish this: winning over local bartenders, housing project managers, grocers, and beauty parlor operators—community figures whose advice is respected by local residents. In its first six months of operation, the center handled 3,000 examinations, averaging about 35 patients a day, with appointments booked solid for two months ahead. A bigger problem has been finding private physicians for the diagnostic follow-up—there are only about 320 in all fields to serve the area's population of 500,000.

Dr. Gitman says his computerized program is proving that preliminary testing saves physicians' time. The computer printout alerts the doctor to problems much faster than his own questioning could. "He can accomplish in 10 minutes what used to take half an hour," asserts Dr. Gitman.

MULTIPHASIC SCREENING

The cost picture at Brookdale is encouraging, too. If ordered separately by a private M.D., all the tests conducted by the screening center would cost the patient about $200. Michigan's Check-Up—which provides large X-rays of chest, abdomen, stomach, gall bladder, and sinuses—charges $85. Brookdale Hospital gives the tests free, and estimates its cost per patient at $40. It's aiming for $25, the target of all four P.H.S. projects.

If programs like these spring up everywhere under Preventicare, the effect on American medicine could be even more profound than Medicare's. There are 46,500,000 Americans over 50, the starting age for free exams under the Preventicare bill as now proposed. If the final legislation covers everybody over 40—as the pilot programs do now—70,500,000 persons would be eligible. That's nearly four times the 18,500,000 Medicare eligibles. Will doctors resist the proposed Federal program as vigorously as they did Medicare? Not likely, but many M.D.s have mixed feelings about it. Dr. Richard Bates, a Michigan internist who is enthusiastically *for* multiphasic screening, foresees a drawback doctors will "simply have to live with": Time will be wasted as well as saved. "Preventicare would be a boon for neurotics everywhere," observes Dr. Bates. "As the neurotic knows by instinct, every borderline test *must* be investigated, and each one holds the delicious possibility of turning up another borderline test or two, or even the jackpot—a real disease that is neither fatal nor painful but evokes universal sympathy and responds only to prolonged treatment."

Brookdale's Dr. Gitman finds criticism by physicians exasperating, but he dismisses it as a hazard of innovation, like the slow acceptance of the stethoscope. "Multiphasic screening is the wave of the future—I'm convinced of that," he explains. "I gave up my practice in endocrinology to start this center."

One sign that there won't be *organized* opposition to Preventicare shows itself at every A.M.A. convention, where a temporary screening center is set up to examine M.D.-visitors. And at this year's convention, a reference committee made this guarded endorsement: "Controlled assessment of automated multiphasic screening should be encouraged and continued under medical guidance. . . . The screening procedure should be considered and utilized as a potentially valuable adjunct to the periodic health examination rather than an isolated unit of health service."

The summary presented by Mr. WILLIAMS of New Jersey is as follows:

SUMMARY OF MAJOR PROVISIONS

This bill would authorize the Surgeon General to make grants to medical schools, community hospitals, health departments, and other public or nonprofit agencies to establish and operate health protection centers.

REGIONAL HEALTH PROTECTION CENTERS

The regional health protection centers would provide a series of basic tests to detect abnormalities in the cardiovascular, respiratory, gastrointestinal, genitourinary and musculoskeletal systems, as well as defects in metabolism and organs of special sense. Specific diseases or conditions to be tested for might include: First, hypertension, heart muscle enlargement, and disease; second, mouth, lung, breast, cervical, and other cancer; third, diabetes; fourth, kidney disease; fifth, glaucoma; sixth, tuberculosis; seventh, rheumatoid arthritis; eighth, gastrointestinal bleeding; ninth, anemia; tenth, obesity; eleventh, respiratory insufficiency; twelfth, vision impairment; thirteenth, hearing impairment; fourteenth, hypercholesterolemia; and fifteenth, gout.

The tests would be administered by technicians, nurses, and medical specialists using automated or semiautomated equipment which has already been proven to give swift, accurate, and reliable results. The results of these tests, along with data provided by the person undergoing the health appraisal, would be fed into a computer. It is estimated that the battery of tests could be administered within 2½ hours.

The results of the tests, summarized by the computer, would be referred to the private physician of the person tested. In cases where the person either did not have a private physician or was medically indigent, the test would be referred to a physician in accordance with local practice.

The regional health protection centers are intended to provide an efficient means for the detection of abnormalities or indications of disease. They would not replace full examinations. Their purpose is to place in the hands of the examining physician a summary of basic data and to place promptly under a physician's care a person with indications of possible disease.

The centers would be under the supervision of physicians, but they would be principally staffed by technical personnel. Health counselors would be on the staffs of the centers to explain the purpose of the tests, to insure proper referral and to follow up those cases where prompt medical treatment was indicated by the tests.

Health appraisals and disease detection tests would be available to any person age 50 or above on a voluntary basis.

The regional health protection centers would conduct training programs in the operation of technical disease detection procedures and would research and develop new disease detection tests and equipment. Additional grants to the regional centers would be authorized for operational research and for the establishment of internships to give on-the-job training to physicians, nurses, social workers, and technical personnel. The centers would also conduct community education programs on preventive health care.

The availability of these testing services would be intended to encourage men and women approaching retirement to take regular health examinations and to facilitate the giving of full examinations by practicing physicians.

COMMUNITY HEALTH PROTECTION CENTERS

The Surgeon General would be authorized to make grants to medical schools, community hospitals, and other community health service agencies for the establishment of community health protection centers. They would be linked by data transmission lines to the regional centers and could use the more sophisticated electronic equipment and other facilities of the regional centers for the evaluation of some tests.

One of the criteria for the awarding of grants to regional centers would be their ability to provide services to the small community centers. Although the community centers would be directly connected to the regional centers, they would not necessarily be operated by the same institutions which ran the regional centers. One purpose of the community centers would be to make the services of the regional centers more widely available to a greater number of people. Special facilities might be developed to meet particular needs. For example, mobile units might be used in rural areas.

These are the major provisions of the bill; time does not permit me to discuss its minor provisions.

S. 18—INTRODUCTION OF LEGISLATION TO EXEMPT NPS FROM EMPLOYEE LIMITATIONS

Mr. MONTOYA. Mr. President, today I introduce, for myself and Senator ANDERSON, Senator BYRD of West Virginia, Senator FULBRIGHT, Senator GORE, Senator HART, Senator HARTKE, Senator KENNEDY, Senator MCCLELLAN, Senator MCGEE, Senator MCGOVERN, Senator METCALF, Senator MONDALE, Senator YARBOROUGH, and Senator WILLIAMS of New Jersey, a bill which should have our most urgent consideration. This measure would exempt the field service of the National Park Service from the employee limitations of the Revenue and Expenditure Control Act of 1968.

Mr. President, recently the National Park Service issued a directive closing down all national parks and monuments on 2 days a week until further notice. When pressed for an explanation of this seemingly drastic action, the National Park Service replied as follows—and, Mr. President, I ask unanimous consent that the explanation provided by the NPS be inserted at this point in the RECORD.

Mr. WILLIAMS of New Jersey. Mr. President, these are the major provisions of the bill; time does not permit me to discuss its minor provisions.

NATIONAL PARK SERVICE—EFFECT OF REVENUE AND EXPENDITURE CONTROL ACT OF 1968

Section 201 places a limitation on the number of civilian officers and employees in the Executive Branch. The law provides that until employment in permanent positions is reduced to the level of June 30, 1966, only 75 percent of vacancies occurring in permanent positions can be filled. Under the law, the number of temporary and part-time employees in any Department cannot during any month exceed the number of such employees during the corresponding month of 1967. The law also provides for the Bureau of the Budget to reserve from expenditure the savings which result from the operation of this employment limitation.

The employment limitation requires the National Park Service to cut back personnel in permanent positions from 6,290, the number employed on June 30, 1968, to 5,998, the number employed on June 30, 1966. (However, the number of permanent positions authorized is about 7,500.) It is anticipated that normal attrition will bring about this reduction of 292 over a period of two to three years.

The reduction in permanent employment, as well as the limitation on temporary employees, particularly seasonal employees, which make up a large part of the work force, has already seriously affected the Service's ability to adequately meet the needs of the public as the number of visitors increases and to provide adequately for protection of the valuable resources and maintenance of roads, buildings, and other facilities. The condition will continue to deteriorate as long as the limitation is applicable to the Service. It is of particular concern that even if funds may be made available to improve standards in the parks, limitations on staff make this impossible without curtailing some operations.

Another factor of concern is the reduction in available funds resulting from the requirement that savings due to the operation of the employment limitation be placed in reserve. In the case of the National Park Service this could amount to as much as $2¼ million for a full year when the reduced employment level is reached.

If we assume a proportionate reduction in employment in all States, the loss in employment in each State which has Service employees would be as shown in the following tabulation:[1]

Alabama	1
Alaska	1
Arizona	10
Arkansas	1
California	32
Colorado	6
Florida	4
Georgia	2
Hawaii	2
Kentucky	6
Maine	2
Maryland	6
Massachusetts	4
Michigan	1
Mississippi	5
Missouri	2
Montana	3
Nebraska	4
Nevada	3
New Jersey	2
New York	5
New Mexico	9
North Carolina	10
North Dakota	11
Oklahoma	1
Oregon	2
Pennsylvania	15
South Dakota	1
Tennessee	7
Texas	4
Utah	5
Virginia	35
Washington	7
West Virginia	3
Wyoming	6
Virgin Islands	1
Puerto Rico	1
District of Columbia	82
Total	292

Mr. MONTOYA. Mr. President, while on the surface one might think that this action was fully justified and that every bureau within the administrative branch must share in the responsibility of achieving the required cutback offered by Congress, closer scrutiny reveals that this decision was one of false economy.

For example, at Carlsbad Caverns, N. Mex., the closing of the parks for 2 days a week threatened to raise such havoc that I did everything I feasibly could to seek reopening of the caverns. New Mexico depends largely on tourism for income. It is our third largest industry. Last year tourism provided New Mexico with $120 million of the $2 billion total income for the State. Carlsbad Caverns has consistently been our single largest tourist attraction in the State.

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[1] (The following represent a loss over and above the loss which has already been experienced as a result of the actions taken to reduce the permanent positions filled from the authorized 7,500 to only 6,290 on the payroll on June 30, 1968—a reduction of some 1,200 employees.)

Furthermore, Carlsbad Caverns has been a profitable operation for the Federal Government, having taken in over the past 5 fiscal years approximately $2.7 million in revenues and fees and requiring less than $2.5 million to operate. Thus, for the 5 fiscal years of 1964 through 1968, Carlsbad Caverns took in approximately $210,000 more revenues than expenditures. Yet it was ordered to be closed down as an "economy" move on Tuesdays and Wednesdays of every week. This, and rightly so, was a move which was impossible to comprehend by the local individuals affected by the move.

This drastic action became even more incomprehensible when one stopped to consider that the Carlsbad area was already reeling under tremendous unemployment due to the closing down of several potash mine operations—action which also came about partly because of Federal inaction to the potash imports which were flooding the domestic markets and destroying a domestic industry. The county involved—Eddy County—had only recently been designated by the Economic Development Administration as eligible for its assistance because of the sudden depression which set in following loss of its prime industry, potash.

With the demise of most of the potash mining operations, Carlsbad became dependent on the caverns for its livelihood. Yet, although the county was already on the ropes and even though the caverns were a profitable operation, the decision came down from Washington, D.C., to close it down for 2 days a week. The rippling effects that this caused were soon felt throughout the motel industry, service stations, curio shops, restaurants, and all the other services dependent upon tourists to the caverns for their livelihood.

Mr. President, I might add that the frustration was felt not only on the part of New Mexicans, but on the part of many tourists from outside New Mexico. To get to the caverns, one must travel a great distance from the main east-west thoroughfare in New Mexico. The trip is usually made only by those who have planned in advance to visit the caverns. Thus, imagine the consternation at having planned and making such a trip only to arrive at the caverns and find them closed. The end result was a substantial loss in revenue to the caverns and the city of Carlsbad over and above the normal loss for the 2 days they are closed. That is, if tourists could not be certain that the caverns would be open when they arrived, they did not even bother to make the trip in the first place.

Mr. President, faced with this unfortunate and untimely situation, I launched into a series of discussions and correspondence with President Johnson, Secretary of the Interior Udall, and officials of the National Park Service. After many weeks of negotiation and utter frustration, the local officials of Carlsbad, N. Mex., offered to donate funds to operate the caverns on the 2 days they were closed. With this offer of donations, I again approached the appropriate officials at the NPS, and finally a temporary agreement was arrived at whereby the NPS would accept the donations, hire temporary employees for those days, and reopen the caverns on a full 7-day-a-week schedule.

I emphasize, Mr. President, that this was merely a temporary arrangement. That is why it is so essential that the Congress approve this measure which I am introducing today and that it do so promptly. I seek to exempt not only Carlsbad Caverns, but the entire field service of the NPS because I am apprised that similar situations exist throughout the Nation. Presently, there is a study underway on the total economic effect that these closings have had on the economy of local communities and States. Although the study is not yet complete it is quite evident that the resultant adverse effect is far greater than the benefits which are being derived.

In closing, Mr. President, I think it is important to emphasize that this exemption would only be from the employee limitations of the Revenue and Expenditure Act of 1968 and would not affect the monetary restrictions. The effect on the Federal budget by my bill would thus be minimal.

Mr. President, I ask unanimous consent that the text of the bill which I have introduced for myself and several of my colleagues, S. 18, be printed at this point in the Record and I urge that it be given prompt consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 18) to exempt the National Park Service from certain employee limitations, introduced by Mr. Montoya (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 18

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply with respect to field operation and maintenance employees of the National Park Service of the Department of the Interior and such other essential positions in the National Park Service which are determined by the Director of the National Park Service to be essential to the field operations of the National Park Service. In applying the provisions of such section to the other divisions of the Department of the Interior and to the other departments and agencies in the executive branch, the employees of the National Park Service shall not be taken into account.

S. 19—INTRODUCTION OF BILL RELATING TO REIMBURSEMENT FOR DONATIONS TO KEEP CARLSBAD, N. MEX., OPEN

Mr. MONTOYA. Mr. President, earlier today I introduced a bill to exempt the field service operations of the National Park Service from the employee limitations of the Revenue and Expenditure Control Act of 1968. I spoke at length on the urgent need to enact that particular measure. I now introduce a second bill to complement my previous measure.

I mentioned earlier the National Park Service had been forced to close all national parks and monuments on 2 days a week due to the employee limitations of that act. As I described then, one of the parks affected was Carlsbad Caverns, N. Mex.

Mr. President, the move to close down Carlsbad Caverns was most unfortunate and unjustified, although there might have been justifiable reasons to close down other parks and monuments. As I explained earlier, the caverns are a profitable operation for the Federal Government. They took in approximately $210,000 more in revenues during the past 5 fiscal years than was required to maintain them. However, with the forced cutback, this will no longer hold true. They will instead become a drain on the Federal Treasury.

Further, the Carlsbad area was already suffering from tremendous unemployment and economic depression due to the closing of potash mines in the area. Subsequently, the area became almost completely dependent upon the revenues brought into the area by tourists visiting Carlsbad Caverns. I think it is important to note once again that tourism is New Mexico's third largest industry and that the caverns are our single largest tourist attraction. Thus, the effect which the 2-day closing had on the local economy has reverberated throughout the entire State of New Mexico and has had its impact on the Federal Treasury.

Mr. President, I and others tried everything humanly possible to seek an administrative ruling exempting the caverns from the NPS directive. Although I went all the way to President Johnson with my plea for the caverns, we were unable to reverse the earlier decision.

It was at this time that a number of dedicated, courageous, and patriotic citizens agreed to contribute their own hard-earned money if this would help keep the caverns open on a 7-day-a-week schedule. With this offer in hand, I was finally able to negotiate an arrangement with the NPS whereby donations from New Mexico citizens would be used to pay the salaries of the necessary personnel to maintain the caverns open on the 2 days they had been ordered closed.

This is a temporary arrangement and, hopefully, the Congress will act promptly on the measure I introduced earlier which would no longer make these contributions necessary.

Mr. President, these contributions were made voluntarily by dedicated individuals who could not see the wisdom of closing down a profitable operation which was putting revenues into the Federal coffers. They could not see the wisdom of allowing the economy of a depressed area given the death blow. They could not see the wisdom of placing such a handicap on the third largest industry in New Mexico. In short, they could not see the wisdom in a decision aimed at "saving" a few dollars, but which was in fact causing a loss of revenue on a local, State, and Federal level of many, many times the amount that was sought to be saved.

I emphasize that these contributions were made voluntarily with no anticipation of reimbursement. However, Mr. President, I think it ill behooves this Congress to sit idly by and watch while a few citizens skimp and scrape to come up with the necessary financing to keep a national park open so that it can continue to return revenues to the Federal Treasury, to the State of New Mexico, and to the local communities affected. This is a national park and a national responsibility. Although the private contributors expect no reimbursement, I am now introducing a measure providing that these individuals be reimbursed for their contributions to permit the Carlsbad Caverns to remain open. The amount involved is small—depending on the success and speed of enactment of my earlier bill to exempt the NPS from the employee limitations of the Revenue and Expenditure Control Act of 1968—but the principle is great. At most, the amount may total $3,000 or $4,000. It could be as little as a few hundred dollars.

Why should a few individuals be forced to provide funds to keep a national park open when that national park is providing revenues to the Federal Government, is providing revenues to the State of New Mexico, and is helping to keep a depressed area from becoming even further depressed which would result in additional Federal expenditures to rebuild the local economy? I certainly cannot answer these questions and it is for that reason that I introduce this bill today and ask for its prompt consideration.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 19) to reimburse certain persons for amounts contributed to the Department of the Interior, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 19

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is authorized to receive, consider, adjust, approve, and pay any claim filed with him by any person for reimbursement for any amount contributed, on or after December 15, 1968, to the Department of the Interior for the purpose of employing personnel necessary to keep Carlsbad Caverns National Park, New Mexico, open to the public every day of the week. No claim for reimbursement filed more than six months after the date of enactment of this Act, or more than six months after the date such an amount was contributed to the Department, whichever is later, shall be paid.

(b) The Secretary of the Interior is authorized to adopt rules and regulations to carry out the provisions of this section.

Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 20—INTRODUCTION OF BILL RELATING TO VOLUNTEER FIRE COMPANIES

Mr. BOGGS. Mr. President, I introduce, for appropriate reference, on behalf of myself and 29 cosponsors, a bill to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations.

Every State, Mr. President, has volunteer fire companies. Of the total of 23,130 fire departments in the United States, over 20,000 of them are volunteer. If communities had to provide paid fire companies instead of relying on unselfish volunteer citizens, the cost would be astronomical.

This bill would amend the law pertaining to organizations of the Post Office Department to add volunteer fire companies to the group of qualified nonprofit organizations already entitled to use preferential second- and third-class postage rates for mailings.

Other groups already authorized by statute to use such preferential rates include religious, educational, scientific, philanthropic, agricultural, labor, veterans, fraternal, associations of rural electric cooperatives, and one official highway or development publication of each State of the Union.

This is a group to which volunteer fire companies should belong. There is no more dedicated or unselfish group of men and women in the country than those belonging to volunteer fire companies and to their auxiliaries.

A prime fundraising program with most fire companies is a fund solicitation by mail. Enactment of this bill would be of immediate specific assistance in this effort. The Internal Revenue Service exempts volunteer fire companies from taxes and allows as a personal deduction any contributions to volunteer fire companies. Postal authorities have said, from time to time, that they use the Internal Revenue Service's definition of a nonprofit organization as a guide for permitting nonprofit mailings by organizations.

The Senate has on three separate occasions passed this legislation and sent it to the House. In 1966 the House Committee on Post Office and Civil Service favorably reported this bill and sent it to the floor for action. Unfortunately, the bill was never taken up in the closing days of that Congress.

On behalf of all of the cosponsors of this bill I would certainly hope that the Senate Post Office and Civil Service Committee would take early action on it and that, hopefully, the Congress would enact it and it could become law.

I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 20) to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations, introduced by Mr. Boggs (for himself and Senators Bayh, Burdick, Cotton, Curtis, Dominick, Ervin, Fannin, Griffin, Goodell, Hart, Hruska, Inouye, Javits, McGee, Miller, Moss, Mundt, Muskie, Nelson, Pell, Prouty, Ribicoff, Scott, Thurmond, Tydings, Williams of Delaware, Yarborough, Young of North Dakota, and Schweiker, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4359(e)(2) of title 39 of the United States Code is amended by inserting after the word "fraternal," the words "volunteer fire companies,".

Sec. 2. Section 4452(d) of such title is amended by inserting after the word "associations" where it appears in the first sentence a comma and the words "and volunteer fire companies, volunteer ambulance and rescue companies,".

S. 23—INTRODUCTION OF BILL TO PROVIDE RELIEF FOR CIVILIAN EMPLOYEES OF KELLY AIR FORCE BASE.

Mr. YARBOROUGH. Mr. President, during the period from December 1, 1961, through September 1966, a number or civilian employees of Kelly Air Force Base in Texas received a series of overpayments of salary. These payments were made because of certain administrative errors and were received by the employees through no fault or knowledge of their own. However, when periodic audits revealed the mistaken overpayments, the employees were held accountable for the funds. Unfortunately, by the time the errors were discovered, the pay had already been spent long before. Repayment at this late date would constitute a severe hardship on many of these employees; for some, repayment would be virtually impossible.

Mr. President, during the 90th Congress a concerted effort was made to come to the aid of these Kelly Air Force Base civilian employees by relieving them of the responsibility of repayment. A bill, H.R. 8096, was introduced in the House for the relief of some of the employees, but the list of names attached to the bill was incomplete. Throughout the last session of Congress, I was in contact with the various agencies involved in this matter, trying to compile a full list of all those affected by this administrative error. Rather than introduce—or pass—a discriminatory bill, I wanted to wait until the list of names was complete.

H.R. 8096, as amended by the House Committee, was passed by the House of Representatives on December 5, 1967. The amended bill contained only 73 names. Though 16 more than the original bill, it was still woefully incomplete. When the bill reached the Senate Judiciary Committee, the names of more employees who had been carelessly overpaid were received, a total of more than 120 in all. Again, respecting the request of all those concerned in this affair, the Senate amended the bill to include all employees in need of relief, and passed H.R. 8096 on October 10, 1968.

Unfortunately, the House was unable to act on the Senate-amended bill, and this effort to provide financial assistance to these civilian employees died with the 90th Congress.

Mr. President, today I am reintroducing a bill to provide relief for certain civilian employees of Kelly Air Force Base in Texas. This bill attempts to accomplish the same purpose as the original proposal of 1967, but now the list of names included in the legislation is complete. This bill provides that all those employees who are presently faced with the responsibility of repayment will receive adequate compensation that will relieve them of this hardship. There is now no existing claims procedure to relieve them of this hardship except by action of Congress.

Now that the various details have been worked out regarding the mechanics of this situation, I am confident that this bill will receive early consideration by the Congress. I hope that we can finally clear up this matter—and that those persons who have been inconvenienced by the Government's mistake can finally be assured of the relief provided in this bill.

I ask unanimous consent that my bill to provide relief for certain civilian employees of Kelly Air Force Base in Texas be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the bill will be printed in the RECORD.

The bill (S. 23) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex., introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 23

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each individual named in section 3 of this Act is relieved of liability to pay to the United States the amount set forth opposite his or her name, which amount represents an overpayment of compensation, due to administrative error, received by him or her within the period beginning December, 1961, and ending September, 1966, as a civilian employee at Kelly Air Force Base, Texas. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual named in section 3 of this Act an amount equal to the aggregate of the amounts paid by him or her, or withheld from sums otherwise due him or her, with respect to the liability to the United States which is relieved by the first section of this Act.

SEC. 3. The individuals referred to in the first section of this Act, and the amount of the liability of each of them, are as follows:

Within-grade increase granted prior to completion of required waiting period.

NAME, AMOUNT, AND PERIOD COVERED

Alvarez, Thomas, $250.08, August 20, 1967 to July 20, 1968.

Arroyo, Olivia A., $48, December 24, 1967 to May 11, 1968.

Atkinson, Oscar E., $1,185.76 (General Accounting Office), June 4, 1961 to June 8, 1968.

Brient, William J., $557.60, August 22, 1965 to March 16, 1968.

Bryant, John M., $585.60 (General Accounting Office), December 6, 1959 to November 28, 1965.

Bujol, Wallace E., $863.20 (General Accounting Office), October 17, 1965 to March 16, 1968.

Burris, Henry A., $372.80 (General Accounting Office), October 21, 1962 to August 21, 1966.

Carter, Patricia J., $32.26, October 2, 1966 to December 11, 1966.

Cioletti, Aldo, $230.48 (General Accounting Office), October 10, 1965 to February 19, 1967.

Cosper, Robert E., $248.03 (General Accounting Office), January 14, 1962 to April 19, 1964.

Courvier, Joe, $248.03 (General Accounting Office), November 22, 1959 to October 29, 1967.

Cunningham, Richard A., $22.15 (General Accounting Office), August 20, 1967 to October 15, 1967.

Erdman, Roy E., $697.98 (General Accounting Office), October 14, 1962 to February 5, 1967.

Frances, Elizabeth, $61.60, September 3, 1967 to March 3, 1968.

Franklin, Geronimo W., $95.10, January 22, 1967 to August 20, 1967.

French, Eddie J., February 20, 1966 to July 20, 1968.

Gillum, Richard A., February 6, 1955 to June 17, 1962.

Gloner, Florence M., February 11, 1963 to July 10, 1965.

Grun, William R., $65.28, April 12, 1959 to August 16, 1959.

Guerra, Henry M., $315.88, August 4, 1963 to March 12, 1967.

Hernandez, Santos A., November 22, 1959 to July 7, 1968.

Herrera, Jimmie, $490.72, November 22, 1959 to November 1, 1964.

Herrera, Manuel L., $4.80, July 25, 1965 to August 8, 1968.

Holman, Jimmie S., Jr., $89.60, November 18, 1962 to December 10, 1967.

Huntly, Dick M., $314.76, November 22, 1959 to November 5, 1961.

Jiminez, Frances A., $6.40, November 26, 1967 to January 7, 1968.

Johnson, Helen F., $35.20, April 14, 1968 to June 8, 1968.

Kearns, William S., $7.20, August 6, 1967 to August 20, 1967.

Kreider, Carl R., $385.22, March 13, 1966 to April 28, 1968.

Lugo, Janie T., $10.08, October 29, 1967 to November 26, 1967.

Luker, Wilbur H., December 2, 1962 to March 23, 1963.

Luttrall, Norman F., $166.05, September 3, 1967 to May 25, 1968.

Mack, Wilbur F., October 14, 1962 to January 2, 1966.

Martinez, Matiana B., $34.65, March 17, 1968 to May 25, 1968.

McCauslin, Margaret A., January 30, 1966 to February 18, 1968.

Metcalf, Betty, $13.76, November 4, 1962 to December 2, 1962.

Middleton, Betty J., $385.11, August 6, 1961 to June 26, 1966.

Minihan, Michael J., November 17, 1963 to November 27, 1966.

Montgomery, Donald, $400.15, January 20, 1963 to April 8, 1967.

Moody, Ruth S., $416.80, February 9, 1964 to March 30, 1968.

Moor, Vincent C., $6.66, October 1, 1967 to October 15, 1967.

Moore, Anne, $60.80, October 21, 1962 to December 12, 1965.

Moore, Harvey L., $741.66, December 6, 1959 to January 8, 1966.

Muenziler, Gene L., $188.13, August 1, 1965 to August 7, 1966.

Negrete, Guillermo A., $64.00, January 15, 1961 to May 6, 1962.

Nunez, James A., $288.50, August 9, 1964 to July 6, 1968.

Paddie, George L., $285.76, October 14, 1962 to May 8, 1966.

Paz, Ernest, V., $281.65, August 1, 1965 to May 18, 1968.

Pearce, Stanley R., $100.80, September 10, 1967 to March 23, 1968.

Peese, Victor, $53.44, December 10, 1961 to December 31, 1967.

Rakasky, Harry M., $329.74, October 14, 1962 to July 19, 1964.

Ramirez, Emilia P., $5.60, March 29, 1964 to April 12, 1964.

Ramos, Tony, $127.44, August 20, 1967 to May 18, 1968.

Ray, Tommy I., $5.60, August 7, 1966 to August 21, 1966.

Reese, Buster G., $20.80, June 25, 1967 to July 23, 1967.

Rendon, Gloria K., $10.37, June 11, 1967 to July 9, 1967.

Replogle, Charles V., $49.04, April 14, 1968 to July 20, 1968.

Rhodes, John C., Jr., November 15, 1964 to June 8, 1968.

Roemer, Walter H., July 28, 1963 to July 20, 1968.

Rogers, Joseph I., June 28, 1964 to June 25, 1967.

Rosel, Consuelo O., February 22, 1959 to June 22, 1968.

Salas, Ernesto C., $280.78, November 14, 1962 to May 8, 1966.

Scott, Edward, $200.79, August 20, 1967 to July 6, 1968.

Seay, Henry A., $20.78, February 26, 1956 to March 24, 1957.

Segel, Jesse J., January 8, 1961 to August 3, 1963.

Smith, James E., $172, August 27, 1967 to May 4, 1968.

Snyder, Donald A., $109.84, November 8, 1959 to May 8, 1960.

Spencer, Samuel E., $476.58, November 10, 1963 to May 11, 1968.

Spring, Zea A., $301.09, July 17, 1955 to May 5, 1963.

Stack, Charles A., $69.60, August 20, 1967 to January 7, 1968.

Stokes, Lila D., October 21, 1962 to January 21, 1964.

Thacker, Dorothy J., $106.35, February 4, 1968 to July 20, 1968.

Thomas, Roy A., $41.92, August 21, 1966 to October 2, 1966, August 20, 1967 to October 1, 1967.

Thompson, Eleanor M., $82.43, March 3, 1968 to July 6, 1968.

Tierce, Eugene W., $619.77, November 10, 1963 to November 20, 1966.

Tindal, Pleasant M., Jr., $667.30, October 14, 1962 to June 18, 1966.

Treyon, Henry A., Jr., $38.88, July 22, 1962 to October 14, 1962.

Vaughn, Betty L., $587.54, October 19, 1958 to July 6, 1968.

Wilburn, Ollie T., $282.27, October 14, 1962 to May 8, 1966.

Williams, Emory S., $488, July 14, 1963 to July 10, 1966.

Wright, Norville B., Jr., $596.16, November 24, 1963 to May 20, 1968.

Improper step-in-grade assigned upon promotion during salary retention.

Gutzler, Charles A., September 12, 1965 to April 16, 1967.

Beers, John J., $2,042.24 (General Accounting Office), December 2, 1962 to March 16, 1968.

Smith, Voyle V., December 14, 1960 to May 28, 1967.

Cienfuegos, Nelson R., $3,368.40 (General Accounting Office), November 20, 1960 to May 12, 1968.

Stein, Eileen M., February 11, 1962 to February 10, 1963.

Witt, Morris, $1,600.85, July 1, 1962 to May 11, 1968.

Wrong step given or change from WB to GS.

Alazar, Edgar V., $276.80 May 8, 1966 to August 29, 1967.

Almaquer, Joe, $294.80, April 10, 1966 to August 29, 1967.

Arizpe, Facundo, $523.60, April 10, 1966 to August 27, 1967.

Baldwin, Mellie K., $264, May 22, 1966 to August 27, 1967.

Benavides, David R., $562.96, April 10, 1966 to June 8, 1968.

Cisneros, Orlando, $108.80, January 15, 1967 to August 27. 1967.

Cross, Mildred, $108.80, October 19, 1967 to May 25, 1968.

Davis, Alton E., $306.80, May 22, 1966 to November 11, 1967.

Flores, Simon E., $288, April 10, 1966 to August 27, 1967.

Gamboa, Joe M., $295.20, April 10, 1966 to August 27, 1967.

Hawks, Meredith G., $637.60, January 16, 1966 to June 1, 1968.

Howard, Thomas D., $412.87, November 13, 1966 to July 16, 1968

Martinez, Ismael, $298.40, April 10, 1966 to August 26, 1967.

Martinez, Jose C., $264.85, June 5, 1966 to August 27, 1967.

Martinez, Ramon L., $582.80, April 24, 1966 to July 6, 1968.

Martinez, Ruben, $90.60, February 4, 1968 to June 8, 1968.

Platt, Harry A., $302.65, April 24, 1966, to August 26, 1967.

Pozos, Domingo, $301.52, April 10, 1966 to August 26, 1967.

Quintero, Domingo G., $285.60, April 24, 1966 to August 27, 1967.

Reed, Harold B., $655.20, January 16, 1966 to June 29, 1968.

Rendon, Rudy M., $525.60, April 10, 1966 to June 15, 1968.

Robin, Harold A., $264, May 22, 1966 to August 27, 1967.

Sierra, Joe J., July 10, 1966 to August 9, 1968.

Sifuentes, Gasper V., $288, April 10, 1966 to August 26, 1967.

Smith, Marvin M., $440.80, January 2, 1966 to June 1, 1968.

Smith, Melvin G., $264, May 22, 1966 to August 27, 1967.

Sudduth, Ralph W., $542.40, July 17, 1966 to July 6, 1968.

Sunvision, Burl O., $441.60, January 2, 1966 to June 1, 1968.

White, O'Douglas, $122.70, May 8, 1966 to December 3, 1966.

Whorton, Doris R., $810.29, June 4, 1961 to July 25, 1965.

Thomas, Betty J., $476, June 5, 1966 to June 1, 1968.

Thompson, Fentress L., $564.20, July 10, 1966 to June 1, 1968.

Vela, Lupe, $279.80, May 8, 1966 to August 27, 1967.

Webb, Charles W., $264, May 22, 1966 to August 27, 1967.

Wells, Coy F., $440.80, January 2, 1966 to June 1, 1968.

Weinette, Richard C., $585.16, April 24, 1966 to July 13, 1968.

Time in lower grade used in computing waiting period for step increase in higher grade.

Findley, Helen F., $115.16, September 3, 1967 to May 11, 1968.

West, James W., $55.02, January 1, 1967 to June 18, 1967.

Sec. 4. No part of the amount appropriated in section 2 of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

S. 24—INTRODUCTION OF BILL TO AMEND THE FOREIGN SERVICE ACT OF 1946

Mr. SPARKMAN. Mr. President, I introduce for appropriate reference a bill to amend section 941(b) of the Foreign Service Act of 1946, as amended.

In summary, section 941(b) provides that if a dependent of a Foreign Service employee incurs an illness or injury abroad, the State Department may pay for the cost of treatment in excess of $35 up to a maximum of 120 days, but this maximum limitation does not apply if it is determined that the illness or injury was clearly caused by the fact that the dependent was located abroad.

The bill I am introducing would simply add to this a provision that neither shall the limitation apply if it is determined that the illness or injury was aggravated by the lack of prompt and adequate medical attention.

This bill stems from the Foreign Relations Committee's consideration in the last Congress of a private bill (S. 2969) for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr. The purpose of that bill was to reimburse the family for medical expenses resulting from an injury which David E. Alter III, who was then 15 years old, sustained in Lusaka, Zambia, in 1965 while his father was the AID representative there.

The accident in which David was injured occurred when he was hit by a truck as he alighted from a car. At the Lusaka General Hospital, the injury was diagnosed as simple concussion and David was placed in bed with no treatment prescribed. Subsequently, it developed that he had suffered severe brain stem damage in addition to a fracture of the right leg, torn ligaments in both knees, a fractured nose, loss of a tooth, and lacerations.

David was later evacuated to the Army Hospital in Frankfurt and then to Washington. The accident occurred December 24, 1965. David did not regain consciousness until October 1966, and remained hospitalized until February 1967. He still requires nursing care in the home of his parents.

Pursuant to section 941(b) of the Foreign Service Act, the State Department paid for the first 120 days of David's hospitalization and treatment. At the time the Foreign Relations Committee considered the case last year, David's attending physician estimated that the total additional costs would be well in excess of $100,000, as compared to a limit of $40,000—plus $2,000 a year—provided by his father's insurance coverage under the high option of the Government-wide indemnity plan—Aetna—of the Federal employees' health benefits program.

The State Department terminated its payments for treatment after 120 days on the basis of a determination by its Medical Division that the injury was not clearly caused by the fact that David was located abroad. This determination was made on the narrow grounds that people are hit by trucks and suffer similar injuries in the United States. But as the Foreign Relations Committee pointed out in its report last year on S. 2969:

> This completely overlooks the fact that the victims of such injuries in the United States generally receive more prompt and adequate medical attention, thereby hastening their recovery and reducing complications. While David was a patient at the Washington Hospital Center, for example, persons suffering from similar injuries were admitted and discharged, able to walk and talk, within 3 months.

The committee report last year also noted that—

> Since section 941(b) was enacted as an amendment to the Foreign Service Act in 1958, from two to six cases a year have arisen in which a dependent has required treatment beyond 120 days and in which a finding has been made that the cause is not clearly related to the dependent's presence overseas. Without exception, these cases have arisen from accidents, the victims of which most likely would have received more prompt and adequate treatment in the United States. In the next Congress, the committee intends to give consideration to amending the Foreign Service Act to take account of this gap especially in the less-developed countries.

I am introducing this bill today to provide the basis for such consideration by the committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 24) to amend the Foreign Service Act of 1946 so as to permit payment of certain costs of treatment of dependents of foreign service personnel where illnesses or injuries incurred abroad are aggravated by lack of prompt and adequate medical attention, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Foreign Relations.

S. 25—INTRODUCTION OF GREAT SALT LAKE NATIONAL MONUMENT LEGISLATION

Mr. MOSS. Mr. President, I am today introducing a bill to establish a Great Salt Lake National Monument on Antelope Island near the southern end of Utah's unique inland sea.

Great Salt Lake—which is Utah's special landmark—is also one of our most neglected natural resources. Its remarkable scientific, historic, and recreational values are all underdeveloped.

When I came to Congress in 1959, I set as one of my goals the proper development of Great Salt Lake. Beginning with that Congress and in each succeeding Congress, I introduced bills on which extensive hearings were held in both Utah and Washington, and out of which developed a reasonable consensus as to what should be done. The bill I am introducing today is identical to the one which passed the Senate in the 90th Congress, but died in the House. It is a distillation of the best of all previous bills, and full hearings and committee and floor debate in the Senate. I am hopeful that it will be passed by both Houses in the 91st Congress, and that we can begin development of the Great Salt

Lake in a way which will fully realize its vast potential.

Mr. President, the Great Salt Lake is one of the truly unique geological features of the world.

The lake is the living remnant of huge Lake Bonneville of Pleistocene time. An ice-age lake, Bonneville covered much of northern Utah, eastern Nevada, and southern Idaho, in places to a depth of over 1,000 feet. The lake drained northward into the Columbia River system. As the climate of the world changed, evaporation from Bonneville's surface exceeded the inflow of fresh water, reducing the surface from about 20,000 square miles to near its present size, nearly 200 square miles.

Dissolved salts, left behind by the evaporation, have ranged from 16 to 26 percent and have accounted for many of the unusual qualities of Great Salt Lake. Its density supports a swimmer with no effort on his part. A great industry is developing to extract valuable minerals from the briny waters.

Antelope Island is about 15 miles long and 4 miles wide and its mountain tops rise 1,700 feet above the lake's surface. It is known as Antelope Island because of the antelope which used to graze there, and it is one of the few areas remaining in Utah which have not been changed by the pressures of a growing, mobile population, but is in a near primitive condition. It offers a readymade platform from which to see and interpret the present lake and its physical history. The wave-carved terraces from different stages of Lake Bonneville are visible. In addition there are magnificent views of Great Salt Lake and the other islands and promontories and mountain ranges that stand in and around the basin. The restricted but fascinating lake life, including reeflike algae deposits, and the products of evaporation can readily be interpreted from the island base.

It is also easy to visualize, from the island, the effect of Great Salt Lake, both as a barrier and as a magnet for fur trappers, explorers, Mormon pioneers, and the railroad builders, all major features of the story of America's westward expansion. Promontory Summit can be seen. This is the place on which the golden spike was driven in 1869, linking the east and west coasts by continental railroad. Built in 1849, the oldest house in Utah still used for its original purpose—as a ranchhouse—stands in a grassy setting.

Let me quote to you the Department of the Interior's conclusion as to scientific significance:

> Scientific significance is the hallmark of National Monument caliber for any feature, site or area. On this basis, Antelope Island merits National Monument status in its own right. The island as a whole comprises a complete topographic unit and it is the record of the drama of earth history which circumscribes the island from its present shoreline to the crests and promontories standing as much as 2,400 feet above the surface of Great Salt Lake. These are factors which contribute to the scientific significance of Antelope Island. It is doubtful whether any other location surpasses Antelope Island as a scientific exhibit of the story of Great Salt Lake and its ancestral lakes and as a place for its observation, study and enjoyment by visitors.

There is also great potential for recreational development on the north end of Antelope Island. Preliminary development plans include two salt water beaches and piers, a marina, bathhouses, picnic facilities, camping ground areas throughout the island, and facilities for horseback riding.

Causeways would be improved and surfaced to both the northern and southern tips of the island to provide easy access. The monument would be within minutes traveltime of nearly three-quarters of the population of the State of Utah—the island's southernmost tip is only about 12 miles from Salt Lake City.

Forty years ago there were people from all over the world swimming in the Great Salt Lake. In recent years, however, very few people—either Utahans or visitors—have been able to try the exhilarating waters because bathing facilities have been inadequate. Receding lake waters have left the famous old resort, Saltair, high and dry, and it has fallen into a sad state of disrepair. Other resorts along the southern edge of the lake are small, and their facilities limited. Enactment of this bill would again make Great Salt Lake a focal point for interested Americans and foreign visitors who would like to see and feel our great dead sea.

The island comprises about 26,000 acres, nearly all in private ownership. The establishment of the monument would also require acquisition of some 15,000 acres of relicted land left exposed by the receding waters and a band of water around the island. The island is owned by a ranching company which is willing to sell. Costs of acquisition are estimated at not more than $1,600,000 and development costs have been set by the National Park Service at $9,135,000.

Mr. President, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments recommended in 1963 that Antelope Island, or a portion of it, be authorized for establishment in the national park system.

There is strong support in Utah for development. The Governor, the Honorable Calvin L. Rampton, who has just been reelected by more than a 2-to-1 majority, has long favored my bill. The Great Salt Lake Authority, which is the State agency charged with recreational and technical responsibilites on the lake, newspapers published in Utah, county commissioners, municipal officials, and scores of private citizens have all urged that the Congress establish the Great Salt Lake National Monument.

It is time we enact this bill to establish a Great Salt Lake National Monument, and set about preserving and developing one of the world's most interesting natural phenomena.

I send to the desk, for appropriate reference, a bill to provide for the establishment of the Great Salt Lake National Monument in the State of Utah, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 25) to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 26—INTRODUCTION OF CANYONLANDS NATIONAL PARK BILL

Mr. MOSS. Mr. President, at the time the Congress authorized the Canyonlands National Park in 1964, we recognized that the boundaries which we were establishing did not encompass all of the unique and magnificent scenery in the area which was of national park caliber. We knew that someday we would want to take another look—that we would want to consider bringing under the protection of the National Park Service some of the spectacular areas which border the boundaries of Canyonlands, and which are equal with the present park area in scenic, scientific, or historic interest.

The bill I am introducing today would expand the boundaries of the present park to add four additional tracts—mostly public lands—approximately 95,000 acres. Three of the tracts adjoin Canyonlands and the remaining tract is located a few miles to the west. Their addition would enlarge the park to approximately 350,000 acres.

The largest of the tracts to be added is the Maze, which comprises 49,233 acres directly west of the park, and embraces a rugged labyrinth of canyons and eroded geological forms, some of which no white man has ever seen yet.

The second largest tract comprises 31,347 acres lying along the northern boundary of Canyonlands, and includes the 4,562 acres of Dead Horse Point State Park which the Utah State Park and Recreation Commission once requested be taken into the national park.

The other two are tracts of approximately 11,952 acres which adjoin the southeast corner of Canyonlands and contain part of the famed Lavender Canyon, and an area of 3,178 acres known as Horseshoe Canyon, which is located about 7 miles west of the northwest corner of Canyonlands, and which contains some of the finest galleries of prehistoric pictographs in the country.

All of these new areas contain unique features and natural phenomena which have national significance. They should be kept in their undisturbed and natural state, and the best way to do this is to incorporate them into the park.

Before Canyonlands National Park was established, there had already been some vandalism in southeastern Utah. Both geological formations as well as Indian artifacts and pictographs had been destroyed. It was partly to give protection to many of these national treasures that I pressed for action on the original Canyonlands National Park bill.

Now, the publicity on the establishment of the park is bringing thousands of additional tourists into the area, and as roads are improved and extended and more campsites are completed, the number of visitors both to Canyonlands and the lands adjacent to it will increase. A $2½ million Canyonlands roadbuilding program is being undertaken with fiscal 1968 and 1969 funds, and more campgrounds and new trails are also being built. It is inevitable that as roads and hiking and horseback trails are pushed into formerly remote areas, there will be a new danger of vandalism and destruction—not necessarily deliberate marring of the fabulous stone arches, windows, spires, and pinnacles in which the area abounds, but of thoughtless treatment of these formations. We should be moving now to bring the most spectacular of the still unprotected areas under the protection of the National Park Service.

The addition of the new tracts of Canyonlands National Park has been recommended by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments. The Board had previously recommended national park status for most of the lands involved when it recommended the adoption of earlier proposals for a Canyonlands National Park.

Development costs of the proposed additions have been estimated by the Department of the Interior as $3,587,000 and increased annual operating costs of $47,000. Since most of the land involved is publicly owned, land acquisition costs have been estimated at only $20,000. The bill provides for in lieu Federal land exchanges for Utah State-owned land within the proposed new tracts.

Washington hearings were held on a bill identical to the one I send to the desk today in the Senate Interior and Insular Affairs Committee last summer, but no further action was taken because there was not time for field hearings, and for floor consideration before the end of the session. I shall press for final action in the 91st Congress.

S. 27—INTRODUCTION OF GLEN CANYON NATIONAL RECREATION AREA BILL

Mr. MOSS. Mr. President, I introduce for appropriate reference, a bill to establish by statute and to clarify the uses and boundaries of the Glen Canyon National Recreation Area, the giant water recreation resource created in Utah and Arizona by the Glen Canyon Dam on the Colorado River.

The bill would provide for a Recreation Area of 1,142,433 acres of land and water, somewhat smaller than the present recreation area of 1,196,500 acres established by administrative action and administered by the National Park Service in cooperation with the Bureau of Reclamation. The new boundaries of the area are identified on National Park Service map numbered LNPSW–1000A–GLC.

These boundaries extend northward, beyond the ones now in existence, to embrace a section of the country known as the Maze which lies north of the recreation area and west of Canyonlands National Park. The new boundaries would also exclude two tracts of public land withdrawn for reclamation purposes in the vicinity of Sit Down Bench and Warm Creek comprising approximately 7,836 and 4,946 acres, respectively. The location of these lands adjacent to both Lake Powell and nearby coal deposits make them adaptable for the development of steam powerplants, and, if development becomes feasible, the Department has indicated its willingness to negotiate leases for the lands needed. Two private concerns have expressed an interest in steam powerplant development in this area.

Lake Powell, with a surface area of 256 square miles, has already become a recreation magnet, attracting 400,000 visitors annually. About one-fourth of the Park Service development program is complete, and as the program progresses, and more of the area is opened up, the area will become even more popular.

Enactment of this bill will establish the recreation area by law and assure its continued existence and development. It will confer on the National Park Service appropriate police power to protect the area and the people who visit there.

Enactment will also assure continued authority to remove both leasable and nonleasable minerals from the area, and continued use of grazing permits, subject only to regulations by the Secretary of the Interior to prevent adverse effects from these activities upon the operation of Glen Canyon Dam or on the administration of the recreation area. Navajo Tribe mineral rights and the right to use certain lands are also protected.

The bill allows hunting and fishing in accordance with the State laws of Utah and Arizona. Since language on hunting and fishing in recreation areas which was satisfactory to all concerned was worked out in the 90th Congress in S. 444, the bill to establish the Flaming Gorge Recreation Area, the same language appears in this bill.

The estimated costs of acquiring the 160 acres of private lands within the recreation area boundaries is set at $175,000, and State-owned lands may be acquired or exchanged only with State concurrence. Since authority already exists under the Colorado River Storage Act to operate the recreation area, no additional development costs or operating costs will result from passage of the bill.

The bill is noncontroversial. Its enactment was recommended by the Department of the Interior in the 90th Congress, and hearings were held on it by the Senate Interior and Insular Affairs Committee late in the second session. No further action was taken because of the time factor. I sincerely hope the bill can be considered quickly and passed by both Houses within the next few months.

S. 28—INTRODUCTION OF WATER RIGHTS ACT OF 1969

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to clarify the relationship of interests of the United States and the States in the use of the waters of certain streams. I have sponsored similar bills during the past three Congresses and am pleased to introduce this bill today.

Efforts to secure the enactment of this and similar legislation has not continued for a number of years and it has received broad support, particularly from water leaders in the arid West where the decreasing availability of water focuses our attention on the problem. The purpose of the bill is not to deprive either the Federal Government or the States of any rights which they may now have in developing our water supplies but rather to furnish a greater degree of certainty to our public agencies, Federal and State, in the acquisition of meaningful water rights.

This legislation would establish jurisdictional guidelines for some of the more common areas of dispute between various Federal agencies and the States. As increasing amounts of our total available water resources are put to beneficial use, undefined Federal rights to these resources have created uncertainty and hampered State and local governments in their attempts to meet the needs of their citizens through their own efforts. I hope that those Federal agencies which have been reluctant to endorse this legislation in the past will examine the provisions of this bill thoughtfully and recognize that it is not a vehicle to limit the rights of sovereignty of the Federal Government but is intended to introduce certainty and fairplay and thus permit both the Federal Government and State agencies to develop our water resources in a logical manner.

For those Senators who wish to explore the subject matter of this legislation in detail, I would refer them to the extensive past history of these bills which is contained in the RECORD and in hearings conducted by the Senate Committee on Interior and Insular Affairs. But I do believe it desirable to explain briefly the provisions of the bill. First, Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 28) to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 28

A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the exceptions stated in section 5, the withdrawal or reservation of surveyed or unsurveyed lands of the United States, heretofore or hereafter made, shall not affect any right to the use of navigable or nonnavigable water acquired pursuant to State law either—

(1) before the establishment of such withdrawal or reservation, or

(2) after the establishment of such withdrawal or reservation, unless, in the latter event, a Federal statute,

or an officer of the United States authorized to make such a withdrawal or reservation, shall have promulgated the purpose, quantity, and priority date of the water right reserved to the United States or otherwise established under its own laws, and such promulgation shall have antedated the initiation of the conflicting right under State law: *Provided,* That if such promulgation shall be made otherwise than by an Act of Congress, it shall not become effective until sixty days after it shall have been published in the Federal Register and transmitted by the head of the department having jurisdiction of the lands affected to both Houses of Congress (counting only days on which both Houses are in session); and it shall be vacated if disapproved within said sixty days by resolution of the Committee on Interior and Insular Affairs of either House.

Sec. 2. Any right to the diversion, storage, distribution, or use of water which the United States or those claiming under the United States assert to have been established under the laws of a State shall be neither greater nor less than those accorded by the laws of that State to uses of water by others than the United States (including the State itself) in like circumstances, and shall be initiated and perfected in accordance with the procedure established by the laws of that State: *Provided*, That this section shall not affect any authority which the United States may have to establish water rights under its own laws, heretofore or hereafter enacted.

Sec. 3. No vested right to the diversion, storage, or use of any waters, navigable or nonnavigable, acquired under the laws of a State and recognized by the laws in force as of the effective date of this Act in that State as being compensable if taken or used by or under the authority of the State, shall be taken or used by or under the authority of the United States without just compensation "Vested right" shall mean either (1) an appropriative right initiated in accordance with the general laws of the State applicable to the appropriation of water rights, which has been exercised either by the commencement of actual diversion, storage, or use of water or by the commencement of construction of works for such purposes, and which is thereafter maintained with reasonable diligence in the completion of such works and application of water to such purposes, or (2) a riparian overlying, or pueblo right, to the extent that such laws of the State recognize such rights, or (3) a prescriptive right or any other water right to the extent that water has been put to beneficial use.

Sec. 4. If works hereafter constructed by or under the authority of the United States impair or interfere with the utilization of any right to the diversion, storage, or other use of water which is vested and compensable under section 3, and if agreement with the owner of said right as to the compensation due for such impairment or interference has not been reached by the time of the initial interference with such right, the United States shall initiate and diligently prosecute proceedings to condemn the same under appropriate Federal or State laws of eminent domain. If it shall fail to do so, no statute of limitations shall apply against a suit by the injured party against the United States for compensation for such impairment or interference in a Federal court of competent jurisdiction; but nothing in this Act shall authorize an action to enjoin such impairment or interference, if such an injunction action could not be maintained in the absence of this Act.

Sec. 5. Nothing in this Act shall be construed as—

(1) modifying or repealing any provision of any existing Act of Congress relative to acquisition by the United States of rights to the use of water pursuant to State law;

(2) permitting appropriations of water under State law which interfere with the provisions of international treaties of the United States;

(3) amending, altering, or repealing any provision of any law which limits the acreage in single ownership that may be served with water made available under the reclamation law;

(4) affecting, impairing, diminishing, subordinating, or enlarging (a) the rights of the United States or any State to waters under any interstate compact or existing judicial decree, (b) any obligations of the United States to Indians or Indian tribes, or any claim or right owned or held by or for Indians or Indian tribes, (c) any water right heretofore acquired by others than the United States under Federal or State law, (d) any right to any quantity of water used for governmental purposes or programs of the United States at any time prior to the effective date of this Act; (e) any right of the United States to use water which is hereafter lawfully initiated in the exercise of the express or necessarily implied authority of any present or future Act of Congress or State law when such right is initiated prior to the acquisition by others of any right to use water pursuant to State law, (f) any preference accorded by Federal or State law to any public agency with respect to electric power.

Sec. 6, This Act may be cited as the "Water Rights Act of 1969".

Mr. MOSS. Mr. President, section I requires that the Federal Government in the withdrawal or reservation of public lands make a public record of those rights it intends to establish in the waters appurtenant to the lands withdrawn or reserved. The extensive Federal ownership of land in the West, much of it dating to the earliest periods of development, means that much of the water arises under situations which seemingly gives the United States prior rights to its use by the mere withdrawal or reservation of the lands leaving all downstream users at the mercy of any future idea proposed by some Federal agency. No development or use or other indication that the United States intends to claim a right need occur, perhaps for many decades after the withdrawals or reservations.

The object of the section is not to prevent the Federal Government from asserting a right to these waters. Rather, it only requires that the Federal Government give fair notice of its intentions with regards to the water including the purpose, quantity, and the priority of the right reserved, permitting others to then develop the balance without fear of losing it later.

State proceedings for the acquisition and perfection of water rights demand that the petitioner detail the right he seeks thereby proclaiming to every interested party what is at stake and so permitting other potential users to make their plans accordingly. I do not feel it unreasonable to insist that the Federal Government also proclaim its intentions.

An equitable procedure is set forth by which the right can be made known. This can be accomplished either by an act of Congress or publication in the Federal Register by an authorized Federal officer. If the promulgation is by a Federal officer then he must give Congress 60 days in which to consider his act and authorizes the Interior and Insular Affairs Committee of either House to vacate it by an adverse resolution.

Section II represents the contrary situation to section I, in that here we are dealing with a water right which the United States claims pursuant to State law rather than one asserted under Federal law. The Federal Government quite frequently acquires water rights through State proceedings and the requirements of this section would seem so obvious as to be mere surplusage. However, Federal agencies have on occasion contended that although they are claiming a right under State law, they need not follow the law in its acquisition.

Here again, there is no question of imposing limits on Federal sovereignty, merely a direction that the State law controls if the Federal Government claims its right under the State law. The right acquired in this manner can be neither less nor greater than those accorded others by the State and procedures established by the State must be followed. Actually, it is to the benefit of the United States to pursue its claim through State procedures as their purpose is ordinarily to assure the validity of the right and determine and settle any and all conflicting claims.

Section III directs the Federal Government to compensate owners of State-created water rights when it takes their rights if the State would also be required to compensate the owner if it took the right. This section has been included to cover an anomaly in our law. Under the Constitution, the Government may take water rights to carry out its purposes as authorized by various powers granted under its provisions. Thus, a taking under the "war power" also requires that the Federal Government pay compensation to the owner of the right under the fifth amendment.

But a glaring exception to this rule has been created by our courts in those instances where the taking is pursuant to the power to control navigation. The Federal Government in a Federal water project in aid of navigation can take the water right of an individual and leave him penniless even though his right has been perfected in accordance with State procedures and for which the State would have to pay compensation if it acquired the right.

Under current decisions of our courts, the navigation power has been given the broadest possible interpretation making it applicable to a great many of our streams. Congress has already provided that compensation be paid for water rights taken in the Reclamation Act and the Federal Power Act and it is only fair that this protection be extended in all Federal water development projects.

In order to protect the interests of the United States, the section clearly defines what are to be considered vested rights entitled to compensation so as to prevent the assertion of unorthodox or shadowy rights not commonly considered to be compensable.

Section IV requires the Federal Government to initiate condemnation proceedings when it cannot acquire a State-created water right from the owner by agreement. Instances have arisen where the Government has taken or interfered with a water right and rather than initiate a condemnation proceeding left the owner to shift for himself in an attempt to secure compensation for his loss. In the event that the Government does not proceed with the action as required by the section, then the owner's right to secure compensation shall not be lost by the running of a statute of limitations. This added protection for the owner will prevent his being ousted from his claim by some Federal activity which would cause the limitation to begin to run long before he recognized that the Government did not intend to comply with this section.

However, the section does not give the owner any new rights to interfere with a needed Federal resource development project by specifically providing that he may not move to enjoin the activity of the Government if he could not have done so in the absence of this act. Also his right must be of such character that he would have been entitled to compensation under the provisions of section III.

These provisions appeal to me as being eminently fair. The Government has a vast and well-organized procedure for the acquisition of private property for its many projects. In the planning of a project it ordinarily knows what effect its activity will have on other property and in fairness should not cast the burden on the individual water right owner to seek redress when his only notice of the Government's intentions and its effect on him may have been obtained through incomplete or inaccurate news reports or local gossip until he is suddenly confronted with the fact that his right is only on paper and there is no more water in the stream.

Section V is a carefully drafted section to prevent a broader interpretation of the act than is intended. It prohibits any interpretation that would interfere with international treaties, interstate compacts, certain obligations of the Government such as to Indians and includes savings clauses for various preexisting conditions.

Mr. President, the need for some resolution of these conflicts between the Federal Government and State has been recognized for many years. It is one of the remaining areas yet to be acted upon by Congress which was recommended by the distinguished Select Committee on Water Resources almost a decade ago.

Our water development programs at the State and local level continue to move ahead as our population pressures increase. But the answer of some of our Federal officials that apparently these clarifications are not needed as these agencies continue to build is to insult our intelligence. They build because they must. But this does not remove the uncertainty and the conflicts and the fact that they must move forward does not mean that a sense of fair play by a number of these officials is ample indication to me that the abuses which this bill seeks to ameliorate are still considered sound Federal policy in some quarters and we can expect to see them cropping up again as we continue to develop our water resources. This legislation has been modified many times over the past few years, in most instances to meet objections of the Federal agencies. I believe it is now time that it be enacted.

S. 30—INTRODUCTION OF BILL—THE ORGANIZED CRIME CONTROL ACT OF 1969

Mr. McCLELLAN. Mr. President, we have known for quite a long time of the existence in our midst of a separate society, composed of closely organized and strictly disciplined criminals. This illegitimate, corrupt, violent, and racketeering alliance is dedicated to its own selfish perpetuation by whatever means necessary. In its greedy, grasping quest for money and power it has engaged in every illegal activity known to man.

One measure of organized crime's success today is its ability to milk, bilk, extort, maim, and murder; to thrive and to expand; and to insulate and protect itself from prosecution and penalties of the law. Mr. President, the majority of American people are not directly touched by its activities, but millions are indirectly its victims in varying degrees. Many others, both knowingly and unwittingly, participate in its activities by engaging in gambling, loan sharking, narcotics, and other forms of vice that crime syndicates promote and operate. Since law enforcement efforts are often thwarted by the unavailability of witnesses, and the corruption of public officials, organized crime continues to increasingly expand and prosper in the United States.

Mr. President, America has always been plagued by some forms of organized crime. But never before in our history have we faced the highly sophisticated, structured, and formalized groups which flagrantly operate today. The nature and extent of crime today transcend the crime we knew yesterday, and yesterday's criminal laws and procedures are not equal or adequate to the challenge that organized crime poses today.

Today's power base of organized crime consists of 24 Cosa Nostra groups operating as criminal cartels in the major metropolitan areas of our Nation. The impact that this group has on our people, the Government which serves them, and the economy which sustains them, is devastating. The primary source of illegal income—mostly tax free—amassed by organized crime is gained through gambling, loan sharking, prostitution, narcotics, protection shakedown, and extortion. Organized crime, however, does not limit itself solely to criminal endeavors. It uses its ill-gotten gains, together with the imposition of violence and the instilling of fear to infiltrate and secure control of legitimate business and labor union activities.

Unfortunately, there are certain defects in our evidence-gathering and proof-producing process which serve only to aid the overlords of crime and enable them to expand their illicit operations, and to exploit our society.

The President's Commission on Law Enforcement and the administration of justice stated the problem thusly:

> Law enforcement's way of fighting organized crime has been primitive compared to organized crime's way of operating.

To overcome this deficiency and to bolster law enforcement's efforts in this area, I am introducing for appropriate reference, a bill entitled "The Organized Crime Control Act of 1969," in which the Senator from Nebraska (Mr. HRUSKA) and the Senator from North Carolina (Mr. ERVIN) join me as cosponsors. Several of the provisions contained in this bill were recommended by the President's Crime Commission and represent an attempt to improve our evidence-gathering and proof-producing process.

Mr. President, I ask unanimous consent to have the text of the bill printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent that the bill lie on the desk for 1 week so that any Senators who desire to do so may join in cosponsoring this measure.

The PRESIDING OFFICER. Without objection the bill will lie on the desk, as requested by the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, in the near future I intend to make a more comprehensive statement on the extent of organized crime in America and discuss the provisions of this bill in more detail. Today, however, I will simply highlight its contents.

The first title of the bill seeks to give more autonomy to Federal grand juries and to insulate them from the possibility of corruption. By thus increasing the efficacy of the grand jury we should improve considerably this prime source of obtaining evidence against organized crime.

Briefly, this title would authorize a grand jury to be called into session in each jurisdiction once every 18 months with the right, at 6-month intervals, to extend its existence up to 36 months, on a showing to the court that it had unfinished business. These juries would be selected without discrimination from residents within their jurisdictions, and the foreman would be selected by these juries. The jury would not be limited by the charge of the court but would have the right to pursue any violation of the criminal law within its jurisdiction. Citizens would be accorded the right to contact the jury, through the foreman, regarding any alleged criminal act. In the even the workload of the jury became excessive, it could petition the court to empanel another jury, and the failure of the court to act would be appealable. The jury would also be accorded the right to ask the attorney general to replace local prosecutors and investigators if dissatisfied with their performance. And, finally, the jury would be authorized to submit formal reports or presentments to the court.

To facilitate the acquisition of evidence in organized crime cases, a general immunity statute is needed. Title II of the bill contains such a provision, and would compel testimony and grant immunity to witnesses in certain Federal cases.

Title III of the bill seeks to rectify the situation in which a witness, once under the legitimate jurisdiction of the court, refuses to cooperate. This provision of the bill would authorize the court to hold in contempt witnesses who willfully fail or refuse, without just cause, to give testimony, and to confine them, without bail, until such time as they did respond.

Two rules of evidence that have had an extremely detrimental effect in the prosecution of organized criminals are the so-called two-witness rule, and the direct evidence rule. These are archaic common law rules of evidence that are still applicable in Federal perjury prosecutions. These rules have such a debilitating effect on prosecution that the threat of a perjury charge as a guarantee of the truth of testimony in a criminal prosecution is almost meaningless.

Briefly, the "two-witness rule" provides that the uncorroborated testimony of one witness is not enough to establish the falsity of the testimony of the accused. The "direct evidence" rule requires that the falsity of an accused's testimony in a perjury prosecution must be direct—and that circumstantial evidence, no matter how persuasive, is not enough for conviction. The Crime Commission Task Force on Organized Crime aptly described these two rules as "an unwarranted obstacle to securing legitimate perjury convictions."

Title IV would abolish the outmoded two-witness and direct-evidence rules in perjury cases, and would provide for the prosecution of persons making contradictory statements under oath, without requiring proof of the falsity of one of the statements. Presently, at the Federal level, additional proof of the falsity of one of the statements is mandatory.

The next two titles of the bill deal with the protection of Government witnesses who are willing to testify in organized crime cases. These criminals will go to any length to prevent such testimony. Title V, therefore, would authorize the taking of pretrial depositions from such witnesses which could then be used as evidence in subsequent prosecutions. Mr. President, this provision, if enacted, might well save the lives of many future Government witnesses and their families.

As a further measure of protection for Government witnesses, title VI would authorize the Attorney General to provide such facilities as may be necessary to provide for their safety and security.

Title VII of the bill seeks to codify an existing evidentiary rule relating to conspiracies, a legal tool frequently used to combat organized crime. This provision would allow, where a conspiracy has been established, the admission of a declaration or statement of one conspirant against another.

Title VIII of the bill would provide for increased punishment for convicted habitual and professional criminals, as well as for organized crime leaders. Thus, whenever a U.S. attorney charged with prosecuting an individual over 21 years old for a felony has reason to believe that first, such person has been convicted of a felony on two or more occasions, or second, such person is a professional criminal, or third, such person is an organized crime leader, and his danger to the public requires imprisonment for a longer time than the offense for which he is charged, and the court so finds, then such individual may be imprisoned for a term not to exceed 30 years.

The defendant would be put on notice that he is subject to this provision, but under no circumstances would it be disclosed to the jury. If the accused is found guilty of the felony with which he is charged, a separate presentence hearing would be held before the court to determine this issue.

Mr. President, I offer this bill as a starting point. I am not irrevocably committed to its present language, but I am hopeful that its objectives will meet with general approval. Perhaps the bill can be improved and strengthened by the committee and hearing process. I assume it will be referred to the Judiciary Committee and to its Subcommittee on Criminal Laws and Procedures, in which event, I would expect to schedule early hearings on it, as well as on other bills that may be submitted by my colleagues and by the administration.

One thing is clear, however, and that is that neither the omnibus crime bill we enacted last year, nor the proposal I submit today will fully solve the crime problems now plaguing our country. But we must continue enacting remedial legislation where needed, and making appropriations that are necessary to combat the mounting crime menace that threatens our internal security. We must provide our law enforcement establishment with every constitutional tool and effective legal weapon at our command.

Mr. President, as we all know, the executive branch of the Government is charged with the duty of executing the laws we enact, and in this regard, Mr. President, I have been distressed over the refusal of the outgoing administration to use the wiretapping provision of last year's Omnibus Crime Control and Safe Streets Act. I think it was unfortunate and inexcusable that the outgoing administration took that unwise and unjustifiable attitude regarding a law enforcement statute that was overwhelmingly enacted by both Houses of Congress.

Mr. President, when I prepared these remarks I had no direct information as to what the new administration's policy would be regarding the use of title III of the Omnibus Crime Control and Safe Streets Act of 1968. I was persuaded—and I was hopeful—it would respect the will of Congress and prudently and effectively use this potent weapon against the dangerous professional criminals and the entrenched lawless elements in our society. I was very gratified yesterday when the nominee for Attorney General of the United States testified before the Committee on the Judiciary that he would, as the chief law enforcement officer of the Nation, cautiously and prudently make use of title III as a useful weapon in law enforcement and particularly against organized crime. I am hopeful also that Congress will further strengthen our law enforcement machinery by enacting the bill I have introduced today.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. DIRKSEN. Did the Senator from Arkansas make a request for the bill to lie at the desk?

Mr. McCLELLAN. Yes, I did.

Mr. DIRKSEN. I hope the Senator will withdraw that request. I was present and listening but I did not hear exactly what was transpiring or I would have objected. This is part and parcel of the campaign I started 2 years ago to bring to an end dual sponsorship of bills in the Senate. I think it is a curse on the Senate, for one thing, and second, it completely discombobulates those sitting at the front desk in keeping up the records. So I have always and always objected when that request was made. I do not mind getting signatures when Senators can get them, but I refer to having a bill lie on the desk for that purpose.

Mr. McCLELLAN. Will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. McCLELLAN. I do not remember this request ever having been objected to before.

Mr. DIRKSEN. I have objected religiously and on every occasion when I have been here.

Mr. McCLELLAN. Not when I was present, may I say. I do not recall it if the Senator did so. I have no objection to withdrawing the request, if that practice is to be observed. I was following a practice I know had prevailed here, and I was simply according what I regarded as a courtesy to Senators if they shared the views I expressed and desired to support and be identified with the effort to secure the passage of the measure.

If this is to be the policy, I have no objection, and if it is to apply to every Senator and to all bills.

Mr. DIRKSEN. I can assure the Senator from Arkansas that when I am around, or if I can contrive it or leave a standing objection, I will do so.

Mr. McCLELLAN. I would hope that it is not a situation where the objection would apply when the Senator is present and not apply when the Senator is not present.

Mr. DIRKSEN. I agree.

Mr. McCLELLAN. We should have a fixed rule. I am going to accommodate the request of the Senator today.

Mr. DIRKSEN. I thank the Senator.

Mr. McCLELLAN. But if this is not made a permanent rule, I do not feel we should be obligated, and I refer to those Senators who are willing to defer to the Senator's ideas in this matter. If that is to be the policy or rule, it should be observed; but if it is to be observed only in some instances and violated in other instances, I would insist on my right to do it.

Mr. DIRKSEN. I assure my good friend that I shall try to make it a rule on both sides of the aisle. If we can get the rules modified to put an end to dual sponsorship, I trust we can get that done also.

Mr. McCLELLAN. I think there should be a rule. As long as it is permissible, except by objection, I think it is an invitation to raise an issue, because some people like to yield to the minority leader——

Mr. DIRKSEN. It becomes terribly inconvenient for the men working in the front here.

Mr. McCLELLAN. But the Senator will agree with me that it has not been the practice, will he not?

Mr. DIRKSEN. Oh, yes, it has.

Mr. McCLELLAN. Now, Senator, I do not understand that there is objection and I would not yield on the point that there is objection because the cosponsors are named and their names appear on the bill——

Mr. DIRKSEN. No.

Mr. McCLELLAN. At the time it is introduced——

Mr. DIRKSEN. Yes.

Mr. McCLELLAN. With that understanding, that the cosponsors' names remain on the bill, because they were there at the time it was introduced, then I shall be glad to withdraw it; but I make the observation that from time to time I may very well, and other Senators may very well if they desire to become cosponsors, ask unanimous consent that their names be printed on the bill as cosponsors when the bill is reprinted.

Mr. DIRKSEN. That is within the rules.

Mr. McCLELLAN. I think the motion I made is in the rule. I do not expect anything special for me on the bill. I simply want to get a standard procedure established that we will all observe. If we can do that, then I am satisfied.

Mr. DIRKSEN. I will probably cosponsor with the Senator.

Mr. McCLELLAN. I shall be glad to have the Senator do so, if he will ask unanimous consent now.

Mr. DIRKSEN. I still do not want it to lie on the desk.

Mr. McCLELLAN. Very well. Mr. President, at the suggestion or request of the distinguished minority leader, I withdraw the request.

The PRESIDING OFFICER. Without objection, the request is withdrawn.

The bill will be received and appropriately referred; and, without objection, the bill was ordered to be printed in the RECORD.

The bill (S. 30) relating to the control of organized crime in the United States, introduced by Mr. McCLELLAN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 30

A bill relating to the control of organized crime in the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Organized Crime Control Act of 1969".

CONGRESSIONAL FINDINGS AND STATEMENT OF POLICY

The Congress finds (1) that organized crime in the United States is a highly sophisticated, diversified, and ubiquitous illegal business which annually drains billions of dollars from America's economy and operates by an insidious reign of terror; (2) that organized crime derives its power through money obtained from such illegal activities as gambling, loan sharking, narcotics, and other forms of vice; and that this money and power, in turn, is being increasingly used to infiltrate legitimate businesses and labor unions; (3) that the danger of organized crime activities in the United States threatens the internal security, peace, and general welfare of the nation and its citizens; and (4) that organized crime continues to grow despite efforts to deal with it, because of defects in the evidence-gathering process that make it difficult to develop legally admissible evidence so that criminal and other sanctions might be brought to bear on the unlawful activities of organized crime.

It is, therefore, the declared policy of the Congress to seek the eradication of organized crime in the United States by the enactment of remedial legislation and by the authorization and appropriation of funds where necessary to carry out such legislation. The Congress, therefore, believes that the various legal tools which are available to the Government in the evidence gathering process must be strengthened and vitalized.

TITLE I—GRAND JURY

SEC. 101. Section 3321, title 18, United States Code, is amended by adding at the end thereof the following new sentence: "Members of a grand jury shall be selected in accordance with the provisions of chapter 121.".

SEC. 102. (a) Section 3322, title 18, United States Code, is amended to read as follows:

"§ 3322. Summoning and term

"(a) Each district court shall order a grand jury to be summoned at least once in each period of eighteen months. A grand jury shall serve for a term of eighteen months unless an order for its discharge is entered earlier by the court upon a determination of the grand jury by majority vote that its business has been completed. If, at the end of such term or any extension thereof, a grand jury determines by majority vote that its business has not been completed, the court shall enter an order extending such term for an additional period of six months. No term of a grand jury so extended shall exceed thirty-six months.

"(b) If a district court within any judicial circuit fails to extend the term of a grand jury upon application made by the grand jury pursuant to subsection (a), or enters an order for the discharge of a grand jury befor it determines that it has completed its business, the grand jury upon the affirmative vote of a majority of its members may apply to the chief judge of the circuit for an order for the continuance of the term of the grand jury. Upon the making of any such application by a grand jury, the term thereof shall continue until the entry upon such application by the chief judge of the circuit of an appropriate order in conformity with the provisions of subsection (a). No term of a grand jury shall extend for a period longer than thirty-six months by reason of any such continuance.".

(b) The item relating to section 3322, title 18, United States Code, contained in the section analysis of chapter 215 of that title is amended to read as follows:

"3322. Summoning and term.".

SEC. 103. (a) Section 3324, title 18, United States Code, is amended to read as follows:

"§ 3324. Powers and duties

"(a) Each grand jury when impaneled shall elect by majority vote a foreman and a deputy foreman from among its members.

"(b) It shall be the duty of each grand jury impaneled within any judicial district to inquire into each offense against the criminal laws of the United States alleged to have been committed within that district which is brought to the attention of the grand jury by the court or by any person.

"(c) No person shall be deprived of opportunity to communicate to the foreman of a grand jury any information concerning any such alleged offense or instance of misconduct.

"(d) Whenever a grand jury impaneled within any judicial district determines by majority vote that the volume of business of the grand jury exceeds the capacity of the grand jury to discharge its obligations, the grand jury may apply to the district court to impanel an additional grand jury for that district. Upon any such application and a showing of need, such court shall order an additional grand jury to be impaneled. If the district court declines to hear any such application, or to grant any such application after hearing, the grand jury may apply to the chief judge of the circuit for an order impaneling an additional grand jury for that district. Such chief judge shall hear and determine such application at the earliest practicable time, and shall have jurisdiction to enter thereon such orders as may be required to provide for the impaneling of an additional grand jury within the judicial district for which such application was made.

"(e) Whenever a grand jury determines by majority vote that any attorney or investigative officer or agent appearing on behalf of the United States before the grand jury for the presentation of evidence with respect to any matter has not performed or is not performing his duties diligently and effectively, the grand jury may transmit to the Attorney General in writing a statement of the reasons for such determination together with a request for the designation by the Attorney General of another attorney or investigative officer or agent to appear before the grand jury for that purpose. Upon receipt of any such request, the Attorney General shall promptly cause inquiry to be made as to the merits of the allegations made by the grand jury, and take appropriate action to provide for the United States prompt and effective representation before the grand jury with respect to that matter.".

(b) The item relating to section 3324, title 18, United States Code, contained in the section analysis of chapter 215 of that title, is amended to read as follows:

"3324. Powers and duties.".

SEC. 104. (a) Chapter 215, title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 3330. Reports

"(a) A grand jury impaneled by any district court, with the concurrence of a majority of its members, may submit to the court a report—

"(1) concerning noncriminal misconduct, nonfeasance, or neglect in office by a public officer or employee as the basis for a recommendation of removal or disciplinary action; or

"(2) stating that after investigation of a public officer or employee it finds no misconduct, nonfeasance, or neglect in office by him, provided that such public officer or employee has requested the submission of such report; or

"(3) proposing recommendations for legislative, executive, or administrative action in the public interest based upon stated findings.

"(b) The court to which such report is submitted shall examine it and the minutes of the grand jury and, except as otherwise provided in subsection (g) of this section, shall make an order accepting and filing such report as a public record only if the court is satisfied that it complies with the provisions of subsection (a) of this section and that—

"(1) the report is based upon facts revealed in the course of an investigation authorized by section 3324(b) and is supported by the preponderance of the evidence; and

"(2) when the report is submitted pursuant to paragraph (a)(1) of this section, that each person named therein was afforded an opportunity to testify before the grand jury prior to the filing of such report, and when the report is submitted pursuant to paragraph (a)(2) or (a)(3) of this section, it is not critical of an identified or identifiable person.

"(c)(1) An order accepting a report pursuant to paragraph (a)(1) of this section and the report shall be sealed by the court and shall not be filed as a public record, subject to subpena or otherwise made public (A) until at least thirty-one days after a copy of the order and report are served upon each public officer or employee named therein or (B) if an appeal is taken, until the affirmance of the order accepting the report, reversal of the order sealing the report or dismissal of the appeal of the named public officer or employee by the appellate court, whichever occurs later.

"(2) Such public officer or employee may file with the clerk an answer to such a report, not later than twenty days after service of the order and report upon him. Such an answer shall plainly and concisely state the facts and law constituting the defense of the public officer or employee to the charges in said report, and, except, those parts thereof which the court may determine to be scandalously or prejudiciously and unnecessarily inserted therein, shall become an appendix to the report.

"(3) Upon the expiration of the time set forth in paragraph (c)(1), the United States attorney shall deliver a true copy of such report, and the appendix if any, for appropriate action, to each public officer or body having removal or disciplinary authority over each public officer or employee named therein.

"(d) Upon the submission of a report pursuant to subsection (a), if the court finds that the filing of such report as a public record may prejudice fair consideration of a pending criminal matter, it shall order such report sealed and such report shall not be subject to subpena or public inspection during the pendency of such criminal matter, except upon order of the court.

"(e) Whenever the court to which a report is submitted pursuant to paragraph (a)(1) is not satisfied that the report complies with the provisions of subsection (b), it may direct that additional testimony be taken before the same grand jury, or it shall make an order sealing such report and it shall not be filed as a public record, subject to subpena or otherwise made public.

"(f) Within thirty days after a copy of an order of a district court of any judicial circuit and a report is served upon a public officer or employee under paragraph (c)(1) such public officer may file with the circuit court for that judicial circuit an appeal from such order. Upon the filing of any such appeal, the circuit court shall have jurisdiction to hear and determine such appeal, and to enter therein such orders (including such orders for the sealing of matter relating to the appeal pending the determination thereof) as the court may determine to be proper.

"(g) As used in this section, the term 'public officer or employee' means any officer or employee of the United States, or any State or any political subdivision, or any department, agency, or instrumentality thereof.".

(h) The section analysis of chapter 215, title 18, United States Code, is amended by adding at the end thereof the following new item:

"3330. Reports.".

SEC. 105. The amendments made by this title shall take effect on the first day of the seventh month which begins after the date of enactment of this Act.

TITLE II—IMMUNITY

SEC. 201. Chapter 1 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 16. Compelling of testimony and other evidence with respect to Federal offenses

"Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witnesses, in any case or proceeding before any grand jury or court of the United States involving a violation of any law of the United States, or any conspiracy to violate any such law, is necessary to the public interest, the United States attorney, upon the approval of the Attorney General or an Assistant Attorney General designated by the Attorney General, shall make application to such court that the witness shall be instructed to testify or produce evidence, subject to the provisions of this section. Upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. In no case, however, shall any such testimony or evidence so compelled as a result of such court order, or any evidence, knowledge, or information the source of which is attributable to any such testimony or evidence so compelled, be used as evidence or in any other manner against him in, or in connection with, any proceeding, case or matter before any grand jury, court, or other authority of any State or of the United States, other than in connection with a prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section."

SEC. 202: The analysis of chapter I of title 18, United States Code, is amended by adding at the end thereof the following new item:

"16. Compelling of testimony and other evidence with respect to Federal offenses."

TITLE III—RECALCITRANT WITNESSES

SEC. 301. (a) Chapter 119, title 28, United States Code, is amended by adding at the end thereof the following new section:

"§ 1826. Recalcitrant witnesses

"(a) Whenever a witness attending in any court or appearing before any grand jury of the United States fails or refuses without just cause to comply with an order of the court to give testimony in response to a question or with respect to any matter, the court, upon such failure or refusal or when such failure or refusal is duly brought to its attention, may summarily order his confinement at a suitable place until such time as the witness is willing to give such testimony.

"(b) No person confined pursuant to subsection (a) shall be admitted to bail pending the determination of an appeal taken by him from the order for his confinement.".

(b) The section analysis of chapter 119, title 28, United States Code, is amended by adding at the end thereof the following new item:

"1826. Recalcitrant witnesses.".

TITLE IV—FALSE STATEMENTS

SEC. 401. Chapter 79 of title 18, United States Code, is amended by the addition of the following section:

"§ 1623. False statement before grand jury or court

"(a) Whoever, having taken an oath in any trial, hearing, or proceeding before any court or grand jury, in which a law of the United States authorizes the oath, knowingly falsifies fact, or makes any false, fictitious, or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(b) Whoever procures or instigates another to commit any of the acts prescribed herein shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) This section is applicable whether the statement or subscription was made within or without the United States.

"(d) An indictment or information for violation of this section alleging that the offender, under oath or affirmation, has made contradictory statements or testimony material to the issue or point in question in any trial, hearing, or proceeding before any court or grand jury, where such oath or affirmation is authorized by the law of the United States, need not specify which statement or testimony is false. In any prosecution under this section, the falsity of the testimony or statement set forth in the indictment or information shall be presumptively established by proof that the defendant made manifestly contradictory statements or testimony material to the issue or point in question, in any trial, hearing, or proceeding before any grand jury while under oath authorized by the law of the United States. When the contradictory statements are made in the same continuous trial, an admission by the offender in that same continuous trial of the falsity of a contradictory statement shall bar prosecution therefore under any provisions of this section."

SEC. 402. The analysis of chapter 9 of title 18, United States Code, is amended by adding the following new item at the end thereof:

"1624. False statements before grand jury or court."

TITLE V—DEPOSITIONS

SEC. 501. (a) Chapter 223 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 3501. Depositions

"(a) Whenever it is in the interest of justice that the testimony of a prospective government witness be taken and preserved, the court, at any time after the filing of an indictment or information may upon motion and notice to the defendant, order that his testimony be taken by deposition and that any designated books, papers, documents, or tangible objects, not privileged, be produced at the same time and place. If a witness is committed for failure to give bail to appear to testify at a trial or hearing, the court on written motion of the witness and upon notice to the parties may direct that his deposition be taken. After the deposition has been subscribed the court may discharge the witness.

"(b) A deposition shall be taken and filed in the manner provided in civil actions. The court may direct that a deposition be taken or written interrogatories in the manner provided in civil actions.

"(c) At the trial or upon any hearing, a part or all of a deposition, so far as otherwise admissible under the rules of evidence, may be used if the court is satisfied that the appearance of the witness cannot be obtained because the witness is dead, or is out of the United States, or is unable to attend or testify because of sickness or infirmity, or because the government has been unable to procure the attendance of the witness by subpena. Any deposition may also be used by any party for the purpose of contradicting or impeaching the testimony of the deponent as a witness. Both the defendant and his attorney shall be given reasonable advance notice of the time and place set for the examination. The officer having custody of a defendant shall be notified of the time and place set for the examination, and shall produce him at the examination and keep him in the presence of the witness during the examination. A defendant not in custody shall have the right to be present at the examination but his failure to appear after notice and tender of expenses shall constitute a waiver of that right. The government shall pay to the defendant's attorney and to a defendant not in custody expenses of travel and subsistence for attendance at the examination. The government shall make available to the defendant for his examination and use at the taking of the deposition any statement of the witness being deposed which is in the possession of the government and which the government would be required to make available to the defendant if the witness were testifying at the trial."

(b) The analysis of such chapter 223 is amended by adding at the end thereof the following new item:

"3501. Depositions."

TITLE VI—PROTECTED FACILITIES FOR HOUSING GOVERNMENT WITNESSES

SEC. 601. The Attorney General of the United States is authorized to rent, purchase, or construct such facilities as are necessary to provide secure and safe housing for Government witnesses, potential Government witnesses, and the families of Government witnesses and potential witnesses in legal proceedings, or in Government investigations which might lead to legal proceedings, against any person alleged to have participated in an organized criminal activity. The Attorney General may take whatever action he deems necessary to assure the security of such facilities and the persons residing therein.

SEC. 602. The Attorney General may offer the use of such facilities to any Government witness, potential Government witness or family of any Government witness or potential Government witness in legal proceedings, or in Government investigations which might lead to legal proceedings, against any person alleged to have participated in an organized criminal activity when, in the judgment of the Attorney General, testimony from, or a willingness to testify by, such a witness would place his life or person, or the life or person of a member of his family or household, in jeopardy through illegal efforts to prevent him from testifying or punish him for testifying. Any person availing himself of an offer by the Attorney General to use such facilities may continue to use such facilities for as long as the Attorney General determines the jeopardy to his life or person continues.

SEC. 603. As used in this title, the term "Government" means either the Federal or State government or any political subdivision or any department, agency, or instrumentality thereof.

SEC. 604. For the purposes of carrying out the provisions of this title, there is hereby authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1969.

TITLE VII—DECLARATIONS OF COCONSPIRATORS

SEC. 701. (a) Chapter 223, title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 3502. Admissions of coconspirators

"In a criminal action in which it is alleged that two or more defendants participated as coconspirators in the commission of a criminal offense, evidence of an extra-judicial declaration made by one such defendant may be received in evidence against any other such defendant if the court determines that (1) the declaration was made by the declarant during his participation in the conspiracy, (2) there are in existence facts and circumstances from which its trustworthiness may be inferred, (3) the declaration relates to the existence or execution of the conspiracy, and (4) the declaration was made during the time in which such other defendant participated in the conspiracy.".

(b) The section analysis of chapter 223, title 18, United States Code, is amended by adding at the end thereof the following new item:

"3502. Admissions of coconspirators.".

TITLE VIII—SPECIAL OFFENDER SENTENCING

SEC. 801. (a) Chapter 227 of title 18, United States Code, is amended by adding at the end thereof the following new sections:

"§ 3575. Increased punishment for habitual offenders

"(a) Whenever a United States Attorney charged with the prosecution of any person over the age of twenty-one years in a court of the United States for an alleged offense punishable as a felony has reason to believe that on two or more previous occasions such person has been convicted of a felony, and because of the dangerousness of such person that a period of confined convictional treatment or custody longer than that provided for the offense for which he is charged is required for the protection of the public, there shall be appended to the indictment returned against such person for such alleged offense a notice (1) specifying that such person is an habitual offender who upon conviction for such offense is subject to the imposition of a sentence under subsection (b) of this section, and (2) setting out with particularity each previous occasion on which such person is alleged to have been convicted of a felony. In no case, however, shall the fact that the accused is charged with being an habitual offender be an issue upon the trial of the felony charge and shall not in any manner be disclosed to the jury.

"(b) If, in the trial of such person upon that indictment, he is convicted of any offense described in that indictment, the court shall, before sentence is imposed, hold a hearing before the court alone to determine whether such person on two or more previous occasions has been convicted of a felony. The court shall fix a time for the hearing and notice thereof shall be given to such person at least three days prior thereto. At the hearing, if the court shall find from the evidence submitted during the trial or hearing, or on the basis of the presentence report, that the accused on two or more previous occasions has been convicted of a felony (other than a conviction of a felony pursuant to the indictment upon which such hearing is conducted) and sentences have been imposed therefor by any Federal or State court, and because of the dangerousness of such accused that a period of confined convictional treatment or custody longer than that prescribed for the offense of which he was convicted pursuant to such indictment is required for the protection of the public, the court shall sentence such person so convicted as an habitual offender for a term of not to exceed thirty years. If the court does not so find, it shall sentence such person in accordance with the law prescribing penalties for the offense for which he was convicted. At the hearing of any person charged with being an habitual offender, a duly authenticated copy of the former judgment and commitment, from any court in which such judgment and commitment was had, for any of such felonies formerly committed by the person so charged, shall be competent and prima facie evidence of such former judgment and commitment.

"(c) This section shall not prevent the imposition and execution of a sentence of death upon any person convicted of an offense punishable by death. In determining under this section whether any person has been convicted of a felony on two or more previous occasions, the conviction of such person of two or more felonies charged in separate counts of a single indictment or information, or in two or more indictments or informations consolidated for trial in a single criminal action, shall be deemed to be only one conviction of a felony.

"(d) Any person sentenced as an habitual offender under this section shall not be eligible for the suspension of that sentence, and shall not be eligible for parole or for the remission or reduction of that sentence for any cause, until he has been imprisoned under that sentence for at least two-thirds of the term so imposed.

"(e) As used in this section, the term 'convicted of a felony', when used with regard to any person, means a conviction of such person in a court of competent jurisdiction, for an offense punishable as a felony under the laws of the United States, any State, or the District of Columbia, upon which such person was sentenced to imprisonment and served such sentence in whole or in part, and for which he was not thereafter pardoned for the reason that he was innocent, or his conviction set aside in any post-conviction proceeding.

"(f) Notwithstanding any other provision of this section, in any case in which the offense for which any person is convicted pursuant to any such indictment referred to in subsection (a) of this section is an offense with respect to which a mandatory minimum penalty is prescribed by law, the court, in sentencing such person as an habitual offender under this section, shall not sentence such person for a term less than the mandatory minimum so prescribed for such offense.

"§ 3576. Increased punishment for professional offenders or organized crime offenders.

"(a) Whenever a United States Attorney charged with the prosecution of any person over the age of twenty-one years in a court of the United States for an alleged offense punishable as a felony has reason to believe that such person is a professional offender, or an organized crime offender, and because of the dangerousness of such person that a period of confined convictional treatment or custody longer than that provided for the offense for which he is charged is required for the protection of the public, there shall be appended to the indictment returned against such person for such alleged offense a notice (1) specifying that such person is a professional offender or an organized crime offender, as the case may be, who upon conviction for such offense is subject to the imposition of a sentence under subsection (b) of this section, and (2) setting out with particularity the reasons why such Attorney believes such person to be a professionad offender or an organized crime offender. In no case, however, shall the fact that the accused is charged with being a professional offender or an organized crime offender be an issue upon the trial of the felony charge and shall not in any manner be disclosed to the jury.

"(b) If, in the trial of such person upon that indictment, he is convicted of any offense described in that indictment, the court shall, before sentence is imposed, hold a hearing before the court alone to determine whether such person is a professional offender or an organized crime offender. The court shall fix a time for the hearing and notice thereof shall be given to such person at least three days prior thereto. At the hearing, if the court shall find from the evidence submitted during the trial or hearing, or on the basis of the presentence report, that the accused is a professional offender, or an organized crime offender, and because of the dangerousness of such accused that a period of confined convictional treatment or custoday longer than that provided for the offense of which he was convicted pursuant to such indictment is required for the protection of the public, the court shall sentence such person, so convicted, as a professional offender or as an organized crime offender, as the case may be, for a term of not to exceed thirty years. If the court does not so find, it shall sentence such person in accordance with the law prescribing penalties for the offense for which he was convicted.

"(c) This section shall not prevent the imposition and execution of a sentence of death upon any person convicted of an offense punishable by death.

"(d) Any person sentenced as a professional offender or an organized crime offender under this section shall not be eligible for the suspension of that sentence, and shall not be eligible for parole or for the remission or reduction of that sentence for any cause, until he has been imprisoned under that sentence for at least two-thirds of the term so imposed.

"(e) Notwithstanding any other provision of this section, in any case in which the offense for which any person is convicted pursuant to any such indictment referred to in subsection (a) of this section is an offense with respect to which a mandatory minimum penalty is prescribed by law, the court, in sentencing such person as a professional offender or an organized crime offender under this section, shall not sentence such person for a term less than the mandatory minimum so prescribed for such offense.

"(f) As used in this section, the term—

"(1) 'professional offender' means any person who has knowingly devoted himself to criminal activity as a major source of livelihood, or who has substantial income or resources not explained to be derived from a source other than criminal activity; and

"(2) 'organized crime offender' means a person who, with intent that conduct constituting a series of crimes be performed, plans, counsels, promotes, finances, organizes, manages, advises, supervises, directs, or conducts, a conspiratorial relationship, composed of five or more conspirators, involving a structured division of labor, and having as its objective the engaging in or causing of the performance of such conduct as a part of a continuing course of activity. A person shall not be considered an organized crime offender within the meaning of this definition unless conduct constituting more than one crime as part of a continuing course of activity is engaged in or caused by one or more of the conspirators to effect the objective of the relationship.

"§ 3577. Review of sentence

"With respect to any sentence imposed on any person pursuant to section 3575 or 3576 by reason of such person being determined to be an habitual criminal, a professional offender, or an organized crime offender, a review may be taken by and on behalf of such person or the United States to a court of appeals. The review in all such cases shall be taken within thirty days after the sentence has been imposed and shall be diligently prosecuted. The court of appeals conducting any such review shall, after considering the entire record, have the right, subject to the provisions of sections 3575(f) and 3576(e) of this title, to increase or decrease such sentence. No such sentence so imposed pursuant to any such section shall be considered final until after the final disposition of any such review taken with respect to such sentence or until the expiration of the period during which any such review may be taken.

"§ 3578. Use of evidence in connection with sentencing.

"In sentencing any person convicted of a crime or offense in any court of the United States, a judge may, in order to obtain the fullest information on the background and character of any such person for the purpose of imposing an appropriate sentence, receive and consider any and all evidence and evaluate its relevancy to the matters involved without regard to the manner in which such evidence was obtained."

(b) The analysis of such chapter 227 is amended by adding at the end thereof the following new items:

"3575. Increased punishment for habitual offenders.
"3576. Increased punishment for professional offenders or organized crime offenders.
"3577. Review of sentence.
"3578. Use of evidence in connection with sentencing."

TITLE IX—SEPARABILITY

Sec. 901. If any provision of or any amendment made by this Act or the application thereof to any person or circumstance is held invalid, the other provisions of or other amendments made by this Act and the application of such provisions and amendments to other persons or circumstances shall not be affected thereby.

Mr. HRUSKA. Mr. President, I am happy to join with the distinguished senior Senator from Arkansas (Mr. McClellan) in sponsoring his omnibus organized crime control bill. This measure is just the latest indication of Senator McClellan's continuing interest and leadership in attempting to rid our society of one of its most pernicious and evil threats—organized crime.

The close-knit, highly disciplined criminal cartel which preys principally on the urban poor has flourished for too long in this country. Only about 5 percent of its top echelon leaders—estimated reliably at about 5,000—have been brought to the bar of justice after three decades of Federal, State, and local prosecution activities. It is obvious that we still have a long way to go.

While Congress provided important new tools to law-enforcement officials last year in the Omnibus Crime Control Act, other weapons are needed if we are to rid ourselves of this menace.

The comprehensive bill being introduced today is designed to fill some of these gaps. It is based in part on the findings of the Organized Crime Task Force of the President's Crime Commission. While this bill may need revision in the light of hearings and other evidence presented to the Criminal Laws Subcommittee, on which I serve as the ranking minority member, it is a good comprehensive start.

It will be my purpose at an early date to introduce shortly other measures for consideration by the subcommittee. I urge early hearings on the subject of organized crime and pledge to do all that I can to expedite these measures.

S. 33—INTRODUCTION OF BILL—COMMUNITY SELF-DETERMINATION ACT OF 1969

Mr. GOODELL. Mr. President, I rise today to introduce the Community Self-Determination Act of 1969.

I. ORIGIN AND APPROACH

This bill was first presented by me to Congress as the result of a cooperative effort among Roy Innis and the staff of the Congress on Racial Equality—CORE—myself, and my staff, and a number of other special consultants and experts.

On July 10, 1968, I introduced the Community Self-Determination Act in the House with Representatives Curtis, Taft, and Widnall as cosponsors. Later, on July 24, the bill was introduced in the Senate by Senators Nelson, Percy, Javits, and Harris.

Today, the Community Self-Determination Act is being reintroduced in the forum of the Senate for the purposes of further study and review.

Presently, the Congress on Racial Equality—CORE—and the other black community groups are undertaking major efforts to review the provisions of the bill and to develop needed changes, refinements, and clarifications on the details of the proposal. Such discussions may lead to a revised and improved "second generation" bill.

What is critical to further consideration of the Community Self-Determination Act, is that those directly affected continue their input to the legislative process. A major lesson learned from past poverty legislation is that others cannot impose a course of remedial action on the poor and expect it to work. Ways out of poverty must be decided by the poor themselves, with the solutions they see desirable in meeting their own needs.

The Community Self-Determination Act presents a new approach to attacking the causes of poverty in this country.

At the outset, then, it may be helpful to clarify essentially what this new legislation is; and what it is not.

The community self-determination proposal is not a substitute, but a supplement to existing efforts and programs aimed at helping the poor. It is clear that our Nation must continue its efforts, public and private, to offer genuine opportunities in a variety of ways to the disadvantaged poor in helping them to break out of the cycle of poverty and dependence.

The community self-determination proposal, then, is not the answer to the multiple problems facing people in low-income areas, but a suggested approach which merits our serious consideration. The proposal is not a "cure-all." And we must be careful not to make the excessive claims for it that have characterized past poverty legislation.

Stated as simply as possible, the Community Self-Determination Act provides for new, locally controlled community development corporations—CDC's—to promote development of low-income urban and rural areas. The bill provides new ways for poor people to move up to increased economic security and human dignity through their individual and mutual efforts.

Concepts underlying this proposal are the time-tested ones of community action, popular control, local leadership, effective choice, individual ownership of property, and private enterprise.

A goal is a substantial stake in the economic life of the community for those who live and work there. And the means are involvement of the people, the private sector and the Government in the traditional American partnership for the betterment of all.

The specific details of the Community Self-Determination Act are covered in 180 pages of bill print. Extensive changes in these details may be required. What is important is that the concept of self-determination be worked out in legislation acceptable to a consensus among those directly affected. Suggestions for revision may include combining this proposal with various elements of existing community action programs. These suggestions and others will be considered as this bill is given further study.

II. CHRONOLOGY

On July 10, 1968, I introduced the Community Self-Determination Act in the House with Representatives Curtis, Taft, and Widnall as cosponsors.

On July 11, 1968, we joined in a press conference with Roy Innis of CORE. In a joint statement of the purpose of the Community Self-Determination Act, we said:

> We believe that for America, and especially for the presently disadvantaged people of urban and rural communities, this

> (Community Self-Determination Act) is a very significanut and promising coincidence of concept and co-operation.
>
> We know that action is urgently needed, action to help those new excluded from their full share in our national life, to achieve ownership and control of productive property, to earn increased economic security, to build stable, orderly and progressive communities, to broaden their opportunity for choice, to work and strive along with their fellow citizens, to create a stronger, more unified, more confident America.

Regarding legislative action on the Community Self-Determination Act, we said:

> Perhaps no Member of Congress, Republican or Democrat, and no organization or group, will find themselves in complete agreement with its more than 180 pages of provisions.
>
> Additional refinements can and will be made.
>
> With the introduction of this legislation, we believe that the groundwork for responsible action will at least have been laid.

On July 18, 1968, 36 Members of the House of Representatives cosponsored the Community Self-Determination Act. On July 24, 1968, the Community Self-Determination Act was introduced in the Senate by Senators NELSON, PERCY, JAVITS, and HARRIS. In a joint statement, the Senate sponsors of the bill said:

> The Community Self-Determination Act is a bold new step along an unfamiliar path. But we must not fear the innovative and prefer the established. For if this nation is to fulfill its great promise, it must never fall back on whatever happens to exist. It must never remain content with the present, but must always step forward confidently into the future.

By the close of the 90th Congress, 49 Congressmen and 34 Senators were cosponsors of the Community Self-Determination Act.

The year 1968, then, marked a significant first step to new directions for community action in attacking poverty in this country. In addition to the introduction of the Community Self-Determination Act and the bipartisan support it received in Congress, there were further steps taken in a series of both formal and informal discussions and conferences on the Community Self-Determination Act. Participants included leaders of black community groups, businessmen, lawyers, educators, Government officials, and Members of Congress. From these discussions emerged further insights on the needs of low-income areas and a variety of recommendations for refining this proposed legislation.

III. DESCRIPTION OF THE BILL

Basic provisions of the Community Self-Determination Act are as follows:

Citizen participation: Initiative for the formation of a community development corporation would come from the people in low-income areas. The formative process, supervised by a community corporation certification board, includes obtaining stock subscriptions and holding community referendums. This procedure is designed to assure that the dynamics of community action are freely expressed; that effective choice is real in the election of local leadership to the community development corporation; and that the people of the low-income areas have a stake in the Corporation's activities. Community ownership is provided by the act's provision that every resident 16 years of age or older may become a stockholder of the community development corporation by buying a $5 share or by earning it through his contributed labor.

Community development corporation: The functions of the community development corporation includes: First, operating profitmaking businesses in the community, and second, carrying out neighborhood services and community improvement, such as basic education, homeownership counseling, job training and placement, legal aid, and day care. The community development corporation would be in a position to carry out these services from profits accrued from its business operations.

Private sector corporation: A vital element of the bill is its tax incentive provisions to encourage private businesses to enter into "turnkey agreements" with community development corporations. Under such a "turnkey agreement," the private company would build a productive facility, assist in local job training and placement as well as in the training of local management to take over as its own management is withdrawn. The private company would then sell the completed operating facility to the community development corporation.

Financing: For the community development corporation to own and operate businesses requires capital and credit. The act provides for a system of CDC-owned community development banks. These banks would be similar to the National Land Bank Associations which have been an important part of the national farm credit system. The act also provides for a U.S. Community Development Bank to serve as a secondary financing institution, similar to the Federal Home Loan Banks.

A summary of the provisions of the bill follows:

COMMUNITY SELF-DETERMINATION ACT OF 1969

FINDINGS AND PURPOSE

This emphasis and philosophy is explicitly set forth in the congressional findings and purpose, contained in sections 2 and 3 of the bill:

"FINDINGS

"SEC. 2. The Congress hereby finds that—

"(a) despite the unsurpassed affluence of the United States, there exists today a nation within a nation composed of millions of Americans in urban slums and declining areas of the countryside who live in poverty, misery and despair. The United States cannot achieve its full potential until all its people have a full and fair opportunity to earn, own, and enjoy their share of America's growth and prosperity, and to exercise effective control over their life situations.

"(b) programs and policies which tax some to support others offer no hope and no opportunity to those who have the capacity to become productive, contributing citizens. Handouts are demeaning; they do violence to a man, strip him of dignity, and breed in him a resentment toward the total system. The nation must find ways, instead, to help presently non-productive citizens achieve the independence, self-respect, and well-being enjoyed by their more fortunate fellows.

"(c) the people of poor urban communities and declining rural areas should be assisted in their efforts to achieve gainful employment and the ownership and control of the resources of their community, including businesses, housing, and financial institutions.

"(d) the problems of our cities cannot be solved without dealing with the inseparably related problems of rural America. Special help should thus be offered for efforts which improve the economic conditions and standard of living of the people of declining and depressed rural areas, and which reduce their out-migration from such areas to the overcrowded and explosive urban centers.

"(e) the private enterprise system and the independent sector should be offered new incentives to join with the people of a community in a partnership for individual and community improvement, especially in providing technical and managerial expertise, offering training for jobs with a future, providing investment capital, and building productive plants and facilities for sale to members of the community. Such a program should be designed to permit the people of a community to utilize a share of the profits of community-sponsored enterprises to provide needed social services, thereby reducing the burden of taxation upon the rest of society.

"(f) programs designed to achieve these ends should also aim to restore to the people of local communities the power to participate directly and meaningfully in the making of public policy decisions on issues which affect their day to day lives. Such programs should aim to free local communities from excessive interference and control by centralized governments in which they have little or no effective voice.

"(g) order, stability, and progress can be achieved only when the people of a community actively participate in, and are responsible for, their own affairs in such areas as education, neighborhood planning, economic development, recreation and beautification, and social services and welfare.

"(h) to achieve these ends, the people of a community must organize for responsible action, in such a way as to reduce fragmentation, create order and stability, make optimum use of community resources, and maximize the opportunity for creative leadership and self determination.

"(i) the role of government at all levels should be to reinforce, guarantee, and support individual and mutual self-help efforts to make their maximum contribution to the strength and wealth of the nation. As that goal is approached, government incentives should be correspondingly phased out and government investment repaid, leaving the once dependent people to make their way as independent, unsubsidized participants in our national life.

"PURPOSE

"SEC. 3. It is therefore the purpose of this Act to provide for the establishment of community development corporations, community development banks, and other supporting programs and provisions, in order to mobilize the talents and resources of the people of this 'nation within a nation' to help them play a more meaningful and rewarding role in building a better, stronger, and more confident America."

TITLE I—COMMUNITY DEVELOPMENT CORPORATIONS

This title creates the basic mechanism for the community self-determination program, the Community Development Corporation, and outlines its organization process.

PART A—NATIONAL COMMUNITY CORPORATION CERTIFICATION BOARD

This part establishes an independent agency of the Federal Government, to supervise the organization of Community Development Corporation—"CDC's". In many respects the Board will perform functions similar to those of the National Labor Relations Board in conducting union certification procedures.

The Board is composed of five members, appointed by the President with the advice and consent of the Senate for staggered 5-year terms. Board members are to be compensated at the same rate as members of the Federal Home Loan Bank Board.

The Board is empowered to perform a number of specified functions relating to the process of organizing community development corporations. These functions include: issuing provisional and final corporate charters, conducting and supervising referenda, providing counsel and technical assistance in the organization process, collecting and disseminating relevant information, developing appropriate forms for corporate charters and bylaws, and requiring annual reports of corporations so chartered. The Board also acts as a ministerial agent in releasing an initial seed-money grant to a CDC upon its final chartering, but does not administer a program in the usual sense.

A National Advisory Committee on Community Development is created to advise the Board on its policies and operations, and to exert a critical review of the Board's activities and the activities of CDC's chartered by it. The Board is required to make an annual report to the President and Congress.

PART B: COMMUNITY DEVELOPMENT CORP.

The Community Development Corp.—CDC—is a corporation organized by the people of an urban or rural community "for the purpose of expanding their economic and educational opportunities, increasing their ownership of productive capital and property, improving their health, safety, and living conditions, enhancing their personal dignity and independence, expanding their opportunities for meaningful decisionmaking, and generally securing the economic development and social well-being and stability of their community area."

The CDC is a regular stock corporation having the usual powers incident to a business corporation. The community area in which the CDC functions may range in population from 5,000 to 300,000 residents aged 16 and above, of whom 10 percent must be CDC shareholders.

Any resident of the community area may become a CDC shareholder by buying CDC stock, which is priced at $5 par value. "Sweat equity" may be accepted in lieu of cash purchase of stock. Each stockholder has one vote in the affairs of the corporation, as do class C stockholders of the Federal Banks for cooperatives.

FUNCTIONS OF THE CDC

The functions of the CDC would fall into six categories:

First. Neighborhood services and community improvement: basic education, child welfare, day care, preschool training, health, consumer education, homeownership counseling, college placement assistance, job finding, recreation, legal aid, and so forth.

Second. Owner of stock or business enterprises in the CDC area.

Third. Sponsor, owner, or manager of housing in the community.

Fourth. Advocate planning for neighborhood renewal, model cities, and so forth.

Fifth. Representation of community interests in other areas of public policy and concern.

Sixth. Encouragement of business, labor, religious and other voluntary participation in the self-help efforts of the community.

FINANCING OF THE CDC

The CDC would, once in operation, be financed by—

First. Earnings from affiliated businesses:

Second. Contracts for services, with private sector and government agencies, on a cost-plus-fixed-fee basis; and

Third. Grants from the community development fund, earmarked for charitable and educational purposes, which would not be subject to Federal tax.

In the initial stages of CDC operation, before any substantial ownership of commercial businesses is achieved, primary reliance would be on the contract mode, due to its lower capital requirements, guaranteed profitably, and generation of capital. Later, dividends from commercial businesses could become the primary source of CDC income.

DIRECTORS

The stockholders would choose nine CDC directors—plus two more for each 10,000 stockholders in excess of 25,000—for 1-year terms, or for staggered 2-year terms, as specified in the CDC charter. The charter would include provisions for insuring fair and democratic operation, such as secret balloting, adequate notice, open and regular board meetings, and proxy procedures. At the option of the community, it could also provide for a Federal structure of representation for distinct groupings within the area.

Regular open meetings of the entire CDC stockholding membership would be held at least twice a year, and a petition of 20 percent of the membership could force a special meeting.

All records of the CDC would be open to inspection by members and the disclosures of related transactions would be required. The directors would appoint the executive officers of the CDC and the members of the business management board and the directors of the Community Development Bank. The directors would be required to make an annual report to stockholders—and also file with the NCCCB—covering the CDC activities and operations of the previous year.

BUSINESS MANAGEMENT BOARD

The function of the business management board is to provide overall management to CDC-owned businesses. It will be required to set and maintain reasonable standards to insure that they avoid both excessive retention of earnings and irresponsible distribution of required operating funds. That is, the BMB would exercise the rights of CDC as stockholder for each business, but would insulate business management decisions from immediate interference by CDC directors and stockholders. The responsibilities of the BMB, and the area in which it would have full management discretion, would be set forth in the CDC charter, as approved by the NCCCB.

The board would have nine members, appointed by the CDC directors to serve staggered 3-year terms. No more than three of the board members could simultaneously be CDC directors. The members would be bonded for faithful performance of their duties like any other persons with comparable fiduciary responsibilities.

The board, acting for the CDC, would purchase and hold the stock of community businesses, elect directors, and exercise general stockholders' prerogatives on CDC's behalf. The funds to finance the acquisition of stock would be transferred to the CDC for its use, in accordance with the CDC charter. The board could distribute income to the CDC or allocate it to reinvestment, provided that no more than 80 percent or less than 20 percent is distributed to CDC.

PART C: ORGANIZATION OF COMMUNITY DEVELOPMENT CORPS

A CDC may be organized in any geographic area, if the residents of the area so desire, so long as the area has between 5,000 and 300,000 residents 16 years of age or older and has either a rate of unemployment that is proportionately greater than the national average or a median family income that is proportionately lower, as provided in section 138.

Any five or more residents of the community area—the "incorporators"—may apply for a charter as a CDC by filing articles of incorporation and certain other documents with the National Community Corporation Certification Board—the "Board."

The act's organizational provisions are designed to guarantee to all the residents of any area in which a CDC is proposed, and to all representative groups thereof, a full and fair opportunity to participate in the process of organizing the CDC and influencing the direction that it will take once it has been finally chartered. Accordingly, the act provides that once one set of incorporators has taken the initial step toward the establishment of a CDC within a particular area a 60-day initial organization period must elapse before those incorporators may complete their application for a charter. During this initial organization period other sets of incorporators may take the initial step toward the establishment of competing CDC's within the same or any larger or smaller overlapping area and with the same or different goals. In this fashion, the act insures that all elements within an area will have equal opportunity to define the community and the objectives of the CDC that is proposed to be established.

Once the 60-day initial organization period has elapsed any such set of incorporators may complete its application for a charter as a CDC by filing its articles of incorporation, and organizational certificate that will provide essential economic data with respect to the community proposed, and pledge cards personally signed by at least 5 percent of the residents of the proposed community.

The requirement that any such set of incorporators must at this stage submit pledge cards signed by 5 percent of the residents of that community is one of several organizational provisions designed to insure that there is community support for a CDC in any area in which one is proposed and that the residents of such an area actually consider themselves to be part of a community. Manifestly, any proposed CDC that cannot meet this threshold, 5 percent requirement should be eliminated at this stage and the act so provides.

Any and all CDC's proposed to be established in the potential community so-called, which is defined by section 135(a) as "the geographic area included within the combined perimeter" of the community proposed by the first set of incorporators and any other larger or smaller area proposed that includes any portion of the area first proposed, that satisfy the threshold 5 percent requirement and have otherwise submitted a proper application to the Board will ordinarily receive conditional charters not more than 30 days after the expiration of the initial organization period.

In order to further guarantee that there is support for a CDC in its community, the act contains further organizational requirements that all CDC's so conditionally chartered must pass. These further requirements are designed to disclose the largest geographic area in which there is community support for a CDC and to permit the residents thereof to determine by referendum which of the CDC's proposed to be established therein shall receive a final charter. If only one CDC has qualified to receive a conditional charter, it alone will be authorized to attempt to comply with the further organizational requirements of the act. However, not infrequently conditional certificates will be issued to more than one proposed CDC in more than one overlapping community and the act must provide a method of permitting the residents of these overlapping communities to determine the boundaries of the community that will yield a CDC with the broadest popular support.

The act's further organizational requirements can be best understood by observing that they are designed simply to permit the community to define itself and to create a CDC as it sees fit. These provisions may be summarized as follows:

First. A further 45-day organizational period follows the issuance of conditional charters to one or more proposed CDC's, during which they are required to submit, first, additional pledge cards to total 10 percent of the over-16 residents of the proposed community area; and second, satisfactory proof that at least 500 residents have actually paid in $5,000, in aggregate, for stock in the CDC. The act provides that sums so paid in to any conditionally chartered CDC are to be held in escrow by a State or National bank pursuant to an arrangement that will guarantee the return of such sums to those entitled thereto if the CDC does not receive a final charter. Any conditionally chartered CDC that fails to satisfy these requirements within the time allotted is forthwith to be dissolved by the Board.

Second. While this process is underway, the CCCB assembles data and computes the development index of the area. This number, which is a measure of the economic development of the area, is the lesser of two ratios, either the ratio of national unemployment rate times 100, or the ratio of the Nation's median family income to the area's median family income times 100.

Thus, for example, if the unemployment rate in a proposed CDC area was 12 percent, and the national average was 6 percent, the first ratio would be 50—six-twelfths—times 100. If the Nation's median family income is $7,000, and that in the area only $4,000, the second ratio would be 57—4,000 to 7,000—times 100. The lesser of these ratios, 50, would be the development index of an area. A special bonus of five points would be subtracted from the computed development index of rural areas to provide special consideration for areas from which outmigration is contributing to urban tensions.

If the development index of a conditionally chartered CDC is greater than 90, the CCCB would dissolve the corporation, as being too close to the national norm—100—to deserve special assistance.

Third. If only one such CDC satisfies these further requirements the Board, upon the expiration of the 45-day period, orders an election in the community the CDC has proposed at which the residents, whether or not shareholders, are asked whether they approve the final certification of that CDC. If a majority of those voting so approve that CDC receives a final charter; if not it is dissolved.

Fourth. If more than one such CDC satisfies the act's further organizational provisions a series of elections must be held in order to disclose an area in which a majority of the residents approve the establishment of a CDC and to determine which of the CDSs participating in such a referendum commands the greatest community support. The act is designed so that the first such referendum is held in the potential community and subsequent referenda, if any, are then held in the next largest community proposed by a conditionally chartered CDC participating therein. Such referenda continue until a CDC is finally chartered or it becomes clear that community sentiment opposes the establishment of a CDC in any of the proposed communities, in which case all are dissolved.

All such referenda are required by the act to be by secret ballot, and any resident who is 16 years or older is eligible to vote. The act states that no such referenda shall be valid unless at least 10 percent of the eligible residents actually participate. Clearly, if less than 10 percent of those eligible take the trouble to vote it can safely be assumed that real community interest in the establishment of a CDC is absent.

Subsequently, particular areas within or overlapping an area already served by a CDC may organize their own CDC, although the organizational requirements for such a latecomer are somewhat more stringent. The possibility of such subsequent organization should tend to encourage business aggressiveness and responsiveness to community desires.

Upon final incorporation, the CDC receives a one-time seed-money grant equal to its paid-in capital at the time of incorporation. This both provides initial operating funds and equity capital for a community development bank, and an incentive for the broadest participation in the community.

PART D: AUTHORIZATION OF APPROPRIATIONS

This part authorizes appropriations for the expenses of the National Community Corporation Certification Board, and for the initial matching grants to newly organized CDC's.

TITLE II—COMMUNITY DEVELOPMENT BANKS

This title adds a new chapter 19 to the National Banking Act, authorizing the creation of community development banks—CDB's—to provide the financial services required by CDC's and the independent businesses in CDC areas.

ORGANIZATION

CDB's would be organized by one or more CDC's in a manner similar to that of ordinary national banks. The participating CDC's would hold all the voting stock and appoint the bank's directors. The banks could be chartered only in CDC areas with a population of 25,000 or more. They would not offer a full range of banking services, but would concentrate on business financing in the area and the provision of ordinary consumer credit to CDC stockholders.

EQUITY CAPITALIZATION

The equity capital of the CDB would be provided by the sale of the bank's stock.

Class A nonvoting stock could be sold to the Secretary of the Treasury as authorized in appropriation acts. It is contemplated that this would be done only in extraordinary cases, however. A franchise tax, payable out of net earnings, would afford a return to the Treasury on any investment of Federal funds. Class A stock would not yield dividends.

Class B stock could be issued to any purchaser except the Federal Government and CDC's. It would also be nonvoting, but would be eligible for up to 6 percent noncumulative dividends. It is expected that private organizations, churches, foundations, associations, and businesses, and perhaps state and local governments, would purchase stock in this category. Class B stockholders would have an option to redeem their stock at par over a period of 5 years, after having held it for 5 years.

Class C stock could be sold only to CDC's. It would be voting stock, but would not be eligible to receive dividends. The CDB thus becomes a financial mechanism, but not a source of income, for CDC's.

DEBT CAPITALIZATION AND SECURITY

In addition to equity capital represented by stock sales, the CDB would raise further capital through the sale to the public of income bonds on a 20-to-1 ratio to paid-in capital and surplus. It is contemplated that this will be done through the U.S. Community Development Bank created by title III, which would have authority to issue consolidated CDB bonds much as the Federal intermediate credit banks issue consolidate farm credit obligations.

In addition to normal banking reserves and a guarantee fund CDB income bonds would be further secured by CDB's option to call bond retirement funds from a special Federal Reserve guarantee fund. This fund would be capitalized from the excess earnings of the 12 Federal Reserve banks, as was the Federal Deposit Insurance Corporation in 1933. The Federal Reserve surplus would be deposited into the fund each year and invested in long-term U.S. Treasury securities.

The amount of the Federal Reserve surplus added to the fund each year would be sufficient, when carried forward at compound interest, to cover the aggregate income bond obligations of all CDB's at maturity on a 1 to 4 basis. If a CDB's financial position precluded immediate satisfaction of its obligations to bondholders when due, the CDB could call in capital from the fund, just as the World Bank can call in subscriptions from member nations to meet emergencies. This right would assure private creditors of prompt payment of obligations when due.

Assuming CDB's issue an aggregate $2 billion in income bonds in 1969, and that the Treasury securities held by the fund bear 4 percent interest compounded quarterly over 20 years, some $36 million of the Federal Reserve System's excess earnings would suffice to produce $500 million in capital—1 to 4 coverage—in 1989. The estimated Federal Reserve excess earnings for fiscal 1969 is in excess of $2 billion, of which the amount put into the fund would be approximately one-eighth. The entire $2 billion, if similarly used, would cover aggregate CDB income bonds of about $17.7 billion.

In case the aggregate amount of CDB obligations exceeded the amount that the Federal Reserve surplus could legally cover, and assuming Congress did not appropriate additional funds to extend the coverage, priorities would be established to insure that the bonds of the CDB's located in the poorest areas would be covered before those of more affluent areas.

EARNINGS

At the end of each fiscal year each CDB would apply its earnings in excess of operating expenses during the year to—in order: First, making up any losses in excess of its reserves and bad or doubtful debts; second, restoring the amount of impairment, if any, of its capital; third, creating and maintaining a reserve account for bad and doubtful debts; fourth, paying up a franchise tax to the Treasury of up to 25 percent of the net earnings then remaining, not to exceed a rate of return on Treasury holdings of class A stock equal to the average annual rate of interest on all public issues of public debt obligations of the United States issued during the fiscal year ending next before such tax is due; fifth, paying dividends to other class A stockholders, at a rate not in excess of 6 percent; and sixth, purchasing stock in the U.S. Community Development Bank, the proceeds of which shall be used to retire any Government capital of that bank.

LOANS AND ELIGIBLE BORROWERS

The CDB may make loans and extend credit to eligible borrowers in a number of categories:

First, individual CDC stockholders—but not the general public—for normal consumer credit;

Second, small businesses in the community—partnerships, proprietorships, or corporations—which are at least 75-percent owned by resident CDC stockholders;

Third, small business concerns in the community owned less than 75 percent by CDC stockholders but whose owners have agreed to give the CDC the right of first refusal if the business is to be sold;

Fourth, subsidiaries of the CDC itself—at least 51 percent CDC owned;

Fifth, an outside corporation which has entered into a turnkey agreement with a CDC;

Sixth, a cooperative, at least 75 percent of the members of which are CDC stockholders; and

Seventh, a nonprofit, limited dividend or cooperative housing sponsor operating in the community.

LOAN TERMS AND LIMITATIONS

Business loans may be made only to eligible borrowers, and only when such borrower has demonstrated his capacity for managing the business—as evidenced by previous business performance—or has entered into a satisfactory technical assistance and/or training contract, under a turnkey arrangement or otherwise. Such loans may be made up to 90 percent of required capital, with up to 20 years for repayment. Housing sponsors in the community could obtain short-term, market-rate financing for front money, and where funds are not otherwise available for construction loans.

The CDB charter would include a statement of policy emphasizing CDB's responsibility to make capital available to promising but inexperienced borrowers, or for unorthodox business ventures, which would, if successful, yield significant benefits to the community.

The CDB would be fully authorized to make participation loans with regular commercial lenders to eligible borrowers, and its policy would be to seek to arrange such participations wherever possible.

The CDB would not be authorized to issue or deal in securities, engage in acceptable financing, sell insurance, offer credit cards or make credit guarantees. Its main purpose is to channel capital to businesses; its secondary purpose is to provide normal banking services to individual depositors within the community. It is not expected that the CDB would tie up its capital in mortgage loans, except under extraordinary circumstances.

CONFORMING AMENDMENTS

Sections 202 to 206 of the bill amend various provisions of other acts to facilitate the operation of the community development banking system.

TITLE III—U.S. COMMUNITY DEVELOPMENT BANK

The purpose of this title is to create a U.S. Community Development Bank to serve as a secondary financial institution and as a source of technical, managerial and financial expertise to CDB's, and to promote the economic development of communities and areas where no CDB has been established. In the former respect, the USCDB would stand in relation to local CDB's as a Federal intermediate credit bank stands to production credit associations, or as a Federal home loan bank stands to local savings and loan associations. In the latter respect, the bank would resemble the World Bank and International Development Association.

This title would authorize the incorporation of the USCDB, which would not be an instrumentality of the U.S. Government. The President of the United States would appoint the incorporators and first board of directors. Six directors would always be Presidential appointees; the remaining twelve, initially Presidential appointees, would later be elected by CDB's holding stock in the bank. A community advisory committee, composed of from 15 to 21 persons from CDC and similar areas served by the bank, is created.

CAPITALIZATION

Class A stock of the USCDB would be purchased by the Secretary of the Treasury. It would be nonvoting stock and would not be eligible for dividends. Of the $2 billion of class A stock the Secretary is authorized to purchase, $1.5 billion would be specifically authorized by appropriation acts. The remaining $500 million could be purchased by the Secretary out of public debt proceeds only upon call of the bank to meet an emergency situation. This $500 million call feature, analogous to similar provisions in the Federal home loan bank statute and the World Bank charter, provides the security to creditors.

Class B stock in amounts up to $2 billion may be bought and held by any person or organization other than the Federal Government. Dividends of not to exceed 6 percent can be paid on this stock, which shall have voting rights. At the end of each fiscal year, each CDB would be required to buy class B stock in the USCDB in an amount equal to its entire net earnings after meeting other requirements of title II. Whenever a CDB purchases such Bank stock, the Bank is directed to redeem an equal amount of class A stock held by the Secretary of the Treasury, at the Secretary's request. From the funds so received, the Secretary is directed to retire an equal amount of public debt.

BONDS AND INDEBTEDNESS

The Bank is authorized to issue and/or guarantee bonds, debentures, and other certificates of debt, up to an amount equal to five times its paid-in capital and surplus. In addition, it is authorized to issue consolidated bonds backed by CDB bonds, up to an amount equal to 10 times its paid-in capital and surplus. In addition, it is authorized to issue consolidated bonds backed by CDB bonds, up to an amount equal to 10 times its paid-in capital and surplus; this authority is intended to relieve local CDB's of the problems associated with entering the securities market.

FUNCTIONS

The USCDB is authorized to—

First, serve as a secondary banking institution for CDB's, through discounts, notes, loans, advances, and so forth;

Second, make, participate in, or guarantee loans for business and commercial facilities, or public development facilities, in low-income areas designated as "investment areas" by the Secretary of Labor;

Third, provide interim financing for construction of such facilities;

Fourth, plan, initiate, own, and manage such facilities until a suitable buyer can assume ownership;

Fifth, provide management training and technical and other supportive assistance to CDB's and other borrowers; and

Sixth, create investment opportunities by bringing together facilities, capital, and management.

The USCDB may establish branch offices to facilitate its activities.

EARNINGS

The net earnings of the USCDB shall be applied as follows:

First, to restoring any impairment of capital;

Second, to creating and maintaining a surplus account;

Third, to paying a franchise tax computed with reference to the amount of class A stock outstanding;

Fourth, to establish contingency reserves;

Fifth, to declare dividends on class B stock, up to 6 percent; and

Sixth, to retire class A stock held by the Treasury.

This retirement feature, built into the Federal farm credit system as early as 1916, assures that eventually all Government stock will be retired and the banks will be wholly owned by CDB's and other private stockholders.

MISCELLANEOUS

A number of operating principles are set forth, along with certain limitations on financing. An annual audit and report by the General Accounting Office is required, as is an annual report to Congress and the President. Technical amendments permit the participation of national banks as CDB stockholders.

TITLE IV.—TAX AMENDMENTS

PART A—COMMUNITY DEVELOPMENT CORPORATIONS

Community development corporations, as business corporations, are subject to the provisions of the Internal Revenue Code. Since the purpose of the Act is to permit the use of business profits for social service programs under the control of the people of the community, instead of routing the tax revenues to Washington and then back in the form of grants, three special amendments are added to the Code. These amendments liberalize the tax treatment of CDC's until such time as the CDC area achieves a development index equal to the national average and maintains it over a period of 5 years.

First. Under present law a corporation pays a basic 22-percent income tax rate on all its taxable income. In addition, the Code imposes a surtax of 26 percent on taxable income in excess of $25,000. The $25,000 amount is known as the surtax exemption. A group of corporations, all of which are owned by a parent corporation—in this case, the CDC—have a choice in filing their returns: they can either file a consolidated return and use only one $25,000 surtax exemption for the group; or they can claim the exemption for each member corporation and pay a basic income tax rate of 28 percent, 6 percent over the normal rate. This bill would amend section 1563 of the Code to permit a group of CDC subsidiary corporations to retain all the individual surtax exemptions without paying the additional 6-percent tax.

Second. To effect the purposes of the act, the tax rates and surtax exemptions for CDC subsidiaries are liberalized, depending on the development index of the CDC area—see title I, part C. This tax treatment is available only to corporations wholly owned by a CDC or by an employee trust; hence no benefits from the tax treatment flow into individual pockets. In the case of an area at the national norm for unemployment and family income, no tax advantages would accrue. At the other extreme, CDC subsidiaries in a desperately poor CDC area would be eligible for a basic tax rate of zero percent on the first $50,000 of taxable income, 6 percent on the second $50,000, 12 percent on the next $50,000, and 22 percent—the basic rate—on amounts in excess of $150,000. In addition, CDC subsidiaries in the desperately poor area could claim a surtax exemption of up to $200,000. Less-poor areas would get reduced benefits in accordance with their development level. The surtax would remain at 26 percent for all corporations.

Third. Ordinarily, subsidiary corporations can pass dividends to their parent corporation, which can then deduct 85 percent of such dividends from its own gross income. An amendment to section 243 of the code permits the CDC to deduct a full 100 percent of its dividend income from subsidiaries.

PART B—TURNKEY TAX PROVISIONS

The purpose of these amendments is to encourage major businesses to establish profitable plants or facilities in CDC areas, to train community residents to manage and work in them, and eventually to divest them entirely to CDC ownership and management.

The outside company and the CDC would enter into a turnkey contract, specifying the obligations of both parties, and setting forth such items as a description of the productive facility, the training of CDC personnel to manage the business, the timetable for sale, and so forth. To make a turnkey contract attractive to an outside corporation, six amendments are made to the Internal Revenue Code.

First. The turnkey contractor can elect rapid amortization of the turnkey facilities, depending on the development index of the CDC area involved. This provision parallels the rapid tax amortization program for defense investment during and after the Korean war, and the similar provisions for amortization of grain storage facilities, reenacted by Congress in 1953. In desperately poor areas, turnkey facilities could be amortized in as little as 36 months.

Second. Ordinarily, when a corporation claims an investment tax credit toward the cost of machinery and equipment, and then sells the machinery or equipment, the corporation is subject to a tax credit recapture provision. A turnkey contractor, however, could sell the turnkey facility to a CDC and not be subject to recapture of the investment credit.

Third. The turnkey contractor could claim an additional tax credit of 10 percent of the wages and salaries of CDC stockholders employed in the turnkey facility. This credit, patterned after the Human Investment Act now before Congress, would extend to investment in employees the same tax advantage given to investment in machinery. The higher rate of the credit—10 percent versus 7 percent—is due to the impermanence of the investment in human skills as compared to that in tangible property owned by the company.

Fourth. Upon selling the turnkey facility to a CDC, the turnkey contractor would normally incur a capital gain subject to tax. Under the bill, if the proceeds of the sale are reinvested in another turnkey operation or in class B stock of a CDB, the capital gains are not recognized for tax purposes. This provision, designed to encourage continuous investment in turnkey projects, is analogous to transfer of basis upon selling an old home and buying a new one.

Fifth. When a turnkey contractor has elected rapid amortization of depreciable property, and then sells the property to the CDC, he would ordinarily be subject to a tax recapture of the benefits of the rapid amortization. The bill provides that when a turnkey sale results in nonrecognition of capital gain, by virtue of reinvestment in another turnkey project, then the recapture of depreciation is limited to the recognized gain only.

Sixth. To encourage the turnkey contractor to continue to assist the management of the turnkey facility even after its divestiture of CDC ownership, the bill provides for a sustained profitability tax credit, equal to 15 percent of the profits generated from the operation of the turnkey facility for 5 years after sale to the CDC.

PART C—MISCELLANEOUS TAX PROVISIONS

An additional tax feature of the bill includes three changes to facilitate the financing of CDC subsidiaries by employee benefit trusts. One would make it clear that an employee trust may borrow funds to purchase the stock of a CDC subsidiary without jeopardizing the trust's "exclusive benefit" status or conflicting with present tax regulations. A second would permit such a trust to distribute income currently to its employees, as an immediate profit-sharing incentive. A third change would protect the tax deductible status of CDC subsidiary contributions to employee trust, notwithstanding the fact that the contributions are used to repay a bank loan.

Finally, reporting requirements are included to facilitate Treasury analysis of the actual costs in foregone revenue of the turnkey and the CDC programs. The purpose of this is to ensure the availability of subsequent cost-benefit studies as needed for congressional review.

TITLE V—MISCELLANEOUS AMENDMENTS

PART A—SMALL BUSINESS

This part makes two minor amendments to the small business title of the Economic Opportunity Act, and adds an important new section to provide technical and management assistance and training to CDC and turnkey facility personnel.

Section 501 amends the purpose clause of title IV of the Economic Opportunity Act to include CDC's among the business concerns to be strengthened and aided by the act.

Section 502 provides for the coordination of loan applications by business borrowers located in CDB areas. It adds a proviso to subsection 402(a) of the Economic Opportunity Act which prohibits economic opportunity loans to borrowers in CDB areas until their loan applications have been turned down by the CDB. The purpose of this amendment is to require business borrowers to work through the local CDB wherever possible.

Section 503 adds an important new section to the Economic Opportunity Act. It authorizes the Small Business Administrator to make grants of up to 90 percent of the costs of technical and management assistance and training programs contracted for by CDC's or their subsidiaries. The grants may be made for, among other things: First, the identification and development of new business opportunities, joint ventures, and turnkey agreements; second, market surveys and feasibility studies; third, organizational planning and research, including analysis of capital structure and requirements, costs and taxes, labor force availability, site evaluation, local government relations, and available governmental assistance; fourth, plant or facility design, layout, and operation; fifth, marketing and promotional assistance; sixth, business counseling, management training, and legal and other related services, with special emphasis on management training using the resources of private business, and of sufficient scope and duration to develop management expertise within the corporation; and seventh, encouragement of subcontracting to CDC's by established businesses, and cooperative efforts to train and upgrade CDC personnel.

Using the proceeds of the grant, the CDC would enter into a contract with a firm, company, organization, educational institution, or governmental agency of its choice to obtain the specified assistance and training. The Small Business Administration could itself provide the assistance on a reimbursable basis, using its own personnel, if the CDC so decided. Provision is made for careful evaluation of the management or technical assistance provided by the contracting firm or agency. The President is authorized to transfer the program to the Department of Commerce if he sees fit, as with title IV of the Economic Opportunity Act.

PART B—OTHER PROVISIONS

Section 511 requires the Secretary of Labor to collect and compile statistics on subemployment in the Nation, with the goal of eventually using this more sophisticated concept in the computation of the development index used in this act.

Section 512 amends section 701 of the Housing Act of 1954 to permit State planning agencies to provide assistance to CDC's in urban area planning, using 75 percent Federal matching funds.

Section 513 amends section 312 of the Housing Act of 1964 to permit the Secretary of Housing and Urban Development to make home and business rehabilitation loans in CDC areas, as well as in urban renewal areas and concentrated code enforcement areas, retaining the present provision that funds must be unavailable on reasonable terms from local sources.

Section 514 amends the Economic Opportunity Act of 1964 to permit the designation of CDC's as community action agencies, but prohibits community action grants to CDC's which have elected to be treated as normal business corporations, distributing dividends to stockholders.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 33) to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation, introduced by Mr. GOODELL, was received, read twice by its title, and referred to the Committee on Finance.

S. 34—INTRODUCTION OF INVESTMENT COMPANY AMENDMENTS ACT OF 1969

Mr. SPARKMAN. Mr. President, I introduce a bill to amend the Investment Company Act of 1940, the Investment Advisers Act, the Securities and Exchange Act, and the Securities Act of 1933.

The intent of this legislation is to reform, update, and modernize the sections of our securities laws relating to mutual fund activities. The only purpose of the bill is to provide adequate consumer protection for the 4 million Americans who have invested their savings in mutual funds. These consumers who comprise many of our small investors are the backbone of a healthy national economy.

On May 1, 1967, I introduced similar consumer protection legislation—S. 1659. This legislation was drafted by the Securities and Exchange Commission after 10 years of extensive research by both the Commission's staff and the Wharton School of Business and Finance of the University of Pennsylvania. During the 90th Congress the full Banking and Currency Committee held extensive hearings and executive sessions on this most important legislation. After numerous committee amendments and thorough floor debate, a bill was approved by this body, but unfortunately it was not acted upon by the House. The bill which I introduce today is identical to the one which passed the Senate by a voice vote during the 90th Congress.

This bill is not, as some of its opponents have alleged, a technical financial matter. Its major purpose is to protect consumers, whose investment in mutual fund shares now exceeds $50 billion, and the many additional citizens who will undoubtedly invest in these securities in the years to come.

The Investment Company Amendments Act has three primary objectives: First, it amends the sections of the Investment Company Act pertaining to investment company management fees, mutual fund sales commissions, and periodic payment plan sales commissions. Second, it amends various provisions of the securities laws to permit banks to operate commingled managed agency accounts in competition with mutual funds. In this area, the bill would also clarify the status of bank collective funds and separate accounts established by insurance companies. Third, the bill contains a large number of amendments to the Federal securities laws, which would facilitate, update, and improve the administration and enforcement of these acts.

All of these objectives except those which would allow mutual fund shareholders to sue in Federal court to determine the reasonableness of their management fees and those which limit the front-end load on periodic payment plans have widespread support throughout the securities industry. And I would hope that after careful reconsideration these remaining two sections will receive similar support.

The Banking and Currency Committee of which I am chairman intends to give these proposals prompt consideration so that a bill may be reported to the Senate at the earliest possible date. The committee will, however, be receptive to all points of view. In addition to considering the specific proposals encompassed in this bill, we will also seek suggestions and alternative courses of action. For example, the committee intends to carefully consider the repeal of section 22(d) of the Investment Company Act and thereby open mutual fund sales commissions to the normal competitive operations of the marketplace. This section now makes it a Federal crime for anyone to sell mutual fund shares at a price lower than that fixed by the fund's distributor. We will, of course, welcome other suggestions from investors and members of the mutual fund community as well as from the entire securities industry. As I have previously stated: "Legislation will be recommended to the Senate only after the most careful consideration of all points of view and the effect of such legislation on the national economy."

This proposed legislation is a moderate measure intended to deal with the serious problems which have arisen in the investment company industry over the last 29 years. It embodies a program of governmental regulation which is the bare minimum needed to provide adequate consumer protection and to update our investment company laws to the needs of today's economy.

This bill together with its explanation adds up to almost 100 pages. For this reason, I am not asking to have these documents printed in the RECORD as is my usual custom. Instead, I am having the explanation of the bill printed as a committee print together with a photographic reproduction of the proposed legislation, which will make it possible to refer to the bill's pages and lines. This will make a most useful document for the Senators and the industry representatives working on the bill. I expect that it will be available in 3 or 4 days, thanks to the outstanding work of the Government Printing Office.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 34) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 36—INTRODUCTION OF BILL TO AUTHORIZE SALE OF CERTAIN LANDS UNDER THE JURISDICTION OF THE DEPARTMENT OF AGRICULTURE

Mr. HANSEN. Mr. President, I introduce for appropriate reference a bill which would authorize the sale of certain lands under the jurisdiction of the Department of Agriculture.

In my 2 years of service in the Senate, several instances have been brought to my attention where owners of land adjoining national forest lands have made substantial improvements on those lands, believing in all good faith that they were the true owners. In subsequent resurveys by the Bureau of Land Management, portions of these lands have been shown to be included in national forest territory.

Some remedy should certainly be available to these landholders who in good faith have made improvements on lands which they thought to be theirs.

The bill I introduce today would allow them to purchase, for fair market value, the land, up to 120 acres, upon which improvements have been made by an adjacent landowner under the mistaken belief that he was the owner thereof at the time such improvements were made.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 36) to authorize the sale of certain lands under the jurisdiction of the Department of Agriculture, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 37—INTRODUCTION OF BILL RELATING TO POLECAT BENCH AREA OF THE SHOSHONE EXTENSIONS UNIT, MISSOURI RIVER BASIN PROJECT

Mr. HANSEN. Mr. President, I introduced, for appropriate reference, a bill to reauthorize the Polecat Bench area of the Shoshone extension unit as an integral part of the Missouri River Basin project. This area was previously authorized as a part of that project by the Flood Control Act of 1944. Under this bill, the Secretary of the Interior would be authorized to construct, operate and maintain the Polecat Bench area for purposes of irrigation, fish and wildlife conservation, development of public outdoor recreation, and for other purposes.

In 1967, the Wyoming Natural Resource Board adopted a recommendation requesting this legislation. It is also supported by the Governor of our State, Stanley K. Hathaway, and interested citizens in the locality.

In a table prepared by the Bureau of Reclamation entitled "Comparative Benefit Cost Ratios for Selected Projects Feasibility Studies Versus 4⅝ Percent Analysis," the Polecat Bench area had one of the highest benefit-cost ratios of the 35 Bureau-approved projects included in the table. I ask unanimous consent to have the table printed in the RECORD.

Mr. President, I urge early consideration of this measure so that Wyoming's share of the Yellowstone River drainage water as allocated by the interstate compact can be more fully utilized as soon as possible.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the table will be printed in the RECORD.

The bill (S. 37) to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Missouri River Basin project, Wyoming, and for other purposes, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The table presented by Mr. HANSEN is as follows:

COMPARATIVE BENEFIT-COST RATIOS OF SELECTED PROJECTS—FEASIBILITY STUDIES VERSUS 4⅝ PERCENT ANALYSIS

Project (by region)	Current analysis 3⅛ percent		Special analysis 4⅝ percent	
	Direct	Total	Direct	Total
REGION 1				
Merlin, Oreg	1.08	[1] 1.60	0.90	1.15
Touchet, Oreg.-Wash	1.83	[1] 2.10	1.15	1.44
Kennewick extension, Washington	1.50	3.50	1.35	2.48
East Greenacres, Idaho	1.73	2.70	1.38	1.98
Southwest Idaho	(1.20)	[1] (1.50)	(.89)	(1.08)
Garden Valley	1.10	[1] 1.20	.80	.84
Mountain Home	1.27	1.96	1.00	1.39
Olalla, Oreg	1.40	[1] 1.58	1.02	1.15
Salmon Falls, Idaho-Wyo	1.39	[1] 2.31	1.06	1.76
Monmouth Dallas, Oreg	1.43	2.59	.99	1.79
Bumping Lake, Wash	1.60	[1] 1.79	1.14	1.28
REGION 2				
Eastside division, California	1.60	2.40	1.20	1.80
Kellogg unit, California	2.08	2.28	1.65	1.82
Allen Camp unit, California	1.20	[1] 1.40	.86	1.01
REGION 4				
Animas-La Plata, Colo.-N. Mex	1.05	1.64	.77	1.18
Dolores, Colo	.94	1.72	.67	1.21
Dallas Creek, Colo	1.05	1.70	.78	1.22
West Divide, Colo	1.09	1.86	.80	1.32
San Miguel, Colo	.83	1.42	.61	1.01
REGION 5				
Brantley, N. Mex	1.39	1.40	1.18	1.19
Mountain Park, Okla	1.93	1.93	1.52	1.52
Closed Basin, San Luis Valley, Colo	3.34	5.32	2.52	4.00
Cuero, Tex	1.93	1.93	1.56	1.56
Palmetto Bend, Tex	1.81	1.81	1.35	1.35
Columbus Bend, Tex	2.15	2.15	1.73	1.73
REGION 6				
Jefferson-Whitehall, Mont	1.10	1.50	.78	1.03
Polecat Bench, Wyo	2.08	3.32	1.43	2.28
Pollock-Herreid, S. Dak	1.20	[1] 1.70	.90	1.24
West Bench, Mont	1.03	1.33	.69	.89
REGION 7				
North Loup, Nebr	1.35	2.49	.91	1.69
Narrows, Colo	1.52	1.62	1.02	1.09
O'Neill, Nebr	1.67	[2] 2.17	1.08	1.41
Mirage Flats, Nebr	1.66	2.00	1.42	1.70
Cedar Rapids, Nebr	1.14	1.49	.77	1.00
Ellis, Kans	1.20	1.20	.83	.83
Little Blue, Nebr	1.56	[1] 1.65	1.12	1.16

[1] Computed at 3¼ percent.
[2] Computed at 3 percent.

S. 38—INTRODUCTION OF UPPER NIOBRARA RIVER COMPACT

Mr. HANSEN. Mr. President, I introduce, on behalf of myself, the Senators from Nebraska (Mr. HRUSKA and Mr. CURTIS) and the senior Senator from Wyoming (Mr. MCGEE), a bill to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska.

Similar legislation was passed by the Senate in the 89th Congress, but unfortunately received no action in the House. During the 90th Congress both the Senate and the House failed to act on this legislation. To my knowledge all parties from the States of Wyoming and Nebraska, as well as the Department of Interior, the Department of Justice, and the Bureau of the Budget, are in favor of Congressional consent to this compact.

The purpose of the Upper Niobrara River compact between the States of Wyoming and Nebraska is to provide for an equitable division or apportionment of the available surface water supply of the Upper Niobrara River Basin between these two neighbor States.

This compact was negotiated pursuant to consent granted by the act of August 5, 1953, as amended, and has been signed by duly appointed representatives of the affected States and ratified by State legislatures. Federal participation in its negotiation was provided by a Presidentially appointed representative.

The compact deals with the apportionment of surface waters of the Upper Niobrara River and its interstate tributaries west of range 55 in western Nebraska. This localizes the area of compact application to the stream system west of a point approximately 10 miles downstream from the Wyoming-Nebraska border. There are no existing or potential Federal water resource development projects in the area which would be covered by this instrument. A representative of the Department of the Interior has testified that the language protects the rights and powers of the United States, its agents and instrumentalities, including rights owned or held by or for Indians or Indian tribes; the Federal interest appears to have been amply protected and safeguarded.

It is indeed unfortunate that the past two Congresses have postponed action on this compact, particularly in light of its controversial nature. I urge the Senate to act swiftly to approve the Upper Niobrara River campact during the 91st Congress. I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 38) to consent to the Upper Niobrara River compact between the States of Wyoming and Nebraska, introduced by Mr. HANSEN (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 38

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the Upper Niobrara River Compact between the States of Wyoming and Nebraska. Such compact reads as follows:

UPPER NIOBRARA RIVER COMPACT

"The State of Wyoming, and the State of Nebraska, parties signatory to this compact (hereinafter referred to as Wyoming and Nebraska, respectively, or individually as a 'State', or collectively as 'States'), having resolved to conclude a compact with respect to the use of waters of the Niobrara River Basin, and being duly authorized by Act of Congress of the United States of America, approved August 5, 1953 (Public Law 191, 83rd Congress, 1st Session, Chapter 324, 67 Stat. 365) and the Act of May 29, 1958 (Public Law 85–427, 85th Congress, S. 2557, 72 Stat. 147) and the Act of August 30, 1961 (Public Law 87–181, 87th Congress, S. 2245, 75 Stat. 412) and pursuant to the Acts of their respective Legislatures have, through their respective Governors, appointed as their Commissioners: For Wyoming, Earl Lloyd, Andrew McMaster, Richard Pfister, John Christian, Eugene P. Willson, H. T. Person, Norman B. Gray, E. J. Van Camp: For Nebraska, Dan S. Jones, Jr., who after negotiations participated in by W. E. Blomgren appointed by the President of the United States of America, have agreed upon the following articles:

"ARTICLE I.

"A. The major purposes of this compact are to provide for an equitable division or apportionment of the available surface water supply of the Upper Niobrara River Basin between the States; to provide for obtaining information on groundwater and underground water flow necessary for apportioning the underground flow by supplement to this compact; to remove all causes, present and future which might lead to controversies; and to promote interstate comity.

"B. The physical and other conditions peculiar to the Upper Niobrara River Basin constitute the basis for this compact; and neither of the States hereby concedes that this compact establishes any general principle or precedent with respect to any other interstate stream.

"C. Either State and all others using, claiming, or in any other manner asserting any right to the use of the waters of the Niobrara River Basin under the authority of that State shall be subject to the terms of this compact.

"ARTICLE II

"A. The term 'Upper Niobrara River' shall mean and include the Niobrara River and its tributaries in Nebraska and Wyoming west of Range 55 West of the 6th P.M.

"B. The term 'Upper Niobrara River Basin' or the term 'Basin' shall mean that area in Wyoming and Nebraska which is naturally drained by the Niobrara River west of Range 55 West of the 6th P.M.

"C. Where the name of a State or the term 'State' or 'States' is used, they shall be construed to include any person or entity of any nature whatsoever using, claiming, or in any manner asserting any right to the use of the waters of the Niobrara River under the authority of that State.

"ARTICLE III

"It shall be the duty of the two States to administer this compact through the official in each State who is now or may hereafter be charged with the duty of administering the public water supplies, and to collect and correlate through such officials the data necessary for the proper administration of the provisions of this compact. Such officials may, by unanimous action, adopt rules and regulations consistent with the provisions of this compact.

"The States agree that the United States Geological Survey, or whatever Federal agency may succeed to the functions and duties of that agency, insofar as this compact is concerned, may collaborate with the officials of the States charged with the administration of this compact in the execution of the duty of such officials in the collection, correlation, and publication of information necessary for the proper administration of this compact.

"ARTICLE IV.

"Each State shall itself or in conjunction with other responsible agencies cause to be established, maintained, and operated such suitable water gaging stations as are found necessary to administer this compact.

"ARTICLE V.

"A. Wyoming and Nebraska agree that the division of surface waters of the Upper Niobrara River shall be in accordance with the following provisions:

"1. There shall be no restrictions on the use of the surface waters of the Upper Niobrara River by Wyoming except as would be imposed under Wyoming law and the following limitations:

"(a) No reservoir constructed after August 1, 1957, and used solely for domestic and stock water purposes shall exceed 20 acre-feet in capacity.

"(b) Storage reservoirs with priority dates after August 1, 1957, and storing water from the main stem of the Niobrara River east of range 62 west of the 6th p.m. and from the main stem of Van Tassel Creek south of section 27, township 32 north, range 60 west of the 6th p.m. shall not store in any water year (October 1 of one year to September 30 of the next year) more than a total of 500 acre-feet of water.

"(c) Storage in reservoirs with priority dates prior to August 1, 1957, and storing water from the main stem of the Niobrara River east of range 62 west and from the main stem of Van Tassel Creek south of section 27, township 32 north, shall be made only during the period October 1 of one year to June 1 of the next year and at such times during the period June 1 to September 30 that the water is not required to meet the legal requirements by direct flow appropriations in Wyoming and in Nebraska west of range 55 west. Where water is pumped from such storage reservoirs, the quantity of storage water pumped or otherwise diverted for irrigation purposes or other beneficial purposes from any such reservoir in any water year shall be limited to the capacity of such reservoir as shown by the records of the Wyoming State engineer's office, unless additional storage water becomes available during the period June 1 to September 30 after meeting the legal diversion requirements by direct flow appropriations in Wyoming and in Nebraska west of range 55 west.

"(d) Storage in reservoirs with priority dates after August 1, 1957, and storing water from the main stem of the Niobrara River east of range 62 west and the main stem of Van Tassel Creek south of section 27, township 32 north, shall be made only during the period October 1 of one year to May 1 of the next year and at such times during the period May 1 and September 30 that the water is not required for direct diversion by ditches in Wyoming and in Nebraska west of range 55 west.

"(e) Direct flow rights with priority dates after August 1, 1957, on the main stem of the Niobrara River east of Range 62 West and Van Tassel Creek south of Section 27, Township 32 North, shall be regulated on priority basis with Nebraska rights west of Range 55 West, provided, that any direct flow rights for a maximum of 143 acres which may be granted by the Wyoming State Engineer with a priority date not later than July 1, 1961, for lands which had Territorial Rights under the Van Tassel No. 4 Ditch with a priority date of April 8, 1882, and the Van Tassel No. 5 Ditch with a priority date of April 18, 1882, shall be exempt from the provisions of this subsection (e).

"(f) All direct flow diversions from the main stem of the Niobrara River east of Range 62 West and from Van Tassel Creek south of Section 27, Township 32 North shall at all times be limited to their diversion rates as specified by Wyoming law, and provided that Wyoming laws relating to diversion of 'Surplus Water' (Wyoming Statutes, 1957, Sections 41–181 to 41–188 inclusive) shall apply only when the water flowing in the main channel of the Niobrara River west of Range 56 West is in excess of the legal diversion requirements of Nebraska ditches having priority dates before August 1, 1957.

"ARTICLE VI

"A. Nebraska and Wyoming recognize that the future use of ground water for irrigation in the Niobrara River Basin may be a factor in the depletion of the surface flows of the Niobrara River, and since the data now available are inadequate to make a determination in regard to this matter, any apportionment of the ground water of the Niobrara River Basin should be delayed until such time as adequate data on ground water of the basin are available.

"B. To obtain data on ground water, Nebraska and Wyoming, with the cooperation and advice of the United States Geological Survey, Groundwater Branch, shall undertake ground water investigations in the Niobrara River Basin in the area of the Wyoming-Nebraska State line. The investigations shall be such as are agreed to by the State Engineer of Wyoming and the Director of Water Resources of Nebraska, and may include such observation wells as the said two officials agree are essential for the investigations. Costs of the investigations may be financed under the cooperative ground water programs between the United States Geological Survey and the States, and the States share of the costs shall be borne equally by the two States.

"C. The ground water investigations shall begin within one year after the effective date of this compact. Upon collection of not more than twelve months of ground water data Nebraska and Wyoming with the cooperation of the United States Geological Survey, shall make, or cause to be made, an analysis of such data to determine the desirability or necessity of apportioning the ground water by supplement to this compact. If, upon completion of the initial analysis, it is determined that apportionment of the ground water is not then desirable or necessary, reanalysis shall be made at not to exceed two-year intervals, using all data collected until such apportionment is made.

"D. When the results of the ground water investigations indicate that apportionment of ground water of the Niobrara River Basin is desirable, the two States shall proceed to negotiate a supplement to this compact apportioning the ground water of the Basin.

"E. Any proposed supplement to this compact apportioning the ground water shall not become effective until ratified by the legislatures of the two States and approved by the Congress of the United States.

"ARTICLE VII

"The provisions of this compact shall remain in full force and effect until amended by action of the Legislatures of the Signatory States and until such amendment is consented to and approved by the Congress of the United States in the same manner as this compact is required to be ratified and consented to in order to become effective.

"ARTICLE VIII

"Nothing in this compact shall be construed to limit or prevent either State from instituting or maintaining any action or proceeding, legal or equitable, in any court of competent jurisdiction for the protection of any right under this compact or the enforcement of any of its provisions.

"ARTICLE IX

"Nothing in this compact shall be deemed:

"A. To impair or affect any rights or powers of the United States, its agencies, or instrumentalities, in and to the use of the waters of the Upper Niobrara River Basin nor its capacity to acquire rights in and to the use of said waters; provided that, any beneficial uses of the waters allocated by this compact hereafter made within a State by the United States, or those acting by or under its authority, shall be taken into account in determining the extent of use within that State.

"B. To subject any property of the United States, its agencies, or instrumentalities to taxation by either State or subdivision thereof, nor to create an obligation on the part of the United States, its agencies, or instrumentalities, by reason of the acquisition, construction, or operation of any property or works of whatsoever kind, to make any payment to any State or political subdivision thereof, State agency, municipality, or entity whatsoever in reimbursement for the loss of taxes.

"C. To subject any property of the United States, its agencies, or instrumentalities, to the laws of any State to an extent other than the extent to which these laws would apply without regard to the compact.

"D. To affect the obligations of the United States of America to Indians or Indian tribes, or any right owned or held by or for Indians or Indian tribes which is subject to the jurisdiction of the United States.

"ARTICLE X

"Should a court of competent jurisdiction hold any part of this compact contrary to the constitution of any State or of the United States, all other severable provisions shall continue in full force and effect.

"ARTICLE XI

"This compact shall become effective when ratified by the Legislatures of each of the signatory States and by the Congress of the United States.

"In witness whereof, the Commissioners have signed this compact in triplicate original, one of which shall be filed in the archives of the United States of America and shall be deemed the authoritative original, and one copy of which shall be forwarded to the Governor of each of the signatory States.

"Done at the city of Cheyenne, in the State of Wyoming, this 26th day of October, in the year of our Lord, One Thousand Nine Hundred Sixty Two, 1962.

Commissioner for the State of Nebraska:
s/DAN S. JONES, Jr.
Commissioners for the State of Wyoming:
s/EARL LLOYD
s/ANDREW MCMASTER
s/RICHARD PFISTER
s/JOHN CHRISTIAN
s/EUGENE P. WILSON
s/H. T. PERSON
s/NORMAN B. GRAY
s/E. J. VAN CAMP

"I have participated in the negotiation of this compact and intend to report favorably thereon to the Congress of the United States.

s/W. E. BLOMGREN,
Representative of the United States of America."

SEC. 2. The right to alter, amend, or repeal this Act is reserved.

SEC. 3. Nothing in this Act shall be deemed to impair or affect any rights or powers of the United States, its agencies, instrumentalities, permittees, or licensees in, over, and to the use of the waters of the Upper Niobrara River Basin, nor to impair or affect their capacity to acquire rights in and to the use of said waters.

S. 39—INTRODUCTION OF BILL RELATING TO DISPOSITION OF FEDERALLY OWNED MINERAL RIGHTS

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to make disposition of federally owned mineral rights and for other purposes.

As a member of the Senate Committee on Interior and Insular Affairs, numerous instances have been brought to my attention concerning the problem which arises through the Federal ownership of subsurface mineral rights. In all of these instances private parties have acquired an interest in the surface of lands which were owned previously by the Federal Government, but the Government has reserved to itself the subsurface or mineral estate. Some of these acquisitions were made originally through the Homestead Act. Other instances involve the acquisition through other means of certain portions of the public domain.

At the present time, intensive development by the surface owners of such acquired lands is being inhibited by the fact that the mineral estate still remains in the hands of the Federal Government. Oftentimes, third parties have placed a cloud on the title by attempting to make mineral entries on these private lands under the general mining laws.

In many cases, we have before us a question of whether mineral development should be permitted on these private lands, or, in the alternative, whether further intensive development by the surface owner should be permitted to proceed unimpeded by the cloud which is present due to the outstanding mineral estate.

The legislation I introduce today would provide a general framework which would allow surface landowners to purchase subsurface mineral rights which have been reserved by the United States. Such a purchase would be permitted by the Secretary of the Interior unless he made a determination that the purchase would be clearly not in the best public interest.

My request that the Department of the Interior draft such general legislation received a reply from Max N. Edwards, Assistant to the Secretary and Legislative Counsel. I ask unanimous consent that Mr. Edwards' letter of April 3, 1967, be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 3, 1967.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Enclosed, pursuant to your request for a drafting service, is a draft bill "To authorize the Secretary of the Interior to make disposition of certain mineral rights to owners of the surface rights and for other purposes."

We are not certain whether you intended that our draft bill be limited to "homestead" entrants, only. However, the enclosed bill seems to meet your requirement to provide a general framework which would allow surface landowners to purchase subsurface mineral rights which have been reserved by the United States. Please inform us if this bill does not reflect your intentions.

The enclosed draft bill has not been reviewed by the Bureau of the Budget nor has this Department had sufficient opportunity to consider whether such legislative relief is warranted or desirable. Accordingly, we are unable to make any recommendation relative to the enactment of this draft bill at this time.

Your interest in this and other matters relating to this Department is appreciated.

Sincerely yours,

Max N. Edwards,
Assistant to the Secretary and Legislative Counsel.

Mr. HANSEN. Mr. President, since receiving the draft legislation from the Department of the Interior, I have made several changes in the draft. These changes are as follows:

First. Section 2 of the draft has been amended so as to require the Secretary to approve any conveyance under the bill meeting the requirements thereof, unless the Secretary determines that the conveyance is not in the public interest.

Second. Section 2 was further amended by adding a subsection defining the term "intensive development."

Third. Section 7 was amended so as to provide that the segregation of the minerals sought in an application would continue until such application is withdrawn or disapproved or until the minerals are conveyed pursuant to the application, whichever first occurs. This amendment would eliminate the necessity of the Secretary having to affirmatively act to revoke such segregation.

I am hopeful, Mr. President, that the introduction and consideration of this legislation will give rise to a meaningful discussion. After such discussion, I am hopeful that we can arrive at some legislation that would be acceptable to all parties to this problem and that would greatly improve the administration of certain Government interests which have been retained to the present time in lands which have long ago passed into private ownership.

Mr. President, I ask unanimous consent that this bill and the accompanying section-by-section analysis be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record.

The bill (S. 39) to authorize the Secretary of the Interior to make disposition of federally owned mineral rights, and for other purposes; introduced by Mr. Hansen, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 39

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the United States, or any Federal corporation organized to administer a Federal program, has conveyed, or hereafter conveys, to any person the surface rights to real property, reserving to the United States any mineral interest therein, such person or his successors in interest may purchase such mineral interest in the manner provided by, and subject to, the provisions of this Act.

Sec. 2. (a) The application shall be made to the Secretary of the Interior and shall be accompanied by a deposit of $200 to be applied to the payment required by section 3 of this Act. Each applicant shall show to the satisfaction of the Secretary that the land covered by the application is to be devoted to intensive development thereof and that the existence of the outstanding mineral interest tends to interfere with such development. The Secretary shall approve any conveyance meeting the requirements of this Act unless he finds that such conveyance is clearly not in the public interest, considering such factors as, but not limited to, consistency of the proposed conveyance with the mineral leasing program of the Secretary of the Interior, the relative values of the minerals and of the surface, and the existence of any strategic minerals in the lands.

(b) As used in this section, the term "intensive development" means any use or alteration of the land covered by an application designed to increase the value of such land.

Sec. 3. No disposition of any mineral interest shall be made under this Act until the applicant therefor has paid to the Secretary of the Interior the sum of (1) the fair market value of the mineral interest to be conveyed, determined as of the time the conveyance is made, and (2) the administrative costs of issuing the instrument of conveyance.

Sec. 4. If a conveyance is not made pursuant to an application filed under this Act, the Secretary of the Interior shall refund to the applicant the portion of the deposit which exceeds the administrative costs of processing the application. If the administrative costs exceed the deposit, the deposit shall constitute full satisfaction of such administrative costs. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs.

Sec. 5. If any mineral interest sold under this Act is subject to an outstanding mineral lease or permit, such mineral interest shall be reserved to the United States for as long as such lease or permit or any lease issued pursuant to such permit remains in effect, together with such further rights as may be necessary for the full and complete enjoyment of all rights, privileges and benefits under or with respect to the lease or permit.

Sec. 6. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are involved in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

Sec. 7. The notation on the records of the appropriate office, designated by the Secretary of the Interior, of the filing of an application pursuant to this Act shall segregate the minerals sought in the application from all forms of appropriation and disposition under the public land or other laws, except this Act, including without limitation prospecting and mining under the United States mining laws, and application and leasing under the Act of February 25, 1920, as amended (30 U.S.C. 181–263), and the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351–359). Such segregation shall continue until the withdrawal or disapproval of any such application, or the minerals are conveyed pursuant to this Act, whichever is earlier.

Sec. 8. This Act shall not apply to minerals held by the United States for the benefit of Indians.

The analysis presented by Mr. Hansen is as follows:

Section-by-Section Analysis of the Bill Authorizing the Disposition of Federally Owned Mineral Rights

Section 1. Authorizes the sale of subsurface mineral rights which have been reserved by the Federal Government to surface landowners.

Section 2. Provides for an application procedure and requires the Secretary of the Interior to approve any conveyance meeting the requirements of this Act unless he finds that such conveyance is clearly not in the public interest.

Section 3. Requires the surface landowner to pay the fair market value of the mineral interests conveyed, plus administrative costs.

Section 4. Provides for payment of administrative costs from a deposit accompanying the application if a conveyance is not made pursuant to the application filed under this Act.

Section 5. Provides, in the case of an outstanding mineral lease or permit, for the reservation to the United States of such mineral interest for as long as such lease or permit remains in effect.

Section 6. Defines the term administrative costs.

Section 7. Contains provisions for the segregation of the minerals sought in the application from all forms of appropriation and disposition.

Section 8. Excludes from this Act minerals held by the United States for the benefit of Indians.

S. 40—INTRODUCTION OF BILL RELATING TO MODIFICATION OF THE OPERATION OF THE KORTES UNIT, WYOMING, FOR FISHERY CONSERVATION

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill which would authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation

The Kortes Dam and powerplant is located between Seminole Dam and Pathfinder Reservoir on the North Platte River. It was the first unit of the Missouri River Basin project and the Kortes unit and was authorized and constructed as a single-purpose project for power production.

In 1961, at the request of the Wyoming Game and Fish Commission, adjustments in the method of operation of the hydroelectric facility were made on an experimental basis to determine whether a worthwhile improvement could be made in the maintenance of a fishery below Kortes Dam. This operation has been carried out under close observation and a proven fishery has been established on this reach of the river.

The legislation I introduce today was passed by the Senate during the last days of the 90th Congress. However, the House of Representatives did not have time to act before the adjournment of Congress.

The successful experimental fisheries have been operated on a year-to-year basis subject to commitments of project water and power. The legislation which I introduce today is supported by the Bureau of Reclamation, the Wyoming Natural Resource Board, the Wyoming Game and Fish Commission, and the Governor of Wyoming. I urge action by the Senate to authorize the modified operation of the Kortes unit on a permanent basis.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 40) to authorize the Secretary of the Interior to modify the operation of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation, introduced by Mr. Hansen, was received, read twice by its title, and referred to the Committee on Commerce.

S. 41 AND S. 42—INTRODUCTION OF BILLS FOR COMMEMORATIVE STAMPS FOR THE TERRITORIAL CENTENNIAL OF WYOMING AND THE ROLE OF ESTHER HOBART MORRIS IN SECURING WOMEN'S SUFFRAGE

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, two bills to provide for the issuance of special postage stamps in commemoration of two important events in the history of the United States and of the State of Wyoming.

The first stamp is in celebration of the territorial centennial of Wyoming in 1969. Carved from sections of Dakota, Utah, and Idaho Territories, Wyoming Territory came into existence by act of Congress on July 25, 1868. Upon the organization of Wyoming Territory, Yellowstone Park was among the lands annexed from Utah, Idaho, and Montana. The territorial government was formally inaugurated May 19, 1869, at which time John A. Campbell was appointed the first territorial Governor by President Ulysses S. Grant. In commemoration of the territorial centennial of Wyoming, the 39th Legislature of the State of Wyoming has enacted joint memorial 1, which I wish to be included at the close of my remarks.

It was during the First Territorial Assembly of the Territory of Wyoming that women were granted the right to vote—the first Territory or State ever to grant such equal suffrage. This action was taken a full 50 years before the entire United States granted suffrage to women by the adoption of the 19th amendment to the Constitution.

The "mother of woman suffrage in Wyoming" was Esther Hobart Morris who can be credited with obtaining the first major step toward the granting of equal rights for women in the State of Wyoming and the Nation. She also later became the first woman ever to be appointed a justice of the peace, and is honored by a statue in Statuary Hall of the Capitol Building. It is Esther Hobart Morris whom I wish to commemorate with the issuance of a special postage stamp for the role she played in women's suffrage in Wyoming.

At this point, I request that House joint memorial 1 and Senate joint memorial 2 of the State Legislature of Wyoming be placed in the RECORD, and I ask unanimous consent that the text of the two bills be printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and house joint memorial 1 and senate joint memorial 2 of the Legislature of Wyoming will be printed in the RECORD.

The bills, introduced by Mr. HANSEN, were received, read twice by their titles, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 41

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp, of such appropriate design and denomination as he shall prescribe in recognition of the good work of Esther Hobart Morris for her role in women's suffrage in Wyoming.

SEC. 2. Such postage stamp shall be issued for such period as the Postmaster General may determine.

S. 42

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp of such appropriate design and denomination as he shall prescribe in recognition of the Territorial Centennial of Wyoming in 1969.

SEC. 2. Such postage stamp shall be issued for such period as the Postmaster General may determine.

The State legislature joint memorials, presented by Mr. HANSEN, are as follows:

HOUSE OF REPRESENTATIVES, ENROLLED JOINT MEMORIAL 1

Joint memorial memorializing the Congress of the United States to authorize the Post Office Department to authorize a postage stamp recognizing the territorial centennial of Wyoming in 1969

Be it resolved by the Legislature of the State of Wyoming:

Whereas the year 1969 marks the Territorial Centennial of the State of Wyoming.

Whereas it is customary for the Post Office Department to issue memorial stamps in recognition of the territorial centennials of the various states.

Now, therefore, be it resolved by the House of Representatives of the Thirty-ninth Legislature of the State of Wyoming, the Senate concurring, that the President of the United States and the Congress be memorialized to authorize the Post Office Department to issue a Wyoming Territorial Centennial stamp in 1969.

Be it further resolved that duly attested copies hereof be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, and to Senators Gale McGee, Clifford P. Hansen, and Representative William H. Harrison.

RICHARD R. JONES,
President of the Senate.
WILLIAM F. SWANTON,
Speaker of the House.
STANLEY HATHAWAY,
Governor.

SENATE ENROLLED JOINT MEMORIAL NO. 2

Joint memorial memorializing the Postmaster General of the United States and the congressional delegation of the State of Wyoming in favor of the issuance of a postage stamp, in 1969, commemorating woman suffrage in Wyoming and honoring Esther Hobart Morris

Whereas, the year 1969 will commemorate the one hundredth anniversary of woman suffrage.

Whereas, Esther Hobart Morris is known throughout the world as the "mother of woman suffrage", and Wyoming is known as "the equality state".

Now therefore be it resolved, that the senate of the 39th legislature of the State of Wyoming, and the house of representatives of such legislature concurring, that it is the wish of the people of Wyoming that a postage stamp be issued commemorating woman suffrage in Wyoming and honoring Esther Hobart Morris.

Be it further resolved, that certified copies hereof be promptly transmitted to the postmaster general of the United States, to Senator Gale McGee, Senator Clifford P. Hansen and to Representative in Congress William Henry Harrison.

WILLIAM F. SWANTON,
Speaker of the House.
RICHARD R. JONES,
President of the Senate.
STANLEY HATHAWAY,
Governor.

S. 43—INTRODUCTION OF GREAT PLAINS CONSERVATION PROGRAM

Mr. McGOVERN. Mr. President, I introduce, for myself and Senators ANDERSON, BURDICK, DOLE, HARRIS, MANSFIELD, MCGEE, METCALF, MONTOYA, NELSON, PEARSON, TALMADGE, and YARBOROUGH, a bill to extend the Great Plains conservation program for 10 years from 1971 to 1981.

The Great Plains conservation program was established by Congress in 1956. The public was concerned that the area was rapidly deteriorating because of the serious dust storms and water erosion from areas denuded by extended drought years.

The basic objective of the Great Plains conservation program is to provide assistance to farmers and ranchers in applying whole farm conservation programs. Emphasis is placed upon converting land unsuitable for sustained crop production into permanent grass. It is administered through our soil conservation districts.

More than 31,500 farmers and ranchers have entered into long-term contracts to complete the total conservation job on 57 million acres. This is a good beginning, but the job is far from complete. The current authority for the Great Plains conservation program expires on December 31, 1971. The critical conservation needs of the program area in 10 States cannot be met by that date.

Continued effort is required to protect this vulnerable area from wind and water erosion. When the next extended drought occurs—a periodic phenomenon we have learned to expect—the Plains area should be as fully protected from disastrous consequences as possible.

Leaders in the program feel a 10-year extension of the program is appropriate at this time. Our bill provides for that extension. I ask unanimous consent to include in the RECORD a list of counties, by States, which are affected, and the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and list will be printed in the RECORD.

The bill (S. 43) to amend section 16 of the Soil Conservation and Domestic Allotment Act, as amended, to extend the Great Plains conservation program introduced by Mr. MCGOVERN (for himself and other Senators) was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 43

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 16 of the Soil Conservation and Domestic Al-

lotment Act, as amended, is amended (a) by changing the date "December 31, 1971" appearing in the third sentence of paragraph (1) of subsection (b) to "December 31, 1981"; and (b) by changing the dollar amount "$150,000,000" appearing in the proviso of the first sentence of paragraph (7) of subsection (b) to "$250,000,000."

The list presented by Mr. McGovern is as follows:

Great Plains Conservation Program

[Designated Counties as of December 15, 1968]

COLORADO (36)

Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Custer, Douglas, Elbert, El Paso, Fremont, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Park, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Teller, Washington, Weld, Yuma.

KANSAS (62)

Barber, Barton, Cheyenne, Clark, Cloud, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, McPherson.

Meade, Mitchell, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Wichita.

MONTANA (37)

Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone.

NEBRASKA (60)

Adams, Antelope, Arthur, Banner, Blaine, Boone, Box Butte, Boyd, Brown, Buffalo, Chase, Cherry, Cheyenne, Clay, Custer, Dawes, Dawson, Deuel, Dundy, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan.

Hayes, Hitchcock, Holt, Hooker, Howard, Kearney, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Merrick, Morrill, Nance, Nuckolls, Perkins, Phelps, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thayer, Thomas, Valley, Webster, Wheeler.

NEW MEXICO (18)

Chaves, Colfax, Curry, De Baca, Eddy, Guadalupe, Harding, Lea, Lincoln, Mora, Quay, Roosevelt, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union.

NORTH DAKOTA (30)

Adams, Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Renville, Sheridan, Sioux, Slope, Stark, Stutsman, Ward, Williams.

OKLAHOMA (30)

Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Jefferson, Kingfisher Kiowa, Major, Roger Mills, Stephens, Texas, Tillman, Washita, Woods, Woodward.

SOUTH DAKOTA (39)

Aurora, Bennett, Brule, Buffalo, Butte, Campbell, Charles Mix, Corson, Custer, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jerauld, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Ziebach.

TEXAS (99)

Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Brisco, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Concho, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith.

Dickens, Donley, Eastland, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Irion, Jack, Jones, Kent.

King, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, McCulloch, Martin, Menard, Midland, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parmer, Pecos, Potter, Randall, Reagan, Reeves.

Roberts, Runnels, Schleicher, Scurry, Shackleford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Upton, Ward, Wheeler, Wichita, Winkler, Wilbarger, Yoakum, Young.

WYOMING (12)

Albany, Campbell, Converse, Crook, Goshen, Johnson, Laramie, Natrona, Niobrara, Platt, Sheridan, Weston.

Mr. MONTOYA. Mr. President, it is with great pleasure that I join with my distinguished colleague from South Dakota, Senator McGovern in sponsoring this measure to extend the Great Plains conservation program for 10 years, through 1981, and to authorize $100 million additional appropriations for it in that period.

As has been pointed out, the Great Plains conservation program was authorized by Congress through Public Law 1021 in 1956. Its purpose was to provide needed financial and technical assistance to accelerate the stabilization of the vast plains area of the Nation. The public was concerned about the rapid deterioration of the area because of serious wind and water erosion taking place. The program authorization is scheduled to expire on December 31, 1971.

The basic objective of the Great Plains conservation program is to provide assistance to farmers and ranchers in applying complete conservation programs on individual units. Special emphasis is placed upon converting land unsuitable for sustained crop production into permanent grass.

The program provides cost-sharing assistance to farmers and ranchers based upon complete conservation plans. The plans developed with farmers and ranchers include schedules of land use adjustments and conservation measures considered essential for safe operation in an area that suffers from extended drought periods. Technical assistance is provided by the Soil Conservation Service for the planning and installation of the needed conservation measures.

The farmer or rancher enters into a contract with the Secretary of Agriculture for a period from a minimum of 3 years to a maximum of 10 years, to carry out the needed conservation treatment.

The program provides cost sharing for the permanent type practices according to the schedule agreed to in the contract. This provides the farmer or rancher assurance that he will receive agreed to Federal cost-sharing assistance as he progresses with the installation of practices. This permits him to plan and install the conservation treatment program over a period of years at a rate he can afford. The plan also provides that the farmer needed management practices without cost sharing.

In the 421 counties in the 10 States operating the program over 31,000 contracts have been entered into with farmers and ranchers on slightly over 57 million acres of land. Of those contracts about 21 percent of the cropland has been or is scheduled for conversion to permanent vegetative cover. Just over $110 million has been obligated thus far. The program operates in the 18 hazardous erosion counties in New Mexico. These include the following counties: Chaves, Colfax, Curry, De Baca, Eddy, Guadalupe, Harding, Lea, Lincoln, Mora, Quay, Roosevelt, San Miguel, Santa Fe, Socorro, Torrance, Taos, and Union.

In the above-mentioned 18 counties in New Mexico, nearly 1,400 long-term contracts have been entered into with farmers and ranchers involving nearly 9 million acres. Just over $8.2 million has been obligated in New Mexico to assist farmers and ranchers in the installation of needed conservation treatment on their units.

The program has established permanent cover on 68,000 acres in New Mexico to date. In addition, 62,000 of range reseeding has been accomplished along with the establishment of excellent water and other management facilities to bring about proper grazing.

The stabilizing effect this program has had on farm and ranch units has been instrumental in preventing many from having to give up their operations.

This unique program of long-term cost sharing through a contract arrangement with the Department of Agriculture has done a remarkable job in New Mexico thus far. The total conservation treatment on entire operating units can now be seen in most of the above 18 counties of my State where this program is operating.

There is ample evidence across the hazardous plains area of New Mexico, and the other Great Plains States, that installation of complete conservation treatment on a scheduled basis is efficient and effective. Many farmers and ranchers in New Mexico have told me how significant it is to them to be able to plan and apply conservation practices over a period of years they can afford.

Dependable Federal cost sharing, which is society's share of the cost of preventing another dust bowl many of you remember, has been an important factor in the way our land users have undertaken this job. In addition, however, the farmers and ranchers are likewise investing their money to get the job done.

The program has pointed toward retirement of cropland unsuitable for sustained crop production. This helps speed up the day when these lands are in permanent vegetative cover when the next drought occurs. It is noteworthy to mention again that 21 percent of all the cropland under a Great Plains program contract in the 10 States either has been, or is scheduled to be retired to grass.

Our Nation has been fortunate thus far in not having to experience another period like the "dirty thirties." Our conservation investment since that time has perhaps assured us that we won't ever experience those dark days again, at least of the same magnitude. But having lived in the Plains, I am sure other of my colleagues will agree with me that extended droughts are a constant threat to the vast Plains area of our Nation.

One characterization of the Plains has been described as being "an area that suffers a drought, followed by a wet spell, followed by another drought with relentless monotony."

The Great Plains conservation program along with others has indeed made this area less vulnerable to those extremes in weather conditions in the Plains. We are winning this battle with old Mother Nature—but let me say that it is not won. At a time in our history when we are so close to providing the needed stability to the Plains, I urge each of you to continue this unique program so that we can close out forever the chance of witnessing another period of dust storms that settled over many of the metropolitan areas in the East during those dark days of the 1930's.

This contract arrangement with over 31,000 farmers and ranchers in the Plains States thus far has proven its worth beyond any doubt. In addition to diminishing the tremendous dust storms once experienced, the program has provided stability of individual farm and ranch units needed to stay in business. I take pride in returning to my State to visit with the stewards of our soil who no longer are suffering the anguish and despair once experienced. Together in this partnership we have learned to cope with those hazardous weather conditions, and together we are on the way to total victory. For the sake of our Nation, let us continue the remarkable unparalleled progress made thus far, with this specially tailored Great Plains conservation program.

Mr. President, for the benefit of others of our colleagues who may wish to further acquaint themselves with this program, I ask unanimous consent to have printed in the Record at this point excerpts from a Soil Conservation Service pamphlet further explaining this program. In closing, I wish to again commend Senator McGovern, my good friend from South Dakota, for his leadership in this effort.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Why Farmers and Ranchers Like the Great Plains Conservation Program

More and more farmers and ranchers in the Great Plains are finding in the Great Plains Conservation Program a faster and less costly way of solving erosion problems and making yields and income more dependable.

Especially in time of drought—and Plains history shows there is nearly always a drought somewhere in the Plains—the Great Plains Conservation Program is proving effective in protecting soil and conserving moisture. Thus drought, when it comes, is a less costly blow.

Here are reasons why farmers and ranchers in the Plains are finding the new program a real help.

A farmer or rancher—with cost-share help because of the Plains importance to the whole Nation—can apply a complete farm or ranch conservation plan at a stepped-up pace. This gives him the best drought defense science and farmer-rancher experience have been able to work out for agriculture in the Plains.

He has in the Great Plains Conservation Program a long-term contract that guarantees cost sharing to complete his conservation plan. It is especially suited to the man who depends entirely on farming or ranching for a livelihood.

He can get up to an average of $2,500 a year as the Government's contribution in cost-share payments for work on his farm or ranch. The minimum contract period is 3 years, the maximum 10. (If all needed work can be done in less than 3 years, chances are some other program will fit his needs.)

The contract can be modified to meet changing conditions.

He gets prompt cost-share payments as he completes portions of his soil and water conservation plan.

The Great Plains Conservation Program is a voluntary one. Its care is a complete soil and water conservation plan, based (1) on the soil, the plant conditions, the available water and (2) on the problems and the needs of the farmer or rancher.

At the beginning, a farmer or rancher enters into an agreement with the Secretary of Agriculture to carry out his conservation plan. He agrees to apply the needed practices according to a schedule which he works out with the help of men trained in the best farming and ranching methods known for his area.

The Great Plains Conservation Program is geared to the going program of the soil conservation districts in the area. It makes use of help from other programs, agencies, and organizations at county, State, and Federal levels.

PRIORITIES FOR ASSISTANCE

The limit on total funds and the basic purpose of the Great Plains Conservation Program—soil and water conservation—make priorities necessary. The region has 12 to 14 million acres now being cultivated that, because of the hazards of soil and climate, need to be converted to permanent plant cover. Large areas of rangeland need reseeding and other improvements in vegetation. And Congress authorized a maximum of $150 million for cost-sharing payments over a period ending in 1971.

High priority units

Farms and ranches having either cropland unsuited to further cropping or eroding range needing seeding, or both.

Units having cropland suited to cultivation but needing treatment to control erosion and conserve moisture.

Units having problems that can be solved by several operators working together—if the landowners agree to act in unison.

Medium priority units

Units having rangeland that requires control of invading plants—including brush—followed by seeding and conservation management.

Low priority units

Units that are entirely or mostly irrigated land.

Units mainly of nonirrigated land having only slight erosion problems and needing a minimum of conservation treatment.

Units of rangeland in good to excellent condition.

Units with conservation plans already or so nearly applied that they can be completed with help from other sources.

COST SHARING

Rates of cost sharing are a measure of how urgent a practice is in the area. Rates are determined for each county. Some are as high as 80 percent of the average cost of the practice in the county.

ADDITIONAL AID

When Congress gave leadership of this program to the Soil Conservation Service, it also asked that it be carried out in close cooperation with other interested local, State, and Federal governmental agencies and with all other groups and individuals who can help.

The Great Plains Conservation Program is being coordinated with the "work plans" of soil conservation districts operating in the counties designated by the Secretary of Agriculture for the program, as well as with other Department of Agriculture programs such as ACP and the Conservation Reserve. You can use the cost-sharing provisions of ACP or the Conservation Reserve instead of the Great Plains Conservation Program if you feel one or a combination of them will be more helpful in carrying out your plan.

Each county program committee is made up of the local SCS representative, the chairman of the county ASC Committee, the county FHA supervisor, the county agricultural agent, the supervisors of the soil conservation district, and others closely associated with soil conservation in the county.

PRACTICES

Here, in brief form, is the national list of soil and water conservation cost-share practices. From this list, each State and each county program committee chooses the ones that make best local use of the Great Plains Conservation Program.

Seeding grass on land unsuited or no longer needed for cropland.

Field stripcropping.

Contour stripcropping.

Contour farming of nonterraced land.

Mechanical reseeding of rangeland.

Planting trees or shrubs to protect land.

Sod waterways.

Terraces.

Diversion terraces, ditches, or dikes.

Mechanical treatment of range or pastures to prevent soil loss, retard runoff, and improve water penetration.

Dams to heal or prevent gullying or retard or reduce runoff of water.

Structures for the protection of outlets and water channels that dispose of excess water.

Protective structures to prevent erosion or flood damage to farmland from streams.

Ditches or dikes to prevent water erosion, permit beneficial use of water, or to replenish ground-water supply.

Reorganizing irrigation system to conserve water and prevent erosion.

Leveling of irrigated land.

Building or improving dams, pits, or ponds for irrigation water.

Lining irrigation ditches.

Livestock water wells.

Developing springs and seeps for livestock water.

Building or improving dams, pits, or ponds to protect vegetative cover.

Pipelines for livestock water.

Controlling competitive shrubs on range or pasture land.

Permanent fences.

The purpose of each of these 24 practices is to insure or permit wise use of soil and water resources. Certain of the practices supplement others and are necessary to achieve the overall goals of solving erosion problems and making yields and income more dependable.

Annual, recurring types of conservation practices such as stubble-mulch tillage for cropland and proper use of range are not eligible for cost sharing. But they are vital in keeping erosion at a minimum and maintaining yields and income and are required where needed in Great Plains Conservation Program contract agreements.

S. 44—INTRODUCTION OF LEGISLATION FOR DEAVER IRRIGATION DISTRICT

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to provide for the application of certain credits toward annual installments due under the repayment contract between the United States and the Deaver Irrigation District, Frannie division, Shoshone project, Wyoming.

This legislation was drafted at my request by the Department of the Interior. I have received correspondence from the Bureau of Reclamation and from the Deaver Irrigation District which sets out in detail the need for this legislation. I urge its speedy enactment.

I ask unanimous consent that the correspondence which I have mentioned be included in the Record following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the correspondence will be printed in the Record.

The bill (S. 44) to provide for the application of certain credits toward annual installments due under the repayment contract between the United States and the Deaver Irrigation District, Frannie division, Shoshone project, Wyoming, and for other purposes, introduced by Mr. Hansen, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The correspondence presented by Mr. Hansen is as follows:

U.S. Department of the Interior,
Bureau of Reclamation,
Washington, D.C., January 17, 1968.

Hon. Clifford P. Hansen,
U.S. Senate,
Washington, D.C.

Dear Senator Hansen: This is to supplement our December 14, 1967, acknowledgment of your letter of December 8, 1967, concerning a letter you received from the Deaver Irrigation District of the Frannie Division, Shoshone Project, Wyoming. The District is requesting special legislation to permit the application of certain credits toward its current repayment installments so that it may finance its share of the rehabilitation of Corbett Tunnel.

The District's request concerns the crediting of revenues accumulated from the sale of townsites and the leasing and sale of project land accumulated prior to December 31, 1929. These funds total $51,829.11 and have been credited to the District's construction cost obligation to the United States under terms of the District's repayment contract, dated November 14, 1959, approved by the Act of October 27, 1949 (63 Stat. 941). As these revenues were earned prior to the assumption of the operation and maintenance responsibility for the Frannie Division by the District, Subsection I of the Act of December 5, 1924 (43 Stat. 703), provides the revenues are to be applied to reduce the total contractual obligation. Had these revenues been earned subsequent to December 31, 1929, when the District took over the operating responsibility, they would be applied annually to the current construction charge installment.

The rehabilitation of the Corbett Tunnel is a necessary program. It is planned for accomplishment using regular operation and maintenance forces with costs shared between the Shoshone Irrigation District and the Deaver Irrigation District. Preliminary cost studies indicate that the resurfacing of the tunnel floor will cost $164,285 of which $115,000 would be borne by the Shoshone Irrigation District, and $49,285 by the Deaver Irrigation District. Officials of both districts have indicated that the work can most efficiently and economically be performed over a period of about 7 years with their labor and equipment during off-season periods. We concur that this proposal would offer substantial savings and result in satisfactory rehabilitation of this feature.

Corbett Tunnel consists of a horseshoe section 10.75 feet high, 11.5 feet wide, and 17,357 feet long. It is the first link in the Garland Division distribution system and heads at the left abutment of Corbett Diversion Dam. The tunnel is built through reaches of a conglomerate of gravels and clays, shales and sandstones, and was lined with concrete 9 inches thick when built between 1906–1908. First water was diverted through it in April 1908.

By 1917 river gravels had eroded the invert and reduced the capacity of the tunnel from 1,000 cfs to about 900 cfs. During the winter of 1917–1918, the invert was paved with a mortar of sand and portland cement. This mortar overlay has gradually eroded and the rough floor has been reexposed. In February 1963, commissioners from both the Deaver and Shoshone Irrigation Districts and engineers from the Bureau thoroughly examined the tunnel. It was agreed that the condition of the tunnel was not critical or hazardous, but that the invert would require resurfacing to restore capacity flows. Some seepage into the tunnel is occurring and has increased since 1948 when application of water to lands uphill from the tunnel increased the accumulation of ground water.

The Bureau's Chief Engineer has recommended covering the invert with new concrete to a minimum thickness of 1 inch. This new floor will be placed to the contour of the original invert on a properly cleaned surface. This type of program can be accomplished by the districts in conjunction with their normal maintenance program.

The Shoshone Irrigation District can handle the repayment of costs through normal assessment procedures. However, the Frannie Division is a small project, and productivity of the agricultural lands is relatively low. Gross crop value per irrigated acre ranged from $36 to about $46 over the past 5 years with an average value of $41 as compared to $85 for the Shoshone District. Despite this marginality in gross crop income, the Deaver Irrigation District has maintained repayment contract obligations. The District has been highly cooperative in all matters in operation and maintenance. The District's assumption of the $49,285 rehabilitation work would result in an increase in its construction assessments and according to the District officials would create financial distress among the water users.

A rehabilitation and betterment loan under the Act of October 7, 1949 (63 Stat. 724), has been discussed with the Deaver Irrigation District officials as a means of financing the repairs to the tunnel. Details of the financing arrangements had not been worked out when the District received notice of the crediting of its obligation in an amount almost equal to estimates of its share of repair costs. The District proposed using the credit for the repairs, and when told present law did not permit this, chose to request legislative aid. The use of the credits in this manner could prove to be a practical solution to a difficult financial situation.

We hope this information has been helpful to you. If we can be of further assistance, please let us know.

Sincerely yours,
N. B. Bennett, Jr.,
Acting Commissioner.

Deaver Irrigation District,
Deaver, Wyo., November 27, 1967.

Hon. Clifford Hansen,
U.S. Senate,
Washington, D.C.

Dear Senator Hansen: The Bureau of Reclamation advised this District on August 30, 1967 that $51,829.11 had been accumulated in revenues from the sale of townsites and the leasing and sale of project lands on the Frannie Division of the Shoshone Project prior to this District's taking over the operation and maintenance of the Frannie Division on December 31, 1929. Under Subsection I of the Act of December 5, 1924 (43 U.S.C. 501) this District is entitled to have these revenues applied on its project construction cost obligation to the United States under its repayment contract with the United States dated November 14, 1949 and approved by the Act of Congress of October 27, 1949 (P.L. 419, 81st Congress, First Session).

Since these revenues were earned before our District took over the operation and maintenance of the Frannie Division, Subsection I of the Act of December 5, 1924 requires that they be applied to the District's total construction cost obligation. Had the revenues been earned after our District took over such operation and maintenance, the revenues could be applied on the current construction charge installments which the District makes to the United States under its contract of November 14, 1949. In other words, revenues earned before our District took over operation and maintenance of the Frannie Division must be applied on the tail-end of the construction charge obligation, whereas revenues earned after our District took over such operation and maintenance may be applied on the construction charge obligations now falling due.

During this same year, our Irrigation District has been advised that its estimated share of the cost of urgently needed rehabilitation of the Corbett Tunnel, which serves the Shoshone Project, including lands of our District, will be at least $50,000 and that this estimate must be paid in installments over the next seven years. Such new payments will be a real hardship to the farmers of our District since they are experiencing the same economic difficulties as those being experienced by other farmers in the West.

It would be greatly helpful to the farmers of our District if the $51,829.11 credit could be applied to our construction cost installments payable to the United States over the next seven years. Our District could then pay its share of the urgent rehabilitation costs of the Corbett Tunnel without a substantial increase in its water charges.

Everyone should benefit from this arrangement. The Government, which owns the Corbett Tunnel, would get a reconstructed and completely safe water facility as security for its reclamation construction cost investment. The farmers would get the benefit from such facility without the burden of new and additional water charges which would prove critical to staying in business. And the Congress would not have to advance the Irrigation District additional moneys for rehabilitating the Corbett Tunnel.

This arrangement, however, will need to be approved by Congress. To get this approval we need legislation which would provide something along the following lines:

"Appropriate portions of revenues of $51,829.11 from the sale of townsites and the leasing and sale of project land accumulated prior to December 31, 1929 on the Frannie

Division of the Shoshone Project, may be applied by the Secretary of the Interior as a credit on the current and six next succeeding construction charge installments of the Deaver Irrigation District under its repayment contract approved by the Act of October 27, 1949 (62 Stat. 941)."

We would appreciate it very much if we could get your help in securing the needed Congressional approval for applying the revenues as above suggested.

Sincerely yours,

VIRGEL C. ZWEMER,
Chairman, Board of Commissioners.

S. 45—INTRODUCTION OF BILL RELATING TO AUTHORIZATION FOR FEASIBILITY INVESTIGATION OF THE CORN CREEK UNIT, WYOMING

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to engage in a feasibility investigation of the Corn Creek unit, Wyoming.

Last year, the Bureau of Reclamation reported by letter to me that impediments over water rights for the project had been cleared away and that the Bureau would give every consideration to including the Corn Creek unit in a list of projects which they intended to submit to Congress for feasibility study authorization.

I ask unanimous consent that a letter from the Bureau of Reclamation to me on February 12, 1968, be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., February 12, 1968.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: In your letter of February 2, 1968, you indicated it was your understanding that our Regional Solicitor had issued an opinion regarding the water rights for the Corn Creek Unit, which we heretofore have referred to as the Grayrocks Unit.

Your understanding of the situation is correct. The Regional Solicitor at Denver, Colorado, recently indicated that from a legal standpoint, it would be possible to establish a water right for the Corn Creek Unit. With that opinion at hand, the next step will be to obtain congressional authority for the feasibility study of the unit. We expect that legislation will be introduced in the Congress during the current session to authorize feasibility studies of several potential Reclamation projects. We can assure you we intend to give every consideration to including the Corn Creek Unit in that list of projects.

Sincerely yours,

N. B. BENNETT,
Acting Commissioner.

Mr. HANSEN. Mr. President, the Bureau of Reclamation also issued a statement describing the Corn Creek unit, its status, and the need of feasibility study authorization. I ask unanimous consent that this statement from the Bureau of Reclamation be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MISSOURI RIVER BASIN PROJECT, OREGON TRAIL DIVISION, CORN CREEK UNIT, WYOMING (FORMERLY GRAYROCKS UNIT)

Location: In south-central Goshen County in eastern Wyoming.

Project Data: (Grayrocks Unit Reconnaissance Report, April 1965.)

Total construction cost	$17,838,000
Adjustments	[1] 73,000
Total allocation	17,911,000
Allocations:	
Irrigation — full (11,000 acres)	17,911,000
Irrigation—supplement (9,505 acres)	----------
Total	17,911,000
Benefit-cost ratio	1.17 to 1.0

[1] Future year capacity provisions $48,000 and transitional development $25,000.

Description: The principal features of this unit would be the Corn Creek Dam and Reservoir, diversion dam and a system of pumping plants, canals, and laterals. The unit would provide a full water supply for 11,000 acres of land and supplemental water for 9,505 acres now being irrigated but receiving an entirely inadequate supply. The plan also involves rehabilitation of some existing facilities.

Status: A reconnaissance report was completed in April 1965 which indicated that, while the unit was somewhat marginal, detailed studies are justified to firm up the plan and fully evaluate the economic justification for the development.

Justification: The primary problem of this agricultural area is the uncertainty of precipitation. The precipitation pattern is cyclical with frequent occurrence of drought that results in depletion of the livestock-carrying capacities of the ranges. The nature of the watersheds and insufficient storage capacities of existing reservoirs too often result in low water yield for irrigation. For example, the three existing irrigation districts have combined facilities for storing 25,265 acre-feet of water from Horse Creek and Bean Creek. This storage provided an estimated average of 0.56 acre-feet of water per acre at the farm headgates over the critical 1952–1962 period. The accompanying reduction in agricultural income has had an adverse effect upon the farmer and landowner. The nearby town of Torrington and other small towns are almost entirely dependent upon the prosperity of agriculture.

Local interest: This investigation is strongly supported by the local people and the State of Wyoming. The local interests have formed the Corn Creek Reservoir Association which is actively supporting the project. Members of the association consist of representatives of the three private irrigation districts in the Corn Creek area and Goshen Irrigation District and new landowners. Petitions have been obtained which show that 90 percent of the owners of presently irrigated land and 94 percent of the owners of the new land area are highly in favor of proceeding with the feasibility study. Filings have been made with the State Engineer for storage water rights in Corn Creek Reservoir.

Remarks: The plan presented in the 1965 reconnaissance report was based on using surplus waters of the Laramie River and water savings from lining of the Fort Laramie Canal of North Platte Project. The Regional Solicitor, by letter dated December 11, 1968, advised that the plan is permissible of accomplishment from a legal standpoint but only with the full concurrence of all who presently have an interest in the area of the North Platte Project water supply, including, the Warren Act contractors. This would be so time consuming as to be impractical. Alternative courses are (1) Glendo inundated water rights, (2) some 11,000 acre-feet of uncommitted storage in Glendo Reservoir, and (3) unappropriated flows of the North Platte River. Consideration is being given to using Glendo inundated water rights in Platte County and the feasibility studies of the Corn Creek Unit would be concentrated on the latter two alternatives—Glendo storage and North Platte River flows.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 45) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 50—INTRODUCTION OF BILL FEDERAL REVENUE-SHARING ACT

Mr. GOODELL. Mr. President, I rise to introduce the "Federal Revenue-Sharing Act."

I. SPECIAL FEATURES OF THE BILL

The bill I am introducing is based on the revenue-sharing bill I sponsored in the House of Representatives in 1967 (H.R. 4070). But the formula for distribution to States and localities was altered slightly to allocate a specified portion of the revenue-sharing payments to cities and urban counties. The revised formula as it relates to metropolitan governments is based upon the recommendations recently made by the National Advisory Commission on Urban Problems—the "Douglas Commission"—headed by former Senator Paul Douglas, of Illinois.

On the basis of present estimates, the bill in the first year of its operation—fiscal 1970—would provide about $2.4 billion of revenue-sharing payments to States and metropolitan governments. Under the distribution formula of the bill, it is estimated that on a nationwide basis about 65 percent of these payments would be allocated to States, 22 percent to cities, and 13 percent to urban county governments.

The present bill is not offered as part of a plan to cut back projected expansions of Federal grant-in-aid programs or as a substitute for portions of existing grant-in-aid programs. Instead, it is conceived as a supplement to existing Federal grant programs, designed to strengthen States' and metropolitan governments' fiscal base.

Reform of the numerous and overlapping grant-in-aid programs—especially in the direction of simplification and consolidation—remains an important objective. It is a subject on which I plan to introduce legislation later this session. But grant-in-aid reform is a separate issue from revenue-sharing and thus is not part of the concept of the present bill.

II. OBJECTIVES OF REVENUE-SHARING

Revenue-sharing seeks to provide for the great public needs of the 1970's by strengthening the fiscal base of States and urban governments.

"Revenue-sharing" refers to a plan by which the Federal Government distributes a portion of its tax revenues to States and localities without specifying a particular use of the funds. The States and local governments receiving these payments would be free to determine themselves how to use the grants. The Federal Government does not now provide this type of general support payments to States and localities, and instead makes grants-in-aid for specifically defined purposes, often with extensive Federal controls.

Revenue-sharing will give States and urban centers the funds and the flexibility they need to function effectively within our Federal system and to provide essential public services. It is a new system of "money without strings," instead of "strings without money."

Interstate competition for industry limits the revenue-raising potential of the wealthiest States and metropolitan centers. An inadequate tax base limits the poorer States and cities.

By returning to States and metropolitan governments a fixed percentage of personal income without Federal controls, revenue-sharing will give greater vigor to State and urban governments. It will supplement these governments' local tax base, thus enabling them to strengthen their administrative apparatus, supply better public services, and meet pressing social needs more effectively. And it will put new life in our Federal system by giving greater scope to local decisionmaking, initiative and innovation.

III. HISTORY OF REVENUE-SHARING

Plans for general Federal grants to State and local governments are not new. One hundred and thirty years ago, the Federal Government put into effect a system of revenue-sharing on a one-shot basis, by distributing to the States the surplus accumulated in the National Treasury. In many of our States, there are systems of revenue-sharing with local governments analogous to proposals made for its adoption at the Federal level.

Ten years ago, the introduction of a number of bills in Congress stimulated interest in revenue-sharing. I introduced one of the earliest bills on this subject, in 1959.

As a result of the interest generated by these bills, Walter W. Heller, former Chairman of the Council of Economic Advisers, conducted a further study of the matter in 1964. Mr. Heller recommended the adoption of a revenue-sharing system with States. This proposal was supported by a Presidential task force headed by Joseph A. Pechman of the Brookings Institution. These studies received widespread public attention—so much so that revenue-sharing is often spoken of as the "Heller-Pechman Plan," although its history antedated the Heller and Pechman studies.

In 1967, I introduced a major revenue-sharing bill in the House of Representatives. It was based on an extensive study I conducted as Chairman of the Planning and Research Committee of the House Republican Conference, in cooperation with Dr. Richard P. Nathan, now a research associate at Brookings Institution.

My 1967 bill was the first legislative proposal to provide a comprehensive and detailed statutory scheme for revenue-sharing, including an allocation formula based on States' population and tax effort, a mandatory "pass through" of a portion of revenue-sharing payments to localities, and a carefully worked out administrative apparatus. This bill widely influenced, and often served as a model for, later legislative proposals on the subject.

The Advisory Commission on Intergovernmental Relations recommended the adoption of Federal revenue-sharing in its 1967 report on fiscal balance in the American federal system. This year, the National Advisory Commission on Urban Problems, headed by former Senator Paul Douglas, of Illinois, urged the adoption of a Federal revenue-sharing system. The Douglas Commission proposed a special formula, included in the present bill, requiring States to pass through to cities and urban counties a specified portion of the revenue-sharing payments they receive from the Federal Government.

The concept of revenue-sharing has also been endorsed by the National Governors Conference, the Republican Governors Association, the National Conference of Mayors, the National Conference of State Legislative Leaders, and the National Association of Counties. In the 90th Congress, over 110 Members of Congress sponsored or cosponsored over 90 revenue-sharing bills.

IV. ADVANTAGES OF THE BILL

The present bill contains a number of important special advantages, among them:

First, the bill gives recognition to the legitimate claims of urban governments by requiring a specified portion of revenue-sharing payments to be "passed through" by States to cities and urban county governments having more than 50,000 population.

Second, it rewards with bonuses States and urban governments that make the greatest tax effort. This will help assure that these State and local governments will maintain or increase their efforts to raise money from local sources to meet their fiscal needs.

Third, it incorporates a measure of equalization for the poorest States.

Fourth, it creates a body to administer the program, which is representative of the interests of States and urban governments, as well as of the Federal Government.

Fifth, it requires complete congressional review of the revenue-sharing program in no less than 4 years when the appropriations under the bill expire.

Each of these special features is important. Among the most important is the inclusion of metropolitan governments in the revenue-sharing program.

Most of the revenue-sharing proposals that have been put forward—including that of Dr. Heller—would provide revenue-sharing moneys only to States. They do not effectively assure that the urban centers of this Nation will receive the needed additional resources to meet their basic and vital tasks of government.

My 1967 revenue-sharing bill required States to distribute 45 percent of their revenue-sharing payments to local governments. It left a State free to choose which type of local governments—urban, suburban or rural—would be primarily benefited.

The present bill goes beyond my 1967 proposal because it mandates that a State distribute a specified portion of the funds to cities and urban counties of 50,000-plus population. It thus guarantees that major urban centers—whose needs for revenue-sharing funds are particularly pressing—will receive a fair share of the payments made under the program.

The cities and urban county governments will have full discretion to use those payments for the purpose they deem most desirable. The bill thus will help stimulate initiative and innovation at the local level.

The formula in the bill for the mandatory "pass through" to urban governments was developed by the Douglas Commission, on the basis of extensive study and research.

V. ANALYSIS OF THE BILL

BASIS OF REVENUE-SHARING PAYMENTS

The bill would appropriate for revenue-sharing purposes a stated percentage—3 percent for fiscal 1970 and 1971, 4 percent for 1972, and 5 percent for 1973—of the total receipts from Federal individual income taxes in the preceding fiscal year.

A proviso in the bill states that in no case will the amount appropriated for revenue-sharing in any given year be less than the amount appropriated for that purpose in the prior year. The proviso would protect States and localities from a cutback resulting from a recession or future Federal income tax reduction.

On the basis of present estimates, the bill would allocate about $2.42 billion for revenue-sharing in fiscal 1970, the first year of the program. It would allocate somewhat over two-thirds more than this amount in fiscal 1973, the last year for which money is appropriated under the bill.

ALLOCATION AMONG STATES

The bill allocates 90 percent of revenue-sharing moneys among the States according to a formula based on population and tax effort. The tax effort factor is measured by the ratio of all State and local taxes collected within a State to the total personal income for that State.

The use of the tax effort factor in the formula provides a bonus to States which maintain or increase their tax efforts. It thus serves as a deterrent against States' reducing their own taxes in expectation of receiving revenue-sharing assistance.

The bill would allocate the remaining 10 percent of revenue-sharing moneys to the 17 States having the lowest per capita income. The number 17 is selected as representing the poorest one-third of the States. These poorest States generally are those most in need of Federal aid to strengthen their fiscal base. The formula for these States would be based on population and per capita income, and would be designed to provide a larger proportional share to those States having the lowest per capita income.

PAYMENTS TO CITIES AND URBAN COUNTIES

The bill requires States to pay over to cities and urban counties of 50,000-plus population a substantial portion of revenue-sharing payments they receive. The formula in the bill for these payments by States to metropolitan governments was based on the work of the Douglas Commission.

Under the formula in the bill, the amount a State would be required to pay to a city or urban county would depend on the latter's "local tax ratio." A city's or urban county's "local tax ratio" would be defined as the ratio between, first, its revenues from its own local tax sources, and, second, the total revenues from all State and local taxes in the State.

Specifically, the State would be required to "pass through" to cities and urban counties the following portion of its revenue-sharing payments:

First. For each city or urban county of 100,000-plus population, two times its "local tax ratio" as defined above; and

Second. For each city or urban county of 50,000 to 99,999 population, the product of (a) times the percentage by which that local government's population exceeds 50,000.

It is estimated that on a nationwide basis, this formula would allocate 22 percent of revenue-sharing payments to cities, 13 percent to urban counties, and the other 65 percent to the State governments.

The formula was designed with the following considerations in mind:

First. Basing the formula on local taxation would allocate the largest share to the most populous and most "active" metropolitan governments. It would, moreover, restrict the amount of payments to urban county governments which are relatively "dormant"—that is, which impose few taxes and provide few services.

Second. The formula would take into account the variation in State-local fiscal relations throughout the Nation. The shares it would allocate between the State government and metropolitan governments in a given State would depend upon their relative shares of the total burden of State and local taxation.

Third. The formula serves automatically to allocate payments between cities and urban counties which have overlapping boundaries.

Fourth. Providing a graduated scale of allowances for cities and urban counties with populations between 50,000 and 99,999 avoids the possibility of drastically different treatment for local governments just below and just above the minimum population of 50,000.

FIVE-PERCENT SHARE FOR EXECUTIVE STAFF

The bill would generally require a State to allocate 5 percent of its revenue-sharing payments—exclusive of the amount it is required to pass on to cities and urban counties—for executive staff and management.

One of the most compelling issues for many States today is the improvement of State executive and management functions. Some States have lagged in these fields, often because of a lack of funds. Pressures for higher spending for education, health, welfare, and urban development have overshadowed the development of executive staff machinery and the improvement of State management services.

This feature of a revenue-sharing plan would put emphasis on the need for active, well-staffed State budget offices; qualified executive planning personnel in such fields as fiscal planning, development planning, and policy formulation and coordination; and sufficiently high salaries for top-level management personnel to attract and hold capable people in State government.

UNCONDITIONAL NATURE OF REVENUE-SHARING PAYMENTS

Except for the 5-percent share for State executive staffs, the revenue-sharing payments allocated to State governments and to city and urban county governments would be unconditional. These State and local governments would have full discretion to spend the moneys in the manner they thought most fit.

COUNCIL ON REVENUE-SHARING

To avoid any possibility of Federal administrators imposing conditions, controls or excessive administrative paperwork, the revenue-sharing program would be administrated by a Council on Revenue-Sharing appointed by the President. Five members of the Council would be Governors; five would be mayors or chief executives of cities or urban county governments; and five would be chosen from private life. No more than three persons in each of these categories could be members of the same political party. The Council would determine forms and procedures with a requirement that they be kept as simple as possible. Only the Council could withhold funds for failure of State and local officials to comply with established procedures. Any decision to withhold funds would be subject to judicial review in a Federal Court of Appeals. The Council would also be charged with responsibility for assessing the impact of the revenue-sharing program and making recommendations to Congress for changes.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 50) to provide appropriations for sharing of Federal revenues with States and certain cities and urban counties, introduced by Mr. Goodell, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 50

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Revenue-Sharing Act".

APPROPRIATIONS

Sec. 2. (a) In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of the Treasury (hereinafter referred to as the "Secretary") for making revenue-sharing payments under this Act an amount for the fiscal year ending June 30, 1970, and the succeeding fiscal year, equal to 3 per centum of the total receipts from individual income taxes during the preceding fiscal year, an amount for the fiscal year ending June 30, 1972, equal to 4 per centum of such receipts, and an amount for the fiscal year ending June 30, 1973, equal to 5 per centum of such receipts; except that the amount so appropriated for any year shall not be less than the amount so appropriated for the preceding year.

(b) For purposes of this Act, the term "individual income taxes" means the proceeds of taxes collected from individuals under subtitle A and the taxes collected under chapter 24 of the Internal Revenue Code of 1954. Determinations under this section shall be made pursuant to regulations prescribed by the Secretary, and his determinations shall be final.

REVENUE-SHARING PAYMENTS

Sec. 3. The revenue sharing under this Act shall be carried out by the Secretary through payments under section 4 to all qualified States, and through payments under section 5 to low-income States (as defined in section 5(c)). The aggregate of such payments to a State shall be the "revenue-sharing payment" for that State.

BASIC REVENUE-SHARING PAYMENTS

Sec. 4. (a) The Secretary shall each year make a payment to each State which, under section 6, is qualified for a revenue-sharing payment in an amount which bears the same ratio to 90 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)),

bears to the sum of the corresponding products for all the States which are qualified for a revenue-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes collected in the State by the State and its political subdivisions and the total personal income for the State. Determinations under this section and section 5 of this Act shall be made by the Secretary on the basis of population and other data for the most recent year for which satisfactory data are available.

EQUALIZATION REVENUE-SHARING PAYMENTS

Sec. 5. (a) The Secretary shall each year make a payment to each low-income State which, under section 6, is qualified for a revenue-sharing payment which bears the same ratio to 10 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's income index (as determined under subsection (b)),

bears to the sum of corresponding products for all the low-income States which are qualified for a revenue-sharing payment.

(b) The "income index" for a State shall be the population of the State divided by the total personal income for the State.

(c) For purposes of this section, a State shall be deemed to be a low-income State if it is one of the seventeen States which had the lowest personal income per capita during the most recent fiscal year for which satisfactory data are available.

STATE UNDERTAKINGS

Sec. 6 (a) In order to be qualified for a revenue-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for revenue-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to make the distributions out of the revenue-sharing payments received by it to certain cities and urban counties as provided under subsection (b); and

(3) to use 5 per centum of that portion of the revenue-sharing payments made to it under sections 4 and 5 which are not required to be distributed to cities or urban counties under subsection (b), for executive management improvement to meet the particular needs of the State for (A) well-staffed State budget offices, (B) qualified executive planning personnel, and (C) salary increases for top-level management personnel; but the State may use such funds for other purposes if it determines, in its sole discretion, that there are areas of greater or more urgent needs;

(4) to furnish information and data to the Secretary in accordance with the rules and regulations of the Council on Revenue Sharing.

(b) A State shall distribute in each fiscal year out of its revenue-sharing payments—

(1) To each city or urban county (as defined in subsection (c)) within its boundaries having a population of 100,000 or more, an amount not less than the product of—

(A) the revenue-sharing payment made to the State under Sections 4 and 5, and

(B) twice the local tax ratio (as defined in subsection (c)) of such city or urban county; and

(2) To each city or urban county (as defined in subsection (c)) within its boundaries having a population between 50,000 and 99,999, an amount not less than the product of—

(A) the revenue sharing payment made to the State under sections 4 and 5, and

(B) a fraction representing the product of (i) twice the local tax ratio (as defined in subsection (c)) of such city or urban county, and (ii) the population ratio (as defined in subsection (c)) of such city or urban county.

Such distributions shall be made by the State to such cities and urban counties with no restrictions imposed on the use thereof which are not applicable to the use of funds which such cities or urban counties derive from their own resources. Determinations under this subdivision shall be made by a State on the basis of population and other data for the most recent year for which satisfactory data are available, which data shall be furnished by the Secretary.

(c) For purposes of this section—

(1) the term "urban county" shall mean a county having a population of 50,000 or more, at least 50 per centum of the population of which was classified as urban population in the most recent United States census;

(2) the term "local tax ratio" of a city or urban county shall mean the ratio between (A) the total receipts from all taxes imposed by such city or urban county and (B) the total receipts from all taxes imposed by the State and all its political subdivisions; and

(3) the term "population ratio" of a city or urban county having a population between 50,000 and 99,999 shall be the ratio between (A) the amount by which the population of such city or urban county exceeds 50,000, and (B) 50,000.

COUNCIL ON REVENUE SHARING

Sec. 7. (a) There is hereby established a Council to be known as the Council on Revenue Sharing (hereinafter referred to as the "Council") which shall be composed of fifteen members appointed by the President without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Of the members of the Council, five shall be persons who are Governors of their respective States, not more than three of whom are from the same political party; five shall be persons who are mayors or chief executive officers of cities or urban counties (as defined under section 6 (c)) having populations of 50,000 or more, not more than three of whom shall be of the same political party; and, of the remainder, not more than three shall be of the same political party. The Secretary shall designate a member of the Council as its Chairman. Eight members of the Council shall constitute a quorum. Each member of the Council who is a Governor of a State or a mayor or chief executive officer of a city or urban county may appoint another person to act as his delegate in carrying out any of his functions under this Act.

(b) (1) It shall be the duty of the Council to prescribe by rule or regulation the information and data to be furnished by the States to the Secretary, and the manner and form in which such information and data shall be provided. In carrying out this duty the Council shall give emphasis to reducing to a minimum the administrative burden on States and their political subdivisions, consistent with the need of the Secretary and the Council for information and data to carry out their duties, and of the Congress to carry out periodic reviews of the revenue sharing program. Reports and forms required under this Act shall be kept at an absolute minimum, and in as simplified a form as is practicable.

(2) It shall also be the duty of the Council to prescribe, by rule or regulation, the manner in which computation under sections 4 and 5 shall be made by the Secretary, and in which computation under section 6(c) shall be made by the States.

(3) It shall also be the duty of the Council to make determinations under section 8 on withholding revenue-sharing payments from States.

(c) The Council may appoint and fix the compensation of a Director and such other employees as it may find necessary to carry out its duties. Members of the Council while serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

WITHHOLDING REVENUE-SHARING PAYMENTS

Sec. 8. Whenever the Council, upon complaint of the Secretary, finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure to comply substantially with any undertaking required by section 6, or whenever the Council, on complaint of the mayor or chief executive officer of any city or urban county (as defined in section 6(c), finds, after such reasonable notice and opportunity to be heard, that there is a failure to make distributions required under section 6(c) to such city or urban county, the Council may notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this title.

JUDICIAL REVIEW

Sec. 9. (a) If any State is dissatisfied with the Council's final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

ADMINISTRATION

Sec. 10. (a) There shall be in the Department of the Treasury an Administrator of Revenue Sharing who shall be appointed by the President. The Administrator of Revenue Sharing shall have such duties as may be prescribed by the Secretary.

(b) The Council shall make an annual report to the President and to the Congress with respect to the operation of the revenue-sharing program provided for in this Act.

REVIEW OF REVENUE-SHARING PROGRAM

Sec. 11. It is the intention of the Congress to conduct a full and complete study and review of the revenue-sharing program during the fourth year of its operation with a view to determining the need for revision therein. To assist the Congress in making such a study and review, the President and the Council shall each submit to the Congress a comprehensive report on the program before the end of the third fiscal year during which the program is carried on.

DEFINITION

Sec. 12. For purposes of this Act (except section 6(c)), the term "State" includes the District of Columbia.

S. 58—INTRODUCTION OF BILL FOR ADDITION OF THE FREEMAN SCHOOL TO THE HOMESTEAD NATIONAL MONUMENT OF AMERICA, NEBRASKA

Mr. CURTIS. Mr. President, on behalf of my colleague, the senior Senator from Nebraska (Mr. Hruska) and myself, I introduce a bill providing for the addition of the Freeman School to the Homestead National Monument in the State of Nebraska.

This bill and its purpose have a special place in my heart and should have special meaning for all Members of Congress who are interested in preserving for future generations important symbols of the early development of our country.

For the sake of clarity and easy reference in the minds of everyone, this might well be called "the little red schoolhouse bill."

It would preserve, in perpetuity, a red-brick schoolhouse that was built by Daniel Freeman, America's first homesteader, in 1871.

When this school was built, Mr. President, hostile Indians still roamed the plains of the West. Nebraska had been a State only 4 years. Daniel Freeman constructed this school for his own large family. He used handmade brick.

The "little red schoolhouse" is still standing on a tract of land near Beatrice, Nebr.

The land on which it is situated is adjacent to the Homestead National Monument established several years ago by Congress on the original Freeman homestead to commemorate the great progress made through the Homestead Act in developing the United States.

The National Park Service last year recommended the addition of "the little red schoolhouse" to the Homestead National Monument grounds. In making its recommendation after a thorough study, Mr. President, the Park Service made the following significant observations:

> As a schoolhouse, it symbolizes the pioneers' determination to civilize the frontier and provide opportunities for the common man as soon as possible.
>
> The one-room country school will soon be a thing of the past, and it seems appropriate that an example be preserved by the National Park Service.

I repeat, those findings were made by the National Park Service in line with its duty to preserve lands and physical structures of historical significance to all the people of America.

The Freeman School—the name taken from America's first homesteader is appropriately descriptive of what the Homestead Act and its accompanying pioneer school system meant to the common man who settled the West—is the oldest school in Nebraska.

It measures 36 feet by 20 feet and has walls 12 feet high.

The building served as a meetinghouse and church in addition to a school. Members of the Freeman family served on the school board, and Daniel Freeman's interest in the educational system prompted a local controversy that reads like a page out of one of our national controversies of recent years. Mr. Freeman in 1899 objected to religious exercises in the school and pursued his objections to the Nebraska Supreme Court, which held the school district in violation of the State constitution.

The Freeman School continued to serve as a schoolhouse until June 1967, when it was taken out of use by the tri-county school board of DeWitt, Nebr. The bill would authorize the Secretary of the Interior to acquire the building and about 31 acres surrounding it for access and preservation purposes with either donated or appropriated funds. This is a worthwhile national project, Mr. President, and Senator HRUSKA joins me in the recommendation that Congress will authorize it to be carried out for the benefit of future Americans who otherwise may never know what the real one-room red schoolhouse that contributed so much to the early development of rural America looked like.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 58) providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes; introduced by Mr. CURTIS (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. HRUSKA. Mr. President, it is a pleasure to join my colleague in cosponsoring this bill to add the Freeman School to the Homestead National Monument in the State of Nebraska.

The Freeman School is regarded as the oldest continually operated school in Nebraska. It is a one-room brick structure, built in 1871 and operated ever since until 1967. Fortunately, it is only one-fourth of a mile from the visitor center of the Homestead National Monument in Gage County, Nebr., so it can readily be administered by the National Park Service in conjunction with the existing monument. As a schoolhouse, it symbolizes the determination of the pioneers to provide their children with the advantages of education and equal opportunity, notwithstanding the difficulties of living on the frontier.

The Freeman family has been identified with this particular school and its operation throughout most of its history. The building itself has been conveyed by the school board to the Homestead Historical Association, so that it may be donated to the National Park Service when this bill is passed.

This bill is identical to S. 2949 of the 90th Congress. It was not considered last year solely because the National Park Service had not been able to provide the committees with the customary legislative reports. The Park Service has indicated its interest in and sympathy with this project, and it is hoped that the bill can receive prompt consideration. It is expected that the property will be donated to the Government, so cost is not a problem.

S. 60—INTRODUCTION OF BILL TO CREATE A CATALOG OF FEDERAL ASSISTANCE PROGRAMS

Mr. BOGGS. Mr. President, I introduce for appropriate reference on behalf of myself and 10 cosponsors, a bill to create a catalog of Federal assistance programs.

In recent years the proliferation of Federal assistance programs has become a source of irritation for those who seek a particular program to fulfill specific needs. The tangle has resulted in many man-hours being wasted in ferreting out programs tailored to the needs of an individual.

The absence of a reliable cross-referenced source of information for all Federal programs has also undoubtedly caused an overlapping of Federal programs, adding needless cost to the considerable confusion.

As a Member of the House of Representatives, my colleague from Delaware, the Honorable WILLIAM V. ROTH, JR., was constantly being asked about various programs. He and his resourceful, energetic staff realized the need for a directory of all Federal assistance programs. They undertook the arduous task of compiling existing Federal programs. From this intensive study they determined that nearly 1,300 types of assistance were available. As a result, Mr. ROTH proposed, in the last session of Congress, the creation of an up-to-date compendium of existing programs.

Mr. ROTH's efforts have won him wide acclaim. I join many of his House colleagues, and others, in congratulating him for the very valuable contribution he has made.

The bill which he introduced in the last session of the House and reintroduced in the current session is the one which I introduce today. It provides that the President shall send to the Congress at the beginning of each regular session a catalog of Federal assistance programs.

This publication would contain all the essential information that a potential applicant for a Federal program would need. In an effort to keep the information accurate, the catalog would be revised at no less than monthly intervals. This directory would be the sole compendium of program information published by any Federal agency or department.

In his study of the catalog of the Office of Economic Opportunity, Mr. ROTH found it to be incomplete and lacking in information useful to potential program beneficiaries. However, that Office's effort was a start. It has become glaringly evident through my colleague's study that, in order for Federal agencies, levels of State and local government, and particularly the individual to make the best use of programs available, much more information must be published.

A publication of this sort would aid in eliminating overlapping programs and functions of the various agencies. It would also suggest ways for judicious trimming of the budget.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 60) to create a catalog of Federal assistance programs, and for other purposes, introduced by Mr. BOGGS, for himself and other Senators, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Program Information Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Federal assistance program" means any program providing Federal benefits, regardless of whether it is identified as a separate program by law or by any administering agency, which can be differentiated from any other such program on the basis of its legal authority, its administering office, its specific purpose, the specific benefits it provides, or the specific qualifications of its beneficiaries.

(b) Federal assistance program "benefits" include but are not limited to grants, loans, mortgage loans, mortgage and other insurance, scholarships, other financial assistance, property of any kind, services, technical assistance, and expert information.

(c) A Federal assistance program "beneficiary" includes but is not limited to a State, or grouping or subdivision thereof, county, city, other political body, profit or nonprofit corporation or institution, any individual, or any other potential beneficiary, domestic, or foreign, other than an agency of the United States.

(d) An "administering office" is the lowest subdivision of any Federal agency or department that has direct, operational responsibility for a Federal assistance program.

(e) "Federal agency or department" means any executive department; independent commission; wholly owned Government corporation; board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board.

EXCLUSION

SEC. 3. This Act does not apply to any activities related to the collection or evaluation of national security information.

CATALOG OF FEDERAL ASSISTANCE PROGRAMS

SEC. 4. The President shall transmit to Congress during the first days of each regular session a catalog of Federal assistance programs, referred to in this Act as "the catalog," in accordance with this Act. The catalog shall set forth the required program information for each Federal assistance program, summary data and text, supporting additional detail, required reports, recommendations, and such other matter as the President may determine.

PURPOSE OF CATALOG

SEC. 5. The catalog shall be designed to assist the potential beneficiary identify all existing Federal assistance programs wherever administered, and shall supply information for each program so that the potential beneficiary can determine whether particular assistance or support sought might be available to him to use for the purposes he wishes.

REQUIRED PROGRAM INFORMATION

SEC. 6. For each Federal assistance program; the catalog shall—

(1) identify the program. The identification may include the name of the program, the authorizing statute, the specific administering office, and a brief description of the program including the objectives it is designed to attain.

(2) describe the program structure. The description may include a statement of the eligibility restrictions, the available benefits, and the restrictions on the use of such benefits.

(3) state the level of funding. This statement may include a tabulation of the appropriations sought, past appropriations, obligations incurred, average assistance given, or other pertinent financial information designed to indicate the size of the program and any funding remaining available.

(4) state the costs to the recipient of receiving assistance or support. This statement may include a statement of prerequisites to receiving benefits, and of duties required after receiving benefits.

(5) identify the appropriate officials to contact. The list may include contacts in both Washington, District of Columbia, and locally, including addresses and telephone numbers.

(6) describe the mechanics of application. The descripion may include application deadlines, and the time taken to process or approve an application.

(7) identify related programs.

FORM OF CATALOG

SEC. 7. (a) Detailed budgetary information shall be given for each Federal assistance program. Except for budgetary information, similar information for each Federal assistance program may be consolidated.

(b) The program information may be set forth in such form as the President may determine, and the catalog may include such other program information and data as in his opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

(c) The catalog shall contain a detailed index designed to assist the potential beneficiary to identify all Federal assistance programs related to a particular need.

(d) The catalog shall be in all respects concise, clear, understandable, and such that it can be easily understood by the potential beneficiary.

SIMPLIFICATION OF APPLICATION PROCEDURE

SEC. 8. The President shall transmit with the catalog a report setting forth the specific measures taken in the past year to simplify and consolidate the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of one Federal assistance program with application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments.

MONTHLY REVISION

SEC. 9. The President shall revise the catalog at no less than monthly intervals. Each revision—

(1) shall reflect for each Federal assistance program any changes in the program information listed in section 6.

(2) shall further reflect addition, consolidation, reorganization, or cessation of Federal assistance programs, and shall provide for such Federal assistance programs the program information listed in section 6.

(3) shall include such other program information as will provide the most current information on changes in current funding status, on changes in organizations administering the Federal assistance programs, and on other changes of direct, immediate relevance to potential program beneficiaries as will most accurately reflect the full scope of Federal assistance programs, and the current organizational structure of the Federal agencies and departments that administer such programs.

(4) may include such other program information and data as in the President's opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

PUBLICATION BY SUPERINTENDENT OF DOCUMENTS

SEC. 10. The Superintendent of Documents shall make the catalog and all revisions thereof available to the public at cost in quantities adequate to meet public demand, providing subscriptions to the catalog and revisions thereof in such manner as he may determine.

The catalog shall be the only compendium of Federal assistance program information produced by any Federal agency or department, except as otherwise authorized by the President.

DELEGATION OF FUNCTIONS

SEC. 11. The President may delegate any function conferred upon him by this Act to the Director or other personnel of the Bureau of the Budget, with authority for redelegation within that Bureau, but no functions under this Act may be delegated to any other department, agency, or officer of the United States.

AMENDMENT TO BUDGET AND ACCOUNTING ACT, 1921

SEC. 12. Section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16) is amended (1) by inserting "(a)" immediately after "Sec. 207.", and (2) by adding at the end thereof the following new subsection:

"(b) The Bureau, under such rules and regulations as the President may prescribe, shall prepare the Catalog of Federal Assistance Programs in accordance with the Program Information Act, shall prepare proposals on improvements in the catalog so as further to assist the potential program beneficiary to understand and take advantage of each Federal assistance program, and shall make every effort to simplify and consolidate the various application forms and program guidelines that a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments. In order to facilitate its performance of any function specified in this title, the Bureau of the Budget may—

"(1) prepare information for machine processing;

"(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations; and

"(3) prepare for presentation or other use information processed by machine.

The Bureau may acquire automatic data processing equipment and retain personnel needed for any activity authorized by the Program Information Act."

TRANSFER OF FUNCTIONS

SEC. 13. The functions of operating the Federal information exchange system and of preparing the catalog of Federal assistance programs administered prior to the enactment of this Act by the information center of the Office of Economic Opportunity are removed from the Office of Economic Opportunity and shall be administered instead by the Bureau of the Budget, not to be delegated therefrom to any Federal agency or department. Such personnel, records, property, and unexpended balances of appropriations related to functions under this Act as may be agreed upon between the Director of the Office of Economic Opportunity and the Director of the Bureau of the Budget may be transferred from that Office to the Bureau.

S. 65, S. 80, S. 81, AND S. 82—INTRODUCTION OF BILLS DIRECTING THE FOREST SERVICE TO RELINGUISH INTERESTS IN LAND

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, bills to permit the Forest Service to relinquish interests in land, which interests are of no value to the Federal Government, but which interests impede the use of such land by my constituents, Enoch A. Lowder, Emogene Tilmon, and Wayne Tilmon, of Paris, Ark., and J. B. Smith of Magazine, Ark.

Several years ago my constituents exchanged land which they owned for land owned by the Federal Government. The conveyances reserved to the Federal Government all interest in sand, gravel, stone, clay, and similar materials.

The reservations have impeded the use of the land to such an extent that prospective buyers have felt themselves precluded from excavating for building foundations or using soil for fill at other locations. Such reservations were standard practice of the Forest Service at that time, but the Forest Service no longer requires them in this area of Arkansas because the materials are common to the vicinity and have no value.

The Forest Service acknowledges that their reserved rights to sand, gravel, stone, clay, and similar materials have no value; but the agency has no authority to quitclaim the worthless interests. My bills, therefore, would authorize the Secretary of Agriculture to convey to the owners of the land, by quitclaim deed, these worthless interests of the Federal Government in sand, gravel, stone, clay, and similar materials.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 65) to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Emogene Tilmon of Logan County, Ark.; (S. 80) to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Enoch A. Lowder of Logan County, Ark.; (S. 81) to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to J. B. Smith and Sula E. Smith of Magazine, Ark.; and (S. 82) to direct the Secretary of Agriculture to convey sand, gravel, stone, clay, and similar materials in certain lands to Wayne Tilmon and Emogene Tilmon of Logan County, Ark. introduced by Mr. FULBRIGHT, were received, read twice by their titles and referred to the Committee on Agriculture and Forestry.

S. 88—INTRODUCTION OF BILL—THE ARTIFICIAL ORGANS, TRANSPLANTATION, AND TECHNOLOGICAL DEVELOPMENT ACT OF 1969

Mr. JACKSON. Mr. President, I have introduced a bill entitled "The Artificial Organs, Transplantation, and Technological Development Act of 1969." This legislation is designed to provide a national forum for considering the broad, complex problems associated with human transplantation and the use of artificial organs, while, at the same time, establishing an ongoing model kidney care program from which we can gain vital knowledge and experience.

In brief, the bill calls for a seven-member national commission on transplantation and artificial organs to be appointed by the President. Over the 3-year period for which it is proposed to function, the commission would review and report on all medical activities in the Nation in the field of transplanation and the use of artificial organs for the treatment of disease, and would review legal, social, and technical problems associated with this area of medicine. It would also consider various ways by which the Federal Government can participate in developing the knowledge and facilities for the appropriate use of transplantation and artificial organs in the treatment of disease, and make projections of the public need for readily available facilities for this purpose.

It would also provide for a National Advisory Committee on Kidney Disease programs. This Committee would consist of 12 members, appointed by the Secretary, four of whom would be currently in Government service and eight not otherwise in the employ of the United States. The term of appointment for each member would be 4 years. The Committee would advise and assist the Secretary on regulations, policy, and administration of the bill as it pertains to the diagnosis, treatment and care of patients suffering from kidney disease. The Committee would also review and make recommendations on grant applications under Section 320 of the bill for the establishment and operation of regional and community kidney disease treatment and training programs.

Another section calls for an expenditure of $20 million in the first fiscal year, and $30 million in each of the next 4 fiscal years, for the establishment and operation of a nationwide system of integrated artificial kidney and human kidney transplant centers.

The legislation would also amend the medicare provisions of the social security so that individuals suffering from kidney disease and needing dialysis would be eligible for hospital insurance.

Mr. President, social awareness, concern, and action have not been adequately focused, channeled, nor mobilized toward the problems of kidney disease. Primary and secondary kidney malfunctions are among the first five causes of death in the United States. Recently, a group appointed by the Surgeon General of the United States estimated the prevalence of kidney disease to be 7.8 million with an annual death rate of 100,000 or more.

The irony of this is that medical experts suggest at least seven to 10 thousand cases of end-stage kidney disease are ideally suited for treatment under the strictest medical criteria for patient selection for the artificial kidney or the kidney transplantation. If patients with kidney disease related to hypertension and diabetes or other general conditions were included, the number of patients available for treatment would be very much higher. Yet only about 1 to 3 percent of these treatable individuals receive artificial kidney care or transplantation.

Mr. President, the first three patients treated by chronic hemodialysis are alive and working today—9 years after treatment was initiated. A kidney transplant recipient has now survived over 12 years. I cite this only to emphasize that this problem exists not because we do not have the technological knowhow, but because funds are not available for artificial kidney care and kidney transplants. It has been estimated that it costs between $10,000–$14,000 per patient per year in a hospital dialysis center. These costs can be reduced to about $3,000 to $6,000 each year if treatment is carried out in the home, exclusive of the initial equipment purchases. Funds are needed for training more doctors, nurses, and technicians to support existing and projected centers.

Mr. President, the Department of Health, Education, and Welfare is attempting to do what it can under existing authority through the regional medical centers, demonstration grants, and research assistance as is the Veterans' Administration. Various State agencies are attempting to meet the challenge and need. In the private sector the National Kidney Foundation through its 37 affiliates in 33 States supports research fellowships, a national drug bank to provide low-cost medications, and screening clinics for case detection. The J. F. Hartford Foundation has supported research in the artificial kidney and transplantation for many years. Unfortunately, Mr. President, this is not enough. As I mentioned earlier about 1 to 3 percent of individuals treatable either through the artificial kidney or transplantation are today receiving this care. I believe we should make every effort to respond to this national need.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 88) to amend the Public Health Service Act to provide for a comprehensive review of the medical, technical, social, and legal problems and opportunities which the Nation faces as a result of medical progress toward making transplantation of organs, and the use of artificial organs a practical alternative in the treatment of disease; to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs; and for other purposes, introduced by Mr. JACKSON, for himself and Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 77—INTRODUCTION OF BILL—FEDERAL CLEAN ELECTIONS ACT OF 1969

Mr. GOODELL. Mr. President, I rise to introduce the "Federal Clean Elections Act of 1969."

I. ORIGINS AND APPROACH

This bill strengthens our existing laws on campaign financing in Federal elections. When enacted, it will bring about the first complete overhaul of the laws pertaining to campaign fundraising and spending in more than two decades. It will eliminate the glaring loopholes in the statutory requirements of public disclosure of campaign financing, and will "put teeth" into these requirements by creating an independent, bipartisan agency with adequate organization and investigative powers.

The provisions in this proposed legislation are based upon a bill which I introduced in the House of Representatives with former Congressman Robert T. Ashmore, Democrat, of South Carolina, 2 years ago. That bill, known as the Ashmore-Goodell Election Reform Act, has received widespread public attention and support. Our efforts culminated last June, when the Ashmore-Goodell bill was reported favorably by the House Administration Committee. Regrettably, the bill was not scheduled for floor debate after it was reported.

The proposed legislation I am introducing today is the same as the Ashmore-Goodell bill, in the form that it was reported out of the House Administration Committee.

It should be noted that the committee eliminated a section from the original Ashmore-Goodell bill which would have effectively restricted political action committees created by corporations, labor unions or trade associations in using their corporate funds, dues or compulsory assessments for political campaign purposes. The present bill follows the committee in omitting this provision.

This omitted section of the original Ashmore-Goodell bill was carefully drawn to permit union members to make voluntary contributions to political action committees organized by their unions, and would only have restricted involuntary contributions through use of dues or assessments. I still believe this is a desirable and fair provision. But it has generated unnecessary misunderstanding and controversy, and thus could impede the adoption of other desirable reforms in the present bill upon which there now can be agreement. For this reason, it was not included in the present bill.

II. RATIONALE OF THE BILL

A system of free elections in a democratic society is best served by requiring meaningful and timely public disclosure of political candidates' sources of financial support.

The present bill gives full recognition to the right of American voters to have a true picture of candidates' campaign finances. And it backs up its disclosure requirements with an effective administrative and enforcement machinery.

DEFICIENCIES IN PRESENT LAWS

The present statutory disclosure requirements are full of glaring defects, which as recently as in the 1968 presidential campaign have prevented the public from being adequately informed of what is really being spent on elections.

In the first place, the existing provisions are not administered by an impartial "watchdog" agency with the needed staff and funds, adequate investigative powers, and powers to issue orders and impose other sanctions.

Second, the present laws do not deal clearly enough with campaign expenditures which are spent directly by private organizations and individuals on behalf of a candidate, rather than contributed to a political committee and then spent. As dramatic evidence of this, over three million dollars of these direct expenditures by one of the major political parties during the 1968 presidential campaign went unreported—and there may well have also been substantial unreported direct expenditures by the other major party.

Finally, the present disclosure rules purport only to cover general and special elections to Federal office, not primaries or conventions. They require candidates to make reports, but do not require the political committees supporting them to make reports unless a committee operates nationally or in several States. Committees operating only within one State are exempt, despite the fact that many States do not have adequate reporting laws of their own.

Present law places a $5,000 limit on individual campaign contributions. But individuals can easily circumvent this limit by contributing to more than one political committee establishment for a given candidate.

The existing law also purports to place limitations on total spending by candidates and political committees. But in this age of large-scale, mass media-oriented national campaigns, these limits simply cannot be enforced in the absence of effective Federal campaign financing assistance.

REMEDYING EXISTING DEFICIENCIES

The proposed Federal Clean Elections Act will provide a more effective mechanism for timely public disclosure of campaign financing, by closing the obvious loopholes in present law, and by creating an impartial agency with adequate organization and powers to administer the law.

The bill covers the full range of the Federal election process, including primaries and nominating conventions.

It requires candidates and political committees to make complete and detailed reports of their campaign finances on a periodic basis. Individuals are also required to report their campaign expenditures in excess of $100. And disclosure provisions are imposed with respect to gifts or honoraria in excess of $100 received by Members of Congress while in office.

Of critical importance in the bill is the creation of a strong, impartial administrative mechanism for implementing its disclosure provisions. The bill establishes a permanent, bipartisan, five-member Federal Elections Commission to administer the act and to receive, tabulate, and make available for public inspection the reports on campaign financing.

This Commission gives "teeth" to the act by virtue of its power to investigate violations and issue orders to correct the injury occasioned by a violation.

The Commission also has the important functions of prescribing the form and method of reporting, and of summarizing and publishing the data it receives. This will help assure that data is supplied in proper form, and that information on campaign spending is disseminated to the public.

The proposed legislation clearly states that the reporting requirements apply not only to campaign contributions, but also to direct expenditures made by individuals and private groups on behalf of a candidate. Thus the law could no longer be avoided by having wealthy backers buy television time, supply transportation or pay for other campaign costs instead of making contributions.

The bill retains the existing $5,000 limitation on individual contributions, but closes the gaps in this rule. Under the bill, it will no longer be possible to avoid the $5,000 limit by contributing to several political committees supporting the same candidate.

The bill would repeal the ineffective present limits on aggregate campaign spending.

I am deeply concerned with the effect that the huge rise in campaign spending could have upon our democratic process. But a statutory limit on expenditures simply is not enforceable unless it is coupled with Government assistance to help political parties stay within these limits.

In the past, I have urged that a serious and comprehensive review be given to providing Federal aid to help meet the rising cost of political campaigns. Possible methods of assistance include tax incentives, subsidies and revisions of the "equal time" rules for television coverage. I will be introducing a specific proposal on this subject later this session.

The bill would prohibit Members of Congress or congressional candidates from using contributions received through fund raising events for personal and living expenses. This obviously desirable provision has been omitted from the present law.

III. DIGEST OF PROVISIONS OF BILL

TITLE I—AMENDMENTS TO THE CRIMINAL CODE

The bill extends the provisions of the Federal Criminal Code relating to elections to include primaries and nominating conventions.

The $5,000 limitation on individual political contributions is applied to the aggregate amount which a private individual or firm gives, directly or indirectly, to any one candidate's campaign.

The bill provides that as a general rule, a political committee or candidate may not engage in the sale or purchase of goods, services or advertising to or from any person, firm or group, other than a candidate or a political committee. The only exceptions to this rule are sales of campaign paraphernalia for prices of $25 or less; tickets to political events; food or drink at usual prices; any sales or purchase in the normal course of business; and transactions between a candidate and his family.

The $3 million annual limitation on expenditures by political committees is repealed. The similar limitation on expenditures by candidates is repealed in title II.

"Corporations" are added to the provision banning political contributions by government contractors in Federal, State, and local elections. At present, it is not sufficiently clear that this provision applies to corporations, as it obviously should.

A new section is added making it a crime for a Senator, Representative, or candidate for such offices to use for personal purposes a contribution received as a result of a fundraising event or activity organized in his behalf.

TITLE II—CAMPAIGN FUNDS DISCLOSURE ACT

A five-member bipartisan Federal Elections Commission, appointed by the President and confirmed by the Senate, is given full powers to enforce the act. The Commission will receive reports and statements from those required to file them. It is also given full powers to investigate alleged violations of the act, either on its own initiative or at the request of an aggrieved candidate. The investigative and subpena powers of the Federal Trade Commission are given to the Commission. In case of continued violation, the Commission can issue orders to correct the injury occasioned by the violation.

The Commission's duties also include the dissemination of the information filed with it to the public. All reports and statements will be opened for public inspection and copying. Duplicate copies must be filed with the clerk of the U.S.

district court for the judicial district in which is located the principal office of the political committee or the residence of the candidate or other person filing the report or statement. These copies will also be available for public inspection.

Each political committee which anticipates receiving or spending an aggregate amount exceeding $1,000 in any calendar year must register with the Commission by filing a statement of organization. Upon disbanding or determining that it will no longer receive contributions or make expenditures exceeding $1,000 annually, a registered committee must file a report with respect to the funds it has handled. Committees, associations, or organizations which receive political contributions and make expenditures in an aggregate amount of $1,000 or less per year and State or local committees which operate within one State and do not substantially support Federal candidates are exempt from registration and reporting requirements.

Candidates and political committees are required to make comprehensive and detailed reports of their campaign finances every 3 months throughout the year, as well as on the 15th and fifth days before the election. In addition, any person other than a candidate and a political committee is required to report political expenditures in excess of $100 per year.

To insure complete disclosure of political fundraising and spending, the bill provides for the filing of comprehensive and detailed financial statements by committees and organizations involved in arrangements for national conventions of political parties.

TITLE III—DISCLOSURE OF GIFTS AND HONORARIUMS ACT

Each Senator or Representative must file annually on January 31 a statement listing the total gifts received by him or his wife or minor children, identifying by name and address the donor of each such gift in excess of a total amount of $100. Gifts need not be reported if received from a spouse, child, parent, grandparent, brother, or sister and are not given or used in connection with the election of the reporting person. Honoraria in excess of $100 must be listed, giving the name and address of the person paying such honorarium, the name and address of the person for whom the service was performed, and a description of the services. Any honorarium of $100 or less need not be included in the total honoraria reported.

Candidates must file such reports between the 10th and 15th days preceding the election.

TITLE IV—MISCELLANEOUS

State laws are not affected by the bill unless compliance with State law would result in violation of titles II or III.

The Federal Elections Commission is directed to encourage and cooperate with State officials to eliminate multiple filings by permitting filing of copies of Federal reports to satisfy State laws.

Mr. President, I ask unanimous consent that the text of my bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 77) to revise the Federal election laws, and for other purposes, introduced by Mr. Goodell, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

S. 77

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Clean Elections Act of 1969".

TITLE I—AMENDMENTS TO CRIMINAL CODE

Sec. 101. Section 591 of title 18 of the United States Code is amended to read as follows:

"§ 591. Definitions

"When used in sections 597, 599, 602, 608, 610, and 614 of this title—

"(a) The term 'election' means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, and (3) a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President.

"(b) The term 'candidate' means an individual who seeks nomination for election, or election, to Federal office whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify him for nomination for election, or election, to Federal office or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such an office.

"(c) The term 'Federal office' means the office of President or Vice President of the United States, or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States.

"(d) The term 'political committee' means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000, other than a committee which primarily supports persons seeking State or local office, which does not substantially support Federal candidates, and which does not operate in more than one State.

"(e) The term 'contribution' means a gift, donation, payment of money or any thing of value or loan of money, except to a candidate by a licensed lending institution, or loan of any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution, and also includes a transfer of funds between political committees.

"(f) The term 'expenditure' includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and also includes a transfer of funds between political committees.

"(g) The term 'person' or the term 'whoever' means an individual, partnership, committee, association, corporation, or any other organization or group of persons."

Sec. 102. Section 600 of title 18 of the United States Code is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activtiy

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or the support of or opposition to any candidate or any political party in any election, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

Sec. 103. Section 608 of title 18 of the United States Code is amended to read as follows:

"§ 608. Limitations on political contributions and purchases

"(a) Whoever, other than a political committee or a candidate, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination for election, or election, to any political committee or candidate or to any individual seeking office as presidential and vice-presidential elector, to two or more political committees substantially supporting the same candidate, or to a candidate and one or more political committees substantially supporting the candidate, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b)(1) No political committee or candidate may sell any goods, commodities, advertising, articles, or services to any person other than a political committee or candidate. No person other than a political committee or candidate may purchase any goods commodities, advertising, articles, or services from a political committee or candidate.

"(2) Whoever violates paragraph (1) of this subsection shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(c) Subsection (b) shall not apply to a sale or purchase (1) of any political campaign pin, button, badge, flag, emblem, hat, banner, or similar campaign souvenir or any political campaign literature or publications (but shall apply to sales of advertising including the sale of space in any publication), for prices not exceeding $25 each, (2) of tickets to political events or gatherings, (3) of food or drink for a charge not substantially in excess of the normal charge therefor, or (4) made in the course of the usual and known business, trade, or profession of any person or which is a normal arm's length transaction between persons, or a transaction betwen a candidate and his spouse, child, or parent.

"(d) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation shall be punished as herein provided."

SEC. 104. Section 609 of title 18 of the United States Code is repealed.

SEC. 105. Section 611 of title 18 of the United States Code is amended to read as follows:

"§ 611. Contributions by Government contractors

"Whoever, including a corporation, (1) enters into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, and (2) during the period of negotiations for, or performance under, such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any person, association, or organization for the purpose of influencing the nomination for election, or election, of any person to any public office, or to any political party, committee, or candidate for any public office for any political purpose whatever; or

"Whoever knowingly solicits any such contribution from any such person, for any such purpose during any such period—

"Shall be fined not more than $5,000 or imprisoned not more than five years, or both."

SEC. 106. (a) Chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following:

"§ 614. Use of contribution for personal purposes

"Whoever, being a Senator or Representative in, or Resident Commissioner to, Congress, or an individual elected or appointed as Senator, or elected as Representative or Resident Commissioner, or a candidate for any such office, directly or indirectly receives any contribution as a result of a fundraising event or activity organized in his behalf, and uses all or any part of such contribution for personal, living, or family purposes, shall be fined not more than $5,000 or imprisoned not more than one year, or both."

(b) The table of contents of chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following:

"614. Use of contribution for personal purposes"

SEC. 107. So much of the sectional analysis at the beginning of chapter 29 of title 18 of the United States Code as relates to sections 600, 609, and 611 is amended to read as follows:

"600. Promise of employment or other benefit for political activity.

"609. Repealed.

"611. Contributions by Government contractors."

TITLE II—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

DEFINITIONS

SEC. 201. When used in this title—

(a) The term "election" means (1) a general, special, or primary election, (2) a convention or caucus of a political party held to nominate a candidate, and (3) a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President or Vice President.

(b) The term "candidate" means an individual who seeks nomination for election, or election, to Federal office whether or not such individual is elected. For purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he (1) has taken the action necessary under the law of a State to qualify him for nomination for election, or election, to Federal office, or (2) has received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such an office.

(c) The term "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Resident Commissioner to, the Congress of the United States.

(d) The term "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding $1,000, other than a committee which primarily supports persons seeking State or local office, which does not substantially support Federal candidates, and which does not operate in more than one State.

(e) The term "contribution" means a gift, donation, payment of money or any thing of value, or loan of money, except to a candidate by a licensed lending institution, or loan of any thing of value, made for the purpose of influencing the nomination for election, or election, of any persons to Federal office or as presidential and vice-presidential electors, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and includes a transfer of funds between political committees.

(f) The term "expenditure" includes a purchase, payment, distribution, loan, advance, deposit, or gift of money or any thing of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as presidential and vice-presidential electors, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party, or for the expression of a preference for the nomination of persons for election to the office of President and Vice President, and also includes a transfer of funds between political committees.

(g) The term "person" includes an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons.

(h) The term "State" includes the District of Columbia, Puerto Rico, Guam, American Samoa, and the Virgin Islands.

FEDERAL ELECTIONS COMMISSION

SEC. 202. (a) (1) There is hereby created a commission to be known as the Federal Elections Commission (referred to hereafter in this Act as "Commission"), which shall be composed of five members, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) A person may not be appointed to the Commission—

(A) if at the time of his appointment he was not a member of a major political party, or

(B) if his appointment results in more than three persons from his party being members of the Commission.

For purposes of this paragraph, the term "major political party" means a national political party whose candidate for President received either the largest or the next largest popular vote in the preceding Presidential election.

(3) One of the original members shall be appointed for a term of two years, one for a term of four years, one for a term of six years, one for a term of eight years, and one for a term of ten years, beginning from the effective date of this title, but their successors shall be appointed for terms of ten years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(b) If there is a vacancy in the Commission which has existed for more than 90 days, the remaining members of the Commission may not exercise any of the powers of the Commission until such vacancy is filled, but in such case the Executive Director of the Commission may exercise any duties previously vested in him by the Commission. Except as provided in the preceding sentence, three members of the Commission shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

(e) (1) Members of the Commission shall, while serving on the business of the Commission, be entitled to receive compensation at a rate fixed by the Director of the Bureau of the Budget, but not exceeding $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 3109 of title 5, United States Code.

(2) The Commission shall, in accordance with chapter 51 of title 5, United States Code, and subchapter III of chapter 53 of title 5, United States Code, appoint and fix the compensation of an Executive Director and such other officers, agents, attorneys, and employees as it deems necessary to assist it in the performance of its functions.

(3) The Executive Director shall be the chief administrative officer of the Commission. He shall perform his duties under the direction and supervision of the Commission, and the Commission may delegate any of its functions, other than the making of regulations, to him.

(f) The principal office of the Commission shall be in or near the District of Columbia, but it may meet or exercise any or all of its powers at any other place.

(g) All officers, agents, attorneys, and employees of the Commission shall be subject to the provisions of sections 7324 and 7325 of title 5, United States Code, notwithstanding any exemption contained therein.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 203. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which received. All funds of a political committee shall be kept separate from other funds.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

(1) all contributions made to or for such committee;

(2) the full name and mailing address of every person making any contribution, and the date and amount thereof;

(3) all expenditures made by or on behalf of such committee; and

(4) the full name and mailing address of every person to whom any expenditure is made, and the date and amount thereof.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of $100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the Commission in accordance with published regulations.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

Sec. 204. (a) Each committee, organization, or association (other than an exempt State or local committee) which anticipates receiving contributions or making expenditures in an aggregate amount exceeding $1,000 in any calendar year (hereafter in this section referred to as "committee") shall, within ten days after its organization, or, if later, ten days after the date on which it has information which causes it to anticipate it will receive or make contributions or expenditures in such amount, file with the Commission a statement of organization. Each such political committee in existence at the effective date of this Act shall file a statement of organization with the Commission at such time as it prescribes.

(b) The statement of organization shall include—

(1) the name and address of the committee;

(2) the name, address, and relationship of any organization which (under regulations of the Commission) constitutes an affiliated or connected organization;

(3) the area, scope, or jurisdiction of the committee;

(4) the name, address, and position of the custodian of books and accounts;

(5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;

(6) the name, office sought, and party affiliation of (A) each candidate whom the committee is supporting and (B) any other individuals whom the organization is supporting for nomination or election to public office; or, if the committee is supporting the entire ticket of any party, the name of the party;

(7) a statement whether the committee is a continuing one;

(8) what disposition of residual funds will be made in the event of dissolution;

(9) a listing of all banks, safety deposit boxes, or other repositories used; and

(10) a statement whether the committee is required by law to file reports with State or local officers, and if so, the names, addresses, and positions of such State or local officers.

(c) Any change in information previously submitted in a statement of organization shall be reported to the Commission within a ten-day period following the change.

(d) Any political committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures exceeding $1,000 in the aggregate in any calendar year shall so notify the Commission and file with the Commission a complete report with respect to its funds, including any disposition thereof to date.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

Sec. 205. (a) If an individual is a candidate during a reporting period, or if a political committee is in existence during a reporting period, then such individual or the treasurer of such committee (as the case may be) shall file a financial report under subsection (c) with respect to such reporting period. Such report shall be filed on the first reporting date following the close of such reporting period.

(b) For purposes of this section:

(1) Reporting periods shall be established by the Commission by regulation. A reporting period shall begin at least five days before each reporting date and shall end at least five days before the next succeeding reporting date.

(2) Each of the following days shall be a reporting date:

(A) The 31st day of January.

(B) The 10th day of March.

(C) The 10th day of June.

(D) The 10th day of September.

In addition to the foregoing reporting dates, (i) in the case of a candidate, or a political committee supporting only such candidate, the 15th day and the fifth day preceding any election in which he is a candidate shall be reporting dates, and (ii) in the case of a political committee supporting more than one candidate, or a person required to make a report under section 206, the Commission shall by regulation prescribe reporting dates with respect to any election in which such committee or person supports a candidate.

(3) A political committee shall be deemed to be in existence during a reporting period if it has filed a statement of organization under section 204(a) before the close of such reporting period (and has not filed a final report under section 204(d) before the beginning of such period).

(c) Each report under this section shall disclose:

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events), in the aggregate amount or value, within the calendar year, in excess of $100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all such transfers;

(5) each loan to or from any person, except a loan to a candidate by a licensed lending institution, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loan;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each rebate, refund, or other receipt not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address of each person to whom an expenditure or expenditures have been made by such committee or candidate within the calendar year in the aggregate amount or value in excess of 100 and the amount, date, and purpose of each such expenditure;

(10) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of $100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the reporting period; and

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the Commission may prescribe.

(d) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report only the amount need be carried forward.

REPORTS OTHER THAN BY POLITICAL COMMITTEES AND CANDIDATES

Sec. 206. Any person (other than a political committee, candidate, or exempt State or local committee) whose expenditures exceed $100 in the aggregate during a calendar year shall file with the Commission on the first reporting date (as defined by section 205(b)(3)) which occurs five or more days after the first day in such year on which his expenditures exceed $100 a statement containing the information required by section 205(c). If he makes any additional expenditure during such calendar year, he shall file such a statement on the first reporting date which occurs more than five days after such expenditure. Statements under this section need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

Sec. 207. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the Commission in a published regulation.

(c) The Commission shall have authority to modify, suspend, or waive by published regulation of general applicability such of the requirements of sections 204, 205, and 206 as it finds to be unnecessarily burdensome to the persons required to report thereunder or not to be necessary to effectuate the purposes of this title.

(d) The Commission shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

REPORTS ON CONVENTION FINANCING

Sec. 208. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons in such State, in dealing with officials of a national political party (or with an organization described in paragraph (2)) with respect to matters involving a national convention held in such State or political subdivision to

nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for a national convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Commission a full and complete financial statement, in such form and detail as it may prescribe, the sources from which it derived its funds and the purposes for which such funds were expended.

DUTIES OF THE COMMISSION

Sec. 209. (a) It shall be the duty of the Commission—

(1) to develop prescribed forms for the making of reports and statements required by this title and title III of this Act;

(2) to prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements required by this title and title III of this Act;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(4) to make the reports and statements filed with it available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person;

(5) to preserve such reports and statements for a period of at least 10 years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported receipts and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as the Commission shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as the Commission shall determine and broken down into contributions on the National, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed a sum in excess of $100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made in preceding years;

(9) to prepare and publish such other reports as it may deem appropriate;

(10) to assure wide dissemination of summaries and reports;

(11) to make, from time to time, audits and field investigations with respect to reports and statements filed under the provisions of this title and title III of this Act, and with respect to alleged failures to file any report or statement required under the provisions of this title or title III of this Act;

(12) to report apparent violations of law to the appropriate law enforcement authorities;

(13) to prescribe suitable procedural regulations to carry out the provisions of this title and title III of this Act; and

(14) for the purpose of any audit or investigation provided for in paragraph (11) of subsection (a) or in subsection (b) of this section, the provisions of sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50) are hereby made applicable to the jurisdiction, powers, and duties of the Commission, or any officer designated by it, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

(b) Any candidate who believes a violation of this title or title III has occurred may file a complaint with the Commission. If the Commission determines there is substantial reason to believe such a violation has occurred, it shall expeditiously make an investigation which shall include an investigation of reports and statements filed by the complainant, as well as of the matter complained of. If, on the basis of such investigation and after affording due notice and opportunity for a hearing on the record, it determines such a violation has occurred, the Commission shall issue an order directing the violator to take such action as the Commission determines may be necessary in the public interest to correct the injury occasioned by the violation. Such action may include requiring the violator to make public the fact that a violation has occurred, and the nature thereof, and may also include requiring the violator to make public complete statements in corrected form containing information required by this title or title III, The Commission may also take action to correct such an injury by making public the fact that a violation has occurred, and the nature thereof, and may also make public complete statements (prepared by the Commission itself and its officers and employees) containing the information required by this title or title III. Any party in interest who is aggrieved by a determination of the Commission under this subsection may, within sixty days after such order is issued, file with the United States court of appeals for the circuit in which he resides or in the United States Court of Appeals for the District of Columbia circuit a petition for review of the action of the Commission in issuing the order. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commission. The Commission thereupon shall file in the court the record of the proceedings on which it based its action, as provided in section 2112 of title 28, United States Code. The findings of fact by the Commission, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commission to take further evidence, and the Commission may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The court shall have jurisdiction to affirm the action of the Commission or to set it aside, in whole or in part. The judgment of the court shall be subjected to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. Any action brought under this section shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this section).

(c) Section 5(l) of the Federal Trade Commission Act (15 U.S.C. 45(l)) shall apply to violations of orders of the Commission in the same manner as it applies to violations of orders of the Federal Trade Commission.

(d) In the performance of its duties under this Act, the Commission shall coordinate its activities with the activities of the Comptroller General under the Presidential Election Campaign Fund Act of 1966.

STATEMENTS FILED WITH CLERK OF UNITED STATES COURTS

Sec. 210. (a) Each person who is required by this title to file a report or statement with the Commission, shall file a copy of such report or statement with the clerk of the United States district court for the judicial district in which is located the principal office of the political committee or, in the case of a statement filed by a candidate or other person, in which is located such person's residence; except that this section shall not apply to political committees supporting candidates in more than one State. The Commission may require the filing of copies of reports and statements required by this title with the clerks of United States district courts other than courts where copies are filed under the preceding sentence where it determines the public interest will be served thereby.

(b) It shall be the duty of the clerks under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with such clerks;

(2) to preserve such reports and statements for a period of at least ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for at least five years from the date of receipt;

(3) to make the reports and statements filed with it available for public inspection and copying during regular office hours, commencing as soon as practicable after filing but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements, or parts of statements, pertaining to each candidate.

PROHIBITION ON CONTRIBUTIONS IN NAME OF ANOTHER

Sec. 211. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

Sec. 212. Any person who violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

REPEALING CLAUSE

Sec. 213. The Federal Corrupt Practices Act, 1925, and all other Acts or parts of Acts inconsistent herewith are repealed.

CITATION

Sec. 214. This title may be cited as the "Campaign Funds Disclosure Act".

TITLE III—DISCLOSURE OF GIFTS AND HONORARIUMS

DEFINITIONS

Sec. 301. When used in this title—

(a) The term "honorarium" means all fees in excess of $100 paid from any source other than the Government of the United States for lectures, speeches, articles, and similar services.

(b) The term "Representative" means each Representative in, or Resident Commissioner to, the Congress of the United States.

(c) The term "Commission" means the Federal Elections Commission.

(d) The terms "election" and "candidate" have the meaning given them by sections 201(a) and 201(b), respectively.

(e) The term "gift" means a voluntary transfer of property without consideration but does not include a contribution (as defined in section 201(e)).

STATEMENT OF GIFTS AND HONORARIUMS TO BE FILED

Sec. 302. (a) Each candidate for nomination for election, or election, to the Senate or House of Representatives shall file with the Commission between the tenth and fifteenth day next preceding the date on which an election is held in which he is a candidate, a statement disclosing (1) gifts as required by subsection (c), and (2) honorariums received by him as required by subsection (d), for the reporting period applicable under this title to candidates.

(b) Each Senator and Representative shall file with the Commission by the 31st day of January a statement disclosing (1) gifts as required by subsection (c), and (2) honorariums received by him as required by subsection (d), for the reporting period applicable to Senators and Representatives.

(c) Each statement disclosing gifts required by this section from a candidate or Senator or Representative shall disclose—

(1) the full name and mailing address of each donor from whom he, or his wife or minor children received, or from whom there was received on his or their behalf, one or more gifts of money of an aggregate amount in excess of $100 within the reporting period, together with the amount and date of such gifts;

(2) the full name and mailing address of each donor from whom he, or his wife or minor children received, or from whom there was received on his or their behalf, one or more gifts other than money of an aggregate value estimated by the donee in excess of $100 within the reporting period, together with the date and identity of such gifts; and

(3) the total sum of gifts of money received by him, his wife, or minor children, on his or their behalf, during the reporting period and not stated under paragraph (1). Gifts (other than gifts which are given, or used, in connection with an election to Federal office, as defined in section 201(c)) from a spouse, child, parent, grandparent, brother, or sister need not be disclosed under this section.

(d) Each statement disclosing honorariums required by this section from a candidate or Senator or Representative shall disclose—

(1) the full name and mailing address of each person from whom he or anyone on his behalf received any honorarium within the reporting period; the amount or, if not money, the identity and value thereof; and the name and address of each person for whom such service was performed;

(2) a description of the service performed;

(3) the aggregate amount of honorariums received by him.

(e) In the case of a candidate, a reporting period begins when he becomes a candidate and ends on the fifteenth day preceding any election in which he is a candidate, except that it shall not include any time included within a prior reporting period and, except that he may, if he chooses, include the remainder of the calendar year during which he became a candidate in the reporting period. In the case of a Senator or Representative, a reporting period shall be the calendar year preceding the year during which the statement was filed, or the portion thereof during which he was a Senator or Representative, except that, in the case of a Senator or Representative who was also a candidate during part of such preceding year, his reporting period shall not begin until after the end of his reporting period as a candidate.

STATEMENTS; VERIFICATION; FILING

Sec. 303. (a) Statements required under this title to be filed with the Commission—

(1) shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;

(2) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Commission at Washington, District of Columbia;, but in the event it is not received, a duplicate of such statement shall be promptly filed.

(b) A copy of each statement required to be filed with the Commission by this title shall be filed with, in the case of a Senator or Representative-at-large, or a candidate for such office, the clerk of the United States district court for the judicial district in which the capital of the State is located, and, in the case of a Representative (other than a Representative elected at large) or a candidate for that office, with the clerk of the United States district court for each judicial district which comprises all or part of his congressional district.

PENALTY FOR VIOLATION

Sec. 304. Whoever violates any of the provisions of this title shall be fined not more than $1,000 or imprisoned not more than one year, or both.

CITATION

Sec. 305. This title may be cited as the "Disclosure of Gifts and Honorariums Act".

TITLE IV

STATE LAWS NOT AFFECTED

Sec. 401. (a) Nothing in title II or title III of this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of such title.

(b) The Commission shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

PARTIAL INVALIDITY

Sec. 402. If any provision of title II or title III of this Act, or the application thereof, to any person or circumstance is held invalid, the validity of the remainder of such title and the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION OF APPROPRIATIONS

Sec. 403. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

EFFECTIVE DATE

Sec. 404. This Act shall take effect on January 1, 1970.

S. 100—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL FIREARMS INFORMATION CENTER

Mr. BROOKE. Mr. President, I am today introducing, on behalf of myself and Senators Javits, Fong, Williams of New Jersey, and Case, the National Firearms Information Act. This is the perfected version of a bill which I offered initially in the 90th Congress.

The firearms legislation passed last year was a notable and helpful body of law. But much more needs to be done. In particular we need to acquire more information about the location and ownership of firearms in the United States if we are effectively to enforce present statutes at the Federal, State, and local levels. Various proposals to achieve this purpose have been made, including separate bills offered last fall by the distinguished Senators from Maryland and Washington. While the Senate did not approve any of those proposals at that time, it is noteworthy that a total of 42 Senators voted for one or another of those bills. Thus, there is definite sentiment in the Senate for action on this subject. I believe the matter should be reconsidered by the 91st Congress and am again offering this bill as what I consider the most promising concept for such legislation. I know that many Senators, including myself, would be prepared to support even stronger legislation on this matter. But I believe that this bill may well have the best chance of enlisting majority support within this body.

I commend this measure to the attention of my colleagues. I will welcome additional cosponsors, should any Senator wish to join in this effort. And in the next few deys I will be speaking further on this vital issue, outlining in detail the special advantages of this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 100) to provide for the establishment of a National Firearms Information Center, introduced by Mr. Brooke (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 110 AND S. 111—INTRODUCTION OF BILLS RELATING TO MEDICARE

Mr. AIKEN. Mr. President, today I introduce once more my bill to provide for extensive changes in the medicare provisions of the Social Security Act.

And once again I am joined in cosponsorship by the distinguished majority leader, the senior Senator from Montana, Mr. Mansfield, and my colleague from Vermont, Mr. Prouty.

This bill, which will once again be identified as S. 110, provides for the coverage of drugs, eyeglasses, dental care, and additional benefits that are critically needed by medicare beneficiaries.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 110) to amend title XVIII of the Social Security Act and related provisions of law so as to eliminate the deductible and coinsurance features of the health benefits program established by such title, to permit women to qualify for such benefits provided thereunder services of certain medical specialists, to include prescribed drugs among the benefits provided by part B of such title, to include eye and dental care among the benefits provided under such part B, and otherwise to extend and approve such program introduced by Mr. Aiken (for himself, Mr. Mansfield and Mr. Prouty), was received, read twice by its title, and referred to the Committee on Finance.

Mr. AIKEN. Mr. President, in addition to this measure, I am offering a new and separate medicare proposal, with the cosponsorship of Mr. MANSFIELD and Mr. PROUTY.

This amendment, to be known as S. 111, is necessary because the medicare dream is fast becoming a nightmare.

The costs of the program are now about $6 billion annually and, when you add in the additional costs of medicaid, the cost is upward of $11 billion.

Aside from medicaid and its problems, medicare itself has gotten out of hand and there is urgent need for action during this session of the Congress if medicare is to be placed on a fiscally sound basis.

Every citizen who has private health insurance such as Blue Cross-Blue Shield—not just those over 65—is threatened by the costly consequences of medicare's highly inflationary methods of payment for medical services.

Private insurance organizations have indicated that the ever higher dollar levels of medicare payments are forcing them to raise the premiums and their own benefit payments.

This means that more and more people with marginal incomes—the men with families who are making $4,000 or $5,000 or some such figure—are being priced out of the private insurance market.

They will have to turn to Government for help unless we can check the present inflationary impact of medicare on all medical costs.

I do not want to see some form of national health insurance program enacted, but we are heading in that direction unless we apply moderate, traditional, and community-responsive limitations on payments for physicians' services under medicare.

Under part B of medicare, which covers physicians' services, some 18 million insured people are paying progressively more for insurance protection and yet have progressively higher costs to pay out of pocket.

On July 1 of last year the part B premium covering medical services was jumped from $3 to $4 a month.

The Chief Actuary of Social Security says this premium should be increased again to at least $4.50 on July 1, 1969, if premiums are to pay for anticipated charges.

The bill I am introducing today may be the only way the $4 premium can remain adequate.

As for part A hospital coverage, the deductible that each elderly patient has to pay was increased from $40 to $44 on January 1, and Social Security officials tell me this increase really should have been $45.30 but they are only allowed by law to figure increases in $4 units.

I was also assured that by next January 1 increased use of the program and rising hospital costs will require the deductible to be raised to $48 certainly and there is a good chance it will have to go up to $52.

My bill is designed to check these inflationary pressures.

It is designed to free medicare patients from much of the confusion and dismay associated with paying medicare accounts.

It is designed to make it easier for conscientious doctors to collect all that is due them in one monthly payment.

If it is enacted, my bill will permit medicare to pay the doctors directly and never bother beneficiaries with details.

This will allow drastic reduction in the present excessive administrative costs of medicare—upward of $225 million a year.

It will also cut back on the abnormally high allowances now being made for a variety of medical procedures, and end the present situation under which medicare regularly pays substantially more for a given medical service than is allowed under the most widely held Blue Shield policy in the same geographical area.

It will also simplify the often intolerable and unjustifiable delays in claims processing and payments.

My bill provides that medicare will not pay more for a given medical procedure than the average payment for that same service by the local Blue Shield plan during the previous year.

It would seem to be reasonable to limit in this fashion what medicare pays to the same average amount of money Blue Shield pays for persons under 65 years of age.

I am sure this is what the Congress intended, rather than the present situation under which excessive medicare charges are being used to jack up all medical costs.

By making Blue Shield's average payments the yardstick for reasonable allowances under medicare, we would be keeping control in the private sector for Blue Shield is the "doctor's own plan".

Blue Shield is community oriented.

It is sanctioned and sponsored by the doctors themselves.

As Blue Shield average payments rise over the years, so would medicare allowances.

Blue Shield does not simply decide to increase payments and then do so.

Blue Shield increases result only after careful scrutiny by employer and employee groups, consumer representatives, and State insurance departments.

Under my proposal medicare would benefit from these important Blue Shield checks on medical costs.

They have proved to be fairly effective controls which medicare does not now have, but if the law is amended as I suggest direct Government intervention and fee setting can be avoided.

My bill would also borrow another accepted Blue Shield concept—that of the participating physician.

A participating Blue Shield physician is one who agrees to accept the plan's payment to him as full payment for the services rendered to a Blue Shield subscriber.

Under medicare as it is now a doctor can pick and choose among his elderly patients as to those he wants to bill and those for whom he will accept a medicare allowance as full payment.

The decision as to what course a doctor will take is a simple one.

If he thinks collection from the patient will be difficult, he accepts a medicare assignment.

If he thinks the patient has money, he can send him an inflated bill.

If a physician decides to become a participating medicare physician, as my bill provides, he agrees to accept the average Blue Shield allowance for all of his medicare patients as payment in full.

To achieve the desired results, my bill requires a medicare participating physician to take all his medicare patients on these terms.

In return for his cooperation, a participating physician would not have any responsibility for collection of the part B $50 deductible.

Additionally, where surgery was performed, he would not have to worry about collecting the 20-percent coinsurance amount from his patient.

Full payment would be made to him without reduction.

The medicare patient using a participating physician would not have to pay the 20-percent coinsurance amount where surgery was performed.

Medicare would pay this 20-percent coinsurance cost directly to the physicians out of savings my bill would bring about in reduced medicare administrative procedures and reduced cost of benefits resulting from tying payments to local Blue Shield charges.

However, a medicare beneficiary would have to pay the 20 percent where the surgery was performed by a nonparticipating physician.

The nonparticipating physician would also have to look to the patient for the $50 deductible.

Where the older person used only participating physicians during the year and the Government had paid the $50 deductible for him, he would be billed for the amount by medicare at the end of each year.

He would be able to repay the deductible to the program either in a lump sum or in small monthly deductions from his social security check.

Since medicare was first enacted I have opposed the deductibles and coinsurance requirements.

I am more strongly opposed now than when medicare first became law, for I have seen the trouble it has caused the patients, the doctors, and the hospitals.

That is why the provisions to end all deductibles and coinsurance is still contained in S. 110 which I am reintroducing today.

I do not claim that this is a perfect bill, and I know that my cosponsors share this attitude.

But it is a definite approach to a critical situation that cries out for solution.

One final important point is that my bill as introduced does not pertain to medicaid but the same reasonable limitations this bill proposes for medicare payments should also be applied to medicaid.

This is a difficult job of technical drafting and I am confident the committee will take care of this important aspect of the problem.

I respectfully urge that the Committee on Finance hold prompt hearings on this measure and any similar legislative proposals that may be directed to the same worthy end.

I request that the text of the bill (S. 111) be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 111) to amend title XVIII of the Social Security Act so as to provide a more uniform, orderly, and economical method for the payment for physicians' services under the supplementary medical insurance program for the aged established by part B of such title, introduced by Mr. Aiken, for himself, Mr. Mansfield, and Mr. Prouty, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1842 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(g) (1) Notwithstanding any other provision of this title, payment under this part for physicians' services shall be made on the basis of the 'reasonable allowance' for such service as determined pursuant to this subsection, and, whenever in any other provision of this title the term 'reasonable charge' is employed, such term shall, whenever applied to payments for physicians' services, be deemed to mean reasonable allowance.

"(2) The reasonable allowance for any particular service performed by a physician shall be whichever of the following is the lesser: (A) the actual charge for such service, or (B) the applicable average payment for such service (as determined pursuant to paragraph (3)).

"(3) (A) The Secretary shall, with the advice and assistance of carriers under contract under authority of this section, other nonprofit medical prepayment organizations, State insurance regulatory agencies, and such other organizations as may be appropriate, divide the United States into such number of geographic areas as may be proper so as to reflect geographical differences in the prevailing charges made for physicians' services.

"(B) (i) For each such geographic area, the Secretary shall certify a schedule which shall set forth each particular type or kind of service (or combination thereof) regularly performed by physicians within the area together with the average payment within the area for each such type or kind of service (or combination thereof) paid by the principal nonprofit medical prepayment organizations insuring against the costs of physicians' services in such area. In arriving at such average payment for any area, the Secretary shall be guided by the average payment made by—

"(I) the nonprofit medical prepayment organization having the approval of the largest organization of physicians in the area as of January 1, 1969; or

"(II) if there be no organization meeting the requirements of subclause (I), the National Association of Blue Shield Plans or the Blue Cross Association, or

"(III) if there be no organization meeting the requirements of subclause (I) or subclause (II), any nonprofit medical prepayment organization insuring against the costs of physicians' services within the area.

"(ii) (I) For purposes of establishing the schedules provided by clause (i), the Secretary shall secure from appropriate nonprofit medical prepayment organizations, State insurance regulatory agencies, and other available pertinent sources, information regarding the average payment within each geographic area of the various types of services performed by physicians. If the Secretary finds that such information is not available or is incomplete with respect to one or more types of physicians' services, he may compute an average for such service based on its relative value to the average payment (as determined under this subsection) for types of service for which such requisite data is known.

"(II) Where the data for a sufficient number of particular types of physicians' services is not known with respect to a particular geographic area, the Secretary shall establish an actuarially determined average payment for such area based on all available relevant information regarding such area (including information as to payment schedules of the most widely held contracts of nonprofit medical prepayment organizations operating in the area), as well as the average payment schedules established for adjacent geographic areas.

"(C) (i) Schedules established by the Secretary pursuant to subparagraph (B) shall be prepared for use during each fiscal year, commencing with the fiscal year beginning July 1, 1969. Not less than 30 days prior to July 1, 1969, and not less than 30 days prior to each succeeding July 1, the Secretary shall make known to the physicians within each geographic area the contents of the schedule applicable in such area, which shall be based upon average payments made during the preceding calendar year or, if not available on a calendar year basis a period of 12 consecutive months ending during such preceding calendar year.

"(ii) The Secretary may, at his discretion, publish the schedule applicable to any geographic area.

"(4) Any carrier under contract pursuant to this section shall, as a part of the duties and functions required to be performed under subsection (a) (3) and (4), provide and make available to the Secretary any information or data referred to in paragraph (3) of this subsection.

"(5) Any physician who agrees to participate in the program established by this part—

"(A) by accepting as full payment for his services rendered to all individuals insured under this part the reasonable allowance for such service, and

"(B) by giving at least 30 days notice to the Secretary of his decision to terminate his participation in such program,

shall be entitled to be paid directly for such services under such program. Such physician shall be entitled to be paid the reasonable allowance for surgery, without any reduction imposed by reason of the co-insurance provisions contained in section 1833(a), and in the case of any physician's service performed by him, without any reduction because of failure of the individual receiving such service to have satisfied the $50 deductible provided by section 1833(b).

"(6) In any case in which an individual receives physician's services for which the $50 deductible requirement has not been satisfied and the physician rendering such services is paid pursuant to paragraph (5) without regard to such deductible, such individual shall, for purposes of section 1870, be deemed to have received an overpayment equal to the difference between $50 and the amount he has otherwise paid toward such $50 deductible."

Mr. PROUTY. Mr. President, I am pleased to be a cosponsor with my colleagues of a bill which will benefit those forgotten Americans in our society who are retired.

This bill, which is similar to a bill which we first introduced in 1967, will go a long way toward making medicare fulfill the original expectation we had when it was enacted in 1965. At that time, each one of us believed that medicare would solve the problem which affects almost all older Americans. That problem is the fact that older Americans who are the least able to pay incur the greatest medical expense.

I am confident that Members on both sides of the aisle recognize the need for new social security-medicare legislation during this session.

Mr. President, I am a cosponsor with my colleagues, the distinguished senior Senator from Vermont, Mr. Aiken, and the senior Senator from Montana, Mr. Mansfield, of this bill which will significantly improve the administration, the benefits, and the costs of medicare.

As you know, I have consistently supported legislation which would improve the lot of older Americans. This bill will not only provide increased benefits by paying a greater percentage of the medical expenses incurred by older Americans under part B of medicare, but it will also relieve beneficiaries of cumbersome procedures involved in the payment of doctor bills. Under this bill, doctors receive their payment directly from medicare.

Another feature of the bill, which will have a long-range effect for older Americans and younger Americans as well, is the provision that physicians be paid on the basis of a reasonable allowance. There is nothing novel about this approach since Blue Cross-Blue Shield has been able to work out reasonable allowances with physicians for many, many years. This bill merely applies that experience gained in the private sector of the economy to a Government-sponsored program.

I sincerely hope that during this session of Congress we will be able to enact this very important bill.

S. 118—INTRODUCTION OF BILL RELATING TO TAHOE REGIONAL PLANNING COMPACT

Mr. BIBLE. Mr. President, on behalf of myself and my distinguished colleagues from both Nevada and California (Mr. Cannon, Mr. Murphy, and Mr. Cranston), I introduce, for appropriate reference, a bill to grant to consent of Congress to the States of Nevada and California to enter into a compact for the purpose of exercising jurisdiction over the planning and control of future development at one of the most beautiful areas in the world, the Lake Tahoe basin.

This is essentially the same bill I introduced late in the past session of Congress. It has been modified to pertain solely to the language of the bistate compact, bringing it into line with the House bill introduced last year by the concerned Representatives from Nevada and California.

I introduce this bill as early as possible so that work can resume on it as quickly as possible, for there is a definite sense of urgency in this legislation. Lake Tahoe is developing at a record rate. Sensible, orderly controls are needed immediately to insure that this mountain lake's scenic beauty and fabled clarity are protected and preserved.

The compact agreed to by the legislatures of California and Nevada has for its purpose the establishment of an areawide planning agency with the power to adopt and enforce a regional plan of resource conservation and orderly development, to exercise effective environmental control and to perform other essential functions for this five-county region of the two States.

It took several years for the two States to hammer out this compact, and I believe it is incumbent upon Congress to take the swiftest responsible action on it. In this connection, I would urge expeditious committee consideration together with fast and full cooperation from the concerned executive agencies in presenting the required reports. I am sure my colleagues from both States join me in this request for early action.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 118) to grant the consent of the Congress to the Tahoe Regional Planning Compact, to authorize the Secretary of the Interior and others to cooperate with the planning agency thereby created, and for other purposes, introduced by Mr. BIBLE, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 1—LET THE PEOPLE CHOOSE THE PRESIDENT

Mr. BAYH. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senators AIKEN, BELLMON, BIBLE, BURDICK, BYRD of West Virginia, CASE, CHURCH, COOK, CRANSTON, EAGLETON, GOODELL, GRAVEL, HARRIS, HATFIELD, HARTKE, INOUYE, JACKSON, JAVITS, MAGNUSON, MANSFIELD, MATHIAS, MCGOVERN, MCINTYRE, METCALF, MONDALE, MONTOYA, MUSKIE, NELSON, PACKWOOD, PASTORE, PEARSON, PELL, PROXMIRE, RANDOLPH, RIBICOFF, SCHWEIKER, TYDINGS, WILLIAMS of New Jersey, and YOUNG of Ohio, a proposed constitutional amendment to abolish the dangerous and antiquated electoral college and replace it with direct popular election—the only electoral system that can insure the election of the people's choice for President.

In these trying times, Mr. President, when there are some Americans who have doubts in their minds as to whether the system can work, I think we need to search for ways to restore faith in our democratic society. I can think of no step that can be taken which will do more to accomplish this goal than to elect the President by popular vote.

The converse is also true, Mr. President. I can think of nothing that would do more damage to our democratic system than the election of a President who had fewer votes than the man he was running against.

The President of the United States should be elected by the people of the United States. Today, however, he is actually chosen by a group of faceless, unknown electors. In 35 States, the names of electors do not even appear on the ballot.

The President of the United States should be the choice of the American people. Today, however, it is possible for a candidate to be elected President by capturing only 25 percent of the total popular vote. That indeed is a farfetched example of the dangers inherent in the present system, Mr. President, but not so farfetched is the disturbing prospect of electing a President who had fewer popular votes than his opponent. As I mentioned a moment ago, not only is this a distinct possibility under the present system, but it has happened on three occasions in our history.

In fact, I can vividly recall, early in the morning of November 6 as I sat glued to my television set awaiting the results of the presidential election—and also pondering what the final outcome of the senatorial election in Indiana would be—that at the very moment the computers determined that the Illinois electoral vote was going to Mr. Nixon, and thus he would be elected President of the United States, the tally sheets showed that Vice President HUMPHREY had surged ahead in the popular vote. Fortunately, from the standpoint of political stability and the sanctity of the Presidency, Mr. Nixon also managed to win the popular vote.

Along with millions of other concerned citizens I viewed with great alarm the prospect of a minority—or, more accurately, a nonplurality—President. Fortunately, we narrowly escaped that danger but the scare was sufficient to make the average American sit up and take notice of our defective electoral machinery.

For too long now, the American public has paid scant attention to the workings of the present electoral system because many recent elections have been so one sided. But, as Prof. Charles Bischoff of MIT has pointed out, almost any halfway reasonable electoral system can elect the right man in a landslide. The test of a good electoral system is in close elections—as in 1968. And if 1968 is our guide, under the present system we will run a high risk of an electoral disaster in the future.

Mr. President, let me clarify the previous statement. I do not wish it to be interpreted as a derogatory remark at our President-elect, Mr. Nixon, but I refer, specifically, to the narrowness of the margin by which we avoided the disastrous consequence of having this election decided in the House of Representatives.

Mr. President, there is no need to rehash the historical arguments that led the framers of the Constitution to adopt the electoral college system. The plain fact is the system has not worked according to its original design. I might add, Mr. President, the American people are indeed fortunate that the electoral college has not served its purpose. For that purpose was to act as a barrier between the people and their President. As Alexander Hamilton said in the Federalist, No. 68:

> A small number of persons, selected by their fellow citizens from the general mass, will be most likely to possess the information and discernment requisite to such complicated investigations.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Indiana be permitted to proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Will the Senator yield at this point?

Mr. BAYH. I am happy to yield.

Mr. BYRD of West Virginia. Is the Senator accepting cosponsors of his proposed amendment?

Mr. BAYH. Yes, and I am honored to have the Senator's name on it. We have been honored to have our colleague from West Virginia as a cosponsor for the last 3 years.

As I was saying, by 1800, with the first appearance of political parties, Hamilton's idea of a "select assembly" of electors had lost its meaning. A Senate report, published in 1826, pointed out that the electors already had "degenerated into mere agents in a case which requires no agency and where the agent must be useless if he is faithful and dangerous if he is not."

Yet, more than 125 years later, the elector still retains his independence, as evidenced by the recent actions of a dissident elector in North Carolina and the decision by Congress to accept his vote. Just how dangerous is the elector, this anachronism? It is true, as some opponents of electoral reform have argued, that electors usually vote for their party's candidate. But who can say, with any degree of assurance, that in the event of a close electoral count some misguided elector may not take it upon himself to decide where to cast that decisive electoral vote, regardless of the popular mandate.

The system of electors, it seems to me, leaves too much to chance. The temptation to bargain away, for partisan advantage, the popular vote of the people, the temptation to sell out the public to the highest bidder, is a real one. We can avoid this unnecessary evil simply by eliminating the elector.

Mr. President, as early as 1966, I introduced a proposed constitutional amendment to eliminate the office of presidential elector. At best, the elector is a useless appendage on the body politic; at worst, he is a dangerous instrument capable of violating a public trust. My proposal, Senate Joint Resolution 58, provided that the popular vote winner in each State automatically would receive all of that State's electoral votes.

As I studied the operation of our electoral system in greater detail, however, and as the hearings of the Subcommittee on Constitutional Amendments progressed, I discovered, frankly, that eliminating the elector was very much like trying to cure cancer with a Band-Aid. The elector was merely a symptom of an outdated and undemocratic electoral system. It was the system itself that needed changing, a system, as Prof. Paul Freund of Harvard has said, that is the result of a series of "historical accidents."

The most undemocratic feature of the present system, to prove Professor Freund's apt description, is not even a constitutional provision—the unit vote or so-called winner-take-all formula.

The unit vote is the practice of awarding all of a State's electoral votes to the candidate with a popular vote plurality in the State, whether the plurality is one vote or 1 million votes.

As a result, the popular vote totals of the losing candidate at the State level are completely discounted in the final electoral tabulation. In effect, millions of voters are disfranchised if they happen to vote for the losing candidate in their State because the full voting power of that State, in terms of its electoral votes, is awarded to the candidate they opposed. The injustice of this system was pointed out over a century ago by Thomas Hart Benton.

> To lose their votes is the fate of all minorities, and it is their duty to submit; but this is not a case of votes lost, but of votes taken away, added to those of the majority and given to a person to whom the minority is opposed.

The most important consequence of the unit rule, however, is not its method of recording votes, which produces such wide disparities between the popular vote and the electoral vote, but the fact it can result in a "minority President." In 1824, 1876, and again in 1888 this system produced Presidents who had received less popular votes than their opponents. On a number of occasions since 1900, in addition, a change of less than 1 percent of the popular vote would have produced a "minority President."

Mr. President, the present electoral vote system has in the past, and may in the future, produce a President who has received fewer popular votes than his opponent. I cannot see how such a dangerous and undemocratic system can be beneficial to the American people. I see, instead, only grave dangers that could divide this Nation at a critical hour if the President-elect lacked a popular mandate. In these perilous times, we simply cannot afford the luxury of an electoral system that fails to guarantee the election of the popular choice.

Another glaring defect produced by the unit rule is a marked inequality of voting power. Simply stated, the present electoral vote system greatly inflates the voting power of a small number of marginal voters in a handful of large States. Some opponents of electoral reform have reached the interesting conclusion that this inequity is a political necessity and a fair tradeoff for the small State advantage built into the electoral system by giving each State two additional electors.

Mr. President, if the old adage "two wrongs don't make a right" ever applied, it applies here. I believe we ought to have an electoral system that insures every American voter, regardless of where his vote is cast, an equal opportunity to elect the President. Direct popular election is the only system that can guarantee that equality.

Mr. President, every public opinion poll I have seen indicates that an overwhelming majority of Americans want to elect their President directly by popular vote. Direct popular election has been endorsed by the American Bar Association, the U.S. Chamber of Commerce, the AFL–CIO, the UAW, the National Federation of Independent Business, the NAACP, and numerous other groups.

The Subcommittee on Constitutional Amendments intends to hold hearings not only on my direct election proposal but on several other proposals, some of which already have been introduced. Others undoubtedly will be introduced. Hopefully, after appropriate deliberation, the Congress will see the need to abolish the electoral college system and elect the President of the United States in the same way we elect other public officials in this land—by direct popular election.

Abraham Lincoln once said:

> Public opinion is everything. With it, nothing can fail. Without it, nothing can succeed.

Now is the time to substitute popular choice for political chance—before it is too late.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 1) proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States, introduced by Mr. BAYH and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 2—JOINT RESOLUTION TO REFORM THE ELECTORAL COLLEGE

Mr. ERVIN. Mr. President, the major constitutional crisis nearly precipitated by the recent close presidential contest strongly reinforces my belief that one of the most pressing questions to be resolved by Congress will be the replacement of the existing electoral college system with an adequate method for electing the President and Vice President that will be compatible with our federal system.

Today, in behalf of myself, Mr. SPARKMAN, Mr. TALMADGE, Mr. JORDAN of North Carolina, Mr. BYRD of West Virginia, Mr. BYRD of Virginia, Mr. MILLER, Mr. DODD, and Mr. DOMINICK, I introduce for appropriate reference a joint resolution (S.J. Res. 2) designed for this very purpose which will abolish the electoral college and institute a proportional method of casting electoral votes.

There is no doubt that the electoral college needs reforming. It has been a useless appendage to our governmental institutions since the rise of political parties which stripped the individual elector of his constitutional purpose but not his power.

The present system is indefensible because the unit rule requirement of counting electoral votes completely disfranchises those who do not vote for the winner within their State. It requires candidates to concentrate on the large, pivotal States where elections are historically closely contested to the exclusion of smaller States and one-party States. It encourages bloc voting since a small group can often determine the course of the entire electoral vote of a large State. Also, it increases the influence of fraud or accident in tipping the scales for the electoral vote in such States. The unit rule also results in small, so-called sure States being bypassed with a consequent voter apathy in all parties.

One remedy to our electoral problem that has been suggested is that of direct popular election of the President and Vice President. However, I do not feel that the direct election approach is the best possible answer to this great constitutional issue.

Adherents of direct popular election would substitute the concept of having the President and Vice President represent those who happen to vote on the particular election day, for the principle established by the framers of having them represent population and States regardless of how large or how small the actual vote might be on that election day. In erasing the concept of electoral votes representing population—including nonvoters—within States, direct election would replace it with a theory of representation based solely upon a percentage of voters who happen to vote at a particular election.

Regardless of how one may divide them, electoral votes do reflect people. As long as a candidate for the Presidency secures the requisite number of electoral votes he represents that portion of the people which is considerably larger than the actual popular vote total which he may have amassed.

Direct election proposals do not make any attempt to preserve the identity of the States in the presidential electoral process. As a result of the great compromise which made the formation of the United States possible, each State was entitled to at least two electoral votes because membership in the Senate was allotted on a geographical basis. The retention of this basic representation which each State now has is necessary to our concept of a federal system and for the protection of the interest of the smaller States.

From a practical standpoint, while I am convinced that there is a grave need for electoral college reform, I am equally convinced that there is no chance of ratification for any resolution dealing with direct elections, including the recommendation of the American Bar Association. As a practical matter, the legislatures of three-fourths of the States are not going to vote away the added advantage of the additional electoral votes granted them by reason of senatorial representations. There are 35 States which receive proportionally larger representation in presidential elections because of the present system. This additional representation preserves the Federal principle and protects the smaller States, and, I do not believe these 35 States will accept any plan which dilutes their voice in presidential elections. The proposed abolition of the present system by direct selection advocates will, I feel, place a substantial obstacle in the way of electoral college reform.

Because I feel the principal evil to be rectified is the unit rule of counting a State's electoral votes, I favor the approach taken by Senate Joint Resolution 2 which divides each State's electoral votes among the various presidential and vice presidential candidates according to their respective percentage of the popular vote within their State. Since the electoral votes would be cast in proportion to the popular vote in each State, every man would have a voice in the election and candidates would solicit the vote of every man in every State.

Also, Senate Joint Resolution 2 provides for a new system of electoral votes for each State equal to the number of Senators and Representatives to which it is entitled; and, as such, it retains the basic protection necessary for our federal system and for securing the broad support needed for electoral college reform.

Additionally, my resolution proposes that if no candidate receives 40 percent of the total electoral votes, the election would be decided by the Senate and House in joint session, with each Senator and Representative having one vote. This would eliminate the undemocratic and unfair method which now gives each State delegation—no matter how large or small the State may be—one vote in elections thrown into the House. By the reduction of the percentage of electoral votes required for election, we would reduce the threat of elections being decided by Congress instead of the people and the threat of multiple parties.

The direct election proposals include a run-off system between the two candidates receiving the highest popular votes when neither secures at least 40 percent of such votes. As contrasted with this costly, drawn-out run-off provision, my method proposes substantially less strain to the country. Also, the run-off provision of the direct election proposal could cause disruptive changes in our dates for elections or for the counting of votes. My proposal would avoid these changes.

Mr. President, I think most of us agree that something must be done to improve the process for electing our President and Vice President. It remains for us to decide on the most appropriate method to bring about this needed change. After a close comparison of our proportional plan and the direct election plan, I hope you will agree with me that Senate Joint Resolution 2 retains the basic protection essential for our federal system and for obtaining the broad support needed for electoral college reform.

After serious consideration of this matter, the Senate acted, in less hectic times, to approve a proportional plan, the Lodge-Gossett Amendment in 1950. I hope the Senate will show the same wisdom in 1969.

I ask unanimous consent that my proposed joint resolution be appropriately referred and that a copy of it be printed at this point in the body of the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD:

The joint resolution (S.J. Res. 2) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. ERVIN and other Senators, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by three-fourths of the legislatures of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SEC. 1. The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"The office of elector of the President and Vice President, as established by section 1 of article II of this Constitution and the twelfth and twenty-third articles of amendment to this Constitution, is hereby abolished. The President and Vice President shall be elected by the people of the several States and the District constituting the seat of government of the United States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein. The electors in such District shall have such qualifications as the Congress may prescribe. The places and manner of holding such election in each State shall be prescribed by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The place and manner of holding such election in such District shall be prescribed by the Congress. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. Such District shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which such District would be entitled if it were a State, but in no event more than the least populous State.

"Within forty-five days after such election, or at such time as Congress shall direct, the official custodian of the election returns of each State and such District shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State or the District for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the sixth day of January following the election, unless the Congress by law appoints a different day not earlier than the fourth day of January and not later than the tenth day of January, the President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted. Each person for whom votes were cast for President in each State and such District shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. In making the computation, fractional numbers less than one one-thousandth shall be disregarded. The person having the greatest number of electoral votes for President shall be President, if such number be at least 40 per centum of the whole number of such electoral votes. If no person has received at least 40 per centum of the whole number of electoral votes, or if two persons have received an identical number of electoral votes which is at least 40 per centum of the whole number of electoral votes, then from the persons having the two greatest numbers of electoral votes for President, the Senate and the House of Representatives sitting in joint session shall choose immediately, by ballot, the President. A majority of the votes of the combined authorized membership of the Senate and the House of Representatives shall be necessary for a choice.

"The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 2. This article shall take effect on the tenth day of February next after one year shall have elapsed following its ratification."

SENATE JOINT RESOLUTION 3—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO THE APPOINTMENT OF JUSTICES TO THE U.S. SUPREME COURT

Mr. ERVIN. Mr. President, on behalf of myself and Mr. ALLEN, Mr. TALMADGE, Mr. BYRD of West Virginia, and Mr. STENNIS, I introduce for appropriate reference a joint resolution proposing an amendment to the Constitution relating to the appointment of Justices to the U.S. Supreme Court.

During the last session of Congress the Senate was called upon to perform one of its most important constitutional functions—the consideration of the President's nominations to the Supreme Court. Our deliberations on the qualifications of these nominees, once again, focused attention on what I feel is a primary weakness in the Court. That is, the method for selecting a new Justice.

Because of the present Court's easy willingness to depart from precedents and the plain meaning of the Constitution, I feel that today our federal system stands in great jeopardy, and I believe we must begin now to devise some means which would insure that only the best qualified people serve on the Court. Rather than continuing the present method which often results in appointments for political purposes and not for judicial excellence, we should try to find some way to complete the job begun by the Constitution of having a truly qualified and independent judiciary.

Changing the methods of selecting the members of our three branches of Government is not a novel idea. Both the executive and legislative branches have undergone perfecting changes through the years. For example, a person now cannot be elected President more than twice, and the vice-presidency is no longer filled by the person having the second largest number of votes in a presidential election. Women are no longer denied the right to vote and no longer is the ballot denied to any person on account of race. In the legislative branch, Senators used to be elected by the legislatures of the States. This is no longer true.

But the method of selecting the Supreme Court Justices continues unchallenged just as it was in the 18th century, and I feel, Mr. President, that it is even more important to insure careful selection of the judiciary than the other two branches. As Alexis de Tocqueville, one of the most perceptive observers of American institutions and life, said:

> The President, who exercises a limited power, may err without causing grave mischief in the State. Congress may decide amiss without destroying the union, because the electoral body in which Congress originates may cause it to retract its decisions by changing its members. But if the Supreme Court is ever composed of imprudent men or bad citizens, the Union may be plunged into anarchy or civil war.

This quotation takes on particular significance at this time in our Nation's history when the judgment of just five men has been allowed, with increasing frequency, to seriously change the economic, social, and political direction of our Nation and to do so by overriding our written Constitution and the prerogative of the States and our Federal Legislature.

Mr. President, the drafters of the Constitution undertook to free Supreme Court Justices from all personal, political, and economic ambitions, fears, and pressures which harass the occupants of other public offices by stipulating that they should hold office for life, and receive for their service a compensation which no authority on earth could reduce. They undertook to impose upon each Supreme Court Justice a personal obligation to interpret the Constitution according to its true intent by requiring him to make an affirmation to support the Constitution. The Founding Fathers did these things because they wished Supreme Court Justices to be independent of everything except the Constitution which was to be the only rule for the government of their official actions. It causes me great pain to observe that the actions of the present Supreme Court lead to the inescapable conclusion that the Founding Fathers did not devise a method of selecting Justices comparable to the trust they placed in them.

Mr. President, I intend to offer a constitutional amendment, designed, to insure, as far as humanly possible, the appointment of the best qualified people to the Supreme Court. In order to afford greater protection to the judicial branch, my amendment purposes a three-step method of approving a Supreme Court Justice.

The procedure is as follows:

First. Whenever a vacancy occurs in the office of Chief Justice of the United States or Associate Justice of the Supreme Court, the President shall convene a conference which shall be attended by the presiding judge of the highest appellate court of each State, and the chief judge of each judicial circuit of the United States. The senior chief judge of a judicial circuit of the United States shall preside at the conference. By majority vote the conference shall designate, and the presiding officer of the conference shall transmit to the President in writing, the names of five or more persons deemed by the conference to be qualified to fill the vacancy.

Second. The President shall nominate one of the persons so designated to fill the vacancy.

Third. If the Senate advises and consents to the appointment of such person, such person shall be appointed to fill the vacancy. If the Senate does not advise and consent to the appointment of any person so nominated, the President shall nominate another person so designated to fill the vacancy.

As you can see, Mr. President, my proposal removes the President's unbridled discretion to propose any person he chooses as a member of the Court. This proposal will not substitute one evil for another. The chief judges of the judicial circuits and the chief justices of the State supreme courts are and will be men and women of the most diverse outlooks and perspectives. They will have no common political ideology. They will know few people in common. No one may claim a debt from more than one or two of them at a time. And, most importantly, they will be performing in the public eye a duty of supreme public interest.

Lacking common ideology, common friends, lacking the power to reward supporters, indeed, lacking all but the common design to select exemplary choices for appointment to the High Court, the members of this commission will, because it is their duty and because they in fact must, look more carefully at the judicial qualifications and temperment of possible nominees. Though we may find it difficult to enunciate fully what these qualities should be, it seems clear to me that the members of this commission would recognize them and act on them.

Out of diverse interests and perspectives of my commission would inevitably come the selection of men and women based on merit, on a considered and developed view that they possessed characteristics demanded of good Justices. Cardozo and Stone and Holmes would undoubtedly have emerged from such a group. And so would, to bring up an old injustice, Learned Hand who was more qualified over a longer period of time than innumerable others who were appointed.

Out of the operation of competing views would come, I firmly believe, Justices who reflect Felix Frankfurter's concept of "the real judicial temper, that is, detachment from political or personal considerations, a disregard of motives other than those wholly relevant to a judge's job."

Mr. President, I hope all Members of the Senate will study the problem and will support my proposed solution. Only by acting along the lines I have proposed will we make it as certain as possible that members of the Supreme Court will not be chosen on the basis of personal friendship with the President, political service rendered to the political party in power, or past association with politically potent groups. Undoubtedly, these are worthwhile objectives.

I ask unanimous consent that my proposed joint resolution be appropriately referred and that a copy of it be printed at this point in the body of the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 3) proposing an amendment to the Constitution relating to the appointment of members of the Supreme Court of the United States, introduced by Mr. ERVIN and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. J. RES. 3

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SEC. 1. Whenever a vacancy occurs in the office of Chief Justice of the United States or Associate Justice of the Supreme Court, the President shall convene a conference which shall be attended by the presiding judge of the highest appellate court of each State and the chief judge of each judicial circuit of the United States. The senior chief judge of a judicial circuit of the United States shall preside at the conference. By majority vote the conference shall designate, and the presiding officer of the conference shall transmit to the President in writing, the names of five or more persons deemed by the conference to be qualified to fill the vacancy.

"SEC. 2. The President shall nominate one of the persons so designated to fill the vacancy. If the Senate advises and consents to the appointment of such person, such person shall be appointed to fill the vacancy. If the Senate does not advise and consent to the appointment of any person so nominated, the President shall nominate another person so designated to fill the vacancy.

"SEC. 3. The Congress shall have power to carry this article into effect by appropriate legislation.

"SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. MOSS. Mr. President, I am today introducing a joint resolution which would establish within Congress a Joint Committee To Investigate Crime.

In taking this action I wish to emphasize that its purpose is to expand the capabilities of all public bodies to deal with a social crisis of alarming magnitude. I recognize that the primary responsibility for controlling crime rests with the

States and local units of government—not with the Federal Government. But it has become increasingly clear that if crime in our society is to be brought under effective restraint, the Congress will have to act responsibly to assist the States and local communities in the improvement of their efforts to establish and maintain law and order.

We are all aware of the disturbing increases in criminal activity in this country. The subject of crime deterrence and control was one of the basic issues of the recent presidential campaign. There is widespread evidence that crime is one of the major concerns of the American people today. Reluctance on the part of the citizens to walk along our city streets is tragically common.

While not wishing to burden the Congress with statistics that tell a story we all know too well, perhaps the mention of a few will serve to reveal the enormity of this national problem. J. Edgar Hoover's latest annual report of the FBI on Crime in the United States shows that there was a 16-percent increase in the number of serious crimes in 1967 over the 1966 figure, there being 3.8 million such offenses reported in 1967. The degree to which the crime increase affects the entire population is also indicated in the statistics—the risk of one's being a victim of serious crime increased 15 percent in 1967, there being almost two victims per each 100 inhabitants. Since 1964 the incidence of armed robbery has gone up by 58 percent; in the same period the frequency of use of a firearm in murder rose by 47 percent. The police themselves were increasingly victimized by the expanding criminal activity in the country; in contrast to an average annual figure of 48 policemen killed between the years 1960 and 1966, in 1967 there were 76 police officers murdered. In disturbing economic terms, the Nation loses more in dollars through crime than it spends on educating the population.

Law-enforcement officials, sociologists, and other social scientists, parents, and others have expressed great alarm at our seemingly growing inability to achieve effective law enforcement in our society. The Congress, along with other public institutions, has indicated its concern over this problem. In 1965, I introduced and Congress enacted the Law Enforcement Assistance Act, a program which has met with success, and which should be continued and expanded. The senior Senator from New York (Mr. JAVITS) and I later introduced proposed legislation to lift the burden which drunkenness now imposes upon the police, lower courts, and penal institutions, and to provide medical and social treatment for chronic alcoholics. The profusion of bills and resolutions before the 90th Congress was a further indication of the seriousness which Congress attaches to the crime problem. The time has now come for Congress to act to equip itself with machinery which will enable it continuously to investigate criminal activity in this country.

The proposal which I introduce today would enable the Congress to utilize the valuable information which the President's Commission on Law Enforcement and Administration has provided. That report, prepared after 18 months of detailed study, acknowledged the importance of continued study of this problem, and included a recommendation for the establishment of a congressional committee to operate in this field.

The Joint Committee To Investigate Crime would make continuing investigations and studies of all aspects of crime in the United States, including: First, its elements, causes, and extent; second, the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law-enforcement agencies, Federal, State, and local, including the exchange of information with foreign nations; third, the adequacy of law enforcement and the administration of justice, including the constitutional issues pertaining thereto; fourth, the effect of crime and disturbance in the metropolitan areas; fifth, the effect, directly or indirectly, of crime on the commerce of the Nation; sixth, the treatment and rehabilitation of persons convicted of crimes; seventh, measures for the improvement of first, detection of crime; second, law enforcement, including increased cooperation among the agencies thereof; and, third, the administration of justice; and ninth, measures and programs for increased respect for the law.

If we are to combat crime effectively, in my judgment, we must determine two things: First, how to curb the present crime rate; and second, how to eliminate the causes of crime.

This can be accomplished only through organized study continued from year to year. It is my opinion that this analysis can best be accomplished through the creation of a joint committee to investigate crime. Such a committee would:

First. Direct the attention of the Congress to valuable information which might otherwise escape its attention.

Second. The committee could consider the merits of the many proposals to combat crime which are suggested by experts in many fields of endeavor.

Third. The committee would be a repository of information on all aspects of the crime problem, available to the entire membership in its individual work and in committee deliberations. The Congress could draw upon the expertise of this body in the preparation of fresh proposals to improve the effectiveness of crime control activities.

Mr. President, my personal background reveals the depth of my long-time concern with the problem of crime. I served for 10 years as city judge for Salt Lake City; for 8 years I was county attorney for Salt Lake County; for 4 years I served as a judge advocate during World War II; and I was honored to serve two terms as president of the National District Attorneys Association. These experiences speak for my interest in this subject, and I believe that they have provided me with the perspective needed to evaluate the topic of this resolution.

This effort is not a new one, Mr. President, but it is an effort whose importance is now more apparent than ever before. Representative CLAUDE PEPPER and I pursued this objective in the 90th Congress. The House of Representatives passed a measure identical to the one which I introduce today by the margin of 319 to 12. My efforts to attach the resolution to the gun bill in the last session were obstructed, but at that time the chairman of the relevant committee indicated to me the importance which he attached to its purpose, as well as his intention to hold hearings on the proposal during the present session.

Mr. President, now is the time, when the percentage of police solutions to crime is declining but the increase in serious offenses shows no sign of regression, for the Congress to assert new initiative in this field. It can do so by acting to establish this joint committee. If, in taking this action, we can hasten the coming of the day when crime is brought under effective control, as I believe it will, the Congress will have performed its duty for the country.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 5) creating a Joint Committee to Investigate Crime, introduced by Mr. Moss, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATOR RANDOLPH INTRODUCES HIS NINTH JOINT RESOLUTION FOR CONSTITUTIONAL AMENDMENT TO EXTEND VOTING TO 18-YEAR-OLDS

Mr. RANDOLPH. Mr. President, today I am introducing a ninth resolution proposing a constitutional amendment to lower the voting age to 18. Involvement in this movement began in 1942 when, as a Member of the House of Representatives, I introduced my first resolution. My support for this course of action has not abated; rather, it has increased with the ever growing challenges and achievements of youth.

Youth embodies the hopes, the dreams, and the promise of America. Our young people constitute a well informed and very visible age group. In 1967, it was projected that there were 13,535,000 persons between 18 and 21. This is 6.9 percent of our total population. In 1970 the Census Bureau predicts this age population will reach 14,278,000. In that same year, the median age of our population is projected to be 26.4 and will be steadily decreasing to 25.3 in 1985. This median age must be understood as we work to strengthen the citizenry. This is a young America.

Eighteen is not an arbitrary age. It is the threshold year in the lives of young citizens. For the majority, it signals the end to their formal education. They have learned the democratic process through participating in student and extracurricular activities. They have studied and relived America's rich history and the principles on which our country was founded. They are informed and alert. They actually work now in local, State, and Federal elections. They anticipate full partnership in society. The use of the ballot will make this a reality.

Youth faces a military obligation. Our Selective Service System is authorized to draft young men of 18. There is truth in the words, "if they are old enough to fight they are old enough to vote." Young men under arms are carrying out the policy of our Nation without the privilege of participating in the determination of that policy.

Eighteen-year-olds are no longer juveniles in our courts of law. In many States they can make wills and purchase insurance. They are responsible for their actions and can be sued. They are responsible for the lives of their fellow citizens as they drive cars and purchase guns and ammunition.

This is the age of recognition and responsibility—not 21.

Youth are activists in today's society. They learn, they help, they achieve. They are, in fact, the defenders of the American system. I am thinking of the system under which our country was born, continues to grow and will prosper in the future. They participate in activities from local involvement to representing America abroad. Young people of 18 to 21 years bear responsibility, I repeat, but they cannot vote.

The decisions they must make and the responsibilities they must accept give them a close touch with the realities of living. They are aware of the problems and difficulties of our complex society.

Youth generally have high ideals and hopes. They have enthusiasm. They have energy. They view our society and Government with a fresh outlook. However, we do not truly recognize their right to fully participate as responsible citizens. We must channel the spirit of youth in a constructive direction; we must allow them a personalized expression of citizenship by use of the ballot.

Our democratic process blends the wisdom and experience of the older citizen and the energy and ability of the young. The better balance can be achieved with 18-year-old voting.

Ours is a rapidly changing society. The voting age of 21 was based on an old European custom at which time a young man became eligible to be a knight. This is not the age of knights but the age of astronauts.

I am encouraged by the 1968 commitments of the Democratic and Republican Parties in their platforms. The Democratic document advocated the following:

> The Democratic Party takes pride in the fact that so many of today's youth have channeled their interest and energies into our Party. To them, and to all young Americans we pledge the fullest opportunity to participate in the affairs of our Party at the local, state, and national levels. We call for special efforts to recruit young people as candidates for public office.
>
> We will support a Constitutional amendment lowering the voting age to 18.

The Republicans declared:

> In recognition of the ability of these younger citizens, their desire to participate, and their service in the nation's defense, we believe that lower age groups should be accorded the right to vote. We believe that states which have not yet acted should reevaluate their positions with respect to 18 year old voting, and that each such state should decide this matter for itself. We urge the states to act now.

The constitutional amendment plan has the strong endorsement of the Democratic Party. This is the feasible method to pursue. States will be challenged to ratify a constitutional amendment following congressional action.

It is my firm hope that the 91st Congress will fully realize the worthiness of this 18 through 20 age group and extend our recognition of their rightful place in America. Let us make them full partners by giving them the ballot.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 7) proposing an amendment of the Constitution of the United States extending the right to vote to citizens 18 years of age or older, introduced by Mr. RANDOLPH, was received, read twice by its title, and referred to the Committee on the Judiciary.

MARTIN LUTHER KING DAY

Mr. BROOKE. Mr. President, today, January 15, 1969, would have been the 40th birthday of a great humanitarian and man of peace. Had Martin Luther King lived he would be with us as a living vision of the brotherhood of man.

In the profoundly disquieting days following his tragic death, I introduced a resolution which had as its objective the setting aside of one day each year to commemorate the example and achievements of Dr. Martin Luther King.

Now, as we begin a new year and a new administration, we should focus our attention anew on those issues which demand our immediate attention. Primary among these is the reconciliation of our people.

No man has done more, in word and deed, to reconcile all Americans, than Martin Luther King, Jr. His goals of brotherhood and justice are our goals. They must now become reality.

As we rededicate ourselves to these ends, it is fitting that we pay our respects to this noble figure by enduring public commemoration of his life and his philosophy.

The resolution which I introduce today would establish January 15, the birthday of Martin Luther King, Jr., as a fitting annual occasion for recognizing the man and renewing his mission.

Finally, Mr. President, let me say that I had not asked for cosponsors prior to the introduction of this resolution today. However, any of my colleagues who might wish to cosponsor are welcome to do so, and I will be happy to ask unanimous consent that their names be added to the resolution. For this reason, I now ask unanimous consent that the full text of the resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 14) designating January 15 of each year as "Martin Luther King Day," introduced by Mr. BROOKE, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> Whereas the United States of America was deeply grieved by the vicious and senseless act which ended the life of the Reverend Martin Luther King, Junior, this country's apostle of nonviolence;
>
> Whereas the United States of America, and its Senators and Representatives in Congress, recognize and appreciate the immense contribution and sacrifice of this dedicated American;
>
> Whereas the American people are determined that the life and works of this great man shall not be obscured by violence and anger, but rather that they shall remain a shining symbol of the Nation's nonviolent struggle for social progress;
>
> Whereas it is incumbent upon us to recognize that violence, hatred, and national division do no honor to the man who has been taken from us;
>
> Whereas mutual respect and a firm commitment to the ideals of nonviolence for which he labored will be the most lasting memorial to the life of the Reverend Doctor Martin Luther King, Junior;
>
> Whereas it is fervently hoped that his death may serve to reconcile those among us who have harbored hatred and resentment for their fellow Americans, to the end that our country may at last realize the ideal of equality set forth in our Constitution: Therefore it is hereby
>
> *Resolved*, That, in honor of the Reverend Doctor Martin Luther King, Junior, who was born on January 15, 1929, January 15 of each year is hereby designated as "Martin Luther King Day". The President is authorized and requested to issue a proclamation each year calling upon the people of the United States to commemorate the life and the service to his country and its citizens of the Reverend Doctor Martin Luther King, Junior, and to observe that day with appropriate honors, ceremonies, and prayers.

MARTIN LUTHER KING'S BIRTHDAY—JANUARY 15

Mr. SCOTT. Mr. President, Martin Luther King, Jr., was born 40 years ago today. In recognition of the contribution Martin Luther King made to America, I am supporting again this year a resolution to designate January 15 "Martin Luther King Day."

One of the most memorable public appearances in contemporary history was Dr. King's at the Lincoln Memorial on August 28, 1963, during the March on Washington, D.C., for civil rights. At that time he enunciated his unforgettable "I Have a Dream" message. I ask unanimous consent that the message be printed in the RECORD in tribute to Dr. King's birthday, today.

I HAVE A DREAM

> Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon of light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.
>
> But one hundred years later, the Negro still is not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination.
>
> One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize a shameful condition.
>
> In a sense we have come to our nation's capital to cash a check. When the architects

of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be granted the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check; which has come back marked "insufficient funds."

But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quick sands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the movement and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. 1963 is not an end but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual.

There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds.

Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and they have come to realize that their freedom is inextricably bound to our freedom. This offense we share mounted to storm the battlements of injustice must be carried forth by a bi-racial army. We cannot walk alone.

And as we walk, we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.

We can never be satisfied as long as our bodies, heavy with fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one.

We can never be satisfied as long as our children are stripped of their selfhood and robbed of their dignity by signs stating "for whites only." We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of excessive trials and tribulation. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi; go back to Alabama; go back to South Carolina; go back to Georgia; go back to Louisiana; go back to the slums and ghettos of the Northern cities, knowing that somehow this situation can, and will be changed. Let us not wallow in the valley of despair.

So I say to you, my friends, that even though we must face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream that one day this nation will rise up and live out the true meaning of its creed—we hold these truths to be self evident, that all men are created equal.

I have a dream that one day on the red hills of Georgia, sons of former slaves and sons of former slave-owners will be able to sit down together at the table of brotherhood.

I have a dream that one day, even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream my four little children will one day live in a nation where they will not be judged by the color of their skin but by content of their character. I have a dream today!

I have a dream that one day, down in Alabama, with its vicious racists, with its governor having his lips dripping with the words of interposition and nullification, that one day, right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers. I have a dream today!

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places shall be made plain, and the crooked places shall be made straight and the glory of the Lord will be revealed and all flesh shall see it together.

This is our hope. This is the faith that I go back to the South with.

With this faith we will be able to hear out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

With this faith we will be able to work together to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day. This will be the day when all of God's children will be able to sing with new meaning—"my country 'tis of thee; sweet land of liberty; of thee I sing; land where my fathers died, land of the pilgrim's pride; from every mountain side, let freedom ring"—and if America is to be a great nation, this must become true.

So let freedom ring from the prodigious hilltops of New Hampshire.

Let freedom ring from the mighty mountains of New York..

Let freedom ring from the heightening Alleghenies of Pennsylvania.

Let freedom ring from the snow-capped Rockies of Colorado.

Let freedom ring from the curvaceous slopes of California.

But not only that.

Let freedom ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi, from every mountainside, let freedom ring.

And when we allow freedom to ring, when we let it ring from every village and hamlet, from every state and city, we will be able to speed up that day when all of God's children—black men and white men, Jews and Gentiles, Catholics and Protestant—will be able to join hands and to sing in the words of the old Negro spiritual. "Free at last, free at last; thank God Almighty, we are free at last."

SENATE CONCURRENT RESOLUTION 2—ACCEPTANCE OF STATUE FOR THE NATIONAL STATUARY HALL COLLECTION

Mr. GRAVEL (for himself and Mr. STEVENS) submitted the following concurrent resolution (S. Con. Res. 2); which was referred to the Committee on Rules and Administration:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That the statue of the late Senator E. L. Bartlett, presented by the State of Alaska for the National Statuary Hall collection, is accepted in the name of the United States, and that the thanks of the Congress be tendered to the State for the contribution of the statue of one of its most eminent personages, illustrious for his distinguished civic services.

SEC. 2. The State of Alaska is hereby authorized to place temporarily in the Rotunda of the Capitol the statue of the late Senator E. L. Bartlett referred to in section 1 of this concurrent resolution, and to hold ceremonies in the Rotunda on said occasion. The Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

SEC. 2. (a) The proceedings in the rotunda of the Capitol at the presentation by the State of Alaska of the statue of the late Senator E. L. Bartlett for the National Statuary Hall collection, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such document shall be prepared under the direction of the Joint Committee on Printing.

(b) There shall be printed five thousand additional copies of such document which shall be bound in such style as the Joint Committee on Printing shall direct, of which one hundred and three copies shall be for the use of the Senate and three thousand copies shall be for the use of the Members of the Senate of the State of Alaska, and four hundred and thirty-nine copies shall be for the use of the House of Representatives, and one thousand four hundred fifty-eight copies shall be for the use of the Member of the House of Representatives from the State of Alaska.

SEC. 4. A copy of this concurrent resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Alaska.

SENATE RESOLUTION 16—CREATION OF VETERANS' AFFAIRS COMMITTEE

Mr. BURDICK submitted the following resolution (S. Res. 16); which was referred to the Committee on Rules and Administration:

S. RES. 16

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pension of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs".

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Ninety-first Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

SENATE RESOLUTION 17—DISAPPROVAL OF CERTAIN PAY RATES RECOMMENDED BY THE PRESIDENT

Mr. **WILLIAMS** of Delaware submitted the following resolution (S. Res. 17); which was referred to the Committee on Post Office and Civil Service:

S. RES. 17

Resolved, That the Senate disapproves the recommendations of the President with respect to rates of pay transmitted to the Congress in the Budget for fiscal year 1970 pursuant to section 225(h) of the Federal Salary Act of 1967.

SENATE RESOLUTION 118—DISTRIBUTION OF UNITED STATES CODE ANNOTATED OR THE FEDERAL CODE ANNOTATED TO MEMBERS OF THE SENATE

Mr. **EASTLAND** submitted the following resolution (S. Res. 18); which was referred to the Committee on Rules and Administration;

S. RES. 18

Resolved, That (a) subject to subsection (b), the Secretary of the Senate shall procure for and furnish to each Member of the Senate, either one complete set of the current volumes of the United States Code Annotated, and the current pocket parts thereof, published by the West Publishing Company, Saint Paul, Minnesota, and the Edward Thompson Company, Brooklyn, New York, or one complete set of the current volumes of the Federal Code Annotated, and the current pocket parts thereof, published by the Bobbs-Merrill Company, Incorporated, a subsidiary of Howard W. Sams and Company, Incorporated, Indianapolis, Indiana, and New York, New York, as such Member may elect, upon his written application to the Secretary containing his certification that the volumes and pocket parts thereof for which he applies are intended for his personal use exclusively. The complete set of the volumes and pocket parts thereof for which the Member applies shall be furnished on a current basis for the continuous period of his service as Member beginning immediately after his application therefor, irrespective of the number of his terms of office covered by such period of service, and his selection of the set of such volumes and pocket parts may not be changed during such period of service. A Member is entitled to apply for and receive a set of volumes and pocket parts under this authorization after each break in his service as Member.

(b) A Member is not entitled, for the continuous period of his service described in subsection (a), to more than one copy of each of the current volumes, and the current pocket parts thereof, for which he applies under this authorization.

(c) Until otherwise provided by law, there shall be paid out of the contingent fund of the Senate such sums as may be necessary to carry out this authorization.

(d) The Committee on Rules is authorized to prescribe such regulations as may be necessary to carry out this authorization.

ORDER OF BUSINESS

Mr. **INOUYE**. Mr. President, I ask unanimous consent that I be permitted to proceed for 15 minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF RULE XXII

Mr. **INOUYE**. Mr. President, we have heard much discussion pro and con on rule XXII. It is well that we have, for in this rule rests a fundamental principle in our democracy: that the rights of the minority shall always be represented. To keep this fundamental concept alive and vital, we must reexamine it periodically and test its relevance to the times in which we live; for a democracy deals less with absolute than with relative values as it strives to achieve those adjustments which are its sources of resiliency and strength.

If any lesson in history is clear, it is that minorities change, new minorities take their place, and old minorities grow into the majority. We can observe this course in the decisions of the Supreme Court where the development of the Nation's law so often takes the form of adopting as the opinion of the Court the dissenting views of an earlier decision. We have seen it in the great social legislation passed in the past sessions of Congress.

I have heard so often in these past few days eloquent and good men plead for a chance to let the majority rule. This, they say, is the essence of democracy. I disagree, for to me it is equally apparent that American democracy does not necessarily result from majority rule, but rather from the forged compromise of the majority with the minority.

The philosophy of the Constitution and the Bill of Rights is not simply to grant the majority the power to rule, but is, also, to set out limitation after limitation on that power. What are the guarantees of freedom of speech, freedom of religion, freedom of the press, but a recognition that at times when the majority would willingly destroy him, the dissenting man may have no friend but the law? What is our system of checks and balances, but the Senate against the House and the Congress against the judicial and executive branches, but a reiteration of the philosophy that this democracy is not intended as a rule of the majority? This power given to the minority is the most sophisticated and the most significant power bestowed by our Constitution.

In this day when concensus is the desired goal, when "image" is more important than convictions, the right to express this power and the courage to express it has become less and less apparent. One of the few places where this power remains a living force is in the Senate.

The decision before us is clear enough. It is not over the right to debate, for that right may now be limited when no great issue is at stake. Nor is it the Senate's inability to act at all, for I cannot believe that a majority which is truly determined in their course cannot fail eventually to approach their ends. It is instead the power of the minority to reflect a proportional share of their views upon the legislative result that is at stake in this debate.

I believe that rule XXII serves a vital need in our democracy. To those who wish to alter radically the balance of power between a majority in the Senate and a minority, I say, as I have said before, "You sow the wind, for minorities change and the time will surely come when you will feel the hot breath of a righteous majority at the back of your own neck. Only then perhaps you will realize what you have destroyed."

As Alexis de Tocqueville said about America in 1835:

> A democracy can obtain truth only as the result of experience; and many nations perish while they are awaiting the consequences of their errors.

I wish to speak as a liberal. To my liberal friends, I say we especially should preserve this tool. It is in the nature of our political philosophy to support the unpopular racial, economic, and social minorities of this country. History has shown us that extended debate may be the only effective instrument we have.

In 1933 at the beginning of President Franklin D. Roosevelt's administration, he proposed an amendment to the Organic Act, the Federal framework for the government of Hawaii. The Organic Act, as originally established, gave the President authority to appoint the Governor of the territory, its secretary, and its judges. It was carefully stipulated that such appointees must have been residents of the territory of Hawaii for at least 3 years prior to appointment. President Roosevelt proposed to do away with this residency requirement. He did so on the grounds that the best men available throughout the country would then be eligible for appointment to these posts.

The proposal attracted no national press attention, but in remote Hawaii the community shivered in deepest alarm. Our citizens knew that this proposal would make the highest and most crucial offices in the territory merely token rewards for political services rendered. There could be no guarantee that defeated Congressmen, or large campaign fund contributors would understand or be identified with the nuances of a cross-cultural, multiracial society in the middle of the Pacific Ocean.

The bill was introduced on May 22, 1933; in less than a week it passed the House, 237 to 119. By June 10 it had been reported from the Senate Committee on Territories and Insular Affairs and was set for passage before the June 15 deadline for congressional adjournment. Hawaii's opposition went unheeded.

But fortunately at the last minute, a few men in the Senate, men like Senators LaFollette, Borah, King, and Vandenberg, arose to stop the steamroller. Senator LaFollette objected to its consideration, but was overridden. Then Senator Vandenberg and others in the closing hours of the session made long speeches voicing their stubborn opposition. The bill was killed.

This was not a full-blown extended debate; it did not need to be. Exercise of the right to obstruct the quick order of business was enough to save the day. I submit that had the measure passed, the history of Hawaii would have been arrested at about the level of Guam or the Virgin Islands. The people of my State can be eternally grateful to these men, and to this tool by which they were able to defeat what then truly appeared to be a minority opinion.

I cite another instance—this one affecting the length and breadth of this Nation and its institutions. In 1946, after a long war in which labor had been told to set aside its grievances in the interest of national security, railroad workers opened the readjustment period with demands for higher pay. These were rejected, and in the ensuing strike, the major industries of this Nation were brought to a halt. Hysteria struck Wall Street. The public was up in arms. President Truman, in response to the emotional upheaval, ordered the railroaders back to work. As the deadline approached and no solution seemed in sight, the President called an extraordinary Saturday joint session of Congress. Although he received word as he was speaking that the strike had been settled, he continued with the strike proposal. That very day the bill was brought to the floor of the House and 2 hours later passed 306 to 13.

On the same Saturday, identical legislation was introduced in the Senate and reported out of committee with one slight amendment. Sunday was a holiday; on Monday the matter was before the Senate. The Senate did not meet Tuesday because of the death of a Member. On Wednesday debate resumed and there seemed no stopping the measure until a handful of men called a halt to the hysteria. Senators Downey, Milligan, Pepper, Morse, Wagner, and a few others stubbornly held their ground in opposition to crucial elements in that bill. Again it was not extended debate. But the threat was enough to frustrate the desires of what surely was the majority of Congress and perhaps the American people. Senators must remember what that legislation called for—it was to draft into the Army those railroad workers who refused to return to work.

Incredible? Indeed it was. For having just fought a long and bloody war against tyranny and dictatorship abroad, the Congress of the United States in the hysteria of the moment narrowly missed sacrificing the very principles this Nation had fought to preserve.

There are many other examples of where the determined opposition of a minority has effectively forestalled objectionable legislation. I do not say that all such opposition has yielded good results. But I do seriously doubt that any legislation which would arouse the stubborn opposition of one-third of this body, or that could be stopped simply by threatening a delay, could necessarily be very effective legislation. After all, ours is a government by consent; and its powers are divided so that what is legislated may not be administered, may not be funded, may not be supported by the courts. Our task is to anticipate and reconcile conflicting pressures in this society as we formulate its laws.

But why is the two-thirds majority necessary to overrule? Why not, my liberal colleagues argue, a simple majority? Or if not that why not a three-fifths majority—a difference of a mere seven Members of the Senate? Why permit the tyranny of the one-third?

These are not new questions. As my colleagues know, up until 1917, the Senate had no instrument by which debate could be terminated. But in 1917, the Senate approved a rule by which two-thirds of those present and voting could stop discussion. In 1949 the rule was changed to call for two-thirds of the entire membership of the Senate, but in 1959 the rule reverted back to two-thirds of those present and voting. But at no time in our history has the Senate accepted less than the two-thirds majority present and voting to curtail free and open discussion.

I should like to point out that the simple majority is by no means a basic concept in our democracy. Our judicial system rests on trial by jury, but nowhere at the lower court level do we find guilt or innocence determined by majority rule. If swift justice were desired, majority rule would be the instrument. But the Founding Fathers knew that if one iota of uncertainty remained, the benefit of the doubt should go to the minority view. Ratification of treaties requires a two-thirds vote of the Senators present. Impeachment requires a two-thirds vote of Senators present. Need I point out in this connection the consequences of what nearly happened during the bitter reconstruction period when but for one vote, President Andrew Johnson would have been removed from office? Expelling a Member of Congress also requires a two-thirds vote. To override a Presidential veto requires a two-thirds vote; to inaugurate an amendment to the Constitution of the United States requires the support of either two-thirds of the State legislatures, or a two-thirds vote by both Houses of Congress. Then three-fourths of the States must vote their acceptance of a change in that document. The initial ratification of the Constitution of the United States required not two-thirds, but nine of the 13 States—almost three-fourths. In every instance, I have cited that the two-thirds or greater majority has been required—all to guard against any but the wisest and most temperate decisions. I submit that the American form of government evidences the greatest respect for minority opinion.

Should the making of any law of the land be impervious to the strongly held will of a minority? Since when is a simple majority an infallible indication of wisdom and right? We hear much talk about the tyranny of the one-third. I am just as fearful of the tyranny of the majority.

Unlimited debate is a double-edged sword. Through the threat of its use, we liberals were able to stop the constitutional amendment which would have set aside the Supreme Court's ruling on reapportionment, an approval which would have denied millions of Americans the simple justice of fair representation. By its use, we stopped the so-called prayer amendment which, if carried through, would have denied freedom of religious practice. In spite of rule XXII we have enacted historic social legislation: The Civil Rights Act, the poverty program, and medicare. To us that was progress. The pendulum of public support finally swung our way; but it could well swing in the other direction and in the days ahead we could be hard put to defend our hard fought gains.

Democracy is a slow and deliberate process. It requires patience and tolerance for opposing views. But when in the passions of the moment these virtues do not dominate, unlimited debate becomes a necessary instrument in the arsenal through which we liberals may defend the rights of the minority.

(At this point, Mr. CRANSTON took the chair as Presiding Officer.)

PRESIDENT JOHNSON'S BUDGET MESSAGE

Mr. JAVITS. Mr. President, I wish to make a brief statement on President Johnson's last budget message which reflects as much the way of doing things epitomized by the label of the Great Society of the President as it does the complex problems that are facing the Nation today and tomorrow. But, it has been clear for some time that the problems facing us at home and abroad call for new approaches to find effective solutions, requiring greater reliance on the mixed private-public approach and, as well, on State and local governments. I have made some proposals of my own, such as the Domestic Development Bank, Federal-State revenue sharing, and a federally chartered corporation to encourage the development of private enterprise and the private sector in developing nations. These are three separate proposals.

I hope and expect that the Nixon administration will sympathize with this type of approach and will apply it broadly in the next 4 years.

I support the recommendation that the 10 percent tax surcharge be extended for another year as a means to restrain inflation and to permit the financing of essential domestic and international programs at adequate levels.

Mr. President, this is very important because what the country is worried about is that we may take out some of the programs, for budgetary reasons, before new programs or new concepts of doing things are phased in with the necessary proof that they will do as much or, indeed, much more—which is what is required.

I want to make it clear, also, that my support of congressional action on extending the surcharge or of giving the President greater flexibility in the field of tax policy is contingent on simultaneous action on tax reform, and I urge my colleagues to take a similar position. I feel that it was a serious mistake of the outgoing administration in refusing to comply with a provision of the tax surcharge act of last year requiring that he recommend to Congress comprehensive tax reforms by the end of 1968. In his December 31 letter to the Speaker of the House, the President indicated that the Treasury's recommendations would be available to Congress on request but that he would not endorse them or make them public. I understand his not necessarily endorsing them but they should be made public as the basis for intelligent debate and action in the coming year. I shall do all I can to bring this about as soon as possible.

Congressional action in 1968 on the tax surcharge, on spending reduction, and on tax reform was part and parcel of a single package, and it remains so in 1969.

ARTHUR HAYS SULZBERGER—

1891–1968

Mr. JAVITS. Mr. President, during the time of the congressional recess, Arthur Hays Sulzberger, one of the most distinguished American publishers—one of New York's finest citizens—died at the age of 77.

For 26 years, from 1935 until his retirement as publisher in 1961, Arthur Hays Sulzberger directly guided the destiny and the fortunes of the New York Times, presiding over its continued growth in size and importance as one of the world's most distinguished and important journals. At the time of his death, Mr. Sulzberger, notwithstanding a severe physical disability, remained as chairman of the board of the New York Times, very much active and engaged in the management of that great newspaper.

This was characteristic of him, because he was the embodiment of the spirit, the character, and the essence of the New York Times, as much as the New York Times itself is a reflection of the spirit and essence of New York and our Nation.

Mr. President, Mr. Sulzberger, in addition to being a great publisher, was a man of great charm and wit, and a devoted family man, the very model of an understanding and sympathetic father, and husband to his almost equally famous wife, Iphigene.

Mr. President, Mr. Sulzberger was succeeded as president and publisher by his son-in-law, Orvil E. Dryfoos, himself a very gifted man, who has also passed away.

The present president and publisher is Arthur Ochs Sulzberger, the son of Arthur Hays Sulzberger, one of the most able and thoughtful young leaders in New York, who is already making a magnificent record on the paper and in the country.

Mr. President, I ask unanimous consent to have printed in the Record articles and editorial comment on Arthur Hays Sulzberger from the New York Times, and the text of a most distinguished memorial address delivered by James Reston at the memorial service at Temple Emanu-El in New York on December 15, 1968.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the New York Times, Dec. 12, 1968]

Arthur Hays Sulzberger, Times Chairman, 77, Dies

Arthur Hays Sulzberger, chairman of the board of The New York Times, died peacefully in his sleep at his home, 1115 Fifth Avenue, at 2:25 P.M. yesterday after a long illness. He was 77 years old.

Mr. Sulzberger had been publisher of The Times from 1935, following the death of his father-in-law, Adolph S. Ochs, until 1961, a period in which he led the newspaper to a growth that saw daily circulation rise 40 per cent and Sunday circulation nearly double.

Vice President Humphrey declared "his death diminishes us all." Governor Rockefeller said he had been "a champion of truth and objectivity." Mayor Lindsay called him "a tower of integrity in the world of journalism."

A memorial service is to be held Sunday at 4 P.M. at Temple Emanu-El. The body is to be cremated. The family requested that instead of flowers friends send donations to the New York Times Neediest Cases Fund, an annual charitable appeal.

Dr. Nathan A. Perilman, senior rabbi of Temple Emanu-El, is to officiate at the memorial service.

Mr. Sulzberger marked his 50th anniversary on the staff of The New York Times last Saturday. The 30-Year Club made up of 800 members who have worked at least 30 years for The Times, had planned to present a gold watch to him this week.

However, Mr. Sulzberger's health had been failing since a stroke he suffered in Rangoon, Burma, during a world trip in 1957, and a later stroke. He last came to his office at 229 West 43d Street on Aug. 6.

With him when he died was his wife, the former Iphigene B. Ochs. Also surviving are four children, Mrs. Andrew Heiskell of New York, the former Marian Sulzberger Dryfoos; Mrs. Ruth Sulzberger Golden of Chattanooga, Tenn.; Mrs. Richard N. Cohe, of Stamford, Conn., the former Judith Sulzberger, and Arthur Ochs Sulzberger, present president and publisher of The Times, as well as 13 grandchildren and three great-grandchildren.

THRIVED ON COMPETITION

Faced with intense competition from a variety of other morning newspapers in the period that Arthur Hays Sulzberger was publisher, The New York Times grew from an average Monday-through-Friday circulation of 465,078 copies in 1935 to 656,546 in 1960. With only The New York News now left in the English-language morning field here, The Times' circulation reached 1,025,873 as of last month.

The circulation of the Sunday issue rose from 713,259 in 1935 to 1,331,871 in 1960, and has kept rising, to 1,579,994 as of last month.

Mr. Sulzberger was one of three trustees of the Ochs trust which holds the controlling interest in the ownership of The New York Times and The Chattanooga Times on behalf of the four Sulzberger children. The two other trustees are his wife and his son.

Mr. Sulzberger had turned over the presidency of The New York Times to his son-in-law Orvil E. Dryfoos in 1957, when he himself became board chairman. Mr. Dryfoos became publisher in 1961. When Mr. Dryfoos died in 1963, Mr. Sulzberger's son took the post of publisher, continuing the tradition of Ochs family leadership and policies.

NEW YORKER BY BIRTH

A New Yorker by birth, Mr. Sulzberger was educated at Public School 166, De Witt Clinton and Horace Mann High Schools and Columbia College. During World War I, he enlisted and attended the Plattsburgh training camp, becoming a first lieutenant assigned to field artillery.

He married the daughter of Mr. Ochs, the publisher of The Times, on Nov. 17, 1917, and entered the newspaper profession with The Times after the end of the war.

He was at first assistant to the general manager. From then on he entered into not only the conventional fields of newspaper operation but pioneered in developing transmission of photographs by wire.

Aside from his newspaper efforts, Mr. Sulzberger directed The Times' acquisition of radio station WQXR and was active in the Spruce Falls Power and Paper Company, Ltd., a newsprint concern in which The Times has a 42 per cent interest.

Mr. Sulzberger had suffered a heart attack in 1932, leading to cardiovascular problems, but achieved a full recovery.

Despite the strokes in his later years, he maintained an active interest in the newsgathering and other affairs of The Times. Although forced to use a wheelchair, he arrived at the office two or three days a week with two pet dogs cradled in his lap.

In the summers in the last dozen years, he often occupied an apartment in the Times Building rather than always returning to a summer home in Long Ridge, Conn.

A lifelong member of Temple Emanu-El, the largest Jewish house of worship in the world, Mr. Sulzberger had been a trustee of the 123-year-old Reform congregation from Oct. 13, 1935, until he resigned May 10, 1955.

[From the New York Times, Dec. 13, 1968]

Arthur Hays Sulzberger

For more than a quarter of a century this newspaper drew strength from the foresight, the integrity and the courage of Arthur Hays Sulzberger, first as its publisher and later as chairman of the board. His death yesterday after a long and debilitating illness—fifty years almost to the day since he first joined The Times—has brought sorrow to his associates and a sense of personal and professional loss to free newsapermen everywhere.

It was a world already threatened by totalitarianism that Arthur Sulzberger in 1935 succeeded Adolph S. Ochs as publisher of The Times. He saw clearly the danger that Hitler and Mussolini and their Japanese counterparts posed to the security of the United States. He also saw clearly the consequent necessity of a wholehearted partnership with those nations which were this country's natural allies in the cause of freedom.

The battle for democracy on the international front was the primary concern of Mr. Sulzberger during the thirties and forties, but it by no means measured the scope of his interest and convictions. He had a lively sympathy with the downtrodden and oppressed of every race, color and creed, and he profoundly desired to see the people of the United States move forward steadily to new social gains and broader opportunities. He wanted especially to safeguard the fundamental principles of the Bill of Rights, and was never happier than when he had thrown The Times into the thick of the fight at whatever point the liberties of a free people were threatened by an overzealous committee or a reckless demagogue.

He was by nature a liberal in the best sense of the word, and he guided, encouraged and strengthened The Times in a liberal direction without at any time being guilty of the domineering traits that characterized so many of the more flamboyant and less effective publishers of his and previous generations. Mr. Sulzberger, urbane and sophisticated as he was, preferred to lead and direct rather than to exercise the mailed fist. Guided by the highest principles of the newspaper profession and armed with complete integrity and firmness of purpose, he proved to be one of the most effective and influential publishers of his era.

Every facet of the many-sided business of publishing a newspaper responsive to the public's need for trustworthy information engaged his attention. He was fortunate in receiving a thorough grounding in the complexities of publishing a large daily newspaper through some fifteen years of service with his father-in-law, Mr. Ochs, architect of the modern New York Times; and he carried on the task with vigor and devotion. He was by nature a builder in the literal as well as figurative sense; he took keen delight and direct personal interest in the physical expansion of The Times plant as well as in its constantly broadening news coverage of every facet of human existence in every corner of the world. He sought constantly to expand and deepen the range of this newspaper's reporting and interpretation of the news.

Arthur Sulzberger was a faithful friend and joyous companion, a man of high spirit with a ready wit that would break through even his grievous illness of recent years. He was a man who liked to play as well as work, a man with a warm heart and fine zest for life. This was a man of deep conscience, steady purpose and a passion for fair play. It is hard to say good-by to such a man.

[From the New York Times, Dec. 12, 1968]

Sulzberger Stressed News Coverage, Financial Strength and Technical Progress—Publisher Made Striking Changes—Working Gradually, He Gave Impetus to Reporting and Typographical Advances

Arthur Hays Sulzberger, fourth publisher of the New York Times, guided the newspaper from the depression years, through a great war and into an era of prosperity, world tension and scientific revolution. His leadership kept The Times abreast of the 20th century—in news coverage, in financial strength and in technology.

At the same time, Mr. Sulzberger preserved the traditions of completeness and responsibility that had been established by his predecessor, Adolph S. Ochs.

The New York Times came under Mr. Sulzberger's direction upon the death of Mr. Ochs, his father-in-law, in 1935. Although the new publisher did not want to make too many changes too fast, he was determined that the paper should not become an ivory tower.

Consequently, the Sulzberger years, from 1935 until he retired as publisher on April 25, 1961, were marked by striking changes gradually introduced.

The Times, under his direction, printed far more news on specialized subjects such as science than The Times of 1935 and gave much more space to interpreting and analyzing events.

CONCISENESS A GOAL

The news was written more concisely and in brighter fashion. More pictures, more background information and more personality sketches were introduced, along with a more eye-catching layout and more varied typography. The Sunday edition grew in size and depth.

Sunday circulation nearly doubled in 25 years and daily circulation rose 40 per cent.

The Times staff, the largest of any newspaper in the world, grew to 5,750, including 900 in the news and editorial departments. It included the largest Washington news bureau and the largest foreign staff of any single newspaper.

Other aspects of The Times development reflected Mr. Sulzberger's particular interest in technical progress: Times Facsimile, a pioneer effort in transmitting photographs by wire and the acquisition of radio station WQXR.

Continued expansion—more people, more machines, more circulation—meant that by the nineteen-sixties The Times was outgrowing the fifth site it had occupied since it was founded in 1851.

BEST SERVED BY YOUTH

In 1959, the publisher, who had constantly worked to keep production capacity ahead of growth, saw the first section of a supplemental plant go into service at 101 West End Avenue. That plant was one of his last great contributions to the future of The New York Times, which, in his words, had "ceased to be merely a newspaper" and had taken on "the atmosphere of an institution."

Typically, when he voluntarily retired as publisher in favor of his son-in-law Orvil E. Dryfoos, he said it was because The Times must never grow old and "youth is best served by youth." He was then approaching 70.

When Mr. Dryfoos died in the spring of 1963 after a 114-day strike that caused a New York newspaper blackout, Mr. Sulzberger, as chairman of the board, announced that The Times was continuing a tradition of 65 years and that another member of the Ochs family would be publisher. Arthur Ochs Sulzberger, the only son of Arthur Hays and Iphigene Ochs Sulzberger, was appointed on June 20, 1963. Arthur Hays Sulzberger retained to his death the post of chairman of the board.

BORN IN MANHATTAN

Arthur Hays Sulzberger was born in a red brick house opposite Mount Morris Park in Manhattan on Sept. 12, 1891. He was the fourth of five children of Cyrus L. Sulzberger and Rachel Peixotto Hays Sulzberger.

The family was well-to-do and socially prominent. The father was president and later chairman of the board of N. Erlanger, Blumgart & Co., importers and manufacturers of textiles. The mother was a descendant of a family that had left Spain in the 15th century and had come to America in 1702 and had taken part in British colonial life and the American Revolution.

Leo, the Sulzbergers' eldest child, who had gone into the textiles business, died in 1926. Anna and Cyrus died in childhood, David, the youngest, became a New York stockbroker. He died on Sept. 2, 1962.

Young Arthur was graduated from Public School 166, on 89th Street between Columbus and Amsterdam Avenues. His teachers were inclined to pamper him, but only once did he achieve an unbroken row of A's. That was when he played Cupid for two teachers, carrying their notes to each other.

He entered Columbia College in 1909 with the idea of trying sanitary engineering as a career. His father explained to friends that a sanitary engineer was the man who held the candle while the plumber fixed the leak.

At Columbia young Sulzberger made the swimming team and performed as a "chorus girl" in the college show. He was not outstanding in his studies, and did not apply himself to serious study until later, when he went to Army schools.

Soon after the United States entered World War I in 1917 he enlisted and was sent to the First Plattsburgh Training Camp in upstate New York. In August, 1917, he was commissioned a second lieutenant in the Officers Reserve Corps and was assigned to the field artillery at Camp Wadsworth, Spartanburg, S.C. Through another second lieutenant, Julius Ochs Adler, Adolph S. Ochs' nephew, he renewed a college friendship with Iphigene Ochs. The New York Times publisher's only child.

Mr. Ochs had hoped his daughter would marry a newspaperman. When she told him she intended to marry Lieutenant Sulzberger, he was not pleased. The suitor was clean-cut, alert and handsome, but he was not of the Fourth Estate, and Mr. Ochs was anxious for the future of The Times.

MARRIED IN 1917

However, Mr. Ochs gave his consent. His daughter and Lieutenant Sulzberger were married while the young officer was on leave, on Nov. 17, 1917, in the Ochs house at 308 West 75th Street. The Rev. Dr. Joseph Silverman of Temple Emanu-El officiated. The couple left at once for Camp Wadsworth.

Through the remaining year of the war Lieutenant Sulzberger awaited shipment to France. At the time of the Armistice he was on orders to go overseas, but he never sailed. In later life this disappointment heightened his concern with any encounter he construed as his country's battle.

At the age of 27, Mr. Sulzberger joined The Times as assistant to the general manager. Later he often expressed his modest formula for business success:

"You work very hard, you never watch the clock, you polish up the handle on the big front door. And you marry the boss's daughter.

"That is how I did it."

It was not that easy.

He regretted his "late start" in the newspaper business, and often talked wistfully to writers about their cub reporter days.

WORKED ON FUND APPEAL

He was eager to try his hand in the news field, but Mr. Ochs instead gave him an office and suggested he try anything that came his way. Mr. Sulzberger worked on the annual appeal for charitable agencies—the Hundred Neediest Cases—and various other tasks. Often he wandered through the plant, affable and a little lonely, a minister without portfolio.

His apprenticeship turned out to be more varied and rigorous than that of many other newspaper executives. Mr. Ochs was not an easy taskmaster, and he was determined that his son-in-law learn all aspects of the business under exacting executives.

Mr. Sulzberger's first major job was obtaining an adequate newsprint supply for the newspaper. Travel and study on this job soon made him a newsprint expert. He was notable among publishers in later years for his knowledge of the field.

He made other significant contributions to The Times in his years as an understudy, particularly after 1933, when Mr. Ochs was ill. He played a large role, for instance, in making the paper a leading exponent of the advancement of aviation.

He also directed the development of a portable facsimile transmitter—a suitcase-sized machine that could be hooked into any phone to transmit impulses that could be reconverted into a picture at the other end.

The newspaper industry in the early nineteen-thirties was seeking a practicable way to send photographs by wire. Mr. Sulzberger was excited by the possibility that telephone transmission might reduce costs to the level of ordinary telephone toll charges.

One evening he found himself next to Walter Gifford, then president of the American Telephone and Telegraph Company.

"Does it make any difference to you," Mr. Sulzberger asked, "if a telephone user talks English, French or just gibberish?"

"No, indeed," Mr. Gifford replied, somewhat puzzled.

Mr. Sulzberger explained that he was studying a method of breaking down the light values of a photograph into sound values, transmitting them by telephone and then retranslating them into light.

"I don't think it concerns us at all," Mr. Gifford said.

Technicians then devised the portable facsimile apparatus, which was taken to San Francisco for transcontinental tests.

On Feb. 13, 1935, the Navy dirigible Macon exploded off California. Pictures were transmitted to New York. They appeared in The Times the next day, creating a sensation.

Years later, in 1959, the subsidiary that handled the facsimile business was sold by The Times to Litton Industries, Inc.

On April 8, 1935, Mr. Ochs died. For the first time since the 19th century, The Times was to have a new publisher.

Mr. Ochs's will left the newspaper to Mr. and Mrs. Sulzberger's four children—Marian, Ruth, Judith and Arthur Ochs—but named three executors and trustees—Mr. Sulzberger, Mrs. Sulzberger and Julius Ochs Adler, Mr. Ochs's nephew, who was by then vice president and treasurer of the paper.

ADLER TO CHATTANOOGA

The trustees named Mr. Sulzberger to direct The Times. General Adler became publisher of The Chattanooga Times, whose majority ownership was a part of the Ochs estate, in addition holding to the job of general manager of The New York Times.

On assuming control as president and publisher, Mr. Sulzberger gave instructions that for one year there were to be no substantial changes of policy, personnel or contracts.

Thereafter, without haste, he made the substantial changes he foresaw would be necessary.

He defined his role this way:

"The control that the publisher of this paper exercises over its policies is anything but arbitrary. It lies primarily in picking his associates and working with them in harmony—talking things out and, on many occasions, being willing to give way rather than to give orders."

He did not impose his opinion on the editorial board. He did not ask a man to write an editorial counter to the writer's convictions and, in fact, forbade it. He even sometimes had difficulty in getting his own editorials into print.

Sometimes Mr. Sulzberger resorted to expressing his views in a letter to the editor, under one of his pen names, A. Aitchess (A.H.S.). A. Aitchess also appeared as the author of light verse—one of the publisher's favorite diversions. During an illness in his later years he used the pseudonym Harkness P. Vilion, a play on the name of Harkness Pavilion, the section of the Columbia-Presbyterian Medical Center where he lay ill.

A significant part of the inner workings of the paper was the publisher's daily luncheon in the private dining room on the 11th floor of The Times building at 229 West 43d Street.

To these luncheons through the years came hundreds of visitors—kings and queens, presidents and prime ministers, diplomats, scientists, bankers, journalists, leaders and policymakers in every sphere.

The publisher's principal associates attended, and though the luncheons were "off the record"—nothing said at them could be printed—those who guided the paper gained important insights into world events.

During Mr. Sulzberger's incumbency, The Times published the war memoirs of Winston Churchill. The publisher played a prominent part in the $1-million deal made with Sir Winston by British and American interests. He became a personal friend of the former British Prime Minister and exchanged visits with him. Later, he played a similar role in arranging for the publication of the memoirs of former President Harry S. Truman.

TOOK ON DUTIES

Over the years, the publisher took on responsibility for the fine points of newspaper publishing, rather than casting it off. He delegated authority freely, but nothing in the paper was too small to command his attention.

He was a tireless note-taker. When he saw an error in a headline or a story, or found a question unanswered or a news vender without The Times, he jotted down the fact in a small black, gold-cornered pad.

He read The Times over breakfast, checking and rechecking. Ideas flowed into his little black book for submission to his associates. If the judgment went against him, he accepted it. But he was not an easy man to talk down. He felt his convictions deeply, loved to argue, was good at debate and dexterous in dealing with people.

"Many people describe themselves as open to conviction," an associate once remarked, "but Mr. Sulzberger actually can be convinced."

Early in Mr. Sulzberger's tenure as publisher, The Times in its editorials advocated opposition to Nazism and Fascism and attacked American isolationism.

A trip abroad in 1938 convinced the publisher that a European war was coming and that it would become an American war. He hoped, though, that the United States might forestall war by throwing its weight on the side of Britain and France against Germany.

He brought about an editorial called "A Way of Life." It occupied the greater part of the editorial page on June 15, 1938, and said in part:

"In any ultimate test of strength between democracy and dictatorship, the goodwill and the moral support—and in the long run more likely than not the physical power of the United States—will be found on the side of those nations defending a way of life which is our way of life and the only way of life which Americans believe to be worth living."

The war started in 1939 and brought German victories. In 1940 France was near collapse. Mr. Sulzberger called the editorial council together and said:

"I cannot live with myself much longer, and I doubt that this country can live with itself much longer; we have got to do something."

Out of the discussion that followed came the suggestion that The Times advocate universal military training. General Adler had long been a supporter of such a system, but Mr. Sulzberger had frowned on it until then. The first of a series of editorials advocating it appeared on June 7, 1940.

MADE VISITS ABROAD

Mr. Sulzberger had always considered travel one of the best ways of keeping himself and The Times up to date. He continued his trips during World War II, visiting distant capitals and the battlefronts of Europe and the Pacific.

During the war, in 1943, he made his second visit to the Soviet Union on a two-fold mission—to inspect Red Cross installations (he was a member of the Red Cross governing board) and to gather background information for The Times.

During World War II the publisher also developed a keen interest in the rehabilitation work of the Army Air Force, directed by Dr. Howard A. Rusk. He later invited Dr. Rusk to join The Times as associate editor to write on veterans'—and later civilians'—rehabilitation. This association helped to establish the Institute of Physical Medicine and Rehabilitation of the New York University Medical Center.

The war also presented a conflict between revenue and public service. The publisher's course was firm: with newsprint strictly rationed, he ordered advertising held down (two lines was set as the maximum for classified ads) to allow sufficient space for war news.

Mr. Sulzberger's work on short-wave facsimile transmission helped to persuade him to buy radio station WQXR in 1944. By 1956 WQXR had increased its power to 50,000 watts and had added WQXR–FM. In addition a network of FM stations broadcast WQXR's programs throughout the Northeast.

The enormous postwar expansion of The Times forced the paper to push its 43d Street building through to 44th Street. Mr. Sulzberger fondly watched every step and scrambled over the scaffolding, endlessly delighted. Guests were invited early for lunch so that they, too, could risk life and limb as the publisher led them through the construction.

In 1951, The Times marked its 100th year. There was a modest celebration, but the publisher's reticence did not stem the tide of scrolls, citations and letters of praise that flowed in. The event was marked by the publication of "The Story of The New York Times," a history of the paper by Meyer Berger, then a noted Times reporter.

Under Mr. Ochs, The Times had described itself politically as "independent Democratic" In Mr. Sulzberger's time, the word "Democratic" was dropped. In the Sulzberger years the paper supported Republican candidates four times and Democrats three times.

In 1952, The Times broke with the practice of naming its choice only after the parties' nominating conventions. Fearful of the possibility that the Republicans might nominate Senator Robert A. Taft of Ohio, The Times announced in February that it favored the election of Gen. Dwight D. Eisenhower and promised to support him if the Republicans nominated him.

The paper became the center of a controversy that lasted until Election Day. The controversy became heated and even acrimonious after the Democrats nominated Gov. Adlai E. Stevenson of Illinois, and campaigns were organized to persuade The Times to switch its support. Thousands of letters and telephone calls poured in.

The publisher explained the paper's position this way:

"We came out for Eisenhower in the preconvention campaign because we liked and trusted him and because we could not face with equanimity the possibility of Taft's nomination. Not being a Republican organ and, more times than not, not supporting that party's nominees, we felt that we had no right to speak to them unless we said that if the General were the nominee we would support him in the election."

"I LIKE STEVENSON"

"That is a course that I would unhesitatingly repeat even though I now know that I like Stevenson and despite the fact that I now know that I have found many parts of the Republican campaign distasteful to me."

Neither General Eisenhower's political campaign in 1952 nor his subsequent career in the White House received the publisher's unqualified support.

Mr. Sulzberger's first disappointment with General Eisenhower, and the most serious, came over the problem of Senator Joseph R. McCarthy. The Wisconsin Republican's frequent attacks on individuals as "spies" and "traitors" struck the publisher as reckless and irresponsible. By early 1952, he was deeply disturbed by what he considered a basic threat to civil liberties and traditional freedoms and fair play.

The publisher strongly urged General Eisenhower to go on record in the campaign as opposed to McCarthyism and especially to the Senator's attacks on Gen. George C. Marshall, for whom both Mr. Sulzberger and General Eisenhower had the highest regard.

At the candidate's invitation, Mr. Sulzberger drafted a pro-Marshall statement, which General Eisenhower proposed to deliver as part of a speech in Milwaukee, in Senator McCarthy's home state.

To Mr. Sulzberger's dismay, General Eisenhower, acting on the advice of Wisconsin Republican leaders, deleted the passage from his address just before delivery. He made the remarks later, in another campaign speech, but the publisher was deeply disturbed by what he regarded as General Eisenhower's failure to stand up under political pressure.

As the issues and domestic Communism and civil liberties became more prominent, the publisher established a firm policy for the newspaper.

"I would not," he declared, "knowingly employ a Communist on the news or editorial staff of The New York Times. On the other hand, I would not institute a witch hunt to determine if one such existed."

The publisher and The Times severely criticized what they considered witch hunts. The paper spoke out against the banning and burning of books, efforts to silence unorthodox thinkers, indiscriminate distrust of Government employes, the distribution of black lists, the passage of restrictive immigration laws and similar manifestations of what it believed was unwarranted fear and hysteria.

The Times considered itself to be the special object of an investigation in 1955 and 1956 by a Senate subcommittee headed by Senator James O. Eastland, Democrat of Mississippi. The investigation was presented as a study of Communist infiltration of the press, but Mr. Sulzberger viewed with concern the fact that the majority of the newspapermen summoned to the hearings were present or former employes of The Times.

The publisher cooperated with the committee. He also discharged several men whose conduct during the investigation caused him to lose confidence in their ability to carry out their jobs in the news departments.

IN DEFENSE OF FREE PRESS

Early in 1956, however, Mr. Sulzberger felt impelled to go on record in defense of a free press. An editorial said it seemed "quite obvious" that the investigation was aimed at The Times and that the paper had been "singled out" for attack because of the vigor of its opposition to the views of Senator Eastland and some of his associates.

On the question of former Communists on its staff The Times said: "It will be our policy to judge each case on its own merits. We do not believe in the doctrine of irredeemable sin. We think it is possible to atone through good performance for past errors".

"Our faith is strong," the editorial ended, "that long after Senator Eastland and his present subcommittee are forgotten, long after segregation has lost its final battle in the South, long after all that was known as McCarthyism is a dim, unwelcome memory, long after the last Congressional committee has learned that it cannot tamper successfully with a free press, The New York Times will still be speaking for the men who make it, and only for the men who make it, and speaking without fear or favor the truth as it sees it."

During the difficult Eastland incidents, the paper suffered a blow of a different kind. On Oct. 3, 1955, General Adler died, leaving a personal gap in the publisher's life that could not be filled and a gap in the paper's management that had to be filled. General Adler's successor as a trustee was Mr. Dryfoos, who had married Marian Sulzberger and, in a training pattern similar to that of his father-in-law, had risen to the vice presidency of the newspaper.

RESIGNED 4 YEARS LATER

Mr. Dryfoos was named president of The New York Times Company on April 23, 1957, when Mr. Sulzberger became chairman of the board. It was almost exactly four years later that Mr. Sulzberger stepped down as publisher in favor of Mr. Dryfoos.

His statement at that time, while both sad and witty, again pointed to his concept of himself as a steward:

"No one man can operate a business of this size. He can and must rely upon his associates and in this respect I have been particularly fortunate. It is difficult for me to single out any number of individuals without doing injustice to others. We now are a body over five thousand strong. I do not know which driver it was who overcame the particular difficulties on the night of any one of our great snowstorms last winter or which compositor or proofreader saved us from untold additional libel, or which flyboy caught out the badly printed copy that might otherwise have gone into the White House—or even worse, to me. I bow to the bookkeepers, the telephone girls with their ever-cheerful voices, to the butcher, the baker, and I don't think we make our own candles, but I can assure you that our able mechanical department has plenty on hand against emergencies."

Mr. Sulzberger had succeeded General Adler as publisher of The Chattanooga Times, but served only briefly because he believed newspaper leadership should be "homegrown." In February, 1957, Ben Hale Golden of Chattanooga, who married Ruth Sulzberger in 1946, became president and publisher and Mr. Sulzberger took the new position of chairman of the board of the Chattanooga paper. Mrs. Golden, who filed for a divorce in late 1964, became president and publisher of the Chattanooga paper on Dec. 22, 1964.

In December of 1958, during the involved strike by the newspaper deliverers that resulted in a newspaper blackout in New York, Mr. Sulzberger kept The New York Times news staff at work while all other newspaper plants were dark.

After the strike was over employes who had been kept on the payroll sent Mr. Sulzberger a memorial "to let him know that the men and women who work for him are touched by the great kindness he has shown in the dark period that came this month with forced suspension of publication; that this and past kindnesses, far beyond the margins of moral responsibility, deepen their loyalty and shall not be forgotten." There were 330 signatures on the document.

In 1958, the publisher broke with a tradition observed by The Times and most other family-owned newspapers. Because deaths and inheritances had spread the stock of the paper outside the immediate family, he issued the first annual public statement of The Times's finances. It showed that his management had been successful and that he had carried out his precept that editorial excellence and sound business management went hand in hand.

THE 60 PROFITABLE YEARS

The report showed a profit after taxes for 1957 of $3,010,067. It was the 60th consecutive year that The Times had shown a profit.

Other figures and subsequent reports demonstrated the paper's financial health. During 1958, for the first time, the Times Magazine carried more lines of advertising than any other magazine.

The Monday-to-Friday average circulation of The Times in November stood at 1,025,873. In 1934, it was 465,078. The Sunday circulation had risen to 1,579,994, from 713,259 in 1935.

In keeping with the publisher's goals of service, as well as success, The Times carried on Mr. Ochs's Christmastime appeal, the Hundred Neediest Cases. From 1912 through the 1967 appeal, it raised $18,233,133 for major Roman Catholic, Protestant and Jewish charities.

From his work at The Times, the publisher was precipitated into numberless related duties. Many of these pertained to the paper's radio station and a Canadian newsprint company, the Spruce Falls Power and Paper Company, Ltd., in which The Times held a 42 per cent interest.

In 1943, he became the first New York City publisher since the death of Mr. Ochs to be elected a director of The Associated Press. He was re-elected to two more three-year terms.

In matters outside the newspaper business, he sought to concentrate his activities on the cultural and philanthropic life of the city.

PORTRAIT AT COLUMBIA

He was a trustee of Columbia University from 1944 to 1959. Among the many honors accorded to him when he resigned and became trustee emeritus was a portrait commissioned by the university. It was hung in Low Memorial Library, among pictures of other Columbia officials, including General Eisenhower. Mr. Sulzberger had played an important role in bringing the general to the university as its president.

The publisher was also chairman of Columbia's bicentennial celebration.

The university and the Graduate School of Journalism honored him with the Journalism Award for singular journalistic performance in the public interest. The introduction to the citation pointed out a fact that reflected the kind of publisher he was. The paper, the statement read, "has never been known as Sulzberger's Times or anyone else's for that matter."

In all of his public career, in fact, he believed that it was the paper that mattered, not him. One daughter was astonished when she was asked in Europe if her father were the Sulzberger who was publisher of The Times. He had always "stood so consistently behind and not in front of his job I had never realized that Sulzberger was a 'name,'" she wrote later.

In 1950, The Times hailed the publication of the first 50 volumes of the papers of Thomas Jefferson, another project close to the heart of the publisher. The Times had, in fact, given $2,000,000 so that Princeton could undertake the huge project. The Times editorial noted with pride that each volume would bear this inscription:

"Dedicated to the memory of Adolph S. Ochs, publisher of The New York Times, 1896–1935, who by the example of a responsible press enlarged and fortified the Jeffersonian concept of a free press."

As The Times was the core of Mr. Sulzberger's public life, his family was the heart and soul of his private life.

By heritage as well as by choice, he was a Reform Jew and he reared his children accordingly. But it was to him a religion, not a nationality. He did not believe Jews to be a race or a people and, like Mr. Ochs, was deeply opposed to the Zionist movement.

He loved children—his own four and their children—and kept the key to children's confidence long after the age when many adults mislay it. He wrote poems for them, made up animal sagas and admonished them from his heart.

He was warm and attracted people easily. Because of the square set of his shoulders and his trim physique, he gave the impression of a tall and dominating man, although he was of average height—5 feet 9 inches. Because he was handsome and carried the newspaper aura with him and because he liked to do things with style, he was characterized often as having glamour.

In fact, one daughter once asked Mrs. Sulzberger if Mr. Sulzberger "were the kind of man who gave bracelets to chorus girls."

In adversity he kept a sense of humor and a sense of proportion. In 1953, when a strike closed The Times, he sat in his office, not brooding but writing a bit of doggerel, a wry comment on the suspension of publication:

"He worked very hard and he never watched the clock,
And he polished up the handle of the big front door.
By dint of hard labor he rose to the top,
And in 35 years The Times was no more."

His humor often took elaborate visual turns. Many years after his marriage, he contracted to transplant from Lake George, N.Y., the large spruce tree under which the young Iphigene Ochs had once refused him. A truck returned with the wrong spruce, but it was replanted anyway at Hillandale, the family's country home, then in White Plains, and still survives on the property.

HEART OF THE MATTER

The publisher loved games and hobbies. At one point, he and his friend and editor, Charles Merz, created crossword puzzles and finally Double-Crostics for the paper.

It was a rare weekend when the original Hillandale and its successor in Long Ridge, Conn., did not resound to voices—young and old—in games, discussion and laughter.

The publisher, as a bon vivant in town and on weekend in the country, had reduced the old fashioned to the essentials of ice and whisky long before drinks "on the rocks" were common.

A cocktail shaker given to him on one of his anniversaries was inscribed:

Recipe for A. H. S. cocktail:
1 part wisdom, 1 part wit, 1 part humanity,
In the fashion of A. H. S., mix well and serve lavishly.

He had trouble remembering names, but his wife could recall them, from the vaguest sort of description. Even with his awkward handicap, he went through many elaborate evenings as the most charming guest or host—courteous, telling brief anecdotes, reciting witty poetry and salting his conversation with broad puns.

His daughter Ruth wrote for a collection she called "A Popthology of Verse":

"A. H. S. is a family man. A fastidious dresser, he is noted for his weekend clothes. He is moody. Amusing. Serious. And endlessly stimulating. He has blue eyes and gray hair. He smokes a pipe and eats pills. He is a dog fancier and breeder, a good judge of bourbon and a country gentleman. He plays cards. He drinks. He works for a newspaper."

In his later years he was beset by ill health. On a round-the-world trip in 1957, he suffered a stroke in Rangoon, Burma, and later had another attack. But he never lost his quick wit.

The theme Mr. Sulzberger inspired for Columbia's bicentennial was "Man's right to knowledge and the free use thereof." This might have been his own theme and the theme of his stewardship of The New York Times.

[From the New York Times, Dec. 16, 1968]

Reston Delivers Tribute at Sulzberger Service

(A tribute delivered yesterday by James Reston, executive editor of The New York Times, at a memorial service for Arthur Hays Sulzberger.)

The purpose of this service of remembrance is to pause for a few minutes to think about the meaning of a life—rather than the moment of a death. We have come here to pay our respects to our dear friend and his family. And in the process, I hope we may fortify our faith in human decency and renew our courage by trying to recall something of the magic of his personality and the quality of his work and character.

We cannot help but grieve at such a time, but we are not called upon to be morbid. For Arthur Hays Sulzberger was, among many other things, a joyous man. Five years ago, when he was already seriously ill, he wrote out the instructions for this occasion.

There were to be none of the ghoulish trappings of death, he said. No fancy casket, no mountains of flowers smelling of the grave and, on pain of eternal punishment—for some reason not quite clear to me—no Mozart. He had a thing about Mozart and he was forever chasing the poor man off the Times radio station.

It is not easy for a man at the top of a newspaper to be joyful these days. Those of us who report have fun: this age may not make sense but it makes news. But a newspaper publisher is a little like a doctor; he spends a good deal of his time listening to people who have a pain. Also, Arthur Sulzberger did not have the good fortune to lead the paper in a calm or joyous time.

BECAME PUBLISHER IN 1935

He became publisher in 1935 during the economic depression and endured the tumult of three wars until the end. This was a time, first, of drift and hallucination, then of unspeakable violence and disorder, leading to the transformation of our professional life, of our national life, and of the larger life of the human family.

Still he presided over The Times during this convulsive period with rare good judgment, unfailing human consideration, and a remarkable combination of seriousness and merriness. Few arguments ever became strident for long at his council table before he broke the tension with an amiable jest.

He had a wonderful compassion for the weaknesses of the human spirit and hated gossip and personal criticism or spite. Nobody ever made a silly fool of himself without being told to forget it. Was anybody sick or in trouble? Arthur Sulzberger was usually the first to help out. Were families separated in the service of the paper? He was usually the first to remember.

He kept a "calendar of kindness" and was forever sending notes or genial rhymes, or presents, to mark birthdays or anniversaries, not only to his own loved ones, but to the larger family of The Times, and the widening circle of his friends.

I have known a lot of good newspapermen and a lot of good family men, but not so many who were both. There is an unfailing rule of life—that news always breaks just when a man is supposed to be going home. But Arthur Sulzberger, late home or not, somehow managed to reconcile his professional and family responsibilities.

AN INCORRIGIBLE POET

He was an incorrigible poet, cartoonist, story-teller, amateur painter, interior decorator, drink-mixer and furniture-mover.

For twenty years he moved the furniture up and down and around the old family house at 5 East 80th Street, and then, when he was finally satisfied with the arrangement, he sold the house.

There was an irrepressible streak of Lewis Carroll in him, and he turned his home into a wonderland of his own. Who but A.H.S. would name two of his children Punch and Judy? Who but he could sit on the stairs with the children on his way to a party—demonstrating the art of blowing out his collapsed tall silk opera hat?

He wrote and illustrated books for the children—about Ellie (the elephant) and Allie (the alligator), who turned into pigs when any of the children ate too much ice cream.

His production of illustrated letters to the family was prodigious. He always portrayed himself as Barney Google. He celebrated Aug. 14—the date he first proposed and was rejected—by presenting Iphigene one year with a beautifully iced cake, made entirely of wood.

When she finally did agree to marry him under a tree at Lake George, he had the tree moved to their house in Westchester County. When the eldest of his three daughters was married, he wandered around the wedding reception with a sign on his back, reading: "If you liked the setting and the ceremony, remember I have two more."

SENSE OF PERSPECTIVE

Though he was deeply involved in life, there was something in him that stood apart. His sense of humor was really a sense of perspective, and he used it to a purpose.

His rhymes were kisses, and sometimes they were gentle admonitions to the children, and occasionally they were editorials, but always this exuberant capering was the expression of a merry and a loving heart.

It is only fair to say that he did not pick up this quality on 43d Street—after all, The Times is not widely known as a center of puckish frivolity.

This is something he inherited, and he was obviously a poetic spirit before he was a publisher. He was the second of the three sons of Rachael Peixotto Hays and Cyrus L. Sulzberger.

His eldest brother, Leo, died in 1926. The youngest brother, David, died in 1962. Thus what is passing here is the last member of the seventh generation of a remarkable American family that started here in 1695, before there was an independent country.

From this family too, he inherited not only a merry but a deeply serious strain which increased as his health and strength ebbed.

He was not given to philosophic speculation and wasted little time on phantom ideas. But occasionally he scribbled his thoughts on a little black notebook that was always at hand.

"I have no personal God," he once wrote. "No one who watches over me. No one to whom I am indebted for the gift of life other than my parents, who have been dead for many years.

"My prayers are to me. I challenge myself to be good to those I love, to treat decently those with whom I come in contact. If I deserve punishment, it will be meted out by my fellow men or by my own conscience. That is ever present, and one cannot fool or mislead it."

GENUINELY MODEST MAN

When we come to assess his contributions to his newspaper and profession, we have to do so without any self-glorification on his part. It may have occurred to a few of you from time to time that modesty is not the newspaperman's most prominent characteristic.

But Arthur Sulzberger was a genuinely modest man. A year after he became publisher, he wrote, "I find myself not as an arbitrary wielder of authority but rather as a servant to the course of events, over which I have no control and to which I must react."

Even after he had been on The Times for forty years, during which he had led it to spectacular successes, he was giving most of the credit to his associates and conceding only that "the backs of my ears are not as wet as they were . . ."

He was mortally afraid of abusing personal power, or the power of the paper. He was always reminding himself that even in private conversation what he said might carry unintended significance because of the position he held, and either hurt somebody or give one of his reporters the wrong idea that he wanted his views reflected in the paper.

Shortly after Arthur Hays Sulzberger joined The Times—almost 50 years ago—Alfred North Whitehead wrote a little book called "Symbolism" in which he said something which, for me, describes with remarkable precision Arthur Hays Sulzberger's problems and achievements on The Times.

"It is the first step in wisdom," Whitehead wrote, "to recognize that the major advances in civilization are processes which all but wreck the society in which they occur . . .

COMPETITIVE BUSINESS

"The art of free society consists, first, in the maintenance of the symbolic code, and secondly, in fearlessness, of revision. . . . Those societies which cannot combine reverence to their symbols with freedom of revision, must ultimately decay from anarchy or from . . . slow atrophy. . . ."

This may help us understand. Newspapering is a savagely competitive business. You have to make major advances or die. The graveyard of great newspapers, alas, is very wide and deep, but Arthur Sulzberger risked the changes and made the advances.

He combined reverence to the symbol and tradition of The Times—and reverence is the right word—with fearlessness of revision. This is no time or place for comparisons, but in most newspapers, the owners tend to consolidate and the managers to innovate.

Maybe because Arthur Sulzberger thought of himself in terms of stewardship rather than of ownership, he managed to strike this difficult balance between the two, and my own experience with him was that he was more fearless in revision than most of us.

What is particularly interesting is how he did it. He didn't have the particular swing or melody of our craft when he joined The Times at 27.

He never even learned how to run a typewriter. He was not a specialist in gathering news or advertising. He was not a prophet of the coming age.

He was not full of self-confidence when he took over and he didn't even begin with the confidence of all his associates, but by any standards of excellence or commerce or ethics, he was a remarkable success.

SIMPLE INTEGRITY

The explanation, I believe, was simple integrity. He combined a general ease and charm in personal relations with good judgment, a belief in young men like Orvil Dryfoos and Arthur Ochs Sulzberger and a true and natural morality of action.

He was not a moralizer, but he preserved that vanishing gift of actually listening to what other people said and then thinking about it before he answered.

The result was that men went away from him feeling that they had been heard out to the end and that they were treated fairly, for he had the gift of reminding us, by his gusto and his example, of the decencies of life.

If you have any doubt about the enduring quality of his example and character, all you have to do is look around.

The new generation of this family is already in place, with another Arthur Sulzberger at its head, and has carried The Times to even greater successes than ever before, and they are going to have to step lively, for the next generation is already knocking at the door.

The test of great leadership is whether it leaves behind a situation which common sense and hard work can deal with successfully.

Reverence for the symbol and fearlessness of revision—all that we have and mean to defend—all that and Iphigene Ochs Sulzberger, and her children, and their children, who will learn the art in their time.

ONLY ONE REMEDY

Mr. BYRD of West Virginia. Mr. President, we have become so accustomed to daily stories of rape and robbery and murder in the newspapers of the Nation's Capital that I suspect many of them make no impression at all on some of us. Crime is such an hourly occurrence in Washington that only the more bizarre aspects of it seem to draw any real attention.

But if we could know the private thoughts of the citizens of this world's capital, Mr. President, I think they might be summed up in two words: outrage and fear. No person who lives or works in this city, or who walks its streets, is safe, and the knowledge of that chilling fact must surely produce a cold and frustrating fury.

An extraordinarily well-written article in Monday's Washington Post by Anne Chamberlin, headlined "Reflections on Life in the City," tells us more graphically, even than the mounting statistics, what has happened to the city that all Americans should love.

Once residents of the gracious and beautiful city of Washington, the writer says, chose their neighborhoods "for touchingly Old World reasons—schools, trees, gardens, lawns, neighbors. These days, you choose according to your taste in crime."

What a bitter commentary. But how appallingly true it has become. On every hand we see recognition of the fact that Washington, D.C., today is a city of lawlessness and terror, where the orderly processes that make civilization possible have broken down.

We see it in the statements of the Mayor-Commissioner; in editorials and news stories in the press; in words spoken on the floor of Congress; and in the tragedies that are daily, and increasingly, befalling the people who live and work, and even visit, in their country's Capital.

How much worse, Mr. President, is this situation to be allowed to grow? How much longer will the responsible agencies of Government shirk doing what must be done?

There is only one remedy, and everyone, including the criminals, know what it is: prompt arrest, swift trial, and sure punishment.

The District of Columbia is failing miserably in the last two areas. Guilty persons, who have been apprehended quickly enough, are let out on bail with scarcely a thought given to their potentiality for committing additional crimes, their trials delayed for weeks and months and even years. Punishment grows more and more remote, and as it does the criminal repeaters grow even bolder. Crime for a constantly increasing number in the District of Columbia does pay.

Mr. President, I think that the Congress must take prompt action to amend the Bail Reform Act in such a way as to make impossible, as nearly so as we can, the ability of the criminal to repeatedly commit crimes on the streets while out on bail.

Mr. President, I would hope that the newspaper article to which I have alluded here will be widely read. Bitter comments such as these on the new "way of life" in what should be the world's finest city may help to stir us into the action that is needed.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reflections on Life in the City

(By Anne Chamberlin)

(Note.—This article represents the personal viewpoint of Miss Chamberlin, a Washington-based writer for the late Saturday Evening Post. The editors of Style welcome contributions to "Point of View.")

I was reflecting the other evening, as I scraped the pavement out of my left kneecap, took inventory of my bruises and reassembled my groceries, that you newcomers moving to Washington this January have a lot more to consider in selecting a place to live than they did, say, the year Mr. Nixon didn't quite make it.

I should perhaps explain that my knee got scraped when I was thrown to the ground by four teen-age toughs who had followed me home from the market. The bruise above my mouth was from the heavy glove which had stifled my cries for help. My coat pocket was torn loose by their hasty search for my wallet. My dinner was trampled as they made their escape. It happened at 7:15 in the evening.

Half running, aware they were behind me, I had gotten half way down the driveway of my own apartment building, 10 yards from the lobby, the switchboard, the closed-circuit TV security system, and about 15 feet from a police patrol car. So it wasn't as if they had all day.

But I really only wanted to make the point that a newcomer here used to choose his neighborhood for touchingly Old World reasons—schools, trees, gardens, lawns, neighbors. These days, you choose according to your taste in crime. (During the election campaign they tried to downgrade our crime standing to somewhere between Montgomery, Alabama, and Leopoldville in the Congo. But now that we can get back to telling it like it is, if they don't move us back to the top three, we should demand a recount.)

I have a friend, for example, who is passionately devoted to the Cleveland Park area. She has had four break-ins. She has awakened in the night to see a pair of hands prying apart the bars on her bedroom window. She has seen an arm reach in and remove her purse from her desk in the living room. She just asks the management to keep installing thicker bars. She is now happily ensconced in a sort of tastefully upholstered tank trap, and as she keeps telling me, she gets home in one piece with her groceries.

A lot of people will try to tell you Chevy Chase is where the action is. At least you won't have to plan any after-dinner entertainment. At a small party there a few Saturdays ago the front door burst open and the next thing everybody knew they'd been separated from their money and jewels, the men had been bound, gagged and stacked in the living room, while one wife was escorted upstairs and raped. Neighbors were home and awake, lights blazing all over the block, but when the "entertainers" had finished their act, so to speak, they faded into the night unimpeded.

Georgetown, of course, is still full of charm, and I lived there myself for years. But even I could kick open the delightful French doors that gave access to and from the garden, which backed onto a dark alley. And I got tired of the nightly ritual, before going out to dinner or upstairs to bed, of preparing the place to be ransacked. The purse open and conveniently placed by a lighted lamp, the jewelry spread out on the bureau, the antique Korean chest unlocked, so it wouldn't be necessary to have at it with an axe to discover it was full of nothing but old tablecloths. It always reminded me of those snacks we used to leave out for Santa Claus on Christmas Eve when we were children.

In the New Southwest, where I now live, I inhabit a cement box. It would take a block and tackle and pitons to climb to my windows and I've added a police-approved drop-bolt second lock to the door. The management requires a key, but I have to assume they aren't passing out samples in the neighborhood. As the new Prime Minister of Canada says, "You've got to believe somebody."

There's just the matter of shopping. They run a pretty taut ship at Peoples Drug, where there are often two cops with guns patrolling the candy counter and a squad car outside with the motor running. But for the younger set, not big enough for wallet-snatching, the Safeway is a razzle-dazzle year-round smorgasbord party. The first course is usually fruit—a few grapes here, an apple, orange or banana there. At this season it's pomegranates. Around the store it's sip and munch as you go. Pit, skin, pith, core, seeds or empty Pepsi cans get spat or tossed into the bins with the frozen broccoli. Sometimes the pomegranates fall apart sooner and land among the butter and eggs. One night when I was there a young man made off with eight steaks. When I visited my friend's Cleveland Park Safeway, she remarked, a little louder than I thought necessary, that it "must seem odd for a Southwester to bother with the checkout counter."

There is quite a selection of parks, by the way. Rock Creek, where the wife of a high State Department official was raped by three teen-agers as she was walking her dogs—at mid-morning, in plain view of Massachusetts Avenue—has retired the rape trophy. (The fourth member of the band obliged by holding her dogs. *Question de nuance.*) The Chesapeake and Ohio canal towpath, rescued from the bulldozers by Mr. Justice Douglas and his ragged band of nature lovers, is perfectly beautiful, especially in the spring and fall. A friend of mine was murdered there in broad daylight, within hailing distance of the Georgetown Esso Station.

You might want to consider your Police Precinct. Here again my friend in Cleveland Park is almost obnoxiously enthusiastic about Number 8. Having naturally seen quite a bit of them, she enjoys a very warm relationship, often inviting the investigating officers to stay for a cup of tea when they've finished taking notes. "The Captain says you have a very nice place here," one of them confided the last time around (TV set, clothes, typewriter.)

Along with the addresses of caterers and part-time butlers so vital to Washington social life, you will find your address book will soon include the names and direct telephone numbers of the detectives assigned to your various confrontations.

Your wife may want to reappraise her wardrobe. Every day on the Society pages, of course, you see picturs of our Beautiful People attired in minis, maxis and genuine Puccis. Although she was asked to go home and pile on more clothes, one of our social leaders actually *turned up* at the Smithsonian in a see-through. But in general it's better to strip down to go out than to dress up. Remove watch and rings. Conceal credit cards around house in case it's broken into while you're out. Wear an old pair of glasses. Your wife might as well wear heels. She couldn't outsprint these pursuers if she wore cleats. They're *motivated* and all she is is scared.

Self defense? There can't be any such thing. A friend once gave me a tear gas pen and when I drove alone to parties at night I carried it in my purse. But I was in such constant terror that I'd inadvertently empty some movie theater or pollute the mousse at the French Embassy, that I finally had to give it up. It seems to me that if you carry a gun, at the speed of the usual scenario you'll be lucky if all you do is shoot yourself in the foot.

Unless you want the police to think you're a boob, you should start training yourself to remember what the man with his foot on your windpipe *looks* like. This requires as much mental discipline as Black Belt Judo—which it would be a good idea to take up, by the way. The unschooled mind focuses on useless irrelevancies, like survival, which is no help to the police. In vain have I studied the etiquette for these occasions. When my turn came I *fought* for my wallet. I had the absurd conviction that it was *my money*. My mother gave me the wallet last Christmas and, idiotically I even wanted to hang onto *that*.

The policeman knew the trails across the No-Man's Land between the lighted high-rises and the dark brick shanties with the broken bottles and beer cans in the yard like the inside of his pocket. It was horribly dark and God-forsaken, and it seemed to me, as he spotted the foursome crossing a vacant lot, stopped the car and got out, that we were edging into a bad Clint Eastwood movie, and I wished I hadn't offered to come along.

"I want to talk to you fellas," he said, as he got out I don't remember that his hand even brushed his gun. But it was an understood quantity.

They didn't answer. But they moved closer to the car, slowly raised their hands, and leaned forward against it, their chins on the roof, while he ran his hands down their sides. I gathered they'd had this conversation before.

I'd *seen* it before myself. Once outside a Safeway on P Street (that one of my friends affectionately calls The Addicts' Safeway). Once outside the National Gallery. It's one of our ceremonial sights in Washington, our local *lingua franca*, like the mating dance of Australian bower birds.

I suspect now that they *were* the ones. But in the searchlight they looked smaller, even vulnerable. I had to confess I wasn't sure, and he sent them on their way.

"I'm sorry this happened to you," he said, closing his black notebook back in the brightly lighted lobby. "It's a horribly upsetting thing." He seemed very young and it was a thought I was surprised he'd had time for.

"If you'd been five seconds sooner . . ."

"If I'd seen them," he said, "I'd have shot them."

I've tried to stay on the right side of this argument, and on the wrong side of Mayor Daley. And my Due Process speech was out before you could say Gideon v. Florida. But to be honest, I was only being polite. The thought of that foursome lying in traction in D.C. General didn't bother me one bit.

That's the problem, you will find. Principles so nobly held as abstractions seem to evaporate in the crunch.

I remember, at my friend's funeral, the difficulty I had in digesting the comfort offered by the man who brought God's Word to us across her casket:

We must pray for the poor man who murdered her.

The message seemed to imply that it was somehow *her* fault for being alive, talented, beautiful and vaguely apart. You might call it class. She got her breaks by *birth*. Now give the Little Fellow his chance.

The same unspoken thread seemed to underlie the defense of the man accused. "This little man," his lawyer kept calling him. His circumstances were punishment enough. Society should not inflict any more. The argument I was later told, broke along those lines in the Jury Room. He was acquitted.

So, if you run into trouble with your responses, you're not the only one. It will take a lot more practice for all of us before we learn to serve gracefully as vehicles for self-expression in a language that is so unfamiliar to us.

Well, I didn't mean to ramble. I only meant to say Welcome to your new neighborhood, wherever it is. And Lots of Luck.

THE NATION'S LEGACY FROM LADY BIRD

Mr. MANSFIELD. Mr. President, I have read with much interest and pleasure, of late, several articles pertaining to one of the outstanding personalities of our time, Mrs. Lyndon B. Johnson, whose family, friends and other followers of her activities have long referred to as Lady Bird. The articles relate to Mrs. Johnson's role as the Nation's First Lady and stress her unique personal attributes and exceptional public achievements.

One article by Selwa Roosevelt appeared in the December/January 1969 issue of Status magazine and is entitled "Straight A's for Lady Bird." The author notes that Mrs. Johnson "touched life at many points," a phrase which was devised to apply to Thomas Jefferson whose life and work have influenced her deeply. Mrs. Johnson is described, too, as "an exceptionally alive First Lady—a truly generous spirit and an example of America at its best."

In another article, which appeared in the December 13, 1968, issue of Life magazine, author Shana Alexander concludes that Lady Bird Johnson "quite possibly is the best First Lady we have ever had." In still another article by Robert Cahn which appeared in the January 14 issue of the Christian Science Monitor, there is a glimpse of what lies ahead for this exceptional woman.

Within a few days, Lady Bird Johnson will be going back to her beloved Texas. She will not vegetate; she will go on living to the full her 24 hours a day. She will continue to work for what has been closest to her heart—for conservation and historic preservation and an America conscious of its own natural beauty and determined to restore and, henceforth, to respect it. She will pursue, too, concern for the education of the poor—for those who can benefit from a "head start." She will immerse her life, as she has always done, in the life of her husband, her children and, now, her grandchildren. Lady Bird Johnson, in short, will continue "to touch life at many points" in a profound and vital way.

It has been the privilege and good fortune of both Mrs. Mansfield and myself to have had the friendship of Lady Bird Johnson for a considerable number of years. Lady Bird is a truly gifted lady, profusely endowed with a sensitive heart and a quick and perceptive intellect, out of which she has given generously to the Nation. When the Johnsons withdraw from Washington, I know that the inspiration Americans and others throughout the world have received from Mrs. Johnson during her tenure as First Lady will remain with us. In turn, she will take with her the heartfelt wishes of all of us for much happiness and for many years of continued service to others and to the Nation.

I ask unanimous consent, Mr. President, that the articles previously referred to be included at this point in the RECORD.

There being no objection, the articles

were ordered to be printed in the Record, as follows:

[From Status, Dec.–Jan. 1969]

Straight A's for Lady Bird

(By Selwa Roosevelt)

The time has come to issue those end of term report cards and it looks as if Mrs. Lyndon Johnson is going to graduate from the White House with straight A's.

This may come as a surprise to some people, but Claudia Taylor Johnson, affectionately known as Lady Bird, has in just five years accomplished more with less controversy than any First Lady in history. As one long-time Washington reporter summed it up, "Mrs. Johnson has as good a political mind as Eleanor Roosevelt; she is as devoted to home and family as Bess Truman; she is as warm and nice as Mamie Eisenhower; and she is as bright and innovative as Jackie Kennedy."

But Mrs. Johnson herself says, reflecting on her years in the White House: "The Presidency is a very unfair division of labor. The wife has so many of the pleasures, the husband so many of the burdens." With characteristic modesty, Mrs. Johnson has understated her position. In fact, the departing First Lady has been "doing her thing" so well that most Americans take her for granted. Not the Shah of Iran, the King of Greece and the President of the Philippines: They have all cited her as a worthy model for their own wives. With the inauguration only weeks away, the new chatelaine of the White House will find it hard to fill Lady Bird's fast-stepping shoes. Mrs. Johnson, from the first sorrow-filled days following the Kennedy assassination until now, has come across to the American people as a totally honest, selfless and dedicated person. The Administration and the President have been the target for bitter and vituperative attacks, but Mrs. Johnson has remained unscathed. She has traveled, unharmed, where other Administration notables feared to tread. And even when the occasional peacenik or picketer tried to disrupt her appearances, Mrs. Johnson managed to cope with a minimum of fuss.

White House reporters agree that Lady Bird has not suffered from the "credibility gap," and largely credit her press secretary, Elizabeth Carpenter, who has managed *not* to get between Mrs. Johnson and the public. There have been no complaints that Mrs. Johnson was being cosseted or that reporters were being brainwashed. On the contrary, the ladies of the press who sank their sharp claws deep into previous First Ladies sheathed their weapons.

"The truth is," says Betty Beale, the noted syndicated columnist, "Lady Bird never seems to say or do a wrong thing. She never strikes a false note."

Another hardboiled newshen says: "Under previous Administrations I sometimes had the feeling that press people were regarded as hired help. But Lady Bird was a journalism major in college. She genuinely enjoys the friendship of reporters. And let's face it, they have responded with Valentines!"

Indeed, any conscientious journalist who attempts an appraisal of Mrs. Johnson as First Lady is tempted to write a Valentine. I have been covering the Washington scene for more than fifteen years and have always found the capital's smug denizens eager to snipe at the occupants of the White House. But much to my surprise, after talking with both Johnson friends and foes, observers and intimates, I was unable to find anyone anxious to criticie Lady Bird—on or off the record.

Few will argue that Mrs. Johnson has a difficult, complex husband, yet theirs has been a happy marriage. Her husband and two daughters adore her.

"She has been a great help to the President, both politically and personally," says Mrs. Dale Miller, one of her closest friends, "but she never forgot HE was the elected official."

Mrs. Johnson, although intensely feminine, "has a mind like a man," reports another woman friend, who felt this explained how she managed to be a good wife and still maintain her own strong personality. "Lady Bird is also the most self-disciplined person I have ever known—a real stoic," claims still another friend.

Almost everyone who comes in contact with Mrs. Johnson observes she has never used her position to discomfit anyone.

"When she came to Greece as the official representative to King Paul's funeral," a Foreign Service wife assigned to assist her remarked, "she was the least difficult VIP any of us has ever had to deal with."

Mrs. Johnson rarely talks about herself, nor does she indulge in petty gossip. Her intimates admire her intellectual curiosity, her hunger for new experiences, her capacity for personal growth. Close friends describe her as "poetic," with a true feeling and love for words.

"Lady Bird will not put anything in her speeches that she does not feel," says Mrs. Carpenter.

She will question facts researched by her staff, much to their chagrin, but this is simply her way of making facts part of her knowledge.

"Unless I believe in it, I cannot say it," she insists.

Faultfinders are apt to criticize Lady Bird for her voice and accent. Her Texas twang can be abrasive to non-Southern ears and is frequently associated with regional prejudices on civil rights. Mrs. Johnson was aware of this from the beginning and met the problem head-on in her speeches.

"I realize my accent may seem strange to you," she often told audiences, "but we all speak the same language, the language of the heart."

On the subject of clothes Mrs. Johnson has struck a middle course between sobriety and chic.

Five feet three inches tall, her weight pared to 110 pounds (she eats a hearty breakfast, little lunch), Mrs. Johnson's fashion image has changed considerably since her Texas ranch days.

"She used to wear serviceable clothes—dark, practical colors and shoes with good sturdy heels. She cared much more about what she was reading than what she wore," says an old friend.

Today she buys her clothes from Adele Simpson, Mollie Parnis and other noted American designers. She likes simple lines and bright colors—yellow is her favorite. When shopping in New York she usually stays at the Pierre or at the Beekman Place townhouse of her friend Mary Lasker. (Her trips are seldom publicized.)

Mrs. Johnson is not beautiful nor does she photograph well. Her nose is too long, her mouth too generous, but she has a live, attractive face which draws people to her. The public finds it easy to identify with her, for she is at ease and gracious with strangers.

From the beginning, Mrs. Johnson decided she did not want to be a First Lady who merely lent her name to committees.

"I wanted to channel my energies into two or three projects which I really believed in and could work for wholeheartedly," she explained. With this goal in mind she became National Chairman of Head Start in the President's War on Poverty.

At the same time she began to develop the twin themes of Beautification and Discover America—her most cherished projects.

During Mrs. Johnson's five years as the nation's number one hostess, the White House has been unusually gay. Coming on the heels of the glamorous Kennedys, the Johnsons, many critics believed, could never match the éclat of their youthful predecessors.

But the Johnsons have held their own. Their hospitality is a combination of Texas largesse and Southern warmth. They are generous and outgoing. While the Kennedys were exclusive, the Johnsons have thrown a wider social net.

Almost two hundred state visitors have come to Washington—definitely a record—by head count more people have been entertained at the White House during these five years than during any other comparable period.

"The Johnsons are great sharers," says Mrs. Dale Miller. "They never forget their old friends and they do such kind things as asking them to come and bring the children and spend the night in the White House. You can imagine what a thrill that is!"

They have given every kind of party, from full-dress State dinners to Western barbecues. Mrs. Johnson married off her two daughters under the pitiless glare of the world press with minimum fuss. As First Lady, she brought many innovations to White House entertaining—an Arts Festival, a series of luncheons honoring "Women Doers," a Salute to Congress, and county fairs for the children of congressional famlilies, for the children of low-income groups in Washington and for the children of the White House staff.

When Mrs. Johnson leaves the White House she will have just turned 56—her birthday is December 22. She said she will miss her marvelous staff more than anything else but she added, "I shall be happy to put behind me the emotional drain caused by an awesome sense of responsibility."

But she is not about to take to her rocking chair.

"First, I'm going to unpack and then take over my household again. I will go back to being chief purchasing agent and executive manager of my family."

Whether Mrs. Johnson will actively manage her radio-TV interests in Texas (in trusteeship since she entered the White House) has not been determined. In any event she will certainly have no financial worries. The Johnsons' net worth has been figured at 3½ million (an official 1964 audit released by the White House) to 9 million which The Washington *Evening Star* estimated their assets would bring on the open market. *The Wall Street Journal* has reported their value could reach as high as 20 million.

In addition President Johnson is entitled to a yearly pension of $25,000, as well as a second pension worth another $25,000 due to him for his long service in Congress. A former President is also allowed $80,000 annually for staff and administrative expenses.

While President Johnson will be occupied with his Hereford cattle, teaching and lecturing at various universities, and arranging his papers for the LBJ Library, Lady Bird has a long list of retirement projects.

"I want to vist the homes of all the Presidents," she says. "I yearn to go down more rivers—especially the Mississippi, from Minneapolis to New Orleans. I'd like to take along a few friends who play bridge and a suitcase full of books."

She also wants to vist the Santa Fe Opera, go on a pack trip with her brother, take part in an archaeological dig on a remote island, attend summer theatres in Texas, and of course pursue her work with the LBJ Library.

Not long ago Mrs. Johnson was asked which historical figure she most admired.

"Thomas Jefferson," she answered immediately, "because he touched life at so many points. He was a statesman, an inventor, a great writer, a botanist, an architect—a many-faceted man.

"Some people are less alive than others," she explained. "There are those who shuffle along and those who rocket along. Pursuers of knowledge rocket along. That is the way I want to be."

During her years at the White House, Mrs. Johnson has kept a detailed record, in the form of written notes and tapes, of the momentous times of which she was a heroic part. When they are published, they will undoubtedly reveal that this gallant lady from Texas, like her hero Mr. Jefferson, "touched life at many points" and indeed was an exceptionally alive First Lady—a truly generous spirit and an example of America at its best.

[From Life, Dec. 13, 1968]

THE FEMININE EYE: THE BEST FIRST LADY

(By Shana Alexander)

Roughly speaking, the President of the United States knows what his job is. Constitution and custom spell it out, for him as well as for us. His wife has no such luck. The First Ladyship has no rules; rather, each new woman must make her own. It is as if we hand her hammer and nails, gold leaf and a bit of bunting and say, "Here. Build the thing yourself."

What was handed to Mrs. Lyndon Johnson was something even less: a wrecked and blasted Camelot haunted by our special vision of its dazzling, martyred queen. Now five difficult years have passed; it is time to go home.

Though Lady Bird is said to be privately delighted by her husband's decision to retire, it is scarcely an upbeat ending for either of the Johnsons. The First Lady has spent the past eight months as a kind of chatelaine, condemned to repair cracked cups, inventory furnishings and generally tidy things up for the new woman, whoever she might turn out to be. That is an eternity for anyone to have to spend cleaning house, and I was happy when I heard that Mrs. Johnson was going to be able to escape for one last beautification tour.

I caught up with the First Lady and her party on the last gasp of her Last Hurrah—a day of hiking and ceremony among the redwoods of northern California. To see Mrs. Johnson in the depths of that great, primeval, dripping forest is to understand immediately why she is called Lady Bird. Tiny, always a smaller woman than one had quite remembered, she is slimmer now than ever. She twitters. She is cheery, modest, persistent and alert, and her avian qualities are intensified by those looming, green-black and ultimately incomprehensible trees. Among them, dedicating the Redwood National Park, Lady Bird in her scarlet coat looked like a jaunty red cardinal.

As usual, some things about her beautification trip were unsettling. One had to fly and drive through miles of man-made pollution to find the natural beauty we had come here to honor, and even as we celebrated its preservation its destruction continued around us. Smoldering sawdust fouled the skies; papermill sludge clotted the bay. On our official bus, official botanists told us that the groves have stood here for two million years. *Sequoia sempervirens*, the largest and oldest living things on earth. The new park, they said, will save them from becoming extinct. But every few moments the bus window wiped black—another timber truck returning from the high hills with two or three giants chained across its back. Their bark stripped, they looked flayed and raw. All day the fat, wet, red logs rolled by.

And this last day was far too full. There was too much here to take in, and too much that was out of human scale, and too many opposites to be reconciled—somewhat like the Great Society itself. Magnificent prehistoric groves pressed against logged-over ridges that looked like a giant's jawbone with the teeth knocked out. There were beach and forest, elk and osprey, Indians and woodcutters, timber barons, and conservationists, schoolgirl choirs and grinning politicians and everywhere, omnipresent, the mystery of the great trees.

Their backs to the sea, these redwoods seemed to be making their last stand. *Sempervirens*. Live forever. This place is really a tree cathedral, sacred to immortality. How strange to wind it all up here, among these prehistoric giants about to fall of their own weight. Though the forest is magnificent, there is something scary in the fern-bottomed, dripping gloom. These trees are really too big. Too old. Some have been dying for two thousand years. A fundamental law of proportion seems broken here, and in one's mind it becomes a magic wood where the most commonplace conversations take on strange overtones. A toppled giant is lying on the forest floor, the underside of its roots obscenely exposed. Nothing is deader than a dead redwood. "No tap root, you see," says a dry voice behind me. "When they tip, they go up like a plate."

"What kind of a wind would it take to turn one over?"

"Depends how exposed they are."

Certainly there is nothing supernatural about Lady Bird. When I caught up with her in another chilly forest amphitheater, it was lunch time; box lunches on damp benches, and an arc of rough-sawn seats opposing the arc of cameras to watch her chew. She appeared not to notice the photographers, nor the puddle underfoot. What was troubling her was the problem of response. Each time she visits a new place, she said, she catches herself wishing she could scout all her beautification trips beforehand, rather than have the advance work done by members of the White House staff. "Then when they stick that ugly black thing in your face five minutes after you arrive and ask what you think of the redwoods, you would really have something to say."

Who could possibly respond to a redwood, I wondered. And then I thought of all the ugly black things that must have been stuck in her face along the Maine coast, along the Rio Grande and all the other places. How many box lunches had there been? How many historical plaques? How many vistas? How many daffodils? Perhaps if anyone could respond to a redwood, it would be Lady Bird. She may be better equipped than anyone on earth. She has always dwelt among gigantica, in Texas, in the White House and in history. Few women can ever have been more loomed over.

Somewhere on that last, overcrowded day I saw a five-year diary of Mrs. Johnson's travels: September 1965: planted a tree to dedicate the county courthouse in Peoria. September 1966: 100,000 daffodil bulbs, Washington, D.C. April 1966: dedicated new esthetic lighting of San Antonio River. June 1967: National Historic Landmark plaque, home of Calvin Coolidge, Plymouth, Vt. Individually these achievements seemed modest and rather colorless acts, like Lady Bird herself. But it was a very thick notebook, covering over 40 trips, and in the aggregate a heroic achievement. When you add in all the other quiet, half-remembered things Mrs. Johnson had caused to happen, and caused not to happen—her instinctive rush of loyalty to the Walter Jenkins family, for example, or the time she got that dressed-up dog out of the photograph—this quiet, plain, tough little woman looks more and more remarkable. Somewhere in that strange forest on that last day I began to sense how much more Mrs. Johnson leaves behind her than daffodils coast-to-coast. Quite possibly she is the best First Lady we have ever had.

[From the Christian Science Monitor, Jan. 14, 1969]

WOMEN TODAY: THROUGH THE YEARS "I DID JUST ABOUT ALL I COULD," REFLECTS LADY BIRD

(By Robert Cahn)

WASHINGTON.—"Is there anything you wish you could have done that you didn't get to do?"

Lady Bird Johnson tilted back in the antique swivel chair, closed her eyes and thought for a moment before answering. After a few seconds she swung back to an upright position.

"Oh, yes," she replied. "It is the things that I didn't do that I regret; not the things that I did. I wish that I had been bolder and more active. But I guess within the realm of my mental and physical ability, I did just about all I could."

Were there not things left undone? the questioner continued. Or disappointments, like not getting the beautification program through Congress intact, or adequately funded?

"That is a disappointment," Mrs. Johnson said, nodding in agreement. "But I think we will get that when and as we deserve it, when and as people get the idea across to their congressmen that they do want to keep that series of highland lakes close to their homes from being polluted, that they would like to drive along a lovely stretch of highway that did not have a double alley of billboards and where if junkyards were close by, they were screened."

Five women newspaper reporters and this correspondent were assembled in the upstairs family quarters of the White House for a final meeting by Mrs. Johnson with some of the Washington press corps.

The noon sun was streaming through the windows into the Treaty Room, an ornate, green-carpeted sitting room selected by an earlier President Johnson (Andrew) as his cabinet room. It is now occasionally used by the President for treaty signings or official presidential business, but often it is used by Mrs. Johnson for staff or beautification meetings, or as another family room for entertaining guests.

Mrs. Lyndon B. Johnson, wife of the 36th President of the United States, sat at the end of the old oblong pedestal table, which once served as a cabinet table, fielding questions with frankness and ease. She seemed completely relaxed. Even touchy questions—ones on which her husband might have replied "no comment"—did not faze her in the least.

"How do you think history is going to evaluate Mrs. Lyndon B. Johnson?" she was asked.

Another pause. A hand to her face covered a smile.

"Was that a giggle?" asked the reporter.

"It sure was," Mrs. Johnson replied.

"Well, I am content to wait and see, but mostly I just want to stay well enough to be around for the next 20 or 30 years to watch it. Or rather to live, and in one small portion of my living, I will be watching history unfold. But I am more interested in living the days than I am in watching history's verdict."

FUTURE ACTIVITIES

How about when the President was criticized—did that disturb her?

"No," she said. "I don't read an awful lot about it. . . . Mostly I just am not going to let that corrode or embitter or color my living of my 24 hours a day. That is my capital. That is what I have got."

Answers to several questions about her own future activities indicated life would not be dull. A book is in the offing, but she doesn't want to talk about it yet. A little Head Start class is going to be opened soon at Stonewall, Texas, across the road from the ranch, and she just might be doing something there. She expects to spend several days a week working at the Johnson Library in Austin. She has accepted an appointment on the Secretary of the Interior's advisory board on national parks and historic sites, and she will keep up her interest in other phases of the conservation and beautification movement.

"I will continue to be just as interested [in conservation], but I will be without any staff," she said. "I will have the use of one secretary, and I am going to hopefully spend my hours and energy with my husband, children, and grandchildren, so I will not be a force of any considerable strength. . . . I think it is quite possible that in my smaller sphere I will at some time be of some use to conservation."

The moving job—from 1600 Pennsylvania Avenue to Stonewall, Texas—will be no bother. The Johnsons have most of it done already.

"Actually, the major thing began in December of 1967 when I took a large part of our personal furniture to Texas to go into the two rooms that I had built (at the ranch). . . . Most [of the rest of the furniture] has already gone. There are three chairs in my bedroom, two little tables in the West Hall, little things here and there."

"Actually, we expect to live here like in a hotel for the last seven or eight days. I hope in the latter part of this week . . . to take my dear needlepoint pictures, and my portraits and paintings, and letters from George Washington and Thomas Jefferson and things like that, that have given it the personal stamp and flavor, and pack them carefully and dispatch them."

Was it difficult trying to have a home life in the White House? she was asked.

"I soon began to feel that when you walk past that threshold at the West Hall, that you enter a different climate and psychological state of mind," she said. "You feel like you could put on your slippers and robe and curl up on the sofa with a good book and you really are at home."

What about President Johnson using the family quarters for business? she was asked. On the way in, the reporters had noticed the presence of secret service men behind partially closed doors at the west end of the upstairs, and the sound of men's voices—evidence of some sort of presidential session going on in the private family area.

"If you mean that he [President Johnson] is the sort of person who brings his staff, his work, and his friends home with him, he sure does," said Lady Bird, a wife long since accustomed to arranging her life around the habits of her husband. "We have had a great deal of company, including house guests. We really have used every nook and cranny of this house."

She talked frankly of President Johnson's feelings about factors that led him not be run for a second term.

"My husband has long felt that he would like to see it a one-term, six-year term," she said. "I think so, too.

"And I think you [i.e., a president] would be more free to carry out what you think was the will and the needs of the people, without being subject to the pressures of various determined groups."

Mrs. Johnson acknowledged that she and her husband had seriously discussed his not running for a second term even before the Democratic convention of 1964. "But we began to get earnest about it after he was elected. And sometime in the year of 1965 I began to count how long it was [to go]."

The Vietnam war was only one factor in the President's decision not to run again, she said. Getting a tax bill through Congress, removing himself as a focus of anger in the cities, the effect on his health of another four years of 18-hour days—all were considerations.

She did not look upon the decision not to run as a sacrifice, even though it was "to some extent painful."

PRODUCTIVE DECISION

"I think it was very productive for the good of the country, for the good of himself and for the good of the family," she said. "Would you like to wake up mornings during the last spring and summer when you would have hated to wake up and think I have got to go through weeks and months as a candidate."

"I should think by now you would be almost glad to have it over with," commented one of the reporters.

"Yes," Mrs. Johnson agreed. "I am looking forward to the future. It [Inauguration Day] is a day of high drama. But it is a day of high drama for the Nixons and all of their gathered friends from all over the country, and the Agnews. We will be there, and we will participate."

Some time during the afternoon of Jan. 20, after the official swearing-in ceremony, after she and Mr. Johnson have attended a luncheon at the Clark Cliffords, and while much of Washington is paying homage to the new President, they will slip off and fly back to Texas, to the place "we always felt was home."

They will be going back to Texas after 34 years of living and working in Washington.

"We were here to do a job," she said. "And as much as we loved Washington, we always considered that it [Texas] was home to which we would return."

[From the Philadelphia (Pa.) Inquirer, Jan. 15, 1969]

CINDERELLA FEELING ABOUT LEAVING: LADY BIRD PLANS TO RELAX FOR 6 MONTHS

(By Frances Lewine)

WASHINGTON, Jan. 14.—Packing and planning for retirement, Lady Bird Johnson has a Cinderella feeling about leaving the White House—with all her First Lady trappings "turning into a pumpkin."

"The interest in me will decrease," the President's wife predicted. And she said she will make her next six months free of "demanding things."

After that, "I will see if anybody remembers me," she said, and whether people will still seek her aid in the cause of conservation and beautification.

In a nostalgic interview before leaving the White House, Mrs. Johnson admitted to some regrets that she had not taken fuller advantage of her role to obtain great American art for the White House, a project she hopes will continue.

BACKS CONSERVATION

She said she thinks people want conservation of natural resources at the top of the agenda for the secretary of the interior for the next decade.

Mrs. Johnson suggested a "wait-and-see" attitude toward President-elect Nixon's interior secretary-designate, Walter J. Hickel, whose views on conservation have already aroused some controversy. Asked what she thought was a good outlook on conservation for an interior secretary, the First Lady said:

"I like the way Secretary (Stewart) Udall felt that it was at the top of the agenda for the Nation's health and joy and abundant life of our citizens. I think he raised our sights and I would hope that that would be the story for the next decade. I think that is what people want."

6-YEAR TERM

The outgoing President's wife also cast a vote in favor of a single, six-year term for the "devouring job" of the nation's chief executive.

Welcoming the chance to be a private citizen after five years as First Lady, Mrs. Johnson is ready to turn over her scepter, but not much advice beyond household hints, to her successor, Pat Nixon.

"I would not want to presume to suggest or tell," Mrs. Johnson explained. But, she revealed her own regret:

"One thing I am sorry about was that I was not more businesslike, cool, determined and self-confident about trying to get what I thought this house should have.

"I wanted a lot of the great Americans represented here in canvases on the walls."

COLLECTION JOB

Mrs. Johnson said she hopes the historic furnishings of the White House will be preserved by future occupants and that there will be "a continuing interest in collecting the great of American art."

"I think it does take time to get acclimated and I am not a very aggressive person," Mrs. Johnson said of her role, "so I know what I thought the house should have and I was terribly grateful for those things that came. but I did not plan and push and perhaps I did not use the leverage—and it is leverage—of publicity to try to obtain other things."

Mrs. Johnson said she does not want "any regimentation or promises or crash jobs or commitments" after she leaves the White House Jan. 20.

MUCH WORK

"I have been calling on all that is in me physically and emotionally and spiritually," said the 56-year-old First Lady. "I have been trying to live up to the great opportunities I have had for all these years and that does sort of wring you dry to an extent.

"Lord knows, it is worth everything. It is absolutely an irreplaceable jewel, these years have been. But I am ready to lie in a hammock and look at clouds and read . . . I just want to float and work at my own speed on whatever interests me and perhaps very little."

Mrs. Johnson has said that a First Lady must hew her own line and do her own thing in a White House role.

She was asked from her own experience whether a First Lady might be missing the boat if she failed to fulfill opportunities open to her.

TRIED HARDER

"I know I would have," Mrs. Johnson said. "Life is richer and fuller because I tried harder and did things I never thought I could do and was scared to do. So one can only judge by one's experience, but I am glad of all the things I did. And only perhaps regret some I did not do."

Of predecessor Jacqueline Kennedy Onassis, Mrs. Johnson said "she was very thorough and very loving in expressing the things she had tried to do around the house."

The White House East Garden was named for the former Mrs. Kennedy because "I thought it was a fitting tribute for the many things she had done for the house and grounds," Mrs. Johnson said, "And also she enlisted the aid of a lot of highly talented people to whom that meant a lot. I was happy to join in honoring her."

FIRM PLANS

For the future, Mrs. Johnson does have some firm plans. She will return to her office in the Johnson family's lucrative radio-television station KTBC in Austin, Tex., which she said, has been "on ice" in the White House years when the Johnsons put their holdings under trusteeship. "I hope to know a lot more about all of our affairs than I have in the last five years."

She said she hopes son-in-law Patrick J. Nugent, now an airman first class in Vietnam, and husband of Luci Johnson, will go back to the station "and be a part of Austin." Plans for Lynda's husband, Capt. Charles S. Robb, a career Marine for eight years, remain undecided, she said.

Mrs. Johnson has been carefully keeping a diary, for which publishers reportedly are bidding high prices. She said she had not yet sold the diary and would not do anything about it until Jan. 20. However, Mrs. Johnson noted that she will probably give up writing the diary after "a few weeks or months."

"It is a demanding thing, and I want to get away from demanding things," she said.

Among enjoyments of private life she wants to resume are visits to the theater and art galleries and leisurely explorations of nature, particularly in her home state of Texas.

She mentioned birdwatching, "at one of the best fly-overs for birds" on the Southern coast of Texas, habitat of the whooping cranes close to Aransas Pass and Rockport. And, "a little frequented, absolutely unadvertised" section of the state "where there are more dinosaur tracks than practically anywhere."

HATES WASTE

As for more extensive travel, she says, "I think I will be doing some, but I don't know about going abroad."

In response to questions, Mrs. Johnson provided a variety of comments:

About her husband's economy effort in turning out White House lights, she said, "All sorts of waste irritates my husband, so to see lights on in closets or back stairways that are not in use annoys him. But the major hospitable, happy uses of the house have been not impaired (by it)."

Mrs. Johnson said she never worried about the President's security. "I think that one should be reasonably prudent and then leave it to the Lord," she said.

Daughters Luci and Lynda, Mrs. Johnson added, regarded the Secret Service men as brothers, and will miss them.

A TRIBUTE TO MRS. JOHNSON

Mr. McGEE. Mr. President, many words have been written, and many more will be written and uttered about the administration of our President, Lyndon B. Johnson. I am among those who, trying to view the Johnson years in perspective, believe that he will emerge as a giant in American history. But he has not been alone in his work.

All of us are aware of the role an inspiring lady, a dedicated helpmate, can play in the life of a public man. With this in mind, all of us owe a debt of real gratitude to Mrs. Johnson, for she has been a grand and great First Lady. James J. Kilpatrick, in his column in the Washington Star, summed up the view of Mrs. Johnson when he wrote she "has a respectful stirrup cup coming as she rides on back to the ranch." I ask unanimous consent that his column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A STIRRUP CUP FOR LADY BIRD

(By James J. Kilpatrick)

There are times of hello and good-bye in our town. Up on Capitol Hill, the new Congress has convened and the oldtimers have vanished. Down the avenue, the Democratic exodus continues. It is impossible to voice all the farewells a reporter might wish to put in words, but there's one in particular that ought to be made—to Mrs. Claudia Alta Taylor Johnson. She's been a great First Lady.

Just a few days ago, Mrs. Johnson wound up her fortieth trip "to discover America." In 96 hours, she covered 6,000 miles. It was enough to exhaust the Campfire Girls of the press who hike the trails behind her, but Lady Bird came through, as she always does, with the old smile going strong.

In the past five years, she's traveled at least 200,000 miles. She's gone down the Rio Grande in a rubber raft, and gone up the Utah mountains by cable car. She has called on slum dwellers, hillbillies, and Indian tribes. If she has missed a single historic shrine or national park, the oversight has been accidental, not deliberate. In cowgirl hat, checkered shirt and muddy boots, she's won the West all over again.

These indefatigable travels have caused her to be compared with the late Eleanor Roosevelt. Mrs. R., as every one recalls, was forever turning up in the coal mines of West Virginia and Ohio, or bounding around the dust bowls of Oklahoma and the work camps of California. But Eleanor Roosevelt was a tough old hen, stringy and chewy and full of gristle; she numbered her enemies by the thousands. Lady Bird Johnson has numbered mostly friends.

Bess Truman and Mamie Eisenhower surely were assets to their husbands. So was Jackie Kennedy, after her glamorous fashion. Yet we are likely to remember Lady Bird longer and more pleasantly than all the others of recent time. In the political sense, she had perfect pitch; her greatest gift was to hit the right note.

Last January she was hostess at a White House luncheon set up to launch a "women's crusade against crime in the streets." To speak the truth, it was more of a charade than a crusade; it was a social affair—white gloves, cream cheese and rabbit food—and subject to the same rules of good manners that apply to such occasions everywhere.

Eartha Kitt, the Negro singer, was among the invited guests. Good manners were the last thing on her mind. With deliberate, insulting rudeness, she launched into an attack on the war in Vietnam. Then she undertook to educate Mrs. Johnson in the use of narcotics.

"If you don't know what 'pot' is," she snarled at her hostess, "it's marijuana."

Mrs. Johnson kept her cool. She had tears in her eyes and a tremble in her fingers, but she never stood taller as First Lady of the land. In a dozen well-chosen sentences, she voiced her conviction that the war ought not to be permitted to keep us from trying to do those things here at home that would create "a happier and a better land." Then she went on with the luncheon.

To be sure, not all her efforts have been crowned with laurels. In their anxiety to please Mrs. Johnson, highway beautifiers have wasted a fortune in planting dinky little bushes in impossible clumps along the interstate system. Yet she has so identified herself with the beauty of America that a bench-sitter in Williamsburg recently was amused to overhear a mother scolding a negligent child: "If you throw any more candy-wrappers on the walk, I'll tell Mrs. Johnson"

The first new issue of postage stamps in 1969 doubtless will be known to collectors as the "Lady Bird" issue. As specimens of the philatelic art, the stamps are not much; but in their exhortation to plant for more beautiful cities, highways, parks and streets, the stamps will provide a pleasant farewell to a good and gracious lady. She has a respectful stirrup cup coming as she rides on back to the ranch.

U.S. TAX COURT ADOPTS PROCEDURES TO ASSIST TAXPAYERS WITH SMALL CLAIMS

Mr. SPARKMAN. Mr. President, I am pleased to note that, during the recent period of congressional adjournment, the Tax Court of the United States adopted certain new procedures designed to improve the handling of small tax cases.

These new procedures are quite similar to the legislative suggestion contained in S. 18, a proposal I sponsored during the last session of Congress.

I ask unanimous consent to include in the RECORD the correspondence from the Tax Court pertaining to these new procedures as well as an outline of the procedures. I consider this new approach by the Tax Court quite responsive to the wishes of the sponsors of S. 18, and I commend Chief Judge William M. Drenner for his efforts.

As Judge Drenner pointed out in his letter of December 9, this effort is still in the experimental stage. Those of us in the Senate who are already on record in support of minimizing the trials and tribulations of the American taxpayer asserting a small claim against his Government will be watching this pilot effort with interest and concern. I am most hopeful Judge Drenner's efforts meet with success.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TAX COURT OF THE UNITED STATES,
Washington, D.C., December 9, 1968.

Hon. JOHN A. SPARKMAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SPARKMAN: Due to your interest in providing taxpayers with small tax cases an opportunity to have their "day-in-court" with as little formality, delay, and expense as possible, I am writing you to advise you of new procedures for handling such cases which the Tax Court plans to initiate and use on a trial basis beginning January 1, 1969, in an effort to achieve these ends.

For your information, the Court in the past year has held special trial sessions devoted exclusively to small tax cases, in an effort to handle these cases as simply and expeditiously as possible. We now plan to adopt more specific procedures within the framework of present law which we believe will be more effective and which will help us to accumulate firsthand information that should be helpful in determining whether legislative changes and/or further changes in our Court's rules are necessary to meet the above objective.

Attached hereto is a brief outline of the new procedures the Court will put into operation in 1969. We are hopeful that these procedures will afford taxpayers who have tax disputes with the government that do not involve much money an opportunity to have these disputes resolved by a court in a less formal and more expeditious manner. The outline will be released to the press on December 17, 1968.

This is an experiment and our experience with these procedures may suggest that this is the wrong approach to the problem or that revision of the procedures is necessary.

If you so desire we will be happy to report to you on the results of this experiment. We sincerely appreciate your continuing interest in improving litigation involving small taxpayers and we will welcome any suggestions you may have.

Very truly yours,

W. M. DRENNEN,
Chief Judge.

Enclosure.

TAX COURT OF THE UNITED STATES

OUTLINE OF PROCEDURE FOR THE HANDLING OF SMALL TAX CASES

Effective date.—This procedure becomes effective January 1, 1969.

Definition.—Any case filed with the Court involving a tax deficiency in the aggregate amount of $1,000 or less for all years (exclusive of additions to tax) will be placed in the small tax cases category.

Identification.—These cases will be assigned a small tax case docket number in which the identifying element will be the letters "SC" at the end of such number.

Petition form.—A simple printed form petition with instructions for completing and filing the petition with the Court will be supplied to taxpayers upon request to the Clerk of the Court. An explanatory outline of the small tax claims procedure also is available. The forms, instructions and procedure outine may be obtained at the Clerk's Office, Room 2415, 1111 Constitution Avenue, N.W., Washington, D.C., or by mail upon request addressed to the Clerk of the Court, Tax Court of the United States, Box 70, Washington, D.C. 20044.

A taxpayer may use the form petition or prepare his own petition in accordance with general applicable Rules of the Tax Court. The taxpayer must keep in mind, however, that the petition must be filed with the Tax Court within 90 days after the date on the notice of deficiency received from the Commissioner of Internal Revenue.

Imperfect petitions.—Where the taxpayer has not made use of the printed form petition and he files with the Court a defective petition, the Clerk of the Court will so advise him in writing and supply him with a set of the form petitions to be completed and filed as a proper amended petition. Failure to file such an amended petition and to pay the filing fee within a reasonable time (30 days) may result in dismissal of the case by the Court for failure to prosecute.

Service and pleadings.—After the Court has a properly petitioned small tax case docketed, service of a copy of the petition will be made in the usual way upon counsel for the Commissioner of Internal Revenue (respondent). At the same time a printed form of notice will be sent to petitioner and to respondent stating that the petition has been docketed as a small tax case petition and describing briefly the small tax case procedure. It is expected that respondent will confine his motions against small tax case petitions to jurisdictional questions and that he will find it possible in these cases to file his answer in less than the 60 days allowed under the Court's general rules.

Upon the filing of the answer, the case will be treated as fully at issue, with no reply being required of petitioner (who may, of course, file a reply if he so desires). All affirmative allegations in the answer will be deemed denied.

Removal from small tax case category.—After notice to the parties that a case has been designated by the Court as a small tax case, should either party desire to remove the case from the small tax case category and have it put in the regular category of Tax Court cases, he may file a motion for that purpose, setting forth his reasons. If the parties join in such a motion, or if it be endorsed "No Objection" by the party other than the movant, the Court will normally grant the motion, the "SC" identification will be deleted from the docket number, and the case will thereafter follow the usual and regular procedures in Tax Court cases. Any unilateral, nonagreed motions will be considered and acted upon by the Court in its discretion, with or without hearing.

Trial calendar assignment.—No trial status order will be issued in a small tax case. When a small tax case is at issue, it will be placed on the next trial calendar regularly or specially scheduled for the city designated for trial which will permit reasonable notice to the parties. During the year 1969, the Court plans to schedule special sessions for small tax cases in each of the Fall, Winter, and Spring Terms in New York, Chicago, Los Angeles, and Washington, D.C. In cities where the Court normally conducts its regular session with less frequency than it does in the larger cities, if there should appear a need to hear small tax cases sooner the Court may schedule a session to be conducted by a Judge who would be in a relatively nearby city conducting another session.

Informal trial procedure.—At the trial of small tax cases particularly where the taxpayer is not represented by counsel, the Court will conduct the hearing as informally as may be permitted by law. A transcript of the testimony and trial proceedings will be made. Where feasible, the trial Judge will dispense entirely with the requirement for filing briefs, or he may request only the filing of informal memorandum briefs. In the event that briefs or memorandum briefs are to be filed, the trial Judge ordinarily will require that such briefs be submitted within a relatively short period of time, so that the case may be decided promptly. The Court will make every effort to decide these cases as promptly as possible in accordance with present requirements of law.

Legal aid.—Taxpayers in these cases frequently lack counsel or competent legal advice. The Court will encourage local bar associations to develop arrangements with legal aid groups to make available several tax lawyers for consultation with *pro se* taxpayers, should such assistance or advice be desired.

Procedure subject to change.—This procedure may be changed or even suspended by the Court at any time it becomes apparent to the Court that it is unnecessary, undesirable, unworkable, or for other reasons determined by the Court.

THE PRESIDENT AND APOLLO 8

Mr. ANDERSON. Mr. President, we are all proud of the Apollo 8 mission.

The magnificent achievement of the Apollo 8 mission was the result of visionary planning by both the executive and legislative leadership of this country. Many contributed to this effort but there is one man who supported it from the beginning first as Senator, then as Vice President, and now as President.

In 1958, then Senator Lyndon B. Johnson recognized the great significance of the Soviet initiative in space. As chairman of the Senate Preparedness Subcommittee and later the Special Committee on Space and Aeronautics, the Senator from Texas played a key role in the passage of the National Aeronautics and Space Act of 1958. As the first chairman of the Senate Committee on Aeronautical and Space Sciences, he again played a key role in the organization of the National Aeronautics and Space Administration and establishment of its initial space programs.

In 1961, soon after his inauguration, President Kennedy appointed Vice President Johnson as chairman of the National Aeronautics and Space Council and requested the Council on an urgent basis to recommend a viable U.S. effort in space. The Council, after a series of intensive sessions with the Nation's leading space experts, recommended to President Kennedy that this country undertake a manned lunar landing in this decade. President Kennedy approved this forward-looking program of space exploration and made the historic decision to send men to the moon and he recommended this as an urgent national goal to the Congress in May 1961 when he said:

> I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to the earth.

The challenge was accepted and, with the consistent support of the Congress, America has moved rapidly into the leadership position in space exploration.

President Johnson has continued to support this goal.

Now we have begun to reap the benefits of this combined executive-legislative support in the splendid achievement of Astronauts Borman, Lovell, and Anders. Their flight is the forerunner of the profound benefits to the country as we make use of the strong base of space competence insured by the vision of our early leaders—Presidents Kennedy and Johnson.

I commend to your attention a recent article in the Washington News on the early imaginative planning that has resulted in the recent historymaking Apollo 8 mission.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

L. B. J. AND APOLLO 8

President Johnson, who has had more than his share of disappointments, is especially entitled to rejoice over the spectacular success of the Apollo 8 circumnavigation of the moon and return to earth.

Taxpayers provided the money, scientists the brains and astronauts the skills to bring off the Apollo success, but it is only giving due credit to acknowledge that there would have been no such Apollo flight—at least not at this early a date—without the political leadership of Lyndon Johnson.

The beginning of LBJ's intimate, intense, yet unique, involvement in the space program goes back to the autumn of 1957, when the Russians startled the world by orbiting their first Sputnik. Congress was in recess, and the men running the Eisenhower Administration didn't seem to know quite how to react to the Soviet scientific break-thru. Defense Secretary Charlie Wilson referred to Sputnik as a "basketball" in space.

LBJ, sunning on his Texas ranch, didn't like what he saw of the disarray in Washington. With his instinct for action, he returned to the Capital City, summoned the members and staff of the Senate Military Preparedness subcommittee, of which he was chairman, to go to work finding out what was not being done right in our own faltering space program.

When Congress reconvened in January, 1958, he was ready to step forward as a shaker and mover of events, a shaper of action. As Democratic leader, he delivered his own state-of-the-union address to the Senate Democratic caucus.

The USSR, he said, had gained a shocking lead in space exploration.

"There is something more important than any ultimate weapon," he said. "That is the ultimate position—the position of total control over earth that lies somewhere out in space . . . Whoever gains that ultimate position gains control over the earth, for purposes of tyranny or for the service of freedom . . . Our national goal and the goal of all free men must be to win and hold that position."

He crowded Congress and the Eisenhower Administration into action. First thru the Special Committee on Space and Astronautics, LBJ chairman; then the Committee on Aeronautical and Space Sciences, LBJ chairman. Under his prodding came a flood of legislation, including the creation of the National Aeronautics and Space Administration, and a flood of appropriations.

When he was elected Vice President, President Kennedy rewarded LBJ by making him chairman of the National Aeronautics and Space Council, and he set the goal of putting an American on the moon in this decade.

Thousands of others earned credit in this great undertaking, but there is no question that from the start President Johnson has been the principal political sparkplug.

The Apollo 8 exploit is a fitting climax to his Administration.

We congratulate him, and all hands.

THE NATION'S FARM PROBLEMS AND THE OUTLOOK IN THE YEARS AHEAD

Mr. TALMADGE. Mr. President, there appeared in the January 13 issue of U.S. News & World Report magazine an outstanding interview with Orville Freeman, the outgoing Secretary of Agriculture, on the Nation's farm problems and the outlook in the years ahead.

I bring this article to the attention of the Senate because of its timeliness and the overwhelming importance of agriculture to the Nation's overall economy and to many millions of Americans. I also desire at this time to recognize Mr. Freeman for the splendid service he has rendered this Nation during 8 years as Secretary of Agriculture under the late President Kennedy and President Johnson. He has earned our congratulations for a job well done.

As a member of the Senate Committee on Agriculture and Forestry, I would like to extend my best wishes to Clifford Hardin, the Secretary-designate of the Department of Agriculture, and especially to commend him and the President-elect on the choice of my friend and fellow Georgian, Phil Campbell, as Under Secretary of Agriculture.

Mr. Campbell has a distinguished record of service as commissioner of agriculture for the State of Georgia, and his background and experience eminently qualify him for this important position in the U.S. Department of Agriculture. He is well aware of the Nation's agricultural problems and sympathetic to the needs of our farmers, especially operators of the small family farm. He is particularly cognizant of the problems faced by farmers in the Southeast, probably more so than anyone else in the region.

In the magazine interview, I was very much impressed by Mr. Freeman's comments regarding strengthening and revitalizing rural America, which I commend to Secretary-designate Hardin.

This is a matter of top national priority. We have slowed down the rural-to-urban migration to some degree and considerable progress has been made in breathing new life into many of our small towns and rural communities. But we still have far to go. We cannot expect to solve the social and economic ills of our cities without devoting an equal amount of attention to rural areas.

We ought not to rest until we have in motion a program of rural economic development that reaches into every county. We want to improve farm income. We want to make agriculture the more profitable busines it ought to be, for all farm segments and for the small family farmer especially. We want to promote and work for industrial development and the creation of more jobs at better wages in rural areas.

As Secretary Freeman points out, our efforts in these areas already have produced some desirable results, and I hope that in the months and years ahead we can continue to make even more progress.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Plight of the Farmer—What Nixon Is Up Against

(Interview with Orville L. Freeman, outgoing Secretary of Agriculture)

There is a way to solve the farm problem, and at the same time ease the troubles of U.S. cities, says Orville L. Freeman, outgoing Secretary of Agriculture. He recommends a plan that would "remake the face of America."

In this interview with members of the staff of "U.S. News & World Report," held in the magazine's conference room, Mr. Freeman reviews eight years in one of Washington's toughest jobs, and discusses problems his successor will face.

Q. Secretary Freeman, how long has this country had a farm problem?

A. We have always had a farm problem of sorts. Initially, it was a problem of producing enough; now it's a problem of producing too much. The present problem of overproduction has developed since World War II.

Q. Wasn't there overproduction in the 1930s, when the Government paid farmers to kill little pigs and plow down every third row of cotton?

A. That was a different problem because, if we had been able to distribute food and fiber to people who needed it during the Depression years, there would have been no surpluses. In those days people needed everything farmers were producing, but they didn't have the money to buy.

It has just been since World War II that we have seen such a production explosion on American farms that we can and do produce more than we can sell or give away.

Q. Is the American farmer too efficient for his own good?

A. He is superbly efficient, but he is not "too efficient." Farmers should always produce as efficiently as possible. The fewer resources we have to use to produce enough to eat, the more we have to use for other things. So the farmer ought to continue to improve his efficiency.

But there has to be a way to manage his production so he doesn't pay a penalty for his efficiency.

Q. Why can't farmers organize and bargain collectively?

A. I suppose it is something about the nature of their operation. When a man is running his own business out in the wide-open spaces, he is not about to sit still and let anybody tell him what he is going to do. There is the problem, too, of trying to organize more than 3 million producers with the power to produce far more than the market can absorb. I suppose this is why the Federal Government has been drawn into the picture and laws have been passed to give some control over production.

Q. Against the background of eight years' experience as Secretary of Agriculture, what advice would you give President-elect Nixon as to handling the farm problem?

A. I don't want to sound presumptuous—I can assure you that, if you have any arrogance, eight years in this job will take it out of you—but I think the programs we have today are working. They can be made to go on working to bring a fair return to farmers and at the same time bring cheaper food to consumers and make better use of our abundant food around the world.

Q. How do these programs work?

A. They enable the Government to move land in and out of production as it is needed. Each year, we have diverted anywhere from 41 to 65 million acres of land out of production under the crop-adjustment programs. Most of this acreage has been diverted under the wheat, cotton and feed-grain plans. In other words, we have adjusted the acreage in these major, basic crops according to domestic and world-market needs.

Q. How do you get farmers to reduce or increase acreage as needed?

A. By renting land from them, in effect, to keep it out of production. We say that, as a matter of national interest, we ought not to produce more than *x* amount. Therefore, we offer to pay farmers an amount that is roughly commensurate with what they would net, by harvesting a crop, to keep a certain amount of their land out of production.

Q. And would you urge Mr. Nixon to continue this approach?

A. I would. I urged Congress this year to make thesee programs permanent. They were to expire at the end of 1969. Congress did vote to extend them through 1970, and Mr. Nixon let it be known that he approved of this, as it would give his Administration a chance to study the farm laws. I think he will find that these programs—which are voluntary, not mandatory—offer the best answer to the farm problem.

Q. Yet prices of many farm products, particularly grain, are reported to be the lowest in years, and there has been quite a holler from farmers—

A. Grain-market prices have been soft this year. They are now moving up, and I think they will continue to move up. Farmers are putting a good deal of grain under Government price-support loans, and this is strengthening the market.

We estimate that when the books are closed, total *net* farm income for 1968 will be 15 billion dollars plus. That will be the fourth-highest in the history of the United States. That is 28 per cent higher than in 1960, when net farm income was 11.7 billion dollars. Net income per farm in 1968 is going to figure out at close to $4,900—or 65 per cent higher than in 1960.

Q. How does that compare with income of nonfarm people who, unlike the farmer, don't have to invest a lot of money in their jobs?

A. The nonfarm American does better than the farmer when you reduce income to averages.

When you take a look at all four corners of this, you find there are really two farm problems: One is the problem of prices and income for commercial agriculture, which is made up of around a million farms that are big enough to offer a chance for a farm family to make an adequate income—that is, "parity income," defined as what comparable labor and capital could earn outside of agriculture. These are farms earning at least $10,000 annual gross income. Some of these farms will gross $100,000 a year and more. I'm talking about gross income, not the net income that is left after expenses are paid.

Now, any farm family that is grossing less than $5,000 a year is a social problem or a welfare problem, and as such should be approached differently. There are somewhat more than a million farms of this type.

Q. That leaves how many farmers grossing from $5,000 to $10,000 a year?

A. Another half million or so. Now, some of these can move up to become commercial farmers. We have tried to encourage that movement. I don't want to wipe out farmers. Since I became Secretary of Agriculture, about 200,000 farms have moved up from the smaller-than-adequate size to the adequate-size group.

Unfortunately, most politicians and writers tend to lump all farmers together when they talk about the so-called farm program, and so the public is misled. The idea gets around: "Well, here is this expensive farm program, and it isn't doing anything for the little farmer." The fact of the matter is that these commodity farm programs I've been talking about were never meant to solve the problems of the little farmer with a substandard size of operation.

Q. What should he do—leave the land?

A. He and his family certainly shouldn't be driven off the land. They ought to have some choices. As a matter of fact, these little farmers are earning more and more outside the farm while they continue to live there and make some money from limited farm operations. I think that's a very healthy arrangement.

Q. Have you been trying to encourage this development?

A. I have been hollering about it from the rooftops for eight years, particularly in the past five years. What we need in this country is what I call rural-urban balance. It is absolute nonsense in this day of modern transportation and communications to keep piling more and more people in our big urban areas and to fail to use the space that is one of the greatest resources of this country. So one of my main policy goals has been to move strongly to build up rural America.

Q. Have you had any success?

A. A great deal. I don't take all the credit. Others see this need very clearly, especially some of our leaders in business and industry. That's why we're seeing more industries putting plants in rural areas. That's why the percentage of new jobs in rural America has increased much faster than in metropolitan areas.

But the job has only begun. The total volume of jobs in metropolitan areas is still far greater than in rural areas. But the movement of people from country to city has slowed. In at least two States—Arkansas and Tennessee—it has reversed, due to real leadership in those States.

Q. Is the Federal Government taking any action to encourage this trend?

A. The volume of Government programs aimed at building up infrastructure in rural America to make it attractive for industry to come in and develop resources and provide opportunity has tripled. In the Department of Agriculture, for example, loans made by the Farmers Home Administration have increased from around 300 million dollars a year to almost a billion and a half dollars in the current fiscal year.

Q. What kinds of loans are these?

A. About one third of the total has been loaned to farmers to help them become farm owners or to expand their operations so that they can become a part of this commercial agriculture I was talking about. But two thirds has gone to nonprofit associations, to communities, and to other groups and individuals to build water and sewer systems, housing, homes for the aged, and other facilities that will upgrade rural America.

Loans have been made for recreational facilities. We've even financed a couple of hundred golf courses in rural areas. When we first started that, there was a small revolt on Capitol Hill. Congressmen thought the Agriculture Department had no business lending money for golf courses. I think it's pretty well accepted now.

Another thing we have stressed is money for long-range planning.

Q. In rural areas?

A. Yes. We are encouraging counties to get together on a regional basis. We find that they can form multicounty planning units in areas that are held together by natural or economic forces. Usually within an area roughly 50 miles in diameter—which is the distance people seem willing to drive for working, shopping and entertainment—there are some five to eight counties. They can join together, pool their resources and do comprehensive, long-range planning. Out of this can develop areas that offer all the opportunities and amenities that you find in metropolitan areas, but without the problems and frustrations that go with big-city life.

Q. Do you see a future for the so-called "new towns" that are built from scratch in open countryside?

A. I certainly do. Let me put this thing I call rural-urban imbalance into an equation of four parts:

The first part of the equation is the inner city and the "ghetto." That's a special problem, but it's related to the second part of the equation, which is urban sprawl—the suburbs. This problem is spilling over into the third part of the equation—the rural areas where we have to get busy now and plan before it is too late.

And finally we come to the new towns. I think the Federal Government ought to start planning now to build 25 new towns as a project to excite people and to get a hard look at what is going to be involved in this concept.

A good start would be 10 towns of half a million people each, sprinkled up and down the length of the Appalachian mountain range in the Eastern U.S. The new communities should be connected to our existing megalopolis with fast transportation, including 150-mile-an-hour trains, so people could literally live in Appalachia and commute to work in Boston or wherever they might prefer.

We ought to have a national plan based on something like this equation to cure rural-urban imbalance and remake the face of America. We ought to use the new computer technology to process the mass of information that needs to be sorted out for planning. There's no reason why we can't use the same kind of systems analysis and computer technology we are using to get a man to the moon to figure out how to live better here on earth. I drool every time I look at that bank of computers down at Cape Kennedy and think about how we could use that resource in planning for people to enjoy life in this country with its wide-open spaces.

Q. But what about farmers? Won't your plan drive the price of land so high that it won't be profitable to farm?

A. As development spreads into farming areas, the price of land will go up. That is inevitable. It has been going on since the beginning of this country. But there will be plenty of room left to produce food and fiber—especially in the South, the Midwest, and in many parts of the Far West.

Q. Will taxpayers still have to spend billions of dollars to bolster farm prices?

A. Yes. At least for the foreseeable future.

Q. How much are farm programs costing now?

A. Anywhere from 3 to 4 billion dollars a year.

Q. Isn't the budget for your Department running at least 5 billions?

A. Yes, but only 3 to 4 billions has been for the production-control programs related to the major commodities. The rest goes for a lot of other things, many of which are related to food for consumers—food stamps, school lunches, school milk. There also is spending for the Public Law 480 program—Food for Peace—which is essentially a foreign-aid program.

Q. Do you think Mr. Nixon will be able to cut spending for the production-control plans?

A. Not if he wants to control production. The amount will fluctuate from year to year according to market needs and production around the world. I think this 3 to 4 billion dollars is a modest investment for the return we get. It has dropped from about 8 per cent of nondefense Government outlays to around 4 per cent. These production-control programs have been hammered out by the democratic process. Farm income has gone up since I became Secretary of Agriculture. It hasn't gone up as much as I would like. Surpluses have been cut sharply. I regret that they are still a threat, but with the programs we have now they are manageable.

When I came here from Minnesota where I had been Governor, I was convinced of one thing: You've got to have programs to bring about some balance between supply and demand. You can't have high price supports and no production control.

Q. Wasn't that the same idea Henry Wallace had back in "New Deal" days?

A. Sure it was. First, I tried to get approval for mandatory control programs to bring supply into balance with demand. I got my brains beat out. Congress turned down the mandatory corn program in 1962. In 1963, farmers turned down the mandatory wheat program in a referendum. That was a low point. I was terribly dejected. I almost felt that farmers ought not to have any Government help at all, that maybe it would be good for them to live with dollar wheat for a while.

Q. Hasn't wheat gone down to around a dollar a bushel in some areas this year?

A. Yes, on the open market. But farmers who have gone along with our voluntary plan can put their crop under price-support loan at $1.25 a bushel. On top of that they get a payment averaging 58 cents a bushel for holding part of their land out of production. So don't let anyone tell you they are forced to live with dollar wheat.

To get back to that low point in 1963 after the mandatory programs had been turned down—I went around the country and held about 20 shirt-sleeve question-and-answer sessions. I just went out and invited farmers to come in, and I answered questions as long as they wanted to ask them. I concluded most farmers wanted and supported farm programs. Then I came back to Washington and we put across the programs we have now.

Q. And they are voluntary rather than mandatory—

A. Right.

Q. In retrospect, do you think Congress and farmers were wise to turn down the mandatory approach?

A. The voluntary approach to production control costs the taxpayer more, but it creates less friction between farmers and Government. It is better for trade, too. We have never had as free a market as we have today. The volume of transactions on the commodity exchanges has reached a level higher than at any time in U.S. history.

We are using hardly any export subsidies to move our products in world trade. Our farm exports have gone up by 40 per cent since I became Secretary of Agriculture. This has been a big contribution on the plus side to our balance of payments. At the moment we are running into heavy competition because of a couple of very good crop years around the world. But I think this is a temporary situation. It will turn the other way.

PROBLEMS IN EXPORTING

Q. Why are U.S. farm products losing markets in the European Common Market countries?

A. If there is any one place that we have retrogressed in the past eight years, it has been with respect to free-trade principles. World agricultural trade has become more protectionist. The European Common Market is primarily responsible for that.

The variable-fee system is not only highly protectionist, but it has also encouraged uneconomic production in Europe. Those countries are beginning to pay for this. They are in serious trouble, with farm income falling, surpluses building up and costs of the program skyrocketing.

Q. Are there other foreign markets to replace those we are losing in Europe?

A. I don't think other markets can replace Europe. That is our biggest single outlet—1.5 billion dollars a year plus. Japan and Canada are the next-largest markets for U.S. farm products. I don't think the Common Market can go on this way. In fact, its variable-fee system is beginning to fall now under the weight of the surpluses that are accumulating and the accelerating costs of the system.

Q. Mr. Freeman, what would be your advice to the son of a farmer who is trying to decide whether to stay on the farm or go to the city and get a job?

A. I would point out to him that a lot of young people are doing excellently on the farm. If they are enterprising and can borrow some money, they can get a good return on that money. Now, I don't want to put too much of a glow on this. It's not the easiest life in the world.

YOUNG PEOPLE AS FARMERS

Q. You often hear that few young people are going into farming—

A. I've been told that, too—that we're running out of farmers and there is nobody left but the old people. But when you take a look at the figures, you find a surprising number of farmers 35 years of age or younger are in the bracket that is grossing $10,000 a year or more from farm operations.

The average age of farmers is 50.5, but the average age of farmers grossing $10,000 or more is only 46.3 years. Sixty-five per cent of the farmers are 45 years or older, but only 53 per cent of the $10,000 farmers are 45 years of age or more.

One significant development in agriculture is that farmers are moving to a debt economy. I think it's a good trend—after all, industry is based on debt. Why, most corporations would fire the chairman of the board if the company wasn't in debt. He's supposed to borrow money and earn more with it than it costs to borrow. But the idea has always been around that somehow it's sinful for a farmer to be in debt.

Today, on a going farm, cash expenses are running 70 to 75 per cent of gross income. This farmer obviously has got to have credit. I'm talking about family-size farms, which I define as those that have not more than 1½ man-years of outside labor. These family farms produce 65 per cent of the total output of food and fiber in the U.S.

Q. But aren't corporation farms taking over in some areas?

A. I can give you a better answer when a study we have under way is completed. But we do know that the family farms are producing a greater share of food and fiber than they were eight years ago.

I am worried about corporation farms—not because they are more efficient: The adequate-size family-farm operator is more efficient in most cases. My concern is that in this day of conglomerates—corporations that are getting into everything—there could be real problems if they move into agriculture. They already have contributed to bidding up land values. They can go in and farm and write off their losses as a tax deduction in a very profitable operation elsewhere. When this happens, dangerously unfair competition takes place.

Q. Do you favor a tax crackdown on corporations in agriculture?

A. Yes. I don't think people ought to be able to take advantage of special accounting procedures to write off losses in agriculture on another business enterprise.

Q. Should there be a limit on the amount of Government payments to any one farm?

A. I don't think it makes sense, because the basic objective of these programs is to rent land out of production so that you don't have unmanageable surpluses. Why should you disqualify your best customers—the farmers who have the largest amount of land? If your goal is to get 35 million acres of land idled, are you going to say to the man who might rent you 1,000 acres: "I won't do business with you," or: "I will do business with you only up to a certain point"? That is counterproductive. The basic question shouldn't be limitations as such, but rather: What is the fair price at which the necessary land to accomplish the national purpose of limiting production can be rented from the farmer?

If there is a payment limitation, it is not going to be because it is fair; it is going to be because of politics. Enemies of farm programs like to take out after these big payments. Actually, there are less than 200,000 farms receiving payments of more than $3,000 a year, and 2,298,078 farms getting less than $3,000 a year in payments. Only 20 farms get payments of $500,000 or more, but these are the ones you read and hear about all the time.

Q. What percentage of the total Government payments do these big farms receive?

A. It is a small percentage—less than 8 per cent.

Q. Secretary Freeman, to sum this up, would you recommend any changes in the basic farm laws now on the books?

A. I would like to see a couple of changes: One would be provision for establishing strategic reserves of farm commodities, letting the Secretary of Agriculture buy and sell under appropriate restrictions. This would insure adequate food reserves, a kind of food bank, at all times and help keep prices up in periods of bumper crops by permitting the Secretary to go into the market to buy and replenish reserves.

I would also like to see legislation on bargaining power which would give farmers a chance to organize themselves as labor unions can do. This is no panacea, but in a number of specialty crops I think a great deal could be accomplished, and someday it might work for our basic commodities, too.

I don't espouse the cause of Government in agriculture because I like the idea. It is purely pragmatic with me, in that I don't think there is any other way to get fair farm income when you have some 3 million producers with such overwhelming power to overproduce. Without Government programs, they will flood the market and drive prices down.

I feel that 3 to 4 billion dollars a year for a farm program that works relatively well for farmers and consumers is not an excessive investment. The people of America are getting better food for a smaller proportion of their take-home pay than in any other industrialized country.

I do think that there is a practical limit to what we can spend on farm programs, and the man who administers them has got to have enough guts to stand up and say so when that limit is reached in a particular commodity.

PLAINSMEN BAND TO BE LAST UNIT IN PARADE

Mr. McGEE. Mr. President, among the many wonderful and winning organizations in the State of Wyoming are some of the country's best young musical groups. Preeminent among these, perhaps, are two groups—one not unknown to the U.S. Capital and one soon to be known here. I refer to the Troopers Drum and Bugle Corps of Casper, which the Denver Post has called the world's best, and to the Laramie High School Plainsman Marching Band, which is undefeated over the past 3 years of high school band competition in this country and in Canada. The Plainsmen will, later this month, have the honor to represent Wyoming in the inaugural parade in Washington, D.C. It is an honor they deserve and have earned, not only by their outstanding musical reputation but by hard work to raise the funds necessary to make the trip.

The Troopers, too, are an exciting group, performing in replicas of the frontier cavalry uniforms of 100 years ago, they have become known the country over for their stirring musical and marching performances. Both of these groups are worthy of accolades, Mr. President, and I ask unanimous consent that newspaper articles from the Laramie Daily Boomerang on the Plainsman Marching Band and from the Denver Post on the Troopers be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Laramie (Wyo.) Boomerang, Dec. 26, 1968]

PLAINSMEN BAND TO BE LAST UNIT IN PARADE

A governmental bent for protocol and a twist of alphabetical fate has decreed that the Laramie High School Plainsman marching band will be numbered last of the units to march in the inaugural parade Jan. 20.

But to the thousands of LHS parents, friends and fans who have seen the fast-stepping Plainsmen go from first to first to first, "it just ain't so."

For, as just about any Laramie resident could tell you, the LHS Plainsmen will be taking a long heritage of prideful, winning performances with them to Washington, D.C., as befits a unit in a presidential inaugural parade.

The Plainsmen are used to being first—first in Cheyenne, in Rapid City, in Cody, in Laramie, in Fort Collins, in Calgary. They are, in short, winners.

And what makes a winner in the case of the Laramie Plainsmen goes back a long way—back to the time director Jay Dee Schaefer picked up his first trombone—back to the day the first Laramie parents suffered silently and patiently as his offspring began the long, squawky road to musical proficiency.

Schaefer must be accounted the moving force in the history of Laramie band triumphs. Under his direction, the Plainsmen have been undefeated in high school band competition in three years.

Band enrollment has increased under Schaefer's tutelage from a mere 47 in 1966 to 160 students in June of 1968, and the raft of awards won by the band in that time fills a type-written page, single-spaced.

A Wyoming native, educated in Wyoming schools, Schaefer has been instructing and directing band music since his graduation from the University of Wyoming in 1962. He has also obtained a master's in music since that time.

"Our director, Jay Dee Schaefer," said one of his students, "has given us more than great honor and pride, he has taught us responsibility, self respect and aggressiveness."

Then, of course, there are 160 band youngsters—100 of whom will be carrying the name of Laramie and Wyoming down Pennsylvania Avenue on Jan. 20. It's pretty much the same bunch of youngsters who worked for months to collect funds to go to the international competition in Calgary, then set the whole affair on its ear with their performance.

Now they're faced with the same problem—but they have only three weeks to raise $12,000. This doesn't seem to affect the youngsters, though. The fund program may not yet be organized, the work ahead may be staggering, but one thing remains constant—their attitude. They're going to Washington, and they will do well.

Finally, there are the parents and supporters of the band. The parents truly gave the green light to the trip by promising to scrape up as much money as they could to help their children.

There are committees in Laramie and around the state, and there are individuals who just want to have a personal share of the band's appearance, and wish to help.

"I have seen these young people several times and they certainly deserve the honor—they are wonderful. I know how much these trips mean to them," wrote a woman from Cheyenne, "also how expensive they can be. I hope the whole state will get behind this." She enclosed a check with her good wishes.

There have been other such gestures from around the state, and one donation was received from a colonel in Washington, D.C. There are also tentative plans around the state to organize fund drives in each county in the state.

It's a long way from Laramie to Pennsylvania Avenue. It's a long way to $12,000 in three weeks. For residents throughout the state, however, it's a short trip to the mailbox with a donation addressed "Send the Band" Committee, care of the postmaster, Laramie, 82070.

Members of the Laramie High School

marching band have good reason for their enthusiasm and optimism. Wyoming might be tagged alphabetically last in the inaugural parade, but it's not in keeping with Wyoming people to be the last in anything else.

[From the Denver (Colo.) Post, Nov. 17, 1968]

Casper's Troopers—They're Wonderful

(By Zeke Scher)

The world's best junior drum and bugle corps is in the Rocky Mountain Empire—and the rest of the nation knows it!

Some 37,000 spectators at the Denver Broncos football game in Bears Stadium stood up at 3:40 p.m. Sept. 29 and gave a thundering ovation to the performers on the field. And there wasn't a Bronco in sight. Tears welled in the eyes of some. Others were too choked up to speak.

What the huge crowd had just experienced was 11½ minutes of 97 youngsters executing the world's best drum and bugle corps performance. The boys and girls, ranging in age from 14 to 21, are members of the Casper Troopers.

Dressed in replicas of blue U.S. Cavalry uniforms of 100 years ago, carrying well-polished bugles of all sizes, snare drums, rifles and standards with flowing colors, the Wyoming group executed routine and technical maneuvers with unbelievable precision. Their bell-clear sounds were breath-taking.

A super sports fan in the west stands forgot his frustrations of the moment (the Broncos were deadlocked at the half with Boston, 10–10) and murmured in disbelief: ". . . from Casper, *Wyoming?* How did they get so good?"

The between-halves performance had started briskly with two girls—one carrying the U.S. flag and one a sabre—leading the way. Then came a color guard commander (in white), eight "rifles," another color guard commander and 22 color guard "flags," all girls.

Drum Major Jim McIntyre led the musicians forward—three snares and four tenor drums, two triple drums, three bass drums, four cymbals, seven lines of six bugles each (including sopranos, mellophones, bass baritones and French horns) and finally one line of four contra bugles.

They opened with the stirring *How the West Was Won,* the Troopers marching snappily off the line at 130 steps a minute, a bit faster than most corps. Their movements were brisk: the spinning rifles, the twirling standards, the right, left and angle turns, the section separations and regroupings.

Colors were presented with a moving arrangement of *Battle Hymn of the Republic.* Then—as only drums and bulgles can play it—they presented *Tumbling Tumbleweeds,* a tune as Western as the players.

The marching stopped for the next 3 minutes and 15 seconds as the corps offered "in concert" a Beatles' song, *Never, My Love,* and then the soaring *Up, Up and Away.* Then the Troopers quickly stepped off in all directions to the *F Troop Fanfare* (from a TV western show).

Playing *Black Saddle,* the 97 boys and girls as if magically assembled from all sections of the gridiron to form a neat circle. The circle then "exploded" and the marchers spread out like the rays of the sun to booming ovations from the spectators.

And as neatly as they had separated in mid-field, they resumed formation. Playing *When Johnny Comes Marching Home,* they paraded the length of the field.

The response was deafening. "More . . . more!" the spectators urged. This was no insult to the Broncos, although players returning to the field may have interpreted it that way.

"Weren't they marvelous?" exclaimed a woman, dabbing at her eyes.

Troopers aren't born. They're made. The process is long and arduous—and it takes place, for the most part, in a steady wind that seems peculiar to Casper. The fact that they can be produced at all should dispel many fears the older generation has for the younger.

James Edward (Jim) Jones Jr., 47, is the founder and director of the Troopers. The Troopers' story is his own.

Born in Casper Oct. 26, 1921, Jones discovered at an early age that drum and bugle corps "ran in his family." His parents were active in the American Legion and at the age of 12 he accompanied them to a Chicago convention where he witnessed the Legion's drum and bugle corps national competition.

In 1934 his mother and a friend organized a woman's drum and bugle corps in the Casper Legion Auxiliary and they raised money to buy instruments. The women's corps soon folded, but a Sons of American Legion corps began. And young Jones was there as a snare drummer.

(Twenty-three years later, the Troopers started with the same drums used by the "Sons." They later were handed down to the new Trooper "taxi squad"—called the Cadet Corps—and in 1964 to the Douglas, Wyo., Diplomats, another such corps.)

Jones attended Legion nationals in St. Louis and Cleveland in 1935 and 1936. When adult leadership in the Sons dwindled in 1937, Jones—all of 15 years old—took over the Casper corps and directed it until he left to attend the University of Nebraska.

In his senior year at Natrona County High School he was commander of his ROTC company and was chosen "outstanding cadet." At Nebraska, he studied chemical engineering and instructed two drum corps in Lincoln. He also assisted an Indian drum corps at Fort Washakie, Wyo.

Jones placed second in snare drum individuals—a tenth of a point out of first—at the 1939 Legion nationals in Chicago. On New Year's Day 1941 he was lead drummer in the Cornhusker band at the Rose Bowl. He was named an ROTC captain at the start of his senior year and won an appointment to the U.S. Naval Academy.

But with Pearl Harbor, he ended his college career at 3½ years (he never returned for his degree) and joined the Army Air Corps. He received aviation cadet pilot training and received his commission at the age of 20. During the next four years he flew over "The Hump" between India and China.

Leaving the Air Corps as a captain (he's a lieutenant colonel in the Reserve now), he flew freight for the Flying Tigers line before returning to Casper in 1948 to become a building contractor. He had married his college sweetheart, Grace Leaders, in 1946 and wanted to settle down in a job that wouldn't require him to travel. (A bank director and officer in several companies, and with the Troopers' expanding schedule, he travels more than ever.)

His corps interest remained avid in the mid-1950s and he helped reactivate the Legion Senior Corps, expanding his contacts with drum corps people all over the United States. By 1957 he had crystallized an idea to give "River City"—Casper is on the North Platte—the best boys and girls drum and bugle corps in the nation.

On Oct. 3, 1957, The Casper *Tribune-Herald* carried a routine legal notice of the incorporation of the Troopers Drum & Bugle Corps Inc.

Purpose of the corporation: ". . . to aid, encourage and promote the welfare of the youth of the community by providing the opportunity for boys and girls of all races and creeds to have and receive instruction, supervision and encouragement in the use of musical instruments, and to form a community junior drum and bugle corps thereby implementing in the youth of the community an appreciation of music, and promoting, aiding and encouraging a means through which the community leaders may foster in relation with the youth a sanguine solution to many of the current social problems of youth."

Six weeks later the first tryouts were announced. Jones revealed his plans for a 54-piece drum and bugle corps. "We're going to be a crack outfit," he told the youngsters. "The corps will be rigidly disciplined. We'll play classical Western stuff."

A $4,000 PERSONAL LOAN GOT THE TROOPERS STARTED IN 1957

The initial turnout wasn't overwhelming but it was encouraging. Jones and two friends went to the Casper National Bank and on Dec. 5, 1957, signed a personal note—at 5½ per cent interest—for a $4,000 loan to get the Troopers started.

From the outset, Jones felt that the corps should be more show business than military. But eligibility requirements for membership for the 12- to 21-year-olds would do justice to a West Point application.

To become a Trooper, the youngster must understand and sign a legal-looking contract that requires him to:

Be and remain in good physical condition.

Maintain good scholastic average.

Be able to take constructive criticism.

Practice at least one hour daily on his own.

Participate in all corps activities.

Be present and on time for all drills and parades—100 per cent regardless of the weather. (Ditching rehearsal is cause for immediate dismissal).

Be responsible financially for all equipment and uniforms in his possession which must be kept spic and span at all times.

Be certain that conduct and appearance at all times shall reflect a credit to self, family and the corps.

Avoid chewing gum or smoking when in uniform or at rehearsal.

Maintain corps discipline and obey corps officers during all corps activities.

The parent also has an exacting pledge to sign:

"I will use by best efforts to insure that said applicant observes all the rules and regulations for membership in said corps. I further agree that the applicant will not use the equipment or uniform issued to him or her by said corps in a negligent or malicious manner, and I further agree to be financially responsible for any unnecessary damage caused to said equipment or uniform while in the applicant's possession."

The first Trooper uniform—it lasted five years—consisted of light blue Air Scout pants with gold striping added, navy blue Cub Scout shirt, a garrison belt and a black cowboy hat with surplus cords, tassels and metalic cross sabres attached. The appearance was frontier western, patterned after the 11th Ohio "Horse Soldier" Volunteers who served in Wyoming during the 1860s and 1870s. One of its officers, Lt. Caspar Collins, was killed in going to the rescue of a wagon train under Indian attack.

(The city was named for the lieutenant but Washington postal officials misspelled it. The residents stuck with Casper, although the historic site of the Army fort near town is Ft. Caspar).

The 1957 Trooper outfit cost the member $8 and the corps $5. Today the member contributes $15 a year dues and the corps provides a field uniform (costing $73) and Class A dress ($80), the latter being worn in the Denver appearance. Jones says the Philadelphia manufacturer of the uniforms is an old firm which attempts to make them as authentic as possible to the 11th Ohio Volunteers.

On June 27, 1958, the 54 charter members made their first public performance at Riverton, Wyo., during a department convention of the Legion. They were a long way—about six years—from national recognition.

Drum and bugle corps are "big" in the East and Midwest. There are found the bulk of nearly 8,000 such corps in the United States. The attitude of Eastern corps leaders, until the Troopers came along, was that beyond Chicago there was a complete wasteland. How could any corps be developed out there when there's no competition around?

In the beginning, Jones did everything—wrote all the musical arrangements, designed all the marching maneuvers, drilled all the kids and handled all the business details. And public support was a little slow in coming forward.

(Support really began in 1962 when the Casper newspapers took on the project of raising $11,000 to send the Troopers to the Portland Rose Festival. By running daily coupons over a two-month period, the morning and evening papers raised $14,000. "That taught me the value of advertising," Jones says.)

Competition is the name of the corps game—and Jones realized he would have to draw on national talent to put Casper in the same league as the Eastern corps. Music arrangers and instructors were flown in from the East Coast.

Equipment was upgraded. Honorary memberships and sponsorships were sold to raise money to get the best bugles, the best drums. The Cadet Corps' was formed to handle the increasing number of applicants—and to provide a training ground for Trooper replacements. The minimum age of 12 is the same for both units but the younger members, naturally, are in the Cadet Corps.

The Troopers went to their first Legion nationals at Denver in 1961 and came in fourth. The following year at Las Vegas the corps was 3rd. The VFW Nationals—the most prestigious of all corps competitions—was first visited by the Troopers in 1962 at Minneapolis. "Visited" is the correct word because the Troopers were so far down they had to buy tickets to get in and see the finals.

But the hours, days and months of practice on any vacant space in the Casper area began to pay off, as did Jones' emphasis on the basics. "The first thing we teach them is posture and bearing," he says. "We go back to this no matter how good they are. It's much like football. Without blocking and tackling, all the fancy plays are no good."

At Seattle in 1963 the Troopers scored second in the VFW Nationals. But there were few top corps competing. The next year in Cleveland the Troopers fell to 11th, but the Color Guard was rated 2nd. And all the top corps were there!

It was 1965 that the Casper Troopers stood the drum and bugle corps world on its ear. They won the World Open Championship, the Color Guard was 1st and the corps 4th in the VFW Nationals, and they captured a flock of additional titles during an extended Eastern tour.

In the October 1965 issue of *Drum Corps Digest*, a columnist wrote: "The main question being asked by everyone is how on earth did they do it." Another writer offered special congratulations "to the Troopers who were crowned World Open Champions. That's packing the titles into the Midwest fellas!"

Casper in the Mid-what?

The Troopers continued their drive for perfection. When weather permitted they took over the large paved parking area at the Central Wyoming Fairgrounds to practice their wide-open maneuvers, an audience-winning distinction of the Casper corps. In harsher weather they went inside the Industrial Building at the fairgrounds.

The Trooper year runs from October to September with a vacation of about three weeks in between years. Vacancies in the 97-member Troopers are filled from the 69-member Cadet Corps (22 Color Guard, 9 drums, 38 horns) and the competition can be fierce. The pressure builds in tryouts and drill-downs until the choices are made.

Practice from October to Christmas is held for 2½ hours each Thursday night—plus the one-hour-a-day minimum at home. During Christmas and Easter vacations, the music and marching experts come to Casper and the Troopers work with them three or four days in a row for up to five hours a day.

From January to the end of school, the regular practices are Thursday night and Sunday afternoon (with three to four hours of maneuvering then). The big push comes in June because the major contests and extended trips are scheduled in July and August. Practice on three to five nights a week plus daytime work by various sections can run up to 20 hours or more. In July and August it's all Trooper-time.

How do they do it?

"They sleep at sleeping time, eat at eating time, rehearse at rehearsing time, perform at performing time, and play at playing time—if there's any playing time left," Jones says. "In the A-Corps, we claim the lives of these children.

"For the middle or lower income groups, this is an unparalleled education in living. We've gone to the New York World's Fair, Seattle World's Fair and Expo 67. We've visited cities all over the United States."

The Troopers grabbed the VFW Nationals title in 1966, placed second in the World Open and accumulated numerous lesser titles. In 1967 it was 2nd in the VFW Nationals. This past summer the Troopers traveled more than 10,000 miles through 14 states and Canada and brought home six titles including the North American Invitational Meet in Toronto, where they had an unprecedented four encores. (They were 3rd in the VFW Nationals although the Color Guard was ranked 1st.)

Jones, a friendly sort with close-cropped gray hair, gives the impression he is relaxed among his myriad of endeavors. Matter-of-factly he appraises the Troopers this way: "We're considered No. 1 in the country by our competitors—and the others are no slouches. Hard work has done it. We'll spend a month on a 1½-minute drill to get it right.

"We try to select music that is emotionally inspiring. I try to write the drill to match the music. It's an exciting show. People are gripped by the spectacle—the emotional impact of the music, the marching maneuvers, the uniforms. That's show biz."

While the Troopers are a nonprofit corporation, it is a money-consuming operation. This year's budget involved some $43,000 and next year's is expected to be around $50,000.

The Troopers own three large cross-country buses and an equipment truck with specially built interior to hold the musical instruments, flags and rifles. Members carry their own sleeping bags and suitcases on trips. They're used to sleeping on floors.

During last summer's 23-day trip East the Troopers' accommodations varied from dorms at the State School for the Blind in Batavia, N.Y. (no hot water), to the floor of a recreation hall in Mount Clemens, Mich. (two showers but one broke down).

When the Troopers came to Denver for the Broncos game, they spread out on the floors of the Colorado National Guard Armory at Logan St. and Speer Blvd. the night before. The girls took over a big room upstairs; the boys took the gym. They unrolled their sleeping bags—and slept like troupers.

(They had good reason to sleep well. The youngsters had gotten up at 4 a.m. Saturday to make the long trip to the Air Force Academy's home game against the University of Wyoming, before continuing to Denver. When that game ended, they marched on the field and gave a complete performance. Eighty per cent of the spectators remained in their seats!)

Boston was a highlight of the 1968 tour. The boys and girls were put up in private homes with both food and laundry provided by their hosts. When on these extended trips, each member is expected to take along enough pocket money to last. It doesn't always work out that way. Fortunately a parent or two traveling along as hard-working chaperones come up with loans.

The rigid discipline—and good physical conditioning—are credited by Jones with making each Trooper put forth the utmost at all times. But they're human beings and five required medical treatment during this summer's trip. One boy, 18, a soprano bugle, was hospitalized overnight for exhaustion.

When the corps returned home from the East on Saturday night, Aug. 31, there were 7,000 relatives and fans waiting for them in the Natrona County High School stadium. It was termed both a welcoming and victory celebration. A special eight-page Troopers section was carried by the Casper *Star-Tribune*.

Many Casper cars carry "Go Troopers" license plates. A downtown store devotes its show window to a display of Trooper trophies.

In Mid-September a full-page ad by Safeway Stores (three in Casper) announced "Corps Days." This was a voluntary unsolicited promotion to give the Troopers a percentage of sales. It produced $1,292. It also produced pouting letters from other Wyoming Safeway managers. They wanted to know why they weren't permitted to join in the promotion.

Besides the honorary memberships (sold by the Chamber of Commerce) and business sponsorships (the flags borne by the color guard carry the names of major sponsors), funds come from such sources as an Art Guild auction, garage sales, raffles, a melodrama by the Red Dog Saloon Players and fees.

"We'll play for anybody if it's legal or moral," Jones says, "so long as they pay us."

Fees range from $150 to the $2,500 received for a Legion convention in Sioux Falls, S.D. Travel expenses usually far exceed the fee figure. Jones uses the same rate the charter companies use—65 cents a mile per bus—but rounds it off to $2 to cover the three buses and the equipment truck. The Denver trip, for example, had travel expenses of $1,164.

Jones feels the Troopers represent the entire Rocky Mountain Empire in their contacts with the "outside world." The Wyoming Legislature last year officially designated them as the state's "Musical Ambassadors." Wyoming's congressmen haven't been backward about letting the nation know about the Casper Troopers.

On Sept. 8, 1965, two pages of the Congressional Record were devoted to the Troopers, including a complete roster. The report stated, in part:

"Mr. Jones had a theory that the corps would be an excellent character building activity for Casper young people and a source of pride for the entire city and area.

"The corps has proven to be everything that Mr. Jones envisioned. . . . For a city no larger than Casper—a city of some 40,000—to produce a 130-member (sic) marching unit that can capture world honors is truly phenomenal."

"Jim runs this corps," says the father of a Trooper. "It's Jim's baby. He's done a great job with the kids. I hate to think how much this has cost him in time."

Gene Monterastelli, 23, a Northwestern University industrial engineering graduate who worked with the Troopers the past three summers, was in charge when the corps visited Denver, because of a death in Jones' family. He related the Troopers' secrets of success this way:

"Perseverance by everyone is No. 1. Jim's got good people around him but the kids really do it themselves by following directions and putting out the effort. The townpeople are fantastic in providing support in every way. And Jim himself is an amazing person. Anyone can talk to him about any concern—gripes or otherwise."

The Troopers rarely have a discipline problem. After working so hard and so long to reach the A-Corps, members don't want to jeopardize their position. Miss Casper College and Miss 16 of Casper (and later of Wyoming)—and their predecessors in those titles—have been Troopers. It's the "in" thing to be.

Jones lives with the Troopers around the clock. His contracting office is in the basement of his large home at a busy Casper intersection. Troopers, parents and a variety of guests—and his wife, four daughters (3 Troopers, 1 ex-Trooper) and Jim III, 9—pop in and out, upstairs and downstairs.

The mailman is also a frequent visitor. About 700 letters followed one appearance, a televised pre-season football game in Dallas between the Cowboys and Green Bay Packers in August 1967.

In striving for success, Jones has the help of devoted aides.

Willard K. Maxon, 44, a painting contractor, Casper native and former Navy man, became interested when his daughter joined in 1960. He filled in as a drill instructor and in 1962 found himself appointed director of the Cadet Corps.

Bob Hede, 40, a commercial photographer with a daughter in the corps, heads an ex-officio finance committee of fathers. They have big plans for a 100-year-old refurbished Wyoming covered sheep wagon and four donated mules to pull it. The wagon will be a moving vending machine from which Western items, postcards and pennants will be dispensed, all for the benefit of the Troopers. They're visualizing $15,000 a year income.

The youngsters themselves offer a variety of reasons why they think the Troopers are great—and they all do. Some mention the fun of travel. Some speak of the excitement of competition. Some are proudest of the feeling of accomplishment for their city and state. And all are aware of the life-long benefits they are receiving from the discipline instilled by the corps.

This discipline—and the confidence to solve any corps problem—saved the Troopers from embarrassment on their Denver visit. A week before the game they received a request from Bronco management to play *The Star Spangled Banner* before the game.

Because they are a specialty group that performs in competition or at halftime of football games, they had never been asked to play the national anthem! They just didn't know it.

An *Empire* reporter-photographer team was in Casper to study the corps in practice when Jones handed out his brand new arrangement of the anthem. As talented as the buglers are, the first performances were, to be charitable, painful. Jones made it clear that if they couldn't perform the song well, they would not attempt it, and the Broncos would use a phonograph record.

One week later the Troopers stood in Bears Stadium. The stands came to attention. The corps delivered a forceful performance of *The Star Spangled Banner*. It could have been in their repertoire for years.

These Wyoming youngsters have evoked immediate adoration throughout the nation. Perhaps it's the glimpse into the past that they offer. Perhaps it's a promise of youth for the future. It is pure Americana, and it's wonderful.

FARMERS LOSE ON DAIRY QUOTAS

Mr. NELSON. Mr. President, last week, new import quotas were announced for several foreign cheeses, canned milk, and chocolate milk crumb. From every indication, these quotas show that farmers have lost another round on dairy imports to the State Department.

Most of the new quotas are based on the total imports for these products for the entire year of 1967, a year when dairy imports reached a record level of nearly 3 billion pounds. No worse year for American dairy farmers could have been chosen.

I am convinced that the State Department played a major role in the decision to set these quotas at such a high level in order to satisfy the requests of foreign countries desiring to export large quantities of dairy products to the United States.

It is high time that the U.S. Department of Agriculture and not the State Department was recognized as the chief policymaker for our country in agricultural trade. American farmers should not be treated as a pawn for the United States to use in the field of foreign relations.

Dairy farmers have been reducing their milk production by almost 5 percent annually since 1965 to get a better balance between supply and demand. But at the same time imports shot up some 300 percent. This flood of imports has demoralized the dairy industry and has driven thousands of farmers out of dairying.

Foreign countries are faced with huge dairy surpluses and are spending vast sums of money in export subsidies to ship excess products to the United States. France is selling an 80-cent pound of butter for 30 cents, Germany is selling a $14 case of condensed milk for $8, and the Netherlands is selling a 55-cent pound of natural cheddar cheese for 17 cents.

The Department of Agriculture and even spokesmen for import firms agree that export subsidies only serve to harm free trade transactions.

I plan to introduce legislation within a short period of time to urge the President to seek an international dairy agreement with other world dairy nations. This would be aimed at distributing surplus dairy products to underdeveloped nations outside the normal commercial channels for these commodities. This would serve the dual purpose of providing nutritious dairy products to areas of the world where hunger and starvation are still unchecked while strengthening the world market for dairy products.

IMPORTANCE OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION—ADDRESS OF THE JUNIOR SENATOR OF NEW HAMPSHIRE, MR. McINTYRE

Mr. YOUNG of Ohio. Mr. President, the Commonwealth Parliamentary Association is an organization of 30 legislative bodies of member countries and self-governing territories of the Commonwealth of Nations, as well as state or provincial legislatures—in all, more than 90 parliamentary branches.

The United States is not a member of the association, but for many years the association has invited the Senate to send a delegation of Senators to participate in those conference sessions which deal with international affairs. Last year, the Conference was held in Nassau, the Bahamas, from October 26 to November 8.

The distinguished junior Senator from North Carolina (Mr. JORDAN), the distinguished senior Senator from West Virginia (Mr. RANDOLPH), the distinguished junior Senator from New Hampshire (Mr. McINTYRE), and I were members of the Senate delegation present from October 30 to November 3.

The Commonwealth Parliamentary Association is a most useful organization, bringing together Members of Parliaments from all parts of the Commonwealth and providing a forum for the discussion of common problems and the airing of divergent views. The Senate delegation found the discussions stimulating and informative, and returned with a better understanding of the nature of the Commonwealth and of the interests and concerns of its various member states.

Senator McINTYRE acted as spokesman for the entire group. In that capacity our colleague in an excellent speech expressed our appreciation at being invited and spoke of how the Commonwealth Parliamentary Association has greatly increased world understanding and cooperation.

I ask unanimous consent that the speech delivered by the distinguished junior Senator from New Hampshire (Mr. McINTYRE) be printed in the RECORD at this point as a part of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR THOMAS J. McINTYRE

Mr. Chairman and distinguished delegates, my colleagues from the U.S. Senate and I are grateful for your kind invitation to attend this conference and to participate in your discussion on international affairs. We are honored to be here and we greatly appreciate the warm hospitality of the Bahamas Branch. We have already profited measurably from the opportunity to exchange views informally with several of you and I only regret that we must shorten our visit because of our national elections next Tuesday.

Mr. Chairman, I was very heartened by the admission of the distinguished delegate from Canada, Senator Connelly, that Rhodesia was essentially a Commonwealth problem. It reminded me of my visit to Canada last year and there I heard much about the separatist movement, a peculiarly Canadian problem. I returned to Washington with a measure of relief that there was at least one problem in the world that my country didn't have primary responsibility for. And so it is, Mr. Chairman, my sincere hope that the Commonwealth together with the United Nations will soon come upon a solution to the Rhodesian difficulty.

This is the first time I have had the privilege of attending one of your conferences, but I have read the reports of my colleagues who have attended earlier conferences and I have been impressed, as they have been, by the work of the Commonwealth Parliamentary Association.

Shortly after I had been invited to attend your conference a small event focused my attention on the size and diversity of the Commonwealth. A young gentleman came to visit my daughter at our house in Virginia. I noticed that he arrived in an MG car and that he wore a madras sports jacket. Later, before my daughter and her friend went out for an evening, that probably included some music by the Beatles, they joined us for a cocktail; he drank Scotch, my daughter enjoyed some rum, and my wife drank Canadian whisky. I, of course, drank some good American bourbon.

This incident made me realize that we import a wide range of products from the Commonwealth nations. Some of the products are ordinary parts of our everyday lives: newsprint from Canada or tea from Ceylon. Others are goods we dream of having: diamonds from Sierra Leone and Ghana or jewelry from Hong Kong. We also use rubber from Malaysia, bauxite from Jamaica and Guyana, and nickel from Canada. We vacation in Canada in the summer and here in the Bahamas as well as in Jamaica, Barbados, Trinidad, and Tobago in the winter. Our ties with the Commonwealth and our imports from it reflect the economic status of the Commonwealth which accounts for one-fourth of the world's trade. But more important, I think, is that they reflect the economic, cultural, and geographic diversity of your association. Some 28 or 34 countries—I am not sure which—spread around the world in radically different climates, speaking different languages, worshipping different gods, are unified by their membership in this association.

I personally consider the Commonwealth a successful example of international cooperation. It stands as a model of how nations with disparate concerns and needs can work together for their common benefit. It provides an open and accessible channel of communication for the governments of countries that contain about 25 percent of the population of the world. In an age where limited and indirect communications between nations often leads to international confusion and tension, the success of the Commonwealth proves that nations can cooperate in spite of their many differences.

During my unfortunately brief visit with you I have been able to isolate two factors that explain the success of the Commonwealth—its nobility of purpose and its flexibility. Her Majesty Queen Elizabeth II called the Commonwealth "an entirely new conception built on the highest qualities of the spirit of man: friendship, loyalty, and the desire for freedom and peace." This description of the Commonwealth has been borne out by all that I have seen here. I have been impressed by your willingness to work together in the interests of more effective government. Peace must stand on a foundation of free and stable governments and it is clear to me that your conferences promote both freedom and stability. Nothing is more noble than the achievement of peace. The flexibility of the Commonwealth rests with your emphasis on friendly, informal consultation among equal nations. Prime Minister Nehru once said that the strength of the Commonwealth results from its policy of allowing the expression of "the free will of the free peoples." Through the years you have created a unified body without imposing restrictions on one another.

This commitment to national sovereignty and your mutual respect for another nation's rights is what has enabled the Commonwealth to survive and flourish during a century of frenetic change. I do not mean to imply that the Commonwealth has resisted change. Quite the contrary. Through the organizations and standing bureaus of the Commonwealth you have sought to control change to your mutual advantage. You have entered into a communications pact; you have developed an effective system of economic relationships. Your agricultural bureaus and scientific offices collect and disseminate information throughout the member nations. The Commonwealth Scholarship and Fellowship Plan has greatly increased educational cooperation among the Commonwealth countries.

Lord Normanbrook once said that in the Commonwealth Prime Ministers' Conferences: "The objective has always been to reach the highest measure of understanding, not the lowest measure of agreement." The Commonwealth has never settled for the lowest measure of agreement. Indeed, the deliberations of the Commonwealth Parliamentary Association and other Commonwealth organizations have greatly increased world understanding and cooperation.

Your agenda topic of "World Security" is most timely and never more so than today when the international scene is changing so rapidly. I would like to comment briefly on only two or three of the many topics which demand our attention. Certainly, as it has been said here, the biggest international concern of the United States today is the war in Vietnam. As you know, this has been the subject of a great deal of discussion and a wide diversity of opinion in the United States itself. I do not want to explore that matter in depth, particularly in view of the fact that very delicate negotiations are underway in Paris, but I do want to say to you that the American people are united in the fervent hope that those negotiations will soon be successful and that the fighting can be ended. I believe, sirs, a very constructive step was taken only a little more than 36 hours ago when President Johnson announced the stopping of the bombing of North Vietnam. This step, together with the participation of the South Vietnamese Government and the National Liberation Front in the Paris Talks, entitles us, it seems to me this morning, to some modest optimism.

Now, we in America have also been deeply concerned in recent weeks by the Soviet move against Czechoslovakia. This calls into question the assumption which a good many people were making about the degree of change which was taking place or was possible in Eastern Europe. It seems to indicate that the Soviet tolerance of change is less than many had thought, and it demonstrates anew the depth of Soviet interest in Eastern Europe. New and dangerous doctrines seem to be emanating from Moscow to rationalize this interest. However, I think we can all be confident that although there has been a setback in the liberalization of Eastern Europe, the Soviets have brought upon themselves in the long run more trouble than they have avoided. This seems to me a ghastly mistake on the part of Soviet Foreign Policy, one which deserves the condemnation it has received from world public opinion and one which the Soviets will live to regret if indeed they do not regret it already.

Finally, Mr. Chairman, let me just tell you again how glad we Senators, Jordan of North Carolina, Young of Ohio, Randolph of West Virginia, and myself from the small but great State of New Hampshire, are to be here with you. I am sure we will return home with greater understanding and insight as a result of our very pleasant and stimulating experience here in the Bahamas.

INAUGURAL ADDRESS OF HON. HARRY G. HASKELL, JR., MAYOR OF THE CITY OF WILMINGTON, DEL.

Mr. BOGGS. Mr. President, former Congressman Harry G. Haskell, Jr., of Delaware, on Tuesday, January 7, became the 50th mayor of the city of Wilmington, Del.

Mayor Haskell, as almost all of the mayors of our metropolitan areas, is confronted with and concerned with a great many difficult problems. Many of these problems have become matters of national concern. Mayor Haskell, recognizing the problems of the city in his inaugural address, set forth a new sense of hope and trust. He displayed great courage when he said:

> We can have a city that will be the model city for the nation to copy. It can be a city of promise and opportunity for those who live here. It can be a city of justice and human dignity.

In order to achieve the basic goals of his administration, the mayor proposed a nine-point program.

Mr. President, for the information of all, I ask unanimous consent that the text of Mayor Haskell's inaugural address be printed at this point in the RECORD, along with two editorials on that address, one from the Evening Journal, Wilmington, Del., of January 8, 1969, and one from the Morning News, of Wilmington, Del., of January 8, 1969.

There being no objection, the address and editorials were ordered to be printed in the RECORD, as follows:

TEXT OF MAYOR HASKELL'S INAUGURAL ADDRESS

In other times, to become mayor of the city in which you have spent most of your life would be an occasion for pride and happiness and a sense of achievement. But to become mayor of a city in these times is an occasion for humility and for prayer—an occasion of challenge and hope.

I want to be mayor of my city because I am deeply troubled by what I see and hear. I hear the voices of fear and hatred, of anguish and frustration. I see the physical scars of Wilmington . . . the deterioration of housing, the gouging of the bulldozer, the dirty streets.

Throughout my campaign for election, I said I want to turn Wilmington around. That was no political rhetoric. That's what's going to happen. We're going to find a new way for Wilmington.

Wilmington has been a city on a downhill slide, even though many individuals have worked hard on our problems . . . people in government, City Council, private citizens, businessmen, and religious and civic leaders: Our situation would be even more critical without their contributions.

CITES CITIZENS' FEAR

Many of the city's residents are leaving. Many of those who stay are fearful and bitter. Some are treated like second class citizens; we have poverty, racial tension, a rising crime rate, high property taxes, difficulties in our schools and a poor transportation system. For many of our neighbors in outlying areas, it is a place to be avoided.

However, I did not run for mayor to preside at a funeral. Wilmington is not going to die. What confronts us at this moment is a challenge of monumental proportions. What must be done is far more difficult than constructing a few buildings.

We can provide all the bricks and mortar we want. But Wilmington won't have a thing unless we can generate a new spirit, a new sense of hope and trust.

We can have a city that will be THE model city for the nation to copy. It can be a city of promise and opportunity for those who live here. It can be a city of justice and human dignity.

I believe one should love his fellow man. And I do. But for those who can't then I say we better learn to live with each other. We must learn to get along with one another because there is no alternative short of destruction.

The citizens of Wilmington voted decisively for a change in the way this city should be governed. Within the limits of my power, and with the help of the City Council, the citizens are going to get a change.

With this mandate, we're going to take action and we're going to make a lot of decisions. We'll make some mistakes. But we're not going to make the biggest mistake of all—to be afraid of making a mistake. I intend to devote my full time and energies to this task.

Our program charts a new way for Wilmington. There are many specific things to be done and these programs will be presented to City Council in specific detail in the weeks ahead.

A new way for Wilmington must first, however, be aimed at some basic goals. A new way for Wilmington must hold out certain fundamental expectations for its citizens.

LAWLESSNESS HIT

First, the City of Wilmington is going to maintain day-to-day safety in the streets. Citizen protection will be a paramount objective under the best director of public safety I can find. We're going to reduce crime here. Violence in the schools has no place in our society. Our system of justice must be improved. I pledge to every citizen that I intend to deal firmly with anyone who attempts to violate the rights of his fellow man.

We cannot tolerate lawlessness unless we are prepared to live in the atmosphere of a jungle. Neither can we tolerate oppressive order unless we are prepared to live in the atmosphere of a police state. Neither of these is what America stands for nor what I believe.

Now I want to talk about the presence of the National Guard in Wilmington. I have two objectives in terms of maintaining safety for the citizens of this city. First, we must provide protection for everyone. Second, we should be able to do this with the city's own law enforcement resources.

The existence of the guard in Wilmington is very distasteful to me. On philosophical grounds, I am absolutely opposed to our city living under martial law. I find it equally distasteful to admit that we are the only city in the United States which is supposedly unable to protect its people without resort to the military.

As you know, the governor, as commander-in-chief, is the only one who can take action with respect to the National Guard. During the next two weeks, until the new governor takes office, I will gather complete police intelligence estimates of the situation and discuss with Wilmington police officials their ability to ensure public safety.

Immediately after the new governor takes office, I will have on his desk a clear recommendation on the disposition of the National Guard. Furthermore, I am certain that the governor and I will act in consonance.

DIGNITY FOR ALL

A second basic goal of this administration will be to mount a relentless effort to establish human justice and individual dignity for all citizens—black and white, rich and poor, old and young, educated and disadvantaged. There will be no second class citizenship in this city.

Third, we're going to close the gap in communications which now exists between the city government and the neighborhoods in Wilmington.

I don't intend to sit behind a desk all day in the Public Building. I and everyone in my administration will spend a great deal of time among people in the neighborhoods. We want to know people, discuss our mutual problems, and more importantly, listen to what it is that they have to say.

One method of doing this will be a system of Action Task Forces through which members of my administration will meet with residents in neighborhoods. This administration will also staff the agency of information and complaints within the office of the mayor where people can call and expect to get answers to their questions.

Fourth, we must create an improved quality of life for all our citizens. For thousands of disadvantaged people this means establishing economic opportunities for the first time. For others it means better jobs. It means waging a real, local war on poverty and all the unacceptable living conditions that go with it. We must look to industry to act creatively in this area. If one program fails, industry must develop and try other programs. An improved quality of life also means better housing. It is building a cultural foundation for the city to give Wilmington character and its people, especially in disadvantaged areas, some of the richness of life.

Fifth, the youth of Wilmington must be given a voice in the city government even though many aren't old enough to vote. Our young people can make a tremendous contribution to the progress of this city and they deserve that chance. They'll have it under this administration. A Mayor's Youth Council is a unique concept in city government, and it is already being established. This is just a beginning.

COOPERATION PROMISED

Sixth, progress in Wilmington can be built only on the bedrock of cooperation with other levels of government. We're going to eliminate the bickering and infighting which has blocked many areas of progress for Wilmington. I look forward to working hand-in-hand with County Executive Conner, Gov. Peterson, and the Nixon Administration to help this city. We have already set up a coordinating committee with the governor-elect, the county executive and the mayor to blend our respective responsibilities.

I want to make special mention of the need for a bi-partisan approach to Wilmington's problems. I am particularly grateful to Council President McClafferty and the other Democratic Council members for their cooperation to date. I value their counsel with that of my Republican colleagues.

From time to time, the mayor and the council will have disagreements, but I believe they will not be on matters of great consequence. On matters that vitally affect the future of Wilmington and its people, I can assure you of my desire for harmony. The members of this council are public servants of great dedication who are grappling with the most complex problems of modern urban society.

Seventh, the city must have an equitable revenue structure and augment that with substantial economic assistance from other governmental levels and from the private sector.

Turning Wilmington around is going to cost money—no one can doubt that for a moment. And as the previous mayor's fiscal study points out, we don't have a sound revenue structure now. One thing I know is that the property tax in the city has become regressive and inequitable. There is no tax that is completely just, but we must find more equitable means of raising new revenue.

Also, we will have to obtain aid from the state and the federal government. But the leadership, imagination, creative programs and decision making will not come from Washington. We must solve our problems here at home.

TO STRESS EFFICIENCY

The big businesses in this city and those who run the smallest stores must operate on the theory that what they contribute to the improvement of the city is of direct benefit to them and their own interests. They must provide financial support and leadership to help solve these problems. The city will provide the focus of responsibility, initiative, planning and action, but the rest of the community has an enormous contribution to make.

Eighth, this new city administration is going to run an efficient and economical government.

I feel very fortunate to have attracted a highly qualified staff including Allan Rusten, Victor Battaglia, Jim Zeller, Ray Evans and Nick Noisette. I am proud to say that I have been able to sign up every member of the previous administration whom we approached to stay on. These men are dedicated public servants who will be making their greatest contributions in the years ahead. We have assembled a management group with esprit de corps and if there are two words which most characterize this administration, they will be "hard work."

I feel particularly fortunate in having served in the executive and legislative branches of the federal government, and I know that no one man can effectively operate an organization the size of Wilmington's government without the assistance of many talented, dedicated individuals.

We are going to augment the full-time staff with part-time assistance of the best talent in our city—from business, labor, education and the professions. And finally we are going to employ the most modern methods of government and management to squeeze out waste and inefficiency.

Ninth, improvement and expansion of public education in Wilmington is a major goal of my administration.

GROWTH, OPPORTUNITY

The administrative team of the Wilmington public schools has conducted a searching evaluation and analysis of the school program over the past few months. A massive commitment of resources will be required to ensure excellence in Wilmington's schools.

I will work with the Board of Education and the staff of the Wilmington schools to guarantee that the city youngster, through his education, will have equal opportunity with others for success in life.

The next four years will be exciting years. Our new way for Wilmington is going to create a healthy and progressive community. It's going to be a city of growth and opportunity . . . a city where a man can work and live in happiness and with hope for the future.

I pledge to you that in four years, Wilmington will be back on its feet again. There will be a new spirit in this city. We will have broken the back of our problems. Much of our progress won't be dramatic. It will be almost invisible because it is many little things. The most important progress of all—a new spirit—is in the hearts of men, not in the bricks and mortar of the city.

There's going to be a new climate here. I can feel it. Join me. Work with me. Let's make Wilmington the creative city. There's enough potential here for every citizen to share.

The only limitation we have is in ourselves. Let's break those chains and expand and grow. Let the city itself be the vehicle for proving our abiding faith in God and His everlasting love for mankind.

[From the Wilmington (Del.) Evening Journal, Jan. 8, 1969]

Mayor Starts at Beginning

Mayor Harry G. Haskell Jr. hit just the proper note in his inaugural address last night upon taking office in ceremonies in City Council chambers. He pulled no punches about the problems the city and his administration face in the next few years, but he left no doubt about his confidence in the community's ability to meet the challenge.

The speech, though laced with references to specific proposals the Haskell administration intends to pursue, was aimed more at the heart than the head. And so it should have been, for in his emphasis on the need "to turn Wilmington around," Mr. Haskell has correctly diagnosed Wilmington's number one social problem, a malaise of the spirit. The community just can't get moving on all the things that need doing until it is convinced that it has both the resources within itself and the leadership necessary to do the job.

Recognition of this was to be found in most of the nine-point Haskell program. His administration intends to look at the whole range of human needs from education to individual justice, from economic opportunity to individual safety, and from neighborhood involvement to concern for young people. If the policy statement was short on specifics, it was long on commitment; here was a new mayor who really cares.

It is this sense of commitment that is Mr.

Haskell's greatest asset. It will stand him in good stead as he tackles the more complex and vexsome aspects of his program, such as his avowed intentions to reduce crime, streamline the municipal government and establish a sound fiscal structure. Significant accomplishment in any one of those areas will be a gargantuan task and require patience and skill.

It is enough to observe, however, that Wilmington's 50th mayor is off on the right foot. He has forsaken partisanship with an appeal to Democrats and Republicans alike to work together, he has indicated that he intends to dispense with the debilitating and embarrassing issue of the National Guard patrols with the inauguration of Gov.-elect Peterson on Jan. 21, and he has made it clear that a concern for people of all colors, ages and stations will be at the center of his program.

This alone will not get a center-city regional shopping center built, find the money to improve the schools, pay policemen and light the playgrounds or find the votes in City Council to hire the right people to make a new government go. This alone won't free the new mayor from blame and criticism for the thousand and one crises in any city that he can't foresee or control. And this alone won't carry his administration through four successful years. But this alone is a most hopeful and sound basis upon which to begin.

[From the Wilmington (Del.) Morning News, Jan. 8, 1969]

Wilmington Has a New Mayor

Mayor Harry G. Haskell Jr. took the first step in his campaign to "turn Wilmington around" with the nine-point program he outlined last night in his inaugural address. Its emphasis on improved communication, individual justice and economic opportunity showed an understanding of the stuff of which model cities are made.

At the same time, Wilmington's 50th mayor made it clear that he understands that, if his new government is to be a success, it will also have to pay attention to the bread and butter issues like public safety, fiscal reform and economical government. Mr. Haskell's remarks on the continuance of the National Guard patrols were also on the mark, and it is good that he will work with Gov.-elect Russell W. Peterson to provide for their "disposition" as soon as Mr. Peterson takes office Jan. 21.

In the Haskell program are the principal elements necessary to "generate a new spirit, a new sense of hope and trust," to use Mr. Haskell's phrase for what he rightly understands Wilmington needs most. This is not to imply, however, that the nine points the new mayor mentioned will be the only preoccupation of his administration; far from it. They are the touchstones of the new program.

Yet realism demands one to observe that the Haskell administration will be very well served if in its first year it can do something dramatic to fight the general public skepticism. The people are very much in the mood for action; they want to be able to look at some project and say, "See, we didn't have that last year." It is this public craving that will have to be met if the community is to be given a much-needed psychological shot in the arm.

For this reason, we can think of no single thing he could do that would be more important than the achievement of his stated objective during the election campaign of seeing that the Civic Center commercial and government complex is put under development as soon as possible. Those vacant, car-covered blocks, as well as undeveloped acres in Compton Village, have become the symbol of delay, stagnation and apathy in this community, and they must go.

It makes no difference whether or not such a public attitude is warranted, or whether in fact the Babiarz Administration, the Wilmington Housing Authority and private developers have done their best to get these projects moving. (A contract signing for development is expected tonight.) The fact is that the land is vacant and as such is a wound to the psyche of every Wilmingtonian just as it is an open gash in the heart of the city. Until it is reclaimed, any city government is going to have problems gaining the public's confidence.

Similarly, people are discouraged by the wealth of talk, but the paucity of low-income housing units—or housing units of any description, for that matter—under construction in the city. Du Pont Street, Mulberry Run, Asbury Heights, Canby Park and West Center City are but some of the projects announced, but not yet close to completion, though in two instances ground has been broken.

Delay here is doubly debilitating for the community. It gives credence to the arguments of those who doubt the capacity of the community to act and it undermines the confidence of low-income, inner-city residents in the determination of the city's leadership to move against urban problems that most directly affect citizens at the lower end of the economic scale.

If Mr. Haskell is able to expedite action in these two areas, at the same time he is moving ahead in the areas that he has indicated will be of prime concern to his administration, he will have stars in his administration's crown early in the game. And that will be good not only for him and the success of the other longer-range plans of his government, but it will be good for the community's state of mind.

CHANGING THE ELECTORAL COLLEGE?

Mr. TALMADGE. Mr. President, there has been brought to my attention an article on proposed changes to the electoral college system prepared by the distinguished lawyer, John E. McClure, a widely recognized legal expert on the Constitution.

In this article, Mr. McClure discusses the difficulties that very likely would be encountered in securing approval by three-fourths of the States of the Union through an amendment to the Constitution regarding the electoral process. Certainly, we can anticipate a great deal of consideration by the Congress this year of such a proposed constitutional amendment, and this matter deserves our most careful examination.

I bring this article to the attention of the Senate, and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Changing the Electoral College?

Quite often of late there are emphatic assertions that the Electoral College is out of date and should be abolished altogether. No one has asserted to the contrary.

There are, however, certain objections which are likely to be difficult to overcome, and it is entirely possible that such objections could very well be sustained. Keep in mind that it would take three-fourths of the States of the Union to bring about an amendment to the Constitution. But can the proponents of such proposed amendments get the approval of three-fourths of the States? To answer this question we must go back to the time of the adoption of the Constitution and consider the reasons why the provision was put into the Constitution in the first place. According to the Federalist papers published at that time the larger States were having difficulty in getting the smaller States to agree to the proposed Constitution. To pacify the smaller States the larger ones made two concessions: (a) all States should have equal representation in the Senate, and (b) in case the election of the Presidency was thrown into the House of Representatives each State of the Union was to have one vote. According to history these are the two reasons why Delaware was the first State to sign the Constitution.

Now we come down to the real question: Will the proponents of an amendment to abolish the Electoral College be able to secure three-fourths or 38 of the States to agree? It would seem to be most doubtful and highly improbable. This is because there are fifteen States (two more than one-fourth) with four or less votes (five with three votes each and ten with four votes).

Now, will a minority group, consisting of at least thirteen States, be adamant and hold out against any proposed change, in view of the fact that New York (43) and any one of the other larger States (California, 40; Pennsylvania, 29; Ohio, 26; Illinois, 26; or Texas, 25) could outvote the entire minority group. Most certainly the smaller States will not want to lose their equal voting power in the House of Representatives.

There are other matters which would seem to weigh heavily against such a proposed change. One would be the spectre that if there is to be a change in the Electoral College adverse to the smaller States, insofar as the House is concerned, why not go one step further and change the Senate? Why not give New York and the other large States 4, 5, or 6 Senators and the little States only one Senator? Just as plausible, if not more so.

Consider further, if you please. There are 22 States west of the Mississippi River with only 119 Electoral votes out of a total of 535. In short, 43 percent of the States has only 22 percent of the votes.

Another practical thought: If things don't change more in the next 50 years than they have in the last 50 years, it does not seem unreasonable to believe that some of the Southern States would oppose the proposed amendment.

Certainly if we are going to change the Electoral College so as to deprive the House of its equal representation in one instance, why not change the Senate so that its membership will be based upon voting population? While such actions would not necessarily have the effect of bringing on a civil war between the East and the West the better thing would be to bring about a better relationship between the North and the South.

JOHN E. MCCLURE.

CHEVY CHASE, MD.

HARTFORD CHAMBER OF COMMERCE ENGAGES IN EXCELLENT URBAN ACTION PROGRAM

Mr. DODD. Mr. President, one of the most crucial domestic problems confronting America today is that of improving conditions in our cities.

Housing, education, and employment are only some of the urban needs which cry out for our attention.

Because I know that all Senators share my concern for these vital areas, I wish to call attention to an important project conducted by the chamber of commerce.

The projects, part of the national chamber's urban action program, Forward Thrust, are based on the premise that the private sector, working in cooperation with other important community groups and with government at all levels, can mount effective drives to generate jobs for the hard-core unemployed, more business ownership by Negroes and other minorities, improved housing, reduced crime rates, and fulfillment of the cities' other needs.

To date, model projects have been implemented in Omaha, Buffalo, Jacksonville, Fla., Rochester, Minn., Rochester, N.Y., Philadelphia, Boston, Detroit, Winston-Salem, Dayton, Indianapolis, and Hartford, Conn.

Case studies of these 12 programs have been published in "Urban Action Clearinghouse."

The Hartford study of a low-cost housing project is one of the most exciting and innovative urban programs yet seen in Connecticut, and I take pride in sharing an excerpt from the Hartford study with the Senate.

Mr. President, I ask unanimous consent to insert the excerpt in the CONGRESSIONAL RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

HARTFORD FUND GUIDES AND FINANCES LOW-COST HOUSING

PROGRAM

Hartford business leaders, working through their Chamber of Commerce over a period of a dozen years, have sought workable ways to improve housing conditions in Greater Hartford. Their approaches began in 1956 with a committee on housing and included a separate non-profit corporation with limited capital. Since 1966 efforts have been concentrated in the Greater Hartford Housing Development Fund, Inc. and a companion Foundation.

A development fund, as Hartford conceives it, is a nonprofit revolving loan fund to provide seed money for housing to be financed, built and operated privately for sale or rent to low and moderate income groups. The fund normally works through project sponsors who lack the experience or the financial and other resources to enable them to develop housing alone. The fund provides loans, grants and technical assistance to help them reach their housing goals. Capital for the fund is secured from grants or low interest loans and its operating income from percentage fees (usually two percent or less) on project mortgages.

ORIGIN

Like most American metropolitan centers, Hartford has an inventory of sub-standard housing. When work began on the now famous Constitution Plaza urban renewal program in downtown Hartford in 1956, business leaders became acutely aware of housing. A number of low-income families were dispossessed by the clearance of the renewal area, and there was no place to go. Chamber leaders recognized an obligation to take an active role in providing a mechanism to meet this need.

OBJECTIVES

Spurred by the critical, immediate need for relocation housing, which is an objective within itself, the Chamber of Commerce has evolved four long-range objectives for the Greater Hartford Housing Development Fund. They are:

1. To increase the supply of good new housing in Greater Hartford for all lower and middle income groups, including the elderly.

2. To bring about the modernization of older housing and the improvement and creation of better neighborhoods in Greater Hartford.

3. To develop a research base for future housing and urban renewal programs.

4. To foster home ownership of all economic ranges in the City of Hartford.

These broad objectives are sought by rendering specific services including the following:

Research: In cooperation with local authorities, analyze and project housing required for relocation. Develop feasible housing rehabilitation programs. Develop designs for multi-family units which embody good architectural planning with economical construction.

Education: Work with potential housing project sponsors in explaining the meaning and responsibilities involved. Develop interest of new groups to act as sponsors. Demonstrate to developers the advantages of limited profit development, and seek to interest new developers in this field. Develop interest in the fields of cooperative housing and rehabilitation housing. Assist in creating neighborhood groups for self-help and neighborhood improvement.

Consulting: Provide housing sponsors with technical assistance in the planning of all social, architectural and financial phases of proposed projects. Aid sponsors in processing financial arrangements, through federal or conventional means. Aid in selecting architect and contractor. Provide management and marketing guidance.

Financial Aid: Provide financial assistance for development, market surveys, application fees, legal and organizational advisors, for interim and supplemental loans for rehabilitation, long-term loans when such are otherwise unavailable and for other related specific applications.

RESULTS

1. The first 40 housing units were erected under direct sponsorship of the Chamber of Commerce, six units were rehabilitated by a special housing corporation and an additional 52 units have been completed by the Housing Development Fund.

2. Since its inception in January, 1966, the Greater Hartford Housing Development Fund has received capital pledges totaling approximately $1,300,000. A separate foundation has received approximately $130,000.

3. The Fund has programmed 1,715 housing units (in addition to the completed units) in 19 projects in the Greater Hartford area. (See Exhibit A.) The total Fund Schedule to date includes the following:

	Units
Rehabilitated housing for rent	192
New units for sale (cooperatives)	237
New units for rent	674
Projects to house the elderly	338
Unscheduled	274
Total	1,715

While the Fund's participation in the majority of these projects will be limited to providing the expertise to coordinate all phases of the project, as well as to provide necessary loans or grants when needed, it has acted as the non-profit sponsor of the 52 units of cooperative housing recently completed. Programmed units represent a significant start toward replacing the more than 8,000 substandard housing units in Hartford.

PROGRAM DEVELOPMENT

Origin

Hartford, with a population of 165,000 in the core city and more than 250,000 in the area of primary interest for low-cost housing, has undergone a central core transformation from slum-ghetto to a modern high-rise business complex. In the process, displacement of core-area residents created a housing problem not uncommon in an urban renewal program.

It was dislocation of families from the Constitution Plaza area which brought low-income housing needs forcefully to the attention of Hartford business leaders. But the housing problems of Hartford went far deeper. Census studies released in the early 1960's showed that 8,500 of the city's 57,000 housing units were sub-standard, and that significant numbers of these poor units were located in three areas of the city heavily populated by minority groups.

These statistics were not available when the Constitution Plaza program began. Until 1960, census enumerations divided housing into two major groups: "sound" or "dilapidated." There was no broad category for units falling into disrepair, which are now classified as "deteriorating." Yet, there could be little doubt of the general trend of housing conditions, especially among units within rent or price ranges available to lower income groups.

Early chamber action—phase 1

In 1956 the executive staff and business leadership of the Greater Hartford Chamber of Commerce sensed the potential impact which could result from a "housing backlash" if the business community did not assume an active role in assisting to solve this problem.

Its first actions were to form a Chamber of Commerce Housing Committee with a primary purpose to study and devise ways in which local business, through Chamber leadership, could expand the number of available housing units for minority groups.

The Committee recommended Chamber sponsorship of a 40-unit rental project called Twin Acres. This project, completed in 1959 to house a portion of the people displaced by Constitution Plaza, was the first integrated housing development in the region and continues so today.

In this instance, the Chamber was the non-profit sponsor and actually set the pace in the greater Hartford area for this housing form which made use of 100 percent permanent federal financing. While an initial $1,000 was put up by the Chamber as "seed money"—later reimbursed—no other financial contributions were made.

The 40 units were constructed just south of the downtown area for $10,000 each with rents established supposedly consistent with the market. When offered for rent, however, the units found few takers. Initial costs were too high. Rents were lowered to be consistent with other comparable rental properties in the neighborhood, and receipts just matched requirements for interest and principal. Therefore, no maintenance accrual fund was possible.

As a result, a request has recently been made to FHA for a three year abatement of principal payments in order that money can be channeled to repair and rehabilitate the units.

Land for this project was obtained from the City of Hartford on a 50-year lease arrangement with annual payments in effect being equal to annual taxes on the property.

From this first exposure, the Chamber was beginning to realize that specialized talent was essential to assure successful minority housing projects, or, for that matter, any housing development.

Early chamber action—Phase 2

However, from the Chamber's recognition of its local short and long-term housing problems, coupled with a mild success and its continued desire to provide a much needed helping hand, it pushed into new areas.

In September, 1963 the Housing Committee began studying ways to rehabilitate rundown or dilapidated units. It founded a nonprofit corporation, Hartford Renewal Housing, Incorporated, in which members of the Housing Committee were officers and directors.

This rehabilitation experiment involved two three-family houses located on different streets north of the downtown area. As is the case in most rehabilitation efforts, the final cost per unit was excessive in comparison to the rental charges which could be placed on these units. The result is a continuing uneasy financial position for the Chamber's non-profit group to add to the already established indebtedness of $10,000, which has accumulated since rehabilitation of these six units began in 1964.

The main trouble stemmed from the fact—clearly visible in hindsight—that the units to be rehabilitated were bought at a price higher than justified for sound economic recovery.

Again, the Committee found that in rehabilitation work, a very special expertise is essential to anticipate the unforeseen. At the time, the Chamber's Housing Committee did not have such talent in its employ.

Out of these almost experimental attempts by the Greater Hartford Chamber of Commerce to provide a more favorable housing climate came a keener awareness that the Chamber should enter such complicated programs as low-cost housing with great care.

It fully realized at this point that to be successful in the minority housing field requires more than just a recognition of the existing problems and the intense desire to solve them.

HOUSING SURVEY COMMISSIONED

Undaunted by its experiences but nevertheless more aware of its shortcomings, the Housing Committee of the Hartford Chamber next examined the possibility of establishing an affiliated group with paid housing experts to more effectively and efficiently reach its objectives.

News reached the Committee in late 1964 that the Ford Foundation was providing the ACTION Council for Better Cities (now Urban America, Inc.) grants for making studies of the feasibility of establishing local development funds. The Chamber applied to ACTION for assistance, and a study of the Hartford housing complex resulted. (To obtain this study, the Chamber advanced $2,000, and $8,000 came from a Ford grant. Both amounts have since been reimbursed by the Greater Hartford Housing Development Fund, Inc., which emerged.)

CRUCIAL HOUSING NEEDS IDENTIFIED

The ACTION survey produced many usable operating details and recommendations valuable for the management of low-income housing efforts. Perhaps none of the results was more meaningful than the recitation of housing needs of Greater Hartford, which gave to Hartford leaders a perspective they needed to see housing as more than a momentary problem of displacement by urban renewal projects. Eight key needs were identified as follows:

1. Need of Better Housing Opportunities for Low and Moderate Income Families.—The city of Hartford has a high concentration of low and moderate income families. Yet, the supply of housing available to these groups is shrinking, and its general conditions are deteriorating in the absence of a steady flow of new construction. Unless some force is provided to seek out and develop resources for such development, this trend will continue.

2. Relocation Needs.—In order for the urban renewal program to proceed in an orderly fashion, the supply of housing for families of low and moderate income has to be increased. Between 1965 and 1985 a total of 7,000 families, or 300 to 400 per year, are to be displaced through private renewal activity and code enforcement. The need here is especially acute for families with incomes below $6,000 per year.

3. Housing for Minority Groups.—The non-white population is handicapped in finding adequate housing. Yet, this segment of the population is increasing within the City while the overall population level remains static. Furthermore, the income levels of non-white families are improving, providing a rising potential for good housing.

4. The "Golden Age" Population.—Every tenth person in the city is over 65 years old, and the share of the total population above 65 is on the increase. There is a need for better and more modern facilities to house older people.

5. A Need to Foster Home Ownership.—A better balance is needed in Hartford between owner-occupied and renter-occupied units to stabilize neighborhoods. The home ownership ratio in the city was only 25 percent in 1960 as compared to the metropolitan area which had an average of 60 percent.

6. Need to Husband the Small Land Reserves.—Land in the city of Hartford is in short supply, and its price is high. Future land requirements are probably underestimated, and the need for a forward looking land development policy is acute.

7. Need to Influence Design.—Lack of good design, particularly in lower cost housing and more particularly in rental units, is more than readily evident. Poor design leads to economic obsolescence long before age alone requires reuse. Some influence in this direction is mandatory for the long-range benefit of present community investment.

8. Need for Technical Assistance and Management Services to Non-Profit Housing Sponsors.—Probably no single aspect of low-cost housing provides more difficulties to sponsors, FHA and FNMA than less-than-professional management and lack of responsible involvement subsequent to construction. Many projects are conceived upon individual initiative, with or without a vested interest, in which a non-profit group acts as sponsor, in good faith, in order to achieve lower cost housing. Too frequently this leaves the sponsor, often without funds or adequate knowledge, with a poorly planned or managed project—too small for total efficiency and subject to defects because of improper planning. FHA is no panacea for all these ills; it cannot and does not control the initiating forces or motivations; nor can it select (but only passively approve) management.

Based on these analyses of housing needs, the key recommendation of the report was that the housing ills of Hartford could best be cured through the mechanism of a housing development fund.

Recommendations of the ACTION study were carefully reviewed by the Housing Committee of the Chamber, with the participation of others from the local housing and minority communities. These groups agreed that a development fund would provide the needed expert body to initiate and guide housing projects within the Hartford area. (Specific recommendations are contained in Exhibit B.)

The fund is created

The Greater Hartford Chamber of Commerce Board of Directors on December 8, 1965 unanimously adopted its Housing Committee's recommendations to create what is now known as the Greater Hartford Housing Development Fund, Inc. To make this Fund as viable as possible, the Board suggested a minimum starting pledge of $1.5 million be obtained from the local business community. The Fund was incorporated in January, 1966 as a non-profit organization. (By-Laws are reproduced in Exhibit C.)

With the appointment of officers and directors (most of whom were executives of insurance companies and banks), and its incorporation completed, the next step was raising a skeleton budget and securing long-term commitments of funds. Arthur J. Lumsden, Chamber president and chief executive, sent a letter to executives of 25 key firms detailing the purpose of the Fund, how it would be capitalized and other related information. (See Exhibit D.) An immediate $75,000 was requested as a loan or grant for the initial operating budget, to launch the program and to develop the necessary information to determine the scope and size of the ultimate program. The advance was to be credited to and made part of the subsequent loan commitment to be requested later. While this initial organizational capital was requested either as a grant or as a non-interest-bearing three-year loan, subsequent commitments were for a term of 10 years and provided for an interest payment, but only if the Fund earned a return.

The $75,000 initial operating capital was obtained readily, which enabled the Fund's Personnel Committee to retain the services of an executive director. The man selected was one whom they felt could bring experience, capability and drive to the Greater Hartford Housing Development Fund. Offices for the Fund were opened in the Chamber's Constitution Plaza complex so that Lumsden could easily counsel with the Fund staff.

By August, 1966 a comprehensive prospectus describing the purposes and goals of the Fund was completed. The chairman of the Greater Hartford Chamber of Commerce and the Greater Hartford Housing Development Fund jointly signed a letter (see Exhibit E) to each officer and director of the Fund (see Exhibit F for current officers and directors) requesting commitment of funds toward a goal of $1.5 million. The amount requested was roughly proportionate to the company size and importance to the community. Other firms were approached on a personal basis, using the prospectus as a primary selling tool.

Nineteen out of 25 companies pledged $1.3 million within a week. It is said that the Fund could easily raise another $2 million. Unlike many non-profit institutions and foundations, the Fund did not request grants or gifts, but instead sought 10-year loans on which interest is to be paid only if any surplus is earned by the Fund. This approach was readily accepted by the Hartford business community.

THE HOUSING DEVELOPMENT FOUNDATION IS ADDED

Some companies preferred to lend from company foundations rather than making direct loans of corporate funds. As a condition of commitment, these foundations required that the loan (which become a donation) go only to a corporation qualified under Section 501–c–3 of the Internal Revenue Code.

Commitments of $130,000 were offered to the Fund on condition that an instrument thus qualified be available to receive the loans. Directors of the Fund then chartered the Greater Hartford Housing Development Foundation. Officers, directors and staff of the Fund serve the Foundation as well.

The Foundation's capital will be used in high risk situations dealing only with other organizations qualified under Section 501–c–3 (Exhibit G contains Foundation By-Law Articles differing from Fund By-Laws).

PROGRAM OPERATION

Basic approach and income sources

During its first 30 months, the Greater Hartford Housing Development Fund has grown from an idea into an operating agency with 20 projects in some stage of development by 14 different non-profit sponsors.

The Fund is designed to become entirely self-supporting in time from interest and consulting fees charged sponsors for the use of money and staff. Fees can range as high as two percent of the total permanent loan, but will normally be the amount permitted by the Federal Housing Administration. In some instances the Fund will guarantee loans, rather than supply loan funds. A break-even point should occur after the first two to three years of operation, and the Fund is expected to reach a surplus position later this year. As this surplus grows in future years, the Fund will be in a position to retire the loans pledged by the local business community and to expand its housing efforts.

Scheduling and staffing

Among the 20 projects being processed, one is complete—the 52-unit Vinewood Project of cooperative housing for sale. Vinewood was started with ground-breaking ceremonies in the spring of 1968. Land was purchased on the open market. It is the first cooperative housing project using FHA's 221-d-3 below market interest rate program in the Hartford area. Average cost per housing unit will be approximately $15,400; units can be purchased with a cash down payment of $375 for a two-bedroom unit and $475 for a three-bedroom unit.

The pace of work in Hartford should illustrate that progress at the outset of a development fund is likely to seem slow. Formation of the fund requires care, and the projects of the fund demand painstaking, step-by-step action. The time from conception of a project by the sponsor to groundbreaking may well exceed 18 months. Construction time may equal or exceed this span. The progress of the Hartford organization, therefore, should be judged more by the 1,715 units in various stages of processing than by the units completed.

The Fund now has a staff consisting of an executive director, two assistants and a secretary. The staff and office budget is currently $64,000 and will be raised to $85,000, which is considered to be an optimum budget to process the current and anticipated future activity of this development fund.

Unexpected dividend

When the 52-unit Vinewood Project was being advertised for construction bids, the Fund office received a call from an NAACP officer demanding that at least 25 percent of the workers thus employed be Negroes. Under the bidding procedure this was impossible. However, Fund leaders sought out a group of qualified Negro bricklayers who were willing to incorporate themselves into business. The Fund provided organizational expertise and was instrumental in easing credit problems for the newly-formed group. They were the successful bidders for the brick work of the Vinewood Project and have since obtained another contract. A similar situation involved an under-capitalized Negro paving and hauling subcontractor, who, with the guidance of the Fund, is now firmly established and is also involved with the Vinewood Project.

PROGRAM EVALUATION

Key factors in success

1. An alert business organization. The Greater Hartford Chamber of Commerce staff and business leadership have shown exceptional creativeness and vigor. The Chamber took the leap into low-cost housing at a time when few business organizations were willing to do so. As early efforts were evaluated, approaches shifted and continued to attract business support for meeting a major need of the city.

2. Commitment of business leaders. Hartford's leaders furnished the operating capital by large loans and by substantial outright gifts. These make action possible. The business community backed up its staff leadership and continues to do so.

3. Use of consultants. When it appeared that outside experts would be able to spot potential pitfalls and to contribute to ideas for progress, Hartford's leadership was willing to bring them in to pinpoint the true nature of the Hartford housing problem and to help propose ways of meeting the need.

4. Determination and perseverance. Several times in early experience of the Chamber Housing Committee there seemed to be ample reason to pull out of further direct housing efforts. Instead, the early goal of providing relocation housing for families dispossessed from Constitution Plaza grew into a broader concept of the Chamber's role in the total housing field. Experience pointed the way to improving early approaches and understanding, on which a better system developed.

Lessons to be learned

Need No. 1: Staff housing expertise. Until Hartford leaders appreciated the highly technical nature of the position of housing staff executive and acted to secure such expertise, progress proved difficult to achieve. The following condensed job description illustrates some of the characteristics desirable in a housing fund chief staff director:

"The executive director of the Housing Fund works with non-profit groups on the development of various types of housing, including low income, middle income and housing for the elderly under the various FHA and Community Facilities Agency (CFA) housing programs. He has responsibility in developing feasibility analyses, consulting with sponsors on their social and economic goals and advising them as to how to attain their goals. He is responsible for long-range financial planning, both in the developing of funds and directing the proper use of these funds. His work includes preparing documentation for applications to Federal agencies and to local urban renewal agencies, and following up on these applications. He works with the large church denominations and with minority groups. He has responsibility for the development of financially and socially successful programs of the sponsors with whom he works. He needs to be familiar with basic legal concepts of the work and to collaborate closely with the sponsor attorney."

Need No. 2: Accurate cost projections. This involves "anticipating the unforeseen" and means the difference between a workable proposal and a financial burden. Rehabilitation housing is especially subject to faulty estimating.

Need No. 3: Available land, properly zoned. There will be continuing demand for low-cost housing near the core of large cities where virtually no undeveloped land exists. Ability to deliver finished housing units at marketable prices may hinge on securing land (or shell buildings for rehabilitation) at realistic prices. This becomes an extremely difficult matter if any sizable impact on housing needs is the aim of a local effort. The Hartford Fund is authorized to "bank" land for future development.

Need No. 4: Relocation housing. One benefit of combining new construction and rehabilitation is that families can be cared for without long delay or double moves. The Vinewood Project, for example, meshed with plans for rehabilitating other homes in the same neighborhood. It can be used as relocation housing for families temporarily displaced by the rehabilitation process; or, under other circumstances, such units can be part of a general inventory of housing and be used as needed.

Need No. 5: Pacing of projects undertaken by a fund. Demands upon staff resources vary from time to time during the course of an individual project. It may become crucial to a smooth flow of project completions to schedule the projects so that peak staff needs on one project do not coincide with peak needs on another. The number, rather than the size, of projects is controlling.

Not Needed: Publicity. Little press coverage has been given the housing efforts of the Greater Hartford Chamber of Commerce over the years. Since the Chamber has had excellent communications with the key leaders of the community, little additional good could come from publicizing housing fund work. Only the production of livable, attractive units can help, and there are few ways publicity contributes to this goal. Housing problems are resolved only with difficulty and with passage of time; publicity on objectives and long-range plans is more apt to stir impatience than praise.

Transferability

Hartford has behind it many years of careful study and determined effort in low-income housing. Throughout this time there has been guidance by a well-managed, well-financed and highly respected Chamber of Commerce. There is every reason to expect that the Fund approach will materially improve the city's housing conditions. Yet, another city following Hartford's pattern may fall short.

A housing fund is one approach to better housing, but only one. Leaders considering this approach may well put high priority on understanding just what this type corporation can do with a given capitalization and staff. In Hartford a $1.3 million capitalization with one staff executive and two assistants is expected to handle between 12 and 15 projects per year. This would vary from one locale to another. However, a 10-unit project requires almost the same staff service as a 200-unit project, so scaling down the Hartford pace should be done on a project, rather than a unit, basis.

Local steps of critical importance (not necessarily in order) include these: Determine housing needs. Decide how much of the need to meet and how fast. Explore capability of a fund. Set realistic operating structure and timetable. Secure professional guidance in consultants and staff.

WISCONSIN FIRM HELPS MAKE APOLLO PROGRAM A SUCCESS

Mr. NELSON. Mr. President, behind the recent and successful Apollo lunar flight are the efforts of thousands of persons whom in one way or another contributed to this spectacular occasion. One significant contributor was the AC Electronics Division of General Motors. This fine company a valuable asset in Wisconsin designed and manufactured the guidance and navigation system used in the Apollo 8 spacecraft. This was an important achievement in the technology of space exploration, and a forerunner of future capabilities necessary to even greater flights.

I ask unanimous consent that the two following articles from the Milwaukee Journal of December 27, 1968, and the Milwaukee Sentinel of December 28, 1968, be inserted in the RECORD at this point to testify to the feat which was accomplished by AC Electronics in producing a system of such sophisticated precision and accuracy.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee (Wis.) Journal, Dec. 27, 1968]

AC'S APOLLO SYSTEM RIGHT ON TARGET

"The benefit with a good on-board guidance and navigation system is that you can go anywhere in space you want. We have that system now."

The Brookfield man talking heads the crew of about 500 engineers who conceived and perfected the navigation system which took Apollo 8 to the moon and back.

Hugh Brady, 44, Apollo program director for AC Electronics in Oak Creek, selected his words carefully. Quietly, he told what had happened during the past seven days. But he was plainly thinking about other things—

perhaps just realizing some of the most significant events of the flight.

"We've been wondering just how well we could navigate in space," he said. "No one has ever taken star sightings on the way to the moon. We can zero in on Mars, any planet, and get there."

The dramatic story began May 30, 1962, when AC was awarded the national aeronautics and space administration (NASA) contract to design and develop a guidance and navigation system for use in spacecraft. The system progressed from that used in the Polaris missiles and was technically perfected two years ago. But it never had a chance to really prove itself until the Apollo 8 flight.

What cheered the Milwaukee area technicians was that on the flight from earth to the moon, on the moon orbits and on the trip back to earth, only three minor navigation corrections were required while seven were anticipated.

"It was quite a thrill," Brady said. He lives at 3460 San Marcos dr.

In all, 3,000 people have worked on the AC guidance system—500 engineers and 1,000 skilled laborers at the Oak Creek plant and another 1,500 doing subcontracting work in other cities. The perfected package weighs 300 pounds and includes 40,000 working parts.

The main components, besides computers, ~~includes~~ a sophisticated celestial navigation ~~device of~~ electrically controlled mirrors and optical instruments. Then there is a stabilized gyroscope platform inside a series of three rings called gimbals. No matter which direction the spacecraft moves—even if it rolls over—the platform always remains in the same position. From this, any craft movements are detected, or controlled, and precision courses set accordingly.

The system also includes computer controlled devices for split second engine burning and stopping—extremely necessary for changing the course of the craft at the right moments.

Since early in its space program, AC has had personnel stationed in the key places—at Cape Kennedy, Fla., at the space center in Houston, Tex., and at Downey, Calif., where the Apolla 8 craft was built by North-American Rockwell Corp.

John Kaiser heads the AC team in California. Frank Dasse is the head man in Florida. Kenneth Korth heads the AC laboratory in Houston.

"Some of these people have been away from Milwaukee a long time," Brady said. "Some as long as four years."

Everything that AC built for Apollo 8 has been duplicated at the Oak Creek plant. The plant also maintains continuous direct contact with Houston and monitors everything from the mission control center there.

When the launching began, AC sent a home team to Cape Kennedy and to Houston. The firm held two seats in the Houston mission control center, occupied by Brady and B. Paul Blasingame, general manager of AC Electronics. Richard Precourt, another former Milwaukeean, was in the direct support room which supplies instant information to mission control. Another team operated out of an engineer support room. They had complete access to all data returned from the spacecraft.

KEEP CLOSE WATCH

The AC personnel in Houston monitored an intricate communications system for continuous surveillance of the spacecraft. There were questions to be answered and problems to be solved.

"Just before the launching," Brady said, "someone got worried about whether command pilot Frank Borman could reach a certain switch, a switch that affected the craft's cooling system.

"We calculated on the spot that he could reach the switch, but we checked in our lab here to see what would happen if he could not. Our reply was that there wouldn't be any serious problem. It developed that he could reach it all right."

"We had a lot of worried times. You have to realize that we have over the years seen a lot of other systems blow.

"Normally, we expect to make a few navigation corrections but this time we only had to give the OK to go ahead with each step. Very few corrections were necessary.

"We were primarily responsible for keeping an eye on everything," said Harlan S. Neuville, 37, of Oconomowoc, an assistant engineer and group leader in the engineering support room at Houston.

"If I needed some aspect or detail, I could get it instantly. It was a matter of very religious attention to details. We filled out an hourly report and passed it up the line. They would ask how it was going and we would say, 'Great.' "

"Everybody was extremely well pleased with how well we could navigate," Neuville said.

Brady said that had any aspect of the navigation system proved faulty, there probably would not have been any great danger to the crew because the flight was backed by a ground control radar system. But in longer, future space flights a ground control system will be unreliable, Brady said.

"It would have made the mission more difficult and taxed the crew," he said. And he conceded that the navigation system's accuracy prevented possible chaos. Without it, Apollo 8 might have missed the narrow corridor necessary for re-entry into the earth's atmosphere. Instead of landing 5,000 yards from the pickup aircraft carrier, it might have landed many miles away.

FIRST BURN VITAL

"Our greatest danger was the first engine burn behind the moon when we first got there," he said. "If the burn control had not been just right, we could have impacted (hit) the moon."

Each engine burn of the spacecraft was precision controlled by the AC system. While accurate navigation for going in the right direction at the right moment was of critical importance, there was another serious concern.

"Our biggest danger would have been if we had let the engines go until they burned all of the fuel," Brady said. "Then re-entry to the earth would have been a problem.

"With all of our data, checking and cross checking, we realized in the end we were relying on the fact that the equipment was all right anyway. Thank God, the guys who built it built it right."

[From the Milwaukee (Wis.) Sentinel, Dec. 28, 1968]

WHAT NEXT AT AC?

The AC Electronics division of the General Motors Corp. became GM's glamour unit Friday, stealing the thunder from the automotive and design divisions.

The division's complex and sophisticated guidance and navigation system, operated by Astronaut James Lovell, was a major factor in the success of the lunar exploration and the accuracy of the splashdown in the Pacific ocean.

But what now for AC, with the end of the Apollo program in sight and the National Aeronautics and Space Administration budget a big question mark?

"After Apollo, it's up to you people who pay the taxes," said Hugh Brady, AC's Apollo program director.

AC was commissioned in May of 1962 to design and develop the guidance and navigation system which would permit NASA astronauts to chart and steer a course through the stars. At the peak of the program, about 1,500 AC engineers, and technicians were involved in the program.

Another 1,500 persons are employed by principal subcontractors.

While the federal government has not yet decided the future of the space program, once the moon is reached and explored, General Motors has found plenty of work for the technicians who built the guidance and navigation hardware for the trip.

Most of the manufacturing responsibilities have been completed, according to William Nelson, manufacturing superintendent at the AC Electronics plant in Oak Creek. Many of the persons involved in the Apollo program will stay on to the end—in support and advisory capacities at Cape Kennedy, the NASA space center at Houston, Tex., on Long Island, where Grumman Aircraft is building the lunar equipment module (LEM), and at Downey, Calif., where North American Rockwell Corp. builds the space vehicles and command capsules.

The balance of the Apollo workers at the plant here have been diverted to the manufacture of the guidance and navigation systems for the new Boeing 747 super jets. The highly sophisticated system will be the first ever used in commercial aviation and will compute all the navigational information needed for jet flights.

"We can't turn them out fast enough," Nelson said during a tour of the production facilities here Friday.

The guidance system for the jetliners actually is a scaled down copy of the automated system used by Lovell during the lunar mission, but the keyboard control unit is a part of the guidance system itself.

The systems are shipped from Milwaukee to the Boeing plant in Seattle, where the 747s presently are in production, and directly to the airlines themselves, Nelson said. Most of the major international air carriers have ordered the planes, and most are ordering the AC system, too.

"Pilots tell us they love it; they can't say enough about it," Nelson boasted.

In the space program, much of the guidance and navigation system can be salvaged and used again, Brady noted. Ample equipment for the duration of the Apollo program is at Cape Kennedy.

But Brady isn't ready to write off space exploration, and AC's role in it.

"With this equipment, you can go to Mars," he said.

"But don't forget," quipped Harlan Neuville, group head of Apollo Systems engineering for AC, "on a trip to Mars, you're talking about a support crew on the ground for 18 months."

Brady was elated by the smooth function of the guidance and navigation system during the lunar trip.

"We've been wondering just how well we could navigate in space," he said. "Now we know. We can go anywhere we want."

The G. & N. system brought the spacecraft through re-entry to within 6,000 yards of the aircraft carrier Yorktown.

"It was as accurate as you can ever expect a landing to be," NASA officials observed.

APPROPRIATE TRIBUTE TO SENATOR FRANK CARLSON

Mr. PEARSON. Mr. President, for myself and in behalf of my colleague Senator DOLE, I wish to note on December 3 and 4, 1968, Kansas State University conducted a highly successful international conference on world population and food supply. It is most appropriate, I think, that Kansas State chose to designate the conference as the "Senator Frank Carlson Symposium on World Population and Food Supply." For as all of you know our former colleague has had a long career as a statesman with distinguished service in international affairs, especially in the fields of world agriculture and economic development.

Former Senator Harry Darby served as chairman of the national committee of leaders in industry, agriculture, and government in sponsoring the symposium. Senator Darby opened the conference with a fitting tribute to Senator Carlson and I ask unanimous consent that this excellent statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Remarks by Harry Darby, Former U.S. Senator From Kansas at Testimonial for Frank Carlson

Thank you very much President McCain. I appreciate the introduction. I'm proud to be associated with all of you in this Symposium on World Population and Food Supply and especially I'm proud to be associated with Dr. McCain at this Kansas State University because there's much work to be done here at K-State and all the other colleges and universities in the whole agricultural structure of the nation.

I'm glad I'm here and, of course, I'm proud of this opportunity to talk about Senator Carlson. This is a very natural thing for me to do because anyone can make a talk about Frank Carlson. He's the one person you can make a speech about and tell publicly everything you know about him. All of you have no doubt noticed in the press and in your programs that this annual symposium has been set up in honor of Frank Carlson, our former Congressman, former Governor and now our Senior United States Senator.

This is a real honor for him and one that he richly deserves—he has had a very distinguished career of public service to our State and Nation. And in speaking of his public service we could say that some may equal but none will excel him.

The subject areas of this symposium have always been of deep concern to Frank Carlson. He's a farmer and stockman in his own right and he has been in that phase of producing and marketing agricultural products during his entire lifetime.

On full reflection I doubt that any man will exceed Frank Carlson's service as a Christian leader, State legislator, Congressman, Governor, United States Senator, Farm leader, Youth leader, business, civic and political leader.

He has been recognized in Congress as one of the experts on agriculture.

One of our most distinguished guests, United States Senator McGovern from South Dakota has said that Frank Carlson has always been keenly and constructively interested in the development and promotion of programs which would better the situations of the American farmer and all Americans. Whenever the Foreign Relations Committee had a matter dealing with grain—as they have had every year—Frank Carlson has been the man that led the discussions.

We're so pleased that Senator Carlson is so vitally interested in agriculture—especially the grain and livestock industry—because they are the backbone of our economy here in this entire Midwestern area. He knows a lot about agriculture—he should, he was born and raised in it. He has lived close to the soil so he knows the problems of the man that works in it with his hands. He has owned and operated a farm near Concordia, Kansas, since 1914. This has given him an insight to the problems of all those engaged in agriculture. He knows of the great benefits that come to all the people from agriculture and this is the one great big reason he has worked so hard to improve it.

Frank has helped tremendously in the work of the 4–H Club boys and girls and the work of the Future Farmers of America. He realizes that these organizations are great character building organizations and should be supported by all of us and he realizes like we do too that they are business organizations as well.

They are very good for our economy since they encourage our young men and women to stay in the country, raise better livestock and practice farming. We can be glad that the future of agriculture is in the hands of these fine young people. And then through education and self-reliance, these organizations keep agriculture free and strong and reduce juvenile delinquency.

All of us remember Frank Carlson as one who has gone through all the chairs, so to speak. He's been a member of our State Legislature. He was elected and re-elected to Congress, elected and re-elected Governor, and elected and re-elected to the United States Senate. He ranks as one of the most influential members of the most important committees in the United States Senate. He wouldn't say so nor would he have us know it especially but actually the committees run the United States Senate so his seniority has paid great dividends.

Kansas has had many distinguished leaders such as President Eisenhower and Vice President Curtis but Senator Carlson is the only Kansan to serve as Congressman, as Governor and as a United States Senator. He served as Chairman of the Interstate Oil Compact Commission in 1949. He was elected Chairman of the National Governors Conference that same year. He served as Chairman of the Council of State Governments in 1950. He's one of the original boosters and close friends of President Eisenhower. He had lots to do with his election to the Presidency and he had plenty to do with the outstanding record that Eisenhower made as President of the United States.

Senator Carlson attended Kansas State University and received an Honorary Doctor of Laws degree from here and from many other colleges and universities.

He received Honorary Doctor of Laws degrees from Bob Jones University, Springfield College, William Jewell College, St. Benedict's College, Ottawa University, Southwestern College and Washburn University.

Frank Carlson is upright in all his dealings with people. A strong believer in prayer, he's the lay reader in the Senate. He's president of the International Council for Christian Leadership and he furnished the leadership and is responsible for the many prayer breakfasts held throughout our land. He has presided over Prayer Breakfasts in Washington, D.C. attended by the many VIPs there, including President Truman, President Eisenhower, President Kennedy and President Johnson. No man has ever done more to promote the true spirit of Christianity. Frank Carlson is a humble, sincere man and a devout Christian—a Christian gentleman, if you please.

We have had many Frank Carlson successes and every time they were of great benefit to our economy and to the people. Through all this Frank Carlson has been modest, quiet, always fair, just and understanding—indeed absolutely without any vanity whatsoever—always trying to hide his light under a bushel.

One person responsible for these successes to a very great extent is Mrs. Carlson—Alice. In my opinion she's an ideal marriage partner for Frank Carlson's way of life. She is smart, charming, gracious and a very lovely lady in every respect at all times. She has been a wonderful friend and cooperator with all of us.

Another incentive to Frank, I'm sure, has been his daughter, Eunice. She is lovely and charming like her mother. She has a lovely family and, after all, there's no one as important as a pretty girl—especially when she's the daughter of Mrs. Carlson and the Senior United States Senator from Kansas.

We salute Senator Carlson tonight as one of our most honorable citizens. He has a tremendous interest in humanity. He knows about the problems of world population and wants to help with the right kind of food supply. He has served the people of this Nation and especially the American farmer with an understanding head and heart.

I imagine all of you would think that Frank is entitled to a few minutes for rebuttal so at this time I am privileged to present our capable and distinguished Senior United States Senator from Kansas, the Honorable Frank Carlson.

THE PURSUIT OF MILITARY SECURITY—THE POWER OF THE PENTAGON

Mr. YOUNG of Ohio. Mr. President, in his farewell statement to the American people, President Eisenhower warned the Nation of the immense power wielded by the military-industrial complex at all levels of government. The rapid ascendancy of the military-industrial complex today poses one of the most critical problems facing our country as the United States attempts to set its course for the remainder of this century.

Spending well over $80 billion of taxpayers' money each year, the Defense Department is, to a large extent, beyond the control of the Congress. The fact is that officials of the Department of Defense manage what could be called the third largest planned economy in the world, exceeded only by the Soviet Union and Communist China. As military expenditures mount, the Defense Department has had an increasingly greater influence upon both our foreign and domestic policy. Also, through the granting of millions of dollars to colleges and universities in the form of research grants, the Pentagon exercises an enormous influence on our academic institutions.

Mr. President, in the December 21, 1968, edition of the Saturday Review there appeared a brilliant analysis of the power of the Pentagon by the distinguished senior Senator from Minnesota (Mr. McCarthy). With his usual soundness and clarity of thinking, Senator McCarthy lucidly describes the effect of that power on our policies both at home and abroad. He clearly points out the fact that it is high time to curb the power of the Pentagon in the policymaking process. I ask unanimous consent that his article be printed in the Record at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Pursuit of Military Security—1. The Power of the Pentagon

(By Eugene J. McCarthy, U.S. Senator from Minnesota)

The military-industrial-academic establishment in America is rapidly becoming a kind of republic within the Republic. Its influence, as President Eisenhower warned eight years ago, "is felt in every city, every state house, every office in the federal government." Since he spoke, the situation has become more serious, more dangerous. The budget of the Defense Department has almost doubled—from just over $40 billion to about $80 billion a year. With military missions in many nations of the world, with its own intelligence operations that include eavesdropping ships such as the *U.S.S. Liberty* and the *U.S.S. Pueblo*, with its own business of selling billions of dollars worth of arms—for cash or on credit—all around the world, with its involvement now in "civic action" or "nation-building" in many of the underdeveloped countries, the Defense Department has become perhaps the strongest independent power in world affairs.

Defense Department actions are to a large extent beyond the effective control of the Congress. There is no conspiracy. Rather, the influence of the military in American life today is something that has happened to us almost without critical judgment and without real evaluation of the process.

The Defense Department spends much of its $80-billion-a-year budget in direct procurement here at home. As the military budget has climbed, the Defense Department has had greater and greater influence upon our foreign policy, upon our domestic policy, and upon the educational institutions of the United States. If it had a significant influence on only one of these, we would have cause for concern; as it has considerable influence on all three, we need to be triply concerned.

Increasing militarization of our foreign policy has been evident in recent years in our growing readiness to respond in military terms to problems around the world which may or may not be susceptible to military solutions. We sponsored an invasion of Cuba in 1961. We intervened, in violation of treaty commitments, by sending troops to the Dominican Republic in 1965.

Most serious of all is our involvement in Vietnam. The history of how and why we have come to have, as we do today, more than a half-million American combat troops bogged down in Southeast Asia is long and complex. Yet if there was one crucial decision which set the course more than any other, it was the decision to commit American troops to try to impose a military solution in a country where the problems are chiefly political and social. The Administration has long protested that the real war is "the other war," that the civilian pacification program, or whatever name it may happen to be called at the moment, is one of the greatest importance to the outcome of the struggle in Vietnam. But even the civilian pacification program was turned over last year, presumably in the name of efficiency but without notable result, to the military.

The tendency to look at political problems in military terms was largely responsible for getting us into Vietnam. It is also responsible for much of our difficulty in getting out. Until President Johnson's decision to end the bombing of the North and to agree to National Liberation Front participation in the Paris talks, the United States apparently clung to the hope of military victory. We were not therefore seriously interested in a negotiated settlement.

Several incidents illustrate the confusion of roles between the military and political. On April 28, 1967, the then military commander in Vietnam, Gen. William C. Westmoreland, spoke to a joint session of the House and Senate. At that time, I questioned the appropriateness of having him speak to the Congress on two grounds: first, because it made Congress a captive audience for the presentation of a position on Vietnam which was well known, but which was at the same time highly controversial. Second, I expressed grave reservation about using a field commander on active duty as an instrument to make a case which is not only military but also political.

Later in the year, General Westmoreland again returned to the United States and appeared on TV with our Ambassador to South Vietnam, Ellsworth Bunker, in an attempt to justify and defend the effort in Vietnam. I believe this use of a military commander in what is essentially a public relations capacity was contrary to the tradition of subordination of the military to the civilian authority, and of military judgment to political judgment, on which this nation was founded.

Then on December 18, 1967, Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, claimed that dissent within the United States from the Administration's war policy encouraged Hanoi to hope for a change in that policy, and that this was the "most important factor in prolonging the war." Several months later, it was reported that the Joint Chiefs had been requested to sign a formal assurance that the American outpost at Khesanh, then surrounded by the enemy, "can and should be defended." The first part of that assurance is a military judgment; the second may be partially a military judgment, but the context in which it was given appeared primarily political. We ought not to concede a political role to the Joint Chiefs so easily.

In contrast, when General MacArthur publicly urged an escalation of the war in Korea, President Truman did not bring him home to appear before Congress or on *Meet the Press*. He removed him. And Robert Lovett, the civilian Secretary of Defense who favored keeping Korea a limited war, was not sent over to the World Bank. He was kept on the job.

As a member of the Senate Foreign Relations Committee, I have seen growing evidence of subservience of the State Department and of the Administration to military determinations and judgments. This is sustained by what has happened in Vietnam and also by the decision to spend at least $5 billion on an anti-ballistic-missile system which former Secretary McNamara and President Eisenhower as well as many experts have admitted will add nothing to the nation's security.

It is sustained by what has happened on arms sales to developing nations. The Administration has lobbied harder for its arms sales program than for civil rights or for aid to education.

The Senate Foreign Relations Committee tried to put some limitations upon arms sales and arms distribution around the world in 1966 and 1967. We not only received no help from the Administration but positive opposition to our efforts. Despite that opposition, we set a limit of $25,000,000 on arms sales and distribution to Africa last year, and a limitation of $50,000,000 for Latin America. In opposing these limitations, the Administration claimed that the restrictions would seriously hamper our foreign policy in those countries, which, of course, is what we were trying to do.

Administration officials claimed that if arms distribution were limited, it would seriously interfere with military strength in Greece. That was shortly before the military coup in that country. Evidently the Greek military had enough arms to take over the country, but our State Department thought they would be short-handed without the additional military aid we planned for them. It was said that if we limited our arms aid to Turkey, people might lose confidence in our willingness to support NATO. The Administration said that it needed arms for Iran because of the unsettled situation in the Middle East, and added: "If we do not sell planes to Iran, they will probably go to the Russians for military equipment." We did sell the planes to Iran and within two or three weeks, the Iranians went to the Russians for additional military equipment anyway.

Much of our representation overseas is military. Apart from our troops in Europe and the Far East, in 1967, we had 4,681 military agents scattered throughout the world under our military assistance program. Whereas we consider very seriously whether we ought to have diplomatic representation in certain countries, and whereas we examine quite thoroughly the qualifications of ambassadors who are sent abroad when they come before the Senate for confirmation, the military aid groups, which may in some circumstances be more important (this has been true in some Latin American countries), are sent without any kind of formal Congressional examination. These officials often carry on without publicity and without public awareness in the United States, missions which have strong political overtones.

In addition to its influence in the international arena, there is growing and dangerous involvement of the military establishment in the domestic affairs of the United States. It is not necessary to accept the old argument that war production stimulates the economy. What is much more significant today is the particular interest developed in certain industries and certain areas of the country with reference to defense contracts and defense expenditures.

The $80-billion defense budget estimate for fiscal 1969 does not, for example, represent the full cost of defense activities for the year. Other defense-related expenditures include $4.4 billion for international programs, $4.5 billion for space research and technology. Another $14.4 billion is required for Government payment of interest—much of which is interest on debts arising from past wars—and $7.1 billion goes for veterans' benefits.

What are the effects on our economy of this enormous economic power? Sudden surges within the defense sector have certainly contributed to inflation. Defense spending can also be blamed, in large measure, for our balance of payments difficulties of the past several years. Not only has defense drawn away large numbers of workers from civilian activities, but it has also taken a proportionately large number of highly qualified personnel.

In fiscal 1965, the armed forces numbered 2,750,000, and they were supported by approximately 1,000,000 civilian workers attached to the Defense Department. Another 2,000,000 civilians were employed in private industry working directly or indirectly on supplying the military establishment. This was a total of 5,750,000, or 86 out of every 1,000 employed workers in the United States. By the end of fiscal 1967, this total was almost 7,500,000, or 103 out of every 1,000 employed workers.

Military technology has become very sophisticated, and the workers involved are, on the average, better paid than workers engaged in non-defense production. Last year, professional workers accounted for nearly 16 per cent and skilled blue-collar workers for 21 per cent of the civilians employed in defense work, in contrast with about 13 per cent for each of these groups in the rest of the working population. One out of every five of the nation's electrical and mechanical engineers in civilian jobs was employed on defense goods during the past year. The comparative ratio for airplane mechanics is two out of five and for physicists outside of teaching two out of five. These figures do not include the activities of the Atomic Energy Commission or the National Aeronautics and Space Administration, which are also defense-related.

Much of the defense sector of the economy consists of research and development. The federal budget for this year allotted some $7.8 billion to research and development for defense and another $4.5 billion to space. Since 1960, defense and space programs have amounted to about 54 per cent of the expenditures on research and development carried out in the entire country.

Defense-minded industries, notably aerospace, electronics, and communications, have become a major factor in the economy. While the technical competence acquired in these fields is beneficial to the economy, concentration on the defense sector has retarded growth in some other areas. Civilian-oriented laboratories or businesses have often been unable to match the salaries and the equipment that subsidized defense firms offer to scientists and engineers, and this has handicapped research and development for the civilian economy.

The third area which needs our attention is the growing influence of the military on education, with tremendous amounts going to colleges and universities in the form of defense-oriented research grants. Through these grants, the military can exercise great influence on science and technology in the United States. They can determine what research shall be carried out. More subtle, but perhaps more important, is the danger that the academic institutions may begin to tailor their whole direction and approach to court these research grants.

By establishing the criteria by which certain categories of students are drafted and certain others deferred, the military even influences the subjects our young people are studying in college today. In this manner, they are influencing quite directly the whole culture of America and the direction and tone of our national life.

In any society, there should be some institution—and hopefully there will be more than one—that stands in a position of judgment upon every other kind of institution. This was the role fulfilled by the medieval university in its dedication to the uncompromised pursuit of knowledge and truth. It is the role the university must continue to fulfill today. This is especially important when the problems which lend themselves to scholarly and academic review are as important to the future welfare of the nation as are the problems of today.

I hope that the people will bring some judgment to bear on the direction of the military complex, on the militarization of our foreign policy, and on the influence of the military upon our domestic life.

This is particularly important now because America is on the verge of becoming a great world leader. The question that we must decide—at least in part—is whether we will direct that leadership toward continuing a kind of militaristic policy, or whether we will attempt to blunt that thrust and to inject into American politics and into American government the acceptance and understanding of our true role: that this nation is not to make its record in the history of the world as a military power, but by demonstrating that all of those things that we claim for ourselves—the right to life, liberty, and the pursuit of happiness, and a basic belief in freedom and in the dignity and worth of the individual—are the real strengths of America and that these are the best gifts that we have to offer to the rest of the world.

DEATH OF JAMES W. BLANCHARD

Mr. TALMADGE. Mr. President, we received the saddening news over the past weekend of the untimely death of my warm friend and one of Georgia's most outstanding citizens, James W. Blanchard, of Columbus, Ga.

Mrs. Talmadge and I wish to take this opportunity to extend our heartfelt sympathies to Mrs. Blanchard and the entire family.

Jim Blanchard, president of the Columbus Bank & Trust Co., is a widely known and respected civic and business leader who devoted a major portion of his time and efforts to public service and community improvement. Jim Blanchard's untiring spirit of public service or worked with him. He was a great Georgian. He was my friend, and I join his was an inspiration to everyone who knew many friends and loved ones in mourning his passing.

Mr. President, there appeared in the January 13 edition of the Columbus, Ga., Enquirer a news article on Mr. Blanchard's death, and I ask unanimous consent that it be printed as an extension of my remarks in the Record.

There being no objection, the article was ordered to be printed as follows:

James W. Blanchard Dies of Heart Attack

James Walter Blanchard, president of Columbus Bank and Trust Co., and widely known in civic, business, industrial and military circles here and throughout Georgia, died at 5 a.m. Sunday.

As president of the Columbus Chamber of Commerce for two years, Mr. Blanchard helped mount and spearhead a vigorous program for industrial expansion in this area.

Mr. Blanchard, 55, died at his residence, 2632 Auburn Ave., following an unexpected heart attack. He had been ill for several months.

He was born on Feb. 4, 1913, in Augusta, a son of Mrs. Rachel Chapman Blanchard, of Augusta, and the late Walter Blanchard.

Other survivors include his widow, Mrs. Paloma W. Blanchard, and a son James H. Blanchard, both of Columbus; a brother, Russell A. Blanchard, and a sister, Mrs. Robert E. Anderson, both of Augusta.

Funeral will be at 2 p.m. today at the grave in Parkhill Cemetery with Dr. G. Othell Hand officiating. The family requests that flowers be omitted.

In 1967–68, Mr. Blanchard simultaneously served as president of three separate organizations connected with business, community and military development: Columbus Bank and Trust Co., Columbus Chamber of Commerce, and the Columbus-Phenix City-Fort Benning chapter of the Association of U.S. Army (AUSA).

Mr. Blanhcard was presented a national "AUSA Certificate of Achievement" last October in Washington for his leadership of the local chapter which won four top awards at the national conference. The chapter was presented awards for having the "Largest Overall Membership," "Most Active in Pursuit of AUSA Objectives," "Best Chapter Overall," and "Greatest Membership Input." The awards covered fiscal 1968 when Mr. Blanchard served the chapter as president.

With more than 20 years of voluntary Chamber of Commerce work, Blanchard spearheaded the two-year-old Build Columbus campaign, aimed at selling the city's assets and potential as an industrial and prosperous community.

In addition to serving for two years as the local Chamber's president, Blanchard served 10 years as a Chamber director. Also, he had served as president and director of the Chamber's Columbus Industrial Development Corp., and had served as chairman-director of the Industrial Development Committee.

Mr. Blanchard also had served as a director of the State Chamber of Commerce and as a member of its Industrial Development Council of Georgia. Mr. Blanchard was the only volunteer Chamber president in the state to be invited as a speaker at the Jan. 9, 1968 President's Conference program in Atlanta, under the sponsorship of the Georgia Chamber of Commerce Executive Association. His subject was "The President's Job as I See It."

In 1961 and again in 1963, he wrote special articles for the American Banker newspaper, calling attention to Columbus' potential growth as a port and industrial city.

He also served as chairman of the American Bankers Association's U.S. Savings Bond Committee in Georgia.

Mr. Blanchard came to Columbus from Valdosta on Sept. 2, 1957 to accept the presidency of The Columbus Bank and Trust Co.

He was instrumental in the local United Givers Fund campaign and he served in various positions: deputy general campaign director, chairman of the group solicitation division, general campaign chairman, director, first vice president, and president.

Other local positions he has held included: director of the Columbus Kiwanis Club; first vice president of the AUSA; president and vice president for the local YMCA; trustee of the Georgia Foundation for Independent Colleges; director of the Boys Club of Columbus; and vice president of the Columbus Clearing House Association.

A member of First Baptist Church here, he was an active leader in religious activities, serving as chairman of the finance committee, annual "Layman's Day" services and as a member of the board of deacons and leadership committee for stewardship drives. Dr. G. Othell Hand, pastor of the church, said of Mr. Blanchard: "In pastorates in six states, I have never known a more instrumental churchman, a man who could more effectively get the job done.'

In 1961, he was honored by the Georgia Bankers Association's Commercial and Installment Credit Committee with a special hand-written scroll for his leadership and contribution to the constructive growth of consumer credit in the commercial banks of the state.

Mr. Blanchard grew up in Augusta where he graduated from Richmond Academy. In 1929 he joined the staff of the Citizens and Southern National Bank in that city. He also studied premedical courses at Augusta College for three years.

He served in the U.S. Navy as a lieutenant during World War II and returned following his tour of duty to the Augusta branch of the Citizens and Southern National Bank. He went to Valdosta in 1949 where he served as executive vice president of that bank.

While in Valdosta, Mr. Blanchard served as president of the Chamber of Commerce, as deacon and chairman of finance at First Baptist Church, and as director or committee chairman of the Boys Club, the United Fund, the Easter Seal Campaign and the Georgia Bankers Association. He was presented a Father and Son statuette given in appreciation of his work with Valdosta Boys Club, particularly in getting a $42,000 swimming pool constructed.

In 1951, he attended the Graduate School of Banking, Rutgers University.

DESIGNATION OF GOVERNOR HICKEL, OF ALASKA, TO BE SECRETARY OF THE INTERIOR

Mr. MONDALE. Mr. President, since Gov. Walter Hickel's historic press conference of December 19, at which he expressed opposition "to conservation for conservation's sake" and to too-strict water pollution controls, on the grounds that they would hinder industrial development—since that press conference I have received 181 letters from constituents giving me their views on Mr. Hickel's qualifications to be Secretary of Interior.

The writers of these letters—conservationists all—are deeply concerned over the road that Secretary-designate Hickel intends to follow these next 4 years. I am concerned. I know that my colleagues on the Senate Interior and Insular Affairs Committee are the most concerned of all, and that they are conducting a thorough and fair investigation of Governor Hickel's views.

The physical reason for this concern is all around us. All of our major river systems are polluted. The airsheds in every major metropolitan area are polluted. We are burying the fair American landscape under concrete and buildings at the rate of more than 1 million acres a year.

And so many of us—especially in my State, Minnesota, which has been blessed with thousands of miles of river, lake and forest—see the main concern of the Interior Department in a much different light than Governor Hickel's statements to date have painted it.

We see the main problem facing the new Secretary as one of maintaining and improving the national environment, making it fit for man and generations of his children yet unborn. We know that time is running out.

Thus the central issue of our time is not how many board feet of lumber are cut from the forests; or how many barrels of oil are pumped from beneath the American earth; or how many kilowatt-hours are generated by how many dams, important as these things are.

The real question facing us today is not the quantity of life, but its quality, and the letters I have received reflect this basic issue. I ask unanimous consent for their inclusion in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

St. Paul, Minn.,
January 3, 1969.

Dear Sir: I am much concerned over President-elect Nixon's choice of Walter J. Hickel as Secretary of the Interior. I hope our two Minnesota senators, both Democrats, will carefully study this man's suspect qualifications for this post and block the appointment.

I have read Drew Pearson's editorial which appeared in the St. Paul Dispatch on Dec. 27th, and also one by Frank Mankiewicz on Dec. 31st in the Pioneer Press which if you have not read, I would very much recommend that you read. Certainly Mr. Hickel's high-handed behavior in the matter of preventing the Eskimos from selling their fish to the Japanese freezer ship at a much better price than that offered by Seattle middlemen shows him to be a callous, unfeeling bully. The Eskimos would certainly prefer to earn a living wage (which they could have except for Mr. Hickel's interference) than to be welfare recipients. Mr. Hickel clearly has no heart for the poor and the minority groups. The Indians and the Eskimos, being such a small minority, have nothing to fight with and it would be too bad to have them at the mercy of a man like Mr. Hickel who is obviously more concerned with profit for big business than making life better for the poor.

Add to the above Mr. Hickel's remarks made on water pollution to the effect that he hoped the water pollution standards—established by Congress—would not be interpreted so as to hinder economic development. Also his statement, "What the Secretary of the Interior can do, another can undo" frankly scares me.

We need a Secretary of the Interior who will work for the people of the United States more than the economic good of big business. We also need one who will protect the rights of the minority groups such as the Indians and Eskimos who are too few in number to exert any power for themselves. And we need a man who won't drag his feet in the matter of air pollution and water pollution for the benefit of big business or otherwise.

I normally vote the Republican ticket, especially for President, but this year I voted for Humphrey because I felt he had more personal integrity and compassion for the needy, and would do what is best for the people of the United States as a whole. However, Mr. Humphrey's boss, (to whom he was loyal to his own detriment but who was not loyal to him) played a major role in his defeat.

It is up to the senators who are Democrats to defeat this appointment of Mr. Hickel, since they are in the majority and also have no obligation to be receptive to President-elect Nixon's choice. I shall closely watch news about this appointment because, this man in this job seems to me to be a very, very poor choice.

Yours very truly,
Mrs. R. E. McCabe.

Excelsior, Minn.

Hon. Walter Mondale,
Washington, D.C.

Dear Senator Mondale: Although I am a Republican precinct chairwoman, I am writing to implore you to oppose the appointment of Governor Hickel of Alaska as Secretary of the Interior. Our survival as the human species demands that this vital position be filled by one who's aware of the fact that unless we act immediately, we will become extinct. This issue transcends politics and party affiliation. It is our Number 1 problem—and all America should be aware of the scientific evidence supporting it.

Sincerely,
Mrs. Douglas Dunsheath.

St. Paul, Minn.,
January 2, 1969.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Sir: This letter concerns the appointment of Gov. Hickel as secretary of the interior. I gather from the remarks the Governor of Alaska has made about his intended policy that he is any combination of unqualified, unenlightened, or unconcerned about conservation. His remarks relating to a more economic interpretation of resource use, a relaxation of pollution standards, and a priority of industrial use of Alaskan lands over Eskimo and Indian rights do not seem to indicate that Gov. Hickel would be an effective spearhead against private industry's encroachment upon our environment. More, not less emphasis, must be placed on the enforcement of industrial land and waste use by government. Paste history has shown that private business does not overly concern itself with any good but the immediate profit-good.

Hickel's projected policy would also negate Secretary Udall's programs and policies. His interior department has begun to apply the concept of "total environment" to the conservation problem. As you know, conservation must have long-range, sound programs to make any effective results. I feel that Udall's policy is a step in the right direction, and a vital one at that. Gov. Hickel has said that it is all right for one secretary of the interior to undo another's programs.

Gov. Hickel also seems to be myopic in his attitude toward conservation. Maybe he is underlining what he feels to be the important issue when he talks about economic development, but from what I have read, it is as though he always speaks in terms of interference to economic development.

I don't believe a man's outlook that is so antagonistic to future America's environment should be allowed to take a leading part in its destiny.

Sincerely,
Gregory J. Loeffler.

Duluth, Minn.,
January 4, 1969.

Senator Walter Mondale,
Washington, D.C.

Dear Senator Mondale: We share your doubts about the qualifications of Gov. Walter J. Hickel to be Secretary of the Interior and urge you to support any effort in the Senate to block his confirmation.

Time is running out for America to come to grips with the problems of technological and population expansion and the resulting deterioration of the environment if we are to bequeath to future generations a standard of living, both economic and esthetic, that will match our own.

Gov. Hickel's statements and record as Governor of Alaska indicate that he is still living in the nineteenth century attitudes of the unlimited frontier and that he feels that brute economic forces are the only thing that should govern our management of our natural resources. The need for this nation to change its philosophy of exploitation of the environment for short term benefits is *now* and the appointment of Gov. Hickel will only be a step backwards.

We therefore urge you and other members of the Senate to refuse to confirm his nomination as Secretary of the Interior.

Sincerely yours,
Mr. and Mrs. John C. Green.

University of Minnesota,
Minneapolis, Minn.

Hon. Walter Mondale,
Senate Office Building,
Washington, D.C.

Dear Senator Mondale: As a graduate student in wildlife management at the University of Minnesota, I am deeply concerned over some of the statements made by Secretary-designate of the Interior Hickel. His statement that he does not believe in "conservation for conservation sake" is especially disturbing to me.

He has also said that he favors the development of some newly discovered oil fields in northern Alaska. I wonder if he realizes that nearly two-thirds of the world's whistling swan population breeds in these areas. It seems to me that perhaps he is interested more in the utilization of his home state of Alaska by commercial interests than he is in the well-being of its wildlife.

The position of Secretary of the Interior is one which demands a person who is a leader in the *wise* use of our resources. The views of Governor Hickel, as I interpret them, are not the views of a man who is interested in preserving and conserving our resources.

Too many times our wildlife and other natural resources have had to take a back seat to the vested interests of a few individuals. I pray that this will not be the case again. Mankind cannot afford to keep making such mistakes.

I would urge you, therefore, to oppose Governor Hickel's appointment to the post of Secretary of the Interior when his name comes up for approval by the Senate, at least until he has clarified some of his policy positions concerning our natural resources.

Thank you very much for taking the time and effort required to read this. I only hope that it does some good.

Yours truly,
John L. Schladweiler.

IZAAK WALTON LEAGUE
OF AMERICA, INC.,
Grand Rapids, Minn., January 4, 1969.
Hon. WALTER MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: Conservationists and wilderness people are very much disappointed with the appointment of Mr. Hickel as Secretary of Interior. From all the information that we have been able to gather and by his own utterances we can only conclude that our fine conservation and preservation efforts of the past years may suffer setbacks under the new administration, which we certainly cannot afford.

We therefore sincerely ask that you exert all the influence possible to the end that he not be approved. We must continue our program of conservation and preservation in order that future generations may enjoy the full life to which they are entitled.

Best wishes for a happy and successful New Year.

Sincerely,

ADOLPH T. ANDERSON,
Chairman, BWCA Task Force, Izaak Walton League of America, Chairman, Minnesota Division, Izaak Walton League Wilderness Committee.

IZAAK WALTON LEAGUE
OF AMERICA, INC.,
Minneapolis, Minn., January 14, 1969.
Hon. WALTER MONDALE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: If Walter Hickel is to be considered for appointment as Secretary of the Interior, we believe a strong commitment should be obtained from him to actively work for the protection and upgrading of our environmental quality. Along this line several questions are suggested below to help you determine his attitudes and qualification for the position:

1. What is his philosophy on *federal acquisition and preservation of wetlands?* (Minnesota and North Dakota wildlife could be adversely affected if he does not favor continuing the policy of federal wetland purchase and easement made possible by duck stamp money.)

2. What is his philosophy on *federal acquisition of land for establishment of national parks?*

(a) Will he support and work for Voyageurs Park?

Mr. Hickel has shown no recognition of the expanding population needs for national recreation areas. He appears to have interest only in resource use on a short-term basis. This could mean exploitation and perhaps destruction of the resources, rather than preservation, management and controlled use.

3. What is his philosophy on *federal air and water pollution standards?* (He has indicated that we should have different standards for different areas of the country. He also expressed concern that "if standards are set too high, industry development might be hindered." The question might be asked of Mr. Hickel "should industry not be required to put water back into the river in the same, or better condition, than it was received?".)

Alaska is one of the few states that has established no water and air pollution standards. Is this due to Mr. Hickel's failure to support this program or has he even actively opposed establishing these standards in Alaska during his term as governor? What leadership can be expected from Mr. Hickel in this area of water and air pollution?

4. How high a *priority* will be given to *protecting and enhancing the quality of our environment?* (Does Mr. Hickel not believe industry has an obligation to consider environmental quality as well as profits, as recommended in a recent talk by Mr. George Dixon, President of the First National Bank of Minneapolis?—See enclosed article.)

The Board of Directors of the Minnesota Division of the Izaak Walton League of America (representing 3000 members and 41 chapters) voted to oppose Mr. Hickel's appointment until these questions have been resolved.

Sincerely,

CARL V. PEARSON,
President.
VICTOR S. ROTERING,
Legislative Chairman.

OUR NATION AND THE SEA: REPORT OF THE MARINE SCIENCE COMMISSION

Mr. FONG. Mr. President, in June 1966, the Marine Resources and Engineering Development Act was enacted by the Congress and signed by the President.

A Commission on Marine Science, Engineering, and Resources was established under provisions of the law to make a comprehensive investigation and study of all aspects of marine science in order to recommend an overall plan for an adequate national oceanographic program that will meet the present and future national needs.

The Commission, appointed by the President, was composed of 15 members representing government, industry, the academic community, and laboratories, and four advisory members of the Senate and the House of Representatives.

Last week, after 2 years of arduous labor, the Commission presented its final report to the President and the Congress.

Titled "Our Nation and the Sea," it is a study more comprehensive and valuable than any which has ever been undertaken in this field.

The Commission's intensive investigation covered a broad array of marine problems ranging from the preservation of our coastal shores and estuaries to the more effective use of the vast resources that lie within and below the sea.

The recommendations which resulted from the study are contained in the voluminous report. A key proposal among the scores of recommendations is the establishment of a National Oceanic and Atmospheric Agency—NOAA—as a major civilian agency for administration of Federal civil marine and atmospheric programs.

As a cosponsor of the Marine Resources Act, I am deeply impressed with the work of the Commission. One does not necessarily have to concur with all the Commission's findings, conclusions, and recommendations in order to appreciate the time, energy, diligence, dedication, experience and expertise which the members gave so generously to their task.

The Nation owes a large debt of gratitude to the members of the Commission and to the staff who rendered outstanding assistance.

I believe the report will command the most serious and careful consideration of all who want to see our Nation advance in marine science and technology.

The time has come to move ahead and the Commission has provided a blueprint for action.

I ask unanimous consent to have printed in the RECORD a table of recommendations summarizing the report, and also the list of the 15 members and four advisory members of the Commission.

There being no objection, the table and list were ordered to be printed in the RECORD, as follows:

TABLE OF RECOMMENDATIONS

This appendix highlights the main findings of the Commission and lists each of the Commission's recommendations.

NATIONAL CAPABILITY IN THE SEA

A. Summary

There are needs for scientific and engineering knowledge common to nearly all marine programs. The Nation must have very broad capability to satisfy all these needs.

Arrangements for marine science are well established. The needs for support of marine science run to provision for concerted attack on big problems, a greater degree of coherence, and greater continuity in funding. In contrast, there is no strong civil marine technology program that provides the knowledge required to make decisions on alternative courses of action on use of the resources of the seas, many of which will require major investment. A national program in technology and marine science should emphasize activities basic to a wide spectrum of potential applications. The large costs, uncertainty, and general benefits of such a program require the Federal Government to assume a major role.

B. Recommendations

Establish increased understanding of the planetary oceans as a major national goal.

Establish University-National Laboratories to undertake global and regional problems in ocean science.

Establish Coastal Zone Laboratories and amend Sea Grant legislation to authorize grants by a proposed National Oceanic and Atmospheric Agency (NOAA) to aid acquisition of facilities and ships.

Move towards fewer but stronger Federal laboratories with adequate funds and staff.

Expand Navy oceanographic research, particularly in acoustics.

Achieve capability to occupy the bed and subsoil of U.S. territorial sea and learn to utilize continental shelf and slope to 2,000 feet.

Achieve capability to explore depths to 20,000 feet by 1980 and utilize the depths by 2000.

Initiate a comprehensive fundamental technology program under NOAA.

Establish National Projects under NOAA to focus marine effort on specific areas of need.

Establish a National Project of test facilities under NOAA for undersea systems.

Involve private industry in planning and conducting National Projects.

Plan and administer programs to advance marine technology so that industry can assume early responsibility for development.

Utilize Navy development capabilities for fundamental technology through cooperative arrangements with NOAA.

Assign oversight of marine manpower to NOAA.

Expand programs for undergraduate and graduate education and plan post-doctoral and mid-career orientation through NSF.

Expand support for ocean engineering and marine technician training and establish new graduate-level marine programs in social sciences through NOAA.

Establish scientific and technical information and extension program through NOAA.

MANAGEMENT OF THE COASTAL ZONE

A. Summary

The coast of the United States is, in many respects, the Nation's most valuable geographic feature. As such, it generates critical issues in use of waters and adjacent lands, involving all levels of government and a great variety of private users. Rapidly intensifying uses, often competing with each other, have already outrun the capabilities of State and local governments to plan orderly development and resolve conflicts.

The key to more effective use of our coastland is the introduction of a management system which permits conscious and informed choices among development alternatives and provides for proper planning. The present Federal, State, and local machinery is inadequate for the task of preserving the quality of this productive region.

B. Recommendations

Establish State Coastal Zone Authorities (CZA) to manage the coastal waters and adjacent lands.

Permit States to decide the form of organization of its CZA as long as it has necessary powers, has broad representation, and provides opportunities for hearing all viewpoints.

Utilize Land and Water Conservation Fund more fully for coastal land acquisition and authorize Federal guarantee of State bonds for acquiring wetlands.

Administer grants to CZA, resolve differences, monitor compliance with plans, and develop plans for use of coastal zone beyond State jurisdiction through NOAA.

Establish a commission to fix seaward boundaries and boundaries between the States.

Effect participation in and coordination by NOAA of coastal surveys.

Require identification by Interior of areas for ecological investigations.

Initiate reexamination by Corps of Engineers of system for justifying projects and cost sharing formulas.

Conduct study of the Nation's port and waterways system under the leadership of the Department of Transportation.

Provide more attention by Federal and State agencies to research on coastal problems under leadership of NOAA.

Develop monitoring instrumentation under leadership of NOAA in coastal zone.

Provide through NOAA for training and assistance to State officials through universities affiliated with Coastal Zone Laboratories.

Support, by NOAA, feasibility studies and fundamental engineering for development of offshore terminals, storage facilities, and nuclear power plants.

Increase opportunities for recreation and public access to the water in the planning and funding of projects.

Achieve simplified leasing procedures by States for the development of offshore areas.

Increase research on pollutants and action by FWPCA to develop and deploy instrumentation.

Report to Congress on progress in pollution abatement by Secretary of the Interior.

Authorize Corps of Engineers to deny a construction permit in order to protect the environment.

Enable the Atomic Energy Commission to consider environmental effects of projects under its licensing authority.

Strengthen enforcement of laws and Presidential Orders concerning pollution abatement and provide adequate Federal assistance for waste treatment plants.

Explore feasibility of Great Lake restoration techniques through NOAA with operational implementation by FWPCA.

Establish a National Commission on waste management.

MARINE RESOURCES

A. Summary

Interest in marine affairs has been heightened by our increasing scientific and technical capability to gain new wealth from the sea. However, attention to marine resources cannot be viewed in isolation from competitive resources. Policies should be directed to assuring that there be no critical shortage of any raw material and they should advance economic efficiency of both marine and non-marine resources.

Economic uses of the sea are primarily a responsibility of the private sector. There is, nevertheless, a large role for government to assist industry in expanding the scope and scale of marine operations. Government bears a responsibility for establishing a framework of domestic law to undergird our private enterprise system. Further, the Commission recognizes that the U.S. interest in marine resource development must be viewed in terms of world needs and capabilities. The Commission has therefore considered both the national and international economic and legal status of fisheries, oil, gas and hard minerals and made a number of recommendations for changes in national and international policies and law.

B. Recommendations

Continue research and explore new techniques to improve fisheries estimates and cooperate with other nations in this area.

Provide that management aim at largest net economic return consistent with biological capabilities of fisheries stock.

Improve economic return through curtailing excess fishing effort.

Establish under NOAA national priorities and policies for migratory marine species.

Provide that Federal Government assume regulation of endangered fisheries.

Remove restrictions on use of foreign-built fishing vessels and equipment.

Analyze each major fishery and develop programs for exploitation through NOAA.

Develop rapid means for stock assessment, conduct surveys and exploratory fishing, and support basic studies through NOAA.

Develop expanded program for fishing technology through NOAA.

Establish extension services to assist fishermen.

Expand support under NOAA for developing FPC technology.

Fix a catch limit for cod and haddock fisheries of the North Atlantic through international agreement.

Rationalize the U.S. fishing effort in North Atlantic.

Give early consideration to national catch quotas for high seas fisheries of North Pacific.

Continue, with amendment, indemnification for seizure of fishing vessels.

Attempt to reach international agreement on maximum breadth of territorial sea.

Manage international fisheries on basis of ecological units rather than species.

Evaluate operations of existing fishery conventions and have commissions seek maximum utilization of living resources.

Renew diplomatic efforts to persuade important fishing nations to adhere to Convention on Fishing and Conservation of Living Resources of the High Seas.

Finance adequately the international fishery commissions.

Strengthen enforcement of international fisheries conventions and implement fisheries commissions' regulations.

Ratify protocol on settlement of disputes and support compulsory arbitration of fishery problems.

Strengthen activities related to aquaculture through NOAA.

Establish a National Institute of Marine Medicine and Pharmacology.

Establish mechanisms for exchange of information among the Federal Government, the petroleum industry and scientists.

Improve leasing and regulatory policies for offshore oil.

Reexamine differential price policies for natural gas production through FPC.

Review accounting regulations for R&D by FPC.

Support fundamental technology and tools for marine minerals exploration and recovery.

Provide flexibility to develop hard minerals on outer continental shelf without competitive bidding through Interior.

Continue support for desalination R&D by Interior.

Conduct geological surveys and analyses of continental shelf and slopes adjacent to U.S. by NOAA.

Seek an international agreement to redefine the continental shelf.

Propose international framework for exploration and exploitation of mineral resources underlying deep seas.

Negotiate new international agreement establishing an International Registry Authority and Fund.

Establish boundaries of each nation's intermediate zones.

Propose interim principle on sovereignty over seabed.

Authorize exploration and exploitation of seabed beyond 200-meter isobath, subject to new international framework.

Compensate private enterprise for losses from any redefinition of the continental shelf.

Require approval of Secretary of the Interior to explore or exploit subsea area beyond 200-meter isobath.

Develop research, exploration, basic technology and services to encourage private investment.

Simplify and clarify policies and laws affecting business and publicize them.

Support technology for power systems for undersea operations and resource development and an experimental submerged nuclear plant through NOAA.

Establish under NOAA a National Project for Continental Shelf Laboratories.

THE GLOBAL ENVIRONMENT

A. Summary

Effective use of the sea requires capability to observe, describe, understand and predict oceanic processes on a global scale. Requirements for environmental information range from descriptions of the characteristics of the deep sea floor, to data on the normal conditions of the oceans' chemistry, biology, thermal structure and motions, to predictions of rapidly changing ocean and atmospheric phenomena.

Much progress has been made, as a nation and through international cooperation: however, the size of the oceans makes it difficult to acquire the observations needed. But now we are achieving technological capability to monitor the sea, the air and the land as parts of a single, complex system and to communicate and analyze the attendant data. The Commission has noted opportunities for near term improvements and proposed appropriate actions. However, a long range program of research, technology and exploration also needs to be undertaken on a major scale to achieve benefits in many areas of man's activities, including planned modification of the environment. The scale and nature of environmental activities provides a unique opportunity for international cooperation.

B. Recommendations

Undertake programs through NOAA to explore global environment, monitor its motions and biological characteristics, and determine feasibility of its modification.

Mount a program through NOAA to explore and understand the deep oceans.

Undertake studies by NOAA and Navy of feasibility of advanced deep ocean stations.

Sponsor, through NOAA, a program to advance deep ocean fundamental technology and construct exploration submersibles.

Foster instrumentation development for ocean exploration.

Integrate, through NOAA, civil ocean monitoring and prediction activities with existing weather system to provide single system.

Make arrangements between NOAA and NASA for satellite oceanographic sensor development and operation.

Expand ship-of-opportunity program and provide greater use of offshore platforms.

Expand tide and seismic monitoring network, attendant communications and support additional research on tsunamis through NOAA.

Expand and improve data networks supporting Hurricane Warning Service.

Expand research to improve sea ice forecasting, and remote sensing of ice and basic research in energy transfer.

Implement Federal plan for marine meteorological services.

Establish pilot buoy network as a National Project under NOAA.

Review feasibility of establishing an aircraft-of-opportunity program.

Implement plans to place oceanographic sensors on operational satellites and develop advanced sensors and techniques for use.

Analyze NEMPS design trade-offs in deciding deployment of new systems, under NOAA.

Study ocean current systems through cooperative field investigations under NOAA leadership.

Give high priority to understanding sea-air interaction processes with field experiments led by NOAA.

Study oceanic scales of motion, through NOAA, and use results in testing National Buoy Program.

Mount intensive research to understand ocean processes and biological-physical relationships.

Undertake research and development by NOAA to explore beneficial modification of environmental conditions and effects of inadvertent interference.

Develop NEMPS under leadership of NOAA together with international efforts to develop a global system.

Propose new international convention to facilitate scientific research in territorial waters or on and concerning the continental shelf.

Seek bilateral and regional agreements in the interim to encourage freedom of international scientific research.

TECHNICAL AND OPERATING SERVICES

A. Summary

Sea operations require a variety of services chiefly provided by the Federal Government. Some have been covered in previous chapters. This chapter covers general-purpose mapping and charting, navigation, safety and policing, data management, and instrument calibration and standards services. Major users of these services include the marine transportation and fishing industries, offshore oil and mineral producers, recreational boaters, the Department of Defense and the scientific community. The principal agencies providing the services are the Coast Guard, the Environmental Science Services Administration, the Navy, and the Army Corps of Engineers.

These services are marked by their interrelationships and a high degree of interagency cooperation in the sharing of facilities and services. There has been less success in coordinating the staging of new technical service activities so that programs are undertaken in proper sequence, use compatible data, and make maximum use of existing ships and facilities. New technology is not being sufficiently brought to bear in improvement of the services. Conversely, the services are not being rapidly reoriented to meet challenges posed by new technology.

Recommendations

Complete mapping for bathymetry and geophysics by NOAA to a depth of 2,500 meters to provide 1:250,000-scale maps within a decade.

Accelerate Federal nautical charting activities, through NOAA, to insure current charts of all coastal areas of moderate to heavy marine activity.

Develop survey equipment and fully equip ocean research and survey vessels with the most advanced sensor and data processing systems under NOAA lead.

Increase navigational accuracies and develop low-cost systems for undersea navigation of civilian submersibles through NOAA.

Recodify laws on vessel safety standards, extend certification to civil submersibles, and provide safety standards for commercial fishing vessels, through Coast Guard.

Adopt and enforce the Model State Boat Act by States and establish minimum safety standards through Coast Guard in the manufacture of pleasure boats.

Certify sport diving equipment and assure training and emergency medical care facilities and services through NOAA.

Place responsibility for Federal marine law enforcement in NOAA; improve State enforcement.

Strengthen data centers and provide coordination through NOAA.

Provide standards, calibration, and test facilities and more effective procedures to insure reliability and comparability of marine data under administration of NOAA.

ORGANIZING A NATIONAL OCEAN EFFORT

A. Summary

In previous chapters the Commission has recommended actions across a broad spectrum of marine activities to achieve effective use of the seas. Such an effort requires that the Federal Government be effectively organized for the conduct of its own activities and to provide leadership and support within the marine community.

Any reorganization must assist departments and agencies concerned with the oceans to strengthen their own marine activities which provide close operational support. Those marine activities peripheral to parent agencies' missions need to be brought together to receive attention and to strengthen related activities in a coherent national effort.

However, consolidation is not sufficient; new programs must be created under the guidance of an operating agency with a broad and coherent mission in marine, atmospheric and certain other geophysical sciences. A means needs to be found for eliciting the views of the marine community in planning and assessing Federal activities. Responsibility for coordination has to be lodged in appropriate machinery at both operating and Presidential staff levels.

Recommendations

Establish a major civilian agency for administration of Federal civil marine and atmospheric programs.

Transfer certain existing agencies and programs to new agency (NOAA).

Vest additional functions in NOAA.

Establish NOAA as an independent agency.

Vest the head of NOAA with coordination of Federal programs related to its central functions.

Establish a broadly constituted advisory committee (NACO) to advise on progress in meeting national objectives.

Continue the National Marine Council in the interim until decisions are reached.

MEMBERS OF THE COMMISSION

Chairman: Julius A. Stratton, Chairman, The Food Foundation.

Vice-Chairman: Richard A. Geyer, Head, Department of Oceanography, Texas A&M University.

David A. Adams, Commissioner of Fisheries, North Carolina Department of Conservation and Development.

Carl A. Auerbach, Professor of Law, University of Minnesota Law School.

Charles F. Baird, Under Secretary of the Navy.

Jacob Blaustein, Director, Standard Oil Company.

James A. Crutchfield, Professor of Economics, University of Washington.

Frank C. DiLuzio, Assistant Secretary, Water Pollution Control, U.S. Department of the Interior.

Leon Jaworski, Attorney, Fullbright, Crooker, Freeman, Bates and Jaworski.

John A. Knauss, Dean, Graduate School of Oceanography, University of Rhode Island.

John H. Perry, Jr., President Perry Publications, Inc.

Taylor A. Pryor, President, The Oceanic Foundation.

George E. Reedy, President, Struthers Research and Development Corp.

George H. Sullivan, M.D., Consulting Scientist, General Electric Reentry Systems.

Robert M. White, Administrator, Environmental Science Services Administration, U.S. Department of Commerce.

CONGRESSIONAL ADVISERS

Norris Cotton, U.S. Senator.
Warren G. Magnuson, U.S. Senator.
Alton A. Lennon, U.S. Representative.
Charles A. Mosher, U.S. Representative.

MODEL CITIES AND THE ELDERLY

Mr. **WILLIAMS** of New Jersey. Mr. President, the Senate Special Committee on Aging is concerned about day-to-day workings of programs passed by the Congress to serve elderly Americans.

Four years ago, for example, we conducted hearings to determine whether the War on Poverty was serving the 7 million or so persons past 65 who then lived below official poverty levels. Convinced that more could be done, we made recommendations for improvement; and several proposals were later put into effect.

Last year, as planning proceeded for full implementation of the model cities program, it became clear that here was another program that could be of considerable significance and service to the elderly.

Committee research indicated that large numbers of the elderly reside in the very neighborhoods that are targets for model city planning and action. Not only are there large numbers, there are also great needs: in housing, in services, in income, in health facilities, and much more.

As committee chairman, I asked Senator Frank Moss, of Utah, to conduct a full-committee special study of the usefulness of the model cities program to the elderly. Senator Moss is chairman of the Subcommittee on Housing in the Senate Special Committee on Aging. He has also conducted our studies on nursing homes and other forms of long-term care, and he has been an active participant in many studies conducted by other subcommittees. His service to the committee has been invaluable, and now he has added to his record of accomplishments with the hearings he has conducted thus far on model cities in Washington, D.C.; Seattle, Wash.; Ogden, Utah; Syracuse, N.Y.; and Atlanta, Ga. A final hearing may be conducted in Philadelphia later this month.

The committee study of model cities is already yielding valuable information and suggestions for action to make the program serve the elderly more effectively, along with other age groups. Two recent reports provide informative accounts of the progress made by Senator Moss thus far. I ask unanimous consent that they be printed in the CONGRESSIONAL RECORD for the guidance of those now planning model programs in their own communities and to those who are already at the action stage.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

IS MODEL CITIES PROGRAM GOING TO OPEN OPPORTUNITIES FOR THE AGED?

(By Senator FRANK E. MOSS)

Elderly Americans have a major stake in the model cities program. For one thing, their numbers in target neighborhoods are great. For another, they suffer from a multitude of problems that have persisted for years despite intense attention by government and private organizations.

It is no exaggeration to say, therefore, that if the model cities program is to be as innovative and as effective as the Congress intended it to be when it passed the 1966 law, federal and local program planners must give major attention to the elderly. Failure to do so would create a gaping deficiency in one of the most hopeful and potentially helpful efforts ever made to make American cities more livable.

Perhaps it was with such thoughts in mind that President Johnson—in his 1967 message on the aged—directed the Department of Housing and Urban Development "to make certain that the model cities program gives special attention to the needs of older people in poor housing and decaying neighborhoods."

To determine whether such "special attention" is being given on the scale needed, the United States Senate Special Committee on Aging is taking testimony in big and small communities in many parts of the nation. When its hearings are concluded, the committee will issue a report that should serve at least two purposes:

—It will become a handbook for model cities programmers who seek information about special problems of the elderly and it will offer suggestions for actions to deal with those problems.

—It should help avert the possibility that the elderly will be put low on the priority list as model cities plans are translated into working programs.

NEGLECT A POSSIBILITY

There is little doubt that the elderly *could* be neglected or even overlooked entirely. Aged and aging Americans are, for the most part, an unseen minority. It is easy to forget that their incomes are, on the average, less than half of the earnings of people who are still in the labor force. It is easy to forget that their housing needs are still great, despite recent efforts by the Congress and the Administration. And it is entirely too easy to disregard a major population group—20 million individuals past 65—who do not stage demonstrations or riots.

The Committee on Aging found this true to a large degree four years ago when its members became concerned about the war on poverty. At that time, upwards of 7 million persons past the age of 65 or over were below official poverty levels and yet relatively little attention had been paid to their needs. The Committee on Aging went to work. After several hearings, it received Office of Economic Opportunity assurances that new programs of special meaning to the elderly would be forthcoming. And so they were—but only after long and still-continuing efforts to raise interest in such programs to higher than mere token levels.

While the model cities program is still in its formative stages—before the hardening of its categories can set in—the Committee on Aging is acting to make certain that components on aging are included in each city program where it makes sense to do so. Fortunately, it appears that the importance of such components is being recognized at federal and local levels. What is needed now is to transform declarations of lofty purpose into down-to-earth projects that help aging and aged people live better lives in our cities, large and small.

THE FACTS

The need for such action became apparent at our very first hearing in July. A representative of the model cities administration gave the committee a list showing that the population of people aged 60 and over in model cities neighborhoods is very high indeed. In target areas of six cities, the population of 60+ people was more than 20 percent, led by Texarkana, Texas, with 26 percent. Thirty-five cities had up to 20 percent. From the Administration on Aging we received the estimate that two-thirds of the population past age 65 live in urban areas and about 50 percent live inside the central cities of metropolitan areas.

Why do large numbers of the elderly live in target areas? First, rents are often low and the neighborhoods, whatever their deficiencies, are familiar. Elderly persons feel at home.

In addition, the neighborhoods are often close to downtown shops, health and medical facilities, and churches.

The elderly, perhaps more than any other age group, feel that they should remain where they are. Mrs. Marie C. McGuire, special assistant in the Department of Housing and Urban Development for problems of the elderly, made this point and also gave timely warning about the need for tactful implementation of programs for change: ". . . many elderly may feel that the designation of their home areas as part of the model cities program might present a real danger to them—that their lives will be upset and uprooted. This is natural when people feel threatened suddenly by the fears of the strange and unknown thrust upon their familiar patterns of living. However, once they are reassured that life in the neighborhood will be improved for them, and their fears replaced by this understanding, the elderly, as all residents in the area hopefully can, and I am sure will, benefit from the progress promised by the model cities program."

Such words bear careful attention. Studies of elderly persons who have been displaced within recent years in the name of urban progress do not make pleasant reading. The model cities program should not make similar mistakes in relocation procedures and in the many other actions that must be taken to make the model cities program successful.

Some idea of the magnitude of the job ahead has begun to emerge from the committee hearings held thus far and the potential usefulness of the model cities program for the elderly is becoming clear.

AREAS OF ACTION

Miss Mary Nenno, representing NAHRO, quoted studies showing that as much as 50 percent of the rooming house tenants in city renewal areas may be classified as elderly. Many older persons live in quarters that were never meant to be rented out. Given only a minimum of "remodeling," many an old private home now houses aged couples and individuals. Many downtown hotels, some now drab landmarks in skid row areas, have become residences for people in lonely retirement. For those elderly who have managed to hang on to the family home, housing can still be a problem. A Seattle study, for example, indicated that 1500 of 6000 of the elderly in target areas own their own homes, a high percentage of which are substandard. The same survey showed that 60 percent of the 1500 would prefer to make other arrangements.

Seattle planners are considering rehabilitation of such structures with a mix of several programs. Similar experimentation is encouraged by HUD. Mrs. McGuire, for example, said that the following should be considered in terms of physical development of housing and other facilities and services in model cities:

1—Construction of new rental housing specially designed for the elderly and responsive to various income groups.

2—Rehabilitation of existing rental housing, either by purchase or lease by public sponsors or by private action.

3—Retention of homeownership and where necessary, assistance in the rehabilitation of these homes.

4—Coordinating development of community centers to housing improvement.

5—Establishing a local planning mechanism to consider such matters as adequacy of long-term care facilities, health centers, and other resources that should be considered as new housing is planned.

Miss Nenno warned that relocation procedures for the elderly should be sensitively handled in order to alleviate, and not intensify, the "compelling problem . . . of detachment and of loneliness" found among the elderly in low-income housing. She also made this declaration: "We think there is a special opportunity . . . to maximize what we have learned about housing for the elderly and relocation for the elderly and newer services for the elderly in the last five years. There is an opportunity to concentrate it in target areas and to coordinate it with a total renewal effort."

Here is a challenging appraisal of what the model cities program can mean for the elderly.

Health services: Even yet, many people apparently think of the model cities program as simply a "bricks and mortar" exercise for providing more housing. But it is clear that planners in many cities see it as a means of finally dealing with chronic needs of many kinds, such as the paucity of health services in many model target areas. The St. Louis model city agency told the committee, for example, that major health facilities are well outside of model neighborhoods and that "for the elderly, transportation to the services can be a problem."

(Inadequate transportation is a recurring complaint at committee hearings. In one community the elderly cannot take advantage of a new senior center because it is too far for them to reach it on foot. Center officials are considering the establishment of "subcenters" to reach aged people in need of assistance.)

If model cities planners have their way, new means of providing health services to the elderly will be found. Seattle officials have proposed a system of 10 neighborhood health stations, with paraprofessional health aides and readily available transportation. St. Louis programmers are considering chaperone services to clinics and other facilities intended to keep the elderly in their own homes, rather than in expensive hospitals or other institutions. One major problem was expressed by a county health director at our Ogden hearing: "At times it is . . . difficult to find physician services for recipients of Medicare and Medicaid for elderly people of the target area. This is not always due to the lack of physician response or apathy on the part of the physicians themselves, but is contributed to significantly by the fact that these people are often not educated as to how to go about getting medical assistance. I would suggest that a good improvement could be made in the delivering of health services to the elderly from the target area by utilization of health education directed towards both the recipient and the physician delivering the services."

Social services and "outreach:" Even if the income of all elderly Americans were somehow brought up to above-poverty levels, there would still be a need for adequate social services that would enable them to live independently. A woman who suffers from arthritis, for example, may not be a hospital case but, on the other hand, she may not be able to keep her home as clean as she wants, or she may find it impossible to go shopping. Obviously she needs some kind of "homemaker" service.

An early analysis of the National Council on Aging's Project FIND indicates that many other services are needed by the elderly but not provided. Project FIND interviewers, who went from door to door to identify and help isolated aged persons, found that 16,000 persons—of 40,000 interviewed—had need for some kind of services that did not exist in the pilot communities served by FIND. Some people simply needed information on how to get the public assistance or social security benefits to which they were entitled. Some needed legal aid, personal counseling, advice on how to get food stamps, or information on where to get work.

Such findings led NCOA Executive Director Geneva Mathiasen to warn the committee that while the "Model cities guide reads beautifully in relation to the needs of older people," the special services needed for the elderly "cannot be soundly estimated for we have had little concept and no experience *anywhere in providing the full range of services for the elderly that are implied in the program planning guide.*" (Emphasis added.)

The Committee on Aging is discovering that local model cities planners are looking toward the model cities program as the vehicle for meeting many other longstanding needs. There is no doubt that they are well aware of the magnitude of their undertaking but they also recognize that the model cities program must be made to work, not only for the elderly but for all age groups.

That determination was best expressed by the St. Louis witness who—after a vivid and sometimes heart-rending description of the needs in her city and the many programs that must be coordinated to meet those needs—was asked whether the model cities program is so complex that it could become overwhelmingly cumbersome. "I think we have to balance the complications over against what I consider to be an essential and necessary part of this program and that is the involvement of the total resources of a community to deal with the problems. I would rather work with the complexity than eliminate the possibility of having for the first time a program structured in this way. It can bring the resources of the Department of Health, Education, and Welfare, and the Department of Labor and the Department of Housing and Urban Development to work at solving problems."

NEW SPIRIT

That answer sums up a great deal about model cities.

Fundamentally, that program must generate new spirit and enthusiasm about the future of our crowded central cities.

It must help us to put old programs to better use in coordinated and imaginative ways.

It should generate new experiments. Supplemental funds available for innovation should be used with imagination and some daring. And—to judge by testimony received thus far—such funds will indeed be called upon to close gaps in services and housing.

Finally, the model cities program must reach the people it is meant to serve. It should not become a destroyer of neighborhoods; it should be a force for maintaining whatever exists in a neighborhood while it makes that neighborhood more attractive and comfortable!

Elderly Americans are among those who should and must be served by the money, plans, and the good intentions of the model cities program. The Committee on Aging will continue its studies to make certain that they will not be forgotten.

WITNESSES' WORDS FROM SENATOR MOSS' HEARINGS

H. Ralph Taylor, Assistant Secretary for Demonstrations and Intergovernmental Relations, Department of Housing and Urban Development, Washington, D.C. hearing, July 23, 1968: "We believe there may be a considerably higher concentration of older people in the model neighborhoods than the national average. Our analysis of 72 of the first-round applications showed that the percentage of residents 65 and over receiving old age assistance ran from a low of 20 percent to a high of 92.3 percent. Almost one-half of the funded cities indicated in their applications that they expect to identify the problems of the elderly as one of their priority concerns."

Roger Thibaudeau, Director of Planning, United Good Neighbors, Seattle, Washington hearing, October 14, 1968: "In 1965 a study revealed that at least 25 percent of the elderly in Seattle were living well below the poverty level. Moreover that 24 percent had low morale and the level of morale was related to low income and health problems . . . Our problem is not one of lack of information about what we need, nor the imagination to undertake new programs. As in many areas, it is a limitation in financial resources."

Murray B. Meld, Assistant Director, Seattle Model City Program, Seattle, Washington hearing, October 14, 1968: "People over 65 represent almost 20 percent—one out of five—of the total population in the area. Even with the dramatic pressures and issues voiced by more youthful members of the community, we have no choice but to be responsive to the voiceless cry of our older families who, overall, comprise the single largest group of low-income families in the area. The fact is that two-thirds of all low-income white families, one-third of all low-income Negro families, and one-third of all other low-income families are headed by persons 65 years or older. In the aggregate, these represent about 3500 families headed by elderly persons. In the rooming house and cheaper transient hotel districts, the proportion of older persons is even higher."

Mrs. Naomi Gordon, Director, Ecumenical Center of Roxbury, Massachusetts, at Washington, D.C. hearing, July 23, 1968: "What we have found is that it is the environment which is of major concern to the elderly. Isolation is often a direct result of environmental pressures and the elderly are the least able to cope with these pressures. We are talking about the pressures born of a fast-moving, mobile society, of the compartmentalizing and fragmentation of goods and services, of the disappearance of local merchants and the family doctors. We are talking about a population of elderly whose limited resources deny them the flexibility inherent in coping with change, whose immobility imprisons them, whose fears entrap them, and whose confusion isolates them."

[From the Christian Science Monitor, Dec. 14, 1968]

Model Cities Planning Checked: U.S. Team Studies Needs of Urban Elderly

(By Robert P. Hey)

ATLANTA.—When Lueisa Gates was born in La Grange, Ga., Andrew Johnson was in the second year of his presidency. Barely a year earlier peace had come to a war-wracked land. Behind lay the evils of slavery, ahead the full excesses of reconstruction.

Recently the same Luesia Gates shuffled slowly into the antiseptic white auditorium of a new Atlanta housing project. She had come to attend a one-man hearing by the United States Senate's special committee on aging.

It was the fourth of five hearings in five cities, conducted by Sen. Frank E. Moss (D) of Utah. He is trying to determine how well model-cities programs across the nation are planning to meet the needs of the elderly.

Most of the 300 people in the Atlanta audience were black, like Mrs. Gates. Most also were over 65—though only she had lived under two presidents named Johnson.

And most also were inexpensively dressed.

Before the Atlanta hearing got under way the Senator discussed some of the impressions he had gained from his previous hearings.

The biggest problem of the elderly, he said, "is largely with finances. Nearly all are confined to a rather modest income . . . near the poverty line."

Therefore, he added, they tend to be "concentrated in substandard housing areas. . . . Consequently many are in the target areas for model cities planning."

The federally financed model-cities programs aim at improving all aspects of specific deteriorating neighborhoods—housing, transportation, shopping facilities, job opportunities, and so on. Across the nation most model-cities programs stand where Atlanta's does: The planning has recently been completed by professionals and local residents. But it hasn't been officially approved by the federal government, nor have funds been provided to put it into effect.

Several Southern states have communities participating in the program. There are five in Georgia, four in Tennessee, and two each in Alabama, Florida, and South Carolina.

It is no secret that the impressions Senator Moss winds up with may result in legislative proposals. In Atlanta the Senator conceded it is "possible" one such recommendation might be raising social-security payings. Shortly after the hearing got under way the Senator made clear that he would like the new Congress to remove the ceiling on the amount of money social-security recipients can earn without losing their social-security benefits.

Quietly but earnestly the Senator called this limit "self-defeating," implying that it keeps many elderly recipients poor. It also keeps some people at work at modest salaries although they would like to retire; they feel it's impossible to make ends meet on social-security payments under the present limitations.

A recipient, the Senator said, should be encouraged "to make whatever contributions to his community he can, and get whatever money he can," while drawing social security. It was a comment that led to a point that he and witnesses quickly began stressing—that the so-called elderly should be permitted to retain their dignity and use their abilities.

A parade of witnesses said the elderly should be consulted in the drawing up of apartments designed for them; and should be allowed to employ their skills in positions—perhaps part-time—that would aid their communities.

None of this is new. In recent years it has been said time and again. But often there is a yawning gap between what should be done and what is done.

It's also difficult to know just how to go about transposing nice ideas into everyday happenings. In the Atlanta hearing, as one example, the general views came much easier than the recommended solutions.

Aided by four committee staff members, Senator Moss went about conducting the hearings as though it were his first on the topic, not his fourth. He followed up witnesses' statements, engaged them in philosophical exchanges, alertly responded to their points. The hearing scheduled two dozen witnesses. There were Atlanta city-officials, representatives of federal agencies, officials in public and private groups that work with the elderly. Each told from his point of view what his organization is doing in working with the elderly.

NO TIME TO TOUR

But the witness list didn't include average elderly people—those whom the organizations are working with. The audience largely was made up of the elderly; whether those eager and able to come to the hearings are fully representative of all the elderly is questionable.

In answer to a question prior to the hearing, the Senator indicated no time had been designated for him to tour Atlanta's model-cities area to ferret out the opinions of the elderly themselves. He did say he "hoped" to be able to do that before leaving the city. He added that there is no substitute for "seeing with your own eyes."

From his three previous hearings in cities with model-cities programs, he said, he has become "very much encouraged" with the way the elderly and their needs are being involved in the planning of proposals to refurbish model-cities areas.

In several past federal programs, he said, the needs of the elderly were given inadequate consideration.

Mr. WILLIAMS of New Jersey. Mr. President, the first report is by Senator Moss himself. It appeared in the Journal of Housing for November 1968. Senator Moss writes vividly about grass-roots reaction to the model cities program, which—as he describes it—"must generate new spirit and enthusiasm about the future of our crowded central cities."

The second report appeared in the Christian Science Monitor of December 14, just a few days after the hearing in Atlanta. For that hearing, Senator Moss had visited a day-care center before going to the hearing room, and he had heard directly from elderly women who had been enlisted to provide care for youngsters while their mothers worked. As the news story reported, Senator Moss believes there is no substitute for "seeing with your own eyes." Once again he has performed a service for the committee and for the Congress by going into the field to get the facts and the views of people who work with such programs, as well as those who should be served by such programs.

NOMINATION OF GOVERNOR HICKEL

Mr. STEVENS. Mr. President, the continuing furor over the appointment of Alaska Gov. Walter J. Hickel, especially in conservation circles, has been greatly exaggerated. In support of this contention, I ask unanimous consent that the following editorial from Fish Business, a journal of the fishing industry be reprinted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Confirm Hickel

(By Dick O'Keef)

It is true that Alaska Governor Walter Hickel is opposed for Interior Secretary by some at all levels in the West Coast fish industry. However, the opposition appears to be only a small but vocal minority.

Fish Business conducted a telephone survey of much of the industry leadership in the past few days. Most queried indicated a "wait and see" attitude. Some said we could do a lot worse than Hickel. Others thought Hickel should be given every chance to prove himself either adequate or otherwise. Still others felt that Hickel was a good choice and would do a fine job as Interior Secretary.

Unfortunately, the vocal minority is intent on promoting the impression that the entire industry is opposed to Hickel. This is not only unfair; it is wrong. Fish Business, therefore, would like to take the other side.

Washington, D.C. is filled with thinkers but damn few doers. Hickel is a doer, and because of this could turn out to be the best Interior Secretary ever so far as the fish industry is concerned.

Hickel is a practical and aggressive executive. You can talk business to Hickel and get a no-nonsense response. We need a hard-headed businessman at the top of the heap right now. Those who disagree might ask themselves what the dreamers have done for them lately.

Hickel knows something about the fish business. He has been at odds with the industry on more than one occasion—but he is fish oriented. And that's a lot better than someone who knows little about our problems and cares even less.

Hickel is one of our own. He came out here as many of us did, made his own way. Hickel may not be the most lovable man in the west, and he has not always spoken wisely in the past, but he does and says what he believes is right. What's wrong with that?

Governor Hickel will be quizzed at a Senate hearing in Washington, D.C., on January 15. Those opposing Senate confirmation will be there to testify against him. Fish Business wants to be on record in his support. Hickel should be confirmed.

HOW DANGEROUS IS MARIHUANA?

Mr. MOSS. Mr. President, I have spoken several times in the past in this body on the increasing use of marihuana among our young people, and the importance of knowing far more than we know now about pot and its effects.

From time to time, someone in the medical or educational world comes out with the flat statement that marihuana is no more dangerous than alcohol, and that in both instances it is a problem of use as opposed to abuse.

Then others quickly claim that any person—particularly any young person—who uses pot will quickly go to pot.

We have not, to date, had the hard data on which to make a full judgment on either charge. The only way we can be sure of our answers is through intensified research. I have urged on several occasions that the drug research budget of the National Institute of Mental Health, the principal Federal agency sponsoring research in marihuana, be ample to undertake any studies that are deemed necessary, and to push them to completion as quickly as possible. At best, it usually takes 2 or 3 years after a project is begun before definitive results are available, and any study of the effects of the long term use of marihuana will, of course, require even more time.

At my request the National Institute of Mental Health recently prepared a summary of the status of marihuana research at the end of the year 1968, and because I feel it indicates what kind of answers we are beginning to get, I ask that it be carried in the Congressional Record. Only through continuing research, and educational efforts based on the findings of that research, will we be able to make any substantial headway in advising our young people the extent to which the use of marihuana can jeopardize not only their present well-being, but the kind of future they make for themselves.

There being no objection, the summary was ordered to be printed in the Record, as follows:

National Institute of Mental Health: Marihuana Status Report for 1968

INCIDENCE

Previous surveys of student drug use on the college and high school level have indicated as high as 20 per cent of students having had some experience with marihuana. This figure varies greatly from school to school and region to region. However, in one west coast university in which 21 per cent of students previously reported experience with marihuana (1967) more recent follow-up data indicate approximately 57 per cent have tried the drug with a predicted level of 70 per cent expected to have tried it by Spring of 1969. In this particular college regular repeated use is currently reported as 14 per cent, up from 4 per cent last year, 8 per cent of this sample report having begun use in high school. Consideration is now being given to a national survey of college drug use to provide a more comprehensive picture. A source of increasingly serious concern is that junior high school and occasional grade school use is currently being reported from urban areas.

These high incidence figures must be considered in terms of three kinds of users—the experimenter, the occasional user and the heavy regular user or "pothead." Our studies reveal that two-thirds of the youngsters reporting contact with this drug have had exposure limited to a single or a very few occasions of use. These are the experimenters. The second largest group are the occasional smokers; those who will smoke a "joint" if it is available and if the circumstances are favorable. The "pothead" by contrast uses the drug regularly and often. He "turns on" because he is unable to enjoy sober existence, wants to evade life's frustrations or because of feelings of personal inadequacy. From preliminary reports the "pothead" may represent only about 2 per cent of all users.

DANGERS

The dangers to the infrequent user or experimenter may not exceed those intoxicated by other mind altering chemicals—alcohol, for example; however, the marked visual and time distortions that can be associated with marihuana make their behavior more hazardous. Furthermore, adolescence is often a period of major emotional turmoil, and the perceptual changes induced by marihuana can be very upsetting to vulnerable young persons. Infrequent panic or paranoid states are know to occur.

It is the "pothead" who can sustain more frequent psychological retardation. He is using this chemical escape from life stress, thereby impairing his personality maturation. It is in learning from the encounter with life's problems that the individual grows up emotionally. The "head" deprives himself of the opportunity to learn how to endure; rather he withdraws from the engagement with daily existence.

While in countries where strong marihuana use is traditional there have been reports that chronic users may suffer from prolonged psychotic reactions, these observations do not generally meet the standards required for scientifically valid conclusions. Because there is a need for scientifically controlled studies of marihuana use in countries where its use has been widespread over long periods, we are currently negotiating to perform such studies abroad. American experience has been too brief and involved too few long-term habitual users to answer these questions of chronic effects here in the United States.

One of our NIMH grantees in Athens, Greece, mentions mental apathy, loss of motivation and ultimately mental deterioration in a small group of chronic hashish users which he has observed for over 20 years. We believe that it is most important to confirm or deny this observation. If, for example, these qualities were due to poor nutrition rather than hashish, the use of this erroneous information could do more harm than good in our efforts to control the misuse of marihuana. It is, incidentally, interesting to note that hashish, the more potent resinous preparation from the marihuana plant, is now available on the black market. Capsules purported to be THC (tetrahydrocannabinol), the very powerful ingredient in marihuana, are also to be procured in some cities. This increasing potency of marihuana products is a further unfavorable development. Although a person may tolerate a marihuana cigarette, he may become psychotic under the influence of a highly potent agent like THC.

The physical complications of marihuana usage are not now evident. The analogy with tobacco is a good one. When tobacco was accepted into the culture it was considered harmless. Now, three hundred years later, we have information which would not have permitted its social acceptance. The mere fact that infrequent marihuana ingestion appears to be harmless does not mean that it is. The same statement was made for cocaine, opium, chloroform and many other substances when they were introduced as mind altering chemicals. Nor does the fact that the Asian Indians have marihuana products for millenia mean that they are safe. Precisely the same statement can be made for the American Indians' use of tobacco.

BIOCHEMICAL PROGRESS

During the past year supplies of marihuana and the concentrated "red oil" have become available to investigators. It is an advance that the NIMH is able now to assay these substances for THC content. Thus, the investigator knows the strength of the material he is employing. The production of THC has been achieved, and shortly it will be made in quantities sufficient to supply qualified researchers. THC, which has been tagged with radioactive tracer material, is in the final stages of development. With this product it will be possible to trace the distribution, metabolism and excretion of THC in animals. Tests to detect marihuana in body fluids are known. Work is being done on their simplification. The acute and chronic toxicity studies of marihuana derivatives in animals have proceeded. When these are completed, thorough studies of the toxic potential for man will be accelerated. Some of the work to demonstrate whether, and at what dose marihuana can affect the functioning of kidney, liver, brain and other organs is under way. Naturally, the effect upon chromosomal structure is being studied.

PSYCHOPHARMACOLOGY

In addition to the social problem, the fact that marihuana induces changes in thinking, feeling and sensation is a challenge to research. Our grantees and our Addiction Research Center are examining the nature of these changes and how they come about. If these questions were answered they would provide a significant contribution to the nature of normal and abnormal human mental functioning.

Questions like the physical harmfulness of marihuana may become irrelevant if such higher mental qualities as judgment, suggestibility and skilled performance are diminished. We are supporting and will support during the coming year studies to evaluate how the user interacts with other people, how well he can drive (using driving research laboratories), and how he performs on tests of discrimination and integration of ideas.

SOCIAL AND EDUCATIONAL ASPECTS

The ways by which marihuana use spreads or recedes are now under scrutiny by our grantees. Patterns of multiple drug use are being studied in various social subgroups. Perhaps we will obtain from these researchers a definitive answer about the escalation from marihuana to hard narcotics. All that can be said at present is that regular users tend to consume other hallucinogens, stimulants, sedatives and a variety of other substances.

We have made a variety of educational efforts. In addition to the enclosed pamphlet on marihuana, which is one of a series on drugs of abuse, our staff has written and spoken on this subject to professional and lay groups as often as possible consistent with their other duties. Now in preparation are a number of television and radio 30 and 60 second "spots" including some on marihuana. We have sponsored training programs and materials for teachers and youth workers. In one study we are exploring the ability of ex-marihuana users to prevent young people from "turning on" and to "turn off" established users. Two of our investigators have developed day and night centers for the treatment of drug users, including marihuana, who seek assistance.

RULE XXII

Mr. FONG. Mr. President, the Senate is now considering a motion to take up Senate Resolution 11, to amend rule XXII of the Standing Rules of the Senate.

The resolution would require three-fifths of the Senators present and voting to cut off debate, instead of the present two-thirds. All of the present language of rule XXII relating to termination of debate would be retained, except that it changes from two-thirds to three-fifths the number of Senators present and voting required to limit debate by invoking cloture.

This means that if all 100 Senators were present and voting, 60 rather than 67 must vote to invoke cloture and close debate.

STRONGLY FAVOR RELAXATION OF RULE XXII

As one who has favored the relaxation of rule XXII ever since I came to the Senate in 1959, I have again cosponsored the instant three-fifths cloture bill—Senate Resolution 11—a proposal I consider to be wholly fair, reasonable, and moderate.

In years past I strongly endorsed bills to allow a constitutional majority of 51 Senators to impose cloture. I have not changed my views in this regard and would again support such a measure in this session.

However, those of us who are strong supporters of liberalizing rule XXII feel that by uniting behind a single, modest bill we will measurably enhance the chances of its passage.

After all, this effort represents the eighth attempt in 16 years to change the filibuster rule.

CONSTITUTIONAL PRINCIPLES

Mr. President, I cosponsored Senate Resolution 11 because I am convinced that a modification of the filibuster rule will permit the majority of the U.S. Senate to work its will and the Senate to discharge its responsibility to the American people, while at the same time safeguarding the right of the minority to be heard. I cosponsored Senate Resolution 11 because I believe that a new Congress has the right at the outset of the first session to decide the rules under which it wishes to operate by a majority vote.

The architects of our Constitution clearly intended that Congress was to operate by majority rule. They have expressly specified all the instances in which more than a majority vote was required.

The Constitution stipulates only five instances in which a two-thirds majority would be required: Overriding a Presidential veto; Senate ratification of treaties; constitutional amendments initiated in the Congress; exercising the impeachment power, and the expulsion of Members of Congress.

With respect to every other piece of legislation, no matter how important and controversial, a simple majority is all that is required to act.

Article I, section 5 of the Constitution provides that a majority shall constitute a quorum for doing business in the Congress, and that a majority shall determine rules of procedure.

If a simple majority of the Senate can act on such critical issues as a declaration of war, imposition of taxes, and the appropriation of billions of dollars, to require a two-thirds vote to end debate seems to be entirely unreasonable and inconsistent with our Constitution.

The U.S. Supreme Court has aptly described the principle of majority rule as one "sanctioned by our governmental practices, by business procedure and by the whole philosophy of democratic institutions." *NLRB v. A. J. Tower Co.*, 329 U.S. 324, 331.

Alexander Hamilton, writing in the Federalist, No. XXII, emphasizes the intent of the Founding Fathers to write the principle of majority rule into our governmental system as follows:

> To give a minority a negative upon a majority (which is always the case where more than a majority is requisite to a decision) is, in its tendency, to subject the sense of the greater number to that of the lesser . . . If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to national proceedings.

SECOND BASIC CONSTITUTIONAL ISSUE

In addition to the principle of majority rule, there is a second basic constitutional issue—the proposition that the Senate at the outset of a new Congress can by majority vote work its will on the rules under which it chooses to operate.

The Constitution provides in article I, section 5 "that each house may determine the rules of its proceedings." Both this language and its context make clear that "each house" means not only the two arms of the Congress—that is, the House and the Senate—but also the separate legislative houses of each succeeding Congress. No reason has been or can be adduced to interpret this constitutional provision as a grant of rule making authority to the members of the House and Senate meeting for the first time in 1789 and withholding this same authority from the Members of later Congresses.

Both language and logic lead to the conclusion that the constitutional authority to make rules is granted to each House of each Congress.

It is not disputed that the House of Representatives of each new Congress has the power to, and does, adopt new rules on the opening of each Congress. The identical constitutional provision cannot reasonably be given a different interpretation when applied to the Senate, a coordinate branch of the "Congress of the United States."

Clearly, article I, section 5 of the Constitution gives the majority of the 100 Members of the Senate the right to "determine the rules of its proceedings" unfettered by actions or rules of the Senate of any preceding Congress.

Powerful support for this principle has been given in 1957, 1959, and in 1961 by Richard M. Nixon, who was then President of the Senate, in a series of advisory rulings.

The rulings issued by Mr. Nixon in those years, I feel, reflect a very real and clear understanding of the basic constitutional principle here involved: That the Members of the Senate of each new Congress have undiluted power to determine the manner in which they operate during that Congress.

For example, in 1957, Mr. Nixon ruled that—

> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of the current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

Mr. President, I ask unanimous consent that the texts of the advisory rulings rendered by Vice President Nixon in 1957, 1959, and 1961 be printed at this point in the RECORD.

There being no objection, the rulings were ordered to be printed in the RECORD, as follows:

VICE PRESIDENT NIXON'S RULINGS

In 1957, during the debate on the rules at the opening of the Senate of the Eighty-fifth Congress, Vice President Nixon gave an advisory ruling as follows (103 Cong. Rec. 178):

"It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.

"The Chair emphasizes that this is only his own opinion, because under Senate precedents, a question of constitutionality can only be decided by the Senate itself, and not by the Chair.

"At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:

"First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.

"Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.

"Third. It can vote affirmatively to proceed with the adoption of new rules.

"Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.

"If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves.

"In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate to exercise its constitutional right to make its own rules."

In 1959, during the debate on the rules at the opening of the Senate of the Eighty-sixth Congress, Vice President Nixon gave advisory rulings as follows:

"Under the advisory opinion the Chair rendered at the beginning of the last Congress, it is the opinion of the Chair that until the Senate indicates otherwise by its majority vote the Senate is proceeding under the rules adopted previously by the Senate, but, as the Chair also indicated in that opinion, it is the view of the Chair that a majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow" (105 Cong. Rec. 6).

* * * * *

"The resolution submitted by the Senator from Texas will be considered under the rules of the Senate which have been adopted previously by the Senate. But as the Chair stated earlier today, and as he expressed himself more fully in an advisory opinion at the beginning of the last Congress, in the opinion of the Chair the rules previously adopted by the Senate and currently in effect are not, insofar as they restrict the power of the Senate to change its rules, binding on the Senate at this time.

"The Chair expressed that opinion in the last Congress, but it is only an opinion. The question of constitutionality lies within the power of the Senate itself to decide. The Constitution gives to the Senate the power to make its rules. That means that the Members of the Senate have the right to determine the rules under which the Senate will operate. This right, in the opinion of the Chair, is one which can be exercised by and is lodged in a majority of the Members of the Senate. This right, in the opinion of the Chair, in order to be operative also implies the constitutional right that *the majority has the power to cut off debate in order to exercise the right of changing or determining the rules*" (105 Cong. Rec. 8–9).

* * * * *

"If, for example, during the course of the debate on the motion of the Senator from Texas, which deals with changing the rules, a Senator believes that action should be taken and debate closed such Senator at that time could in the opinion of the Chair *raise the constitutional question by moving to cut off debate*. The Chair would indicate his opinion that *such a motion was in order* but would submit the question to the Senate for its decision" (105 Cong. Rec. 9).

* * * * *

"In the opinion of the Chair, as he has expressed it both yesterday and at the beginning of the first session of the last Congress, the rules of the Senate continue from session to session until the Senate, at the beginning of a session indicates its will to the contrary.

"In the opinion of the Chair, also, however, any rule of the Senate adopted in a prior Congress, which has the express or implied effect of restricting the constitutional power of the Senate to make its own rules, is inapplicable when rules are before the Senate for consideration at the beginning of a new Congress.

"It has been the opinion of the Chair, for example, that subsection 3 of rule XXII would fall in that category, because it has the practical effect, or might have the practical effect, of denying to a majority of the Senate at the beginning of a new Congress its constitutional power to work its will with regard to the rules by which it desires to be governed.

"On the other hand, in the opinion of the Chair, the requirement that any proposal to amend or adopt rules lies over for a day, under rule XL, would not have such an inhibiting effect. Consequently, the Chair believes that rule XL is one which can properly apply in connection with consideration of the rules by the Senate at this point" (105 Cong. Rec. 96).

* * * * *

"It is the opinion of the Chair that at the beginning of a new Congress a majority of the Senate has the constitutional right to work its will with regard to the rules by which it desires to be governed, and that that right cannot be restricted by the membership of the Senate in one Congress imposing its will on the membership of the Senate in another Congress" (105 Cong. Rec. 101).

* * * * *

"The key problem around which this discussion has resolved is with regard to the question of *whether the Senate can move to bring a question of change of the rules to a vote,* as the Senator from Wyoming is aware. It is the opinion of the Chair that insofar as that problem is concerned, *at the beginning of a new Congress the Senate can proceed to adopt new rules or to amend old rules without being inhibited by any previous rule* which might restrict or deny the constitutional right or power of a majority of the membership of the Senate to determine its rules" (105 Cong. Rec. 102).

* * * * *

"A constitutional question would be presented if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the *right to move to cut off debate*. Such a motion would be questioned by raising a point of order. At that point the Chair would submit the question to the Senate on the ground that a constitutional question had been raised because of the Chair's opinion that the Senate, at the commencement of a new Congress, has the power to make its rules. That power, in the Chair's opinion, cannot be restricted even by action of the Senate itself, which would be the case where the membership of the Senate in one Congress has attempted to curtail the constitutional right of the membership of the Senate in another Congress to adopt its rules" (Cong. Rec. 103).

In 1961, during the debate on the rules at the opening of the Senate of the 87th Congress, Vice President Nixon gave advisory rulings as follows (107 Cong. Rec. 9–13):

"The Chair has indicated his opinion that at the beginning of each new Congress a majority of the Members of the Senate have the constitutional right to determine the rules under which the Senate will be guided. Once that decision is made, or once the Senate proceeds to conduct business under rules adopted in previous Congresses, those rules will then be in effect."

* * * * *

"The ruling of the Chair is that any rule adopted in a previous Senate which would inhibit the right of a majority of the Members of the Senate in a new Congress to adopt its rules is not applicable. And, as the Chair has made his ruling previously, the Chair would hold that in this instance the filing of the motion under rule XL, as the Senator has indicated he would desire to proceed, is proper; but that any section of the rules, other than rule XL, which would inhibit the right of the majority of the Members of the Senate to determine its rules, would not be applicable."

* * * * *

". . . The Chair stated that at the beginning of a new Congress a majority of the Members of the Senate can, either by positive action or by waiver of the right to take such action proceed to adopt its rules; but if the Senate proceeds, without objection, under rules previously adopted, to the conduct of business, it is the Chair's opinion that then the rules adopted in previous Congresses will apply to the Congress in which this Senate is sitting.

"On the other hand, if at the beginning of a Congress, before other business is transacted, a majority of the Members of the Senate desire to change the rules under which the Senate has been operating, it is the opinion of the Chair that the majority rule will apply."

* * * * *

". . . As the Chair pointed out in his advisory opinion during a previous session of the Senate, any povision of the rules adopted by the Members of the Senate in one Congress cannot, in his opinion, inhibit the constitutional right of a majority of the Members of the Senate in any new Congress to adopt their rules by majority vote.

"As the Senator from Georgia has properly pointed out, only a majority vote is required to change the rules, if the Senate reaches the point of voting.

"What the Chair held as, in his opinion, unconstitutional was the attempt of the Senate in a previous Congress to inhibit the right of the Senate in a practical sense to get to the point where it could adopt rules by majority vote."

* * * * *

"The Chair in his advisory opinion did hold that the Senate was a continuing body and that the rules of the Senate did continue except for any rule adopted by the Senate which, in the opinion of the Chair, would inhibit the constitutional right of a majority of the Members of the Senate to change its rules or adopt new rules at the beginning of a new session of the Senate. This was the basis of the Chair's advisory opinion. The Chair's opinion was not that it was not a continuing body and that it began with no rules at all at the beginning of a new Congress. It is the opinion of the Chair that, at the beginning of each new session of Congress, the Senate does operate under and begins its business with the rules adopted in previous sessions of the Senate; but the Chair holds that any provision of the rules previously adopted which would restrict what the Chair considers to be the constitutional right of the majority of the Members of the Senate to change the Senate's rules, or to adopt new rules, would not be applicable."

* * * * *

"The Chair expressed his opinion that the provisions of rule XXXII which would inhibit the right of a majority of the Members of the Senate at the beginning of a new Congress to change its rules by majority vote would be unconstitutional."

* * * * *

"It is the opinion of the Chair that so long as no substantive business is undertaken by the Senate the opening of the new Congress still is in effect, so that the Senate would be able to adopt its rules under the majority procedure which the Chair has described."

Mr. FONG. Mr. President, similarly, Vice President HUMPHREY, at the opening of the 90th Congress in 1967, ruled that a majority of Senators in a new Congress has the power to revise rule XXII. Indeed, the Vice President has long been in the forefront of the fight to liberalize the cloture rule.

It was, nevertheless, very encouraging that the Vice President announced yesterday that if a majority, but less than two-thirds, of those present and voting, vote in favor of the pending motion to close debate on the motion to take up Senate Resolution 11, he intends to rule that the motion carries—and debate will proceed under the cloture provisions of rule XXII.

Such a ruling no doubt will be appealed; but if the Vice President is sustained in his ruling, we may then proceed to consider the merits of Senate Resolution 11.

The Vice President's announced intention, of course, is entirely in keeping with the constitutional principle enunciated by former Vice President Nixon, that in a new Congress the majority has the power to cut off debate in order to exercise the right of changing or determining the rules—105 CONGRESSIONAL RECORD, 8–9.

To further support this proposition, it has long been an established constitutional procedure that the Senate of each new Congress make a fresh start on all major activities and begin legislative and executive business anew.

All consideration of bills, resolutions, treaties, and nominations starts at the beginning of each Congress, without reference to or continuation of what has taken place in the past. New officers and committee members are elected in the Senate of each new Congress. When the Senate finally adjourns sine die the slate is wiped clean and proceedings begin again de novo in the next Congress.

The strongest argument in opposition to the right of the Senate to decide the rules under which it wishes to operate is the assertion that because two-thirds of the Senators carry over from Congress to Congress, the Senate is, therefore, a continuing body and that the Senate rules therefore should carry over.

But this argument is illogical. It assumes that the carryover of two-thirds of the Senate always carries over a majority in favor of the rules without change. Obviously the newly elected one-third of the Senate membership, both by their numbers and their powers of persuasion, might very well change the majority view on rules.

It is this majority view that is and should be determinative under our constitutional form of government.

The argument that the two-thirds carryover prevents the new majority from acting on the rules disenfranchises not only the newly elected one-third, but the new majority, who are prevented from exercising their powers and duties to make the rules under which they will carry out their public mandate.

SENATE STILL A DELIBERATIVE BODY UNDER SENATE RESOLUTION 11

Another argument advanced by those favoring retention of the two-thirds cloture rule is that enough time must be allowed for thorough debate on a given issue.

Nothing in the instant proposal would threaten thorough and extended debate. Indeed, I feel that the Senate should remain a deliberative body, debating major issues of public importance thoroughly and fully, if necessary, over a period of weeks, to help inform the people and even influence the ultimate vote.

A three-fifths cloture rule, I believe, would continue to assure the privilege of extended debate, while at the same time enable a substantial majority of the Senate to bring issues to a vote.

The Senate often passes far-reaching legislation—some involving hundreds of millions of dollars—after only a few days of debate. In the light of such experiences, to contend that Senate Resolution 11 unduly restricts debate is not persuasive at all.

Without a doubt, full debate is necessary to define and clarify issues so as to inform Members of the Senate and the people of the country. Only in this way may the Senate reach thoughtful decisions on any issue or legislative proposal.

At the same time, in order to discharge its functions as a parliamentary body, the Senate should be able to act and to reach a vote on important issues.

No action at all, particularly on such important matters, is in my opinion just as irresponsible as hasty action.

After providing a reasonable period of time for ample presentation of all sides of an issue, it is important to allow the majority to work its will, within constitutional limits.

Debate which ceases to inform and instead becomes a parliamentary device to delay or prevent a vote can only frustrate our democratic process.

In our governmental system of checks and balances, there exist effective restraints against hasty and unwise action.

Our bicameral national legislature, with a Senate and a House of Representatives, is itself such a restraint—one house acting as a check on the other.

Further safeguards may be found in the Presidential veto and in the Supreme Court's exercise of its power of judicial review.

The rights of the minority to be heard and represented in the Congress appear to be protected adequately.

Senate Resolution 11, while providing for full debate and consideration, also allows the majority to act if it so desires.

It is a well known fact that a requirement of a two-thirds majority to impose cloture is an extremely difficult vote to achieve. The legislative history of previous attempts to invoke cloture under this requirement conclusively shows this.

As I said earlier, I would greatly prefer a Senate rule allowing a constitutional majority to close debate. However, when this proposal was introduced in 1967, there were very few Senators who supported the measure.

Realizing this, I feel that a three-fifths majority of Senators present and voting is entirely reasonable and modest, and I am hopeful that a majority of my colleagues will support Senate Resolution 11.

I urge that the Senate now act to limit the discussion on the motion to take up Senate Resolution 11 in order that the way may be cleared to vote on the merits of the three-fifths cloture rule.

SENATOR HARRIS, CHAIRMAN OF THE DEMOCRATIC PARTY

Mr. MONDALE. Mr. President, yesterday our colleague, the senior Senator from Oklahoma (Mr. HARRIS) was elected chairman of the Democratic Party.

Although young in years, as a Senator and one of this Nation's leaders, he has made a significant contribution to the growth of this country. I have had occasion to work with him both as a Senator and as a campaigner for Vice President HUBERT HUMPHREY, and I know of his intelligence, his energy, and his organizational ability.

In his role now as a Senator and as chairman of the Democratic Party he has unexcelled opportunity to make an even greater contribution. I am confident he will rise to this occasion as he has so many times in the past.

In an editorial this morning, the Washington Post stated:

> The Democrats did select as their Chairman a young man who in many ways personifies what they are after as a national party.

More than that, I believe that FRED HARRIS personifies what we are after as a people and a nation.

I ask unanimous consent that this editorial as well as Senator HARRIS' remarks to the Democratic National Committee following his election be printed in the RECORD at this time.

There being no objection, the editorial and speech were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 15, 1969]

AND SENATOR HARRIS TAKES OVER

The emphasis was on the upbeat at yesterday's meeting of the Democratic National Committee. Repeated reference was made to the closeness of the Party's November defeat, to the challenging work that lies ahead, and above all to the future with all its concomitant possibilities—youth, reinvigoration, an open and responsive and reunited Party, and one (needless to say) that will be back in business in 1972. Much of this may be discounted as the customary rhetoric of the recently defeated, but the Democrats did select as their Chairman a young man who in many ways personifies what they are after as a national Party, Senator Fred Harris of Oklahoma. In his brief time in Washington, the 38-year-old Senator has demonstrated that he is a skillful, nationally minded politician; he has maintained good relations with the Party's principal elements, including its Humphrey and its Kennedy wings; and his part in the formulation of the Kerner Commission Report, among other things, has left no ambiguity as to where he stands on some of the most important questions that continue to divide the Party.

Things are not nearly so rosy for the Democrats as their official pronouncements would suggest. There is the campaign debt to be settled. There are the ordinary dilemmas of a party out of power—the tension between its congressional and noncongressional sectors being an example. If the latter problem is less pressing at the moment for the Democrats than it might be, that is only because of the fact that they are singularly out-of-office around the country in the big states. Beyond that there is the fundamental question of how they can hold their dissolving coalition together—if at all. The Democrats can look forward, for instance, to much internal warfare within Big Labor in the immediate future, and that warfare is bound to be reflected in their own Party affairs. They also must make some very tough, tough realistic decisions about how to proceed in the South. After 1968, they can hardly have many illusions about the practicality of holding their minimal strength there or of rebuilding it with anything less than positions which would doom them in their Northern city strongholds. Not that all is well in the North: Democratic organizations in crucial places are becoming ever less willing to register those black voters who support the Party nationally, but who also have a way of throwing local Party officialdom out of office.

Questions have been raised within the Party as to whether a Senator—as distinct from a less harried, full-time Chairman—will be able to give the Party the attention it requires. That remains to be seen. To carry on the upbeat strain the National Committee played so heavily yesterday, you could say that with a Senator at the top there is less likelihood that a split will develop between the Hill and the Committee itself, or that their natural suspicions of each other will have the ordinary chance to flower. And it would be no trick to point to full-time Chairmen who have also been full-time disasters. Senator Harris, by his personal style and his record, is certainly qualified for the job. He has his work cut out for him.

ACCEPTANCE REMARKS OF U.S. SENATOR FRED R. HARRIS, DEMOCRAT OF OKLAHOMA, AT THE DEMOCRATIC NATIONAL COMMITTEE MEETING, JANUARY 14, 1969, WASHINGTON, D.C.

First, may I express my gratitude for your decision and, also, my appreciation for the warm endorsement by the man who has led us in such a magnificent way in the recent campaign, Vice President Hubert H. Humphrey.

Not satisfied, alone, with the recommendation of the Vice President and other leaders, I wanted to talk with each one of you personally and—with rare exceptions, when I was unable to reach one or two of you—I have now talked with each of you. We have had very helpful conversations, with frank interchanges about our mutual concerns. I wanted to do this because I am dedicated to the reinvigoration and enhanced importance of this Committee, and to the participation of each one of you in all of this Party's processes and positions.

And that is the way it is going to be.

Following the magnificent campaign of Vice President Humphrey and Senator Edmund S. Muskie, we have inherited a party which is not in despair, but which is vigorous enough to have elected a majority in both houses of Congress, and which maintains a firm foundation upon which to build for 1970 and 1972.

Following the brilliant leadership of Chairman Lawrence F. O'Brien, we have inherited a party which already has the beginnings of the organization and structure which will spell victory in the years ahead.

More than an honor, you have now given me a sobering responsibility, and you have indicated your willingness to share this burden with me. In the words of John F. Kennedy, "I do not shrink from this responsibility; I welcome it."

For, as the life of the late Robert F. Kennedy made so clear, the three great moral issues of our time—peace, race and poverty—have converged in one great tide of history. And the Democratic Party cannot evade the burden of leadership which these issues impose upon us—the burden to help move America to respond to these old but freshly-urgent problems and to the basic needs of man.

These are the problems of Senators, they are the problems of parties and they are the problems of citizens.

Therefore, with the assurance of a top-notch, full-time staff, my duties as a member of the United States Senate and as Chairman of the Democratic Party are mutually compatible and mutually reinforcing.

I want the Democratic Party to be a vigorous and progressive influence in national affairs, offering constructive alternatives on the critical issues of our time.

I want it to be an open Party, encouraging the widest possible participation in all its decision-making processes, made fully democratic.

I want the Democratic National Committee to work in close harmony with the Democratic majority in the House and Senate, launching immediately the Congressional campaign of 1970.

My fellow Oklahoman, Will Rogers, once said, "There is a lot of good sense in the old normal majority."

With your help, we shall call forth that good sense—that great reservoir of idealism and goodness—which is in the American people.

POEMS BY MARGUERITE MITCHELL MARSHALL

Mr. **PEARSON**. Mr. President, Mrs. Marguerite Mitchell Marshall, a Kansan now teaching in the Washington, D.C., school system, has written a moving poetic tribute to the late Martin Luther King, Jr. I am most pleased that Mrs. Marshall sent this poem to me. And on this birthday of Dr. King, I ask unanimous consent that this poem be printed in the Record.

Mr. President, Mrs. Marshall was also kind enough to send me a poem by Miss Antoinette Yolkum, a student at McKinley High School and I ask unanimous consent that this tribute to Dr. King also be printed in the Record.

There being no objection, the poems were ordered to be printed in the Record, as follows:

THE BLACK MOSES: THE REVEREND DR. MARTIN LUTHER KING, JR.

(By Marguerite Mitchell Marshall)

Negroes in America received another defeat in their search for Freedom with the assassination of the Reverend Dr. Martin Luther King, Jr.

Through his Philosophy of non-violence: The doors of integration and equal opportunities opened for Negroes. Civil Rights Laws became a reality, and gave us insight into justice.

Throughout his Life which was a symbol of Hope, Love, Truth, and Freedom for all mankind: He led us out of the wilderness where despair, hatred and strife were prevalent.

Through his legacy He left us the, ". . . dream that one day . . . the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood."

Now the Negro must take this legacy that he left and build a firm foundation for the future. Thus, assuring his reaching the Promised Land where a better life for humanity is reserved.

THE MAN WHO HAD A DREAM

(By Antoinette Yolkum)

A man of non-violence,
A man of peace,
A man who gave his life for his followers, who in turn must carry on his "Dream."
A man who was to lead us to the Promised Land where Righteousness, Love, and Freedom abound.
A man who struggled daily to bring mankind together, to aid the downtrodden, and to affect a brotherhood society—
This man was The Reverend Dr. Martin Luther King, Jr.

CRISIS IN CONFIDENCE

Mr. **BYRD** of West Virginia. Mr. President, the uncurbed escalation of crime in the District of Columbia is a matter of the deepest concern to me, and I believe that it should be of the deepest concern to every Member of Congress and every American citizen interested in the future of the Federal City. The barbaric killing and the mounting banditry throughout the city have created a crisis in the people's confidence in the ability, or the willingness, of their Government to provide them the protection in their places of business, on the streets, and in their homes to which they are entitled.

The Washington Post, in a very fine editorial published in its Sunday editions, took note of the fact that crime in the District has grown even worse in the first days of the new year than it was before. The situation that now exists is completely intolerable. The time is long past for rhetoric. Positive action to curb the criminals is demanded, or the Capital City of the United States will be reduced to a hideous, fearsome place in which no person can be safe from the predators who prowl it by day and by night.

I shall have more to say on this subject. In the meantime, I ask unanimous consent that the Post editorial, entitled "The Crime Crisis in Washington," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 12, 1969]

THE CRIME CRISIS IN WASHINGTON

The murder of two young FBI special agents who were trying to arrest a robbery suspect, taken together with the recent rash of bank holdups and multiple shootings, are grim confirmation in dramatic form of a far wider condition—a kind of crisis of crime—in our community. The killing of law enforcement officers in the performance of their duty has a special shock effect. So do bank holdups, because they are daring and usually involve a deadly weapon and large amounts of cash. There have been 14 such robberies in this area just since the beginning of this year, and if the rate continues, bank holdups this year could more than double the number in 1968. This prospect is harrowing enough, and all the more so when placed in the perspective of the total crime problem. For the robberies of banks and other large businesses actually account for only a fraction of all robberies that occur on streets and in alleys and dark hallways, and probably inflict the least human suffering. Insurance does not usually cover the week's wages snatched from a handbag, or the week's earnings taken from a small shopkeeper's cash register. For these victims, small crimes can be a very large personal catastrophe.

The minutely detailed statistics in the President's Commission on Crime in the District of Columbia illustrate this point. Between 1960 and 1965, the Commission reports there were 14,187 robberies. Of these, 10,509 (74.1 per cent) took place on the street. During that six-year period, banks accounted for 35 (or .2 per cent) of all robberies.

These statistics are the most accurate available and yet they do not give the full picture for they do not take into account the counless robberies that are not reported—the purse-snatchings and muggings which the police are never told about. And these statistics, it has to be emphasized, deal only with the crime of robbery, which is in itself only a piece of the larger crime problem, running the gamut from prostitution and narcotics traffic to rape and murder. Crime of all kinds must be counted in, not only because almost all kinds of crime are on the rise, but because it is crime, in its totality, which is creating a growing crisis of confidence in our community. This secondary, psychological effect, this sense of near-hysteria, is not always rational; it contributes very little to a reasoned solution of the problem. But it is no less real on that account and no less reasonable—the fear of the private citizen, black as well as white, to walk the streets and the fear of corporate leaders, and of businessmen big and little, black as well as white, of doing business in our city.

Plainly, more, much more must be done. To say that, however, is not to say very much, for if any of the answers were easy, we would not have the problem that we have. Yet there are things that can be done, for the long haul and for right now, and as good a place as any to begin looking for them is in the Crime Commission's recommendations for improving the entire system of law enforcement, criminal justice, punishment and rehabilitation. The report was issued in December, 1966, yet two years later little has been done with it beyond a significant beginning in reorganizing the police department.

For example, the Commission called for substantial reduction in the time it takes for a felon to be brought to trial and for additional court personnel to make this speedup possible. Yet the delays and backlogs get longer, so much so, in fact, that of the 53 adult suspects arrested for robbing Federal banking institutions in 1968, none has been tried. And of the five judges the Commission suggested be added to the Court of General Sessions, Congress authorized only two—and they have not been appointed.

The "major effort" the Commission called for to upgrade the city's correctional institutions has been miniscule. Ironically, the Commission called for an improvement of the security of Lorton Reformatory, from which the man accused of slaying the FBI agents escaped last year. Perhaps the most important set of recommendations—on which the least action has been taken—was for a major expansion of rehabilitative services for juvenile delinquents, because that would serve to interrupt a juvenile career in crime before behavior patterns became permanent. And still the facilities for handling youthful delinquents are badly understaffed—and still ineffective.

Apart from these longer-term proposals, there is one area of potential reform—bail procedures—which might offer some promise of more immediate benefit. The right to release pending trial is basic—but not necessarily immune to sensible and reasonable restrictions in cases where an overriding public interest is found to be involved. Under present law, in most cases, judges are required to grant bail unless there is some good reason to believe an accused person will not show up for trial. But release of an accused is now such a simple, routine business that cases abound of defendants committing the same or more serious crimes while awaiting trial. Serious consideration should be given to an amendment that would make it possible for a judge to use more discretion before making it to easy for hardened criminals to be set free for prolonged periods; tougher bail regulations, however, must come accompanied by judicial reform to prevent long delays before a defendant is brought to trial. In any event, a set of bail procedures appropriate to shoplifters is not necessarily appropriate to an accused holdup man with a long history of arrests.

Not even a combination of many measures offers certain promise of an early end to the current crisis in crime. What is certain, however, is that if extraordinary measures are not taken, an already intolerable situation will get still less tolerable, and the measures that may then become necessary—or that an alarmed and outraged public may insist are necessary—will be of a kind that will seriously threaten those elementary human rights which must always be upheld if we are to remain a free society under law. It is not too late to find that proper balance between justice and effective law enforcement, to move forcefully along lines the President's Crime Commission has already laid out. But it is getting very late.

OUTPATIENT DRUGS UNDER MEDICARE—INTENTION TO REINTRODUCE LEGISLATION

Mr. MONTOYA. Mr. President, as the Senators know, I am deeply concerned about the burdens placed upon a number of our older citizens by the large expenditures they must make each year for prescription medications. In 1967, for example, over 260 million prescriptions were written for persons aged 65 and over in the United States, while the total expenditures for these medications amounted to well over $1 billion. If these costs were spread equally over all older persons, they would indeed constitute a significant financial drain on the limited economic resources of the elderly. Tragically, however, we know that these expenditures are not uniformly distributed—some older persons have no prescription costs in any one year, or have costs which are, by and large, within manageable limits. Others, however, have requirements for medication, the costs of which are nothing short of catastrophic.

For some 3 years now, some of us in the Senate have worked hard to bring about relief to those who bear inordinately large prescription drug expenses each year. Various proposals have been made to expand the coverage of the supplementary medical insurance portion of the medicare program to include outpatient prescription drugs. In 1966, we passed such a program, but the House did not agree to its adoption. In 1967, we nearly enacted another program—one which I offered as an amendment to the then proposed Social Security Amendments of 1967.

Although we did not enact a program, we did manage to direct that the Secretary of Health, Education, and Welfare study the matter in great detail and report to the Congress his findings and recommendations. It is now 1969, and we should be ready to take action in this area—no longer can there be a justification for the need to study the matter into oblivion.

I have not had, as yet, an opportunity to review the final report of the Secretary and the Task Force on Prescription Drugs, which was only released yesterday, although I understand that they have recommended a program of limited drug coverage. It is my intention to reintroduce legislation to achieve the objectives outlined in my earlier proposals. In drawing up my proposal, I certainly intend to take into account the findings and ideas of the task force report and the Secretary's recommended courses of action. However, as I understand it, the kind of program which is being proposed by the task force is substantially different in design and financing. It will be necessary, therefore, to examine carefully the assumptions and rationale used by the task force to support their views on particular proposals. I hope that this can be done as quickly as possible in order that we may move toward a workable program for our older citizens.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

PRESIDENTIAL PAY BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Presidential pay bill, which is at the desk.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 5 Leg.]

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON), the Senator from Indiana (Mr. HARTKE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PELL), and the Senator from Maryland (Mr. TYDINGS), are necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) and the Senator from Maryland (Mr. MATHIAS) are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 10.

Mr. MANSFIELD. Mr. President would the clerk be kind enough to read the House bill?

The PRESIDING OFFICER. The clerk will read the bill.

The legislative clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 102 of title 3, United States Code, is amended by striking out "$100,000" and inserting in lieu thereof "$200,000".
>
> SEC. 2. The amendment made by this Act shall take effect at noon on January 20, 1969.

Mr. MANSFIELD. Mr. President, the bill speaks for itself. The House has already agreed to raise the salary of the President of the United States from $100,000 to $200,000, as is noted in the bill before us. As section 2 indicates, this act shall take effect, if approved by both Houses, at noon on January 20, 1969. This means, of course, that if the pay increase is to become effective, action must be taken this week. The bill does not apply to the outgoing President; it will apply, if approved by Congress, to the incoming President. If nothing is done this week on this proposal, it will mean, if I understand the situation correctly, that nothing can be done on this subject until 4 years from now.

Two hundred thousand dollars is a lot of money. Some people have the idea that the President of the United States does not pay any income tax. I may say also that some people have the idea that Senators and Members of the House of Representatives do not pay any income tax. But, of course, the President does and we do.

On today's salary of $100,000, the President pays $49,500 in income tax, leaving him $50,500 in spendable income. If his salary is raised to $200,000 as the pending bill contemplates, $122,000 of that amount will go to income tax payments, and only $78,000 will be available to the incumbent in the White House.

Those are the facts. The issue is simple. I would hope that the Senate, as the House has done, would give its full approval to the pending bill when the time comes for a decision.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. FONG. Mr. President, I wish we had more time, really, to discuss the bill, because I think the Committee on Post Office and Civil Service should discuss it thoroughly. But as we do not have the time, because the matter is pressing——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. MANSFIELD. I agree with the statement of the distinguished Senator from Hawaii. But as the Senator knows, we are stymied because following the traditions, precedents, and customs of the Senate, we could not take up proposed legislation for consideration until after the President had delivered his state of the Union message.

The Senator is perfectly correct, but I am delighted to note that he understands the situation that confronts us at this time.

Mr. FONG. I understand fully why the bill has been brought up at this time. If we do not act, the President-elect will not be able to secure an increase in salary.

It is a widely accepted fact that the Presidential salary is inordinately low. It is far below private industry salaries. The $100,000 increase is the very least we can do, when you consider what he will have left after Federal and State taxes.

When one considers the increase of $100,000, he will find that with our present income tax, 70 percent of it will go to the Federal Government. That means 70 percent of the $100,000 will go to Uncle Sam.

If the surtax is continued, another 10 percent, or $7,000 will be added to the $70,000, making a total of $77,000 in Federal taxes.

If the President were living in Hawaii, for example, and the State laws were to apply to him, he would pay another 11 percent on that $100,000 as the State does not allow a deduction for Federal taxes. That would mean that he would have to pay $11,000 more. Thus, if the President-elect were living in Hawaii, with this $100,000 increase, he would receive after Federal and State taxes only $12,800; $88,000 would go to taxes.

Were he to reside in any other State, I am sure he would be confronted with roughly the same situation.

So it can be seen, Mr. President, that the increase of $100,000, although appearing to be very large, is in reality a very small increase when all the taxes have been taken into account.

I would prefer if we had the time, to give him a larger tax-exempt allowance—say, $25,000—rather than giving him a $100,000 increase in salary. However because we must complete action on this bill in the next few days, before President-elect Nixon takes office, I am constrained to vote for the pending bill although I would have preferred to have more time for our Civil Service and Post Office Committee to work on the bill and to consider other alternatives including a tax-exempt sum and/or an increase in his retirement benefits.

Mr. ALLEN. Mr. President, I rise in opposition to the passage of this bill. I believe that it ill behooves me, as a new Senator, to cast my first vote on a bill in the Senate to raise the salary of the incoming President of the United States by $100,000.

We are trying to hold the line against inflation. From time to time, labor-management contracts come up for consideration. We speak very piously about holding those wage increases to 3.6 percent, to 5 percent, to 6 percent. Yet, in one fell swoop, we would raise by 100 percent the salary of the President. I believe that the President of the United States, the Members of the House of Representatives, and the Members of the Senate should set the tone for the people. I do not believe we should ask the people to abide by one set of rules while we abide by another set of rules.

I have read in the newspapers—and I assume most Senators have, also—that the President-elect stated that he did not need this salary increase. The junior Senator from Alabama does not wish to force on the President-elect a $100,000 salary increase.

For that reason, Mr. President, the junior Senator from Alabama will cast his first vote in the Senate on a bill in opposition to the salary increase.

Mr. WILLIAMS of Delaware. Mr. President, it is most unfortunate that the first order of business in the 91st Congress is the question of raising salaries. The proposal before the Senate is one to raise the salary of the President by 100 percent, or from $100,000 to $200,000, and, in addition, he would still retain the $50,000 tax-exempt expense account.

It should be pointed out that the operating expenses—entertainment at the White House, the travel expenses of the President, the cost of his plane, and so forth—are not paid out of the salary or the $50,000 expense account, but such expenses are paid out of a special contingency fund; and, in my opinion, they should be so paid. I do not believe the operating costs of the White House or the costs of official entertainment should be charged to any President. If this general contingency fund is not adequate, so far as I am concerned, I would support such increase as was thought necessary.

I do not recall a single instance in which any Member of Congress—in the Appropriations Committee or in the Senate—raised a question about the President's having an adequate allowance to help defray the operating costs of the White House, and I most certainly would support it.

That is not what we are debating here today—nor can we consider this bill as a single item. We all know that this is but the forerunner of a 40-percent increase in congressional and judicial salaries.

In light of the size of the job I would not question the wisdom of a $200,000 salary for the President of the United States if it were not for the peculiar circumstances under which we are operating at this time. If the 91st Congress makes the first order of business the question of raising the salary of the President by $100,000, which is, in effect, a doubling of his salary, the next order of business will be the proposal to raise congressional salaries by 40 percent. Immediately following this bill will be a proposal to raise by 40 to 50 percent the salaries of the Members of Congress and other top echelon of the executive and judicial branches.

Taken by themselves, the cost of these salary increases—including that of the President, Congress, and the executive at the top echelon—will not be a major factor in determining a deficit or a surplus when we are dealing with $195 billion in overall expenditures. But we cannot consider these raises by themselves. If we approve a $100,000 increase in the President's salary, or doubling it, and if we as Members of Congress, increase our salaries immediately thereafter by 40 percent, then neither the legislative branch nor the executive branch can tell the 2½ million civil service employees that they are not entitled to a 10- to 12-percent increase. We are then dealing with a $4 billion annual increase in the cost of Government since the latter increase will automatically be carried over to the Armed Forces.

Then, if Congress is to raise salaries from 40 percent to 100 percent in the executive and legislative branches, and if the U.S. Government, as the largest employer in the country, raises the salaries of its 2,500,000 employees by 8 to 10 percent, or possibly 12 percent, we cannot in good conscience sit down with private industry and tell them that we expect them to hold the line with a 3-to-5-percent increase in order to control inflation, nor would it be practical to ask industry to control prices.

Like the Senator from Hawaii, I would have preferred to have dealt with this in some other manner after our fiscal house had been put in order. It could be dealt with at a later date in the form of a pension increase, which would be far more advantageous. I mention that only to point out that there is no need for such a rush. It would be possible to deal with the matter even after the inauguration of the President-elect if we so desire. Then we could determine its merit after an orderly study.

What I fear is the psychological effect of these increases on the American public at a time when we are trying to check a serious threat of inflation.

The American dollar is still not out of danger. The apparent strength in the American dollar in the last half of 1968 was unrealistic; it looked stronger largely because it was being compared with weaker European currencies.

We do not have the financial position of this Government under control. I make that statement notwithstanding the claims we heard last night of a balanced budget with the projection of a $2.4 billion surplus for 1969 and a $3.4 billion surplus for 1970. I have not completed a detailed analysis of the 1970 budget as it was submitted to us yesterday, but I am working on it; and I shall have more to say about that at a later date. However, based upon a preliminary analysis I can say this with no fear of contradiction or of being proved wrong later—the budget of the U.S. Government will not be in balance or anywhere near in balance in June 1969, nor will the final results of 1970 show a surplus.

We do not have a balanced budget. When all of the fancy manipulations of the budget message, which comes to us today, are eliminated we will find a projected deficit of nearly $12 billion for fiscal 1970. These projected surpluses are nothing but a mirage that is going to disappear when we approach the date. We saw the same thing happen a year or two ago. A year ago they were claiming we would have a deficit for fiscal 1968 of only $8 billion. Some of us said that deficit would be in the neighborhood of $22 billion. For this reason we said that we would have to have a 10-percent tax increase. I introduced that tax increase bill which contained a second proposal to control spending. It later developed that we had a deficit last year of a little over $25 billion. This year the budget situation will be substantially improved as a result of the increased revenue from the 10-percent surcharge and the expenditure controls we were able to hold. However, we still do not have a budget that is in balance, and it will not be brought into balance with speeches.

It is time for Congress and the executive branch to take more effective action.

At the rate we are spending the budget cannot possibly be brought into balance by the end of fiscal year 1969. The fiscal 1970 budget already shows a deficit after we discount the manipulations.

The boast was made last night that our balance-of-payments position has substantially improved in the last few months. I understand we are actually running a surplus in our trade balance at this time, but it is an artificial balance. I have discussed this matter with the Treasury officials, and they are very much concerned that this false picture is going to result in a letdown and give us a false feeling of security. As they point out, much of this improvement represents an abnormal influx of foreign investment capital.

Private foreign investors have increased their net portfolio purchases of U.S. corporate stocks and bonds from about $125 million in 1965 to an annual rate of $3.7 billion in the first three quarters of last year—a 30-fold increase.

The $3.7 billion consisted of $1.6 billion of corporate stocks and $2.1 billion of bonds.

The tremendous upsurge of foreign interest in U.S. corporate securities reflects some transient and some more lasting influences.

In the case of stocks, political disturbances and sluggish business conditions in some other advanced countries contributed temporarily to interest in U.S. shares. But more important was a combination of several other factors:

Growing foreign appreciation of the strong growth possibilities of many American industries, particularly in technologically advanced lines;

A greatly expanded promotional effort by the United States and foreign investment communities to market U.S. shares;

A desire for greater portfolio diversification on the part of many European institutional investors;

The rising popularity in Europe of mutual funds investing a sizable amount of funds in U.S. stocks; and

U.S. Government encouragement of foreign investment in U.S. securities as part of its balance-of-payments program.

The potential long-term expansive effect of these factors on foreign purchases of U.S. stocks is substantial indeed.

U.S. corporate bond purchases by foreigners last year reflected the inducement of U.S. corporations under the foreign direct investment program to finance their direct investments abroad to a much larger extent from foreign sources of capital. They have done so successfully and, because of the relative credit situations here and abroad, high credit ratings of the issuing companies and the increased European demand for U.S. securities, at costs comparable in many cases to what they would have paid in the U.S. for long-term capital.

This beneficial effect of the foreign direct investment program for the U.S. balance of payments was achieved without reducing the overall level of corporate direct investment abroad and, therefore, without shrinking the future flow of remitted earnings from such investments.

I repeat, our improved balance of payments is not the result of our increased exports or our decrease in imports. It is because of the tremendous and unusually large investments of foreign capital coming into this country in our stock market or in our bond market and partly because we have an extraordinarily high interest rate prevailing in this country. The money is coming in for investment today, but it will leave just as fast if the picture changes.

To a large extent our improved dollar position results from a comparison with a weak franc and the flow of capital from France and certain other European countries. As soon as they reach a point of stability in those countries that money can be withdrawn as quickly.

I think the first order of business of the 91st Congress should be to put our financial house in order instead of raising salaries.

Mr. CURTIS. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. SPONG in the chair). The Senate will be in order.

Mr. WILLIAMS of Delaware. Mr. President, I repeat, the first order of business of this Government should be to put our financial house in order.

At this time these salary increases can only be financed with borrowed money on which we would pay 6- to 7-percent interest. I do not think we should increase the salaries of the President, Members of Congress, or any top official of the executive or legislative branch of Government until we demonstrate to the American people that we have put our financial house in order.

For that reason I shall vote against the measure here today. At the same time, I have sent to the desk a resolution disapproving the proposed increase of salaries for Members of Congress, and the top echelon of the executive and judicial branches.

I do not think that we can overlook the fact that inflation is the second most serious threat confronting our country. Certainly we put the war in Vietnam first, but on the homefront inflation is still a serious threat, and we cannot bring it under control unless we start tightening our belts. We in Congress will be more effective in controlling the expenditures of the Government when we demonstrate that we are willing to start practicing economy with ourselves in Congress.

Mr. DIRKSEN. Mr. President, in response to the observation that it is unfortunate that this matter comes before us as almost one of the first substantive things before the 91st Congress, I can only say that it is imperative to do it now or wait 4 years to do it. Both branches of Congress passed the bill which created the Presidential Commission on Pay Raises of which Fred Kappel, former chairman of the board of A.T. & T., was Chairman. Among the other members were: John J. Corson, George Meany, of the AFL–CIO, Stephen K. Bailey, of Syracuse University Graduate School, Sidney J. Weinberg, the investment banker, Edward Foley, a Washington attorney, William Spoelhof, President of Calvin College, Arthur H. Dean, prominent lawyer, and a partner in Sullivan & Cromwell, and William T. Gossett.

That is the Commission that was appointed, two Members by the Senate, two Members by the House, two members by the Chief Justice and, I suppose, three by the President. This is a continuing Commission and it is authorized to evaluate judicial, executive, and congressional salaries every 4 years. There is a provision in the Constitution that if the President's salary is not raised before he takes the oath of office it cannot be raised during his incumbency. Unfortunate as that may seem from our standpoint, it is an inescapable fact, and that is the reason why we deal with it.

There is not going to be very much money left for the President. I saw the figures at the White House yesterday when we had a leadership meeting. Out of the $200,000, the President will be getting $78,000 under the application of normal income taxes and a surtax. So he has not been enriched very much. I am very sure that if the President-elect had a choice he would rather have an expense allowance that was tax free. That would do him some real good. But we cannot very well achieve that. If we sent this measure back to the House I think they would be affronted and they would have reason to be affronted, and I am not about to do it, so far as my vote is concerned.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. The Senator has emphasized the fact that with a $100,000 increase, bringing his salary to $200,000, the President would pay $122,000 in taxes and actually receive $78,000.

Mr. DIRKSEN. That is correct.

Mr. MANSFIELD. At the present time, under a $100,000 salary, he pays $49,500 in taxes and receives $50,500. Thus, what we are talking about in reality is a $27,500 raise for the President of the United States.

Mr. DIRKSEN. Yes. There are a lot of things that——

Mr. BYRD of Virginia. Mr. President, will the Senator yield for one question?

Mr. DIRKSEN. I yield.

Mr. BYRD of Virginia. Just for the sake of the RECORD, and to refresh the memory of the Senator from Virginia, the Commission to which the Senator from Illinois refers did not have authority, so far as Congress was concerned, to bring in a recommendation on the President's salary. It was a Commission to set the salaries of Cabinet officers, the judiciary, and Congress, but the President was not included; is that not correct?

Mr. DIRKSEN. Exactly so. They could not include it, so it had to be handled specially.

Mr. BYRD of Virginia. So it is not a part of the Commission's recommendation?

Mr. DIRKSEN. No.

Mr. BYRD of Virginia. I thank the Senator from Illinois.

Mr. DIRKSEN. The Commission could not recommend.

Now, Mr. President, the fact is that Presidents are under certain obligations for a lot of things that do not meet the eye. I know that President Johnson went out to the Philippines for that roundup conference with seven or eight countries. One does not go emptyhanded to such a meeting. Souvenirs have to be provided for the rulers of state sitting around the table, and likewise for their wives.

Now, that is not an official expenditure, so it comes out of his pocket. In that respect, his income or his disclosable income is thereby reduced.

That is why I say that an expense allowance would have been infinitely better so far as the President is concerned. But that is neither here nor there.

We had a rather intimate session yesterday. We talked about ladies' clothes and other things which are a tax upon the President and his family. It is not an easy dish.

I remember when I testified on behalf of a former Governor of Illinois out in Chicago who was then under charges of evasion of income taxes. I made a special point of the fact that in an expense account the Governor had submitted, there was an item of $35 for a girdle for his wife. Well, I marveled that he could get a girdle for $35, the kind that she should wear. [Laughter.]

She was a very good-looking, queenly person. He was the Governor of a State of 10.5 million Americans. We want her to look nice. When Governors come to Chicago as our Governor's guests, we want her to be able to entertain the wives of the Governors, and we want him to entertain the Governors. We want him to do it right. It takes a little money. Finally, it goes beyond the salary of the Governor and, in this case, it can go beyond the salary of the President.

If the Internal Revenue Service takes $122,000, the President has got $78,000 left. That is pretty thin salami for 1 whole year, when it is measured against the obligations that fall upon the President, quite beyond the official entertainment that goes on, the clothes, and everything else that goes with it.

Mr. LONG. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. LONG. Perhaps the Senator does not recall, but I know that I do, the last time we raised the President's salary was the first year I served in this body, in 1949. At that time, we raised it from $75,000 to $100,000.

Since that date, we have raised our own salaries twice. In 1955, we raised our salary from $15,000 to $22,500. I voted for that and I am proud that I did. President Eisenhower recommended that raise for us. He did not recommend one for the Presidency but he did recommend that Congress raise its own pay, and we persevered and did so.

Then, in 1964, under a Democratic President, we raised our salaries, recommended by the President, but not for himself, from $22,500 to $30,000.

Thus, when we talk about 100-percent salary increase, we must remind ourselves that we have doubled our own salaries 100 percent since we raised his, and he would have less left out of it relatively speaking than we would have, because we are in a much lower tax bracket than he.

If we want to talk in terms of treating the President as we treat ourselves, it is essentially the same as we have done for ourselves, relatively speaking, since the last time we raised the President's salary, when President Truman took over for his first full term in office.

Mr. DIRKSEN. I am fully aware of it. I hope that my good and young friend from Louisiana will support what is in the President's new budget in recommending an increase of congressional salaries.

Mr. LONG. Yes, Mr. President; I expect to support it. I voted before to raise congressional salaries. But, I did it, then with great fear and trepidation. In my judgment, the best argument for it is that there are so many very fine people working in the Government who do not run for the job but who are deserving of good pay because of the great sacrifices they make, whose salaries should be increased as a practical matter, but never would have been made meaningful unless we did raise our own. Otherwise, the $15,000 cabinet men and generals in the Army should get no more. So I felt that the real benefit would be that by making our own salaries realistic we would be able to make it more realistic for those who serve in other positions in Government where a man does not run for the job. In addition to that, a Senator made the argument which I have heard made—and he was completely sincere—by the Senator from Virginia at the time, that if we voted a salary increase for ourselves, from $15,000 to $22,500, there was no way to avoid voting a salary increase for civil service employees, the Post Office and others.

Well, Mr. President, so far as I am concerned, I think that civil service employees should be paid more. I think that Post Office Department employees should also be paid more. I intend to vote for the social security increase, and I shall vote to increase the President's salary.

Let us set some basis so that deserving Government employees receive comparable pay to that which they would receive in private industry. So far as I am concerned, I am for it. If that sets a precedent for setting social security payments at a level that would be more in line with the needs of the aged, the widows, and orphaned children, I am for that, too.

It gives this Senator no problem to vote for an increase in the President's salary. As the Senator so well says, if we do not vote it now, we cannot vote it during his incumbency. He might be president for 8 years, for all we know, and we have missed the chance to give the man the remuneration that job so well deserves.

Mr. DIRKSEN. Mr. President, both Madison and Hamilton lamented the fact that the Constitution remained open ended, so far as congressional salaries were concerned. That is the way it is. Every time we come to grips with it, editorials, headlines in the newspapers, scolding, and much criticism appears. But, that does not diminish the fact that the laborer is worthy of his hire. This Commission certainly went into the matter thoroughly, as other commissions did, when they came up with the recommendations that appear in the report, and to which the President alluded last night briefly, and on which there will be a special message very shortly.

But let me point out something else, Mr. President. I was interested in the salary and income of the President of General Motors. It takes various forms. There is the straight salary, the right to buy stocks, to participate in a contingent credit, and so forth. He also gets his life insurance for $400,000. But his remuneration in 1967 is estimated to be $708,000. That is quite a lot of money compared to the $200,000 that we are going to allow the President. To be sure, he gets money for the maintenance of the White House and grounds and for official entertaining and staff. But even then, if we gave him an additional half million dollars, he could do pretty well with it.

Mr. President, without appearing to be invidious about it, I am not going to read any names except that of the companies, and to say that the presidents of the American Tobacco Co., the American Telephone & Telegraph Co., Chrysler Corp., Columbia Broadcasting, General Telephone & Electronics, Goodyear Tire & Rubber, International Telephone & Telegraph, Mobil Oil, United Aircraft, Radio Corp. of America, receive salaries in excess of $200,000 and in one case it goes up to $290,000.

Now let us look at the sports field.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS of Delaware. I dislike to interrupt, but I think it would be well to note that while those salaries are higher—and I certainly feel that the Office of the Presidency should be adequately compensated—nevertheless it should be noted that the companies in which those men were serving were solvent and that their incomes were far in excess of their expenditures. Their reports to their stockholders were not comparable to the report which the American people have received from the executive branch as to the financial position of the U.S. Government.

Mr. DIRKSEN. All I can say is that, if there is any doubt about our solvency, we still cannot starve the President, because it takes more than his shadow to do the work.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS of Delaware. I think the Senator will agree that all this talk about the President's salary is just a small part of the question. This bill is just a prelude for an attempted justification for a 40-percent increase in congressional salaries. We are not dealing with this issue only today. If we were, I doubt that there would be a voice raised against it, but it must all be considered in context. As the Senator has pointed out, the next order of business will be the question of a 40-percent increase for Members of Congress and judges. Then the next question is what to do with the 2,500,000 civilian Government employees. Then the next question is what we ask private employers to do for their employees. Can we ask labor and industry to hold the line while at the same time we raise our own salaries? Then the next question is the question of the tax to finance these extravaganzas. That is what bothers me. We have had two financial crises during the past 12 months. Let us not invite another. I say that, as one who has felt that the 10-percent surcharge must be extended.

We cannot continue to operate this Government at a deficit averaging $1 billion a month. We have to take hold of it at some point. The only question is, Where do we start? My feeling is, let us start now. Maybe tomorrow will be too late. It has been my experience that tomorrow never comes when it means cutting expenditures.

Mr. DIRKSEN. Mr. President, let me just say that month after month and year after year we have watched this country become strikebound, like the dock strike now. They want another 10 percent in fringe benefits. This has been going on all along. These demands have been granted. But when we talk about congressional salary increases, we talk about it with fear and trepidation, as if we were afraid to go home and meet the voters.

I authored the first pay increase in the House in 1946. They wanted to escape a rollcall. I did not care whether there was a rollcall. But not a Member was defeated who voted for the pay increase. I went around the country and defended some of them. So there is no weight in that argument.

Now, Mr. President, let me go on. I was looking at some of the earnings in the sports and entertainment field. Bob Gibson, of the St. Louis Cardinals, gets $90,000. Joe Namath got $370,000 and a Lincoln convertible. After that debacle in Florida the other day, he could demand $1 million and probably get it. Who knows?

Hank Bauer. Herb Alpert.

Oh, look at Frank Sinatra. They tell me that, from personal appearances and records, his earnings run to about $3 million a year.

Barbra Streisand, for a 5-week concert tour in 1966, received $1 million. Is that not wonderful?

So here is the head man of the largest municipal corporation in the world—the U.S. Government—with a population of 203 million people, and we argue and fuss a little about how much salary he ought to get. I am sorry we did not add something for the expense account, which would do him a lot more good.

But let us take a look at the heads of state. I was looking to get some information about Her Majesty the Queen of Great Britain. I ought to include Ireland there, I guess.

Mr. MANSFIELD. No; no.

Mr. DIRKSEN. No?

Mr. MANSFIELD. No.

Mr. DIRKSEN. Well, she has an income of £475,000, that is $1,140,000 at the present value of the pound, namely, $2.40. But the Queen's privy purse gives her another $144,000. So that lovely, charming ruler of Great Britain, for various purposes, including salary, gets somewhere around $1,300,000—a country with 40,000,000 people, one-fifth the population of our country, and they do rather generously by the Queen.

I wondered about the King of Sweden, so universally adored in his own country. They allot the sum of 3,400,000 crowns for the royal household. I guess that is $680,000. Then he gets 300,000 crowns which represents gratitude for the debts of the Swedish state paid by Count Bernadotte out of his own purse.

Now I turn to Queen Juliana of the Netherlands. She receives $280,000. That is a small country. Its activities do not begin to compare with the United States of America. And, in addition, Prince Bernhard gets $112,800.

Oh, Mr. President, we could multiply the list, and I could read here from some of the sheets of fringe benefits that their majesties get, and there is never any discussion about it. But every time you want to raise a public official's salary in this country, get ready to run for the storm cellar. There is no question as to what is going to happen. If we had a rollcall, all who favored this measure would probably receive letters and postcards and telegrams, and how we would be scolded, particularly when we try to keep our country on an even keel and help safeguard its good faith and its solidarity.

So I shall not ask for a rollcall, because they will read something about my speech. It will be reported on the front page, and then the deluge begins.

That does not make any difference. This is a question of doing something that should have been done long ago. But time is running out. Next Monday, when Richard Milhous Nixon holds up his hand out there in that embroidered stand and takes the oath, from that point, for 4 years, we cannot help him, salary-wise, because the Constitution does not permit it. So there is no validity in the argument that this matter was brought along in the shank of the case. In the first place, the House of Representatives could only consider it on 1 day, and that was a suspension day between the 3d of January and now, when they can move to suspend the rules. Otherwise, it would have had to be done under unanimous consent, and they knew that there were a couple, at least, who would object, and it would have gone out of the window.

So that is the way it came here. Now we are within the shadow of the inaugural ceremony, and we do it now or we forgo and forfeit the chance to do it for this President.

I add one further thing. Everybody knows that it costs money to live in this time. When I came here—I hate to allude to it, but it was 35 years ago—you could get a pretty decent menage—I think that is the distinctive $4 word for a house or an apartment for $150 a month. But go out and see what $150 will buy by way of living quarters today in Washington, D.C., and you will not get very far. If you go around and price some of these houses, it will knock your hat off. I went by a house the other day, and whoever was with me said, "That house there is for sale."

I said, "For how much?"

He said, "The price tag is $350,000."

I said, "A third of a century ago, I bet you could have bought it for less than $75,000."

So, you see, this town is not insulated against inflation. It costs money, and it costs the President money. So I favor this measure, and I favor it now; and, when the pay increase proposal comes before us—and I trust very soon—I trust that it also will have the approval of both branches of Congress.

Of course, they do not have to approve. If they offer no resolution to rebut or to reject, then it automatically becomes effective, and that is not an unusual procedure in Congress, notwithstanding some of the editorial observations that I have encountered in the last few days. So the thing to do is come to grips with it, and have it out of the way, because we have to meet it sooner or later.

So I end where I began: It is a little distressing, wise and profound as the Constitution makers were, that somehow they left this task in the hands of Congress itself, and through the years we have had to deal with it. But the mere fact that it is a little distressing is no reason why we should duck our responsibility.

Mr. President, I should like to add only one thing for the RECORD, and that is the total amount involved in the salaries that were recommended by the President's Commission on Salary Increases. I wish to include therein the $100,000 provided in the bill, so that there will be a total amount.

Those figures reflected an annual cost of proposed increases in salaries as follows:

In the legislative branch at $10,751,000.

In the judicial branch, at $14,305,500.

In the executive branch, including the additional $100,000 in this bill, $9,731,250.

This makes a total figure of $34,787,750.

Mr. CURTIS. Mr. President, I am opposed to the measure which would raise the President's salary from $100,000 to $200,000 annually. The President-elect has not asked for it. Under existing tax rates it will be of little value to him.

My principal reason for opposing it is that it places an unfair burden upon him. It was only yesterday that the man who will become Secretary of the Treasury, Mr. Kennedy, advised the Finance Committee that it was essential for our country to have a tight budget. The next President of the United States will be called upon to make many decisions involving the budget. He will be asked to approve or disapprove many items that involve the expenditure of money. The President of the United States will be called upon to furnish leadership to all segments of our economy to hold the line on proposed actions that would add to our inflation. If we force this pay raise upon the President, it could become a handicap and a burden to him in dealing with groups and with issues. As stated before, after taxes this raise will not mean very much to the next President. It would be better if the Congress took ample time to see if the various expense allowances that are so necessary to properly fulfilling the role as President are adequate.

Mr. President, I do not favor this salary increase.

Mr. THURMOND. Mr. President, the responsibilities of the Presidency of the United States are great and awesome. I do not believe any amount of money would compensate one for filling that position. However, I am not in favor of raising the salary of the position at this time for three reasons.

The first is that I do not look upon Government service as a place to make money, and I feel that the salary that is being paid is reasonable, because it is a clear salary. All expenses are paid in every other way.

Next, I feel that, with the large deficit that we have in this Government today, we should not be increasing salaries. It is my firm conviction that, if this salary is increased, it will merely generate the increase of salaries throughout the executive, legislative, and judicial branches of the Government and will also stimulate increases outside the Government. All of this together can bring about a tremendous inflation.

I realize, Mr. President, that if President Johnson is worth $100,000 a year, Mr. Nixon, I think, will be worth more than $200,000. On the other hand, I think this is the wrong time to be raising salaries.

I have thought we ought to be paying something on the deficit of this country. We have the largest debt we have ever had in this Nation. In fact, we owe more money than all the other nations of the world put together, and it is my judgment that we ought to begin making payments on the debt of this country. In that way, we can protect the solvency of the affairs of the Nation and can perpetuate a sound fiscal policy for future generations.

I hope that this bill will not be passed.

Mr. BYRD of Virginia. Mr. President, in considering whether to support legislation which would double the salary of the President of the United States—increasing it from $100,000 per year to $200,000—I feel we must take into account the psychological impact of this action on our efforts to control inflation.

The success of those efforts depends on the degree of Government spending, and on the wage earners and businessmen of this country voluntarily restraining wage and price increases.

But, they will not be persuaded by words alone. They will look first for leadership and example from the President and the Congress.

Inflation is widespread and continuing. The rise in the cost of living will exceed 4.5 percent this year, which will be the highest increase since 1951. Those being hurt the most by the inflationary spiral are those in the middle and lower income brackets and those on fixed incomes.

I would not object to a reasonable increase in the President's salary, but I doubt the wisdom of doubling it.

I protest this legislation, and when the vote is taken, I shall cast mine in the negative.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

Mr. ERVIN. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Virginia (Mr. BYRD). I think the increase is too great. For that reason, I expect to vote against the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 10) was passed.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF RULE XXII

The PRESIDING OFFICER. The Senate will now resume the consideration of the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A motion by the Senator from Michigan (Mr. HART) to proceed to the consideration of the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. ERVIN. Mr. President, I ask unanimous consent that, without losing my right to the floor, I may suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ERVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I wish to make some comments upon the announcement by the Vice President yesterday that in the event a majority of less than a two-thirds majority of the Senate shall vote to end the debate pursuant to the cloture motion, he will rule that the provision of rule XXII requiring a two-thirds vote to put an end to debate is unconstitutional under the provision of the Constitution providing that a majority of the Senate constitutes a quorum to do business, and that despite his adjudged unconstitutionality of the two-thirds vote provision of rule XXII, he will nevertheless hold that the other provisions of rule XXII—namely, the provision that no Senator, after cloture is voted, shall speak more than 1 hour, and the provision that appeals from the ruling of the Chair in those matters must be decided without debate—are valid.

Despite my great affection for the Vice President, I am constrained to observe that his proposed ruling reminds me of a story. On one occasion, a gentleman whom I shall call Hubert was walking along a public street. He was wearing a sweater which had a big letter K emblazoned on its front. Hubert met a friend, whom I shall call Frank. Frank stopped Hubert and put this inquiry to him:

"What does the big letter K mean?" Hubert replied, "It means I am confused."

Frank, who was very much gifted in the use of the English language, thereupon said, "Hubert, you don't spell 'confused' with a K."

Hubert replied, "If you are as confused as I am, you do."

While I would rather yield to Senators after making my statement, I do ask unanimous consent that I may yield to the Senator from Michigan for a unanimous-consent request without losing the floor and without having anything I may already have said, or anything I may hereafter have to say on this subject on this occasion counted as more than one speech on the pending business—the motion to take up.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Michigan is recognized.

ADDITIONAL SIGNER OF CLOTURE MOTION

Mr. HART. I thank the Senator from North Carolina very much.

Mr. President, to correct an oversight which occurred yesterday, I ask unanimous consent that the name of the distinguished senior Senator from West Virginia (Mr. RANDOLPH) be added to the motion for cloture. This, we thought, had been done before the motion was filed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from North Carolina may proceed.

Mr. ERVIN. Mr. President, I suggest that the proposed ruling of the Vice President in the eventuality stated by him is inconsistent with the Constitution of the United States; that it is inconsistent with the history and clearly expressed opinions of the Senate; that it is inconsistent with the fundamental rule for the interpretation of statutes, regulations, and rules; and that it is fraught with the gravest of peril to the continued existence of the Senate as a unique institution in our system of government. To clarify these positions, I wish to read a section of rule XXII.

> Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any

measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

I have read the part of rule XXII which the Vice President has announced he is going to adjudge unconstitutional in the event a majority of the Senate, less than two-thirds of the Senate in number, vote to put an end to the debate on the pending motion to take up the proposal to change rule XXII.

The Vice President announced that despite the words I have just read to the Senate, he is going to rule, in the eventuality described, that the remaining part of rule XXII, that is, the part after the word "thereafter" will remain in full force and effect and will be applied unless his ruling is appealed to the Senate and the Senate rejects the ruling.

Thereafter—

I emphasize that under the rule the part after the word "thereafter" refers to something that will happen only if the events transpire which are set forth in the previous portion of the rule already read by me, that is, after cloture has been voted by two-thirds of the Members of the Senate.

Thereafter—no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Florida.

Mr. HOLLAND. If the ruling of the Vice President, as intended by him to be made, should be made under this set of facts—namely, that on the cloture vote a majority vote, one more than a majority, should be for cloture, but, of course, less than two-thirds—would it not be true that the Vice President, by such a ruling, would have created a new rule declined of passage many times by the Senate—that is, a rule that a majority vote on cloture would be sufficient to close?

Mr. ERVIN. Absolutely. That is what the ruling would be tantamount to. In other words, the Vice President would be usurping authority he does not possess under the Constitution—to act as the supreme court of the Senate and to rule on the constitutionality of the rules of the Senate. He would be inserting in the Constitution words which are not there.

Also he would be usurping the authority to make the rules of the Senate, and he would be adopting a ruling absolutely inconsistent with the vote he cast in 1959, when he voted in favor of rule XXII in its present form.

Mr. HOLLAND. Would it not be true that the Vice President, as a member of the executive branch of Government, if he took the action I have indicated by my earlier question, would be arrogating to himself, as an executive officer of the Government, the power and authority to lay down a new rule for the Senate on precisely the same terms that frequently have been refused of passage by the Senate?

Mr. ERVIN. If the Vice President should so rule in the eventuality stated, he would be usurping the power to make himself a judicial officer to pass on the constitutionality of the rules of the Senate. He would also be making himself a legislative officer, to dictate what the rules of the Senate are and to subtract a part of those rules and to add to the others.

I wish to emphasize my first point: The proposed ruling of the Vice President is contrary to the Constitution in at least two respects.

The first respect is this: Under the Constitution, the Vice President has no authority whatever to adjudge the rules of the Senate to be unconstitutional. The Constitution contains only two references to the powers of the Vice President. The first reference was originally embodied in article II, section 1, clause 5, and has been changed in some respects by the 25th amendment. These provisions, in actuality, do not deal with the powers the Vice President has as Vice President, but the powers which devolve upon him when he assumes the Office of President, either as acting President or as the President himself. So they shed no light upon the subject of his authority to make judicial rulings about the constitutionality of the rules of the Senate.

The other section gives the Vice President the only power he has of any kind in his capacity as Vice President of the United States. This provision is set forth in article I, section 3, clause 4, of the Constitution, and reads as follows:

The Vice President of the United States shall be the President of the Senate, but shall have no Vote, unless they be equally divided.

Under this provision, the Vice President has the power to preside over the Senate, and it is his duty, as Presiding Officer of the Senate, to enforce the rules of the Senate, not to destroy them.

Mr. President, I say without fear of successful contradiction that if the Vice President should make his proposed ruling in the eventuality stated by him, he would usurp and exercise an authority not given him by the Constitution. This thought is not original with me. It was phrased in the 1959 session of Congress when the Senate voted to adopt rule XXII in its present form. It was expressed by one of the greatest liberals, and one of the greatest constitutional lawyers this country has ever known, namely, the late Senator Joseph O'Mahoney of Wyoming.

Before I read what he had to say on this subject, I would like to call the attention of the Senate to a statement which Senator O'Mahoney made prior to making the assertion that the Vice President has no power under the Constitution to declare the rules of the Senate unconstitutional. He said:

MINORITIES WOULD BE DEPRIVED OF REPRESENTATION

I am a liberal. I have always been a liberal. I have followed Thomas Jefferson. I have followed Woodrow Wilson. I have followed Harry Truman. I have followed Franklin Roosevelt. I have enjoyed supporting Adlai Stevenson. I have always been alined in my votes on the floor of the Senate on the side of liberalism. However, I say to my colleagues in deep sincerity that if they vote to cut off free speech in the Senate they are voting to deprive minorities of the people of the United States, whether they be farmers, whether they be laborers, whether they be small businessmen, or whatever category they may fall into, of the right to representation, and are putting them under a gag rule which is worse by far than rule XXII now on the books.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Louisiana for a question.

Mr. LONG. Mr. President, some time ago we were debating section 14(b) of the Taft-Hartley Act. I am sure the Senator recalls the debate. A debate was waged against changing that provision, which was regarded as a successful filibuster. I believe they found that there was not a sufficient majority for a filibuster, but it was regarded as a filibuster at the time by many Senators. At that time I suggested facetiously——

Mr. ERVIN. It was either a filibuster or an educational debate. Whether it was one or the other depended on whether those characterizing it favored the position of the Senators speaking at length, in which case it was an educational debate; or whether those characterizing it opposed the position of the Senators speaking at length, in which case it was a filibuster. That is the difference between an educational debate and a filibuster.

Mr. LONG. Both the Senator from North Carolina and I have witnessed debate on the floor of the Senate when bills were called up. Sometimes those who are for a bill appear to have a majority but when someone begins speaking on the floor of the Senate, and I might say, speaking to what might appear to be an empty Chamber, his side shows up with the votes. The Senator has seen that happen time and again. By making their position clear, Senators often have a majority in the end even though they were a minority in the beginning.

However, at the time to which I was referring, just by way of joking with other Senators, I said to those Senators who were frustrated, "I can show you how the bill would be passed. All it would take would be for the Presiding Officer to say that the yeas and nays have been ordered, that the clerk will call the roll, and then proceed to call the roll. Some Senators might protest, but the Sergeant at Arms could maintain order in the Chamber until the Chamber had quieted down."

The Presiding Officer could sustain a ruling from the Chair and the bill would be passed, even though Senators opposed it. That would be one form of cloture. Just go ahead and call the roll, even though people still wanted to speak.

When the Vice President said that the Senate could not be bound by the rule requiring a two-thirds vote, a rule adopted by the Senate, there is no reason that he should limit himself to the beginning of the session. He could say that at any time. That could be done at any time that a Presiding Officer, with the support of a majority in the Senate, sees fit to strike down any rule in the rule book, and he could say that a rule means exactly the contrary to what it states, other than those few provisions provided for in the Constitution. The Senate has the power to do that.

Mr. ERVIN. Let me remind the Senator I yielded for a question. I might lose the floor if I do not remind the Senator of this fact.

Mr. LONG. Mr. President, I ask unanimous consent that I might trespass on the Senator's time without prejudice to his rights.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

Mr. LONG. The point is that the Senate has the power to do that whenever the Senate chooses to run roughshod over the rights of a minority. The Senate has that power. The question is whether the Senate is justified in doing so.

I would ask what measure is there here that would justify such violence to the traditions and rules of the Senate, knowing what that precedent would mean? What measure do the proponents of this change have? Do they want to go back and confirm Abe Fortas as a Chief Justice?

Mr. ERVIN. I suggest that if the Senate adopts the proposed change in rule XXII, it will be adopting another unconstitutional provision under the Vice President's criterion. The proposal would require three fifths of the Senate to cut off debate.

Mr. LONG. The point I am making is that I would be curious to know what they propose to achieve by doing such violence to the traditions and rules of the Senate. Do they propose to go back and confirm Abe Fortas as the Chief Justice? Do they propose to repeal section 14(b) of the Taft-Hartley Act, or pass some new labor law that might be against labor? What is their objective? Why do they not spell out what they hope to achieve by doing this violence to the rules and traditions of the Senate?

I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I wish to make another observation with respect to the assertion that the proposed ruling of the Vice President is contrary to the Constitution. However, before getting to that I wish to read another statement by Senator O'Mahoney. The statement I read a while ago was made on January 9, 1959, at page 292 of the CONGRESSIONAL RECORD of that date. A few days later, on January 12, 1958, he made this statement, which appears at pages 450 and 451 of the CONGRESSIONAL RECORD for that date:

Mr. O'MAHONEY. Mr. President, I have been utterly unable to follow the arguments which have been presented throughout the debate to the effect that the Senate must, under the Constitution, adopt rules at the beginning of every Congress. There is not a line in the Constitution to that effect. I am also utterly unable to understand how anybody can argue that the Vice President of the United States has any constitutional power to declare unconstitutional a rule which the Senate may make.

CONSTITUTION AUTHORIZES SENATE TO WRITE ITS OWN RULES

The Constitution is clear. It is very simple. Nobody can misunderstand it.

Section 5 of article I provides:

"Each House may determine the Rules of its Proceedings—"

That is all it says about making of the rules. The authority is granted to the Senate and to the House to make their rules and to no other branch or official of the Government.

The Senator from New York offers an amendment to the pending resolution offered by the leadership for both sides to make paragraph 2 of section 3 of the pending resolution read as follow:

"The rules of the Senate shall continue from one Congress to the next Congress unless they are changed."

The Senator from New York wants to strike out the words "as provided in these rules."

VICE PRESIDENT HAS NO AUTHORITY TO DECLARE RULES UNCONSTITUTIONAL

The Constitution of the United States, in the clause I have just read, gives to the Senate the right to write its rules. Who is it that has the right to prevent the Senate from writing its rules? It is said the Vice President has that right. I interrogated the Vice President a few days ago, in an effort to discover upon what basis he claimed this authority. I have been unable to find such authority in the Constitution and he has been unable to hand it down.

Of course, he made the ruling in a previous Congress, say those who claim that the Vice President has the right to declare a rule of the Senate to be unconstitutional. But it is impossible to find constitutional support for such a provision.

THESE ARE CONSTITUTIONAL DUTIES OF VICE PRESIDENT

Who is the Vice President? His office was created by the Constitutional Convention when the Founders were creating the Presidency. It was set forth in the Constitution that in the electoral college, when the votes were counted, the man who had the second largest vote for the Presidency should become Vice President. That was changed, of course, when it was provided by amendment that nominations should be made for Vice President as well as for President. But in the section which creates the Vice Presidency we find a clause which prescribes his duty. This is paragraph 5 of section 1 of article II of the Constitution:

"In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected."

Having proceeded that far, the constitutional fathers, having found no duty for the Vice President to perform, decided they would make him President of the Senate. This is the only other clause of the Constitution I can find referring to the Vice President.

"The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided."

That means that he may enforce the rules the Senate makes for itself. He cannot alter them. He cannot hold them unconstitutional.

VICE PRESIDENT HAS NO POWER OVER MAKING OF RULES

I find no word or phrase or clause in this provision saying that "the Vice President may give advisory opinions to prevent the Senate from exercising its constitutional powers to make its rules."

Can anybody point out such powers? Can anybody point to any provision in the Constitution which gives the Vice President authority to render the decision the present Vice President did when he assumed the right to find some rule already made by the Senate to be unconstitutional?

The Constitution does not give that power to the Vice President. The Constitution gives to the Senate, and only the Senate, the power to make its rules. It does not say "shall"; it says "may." It does not say "why." Why was it the Constitution provided that each House may make its own rules?

Mr. President, even if the Vice President can arrogate to himself the judicial function of adjudging rules of the Senate unconstitutional, his proposed ruling in the eventuality described by him is contrary to article I, section 5, clause 1 of the Constitution and to article I, section 5, clause 2 of the Constitution.

Insofar as relevant to present purposes, clause 1 of section 5 of article I of the Constitution provides:

> Each house shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business.

Insofar as germane to present purposes, clause 2 of section 5 of article I of the Constitution provides:

> Each house may determine the rules of its proceedings.

The Vice President stated that he proposed to make his ruling upon the theory that at the beginning of a new Congress the majority of the Senate could change the rules theretofore adopted by the Senate, and that any rule theretofore adopted by the Senate which prevented or hindered or delayed a majority of the Senate in taking such action is unconstitutional.

There is not a single syllable, much less a single phrase, a single clause, or even a single word in the Constitution to support this theory of the Vice President. Whatever power the Constitution gives to the majority of the Senate, exists on the first day of a session of a new Congress, on the second day of a new Congress, and through all subsequent sessions of a new Congress. If the provision in the Constitution, article I, section 5, clause 1, which states that a majority of the Senate shall constitute a quorum to do business, will invalidate a rule of the Senate which prevents a majority from changing the rules or taking any other action except actions where the Constitution itself expressly requires a different number operates at the beginning of a session, it also operates in like manner at all subsequent times in a session and would prevent the Senate from adopting any rule which prevented or hindered or delayed a majority of the Senate from doing whatever it pleased at any time.

That being true, if rule XXII in its present form, requiring a two-thirds vote as a condition precedent to putting an end to debate, be invalid and unconstitutional, then the proposed change in rule XXII which would substitute a three-fifths majority for a two-thirds majority, would likewise be unconstitutional not only at the beginning of a session but also on all days throughout a session.

That being true, if the Vice President be right, then the only rule which the Senate can adopt which is constitutionally valid is the rule that a majority may take any action without any delay at any time, except in the specific instances where the Constitution otherwise expressly provides that more than a majority is required.

The Founding Fathers had some purpose in mind when they adopted not only the provision that a majority of the Senate constitutes a quorum to do business, but also when they adopted the provision that the Senate may determine the rules of its own proceedings.

If any legislative body is to function efficiently, it will have to have rules which prevent or hinder or delay a majority from acting at any time upon any proposition. And I assert that the reason why the Founding Fathers put the quorum provision and the rules provision in article I of the Constitution was to enable the Senate to adopt rules which would enable it to operate in an efficient manner, rules which would prevent a majority of the Senate from acting at any time upon any question without any delay or any hindrance or any prohibition upon its acts.

I wish to point out something very significant in the provision relating to the rules. It does not say that the Congress shall have the power to determine the rules of its own proceedings. It says that each House shall have the power to determine the rules of its proceedings. I venture to suggest, with complete conviction of the accuracy of my suggestion, that the reason why the Founding Fathers said "each House" instead of "the Congress" was that they recognized the fundamental difference in the character of the two Houses which the Constitution created.

They recognized that the House of Representatives is composed of men who are elected to office every 2 years; that the terms of all of the Members of the House of Representatives expire at the same time; and that by virtue of those facts, the House of Representatives is not a continuing legislative body.

The House has taken note of this difference between its character and that of the Senate ever since it came into existence. Since it is not a continuing body, the House cannot have continuing rules. And in the very nature of things, the House must adopt rules at the beginning of each new Congress. The Founding Fathers recognized, however, that the Senate is a continuing body. They recognized that the terms of only one-third of the Members of the Senate expired at the same time and that two-thirds of the Members of the Senate always remained in office. Consequently, they must have intended that the Senate as a continuing body should have the power to adopt continuing rules for the control of its proceedings and that such rules should impose limitations on the powers of the majority in appropriate cases to avoid legislative chaos.

I wish to call to the attention of the Senate the case of *McGrain* v. *Daugherty*, 273 U.S. 135. In the case of McGrain against Daugherty, a Senate investigating committee tried to get Mally S. Daugherty, a brother of the then former Attorney General, to come before it and testify. He refused to do so. An election came along and the new House of Representatives was elected, and one-third of the Members of the Senate were elected; and the old Congress died, and the new Congress came into being. The President of the Senate issued an order for the arrest of Daugherty, and he was arrested by the Deputy Sergeant at Arms of the Senate. Daugherty then went before the Federal district court and applied for a decree for his release, upon the allegation that since the Congress at which the Senate committee authorizing the investigation had been created had terminated, the Senate committee had lost its power to act in any parliamentary manner. The district court adopted the theory now held by some of the Members of the Senate who are indicating their approval of the motion of the Senator from Idaho and the Senator from Kansas. So there was squarely presented the question of whether the parliamentary proceedings of the Senate in the previous Congress still had legal force and effect. The Supreme Court of the United States reversed the decree of the district court releasing Daugherty upon this reasoning:

"Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the 68th Congress. That Congress expired March 4, 1925."

Then the Court set out the position of the arrested party, to the effect that the power of both the House and the Senate to exercise parliamentary functions after that Congress had gone out of existence had ceased, and cited the rule to that effect which had been held in England with reference to the British Parliament.

But the Court rejected this position, saying:

"The rule may be the same with the House of Representatives whose Members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose Members are elected for a term of 6 years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation."

There was a square decision by the Supreme Court of the United States in 1926; the decision was to the effect that the Senate is a continuing body, a body which never goes out of existence. Furthermore, the Constitution provides in express terms that the Senate may adopt rules to govern its proceedings.

But here a very ridiculous constitutional position is taken, namely, that a body which is continuous in its existence, a body which never dies, a body which always remains in being, and which is declared by the Supreme Court to be a continuing body, cannot adopt continuous rules. To my mind, from the standpoint of constitutional law, that is an absurd position.

And yet that is fundamentally the position of the Vice President, modified only by his imaginary constitutional invention that there is some difference between the power of a majority of the Senate to act at the beginning of a new Congress and the power of the Senate to act at other times, a theory which is totally incompatible with every word in the Constitution relating to the Senate of the United States.

So I assert, Mr. President, that the proposed ruling of the Vice President is contrary to the Constitution in the two respects, which I have enumerated.

I assert, in the second place, that the proposed ruling of the Vice President is contrary to the history and the clearly expressed will of the Senate. And I also assert that it is contrary to his own expressed will, as manifested by him in January 1959, when he voted for rule XXII in its present form.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ERVIN. I am delighted to yield to the Senator for a question, thus preserving my right to the floor.

Mr. LONG. Yes. Mr. President, can the Senator say with any certainty just who will be helped and who will be hurt in the event that we strike down the free debate that we have in the Senate, and substitute a procedure whereby a majority, with the assistance of a Presiding Officer, can cut off debate and work its will any time it desires to do so? Can the Senator tell me for certain whether it is going to be the liberals or conservatives, or whether it is going to be the labor group or the antilabor group, whether it is going to be those who believe in greater civil rights or less civil rights? Can the Senator say with any certainty who it is that would be injured by such a procedure as this?

Mr. ERVIN. Every minority in the United States would be seriously injured, and the country itself would be seriously injured. This is so because minorities have much wisdom, and have many contributions to make to good government in the United States.

The majority is not always right. As a matter of fact, since I am so often in the minority, I make the assertion that the majority is frequently wrong. Some men join the group which seems to have the biggest number in it, and do not consider questions on their own merits.

Mr. LONG. Mr. President, I ask the Senator, is it not true that if the question involves a civil rights measure, the only recommendation we have so far is a suggestion that the voting rights bill that was enacted some years ago be continued? That bill was passed under cloture by two-thirds of the Senate; is there any reason to think that if such a bill should be involved in a filibuster, cloture could not be obtained again?

Mr. ERVIN. If my recollection serves me right, there has been no instance since I have come to the Senate where any civil rights bill has been defeated by filibuster. There is absolutely no justification for changing rule XXII in order to make certain that civil rights bills will be passed. If you want to get a majority on your side, the best thing you can do is to introduce a bill and say, "This is a bill for civil rights." Many people never look below the label, attached to a bill, and if it is labeled a civil rights bill, they immediately embrace it.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. ERVIN. Yes, for a question.

Mr. LONG. Does the Senator recall that in the closing days of the previous Congress, the junior Senator from Louisiana was able to prevail here on the Senate floor on a proposal to cut back on the cost of medicaid, which appeared to be greatly exceeding all the estimates, because of the way that it was being seized upon by a number of States? In that instance, it was the ability of Senators to debate and continue to drag the matter out—dilatory tactics—which made it necessary for us to recede on that issue. Could it not be said that in general terms, some of these overliberal welfare proposals might be stricken down as a result of denying free debate here in the Senate?

Mr. ERVIN. I think the greatest justification for free debate in the Senate is that set forth by William S. White in his great book on the Senate entitled "Citadel."

He said:

> Those who mock the Institution, and demand of it "speed" and yet more speed and "efficiency" and yet more efficiency, might remember that there is altogether a good deal of both at present in American life. For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority.

The Senator is certainly correct in his inference that individual Senators, rather than groups of Senators, make contributions to the legislative welfare in the United States.

Mr. LONG. Is it not true that when President Truman, faced with a national emergency, urged legislation to draft union members into the Army, the measure passed the House of Representatives almost the day it was introduced, and, minus the free debate in the Senate, might well have passed the Senate before the Senate had had time to let the recommendation cool?

Mr. ERVIN. Mr. President, the Senator from Louisiana has selected as fine an example as has ever come under my observation of the wisdom of putting in the hands of minority groups of Senators or even of individual Senators, the right to say to the majority, "Halt, you have got to wait."

At the time, I was serving in the House of Representatives, and I cast a vote on that occasion of which I have been ashamed ever since. I voted for the proposal to draft railroad workers into the Army. That was clearly a violation of the 13th amendment, which says that slavery and involuntary servitude, except as a punishment for crime, is prohibited throughout the United States.

The railroad brotherhoods were going out on strike. We had had a lot of strikes, and public sentiment was inflamed against strikers. We had about 20 minutes debate under the House rules—rules which allow little debate; sometimes no debate at all. The House passed the bill by an overwhelming vote.

The bill came to the Senate by a special messenger, and would have been passed by the Senate on that very day, in the then inflamed state of public opinion, had not the late Senator Robert Taft, of Ohio, an individual Senator, stood up on the floor of the Senate and objected, under Senate rules, to the immediate consideration of the bill.

Then, after the Members of the Senate had slept over the proposal that night—which they could never have done had not Senator Taft made his individual objection—they realized the truth which I have uttered about that bill, namely, that it was a bill to impose slavery and involuntary servitude on railroad workers in violation of the Constitution. As a result, the measure was defeated in the Senate.

Mr. LONG. Is it not generally true that these avid advocates of radical change oftentimes tend to think too little about consequences, with the result that they do these things which they come to regret later on?

Mr. ERVIN. We have in this country, even among the highest type of people, a great deal of impatience. They want to get their will imposed on the American people before the sun goes down. They are people of good motives; but I would remind the Senate that a man whom I admired very greatly for his wisdom, Justice Brandeis of the Supreme Court of the United States, on one occasion gave this advice:

> Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

The pressure organizations which seek to destroy rule XXII in its present form are undertaking to secure the passage of some legislative acts. They would like to have these acts passed right now, and do not want to have opposing Senators discuss them long enough to point out their defects to other Members of the Senate or the Nation.

Mr. LONG. Would it not be well for some of the ultra liberals or super liberals of this body to consider the fact that some of those measures they dislike, such as some of the measures involving stronger and more stringent law enforcement, might become law as a result of striking down this rule of the Senate?

Mr. ERVIN. Mr. President, I do not like to put people in categories as conservatives or liberals. I consider myself a true liberal. I believe in freedom. I do not want to gag anybody. I believe that out of free and full discussion on the floor of the Senate, debating Senators who differ with respect to legislative proposals sometimes strike sparks of illumination, and enable the Senate to reach sound conclusions.

I do not want to silence anybody, no matter how much his views differ from those I entertain on the pending question. I want him to have the right of freedom of speech. I am a Jeffersonian. Thomas Jefferson was a liberal. I maintain that I am a true liberal.

Jefferson said that this country had nothing to fear from freedom of speech so long as it left truth free to combat error.

As a true liberal, I favor the retention of rule XXII, just as Senator O'Mahoney did. The modification proposed is, as he said, worse than anything that can be said against the rule. Many persons call themselves liberals. There are as many varieties of liberals as there are varieties of Heinz' pickles. So I do not like to discuss liberals and conservatives, because I am a true liberal and very tolerant of people who do not hold the same views that I do on public questions.

Mr. LONG. Is it not proper to say that we should be trying to determine what is right, rather than who is right?

Mr. ERVIN. Yes.

Mr. LONG. When we try to determine who is right, free debate is demanded.

Mr. ERVIN. The Senator is correct.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I yield for a question.

Mr. HOLLAND. Does the Senator recall that supplementing one of the points just made by the distinguished Senator from Louisiana, the eloquent speaker of a little while ago, the Senator from Hawaii (Mr. INOUYE) called attention repeatedly to the fact that minorities change; that what is a minority today may be a majority tomorrow; and that true liberals—and the Senator from Hawaii certainly is one—want to protect minorities of all times against overwhelming brutal force? Does the Senator from North Carolina recall that that was a part of the speech of the Senator from Hawaii?

Mr. ERVIN. Oh, yes. I think that is a fundamental justification for rule XXII in its present form.

Moreover, the objective of unlimited debate is not only to protect minorities, but it is also effort to persuade an erring majority to join the minority, and thus convert the minority a majority.

Mr. HOLLAND. Mr. President, will the Senator yield for another question?

Mr. ERVIN. I so yield.

Mr. HOLLAND. The distinguished Senator from Louisiana a short while ago stated that four civil rights bills had been passed in the recent past. I wonder if the Senator from North Carolina would like the RECORD to show, as I would, that the civil rights bill of 1964 passed after long debate and a successful cloture action, in which the vote for cloture was 71 to 29. Does the Senator recall that?

Mr. ERVIN. I do.

Mr. HOLLAND. Does the Senator recall that in passing the civil rights bill of 1965, called generally a voting rights bill, a cloture motion was passed after long debate by a vote of 70 to 30?

Mr. ERVIN. I do.

Mr. HOLLAND. Does the Senator recall that only last year, in passing the Civil Rights Act of 1968, which contained the most controversial subject matter of open housing, in which the Senator from North Carolina made so many eloquent pleas, the vote for cloture was 65 to 32?

Mr. ERVIN. I do.

Mr. HOLLAND. Is it not true that the Record of the Senate in recent years rather conclusively shows one instance when cloture was not necessary, three instances when cloture was necessary and was adopted by the Senate by two-thirds or more than two-thirds; and that so far as civil rights legislation is concerned, aside from the fact that we have passed almost everything conceivable in that field, there is a two-thirds majority to insist upon finally voting upon legislation of that type?

Mr. ERVIN. The history of the Senate since I came here shows conclusively that there is no necessity for changing the provision of the cloture rule which now permits cloture by a two-thirds majority.

The repeal of section 14(b) of the Taft-Hartley Act may have been prevented by rule XXII. Rule XXII may have kept one judicial activist from becoming Chief Justice of the United States, and another from succeeding him as Associate Justice. If so, rule XXII served our country well because there is no place for compulsory unionism in a free society and no place for legislating Justices on the Supreme Court.

Mr. BYRD of Virginia. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. Yes, I am glad to yield to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, will the Senator seek unanimous consent that I may make insertions in the Record and a brief comment without his losing the floor?

Mr. ERVIN. Mr. President, I so request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Yesterday the Senator from Virginia addressed several questions to the distinguished Vice President, attempting to ascertain whether his statement of yesterday regarding how he plans to rule tomorrow, is a procedure in conformity with his ruling of 2 years ago. The gist of the Vice President's replies was that he was not certain, that his memory was not clear enough at the moment.

The Vice President added that he was not concerned with what he had ruled previously. He said he was ruling as he did yesterday because he felt it in accord with Senate procedure.

That being the case, I ask unanimous consent to have printed in the Record at this point the Vice President's statement to the Senate yesterday, in which he made clear that any appeal from his ruling would be done under the procedures of the cloture motion, which means that debate would be limited.

Mr. President, I ask unanimous consent that that statement be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Ervin. Mr. President, I should like to propound a parliamentary inquiry——

The Vice President. The Chair would like to respond to the Senator from Idaho, as he has placed a parliamentary inquiry. May the Chair respond to that inquiry first and then the Chair will recognize the Senator from Florida and the Senator from North Carolina.

Mr. Ervin. I wanted to ask a question——

The Vice President. The Chair would ask the Senator from Idaho, Does he wish to yield for that purpose?

Mr. Church. No. I should like to have a response from the Chair to my parliamentary inquiry first.

The Vice President. The Chair wants to say, first of all, in order to handle these parliamentary inquiries, that are so intricate the Chair will try strictly to enforce the procedures of this body, so that we will have as complete and accurate thought as possible.

The Senator from Idaho has directed a parliamentary inquiry to the Chair. The Chair is aware of Senators' interest in this, and wishes to state that the Chair believes the Senate should fully understand both the Chair's views as to the parliamentary situation and the Chair's intentions with respect to the motion for cloture should a majority, but less than two-thirds, of the Senators present and voting, approve it.

There is perhaps no principle more firmly established than the constitutional right of the Senate under article I, section 5 to "determine the rules of its proceedings." The right to determine includes also the right to amend. No one has ever, to the Chair's knowledge, seriously suggested that a resolution to amend the Senate rules required the vote of more than a simple majority.

On a par with the right of the Senate to determine its rules, though perhaps not set forth so specifically in the Constitution, is the right of the Senate, a simple majority of the Senate, to decide constitutional questions.

If a majority—this is the view of the Chair—but less than two-thirds, of those present and voting, vote in favor of this cloture motion, the question whether the motion has been agreed to is a constitutional question. The constitutional question is the validity of the rule XXII requirement for an affirmative vote by two-thirds of the Senate before a majority of the Senate may exercise its right to consider a proposed change in the rules. If the Chair were to announce that the motion for cloture had not been agreed to because the affirmative vote had fallen short of the two-thirds required, the Chair would not only be violating one established principle by deciding the constitutional question himself, he would be violating the other established principle by inhibiting, if not effectively preventing, the Senate from exercising its right to decide the constitutional question. The Chair does not intend to violate both these principles.

It is the view of the Chair, just as it was the view of an earlier President of the Senate, who is now the President-elect, that, at least, at the opening of a new Congress:

"The majority has the power to cut off debate in order to exercise the right of changing or determining the rules. (Nixon, 105 Cong. Rec. 8–9.)"

In response to the parliamentary inquiry of the Senator from Idaho, therefore, the Chair informs the Senate that in order to give substance to the right of the Senate to determine or change its rules and to determine whether the two-thirds requirement of rule XXII is an unconstitutional inhibition on that right at the opening of a new Congress, if a majority of the Senators present and voting but fewer than two-thirds, vote in favor of the pending motion for cloture, the Chair will announce that a majority having agreed to limit debate on Senate Resolution 11, to amend rule XXII at the opening of a new Congress, debate will proceed under the cloture provisions of that rule.

The Chair notes that its decision that debate will proceed under the cloture provisions of rule XXII is subject to an appeal if it is taken before any other business intervenes. The Chair would place the appeal before the Senate for an immediate vote since rule XXII provides that appeals from the decision of the Chair, under cloture procedure, shall be decided without debate.

The Chair has set forth this response to the inquiry of the Senator from Idaho so that all Members of the Senate will have adequate opportunity to acquaint themselves with it and calls attention to the fact that there is now time under the terms of the cloture procedure for the Senate to debate the implications of this response and consider its own reaction to the motion for cloture in the light of the Chair's announced course of action.

Mr. BYRD of Virginia. Mr. President, I now ask that the Vice President's ruling of 2 years ago, which appears on page 595 of the Record of Tuesday, January 14, inserted by the distinguished senior Senator from Florida (Mr. Holland) yesterday, be printed at this point in the Record.

There being no objection, the ruling was ordered to be printed in the Record, as follows:

The Vice President. The Chair feels that it is its obligation at this point, in light of the point of order raised by the Senator from Illinois, to state its view on this matter.

The point of order made by the Senator from Illinois involves or raises the question of the constitutionality of the motion of the Senator from South Dakota. On many occasions questions have been raised regarding the constitutional right of the Senate to act in a given manner, and the precedents are uniform. The Chair, on all these occasions, has submitted such questions to the Senate for its consideration.

The Chair is sure that Members of the Senate are well aware of the Presiding Officer's record as a U.S. Senator, at that time as an advocate of a point of view. The Chair is now the Presiding Officer of the entire Senate and stands as a servant of the Senate, rather than as an advocate within it.

Therefore, the precedent, which is a part of Senate history—namely, that the Chair has submitted constitutional questions to the Senate for its decision—the Presiding Officer believes to be a sound procedure. It has not been considered the proper role of the Chair to interpret the Constitution for the Senate. Each Senator takes his own obligation when he takes his oath of office to support and defend the Constitution. The Presiding Officer is aware of no sufficient justification for reversing this procedure.

Because the point of order made by the Senator from Illinois involves the constitutionality and propriety of the motion of the Senator from South Dakota—and at this time the Senate is attempting to modify its rules at the opening of Congress under rule XX on matters relating to questions of order—the Presiding Officer may submit any question of order for the decision of the Senate.

Therefore, following the precedent of the Senate, the Chair submits to the Senate the question: Shall the point of order made by the Senator from Illinois be sustained? That question is debatable.

Mr. BYRD of Virginia. Mr. President, I think it is desirable to have these two statements made by the same Presiding Officer, by the same Vice President, placed side by side in the RECORD, so that the people of the United States and Senators of the United States may know just how much deviation there is, one from the other.

The basic point in the last sentence of the Vice President's ruling 2 years ago is:

> That question is debatable.

The sentence prior to that is this:

> Therefore, following the precedent of the Senate, the Chair submits to the Senate the question: Shall the point of order made by the Senator from Illinois be sustained? That question is debatable.

I address this question to the distinguished Senator from North Carolina: Is not the fundamental difference between the ruling by the Vice President yesterday and his ruling 2 years ago that under the ruling of 2 years ago the motion was debatable, whereas the statement as to how he will rule tomorrow will not be debatable. Is not that the difference between the two rulings?

Mr. ERVIN. Yes; these contradictory rulings remind me of a little doggerel verse:

> He wobbled in,
> He wobbled out.
> But left the matter all in doubt—
> Whether when he made the track,
> He was wobbling in,
> Or wobbling back.

Mr. BYRD of Virginia. Does not the Senator agree that it is a rather tragic climax to a great career in the U.S. Senate?

The present Vice President served with great distinction as a Member of the Senate and for the last 4 years as Vice President, presiding over the Senate. Is it not a tragic climax that in the closing days of his public service, after 20 years in this body, he would seek to manipulate the rules under which the Senate is operating?

Mr. ERVIN. I am much saddened by the Vice President's proposed ruling.

But I would point out this: As a matter of logic, the ruling of the Vice President that the provision of the "thereafter" portion of section 2 of rule XXII—that appeals from the decision of the Presiding Officer shall be decided without debate—is just as unconstitutional under his theory as the provision of the first part of the rule requiring the two-thirds cloture vote.

Why do I say that? The Vice President bases his theory that the provision for the two-thirds cloture vote is unconstitutional on the point that it denies a majority of the Senate the power to change the rules during the first days of a new Congress. But the provision which he said he would hold perfectly valid, that is, that appeals from the ruling of the Presiding Officer shall be decided without debate, does not keep a mere majority of the Senate from acting or speaking.

It keeps a hundred Senators from acting or speaking—not a simple majority, but a hundred—because under his proposed ruling none of the Senators can take any action, none of them can debate, none of them can express any opinion.

Mr. BYRD of Virginia. I thank the Senator from North Carolina.

Mr. ERVIN. If the two-thirds cloture vote provision of rule XXII is unconstitutional, then the Senate has no rule allowing cloture in any instance and the proposed ruling of the Vice President that the "thereafter" provision, limiting Senators to one speech on the motion to take up, will be applicable, is absolutely absurd.

The history of the Senate shows that from the time the Senate came into being in 1789 to the year 1806, the Senate had a rule allowing a motion for the previous question in a somewhat embryonic stage.

Under the rules of some legislative bodies, a member of the legislative body can move the previous question, and a majority vote in favor of the motion that puts an end to further discussion of the pending business. But that never has been the rule in the Senate of the United States. When it had a previous question rule, as the late Senator Moses of New Hampshire so well stated in an article he wrote in 1925, the Senate's rule made the motion for the previous question itself debatable. He stated that the motion was made only four times in the Senate between 1789 and 1806 and was adopted by the Senate three times, after its wisdom or propriety had been debated.

In 1806 the Senate changed its rules, and from that time to 1917 it had no rule on this subject. Consequently, it was held by the Presiding Officers of the Senate that even all the Members of the Senate except one who wished to speak had no legal power, under the rules of the Senate, to silence that one.

The cloture rule of the Senate came into being in 1917. If my arithmetic is correct, that was 52 years ago. Every Presiding Officer of the Senate, with the exception of Vice President Nixon on one occasion and Vice President HUMPHREY on yesterday, has held that the cloture rule is perfectly valid and that it governs the proceedings of the Senate. Vice President Nixon never made any ruling to that effect. I suspect he was then seeking support from some of the organized pressure groups which would like to abolish all rules of this kind and to allow the majority to run everything. He gave an advisory opinion that the rule might be unconstitutional. But the Members of the Senate who did not like rule XXII and wanted to change it did not dare at that time, even to request Mr. Nixon to make a ruling. They knew that the Senate, as then constituted, would have sustained an appeal from a ruling of that character.

The ruling of yesterday is contrary to the rules of the Senate. It is contrary to the vote the Vice President himself cast on January 12, 1959. I invite the attention of the Senate to page 494 of the CONGRESSIONAL RECORD for that day, which shows that rule XXII in its present form was adopted by a vote of 72 to 22; and among those who voted to adopt this rule in its present form was the Vice President then a Senator from Minnesota.

At that time the Senate expressed itself on this subject in emphatic fashion by adopting section 2 of rule XXXII, which reads as follows:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That was in the amended rule for which the now Vice President and 71 other Senators voted in 1959.

So the proposed ruling is contrary to the history of the Senate; it is contrary to the clearly expressed will of the Senate as set forth in section 2 of rule XXXII, which I have just read; and it is contrary to the vote cast by Senator HUMPHREY, of Minnesota, in 1959. Also, it is contrary to the ruling of every Vice President of the United States and every Presiding Officer of the Senate—including President Johnson, when he was Vice President—during the last 52 years, except the announcement yesterday of the proposed ruling and the advisory opinion which Mr. Nixon volunteered when he was Vice President.

In addition to being contrary to the Constitution and in addition to being contrary to the history and the clearly expressed convictions of the Senate, the proposed ruling is contrary to what the late Justice Brandeis called the settled rule of construction of statutes and regulations.

I invite the attention of the Senate to the case of *Lynch* v. *United States*, 292 U.S. 571, where the opinion of the Court was written by that great liberal and great lawyer, Justice Brandeis. Here is what he has to say at page 586 concerning the contention of the Government that a certain act of Congress was constitutional in one respect even though it was unconstitutional in another respect:

> The suggestion is at war with settled rules of construction. It is true that a statute bad in part is not necessarily void in its entirety. A provision within the legislative power may be allowed to stand if it is separable from the bad. But no provision however unobjectionable in itself, can stand unless it appears both that, standing alone, the provision can be given legal effect and that the legislature intended the unobjectionable provision to stand in case other provisions held bad should fall. *Dorchy* v. *Kansas*, 264 U.S. 286, 288, 290. Here, both those essentials are absent.

Both of these essentials are absent in respect to rule XXII. Yet the Vice President has announced his purpose to rule in the eventuality stated by him that the provisions of rule XXII preceding the word "thereafter" are unconstitutional whereas the provisions of rule XXII succeeding the word "thereafter" are valid and will be put into operation by him if a bare majority vote for cloture.

How, in heaven's name, can the Vice President conclude that the part of rule XXII subsequent to the word "thereafter" can be put in operation if the condition precedent to its efficacy, that is, a two-thirds vote for cloture is wanting?

It is as clear as the noonday sun in a cloudless sky that the provisions that no Senator can speak more than 1 hour and appeals from rulings of the Chair must be settled without debate cannot stand alone or be given effect if the two-thirds vote requirement be unconstitutional. This is so because they are dependent upon the event which must precede their operation; namely, the voting of cloture by two-thirds majority.

The two-thirds vote for cloture is a condition precedent necessary under the language of the rule before the provisions of the rule after the words "thereafter" can come into play.

The second condition that has to exist in order to make an allegedly good part of the rule operative, in addition to its having to stand alone, is that it must be manifest that the body making the rule intended the unobjectionable provision to stand in case the other provision falls.

What man in his right mind, what man who has any regard for the English language in which this rule is couched, can say that the Senate would ever have adopted the provision that Senators can be silenced except for 1 hour from speaking on a measure or that Senators can be denied the right to debate an appeal from the ruling of the Chair, if the rule had not embodied the provision requiring the two-thirds vote for cloture to bring those provisions into play?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. HOLLAND. I am glad the Senator is making this point forcefully. I wish to ask this question: Is it not true that the interpretation placed on this rule by the proposed ruling of the Vice President—that is, to cut out the two-thirds and let it be a simple majority—would make the rule into exactly the same form which the Senate has had proposed to it frequently and has always declined to adopt.

Mr. ERVIN. The Senator is correct. The proposed ruling would put rule XXII in a form which the Senate has repudiated on several occasions between 1917 and now.

Mr. HOLLAND. As I understand the situation, is this the case: Such a ruling by the Vice President would create a new rule instead of going under the rule as it is now?

Mr. ERVIN. The Vice President's proposed ruling would make a rule for the Senate contrary to the rule the Senate made for itself.

Mr. HOLLAND. And that rule would be in defiance of the fact that the Senate had that proposal before it—a majority vote on cloture—and on every occasion turned the proposal down.

Mr. ERVIN. Yes, and every man who sat in the Vice President's chair, except the present Vice President and Vice President Nixon, has held that the rule he proposes to declare unconstitutional is binding on the Senate and that he had to enforce it.

I have pointed out, I think, that the proposed ruling of the Vice President is contrary to the Constitution, that it is contrary to the history of the Senate and the clearly expressed opinions of the Senate, that it is contrary to the vote the Vice President cast as a Member of the Senate in 1959 when this rule was adopted in this present form, and that it is contrary to what Justice Brandeis called the well-settled rules of construction of statutes and rules.

There is another objection to the proposed ruling of the Vice President even though it does show that he intends to emulate the Lord and move in mysterious ways his wonders to perform. The proposed ruling of the Vice President is not only contrary to the Constitution, the history of the Senate, and well settled rules of construction of the statutes and rules, but it is also calculated to destroy the unique value of the Senate as one of the institutions in our system of government.

A story is told about a conversation between Thomas Jefferson and George Washington which is reputed to have taken place after the Constitution had been drafted and after Jefferson had returned to the United States from abroad. As Members of the Senate know, George Washington was the President of the Constitutional Convention which drafted the Constitution, and was familiar with the purposes which the convention had in mind in drawing the Constitution.

According to the story, Jefferson and Washington were drinking coffee together. In those days, as the Senator from Florida will recall from history, it was fashionable for people to pour hot coffee into a saucer and to blow on the saucer to cool the coffee so it could be comfortably swallowed. Thomas Jefferson poured some coffee into his saucer to cool the coffee, and then started to sip it out of the saucer in accordance with the fashion of that day. As he did so, Thomas Jefferson said to George Washington: "I do not understand why the Constitutional Convention created two legislative bodies instead of one. I do not understand why you created a Senate."

George Washington said: "We created the Senate so that it could serve the same purpose in cooling which your saucer is serving."

Washington added, in substance, that the House of Representatives would be the larger body and on occasion would act in haste, and that the Senate was needed to cool bills and resolutions passed by the House of Representatives. That is fundamentally the truth about the Senate. Thus, throughout the history of this country, legislation somewhat hastily passed by the House has come over to the Senate, and the Senate has been able to cool off that legislation and make it palatable to the American people.

The Senate has been able to do that because its Members had the right of unlimited debate throughout its history down to 1917, and since that time Senate rule XXII has required a two-thirds majority in one form or another to gag any Senator.

If we want the Senate to remain a unique body and render the greatest service to the people of this Nation, we will retain rule XXII in its present form.

I should like to remind the Senate that people and members of legislative bodies never lose all their liberties at one fell swoop. No. They have them nibbled away one at a time—one at a time, and in that way ultimately reach the sad state where they have no liberties left.

The men who drew up the Constitution, and fashioned the rules of the Senate, knew that people and officials need protection against Government itself, and that government is never more dangerous, as Justice Brandeis has said, than when it professes to act with benevolent motives.

The Vice President has created a new rule that a majority can invoke cloture, in the face of the rules of the Senate to the contrary.

I venture the assertion that the great majority of the proponents of the proposal to change the rule would themselves vote against a proposal to establish majority rule in the Senate. And yet that is what the Vice President's proposed ruling would do on this occasion.

Mr. President, Alexis de Tocqueville came to America in 1825 or thereabouts and wrote a book on democracy in America. He said some things in the book which I think are quite relevant to the point I am now attempting to make, that this proposed ruling is fraught with great peril to the Senate as a unique institution of the government and to the people of this land. The truth is that the purpose of some of the proponents of the proposal for a change of rule XXII is to obtain majority rule in the Senate, and to enable a majority of the Senate, even a majority of one, to silence all of the other Senators—that is a minority of Senators. If the Senate should be so foolish as to authorize 60 percent of the Senators to silence 40 percent of them at this session, the advocates of cloture by majority vote will seek further changes at subsequent sessions and will never be satisfied until they procure a rule by which 51 Senators can gag 49. Let us resist this incursion upon our liberties.

The Senate is the only legislative body left on earth which has the right to virtually unlimited debate. All other legislative bodies can easily stop their members from speaking. The proponents of change in rule XXII really urge that the Senate be made like other legislative bodies and adopt rules making it easy to silence the representatives of supposedly free Americans.

I thank God, Mr. President, that the Senate is not like other legislative bodies. The greatest service the Senate has rendered to this Nation was made possible by the fact that it is not like the other bodies.

I want to read some of De Tocqueville's observations. I read from volume 1 of his book entitled "Democracy in America." I read first from page 259:

> A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength.

Mr. President, the truth of it is that men are more apt to join in the perpetration of tyrannies when in the majority than they are when they are in the minority.

I read now from page 260 of "Democracy in America":

> Unlimited power is in itself a bad and dangerous thing. Human beings are not competent to exercise it with discretion. God alone can be omnipotent, because his wisdom and his justice are always equal to his power.

> There is no power on earth so worthy of honor in itself or clothed with rights so sacred that I would admit its uncontrolled and all-predominant authority. When I see that the right and the means of absolute command are conferred on any power whatever, be it called a people or a king, an aristocracy or a democracy, a monarchy or a republic, I say there is the germ of tyranny, and I seek to live elsewhere, under other laws.

Now I invite the attention of the Senate particularly to these words of De Tocqueville:

> In my opinion, the main evil of the present democratic institutions of the United States does not arise, as is often asserted in Europe, from their weakness, but from their irresistible strength. I am not so much alarmed at the excessive liberty which reigns in that country as at the inadequate securities which one finds there against tyranny.

Mr. President, rule XXII is a security set up by the Senate to protect the minority in the Senate from the tyranny of the majority.

Reading further from the book, on pages 264 and 265:

> Absolute monarchies had dishonored despotism; let us beware lest democratic republics should reinstate it and render it less odious and degrading in the eyes of the many by making it still more onerous to the few.

I conclude my reading from this book by this very wise man by calling these words, which appear on page 269, to the attention of the Senate:

> If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.

Mr. President, those are solemn words. They are not only solemn words; they are true words. And I am unalterably opposed to any change in rule XXII, because rule XXII is a rule which is erected to protect the minority of the Senate, if it amounts to as much as approximately one-third of the Senate, and the people of this Nation from the tyranny of the majority.

I take this position because I am convinced that if ever the Senate is reduced to the point where a substantial minority of its members cannot stand on the floor of the Senate and speak their opinions, the Senate will lose its value as a unique institution in our system of government, and the liberties of all Americans will be imperiled.

I yield the floor.

Mr. ALLEN. Mr. President and Members of the Senate, I rise to speak on this question because I believe it is one of the most important issues that will come before the Senate during the 91st Congress. In fact, I believe it is the most important issue that will come before the Senate.

The only method by which the people of Alabama, some 3½ million in number, can be heard on the floor of the Senate is through her two U.S. Senators. As the junior Senator from Alabama I have been in the Senate for less than 2 weeks, but I do feel constrained to speak out on this question.

I do not believe that I would be disclosing any secrets of what went on in the first Democratic conference which I attended on the 3d of January at 10 o'clock if I stated that at that meeting the distinguished majority leader of the Senate—whom I greatly admire and who I believe is one of the great Senators in this body—and my admiration for him has gained by leaps and bounds since I have been here—welcomed the new Democratic Senators to the Congress. He welcomed us to a Senate of our peers, and he invited us to participate in the proceedings of the Senate. I have felt that, as the junior Senator from the State of Alabama, I should, even though I have been here only a short time, speak out on the great issues that come before the Senate.

I do not rise to excoriate the Vice President for his ruling, or his statement of his intention to rule. I do not rise to praise him, either. I do have great admiration for the Vice President, for his service as a public servant. I had the pleasure of meeting the Vice President for the first time on January 3.

I do not say that the action that he has taken, or is threatening to take—and I use that word advisedly—is politically inspired. I will not say that it is tied in with presidential politics. I will not say that it is tied in with political ambitions. I will not say that it is a sop given to certain elements in this country. But I will say that this anticipated ruling on the part of the Vice President is not supported by logic, it is not supported by the rules of the Senate, it is not supported by precedent—not even the precedent of the Vice President himself.

Twice already during this debate the ruling of the Vice President some 2 years ago, I believe, when this question came before the Senate last, has been put into the RECORD. His former ruling was that any appeal of his ruling to the Senate, to which he states he is going to submit this question, will be debatable; whereas his present ruling is to the effect that such appeals are debatable.

I say, Mr. President, that the issue under discussion at this time is whether we are going to have rules in the Senate or whether we are going to have rule by the gavel. Yes, we say that in our country we have a government of laws, and not of men. Certainly in the Senate, this great deliberative body, the greatest in the world, we should have rule by rules, and not rule by men.

If this anticipated decision, this announced decision of the Vice President, is allowed to stand, and he rules that a majority of the Senate—a simple majority of those present and voting—can impose cloture, stop debate in the Senate, then a new rule has been written by the Vice President.

The Vice President is without authority to write rules for the Senate. He is without authority to rule, as he says he is going to do, on the constitutionality of this rule. Nowhere in the rules of the Senate, nowhere in the Constitution, nowhere in any statute is the Vice President given the right to rule on the constitutionality of a Senate rule. And when he seeks to rule on the constitutionality of a Senate rule, and when he imposes his own rule, he is doing something that the Senate rules require a two-thirds majority of the Senators to do. He arrogates unto himself the power of a two-thirds majority in the Senate.

Some 3 years ago, Mr. President, while the junior Senator from Alabama was serving as Lieutenant Governor of the State of Alabama, and presiding officer of the Alabama State Senate, a matter somewhat similar to the one before us came before that body. Our State constitution requires a three-fifths vote of both houses of our legislature to submit a constitutional amendment to the people of Alabama. The State senate rules which governed the presiding officer provided that it took a two-thirds vote to impose cloture. The fractions are the same as the ones we are discussing here today.

The constitutional amendment, submitted in the Alabama House, provided that the Governor of Alabama would be allowed to succeed himself as Governor. There was at that time a prohibition in our constitution against the Governor or any of several constitutional officers succeeding themselves. The proponents of that measure were not able to impose cloture. They were unable to get the 24 votes needed in the senate.

The contention was made, however, that since the constitution of the State of Alabama required only a three-fifths vote to submit a constitutional amendment, the two-thirds cloture rule was unconstitutional, as being opposed to the provision on the submission of constitutional amendments.

The suggestion was made to the presiding officer that the senate rule was unconstitutional. As presiding officer of the Alabama State Senate, the present junior senator from Alabama, stated that he had the power, but not the right, to impose such a rule. He had the raw power to do it, just as indications are will be done tomorrow.

The contention is made that rule XXII is unconstitutional as requiring a two-thirds vote, whereas it is contended that the Constitution of the United States requires only majority action. All section 5 of article I of the Constitution of the United States has to say about a majority is that a majority of each House shall constitute a quorum for doing business—merely a quorum for doing business. It does not say what percentage of that majority might be required for any particular action of either House.

Of course, a majority of each House has to be there before they can transact business, but that does not give any special power to a majority or to a majority vote.

Then the same section gives to each House the right to determine the rules of its proceedings. Rule XXII was not made in derogation of that section of the Federal Constitution; it was made in strict conformity with it. The Constitution gives to the U.S. Senate the right to make rules. They can set what rules they wish, and they have set a rule requiring a two-thirds vote to invoke cloture.

It seems to me, Mr. President, that the proponents of this rules change, and the Vice President himself, would use every single provision of rule XXII, except the one requiring a two-thirds vote. Without rule XXII there is no method of cutting off debate. That rule was adopted, as the junior Senator from Alabama understands, in 1917. So there was no way to stop debate prior to 1917, and I suppose it was the great debate on the armed ships bill, where President Wilson sought to arm the merchant marine, and where the little group of willful men, as he referred to them, representing no opinion but their own, had brought the great Government of the United States to a stop.

Certainly there ought to be some provision for stopping debate; and the two-thirds provision required by rule XXII certainly has provided the necessary machinery for stopping debate on many occasions in the Senate since the present rule was adopted in 1959—some eight times, as Senators will recall. So on every great question, where two-thirds or more of the Senators are of one mind, there has been no difficulty in imposing cloture. There has been no difficulty in applying rule XXII.

The Vice President has no authority to rule on the constitutionality of rule XXII and the two-thirds provision. He accepts all of the provisions except the two-thirds requirement, and he says, "I am going to cut that down to a majority."

By what authority can he do that? Either he is under rule XXII all the way, or he is not under it at all. If he is not under it at all, there is no way to stop debate. If he is under rule XXII, proceeding as those who seek to amend the Senate rules are doing, then a two-thirds vote is required to cut off debate.

We hear a great deal about protecting minority rights—the rights of minorities throughout the country. Here we are running roughshod over the rights of minorities in this august body. We are running roughshod over the people of the States represented by the minority Senators. The new proposed rule, I assume, the Vice President would declare unconstitutional, since it requires, not a simple majority to stop debate, but a vote of 60 percent of the Senators. Why is not the new rule unconstitutional?

I state very candidly that I have always had great faith in the Members of the Senate. The Senate is one of the greatest bodies in the free world. It is the greatest deliberative body in the world. I certainly want to keep it that way. I would not have sought to come to the U.S. Senate, I would not have asked the people of Alabama to send me to the Senate, if I had known that this effort was going to be made by the Vice President and that it would succeed, because I believe that it is a step in the direction of rule by a ruthless majority.

If this rule is allowed to be changed by the Vice President, and if there is to be cloture by a majority, which is the effect of the Vice President's ruling, this body will cease to be the greatest deliberative body in the world. It will be a body in which a ruthless majority can govern the proceedings, a body in which minorities will have no protection, a body in which a ruthless majority can run roughshod over minorities.

As I understand the ruling by the Vice President, the vote will take place 1 hour after the Senate convenes tomorrow, and if a simple majority of the Senators vote to cut off debate, then the proposed rules change would have been ordered up for consideration by the Senate. Then I assume we would go through the same procedure again.

A majority vote, according to the Vice President, will cut off debate subject to an appeal from the ruling of the Chair. But the junior Senator from Alabama is hopeful that at that point, if a majority of Senators vote to impose cloture, but not a two-thirds majority, many of the same Senators voting for the imposition of cloture will not go along with the ruling of the Vice President that the cloture motion has carried if it carries by fewer than two-thirds of the Senators. Therein, I believe, lies the hope of those who hate to see the right of a minority of Senators cut off, who hate to see rule by the gavel, who hate to see rule by a ruthless majority in the Senate.

I am hopeful, first, that fewer than a majority of Senators will vote to impose cloture; but if some number more than a simple majority vote to impose cloture, and the Vice President declares that the cloture motion has been agreed to, I am hopeful that enough Senators who have voted to impose cloture will vote to overrule the Vice President on his ruling. The effect of any other action would be far reaching.

What is the need for this change? What bill is sought to be passed? Every civil rights measure that has been sought has been obtained. I assume that almost any other one could be obtained, so what is the need for this action? I wish some Senator would enlighten the junior Senator from Alabama.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ALLEN. I yield to the senior Senator from Florida.

Mr. HOLLAND. I do not pretend to state the objectives of others, but I note from the written statement of the Senator from Michigan (Mr. HART) and the Senator from New York (Mr. JAVITS), who are the powers behind the throne in this matter, that what they are hoping for is to have established a precedent under which from now to the end of time, at the beginning of every Congress, there will be a debate such as this in the Senate as to whether one rule will be changed, whether all rules will be changed, or whether there will be a complete rewriting of the rules, so that a transient majority of the Senate, as, for instance, we have on this side of the aisle right now, a small majority, can, dissatisfied with its inability to pass certain legislation otherwise, change the rule in such a way that it can pass the legislation in which it is interested.

The real objective of the two Senators whom I have named, as the Senator from Florida understands it, as is made clear from their written statement, which I have placed in the RECORD, is to establish a principle to be engrafted in the Senate records that at the beginning of every Congress the Senate by a mere majority vote can rewrite the rulebook. It is that desire to establish a precedent that is the driving force in this effort, in the opinion of the Senator from Florida.

I thank the Senator from Alabama for his able remarks, and have at least stated to him what I understand is behind the drive at this time.

Mr. ALLEN. I should like to propound this question to the Senator from Florida. Could not the precedent which is sought to be established, to which the Senator has referred, be used in the future to reduce the 60 percent or three-fifths requirement still lower, possibly down to a majority cloture?

Mr. HOLLAND. The two Senators whom I have mentioned make it clear by their statement that this is their hope. But this goes much further than that, because the procedure of rewriting the rules by a simple majority at the beginning of every Congress applies not only to rule XXII, but to all 40 rules of the Senate, and perhaps to the unwritten rules of the Senate, as, for example, the rule requiring a two-thirds vote to suspend the rules. That is not in the written rules. But the adoption of any new rule that a transient majority, a simple majority, at the beginning of a new Congress might desire could, if this principle be established, be accomplished. It is that against which at least the Senator from Florida is fighting with all his strength, because he thinks this kind of principle engrafted into the practice of the Senate means that the Senate will lose much of its essential character as a stable arm of the Government, as a continuing force. This is an attack upon the continuing character of the Senate, under which the Senate has proceeded since the organization of our Republic, and which was stated by the Founding Fathers, for instance in the Federalist papers and otherwise, as being their objective in setting up the Senate; to have a stable, continuing body which can carry along with continuing force, which cannot be accomplished in one session, and can act as a stabilizing force in the Congress as a whole and for the whole country and in the interest of the whole country.

The Senator from Florida is fighting as hard as he can to prevent such a precedent from being established, because he thinks it strikes at the very roots of the functioning of the Senate in the way in which it was supposed to function.

I thank the Senator from Alabama for yielding.

Mr. ALLEN. I thank the distinguished Senator from Florida and appreciate very much his able leadership in this matter. I feel certain that having heard his speeches on the Senate floor, Senators will not vote for the adoption of this amendment and that a majority of votes will not be cast in favor of the three-fifths majority rule.

I should like to ask the Senator from Florida another question.

The junior Senator from Alabama noticed, when this inquiry about majority cloture was propounded of the Vice President by the Senator from Idaho, that the Vice President appeared to pull out some two or three or four sheets of paper from which he read. Would that seem to indicate to the Senator from Florida that this was a spontaneous inquiry on the part of the Senator from Idaho or that this was all by prearrangement?

Mr. HOLLAND. The Senator from Florida has no specific information on that. But considering the existence of this long, written memorandum, and considering the fact that the distinguished Presiding Officer made a ruling which is not the same as he and other Vice Presidents had made before, and considering the fact that the Vice President himself said he had given long study and thought to the pronouncement he was going to make to advise the Senate as to what he intended to do—for which I thought he should be commended—I would say that the whole program evidently was well thought out and arranged beforehand.

Mr. ALLEN. I thank the Senator.

Mr. BAYH. Mr. President, once again the Senate is faced with the pressing problem of attempting to revise its rules of parliamentary procedure. I want to commend the distinguished Senator from Idaho (Mr. CHURCH) and the distinguished Senator from Kansas (Mr. PEARSON), for leading the effort during the 91st Congress. It is with a great deal of hope that I cosponsor Senate Resolution 11, which would revise rule XXII to change from two-thirds to three-fifths the number of Senators present and voting required to limit debate by invoking cloture. It is an important and necessary change.

Much has already been said in the last few days about the historical precedents for revision of the rules at the beginning of a new Congress and I will not dwell at length on that today. Article 1, section 5 expressly states that each house may determine the rules of its proceedings. It is evident that the Founding Fathers never intended for each Congress to be irrevocably wedded to the rules of the past.

Doubtless, tradition plays an important role in the Senate. The tradition of free and open debate is highly revered and rightly so. An extensive and thorough exchange of ideas is absolutely necessary to formulate responsible legislation. However, a debate and a filibuster are not the same thing. A filibuster is the very antithesis of responsible debate because it closes off that exchange; no more constructive dialog is possible. Thus, there is a point at which prolonged debate produces diminishing returns.

Any right can be abused and can interfere with the legitimate rights of others. The relative ease with which a filibuster can be marshaled has all too often become a means for thwarting the will of the majority or for wringing concessions from them.

Yet, I am mindful of the fear among some of our colleagues in the Senate that they will lose an invaluable protection; that their interests will be sacrificed to irresponsible whims. It is in recognition of their concern that the proposed revision does not provide that a vote of a simple majority can close off debate. It requires the affirmative vote of three-fifths of those present in an attempt to strike a balance between minority and majority interests. This is a reasonable solution.

Ultimately, gentlemen, our decisions must be based upon what is in the best interests of society. Possible paralysis of the Senate is inimical to that interest. It is my conviction that after responsible debate, an issue should be voted up or down upon its merits. As men of honor and reason, committed to the principles of majority rule—with minority protections—I hope that my colleagues will support the proposed change in the rules. Talking an issue to death is simply not the proper way to dispose of a national problem.

Mr. HRUSKA. Mr. President, I should like to address myself to the proposition that rule XXII should not be amended or changed.

Earlier today and yesterday there was discussion on the ruling of the President of the Senate which has caused so much distress to those who have learned to turn to the precedents. The Senate has many well-considered precedents which are a matter of record, some of which were formed by the present President of the Senate himself. The discussion on this point has been valuable. It has been carried on by others who are more proficient in the area of parliamentary law than this Senator. For that reason, Mr. President, I shall not discuss the parliamentary issues at this time. I shall devote my few remarks to the reasons why rule XXII should not be amended.

However, I appreciate the discussion that has been carried on regarding the ruling of the President of the Senate. I deplore that ruling and the impact it will have even if it is not sustained by the vote in the Senate tomorrow, and I hope it is not. Yesterday was not a bright day in the parliamentary history of the Senate. The passage of time will demonstrate that fact.

Mr. President, for the seventh time since I have become a Member of the U.S. Senate, this body is confronted at the beginning of a new Congress with a challenge to the existing rule regarding the right of debate. Rule XXII is sometimes characterized as a procedural rule rather than a substantive rule. This is true, but the word "procedural" must not be allowed to downgrade the importance of the rule. It is a procedural rule in the sense that the Constitution, itself, is a set of procedural rules. In other words, it is of such importance that it can dictate the environment of this Senate. Viewed in this light, it is most important that this question be considered carefully.

I have again reviewed the history and traditions of the Senate and have studied the logic of the arguments of both sides in this matter. Based upon this effort, I must question the advisability of modifying rule XXII of the Standing Rules of the Senate.

Our country, at the time of our Constitution's fabrication, was driven by a kind of dynamic tension. This tension pervades the operational structure and philosophy of the entire political, economic, and social system.

It also pervades the Constitution designed to govern that system. In that document's delicately balanced mechanism, force is set against force, power against power, and interest against interest. The Constitution-makers deliberately provided a well-balanced mechanism to cope with an everlasting struggle between those determined upon action and those determined to oppose such action. Each side was given powerful weapons. And, to round out the system, each side was liable to be transformed at any moment into the operational counterpart of its opponent.

One of the striking features of our Government is the difference that exists between the House of Representatives and the Senate. Representation in the House is determined on the basis of population, and a majority of its members can thus truly be said to represent a majority of the people on any particular matter before that body. In the Senate, however, each State is entitled to an equal number of Senators regardless of the population of the State, and each Senator is entitled to one vote. Many people tend either to ignore or to resent the fact that Senators do not represent individuals as such but rather individuals as they are organized into States. However, the rules of the Senate implicitly recognize that fact.

They also reflect another significant characteristic of the Senate, its relatively small size. George H. Haynes has written:

> The Senate rules were intended for a body which at the time of their adoption had not more than 20 Members, and which it was believed would always remain relatively small. Hence, many matters . . . were left to the control of that courtesy and deference which it was expected would characterize the small group of Senators in the intimate contacts of the Senate Chamber. Despite the fact that the Senate's membership is now larger (than it was originally), the Senate still cherishes the tradition that in most of their relations its Members shall be governed by custom and mutual courtesy rather than by an elaborate code of formal rules. Of the original list of rules the list of all but three is to be found, in practically the identical phraseology, in the standing rules of today. (Haynes, George H., "The Senate of the United States; Its History and Practice," Boston, Houghton Mifflin, 1938, p. 340).

Unlike the House of Representatives, the Senate does not have to contend with the problems that accompany a large membership. Its relatively few rules enable the Senate to retain a flexibility of action and a tolerance of individuality that its sister body can hardly afford.

This tolerance of individuality and, therefore, of minorities is a considerable prize. The protection of the rights of the minority is, after all, the primary reason for the existence of the Senate and is as precious an element of democratic government as is the fulfillment of the will of the majority. This protection is one of the unique and outstanding features running throughout the entire Constitution.

The Founding Fathers at no time intended under our Federal Government that a simple majority unchecked should be able to impose its will on a minority of the country. The following are but a few examples of situations in which a simple majority is prevented from acting alone. Before becoming law, every bill must be passed by the House and the Senate and approved by the President, or, if not approved by the President, must thereafter be passed by the House and Senate by a two-thirds vote of each body. If challenged, each law must be able to withstand attack in the Federal courts. Treaties must be approved by the President and consented to by two-thirds of the Senators present and voting. Amendments to the Constitution must be agreed to by three-fourths—that is, 38—of the States.

No one can read the Constitution and the debates of the delegates at the convention in Philadelphia without realizing that our Federal Government is one of checks and balances—a balance of majority and minority rights and a check against majority rule.

The underlying fear of the drafters of the Constitution was the danger of the majority oppressing the minority.

The Senate in the exercise of its advisory, diplomatic and legislative powers reflects this concern for the minority and majority. It was intended by the drafters of the Constitution that the Senate should be a deliberative body where a matter could be considered slowly, carefully, and meticulously. The Senate was never intended as an assembly line to produce the maximum possible legislation in the shortest possible time with the least inconvenience. It was never intended that the Senate should act with haste.

There is a story, perhaps fictitious, that George Washington described the Senate to Thomas Jefferson as the saucer into which the hot tea of the House was poured to cool.

Whatever the source of the story, the Senate has nevertheless always accepted this cooling function seriously. In accomplishing that function, it has continued to emphasize freedom. Instead of curtailing rights, the Senate's rules honor them. Instead of curtailing debate, the Senate's rules recognize the important function debate plays in the legislative process.

The Senate is rightly considered unique among all the legislative bodies of the world. Its uniqueness and its greatness is due to the fact that it is the greatest deliberative legislative body in existence. The right of debate, as that right exists today and has existed in the past, is the foundation of its deliberativeness. Take away that right and not only will you have reduced the Senate to the stature of all other legislative bodies, but also, you will have destroyed one of the greatest single obstacles to tyranny and infringement of the rights of the people of this Nation.

Because each State is entitled to equal suffrage in the Senate, a majority of Senators may or may not represent a majority of the population on any particular matter at any one time—a fact that should be remembered during any consideration of a change in the present rules.

As of 1960, the latest decennial census, the nine largest States possessed over 50 percent of the total population of the States, yet they possess only 18 percent of the votes in the Senate. Less than 20 percent of the total population of the States—that is, the 26 less populous States—have 52 percent of the votes in the Senate. On the basis of the 1960 census, it can be observed that a majority of Senators can at any one time represent from 80 percent to less than 20 percent of the total population of the 50 States.

Since a minority of Senators may represent a majority of the population, freedom of debate protects a majority of the population as well as a minority. The larger States are a hopeless minority on a rollcall vote of Senators. Nor will the House of Representatives always be able to check the imposition of the will of a minority on the majority of the population if the proposed change in the Rules is agreed to. Not all matters on which the Senate votes go before the House. The Senate alone, for example, votes on treaties and appointments of judges, ambassadors, and other officials. Yet the proposed amendment would affect cloture on such matters as well.

The proposed change in the cloture rule would increase the power of a majority of Senators but would at the same time decrease the power of the majority of the people in the United States. It is hard to believe that this is the desire of the people in this country.

I believe it is a point which is not sufficiently appreciated nor sufficiently taken into account in balancing the arguments in the course of this debate.

Mr. President, it is important to note during this debate that rule XXII is not a restriction on the will of the majority of the Senate as has been asserted by some. History does not support such an assertion. Until 1917 there was no way of cutting off debate in the Senate, including debate on a change of the rules at the beginning of a new Congress, except by unanimous consent. It was only by unanimous consent of the Senate that a vote on the cloture rule adopted in 1917 was achieved—CONGRESSIONAL RECORD, 65th Congress, special session, page 20. Few, if any, considered the cloture rule when it was adopted as a restriction on the majority. On the contrary, rule XXII restricts the rights of the minority; it is a grant of power to the majority to do what it could not otherwise do—to cut off debate if two-thirds of the Senators present and voting agree to limit debate.

The theory that only the rights of the majority, and not the minority, continue from Congress to Congress is certainly contrary to this Senator's view and in my humble opinion is contrary to the underlying principle of the Constitution that the rights of the minority should be protected from infringement by a majority. A disregard for the rights of a minority can only lead to disunion, a danger which Mr. Madison foresaw as the greatest of all possible dangers which could befall this country—"The Madison Papers," Washington: Longtree and O'Sullivan, 1840, page 1407.

The debates of the Founding Fathers show also that they intended the Senate to be a continuing and permanent body. Several of the delegates to the Constitutional Convention expressed an opinion that the Senate would probably be in constant session. So permanent was the Senate intended to be that one delegate expressed a fear that Senators might "settle themselves at the seat of government"—"Madison Papers," opinion cited, Mr. Mason of Virginia, page 1307.

A brief look at the history of the Senate shows further that the Senate continues de facto from Congress to Congress. There has seldom, if ever, been an occasion in recent years when a third of the Senators in any 2 years have been new to this body, as is permitted by the Constitution. I note, for example, that only 15 new Senators are here who were not here at the end of the 90th Congress. Moreover, 52 of the Senators who were present at the beginning of the 86th Congress, when rule XXII was last amended, still are Members today. This is an average turnover of only 4.8 percent each year, or 9.6 percent every 2 years, since January 3, 1959.

Every precedent is to the effect that the Senate is a continuing body with continuing rules—even as the U.S. Supreme Court, in the case of *McGrain* v. *Daugherty*, 273 U.S. 135 (1926), has held that the Senate, unlike the House, is a continuing body.

Senate committees order investigations, file interim reports, final reports, and committee recommendations, without reference to the ending of one Congress or the beginning of another. This procedure, which is unlike the committees of the House of Representatives, is followed even where there is some change in the committee membership.

The Senate rules, also unlike the House rules, provide that all standing committees continue until their successors are appointed—Senate Manual, 90th Congress, first session, rule XXV. In addition, the elected officers of the Senate have no stated term of office, but serve during the pleasure of the Senate.

The Senate is a continuing body and the rules adopted when the Senate first convened in 1789 have continued in force without reaffirmation except as they have been subsequently revised, amended, or abolished.

In a brief filed January 7, 1967, in support of a rule change, the Senators who authored the brief asserted, and I quote from page 16 of that brief:

> The members of the Senate of each new Congress have undiluted power to determine the manner in which they will operate during that Congress and have no power to determine the manner in which the Senate of future Congresses will operate.

It is clear from the brief that by the term "Members," as that term was used in the above quote, was meant a majority of the Members of the Senate.

With no proposition could I quarrel more violently. "Undiluted power," I hope not. Such a premise is directly contrary to our basic principles of government. I can only assume that the writers of the brief misunderstood the meaning of these words. I am sure that they did not mean to imply that a majority of Senators could decide at the beginning of a new Congress that no member of a particular minority should be a member of the Appropriations Committee, or the Finance Committee, or any other committee of this body, or that the members of a minority could be relegated to an inconsequential role in the Senate. Yet is this not the principle that they have presented?

Of course I do not impugn their integrity, nor do I imply that any of the present Members of the Senate would abuse such a power. Nonetheless, the very principle upon which they proceed is that this Congress cannot bind future

Congresses. Therefore, the proponents of a change cannot assure us as to the action future Members of the Senate will take. While the danger of abuse of such power may appear small at the present time, we should still heed the warning of Senator Reed of Missouri when he said: "Whenever you grant a power, you must assume that the power will be exercised. So when we discuss this proposed rule, we must do so in the light not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm"—taken from President Johnson's speech to the Senate in 1949, 81st Congress, first session, page 2043.

Mr. President, in all things—and certainly in this instance—a balance must be struck. The present question is the balance to be struck between the rights of a majority and the rights of a minority. Freedom of debate is a tradition of the Senate—a once unwritten rule of long standing, and now embodied in very balanced and desirable shape in rule XXII. Before the rule is changed, a need for change should be shown. In my view such a need has not been shown.

The very first page of Jefferson's historic manual gives us a quotation from Hatsell's "Precedents" which sets the spirit of the rules:

> As it is always in the power of the majority by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding—Senate Manual, 90th Congress, first session, page 381.

The Senate has zealously guarded this heritage by refusing to accept radical changes in its rules. The basic rules were drawn up during the first session of the Senate. They consisted of 19 articles. The total today is 40, but the spirit of the first 19 still prevails.

It is often said that these are days in which swift action is required. In almost the same breath we hear complaints that Congress should give way to the demands of the executive branch because in this complex world the latter has a firmer grip on the complexities.

The fact is that the Senate can act swiftly and has done so when the need has arisen. Furthermore, it is because of those very complexities that the Senate's deliberative function is now more valuable than ever. In my judgment, to dilute or impair it carries high threat to the true mission and purpose of this body.

There does not automatically come a time during consideration of legislation when a simple majority should be free to force its will because there is no guarantee that the majority is in the right. Quite frequently the minority possesses the truth. The history of the Senate presents numerous instances in which the minority preserved the majority, against the latter's will, from acts of folly. President Andrew Johnson was saved from conviction on impeachment because a minority of one-third held fast. Not the least to be said for the Senate is that it is a bastion for minorities, political, economic, social, ethnic, or whatever.

And here we have arrived at the crucial problem underlying the rules of every legislative body, or of any organization for that matter. That problem involves the balance that is to be maintained between the quite reasonable desire of a majority to convert its numbers into legislative victories and the equally reasonable desire of a minority to protect itself from such victories at its expense. To put the matter in an even more troublesome form, we are faced with a conflict between order and liberty.

The proponents of a change assure us that it is not their intent to cut off reasonable debate, but only to limit unreasonable debate. They assure us that the Senators in opposition to a measure will always be afforded an ample time to present their views. These assurances are reminiscent of the assurances given Senator Gray before the turn of the century, and I am moved to reply with Senator Gray's words when he stated:

> But, my friend, you must recollect there is a difference between liberty and license. License will not do.

In 1962, when I was considering the role of debate in the Senate, I quoted a colorful statement delivered by Senator James Reed, of Missouri, on June 4, 1926. In the heat of a battle to prevent the imposition of cloture, he roared:

> Gag rule is the last resort of the legislative scoundrel.

He continued:

> Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first—and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.
>
> As long as we preserve complete freedom of speech in this body we will have done much to preserve the prestige of the Senate.
>
> That, however, is not important. We will have done much to promote a condition of deliberate and careful action. That is the great desideratum. (Con. Rec. 69th Congress, 1st Session, pp. 10707, 10710)

In 1949, the then junior Senator from Texas, Lyndon Johnson, who was commencing his first term in this body, delivered an excellent statement on this subject. I would like to quote a part of that speech:

> I am aware that the proponents of this resolution deny that their form of cloture would impede free speech. . . . One hour on the floor to speak for or against a piece of legislation . . . would rarely be a handicap or an affront to me. I can imagine few occasions—even now—when I would desire more than an hour of the Senate's time to present my views on most issues arising here.
>
> But I would not knowingly imperil a moment of my freedom to speak. So, I refuse now to seek an authority over others which I would not yield myself.
>
> It matters not, Mr. President, whether cloture permits Senators to speak one hour, one week, or one month. If this resolution is adopted, the bridle will be upon the tongues of all minorities, and no mount is free, once the bit is in its mouth. . . . Good intentions, gentle reforms, and reasonable limits have destroyed more freedoms than evil forces could ever do, and I fear that danger now.
>
> . . . filibuster, at best, has no assurance of success; it is more prayer than promise, a last hope for a conscientious minority. Not so, cloture. It is perhaps the deadliest weapon in the arsenal of parliamentary procedures. Once a majority is armed with that weapon, the majority can be—if it so chooses—beyond the laws and moral compulsion of such flimsy restraints as parliamentary courtesy and precedents.
>
> Against this, a minority has no defense. (Cong. Rec., 81st Congress, 1st Session, p. 2043)

There exists in the Senate, Mr. President, a custom and tradition of senatorial courtesy and respect.

As Senator Hayden of Arizona stated in 1949:

> It does not require much imagination to determine how that custom of senatorial courtesy and consideration (for the rights of all Senators) was originally established and why it has remained in effect down to this day. More than a century ago, when a new Senator came into this body, it did not take him long to learn that there were other Senators who not only had the ability to point out what they deemed to be flaws in his reasoning and errors in his statement of the facts upon which his conclusions were based, but, above all that, the other Senators could take whatever time they thought was necessary to fully expose the flaws in his reasoning and the errors in what he had presented as the facts. There was no way available to him to stop the criticism of his ideas by other Senators so long as they desired to do so. That was a right that they possessed, which he was compelled to respect, and from it there very naturally followed respect and consideration for all Senators, each of whom had that right. It is inherent in human nature to have respect for power. The new Senator also soon found out that he also had the same right as other Senators to use whatever time he might need to express his own opinions, and that he had that respect because he possessed that right.
>
> That is undoubtedly how the custom of courtesy and consideration . . . was originally established in the Senate and is now so old as to be looked upon as fixed tradition in this body. The question is whether, with the destruction of the basis upon which it was founded, that custom or tradition will continue to prevail in the Senate during the years to come. (Cong. Rec., 81st Congress, 1st Session, p. 1590)

More than one Senator in the past has expressed the opinion that to further curtail the freedom of debate which now exists in the Senate would destroy the respect and equality now enjoyed by each Senator. With this opinion, I most heartily agree.

In closing my remarks, I would note that freedom of debate does more than simply protect the rights of a minority; it plays an important part in perfecting legislation to its highest potential. Senator Henry Cabot Lodge of Massachusetts described this function of debate when he wrote:

> Undoubtedly there are evils in unlimited debate, but experience shows that these evils are far outweighed by the benefit of having one body in the Government where debate cannot be shut off arbitrarily at the will of a partizan (sic) majority . . . the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle, and has perfected still more that which ultimately found its way to the statute book. (Lodge, Henry Cabot, "The Senate of the United States" and other essays. Charles Scribner's Sons, 1921, pp. 17–18)

After considering the matter at great length, it is my opinion that the potential harm that could result from a change in rule XXII markedly outweighs any good that is likely to result from such a change.

Mr. President, it is my fervent hope there will be no change at all in rule XXII.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HOLLAND. Mr. President, I congratulate the Senator for his eloquent and cogent remarks. I thank him for the position he has taken and I thank him particularly for bringing out so clearly the fact that rule XXII protects the majority of the Congress, and that it is necfar as the numbers of people are concerned.

I happen to know from some rather bitter experiences we had in our State from time to time that measures may be aimed at a single State or a group of States, whether big or small, by a majority of the Congress, and that is it necessary sometimes for big States—and our State is not among the largest; it is ninth in size—to have some machinery available so we can stand up for our basic rights.

I shall not go into all of the instances, but one instance was when the Congress, observing that Florida and one other State were attracting a great many new residents because we had no inheritance tax, put through a provision aimed at those two States giving its citizens credit on their Federal estate taxes up to the amount they had paid in State inheritance taxes up to a certain figure. It took us 5 years in Florida to overcome that handicap, while we were overpaying more money that we would have been paying to the Federal Government. We had to amend our constitution, pass new legislation and get it operative and it took 5 years.

I am calling attention to the great States and the fact that there is apt to be aimed at them and, in the past measures, have been aimed at them, imposing on their financial capacity, which they regard as hurtful, which make them feel they must stand as long as they can to defend their basic interest. Rule XXII gives them that machinery, as it does our State, to regional States, or agricultural States, to stand and fight for their rights.

I am glad the Senator has spoken out as clearly as he has in support of the principle that the big States may and undoubtedly will be as much helped by the continued existence of rule XXII as any other group in the Nation.

Mr. HRUSKA. I thank the Senator for his kind remarks about my comments on the situation.

There was a time when the fight on the change of rule XXII was considered a sectional proposition, where the Southern States battled so it would be there in case of civil rights legislation, which they seriously and earnestly felt to be harmful to them. I believe that today that the need for civil rights legislation has been satisfied in large part. I do not mean there will be no more civil rights legislation. There will be more, and there will be amendments of civil rights legislation now on the books. However, the principles involved have been dealt with.

There remains an appreciation of what happened on the part of Senators from Southern States when subjected to the pressure of the majority, and because of that experience they have continued to support rule XXII.

I respectfully submit there is going to be a shift in legislation in this Nation from civil rights legislation to legislation pertaining to natural resources and to matters that will be economic in nature. They will embrace the field of taxation and will affect the centers of population and populous States in the fashion suggested by the Senator from Florida. We are probably on the threshold of that day now, if we are not in the middle of it. The more populous of the 50 States will be eternally grateful that there is some means whereby they can continue the discussion of a proposition long enough to have the entire population of this Nation learn of the probable impact of the legislation, so that it can be defeated or modified. That day is coming, Mr. President.

I do believe if rule XXII is considered in the sweep of history it will be found to be one of the rules that should remain inherently a part of our parliamentary structure.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HOLLAND. Mr. President, I wish to state one other example of the use of unlimited debate which I have heard frequently and eloquently stated by our former colleague, the distinguished Senator from Arizona, Mr. Hayden. It was planned to introduce into the Union as a single State the areas now included by New Mexico and Arizona. The act was launched for statehood, it was passed in the House, and it came over to the Senate. The people living in those two areas, as well as nearby areas in the West, particularly, felt there was a potentiality in each of those areas to make a good State, a different State. They stood here and defeated, by what is customarily called a filibuster, the attempt to introduce those two areas into the Union as a single State. I have heard the distinguished former Senator from Arizona Mr. Hayden repeatedly say he could never have represented the State of Arizona, which at that time had much less population than the State of New Mexico, although that situation has changed now, but for the existence of unlimited debate in the Senate and the willingness of Senators to stand up and fight for what they thought was right.

There have been other instances. I have placed in the RECORD 43 instances since 1917, but there were other instances before that. Unlimited debate, even when limited to some extent by rule XXII, has had very salutary effects from time to time, and I want the RECORD to show that and to make the Senate realize that any group of States, or any single State, is apt to be adversely affected.

I remember when the two Senators from Nevada stood on the floor of the Senate all night and would not permit debate to cease because well-intentioned people were trying to cut off debate on an interstate commerce measure, to enable them to run the gambling business there, which would not be approved in any other State. However, it had become the backbone of the tax structure of that State.

There is no end of possible issues which may leave Senators to feel that this is vital to my State, or my region, or my economic group; but I must stand here and fight as long as I can.

Rule XXII imposes reasonable limitation on that right, and it has proven reasonable. In 43 attempts to invoke it, it has been successfully invoked eight times, and in those instances where it was not invoked, the legislation was passed later with some modification. In those instances where the legislation was not passed I am sure Senators will say it was a happy day for our country that the particular bill was never permitted to pass.

Mr. HRUSKA. The Senator is correct, and the Senate should be grateful to him for the research he has made in this field and which he has made available, particularly for the tabulation of the 43 historical instances where an effort was made to impose cloture.

Many other conjectured situations would come to mind. We have a State to the far north, some of which is near the Arctic Circle. This State has unique characteristics and attributes. One of those attributes is that it will have to develop a great deal of its income from revenue from oil development and oil production within its boundaries. There is no question about that.

I believe that the State's revenue from this source, if I am correctly informed, is now in the neighborhood of 30 percent—perhaps a little more or less. But, within short order, it will be necessary to raise as much as 40 to 45 percent of the revenues from such sources in order for it to survive. If not, the Appropriations Committee, on which the distinguished Senator from Florida and I serve, will be called upon to supplement the income of that State.

With that as background, let us visualize this situation: There will be another corner of the United States some place that might be interested in the passage of legislation which will allow heavy imports of oil from other parts of the world and those imports will have an impact upon the production of oil in the 48 mainline States, and Alaska.

Now if that happens, what recourse have the people in Alaska except to come here to the floor of the Senate and argue their case through their two Senators, not only well and forcefully but in extended fashion, in order that the people of America will realize what is going to happen to that State in the northern regions of the North American Continent?

Mr. President, that is an example which may not be too far away from reality. Even now, when we have legislation, and it happens quite frequently to be of a general nature, we are asked by the people of Alaska to give them special treatment and special consideration.

For example, in the gun-control legislation, they say, "Yes, but look at the conditions which exist in Alaska. They are not the conditions that exist elsewhere. Give us special consideration."

It seems to me that it behooves not only the two Senators from that State but also Senators of any small State which cannot be heard in any other way on legislation which is rushed through the Senate or rushed through the other body. There often is evident desire for haste, and for bold action—bold, indeed, and hasty, indeed—but oftentimes ill-advised in its longer thrust. There are only two remedies. One is the representation of each State by two Senators. Even that rule is being looked at now with sideways glances by some people anxious to extend the one-man, one-vote rule even to the representation in this body. That is one safeguard that small States have. The other is rule XXII. Without it, there will come sorry days. There will be a sadness and a dimming of the brilliance of this Chamber as a parliamentary body as even more trying times come to this country in future decades. That sadness and that dimming of our brilliance will have been caused by the ruling proposed to be made from the Chair which is greatly to be deplored.

Mr. President, I yield the floor.

Mr. HART. Mr. President, there may or may not be more trying days ahead, but those of us who suggest that rule XXII be modified to require only 60 of 100 Members to terminate debate rather than 67 if all of us are present and voting, feel that this would enable the Senate more effectively to respond to trying days.

I think it was the Senator from Tennessee (Mr. Baker) who reminded us just a few days ago that action by the Senate could be prevented by 34 Senators—if my arithmetic is a little off, please excuse my failing memory, it is always my desire to speak the truth—34 Members representing less than 7 percent of the people of America. Put that on the scale and ask whether that is the way we can prudently prepare for more difficult days.

I suggest it is much more likely that the Senate would be able to respond more effectively to whatever difficulties lie ahead if 60 of us are armed with the authority, after having had extended debate, which is not the purpose of the Senate, to permit the Senate to be in a position to discharge its primary functions so that it can decide the tough questions, today or 20 years from now.

I think that 60 percent is a perfectly sensible debate limitation.

Mr. HRUSKA. Well, Mr. President, we should not be beguiled by the idea that we will chop off the dog's tail inch by inch, and that this is only one other inch. All they wanted to do 10 years ago was to make the rule two-thirds of those present and voting. Those of us who were here at that time knew that was not the end of the road.

Here we have another modification. Very few of the advocates of the 60-percent rule will stop at this point and fight to resist any further reduction in that number. Let us be realistic about this. Often on this floor we have heard much about "operation nibble." This is another instance of it.

Mr. HOLLAND. I want the Record to show again, Mr. President, what has already been shown in the past, that the distinguished Senator from Michigan (Mr. Hart), joined by his associate the distinguished Senator from New York (Mr. Javits), made a release covering this matter, explaining why they were not going through with their announced intention to cut the vote required to a simple majority, for the reason stated—just as clearly as words can state it—that they thought the principal objective should be to get the precedent declared, the principle fixed, that a simple majority of the Senate at the beginning of every Congress might have the right to amend the rules or to rewrite the rules. They have stated it themselves in much clearer words than I have. It is there. It is in the Record already. The Senator from Nebraska is so right in saying that this is cutting off the good dog's tail an inch at a time because the two fine Senators I have mentioned have admitted it just about as clearly as it could be admitted by stating that while they are not going to introduce their majority rule change at this time, as announced over the television and radio and in the newspapers, carried far and wide for weeks before the session, they have taken the position that they must support this three-fifths rule because they think the important thing is to have the Senate establish the principle, the precedent, that every Congress affords the opportunity for a simple majority of one—they do not say it this way, but a transient majority of one—to rewrite as many rules as they want to write.

Mr. HRUSKA. And the ultimate objective would be a simple majority of one present and voting.

Mr. HOLLAND. That is correct.

Mr. HRUSKA. Then we would have a situation where, with 51 present, 26 could effect that change.

Mr. HOLLAND. I am so glad the Senator brought up that point, because just before he did, the Senator from Michigan came on the floor, and since the Senator from Florida thinks he has correctly quoted the Senator from New York and the Senator from Michigan in their release, he is glad the Senator from Michigan is on the floor, because if there is anything in the slightest incorrect about what he says about that famous release, the Senator from Florida hopes the distinguished Senator from Michigan will correct him at this time.

Mr. HART. Mr. President, will the Senator yield?

Mr. HRUSKA. Surely. In fact, I yield the floor.

Mr. HART. As I assured my delightful friend from Florida several days ago, he has quoted accurately our—what comes to me as news—"famous" release. If it has become famous, the Senator from New York and I owe thanks to the Senator from Florida, who has been gracious enough to put it in the Record.

Absolutely—although I get the feeling that one is on the defense to take this position—the Senator from New York and I and other Senators—and there are many of them—think it makes absolutely good sense and is absolutely consistent with what those fellows were doing in Philadelphia in 1789, and they meant that we could write our rules. They meant that a majority of us could write our rules, and that a majority of one could write our rules. Indeed, a majority of one can do anything we want to, except what the Founding Fathers said and enumerated we could not, in a number of cases.

I do not think there is anything shocking or startling or offensive to American tradition to take this position—not a bit.

I got up to respond to the always effective words of the Senator from Nebraska, because, as I listened to him, he was addressing the proposal that we would like to bring up, that three-fifths of us be allowed to end debate and to act. He was describing it in such fashion that, if we did not review this proposal, a listener or a reader might think the building was going to fall down—"Good heavens, the building is going to fall down."

That was why I rose. Let us be permitted to take up the question of three-fifths, rather than 67, if we are all healthy and present.

Eliminating the element that there are those of us who would like to see that rule further amended to permit, after still further debate, a majority finally being able to terminate debate, and forgetting the chopping off of the tail, does the Senator from Nebraska think the world has been drastically altered for the worse because of the trimming back of rule XXII beyond the constitutional two-thirds to a requirement of two-thirds of Senators present and voting? Does he think any overwhelming disaster would overcome us if we trimmed that from the requirement of two-thirds present and voting to 60, or is his concern that, sooner or later, we may do it by majority vote?

Mr. HRUSKA. So long as a man has his nose 6 inches above the water and he is pulled down an inch, will he say he is hurt when he is asked, "Are you hurt?" Of course he will not. But do it five more times, and he will drown. That is the one thing that is inherent in the argument.

Mr. HART. I asked the Senator if he would be hurt.

Mr. HRUSKA. If we can say it has not hurt much, we can also say it has not improved us much. I would just as soon make it clear that we consider this question in its totality. The general rule has worked well. It has not been of great harm. It has been of great benefit in many instances over the last 180 years. I say let us leave it as it is.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HART. I think I have the floor.

Mr. HOLLAND. Will the Senator yield to me?

Mr. HART. Yes.

Mr. HOLLAND. Mr. President, since the contents of the release of the two distinguished Senators, the Senator from Michigan and the Senator from New York, have been mentioned, I will quote now from page 423 of the Congressional Record for January 10. I shall not read the whole of that statement. I recite the reference of the page where it all appears. I read this much, this being the statement of the Senator from Michigan and the Senator from New York:

> We will withhold our own amendment for cloture on the vote of 51 Senators to help this consolidation of strength in the Senate

> behind the so-called 60 percent amendment. We feel it is our duty to work primarily for the acceptance of the principle that the Senate is empowered at the beginning of each Congress to change its own rules without being subject to those very rules and we believe our best approach at this time is to consolidate our efforts with those of Senators supporting a three-fifths rule.

There cannot be any question about it.

Mr. HART. That is absolutely correct. If I had to rewrite it, I would make a slight addition: We seek to establish the eminently sound principle that a majority be permitted at the beginning of a Congress to write its rules.

Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President, if the Senator will yield to me just once more before he sits down, I want to say that he has correctly stated, I think, the real issue here. The issue is whether we shall establish this principle, which the Senator from Michigan says he regards as eminently sound, as a precedent of the Senate—that a bare majority of the Senate, at the beginning of every Congress, can completely rewrite the rules of the Senate. That, I think, is the big issue before the Senate.

I thank the Senator.

Mr. HART. So do I, Mr. President. As I say, that was what the Founding Fathers at Philadelphia told us to do, as I read the Constitution. That is what this debate is all about, and, sooner or later, the public will come to understand it.

TRIBUTE TO ROY HALLBECK, FRIEND OF THE POSTAL WORKER

Mr. YARBOROUGH. Mr. President, I have just learned of the passing of one of my good friends and one of our most dedicated citizens, Roy Hallbeck, late president of the United Federation of Postal Clerks, AFL–CIO.

For nearly 20 years prior to his election as president of the clerk's union in 1960, Roy served as national legislative director of the federation on Capitol Hill and was held in the highest esteem by those of us who knew of his great spirit and devotion to the postal clerks and the postal service. One of his most important contributions in this regard came during the early years of this decade when as president of the clerk's union he played a major role in helping to shape the Federal employe-management program first put into effect by administrative action of the late President Kennedy. It marked the achievement of a goal for which Federal unions had been battling more than a half century.

Mr. Hallbeck was the architect in 1961 of three mergers in which his federation amalgamated with the former National Postal Transport Association, AFL–CIO; the independent United National Association of Post Office Craftsmen and the United Postal Workers, so that the total membership of his union now counts over 160,000.

Mr. Hallbeck entered the postal service as a teenage clerk and quickly emerged as a leader. He continued in his dedication for these many years to the highest nonsupervisory grade as a special clerk, rejecting numerous promotions to supervisory status because of his belief in the union cause.

Roy Hallbeck was a dedicated, devoted, and diligent servant of the people with whom he worked and for whom he worked and because of these tremendous qualities, he will long be remembered by the Members of Congress as well as the Federal employees all over the United States.

RECESS

Mr. KENNEDY. Mr. President, I move that the Senate now stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate took a recess until tomorrow, January 16, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 15 (legislative day of January 10), 1969:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Doris R Black, Daviston, Ala., in place of L. L. Oliver, retired.

CALIFORNIA

Maxine I. Young, Shaver Lake, Calif., in place of L. H. Ivie, retired.

COLORADO

Harold E. Clare, Florissant, Colo., in place of D. G. Erb, retired.

FLORIDA

Glen C. Nobles, Grand Ridge, Fla., S. S. Wester, retired.

Douglas C. Richards, Homosassa, Fla., in place of R. M. Adkins, transferred.

Alvin P. Mast, Sanibel, Fla., in place of S. A. Bryant, retired.

GEORGIA

Jackey D. Colley, Portal, Ga., in place of M. F. Turner, retired.

Carl B. Mock, Warrenton, Ga., in place of W. T. Pilcher, retired.

INDIANA

Richard T. McIntyre, Ambia, Ind., in place of J. A. McCormick, retired.

Paul R. Joyner, Arlington, Ind., in place of J. M. Coffin, retired.

Anna P. Halsema, Fair Oaks, Ind., in place of F. D. Zimmerman, retired.

Robert D. Crane, West Lebanon, Ind., in place of B. P. Johnston, retired.

Kenneth L. Chaney, Whiteland, Ind., in place of M. E. Brunner, resigned.

IOWA

Paul F. Harkin, Cumming, Iowa, in place of M. M. Hanrahan, retired.

Bernard D. Roesler, Lime Springs, Iowa, in place of A. J. Roberts, retired.

Galen R. Burgus, Murray, Iowa, in place of H. E. Maffett, retired.

Robert C. Gengler, Whittemore, Iowa, in place of K. A. Elbert, retired.

KENTUCKY

Marjorie H. Argo, Ewing, Ky., in place of E. E. Biddle, retired.

MAINE

Madeleine C. Belden, Palermo, Maine, in place of L. M. Glidden, transferred.

Vernon C. Norton, Steuben, Maine, in place of H. I. Sawyer, retired.

Shirley M. Moore, Woolwich, Maine, in place of J. V. Hunnewell, deceased.

MASSACHUSETTS

Francis P. Thibaudeau, Charlton, Mass., in place of A. G. Dodge, retired.

MICHIGAN

James M. Hansen, Shelby, Mich., in place of E. R. Steen, deceased.

MINNESOTA

James A. Niles, Merrifield, Minn., in place of L. L. Pratt, deceased.

Louis P. Chalupsky, Pine City, Minn., in place of D. R. Wilcox, retired.

Elmer A. Goodman, Rockford, Minn., in place of H. F. Lieder, resigned.

MISSOURI

Jesse H. Crenshaw, Foley, Mo., in place of W. E. Boettcher, transferred.

NEBRASKA

Leland Wolfe, Arlington, Nebr., in place of V. G. Wager, retired.

Harold J. Madsen, Jr., Blair, Nebr., in place of A. O. Sick, retired.

Mary R. Houser, Gretna, Nebr., in place of M. E. Patterson, retired.

Francis L. Hassler, McCook, Nebr., in place of L. B. Glaze, retired.

John H. England, Wilsonville, Nebr., in place of J. M. D. Rutledge, retired.

NEW JERSEY

Robert J. Nieradka, East Paterson, N.J., in place of Charles Roth, Jr., deceased.

I. Rebecca Valleley, Goshen, N.J., in place of I. E. Smith, resigned.

James N. Amey, South Branch, N.J., in place of R. H. Thomson, retired.

NEW YORK

Helen T. Bell, Bullville, N.Y., in place of J. E. Bell, deceased.

Marjorie Park, Findley Lake, N.Y., in place of R. C. Smolk, resigned.

Arthur T. Freer, Jr., Gilbertsville, N.Y., in place of R. V. Seaman, retired.

LaNeta A. Gallagher, Minerva, N.Y., in place of M. E. Raymond, retired.

Ruth J. Fettinger, Sprakers, N.Y., in place of H. R. Wrobel, retired.

NORTH CAROLINA

Susie P. Knox, Creston, N.C., in place of Mary Baker, retired.

Enoch C. Slack, Rockingham, N.C., in place of J. C. Hammond, deceased.

Ernest G. Clayton, Stem, N.C., in place of A. O. Nelms, retired.

NORTH DAKOTA

Francis A. Didier, Sanborn, N. Dak., in place of A. G. Lettenmaier, retired.

Selma C. Johnson, Sutton, N. Dak., in place of R. O. Johnson, retired.

OHIO

Margaret A. Bailey, Mark Center, Ohio, in place of F. W. Walters, retired.

William F. Housekeeper, Jr., Pickerington, Ohio, in place of C. M. Richter, retired.

OKLAHOMA

James G. Coe, Bokchito, Okla., in place of R. R. Castleberry, deceased.

Raymond G. Touchstone, Broken Bow, Okla., in place of Lee Kennedy, retired.

Charles A. Brown, Dustin, Okla., in place of J. S. King, transferred.

Marilyn R. Wyckoff, Freedom, Okla., in place of M. E. Shelite, transferred.

David L. Davis, Roff, Okla., in place of S. R. Roff, retired.

Floy A. M. Smith, Smithville, Okla., in place of V. B. Hopper, deceased.

Kenneth L. Norbury, Talihina, Okla., in place of E. G. Foster, retired.

Helen W. Lockard, Tuskahoma, Okla., in place of G. L. Lockard, Jr., deceased.

PENNSYLVANIA

Charles J. Nicotera, Chatham, Pa., in place of E. M. Hannum, retired.

Andy Pagac, Richeyville, Pa., in place of William Debreczeni, removed.

Andrew D. Morris, Sykesville, Pa., in place of R. L. Rupert, retired.

RHODE ISLAND

Marion E. Beaudreau, Alton, R.I., in place of A. E. Fowkes, retired.

SOUTH CAROLINA

Lucile Carson, Arcadia, S.C., in place of P. B. Holtzclaw, retired.

VERMONT

Frank A. Stiles, Bethel, Vt., in place of M. A. Keleher, deceased.

Mary A. Casey, Chittenden, Vt., in place of G. L. Boutwell, retired.

Elizabeth C. Gunn, Essex, Vt., in place of S. A. Fiske, deceased.

VIRGINIA

Ronald M. Taylor, Madison Heights, Va., in place of K. F. Bailey, declined appointment.

WEST VIRGINIA

Madeline C. Brown, Cyclone, W. Va., in place of M. S. Brown, deceased.

WISCONSIN

Donald S. Manville, Cazenovia, Wis., in place of R. N. Duren, retired.

Dennis F. Sexton, New London, Wis., in place of A. L. Van Alstine, retired.

WYOMING

Emerick Huber, Casper, Wyo., in place of G. P. Hicks, Jr., deceased.

Duane L. McKinney, Osage, Wyo., in place of H. B. Spargur, deceased.

In the Coast Guard

The following-named officers of the U.S. Coast Guard for promotion to the grade of rear admiral:

Capt. Joseph J. McClelland.
Capt. Helmer S. Pearson.
Capt. Chester A. Richmond, Jr.

In the Army

The following-named persons for appointment in the Regular Army, by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be captain

Madden, Joseph P., O99911.

To be first lieutenants

Avery, Ronald L., OF100742.
Davis, Stewart O., OF103119.
Goldberg, Bertram, O95935.

To be second lieutenant

Peters, Curtis A., OF107339.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be majors

Stewart, Berald L., O1936484.
Sullivan, Jerome J., O4006684.

To be captains

Alex, Allen M., O5704893.
Allen, David L., O5706439.
Brookshire, George W., O1886754.
Brown, John E., MN2297783.
Burke, Paul F., O5311417.
Bush, William E., Jr., O5313413.
Caulk, Richard R., O5404963.
Chiodo, Eugene J., O5215336.
Cloke, Robert R., O5511933.
Conrad, Jimmy A., O1923148.
Cook, Clariss M., Jr., O5310528.
Darden, Earl, O4002042.
Davis, Medley M., O5405011.
Dixon, Charles L., O1878663.
Dorsey, Dennis J., O4077054.
Downey, James S., MN2297897.
Fiaschi, Peter J., MN2304940.
Garrett, Charles A., O4049875.
Gossett, Larry S., O5700559.
Hakola, Roger J., O5213349.
Hamby, Dennis L., O5711621.
Hardy, Joel L., Sr., O2298916.
Hatcher, John M., O5304597.
Hines, Norman W., O5008303.
Hinson, Kenneth E., O5306092.
Hoyt, Max E., O4058032.
Iacoboni, Frances A., R5407410.
Kiser, Billy R., O5310442.
Knisely, Lynn B., O4056659.
Lane, Michael K., O5209145.
MacLeod, Roger T., O5007697.
Malone, Edward C., Jr., O5215927.
Marshall, Walter D., O5312311.
Martin, Dennis C., O5705680.
McGrail, Francis J., O5006131.
Miller, Robert B., Jr., O5405861.
Mink, Kenneth S., O5310316.
Nogueras, Pablo J., O5826716.
Nomani, M. Rizwan, O2312451.
Ramsey, Charles G., O5307640.
Richards, Robert E., O5310665.
Rittenhouse, William, O5215815.
Rogers, Henry J., O5705814.
Romeo, James J., MN2295099.
Schultz, Jerold D., O4010480.
Smith, Arthur A., MN2298840.
Smith, Kirby F., O5307536.
Strand, Douglas H., O5310690.
Strudeman, Richard C., O4041002.
Swenson, James W., MN2293714.
Trimble, James A., O5212805.
Vile, William A., O5312353.
Webster, Robert L., Jr., O5200453.
Welch, Jack L., O5404983.
Welsh, Gary P., O2317048.
Wilderson, Norman P., O5410658.
Willhoite, David R., O5319903.
Woith, Francis E., O2263243.
Wood, Theodore D., O4006712.

To be first lieutenants

Adams, Idus W., O2318989.
Ahmann, Thomas M., O2325520.
Allen, Jimmy M., MN5520025.
Anthes, Louis C., O5340364.
Atkins, Ronald L., O2312966.
Atkinson, Tracy C., O5318687.
Baker, William G., O5711151.
Ball, Michael G., O5321481.
Barkley, Craig C., O5212968.
Barkman, Ralph A., Jr., O5318310.
Bays, Lee L., O2298377.
Becknell, Jerry L., O5324140.
Bell, Douglas J., O5710816.
Bennett, John L., O5017097.
Bertelkamp, John N., O5216734.
Blue, Thomas J., O5536188.
Brodkey, Caroline, N5319695.
Bruce, Robert J., O5016360.
Burton, Alan C., O5418683.
Bush, Charles D., O5421022.
Calderwood, William B., O5222496.
Cammarata, Frank A., O2309654.
Carmody, Richard P., O5533708.
Cassens, Richard H., O5535976.
Chidichimo, Salvatore, O5023945.
Chirico, Frank M., O5320277.
Clark, Jerald D., O5408259.
Coates, Richard R., O5505270.
Coleman, John F., O5711305.
Collins, James P., O5022646.
Cookinham, John L., III, O5016500.
Cozart, John W., O5406812.
Cruse, William P., O520153.
Cupples, Alan B., O5014264.
Dishong, Dion S., O2312666.
Doolittle, Walter M., O2325880.
Dorsey, Philip L., O5531900.
Dowdy, James T., O5224381.
Dubuc, Norman T., Jr., O5406956.
Duckworth, Walter L., O5417826.
Dunnington, Glenn W., O2316228.
Entrekin, Philip B., O5318343.
Ely, David R., MN5520044.
Eskew, Michael P., O5316060.
Eveland, George B., O2313959.
Ewing, Vernon C., O5423357.
Flohe, Donald L., O5406141.
Fraley, Robert W., O5321058.
Freidhoff, Terrance E., MN5417487.
Galvin, Thomas P., O5326712.
Garcia, Amelia, N2308013.
Garrett, Chester, O5318178.
Gladfelter, Richard, O5324778.
Grabowski, John E., O5220895.
Gray, John W., Jr., O5421521.
Grev, Frances R., N5417279.
Griebling, Harry W., MN5411672.
Haines, Edward T., O2321085.
Hall, Archibald L. J., O5414601.
Halsema, Julian C., Jr., O5321784.
Harmon, Thomas M., O2325507.
Haynes, John R., O5013695.
Hendrix, Kenneth R., O5416323.
Herrera, Juan F., O5417164.
Higbee, James W., O2310190.
Hogan, Vincent G., O5217876.
Howard, John R., O2319219.
Hutcheson, Carroll R., O5410329.
James, Charles H., O2322276.
Keaney, John P., O5009613.
Kirkpatrick, Donovan, O5413617.
Knight, Daniel J., O5326259.
Kolker, Harvey A., O2325737.
Kymer, Richard R., O5217544.
Lazarus, Glenn A., O5021198.
Loeffler, Frank E., O5417960.
Lordi, George J., Jr., O5321971.
Lundberg, Maynard J., O5707857.
Madden, Thomas A., O5406907.
Malone, Wiletta, L2323967.
Marinovich, Branko B., O2319333.
Marr, William J., O5710402.
Martin, Glenice J., L2320088.
Martin, Jay B., O5018158.
Mashburn, Harold J., O5328400.
Mayberry, John D., MJ2317059.
McAteer, Robert A., O5218339.
McCasland, Nickey J., MN5411643.
McClellan, Robert W., O5322564.
McDonald, Harold L., O5315124.
McKellar, Fred D., Jr., O5416419.
Mels, Robert M., O5325460.
Meyer, Stephen P., O5228661.
Meyers, Richard R., O5230408.
Mika, Walter V., Jr., MN2325723.
Mowe, Stephen F., O5221614.
Niles, David P., O5326773.
Olihovik, Paul L., O2316393.
Osborne, John S., Jr., O5414575.
Peters, Donald J., O5225416.
Petersen, William T., O5316508.
Phillips, Frederick C., O5221803.
Polizzotti, Charles, O5017272.
Quintrell, Wallace N., O5319144.
Riffey, Donald E., O5419568.
Roberts, Jimmie D., O5534399.
Robinson, Constance A., N5325768.
Roth, Leonard W., O5534629.
Ruhl, Garrett E., O5706346.
Rushforth, Durward M., O5225375.
Sanchez, Lorenzo, O5706424.
Sanders Ross I., O5323210.
Sanders, Walter H., O5225619.
Sasfy, Stephen M., O5230831.
Sasser, Linwood L., O2319209.
Scheider, Martin F., O5227026.
Schneider, Gerald L., O5420002.
Scofield, Thomas C., O2318582.
Sevelius, Arthur E., O5327732.
Shelby, William L., O5530266.
Sierra, Michael J., O5322183.
Smith, Blaine H., Jr., O5413433.
Smith, Charles T., O5415352.
Smith, Clarence W., Jr., O5228341.
Smith, Elvin T., Jr., O5328488.
Smith, Wendell I., O2318324.
Sorrentino, George P., O5020324.
Steimer, Robert E., O5515787.
Stibbe, Manfred H., O5315416.
Telfair, William D., O5315164.
Tenney, Edward G., O5406858.
Thompson, Berry H., O5230354.
Timm, Richard H., O5826276.
Underhill, Lilburn L., MN2315479.
Victor, Joseph A., MN5422007.
Vonschilling, Lucien, O5225872.
Waaks, Norman H., O5011147.
Wargo, Peter M., O5405962.
White, Ernest K., O5320102.
White, William C., Jr., O5218939.
Wicks, Bruce J., O5326664.
Williams, Roger L., O5324541.
Williams, Russell I., O5542087.
Williamson, James A., O2317592.
Workman, Dale H., O5421232.
Young, Thomas J., Jr., O5230884.

To be second lieutenants

Barbee, William R., O5327920.
Barrett, John A., O2328743.
Baybrook, Thomas G., O5257930.
Benham Billy, O5328540.
Berry, Gerald J., O5254680.
Beumler, Henry C., O5710808.
Brown, Clark C., O5419751.
Campbell, Michael B. J., O5237283.

Clark, Charles P., III, MN5264974.
Clark, Michael D., O5348111.
Collins, Carl L., Jr., O5421351.
Connolly, John F., O5307063.
Connor, Vincent P., O5427035.
Cox, Ronald H., O5329878.
Cranford, William M., O5237360.
Daily, Charles T., O5425626.
Demont, Francis T., Jr., O2307055.
Devaughan, William L., O5322940.
Dietz, Charles L., O5422652.
Dodson, Stanley D., O5338976.
Duff, John S., O2306215.
Earley, Rondal N., O2328448.
Estey, Allan W., O5539677.
Flanders, Charles L., O5235305.
Fleming, David C., O2329471.
Flora, Russell L., O5336042.
Frey, Jeffery B., O5228484.
Fulbright, Larry R., O2326584.
Greenwalt, Robert J., O5539296.
Greeson, Jon M., O5416036.
Gross, Charles E., Jr., O5434256.
Harvey, Robert B., O5340729.
Harvey, Taylor C., O5338265.
Haugsland, John W., O5336313.
Hebert, Maurice G., O5420601.
Hendrix, L. B. D., O5428822.
Henry, William J., O5424190.
Holmes, Miles W., Jr., O5331300.
Humphrey, Elbert A., O5417551.
Jones, Richard M., MN5422163.
Kalen, John J., O5340012.
Kelly, Everett S., O5328961.
Kersey, Douglas A., MM2325865.
Key, Thomas D., O5420326.
Kidd, Duane G., O5341084.
Kirkpatrick, Lyman B., O5420164.
Krout, Homer L., II, O5329683.
Lafrentz, James W., O5426953.
Lamb, Howard O., Jr., O5243163.
Latella, Donald D., O5226744.
Ledbetter, William R.. O5422571.
Lutes, Stephen R., O5424024.
Major, John L., Jr., O5420532.
McQuitty, John T., O5429450.
Meyers, Fred L., Jr., O5321978.
Miles, Ann L., N5227215.
Monroe, Richard L., O5240791.
Morgan, Timothy X., O5425528.
Owens, Jerry C., O5424234.
Palmer, Frederick E., O5247674.
Peitchinsky, Jesse T., O5429054.
Pfaehler, Karl H., MN2326610.
Rather, Ralph E. J., O5424959.
Robinson, Larry R., O5424130.
Shaw, Charles C., O5241070.
Smith, Charles M., O5239801.
Smith, Ronald G., O5239804.
Smith, William C., O5425541.
Squires, Richard C., O5425269.
Stratton, Robert A., O5421306.
Sullivan, Michael F., O5225110.
Thacher, Leslie D., O5420095.
Thomas, Harry W., III, O5424747.
Traynham, John C., O5424873.
Tuerke, Theodore R., O5352092.
Wainwright, Richard A., O5239140.
Wilson, John S., O2324362.
Wilson, Margaret E., N5520681.
Wortham, James T., Jr., O2328746.
Zapata, Jenaro A. O5344493.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Ausflug, Denis F.
Bach, Robert M.
Bishop, Robin M.
Cope, Samuel E.
Dismukes, James O.
Deming, Dennis C.
Eichel, James L.
Ferguson, Melvin D.
Ford, Franklin H.
Gogola, Gordon S.
Hiler, Thomas S.
Huber, John D.
James, Ralph W.
Lee, Larry R.
Lyons, Gary J.
Polese, James F.
Seeman, Michael J.
Shaffer, Richard A.
Shively, Ronald A.
Smith, Clyde, Jr.

The following-named scholarship student for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288 and 3290:

Galloway, Robert D.

The following-named cadets, graduating class of 1968, U.S. Military Academy, for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3284 and 4353:

Abbott, John P.
Adams, Ernest C.
Adams, Frank B.
Adams, James W.
Adams, Lonnie B., III
Adamson, James C.
Adkins, Charles E.
Ahlbrecht, John A.
Aileo, William A.
Albanese, Ernest L., Jr.
Albrecht, George W.
Albright, Paul S.
Alexander, Claude D.
Allaire, Stephen C.
Allardice, Robert D.
Allen, James M.
Alvarez, Joel R.
Anderson, Charles W.
Anderson, Jon H.
Anderson, Larry E.
Anderson, Robert W.
Andrews, John M.
Anshus, Richard C.
Anstrom, Charles V.
Anthony, Steven C.
Archer, Laurence L.
Armstrong, Gerry H.
Artigliere, Ralph
Ashley, Richard C., Jr.
Aykroyd, Douglas S.
Babcock, Edward S., Jr.
Bacevich, Andrew J., Jr.
Bachta, James M.
Bacon, Terry R.
Bacot, John P., Jr.
Bahr, William J.
Bailey, Samuel H., III
Baldwin, Robert H., Jr.
Ball, Blaine S.
Ball, James A.
Ballenberger, Walter B., Jr.
Balog, Roger P.
Balough, Daniel C.
Barber, David S.
Barnett, Forrest W., Jr.
Barstis, George A.
Barszcz, Michael, Jr.
Barth, Brent B.
Bass, George C.
Bassett, Robert A.
Bay, Lenny S.
Bazzel, Peter J.
Beard, William G., Jr.
Beckworth, Tim K.
Behncke, Robert H.
Belack, Carl N.
Belden, David F.
Bensberg, Thomas E., Jr.
Berenato, Joseph C.
Bettencourt, Vernon M., Jr.
Bevis, Kenneth M.
Beyeler, Matthew S.
Bible, Michael C.
Bickel, John W.
Binder, Gregory C.
Bird, Daniel C., Jr.
Bish, Gary A.
Black, John J., Jr.
Blackburn, Linwood E., Jr.
Blake, Thomas J.
Blay, Barry C.
Blumer, John P.
Bogema, Gary W.
Bolger, John T., 3d
Bonebrake, Charles O., III
Bornhoft, Stewart H.
Bosshard, Steven A.
Bostwick, George M.
Bowers, Frame J., III
Boye, Brooks A.
Boyle, Francis D.
Brambila, George R.
Brant, Philip D., Jr.
Brennan, Michael A.
Brennan, Thomas J., Jr.
Bresnick, Terry A.
Brigham, Robert A.
Brillante, Joseph R.
Brittain, Frank W.
Brittenham, Billy F.
Brower, Charles F., IV
Brown, Keirn C., Jr.
Brown, Norman A.
Brown, Stephen A.
Brown, Thomas T.
Brundage, John F.
Bryant, Randall H., II
Bubb, Ernest E.
Buechner, Daniel A., IV
Bullock, Gary B.
Burgess, Gerald A.
Burgess, Harold T. A.
Burke, William J.
Byars, David O., III
Byrnes, James
Cababa, Robin R.
Calandro, James J.
Callaway, Thomas M.
Calvert, Gary R.
Campbell, Paul C.
Cantlay, George G., III
Cantrell, Gary L.
Capel, Robert L., II
Cappiello, Richard E.
Caranto, Eriberto R.
Caris, Roger L.
Carlson, Adolf
Carpenter, James N.
Carr, Michael V.
Carrigan, Leo P., Jr.
Carter, Richard A.
Casey, John T. D.
Casey, William M.
Casillo, Joseph
Catani, Albert J., II
Cato, Lemuel J.
Champagne, John A.
Christian, John K.
Church, Scott F.
Clapper, John F.
Clapper, Kip C.
Clark, Philip A.
Coan, George P., Jr.
Colacicco, Michael F.
Colbert, David K.
Cole, Christopher C.
Commons, Carl A.
Cooper, Cornelius M.
Copeland, Rene G.
Coric, Vincent C.
Cornelison, Joseph W.
Cox, Daniel J., Jr.
Cox, James G.
Coyle, Philip V.
Craft, Douglas W.
Craig, Terence G.
Crawford, William C.
Crenshaw, Kent R.
Crosby, Donald R.
Crosby, Ralph D., Jr.
Cross, Dale L.
Curl, Louis J., III
Curran, Anthony K.
Curtis, Howard G., II
Dalum, David B.
Damon, William E., Jr.
Davis, John L., Jr.
Davis, Jon S.
Davis, Stephen F.
De Clerco, Robert J.
De Young, Willis B.
Defilippi, Stanley A.
Deller, William J., Jr.
Dellwo, Thomas A.
Demetriou, George
Dencker, Peter A.
Di Nicola, Richard G.
Dibella, Alfred L., Jr.
Dickerson, Robert R.
Diffley, Michael
Dillon, Mark E.
Dimler, Paul T.
Dinger, John A.
Dolan, Gary E.
Dolton, Henry J., Jr.
Domino, Thomas C.
Donaldson, Jeffrey M.
Donohue, Hugh J., Jr.
Doyle, Edward J.
Drower, Peter G.
Du Vall, William E.
Duffy, Richard F.
Dunaway, David W.
Dupere, Emile R.
Edwards, Alan E.
Edwards, Fred H.
Egan, John J.
Eiber, Gary S.
Eisenhardt, Kenneth A.
Eisentrout, Bruce M.
Ellertson, Jack W.
Erb, Allan L.
Erickson, Matthew H.
Eyermann, Louis J., III
Eyrich, Norviel R.
Fagan, Thomas W.
Fahl, Gary M.
Fall, Stephen M.
Farel, Douglas G.
Faris, Arthur L.
Feigenbaum, Larry J.
Fell, Frank B., III
Fellenz, Lloyd E., Jr.
Ferchek, Gary R.
Ferraro, Glenn R.
Fettis, Larry M.
Feuge, Dennis W.
Feyereisen, Paul S.
Finch, Frank R.
Fisher, Michael F.
Fitz-Henry, John C.
Fitzgerald, Douglas C.
Fitz Gerald, John E., III
Fleeger, Howard W.
Fleming, Kenneth W.
Fly, Hugh G., III
Fogle, George C., Jr.
Foos, Robert C.
Ford, Jimmy M.
Forsythe, Preston L.
Foss, James D.
Foster, Gregory D.
Foster, William G.
Fouche, James T., Jr.
Fowler, Richard T.
Frandsen, Dana C., Jr.
Frazier, Dennis J.
Freeley, Douglas A.
Freeman, Terence M.
French, John D.
Frey, Mark L.
Friese, William F., Jr.
Fry, James R.
Frykman, Richard M.
Funderburke, Charles R.
Furbank, Jeffrey E.
Furneaux, John E.
Gafford, Jack B.
Gagnaire, William C.
Gallagher, Robert B.
Garay, Richard R.
Garrett, Craig R.
Garrett, Thomas W.
Gavitt, James S.
Gaylord, Stanley C.
Gelineau, Joseph C., Jr.
Giacomini, James L.
Gilson, Jeffrey J.
Glacel, Robert A.
Glazner, Alan M.
Glore, Jodie K.
Gloriod, John A.
Goff, Leroy R., III
Gonser, Kent R.
Granett, Samuel R.
Grant, Johnnie W., Jr.
Grant, Paul D.
Gray, Ronald W.
Greathouse, John M.
Greenlee, James D.
Gregg, Robert E.
Gregor, William J.
Griffin, Robert W.
Grimm, Henry F., III
Groening, William H.
Groves, Sheridon H.
Gruenke, Raymond D.
Guernsey, John A.
Guerrerio, Anthony L.
Guest, Robert S.
Gulakowski, Denis E.
Gwynne, Charles S.
Haake, Arnold J., Jr.
Haas, Helmut H.
Hackett, Jerome R.
Hagan, Michael P.
Hahn, John E., Jr.
Haines, Robert W.
Hall, Thomas M., Jr.
Halloran, Joseph E., II
Hamilton, John R., III
Hammond, Harry S.
Haney, Jay B.
Hanna, Tom A., III
Hanson, Michael D.
Harmeling, Henry J.
Harms, John W.
Harper, Joseph N., Jr.
Harper, Robert R., Jr.
Harre, John W., Jr.
Harvey, David D.
Hastings, Charles A.
Hatch, Andrew M.
Hawking, Arthur J.
Hawley, Leonard R.
Haydon, Dennis R.
Hayes, David W., Jr.
Hayes, Thomas M.
Hayton, Gerald R.
Healy, Michael D.
Heath, John W.
Hebert, Ronald J.
Heesch, Peter, Jr.
Heffernan, Clyde L., Jr.
Hellerstedt, Howard L.
Helmich, Bruce L.
Helsel, Dennis E.
Henderson, Thomas A.
Hendrickson, Thomas F.
Herbert, Stephen L.
Hesson, John E.
Hester, Guy W., Jr.
Hilburn, Ronald D.
Hill, David W.
Hillebrand, James H.
Himes, David A., Jr.
Hirabayashi, Glen T.
Hitzeman, Dennis W.
Ho, Randall Y. C.
Hoege, Howard H., Jr.
Hoffman, Mark B.
Hoffman, Robert J.

Hoffman, Robert S.
Hoffman, Terrance W.
Hofstetter, David G.
Holbrook, William E.
Holden, Philip W.
Homann, Dwight F.
Hoopengardner, Roger L.
Horne, Daniel W., III
Hoskins, Gilman G., Jr.
Hozier, George C., Jr.
Hudak, Ronald P.
Hudnell, James R.
Hughes, Kenneth W.
Hulten, Michael P.
Hunkele, Lester M., III
Hunt, Ronald L.
Hunt, Stephen L.
Hutchinson, Dennis R.
Hyde, Peter T.
Illingworth, William A.
Inselman, John J.
Ireland, Athur P., Jr.
Isenhower, James P., Jr.
Ivany, Robert R.
Ivey, Glen S.
Ivey, Karl F.
Jaccard, John T.
Jahnke, Edward J., III
Jamison, David K. 2d
Jannarone, Robert N.
Jarman, Richard S.
Jarmon, Randall F.
Jarvis, Charles J., Jr.
Jeffrey, Douglas J.
Jenkins, Robert J.
Johnsmeyer, William L.
Johnson, Douglas E.
Johnson, James H.
Johnson, James M.
Johnson, Lester K., Jr.
Johnson, William J.
Johnston, Dana C.
Johnston, James H.
Jones, Michael W.
Jones, Paul G.
Jones, Paul G.
Jones, Robert P.
Jones, William L.
Jordan, Robert P.
Kaiser, Anton C., Jr.
Kannenberg, Mark E.
Kaplan, David M.
Karstens, Thomas E.
Karwan, Charles W., Jr.
Kedrow, Paul J., III
Kelly, Edward V.
Kelly, Michael H.
Kenady, James S.
Kennedy, Robert V.
Kerestes, Thomas E., II
Kerr, William B.
Kersey, Daniel E.
Kessenich, Paul J.
Kibert, Charles J., Jr.
Kiehne, Thomas M.
Killian, Lewis M., Jr.
Kimball, Jeffrey L.
Kimmitt, Robert M.
King, Bernard F.
King, Michael A.
King, Robert A., III
King, Ronald G.
King, Thomas P. B.
Kirby, David D.
Kithcart, Herbert M.
Kleinsteiber, Larry G.
Klekner, Jeffrey G.
Knabb, John A.
Knickerbocker, William E.
Kolb, Rickey A.
Kopcznski, Francis J., Jr.
Kopp, Daniel L.
Korach, Steven M.
Krall, David H.
Kransdorf, Mark J.
Kremenak, David J.
Krzyzewski, Michael W.
Kuhn, Robert C.
Kulbacki, James W.
Kyle, William III
La Belle, John L.
La Penta, Frank A.
La Vallee, Roland J., Jr.
Lachey, Edward R.
Landrum, James M.
Larson, Kip L.
Lasche, George P.
Lash, Frederick F., Jr.
Laswell, Bruce H.
Lavelle, Allen E.
Lee, Danwill A.
Legere, John B.
Leister, Albert F., Jr.
Leitzke, Charles W.
Lemaster, Larry A.
Lennon, Daniel F.
Leone, John R.
Leppig, William H.
Leslie, Robert L.
Levy, Lewis R.
Lindell, Steven W.
Lindsey, Wallace R., Jr.
Lobdell, Harrison, III
Loder, Roger W.
Logan, Henry R., III
Love, James F.
Lowry, Thomas G.
Lucas, Jimmy R.
Lucas, John A.
Lucas, Ronald L.
Luchak, John M.
Ludlow, Michael E.
Luecke, Richard W.
Lynch, Robert T.
Lynett, Michael K.
Lynn, George A., Jr.
Maasberg, Michael W.
Madigan, Douglas H.
Mailey, Jerry C.
Male, Ronald M.
Malguarnera, Salvatore C.
Maloz, Wilson L., Jr.
Marshall, Douglas W.
Marshall, Gary E.
Martray, Robert A.
Mastaglio, Thomas W.
Matthews, Michael D.
Maxfield, Le Roy A., Jr.
Maxson, Harold L.
May, John W., Jr.
Mayer, Edward W.
McAdoo, Ronald D.
McBane, Robert B.
McBeth, John I.
McCall, James A., Jr.
McCarty, Richard K.
McCarville, Joseph L., III
McCaslin, Thomas W.
McCloy, Robert J.
McCord, Thomas H.
McCullough, Francis X.
McCullough, James L., II
McDermott, David W.
McDonough, James R.
McGee, Carl B.
McGovern, Michael F.
McGue, Stephen C.
McKay, Michael E.
McKelvey, Dennis C.
McMinn, Thomas L. III
McSwiggan, Wayne E.
Megginson, Joseph R., Jr.
Meier, George M.
Meischen, Danford R.
Merhar, David M.
Merkle, Robert D.
Mesite, James F., Jr.
Metcalf, Stephen R.
Metzler, David A.
Mikelk, Terris W.
Miles, Peter C.
Miller Guy E.
Mills, William A., Jr.
Milnes, Russel E., Jr.
Minor, James A., Jr.
Mirakian, Peter, Jr.
Mischler, Walter M.
Mitchell, George H.
Modeen, Michael D.
Moeller, Ralph J.
Moen, Dennis M.
Molter, Robert W.
Moore, Bidwell D.
Moore, Roy S.
Moran, Geoffrey H.
Morelock, Jerry D.
Morgan, George W., Jr.
Morrill, Brian E.
Morris, John L., Jr.
Mosbacker, Rodney E.
Mott, Frederick P.
Moulder, Erwin D.
Mueller, Warren D.
Mullen, Jack F.
Mullen, James D.
Munson, William M.
Murphy, Brian P.
Murphy, Eugene T.
Murphy, Wayne K.
Murr, Paul E.
Murray, Roy A., Jr.
Myers, Robert B., Jr.
Nabben, Arthur S.
Nagel, Donald W.
Nagle, Robert H.
Nanney, Guy V.
Nardotti, Michael J., Jr.
Narel, James L.
Navor, Donald L.
Nechin, Robert C.
Neeley, Patrick F.
Nelson, James R.
Nesbitt, Charles J., III
Newman, James B., IV
Nielson, James E.
Nigro, Arthur J.
Nishida, Dennis T.
Nix, Warren S.
Noil, Frederick E.
Noreen, Robert S.
Northup, Edwin G.
Nosal, Gregory, Jr.
Nowak, Kenneth A.
Nygren, Kip P.
O'Boyle, Terrence P.
O'Connell, Edward P.
O'Neill, Brian B., Jr.
O'Toole, James W.
Oborski, Clemence C., Jr.
Oliver, Frank G.
Oliver, Young P.
Olner, Jay C.
Olson, George M.
Olson, Joseph L.
Olson, Stewart O.
Ondo, James L.
Oristian, John E.
Osterhoudt, Henry J.
Overstreet, Stephen S.
Owens, Brian D.
Ozimek, Carl D.
Pahissa, William A.
Parmeter, Donald D.
Parobek, Jonathan D.
Payne, John B.
Pedersen, Charles J.
Peters, John V.
Peters, Randall R.
Pettit, Michael W.
Pettitt, Reggie L., Jr.
Phelps, Gary A.
Piazze, Thomas E., Jr.
Pitz, Robert A.
Ploss, Richard S.
Pogany, Dennis S.
Pohlmann, William E.
Porter, Glenn A.
Porter, Patrick L.
Potter, James M.
Poucher, Edward B.
Pratt, Robert P.
Prosch, Geoffrey G.
Psaki, Nicholas G., III
Quinn, Edward L.
Rademaker, John H.
Raglin, Paul S.
Ramos, Thomas F.
Ramsey, Robert D., III
Randolph, Donald C.
Raymond, Brian L.
Reams, James P.
Rehkopf, Edward N.
Reinhardt, Thomas T.
Reinker, James R.
Remmel, Carl L.
Renner, Earl W.
Reynolds, James F., Jr.
Rhyne, Stephen K.
Rice, Terry L.
Rice, William J.
Richards, James D.
Richmond, Henry B., III
Ricker, Gerald W.
Riddell, Robert C., II
Riggsby, Lewis D.
Robella, Barry J.
Robyn, Eric W.
Rock, Clifford T., Jr.
Rogers, Douglas C.
Rogers, Thomas E., Jr.
Rohacik, James J.
Rose, Joseph C.
Rose, Luigi B.
Roseta, Robert E.
Rothermich, Michael E.
Rountree, John E.
Roux, Russell P.
Rowan, James M., III
Rowe, Robert B.
Rucker, Tinsley W.
Russell, Henry P.
Russell, James A.
Russell, James P.
Russell, John J., Jr.
Ruwet, James H.
Ryan, Michael F.
Rynearson, William B.
Sadoff, Laurence R.
Salazar, Paul M.
Sanders, John T.
Sautter, Fred C., III
Savage, Frank R.
Sawtelle, Paul C.
Schaaf, Albert H.
Schafer, Thomas C.
Schatz, Joseph L.
Schempf, Bryan H.
Schierholz, Orval P.
Schiraldi, Glenn R.
Schonewetter, Dennis R.
Schoville, Robert T.
Schroeder, Henry J., III
Schroeder, William A.
Schulz, Bruce D.
Schuyler, Jack R.
Schwabe, Francis E., Jr.
Schwender, Craig S.
Scibetta, David L.
Scull, Kenneth C.
Sebes, Joseph D., Jr.
Seck, John F., Jr.
Seiler, James R., Jr.
Seitz, Richard R. M.
Selecman, William H.
Setzer, Robert D., Jr.
Shafe, Michael A.
Sharphorn, Daniel H.
Shaw, Johnnie D.
Shean, Arthur R.
Shine, Jonathan C.
Silva, Joseph A.
Silver, Paul D.
Simmons, Richard L.
Simms, Edward D., Jr.
Singer, Tony C.
Skells, Peter J.
Slack, Timothy J.
Slenker, William T.
Smith, Bill G., Jr.
Smith, David S.
Smith, Donald B.
Smith, James L.
Smith, Michael E.
Smith, Michael G.
Smith, Milton D.
Smith, Phillip R.
Smith, Thomas A.
Smith, Victor G.
Smrtic, Jon T.
Snell, Michael G.
Snow, Joel J.
Sowa, Joseph P.
Spann, Patrick J.
Sparks, Bradley E.
Speltz, Michael J.
Spencer, Thomas J.
St. Onge, Robert J., Jr.
Stafford, Nicholas T., III
Stankus, Arnold R., Jr.
Staples, John P.
Steele, Michael F.
Steinbach, George R.
Stelter, James R.
Stevenson, Donald E.
Stewart, Charles E.
Stirts, Hugh M.
Stobbs, Emmett E., Jr.
Stoutner, David L.
Straw, Dale E.
Strickler, Terry E.
Strother, Walter T.
Suermann, John F.
Swaim, Norman M.
Swenson, Edward J.
Swesey, Lawrence E.
Swick, Richard L., Jr.
Tabela, Francis E., Jr.
Taricska, Richard C.
Tatro, Bernard J.
Tatum, Charles H., Jr.
Taylor, Douglas E.
Taylor, James M.
Taylor, Michael W.
Taylor, Rodney A.
Taylor, William B., Jr.
Taylor, William R.
Terrien, Max V.
Tesdahl, Robert M.
Thain, Harry L.
Thensted, Charles F.
Thomas, Kenneth A.
Thompson, Jeffrey B.
Thoreson, Michael L.
Thorne, William H., Jr.
Thorstens, Gary H.
Tice, Robert S.
Tigges, Daniel L.
Tighe, Dennis, W.
Tinker, Melvin A.
Tobin, Edward J.
Torres, Onofre
Townsley, Harry M.
Traynor, Stephen P.
Truscott, Lucian K., IV
Tunstall, Donald W.
Turk, Charles F.
Urban, Gordon W.
Van Atta, Fred H.
Vanaskie, William F.
Vandenberg, Roger A.
Vaught, David H.
Venard, Thomas G.
Vequist, John R.
Vitucci, Samuel S.
Von Kaenel, Howard J.
Wagner, Donald P.
Walkenbach, James E.
Wallace, John R.
Wallace, William S.
Wallestad, David K.
Wance, Dennis M.
Wanless, Kenneth M.
Waple, Mark L.
Ward, William H.
Warner, Donald E.
Watson, Edwin A., Jr.
Watson, Thomas D.
Watts, Benjamin G.
Weaver, Phillip A.
Weien, Glen F., II
Wells, Brian F.
Wells, Larry J.
Wells, Robert W., Jr.
Welsh, Johnnie L.
West, Richard D.
Westerhoff, Cornelius J.
Whatton, Charles W.
Wheeler, Bruce R.
Wheeler, Joseph J.
Wheelock, Thomas R.
Whitaker, Fredrick L.
Whitaker, Thomas E.
White, Charles S.
White, Lawrence J.
White, Ralph R.
Whitney, Richard G.
Wielkoszewski, Andrew R.
Wilber, Rick A.
Williams, Kenneth H.
Williams, Michael M.
Williams, Ronald E.
Williams, Stephen D.
Williams, Stephen J.
Willut, John C.
Wilson, Randy A.
Wilson, Robert J.
Wintermute, Sheldon C.
Wire, James R.
Woodbury, George A.
Woodrum, John J.
Wright, James M.
Wright, Michael A.
Yaap, Robert W.
Yarnell, John S.
Yeisley, John C.
Yerks, Austin J., III
Yonan, Kenneth J.
Yonushonis, William P.
Young, Terry H.
Zais, Mitchell M.
Zilinskas, Matthew J.
Zook, William E., Jr.
Zupsich, Alexander M.

EXTENSIONS OF REMARKS

KENTUCKY'S 100TH ARMY RESERVE TRAINING DIVISION CELEBRATES 50TH ANNIVERSARY

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. COWGER. Mr. Speaker, during the congressional recess the largest Army Reserve unit in the Bluegrass State, the 100th Division—Training—celebrated the 50th anniversary of its Louisville headquarters which was formed in the closing days of World War I.

Kentuckians are proud of the more than 3,000 men who serve both their country and their community as citizen-soldiers. Many of them served during the Berlin crisis in 1961 and 1962 when President Kennedy called the "Century Division" to active duty for a year at Fort Chaffee, Ark.

Commanded by Maj. Gen. Ben J. Butler of Louisville, the division has 91 units spread throughout the Commonwealth.

Veterans' Day, November 11, was chosen as the 50th anniversary celebration date so that the Centurymen could pay tribute to World War I veterans in Louisville's American Legion parade. The 100th Division transported the 50-year veterans over the parade route in 20 jeeps with a special banner saluting the World War I warriors. Broadway, Louisville's main street and the parade route, was redesignated as "Century Division Way" for Veterans' Day in a special proclamation by Mayor Kenneth A. Schmied.

The 11-man color guard, carrying an anniversary flag flown over our U.S. Capitol together with the division colors and the colors of each major subordinate unit, won the parade color guard trophy.

As former mayor at the time of their return from Fort Chaffee, and as the present U.S. Representative for many Louisville Centurymen, I am proud to salute these dedicated citizen-soldiers.

I submit the following article written for the November 1968 issue of Louisville magazine:

Last year Kentucky's famed 100th Division, U.S. Army Reserve, celebrated its 25th anniversary. Now it's already celebrating its 50th!

Has somebody flipped his military wig?

Nobody's flipped, and the Army hasn't adopted a new-new math, but the Century Division—made up of more than 3,000 citizens-soldiers in 91 hometown units in every section of the Commonwealth—really is celebrating its golden anniversary one year after its silver one.

The source of this apparent discrepancy is to be found in a footnote to an important page in American history—the World War I Armistice, which came 50 years ago, on November 11, 1918.

Last year's commemoration marked the formation of the 100th Infantry Division for service in World War II. Few persons realize that one unit of the 100th—the Division Headquarters and Headquarters Company, now stationed at Bowman Field—traces its lineage back to the closing days of World War I.

The 100th Division was formed on paper July 23, 1918. In October 1918, at Camp Bowie, Texas, the first Centurymen were chosen and organization of the Headquarters & Headquarters Company began. But before the unit was fully formed, the Armistice came, and on November 30th the 100th was demobilized, its hour to come in another war.

In 1921, the Division was reconstituted as a unit in the Organized Reserves, with headquarters in Wheeling. Its units included the 400th Infantry Regiment in Louisville, organized in 1922.

On August 1, 1942, at Fort Jackson, S.C., the 100th was reborn for combat and began to ready itself for its place in history.

Under command of Major General Withers A. Burress, the Century Division arrived in France in October, 1944. Less than a week after the 100th's final elements arrived at the front, the Division became the first American unit to crack the German winter defensive line near Raon l'Etape. Two weeks later, the Century Division helped breach the German defenses in the Vosges Mountains.

On New Year's Day, 1945, a smashing German counterattack was aimed directly at the 100th Division sector. For several days the thin lines of the 100th Division were under heavy attack from three sides.

But the 100th Division, directly in the path of the German counteroffensive, was the only division on the entire Seventh Army front to hold its original ground. When the Nazi drive ended, the Century Division sector protruded beyond the rest of the American front.

In March, 1945, the 100th shattered military tradition by capturing the heavily fortified city of Bitche—the first time in 200 years that the French city had fallen in combat.

For their actions during 146 consecutive days in combat with enemy forces, Centurymen received 6,125 individual heroism medals including three Medals of Honor.

After the war, in October 1946, the Division once again became part of the Organized Reserves—as the 100th Airborne Division, with headquarters in Louisville. In 1959 it was redesignated the 100th Training Division.

The 100th served its second tour of active duty from September, 1961, to August, 1962, when it was the only Army Reserve Division called up by President John F. Kennedy in the Berlin Crisis. On that tour, the Century Division activated Fort Chaffee, Arkansas, where it trained more than 30,000 soldiers. The Commanding General then was Maj. Gen. Dillman A. Rash, a former president of the Louisville Area Chamber of Commerce.

President Kennedy expressed his appreciation to the 100th in these words:

". . . From the time when it was first alerted . . . the Century Division has achieved an exemplary record—one in which you may take great pride . . .

"The response and accomplishments of the Century Division have more than lived up to the reputation of the Division, and have been worthy of the fine tradition of the Army Reserve as a "citizen-soldier" emergency force . . .

"To you and to your families, and to the communities from which you came, may I say, as Commander-in-Chief, 'Well done!' "

Today the Century Division, under command of Maj. Gen. Ben J. Butler, stands ready to earn another "Well done" should it once again be called to active duty.

MRS. NIXON

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. CASE. Mrs. Vera Glaser, of the North American Newspaper Alliance, has written a most interesting series of articles on Mrs. Richard Nixon, which I ask to be printed in the RECORD. These articles were carried by many of the major dailies throughout the country, among others, by the Newark Star-Ledger in my own State, the Baltimore Sun, Detroit News, Atlanta Constitution, San Antonio News, Oklahoma City Journal, Scranton Times, and the Hartford Courant. I know the readers of the RECORD will enjoy this candid portrait of our new First Lady.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Newark (N.J.) Star-Ledger, Dec. 8, 1968]

THE REAL PAT NIXON: FROM HEARTBREAK TO GLITTERING TRIUMPH

(By Vera Glaser)

WASHINGTON.—The real life story of Pat Nixon, America's new First Lady, has everything—suspense and intrigue, heartbreak and triumph, the glitter of big names and historic events, a rags-to-riches angle, even a brush with death.

It is soap opera on the grand scale. But it is also the American dream come true.

Millions of words have been written about the girl from a little Nevada mining town who married the California grocer's son. But Richard Nixon's slim blonde wife of 28 years remains a bit mysterious and she likes it that way.

She and her husband, the next President of the United States, are intensely private people, a trait they have passed on to their daughters, Tricia and Julie.

If Julie is shunning a chance to make history, not to mention television news, by marrying David Eisenhower in church instead of the White House less than a month before the family moves in, she is behaving as her mother would wish.

For Pat Nixon her daughter's wedding will be one of her last private experiences before Jan. 20, when she becomes public property and the 50,000-watt floodlights roost permanently on her doorstep.

Even before she moves into the nation's most distinguished residence, Thelma "Pat" Ryan Nixon will have lived an extraordinary life. With her husband she has ridden a political toboggan, speeding from crushing defeat to one of the greatest political comebacks in the nation's history.

If her future is half as interesting as her past, Pat-watchers should have plenty to look forward to.

No matter how she feels inside, the face Pat Nixon turns to the world is calm and smiling. Her voice is low and cultivated. She is always ladylike. She once held a news conference as a nurse bound up a sprained ankle. Her short, fluffy hairdo, lively brown eyes and schoolgirl figure belie he. 55 years. She looks fragile and protected.

To family and friends she is something else—warm as toast but disciplined as a slide rule. The young schoolmarm who made her own clothes and pressed her husband's pants in a garage apartment back in Whittier, California, is never far from the surface.

SPECIAL SCORN

Pat Nixon, in short, is a woman who made it the hard way and has a special scorn for those who cash in on life's goodies without earning them.

To Dick Nixon she is the loyal spouse who shared the sleepless nights as he agonized over the Alger Hiss case, over his races for House, Senate and Vice Presidency, his television debates with John Kennedy, and his smashing victory in 1968.

"Beginning with my 1946 campaign for Congress," he wrote in "Six Crises," "she was at my side in all the years of campaigning. Her physical stamina was even greater than mine. In the long hand-shaking sessions it was I, rather than she, who would first have to ask for a break in the line."

LOW POINT

Pat Nixon's public statements tend to be pale as water but in private she can be biting as brandy.

In 1960 when Nixon lost the presidency by a hair to Kennedy, he never publicly brought charges when evidence of fraudulent voting came to light. Pat, however, put it bluntly to a high GOP official: "They stole us blind," she said.

During the low point of his 1952 campaign, when her husband was under sharp attack because of an $18,000 expense fund and some GOP leaders were trying to dump him from the national ticket, Pat's nerve helped him through the sensational televised speech clarifying his financial status which salvaged his career.

A FEW NEEDLES

Three minutes before Nixon was to appear before the cameras to lay his political life on the line in which was to become known as the "Checkers" speech, he turned to his wife and said:

"I just don't think I can go through with this."

"Of course you can," Pat said firmly. Afterward she applauded him for including a few needles for the Democratic nominee, Adlai Stevenson, who also had had fund trouble.

No matter how tough the going gets, Pat Nixon grits her teeth and keeps her feelings to herself. When a wild, out-of-control Venezuelan mob attacked the Nixons on a state visit to Caracas in 1958, a witness said she was "as brave as any man I ever saw."

As the crowd, out for blood, screamed "Muera Nixon! Muera Nixon!" (death to Nixon), and rained rocks and spit on her car, trying to beat in the doors, she remained composed. "I tried to calm the foreign minister's wife," Pat said later. "She felt horrible that this was happening in her country."

Although she describes politics as "not the life I would have chosen," she has uncomplainingly traveled hundreds of thousands of miles with her husband, eating raw fish with Khrushchev in Moscow and driving through the streets of Warsaw in a hail of flowers.

ACID TEST

As the Vice President's wife, she weathered an acid test during President Eisenhower's heart attack, when every word and gesture was narrowly watched by news media and the public for awkwardness or poor taste.

In 1960 she became the only woman in the history of either party around whom a separate campaign was built. It is not generally known that the idea originated with her husband who first suggested it to Clare Williams, then Assistant GOP Chairman, at a party leaders' breakfast.

Although the "Pat for First Lady" effort was criticized by Democrats as bad taste, it forced them eventually to arrange appearances for Mrs. Jacqueline Kennedy, whose reluctance to campaign that year was well known.

Through it all Pat Nixon, despite the dim view she takes of politics, has been her husband's No. 1 volunteer, meanwhile fighting valiantly to keep the disruptions of political life from affecting the normal home atmosphere she insisted on providing for her children.

OPPOSED RACE

She was cool at first to the idea of Nixon, a freshman Senator from California, becoming Eisenhower's running mate.

She opposed his 1962 race for the California governorship and after that bitter defeat, settled happily into private life as the spouse of a successful New York lawyer.

As of a year ago, neither she nor her daughters wanted Nixon to go after the presidency in 1968. But only the girls gave any public hint of how they felt.

The moment he made his decision Pat was with him, loyally hitting the hustings until the very end in an unexpectedly close finish. This time the Nixons made it, and it was a campaign to which the romance of Julie and David Eisenhower lent a special glow.

[From the Newark (N.J.) Star-Ledger, Dec. 9, 1968]

THE REAL PAT: A COUNTRY GIRL WHO CAME UP THE HARD WAY

WASHINGTON.—Pat Ryan grew up on a 10-acre California truck farm and her earliest memories are of toddling behind her brothers as they picked vegetables, then piling into her father's wagon with the tomatoes and cauliflower for a joyous ride to market.

She had been an infant when her father pulled up stakes and left her birthplace in Ely, Navada. After a series of frightening accidents in the mines where he worked, Ryan had an urge to get back to the land and moved west.

"My dad was so Irish," Mrs. Nixon recalls, "that he called me St. Patrick's babe in the morn, although I was born March 16. He nicknamed me Pat and we've always celebrated the birthday on the 17th." Even her official biography lists it as the 17th.

Two months earlier, on January 9, Richard Milhous Nixon had been born on a lemon, as they sometimes called it, farm in Yorba Linda, but it was to be 25 years before their paths crossed.

The Ryan farm, or "ranch" was at Artesia, 18 miles from Los Angeles. Besides vegetables, they raised peanuts for the family and the Ryans' peanut roasts were highlights for neighborhood children.

Little Pat walked a mile to and from school and learned how to bake by helping mother with bread and cinnamon rolls. After their strenuous outdoor games, the hungry youngsters swarmed into the kitchen, sometimes demolishing an entire batch of baking.

In later years Pat was permitted to drive her father's team of horses. The family couldn't afford a tractor.

Her mother died when she was 12 and her father five years later, as Pat was graduating from high school. While running the household, she took a job in the local bank for a year.

Her ambition was to be a buyer and she was determined to save enough to study merchandising in college. She drove east with relatives, worked in a hospital near New York for a year, then returned to Los Angeles with enough saved to enter the University of Southern California.

To put herself through, Pat spent holidays and vacations selling at Bullock's-Wilshire and picked up extra money by taking movie bit parts, "mostly mob scenes," she recalls.

She apparently never wanted a movie career and looks back on it as "very boring. Those retakes can drive you mad."

After graduating college with honors (the same year Nixon was finishing Duke University Law School), Pat was offered a job teaching commercial subjects at Whittier High School for $190 a month which seemed like fabulous income at the time. Since it was far more than she could earn in merchandising, she decided to accept.

At Whittier Pat coached the cheer leaders and directed school plays. She struck up a friendship with another faculty member, Helen Drown, and their closeness has lasted over the years.

Young, pretty and gay, Pat dated the town's eligible bachelors and met Nixon shortly after he graduated from law school. After meeting Pat at tryouts for a Little Theater play, he proposed to her that first night.

STILL MYSTIFIED

"I thought he was nuts or something," she said. "I guess I just looked at him. I couldn't imagine anyone ever saying anything like that so suddenly."

She is still mystified by his impetuousity after the passage of 30 years. "He is very much the opposite, more reserved," she said.

Although she liked and admired Dick from the beginning, Pat had visions of travel and was having too much fun to settle down.

During their two-year courtship they joined other young couples for spaghetti suppers and story-telling sessions, and they took up ice skating. "Dick almost broke his head two or three times, but he still kept going," Pat recalls.

In those days, according to biographer Earl Mazo, Nixon was the life of the party. Pat reminisced that, "He would keep everybody in stitches. Sometimes we would act our parts. I will never forget the night we did 'Beauty and the Beast.' Dick was the Beast and one of the other men dressed up like Beauty. We had loads of laughs."

There was no talk of politics then. Nixon's sights were set on a successful big-city law practice and he was keeping an ear to the ground for possibilities.

In the spring of 1940, when Pat said yes, Nixon brought her a basket of flowers with her engagement ring tucked inside. They were married at the Mission Inn in Riverside June 21, 1940, then drove off in the direction of Mexico City. They were both 27.

"That's what we still like to do, get in the car and ride off, just to be going with no particular destination. Because of television we can't go anywhere now without being recognized," Mrs. Nixon said.

The newlyweds rented an apartment over a garage and Pat continued to teach. Dick's law practice was coming along fairly well and he was active in civic affairs. With some friends he also took a flyer in business, raising $10,000 to start a frozen orange juice concern, of which Nixon was to be president and attorney. They were never able to develop a proper container and the venture folded in 18 months.

After serving four years in the Navy during World War II Nixon was approached by a group of civic leaders about running for Congress. At the time Pat didn't feel strongly one way or the other and he decided to accept.

In his 1946 campaign, Nixon trounced long-entrenched Democratic Congressman Jerry Voorhis in a campaign high-lighted by a series of debates, and the political toboggan ride had begun.

[From the Newark (N.J.) Star-Ledger, Dec. 10, 1968]

THE REAL PAT: SHE'S ALWAYS READY TO RALLY 'ROUND HER MAN

(By Vera Glaser)

WASHINGTON.—For a woman who can take politics or leave it, Pat Nixon's performance in 10 campaigns over a 20-year period is a tribute to the power of positive thinking.

A friend visiting the Nixons in the summer of 1967 insists it was crystal clear that Pat and her daughters, Tricia and Julie, wished the head of the house would stick to his thriving New York law practice and stay out of the 1968 presidential race.

Nixon had taken more than his share of abuse and misrepresentation, they felt, and Mrs. Nixon was convinced the 1960 election had been stolen.

But Nixon's womenfolk never tried to sway him. "When someone has such firm convictions that he can do something big and so outside of himself, it's a rare thing. You have to have faith in it," Tricia said at the time. "Whatever he wants to do, we're going to support him."

Nixon decided to make a second try for the presidency on his 55th birthday, last Jan. 9. His women promptly rallied behind him and took to the hustings.

During the primaries, Pat Nixon dropped from a size 10 to a size eight. Once she went for 13 strenuous hours on two cups of coffee, claiming she was "too excited to be hungry."

With only slight variations, her campaign pattern has remained constant since her husband's first Congressional race in 1946.

Stumping the country at women's luncheons and teas, she shuns issues and avoids controversial comments, frustrating reporters who seek scoops.

"I don't think one person can speak for another," smiles Pat. "The candidate should speak for himself. Also, I'm just not sure I'd know all the answers."

Her rare "news" conferences produce little news.

It all adds up, however, to political pay dirt for Nixon. Women seem to identify with Pat's sincere, understated behavior. Even while losing to handsome John Kennedy in 1960, Nixon still carried the women's vote.

Between-times Pat's commercial knowhow has stood Nixon in good stead and he says she is still a cracker-jack secretary. She worked long hours without pay in his Congressional office and more recently, when mail urging him to run again flooded his law office, she pitched in there, as did the Nixon daughters.

At one point, Nixon promised his wife to retire from politics, a vow he never kept. As his political troubles piled up in 1954, he told her he would bow out once and for all when his term as Vice President ended in 1956. She asked him to jot the date and decision on a scrap of paper and tuck it into his wallet.

He attributed his subsequent change of heart to "circumstances." That Nixon considers his wife a valuable campaign asset is obvious. "To Pat—She also ran," is the dedication in his book, "Six Crises," which was published in 1962. She was with him in victory and defeat, but for Pat the defeats rankled. After he lost the presidency in 1960 and the California governorship in 1962, her reaction led him to comment that women are more emotionally committed in campaigns and therefore make stauncher partisans.

The great dramas of the Nixon political saga, however, occurred not on the campaign trail but in the privacy of hotel rooms and offices where excruciating decisions were thrashed out. Nixon, whom his wife says "gets very tense when he's on a heavy schedule," admits that he sometimes blew his stack.

IKE'S BLUNDER

It would be fascinating to know what the Nixons really said privately when President Eisenhower blurted, in reply to a newsman's question, that if given a week he might think of something Nixon had done. As a hardworking and creative vice president, Nixon must have resented the inadvertent slur.

He repaid it, however, with a sacrifice which may have saved Ike's life and which did not come to light until much later.

Late one evening in the closing weeks of Nixon's 1960 presidential race, as the GOP nervously awaited Ike's participation to bolster the lagging campaign, Pat Nixon's telephone rang.

It was Mamie Eisenhower who confided that she was concerned about Ike's physical condition and hoped the vice president would restrain her husband's eagerness for a vigorous campaign swing. The next morning Gen. Howard McC. Snyder, the President's physician, telephoned Nixon with the same message.

AIDES MYSTIFIED

Shortly afterward, at a meeting of party leaders in the White House at which Ike offered to do whatever Nixon asked, the vice president mystified and angered those present by discouraging Ike from adding any new appearances beyond two already scheduled. The decision may have saved Ike's life but some are certain it contributed to Nixon's hairline defeat.

The worst private agony for the Nixons was the 1952 ruckus over the $18,000 expense fund. "How long do we have to take this?" Pat seethed as pressure built up to dump Nixon from the ticket and no word came from Eisenhower during a week of tough campaigning.

Nixon's phenomenal six-year rise in politics appeared shattered, his career plunging to rock bottom. Fatigue, uncertainty and pressure began to wear down his resistance and he mused over whether he should resign.

Pat's eyes blazed. "You can't think of that. If you do Eisenhower will lose. If you do not fight back, but simply crawl away, you will destroy yourself, our life will be marred forever, and the same will be true of your family and particularly your daughters."

"CHECKERS" SPEECH

Somewhat encouraged, Nixon delivered the famous "Checkers" speech. As they left the studio, with no idea of how the American public had received it, a big Irish setter bounded up wagging his tail. Turning to Pat, Nixon said;

"Well, at least we got the dog vote tonight," and they had their first good laugh in a week.

The speech, heard or seen by 60 million Americans, a record until that time, drew an avalanche of favorable messages, insuring Nixon's place on the ticket.

But for Pat Nixon it was a turning point.

"Ever since the fund thing she hasn't been keen on this business," her husband said.

[From the Newark (N.J.) Star-Ledger Dec. 11, 1968]

The Real Pat: Mom's Kept the Family Tight Knit

(By Vera Glaser)

Washington.—"Who wants to read about us?" Julie Nixon chided a reporter, "Young people couldn't care less. They get so irked with corny interviews!"

Her remark was tossed off six months before her father entered the 1968 presidential race and is a measure of how unassuming the Nixon girls have remained despite their parents' prominence.

Mrs. Nixon had argued against the interview, but when Tricia and Julie decided to do it, she left them on their own, knowing their spirited off-the-cuff chatter would be taped by the writer. Few mothers have as much confidence in their young.

As they were to do repeatedly in the campaign that followed, Tricia and Julie displayed humor, intelligence and candor, plus a regard for their father verging on idolatry. The feeling clearly is mutual.

"I have to beat those girls now and then," Nixon smiled.

"Don't believe it," his wife retorted. "He never says no to them."

UNSPOILED GIRLS

When the score is added up, Pat Nixon's greatest triumph may lie in her two unspoiled, outgoing daughters and the close-knit home life she has created despite the demands of politics.

The freedom the girls enjoy now—with dates, clothes, friends and curfew—contrasts with their sheltered childhood when they were kept away from splashy state functions, and even the Secret Service men assigned to protect them were passed off as family friends.

The Nixons enjoy nothing more than an evening of music together, either a round of show tunes on the piano by the President-elect, or a rack of records on the stereo set installed by Nixon's brother Ed.

On Sundays the family attends Dr. Norman Vincent Peale's sermons, afterward walking their dogs, or settling down for a televised ball game.

Nixon is attentive to his girls, remembering their birthdays and complimenting them on new dresses. While in Hawaii on his 27th wedding anniversary, he made sure a spray of white orchids was delivered to Pat in New York and the girls took her to La Cote Basque for a fancy dinner.

Nixon tries to space his travels to be at home on special days. On Thanksgiving 1966, when Julie was a freshman at Smith College in Northampton, Mass., she invited her roommate, Alexandra (Plip) Kimberly, daughter of a Portland, Ore., physician, for the weekend. When the Nixons learned that Plip's two sisters also were far away from home at eastern colleges, they asked them for dinner, too. Plip reported the Nixons are "fun, interested in other people, not closed-minded."

Within the family relations appear easygoing. The girls show none of the hostility toward parents so common among young people and Mrs. Nixon was asked how she accounted for that.

"Tricia and Julia skipped at least three stages in the growing-up process," she reported. "They never went in for wild clothes. They never had the urge to use heavy makeup. And most of the time they take our advice."

She is justifiably proud of her closeness to her daughters and the fact that they exchange confidences.

On special evenings the girls invite friends for supper before going out to a play or movie, planning the menu with Manola and Fina Sanchez, a Cuban refugee couple who have been with the Nixons six years. The girls have been helping the couple study for U.S. citizenship which Manolo obtained on Nov. 6, one day too late to cast his vote for his boss for president. Because Manolo is unfailingly good-humored the girls have nicknamed him "Grouch."

The family loves to cook up surprises for each other and on weekends, when Manolo and Fina take time off, every one pitches in with the housework. A favorite Sunday breakfast is small pancakes with syrup which Nixon, the only one in the family not trying to gain weight, tries to avoid.

After Nixon's 1962 defeat for the California governorship, the family drew even more closely together during three years of private life in New York. They have come to love the city and Pat Nixon particularly savors its art museums, glittering shops, and fine restaurants.

But for the next four years, at least, her life will be elsewhere, at 1600 Pennsylvania Avenue in Washington, D.C., and for the Nixons the private chapter will have ended.

[From the Newark (N.J.) Star-Ledger, Dec. 12, 1968]

The Real Pat: She Will Make the White House a Gracious Lady

(By Vera Glaser)

Washington.—What kind of First Lady will Pat Nixon be? How will she handle herself in the toughest unpaid job in the country?

Mrs. Nixon, as usual, isn't tipping her hand, but some educated guesses can be made:

Pat Nixon will be an active First Lady. She hopes to assist her husband on special projects and will want to continue her own interests in education, health, and young people.

If President Nixon visits Soviet Russia, she hopes to travel with him.

SWINGERS OUT

She will continue to be her husband's eyes and ears among women, reporting their views to him. She expects to be consulted by Nixon who respects her judgment.

It is doubtful Pat Nixon's pace will match the myriad endeavors and travels of Lady Bird Johnson, or that any First Lady will for years to come.

The "y'all come" hospitality of the Lyndon Johnsons is likely to simmer down. Swingers will be out.

Entertaining will be elegant, somewhere between the glamor of Jacqueline Kennedy and the no-nonsense approach of Mamie Eisenhower.

Young people's parties, centering around pretty 22-year-old Tricia Nixon, will brighten the calendar. The petite honey blonde is likely to be the darling of the handsome young White House aides.

After eight years in the Vice Presidency, the White House holds few mysteries for the Nixons. They should adjust easily to living above a workshop and public shrine.

No matter how recently a foreign head of state has visited the White House, he will want to pay his respects to the new President, so the amount of official entertaining is likely to be heavy for a while.

It is doubtful the Nixons will open every nook and cranny of the mansion to guests, bringing large parties up to the private quarters as the Johnsons have done.

Nixon guests will be drawn from the business, legal and international communities, sprinkled with such old friends as Jack and Helene Drown, Bebe Rebozo, the Robert Finches, Elmer Bobsts, Walter Annenbergs, and Hobart Lewises. Officials from the Eisenhower days like Fred Seaton and Tom Gates may reappear.

Ed Cox, Tricia's frequent escort in New York, probably will be invited often and newlyweds Julie and David Eisenhower will add to the fun when they fly down for weekends. Childhood friendships with old pals like Washingtonian Dabney Hibbert will be renewed.

"My first concern," Mrs. Nixon has said, "will be to make the White House a home, not a house. I would want it to be a gracious place where we can enjoy our family life as well as carry out our public responsibilities."

The Nixons are partial to swimming and love good shows, so can be expected to take full advantage of the White House pool and theater. Mrs. Nixon, a frustrated gardener, should have a field day as the seasons change, watching the staff rotate colorful tulips and chrysanthemums in the well-tended beds.

If Nixon is pressed for time, as is likely, he may take his exercise close to home and revive use of the Eisenhower putting green on the south lawn. An avid and knowledgeable baseball fan, he can be counted on to toss out the opening ball each year unless something world-shattering interferes.

Mrs. Nixon currently is studying the blueprints of the mansion given her by Mrs. Johnson and wondering whether to move in the piano and family stereo. She likes the house as is, and plans no major changes or refurbishing.

In general she will run her domain in a lower key than Mrs. Johnson with less emphasis on publicity. The Barnum-like press operation built up by Lady Bird's staff will, to some extent, be dismantled and the mimeograph machines go into low gear.

THE FEDERAL GOVERNMENT'S REMAINING JOB IN EDUCATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. REID of New York. Mr. Speaker, some weeks ago, Harold Howe II, Commissioner of Education, and Dr. Samuel Halperin, Deputy Assistant Secretary for Legislation in HEW, tape recorded an unrehearsed conversation about the Federal Government's remaining job in education.

The resulting transcript is a comprehensive and far-sighted statement of the needs of the educational community in the coming decade and the Federal Government's role in meeting them. Presenting as it does the views of two of the top-ranking educational administrators in the country, I believe that this document is of particular importance to us in the Congress.

While we look to the new administration for a continuing emphasis on quality education for all Americans, it is our ultimate responsibility to enact those measures which will carry on the tradition of expansion, determination, and devotion to principle that has characterized Dr. Howe's tenure as Commissioner. The Nation has been fortunate to have had the leadership of Dr. Howe—a truly outstanding Commissioner of Education—and Sam Halperin has served both Commissioner Howe and his predecessor, Frank Keppel, with creative ability and distinction.

I think we will better understand the scope of our task if we study the transcript of Commissioner Howe's and Dr. Halperin's conversation, and for that reason I am including it in the Record at this point:

The Federal Government's Remaining Job in Education[*]

Mr. Halperin. Looking at the legislative authorities of the U.S. Office of Education as of August 1968 we see that this Federal agency is empowered to spend, if appropriated, some $8 billion annually under programs covering virtually every area of education. These authorizations affect, in a major way, higher education, educational research, elementary and secondary education, teacher training, vocational education, education of the handicapped, adult education, student financial aid, community services, library programs, and many other areas. Thus, it is no exaggeration to say that, with only slight modifications, the programs now on the statute books could address virtually any education problem in our society.

Except possibly in the education of the handicapped, these Federal undertakings are not what might be called general support programs. Instead they tend to be, in varying degrees, of a categorical nature. That is to say, the Congress has agreed upon particular national educational priorities which call for Federal resources and has enacted programs accordingly.

Mr. Howe. It seems to me that the priority that most clearly reflects the educational thrust of the Johnson Administration has been the focus on disadvantaged people and on using education as the instrument to solve the problems of disadvantaged people. And I think the programs that you have been describing can be seen, in very large proportion, in that context.

The funds that have been appropriated for support of these programs are by no means adequate to do the job, nor has there been adequate time to complete that job. But a very effective start has been made, and it seems to me that there is need now for two major new directions in Federal education programs.

One of these directions can be suggested by the word "consolidation"—some kind of pulling together of existing programs so that they relate better to each other; so that they have more flexibility; so that they are more convenient for the people who use them; so that administrative problems that arise from multiple application forms, filing deadlines, and that kind of thing are simplified. Both administrative and legislative action are needed so that efforts in teacher training, for instance, are related to the efforts of local school districts in educating disadvantaged children and so that curricular reform and other measures by school districts to serve those children are reflected in the teacher training programs of the colleges and universities.

I think there is the possibility of bringing about more efficient combinations of these Federal programs. In saying this I do not mean to suggest that the relative degree of disorder which exists is anybody's fault. It has developed historically, growing out of the mechanisms by which the Congress enacts programs and the manner by which an administration formulates and proposes them. Apparently there are those who imagine that this disorderly picture justifies criticism of the Congress or the Administration. I don't feel that way about it at all. Rather, it is the natural result of historical development.

The second point I would make in regard to the Federal activities of the future has to do with the organization of the Federal establishment in education itself. The Johnson Administration, in introducing all these new programs, has introduced them across the board in the Federal Government. You find them in the Office of Economic Opportunity, in the Labor Department, in aspects of the Model Cities Program related to education, in the Arts and Humanities Endowments, in the National Science Foundations, in the Appalachia programs, in a whole variety of agencies. Whereas the Federal Government has looked at the complexities of transportation and organized a new Department to deal with them or the problems of the cities and organized the new Department of Housing and Urban Development, education has simply mushroomed all over the Government. It seems to me that one of the major tasks for the future is an organizational house cleaning and re-ordering of the Federal role in education.

There are many proposals around, and one of them is that there be a Cabinet-level Department of Education. Another is that the education function in HEW be escalated by the establishment in the Department of an Under Secretary for Education. Personally, I would lean toward the former.

Mr. Halperin. It seems to me that one can't do a very adequate job on the first problem—in the area of consolidation and coordination—without paying attention to the second. You can cut down the number of categorical grant programs, perhaps, and you can simplify forms. But you cannot ordinarily get any consistent, Government-wide policies for, let's say, fellowships or stipends, or for the Federal matching share for the construction of facilities, or for the problems of campus planning, without some rather fundamental changes. University administrators today are beside themselves trying to put together campuses with funds from NIH, the Office of Education, National Science Foundation, NASA, HUD, and so on. Therefore, I put a very high priority on a major reorganization across-the-board—not merely an elevation of the Office of Education, but a broad restructuring of Federal education enterprises in order to get at the problems of individual program improvements and consolidations.

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[*] Transcript of a tape-recorded conversation, on July 31, 1968, between Dr. Samuel Halperin, Deputy Assistant Secretary for Legislation, Department of Health, Education, and Welfare; and U.S. Commissioner of Education Harold Howe II.

It is important to note that the Federal budget for education has tripled under President Johnson to a current level of over $12 billion. Only about $3.7 billion of that sum is administered by the U.S. Office of Education. Therefore, I do not think you can get a really effective Federal policy in the field of education—one which maximizes the benefits of Federal investments for the recipients and for the Nation as a whole—unless you can coordinate both the planning and operations of the thirty or so major Federal agencies that now operate literally hundreds of education programs with little or no collaboration or communication among them.

Mr. HOWE. I think this is an important point, and I would add as a footnote that I don't believe you are advocating (nor would I) that all of the programs of all these various agencies be pulled together into a single Department of Education. I would foresee instead the development of an across-the-board planning capability that brings about some inter-relationship of these programs; so that when decisions affecting educational institutions are made unilaterally in NASA or the Atomic Energy Commission there is a knowledge about what other agencies are doing about the same matters.

A good example of this point is found in graduate fellowships. Last year several agencies had independent budgets for fellowships and dealt independently with the Bureau of the Budget on the matter. When their decisions were added to the decisions of other agencies acting independently in the same fashion, the result was severe impact on the colleges that none of the individual agencies intended.

Mr. HALPERIN. We should add, of course, that Congress legislates in the same relatively isolated and piecemeal fashion. For example, the cuts made by the Space Committee in fellowship and building programs in the educational area were not known to most of the Members of the Congress who preside over the Department of Defense's programs in the field of education, or to the Members of the Education and Labor Committee or the Labor and Public Welfare Committee who legislate in related areas.

Thus, there is a cumulative effect on the Nation's campuses, brought about not with malice and certainly not with forethought—a cumulative and unforeseen effect produced by a lack of knowledge of what other people are doing and lack of overall policy and legislative cohesion.

I certainly do not favor gathering every education-related program together under a common agency. I do advocate a very careful study, followed by relatively swift Executive and Congressional action, of ways to pull together the major programs whose essential function is the strengthening and support of educational institutions, as distinct from the mission-oriented tasks that every Federal agency must necessarily carry out.

In this reorganization that we are both talking about one should look at education broadly. We are looking at manpower and we are looking at training of various types. We are also involved with overall science policy and with the humanities and the arts. We must consider education in a very catholic sense.

I would also add to your two top priority issues for future attention a third. In my mind, it is the third in time as well as in importance, but it needs to be looked at—and planned for.

As I said at the outset, our programs today are of a categorical nature. And while we want some pulling together and some greater simplification and a greater flexibility for these programs, we also have to ask ourselves about the extent to which the Federal role should ultimately be supplemented to include some sort of institutional aid in both higher education and in elementary and secondary education—institutional aid with relatively few Federal priorities, recognizing that educational costs are spiraling, recognizing that there is a limit to the fiscal capacity of the States and local communities that perhaps has not yet been reached but that is an increasing burden in both a political and an economic sense? Should the Federal Government do something in these areas to provide across-the-board aid?

Mr. HOWE. It seems to me we ought to address this broad topic you have introduced separately for elementary and secondary education on the one hand and higher education on the other.

Let's talk for a minute about elementary and secondary education.

Historically, there has been a sort of unsuccessful reach for some form of general aid to elementary and secondary education. A number of Presidents have brought this up. A number of Senators and Congressmen from time to time have proposed bills, some of which have even passed one House of the Congress. But general aid has always foundered either on grounds of fear of Federal control or on anxieties about church-state relations, or both.

Mr. HALPERIN. Plus some related issues such as integration and the question of interstate equalization. The timing of any particular program may make a difference, too. Witness the fact that once upon a time you could get a great deal of support for classroom construction *per se*. Today, with the new militancy in the teaching profession, enthusiasm for general aid differs greatly among different educational groups. A school construction program, once viewed as "general aid" in most people's eyes, is clearly less acceptable today than it was just ten or fifteen years ago.

Mr. HOWE. The reason, of course, is simply that the militant teaching profession would want to be sure that any major new funding included the possibility of raising salaries with Federal funds—something which is not supported by existing programs.

But you introduced an idea that needs to be discussed in the context of general aid to elementary and secondary education, and that is the idea of equalization.

There is quite a bit of equalization in existing programs, particularly Title I of the Elementary and Secondary Education Act. It is not a major effect in terms of redressing balances; it just reaches in that direction.

Mr. HALPERIN. Nor was it a major intention in that legislation.

Mr. HOWE. That is of course true, but I think we still confront the fact that per-pupil support in our more fortunate States—our more industrialized States, our States with higher levels of production and higher levels of employment and higher levels of income—that per-pupil expenditures there are more than double those in the poorer States.

Mr. HALPERIN. To be specific, the latest figures we have indicate a per pupil expenditure of $413 in Mississippi and $1,125 in New York.

Mr. HOWE. Close to triple. Those figures, of course, include existing Federal expenditures in both places. Without Federal funds the disparity would be even greater.

Such a difference by itself creates a lack of equal educational opportunity in places where expenditures are lower. And yet the youngsters in the low-expenditure States are citizens of the United States just as the children from the more affluent States are.

One of the general principles that the Johnson Administration has pushed into the Nation's thinking has been the idea that there should be equality of educational opportunity for citizens of the United States regardless of where they happen to be born and where they happen to live. And this disparity in expenditure denies that equality.

So it seems to me that any general aid program which may emerge has to run the political hazard of not providing much support in some places in order to provide a great deal of support in others. That is what equalization is all about. Obviously some kind of compromise will be necessary in a general aid program—a compromise that brings some support to all places but that redresses, at least in part, the imbalance we have been discussing.

I think also that a Federal program of general aid with an equalization feature in it cannot achieve its objectives if, within the States, Federal money is distributed through traditional channels in such a way as to deny pupils who happen to live in the central city the kind of special and additional compensatory support necessary to make their education successful. The Federal Government must concern itself not just with the distribution of Federal funds among the States but also with the way in which these funds are, in turn, distributed by the States.

Mr. HALPERIN. I certainly agree that we need not only inter-State equalization but also intra-State equalization. The Carnegie-funded Syracuse studies and others indicate that existing State equalization programs are woefully inadequate. To use Federal resources in the future merely to compound the injury would be an ironic climax to the excellent progress that has been made in education in recent years.

Besides inter-State equalization and intra-State equalization there is a third consideration I should like to add. It is the notion of somehow designing a Federal program in such a way that it would act as an incentive to greater State and local effort. This, of course, is an idea which has been around a long time. And yet it seems to me that we have to do more about it. The Intergovernmental Advisory Committee on Government Relations indicates that there is untapped fiscal capacity in the States and localities. I would hope we could design a general aid program to act as an incentive to tap these resources in return for larger amounts of relatively unfettered Federal funds.

This whole general aid approach is, of course, fraught not only with the political difficulties you mentioned but, it seems to me, with the possibility that we may have a new outbreak of bitter church-state conflict. The Johnson Administration, legislating on what some people have called the "child benefit" or the "public trustee" theory—in which all funds have flowed directly only to public schools—has avoided church-state confrontations by the corollary principle that non-public school students were entitled to certain types of benefits. This system of getting Federal funds to all pupils, both public and private, opened a new era of interfaith and inter-school cooperation. But this principle applies most easily to categorical programs directed by the Congress to particular purposes over and above the normal programs which schools provide.

When one talks about "general aid"—and if one wants to avoid religious and intercommunity strife—it is politically necessary to find a way to assure that some benefits—even if they are not always proportional or equitable—continue to flow to all the children in the community, regardless of whether the school they attend is public or private.

It is particularly difficult to accomplish this in a general aid bill because under such a program it is not feasible to maintain control over how the funds shall be spent—for books, for instance, or for equipment or for other programs in which non-public school children can participate. If, for example, the bulk of general aid funds flow, as intended, into teachers' salaries, it is difficult to see how private school students' interests can be served or protected.

Mr. HOWE. I quite agree, and I think that another qualification that needs to be made is that some people see general aid as the only form or the ideal form which Federal support of the schools should take. And it seems to me that this view is wrong—that while general aid should round out the picture of Federal aid, the rest of the picture should also remain. The broad categorical programs which address themselves to a whole variety of particular objectives which may not be met or even approached by the schools unless these categorical programs remain in place are in my view a first priority for Federal support.

So I think that in the future those who are designing general aid need to be very careful not to damage the categorical programs but to continue them at adequate levels and to move to general aid only in a budget which will allow the continuation of the categorical programs as general aid gets started.

Mr. HALPERIN. There are other reservations that need to be borne in mind in the design of a general aid program. Certainly we are painfully aware that many people look upon general aid not only as a convenient way to avoid the dictates of the Civil Rights Act of 1964 but also as a means to avoid having to come to grips with the problem of racial imbalance, particularly in our northern cities.

I don't really believe that we can design a general aid program that in and of itself does away with racial imbalance. To try to do so would involve a contradiction in terms. Unless one assumes that the money flowing to the recipients will generally be used for good purposes and good effects one shouldn't go in the direction of a general aid bill at all.

To get at the problems of racial imbalance, desegregation and genuine integration will probably require new types of categorical programs—or at least new provisions in existing categorical programs—which offer an incentive, a bonus or "carrot" if you will, for those school systems and those communities that wish voluntarily to move in the direction of true racial and economic integration.

Mr. HOWE. In line with this, it seems to me that a program for school construction, which we don't have at the present time except in a very small way through the School Assistance for Federally Affected Areas Program, could have an element of general aid in it and yet also contain some of the characteristics you have just outlined.

A program for school construction could apply to all school districts in the country, but include provision for payments to school districts with very special problems, such as those in the big cities or those that are rurally isolated. Similarly, such a new program could also place a premium on cooperation between, or among, several school districts, thereby introducing the possibility of a city cooperating with the suburbs around it to develop certain kinds of specialized facilities. Or as another option, regular school facilities which would have the effect of reducing racial isolation could be given premium levels of Federal support.

This kind of program would be tough to handle politically, but if it had a broad general component of a percentage of payment toward construction costs and then additional percentages of payments where these important public purposes are met, it would at the same time help all school districts and give special help where special needs exist and where there is a willingness to attack the problems the Kerner Commission has identified.

Mr. HALPERIN. I'd like to return to an earlier thought. We introduced this general aid discussion as a kind of third priority, or something to be done at a later stage.

In my view, the most important thing this Nation should do in the next several years is to put realistic and substantially greater funding into existing programs at the same time that we make them broader and more flexible and seek to consolidate them.

It seems to me that in the absence of sizable amounts of new money we can expect some erosion of these programs. Many school districts do not benefit substantially from the programs now, and for what they do get they have to go through a great deal of what they call "red tape and bureaucracy." Such grievances are intolerable when the payoff is relatively small. When these grievances are cumulated, I think there is a very real chance that regardless of the Administration in power, there will be a tendency on the part of the Congress and the political electorate to wipe out such programs and to replace them with some sort of undirected, block-grant or non-criteria-laden program.

Thus, I was particularly glad to hear your point about the necessity for general aid as a supplement to, rather than a replacement of, existing programs. In the short run, this requires a commitment to appropriate much more money, since an essentially *status quo* operation is not politically viable.

Moreover, it isn't viable in an educational sense either. We cannot really expect to reach and teach the disadvantaged, for example, under Title I of ESEA with only a little more than $100 per-pupil per year, which is about what we are spending today. We cannot really hope to make much of a dent in the high school dropout problem—thirty percent of our youth, a million young people a year—with the less than $10 million for an anti-dropout program which was apppropriated by the Congress. We cannot really reach many of the young people who need to go on to post-secondary education with as few as seventy thousand Educational Opportunity Grants a year.

Everything we have been talking about has to be done on a substantially larger scale, both in order to have integrity in the programs and also to find out if they will truly work. At present we just don't really know. It is going to take time, but it is also going to take a substantially larger investment simultaneously.

Mr. HOWE. I thoroughly agree with the need for a substantially larger investment. And, being a realist, I am aware that a substantially larger investment in education on the domestic scene is going to be in competition, direct competition, with a whole galaxy of other important domestic causes. People today are expecting a great deal more from their government than they once did. They want greater effort toward control of the environment: conservation, air pollution, water resource management, and the like. They want government help in transportation and in housing and in the replanning and rebuilding of the cities. And they want it in education. And each of these has its own claim on new dollars that the American taxpayer may be willing to give to his government to serve him.

This means that education is going to be in tough competition. I think that education will meet that competition to the degree that it is able to make a strong case for success in what it is doing.

This in turn argues strongly for the investment of funds in research, for effective dissemination of existing knowledge, and for effective evaluation of the programs that we have. And, therefore, as perhaps a first priority in the investment of any new funds, I would seek funds for those activities and for beginning to get a feedback from them. I believe that over time that feedback will build the confidence which will bring additional funds into major areas of service such as those under Title I of the Elementary and Secondary Education Act.

And I believe that right now, by any reasonable measurement, the funding for research and demonstration and evaluation in education by the Federal Government is minimal.

Mr. HALPERIN. Educational research and development, dissemination, and evaluation would be among my major priorities, too. I would like to follow up on your first priority in educational research by saying that I think in the years ahead a Federal goal should be stated as a percentage of our education budget.

We have all been talking in recent years—with justification, I think—about insufficient educational research. At the present time of the $12 billion spent by the Federal Government in education, substantially less than one percent is for educational research and related efforts. Of the Office of Education budget, only about 2.5 percent goes into educational research. I would like to suggest to an incoming Administration that, for the reasons you have stated so well, we ought to set a national goal of ten percent of our education budget for research, development, and evaluation; a goal to be reached in stages over, let's say, five years.

My second suggestion for a priority for investment of new funds is the whole area of teacher training, and inservice training broadly conceived to include the subprofessional aides, the administrators, the school board members, the supervisors, the directors—all of the policy-makers in the field of education. Obviously, people are the core of any system, and this is true in education as well as elsewhere.

The largest single professional group in the United States today is that encompassed by the field of education—almost 3 million persons. Yet we are training or retraining only a small fraction of these people each year. There is a tremendous turnover because of retirement and new job opportunities outside education. It seems to me that we ought to put a large investment into the teacher training area in the years ahead. And to hazard a goal or a target, I would suggest that we ought to aim at retaining ten percent of our teaching force annually. I think the current training level is about one to two percent through the various Federal programs. States and localities are unable to expand their commitments to the retraining of teachers because of the tremendous pressures for salary increases. But unless there is adequate retraining, the across-the-board salary increases may not be justified. So I think it's a reasonable goal to state specifically on the part of the Federal Government that we aim—through sabbaticals, fellowships, institutes, and other training programs—to provide ten percent of our teaching force with some kind of educational experience each year.

Mr. HOWE. That makes very good sense. And of course one of the great achievements of the Johnson Administration is the Education Professions Development Act, which provides most of the authority needed to do the job you have described, although one or two amendments might well be added to it.

For example, school board members are not now included, contrary to the original suggestion by the Administration. Elements of added flexibility of this kind could advantageously be placed in this Act.

But the basic legislation is excellent. It has a very nice balance in it. It creates a Federal role, it creates a State role, and it addresses itself to a local school district role in the training of people to serve education, a desirable element omitted in previous legislation. A big window has been opened by this legislation, and there are all sorts of opportunities as a result.

I think one of the major administrative responsibilities of the Office of Education in the years ahead will involve making imaginative use of this new authority.

Mr. HALPERIN. With regard to your last comment on the imaginative use of that authority, it's interesting to note that most of us are very proud of the Teacher Corps. We feel that it has great promise and that the program should be expanded substantially.

But under the Education Professions Development Act many new kinds of "teachers corps" are possible—new types of teacher training and retraining efforts. Thus, I hope that they will be generously funded in the years ahead.

I would like to add a footnote to an earlier point you made about dissemination: I feel very strongly—and many Members of the Congress do as well—that in this huge country of ours, with 21,000 operating school districts and more than 2,000 colleges, many, many things are going on right now that are effective, that are promising, that are adaptable by others. But communications in a country as large as ours, are terribly difficult. I would hope that special efforts would be made in the years ahead to disseminate widely to the taxpaying public—to the lay policymakers, as well as to the professionals—the results of programs at all levels of education. We certainly have the authority to do this both in our new legislation and under the general charter establishing the Office of Education in 1867.

Mr. HOWE. The dissemination function includes a wide variety of activities, and not the least of them are the processes of letting the people know, of developing markets, of demonstration. Education hasn't thought this way enough.

Mr. HALPERIN. Possibly there might be an activity somewhat analogous to the system of agricultural experiment stations, and particularly to the work of the county agents. We of course have the regional educational laboratories, but it may be that we need to look more carefully at dissemination models that would reach all over the country, using non-educators and sub-professionals, as well as the more traditional groups.

Mr. HOWE. And now to give this conversation a balance I don't think it has at this point, let's have some general discussion about higher education. I think of one or two observations that can be made. First of all, higher education activity is widely dispersed throughout the Federal Government and therefore needs to be examined in the light of our earlier conversation about the need for planning capacity to get at the problem of impact of the many separate Federal programs on individual institutions.

Secondly, I'd say that the types of assistance provided by the Federal Government to higher education tend, to some degree, to be less change-oriented than the types of assistance the Federal Government provides to elementary and secondary education. Our scholarship grants, work-study funds, and similar support measures do help a different type of student to get into the higher educational institution than the traditional college student from the upper economic stratum.

But programs like these, and the programs which build buildings, and those which promote research activity in our educational institutions—and these are the major components of support: buildings, research, and student aid—don't address themselves much at all to institutional change. We can speculate that perhaps it is because neither the Federal Government nor indeed other agencies have thought about this very much—or at least done much about it—that students around the country are themselves seeking institutional change in a variety of ways.

There are some small programs that do reach for change. Title III of the Higher Education Act could be described as addressing itself to improving quality and to bringing about institutional change. But I think the broad generalization still holds.

So I think it would be constructive if those people responsible for the future Federal role in education would explore something analogous to title III of the Elementary and Secondary Education Act for higher education, a foundation-like function addressed to change, addressed to picking up the bright ideas that have surfaced in the world of higher education and giving them some backing from Federal sources.

That type of activity has been carried out in our society more commonly by private sources than by public sources, largely through foundations. And I think there is a promising Federal role here.

Then there is the whole broad question of what should be the shape of any general or operational aid to higher education. Higher education institutions are facing increasing unit costs. It costs more money to educate each student in every college every year. This is largely a function of rising faculty salaries, but other costs as well.

Mr. HALPERIN. And obviously enrollments are going to double.

Mr. HOWE. Enrollments are going up while this increasing cost is impinging on the institutions. And many of them are in deep trouble.

We don't know the exact dimension of this trouble. One of the constructive moves directed by President Johnson is a study to devise a long-range plan for the financing of higher education. None of us knows what will emerge from that. But obviously a major job for a future Administration is that of picking up the results of this study and doing something constructive with them. And I suspect that one of the results of the study may be some suggestion about how the Federal Government could encourage more private and State support for higher education and, at the same time, make a contribution to the operational costs of running a college or university. My own inclination is to suggest that the Federal Government give a priority to increases in student aid programs so that segments of the society now denied a higher education can have increased hope of receiving one. If the Government does this, then the way to provide operating aid to institutions might be to give an unrestricted grant for every student on a Federally supported scholarship. We do this already for graduate fellowships, and I think it would work in four-year colleges and community colleges.

Mr. HALPERIN. The difficulties that beset general aid in the elementary and secondary area, of course, are to at least some degree also present in the higher education area. To be sure you don't have the church-state issue to the same extent. But there is a tendency on the part of many policy-makers, both in and out of the Congress, to want to control the results of Federal aid. We can't have this. If we believe in the ability and the know-how of the institution, then we just have to go ahead and authorize some general aid at whatever time that is fiscally feasible, regardless of opposition from those who fear that general aid in any form, at any level, means "money down a rat hole," or other pejorative expressions. I do think this notion runs counter to the concept of grants for innovation.

Perhaps in the years ahead we must try to find an increased or new role for the Federal Government that couples the encouragement of innovation with an appropriate response to the increasing outcry of the institutions for operating money.

Mr. HOWE. I think there is a very good analogy here to what we were saying about elementary and secondary education. We were saying there that the categorical programs should grow and should continue to be supported when general aid comes in. I think we ought to say exactly the same thing about higher education. Student aid programs should grow and continue. The programs that support special research of particular interest to the Federal Government ought to grow and continue. But at the same time, the Federal Government in the future needs to think about the problems of the institution as such.

By and large the Federal Government has tended to look at the institution from the point of view of what purposes it can accomplish for the Government without worrying too much about what happens to the health of the institution while it is serving Federal ends.

Uncle Sam makes it possible for a lot more people in the United States to get a higher education, because that's a significant national objective. And we back a variety of specialties because they are needed either by the Federal Government or by the economy, or by some aspect of public service in the States and localities. But we have not thought enough about the capacity of the institution to keep its balance while doing all these things to serve important national objectives. It is into that picture that I would put the problem of operating costs of these institutions and the capacity to at least stay alive and healthy while picking up these categorical aid programs that the Federal Government provides.

Mr. HALPERIN. While we're talking about what might lie ahead for higher education, I wonder if your priorities and your sense of timing would match mine.

I would say that in the next couple of years, as more funds—hopefully—become available, my own set of priorities would emphasize continuing the thrust of the Johnson Administration to ensure equality of educational opportunity, particularly for minority groups and for the poor, regardless of their race.

I think that this can be stated in a kind of a declaration of rights: that any student of ability should be enabled to go on to the post-secondary institution of his choice, whether a technical institute or a business school or a college. And I think the goal ought to be stated in terms of some numbers. For example, for an additional one billion dollars a year we can help an additional two million students—the equivalent of some forty percent of those now enrolled in college—to go on to further education after high school.

I think that's the kind of a statement of a goal that we need. That would be my first priority.

Mr. HOWE. Yes, I fully agree. And, of course, one must take into account the fact that higher education today is, to a degree, a segregated enterprise. Most of our high quality institutions have a relatively small proportion of minority group people in them, and there is an important job to do in somehow achieving throughout the higher education spectrum a better representation of minority group people.

Mr. HALPERIN. Speaking further about higher education, I would say that either simultaneously or as the next priority we ought to give attention to more adequate funding of some of our broader categorical programs, for example, the programs to improve college library and instructional resources. This is one way that you get at quality. This is one way you can change the institution. At the same time you exercise some Congressional discretion as to where the funds go.

I also think the Federal Government should do something special for graduate education. This is the fastest growing part of higher learning, and it's also the most expensive part. Here again, we do have on the statute books in a variety of Federal agencies the necessary tools, but we do not now have the funding in institutional aid or institutional development programs or institutional excellence programs—they are called different things in NASA and NSF and NIH. Hopefully, we will have a new program in the Office of Education under the pending Higher Education Amendments of 1968.[1] Particularly through the fellowship programs, with their accompanying cost-of-education allowances, we have an ideal mechanism to help graduate education simply by raising these allowances. Through these two mechanisms it seems to me we can do a great deal to help the graduate schools meet their financial crisis.

Mr. Howe. Let me point out that some thinking has already developed about increasing the cost-of-education allowances. Many agencies have had a part in that thinking. It's ready to move. All that is necessary, really, is a planning move by the Bureau of the Budget to standardize these cost-of-education allowances at a higher level. And it could be done in many ways. For example, it could be phased in over a period of three, four, or five years by adding $500 a year to the allowance, which now runs around $2,500, and build it up to $3,500. In this fashion, an institution could get some funds for its own development as it takes in a graduate student but that can happen only if the amount is raised appreciably.

It's pretty important to point out that in the graduate schools, which indeed have the special problems you outline, the cost of education of an individual graduate student may run as high as $10,000.

Mr. Halperin. Perhaps five to ten times that of an undergraduate.

Mr. Howe. Yes. So when an institution takes in a graduate student with Federal support and gets a $2,500 cost-of-education allowance, it may be losing as much as $7,500 on the deal.

Let's turn to other areas and consider the education of the handicapped, and then perhaps vocational education, which I think needs considerable discussion here.

Why don't you start with the handicapped?

Mr. Halperin. In the area of the handicapped we not only have a host of programs, but one particular program—Title VI of the Elementary and Secondary Education Act—which is, it seems to me, almost a true "general aid" program. It provides funds to the States to support the operating costs of virtually any educational service or program for the handicapped. One might therefore conclude that it would be possible to build upon existing authority to design programs that would reach particular target groups—for example, the deaf-blind or the multiple handicapped.

Here, too, we ought to state an over-all goal for the next five to ten years, for example, that we will reach and teach and provide the necessary ancillary services to all of the handicapped children of the Nation.

One-tenth of all of our children are estimated to be physically or mentally handicapped and to need some sort of special attention. Yet, we are serving only about two million of these children today. Three million are not served at all. And among the two million who are receiving some sort of special service, the adequacy of service obviously leaves much to be desired.

So I would say that here again a useful device for the next Administration would be to set a specific numerical goal. Under the Johnson Administration we made fantastic progress in getting started in each and every one of these areas. Now I think we have to measure our objective and pace ourselves so that we are sure to reach it.

Mr. Howe. Yes, not only has the Johnson Administration gotten some very effective legislation in place for the benefit of the handicapped, but it has also moved forward on funding for this legislation in very tight budget years, when money was hard to find because of all sorts of national commitments. There has been a significant move percentage-wise in what has happened in our appropriations for handicapped legislation.

The budget of the Office of Education in moving from Fiscal '68 to '69 has reflected close to a 50 percent increase in the money being made available for education of the handicapped. And although as we approach our Fiscal '70 budget we are not talking about that large an increase, we are nevertheless talking about some increase while the '70 budget for the Office of Education as a whole may remain rather stable or even decrease.

I would mention another point, too, which relates not just to the handicapped but more broadly to our earlier conversation about elementary-secondary education. That is the very great achievement of this Administration in getting the idea of early childhood education generally accepted around the country. The Head Start program supervised by the Office of Economic Opportunity and the focus of Title I of the Elementary and Secondary Education Act on early childhood education, as well as the Follow Through Program, are all evidence of this.

Mr. Halperin. And the various Day Care Programs under Social Security and welfare legislation, too.

Mr. Howe. Right. These efforts have awakened people and gotten them ready to move. There is now a real opportunity for a much broader program of early childhood education. What we know about children—about the way they grow and develop and achieve success in school—indicates that this is an eminently sensible move.

I bring this up in the context of the handicapped because I think that an effective move in early childhood education may lead to much earlier identification of physical and mental handicaps and a much higher percentage of solutions to those problems. The result in the long haul may be lower levels of investment in the handicapped if early identification and diagnosis and early treatment can be developed through Federal initiative working with States and localities.

I would tie early childhood education, first of all, to the disadvantaged population; secondly, to this notion of early identification of handicaps and thirdly, to service of the entire population. I think that future Administrations are in a firm position to move in these directions as a result of what has already been accomplished.

Let me add, finally, that adequate services to handicapped children (as well as to the disadvantaged) depend absolutely on categorical programs. There is little likelihood that general aid programs will help these children. Future planners of the education role of the Federal Government must keep this in mind.

Mr. Halperin. To go on now to a new subject—vocational education—this is the area in which the Federal Government was doing most before the advent of the Johnson Administration. The momentum was continued and, in 1963, important steps were taken to modernize and update vocational education programs. Since 1963 there has been a substantial increase in vocational enrollments. Now, in 1968, the Congress of the United States is about to pass the most far-reaching reworking, expansion and extension of vocational education in our Nation's history.[2]

Nevertheless, I would suggest that by and large we have been something less than completely sympathetic to the needs of our young people in this area.

We have been so strongly oriented to the colleges and to the disadvantaged very young in recent years that we have tended to understate the needs of the four-fifths of our young people who do not graduate from college, and the three-fifths of our young people who never see the inside of a college.

We know that vocational education has been and can be a dumping ground for young people. It can be a dead-end street. The new legislation brought into being under the Johnson Administration, and some of the funding which has begun to flow since 1964, does indeed provide substantial opportunities to make a meaningful bridge between the school and the first job, to bring industry and business into a partnership with the schools so that our young people will have a realistic understanding of the world of work outside of the classroom.

I would hope that using the new legislation, possibly with further developments in the area of guidance and counseling, we would move with more vigor in vocational and technical education. In other areas I have suggested a goal; I will suggest one here, too: We have about 7.5 million people enrolled in vocational education today. I think it is entirely realistic as well as important to suggest that in 1975 or so we should have tripled these enrollments—about 21 or 22 million Americans of all age groups in vocational and occupational education. This is going to require several billion dollars more than we are now putting into the enterprise. But considering the importance of the labor force in the growth of the American economy I can think of few better investments.

Mr. Howe. I would like to make several comments on vocational education. I quite agree that the levels of investment need to be very much changed, as you suggest. But as they are changed I am concerned lest the United States develop two entirely separate systems of education, one labeled as vocational and the other labeled as the regular or general system of education.

It seems to me that both in legislation and in administration of the new Act that you cite, efforts have to be made to avoid this separateness. I think there should be an infusion of a major vocational component into the normal high school and junior high school education programs across the country and that the new money that comes into vocational education ought to encourage the pulling together of vocational education with the usual public school system rather than increasing their separateness.

I would also pick up your point about the wider involvement of business and industry and in finding ways to give them an input into the affairs of vocational education. I think it is really the job of industry and business to define the skills that are needed. That is where the people are going to be employed. And I don't see enough back and forth between industry and business and the world of education.

One of the problems we confront and that future Administrations will confront is that of somehow crossing this gap. Whenever we bring before the Congress proposals for allowing Federal grants to flow to business and industry for purposes of training teachers—for training them right within business and industry so that they will know what they should teach their students that will be pertinent to the jobs youngsters will have available to them—we run into a roadblock.

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[1] Since enacted as Title X of the Higher Education Act; see Public Law 90–575, October 16, 1968.

[2] See Vocational Education Amendments of 1968, Public Law 90–576, October 16, 1968.

We find that a number of educational organizations are, as a matter of principle, opposed to Federal grants to private industry for purposes of this training function or for purposes of curriculum development, or really for purposes of any kind of constructive interaction. And I think a future Administration has got to find a way to persuade people that such arrangements are not a threat to the public schools in any sense but rather comprise an added resource to the public schools. The new vocational legislation as now written opens the door between business and education. I hope that it passes and that future administrations make vigorous use of it.

Third, I think we ought to use this conversation about vocational education to register our general concern for the community college and junior college. The fact that such institutions are in part avenues to the later years of college and the baccalaureate degree must be put against the fact you mentioned earlier that only twenty percent of the people are now getting this degree. In short, the community college has open to it a role that goes far beyond being a half-way house to a four-year institution.

The two-year institution is the most rapidly growing component of the higher education spectrum in terms of new institutions being built and of the numbers of students going into post-secondary education.

Yet there are gaps in the Federal support of community colleges. I think the new Vocational Education Amendments of 1968 offer real opportunity to fill those gaps; so it is possible that with adequate funding we may have almost all the legislation we need.

The Higher Education Facilities Act offers opportunities for supporting the construction aspects of those new community colleges.

So far however, we have neglected the curricular development side and teacher training aspects of community college operations. We have the legislation to do both these things, but we don't have the funds, and we don't have the leadership at the present. It seems to me that additional funds for vocational education over the next five years ought to be so planned and administered that they take account of those gaps and needs.

Mr. Halperin. I'm glad that you touched on the community college question because I think there is a bridge there to contemporary politics which can help win public acceptance for increased Federal aid to education.

There is at this moment in history what can only be regarded as an unfortunate tendency on the part of many people to reject Federal programs on the grounds that they are allegedly aimed only at the poor or the black or the neglected. And we hear grumblings like, "What do you have to do to get some of your own Federal money back from your Government?" I think Federal support, while it must necessarily give priority to the disadvantaged—regardless of whether that disadvantage is physical or mental or racial or educational or cultural—should also aim at making it clear that the Federal education programs are intended for all of the people of the country.

It seems to me that vocational and technical education, particularly with a community of junior college component, touches a deep-rooted desire of the American people: better education for their youngsters as a path to a better job and a better economic future. If we build a closer alliance between our vocational and technical programs and the junior and community college movement, we will go a long way toward overcoming what I detect as a disaffection on the part of some members of the taxpaying public with programs they feel are not benefitting them. Apparently they either do not see their children as being candidates for the full baccalaureate degree or they do not see their children benefitting from programs addressed to the educationally and culturally disadvantaged. The community college-technical school movement can bridge this gap.

Mr. Howe. I would add that higher levels of literacy are going to become an increasing requirement for vocational education. There is thus some likelihood that the production of those higher levels of literacy will increasingly become the job of the secondary schools and that this will tend to thrust a larger proportion of the vocational education component onto the community colleges.

I hope if that happens that those who are devising the new programs in these colleges, and those who are devising support for them on the Federal side, will keep in mind the need for flexibility. The great thing about the community college now is that it hasn't solidified. It can be all kinds of things at the same time. It can offer six-week courses to develop a very special skill. It can take in a person who needs literacy training and give him that, if he's an adult or if he has finished high school or if he has dropped out of high school. It can offer a specific two-year program leading to an intermediate degree.

There is a tendency among community colleges to see as the basic measurement of excellence the movement of a very high proportion of their graduates into four-year institutions. It seems to me that we need to help the community colleges to develop a concept of excellence in other sorts of services and to take pride in them; so that we avoid the danger that is now so evident among some community colleges of wanting to lose their identity as vocational and technical training places and transform themselves into four-year colleges. I suppose after they were four-year colleges for a period of years they would want a graduate school!

While I think we need well-planned, high-quality, widely-available services at the graduate level, we certainly don't need every community college to follow that course. We are going to need in the years ahead the service of a growing number of community colleges to a major proportion of the population.

I believe that the most recent prognosis I saw was something to the effect that in 1975 about 75 percent of the population would be graduating from high school.

Mr. Halperin. We're at about 71 percent now.

Mr. Howe. We may be up to 80 or so by 1975. That means a very great demand for these new community colleges. That prospect raises the question of whether in the future the Federal Government won't have to find a more flexible method than it now has for helping institutions to get started.

Most of our legislation today is written to provide aid only to higher education institutions that already exist. This stipulation is, in fact, set in law by the Congress. Institutions either have to have received accreditation or provisional accreditation of some carefully defined kind. In any case, there are relatively few Federal resources to help the people lacking a vocational and technical college to get one established. They have to do it entirely on their own initiative, with their own resources. And frequently the places where such services are particularly needed have insufficient economic base to do the job.

Mr. Halperin. That point suggests another to me, namely, that we really do not now have a planning capability or a program that would enable us to know when, for example, support ought to be extended to an emerging new community college or emerging new graduate school because there was a genuine need or when, alternatively, the availability of Federal funds would merely proliferate programs, produce non-economic institutions, and cater to particular community whims which may not be soundly based in educational terms.

We hear a great deal, for example, about the desire of virtually any community of any size to have its own community college for reasons of "civic pride." That may be a caricature and exaggeration, but it is no exaggeration to say that at the present time we have no mechanisms for deciding when scarce Federal funds ought to go to an insitution and when they should not.

Mr. Howe. We have reviewed the major aspects of the Federal role in education in our earlier conversation about elementary and secondary education and the relationship of categorical programs to general aid, then in our subsequent conversation about higher education in that same relationship, and then in these special thrusts into vocational education and education of the handicapped. One area we have missed is the very broad one, which, for want of a better phrase, I will call adult education, but which isn't really that. It's the idea that Americans in this complex society will need increasingly to be engaged in education all their lives.

The Federal Government is already involved in the support of a variety of enterprises which contribute to lifelong education opportunity. Contributions now made by the Federal Government include major support to public libraries and support for the development of a new kind of noncommercial or public broadcasting system which will be an education device although not institutionally based.

It occurs to me that the museums of the country are really in this same category, and have not captured major attention from the Federal Government. The President addressed a letter not long ago to the Council for the Arts and Humanities asking that group to advise him on what the Federal role might be in relation to museums. And I think one of the opportunities before the Federal Government in the years immediately ahead is to respond to the report that will be forthcoming shortly about this matter.

There are, of course, some very specific programs directed at adult literacy and the decreasing but still large proportion of adults who don't have adequate basic literacy to undertake vocational or other programs that will get them started.

I think the Federal Government at this point has moved in this area by bits and pieces rather than thinking about it as a total package.

Mr. Halperin. What might be called an Adult Opportunity Act has been suggested in this connection—something that would tie together the continuing needs for new forms of education, cultural development, recreation, and that would enhance the cultural literacy of our population.

The concept takes in some of the elements you mentioned, with possibly a specific recommendation for some sort of research and development institute that would push information, science, communications science, ways to handle the information explosion, better non-commercial television, and library services of all types, particularly library services that would reach into homes and into disadvantaged neighborhoods.

It could also include mid-career development—ways in which the adult could change his job with appropriate training, possibly under a broadened Manpower Development and Training Act or some other type of adult education.

It could take in specialized needs, such as those of the housewife who has raised her children and wants to return to the labor force (not necessarily into education, where we now have the Education Professions Development Act, but somewhere else), some way that she can get the necessary retraining or continuing adult education; the needs of the retired, of senior citizens, of people who have finished one career as business executives or as Army officers and who need special resources and programs to help with the start of a new career.

Obviously, this is quite a major area. Thus far, we have inched into it. We now need to step up the pace considerably.

Another dimension of this subject occurs to me. We do have the program of adult basic literacy, of course. But to my way of thinking, we have not done what we should have done. We still have 23 million Americans with less than an eighth grade education. We have eleven million functional illiterates with less than a sixth grade education. And we are spending under $50 million a year on this particular social and economic problem. We ought to expand that commitment many fold.

Ultimately, we ought to look also at the sixty million or so Americans without a high school education. While they may not occupy the same priority as some of the things we've been talking about today, in developing a rounded picture we should ask ourselves whether high school equivalency programs and various other specialized opportunities might not be made available to this population, not only to bring about more gainful employment, but for personal satisfaction, for creative adjustment to society, for more satisfying relationships with their fellowman.

Mr. HOWE. To touch on another point in this look to the future and the job that remains to be done, I would raise the problem of the distribution of educational resources in the U.S.A. Although States are increasingly doing a more effective job of planning for new educational services in places where these are in short supply, it occurs to me that there are opportunities for the Federal Government to be of assistance in a number of different ways.

We know that more and more people are moving toward metropolitan centers and will continue to do so in the years ahead. Yet, the costs of providing such people with adequate educational services are much higher at all levels than are the costs in rural and suburban areas. One typical result is that we are getting more colleges in those places where there are fewer people while we confront a shortage of post-secondary education services in the cities, where land and buildings are expensive and operating costs higher.

Shouldn't the Federal Government devise a program to pay a larger percentage of central city construction costs than the percentage it pays outside the city? Shouldn't the Federal Government find the means to help new institutions get started in the places where the great concentrations of people are to be found?

These concentrations of people do not pose problems just for the States. More and more, the metropolis cuts across State boundaries. The economic and social pressures which cause the migrations that in turn create the metropolis are far beyond State control.

There clearly seems to be a need for the Federal role to include a planning and financing component to help meet the educational challenges created by these migrations. Some Federal programs, such as Title I of the Elementary and Secondary Education Act of 1965, already have this effect. But more remains to be done at all levels of education.

Finally let me mention a couple of items that have not been a part of our conversation but that must be kept on the agenda for the future:

(1) Forward funding—The Federal Government's fiscal cycle is badly out of phase with the planning cycle of the schools. As a result, States and school districts do not learn what appropriations they will actually get until long after they have had to make commitments for the use of the appropriations. If someone were to start out to design a system for the maximum inconvenience of the schools, he might well come up with the arrangement we now have. Forward funding, under which the President and Congress would consider funding of Elementary-Secondary programs a full year ahead, would solve this problem. Many higher education programs now have this arrangement. All education programs should have it.

(2) International Education—One of the failures of the past few years has been the inability of the administration to get Congressional backing for the International Education Act. This Act, growing from the President's Smithsonian speech of September 1965, holds great hope for improved training of all sorts of specialists vitally needed by American Government and by business—specialists with knowledge of language, economics, government, health, education, engineering, and a variety of other fields as they apply to the problems of particular parts of the world in which the United States has national interests. The study now underway at the direction of the Appropriations Committee may lead the way to favorable action in the future. The Act must be kept alive, and appropriations for it should be a high priority matter.

(3) Education in special fields—Particularly in health and in conservation, the years ahead will see major new manpower needs. Medical education requires a complete restudy to make it more efficient. New specialties will develop related to control of the environment. The Federal Government must take its share of responsibility in these areas of education.

HE SEES THE LAND AND UNDERSTANDS

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. FULBRIGHT. Mr. President, I am always pleased to hear of those who are working for the conservation of our land and water resources. In Arkansas we have a particularly good example in Mr. Ross Strickland, who has a tree farm near Romance in White County, Ark.

Mr. Strickland has worked closely with those governmental agencies concerned with soil conservation. Over 30 years ago, when he was planting trees for the Civilian Conservation Corps, Mr. Strickland began buying the land which now makes up his 700-acre tree farm. Recently he was featured in an article entitled "He Sees the Land and Understands," in the December 1968 issue of Soil Conservation, the official magazine of the Soil Conservation Service.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE SEES THE LAND AND UNDERSTANDS

(By Thomas Burkett)

If you haven't been enthusiastic about conservation and the benefits of a good forestry program, you should spend a day with Ross Strickland on his tree farm near Romance in White County, Ark.

Ross is retired from military service. He spends most of his time as a sales representative on Okinawa, 7,000 miles from White County. But if you visit with him awhile you know he spends a lot of time thinking about the half-million-plus trees that he has planted on 700 acres of badly eroded cropland that formerly was used primarily for the production of cotton.

It is said that a conservationist is one who sees the land and understands what he sees. Ross began to see and to understand the need for land use changes in 1937 when he was planting trees for the Civilian Conservation Corps.

Ross pointed to a grove of pine and said, "This is the first 40 (acres) that I bought. That was in 1937. I paid $300 for it by taking $10 a month out of my $45 CCC camp check." Down the road he pointed out the old Strickland farmstead where he grew up. It is now surrounded by a young stand of planted pine.

Ross set a fast pace as we toured the 700-acre tract. We crossed numerous old cropland fields all planted in pine varying from 2 to 13 years old. Every field is protected by a well-kept firelane. Occasionally, Ross called our attention to the scars of old gullies now healing under a mulch of pine needles.

Most of the open field tree planting is finished. Ross is now starting his timberstand improvement program on the hillsides that are covered mainly with cull hardwoods. The procedure he uses is to inject 2-4-D at the base of the cull trees.

No phase of conservation is overlooked on the Strickland tree farm. Ted Hall, forester with the State Forestry Service, is a frequent visitor. Ross also works closely with the White County Soil and Water Conservation District, Soil Conservation Service, and the Agricultural Stabilization and Conservation Service people.

LEGISLATION TO INCREASE THE ANNUITIES FOR RETIRED FEDERAL EMPLOYEES

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. DULSKI. Mr. Speaker, while there has been an increase in the standard of living, and a raise in the general economy during the past several years, the standard of living for our Federal retirees and their survivors has remained almost stationary, and in many cases has been lowered due to the tremendous effect the inflationary trend has had on living costs.

Of an approximate 900,000 retired civil employees and their survivors, more than 279,000 receive a monthly annuity of less than $100, and 513,000 receive less than $200 per month. Using a poverty level income of $3,000 per year, 611,000 plus former employees and their survivors are now living in poverty. Of the 900,000 retired civil employees and their survivors, only 220,000 of them have a yearly annuity income of over $3,000. The only way we can correct this great injustice is to grant these former Federal employees a substantial annuity increase and provide a minimum annuity for them

Today, Mr. Speaker, I am introducing a bill that would provide $26 per month increase for all annuitants and survivors whose annuities are now less than $200 per month; 13 percent for those receiving from $200 per month to $300 per month; 9 percent for those receiving more than $300 per month and less than $400; 7 percent for those receiving more than $400 per month but less than $500; and 5 percent for those receiving more than $500 per month.

APOLLO 8: FROM EARTH TO MOON AND BACK AGAIN

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. GOODELL. Mr. President, the progress we have made in conquering outer space is a source of pride and awe to all Americans. The spectacular success of Apollo 8 in its orbital course of the moon is to be applauded as a historic space "first." And the astronauts Anders, Borman, and Lovell, Jr., are to be commended for their outstanding bravery.

From the first suborbital Mercury flight in May 1961, then, to the safe return to earth of the men of Apollo, we are now near our primary objective of landing a man on the moon by the target date of 1970.

I. ASTRONAUT SAFETY

Our race to the moon, spurred on by Soviet launches, nears its finish. It is the last lap, however, which promises to be the most difficult and most complicated. Landing a man on the moon, according to our space plans, will entail the delicate procedure of lunar orbital rendezvous and docking whereby the moon landing vehicle, Lunar Excursion Module (LEM) and its astronauts will return to the Apollo spacecraft for the trip back to earth. Added to this complicated procedure, there are the tremendous hazards to human life presented by the moon's hostile environment. The radiation hazard is of utmost concern. It is estimated that radiation emitted by the sun in the 1969–70 period of solar-flare activity will be exceptionally intense. Prolonged weightlessness and its effects on body metabolism is another hazard as well as the rarely discussed meteoroid dangers.

Overcoming these hazards are critical to the successful completion of our Apollo mission. Preventing the disastrous effects of these hazards will require of our scientists, researchers, medical experts, and businessmen the dedication equaled to the astronauts themselves.

What is of paramount importance as we continue our manned expedition to the moon is astronaut safety: in spacecraft launch, in flight, in moon exploration, and in return to earth.

II. WHAT WE HAVE LEARNED

It may be asked, at this point in space history, what have we accomplished in our race to the moon? We know as we look to the future that by the time the first American lands on the moon over 300,000 persons in hundreds of different companies will have worked years, and over $24 billion will have been spent to put him there.

Present accomplishment can be seen in the acquisition of new knowledge. It is this new knowledge and its practical applications which continue to justify our exploration of outer space.

We have made advances in peaceful uses of outer space, such as in communication satellites, weather satellites and navigation satellites.

We have learned more in the fields of electronics, engineering, biology, and physiology. And this knowledge will be applicable to the solution of important problems here on earth.

Scientific advances have already proved useful in combating air and water pollution as well as in forging ahead with low-cost high-speed urban transit systems.

In the years ahead, advances in the science and engineering of material may mean cheaper and more durable construction materials as well as consumer products. In medicine, scientific discoveries may mean further advances in artificial and transplant organs.

Regarding application of space-related knowledge, I am also interested in the potential of fortified food. Technology has permitted us to produce for the astronauts small capsules of food which can give them all the nutrients they need. I am hopeful that developments in fortified foods may be helpful in further attacking the intolerable facts of hunger and malnutrition in this country.

III. PRIORITIES AND FUTURE SPACE EFFORT

Mr. President, as we approach the annual allocation of our resources, the question of priorities remains a vital one.

With the triumph of Apollo 8, there no doubt will be statements on lunar and planetary goals for the year 2000. No doubt we will be called upon to implement some of the goals calling for manned and unmanned probes of the solar system, such as exploration of Mars and Venus. Then, there will be research plans for study beyond the solar system to the Milky Way and its nearest galaxy, the great Andromeda spiral.

While I urge full funding for the successful completion of the Apollo project, it is appropriate to be thinking about post-Apollo space projects.

It is important that future space program planning take into consideration the following items:

First. A refocusing of our space effort.

The present space program is literally a competitive race to the moon. For post-Apollo space programs, I urge a refocusing of effort to avoid space races and the crash efforts which such races entail. The Treaty on Outer Space of 1967, ratified by the Soviet Union, the United States, and other countries, is a hopeful framework for cooperation in peaceful exploration and use of outer space. I urge that our future space exploration develop as cooperative international scientific endeavors. Present diplomatic efforts can encourage further cooperation in post-Apollo exploration of outer space.

Second. Increased application of space-related knowledge.

When the Apollo project is successfully completed, there will be space funds released for other purposes. While continuing our outer space exploration, I recommend that priority in space spending be given to the application of space-related knowledge to practical advantages for our people. One method of stimulating this is through space contract provisions. Post-Apollo space contracts could perhaps include a conversion provision whereby practical application of space-related knowledge would be encouraged through a 10-percent bonus in contracts.

Mr. President, today we rejoice over the success of Apollo 8. Indeed, it has been called an achievement of humanity—an accomplishment of many countries and many centuries of scientific research and discovery. While we look forward to the time when the first American will set foot on the moon, we must view this and future space programs in the context of the pressing needs of our people. I am hopeful that the new knowledge gained from our space achievements can be increasingly applied here on earth.

COMMISSION ON AFRO-AMERICAN HISTORY AND CULTURE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. KOCH. Mr. Speaker, yesterday I was pleased to join in the cosponsorship of H.R. 3296, a bill to establish a Commission on Afro-American History and Culture. An 11-member Commission appointed by the President would be composed of authorities on Afro-American history and culture, American history, education, journalism, communications, and other related fields. They would study proposals designed to create a better understanding and knowledge of the contributions of Afro-Americans to the American environment.

Such a Commission comes at a time when we find growing evidence of a positive awakening among the blacks, the development of self-pride and identity as a people. Attitudes and values are changing as the blacks begin to be themselves instead of accepting the values and trappings of Western European culture without questioning its validity. This development is extremely important, not only for the entire black community, but for Americans of all races.

The proposal for this Commission has been long overdue. Its findings would contribute greatly to the enrichment of our historical and cultural heritage. We have seen limited and scattered efforts by some in the communications field to give balanced reporting to improve the situation. One can hope that the Commission will provide a further impetus and coordinate these efforts on a large scale.

Recent history has demonstrated all too sharply the need to bridge the gap and prevent the creation of two separate and unequal societies. In such times of division—between black and white, rich and poor—the search for positive values among men may well serve to mend our deep racial wounds.

ENVIRONMENTAL QUALITY

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. BAYH. Mr. President, there is a growing awareness that our environment has a limited capacity to assimilate the waste materials generated by man. During the past two centuries, most governments of the world have devoted their efforts to the accumulation of material prosperity in the belief that man has the biological capability to adjust endlessly to his environment. However, this has been shown not to be the case.

Senator WILLIAM B. SPONG, JR., of Virginia, a member of the Senate Subcommittee on Air and Water Pollution, discussed the seriousness of our environmental problems and the need to correct them in an address before the third annual Macklin Memorial lecture series at the Portsmouth Naval Hospital. His remarks will be of interest to every Member of the Senate, and I ask unanimous consent that they be printed in the Extensions of Remarks in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM REMARKS PREPARED BY U.S. SENATOR WILLIAM B. SPONG, JR.

The United States is a land of abundance and progress. Its rate of natural population increase is well below that of most developing countries, and it is slackening at the moment rather than accelerating. Moreover, the technical and economic development of the United States makes it possible to accommodate a growing population much more readily than can most other countries.

Even if our population surpasses 300 million by the end of the century—as the continuation of present fertility and mortality trends implies—we can probably continue to increase the average standard of living of the American population.

By comparison with underdeveloped nations, the problems of population growth in the United States seems slight. But this relative view of the problem may be misleading, for if present fertility and mortality trend persist, our population will surpass the present world population in a century and a half. And in about 650 years, there would be one person per square foot throughout the United States. In the very long run, the continued growth of our population would first become intolerable and then physically impossible.

Even on a short range basis, population increases can produce acute social, educational and economic problems. Our schools and colleges are already being subjected to severe strains because of greatly increased numbers of students and the requirement to maintain property standards of quality. Despite the overall soundness of our economy, millions of our citizens cannot find work, and the unemployment problem is compounded by automation and by the increasing number of young people entering the labor force. The post-war population boom aggravates such urban problems as slums, delinquency, pollution and traffic congestion. And a swelling population threatens to consume our outdoor recreation facilities, reduce our nonrenewable resources, and diminish our available living space.

The population of the United States has grown from less than four million at the time of Washington's first inauguration to more than 200 million in 1968. This statistic needs amplification to understand the full scope of the problem. One hundred and twenty-five years elapsed from the time of the first census in 1790 until the population of the United States reached the 100 million mark in 1915. The second 100 million took just 52 years, and was reached last year. The third 100 million will come in the next 32 years—by the year 2000.

This growth would probably cause no great problems were it not for the fact that our population has tended to concentrate in relatively few areas. In Washington's day there were only about 320,000 persons residing in what we know as cities. Today, more than 140 million Americans are crowded on just two percent of the land. About 60 million Americans live on 98 per cent of the land. If the present trend continues for another 25 years, 100 million additional people will be stacked on top of the 140 million already living in our cities and suburbs.

No one knows enough about human behavior to predict accurately how man would react to such conditions, but a number of studies have been conducted on the effect of crowding on animal behavior. One scientist has carried out an interesting series of experiments with rats. He found that several behavioral changes accompanied overcrowding. Nest-building and maternal care were disrupted with a consequent high infant mortality. Mating behavior changed, and many males became both homosexual and cannibalistic.

Insects, on the other hand, apparently react differently to overcrowding. The normal summer forms of many species of aphids, for example, are wingless, and reproduce parthenogenetically. But when they become overcrowded, scientists have found that winged sexual forms develop. Wings obviously enable these forms to find new and less crowded situations.

Biologists have also found that as locusts become more and more crowded, both their appearance and their behavior undergo changes. They become nervous and irritable before they acquire adult wings. Finally, they migrate by the billions to regions where the species cannot survive, often out to sea to an inevitable mass suicide.

It is tempting to draw an analogy between man and the locust, but I understand scientists see no clear relation with the human species between regional population density and behavior.

Since earliest civilization, man has used his environment to assimilate his waste products. And until relatively a few years ago, there was no evidence of any adverse effects. In the process of transforming matter into energy through combustion, and of synthesizing new products through chemistry, man has used the air and water as dumping grounds for his wastes. But now we find we are pouring wastes into the environment at a rate faster than nature can reprocess them. The evidence that we have exceeded nature's assimilative capacity shows up in the form of polluted rivers, algae-covered lakes and smog-fouled atmosphere.

We are pouring carbon monoxide, sulfur oxides and other potentially dangerous pollutants into the atmosphere in the United States at a rate of 125 million tons per year. Our per capita production of rubbish has risen from 2.75 pounds per day to more than five pounds per day, and it is believed to be increasing at an average rate of 5 per cent per year. For our present population, this means an excess of 250 million pounds of municipal solid waste per year.

With the growth of urban areas, we are placing an increasingly heavy pollution pressure on a small fraction of our environment. In the megalopoles of the future—the continuous strip cities as those which soon will extend from Boston to Norfolk—the problems of waste removal and avoidance of pollution will be on the same scale as the problems of food and water supply, and of human transportation. In looking ahead we must recognize that we are running out of places to put waste materials. The population of the nation is so distributed that no convenient dumping grounds, streams or air masses exist which are not also the natural resources of others.

Man leaves his debris of automobiles, cans, bottles, plastics and chemicals about the landscape, and lets his organic refuse of garbage and sewage be funneled into the rivers and streams to be washed to sea. He does not return the used minerals to the factory for reprocessing or the nutrients to the soil, but draws on new concentrated supplies available in nature. Clearly, such a way of life cannot continue indefinitely.

Serious thought must be given to the possibility of eliminating the dead ends in our production and distribution systems. This often can be accomplished by the planned recycling of materials. The more effective the recycling, the less will be the residual wastes which remain for disposal, and the more efficient will be the utilization of our resources.

While industry can be expected to exploit any major possibility for profitable recycling that available markets suggest, the eventual establishment and enforcement of air and water quality standards called for under existing law will no doubt stimulate additional recycling technology to help offset the cost of pollution control equipment and abatement procedures. Recycling will never achieve 100 per cent efficiency, but if it can improve upon its present efficiency, man's lifespan on earth will be much longer.

It has become increasingly clear that the objective of a quality environment for all Americans is a top-priority national goal which takes precedence over the pursuit of narrower and more immediate goals. Unfortunately, our productive technology has been accompanied by side effects which we did not foresee. Experience has shown that there are dangers as well as benefits in our industrialization. It is now becoming apparent that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control. To obtain this control and to protect our investment in all that we have accomplished, a national policy for the environment is needed.

We have the fragments of such a policy in our aid and water pollution laws, but as yet there has been no broad statement or a comprehensive policy for the enhancement of our environment. There are differences of opinion as to the severity and relative urgency of various hazards to the environment. Some scientists believe that man's environmental relationships have reached a point of crisis; others do not see the condition of the environment generally as having yet reached a critical stage. There is a general consensus, however, that a serious state of affairs exists and that, at the least, it is approaching a crisis of national and international proportions.

The nation probably would have adopted a policy long ago for the management of its environment had its people recognized that the costs of misusing the environment were ultimately unavoidable. This recognition came late because environmental deterioration in the past has tended to be gradual, so that it was not apparent that any cost was being exacted, and because the right to degrade the environment was generally accepted—or at least tolerated. Acceptance of the adverse effects of economic production was encouraged in the belief that costs projected onto the environment were costs that no one had to pay.

We have reached the point where we can no longer pass on to nature the costs of using the environment. It is no longer feasible for the American people to permit it. The deferral of charge by letting them accumulate in the form of the slow attrition of the environment soon will no longer be possible. This means that provision must be made for the protection and rehabilitation of elements before, or at the time, these resources are used. Later may be too late.

Hippocrates, some 2,500 years ago, foresaw the strong interrelationship between man and his environment, and his beautiful and accurate assessment bears repeating today. He wrote: "That physician is an honor to his profession who has been led through the whole circle of the sciences; who has a due regard to the seasons of the year, and the diseases which they are observed to produce, . . . to the states of the wind peculiar to each country, and the qualities of its waters; who marks carefully the localities of towns, and of the surrounding country, whether they are low or high, hot or cold, wet or dry; who, moreover, neglects not to mark the diet and regimen of the inhabitants and, in a word, all the causes which may produce disorder in the animal economy."

INAUGURAL ADDRESS OF GOV. RICHARD B. OGILVIE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. MICHEL. Mr. Speaker, last Monday it was my good fortune to attend the inauguration of our new Governor in Illinois, Richard B. Ogilvie. He delivered what I consider to be a very outstanding inaugural address, simple in form and word, but very direct and to the point. I include the full text of Governor Ogilvie's speech at this point in the RECORD, together with the editorial comment from the Chicago Sun-Times and Chicago Tribune:

TEXT OF GOVERNOR OGILVIE'S INAUGURAL ADDRESS

Gov. Shapiro, fellow citizens of Illinois.

We are gathered here today in the city of Lincoln in a time of paradox, a time that embraces the best and the worst.

We are plagued by a war, by poverty and ignorance, and by increasing violence and crimes against our people.

Yet the words of Theodore Roosevelt still ring true that no people on earth have more cause to be thankful than ours. We are "the heirs of the ages."

For it is true that more Americans than ever before are sharing an unparalleled material prosperity. We are sharing freedom under a unique government which has survived nobly while kingdoms and dictatorships and even other republics have toppled.

And, as seldom before, Americans are exercising a right vital to our way of life—the right to criticize ourselves and our conduct of our government.

Voices are raised in dissent and protest, and there is a crisis of alienation among us.

Within the boundaries which respect the rights of others, the voices must be heard. For there is much to learn to build a better land for all.

But lawless conduct beyond these bounds tears down; it does not build. And it strikes at the foundation of this unique government which is part of our spiritual heritage.

The black man, the youth and the philosopher who protest are demanding change, and they confront our conscience the way slavery, the sweatshops and other hypocrisy of earlier times stirred Americans.

Change of all kinds envelops us, and change itself sometimes seems to be the only certainty we have. The challenge of change is to harness it to bring man into harmony and balance with himself and his world.

Because of scientific change, we can defy age and disease and the heavens. We can fly into space, yet often it takes longer to cross our cities. We can build miraculous computing machines, yet we are balked in our attempt to bring education to all our children. Our minds form concepts of limitless extent, yet we must grope to find solutions to crime.

We should recognize that there is another certainty besides change—the unchanging basis of our unity, our institutions and our common beliefs: And that is our commitment to an America which Judge Learned Hand said may never be "except as the conscience and courage of Americans create it."

This unchanging belief and hope is the root of the present crisis of dissent and alienation.

We can't stand prosperity—when too many are still poor. We cannot fully accept the explosion of knowledge—when it pushes some ever higher and others into deepening ignorance. We are uncomfortable at the gap between what we believe and what we have achieved.

But none of us should forget that we share common traditions and common aspirations, and we shall share a common fate.

We are gathered here today in affirmation of this unity and this common faith in our capacity to achieve our highest aims under self-government.

The occasion of our gathering is timeless and familiar, but the challenge is ever new. It is a time, as President Wilson said, when "men's hopes call upon us to say what we will do."

I am proud to stand before you as your governor. And I am deeply conscious of the demands on the office of governor to serve with equal devotion the hopes of Cairo and Chicago, of young and old, of black and white.

As we begin this new administration in Illinois, let us bow to the past and to those whose time of service has ended. Let us look to the future, too. But above all, let us commit ourselves to the present and to present action.

None of us can predict with certainty the full nature or extent of the problems we will face in the next four years. But we can establish how we will perform.

We can determine now the nature of our conduct, the quality of our response, and the character of our stewardship.

We shall hold no objective more important that to mobilize the full force of this state government against poverty and ignorance.

For these are the twin scourges of our society. They are the roots of crime and of the decay of our cities.

In this effort, we shall take the initiative—searching our problems and solutions, rather than waiting to react when situations have become crises.

As a vital part of our concern for social problems, we shall move to exploit our economic potential for the benefit of all the people, and in so doing we shall improve our already prestigious economic position among the states.

Further, we shall preserve and restore our natural resources. For we are seemingly at war not only with ourselves, but also with nature. We have the power to destroy nature, and we have already done so to an alarming degree. This process must be stopped—in fact, rolled back.

We are not content to stop short of that America which our conscience and courage can create. And our expectations are ever rising.

We expect more of life, and we expect more of government, both for ourselves and for the less fortunate. With your support, this new administration can match its efforts to our collective expectations.

Our goal is simply this: to enlarge the opportunities and satisfactions of life in Illinois.

Bearing this in mind, let us work together, putting aside partisanship in a common effort to achieve common goals.

Let our actions be based always on respect for individual dignity.

Let us rededicate ourselves to individual opportunity and to individual responsibility, the great human developers.

For our part, we in this new administration pledge to be responsive to the needs and the will of the people. Our purpose must be to serve.

We pledge to create effective checks on official arbitrariness and abuses.

We pledge to operate this administration in a spirit of full disclosure, assuring public access to public information.

And we pledge to work for diffusion of official power and responsibility so that state and local governments—the governments closest to the people—can succeed in partnership with the federal government.

In State government itself, self-discipline and innovation must go hand in hand.

State government must be reorganized to become a management tool for accomplishment. It must be sharpened to become the agent for constructive change instead of the custodian of an accumulation of separate and unresponsive agencies and programs.

There is no use in shuffling the boxes around on an organization chart if Illinois begs in Washington and quarrels with its own cities.

We must have a strict system of priorities under annual budget controls that will help us do our most important jobs well, while letting other tasks wait their turn.

We have sought—and continue to seek—men in government who are devoted to work, animated by principle, and committed to success.

They must find better ways of doing the traditional jobs of state government, and they must have the perception to recognize new needs and goals.

All of us must discipline ourselves so that we can work effectively with all sections of the state, to avoid bickering our way into stalemate.

We are going to think not in terms of human misery, but in terms of increasing the potential for human happiness.

We are going to attempt to turn life's dead-end streets into new avenues of opportunity.

Our prisons and mental hospitals must not be ends in themselves, but rather they must be means to repair and renew human lives.

Above all, we must put an end to the historic split between Chicago and the rest of the state. This dichotomy has cost us dearly in wasted bitterness and squandered effort.

More than ever before, the different parts of Illinois, like the different parts of the nation, are united in their interdependence. No single section can stand apart from the rest. We are all Illinoisans together, and together we must make progress in the cities, in the suburbs, in the towns, and on the farms.

All our goals, in short, must be positive—to heal where there is hurt, to rebuild where there is damage, to succeed where we have failed.

In the days ahead, we have one special and immense opportunity. And that is to create a new Constitution.

The Constitutional Convention can write a new document that will live and grow, and will provide a rational basis for fair taxation and fiscal responsibility. No other task before us will demand such a moratorium on partisanship and such an exercise in citizen involvement.

In the convention, in new legislation, in all our acts and thinking, we must work together. We must stay together.

And now, on this day of dedication, I ask you all to join in a new partnership for Illinois.

We ask more of government, more of life itself. And we must give more of ourselves for what we seek. This is the sacrifice demanded for success.

For myself, I ask for your prayers. For Illinois, I ask for your time, your talent, your ideas, and, yes, your criticism.

All of us meeting here today might well remember Lincoln's admonition to a clergyman who said he hoped the Lord would be "on our side."

Lincoln replied: "The Lord is always on the side of the right. But it is my constant anxiety and prayer that I and this nation should be on the Lord's side."

So let it be for us today. For what each of us will do will be judged by our consciences and our Maker.

The final judgment will be the sum of each of our days—of what we did, or did not do, day by day.

Together we can seek the best we believe in for Illinois. This is our land, and the people shall prevail. This is our America that Carl Sandburg called . . .

Seeker and finder,
Yet ever more seeker
Than finder, ever seeking its way
Amid storm and dream.

And now, confident in our dream and in our abilities, let us seek the Illinois of tomorrow. Together, we will not fail.

[From the Chicago (Ill.) Sun-Times, Jan. 14, 1969]

OGILVIE'S HIGH-MINDED START

Gov. Ogilvie's inaugural address was an excellent exposition of political philosophy.

True, he did not go into details on the hard problems he and the Legislature and his political opposition, the Democrats, must tackle if all of the social objectives the new governor listed are to be realized.

An inaugural speech is not supposed to be a working plan of action; it is supposed to set the mood of the office. Four years ago, Gov. Kerner also spoke of his goals in broad generalities, with details to come later.

Four years ago, we noted that Gov. Kerner faced two big problems: the state's tax system is archiac and the public schools deserve a big boost in state aid.

Those are still two major problems for Illinois and for Gov. Ogilvie. What is done about them will go directly to the heart of what Gov. Ogilvie said was his most important objective: to mobilize the full force of state government against poverty and ignorance.

"For these," he said, "Are the twin scourges of our society. They are the roots of crime and of the decay of our cities."

The problems of poverty and ignorance, of crime and urban decay, are not the problems of Chicago alone and Gov. Ogilvie deserves a special salute for his reminder that the historic split between Chicago and Downstate has cost all Illinoisans dearly in wasted bitterness and squandered effort.

The problems of today's society—the protests of the black man, youth and others whose voices are raised in dissent—are not big city problems alone. They affect Rockford and Peoria and Cairo. They will not be solved by Democratic solutions or Republican solutions but by all Illinoisans working together. That was the gist of Ogilvie's philosophy.

Certainly these are broad generalities; they sound politically Pollyanish. But Ogilvie gave a practical example of what he had in mind. He appeared, as Sun-Times political editor John Dreiske noted, to be pledging that the public interest will not suffer from quarrels between him, as Republican leader of Illinois, and Mayor Daley, Democratic leader of Illinois.

Ogilvie has recanted his one-time threat to "dismantle" the Daley organization. He needs Daley's help to solve the state's problems. Daley needs Ogilvie's help to solve Chicago's problems. The people come first, not partisan advantage.

Illinois can take a great leap forward in the next few months. A new Constitution is to be written. It can provide a rational basis for fair taxation and modernize the backward state government. It should be accomplished without political partisanship and with citizen involvement, as Ogilvie noted. We hope that means he will support an open election of delegates as we did on this page yesterday.

Ogilvie pledged a new partnership for Illinois, to serve with equal devotion the hopes of Chicago and Cairo, of young and old, of black and white. He begins with full consciousness that American society is undergoing great change and that government must respond. That, in itself, is a good start for the new Republican governor.

[From the Chicago (Ill.) Tribune, Jan. 14, 1969]

EXIT GOVERNOR SHAPIRO, ENTER GOVERNOR OGILVIE

During most of his 7½ months as governor of Illinois Samuel Shapiro conducted himself with dignity and tried to advance the welfare of the state. It is a shame that his generally good record has been wrecked by two eleventh-hour acts of political spoilsmanship.

The first came in late November after he had been defeated for the governorship by Richard Ogilvie. In a crude, obvious attempt to embarrass the governor-elect, Gov. Shapiro blanketed into the civil service system 5,950 state employes—all holders of Democratic patronage appointments. The move was solely for the benefit of the Democratic party.

Mr. Shapiro's second sneak play came on the eve of his departure from the executive mansion. He appointed 11 judges—10 Democrats and one Republican—to fill vacancies, altho he conceded that the appointments were of doubtful constitutionality. It was a last-minute effort to graft deserving Democrats onto the public payroll.

The validity of the judicial appointments will be tested in the Illinois Supreme court, which no doubt will give the question careful consideration. The judicial article of the state constitution, which became effective five years ago, provides for only one way to fill judicial vacancies, and that is by election at a general election. In 1967 the legislature passed, as a rider to an appropriation bill, a measure giving the governor power to appoint judges to fill vacancies. Former Gov. Otto Kerner signed this bill but never exercised the power, presumably because he doubted its constitutionality.

Sound arguments can be made for amending the constitution to give the governor this power, and the issue is sure to be considered by the coming constitutional convention. Many leaders of the Chicago and Illinois bar associations believe the constitution ought to give the governor power to appoint all judges on recommendation of a commission of lawyers and laymen. The present practice is to have candidates for leaders, and some of the choices, are, to say the least, of doubtful merit.

In some other states all judges are appointed by the governors. The system works well in places where governors, under the pressure of tradition and public opinion, sincerely try to pick qualified men and to minimize political angles. The system might work in Illinois, if we had a practical way to screen candidates and a governor determined to have qualified judges. Such a system, of course, would be quite unlike the sudden appointment of 11 judges by a lame duck governor with no responsibility to anybody and with no clear authority to make the appointments.

We regret this cheap performance by Mr. Shapiro, and we are disappointed. When he was sworn in as governor last May we expressed the hope that he would work for the best interests of the state.

Yesterday Richard Ogilvie, a Republican, took the oath of office as the 35th governor of Illinois. In his inaugural address he promised to serve "with equal devotion the hopes of Cairo and Chicago, of young and old, of black and white." He urged that political partisanship be put aside in the task of reversing the state constitution.

Gov. Ogilvie has inherited a tough job, but he has one important advantage over his Democratic predecessors: He does not have to dance and sing according to the tunes played in the Chicago City hall. He could be a great governor. We hope he will be.

THE ALARMING DECLINE OF OUR MILITARY POWER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. THURMOND. Mr. President, it was made crystal clear during the election campaign that the Soviet Union is rapidly closing the security gap. This was emphasized by Mr. Nixon and many other statesmen during the past year.

The Soviet Union's military strength is steadily increasing while the U.S. strength is declining. They are rapidly overtaking the United States in the production of missiles, ships, and aircraft.

Mr. President, ineffective policies have been leading us toward a status of a second-rate power compared with the Soviets. They are rapidly taking advantage of this balance of power. We must insure that we maintain overwhelming superiority. The concept of parity is military and political suicide. The Czech tragedy demonstrates the audacity of the Soviets to use their rapidly increasing strength in the face of a declining NATO. Our own support of NATO and especially our allied support have been on the decrease. NATO must be reinvigorated.

The Soviets are challenging our supremacy on the high seas. They are moving into the Mediterranean in mammoth numbers and using their naval strength to a political advantage.

Mr. President, it is my purpose at this time at the very beginning of our session to alert my distinguished colleagues once more of the danger that lies ahead. It is time for action and not words. Many military experts and statesmen have pointed out the deficiencies in our military preparedness. One of the most renowned military experts has summarized the security gaps that exist. Mr. Hanson W. Baldwin, military analyst for the New York Times, made it very clear in his article in the December 1968 issue of the Reader's Digest, entitled "The Alarming Decline of Our Military Power."

Mr. President, I ask unanimous consent that this article be printed in the Extensions of Remarks of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The Alarming Decline of Our Military Power

(NOTE.—A long accumulation of misguided policies and shortsighted decisions has seriously depleted the fighting strength of our military establishment. In the first of a series of articles, the retired military editor of the New York Times assesses their disastrous effects on our ground forces.)

(By Hanson W. Baldwin)

"The next President has got to fish or cut bait—go all out to remedy defense weaknesses or reconcile himself to a position of military inferiority to Soviet Russia."

This recent judgment by an experienced officer reflects the seriousness with which many professional military men and informed Congressmen view the deterioration in the U.S. military posture over the past five years. Most of them believe that the United States still retains superior strength. But they agree that unless the new Administration acts quickly, the U.S.S.R will soon be in many respects the strongest military power in the world.

PROOF IN PRAGUE

The Czechoslovak invasion provided abundant evidence of the combat effectiveness and high degree of readiness of the Russian ground troops. Their move by road, railroad and air was made with clocklike precision, evidence of skilled and careful planning. More important, it forced our intelligence agencies to take a new look at the Soviet order of battle.

The invasion originally brought about 15 Soviet divisions, or elements of divisions, into Czechoslovakia, and the Russians increased this force later. Before the invasion there were 20 Soviet divisions in East Germany, two in Poland and four in Hungary; this fall there were an additional 23 Soviet divisions in Czechoslovakia. Some of the Soviet invasion divisions are returning to Russia, but intelligence sources estimate at least eight to ten are preparing for a long stay. Thus the slim and ineffective NATO forces on the central front—outnumbered three or four to one—face at least 35 to 45 Soviet divisions in Central Europe, deployed *outside* the frontiers of the U.S.S.R.

The Soviet strength within easy striking distance of the vital centers of Western Europe has therefore been heavily increased. Even more important, the Russian mobilization system and army organization have proved to be adaptable to more rapid reinforcement than we had anticipated. For example, some of the Russian divisions in East Germany were used in Czechoslovakia; they were replaced by new divisions from Russia. But these so-called depot divisions were carried on our order of battle as "cadred," or incomplete, divisions, which would require a lengthy period of "fleshing out" with recalled reservists, more equipment and training. In actual fact, the divisions were ready considerably faster than most NATO reserve divisions could have been deployed.

Perhaps even more important and more ominous, the communications intelligence—the intercepted messages upon which we depended to give us warning of Soviet troop movements—was lacking. Thus the Russians moved quietly without signaling their punch, a tribute to their planning and discipline, and a precedent, as some intelligence officers have warned, of what might happen if the U.S.S.R. ever moved against West Germany.

The quality of Russian equipment, too, has been demonstrated in Vietnam, where Soviet-type weapons used by the Vietcong have proved formidable. The AK-47 rifle is one of the finest in the world, more rugged and reliable than our own M-16. Their 122 mm. rocket has exceptional power and accuracy, and the shoulder-fired anti-tank weapons have proved lethal to our tanks and riverboats.

CRUST OF POWER

These evidences of rapid Russian military progress would cause less concern in Washington if our own ground forces had been maintained and trained at optimum effectiveness, and if our research, development and production efforts had not been stinted. But except for units in Vietnam, U.S. military strength, particularly that part earmarked for non-nuclear war, is in many respects a crust of power without much solid substance to support it.

After the invasion of Czechoslovakia, the Pentagon hurriedly reassessed our ability to meet a military emergency in Europe. The result was a foregone conclusion to experts who have watched the slow emasculation of the country's military power. We could not possibly honor our NATO commitments. The two brigades of the 24th Division which were returned to this country a few months ago from Germany and were supposed to be instantly ready for aerial redeployment back to Germany could not be ready for four months; the 1st and 2nd Armored Divisions in Texas, assigned to the Strategic Reserve, therefore available to NATO in an emergency, and supposed to be ready in 30 days, were in a similar state of unreadiness; the 5th Infantry Division, also committed to the Strategic Reserve, had sent one brigade to Vietnam, and the rest of the division could not be ready for deployment in less than three months.

The same sorry picture emerges wherever U.S. armed forces are stationed, with Vietnam the only exception. Inventories have been drawn down, spare parts diminished, technicians transferred to Vietnam. Congress was recently told that the Seventh Army troops in Germany probably could not fight more than a couple of weeks without quick and massive reinforcement. Yet the Army reserve in this country—units supposed to be ready for quick deployment to trouble spots overseas—has already been "cadred to death," as the Army puts it, to meet needs in Vietnam.

Furthermore, support and logistic strength has been so heavily thinned out in recent years—with spare parts and important items of equipment missing or in short supply—that the Seventh Army cannot even maintain adequately the weapons and equipment of the active units in Germany, much less the weapons and equipment stored there for reinforcing units supposed to be flown to Europe in time of crisis.

FALLACIOUS ASSUMPTION

The weakening of the U.S. global military posture in the past five years has been little noticed by the public, but in Washington it is one of the major restraints that now limit and handicap U.S. diplomacy. Why has this deterioration in our once unchallenged position of power come about?

The "doves" would give a simplistic answer: Vietnam. But this is only part of the problem. In some ways Vietnam has acted as a catalyst to strengthen our armed forces; it has forced the development of new equipment, new tactics, new organizations, and has stimulated training.

The real answer is more complex. We could not have expected, no matter how many billions we spent, to hold a position completely unchallenged by Soviet Russia. But U.S. policies of the 1960s have actually helped the U.S.S.R. to close the gap in military strength. The concepts that parity in weapons is a stabilizing and desirable political factor, that Russia would not develop new weapons if we did not, and that the technological revolution had reached a plateau, found receptive audiences among scientists, civilian experts in the Pentagon and State Department and some politicians. Because of these fallacious assumptions we have not attempted to meet the rapid Soviet increases in strength with adequate responses of our own.

There has also been a marked tendency in Washington to underestimate or downgrade the potential enemy. The Defense Department, for instance, forced the Army early in the administration of former Secretary of Defense Robert S. McNamara to reduce its estimate of the number of Soviet divisions and their readiness. Now, with Czechoslovakia, the chicken has come home to roost; a detailed and hasty reappraisal of Soviet ground strength is under way which, so far, tends to support the discarded Army view.

The tightly centralized control established in the Pentagon by McNamara, the repeated computer analyses of new projects, and the system of studies, reviews and restudy that has developed since 1960 have greatly slowed the development of new weapons. The United States now often takes considerably longer than the U.S.S.R. to develop a new weapons system. The checks and rechecks were in some measure desirable, but like most bureaucratic innovations they have got out of hand; systems-analysis and cost-effectiveness studies are now the tail that wags the dog. Vice Adm. Hyman Rickover has repeatedly scored in biting language the substitution of computer analysis for professional knowledge and experience and the "studying to death" of nearly every new project. The slowdown in the Pentagon has seriously affected our capability to respond rapidly to technological challenge.

RISKS OF RATIONING

The Administration's basic war policies—"guns-and-butter," "business-as-usual"—have been another major contributory element in America's military decline. The decision to fight the war in Vietnam without mobilization, and the policy of gradualism—the slow buildup in our strength in Vietnam to increase gradually the pressure on the enemy—inevitably meant that the war would be fought at the expense of the services, that their global strength would be watered down as their efforts were concentrated on prosecuting the war in Vietnam.

The policy of trying to fight a war by providing "just enough, but not too much" in order to avoid the surplus stocks and equipment that have followed every other war has inevitably led—since no one can possibly foresee all requirements—to periodic scarcities in Vietnam, to shortages of equipment and inventories on a worldwide basis. The theory, still being followed in the Pentagon, is that these shortages will be made up as the munitions factories continue an orderly production *after* the fighting in Vietnam ends. This policy obviously involves risks, and the Czechoslovak crisis exposed them.

The political and domestic turbulence of the past 18 months has also been responsible for a further weakening of our relative defense position. As its price for a tax increase, Congress insisted upon a $6-billion cut in the Presdent's budget. A really significant part of this cut, $3 billion, was allocated to the Defense Department. Consequently the armed services are in the unprecedented position of decommissioning active units and demobilizing reservists in the midst of war. And the cuts have forced the further postponement of projects already long deferred.

STILL A GIANT

Billions for security or great chinks in our armor—this is the basic dilemma the new Administration faces. Some experts believe that this decision will be the most difficult and portentous any President has considered since World War II. For the weaknesses and deficiencies in our military posture are becoming so glaring that not even the end of the Vietnam war, as Secretary of Defense Clark Clifford has already pointed out, can mean any precipitate reduction in defense expenditures—if we are to work for peace from a position of strength, which is the only persuasive way of dealing with the communists.

The rapidly changing shift in the power equation is not, by any means, limited to ground forces. In recent years, overall Soviet strength has increased so rapidly that there is overwhelming evidence of major technological and quantitative advances in nearly every aspect of military strength. The changing balance of strategic power in naval, air and nuclear forces will be examined in forthcoming articles.

We have not yet become a second-class power. It is the eleventh hour, but not yet the 59th minute. The Vietnam war, frustrating as it is, has not even strained potential American capabilities. We are still a giant among nations, with the greatest industrial base and the strongest technological competence in the world. It is our ready military strength, our active forces and their immediate backup that require reinforcement; our depleted stockpiles must be refilled, our thinned-out units manned to full strength, and our research and development speeded up.

The next President must see that there is little substance to political and diplomatic power, when then chips are down, without military strength.

THE CAMPUS MUST DEFEND ITSELF

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. WYMAN. Mr. Speaker, campus dissent has gone beyond the law and the Constitution into plain criminal trespass and worse. The time has come to deal swiftly and firmly with those who deliberately break the law on the campuses of the United States.

Preferably this approach is best handled within each institution as a matter of administrative direction of enforcement procedures. In this connection I commend a reading of the following editorial appearing in the New York Times on December 29, 1968:

THE CAMPUS MUST DEFEND ITSELF

The holiday ceasefire on college campuses provides opportunity for soul searching as well as the taping up of cracked heads. College students deserve welcome as a vital force in the reform of American higher education. But students' rights do not include such coercion and lawlessness as have recently been practiced by small bands of self-styled revolutionaries from coast to coast.

Speakers on campus are silenced by mob action; dictatorial fringe groups, often joined by self-serving faculty dissidents, interfere with the orderly conduct of campus business and frequently obstruct the will of the majority.

At Harvard, a faculty meeting was invaded and disrupted. At Columbia, a student-run hearing was turned into a shambles of vulgarity. At Cornell, demonstrations were staged in reading rooms and books vandalized. At other major institutions throughout the country, similar infringements of free speech and basic human rights have taken place. Violence on some California campuses has led to a virtual state of martial law.

It is an act of total irresponsibility to the interests of higher education to condone as youthful idealism what is in reality a contemptible game of guerrilla warfare. These forays are cynically calculated to provoke the use of police as a means of "radicalizing" the campus for political, not intellectual, ends.

There is indeed a need for extensive reforms of the colleges and universities. But contrary to the New Left-Fascist dialectic of the campus revolutionaries, legitimate channels for peaceful, considered change and revision are available, provided students and faculty are willing to work for progress rather than man synthetic barricades in front of the TV cameras.

Today's student nihilists are too young to remember and too illiberal to respect the meaning of battles so recently waged, and won, in defense of academic freedom. But that solid core of the academic community which, little more than a decade ago, upheld free speech on the nation's campuses against the censorship efforts of right-wing radicals is not prepared to surrender to another but equally vicious form of intolerance from the New Left now.

Fanatics always cloak their crusades under delusions of moral superiority. To cite youth as a mitigating circumstance is only to damage the credibility of students as potential partners in the academic reform movement. That would be a serious loss. To prevent this, the larger campus community—faculty, students and administration—no longer has any viable alternative to taking the harshest action available on campus without abridgement of due process; expulsion or suspension of these arrogant subverters of academic freedom. There can be neither learning nor reform under nightstick or riot gun.

The time has come to make it clear that the campuses will not be a sanctuary to those who, in the pursuit of their adolescent revolutionary games, jeopardize liberal scholarship and liberty itself.

QUESTIONS RAISED ON QUALITY OF NATION'S DRINKING WATER

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, January 15, 1969

Mr. BOGGS. Mr. President, the November issue of McCall's magazine carries an article by David Peter Sachs which contends that—

> One out of every two Americans is drinking water of unknown quality or water that may not measure up to federal standards.

I have been aware that this was approximately the case since the report submitted last year by the task force on environmental health and related problems. This report to the Secretary of Health, Education, and Welfare stated that 50 million Americans are now drinking water that does not meet public health standards and another 45 million are drinking water that has not been tested by the Public Health Service.

The McCall's article points out the communities of our Nation where water supplies are rated only "provisional" by the U.S. Public Health Service. This means that their safety margin may be dangerously narrow.

Mr. President, this article helps to underscore how far we have to go in our Nation to insure pure drinking water for all our citizens. The Water Quality Act of 1965 is designed "to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution."

It is my hope that the 91st Congress will weigh carefully the need for maximum Federal participation in what certainly will be a long and costly effort to make all our drinking water wholesome.

I ask unanimous consent that this article, together with a table rating the water in various cities in the Nation, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ARTICLE BY MR. SACHS

One out of every two Americans is drinking water of unknown quality or water that may not measure up to federal standards. These are the shocking figures uncovered by McCall's researchers, working with evidence supplied by the United States Public Health Service. Millions of Americans live under the potential threat of water contamination. Their drinking-water supply may be rated "improvement required" or even "a potential health hazard."

What this means is that millions of Americans are living under the constant threat of epidemics and other hazards. And the more aspects of the federal standards that are violated, the greater the chances of damage to health become.

One significant fact emerging from this study is that those areas requiring the greatest quantities of clean water have the least. More than half the faucets in Delaware, New York, New Jersey, and Pennsylvania are pouring inferior water into the drinking glasses of the population. Massachusetts, the fifth key state in the vast urban corridor extending from Boston through New York City to Washington, serves more than half a million of the people of its commonwealth from nonapproved water supplies. On the basis of available statistics, it is estimated that two thirds of New York State residents, plus a million New Jersey dwellers and nearly half a million Pennsylvanians, all are drinking substandard water.

While the drinking water in New York City is perfectly safe, the city is poorly prepared to face a water crisis, a fact that the drought of 1965 clearly demonstrated. Manhattan Island is, in fact, an incredible paradox. The Hudson River, a fresh-water river that could easily satisfy New York's drinking-water needs, is so polluted that this use is impossible. Nor does the city have a plant capable of making this water potable. New York's search for clean water extends all the way to the Catskills, 125 miles away.

All drinking water, naturally, flows from a source, and after it has been used, it eventually goes back to that source. The more polluted the source becomes, the harder it is to make the water fit for use. It's a vicious circle, and in New York the sources have become so polluted they can't supply drinking water. What is happening is that the polluting habits of the American people are contaminating the water faster than it can be purified by existing facilities.

In its official standards books, the Public Health Service points out: "Knowledge of physical defects or of the existence of other health hazards in the water-supply system is evidence of a deficiency in protection of the water supply. Even though water-quality analyses have indicated that the quality requirements have been met, the deficiencies must be corrected before the supply can be considered safe."

In other words, polluted water poses a health threat and cannot be used for drinking.

As internationally known engineer and urban planner Dr. Athelstan Spilhaus, president of Philadelphia's Franklin Institute, has plainly put it, "Pollution doesn't just happen. *People* cause pollution." He was referring to *concentrations* of people, living in the high-density environment of towns and cities.

Water pollution is the scourge of our country, all the way from the agricultural West, such as California's San Joaquin Valley, through college towns like Northfield, Minnesota, to the large metropolitan centers of Cleveland, Ohio, and New York City.

It is no accident that water pollution is heaviest in cities where nearly 75 percent of our population lives. In Andrew Jackson's day, only 150 years or so ago, no city was very large. Towns could just slip wastes into the nearest river and forget about them. This expedient, handy as it was, worked out pretty well until towns grew into cities, industry mushroomed, and the cities' wastes became more numerous, diversified, and complex.

Fish kills began to occur on a massive scale. Waterborne diseases, such as typhoid fever and amoebic dysentery, rose. Drinking water tasted strange. As a first step, we treated the symptom, operating under the theory that if the drinking water was bad, we should simply treat it before we drank it. But the diversity of complex wastes so fouled our drinking-water sources that it became nearly impossible to make them safe for drinking. It was only a few decades ago that we finally recognized this problem and only five years ago that we began to do something about it.

The city—its inhabitants, its industries, its offices—draws water from a water source, uses it, and returns it. A city is living, and, like any living thing, it has a metabolism. Life's metabolism is composed of everything that enters the organism's biochemical pathways, the energy that results from this, and the waste products that this energy creation forms. Just so with a city. A great diversity of elements must enter a city to make it run—people, materials, institutions, and many more. The waste products of this urban metabolism are equally extensive.

Consider, for example, Cleveland, which each day drops thousands of pounds of nitrates and phosphates into Lake Erie—part of its metabolism. These wastes may originate from homes, hotels, laundromats, and offices; but industry also contributes to urban metabolic waste. The Republic Steel Corporation, the Jones and Laughlin Steel Corporation, the American Steel and Wire Division of the United States Steel Corporation, the Harshaw Chemical Company, and E. I. DuPont de Nemours and Company unload more than 300 tons of toxic material into Lake Erie every day.

These metabolic wastes include, among other things, phenol, iron, zinc, sulfuric acid, ammonia, and hydrofluoric acid (which, incidentally, eats through glass). All this has created complicated drinking-water problems for Cleveland. Over the past twenty years, the main Cleveland water intake has gradually been moved miles into Lake Erie to escape the city's pollution. Even at its present distance of five miles, phenols and other toxic chemicals from the city occasionally seep into the intake. When they are discovered, water-control authorities must invoke emergency measures to remove these chemicals from drinking water.

Similar stories are repeated in Detroit, Toledo, Erie, and Buffalo. With the thousands of tons of urban metabolic wastes that enter Lake Erie each day from these five cities, this Great Lake is estimated to have aged the equivalent of 10,000 years in the past ten.

With this and other dramatic examples before them, scientists, private citizens, journalists, and a few politicians—notably United States Representative Charles Vanik, of Ohio—began demanding water cleanup.

Through the Public Health Service, the federal government has set up explicit quality standards to ensure purity and protection of your drinking-water sources and to make certain that bacterial and chemical content does not exceed safety limits.

Here are the most relevant guidelines for ensuring pure drinking water:

1. The water must flow from the purest possible source. Adequate safeguards must prevent pollution of this source.
2. Frequent surveys must be made to detect potential health hazards.
3. An enforceable system of rules and regulations must prevent development of health hazards.
4. Proper safeguards must protect water quality from source to house.
5. Only qualified personnel may operate the water-supply system.
6. The water source must have enough reserve to meet peak demands.
7. Bacterial monitoring must be continuous.
8. Only specified, scientific tests may determine water quality.
9. Water with bacterial levels above precisely stated limits must be considered unsafe for public consumption.
10. The Public Health Service will likewise reject as medically dangerous a water source whose mineral and chemical content exceeds strictly marked limits.

While water pollution is itself a serious threat, it is also a symptom of a much larger problem. Treating water pollution without taking cognizance of related problems will only leave frustrated good intentions in its wake.

We can disperse the wastes of urban metabolism by dumping them into the water or by sending them skyward into the air. Air pollution, however, is only another part of the total urban metabolic-waste picture, another aspect of environmental deterioration. The problems of air and water pollution are, in fact, as closely related as Siamese twins. To treat one, we must also treat the other.

To solve the challenge of urban metabolic wastes, cities must look to the science of biology, particularly to ecology. Ecology studies the interactions of living things, both with themselves and with their environment. Ecology shows that under natural conditions animals live in dynamic equilibrium with their natural environment. In a balanced natural environment, we can call nothing waste, for what we might think of as waste finds a new use at a different point in the cycle.

If our cities are to survive, we must apply these same ideas to them. We must plan our cities for complete and balanced use-and-reuse cycles. We must be willing to accept the fact that stopgap measures provide no real solutions. Even if we installed our most advanced air- and water-pollution-control devices in every city tomorrow, within about twenty years pollution levels would climb back to where they are now. The smog in Los Angeles and New York would be just as bad in 1988.

For one thing, we are not now able to remove a hundred percent of the wastes. Moreover, the increasing urban pollution over twenty years multiplies the problem even as we progress, so that we find ourselves barely managing to stand still. Instead of thinking of treating wastes, therefore, it would prove more constructive to create new uses for them. Biologists have joined city planners and engineers to try to solve these problems of city life in the twentieth century. For example, we are already finding ways to use nutrient-rich, treated sewage to irrigate fields. And fly ash from smokestacks—that bothersome harassment—can be collected and made into bricks.

Scientific progress is often hampered by governmental entanglements at every level, from ward to Washington. In the case of water, it is perhaps at the federal level that a major change is most desperately needed. There are currently no fewer than eight Cabinet offices involved with problems of pollution, environmental deterioration and natural-resource management: Agriculture; Commerce; Defense; Health, Education, and Welfare; Transportation; Housing and Urban Development; Interior; and State.

It is inevitable that some departments step on the tails of others. The Department of the Interior's Bureau of Sports Fisheries and Wildlife finds itself at odds with Agriculture's Soil Conservation Service. Both find themselves running headlong into the Army Corps of Engineers. Despite the oversupply of interested agencies, the federal government still does not have a comprehensive plan for control of pollution caused by the accumulation of waste in the cities.

In an attempt to bring some order into this chaos, United States Senator Frank Moss, of Utah, recently introduced a bill that would change the Department of Interior to the Department of Natural Resources. This new department would be made up of many of the agencies from those eight Cabinet offices that are now involved with resources management. Health, Education, and Welfare's Air Pollution Control functions would join Interior's Water Pollution Control Administration in the Department of Natural Resources.

Such a bill funnels the energies of eight departments into a new Department of Natural Resources. Such massive reorganization is absolutely necessary if we are to develop a sensible, long-range natural-resource policy.

Air and water pollution know no political boundaries. Cities sharing a common air and water supply should be part of a regional organization. This organization must have the power to set and enforce air- and water-quality standards for the entire area.

One such regional approach has been worked out by the Bay Area Pollution Control District, in San Francisco. This organization and its sister organization for water pollution set and enforce air- and water-quality standards for the six counties surrounding San Francisco Bay. It's not perfect, but it is a start. Most areas have not progressed to this point yet, but many are organizing rapidly. Here is a suggested program of action that may be applied to any community in the United States that is facing the problems of pure drinking water and the disposal of urban metabolic waste:

1. Call your County Health Department. Ask if it has an organization concerned with air- and water-pollution control.
2. If the county doesn't have an organization combating pollution, ask who sets the standards for the area. In some cases it may be the state; in other cases, townships and cities. Whether the responsible authority is county, city, regional, or state, get the full organizational name, address, telephone number, and the name of the director. (This is the first step toward constructive change. As one county authority put it, "What we need is for the public to rise up and demand change.")
3. Write or call this agency, and ask for a statement of organization and jurisdiction. Find out who is on the board of directors. All too often, directoral boards are not composed of qualified, trained personnel. Do they hold public meetings? If they do, be present at the next one. But if they don't hold public meetings, then—

4. Call the County Health Office again, and ask what you should do to help.

5. Ask your Congressman to support pending legislation calling for a nationwide study of the quality of municipal water supplies.

It is only by such a beginning that action will start. Small steps make the whole, and constant work will ensure clean air and water. Clean air and clean water are essential for survival. Our cities will die—and so will we—if the time comes when we no longer care.

Our Substandard Water Supply: A compilation of United States cities whose water supplies are rated only "provisional" by the U.S. Public Health Service—meaning that their safety margins may be dangerously narrow.

The terms "needs improvement," "unsatisfactory," "potential health hazard," were based on scientific ratings 1 to 10, with 10 denoting the poorest. "Needs improvement" applies to water rated 1 or 2; "unsatisfactory" to water rated from 3 to 5; "potential health hazard" to water rated from 6 to 10.

Reasons for the ratings were keyed to the following:

1. Quality not completely protected from supply to household tap.
2. Water not from purest possible source.
3. Bacterial checks too few.
4. Regulations to prevent health hazards inadequate.
5. Surveys to detect potential health hazards too infrequent.
6. Bacterial level too high.
7. Chemical impurities too high.
8. Nonapproved analytical tests used.

State and city	Rating	1	2	3	4	5	6	7	8
Alabama: Prichard	Unsatisfactory	X	X	X					
Alaska: Fairbanks	Needs improvement		X		X				
Colorado:									
Grand Junction	do		X						
Pueblo	do					X			
Connecticut:									
Danbury	Unsatisfactory	X							
New London	do	X		X					
Waterbury	Potential health hazard	X					X		
Delaware: Wilmington	Unsatisfactory	X	X						
Florida:									
Arcadia	do	X	X	X					
Dania	Needs improvement	X							
Fort Myers	do		X						
Riviera Beach	Unsatisfactory	X	X						
Sarasota	Potential health hazard			X				X	
West Palm Beach	Needs improvement			X					
Wildwood	Unsatisfactory	X	X						
Georgia:									
Albany	do	X	X						
Brunswick	do	X		X					
Columbus	Potential health hazard			X			X		
Macon	do	X		X			X		
Manchester	Unsatisfactory	X		X					
Savannah	Potential health hazard			X			X		
Thomasville	Needs improvement			X					
Waycross	do			X					
Hawaii: Kahului/Wailuku	Unsatisfactory		X				X		
Illinois:									
Hartford	Potential health hazard		X	X			X		
Orland Park	Needs improvement			X					
Savanna	Potential health hazard			X			X		
Wood River	Needs improvement			X					
Indiana:									
Mount Vernon	Unsatisfactory		X	X					
Washington	do	X		X					
Kansas: Salina	Needs improvement			X					
Maine:									
Bar Harbor	Unsatisfactory	X		X					
Bucksport	Needs improvement			X					
Persque Isle	Potential health hazard			X			X		
Searsport	Unsatisfactory		X				X		
Massachusetts:									
Braintree	do	X		X					
Fall River	Needs improvement		X						
Weymouth	do		X						
Worcester	Potential health hazard	X		X			X		
Mississippi:									
Meridian	Needs improvement			X					
Natchez	do			X					
Pascagoula	Unsatisfactory		X				X		
Vicksburg	do						X		
Missouri:									
Hermann	Potential health hazard			X			X		
Waynesville	do			X			X		
Nebraska:									
McCook	do	X		X					X
North Platte	do	X		X					X
New Hampshire: Portsmouth	do			X			X		
New Jersey:									
Bayonne	Needs improvement		X						
Cape May	do			X					
Hoboken	Unsatisfactory		X				X		
Jersey City	Needs improvement		X						
New Jersey—Continued									
Kearney	Needs improvement		X						
Newark	do		X						
Wrightstown	Unsatisfactory	X	X	X					
New York:									
Buffalo	Needs improvement		X						
Oswego	do		X						
Rome	do	X							
White Plains	do			X					
North Carolina:									
Wilmington	Unsatisfactory						X		
Oklahoma:									
University of Oklahoma, Norman.	Needs improvement			X					
Oregon:									
Astoria	Unsatisfactory	X				X			
Eugene	do	X							
Pennsylvania:									
Altoona	Potential health hazard		X					X	
Brownsville	Needs improvement			X					
Charleroi	do			X					
Puerto Rico: Aguadilla	Unsatisfactory		X				X		
Rhode Island:									
East Providence	do	X		X					
Tiverton	do	X							
South Carolina:									
Abbeville	Potential health hazard	X		X			X		
Cayce	Unsatisfactory	X	X						
Charleston	do					X			X
Columbia	do	X				X			
Georgetown	do		X				X		
Greenville	Needs improvement	X							
Spartanburg	Unsatisfactory	X	X						
Tennessee:									
Alcoa	do	X				X			
Chattanooga	do	X	X						
Clarksville	Potential health hazard	X		X					X
Johnson City	Needs improvement		X						
Kingsport	Unsatisfactory				X		X		
Knoxville	do	X				X			
Memphis	do		X	X					
Nashville	do		X			X			
Utah: Salt Lake City	Needs improvement					X			
Virginia:									
Crewe	Unsatisfactory	X		X					
Petersburg	Needs improvement	X							
Roanoke	do	X							
Washington:									
Bellingham	do		X						
Edmonds	Unsatisfactory		X				X		
Everett	Potential health hazard		X			X	X		
Hoquiam	do		X			X	X		
Raymond	Unsatisfactory		X				X		
Wishram	do						X		
West Virginia:									
Bluefield	Potential health hazard	X					X		
Grafton	do	X		X		X			
Point Pleasant	do		X				X	X	
Wisconsin: LaCrosse	Unsatisfactory		X	X					
Wyoming:									
Green River	do	X		X					
Riverton	do	X	X						
Rock Springs	do	X		X					
Sheridan	do	X	X						

JAMES MACY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. James R. Macy, a fine young men from Maryland, was killed recently in Vietnam. I wish to commend his bravery and honor his memory by including the following article in the RECORD:

MASS TOMORROW FOR JAMES MACY

A requiem mass will be offered at 9:30 A.M. tomorrow at SS. Phillip and James Catholic Church for Army Spec. 4 James Robert Macy, a Baltimore soldier who died January 4 of stomach and chest wounds received while he was serving as a helicopter crewman in Vietnam.

Specialist Macy, the son of Mr. and Mrs. Albert R. Macy of 602 West 33d street, had been in Vietnam just a year when he died in a hospital near Saigon.

His last letter, which arrived in Baltimore the day he died, informed his parents of the fatal incident near Binh Thuy. It was written December 23.

"I guess you know by now . . . that I got hit," he wrote. "They did me up pretty good, and I got wonderful doctors. God is watching over me and I'll be home in two or three weeks."

AWARDED TWO MEDALS

Specialist Macy, 21, had twice volunteered for Vietnam duty, once when he was assigned to train infantrymen in jungle fighting in Panama, and later when he asked to stay in Vietnam for another six months last June.

A graduate of Mergenthaler Vocational-Technical High School, he enlisted in the Army January 9, 1967, after working for awhile in a bakery.

He received his basic training at Fort Knox, Ky., and was in Panama eight months when he asked to be transferred to Vietnam.

He was shipped to Vietnam on Jan. 3, 1968.

He was awarded an Air Medal last June, and an Army Commendation Medal for valor last May, both while he was fighting with the 336th Aviation Company as a door gunner on a helicopter.

PLAYMAKERS CLUB MEMBER

Specialist Macy belonged to the Keene Memorial Church Playmakers Club, an organization that toured Baltimore churches presenting amateur theatricals.

He was active in baseball and football in high school.

His father drives a truck for the Associated Transport Company.

His survivors, besides his parents, include three brothers, Russell T. Macy, Michael J. Macy and John A. Macy, and a sister, Mrs. Margaret Bevins, all of Baltimore, and his paternal grandmother, Mrs. Bessie Robinette, of Anderson, Ind.

RESOLUTIONS OF NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION—REGION V

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. O'KONSKI. Mr. Speaker, the rural electric systems of region V of the National Rural Electric Cooperative Association held their annual meeting at Des Moines, Iowa, on September 15, 16, and 17, 1968.

The regional meeting was attended by 814 farm and rural leaders. They represented 117 cooperatives, serving some 386,121 consumers in the States of Illinois, Iowa, and Wisconsin.

Under leave to extend my remarks, I am placing in the RECORD several of the resolutions adopted during the 3-day meetings. These resolutions reflect the views and expression of opinion of farm and rural electrification leaders. It is a pleasure for me to call these significant resolutions to the attention of my colleagues and to commend district V and the National Rural Electric Cooperative Association for the vital role they are playing in our country today.

The resolutions follow:

RESOLUTIONS

1. REA LOAN FUNDS

Whereas, the Congress has passed and the President has signed into law an appropriation bill which provides for an REA electric loan program of $370-million for the current fiscal year for which we commend them; and

Whereas, the Congress, the Administration and NRECA are in agreement that this amount is far short of the demonstrated capital needs of the rural electric cooperatives; and

Whereas, additional cuts likely will have to be made in federal spending as a result of limitations imposed by the Congress;

Now, therefore, be it resolved that we urge the President, the Secretary of Agriculture, the Administrator of REA and other officials not to impose additional cuts on an REA loan program that is already inadequate to meet the needs of America's rural electric systems. While we recognize the need for restraint in spending, we believe it is self-evident that it is not in the national interest to financially starve the rural electric co-ops and jeopardize their ability to meet the growing power demands of their rural member-consumers, thus impeding the growth and revitalization of Rural America;

Be it further resolved, that we urge Congress to continue and strengthen the G&T loan program under Section 4 of the Rural Electrification Act of 1936, as amended. We urge Congress to defeat any attempts at further restrictions on the G&T program.

Be it further resolved, that for the fiscal year 1970, we urge the REA Administrator, the Secretary of Agriculture, the President and Congress to be cognizant of the continuing urgent needs of the rural electrification program as they develop the budget for the fiscal year beginning next July 1;

Be it further resolved, that we urge their support for the adoption of an REA electric loan program fully adequate to meet the capital needs of rural electrics and to effectively lower the rising backlog of loan applications.

2. ACHIEVING RURAL-URBAN BALANCE

Whereas, Rural America has not kept pace economically with the rest of America, thus resulting in hundreds of thousands of rural people migrating to the cities in search of jobs, better health and medical facilities, and better housing; and

Whereas, this migration of rural people to urban areas is creating serious social and economic problems in urban areas, as well as contributing to the dissolution of rural community life; and

Whereas, this combination of lower farm income and decreasing number of farm families is eroding the rural economy and creating for rural electric systems such problems as idle meters, lower revenues, shifting load factors and difficulties in forecasting and planning service improvements and growth;

Now, therefore, be it resolved, that the development and implementation of a sound national policy of rural-urban balance be among the first order of business on the agenda of the next Administration and Congress, and that it include realistic funding and effective coordination of programs for full development of rural areas; to provide economic, social and recreational opportunities for rural areas, thus slowing the migration of rural people to urban centers;

Be it further resolved, that the rural electric systems of America commit their resources and manpower to the fullest extent possible in exerting active leadership in achieving sound rural-urban balance which is so vital to the unity and prosperity of the nation;

Be it further resolved, that NRECA support meaningful efforts to relieve the cost-price pressure on farm families who are contributing and have contributed so much to the growth of our national economy and to the soundness of our nation's heritage;

Be it further resolved, that where possible and appropriate we help present the position of the farmer to the consuming public.

3. RESOURCE DEVELOPMENT

Whereas, the natural resources of our nation are a vital segment of our total wealth and strength, and since these resources belong to all the people, the benefits of orderly development should be available to all the people; and

Whereas, long-range plans and comprehensive surveys should be made by a coordinating group to determine the needs of our growing population and future generations, rather than by piece-meal, short-term plans and projects, and it is in the national public interest that our resource requirements and the adequacy of our resource programs be constantly before the entire nation; and

Whereas, we agree with the philosophy that the gifts of nature belong to all the people and not a few; and

Whereas, the elimination of pollution in our rivers and ground water supplies is a particularly crucial problem requiring immediate attention from local and state governments; and

Whereas, multiple-purpose dams, including hydroelectric generation and pumped storage, should be included in all water resource planning;

Now, therefore, be it resolved, that we urge Governors and representatives of all states participating in River Basin Commissions to take cognizance of the salutary effects of Federal multi-purpose developments, including hydroelectric power, in the areas of the country where a Federal power marketing program exists; and

Be it further resolved that we urge all rural electric systems to support the election or appointment to the Commissions of men who recognize the benefits of the full multi-purpose development of resources, including hydroelectric power; and

Be it further resolved, that we specifically support the Dickey-Lincoln project in Maine. This has been shown to be economically sound and it would benefit the entire New England area, which now has the highest electrical rates in the nation.

4. SHARING IN BENEFITS OF ATOMIC ENERGY

(Aiken-Kennedy bill S. 2564)

Whereas, there has been introduced in Congress legislation known as the Aiken-Kennedy Bill (S. 2564) which would prohibit the Atomic Energy Commission from issuing any license for the construction and operation of a nuclear generating station until the applicant therefor has granted to all interested parties, including other electric systems, an opportunity to participate on fair and reasonable terms in the ownership of such station, and has agreed to make the output of electricity from such station available for sale on non-discriminatory terms to all entities engaged in the distribution, transmission or sale of electric energy;

Now, therefore, be it resolved, that we strongly support the principles and substances of S. 2564; and

Be it further resolved, that it is the sense of this meeting that the regulatory experience of the Federal Power Commission would enable that agency to effectively and expediently exercise the power granted by Congress under the provisions of S. 2564; and

Be it further resolved that we urge amendment of S. 2564 to provide that the Federal Power Commission exercise the regulatory powers provided for therein, and that no license for any nuclear generating station be approved by the Atomic Energy Commission until and unless the Federal Power Commission shall have certified to AEC that the conditions specified by S. 2564 as to participation in nuclear generation stations and as to the allocation of electricity therefrom have been met; and

Be it further resolved that we also support legislation such as H.R. 18667 (Holifield and Price) and S. 3851 (Aiken and Anderson) which would assure additional anti-trust protection in the licensing of nuclear power reactors, but we do not accept these measures as a substitute for the Aiken-Kennedy Bill (S. 2564).

5. ELECTRIC POWER RELIABILITY ACT

Whereas, there have been introduced in Congress several bills containing various versions of legislation generally referred to as the Electric Power Reliability Act, all of which would grant broad new regulatory authority to the Federal Power Commission in the areas of system reliability, regional planning, and EHV transmission line certification;

Now, therefore, be it resolved, that we endorse the principle and objectives of the Electric Power Reliability Act as embodied in H.R. 12322 by Congressman Moss of California; and

Be it further resolved, that the NRECA Special Committee on FPC jurisdiction is requested, in conjunction with the NRECA General Manager and staff, to maintain continuing surveillance on this legislation, and is authorized to propose such additional amendments thereto as it may consider appropriate.

6. TERRITORIAL INTEGRITY

Be it resolved that we reaffirm the unrestricted right and responsibility of all electric systems to serve those areas in which they initiated service, and we support and will defend this right against pirating of territory and consumers by any other electric system; and

Be it further resolved, that since the Congress has clearly and unequivocally stated its position in Senate Resolution 21 of the 86th Congress, 1st Session, which states "it is the sense of the Senate that each of these segments of the industry (REA financed and non-REA financed) should respect the customers and users, and the normal field of service of the other," and indicated its continuing concern over the problem of Senate Report 497 of the 88th Congress, 1st Session, we therefore urge:

(a) that the Congress and appropriate officials in the state and Federal governments—and NRECA—investigate and take all actions available to them in order to develop and promote measures to provide territorial integrity among all electric systems; and

(b) that legislation to protect the service territories of rural electric systems be enacted by all states that do not now have adequate legislation and we urge rural electric systems in states having satisfactory legislation to offer assistance based on their own experiences in helping to develop suitable territorial protection legislation.

7. CO-OP-MUNICIPAL CORPORATION

Whereas, rural electric cooperatives and municipal electric systems have numerous common characteristics and share many common problems;

Now, therefore, be it resolved, that rural electric cooperatives be urged to explore the possibilities of gaining strength in the wholesale power area by working together with municipal electric systems.

8. FPC JURISDICTION OVER RURAL ELECTRIC SYSTEMS

Whereas, the U.S. Circuit Court of Appeals for the District of Columbia, in a unanimous and well reasoned decision, has reaffirmed the holding of the Federal Power Commission that FPC has no regulatory jurisdiction over REA-financed cooperatives, thereby lending judicial vindication to the position so long and so vigorously advocated by NRECA;

Now, therefore, be it resolved, that we commend FPC for the persuasive argument of its position upon judicial review and urge NRECA to continue its opposition to such jurisdiction during the present appeal to the Supreme Court of the United States seeking to reverse this holding of no jurisdiction; and

Be it further resolved, that we commend the Dairyland Power Cooperative and the Minnkota Power Cooperative as well as all of the rural electric systems and Federal agencies which have participated in this case in support of respondents Minnkota and Dairyland.

9. OMNIBUS CONSUMER PROTECTION RESOLUTION

Whereas, all Americans, regardless of their vocations and divergent interests, share a common interest as consumers; and

Whereas, there are many examples of fraudulent and deceptive practices used by the unscrupulous and the negligent to the detriment of the consumer's pocketbook and, all too frequently, to his health and safety; and

Whereas, we and other consumers, as well as reputable manufacturers and retailers, deserve to be protected against fraud, price-gouging and indifference;

Now, therefore, be it resolved, that we urge the Congress and the Administration to take appropriate and effective remedial action for the protection of American consumers in the following areas:

1. Seeking improvements in the quality of equipment service and repairs, in the honesty of product warranties and guarantees;
2. Protecting consumers against the hazards of radiation;
3. Seeking stronger and more effective action from the departments and regulatory agencies on their anti-trust and anti-monopoly responsibilities;
4. Curbing sales rackets by enactment of a Deceptive Sales Act;
5. Reducing the high cost of prescription drugs;
6. Providing for an adequate system of Federal and State inspection of domestic and imported fish, shell fish and seafood products;

Be it further resolved, that we urge rural electric leaders to work with allied consumer groups, such as the Consumer Federation of America and the various state consumer organizations, in securing beneficial consumer legislation at both the state and national levels.

10. NRECA LONG-RANGE STUDY COMMITTEE

Whereas, the 26 members of the NRECA Long-Range Study Committee have undertaken to investigate and explore with the membership the objectives of the Rural Electrification Program and ways to finance its activities; and

Whereas, the members of the Committee have devoted a large amount of time and have traveled from area to area in order to get the membership's ideas and opinions about the future course of the program;

Now, therefore, be it resolved, that we express our deep appreciation to Chairman J. K. Smith and the members of the NRECA Long-Range Study Committee and to the NRECA liaison staff members for their untiring effort in redefining our program objectives and in finding a suitable solution to our future capital requirements.

11. CO-OP MONTH

Whereas, October 1968 has been designated as Co-op Month;

Now, therefore, be it resolved, that Region V urge all member cooperatives to support this effort in every way possible.

A SOLUTION TO HIJACKING?

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. EDWARDS of Alabama. Mr. Speaker, the problem of hijacked aircraft has become very serious. It is an issue which troubles our airlines, but beyond that, the practice seems to be spreading to other areas of the world.

In this connection I call attention to the following letter which appeared recently in a New York newspaper:

TO END SKY-JACKING

NEW YORK, *Jan. 3, 1969.*

To the EDITOR:

The parlous problem of aerial hijacking could probably be solved if all signatories of the International Air Transport Association—which with 102 members represents most of the world's scheduled airlines, including a number in East Europe—agreed that international air service and ground servicing would be immediately suspended to and from any country to which a plane had been hijacked unless said country handed over to Interpol the aerial bandit.

Sky-jacking is, of course, a worldwide problem, and has already occurred several times around the Mediterranean, but it is most prevalent in connection with American planes and Cuba (through no fault of the Cubans). Cubana Airlines, a member of IATA, now flies externally only to Mexico, hence is little subject to punitive measures. But Cuba itself is served from Europe by Aeroflot, Czech Airlines and Iberia, both the two latter being members of IATA.

If Cuba refused to arrest on arrival and to return to country of takeoff an aerial hijacker seeking asylum, the International Air Transport Association could immediately suspend Cubana Airlines from membership until the bandit was returned, and, if this proved insufficient, could establish a complete international boycott against airlines continuing to serve Cuba or any country which continued to receive Cuban planes.

G. E. KIDDER SMITH.

COLLEGE CONSORTIA

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. COWGER. Mr. Speaker, under unanimous consent I insert in the RECORD an article by Grady Clay of Louisville, Ky., which appeared in the magazine section of the Courier-Journal and Times, Louisville, Ky., under date of December 8, 1968. The article deals with the subject of coordinating higher education and Mr. Clay received a grant from the Ford Foundation to make a national study of academic consortia. The article is as follows:

COLLEGE CONSORTIA

(By Grady Clay)

No football teams do they field, no degrees do they award. Nor do they enroll students. But what they are doing, these new combinations of colleges and universities called consortia, may revolutionize higher education.

By this time, 362 colleges and universities in the United States and Canada have joined together into 35 formal, budgeted, staffed, programmed and headquartered outfits called consortia.

Newest in the field is in Louisville, where eight colleges, universities and seminaries have agreed to form a consortium for the Louisville region. It is to be called the Kentuckiana Metroversity.

What's being created is a new kind of institution and a new definition of campus. It's based on processes, rather than on buildings; on new agreements, rather than new structures. The men who organize them exude a sky's-the-limit sense of excitement not unlike that surrounding men who organize new business conglomerates.

The average student is hardly aware of what's happening, except that in many consorting colleges, he's beginning to get what amounts to a passport. Once he's registered at one college, he can take courses at many other colleges. Thousands of students are doing it—filling out a minimum of extra forms, paying no extra fees.

At consorting colleges, students borrow books from distant libraries at no charge and with little delay. There's one-day book exchange among many consorting campuses, and, in Northern Ontario, daily deliveries by plane.

During recent weeks I have visited 15 of these 35 new consortia and interviewed scores of officers, deans and others. They range from huge, ultra-formal groups like the Committee of Presidents of the Universities of Ontario, with meetings heavily agendaed, and agendas heavily footnoted, to such modest groups as the Texas Association of Developing Colleges, struggling to secure more funds for its largely Negro institutions.

What comes clear from these visits and interviews is a crisis for the small- to middle-sized colleges and universities. Many are going broke, and the troubles of Kentucky

Southern College outside Louisville are typical, though perhaps better known than most.

Most consortia have been born out of troubles. The one in Ontario grew out of a threat that the province might force all 14 universities to become one huge University of the Province of Ontario. Many others have been simply semi-mergers by struggling small colleges trying to survive. Most often, as in Louisville, it's a combination of pressures. Kentucky Southern College is trying to stay alive, the University of Louisville faces a difficult merger-marriage-or-allowance with the University of Kentucky, and two Catholic colleges have just merged into Bellarmine-Ursuline. All eight institutions here see some safety in numbers, and ways to serve the community better through joint efforts while maintaining each one's autonomy.

None of the 35 have had smooth sailing. Even the oldest of them all, the Claremont Colleges organized in 1925 on one campus 35 miles from Los Angeles, have their troubles. When I was there recently the presidents faced student agitation arising from the six presidents' efforts jointly to control student "obstructions" (barring ROTC recruiters from their work, etc.). On the surface, consorting looks easy but like all marriages, these have their quarrels and, occasionally, a divorce. What lies ahead for ~~small and~~ under-financed colleges/universities that go it alone is frightening. New junior (community) colleges are springing up at the rate of one a week, offering tax-supported cheap tuition that pulls students away from many private schools. The private schools absorb each year a smaller percentage of the new collegians—50 per cent in 1950, 41 per cent in 1960, and about 33 per cent in 1967. Private tuition keeps going up—12½ per cent a year in Texas. And the big state universities keep getting bigger—and richer.

As if financial pressure weren't enough, student pressure is also pushing many colleges into consortia. I believe this will increase as more student activists see gains to be achieved by attending a multi-campus institution, enjoying in effect, a passport to higher education anywhere in his region.

Only the most callous or unthinking want to abandon private higher education, if anything so deeply rooted could be "abandoned." Good small liberal-arts colleges are rare jewels, and all one needs to do to appreciate them is to visit Canada, where there are comparatively fewer than in the U.S. Canadian educators' envy of the American private college system hits a visiting American with great force.

Further, recent studies such as that chaired by John D. Moseley, president of Austin (Tex.) College, make a compelling case for "the dual system of higher education"—a continuing combination of public and private institutions. Even in Texas, where school land-and-mineral revenues provide a huge kitty for the public colleges/universities, the Moseley group says it's vital to keep the private schools operating.

The typical small-college president spends much of his time these days in "development," which is a polite word in this context for money-hustling—often just to keep from going broke. And the fact that there are said to be more than 300 vacant presidential jobs at the moment is one testimony to the pressure.

I do not intend to argue that the small college can survive only by consorting, for this is obviously not true. Many small colleges are so well-endowed they can go it alone, and the feeling of being thus well insulated from competitive pressures has made some prestigious institutions, such as Amherst, Smith and Mount Holyoke, rather lofty in the past in their attitudes toward the "public member" of their Five College Cooperation, the University of Massachusetts. (Hampshire College, the fifth, opens in 1970.) But since forming a consortium in the 1950's, the private colleges have watched "little ole Mass Aggie" grow from 12,000 to over 25,000 students and become a towering center of intellectual life with a high output of PhDs.

While the social distance has diminished, seven miles still separate Amherst and the University of Massachusetts from Smith over at Northampton. Thus both Amherst and Smith have invested heavily in new fine arts centers. An outsider wonders "why duplicate?" But insiders say each campus needs its own, close at hand, and not a long bus ride away. Yet the five-college cooperation includes many successful swap agreements: Smith and Amherst are setting up a joint American-studies department, there are plans for an urban-studies center to include other colleges at nearby Springfield.

Therein lies the revolution taking place in the meaning of the word "university." Taken collectively, the consortia are beginning to act like new educational institutions, with some of the central powers of the university, while retaining much of the autonomy of the independent college. None of the new consortia yet grant degrees. But even that day may not be far off.

Once colleges begin swapping students there's no end to what they will try. Some have even succeeded in adopting the same school-year calendar. "Now, we've reached the millenium—common school holidays," said one amazed professor.

There are two basic movements taking place within these new consortia. The most important is information—a flood of transmitted data moving electronically, as well as via increasing phone calls, correspondence, etc. Next is the inter-campus migration of students and professors. The latter is not yet a huge flow, but its potential is great.

Within the five Washington Consortium universities, fewer than 400 graduate students out of 12,000 in the region last year were moving inter-campus to take courses not available on their home campus. That's not many, but it's double the total four years ago. The number taking off-campus courses within the Western Massachusetts consortium was 434 in 1963–4 and may reach 1,000 this year. Last fall the Associated (ten) Colleges of the Midwest began using a single-application form for all prospective students, and everywhere a visitor encounters the assumption that inter-campus migration will continue to increase sharply.

Pressure from students will bring it, if nothing else does. "Students are no longer 'nationalistic,'" observes Dean Marjorie Downing of Scripps College in the Claremont, Calif., cluster. "They come here because it's a consortium, and they want to start right out taking courses at different campuses." It was pressure from students that changed the Claremont Colleges' rules against freshman campus-hopping. Now they can move about after only one semester.

Most of these colleges swap professors occasionally or regularly, or for as long as a year. Sometimes this is called "overtime borrowing" and is done only in emergencies. Soon there will be several consortium professors moving about among member colleges. There is now a Consortium Fellow—a young lady, it turns out—working in the office of the Five College Coordinator of the Western Massachusetts consortium, and many such training fellowships are in the wind.

Consortia have helped speed up the amazing growth in use of the 4–1–4 school calendar. This calendar has two four-month semesters separated by a "free" or experimental January for independent study and research. The free month also allows faculty to experiment with innovative four-week courses.

Last year only 80 colleges were on 4–1–4. This fall the number had risen to 120. "We expect half our 20 college members will be on 4–1–4 in another year or so" says Dr. Paul A. Marrotte, executive director of the Piedmont University Center at Winston-Salem, N.C. Robert Adkins, director of the Dakota Accord, observes that 4–1–4 has greatly facilitated inter-campus cooperation.

One significant offshoot can be seen at St. Petersburg, where Florida Presbyterian College acts as dispatcher-expediter for January charter plane flights to Europe for students in approved four-week programs from 12 colleges all over the nation. By this month, 102 students had signed up for this coming "free" January, double the number last January.

Many consortia are well down the road toward regional networks that will link their libraries, data banks, registrar offices, bookkeepers and other information centers. The Dayton-Miami Valley registrars now check up by telephone to see if there are vacancies left in courses anywhere. Soon they may use a consortium computer to check on available seats, just like the airlines.

Three Kansas City consortium colleges have installed first-generation computers as a step toward all 16 members getting "on line" with more sophisticated equipment.

One of the most business-like consortia has its headquarters on an open rise some 15 miles north of Dallas—the Texas Association for Graduate Education and Research (TAGER). It owns a 250-foot-high microwave tower from which it beams seven educational channels. All programs originate "live" in studios at Southern Methodist University and other member-colleges. They feed through a 200-mile cable/microwave system into classrooms in 16 of the local high-technology industries such as General Dynamics, LTV, Sun Oil and Texas Instruments, Inc., where aspiring PhD candidates attend TV classes on the job. Subjects include high math, nuclear physics and quantum mechanics. Six more firms joined the learning net in September and, says TAGER President R. W. Olsen, "We are trying to link all of North Texas into one community of scholars." He has at least 14 more local industries on his prospect list for TV classes.

Strong ties to the business community are an essential part of the Dayton-Miami Valley Consortium, says its president, Charles J. Armstrong. It has 11 institutional members, with 30,000 students and seven associate members, including National Cash Register Co., Monsanto Research Corp., and IBM-Dayton. "This reflects the interest of the business community, which helped us get started."

In September, all 16 campuses in the Kansas City Regional Council for Higher Education were linked by a Dial-a-Net system leased from Southwest Bell at $72,000 per year. By using this net, professors can send or get tele-lectures, can arrange conference calls, and later use teletype, facsimile or electrotypewriter equipment via the network.

While most consortia are moving messages and people, not many have yet shown the capacity to produce offspring. But several have come off well indeed. The Four Colleges in the Connecticut River Valley have become the Five College Cooperation since the four originals helped to bring about the birth of the fifth, Hampshire College. This newcomer will open to students in 1970, its conception having been aided by the consortium of Amherst, Smith and Mount Holyoke colleges plus the University of Massachusetts. The group even managed to get Hampshire pre-accredited, and now under construction on a 500-acre tract of beautiful rolling land a couple miles outside Amherst, Mass. Like many consortia this one began small—as the Hampshire Inter-Library (storage) Center for little-used books in 1951, and is now much expanded.

Similarly, the Claremont Colleges near Los Angeles, Calif. (Pomona being the best-known) have helped create several of their own members. Latest addition will be an existing Catholic college, Immaculate Heart, which moves soon from an old campus in Los Angeles, and will share land and other advantages as an "affiliate" at Claremont. All the Claremont group set limits on their enrollment: Pomona at 1,300 and the rest at 800. However, a visitor is tempted to wonder how long the latest limits will last under pressure. They were recently raised from 1,100 and 400, respectively.

Among the most innovative consortia is the 10-member Associated Colleges of the Midwest (in Minnesota, Wisconsin, Iowa and Illinois) which has headquarters at the Newberry Library, Chicago. It specializes in off-campus activities. At the moment it is busy preparing a Center for the Visual and Performing Arts in New York City, to which all its member students and faculties will have access. In fact, 15 institutions now are maneuvering to build or acquire graduate art centers in New York and seem headed toward a kind of duplication which consortia seek to avert, says Andrew W. Morgan, president of the Kansas City Art Institute and School of Design. His institute is a member of the Kansas City consortium and has spun off another—the Union of Independent Colleges of Art.

The Associated Colleges of the Midwest supports a wilderness field station in Northern Minnesota, joint seminars with Argonne National Laboratory, and a co-op program with Cuttington College in Liberia, West Africa. Operating out of Yellow Springs, Ohio, the Union for Experiment and Innovation in Higher Education (10 colleges) has field centers in Hawaii, Pikeville, Ky., Manhattan, and uptown Chicago.

The Dayton-Miami Valley Consortium has recently agreed to form a consortium press, with Antioch College at Yellow Springs ceding its own college press to the group as a nucleus. The Five Colleges in Western Massachusetts jointly sponsor and subsidize "The Massachusetts Review," an independent quarterly journal.

An unusual history lies behind the Washington Consortium of Universities, which grew out of the Washington Center for Metropolitan Studies. The Center "broke the ice" that formerly separated the five universities, and helped bring them together. It runs—among other things—a sophisticated computer-assisted "gaming room" for problems in decisionmaking. Here are conducted future-oriented seances to which local planning groups and universities have access. And there's a possibility the Smithsonian Institution may one day join the Washington Consortium, having already taken over from a consortium university the job of publishing the only comprehensive calendar of academic events in the Washington region.

Many consortia are beginning to run versions of "middle school" or pre-college training courses to help urban black students prepare for college. At least one consortium conducts training seminars for university and college trustees, and nearly all offer seminars for special-purpose groups from all their colleges.

"Needless competition" is the bane of higher education, and most consortia try to persuade their members to avoid expensive duplication. Often, the mere act of getting together convinces faculties that it really doesn't make sense for two college neighbors to offer little-attended courses in, let us say, Japanese historiography. Why not combine? They often do. Gradually—although quietly, there's a great deal of weeding-out going on. Or, as they say at Smith College, the courses in Arabic have been "phased out."

A recent student editorial in the Claremont (Calif.) Collegian described that six-college consortium as "a unique brotherhood based on cash." This is a clue to the widespread belief that a college can cut all its expenses just by joining a consortium. Actually there can be many savings through group negotiation and purchases of equipment, supplies, etc., and the idea of combining colleges for fund-raising purposes is old and well-established.

But consortia are far more than dollar-savers. The best are truly instruments whereby basic changes can take place in the structure and administration—resulting in a new kind of education for millions of students. From dozens of men I've heard many versions of this same thought: "Our sights have been raised, our faculties exposed to new ideas; we have learned new methods, and released the creative energies of teachers in unexpected ways."

As noted earlier, some consortia have been put together since 1966 chiefly to let their members get federal grants. Title III of the Higher Education Act especially favors colleges in consortia, and part of the rush behind the formation of the Louisville consortium was to meet the federal grant-application deadline in November.

In the longer run, consortia may also become known for their influence on mergers and sub-groupings. Two of the Kansas-Missouri consortium colleges are now talking merger, and such moves seem to be an occasional outcome when small weak colleges come face-to-face with their stronger competitors in a consortium. Also, natural clusterings are taking place. "We're beginning to form sub-groups around urban areas," observes Dr. Paul A. Marrotte of the Piedmont University Center.

It is true that many colleges can now point to consortium activities to justify long-overdue increases in tuition, and to assist in fund-raising. "Look at the better education we're providing" is their pitch. It also appears that many large donors, such as the Ford Foundation, as well as individuals, are pushing the idea, which is coming to mean "consort—or else!"

To see a consortium in action, let us consider a meeting in a plush motel near Kansas City's famed County Club Plaza. One night recently, 35 teachers gathered there from 16 colleges and universities in Kansas, Missouri and Iowa.

Robert Eberle, young research director for the Kansas City Art Institute, was showing a premiere of his 18-minute multiple-slide show, "Cultural Influences of Europe in the time of William Shakespeare." He was using four projectors, 483 slides, and a new slide-and-soundtape coding device that cost $2,000. The show had taken two 4½ weeks to assemble, and followed the exciting multi-image format made popular at Expo '67.

When the display was over, one teacher stood up and, fighting back her tears, said: "In all my years of teaching, I've never seen such a wonderful way of making Shakespeare's times come alive for my students."

Eberle's show, which is now being further perfected to tour, was one fruit of $630,000 in Federal Title III higher-education grants made this year to members of the Kansas City Regional Council for Higher Education, or KCRCHE. This consortium is spending $40,440 on audio-visual aids such as Eberle's show, which will soon begin touring 16 colleges and universities, members of KCRCHE, in three states. Another $37,840 is budgeted to help the 13 smaller and less affluent colleges improve the quality of other visual aids—and to teach teachers how best to use them.

The Eberle show I attended was part of a two-day seminar for teachers who use visual aids, and is evidence of the way KCRCHE has gone about becoming one of the most versatile and well-staffed academic consortia in the nation. It can be taken as a model, both in the philosophy and the professional expertise that guides its operations.

Scattered about in rather unobtrusive offices in the southern suburbs (the staff works on a low-visibility policy to avoid the Big Headquarters Look), KCRCHE was organized in 1962 to upgrade the quality of higher education offered students in this region.

There's a strong tendency in the Kansas City region for students to stay close to home. Comparatively few go East to college—New York City is 1,250 miles away—and so parents and higher education people tend to feel a special responsibility to improve local institutions.

"This thing was created so these institutions could share their dilemmas and see what they could undertake together as a group," recalls Homer C. Wadsworth, president of the Kansas City Association of Trusts and Foundations, and an important negotiator for, and recipient of Ford Foundation funds and other grants in this region. As one of Kansas City's foremost, movers-and-shakers, he has consistently pushed higher education higher on local and regional priority lists.

Small liberal colleges are vital parts of a regional network "that filters-upward good graduate students into the universities," in Wadsworth's view. "There are priceless young people of great potential in all these small colleges. You've got to find them. We are running out of trained people to do the work of the world, so you must keep your eye on these small places that turn out extraordinary people—especially those with solid service motivations who want to be useful to others."

Thus 13 private colleges, averaging about 750 students each, form the bulk of KCRCHE members. These, plus the University of Missouri at Kansas City, Central State College, and Metropolitan Junior College-Kansas City, form the consortium.

In the formal language of academic people, KCRCHE tries "to provide systematic communication, cooperative programming, planning and action, and to serve as an information center which could assemble and present a complete and accurate picture of higher educational resources in the greater Kansas City area." It currently helps run 43 programs for its 16 members, which pay $4,000 each in annual dues.

To this $64,000 has been added the $630,000 from Washington this year under Title III, plus smaller foundations grants and contractual income giving the consortium a total administered budget this year of around $800,000.

As a kind of model contemporary consortium, KCRCHE is a voluntary coalition of public and private, religious and sectarian, large and small institutions that have pooled their interests, and some cash, to solve mutual problems. It has a wide geographic spread, over 200 miles and three states.

President Herbert Wood typifies the high quality of the staff he has assembled. He is a PhD from Columbia University in international administration, worked for two summers at the United Nations, and keeps office records U.N.-style. He was an assistant dean at the University of Maine, Michigan Fellow in College Administration at the University of Michigan, and was involved in giving birth to another consortium, the Great Lakes College Association at Detroit Airport.

Tall, industrious and articulate, Wood has a vast command of those involved academic cadences which soothe the souls and enlist the cooperation of other college people. His language is filled with "us" and not with "I." He gives the impression of being a dedicated persuader and negotiator, anxious that no college shall suffer loss of autonomy. Also, as Wadsworth observes, "he knows where the dollars are."

KCRCHE has emerged into the big-time. Most of its 27-man staff has moved in since June, and its history is being written as a PhD thesis by Richard Lancaster at the University of Michigan.

President Wood has surrounded himself with able people, the latest being vice president Henry Halstead, former vice president of the Associated Colleges of the Midwest, a Chicago-based consortium. Another is young Lewis Patterson, who does long-range planning, and edits "The Acquainter," the only newsletter that links all the new consortia people. Patterson has also taken the lead in trying to organize a national association of consorting academics, and says firmly, "We are not playing around."

Laymen who encounter one of these complicated outfits for the first time are likely to be repelled either by the fuzzy language which pours out of higher education, or by the seemingly spongy quality of institutions based on "arrangements."

One of KCRCHE's biggest jobs is managing information for and among its 16 members, especially the 13 small colleges. It's clear that many small colleges barely manage to survive, much less keep records that can convince foundations or legislatures that they deserve more money except out of pity or charity. Thus KCRCHE has run a computer-assisted record-keeping project at little Tarkio College as a pilot project for all 16 institutions, and has linked three into the first small network. Before long it expects to have a complete college information system, with common record-keeping forms, procedures making for quick analysis of business and academic performances.

By next year they hope to have assembled a sound enough data base or library of computerized records so that deans and teachers may analyze their operations to a degree never before possible. This sort of "institutional research" is growing rapidly among consortia and elsewhere in higher education.

Thanks in part to the influence of William H. Schecter, president of Tarkio College, there's a growing effort to develop a management-oriented information system that links all 16 institutions. (Tarkio is a pioneer in other fields as well: It has students sitting on the board of trustees.) Stanley Love, director of support services program for the 16 institutions, aims at trying to help them become more efficient, in part through joint buying of goods and services ranging from books to automobiles to insurance policies for teachers. Self-interest of each college will lead it into cooperation, he believes, and he can be privately enthusiastic about dollar savings ahead. In public, however, he and Wood tend to be cautious in talking about "savings" which is the academic term for profits.

Thus KCRCHE acts more like a business on the one hand, and like a university on the other, using the arts of diplomacy and trade-offs to save money, offer more courses, and improve the quality of teaching for the 32,000 students at its member colleges. Two-thirds of its current budget goes for academic improvements.

Perhaps the most significant new addition to its staff is not the men concerned with computers, visual aids or budgets but its new coordinator of student affairs—a young man hired this fall to provide a link with students. If—as some consortia people expect—student activists will next turn their attention to these "invisible metroversities," KCRCHE for one intends to be ready.

THE CASE AGAINST LAURENCE GANDAR

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. REID of New York. Mr. Speaker, at the end of last year, the Government of South Africa began prosecution against Laurence Gandar, editor of the Rand Daily Mail. Gandar is being brought to trial because of the publication in his newspaper, 3 years ago, of a series of articles alleging maladministration in South African prisons.

These articles allegedly violate a clause in the South African Prisons Act which make it a crime to publish any information concerning any prison knowing such information is false or without taking reasonable steps to insure that the information is accurate. This is only one of a host of South African laws which have the effect of severely restricting freedom of the press, freedom of speech, freedom of assembly, and other civil liberties long cherished by Western nations.

The London Observer and the London Times recently printed articles describing circumstances in the prisons and outlining the several provisions of law which infringe on the lives of South Africans seeking only to exercise their rights. I insert in the RECORD at this point these stories which I believe will be of great interest to my colleagues:

[From the London (England) Observer, Nov. 12, 1968]

THE CASE AGAINST LAURENCE GANDAR

The busiest hangman in the world is a South African. Half the world's judicial executions take place in Pretoria Central Prison, where a special gallows with multiple nooses is used to hang an average of 100 people every year.

Corporal punishment: in the past 15 years more than one million strokes have been imposed on more than 200,000 offenders. (Last year, nearly 600,000 new prisoners were received into South African prisons, six times the figure for England and Wales which has more than twice the population of South Africa.)

In 1965 policemen used firearms against 172 fleeing suspects and killed 70 of them.

These are a few statistical examples of the free use of violence in South Africa—openly and legally. What is more difficult to determine is how much violence is inflicted surreptitiously and illegally.

TORTURE

That prisoners have been kicked to death, whipped, shot and subjected to electric shock torture is not in issue, because the courts have made such finding in a number of cases. In 1964 there were 69 cases of policemen found guilty of unlawful violence to persons in their custody, the victims being 44 prisoners, 21 suspects and four witnesses.

The most notorious of these cases concerned four white policemen at a small village called Bultfontein who, in the course of investigating a minor theft from a shop, whipped an African suspect, partially choked and suffocated him by tying his head in a plastic bag, threw him to the ground so that his skull crashed violently on the floor, and subjected him to electric shocks while he was trussed in a sitting position. The suspect was killed by this treatment, and the station commander at the police station where this happened tried to hush the matter up. At the subsequent trial one of the policemen said that these methods of interrogation were common throughout the country.

Was this policeman correct, or is the Government right in its claim that only a few "black sheep," who are firmly dealt with by their superiors, are responsible for brutality in police stations and prisons? A few years ago, when the judges were more easily shocked than would seem to be the case today, a senior judge was so angered by the brutal killing of a convict that he urged that a full-scale judicial inquiry into conditions in South Africa prisons be held. This call was taken up by the *Rand Daily Mail*, which in 1965 published three long reports in support of it by a recently released political prisoner, Harold Strachan. In a vivid narrative Strachan recounted innumerable cases he had witnessed of brutality against non-white prisoners, usually committed by non-white warders at the instigation of white warders.

The immediate response of the security police was to place Strachan under house arrest and to raid the editorial offices of the *Mail*.

Three weeks later, however, South Africa's largest weekly, the *Sunday Times*, carried a sensational story of allegations by a head warder at a prison called Cinderella, to the effect that prisoners there were frequently subjected to punishment by electric shock torture. The *Mail* subsequently repeated the story and amplified it with corrobative statements by another warden and two ex-convicts.

After carrying out a secret investigation the Government decided to prosecute not the persons allegedly responsible for brutality but the people who had made the allegations.

The Prisons Act of 1959 contained a provision new to South African law making it a serious criminal offence for anyone "to publish any false information . . . concerning the administration of any prison, knowing the same to be false, or without taking reasonable steps to verify such information, the onus of proving that reasonable steps were taken to verify such information being upon the accused."

PROSECUTION

One by one, Strachan, the head warder and his colleague and the two ex-prisoners were convicted under this provision or for having sworn false statements on oath. The trials were generally long drawn out and involved two completely conflicting sets of evidence, with the magistrates generally plumping for the prosecution. Appeals were noted, but were only partially successful.

Next, the prosecution issued summonses against the *Sunday Times* and the *Mail*, against their editors, against a journalist who had written some of the stories, and against a solicitor who had advised on whether they should be printed. The *Sunday Times* printed a cautious editorial retraction earlier this year, and later the charges against it and its editor were withdrawn. The *Mail* has not, however, printed a retraction, and the trial of its editor, Laurence Gandar, and one of its political reporters, Benjamin Pogrund, is due to begin in the Supreme Court next Friday. (The charge against the solicitor was dropped only last month.)

The indictment against Pogrund and Gandar is more remarkable for what it leaves out than for what it alleges. It does not claim, for example, that electric shock torture was not used at Cinderella Prison: all it alleges on this score is that it was false to say that the head of the prison was present if and when such shocks were being administered. The reason for the narrow basis for this part of the charge was that the courts had already found that there was a reasonable possibility, backed up by a considerable body of evidence, that an electro-therapy machine at the prison had in fact been converted into an instrument of torture.

This finding in itself would in a civilised country be regarded as sufficient justification for the articles. Not so in South Africa. Cases, which in Britain could safely be left to the Press Council or libel actions, in South Africa are brought before the criminal courts.

The effect of such prosecutions has undoubtedly been to intimidate South African journalists and to make prison conditions a taboo subject. Prisoners and warders have been left in no doubt about their possible fate should they ever make complaints outside official channels. Meanwhile the white public has been thoroughly confused by the long series of trials and appeals.

One thing that does emerge clearly from the three years of charge and counter-charge is the courage and tenacity first of Strachan and now of Gandar and Pogrund. What remains to be seen is what price these two newspapermen have to pay for printing the truth as they saw it and for daring to go against the trend to glorify all things South African or else keep quiet.

[From the London (England) Times, Nov. 26, 1968]

SOUTH AFRICA'S LAWS FOR CURBING PRESS FREEDOM

(By Charles Douglas-Home)

Two events this month have helped to raise doubts about the real, as opposed to apparent, freedom of the press in South Africa. The first was the start of the trial of Laurence Gandar of the Rand Daily Mail, caused by the publication in that paper three years ago of a series of articles which alleged maladministration in South African prisons. The second was the speech of South Africa's Minister of the Interior who warned that the Government were intending to introduce another press law to control what newspapers published.

The trial of Gandar has been brought under the South African Prisons Act. The clause under which he has been charged is that which states that it is an offence to publish any information concerning any prison knowing such information to be false or without taking reasonable steps to ensure that the information is accurate. The onus of showing that reasonable steps were taken rests on the accused. Thus in theory any editor who prints any item of news about the prison service even down to and including the name of a warden could be liable to prosecution and conviction under this Act. Penalties of up to a year's imprisonment could be incurred if he was unable to prove that reasonable steps were taken to verify the information—reasonable in the judge's opinion rather than his own.

Unfortunately for the press in South Africa the Prisons Act represents only one instrument of an enormous and oppressive arsenal of law which inhibits the freedom of newspapers to publish all the facts that they might want to. Mr. S. L. Muller, the Interior Minister, said that he would recommend to the South African Cabinet the widening of the Publications and Entertainments Act to include all newspapers in South Africa.

SEEKING MORE CONTROL

This law provides for the censorship, among other things, of any matter which is "offensive to the religious convictions of any section of the inhabitants of the Republic, brings any section of the inhabitants into ridicule or contempt, is harmful to the relations between any section, or is prejudicial to the safety of the state, the general welfare, or peace and good order." He said he hoped this announcement would contribute to greater responsibility and better cooperation on the part of the press.

Yet it is amazing that the South African Government are still looking for further machinery to regiment newspapers when they have so much law already available for that purpose. A summary of even only the most prominent laws is enough to show that there is a legal framework already in existence which is quite capable of shackling the press as much as necessary and in fact tacitly achieves most of these objectives already.

South Africa has an Official Secrets Act, like the United Kingdom, which makes it an offence to publish or communicate in any way prejudicial to the safety or interests of the country any information relating to military and related matters. But this normal provision has acquired a new and infinite potential under the 1965 amendment which enlarged its scope to include "police matter", which was defined as "any matter relating to the preservation of the internal security of the Republic or the maintenance of law and order by the South African police". No one can tell for certain what is or is not prohibited under this law.

If the authorities wished to press this law to its logical conclusion they could prosecute any editor who published any unofficial information about the police. Perhaps that is the intention since faced with such a risk few editors would publish police matter unless and until it had been verified and thus tacitly approved of by the authorities themselves.

The Defense Amendment Act (1967) is similarly cast. It states that every item of news about defence must be approved for publication by the Minister or a designated officer. It applies to all information about the defence force or its auxiliaries as well as the ships, aircraft and other forces of allied nations while in South African territory. Once again this gives almost total discretion to the Defence Ministry to decide what is and is not publishable. Newspapers thus run a considerable risk if anything is published without the department's approval. Under these conditions there is no place for Defence Correspondents in South Africa.

PRISON OR WHIPPING

But this kind of restriction is not limited to national security. The Native Administration Act (1947) makes it an offence for any person who utters any word or does any other act or thing whatever with intent to promote hostility between natives and Europeans. Where a racial situation exists such as that within South Africa, where politics are unavoidably permeated with racial arguments, this Act again makes it possible for the state to regard any political act or statement as coming under this law if they feel so inclined. Yet it is impossible to hold any political opinions in South Africa which do not involve either approval or disapproval of the present policy of apartheid, although both of these sentiments are liable to promote hostility between native and European, and thus theoretically liable to prosecution.

Under the Criminal Law Amendment Act (1953) it is also an offence for any person to use language or do any act calculated to cause anyone else to contravene a law by way of protest against any law. Thus if newspapers were to publish even just the bare fact that Africans were planning to organize a strike against the colour bar, they would be liable to a charge of incitement including penalties to the editor of up to five years and/or whipping of up to 10 strokes.

On similar grounds the Government have the power, under the Riotous Assemblies Act, to ban a newspaper which has published material calculated "to engender feelings of hostility between the European inhabitants on the one hand and any one section of the inhabitants of the country on the other hand." In view of the relative position of the Europeans vis-à-vis the other inhabitants of South Africa this law, if used to the full, is enough on its own effectively to stifle any political discussion about or with reference to the inequalities between the races.

If a state of emergency is declared, the Government, under the Public Safety Act (1953), have the power to close down newspapers and prohibit the printing, publishing or dissemination of any matter.

Then there is the Suppression of Communism Act (1950). This gives the Government the power to ban any newspaper deemed to be spreading communism. Who defines communism anyway? And why should the Government be the judge whether or not a newspaper is spreading it by disseminating views, or publishing factual information? It also gives the Government the power to ban people from attending gatherings, and later amendments prohibit newspapers from publishing any statement by a banned person, whether he is alive or dead, without the permission of the Minister of Justice, and also statements made by people who have left the country and live outside it.

There are now more than 600 people who are banned, though by no means all of them would be considered to be communists. Their views cannot be published, unless the Minister consents. If newspapers from abroad publish the views of banned people they are cut out before being distributed. This happened only two weeks ago to an article on the South African law, in the Sunday Times, which was cut out before the paper went on sale in Johannesburg.

Under the Unlawful Organization Act (1960), the Government specifically banned two African organizations—the African National Congress and the Pan-Africanist Congress. Nothing about their policies or opinions can be published. If a pamphlet is issued, only the pamphlet can be referred to, not its contents.

Under the Criminal Procedure Act (1955) anyone who is believed to have information which is required by the police for their investigations can be brought before a magistrate and questioned. Refusals to answer could mean up to a year in gaol and this could be constantly renewed. Previously the penalty was only for eight days at a time. There is no basic right of legal representation at these hearings.

RESTRICTING FACTS

Much is made of the apparent freedom of the South African press but what is that freedom worth? South African newspapers are free to criticize the Government to their heart's content provided that the criticism is only their own and is limited to the editorial columns of the newspaper. Any factual material which is likely by implication to criticize the Government is almost certain to come under one or other of these Acts of restriction, as can be seen from the case involving the Rand Daily Mail.

Much is also made of the fact that the South African Government do not often press these laws to the point where they are seen to exercise constant and intolerable restrictions on the press, although it is freely admitted that in these laws they already have the legal wherewithal to abolish press freedom if they wish to do so. One is left with the impression, however, that there is no need for them to push these laws that far when their mere existence, and the occasional prosecution such as that against the Rand Daily Mail—involving years of administration and prohibitive legal costs—will achieve by intimidation nearly all the suppression of facts that the Government require.

A RESOLUTION ADOPTED BY THE KIWANIS CLUB OF FORT LAUDERDALE, FLA.

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. ROGERS of Florida. Mr. Speaker, the Kiwanis Club of Fort Lauderdale, Fla. has adopted a most appropriate resolution commending Apollo 8 Astronauts Borman, Lovell, and Anders for their Christmas message broadcast while orbiting the moon.

I share the views of the Kiwanis Club of Fort Lauderdale, Fla. and I applaud the courage of Astronauts Borman, Lovell, and Anders who, with the ever present risk of danger, were ever mindful of the will of God.

I insert the resolution at this point in the RECORD for the benefit of my colleagues:

> RESOLUTION
>
> Whereas, Kiwanis International is a God loving and God fearing organization; and
>
> Whereas, one of the prime goals of Kiwanis International for the year 1969 is to foster faith in God and to apply it to all of life's relationships; and
>
> Whereas, the Kiwanis Club of Fort Lauderdale firmly believes that reverence to God and adherence to Godlike principles will promulgate peace and brotherhood throughout the universe; and
>
> Whereas, the Kiwanis Club of Fort Lauderdale firmly believes that the spirit of God should nurture and guide our every thought, word and deed, whether it be in the home, business, industry or the sciences,
>
> Now, therefore, it is hereby Resolved that Astronauts Borman, Lovell and Anders, who displayed such awesome and unflinching courage in their Christmas orbit of the moon, be highly commended for their overt Christmas Eve prayers transmitted for the world to hear, as well as their unrestrained and unabashed faith in God as evidenced by said prayers.
>
> Be it further Resolved that the Kiwanis Club of Fort Lauderdale wishes Astronauts Borman, Lovell and Anders, Godspeed in all of their future space pursuits.
>
> Be it further Resolved that a copy of this Resolution be forwarded to each of said Astronauts, the National Aeronautical and Space Administration, the President of the United States, and the Headquarters of Kiwanis International.
>
> Dated this 7th day of January, 1969.
>
> BERNIE B. WELCH,
> *President, Kiwanis Club of Fort Lauderdale.*

DISABILITY INSURANCE FOR THE BLIND

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. MORSE. Mr. Speaker, the 90th Congress broadened special provisions for the blind in the 1967 social security legislation, but again failed to include in the final action two important provisions, even though these were passed by the Senate in 1964, 1965, and 1967. I am, therefore, introducing in the 91st Congress, a disability insurance for the blind bill to provide the coverage that has been left out of legislation to date.

This bill would change the existing law which requires a person to have worked 5 out of the 10 years prior to the date of application in order to be eligible for disability insurance payments; it would simply require working a year and a half under social security-covered work. The legislation would also allow a blind person to draw disability insurance payments so long as he remains blind, abolishing the present income-earning ceiling.

Successful action by the Congress is necessary to insure more simple, quicker accessibility to disability insurance for every blind person. Under the present law, furthermore, there are few incentives for a blind person to help himself, and society, also, by becoming productive and earning to his full capacity. And as Kenneth Pernigan, president of the National Federation of the Blind, comments:

> The real problem of blindness is not the loss of eyesight. It is the misunderstandings and the misconceptions which exist. With proper training and opportunity the average blind person can do the average job in the average place of business and do it as well as his sighted neighbor. The massive discriminations which exist against the blind in employment and in opportunity come from society as a whole, not merely from the blind members of society. Therefore, it is reasonable that society should insure its members against these disadvantages.

My bill would reduce the anxiety and grief which now occurs because of technical difficulties and disqualifications. It would provide the proper incentives and, as well, the social insurance rightfully due this group of people, and the social benefit desired for the entire society.

ARMY MAKES ILL-ADVISED CHOICE FOR SENTINEL ABM SITE

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. PELLY. Mr. Speaker, the Army has selected a site, 5 miles from mainland Seattle, on Bainbridge Island, in Puget Sound, for a Sentinel ABM installation. Today, I was afforded the opportunity to express my opposition and the opposition of local government officials to this location in executive session of the Military Construction Subcommittee of the Committee on Appropriations.

And, I might add that the Army's site selection has been met with overwhelming opposition on Bainbridge Island, as indicated by thousands of petitions, telegrams, and letters I have received in my office.

As a result of today's hearing, I am not encouraged that the Army will accept the alternate sites I have offered, but the Committee on Armed Services has assured me of a hearing to which I hope the public will be invited.

Meanwhile, Mr. Speaker, while the Army remains adamant in their choice of Bainbridge Island, I intend to continue my fight to have this proposed installation moved off the island.

I include my remarks before the Subcommittee on Military Construction of the House Appropriations Committee in the RECORD, as follows:

TESTIMONY OF CONGRESSMAN THOMAS M. PELLY, BEFORE THE MILITARY CONSTRUCTION SUBCOMMITTEE OF THE HOUSE COMMITTEE ON APPROPRIATIONS, JANUARY 15, 1969

Mr. Chairman, I deeply appreciate this opportunity to express my concern and the concern of the local officials over the selection of Fletcher Bay, on Bainbridge Island, in the State of Washington, as a site for the Sentinel Anti-Ballistic Missile System. Please allow me to make it plain, Mr. Chairman, that I am not opposing the Sentinel System itself; to the contrary, there is strong support for locating in Kitsap County, but the opposition is to the location of Fletcher Bay. I might add that my opposition to this site is supported by the Commissioners of Kitsap County, the county in which this proposed site is located; by the Mayor of the nearest town to the proposed site; by the city council of this town; and by the overwhelming majority of the people of Bainbridge Island.

To begin with, the Fletcher Bay location is in a growing residential area of high land value. There is only one bridge connecting this island with the mainland, so there is no easy access to or from this proposed site. In addition, there are no rail lines on the island. The issue here, simply stated, is that there appear to be other places in which this ABM complex can be located, still within the same county. Let me reiterate, Mr. Chairman, that the county commissioners support the location of the installation in their county, but they do not want it on Bainbridge Island.

At the outset, when Seattle was indicated as a location for a Sentinel ABM installaion, I sought to determine the Army's criteria in building these complexes, so I pursued the matter on the Floor of the House during debate on the Military Construction Appropriation Bill last July 29. During this debate, I engaged in a colloquy with the distinguished Gentleman from Florida and Chairman of this Subcommittee, Mr. Sikes, as to what exactly the Army's criteria was for building these Sentinel sites. In reply to my question, Mr. Sikes stated that the sites would be some distance away from centers of population and every effort was being made, first, to use Government land wherever suitable land was owned already by the Government, and next, to arrive at a satisfactory decision with the local officials on a site which was the least objectionable to the people in the centers included in the program.

Well, Mr. Chairman, the Army has done just the opposite of this. Not only is this site on Bainbridge Island in a residential area of more than 8,800 people, it is no more than 5 miles from mainland Seattle, across Puget Sound.

Let me say that I appreciate the hearing the Army conducted on Bainbridge Island on December 27, because it performed two functions. It informed the local officials and residents as to the Army's plans, which was the original purpose, but it also produced the statement from the Army that no such criteria existed. In fact, it was stated, the sites *are to be located as close as possible to cities.*

As to the criteria concerning the opposition of local people, let me say that within a few days following the hearing on Bainbridge Island, a petition was circulated which I am told contains over 3,000 names opposing the site. In addition, I have received hundreds of telegrams and letters opposing the Fletcher Bay site. To be frank, the number of letters in support of the site on Bainbridge Island can be counted on one hand.

So, let me emphasize! The Army is planning to locate this Sentinel site in a heavily populated area and against the wishes of the local officials and the local people, despite the criteria Mr. Sikes related to me on the Floor of the House last July.

The proposed site develops some overwhelming problems. One of these is the schools. I realize the Army's criteria is to move into an area with as little disruption as possible, but on Bainbridge Island the school districts have said they already are at their legal bonding limit and overcrowded. School experts are aware that Federal school impacted aid is a long time coming. The result is that this island's school districts face a severe strain that could more easily be assimulated in another area.

Another, and possibly insurmountable problem, is that of water. At the present time, Bainbridge Island has no surplus water supply. The water table has been falling for years, and as you know the Army informed the people of the Boston area that the Sentinel sites require 300 gallons of water per minute, the bulk of which is for cooling purposes. Mr. Chairman, this is a serious matter because the question arises, where will the Army get the water they need in such large amounts? If the answer is wells, deep or shallow, then what is to happen to the existing wells?

Then, Mr. Chairman, the question arises, where on the Island will these people live? There are no rentals presently available on Bainbridge Island, and although base housing is contemplated for the 150 single Army personnel scheduled for the site, no provision is made for the 300 civilian personnel who will be imported as permanent site staff. This is additional reason why the site should be on the mainland.

And, then there is the cost to the American taxpayers for this land. The Army has decided to place their missile site on some of the most expensive property in the Pacific Northwest. Not only does this mean the acquisition cost is high, but the loss of revenue to the county is high because of the land value. Kitsap County has placed a tax evaluation on this land at about $2,000 an acre.

The natural question then arises, where else should the site be located if not on Bainbridge Island.

Well, I have offered several alternate site locations to the Army, including the Bangor Ammunition Depot, two present airfield sites, and a location north of the Port Madison Indian Reservation. General Starbird has agreed to study these sites.

But, again, Mr. Chairman, these alternates are mainland sites, accessible by rail or highway and offering services not available on Bainbridge Island. The reason for suggesting the airport sites is because one of them is available at little or no cost because it is under the control of the Bremerton Port Commission; the other is on land far less expensive than that of Bainbridge Island, and the 7,000 acre Bangor Ammunition Depot presently is Government property which would require no acquisition cost. I realize the Navy is not going to look kindly to the Army wanting a portion of their land any more than the Army would apppreciate the Navy wanting some of its property, but this is a far too important matter to allow service rivalries to prevail.

This is a matter of grave concern to the residents of Bainbridge Island and to me; I do not oppose the Sentinel System itself, but I do strongly protest its location on Bainbridge Island. Let me just add that, frankly, I fear the Army is not sincere in considering other sites; I fully expect the Army will find objections to each one. In other words, I believe its mind is made up and that no amount of practical reasoning is going to change their decision.

Again, Mr. Chairman, my deep appreciation for this opportunity to make my position known to you and the Subcommittee Members.

RESTORATION OF THE FULL ANNUITY AND PERMIT RETIREE TO NAME A SECOND SPOUSE TO A SURVIVOR ANNUITY WHEN SUCH NEW SPOUSE HAS ATTAINED THE AGE OF 60, WHEN THE NAMED SURVIVOR PREDECEASES THE RETIREE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. DULSKI. Mr. Speaker, the present retirement law provides that a retiree at time of retirement may elect to take a reduced annuity to provide a survivor annuity for his spouse. This cost at the present time is 2½ percent on the first $3,600 and 10 percent on the remainder, if any. The law also states that only one election can be made, and that at time of retirement.

When a retiree is predeceased by the named spouse he must continue to pay this cost through this reduced annuity as long as he lives although there never will be anyone who can receive the survivor annuity he is paying for, even though he remarries.

This bill provides for the restoration of the full annuity and/or permits the retiree to name his second spouse to a survivor annuity if the named survivor predeceases the retiree, and the second spouse has attained the age of 60.

Out of approximately 900,000 retirees and survivors there are several thousand that this would apply to.

Mr. Speaker, I am today introducing a bill that, when enacted into law, will correct some of these injustices and yet protect our older annuitants by providing that their second or third spouse must be at least 60 years of age in order to participate in this legislation. I am sure that a good percentage of our colleagues are not fully aware of this great injustice that prevails in thousands of the homes of our retirees from the Federal service. I strongly urge that my colleagues give serious consideration to and support this legislation.

AWARDED SILVER STAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. LONG of Maryland. Mr. Speaker, Sgt. Glenn Hoppert, a fine young man from Maryland, has been awarded the Silver Star for gallantry in action in Vietnam. I would like to commend his courage and further honor him by including the following citation in the RECORD:

CITATION

Hoppert, Glenn C. RA 13 868 042 (SSAN: NVAL), Specialist Four E4, United States Army, Company A, 2d Battalion (Airborne), 502d Infantry, 1st Brigade, 101st Airborne Division APO 96347.

Awarded: Silver Star.

Date action: 13 January 1967.

Theater: Republic of Vietnam.

Reason: For gallantry in action against a hostile force on 13 January 1967 in the vicinity of Kontum, Republic of Vietnam. Specialist Hoppert was serving as a member of the point lead element while the company was maving along a ridgeline, toward high ground. Specialist Hoppert suddenly detected an enemy ambush, established along the intended route of travel. Without concern for his own safety, Specialist Hoppert charged the enemy position and killed one of the enemy soldiers, causing the remainder to flee. After the company had traveled forward a short distance, it was brought under a tremendous volume of fire from an entrenched enemy element of estimated squad size. On the initial burst of fire, the command element of the company was pinned down. Reacting quickly and with disregard for his own safety, Specialist Hoppert charged through intense enemy fire and placed effective fire into the enemy position. As he neared the position, he threw a grenade and killed four more enemy soldiers and caused the remaining enemy to retreat. Specialist Hoppert's valorous actions resulted in the destruction of two enemy positions, five enemy killed and the saving of several American lives. Specialist Hoppert's outstanding display of gallantry in action and his avid devotion to duty are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit and the United States Army.

Authority: By direction of the President under the provisions of the Act of Congress, approved 9 July 1918.

STUDY AND INVESTIGATION OF THE EFFECTS OF THE DISPLAY OF VIOLENCE IN TELEVISION PROGRAMS

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. MURPHY of New York. Mr. Speaker, there has been a tremendous increase of violence in America, an increase not just in the physical acts of violence, but in philosophies of violence. More and more people seek to express their views and work toward their objectives through the use of violence. The legal channels of communication which form the foundation of our system of government are too often ignored or abused.

This increase in violence tends to isolate people from each other, and from the community. The basic fabric of society—mutual trust, a common purpose, a willingness to sacrifice and labor in the hopes of providing a better way of life—is being eroded by fear, intolerance and selfishness, and a tendency to care for one's self and family, and nothing else.

The increase in acts of violence in our society is not the only problem, however. Even more alarming is the corresponding increase in the acceptance of violence by the American people—not acceptance in the sense of approval, but in the sense of being blunted or immune to its often tragic consequences.

This attitude may be seen in the faces of a crowd watching an assault in broad daylight without offering assistance to the victim or even calling the police; it may be heard in the voices of those who shout "jump, you coward, jump" to the sick person on a bridge who has been driven to suicide by some unknown impulse.

As a society we are justifiably concerned with preventing and punishing the physical acts of violence; we seek to understand and alleviate the causes of such violence, we seek to protect our people and our property from violence, and we punish those who are guilty of violent acts.

It is obvious, however, that we have followed too narrow a path in our concern for preventing violence. At the same time we condemn violence, we buy our children toy tanks and machineguns and grenades, we support—by buying tickets—movies which portray the most violent stories conceivable, and we allow ourselves to be bombarded by television programs saturated with every possible violent act, all in living color. Are we to believe that such constant exposure to violence in our personal lives is having no effect on our thinking, attitudes, and behavior, particularly that of our children?

I think it is obvious that there is a distinct and growing relationship between the increase in cruelty and violence which we are exposed to every day and the alarming rise in acts and philosophies of violence throughout our society.

Television, as our most powerful communications medium, is particularly influential in this respect. During the prime viewing hours millions are watching their television sets, and a high percentage of them are under 18 years of age.

Television's ability to influence the viewer can hardly be disputed; the firms paying the extremely high costs of television advertising would not do so unless they believed they could influence the public to buy their product. Are we to think that hours and hours of violence and crime, shown every night of the week, is not having a similar impact?

Over the past 15 years televised violence and its affect on young people has been the subject of extensive investigation and hearings by the Senate Juvenile Delinquency Subcommittee, chaired by Senator THOMAS DODD. The subcommittee staff monitored television programs in 1954 and 1961, and found in that 7-year period that televised crime and violence had significantly increased. A third survey, made in 1964, found no decrease in the high level of televised violence and crime.

The subcommittee also heard testimony from a number of educators and social scientists who had conducted research on the effects on young people of observing violence.

The subcommittee recessed its hearings in 1965 subject to recall by the chairman, and released an interim report which drew the following general conclusion:

> A relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The interim report also made five recommendations, four of which were aimed at giving the broadcasting industry the opportunity to "clean up its house," and the fifth calling for a coordinated, large-scale research effort to develop more precise information as to the impact of television on juvenile attitudes and behavior.

Last year I introduced a joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs. More than 50 Members joined me in sponsoring that legislation. As I reintroduce this joint resolution today in the 91st Congress, I am happy to note that more than 50 Members have again cosponsored the legislation.

As the 1965 interim report pointed out, research has already demonstrated conclusively that televised violence can inculcate antisocial attitudes and motivate delinquent behavior in young viewers. But much remains to be learned about the relationship between television and human behavior.

We need to know more about the process by which televised violence interacts with other environmental forces in producing antisocial attitudes and behavior. We need to know more about the specific process through which televised violence adversely affects our children. We need to define better standards for the development of children's programs.

These and other gaps in our research knowledge require further study. Much is being done today by private foundations, universities, and the industry itself, but much more needs to be done. The study authorized by my joint resolution would meet this need. It would provide a means of coordinating the existing research efforts and it would define new areas for research to be initiated. Most important of all, it would make the sum of all of our research knowledge open to the scrutiny of the general public and to the Congress.

This legislation, however, deals with a very limited aspect of the problem. While the additional research effort contemplated by this joint resolution is necessary, we already know that there is a correlation between violence on television and violence and antisocial attitudes and behavior among juvenile viewers. Therefore, the necessity of curbing the violence shown on television has been established.

I am aware of the sensitive nature of this issue, which involves the fundamental question of freedom of speech. At the same time, however, it must be recognized that the channels used by the television industry are owned by the public, and they must be utilized in the public interest. Certainly the nature and quality of television programs are relevant criteria of how well the broadcaster is serving the public interest. The courts have recognized the authority of the FCC to consider the program policies and performance of broadcast licensees in connection with the renewal of their licenses. Therefore, I see no reason why we should not be able to find a course of action which will safeguard both the rights of the public and our constitutional right of freedom of speech. The censorship of individual programs is not at issue here; we are concerned with the overall programing policy of the television broadcast industry.

A final step which should be taken is to develop a system to enable community leaders and groups to express their views on the contents of television programs shown in their communities. Few people realize that the airwaves which are used to broadcast television programs are owned by the public. An informed and organized public can exert a great deal of influence over television programing, and without such public involvement the job will be much more difficult.

MRS. ROBERTA BENNETT: A GREAT LADY

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. FUQUA. Mr. Speaker, the passing of Mrs. Roberta A. Bennett on January 7, 1969, was of particular sorrow to all those who knew her and her outstanding family.

Mrs. Bennett was active in helping others all through her life. She leaves to carry on her work two fine sons—one serving in the Congress of the United States and the other an outstanding educator.

Our hearts go out to her family. Her good works will live on as long as men revere unselfishness, dedication and love of our fellow man.

I include articles from Florida newspapers concerning the passing of Mrs. Bennett:

[From the Jacksonville (Fla.) Times-Union, Jan. 8, 1969]

MRS. BENNETT DIES—MOTHER OF U.S. SOLON

Mrs. Roberta A. Bennett, 83, mother of U.S. Rep. Charles E. Bennett, of Jacksonville, died Tuesday at Wesley Manor Retirement Village after a brief illness.

Mrs. Bennett, voted as Florida's "Mother of the Year" in 1957, was the daughter of the late Robert A. and Irene Fugate Broadhurst of Clarksville, Tenn. Mr. Broadhurst was president of Broadhurst Institute, a private college in Clarksville, for many years.

She graduated from the University of Louisville and taught in Louisville, Ky., public schools until her marriage to Walter J. Bennett, a meteorologist with the Weather Bureau.

Mrs. Bennett was active in civic work all her life. During World War II she opened her home as a place for servicemen to stay who could not go home. Mrs. Bennett still corresponded with many of them until her death.

VOLUNTEER TEACHER

She worked as a volunteer teacher of Oriental students at a church-sponsored school in Tampa, where she lived from 1913 until 1930 when she moved to Jacksonville.

Mrs. Bennett gave more than 3,000 hours of her time as a volunteer worker at St. Vincent's Hospital here and was awarded the highest honor St. Vincent's bestows, a diamond pin, for her services.

She was made an honorary life member of the Jacksonville Woman's Club for volunteer services in teaching Cuban refugees. She also was made "honorary mother" of the Riverside Lions Club.

Mrs. Bennett also was the mother of Dr. Robert Broadhurst Bennett, a professor at the University of Florida. Her nephew, Robert Hopkins, is a former chief national executive of the Disciples of Christ. She was a member of the Riverside Christian Church for many years.

ASSISTED SON

She assisted her son, Rep. Bennett, throughout his career. She also served on the Washington Conferences on Aging and spent nearly a year touring Europe collecting source materials for Bennett's writings on early American history. Many of the articles she collected are now on display at Ft. Caroline National Monument Museum.

One of her main fields of interest was oil and watercolor painting and Mrs. Bennett served as an instructor in painting at Wesley Manor.

Memorial services will be held at 4 p.m. today at Hardage and Sons Riverside Funeral Home. Rev. Richard Roland, pastor of Riverside Christian Church, will officiate. Private interment will be at a later date.

Survivors, besides her sons, include seven grandchildren, Dr. Carl D. Bennett of New Haven, Conn.; Mrs. Reginald Moore of Washington, D.C.; Mrs. Raymon McGinnis of Elgin, Ill.; Bruce Bennett of Palm Beach and Charles E. Bennett, Jr., James F. Bennett and Lucinda F. Bennett, all of Jacksonville.

In lieu of flowers the family requests that contributions be given to Wesley Manor Retirement Village or Riverside Avenue Christian Church.

[From the Jacksonville (Fla.) Times-Union, Jan. 9, 1969]

MRS. ROBERTA BENNETT SERVED HUMANITY

Florida has lost a gracious lady, whose good works were beyond enumeration, in the death of Mrs. Roberta A. Bennett.

She was honored in 1957 for her many voluntary services to the state and people of Florida as Florida's Mother of the Year.

She was the widow of Walter J. Bennett, for many years a meteorologist with the Weather Bureau, and the mother of Rep. Charles E. Bennett of Jacksonville and Dr. Robert Broadhurst Bennett, a member of the University of Florida faculty.

She served those in need in many ways, as a volunteer language teacher for alien refugees, as a volunteer worker at St. Vincent's hospital, and in service to her church.

Her interest in helping others extended even into her latter years at Wesley Manor Retirement Village, where she served as instructor in oil and water color painting.

Mrs. Bennett was one of those fine individuals of whom it truthfully can be said that the world is a better place for her having lived in it.

[From the Jacksonville (Fla.) Journal, Jan. 10, 1969]

A GREAT LADY

Duval County and the state of Florida shares with Congressman Charles E. Bennett and Dr. Robert B. Bennett, a University of Florida professor, the grief in the passing of their mother, Mrs. Roberta A. Bennett, a gracious lady and a tireless worker for the benefit of society.

Mrs. Bennett was Florida's Mother of the Year in 1957. The widow of Walter J. Bennett, she served in volunteer work in civic and church affairs for many years and was a language teacher for alien refugees. Few give as much so willingly as did Mrs. Bennett, a true humanitarian.

SOLE-SURVIVING-SON POLICY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. ZWACH. Mr. Speaker, there is a need to extend the current policy of the Defense Department regarding the sole surviving son of a family.

While we are still reaping the bitter fruits from the university campuses of of past unwise Selective Service guidelines, there is a need for providing some protection and relief of dread and worry, for those families who have already lost one member in the Vietnam arena.

Many families feel—rightly or wrongly—that the more affluent parents were able to provide a delay and perhaps even an escape from military service by enrolling their sons in college. Other families may not have had the financial means to enroll their sons and consequently, we have a situation where all of the draft eligible sons of a family are caught up in the performance of their duty to the country.

Therefore, I have introduced a bill today which does not revoke the sole-surviving-son policy, but rather extends it to apply to anyone of his family who had been killed in line of duty in Vietnam.

I do not believe this will apply to many families, but it certainly will be a great relief to those who have already lost a dear one in Vietnam, and thus reduces the possibility of causing the few families risking more than others.

The bill states that except during a period of war or national emergency declared by Congress, no member of an armed force may be assigned to active duty in an area of combat, unless he volunteers, if after December 31, 1963, any member of his immediate family had been killed or died as a result of injuries or disease received in combat service.

I urge your support of this humanitarian proposal.

LEGISLATION TO CREATE A SPECIAL COMMITTEE TO CONDUCT A REVIEW OF THE CIVILIAN ATOMIC ENERGY PROGRAM

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. YATRON. Mr. Speaker, 23 years ago the American people through the Congress embarked upon a program to develop the atom for peaceful uses.

Over the years since then, our Nation has spent freely of its money and its manpower to bring to fruition the promise of the atom. The record will show the expenditure of more than $2 billion and the efforts of the top scientific talent being given to our civilian atomic energy program.

Yet, today we are faced with a nagging doubt—a doubt underscored by the problems created by the civilian atom.

We are worried about the hazards of the atom—hazards without precedent in all recorded history.

We are worried about the creation of atomic children and their children for centuries to come.

We are worried about the reliability of atomic powerplants, about the ability of these plants to supply the power which has become our lifeblood.

We are worried about the distortion to the free market economy brought about by the pressure of a heavily subsidized and privileged atom.

Finally, Mr. Speaker, we are concerned that no objective analysis has been made of the atom today. We are concerned lest the faded allure of atomic power blinds us to the bright challenge which may exist in other areas of scientific endeavor.

Mr. Speaker, I have today introduced legislation to create a special committee to conduct a thorough and objective review of the civilian atomic energy program. That legislation rests with the Joint Committee on Atomic Energy. I would fervently hope that speedy action will be taken by that committee to bring the legislation to the floor where it may be promptly enacted into law.

HIJACK ANSWER ELUSIVE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. FASCELL. Mr. Speaker, for nearly 8 years the air traveling public and general and commercial aviation interests have been plagued by a seemingly unending series of aircraft hijackings. Since May 1961 more than 40 hijackings have occurred around the world with the great majority occurring on U.S.-registered aircraft.

From the beginning, the Congress and the Executive has sought an effective and workable answer to this problem. On the domestic level the Congress passed a law which imposes a penalty of up to death on a convicted hijacker. I was glad to introduce and help pass that law.

The executive branch, through a number of its agencies including the FAA, also has devoted much time and effort to studies dealing with weapon-detection devices and other procedures, such as the use of sky marshals, in an attempt to bring a halt to hijackings.

In addition, a number of congressional committees, including two on which I hold membership, have made in-depth studies of the problem. The Inter-American Affairs Subcommittee last month issued a report which recaps the entire history of aircraft hijacking in a nutshell and proposes a number of possibly beneficial steps that should be taken by our Government.

The Legal and Monetary Affairs Subcommittee, of which I am chairman, also has made a thorough review. Generally, its inquiry boils down to a conclusion that the answer to aircraft hijacking is not going to be easily found and that the ultimate solution to the problem may well rest outside of the sole control of the United States.

Touching on the elusive nature of the answer to hijacking is the following column by John Pennekamp in the Miami Herald of January 7, 1969:

HIJACK ANSWER ELUSIVE

(By John Pennekamp)

Each new passenger plane hijacking brings additional suggestions for ending the practice but none has yet been accepted as sound enough to be put into practice.

Many of them have to do with shooting, or trapdoors, each of which is discarded as offering the danger of tearing up the plane or sucking out passengers because of the high speed.

One group of Cuban refugees in Miami concerned with the damage to the reputations of refugees generally caused by the fact that most of the hijackers are Cubans and the absence of cooperation by Castro, have come up with the idea of photographing the culprits in bank robber style.

Admittedly, they argue, the picture which would be made with a concealed camera without the hijacker's knowledge, offers a long-shot prospect, but it would establish a definite identification against the possibility of his return, in which event he could be arrested and prosecuted.

Also, it would be a step in the direction of seizing any property he may have left behind. Since most of the hijackers are eventually identified, the photographing idea has made little progress.

A Miami banker has suggested that some substantial reward—perhaps as much as a million dollars—be offered by the airlines for the return and conviction of a hijacker.

He would have the airline set up a pool to finance the rewards.

Castro himself, he says, might be persuaded into negotiations if that kind of money were offered. He points out that it is a good deal more than he now nets from a Cuban landing, and since he is reputedly hurting for money it might appeal to him.

Also, it would be a temptation to Cubans on the island to seize and find a way to return the hijacker.

The high cost of hijackings in money outlay to Cuba as well as in schedule disruption makes the posting of such a reward reasonable, he says.

It is the general view that the hijacking will end once there is an arrest and conviction.

Still another suggestion is that an international pilots organization take a hand.

Under this proposal all pilots would refuse to fly a plane to a country which fails to punish a hijacker or return him for punishment to the country from which the plane departed, for punishment.

The supporting argument here is that a country such as Cuba would be seriously hampered economically without commercial aviation, and such action by the pilots would stop service between Mexico and other countries now flying regularly to Cuba.

The suggestion has a vigilante touch which is unpalatable to many.

An aviation executive believes that the State Department can bring enough pressure on Castro to come to some agreement if attempts at negotiating with him through the Swedish embassy fail.

Cuba, he says, cannot do without medical supplies and other vital material that it must get, probably indirectly, from the United States. State knows what these supplies are and how they get there. Were it to enforce an effective embargo, he believes, Castro would be compelled to come to terms.

Another of the recent suggestions is that the pilot go immediately into a steep dive when a hijacker enters the cabin, thus throwing him off balance.

Obviously that might bring injury to passengers who do not have seat belts fastened, as well as to the stewardesses and others who may be on their feet.

Aviation interests are hoping for a solution—and a return for prosecution agreement with Castro seems to be the most practical one—before there is an accident that might cost many lives.

RESOLUTION OF KIWANIS CLUB OF FORT LAUDERDALE, FLA.

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. BURKE of Florida. Mr. Speaker, I have received a resolution which supports the expression of faith made by our astronauts during their Apollo 8 moon flight. This resolution was adopted by the Kiwanis Club of Fort Lauderdale, Fla., and I would like to bring it to the attention of my colleagues in the House at this time:

RESOLUTION OF KIWANIS CLUB OF FORT LAUDERDALE, FLA.

Whereas, Kiwanis International is a God loving and God fearing organization; and

Whereas, one of the prime goals of Kiwanis International for the year 1969 is to foster faith in God and to apply it to all of life's relationships; and

Whereas, the Kiwanis Club of Fort Lauderdale firmly believes that reverence to God and adherence to Godlike principles will promulgate peace and brotherhood throughout the universe; and

Whereas, the Kiwanis Club of Fort Lauderdale firmly believes that the spirit of God should nurture and guide our every thought, word and deed, whether it be in the home, business, industry or the sciences,

Now, therefore, it is hereby resolved that Astronauts Borman, Lovell and Anders, who displayed such awesome and unflinching courage in their Christmas orbit of the moon, be highly commended for their overt Christmas Eve prayers transmitted for the world to hear, as well as their unrestrained and unabashed faith in God as evidenced by said prayers.

Be it further resolved that the Kiwanis Club of Fort Lauderdale wishes Astronauts Borman, Lovell and Anders, Godspeed in all of their future space pursuits.

Be it further resolved that a copy of this Resolution be forwarded to each of said Astronauts, the National Aeronautical and Space Administration, the President of the United States, and the Headquarters of Kiwanis International.

Dated this 7th day of January, 1969.

GOLD MEDAL APPROPRIATE TRIBUTE TO MEMORY OF REVEREND DR. MARTIN LUTHER KING, JR.

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. MOORHEAD. Mr. Speaker, today is the anniversary of the birthday of the late, respected Reverend Dr. Martin Luther King, Jr.

On this occasion, I would again urge the Congress to follow the traditional manner we have followed to recognize the outstanding contributions and service of this Nation's distinguished leaders—by authorizing the Secretary of the Treasury to strike a gold medal in his honor.

Accordingly, I am today reintroducing the legislation which I introduced with 15 cosponsors on June 12 of last year.

This bill authorizes the President of the United States to present a gold medal to the widow of the Reverend Dr. Martin Luther King, Jr., and for the coining of duplicates in bronze to be furnished at cost to the Reverend Dr. Martin Luther King, Jr. Fund at Morehouse College.

Mr. Speaker, in recent years this great Nation has, appropriately, I believe, seen fit to honor such outstanding Americans as Speaker Sam Rayburn, entertainer Bob Hope, poet Robert Frost, the great medical humanitarians, Dr. Thomas Dooley, and Dr. Jonas Salk in this manner.

I feel that we should do no less for Dr. King—the greatest symbol of peace, nonviolence, justice, and racial brotherhood—we have known in modern times.

COVE NECK'S FINEST

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. WOLFF. Mr. Speaker, one of the more than a score of incorporated villages in the Third Congressional District, which I am privileged to represent, is Cove Neck. This small village, with less than 500 residents, has its own able police force under the direction of Chief Harry Porteus.

The undeveloped nature of Cove Neck requires police patrols, in some situations, on horseback and the entire force is comprised of Chief Porteus and three patrolmen. Because of the unusual nature of the Cove Neck police force and the effective job done by Chief Porteus and his force, Newsday recently featured an article on the Cove Neck police force.

Because of the excellent job these men do for law enforcement, and in recognition of the similar excellent job being done by countless other local police forces throughout the country, I wish to include in the RECORD this article from Newsday.

I regard this article, well-written and reported by the able reporter Bill Kaufman, as a lesson in the value of local police and an excellent document to the desirability of such local police forces. Under leave to extend my remarks I wish to include it in the RECORD at this point:

COVE NECK'S FINEST

(NOTE.—Theirs is just a one-horse department in an equally small village on Long Island—which is why the four men in blue who make up the Cove Neck police force can offer a personal touch to the maintenance of law and order.)

(By Bill Kaufman)

COVE NECK.—What has eight legs, wears blue clothes and owns a horse that can be seen cantering across local beaches? Ask any resident of this tiny but exclusive peninsula on Nassau's North Shore and he'll probably respond with, "Why, Harry Porteus and his police department."

Police Chief Harry Porteus, Ptls. William Albert, George Moore and Dave Golden and a specially trained horse named Midnight make up the living and breathing part of the Cove Neck Village Police Department. Teamed with two autos, a one-room police station and an assemblage of the latest police equipment, the quintet (Midnight included) provides basic law enforcement services to the affluent village, topped with a personal touch that not too many of Long Island's 44 other local police departments can claim.

"We all know just about every resident's name and we're familiar with all the cars owned by people who live in our village," Porteus said recently. The five-square-mile village, which has a few more than 300 residents, juts up into the body of shellfish-laden water formed by Oyster Bay Harbor on the west and Cold Spring Harbor on the east. The department's familiarity with residents' automobiles is partly due to the strategic location of the Cove Neck police headquarters. The one-room building that serves as communications nerve-center, depository of police records and once-a-month village police court is situated on the west side of Cove Neck Road, about a mile inside the community's limits. There is no other access road to Cove Neck and every vehicle entering Cove Neck must pass the police station, which appears to some as a border checkpoint.

Porteus, 39, a handsome and articulate professional policeman who has never worked at anything else, sat at one of the two desks inside the immaculate, cedar-shingled building recently. "In the event of any emergency or necessity," he explained, pointing out the window toward a yellow truck that rumbled by, "that road can be blocked and we can fully check anyone who is coming or going."

His black shoes gleaming almost as brightly as the green vinyl floor in the station, Porteus walked over to a shelf and pulled out a set of ledger books containing the department's records. "We've never actually had to seal off the road for any reason, though," he added, thumbing through the ledgers. The statistics in the books may explain why. Only three arrests were made by the department each year from 1963 to 1966, Porteus said, and most of these were for petty theft. There were no arrests by the force in 1967 and none this year so far. This year the department issued 40 summonses ranging from breaking the village's 30 MPH speed limit to enforcement of the village parking ordinances. The records also showed that there have been 10 auto accidents within the village in 1968 and 18 "aided cases," in which a policeman was summoned to assist persons requiring emergency medical help.

Cove Neck has no business section and is entirely residential. A major portion of the area is zoned for one residence per four acres, with several large estates running as large as 200 acres. The average size of property in the village is about 50 to 60 acres, so one of the Cove Neck Police Department's prime functions is readily apparent.

"Our major problem," says Porteus, "is what we call estate patrolling. With only about six miles of public roads in the community, we have an unestimated number of private miles—many, many of them—leading to residences as well as about 56 private beaches. We have the responsibility of providing security to each of these homes." And the private beaches are the reason the Cove Neck Police Department—which is by no means the smallest on Long Island—is possibly the only municipal force in the area that has a specially trained police horse.

"We've found that Midnight is the most efficient way to patrol the beaches and very heavily wooded areas," said Porteus, beaming with enthusiasm whenever he referred to the 16-year-old, dark-colored mare. "In the summertime especially, the beaches are frequently invaded by trespassers who land in all types of boats. Though the beaches are posted as private, there's always the inconsiderate person who'll land there figuring it's the ideal place for his beer party.

"As soon as we get the complaint, Dave (Ptl. Dave Golden), who is equipped with a walkie-talkie, drops by on Midnight and you can't imagine the psychological effect it has on the trespassers—seeing an officer on horseback. They usually leave without trouble but we do occasionally issue summonses."

So much rugged mileage is racked up by driving up and down the scores of winding, unpaved private roads, some of them as long as four miles, that the department has to buy a new patrol car each year. The department's other vehicle, an unmarked car, is primarily used for speed-limit enforcement. The department has its own radio link between the cars, the horse-patrolman and headquarters. Like most of the other local Long Island police departments, it is also tied into the county police department and can utilize county police services for major criminal investigations that require detective work.

The three patrolmen rotate eight-hour shifts and maintain constant radio contact with Porteus at the station. The chief also has a radio at his home, so that he's on call 24 hours a day. During the summer, when village traffic swells because of tourists visiting the Theodore Roosevelt home at Sagamore Hill (a federal tract within the village boundaries), two part-time patrolmen are added to the force. This also enables the department to maintain full coverage during vacations. Illnesses on the force have been rare, Porteus says, but when that occurs a part-timer is called to fill in.

Porteus gestured toward a gray steel file in the corner of the police station, while through the turned-on radio the voice of Albert checked in from Car 658, the department's well-polished white patrol car. "These files," explained the chief, "contain cards listing every resident who is away on a vacation or a business trip, or whose home is going to be vacant for any length of time." Porteus said special attention is paid to these residences on the estate patrols, which include a brief walkaround when possible.

A typical estate patrol on a sunny afternoon with Albert was a learning experience in the art of making U-turns in beautifully wooded cul-de-sacs, frequently before gracious and expensive homes. Car 658, with red beacon perched on the roof and an imposing-looking gold-and-black emblem, somehow looked even more ominous with a loaded 12-gauge shotgun clamped in a special dashboard rack. The cannister of Chemical Mace dangling from the rack added another incongruous note to the serene landscape, as the car wound past Oyster Bay Harbor and turned up Tennis Court Road.

"Like any good police department, we've always prepared," said Albert, 25, a member of the department for three years. Like his partners Moore and Golden, Albert says he loves his work and takes prides in the tiny force. He says that he can't recall the shotgun, or any gun, ever being fired in the line of duty in the department, but that "I once did have to use the Mace—It was last year when I went out to check a suspicious noise behind a vacant house and a large dog charged me. I was forced to give him a little squirt."

Albert guided the car the four miles up Tennis Court Road, a private thoroughfare, and pointed out a large field where he once had to round up a stray horse. After a quick check at the small private beach and marina at the end of the road, he turned back to cover six more winding private lanes. Albert got out and walked around the attractive white modern home of H. H. Hewetson and checked the doors and windows. He did the same at several other homes on Gracewood Court, finally ending up at a large, gray Victorian mansion that bore the name "John K. Roosevelt." Albert said that at the time, the owners of these homes were away and that whenever this was the case, at least once a day the property would get the walk-around treatment. Albert patted a large dog that wandered by. "We get to know every dog on the beat and they get to usually know us and the sound of our cars," he said. "There are a lot of dogs around here and you learn to live with them and like them."

The patrol lasted almost an hour, with Albert explaining that each home in the village is driven past "at least four or five times during each 24-hour period." He said the times are staggered, to discourage any potential intruders from predicting the appearance of patrols.

Porteus admits he has certain sensitivities about being chief of a so-called "gentlemen's" police department as opposed to a "hard-nosed" force, by virtue of the nature of the relatively isolated and stratified community. "We just don't like to be kidded too much about our size," reflected Porteus, "because we are totally ready to cope with any problem." Porteus' face took on a serious look when he said, "We know our duties, we know our community and we give and get the greatest respect from our citizens. It's like any professional—it doesn't matter what you do as long as you do it as best as you can."

And apparently many Cove Neck residents feel strongly about the presence of Porteus, Albert Moore, Golden and Midnight. On a rare patrol visit to a number of residents' homes—rare because as chief, Porteus generally remains in the station—the officer in the well-pressed uniform was warmly greeted.

Mrs. Douglas Race of 3 Gracewood Ct., the wife of an American Airlines captain and mother of four children, said, "It gives me a great feeling of comfort at night to see that patrol car come up the drive. It's desolate here and we're home alone a lot." Mrs. Race's confidence in the four-man department was echoed by Richard Doody, 73, and his wife, 70. Both are resident caretakers at the exclusive Cove Neck Tennis Club, a massive indoor court buried in the woods off Tennis Court Road, that caters to such VIPs as New York's Mayor Lindsay. "I'm a bad sleeper," said Mrs. Doody, "and we kind of look for them (the patrols). Without Harry we'd be lost." (Another resident farther up the heavily wooded road, Mrs. John W. Cassidy, the wife of a publishing executive, described the community's relationship with the police force as "unique. It's a close personal relationship the community has with the department," she said. "It's like having your own personal police force."

This personalized type of law enforcement has cost Cove Neck between $46,000 and $50,000 annually in recent years, including salaries. Porteus receives $12,000, plus the use of a rent-free home provided under an agreement with the village board. The three patrolmen earn an average of $8,000 each, which is about $1,000 below the Nassau County Police Department pay scale. Porteus has asked the board for parity with the county and is awaiting a decision on the matter.

Porteus, who has five children, joined the Cove Neck force as a patrolman in 1952, rising to chief in 1965. Before that, he was a Nassau County policeman for 10 years. A winner of numerous pistol tournaments, Porteus has never had to fire his gun in action during his career. He is also a physical-fitness buff, who insists that his men be in top shape and talks eagerly about the fine record the department has achieved in the two weeks each year that it attends a standard, FBI in-service training course required of all local police departments. Like the other local forces, the men have all had 12 weeks of intensive police training with the county police department.

Both Nassau Police Commissioner Francis B. Looney and Suffolk Commissioner John L. Barry praised their department's relationships with the local forces in their counties. Calling the Cove Neck force "a highly professional one," Looney added, "I was happy to recommend Harry Porteus, who was a member of this department, to be the chief of Cove Neck."

And Cove Neck Mayor William Mathers quickly defended the department against the implications of the gentlemen's-police-force label. "Given the occasion," said Mathers, "they would become a hard-nosed department." Mathers said that if the village had no police force of its own and had to depend solely on the county force, "we wouldn't get much attention—we're sort of off in the corner." He added: "In this community, it's possible to run a police force with his particular physical configuration—the coverage we get is excellent."

Midnight, the police horse, works only in the summertime. During the winter he spends his time at a local pasture enjoying life. On a recent visit to check him, Porteus laughed when asked about the array of leather straps and pieces of metal in the rear of his car. "I'm probably the only police chief around," said Porteus, "with 20 pounds of horse bridle in his car." Midnight seemed to recognize the chief, and snorted an official greeting.

U.S. FOREIGN AID FOR CUBA?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. RARICK. Mr. Speaker, Castro has successfully exploited U.S. hijacked planes into a sizable profit—foreign aid of $32,000. And once more the expense and inconvenience of tolerating communism at our back door comes home to haunt us.

Mr. Speaker, I insert Stephen M. Aug's column in the Evening Star for December 25, 1968, as follows:

Fees of $32,000 Paid Cuba in 13 Hijackings This Year

(By Stephen M. Aug)

The nation's airlines have paid the Cuban government about $32,000 this year in assorted fees resulting from hijacking incidents—and so far, apparently, nobody is complaining the price is too high, a Star survey finds.

Following each of the 13 instances in which a United States commercial airliner has been forced to Cuba, the airline has received a carefully itemized bill signed by William R. Jochinsen, chief of the State Department's Protection and Representation Division, calling for "a remittance in the form of a certified check, bank draft or money order made payable to the Department of State."

The remittances are averaging $2,500 and the airlines are paying it promptly.

The State Department, of course, doesn't set the fees. They are determined by the Cubans and forwarded to the Swiss Embassy in Havana, which handles U.S. affairs in Cuba. The accounting is forwarded to the State Department.

But the $2,500 average takes into account only the direct charges for landing in Cuba. There are other costs—overtime for the crew, a plane out of service for 15 hours or more, substitute planes to handle other regular flights in this country, the costs of additional accommodations for passengers, the cost of flying them back to this country.

One published figure—attributed to Pan American Airways—puts the cost of a hijacking at $35,000 to $50,000. But Pan Am officials could not confirm this price. An Eastern Air Lines official says the Sept. 20 hijacking of its San Juan-bound Boeing 720 with 53 persons aboard cost $10,787.50 just in cash expenses.

The charges for landing a hijacked plane in Cuba, however, vary. Eastern lists the charges as $2,348.50 for the Sept. 20 hijacking; $3,277.92 for the Nov. 23 hijacking, and $2,472 for the one on Nov. 30.

Pan Am has received a bill for $2,745 from the Cuban government for the needs of its crew and plane hijacked with 96 passengers on Nov. 24. National Airlines, which has had four hijackings this year, says it has paid bills ranging from about $2,500 to $2,700.

The assorted charges levied by the Cubans can range from $5.05 for weather forecasting from Cuban airports to $749.22 for the cost of lunch for the hijacked plane's passengers and crew. In the case of Eastern's Sept. 20 hijacking, this amounted to $14.13 per person for lunch and the same for dinner.

But both airline and State Department officials say the charges are not excessive—although they are in some instances considerably higher than charges made in this country for airport-related services. A State Department official notes that "fuel in Cuba could be expensive—not for political reasons, but for economic reasons.

"Acceptable items of food would be more costly than we would believe reasonable, but only because they are out of the ordinary items of food available in the general markets."

The domestic airline with the most experience in hijacking is Eastern. It has had five in 1968—four of them going all the way to Cuba—and all originating at or destined for Miami.

Despite this, the chances of being aboard a hijacked plane are slim. Eastern has a plane entering or leaving Miami every six minutes, making the odds 100,000 to 1.

Other domestic airlines having planes hijacked this year are—Delta 2, although one attempt was stopped; Southeast 1; Northwest 1; Trans World 1 and 1 unsuccessful attempt; Pan Am 1.

AN ITEMIZED HIJACKING BILL

Here is the bill from the State Department to Eastern Air Lines detailing the payment to be made to the Cuban government for the September 20 hijacking of a Boeing 720 jetliner (English translation is approximate):

Derechos de aterrivaje (landing fee)	$225.00
Servicios de handling (handling costs)	354.00
Derechos de estacionamiento (parking)	31.25
Derechos por servicios de aduana (duties)	12.50
Derechos por servicios to meteorologia (weather services)	5.05
Servicios de comisaria (commissary)	132.55
Servicios de comisaria	19.00
Servicios de restorant (almuerzo) (lunch)	749.22
Servicios de restorant (comida) (dinner)	749.22
15 percent recargo por operacion nocturna (night operations surcharge)	70.80
Total	2,348.50

NO PRAYERS IN OUTER SPACE?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. ASHBROOK. Mr. Speaker, for Members of Congress one of the highlights of the Apollo 8 adventure was the appearance of the astronauts before a joint session of Congress last week. In his remarks Col. Frank Borman, remembering the confusion caused by the Supreme Court in ruling on the issues of Bible reading and prayer in the public schools, struck a chord of contention among American citizens if the instantaneous reaction of those present in the House Chamber is any indication.

Human Events, the Washington newsweekly, led off its Washington news column in its issue of January 18 with this tongue-in-cheek query: "No Prayers in Outer Space?" I include this short, incisive item in the Record at this point:

No Prayers in Outer Space?

The Apollo 8 astronauts—Col. Frank Borman, Capt. James A. Lovell Jr. and Lt. Col. William A. Anders—were hailed as heroes when they appeared before a joint session of Congress last week. While tales of their Superman exploits intrigued the lawmakers, Col. Borman, taking notice of the Supreme Court justices in the front row, made a remark that brought down the house.

"Now, as you all know," said Borman, "the flight has been very well covered, but there was one significant accomplishment that has gone rather unnoticed, and I would like to take note of it today if I may.

"I think that one of the things that was truly historic was that we were able to get good Roman Catholic Bill Anders to read the first four verses of the King James version."

"But now that I see the gentlemen here in the front row," Borman remarked of the justices, "I am not sure we should have read the Bible at all."

RESEARCH PAPER ON ELECTORAL REFORM

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. O'HARA. Mr. Speaker, events of the past year once again demonstrated the need for reform of the process by which we select our Chief Executive. Fortunately we were able to avoid—this year—the shoals in the electoral college system. The fact remains that every presidential election is a gamble with chaos.

Recently one of our colleagues, the distinguished Member from New York (Mr. Horton) prepared a series of articles for distribution in his congressional district in which he discusses the dangers and inadequacies in the procedures by which we nominate and elect the President.

In these articles he outlines a 10-point program of electoral reform, encompassing the nominating process as well as the general election.

I think that you will agree with me that this is a monumental work. The articles of the gentleman from New York cover the history of our electoral process. And while we may have differing ideas about the specifics of reform, his proposals make up one of the most comprehensive plans I have studied.

In total, this work is an excellent research paper on electoral reform, and the proposals lay the foundation for further discussion.

Our colleague from New York deserves our commendation for his work, and I recommend his articles to you. I insert them in the Record at this point:

Horse-and-Buggy Election Procedures Need Overhauling Says Congressman Horton

(Note.—A paper prepared by Congressman Frank Horton, of New York, outlining extensive details for updating U.S. election and nominating procedures.)

The election of the 37th President of the United States in 1968 has made one thing abundantly clear. It is high time our horse-and-buggy election procedures be overhauled and updated. The antiquated Electoral College must be replaced with an effective system which will let the people decide who will lead them.

It's not for lack of trying that there have been no reforms in the Electoral College since 1804. Despite inaction, more amendments have been proposed to reform the system than for any other single provision of the Constitution.

Since Jan. 6, 1797 when Congressman William L. Smith of South Carolina offered the first Constitutional amendment proposing election procedure reforms, more than 500 amendments have been proposed. More than 200 have been offered since 1947 alone.

In reviewing nomination and election procedures over the past 180 years, I have kept in mind three principal goals:

Elimination of blatantly undemocratic elements of the present system, such as denying meaningful participation by the people in the selection of party nominees and their election; independent voting by members of the Electoral College and run-off procedures in the House of Representatives.

Preservation of our traditional two-party system without eroding the strength of state and local parties. Without imposing unreasonable Federal controls party nominating procedures must be maintained, strengthened, and legalized under the Constitution.

Preservation of state responsibility for elections, where it has resided since our nation's founding. Only where essential uniformity and the principles of democracy demand should Federal standards be imposed.

This study has shown the need for ten basic changes to meet these goals. I will offer these proposals to amend our Constitution, which must be viewed as a living set of laws requiring occasional updating to meet the needs of an advancing society.

The Horton proposals include:

Abolishing the Electoral College.

Dividing the electoral vote, one vote for each Congressional District in each state, proportionally among the candidates based on the popular vote in individual states.

Requiring a 40 percent electoral vote margin, rather than a majority for the victor.

A run-off election for the top two candidates one week following the general election if no candidate received 40 percent of the electoral vote.

Polling the 50 state legislatures to determine voting age for persons voting for the Presidency. The majority decision would then become law under an act of Congress.

A Federal Election Commission to review election procedures, recommend changes and settle contested election results involving the Presidency.

Permitting persons to vote for the Presidency in the state where they were last eligible to vote regardless of local and state election residency requirements.

Equitable electoral vote for the District of Columbia.

Establish basic rules for National Party Convention, binding delegates to first ballot votes and providing for a run-off primary when no candidate receives a majority of delegate votes.

Five year population census to assure accurate figures to determine proportional assignment of Congressional Districts and electoral votes to the states.

At the time our Constitution was drafted, the Electoral College and its accompanying election procedures were the most democratic the world had ever seen. But that was in 1787. Now, 180 years later, with the great advances in education and communication our people have matured politically and the system is outdated.

These proposals will offer a more modern and responsive mechanism enabling the voice of the people to be heard more effectively.

As with any proposed Constitutional Amendments, it is essential to develop a plan agreeable to two-thirds of the members of each house of Congress and to 38 State Legislatures. In effect, 13 states can kill any amendment attempt. Thousands of amendments have been proposed for changes in the Constitution but only 25 were accepted.

ELECTORAL SYSTEM DEVELOPMENT

In creating the Electoral College system, the authors of the Constitution intended that each State should choose its most distinguished citizens as electors. Once the electors had been selected it was expected that they would deliberate and vote as individuals in choosing the President.

With the early emergence of political parties, it quickly developed that electors were chosen to represent those parties. Designation as a candidate for elector by the party leadership became an honor to those who had served the party well. By 1800 independent voting by electors had almost, but not entirely, disappeared.

Responding to pressure for popular control, the practice of choosing electors by popular vote quickly developed. By 1832, direct election was the rule in all States except South Carolina, which made the change at the time of the Civil War.

The practice of giving all the electors to the party which wins the most votes in the States, the "general ticket" or "unit rule" system, is also a product of the early 1800's.

THE MOVEMENT FOR REFORM

From the start, the method of electing the President has been a subject of debate and discussion. At the Constitutional Convention, a few key members, including James Madison, Benjamin Franklin and Gouverneur Morris, favored direct popular election. Others preferred to see the President elected by Congress or the State Governors.

One of the arguments for the Electoral College system was that through the provisions for at least three electors regardless of population it gave the small States some protection against domination by large States. It was felt that to preserve our Federal system of Government, this was an important consideration and the argument went far in swaying the Convention.

Another important argument was that it placed the choice of the President in the hands of persons presumably able to become acquainted personally with the various Presidential candidates, as the mass of people at that time were not.

The mass media, particularly television, have changed this drastically. Today's Presidential candidates are exposed, analyzed and interpreted to a degree never conceived by the Founding Fathers.

Numerous criticisms have been directed at the existing election system. Custom and tradition have greatly altered the operation of the system as it was originally created. Some criticism is directed at the original system, others at the aspects of its development.

Three major areas of criticism have evolved:

The office of Presidential elector, particularly the prospect of the so-called "Faithless Maverick," an elector who votes against the mandate of the voters who elected him.

The unit rule giving a state's entire electoral vote to the candidate with the most votes, be it a one-vote plurality or a 2,000,000 vote majority.

Prospects that an election could be thrown into the House of Representatives where each state would have one vote regardless of population.

ELECTORAL PROCESS CONFUSING

The presence of electors in the electoral process is confusing to some voters. Thirty five states, including New York, do not even carry the names of the electors on their ballots. A few states provide for listing only the names of the electors and not the actual candidates.

Reform proposals have included direct voting, proportional voting, district voting and automatic or "non elector" plans.

Proposals for the direct election of the President of the United States date back to 1826 when Congressman William McManus of New York offered the first amendment on direct voting. Since then more than 100 proposals have been made. In the 90th Congress alone 15 amendments were offered to establish a direct voting system.

The seriousness of the electoral college crisis becomes obvious when we realize that 15 of our 37 presidents have been elected with less than a majority of the vote. Most direct voting proponents urge a 40 percent plurality requirement.

On November 5, 1968, we elected Richard M. Nixon as President with 43.4 percent of the vote, a mere .7 percent margin over Vice President Hubert H. Humphrey. Third party candidate George Wallace polled 13.5 percent of the vote. Despite the closeness of the popular vote Nixon had a clear electoral edge: 302–191–45, in the unofficial tally.

MINORITY PRESIDENTS

The term "minority" President is loosely used and creates an erroneous impression.

Actually we have had only three minority Presidents—that is, a candidate elected President with a smaller number of popular votes than his closest opponent.

In 1824, Andrew Jackson received more electoral votes and more popular votes than did John Quincy Adams but the election fell into the House of Representatives, which gave a majority of its votes to Adams, electing him President.

In 1876, Samuel J. Tilden received a majority of more than 250,000 popular votes over Rutherford B. Hayes. The returns from Florida, Louisiana, Oregon, and South Carolina were contested. An electoral commission, created by Congress to settle the dispute, decided the contested returns in favor of Hayes, who won by one electoral vote.

Grover Cleveland received a popular plurality of about 100,000 votes over Benjamin Harrison in 1888. Cleveland obtained only 168 electoral votes, and Harrison with 233 electoral votes was elected President.

Twelve other Presidents failed to obtain a majority of the popular vote but all these men, execpt Abraham Lincoln, did receive a plurality of 40 percent or more.

In 1860 Abraham Lincoln was elected President with only 39.79 percent of the popular vote. U.S. Senator Stephen A. Douglas had received 29.40 percent and Vice President John C. Breckinridge 19.2 percent. Lincoln had 180 electoral votes, a clear majority; Breckinridge, 72; and Douglas 12. Fourth party candidate John Bell had 39 electoral votes with 12.6 percent of the vote.

James K. Polk was elected President in 1844 with 49.56 percent of the vote compared with 48.13 percent of the vote for Henry Clay. Four years later Zachary Taylor received 47.13 percent of the vote in beating Lewis Cass who had 42.47 percent.

Woodrow Wilson was elected in 1912 with 41.85 percent of the popular vote. He led Theodore Roosevelt who had 27.42 percent and then President William H. Taft who had 23.5 percent.

The Presidential race in 1960 saw John F. Kennedy win with 49.71 percent of the vote while Richard M. Nixon had 49.55 percent. Kennedy, however, had 303 electoral votes to 219 for Nixon.

Harry S. Truman, Grover Cleveland, James A. Garfield, and James Buchanan also were elected with a plurality but less than a majority of the vote cast.

The major argument in favor of direct voting is that it would give more meaning to the individual vote. Direct election would eliminate the "unit rule" under the present electoral system and prevent a candidate from winning the presidency without having a plurality of votes.

Direct voting would boost the two-party system, its proponents say, particularly in those areas where one-party control is entrenched.

Because each vote would count directly in choosing a President, they say, direct elections would encourage more people to vote. Although increased competition between parties might result in larger turnouts at the polls, under the present system with fixed electoral votes at stake there is no electoral advantage from a generally high voter turnout.

URBAN STATE ADVANTAGE CITED

In arguing against direct election opponents say it would impose a disadvantage on the sparsely-populated states. At the present time the majority of the voting population is located in nine urban states where voter turnout is traditionally higher.

Another criticism of direct elections is that they would lead to Federal control of elections. Establishment of a national voting law for the presidential election could threaten state control of its own elections, critics say.

Election of the President by districts is probably the first proposal considered by the authors of our Constitution. Article II of the Constitution provides that each State Legislature shall determine how their electors are selected.

When State Legislatures began to provide for popular choice of Presidential electors in the 1700s and early 1800s, it was normal for the electors to be chosen in districts similar to Congressional Districts.

James Madison, later elected our Fourth President, was quoted as saying that the District system is the one "mostly, if not exclusively, in view when the Constitution was formed and adopted."

However, it was generally abandoned when dominant parties in the State Legislatures saw that they could win more votes for their candidate by choosing electors on general State-wide tickets, using the winner-take-all unit rule.

An argument against the district system is the same against the present electoral plan: that, like any state today, a district would be won by a candidate having a one-vote margin or a 100,000-vote margin.

NIXON OVER KENNEDY?

A district system would have made no difference in the 1968 Presidential election but it would have elected Richard M. Nixon as President over the late John F. Kennedy in 1960. That year, Kennedy, who had a slight edge in the popular vote, received 303 electoral votes to 219 for Nixon. A district plan along Congressional District lines would have given Nixon 280 electoral votes to 254 for Kennedy.

This past election a district plan would have given Nixon 289 votes, Vice President Hubert H. Humphrey, 192, and George C. Wallace, 57. In New York State a district plan would have given Humphrey 24 votes and Nixon 19 votes, as opposed to all 43 for Humphrey. That would be 55.8 percent of the electoral vote for Humphrey who had 49.8 percent of the popular vote as opposed to 44.2 percent of the electoral vote for Nixon who had 44.3 percent of the popular vote. Wallace had 5.3 percent of the popular vote with .6 percent scattered among several minor parties.

While reducing the number of electoral votes to the winner in the last 12 out of 13 elections, a district system would have changed only the result of the 1960 Kennedy-Nixon campaign.

Under the district plan, proponents say, a check would be placed on the political power of the large cities and especially the power of certain pressure groups within those cities. The voters in the major cities would not be able to control a disproportionate share of the state's electoral vote.

The weight of popular votes in small states would continue to exceed the weight of that vote in large states, opponents say, particularly if they get two additional electoral votes for the state's popular vote winner.

The major argument against district voting is that it would not change the election system enough from present procedures.

Another alternative proposed has been called the "automatic system," which would eliminate the electors and automatically cast all of a state's electoral votes for the winning candidate in the state. Opponents claim, however, such a plan would merely freeze the present inequities into the U.S. Constitution.

The greatest criticism of any automatic plan is that it would give Constitutional status to traditional "winner-take-all" unit rule for electoral votes making a Constitutional mandate.

BOUND BY CONSCIENCE

Under the present electoral system, no matter who elects them, the electors are bound by conscience to vote for the candidate winning the most votes in their states.

Some state laws bind electors to the party on whose ticket they ran. However, the question of whether such statutes are enforceable, if violated, has yet to be tested generally in the courts.

One does not have to look far for evidence of the outdated and dangerous state of our election and nominating procedures for selecting our President.

The greatest danger of all in the electoral system showed itself Jan. 6, 1969 when the Congress met in joint session to count the ballots of the Electoral College from the individual states. The joint session will have to contend with a "Maverick" elector.

Each State's sealed ballots are opened in alphabetical order and counted, subject to objections to improper ballots by at least one Senator and one Representative.

I joined other members of the House and Senate in opposing the ballot of one "faithless" North Carolina elector, elected on the Nixon slate, who bolted his party to vote for George Wallace.

Dr. Lloyd W. Bailey, duly elected Republican elector from North Carolina, cast his ballot on December 16, 1968 for Wallace, stating that he considered it his "moral obligation to do so."

The names of the candidates for the Presidency and not the names of the electors appear on the North Carolina ballot. Thus, those voting for a Presidential candidate were led to expect that each elector for that candidate would cast his ballot according to the will of the voters who elected him.

If Dr. Bailey's vote is allowed for another candidate, the voters of North Carolina will be deprived of an "effective vote," as guaranteed by the 14th Amendment and confirmed by recent Supreme Court decisions.

Although Dr. Bailey's single vote will not alter the overall result of the Presidential election, allowing him to oppose the instructions of those electing him makes a mockery of an already deficient election process.

It also opens the door to abuses by greater numbers of electors in future elections. A change of only 10 percent of the elector's votes could have thrown the 1968 elections in to the House of Representatives.

Significantly, those in Congress who led the objections to allowing the vote of the "faithless elector" are members of both political parties. The ballot is being opposed not on political but on constitutional grounds.

Regardless of the outcome of our objection, calling attention to a "faithless elector" in 1969 underscores the urgent need for prompt and comprehensive election reforms.

APPORTION VOTES BY POPULATION

There is only one minor aspect of the present electoral system which comes close to measuring up to twentieth century standards of democracy. That is the apportioning of a fixed number of electoral votes to the 50 States.

Each state must be guaranteed a voice in the selection of a President and Vice President equal to its own proportion of the population. To implement this sound principle, and eliminate the remaining undemocratic aspects of the Electoral College system requires major reforms.

PROPORTIONAL-AUTOMATIC PLAN

The electors themselves, and their power to vote as they please, must be eliminated. The election of "electors" by the people, who in turn will reflect (or not reflect) the people's will in choosing national leaders is at best a vestigial requirement of the Constitution.

Unlike any of the other proposed alternatives, a proportional vote amendment would best reflect the popular strength of the candidates and still maintain our Federalism.

The proportional automatic system comes closest to electing a President by popular vote of the people while at the same time preserving the state's relative electoral voice.

Each state would receive the same number of electoral votes as they have Congressmen. Presently, they receive a number of votes equal to their House and Senate delegations. A high or low voter turnout in any state would not effect the result in any other state.

A proportional plan in the 1968 election would have given Richard M. Nixon 43.5 percent of the electoral vote and Hurmphrey 41.6 percent, the closest of any race under the various alternatives proposed. George C. Wallace would have received 14.9 percent.

The proportional vote proposal would break the electoral vote down to three decimal places. Proportional distribution could lack precision, particularly in the smaller states if only whole votes were required.

This year a proportional "whole-vote" plan would have given Nixon, Humphrey and Wallace two electoral votes apiece in Arkansas despite the fact that Wallace had 39 percent of the vote, Nixon 31 percent, and Humphrey 30 percent, A three place decimal breakdown would have given Wallace 2.346 votes, Nixon 1.836 and Humphrey 1.818.

MINORITY PARTY ENCOURAGEMENT

Opponents of proportional voting feel that it would encourage minority parties. New parties would not have to win elections to exercise political power, they say. These parties, particularly if a majority of electoral votes is required to win, would exert great influence by holding the balance of power.

An effective means to reduce the power of third parties is to lower the required victory, say to 40 percent.

Under proportional voting, based on one vote for each Congressional District, the smaller states would still be protected. No state would have less than one vote no matter what their population.

The winner-take-all unit rule which gives all of the electoral votes of each state to the winner of even the smallest plurality has proven a most inaccurate and undemocratic reflection of the will of the people.

Where a candidate received a one vote plurality in a state, and wins all of that state's electoral votes, the individual votes of all who voted for his opponents are nullified.

In place of the present system which diminishes the people's voice in the most important decision the American democracy can make, a proportional plan would eliminate the arbitrariness of the present system, enhance the role of the individual citizen and the state in electing the President.

The present electoral system is built around an assignment to each state of electoral votes equal in number to the state's delegation in the House and Senate.

Thus, Vermont, with enough population

to support a single Congressional District, gets three votes (one for the Congressman and one for each Senator). New York, with 41 Congressional Districts, gets 43 votes, 14 times more than Vermont, although New York has over 40 times the population of Vermont.

Automatic casting of electoral votes, based on one for each Congressional District within each state, eliminates the two bonus votes, unrelated to population which give smaller states an electoral voice out of proportion to their size. Thus New York would have 41 votes while Vermont and other states with one Congressman wòuld have one vote as they do in the House of Representatives, which is elected solely on the basis of population.

Thus in New York State, where almost 6.8 million votes were cast, Hubert Humphrey with 3,378,400 votes, would have received 20.418 electoral votes; Nixon, with 3,007,938 votes, would have received 18.163 electoral votes. Under the current system, Humphrey received all the electoral votes, in effect nullifying the more than 3 million individual votes cast for Mr. Nixon.

Among the objections to a pure, direct voting system is that voter turnout, and not actual population, determines the voice of each state in the election. Weather and other factors can drastically effect voter turnout on any given election day.

Without apportioning electoral votes by population, variables in voter turnout, which is usually high in urban states and somewhat lower in rural states, could have the effect of cancelling any voice in the result for citizens of some states.

The number of citizens, and not the number of persons who vote on a given day, should determine the state's voice in the outcome of a national election. Those who vote will determine the direction of each state's votes, and will speak at the polls for all the residents of their state.

It is important that a newly elected President have the strong support of the people. History has proven this can be accomplished by reducing the victory margin from a majority to 40 percent of the electoral vote.

Almost half our 37 Presidents were elected by less than a majority of the voters although only John Quincy Adams in 1824 was elected by less than a majority of electoral votes. Only Lincoln in 1860 received less than 40 percent (39.79 percent) of the popular vote.

If, in a three-way race, no candidate received 40 percent of the electoral vote, a national run-off election between the two highest candidates would be held one week after the first election to determine the winner.

This provision would remove the House of Representatives, with each state having one vote, as the national arbitrator for the office of the Presidency in the event of a run-off under the present system.

The 40 percent provision would counterbalance the effect of a proportional electoral vote system on the strength of splinter and third parties. While third parties would no longer have to win a majority in any state to show up in electoral vote tallies, their power to throw an election into some form of a runoff would be greatly diminished.

In order to deprive a majority candidate of the election, third and other splinter parties candidates would have to win a minimum of 20% of the vote to necessitate a run-off.

Under the present system, a third-party candidate with only a few percent of the vote in one geographical area, could throw a close election into the House. By winning as few as three of the Southern states voting for Richard Nixon in 1968, George Wallace could have added to his count enough electoral votes to prevent the required 270 majority for Nixon.

NATIONAL CONVENTIONS AND PRIMARIES

There is no Federal law or Constitutional provision governing the Presidential nominating procedures. Primaries are governed by State law as are rules for selection of convention delegates. The present system works because of a combination of party customs and State laws.

The selection of a President does not come under any Federal law or guidelines until Election Day. This has resulted in scattered procedures and an overall lack of uniformity among states in methods used to achieve the selection of Presidential nominees.

This proposal would provide a constitutional basis for national party conventions while maintaining the party's right to pick its own nominees for the Presidency.

In the 1968 national election year, as in other years, there has been widespread criticism that our Presidential nomination system does not afford the people a meaningful role in the selection of candidates.

In two thirds of the States, no presidential preference primaries are held, and the people have no direct voice in determining who will represent them at party conventions. The remaining third of the States hold primaries, but only a few of them bind elected convention delegates to vote for the candidate who wins the primary.

Since the days of Andrew Jackson, the national political convention has been an integral part of the American scene. Although unknown to the Founding Fathers, national conventions evolved through trial and error between 1788 and 1832. The party convention was born of necessity. Its history follows right on the heels of the development of party factions.

POLITICAL SYSTEM ESSENTIAL

George Washington, our first President, was elected by a unanimous vote of the electoral college in each of his two terms. But during Washington's first adminisistration, the need to develop political strength became obvious to such leaders as Alexander Hamilton, Thomas Jefferson and James Madison.

The political differences between the forces of Hamilton of New York and those of Jefferson and Madison, fellow Virginians, sparked the development of a two-party system throughout the states.

Beginning in 1796, a caucus of each party's members in Congress chose the nominees. In succeeding years, however, congressional caucuses waned and were replaced entirely by the national conventions in 1832 which nominated Andrew Jackson, the incumbent President, on the Democratic ticket and Henry Clay on the National Republican ticket.

The first conventions provided the forum for resolving personal and sectional rivalries. They also represented an increasing awareness and interest by the public, much the same as we are seeing throughout the country today.

By the time of the Civil War convention procedures—formulated outside the confines of the Constitution—were pretty much set and have changed little over the years.

Since the early days of our country's founding, plans for changing the presidential nominating procedures have come in many shapes and sizes and under various labels.

One of the most popular nominating methods being suggested in the wake of the controversial 1968 conventions and extremely close Presidential election is that of a single national primary, regulated by Federal law and presumably administerd in part by Federal officials.

A national primary system is envisioned by many as a move toward more democratic elections, substituting for the present mixed system of state primaries, state and local party caucuses and the final selections in the national party conventions.

Proposals have included amendments for a national primary and statutes which would induce the individual states to adopt uniform primary and convention procedures.

Uniformity is lacking in the selection of delegates and candidates in state primaries.

Since 1916 more than two dozen States have had Presidential primary legislation. At the present time, legislation for such primaries exists in only 14 States, each with a different form. The rest of the States have repealed their provisions or let them fall into disuse.

New York State requires a primary only when there is a contest for a delegate or alternate seat. New York does not have a preferential presidential primary.

The most widely-known preferential primary is in New Hampshire, traditionally the first one held each Presidential year.

The vote in New Hampshire is binding on delegates only if they have signed a pledge for a specific candidate. (The binding power of a primary pledge is one of the election reform controversies. The independence of a maverick delegate has yet to be tested generally in the Courts.)

The candidates' consent to have his name on the ballot is not required in New Hampshire but a name can be withdrawn on request.

In Oregon, names of candidates are placed on the ballot at the discretion of the secretary of state or by petition. Traditionally, candidates selected by the secretary of state have little power to remove their names. Delegates there are pledged to the winner of the primary.

Political scientists look with disfavor on a national primary. Instead they urge the present national convention practice be revamped. They contend national primaries would dilute the nation's two-party system, an essential element of our government structure.

A national primary, they assert, would lead to degeneration of the parties into factions incapable of offering effective government.

The opponents of the national primary contend it would limit party competition, completely eliminating the possibility of a draft or the nomination of the "reluctant" candidate with broad popular appeal.

It is questionable whether Woodrow Wilson, Dwight D. Eisenhower or Adlai Stevenson could have won their party's nomination in a national primary.

While some state and local candidates are picked at primaries, it must be pointed out that the primary vote drops drastically to between 25 to 40 percent of registered voters, with interest often limited to party regulars.

National primary opponents also believe the cost of campaigning—exceedingly high now—would be astronomical.

NEW NOMINATING PROCEDURE

The concepts of national primary, party conventions, and state-Federal control can be combined to form a new Presidential nominating procedure. This would preserve the party-strengthening effects of the convention and be more responsive to the will of the people in selecting their national leaders.

The party convention should be the key link in a new system for nomination of national candidates.

Under this plan, any State, at its choosing, may hold a presidential preference primary under its own rules for entering names on the primary ballot, as long as primary candidates meet the constitutional requirements for the office they seek.

BIND DELEGATES BY LAW

A new Federal requirement would commit delegates elected in any Congressional District to vote for the winner of the primary in that district on the first convention ballot. Thus, state primaries which have no binding effect on delegates' first ballot votes could no longer be held.

No state would be required to hold Presidential primaries. But where primaries are held, the people will have a direct voice in the convention voting of their party delegates. State legislatures also would be under pressure to provide for Presidential primaries by people seeking a direct voice in selection of candidates.

Although no law would require conventions to select candidates who have competed in State primaries, one Federally-imposed convention rule would encourage serious candidates to participate in primaries, to test their strength among the people.

This rule would provide that, where no candidate for nomination wins a clear majority of delegate votes on the first three ballots, and where on the third ballot, two candidates each have the support of 40 percent or more of the delegates, those two aspiring nominees would enter a national post-convention primary held two weeks after the close of the last party convention.

In a convention where after three ballots, no candidate has a majority and no two candidates enjoy 40 percent each of the delegate support, further ballots would be held until either a single candidate wins a majority of all delegates, or two candidates (neither having a majority) win the support of 40 percent of the delegates—whichever occurs first.

Should the latter occur, a primary between the two leading contenders would be held as provided.

Party primaries, if needed, would be held on the same day in every State, and would select by direct popular vote the nominee for each party which was unable to select its nominee in convention.

Where no primary is needed, the candidate for Vice President would be selected, as he is now, by the Convention. When a nominee for President is selected by a national primary, he may nominate a Vice-Presidential candidate to a specially-appointed convention committee representing each state, which would choose a Vice-Presidential candidate for the ticket.

The loser in the party's primary would not automatically become the Vice-Presidential nominee.

Creation of a Federal Election Commission to review individual state requirements for selection and election of convention delegates is also proposed. Where a state's laws work an injustice on the democratic process, the Commission is empowered to recommend minimum nationwide selection standards to the Congress.

The Commission would also be empowered to review state laws establishing rules for placing candidates' names on a ballot, and would be given jurisdiction in settling contested elections involving Federal candidates.

Settlement of election disputes would be expedited if a run-off election were required. The Federal Election Commission would also be empowered to seek effective, safeguarded and faster means of ballot counting with emphasis on electronic and data processing technology.

DEATH OF A NOMINEE

If a party's nominee for President or Vice President dies prior to Election Day, his replacement would be selected by a specially appointed convention committee, subject to ratification by a majority of state's party chairmen and national committeemen.

If the President-elect should die, he would be succeeded by the Vice President-elect. Selection of a new Vice President would follow the procedures of the 25th Amendment which now provides for the President to nominate a new Vice President who would take office after approval by a majority of both houses of Congress.

DISTRICT OF COLUMBIA REPRESENTATION

The District of Columbia, although it has no representation in Congress would under this proposal be allotted the same number of electoral votes as its population would require Congressional Districts if it were a state.

The people who live in the Nation's Capital should be afforded the privilege to voice their full vote for the Presidency. At the present time it has three electoral votes but is barred under the Constitution from having more votes than the least populated State.

The District has a larger population than a dozen States yet its electoral votes equal states with one half to one third of its population. Such an inequity must be corrected.

VOTING AGE AND RESIDENCE STANDARDS

No reform proposal could be complete if it ignores two pressing problems facing the 50 states. The questions of residential and age requirements for voting affect the fairness of all national elections.

Each year, millions of voters are disenfranchised because they fail to meet residential requirements in a given state or locality. These voters cannot cast their ballots for the Presidency despite the fact that they are citizens and have voted in previous elections.

A uniform Federal standard is essential to permit these disenfranchised Americans to vote. In an era of great mobility when large numbers of citizens move from city to city and state to state, they should not be deprived, even temporarily, of their right to vote for the Presidency.

Under this proposal every U.S. citizen who has been registered to vote in any state, and who is, by virtue of the residence requirements of the state of his current residence, ineligible to vote in that state, shall be eligible to vote for President in the state where he was last registered.

Voting age standards also should be uniform for persons voting for the Presidency. It is not fair for those under 21 years old in a few states to be eligible to vote for President while citizens of the same age in other states are ineligible to vote.

The voting age standard should not be solely decided by the Congress, since this is a province of the states. But Congress should require state legislatures to rule on this question before the next election. The national voting age for the Presidency should be determined by a poll of the 50 state legislatures before 1971.

State legislatures should each decide on a voting age between 18 and 21. The preference of a majority of the legislatures would then become *by Act of Congress* the national voting age in Presidential elections for all states.

Individual states may establish any voting age for electing state and local officials, but would be encouraged not to.

This procedure would force the state legislatures to face the controversial question of voting age in the next two years, and eliminate discrepancies in voting age among the several states for the Presidency.

CENSUS REFORM ESSENTIAL

As long as the electoral college system remains and each state has at least three electoral votes, regardless of population, distortions from the direct, popular voting result will be built into the system.

Essential to any reform proposal would be the need to have more accurate population figures. This could be resolved through a five-year census as opposed to our decennial head counts.

Applying the 1960 voting results to the electoral district proposal dramatically demonstrates the inadequacy of an outdated census to determine the size of the districts. Mr. Nixon won heavily in the low-population districts, either rural or small town, and would have picked up a majority of electoral votes under a district plan despite Kennedy's popular margin.

However, Congressional District boundaries for the 1960 elections had been determined by the sorely outdated 1950 census figures.

In order for this system to be fair, in an era of high population growth and movement from place to place, the decennial census which now determines representation in Congress as well as the electoral votes assigned to each state, is no longer adequate.

This proposal for election reform would require a national census every five years, beginning in 1970. This would mean that within five years of each Presidential election and within four years of each Congressional election, a census of population will be taken.

Mr. Speaker, these proposals and many others that have been advanced by other colleagues and others outside the Congress are worthy of immediate study by congressional committees. For too many years, electoral reform has been a subject of talk during and after presidential election campaigns, with no corresponding action to eliminate the glaring ills in our present system.

Congressman HORTON's comprehensive study and his recommndations may help to bridge the gap between talk and action on this vital constitutional question. I urge my colleagues to take the time to review his articles, and to suggest their own preferences for electoral reforms.

CONGRESSMAN MOSS CALLS FOR ENHANCING ELECTRIC POWER RELIABILITY

Hon. ROBERT H. (BOB) MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. MOLLOHAN. Mr. Speaker, I commend to the attention of my colleagues a speech delivered by our colleague from California, Congressman JOHN MOSS, last Friday at the annual legislative planning conference of the National Rural Electric Cooperative Association at the Washington-Hilton Hotel. I am certain this information will be of interest to all who are concerned with major power blackouts and the need for electric power reliability.

The speech follows:

SPEECH OF HON. JOHN E. MOSS, OF CALIFORNIA, AT THE ANNUAL LEGISLATIVE PLANNING CONFERENCE OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, WASHINGTON, D.C., JANUARY 10, 1969

It is good to be here today with you, because you represent a vital part of our Nation's growing determination to continue to improve the standard of life in our country, both for today and in the tomorrows of future generations. You and I both want to improve the legal mechanisms, and to protect the Democratic traditions that are necessary to do that. However, as a State Legislator in California, and as a Congressman in our Nation's Capital, I learned long ago that no legislator can accomplish very much without the aid and support of people like you, who believe in fighting for the legislation needed to accomplish our goals.

In the past 30 years the rural electric cooperatives have helped mightily to reduce the hard drudgery that characterized the life of millions of rural families. Without the dedicated efforts of the rural electric cooperatives, most farmers would still be in the dark ages of the candle and the kerosene lamp, instead of in the 20th Century of electric lights, electric machinery, and electric home and farm appliances.

Electricity has indeed become an essential commodity in our daily life. Everybody uses it. Everybody needs it. Indeed everybody takes it for granted that sufficient electricity will be always available at a flick of a switch.

The electric industry has responded to this demand. It is the largest industry in the country. It doubles in size every decade. The country's power supplies are reaching proportions that were virtually undreamed of 30 years ago. The electric industry's technology has made giant steps in the past 10 years. Huge generating plants—nuclear, fossil-fueled, and hydro—are being constructed, and transmission lines of enormous voltages and long distances are threading their way up and down and across the country.

The electric power industry has rightfully boasted of its great progress. It has rightfully pointed to its great accomplishments. But along with this growth and progress, there has also been a long history of disturbing trends in the electric industry.

I don't have to tell you about the arrogance of the private utilities in refusing to provide electric service to rural people except at exhorbitant cost or under harsh penalties—an arrogance which led directly to the enactment of the Rural Electrification Act and the development of the rural electric cooperative movement. Nor do I have to tell you about the efforts of the private utilities to control and dominate the energy resources of this nation, and to charge what the traffic will bear for that commodity which is so essential to everyone.

The arrogance of the private utilities reached one of its peaks in 1965 when they sought, through the Holland-Smathers Bill, to remove virtually all of the private utility electric companies from regulation by the Federal Power Commission. They claimed that the State commissions would do all of the regulating that might be necessary. But they blithely ignored the fact that the electric power industry, through its interconnections, pooling, and joint operations, had become almost totally interstate and thus largely immune from effective State regulation.

On November 9, 1965 the country was shocked out of its complacency. The great Northeast Blackout, covering vast areas of southeastern Canada and northeastern United States, interrupted the electric service of over 30 million people for many hours. Luckily, the weather was clear and the moon full. Otherwise, that blackout would undoubtedly have produced a national disaster of enormous scope. Since November 1965, the hazards of unreliable electric service were further dramatized by more than 20 major power failures, most of which were of the cascading type like that of the great Northeast blackout.

Most experts agree that the blackouts could have been prevented by stronger interconnections between electric systems which would enable adjacent systems to help each other in case of trouble. The blackouts showed that the interconnections between systems were far too weak for the kind of reliable electric service needed to serve the people of this country.

These deficiencies of the electric industries have troubled me for many years. In 1961, I introduced a bill to authorize the FPC to review and authorize construction of extra-high-voltage transmission lines in order to assure that such lines would be in accord with the public interest. The FPC, which at first showed a remarkable lack of enthusiasm for my bill, gradually came around to supporting it after several years. When the blackouts of 1965, '66 and '67 spectacularly reminded us how vital adequate and reliable electric power is to our safety, defense, health and daily life, the people and the Government began to realize that there must be better coordination among the various utility systems in order to achieve the full benefits of reliability and economy that can come from the industry's large generating plants and extra-high-voltage transmission lines.

And so President Johnson, in his Message to Congress on the "Protection of the American Consumer" in February, 1967 recommended that Congress enact legislation to strengthen coordination among the electric power utilities. The Administration's bill, drafted in the FPC, was introduced in the 90th Congress a few days after the P-J-M failure of June 5, 1967, which interrupted service for more than 13 million people in Pennsylvania, New Jersey, Maryland and Delaware.

In my opinion, the Administration's bill offered a sound approach to the problems of the reliability and adequacy of electric power supply. But as I studied the FPC's bill and the problems, I found a number of oversights or defects, and so I prepared a revised bill which was introduced in the last Congress as H.R. 12322.

Both the Administration bill and my bill viewed the electric power industry as a nation-wide public utility of which the various generating and transmission entities, both publicly and privately-owned, are segments of a unified whole.

Both bills would require the organization of the entire industry into regional councils to plan, coordinate and provide adequate, efficient, reliable and economic service for all the people of the region, and to exchange or coordinate power with neighboring regions. These objectives would be achieved by voluntary cooperation of the various managements within the regions, acting through the regional councils, which would be open to membership by all segments of the power industry.

The basic objectives of the bills are to enhance electric power reliability; to strengthen the coordination of electric systems through cooperative efforts; to achieve comprehensive development, as well as conservation, of our natural resources; and to provide access for all utility systems to the great technological and economic benefits of power pooling and extra-high voltage transmission.

I believe that the technology of the electric industry has already advanced, and certainly will further advance, to the point of assuring that cascading power failures can be prevented, or at least very substantially localized. I believe that achieving strong ties between electric systems will bring both great reliability and greater economy. Moreover, I am sure that better planning and coordination, on large regional scales, will help to minimize the pollutional effects of electric generating and transmission facilities on our air, water, land and landscape—and thus both aid our environment and help to reduce the friction between electric companies and the communities. I believe that effective regional planning can be achieved along with fair treatment for every electric system in the region.

My bill adopted the system of regional councils proposed in the FPC bill. These councils would include representatives of the private, Federal, municipal, cooperative and public utility district systems, as well as FPC representation. However, my bill would also include representatives of the State commissions within the region.

These regional councils would set up their own organization and develop regional power plans. The council's organizational structure and the regional power plans would be reviewed by the FPC. The bill would apply to all transmission facilities of over 200 kilovolts, the construction or extension of which begins 2 or more years after enactment of the bill.

As you know, the FPC bill provides that if a regional council's organizational structure and plans are approved by the FPC, any action taken under such structure, or in accordance with such plans, would be immune from anti-trust suit under Section 4 of the Clayton Act (15 U.S.C. 15). (That section authorizes suits for triple-damages, plus court costs and a reasonable attorney's fee, by any person adversely affected by any action forbidden by the anti-trust laws).

I oppose granting such an immunity to the electric industry. I think such grant of immunity from the anti-trust laws would be a dangerous weakening of the protections against arbitrary monopoly actions.

Furthermore, I believe the courts are a better forum than the FPC to resolve questions or disputes under the anti-trust laws. I believe the courts would be more likely to arrive at a better balance of the sometimes conflicting demands between our historic anti-trust policy and the expansionist trends of electric utility systems which, in some respects, are quite monopolistic in their operations.

Moreover, it is not beyond the realm of possibility that the FPC, whose members are appointed for 4-year terms by the President, may become more attuned to the monopolistic views of the large utilities than to the national policy of competitive free enterprise.

Indeed, I believe that the mere availability of a private anti-trust suit as a possible remedy for monopolistic abuses will tend to curb the growth of such abuses even if no anti-trust suits are actually filed. The very fact that there have been several anti-trust suits filed within the past few months against electric utilities further reinforces, in my view, the need for maintaining the protections of the anti-trust laws in connection with reliability plans that may be approved under this bill.

My bill would explicitly permit the FPC, either on its own motion or on the basis of a complaint, to amend or modify the organizational structure, or any regional power plan, tendered by a regional council. In this respect my bill would give the Commission greater authority than apparently would the FPC's bill.

A principal feature of the reliability bills is the provision that would authorize the FPC to promulgate regulations setting forth "reasonable criteria of national or regional applicability to govern the reliable planning and operation of bulk power supply facilities." These criteria could be promulgated either on recommendation by the regional council, or on the FPC's own initiative after consultation with the regional councils and after public notice and opportunity to comment on the proposed criteria. However, there is a very significant difference between the FPC bill and my bill at this point. The FPC bill says that the Commission "may" promulgate the criteria. My bill says that the FPC "shall" promulgate such reasonable criteria. I stress this difference because it will make the FPC responsible, and obliged, to promulgate such criteria rather than leaving to its discretion whether or not it will do so.

The bill recognizes that the large backbone high voltage transmission lines are really part of this country's national transportation system. Hence, the bill would preclude any person from engaging in the construction, extension, or modification of extra-high-voltage facilities unless they have been reviewed by the Federal Power Commission to ascertain that the facilities are best suited for the growth of that national transportation system. This the FPC would do by assuring that the proposed facilities are consistent with the regional plan developed by the regional council and approved by the FPC.

I know that there are some people, including perhaps some of you, who feel that the regional councils may become dominated by the private utility systems and thus preclude a municipality or a cooperative, or perhaps even a State or Federal facility. But, I am not so fearful. There will be several protections against that sort of freeze-out. The FPC's review of the Council's organizational structure and plans is one protection against such private utility domination. The anti-trust laws will, at least under my bill, be available for seeking judicial relief. Furthermore, I have great faith in the determination of the people of this country to resist such domination. Therefore, although I recognize the possibility of such abuse, I do not believe that the abuse will occur—and if it is attempted, I do not believe that it would be successful.

Persons constructing or extending extra-high-voltage lines will need to obtain rights-of-way over long distances. If the plans for such extra-high-voltage lines meet the requirements of the power plans approved by the regional council and the FPC, such persons would be authorized, under both the FPC bill and my bill, to utilize the same power of eminent domain as the Federal Government, including the use of declarations of taking to acquire prompt possession of the needed lands, if such lands cannot be acquired by agreement with the owners. In addition, the bill would authorize the FPC to grant rights-of-way over Federal lands and Indian lands.

Although the FPC bill recognized that such rights-of-way will affect conservation and aesthetic values, it did not, in my opinion, adequately protect our national parks and monuments or the rights of Indians with respect to Indian lands. Hence, I have included a number of provisions in my bill to deal with these matters. Thus, my bill specifies that persons interested in conservation and aesthetics shall be included amongst those appointed to the advisory coordination boards which may be established under the bill.

My bill also prohibits grants of rights-of-way over National Park Service areas, except national parkways which are narrow strips hundreds of miles long, and certain recreation areas which frequently surround hydropower dams and are not primarily devoted to the preservation of the natural environment. My bill would also authorize Federal agencies to veto construction to EHV transmission lines over their lands if such lines endanger aesthetic or historic values, or identified species of flora or fauna that are important for the preservation of conservation interests.

I have also made a number of revisions in the bill concerning the grants of rights-of-way over Federal lands, in order to limit their term or enable the FPC to change their conditions at intervals of not less than 10 years, and to provide for compensation to the Federal Government for the use of the lands. My bill also would protect the rights of the Indians, which the FPC bill overlooked, by requiring that the Indians' consent be obtained, and compensation paid to them, as conditions for the granting of rights-of-way over Indian reservations.

Both the FPC bill and my bill would authorize the Commission to compel interconnection between power systems and to sell or exchange energy. But my bill goes further by explicity authorizing the Commission to require each entity, public or private, to wheel power for other entities to the extent of excess capacity in its lines, and to prescribe the terms and conditions of such arrangements, including allocation of transmission capacity, reasonableness of reserves, amount of excess capacity, and the fair compensation for such use.

The Electric Power Reliability bill deals with complex problems of the electric power industry. It involves matters of great national interest concerning the reliability of the electric service provided for the people of our Nation, as well as the effect which the construction of extra-high-voltage facilities will have on our environment.

Senator Edward Kennedy and Congressman Richard Ottinger have proposed a third version of the bill, embodying additional provisions which specially emphasize protecting the environment and land uses affected by extra-high-voltage transmission.

For example their version would establish a National Council on the Environment to review each coordination plan, each application for a hydropower license, and each application for plans to obtain rights-of-way for electric facilities by eminent domain, or over Federal or Indian land, in order to assure that such facilities will be consistent with the conservation of natural resources and long-range land-use planning.

The Kennedy-Ottinger version makes a particularly significant forward step, both to promote the reliability of electric systems and to protect the environment, by providing that plans for construction, extension or modification of generating plants with capacity of 200 or more megawatts, commenced 4 years or more after enactment of the bill, shall be subject to the same review by the FPC as are plans for extra-high-voltage transmission lines and associated facilities.

The need for such provision is persuasively documented in the report by the President's Office of Science and Technology, which President Johnson released last week. That report, entitled "Considerations Affecting Steam Power Plant Site Selection" emphasizes that since the location of generating plants is inseparably related to the location and arrangement of transmission lines, both must be jointly considered in order to attain reliable and economic system expansion plans. The report predicts that some 250 generating plants, each with capacity of 2 to 3 million kilowatts, will be constructed in the next 2 decades. The lead time necessary to plan and construct these hugh generating plants makes it essential to have the best possible planning concering the type and location of the region's generating plants. I would like to quote three sentences of that report which point out the importance of plant siting in achieving reliable electric systems (p. 62):

"Power system engineers attest to the absolute necessity of adequate system design, including judicious location and arrangements of generating sources and transmission connections to produce a reliable power supply. The proper balance among power system loads, generation, and transmission facilities is of primary importance, and errors in these and other aspects of system planning and design cannot be overcome in operation regardless of how well the operating functions are carried out.

"Since plant locations, with respect to loads, routings of transmission lines, and separation of facilities to reduce the exposure to multiple damages from a single cause all have a direct bearing on siting considerations and therefore the reliability of the power system, it is essential that site selection problems be handled in ways which will not sacrifice reliability."

Equally important is the fact that the report also stresses the need for reducing the adverse impacts which the 250 giant generating plants may have on scenic and historical areas, fish and wildlife resources, recreation areas, parks, land uses, and the quality of our water and air.

I agree with many of the new provisions suggested by Senator Kennedy and Congressman Ottinger, and our staffs are now working on a bill to combine the best features of all three versions. I hope to be able to introduce that new version in the 91st Congress very soon, and I hope that Senator Kennedy and Congressman Ottinger will do so also.

It is evident that the introduction of this bill in the last Congress helped considerably to stimulate the voluntary formation of various regional councils and committees for electric power planning. Some of these groups appear, so far as I am now informed, to be devoted to the same objectives as outlined in the electric power reliability bills. However, I am not so sanguine as to other groups, especially those which have thus far refused to include all segments of the industry within the region.

I cannot now predict the prospects of the bill, or what position the Nixon administration will take on it. However, of this I am sure: If we have another major blackout or two, this bill will certainly move forward into law.

WHAT BILLIONS IN SPACE EXPENDITURES ARE ACCOMPLISHING

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. TEAGUE of Texas. Mr. Speaker, on the day of the launch of the highly successful Apollo 8 flight, Mr. Neal Stanford, staff correspondent of the Christian Science Monitor, outlined the gains that are being achieved in our national life by our space effort. Mr. Stanford points to the many space activities that are already providing a return on the investment we have made in the past decade to space technology. He points not only to the acquiring of new knowledge but also to the utilitarian aspects of our space effort. Mr. Stanford also outlines the real technological competition of the Soviet Union. Perhaps the most important comment in this article is the discussion of the development of a low-cost space shuttle which will open new horizons in transportation, exploration, and utilitarian benefits here on earth. The article follows:

[From the Christian Science Monitor, Dec. 20, 1968]

WHAT BILLIONS IN SPACE EXPENDITURES ARE ACCOMPLISHING

(By Neal Stanford)

WASHINGTON.—With $36 billion already invested in the space program, some Americans are asking "Why?" as three astronauts prepare to blast off on man's first round trip to the moon.

There are several answers.

One has to do with national prestige. Soviet success in lofting the first earth satellite, sputnik, caused consternation and embarrassment in the United States. Thus, the Kennedy decision to make a manned moon landing in this decade a national goal was in part a political decision—a decision which, incidentally, Congress went along with in voting the necessary $25 or so billion.

But there was more than national prestige at stake in that decision. There was also concern that the Soviet Union might, if it gained control of the moon, also gain a military advantage over the United States in space.

NONE OF US KNOWS

Another reason for going to the moon is that by so doing man steps over the threshold of his confining earth environment out into the vastness of space.

Possibly this was best expressed by the late Dr. Hugh L. Dryden, distinguished first deputy administrator of the National Aeronautics and Space Administration and home secretary of the National Academy of Sciences, when he said:

"None of us knows what the final destiny of man may be—or if there is any end to his capacity for growth and adaptation. Wherever this venture leads us, we in the United States are convinced that the power to leave the earth—to travel where we will in space—and to return at will marks the opening of a brilliant new stage in man's evolution."

When Columbus crossed the Atlantic, did anyone foresee the America of today? When the Wright brothers flew their fragile plane at Kitty Hawk, did any one dream of the supersonic planes of today?

Men on the moon in '69 may not be the end of manned space exploration, but just the beginning. It is not too much to believe that man may in time be able to escape even this solar system and explore other galaxies. But he can't reach the stars until he has reached the moon.

Yet, for skeptics to whose "whys" neither national prestige, military preparedness, nor the call of man's "evolution" is answer enough, there are others more concrete. These are spinoffs or dividends from the space program that are already benefiting mankind. For example:

An operational communications-satellite capability, creating an entirely new industry;

An operational weather satellite system that provides global weather information 24 hours a day;

An unprecedented new mix of professional and scientific disciplines encouraging cooperation between engineers and medical doctors, chemists and astronomers, oceanographers and geologists;

The invention, adaptation, and development of technologies that didn't exist a decade ago.

OTHER GAINS CHALKED UP

In addition, of course, there are the gains more directly related to space research.

A detailed map of the moon, including close-up pictures and examination of the lunar surface;

Pictures of the surface of Mars and new measurements of great scientific value from space probes of Mars, Venus, the sun;

An immense volume of new information on near-space earth environment, including interaction of the magnetic field and energetic particles from the sun; discovery of the Van Allen radiation belts, the earth's magnetosphere, the pear-shape of the earth.

This last field, in fact, holds promise of terrestrial as well as space-travel benefits. Indeed, there are prospects for substantial returns from the billions invested in space.

Already on the drawing boards are earth-orbital workshops, laboratories, or space stations where men can conduct scientific technological, and commercial experiments. In addition to studying the sun, the planets, and the stars from outside earth's atmospheric veil, these laboratories can look earthward with great benefit:

Meteorological and oceanographic studies earth-resource-data gathering and evaluation, expanded communications and broadcasting, space- and air-traffic control, alerts for natural catastrophes.

PRACTICAL USE ENVISIONED

Space can also prove attractive and profitable to many industries, fostering techniques and facilities impossible on earth. Consider the commercial value of weightlessness in orbital space flight:

Material in a liquid state floating in a weightless environment takes the shape of a perfect sphere. It is conceivable, then, that metal ball bearings could be manufactured in space to tolerances impossible on earth. Such bearings would reduce friction and noise levels to the vanishing point.

Another example: the exciting possibilities of stable foams from a wide variety of liquid materials and gases. Such foams cannot be produced on earth because of the effect of gravity. In weightlessness, the mixing and equal distribution of gas bubbles in any liquid can be stabilized and moved into any desired pattern. It is then possible to produce a steel foam having the weight of balsa wood but many of the properties of solid steel.

Also combined materials like steel and glass, of drastically different densities and properties, could be produced. With these foam materials one could make extremely lightweight armor plates, vests and helmets.

Already technology is on the verge of making space vehicles reusable. Rockets could then be used over and over.

Work is progressing on an economical space vehicle to shuttle between earth and space stations or observatories. The country's first space shots cost about a third of a million dollars per pound of payload to fly into space. A space shuttle now being considered could deliver usable payload at a cost of about $5 per pound.

When space shuttles are perfected they would take off vertically from a small pad at an airport and on returning reenter the atmosphere and glide to a horizontal runway-landing. No watery splashdown, or having ships and planes tied up in recovery.

It is already estimated that the total operating cost of a space shuttle from New York to Tokyo would be little more than 10 cents per passenger nautical mile—and take only 46 minutes.

SPACE A COSTLY VENTURE

Both the Soviet Union and the United States have found space a costly adventure. The U.S.S.R. has been devoting 2 percent of its gross national product to this field, the U.S., .075 percent. But the dollar amounts have been roughly the same, with the U.S. GNP twice that of the U.S.S.R.

What the new administration in Washington will do about space exploration has still to be spelled out. American space spending has already peaked and is now down to $4 billion from $5.2 billion last year.

This is because money for the Apollo moon project has all been appropriated and almost all spent, and no major new space goals have been decided on. Furthermore, the Vietnam war and the increasing press of domestic social needs are putting pressures on space budgets.

If the U.S. stages a manned moon landing in '69, particularly if ahead of the Soviets and with Vietnam war costs hopefully down, the space program could regain momentum.

Mr. Nixon in his campaign talks spoke out strongly for a space program that would keep the United States leading in space exploration. But he still has to spell out his views and also pick a man to run NASA—something that could better than anything else indicate what direction space activity will take in the next four years.

CONGRESSMAN DULSKI JOINS COLLEAGUES IN STATEMENT ON MIDDLE EAST

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. DULSKI. Mr. Speaker, on the opening day of the 91st Congress, the gentleman from New York (Mr. CELLER), the distinguished chairman of the Committee on the Judiciary, submitted a statement on the Middle East in behalf of 63 Members of the House.

Through an oversight, my name was omitted from the list of signers of the statement. I endorse its contents in full as it appears in the CONGRESSIONAL RECORD on page 128 of the January 3, 1969, issue.

Clearly, as set forth in the beginning of this statement:

> The United States must continue the pursuit of an honorable Arab-Israel peace in her highest national interest . . . .

BLOCK GRANT APPROACH ENDORSED

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. QUIE. Mr. Speaker, all of us know of instances in which Federal programs designed to help this group and that group have been accompanied by such a bewildering morass of rules and regulations that local officials have rebelled.

Sadder still, in trying to make these programs apply equally and equitably across the land, we have seen flexibility stifled and purpose sometimes evaded.

Is it any wonder, then, that the States have responded favorably to the suggestion for a block grant approach in some of these programs?

Some of the ways in which Federal-aid programs can go awry due to rigidly written guidelines and regulations were described in an editorial appearing in the Red Wing, Minn., Republican Eagle of November 23, 1968, which I insert into the RECORD at this point:

CHALLENGE FOR WASHINGTON

One of the real tests for the new Nixon administration will be whether or not it can find workable ways to give state and local governments federal aid without all the unnecessary federal interference.

We need look no further than the local Welfare Department or the local school system for examples of unwelcome and often wasteful federal meddling.

The school district finds itself up to its elbows in paperwork every time it sets out on a federal program, and there's the constant problem of not knowing how much money is available. Congressional appropriations always lag far behind the time when school programs must be organized. The process is doubly confusing because it's a combination of dealing partly with the state and partly with the feds. How much simpler it would be if Cong. Quie's block grant concept could be adopted and the money could go directly to the state with no further strings attached? The state already is in the business of dishing out money to local school districts. Why not give it the whole job?

The revelations this week by the Welfare Department and the furor over food stamps are just more of the same.

While Sen. Mondale is clamoring for 100 per cent food stamp participation in the state (Goodhue and other southeastern counties are non-participants), local welfare officials are saying they doubt the money is available in the first place. But aside from that question, a strong argument can be made against the food stamps. It boils down to the fact that families on the plan are forced to spend a minimum fixed amount of food—and the amount is more than they sometimes actually need. The food stamps may be used only for food—and not for such other necessary "grocery store" staples as toilet tissue, soap, floor wax, etc. Thus under food stamp rules the family of four which is given a total monthly public assistance allowance of $109 a month is forced to spend a rigid $78 for food alone—and there is little or no leeway for other equally necessary items.

But the food stamp debate is only part of the problem. Under the revised Social Security act, the county Welfare Department will be forced into providing a number of specific services in the form of transportation, aid with shopping, homemaking, foster care, day care, family planning and family counseling and education. Most of these services already are being provided in one form or another. But the new federal law is making necessary an elaborate framework of personnel and job descriptions, when really all that's needed is to hire some reasonably competent, mature people who have a lot of common sense and who are willing to help families in trouble. The Welfare Department already has this type of person and will no doubt seek to continue to hire them. But the tussle with the federal specifications goes on.

The real reason, of course, is that the federal regulations are written primarily for the problem urban areas and the discriminatory Deep South. Without fairly specific federal guidelines in these areas, money has a way of disappearing down the wrong pockets.

The real challenge to the Nixon administration is to find some way to write a federal program that will be applicable to one set of circumstances in Minnesota and another in Mississippi.

THE NEED FOR TAX REFORM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. BINGHAM. Mr. Speaker, I very much regret that President Johnson's valedictory state of the Union message did not contain any of the detailed proposals on tax reform for which the American people, and the Congress, have been waiting so long.

On April 20, 1961, President John F. Kennedy sent a special message to Congress on taxation which noted:

> Special provisions have developed into an increasing source of preferential treatment to various groups. Whenever one taxpayer is permitted to pay less, someone else must be asked to pay more.

In the ensuing 8 years, a number of reforms have been introduced into our tax system, but all too many inequities persist. Despite the steady growth in revenues made possible by 8 years of unprecedented economic expansion, the ever-greater demand for Federal expenditures has made it impossible to reduce significantly the tax burden on the average American. Yet a number of individual Americans with incomes over $1 million still pay no income taxes at all; the 20 leading oil companies in 1964 paid only 6.3 percent in taxes on income of nearly $6 billion; and many other individuals and corporations take advantages of loopholes in the tax structure to reduce their obligations to a disproportionately low level.

In 1967, I introduced legislation to reduce or eliminate a number of the most serious of these inequities. At that time, I urged my colleagues to act upon the tax reform proposal as an alternative to the surcharge that was even then under consideration. When the surcharge bill finally came before the Congress last year, there was no opportunity to vote for the reform measures which many of us still believed to be the preferable alternative. Thus I felt compelled to vote for the 10-percent tax surcharge. In doing so with great reluctance, I was mindful of the fact that the bill providing for the surcharge directed the President to submit, by the end of 1968, "proposals for a comprehensive reform of the Internal Revenue Code." It was my hope that these reform proposals would envisage a broadening of the tax base by ending the privileges presently enjoyed only by a limited class of taxpayers, thus making it possible to bring a prompt end in 1969 to the tax surcharge which falls so heavily on the citizen of low or modest income and to introduce greater equity into our tax structure.

Now, however, millions of Americans have been doubly disappointed. First, the President has failed to offer us the proposals for comprehensive tax reform which we were promised, and by his own statement he has not himself even considered the proposals prepared by the Treasury staff in response to the 1968 legislation. Nor have these studies and proposals been made available to the American people as a basis for informed discussion of the entire tax reform question. Instead, they have been retained for consideration by the incoming administration, with the prospect of further long delay as new officials seek to familiarize themselves with this complex subject.

The President's second blow to hopes for a more equitable tax structure came with his recommendation that the tax surcharge be extended beyond June 30 even before any effort has been made to find alternative revenue sources through tax reform measures. Those of us whose support for the surcharge last year was predicated on the promise of reform proposals will find this hard to accept.

It is not too late for the President to submit the comprehensive tax reform proposals which the American people have every right to expect from him before he leaves office, and I urge him to do so. In so doing, he would redeem the pledges made repeatedly by himself and by his predecessor to bring greater equity to the American tax structure; he would ease the burden imposed unfairly on the citizen of low and modest income for the benefit of the privileged few; and he would leave to the incoming administration clear guidelines for its own consideration of this issue.

Pending such action by the President, I am today reintroducing the Tax Equity Act which I sponsored in the 90th Congress. While it does not encompass the comprehensive reforms which we await from the President, it would close a number of the most glaring loopholes which presently exist. It would include, for example, reduction of the depletion rate for oil and other minerals; imposition of a minimum tax on all incomes; repeal of a number of exemptions which benefit only a handful of individual and corporate taxpayers; and increases in gift and certain excise taxes. This bill, if enacted, would bring several billion dollars in additional revenue to the Treasury without imposing any new burden on the average taxpayer. It would also bring to the tax structure a measure of the equity which we hope will be contained in the broader reforms which the President still owes to the American people.

APPOINTMENT OF GOVERNOR HICKEL

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. KOCH. Mr. Speaker, I should like to take a moment to reflect on the designation of Walter J. Hickel to be our Nation's new Secretary of Interior.

The questions that have been raised in recent weeks about Mr. Hickel's attitude toward the conservation of our Nation's resources have concerned me greatly—so much so that I asked several friends long involved in our Nation's conservation efforts, to consider with me Mr. Hickel's professional experience and qualifications to be Secretary of Interior. The gentlemen I consulted with are David Sive, chairman of the Atlantic chapter of the Sierra Club; Gary Soucie, regional representative of the Sierra Club; and Arthur Levitt, Jr., a member of the Sierra Club and the Adirondack Mountain Club and former chairman of the Conservation Committee of the New York Constitution Convention.

Mr. Speaker, the joint statement which we prepared together follows:

> As city dwellers, as conservationists, and as Americans, we are gravely concerned over the designation of Governor Walter J. Hickel of Alaska as the next Secretary of the Interior. In public statements made since the announcement of his selection to the Cabinet, Governor Hickel has aired views that have caused conservationists in particular to fear a serious reversal in our national program of environmental betterment.
>
> Initially, there are serious doubts about the Governor's qualifications for this all-important position in our nation's government. There is little in the Governor's professional background to indicate that he has the experience or the inclination to serve as an enthusiastic steward of our nation's natural resources. Instead, there is much in the Governor's background to suggest that he has little understanding of the country's need for conservation and little sympathy for some of the most important aspects of the nation's environmental and resource management programs, programs administered for the most part by the Secretary of the Interior.
>
> In recent years there has been a new awakening among the general public and the federal government to the breadth and depth of our environmental problems and needs. One of the most pressing of our needs is for enough open space to satisfy the increasing demand of a growing population in an increasingly leisure oriented society and in a country whose urban areas continue to develop rapidly. The Congress has responded to this need by establishing a Na-

tional Wilderness Preservation System, by creating the Bureau of Outdoor Recreation, authorizing the establishment of a number of new national parks, monuments, sea shores and recreation areas, and by setting up the National Trails and Scenic Rivers Systems—all of these in the Department of the Interior. Flying in the face of this national trend, Governor Hickel has publicly advocated the reduction in size or abolishment of some of our national parks, monuments and wildlife ranges in Alaska. He has also recommended the opening of our National Park System to "multiple use" and the abandonment of what he calls "conservation for conversation's sake."

On several occasions the Secretary-designate has commented on the matter of water pollution control and the federal Water Pollution Control Act, a law administered by the Department of the Interior. In March 1968, Mr. Hickel was quoted by the Anchorage Times as saying, "If the federal Water Pollution Control Act affects our industry too much we may have to tell the Federal Government to go fly a kite." "You can't have one standard for the whole country," and "if you set water standards so high, you might hinder industrial development."

Governor Hickel has shown no inclination to follow the expert advice of professional planners and resources managers when their advice conflicted with his own interests or his own views on economic development. In February 1968, two days after his State Forester announced that the extent of Alaska's commercial timber had not been determined, Governor Hickel announced,"There is enough timber in Alaska to satisfy both the needs of the Japanese and United States private industry." The State Forester later resigned under pressure and virtually all of the timber on state lands has been committed to the saw mills. When his Department of Health and Welfare's Chief Engineer drafted model water quality standards that alarmed the pulp and paper industry, the Governor granted a private hearing to that industry, revised the standards until they were unacceptable to the Department of Interior, and transferred the Chief Engineer to another job.

In virtually every instance of conflict between resource conservation and industrial development, Governor Hickel has sided with the developers. When the Interior Department insisted that the state establish a water quality council, the Governor appointed extractive commercial interests to sit on the committee. The Statehood Act provided for a unique joint federal-state planning effort in our largest and perhaps resource-richest state. The federal government set up the machinery for this planning effort, but Governor Hickel appointed a Northern Development commission consisting only of "commercial" interests.

Governor Hickel enjoys an alarming reputation for being "close" to the oil industry. Whether this reputation is deserved is something that must be determined. The superficial evidence includes his past chairmanship of a natural gas company, his appointment of an oil company executive as commissioner of natural resources, the high favor he enjoys in the oil industry journals, and his construction of a wider road to the Arctic oil fields without authorization of the legislature, his announced opposition to establishment of a free trade zone in New England that would import foreign crude oil for refining, and his strong advocacy of a $50 million highway to the Kenai oil fields.

Governor Hickel's record in Alaska reveals a penchant for controversy and industrial favoritism in virtually every area administered by the Department of the Interior: water pollution, parks and wilderness, wildlife refuges, Indian affairs, oil and minerals, planning and the federal-state-native claims to Alaskan land.

We would hope that before the Senate confirms Mr. Hickel's appointment, it will receive assurances from him that there will be a change in his point of view toward the conservation of our country's resources. In the past, the attitudes of many men have become less parochial upon taking higher office; we would hope that this will happen with Mr. Hickel.

It is very important that Mr. Hickel be a committed and active guardian of our country's natural wealth for we are at a critical juncture in our country's history. Our natural resources are diminishing; and it is self-evident that we cannot go on with limitless abuse and use of our resources by the nation's industries. There are times when preservation of these resources must take precedence over commercial needs so there will be clean water, open space, forests, and wilderness to enrich the lives of many people for generations to come. We believe that some areas should remain "forever wild."

RED CHINESE COLONIALISM IN AFRICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. RARICK. Mr. Speaker, the Red Chinese are busy in their new colonialism projects in Africa.

Two recent reports of these activities are interesting. Mr. Grimshaw reports:

> They are earning a reputation for working with the people at the grassroots level.

Yet Mr. Parker reports from Zambia:

> There is little contact between the Chinese and local Zambians. Visitors are not welcome. A barbed wire security fence makes this clear. So do the Chinese guards.

If Mr. Parker is correct, the Red Chinese cultural advancements in Africa are so welcome they must be guarded—or could it be the security is to keep the Chinese laborers from defecting?

Mr. Speaker, I insert two newsclippings from the Sunday Washington Star for December 15, 1968, and a Washington Post report of January 14, 1969, as follows:

[From the Washington (D.C.) Sunday Star, Dec. 15, 1968]

AFRICA: CHINESE BUILD RAILROAD

(By Chris Parker)

LUSAKA.—After bumping along the hot and rutted "Hell Run," Zambian motorists were once able to stop in the Mkushi River Hotel to wash the red dust from their sweating faces and sip cool beer.

Now this tin-roofed rendezvous, next to a waterfall on a remote stretch of unsurfaced road between Zambia and Tanzania, no longer welcomes casual travelers.

And if you listen at sunset to drumming from nearby African villages, it probably will be broken by an abrupt announcement: "Chung yang jen ming Po Tien Ta"—"This is Radio Peking."

Now the old hotel is one of the base camps for the survey of the 1,000-mile railway the Chinese have offered to build to link Zambia's copper belt to the Tanzanian coast at Dar es Salaam.

About 1,000 Chinese are in Zambia and Tanzania to carry out a detailed engineering survey as well as to design the railway—its embankments, cuttings, bridges and sidings.

About 340 of them are working in Zambia from camps at Mkushi and two other points along the route. They are armed with charts, theodolites, hatchets for hacking through bush, tents, Jeeps—and the thoughts of Chairman Mao.

At Mkushi, there is little contact between the Chinese and local Zambians.

Visitors are not welcome. A barbed-wire security fence makes this clear. So do Chinese guards. A few Zambians who live outside the camps are employed by the Chinese rail teams as guides, and, no doubt to explain the presence of these new mazungi (light-skinned people) to the local Zambians.

DRESS IS CHINESE

They dress in typical Chinese garb, very loose drab gray cotton trousers and tunics. During time off at the old Mkushi Hotel, they perform gymnastics and play ball.

Language presents a barrier, but the leader of the Chinese in Zambia, Wang Chien Panga, a 43-year-old railway engineer, said in an interview the Chinese were "determined to learn the local Zambian languages."

He hoped Zambians would learn from Chinese technicians so "that they will be able to build their own railroads in the future.

"This is a great project and our Zambian friends would like to see it constructed as quickly as possible. I can only say that we share their feelings."

He said the survey would take two years but "with the efforts of our people and the help of Zambian fellow workers we hope to complete it quicker."

The railway will be built from Kapiri Mposhi, south of the copper belt on the existing Zambian rail system, to link up—across a rugged chunk of African wilderness—with the existing Tanzanian rail network at Kitatu.

The date when actual construction begins depends on the governments of Zambia, Tanzania and China, according to Wang.

It will be by far the biggest project ever undertaken by the Chinese in Africa. They offer to build and finance the project.

The exact financing arrangements have not been determined. For instance, there does not seem to have been any discussion on how the interest-free loan offered by China is to be paid.

But it would be wrong to look at the project in the same way as a Western deal. The Chinese have offered to build the railway with a "labor intensive" method, which presumably means that many lowly paid Chinese laborers will be imported, together with Chinese materials.

LITTLE CASH NEEDED

Thus, it could be possible to pursue the project without much actual cash being involved.

But it is not certain that the "labor intensive" method will find favor with President Kenneth Kaunda and President Julius Nyerere. They may favor two or three thousand Chinese coming to Zambia and Tanzania, but if the figure multiplies into the tens of thousands, this could be different.

The project is of major importance for Zambia. The country is landlocked and dependent on an export-import economy, with communications through neighboring countries being vital.

It means an annual export of about 700,000 tons of precious copper, backbone of Zambia's economy, and the import of 2 million tons of various general goods, necessary for sustaining the economy and keeping Zambia in food.

Out of eight countries that surround Zambia, only three, Tanzania, the Congo-Kinshasa and Botswana, can be regarded as friendly. And even the Congo presents security problems for Zambia.

At present, Zambia depends largely on import and export transport through white-ruled Rhodesia, Mozambique and Angola, while Kaunda describes his landlocked country as being "almost in a state of war" against them because of their racist policies.

The Zamtan railway, as the project is called, would help open up millions of acres of undeveloped wasteland, particularly in Tanzania, where rich coal and iron deposits could be exploited if transport was available to take these products out.

[From the Washington (D.C.) Sunday Star, Dec. 15, 1968]

CHINESE WORKING ON AFRICAN IMAGE

(By Brendon Grimshaw)

DAR ES SALAAM.—Most visitors to Tanzania these days expect to find Chinese behind every palm tree, but they do not.

Indeed, they often express surprise at not seeing one Chinese during a day-long tour of this capital city.

The situation could change with the increasing influx of engineers and other experts for the Tanzania Zambia railway project. But up to the present the Chinese have been conspicuous only by their absence.

One of the reasons for this is that the Chinese are hard at work on the projects which they have been brought to assist.

They are in the fields giving advice to Tanzania at the State Farm at Ruvu, assisting with the construction of the extensions to the police training college at Moshi, and treating patients at clinics throughout the country.

They are earning a reputation for working with the people at the grass-roots level. And from the public relations point of view, they cannot be faulted.

One example is the way in which the Chinese have helped to build the $6 million Friendship Textile Mill at Ubungo on the outskirts of Dar es Salaam.

TWO-YEAR JOB

Financed by an interest-free Chinese loan—part of a $38.4 million aid commitment to Tanzania announced during President Julius Nyerere's visit to Peking in 1966—the mill has taken just two years to complete.

It was opened by the president in July—on the eve of Saba-Saba, the 14th anniversary of the founding of the ruling Tanganyika African National Union (TANU) party.

The mill occupies an area of 48 acres, and consumes 3,000 tons of water daily—provided by an American-financed pipeline—and employs 2,400 workers.

When the plan is fully operational, 600 more will be employed. The annual output will be 24 million square yards—turning raw cotton (grown in Tanzania) into plain and printed cloth in 35 different colors.

The pilot runs already have produced hundreds of bales of high-quality cloth which will be sold locally at prices 25 to 30 percent less than those for similar imported materials.

Coupled with three other new textile projects, the Friendship Mill will help to satisfy 80 percent of Tanzanian cloth requirements by next year—and save some $19.2 million a year in foreign exchange.

The Chinese gradually will be phased out of the mill as Tanzanians become proficient. There are only 50 remaining of the 150 who helped to supervise the project and the training of its staff. The others have returned home, having completed their duties.

POLICY PUZZLES

Five years after independence, Tanzania's unchanging policy of nonalignment still continues to puzzle many nations.

President Nyerere knew his policy of nonalignment would be a hard one and, indeed, it has already called for a number of sacrifices—the most notable being the loss of aid following disputes with West Germany and Britain over questions of principle.

Nyerere spoke of his principles and policies in a recent interview at the State House.

He said Tanzania insists on the right of selecting her own friends and of being friendly with all nations whatever their political learnings may be.

It also insists that there should be no strings to any aid which she receives.

All these policies Tanzania believes to be a logical continuation of freedom stemming from the original thinking which guided the nation's emergence as an independent state.

And just as it can choose its own friends, it can accept help from those friends whether they be British, American, German or Chinese.

[From the Washington (D.C.) Post, Jan. 14, 1969]

Twelve Jehova's Witnesses have been killed in clashes with Zambia's ruling United National Independence Party in the remote Lake Bangweulu area, the government-controlled press reported. The dispatches could not be confirmed independently.

SENATE—*Thursday, January 16, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the Honorable BIRCH BAYH, a Senator from the State of Indiana.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, take us and use us this day to Thy glory. Purge us of all that obstructs Thy presence. Give us clean hands and pure hearts. Renew in us the life that fits us to be guides of our days and directors of our destiny. Spare us from scorn of the past or fear of the future, knowing that our times are in Thy hands. Amid all that is temporal, make us ever mindful of the eternal.

In the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 16, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. BIRCH BAYH, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. BAYH thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, January 15, 1969, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT ON UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-48)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to send to you the second annual report of the U.S.-Japan Cooperative Medical Science Program.

This joint program, undertaken in 1965 following a meeting between Japanese Prime Minister Sato and myself, is directed against serious diseases still too prevalent in Asian countries: cholera, tuberculosis, leprosy, virus diseases, parasitic diseases, and malnutrition. These are diseases which plague the people of that great region, and which threaten our armed forces stationed in Southeast Asia.

Although the Cooperative Medical Science Program is not yet three years old, we can point to substantial progress in research on leprosy, cholera, and nutrition.

This report outlines that progress in detail.

It is heartening testimony to all of us who are committed to a better life for the world's people, and who believe that in broader international cooperation lies mankind's best hope for peace.

LYNDON B. JOHNSON.
THE WHITE HOUSE, *January 16, 1969.*

REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

It gives me great pride to transmit the Annual Report of the National Endowment for the Arts for Fiscal 1968—the second full year of its existence.

Guided by the imaginative and expert recommendations of the National Council on the Arts, as well as by outside panels of cultural leaders across the country, the National Endowment for the Arts lists among its Fiscal 1968 programs some outstanding accomplishments:

—The American Film Institute was created, placing America at last alongside other leading nations in nurturing the art of the film. The

Institute was further aided by a $1.3 million gift from the Ford Foundation, and an additional $1.3 million from member companies of the Motion Picture Association of America.

—The first major national artists' housing center has been launched through the cooperation of the Endowment, the J. M. Kaplan Fund, Inc., the Department of Housing and Urban Development, and New York City municipal authorities.

—The first issue of *The American Literary Anthology*, the first such anthology ever published in this country, has been printed. It contains the best writing from nearly 300 literary magazines of limited circulation, and marks the first official recognition of the invaluable role played by these small magazines in encouraging literary talent across our country.

—A new partnership has been launched between labor unions, community arts organizations and the Federal Government. An Arts Endowment Grant will enable the AFL/CIO Council for Scientific, Professional and Cultural Employees to develop arts demonstration projects in four American cities.

—Last summer, the Arts Council, in cooperation with the President's Council on Youth Opportunity, drew thousands of inner city residents into arts activities and workshops, many for the first time, in 16 of America's largest cities.

—The Endowment has strengthened its ties and its cooperation with official State arts agencies which utilized Endowment grants to launch 1,100 projects in Fiscal 1968. These projects were conceived and directed by the State agencies, with their own particular knowledge of their States' cultural resources and needs.

When I transmitted the Arts and Humanities bill to Congress in 1965, I stated:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

The impressive record established during the short lifetime of the National Endowment for the Arts and the National Council on the Arts surely serves to underline and emphasize that statement. I know that the Congress shares with me great pride in having launched this historic new program which has already done so much to enrich the quality of American life.

Through the efforts of the Endowment—for the first time in the history of the country—the Federal Government has joined with industry, private foundations, individuals, labor unions, and State and local governments in an unprecedented effort to aid America's creative talents. Such a partnership deserves your continued support and encouragement, and I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 16, 1969.*

REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-49)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

There has never been a time in our history when scientific research, applied science and the teaching of science were more important than they are today.

Science has become a national concern. It has, therefore, become a concern of government.

The results of scientific investigations affect our personal lives, our social and economic progress, our relations with nations around the globe.

Our lives are touched in a thousand ways by the discoveries of science, in public health, medicine, environmental control, food production, the development of new towns and the redevelopment of old cities.

Both the Congress and the Executive Branch have, over the years, recognized their responsibilities for the support and advancement of science.

Government funds have today become a major source for research, experimentation and improved science teaching in schools and colleges.

The National Science Foundation which has grown in prestige and stature each year is the instrument through which a large share of government funds are channeled to basic scientific endeavors.

The work of NSF has a special importance for government as we seek to enlarge the nation's fund of scientific knowledge as well as its pool of trained scientific manpower.

I am extremely pleased to note that the Congress has recognized the critical role of the National Science Foundation by this year enlarging its mandate to include support for the applied sciences.

In the Fiscal Year which ended June 30, 1968, the Foundation invested $236.5 million in scientific research.

It assisted 6,000 scientists doing research in colleges and universities.

It made grants of $124.8 million to improve science instruction throughout our educational system. Approximately 9,000 students were helped to move up the ladder of science education with fellowships and traineeship grants.

About 41,000 secondary school teachers and 5,000 college instructors were given further training to improve the quality of science education in our schools.

Recognizing the changing needs of science and science education in institutions of higher education, the National Science Foundation has, since 1964, expanded its efforts to develop and improve science capacities at institutions of higher learning. About 500 institutions received approximately $83 million for this purpose in fiscal year 1968. The results were higher quality of instruction, better planning, and an increased ability to attract funds from sources other than the Federal Government.

Special progress was made in the use of electronic computing equipment for education and research. Some 173 grants totaling $22 million were awarded in this area.

Some of the highlights of scientific accomplishment achieved with the aid of NSF grants during the past fiscal year are:

—Improved understanding of the mechanism of light conversion in the eye and the causes of color blindness.

—Development of synthetic DNA, the material which controls the heredity of all living substances.

—The simulation of the evolutionary process in the test tube.

—Improved techniques for studying vaporized metal samples, which will make it possible for metal manufacturers to achieve higher product quality standards.

—New capabilities for the complete laboratory synthesis of wonder drugs like terramycin.

—The discovery of new pulsating radio sources in space which may give us more information about the universe.

I am, therefore, pleased to submit to the Congress the Eighteenth Annual Report of the National Science Foundation for the fiscal year 1968.

Public understanding of science will be increased by the attention given to this story of scientific achievement, management and development.

I commend this report to the Congress as graphic evidence of the scientific and educational progress this nation must sustain if we are to continue to move forward in the years ahead.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 16, 1969.*

DISTRICT OF COLUMBIA BUDGET, 1970—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying document was referred to the Committee on Appropriations:

To the Congress of the United States:

I am transmitting the budget of the District of Columbia for the fiscal year beginning July 1, 1969.

In reviewing the recent past and the immediate future of the Nation's Capital, Congress can take great pride, as I do, in the achievements of this city and its people.

A historic beginning has been made toward self-government for the people of the District. For the first time in more than a century, Washington has a Mayor and a City Council. And recently, the people of Washington elected their own school board. This new form of government, made possible by the last Congress, has increased citizen participation in local affairs, and has made City Hall more responsive to the needs of the people.

At City Hall and in the neighborhoods, the City Council is inviting citizens to attend public hearings, to discuss their complaints and needs, to share in public decisions. Not only does all this activity demonstrate an intense commitment to good government; not only is it vital to the success of public programs in the District; it is helping to build a firm basis for our goal of self-government in Washington.

This budget—the second formulated by the Mayor and the City Council under the new government—recommends appropriations of $702 million in 1970—a 16% increase over the estimate for the current year.

Existing sources of revenue, and proposed new taxes—including an increase in the property tax—will provide $445 million of this total. The Federal payment to the District, which I again urge Congress to set at 30% of local tax revenues, would provide an additional $112 million. Federal loans of $92 million will be necessary to finance the city's public works program. The remaining balance of $53 million represents available funds from prior years, and other financing adjustments.

I hope—and I urge—that Congress will continue, next year and in the future, the high level of support which it has provided in previous years for the city. The Federal payment to the city has increased from $30 million in 1963 to $90 million, the authorization for 1969.

That increase in funds, along with new programs and other resources which have become available to the District, has yielded rich dividends in a short time:

—The City has raised the salaries of its most important public servants, teachers and policemen.

—Washington has been chosen for participation in the Model Cities Program, and its plans for neighborhood improvement are well along.

—The new Federal City College and the Washington Technical Institute promise a future of richer educational and economic opportunity to the city's young people.

—The Fort Lincoln project—a balanced "new town in town"—is emerging as a model of creative urban development.

—The city has authorized an additional 1,000 positions in the Metropolitan Police force, and new policemen are being recruited.

—Neighborhood Health Centers, new education programs, and new recreation efforts are flourishing in the city.

Much remains to be done. Washington is still not yet the vibrant and viable city which it can become—and which it must become if the Nation is to have the capital it deserves.

In this budget, the Mayor and the City Council have addressed themselves to the goal of fulfilling the city's enormous potential. They have given needed emphasis to the most basic problems of the city.

The budget, if it is approved, will bring great improvement and strength to:

—Public schools and higher education;

—Crime prevention programs, including the courts, correctional institutions, and the Police Department;

—Economic development and community improvement programs;

—Health care and other social services;

—Municipal services at the local level, through Neighborhood Service Centers; and

—Educational, recreational, and job opportunities for the young people of the city.

Finally, this budget provides for the District's contribution to the building of a regional rapid rail transit system. The transit funds include $18.7 million to be requested in a 1969 supplemental and $22.9 million for 1970. Prompt action by the Congress on the supplemental funds will permit groundbreaking within 75 days from the time of approval.

I urge that in acting on these and other proposals, Congress consider the high aspirations of the citizens of our city.

Solutions to the problems of our Nation's First City will require an increasing level of public support in the years ahead. I am confident that we have established a strong foundation of local government for the city. The dedication, hard work, and judicious actions of the Mayor, Deputy Mayor, and City Council clearly demonstrate that the District of Columbia is no longer an ignored stepchild of the Federal Government.

We can express our support and understanding of the District Government by continuing to invest heavily in its future. The dividends promise to be bountiful. They will be reflected in the well-being of the hundreds of thousands of people who live here, and in the increased stature of our Capital City which should be a source of pride to all Americans.

The specific requests in the 1970 budget are set forth in the transmittal message of the Mayor. The proposals are reasonable, responsive, and realistic. I recommend that the Congress approve the District of Columbia budget for 1970.

LYNDON B. JOHNSON.

JANUARY 16, 1969.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–28)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying document, was referred to the Joint Economic Committee:

To the Congress of the United States:

> I regard achievement of the full potential of our resources—physical, human, and otherwise—to be the highest purpose of governmental policies next to the protection of those rights we regard as inalienable.

I cited this as my philosophy in my first Economic Report in January 1964. I reaffirm it today.

In the past 5 years, this Nation has made great strides toward realizing the full potential of our resources. Through fuller use and steady growth of our productive potential, our real output has risen nearly 30 percent.

Most important of all are our human resources. Today the vast majority of our workers enjoy productive and rewarding employment opportunities. For those who lack skills, we have made pioneering efforts in training. We have improved education for the young to enhance their productivity and their wisdom as citizens of a great democracy.

Our capital resources—plant and equipment—are being used intensively and have been continually expanded and modernized by a confident business community.

This has all been accomplished in an environment that preserved—indeed, enlarged—the traditional freedom of our economic system. In today's prosperous economy, our people have more freedom of choice—among jobs, consumer goods and services, types of investments, places to live, and ways to enjoy leisure.

I look upon the steady and strong growth of employment and production as our greatest economic success. In recent years, prosperity has become the normal state of the American economy. But it must not be taken for granted. It must be protected and extended

—by adopting sound and prudent policies for this year and

—by improving procedures for fiscal and monetary policymaking to meet our needs for the long run.

I shall discuss these tasks in this Report. I shall also consider how we might deal with some of our key unsolved economic problems.

—We must find a way of combining our prosperity with price stability. Reconciling these two objectives is the biggest remaining over-all economic challenge facing the Nation.

—We must more fully secure the foundations of the world monetary system and of our own balance of payments. The international monetary system has undergone important evolutionary improvements, but we must seek more effective ways of coping with the stresses that can still develop.

—We must fulfill our many unmet public needs such as good education, efficient transportation, clean air, and pure water. Quality as well as quantity is the key to a better life.

—We must share more equitably the fruits of prosperity among all our citizens. A Nation as prosperous as ours can afford to open the doors of opportunity to all. Indeed, it cannot afford to leave any citizen in poverty.

The achievements we have made and the lessons we have learned point the way for further progress.

THE RECORD OF ACHIEVEMENT

The Nation is now in its 95th month of continuous economic advance. Both in strength and length, this prosperity is without parallel in our history. We have steered clear of the business-cycle recessions which for generations derailed us repeatedly from the path of growth and progress.

This record demonstrates the vitality of a free economy and its capacity for steady growth. No longer do we view our economic life as a relentless tide of ups and downs. No longer do we fear that automation and technical progress will rob workers of jobs rather than help us to achieve greater abundance. No longer do we consider poverty and unemployment permanent landmarks on our economic scene.

CONTRIBUTION OF POLICY

Our progress did not just happen. It was created by American labor and business in effective partnership with the Government.

Ever since the historic passage of the Employment Act in 1946, economic policies have responded to the fire alarm of recession and boom. In the 1960's, we have adopted a new strategy aimed at fire prevention—sustaining prosperity and heading off recession or serious inflation before they could take hold.

- —In 1964 and 1965, tax reductions unleashed the vigor of private demand and brought the economy a giant step toward its full potential.
- —In 1966 and 1967, restrictive monetary and fiscal policies offset the strains of added defense spending. The adjustment was far from ideal, however, because of the delay in increasing taxes to pay the bills for the defense buildup and for continuing urgent civilian programs.
- —In 1968, our Nation's finances were finally adjusted to the needs of a defense emergency. The Revenue and Expenditure Control Act strengthened the foundation of prosperity.

GAINS IN 5 YEARS

Aided by these policies in the past 5 years, the Nation's total output of goods and services—our gross national product—has increased by more than $190 billion, *after* correcting for price changes. This is as large as the gain of the previous 11 years.

The prosperity of the last 5 years has been accompanied by benefits that extend into every corner of our national life

- —more than 8½ million additional workers found jobs,
- —over-all unemployment declined from 5.7 percent of our labor force to 3.3 percent,
- —unemployment of nonwhite adult males dropped particularly dramatically, from 9.7 percent to 3.4 percent,
- —the number of persons in poverty declined by about 12½ million—progress greater than in the entire preceding 13 years,
- —the average income of Americans (after taxes and after correction for price rises) increased by $535—more than one-fifth and again more than in the previous 13 years combined,
- —corporate profits rose by about 50 percent,
- —wages and salaries also went up by 50 percent,
- —net income per farm advanced 36 percent,
- —the net financial assets of American families increased $460 billion—more than 50 percent, and
- —Federal revenues grew by $70 billion, helping to finance key social advances.

Meanwhile, a solid foundation has been built for continued growth in the years ahead.

- —*Through Investment in Plant and Equipment.* In the last 5 years, the stock of capital equipment has grown by nearly a third. Only 5 percent of manufacturing corporations report that their capacity is in excess of currently foreseen needs.
- —*Through Investment in Manpower.* More than a million Americans have acquired skills in special training institutions or on the job—as a result of new Federal efforts.
- —*Through Investment in Education.* College enrollment has risen by 2¼ million since 1963. Expenditures on all public education have increased at an average of 10 percent a year; Federal grants have almost quadrupled.
- —*Through Investment in Our Neighborhoods.* Our urban centers are beginning to be restored as decent places to live and initial steps have been taken to help ensure construction of 26 million new or rehabilitated housing units by 1978.

DEVELOPMENTS IN 1968

Our economy had an exceptionally big year in 1968.

- —Our gross national product increased by $71 billion to $861 billion. Adjusted for price increases, the gain was 5 percent.
- —Payroll employment rose by more than two million persons.
- —Unemployment fell by 160,000.
- —The after-tax real income of the average person increased by 3 percent.
- —An estimated four million Americans escaped from poverty, the largest exodus ever recorded in a single year.
- —Our balance-of-payments results were the best in 11 years.

In some ways, 1968 was too big a year. Even our amazingly productive economy could not meet all the demands placed upon it. Nearly half of the extra dollars spent in our markets added to prices rather than to production. The price-wage spiral turned rapidly.

- —Consumer prices rose by 4 percent and wholesale prices by 2½ percent.
- —Both union and nonunion wages increased about 7 percent—responding to higher costs of living and causing higher costs of production.
- —Some of the extra demands for goods were met out of foreign production, and imports soared 22 percent.

The main source of the overheating was the excessive and inappropriate stimulus of the Federal budget in late 1967 and the first half of 1968. In January 1967, I pointed to the need for a tax increase. In the summer, when the upsurge was even more clearly foreseen, I urged immediate enactment of a 10-percent income tax surcharge. The subsequent delay in enactment resulted in a massive budget deficit of $25 billion for fiscal year 1968, which

- —accelerated the economy beyond safe speed limits,
- —weakened confidence in the dollar abroad, and
- —placed a heavy burden on credit markets at home, pushing interest rates sharply higher.

Ultimate passage of the Revenue and Expenditure Control Act of 1968 at midyear brought a much needed swing to fiscal restraint. The budget now shows a surplus of $2.3 billion for fiscal 1969. Because of both greater revenues and reduced expenditures, this picture has changed dramatically since last January when we estimated a deficit of $8 billion.

Just as the overly stimulative effects of the huge budget deficit of fiscal 1968 were unmistakable, so there can scarcely be doubt that the reverse swing—of even larger size—will improve balance in our economy. But just as inappropriate fiscal stimulus took a while to cause obvious problems, so needed fiscal restraint is taking time to work its full beneficial effects on the economy.

By the time the surcharge was enacted, the forces of boom and inflation had developed great momentum. Our economy continued to advance too rapidly throughout 1968—but growth did slow from a hectic 6½ percent rate early in the year to about 4 percent at yearend. The budget is now in harmony with the needs of the economy, and its welcome effects are gradually emerging.

THE PROGRAM FOR 1969

The challenge to fiscal and monetary policies this year is difficult indeed. Enough restraint must be provided to permit a cooling off of the economy and a waning of inflationary forces. But the restraint must also be tempered to ensure continued economic growth. We must adopt a carefully balanced program that curbs inflation and preserves prosperity.

THE BUDGET

My final budget is designed to meet this demanding assignment. It is a tight and prudent program for fiscal 1970.

- —It holds total Federal expenditures within the bounds of available revenues, yielding a surplus of $3.4 billion.
- —It finances our continued military efforts in Vietnam while we strive to bring about peace.
- —It provides funds for our continuing national campaign against poverty, injustice, and inequality.
- —It limits increases in expenditures to programs of highest priority: the encouraging JOBS program and other manpower training, Model Cities and key housing programs, law enforcement, and education.
- —It trims lower priority programs wherever possible.

The budget calls for the extension of the income tax surcharge at its current rate of 10 percent for 1 year from July 1, 1969 to June 30, 1970. My economic and financial advisers unanimously agree that this fiscal restraint is essential to safeguard the purchasing power of the dollar and its strength throughout the world. Indeed, the need for continued fiscal restraint is agreed upon by all informed opinion in both of our political parties.

In today's economic and military environment, an immediate lowering of taxes would be irresponsible. The American people would be poorly served by a small short-run gain that would endanger their enormous long-term stake in a steady and stable prosperity. I hope and I believe that Members of the Congress of both parties will support timely action on taxes to continue on the course of fiscal responsibility which we have worked together to achieve.

I asked for the surcharge as a temporary measure and that is the way I regard it. My proposal for a 1-year extension preserves the option of the new Administration and the Congress to eliminate the surcharge more rapidly if our quest for peace is successful in the near future. It is my conviction that the surcharge should be removed just as soon as that can be done without jeopardizing our economic health, our national security, our most urgent domestic programs, or international confidence in the dollar. Clearly, that time has not yet arrived.

The extended surcharge will continue to take 1 percent of the income of the average American—less than half of the tax cut he received in 1964–65. In return, he will receive improved protection against the ravages of inflation, world financial crisis, and neglect or mismanagement of our priorities. It is the best investment in responsible fiscal management that the United States can make in 1969.

Including this budget, I have been responsible for 6 years of fiscal planning. From fiscal 1965 to fiscal 1970, the Federal Government will have spent $969 billion on programs and received $936 billion in revenues. The total deficit for that period amounts to $33½ billion. The bulk of that total deficit occurred in fiscal 1968, when action on taxes was long delayed.

By comparison, these six budgets

—provided $35 billion of net tax reductions, even allowing for higher social security taxes, and

—carried $109 billion of outlays to cover the special costs of the war in Vietnam.

ECONOMIC OUTLOOK

With this budget and appropriate monetary policy, our gross national product for 1969 should rise about $60 billion.

—Increased expenditures on new plant and equipment will help expand and modernize our productive capacity.

—State and local governments will continue to increase their spending rapidly to meet public needs. But Federal purchases will rise little.

—Consumer spending and homebuilding activity should advance less than last year.

—The over-all gains will not and should not be as large as those in 1968, but they will still make for a highly prosperous year.

—For the fourth straight year, unemployment should be less than 4 percent of the labor force.

Because fiscal policy is soundly planned, monetary policy should not be overburdened. It will need to support firmly the objective of moderating economic expansion. But homebuilding and other credit-sensitive areas need not be subjected to the sharp and uneven pressures of a credit squeeze. Monetary policy should be flexible and prepared to lessen restraint as the economy cools off.

As pressures of demand moderate, our trade performance in world markets should improve. We should also see a gradually improving trend in prices and costs, although the wage-price spiral will continue to be troublesome.

TOWARD PRICE-COST STABILITY

The immediate task in 1969 is to make a decisive step toward price stability. This will be only the beginning of the journey. We cannot hope to reach in a single year the goal that has eluded every industrial country for generations—that of combining high employment with stable prices.

There is no simple nor single formula for success. But this combination can and must be achieved—by the United States and within the next several years. Now that we have learned to sustain prosperity, we can surely not allow inflation to erode or erase that victory.

THE ROADS TO AVOID

We stand at a critical turning point for national policy. We can meet the challenge, or we can try to evade it.

Price stability could be restored unwisely by an overdose of fiscal and monetary restraint. This has been done before, and it would work again. But such a course would mean stumbling into recession and slack, losing precious billions of dollars of output, suffering rising unemployment, with growing distress and unrest. It would be a prescription for social disaster as well as for unconscionable waste.

Or we could conceivably travel the route to mandatory controls on prices and wages. But the vital guiding mechanism of a free economy is lost when the Government fixes prices and wages. We did not impose such regulations on our businessmen and our workers during the recent years of military buildup and hostilities. We surely must not turn down this path—a dead end for economic freedom and progress.

Or we could throw up our hands and allow the price-wage spiral to turn faster and faster. This counsel of despair would eventually undermine our prosperity and our financial system—wrecking the strong international position of the dollar and imposing unjust burdens on millions of our citizens.

THE ROADS TO FOLLOW

Price stability in a prosperous economy must be pursued by a coordinated program involving a wide range of actions.

The fiscal and monetary program I outlined earlier is our first line of defense against inflation. The Nation has surely learned that inflation will emerge unless responsible budget and credit policies keep demand within the bounds of the economy's productive capacity.

Even then, advances in prices and wages at high employment can prove troublesome. No free economy can escape these tendencies entirely. But it can keep them from developing when unemployment is too high, and it can moderate the pressures that do emerge. To do so effectively requires reinforcing other important measures to reinforce fiscal and monetary policies.

PRODUCTIVITY AND EFFICIENCY

First, although the productive efficiency of our industries and of our workers is already the envy of the world, we must keep striving for further improvements.

Productivity can be raised even more rapidly and manpower can be employed more effectively through many methods in which Government can lend a hand—by training programs that better match skills to job requirements, by developing the potential of the disadvantaged, by using the wasted abilities of those who are out of work seasonally or intermittently, by providing better information about job opportunities, and by encouraging research and investment in better technology.

Government, business, and labor can work together to improve industrial efficiency. We can strengthen our dedication to the competitive principles and practices that have made American industry preeminent. Impediments to efficiency must be identified and tackled, industry by industry, wherever they exist—as they do particularly in medical care and construction.

The Government should look at its own programs and policies to ensure that they do not add an unnecessary penny to the costs of production. To fulfill this goal, public policies must be reviewed continually in many areas—procurement, regulation, international trade, commodity programs, and research and development.

VOLUNTARY COOPERATION

Second, both in their own interest and in the public interest, business and labor should exercise the utmost restraint in price and wage decisions. It is understandable that, with living costs rising sharply, labor cannot now accept wage agreements limited to the rise in productivity. It is also understandable that, with production costs increasing, business cannot now hold prices entirely stable.

But the process of deceleration must take hold for both prices and wages. The demands for incomes by business and labor combined must be brought more closely into line with the amount of real income the economy can generate. A decisive step toward price stability in 1969 requires labor and business to accept some mutual sacrifices in the short run to preserve their enormous long-term interest in prosperity and a stable value of the dollar.

In recent years, business, labor, and Government have been discussing the big economic issues—sometimes debating, but often agreeing. The dialogue should go forward and should explore new forms of labor-management cooperation to ensure greater fulfillment of common interests.

A year ago, I established the Cabinet Committee on Price Stability to coordinate efforts within the Administration to help improve efficiency, enlist voluntary restraint, and contribute to public education and discussion on the wage-price problem. In its recent Report, the Committee made many important recommendations which deserve the most serious consideration. The work of the Committee has proved its value, and should be continued in some appropriate form.

The stakes are enormous in our efforts to combine high employment and price stability. We can sacrifice neither goal. The challenge can be met if we have the will.

REINFORCING THE FISCAL-MONETARY FRAMEWORK

The unparalleled economic expansion of the past 8 years testifies to the accomplishments of our fiscal and monetary policies. Yet the blemishes on that record show plainly that further improvements are needed.

BUDGET POLICY AND PROCEDURES

The budget is the keystone of Federal Government operations. It is a plan developed within the Executive Branch and a recommended program for action by the Congress. It is a blueprint for fiscal and economic policy.

In my many years in Washington, I have worked intensively on the budget on both the legislative and executive sides. I know the difficulties of

—coordinating a host of appropriation requests into a total program that accurately reflects national priorities,

—making the dollar sum of the parts equal a whole that remains within prudent bounds, and

—ensuring that decisions on tax revenues go hand in hand with those on expenditures.

The Executive Branch coordinates its budgetary decisions through the Bureau of the Budget, with extensive cooperation from the Department of the Treasury and the Council of Economic Advisers. The Congress has no parallel process. I urge the Congress to review its procedures for acting on the annual budget and to consider ways that may improve the coordination of decisions among Federal programs and on Federal revenues in relation to expenditures.

My experience has thoroughly convinced me of the fundamental wisdom of our system of checks and balances. The system works well because both the President and the Congress subject their own operations continually to careful scrutiny and review in light of experience.

Costly delays in enacting recent tax legislation demonstrate the need for a review of procedures in this area. Congress should ask: How can a prompt response to a Presidential request for tax action be assured?

When such a recommendation takes a simple form (like the current income tax surcharge) and when it is made to head off a threat to prosperity, the Nation is entitled to a prompt verdict.

To provide the fiscal flexibility needed in our modern economy, the Congress might be willing to give the President discretionary authority to initiate limited changes in tax rates, subject to Congressional veto. I believe that the President should have such authority. Alternatively, the Congress might choose to establish its own rules for ensuring a prompt vote—up or down—on a Presidential request for tax action.

The Nation should never again be subjected to the threat of fiscal stalemate.

MONETARY POLICY

Our institutions allow monetary policy to adjust promptly and smoothly, and the value of this flexibility has become evident. When fiscal action has been delayed, monetary policy has been able to continue the battle against inflation. But tight credit, soaring interest rates, pressures on homebuilding, and nervous financial markets are the unhappy results of an overburdened monetary policy. Greater fiscal flexibility would help to ensure that monetary policy is not asked to carry an undue share of the load in restraining—or stimulating—the economy.

The Administration and the Federal Reserve have learned to work together closely and to coordinate effectively, while preserving the appropriate independence of the Federal Reserve within the Government. Our monetary institutions are working well, and I see a need for only a few reforms to enhance their effectiveness.

—The term of Chairman of the Federal Reserve Board should be appropriately geared to that of the President to provide further assurance of harmonious policy coordination.

—The rigid requirement that no more than a single member of the Federal Reserve Board may be appointed from any one Federal Reserve District should be removed so that the President, with the advice and consent of the Senate, may choose the very best talent for the Board.

—The Congress should review procedures for selecting the presidents of the 12 Reserve Banks to determine whether these positions should be subject to the same appointive process that applies to other posts with similarly important responsibilities for national policy.

AFTER VIETNAM

Despite some encouraging signs of progress toward peace, hostilities in Vietnam continue. In planning our budget, we must assume continuation of the war. But we must also be ready to adjust to peace whenever that welcome day arrives.

Early in 1967, to ensure our readiness for peace, I established the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities.

The Report of that Committee emphasizes the demanding task that will confront fiscal and monetary policies once a secure peace permits demobilization. The resources freed from war must not—and need not—be squandered in idleness. Rather, this manpower and material should be promptly enlisted in the service of peaceful progress.

In addition to its immeasurable human benefits, peace will provide an economic dividend to the Nation and to the Federal budget. But that dividend is dwarfed by the urgent needs of our society. The Nation will have to weigh the priorities among attractive programs carefully and wisely to take full advantage of this dividend. High on the list of priorities is the commitment to provide equal and full economic opportunities for all our citizens.

THE INTERNATIONAL ECONOMY

BALANCE-OF-PAYMENTS ADJUSTMENT

Our international accounts were in balance in 1968—for the first time since 1957. Much of the improvement came from the program I announced in an atmosphere of world financial crisis a year ago. The contrast today is striking and gratifying.

The excellent results of last year were aided by temporary factors. Hence, we cannot relax our efforts to achieve fundamental improvement—especially in our disappointing trade performance. To strengthen our trade surplus and achieve a healthy balance of payments, we must

—restore price stability at home,

—encourage our farms and factories to become ever more competitive in quality and price so that they can export more,

—intensify efforts to secure the removal of barriers to freer trade,

—bring more foreign tourists to our shores to enjoy America with us, and

—minimize the foreign exchange cost of our military commitments and economic aid overseas.

Our temporary programs to restrain capital outflows worked well in 1968. American businesses showed remarkable ingenuity and cooperation in pursuing their activities abroad while drastically cutting the drain on the Nation's balance of payments. These programs clearly aided in preserving the strength of the dollar.

Capital restraints should never become permanent features of our economy. They should be ended as soon as possible.

But the war continues and the movement toward noninflationary prosperity has just begun. We cannot now scrap our defenses against large capital outflows. For the present, we must

—renew the Interest Equalization Tax before it expires on July 31,

—maintain the direct investment control program in the more flexible form recently announced, and

—continue the Federal Reserve program of voluntary restraint of foreign lending.

To maintain our gains, ever closer international cooperation is needed among the highly interdependent nations of the world. Countries in deficit must meet their responsibilities. And countries in surplus must also pursue appropriate policies—striving especially for rapid economic expansion and giving world traders greater access to their markets.

WORLD MONETARY SYSTEM

The international monetary system was strengthened in 1968. An historic international agreement was reached, creating in the International Monetary Fund a new reserve asset—the Special Drawing Right.

We spent 3 years studying, exploring, and negotiating with our commercial partners in order to reach this agreement. I eagerly await the day that actual distribution of SDR's will begin. They can meet the future needs of the world for international liquidity—in the proper amounts and in a usable form. I am proud that the United States acted so promptly to ratify this agreement with such overwhelming bipartisan support in the Congress.

Some did not believe that such an agreement was possible, arguing that a rise in the official price of gold was the only way to increase international reserves. We and our trading partners rejected this futile course; it would have offered a ransom payment to speculators and would have failed to provide for the orderly growth of reserves. I have carried out my pledge that the United States would sell gold to official holders of dollars at $35 an ounce. There is clearly no need to change that price.

Myths about gold die slowly. But progress can be made—as we have demonstrated. In 1968, the Congress ended the obsolete gold-backing requirement for our currency.

Another major step in freeing the international monetary system from disturbances by gold speculators was taken in March, when the United States and the other active gold pool countries agreed to cease supplying gold to the private market. The resulting two-price system for gold is working successfully.

The international economy has made major strides in the past. But we must recognize the problems that remain. The financial crises of 1968 stimulated constructive discussion of many proposals for further evolutionary improvements in the international economic system.

These proposals are not an agenda for action in a week or a month or even a year. The issues posed cannot be resolved in a summit meeting or by a superplan. But they can be tackled effectively with the same kind of careful study and negotiation that led to the successful SDR plan. The United States should actively participate in such a procedure in order to strengthen the foundation of the world economy.

TRADE

World trade has continued to expand briskly—virtually unaffected by the sporadic crises in financial markets. Tariff barriers that once stifled international commerce have been substantially lowered—most notably by the Kennedy Round reductions which began in 1968 and will continue until 1973.

We must reinforce this success by devoting equal energy to the removal of nontariff barriers. On our part, Congressional action to rescind the American Selling Price provision is essential for achieving reductions of nontariff barriers offered by several of our trading partners.

Other nontariff barriers also need revision.

—Agriculture has been the stepchild of trade negotiations, and deserves prompt and proper attention.

—The international rules governing border tax adjustments should be revised so that they no longer give a special advantage to countries that rely heavily on excise and other indirect taxes.

While we work to reduce trade barriers, we must not drop our guard against the advocates of protectionism at home and abroad. We will never neglect the legitimate concerns of any citizen. But the only real solutions are ones that improve our economy—not ones that erect new barriers that could provoke retaliation, or insulate producers from the invigorating force of world competition. To provide the right kind of aid to those seriously hurt by import competition, present provisions for temporary adjustment assistance must be liberalized, as I have repeatedly recommended.

AID

Important economic progress is being made in the world's less developed countries. The beginnings of spectacular advances in world agriculture are now clearly evident. Family planning is gaining widespread support.

The United States can and should help to promote further progress in world agriculture and family planning, and the achievement of more rapid economic growth in the less developed countries. Only if funds for foreign aid programs are restored to an adequate level can we do our part.

The United States has long supported multilateral assistance as an equitable and efficient means of channeling aid from wealthy to poorer nations. We must reaffirm this support by promptly authorizing the U.S. contributions to the replenishment of the International Development Association and to the Special Funds of the Asian Development Bank.

KEY AREAS OF FEDERAL GOVERNMENT RESPONSIBILITY

The bountiful output of the American private enterprise system has made our high standard of living possible. Yet this same abundance has created a growing need for public action to improve the quality of life in our cities, towns, and countryside. The Federal Government must continue its partnership with the private sector and with State and local governments to provide better public services.

Increased efforts are needed to

—improve the environment by ensuring clean air, pure water, and the conservation of natural resources,

—assist in community development and in education,

—protect the consumer against unfair practices and unwholesome products,

—ensure safe employment conditions, and

—provide a more comprehensive social insurance system to protect against the financial impacts of retirement, unemployment, job accidents, and long-term illness of a breadwinner.

QUALITY OF THE ENVIRONMENT

More than ever, Americans realize that purposeful action is required to ensure an environment we can all enjoy. In the last 5 years, legislation has been enacted to abate air and water pollution and to control the disposal of solid wastes. Despite progress, many of our rivers still are open sewers, our atmosphere often unfit to breathe, and much of our land littered with discarded junk. We must

—develop new methods for financing water treatment plants,

—attack oil pollution of harbors and beaches,

—strengthen laws for clean air and solid waste disposal,

—stop the ravages of strip mining, and

—preserve more parks and wilderness areas.

COMMUNITY DEVELOPMENT AND HOUSING

Rapid population growth in our cities and rising living standards have created a backlog of community and housing needs.

Local governments are finding it increasingly difficult to finance essential community facilities—schools, parks, hospitals, and transportation systems. The Federal Government must develop new ways to help communities raise capital for public facilities.

The capacity of the housing industry must be enlarged and updated to meet the Nation's goal of adding 26 million decent homes and apartments over the next decade.

To improve our communities and meet our housing needs, I recommend

—an independent, federally established. Urban Development Bank to provide low-interest loans to State and local governments,

—increased Federal research and development to improve construction technology,

—a Federal program to test housing materials and to improve building standards and practices,

—the training of more construction workers through federally assisted manpower programs in cooperation with trade unions and contractors, and

—an urban mass transportation trust fund, financed by a portion of the automobile excise tax.

EDUCATION

Providing good education is a national responsibility in which the Federal Government must do its part. Great progress has been made in recent years toward our goal of providing every child all the education he wants and can absorb. But continued and expanded efforts will be needed. This Nation must strive to

—provide every child with year-round opportunity for preschool education,

—offer every teacher assistance for continuing education,

—bring the cost of higher education within the means of every qualified student through expanded loans and grants, and

—provide funds for higher education adequate to ensure instruction of finest quality.

CONSUMER PROTECTION

The confidence of consumers in the American marketplace is vital for a healthy economy. In the past 5 years, the Congress has ushered in a new era of consumer protection by enacting 20 major measures in this field. We have made great strides toward our goals of

—ensuring that all products are safe and wholesome,

—providing full and fair disclosure in the marketplace, and

—eliminating fraud and deception by the few who prey on the unsuspecting, the elderly, and the poor.

To carry on the work so well begun, legislation is needed to

—prevent deceptive sales practices by giving new authority to the Federal Trade Commission,

—reduce the likelihood of massive electric power failures which can paralyze our cities,

—ensure that the small investor shares in the benefits of our thriving mutual fund industry, and

—complete the circuit of Federal inspection for foods commonly served at the family dinner table.

WORKER PROTECTION

American workers are the most productive in the world and they have made our high standard of living possible. They and their families deserve a safe working place and adequate protection against the loss of income from on-the-job accidents, disability, and unemployment.

SAFETY

The human costs of accidents are immense—14,000 people killed on the job each year, 2.2 million workers injured. The monetary cost alone is a staggering $5 billion. Recent tragedies in our factories, mines, and other work places have dramatized once more the need for better safety practices. Must we wait for tragedy to strike again?

The Congress failed to act last year on an urgently needed Occupational Safety and Health Bill and on the Coal Mine Safety Bill. We can delay no longer. This Nation must put an end to this senseless waste from job accidents—through comprehensive legislation that will ensure the best job safety and health practices in all American work places.

WORKMEN'S COMPENSATON

Workmen's compensation should ensure that no victim of a job-related accident lacks the funds to pay his medical bills and support his family. Currently, one employee in five has no workmen's compensation protection. Benefit levels are too often tragically low. The Federal Government should act now to ensure that the States provide adequate workmen's coverage and benefits.

DISABILITY INSURANCE

Today disabled workers wait as long as 6 months before receiving benefits—and their disability must be expected to last more than 1 year. In addition, disabled workers are too often unable to pay for the medical care they need. To meet these shortcomings, I recommend that

—the waiting period for benefits be reduced from 6 to 3 months,

—the minimum duration of qualifying disability be reduced to 3 months, and

—the totally and permanently disabled be eligible for Medicare.

UNEMPLOYMENT INSURANCE

Even in the height of prosperity during 1968, two million workers were out of work for a period of 15 weeks or longer. About a million workers spent at least half the year fruitlessly looking for work.

Congress should strengthen the Federal-State Unemployment Insurance system by

—extending coverage to five million more workers,

—raising benefit levels,

—lengthening payment periods, and

—providing special federally financed benefits for the long-term unemployed, with recipients required to accept job training and other employment services under appropriate circumstances.

SOCIAL SECURITY

Social security is one of the oldest and best social programs. Currently, 25 million people—one out of every eight Americans—receive a social security check every month. Largely because of social security, two-thirds of the beneficiaries—the elderly, widows, orphans, and the disabled—are above the poverty line. Yet we need to do more. I recommend an average increase in benefits of 13 percent, including

—a rise of at least 10 percent for every beneficiary,

—a 45 percent increase from $55 to $80 for the five million Americans receiving the minimum benefit,

—a $100 monthly minimum benefit for those who have contributed to social security for 20 years or more, and

—a liberalization of benefits for the elderly who choose to work.

OUR COMMITMENT TO ELIMINATE POVERTY

No achievement gives me greater pride than the advances in the war on poverty. No social challenge gives me greater concern than the elimination of poverty.

Since the passage of the Economic Opportunity Act, which established the Nation's commitment to eliminate poverty, the number of poor Americans has been reduced by about 11 million. Still, 22 million Americans remain poor.

The effective programs of the Office of Economic Opportunity must be preserved and strengthened. For this purpose, I am recommending a 2-year extension of the Economic Opportunity Act.

EMPLOYMENT OPPORTUNITIES

In recent years, our national prosperity has rapidly expanded job opportunities for the poor. To maintain progress, we must not retreat from high employment. The doors to opportunity are bound to be locked to the disadvantaged and to new workers if senior and skilled employees are being laid off.

At the same time, we cannot count on normal economic growth to create as many jobs for the poor as were created when we moved out of a slack economy. We must therefore increase the emphasis on manpower programs in order to provide effective aid to the disadvantaged.

In 1968, we launched a major new partnership with private industry—the National Alliance of Businessmen. Job Opportunities in the Business Sector is a promising route for providing jobs and training for the hard-core unemployed. The JOBS program has reached its initial target 6 months ahead of schedule. My budget provides for major expansion of this program.

The experience with JOBS encourages us to develop a similar program for employment in the rapidly growing public sector.

EDUCATION, HEALTH, AND NUTRITION

The poor are often handicapped by inferior education, ill health, and inadequate diets. Federal Government programs have begun to attack these roots of poverty. Head Start, Follow Through, and Title I of the Elementary and Secondary Education Act help in educating disadvantaged children. These should ultimately be expanded to meet the needs of all poor children.

Medicaid has a high proportion of poor beneficiaries and should ultimately free the needy from the bonds of inadequate health care.

Good health is essential for a good start in life. Expectant mothers and infants in poor families should be provided comprehensive health care.

America, blessed with agricultural abundance, should not tolerate hunger among its people. The Food Stamp program should be expanded and a cooperative Federal-State effort launched to protect all Americans against hunger and malnutrition.

HOUSING

With the Housing and Urban Development Act of 1968 we set the goal of eliminating all substandard housing in the next decade. We must back that commitment with the needed resources—financial, technical, and human. First priority must be given to the needs of the poorest of the poor through the Model Cities program, rent supplements, home ownership, and public housing. And all families must be assured full and fair access to housing—with no discrimination.

INCOME SUPPORT

No matter how well we succeed in other efforts, cash assistance will be needed by many of the poor—the elderly, the disabled, and some mothers with sole responsibility for the care of young children. Although such funds do not directly remove the causes of poverty, they sustain life and hope and help prevent poverty from being bequeathed from one generation to the next.

Income support programs need a thorough review. The public discussion required to illuminate this area is well under way and will benefit from the report of the Commission on Income Maintenance, due at the end of this year. Americans will soon have to decide how best to help those who cannot earn enough to escape from poverty.

Whatever strategies we choose, the effort to reduce poverty must be redoubled. Victory in the war on poverty can be won with only a modest share of the Nation's income gains. The total shortfall of income below the poverty line amounts to only 1 percent of our gross national product—one-fourth of our normal growth in a single year. A fully effective antipoverty program would initially cost more than that—but would not be out of range. Surely Americans will make the investment needed to eliminate poverty.

CONCLUSION

The American economy has been steadily on the march in the 1960's. It has shattered all records for progress toward the Employment Act's goals of "maximum employment, production, and purchasing power." It has bestowed great blessings of abundance on the vast majority of Americans in all walks of life.

Economic growth has provided the resources for urgent defense needs and has still permitted a major expansion of civilian production—both public and private. It has allowed us to send a youngster to Headstart and a man to the moon.

When our economy was less prosperous, many of our social problems were neglected—eclipsed by the struggle of families to make ends meet. The plight of the poor was fatalistically accepted when the majority of Americans were vulnerable to unemployment and deprivation. Our needs for improved schools, better cities, and a healthier environment were pushed into the background.

As the average American's standard of living soared, we could afford to focus on new challenges. Facing these issues squarely has in itself been a great accomplishment. We have marshaled our determination to provide a good job, a decent standard of living, quality education, and a pleasing environment for everyone.

We have begun to make progress toward these new aspirations. But we have *only* begun. And because we have so far to go, many of us are impatient. This feeling is in the great American tradition. High aspirations and impatience have constantly spurred us to greater achievements.

And they will again. Our economy will not rest on the laurels of the 1960's. We will not relax to count or consolidate our gains. We will not retreat from the unprecedented prosperity we have achieved. This Nation will remain on the march.

LYNDON B. JOHNSON.

JANUARY 16, 1969.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **ACTING PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a full hour be allowed under the cloture motion and that the time be equally divided between the majority and the minority leaders, or whomever they may designate.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Pursuant to the unanimous-consent request agreed to, the 1 hour to be equally divided will begin at this time.

Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, I wish to introduce a bill.

Mr. MANSFIELD. We are operating under the 1-hour restriction. I yield briefly to the Senator from New York.

S. 269—INTRODUCTION OF HOSPITAL MODERNIZATION AND IMPROVEMENT ACT OF 1969

Mr. JAVITS. Mr. President, I introduce for myself and the distinguished senior Senator from California (Mr. MURPHY) the Hospital Modernization and Improvement Act of 1969. A companion measure is being introduced today in the House of Representatives by Representative EMANUEL CELLER, of New York, who had joined me in sponsoring a similar proposal in the 90th Congress.

This bipartisan legislation is aimed at correcting the condition of intolerable obsolescence afflicting one-third of the Nation's hospital capacity which is seriously impairing our ability to deliver up-to-date health services at a reasonable cost and which is limiting medical education and research centered in hospitals.

This measure is similar to the proposal I sponsored last year which passed the Senate on July 27, 1968, as part of the health services and facilities amendments bill, but was deleted in conference. However, in deleting this provision because no hearings had been held in the House, the House conferees in their report pledged hearings "at an early date" this year on the measure. Therefore, I am quite hopeful that this overdue and vital legislation will receive favorable consideration this year.

This hope was strengthened by President Johnson's budget message which advocated a loan guarantee and interest subsidy program for hospital modernization, and by the fact that the bill being introduced today is in accord with the 1968 Republican platform which pledged support of programs for financing hospital modernization.

The Hospital Modernization and Improvement Act of 1969 authorizes Federal loan guarantees of up to 90 percent for $400 million in each of the next 3 years for hospital modernization and Federal payment of interest charges up to 3 percent on these loans. Thus, the estimated cost of this program to the Federal Government in its first year would be $12 million with a maximum of $36 million in the third year.

This is a minimum proposal considering that there is already more than a $10.7 billion backlog of need in hospital modernization and at least another $8.4 billion will be required over the next 10 years for this purpose. Present Federal aid to hospital modernization is inadequate to meet the need. Modernization of 471,071 obsolete beds, while some 41,000 additional beds are becoming obsolete each year is a national requirement verging on an emergency. The $52.5 million contemplated under the Hill-Harris amendments to Hill-Burton will cover only 1,750 beds and Federal funds for depreciation under medicare and medicaid will account only for between $240 million and $290 million per year permitting at a maximum the modernization of 10,416 hospital beds per year. This still falls dangerously short of the need and more must be done to meet the health care requirements of the Nation. The bill I am introducing does it with minimal budgetary impact.

The need for this program is very great in New York State where Governor Rockefeller has estimated that municipal hospitals need $500 million in modernization; public infirmaries, health centers, and clinics require another $200 million in modernization; and nonprofit hospitals another $912 million. The Hospital Review and Planning Council of southern New York observed that while on the one hand modern developments have made possible new patterns of diagnosis and treatment, these advances have placed such heavy demands on existing hospital facilities that virtually every hospital plant in New York City requires costly alterations or complete replacement. According to the Council, among the 130 general care hospitals in the city, 72 percent of the surgical suites are inadequate, 90 percent of the X-ray suites are inadequate, 71 percent of the emergency departments are inadequate, 72 percent of the outpatient facilities are inadequate and only 17 percent would pass Public Health Service fire standards.

To further postpone this modernization would be costly in economic as well as human terms. Hospital modernization costs are rising at a rate of 7 percent annually. Thus, postponing for 1 year the $10.7 billion backlog in hospital modernization would add another $719 million to hospital costs, an increase which is passed on to local taxpayers and users of hospital services, including those who pay health insurance premiums. Per patient hospital costs, which averaged $9 daily in 1946, now stand at over $50—$58 in New York State—and are expected to be $100 by 1975. Hospital modernization will help hold down these charges.

The larger hospitals, which are usually the older ones, are the primary sources for the education and training of health personnel. The superior health system of the Nation is dependent upon these hospitals for the essential personnel to continue essential medical research and to translate the product of the medical research into effective medical care. In accord with the recommendations of the December 1968 report of the National Advisory Commission on Health Facilities, my bill gives preference to teaching hospitals over nonteaching institutions with an equal need. The National Advisory Commission on Health facilities has noted:

> The cost of services within health care facilities is affected significantly by the planning and design of the facilities and the systems they employ to deliver health care.

As an essential element of health care, hospital procedures should be as effective and as efficient as is possible. I am heartened by the beginning which is being made by the National Center for Health Services Research Development, created in May of 1968, which is utilizing some 10 percent of its current $40 million budget for research into modernization of hospital operations and procedures. My bill strengthens the effort toward innovation and modernization by giving the Federal Hospital Council responsibility for the evaluation of the effectiveness of the hospital modernization supported by this legislation and other Public Health Service Act programs—principally Hill-Burton—with especial emphasis on innovation and improvement of procedures and hospital techniques. This provision will help make more productive the $2 billion spent annually in hospital construction and the $19.1 billion being spent each year in hospital care.

The Hospital Modernization and Improvement Act being introduced today is also in keeping with the 1968 Republican platform which pledged support for "enactment of Republican-sponsored programs for financing of hospital modernization."

Twentieth century medical care cannot be given in 19th century hospitals. It is vital that we proceed with this too long postponed hospital modernization program without delay, not only in the interests of providing urgently needed health care for the American people but also in the interest of economy.

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the Record.

The bill (S. 269) to amend the Public Health Service Act to provide for the making of guaranteed loans for the modernization of hospitals and other health facilities and otherwise to facilitate the modernization and improvement of hospitals and other health facilities introduced by Mr. Javits (for himself and Mr. Murphy), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The analysis presented by Mr. Javits is as follows:

Section-by-Section Analysis

SECTION 1—SHORT TITLE

"Hospital Modernization and Improvement Act of 1969"

SECTION 2

Authorization of loan guarantees

The new section 621 of the Public Health Service Act would authorize the Secretary to guarantee the payment of principal and interest to non-Federal lenders who made loans to public and other nonprofit agencies for projects for the modernization of medical facilities. The amount of a loan guarantee with respect to any modernization project under this part, when added to a grant or a loan under part A, could not exceed 90 percent of the cost of such modernization project.

Allocation among the States

The new section 622 would authorize the Secretary, after consultation with the Federal Hospital Advisory Council, to allot the amount available for loans which might be guaranteed under this part among the States in a fair and equitable manner after considering relative population, financial need, and need for modernization of facilities. Any amounts allotted for the guarantee of loans, but unobligated by a State at the end of the fiscal year would remain available for the next fiscal year.

Applications and conditions

Under the new section 623, loans would be guaranteed only upon an application submitted to the Secretary through the State agency designated under section 604 as the sole agency responsible for the administration of the State plan. An application would have to meet certain specified requirements. First, the application would have to meet the requirements under clauses (1) through (5) of section 605(a). These requirements relate to the inclusion in the application of a description of the site for the project, plans and specifications for the project, assurance that the applicant has proper title, assurance of adequate financial support to complete and operate the project, and assurance as to compliance with the prevailing wage provision in the Davis-Bacon Act.

The application would also have to contain a certification by the State agency of what it determines the cost of the modernization project will be.

In order for an application to receive approval, the Secretary would have to find that four requirements were met. First, a sufficient amount to cover the cost of the project would have to remain in the State's allotment under new section 622. Second, the Secretary must make the findings required under clauses (1) through (4) of section 605(a). These required findings are that the application contains assurance as to title, financial support, and payment of prevailing wages, that the plans and specifications are in accord with regulations, that the application is in conformity with the State plan approved under section 604, and that the application has been approved and recommended by the State agency and has priority over other projects. (Under this part, the finding by the State agency that an application has priority over others would be based on appropriately modified regulations.) Third the Secretary must obtain assurances that the applicant will keep records and make reports which the Secretary reasonably requires. Finally, the Secretary must determine that the terms and conditions of the loan are reasonable and in accord with regulations.

The Secretary could not disapprove an application without affording the State agency an opportunity for a hearing. Amendments to an approved application would be subject to approval just as if they were original applications.

The United States would be entitled to recover from the applicant the amount of any payments made under a guarantee under this part. (The Secretary for good cause could waive this right of recovery.) The United States would be subrogated to the rights of the applicant upon its recovery of payments from the applicant. The Secretary would be authorized to subject guarantees under this part to the terms and conditions that he might determine to be necessary to carry out the purposes of this part. In order to protect the financial interest of the United States, the Secretary would be authorized to modify any of the terms and conditions of the guarantee.

Neither the applicant on whose behalf a loan guarantee is made nor any other person who made a loan to the applicant could contest any guarantee made by the Secretary, with one exception. Fraud or misrepresentation could make the guarantee contestable.

Payment of interest on guaranteed loans

The new section 624 would create a contractual right to each holder of a loan guaranteed under this part to receive from the United States (a) one-half of the interest rate which becomes due and payable, or (b), if lower, the interest which would become due and payable at a rate of 3%. Such amounts as might be necessary to carry out this section would be authorized. Contracts to meet the payments provided for in this section could not amount to an aggregate greater than the amount provided for in appropriation acts.

Limitation on amount of loans guaranteed

The new section 625 would establish a limit on the cumulative total of loan guarantees under this part that could be outstanding at any one time. For fiscal year 1970, the maximum allowable limit of outstanding loans guaranteed would be $400 million; for fiscal year 1971, $800 million; and for fiscal year 1972, $1,200 million. These limits would apply unless appropriation acts specified a lower limit.

Loan guarantee fund

Under the new section 626, a separate loan guarantee fund for loan guarantees for the modernization of hospital and medical facilities would be established within the Treasury. The fund would be available without fiscal year limitation. Such amounts as might be necessary to provide capital for the fund would be authorized to be appropriated.

The Secretary would be authorized to borrow funds to discharge his responsibilities under guarantees issued under this part. In order to borrow funds, the Secretary would be authorized to issue notes and other forms of obligations bearing interest at a rate determined by the Secretary of the Treasury. The Secretary of the Treasury would be authorized to purchase these obligations issued by the Secretary. The amounts borrowed under this part would be deposited in the fund. The Secretary would also redeem, from the fund, the notes and obligations issued under this section.

SECTION 3

Expansion, if not in excess of 10% of existing facilities and if in conformity with the State plan, is also eligible for loan guarantee and interest payments.

SECTION 4

Where it is determined that the need is equal between two or more institutions, priority will be given to teaching hospitals. A teaching hospital is defined as a hospital that allocates a substantial part of its resources to conduct, in its own name or in formal association with a college or university, formal education program(s) or course(s) of instruction in the health disciplines that lead to the granting of recognized certificates, diplomas, or degrees, or that are required for professional certification or licensure.

SECTION 5

Amends the new section 631 to provide that the Federal Hospital Council will evaluate the effectiveness (including the innovation of new methods) of modernization under the Public Health Service Act and report at least annually to the Secretary of Health, Education, and Welfare and to the Congress with its findings and recommendations.

SECTION 6

This section of the bill would amend section 302(c)(2)(B) of the Federal National Mortgage Association Charter Act (added by the Participation Sales Act of 1966—Public Law 89-429), which authorizes FNMA to establish trusts for HEW with respect to certain loans by the Commissioner of Education, so as to authorize such trusts also with respect to loans under these new provisions of the PHS Act.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. Hart) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. MANSFIELD. Mr. President, I yield myself 30 seconds.

I do not see the distinguished Senator from Idaho on the floor, so I yield the remainder of my time to the distinguished Senator from Kansas (Mr. Pearson), to be under his control.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PEARSON. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. To which side shall the time be charged?

Mr. PEARSON. It will come out of my time.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PEARSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, I yield myself 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Kansas is recognized for 5 minutes.

ADDITIONAL COSPONSOR OF BILL

Mr. PEARSON. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE) I ask unanimous consent that, at its next printing, the name of the junior Senator from Oregon (Mr. PACKWOOD) be added as a cosponsor of S. 7, the Water Quality Improvement Act of 1969.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. PEARSON. Mr. President, I yield to the Senator from Connecticut (Mr. RIBICOFF).

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

S. 293—INTRODUCTION OF EXECUTIVE REORGANIZATION AND MANAGEMENT ACT OF 1969

Mr. RIBICOFF. Mr. President, for myself and the Senator from Kansas (Mr. PEARSON), I introduce for appropriate reference the Executive Reorganization and Management Act of 1969.

This is the same bill that the Senate passed without opposition during the second session of the 90th Congress, S. 3640, but which was not acted upon by the House.

The legislation calls for the establishment of a new Hoover-type commission to study and propose ways of streamlining and modernizing the Federal Government.

The Commission would be charged with undertaking a broad and comprehensive look at the executive branch of government in order to make recommendations in the following areas:

First, the organization and operation of the executive branch as a whole, as well as its individual departments, agencies, and bureaus.

Second, the coordination and cooperation among the various Federal departments, agencies, and bureaus.

Third, the status of administrative management in the executive branch.

Fourth, the procedures and criteria for establishment of priorities among Federal programs.

The Commission would have eight members, four appointed by the President and two each appointed from the Senate and the House of Representatives. The President pro tempore of the Senate would appoint two Senators. The Speaker of the House would appoint two Representatives. The two major political parties would be equally represented on the Commission.

An interim report would be submitted to the Congress 1 year after the date of appointment, and at such other times as the Commission may feel it necessary or desirable. A final report would be made 2 years after the date of the Commission appointment.

As was demonstrated last year by the hearings held on the subject by the Subcommittee on Executive Reorganization of the Committee on Government Operations, the need for an independent commission to conduct a total review and examination of the operations and machinery of the executive branch has long been clear to persons inside and outside of the Government.

Three major reasons are worth repeating.

First, the growth and size of the Federal budget is clear evidence that a reorganization is needed. The Federal budget has doubled during the 14 years since the second Hoover Commission made its report in 1955. And our current Federal budget of $186 billion means that we are spending $5,515 every second.

Second, the proliferation of Federal operations throughout the country is additional evidence.

In the State of California alone, there are more Federal employees than in all of Washington, D.C.—50 percent more.

In my own State of Connecticut there are 256 individual listings for 38 different Federal agencies and departments in the Hartford telephone book—and only 92 for State agencies.

And third, there is the enormous growth in Federal programs in recent years, the overlapping jurisdictions and responsibilities of various agencies and departments, and the incredibly complex and sluggish machinery that has evolved for administering and implementing these programs.

At last count, 150 separate departments, bureaus, and boards in Washington—plus more than 400 regional and area field offices—were providing help and assistance to States, cities, and individuals through 459 separate channels.

To make sense of all these agencies and programs in Washington is hard enough. But to make sense of this at the State and local levels is a task of monumental proportions. Communities often make eight separate applications to establish comprehensive health centers. Some States have made five separate applications for a Federal grant for a statewide recreation park.

Each of these three problems is important and worth full study in its own right.

But we are proposing something more fundamental. We are proposing a comprehensive and long-range study of the entire executive branch that asks the following questions:

How can the Federal Government serve the needs of the American people better in these changing times and in the years ahead?

What reforms are needed to make it more efficient? How should its programs be organized and managed to make them more effective?

In short, the new Hoover-type commission would be concerned with the fundamental structure of the executive branch.

It would look at the long-range problems.

This is the great advantage of an independent commission. It can keep its sights set on the broader, more basic issues, and not become bogged down in the bits and pieces.

We must develop the capacity to look into the future if we want to fashion a flexible executive department response to change. In the past 13 years, we have experienced the development of space technology, the impact of automation and the transformation of our country to an urban society. We may be certain that the changes of the coming decade will at least equal those we are now witnessing.

That is why structure—the manner in which we organize ourselves—is so important.

How we organize ourselves to deal with such complex matters as the natural environment and human resource development can contribute immeasurably to the substance of those programs and the future of our Nation.

We need only look to our current situation for the proof. We are imposing the executive structure of the past on the ideas of the present in order to solve the problems of tomorrow. That is all wrong. We must take immediate steps to correct it.

Mr. President, the fundamental problem we face has been stated with great perception by Don K. Price, of Harvard University, who wrote in 1962:

> The main job is to look ahead at the great problems that confront the nation, to devise and recommend policies to meet them, and to see that the various departments are effectively coordinated in carrying the decisions of responsible political authorities.
>
> Some of the best career men in government know this quite well, and know what should be done about it. But it is hard for them to do their main job well when our system was set up on the assumption that it ought not to be done at all. We are comparatively good at politics, but then we were born free. At the other end of the spectrum, we are very good indeed at technology and detailed management; no nation is better at getting specific things invented or managed. But the connection between these two aspects of government is weak, and sometimes it is not there at all. This is the crucial blind spot in our political vision.

We need to cure some of the blind spots in our political vision. And we also need a fresh sense of what is important, of what the Federal Government can do, and how it can do its job better. This is why we need a new Hoover-type commission.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 293) to be cited as the "Executive Reorganization and Management Act of 1969," introduced by Mr. RIBICOFF (for himself and Mr. PEARSON), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1969".

FINDINGS OF FACT AND DECLARATION OF POLICY

Sec. 2. (a) The Congress declares that it is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organization structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

(b) The Congress finds that there are more than one hundred and fifty departments, agencies, boards, commissions, bureaus, and other organizations in the executive branch engaged in performing the functions of government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict, and duplication of effort among them; that the Congress and the President do not have adequate information and techniques to determine the best means of improving the conduct of the public business in so many governmental establishments.

(c) The Congress further finds and declares that in order to promote the efficient management and improved coordination essential to the economical administration of governmental services and to assure that program expenditures and performance are consistent with the policies established by the Congress, a commission to review the organization, operation, and management of the executive branch should be established.

COMMISSION ESTABLISHED

Sec. 3. (a) For the purpose of carrying out the policy set forth in section 2 of this Act, there is hereby established a commission to be known as the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of eight members; four appointed by the President of the United States, two from the executive branch of the Government and two from private life; two appointed by the President pro tempore of the Senate from the membership of the Senate; two appointed by the Speaker of the House of Representatives from the membership of the House. The Commission shall elect a Chairman and a Vice Chairman from among its members.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall represent equally the majority and minority parties; with respect to members of the Commission appointed from the House of Representatives and the Senate, there shall be a Representative and a Senator from the majority party and one each from the minority party.

(d) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(e) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

(f) Members of the Commission appointed pursuant to this section may continue to serve during the existence of the Commission. Any member of the Commission appointed pursuant to section 3(a) of this Act who, at the time of his appointment is serving as a Member of Congress, may continue to serve as a member of the Commission without regard to whether he continues to hold office as a Member of Congress.

DUTIES OF THE COMMISSION

Sec. 4. (a) It shall be the function of the Commission to—

(1) Analyze and assess the current organization, coordination, and management of the executive branch and recommend appropriate actions, modifications, innovations, and reorganizations to achieve the purposes of this Act;

(2) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for improved coordination and cooperation among Federal agencies to insure the maximum degree of consistency in governmental actions;

(3) Appraise the current status of administrative management in the executive branch and its individual departments, agencies, bureaus, boards, commissions, independent establishments, and other organizations with a view to proposing reforms and new procedures, techniques, and facilities which will improve the conduct of Government service; and

(4) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for the: (a) establishment of priorities among Federal programs; (b) consolidation and redirection of those programs; and (c) reduction or elimination of those which are of marginal utility or which are unnecessary.

(b) The Commission shall submit an interim report to the Congress one year after the date of its appointment and at such other times as the Commission may feel necessary or desirable and shall complete its study and investigation no later than two years after the date of its appointment. Within sixty days after the completion of such study and investigation the Commission shall transmit to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

Sec. 5. (a) The Commission shall have power to appoint and fix the compensation of the Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission, or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, the chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman, or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) The Commission is authorized to secure directly from any executive department bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestion, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed to furnish on a nonreimbursable basis such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

Sec. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the name of the Senator from Virginia (Mr. Spong) be added as a cosponsor of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REORGANIZATION LONG OVERDUE

Mr. PEARSON. Mr. President, it is a privilege to be able to introduce today a bill with the distinguished junior Senator from Connecticut (Mr. Ribicoff) calling for the establishment of a new Hoover-type commission to improve the operations of the Federal Government.

This bill was introduced last year following an exhaustive 7-day series of hearings by the Senate Government Operations Subcommittee on Executive Reorganization and subsequently passed unanimously in a voice vote by the Senate. The other body was unable to consider it in the time remaining. In essence, this legislation would create a blue-ribbon panel of eight individuals—four appointed by the President—two from the executive branch and two from private life—two appointed by the Speaker of the House and two appointed by the President pro tempore of the Senate. This group would assemble an expert staff and, like the previous Hoover Commissions, study the management, organization and operations of the executive branch for a 2-year period. At the end of this examination, the Commission would submit its recommendations to the President and the Congress for appropriate executive and legislative action.

Mr. President, the advantages of such a reorganization study are many. For example, the first Hoover Commission made approximately 275 recommendations of which 72 percent were subsequently adopted in whole or part. The second commission proposed roughly 314 changes of which 77 percent were accepted.

The costs of these two studies were quite low. The first Hoover Commission was financed by an appropriation of $1,983,600. The second received appropriations totalling $2,848,534 of which $83,527 was subsequently returned to the Treasury. In addition, the recommendations of the first Hoover Commission alone resulted in savings of more than $7 billion, not to mention the social benefits that flowed from the improved services its reforms made possible.

Obviously many improvements can be produced by periodic reviews of the bureaucracy when these studies are conducted carefully, professionally and at suitable intervals. The latter point is most important, for just as it is unwise to allow the government to grow like Topsy without any attempt at overall coordination, it is equally unwise to attempt complete reviews too often. Given the effort involved they are relatively unproductive if they follow each other too closely. In this case, however, a thorough overhaul is long overdue. The last Hoover Commission submitted its report in 1955—14 years ago. In that time Federal spending has more than doubled and over 500,000 civilian employees have joined the Federal payroll.

Since 1955 a host of new programs and agencies had been created, in many cases to meet urgent needs no doubt, but unfortunately too little attention has been given to their interrelationship and to their effect on existing programs. The exact scope of this vast proliferation may never be possible, but in an attempt to grasp the rough outlines of what has occurred in this regard I asked the Legislative Reference Service to prepare a comprehensive review of the number of new agencies, departments, and bureaus that have been created since 1955. The LRS first completed this study last year and has now updated it and I ask unanimous consent in that it be inserted in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered. (See exhibit 1.)

Mr. PEARSON. Mr. President, partial as the figures cited in this report may be, they nonetheless indicate a startling growth in the number and scope of new offices and functions in the executive branch. For example, shortly after the National Foundation on the Arts and Humanities was created it had a staff of 21 and a budget of roughly $1.2 million. Just 3 years later we now see it has a staff of approximately 285 and a budget of $22.7 million. Similarly the Office of Economic Opportunity had a staff of 428 at a budget of roughly $200 million in 1965 and today it has a staff of 3,000 and a budget of $2 billion—a tenfold budgetary growth in 4 years.

These and other similar examples show that in the 1969 budget nearly $32 billion and 150,000 employees are committed to programs begun since the last overview of the Federal bureaucracy was undertaken. Since these new programs were begun, in most instances just 1, 2, 3 or 4 years ago, approximately $17 billion and nearly 60,000 employees have been allocated to their expansion.

Mr. President, the inauguration and expansion of these programs is not necessarily undesirable. Our country is faced with a large number of rapidly changing problems, each of which makes its demands on our national talent and treasury. We must also bear in mind that the recent outgrowth in Government spending, while large in absolute terms, has actually been relatively modest in comparison to the growth of the economy.

In 1947, for example, the year in which the first Hoover Commission began its work, the Federal administrative budget amounted to $38.9 billion. By 1967, this figure had reached $125 billion. Yet, as a percentage of the gross national product the budget declined from 16.8 percent in 1947 to 16 percent in 1967.

Thus, growth per se, is no sure guideline to the need for bureaucratic reform. The real question is whether or not the executive branch is being administered with maximum efficiency. And it is by applying this yardstick, Mr. President, that the need for a new Hoover Commission becomes most apparent.

For example, the vast proliferation of Federal grant-in-aid programs in recent years indicates an incredibly loose control and lack of coordination of one of the most far-reaching areas of national activity. In April 1964, there were approximately 239 such programs. Today there are over 400. And on March 18, 1967, the administration predicted these programs may quadruple in 5 years. Today these programs cost over $17 billion a year. By 1973 this cost may reach more than $60 billion. If these vast sums are to be used to best advantage, more coordination and improved management techniques will be necessary. A new Hoover Commission could help achieve these goals.

Mr. President, unfortunately grants-in-aid are not the only area of Federal activity that is in need of consolidation and coordination. Many other fields of activity are equally beset with overlapping lines of authority and programs which duplicate each other to an alarming degree. For example, three separate programs are attending to the treatment of deaf children. Thirty are involved in teacher training activities. Nine programs deal with job recruitment, while at least five subsidize on-the-job training projects. Moreover, 15 different Federal departments and agencies are now administering 79 different training and education programs.

A special study by the Library of Congress in 1966 investigated Federal activities in the field of research and development. The results were indicative of much of what now ails the bureaucracy. As the report stated:

> The Federal Government now spends nearly $4 billion annually on research and development in its own laboratories, but it does not know exactly how many laboratories it has, where they are, what kinds of people work in them or what they are doing.

The report went on to note that over 1,000 projects in the field of research and development on environmental pollution alone were being conducted in 192 installations involving at least nine agencies and departments. To quote the study:

> In many instances this work was indicated as being unrelated to the primary missions of either the laboratories or the agencies.

Mr. President, the fact is that many of these programs may be vitally needed. But many of them may not. Given the confusion and duplication which exists in the executive branch today, however, no one can say for sure which ones are necessary and which ones are not.

In addition, even in the case of those programs which meet a critical need, their ability to fulfill their role may be seriously hampered by the haphazard way in which they are administered and coordinated with related projects. A new Hoover Commission may not cure all these ills, but it certainly should at least lessen their deleterious effects.

Mr. President, the executive branch is aware of these problems and has been trying to deal with them. But, unfortunately, these attempts lack the objectivity and perspective possessed by an independent outside review panel such as a Hoover Commission equipped with the best talent and a broad mandate from Congress. For example, the need for coordination among competing or related programs and departments has been met by a veritable explosion of interagency committees that have proliferated so rapidly that committees have actually been created to coordinate other committees.

Thus we find the Secretary of Housing and Urban Development participating in a total of 41 interagency agreements and accords. He is also represented on 31 formal and informal committees, task forces, and groups. The Secretary of Health, Education, and Welfare is the chairman of six interagency groups and sits on 22 others. He also may send a representative to attend the meetings of yet another six. The Office of Economic Opportunity participates in 49 coordinating projects and the Department of Commerce in 24. And, as of July 1965, the Department of Agriculture listed roughly 320 interdepartmental projects, understandings and committees in which it participated.

Mr. President, the list goes on and on and on. For example, at present there are approximately 33 Federal agencies engaged in 296 consumer protection activities. If this Government is to meet the rising demands that are being made of it and if it is to also guarantee the taxpayer that his contribution is being fully and wisely used, we simply must act now to control and coordinate the many new functions the executive branch has assumed in the 14 years since the last Hoover Commission completed its work. Not to do so may mean failure in many important problem areas, simply because of a lack of coordination and modern management techniques.

The establishment of a new Hoover Commission may not bring any reduction in overall spending, but at least by looking at the total picture instead of bits and pieces it should greatly improve the quality of Government services and give the taxpayer more for his money.

Moreover, Mr. President, aside from reasons of economy and efficiency we need an independent study group to review the many facets of Federal activity with an eye to future needs and demands. Only in this way can we prepare to meet these challenges in a coordinated and rational way. As the President-elect himself has observed, the time for a new look at the executive branch is now. Let us act quickly to meet this need and get on with the examination that is already long overdue.

EXHIBIT 1

[Dollar amounts in thousands]

Agency	Statutory authority	At time of creation		Now	
		Budget (date)	Personnel (date)	1969 budget	Jan. 1, 1968; personnel
INDEPENDENT OFFICES AND COMMISSIONS					
Administrative Conference of the United States	Executive order, Apr. 13, 1961	$150 ((OA) 1962)	1 (1962)	$278	11.
Advisory Commission on Intergovernmental Relations	73 Stat. 703, Sept. 24, 1959	$35 (1960)	5 (1960)	$539	59.
Appalachian Regional Commission	79 Stat. 5, Mar. 9, 1965	$612 (1966)	10 (Jan. 1, 1966)	$879	10.
Commission on Civil Rights	71 Stat. 634, Sept. 9, 1957	$655 (1959)	65 (1959)	$2,600	169.
Delaware River Basin Commission	75 Stat. 688, Sept. 27, 1961	$20 ((OA) 1962)	2 (1963)	$298	2.
Equal Employment Opportunity Commission	78 Stat. 241, July 2, 1964 (operational July 2, 1965).	$2,590 (1966)	314 (1966)	$12,772	379.
Federal Aviation Agency [1]	72 Stat. 731, Aug. 23, 1958	$187,675 ((NOA) 1958)	22,763 (1958)	$1,227,912	44,576.
Federal Maritime Commission	Reorganization Plan No. 7, 75 Stat. 840, Aug. 12, 1961.	$1,163 (1962)	142 (Jan. 1, 1962)	$3,654	250.
Federal Radiation Council	Executive order, Aug. 14, 1959	$30 ((OA) 1961)		$121	9.
National Aeronautics and Space Administration	72 Stat. 426, July 29, 1958	$145,491 (1959)	9,286 (1959)	$4,573,186	33,939.
National Capital Transportation Agency [2]	74 Stat. 537, July 14, 1960	$135 (1961)	16 (Jan. 1, 1961)		
National Foundation on the Arts and Humanities	79 Stat. 845, Sept. 29, 1965	$1,228 (1966)	21 (Jan. 1, 1966)	$22,700	285.
U.S. Arms Control and Disarmament Agency	75 Stat. 631, Sept. 26, 1961	$1,033 (1962)	89 (1962)	$9,500	287.
Water Resources Council	79 Stat. 244, July 22, 1965	$44 (1966)	14 (1966)	$3,926	30.
EXECUTIVE OFFICE OF THE PRESIDENT					
National Aeronautics and Space Council	72 Stat. 426, July 29, 1958	$203 (1962)	14 (Jan. 1, 1962)	$520	26.
Office of Science and Technology	Reorganization Plan No. 2, 76 Stat. 1253, June 8, 1962.	$464 (1963)	48 (Jan. 1, 1964)	$2,320	64.
Office of the Special Representative for Trade Negotiations	Executive order, Jan. 15, 1963	$400 (1964)	30 (Jan. 1, 1964)	$723	29.
Office of Economic Opportunity	78 Stat. 508, Aug. 20, 1964	$211,234 (1965)	428 (Jan. 1, 1965)	$1,996,782	3,002.
National Council on Marine Resources and Engineering Development.	80 Stat. 203, June 17, 1966	$411[3] (1967)	17 (Jan. 1, 1967)	$1,662[3]	80.
DEPARTMENT OF AGRICULTURE					
Agricultural Stabilization and Conservation Service (successor to Agricultural Conservation Program Service and State ASC committees.	Departmental order, June 5, 1961.	$726,020 (1961)	6,615 (Jan. 1, 1962)	$647,057	4,864.
Rural Community Development Service (superseded Office of Rural Areas Development).	Departmental order, Feb. 4, 1965.	$187 (1964)	31 (Jan. 1, 1966)	$461	26.
International Agricultural Development Service	Departmental order, Aug. 5, 1963.		58 (Jan. 1, 1964)	$5,878 (OA) (funds come from AID).	111.
Economic Research Service	Departmental order, Apr. 3, 1961.	$8,190 (1962)	957 (Jan. 1, 1962)	$13,763	1,180.
Packers and Stockyards Administration	Secretary's memo, May 8, 1967	$2,380 (1967)	209 (1967)	$3,118	178.
DEPARTMENT OF COMMERCE					
Area Redevelopment Administration	75 Stat. 47, May 1, 1961	$7,339 (1962)	201 (Jan. 1, 1962)	See EDA	See EDA.
Economic Development Administration (successor to ARA)	79 Stat. 552, Aug. 26, 1965	$55,160 (1965)	404 (Jan. 1, 1966)	Total economic development assistance, $180,317.	966.
Environmental Science Services Administration (consolidated Weather Bureau, Coast and Geodetic Survey, Radio Propagation Laboratory).	Reorganization Plan No. 2, July 13, 1965, 79 Stat. 1318.	$139,863 (1965)	10,231 (Jan. 1, 1966)	$176,818	10,685.
Office of Foreign Commercial Services	Departmental order 183, Feb. 1, 1963.		46 (Jan. 1, 1964)		46.
Bureau of International Commerce (successor to Bureau of International Business Operations and Bureau of International Programs, operational from Aug. 8, 1961, to Feb. 1, 1963).	Departmental order 182, Feb. 1, 1963.	Total international Activities, $10,026 (1963).	769 (Jan. 1, 1964)	Total international activities, $25,295.	830.
Office of State Technical Services	79 Stat. 679, Sept. 14, 1965	$1,461 (1966)	4 (Jan. 1, 1966)	$5,800	27.
U.S. Travel Service	75 Stat. 129, June 29, 1961	$1,481 (1962)	31 (Jan. 1, 1962)	$4,500	82.
Office of Foreign Direct Investments	Executive Order 11387, Jan. 1, 1968.			$4,200	229 (estimate, 1969).

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[1] FAA took over functions of Civil Aeronautics Administration in the Commerce Department. When the Department of Transportation was created, the FAA as an independent agency was abolished, and its functions transferred to the Federal Aviation Administration in the Department of Transportation.

[2] Functions and duties transferred to Washington Metropolitan Area Transit Authority effective Sept. 30, 1967.

[3] Budget figures are combined for National Council on Marine Resources and Engineering Development and for Commission on Marine Science, Engineering, and Resources.

DEPARTMENT OF DEFENSE

In the Department of Defense, four major agencies have been created since 1955: the Defense Communications Agency (May 12, 1960); the Defense Contract Audit Agency (July 1, 1965); the Defense Intelligence Agency (August 1, 1961); and the Defense Supply Agency (January 1, 1962). In addition, the Armed Forces Special Weapons Project of 1947 was redesignated the Defense Atomic Support Agency in 1959. Comparative budgetary figures are not readily available for these agencies, however, since the budget for the Defense Department and the military services is broken down by civilian and military functions rather than by line agency activities.

The Reserve Forces Bill of Rights and Vitalization Act (P.L. 90-168), enacted December 1, 1967, specified that one of the seven Assistant Secretaries of Defense should be designated the Assistant Secretary of Defense for Manpower and Reserve Affairs and created a new Deputy Assistant Secretary of Defense for Reserve Affairs to be appointed by the President with the advice and consent of the Senate. The Act also increased the number of Assistant Secretaries for the Army, Navy, and Air Force from three to four, and specified that one of them should be designated the Assistant Secretary for Manpower and Reserve Affairs.

[Dollar amounts in thousands]

Agency	Statutory authority	At time of creation		Now	
		Budget (date)	Personnel (date)	1969 budget	Jan. 1, 1968; personnel
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Bureau of Disease Prevention and Environmental Control (reorganization in Public Health Service).	Departmental order, Jan. 1, 1967.	$179,486 (1966)		$221,224, total disease prevention and environmental control.	7,882.
Bureau of Health Manpower (reorganization in Public Health Service).	do	$25,373 (1966)		$211,080, total health manpower.	824.
Bureau of Health Services (reorganization in Public Health Service).	do	$388,066 (1966)		$461,584 total health services.	14,578.

[Dollar amounts in thousands]

Agency	Statutory authority	At time of creation		Now	
		Budget (date)	Personnel (date)	1969 budget	Jan. 1, 1968; personnel
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued					
Cuban refugee program staff	Presidential letter to the Secretary, Jan. 27, 1961.	$52,902 (1963)	101 (Jan. 1, 1964)	$58,800, total assistance to refugees in the United States.	153 (estimated 1969).
Office of Juvenile Delinquency and youth development staff (authority expired June 30, 1967; new law passed in 1968, Public Law 90-445, to be implemented in 1969).	75 Stat. 572, Sept. 22, 1961	$1,386 (1962)	9 (1962)	$20,000 (proposed for separate transmittal).	41 (estimated 1969).
Bureau of Family Services (see Social and Rehabilitation Service below).	Departmental order, January 1962.	$3,708 (1963)	377 (Jan. 1, 1962)		
Administration on Aging (see Social and Rehabilitation Service below).	79 Stat. 218, July 14, 1965	$2,191 (1966)	47 (Jan. 1, 1966)		
Social and Rehabilitation Service (reorganization brought together Bureau of Family Services, Vocational Rehabilitation Administration, Welfare Administration, Administration on Aging, and Division of Mental Retardation of Public Health Service).	Secretary order, Aug. 15, 1967	$4,694,634 (1967)	1,861 (Jan. 1, 1968)	$6,643,700	1,861.
Bureau of Drug Abuse Control (Reorganization Plan 1 of 1968 effective Apr. 8, 1968, combined the Bureau of Drug Abuse with the older Bureau of Narcotics in Treasury, which had a 1969 budget of $7,630,000 and 457 employees as of Jan. 1, 1968, and created a new Bureau of Narcotics and Dangerous Drugs in the Department of Justice).	79 Stat. 226, July 15, 1965	$1,037 ((OA) 1966)	305 (Jan. 1, 1967)	$8,330	446.
DEPARTMENT OF THE INTERIOR					
Office of Minerals and Solid Fuels (successor to Office of Minerals Mobilization).	Departmental order, Nov. 2, 1962.	$95 (1964) (estimated expenditures).	15 (1964) (estimated)		7 (Jan. 1, 1969).
Oil Import Administration	Presidential proclamation Mar. 10, 1959.	$68 ((OA) 1960)	6 (Jan. 1, 1961)	$267 (NOA)	14 (Jan. 1, 1969).
Oil Import Appeals Board	do	$9 ((OA) 1960)	2 (Jan. 1, 1961)	$15 (NOA)	2 (Jan. 1, 1969).
Office of Coal Research	74 Stat. 336, July 7, 1960	$47 (1961)	1 (Jan. 1, 1961)	$14,000	25 (estimated 1968).
Bureau of Commercial Fisheries	70 Stat. 1119, Aug. 8, 1956 (operational Nov. 6, 1956).	$16,420 (1958)	1,389 (1957)	$51,946	2,287.
Bureau of Sport Fisheries and Wildlife	do	$40,864 (1958)	2,124 (1957)	$102,213	4,886.
Bureau of Outdoor Recreation	Apr. 2, 1962	$969 (1963)	126 (1963)	$160,406	540.
Federal Water Pollution Control Administration	79 Stat. 903, Oct. 2, 1965 (operational May 10, 1966).	$116,509 (1966)		$248,000	2,294.
Water Resources Council representative staff	Secretary order Dec. 28, 1967				2.
Office of Marine Resources	Secretary order Oct. 22, 1968				2.
Office of Water Resources Research	78 Stat. 329 July 17, 1964	$1,355 (1965)	5 (Jan. 1, 1965)	$11,020	42 (estimated 1969).
DEPARTMENT OF JUSTICE					
Community Relations Service (established in Commerce Department by Civil Rights Act of 1964—transferred to Justice Department by Reorganization Plan 1 of 1966, effective Apr. 22, 1966).	78 Stat. 241, July 2, 1964	$493 (1965)	33 (Jan. 1, 1965)	$2,808 (NOA)	112.
Civil Rights Division	71 Stat. 634, Sept. 9, 1957	$483 (OA) civil rights matters.		$3,097 (NOA) civil rights matters.	208.
Law Enforcement Assistance Administration	82 Stat. 197, June 19, 1968			$63,000 (NOA)	100 (Jan. 3, 1969).

DEPARTMENT OF LABOR

In the Department of Labor, the Manpower Administration, the Labor Management Services Administration, and the Wage and Labor Standards Administration represent major reorganizations within the Department. However, since these changes involved principally a restructuring of activities already being carried out by agencies in the Department, they have not been included in this report.

[Dollar amounts in thousands

Agency	Statutory authority	At time of creation		Now	
		Budget (date)	Personnel (date)	1969 budget	Jan. 1, 1968, personnel
POST OFFICE DEPARTMENT					
Bureau of Research and Engineering	80 Stat. 262, July 5, 1966	$11,592 (OA) (research, development, and engineering activities).		$36,386 (research, development, and engineering activities).	432.
Postal data centers	Fiscal 1964		1,414 (Jan. 1, 1965)		1,524.
DEPARTMENT OF STATE					
Agency for International Development	75 Stat. 445 Sept. 4, 1961 (operational Nov. 3, 1961).	$1,836,000 (1962) (expenditures).	15, 393 (Jan. 1, 1962)	$2,264,000	17,884.
Peace Corps	75 Stat. 612, Sept. 22, 1961	$11,409 (expenditures) (1962).	418 (Jan. 1, 1962)	$109,922	1,653.
NEW DEPARTMENTS					
Department of Housing and Urban Development	79 Stat. 667, Sept. 9, 1965 (effective Nov. 9, 1965).	$767,080 (1966)	13,472 (Jan. 1, 1966).	$1,756,058	14,631.
Department of Transportation	80 Stat. 931, Oct. 15, 1966 (effective Apr. 1, 1967).	$1,276,338 (1966) (reflects amounts spent on activities now in Department of Transportation which were formerly in other departments).		$6,281,677	57,926.
National Highway Safety Bureau (under Federal Highway Administration in Department of Transportation).	80 Stat. 791, Sept. 9, 1966		159 (1966)	$123,000	273.
National Transportation Safety Board	80 Stat. 935, Oct. 15, 1966	$3,980,484 (1967)	52 (1967)	$4,209,022	230.
Federal Railroad Administration	80 Stat. 932, Oct. 15, 1966	$9,592 (1967)	1,005 (1967)	$28,152	1,175.
Urban Mass Transportation Administration (transferred from Department of Housing and Urban Development; program of grants for urban mass transportation authorized by 78 Stat. 302, July 9, 1964).	Reorganization Plan 2 of 1968 (effective May 7, 1968; implemented July 1, 1968).	$60,000 ((OA) 1965) (urban mass transportation grants).		$149,610 (urban mass transportation grants).	
JUDICIAL BRANCH					
Federal judicial center	81 Stat. 664, Dec. 20, 1967	$75 (estimated 1968)		$500	4 (Dec. 1, 1968).

ELECTORAL COLLEGE REFORM

Mr. MUNDT. Mr. President, I have introduced, along with 17 cosponsors, Senate Joint Resolution 12, which proposes an amendment to the Constitution to reform the electoral college. The cosponsors are as follows:

Senators JORDAN of Idaho, SPARKMAN, MILLER, BYRD of West Virginia, WILLIAMS of Delaware, DOMINICK, HRUSKA, COTTON, THURMOND, FONG, CURTIS, YOUNG of North Dakota, STENNIS, TOWER, BOGGS, HANSEN, and GOLDWATER.

As most of my colleagues are aware my proposal calls for electors chosen primarily by districts. This procedure strikes at the very core of what all observers see as the major fault in the present system—the unit vote. Under the district plan it would no longer be possible for a candidate gaining a narrow victory in a State to capture all of that State's electoral votes. It would instead break up the electoral vote according to the decisions of the voters making the final outcome more representative of the electorate.

There are other weaknesses in the existing electoral college system and Senate Joint Resolution 12 would correct these also. The most prominent—and most publicized—is the errant elector. My resolution makes it impossible to have a repeat of the event we experienced in the last election when a North Carolina elector pledged to one candidate voted for another. The language of Senate Joint Resolution 12 clearly states that if an elector votes contrary to his previously declared choice, his vote nevertheless shall be counted as a vote cast in accordance with his declaration. We have retained the office of elector for constitutional and symbolic reasons but we have stripped it of all discretionary power.

Mr. President, at a later date I expect to discuss the provisions of Senate Joint Resolution 12 more thoroughly, but at the present time I would simply like to point out that the district system has an overriding virtue. It is simple, corrective, noncontroversial, and fair alike to all States and areas and therefore possible of being ratified by our State legislatures. At a time when electoral college reform is badly needed, I hope we will keep this fact in mind and pursue a plan that is possible of being enacted rather than one that is visionary.

We have heard much about the need to replace the electoral college with the direct vote. The idea, I admit, is appealing at the first glance but a more thoughtful examination shows its faults. There are simply too many drawbacks: Federal control of elections, the destruction of our Federal system of government, the damage done to our two-party system, the added uncertainty, and many others.

Above all, however, is the question of whether a direct election plan could be ratified by the States. The answer, I believe, is clearly "No." Simple arithmetic shows that 13 States can block ratification and there are over twice that number of States that would lose their power and their identity under the direct election.

Mr. President, I hope that we will achieve electoral college reform this year. If we are to do so, however, it will be by adopting Senate Joint Resolution 12 or something very close to it. I invite all serious supporters of meaningful, effective electoral college reform to support the passage of Senate Joint Resolution 12 during this session of Congress.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. Hart) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. PEARSON. Mr. President, I yield 5 minutes of my time to the Senator from Florida.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I appreciate greatly the courtesy of the Senator from Kansas.

Mr. President, the Senate will soon have a momentous and historic vote. Unfortunately, under the intended ruling of the Vice President, the real question will be whether the Senate will cast a majority vote for cloture on the motion to take up the resolution to amend rule XXII. Every Senator knows that there will be more than a one-third vote of the Senate against the cloture motion, but the Vice President has advised the Senate that in case a majority vote of the Senate, but less than two-thirds, is cast for cloture he intends to ignore section 2 of rule XXIII and to rule that cloture has been invoked and to then apply the provisions of rule XXII to limit debate of Senators after such announced cloture to 1 hour for each Senator.

Since it is my strong view that the intended ruling of the Vice President is wholly wrong, I call attention to the following results of such ruling in the event a majority vote, but a vote less than two-thirds of the Senate present and voting, is cast for cloture.

First. In such case, his ruling and declaration of cloture would be a serious and perhaps a fatal blow against the character of the Senate as a continuing body.

Second. Such a ruling would be a serious and perhaps a fatal blow to the character of the Senate as the stable body of our Union as envisioned by the Founding Fathers and preserved by the Senate throughout its 180 years.

Third. Such a ruling would be an incomprehensible act on the part of the Vice President since he voted for the present rule XXII as one of the 72 Senators who voted on January 12, 1959, to create the present rule XXII and section 2 of rule XXIII.

Fourth. The ruling of the Vice President is impossible to understand in view of the fact that the present rule XXII, as well as section 2 of rule XXXII, was offered on January 7, 1959, by his present Chief, the President of the United States, then Senator Johnson, of Texas, on behalf of himself; Senator Hayden, of Arizona; Senator DIRKSEN, of Illinois; Senator MANSFIELD, of Montana; Senator Saltonstall, of Massachusetts; and Senator Bridges, of New Hampshire, constituting all of the leadership of the Senate on both sides of the aisle at that time.

Fifth. The intended ruling of the Vice President is contrary to the previous precedents of the Senate set by the rulings of previous Vice Presidents and even by the ruling of the present Vice President in 1957. From the face of the Parliamentarian of the Senate, which I observed at the time the Vice President was making the ruling, I believe there was no more shocked person than he in the Senate at the time Vice President HUMPHREY announced his intended ruling.

Sixth. The intended ruling of the Vice President, while recognizing that the question is a constitutional one, has announced that he does not intend to allow the Senate the privilege of debate as well as a direct vote on the question of the constitutionality of his proposed ruling.

Seventh. The proposed ruling of the Vice President would take rule XXII and rule XXXII and give full recognition and effect to all portions thereof except to the portion requiring two-thirds majority vote for the adoption of cloture and the provision for continuity of the rules of the Senate from one Congress to the next unless they are changed as provided by the rules themselves. By such action the Vice President, by his sole action, would create a new rule of cloture by majority vote applicable at the beginning of each Congress despite the fact that the Senate has frequently considered and refused to adopt any rule of majority cloture. The Vice President, a member of the executive department, would thus create a new rule of cloture for the Senate, by his own fiat, for which he has no authority of any kind.

Once again I thank the distinguished Senator from Kansas for yielding to me.

Mr. PEARSON. Mr. President, I have no further requests to speak. Therefore, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PEARSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Who yields time?

Mr. PEARSON. Mr. President, I yield 10 minutes to the Senator from Georgia (Mr. RUSSELL).

The ACTING PRESIDENT pro tempore. The Chair would inform the Senator from Kansas that he has 8 minutes remaining of his one-half hour.

Mr. PEARSON. Then, Mr. President, I yield 8 minutes to the Senator from Georgia.

Mr. DIRKSEN. Mr. President, I yield 2 minutes of my time to the Senator from Georgia.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 10 minutes.

Mr. RUSSELL. Mr. President, we all know that this is perhaps the most vital issue that will come before the Senate at this session. It is manifestly impossible to deal with its many facets in the space of 10 minutes. I do wish to touch on a few highlights.

Let me remind those who represent the less populous and smaller of the States of the Union in the Senate that the adoption of any such drastic policy as is now proposed will deprive them of the only weapon that representatives of such States have to protect the rights of their people. The Senate and its rules are the last citadel where these States are afforded an equal chance with their larger neighbors.

Every man who has ever served as a delegate from a small State to a political convention, where Presidents are nominated and platforms are written, knows that they are often lost and almost swallowed up by the huge delegations from the populous States. It is manifestly impossible for their Representatives to protect them in the House of Representatives. States that have 2, 4, 6, 7, 8, or even 10 Representatives are at an obvious disadvantage in dealing with those that have 25, 35, or 41 Representatives. Ofttimes, under the rules of that body, they must go on their knees to get even 5 or 10 minutes to present the views of their people. It is amazing to see Representatives from these States support the pending proposition. There has never been an issue presented that more asserts the doctrine that the end justifies the means.

The proposal of the Vice President to substitute his views for such parts of the rules as he sees fit not only flouts the constitutional power of the Senate to make its own rules in such manner as it may determine, but is a graphic illustration of a government of a man instead of a government of law. There will be many cases where Senators will have little choice, no voice and no rights, if this proposal prevails. Rule XXII will be a gag rule that is more summary and less justified than is the gag of the Previous Question in the House of Representatives.

Mr. President, in the Constitutional Convention of 1787 the question of representation in our legislative bodies was the rock on which the Convention all but foundered. The most difficult question faced by the Founding Fathers was in finding some place in our system where the least populous States—the smaller States, if you will—would have an equal chance to protect their rights in a representative government joined in a republic of States.

The greatest genius of that Convention was the creation of the Senate. The representatives of the small States in the convention had the vision to resist until they secured a forum of equality. They even exacted a pledge and wrote it into the Constitution that equality of representation in the Senate could not be denied any State except by its own consent.

The trend of the times frankly causes me to fear that through similar tactics to those being employed here a way will be found to eliminate that provision.

If the Presiding Officer of the Senate, who is not a legislator but a member of the executive branch of the Government, can by raw power don a judicial robe and declare invalid such portions of the rules of the Senate of which he disapproves—all enacted by the Senate under its constitutional rulemaking power—if he can so manipulate these rules as to gag the Senate completely to any discussion of his illegal decisions as this would do under the provision of rule XXII of which he approves, preventing debate on a motion to table, you may be sure that the Supreme Court, wedded as it is to the one-man, one-vote doctrine, can find a way to void the constitutional provision which seeks to assure all States, great and small, equal representation in this body.

Now, Mr. President, I want to slay one of the fictitious hobgoblins which has been used to defend this shocking, this outrageous, this unfair proposal. It is the innuendo that this ruling has something to do with the promotion of civil rights legislation. No honest man who has served in this body over the past 10 years can possibly accept that argument. The Senate has invoked cloture in every case within the last decade where civil rights bills were not brought to a vote when the leadership desired. Not a single civil rights bill has been defeated or postponed within the past decade for as much as a year by what some please to call the filibuster.

They argue that most of the southern Senators are opposed to this illegal procedure. Let me say that I am proud of that fact. I am proud that a majority of the southern Senators are Senate men who are interested in maintaining the powers of the Senate as an institution of government and that the power and prestige of the Senate means more to them than temporary political adulation.

Mr. President, the claim that civil rights is involved is false. I do not know just what force gives such great momentum to this movement and this unusual procedure. I can say, Mr. President, that a man who is salesman enough to sell this scheme to ravish the Senate even to the Senators of some of the smaller States has some design or purpose. By striking down the protection that the Senate rules provide for a minority or for the individual Senator, there is some purpose at work that bodes no good for the maintenance of our system of government.

Mr. President, it so happens that I am privileged to represent a State with a population above the average. If the Senate as now constituted is revolutionized by the rules or by changing the method of representation, my State would not suffer. But, Mr. President, as one who has tried to be truly a Senator of the United States and a Senate man, I believe the Senate is the most important, vital organ in our whole system of government and is the only forum where any minority or any State or any individual Member may express himself. I have, therefore, always fought to the limits of my ability to protect and preserve the Senate in the form envisioned and agreed upon by the Founding Fathers.

It is well to remember, Mr. President, that the majority in this body or in any legislative body does not need the protection of any rules. The majority, in the absence of rules, can use raw political power to run roughshod over the minority. The rules of the Senate not only propose orderly procedure, but seek to protect the right of minorities down to individual Senators. What we are asked to do here now on the dictum of the Presiding Officer is to disregard our rules and give him power over the Senate by a ruling from the Chair to impose gag rule of the worst sort—by a bare majority. I know that there will be those who delude themselves with the idea that they can follow this policy and find a way to impose cloture by a three-fifths vote. Time will not permit me to deal with the fallacy of this idea.

All admit that the Chair's edict in this case institutes gag rule by majority in the Senate. Even if you determine upon a vote of three-fifths of the Senators to gag the remainder today, what will be your position next month, and the month following and in the next Congress if this issue is presented in the same fashion again? You must admit that under the Chair's rule, three-fifths is as unconstitutional as two-thirds. If this ruling is followed, and majority is postponed by a substitute of three-fifths, this same process can revert to gag rule by a bare majority of one anytime the question is raised in similar fashion and every honest man who has analyzed this proposal knows that this is a fact.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has about 15 more seconds, according to the Parliamentarian.

Mr. RUSSELL. Mr. President, while I do not subscribe to any of these beliefs, we are living in an age where men contend that God is dead and that Holy Writ is only ancient family histories or allegories or a number of fables. I am neither a prophet nor a son of a prophet, but I state without equivocation that whatever Senators may believe about the Bible, they will do well to recall the history of Mordecai and Haman. Some of you who are going through with this scheme will find that you have acted the part of Haman building the gallows high to hang Mordecai. I fear that many of you who are espousing this illegal and unprecedented ravishment of the rules will eventually suffer from their application, as Haman on the gallows built for Mordecai.

Mr. DIRKSEN. Mr. President, how stands the time?

The PRESIDING OFFICER. The Senator from Illinois has 28 minutes. The time of the Senator from Kansas has expired.

Mr. DIRKSEN. Mr. President, I yield myself 15 minutes.

I mean no discourtesy to the Chair, and certainly no discourtesy to my friends over here, if once in a while I turn my back; but I do want to have something very emphatic to say to those who travel under the Republican banner. In a little while you are going to vote. The occupant of the chair will put the question. We know what the ruling of the Vice President is going to be. There will be an appeal, if necessary, and there can be no debate on that appeal. We take it or we leave it, and then we see where we go from there.

For 180 years we have been proclaiming the glory of this free constitutional system of government. The House, whose Members have 2-year terms, has the power to originate revenue bills. The Senate, whose Members are elected for 6-year terms, has the power of confirmation of treaties and nominations. The President, who is elected for a 4-year term, has the power of veto. The Constitution, on the other hand, gives Congress the power to override that veto.

In the marble citadel across from this Capitol sits the Supreme Court, a third, independent arm of government, which, since the days of John Marshall, has been able to strike down and invalidate any contravention of the Constitution by the President and by the Congress. Beautifully balanced; but there is one imbalance, and not even George Washington recognized it, for, if one looks at his Farewell Address, he adjured his countrymen against factionalism. Even he could not put his finger on this. He should have been able to see it, with Hamilton and Jefferson expressing diametrically opposed views. That imbalance lies with the people on election day.

I am talking now from 35 years of experience in the House and the Senate. I came here in March 1933. I saw what happened to this Government. The voters turned out because of irritation. The depression had begun with Black Friday in October 1929. They sent 313 Democrats to the House and 117 Republicans. That was 2½ to 1.

We thought the damage would be ameliorated 2 years later. Instead of that, the Democratic Party gained another nine and we lost 14 more.

In 1936 we went to the country with Landon and Knox, thinking we could sell this country with that homely background. As Farley put it, we got Maine and Vermont. We ended with 333 seats for the Democrats as the majority party and 89 of us Republicans. No wonder they taunted us. I remember a Congressman from Kansas who said to me on the floor, "You can hold a convention in a telephone booth." There were 19 Republicans on this side of the aisle in this body, not enough even to grease a skillet, if I may use that homely term.

So the New Deal began unfolding. The first bill was aimed at safeguarding the credit of the United States. In my rural lack of knowledge, I voted against it. I was only one of a few. My office was so littered with letters and telegrams that I could hardly get in. My best friends telegraphed me and said, "You one-termer." That was the irritation and emotionalism that beset the country at that time. I saw my political career founder right then and there, and it was the one thing I wanted to do. I voted against it and the taunts came. There was a bank holiday. Fortunately, I had a little cash to stake some of my constituents who got caught here.

There was the National Industrial Recovery Act, under which were suspended the antitrust laws.

There was the Agricultural Adjustment Act, the so-called 3 A's, under which we "plowed under." As Congressman Short, of Missouri, said, "Thank God I came before Henry Wallace. I was the youngest of 11 children, and he might have plowed me under in that program."

Then came the Wagner Act.

Then came the Reciprocal Trade Agreements Act. After all these years it is beginning to lose its luster. In the Finance Committee I know there are letters transmitted by the State Department to indicate the Japanese steelmakers and the European steelmakers are willing to be a little more restrained in getting some of our market.

They had better, because we may have to put it on them before we get through.

Since 1958, the increase in steel imports is equal to 136,000 job opportunities; and that is no hay, even in a big country.

There came the Silver Purchase Act, to get silver into our monetary stock in a ratio of 16 to 1. We needed silver like I needed a hole in my head. Once I got the House of Representatives to repeal it, and the silver Senators just threw it in the ashcan when it got over here. I had an idea what was planned.

Then came gold devaluation. I remember the chilly day when the thermometer went down, and we took so many grains of fine gold out of the dollar. I never expected to see that day.

It was endless. But Franklin Roosevelt said, "We are creating instruments of power." That is what he said. And he referred to the haves as economic royalists.

It was the tyranny of the majority. It was the arrogant tyranny of the majority; make no mistake about it. It happens always, because that is the nature of the human brute.

But at long last, the Court moved in. The Schechter case came up—the sick chicken against the blue eagle—and the sick chicken knocked out the blue eagle, thank God.

Then came the AAA. It was struck down in the Court. What was the response from the White House? "We will get judges who will do our bidding." And up to this body came the Court-packing bill.

Thank God, there were a few courageous, diligent Senators who stood their ground and carried that fight to the country. It reminds me of what Senator RUSSELL has often said in connection with the civil rights fight: "We ask only to inform the country. We ask only for a fair shake from the press, and an opportunity to express ourselves here." He has said it a hundred times on this floor, because he is a fair man.

So with the Court-packing bill: How inform the country? What was the weapon? One weapon, and only one. Talk. That is all they had: Freedom to talk. And, of course, the press picked it up. There came an avalanche of mail and telegrams and people, and they rolled Franklin Delano Roosevelt back on his court-packing bill. That is what happened. because this was an ungagged body.

This effort to limit goes way back to 1789. Perhaps the major effort to limit talk goes back to 1841. Strangely enough, most of the bills that were filibustered passed Congress, because the necessary modifications and the necessary changes were made.

Now there was a long period when there was no particular interest in rule XXII, and then it came on again in connection with civil rights. I ought to know. Virtually every major civil rights bill since 1959 was written in my office down the corridor. The Vice President of this country sat around the table. The majority leader, myself, the Attorney General, the staffs—we had them all there, working early and late, over the year. The Senator from New York (Mr. JAVITS) will, I think, bear that out, because he was a yeoman in that fight.

We finally got some civil rights. And so, in connection with civil rights, I know what happened. I was on both sides of this filibuster thing, and on both sides of cloture. Ask our former candidate for the Presidency. I almost got on my knees, in 1964, and said, "BARRY, give us a vote for the cloture."

He said, "My conscience will not permit it."

That is as far as it went.

Where is MILT YOUNG? I am sorry to say that I got almost venal with him. I said, "I need your vote for cloture. This is Ike's bill; we have got to have it."

He said, "I have never voted for cloture."

I said, "MILT, this time you will have to." I said, "You owe it to me. Who went out and keynoted your convention in North Dakota?"

He said, "You did."

I said, "Who went out to other places in North Dakota?"

"You did."

I said, "Pay me back."

It was for keeps. And, gentlemen, this is for keeps. Make no mistake about it. The vote on this side of the aisle ought to be solid on this thing, against what is about to take place.

I was on one side of this fight in connection with section 14(b) of the Taft-Hartley Act. They wanted to take section 14(b) out of that act. In so doing, they would have killed the right-to-work acts in at least 18 States.

Those smart boys know what they are about. We had several speech factories going. The President asked me to come to the White House. He said, "Why do you do this to me?"

I said, "You are wrong, and I am right." I said, "This is the best disciplinary weapon that union men have got against officers who go in for peculations and peccadillos of one kind or another."

And we won, because the proposal was withdrawn. It would have been a disservice to the country if that had happened.

It was not that we were trying to change the rule. We went out the right way, and tried to get the votes under the existing rule. We lived with the rule, and that ought to be done now.

Now, my friends, a new administration comes in. Richard Milhous Nixon will hold up his hand out there on the 20th, and he will take the oath as the 37th President of the United States. He will have a program. But there will be a program in this body, and one in the other body. They are not going to be content with his program. It is going to be interesting to see, in this turbulent world and this irritated country, what is going to unfold. Already they are talking about federalizing welfare. Do you know what that means? They are talking about a guaranteed annual wage. Do you know what that means to a free economy? There will be electoral reform, I am sure. In his state of the Union message, the President said social security benefits have got to be upped by 13 percent.

The **VICE PRESIDENT**. The time the Senator yielded himself has expired.

Mr. DIRKSEN. How much time do I have remaining?

The **VICE PRESIDENT**. The Senator has 13 minutes.

Mr. DIRKSEN. Right-to-work will be back here, make no mistake about it. Situs picketing will be here. It will be pending, or has been pending in the Rules Committee of the House of Representatives; and it is a headache, believe me. Already Wilbur Cohen is talking about a ceiling on drugs. It is only one step from a ceiling on drugs to a ceiling on food, and then a ceiling on clothing. And ceiling is one of those euphemistic, fancy terms, it means control. Do not make any mistake about that. They will ask for the authority.

We have been trying to get strike legislation to meet these national emergency strikes that paralyze the country. It will be here, make no mistake.

There will be commitments in that $195 billion budget; but we are going to have a serious look at it. The Secretary-designate of the Treasury, Mr. Kennedy, was before the Committee on Finance this week. In response to a question asked by the distinguished Senator from Georgia (Mr. TALMADGE), who asked, "How are you going to meet this inflation, which was 4.8 percent last year?" Mr. Kennedy said, "It will mean a tight budget, and a number of things will be thrown out."

How are we going to roll them back? How are we going to hold them? How are we going to doctor them? Who knows whether the 10-percent surtax will be enough?

Mr. President, there sits a man, the distinguished Senator from Utah (Mr. BENNETT), who I think is the best student of our monetary and fiscal affairs in the U.S. Senate today. He will undertake to prove that there is no surplus. He will undertake to prove that maybe there is a $14 billion deficit instead.

You know, you can do wonders with figures. Wait until they are added up; then let us see whether there is a surplus.

Mr. JAVITS. Mr. President, will the Senator yield when he finds it convenient?

Mr. DIRKSEN. If the Senator will wait a little longer, I will yield.

We shall want to stop some of these activities or perhaps modify them. How shall we do it? I ask. By gagging ourselves? That is what is proposed today. I lived under a gag for 16 years in the House. In the House, you get 5 minutes. If you are a good boy and ask consent, maybe you can get an extra minute. But the time is rationed by the committees. That is why they have such a rule over there. Believe me, it is a pretty onerous burden when the soul is full of expression and the heart is geared to conviction. Oh, if there were only time to talk.

I do not propose to liquidate the freedom of this body. This is probably the only deliberative body on the face of the earth where we have these privileges, where we have this free rein.

Someone once said that this body is like an old, waterlogged scow. It does not travel very fast; it does not travel very far at one time; but it does not sink.

I was on the front in World War I. Since that time, perhaps two dozen countries have lost their identities and their integrity. They are gone. The heavy hand of tyranny and dictatorship has moved in and taken over.

Let us not forget that we are still a minority. Oh, how nice it was when we sat in conference and said, "Wait until our time comes and we will take over." We do not take over by reversing course. I thought 1968 was a conservative election. But what is being undertaken today is not conservative. I think it is at variance with the victory we had at the polls. So do not forget that we are still a minority. This is not for the party. If that were so, I would not waste my breath. It is for the country, and for the survival of the country that has been so good to the son of an immigrant father and mother to let him be here and to speak his piece. So it becomes a deeply personal matter.

I have one more thing to say. How much time remains, Mr. President?

The **VICE PRESIDENT**. The Senator from Illinois has 9 minutes remaining.

Mr. DIRKSEN. I ask Senators to give Dick Nixon the same chance every other President has had. We did not change this rule under Franklin Delano Roosevelt. We did not change this rule under Harry Truman. We did not change this rule under Dwight Eisenhower. We did not change this rule under John Fitzgerald Kennedy. We did not change this rule under Lyndon Johnson. But now, with Dick Nixon ready to hold up his hand, we are asked to change the rule. I trust that this proposal will be voted down.

I have only one thing to add. Somewhere in Scripture we read:

> Remove not the ancient landmark, which thy fathers have set.

Well, these are not so ancient, but they have been set, and they have been proved. I want to preserve them. Other Presidents have lived with them; other Senators have lived with them. We cut down, we add to, without toying with this rule and breaking it down so that under a ruling from the Chair it could be said that if the vote is less than two-thirds, but is a majority, the cloture motion will prevail. That, I think, would be a sorry vote. I try not to be a prophet of doom. I hope that we will follow the regular, orderly procedure.

So, Mr. President, I leave it at that point.

Now I yield to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I rise only because it is the minority leader who has spoken, and that is important. The points he makes are critical and vital to the country and the party. They receive luster when they are uttered within that context. So I should like to address two questions to him.

I am a son of immigrant parents, just as he is. I am in this place by the bounty of our country. But there are two considerations to which he has addressed himself. One is the tyranny of the minority. The other is the Constitution and the rights of the people notwithstanding the tyranny of the minority.

In 1954, the Supreme Court ruled in the desegregation case. After 10 years, we passed a civil rights act that was appreciated and really meant anything. Many people feel that for the suppression of millions of black people in that 10 years we are now paying in the dreadful situation which we find in our cities. That is one example of tyranny which is possible from a minority.

We all respect the Senator from Illinois. It is true that civil rights bills were written in his office. That does not necessarily make them right. I love and respect the minority leader, but even he, with all his powers, with all his authority, and with all his dignity, has no right to write a civil rights bill for the people of the United States.

Mr. DIRKSEN. Let me answer the Senator.

Mr. JAVITS. Let me finish, please, because the Senator was gracious to me.

As to the right of the people, there is a right of the people under the Constitution, a right to have their representatives vote on vital questions. In that way we challenge rule XXII as one that enables a minority of the Senate to veto a majority. There is no such provision in the Constitution which compels us, if a minority wills it, to follow the rules of 1789, so that we could never change them. Somehow or other the right of the people to be heard is entitled to consideration in this Chamber.

I thank the Senator for yielding.

Mr. DIRKSEN. Mr. President, first let me respond with respect to the Supreme Court decision on desegregation. When Mussolini was the head of Italy, he set up a corporative state. He could by a stroke of the pen have desegregated every school in Italy and sent to the gallows everybody who did not obey. But he was liquidating the freedom of his country, and he died hanging from a tree with his feet up before he got through. I was there and saw it.

Yes, we speak of 10 years. But this is a big country. Is that a big price to pay in order to keep an iridescent and almost pristine chance to talk and to think?

This is a heterogenous country. We put down the bars, so that everybody could come in who wanted to, before we found it was necessary to prescribe some restrictions on immigration. There is no other country like this. Yet we let them enter, and we do it because we preserve the essential freedoms, including the right to be heard. That is the answer.

It will take longer to finish the desegregation process in the 50 States. I know that because over all these years, since slaves were first imported, we could see the beginnings of what would be a racial problem. We are the generation that inherited the problem. I think that in the main we have been doing pretty well with it, although I cannot say that our efforts have always been so greatly appreciated.

With respect to the latter item, that Constitution also says that we can make our own rules. We do make our own rules, and we made this rule—all because a bill providing for the arming of a merchant ship was before this body. Woodrow Wilson excoriated Congress about it, and finally they got through something to alleviate that situation somewhat.

So in all these years, over 50 years, we have done reasonably well with this rule, and I cannot think of anything or anybody who has been hurt by its existence. I can think of many things that have been benefited and improved simply because you could hold off action until the forces of modification could get in their work. That is when you hear from the people.

We did not have the court-packing bill in the House. We came over here to hear the debate. The mail was enormous. People would go to the store and from a piece of wrapping paper tear off a corner, find a little, stubby pencil, and write: "Dear Mr. DIRKSEN, don't let them pack the court"—p-a-k, c-o-r-t.

They could not spell, but they knew what they wanted to say. And they were the rich harvest of those dedicated schoolteachers who came through the Allegheny and Appalachian passes, through the frontier, to the Pacific, and inculcated a respect for our freedom and our free institutions.

That is when you get to the people, and that is what we are trying to preserve.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. Mr. President, I should like to take 1 minute to make a point with respect to the statement of the Senator from New York that the people have a right to have the majority vote in the Senate.

If that argument is carried to its logical conclusion, 20 Senators, representing more than half the people of the United States, could decide the business of the Senate. I do not believe that was the intention of the Founding Fathers when the Senate was established. We should be very careful in talking about majority rule in the Senate.

Mr. DIRKSEN. Mr. President, the Senate is permitting me to be heard. I have spoken my piece. I have nothing further to say, except to reemphasize that my primary interest is in the survival and preservation of this great, free land, under a constitutional system of checks and balances. May it always be preserved, and may we be the foremost instruments in Government to preserve it.

SENATE AND NATION WILL BENEFIT BY MODIFICATION OF RULE XXII

Mr. RANDOLPH. Mr. President, I support the proposal to modify rule XXII to provide that three-fifths of those Senators present and voting may invoke cloture.

I firmly believe that the majority of the Senators possess the right to determine the cloture provision under which we will conduct business in the 91st Congress.

In my first Senate campaign in 1958, I advocated the modification of the filibuster process. Since that time, my efforts have been directed toward achieving this objective. It has been my privilege to cosponsor the resolutions to eliminate the power of a minority of Senators to prevent the Senate from voting on critical and urgent measures, which has happened so often in the past.

Frankly, I would prefer to have a majority of Senators vested with the right to limit debate. Nevertheless, I am realistic. We must strive for the changes and the progress which can reasonably be accomplished. The proposal we seek to adopt at the outset of the 91st Congress is a modest one. It will not inhibit debate. It will not be a gag rule. It will not enable a mere majority to totally dominate a minority—as some accuse the efforts to modify rule XXII. The three-fifths proposal strikes a proper balance in that it will end an insurmountable procedural barrier in the Senate and still maintain the quality of the Senate as a deliberative body.

In my experience, there always has been sufficient time for debate on a particular issue and for every Member to question and comment. My efforts will continue to be responsive to the requirement of full debate and disclosure of the contents of legislative proposals. The resolution which is being submitted to the Senate for decision is responsive to this requirement.

Our efforts during this time represent the eighth attempt in 16 years to modify the filibuster rule and to allow a majority of Senators to change the rules under which the Senate operates. The time to act is long overdue. The Senate must have rules geared to meet the challenges of vital issues in our dynamic and complex society. The present rule XXII does not meet this requirement.

Mr. PERCY. Mr. President, as a sponsor of the resolution to amend rule XXII of the Standing Rules of the Senate to allow cloture by the vote of three-fifths of Senators, I am pleased to commend the leadership of the Senator from Kansas (Mr. PEARSON) and the Senator from Idaho (Mr. CHURCH) who have combined their ample skills to again raise this all-important question relating to the Senate rules. The Senate, indeed, stands on the brink of a most important decision, the question of whether a majority of Senators, at the start of the session, can prescribe the rules under which the Senate will operate for the ensuing Congress. I say this is the major question because the issue of the number of Senators required to invoke a closure of debate in this body is of less practical or immediate significance.

Mr. President, one cannot review the arguments made on both sides of the issue in this debate without being impressed with the skill, depth of feeling, and thorough knowledge of the rules and the Constitution that have been contributed to the debate on both sides of the issue. Nowhere is this more evident than in the debate over the first and most important question, the question of whether or not a majority of Senators at the opening of a Congress has the power to change the rules of the Senate. I must say that the sharpened intensity of the debate in the last 2 days since the Vice President forecast his ruling today have been extremely helpful.

Mr. President, I would concur with the Senator from Kansas (Mr. PEARSON), that article 1, section 5 of the Constitution allows a majority of the first Senate to make the rules for the conduct of business in this body. Accordingly, the Senate that convened in 1789 was no special Senate in contemplation of the Constitution. They were indeed masters of their own house.

Now it is also clear that the Founding Fathers contemplated most issues in the Senate should be decided by majority vote. This is suggested by the same language from article 1, section 5 on which I have really relied, together with the other provisions of the Constitution which specify particular requirements for two-thirds votes on certain important matters. The compilation of these was very thoughtfully supplied for the RECORD by the distinguished Senator from Florida (Mr. HOLLAND), and appears on page 507 of the RECORD.

Now, assuming that the Constitution originally allowed a majority to decide the rules at the start of the Senate session and given the fact that the present two-thirds cloture rule is allowed but not required by the Constitution, the question becomes whether the Senate can act in one Congress in such a manner as to preclude the succeeding Congress from changing its rules by a simple majority vote.

While I am not myself a lawyer, I understand there is a maxim of the bar that 50 percent of achieving a desirable judgment in a legal situation is to phrase the question the right way. I would suggest that, when the questions are stripped to their bare essentials, it is quite clear that a majority of the Senate not only has the right under the Constitution to change the prescribed rules for the operation of the Senate at the start of each Congress, but that a majority of the Senate in this day and age properly should have that choice.

At this point the question that is asked becomes quite important. A number of opponents to the resolution we are seeking to take up suggest that the dispositive question to be asked is "Is the Senate a continuing body?" By pointing to a number of the features of the Senate that do, in fact, continue from one Congress to the next, they are able to conclude that the Senate is a continuing body and that therefore the rules carry over.

I, for one, do not believe that the Founding Fathers were so circumscribed in their vision and in their efforts to provide a balance within the legislative branch or the entire Federal Government, that they felt restricted to such broad distinctions as the question of continuity implies in the context of this debate. Indeed, the traditions of the Senate and, indeed, the traditions of our representative republic everywhere point to the basic principle of majority rule with protection—but not control—for the minority.

The pertinent question is whether or not the Senate in the 90th Congress—or in any preceding Congress—can bind the Senate of the 91st Congress with regard to the rules. Very clearly the Senate in the first Congress wrote upon a clean slate. There is no constitutional restriction upon the right of the people to have the Senate in succeeding Congresses do likewise.

Now with regard to the change from a two-thirds requirement for cloture to three-fifths of Senators present and voting, Mr. President, I would like to make it very clear why I support this slight change to the rules. As with the question of majority power to change rules, I find a great deal of the discussion of the proposal to liberalize the antifilibuster proposal depends on the particular question that one chooses to answer.

Let no one be confused as to what the issue is: There is no attempt in progress to abolish the cloture procedure for limiting debate in the Senate. There is no danger of installing in the Senate rules the previous question device that obtains in the House of Representatives. Nothing could be farther from the intent of the proponents of this resolution to impose gag rule in the Senate.

The basic procedure for invoking cloture will remain intact, when this resolution is adopted. There will still be a requirement for a petition to be signed, which will be required to lie over prior to a vote exactly as the present form of the rule requires. If the vote is successful, that is, if three-fifths of Senators desire to bring the matter to a vote, there will still be the allowed time for debate, 1 hour for each Senator. As one who is mindful of the valuable educational function of extended debate, and have no desire to see it abolished, I would strongly suggest that most—and probably all—of the instances where provision for extended debate has served the country well in the past will be retained under the new rule. What will be diminished—and happily so—is the ability of a minority to frustrate the great majority, even notwithstanding the debate has clarified the matter and resolved it overwhelmingly in favor of the majority position.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MANSFIELD. Mr. President, is it mandatory under the rule that there be a live quorum call?

The VICE PRESIDENT. It is.

Mr. MANSFIELD. I would most respectfully suggest to the Chair that the Chamber be cleared of all those who have no business in the Chamber at this time, not only before the quorum call goes into effect, but also after it is completed. Senators find it quite difficult to walk around.

I would suggest at the beginning of the session that we watch this matter quite carefully during the remainder of the session.

The VICE PRESIDENT. Those in the Chamber who are not Members of this body have heard the request of the majority leader. All clerks, aides, and attachés will please remove themselves from the Chamber. They may find seats in the gallery.

The hour having arrived under rule XXII, the Chair lays before the Senate the motion to invoke rule XXII, which the clerk will report.

The assistant legislative clerk read as follows:

MOTION FOR CLOTURE

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of Senate Resolution 11, a resolution amending the Standing Rules of the Senate.

FRANK CHURCH, JAMES B. PEARSON, GEORGE MCGOVERN, JOSEPH D. TYDINGS, PHILIP A. HART, HUGH SCOTT, EDWARD W. BROOKE, QUENTIN BURDICK, MIKE MANSFIELD, EDMUND S. MUSKIE, CLINTON P. ANDERSON, STEPHEN M. YOUNG, CLIFFORD P. CASE, HIRAM L. FONG, GAYLORD NELSON, JACOB K. JAVITS, FRANK E. MOSS, WALTER F. MONDALE, EDWARD M. KENNEDY, WILLIAM PROXMIRE, JOHN O. PASTORE, HARRISON WILLIAMS, VANCE HARTKE, CHARLES GOODELL, LEE METCALF, JENNINGS RANDOLPH.

The VICE PRESIDENT. Under the rule, the clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 6 Leg.]

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON) is officially absent and that the Senator from Washington (Mr. MAGNUSON) is necessarily absent.

The VICE PRESIDENT. A quorum is present.

The question before the Senate is, Is it the sense of the Senate that the debate shall be brought to a close? Under the rule, the yeas and nays are automatically ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON) is officially absent and that the Senator from Washington (Mr. MAGNUSON) is necessarily absent.

I also announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON), would vote "yea."

I further announce that, if present and voting, the Senator from Nevada (Mr. CANNON), would vote "nay."

The yeas and nays resulted—yeas 51, nays 47, as follows:

[No. 7 Leg.]

YEAS—51

Aiken
Anderson
Bayh
Boggs
Brooke
Burdick
Case
Church
Cranston
Dodd
Eagleton
Fong
Goodell
Gore
Griffin
Harris
Hart
Hartke
Hatfield
Hughes
Jackson
Javits
Kennedy
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—47

Allen
Allott
Baker
Bellmon
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Goldwater
Gravel
Gurney
Hansen
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Long
McClellan
McGee
Miller
Mundt
Murphy
Prouty
Russell
Sparkman
Spong
Stennis
Stevens
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—2

Cannon
Magnuson

The VICE PRESIDENT. Under the provisions of article I, section 5, of the Constitution and those provisions of Senate rule XXII and other rules not in conflict with this constitutional provision, the Chair announces that 51 Senators having voted yea and 47 Senators having voted nay, cloture has been invoked on the motion to proceed to the consideration of Senate Resolution 11, and debate will proceed under the limitation provisions of rule XXII.

Mr. HOLLAND. Mr. President, with respect for the Chair, but because I think the Chair was without authority to declare cloture upon a vote of less than two-thirds of the Senate, which obviously is lacking, I appeal from the ruling of the Chair.

The VICE PRESIDENT. Under rule XXII, an appeal is not debatable.

The question is, Is the decision of the Chair to stand as the judgment of the Senate?

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and Mr. AIKEN voted in the negative.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. HOLLAND. Under the appeal taken by the Senator from Florida, if the Senator from Florida understands the rule correctly, a vote of "yea" should sustain the ruling of the Chair, and a vote of "nay" would not. Would the Chair advise the Senate as to the accuracy of that understanding?

The VICE PRESIDENT. That is correct. The question is, Is the decision of the Chair to stand as the judgment of the Senate? Those supporting the decision of the Chair will vote "yea," and those who oppose the decision of the Chair will vote "nay." The Senator from Florida has properly stated the inquiry.

The clerk will continue the rollcall.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada (Mr. CANNON) is officially absent and that the Senator from Washington (Mr. MAGNUSON) is necessarily absent.

On this vote, the Senator from Washington (Mr. MAGNUSON) is paired with the Senator from Nevada (Mr. CANNON). If present and voting, the Senator from Washington would vote "yea" and the Senator from Nevada would vote "nay."

The result was announced—yeas 45, nays 53, as follows:

[No. 8 Leg.]

YEAS—45

Anderson
Bayh
Brooke
Burdick
Case
Church
Cranston
Dodd
Eagleton
Fong
Goodell
Harris
Hart
Hartke
Hatfield
Hughes
Jackson
Javits
Kennedy
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—53

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cook
Cooper
Cotton
Curtis
Dirksen
Dole
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Goldwater
Gore
Gravel
Griffin
Gurney
Hansen
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Long
Mansfield
McClellan
McGee
Miller
Mundt
Murphy
Prouty
Russell
Smith
Sparkman
Spong
Stennis
Stevens
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—2

Cannon
Magnuson

The VICE PRESIDENT. The decision of the Chair not having been sustained, the Senate will continue the debate on the motion to take up.

Mr. DIRKSEN. Mr. President, I move to reconsider the last vote.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. What is the wish and the will of the Senate? The question is on agreeing to the motion to proceed to the consideration of the resolution.

ORDER OF BUSINESS

Mr. HOLLAND. Mr. President, may I be recognized a moment on a point of privilege? Many of us have not been able to have our lunch. I wonder if the majority leader would consider a half-hour recess so that we may have lunch, before we proceed?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:30 p.m.

Mr. COTTON. Mr. President, will the Senator withhold that request?

Mr. MANSFIELD. Yes; I withhold that request.

DEATH OF MRS. DOLORIS BRIDGES

Mr. COTTON. Mr. President, I know that the Members of the Senate, particularly those senior Members who served with the late Senator Styles Bridges, of New Hampshire, will be saddened to know that Mrs. Bridges passed away early this morning. Doloris Bridges will be sorely missed. All of us who knew her admired and respected her dedication and ability. She played a large part in the life and public service of her husband, the late Senator Styles Bridges.

I shall not take the Senate's time other than to say what we who remember her all know. She was a brilliant woman, a wonderful wife to the distinguished Senator from New Hampshire, who served here so long. After his death, it was only by a razor-thin margin that she failed to be nominated to succeed him.

She continued to be a force in the civic and political life of New Hampshire. I extend my deep sympathy to her mother, her family and the Bridges sons. It is with sadness and regret that I call the Senate's attention to her passing.

Mr. McINTYRE. Mr. President, will the Senator yield?

Mr. COTTON. I yield to my colleague.

Mr. McINTYRE. Mr. President, I want to join my senior colleague in expressing my sorrow and extend my sympathy to the family of Mrs. Bridges and also of the late Senator Bridges.

I was privileged to know Doloris, actually to compete with her in the political arena. I always found Doloris to be a fine lady, charming, greatly interested in people and in government. I also know she was of great assistance to the late Senator Styles Bridges in his distinguished career here in the U.S. Senate.

Along with Mrs. McIntyre, I express our sympathy to their family.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, as one who enjoyed the great privilege of an intimate friendship with both the late, lamented Styles Bridges and his wife Doloris Bridges, I wish to associate myself with all that has been said. I have never known any more devoted or patriotic people among all those I have known in a rather long life than Senator Styles Bridges and his wife, Doloris.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I was one of those who greatly admired the late Senator Styles Bridges, and I also admired his wife, Mrs. Doloris Bridges. She was a lady of character, charm, and ability. I shall feel a personal loss in her passing and wish to express sympathy to her family.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I join my colleagues in expressing sorrow at the passing of Mrs. Doloris Bridges. Many of us who had the privilege of knowing her join in the statements which have been made at this sorrowful moment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from New York.

Mr. JAVITS. I join the Senators from New Hampshire (Mr. COTTON and Mr. McINTYRE) and all other Senators who have expressed sorrow at the passing of Mrs. Doloris Bridges. It was my privilege to know and respect the late Senator Bridges, though we differed ideologically.

MARTIN LUTHER KING'S BIRTHDAY ANNIVERSARY

Mr. JAVITS. Mr. President, with the permission of the majority leader, I rise to refer to the fact that yesterday was the 40th anniversary of the birth of Dr. Martin Luther King, the legendary civil rights leader who was assassinated last April. Memorial services were held in Atlanta, and it was announced that a restoration of his birthplace, a library, a park, two museums, and two academic institutions will be dedicated in Dr. King's honor in that city.

A concerted effort was also begun yesterday to declare Dr. King's birthday a national holiday.

While his death was an untimely tragedy which rocked the Nation, those of us who worked with and admired Dr. King are determined that he will live through our efforts to realize his dream. What took place here today is no small part of that dream, if we could but realize it.

Equal opportunity, brotherhood, and peace will continue to be our goals, and his guiding spirit continues to inspire us.

Mr. President, I ask unanimous consent that two articles appearing in this morning's New York Times describing the observance of Dr. King's birthday be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

MEMORIAL CENTER AT TWO SITES WILL HONOR DR. KING IN ATLANTA

(By James T. Wooten)

ATLANTA, January 15.—Dressed in black, Mrs. Martin Luther King, Jr. announced today plans to build a memorial here to her husband, the slain civil rights leader.

On what would have been the Nobel laureate's 40th birthday, his widow described a memorial center that is to include his tomb, a restoration of his birthplace, a library, a park, two museums and two academic institutes.

"What we see beginning now is no dead monument, but a living memorial filled with all the vitality that was his, a center of human endeavor, committed to the causes for which he lived and died," she said.

After her statement at a news conference, the Rev. Dr. Ralph David Abernathy, Dr. King's successor as president of the Southern Christian Leadership Conference, addressed an overflow audience at the church where Dr. King served as co-pastor. His remarks were in the form of "a letter to Martin in Heaven."

THE SYSTEM IS BLAMED

Dr. Abernathy said, "We call on good people everywhere to spare the life of the man who killed you. It was the system that took you from us, Martin, and it would be wrong to put one man to death because of it."

Dr. King was slain in Memphis last April 4. The man charged with the slaying, James Earl Ray, is to go on trial there in March.

After commemorative services at the Ebenezer Baptist Church, the scene of her husband's funeral, Mrs. King joined Dr. Abernathy at the front of a long line of mourners who walked to ground-breaking ceremonies for low-rent housing project, to be named Martin Luther King Village.

Later in the afternoon, under gray skies, Martin Luther King 3d placed a wreath on his father's grave. The ceremonies at the cemetery ended a day in which Atlanta citizens, black and white, paid tribute to the Baptist clergyman whose face, voice and name were synonymous with the civil rights movement.

One speaker at the church was Mrs. Rosa Parks, the Negro seamstress whose refusal to relinquish a seat on a Montgomery, Ala., bus led to a Negro boycott of the public transit system there are subsequently to the emergence of Dr. King as a leader.

"WE SHALL OVERCOME" SUNG

Representative John Conyers, Jr., Democrat of Michigan, also spoke, as did Theodore Hibbler, one of the striking Memphis sanitation workers Dr. King led in a protest march the week before he died.

A glee club from Morehouse College, Dr. King's alma mater, sang "We Shall Overcome," the hymn of the civil rights movement.

This morning, a Negro state Senator introduced a bill in the Georgia Senate that would set aside Dr. King's birthday as an annual holiday in the state.

Along the freeways and interstate highways that wind through Atlanta, hundreds of automobiles and trucks moved with headlights burning, another symbol of tribute to Dr. King.

Participating in the ceremonies at the eight-acre site of the housing project were Mayor Ivan Allen Jr. and Lieut Gov. George T. Smith.

MEMORIAL IS DESCRIBED

Mrs. King said that the Martin Luther King Memorial Center here would "rise out of the experiences" of two locations in the city, both of which she said "are necessary to tell the story" of his life.

The first site, on Auburn Avenue near the Ebenezer Church, will include the tomb where he will be reinterred, his reconstructed birthplace and a memorial park, along with "a living, open Freedom Hall which will tell for many generations the story of the movement which he led," Mrs. King said.

The other will be at Atlanta University, a five-campus complex of schools. To be built there are a library project, an Institute for Nonviolent Social Change, she said.

Money for the memorial center is to come from foundations, private sources and corporate gifts, the director of the library project, Dr. Vincent Harding, said.

Mrs. King described the center as "an experiment in hope in a time of fear."

"It is a realistic attempt to carry on an idealist's fight, the fight for which my husband lived and died, the fight for a world in which all men on this earth might one day be free, free at last," she said.

Dr. King Honored in Tributes at Many Schools

(By Will Lissner)

The memory of the Rev. Dr. Martin Luther King, Jr., the Nobel Prize-winning crusader for civil rights, was honored yesterday in schools of the metropolitan area and by a procession in lower Manhattan and a service on the steps of City Hall.

Most of the schools marked the slain clergyman's 40th birthday by observing a minute of silence after principals recounted Dr. King's contribution to civil rights.

At some schools white and Negro students absented themselves.

Eighty per cent of the 2,600 students at Boys' High School, Brooklyn, did so; some in tribute to Dr. King, others out of fear because some black militants had threatened to close down the school. Thomas Pipitone, assistant principal, held an observance of the day at 10 A.M. for the 500 students who attended classes.

At New York City Community College in Brooklyn, where one-quarter of the 4,000 day students and nearly half of the 9,500 night students are Negroes, Milton G. Bassin president, held a memorial service attended by 300 students in the cafeteria. A minute of silence was observed at noon as examinations were about to get under way.

SCHOOLS IN JERSEY

In Newark, where 70 per cent of the students are Negroes, school absenteeism ranged from normal to 40 per cent. All the schools held programs honoring Dr. King. Schools in suburban East Orange, whose enrollment is 85 per cent Negro closed at noon in honor of Dr. King's memory.

In Long Beach, L.I., 70 Negro high school students with their parents' permission attended a service at a youth center. Two hundred white students defied school officials and joined them. Dr. Hyman Gordon principal, said the white students would be penalized, but he did not specify how.

A scattering of suburban schools closed for the day, including those in Roosevelt, Freeport, Hempstead, Westbury and Glen Cove on Long Island, and in the Yonkers, White Plains and Greenburgh districts in Westchester County.

PETITION FOR HOLIDAY

Representatives of the Southern Christian Leadership Conference obtained the signatures of Governor Rockefeller, Mayor Lindsay and Manhattan Borough President Percy E. Sutton on a petition asking Congress to make Dr. King's birthday a national holiday.

Governor Rockefeller issued a statement hailing Dr. King as "a fearless and eloquent leader in the great unfinished battle for the dignity and worth of the individual."

Fifty clergymen of all faiths and 150 laymen gathered at Trinity Church Parish, 74 Trinity Place, and marched up Broadway to City Hall, where they held a service on the steps. The Rev. M. Moran Weston of St. Philip's Episcopal Church in Harlem delivered a tribute.

Other services were held last night. They included a community service at Public School 163, at 97th Street and Amsterdam Avenue, and an interfaith service at Beaulah Baptist Church, 125 West 130th Street.

ORDER FOR RECESS TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I have two unanimous-consent requests to make.

First, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

RECESS UNTIL 3 P.M. TODAY

Mr. MANSFIELD. Second, Mr. President, I ask unanimous consent that there be a recess until the hour of 3 o'clock.

There being no objection, at (1 o'clock and 37 minutes p.m.) the Senate took a recess until 3 p.m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. Byrd of West Virginia in the chair).

PERIOD FOR TRIBUTES TO PRESIDENT JOHNSON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the period from 10 a.m. to 12 meridian tomorrow—and, if need be, beyond that—be set aside for farewell tributes and salutes to our former colleague, our former majority leader, our former Vice President, the President of the United States.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Is there objection? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of 16 United States Code 715a, as amended, the Speaker had appointed Mr. Dingell, of Michigan, and Mr. Conte, of Massachusetts, as members of the Migratory Bird Conservation Commission, on the part of the House.

ENROLLED BILL SIGNED

The message announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States.

THE DESIGNEE FOR SECRETARY OF THE TREASURY

Mr. GORE. Mr. President, I have today addressed a letter to the junior Senator from Louisiana (Mr. Long), chairman of the Committee on Finance, with respect to the problem of conflict of interest. I ask unanimous consent that the letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Foreign Relations,
Washington, D.C., January 16, 1969.
Hon. Russell Long,
Chairman, Senate Finance Committee,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: I thank you for withholding action with respect to the confirmation of the Honorable David M. Kennedy, designee for Secretary of the Treasury, until I could examine Mr. Kennedy's financial statement, his proposed disposition of corporate stock assets, and the draft of the proposed trust that he submitted to the Committee. These relate, of course; to a possible conflict of interest that might exist or that might arise between the personal interest of the designee and his official duties as Secretary of the Treasury. I have now examined these with care. In addition, Mr. Kennedy and I have just concluded a very pleasant conference in which these problems were explored with candor, each appreciating the problems of the other. Mr. Kennedy is an estimable gentleman of ability and integrity. I have not the slightest doubt of his honorable intentions.

But I am troubled. Troubled because the proposed plan which Mr. Kennedy submits permits a clear-cut conflict of interest to remain.

I am troubled, too, because it appears to me that in the aura of grace rightly extended an incoming President, the Senate is about to relent on a very vital instrument of public policy—the traditional safeguards against conflict of interest. Either a relaxation of these traditional safeguards or an abandonment altogether, which is now in reality threatened, would, in my opinion, be a serious blow to public confidence.

Mr. Kennedy has substantial holdings in the Continental Illinois National Bank, one of the nation's largest commercial banks. Mr. Kennedy does not propose to divest himself of any of his bank stock holdings. He proposes to put his presently held bank stock in trust during the term of his service as Secretary of the Treasury. The provisions of the proposed trust, however, as submitted to the Senate Finance Committee, are superficial. Such incidents of ownership as profit or loss, accretion or decrease in value, regular payment of dividends, right of withdrawal of either corpus or profit in any amount at any time at the discretion of the settlor, together with additions to the portfolio, and others, remain in the settlor.

It should be noted, too, that the trustee of the proposed trust would be the Continental Illinois National Bank. A basic question is whether the nominee will have severed his connection with Continental. If Continental is to be trustee with full power to sell and manage the nominee's assets, of which Continental stock is a major component, then it seems to me that the nominee will still have a significant association with Continental.

Moreover, Mr. Kennedy proposes, after confirmation by the Senate, to purchase large additional stock holdings in the Continental Illinois National Bank through a stock option plan, of which he does not propose to divest himself, or otherwise dispose, but which he proposes to hold for an imprecise period of months, it being his intention, I believe, ultimately to place such stock in said same trust after capital gains tax treatment can be accorded to same.

There are several additional benefits that will flow from Continental Illinois National Bank to Mr. Kennedy either incident to his leaving the bank or after his departure. There is, for instance, a "separation allowance" of substantial proportions. In addition, benefits flow from a profit-sharing plan, a pension plan, and others. I do not question the propriety of any of these.

A clear-cut conflict of interest appears, it seems to me, with respect to large holdings of stock in a bank whose profits are affected by the interest rate structure and by rulings, guidelines, administrative policy and procedures which will have a vital bearing on banking both with respect to operation, capital accumulation, reserves for tax purposes, and in many other respects.

Out of respect for Mr. Kennedy and for his privacy, I have not, as you will note, referred to exact amounts or to the details of his holdings. It may become necessary, of course, so to do in executive sessions of the Committee or of the Senate in order to place this vexatious problem, which does not relate to Mr. Kennedy alone, before the Senate. Even so, I would not question, as I do not now question, Mr. Kennedy's integrity or honorable intentions. That is not the question. It is rather that public officials must shun actions and appearances which lend themselves to suspicion, public confidence being essential to the efficacy of our system.

I should add that I sympathize with Mr. Kennedy in this respect because he, too, has been wrestling with this problem for which none of us have satisfactory answers. Moreover, divestiture would require a heavy sacrifice for public service about which none of us would be pleased, so the dilemma has an unhappy mutuality.

Yet if the whole structure of precedent with respect to conflict of interest safeguards in the confirmation process be abandoned in the spirit of cooperation and grace which each of us sincerely wishes to extend to a newly elected President it might eventually prove to be not a service but a disservice to the President-elect as well as to the Country. Regrettably, I must insist that there be no conflict of interest between the Secretary of the Treasury and personal bank stock holdings.

I thank you again for your cooperation and understanding. Please be assured of my willingness fully to reciprocate.

Sincerely yours,

Albert Gore.

Mr. GORE. Mr. President, since this letter refers to a proposed trust, I ask unanimous consent that the text of the proposed trust be printed at this point in the Record.

There being no objection, the document was ordered to be printed in the Record, as follows:

This trust agreement, made at Chicago, Illinois, this —— day of January, 1969, by and between David M. Kennedy of Northfield, Illinois (called the "Settlor"), and Lenora B. Kennedy, his wife, of Northfield, Illinois (called the "co-Settlor"), and Continental Illinois National Bank and Trust Company of Chicago (called the "Trustee"), witnesseth:

1. The Settlor hereby transfers to the Trustee all of his interests in the assets described, and as stated, in the annexed Schedule A, and the co-Settlor hereby transfers to the Trustee all of her interests in the assets described, and as stated, in the annexed Schedule B, in each case subject to the provisions of this Trust Agreement.

2. Settlor and co-Settlor agree to deliver such instruments of further transfer or assurance, as may, from time to time, be necessary or proper effectively to transfer to the Trustee all of their respective interests in the property listed in, or held as a part of, said respective Schedules.

3. The trusts hereby created shall terminate at the conclusion of the Settlor's service as Secretary of the Treasury of the United States of America or at his death (whichever first occurs), and the period between the date hereof and the date of such termination is called the "trust term".

4. The Settlor and the co-Settlor hereby direct the Trustee, during the Trust term, to prepare and file on their behalves all income tax returns and income tax estimates, which are required by the laws of the United States of America or any state (including the District of Columbia) having jurisdiction and which impose personal income taxes on the Settlor or co-Settlor for the calendar year 1969 and for any subsequent years which fall within the Trust term. Such returns and estimates shall be joint or several as the Trustee shall, from time to time, deem to be for the best interests of Settlor and co-Settlor. The Settlor and co-Settlor agree, promptly from time to time, to furnish to the Trustee such additional information as the Trustee may require for the completion of such returns or estimates and to give the Trustee powers of attorney or other instruments in such form as may be required to enable the Trustee to prepare and file such returns or estimates, to represent the Settlor and co-Settlor in and about the audit thereof, and to adjust, settle and pay the income taxes due and payable for the periods covered by such returns.

5. Subject to reservations of such amounts as the Trustee may, from time to time, reserve (i) for the payment of or on account of income taxes payable by the Settlor or co-Settlor as aforesaid (from Schedule A. property so far as available and, if unavailable, from Schedule B. property), and (ii) for the payment of interest on the note of the Settlor for the original principal amount of $________________, held by ____________ ______________________, of New York, New York, and renewals and extensions thereof, and (iii) for any other payments, required to be made by the Trustee, the Trustee shall pay to the Settlor net income derived from the trust estate then or theretofore constituting Schedule A property, and shall pay to the co-Settlor net income derived from the trust estate then or theretofore constituting Schedule B property. Such payments of net income shall be made by the Trustee at such times (not necessarily the same times), and in such amounts, as it deems appropriate but at least quarterly.

6. The primary purpose of this trust is to entrust to the Trustee, exclusively, decisions as to when and to what extent the original, additional, substituted or exchanged assets of the several trust estates are to be sold or otherwise disposed of and in what investments the proceeds of such sales or other dispositions are to be reinvested, in each case without any participation in such decisions by the Settlor or the co-Settlor. Accordingly, the Trustee shall not at any time disclose to the Settlor or the co-Settlor, in any way, what assets are for the time being held in the principal of the trusts, notwithstanding any rules governing the administration of the trusts which may be to the contrary, and the Trustee shall not furnish to the Settlor or the co-Settlor copies of income tax returns filed by it; provided, however, that the Trustee shall, from time to time at least quarterly, advise the Settlor and co-Settlor, respectively, of the total market value of property, including cash, at the time held by the Trustee as Schedule A and Schedule B property, respectively.

7. The Trustee is hereby empowered:

(a) To acquire by purchase, exercise of options or otherwise, and retain so long as the Trustee deems advisable, any kind of realty or personalty or undivided interests therein, including, among others, stocks of any class of Continental Illinois National Bank and Trust Company of Chicago or Conill Corporation, a Delaware corporation, or stocks of any class of any other corporation, unsecured obligations, interests in investment trusts and discretionary common trust funds, all without diversification as to kind or amount and without being restricted by any statute or rule of law concerning investments by fiduciaries;

(b) To sell for cash or on credit at public or private sale, exchange, grant options to purchase, mortgage, pledge or otherwise dispose of any real or personal property, or interest therein, held at any time in the respective trust estates, all without approval of any court;

(c) To join in, consent to, or become a party to any reorganization, merger, consolidation, dissolution, readjustment, exchange or other transaction and any plan or action thereunder or in connection therewith; to deposit any trust property with any protective, reorganization or similar committee; to delegate discretionary powers to any such committee and to share in payment of expenses and compensation and to pay any assessments levied in respect to any such trust property and to receive property under any reorganization, merger, consolidation, dissolution, readjustment, exchange or other transaction, whether or not the same be authorized by law for the investment of trust funds;

(d) To exercise all conversion, subscription, voting and other rights of whatever nature pertaining to any such property, or to refrain from exercising any such rights, and to grant proxies, discretionary or otherwise, with respect thereto;

(e) With respect to any real property (including real property acquired on foreclosure or by deed in lieu thereof) at any time held hereunder, to partition, lease (including leases for any period, not to exceed 99 years in any one instance), sublease, improve or otherwise alter, upon such terms as it may deem proper, and to execute and deliver deeds, leases and subleases, all without approval of any court;

(f) To extend the time of payment of any bond, mortgage or other obligation, held by it, or of any installment of principal or interest, or hold such bond (or other obligation) after maturity as past due; to consent to the alteration or modification of any terms thereof; to foreclose any pledge or mortgage or to enforce any other obligation or compromise or settle claims thereunder; to take over, take title to, or manage the property or any part thereof affected by any such pledge or mortgage or other obligation, either temporarily or permanently, and in partial or complete satisfaction of any claim thereunder; to protect such property against, or redeem it from, foreclosure or non-payment of taxes, assessments or other liens; to insure, protect, maintain, repair and improve such property; and, generally, without limitation by the foregoing specification, to exercise with respect to such bond (or other obligation), pledge, or such property, all rights and powers as may be exercised by a person owning such property in his own right;

(g) To pay all or any part of principal of and interest on, the note of the Settlor for the original principal amount of ------ Dollars ($------), executed by the Settlor and held by ----------------, of New York, New York, and any other liability of Settlor or co-Settlor, and to borrow money from any person or corporation (including the Trustee hereunder in its capacity as a bank) for any such purpose, in each case with or without resorting to the sale of any assets; and, for the purpose of securing the payment of any such note or liability, to pledge, mortgage or otherwise encumber any and all trust property upon such terms, covenants and conditions as it may deem proper, and also to renew or extend the time of payment of any such note or liability or of any encumbrances, which at any time may be encumbrances on any such property, irrespective of by whom such encumbrances were made or by whom the obligations of such note or liabilities may or should ultimately be borne, all without approval of any court and on such terms and conditions as it may deem proper; and to register any property belonging to any trust estate in the name of its nominee, or to hold the same unregistered or in such form that title shall pass by delivery;

(h) To abandon, settle, compromise extend, renew, release, adjust or submit to arbitration, in whole or in part and without order or decree of any court, any and all claims, whether such claims shall increase or decrease the assets held hereunder;

(i) To determine whether or to what extent receipts shall be deemed to be income or corpus, whether or to what extent expenditures should be charged against corpus or income, and what other adjustments should be made between corpus and income, provided that such adjustments shall not conflict with well-settled rules for the determination of corpus and income adjustments; and

(j) To do all such acts, take all such proceedings, and exercise all such rights and privileges, although not heretofore specifically mentioned, with relation to any such property, without order or decree of any court and as if it were the absolute owner thereof, and in connection therewith, to make, exercise and deliver any instruments and to enter into any covenants or agreements binding the trust estates.

Anything in this Trust Agreement to the contrary, however, the Trustee shall not purchase or otherwise acquire any securities or other property which the Secretary of the Treasury of the United States is prohibited by law from owning or having an interest in and, if any such securities or other property shall be acquired other than by purchases by the Trustee, it shall dispose thereof as promptly as practicable and for any price or consideration deemed by it to be reasonable.

8. The Settlor or co-Settlor shall have the right, with the consent of the Trustee, to deliver additional property or interests in property of any character to the Trustee which thereupon shall become a part of the respective Schedule containing property beneficially owned by the deliverer, subject in every respect to the terms and conditions of this Trust Agreement.

9. (a) The Trustee shall, at any time and from time to time, upon written directions filed with it and signed by the Settlor or co-Settlor, make contributions or gifts for such charitable or personal purposes as may be specified in such directions, from principal or income of the trust estate held on behalf of the Settlor or co-Settlor who gives such direction. At the direction of the Settlor or co-Settlor, as the case may be, such payments may be in cash or kind and, if in kind, shall be made with the securities selected by the Trustee at its sole discretion and without any participation in such selection by the Settlor or co-Settlor.

(b) If, at any time or from time to time, the net income of the respective trusts is insufficient to meet what the Settlor or co-Settlor, in his or her respective judgment, regards as important personal needs or to pay any obligation of the Settlor or co-Settlor, the Trustee shall, upon the written demand of the Settlor or co-Settlor, provide such sums to the Settlor or co-Settlor out of corpus, as the Settlor or co-Settlor may have specified. Such sums are intended to provide for, but shall in no sense be limited to, the satisfaction of indebtedness incurred by the Settlor or co-Settlor prior to or after the date of this Trust Agreement or in connection with the purchase of an additional family residence. In the event that any such request shall be by the Settlor, the property or funds used therefor shall be charged against Schedule A property, and in the event that any such request shall be by the co-Settlor, the property or funds used therefor shall be charged against Schedule B property. The Trustee may sell or otherwise dispose of trust property held under the proper Schedules and to the extent required to make such sums available.

10. The Trustee shall review any assets from time to time held in pledge or mortgaged for indebtedness or obligations of Settlor or co-Settlor and, with the agreement of the pledgee or mortgagee may add or substitute collateral for such indebtedness or obligation from the trust estate held for the benefit of the respective debtor, all in accordance with the Trustee's best judgment.

11. The Trustee shall manage the property listed in Schedules A and B, respectively, as separate trust estates and in separate accounts. The Trustee shall, except as in this Trust Agreement otherwise expressly provided, (i) credit to Schedule A all property transferred by the Settlor and income and proceeds thereof, and to Schedule B all property transferred by the co-Settlor and income and proceeds thereof, and (ii) charge against Schedule A property or income or proceeds thereof all charges and outlays in connection with the Settlor or property transferred by the Settlor, or income or proceeds thereof, and against Schedule B property or income or proceeds thereof all charges and outlays in connection with the co-Settlor or property transferred by the co-Settlor, or income or proceeds thereof.

12. Upon the expiration of the Trust term, the Trustee shall, after providing for the Trustee's liabilities,

(a) Transfer to the Settlor, if he is then living, or, if he is then dead, to the executors under his will or the administrators of his estate, the then remaining net property and assets, then credited to Schedule A; and

(b) Transfer to the co-Settlor, if she is then living, or, if she is then dead, to the executors under her will or the administrators of her estate, the then remaining net property and assets, then credited to Schedule B.

13. The Trustee shall be compensated by an annual fee, computed annually, equal to ------ percent (------%) of the market value of the principal of each of the respective trust estates at the time as of which such fee is computed.

14. The Trustee shall not be liable for any action or failure to act in the absence of its own negligence.

15. The validity, construction and administration of this trust shall be governed by the laws of the State of Illinois.

In witness whereof, this Trust Agreement has been signed, sealed and dated as of the date first above written.

[SEAL] DAVID M. KENNEDY,
as Settlor.
[SEAL] LENORA B. KENNEDY,
as co-Settlor.
CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO.
By ——— ———,
As Trustee.

SCHEDULE A

Annexed to and Referred to in Trust Agreement between David M. Kennedy, as Settlor, and Lenora B. Kennedy, as co-Settlor, and Continental Illinois National Bank and Trust Company of Chicago, as Trustee, dated January ----, 1969.

All of the right, title and interest of David M. Kennedy in and to the following securities:

Identified:
DAVID M. KENNEDY,
as Settlor.
CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO,
as Trustee.
By --------------------------------,
Its --------------------------------.

SCHEDULE B

Annexed to and Referred to in Trust Agreement between David M. Kennedy, as Settlor, and Lenora B. Kennedy, as co-Settlor, and Continental Illinois National Bank and Trust

Company of Chicago, as Trustee, dated January ____, 1969.

All of the right, title and interest of Lenora B. Kennedy in and to the following securities:

Identified:

Lenora B. Kennedy,
as co-Settlor.
Continental Illinois National Bank and Trust Company of Chicago,
as Trustee.
By ______________________________,
Its ______________________________.

THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. RIBICOFF. Mr. President, the fact that several prominent Senators have chosen to remain or be assigned to the Government Operations Committee has caused considerable comment in recent days.

But their decision should come as no surprise to those who have followed the work and achievements of the committee.

For the committee's primary concern is what Woodrow Wilson termed "the proper duty of a representative body." That is: "To look diligently into every affair of Government and to talk about what it sees."

Wilson said a legislative group is "meant to be the eyes and the voice, and to embody the wisdom and will of its constituents."

He told us that unless Congress "uses every means of acquainting itself with the acts and disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served."

Finally, Wilson said:

> The informing function of Congress should be preferred even to the legislative function.

The Senate of the United States decided many years ago that legislation is not to be its only concern. It recognized that legislation—that a new law—is not a panacea for the many problems that we as a nation face.

Indeed, the Senate recognized that it must be the eyes and the voice of the people. It recognized that it must be the people's guardian over the affairs of the growing executive branch. It recognized that it had a duty to inform the people of matters of interest to them and take remedial action to correct abuses.

The Committee on Government Operations fulfills much of the Senate's investigative duties.

The committee's far-reaching authority over the organization and all of the workings of the Government is unmatched by any other committee.

Its broad investigative powers have been applied to all of the affairs and activities of the Federal bureaucracy.

It has developed information of great value to the Senate and an important contribution to the legislative process.

The Committee on Government Operations has jurisdiction, under the rules of the Senate over all budget and accounting measures except appropriations. It has jurisdiction over all reorganizations within the executive branch.

The authority of the committee extends to all reports of the Comptroller General of the United States; all studies of the operation of Government activities at all levels; all laws enacted to reorganize the legislative and executive branches of the Government; all studies of the intergovernmental relations between the Federal Government and the States and cities; and between the United States and the international organizations of which our country is a member.

It has been said that control of administration is one of the most important functions of legislative bodies in all modern democracies.

It is such an important function because we live in an age of Government administration. There is immense power and there are enormous sums of money entrusted to a few public officials who serve us, defend us and regulate us in a number of ways.

The authority for the programs and the purpose of those officials grows directly from the people they represent.

The Congress knows its constituency—the people of the country.

And this is why Congress is ever anxious to see that the taxes collected from its constituents, the energy in Government devoted to solve many of the problems we face—it is ever anxious to see that these funds and this energy are spent wisely.

The Senate has entrusted to its Committee on Government Operations a special responsibility in this area.

For this committee must assure the Senate and the people that the intent of Congress is being realized in the administration of programs and in the efficient management of the Federal Executive Establishment.

It is the duty of the committee to make sure that the executive branch is structured properly—that it is organized in such a way to be responsive to the demands of our times.

And it is the duty of the committee to make sure that the executive branch is managed efficiently.

In effect, the duty of the Committee on Government Operations is to assure the people of a good government.

Under the very capable and fair-minded leadership of Senator John L. McClellan, the Committee on Government Operations has helped the executive branch to achieve many notable economies.

Down in his home State of Arkansas, they tell a story of John McClellan when he was 16. Young McClellan was playing third base for the Sheridan, Ark., town baseball team.

It was the ninth inning of a game against the Saline, Ark., Black Hawks. Two men were out and there was a Saline runner on second. Sheridan led 4 to 3.

On the first pitch to the next batter, the base runner dashed for third and the Sheridan catcher fired the ball down the line to McClellan.

He covered the bag; caught the ball; tagged at the runner; and the umpire called, "You're out."

The runner protested. He said he had not been tagged, but the umpire stood firm until McClellan walked over and said, "He's right. I did miss him."

The runner was declared safe. The batter then hit a home run and Sheridan lost the game 5 to 4.

This story illustrates well the character of this Arkansas Senator. And these virtues of honesty and fairness have guided him as chairman of the Government Operations Committee. They have characterized the honesty and fairness with which Senator McClellan has conducted some of the U.S. Senate's most important investigations.

Senator McClellan, as chairman not only of the full committee, but also its Permanent Subcommittee on Investigations, has uncovered corruption and misfeasance in government, management, and labor.

The Subcommittee on Investigation is authorized to conduct investigations into a number of fields. It looks into the efficiency and economy of the executive branch, improper labor and management activities, organized crime in interstate commerce, and all other aspects of crime including riots and civil disorders.

Under the chairmanship of Senator McClellan since 1955, the subcommittee and the Senate Select Committee on Improper Activities in the Labor or Management field have conducted 733 days of hearings with almost 3,000 witnesses on nearly 100 subjects.

Other subcommittees have made important contributions, too. The Subcommittee on National Security and International Operations, chaired by Senator Henry M. Jackson, conducted the first full scale review of the policymaking mechanisms under the National Security Act of 1947.

The subcommittee's reports, testimony, and memorandums profoundly influenced trends in administration and they caused major changes in national security operations.

The Jackson subcommittee conducted another landmark inquiry—the first general review of the Atlantic Alliance in the Senate since the North Atlantic Treaty was ratified in 1949.

Most recently, Senator Jackson has led the first major congressional inquiry into the planning-programing-budgeting system in the national security area. The subcommittee's conclusions have influenced current applications of PPB in this country at the National, State, and local level.

Under the imaginative leadership of Senator Edmund Muskie, the Subcommittee on Intergovernmental Relations has thoroughly studied the increasing demand on government at all levels. It has sought to identify areas where the capacity of government to deal with these demands could be increased by more effective cooperation among the members of the federal system.

An important law, the Intergovernmental Cooperation Act of 1967, was the result of this subcommittee's effort. The purpose of the law is to promote the fullest cooperation and coordination of Government activities at all levels by improving grants in aid to the States. The law also provided for periodic congressional review of those grants.

Senator Muskie's hearings on creative federalism are especially interesting. His subcommittee, through these hearings, is trying to develop new ways of combining Federal, State, and local resources more effectively to meet community and State priorities.

The Subcommittee on Executive Reorganization, of which I am chairman, has been responsible for the recent establishment of one new executive department—Housing and Urban Development.

A subcommittee investigation into pesticides resulted in the first pesticides control legislation. Hearings on traffic safety contributed to improvements in auto safety and to legislation in the area.

And 2-year hearings into the urban crisis contributed to a national understanding of the problems of the cities and contributed to urban legislation.

And yet another committee panel, the Subcommittee on Government Research, under the chairmanship of Senator Fred Harris, has held landmark hearings on federally supported research and development programs.

Mr. President, it is interesting that all five of these subcommittees have as chairmen men who, I suppose, are often referred to as liberals. The distinguished Senator from Arkansas (Mr. McClellan) is often referred to as a conservative. However, in my 6 years on the committee I have never known one instance when the question of a man's philosophy, socially or economically, or his political philosophy, ever influenced the Senator from Arkansas. He has given great support to the subcommittee chairmen.

In my lifetime, in many forms of government I have served with many men, and I have never found a man who works more closely with his committees or gives greater support to those who serve with him. It is an honor to serve under the distinguished Senator from Arkansas (Mr. McClellan).

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. JAVITS. Mr. President, I, too, like the Senator from Connecticut, served as a member of the Committee on Government Operations with the distinguished Senator from Arkansas (Mr. McClellan).

It is well known that there are many matters of an ideological or policy character in which he and I do not agree. He is a gentleman of the old school in this country. First, his word is as good as its utterance. If there is ever any doubt about it he always gives the benefit of the doubt to those he respects and assumes that they know better than he does, which is characteristic of a fine American. Second, I have never met with anything except the utmost trust and the most gracious handling as a member of the committee from Senator McClellan, and I am sure the positions I have adopted and the policies I have advocated were very difficult for him to accept or agree to.

The relationship between the chairman and the members of the committee has always been most cordial and accommodating. The least we can do, as we start a new Congress, is to comment on the graciousness, courtly character, and distinction of the chairman of the Committee on Government Operations.

Mr. RIBICOFF. Mr. President, probably the best known component of the Committee on Government Operations is the Permanent Subcommittee on Investigation.

The subcommittee has a roster of distinguished alumni including three Presidents—Harry Truman, John Kennedy, and Richard Nixon. Vice President Humphrey also served on the subcommittee. So did Senator William F. Knowland and Senator Everett Dirksen.

Secretary of State-designate William Rogers served on the subcommittee staff as did Senator Pierre Salinger and the late Senator Robert F. Kennedy.

Many of the subcommittee's investigations unlike those of legislative committees do not result in the quick enactment of legislation to correct and eliminate the abuses and improprieties disclosed in the subcommittee's hearings. But a number of important Federal statutes had their inception in the subcommittee's work: the Labor-Management Reporting and Disclosure Act of 1959—Landrum-Griffin Act—the Federal statutes on organized crime in interstate commerce of 1961, certain of the provisions in the Omnibus Crime Control and Safe Streets Act of 1968, certain provisions of the Federal Banking Act of 1966, certain sections of the Welfare and Pension Plans Disclosure Act, the establishment of the Missile Sites Labor Commission. There are a number of other statutes enacted by Congress for which the subcommittee's investigations furnished important foundations.

Many of the subcommittee's preliminary inquiries do not result in public or executive hearings. Conditions discovered by the Subcommittee's investigators very frequently are swiftly corrected and eliminated by Government agencies which are the subjects of investigation, by labor unions, and by corporations in private industry.

For example, during recent years administrative and supervisory procedures and regulations have been revamped and tightened in a large number of Government agencies, as results of the subcommittee's investigations.

Changes have been made at the Departments of Defense, Agriculture, and Labor, and in the AID programs of the Department of State, in Federal banking agencies, and in other agencies and commissions of the Federal Government.

One of the most satisfactory aspects of the subcommittee's work in its fields of jurisdiction is the frequent saving or recoupment of Federal funds which were disclosed to have been wasted, embezzled or fraudulently disbursed. For example, saving the Federal Government approximately $54 million in Federal funds in 1967 by a subcommittee preliminary inquiry into the procurement of computers for the Air Force. The subcommittee's investigation resulted in the cancellation of a contract already awarded for the computers at approximately $114 million and a subsequent award of the contract to another bidder at $60 million.

Evidence first disclosed in the hearings of the subcommittee and the select committee has led to the indictment and conviction for a wide variety of crimes of 136 persons who were involved in such investigations.

The Committee on Government Operations, which is deeply concerned with efficient operations of the executive, is itself the product of the Senate's concern for its own efficiency.

In 1921 the Senate consolidated 11 committees on expenditures into one Standing Committee on Expenditures in Executive Departments.

The committee was reestablished in 1947 and its jurisdiction extended. The name of the committee was changed in 1952 to the Committee on Government Operations to place proper emphasis upon the principle function of the panel.

The operation of the Government is, indeed, the concern of the committee. It has worked diligently on its continuing duty to help fashion an executive department that meets the needs of a new era in American life.

In the past 13 years, we have experienced the development of space technology, the impact of automation, and the transformation of our country to an urban society.

We may be certain that the changes of the coming decade will at least equal those we are now witnessing.

That is why structure—the manner in which we organize ourselves—is so important.

How we organize ourselves to deal with such complex matters as the natural environment and human resource development can contribute immeasurably to the substance of these programs and the future of our Nation.

For the programs, the priorities, and the planning for a better nation all rest on the review of the Committee on Government Operations.

The Senate can be proud of its Committee on Government Operations and it can be proud of the present composition of the committee membership:

Senator John L. McClellan, Arkansas, chairman.

Senator Henry M. Jackson, of Washington.

Senator Sam J. Ervin, of North Carolina.

Senator Edmund S. Muskie, of Maine.

Senator Abraham Ribicoff, of Connecticut.

Senator Fred R. Harris, of Oklahoma.

Senator Lee Metcalf, of Montana.

Senator Eugene McCarthy, of Minnesota.

Senator James B. Allen, of Alabama.

Senator Karl E. Mundt, of South Dakota.

Senator Jacob K. Javits, of New York.

Senator Charles H. Percy, of Illinois.

Senator Robert P. Griffin, of Michigan.

Senator Theodore F. Stevens, of Alaska.

Senator Edward J. Gurney, of Florida.

The Senate majority leader (Mr. Mansfield) said recently that—

> No responsibility could be more critical to the fabric and the very life of our system of Government than that of this committee.

The majority leader said that—

> If the institutions of our Government are to be at all responsive to the needs of our society and of the people, it is this committee—the Committee on Government Operations—that will have the primary obligation to make them so.

The committee fills a basic and continuing need of a democratic government—it is the guardian for Congress over the activities of the executive branch.

It serves as a vital check on the power of the executive to maintain the delicate balance of power that has been the cornerstone of our representative form of government.

I ask unanimous consent that an appendix entitled "Highlights of Committee Membership and Organization," prepared by the Government Operations Committee staff be placed in the Record.

There being no objection, the appendix was ordered to be printed in the Record, as follows:

Highlights of Committee Membership and Organization

When the committee was recreated in the 80th Congress (January 1947) pursuant to the provisions of the Legislative Reorganization Act of 1946, it was called the Committee on Expenditures in the Executive Departments. The first Chairman was Senator George D. Aiken, now ranking Republican in the Senate. The ranking minority member was Senator John L. McClellan, present Chairman. Other committee members were Senators Bourke B. Hickenlooper, John W. Bricker, Edward J. Thye, Joseph R. McCarthy, Irving M. Ives, Homer Ferguson, James O. Eastland, Clyde R. Hoey, A. Willis Robertson, Glen H. Taylor and Herbert R. O'Conor. Because 6 of the members (Aiken, Hickenlooper, Bricker, Thye, Hoye and O'Conor) were former Governors, the committee was sometime referred to as the "Governors Committee".

The committee established four subcommittees: Investigations, headed by Senator Ferguson; Wildlife Conservation, headed by Senator Robertson; Intergovernmental Relations, headed by Senator Bricker; and Relations with International Organizations, headed by Senator Ives.

In the 81st Congress, the second Chairman was Senator John L. McClellan, who has served continuously in that position since January 1949, with the exception of a two-year period in the 83rd Congress when Senator Joseph R. McCarthy was Chairman. During the 81st Congress, additions to the membership were Vice President Hubert H. Humphrey, and Senators Arthur N. Vandenberg (former Chairman of the Senate Foreign Relations Committee and President Pro Tem of the Senate), Karl E. Mundt, Margaret Chase Smith, Andrew F. Schoeppel (former Governor), and John D. Pastore (former Governor) and William Benton.

Senator Hoey became Chairman of the Investigations Subcommittee; Senator Humphrey became Chairman of the Intergovernmental Relations Subcommittee; Senator O'Conor took over the Subcommittee on Relations with International Organizations; and Senator Eastland assumed the Chair of the Subcommittee on Wildlife Conservation.

In the 82nd Congress, Vice President and presently President-elect Richard M. Nixon and Senator Mike Monroney were among those joining the committee, the name of which was changed to Committee on Government Operations. Only two subcommittees were established, the Permanent Subcommittee on Investigations, headed by Senator Hoey and the Subcommittee on Reorganization, headed by Senator O'Conor.

In the 83rd Congress, the late Senator Joseph R. McCarthy became Chairman and Senator McClellan again became the ranking minority member. Among those joining the committee were the late President John F. Kennedy, the distinguished Minority Leader, Senator Everett McKinley Dirksen, and Senators Henry M. Jackson, Stuart Symington and Sam J. Ervin, Jr. Regular subcommittees established were Senate Permanent Investigations, headed by Senator McCarthy; Reorganization, headed by Senator Smith. Ad hoc subcommittees were Special Subcommittee on Investigations (to examine the charges against Senator McCarthy), headed by Senator Mundt; a Special Subcommittee on the Legislative Program, headed by Senator Smith; and a Special Subcommittee to Maintain Liaison with Senate and House Appropriations Committees, headed by Senator Dirksen.

In the 84th Congress, additions to the committee included Senators Strom Thurmond and Norris Cotton. Subcommittees were Permanent Investigations, headed by Senator McClellan and Reorganization, headed by the late President, then Senator, . John F. Kennedy.

In the 85th Congress, among those joining the committee were Senators Edmund S. Muskie and Ernest Gruening (both former Governors), Carl T. Curtis and Homer Capehart. The Senate Permanent Subcommittee on Investigations was again headed by Senator McClellan and a new Subcommittee on Reorganization and International Organizations was established, headed by Vice President, then Senator Humphrey.

In the 86th Congress, Senator Jacob K. Javits joined the committee. The Senate Permanent Investigations Subcommittee and the Subcommittee on Reorganization and International Organizations were continued under the chairmanship of Senators McClellan and Humphrey, respectively. A new Subcommittee on National Policy Machinery was established, headed by Senator Jackson.

In the 87th Congress, there was no change in the membership of the committee. The Senate Permanent Subcommittee on Investigations and the Subcommittee on Reorganization and International Organizations were continued under their previous Chairmen. The Subcommittee on National Policy Machinery was renamed the Subcommittee on National Security Staffing and Organization and remained under the chairmanship of Senator Jackson. A New Subcommittee on Intergovernmental Relations was re-established under the chairmanship of Senator Muskie.

In the 88th Congress, Senators Abraham Ribicoff (former Governor and Cabinet Member), Claiborne Pell, Thomas J. McIntyre, Daniel B. Brewster, Jack Miller and James B. Pearson joined the committee. The four subcommittees referred to in the preceding paragraph were continued under the same leadership.

In the 89th Congress, joining the committee were Senators Fred R. Harris, the late Robert F. Kennedy, Lee Metcalf, Joseph M. Montoya and Milward L. Simpson (former Governor).

Subcommittees established were Permanent Investigations, Intergovernmental Relations and National Security and International Operations (formerly National Security Staffing and Operations), headed respectively by Senators McClellan, Muskie and Jackson. A newly-constituted Subcommittee on Executive Reorganization, headed by Senator Ribicoff, and subcommittees on Government Research, headed by Senator Harris, and Foreign Aid Expenditures headed by Senator Gruening, were created.

In the 90th Congress, Senators Clifford P. Hansen (former Governor) and Howard H. Baker, Jr. joined the committee. Upon their departure from the committee, they were replaced by Senators Charles H. Percy and Edward W. Brooke. All of the subcommittees established in the 89th Congress were reestablished under the same chairmen.

In the 91st Congress, joining the committee were Senators Eugene McCarthy, James B. Allen (former Lieutenant Governor), Robert Griffin, Theodore Stevens and Edward Gurney. No action has occurred as yet with respect to the subcommittees.

SUMMARY OF TURNOVER AND MEMBERSHIP

From January 1959, the opening of the 86th Congress, through December 31, 1968, the close of the 90th Congress—a period of 10 years—the following 8 Senators have retained their membership on the Committee on Government Operations: Senators McClellan, Mundt, Jackson, Ervin, Muskie, Gruening, Curtis and Javits.

An examination of the histories of those who have served on the Committee on Government Operations reveals that its membership has included:

1 President of the United States (John F. Kennedy).

1 President-Elect of the United States (Richard M. Nixon).

2 Vice Presidents of the United States (Richard M. Nixon and Hubert H. Humphrey).

4 Candidates for President of the United States (Richard M. Nixon, John F. Kennedy, Hubert H. Humphrey and Strom Thurmond).

4 Candidates for Vice President of the United States (John W. Bricker, Richard M. Nixon, Hubert H. Humphrey and Edmund S. Muskie).

2 National Chairmen of Democratic Party (Henry M. Jackson and Fred R. Harris).

1 President *Pro Tem* of the Senate (Arthur H. Vandenberg).

1 Minority Leader of the Senate (Everett McKinley Dirksen).

2 Former members of the President's Cabinet (Robert F. Kennedy, U.S. Attorney General and Abraham Ribicoff, Secretary of HEW).

13 Former Governors (Aiken, Bricker, Hickenlooper, Thye, Hoey, O'Conor, Schoeppel, Pastore, Muskie, Gruening, Simpson, Hansen and Ribicoff).

3 Former State Attorneys General (Herbert R. O'Conor, Jacob K. Javits and Edward W. Brooke).

HISTORY AND MAJOR ACTIVITIES OF THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Historical background

Prior to 1921, there existed 11 committees on expenditures in the various executive departments. In May 1920, the Senate resolved that, beginning with the 67th Congress, the 11 departmental expenditures committees which then existed should be consolidated into one standing Committee on Expenditures in the Executive Departments. On April 13, 1921, a resolution was introduced establishing 34 standing committees in the Senate. Among them was the Committee on Expenditures in the Executive Departments composed of 7 members.

With the enactment of the Legislative Reorganization Act of 1946, effective January 2, 1947, the Committee on Expenditures in the Executive Departments was reestablished with an enlarged membership of 13 members and its jurisdiction was extended to cover the areas and items set forth in Rule XXV of the Standing Rules of the Senate, summarized below. The name of the committee was changed to Committee on Government Operations on March 3, 1952, following the adoption of Senate Resolution 280, 82nd Congress. The name change was deemed necessary in order to place proper emphasis upon some of the principal functions of the committee and to avoid the misleading effect of the former name.

The committee's membership remained at 13 members from the 80th through the 85th Congresses. In the 86th Congress, membership was reduced to 9, remaining at that number through the 87th Congress. In the 88th Congress, membership was increased to 15 and reduced to 14 in the 89th Congress. It was increased to 15 at the beginning of the 90th Congress and remains at that number for the 91st Congress.

Jurisdiction

The committee's jurisdiction under Rule XXV(j) of the Standing Rules of the Senate extends to all legislation and other matters dealing with budgeting and accounting, other than appropriations, and reorganizations in the executive branch of the Government. The committee is further authorized and directed to study audit and special reports submitted to the Congress by the Comptroller General of the United States, and to submit to the Senate such recommendations as it may deem advisable in connection therewith; to study operations and activities of the Government at all levels with a view to determining its economy and efficiency; to evaluate the effects of laws enacted to recognize the legislative as well as the executive branch of the Government; and to study intergovernmental relations between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

Major areas of activity

In terms of activities, the Committee on Government Operations has exercised sole legislative jurisdiction with respect to all budgeting and accounting matters, other than appropriations; and all reorganizations in the executive branch of the Government, including the establishment of new departments and agencies. By long established precedent, the committee also exercises legislative jurisdiction over all matters relating to intergovernmental relations, the Federal Property and Administrative Services Act of 1949, as amended, the Administrative Expenses Act of 1946, as amended, the Travel Expense Act, and the Federal Regulation of Lobbying Act, to cite several major areas.

In terms of specific legislative coverage, relative to the above matters, intergovernmental relations legislation has included such matters as various areas of Federal-State-local tax relations, including Federal payments to State and local governments in lieu of taxes, adjustment of legislative jurisdiction on Federal lands, uniform compensation for relocation resulting from Federally-assisted programs and intergovernmental cooperation in various areas. With respect to the Federal Property and Administrative Services Act, legislative activities include disposals of certain types of surplus property, negotiated sales of surplus property, the donable property program and procurement procedures.

In the field of budgeting and accounting, legislative activities have included various measures to improve and simplify budgeting and accounting methods and procedures, strengthen and improve fiscal controls and audit procedures in the executive and legislative branches, and to provide more adequate and effective congressional control over Federal expenditures. Also included are measures to facilitate payments of travel and other expenses, payments of certain types of claims, settlement of certain types of accounts, and relief for various fiscal and accounting officers.

Finally, the committee has conducted numerous studies of major aspects of governmental organization and operations.

Major accomplishments

A. Executive Organization and Reorganization

1. *Hoover Commission*. This committee processed the legislation which established both the First and Second Commissions on the Organization of the Executive Branch of the Government. Thereafter the committee and its staff analyzed and processed more than 280 recommendations, contained in 18 reports of the First Hoover Commission and 519 recommendations, contained in 20 reports of the Second Hoover Commission. In addition, it processed a substantial number of the legislative proposals of both Commissions.

2. *Presidential Reorganization Authority*. This committee processed the legislation which was known as the Reorganization Act of 1949, authorizing Presidential submission of reorganization plans, as well as the legislation extending this authority. Between the effective date of 1949 Act and May 23, 1968, the effective date of the last plan submitted in the 90th Congress, 85 reorganization plans were submitted by the President to the Congress and processed by this committee. Of this number, 66 became effective and 19 were rejected. The great bulk of these plans were the subject of careful analysis by the staff and members of the committee and hearings were held on a large number of them.

Special credit for the effective handling of these reorganization matters must go to the late President John F. Kennedy, Vice President Hubert H. Humphrey and Senator Abraham Ribicoff, all of whom served as Chairman of Subcommittee on Executive Reorganization. In the early days of executive reorganization, Senators Kennedy and Humphrey, in their official capacities as subcommittee chairmen, devoted much energy and effort to the processing of these matters and contributed materially to the success of this effort.

3. *Establishment of New Executive Departments*. This committee has processed the legislative proposals establishing the last three new major executive departments. The Department of Health, Education and Welfare, established by Reorganization Plan No. 1 of 1953; and the Departments of Housing and Urban Development and Transportation, established in 1965 and 1966, respectively.

All of these proposals involved numerous complex and controversial issues which required extensive hearings, the testimony of many witnesses and lengthy committee executive sessions. Special credit must be given to Senator Henry M. Jackson for the outstanding service he performed in connection with the processing of the Department of Transportation.

4. *Organization Chart*. Each year, since the beginning of the 80th Congress, the committee publishes a chart which reflects the organization of the executive branch, and a tabulation of personnel assignments to major operating components of each department and agency. The charts are accompanied by a report which details all of the reorganizations and changes effected in basic structure as well as increases or decreases in personnel of all departments and agencies.

5. *Establishment of Boards and Commissions*. The committee has processed numerous measures establishing such various temporary and permanent boards and commissions. Included have been the First and Second Hoover Commissions, the Commission on Government Security, the Commission on Intergovernmental Relations, the Commission on Balanced Economic Development, the Advisory Commission on Intergovernmental Relations and the Commission on Noxious and Obscene Matter and Materials.

6. *Legislative Organization and Operation*. During the 80th Congress, pursuant to the mandate contained in Rule XXV of the Standing Rules of the Senate, this committee conducted five days of hearings designed to evaluate the effects of laws enacted to reorganize the legislative branch of the Government. Its basic objective was to determine how effectively the Congress was functioning following one year of operation under the provisions of the Legislative Reorganization Act of 1946, which became effective in January 1947. Following extensive consideration of the testimony presented, the committee made 13 specific recommendations directed toward improving the organization and operation of the Congress. These were incorporated in a bill which was referred to the Committee on Rules and Administration where no further action was taken.

During the 80th Congress, the committee again held a series of extensive hearings to evaluate the effect of the Legislative Reorganization Act. The hearings were held over a period of 14 days and testimony was taken from 60 witnesses, of whom 14, were Senators, 15 Members of the House of Representatives and 10, congressional staff members. Subjects covered included committee structure and operation, staffing of Congress, workload on Congress, oversight of administration, strengthening fiscal controls, lobbying, compensation of Members of Congress, composition and tenure of Congress and congressional procedures and internal administration. The recommendations received were embodied in 184 proposals, some of which were referred to appropriate committees and acted upon.

B. Budgeting Accounting and Related Matters

1. *Legislation*. The committee handles numerous legislative proposals dealing with budgeting and accounting. The more important of these were measures to create a Joint Committee on the Budget, and the Budget and Accounting Procedure Act of 1950, numerous amendments to the Budget and Accounting Act of 1921, and legislation dealing with the bonding of Federal Government Officers and employees. In related fields, the committee processed the Federal Property and Administrative Services Act of 1949 which established the General Services Administration and provided for a comprehensive reorganization and simplification of the methods and procedures for the procurement, utilization and disposal of Government property.

In addition, the General Services Administration was given complete responsibility for all general housekeeping functions which were being performed by various executive branch agencies; responsibility for the supervision of all Federal procurement activities; the improvement of records-management policies and procedures; and the responsibility for the formulation of transportation and traffic management methods and procedures. As previously noted, the committee also processed the Travel Expense Act of 1949 and its subsequent amendments, as well as amendments to the Administrative Expenses Act of 1946.

2. *Special Studies*. During the 87th Congress, the committee staff conducted a comprehensive study and analysis of the budgeting and accounting programs of the Federal Government, with the cooperation and assistance of the Comptroller General, the Director of the Bureau of the Budget, the Secretary of the Treasury and members of the Joint Financial Management Improvement Program. The results of this study, begun in June 1959 and completed in 1961, were embodied in a Senate Document, issued in February 1961.

Entitled, *Financial Management in the Federal Government*, the staff report included a review of budgeting and accounting activities during the period, 1930–1940; improvements in fiscal operations under the Legislative Reorganization Act of 1946; the recommendations of the Frist and Second Hoover Commissions; the legislative history of major budget and accounting legislation enacted by the Congress beginning with the 80th, through and including the 86th Congresses; financial management improvements made by Federal departments and agencies pursuant to financial laws enacted by the Congress on a government-wide basis and under specific acts, as well as other pertinent information.

In the 88th Congress, the committee staff prepared a comprehensive study entitled *The Authority of the Senate to Originate Appropriations*, prepared in connection with its consideration of legislation to create a Joint

Committee on the Budget. Issued as a Senate Document, it consisted of a review and analysis of the debates and actions of the Constitutional Convention of 1787, and other pertinent materials, and demonstrated clearly that it was the intention of the Founding Fathers at the 1787 Convention to vest in the Senate of the United States the authority, coequal with the House of Representatives, to originate appropriation bills.

In the 89th Congress, the committee initiated a study on legislation authorizing appropriations, designed to fill the information gap resulting from the fact that, over a period of many years, the Congress has continued to enact legislation authorizing the appropriation of money to fund various programs, without either knowledge, of or reference to authorizations which have already been enacted. Prepared by the committee staff and compiled by the Bureau of the Budget, this study was issued as a committee print in September 1965, entitled, *Legislation Authorizing Appropriations and Establishing Revolving Funds* (as of March 1965), and subsequently printed as a Senate Document.

The late President John F. Kennedy devoted much time and effort to this area while a member of this committee.

C. Intergovernmental Relations

Over the years, the committee has devoted much time and effort to Federal-State-local relations. Among major measures which were processed were bills relating to Federal payments to State and Local Governments in lieu of taxes; establishment of a temporary Commission on Intergovernmental Relations and a permanent Advisory Commission on Intergovernmental Relations; the Intergovernmental Personnel Act of 1967; and the Intergovernmental Cooperation Act of 1968.

In addition, numerous research reports have been prepared by the Subcommittee on Intergovernmental Relations dealing with pertinent aspects of this area. Some of the major reports and documents issued included a *Catalogue of Federal Aids to State and Local Governments,* together with supplements (1965 and 1966); the *Federal System as Seen by Federal Aid Officials* (1965); *Federal Expenditures to States and Regions* (1965); and numerous reports of the Advisory Commission on Intergovernmental Relations. Additional studies and reports included *Intergovernmental Relations* (1963) reviewing the work done in the field; the *Effectiveness of Metropolitan Planning* (1963); and *Metropolitan America* (1964).

Much credit must go to Senator Edmund S. Muskie, Chairman of the Subcommittee on Intergovernmental Relations for outstanding contributions in this field.

D. National Security and International Operations

This area has been and is being handled comprehensively by a subcommittee headed by Senator Henry M. Jackson. Numerous studies in this area, issued as committee prints, include the *Administration of National Security; the Ambassador and the Problem of Coordination;* the Secretary of State; *Conduct of National Security Policy; the Atlantic Alliance; the Warsaw Pact; the Soviet View of NATO;* and *Specialists and Generalists, A Selection of Readings.*

E. Government Research

The work has been handled by the Subcommittee on Government Research, headed by Senator Fred R. Harris. Its attention is directed toward Federal support of international social science research, research and development in the basic sciences and technology and related matters. To date, it has published reports on *Research in the Service of Man:* Biomedical Knowledge, Development and Use; and an *Inventory of Congressional Concern with Research and Development.*

F. Government Competition With Private Enterprise and Related Matters

The committee and its staff has devoted much attention to the extent to which the Government competes with private enterprise, and the related area of Contracts for Technical Services. In the 88th Congress, the committee issued a comprehensive staff study entitled, *Government Competition with Private Enterprise,* published as a committee print in June 1963. Thereafter, the committee staff prepared a series of staff studies relating to Federal policies concerning the procurement of commercial or industrial products and services by the Federal Government for its own use. Extensive hearings were held on the subject with special reference to policy and practice relative to technical service contracts following complaints from industry to the effect that a new Federal policy would result in ultimate losses to private industry approximating $3.5 billion. Extensive hearings were held on the subject and a *Status Report,* reviewing the issues and including staff conclusions and recommendations, was issued as a committee print in May 1968, entitled, *Government Policy and Practice With Respect to Contracts for Technical Services.*

G. Science and Technology

Beginning with the 85th Congress, the committee devoted particular attention to matters relating to science and technology. The staff was directed to conduct a study of the deficiencies in the Federal science program and to recommend reorganization proposals designed to coordinate Federal science activities directed toward the elimination of overlapping, conflicts and duplication.

Under the leadership of Senator John L. McClellan and Vice President, then Senator, Hubert H. Humphrey, this committee conducted extensive studies and analyses of the nature and extent of Federal science programs and the organization of the Federal Government for carrying them out. In this connection, the committee issued as a Senate Document a report entitled, *Science and Technology Act of 1958* which reviewed the then current situation and proposed the establishment of a Department of Science and Technology. In 1959, the committee held extensive hearings in connection with the establishment of a Commission on Science and Technology and reported favorably a bill to accomplish this objective. Thereafter, following extensive staff work, the committee issued a report entitled *Documentation, Indexing and Retrieval of Scientific Information* (1960) embodying the results of a study of Federal and non-Federal science information processing and retrieval programs.

In 1960, a comprehensive report was issued, *Science Program—86th Congress* which summarized all of the work done by the committee in this field. In 1963, during the 87th Congress, the committee prepared and issued an additional study, *Documentation, Indexing and Retrieval of Scientific Information* and continued its work in this area. Although bills to establish a Commission on Science and Technology to make recommendations relative to the establishment of a Department passed the Senate on two occasions, no further action was taken. However, various actions were taken in the executive branch to improve the organization and management of these programs, following the committee's work. Vice President Humphrey was the driving force in this area over a period of many years.

H. Miscellaneous Studies and Reports

Over the years, the committee has issued numerous reports and documents reflecting various staff studies. Some of these have been referred to previously in preceding sections of this report.

Major studies and reports include *Fees for Government Services* (1956) (now referred to as User Charges); *A Compilation of the Legislative Reorganization Act of 1946 with Amendments through the First Session of the 83rd Congress;* (1953); *Extending the Reorganization Act,* containing a comprehensive study and review of executive reorganization experience (1964) *Select List of Publications Issued by Senate and House Committees* (1961); *Federal Disaster Relief Manual* (rev. ed. (1963)) designed to furnish information relative to Federal programs and resources available to State and local governments in the event of a disaster; *Activities of the United States Senate* (1957), reflecting the activities of the Senate in the 84th Congress with particular reference to the heavy burdens upon its Members in attempting to meet their various obligations with respect to legislation, committee meetings and constituent problems; a comprehensive review of the audit reports of the Comptroller General (1956); and a review of the audit reports of Government Corporations and Agencies (1954).

In addition to the above, the staff, in connection with pending legislation, has prepared special studies dealing with executive Reorganization Act procedures, legal and constitutional aspect of such procedures, a survey and analysis of congressional committees, with special reference to the number of standing, select, special, and joint committees as well as subcommittees; a study of the legal and constitutional aspects of Presidential delegations of Constitutional and statutory functions; and numerous other studies of this type.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am delighted to yield to our distinguished chairman.

Mr. McCLELLAN. Mr. President, it has been my privilege and honor to serve for a number of years as chairman of the Committee on Government Operations.

I do not rise at this time to defend the committee from innuendoes or efforts to downgrade it which may have appeared in the press by certain columnists and writers during recent days. I rise, instead, to thank my distinguished colleague, the able chairman of one of the subcommittees of the Government Operations Committee, for his very kind, personal remarks with respect to the chairman of the full committee and his efforts to perform the senatorial duty which has been his assignment as a Member of this body. I also thank the distinguished Senator from Connecticut for his personal references to the manner in which the chairman of the full committee has endeavored to conduct the committee, particularly with respect to fairness and the giving of consideration to the views of other members of the committee whose ideology or philosophy may not be in agreement with that which the chairman entertains.

Like President Johnson, in closing his state of the Union message on Tuesday night of this week, I simply say that I do not know how well I have succeeded but I hope that all Members can say—as indicated by the distinguished Senator from Connecticut and by the distinguished Senator from New York, who made some kind and generous comments a few minutes ago—that "I have tried."

I am grateful to the Senator from New York for his comments and for the confidence he has repeatedly expressed in me as chairman of the committee.

I point out one other thing. I think those who try to downgrade the committee, whether they do it through lack of information, lack of knowledge of the character and extent of the work the committee does, or whether they are motivated by some other reason, they reflect upon very great men and very great statesmen of our time. As the distinguished Senator from Connecticut indicated, after the inauguration next Monday, three Presidents of the United States will have served on the Government Operations Committee and I think we can say, they served on it by choice. Other very distinguished Members of the Senate have served on the committee. I must, also, point out that at this moment, the very distinguished Senator from Connecticut serves as chairman of the Subcommittee on Executive Reorganization; the distinguished Senator from Maine (Mr. Muskie) serves as chairman of the Subcommittee on Intergovernmental Relations, the distinguished Senator from Washington (Mr. Jackson) serves as chairman of the Subcommittee on National Security and International Operations, the distinguished Senator from Oklahoma (Mr. Harris) serves as chairman of the Subcommittee on Government Research.

In my judgment, these Senators, in the service they perform on the subcommittees, bring to Congress and particularly to the Senate, as a result of the hearings they have conducted and the legislation which they have processed, a most valuable service. It is in defense of these subcommittees and the able chairmen of them that I make these comments and not with respect to the chairmen of the full committee. I do not care to make any defense or even to recognize the criticism from that standpoint; but I would point out one thing to my colleagues—something which many people overlook:

In one instance, with very brief hearings in the computer investigation, the investigating subcommittee saved the Government of the United States and the taxpayers of this country some 50-odd million dollars, enough to pay the cost of operating the investigating subcommittee, at the present rate of its expenditures, for three-quarters of a century.

This kind of work sometimes gets very little publicity, but it is accomplishments of this type which really make a contribution, I think, to more efficient and more economical Government and provides for greater integrity in Government.

I appreciate the very fine cooperation and the very excellent work which the distinguished Senator from Connecticut has given, and I look forward to continuing to work with him on the committee and in our respective capacities during the 91st Congress.

CRISIS IN CRIME

Mr. FANNIN. Mr. President, I introduce for appropriate reference a bill which would amend the District of Columbia Code in such a manner as to make the use of a firearm in committing a crime, or in attempting to commit a crime, a violation carrying a mandatory jail sentence of not less than 5 years.

The thrust of this bill, Mr. President, would be to give the criminal element in the District a cause for concern. Under the provisions of this bill a jail sentence of no less than 5 years would have to be passed upon a person convicted of using a firearm in the commission of a crime, or in the attempt to commit a crime.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 327) relating to the commission of a crime of violence in the District of Columbia when armed with any firearm or other dangerous or deadly weapon, introduced by Mr. Fannin, was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FANNIN. Mr. President, the time has passed when we can look at events transpiring in the Nation's Capital and say that a crisis in crime is approaching. Any reasonably objective observer can look at events and current crime statistics in the District of Columbia and without fear of question say that the crisis has been with us for some time. Yes, for months we have been in the midst of a full-blown breakdown in the forces of justice in the Capital and now are in imminent danger of being completely overrun by an unrestrained criminal element.

It is mandatory, Mr. President, for some principles to be underlined, and some rules enunciated that pertain to the National Capital. It is beyond the time for additional voices to speak out in quest of a restoration of the principles upon which the creation of our National Capital rest. We have had far too much obfuscation on the part of some who should know better concerning the horrible crime situation in the National Capital. This even extends to the Presidentially appointed City Council which has apparently gone out of its way in attempting to grant a total license to criminals in Washington.

There are several points that should be made and put back into the public thinking on these questions.

First, we shall have to recognize that Washington, D.C., is not—and never will be—just another medium-large city in one of the States belonging to the Union. As we must recognize, the District of Columbia, and the city called Washington, was a special creation specifically established and designated as the Capital City of this great Nation. Its territory was withdrawn from the States of Maryland and Virginia in order to form a capital district that would not lie within the domain of any single State or group of States.

That reasoning needs to be underlined and recalled to our public attention.

I realize that I will probably be misunderstood and misinterpreted in saying what follows, but it is something that needs to be said:

So far as I know there is no law requiring anyone to live in the District of Columbia—or in any other place in this free Nation for that matter. This means that a person voluntarily taking up residence in the District must recognize the special set of circumstances he is assuming. The District of Columbia is the National Capital. As such it does have a special status, place, and circumstance in relation to the rest of the Nation. Persons or businesses that do not or will not accept this circumstance and special situation have the right to avail themselves of other jurisdictions more to their liking.

That is probably going to sound callous and will probably be reinterpreted to mean something that I do not mean. I am not advocating a mass exodus from the National Capital. I am not proposing that those who live in the District assume a second-class citizenship—what I am saying is that the District of Columbia will always be a special place that in a very real sense belongs to all the people of the United States—not just to those who live within its confines—and it will have to be administered with these principles in mind.

I do not undertake to defend every action of every previous Congress in handling the affairs of the Capital—but I do defend the principle that the Federal Government must run the District and not the other way around.

When we enter the matter of public safety and law enforcement, I believe it is absolutely imperative that the Federal Establishment have the determining say in the affairs of the District. That is not so in Maryland. It is not so in Virginia. Those are local jurisdictions under local and State officials and are, under our separation of powers between the States and the Federal Government, quite justified in looking after their own affairs within the concept of our established Federal-State relationship.

But the District is another matter. It is perfectly obvious that we could not accept jurisdiction in local matters in the District, where the seat of the Federal Government is located, from Annapolis, for example. This would give the Governor of Maryland a power completely out of step with his elected role and completely opposed to the satisfactory division of powers and responsibilities between the Governors and over their respective territories.

I realize that "home rule," as it is called, is a popular and sentimental cause in the District. I realize that some of my party colleagues may differ with me on this matter, but I do not think they can differ with me on the principle that the District of Columbia is not just another State, was never intended to be another State and should not be treated as another State—a simply local jurisdiction.

Second, I think we shall always have to realize that Washington, D.C., is not just another metropolitan area—it is a symbol. It should be the bright and shining hope for America, the most beautiful and safe city in America. If anything, it should be the example, leading the way in showing what a city can be if it wants to be.

That is why it is so particularly distressing when we look at a statistic like bank holdups and find that they increased in the District four-fold last year. We had over 100 bank holdups in the District last year, compared with about 22 the year before. That is amazing. To what can we attribute this sharp increase in the crime curve? If we examine some of the other crime statistics we shall find similar jumps—armed robbery, assault, rape; shootouts are becoming more and more commonplace. They fail to shock us any more.

What should shock us are the stories of criminals out on parole who commit more crimes and robberies—criminals who are let off with light or suspended sentences while laughing up their sleeves at the naivete of the sentencing judges.

In support of this point, Mr. President, I shall ask that an excellent article detailing crime in the District in one 24-hour period be printed in the Record at the conclusion of my remarks.

To cap the climax of this worsening situation we have an apparently irresponsible element in the City Council which is attempting to tie the hands of the Metropolitan Police to the point that even present law enforcement would be stymied.

We have seldom witnessed such a single-minded campaign to reduce the policeman to the status of an usher, or perhaps a blue-uniformed babysitter. The police restrictions recently proposed by the City Council are almost unbelievable. The police chief has said they would unduly impair the effectiveness of his Department. The Mayor-Commissioner has called for their clarification and refused to sign them. Yet we have a stubborn insistence that the police be disarmed while the criminal's resources are strengthened.

Consider this hypothetical example: If an armed man should attempt a holdup in a Washington bank, shoot and kill one of the tellers, dash out the door to a waiting auto, this would be the plight of the policeman:

First, he would be prevented from firing his weapon unless his own life could be demonstrated to be in danger, or the lives of other citizens. It could be presumed that since the gunman had already killed the teller, the teller is beyond being in further danger. Since the bandit is not shooting directly at the policeman, the policeman's life may not be presumed to be in danger. Unless the policeman is close enough to tackle the suspect, he has no effective way of stopping him. He may be able to see the bank loot in the robber's hand, yet the policeman could be criticized for shooting. Finally, if the thug makes it to the safety of his automobile, the policeman may not fire any warning shots, nor may he fire at the moving vehicle except in some specialized situations, or from a moving veicle in pursuit so he is apparently foreclosed from making any kind of an effective chase.

I cannot see how concern for the public safety can justify such a hamstringing of our law-enforcement officers in the District. I know there are many reasons and cases sited where this or that group feels a policeman has been too hasty, or fired too quickly. I have followed those investigations, and in the vast majority of them investigation by the department with a coroner's jury has found the officer to have been acting with good judgment.

To my mind there simply must be a righting of the forces here. We must have a sufficient deterrent to the forces of crime so the citizen has an opportunity to have his life and property protected.

That is the reason I am introducing this legislation today.

Mr. President, the effect on the criminal, and the would-be criminal, would be to make him think and consider the consequences before attempting a crime while using a firearm. At the very least it would have the effect of attempting to similarly restrict the criminal at least as much as the proposed council regulations.

There will be those who come forward with psychological evidence to the supposition that added deterrence does little to restrict additional crime. This is nonsense. I shall merely point to the evidence of increased criminal activity in the District and ask what they propose to solve this problem. I cannot imagine they will continue to further restrict the forces of justice in the District. If they do so it must be for some unknown reason, or because a blighted perception does not allow them to relate cause and effect.

Mr. President, the bill is needed. I ask for prompt hearings, swift enactment, and District enforcement so a measure of mercy and some restoration of justice may take place in the streets of Washington.

Mr. President, as an indication of the community need and support of this legislation, I ask unanimous consent to place in the Record at the conclusion of my remarks, three items:

First. An editorial from broadcast station WMAL of December 15, 1968.

Second. A column entitled "Crime in Washington," by Don Maclean, appearing in the Washington Daily News and other newspapers.

Third. A comprehensive article appearing in the Sunday Star of Washington, on January 5, 1969, in which writer John Fialka details the crime in our Nation's Capital on a typical day last December.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FANNIN. Mr. President, these items indicate the scope of the problem, the depth of feeling on the part of responsible residents in the Capital that effective steps must be taken, and the fact that opinion leaders in Washington are ready and willing to support such a move on the part of our Government.

I have indications that there are Members of the House of Representatives, equally disturbed about the problems we are facing here in Washington, interested in seeing this measure pass the House. It is my hope that Congress will exercise its responsibility so clearly set forth in the legislation creating the District of Columbia and act to solve this problem with dispatch.

Exhibit 1

[Editorial broadcast by WMAL/AM/FM/TV, week of Dec. 15, 1968]

Stiff, Mandatory Sentences

The FBI reports that armed robbery in the nation increased 37 per cent in the first nine months of this year over the same period last year.

The need for stiff, mandatory sentences for carrying a concealed weapon or using a gun in committing a crime is once again revealed. Congress should write stiff, mandatory sentences into law for the District of Columbia. The Maryland and Virginia legislatures should follow suit. In fact, all the states should pass similar legislation.

People commit crimes. Guns do not. The knowledge that long, mandatory prison terms are the penalty for carrying a concealed weapon or using a gun in committing a crime should make even hardened criminals think twice. It is quite obvious that the permissive system of suspended sentences, token sentences and early parole has failed. It is time that the punishment is patterned to fit the crime.

Crime in Washington: Seen With Your Own Eyes

(By Don Maclean)

It's one thing to write about all the crime in Washington, D.C. and quite another to see it with your own eyes. On a recent evening I was driving through the heart of the downtown shopping section.

As we were held up by traffic, in the middle of the block, three tough-looking men crossed in front of my car and headed for a nearby store. I commented to my wife, seated beside me, "Look. Those three are up to no good. I wouldn't run a store here for any amount of money."

We were still stuck in traffic and able to watch through the store window as the three men walked into the store and, without ado, grabbed some clothes and headed back for the door. A clerk began to scuffle with them as horns blew behind us and we were forced to drive on. Oh, well.

[From the Washington (D.C.) Sunday Star, Jan. 5, 1969]

One Day in December

(By John Fialka)

Fear walks with a woman who believes that a man is creeping softly up behind her in the predawn darkness.

It grows in the eyes of a secretary who thinks that a man who walked into her office intends to rape her.

Fear is in the mind of an old man, coming home late on a winter evening, who senses that a mugger is waiting for him in his apartment foyer.

It has been three and a half years since President Johnson talked about fear in the city of Washington as he issued an executive order creating the D.C. Crime Commission.

It has been two years since his commission said in the ominous conclusion to its 936-page report that "our inability to deal with crime invites a gradual and increasing deterioration in the quality of life in the Nation's Capital, provoking hostilities and tensions among a frustrated and fearful community."

Yet the crime statistics continue to record a rise. Some experts have attempted to minimize their impact by pointing to changes in police reporting systems. Others say the situation is worse because many crimes are never reported.

To find out what the statistics mean in human terms, a reporter picked a single day, December 18.

It probably will turn out to be close to an average day for reported crime in 1968 in the District of Columbia.

That day was a Wednesday. These were its statistics: two homicides, 15 store holdups, 13 yokings and street holdups, 21 purse snatches, 72 larcenies, 48 break-ins, 29 stolen autos and 23 false alarms.

Weighed against the usual level of happenings in the capital of one of the most civilized nations on earth, none of them could be considered major incidents. Only a few small police stories ran in the city's newspapers, and these were buried on inside pages.

This Star survey of the day's 223 criminal offense reports and followup interviews with many of the victims attempts to go behind the statistics to show how crime leaves its mark on the city on a quietly "average" day.

At about 1 a.m., when Dec. 18 was only an hour old, Tony Natoli was busy counting quarters in his carryout restaurant at 1364 Florida Ave. NE. He paid no attention to a 17-year-old youth with an Afro haircut, wearing a black leather jacket, who said: "This is a stickup. Don't anybody move!"

Natoli, who had been held up three times previously in 1968, continued counting quarters. "I thought it was a joke. There are a lot of clowns who come in there," he explained later.

"I mean it!" shouted the youth, and Natoli looked down to see the muzzle of a sawed-off shotgun pointing at him between the cash register and the meat scale. He opened the register and the youth ran off with a fistful of bills.

Natoli has a certain stoicism about holdups.

"I don't think it's something you ever get used to. Each one is a new experience. But you have to go on. You can't work very long if you think the next customer is going to be a holdup man."

Since most of his business comes in after 9 p.m., he plans to continue staying open until after 1 a.m., although crime, he says, has gotten worse in his neighborhood since the April riots.

"I mean you can't always be running scared, you see what I mean?" he explained.

Twenty minutes later, three armed robbers struck at a Sinclair Station at 701 North Capitol St. After holding a gun against the head of an attendant, they took some bills from his coat pocket. Before walking away, one of the men paused to offer the attendant a cigarette.

TV SETS STOLEN

By this time of the morning, most of the city is asleep. Nearly all businesses are closed. The streets are empty. Except for weekends, most policemen look forward to the predawn hours as a quiet period, marred by a few minor incidents.

After one "minor incident" that night, a 42-year-old army sergeant was hospitalized for 10 days. He had dropped into the Greyhound Bus Station downtown for a cup of coffee at 3:20 a.m. Walking past a row of lockers, he had surprised a man wearing orange pants, who was trying to break into one of them. The man in the orange pants socked the sergeant in the right eye, opening a cut and injuring his occipital bone.

At about the same time, at 18th and Columbia Road, two holdup men found another night person, a Spanish dancer on his way home from a nearby night club. They pulled him into an alley and slammed him on the head with a pistol before taking a small amount of money. He was not hurt seriously.

The main criminal action of the night was, as yet, unseen and unreported. Burglars, petty thieves and holdup men were making off with a total of $14,613 in cash and goods on Dec. 18—not counting stolen automobiles, which are usually located and returned to their owners.

Among other things, burglars lugged away 21 television sets on Dec. 18, apparently without being noticed. Police believe most of the thefts occurred before dawn.

Washington begins to wake up before dawn in December. A 48-year-old nurse, who had spent the night at a cousin's house, was walking toward her car in the 4700 block of 8th Street NE. She happened to glance around and saw a man, walking on tiptoes, approaching her from the rear with his hands extended toward her.

"Oh my Lord!" she exclaimed before he grabbed her, threw her to the ground and took her purse. The purse was empty. It was returned, mysteriously, later that day, by someone who placed it in a paper bag on her cousin's porch.

"The next day I felt sore, and I was scared to death. After it's over you really get the shock of your life thinking about it. For about three days it really preyed on my nerves. Good Lord, he could have killed me," she said.

At 7:30 a.m., in the height of the morning rush hour, a 28-year-old cement mason was driving downtown from his home in Hyattsville. He stopped for a light at Varnum Street and Michigan Avenue NE. A man opened his door, got in, produced a .25 caliber revolver, and said, "Give me your money."

The cement mason told police he drove south for two blocks while the man robbed him of $10. Before getting out at the next stoplight, the robber wished him a merry Christmas.

Half an hour later two men in their early 20s handed a note to a clerk in a Seven Eleven Store in the 3500 block of Wheeler Road SE. "This is a holdup," it said. As they fled with a small amount of cash, the announcement of the first of what would be eight holdups of small grocery stores that day sounded over police radios.

Most of them involved small amounts of money, television sets or other resaleable items. A theft of $157.95 is not a major crime, but to some people it can be a disaster.

That's how much money the Rev. Frank Reid estimated was in the poor box of his Metropolitan AME Church at 1518 M St. NW. The poor box was going to be divided among 10 needy families. It was stolen during the night.

"I'm probably going to buy a German Shepherd dog and keep it with me when I'm in the church," said Mr. Reid.

Some thefts are seasonal. Somebody unscrewed 85 Christmas bulbs from a string that Lee Perri had put on a hedge in front of his home in the 3600 block of Texas Avenue SE.

"We found out later it was kids," said Perri, who went out that day and bought enough bulbs to fill out the string again. "It's been a long time since it's been decorated in this area I wasn't going to let them ruin my Christmas. What we need are more lights out there so people will use the streets again," he added.

The rest of the morning passed quietly. Christmas shoppers filled the stores and the streets in the city's shopping areas.

One of them, an 18-year-old girl, was walking near the elegant shops and boutiques of Georgetown, at 32nd and O Streets NW, when an older man ran up, lifted her dress and placed his hand on her buttocks. The same thing happened minutes later, at 1:30 p.m., to a 24-year-old woman in the same area.

INTRUDER ENCOUNTERED

At that moment, a 41-year-old white housewife in a new house in Southwest Washington, came back from an errand to find a man in her bedroom.

"I screamed help," she said, and the man ran out a second floor porch door and jumped off the roof. The man took about $90 and a gun her husband kept in the bedroom.

The incident "spoiled" her Christmas, the woman said. The family has purchased a small terrier for protection. "I was scared to leave the house afterwards. People live in fear around here."

At 3:30 p.m., two hours later, a Negro housewife was sitting in the living room of her home in the 600 block of Alabama Avenue SE, when three teen-agers entered with guns drawn. They told her they wanted her money and said they would "shoot her head off" if she moved.

They escaped with a $5 bill. A Tactical Squad cruiser later cornered two of them. Police found they were carrying toy guns. It was small comfort to the victim. "That's all I've thought about since," she said.

Meanwhile, back on the city streets, the pace of holdups had stepped up. At 1:35 p.m. three men drove up to the Esso station in the 2100 block of Alabama Avenue SE in a battered convertible and asked for a dollar's worth of gas. Then one of them pulled out a gun and robbed the attendant of his change carrier.

At 1:50, one of three robbers held a butcher knife against the back of a clerk in a small grocery store in the 5200 block of Central Avenue SE. They took $30.

Every day while he was convalescing from an operation, William Sunnott, 60, went to his car parked in an apartment garage in the 2300 block of Cathedral Avenue, and ran the engine a few minutes to charge the battery.

BATTERY VANISHES

That afternoon he pressed the starter and nothing happened. It was the battery, all right. It was gone.

Since it was the second battery stolen in a year, Sunnott says he won't replace it until he finds a safer place to put his car. "It might be safer putting it on the street," he said.

Ronald L. Bell, 32, an engineer who lives in Silver Spring, sometimes parks his car at 10th and O Streets NW when he arrives late at his job in a downtown office building.

That night, he was four hours late getting home. It wasn't merely that someone had broken into the car and stolen the spare. Someone had also stolen his jack and used it to raise the front of the car. That's why he couldn't move: His right front wheel was missing. Bell now parks his car in a lot.

At 2:25 two gunmen held up the High's store in the 300 block of Kennedy Street NW, escaping with $16.

At 2:35 an incident occurred that a 34-year-old secretary will probably remember the rest of her life.

She was reading a memorandum in her office in the 1700 block of 14th Street NW, when a young man walked in and asked, "Whose office is this?"

She looked up and noticed that the man had shut the door leading to an outer office. He began talking at random about "nonsensical" things, she said. The secretary began to feel nervous and asked him to open the door because it was stuffy.

TRIED TO HIDE FEAR

He refused and began to approach her desk. "I tried to hide my fear, but he could see it. 'Why are your pretty eyes open so wide?' he asked me."

He grabbed her. She threw him against a file cabinet. "I gave him a terrific fight. It seemed like an eternity," she said. Finally the man pinned her on the floor, covered her mouth and nose with his hand.

The man was about to rape her, she said, when the door from the outer office opened and a secretary who had heard the scuffle came in carrying a heavy office stapler. She began beating the man on the head with it. Two men from the office came running in and held the man until police arrived.

Trying to sum up her feelings about the incident, she said: "I don't know, there's been so much of this lately. You have a wonderful thing, sending these three men to the moon, but at the same time there are incidents like this. I don't know how I'm going to be able to face him in court."

After 3 o'clock, the rate of false alarms increased and a rash of minor incidents began coming in over the police radio. Schools are through for the day.

At 3:12 Pvt. James E. Lukie, 33, was returning from duty at a school crossing when he spotted a crowd of between 75 and 100 youths at Lee Street and 50th Place NE. Several appeared to be fighting.

As he approached the intersection, rocks and bottles began bouncing off his squad car. The windshield was smashed. An assistance call brought other cruisers quickly to the scene. The crowd disappeared. Two 15-year-olds and a 16-year-old, believed to be the ones who did the throwing, were arrested.

At 3:20 a 9-year-old boy was walking to a store to buy some Christmas cards for his mother. In the 1300 block of Morris Road SE, a 10-year-old grabbed him, went through his pockets and took all his money.

At 4:09 a used car dealer from Forest City. N.C., told police that somebody broke into his car in the 1200 block of 4th Street NE and stole his suitcase containing his shaving gear and clothes. A few minutes later a laundress reported that somebody had broken into her home and carried off $285 she had been saving under a mattress.

The evening rush hour had begun. Pvt. William E. Patterson was standing near 8th Street and Pennsylvania Avenue NW when he saw a 22-year-old man on the sidewalk bump into a woman waiting for a bus. While she was off balance, he attempted to open her pocketbook. He was arrested.

Pvt. Patterson had witnessed the first of 19 purse snatches and robberies inflicted upon women as they made their way home in the early winter darkness that evening.

Although the crime may sound relatively harmless to the average person, many are fairly brutal. The victims are often elderly, the snatchers are usually in their early teens.

That night a 60-year-old woman who held on to her purse was knocked down and dragged for several feet before she let go. A 68-year-old sales clerk was struck in the face before her purse was taken. A 61-year-old government worker was grabbed from behind, knocked down and beaten on the head by two 12-year-olds. A 48-year-old woman was punched in the mouth.

As another 61-year-old woman made her way home from the bus stop that evening, she passed some tall bushes in the 3800 block of Halley Terrace SE. A light rain was falling.

The bushes always worried her because the street is badly lighted. Someone, she thought, could be hiding behind them, waiting for her to walk by on the deserted sidewalk. This night there were two teen-agers waiting for her.

LUNGE FROM BUSHES

Two forms separated from the bushes and lunged at her. "Dear God help me!" the woman screamed as they began to drag her toward the bushes.

A shopping bag she was carrying burst. Groceries and soda bottles were scattered on the sidewalk. The woman had been carrying her purse on her arm, but had her hand in a coat pocket to keep warm. The force of the pulling pinned her hand in her pocket and she was unable to release the purse.

The youths began kicking her on the back and legs. Finally she was able to free the purse and they ran away. "I hollered, you don't know how hard I hollered," she said afterwards. No one answered her cries.

She picked up a loaf of bread and some of her groceries from the muddy ground and continued on her way home.

The rate of holdups began to increase under the cover of darkness. At 5:30 a 19-year-old gunman robbed a small grocery in the 1400 block of Potomac Avenue SE. At 5:45, two calls sounded simultaneously. Two gunmen had held up a High's Store in Northeast Washington and a customer in a High's Store in Southeast had his wallet snatched from his hands.

The two homicides of the day occurred between 5 and 6 o'clock. During a fight with another man, a 30-year-old man was cut in the stomach and throat with a butcher knife. Minutes later, in another part of the city, a 35-year-old man was shot in the stomach during an argument. There were arrests in both cases.

Around 5:30 a 9-year-old boy walked into an unlocked fraternity house near George Washington University and stole a beer can containing about $8 in change. At 7:10 a lawyer who lives on Capitol Hill opened his front door and found two 11-year-olds who said they were collecting for a newspaper. He was suspicious and went to the phone to call police. Meanwhile, they ran into his bedroom, took a wallet containing $50 and ran out the door.

After a lull around dinner time, the holdups continued. Between 7:20 and 10:25 that night, robbers carrying a variety of weapons, including pistols, knives and sawed-off shotguns, hit a gas station, a transfer and storage company office, two drug stores and three small grocery stores.

A PREY FOR MUGGERS

For the same reason that purse snatchers favor older women, muggers tend to prey on older men. A 74-year-old retired government worker who had gone to the drug store to have a prescription filled, saw it coming, but there seemed to be nothing he could do about it.

He passed a group of youths standing on the sidewalk in the 500 block of Mellon Street SE. Shortly afterwards, one youth passed and walked into the foyer of his apartment building. He heard the footsteps of another one, following close behind him.

At about 8:45, when he reached the foyer, he saw the first youth pretending to look at names on apartment mailboxes. The second one grabbed him from behind, pinning his arms and covering his mouth so he couldn't scream. They took $5 and ran off, leaving him stunned and frightened.

"Please! Please open the door!" he shouted, rapping on his apartment door.

He was the first of five men caught by street robbers that night. In a different neighborhood, the 1800 block of Swann Street NW, a 63-year-old auto mechanic saw it coming, too. When he opened his billfold in a nearby liquor store, he happened to look up into the eyes of a man staring at it.

He didn't make it more than 25 feet from the store when the man came running up, holding his hand in his pocket as though he had a gun. He told the mechanic he would "blow your brains out."

The mechanic reached in his pocket and handed the man his wallet. "I believe you, you don't have to tear me up," he said. Afterwards, he explained that four elderly men had been badly beaten on the same street this year. "I would have been beaten too if I didn't sense it coming."

"I have been out lots of times at night," he told a reporter. "Now I'm afraid. Years ago you could look up 18th Street almost any time at night and see a policeman. There was always one or two walking. Now you have to call and sometimes it takes a long time. If you do see one, he'll be in a car."

At 9:50, four juveniles apparently decided to go Christmas shopping. They smashed the plate glass window in a variety store in the 4400 block of Georgia Avenue NW and made off with seven dolls, three small stuffed Santa Clauses and a toy plastic jeep with a tiny machine gun mounted on it.

Minutes later a truck driver for a liquor store was robbed, locked in the van on his truck, and driven to Landover, Md. There, two men got out and loaded 13 cases of whisky into an auto and drove it away.

At 10 p.m. a Western Union messenger was Murphied. The Murphy game is not often reported, police feel, because the victim is usually embarrassed. Although this type of swindle was once a "major industry" on upper 14th Street, it has now been largely replaced by the quicker, more direct method of armed robbery.

The messenger told police he was standing in the concourse of Union Station when two men got him interested in the idea of going to a certain house on 7th Street NW for a "good time." On the way, one of the men told the messenger he was worried about some money he was carrying. He tied it in a handkerchief and asked the messenger to hold it. He pointed out that the messenger could show good faith if he tied his money in a handkerchief, too. The messenger complied.

As he drove up to the 7th Street address, the messenger became suspicious and refused to get out of his car. One of the two men who were riding with him asked for his money back. The messenger, not knowing which handkerchief contained his money, gave them both to the man, who gave him one back.

As the two men faded into the darkness the messenger unwrapped the handkerchief and found it contained only bits of newspaper.

At 11:30 a 23-year-old man was walking down the 1400 block of 15th Street NW, when he saw two policemen following him in a squad car. The man, who was carrying three overcoats, began to walk a little faster.

"I bought them from a street hustler," he told the officers when they stopped him. He was arrested for possessing stolen goods.

At midnight a cab driver cruising in the 700 block of Kenilworth Avenue NE was forced out of his cab at gunpoint by two young men and marched into a nearby vacant lot where they searched him as he leaned against the fence.

After they took the driver's money, they asked him to remove his watch and his rings. "I thought I might be able to save my jewelry so I slipped them off and threw them over the fence into some grass," he said later.

One gunman became enraged. "You're a smart ——— to do that! Go on. Start running," the driver said the gunman shouted at him.

As the driver backed away from the gunman, still facing him, the man leveled his gun at the driver and fired from a distance of 10 feet. The bullet missed.

The driver sprinted for his cab and drove away.

And December 18 was over.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. CURTIS. Mr. President, I rise to say a few words concerning the work of the Committee on Government Operations. It is with some regret that I leave that committee, after having served on it a number of years. I shall miss the members of that committee. I particularly want to pay tribute to the distinguished chairman, who has served our Republic so well, and for the long hours and weeks and months he has spent guiding the Committee on Government Operations.

One of the reasons why I am prompted to say something about this committee is that, apparently from ignorance, certain members of the press have written to the effect that this is a committee of little importance or consequence, or at least they have so inferred.

I call attention, Mr. President, to the rules of the Senate, and to the wide jurisdiction that the Senate has given to the Committee on Government Operations, in providing that it shall have jurisdiction to the following matters:

> (A) Budget and accounting measures, other than appropriations.
>
> (B) Reorganizations in the executive branch of the Government.
>
> (2) Such committee shall have the duty of—
>
> (A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;
>
> (B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

Mr. President, where else is there a committee with jurisdiction over Government activities at all levels? I read on concerning the powers of that committee:

> (C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

And finally:

> (D) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

Mr. President, the Committee on Government Operations is the one committee that has jurisdiction over all matters pertaining to the Federal Government. Without any fear of having its jurisdiction challenged, the Committee on Government Operations could proceed to look into matters relating to any agency of government, dealing with any function of government, that exists in our Federal setup.

But, Mr. President, the facts speak for themselves. The distinguished chairman of that committee, the Senator from Arkansas (Mr. McCLELLAN), has conducted some of the most important investigations that either branch of Congress has undertaken in the last quarter of a century. There is no way to evaluate the good that has come from the various studies and investigations conducted by the McClellan committee. There is no way to evaluate or tabulate the restraining effect of the studies and investigations carried on by that committee, or by the mere fact that they were there, with an able, dedicated, and hardworking staff, and that they might conduct an investigation. The very existence of a committee organized as has Chairman McCLELLAN organized this committee, with the staff recruited by him, is a great force for good government. It is a great force for honesty in government, and for government responsive to the people.

I shall not take time to enumerate all the members of that committee, but in addition to paying my respects to the very unselfish, patriotic, and painstaking work over months and years of Chairman JOHN McCLELLAN, I wish to say that the two ranking members likewise are deserving of great praise, and deserve the gratitude of the people of this Republic. I refer to the distinguished Senator from Washington (Mr. JACKSON), the ranking majority member, and the distinguished Senator from South Dakota (Mr. MUNDT), the ranking minority member.

This committee perhaps holds more hours of meetings in most calendar years than any other. It has one of the largest staffs. It is a working staff. Whenever Senator McCLELLAN has appeared before the Committee on Rules and Administration with a request for expense money to carry out a task, it has been readily approved, and approved by the Senate at large as well, because of the high reputation the chairman of that committee has established, and because of the quality of the staff he has assembled.

This staff, as I say, has been a working staff. It has not been a place where there have been lawyers of staff quarreling with each other over power or position or jurisdiction, but it has been a well-organized working staff.

So I deem it a privilege to take a few moments on the floor of the Senate this afternoon to comment on the role of that great committee, the Committee on Government Operations, in the cause of good government, and in paying my respects and expressing my gratitude to its excellent leader, that very fine, dedicated patriot, Chairman JOHN McCLELLAN, of Arkansas.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR THE SECRETARY OF THE SENATE TO RECEIVE AND REFER MESSAGES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the conclusion of the business of the Senate on Friday, the Secretary of the Senate be authorized to receive and refer messages from the President of the United States and the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SENATORS TO INTRODUCE BILLS AND SUBMIT RESOLUTIONS, AND TO HAVE STATEMENTS PRINTED IN THE RECORD

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Senators may introduce bills and submit resolutions and may have statements printed in the RECORD today.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Proposed Grade of General for the Assistant Commandant of the Marine Corps

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide the grade of general for the Assistant Commandant of the Marine Corps so long as such office is held by the present incumbent (with accompanying papers); to the Committee on Armed Services.

Report of the Commission on Marine Science, Engineering, and Resources

A letter from the Chairman, Commission on Marine Science, Engineering, and Resources, Washington, D.C., transmitting, pursuant to law, a report of that Commission (with an accompanying report); to the Committee on Commerce.

Proposed Repeal of Public Law 88–515

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to repeal Public Law 88–515 (with an accompanying paper); to the Committee on Commerce.

Report on Coverage of Drugs Under Medicare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on coverage of drugs under medicare, dated December 31, 1968 (with an accompanying report); to the Committee on Finance.

Report on Quality and Cost Standards for Drugs

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on quality and cost standards for drugs, dated January 10, 1969 (with an accompanying report); to the Committee on Finance.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. PASTORE. Mr. President, as in executive session, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard, and the Environmental Science Services Administration. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

James H. Swint, and sundry other officers, for promotion in the Coast Guard;

Carl W. Selin, and John D. Crowley, of the permanent commissioned teaching staff of the Coast Guard Academy, to be professors in the grade of captain;

Ronald A. Wells, of the permanent commissioned teaching staff of the Coast Guard Academy, to be an associate professor in the grade of commander;

David A. Sandell, of the permanent commissioned teaching staff of the Coast Guard Academy, to be an instructor in the grade of lieutenant commander;

William L. Broadwell, band director of the Coast Guard, for promotion to the grade of lieutenant commander;

Ronald G. Shays, and sundry other Reserve officers, to be permanent commissioned officers of the Coast Guard;

Richard B. Wise, and sundry other officers, for promotion in the Coast Guard;

William F. Merlin, and sundry other Reserve officers, for promotion in the Coast Guard; and

Donald R. Tibbit, and sundry other persons, for permanent appointment in the Environmental Science Services Administration.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of nominations was submitted:

By Mr. McGEE, from the Committee on Post Office and Civil Service:

One hundred and sixty-eight postmaster nominations.

BILLS INTRODUCED

On Wednesday, January 15, 1969, bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of Delaware:

S. 120. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

S. 121. A bill relating to the recognition of Vincent J. Burnelli for his contributions to the growth of aeronautical science and technology in the United States; to the Committee on Aeronautical and Space Sciences.

S. 122. A bill for the relief of Julia Insausti;

S. 123. A bill for the relief of David Chin (Hing Yuey Chin or Leung Hing Yuey);

S. 124. A bill for the relief of Muk Wing Lai; and

S. 125. A bill for the relief of Le-Thi Thanh Thuy and her minor child, Le Thanh Hiep; to the Committee on the Judiciary.

S. 126. A bill to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness; to the Committee on Interior and Insular Affairs.

S. 127. A bill for the relief of Dr. Jose Carlos Suarez-Diaz;

S. 128. A bill for the relief of Dr. Jacinto Felix de la Presilla-Elias;

S. 129. A bill for the relief of Dr. Jorge P. Garcia;

S. 130. A bill for the relief of Dr. Carlos M. Perez-Abreu;

S. 131. A bill for the relief of Dr. Eduardo Fernandez-Dominguez; and

S. 132. A bill for the relief of Dr. Jose Ramon Fernandez-Gonzales; to the Committee on the Judiciary.

S. 133. A bill to authorize the vessel *Orion* to engage in the coastwise trade; to the Committee on Commerce.

S. 134. A bill for the relief of Col. Richard E. Tiede, U.S. Air Force; to the Committee on the Judiciary.

S. 135. A bill to provide for the conveyance under certain conditions of the phosphate rights in certain lands in the State of Florida;

S. 136. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands;

S. 137. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

S. 138. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owner or owners of such lands; and

S. 139. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands; to the Committee on Interior and Insular Affairs.

S. 140. A bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving carriers by air; to the Committee on Labor and Public Welfare.

S. 141. A bill to amend chapter 3 of title 18, United States Code, to prohibit the importation into the United States of certain noxious aquatic plants; to the Committee on the Judiciary.

S. 142. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Labor and Public Welfare.

S. 143. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; and

S. 144. A bill to amend the Internal Revenue Code of 1954 to provide a form of averaging for recovery of amounts received as damages for injury to crops through pollution of air, water, or soil; to the Committee on Finance.

S. 145. A bill to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend to imported tangerines the restrictions imposed by such section on certain other imported commodities; to the Committee on Agriculture and Forestry.

S. 146. A bill to provide for orderly trade in fresh fruits and vegetables, and for other purposes; to the Committee on Finance.

S. 147. A bill for the relief of Dr. Miguel A. Gomez;

S. 148. A bill for the relief of Dr. Juan Alfredo Milera;

S. 149. A bill for the relief of Dr. Miguel Angel Garcia Plasencia;

S. 150. A bill for the relief of Dr. Orlando Fajardo Vargas;

S. 151. A bill for the relief of Dr. Fermin Ferro;

S. 152. A bill for the relief of Dr. Joaquin Juan Valentin Fernandez;

S. 153. A bill for the relief of Dr. Carlos Jesus Aguilar Lima;

S. 154. A bill for the relief of Dr. Joaquin Francisco Palmerola Cabrera;

S. 155. A bill for the relief of Dr. Jose Ramon Portela y Margolles;

S. 156. A bill for the relief of Dr. Aurelio Julian Andres Jimenez Cortina; and

S. 157. A bill for the relief of Dr. Martiniano L. Orta; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 158. A bill for the relief of Jose Luis Pombo Martinez;

S. 159. A bill for the relief of Ling (Josephine) Chu (Sister Josetta Marie);

S. 160. A bill for the relief of Dr. Leslie Frank Smith; and

S. 161. A bill for the relief of Elena Aguilera de Gutierrez; to the Committee on the Judiciary.

S. 162. A bill to permit the State of New Mexico to revise its agreement, entered into under section 218 of the Social Security Act, so as to extend social security coverage to certain hospital employees in such States; to the Committee on Finance.

(See the remarks of Mr. MONTOYA when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself, Mr. FANNIN, Mr. RANDOLPH, and Mr. TALMADGE):

S. 163. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MONTOYA when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 164. A bill to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absarka Wilderness, Shoshone National Forest, in the State of Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DODD:

S. 165. A bill for the relief of Basil Rowland Duncan;

S. 166. A bill for the relief of Trapaphan P. Narkthong;

S. 167. A bill for the relief of Cesarina Martini Merlonghi;

S. 168. A bill for the relief of Angelina Bruno;

S. 169. A bill for the relief of Peter Boros; and

S. 170. A bill for the relief of Yuen Wai Hong; to the Committee on the Judiciary.

By Mr. NELSON:

S. 171. A bill to provide for the relief of the trustee of the bondholders of the Bankers Joint Stock Land Bank of Milwaukee, Wis.;

S. 172. A bill for the relief of Dr. Inocencio B. Cabatbat;

S. 173. A bill for the relief of Dr. Sin-Pui Chak;

S. 174. A bill for the relief of Andreas Nikolaos Kanaloupitis;

S. 175. A bill for the relief of Thomas Ballesta Dominguez and Maria Pilar Roman Ballesta;

S. 176. A bill for the relief of Nunzio Germanotta;

S. 177. A bill for the relief of Mr. Man Ok Kim and Mrs. Ok Kyung Rhee Kim;

S. 178. A bill for the relief of Theodora Kontoulis;

S. 179. A bill for the relief of Haralabia Kostopoulou;

S. 180. A bill for the relief of Adoracion S. Nitro;

S. 181. A bill for the relief of Toenggoel P. Siagian;

S. 182. A bill for the relief of Lucille P. Steele; and

S. 183. A bill for the relief of Narciso Valentinelli; to the Committee on the Judiciary.

S. 184. A bill for the relief of Anthony Smilko; to the Committee on Post Office and Civil Service.

By Mr. MONDALE:

S. 185. A bill for the relief of Branko Colakovic;

S. 186. A bill for the relief of Dr. Hagop S. Mekhjian;

S. 187. A bill for the relief of Mrs. Margareta Marianne Hilbert Fox, Sharon Dianne

Fox, David Norman Fox, Donald Wayne Fox, and Shirley Ann Fox;

S. 188. A bill for the relief of Mrs. Margarita Gutierrez de Cespedes;

S. 189. A bill for the relief of Georgia Papademetriou;

S. 190. A bill for the relief of Theodore Atsidakos, his wife Helen, and two children, Mary and Erethilia;

S. 191. A bill for the relief of Alfred Harrison, his wife, Ingrid Gertrude, and daughter, Kirsten Viola;

S. 192. A bill for the relief of Dr. Madhusadan L. Kakade;

S. 193. A bill for the relief of Dr. and Mrs. Manuel S. Lina;

S. 194. A bill for the relief of Nelson A. Paguyo, M.D., and Ester R. Paguyo, his wife;

S. 195. A bill for the relief of Martha Lidia Ramos;

S. 196. A bill for the relief of Dr. Emmanuel G. Balcos, Ophelia Gloria Balcos, his wife;

S. 197. A bill for the relief of Dr. Beningno Buentipo, Jr., and Mrs. Lita Buentipo, his wife, and Cherilyn Ann, Melissa Beth, Gina Myra, his children;

S. 198. A bill for the relief of Anna Gambino;

S. 199. A bill for the relief of Frank Ariss and Mrs. Ariss, Charlotte, daughter, and Crispin, son;

S. 200. A bill for the relief of Dr. Soon Duk Koh; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 201. A bill to make Indian reservations eligible for assistance under section 117 of the Housing Act of 1949; to the Committee on Banking and Currency.

S. 202. A bill to provide that the United States disclaims any interest in a certain tract of land;

S. 203. A bill to amend the Act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project;

S. 204. A bill to amend the Indian Long-Term Leasing Act; and

S. 205. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; to the Committee on Interior and Insular Affairs.

S. 206. A bill to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, New Mex., in furtherance of the purposes of the migratory bird treaties with Canada and Mexico; to the Committee on Commerce.

S. 207. A bill to amend the Enabling Act of the State of New Mexico with respect to miners' hospitals for disabled miners; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Anderson when he introduced the first above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself and Mr. Fulbright):

S. 208. A bill to authorize the Smithsonian Institution to acquire lands for a museum park, and for other purposes; to the Committee on Rules and Administration.

By Mr. ANDERSON (for himself, Mr. Fulbright, and Mr. Scott):

S. 209. A bill to amend the Act of August 22, 1949 (63 Stat. 623), so as to authorize the Board of Regents of the Smithsonian Institution to plan and construct museum support and depository facilities; to the Committee on Rules and Administration.

By Mr. ANDERSON (for himself and Mr. Montoya):

S. 210. A bill to declare that certain federally owned lands are held by the United States in trust for the Indians of the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

S. 211. A bill to amend title II of the act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes," approved April 11, 1968; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. Aiken):

S. 212. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. YOUNG of North Dakota:

S. 213. A bill for the relief of Oi Soon Kim Sandness;

S. 214. A bill for the relief of Mariann Rugh Bjerregaard;

S. 215. A bill for the relief of Yu Ming Hon;

S. 216. A bill for the relief of Maximo Tang-Sie;

S. 217. A bill for the relief of Dr. Conrado D. Doce and his wife, Nellie G. Doce;

S. 218. A bill for the relief of Dr. Amado G. Chanco, his wife, Ruby Chanco, and his daughter, Arlene Chanco;

S. 219. A bill for the relief of Dr. Antonio S. Mimay;

S. 220. A bill for the relief of Basin Janavaras;

S. 221. A bill for the relief of Dr. Nereo A. Lizardo; and

S. 222. A bill for the relief of Dr. Vicente Sievert Verzosa, and his wife, Liny A. Verzosa; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 223. A bill to provide for the construction of a certain memorial along the route of the Lewis and Clark Expedition in North Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 224. A bill to amend the Immigration and Nationality Act, as amended, to permit the free entry of citizens of the Trust Territory of the Pacific Islands into the United States; to the Committee on the Judiciary.

S. 225. A bill to donate to the Devils Lake Sioux Tribe, Fort Totten Reservation, some submarginal lands of the United States, and to make such lands part of the reservation involved; to the Committee on Interior and Insular Affairs.

S. 226. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Labor and Public Welfare.

S. 227. A bill to provide for loans to Indian tribes and tribal corporations, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 228. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer (or fisherman) shall have until March 15, instead of only until February 15 as at present, to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Finance.

S. 229. A bill to provide for a highway bridge across the Missouri River between Bismarck, N. Dak., and Mobridge, S. Dak.; to the Committee on Public Works.

S. 230. A bill to provide for a connecting road between three units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

S. 231. A bill to provide for a highway bridge across the Little Missouri River at Garrison Reservoir; to the Committee on Public Works.

By Mr. BURDICK (for himself, Mr. Metcalf, and Mr. Moss):

S. 232. A bill to promote the economic development of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK (for himself and Mr. Young of North Dakota):

S. 233. A bill to increase the authorization for the appropriation of funds to complete the International Peace Garden, N. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

S. 234. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Pollock-Herreid unit, Missouri River Basin project, South Dakota, and for other purposes; and

S. 235. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mitchell unit, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 236. A bill to provide a special export wheat payment to farmers for a portion of crops of wheat and to provide that price support for corn, beginning with the 1969 crop, shall be at a national average rate of not less than 90 per centum of parity, and for other purposes; to the Committee on Agriculture and Forestry.

S. 237. A bill to declare a national policy on conservation development, and utilization of natural resources, and maintenance of the quality of the environment, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 238. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Finance.

S. 239. A bill to develop business and employment opportunities in smaller cities and areas of unemployment and underemployment by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on Government Operations.

S. 240. A bill for the relief of Ernesto Och;

S. 241. A bill for the relief of Alvin D. Veloso;

S. 242. A bill for the relief of Dr. Jose C. Michieli;

S. 243. A bill for the relief of Panayouta Koutroumanou;

S. 244. A bill for the relief of Christina Bangcawayan;

S. 245. A bill for the relief of Blandina Salvador;

S. 246. A bill for the relief of Michael Tziotis;

S. 247. A bill for the relief of Chan Hon Fan, Li Tinc Chau, Cheune Ying, Cheuk Kinc Ching, Tso Po Kwun, Tsang Hing, Yeh Yo Tsuan, Yiu Ip Chan; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself and Mr. Burdick):

S. 248. A bill to establish the Great Prairie Lakes National Recreation Area in the States of South Dakota, North Dakota, and Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN (for himself, Mr. Young of North Dakota, and Mr. Burdick):

S. 249. A bill to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton, and flaxseed; to the Committee on Agriculture and Forestry.

By Mr. PEARSON:

S. 250. A bill for the relief of Young Sup Chung and his wife, In Hi K. Chung;

S. 251. A bill for the relief of Maria Lourdes Sunga Garcia;

S. 252. A bill for the relief of Ralph F. Germann;

S. 253. A bill for the relief of Dr. Eduardo Campuzano;

S. 254. A bill for the relief of Sugwon Kang; and

S. 255. A bill for the relief of Wander de C. Braga; to the Committee on the Judiciary.

By Mr. MOSS:

S. 256. A bill to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren;

S. 257. A bill for the relief of Ann Maria Y. Uy;

S. 258. A bill for the relief of Chung York Wong;

S. 259. A bill for the relief of Juan Miguel Apezteguia;

S. 260. A bill for the relief of Demetre John Demertzis, Vasilike Demertzis, John Demertzis, and Efstathios Demertzis;

S. 261. A bill for the relief of Joseph H. Lym; doing business as Lym Engineering Co.; and

S. 262. A bill for the relief of Joseph H. Lym, doing business as Lym Engineering Co.; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 263. A bill for the relief of the H. and H. Manufacturing Company, Inc.;

S. 264. A bill for the relief of Bee Ling Ang;

S. 265. A bill for the relief of John (Giovanni) Denaro;

S. 266. A bill for the relief of the O'Brien Dieselectric Corp.; and

S. 267. A bill for the relief of L.t Col. Samuel J. Cole, U.S. Army, retired; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey (for himself and Mr. Kennedy):

S. 268. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced today, Thursday, January 16, 1969, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. Dominick, and Mr. Murphy):

S. 269. A bill to amend the Public Health Service Act to provide for the making of guaranteed loans for the modernization of hospitals and other health facilities and otherwise to facilitate the modernization and improvement of hospitals and other health facilities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. EAGLETON:

S. 270. A bill for the relief of Dr. Chandrasekarapuram Naraynan; his wife, Yamuna Narayanan; and their three children, Manoj Narayanan, Vinodh Narayanan, and Pramilla Narayanan; and

S. 271. A bill for the relief of Dr. George Antonatos; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 272. A bill for the relief of Teh-wei Hu and his wife, Tien-hwa Hu;

S. 273. A bill for the relief of Efraim Turban and his wife, Rachel Turban; and

S. 274. A bill for the relief of Ilsa Copcutt, and her three children, Matthew Copcutt, Victoria Jane Copcutt, and Oliver Copcutt; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 275. A bill for the relief of the village of Orleans, Vt.; and

S. 276. A bill for the relief of Massoud Philip Sissi; to the Committee on the Judiciary.

By Mr. PROUTY (for himself and Mr. Aiken):

S. 277. A bill to provide for the establishment of a national cemetery in the State of Vermont; to the Committee on Interior and Insualr Affairs.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for himself, Mr. Aiken, Mr. Cotton, and Mr. McIntyre):

S. 278. A bill to consent to the New Hampshire-Vermont interstate school compact; to the Committee on the Judiciary.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY (for himself and Mr. Mondale):

S. 279. A bill to amend section 301 of the Manpower Development and Training Act of 1962 as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 280. A bill for the relief of Olav Nomeland; to the Committee on the Judiciary.

By Mr. BOGGS:

S. 281. A bill for the relief of Dr. Chong Hyok Un; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 282. A bill for the relief of Natividad Erarum (Erareen) Remaldura;

S. 283. A bill for the relief of John Yun Chang Chen; and

S. 284. A bill for the relief of Rodric Stewart Pence (James Joo); to the Committee on the Judiciary.

By Mr. BIBLE:

S. 285. A bill for the relief of Jafar Shoja;

S. 286. A bill for the relief of Maria Dina Giuriani; and

S. 287. A bill for the relief of Yung Ju Lee and In Pyung Lee; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 288. A bill to amend section 3146 of title 18, United States Code, in order to provide greater discretion to judicial officers in connection with the release of certain individuals charged with non-capital offenses when their release would pose a danger to other persons or to a community; and

S. 289. A bill to amend section 3148(1) of title 18, United States Code, in order to authorize the denial of bail to certain individuals who are charged with crimes of violence and who have previously been convicted of similar crimes; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 290. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; and

S. 291. A bill to amend title II of the Social Security Act so as to provide for an increase in the benefits payable thereunder; to the Committee on Finance.

By Mr. BYRD of West Virginia (by request):

S. 292. A bill to authorize a study for a waterway connecting the Kanawha River, W. Va., and the James River, Va., and for other purposes; to the Committee on Public Works.

By Mr. RIBICOFF (for himself, Mr. Pearson, and Mr. Spong):

S. 293. A bill to be cited as the "Executive Reorganization and Management Act of 1969"; to the Committee on Government Operations.

By Mr. HRUSKA:

S. 294. A bill for the relief of Jose Joaquim Bulhoes; and

S. 295. A bill for the relief of David Guissin, his wife, Estair Guissin, and their children, Avraham, Gitel Gila, and Ariella Guissin; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 296. A bill to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. McIntyre when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 297. A bill for the relief of Louis Winokur;

S. 298. A bill for the relief of Nick Norbert Reis;

S. 299. A bill for the relief of Miss Marie Arcache and Miss Verdun Arcache;

S. 300. A bill for the relief of George B. Cabot;

S. 301. A bill for the relief of Sein Lin;

S. 302. A bill for the relief of Stavros (Steve) Christoforakis; and

S. 303. A bill for the relief of Osvaldo Soldati and his wife, Anna Maria Soldati; to the Committee on the Judiciary.

By Mr. MOSS:

S. 304. A bill to amend the Agricultural Marketing Agreement Act of 1937, as amended, in order to make marketing orders applicable to apples produced in the State of Utah; to the Committee on Agriculture and Forestry.

S. 305. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes; to the Committee on Agriculture and Forestry.

S. 306. A bill to provide for the establishment and administration of the Canyon Country National Parkway in the State of Utah, and for other purposes;

S. 307. A bill to amend the Colorado River Storage Project Act in order to remove the prohibition against constructing dams or reservoirs authorized in such Act within national parks or monuments; and

S. 308. A bill to authorize the Secretary of the Interior to conduct, in cooperation with the States and interested Federal agencies, a development survey of the recreational resources of the golden circle of national parks and monuments and associated science, recreation, and Indian areas in the States of Arizona, Colorado, New Mexico, and Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH (by request):

S. 309. A bill to provide for improved employee-management relations in the Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 310. A bill for the relief of Mr. and Mrs. Ray L. Walters; and

S. 311. A bill for the relief of James Glen Ramsay; to the Committee on the Judiciary.

By Mr. TOWER:

S. 312. A bill to amend section 427(b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control; to the Committee on Armed Services.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 313. A bill for the relief of Avelina Ong Patascil;

S. 314. A bill for the relief of Alferdo Moraldo;

S. 315. A bill for the relief of Clarence H. Machart;

S. 316. A bill for the relief of Basile Christopoulos;

S. 317. A bill for the relief of Margaret Deme and her daughters, Clara Deme and Susie Deme;

S. 318. A bill for the relief of Cedomir Capie;

S. 319. A bill for the relief of Liliana Grasseschi Baroni;

S. 320. A bill for the relief of Ebony V. Herza; and

S. 321. A bill for the relief of Gregoris (Gregory) Andreas Gountanis; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 322. A bill for the relief of Suat Sapic, wife Neylan Sapaci and daughter Bugra; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 323. A bill for the relief of Georgia Kouvela; to the Committee on the Judiciary.

By Mr. SPONG:

S. 324. A bill to authorize the government of the District of Columbia to convey interests in certain property owned by the District of Columbia in Prince William County, Va., and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Spong when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 325. A bill for the relief of Dr. Ismail Mohammad Jassim, his wife, Dr. Cecile Ibrahim Jassim, and their daughter, Sana R. Jassim; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia (by request):

S. 326. A bill for the relief of Dr. Chong Ho Park and In Whau Park; to the Committee on the Judiciary.

By Mr. FANNIN:

S. 327. A bill relating to the commission of a crime of violence in the District of Columbia when armed with any firearm or other dangerous or deadly weapon; to the Committee on the District of Columbia.

(See the remarks of Mr. Fannin when he introduced the above bill, which appears under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 328. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. TALMADGE:

S. 329. A bill for the relief of Dr. Paolo (Paul) Genoese Zerbi; and

S. 330. A bill for the relief of Dr. Konstantinos Nicholaos Babaliaros; to the Committee on the Judiciary.

S. 331. A bill to allow a credit against income tax, or a deduction from gross income as the taxpayer may elect, for certain political contributions made by individuals; to the Committee on Finance.

By Mr. TALMADGE (for himself, Mr. Holland, and Mr. Hollings):

S. 332. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State Departments of Agriculture; to the Committee on Post Office and Civil Service.

By Mr. EASTLAND:

S. 333. A bill for the relief of Greene County, Miss.; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 334. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 335. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. Fulbright, Mr. Nelson, Mr. Williams of New Jersey, Mr. McIntyre, Mr. Mondale, Mr. Bennett, and Mr. Hatfield):

S. 336. A bill to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding $500,000 in aggregate amount, from the provisions of such Act; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Spong):

S. 337. A bill to establish a public parking authority in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 338. A bill to amend section 1677 of title 38, United States Code, relating to flight training, and to amend section 1682 of such title to increase the rates of educational assistance allowance paid to veterans under such sections; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough, when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 339. A bill to amend section 416 of the Agricultural Act of 1949, as amended, in order to require the Commodity Credit Corporation to distribute food commodities to needy persons under such section, and for other purposes; to the Committee on Agriculture and Forestry.

S. 340. A bill to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, New Mexico in furtherance of the purposes of the migratory bird treaties with Canada and Mexico; to the Committee on Commerce.

S. 341. A bill to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for twenty or more years; and

S. 342. A bill to authorize the payment of a pension to veterans of the Cuban Pacification Campaign and to the widows and children of such veterans, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under separate headings.)

By Mr. MONTOYA (for himself and Mr. Yarborough):

S. 343. A bill to provide that the highway known as United States Highway Numbered 70 between Las Cruces, N. Mex., and Amarillo, Tex., shall be designated as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 344. A bill to impose annual quotas on the quantity of potassium chloride or muriate of potash which may be imported into the United States; to the Committee on Finance.

S. 345. A bill to amend title 38 of the United States Code in order to eliminate the six-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities; to the Committee on Labor and Public Welfare.

S. 346. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. Montoya when he introduced the above bills, which appear under a separate heading.)

By Mr. BROOKE:

S. 347. A bill for the relief of Manuel Soares De Medeiros;

S. 348. A bill for the relief of Cheng-huai Li;

S. 349. A bill for the relief of Johanna Wingelaar;

S. 350. A bill for the relief of Agnese Modano;

S. 351. A bill for the relief of Christine Leune Hadow;

S. 352. A bill for the relief of Louis Gilbert Longsworth Tench;

S. 353. A bill for the relief of Ti-Ke Shen; and

S. 354. A bill for the relief of Foo Ying Yee; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 355. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 356. A bill to amend title 38 of the United States Code to provide increased dependency and indemnity compensation to widows in need of regular aid and attendance of another person;

S. 357. A bill to amend title 38, United States Code, to increase the statutory rates for anatomical loss or loss of use; and

S. 358. A bill to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to certain survivors of deceased veterans who were rated 100 per centum disabled by reason of service-connected disabilities for 20 or more years; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bills which appear under a separate heading.)

By Mr. GRIFFIN:

S.J. Res. 15. Joint resolution to create a joint congressional committee to review, and recommend revisions in, the laws relating to industrywide collective bargaining and industrywide strikes and lockouts; to the Committee on Labor and Public Welfare.

By Mr. BYRD of West Virginia:

S.J. Res. 16. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. NELSON:

S.J. Res. 17. Joint resolution to establish a temporary Commission on Nominations for President and Vice President; to the Committee on Rules and Administration.

(See the remarks of Mr. Nelson when he introduced the above joint resolution, which appear under a separate heading.)

S. 162—AMENDMENT TO EXTEND SOCIAL SECURITY COVERAGE TO CERTAIN HOSPITAL EMPLOYEES IN NEW MEXICO

Mr. MONTOYA. Mr. President, I introduce a bill that would extend essential social security coverage to the employees of the Socorro County General Hospital in New Mexico.

This coverage problem arose out of a very unusual set of circumstances which involved a misunderstanding within the State as to whether the employees of the hospital were under the New Mexico Public Employees Retirement Association.

When it became clear that the employees were under the State system, the management of the hospital took action to remove the employees from the system with the expectation of then obtaining the social security coverage which the employees desired. However, the fact that the positions of the employees were under the State system for a period of time presented a serious obstacle to obtaining social security coverage because of provisions in the Social Security Act that are designed to prevent the replacement of coverage under a State or local retirement system by social security coverage.

Since coverage of the Socorro Hospital employees is not therefore feasible under present law, I have explored with the Social Security Administration possibilities for securing such coverage for them. This legislation was drafted with the assistance of the Social Security Administration, and is of course noncontroversial. It is identical to S. 3666 I introduced last year.

It appears that this amendment is the best avenue of approach for making coverage available in this case. It would make only a very limited change in the law and would be applicable only to New Mexico. It would not become a part of the Social Security Act but would permit the State of New Mexico at any time before the end of 1970 to modify its coverage agreement with the Secretary of HEW to provide coverage for employees of Socorro Hospital. While the language is in general terms, it is believed that Socorro Hospital is the only hospital in New Mexico to which the language would apply.

It should be added here that an attempt was made to develop a bill which would make coverage available not only to employees of this particular hospital, but which would also apply to all States. Certainly, this would have resulted in a more preferable measure, but unfortunately difficulties were encountered in developing a suitable general approach.

Accordingly, in light of the desirability of filling such gaps in social security protection for workers not now protected under that system when they die, become disabled, or reach retirement age, I urge speedy enactment of this legislation to accomplish this purpose.

Mr. President, I ask unanimous consent that the measure I introduce today be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 162) to permit the State of New Mexico to revise its agreement, entered into under section 218 of the Social Security Act, so as to extend social security coverage to certain hospital employees in such State introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provisions of section 218 of the Social Security Act, the agreement with the State of New Mexico heretofore entered into pursuant to such section may at the option of such State be modified at any time prior to January 1, 1970, so as to apply to the services of employees of a hospital which is an integral part of a political subdivision to which an agreement under this section has not been made applicable, as a separate coverage group within the meaning of section 218(b)(5) of such Act, but only if such hospital has prior to 1966 withdrawn from a retirement system which had been applicable to the employees of such hospital.

S. 163—INTRODUCTION OF LEGISLATION TO LIMIT IMPORTS OF EXTRA-LONG-STAPLE COTTON

Mr. MONTOYA. Mr. President, last session of Congress, President Johnson unfortunately vetoed the one measure which should never have met that fate. I speak of H.R. 10915—and its Senate companion measure, S. 1975—a bill to bring about a sensible ratio between the tremendous volume of imports of extra-long-staple cotton and the greatly reduced acreage which our own domestic farmers are permitted to grow.

I now reintroduce for myself and Senator Fannin, Senator Randolph, and Senator Talmadge, a measure designed to bring about the required adjustments with a plea not only to my colleagues in Congress for prompt consideration of this measure, but also with a plea to the administrative branch to think about our own domestic farmers first before we look to farmers overseas—particularly to farmers in a foreign country which has broken diplomatic relations with the United States.

Permit me to recap for you, if I may, Mr. President, the principal provisions of this measure, the need for this bill, as well as to recall the action taken with respect to its predecessor, S. 1975, last session before succumbing to a tragic death. I think it is important for us to reevaluate what has happened and to ask ourselves if this is really a responsive Government which is willing to administer to the needs of its own citizens, or a Government so anxious to lend a helping hand to foreign nations—particularly hostile nations—that it ignores our own needs at home.

I would underscore at the beginning, Mr. President, that the supporters of this measure are not asking for special consideration for the farmers of this Nation—although special consideration, under the circumstances, should be given as a matter of course. We are simply asking that American farmers receive at least the same consideration that we are giving to farmers in such hostile countries as Egypt. It is impossible to understand why our policymakers would base their decisions on pleas by the Department of State in support of our enemies while turning a deaf ear to the pleas of those of us who only ask that we take care of our own citizens first.

Mr. President, this bill which we are reintroducing today would accomplish the following purposes:

First. Prohibit the importation of extra-long-staple cotton from any country severing diplomatic relations with the United States for the period beginning with the import quota year following severance of diplomatic relations and continuing through 2 import quota years after diplomatic relations are resumed;

Second. Reduce the global import quota on extra-long-staple cotton for the same period by average annual amount received from any such country during the 5 quota years immediately preceding the quota year in which severance of diplomatic relations occurs; and

Third. Increase domestic marketing quota by amount of reduction in global import quota.

Mr. President, the text of the bill is identical to the text of S. 1975 as passed unanimously by the Senate on July 22, 1968. The House companion bill, H.R. 10915, had been adopted by the House on October 30, 1967, by an overwhelming margin of 274 to 64. Both the House bill and the Senate bill were the subject of extensive hearings. In fact, the Senate bill, you will recall, was the subject of hearings by the Senate Agriculture and Forestry Committee and, subsequently, by the Senate Foreign Relations Committee. The merits of the bill as well as its shortcomings were extensively discussed and debated. And when the debate was over, both bodies of this Congress overwhelmingly adopted the proposal.

Yet, the White House, listening to feeble pleas from the Department of State, pocket-vetoed the bill while Congress was in recess for the National Conventions. I shall not take the time to comment at this time on my feelings regarding the manner in which this was done nor my own private appraisal at that time. Suffice it to say that the action was uncalled for, unjustified, and unforgivable. I hold the Department of State responsible.

Mr. President, those of us who have been pushing for this measure have done so out of a deep feeling that legislative action was necessary since administrative remedies—although available—were not forthcoming. In recent years, we have witnessed the reduction of acreage allocated to growing of extra-long staple cotton in this country from 150,000 acres in 1963 to 70,000 acres in 1967. Yet, during the same period, our imports have fluctuated between 80,000 and 87,000 bales per year. If the supply was such that we had to curtail domestic production so drastically, why were not imports likewise curtailed? If the situation was such that we could continue to allow imports at the same high level, why were we not able to permit domestic production to continue at the same level of 150,000 acres per year?

To put it simply, Mr. President, we have now reduced domestic allotments to such a degree while yet allowing imports to remain at the same high level, that the amount imported equals the amount that is being produced at home. Unbelievable! Yet it is happening. This is happening in spite of the fact that our domestic farmers are ready, willing, and able to produce all that we need. And, contrary to some arguments, they are able to produce as good or better quality of extra-long-staple cotton at the same or lower prices than that which we are importing. It simply does not make sense and I pledge myself to try and remedy the situation.

It even becomes less justifiable when one stops to realize that most of the imports have been coming in from Egypt. They have been coming in from a country whose actions against the United States defies descriptions. From a country which has in effect told the United States to go to Hades. Our domestic farmers, Mr. President, have to come hat in hand to their own Government and beg to be given fair consideration while farmers from enemy countries need only beckon the U.S. State Department and their wishes come true.

Let me emphasize here a particular provision of the bill which the Department of State continues to ignore in their opposition to this legislation—a provision which I opposed when it was offered as an amendment but which I reluctantly accept. The bill as passed last year and as introduced today, provides that any country whose quota has been denied under this bill, may have that quota reinstated after they have resumed their diplomatic relations with this country.

The main argument of the State Department has been that this legislation in some way would inhibit their attempts to seek to resume diplomatic relations with the countries affected. I said then and I say it again, if we really want to resume diplomatic relations with these particular countries this bill will strengthen the hands of our State Department officials. The legislation in effect says to them, if you really value your trade with us, resume your diplomatic relations and your quota of extra-long staple cotton can be restored. If they really place such a value on their supplying of extra-long staple cotton to the United States, they should be more than willing to take full advantage of it by resuming diplomatic relations with us.

I think it significant to point out, Mr. President, as I did on the Senate floor last session, that the Egyptian Government made it quite clear last year that they would not really be affected to any degree by this legislation. The amount they are importing into the United States is a very minute percentage of their total production. The Egyptian Government was quoted by the Washington Post as thus stating they would not be affected by this legislation to any degree.

So the matter becomes even more confusing. First the opponents of this measure argue that it would ruffle the feathers of our enemies and harm their economies, forgetting about the harm which we have already rendered to our own domestic producers and the "feathers" we have ruffled at home. They also argue that the legislation in some way is going to interfere with our efforts to resume diplomatic relations with these countries, conveniently ignoring the very language of the bill which would, in fact, strengthen their position. Then the Department of State, and the other opponents of this measure, completely disregard and again conveniently ignore the fact that the Egyptian Government has in effect said they do not need to continue to export extra-long staple cotton to the United States because these exports represent an extremely small percentage of their total production.

So why all the concern over the "foreign policy implications" of this legislation? I cannot understand it, Mr. President, and I know our American farmers and others certainly do not.

Other "smoke screens" have been tossed up as feeble attempts have been made to argue that the imported extra-long staple cotton is of a better quality, or imported at a lesser cost, or that there will be added costs to our farm program, or any number of other loose arguments. I will not attempt to refute here and now of each of the arguments that have been made for these arguments have already been refuted on a number of occasions. I refer to the testimony presented before the House Agriculture Committee on July 12 and 13, 1967; to the debate on the House floor on October 25 and 30, 1967; to the hearings before the Senate Committee on Agriculture and Forestry on January 23 and 24, 1968; to the hearings before the Senate Committee on Foreign Relations on May 27, 1968; and to the debate on the Senate floor on July 22, 1968, not to mention all of the private discussions, exchanges of correspondence, and so forth, that has gone on.

Mr. President, I intend to push for the early enactment of this legislation. The American farmer is only asking for a fair shake and we should certainly provide it to him.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 163) to amend section 202 of the Agricultural Act of 1956, introduced by Mr. MONTOYA (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Agricultural Act of 1956 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provision of law, raw, semiprocessed, or processed extra long staple cotton, as described in section 347 (a) of the Agricultural Adjustment Act of 1938, as amended, which is the product of a country which has failed to maintain diplomatic relations with the United States shall not constitute any portion of the quota of such extra long staple cotton set forth in subsection (a) of this section for the import quota year (1) beginning August 1, 1969, or (2) beginning next after the severance of diplomatic relations, whichever occurs later, and shall continue to be excluded until the end of the second import quota year beginning after the resumption of diplomatic relations; and such quota set forth in subsection (a) shall be reduced by the average annual amount of extra long staple cotton received from any such country during the five quota years immediately preceding the quota year in which such severance of diplomatic relations occurs: *Provided,* That any such reduction shall continue only until the end of the second import quota year beginning after the resumption of diplomatic relations by such country with the United States. Notwithstanding any other provision of law, beginning with the 1969 crop, the Secretary shall give domestic producers the opportunity to produce an amount of such extra long staple cotton equal to any reduction in supply which may result from the enactment of this subsection and any contracts entered into for the purchase and shipment of such extra long staple cotton from such countries, shall be allowed entry into the United States subject only to existing United States quota limitations, if said contracts have been entered into before December 31, 1968.

S. 201—INTRODUCTION OF BILL TO MAKE INDIAN RESERVATIONS ELIGIBLE FOR ASSISTANCE UNDER SECTION 117 OF THE HOUSING ACT OF 1949

Mr. ANDERSON. Mr. President, I introduce today a bill which will strengthen and update existing housing legislation. The proposal amends section 117 of the Housing Act of 1949 to enable Indian reservations to qualify for code enforcement and a followup program on housing rehabilitation.

Participation in this program is now limited to cities, counties and other municipalities. Under present interpretation of the law, Indian reservations do not meet these requirements.

Passage of this bill would remove an unnecessary barrier and at the same time make our programs more responsive to the changing character of the Indian community.

The Mescalero Apache Indians of southeastern New Mexico first brought this matter to my attention after the Department of Housing and Urban Development advised they were ineligible. As originally enacted, this legislation was urban oriented; however, in my mind that should not preclude its application to other areas where feasible. I hope my colleagues agree that the Indians should be given the opportunity to submit their proposals and have them reviewed accordingly.

This bill is not without precedent. Two other housing laws have required revision specifically to include Indians. The Housing Act of 1954 authorizing planning grants were amended in 1968 and in 1962 the Indians were made eligible for public facility loans under the Housing Amendments of 1955.

Indian reservations, sprawling, though not populous in the urban sense, are developing into viable communities. Their problems are becoming more and more closely alined with their neighboring cities and towns with whom they also share aspirations for modern residential housing.

The 1,750 Mescalero Apaches have their own public school on the reservation, a productive cattle industry, and are developing businesses and recreational enterprises to boost their economy. The urban leanings of the Mescaleros are also evident in the commercial park being located on the reservation. This effort was assisted several weeks ago through a Government loan for a retail trade center.

This picture contrasts significantly with the early Mescaleros whom Tribal President Wendell Chino describes:

> Traditionally our people lived in teepees and wickiups that were most suitable to the

mobile customs of our forefathers. These ancients would move their families through the seasons to those locations offering the best natural shelter and sustenance. With destruction of our traditional villages and confinement to a limited reservation less than a century ago, our people faced new problems. Now our people had to learn to provide, maintain and live in a much more complicated physical environment.

During the 1920's and 1930's, our people adopted a sturdy frame house known as the Mescalero House. These structures served their purpose well. Our people became accustomed to them and found them comfortable. These houses now, however, do not meet the minimum standards that our people have recently chosen to strive for. They have become old and, though structurally sound, worn out from heavy usage. They also do not contain interior running water or sanitary facilities.

Our people who cannot afford their own housing wish to renovate these homes so that they can enjoy the blessings of decent, sanitary and adequate housing. We have, to date, remodeled 69 of these homes and found them very satisfactory. We have now exhausted our source of material supplies and wish to continue the program through grants offered by HUD. These Home Rehabilitation grants, combined with other resources now available, will permit us to add bathrooms and completely renovate the houses.

The Mescaleros hope to provide every family on the reservation an adequate house by 1971. Fulfillment of that goal is a prerequisite to achieving a broader objective declared in our national housing policy in 1949. The Congress pledged to provide a decent home and a suitable environment for every American family—a goal which still eludes us two decades later.

Considerable emphasis is now being given to the problems of the urban ghetto, and I along with others welcome this response to the urgent problems there. The country's best resources must be put forth in this effort in coordination with—and not at the expense of—other areas of need.

My bill may cause no more than a ripple in the present housing program as it deals with the question in a limited perspective. That is why I am also asking the Department of Housing and Urban Development in consultation with the Secretary of the Interior to review other existing housing laws and determine whether additional legislation is necessary for Indian tribes and reservations to qualify for assistance under such programs. Their recommendations are to be submitted to Congress by next January.

Thorough review followed by sound revision of legislation already on the statute books may unfold some new economic opportunities for our Indian friends and, if that should result, the Nation will be the major beneficiary.

Mr. President, I ask unanimous consent that this statement and the following bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 201) to make Indian reservations eligible for assistance under section 117 of the Housing Act of 1949, introduced by Mr. Anderson, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 117 of the Housing Act of 1949 is amended—

(1) by striking out "and counties" and inserting in lieu thereof "counties, and Indian reservations"; and

(2) by inserting after "census" the following: ", or any Indian reservation".

Sec. 2. The Secretary of Housing and Urban Development shall, in consultation with the Secretary of the Interior, review programs administered by the Department of Housing and Urban Development providing financial assistance to States and their political subdivisions with a view to determining whether additional legislation is necessary in order for Indian tribes and reservations to qualify for assistance under such programs. The Secretary of Housing and Urban Development shall report his findings, together with such recommendations as he deems advisable, to the Congress not later than January 7, 1970.

S. 268—INTRODUCTION OF BILL—OLDER AMERICANS ACT AMENDMENTS OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, I introduce on behalf of myself and the Senator from Massachusetts (Mr. Kennedy) for appropriate reference a bill to strengthen and improve the Older Americans Act of 1965. With the cosponsorship of 11 other Senators last year, I introduced a similar bill, S. 3677, at the request of the administration. An identical companion bill was introduced in the House. Several months later, the House passed a clean bill, H.R. 19747, just before Congress adjourned. The Senate did not act on the House bill or the Senate measure, and the legislation died with the adjournment of the 90th Congress. The bill I introduce today differs from last year's administration bill in two major ways.

First, I have deleted title VI, which would have authorized a program of "service roles in retirement" to be administered by the Administration on Aging. Deletion of this section indicates no lack of interest on my part for the purposes of this proposal. Instead, it reflects my judgment that additional consideration is needed if we are to have a truly comprehensive older Americans community service program. Senators who are familiar with the history of this legislation during the waning days of the 90th Congress will recall that this was the only part of the bill which was subject to substantial controversy, and that the inability of Congress to pass the bill during the adjournment rush was largely due to the difference of opinion over this feature of the bill. I believe there is a possibility that conflicting views on this program can be reconciled; I am working toward that end.

The second change is the addition of proposed extended authorizations to prevent expiration of the three major authorizations in the Older Americans Act at the end of this fiscal year, on June 30, 1969. No provision of this type was recommended last summer, presumably because at that time there was no shortage of time before these authorizations are scheduled to expire. However, now there is a shortage of time, since we now have less than 6 months to extend these authorizations, and I felt it is mandatory to include sections to this effect in the bill I am introducing. The amounts for 1970, 1971, and 1972 which would be authorized by these sections are amounts which Commissioner on Aging William D. Bechill has recommended.

Briefly summarizing, other provisions of the bill I am introducing today would authorize areawide model projects; extend the duration of project support permitted under the act from 3 to 4 years; require statewide planning, coordination, and evaluation of programs and activities related to the purposes of the Older Americans Act; require maintenance of State effort in implementing the Older Americans Act; increase Federal funds available for costs of State plan administration; enable the Secretary of Health, Education, and Welfare to determine the amount of a State's title III allotment which will not be required for carrying out the State plan and which will therefore be available for reallotment to other States; permit contracts with—but not grants to—private profit organizations for research and development projects or for training projects.

While it was not quite possible to enact legislation of this type in the adjournment rush last fall, I hope that introduction of it early in this Congress will enable us to consider and pass this needed legislation during 1969 or, at the latest, during 1970.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 268) to strengthen and improve the Older Americans Act of 1965, introduced by Mr. Williams of New Jersey, for himself and Mr. Kennedy, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. KENNEDY. Mr. President, I am pleased to join with Senator Williams of New Jersey in his introduction today of the proposed "Older Americans Act Amendments of 1969." This is the reintroduction, in slightly different form, of a bill, S. 3677, which he and I had and other Senators cosponsored during 1968.

My service as chairman of two Senate subcommittees has given me a keen appreciation of the value of the Older Americans Act of 1965 in solving problems of our older compatriots and taking advantage of their opportunities. These subcommittees are the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging and the Special Subcommittee on Aging of the Senate Committee on Labor and Public Welfare.

Mr. President, the Older Americans Act has accomplished much at relatively small cost. One of the best statements I have heard of the significance of this legislation was that of Msgr. Joseph T. Alves, chairman of the Massachusetts State Commission of Aging. In urging enactment of the legislation which later became the Older Americans Act of 1965, Monsignor Alves said:

> Passage of this kind of legislation . . . will give us the tools to forge the kind of effective partnership between local, State, and Federal Governments that could make for a genuine Alliance for Action on Aging.

As successful as this legislation has been, we must seek new ways of improving it. In introducing the proposed "Older Americans Act Amendments of 1969," I am joining Senator Williams from New Jersey to make this landmark statute even more helpful to our elders than it has been. We shall continue to press for legislation to improve the quality of later life in our Nation.

S. 277—INTRODUCTION OF BILL FOR ESTABLISHMENT OF A NATIONAL CEMETERY IN THE STATE OF VERMONT

Mr. PROUTY. Mr. President, I introduce for myself and the senior Senator from Vermont (George Aiken) for appropriate reference a bill to provide for the establishment of a national cemetery in the State of Vermont.

Recently I have looked into the situation with respect to our national cemeteries.

There are a total of 98 of them throughout the country. Thirteen of these are under the jurisdiction of the Department of the Interior, the remainder are controlled by the Department of the Army. Of the total, 35 national cemeteries are classified as "inactive" that is to say they are filled to capacity. Arlington National Cemetery has in recent years had to establish limitations on eligibility for burial.

Of particular concern to me is that there is no national cemetery in the six States of New England. The nearest national cemetery for burial of New England veterans is in Farmingdale, Long Island, N.Y. The Department of the Army informs me that space in this cemetery will run out in 1975.

The fact that 35 of the 98 national cemeteries are filled indicates that there is a great and continuing interest in and desire for space in national cemeteries by our veteran population. And our veteran population is increasing every day.

Mr. President, my bill is a simple one. It directs the Secretary of the Army to establish a national cemetery in the State of Vermont. I have purposely left out reference to any specific location for this cemetery. I have, however, conditioned its selection on the approval of the appropriate local officials.

The use of Federal lands for a national cemetery in the State of Vermont would minimize the cost of such a project. There appears to be ample federally owned land in the State to provide a site for a national cemetery.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 277) to provide for the establishment of a national cemetery in the State of Vermont, introduced by Mr. Prouty, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 278—INTRODUCTION OF BILL FOR INTERSTATE COMPACT BETWEEN VERMONT AND NEW HAMPSHIRE FOR INTERSTATE SCHOOL COMPACTS

Mr. PROUTY. Mr. President, the States of Vermont and New Hampshire look to this body for consent to embark on an imaginative proposal, which will expand educational opportunities in the two States. Their proposal will further serve as an example for regional cooperation.

The proposed bill gives congressional consent to an interstate compact between the States of Vermont and New Hampshire for the formation of interstate school districts. Thus, through cooperative efforts of the citizens of both States on both sides of the Connecticut River, the schoolchildren will now be able to have the advantages of superior educational opportunity. The combined resources of two communities separated only by the river can, in many cases, produce a very fine school system, which would otherwise not be possible.

Mr. President, during the last session this body approved an identical measure to the one I submit today. Lack of time during the last session prevented favorable action on the measure in the House.

There is certainly no objection to the legislation which I have been able to discover, and it does not entail expenditure of a single dime by the Federal Government.

This proposed bill is introduced by me and my colleagues from both Vermont and New Hampshire, Senator Aiken, from Vermont, and Senators Cotton and McIntyre, of New Hampshire. Naturally, the proposed bill has the endorsement of the State governments of both New Hampshire and Vermont, since it embodies the law enacted by the legislature of each of the States. My files, and I think the files of my colleagues, contain ample testimony to the need of our two States for this legislation. And, I am not aware of a single negative vote on the subject.

Although preliminary work was done prior to 1963, the significant history of this proposed legislation begins with the adoption in the spring of that year of legislation very similar in nature to the proposed bill.

That year, the same four sponsors were successful in having enacted into law a bill giving consent to the establishment of an interstate school district in our two States. Following this action, the Dresden Interstate School District was formed for the two towns of Norwich, Vt., and Hanover, N.H.

That experiment, Mr. President, has worked admirably, and it has been watched very closely by nearby communities in both Vermont and New Hampshire.

The proposed bill extends the interstate school district concept to include other communities on both sides of the Connecticut River. Towns such as Bradford, Newbury, Fairlee, Corinth, and Canaan, Vt., and Oxford, Piermont and Lyme, N.H., have expressed interest in the legislation. I am certain that others are equally interested in the interstate school district concept.

We know from the Dresden School District example that the idea works and that it works very well. Others want the opportunity that this proposed bill provides.

Of course, there is nothing mandatory about the interstate school district idea. It simply permits neighboring towns across State lines to act if they decide for themselves that the idea best fits their individual needs.

In the last session the Judiciary Committee reported an identical measure without dissent. I hope that committee will again take prompt and favorable action on this proposed bill and that this body will again approve the measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 278) to consent to the New Hampshire-Vermont Interstate School Compact, introduced by Mr. Prouty, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 279—INTRODUCTION OF BILL TO AMEND THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. PROUTY. Mr. President, on behalf of myself and the distinguished Senator from Minnesota (Mr. Mondale) I introduce a bill and ask that it be printed in the Record and appropriately referred.

This bill is a technical amendment to the Manpower Development and Training Act of 1962. When MDTA legislation was enacted last fall, an amendment of mine was adopted which provided that each State receive a minimum allocation of $750,000 and that Guam, the Virgin Islands, and American Samoa receive minimum allocations of at least $100,000. Reference to the Trust Territories of the Pacific Islands was inadvertently omitted, thus entitling them to $750,000 under present law. This amendment is designed to include the Trust Territories of the Pacific Islands in the same category as Guam, the Virgin Islands, and American Samoa, thereby reducing the minimum allocation required to $100,000.

The effective date of this bill is October 24, 1968, the date last year's MDTA legislation took effect.

A similar bill has been introduced in the other body by the gentleman from Michigan (Mr. O'Hara) and it is my hope that Congress will pass this necessary technical amendment without delay.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 279) to amend section 301 of the Manpower Development and Training Act of 1962 as amended, introduced by Mr. Prouty, for himself and Mr. Mondale, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 279

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That Section 301 of the Manpower, Development and Training Act of 1962 as amended be further amended by striking ". . . the Virgin Islands, Guam, and American Samoa, . . ." from the first sentence thereof and by inserting in lieu thereof the following. ". . . the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands, . . ."

SEC. 2. The amendment made by the first section shall be effective as of October 24, 1968.

S. 296—INTRODUCTION OF BILL TO AMEND THE INVESTMENT COMPANY ACT OF 1940 AND THE INVESTMENT ADVISERS ACT OF 1940

Mr. McINTYRE. Mr. President, I introduce, for appropriate reference, a bill to amend the Investment Company Act of 1940.

This is, by and large, identical in content to the bill, S. 3724, which the Senate passed in the last Congress. It contains only three changes.

I have incorporated in this bill the provisions of section 16 of S. 1659 of the previous Congress, the bill introduced by Senator SPARKMAN at the request of the Securities and Exchange Commission. This section prohibits the so-called front-end load or contractual plan method of charging unusually high commissions on the sale of shares in mutual funds. During last year's debate on S. 3724, it was my impression that many Senators were willing to go far beyond the modest limitation on front-end loads which that bill contained. The present bill reflects what I believe to be the opinions of many of my colleagues that the Congress should follow the lead of some of the States, and go all the way toward the abolition of the contractual plan.

This bill also removes the limitation in section 20 of S. 3724 on the ability of the SEC to enjoin breaches of fiduciary duty. Last year, the Committee on Banking and Currency limited that power to those breaches of fiduciary duty involving personal misconduct. It is my belief that other breaches of fiduciary duty are equally undesirable and so I have omitted the personal misconduct limitation.

The third change which I have made in this bill deals with the sales loads normally charged for mutual fund shares. In the light of the testimony presented at our hearings last year, I have decided to press vigorously for the repeal of section 22(d) of the Investment Company Act of 1940.

The Investment Company Act of 1940 presently makes it a Federal crime for a salesman of mutual funds to offer a lower price to his customers than that offered by competing salesmen selling the same fund. The testimony before our committee clearly demonstrated that, because of these anticompetitive restrictions, sales loads have been maintained at levels completely out of line in any other part of the securities business.

There are two salient features of mutual fund sales charges. The first is that they are not determined by the normal interplay of competitive market forces. The second is that they are in most cases far higher than the charges levied on the acquisition of other types of securities of comparable quality. And in this connection, it must be remembered that those other lower charges are themselves fixed rates. No one pretends that stock exchange commission rates—and that is the type of sales charge most investors pay—are determined competitively.

To begin with the first feature: sales charges for mutual fund shares are not determined by free competition in the usual sense. They are fixed by the fund managers under an exemption from the antitrust laws which prohibits price competition by dealers in the sale of the shares of any fund and which requires the Securities and Exchange Commission to prevent price cutting and to punish price cutters.

The statutory exemption is section 22(d) of the Investment Company Act, which permits the funds' principal underwriters to fix prices to which every retail dealer in securities must adhere. No dealer anywhere—not even a dealer who has no contact or contract with the principal underwriter and who obtains shares from other sources—can deviate from the price that the principal underwriter has set.

Section 22(d) is unique. It is unlike State fair trade laws, which permit resale price maintenance but leave the initiative for establishing and enforcing the restrictions entirely with the manufacturer. Section 22(d) places the full force of the Federal Government behind resale price maintenance in the investment company field. If a retail dealer knowingly sells a mutual fund share for less than the price stated in the prospectus, he is guilty of a willful violation of the Investment Company Act.

As to the second salient feature: sales charged for mutual fund shares are in most cases far higher than the charges levied on the acquisition of other types of securities of comparable quality.

The sales load on mutual fund shares typically amounts to 8.5 percent of the offering price per share and is rarely below 7.5 percent. The typical 8.5-percent sales load amounts to an actual sales charge of 9.3 percent of the net amount actually invested in fund shares, the way in which sales charges are normally calculated in the over-the-counter and exchange markets. Although the basic sales load usually is reduced for large purchases, these reductions benefit few investors because they are seldom available for purchases of less than $10,000 and often do not apply to purchases of less than $25,000. Charges for purchasing other securities are usually much lower. For example, while brokerage charges for transactions on the New York Stock Exchange and other national securities exchanges vary somewhat with the price of the security involved, for round-lot transactions—usually 100 shares—in a stock priced at $40 per share, a stock exchange commission amounts to about 1 percent of the dollar amount involved. An additional charge, the odd-lot differential, is imposed on orders or any portion of an order involving less than a round-lot. Unlike listed securities, mutual fund shares usually can be converted into cash without payment of an additional charge. However, even when compared to the round-trip cost of buying and selling a listed security—assuming no change in its value—mutual fund sales charges are still much higher. Thus, for a $200 investment the sales charge for mutual fund shares amounts to 40 percent more than round-trip cost of investing in exchange traded securities. For a $1,120 investment, an amount just below the 1966 median net mutual fund purchase, the typical mutual fund sales charge is 264 percent more than round-trip exchange commissions and the disparity increases markedly to the point where the sales charge on $4,000 invested in fund shares is 476 percent of the round-trip commission on 100 shares of a $40 exchange traded security. Even this comparison tends to understate the extent of the disparity betwen exchange commission rates and mutual fund sales charges because it does not take into account the brokerage costs incurred by fund shareholders when the fund invests money received from the sale of new shares.

Mutual fund sales charges are also substantially higher than the charges for most transactions in over-the-counter securities and often even higher than comparable charges in connection with conventional underwritings of securities. Unlike the distribution of mutual fund shares, underwritings of those securities involve the special risks and effort incident to the distribution of relatively large amounts of securities in a very limited period of time.

The disparity between mutual fund sales charges and charges for other securities transactions reflects the type of price competition which has developed in the mutual fund industry. This kind of competition, which focuses on competition for the favor of retail dealers, tends to raise, rather than lower, sales loads. This all takes place within the framework of special anticompetitive features of section 22(d), which prohibit retail dealers from engaging in retail price competition for customer favor. Existing law thus suppresses downward pressures that normal competitive market forces might exert on sales load levels and does not otherwise provide adequate protections for mutual fund investors.

The Securities and Exchange Commission's recommendation and Senator SPARKMAN's original bill, S. 1659, would have dealt with these problems by limiting sales charges to 5 percent of the net amount invested. The bill, S. 3724, would give the NASD the power to make rules limiting "excessive" sales charges, subject to SEC oversight.

In my view both of these proposals involve unnecessary rate regulation with all the attendant undesirable results. I think that it would be much more preferable to remove completely the present unique and unjustifiable resale price maintenance provision and repeal section 22(d) so that mutual fund sales charges could be determined by the forces of free competition in the free-enterprise tradition. I might add, it is always fascinating to observe the ingenious arguments which are marshaled in opposition to free price competition by industries which themselves vigorously oppose regulation in the name of free competition. The amendment which I have submitted will bring price competition to the sale of mutual fund shares and will thereby benefit small investors.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 296) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes, introduced by Mr. MCINTYRE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 305—INTRODUCTION OF BILL TO AMEND THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

Mr. MOSS. Mr. President, Congress has, during the past 8 years, made a number of improvements in the loan authority of the Farmers Home Administration.

In every instance, these improvements represented long-overdue steps to close a critical credit gap for family farmers and other rural families.

We have greatly expanded the agency's farmownership loan program to enable many more young and small farm operators to become efficient farmowners.

We have created a rural housing program that can, if properly funded, enable us to eliminate the some 3 million substandard homes in rural areas and give rural families the same opportunity in housing enjoyed by the rest of the Nation.

We have provided credit for rural communities so they can have basic community facilities such as water and waste disposal systems and outdoor recreation areas.

Yes, Mr. President, step by step, we have made considerable progress in closing many credit gaps in rural America.

But in spite of this progress, there still remains a number of areas in our agricultural and rural economy where serious credit deficiencies still exist and unless steps are taken to shore up these credit gaps, family farmers can never hope to attain any semblance of effective bargaining power nor can there be full development of our rural resources.

One of the more serious credit gaps that still exists is the total lack of adequate credit for many of our farm cooperatives. This lack of credit prevents the creation of many new and urgently needed cooperatives in many areas of our agricultural economy and it prevents many existing and worthy farm cooperatives from borrowing the necessary money they need to expand and improve.

Mr. President, I cannot emphasize too strongly the vital importance of more and stronger cooperatives within our farm family type of agriculture.

In recent years there has been much talk and growing support for the idea of providing legislation that will give our farmers real, effective bargaining power as the answer to our farm problem.

I agree with this concept.

Farmers must be given the opportunity and the tools to bargain effectively for price and income just as other segments of our economy do, and not be solely and forever dependent on artificial props and the whims of Congress and, perhaps, an unsympathetic administration.

Every proposed farm bargaining bill submitted to Congress in recent years and every farm bargaining study made by our land grant colleges—every one of them are based on the use of a strong, expanding and effective cooperative system within agriculture.

And this means cooperatives across the board—marketing cooperatives, purchasing cooperatives, processing and distribution co-ops.

It is folly and sheer nonsense to talk about giving farm families a program of effective bargaining power unless, first, we give them the credit resources to build the one essential tool necessary to attain an effective bargaining position—strong cooperatives.

The bill I am introducing, Mr. President, will amend the Consolidated Farmers Home Administration Act of 1961 and would permit the extension of financial assistance to both existing and new cooperatives which serve or will serve rural families when such cooperatives are unable to obtain needed credit from other sources.

In other words, this legislation will fill a serious credit gap in our rural economy. It will encourage the development of new cooperatives, help strengthen existing ones, and generally accelerate the development of all our rural resources.

Mr. President, I would like to make clear just where this credit gap exists, so there will be no confusion or misunderstanding of the purpose and objective of this bill.

Currently, under title III of the Economic Opportunity Act, the Farmers Home Administration has authority to make loans to organized rural groups to provide processing, marketing and purchasing services for their members and patrons. But these rural cooperatives are not eligible for this type of economic opportunity loan unless two-thirds of its family members are in the so-called poverty class—with incomes of less than $3,000 a year.

This has been an outstanding program in fighting poverty in our rural areas. The program filled a crying credit need. These economic opportunity co-op loans have resulted in creating many more adequate processing, purchasing and marketing facilities for poverty-stricken rural families. And this program must be continued.

Now, at the other end of the farm co-op credit spectrum we have the Farm Credit Administration's bank of cooperatives which also provides substantial credit resources for farm co-ops.

And make no mistake about it, the bank for cooperatives has, over the years, made an outstanding contribution to the growth of farm cooperatives. It is still doing a good job. Currently, it is carrying on a most effective public education program in informing farmers and the public of the need for stronger and bigger cooperatives as a means of attaining more effective bargaining power.

But, the people in the Farm Credit Administration and the officials in the banks for cooperatives are the first to admit that they are unable to meet the credit needs of many existing cooperatives and unable to finance the establishment of many new ones. Primarily, this is because the banks for cooperatives operate under rigid banking policies and unless a cooperative can meet the requirement of assets, net worth, and management experience, then they are not eligible for credit assistance. This is in no way an indictment of the bank for cooperatives. It is just a fact of life. Neither can the bank for cooperatives provide the vital close supervision that smaller and new cooperatives must have to get ahead and expand.

So you see, Mr. President, between the economic opportunity co-op loan program which is restricted solely to rural patrons of a very low-income level and the credit resources of the banks for cooperatives which are limited primarily to successful and long-established cooperatives whose members are mostly higher level income farmers, you have a large segment of agriculture—the "in-between" rural groups—which does not have adequate credit resources to develop and expand its own cooperatives.

This large in-between group needs a credit program of intensive and constant advice and assistance on the local level if they are to be successful and if their co-ops are to provide the kind of economic muscle needed for bargaining purposes.

The Farmers Home Administration is admirably suited to carry on this type of credit program. In Senate hearings on a similar bill of mine last February, officials of the Farmers Home Administration testified the agency could easily absorb such a program without much additional administrative expense. The Farmers Home Administration has the local county offices and the experienced personnel to make such a credit program work. Their people can provide the necessary supervision that can make these cooperatives successful and this program would in no way overlap or duplicate the credit programs of the Farm Credit Administration nor the current economic opportunity co-op loan program.

Mr. President, I send to the desk a bill to amend the Consolidated FHA Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes, and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 305) to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 306—INTRODUCTION OF BILL TO ESTABLISH THE CANYON COUNTRY NATIONAL PARKWAY, UTAH

Mr. MOSS. Mr. President, I am again introducing my bill to establish a Canyon Country National Parkway through southeastern Utah from Arizona to Colorado. This bill was before both the 89th and 90th Congresses, but no action was taken for several reasons.

The first is that this is a companion, to some extent, to the bill extending the boundaries of Canyonlands National Park, and it has been my policy to press for action first on the park extension bill and then to bring up the parkway bill after the new boundaries of the park are settled. The parkway would skirt the park itself in some areas.

The second reason I have not pushed the parkway bill is that the Four Corners Regional Commission is planning some studies of roads and other developments in the area, and it is important that the action this bill takes be tied in with the Commission plans and is complementary to them.

However, there is no doubt in my mind as to the desirability of a desert wilderness parkway of the type envisioned by my bill. The parkway would connect the spectacular Glen Canyon Dam with Canyonlands National Park and with the Colorado National Monument. It would traverse what is perhaps the world's most scenic area, most of which is not accessible only by packhorse.

The parkway would begin at the Glen Canyon damsite at Page, Ariz., just across the southern border of Utah and would end at Grand Junction, Colo.

It would run in a northeasterly direction paralleling the north shore of Lake Powell through the Glen Canyon recreation area for about 100 miles, with connecting spurs out into the recreation area to special points of interest. The parkway would skirt Canyonlands National Park, west of the Maze and the new park boundary proposed in S. 26, of this Congress. Along the northern boundary of Canyonlands, the road would swing eastward across the Green River and down to the Colorado River near the town of Moab, Utah. It would then proceed northeastward along the bank of the Colorado River to the vicinity of "Dewey Bridge" where it would cross the Dolores River. The route would continue through Glade Park and reach a terminus on Route I–70 at Grand Junction, Colo. The entire parkway would total about 400 miles.

Since Lake Powell was created, it has become a major recreation area for outdoor enthusiasts. The number of people enjoying the Lake Powell area has more than tripled in the last 4 years—the National Park Service record of attendance shows 196,000 people visited the lake in 1964, the first year the reservoir filled, and 650,010 came in 1968. Lake Powell's fame is spreading, and will continue to spread.

Canyonlands National Park, established in 1964, and into which access roads are now being constructed, has also attracted many visitors and their number will increase as the roads are completed.

There is no connecting link between the Lake Powell area and the Canyonlands area. Nor is there any way to cross the interesting country north of Canyonlands, and to see the scenery along the Colorado River north and east of Moab, into Colorado. All this scenery is most unusual. A road which would allow tourists to drive along Lake Powell to Canyonlands National Park would allow them to enjoy both attractions in one trip, and then, if they wished, to enjoy the splendors of the upper reaches of the Colorado. As a scenic drive, the Canyon Country Parkway would be unparalleled anywhere.

Mr. President, southern Utah is becoming one of the Nation's most popular western playgrounds. There are canyons by the hundreds waiting to be explored, many of them still inaccessible except by packhorse. There is a sculptured beauty and magnificent vistas and sun and solitude.

We are building access roads into the Glen Canyon Recreation Area and into Canyonlands Park which will open up some of this spectacular scenery. I hope to add more beauty to Canyonlands through the passage of S. 26. But we have only begun to explore the area, and reveal its beauties. A Canyon Country National Parkway would make scenery accessible and enjoyable to the American people. It would be a ribbon of beauty in our golden circle of national parks.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 306) to provide for the establishment and administration of the Canyon Country National Parkway in the State of Utah, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 308—INTRODUCTION OF BILL FOR DEVELOPMENT SURVEY OF GOLDEN CIRCLE OF NATIONAL PARKS AND MONUMENTS

Mr. MOSS. Mr. President, in the past three Congresses—the 88th, 89th and the 90th—I have sponsored legislation to authorize the Secretary of the Interior to make a development survey of the recreational resources of the magnificent golden circle area which surrounds the four corners area of Utah, Colorado, Arizona, and New Mexico.

I did not press for action on the legislation last session because the Four Corners Regional Commission has the authority to make such a survey, and I wanted to give the Commission time to decide what it wished to do in this field. I am advised by Commission officials that a golden circle development survey is high on their list of priorities, and that they have already been in contact with highway departments of the four participating States about it. They are hopeful that some work can be started in the near future.

However, the scope of the survey is large, and it will be impossible to do as thorough a job as needs to be done with the limited financial resources the Commission has—and in view of the many other demands on these resources—so I am reintroducing my bill to reinforce the Commission's activities. As soon as it is clear what the Commission can and will do, I will try to move my bill to provide supplementary efforts.

Under my bill, the Secretary of the Interior would be called to cooperate in making the survey with the Four Corners Regional Commission, the Governors of the four States, the Secretary of Agriculture, the Secretary of Commerce, and appropriate State, local, and Indian agencies.

This area is famous as the only place in our country where four States touch. More important, it is without question the most spectacular area of erosional grandeur in America. Secretary of the Interior Stewart Udall named it "the golden circle" after he and I traveled it on foot, by boat, and by helicopter in the summer of 1961. He observed at that time that it "included the greatest concentration of scenic wonders to be found in the country, if not in the world."

We need to establish easier public access to the national parks and monuments and to the associated scenic, recreation, and Indian areas of the four States. We should also have additional roads or trails if the area is to be provided with the network of roads it must eventually have. Our aim should be to provide easy access not only to each of the scenic areas, but between them, so that a visitor to one of the golden circle attractions will be encouraged to go on and see others, and to stay in the area for several days.

Additionally, we must find ways and means of stimulating economic development of the region through increased tourism and recreation activities. To do this we need a full inventory of present resources and facilities, which, tied in with the inventory of present roads and the recommendations for future ones, will point the way for coordinated development by government and private agencies, and by private capital. For example, we need a guide for private investors who want to develop tourist accommodations, and other commercial enterprises to serve the greatly increased tourist trade expected in the area.

Within the circle are 17 national parks and monuments, and just outside within an easy drive are eight others.

As if this were not enough, the miracle of modern engineering in the very center of the area is the great Lake Powell Reservoir impounded by the Glen Canyon Dam, which has become a mecca for boating and outdoor enthusiasts.

My bill asks $150,000 for the survey, which, I again emphasize, would be directed not only toward helping both the State and Federal agencies plan toward a common goal, but to pointing out opportunities to private capital in the area.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 308) to authorize the Secretary of the Interior to conduct, in cooperation with the States and interested Federal agencies, a development survey of the recreational resources of the golden circle of national parks and monuments and associated science, recreation, and Indian areas in the States of Arizona, Colorado, New Mexico, and Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 309—INTRODUCTION OF BILL IN SUPPORT OF LEGISLATION TO ESTABLISH POSTAL EMPLOYEE-MANAGEMENT RELATIONS BY LAW

Mr. YARBOROUGH. Mr. President, many people have been preoccupied, and rightly so, with the concept of converting the postal system into a Government corporation, as recommended last year by the Kappel Commission.

Such a far-reaching, revolutionary proposal, obviously demands the closest kind of scrutiny and study by the Congress. But this preoccupation should not blind us to the urgencies of another aspect of the general postal problem—a problem indeed that the Kappel Commission ranks second in importance to its primary recommendation.

That secondary aspect—which in my judgment is one of great urgency—is the whole question of employee-management relations in Government and particularly in the postal service.

There is room for improvement of the Post Office Department, but none touches more lives or has a more direct relationship to the quality of postal service than the morale of its three-quarters of a million employees—and that morale today is at a low ebb. It could not be otherwise under a labor-management system that is heavily weighted in favor of management and against the employees.

Moreover, so long as labor-management relations are governed by the existing Presidential Executive order, there is going to be a continuing and built-in problem; for so long as there are no means available for effective appeal to an impartial third party, there will be frustration and mistrust among the rank and file of the thousands of men and women who move the mails.

I am, therefore, introducing today a separate bill—a bill apart from all the other issues and problems of the postal service—designed to correct this inequity.

Quite simply, it provides for compulsory arbitration of disputes; it creates an independent Labor-Management Relations Panel for this purpose, and finally it establishes clear-cut guidelines and standards for both management and labor in the fulfillment of their responsibilities.

When you consider how long the employees of the postal service have sought this elemental balance wheel, it is nothing less than amazing that things are not more desperate than they are among postal employees. It will be 20 years in March since the first labor-management bill for Federal and postal employees was introduced in Congress. Only once—only once—in those 20 years has there even been a public hearing on the issue, that is until last year when the full Senate Post Office and Civil Service Committee did hold a brief but full-scale hearing on this subject.

The evidence of that hearing left no room for argument. A system which presupposes a mutuality of rights but provides only for unilateral remedy is morally wrong and legally without justice.

In the words of one witness, what is wrong is that a postal clerk can be suspended, separated, admonished, or reprimanded for the slightest violation of contract rules and postal regulations but there is nothing anyone can do about postmasters or supervisors who refuse to admit that a contract exists or who otherwise violate rules or law.

It is inconceivable to me that the Government should require its employees to be subject to the kind of one-sided procedures that in private industry would disrupt operations of nearly any business.

Which raises another vital question. The bill I am introducing does not in any sense of the word diminish or threaten the Federal laws which prohibit strikes in the Government service. There have been some unwarranted fears on this score in some uninformed quarters. When we talk about equitable labor-management relations in the public service, we are not involving the issue of strikes which remain forbidden, and ought to be.

All we are talking about is a modernized and dynamic employee relations mechanism which lays down the fundamental principle that free and friendly consultation between employees and management with machinery for orderly settlement of disputes is vital to a better postal service. Employees are entitled to be heard on matters affecting their conditions of work. And strong, democratic unions have a right to be encouraged in the postal establishment and by this Congress.

Aside from establishing independent machinery for compulsory settlement of disputes and grievances, this bill establishes policy criteria for granting exclusive postal union recognition based on postal crafts along with codes of proper conduct for employees and management alike. It also provides separate criteria for supervisors organizations.

Finally, the rights of representatives on both sides to testify, to question and to cross-examine witnesses—in other words to present their cases without danger of reprisal or intimidation—is guaranteed.

This is a forward step to encourage and to insure the continuing dedication of our thousands of postal employees. Its passage would affirm and extend the principles of Executive Order 10988 which was itself a giant step of enlightenment even though, in the years since it was issued, serious defects and shortcomings have inevitably diluted the high promise it originally contained. In any case, in matters of such urgency and importance affecting the welfare of so many thousands of employees, such machinery ought to be established by law now, rather than by the mere issuance of a Presidential order.

Every study of postal problems in recent years has highlighted the deterioration of employee morale in the postal service, and undesirable conditions of employment have often been stated to be key factors in the general worsening of service. This bill provides the medicine for a permanent cure—a cure long overdue—in one of the most vital arteries of the entire system.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 309) to provide for improved employee-management relations in the postal service, and for other purposes, introduced by Mr. Yarborough, by request, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 312—INTRODUCTION OF BILL TO RESTORE THE FAMILY SEPARATION ALLOWANCE

Mr. TOWER. Mr. President, in what I believe was an unwise action, the Comptroller General of the United States in a ruling last year cut off the family separation allowance to nearly 25,000 service members who previously were entitled to the $30 monthly payment.

By act of Congress in 1963, this payment was authorized to married servicemen who were unable to take their wives and other dependents with them for assignments outside of the United States. The purpose of the allowance was to help offset the increased family expenses arising from a father's separation from his family because of his military duties. The Comptroller General's ruling has deprived nearly 10 percent of all those entitled to this allowance from receiving any further payments since December 1, 1968. To some, $30 does not seem a great deal of money; but to many service families who are just barely making ends meet, it is the difference between solvency and financial trouble. This is especially so since the service families have included in their budgets this amount which they had been receiving every month since 1963.

The legislation which I introduce today would change this situation by authorizing the resumption of this payment. I think that my colleagues will agree with me that quick action on this matter is imperative if we are to avoid further aggravation of this distressed situation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 312) to amend section 427 (b) of title 37, United States Code, to provide that a family separation allowance shall be paid to a member of a uniformed service even though the member does not maintain a residence or household for his dependents, subject to his management and control, introduced by Mr. Tower, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 324—INTRODUCTION OF PRINCE WILLIAM COUNTY LAND BILL

Mr. SPONG. Mr. President, last year, the Fiscal Affairs Subcommittee of the Senate District Committee, of which I was chairman, reported, and the Senate later passed, a bill to permit the District of Columbia to sell to Prince William

County, Va., certain land in the county which the District acquired in 1922. Unfortunately, the bill never cleared the House of Representatives.

I am, consequently, reintroducing this legislation. No opposition was expressed to the bill last year during Senate committee hearings or on the Senate floor. I am, therefore, hopeful of prompt action on the legislation this session.

Prince William County, Va., seeks to acquire the 350.4 acres affected by the legislation for recreational purposes, construction of a water pollution control plant, and a sanitary landfill which will be shared by the District and Prince William County.

Committee hearings last year indicated that the bill would enable Prince William County to provide improved recreational, water pollution control, and disposal services and would in no way be detrimental to the District.

The affected property, known as Featherstone Point, is located on the Potomac River, about 27 miles from Washington, D.C.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 324) to authorize the Government of the District of Columbia to convey interests in certain property owned by the District of Columbia in Prince William County, Va., and for other purposes, introduced by Mr. Spong, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 334—INTRODUCTION OF BILL—VETERANS DISABILITY SEVERANCE PAY LEGISLATION

Mr. MONTOYA. Mr. President, members of the Armed Forces of the United States rendered permanently unfit to perform their military duties because of a service-incurred disability may, under certain specified conditions, be granted disability severance pay, which is a lump-sum nonrecurring benefit computed on the basis of rank and length of service.

Present law requires, however, that the amount of such severance pay shall be deducted from any compensation for the same disability to which the veteran may be entitled under laws administered by the Veterans' Administration. As severance pay often amounts to several thousands of dollars and recovery of this amount from disability compensation generally requires an extended period of time, the present recoupment provisions often result in hardship situations.

On many occasions the service-connected disability, which may have been ratable at 10- to 30-percent disabling at the time of discharge, unexpectedly changes into a totally disabling condition with consequent termination of the veteran's income.

In these instances the veteran may be granted a 100 percent disability rating by the Veterans' Administration, but the recoupment provisions continue to bar the payment of disability compensation until such time as the full amount of severance pay has been recouped.

In order to alleviate this type of hardship situation, I am today introducing legislation to provide that the rate at which disability severance pay may be recouped should be limited to a monthly amount not in excess of the compensation to which the veteran would currently be entitled for the degree of disability assigned on his initial VA rating.

My bill, Mr. President, will insure that the balance between that amount and any elevated evaluation is made payable to the veteran rather than being applied toward the recoupment of his severance pay.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 334) to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 334

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1212(c) of title 10, United States Code, is amended by adding at the end thereof the following: "Deduction of the disability severance pay from disability compensation shall be made at a monthly rate not in excess of the rate of compensation to which the former member would be entitled, based on the degree of his disability as determined on the initial Veterans' Administration rating."

S. 335—INTRODUCTION OF A BILL TO PREVENT THE IMPORTATION OF ENDANGERED SPECIES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to prevent the importation of endangered species of fish and wildlife or parts thereof into the United States, and to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law.

I originally introduced an endangered species bill during the 90th Congress, after I learned of the serious gap that exists in our own Nation's protection of the world's endangered species. Though a number of countries have tried to enforce some protective measures by establishing animal preserves and ascribing animal quotas, they are unable to stop the rapid disappearance of many beautiful and exotic species simply because countries like the United States continue to supply a huge market for illegally obtained furs and hides. In fact, the United States is presently the largest market in the world for these valuable skins, illegally taken in the country of origin.

Current fashion fads have placed many unique animals—such as the spotted leopard and the American alligator—in a precarious position. Also, the demand for exotic pets, including unusual varieties of monkeys and large wild cats, such as leopards, has placed even more species in danger of extinction.

In a shocking exposé of what he terms the "mail-order misery," the traffic in exotic wild pets, writer Roger Caras has documented the inhumane treatment of these animals which contributes to their high mortality rate. For example, in the Audubon magazine article entitled "Let There Be a Limit to Our Love," he describes the technique used in collecting specimens of the gibbon monkey:

> All the native collector has to do is locate a female Gibbon carrying a baby and shoot her out of the tree. If the baby is not killed or hopelessly maimed in the fall, two men working together can pry the screaming infant's fingers off the mother's fur and get it into a sack without breaking its arms. There are certain inherent problems, however. Many babies will be injured in the fall—and this is wasteful of expensive ammunition. Also, most of the babies collected will die before reaching the homes of animal *lovers*. When a female Gibbon is fleeing in terror through the trees, it seems, it isn't possible to tell whether her baby has been weaned or not.

Mr. President, my bill is designed to offer some effective protection to the endangered species of the world, and to put an end to the thoughtless and inhumane exploitation of all fish and wildlife threatened with extinction. There can be little doubt concerning the need for such legislation. America bears a great responsibility in this area because the market in this country is so large. We must exercise a leadership role in international conservation by prohibiting the illegal commerce which is the basic cause of danger to these species.

At this moment there are over 600 different species of animals, birds, fish, and reptiles which are considered to be "endangered." The Department of the Interior has listed 78 endangered species in the United States alone—with the number growing rapidly. Clearly, something needs to be done now, before it is too late.

On July 24, 1968, a hearing was held on my bill S. 2984, and a companion bill, H.R. 11618, before the Subcommittee on Merchant Marine and Fisheries of the Senate Commerce Committee. At that time I described the extent of this problem for the committee:

> In another 50 years, the big cats like Tigers and Leopards and others of the world may be exterminated if the demand for their fur illegally taken is not relieved. This would mean that the Jaguar and Ocelot would vanish from Central and South America, the Cheetah from Africa, the Tiger from Asia, and the Leopard from all over the world.
>
> The International Union for the Conservation of Nature and National Resources estimates that 10,000 Leopards are taken out of Africa each year on license, which is the maximum attrition the species can bear and still maintain itself. But 60,000—six times that number—are taken by poachers each year. And 30,000 of those are females which are taken while their unweaned cubs are left to die of starvation.
>
> Cats are not the only specie so endangered. The threat extends to any bird or mammal, amphibian or reptile valued because of its scarcity. Any rare specie is caught in a vicious cycle. Increased poaching means fewer animals. Fewer animals means increased prices because of scarcity. Increased prices mean more incentive for poaching.

Basically, the purpose of my bill is threefold. First, this legislation would prohibit—except for zoological, educational, and scientific purposes, and for the purpose of breeding such species and subspecies for preservation and propagation—the importation of any species of wild mammal, fish, wild bird, amphibian, reptile, mollusk, or crustacean or parts thereof that are threatened with extinction.

Second, this bill would make it unlawful for anyone to knowingly put into interstate or foreign commerce any amphibian, reptile, mollusk, or crustacean or parts thereof taken contrary to any Federal, State, or foreign laws or regulations. This is a definite improvement of the present section 43 of the Criminal Code (18 U.S.C. 43), which extends this protection only to wild mammals or wild birds or fish or parts thereof.

Third, until June 30, 1971, the Secretary of the Interior is authorized to acquire by purchase, donation, exchange, or otherwise any privately owned land, water, or interests therein within the boundaries of any area administered by him, for the purpose of conserving, protecting, restoring, or propagating any selected species of native fish and wildlife threatened with extinction. This section is an attempt to eliminate certain troublesome areas of private lands which in the past have become refuges for poachers.

Mr. President, the bill I introduce today is substantially the same as that voted favorably out of the Senate Commerce Committee on October 10 of last year. This legislation has undergone careful scrutiny, and certain revisions have been made since the bill was first introduced. Inasmuch as the committee bill, using the language of H.R. 11618, was reported favorably and had been previously passed by the House, I anticipate no strong opposition to its passage during this session of Congress.

It should be made clear that this bill is not meant to be discriminatory toward the many responsible and law-abiding dealers in furs and wild animals in America. It is designed primarily to prevent the importation of illegally taken hides, and to protect the already endangered species from extinction. The need for such protection has become increasingly acute during the last few years, as our growing fashion market has utilized and advertised the exotic furs over beautiful furs legally taken or grown for the purpose, such as domestic mink.

I am not against the use of furs, but I am deeply concerned with the extinction of rare animals. If the present practice is continued without regulation, it would soon erase from the earth most of the beautiful animals man enjoys. Even those who profit from the sale of these animals must realize that when a species finally becomes extinct through continued exploitation, the market they so eagerly watch will vanish forever. Contrary to what many people seem to believe, there is not an endless number of rare and exotic animals which can be indiscriminately utilized to our heart's content.

But when properly considered and protected, as are the fur seals on Pribilof Islands, the numbers increase and there is more employment for furriers and more warm fur clothing to be worn in winter, from lawfully taken furbearers. And we must remember, once a species is eliminated from the order of creation, there is no power on this earth that can bring it back into existence.

It is time that the United States took a more responsible position of leadership in this matter. The International Union for Conservation of Nature and Natural Resources—IUCN—in notifying me of their support for my endangered species bill, informed me that at least 66 nations are contemplating similar protective legislation, and are only waiting for the United States to take the initiative.

Mr President, we have represented the cause of conservation to the world, and have encouraged the protection of wildlife by their mother countries, but at the same time we have continued to allow the commerce in illegally taken animals, birds, furs, feathers and hides, which is the basic cause of danger to these species. We must end this hypocritical posture, and try to act sincerely to promote the ideals we purport to believe in. It is time to prevent continued exploitation of vanishing species by assuming the responsibility that is already ours.

Mr. President, I ask unanimous consent that the text of my bill to prevent the importation of endangered species or parts thereof be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 335) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes introduced by Mr. Yarborough was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 335

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) after the effective date of any regulation promulgated under this subsection, no person shall import into the United States, its territories or possessions, or the Commonwealth of Puerto Rico, from any foreign country, any species or subspecies of fish or wildlife or parts thereof which the Secretary of the Interior determines to be threatened with worldwide extinction, except as provided in subsection (b) of this section. A species or subspecies of fish or wildlife shall be deemed to be threatened with worldwide extinction whenever the Secretary of the Interior determines, after consultation with the affected foreign country or countries and, to the extent practicable, with interested persons and the International Union for the Conservation of Nature and Natural Resources, that the existence of such fish or wildlife is, in the judgment of the Secretary, endangered because its habitat is threatened with destruction, drastic modification, or severe curtailment, or because of commercial exploitation, through exports and imports of animals and parts thereof or by other means, or because of disease, predation, or other factors. The Secretary shall promulgate by regulation in the Federal Register a list of such fish or wildlife by name, together with his determination. The Secretary may revise the list by regulation from time to time, and whenever he determines that such fish or wildlife are no longer threatened with extinction, he may remove such fish or wildlife from the list by regulation. In order to prevent undue economic loss or injury to any person or persons importing fish or wildlife, determined by the Secretary under this subsection to be threatened with worldwide extinction, under any contract entered into prior to the effective date of any regulation promulgated under this subsection, the Secretary shall, in accordance with such conditions as he may prescribe, permit such importation in such quantities and for such periods, as he determines to be appropriate taking into consideration the purposes of this section. The Secretary shall periodically review any list published under this subsection to determine whether such fish or wildlife continue to be threatened with worldwide extinction. In carrying out the provisions of this subsection, the Secretary, through the Secretary of State shall encourage other countries to provide protection to species and subspecies of fish or wildlife threatened with worldwide extinction and to take measures to prevent fish or wildlife from becoming threatened with extinction, and shall, through the Secretary of State, encourage bilateral and multilateral agreements with such countries for the protection, conservation, and propagation of fish or wildlife. The Secretary shall also encourage persons, taking directly or indirectly fish or wildlife or their parts in foreign countries for importation into the United States for commercial or other purposes, to develop and carry out, with such assistance as he may provide under any authority available to him, conservation practices designed to enhance such fish or wildlife and their habitat. The provisions of section 553 of title 5 of the United States Code shall apply to any regulation issued under this subsection.

(b) The Secretary of the Interior may permit, under such terms and conditions as he may prescribe, the importation of any species or subspecies of fish or wildlife or parts thereof that are threatened with extinction for zoological, educational, and scientific purposes, and for the purpose of breeding such species and subspecies for preservation and propagation.

(c) For the purposes of facilitating enforcement of this section and reducing the costs thereof, the importation of all fish and wildlife and the parts thereof into any port in the United States, except such as may be designated by the Secretary of the Interior with the approval of the Secretary of the Treasury as ports of entry for vessels or aircraft, is prohibited.

(d) The Secretary of the Interior shall prescribe by regulations such terms and conditions as he shall deem necessary to implement his administration of the foregoing provisions of this section. The Secretary of the Treasury shall, in accordance with such regulations as he may prescribe, enforce the foregoing provisions and any regulations of the Secretary of the Interior issued with respect to importations subject to the provisions of this section. Any person who knowingly violates any provision of this section or the regulations of the Secretary of the Interior issued thereunder or any permit provision shall, upon conviction, be fined not more than $500 or imprisoned not more than six months, or both. Any person authorized to enforce the provisions of this section and the regulations prescribed thereunder or any provision of a permit may, with or without a warrant, arrest any person who violates such provisions or regulations in his presence or view, and may execute any warrant or other process issued by any officer or court of competent jurisdiction, and may, with a search warrant or as incident to a lawful arrest, or incident to the arrival from outside the customs territory of the United States of any merchandise or person, search for and seize any fish or wildlife or parts thereof or property taken, used, or possessed in violation of such provisions or regulations. Anything so seized shall be held by such person or by the United States marshal pending disposition of the case by the court. Any fish or wildlife or parts thereof seized shall be forfeited to the Secretary of the Interior to be disposed of in such manner as he deems appropriate; and, upon conviction, any property seized may be forfeited to the United States or otherwise disposed of by the court. The provisions of section 553 of title 5 of the United States Code shall apply to any regulation issued under this subsection.

(e) As used in this section—

(1) the term "fish or wildlife" means any wild mammal, fish, wild bird, amphibian, reptile, mollusk, or crustacean;

(2) the term "person" means an individual, corporation, association, organization, or partnership.

(f) Nothing in this section shall be construed as applying to the importation into the United States, its territories or possessions, or the Commonwealth of Puerto Rico, any species of fish or wildlife occurring in international territory, except where previously provided for by international treaty or convention.

Sec. 2. Section 43 of title 18, United States Code, is amended to read as follows:

§43. Transportation of wildlife taken in violation of State, National, or foreign receipt; making false records

"Whoever knowingly delivers, carries, transports, or ships by any means or method in interstate or foreign commerce for commercial or noncommercial purposes, or causes to be delivered, carried, transported, or shipped by any means or method in interstate or foreign commerce for commercial or noncommercial purposes, or knowingly sells or causes to be sold in interstate or foreign commerce, any wild mammal, wild bird, amphibian, reptile, mollusk, or crustacean, or part thereof which was captured, killed, taken, purchased, sold, or otherwise possessed in any manner contrary to this section or any Act of Congress or regulations issued thereunder or contrary to the laws or regulations of any State, the District of Columbia, the Commonwealth of Puerto Rico, possession of the United States, or foreign country; or knowingly sells or causes to be sold any products manufactured, made, or processed from such wild mammal, wild bird, amphibian, reptile, mollusk, or crustacean, or part thereof; or knowingly receives, acquires, or purchases any such wild mammal, wild bird, amphibian, reptile, mollusk, or crustacean, or part thereof which was delivered, carried, transported, or shipped by any means or method in interstate or foreign commerce for commercial or noncommercial purposes; or knowingly makes or causes to be made any false record, account, label, or identification thereof; or knowingly imports from, or exports to, Mexico any wild game mammal dead or alive, or parts or products thereof, except under permit or other authorization of the Secretary of the Interior or in accordance with regulations issued by him;

"Shall, upon conviction, be fined not more than $1,000 or imprisoned for not more than six months. Any wild mammal, wild bird, amphibian, reptile, mollusk, or crustacean, or part thereof seized in connection with any violation of this section shall be forfeited to the Secretary of the Interior to be disposed of in such manner as he deems appropriate."

Sec. 3. Section 3054 of title 18, United States Code, is amended by inserting "42," after "to enforce sections" and by inserting a comma after "43".

Sec. 4. Section 3112 of title 18, United States Code, is amended by inserting "42," after "to enforce sections" and by inserting a comma after "43".

Sec. 5. The first paragraph in section 44 of title 18, United States Code, is amended by deleting "wild animals or birds, or the dead bodies or parts thereof," and inserting "any wild mammal, wild bird, amphibian, or reptile, or the dead bodies or parts thereof, or any mollusk or crustacean,".

Sec. 6. (a) Section 2 of the Black Bass Act (44 Stat. 576), as amended (16 U.S.C. 852), is amended—

(1) by inserting before the words "any foreign country" the words "or from"; and

(2) by inserting after the words "District of Columbia" the words "or any foreign country".

(b) Section 3 of the Black Bass Act (46 Stat. 846), as amended (16 U.S.C. 852a), is amended by deleting the comma after "commerce" and inserting therein "or foreign commerce,".

(c) Section 6(a) of the Black Bass Act (46 Stat. 846), as amended (16 U.S.C. 852(a)), is amended by changing the words "Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this Act" in the first sentence thereof to read as follows:

"The provisions of this section and any regulations issued thereunder shall be enforced by personnel of the Department of the Interior and the Secretary may utilize by agreement with or without reimbursement personnel and facilities of other Federal agencies, and such personnel".

(d) The provisions of section 1 through 6(c) of this Act shall be effective one hundred and eighty days after the date of enactment of this Act.

Sec. 7. (a) Section 1 of the Act of October 15, 1966 (80 Stat. 926), is amended by adding a new subsection at the end thereof to read as follows:

"(d) For the purpose of sections 1 through 3 of this Act, the term 'fish and wildlife' means any wild mammal, fish, wild bird, amphibian, reptile, mollusk, or crustacean."

(b) Section 2(d) of the Act of October 15, 1966 (80 Stat. 926), is amended by adding a new sentence at the end thereof to read as follows: "Until June 30, 1971, the Secretary is authorized to acquire by purchase, donation, exchange, or otherwise any privately owned land, water, or interests therein within the boundaries of any area administered by him, for the purpose of conserving, protecting, restoring, or propagating any selected species of native fish and wildlife that are threatened with extinction and each such acquisition shall be administered in accordance with the provisions of law applicable to such area: *Provided*, That for each of the fiscal years 1969, 1970, and 1971 there are authorized to be appropriated annually not to exceed $750,000 to carry out the provisions of this sentence."

Sec. 8. (a) The Secretary of Agriculture and the Secretary of the Interior shall provide for appropriate coordination of the administration of this Act and amendments made by this Act, with the administration of the animal quarantine laws (21 U.S.C. 101 et seq., 21 U.S.C. 111, 21 U.S.C. 134 et seq.) and the Tariff Act of 1930, as amended (19 U.S.C. 1306).

(b) Nothing in this Act, or any amendment made by this Act, shall be construed as superseding or limiting in any manner the functions of the Secretary of Agriculture under any other law relating to prohibited or restricted importations of animals and other articles and no proceeding or determination under this Act shall preclude any proceeding to be considered determinative of any issue of fact or law in any proceeding under any Act administered by the Secretary of Agriculture.

S. 336—INTRODUCTION OF BILL—AN AMENDMENT TO SECURITIES ACT OF 1933 LIBERALIZING "REGULATION A" EXEMPTION

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I am reintroducing today, for appropriate reference, a bill to increase the size of a securities offering which may be made by a small business under an exemption contained in section 3(b) of the Securities Act of 1933, commonly known as regulation A. Joining in the sponsorship of this legislation are Senators FULBRIGHT, NELSON, WILLIAMS of New Jersey, MCINTYRE, MONDALE, BENNETT, and HATFIELD.

As those concerned with commerce and with the securities industry are aware, equity capital is the lifeblood of small and growing businesses. As the Securities and Exchange Commission has pointed out:

> Nearly every small business at some time (needs additional capital) . . . Funds may be needed, for example, to finance the initial stages of a new venture, to pay for the expansion of a growing enterprise, or to provide working capital, . . ."[1]

Seeking such equity capital from the public is particularly important during periods of tight money, such as we are experiencing at this time.

Section 3(b) in the original enactment of the Securities Act of 1933 recognized these needs of small business and authorized the Commission to exempt certain classes of securities where the total offering price to the public did not exceed $100,000. The act was amended in 1945 to raise the limitation to $300,000. The legislative history of that amendment indicates that the primary reason for the increase was the desire of Congress to keep small business abreast of the increased costs in doing business in 1945 as compared with those costs at the time of the passage of the act in 1933. Congress established in that year that $100,000, would, in many cases, be an inadequate amount for the accomplishment of our national objectives of fostering the free enterprise system.

In more recent years, Members of Congress and leaders of the financial community have, on occasion, suggested a further increase in the limitation found in section 3(b). For instance, when the act was amended in 1954, the Senate version of the amendments would have raised the ceiling to $500,000. This provision, however, was deleted from the final legislation. Our bill in the 90th Congress, S. 3695, was another effort in that direction.

The sentiment in the Senate now, I believe, is that in the 23 years since the last amendment, costs have continued to rise throughout the economy. As a result, the $300,000 permitted under regulation A has sustantially less purchasing power today. The authors of this bill feel that the level should be at least $500,000. There are others who may feel that $1,000,000 would be a more realistic figure. We would, of course, wish to take into account the opinions of business and finance leaders who are in a position to know the capital markets, as well as the Securities and Exchange Commission, as to what figure and what safeguards will best serve the interests of all in this matter.

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[1] "How the Securities Act of 1933 Affects Small Businesses," pamphlet published by the Branch of Small Issues, Division of Corporation Finance, Securities and Exchange Commission, February 16, 1967.

However, this seems to us to be an appropriate time for the Congress to reexamine the present statutory ceiling of Regulation A and to explore what increase may be required in order for this exemption to fulfill its original purposes of assisting small business and our free enterprise economy.

I ask unanimous consent that the text of the bill that I am introducing be printed following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 33) to amend section 3(b) of the Securities Act of 1933 to permit the exemption of security issues, not exceeding $500,000 in aggregate amount, from the provisions of such Act, introduced by Mr. Sparkman, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Securities Act of 1933 (15 U.S.C. 77c. (b)) is amended by striking out "$300,000" and inserting in lieu thereof "$500,000".

S. 337—INTRODUCTION OF BILL ON DISTRICT OF COLUMBIA PARKING

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill which will provide at long last the District of Columbia with a municipal parking authority capable of relieving the serious traffic congestion in our Nation's Capital.

The bill is the same bill to which the Senate agreed last October after a give-and-take conference with the House. As such, it is a compromise piece of legislation, yet one which I believe will both work and have a good chance of being enacted into law.

The effort to provide the District with suitable parking facilities began nearly 3 years ago. As chairman of the District Subcommittee on Business and Commerce I held 6 days of hearings on the parking problem in the District of Columbia in January and February of 1966. I do not intend to recount here the long and often tortuous path that parking legislation took. Suffice it to say that the hearings established without doubt that a municipal parking authority was urgently required in the District and my bill to so provide this authority was twice passed by the Senate.

The bill creates the District of Columbia Parking Board, composed of the Mayor-Commissioner of the District, the Secretary of the Interior, and the Administrator of General Services or their designees. The inclusion of the latter two individuals reflects the need for parking near the national monuments in the city on land owned by the National Park Service as well as the necessity to provide spaces for Government employees.

The Parking Board has the authority to acquire through purchase or condemnation property needed to establish parking facilities within the District. The power of eminent domain, however, is a limited one with ample safeguards to prevent its abuse.

The Board also has the authority to construct and operate parking facilities to lease and sell them, and to lease land for their development and operation by private concerns.

Additionally the Parking Board can establish a schedule of rates to be charged in facilities created pursuant to the act. The rates in facilities operated by the Board, moreover, are to be comparable to the rates in privately owned and operated facilities, taking into consideration the type of service provided and the vicinity of the parking garage. Let me add here, and let me emphasize that the Board does not have the power to establish a rate schedule for those parking facilities in the District of Columbia that are strictly private operations. Only in facilities provided through the Parking Board can rates be scheduled.

It is appropriate to mention here that a municipal parking authority does not mean that private operators are driven out of business. Quite the contrary. The hearings I held showed that public and private parking operations can peacefully coexist and profitably so. Mr. John T. Stabile, president of the Parking Service Corp. in Pittsburgh, a private concern, testified that—

> The private parking industry in Pittsburgh has not been held back or materially affected by a municipal parking program. If anything, the Public Parking Authority of Pittsburgh in the downtown area has encouraged extensive parking development by private interests during the past 15 years.

The Board is further authorized to issue tax-exempt bonds pledging as security its own revenues as well as 75 percent of the revenues from the Districts parking meters. The intent is to create a board which is financially self-sufficient and which in no way would constitute a drain on the public treasury.

While the Board is not required to pay taxes it is obligated to pay in lieu of such taxes an amount equal to the tax assessment that would have been levied against the property of the Board. This requirement however, to quote section 14 of the bill "shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract." This subordination is essential for the marketability of the bond issue without which there would be no Parking Board and thus no relief from the parking congestion in the District.

Mr. President, let me stress here that the powers granted to the Parking Board are by no means excessive. They are similar to the powers of other municipal parking authorities—successful ones I might add—and constitute the minimum authority necessary to do the job.

The Parking Board must submit its plans for parking facilities in the District to the National Capital Planning Commission and Fine Arts Commission for review. This guarantees consideration of parking facilities within the total planning picture for the District of Columbia and maintains the architectural integrity of new buildings in our Nation's Capital.

Finally, the bill creates a Parking Advisory Council to assist the Board in carrying out its facilities and to conduct, within 1 year following the enactment of the act a truly comprehensive report on the parking situation in the District metropolitan area.

This essentially is what the bill I am introducing today does. It is, as I have said, a compromise piece of legislation. The conference was a difficult one with the House Members pressing us hard. As in all such conferences it was necessary to agree to some of the House amendments. Nevertheless I believe that we came away with a good bill and one which if enacted and properly administered, can help to relieve the parking crisis in the District. Let me detail briefly the major House changes.

The most important concerns the Board's power to condemn. No condemnation proceeding can take place on any parking facility operated as such on October 8, 1968 and no such proceeding can be initiated unless within 60 days either House of Congress does not pass a resolution, reported from its committee on the District of Columbia, stating that the House disapproves such an action. While these conditions no doubt limit the Board's exercise of its right of eminent domain the important point to remember is that the House Members accepted it in principle by accepting in substance a power to condemn. This was a power bitterly opposed by the other side. The hearings I held, however, revealed that the right of eminent domain is crucial to the successful operation of a municipal parking authority. We did not get all of it, but we did get much of it. I feel that the acceptance by the House conferees of this eminent domain right constitutes a major gain. It provides the Parking Board with a vital tool with which to relieve the parking problem in the District.

A second important change demanded by the House side concerns the rate schedule established by the Parking Board. The original Senate version of the bill stated that the fees should be fixed at the "lowest" rates possible that will enable all financial obligations to be met. The conference substitute deletes this and says that the rate schedule of the Parking Board shall be "comparable" to that of private operated facilities which provide substantial similar service and are in the same facility. It is the intent of this change to provide some flexibility in permitting the private competitive rate structure to be taken into consideration. It is not the intent, and let me stress this, to rigidify so the schedule as to necessitate exactly similar rates. Nor is it the intent to require the Board to fix rates deemed artificially high in order to meet the demand for comparability. The purpose is flexibility, and the proper and due consideration of the private sector. Not total and complete equalization of the rate schedule.

The third major change involves section 14 of the bill, dealing with the exemption from taxation. As an arm of Government and in order to insure the success of the bond issue, the Parking Board is not required to pay taxes. However, a permissive payment equal to and in lieu of taxes was included in my original bill. The House side insisted on changing this permissive payment of taxes to a mandatory one. Thus the language in the bill was changed from "may pay" to "shall pay". As I have already noted the conference version contains additional language stating that this payment shall be secondary to any bond obligations. This change in the bill is an important one. It might well affect the workability of the act. In the hearings to be held on the bill before Subcommittee on Business and Commerce I intend to examine closely this change and will ask the witnesses to do likewise. Possibly a further change in the language may be required. Possibly not. In any case I shall keep a close eye on this question. Certainly we need an act that can be made to work and a Parking Board that can function properly. Anything less is an exercise in legislaton rather than an accomplishment in fact.

Mr. President, these are the more important changes agreed to in the conference last October. There are some others, but they are relatively minor. The bill is different from the one the Senate originally twice passed, but it is, overall, a good bill, one that has passed the Senate before and now stands an excellent chance for passage in both Houses this year.

In one area, however, there was no yielding to the House side. This was section 7(c) permitting the Parking Board to operate its own facilities in some instances. The House members of the conference tried exceedingly hard to remove this language. Only private operators would then be permitted actually to operate parking facilities in the District. But the Senate held firm and here I would like to commend my very able colleague the junior Senator from Virginia who refused to budge under very substantial House pressure. He held firm and deserves much of the credit for the compromise bill being as satisfactory as it is. The net effect of the change desired by the House would be to hamper severely the proper functioning of the Parking Board.

What if no private operator deemed it necessary or financially rewarding to operate a facility in a location considered paramount by either the Board or the Advisory Council? The whole purpose of providing for the planned location of parking facilities would be thwarted. What would happen if an operator for some reason suddenly became unable to operate a parking facility? The Board must be able to act in such a case. Moreover, exempting the Parking Board from operating facilities runs contrary to the spirit of establishing a municipal parking authority. If you are going to create a public body you must give it the means to accomplish its end. There is no sense in creating the cart without providing for the horses. Finally, and more importantly, such an exemption would open up the Congress to the charge that a public authority was created to serve specifically a small group of businessmen in the city. This might have serious implications, I think, for the esteem with which the public views both Houses of Congress.

Mr. President, before concluding I would like to draw attention to two final points. The first concerns an argument that one sometimes hears when discussing the parking problem in the District. It goes like this. If you provide more parking, you encourage more traffic, increase vehicular flow, create more demand for additional highways which in turn necessitates further parking facilities. The cycle is endless and illustrates how the automobile is taking over our cities. The argument has an attractive logic to it, but is not entirely valid. The bill I have introduced will not inevitably encourage new highways and perpetuate the cycle. For the downtown area, the intent of the bill is as much to have a more effective reallocation of existing parking spaces as it is to provide additional ones.

I believe, very strongly that we must utilize existing downtown streets and make them more effective. This is done by changing surface lots and curb parking to offstreet multistory parking structures, thus making the existing roads more suitable for vehicular flow and easing the traffic without constructing new highways. This would also, of course, add to the District's tax base. We need, simply, to use the roads we have more efficiently. For the area in Washington where the monuments are, most of the congestion there is caused by out-of-State visitors who come by car to view their lovely Capitol. Parking facilities for them can be provided, without encouraging commuters and thereby increasing the demand for more roads, through the manipulation of the rate schedule. Fees to prevent long-term parking yet encourage the visitor's short-term needs could be easily established. The provision of additional parking facilities in the District of Columbia therefore does not mean that further highways must be built to accommodate the increased traffic generated by the successful operation of these facilities.

My final point is a simple one. Resolving the city's parking problem is not going to solve the District of Columbia traffic problem. It will help, but it will not do the whole job. Parking is only part of the problem. Resolving it will, I think, make a substantial contribution to the larger solution but not a complete one. To solve the overall traffic problem in the District requires a judicious balance of various modes of transit. Subway, bus, car, and plane are all components on this balance. No single mode is sufficient. I have long advocated a balanced transportation system, both for the District of Columbia and the Nation at large. This alone can provide the solution. Parking is part of such a system and must not, therefore, be ignored. It is neither a minor aspect nor a temporary one. It is rather an important unit of analysis within the system and must be considered part of the overall transportation picture.

Mr. President, I now ask for unanimous consent that the bill I am introducing today be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 337) to establish a public parking authority in the District of Columbia, introduced by Mr. TYDINGS, for himself and Mr. SPONG, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "District of Columbia Parking Facility Act".

FINDINGS OF FACT

SEC. 2. The Congress finds that—

(1) the growth and development of the National Capital area have been accompanied by an ever-increasing number of persons entering the District by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District governments; and interferes with the rapid and effective disposition of police and fire-fighting equipment;

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District governments.

CREATION OF PARKING BOARD

SEC. 3. (a) There is established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (hereafter in this Act referred to as the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District or his designee, the Secretary of the Interior or his designee, and the Administrator of General Services or his designee. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and other applicable laws relating to employees of the District, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

(c) In Carrying out its duties under this Act, the Parking Board shall take such action as may be necesary to insure the equitable distribution of parking facilities among the properties of the Government with due regard for the comparative urgency of need for such facilities, and to that end it shall take into consideration the availability of public transportation, other Government as well as commercial off-street parking facilities, and municipal, regional, and other planning for the future extension or improvement of public transportation and parking facilities. The highest priority shall be given to any project to provide parking facilities for motor vehicles of officers and employees of the Government employed in the buildings on North Capitol Street presently occupied by the Government Printing Office. In determining the location and design of those parking facilities consideration shall be given to the incidence of crime in the area surrounding those buildings.

PARKING ADVISORY COUNCIL

Sec. 4. (a) There is hereby established a Parking Advisory Council (hereafter in this Act referred to as the "Advisory Council"). The Advisory Council shall be composed of nine members, consisting of the Director of the District of Columbia Department of Highways and Traffic or his designee, the Chairman of the National Capital Planning Commission or his designee, and the general manager of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board, one of whom shall be designated biennially by the Parking Board to serve as Chairman. Two of the members appointed from private life shall be experienced parking operators in the National Capitol area and the other members appointed from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c) (1) Members of the Advisory Council who are officers or employees of the United States or of the District shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Advisory Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Advisory Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Advisory Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities, and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of title 5, United States Code, governing appointments in the competitive service and other applicable laws relating to employees of the District, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioner of the District shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limit of funds authorized by the Parking Board and in accordance with the provisions of section 21(a)(11) of this Act, to hire independent consultants to assist it in carrying out its responsibilities under this Act.

COMPREHENSIVE PARKING STUDY

Sec. 5. (a) The Advisory Council shall, within one year following the effective date of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas withing which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITION OF PARKING FACILITIES

Sec. 6. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift, exchange, condemnation, or otherwise, such property, real or personal, in the District, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act. The Parking Board shall not acquire by condemnation any parking facility operated as such on October 8, 1968.

(b) The Commissioner of the District is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street, highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District for use by the Parking Board in carrying out its duties under this Act. The Commissioner, to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District. Nothing in this Act shall be construed as modifying or superseding any provision of title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility.

The Parking Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District at least twenty days prior to such hearing.

(e) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have—

(1) retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and received in writing from such appraisers such value;

(2) established a fair market value for the property based on such appraisal;

(3) certified that it has been unable to purchase the property at such fair market value;

(4) certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals they can reasonably afford; and

(5) certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

After the Parking Board has complied with the requirements of paragraphs (1) through (5) of this subsection with respect to any real property, it shall notify each House of Congress of its intent to initiate condemnation proceedings with respect to such real property. The Parking Board may initiate such proceedings unless between the date of the transmittal of such notice and the end of the first period of sixty calendar days of continuous session of Congress after that date either House passes a resolution, reported from its Committee on the District of Columbia, stating in substance that that House does not favor the initiation of such proceedings. The provisions of section 906 of title 5, United States Code, shall apply with respect to determining when the sixty day period referred to in the preceding sentence has terminated. The provisions of sections 908, 910, 911, 912, and 913 of such title shall apply with respect to the consideration of the resolution provided for in this subsection.

(f) Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of subchapter II of title 16 of the District of Columbia Code, except that wherever in such subchapter (1) the terms "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean that property shall be taken in the name of the Parking Board, (3) reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such subchapter), such reference shall be deemed a reference to the Parking Board, and (4) any payment is required to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(g) The Parking Board may make relocation payments to any person displaced by reason of its acquisition of property under this section to the same extent as such person would be entitled to receive if such payments were made under section 114 of title I of the Housing Act of 1949 (42 U.S.C. 1465). The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner of the District.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (D.C. Code, sec. 5-415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

SEC. 7. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931 (the Davis-Bacon Act, 40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276(c)).

(b) The Parking Board may—

(1) include in any facility acquired or constructed under this Act air space at or below the level of the street on which such facility fronts or abuts for purposes other than parking, and

(2) make provision for the development of the air rights above any parking structure of four or more stories for purposes other than parking,

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located. The lease under section 8 of this Act of any facility constructed or acquired by the Parking Board, shall include the space and air rights referred to in paragraphs (1) and (2) of this subsection. No pertroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 8 and 9 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made.

(d) In operating any such facility, the Parking Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (41 U.S.C. 351-357).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

SEC. 8. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Parking Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but the Parking Board may reject any and all such bids.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept, for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination for the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee. Such lease shall take into account the fair value of any space in, on, above, or below such facility available for purposes other than parking.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 9. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the Governments of the United States or the District. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself, and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of subsection (b) of this section, to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity, or such vicinity will not economically support any such parking facility. Such a hearing shall be held upon the request of any purchaser (or successor in interest) who has held such parking facility for at least 5 years.

LEASING LAND FOR DEVELOPMENT

SEC. 10. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any land acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and land shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including requirements that (1) such structure or structures shall conform with the plans and specifications approved by the Board, (2) such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, become the property of the United States, upon termination or expiration of any such lease, (3) the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations, and (4) the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931 (the Davis-Bacon Act, 40 U.S.C. 276a-276a-5), and any other requirement which, in the judgment of the Parking Board, shall be related to the accomplishment of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease or develop space in such facility at or below the level of the street upon which such facility fronts or abuts for purposes other than parking; and

(2) sublease or develop air rights above any parking structure of four or more stories for purposes other than parking;

if the Parking Board determines that the utilization of such space or air rights for such other purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located. No petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this Act and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 11. (a) The Parking Board shall establish and, from time to time revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. Any such schedule of rates established by the Parking Board for use of space in any parking facility operated by the Parking Board shall be comparable to the schedule of rates for use of space in any parking facility which is operated by a private parking operator and which is similar to, and in the same vicinity as, the parking facility operated by the Parking Board. In establishing rates under this Act, the Parking Board shall (1) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (2) consider, in light of the overall transportation needs and problems of the District metropolitan area, the extent to which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such location. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board under this Act, or constructed on any unimproved real property leased under section 10 of this Act, shall be fixed at rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 12. (a)(1) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board, except that not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act.

(2) Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

(3) In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

(4) In order to secure the payment of its bonds, the Parking Board shall have the power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof) to—

(A) pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board;

(B) covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property;

(C) covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind;

(D) covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and

(E) covenant with respect to the replacement of lost, destroyed, or mutilated bonds.

The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer, and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation (except estate, inheritance, and gift taxes) now or hereafter imposed by the United States or the District, any State, territory, or possession, or any county, municipality, or other municipal subdivision, or taxing authority of any State, territory, or possession of the United States.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, domestic insurance associations, and executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, except that nothing contained in this subsection shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

SEC. 13. (a) The Parking Board shall, subject to the approval of the Commissioner of the District, install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner of the District as the Parking Board may determine as an aid to regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTION FROM TAXATION

SEC. 14. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof. In lieu of such taxes or assessments the Parking Board shall pay to the District an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The requirement to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

SEC. 15. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the Washington Metropolitan Area Transportation Authority, and the Metropolitan Washington Council of Governments, to establish fringe lots in the National Capital area. The head of any Federal or District government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots without charge to the persons patronizing such lots.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

SEC. 16. (a) On and after the effective date of this Act the Parking Board or any person desiring to acquire existing parking facilities, construct new parking facilities, or lease property for use as parking facilities shall submit to the National Capital Planning Commission for its review and recommendations thereon their plans for the acquisition, construction or leasing of such facilities or properties. The recommendations of the Commission shall be advisory in nature.

(b) The National Capital Planning Commission is authorized whenever such plans are forwarded to it in accordance with the provisions of this section, to study such plans and make such report thereon as the Commission, in its discretion, determines is necessary. If no such report on such plans is submitted by the Commission within sixty days from the date the Parking Board or such person forwards them to the Commission, the Commission's approval of such plans shall be assumed.

(c) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking facilities in the District.

COMMISSION OF FINE ARTS TO REVIEW PLANS

SEC. 17. (a) The Parking Board shall in accordance with the provisions of the Act of May 16, 1930 (40 U.S.C. 121), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

STUDY

SEC. 18. The Advisory Council shall undertake a study of the relationship between parking requirements and zoning regulations, with specific reference to the District planning proposals and the District zoning study now underway.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

SEC. 19. Every person owning or operating a parking facility in the District shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

AUDITS AND REPORTS

SEC. 20. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioners in like manner as is provided by law in the case of expenditures made by the government of the District. Nothing contained in this section shall be construed to present the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, and (5) sources and application of funds, and a verification by such person of separate income and expense statements for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

SEC. 21. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the power—

(1) to sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) to adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) to make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) to construct and equip parking facilities in the District and to exercise all powers necessary or convenient in connection therewith;

(6) to borrow money, to mortgage or hypothecate its property, or any interest therein, pledge its revenues, and to issue and sell its obligations;

(7) to appoint and employ, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and other applicable laws relating to employees of the District, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) to procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) to deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) to spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) to employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) to enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act, except that as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) to sell, exchange, transfer, or assign (in accordance with the general law of the District governing disposal by the District of real or personal property, including interests therein) any property, real or personal, or any interest therein, which was acquired under the authority of this Act, and which has been determined, after public hearing, to be no longer necessary for the purposes of this Act;

(14) to obtain from the United States, or any agency thereof, loans, grants, or other assistance on the same basis as would be available to the District.

(b) Notwithstanding the provisions of paragraph (13) of subsection (a) of this section, the Parking Board shall not have the authority to exchange, sell, or transfer any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

Sec. 22. (a) The Commissioner of the District is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the provisions of title 5, United States Code, governing appointments in the competitive service.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (D.C. Code, sec. 4-115), authorizing the Board of Commissioners of the District to appoint special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

DEFINITIONS

Sec. 23. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(3) "revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(4) "parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the off-street parking of motor vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(5) "parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(6) "National Capital area" means the District and all surrounding jurisdictions which are commonly recognized as part of the District metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

Sec. 24. (a) The Motor Vehicle Parking Agency created by Reorganization Order of the Board of Commissioners of the District of Columbia Numbered 54 and reconstituted under Organization Order of the Board of Commissioners of the District of Columbia Numbered 106 (D.C. Code, title 1, appendix), is abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on the public streets of the District are transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (D.C. Code, sec. 40-616) is repealed.

REPEAL

Sec. 25. The District of Columbia Motor Vehicle Parking Facility Act of 1942 (D.C. Code, secs. 40-801—40-809a) is repealed.

EFFECTIVE DATE

Sec. 26. This Act and the amendments made by this Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

DISTRICT OF COLUMBIA PARKING BILL

Mr. SPONG. Mr. President, I am pleased to cosponsor the parking bill for the District of Columbia introduced by the Senator from Maryland, Senator Tydings, who is chairman of the Senate Committee on the District of Columbia.

At the end of last session, during Senator Tydings' absence, I served as the Senate conferee and the Senate floor manager of the conference bill. This bill cleared the Senate, but not the House.

Both at the time of Senate passage of the bill and subsequently, questions have been raised concerning the bill. Neither those who desired a stronger nor a weaker bill are completely satisfied. Probably, it is impossible for them to be.

What the bill represents is, however, the realization of a number of people that something must be done. At the present, adequate parking facilities are simply not available in the Nation's Capital for visitors—whether they be our own citizens or from a foreign land. Government employees find it difficult to obtain satisfactory facilities in proximity to their offices. And, the person desiring shopping opportunities, dining or entertainment currently finds it easier to frequent establishments outside the downtown area rather than risk the frustrations of no street parking and no vacant parking lots.

All this imposes a hardship upon the citizen who may have traveled miles to visit the Nation's Capital and to see his Government in action, the suburban resident trying to get to work and the person seeking to utilize the business and entertainment facilities of the District. It means frustration for these citizens. It means a loss in much-needed revenues for the District, as citizens seek to fulfill their business and recreation needs elsewhere.

In recognition of these problems, the bill introduced today was developed. It will not solve all our parking problems. But, it is a move in the right direction.

The bill creates a Parking Board with the power to acquire property, construct parking facilities and to sell, lease or operate such facilities. At the same time, it incorporates safeguards for private parking facilities in operation as of October 8, 1968, and for the Board's use of its acquisition procedures and eminent domain authority. Some of the requirements of the bill may make administration of it somewhat prolonged and difficult. Nevertheless, I believe the limitations of the bill are outweighed by the need for additional parking facilities in the District, a need which the legislation introduced today will help meet.

S. 338—INTRODUCTION OF BILL TO PROVIDE INCREASED EDUCATIONAL OPPORTUNITIES FOR COLD WAR VETERANS

Mr. YARBOROUGH. Mr. President, today I introduce, for consideration of the Senate, a bill to amend the cold war GI bill. These amendments are designed to accomplish three purposes:

First. To broaden the scope of the present flight-training provisions;

Second. To increase the accessibility of the present flight-training provisions; and

Third. To increase the rates of educational assistance allowance paid to veterans under the cold war GI bill.

It is the last of these purposes that I will discuss first. It is the intent of the current law that eligible veterans receive an educational assistance allowance to meet, in part, the expenses of his subsistence, tuition, fees, supplies, books, equipment, and other educational costs. In short, when we passed the cold war GI bill, we declared as a matter of national purpose that the people of the United States would make an investment in our veterans by taking care of the cost of education.

The fact of the matter is that the current law does not reflect our intent. Times have changed, costs have spiraled upward, but the law has remained the same.

The amendments I introduce today are designed to make the educational assistance allowances more reflective of educational realities. Right now, an unmarried veteran going to college full time receives only $130 a month. My bill will provide him with what he needs: $190 a month. A student with two dependents, going to school half time, can now receive only $85 per month. My bill will bring that monthly allowance up to $115.

This kind of increased assistance is needed across the board. Our current level of assistance is 46 percent below the national average cost of education. At present the cost of attending a public college—expressed in 1967–68 dollars—is $1,092 per year; the current cost of attending a private college is $2,326 per year. Averaged, this amounts to $1,709 per year—$669 less per year than the veteran is currently eligible to receive: or, expressed differently, 46 percent less than an average year in college, full time, will cost him.

The amendments I am introducing today reflect the realities of the education market, and will increase the monthly educational assistance allowance for a full-time single veteran accordingly—by $60—from $130 now to $190 under my bill. Other increases for three-quarter, half time, and cooperative students are prorated accordingly:

Whereas a three-quarter-time student is now eligible to receive $95 a month he would, under this amendment, be eligible to receive $140; and where a half time student is now eligible for $60 a month, he would be eligible for $90 a month; and where a student in a cooperative program is now eligible for $105 a month, he would be eligible for $155 a month under the amendment.

Similarly, for eligible veterans with one dependent under current law, the rates are set at only $155 for full time, $115 for three-quarter time, $75 for half time, and $125 for those in cooperative education programs. Under my amendment these rates would be raised to $215, $160, $105, and $175, respectively.

For veterans with two dependents, the current rates are $175 for full time, $135 for three-quarter time, $85 for half time, and $145 for cooperative education. Under my amendment these rates would be raised to $235, $180, $115, and $195, respectively.

The intent of this amendment is to fulfill the promise of the cold war GI bill in fact; to provide to our fighting men educational assistance that is meaningful and helpful; to do everything in our power to encourage these veterans to pursue their educational opportunities.

We know from the experience of the World War II and Korean GI bills that by aiding these veterans we are making an investment that is paid back to America two or three times over in the form of increased taxable income.

The two amendments regarding flight training are substantially the same as those I introduced last April. They were approved by the Senate, but the House of Representatives refused to act on them.

These amendments would correct two serious deficiencies concerning the new flight-training provision which we included as part of the GI bill amendments in Public Law 90–77. The flight training we provided for was that which leads to a "recognized vocational objective in the field of aviation." It has come to my attention that this is an unnecessarily limiting phrase and that there are many individuals who wish to take advantage of the flight-training provisions and who would otherwise qualify, but who do not intend to pursue a career in the field of aviation. For example, there are the modern-day ranchers who use small aircraft to spot and herd cattle. Although they are not pursuing a vocational objective in the field of aviation, aviation has become an essential part of the operation of their ranching business. It is my feeling that such individuals should not be deprived of the benefits under this section of the law.

As a condition for obtaining assistance under the flight-training provisions, we stipulated that in order to qualify, the eligible veteran has to have a valid private pilot's license or have satisfactorily completed the number of hours of flight-training instruction required for such a license. As it turns out, it costs about $1,000 to obtain a private pilot's license; so that the very individuals who desire and need to take advantage of the flight-training provisions are unable to because they cannot afford to meet the basic requirement of having a license or qualifying for one. Thus, I am offering an amendment which will enable the Administrator to extend short-term loans to qualifying veterans to obtain a pilot's license.

It is my sincere hope that all of these necessary modifications in our veterans laws will receive swift treatment and acceptance by the Congress.

I request unanimous consent to have printed in the RECORD at this time the text of the bill to amend the cold war GI bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 338) to amend section 1677 of title 38, United States Code, relating to flight training, and to amend section 1682 of such title to increase the rates of educational assistance allowance paid to veterans under such sections, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 1677 of title 38, United States Code, is amended by striking out the material preceding clause (1), and inserting in lieu thereof the following:

"(a) The Administrator may approve the pursuit by an eligible veteran of flight training where such training is generally accepted as necessary for the attainment of a recognized vocational objective in the field of aviation or where generally accepted as ancillary to the pursuit of a vocational endeavor other than aviation, subject to the following conditions:".

(b) Section 1677 of such title is further amended by adding at the end thereof a new subsection as follows:

"(c)(1) In any case in which a veteran wishes to pursue a course in flight training under this section but does not possess a valid private pilot's license and has not satisfactorily completed the number of hours of flight instruction required for a private pilot's license, the Administrator is authorized to make a direct loan to such veteran to pursue the flight training required for a private pilot's license.

"(2) Loans made under this subsection may be made in any amount not exceeding $1,000 and shall bear interest at a rate determined by the Administrator, but not to exceed 6 per centum per annum.

"(3) Loans made under this section shall be repayable in equal monthly installments over a period of time not to exceed three years commencing upon the failure of the eligible veteran to enter upon a course of training under subsection (a) of this section within one year after completion of the requirements for or the obtaining of a private pilot's license; but up to 100 per centum of such loan (plus interest) may be canceled at the rate of 33⅓ per centum for each calendar year of service performed by the veteran in a recognized vocational field in aviation entered upon pursuant to training under subsection (a) hereof.

"(4) Loans made under this section shall be made upon such other terms and conditions as may be prescribed by the Administrator."

SEC. 2. (a) The table (prescribing educational assistance allowance rates for eligible veterans pursuing educational programs on half-time or more basis) contained in paragraph (1) of section 1682(a) of title 38, United States Code, is amended to read as follows:

Column I Type of program	Column II No dependents	Column III One dependent	Column IV Two dependents	Column V More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full time	$190	$215	$235	$10
Three-quarter time	140	160	180	7
Half time	90	105	115	5
Cooperative	155	175	195	7

SEC. 3. The amendments made by section 2 of this Act shall take effect on the first day of the second calendar month which begins after the date of the enactment of this Act.

S. 339—INTRODUCTION OF BILL RELATING TO EXPANSION OF FOOD-FOR-THE-NEEDY PROGRAM

Mr. MONTOYA. Mr. President, within the past year, considerable evidence has been presented to Congress attesting to the fact that many Americans—though surrounded by an overabundance of food—cannot obtain or do not receive at least the minimum amount of food needed to protect their health and sustain productive lives.

In recognition of this and other factors, the Senate has created the Select Committee on Nutrition and Human Needs—to study the unmet needs of people and recommend ways to meet those needs. Such a study, to have value, will require several months to complete.

In the meantime, many Americans continue to go hungry amidst plenty—due largely to gaps in the Government's surplus food distribution program and its enabling legislation. Without presupposing the findings and recommendations of the select committee, I am today introducing an amendment to section 416 of the Agricultural Act of 1949. It will provide a great measure of relief under the framework of existing capabilities and resources by first, specifically directing the Secretary of Agriculture to distribute food to needy families and households; second, directing the Secretary to make this food available in sufficient quantity and variety and at a sufficient number of locations, so as to provide recipients with at least the minimum daily nutritional allowances recommended by competent authority; third, directing the Secretary—when State and local officials fail to provide either an adequate food distribution or food stamp program within 120 days—to establish food distribution outlets in any State or local area where the need exists; and, fourth, authorizing the Secretary—when he is forced to take such independent action—to contract with any competent person, firm, or nonprofit organization for the distribution of foods. Under such contracts, foods would have to be distributed without discrimination, and recipients must be informed that it has been donated by the Federal Government.

Among other things, section 416 of the Agricultural Act of 1949 authorizes the distribution of surplus food for use in assisting needy persons to the extent that such persons are served. The history of this distribution program reveals that—due largely to the vague generality of the enabling statute—its implementation can be subject to the whims of a Secretary of Agriculture and/or State and local agencies.

For example, as recently as 1960, only a limited quantity of five commodities was made available to the States on the premise that "it's here if you want it." Further, the nutritional value of these five commodities—flour, lard, rice, dry milk and corn meal—fell far short of nutritional minimums.

In the intervening years, considerable improvement has been made in both the quantity and variety of foods made available. Approximately 22 commodities are now made available to the States; unfortunately, however, not all of the States and local agencies actually handle and distribute all 22 commodities. Hence, even where the program is being operated today, there are some areas where local officials are not utilizing it to the fullest, and thus, recipients are not receiving the proper quantity and variety of food to provide them with the minimum, nutritionally balanced diet.

Further, where the program is operating, the fact is that many of the present food distribution centers are located several miles from the people they are intended to serve. Not only is it difficult, it is sometimes impossible for many of these persons to find economical transportation to and from these distribution centers.

In other States, either State or local officials have refused to cooperate and make available the food offered by the Federal Government to alleviate hunger. I cannot conceive of any logical reason for permitting people to go hungry when food is available.

Mr. President, most all of us will agree that—from the evidence presented in recent months—hunger and malnutrition does exist among a significant number of Americans. At this time, let us not debate the issue further. Rather, let us act now to relieve a situation that begs immediate attention.

The bill I propose offers an uncomplicated means for accomplishing relief. There is no doubt that food commodities are available. This bill will insure that it is made available to those in need. Further, it will insure that food is made available in sufficient quantity and variety so as to afford the needy with at least the minimum nutrients needed to nourish their minds and bodies. Further, it will insure that no logistical roadblocks stand in the way of getting this food to those who are hungry.

Mr. President, I ask all Members of this Congress to support this proposed bill for the immediate relief of the hungry.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 339) to amend section 416 of the Agricultural Act of 1949, as amended, in order to require the Commodity Credit Corporation to distribute food commodities to needy persons under such section, and for other purposes, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 339

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 416 of the Agricultural Act of 1949, as amended (7 U.S.C. 1431), is amended by inserting "(a)" immediately after "Sec. 416.".

(b) Such section is further amended by striking out the first three sentences and inserting in lieu thereof the following: "In order to prevent the waste of commodities whether in private stocks or acquired through price support operations by the Commodity Credit Corporation before they can be disposed of in normal domestic channels without impairment of the price-support program or sold abroad at competitive world prices, the Commodity Credit Corporation, on such terms and under such regulations as the Secretary may deem in the public interest, is authorized: (1) upon application, to make such commodities available to any Federal agency for use in making payment for commodities not produced in the United States; (2) to barter or exchange such commodities for strategic or other materials as authorized by law; and (3) as hereby directed in the case of food commodities, to donate such commodities to the Bureau of Indian Affairs and to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in nonprofit school-lunch programs, in nonprofit summer camps for children, in the assistance of needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served. In the case of food commodities donated pursuant to clause (3) of this subsection, the Secretary shall (1) obtain such assurances as he deems necessary that the recipients thereof will not diminish their normal expenditures for food by reason of such donation; and (2) make available in assisting needy families and households a sufficient quantity and variety of nutritionally balanced foods at a sufficient number of locations as he deems necessary to provide recipients thereof with at least the minimum daily nutritional allowances recommended by competent nutrition authority. In order to facilitate the appropriate disposal of such commodities, the Secretary may from time to time estimate and announce the quantity of such commodities which he anticipates will become available for distribution under clause (3) of this subsection."

(c) Such section is further amended by adding at the end thereof a new subsection as follows:

"(b) If the State, Federal, or private agency or agencies designated by the proper State or Federal authority under clause (3) of subsection (a) of this section have failed to provide an adequate food commodity distribution program, or a food stamp program under authority of the Food Stamp Act of 1964, as amended, to meet the needs of needy persons on any Indian reservation or in any State or political subdivision thereof within one hundred twenty days after the date of enactment of this subsection, the Secretary shall promptly establish on such Indian reservation or in any State or political subdivision thereof such food commodity distribution outlets as may be necessary to properly meet the food needs of such persons. In order to facilitate the appropriate establishment of such food commodity distribution outlets, the Secretary is authorized to contract with any private person, business entity, or nonprofit organization which he deems competent, for the receipt, storage and distribution of such food commodities in accordance with such rules and regulations as the Secretary may prescribe: *Provided, however,* That in any such contractual arrangements, the Secretary shall take such measures as may be necessary to insure that (1) such commodities are made available without regard to race, color, religion, or national origin of the recipients, and (2) the recipients of such commodities are informed

that such commodities have been donated by the Federal Government."

S. 340—INTRODUCTION OF BILL RELATING TO DEVELOPMENT OF MIGRATORY WATERFOWL HABITAT IN MIDDLE RIO GRANDE VALLEY, N. MEX.

Mr. MONTOYA. Mr. President, I introduce for appropriate reference, a bill which would authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, N. Mex. This would be accomplished in furtherance of the purposes of the migratory bird treaties with Canada and Mexico.

The measure which I am introducing is identical to S. 1612, which I introduced last Congress and which was the subject of hearings before the Subcommittee on Merchant Marine and Fisheries of the Senate Committee on Commerce on August 16, 1967. Unfortunately, final action was never taken on the previous bill. However, with the benefit of hearings already held on the measure, it is my hope that prompt action might be forthcoming this session on my new measure.

Mr. President, the Rio Grande River, as you know, courses through New Mexico from north to south. It has, in times past and to some extent presently, been a source of damaging floods. In response to this problem a comprehensive plan of improvement was authorized by the Flood Control Act of 1948. Subsequently, new problems developed in this growing heartland of New Mexico, so that new projects were authorized to cope with them. As part of the overall plan, the Bureau of Reclamation has carried out a number of operations designed to assist the agricultural efforts in the valley. These improvements include irrigation and drainage works, channel rectification, and rehabilitation of irrigated areas.

Although the management of our water resource has thus progressed well, there still exists at least one major flaw in the overall project. In managing the resource well for man, the fate of wildlife has been seriously jeopardized. The once abundant marshes rich with food, and the many pools of still water for resting have been nearly eliminated, so that the ability of the valley to support the massive flights of migratory waterfowl in the central flyway is correspondingly reduced.

The situation which has now developed was forecast by responsible officials at both the State and Federal level at the time the original plans were being formulated. Unfortunately, what developed was a virtual ignoring by the development agencies of fish and wildlife benefits. Deprived of an appropriate place to live, the waterfowl could do nothing but migrate or face extinction. The Middle Rio Grande Valley is typical of the national problem of shrinking wildlife habitat.

The Rio Grande between Cochiti and Socorro, N. Mex.—a distance of 130 miles—once had many backwater and swampy overflow areas. The Federal Government, and to some degree non-Federal interests, have altered the river channel, the overflows, and the seasonal flows in the Rio Grande, in the course of water development programs. More than 8,000 acres of former waterfowl habitat have been lost during the past 25 years. During periods of low flow, some portions of the river channel continue to provide surface-water resting areas and bank-resting space; but feeding areas for waterfowl and hunting areas for the public have greatly diminished.

The remaining habitat is today concentrated to a large degree in the Bosque del Apache National Wildlife Refuge below Socorro and three State waterfowl management areas close to La Joya, Belen, and Bernardo, N. Mex. The State of New Mexico has invested heavily in an effort to protect this habitat.

By early 1967, acquisition and development of these State waterfowl areas, which total 5,230 acres, had over the past decade cost the State of New Mexico $375,000. Additionally, over $63,000 had been spent for operation and maintenance. This investment in wildlife, coming from State funds and from Federal Wildlife Restoration Act funds, represents the limit of the State's ability to remedy waterfowl habitat loss over the period. It falls short, however, of meeting the needs for habitat restoration resulting to a large degree from Federal water developments in the valley.

At the 1,600-acre Bernardo site, the New Mexico Department of Game and Fish committed itself to purchase the land at an additional cost of $160,000 rather than continue leasing it, as had been the case.

There is need to complete the development of the area at a cost of over $344,350. Irrigation, using concrete lined ditches and underground pipelines, is the reason for the high cost, but experience has shown that in light of water scarcity and soil types, no other method is feasible.

The Bernardo area, when developed, would serve as part of an integrated management complex. Intensive agriculture at Bernardo would provide adequate food for thousands of wintering waterfowl, while the La Joya area 5 miles to the south would provide about 600 acres of ponded water for resting space. The feasibility of such a management technique has been shown by the patterns that have already developed in the area.

There is also need for at least one additional habitat area north of Albuquerque, N. Mex. A 200-acre area, well suited for waterfowl, has been located near the Angostura diversion dam. Some 45 acres of tax delinquent land would be purchased by the department and then the remaining area would be made available by the conservancy district which now owns it.

Development cost for this latter area, once acquired, is estimated at $83,000; This would cover expenses of leveling, ditching, fencing, pond construction, and other related costs.

Thus, the total cost of the Bernardo and Angostura habitat restoration projects is approximately $430,000, the amount called for by my bill. This bill would authorize the Secretary of the Interior to enter into a cooperative program with the State of New Mexico to provide for realization of these projects. Under this program the necessary development could be carried out on the lands acquired by the State. The operation and maintenance costs of any facilities would be borne by the State.

The program authorized by this bill would afford an opportunity for beneficial cooperative action on the part of both State and Federal Government. Successful completion of the project will engender rewards not only within New Mexico, but throughout the central flyway. I urge prompt action on this measure by this Congress. There has already been more than sufficient consideration and too much delay.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a summary of the provisions of the bill and the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 340) to authorize the Secretary of the Interior to carry out a program of restoration and development of migratory waterfowl habitat in the Middle Rio Grande Valley, N. Mex. in furtherance of the purposes of the migratory bird treaties with Canada and Mexico, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 340

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the migratory bird treaties with Canada and Mexico, and for the purpose of restoring and developing migratory waterfowl habitat in the Middle Rio Grande Valley of New Mexico, which has been diminished because of water resource developments and other causes, the Secretary of the Interior is authorized to enter into an agreement with the State of New Mexico for habitat restoration and development, including the construction of needed facilities in the area between the Cochiti diversion dam and Socorro, New Mexico, on lands that either are owned by the State or are leased by the State for waterfowl purposes for not less than fifty years, and for which an adequate water supply for the benefit of migratory waterfowl and other wildlife is available. Such agreement shall provide that the cost of acquiring any lands or interests therein and any water rights for such lands and the operation and maintenance of any facilities thereon shall be borne solely by the State.

SEC. 2. There is authorized to be appropriated not to exceed $430,000 to carry out the provisions of this Act, to be available until expended.

The summary presented by Mr. MONTOYA is as follows:

SUMMARY OF S. 340

(A bill introduced by Senator JOSEPH M. MONTOYA (Democrat, New Mexico) to provide for wildlife restoration in the middle Rio Grande Valley, N. Mex.)

PROVISIONS OF BILL

(A) Authorizes the Secretary of the Interior to enter into an agreement with the State of New Mexico to carry out habitat

and restoration work for migratory waterfowl in the Middle Rio Grande Valley.

(B) This work would be done primarily by the State on State-owned or leased lands.

(C) The leases must be for at least 50 years and an adequate water supply must be available.

(D) The bill authorizes an appropriation of $430,000 for this purpose.

NECESSITY FOR THE BILL

(A) The Middle Rio Grande Valley between the Cochiti diversion dam and Socorro, New Mexico, has suffered an extremely significant loss of waterfowl and wildlife habitat which exceeds 8,000 acres during the past 25 years.

(B) Such loss is due in major part to Federal water development projects in the 100 mile area.

(C) The area was a wintering area of great significance to waterfowl, and the losses of habitat therein, as an important section of the central flyway, influence the welfare of waterfowl nationally.

(D) The State of New Mexico has taken all possible measures, under the circumstances, to mitigate the losses to the wildlife and waterfowl nationally.

RESTORATION MEASURES UNDERTAKEN BY THE STATE OF NEW MEXICO

(A) Bosque del Apache National Wildlife Refuge (5,230 acres): The State of New Mexico expended $375,000 over the past decade in acquiring and developing this refuge. An additional $63,000 has been spent for operation and maintenance.

(B) Bernardo Site (1,600 acres): The State of New Mexico has committed itself to purchase the land rather than continue to lease it at a cost to it of $160,000.

(C) Angostura Diversion Dam Site (200 acres): Area being acquired.

NECESSARY RESTORATION MEASURES MADE POSSIBLE BY S. 340

(A) Bernardo Site (1,600 acres): $344,350 needed to complete the development of the area.

(B) Angostura Diversion Dam Site (200 acres): $83,000 required for development of site.

S. 341, S. 356, S. 357, S. 358—INTRODUCTION OF BILLS RELATING TO ADDITIONAL DISABLED VETERANS LEGISLATION

Mr. MONTOYA. Mr. President, a grateful Government has provided much in the way of readjustment benefits for the men and women who have become disabled as the result of their military service in the Armed Forces of this Nation and for their widows, children and dependent parents.

The benefits of which I speak, compensation, pension, hospitalization, education and training, home loans and insurance, to name a few, are the end result of legislation enacted by the Congress in fulfilling our obligation to assure that those who have served their country in the cause of freedom will never be forgotten or neglected.

In assessing the existing veterans' programs, the Advisory Commission appointed by President Lyndon B. Johnson reached the unanimous conclusion that veterans' programs, as they currently exist, are fulfilling a large part of the Nation's responsibility to its veterans and their dependents.

The Commission also concluded that veterans with disabilities incurred in service in time of great national peril, should be given first priority in the range of special programs.

In recognition of our country's commitment to its disabled veterans and their dependents, Mr. President, I am today introducing a series of bills designed to improve certain service-connected benefits and reemphasize the priority for benefits that service-incurred disabilities should receive.

The first of these bills, Mr. President, will correct a defect in present law which provides that a disability which has been continuously rated at or above a certain "percentage" for 20 or more years shall not thereafter be rated at a lesser "percentage" except upon the showing that the rating was based on fraud.

In enacting Public Law 88–445, Mr. President, the Congress mistakenly used the word "percentage" rather than the term "evaluation" and it has come to my attention that the Veterans' Administration in its application of the law has denied the 20-year protection to disabled veterans who are receiving special monthly compensation for statutory awards under subparagraphs (k) through (s) of section 314, title 38, United States Code.

It is my belief that the VA's interpretation of the law, in this instance, represents a contradiction of the true and basic purpose of the stature. I cannot believe that it was ever the intent of the Congress to deny the protective feature of the law to those whose service-connected wounds and injuries involve the most seriously disabling conditions of all.

The first bill I introduce at this time will correct this intolerable situation by amending section 110 of title 38, United States Code by striking out the word "percentage" each time it occurs and inserting in lieu thereof the word "evaluation" thus insuring preservation of all disability compensation evaluations in effect for 20 or more years.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record. The bill (S. 341) to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 341

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective August 19, 1964, section 110 of title 38, United States Code, is amended by striking out "percentage" each time it occurs and inserting in lieu thereof "evaluation".

Mr. MONTOYA. My second bill, Mr. President, will correct an inequity in present law which came about through enactment of Public Law 90–77. This law expanded the veterans' benefits program by adding a new concept with regard to death payments to widows whose husbands died as the result of non-service-connected causes.

Public Law 90–77 provides that the monthly rate of pension payable to a widow who is in need of regular aid and attendance is to be increased by $50. It is apparent that there exists in this area, a situation in which some widows whose husbands have died as the direct result of service-incurred disabilities are not furnished an important financial benefit which is nevertheless available to certain widows whose husbands' death was in no way connected with the performance of military service. Enactment of my bill, Mr. President, will rectify this discriminatory feature of the law.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 356) to amend title 38 of the United States Code to provide increased dependency and indemnity compensation to widows in need of regular aid and attendance of another person; introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter II of chapter 13 of title 38, United States Code, is amended by adding the following new section to the end thereof:

"§ 418. Aid and attendance allowance

"If any widow is entitled to dependency and indemnity compensation under this subsection and is in need of regular aid and attendance, the monthly rate of dependency and indemnity compensation payable to her shall be increased by $75.".

Mr. MONTOYA. My third bill, Mr. President, is for the purpose of granting a long delayed, and well deserved increase, to service connected disabled veterans entitled to the statutory award payable under subparagraph (k) of section 314, title 38, United States Code for the loss or loss of use of a single extremity or organ. Although the basic rates of disability compensation have been increased several times over the past few years, the rate for this special award has not been increased in the past 16 years. On July 1, 1952, there was a small increase of $5 per month over the rate which had prevailed since September 1, 1946. In short, there has been a $5 increase in 22 years.

The conditions which are the basis for these statutory awards include disabilities that can never be adequately compensated for in terms of monetary benefits. Not only is physical ability impaired, but the traumatic effects of the loss or loss of use of an extremity have been tremendously adverse for many individuals.

For some disabled veterans, the statutory award is all or a major portion of the actual compensation they receive. As the cost of living has risen substantially since these awards were last increased in 1952, I implore my colleagues to join with me in support of this legislation.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 357) to amend title 38, United States Code, to increase the statutory rates for anatomical loss or loss of use, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 357

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (k) of section 314 of title 38, United States Code, is amended by striking "$47" wherever it appears in such subsection and inserting in lieu thereof "$75".

Mr. MONTOYA. Mr. President, the fourth and last bill which I introduce now, Mr. President, would make eligible for service-connected death benefits the widows of veterans who at the time of death were receiving compensation for a total disability which was permanent in nature and so rated for a period of 20 or more years.

With respect to this proposal, there are a number of widows of service-connected seriously disabled veterans who do not qualify for dependency and indemnity compensation because the precise cause of death cannot be directly related to the veteran's service-connected disability. I believe these widows to be deserving of special consideration since they were constrained to provide what amounted to aid and attendance in connection with the long period of ill health suffered by their veteran husbands.

Moreover, I think it fair to say that any veteran who endured the agony of total physical incapacity for 20 years should, for as long as he lives thereafter, have assurance that upon his death his widow will be provided for through payments of dependency and indemnity compensation. It should not really matter how the veteran died, but how he lived, and if he was a 100-percent service-connected disabled war veteran for 20 years, then his wife played a very great part in his living which ought to be more fully recognized.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 358), to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to certain survivors of deceased veterans who were rated 100 percent disabled by reason of service-connected disabilities for 20 or more years, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 410(a) of title 38, United States Code, is amended to read as follows:

"(a) When any veteran dies after December 31, 1956, from service-connected or compensable disability, or was in receipt of or entitled to receive compensation at time of death for a service-connected disability permanently and totally disabling for twenty or more years, the Administrator shall pay dependency and indemnity compensation to his widow, children, and parents. The standards and criteria for determining whether or not a disability is service-connected shall be those applicable under chapter 11 of this title. Where death occurs as a result of accidental causes having no relationship to the service-connected disability, this subsection (a) shall not apply."

S. 343—INTRODUCTION OF BILL TO DESIGNATE HIGHWAY BETWEEN LAS CRUCES, N. MEX., AND AMARILLO, TEX., AS PART OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. MONTOYA. Mr. President, I introduce, for myself and Senator YARBOROUGH, a bill to designate approximately 301 miles of U.S. Highway 70 in New Mexico and approximately 98 miles of U.S. Highway 60 in Texas as part of the National System of Interstate and Defense Highways. Highway 70 runs from Las Cruces, N. Mex., through Clovis, N. Mex., to the New Mexico-Texas border. Highway 60 picks up at this point and runs to Amarillo, Tex.

Mr. President, this measure is identical to S. 3675 which I introduced on June 21, 1968, and which was not acted upon by the last session of Congress. At the time of introducing S. 3675, I made some remarks which I would like to refer to again because they are very appropriate to the consideration of my new measure by the 91st Congress:

> Mr. President, in 1947, this country engaged in one of the most far-reaching and important ventures which it had ever undertaken when, in compliance with Federal-Aid Highway Act of 1944, general locations of 37,700 miles to city-to-city routes of the Interstate System were officially designated. Thus, did we begin the vital work of connecting by routes as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico.

Since then, the Interstate System designations had been increased to a limitation of 41,200 miles. Last session, you will recall, Congress provided for an additional 1,500 miles to be added to the present system in the Federal-Aid Highway Act of 1968. The newly authorized mileage was to permit completion of small segments of highways necessary to connect two previously authorized interstate highways and for other special and unique instances. It was not authorized and not meant to be used for the further expansion or designation of large amounts of mileage such as I seek in my bill.

Although, when completed, the authorized mileage will represent only a little over 1 percent of the Nation's total road mileage, it will link together more than 90 percent of the cities having a population of 50,000 or more, and will carry over 20 percent of all highway traffic. The importance of this system of roads to big and little communities alike, to rural and urban communities, and to the Nation as a whole, cannot be over emphasized. We are becoming more and more a mobile society and the need for an improved and expanded road system for our continued growth has long been recognized.

The criteria used by the Bureau of Public Roads in the designation of Interstate System routes were essentially the same as used to determine the system recommended in a 1944 report, "Interregional Highways"—House Document No. 379, 78th Congress, second session—made by the President's National Interregional Highway Commission. They included: First, importance to national defense; second, system integration—the value of the route as a connector between numerous centers of population and industry which generate interregional traffic; third, importance to industry—meeting the transportation requirements of the manufacturing, agricultural, mining and forestry enterprises in the area traversed; and, fourth, importance to rural and urban population.

I can think of no single highway that more adequately meets the above specifications than that highway covered by the legislation which I am introducing today. The length of the proposed route would involve 301 miles in the State of New Mexico—U.S. Highway 70 from Las Cruces to Clovis—and 98 miles in the State of Texas—U.S. Highway 60 from the New Mexico-Texas border to Amarillo, Tex. It would serve 10 military installations which are situated at close proximity to the proposed route. Designation of this route would form an important diagonal connection between Interstate 10, Interstate 25, and Interstate 40. It would be of invaluable economic importance to the entire area. It is the most common route used to travel from the most populated areas of the Texas Panhandle to Las Cruces, N. Mex., and El Paso, Tex., and it would serve a vast rural area.

Mr. President, I recognize the reluctance on the part of some in Congress to authorize additional designations prior to the expiration of the presently authorized system in 1972. However, I wish to explore with the members of the Subcommittee on Roads of the Public Works Committee, as well as with all my colleagues, the merits of my proposal in the hopes that we may be able to enact this bill during this session of Congress.

I wish to once again commend the Highway 70 Interstate Association, headquartered in Roswell, N. Mex., which has spearheaded the effort to explore the merits of this proposal and which has made a solid case for the enactment of this legislation.

Mr. President, I ask unanimous consent that excerpts of a report prepared by the Highway 70 Association be printed at this point in the RECORD. Mr. President, I also ask unanimous consent that the text of my bill be printed in the RECORD immediately following the excerpts from this report.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From a Report Prepared by the Highway 70 Interstate Association on "A Proposal To Incorporate U.S. Highway 70 Into the National System of Interstate and Defense Highways"

Directly or indirectly, every New Mexico citizen has a stake in the roads and streets that permit motor-vehicle travel throughout the state. Whether we drive to work, to school, to church, to market, whether we merely avail ourselves of the services made possible by usable roads, or earn a livelihood from travel of others, we are both contributors and beneficiaries.

Since the passage of the Federal-Aid Highway Act of 1956, the crucial importance of safe and rapid highway transportation for an expanding economy and national defense has been repeatedly stressed. In a society so largely dependent on the constant use of motor vehicles, the value of good roads can scarcely be questioned.

Especially in a state like New Mexico, with its vast area, its rugged terrain, its many remote settlements, and relatively limited rail and air facilities, the need for adequate highways is undebatable. Without them, we cannot develop our natural resources for a healthy economic growth. Nor can we provide for our population essential access to educational institutions, medical care, recreational areas, and business activity.

The proposal to incorporate U.S. Highway 60 from Amarillo, Texas to Texico, New Mexico with U.S. Highway 70 from their junction at Texico to Las Cruces, New Mexico into the National System of Interstate and Defense Highways is the most common route used to travel from the heaviest populated areas of the midwest to the El Paso, Texas area. It is also the ideal connection between the midwest and Southern California in cold weather months. The designation of this route on the Interstate System to increase ease of travel and decrease travel time would be of economic value to each city, town and village located on the route, and to the traveler as well.

The portion of this highway from Amarillo, Texas to Clovis, New Mexico is far superior to most of the remaining section continuing to Las Cruces, New Mexico. Most construction recently completed, and programmed, from Amarillo to the Texas state line meets Interstate standards. It largely remains a problem within the State of New Mexico (U.S. Highway 70) to adopt Interstate standards. Comparatively speaking, rights of way costs would not be excessive in all but limited areas.

The relevance of placing this route on the Interstate System to the National Defense of the nation should be emphasized. Six important military and space installations are situated at close proximity on the proposed route: Amarillo Air Force Base, Amarillo, Texas; Reese Air Force Base, Lubbock, Texas; Cannon Air Force Base, Clovis, New Mexico; Holloman Air Force Base, Alamogordo, New Mexico, White Sands Proving Grounds, Las Cruces, New Mexico; NASA, Las Cruces, New Mexico.

Close to the terminus of this route are other important military installations: The Atomic Energy Commission Project at Pantex and the largest helium production center in the United States are both located near Amarillo, Texas. El Paso, Texas is the home of the U.S. Army Air Defense Center, Fort Bliss, Biggs, Army Air Base and William Beaumont General Hospital.

The White Sands Missile Range, New Mexico, is the largest all land missile test center in the Western Hemisphere and America's first of three national ranges. White Sands is operated by the Army, for the Department of Defense to support Army, Navy and Air Force missile programs, and projects for National Aeronautics and Space Administration (N.A.S.A.) and other government agencies.

This 100 mile long—40 mile wide range extends from north of El Paso to south of Albuquerque, an area of 4,000 square miles or 2,560,000 acres (larger than Delaware, District of Columbia and Rhode Island combined).

The range was established on July 9, 1945, designated National Range by the Department of Defense in 1952, and the name was changed from "White Sands Proving Grounds" to "White Sands Missile Range" in 1958. During the years W.S.M.R. has served the three military services as the largest and most highly instrumented overland test facility in our free world.

While missile testing remains W.S.M.R. primary function, it also supports technical developments by other agencies such as the Atomic Energy Commission, the Department of Defense (Advanced Research Projects—Agency, A.R.P.A.) and N.S.A. including Project Apollo and Mercury.

Holloman Missile Development Center is the outgrowth of Alamogordo Army Air Field constructed in 1942. Today, Holloman consists of four major quadrants, covering 49,081 acres containing 1126 buildings.

The primary importance of highway transportation to national defense was recognized by the Congress of the United States, with the passage of the Federal-Aid Highway Act of 1956. Paralleling U.S. Highway 70 between Amarillo, Texas and Las Cruces, New Mexico and El Paso, Texas there are 10 military connected installations. The length of this proposed route would involve 301 miles in the State of New Mexico and 98 miles in Texas, for a total of 399 miles.

Highway transportation makes every community, regardless of size or accessibility, a potential arsenal of supply for our forces of national defense. This mobility of manpower, supplies and weapons is of indispensable military importance. The provision of logistical support for the military establishment of the magnitude now considered necessary, is becoming increasingly dependent upon highways. One cannot deny the importance of the designation which would form an important diagonal connection between Interstate Route 10 and Interstate 25 in New Mexico, and Interstate 40 in Texas.

Population explosion in metropolitan areas has created a greater need and demand for sun and space contact with nature. Bigger paychecks, longer vacations and improved transportation are making it possible for more people to satisfy that desire.

It has been estimated on the basis of traffic counts that more than 14 million visitors came to New Mexico last year and left nearly $400 million in our state. That was 50 percent more than the total value of mineral production in the state in 1965, a record year.

Surveys taken around New Mexico indicate that tourist business will be even greater. Visitor counts at State Parks were up almost 50 percent, and gasoline tax revenues register record totals.

The Land of Enchantment especially serves as a year round vacation playground for people living in Texas, Oklahoma and Kansas. Within 500 miles of the center of New Mexico there are 17 metropolitan areas with a total population of more than six million people. They are eager prospects for the hunting, fishing, skiing, water sports, scenic driving, picnicking and camping that this state can provide in abundance. New Mexico itself has changed from a rural to an urban society. A generation ago, only a third of this state's population lived in urban areas. It is now two-thirds and it is estimated that by 1980 about 75 percent will be residents of cities and towns.

The attraction of new industries and the expansion of old ones have brightened the state's economic picture. Over the years, New Mexico has developed a tax structure which offers a favorable tax climate for industry. New Mexico has the lowest state and local per capita tax burden in the west. In 1957 the one fourth of one percent gross receipts tax on manufacturing was repealed. This was followed in 1963 with the repeal of the one-eighth percent tax on wholesaling and the passage of the Freeport law, which exempts all commodities moving in interstate commerce or stored in the state by parties outside of the state, from ad valorem taxation. Property tax rates in New Mexico compare well on the national basis. The State Constitution limits the rate of 20 dollars per thousand dollars of valuation for general government purposes.

These factors are inducements for industry and manufacturing firms to take a second look at New Mexico. The state's quest for industrial expansion is rich in profit potential.

The areas involved in the designation are rich in agriculture, cattle feeding, manufacturing, mining and distribution of goods and services.

The oil industry in New Mexico pays a tax bill which is larger than any other industry in the state, and most of the oil and gas fields and oil and gas production are located in southeastern New Mexico. These economic operations depend on one point or many points on highway transportation.

Recently an Associated Press survey indicated the nation's new highway system is doing for some communities just what the railroad did 100 years ago. Cities along the Interstate Systems are growing and nearly everybody agrees that the designation of U.S. 70 as part of the Interstate System will provide this area with heavy transportation facilities to move materials and products of industry to the market areas.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 343) to provide that the highway known as U.S. Highway No. 70 between Las Cruces, N. Mex., and Amarillo, Tex., shall be designated as part of the National System of Interstate and Defense Highways, introduced by Mr. Montoya, for himself and Mr. Yarborough, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the highway known as United States Highway Numbered 70, extending approximately three hundred and one miles from Las Cruces, New Mexico, through Clovis, New Mexico, to the New Mexico-Texas border, and United States Highway Numbered 60, extending approximately ninety-eight miles from the New Mexico-Texas border to Amarillo, Texas, shall be designated under the provisions of section 103(d) of title 23 of the United States Code as part of the National System of Interstate and Defense Highways. The authorized mileage of such system is increased by the mileage designated pursuant to this Act.

S. 344—INTRODUCTION OF BILL ON POTASH IMPORT QUOTA LEGISLATION

Mr. MONTOYA. Mr. President, last Congress I brought to the attention of my colleagues in the Senate a very real and present threat to the domestic potash industry of this country. I took the floor of the Senate on several occasions and testified before the Senate Finance Committee trying vigorously to bring congressional action to bear on the problem before a domestic industry was completely annihilated. I introduced legislation—S. 2551—to remedy the situation. I was instrumental in initiating an investigation by the U.S. Treasury Department into charges of foreign potash dumping on the American markets. And I pushed on every front at my disposal in an effort to bring prompt and remedial action.

Unfortunately, Congress failed to take final action on my legislation and the U.S. Treasury Department's investigation has moved slowly. The situation which existed before has further deteriorated.

As I pointed out to my colleagues in the Senate almost 2 years ago, new discoveries of potash in Canada have been flooding the U.S. markets, steadily squeezing out our domestic supplies.

Our total imports of potash have jumped from 9 percent of domestic consumption in 1960, to over 38 percent of domestic consumption in 1966—the latest figures available to me—and have probably jumped even higher by now. This increase has come principally from Canadian imports, which during the same time period jumped from less than 1 percent of domestic consumption to over 32 percent.

American potash producers have found it more profitable to operate in Canada with its low-cost, tax-free inducements, than in the Carlsbad, N. Mex., area where 95 percent of domestic production is mined. Consequently, our domestic producers are phasing out their operations in the United States and moving their operations to Canada. To compound the situation, potash imports are duty free, making it even more attractive for the American producers who are thinking first of the dollar profit to import, rather than mine at home.

Beginning with an announcement on October 16, 1967, by the U.S. Borax & Chemical Corp., domestic producers have announced dramatic layoffs in Carlsbad coupled with the phasing out of domestic operations. A large percentage of the total work force engaged in domestic production of potash have subsequently been laid off. I pleaded with my colleagues last Congress to take prompt action and predicted that if we did not act expeditiously that all domestic potash operations would be phased out by 1970 and operations moved to Canada. I wish my prediction had been wrong, but it is coming to pass. It is still not too late; we can still recover from the blow which has been dealt us. But in order to do so, we cannot afford to delay any longer.

Mr. President, it is never a safe strategic move to make to become completely dependent upon a foreign nation for a product which is vital to our economy. This is so even if the nation we become dependent upon is a friendly one and one with which we enjoy the best of relations. We must preserve our own domestic industries at least to the extent that we do not place ourselves at the mercy of a foreign nation.

Potash is one of the three principal ingredients of fertilizer, which is so vital to our agricultural economy. To become completely dependent on foreign sources for our potash is a thought too disquieting to even contemplate. Yet, that will become a reality if we do not adopt some limitation on imports.

I am, therefore, today reintroducing a bill to impose annual quotas on the quantity of potassium chloride or muriate of potash which may be imported into the United States. My bill proposes a quota for each calendar of not to exceed 25 percent of the estimated U.S. consumption of potassium chloride for such calendar year. Average per year imports for the 7 years of 1960 through 1966 have been approximately 23 percent of the average per year domestic consumption. Thus, my bill is a completely fair and equitable bill in all respects.

Our domestic potash industry, based in New Mexico, employed approximately 4,000 workers. It paid approximately $10 million in taxes a year, of which about $5 million were in Federal royalties. It has had in-State purchases of $25 million a year, and paid $65 million in freight charges yearly. Its gross sales have been $115 million a year, and it has had a capital investment of $200 million a year. Mr. President, it can once again become a healthy industry if we will but provide the relief which is due.

Mr. President, my bill would provide an opportunity for a strong and expanding U.S. potash industry. It would prevent further disruption of U.S. markets and would prevent further unemployment of U.S. potash workers. I urge that this measure get prompt action during this session of Congress. Hearings have already been held in the past Congress and, I firmly believe, a strong case made for the need of the legislation which I propose. Our enactment of this bill will declare that it is the policy of the Congress that access to the U.S. market for foreign produced potassium chloride products shall be on an equitable basis. This policy will insure orderly trade in potassium chloride products.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 344) to impose annual quotas on the quantity of potassium chloride or muriate of potash which may be imported into the United States, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the total quantity of potassium chloride which may be imported into the United States during the calendar year 1969 or any subsequent calendar year shall not exceed a quantity equal to 25 per centum of the estimated United States consumption of potassium chloride for such calendar year.

(b) For purposes of this Act, the term "potassium chloride" means potassium chloride or muriate of potash provided for in item 480.50 of the Tariff Schedules of the United States.

Sec. 2. (a) The Secretary of Agriculture shall before July 31, 1969, estimate the United States consumption of potassium chloride for calendar year 1969 and thereafter before each subsequent calendar year, estimate the United States consumption of potassium chloride for such calendar year. The Secretary may, from time to time during any calendar year, revise his estimate of United States consumption of potassium chloride for such year. The Secretary shall publish his estimate for each calendar year and any revised estimate for such year in the Federal Register.

(b) The President shall by proclamation limit the total quantity of potassium chloride which may be entered, or withdrawn from warehouse, for consumption during the calendar year 1969 and each subsequent calendar year, to the quantity prescribed for such year under the first section of this Act based upon the estimates, or revised estimates, made by the Secretary of Agriculture for such year under subsection (a). In any case in which any revised estimate results in a quantity of potassium chloride which may be imported into the United States during a calendar year which is lower than the quantity resulting from the original estimate or a previous revised estimate for such year, the total quantity of potassium chloride which may be imported during such year shall not be less than the quantity actually imported on or before the date on which the Secretary of Agriculture publishes such revised estimate.

Sec. 3. The Secretary of Agriculture shall allocate the total quantity of potassium chloride which may be imported into the United States during any calendar year among supplying countries on the basis of the shares such countries imported into the United States during a representative period selected by the Secretary, except that due account may be given to special factors which have affected or may affect trade in potassium chloride. The Secretary of Agriculture shall certify such allocations to the Secretary of the Treasury.

Sec. 4. (a) The Secretary of Agriculture shall issue such regulations as he determines to be necessary to carry out, and to prevent circumvention of, the purposes of this Act.

(b) All determinations by the Secretary of Agriculture under this Act shall be final.

S. 345—INTRODUCTION OF VETERANS' NURSING HOME CARE LEGISLATION

Mr. MONTOYA. Mr. President, on August 19, 1964, the Congress of the United States enacted Public Law 88–450 which brought into existence the veterans' nursing home care program.

Because of its very special concern for the welfare of America's aged and needy veterans, the Congress has, since that time, conducted periodic reviews of the operation of the nursing care program to improve its effectiveness. Last year in the 90th Congress we enacted Public Law 90–429 to increase the payments to community nursing homes for the care of veteran patients and extended the program in a meaningful way to veterans residing in the States of Alaska and Hawaii through enactment of Public Law 90–612.

There still remain, however, certain areas where additional improvements are needed to make the program more productive. One such feature which requires immediate modification relates to the 6 months' limitation for care in private nursing homes.

Under provisions of Public Law 88-450 as amended, nursing home care may not generally be furnished in private institutions for longer than a 6-month period. This limitation was imposed on the assumption that a 6-month period of care would be sufficient in most cases and the VA could maintain a form of administrative control against excesses or waste in relation to its budgetary considerations.

I regret, Mr. President, that the original intent of the restricted convalescent period proved to be ineffectual not too long after the program was originally placed in operation. In some of the more serious cases, patients are being placed in nursing homes at VA expense for the limited period. Some of these patients, who were thought to be terminal, survive beyond the 6 months and must be maintained at their own expense. Families of these veterans in many instances are required to make drastic reductions in their mode of living to offset this sudden added monthly financial burden.

The only recourse is to have the veteran readmitted to a VA hospital for referral back to the nursing home. This obviously is an extremely bizarre system which must not be allowed to continue. For this reason, Mr. President, I am today introducing legislation which would further improve the veterans' nursing care program by eliminating the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 345) to amend title 38 of the United States Code in order to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 345

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of subsection (a) of section 620 of title 38, United States Code, is amended by striking out "except where in the judgment of the Administrator a longer period is warranted in the case of any veteran" and inserting in lieu thereof "except (A) in the case of a veteran with a service-connected disability, or (B) where in the judgment of the Administrator a longer period is warranted in the case of any other veteran".

S. 346—INTRODUCTION OF BILL ON VETERANS RECOMPUTATION OF DISABILITY RETIREMENT PAY BILL

Mr. MONTOYA. Mr. President, I am today introducing legislation designed to restore equality in disability retirement pay, by basing that pay, once again, on current active duty pay rates.

For more than 100 years prior to 1958, military men were recruited and continued their military service with a clear understanding that their retirement pay would be based upon a percentage of active duty pay.

In 1958, however, Congress, in enacting the pay bill of that year, decided to abolish recomputation and to substitute a cost-of-living increase instead.

Then, in 1963, section 6149 of title 10, United States Code, which guaranteed recomputation as a legal right was repealed and all who have retired after 1963 were denied the right of recomputation. Thus under present law we have a situation where a man retired for disability prior to a pay raise will receive one level of retired pay while another man with exactly the same length of service and exactly the same disability will receive a greater sum simply because he retired at a later date. This is an inequity which should at once be corrected.

It is my feeling that disability retired pay should be linked directly with active duty pay and automatic adjustments assured wherever the active duty rates are changed. The bill I introduced today will accomplish this purpose and I urge my colleagues to join with me in reconsidering the recomputation principle and acting favorably to restore it.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 346) to provide for computation of disability retirement pay for members of the uniformed services, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 346

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the pay of any member or former member of the uniformed services heretofore or hereafter retired or granted retirement pay by reason of physical disability shall be 75 per centum of the basic pay he would receive were he serving on active duty: *Provided,* That nothing in this Act shall operate to reduce the pay of any member of the uniformed services now on the retired list.

COAL MINE SAFETY LEGISLATION SHOULD BE EXPEDITED AND MINING OCCUPATIONAL HEALTH NEEDS ATTENTION, SENATOR RANDOLPH ASSERTS IN INTRODUCING S. 355

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a bill to improve the health and safety conditions of persons working in the coal mining industry of the United States. The measure, which is recommended by the Director of the Bureau of Mines and the Secretary of the Interior, would be cited as the Federal Coal Mine Health and Safety Act of 1969.

The only change I have made for purposes of introduction and reference is to tie the administrative and penalty provisions, the safety provisions, and those relating to health to separate titles.

It is my opinion that the safety provisions and the health provisions should have been separated into two bills if for no other reason than the belief that the health issues will be much more controversial than the safety features and will create a time lag that might be avoided by the separation suggested.

We are aware that coal mine disasters—and particularly that at Mountaineer Mine No. 9 between Mannington and Farmington in Marion County, W. Va., last November—have created an awareness that the coal mine safety laws and the administration and enforcement of those laws need to be modernized and tightened.

There is likewise an awareness that miners' occupational health needs more attention than it has been receiving.

So, I am not saying that miners' occupational health lacks importance. It is very important. But I am of the opinion that agreements can be reached much quicker on what can and should be done to make coal mine operations safer than can be accomplished in reaching agreements on legislation relating to occupational health.

I feel that we have an obligation to move with all deliberate speed on coal mine safety legislation keyed to the avoidance—indeed, the prevention—of such disasters as the recent one in my home State which necessitated the sealing of an exploding and burning mine, with the bodies of 78 miners inside, after rescue efforts failed. I believe we can move with that deliberate speed on title II, safety of the bill I have introduced. As for title III, health, I do not believe we can move with the same "deliberate speed" as would be the case with respect to title II. I would regret to see the objectives of title II excessively delayed in becoming law as introduced or as modified after hearings and appropriate committee deliberation and floor debate.

Nevertheless, I have introduced the single bill, as recommended by the Secretary of the Interior and the Director of the Bureau of Mines, and I call attention to the January 14, 1969, communication printed elsewhere in the Record from the Assistant Secretary of the Interior, Cordell Moore, to the Vice President of the United States as the Presiding Officer of this body.

In introducing this measure, I concur in general with the Interior Department arguments, and I agree in principle. But there are numerous provisions on which I will reserve judgment until testimony by expert Government witnesses, as well as the testimony of experts who will be witnesses for the management side and the labor side of the coal industry, have been made a part of the hearing record. Then, too, I am sure there will be expert witnesses representing neither Government nor coal industry management nor coal mine labor. Their testimony likewise must have careful attention and consideration when made a part of the hearing record.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 355) to improve the health and safety conditions of persons working in the coal mining industry of the United States, introduced by Mr. Randolph, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

SENATE JOINT RESOLUTION 17—INTRODUCTION OF JOINT RESOLUTION RELATNG TO POLITICAL CONVENTON REFORM

Mr. NELSON. Mr. President, I am introducing legislation today which is aimed at developing a new system for nominating presidential candidates.

I believe that the Congress should enact such legislation as part of a sweeping reform of the American political system, which would also include elimination of the electoral college, strict new rules on campaign spending, and extension of the presidential voting franchise to citizens 18 and over.

Republicans and Democrats in Congress should unite in developing a better system for nominating presidential candidates. The present convention system has lost the confidence of the American public. We cannot wait for the parties to reform themselves. The nomination of presidential candidates is important public business, and the public must work its will through the Congress.

This legislation would create a 30-member commission which will study the nominating system and alternatives, and make recommendations to Congress within 1 year of enactment of the legislation. The commission would include State and local officials, representatives of the six leading 1968 presidential candidates, Congressmen, Senators, and citizens appointed by the President.

The commission would be urged to give special consideration to the idea of a nationwide primary, although there are many difficulties in such a proposal. The final answer might be a combination of a nationwide primary and a modified convention system.

If political conventions prove to be indispensable, we at the very least need a new system for electing convention delegates. The present system is a scandal in some States. In others it is at best capricious.

The commission should propose some system to guarantee that delegates are democratically selected and are representative of the general public.

In addition, Congress should write some fundamental rules of convention procedures to guarantee that party members and the general public are fairly dealt with at conventions.

No single presiding officer should have absolute power to govern a presidential nominating convention with a heavy hand.

I introduced a similar joint resolution in September 1968, after widespread criticism of the Republican and Democratic nominating conventions.

Convention reform is just one part of a broad-based reform which was urgently needed in the presidential election process.

If we are to restore public confidence in the American system, we must bring the public into the process from beginning to end to guarantee that the public will is carried out. We must abolish the electoral college to guarantee that the man who wins the people's votes becomes the people's President. We must bring to an end the present scandal of lavish campaign spending, and we must bring our young people into the presidential election process.

There are many problems that are inherent in the present selection process such as fractional voting, at large delegates, and splinter representation. All of the many difficulties that plague our present structure ought to be carefully reviewed and reformed. While I am sure the political parties of our country are carefully assessing some of the difficulties that I have already described, it seems to me that the Congress ought to exercise the leadership in this area so as to assure the American public that meaningful reforms will take place before 1972.

It is for these reasons I am introducing legislation to create a high level "blue ribbon" commission.

Since the commission's function to make a searching review of the whole presidential nominating process is of great importance, it is crucial that this high level commission be broadly representative of public opinion while also being knowledgeable in the practical problems of our political process and institutions.

Accordingly, in this proposal I have attempted to outline a membership that would be qualified to revitalize our nomination procedure. Of course, this resolution will be subjected to committee scrutiny and will be thoroughly debated at public hearings. I welcome the suggestions of others on how to further improve the representative nature of this commission.

To provide representation of the sharply conflicting points of view expressed at the recent Republican and Democratic conventions, I have proposed that commission representatives be selected by each of the top three candidates for President at the 1968 Republican and Democratic conventions. This means that one commission member would be appointed by Richard Nixon, Governor Rockefeller, Governor Reagan, Vice President Humphrey, Senator McCarthy, and Senator McGovern.

To provide broad national representation, I have proposed six commission members appointed by the President, no more than three of whom could be members of the same party. To guarantee representation of the youthful point of view, which seemed to be somewhat left out at both conventions, the resolution provides that at least two of the President's appointees must be under 30 years of age.

If the convention nominating procedure is to be reformed, Congress is going to have to lead the way. Consequently, I have proposed 12 congressional members of the commission, six from each party.

The States, of course, are responsible for the conduct of elections. Consequently, if any change as monumental as a nationwide primary is to be undertaken, we must have close cooperation from State and local government. Therefore, I have proposed that three members of the commission be selected by the Council of State Governments—one Governor, one legislator, and one State administrative official—and that three members be selected jointly by the National League of Cities and the U.S. Conference of Mayors.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 17) to establish a temporary Commission on Nominations for President and Vice President, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed.

SENATE RESOLUTION 19—REFERENCE OF SENATE BILL 263 TO U.S. COURT OF CLAIMS

Mr. SCOTT on Wednesday, January 15, 1969, submitted the following resolution (S. Res. 19); which was referred to the Committee on the Judiciary:

S. Res. 19

Resolved, That the bill (S. 263) entitled "A bill for the relief of the H. and H. Manufacturing Company, Incorporated", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 20—REFERENCE OF SENATE BILL 266 TO U.S. COURT OF CLAIMS

Mr. SCOTT on Wednesday, January 15, 1969, submitted the following resolution (S. Res. 20); which was referred to the Committee on the Judiciary:

S. Res. 20

Resolved, That the bill (S. 266) entitled "A bill for the relief of the O'Brien Diesel-electric Corporation", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the United States Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

SENATE RESOLUTION 21—PROPOSED AMENDMENT OF RULE XXV OF THE STANDING RULES OF THE SENATE

Mr. BYRD of West Virginia submitted the following resolution (S. Res. 21); which was referred to the Committee on Rules and Administration:

S. Res. 21

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out the comma and the words "and national cemeteries." in subparagraph 5 of paragraph (k) of section (1);

(3) striking out subparagraphs 16 through 19 in paragraph (m) of section (1); and

(4) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of services in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."

Sec. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Veterans' Affairs".

Sec. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations) is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs ------ For the Veterans' Administration."

Sec. 4. The Committee on Veterans' Affairs shall as promptly feasible after its appointment and organization confer with the Committee on Finance, the Committee on Interior and Insular Affairs, and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance, the Committee on Interior and Insular Affairs, and the Committee on Labor and Public Welfare during the Ninetieth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

SENATE RESOLUTION 22—AUTHORIZATION OF INVESTIGATION OF CERTAIN MATTERS AND EXPENDITURES THEREFOR—REPORT OF A COMMITTEE (S. REPT. NO. 91–1)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original resolution (S. Res. 22) and submitted a report thereon, which report was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulations;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec 3. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 23—AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO INVESTIGATE CERTAIN MATTERS—REPORT OF A COMMITTEE (S. REPT. NO. 91–2)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original resolution (S. Res. 23) and submitted a report thereon, which report was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing and urban affairs, including urban mass transportation.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $155,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TRIBUTE TO SENATOR RUSSELL

Mr. TALMADGE. Mr. President, there has been considerable tribute paid to my distinguished colleague, the senior Senator from Georgia, RICHARD B. RUSSELL, on his election as President pro tempore of the U.S. Senate.

This is indeed a high honor and I add my heartfelt congratulations to those my warm friend and colleague has already received in large measure. This is well-deserved recognition of the long and devoted service Senator RUSSELL has rendered his country, his State, and this Senate.

There appeared in the Washington Evening Star an excellent editorial column written by Clayton Fritchey, saluting Senator RUSSELL, and Ralph McGill, the respected publisher of the Atlanta Constitution, which discussed Senator RUSSELL's recent declaration regarding the establishment of some kind of rapport with Communist China in his column. Columnist Drew Pearson and Jack Anderson also had high praise of Senator RUSSELL in their column of January 11, published in the Washington Post.

Mr. President, Senator RUSSELL is a great U.S. Senator, and he is a great American statesman. His record in the Senate of dedication to State and country is unparalleled in modern history.

I bring this material to the attention of the Senate and ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed, as follows:

[From the Washington (D.C.) Evening Star, Jan. 13, 1969]

NIXON COULD FIND POWERFUL ALLY IN SENATOR RUSSELL

(By Clayton Fritchey)

The surprising election of Edward Kennedy as the new assistant majority leader of the Senate naturally attracted great attention, but the headlines obscured an interesting simultaneous event—the formal certification of Sen. Richard Russell, D-Ga., as the real head of the Senate.

For years the immensely influential Georgian has been the acknowledged "president of the club" the inner circle that dominates the institution. Now, however, the august upper body has officially made him president pro tempore of the Senate, succeeding the venerable Carl Hayden of Arizona, who has retired at the age of 91.

This will not appreciably increase the prestige of Russell already at the maximum but it is by no means an empty honor, for the president pro tempore is, among other things, third in line of succession to the White House, preceded only by the Vice President and the Speaker of the House.

Unlike some of his new Cabinet appointees, Nixon knows what makes the Senate tick having been a member himself. Young Kennedy and Mike Mansfield may have the leadership titles, but Nixon is well aware that the fate of his legislative program (and much else) will finally rest with Russell and his Southern followers, who run 10 of the Senate's 16 standing committees.

Russell has long been chairman of the Armed Services Committee. Now he is taking over the even more powerful Appropriations Committee, yielding Armed Services to his old friend, Sen. John Stennis.

Russell could have been elected Democratic Leader 15 years ago. Instead he backed his protege, Lyndon Johnson, for this post and thus started him on the way to the White House. Since first coming to the Senate in 1948, Johnson has seldom done anything without consulting his great patron.

A wise Nixon will do much the same. As a senator, the President-elect was never close to Russell, but that should not be a severe handicap, for the Georgian, while reserved, is gracious and comparatively free of petty partisanship.

Nixon could do worse than bring himself up to date on the current thinking of this quiet man. He does not say much for public consumption but recently he has been entertaining some international ideas that ought to be extremely interesting to an incoming president.

The new administration will make a mistake if it assumes, as many do, that Russell is either a simple hawk on Vietnam or an Asia First zealot. He has, it is true, supported the war, but grudgingly and because "our forces and our flag were committed." He has felt that the U.S. should get in or get out of the war, with a growing accent on "out."

Actually, the senator's attitude toward Vietnam, Indo-China, and Asia has been fundamentally consistent over the last two decades. He has always opposed U.S. intervention in this area, whether by Eisenhower, Kennedy, or Johnson. He puts no stock in the "Domino Theory" of all of Southeast Asia going Communist if Vietnam does. From first to last he had held that the vital interests of the United States are not involved there.

In 1967 he said, "We need a new policy more than new troops in Vietnam." Recently his thinking seems to have gone beyond that. Apparently he has come to the conclusion that we need a new policy for all of Asia, especially Communist China, with whom he would now exchange diplomatic representatives.

There have been hints that Nixon also feels the United States should review its general posture in the Far East. If this is so, he may have the good fortune of finding a sympathetic supporter in the dean of the Senate.

[From the Atlanta (Ga.) Constitution, Jan. 6, 1969]

(By Ralph McGill)

Senator Russell: Weather Vane

Washington.—Georgia's veteran senior Senator, Richard B. Russell, using the useful tools of massive seniority, ability well above the average, and familiarity with parliamentary procedures, has for years managed to be the most single influential member of that deliberate body.

The Senator has astonished his constituents, in varying degrees, by candid declaration that he has "weakened" on his heretofore set-in-concrete opposition to any recognition of China—Mao's China. (The gentle reader should understand that the Senator's use of the word "weakened" is merely a Southern colloquialism. The Senator does not mean to imply any weakness—merely a change of mind.) The Senator is not ready to include the mainland Chinese in the United Nations. He is however, suggesting that Washington and Peking establish diplomatic relations. It is not unreasonable to suggest that the years immediately ahead will see the establishment of diplomatic relations at a level not lower than that of minister.

REAL TRAGEDY

(Senator Russell's "weakening"—or change of mind—it should be said in passing, illustrates the tragedy of many of the South's more able senators of the present and past. The dark Nemesis of the race problem was the croaking raven outside the door of their political careers. They could either throw in with and exalt the system of segregation with all its injustices or inequities, or retire to private life. In the past 30 years some of these men have told me privately that this has been a personal, private sort of hell they carried around with them. They could not, for example, ask a national electorate to elect them as president when they supported a system that denied full citizenship rights to some 20 million Americans. Nor could they expect appointment to one of the more sensitive cabinet positions. Senator William Fulbright of Arkansas, who has opposed all civil rights legislation, even that establishing voting rights, could not be named secretary of state because of that deplorable and undefensible record. There now is hope that in the years ahead the Southern electorate will not demand of its elected officials that they conform to the pattern of the past, but may, instead, be able to use their talents and abilities fully and responsibly at the national level.)

When a senator of Mr. Russell's prestige and influence indicates such a change of mind in international relations vis-a-vis China, we may assume there will be movement in that direction.

CHANGE BY NIXON

Indeed, Mr. Russell is not the only national figure who has with admirable candor revealed a "weakening" on heretofore rigidly held policy. President-elect Nixon expressed a change of mind during commitment to "containment" of the Soviets for one of negotiations.

One may assume, therefore, that there is an era of negotiations—or tries at negotiated settlements—ahead of us. NATO may feel restive and uneasy. The French will be hostile to the idea of negotiations with China and the Soviets. But it is, events and history indicate, a necessary policy change. The Soviets, sensitive to the situation, carefully deployed their troops in Czechoslovakia so that they did not seem to threaten any NATO border or disposition.

Peking already has asked for more meaningful talks—at the ambassadorial level—in Warsaw. The Soviets want a conference to preserve peace in the Middle East.

We live in a "power world." With Britain no longer a world military force, Europe may be able to include her in the Common Market. The big powers—for the present, at least—will serve their best interests by entering an era of negotiation.

[From the Washington (D.C.) Post, Jan. 11, 1969]

Russell a Quiet but Potent Statesman

(By Drew Pearson and Jack Anderson)

The public saw a new face presiding over the Senate as the electoral college ballots were counted—that of Richard Brevard Russell of Georgia, elder statesman of the Senate.

It was a stern face which gives Russell the appearance of being tougher than he is. Actually he's a compassionate human being, who has been known to go out of his way to help a small dog get through the revolving door of the Senate Office Building.

Russell was elected to the Senate in the same year Franklin Roosevelt was elected President, 1932, and took office in January, two months ahead of Mr. Roosevelt. He is 71, and has served in the Senate 36 years as of Sunday, Jan. 12.

Sen. Russell was born in Winder, Ga., population 5555, and he has lived there all his life. In his domestic outlook he is a rural-minded, small-town Senator. When it comes to world affairs he is a far-sighted statesman. He makes few speeches, works from within.

Last week Sen. Russell made a statement which surprised many diplomats—that the United States should resume diplomatic relations with Red China. When two nations talk together, he said, they don't make war.

Looking through the back files of the Washington Merry-Go-Round, this statement is not so surprising. Russell has been consistently opposed to the war in Vietnam, and in November, 1964, shortly after Lyndon Johnson scored one of the greatest political victories in history, Russell was invited to the LBJ ranch where he gave the newly re-elected President some strong advice to get out of Vietnam.

Russell has been consistent. Some Senators allow themselves the luxury of inconsistency, more so in private, where they are not recorded, than in public where they are.

Back in April of 1954 when Vice President Richard Nixon told the American Society of Newspaper Editors the United States would land troops in what was then French Indochina, Russell played an important part in thwarting such a move. When John Foster Dulles and Admiral Arthur Radford, chairman of the Joint Chiefs of Staff, unfolded before a closed-door meeting plans to send American troops into the French Indochinese jungles, Sen Russell observed:

"That means war."

Secretary Dulles denied this, claimed the United States would only send a police force.

"When you commit the flag," said Russell, "you commit the country. And that is war."

Sen. Earle Clements of Kentucky asked Radford whether the other Joint Chiefs agreed with him about sending troops into the jungles.

"No," confessed the Admiral. "I am the only one who favors this. But I am the only one familiar with Southeast Asia."

It was this searching cross-examination by Democratic Senators, plus editorial reaction to Nixon's statement, which caused the Eisenhower Administration to back away from military intervention.

Note—Later the same year, however, Gen. Eisenhower did send a thousand troops into South Vietnam, and this force has now mushroomed into 545,000 men under Presidents Kennedy and Johnson.

ADVICE TO U.S.S. "PUEBLO"

The commander of the U.S.S. Pueblo would also have been better off if he had followed the recent stern advice of Sen. Russell and scuttled his spy ship.

The repatriated Pueblo crewmen have now confirmed that they were unable to destroy all the super-secret electronic gear on board their ship. Only a few sensitive instruments, tapes and papers were destroyed. The rest was turned over to Russia by the North Koreans for careful analysis.

The dozen American spy ships still operating throughout the world have also been ordered to keep a safer distance from hostile shores. The Pueblo, for example, hasn't been replaced off the North Korean coast because of the risk. This has restricted U.S. ability to monitor one of the principal Soviet submarines and shipping corridors in the Far East.

Despite all the precautions, however, insiders admit that the United States probably couldn't stop a hostile power from seizing another spy ship. In the last analysis, the commander would have to take Sen. Russell's advice and scuttle the ship.

SPEECH DELIVERED BY HON. WILBUR MILLS

Mr. BYRD of Virginia. Mr. President, it has been my privilege for many years to be associated with the Tax Foundation as a member of its Board of Trustees. This nonpartisan, nonprofit organization has made an outstanding contribution to public understanding of the fiscal and management aspects of Government.

In addition to its own work, the foundation each year selects an individual to receive its award for distinguished public service. This year, the award went to Congressman Wilbur Mills, chairman of the House Ways and Means Committee. It was the second such award for Chairman Mills, whose name has become synonymous with sound fiscal management.

In accepting his award, Chairman Mills warned that spending in the next fiscal year will probably increase by from $7 to $10 billion above the current level even with no expansion in domestic programs. He emphasized the need for hard-nosed control over Federal expenditures if we are going to avoid new economic and monetary crises in the months ahead.

Mr. President, I believe his comments should be brought to the attention of all Americans. I ask unanimous consent, therefore, that his speech be reprinted in full at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Some International and Domestic Aspects of Tax and Expenditure Policy

At the outset, let me express my very deep appreciation for this singular honor that the Tax Foundation has bestowed upon me this evening, the honor of having received a second time your coveted Award for Distinguished Public Service.

Anyone who has been associated with any level of government for any length of time is quite familiar with the splendid work and reputation of the Tax Foundation in providing nonpartisan research and public education on fiscal and management aspects of government. Since its founding, over three decades ago, this Foundation has been a prominent force in focusing attention on matters of public concern and has made very notable contributions in the cause of more efficient and economical government. Throughout this period, the Foundation has served very well its stated purpose and motto, "Toward Better Government Through Citizen Understanding", a motto that reflects a conviction that the availability to the people of accurate and pertinent information is a vitally important element and, indeed, the lifeblood of democratic government.

So it is a very great honor to be twice blessed by recognition in the form of the Foundation's Award for Distinguished Public Service, and I am very pleased to be here with this distinguished audience this evening.

I gratefully accept this award with the thought that it should not be considered to be simply a personal honor but as an honor you intended for the many thoughtful and courageous individuals in the Congress who during the last Session insisted that the price of tax increases must be expenditure control. And in this regard, I want to particularly acknowledge the very fine support of the overwhelming majority of the Committee on Ways and Means, and I want to especially acknowledge the assistance provided me by the ranking Minority Member of the Committee, the Honorable John W. Byrnes.

The theme of your conference, the relationship of our tax policy and the balance of international payments, is a subject that deserves far more attention than it has received domestically.

The essential relationship between our tax policy and the United States balance of payments is certainly not lost on foreign observers. Indeed, the dollar could not have played the role it has since World War II as the principal reserve currency were it not for the acceptance by others of the slogan that we have long had here at home—"It is as sound as the dollar." Because of its soundness and universal acceptance, the dollar has fulfilled the world's need for an expanded international currency and has contributed much to economic growth and the expansion of world trade during that period.

Nevertheless, because of developments both at home and abroad, the stability of the dollar has been questioned by some. We are finding more and more that the responsibilities which accompany the dollar's role as an international reserve currency emphasize and reinforce the need for pursuing those policies which maintain the soundness of the dollar domestically. Particularly in the last several years, we have found that the stability of the dollar has been questioned not alone for the balance of payments deficits due in part to our many commitments abroad. It is clear that the lack of sufficient fiscal restraint domestically has also contributed to the loss of confidence in the soundness of the dollar.

In our concern with the balance of payments and its importance to the monetary and financial position of the dollar internationally, we often underestimate the contribution that our foreign trade makes to our own economic progress. United States exports or imports only account for about 6 percent of the gross national product. Here again, however, recent trends in our foreign trade account remind us of the impact of our tax and expenditure policy on exports and imports. In recent years, as perhaps never before, we are reminded that each addition to the cost that United States producers bear in exporting abroad or in competing in our own domestic market deserves careful consideration in terms of employment and investment opportunities and profit positions. At the same time, we must continue to recognize the importance of an adequate and stable international trade and payments system to the economic viability and growth of other countries and the significance of this for political stability throughout the world.

Occasionally further ramifications of a stable dollar in our international transactions are brought home to our citizens on a more personal level. The reaction of some of our tourists abroad to the brief refusal this last spring of some countries to cash travelers checks or to accept American money at its face value and in some cases their refusal to accept it at all had a sobering impact on many Americans who never before understood their own personal relationship with this esoteric topic of international finance.

If we continue to run substantial international deficits—that is, foreigners accumulating dollar claims against us—other countries become increasingly unwilling to hold these claims in dollars. This unwillingness may be expressed by moving out of dollars, by demanding gold or selling dollars at less than their current price in terms of gold and other currencies. Dramatic evidence of what can happen was afforded in the last quarter of 1967 when we lost $1 billion in gold. These adjustments not only undermine the role of the dollar as a reserve currency but also have a serious impact on our domestic economy as well.

I know you gentlemen can well appreciate the significance of the fact that just a few short years ago we had a gold reserve of some $23 billion as against $6.5 billion in dollar holdings abroad by foreigners, compared to the recent situation when we have only about $10.5 billion in gold reserves with some $33 billion of our dollars held by foreigners as I.O.U.'s against that gold.

Because of the relatively reduced gold reserves which we possess and the much greater size of the total claims outstanding against it, we simply must recognize that we cannot carry on the same kind of expenditure and fiscal policy which we have been carrying on for the last thirty or thirty-five years.

Fortunately, the third quarter of this year indicates some degree of improvement in our balance of payments. In this quarter for the first time since early in 1965 we ran a surplus of some $35 million in our payments balance, an improvement of $195 million over the second quarter. The merchandise account, or trade balance, also showed some improvement, a shift of $290 million from the previous quarter's deficit of $20 million to a surplus of $270 million. The improvement is still too small and dependent upon too many temporary factors to be conclusive. We have not yet arrived at a sustainable equilibrium.

There are many ways of dealing with our balance of payments problems, some temporary in effect and some having a longer run impact. This last January, for example, the President in proposing a number of temporary balance of payments measures, referred to the impact of border tax adjustments abroad on United States commercial interests. However, no specific recommendations were made by the Administration in this regard. As recent events concerning the French franc and the German mark indicate, the effects of border tax systems involve many of the basic questions of the relationship of tax policy to our international trade and financial policy issues.

Border tax adjustments are based on the assumption that it is necessary to equate the indirect tax burden on imports coming into a country with the indirect tax burden borne by domestically produced goods. Similarly, the border tax system assumes that this indirect tax burden should be eliminated on goods being exported. The adjustment in the case of imports into the country takes the form of a border tax which is aimed at offsetting the indirect tax burden on domestically produced goods while a rebate of a similar amount is made to relieve the tax burden from goods destined for export.

These adjustments for indirect taxes are presently permitted under GATT rules, while adjustments for direct taxes—income taxes on which we chiefly rely—are not permitted.

Some have suggested that the United States should provide for this border tax procedure not only with regard to any Federal indirect taxes imposed, but also for average State and local tax burdens, including for this purpose the tax burden represented by property taxes. Others have suggested that we seek a change in the present GATT rules to permit border adjustments based on both direct and indirect taxes, arguing that the incidence of direct taxes, like the corporate income tax, does not differ appreciably from the incidence of the indirect taxes.

Still others would approach the problem in a different manner, namely, by imposing indirect taxes at the Federal level here at home similar to the value added tax which has become so popular in Europe.

International discussions are now taking place on the commercial issues involved in the present institutional and practical aspects of the border tax systems. I might add that the report of the Tax Foundation, Inc., has added a great deal to this dialogue.

Other devices for improving our balance of payments direct attention to specific products and involve the more traditional matters of tariffs and import quotas.

Still other devices are directed toward international capital flows and involve not only the direct investment controls of the Department of Commerce but also the indirect limitation on portfolio investments represented by the interest equalization tax—a tax which expires this next year in the absence of any action to the contrary.

While some action in these areas has been suggested at least as short-run factors, they do not go to the fundamental or root causes of our balance of payments problems. Longer-run factors contributing to our problem are our extended international commitments both in the form of our foreign aid expenditures and our overseas military expenditures.

But of more direct interest in this discussion, and probably more important, is our excessive level of economic activity here at home fueled by our Federal deficits. This is the factor we *must* level on.

This is why I believe the Revenue and Expenditure Control Act of 1968 and the principle of fiscal and expenditure control which it embodies is important with respect to our balance of payments position. In fact, one of the major reasons I supported and helped develop that Act was my belief that limiting current and future Federal deficits would have a salutary effect upon the imbalance in our international accounts.

Federal deficits affect the balance of payments in several ways. First, an economy operating at too fast a clip causes rapid price inflation. This drives up the prices of goods we export, making it more difficult to sell them in the world markets. Additionally, as prices of domestic goods rise, imports become more attractive. This appears to be what happened when import prices from 1964 to mid-1968 rose by 4 percent while export prices rose by a disturbing 10 percent. In addition, too rapid a rate of economic expansion generates shortages and bottlenecks which force producers and distributors to turn to foreign sources of supply.

Briefly reviewing the change in our exports and imports in the past several years will serve to place the problem in perspective. From 1964 to 1967 our exports grew at a rate of about 8 percent a year while imports grew at about 13 percent a year. In the first half of 1968, however, exports increased 6 percent over the same period in 1967 but in the meantime imports increased 20 percent in the same period, nearly wiping out our trade surplus.

As I mentioned before, our trade balance did improve in the third quarter, especially in the merchandise balance where exports increased more than twice as much as imports—$543-million compared to $253-million. This is an encouraging sign.

Important as the Revenue and Expenditure Control Act was in shoring up the international and domestic economy for the short run, its greater significance lies in the hope that the principle embodied in this Act, by planning our total expenditures in relation to revenue, can continue.

The balance of payments problem is one reason why the issue of government spending is such a critical one. At the same time, we must recognize that the control of government expenditures is a most arduous task. The recent trend in the level of government expenditures makes this conclusion inescapable. Spending totals were relatively controlled in the period from 1961 to 1965, increasing from only $98-billion in 1961 to $118-billion in 1965. Expenditures for 1965 actually dropped slightly below those for 1964. From 1965 on, however, expenditures have taken off like the Apollo spaceship soon to circle the Moon, increasing from $135-billion in 1966 to $158-billion in 1967, to $179-billion in 1968 and probably to about $185-billion in 1969. Despite all our pressing domestic and international fiscal problems, such an increase defies reason and sound judgment.

It is evident that this constantly increasing trend in Federal expenditures will, if not reversed or at least lessened, far exceed the growth in revenues generated by our tax system even in periods of prosperity. Clearly, our tax system has not been raising sufficient revenues to support the programs already on the books.

What does this trend mean? It can only mean either increasing deficits with its unfortunate international as well as domestic consequences, or higher tax burdens.

Increasing deficits lead to higher and higher prices. This was clearly demonstrated by the price inflation which we have faced this year and which in no small part arose out of the $25.4-billion deficit we experienced in the fiscal year which ended this last June.

Now let me explore briefly with you the other alternative to absence of controlled expenditures—namely, higher taxes. Higher taxes mean not only a heavier financial burden for each and every one of us, but also make it more difficult for our exporters to compete in world markets. Moreover, higher taxes and larger expenditures mean an increased role for the Federal Government in our economy and this means a larger and larger portion of our Nation's resources would be transferred from the private to the public sector of our economy.

As I have stated repeatedly, I believe this road of uncontrolled public spending is the wrong road for us to travel. At the time of the passage of the Revenue Act of 1964, which represented the biggest tax reduction of all times—about $16-billion for individuals in terms of current income levels—Congress and the Administration in the first section of that Act agreed to follow the path of free enterprise; the path of controlling government expenditures and of reducing the portion of the total economy represented by Federal Government activity.

Despite this declaration of policy in the first section of the 1964 Act, expenditures have not been controlled from late 1965 on. It was as a result of this that Congress took action in the Revenue and Expenditure Control Act of 1968 to try to slow down the expenditure trend and reduce the deficit.

Expenditure control in the period ahead will not be easy, which is why we must continue to be concerned with expenditure totals and deficits. Part of the difficulty stems from the fact that expenditures for current programs already contain built-in increases. In the fiscal year 1970, for example, just the normal built-in growth factors are likely to increase existing expenditure totals by $7- to $10-billion. The problem of contending with built-in growth factors has been outlined by the former Director of the Bureau of the Budget under President Eisenhower, Maurice Stans.

The difficulty in dealing with this built-in increase is indicated by its composition. Social Security and Highway Trust Fund expenditures are expected to increase by $2- to $3-billion. These are required by present law. Similarly, pay increases already authorized by present law this next July are expected to cost from $3- to $3½ billion more. In addition, there are workload increases in many agencies due to increased use of their facilities or due to increased case loads and other activities which can be expected to account for another $2- to $3½ billion. These include the ever-expanding use of our parks, the need to provide more traffic controllers for the expanded use of our airways, the additional employees required by our ever-expanding postal volume and even the need for increased Internal Revenue Service personnel for processing the growing volume of tax returns.

The point I am trying to make is that even with no civilian program expansion other than those already built in and no increase in defense spending, expenditures for the next year will probably range from $7- to $10-billion above the current level, or range from $192- to $195-billion. This is on the assumption of no appreciable decrease in Vietnam spending or in the alternative on the assumption that much of any decrease which occurs here is likely to be absorbed by increased military spending elsewhere.

The implication of these figures is clear; we need hardnosed expenditure control to hold the budget for the coming year well under $200-billion and to keep expenditures from absorbing the revenue increase generated by rising income levels.

I think you can see from what I have said that we will be faced with the necessity of devoting a substantial part of the normal increase in revenues, or fiscal dividend as it is sometimes called, to unavoidable expenditure increases. This makes the establishment of expenditure limitations and the determination of priorities in spending all the more essential if we are to keep our spending programs in hand.

We must rationally establish expenditure limitations. In doing this we must take into account how any increase in tax revenue which will normally occur should be allocated among tax reduction, increased defense expenditures, new or expanded civilian programs and debt retirement.

In establishing priorities, we also need a procedure to determine the future implications of each of the proposed programs. So often a program is begun on a small level only to become a goliath later on. This is what occurs where there is no awareness of the full implications of taking the first small step.

While I am not irrevocably committed to any particular approach of expenditure control, I believe that we do need some device both for limiting the aggregate expenditures and then also a device for a ranking of expenditure priorities.

Organizations such as the Tax Foundation, and leaders in the field of business represented by those in attendance here this evening should make every effort to assist in this endeavor. I do not know of any more difficult job than that of placing limitations on government expenditures; but I also do not know of any task which is more important to the fiscal future of our country.

MEDALS OF HONOR FOR COLONEL JACKSON AND MAJOR PLESS

Mr. TALMADGE. Mr. President, in ceremonies today at the White House the President of the United States conferred upon two Georgians the highest military award in the land, and I rise today in the Senate to extend my personal congratulations to these gallant men.

The two Georgia recipients of the Congressional Medal of Honor are Lt. Col. Joe M. Jackson, U.S. Air Force, and Maj. Stephen Wesley Pless, U.S. Marine Corps, both natives of Newnan, Ga.

I share great pride with all Georgians, and with all American citizens in the courage and the valor displayed by Colonel Jackson and Major Pless in intensive combat in Vietnam. They are a credit to the U.S. Armed Forces and the great Nation they represent, and I respectfully salute them on this momentous occasion.

I earnestly regret that it was impossible for me to be present for the White House ceremony because of extremely pressing business in the Senate, but a representative of my office was there in my behalf for the presentation.

The gallantry of these men and the heroic mission they performed against heavy odds and hostile forces in Vietnam are reflected in the citations accompanying their Medal of Honor. I know the entire U.S. Senate joins me in commending them, and I ask unanimous consent that

their citations be printed in the Congressional Record.

There being no objection, the citations were ordered to be printed in the Record, as follows:

Citation for Lt. Col. Joe M. Jackson

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress, the Medal of Honor to Lieutenant Colonel Joe M. Jackson, United States Air Force for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Colonel Jackson distinguished himself as pilot of a C–123 aircraft in the Republic of Vietnam, on 12 May 1968. On that date, Colonel Jackson volunteered to attempt the rescue of a three-man USAF Combat Control Team from the Special Forces Camp at Kham Duc. Hostile forces had overrun the forward outpost and established gun positions on the airstrip. They were raking the camp with small arms, mortars, light and heavy automatic weapons, and recoilless rifle fire. The camp was engulfed in flames and ammunition dumps were continuously exploding and littering the runway with debris. In addition, eight aircraft had been destroyed by the intense enemy fire and one aircraft remained on the runway reducing its usable length to only 2,200 feet. To further complicate the landing, the weather was deteriorating rapidly, thereby permitting only one airstrike prior to his landing. Although fully aware of the extreme danger and likely failure of such an attempt, Colonel Jackson elected to land his aircraft and attempt the rescue. Displaying superb airmanship and extraordinary heroism, he landed his aircraft near the point where the Combat Control Team was reported to be hiding. While on the ground, his aircraft was the target of intense hostile fire. A rocket landed in front of the nose of the aircraft but failed to explode. Once the Combat Control Team was aboard, Colonel Jackson succeeded in getting airborne despite the hostile fire directed across the runway in front of his aircraft. Colonel Jackson's conspicuous gallantry, his profound concern for his fellow men, and his intrepidity at the risk of his life above and beyond the call of duty are in keeping with the highest traditions of the United States Air Force and reflect great credit upon himself and the armed forces of his country.

BACKGROUND

On May 12, 1968 the Special Forces camp at Kham Duc was under heavy ground fire for the third day and in imminent danger of being overrun by enemy forces. When it became apparent that the friendly forces could not hold the camp, a decision was made to evacuate all personnel. Thunderstorms had started earlier in the afternoon and were now completely encircling the airstrip. Continuous airstrikes by Air Force fighters were going on all around the strip, while C–123 and C–130 aircraft evacuated approximately 1,000 military personnel.

Intense and highly accurate anti-aircraft fire had shot down eight U.S. aircraft during the battle.

Finally, when the last load of men had been flown from the besieged base and while the Airborne Command Post was ordering the remainder of the abandoned, burning and exploding camp destroyed by bombs, it was discovered that three men had been left behind.

For the next thirty minutes the Airborne Command Post directed Forward Air Controllers in the area to search for the three men while radio-men attempted to make contact with them. No one was successful.

Finally, a C–123 in a holding pattern was asked to attempt a landing and see if this would bring the three men, members of an Air Force Combat Control Team, into the open.

The C–123 made its approach through intense automatic weapons fire. Fighters were ordered to parallel the transport, strafing the jungle ahead of it. The C–123 touched down and came under unexpectedly heavy fire from enemy positions which had now been established around and even on the airstrip itself. Weapons in use included heavy and light machine guns, mortars and recoilless rifles. The pilot immediately went to full power and pulled off the strip. As he did so, the crew spotted the Air Force team's position.

The Airborne Command Post then contacted a second C–123, flying above the camp and asked if the crew would attempt the rescue of the three personnel. Lt. Colonel Joe M. Jackson of Newnan, Georgia, flying in the left seat and Major Jesse W. Campbell of Atascadero, California, flying in the right seat, reacted as a team. Colonel Jackson reached out and pulled back the throttles. Major Campbell radioed, "Roger, going in."

Banking the C–123 they watched the other cargo aircraft, still under heavy fire and encircled by tracers, trying to evade the North Vietnamese gunners. Even at 9,000 feet above the camp the tracer fire was clearly visible.

The previous attempt had used a long, low approach to the strip. Col. Jackson reasoned this would obviously not work.

He called for full wing flaps at his 9,000' altitude, reduced the engines to idle, and pointed the nose almost straight down. The rate of decent shot up to between 3,000 and 4,000 feet per minute, a non-standard maneuver for that type aircraft.

Pulling out of the dive at an estimated 50' above the ground, he was now approximately a quarter-mile from the end of the runway.

On the ground the three men had observed the previous rescue attempt and had seen the aircraft come under fire from gun positions now located on both sides of the runway shoulders.

The team fired on one gun position and silenced the gun.

"The thought of another plane was impossible and illogical—the NVA were moving all around. So much ammo was blowing up you couldn't tell 'incoming' from our own, and it was throwing debris all over the runway—no man in his right mind would attempt a landing—then the mission commander said, 'There's a C–123 on short final,'" wrote T/Sgt Morton J. Freedman, one of three men rescued.

Despite his rapid descent from 9,000' to tree-top level, Col Jackson and his crew had been under fire since passing through 3500'.

Now on the final approach and still under heavy fire, Col Jackson planned to touch down as close to the end of the runway as possible. The center point of the strip was blocked by a burning cargo helicopter, shot down earlier. This left only 2200' of usable runway available to him.

As the aircraft touched down, Col Jackson noted there was a great amount of debris on the runway. As he began to pass it seconds later he could identify some of it as mortar and artillery shells from the exploding ammunition dumps. Adding to the hazards were numerous shell craters on the runway, most of them about two feet in diameter and a foot deep.

Avoiding these, even using the nose wheel steering, was an impossibility. Of more immediate concern was the problem of stopping the heavy aircraft.

A short field landing with the C–123 calls for reversing the two piston engines. This procedure automatically shuts off the two auxiliary jet engines.

In order to make a quick take-off, Col Jackson would need the powerful jet engines immediately. He would not have time to restart them if he was to get away successfully. This left no choice but to use only his brakes to stop the heavy cargo aircraft.

After rolling about 1,000' after touchdown, Maj Campbell called out that he had the Combat Control team spotted and gave Col Jackson their location on the left side of the runway.

At this time it was impossible to steer the aircraft closer to them. The cargo plane was rolling down the far right side of the runway since the left half was heavily littered with debris.

Col Jackson braked to a stop on the right side of the runway directly opposite the location of the three-man team which had now left the culvert where they had taken cover and were running toward the aircraft. In the rear, S/Sgt Manson L. Grubbs of Taylor, Michigan, had lowered the rear door and was standing by with T/Sgt Edward M. Trejo of Pico, Los Angeles County, California, to help the men aboard.

While the aircraft was stopped, the crew actually saw tracer fire pass underneath the aircraft without hitting it.

Maj Campbell then saw a Russian 122mm rocket coming down the runway toward the aircraft. It had apparently been fired from the end of the runway—straight at the cargo plane.

The rocket struck the runway, bounced in the air, and kept coming. The 6' rocket finally skidded to a stop approximately 25 feet in front of the aircraft, but did not explode.

With the three men aboard, with the right half of the runway clogged with debris, a burning helicopter behind him, and an unexploded rocket directly in front of him, Col. Jackson taxied his aircraft carefully around the projectile and applied maximum takeoff power. Again, using nose wheel steering to miss the larger shell craters and debris on the runway, he began the takeoff.

The enemy, which had been firing directly at the aircraft while it was on the ground, shifted tactics. Both pilots could see tracers streaming directly across the runway ahead of them. The gun positions were on both sides of the runway. The North Vietnamese planned to let them pass through a crossfire on the takeoff roll. It was into this hail of fire that the takeoff was initiated.

The sound of the enemy machine guns and mortars could be heard above the roar of the engines on takeoff, Col. Jackson noted afterward.

Looking straight ahead, they flew through the travers crossing the runway, gained flying speed, and rotated the aircraft. Firing along the runway then stopped and a new barrage greeted them from the end of the runway, which was in their direct line of flight.

Col. Jackson climbed the aircraft on maximum power until he was out of range of the weapons below and set a course for Da Nang Air Base.

Perhaps, the greatest surprise of all to the crew was the discovery after arrival at Da Nang that not one enemy bullet had struck the aircraft during the entire rescue.

Members of the Combat Control Team rescued from Kham Duc are: Major John W. Gallagher of Hellertown, Pennsylvania; Sgt. James Lundie (since discharged), and T/Sgt. Morton J. Freedman of Philadelphia, Pennsylvania.

Citation for Maj. Stephen Wesley Pless

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress, the Medal of Honor to Stephen Wesley Pless, United States Marine Corps, for conspicuous gallantry and intrepidity at the risk of his life, above and beyond the call of duty, while serving as a helicopter gunship pilot attached to Marine Observation Squadron Six in action against enemy forces near QUANG NGAI, Republic of Viet Nam, 19 August 1967. During an escort mission, Major (then Captain) Pless monitored an emergency call that four American soldiers stranded on a nearby beach were being overwhelmed by a large Viet Cong force. Major Pless flew to the scene and found 30 to 50 enemy soldiers in the open. Some of the enemy were bayoneting and beating the downed Americans. Major Pless displayed exceptional airmanship as he launched a devastating attack against the enemy force, killing or wounding many of the enemy and driving the remainder back into a tree-line. His rocket and machine gun attacks were made at such low levels that the aircraft flew throughout debris created by explosions from its rockets. Seeing one of the wounded soldiers gesture for assistance, he maneuvered his helicopter into a position between the wounded men and the enemy, providing a shield which permitted his crew to retrieve the wounded. During the rescue, the enemy directed intense fire at the helicopter and rushed the aircraft again and again, closing to within a few feet, before being beaten back. When the wounded men were aboard, Major Pless maneuvered the helicopter out to sea. Before it became safely airborne, the overloaded aircraft settled four times into the water. Displaying superb airmanship, he finally got the helicopter aloft. Major Pless' extraordinary heroism, coupled with his outstanding flying skill, prevented the annihilation of the tiny force. His courageous action reflects great credit upon himself and upholds the highest traditions of the Marine Corps and the United States Naval Service.

THE PURSUIT OF EXCELLENCE

Mr. BYRD of West Virginia. Mr. President, the Charleston, W. Va., Sunday Gazette-Mail for January 12 carried in its State magazine section a comprehensive article by John G. Morgan dealing with the 4-year administration of the outgoing Democratic Governor, Hulett C. Smith.

The article, entitled "The Pursuit of Excellence," is a detailed study both of the Governor and the administration he headed. It is as objective a piece of reporting as I have read in a long time, an article that recounts the undoubted progress that West Virginia made under Governor Smith, but at the same time does not omit the disappointments and the failures.

I believe this article will have considerable historical value in the years ahead, as political writers and others attempt to assess the recent past in my State.

I compliment Governor Smith for the achievements the article sets forth.

I am proud of my State, Mr. President, and proud of the very considerable efforts that Governor Smith and its citizens have made to forge ahead, and I wish the new administration of Gov. Arch Moore success in any undertakings in which it engages to extend the progress of West Virginia.

I ask unanimous consent that the article from the Gazette-Mail be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PURSUIT OF EXCELLENCE

(By John G. Morgan)

Hulett Carlson Smith, the 27th governor of West Virginia, compiled a record of achievements that made the state a better place in which to live, work, play and go to school.

He kept the faith with the one whom he called the most important citizen in the state—the six-year-old child in the first grade.

He left a monumental piece of legislation designed to preserve, protect and restore the beauty of the hills through control of strip mine operations.

A first-class, air-pollution-control law was passed during his administration. A stream pollution control law also was passed, though this remains sadly in need of repair.

His task forces on housing and health exposed areas of drastic need and opened vistas for better ways of life in an improved environment.

Significant legislation was enacted in the field of human rights. Despite varying tensions, incidents and deplorable apathy in some regions, the state's reputation remained good in this field.

By executive order, Smith placed about 2,500 state employes under civil service coverage. With normal growth of an additional 1,000 the total coverage reached approximately 8,400, or about one out of every three state employes.

Smith became the first governor to implement the concept of the state cooperating with industries in the planning and construction of new towns. At Fairdale, Raleigh County, and Wadestown, Monongalia, new towns are under construction. Studies are in progress for more towns of this type. The possibilities are tremendous.

In a series of 20 "government-to-the-people programs—five each year—Smith and most department heads made themselves available for questions by local persons at regional meeting points, usually in National Guard armories. The Governor believes that these face-to-face sessions were beneficial for inquiring citizens and also for some state officials in need of more direct contact with the public.

BUILDING FOR THE FUTURE

Steel is going up for two state office buildings at a construction cost of $15.9 million and additional land acquisition cost of about $3 million. The supervising agency is the State Office Building Commission, headed by Smith.

The troublesome $30 million park development program, once called a "bucket of worms" by Smith, has been reported rolling along in recent weeks. Openings are scheduled this year at Pipestem State Park in Summers and Mercer counties and at Twin Falls State Park in Wyoming County.

Total road expenditures in three years and nine months of his administration soared beyond the $722 million mark. Annual expenditures in support of education during the entire four years increased from $95 million to almost $160 million—a hike of more than 68 percent.

Some of the Democratic Governor's best efforts have culminated in golden opportunities served on a silver platter to his Republican successor, Arch A. Moore Jr., who will take office at noon Monday in inaugural ceremonies on the front steps of the Capitol.

The best examples are the Modern Budget Amendment, consistently supported by Smith, and the $350 million Road Bond Amendment, which he proposed in the 1968 regular legislative session. Both amendments were submitted to the people and approved in the 1968 general election.

Smith called the amendments new "tools of government" that his successor can use to great advantage in serving the people during the next four years.

The Governor's own analysis of his campaign statements and record of achievements reflects that he has kept about 90 per cent of his promises.

One of his most noteworthy promises, made and kept, was his pledge to open an additional 116 miles of interstate highways to traffic during his administration. The exact figure was 117.6 miles.

NEW RECORDS ACHIEVED

Among promises broken was a pledge to the people of Huntington to build two bridges across the Ohio River. Only one was constructed. Location of the other still is in dispute.

Did Smith keep his pledge to give the state an "administration of excellence"? He answered this way:

"We have striven for excellence. I don't think we have attained it. No one could really attain it."

The Governor said in effect that maybe it would have been better for him to have pledged "pursuit of excellence," as he said often in his campaign. To promise absolute excellence, he indicated, is to promise the unattainable.

He added that he felt his administration did very well in pursuit of excellence until the general election of 1966, when the Governor's Succession Amendment was defeated, and people began to talk about who would be the next governor.

"You can't keep a football team at high pitch," he said in a reference to the efforts of his administrative team after suffering a loss. "But there still are a lot of dedicated people who are going to work to the end."

All of Smith's accomplishments were realized within the framework of the legal and literal truth that no law can be passed without legislative action. He had a good relationship with the legislature. He was full of praise for the leadership and cooperation of Senate President Howard W. Carson and House Speaker H. Laban White, both of whom left office at the end of 1968.

New records in total economic activity were set during each of the first three years of the Smith administration. All the figures aren't in, but the indicators reflect that another record is attainable for 1968.

Governmental procedures were modernized to a limited extent under Smith. An electronic data processing program was initiated by executive order. A state motor pool was started as a move toward more economic and efficient use of state cars.

From an overall standpoint, the administration could be viewed as a trend toward government based on business principles as opposed to government seated in political power.

Smith traveled widely during his term. He went to Brazil, Japan and Israel. He attended a National Governors Conference aboard the S. S. *Independence* on a voyage to and from the Virgin Islands. He made official trips throughout the nation and often was in demand as a public speaker in other states as well as West Virginia.

He held responsible posts in the national and southern governors conferences. He was chairman of the Southern Regional Education Board one year and cochairman of the Appalachian Regional Commission for six months.

Smith listed the constitutional convention that never was put to a vote of the people as one of his greatest disappointments.

The legislature passed an act that would have submitted the question to the people in 1965. But the act was upset by the State Supreme Court.

In the legislative session of 1966, 1967 and 1968, Smith recommended convention bills that complied with the Supreme Court decision. None had the steam to get through the legislature.

One of the recent triumphs of his administration was development of plans to purchase the West Virginia Turnpike and incorporate it into the interstate system. He regrets that details of this purchase must be left to his successor because of delays involved in getting clarification from the Internal Revenue Service on the tax-exempt status of new bonds.

PROBLEMS LEFT UNSOLVED

Other matters which Smith regrets he must leave undone:

Reorganization of the state's higher education system, a controversial matter on which top educational leaders have not reached agreement.

Reorganization of other phases of state government along the lines recommended by the Public Administration Service, with modifications. Not enough homework was done on previous attempts to effect some recommendations, Smith said.

Free tuition for the first two years of college education. This is only reasonable in view of the fact that most civil service jobs demand college degrees, he explained.

Free public kindergartens, an important matter that will be indefinitely delayed because of lack of funds.

Actual, follow-up classification and use of a statewide functional highway system as authorized by the legislature.

The consolidated antipoverty program has had its ups and downs in the state. Smith drew heavy criticism just before the November, 1968, election when he announced he had approved the Mingo County Court's proposed takeover of the county Economic Opportunity Commission.

Smith explained that his approval was a procedural matter in response to a letter from the county court, asking if it were qualified to be designated as the antipoverty agency.

Similar letters were received, he said, from the county courts of Raleigh and Webster. Recent legislation made the county courts eligible to have control of community action programs.

Poverty warriors in the South are known to be disenchanted with Smith's views of their efforts. A spokesman for them said the general view is that Smith had the right attitude early in his term but somehow never fully grasped the real meaning of the War on Poverty.

They feel further that some of their troubles emanated from fair election drives in Mingo. Efforts to clean up the elections, they feel, brought them into disastrous conflict with the county power structure.

THE GRINDING SCHEDULE

The West Virginia Progress Corps, a loose, hazy organization promoted beyond reality —and once declared to have grown to a citizen army of 90,000 generals from all walks of life—apparently may be written off as a failure. The original purpose of the corps was to spread the word about the qualities of West Virginia, but the remaining misty nucleus of the organization has adopted smaller goals and is seldom heard from. Smith conceded that the corps "got off on a bad foot."

The West Virginia cleanup program, promoted to the ultimate heights in the previous administration, was continued by Smith, with Treasurer John H. Kelly assigned to a chairman's post. But this program has received relatively little notice during the Smith's years.

And there is the "Meditation Room" that never became a reality. Smith visualized it early in his term as a little place for those who felt the need to stop and think or kneel and pray. But he received opposition from many directions. He still thinks it was a good idea.

During his term, Smith celebrated his 50th birthday and his 25th wedding anniversary. His oldest daughter was married, and he became a grandfather.

Now 50, Smith describes himself as "four years older and 40 years wiser." He stands five feet and 11 inches tall, and weighs 190 pounds—about five or 10 more than when he took office.

Although his hair is visibly grayer today than when he assumed his heavy responsibilities four years ago, Smith said the duties of the office didn't tax his health. He has every appearance today of a man in robust physical condition.

He followed a grinding schedule that averaged 16 hours a day, with usual office hours of 8:30 a.m. to 6:30 p.m.

A confirmed optimist, Smith nearly always maintained a pleasant expression and an attitude of good cheer while bearing the state's burdens.

He explained that his persistent optimism through many irritations, rebuffs, reversals and generally negative situations may be attributed to his religious viewpoint.

An elder in the Presbyterian Church, the Governor indicated that his basic beliefs lie somewhere between predestination and free will.

"The Lord has a plan to use you in His way," Smith said. One shouldn't try too hard to determine the Lord's will, Smith further indicated. This knowledge will come at the appropriate time through intuition and prayer, he added.

Smith said he lives by the phrase, "Thy will be done," in the Lord's prayer and also by the following prayer:

"God grant me the serenity to accept the things I cannot change, courage to change the things I can and wisdom to know the difference."

At news conferences, Smith repeatedly impressed reporters with his wide range of information. He seemingly knew something about everything. He didn't duck questions, but there were times when his answers skirted the issue or drifted into realms of irrelevance.

His aides say he has a sponge-like memory for facts and that he often impressed the staff with his rapid reading habits. Secretaries were sometimes astonished when he glanced at their notebooks and read their shorthand upside down.

Smith said he read fast in school without any particular training for it. "I skip a lot, but I get the gist of it," he said. He said he finds it hard to concentrate on technical reports loaded heavily with information requiring close study.

In addition to the two Charleston newspapers, Smith regularly reads the Beckley papers, the Wheeling papers, the New York Times and Wall Street Journal. Art Buchwald is his favorite columnist.

Periodicals on his regular list are Newsweek and U. S. News and World Report. As he finds time, he likes to read fiction based on real situations involving government and the people.

He depends on radio for regular doses of spot news and also selectively views some television news programs.

Smith has said often he believes the governor should be a strong executive with full responsibility for running his branch of government. Yet his manner of making decisions hasn't fit the usual concept of what a strong executive should be. In fact, he has been accused of being too hesitant or wishy-washy about making decisions.

His manner of taking action has suggested the behavior of a chairman of the board, or one who waits for a consensus before reaching decision. Smith had some comment in response to that criticism:

"I'm not the type who pounds the table. It's not my nature. I try to do a lot by asking for cooperation."

He said he didn't use basic weapons to get things done, including retaliation by firing or threatening to fire employes or their relatives.

The Governor observed that his administration has "moved more people out of office without embarrassment to them or their families" than is usually realized.

He said a "surprising number" of employes left office in this manner, and they were within the "whole gamut of government," from department heads to janitors.

Smith was asked about his long hesitation in endorsing one of the Democratic candidates for governor—State Democratic Chairman James M. Sprouse, Atty. Gen. C. Donald Robertson and State Sen. Paul J. Kaufman. There was much publicity about this promised decision that resulted in no decision at all.

"As far as picking the next governor was concerned—the kingmaker role—I thought for a long time I was going to make a choice," Smith said. "But what could I have added, except enemies for everybody?"

The Governor was told that this very answer touched upon another criticism against him, namely, that he didn't want to make enemies.

"Let's put it this way," he said. "I don't mind making decisions, but I never felt I would like to step on somebody to climb."

He added that he had never been aggressive or pugnacious, although there was once a time when he had difficulty controlling a hot temper.

NUGGETS OF WISDOM

The Governor further observed that at the time the three candidates were running, the "whole political picture was in such shambles that maybe nobody wanted an endorsement." He said any one of the three candidates would have made a good governor.

Summing up, the Governor said:

"I don't make any quick decisions if I can help it. A snap judgment off the top of the head can be wrong. I try to get more information and take a little time."

This nugget of wisdom followed:

"You can be a good governor by not doing anything sometimes."

He agreed that this could be called "goverment by omission," which is another way of saying that "the least government is the best government."

These other comments were dropped as incidental observations by the Governor:

"There is a tendency to underestimate the knowledge of the ordinary fellow. It's hard for the public official to depend on the ordinary fellow having this knowledge, hard to recognize. But it's there."

"Eventually, the legislature will have to be a continuing body. There is too much time between March and January."

"The Human Rights Commission is doing a good job, but there are areas that have to be strengthened. Progress has been made, but there still is a long way to go. Getting people involved is the biggest problem."

"The new highway programs may mean more to the people of West Virginia than anything that has ever been done. The impact will come. There will be different attitudes . . ."

"Costs of roads and schools should be thought of as investments."

"If I had not been a lame duck, I might have had a different approach. I still would be trying to do more things from the standpoint of lasting benefits."

"I have thought about governor's succession in two ways—a six year term for political continuity; or the possibility of the governor being permitted to serve as many terms as he can get elected."

"Getting elected to office is largely a matter of being at the right place at the right time."

"There must always be dynamic change in education. The format of the college structure today is something designed during the Renaissance."

"Ceremonies are time-consuming. People expect you to get places more quickly nowadays, but they don't realize the problems that are involved."

"The part that the governor has in considering requests for clemency . . . This is a segment of the governor's office which is different from what I thought it would be. It was one of the surprises."

DEVOTED FAMILY MAN

"The boards of health and education can't be touched by the governor. They are nine-year boards. It takes two consecutive governors thinking the same way to get control. I'm not saying that I want the boards to be subservient to the governor, but . . ."

"In West Virginia, a greater tax burden must be borne by the individual if this state is to get caught up. Citizens must pay more per capita. West Virginia has been getting by for years without high taxes."

"I like politics. It is a part of life. People who don't get involved are missing something. I like to think of politics as a combination of chess and a table-stakes poker game."

The Governor is a devoted family man. He and Mrs. Mary Alice Tieche Smith are the parents of five children. They are:

The former Carolyn Tieche Smith, 25, now Mrs. Paul R. Hutchinson, Jr.; Alice Christine McCulloch Smith, 18; Susan Elaine Chapman Smith, 10; Paul Luther Updike Smith, 9; and Mark Weston Smith, 8. Another son, Hulett C. Smith Jr., died of leukemia in 1955 at the age of 9.

Grandson Paul R. Hutchinson III is almost five months old.

It's well known that the attractive Mrs. Smith is a source of advice and strength to the governor. During his term, she also let it be known that she couldn't tolerate people who failed to tell her the truth. She held a strong preference for unvarnished criticism over all varieties of false praise.

After defeat of the succession amendment in 1966, which sealed off the possibility of her husband running again, Mrs. Smith was mentioned in early speculation as a prospective candidate for governor.

Did she think seriously about becoming a candidate? Smith answered this way:

"There was no serious consideration by us, but by individuals close to us. We were having a problem finding a candidate. Of course, Mary Alice never would have run."

Mrs. Smith is given full credit for her leadership in bringing about complete renovation and creation of a new atmosphere of beauty in the Governor's Mansion.

"Mary Alice did this," Smith said as he held up a small booklet with texts and colored pictures that detail the changes in the 44-year-old mansion of Georgian colonial design and red Harvard brick construction.

A decision to vacate the mansion to permit extensive repair work was made in the early months of the Smith administration. Hazardous conditions, including exposed wires concealed behind walls, were discovered. Smith said he couldn't understand why the massive marble floor in the front hall didn't fall into the basement. The marble, he explained, was never given proper support. The supporting beams weren't notched in the front wall.

SMITH'S POLITICAL AIDES

The Smiths moved out before July, 1965, and returned in October, 1966. During that period they lived at their home in Beckley, except about four months in Imperial Towers here during the winter of 1965–66.

About $350,000 was spent for work on the mansion. It is now insured for $750,000. The contents are insured for $150,000.

Every governor has his political advisers and his small group as close friends.

Secretary of State Robert D. Bailey rated high as an adviser and friend. For more political advice, Smith often turned to Robert P. McDonough, state Democratic chairman who became national committeeman and later Smith's natural resources director.

Smith, as he has all of his life, continued a close association with his brother, Joe L. Smith Jr. Among others considered close friends through long, continuing association were Gaston T. Caperton Sr., insurance executive; Ray DePaulo, field representative for the U.S. Department of Commerce; Lacy Warden, Charleston furniture store executive; and Jay Carr, Beckley banker.

Smith was a friend of President Johnson and Vice President Humphrey. He had close ties with Gov. Robert McNair of South Carolina, Gov. Charles Terry of Delaware, former Gov. Terry Sanford of North Carolina and former Gov. Price Daniel of Texas, later a member of the White House staff.

Hulett Carlson Smith, was born and bred in politics, business and affluence. His life began Oct. 21, 1918, in a residence on what is now the location of the Montgomery Ward store at 410 Neville St., Beckley.

He is a son of the late Congressman Joe L. Smith and Marian Christine Carlson Smith. His father died in 1962 at the age of 82. His mother, now 80, lives in Beckley.

The future governor got his first name from his grandfather, Hulett Armstrong Smith; and his second from his mother's family of Danish descent. His one brother, Joe, is three years older than the Governor.

The father was elected to eight consecutive terms in the U.S. House of Representatives. He first won election in 1928 as the only Democratic member of Congress from West Virginia. He retired, undefeated, in 1944.

Times and campaigns were different in those days. The popular and influential elder Smith established his winning record of congressional races without making a major campaign speech.

BORN TO POLITICS

Rep. Smith was mayor of Beckley when elected to the House. In other phases of his career, he was a newspaper editor, publisher, banker, realtor, state senator and state Democratic chairman.

Young Hulett was strongly influenced by the example of his father in politics and business. But he was equally, if not more, influenced by his mother.

"You'll never get out of politics, because it's in your blood," Smith's mother used to say to him. She reminded him that a branch of his family extended to Thomas A. Hendricks, who served as vice president from March to November, 1885, in the first term of Grover Cleveland.

Smith's mother taught him how to drive a car and play golf. She was an excellent companion for both boys. "She kept us on the straight and narrow path as much as she could," Smith said.

The father liked to buy things for the boys. Once, when driving by the Raleigh County courthouse in the early 1930's, Rep. Smith noted that a sale of bootlegger cars was in progress. He bought a Hupmobile of approximately 1929 vintage for Hulett. The price: $25.

Hulett's boyhood ambition was to become an architect. His mother wanted him to be a lawyer. Circumstances and his natural inclinations led him in other directions.

He attended Institute elementary school at Beckley and was graduated in 1934 from Woodrow Wilson High School, now the Park Junior High School, in Beckley.

Early in his life, the family lived for a time in St. Petersburg, Fla., because of the poor health of his father. Hulett attended the first grade in Cranleigh elementary school there.

During two long sessions of Congress, Hulett attended eighth and 10th grade classes at Washington, D.C., public schools. Promotions permitted him to skip the second and sixth grades.

Hulett was water boy and manager of the Woodrow Wilson High School football team of 1933. He couldn't immediately recall the team record of wins and losses for that year.

Based on one incident the future governor's deportment in high school was something less than perfect.

He was among juniors who retaliated in kind when seniors painted some snide remarks on the school sidewalk. All or most culprits in both classes were discovered, and they were punished by hard labor, meaning that bricks and sand had to be used to remove the paint. Hulett manned a brick.

Smith was salutatorian in his high school graduating class. He won a scholarship to Beckley College, where he had studied typing and shorthand before completing high school.

COMMERCIAL SCHOLAR

By this time, Smith's interests definitely were inclined toward the business world. He knew he wanted to go to a large university or college for a business education.

He and his mother mapped a motor tour of leading schools before making a decision on where he should go. They drove to Yale University, then returned to Philadelphia for a look at the University of Pennsylvania.

Smith liked what he saw and the reception he received in Philadelphia. He liked it so well that he canceled plans to visit Duke University.

With credit allowed for his studies at Beckley College, Smith enrolled as a sophomore in the Wharton School of Finance and Administration at the Pennsylvania institution in 1935. The young man from Beckley received his bachelor of science degree in economics, with honors, from Wharton in 1938. His studies included economic geography, basic principles of accounting, banking, investment, financial statements, corporate finance, public finance, education and insurance.

The two courses that gave him the most trouble were criminal psychology and German.

Smith may have learned more from a course on commercial credit than from any other. The professor was bald on top, but he combed the hair from the back of his head across the barren area and let it hang in bangs over his forehead.

Aside from this distraction, the professor forced his students to be alert during his lectures and quiz periods. The nature of quizzes and the sudden-death method of failing students made a scholar of Smith in commercial credit.

Smith studied the insurance business at an agency in Beckley during 1937. When he returned to Beckley after graduation from Wharton, he worked for a time with an established agency. He operated a family-owned radio station from 1939 to 1941.

In 1939, the year that Smith became 21, his experiences broadened in a new and exciting direction. He was one of 10 students who enrolled in a civilian pilot training program at Beckley College.

He took the elementary and advanced courses. He received his private pilot's license in 1940. He was qualified as a ground school instructor. He taught air frames, meteorology, navigation and other subjects.

The young pilot and brother Joe purchased a Piper Cub. On Jan. 1, 1941, they took off in a snowstorm on a flight from Beckley to Miami. With necessary stops, it took them three days to reach their destination.

EXPERIENCE AS PILOT

Their extremely limited equipment on the plane included a portable radio, a compass, air speed and gas gauges, and a "clock worn on the wrist."

While taking a routine training flight near Beckley as part of his advanced course, Smith experienced what may have been the most perilous flying adventure of his life. The engine on the plane he was piloting sputtered and died. Smith successfully negotiated a dead stick landing.

Smith said participation in "aerobatics" during his advanced training period brought some of the best relaxation he had ever known. This included slow rolls, snap rolls, the dead stick landing, recovery from spins, loop-the-loop and the figure eight.

The ultimate in relaxation came when flying inverted, Smith declared. He and the other students were taught to "put our hands on our heads and stomp the floorboard" for brief periods while the plane was upside down. This taught complete reliance on the safety belt and left the pilots free to manipulate the controls.

Not so relaxing were the night flights required as a part of the training course. There were no lights on the field except those provided by cars, and no horizon except the moon.

Smith said he has piloted state planes very few times since he took office as governor. With state pilots at the controls, however, he has flown far and often on official missions. On some flights, he has used the controversial plane purchased in the name of the State Roads Commission in 1966. Reportedly, this purchase thwarted the will of the legislature, which rejected an earlier budget request to purchase such an airplane for the Board of Public Works.

The 27th Governor is the first with a pilot's license. The late Gov. William C. Marland started taking flying lessons while in office and learned to solo. But he never obtained a license.

In his entire flying career, Smith has logged more than 1,000 solo hours. Here's his current comment on flying from the viewpoint of the pilot:

"It gets you away from things. It gets your mind on something entirely different. It can be recreation. It can't be daydreaming."

SERVICE IN NAVY

Smith began 46 months of service in the U.S. Navy after receiving a commission as an ensign early in 1942. He attended an induction school at the University of Notre Dame for approximately 90 days and was transferred to the Bureau of Ordnance in Washington, D.C.

On July 25, 1942, an extraordinary event occurred in the life of the young naval officer. He was married to Mary Alice Tieche, captivating daughter of Dr. and Mrs. Albert Updike Tieche of Beckley. Smith had known her since the days when he was two years ahead of her in high school.

This was the girl who would become the first lady of West Virginia, who would be instrumental in redecorating the Governor's Mansion.

But that time hadn't arrived. In 1942, the Smiths lived at 209 North Piedmont Road, Arlington, Va., near Washington. Their entire apartment was no larger than the governor's office Smith would occupy more than 22 years later.

In October, 1942, Smith was assigned to the staff of the commander of fleet-air at Quonset Point, R.I. He remained there about six months and returned to Washington.

About midyear of 1944, Smith was transferred as a logistics expert to the staff of the Western Sea Frontier in San Francisco. In that capacity, he worked for Lt. Clark M. Clifford, later to become secretary of defense under President Johnson.

Staff work assigned to Smith involved scheduling or allocation of aviation equipment, including bomb sights, bomb racks, machine guns, and gun mounts in preparation for the U.S. invasion of Japan.

At one time, Smith was about to be sent to Russia on special assignment. But this never quite happened. He was discharged in January, 1946, with the rank of lieutenant. He became a lieutenant commander as a reservist.

Upon his return to Beckley after the war, Smith plunged into the life of the community. He managed a wide range of family business interests. He became president of an insurance agency and an investment firm and vice president of First Beckley Corp. In later years, he was named a director of the Bank of Raleigh and vice president of Beckley College.

FIRST STEP IN POLITICS

He became an officer for Beckley and Oak Hill hospitals and co-organizer of the Beckley Area Rural Development Council.

Smith practically achieved the ultimate among Jaycees. He was selected as the "Outstanding Young Man of the Year" by the state Jaycees in 1948. He served as president of the state chamber in 1949-50. In 1952-53, he was vice president of the U.S. Junior Chamber of Commerce.

During the postwar years, he became increasingly active in the Beckley Presbyterian Church, which he joined as a boy of 12 in 1930.

He took his first small step in politics by becoming chairman of the Democratic Executive Committee for the city of Beckley in 1951.

For several years, Smith's closest contacts with state government was in his capacity of chairman or member of the State Aeronautics Commission.

Gov. Clarence W. Meadows of Beckley appointed Smith to the aeronautics agency in 1947. Smith served continuously until 1959, when Gov. Cecil H. Underwood, a Republican, didn't choose to make the reappointment.

As commissioner, Smith formed some definite opinions about aviation needs in the state. When elected governor, he gave his full support to projects effected under the federal airport act. These included new or improved airports at Williamson, Pineville, Welch, Summersville, Lewisburg, Sutton, Point Pleasant, Clarksburg, Wheeling, Martinsburg and Charleston.

Smith today believes that West Virginia is sufficiently air-minded, but cannot afford the extreme costs of airports in some areas.

He continues to believe that Charleston and Huntington need a midway airport. He regards the authorized improvement to Kanawha Airport as a stop-gap measure and a poor investment.

An airport similar to midway, or one built at Guthrie, ultimately should be built to serve the Charleston-Huntington areas, he stressed. It's not so much that landing space is needed, he said. It's that more space is in demand for parking, ramps and additional airport facilities.

The Smiths built a spacious red brick mansion, called "Crestwood," on a Beckley hilltop in 1953 and moved into it in the following year.

Smith entered politics on a statewide scale in 1956 when he became campaign manager for Rep. Robert H. Mollohan of Fairmont, Democratic candidate for governor.

This happened naturally. Smith's father was a friend of Sen. M. M. Neely, the Old Warrior in West Virginia politics. And Mollohan was Neely's boy, politically speaking.

Aside from the friendly connection, Smith was a well known young businessman from the southern part of the state and had no ties with labor. That was the ideal combination for Mollohan, a northerner closely identified with labor.

After Mollohan won the nomination in a five-way race, he followed established practice by sponsoring the election of Smith as state Democratic chairman. Smith didn't seek or really want the job of chairman, but he accepted on the advice and consent of his father. He was elected chairman by the Democratic Executive Committee in June, 1956.

Mollohan's campaign went smoothly. Up until a few days before the general election, he looked like a sure winner. Then the roof fell in.

A major news story revealed evidence that Mollohan, former superintendent of the Industrial School for Boys at Pruntytown, had used improper influence in getting a Grafton concern the coal-stripping rights on state-owned land near the institution. Mollohan issued a formal denial, but the Republican state chairman, John D. Hoblitzell, Jr., insisted that the evidence was overwhelming. Mollohan lost the election.

Republican Cecil H. Underwood became the new governor, ending 24 years of Democratic control in the state's highest office. The political future looked very dark for both members of the Mollohan-Smith team.

"There was nothing worse than being part of a broke party out of power in the state and nation." Smith commented later. He dipped into his personal funds to help pay some party expenses.

In the summer of 1957, a group of Democrats attempted to oust Smith from the party chairmanship. But he said he wanted to retain the post until the party could get its many bills paid. Moreover, he said he wanted a chance at party victory in the off year election of 1958.

That was a year of business recession in West Virginia, and the Democrats fared very well in the election. They regained both seats in the U.S. Senate, picked up a seat in the House of Representatives, and recovered lost ground in the state legislature. Smith more than regained his reduced political stature.

In the fall of 1959, after receiving encouragement from many independent sources, Smith made the decision to try for the office of governor in the first political race of his career.

On Nov. 6, 1959, he requested filing papers from the secretary of state. He filed a few days later.

A respiratory infection hospitalized Smith and delayed the beginning of his campaign. There were rumors he would quit. When asked about them, he declared:

"I not only plan to run with all the strength and vigor I have in me, I expect to be elected governor and thus have the opportunity of bringing prosperity back to West Virginia."

On March 7, 1960, during a snowstorm, Smith's campaign had an auspicious beginning in the Raleigh County courthouse at Beckley. An estimated 1,000 persons overflowed two courtrooms to hear him make his kickoff speech.

Smith outlined these five goals under the slogan of "Operation Opportunity":

(1) More jobs by attracting new industries and expanding others, (2) better schools, (3) better roads, (4) a constitutional convention and (5) a cleanup program embracing better housing, recreation areas and conservation.

MAJOR CAMPAIGN FAILURE

From the beginning it was an uphill battle. Smith's principal opponent, Atty. Gen. W. W. Barron, was an early front runner in the Democratic primary. It was widely known that Barron had been driving political stakes about three years in preparation for the race. Treasurer Orel J. Skeen made it a three-way contest for the Democratic nomination.

Smith ran as an independent candidate. During the campaign, he made at least one strategic mistake. He suggested a personal income tax to finance teacher pay raises. He further revealed that he favored a severance tax on natural resources.

In early May of the campaign, Skeen released a sensational story that clouded Barron's victory prospects and gave Smith a fighting chance.

Skeen accused Barron of offering him $65,000 to pull out of the race for governor and produced a tape recording to support his claim. Barron stoutly denied it. But the nomination was up for grabs.

There were indications that Smith moved up fast in the wake of the Skeen story, which shocked the citizenry and caused uncertainty and turmoil among Barron's followers. Analysts of the outcome of the election believe that Smith could have won with a little more money and people in the right places. But he didn't.

The Democratic primary results in 1960: Barron, 187,501; Smith, 140,079; and Skeen, 39,907.

When asked to give reasons for his defeat, Smith said he needed more money in hand, instead of promises; he didn't start soon enough, and he didn't manage to get an aura of victory about him. Further, he theorized, his statements on increased taxes probably contributed to his defeat.

After the election, Smith tendered his resignation as party chairman, but Barron asked him to remain in the post. He was reelected chairman by the Democratic committee in June, 1960.

As the continuing chairman, Smith helped engineer the Democratic general election campaign. He got involved in the presidential campaign of Sen. John F. Kennedy.

Thus, though personally defeated in the primary, Smith enjoyed the fruits of a party victory in November. Kennedy defeated Vice President Richard M. Nixon in West Virginia and the nation. Barron triumphed over Republican Harold E. Neely. This means that the governor's office, lost to Republicans when Smith was chairman four years earlier, was returned to Democrats under the same chairman. Smith's political star was on the rise again.

When Barron needed a man to head the newly-created Department of Commerce in 1961, he turned to Smith, the businessman type of politician with a demonstrated interest in attracting industry to the state.

As the state's first commerce commissioner, effective July 14, 1961, Smith seemed truly in his element as he presided over the very cornerstone of the state's intensified efforts to generate new economic activity. One of the projects closest to his heart was development of native arts and crafts in the state.

"MOST IMPORTANT CITIZEN"

Smith continued in the dual capacity of commerce commissioner and party chairman until October, 1961, when he announced his resignation as chairman. Robert P. McDonough was elected by the Democratic executive committee as the new chairman.

In 1963, Smith firmly resolved to run again for governor. As early as March of that year, he quietly began asking key persons for their support in the campaign.

The response was noteworthy. Money was received much sooner and in much larger quantities than in 1960. He resigned as commerce commissioner and prepared to start a campaign push in late November, 1963. But the assassination of President Kennedy on Nov. 22 caused a moratorium on all campaigning until early January.

Smith was an early favorite in the four-way Democratic primary race of 1964. An improved educational system was the theme of his campaign.

In Beckley on March 14, he told an audience:

"I want to talk with you about the most important citizen living in West Virginia . . . He is the six-year-old child who will enter school next fall."

In the primary election, Smith received more votes than the combined total of his three opponents. He carried 53 of the 55 counties in the state. He lost only Randolph and Monongalia—the home counties of two of the candidates. The results:

Smith, 186,273; Bonn Brown of Elkins, 85,527; Julius W. Singleton Jr. of Morgantown, 47,845; and Harold G. Cutright of Ivanhoe, Upshur County, 30,119.

Former Gov. Cecil H. Underwood easily won the Republican nomination, defeating Mrs. Freda P. Cavendish of Charleston and Harry H. Cupp of Elkins.

A strategy group formed to work for a Smith victory in the general election. It included James M. Sprouse, who became the new Democratic state chairman, McDonough, elevated to national committeeman; Clarence C. Elmore, state liquor control commissioner; Robert D. Bailey, later the secretary of state; and Milton J. Ferguson, former state tax commissioner.

Smith campaigned on the slogans of "A New Look for West Virginia" and "An Administration of Excellence." He rode high on the coattails of President Johnson.

On election day, the people gave Smith a majority of 77,464 votes. The totals were: Smith, 433,023; and Underwood, 355,559.

It was sweet victory for the "two-time loser"—once in the 1960 primary and in the 1956 general election as the campaign manager for Mollohan. Moreover, the new governor-elect received twofold satisfaction in defeating Underwood. For this was the man who beat Mollohan and this was the man who didn't reappoint Smith to the aeronautics commission in 1959.

At 12:18 p.m. on Jan. 18, 1965, Smith became the 27th Governor in snowswept inaugural ceremonies held on the north portico of the Capitol. The oath of office was administered by Judge Chauncey Browning, president of the State Supreme Court.

During the 45-minute ceremony, the snow came and went and came again harder. The temperature was 24 degrees. The wind from the northwest blew at 15 miles an hour.

The crowd was estimated at about 5,000, with one half in the comfort of the great building and the other half sitting in ceremonial misery in the open courtyard below the portico.

The inaugural event on a large platform erected over the portico was an unusual spectacle. High-flying, incoming pigeons, presumably enroute home, were seen to bank and hover as if in surprise, then fly away in the snow.

None of the outside crowd may have felt as comfortable as Smith, who, under his dark overcoat and dark suit, wore long new thermal underwear.

The new Governor, hatless and solemn-faced, delivered a 13-minute inaugural address in which he declared:

"First, I am determined that excellence in education will be our number-one goal. A great educational system is a prerequisite to a great state."

These words struck the theme of his address and echoed the grandest pledges of the candidate on the campaign trail:

HIGH HOPE, PROMISE

"I have pledged that I would give this state an administration of excellence, an administration which will demand the highest standards of ethics, integrity and honesty from dedicated and qualified public servants and never tolerate incompetence on mediocrity. Today, as your governor, I am proud to reaffirm that pledge of excellence."

"Let no West Virginian be mistaken. These goals of excellence will not easily be achieved."

And so the Smith administration began, with memorable words of high hope and bright promise, on a cold day in January, 1965.

The first year of the Smith term went smoothly, although he had his share of frustrations and failures. He announced that his financial holdings were placed in trust until the end of his term.

Accomplishments of the year were concentrated in the area of education. A significant step was taken with passage of the first phase of a $32.5 million, three-year, school improvement program, known as "Decision '65."

Early success of Project Head Start, with participation by all 55 counties, was heralded as a major achievement. Credit was heaped upon Mrs. Smith for her leadership in this program for preschool children.

Smith traveled extensively and made 170 public appearances the first year. He held 29 news conferences in Charleston and elsewhere.

An undisguised politician was named by Smith to head the Department of Natural Resources. The job went to McDonough, who stepped down as the Democratic national committeeman.

Some criticism of the appointment was stopped with Smith's explanation that McDonough was a good man to push the state's park development program.

In the legislature, Smith pushed for and got a law which made practically all major appointees serve at his will and pleasure instead of limited terms. This legislation reenforced Smith's view that the governor should be a strong executive.

The new Governor, as his first official act, issued an executive order against conflict of interest in the executive branch of government. A later order prohibited discrimination in state employment and among personnel of private firms doing business with the state.

A 40-hour work week was established for state troopers. Previously they often worked 70 hours or more per week.

Rare distinction was gained by Smith during the first year of his administration. He was named among the "Best Dressed Men of 1965" by the Fashion Foundation of America.

His name was high on the fashion list, between President Johnson and Cary Grant. Johnson was first in the category of statesman, Smith first in government and Grant first in screen.

"Education, education, education is still the priority matter for this administration and for this state," Smith declared in his State of the State message to the legislature in early January of 1966.

The declaration was in complete conformity with a pledge made a year earlier in his inaugural address. He continued to push for advancement and reforms in the field of education.

Politically speaking, 1966 was a catastrophic year for Smith. In the general election, Democrats lost ground in the state and across the nation. The succession amendment was beaten. His dream to succeed himself was shattered.

Defeat of the amendment meant that Smith, like all West Virginia governors since 1872, had become a lame duck before the middle of his term.

Although Smith must have regarded the fate of the amendment as a personal defeat, he retained his poise and reflected no marked change of attitude the day after the election. He told reporters at an informal news conference:

"We will press on with those programs we have started for the state and keep trying until the last hurrah."

A minimum wage and hour law was listed as the most important act passed by the 1966 legislature. The act specified a minimum wage of $1 an hour and a 48-hour work week for establishments with six or more employes.

The Department of Natural Resources was a trouble spot part of the year. There were charges that improper influence was used in the awarding of concession contracts at North Bend State Park.

Newspaper stories exposed that a character identified only as "M.R." was guilty of scribbling political suggestions on a concession contract form. Matthew Reese, a deputy director with celebrated political talents said he didn't think the initials were his.

A state police investigation, initiated at the request of the department director, McDonough, resulted in no significant revelations.

Reese and McDonough later left the department, but their resignations weren't linked to the influence charges. T. R. Samsell, head of the game and fish division in the department, was named to succeed McDonough.

LIAISON WITH WASHINGTON

Purchase of cinders by the State Roads Commission at absurdly high prices became a center of controversy. The Governor ordered cancellation of thousands of dollars worth of cinder contracts.

Increasingly, Smith went to Washington. Several times he was a selected visitor for special occasions at the White House.

On June 21, he was among about 10 special guests who accepted the President's invitation for a stag dinner with the King of Saudi Arabia.

After returning from one briefing on Vietnam at the White House, Smith was asked to label himself as a hawk or a dove.

"I am an American," he said.

West Virginia came under the national spotlight in mid-December when the National Governors Conference was held at White Sulphur Springs.

During a Democratic caucus immediately preceding the event, President Johnson was blamed for party losses in the November election. Smith didn't participate in the criticism. He said other factors hurt the Democrats.

Smith and eight other governors talked to the President more than four hours on Dec. 21 at the LBJ Ranch in Johnson City, Tex. Their subject was improvement of relations between the state capitals and the White House.

In one of his most unusual actions, Smith helped create the Ohio River Development Commission while riding in a motorboat on the Ohio River. Along with three other governors, he signed an agreement to promote the river as the "greatest tourist attraction in America."

While education continued to have the declared top priority in the Smith administration, it became clear that problems in conservation of natural resources were getting much attention. Also, his interest deepened in West Virginia's recreational potential.

In a speech at Parkersburg on Sept. 10, he identified the basic aims of the administration this way:

"We are building a great state on the sound triangle base of education, conservation and recreation."

The successful surge for a new strip mine control law was started in 1966. When the Governor's Task Force on Surface Mining held its organizational meeting on March 8, Smith told the group:

"The rape of West Virginia has occurred."

He made it clear that he referred to devastation of state scenery by strip miners and that he wanted it stopped.

It was the toughest speech ever delivered by a West Virginia governor against strip miners.

On a task force tour of stripped and reclaimed areas, Smith scored another significant first. He rode in a bus that drove straight into a strip mine pit.

There the Governor saw monstrous machinery at work as it returned disturbed earth to the side of a 60-foot high wall. After spending four hours in the area, he commented that strip mining could add substantially to the economy and still leave little residual damage.

STRIP MINING LAW

By the end of the summer, the group had drafted strong strip mine control legislation. Task Force Chairman David C. Callaghan called it a "step out of the dark ages."

In his State of the State address to the legislature on Jan. 12, 1967, Smith said in support of the strip mine bill:

"We must end the reckless pillaging of our land, the spoiling of our streams and the destruction of our fish and wildlife. I believe we can do so without destroying the competitive position of our strip mine operator in the market place.

"We must pass this law."

The legislature responded by passing the law in the 1967 session. The law was ranked as the strongest strip mine control statute in the nation. The fact of its passage ranked as one of the most monumental accomplishments of the entire Smith administration.

The State Supreme Court later upheld the law by ruling that the director of natural resources has the authority to stop stripping operations in areas that appeal to the aesthetic senses. More specifically, the court upheld the director in his order to stop strip mining in an area of striking scenic beauty opposite Grandview State Park.

Almost 20,000 acres of ravaged land have been reclaimed under this law since it went into effect on July 1, 1967.

The enlightened legislature of 1967 also enacted laws to:

Assure the exercise of human rights in employment practices and in the use of public accommodations.

Improve air and stream pollution controls.

Impose a corporate net income tax, an annual transportation tax and a higher gross sales tax, along with a new tax on the professional class.

Liberalize unemployment and workmen's compensation benefits.

The Governor also signed controversial new legislation authorizing sale of liquor-by-the-drink in private clubs.

The legislature wrestled with and finally rejected a package of tax bills developed by the brilliant Purdue University economist, James A. Papke.

The heart of the package was a new gross margin tax based on value added to products. While this was defeated, the study and debate may have opened the way for later tax revision in the state.

Smith and his aides referred to 1967 as the "Year of Implementation," meaning that this was the period in which basic ideas moved into operation.

It also was an interesting year in which Smith went to Brazil, attended the National Governors Conference aboard the S. S. Independence and vacationed at Barbados, West Indies.

On Feb. 15, 1967, Smith effected a decision to release old prisoner William Hollie Griffith on medical leave. Griffith, then 74, has been in prison more than 51 years on three first-degree murder convictions. When released, he went to Ohio to live with his sister.

BRAZIL TRIP RUMORS

Weaknesses in the 1967 stream pollution control law were bared when the administration found itself unable to effect controls that would prevent pollution of the Pocatalico River with salt brine from oil and gas wells in Roane County.

A chronic water problem developed at Sissonville. The Governor ultimately ordered construction of a series of small dams to store clean water for the town.

A controversy swirled around the heads of welfare Commissioner L. L. Vincent and Smith on matters involving budgetary and manpower problems. The issue was quietly settled, with Vincent apparently winning by a narrow margin.

The Governor and Appalachian Volunteers had some sharp disagreements in late summer. Smith said he was concerned about some charges of improper conduct leveled at the volunteers. He asked for an investigation.

An investigation by the Office of Economic Opportunity, revealed no evidence of serious misconduct.

The trip to Brazil was made in late July and early August at the invitation of the governor of the State of Rio de Janeiro, who said in his letter to Smith:

"Come and let us be together, talk together and see together if we can better the lives of those we serve."

During the 10-day trip, Smith met with the Vice President of Brazil, testified before two committees of the Brazilian Congress and visited the governors of four additional states.

Smith talked with Brazilian officials about coal mining problems and other matters of mutual interest. He got a firsthand view of an internationally famous housing project at Brasilia.

During most of the trip, which had religious overtones, the Rev. David Wayne Smith served as the Governor's interpreter. Mr. Smith formerly lived in South Charleston.

The trip stirred rumors that Gov. Smith was in training to become an ambassador somewhere. Press Secretary Jack Canfield put this notice on the Capitol bulletin board in the Capitol press room:

"For the umpteenth time, that report is ridiculous, completely unfounded and without even the slightest reason for being in existence . . .

"The only thing Gov. Smith is going to be is governor of West Virginia—and he's going to be that until January of 1969 when his term expires.

Smith delivered a landmark speech to the West Virginia Press Assn. at a meeting in White Sulphur Springs.

". . . I can't help but believe that if we were to replace the suspicion that appears to exist between the press and government with respect, we would be serving the people of West Virginia in a better manner."

His speech took this unexpected turn:

"Everybody keeps telling me that it's difficult for a governor to sit in his Charleston office and know what's going on around the state.

"By the same token, I think its difficult for an editor to sit in his office and know what's going on in Charleston."

Press members were invited to come to Charleston for a two-week "shirtsleeve seminar" with some of the top brass in government.

Some of these newsmen came. They circulated through the Capitol and talked to some department heads. The seminar was officially pronounced a success.

Near year's end, the alcohol beverage control commissioner, Clarence C. Elmore, was indicted by a federal grand jury on income tax evasion charges. Smith promptly suspended him from his state job.

Collapse of the Silver Bridge Dec. 15 into the Ohio River at Point Pleasant, with a loss of 46 lives, shocked the state. Large scale rescue and recovery operations were effected. Investigations were demanded to determine the cause.

The year that was 1968 brought shattering news from federal courtrooms, a series of political and industrial disasters and the assassination of two great men. Plainly or subtly, the Smith administration was affected by all of the events.

The West Virginia world of politics and government was shaken by a Valentines Day announcement that former Gov. W. W. Barron and five other men had been indicted by a federal grant jury on bribery conspiracy charges involving state contracts.

Among the five were three top officials held over by Smith from the Barron administration. They were State Road Commissioner Burl A. Sawyers, his right hand man, Vincent J. Johnkoski; and Truman E. Gore, state commissioner of finance and administration.

Smith immediately suspended all three from their jobs.

The other two charged in the indictment were Bonn Brown, Elkins lawyer; and Alfred W. Schroath, Clarksburg automobile dealer.

Barron was acquitted at the end of a 15-day trial in August. Gore was granted a mistrial because of the illness of his lawyer, but remained under indictment.

The other four were found guilty, and all appealed their cases to a higher federal court at Richmond, Va.

SMITH NOT IMPLICATED

Sawyers was sentenced to two years in prison and fined $5,000. Johnkoski drew an identical prison term and was fined $10,000. Brown and Schroath each was sentenced to four years and fined $10,000. The four remained free on bonds requiring no security payments, pending the outcome of the appeals.

Four days after the indictment was announced, the U.S. Department of Justice said through its public information director there was "absolutely no evidence or indication" that Gov. Smith had any knowledge of the alleged bribery conspiracy.

According to U.S. government evidence introduced at the trial, the conspiracy and the acts in furtherance of it allegedly took place during the Barron years of 1961 through 1963, long before Smith took office in January, 1965.

On Feb. 20, Smith said he was attempting to ferret out and eliminate any wrongful state activity resembling that for which the six men were accused. He invited reports from individuals.

The next day he told about 35 top state officials they might as well resign if they didn't believe in the goals of his administration.

Smith said later that the indictment caused discouragement and depression among state employees. "But after they got over the shock, they basically became more efficient, careful and prudent," he added. "As far as getting the job done was concerned, the administration was not impaired."

During the conspiracy trial, a Charleston business man under indictment for income tax evasion said he had given Smith $10,000 in political contributions.

Smith was subpoenaed by the defense to testify on this matter, but the federal judge ruled that it was a collateral issue and that no testimony was required. The Governor later said he didn't receive the contributions.

In the Elmore trial, Smith testified as a defense witness on the limited issue of whether an apartment rented by Elmore was used primarily as a political headquarters. Smith told the court that he remembered attending political functions in the apartment and on the roof of the building in 1962 or 1963, when he was commerce commissioner.

Elmore was convicted after a 13-day trial of evading payment of his 1963 income taxes and sentenced to 18 months in prison and fined $5,000. He also remained free on bond, pending an appeal.

Another state official was indicted and convicted after a 10-day trial. He is Woodrow Yokum, former State Road Commission equipment supervisor. He was found guilty on all 10 counts of an indictment charging him with unlawful transportation and sale of large quantities of stolen U.S. Government surplus property. Yokum was sentenced to a maximum of four years in prison.

On May 6, a wall of water trapped 25 men in a mine at Hominy Falls, Nicholas County. All but four were dramatically rescued.

On May 10, a Piedmont Airlines plane thudded against a hillside at Kanawha Airport, killing 32.

On Nov. 20, a thunderous blast in a mine at Farmington, Marion County, took 78 lives. That was voted the story of the year.

Smith deplored the Farmington disaster and wished desperately that something could have been done to prevent it. At the same time, he said, there is need for increased public concern about the mounting highway death toll.

Official figures show that about 2,100 persons died on West Virginia highways during the four years Smith was in office. The figures include the Point Pleasant bridge disaster victims in the 1967 total of 587 persons—an all-time high on West Virginia highways. The total during the Smith term was about 400 higher than the 1,700 slaughtered during the previous four years when Barron was governor.

ELECTION CONSOLATIONS

When President Johnson withdrew as a possible candidate to succeed himself, he practically pulled the political rug from under Smith and threw him into Humphrey's arms.

Smith issued a statement in which he expressed regret at Johnson's decision, and added:

"The President has never stood higher in stature in my eyes, for he has ended his own political career to open new avenues which might lead to world peace."

Smith was among those present when Humphrey announced his candidacy for the presidency in Washington. He led the West Virginia delegation that helped nominate Humphrey at the tumultous Democratic National Convention in Chicago. He campaigned for Humphrey in New York, Ohio, Kentucky, Pennsylvania and North Carolina.

Surrender of the Governor's office to a Republican, by reason of Arch Moore's 12,785-vote victory over James Sprouse, was viewed as another political disaster by Smith.

In the election returns, however, there were three great consolation prizes for Smith.

Humphrey, though defeated nationally, won West Virginia by a margin of 66,500 votes over Richard M. Nixon. The Modern Budget Amendment carried by 164,000 votes. The $350 million Road Bond Amendment was approved by the whopping margin of 207,000 votes.

Here was a candidate for president and two great issues for which Smith campaigned without reservation. It was a little something to sing about. Looking northward, there was another note of joy for Smith in the returns. Mollohan was returned to his old seat in Congress.

When Dr. Martin Luther King was assassinated on April 4, Smith was on a trade mission in Japan with a group headed by U.S. Agriculture Secretary Orville Freeman.

While riding on a train in Japan, Smith talked by telephone to his executive assistant Paul Crabtree, who remained in Charleston. Times were tense in West Virginia then, but no major incident demanded Smith's return to Charleston.

On April 7, the Board of Public Works set aside a working day in observance of the death of King, and said in an order directed to all state employes:

"This is not a holiday for you. It is an opportunity for you to study and reflect upon our future and the part you will take in it."

When Sen. Robert F. Kennedy was shot on June 5, Smith asked in a news release:

"How many times must we suffer this kind of tragedy before each and every one of our people recognizes his responsibility to uphold the law and to restrain the passionate voice of dissent that leads to violence?"

The year of 1968 began on a bright note with passage of an almost numerically perfect congressional redistricting law. This was done in a special legislative session which preceded the opening of the regular session on Jan. 10.

On the opening day of the regular session, Smith proposed bond issues totaling $500 million and told the legislature that "the time has come to stop lamenting and to start building."

One was the $350 million road bond issue, later approved by the legislature and the people. The two bond proposals, totaling $150 million for schoolhouse construction and state institutions, remained in legislative committees.

At long last, the legislature passed a conflict-of-interest bill. It wasn't considered good legislation, however, and picked up the label of "weak sister" bill.

Other approved legislation included a measure to add a penny tax on cigarettes to finance a teacher pay raise, and to remove any doubt that a city has authority to pass fair housing ordinances.

The Senate initially refused to confirm the appointment of Carl W. Glatt as director of the Human Rights Commission. Smith then strategically withdrew the name of Glatt and later resubmitted it. Meanwhile, there was a long period of uncertainty, during which religious leaders supporting Glatt staged a "silent vigil" in the main legislative corridor. The Senate reconsidered and confirmed Glatt by a vote of 21–13.

On Jan. 22, Smith was one of seven governors who left on a good will trip to Israel. The group was designated by the executive committee of the National Governors Conference.

Smith said the trip gave him a much better understanding of how poor people in mountainous areas can overcome their problems through community action. He returned to the West Virginia legislative wars on Jan. 31.

The Governor participated in groundbreaking ceremonies to mark the construction start of two state office buildings in May.

The old prisoner, William Hollie Griffith, came into the news again. He violated his medical leave granted Feb. 15, 1967, according to authorities, and was mysteriously missing for about six weeks. Suddenly, he returned to the Medium Security Prison and said he wanted more of his money for medical expenses. He claimed he took a trip to Mexico after being granted permission to go there. Authorities closed the prison gate behind him and pondered his case.

Smith and a special committee of inquiry had Griffith on the carpet all day June 28 at the Capitol. Griffith stuck to his story.

SPECIAL SESSION IN 1968

One of the main rhubarbs of the year occurred between Public Institutions Commissioner Clarence E. Johnson and Corrections Director C. Robert Sarver. Efforts by Smith to keep harmony were unsuccessful.

Johnson, a political type, ultimately fired Sarver, a progressive prison reformer, after the two couldn't agree on administrative and personnel matters. Sarver subsequently accepted a job with the Arkansas prison system. Johnson attempted unsuccessfully to fill the West Virginia vacancy with a man from Oregon, who apparently lacked the educational qualifications required by law.

Later, in what may have been the statement of the year, Smith said he was "satisfied but not happy" with Johnson's performance as commissioner.

West Virginia became a "sister state" of Espirito Santo, Brazil, as an active member in the Partners of the Alliance program. This resulted from Smith's tour of Brazil.

In a special legislative session held Sept. 11–14, an investigating commission was created to look into state purchasing practices and implications of the federal trial in which Barron was acquitted and four others were found guilty.

The session was called primarily to put West Virginia into a federal Work Incentive (Win) program designed to make wage earners out of welfare recipients. This legislation was passed with little difficulty.

Thirteen of 15 bills proposed by the administration were passed. Smith regarded that record as a high-flying batting average for a lame duck. The other new laws will:

Allow the State Road Commission to acquire the West Virginia Turnpike and make it toll free.

Establish a state housing development fund.

Permit lending institutions to increase the contract interest rate ceiling from six to eight per cent.

Allow local units of government to control operation of community action programs.

A bomb explosion ripped through the physical education building at Bluefield State College on the night of Nov. 21. Damages of $80,000 were caused. No one was hurt.

Smith expressed deep concern about the incident, which he said could easily have killed nine people in the area. He quickly proceeded under the rarely used Red Man Act to apprehend any and all persons who planted the bomb. A $5,000 reward was offered.

Five persons were arrested and charged in connection with the bombing. College President Wendell Hardway closed the school until Dec. 1, then reopened it with rigid regulations.

Observers of the Bluefield scene linked the bombing to racial troubles at the former all-Negro school.

A Human Rights Commission report on the

problems at the college remained a major bone of contention. Smith had been holding it about a year. Suddenly, on Dec. 9, he released it.

The report said trouble started because of racial prejudice in the community, the state government and the college administration. The community was accused of discrimination in the housing of college students and faculty.

A State Board of Education report, released the same day, blamed the school's problems on a "militant cordon of students, faculty members and outside interventionists . . ."

CLOSING DAYS OF TERM

Smith received heavy criticism for holding the report beyond what many persons considered a reasonable period. He gave these reasons in explanation of his long hesitation:

It took almost a year for the citizens of Bluefield to recognize they were a part of the problem.

The report reached certain conclusions without any basis, was out of context in places and not based in part on testimony taken at a hearing.

In retrospect, considering the time and circumstances under which the report was handed to him, Smith said he was convinced he did the right thing by holding it.

"I don't apologize for what I have done," he said.

Near the end of 1968, it was reported that the structural remains of the West Virginia Pavilion at the New York World's Fair were declared to be surplus property and given to the FFA-FHA conference center near Ripley. Studies were being made on what appropriate use could be made of the remains.

The Governor sent the legislature the first executive budget under the new Modern Budget Amendment. It was subject to extensive review by Moore.

In a final State of the State message on Wednesday, Smith again suggested the need for extensive revision of the constitution.

The term of the 27th Governor will formally end at noon Monday, when Moore takes the oath of office. After that, what?

Smith said he and his family will move from the mansion to Parkside Apartments on Kanawha Boulevard, about two blocks west of the mansion. He is purchasing a condominium type apartment in the new building, although his permanent home will remain at Beckley.

He and his press secretary, Canfield, plan to prepare a book containing his state papers and public addresses during the next several months. He plans further to "operate between Beckley and here" and "look over the business opportunities."

As to his political future, Smith confessed an interest in running for Congress or other high public office, if the opportunity should ever arise.

He reflected no interest in running for governor again. Lightly, with partial use of a favorite quote for the occasion, he said:

"I would like to continue, but I dont believe in trying to come back. It's too much like the rerun of a movie."

This final comment seemed the best mirror of his mood on the subject of his political future:

"The door is open, or at least it is not closed. But I don't think my path leads that way."

MISSILES AND PRIORITIES

Mr. HATFIELD. Mr. President, it is calculated that our world spends about 15 times as much on arms as on works of social and economic cooperation. In our own country more than 50 cents of every tax dollar is spent for some aspect of our Defense Establishment's current military program. We commit billions to defense projects—to modifying our means of destruction—without even hesitating to question the priority of arms expenditure in relation to other pressing needs facing our Nation. Some estimate that as much as $100 billion will be requested for arms expenditures after the immense cost of our Vietnamese involvement has been curtailed. Yet the total amount spent on our model cities programs has been less than $1 billion. Now we are told of the necessity to construct an anti-ballistic-missile system at the initial cost of about $5 billion for our "thin shield" but at a possible escalated expense of perhaps $50 billion for a comprehensive ABM system. The real tragedy is giving such priority to the expenditure of billions for highly questionable defense measures for our cities while many inhabitants find life there increasingly intolerable. Norman Cousins, in an editorial in the Saturday Review, raises hard and valid questions about the ABM which deserves the concentrated attention of all Members of the Congress. Therefore, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ABM AND NATIONAL PRIORITIES

The development of an anti-ballistic missile in a world of flying atomic bombs seems logical enough. After all, there are anti-aircraft weapons to defend us against attack from planes. These weapons are inadequate against missiles, some of which may be equipped with thermonuclear warheads. Isn't it all the more important, therefore, to develop what is known as the ABM, that is, a system of defensive missiles designed to intercept and blow up incoming nuclear-tipped missiles?

The question seems reasonable enough—but it misses the main point about human life in an atomic age. The point is that there is no defense against nuclear warfare except peace. The corollary is that security depends not on the accumulation of force or the use of force, but on the control of force.

Nothing in the modern arsenal of nations is more illustrative of this basic point than the nuclear-tipped missile. Its predecessor in the Second World War was the long-range strategic air bomber, which attacked cities day after day. Both London and Berlin were subjected to numberless raids by clouds of such planes. The cities were shattered but not crushed. Today, it takes only one missile with a thermonuclear warhead to destroy a major city.

There is nothing complicated about this fact. It is now possible to produce a single bomb with more destructive power than all the bombs dropped in the Second World War put together. An even more dramatic comparison: Imagine the destructive force of the atomic bomb that leveled Hiroshima and took 230,000 lives. Now imagine the same atomic bomb being dropped every night on a different city for thirteen consecutive years. The sum total of all that pulverizing power is now contained in a single bomb that can be carried by a single missile.

It is a serious error to argue that the holocaust-making power of a nuclear-tipped missile makes it all the more important to develop a defense against it. Not even the most expert proponent of the ABM contends that the system can be counted upon to knock down every attacking missile. Even with the stoutest ABM defense, some missiles will get through. And it takes only one missile per city to do the job.

Meanwhile, there is a price to be paid even as the ABMs are installed. The most obvious price can be calculated in dollars. Some estimates have put the cost of a full and comprehensive ABM system for the entire United States in excess of $50 billion. This poses a different sort of security problem for the United States from the purely military one. No ABM system in the world can guard against internal explosions. For the combustibles of a terrifying upheaval are building up inside the United States. The cities, as Jeanne Lowe has said in the title of her book, are in a race against time. The deep underlying problems of the American people can no longer be deferred. We can best defend our cities, not by ringing them with anti-ballistic missile installations, but by making them responsive to the needs of the American people. If we fail to do this, all the nation's defenses are down.

The cost of an ABM system, however, cannot be reckoned solely in its own terms. For the logic of the process leads inevitably to whole new probes and developments beyond the ABM. One thing is certain: the moment the nation proceeds full-tilt on an ABM system, the cry will go up that we must devise a way of anticipating Russian moves to counteract it. It will be said that Russian scientists have conceived of a supermissile that can steer around its ABM attacker or that can render the defending missile harmless or that can impair the electronic functioning of the ground station that controls the missile, etc., etc.

In any case, the ABM proposal must be considered for what it is—an intermediate step in a virtually infinite series of infinitely costly measures that can push the world arms race past the point of no return.

It will be argued that the Russians already are installing ABM stations near Moscow. The only rational response to this statement is to explore to the fullest the professed willingness of the Soviet Government to talk to us seriously about effective agreements that would block off this whole new area of escalation in the arms race. No one can say that such explorations would lead to a substantive and workable pact. But a treaty against nuclear testing did come into effect—despite all predictions to the contrary.

Here we come to the core issue. Some proponents, in government and out, of the ABM system have candidly said it makes no difference whether the Soviet Union would be willing to forego ABM development on a reciprocal basis. They want an ABM system regardless. It is not necessary to speculate on the reasons. It is necessary only to anticipate the consequences. These consequences cannot be confined to the dislocations and upheavals that could come about inside the United States. They extend to the increased danger of a world holocaust. Men who cannot be trusted to understand what they are making cannot be trusted to see the ultimate connection between cause and effect. The cause is an uncontrolled emphasis on the means of destruction. The effect is the use of those means. This is the way civilization dies.

Whether or not we can put the priorities where they have to be—on the control of force rather than the pursuit of force, and on the persistent and painstaking development of the orderly institutions to deal with world tensions and world lawlessness—depends primarily on our convictions. Convictions create a sense of direction. They impart energy. They give focus to life. A full-scale national debate on the true sources of American security may or may not result in these convictions. But it is a chance worth taking. —N.C.

MOBILIZATION OF DEFENSE MANPOWER

Mr. MONDALE. Mr. President, the continuing debate concerning the fairest and most effective way to mobilize defense manpower is a vital discussion for this Nation.

One of the fine contributions to this discussion is a book by a former faculty member at Moorhead State College in Minnesota, Dr. Harry A. Marmion of the American Council on Education. In his book, Dr. Marmion provides an analysis of the disappointing congressional reaction to President Johnson's proposals for draft reform.

The book, "Selective Service: Conflict and Compromise," was reviewed in the Sunday, January 12, 1969, edition of the Minneapolis Tribune by Prof. Peter W. Martin of the University of Minnesota Law School. Mr. President, I ask unanimous consent that this review be printed at this point in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

DEBATE ON DRAFT SHOWS THE PROGNOSIS IS NOT HOPEFUL

(By Peter W. Martin)

In 1967, Congress reacted irresponsibly to President Johnson's proposals for draft law reform. It not only extended an obsolete Selective Service Act for four more years, but encumbered that law with amendments that now seriously hinder improvement by presidential rule-making.

In doing so, Congress rejected the advice of a commission headed by former Asst. Atty. Gen. Burke Marshall, which Harry A. Marmion, author of this book, justly rates "the most detailed analysis of Selective Service ever published." His book offers, in turn, the most detailed analysis of why Congress responded as it did.

The author, a former faculty member at Moorhead State College, traces the far-ranging debate which broke out in earnest in the latter half of 1965, as draft calls rose to meet the demands of an escalating Vietnam war, and which ended with enactment of the 1967 bill.

Although a participant in that debate on behalf of the American Council on Education, Marmion began, he tells us, intending to write an impartial account of the controversy. But he was unable to remain so detached; this book shows him to be a strong believer in the need for fundamental revision of the draft, largely along the lines recommended by the Marshall Commission. And small wonder—the commission's principal recommendations rested upon clearly demonstrated inadequacies of the pre-1967 law, most of which are still with us.

As the book explains, the most salient fact of military service today, even under the increased manpower demands of the Vietnam war, is that but a modest fraction of the nation's young men (between ⅓ and ½) need ever serve.

The large surplus of draft age men is a fairly recent, but undeniable, development. (Seventy per cent of the generation which faced Korea had to serve.) The current policy dilemma, so concisely expressed by the Marshall unit, is "Who serves when not all serve?'"

The pre-1967 draft, which was not originally designed for the present ratio of manpower to soldiers, selected those who had to serve using increasingly liberal deferments and an order of induction that, given the size of the available pool, ignored potential draftees until they were well into their 20s, and once again, after they reached 26.

The outrageously low rate of military service among holders of graduate degrees reported by Marmion (27 per cent) confirms the obvious; such a system offered an escape route to anyone with the resources. (The removal of graduate deferments last winter by Selective Service, while alleviating this specific complaint, results in an equally unbalanced selection.)

Added to such structural inequities are the numerous individual injustices arising out of another outmoded feature of the draft, local draftboard autonomy. A typical local board, now large and urban, no longer offers classification by the registrant's close neighbors, Gen. Hershey's justification for this institution; instead, the country's 4,080 boards serve primarily to generate a profusion of conflicting deferment policies.

These inadequacies and more were meticulously documented in the Marshall Commission's report. It recommended elimination of all student deferments and a revised order of induction, exposing every young man to one year of prime vulnerability at age 19, with selection from that group by lot. It also urged replacement of local boards with a more centralized structure which would implement uniform national classification.

Other groups, citing the same problems, advocated different reforms, including total reliance on volunteers, universal military training, and equating other forms of national service like the Peace Corps with military service; all receive a fair hearing in this book.

Through the entire debate, Hershey plugged the status quo.

The hard questions of equity were parried by anecdotal filibusters that drew admiration from Hershey's long-time supporter, Rep. Mendel Rivers, chairman of the House Armed Services Committee: "Gen. Hershey, you just knock all the questions out of people the way you answer, your answers are so good."

River's counter to the President's Marshall Commission was a commission of his own, chaired by retired Gen. Mark Clark, which, Marmion suggests, served simply as a mouthpiece for the House committee's own staff. This commission's final report, which essentially supported Hershey's stance, Marmion summarizes as follows: ". . . the research was flimsy, the data nonexistent, and the findings undocumented." Yet the report prevailed. Why?

Among the reasons cited by the author are: Hershey's status as "one of our nation's sacred cows, accorded absolute and unquestioning respect by most members of Congress"; the predominance on both armed services committees of conservatives still living in a rural Southern past and therefore willing to believe such Hershey myths as draft boards that promote fairness by classifying on the basis of personal knowledge; and finally, the President's failure to press more strongly for changes recommended by his commission.

"Selective Service: Conflict and Compromise" is, altogether, a discouraging tale, though one well worth reading. It offers scant hope to the lonely band of draft-law reformers in Congress led by Sen. Edward Kennedy.

Nor is the picture changed, in this reviewer's opinion, by the pending switch in administrations. Nixon, to date, has evidenced no awareness of the immediate need for improvement of the draft; his campaign promise was a volunteer army . . . after Vietnam.

LONGSHOREMEN'S STRIKE

Mr. FULBRIGHT. Mr. President, the longshoremen's strike on the east and gulf coasts began on December 20. It has now been in effect for more than 3 weeks and export shipments through the east and gulf coast ports have been at a standstill during this time.

The strike is effecting many sectors of the economy. For example, approximately 65 percent of all the rice and soybeans which the large Arkansas Rice Growers Cooperative Association handle go into export markets. The cooperative has already had to cut back processing by closing down a soybean plant and one of its largest rice mills. Additional reductions in operations will be necessary within the next few days unless the strike is terminated.

In addition to the hundreds of employees affected in this particular case, there are thousands of others throughout the country who will feel the impact of this strike.

Strikes of this nature are damaging in so many respects, Mr. President, that I feel that every effort must be made to resolve this matter and to protect the public interest. I would hope that those directly concerned will do their utmost to bring this strike to an immediate end.

Mr. President, I ask unanimous consent that a letter to me from Mr. L. C. Carter, executive vice president and general manager of the Arkansas Rice Growers Cooperative Association, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE ARKANSAS RICE GROWERS CO-
OPERATIVE ASSOCIATION,
Stuttgart, Ark., January 6, 1969.

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: On December 20, 1968, the Longshoremen's Strike, on the East and Gulf Coasts, became effective. This Strike is now in its 17th day and all export shipments, through these Ports, have been at a standstill, during this time.

Approximately 65% of all the rice and soybeans, which these organizations handle, moves into export markets. We have already cut back our processing by closing down one soybean plant and one of our largest rice mills. Additional reductions, in operations, will be necessary, within the next few days, unless this Strike is terminated.

In addition to the hundreds of employees, which we will have to lay off, there are thousands or perhaps hundreds of thousands of people without work, throughout the United States, as a result of this strike.

This country cannot continue to tolerate Strikes of this nature and, therefore, we would like to urge that the Administration and the Congress take immediate and strong measures to end this Strike.

We, also, feel that serious consideration should be given to legislation designed to protect the public from Strikes of this kind.

Yours very truly,

L. C. CARTER,
Executive Vice President and
General Manager.

RULE XXII

Mr. SCOTT. Mr. President, the question is: Does a majority of the Senate of a new Congress have the power to act at the opening of the new Congress to change its rules?

Article I, section 5 of the Constitution of the United States provides that "Each House [of Congress] may determine the rules of its proceedings." This means, simply, that each House of each Congress has the constitutional authority to make its rules without regard to its action in any preceding Congress.

In 1957, 1959, and 1961, the Presiding Officer of the Senate, Vice President Richard M. Nixon, expressed his personal, advisory opinion that the Senate could adopt new rules "under whatsoever procedures the majority of the Senate approves" since the Constitution provides that "each House may determine the rules of its proceedings."

On Tuesday of this week, the present and very distinguished Vice President of the United States declared that the Senate, by simple majority, can decide constitutional questions, and stated that the questions whether the pending cloture motion has been agreed to is a constitutional question. He endorsed Vice President Nixon's view that, at least, at the opening of a new Congress, "The majority has the power to cut off debate in order to exercise the right of changing or determining the rules."

I strongly support that view and will support the Vice President's ruling, in the event the Senate approves the pending motion by a simple majority, that the Senate has indeed voted to limit debate on Senate Resolution 11.

THE SENATE AND ITS RULES

Mr. McGOVERN. Mr. President, as Members of the Senate will recall I was very much involved in the effort to modify rule XXII at the beginning of the 90th Congress.

I considered it an honor at that time to follow the great leadership which our distinguished colleague from New Mexico, Mr. ANDERSON, had supplied on this issue continuously since 1953. I congratulate Senator CHURCH for his able leadership this year.

We found in 1967 that a clear majority of the Senate supported consideration of a change in the filibuster rule. An observer who saw that vote and who read article I, section 5, of the Constitution, "each House may determine the rules of its proceedings," would have good cause to wonder why the change was not made.

While the procedure is more complex, it is my conviction that the issue at stake here today is just that simple. Members of the Senate will shortly be asked to decide whether we can be permanently frozen to what, in practical terms, is a requirement that two-thirds of the Senate support legislation before it can be passed, or whether article I, section 5 of the Constitution has any meaning at all.

It is said that the Senate is a continuing body, and that we are consequently bound by the rules of the previous Congress. Carried to its logical extreme, such a point of view would allow this Senate, on the assumption that it embodies the ultimate in wisdom, to effectively destroy the Senate as a representative body. We could, for example, change the rule to require unanimous approval of any subsequent modification. Under the continuing body precept as it is being used here, that requirement would live forever, or so long as just one Member found it agreeable.

It has been said many times on the Senate floor in recent days that Senate Resolution 11 would infringe on the important tradition of free debate. Clearly it does not do that, for it would leave intact the 100 hours of debate which is now available after cloture is voted. What it would do is to allow a majority to work its will once an issue has been fully debated.

There is a clear conflict, in my view, between rule XXII and the Constitution. Consequently, the ruling which the Vice President has announced he will make on this issue is entirely proper. He will not decide on the constitutional question but will instead pose it to the Senate.

Our action will be a precedent for only one precept—that the Senate has a right to act on its own rules at the opening of Congress unfettered by any rules of the Senate of earlier Congresses which would prevent the majority from working its will on the rules.

I vigorously urge adoption of this urgently important construction of the powers of the Senate.

HUMAN RIGHTS CONVENTIONS—A RECORD OF NEGLIGENCE—V

Mr. PROXMIRE. Mr. President, our country was once torn apart by the failure of men to believe and to practice the principle of equality, and in recent years the fabric of our society has come perilously close to the tearing point because of a failure to live by that principle. The potential for strife is great when some men will not deal with others as equals worthy of dignity and respect and fairness. As the strongest of nations, the United States has the moral obligation to deal with others on a basis of respect, mutual understanding and compassion in the pursuits of man—economic, cultural, and political. The United States must offer worthy example by solving our own problems and demonstrating the potential strength of all mankind. In this we have failed. I would like to point out a recent editorial appearing in the New York Times condemning our record of negligence on the Human Rights Conventions. Mr. President, I ask unanimous consent that this editorial be included in the RECORD at this point:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 15, 1968]

NEGLIGENCE ON HUMAN RIGHTS

A powerful note of disappointment and frustration has accompanied American observations this month of the twentieth anniversary of the Universal Declaration of Human Rights. The fact is that United States action on United Nations conventions to implement or flesh out the noble principles written into the Universal Declaration has been negligible.

Far from setting an example appropriate to a nation that proclaimed its own Bill of Rights nearly two centuries ago, the United States has adhered to only two of more than twenty major human rights conventions adopted by the U.N. and its agencies. Ratification of these two—concerning slavery and refugees—was completed only within the last thirteen months. Six conventions still await Senate action. Washington has not even signed the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in 1966 specifically to implement the Universal Declaration.

"We have failed ourselves," Chief Justice Warren said recently in reference to this meager record. "We as a nation should have been the first to ratify the Genocide Convention and the Race Discrimination Convention." Instead, the United States may be nearly the last to ratify the genocide ban, which President Truman sent to the Senate almost twenty years ago, and which has now been adhered to by eighty nations.

Washington signed the race discrimination pact but to date President Johnson has not even asked for Senate approval. This convention thus will come into force next month as Justice Warren noted, "without the United States having made any serious move to accede to it."

The United States has failed to make the kind of showing Mr. Johnson hoped for when he proclaimed 1968 Human Rights Year, in keeping with the U.N. designation of it as the International Year for Human Rights. President Nixon could take few actions early in his Administration that would so boost this country's international stature and that of the United Nations as would the completion of this unfinished business on human rights.

DEATH OF ROY HALLBECK

Mr. McGEE. Mr. President, Roy Hallbeck died day before yesterday. He was meeting with the executive board of the United Federation of Postal Clerks, had a pleasant dinner with friends, and went upstairs to his hotel room to read the paper and retire. In a moment he slipped away.

We have all lost a true friend and a great leader of Federal employees. Roy was a devoted postal employee and a union leader of unusual distinction and ability. He was the legislative director of the Postal Clerks here in Washington for 15 years and has served as president of the organization for the past 8 years. He was truly a beloved friend of many, many men in this Senate and the House of Representatives.

I am sure my colleagues on the Post Office and Civil Service Committee join me in expressing our sympathy to Mrs. Hallbeck and Roy's family, as well as our appreciation for the honor and pleasure of having known and worked with him.

SECRETARY UDALL'S NEW DIMENSION OF CONSERVATION INCLUDES SLEEPING BEAR DUNES

Mr. HART. Mr. President, in 1963 Secretary of the Interior Stewart L. Udall published "The Quiet Crisis," a book interpreting the history of America's confrontation with their land. It is a reflective book, drawing from the history of our Nation the lessons and mandates of conservation of our natural resources and heritage. And it conveyed strongly the special leadership of Secretary Udall—leadership which has emphasized the public interest, scientific enlightenment, and above all, a deeply personal sense of stewardship for the quality of our environment.

Secretary Udall has been a Secretary of the Interior not only for this generation, but for generations of the future to whom we shall bequeath this land and its resources. It is that future which will judge our stewardship, and they shall not fault Secretary Udall's contributions.

In a very real sense, Secretary Udall has led us all to a new level of understanding of our conservation responsibilities. He, and the Presidents he has served, have pursued those responsibilities in a manner which has moved a nation, and brought urgent action to make conservation truely a national goal. The conservation record of the past 8 years has set a new standard of excellence in public service. It is a standard of stewardship which we must all seek to maintain in the years ahead.

Secretary Udall has now published a second book, in some ways a sequel to "The Quiet Crisis." The new work—"1976: Agenda for Tomorrow"—offers a thoughtful analysis and program to make the American future equal to the promise of 1776. It is an uncompromising book, based on Stewart Udall's belief that conservation issues are an integral part of the overriding issues of our day. Nothing less than a total approach will meet the total challenge. As he says in the books:

> Now that history has unmistakably certified our failures, I am convinced that it is a stroke of fortune that the many overriding issues of cities and human relations interlock and overlap. We cannot solve one problem without resolving the total problem; we must, as part of a single, unprecedented project, build beautiful cities and attempt to become a beautiful people ourselves. There can be no common glory in a free society without a common plan, and such a plan can only exist as an expression of public purpose.
>
> Will we permit the future just to happen, or will we choose the future we prefer? This is the fateful issue of public policy we tend to ignore.

Secretary Udall offers a plan—he calls it "Project '76"—to achieve a better America and to unite us all again in a high common purpose, as once we were united in the common cause of 1776.

As an integral part of this proposal, Secretary Udall deals with the environmental problems with which he has worked for the past 8 years. He points out that—

> Until now we have possesed this continent and prepared our living spaces on it more with rapacity than with regard for man, more with force of machine power than with vision.

Secretary Udall offers a program which responds to this challenge in a new dimension of conservation. In defining the need, he states the clear alternatives:

> Only lack of will and intelligence can limit our performance, for whereas the cost of doing things right will be a wise investment in tomorrow, the cost of doing nothing will most assuredly be a calamity.

CONSERVING OUR SHORELINES

One aspect touched on by Secretary Udall in this new dimension of conservation was particularly interesting to me. He proposes that conventional conservation must now relate its assorted nature-saving plans and projects to a continuous search for an unimpaired environment:

> In the countryside its advocates will recognize the vital importance of access to riparian properties. Man is a water-loving animal, and we must move quickly to give him thousands of new "beachheads" to the oceans, lakes and rivers of the land. Over the years, industry and men of wealth in search of private pleasure grounds have all but monopolized our shore lines. The power plants, the steel mills, the water-using industries have invariably sought to control the best riparian properties. There is far too little public access today to the wonderland of water. Whether we purchase and "stockpile" riparian property, and develop it later, or buy enough land to make our shores readily reachable by all who want their solace, this is a "must" conservation project of the next two decades.

MICHIGAN'S SLEEPING BEAR DUNES

Michigan has a special interest and stake in this concern for shoreline riparian properties. Our State automobile license plates proclaim ours as the "Great Lakes State," for Michigan has some 3,222 miles of Great Lakes shoreline on four of the five lakes. Tragically, every day less and less public access remains to these shores, and they retain little of their original natural beauty and values in an undisturbed state.

This is why I have been working so hard to achieve the establishment of the Sleeping Bear Dunes National Lakeshore as a unit of the national park system in Michigan. This project would secure, for all the people, access to 64 miles of shoreline on Lake Michigan, within a day's drive of 20 million Americans. It would secure 61,000 acres of land adjacent to that shoreline, protecting the unique and superb natural values of the Sleeping Bear Dunes and associated features, and securing for the public a wonderful recreation area. Secretary Udall has long supported this proposal for this Sleeping Bear Dunes National Lakeshore, and indeed, in outlining his New Dimensions of Conservation in the new book, he specifically states:

> As part of this program, the Oregon Dunes and Michigan's Sleeping Bear Dunes should be added to the necklace of national sea and lakeshores already created by the Congress.

This is part of what Secretary Udall has called a "must" conservation project.

Nor is this simply a matter of protecting natural values—it is, like so much of the conservation responsibility we have before us, a vital human project. As Secretary Udall notes:

> The interests of the urban dweller of tomorrow in enjoying the outdoor world demand that we develop ways to bring him into intimate contact with the natural world.

This is a major purpose of the Sleeping Bear Dunes National Lakeshore I have long proposed.

And this, after all, is the ultimate stewardship—to do what we must for the future, to assure to our children's children a livable, lively world. Green spaces and wild areas are a vital part of that heritage. We have come to see, more clearly than ever before because of the leadership of Stewart L. Udall, that this new dimension of conservation is no luxury, but the continuing responsibility of wise men who can look beyond immediate concerns to the future. In "1976: Agenda For Tomorrow" Secretary Udall quotes Thomas Jefferson—a thought that can well serve as our own salute to Stewart Udall's leadership as Secretary of the Interior for the past 8 years:

> We owed it to do, not what was to perish with ourselves, but what would remain, to be respected and preserved thru other ages.

CUTBACKS IN STUDENT LOAN PROGRAM

Mr. PROUTY. Mr. President, I have just completed a look at the budget proposals of the outgoing administration for fiscal year 1970, paying special attention to the estimates for the most important education programs. While, I hesitate to comment in depth at this date about a "lameduck" budget, I nevertheless feel compelled to mention one item which disturbs me greatly.

I do so, Mr. President, because I wish to prevent the present administration from making a great change in our educational programs without any notice or warning. I do so, in addition, to warn all of those in Congress and the new administration who are concerned with improving educational opportunities about the proposed limitations in ongoing programs.

I am deeply shocked, Mr. President, at the large cut in NDEA title II funds recommended by the Bureau of the Budget. As we all know, title II established the national defense student loan program. This loan program has been among the most successful programs in the history of education legislation, for it has been responsible for creating an opportunity for literally thousands upon thousands of low-income students all over the country to attend college. Since 1958, the national defense student loan program has been the largest and most significant vehicle for financing higher education.

In 1965, Congress established another student loan program, the guaranteed student loan program, under title IV of the Higher Education Act. The purpose of Congress in setting up this program, however, was not to phase out the NDSL program, but to expand it, not to duplicate it, but extend it. The title IV loans were to be made available to predominantly middle-income students who were ineligible under NDEA title II programs.

The administration in 1965 assured the Labor and Public Welfare Committee that the NDSL program would not be cut back if title IV of the Higher Education Act were funded. However, in 1966, the administration attempted to do just that. Senators Javits, Murphy, Yarborough, and Randolph, and myself strongly objected, and the administration backed down somewhat.

Just last year the NDEA was amended so that addition technical and vocational schools were given permission to have national defense student loan programs. The numbers of poor and disadvantaged students who benefit from those programs are large and will continue to grow because of the amendment. It would be shocking and tragic to force students to discontinue their education, by failing to provide enough money for the continuation of the NDSL program.

Yet, seemingly, this is exactly what the Johnson administration is doing in its last days. The Labor and Public Welfare has authorized $275,000,000 for fiscal year 1970 for NDSL. I am told by excellent sources that in order to continue assisting students presently receiving aid, to begin to aid to those high school graduates who have been promised aid, that a minimum appropriation of $250,000,000 is needed. Last year $190,000,000 was appropriated out of the $210,000,000 authorized. This year, however, the Bureau of the Budget recommends a cut of $35,000,000 to $155,000,000. This lack of concern for our needy students is appalling. We cannot allow the NDSL program to falter.

Mr. President, I intend to bring this matter to the immediate attention of the officials in the Nixon administration who will be most concerned. Meanwhile, however, I wanted all of my colleagues to be aware of the shocking cuts proposed in an ongoing and successful program.

HIGH SPEED GROUND TRANSPORTATION

Mr. PELL. Mr. President, a little over 3 years ago, the 89th Congress approved the High Speed Ground Transportation Act of 1965. The act was a recognition by the Congress of the need for the Federal Government to initiate and stimulate research, development, and demonstrations in improved rail passenger service.

I had the great pleasure yesterday of riding and enjoying one of the tangible products of that program, the modern new Metroliner, on its inaugural run between Washington and New York City on the Penn Central Railroad. The Metroliner will begin regular, although limited, daily service between these two cities and intermediate cities today.

Mr. President, I can report to my colleagues that I found the Metroliner to be a very substantial improvement over the rail passenger service we have known in this segment of the Boston-Washington megalopolis. The Metroliner cars are attractive, comfortable, and clean, and provide an appreciable reduction in traveltime.

Although Metroliner service initially is limited to one round trip each day because of limited equipment available, I look forward to the day in the near future when a full schedule of hourly Metroliner service will be offered. And, I hope we shall also soon see the inauguration of the second demonstration program under the High Speed Ground Transportation Act, utilizing United Aircraft's modern new TurboTrain between New York and Boston.

Mr. President, these demonstrations are the result of a cooperative program between the Federal Government and the Penn Central Railroad, and I believe are a great credit to all parties concerned. I would particularly like to congratulate the Penn Central Railroad, and the chairman of its board, Mr. Stuart T. Saunders, for their demonstrated interest in providing this improved service. The Metroliners represent a very substantial investment on the part of the Penn Central, far greater than the Government investment, and a faith on the part of its management in the future of rail passenger transportation. I should also like to commend the responsible officials of the executive branch who have worked so energetically to bring this improved service from the drawing boards onto the rails—President Johnson, who gave the full backing of the administration to this program; our first Secretary of Transportation, Alan S. Boyd; the Federal Railway Administrator, A. Sheffer Lang; and the Director of the Office of High Speed Ground Transportation, Dr. Robert A. Nelson.

The Metroliners and TurboTrains are a vital first step toward the true high-speed ground transportation system that I believe will be both necessary and desirable to serve the major urban corridors of our Nation in the future. I would emphasize that the projected service with these modern passenger trains is a demonstration designed to test concepts and public acceptance. I trust, and I believe, the public will welcome and utilize this new service.

Mr. President, I ask unanimous consent to place in the RECORD articles from the New York Times and the Washington Post reporting on the inaugural run of the Penn Central's Metroliner.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 16, 1969]

HIGH-SPEED TRAIN STARTS RUNS TODAY

(By Richard Witkin)

A new high-speed train with meals at parlor car seats and direct-dial phone service is to start regular, although limited, New York-Washington runs today.

The schedule (one round-trip daily) calls for making the 226-mile run in just one minute under three hours, or 36 minutes faster than the previous fastest service.

In a preview trip yesterday (it took more than six hours because of ceremonies at station stops), officials and other guests were generally impressed by the comfort offered on the silver six-car Metroliner.

They found reclining contour seats in lower-price snack-bar coaches as roomy as first-class airline seats. Overhead baggage racks were spacious, although padding seemed marginal for protecting riders who stood up without remembering the racks were there.

Reading lights were surprisingly bright. The public-address system could really be heard. The noise level was low, particularly over the bulk of the run where welding of rails has eliminated the worst of the clickety-clack.

RIDE IS A LITTLE BUMPY

The ride was bumpier than desired over some stretches that had not benefitted as much as others from the railroad's $35-million investment in improving the roadbed.

This was readily admitted by railroad officials and by Alan B. Boyd, the outgoing Secretary of Transportation, whose department is helping finance the two-year demonstration program. But they expected the bumps to be smoothed out as time went on.

Penn Central train rocked or swayed, most riders thought, at least as much as conventional trains, mainly when it hit top speeds of 110 miles an hour currently allowed. Mr. Boyd made light of it saying:

"These trains were not set up to be dance halls. And on regular runs, people will theoretically be sitting down, where today they are milling around."

Much discussion among preview guests was devoted to comparisons between the new train ride and airline service.

The consensus was that, with a three-hour (less one minute) schedule, the train could begin to make appreciable inroads on airline travel between the two cities, especially when downtown-to-airport travel time was considered. But many thought the inroads would not really be significant, unless 15 or 20 minutes more could be slashed off the running time.

The trouble with this was that investment in further road-bed improvements, experts estimated, could cost as much as $7-million for every additional minute of running time saved. Specialists in rail economics thought only heavy government subsidy could prompt such investment.

TRAINS AND PLANES COMPARED

A former parlor-car attendant, now serving as supervisor of service on board, put the train side of the train-vs-plane argument very succinctly. Asked what the train could do better, the supervisor, Charles H. Barber, said:

"Let the airlines tell you when the weather is bad what we can do better!"

The motorman, E. B. Selover, looked at the argument from another point of view.

"There's one nice thing about driving a train," he said. "No one's gonna put a gun at your head and say 'Havana.'"

The train that will open the long-delayed service today is a six-car affair with four snack-bar coaches up front and two first-class Metro Club cars on the rear.

First-class parlor car fares will be the same as they have been—$19.90 including the seat charge. That makes them almost competitive with the Eastern Airlines $18 shuttle fare.

Coach seats—whether in snack-bar coaches (seating 60) or regular coaches (seating 76)—will cost $2 more than before on the long runs and $1 extra for trips up to 174 miles. The total cost from New York to Washington will be $12.75. Metro club cars have 30 seats.

Under the initial limited service starting today, the daily southbound train will leave Penn Station at 8:30 A.M. and will reach Washington's Union Station at 11:29 A.M. It will stop en route at Newark, Trenton, Philadelphia 30th Street, Wilmington and Baltimore. The return trip will leave Washington 3:55 P.M. and reach New York at 6:54 P.M.

The Federally funded, two year demonstration program will not get under way until 28 cars have been tested and accepted by Penn Central from the manufacturer, the Budd Company. That may be in about 90 days, according to the railroad's chairman, Stuart T. Saunders.

Penn Central has a total of 50 of the Budd cars on order. When all have been delivered, it plans to start hourly service both ways between New York and Washington and half-hourly service between New York and Philadelphia.

The cars already delivered all are equipped with electric propulsion systems made by General Electric. Some cars will have Westinghouse Electric systems. These ran into serious technical difficulties in tests last year but officials said the troubles appeared to be under control now.

One of the most popular features of the train was the direct-dial phones developed by the American Telephone & Telegraph Company. They will be a regular feature on the new trains.

There were six on board today, and guests were allowed to make calls free of charge.

Among the first to take advantage of the free phone call offer were Mr. Boyd; Senator Claiborne Pell, the Rhode Island Democrat who has been one of the main driving forces behind Government aid to resuscitate passenger rail travel, and Mr. Saunders.

[From the Washington (D.C.) Post, Jan. 16, 1969]

THREE-HOUR TRAIN TO NEW YORK BEGINS; FIRST ONE TRIP A DAY, THEN HOURLY

(By Jack Eisen)

PHILADELPHIA, January 15.—The long-awaited era of the modern fast passenger train arrived on the Eastern Seaboard today with fanfare and expressions of hope, confidence and satisfaction.

A train of six electric-powered Metroliner cars carrying VIPs and newsmen streaked over the Penn Central Railroad line from Washington to Philadelphia this morning. Then, after a two-hour pause for a send-off luncheon, the train continued to New York.

From there, at 8:30 a.m. Thursday, the first train load of paying passengers on the new service will leave for the 226-mile journey to Washington.

The start of service is about a year and a half late, the result of equipment-development delays, and comes just four days before the end of the Johnson Administration, which undertook the rail project in cooperation with the railroad.

No speed record was set today, since the train made unusually long ceremonial stops along the way.

But if Thursday's regular schedule is met, the train will arrive at Washington's Union Station at 11:29 a.m., 2 hours and 59 minutes after leaving New York and 36 minutes faster than the swiftest previous train. The returning train will leave Washington at 3:55 p.m. and arrive in New York at 6:54.

Even with this apparently modest time saving, Penn Central's Chairman Stuart T. Saunders said today, the elapsed travel time from mid-town Manhattan to downtown Washington will be comparable to an airplane journey that takes a bare 45 minutes in the sky but often involves airport access and airway delays.

The scheduled top rail speed at the outset will be 110 miles an hour, although the cars are capable of 150 mph.

In the beginning, only one round trip will be operated each day. But as a full fleet of 50 cars is put into service, the frequency will be stepped up until the new trains run every hour from Washington to New York and twice as often from Philadelphia to New York.

When that full service begins, it will be subsidized with up to $11 million for two years by the U.S. Department of Transportation. The purpose is to demonstrate whether good rail service can lure travelers from increasingly congested roads and airways.

The new service is advertised as quiet, attractive, comfortable and smooth. In relative terms, at least, it meets all four tests.

The new train is quieter, brighter, more attractive and far more comfortable than the older trains, the newest of which are 17 years old. And, of course, it is cleaner, as any new equipment would be.

But the impression is one of evolution rather than revolution. There are jolts and sways as the train rounds curves, especially on the older, unreconstructed roadbed between Washington and Baltimore—a 40-mile portion of the trip that took only 32 minutes.

North of Baltimore, the ride generally was much smoother.

But nearly 300 free-riding passengers on today's run, roaming the aisle of what was in effect a high-speed cocktail party, could not fairly judge how the ride might seem to a paying—and seated—customer. There were few if any splashed drinks, however, and most riders seemed pleased.

The train's equipment includes telephone booths that permit riders to call their offices or homes by direct dialing, with prices reckoned generally by those normally charged from Philadelphia.

The initial run began with a military ceremony at Washington's Union Station, with a Navy band unit playing the march from "Bridge on the River Kwai."

Speeches predicting success were made by outgoing Secretary of Transportation Alan S. Boyd and his successor, Massachusetts Gov. John S. Volpe, among others.

Sen. Claiborne Pell (D-R.I.), sponsor of the legislation that authorized Federal sponsorship of the program, praised the start. But he warned that the train's value will be gauged by how well it is patronized.

THE TURQUOISE TRAIL

Mr. MONTOYA. Mr. President, it has come to my attention that Mr. Maurice Sonnenberg, an industrial investment consultant of New York City, has done honor to the State of New Mexico by writing and having published in the nationally known magazine Harper's Bazaar—January 1969—a fine article about our people and the scenic wonders of our State.

Mr. Sonnenberg, in addition to his literary activities, has in his career worked at the U.S. Senate, has served as a special U.S. delegate to the Economic Commission for Europe, business market adviser to the U.S. Commission on the Status of Puerto Rico, and, most importantly, has been presently engaged in acquiring more manufacturing investment for areas of high unemployment throughout the United States and Puerto Rico.

He has been instrumental in furthering job opportunities for both Spanish-American speaking peoples and American Indians by stimulating corporate interest in these areas.

As economic development adviser to the Association of American Indian Affairs, Inc., he has also managed to encourage greater interest on the part of governmental officials and private individuals into the economic problems of the American Indian.

Not being satisfied with this involvement, he has been active in the promotion of international trade by active membership in the U.S. Department of Commerce's Regional Export Expansion Council as well as by encouraging increased trade by engaging in special business projects in this area.

I wish to recognize this fine tribute to our State by Mr. Sonnenberg by requesting permission to have this article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Turquoise Trail

(By Maurice Sonnenberg)

Unlike the Gothic splendor of the Loire valley cathedrals and Manhattan's skyscrapers, the architecture of our Southwest is nature-dominated or nature-made with tools of water, wind and time—rock formations, buttes and mesas rising from greasewood deserts; majestic mountains with painted cliffs beside rivers and arroyas.

The scene is enhanced by a rich blue sky with clouds that cast dramatic shadows, turning the sun-struck red tones to foreboding purples and grays.

A section of New Mexico, probably not over two hundred miles, is especially dramatic. Although it can be traveled in only a few days, the trip will give you the essence of the area and its people.

The idea is to avoid the expressway in favor of the scenic roads.

Leave Albuquerque via the Tijeras (scissors) canyon and take New Mexico Route 10 to Sandia Crest, which rises to a spectacular 10,000 feet like some awesome intrusion on a semi-barren landscape of jagged rocks with a handful of lonely ponderosa pine and white barked aspen, which can be viewed for miles around. The green valley of the Rio Grande lies to the east, the mesas to the west

Continuing on Route 10, you pass the ghost towns with their memories of Spanish colonial days. Madrid, with its skeletons of abandoned miners' cottages and closed mines, has an old country store selling coins and china as well as groceries. At Cerrillos, another ghost town, Tyfannany's Saloon, if it's still serving, is one of the largest restaurant-bars of its kind.

Further north on Interstate 25, you reach the oldest capital city in the United States, Santa Fe, founded in 1610 as seat of the Spanish colonial government that ruled from the Mississippi River to the Pacific Ocean.

In its historic plaza, the Spanish Governor's palace, officially occupied for 212 years, is now a state museum. But Indians still sit in front of it selling their traditional silver and turquoise jewelry, wampum ornaments and necklaces of dried corn. Little or no attempt has been made to dominate nature. The local architecture instead is designed to accommodate the adobe buildings around the square. They reflect great patience and reverence for craft and, like the Indians, seem timeless.

Before you enter Canyon Road with its interesting art galleries and fine restaurants, visit the oldest house in the United States, across the street from the oldest church.

Santa Fe is also the home of the Institute of American Indian Arts, where seventy-five tribes from more than twenty states are represented in the student body. Its workshops, studios and museum gallery welcome visitors as does the Museum of Navajo Ceremonial Art, a modern interpretation of a Navajo Ceremonial Hogan (house) containing the world's most important collection of sand paintings. These are, per force, reproductions; the originals were used to prophesy the future and then immediately destroyed.

To leave Santa Fe, drive along Washington Avenue to New Mexico Route 22. Perhaps you will recognize the country that Willa Cather described so poignantly in her novel, *Death Comes for the Archbishop*. Again, you'll be struck with the Indian's historic reverence for the landscape. Everything he builds is naturally compatible to it, a philosophy quite different from that which prevails in Europe and the Eastern United States.

At the charming inn called Bishop's Lodge, a clerk will lend you the key to the chapel of Archbishop John B. Lamy, about whom the novel was written. Built in 1870, in the rich Canjoncita de Tesuque, this tiny but impressive chapel is complete with vaulted ceiling and belfry steeple, crowned by a huge copper cross silhouetted against the persistent blue sky.

Retracing your route, drive North past the ingenious new outdoor Santa Fe Opera at the foot of superlative mountains. Under a star-laden sky, hearing any of the splendid productions offered during the summer season can be almost as memorable an experience as attending a performance in the ancient outdoor theatre in Athens or Epidaurus.

At the town of Riverside, turn right on road 76 and follow it along a narrow valley backed by the serrated Sangre de Cristo Mountains where the small chapels of the Penitente Brothers (whose ceremonies included severe flagellation) begin to dot the landscape.

About eight miles further on, you reach the town of Chimayo, site of an old Indian pueblo and now New Mexico's center of weaving, where you may watch workers making gaily patterned blankets on hand looms. At the east end of town stands the adobe Santurario de Chimayo, built in 1816, celebrated for its earth that reputedly holds special healing powers.

The road now begins a scenic rendezvous with the magnificent Sangre de Cristo mountains, which soar to over 13,000 feet. In less than ten miles, you arrive at the town of Tuchas with its adobe houses and rustic log corrals. Not far from there, in the villages of Las Trampas and Chamizal, you will glimpse the strange Penitente death carts outside the churches.

On Road 3, you turn left for Taos. At Talpa, two miles before U.S. 64, you pass a rare torreon or defense tower erected by the Spanish. In Rancho de Taos, southern portion of the tri-part community of Taos, is the Mission of St. Francis, a magnificent building over two hundred years old.

The town of Taos, three miles further, was founded in 1615. It lies seven thousand feet above sea level, a delightful blend of Indian, Spanish and Anglo culture.

Just a few miles north of the town is the D. H. Lawrence Shrine, endowed with a fellowship that permits a creative artist to live and work in the house of that celebrated writer. Taos has quite an active artists' community; many modern writers and painters share Lawrence's affinity for the area.

The truly great sight is the Taos Indian pueblo, a complex of communal adobe houses, continuously inhabited for over eight hundred years. There they stand in all their grandeur, some four or five stories high, reached by outside ladders, with a striking backdrop of mountains that feed the cold water streams gracing its center. Seeing the Indians wrapped in white blankets—the magnificent profiles of the men accented by bandanas across the forehead, the women with faces as immobile as if carved out of nearby mountain, you realize that you are in the most famous pueblo in the land. Their rich traditions seem untouched by what we call civilization, and they prefer it that way. On occasion, they even deliberately cut off the electricity for months at a time during ceremonial rites to protect their extraordinary culture against the inroads of the twentieth century.

Returning to Santa Fe via U.S. Route 64, you go by the rock-walled canyon of the Rio Grande River and enter the placid Espanola Valley, which has been continuously farmed since 1598 when the first Spanish settlers arrived. Their influence is quite apparent in the Pueblo of San Juan.

It is worth taking New Mexico 4 eastward to stop at the small Pueblo of San Ildefonso. Its compact beauty is offset by an outstanding church with Vega-beam ceilings, handcrafted by the parishioners under the tutelage of Governor Sanchez. The fine black pottery produced in this pueblo has been made famous by Maria Martinez, whose superb work is now represented in museums throughout the world. She uses no potter's wheel, relying solely on a manual dexterity not uncommon in the Pueblo population and only now being tapped by industry.

Interstate 25 from Santa Fe to Albuquerque again provides an opportunity to enjoy the beauty of the landscape and to visit Indian pueblos. The Pueblo of Santo Domingo on the east side of the Rio Grande is known for its traditional turquoise and shell jewelry. With any luck, you may arrive on a day when the adobe bee-hive ovens are baking the village bread. On the way back to Albuquerque, San Filipe Pueblo is also interesting.

Finally, you turn right at the Coronado State Monument and make a last stop at the site of two pre-Columbian Tique Pueblo ruins. Here the Spanish Conquistador Francisco Coronado headquartered in 1540 while searching for the legendary Seven Cities of Cibola. Some original walls of the box-like rooms still remain and you may climb down a ladder to a restored and painted Kiva, the underground ceremonial chamber of Pueblo Indians.

POSTMASTERS

Mr. McGEE. Mr. President, as in executive session, I ask unanimous consent to report to the Senate, from the Committee on Post Office and Civil Service, 161 nominations of postmasters.

Mr. CURTIS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McGEE. Mr. President, I move that the Senate go into executive session.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 9 Leg.]

Aiken
Allen
Byrd, W. Va.
Cook
Cranston
Curtis
Dirksen
Eagleton
Fannin
Fong
Gore
Hart
Kennedy
Mansfield
McGee
Pearson
Saxbe
Schweiker
Scott
Stennis

The PRESIDING OFFICER (Mr. ALLEN in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay the following Senators entered the Chamber and answered to their names:

Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Brooke
Burdick
Byrd, Va.
Case
Church
Cooper
Cotton
Dodd
Dole
Dominick
Eastland
Ellender
Ervin
Fulbright
Goldwater
Gravel
Griffin
Gurney
Hansen
Harris
Hartke
Hatfield
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
McCarthy
McGovern
McIntyre
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pell
Percy
Prouty
Randolph
Ribicoff
Smith
Sparkman
Spong
Stevens
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from Wyoming that the Senate go into executive session.

Mr. SCOTT. Mr. President, I make the point of order——

The PRESIDING OFFICER. To what point does the Senator address himself?

Mr. SCOTT. I make the point of order that a quorum is not present.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry. I hope this is not the way the Senate is going to be run, because if this is the way it is going to be run, we had better be prepared for a lot of politicking, and the last thing I want is a lot of politicking.

EXECUTIVE SESSION

The PRESIDING OFFICER. The motion is not debatable. The question is on the motion of the Senator from Wyoming that the Senate go into executive session. [Putting the question.]

The motion was agreed to, and the Senate proceeded to consider executive business.

Mr. SCOTT. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. McGEE. Mr. President, I send to the desk nominations of 165 postmasters.

Mr. SCOTT. Mr. President, I make the point of order that a quorum is not present.

Mr. McGEE. Mr. President, I report the nominations of 165 postmasters, reported by the Committee on Post Office and Civil Service.

Mr. SCOTT. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER. The Chair just announced that a quorum is present.

Mr. SCOTT. Mr. President, I make the point of order that there has been intervening business, and I make the point of order that a quorum is not present. I suggest that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum. The nominations have been accepted at the desk.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. SCOTT. Mr. President, I object, since I made the suggestion.

The PRESIDING OFFICER. There is objection. The clerk will continue the call of the roll.

The rollcall was resumed and concluded, and the following Senators answered to their names:

[No. 10 Exec.]

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Mansfield
McCarthy
McGee
McGovern
McIntyre
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pearson
Pell
Percy
Prouty
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The **PRESIDING OFFICER**. A quorum is present. The Chair recognizes the Senator from Wyoming.

Mr. McGEE. Mr. President, I ask unanimous consent that the nominations filed at the desk be laid before the Senate as the pending business.

Mr. DIRKSEN and Mr. FONG objected.

The PRESIDING OFFICER. Objection is heard.

Mr. McGEE. Mr. President, on behalf of the committee, I send to the desk four additional nominations of postmasters.

The PRESIDING OFFICER. The nominations will be received.

Mr. MANSFIELD. Mr. President, I hope that there will be a little cooling off this evening, tonight, and tomorrow, because I would like to see comity restored between the two sides. I certainly would not like to see differences arise over such appointments as postmasters.

So, with the permission of the Senate, I move at this time that the Senate stand in recess, under the order previously entered, until 10 o'clock tomorrow morning.

Mr. President, before the motion is acted upon, I ask unanimous consent that all committees be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. MANSFIELD. Mr. President, before the Chair rules on the unanimous-consent request, I remind Senators that we have the reception at 5 o'clock, or shortly thereafter this evening, in Room S–207.

Mr. SCOTT. Mr. President, will the Senator yield, so that we may do what we can to restore comity?

Mr. MANSFIELD. Surely.

Mr. SCOTT. I know that the majority leader will find that his statement that none of this was political is concurred in on both sides of the aisle, and if there were any heated feelings, I think we will have time overnight for that to cure itself. I myself regret very much if any disturbances or anything of a seismic nature have occurred. I am finding that this job has its own mixed blessings, perhaps because in acting under instruction and under the command from our committee members, it is often necessary to take certain action. I hope that that will be understood in the spirit of brotherhood and general tolerance.

Mr. MANSFIELD. It is understood, and may I say that it is still the intention of the leadership to try to bring up the nominations for the President's Cabinet on Monday and Tuesday next, so that the new administration can get off to a good and flying start.

Mr. SCOTT. With or without the 167 postmasters.

Mr. MANSFIELD. With or without, as far as I am concerned.

Mr. FONG. Mr. President, may I ask the distinguished majority leader, in the interests of comity and cooperation, as to when he will move again for executive session?

Mr. MANSFIELD. We are in executive session now, and we will be in executive session, with the consent of the Senate, and I am sure we will get it, after we get through with our speeches on the departure of our former colleague and majority leader, the President of the United States, about 1 o'clock, I suppose.

Mr. FONG. I thank the majority leader.

Mr. DIRKSEN. Mr. President, as a parting gesture before we go to the felicity next door: Put your knives back in their scabbards. [Laughter.]

RECESS UNTIL 10 A.M.

Mr. MANSFIELD. Mr. President, in accordance with the previous order, I now move that the Senate stand in recess in executive session until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 49 minutes p.m.) the Senate took a recess, in executive session, until tomorrow, Friday, January 17, 1969, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate January 16 (legislative day of January 10), 1969:

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from the class of career minister to the class of career ambassador:

Walworth Barbour, of Massachusetts.

Winthrop G. Brown, of the District of Columbia.

C. Burke Elbrick, of Kentucky.

Edwin M. Martin, of Ohio.

William R. Tyler, of the District of Columbia.

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

W. Tapley Bennett, Jr., of Georgia.
Clarence A. Boonstra, of Michigan.
William C. Burdett, of Georgia.
William I. Cargo, of Florida.
John Hugh Crimmins, of Maryland.
Rodger P. Davies, of California.
William O. Hall, of Oregon.
Robinson McIlvaine, of Pennsylvania.
C. Robert Moore, of Washington.
David D. Newsom, of California.
David H. Popper, of New York.
Stuart W. Rockwell, of Pennsylvania.
Claude G. Ross, of California.
Miss Margaret Joy Tibbetts, of Maine.
Horace G. Torbert, Jr., of Massachusetts.

The following-named Foreign Service information officers for promotion from class 1 to the class of career minister for information:

Hewson A. Ryan, of Massachusetts.
William H. Weatherby, of California.

BOARD OF PAROLE

Harry P. Roberts, of Maryland, to be a member of the Board of Parole for the term expiring September 30, 1974, vice James A. Carr, Jr.

POSTMASTERS

The following-named persons to be postmasters:

FLORIDA

Catherine V. Gilbert, Boca Grande, Fla., in place of T. S. Speer, retired.

INDIANA

George L. Judy, Bryant, Ind., in place of J. C. Huey, deceased.

Lauretta A. Jaeckel, Roselawn, Ind., in place of Lavina Granger, retired.

Gerald L. Bole, Van Buren, Ind., in place of T. F. Shuff, deceased.

KENTUCKY

Harry D. Hunt, Jr., Mount Sterling, Ky., in place of W. W. Peavyhouse, retired.

MAINE

Harry A. Turner, Eastport, Maine., in place of A. M. Mabee, retired.

Wallace E. Bragdon, Jr., New Gloucester, Maine, in place of E. V. Tufts, retired.

MICHIGAN

John J. Shivnen, Garden City, Mich., in place of G. O. Donner, retired.

OKLAHOMA

John H. Rex, McCurtain, Okla., in place of W. E. Powers, retired.

SOUTH CALOLINA

John G. Causey, Garnett, S.C., in place of T. J. Kittles, retired.

TEXAS

M. Gene Hodges, Miami, Tex., in place of J. H. Seitz, deceased.

IN THE NAVY

The following-named officers of the U.S. Navy, for temporary promotion to the grade of captain in the staff Corps, as indicated, subject to qualification therefor as provided by law:

SUPPLY CORPS

Anderson, William B., Jr.
Audino, Joseph R.
*Banghart, Robert J.
*Barnett, William H., Jr.
Bassing, Bernard E.
*Beale, John W.
Borchert, William H.
Butler, Herbert F., Jr.
*Byrd, James L.
*Calhoun, Thomas N.
Carmer, Elwood A.
Chadwick, William A.
Chegin, George I.
Chester, Francis J.
*Chesure, Joseph H.
*Child, Arthur L., III
*Colbert, Bryan R.
Coryell, Rex S.
*Cosby, Francis B.
*Cruch, Perry B.
Crozier, Wayne R.
Culwell, Charles L.
Dasovich, Michael
Doddy, William F.
*Donnelly, Joseph A.
Dunbar, Robert F.
*Edsall, Arthur R., Jr.
*Flock, Jens B., Jr.
*Gifford, Robert L.
*Graziadel, John D.
*Growden, Ellwood W.
*Hagedorn, Lawrence D.
*Hamill, William T., Jr.
*Hatfield, John H.
*Honsinger, Jack E.
*Hopkins, Leroy E.
Ingram, Thomas J., III
*Johnson, William H.
*Knipple, John D.
Kocher, Edward M.
Kulczycki, Alfred S.
Levine, Alan Y.
*Lindsey, Bob R.
Linthicum, Walter E.
*Martin, Donald V.
*McGovern, Austin F.
*McKeen, Edward N.
*Morgan, James P., Jr.
Murphy, George A.
Murphy, Ralph F., Jr.
*Naismith, James A.
*Packard, Harrison G.
*Pflueger, Paul J.
*Prestwich, John P.
*Rainey, Richard L.
Rendelson, Paul L.
*Ryon, George G.
Scott, Harold K.
Smeds, James H.
*Stratton, Ogden K.
*Sundberg, Daniel G.
*Vantol, Peter H. B., Jr.
*Waller, Thomas C., Jr.
*Welch, Gordon E.
*Wilson, Dorsey V.
Woodworth, Fred I., Jr.
*Ziegler, Bryan W.

CHAPLAIN CORPS

*Barlik, Robert F.
Boyd, George T.
Carnes, John H.
Cohill, John W.
*Dominy, Arthur L.
Frank, Joseph A.
*Hardman, Samuel R.
Jones, Edwin S.
*Kirkbridge, Donald L.
Leonard, Guy M., Jr.
*Long, Bradford W.
*Martin, George L.
Michael, Don M.
*Rademacher, Glen A.
Richardson, Edward L.
*Richer, Thomas J.
*Roberts, Stacy L., Jr.
Saeger, Alfred R., Jr.
Seiders, Marlin D.
Symons, Harold F.
*Wheeler, George H.

CIVIL ENGINEER CORPS

Anderson, Richard E.
*Bafus, Raymond A.
*Cavendish, Lynn M.
Day, Francis W.
Dobson, John F.
Fluss, Richard M.
Galloway, James E.
Graessle, Howard D., II
*Hardy, Richard T.
Howe, Charles M.
*Locke, Harry A.
Marquardt, Walter E., Jr.
*Marsh, Edward H., II
McManus, Edward A.
Nelson, Robert H.
Parsons, John E., Jr.
*Reed, William F., Jr.
*Schley, Gordon W.
Swecker, Claude E., Jr.
Wynne, William E.

JUDGE ADVOCATE GENERAL'S CORPS

*Allen, Henry L., Jr.
Bates, George M.
*Carraway, Bertram R.
*Corley, James W.
*Lynch, Leslie O.
*McDowell, Charles E.
*Nelson, Frank A.
*Williams, George A.

DENTAL CORPS

*Amman, Fred M.
Atkinson, Ray K.
*Austin, Robert E.
*Bagby, Robert W.
Cullom, Robert D.
Davy, Arthur L.
*Enger, Theodore C.
*Farrell, Paul E.
French, Gordon K.
Glasser, Harold N.
*Hickey, Loren V.
*Howard, Roger H.
Janus, John T.
*Kresl, Bernard F.
*Leupold, Robert J.
Lyons, James J.
Oenbrink, Philip G.
Pennell, Ernest M., Jr.
*Scruggs, Charles S.
*Silberstein, Victor H.
Thomas, Julian J., Jr.
*Weber, Irving J., Jr.
*Wyda, Andrew, Jr.

MEDICAL SERVICE CORPS

*Allen, Cleo. R.
Arm, Herbert G.
McWilliams, Joseph G.
Schwab, Albert J.

NURSE CORPS

*Kovacevich, Mary T.
*Maguire, Eleanor J.
*Morin, Aline E.
*Schmid, Pauline W.
*Smoker, Sue E.
Sterner, Doris M.

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Adams, Billy J.
Adams, John L.
Agnew, William F.
Ailes, John W., IV
*Alberts, Richard P.
Alderson, Donald M., Jr.
Alexander, Howard W.
*Alexander, James W.
*Allen, Bill R.
Allen, Galen B.
*Ammann, Robert E.
Anderson, Erns M.
*Anderson, Richard N.
Anderson, Robert G.
Arthur, Glenn N., Jr.
*Artz, Robert C.
*Aschenbeck, Gene W.
*Asher, Roy W.
*Asman, Robert K.
Atherton, Raymond
*Atkinson, Gerald L.
Augustyniak, Edward J.
*Aut, Warren E.
Awbrey, Roy D.
Bader, Allen L.
*Bailey, Gail R.
Baker, Walter F.
Baldwin, John A., Jr.
Ballinger, Robert M.
*Banham, Herbert G., Jr.
Bannon, John M.
Barber, James A., Jr.
*Barker, George D.
*Barker, William S.
Barnes, Richard A.
Barr, Ronald L.
*Barry, John M.
Bates, Glenn D.
Bates, Walter F.
Battles, Roy E.
Batzler, John R.
Bauder, James R.
Baumgartner, John P.
Bausch, Francis A.
Bean, Alan L.
Bechelmayr, Leroy R.
*Beisel, Gerald W.
*Belay, William J.
Beltz, Russell C.
*Benefield, Oscar W., Jr.
Bennett, Raymond D.
*Bernardin, Peter A.
*Berry, James L.
Bethany, Jesse E.
Biegel, Herbert K.
Bigney, Russell E.
Bishop, Michael E.
Black, Cole
Blackmar, Fredrik S.
*Blackwell, Jack L., Jr.
Blanchard, James W., Jr.
Blanchard, Ralph W., Jr.
Blount, Donald W.
Blythe, Russell M.
*Bock, "E" James
Bodensteiner, Wayne D.
*Bolerjack, Robert C.
Bolt, Ronald L.
Bond, John R.
Borden, Douglas H., Jr.
Boslaugh, David L.
Bossart, Edmund B., Jr.
Brace, Robert L.
Bracken, Leonard A., Jr.
Bradley, Bedford C.
*Bradley, David W., Jr.
Brady, Frederick L., Jr.
Brady, Joseph G.
Braun, Peter J.
Brecheen, John A.
Briggs, Donald R.
Browder, Edward H.
*Brown, Isom L.
Brown, Leo P.
*Brown, Robert C., Jr.
Brown, Robert C.
*Browning, Robert B.
Brubaker, Joseph D., Jr.
*Brunick, Gerard P.
Buck, Harry J.
Buck, Wallace A.
*Buckley, John E.
*Bull, Norman S.
Bullard, Jerry L.
Burch, William J.
*Burdon, Eugene R.
Burgess, Harold E., Jr.
*Burke, Robert M.
Burke, Thomas J., Jr.
*Burnett, Richard W.
Burns, John A.
*Burrows, Hubbard F., Jr.
*Butler, William S.
Butts, Richard F.
Buzzard, Robert D.
*Cabot, Alan S.
Cajka, Anthony C.
*Calhoun, William B., III
*Campbell, Michael J.
Campbell, Richard H.
Cann, Thomas P.
Carcaba, John H.
Carlson, Dudley L.
Carlson, Leland J.
*Carpenter, Walter H.
Carry, Allan H.
Carter, Powell F., Jr.
Caruso, Amedeo B.
*Case, Robert W.
Caston, Terry G.
Caswell, David W.
Cellar, Charles J., Jr.
*Chambers, Donald R.
Chaney, Conner F.
Channell, Ralph N.
*Chapdelaine, Jerrold E.
*Chapman, Melvin E.
Chase, Warren P.
Christensen, Howard E.
Christmas, Walter B.
*Cisson, Arthur
*Clark, Charles F., Jr.
*Clark, Orris V.
Clark, Robert E.
Clark, Robert C.
Clausen, Carroll E.
Clement, Carl C., Jr.
Cliff, Gene L.
Coakley, Stephen A.
Cobb, Emsley F.
Cobb, George W.
*Cochrane, James H.
Cockfield, David W.
Coffey, Roger L.
Coleman, Charles L.
Colley, Richard T.
*Collier, John H.
Collier, Neuland C.
*Combs, Martin F.
Conley, David J.
Conn, Richard L.
*Connelly, John G.
Conway, James M.
Cook, Charles F.
*Cook, Vernon H., Jr.
Cookson, Robert H.
Cooper, Daniel L.
Corcoran, Martin F.
*Corey, Stuart M.
*Cornell, Gordon C.
Corsi, Joseph A.
*Cotton, Alfred S.
Courtney, Warren P., Jr.
Cowles, Robert R.
Cox, Henry
Creech, Worley Y., Jr.
*Creighton, Perry F., Jr.
Crumer, James F.
*Cuccias, Leo P.
*Cutchen, Paul O.
*Dagdigian, James J.
*Daleke, Richard A.
Daloia, John, Jr.
*Daly, Paul S.
*Damon, Terry A.
*Dana, John B.
Dartnell, William H.
Daus, Rudolph H.
Davis, George W., Jr.
Davis, Harry L.
*Davis, Richard H.
Day, Earl F.
Deal, James W.
Dean, Ronald I.
Debroder, Glen G.
Degroff, James L.
*Deibert, Bernard N.
Delano, George B.
Delgiudice, David
*Delozier, James L.
*Demmin, Lester F.
Dennison, Daniel C.
*Dennison, William E.
Deshler, William A.
Devalois, Edwin W.
*Devries, Edgar L.
*Dicarlo, Vincent A.
*Dickson, George K.
*Diehm, William C., III
Dietz, Warren C.
*Dillon, John F.
Dingle, James W., Jr.
Dixon, Max W.
*Donnelly, Verne G.
Donovan, Ian E. M.
Doonan, Robert J.
Dopazo, Anthony J.
*Doucet, Richard E.
Dougherty, Gerald P.
*Downing, Thomas P.
Doyle, Robert C.
*Ducharme, George W.
Duffy, Francis J.
*Duke, Robert J.
Dunn, Joseph J.
Durbin, Robert H., Jr.
Dwyer, John L.
*Easton, Ervin R.
Eaves, James S.
*Eckart, James H.
Edberg, Walter O.
*Edwards, Donald L.
*Eichinger, Joseph C.
*Eidsmoe, Norman E.
Elder, William N.
Elie, Gayle O.
Elliott, Charles P.
Emery, Robert E.
Emery, Thomas R. M.
Englert, Robert J.
Ervin, Billy M.
Estocin, Michael J.
Evans, James J.
Evans, Richard P.
*Evans, Thomas G.
*Everett, Lauren R.
*Exon, Roger M.
Fairchild, Joseph D.
Fall, Robert H., III
Fancher, Allen P.
Farino, Francis J.
*Faron, John F.
Fend, Clarence E., Jr.
*Ferguson, Sam A.
*Ferrier, Harry H.
Fetterman, John H., Jr.
*Fields, James E.
Fillingane, Hulon P.
*Fink, Jerome I.
Fischer, Herman V., Jr.
*Fisk, Harold W.
Fitzgerald, John
Fitzsimmons, Harry S., Jr.
Fladger, Myles E.
Flanigan, John E., Jr.
Fleming, James T., Jr.
*Fleming, Raymond T., Jr.
*Fletcher, William B., III
Fleury, Clement E.
Flick, John P.
Flight, John W., Jr.
*Florin, Donald E.
Flowers, Walter R.
*Foard, Wyatte F., Jr.
Foley, Harvey D.
*Folta, Daniel A.
Ford, James N.
Fortenberry, Thomas N.
Fox, Evarts C., Jr.
Francke, Robert L.
*Frecker, David A.
Frederick, Peter G.
French, Maynard D.
Froid, James C.
*Frye, Thomas A. W.
Fulk, Gerald A.
Fuller, Milo W.
Funck, James R.
Furlong, George M., Jr.
Gaffrey, Leo J.
Galinsky, Jerome J.
Gardner, Geoffrey L.
*Garlitz, Jerry E.
Garman, Glen E.
*Garner, William D.
Garrow, Jack A.
Gasser, Thomas A.
Gauthey, Jules R.
Gerhan, Charles F., Jr.
Gerl, Neil D.
*Gerow, Francis W.
Gilbert, Donald B.
Gilchrist, Richard B.
*Gill, Russell R.
*Gilmore, Joseph M.
Glade, Gerald L.
*Gleim, James M.
Golanka, Stanley R.
*Gonzalez, Alfred H.
*Good, Robert C.
Gooding, Charles L., Jr.
*Gore, James Roy
Grady, Michael T.
Graf, Howard F.
Grafius, Guy A. B.
Graham, Joel H.
*Graham, Robert F.
*Graham, Roger L.
*Graham, Sidney R.
Grant, Edwin H., Jr.
*Grantman, Roger H.
Granum, Roger B.
Greathouse, Edwin A.
Greenhalgh, William T., Jr.
Grego, James M.
Griffin, James L.
Griffing, Edward P.
Grimes, Laurence H., Jr.
Grozen, Paul B.
Grunenwald, John W.
Guille, Sherred L.
Guimond, Gordon R.
Gunther, Howard P.
Hagen, Elmer C.
Hager, Donald G.
*Hagmann, Albert P.
Hague, John D.
Haines, Collins H.
Hall, Don L.
Hall Roy V.
*Halle, "S" Portland, III
Hamilton, David G.
Hamilton, Harry D.
Hamilton, Robert B.
*Hampton, Winfred F., Jr.
*Hamrick, Franklin G.
*Harmon, James O.
Harmony, Lee D., Jr.
*Harms, Stanley J.
*Harness, William D.
Harper, Elwood N.
*Harrison, Stuart E.
Hartsaw, David R.
*Harvey, Donald L.
Harvey, Neil L.
Harvey, Richard M.
Hastoglis, Anthony A.
*Hayes, Fay C.
*Haywood, Jesse H.
Heath, Edmund W.
Hebert, Donald F.
Heckman, Donald C.
*Hellinger, Richard L.
Hendricks, George H.
Hendricks, Richard A.
*Hendrickson, Claude F., Jr.
Henry, Albert L., Jr.
Henry, William F.
Hepworth, Robert W.
*Herberger, Albert J.
Hernandez, Diego E.
*Herndon, Franklin C., Jr.
Herzog, Louis L.
Hettinger, Louis P.
*Heyl, William E.
Hickey, John A.
*Higgins, Hugh W.
Hine, Paul M., Jr.
Hine, Raymond W.
Hine, William G.
Hinger, Carl K.
Hinton, Robert M.
Holderness, Robert T., Jr.
Holland, William J., Jr.
Hollinshead, William G.
Holloway, Lowell J.
Hoover, Harry A.
Horne, Hainyard L., Jr.
*Hosepian, Edward S.
Hosier, Charles S.
*Hubbard, Henry L.
*Hudson, Joe A.
Huggins, Harry L.
Hughes, John W.
Hughes, Richard M.
Hunley, Charles C.
Hunt, Herman L.
Hunt, Kirby P.
*Hunter, William G.
*Hyman, Arnold J.
*Isaacs, Allen L.
Ives, Clarence D.
Ives, Richard H.
Jackson, George L.
Jackson, Robert S.
James, Harry R., III
Janes, William E., Jr.
Jardine, Edward F., Jr.
Jefferies, Lawrence R.
Jenkins, John C.
*Jensen, Carl T.
*Jewell, Robert W., Jr.
Johnson, Billie D.
Johnson, George L.
Johnson, Grant R.
Johnson, John R.
Johnson, Roger D.
Johnson, Thomas J.
Johnson, William J., Jr.
*Johnston, Fred W., Jr.
Jones, Gerald L.
Jones, Harry W.
Jones, Roycroft C., Jr.
Jumper, Eugene A., Jr.
Jurgensen, Kenneth I.
Kaag, William C.
Kaiser, Donald S.
Karlen, James H.
Katzman, Marvin S.
Keaney, Mark J.
*Keene, Glenn F.
*Keene, Thomas J.
*Keery, Jerry L.
Keiser, Robert B.
Keith, Clyde R.
*Keith, John D.
*Kellaway, Peter W.
*Kelleher, Thomas A., Jr.
Keller, Constantine C., III

Kellerman, Donald W.
Kemp, Ernest E.
*Kennedy, Jack M.
Kennington, William A.
*Kephart, Robert D.
Kerrigan, Robert J.
Kiefaber, Thomas G.
Kiehl, Richard L.
*Kiernan, Warren R.
Kilborn, Edgar L.
*King, John E., Jr.
Kingston, Edward A.
Kingston, John J., Jr.
Kirby, Alexander G., Jr.
*Klein, Verle W.
*Klusmann, Charles F.
*Knapp, Franklin P.
K[illegible]ler, Robert H.
Koch, Richard J., Jr.
Koehler, Robert L.
Koester, Earl C., II
Kohn, Edwin R., Jr.
Kolaras, Demosthenes N.
Kopfman, Theodore F.
Kother, Charles G.
Kramer, James B., Jr.
Kraus, Kenneth E.
Krienke, Henry P.
Kronzer, Joseph J., Jr.
Kucera, Ronald C.
*Kugler, Valarius E.
*Kunkler, Hilary G.
Kuplinski, Stanley J.
*Lacklen, Albert J.
Lake, Rodney D.
Lambert, Russell G.
*Landers, Robert J.
*Lang, James M.
*Langelier, Wilfred E., Jr.
*Laughlin, Gerald F., Jr.
Lavallee, William F.
Lawhon, Eugene M.
*Lawless, Spencer C.
Lawniczak, George E., Jr.
Layn, Samuel, W.
Leaver, John M., Jr.
*Leckie, William O., Jr.
*Leclerc, Raymond P.
Lee, Leonard M.
*Lee, Melvin R.
*Leedom, Clair E., Jr.
*Leibel, Robert J.
*Lenardi, Donald M.
Lengel, Robert C.
*Leo, Leonard
Leopold, Robert K.
Levey, Gerald
Lewey, Ira D.
Lewis, John R., Jr.
*Lewis, Joseph C.
Lighton, Paul G.
Lilienthal, Donald H.
Lindsey, Austin M.
Linehan, Donald B.
Locke, William J.
Lockhart, John V.
Looby, Robert J.
*Loomis, Robert R.
Lotton, Donald E.
*Lotze, Herbert E., Jr.
*Lough, Gordon K.
Lowery, Willis E.
*Lucken, Frank E.
*Lukenbach, Max D.
Lull, Edward W.
Lund, Eugene P.
Lusk, Charles T.
Lynch, Hugh F.
*Lynch, Will T.
Lyons, William P.
*Macadam, William F.
Mack, John A.
*Mack, Robert P.
Mackenzie, Joseph D.
Mackinnon, Malcolm, III
Maclean, Robert E.
*Maddox, Iven J.
Majors, William T.
Manthorpe, William H. J., Jr.
Marquis, Ronald A.
Marryott, Ronald F.
Marsh, Lloyd P.
*Marshall, Norman G.
Martin, Donald
Masalin, Charles E.
Masterson, Leo S.
*Mathews, Donald R.
Mathews, Richard L.
Matzner, Rudolph, Jr.
Mauldin, James H.
*McAdoo, William C.
McArdle, Stephen J., Jr.
McCann, Joseph D.
McCarthy, Charles J., Jr.
*McCarthy, Paul F., Jr.
*McCarty, Charles M.
McCauley, William F.
McClellan, Gordon
*McClellan, Billy L.
McClure, John S.
*McCoy, Frank R., Jr.
McCrimmon, Douglas R.
McDaniel, Eugene B.
McDonnell, John R..
*McGonagill, Eber C.
*McGrath, James W.
McGuiness, Donald A.
*McIntyre, James G.
McIsaac, Alban T.
McKay, Richard D.
McKeown, Thomas J., Jr.
McKinzie, Raymond C.
McLaren, Alfred S.
McNish, John E.
McVoy, Robert P.
Meloy, Robert T.
Melton, Wade I.
Meltzer, Herbert S.
Mengle, Kenneth J.
Meyer, William F.
Mieldazis, Richard J.
Miesse, Walter T.
Miles, Dewitt C., Jr.
Miles, Robert W.
*Mills, James P. W.
Minnich, Donald E.
Miyagawa, George R.
Moats, Lewis D.
*Monaghan, James J.
Moody, Dewitt H.
Moore, Gene R.
*Moriarty, Jack O.
*Morris, James I.
Morrison, Robert M.
*Morrow, Richard D.
Moss, David L.
Moxley, Donald F.
*Mudgett, Richard L.
Multer, Richard P.
*Mundt, Werner F.
Munger, Burton L.
Munsey, Malcom H.
*Musorrafiti, Francesco A.
Mustin, Henry C.
Myer, Charles W.
Myers, Robert U.
Narmi, Ronald E.
*Narowetz, Bruce A.
Nash, Gordon C., Jr.
Nations, Travis D.
*Nelson, Lawrence R.
Newbegin, Robert G., IV
Newell, Bryon B., Jr.
*Nichols, Jack H.
Nixon, Robert T.
*Noll, Rolf F.
*Norby, Merlin R.
North, Henry C., Jr.
Nyquist, John W.
O'Brien, Charles M., Jr.
O'Connell, Daniel E.
Oehlbeck, Edward W.
Ogden, Edward G.
*O'Hara, John T.
Olsen, Walter E.
Olson, Darryl D.
Olson, Ross S.
*Ormand, George, Jr.
*Ortmann, Dean A.
Osborn, Harold N.
*Osborne, Charles N., Jr.
*Oslun, William J.
*Ostergren, James E.
*Ostlund, Ross G.
*O'Sullivan, Richard C.
*O'Toole, Walter D. J.
Overbay, William A.
Overman, William J., Jr.
*Owesney, William T.
*Paganelli, John E.
*Paisley, John B., III
Palmer, Philip M.
Paschall, Allan P.
Paul, Roy C.
*Pearl, Harlan R.
Peckham, Daniel E.
*Pedigo, Robert E.
Peirce, William B.
*Perry, Raymond
Pesenti, Francis V.
Peters, Richard A.
*Petersen, Gordon S.
Peterson, Richard A.
Petri, Gordon L.
Pfeiffer, Paul N.
Phillips, George S.
*Phillips, Paul E.
Pierce, John T.
Pillow, George E., Jr.
Pirie, Robert B., Jr.
Plowman, Herschel L.
Plumly, Charles M.
Poe, Benjamin L., Jr.
Pollard, William A.
Pollman, Eugene L.
Potter, Thomas B., Jr.
Powell, John H.
Powers, Edward F., Jr.
*Powers, John B.
Pray, William L.
Prentice, Gordon R.
Pressly, George B.
*Price, William J.
*Pruden, Neil "S"
Pugliese, William N.
*Pullen, Luther D.
*Rademacher, John W.
Radler, David H.
*Raiter, Richard F.
Ratliff, William E.
Rausch, Leonard M.
*Raysin, Paul E.
Rebello, Kenneth R.
Reed, Calvin C.
Reed, Richard L.
Reid, Gerald E.
Reise, Thomas L.
Renard, John W.
*Renninger, Willard H.
Reszetar, Stephen W.
Reynolds, Marvin D.
Rhodes, William K., Jr.
Rice, Robert V.
*Richey, Fredrick J.
Ricketts, Myron V.
*Riendeau, Gerald L.
*Rivers, John B.
Roberge, Francis D.
Roberts, John W.
Roberts, Wilson J.
Robins, John R.
Robinson, Clifford V.
Rockwell, William A.
*Roe, Donald W., Jr.
Roe, John E., Jr.
Rollins, Everet F., Jr.
*Roseman, Troy B.
Roth, James F.
Rouchon, Alvin A.
*Rumelhart, Max R.
*Rush, William H.
Ryan, James W.
*Ryan, John N.
*Ryman, Gerald M.
Sample, Chester G.
*Samples, Loy C.
Sanders, Carl H., Jr.
*Santivasci, John D.
*Satre, Robert S.
Saunders, Wesley W.
*Schaadt, Douglas D.
*Scheiter, Gene L.
*Scheurich, Thomas E.
*Schlemmer, Robert M.
Schmitt, Robert W.
Schrader, Harry C., Jr.
Schultz, Earl E.
*Schuppert, Vincent J.
Schwartz, Robert J.
*Scoles, Albert J.
Scott, Gary L.
Scott, George W.
Scott, Thomas P.
Searight, Murland W.
Seely, James M. G.
Segal, Robert B.
Seibert, Markley R.
*Selgrath, James J.
*Serig, Ward E. K.
Shanahan, Thomas E.
Sharpe, Lawrence A.
*Shaughnessy, Francis M.
*Sheehan, Robert K.
Sheldon, Charles B.
*Sheldon, George E., Jr.
Shelton, Donald C.
Shine, Thomas, Jr.
*Shirley, Milford E.
*Shughrou, John J., Jr.
Shulick, John, Jr.
Shumaker, Robert H.
Shupe, Gordon B.
Sievert, Robert G.
Sigmond, Arie C. A.
Sill, John R.
*Simia, Richard
Simmering, Larry K.
Simon, Roger O.
Sineath, George E.
Skorupski, Stanley S., Jr.
Slack, Stephen R.
Slayton, Marshall T.
Slingerland, Raymond D.
Slough, John H.
*Smidt, Robert L.
*Smith, Albert L.
*Smith, Allen, III
Smith, Barton L.
Smith, Charles R.
*Smith, Charles L.
Smith, Cyril P.
Smith, Darrel
Smith, Dickinson M.
Smith, Edward G.
*Smith, Joel E.
Smith, John W.
Smith, Kenneth E.
Smith, Marvin G., Jr.
*Smith, Ralph R.
Smith, Richard J. W.
Smith, William D.
*Snyder, Sherman R.
*Sommers, Carl W., II
*Sottak, Edward J.
Sousa, Manuel B., Jr.
Sousae, Jack F.
*Spear, John R.
Spisak, Thomas J.
*Starbuck, Thomas H.
*Stechmann, Donald H.
Steenstra, George A.
Stehle, Leroy R.
Stembel, David M., Jr.
Stephens, Gordon L.
Stevens, James R.
Stevens, William
*Stevenson, Peter K.
Stewart, John E.
*Stickney, Harold L.
Stoddart, Ronald L.
*Stone, Jack W., Jr.
*Stone, Robert A.
*Stone, Ronald P.
Stoneback, Charles K.
Stott, George W., Jr.
Strange, Robert C.
Stratton, Richard A.
Streit, John B.
Striffler, Willard C., Jr.
Stromeyer, Anthony J.
*Struven, Robert L.
Stuart, Donald B.
*Stuebben, Richard W., Jr.
Stuntz, Harley L., III
*Sturgeon, William J., III
Sullivan, Florence M.
Sutherland, Paul E., Jr.
*Switzer, Robert J.
Sympson, William G. A., Jr.
Tallman, John M.
*Tanner, John P.
Tansey, Eugene A.
Taylor, John E.
Taylor, Patterson C.
*Tennison, Raymond P.
*Test, Richard Z.
*Tevelson, Marchel C.
Thayer, Albert J.
Thomas, Richard L.
Thomas, Spencer J.
Thompson, Ernest T.
*Thompson, James C.
*Thompson, Richard G.
Thune, John R.
Todd, James F.
Toncray, James R.
Toupin, Ernest J., Jr.
Tracy, William K.
*Trask, Ace F.
*Trebor-MacConnell, Barrie K.
Trelford, Wallace E.
*Trygsland, Arnold L.
Tsantes, George, Jr.
Tucker, James W.
*Tucker, John E.
*Tully, William R., Jr.
Turley, John W.
Turner, Edmund L.
*Turpel, Joseph F.
Tuttle, Jerry O.
*Ullman, Robert W.
*Ulrich, John H.
Underwood, Fred S.
*Upshaw, Donald E.
*Vandewater, George L., Jr.
*Vandien, Casper R.
*Vandusen, Harold L.
Vanmetre, James M.
Vaught, Gerald C.
*Veatch, Philip A.
Vehorn, Raymond C.
*Vernam, Claude C.
Vilhauer, Levern T.
*Vonperbandt, Louis K.
*Vreeland, James M.
*Wack, Charles G.
Wages, Clarence J., Jr.
Waggoner, Donald L.
*Walck, Claude, W.
Walden, William A.
*Walker, Jack O.
Walker, John A., Jr.
Walker, William E.
*Wall, Joseph E.
Wallace, Richard J.
*Wallace, Robert C.
Walsh, Lawrence P.
Walsh, William A.
Walter, Joseph J.
Warburton, Thomas G.
*Ward, Charles W. D., Jr.
*Ward, Conrad J.
*Ward, John H.
Watson, Jerome F.
Ways, Raymond A.
Weaver, John C.
*Webb, James E.
Weber, Richard M.
Webster, Hugh L.
*Weed, John W.
*Weeks, Wayne F.
*Weil, Calvin M.
Wernimont, Donald J.
West, Donald A.
Westbrock, Donald H.
Westbrook, Darrel E., Jr.
*Wetzel, James F.
*Whalen, Joseph D.
White, Billy J.
White, Danforth E.
White, Jack M.
White, Trentwill M., Jr.
*Whittier, James F.
Wickstrand, Don R.
*Widder, John A., Jr.
*Widman, Manfred W.
*Wiecking, Kenneth D.
Wigley, Lawrence S.
*Wigley, William W.
Wilkinson, Edward A., Jr.
*Willever, Edward L.
Williams, David E.
Williams, Gerald G.
Williamson, John P., Jr.
Willis, James L., Jr.
Wilson, Gordon B.
Wilson, John R., Jr.
*Wilson, William R.
Wilster, Gunnar F.
*Wiltse, Irving M.
*Winchester, Warren H.
Windham, Paul M.
Winiker, David R.
Winn, John C., Jr.
*Winn, Velmer A. J.
Wise, Stephen A.
Witherspoon, Beverly W.

*Witthoft, Ronald D.
Wolfe, Glenn C.
Wolkensdorfer, Daniel J.
*Wood, Albert A., Jr.
Wood, John D., Jr.
*Worth, Edward R.
*Yonke, William D.
York, Howard L.
*Yosway, Philip F.
Young, Clinton H.
Young, Leonard R.
*Young, Milton E.
Yurso, Joseph F.
Zaborniak, Walter J.
Zadd, Charles J.
*Zettle, Harold
Zipf, Otto A.
Zseleczky, Emil J.

SUPPLY CORPS

Allen, Samuel B., Jr.
Ardizzone, Joseph C.
*Awalt, Richard E.
Beals, Donald A.
Bedford, Arthur G.
Biddison, Ted A.
*Bilka, Joseph L.
Blake, James F., Jr.
Bonnett, Herschel J.
Brotherton, Curtis W.
Buehler, Cyril H.
Causbie, Edgar S.
Clark, Bryan L., Jr.
Clark, Davis L.
Collier, William G.
*Conner, Walter E.
Davis, Robert W.
*Desroches, Sylvio J., Jr.
*Dewinter, Richard E.
Dolloff, Robert H.
Douglass, Jerry B.
Dowling, Richard M.
Ellis, Richard W.
*Flood, Peter A.
Foreman, Clarence P., Jr.
Fulks, Logan C
Gallaher, James H.
*Giagni, Vincent J.
Graessle, Ernest J.
*Griffiths, Donald J.
Hamilton, John F.
Hamilton, Michael H.
Hayes, Lester D., Jr.
Haynsworth, Hugh C., III
Higgins, Ernest C. M.
Hirschy, Henry E., Jr.
Holder, James R.
Holland, Ralph L.
Kaiser, Robert A.
Killoran, Joel D.
Lampton, George H.
Leal, Milford A.
Luther, James R., Jr.
Mara, Ray A.
Martin, William J.
Martin, Winston L.
*McGee, James E.
McLaughlin, Richard B.
Mead, George W., III
Miller, David O.
Moe, Albert G.
*Murray, Robert E.
Newcomb, Frank N.
Olinger, Richard S.
Perkins, James O.
Rader, Farrell J.
*Ranken, John T., Jr.
*Rech, Henry J.
*Rice, Richard M.
Ruese, Edward F., II
*Sellers, Robert D.
*Shultz, William E.
Smith, Allen F.
Sojka, Casimir E.
Speer, John W.
*Steeg, Elvin H.
*Sterner, Norman G.
*Stewart, George W., III
Straw, Donald G.
Sullivan, Patrick D.
*Sweet, Warren M.
Szwed, James A.
Tauriello, Frank S.
Taylor, Robert R.
Tokay, Ronald N.
Turcotte, William E.
Virden, Frank S.
Vogel, Carl P., Jr.
*Walker, Elbridge, III
Wahsburne, William K.
Webb, Carl R., Jr.
Wildman, John E.
Wilson, Richard F.
Wright, Walter F., Jr.

CHAPLAIN CORPS

Alexander, Don C.
*Bond, Hollis H.
*Brudzynski, Peter F.
*Edwards, John R., Jr.
*Elder, Robert M.
*Eller, Max A.
Fallon, Edward F.
*Gallagher, Bartholomew T.
Gately, Robert E.
Goffrier, Robert R.
*Grunder, Bey G.
Haney, John C., Jr.
*Jones, Stephen N.
*Keeley, Patrick P.
*Kelley, Thomas W.
Klapperich, Owen B.
Lecky, Hugh F., Jr.
*Lemasters, Clarence E.
McGonigal, Richard A.
McKee, Billy J.
*Merritt, Milton E.
Murphy, Michael A.
*Newman, William W.
*Norton, Lawrence E.
*Oakley, Donald C.
Parrish, Whitney W.
Paulson, Gordon E.
Pitts, Charles H.
*Riggs, Adna W.
Running, Paul H.
*Schwartz, Walter J.
*Stanhope, Norman J.
Tatum, Robert D.
*Tipton, Richard M.
*Volz, Anthony C.
*Wetzel, Oliver H.
Willson, William G.

CIVIL ENGINEER CORPS

Andress, Hyneman M.
*Auerbach, Ralph W., Jr.
Bair, William A.
Brown, George H.
Burdick, William E.
Conner, Donald L.
*Cottingham, Edward L.
Donaldson, Jacques E.
*Eager, Walter J., Jr.
Grinke, Walton J.
Kramer, Robert L.
Lowe, Stephen D.
Mlekush, Matt C.
Monnier, William F.
Myers, Russell, Jr.
Oliver, Philip, Jr.
Phenix, Robert P.
*Pitman, James B., Jr.
Ruff, Lowell H., Jr.
Shafer, Willard G.
Shrinak, Vincent M.
Smith, Ralph A., III
Stallman, Thomas F.
*Stedman, Ralph S., Jr.
*Stewart, Stanley P.,
Tate, Thomas N.
*Vanbelkum, Kenneth D.
Weir, James W., Jr.
Weis, John M.
Westberg, Robert J.
*Witkowski, John A, Jr.

JUDGE ADVOCATE GENERAL'S CORPS

Ake, Charles P.
*Aylward, William J., Jr.
Fulton, Elbert M., Jr.
*Hall, Harry L.
*Harlow, Bruce A.
*Jenkins, John S.
Lohrey, Thomas E., Jr.
*McCarthy, Richard J.
*Woolley, Herbert T.

DENTAL CORPS

*Altman, Richard S.
*Anderson, Dale M.
*Bodner, Joseph A., Jr.
Butler, William D.
Connole, Peter W.
Crawford, Benton E., Jr.
Daughtry, Max B.
Devos, Brice J.
Eastwood, Gerald W.
Gaston, David L.
Gourley, James V.
Grisius, Richard J.
Guarnieri, Lewis J.
Harris, Ronald K.
Hart, Gerald L.
Johnson, James T.
Kellner, Frank H.
Kennedy, Paul T.
*Kieny, Richard J.
Koch, Robert W.
*Magnus, Walt W.
McMurdock, Robert C., Jr.
Montgomery, Steve
Moore, Dorsey J.
Morse, Ronald P.
Osetek, Edward M.
*Pines, Barry E.
*Raybin, Sidney
Reisman, Paul J.
Rogers, John D.
Shoemaker, O. L.
Smith, David J.
Stepnick, Robert J.
Stevens, John T.
*Tibbetts, Van R.
Tracy, Norman H., Jr.
Trainor, John E.
*Voyles, Wesley L.
Walkowiak, Gene J.
*Watson, William J.
Werning, John T.
Williams, John P.

MEDICAL SERVICE CORPS

Andersen, Walter A.
Barker, Samuel D.
Coulson, Harold H.
*Devine, Leonard F.
Devine, Robert G.
Floan, Kenneth F.
*Hartley, Robert L., Jr.
Herrin, James H.
*Hockstein, Edwin S.
*Hoover, Lillian P.
*Inman, Elmer E., Jr.
Kendrick, Allison N.
*Lane, Jack R.
*Myers, John D.
*Nichols, Lavern E.
Passaglia, Martin, Jr.
Ramirez, Gale
*Sanborn, Warren R.
Sims, John L.
Stallings, Orlando
Tanner, Millard F.
Whitlock, William E.
*Wimberly, Clyde O.

NURSE CORPS

*Benedict, Marian M.
*Copic, Kathryn M.
*Cowden, Elnora J.
*Dalesio, Dorothy A.
*Daniels, Marvelle L.
*Davis, Jean E.
*Demarco, Evelyn M.
*Durkin, Veronica A.
*Easter, Mary R.
Effner, Dorothy J.
*Fenn, Bernice E.
*Finn, Celine A.
*Fudala, Adeline R.
Gendron, Marie M. T.
*Gormish, Sophia H.
*Graves, Ellen G.
*Happ, Nellie L.
*Hooker, Doris H.
*Kelcec, Caroline A.
*Lawrence, Opal M.
*Lewis, Betty J.
*Lux, Virginia C.
*MacDonald, Patricia H.
*Macha, Edith M.
*Madsen, Gladys
*Maun, Shirley J.
*Merritt, Lois C.
*Miller, Shirley A.
*Muhlenfeld, Loretta T.
Murphy, Loretta M.
*Nagy, Bettye G.
*Ruppert, Margaret R.
*Sauer, Mary A.
*Schlosser, John M.
*Shelton, Waunie L.
*Spencer, Lelah E.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the line and Medical Corps, subject to qualification therefor as provided by law:

LINE

*Abernathy, William K.
Ablowich, Dean A.
Adler, Alan B.
*Adler, Gerrold T.
*Ahern, James W.
*Aldrich, Claren E., Jr.
*Alexander, Dale E.
Allen, James W.
Allen, Richard C.
*Allen, Robert A.
Alverson, William R.
Amantea, Thomas R.
Amend, Robert J.
*Amesse, Arthur P.
Anderson, Craig N.
*Anderson, Carl A.
Anderson, Gerald D.
*Anderson, Gordon R.
Anderson, Harland D.
Anderson, John A.
Anderson, Lawrence G.
*Anderson, Thomas K.
Anderson, Thomas M.
Andrilla, Joseph J.
Arms, Philip B., Jr.
*Arner, William S., Jr.
*Arnett, Rexford R., Jr.
*Arnold, Frederick J.
Ashley, Roger T.
*Atwood, Barry M.
Ausley, Paul C., Jr.
*Austin, Paul B.
Averna, Vincent S.
Babcock, William L.
*Bachman, Frank D.
*Backman, Wallace W.
Bacon, Daniel K.
*Bacon, Vernon W.
Bailes, William J.
Bailey, Grover C., III
Bailey, Stanley J., Jr.
*Baines, Carroll D.
Baker, Arthur J., III
*Bakula, William J., Jr.
*Balaun, Jack E.
Ballard, James O., Jr.
Ballou, Charles L.
Bancroft, William P.
Banks, Richard
Barber, Stephen W.
*Barbour, George P., Jr.
*Barker, Francis O.
*Barmes, Vernon T.
Barnaby, Kenneth A.
*Barnes, Fletcher J., III
Barnes, Harley H., Jr.
*Barnes, John O.
*Barnes, Kinnon W.
Barnett, Roger W.
*Barnhart, Don H.
Barnhill, Hugh K.
Barns, David W.
Barr, Jon M.
*Barrett, James H.
Barringer, Larry E.
Barry, Kenneth R.
Bartels, Albert L.
Bartolett, Frank S., III
*Barton, Donald I.
Barton, Glenn L.
Barton, Jere A.
Bass, William F.
Baxter, James B., Jr.
Baxter, Robert C.
Bay, Warren H.
Beam, James C.
Beardshall, Elmer W., Jr.
*Beatty, Thomas J.
Beebe, Bruce A.
*Beecher, Norton J.
Bell, Gary E.
*Bell, John M.
*Bender, Willis D.
Bennett, Donald M.
Benson, Perry S.
Berklite, Ronald B.
Berry, James N.
Beveridge, Jerry D.
Bickum, Gilbert W.
Biddlecombe, George E., III
Billings, David J.
*Binczak, Joseph F.
Birchett, John A. K.
Birtwistle, Richard, III
Bissell, Allen M.
*Black, Eugene H.
Black, Phillip R.
Black, Rudolph R.
Blair, Joseph H., Jr.
*Bleakley, Andrew, Jr.
*Blecha, Ferdinand A.
Blockinger, Alvin F., Jr.
*Blount, Charles W.
*Bobst, Larry S.
*Bockler, James M.
Boecker, Donald V.
Boggs, Dallas B.
Bolden, David R.
*Bolinger, Charles W.
Boltz, Norman D.
Bond, Duane A.
Bonnel, Gordon A.
Booth, Ronald J.
*Boswell, Freddie L., Jr.
*Boswell, Lexie B.
*Botkins, Harold W.
*Bowley, George A.
Bowling, Weldon J.
Bowman, Jack B., Jr.
Bowman, Peter B.
Bowman, Robert J.
Boyd, William T., III
Boyer, Larry A.
*Boyle, Patrick L.
Boyle, Robert D.
*Bradberry, Benton L.
Bradshaw, William F.
Brady, John B.
Brandon, John R., Jr.
Brandquist, Roland
Breckenridge, Donald R.
*Breeding, Donald C.
Brenton, Robert J.
Bringhurst, William, Jr.
Broadfield, Donald E.
Broadwell, William R.
Brockhausen, Frederick C., Jr.
Brockman, John L., Jr.
*Broglio, John D.
Brooks, Edward W.
Broomhead, Kenneth H.
*Brown, Floyd W.
*Brown, Robert C.
*Brown, William F.
*Bruce, Rowlett H., Jr.
Bruntlett, Carl E.
*Bryan, John W.
*Bryant, Cordis C.
Bubeck, Charles R.
Buehler, Roy R.
Bull, Lyle F.
Bullock, James P.
Burdge, Ronald E.
Burke, David V., Jr.
Burke, Lauren D.
*Burns, Charles E., Jr.
Burroughs, Eugene S., III
Burton, Robert E.
Busby, Morris D.
Bush, Thomas O.
Butler, Harry P.
Butts, Maurice R.
Byrne, Barry J.
Byrnes, Joseph L.
Cade, James A.
Cagle, Lonnie F.
Cain, Benjamin G., III
Cain, Richard L.
*Callahan, James A.
Calvert, William R.
*Camp, William G.
Campbell, Arlington F.
Canant, Louis M.
Cangianelli, Leo A.
*Caprio, Gabriel P.
*Carbone, John A.
Carden, Francis D., Jr.

Carey, William F.
Carlburg, Ernest G.
Carlson, Patrick J.
Carlson, Roger E.
*Carlson, William J.
*Carney, Alvin E., Jr.
Carpenter, John D., Jr.
Carr, John F.
Carr, Robert E.
*Carroll, Michael D.
Carter, Floyd W., Jr.
Carver, Donald R.
Carwin, Paul L.
Case, Calvin W.
*Casey, Richard J.
Castano, John B.
*Castle, Robert W., Jr.
*Castrucci, Richard F.
Caswell, Gordon C.
*Cater, Charles E.
Chambers, Thomas D.
*Chayer, Robert L.
*Cheatham, Robert T., Jr.
Cheaure, Alfred L.
Chenard, John H.
*Cheney, Lynn F.
Cheshire, Leonard P., Jr.
*Chidlow, Douglas O.
Chiles, Henry G., Jr.
Christensen, Merle L.
Churchill, Bruce W.
Claman, John S.
*Clark, Donald D.
*Clark, Earland R.
*Clark, James R.
Clark, Kenneth G.
Clexton, Edward W., Jr.
*Cloutier, Adore H.
*Clower, William E.
*Coats, Jack T.
*Coffin, Robert H., Jr.
Cogdell, Gary B.
*Colangelo, James W.
*Cole, Bertram D., III
Cole, Joseph D.
Colegrove, Robert J.
Coleman, Glenn W.
Coleman, Jessie V.
Collicott, Charles R.
*Collins, William T.
Combemale, Jeanloup R.
*Comings, Elmer C., Jr.
Comiskey, Michael R.
Conner, William T., Jr.
Connor, John
*Conway, Clyde M., Jr.
Cook, Charles I.
Cooper, Jerry A.
Cooper, Paul W., Jr.
Cooper, Robert L.
*Corbeille, Reginald C.
*Corbett, James E.
*Cordell, Glenn D.
*Corkill, James L.
Cotterman, Andrew G.
*Cotton, Robert V.
Coughlin, Daniel T., Jr.
*Coulapides, Anthony C.
*Cover, Donald L.
Cover, Lawrence L.
Cowles, David E.
Cox, Charles J.
Cox, Larry G.
Crawford, Denis H.
Crigler, Charles H.
Crippen, Robert L.
Criste, David M.
Crowder, Kenneth L.
*Cullen, Charles E.
Cullen, David J., Jr.
Cummings, Michael G.
Cunningham, Glenn
*Cunningham, Forest J., Jr.
Cupp, Larry L.
*Curling, Fred B.
Curtis, Thomas G.
Dahlgren, Charles E.
Daily, Roger M.
Dalessio, Robert M.
Dalrymple, John R., Jr.
Danforth, William L.
Daniels, Gene L.
*Darling, Frank R.
Darwin, James R.
Davies, Robert L.
*Davis, Alden A.
*Davis, Charles E.
Davis, Edwin A.
Davis, George W., VI
*Davis, Grady W., Jr.
Davis, Thomas E.
Davis, Vibert H.
*Deffet, Thomas L.
Dehaemer, Michael J.
*Delaney, William F.
Deloach, Jesse H.
*Dempsey, Richard E.
Dempster, Duncan F.
Denn, George E., Jr.
Devins, Gerald L.
*Devore, Roger C.
*Dewey, John C.
*Dibiase, Thomas L.
Dilley, David
*Dillich, Jack H.
Dion, Malcolm C.
Dirksen, John V.
Dismukes, Newton B., Jr.
Dix, Donald W.
Doan, James E.
*Doan, Robert T.
Doane, Milton S.
Dobes, Joseph C.
Dodge, John F.
Dodge, Ronald W.
Dodson, Richard E.
*Doe, Francis P.
Doege, Arthur G.
Dominiak, Laurence R.
*Donaworth, Jack M., Jr.
*Donovan, John J.
Dooley, John J.
Dowell, George W., III
Dowling, James D.
*Drake, James A., Jr.
*Drew, John J.
Drylie, James T., II
*Drotleff, William C., Jr.
Dudley, James I., Jr.
Duffy, Francis K.
Duffy, James F.
Dunham, Edward M., Jr.
Dunn, James M.
Durkin, Wallace M.
Dutton, Bruce M.
Dvornik, Donald F.
*Dykes, Robert A.
Earl, Frank S.
Earls, Larry R.
Eberlein, Bernard E.
*Edgerton, Robert L.
Edwards, Richard F.
Eilertsen, James T.
*Ekstrom, John S.
*Elkins, Paul W.
*Ellis, Martin A.
Embry, Hugh C.
*Erskine, George L., Jr.
*Etchells, Edward J.
Evans, Homer D.
Evans, William R.
Everman, Leon E.
Ewalt, Frederick M.
*Ewing, Charles D.
*Eyer, James E.
*Fahsbender, Thomas F.
Farrar, Glenn R.
Fay, Frederick O., Jr.
Febel, Joel W.
Fee, Jerome J.
Fenn, Michael R.
*Ferraro, Romauldo C.
*Ferrentino, Peter S.
Field, Robert D.
Field, Stephen A.
Fields, Floyd H., Jr.
*Fine, Richard H.
Finkelstein, Milton M.
Finkelstein, Jimmie B.
*Florentini, Walter E., Jr.
Fisher, Ben H.
*Fisher, Cornelius W.
Fisher, David P.
*Fisher, George E., Jr.
*Fisher, Kenneth H.
Fisher, Robert A.
Fitch, Robert S.
Fitzgerald, James F.
Fleming, Charles H., Jr.
Flournoy, Robert A.
Flynn, Cathal L., Jr.
Foberg, Raymond H.
*Fogg, Robert F.
*Fogle, William J.
Foley, Daniel J.
Folta, Kenneth D.
*Foster, Ronald W.
*Foster, William L.
Fowler, Eugene C.
Fowler, Richard C.
Fox, Henry W.
Foy, Frederick D.
*Freedman, Leonard A.
Freehill, Robert L.
Freeman, Melvin C.
Freeman, Michael H.
French, Dana F., Jr.
*Freymann, David G.
Friedmann, Alfred R.
Frontz, Richard F.
*Gaffey Roger R., Jr.
*Galamaga, Donald P.
*Galbraith, William R.
*Gallagher, Francis J.
Gallagher, Michael T.
Gamba, Robert V.
Gamer, Jerrold D.
Gandia, August N., Jr.
Garfield, Peter J.
Gasser, Robert E.
Gath, Bernard S.
Gauthier, David P.
Gavlak, Michael W.
Geer, David W.
*Gengler, William N.
Gershon, Jon J.
Gerstel, Donald A.
*Gertner, Charles A., Jr.
Gibson, James W.
Gilbreath, David S.
Gill, Richard B.
*Gillen, Thomas E.
*Gingles, Donald D.
Gneckow, Gerald E.
Golden, Mark M.
Goodrich, Walker R., Jr.
Gordon, Bradley W.
*Gorman, Clifford D.
*Gossner, John
Gost, William J.
*Grace, Allan D.
Grafel, Lynn H.
Grafton, Jay T.
*Graham, Billy D.
*Graham, Genie K.
Grayson, Arthur L.
Green, Conrad G.
Green, Edward P.
*Green, John H.
Greenberg, Abe
*Greenwood, Jack R.
Greer, Donald L.
*Greer, Marshall R., Jr.
*Greeves, William J.
Greve, William H.
Griffin, Robert N.
*Grimes, Lahon H.
Groth, John F.
Grunstra, James
*Guy, William E.
*Habicht, Roland F. H.
Hagen, John M.
*Hagen, John W.
Hakanson, Gary E.
Hale, Frederick G.
*Hall, Eugene M.
Hall, Jay H.
Hallmark, Samuel N.
Hallowell, Benjamin H., Jr.
Halpin, H.
Halverson, David T.
Hamilton, James B.
*Hammond, Frederick I.
Hamon, Richard W.
Hampton, Thomas D.
*Hanberry, Royce S.
Hancock, James E.
Hand, David R.
Hankins, Jack T.
Hansen, Eigil L., Jr.
Hansen, Kirby W., Jr.
Hansen, Philip V.
*Hansen, Thomas P.
Hanson, Ralph E., Jr.
Harden, Jon D.
Hardin, Bruce H.
*Hargrave, Paul E.
*Hark, Donald L.
*Harnden, Richard L., Jr.
Harris, David F.
*Harrison, Joe P.
*Harrison, William L., Jr.
Hart, Clifford A.
*Hart, David A.
*Hart, Edward M.
Harter, Gary L.
*Harvey, Robert F.
Haskell, Richard D.
Hastie, William J.
Hays, Russell O.
*Hazard, Vernon E.
Head, Thomas A.
Healy, Kevin M.
Heath, David M.
Heckman, Ronald W.
Hedley, Peter F.
Heintz, Harvey L.
Helms, David F.
Henry, James C., Jr.
*Henry, Robert A.
*Herkert, Richard H. H.
*Herman, William A.
Herring, J. Michael
Herzog, Raymond F.
Heuberger, Nathan A.
Hezeau, Dan W.
Hibbs, Benjamin C.
*Hicks, Graham H., H., Jr.
*Higbee, Gerald M.
Hilder, Lewis E.
*Hill, Donald J.
*Hill, Elven J.
*Hill, Nordean T.
Hill, Virgil L., Jr.
Hinkel, Ronald W.
*Hoene, Edward R.
Hoffman, Drake A.
Hoffman, Joseph F., Jr.
Holcomb, Charles C.
Holland, John D.
*Hollon, William R.
Holloway, Richard E.
*Holmes, Gary L.
Holtz, Robert S.
Hooker, Anthony S.
Hopcus, Alfred A.
Hopkins, Howard D.
*Horn, William C.
Horsch, Arthur R.
Hort, John A.
Houck, Jack C.
Houston, Jerry B.
Howard, Albert O., Jr.
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Howard, Robert M.
Howe, Donald L.
Howell, Frederick J.
*Howell, Swebston S., Jr.
*Howell, Terry L.
Hubbard, Charles W., Jr.
Hubbard, Clarence H.
Hudson, Ralph E.
Huehn, Kelvin W.
Hugo, James W.
Huhn, John H.
*Hulson, Roger P.
Hulvershorn, Frederick W.
Hunt, Frank M., Jr.
Hurlburt, Joseph S.
*Huston, Merle E., Jr.
*Hutchison, Charles H.
Huth, Vincent J.
Hutt, Thomas E., Jr.
Ianucci, Robert J.
Inderlied, William T., III
*Inman, Walter E.
*Israelson, Leroy D.
*Jacanin, James M.
*Jackson, John P.
Jacobsen, Kenneth C.
Jaffee, Carl
James, Johnny L.
*James, Ulysses S.
Janes, Walter A., Jr.
*Jaskolsi, Kenneth J.
*Jaye, James M., Jr.
Jeffries, William H., Jr.
Jenkins, Wendal L.
Jensen, Charles R.
Jerding, Frederick N.
*Jessen, Werner H.
*Jewell, Charles W.
Joe, Lawrence P.
Johannesen, Robert E.
*Johnsen, Donald C.
Johnson, Albert P., Jr.
Johnson, Axel R. S., Jr.
Johnson, Bernie F.
Johnson, Donn R.
Johnson, James R.
Johnson, Larry D.
Johnson, Robert C., Jr.
Johnson, Robert A.
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Johnston, Douglas M., Jr.
*Jones, George B.
Jones, Jerry S.
*Jones, Joseph U., Jr.
Jones, Keith S.
Jones, Raymond G., Jr.
Jones, Wallace E.
*Jones, Wayne A.
Jones, William O.
Jordan, John L., Jr.
Juan, John
Julian, Franklin D.
*Junker, Delvin W.
Kahler, Robert C.
Kalb, David G.
Kanady, Garland H., Jr.
Kane, Robert M.
Kauffman, Lawrence B.
Kay, Francis D.
*Kearns, Daniel W.
Kearns, James F.
Keener, Thomas W.
Kehm, William C.
*Kelly, Andrew M.
*Kennedy, Eugene M.
*Kennedy, James O.
Kesler, Gene P.
Kiel, Joseph A.
Killinger, Edwin E.
*Kimm, Richard M.
*King, Philip M.
King, Wesley A.
Kinney, Gordon E.
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Kinney, James R.
Kinsey, Beale H.
*Kirzl, John E.
*Klementz, Robert W.
*Knight, Richard D.
Knorr, David J.
Koontz, Ronald L.
Koruga, Paul M.
Kramer, Harvey F.
Kreassig, Richard M.
Kristensen, Gail A.
*Kromer, Ronald C.
Kroyer, George P.
Krulisch, Alan H.
Kubishen, Michael A.
Kuckelkorn, Josef S.
Laipply, Charles T.
Lake, John T.
Lamb, Jay W.
Lambert, Barry C.
Lammers, Lennis L.
*Lampman, Charles R., Jr.
Lanam, Jackson M.
*Lancaster, Jack
Landry, John A.
Lane, John W.
Lane, Robert D.
Lang, James R.
Lang, Joseph M., Jr.
Langen, Joseph H.
Lanham, Michael S.
*Larkin, Robert J.
*Larson, Dale L.
Latimer, Peyton R.
Lawlor, Francis J.
Lazo, Reinaldo
*Leach, John P.
Leahy, John F., III
*Ledbetter, Gary C.
*Ledbetter, Wayne H.
Lee, Arthur R.
*Leeper, James R.
Lees, Michael J.
Leichtweis, Donald L.
*Leipold, Frederick J.
Lemanski, Albert B.
Leslie, Robert C.
Less, Anthony A.
Lettington, Thomas F.
Lew, Girard T.
Lewis, Harry C.
Lewis, Harry G.
Lewis, John H.
Lewis, Porter, Jr.
Lickfold, Frederick R., III
Lindsay, Gene H.
Lindsay, John H.
Lindsey, James A.
*Linsley, Richard G.
Linstedt, Gerald L.
*Lipman, Joseph R.
Littell, Gerald L.

*Litten, Robert A.
Lloyd, Roger W.
Lloyd, Roger M.
Loftus, Thomas J.
Logue, William R.
*Loomis, Eugene O.
Loomis, Robert C., Jr.
*Los, Lawrence R.
*Love, Bonnie R.
Loveland, Kenneth W.
Loveless, Ralph L.
Lawrey, Donald F.
Lowther, Donald E.
Loy, Donald L.
*Lucas, William E.
Lund, Jon R.
Luper, James A.
Lusignan, John M.
Lusk, James B., Jr.
*Macdonald, Walter F.
*Mace, James A.
Mackay, George W.
Macke, Richard C.
Macpherson, David G.
Malla, Richard J.
Malone, John P.
Mann, Harry P.
*Manning, Sidney E.
Manning, William S.
Marburger, George G., Jr.
Marckfel, William E.
Mares, David L.
Marker, William J.
Marks, Robert H., Jr.
Mars, Robert C.
Martel, Sinclair S.
Marti, Thomas J.
Martin, Clifford I.
*Martin, David L.
Martin, William F.
Martin, William G.
*Masch, Edward B.
Mason, Ronald R.
*Mathews, James P.
*Matisoo, Andres
Matulka, Robert D.
Mayo, John B., Jr.
Mayo, Lester M., Jr.
McAfee, Robert E.
McAfee, Robert S.
McAfee, Ronald J.
McCartney, Roy S., Jr.
McCaskill, Charles E., Jr.
*McCauley, John E.
McClanahan, Ted
McCloskey, Terry J.
McLure, Thomas W.
*McConnell, Gary D.
*McCord, Howard E., Jr.
*McCormick, Walter S., Jr.
McCoy, Jimmy H.
McCrork, John C., Jr.
McCullough, Larry D.
*McCune, George B.
McDaniel, James G.
*McDole, James E.
McDonald, William M.
McDonell, John G.
McDonough, Thomas F.
McDowell, Thomas N.
McEntyre, Harry K.
McGonegal, William F.
*McGrath, Edward G.
McGregor, James R.
*McGuire, Larry W.
McGuire, Richard J.
McKay, Malcolm W.
*McKelvey, Gilbert H.
McKenne, Donald C.
McKeown, Edward J., Jr.
McKinley, Harold H., Jr.
McKinna, Michael D.
McKinney, James B.
McKinney, John W.
*McKinney, William E.
*McKnight, Phillip F.
McLaughlin, James F.
McMahon, Bernard F., Jr.
*McMaster, David S.
McMillan, Angus M., Jr.
*McMillen, Michael L.
McNabb, John M.
McNeill, James B.
*McRee, James D.
Meardy, Ronald R.
Mears, Ronald T.
Medara, Don W.
Medaris, William W.
Meiling, Jaque L.
Meinicke, Thomas A.
Mendenhall, Robert L.
Menikheim, Douglas K.
Merrick, Martin P.
Merrill, Michael H.
Merriman, Gene D.
*Mervine, Lowrie R.
*Metteer, Donald G.
*Metzger, John M.
*Meyers, Frederick P.
*Michael, Glen R.
Michel, Alan E.
Midas, Michael T., Jr.
*Mikesich, George H.
*Miles, Samuel A., II
*Miller, Alan S.
Miller, Donald L.
Millican, James A.
Mills, Charles M.
Mills, Richard B.
Mims, Norman W., Jr.
Minugh, Edward M.
Mitchell, Charles V.
Mitchell, Frederick G.
Mitchell, Hillary M.
Mitchell, Robert E., Jr.
*Mohr, Donald A.
Monaghan, Charles W.
*Monk, William W.
*Montgomery, William D.
Montgomery, David R.
Montgomery, Robert G.
*Moon, Henry R.
Moore, David K.
Moore, Dennis A.
*Moore, Gary L.
*Moore, James S.
Moorehead, William S.
*Moran, John B., Jr.
Moran, Maurice J.
*Moriarty, John A.
Morr, James F.
Morris, Edward W.
Morrison, Lawrence A.
*Morrissey, James R., Jr.
Morrissey, Jon E.
*Mosher, Andrew C.
Mosher, Francis E.
Moyle, Hal E.
Mrazik, Albert
Mucha, Marvin F.
Muckenthaler, John L.
Muench, Raymond W.
Mulhall, John L.
Mullen, Ronald E.
Munger, Francis X.
*Murchison, Lyndon C., Jr.
Murphy, Arthur R.
Murray, Edward P.
Naab, Geoffrey
*Naylor, Howard W.
*Neff, Harold R.
Neff, Rupert T.
*Nelis, Patrick J.
Nelson, Gray L.
Nelson, Gerald A.
Nelson, James R.
*Newman, Errett D.
Newman, Irwin G.
Newman, Jack G.
Nichols, Roger A.
*Nicholson, John W.
Nielsen, Emanuel K.
Nitschke, Richard N.
Nixon, Murray C.
Noland, Robert F.
*Noll, John F.
*Nonni, John, Jr.
*Nordeen, William E.
Norton, Paul S.
Nystrom, Robert E.
*O'Boyle, John R., Jr.
O'Brien, George D., Jr.
O'Brien, Gerald H.
*O'Donnell, John T.
O'Donnell, Keith W. P.
*Oelmann, Harlan D.
*O'Hara, Charles W.
*Oltmann, Eric J.
*O'Neill, Robert J.
Oney, Warren W.
Onslow, Vincent L.
Ortega, Manuel, Jr.
Ortengren, Ralph W., Jr.
Ott, Keith M.
Owens, Bruce H.
Paletta, Joseph, Jr.
*Palombo, Robert A.
*Pampel, Alban, III
Parcells, Paul W.
Pariseau, Richard R.
Parsons, Edwin F., Jr.
Patterson, Barry J.
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Patton, James H., Jr.
Paulsen, Thomas D.
Paulson, Gaylord O.
Pauole, Alvin H.
Pavelko, John
Pearce, Robert G.
*Peden, Joe D.
*Pederson, Charles L.
Peebles, Robert H.
Pendleton, Reid, Jr.
*Perkins, Russell O.
Perrinello, Louis F.
Perry, "J" Stephen
Pestorius, Frederick M.
*Peters, Glen E.
*Petersen, Ted M.
Pethick, John A., II
Pezet, Walter A., III
Phelan, James E.
*Phelps, Byron D.
Philbrick, James W., Jr.
*Phillips, Giles R.
Phillips, Henry L., Jr.
Phipps, Rodney G.
Pickett, Walter C., III
Pike, Robert P., Jr.
Pitt, William M.
Pittman, Charles W., Jr.
*Pixley, Robert R.
Poe, William H.
Pommer, Edward P.
*Popa, Emil
*Porterfield, Glen C.
*Powell, George A.
Powell, William L., Jr.
Powell, William B.
Powers, Byron L., Jr.
Powers, Robert C.
Powers, Robert J.
Pratt, Marvin J.
Pressler, William R., Jr.
Price, Harold R.
*Priest, John T.
*Prose, Nelson M.
Proshek, Robert M.
Pugh, John S.
Furl, John D.
Quinn, Felix P.
*Raines, William A.
*Ramsay, Robert W., Jr.
Ramsey, James B.
Ramsey, William F.
Randall, Robert H.
Ransom, Edward A.
Rawcliffe, Leonard H.
Raymond, David A.
Raymond, Robert W.
Ready, John K.
*Redding, Lloyd S.
Reed, Ross M.
Reese, Evan P.
Reese, Ronald M.
*Rehfield, Austin W.
*Reiber, Harry E.
*Reilmann, Theodore T.
Reimann, Ronald H.
Reisenleiter, Vernon A., Jr.
Renner, Robert R.
*Reny, Robert W.
Reppert, Thomas C.
Ressler, Paul M.
Reuter, Stewart E.
*Reuther, Clifford S.
*Rhinebeck, George C.
Rice, William R.
*Richards, Tilden D.
*Richmond, Donald G.
*Richmond, Robert S.
*Richter, John O., Jr.
Rickelman, John H.
*Rickover, Robert J.
Ridder, Wendell C.
Riffle, Earl R.
Risley, Ronald W.
*Ritchhart, Delbert A.
Roberts, Charles K.
Roberts, Ernest P.
Roche, James G.
Rodgers, John M.
Roeder, Bernard F., Jr.
Roemish, Eric M.
Rohr, Robert C.
*Rollings, Douglas E.
*Roop, Charles W.
*Roper, John D.
*Ross, Lawrence T.
Ross, William M., Jr.
*Rottgering, Charles D.
*Roudebush, Jackie L.
*Roudebush, Loren K.
Rousseau, Charles E.
Ruckersfeldt, George E.
Rudy, George H., III
Ruhsenberger, John F.
*Runkle, Roger K.
*Runnels, James M.
*Ruppert, Noel L.
Russell, Jerry C.
Ryals, James F.
Ryan, Charles E.
Ryan, Kevin T.
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Ryder, Albert
Saari, Colin H.
*Sagehorn, Robert W.
*Sallada, Robert V.
*Sanchez, Nick R.
Sanders, Leslie A.
*Sanders, Tommy L.
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Scalf, Fred R., Jr.
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Scent, Raymond J.
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*Schlaff, Richard J.
Schlicht, Donald L.
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Schmidt, John A.
Schneider, Michael J.
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Schreiber, David E.
Schriefer, Luther F.
Schroeder, Raymond C., Jr.
Schroeder, Kurt C.
Schulman, Richard D.
Schultz, Paul M.
Schweizer, Earle G., Jr.
Scoggin, James M.
Seaman, Stewart R.
Sechler, William R., Jr.
Seebirt, James E.
Sellers, Ralph V., Jr.
Sestric, Joseph L.
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*Shannon, John P.
*Shaver, Robert A.
Shaw, Joe L.
Shawkey, Richard S.
Sheedy, Francis X.
Sheehan, John J., III
*Sheler, James A.
Shew, James E., Jr.
*Shivik, John A.
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*Short, Richard H.
Shreckengaust, James A.
*Siebeking, Paul F., Jr.
*Siegel, William H.
Siepel, Willard E.
*Simms, Gordon H.
Sipple, Howard L., Jr.
*Skaggs, Jerold F.
*Skiles, Jerry D.
Skillman, John W.
*Skinner, Frederick J.
Slack, Charles E., III
*Slater, Charles E.
Slezak, Norman L.
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Smallwood, Roger C.
Smink, William H.
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*Smith, Archie D.
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*Smith, Robert E.
Smith, Ronald C.
Snell, Wendell D.
*Snuffer, Sanford J.
Sobieck, Gerard A.
Sollberger, Melvin H.
*Solms, William R.
*Sommer, Douglas F.
*Sortore, Jadwin F.
Souval, Paul T.
Sovey, Paul L.
Sparkman, Delous R.
Sparks, Paul W.
Spear, Sherley L.
Spearman, William R.
Sperling, Harris
Sprecher, Herbert E., Jr.
*Stanley, Walter L.
Stanley, William M.
Stasko, Nicholas J.
Steele, Richard H.
Steele, Robert L.
Stefencavage Goerge
*Steiner, Duane R.
*Stevens, Jerry G.
Stevenson, Robert G.
Stewart, Harvey T., Jr.
Stewart, Kelsey S.
St. Germain, Robert M.
*Stockwell, James B.
*Stokoe, James H.
Stoops, Ronald R.
*Storms, Robert B.
*Strache, James B.
Stratton, Bobbie E.
Stumbo, Stanley C.
Sturm, Edward J.
Suggs, Robert F.
Sullivan, George E., III
Sunderland, Bruce
Swap, John E.
Sweeney, Stephen E., Jr.
Synstad, Wayne C.
Tadlock, James D.
Taipale, Denis G.
Tait, Thomas M.
Talken, George F.
Tate, Kenneth P.
*Taulbee, William H.
*Taylor, Alec P., Jr.
Taylor, Donald E.
*Taylor, Lloyd F.
*Taylor, Lowell S.
Taylor, Thomas F.
Taylor, Turner W.
Teal, Thomas H., III
Tedeschi, Louis C.
Terry, Charles L.
Terry, John R.
Terry, Thomas J., Jr.
Tew, Louis M.
Thames, Lewis H., Jr.
Thomas, Carlysle J.
Thomas, Christopher R.
Thomas, Frank A.
Thomas, Larry D.
*Thomas, Ronald R.
Thorner, Michael G.
*Tilghman, Lewis S. C.
Tobin, Kiefer A.
*Tolle, Robert J.
*Tomko, James J.
Topp, David P.
Torrance, Harold S.
*Tosloskie, John J.
Towle, Robert L.
Townsend, William J.
*Toy, George E.
Trader, William D., Jr.
*Trainer, William P.
Traister, Robert E.
Tranchini, Joseph
Treacy, Michael F.
*Treptow, Harold C.
*Troungo, Gordon R.
Truesdell, William H.
*Tschida, Robert M.
*Tucker, Derry E.
Tucker, Gary L.
Tucker, Robert E., Jr.
Tupaz, Jesus B.
*Turk, Eugene J.
*Turpin, Thomas J., Jr.
*Twilde, Richard W.
Twyman, Dale E.
Tyler, Donald K.
*Tyler, Thomas D.
Uner, Alan L.
*Vanallen, William M. D.
Vancuren, Russell F.
*Vanderslice, John L.
*Vandiver, William C.
*Vaughn, Wendell D.
Vaught, Clarence T.
Vaught, Clarence S.
*Verwers, Robert A.
*Vigorito, Thomas V.
*Vollaire, Robert L.
Vonfischer, Eduard L., III
Vonkolnitz, Henry, Jr.
Wagner, Edward F.
*Walker, Arthur J.
Walker, Edward T., Jr.

Walker, Wallace H.
*Wall, "N" "T" Washburn
Wallace, John L., Jr.
Walter, Larry E.
Walters, Horace M., Jr.
Walters, Robert M.
Wanner, Theodore M.
Ward, Charles E.
*Ward, Randall W.
Ward, Sibley L., III
Wardle, Norval L.
*Wass, Stanley J.
Waterman, Larry W.
*Waters, Franklin D.
Watrous, David
Wax, Gary N.
Webb, Lowell E.
*Webber, Michael J.
Weber, James G.
Weeks, George R., Jr.
Wehner, Charles W.
*Welch, Walter E.
*Wells, Gary A.
Welte, James C.
*Wendt, George F.
Wengert, William H.
Wesberry, Reginald E., Jr.
*West, James F.
Westerman, John P.
*Weyers, Maynard R.
Whelan, John F., Jr.
*White, Anthony W.
*White, Laurence D.
White, Richard J.
*White, Steve C.
Whitely, John E., Jr.
*Whittle, Delma H., Jr.
*Wienandt, Melvin W.
Wigfall, George H., Jr.
Wilcox, John Bartlett
Wilcox, Wayland E.
*Wilder, Richard L.
Wilgenbusch, Ronald C.
Willenbucher, Marshall R.
*Williams, Charles F.
Williams, Douglas A.
Williams, Hugh T.
*Williams, James E.
Willsey, John M.
Wilmot, Frederick E.
Wilson, Earl F., Jr.
Wilson, James R.
Wilson, James A., Jr.
Wilson, William H.
Winarski, Daniel A.
Wishart, Thomas T.
*Witham, Alan E.
*Withososky, James H.
Wolfe, Ned C.
*Wolin, Ronald M.
Wood, Herman F.
Woodard, John S.
Woodbury, David E.
Woodward, John D.
Worthington, James T.
Wright, Hendon O.
Wright, Lindell W.
*Wright, Perry W.
*Wright, Rodger W.
*Wright, Williams S.
Wynn, Hugh J.
*Yarber, Gene
Yeske, Lanny A.
Yeutter, Philip E.
Young, Charles T.
Young, John R.
Young, Richard K.
*Youngmann, Kenneth C.
*Yow, John S.
Zeller, Raymond G.
Zietzke, William L.
*Zimits, John J.
Zimmerman, Joseph G.
Zmorzenski, Frank P.
Zolman, Richard W.
Zucker, Channing M.

MEDICAL CORPS

Abbott, Emile G., III
Addison, Robert G.
Adler, Richard H.
Alena, Gordon R.
Anderson, Homer A., Jr.
Anderson, John N.
Anderson, John D.
Aucoin, Edsel J.
Bade, Ernest L.
Balch, Steven A.
Barnard, Douglas E.
Barnett, Blair M.
Barnhouse, Dean B.
Barone, Anthony
Barrington, Sylvester
Bartley, Stanley L.
Beasley, Dean J.
Bell, Donald D.
Bell, John D.
Bell, Roger A.
Bellanca, Joseph J.
Belmont, Anthony P.
Bercier, Charles H., Jr.
Berliner, William P.
Billings, Kenneth J.
Binder, William A.
Birchard, Kenneth K., Jr.
Blackman, Stephen A.
Blanding, James D., Jr.
Blome, Bruce R.
Blood, Joseph B., Jr.
Blount, Edgar R., Jr.
Bocker, John E. C.
Bollinger, Charles W.
Bonner, Mack, Jr.
Bonsanti, Robert L.
Bouvier, John J.
Bracht, Edward A.
Barndau, Adam G., Jr.
Branson William B.
Brassel, Roger W.
Brian, David A.
Brigden, Robert B.
Brill, Robert F.
Brodhacker, James E.
Brown, Joseph B. E.
Brown, Thomas C.
Browning, Jim R.
Browning, William H., III
Brownlow, Wilfred J., Jr.
Bruno, Alphonse H. L., Jr.
Buckley, Kenneth T.
Buedingen, Richard P.
Butler, Jay B. V., Jr.
Calcagni, John A.
Campbell, Dudley K.
Campbell, Doyle E.
Campbell, William H.
Cantwell, Howard D.
Carlson, Richard E.
Carter, James M.
Case, Robert G.
Casey, John M.
Cassens, Anthony A., Jr.
Cavanagh, Ronald J.
Cestaro, George V., Jr.
Chambers, John T.
Charters, John R.
Cirillo, Nicholas B.
Cloutier, Charles T.
Cole, Joe C.
Connally, Thad F., Jr.
Cook, Taylor I.
Cook, Ted A.
Cordes, Bernard J.
Covington, Charles T.
Crain, Jack L.
Cranton, Elmer M.
Crawford, Alvin H.
Crawford, William G.
Crislip, George D.
Criswell, Francis M.
Crosby, Robert T.
Crummy, Charles S.
Cunningham, Melvin D.
Cupples, Howard P.
Dechairo, Douglas C.
Deinlein, Donald A.
Delafuente, Robert D.
Depenbusch, Francis L.
Digaudio, Paul T.
Divittorio, Albert J., Jr.
Dodge, Herbert S.
Donnell, Robert L.
Dorsey, John B.
Dovi, Sebastian F., Jr.
Drake, Clayton F., Jr.
Dueker, Christopher W.
Dwinnell, Frank L., Jr.
Edwards, James B., III
Edwards, Oscar E.
Egnatinsky, Jack
Eich, Wilbur F., III
Ellis, Robert G.
English, Roger W.
Englund, Stanley A.
Etnoyer, John J.
Evans, Earl F., Jr.
Evertson, Larry R.
Fair, Richard H.
Farmer, Donald E.
Farrell, Raymond L.
Finn, John J., Jr.
Fischer, Louis C.
Fisher, Thomas H.
Fleming, George E.
Fletcher, John R.
Folkerth, Theodore L.
Foreman, David R.
Fowler, James R.
Frary, Lynn R.
Friebel, Harry T.
Fulmer, Jack T.
Fussell, Macea E.
Garrison, John M.
Garvin, David F.
Gay, Charles C.
Geha, Dwight G.
Georges, Leon P.
Gillis, David B., Jr.
Giuntoli, Robert L.
Gleaton, Hugh E., Jr.
Gold, Michael S.
Gold, Robert S.
Goldman, Barry
Goldstein, Lester S.
Golwyn, Daniel H.
Good, Edward F.
Goodman, Dennis B.
Goodstein, Richard K.
Gorman, Michael D.
Gosink, Leonard J.
Gowan, Jimmy L.
Grandolfo, William R.
Grasinger, John E.
Graybiel, Ashton L.
Green, Joseph P.
Grimes, Cecil D., Jr.
Grimes, James A.
Grollmus, John M.
Gudas, Frank R.
Ham, James W. M.
Hamm, Ronald L.
Hanahan, Ralph B., Jr.
Hanson, Donovan D.
Happel, Terry J.
Harrer, David S.
Harris, Garry C.
Harris, John M., III
Harris, Thomas M.
Harrison, William O.
Haynes, Henry D.
Heaster, James M.
Henrichs, Walter D.
Highgenboten, Carl L.
Hill, Larry W.
Hinz, William M.
Hogdell, Robert D.
Hodges, Leon C., Jr.
Hoke, Hugh H., Jr.
Holland, John A.
Holm, William W.
Holschuch, Karl D.
Holt, David
Houster, James J.
Houston, Patrick J.
Houts, Robert L.
Howe, John K., Jr.
Hughes, James P.
Hunt, Ernest W., Jr.
Isabelle, Frank E.
Jackson, William B.
James, Reese E.
Johannes, James D.
Johnson, Ray M.
Jones, Harvey M.
Jones, James K.
Juras, Edward P.
Jurczak, Dennis M.
Just, Samuel V.
Kaminsky, Howard H.
Kammerer, William R.
Kandler, Paul A.
Keane, John P.
Kearney, Donald J.
Kearney, Gary P.
Keenan, Francis D., Jr.
Kelleher, John E., Jr.
Kelley, Leon R.
Kellogg, Gordon F.
Kelly, Dan A.
Kelly, Patrick J.
Kenner, "R" Robertson
Kerr, David M.
Kirchner, Peter T.
Kitzmiller, John L.
Klein, Elmer F., Jr.
Klofkorn, Raymond W.
Klopp, Donald W.
Knudson, Robert D.
Kom, Carlton J.
Koomos, George L., Jr.
Korn, Errol R.
Kosch, William F., III
Kreider, Stanley J.
Krueger, Joseph L.
Lachowicz, Michael R.
Lambert, James A., Jr.
Landes, James W.
Landry, Sylvio G., Jr.
Lang, Clayton A.
Lang, Maynard F.
Lanier, Andrew J., Jr.
Lapine, Thomas J.
Larimer, Alan M.
Larsen, Geoffrey A.
Lee, Wayland S.
Levine, Michael J.
Levine, Raphael K.
Lewis, Robert B.
Lingousky, Arthur P.
Locascio, Paul A.
Love, James T., Jr.
Lussier, George A.
Lynch, Michael J.
Lyons, James F.
Lyons, John R.
Lytle, John E.
Mace, John W.
MacLean, Thomas A.
MacLeod, William A. J.
Madonia, Paul W.
Majewski, Paul L.
Mallin, Bruce A.
Mallon, Robert B.
Mangold, Harry A.
Mann, Charles H.
Mannarino, Francis G.
Mantel, Lewis
Marnell, Daniel J.
Marroy, Larry J.
Mastin, Robert E.
Mathews, Richard H.
Mattheis, Dale B.
Mayer, Gerald T.
McCauley, Robert F.
McClurkan, James M.
McCraney, Ward T., Jr.
McGinn, James S.
McKenney, Martin E.
McKinlay, Robert T., Jr.
McMullen, Douglas B.
McMurry, Gordon T.
McNally, William E.
McRoberts, Martin L.
McRonald, Ross E.
Meese, Richard F.
Mellema, James D.
Merritt, Thomas B.
Milek, Michael A.
Miller, David E.
Miller, Douglas A.
Milroy, William C.
Minckler, Donald S.
Mitsunaga, Richard Y.
McBurney, Paul L.
Morgan, James F.
Morhauser, Edward G.
Morrison, Charles C.
Moskowitz, Maurice L.
Motley, Thomas E.
Muldowney, Thomas J.
Munden, Frank A., Jr.
Munroe, Courtland L., Jr.
Murphy, John F.
Murphy, William M., Jr.
Myers, Allen R.
Myers, Howard
Nelson, Lawrence E.
Nelson, Ralph A.
Nesson, John W.
Newens, Adrian F.
Newman, Cyril
Nielsen, Louis T.
Noel, Ewell C., Jr.
Norcross, Frederick C.
Norman, Stanley G.
Nye, Charles E.
O'Connell, Clifford T.
O'Keefe, Michael A.
O'Neill, John J.
Oldt, Robert F.
Orr, Robert D.
Oury, James H.
Owens, William D.
Paolillo, Richard D.
Park, Phillip M.
Parker, David D.
Patterson, James H., Jr.
Peloquin, William H.
Penn, George H., II
Perron, Andre K.
Perry, James P.
Phelps, Lynn M.
Pleet, Albert B.
Polich, Vance L.
Poole, Joel R.
Potter, Roger A.
Presnall, Dixon
Pridmore, Ted T.
Principe, Ralph F.
Prouty, Willard R.
Pruyn, Stephen C.
Purvis, Gene H.
Queen, Thomas A.
Rademacher, Wade
Raymond, Lawrence W.
Redding, Marshall S.
Reed, Charles N., III
Reisman, Joel A.
Rend, Charles A.
Ricketson, George M., I
Roberts, James D.
Robinson, Donald M.
Roche, William D., Jr.
Romeo, Sam J. W.
Romfh, Richard F.
Rosene, Philip G.
Ross, William A. J.
Rotert, Larry G.
Rowe, Jay F., Jr.
Rozendal, Robert H.
Rubel, Lawrence R.
Ryter, Stephen R.
Sandri, Piero F.
Sanford, Harold W., Jr.
Sayler, Osbey L.
Scaring, William A.
Schaefer, Wendelin W.
Schaffer, Donald E.
Schell, Paul L.
Schley, Jenkins L.
Schroder, Paul E.
Schueller, William A.
Schwabe, Mario R.
Scutero, James V.
Senechal, John H.
Seventko, Joseph M., Jr.
Severson, Larry J.
Shaeffer, Charlie W., Jr.
Sharbo, David A.
Shaw, James O.
Shea, William D.
Sherman, Jerrold M.
Shields, Joseph A., Jr.
Shields, Milton B.
Shipman, Nolan D.
Simms, Ernest L.
Sirmans, Meredith F.
Sleight, Harold E., II
Slocum, Carl W.
Smith, Jerry R.
Smyth, Joseph P.
Sorensen, Dean E.
Spencer, Harold L.
Storch, Regis T.
Strout, Eugene S.
Sullivan, Timothy J.
Summitt, James K.
Swartz, Gene P.
Swope, John P.
Tanz, Frederick J.
Telfer, Robert B.
Testa, Joseph A.
Thalblum, Harvey
Thorning, David R.
Thrasher, James W.
Tocchet, Paulino E.
Todd, Herbert M.
Todino, Joel D.
Tom, Robert W.
Trefny, Frank A.
Trevino, Ricardo J.
Trucksess, Mark E.
Tucker, Edward S.
Tyson, James W.
Ulmer, David E.
Utterback, Thomas D.
Vanhouten, Francis X.
Vankeulen, Leo J.
Vantassel, Peter V.
Velat, Gary F.

Vertuno, Leonard L.
Vieweg, Walter V. R.
Virgillo, Richard W.
Voltolina, Eugene J.
Wagner, Richard P.
Wainwright, Robert B.
Wall, George T.
Wallestad, Jon E.
Walley, Robert E., III
Wallin, Gene A.
Waltermire, James A.
Warden, James R.
Warren, Jerry G.
Waterbury, Richard C.
Weaver, Joseph W.
Welham, Richard T.
West, David P.
West, Gerard M.
West, Harold D., Jr.
Wheelock, Robert H.
White, Marshall W., Jr.
Wiklund, Richard A.
Wilken, Dennis D.
Williams, George A.
Williams, Paul F.
Williams, Ronald B.
Williams, Samuel W.
Williams, Theodore G.
Wilson, Billy H.
Wilson, Orville D., Jr.
Wise, James L., Jr.
Witowski, John J.
Wolfsen, James L.
Wood, William B.
Woodworth, Warren F.
Wray, Reginald P., Jr.
Ziegler, David C.
Zimmerman, Jack E.
Zurschmeide, David B.
Anderson, John P., Jr.
Benninger, Charles, J., III
Bilotta, Victor J.
Blackburn, Archie B.
Bortz, Bernard J.
Buettner, Louis E.
Collins, Jack R.
Conger, John D.
Cooper, Jack S.
Cramer, Dewey B.
Crossman, Wayne F.
Fassett, Richard L.
Fox, Ira L.
Geisinger, James G.
Gerber, Frederic H.
Graham, Gary C.
Harrelson, John M., III
Herron, Jerry M.
Howe, Warren B.
Hudson, John A.
Jones, Merwood M.
Korelak, Robert M.
Kvale, Paul A.
Maxey, Clarence O.
McCarthy, Michael P.
McDonald, Bruce M.
Montgomery, William H.
Nelson, Norman D.
Nolte, Craig R.
Pope, Dallas H.
Reit, Russell J.
Rhoades, Marques E.
Rogers, Hunter B., III
Shea, John A.
Stetson, Robert E., Jr.
Stout, Rex A.
Sturtz, Donald L.
Suesberry, Wilbur, Jr.
Tredway, Donald R.
Wax, Ronald L.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the Medical Corps subject to qualification therefor as provided by law:

Libien, Stephen H.
Roberson, Tommy P.
Sampson, Donald E.

Lt. Nancy A. Harris for temporary promotion to the grade of lieutenant commander in the Nurse Corps subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Baker, Milton S., Jr.
Baker, Ronald B.
Barnett, Larry D.
Boyter, James T.
Brown, Raymond W.
Carpenter, Melvin R., III
Childs, Jack M.
Cisek, Peter J.
Damron, John R., Jr.
Denton, Jimmy N.
Dyck, Harry M., Jr.
Hart, Bruce H.
Heffernan, Thomas J.
Hope, Robert E.
Krieger, Dennis H.
Larguier, Isidore, Jr.
Lasher, William J.
Mattson, James L.
McIntire, John G.
Miller, John E.
Montgomery, David J.
Olen, Harley M.
Sherman, James A.
Soucek, Philip M.
Stroll, Peter S.
Tucker, Edward T.
Tucker, James T.

SUPPLY CORPS

Davies, Christopher R.
Schmidt, Carl A., Jr.

CIVIL ENGINEER CORPS

Hilderbrand, William C.

MEDICAL SERVICE CORPS

Stefanakos, Thomas K.

NURSE CORPS

Burnett, Mary L.
Leary, Cornelia A.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Anderson, Raymond C.
Booth, Michael B.
Both, Edward J.
Clark, Edward, Jr.
Currier, Richard M.
Davis, Dickey P.
Gay, John P.
Hopson, Thomas E.
Lockwood, Wayne E.
Mayfield, William T.
McHenry, John W.
Merrill, Grant B.
Patterson, Joe D.
Roberts, Joel H.
Rudloff, Stephen A.
Scovill, Judson L.
Shaw, Myron J.
Smith, David B.
Snyder, Peter B.
Steele, Kenneth T.
Stone, Walter F.
Taylor, John E., Jr.
Zafran, Robert

SUPPLY CORPS

Baker, Roland J.
Davies, David A.
Douglas, Bruce L.
Guild, Thomas A.
King, Lawrence A.
Madril, Richard J.
Novak, Wayne F.
Perkerson, John A., Jr.
Price, Donald E.
Sheffo, Donald G.
Van Rooy, Lester A., Jr.

CIVIL ENGINEER CORPS

Cook, Roy H., III
Elkins, John C.
Grant, James B.
Geibel, Bruce B.
Wood, John F.

MEDICAL SERVICE CORPS

Smith, James P., Jr.

*Lt. Comdrs. Helen R. Levin and Ruth M. Tomsuden, Supply Corps, U.S. Navy, for permanent promotion to the grade of commander in the Supply Corps, subject to qualification therefor as provided by law.

The following-named women officers of the U.S. Navy for permanent promotion to the grade of lieutenant commander in the line, subject to qualification therefor as provided by law:

*Barker, Cathryn J.
*Burnside, Mary D.
*Calene, Mary L.
Cheatham, Nonna E.
*Curtis, Mary A.
*Glover, Elizabeth B.
*Green, Jeanette E.
*Hess, Carleen R.
*Miller, Sarah L.
*Mombrun, Iola M.
*Oberg, Janet I.
*Vail, Doris R.
*Wadsworth, Evelyn C.

The following-named women officers of the U.S. Navy for permanent promotion to the grade of lieutenant in the line, subject to qualification therefor as provided by law:

Beardslee, Anna L.
Beeman, Elizabeth A.
Benson, Ellen H.
Berg, Barbara F.
Bowles, Susan J.
Clair, Carolina
Clark, Barbara L.
Coad, Margaret E.
Cook, Dixie C.
Cooper, Elizabeth J.
Desfosses, Isabelle L.
Ellis, Stella M.
Frederick, Margaret A.
Gregory, Barbara L.
Hanauer, Susan R.
Hanna, Beverly J.
Kelleher, Rita M.
Lisle, Carolyn M.
Londak, Elaine F.
McElroy, Suzanne A.
Menaugh, Judith A.
Morrison, Evelyn M.
Onder, Barbara A.
Outlaw, Marie L.
Reed, Nannette J.
Reilly, Frances J.
Renninger, Jane F.
Schmitt, Joanne L.
Szymanski, Jean A.
Turner, Bonnie H.
Wallis, Mabel L.
Wilson, Mary F.
Worden, Virginia L.
Zemany, Nancy A.

Orelan R. Carden, Jr., Civil Engineer Corps, U.S. Navy, for transfer to and appointment in the restricted line of the Navy in the permanent grade of lieutenant and temporary grade of lieutenant commander.

The following named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line, subject to qualification therefor as provided by law:

Abbey, James T.
Abbot, James L., III
Abbott, Harold
Abernathy, Thomas S.
Ackerson, Thomas J.
Adair, Hugh R.
Adamek, James R.
Adams, Anthony S.
Adams, David J., Jr.
Adams, Frederick A.
Adams, Richard J.
Adams, Richard P.
Adams, Steve
Adaschik, Alan R.
Adkins, Howard E., Jr.
Adryan, Craig P.
Ahlgren, Roy C. E.
Albright, Howard A.
Alexander, Edward C.
Allen, Carl H., Jr.
Allen, Charlie H.
Allen, John C.
Allen, Wayne R.
Allman, Stephen B.
Altergott, Dennis A.
Amborn, Lloyd P.
Amerau, Harold F., Jr.
Amerault, James F.
Anders, Elwood
Andersen, Milford E.
Anderson, David G.
Anderson, Daven A.
Anderson, David W.
Anderson, Dennis D.
Anderson, Jimmy D.
Anderson, Lawrence R.
Anderson, Michael J.
Anderson, Raymond C.
Anderson, Terrance E.
Andretta, Robert A.
Andrews, Edward K.
Andrews, Kenneth J.
Angerhofer, Gary E.
Antoun, John T.
Aquino, James M.
Armstrong, Earl, Jr.
Arnold, Merton W.
Arntz, Ranald J.
Asbell, Richard C., II
Asbury, Rodger A.
Ashburn, Erich H.
Ashby, Elton T., Jr.
Ashe, Darrell L.
Asher, Stephen J.
Ashley, Johnie R., Jr.
Assum, Michael J.
Atkins, Ronald W.
Aurin, Robert J.
Auxier, Willie L., Jr.
Aven, Joseph M.
Avers, Richard P.
Avery, Robert B.
Baca, Fidel L.
Baer, Thomas S.
Bagby, John E.
Baggett, Charles W.
Bailey, David L.
Bailey, Harry E.
Bailey, Jack
Baird, Edward F.
Bajuk, Gregory E.
Baker, Frederick E.
Baker, Fred T., Jr.
Baker, Paul L.
Baker, Ronnie B.
Bakken, Warren H.
Baller, Elmer W.
Balogh, Thomas F.
Bancroft, Ronald M.
Banvard, James H.
Barger, Donald G., Jr.
Barkas, Stephen E.
Barnett, Herbert E., Jr.
Barnhart, Dennis R.
Barr, John W.
Barr, Philip C.
Barrett, Raymond T.
Barry, Thomas A.
Barto, Jonney L.
Barton, Willie E.
Bartz, Jarold M.
Bass, Gayle W.
Bass, Ronald F.
Baumberger, Martin H.
Bauser, Michael A.
Bayer, Merrick, Jr.
Bayless, Walter B., Jr.
Beal, Richard F.
Beard, Garnet C., Jr.
Beauchamp, Robert L.
Beaudrot, Marion L., Jr.
Bechtel, Lawrence C.
Becker, Alan R.
Becker, James R.
Beckes, Michael E.
Beckmeyer, Michael F.
Bedell, Lawrence L.
Bekooy, Rodger G.
Belanger, Ronald F.
Belin, Harry L.
Bell, David R.
Bell, Robert S., Jr.
Bell, Russell A.
Bell, Thomas P., Jr.
Belt, Grady L., Jr.
Bendetsen, Brookes M.
Bennett, Harvey E.
Benson, James L.
Berg, Richard M.
Berger, John H.
Bergin, Francis T., Jr.
Bernard, Alan C.
Berry, James R.
Berry, Robert C.
Berthrong, Frederick M.
Best, Conrad C.
Bevacqua, Dominick R.
Bickel, Neil M.
Biddlecom, William G.
Bienia, Richard A.
Bigelow, Christopher M.
Biggs, William M.
Billa, Larry J.
Billings, Leland R.
Billingsley, Arthur D.
Bingham, Clyde L.
Birch, Barry S.
Birmingham, John F., Jr.
Bishop, Douglas L.
Bishop, Ronald F.
Bittenbender, Craig B.
Bixby, Patrick W.
Blackburn, Lewis B.
Blaize, Charles G.
Blake, Philip T.
Blankner, Leonard F., III
Bliss, Larry D.
Bliss, Norman G.
Bliss, William M., Jr.
Bloch, Paul S.
Bloomer, John G.
Boatright, Billy C.
Boehm, William R., Jr.
Bolena, Denis W.
Boling, John J.
Bolka, David F.
Bolster, William N.
Boncal, Richard
Bonds, Patric E.
Bonnoitt, Hugh E., Jr.
Boone, Martin M.
Booth, Michael B.
Borchardt, Curtis G.
Borchers, Doyle J., III
Borders, Donald E.
Bordy, Michael W.
Borsum, Robert B.
Both, Edward J.
Boughan, David A.
Bousquet, Charles E.
Bove, Thomas J.
Bower, Ammon W., III
Bowers, Frank J.
Bowman, Charles E.
Bowman, Terry L.
Boyer, Kenneth W.
Bradley, Charles W.
Bradley, Jeffrey G.
Brady, Larry D.
Brennan, Martin H.

Brewer, Carl O.
Bried, Robert A.
Brindel, Glenn R.
Brittain, Albert R., Jr.
Broadway, Jon A.
Broberg, Frederick N.
Brogan, Clifford
Brogli, Samuel L., Jr.
Bromberg, Jonathan P.
Broms, Edward J., Jr.
Brooks, Harry A., Jr.
Browder, William M.
Brown, Charles H., Jr.
Brown, David A.
Brown, George H., III
Brown, Harry A.
Brown, Jeffrey B.
Brown, Leroy W.
Brown, Michael T.
Brown, Robbins E.
Brown, Robert D., Jr.
Brown, Roger H.
Brown, Sumner C.
Brown, Wendell E.
Browne, Joseph M.
Brubaker, Terry L.
Bruchman, Robert F.
Bruckner, James W.
Bruflat, Arne B.
Brunson, Norman D.
Brush, Frederick J., Jr.
Bryant, Kenneth D.
Bryant, Robert B.
Bubnash, Terry L.
Budnick, Allen J.
Buffin, Leroy E.
Buffum, Thomas A., Jr.
Bukowick, Albin P.
Bull, Harvey E.
Bunch, George W.
Burd, William G., Jr.
Burdette, Richard E., Jr.
Burgess, Andrew L., Jr.
Burgess, Paul D.
Burlingame, Anson H., Jr.
Burns, Francis M., III
Burns, Walter F., III
Burrows, Dee W.
Burt, John L.
Burton, Charles W.
Bush, Gary A.
Bush, Robert P., III
Bushnell, Francis M., Jr.
Bushong, Robert L.
Butler, Thomas H.
Butterbrodt, Robert D.
Butterfield, Richard S.
Butterfield, Charles M.
Byers, William B.
Byrnes, Shaun M.
Byron, John L.
Calabough, Jerry S.
Caldwell, Stewart W.
Calhoon, William H., Jr.
Calkins, Dennis L.
Calkins, Franklin W., Jr.
Callahan, Jeffrey E.
Campbell, Garry W.
Campbell, Ronnie M.
Campfield, Allan D.
Camphouse, John L.
Cannon, James B.
Carlson, Richard J.
Carroll, David L.
Carroll, James R.
Carson, Thomas P., Jr.
Carter, James J.
Carter, Maxie H.
Carter, Stanley J., Jr.
Casavant, Donald A.
Case, Randall M.
Castelano, Kenneth M.
Cederholm, Walter T.
Cederwall, Richard T.
Celec, Stephen E.
Chagaris, Peter J.
Chambers, Richard L.
Chambers, William W.
Champoux, Robert L.
Chandler, Robert L.
Chapman, Paul T.
Chassels, Larry W.
Cherry, Robert W.
Chihorek, John P.
Chipman, Gordon L., Jr.
Chisholm, Douglas C.
Chrisman, Willard G.
Christian, Dennis H.
Christison, Randall B.
Christman, Robert H.
Chubb, John E., Jr.
Chubb, Stephen D.
Cipriano, Roberto
Clancy, James P.
Clarey, John R.
Clark, David L.
Clark, Edward, Jr.
Clark, Herbert F.
Clark, John W.
Clark, Robert H., Jr.
Clark, Vander, Jr.
Clark, William S.
Clarke, Jon B.
Clary, John C.
Clary, Raymond H., Jr.
Clasen, John S.
Clausner, Marlin D., Jr.
Claussen, Ronald L.
Claymore, Peter G.
Clearman, Wallace R.
Cliff, Halbert R.
Clifford, George W., Jr.
Clift, Fred J.
Clodig, John B.
Closson, Spencer W.
Coburn, Lewis L.
Cogswell, John C., II
Cohen, Howard C.
Cole, Bernard D.
Cole, Henry C.
Coleman, James E.
Coleman, John B., Jr.
Coleman, William A., Jr.
Colgan, Stephen G.
Colkitt, Roger J.
Collins, George M.
Collins, John E., Jr.
Collins, John P., Jr.
Collins, Leslie M.
Colsen, Ronald E.
Colyer, Thomas J.
Compton, Robert W.
Concannon, Michael J.
Conerty, Michael J.
Conley, William H., Jr.
Connelly, John M.
Conniff, David D.
Conniff, Robert J.
Connor, Theodore P.
Cook, Alvin G., Jr.
Cook, Henry B.
Cooney, Terence J.
Cooney, Thomas J.
Coons, Billy G.
Cooper, William P.
Copp, Glenn A. K., III
Corah, Frank L.
Corcoran, Joseph L. K.
Cotton, Frederick D.
Couch, Dale M.
Coughlin, Frank T.
Cowan, James H., Jr.
Cowell, Neil
Cox, Douglas B.
Cox, Millard A., Jr.
Cox, Stephen E.
Coyle, Michael T.
Cragg, Richard J.
Craig, John S.
Cranford, John E.
Cranor, David A.
Crawford, John G., Jr.
Crawford, James C.
Creamer, George U.
Crimmins, Thomas M., Jr.
Criner, Douglas E.
Criss, William J.
Crosland, Philip C.
Cross, Peter J.
Croteau, Joseph L.
Crouse, Gilbert C., Jr.
Crowder, Thomas B.
Crowe, Loyd A., Jr.
Csizmadia, James S.
Cullins, James A.
Cullum, Howard M.
Cummings, Michael A.
Cummings, Robert W.
Current, Donavon C.
Currie, Glenn K.
Currier, Richard M.
Curtis, Albert L.
Cutchin, Richard L.
Czech, Theodore T.
Czerwonky, Arthur H.
Dahl, Paul B.
Daigle, Claud A., Jr.
Dailey, William R.
Dale, John L., Jr.
Daly, John E., III
Damico, Matteo J.
Damrow, Paul A.
Danchuk, George A., Jr.
Daniels, Lonnie A., Jr.
Danner, Terrence N.
Daughtry, George T.
Daulerio, Paul P., Jr.
Davidson, Bruce E.
Davis, Dickey P.
Davis, Fleet G., II
Davis, Harold W.
Davis, Lorenzo D., IV
Davis, Mark S.
Davis, Teddy M.
Davis, Thomas K., Jr.
Davison, Charles A.
Dean, Norman A.
Debrun, John B., Jr.
Decker, Christian F., III
Decoursey, Donald W.
Deitch, Joseph A.
Deitrick, Charles L.
Dematta, Elliotkenneth K.
Denicola, Vincent J., Jr.
Denton, Robert E.
Desantis, Frank C., Jr.
Desteroix, Lawrence E., Jr.
Dethomas, John V.
Devine, John C., Jr.
Devuyst, Richard J.
Dial, Robert D.
Dickey, Robert L.
Dickson, Bobby J.
Difransico, Thomas W.
Dillow, Richard M.
Diprofio, William A.
Dirkx, Peter C.
Dobson, Ralph P.
Docekal, William L.
Doering, John, Jr.
Doherty, Brian J.
Doherty, Hugh M.
Dolan, Peter J.
Dolan, Ronald E.
Dolby, Cornelius A.
Donahue, William C.
Donald, Robert W.
Doran, Leroy J.
Dorsi, Robert A.
Dostal, Raymond F.
Douglas, Billy S.
Douglas, James B., Jr.
Dowden, Melvin C.
Downey, David C.
Doyle, Matthew J., Jr.
Drago, Joseph A.
Drew, Norman E.
Drew, Raymond M.
Driver, David W.
Dubois, Snowden C.
Duchock, Charles J., Jr.
Duck, John R., Jr.
Dudgeon, James W.
Dudine, Fabrizio M.
Duermeyer, Stephen P.
Dumas, James W.
Duncan, Robert R.
Duncan, William A.
Dunn, Dale R.
Dupont, Francis W., Jr.
Durden, Hugh M.
Durham, Wayne C.
Dutrow, Samuel R., Jr.
Dvorchak, Richard J.
Dyches, Floyd J.
Dyer, Donald A.
Eargle, Jack L.
East, Don C.
Eaton, David M.
Eaton, George A., Jr.
Eaton, Joel D.
Eddins, Rufus O., Jr.
Edwards, Glenn H.
Edwards, James N., Jr.
Eggert, George L.
Eggleston, Larry G.
Eisenbach, William M.
Eiserman, Joel T.
Elder, Philip R.
Eliassen, Thomas R.
Ellis, Robert E.
Elsea, Jon L.
Emerson, Richard C.
Enterline, Edward R.
Eppinger, Frank N.
Epprecht, Michael J.
Erickson, Keith L.
Erickson, Richard O.
Erickson, William J.
Erion, Ronald J.
Ernst, Eric R.
Escajeda, Jose G.
Estes, Wilson R., Jr.
Etka, Craig L.
Eutsler, Roland B., Jr.
Euvrard, Leroy E., Jr.
Evans, Gerald C.
Evans, Gordon J.
Everill, Charles H.
Eversole, Thomas Y.
Ewing, Kent W.
Fahsl, John J.
Fahy, Andrew W.
Fairhurst, Richard J.
Fake, Barent L.
Faller, Theodore H.
Faltisco, Joseph E.
Farnham, William D.
Farnsworth, William A., Jr.
Farrell, Edward C.
Farrell, Richard S.
Farrow, Stephen R.
Fast, Richard E.
Fasting, Roger F.
Faust, Bobby L.
Favaro, Joseph D.
Faxon, Ralph W.
Feder, James J.
Feeser, Henry R.
Fehrs, Charles H.
Feldhaus, William R.
Felgar, George A.
Fernandez, Wayne J.
Ferrara, Joseph P., Jr.
Fickel, Monty G.
Fickenscher, Edward R., III
Finch, Donald L.
Findeisen, Kurt D.
Fink, Ralph, III
Finley, Robert A.
Finn, Thomas M.
Finne, Peter C.
Fischley, James H.
Fitch, Patrick E.
Fitch, Rex B., Jr.
Fitzpatrick, William E.
Fitzsimmons, Dale H.
Flanagan, Daniel V., Jr.
Fletcher, Luther L., III
Flint, Charles G.
Flor, Frederick H., Jr.
Fluhrer, Norman P.
Flynn, Ernest A.
Flynn, John P.
Flynn, Michael M.
Foard, John S. Jr.
Foland, Richard P.
Folgate, Julius M.
Folk, James E.
Folk, Reau E., II
Follett, Scott C.
Forbes, George T.
Ford, Robert A.
Fornal, Robert E.
Foster, John B., III
Fowler, Norman C.
Fox, Franklin O.
Fox, Joseph
Foy, Clarence A., Jr.
Foy, John J., Jr.
Fraher, William D., III
Francis, Charles T.
Francis, William D.
Franks, James P.
Franzen, Gerald F., Jr.
Freas, Henry E.
Freeman, David L.
French, Thomas L.
Friedman, Jon H.
Fries, William A.
Frigge, William J.
Fritzsche, Robert P., Jr.
Fuller, Bruce L.
Fuller, Dale E.
Fulton, Harry P., Jr.
Gabrielson, Dale E.
Gage, Carvel C., Jr.
Galbraith, Peter M.
Galbraith, Thomas S., III
Gale, Edwin J.
Gale, Ernest F., Jr.
Galietta, Albert F.
Galloway, Julian A.
Gardiner, Lawrence E.
Gardner, Richard W., Jr.
Garst, Lynn F.
Garuba, Joseph A.
Garvy, Vincent F., Jr.
Gaston, Ira, III
Gatliffe, Thomas R.
Gazarek, Michael J.
Gebhardt, Laurence P.
Geer, Richard W., Jr.
Gehman, Harold W., Jr.
Geigel, Gary W.
Geiger, Edwin P., Jr.
Geiger, Jon R.
Geisbush, Jon C.
General, John A.
Genet, Richard P.
Germann, Larry F.
Gerroir, Paul F.
Gerst, Anthony L.
Gibson, Elwood L.
Gibson, Michael L.
Gifford, George E.
Gilbert, Gordon F., Jr.
Gilchrist, Daniel E.
Gill, James M.
Gillett, John B., Jr.
Gillogly, Hugh J.
Giltinan, George M.
Gionet, Laurence J., Jr.
Girard, Paul E.
Glaeser, Frederick J.
Glenn, John K., Jr.
Gness, Peter D.
Goldsmith, Wynn A.
Gonzalez, Rene E., Jr.
Goodermote, Wayne K.
Gooding, Carl W.
Goodroe, Howard W.
Goodsell, Kenneth R.
Goodwin, Michael R.
Goreham, Bruce A.
Goyer, Peter F., Jr.
Graber, Christopher C. H.
Grabowski, Stephen T.
Grady, John L.
Grady, Michael S.
Graf, Clifford M., II
Grages, Dale E.
Graham, Anthony R.
Graham Homer B., Jr.
Graham, Robert B.
Granai, Gary C.
Grauch, Frank S.
Grause, Francis P.
Graves, John C., III
Graville, William N.
Gray, Cameron R.
Gray, Oscar E., III
Gray, Ronald E.
Green, George D.
Green, Robert A.
Greenberg, David S.
Greene, James V., Jr.
Greene, James E., Jr.
Greenfeldt, Nathan L.
Greer, Robert W., Jr.
Greger, Leonard R.
Griffen, Dana T.
Griffin, Michael A.
Griffin, Richard N.
Grimm, Robert S., Jr.
Griner, John A.
Grisham, Paul O.
Griswold, Edson
Grizzle, William E.
Groce, Robert N.
Gross, Gary B.
Grossglass, David L.
Groth, John C.
Groves, Dennis L.
Groves, Geoffrey J.
Gruenther, Christian L.
Gsand, William L., III
Guay, Ernest J., Jr.
Guenther, Michael L.
Guequierre, Earl, J.
Guilbert, Edward H., Jr.
Guimond, Norman G.
Gunn, David L.
Gunn, Lee F.
Gunther, Francis L.
Gustafson, Carl E.
Gustavson, Fred P.
Hadley, Darrel K.

Haight, Donald H.
Halenza, Judd G., Jr.
Hall, Robert R.
Hall, Robert E., III
Hallwachs, Donald A.
Halperin, David R.
Halsey, Robert H., III
Ham, Robert A.
Hamilton, Charles D.
Hamilton, Martin R., II
Hamilton, Richard M.
Hamilton, Stephen H.
Hamly, Richard D.
Hampton, James F.
Hampton, Kent A.
Hanaway, Frederic K.
Hancock, William J.
Hanke, Robert R.
Hankins, Frank C.
Hann, Robert S.
Hansen, Richard E.
Hansen, Gerald P.
Hansen, Norman L., II
Hansen, Richard N.
Hanson, Donald A.
Hanson, Wayne L.
Harding, Ronald W.
Harding, Thomas E., Jr.
Hardt, Lorry M.
Hardtarfer, Alan E.
Harger, Howard D.
Harley, John C., Jr.
Harmon, Hollis W.
Harmon, Robert H.
Harper, Charles H., IV
Harper, Henry A., Jr.
Harper, Joseph C.
Harris, Alexander H., Jr.
Harris, John P., III
Harris, Richard N.
Harris, Scott B.
Harrison, Cecil A.
Harrison, Gene C.
Harrison, Lloyd, Jr.
Harrison, Peter G.
Harrison, Patrick R.
Hart, William S., II
Hartenstein, Gregory G.
Hartman, Richard D.
Hartshorn, Leonard A.
Haskins, Alden G., II
Hatleberg, Clarence J.
Havens, Eugene A.
Haverkamp, Donald R.
Hawver, Jack H., Jr.
Hay, Howard W.
Hayes, Michael N.
Hays, Jack C.
Hazen, Donald D.
Head, Clyde C., Jr.
Heald, Raymond A.
Healy, John F., Jr.
Heathscott, John P.
Heburn, George W.
Hedge, Thomas E., II
Heidinger, Philip
Henderson, Bruce C., Jr.
Henderson, Charles M., Jr.
Henderson, Neil M.
Hendry, Richard A.
Heroy, Peter B.
Herranen, Peter A.
Herrick, Terry L.
Heselton, Leslie R., III
Hess, Donald R.
Hesse, Ralph C., III
Hethcox, John E.
Hettel, Louis A.
Heyer, David W.
Hibbard, Lowell
Hibler, Ross G.
Hickman, Gerald C.
Hickman, Jerry T.
Hickox, Gary D.
Hicks, Dale F.
Hicks, Robert D.
Hill, Charles K.
Hill, Daniel D.
Hilleman, Gerland E.
Hilley, William A., III
Hillier, Donald R.
Hilsinger, Charles E.
Hinton, David O.
Hitchcock, John W.
Hite, John P.
Hlopak, Edward J.
Hobbs, Charles M.
Hodgens, Timothy H.
Hoffman, Harry P., Jr.
Hofland, Jan R.
Hogenmiller, Robert M.
Hoggard, John W., Jr.
Hoggard, John H.
Holder, Jon R.
Holick, David L.
Holk, Richard E.
Hollett, James M.
Holloran, Robert W., Jr.
Holzapfel, Robert W.
Hooks, Jonathan T., Jr.
Hoover, Philip E.
Hopkins, James R.
Hoppe, James A.
Hopson, Thomas E.
Horton, Forrest A.
Hough, James R.
Houghton, Donald C.
House, William H., II
Houseknecht, Peter S.
Houyoux, Jacques R.
Hovany, Steven J.
Howard, Hugh W., Jr.
Howell, Stephen H.
Howell, Thomas J.
Howlett, Wayne L.
Hoyer, Ralph W.
Hubbard, Howard H., III
Hudson, James D.
Hudson, John K.
Huebner, Paul V.
Huff, James D.
Huff, Wendell H., Jr.
Hughes, Ivan E.
Hughey, Roger D.
Hull, Bradley W.
Hull, Robert V.
Hummel, John W.
Humphreys, Thomas B.
Hunnicutt, Charles E.
Hunt, John P., III
Hunt, William B.
Hunter, William D.
Hurd, Samuel S.
Hurley, George E., Jr.
Hurley, James A.
Hurrelbrink, Kenneth H.
Hurst, Kenneth L., Jr.
Hutchinson, Eugene B.
Huxhold, George E.
Ihle, David M.
Ingram, Culpepper F., II
Jaccard, Michael D.
Jackson, Carl M.
Jacobi, Leslie M.
Jacobson, Richard L.
Jacobstein, Arthur R.
Jaget, Charles W.
James, Robert N.
Januszewski, Francis J.
Jarratt, John M.
Jayne, Bruce C.
Jenkins, James S., III
Jenkins, Neal C.
Jennings, Donald R.
Jensen, Armour A., Jr.
Jensen, Marvin A.
Jensen, Richard A.
Johnson, Alan K.
Johnson, David A.
Johnson, Dennis J.
Johnson, Donald W.
Johnson, Gary L.
Johnson, John H. S., Jr.
Johnson, Kenneth E.
Johnson, Leland W., Jr.
Johnson, Norman M.
Johnson, Robert C.
Johnson, Thomas O., III
Johnson, William R., III
Johnston, David B.
Johnston, Joseph B.
Johnston, Jasper B., Jr.
Jones, Albert O.
Jones, Alonzo L., Jr.
Jones, Charles W.
Jones, Charlie R., Jr.
Jones, David A.
Jones, Dennis A.
Jones, Frank W.
Jones, Leroy E.
Jones, Raymond D.
Jones, Richard T.
Jones, Robert J.
Jones, Sidney T.
Jones, William D.
Jonovic, Donald J.
Jordan, Eugene
Joslin, Roland W.
Joyce, Gerald P., II
Joyce, John J.
Judd, John C.
Juenemann, Michael T.
Juhl, Clarence H.
Julian, James A.
Junkins, Earl D.
Juroff, Kurt T.
Just, Joseph L., Jr.
Kahl, William D.
Kallsen, Bruce D.
Kane, Joseph E., II
Kane, Thomas J.
Kanner, Melvin E.
Karalekas, Spiros S.
Kasnevich, Robert A.
Kasper, Allen R.
Kasperski, Daniel C.
Katz, Douglas J.
Keely, Lee H.
Keidel, Lawrence F.
Keiser, Ray R., Jr.
Kelbaugh, Richard L.
Keller, Dudley P.
Keller, George J., Jr.
Kelley, Kenneth L.
Kellogg, Paul J.
Kelly, George W.
Kelly, Joseph J., Jr.
Kennedy, Brian J.
Kennedy, Robert F.
Kent, George A.
Kenton, Bruce H.
Kenyon, Bruce D.
Kenyon, Malcolm H.
Kenyon, Morton W.
Kerton, Frank B.
Kesler, Harvey K.
Key, Charles T.
Kidd, Delbert R.
Kiker, Willis R.
Killion, Robert A.
Kim, Henry Y. H.
Kincheloe, James W.
Kinder, Thomas H.
King, Larry L.
King, Lawrence P.
King, Leon F., Jr.
King, Richard C.
King, Stoddon G. N.
Kingston, Geoffrey
Kinney, Brian V.
Kinum, Terry K.
Kinyon, Kenneth E.
Kirk, Arthur L.
Kirkland, Moritz E.
Kirkpatrick, Howard D.
Kish, Andrew R.
Kleemann, Henry M.
Klopfenstein, Timothy D.
Klopfer, William D.
Kmetz, Stephen G.
Knecht, Ronald C.
Knutson, Rodney D.
Kocisko, Lawrence M.
Koelbl, Gary C.
Kohler, John E., Jr.
Koiro, Ralph N.
Koppenhaver, Larry N.
Koren, George D.
Kosakoski, Robert A.
Koski, William A.
Koss, Howard E.
Kost, Lawrence M.
Kozma, John M.
Kozoyed, Lawrence W.
Krafcik, Frederick R.
Krause, Eugene P.
Krauss, Theodore A.
Krebs, Michael A.
Krechting, John E.
Kreuzer, James H.
Krieser, David H.
Kristensen, Edward K.
Kristofferson, Kraigher
Krom, Richard W.
Kruetzfeldt, Paul G.
Kruse, Dennis K.
Kuehn, Ronald E.
Kuhn, Paul H., Jr.
Kulbitskas, Raymond F.
Ladd, Edward H., III
Laizure, David H.
Lambe, Ronald J.
Lamberson, Phillip B.
Lambert, Stephen D.
Lambson, Daniel E.
Land, Theadore R.
Landry, Robert
Langley, Michael E.
Languell, Fred L.
Lantier, Brian F.
Lantz, Bruce A.
Lapp, Conrad L.
Lapp, James W.
Larson, Allen P.
Larson, Dean R.
Lasky, Richard L.
Lassen, Clyde E.
Lasseter, Robert C.
Lassich, Ernesto
Latham, James R., II
Laudenbach, Donald H.
Laughlin, Gary R.
Lawin, James A.
Lawless, William C.
Lawley, Carl D., Jr.
Lawrence, Walter B.
Lawson, David A., III
Lawton, Robert K.
Layman, Richard C.
Lazarus, William J.
Lazzaretti, Jon A.
Leahy, Michael A., II
Leboeuf, Herve J., III
Lecompte, Walter H., Jr.
Leder, John E.
Lee, Kenneth A.
Leebern, William J.
Lehman, John C.
Leib, David M.
Leite, Michael J.
Lemay, Eugene E.
Lemieux, Francis J.
Lentz, Frederick C., Jr.
Leo, Don G.
Leonard, William D.
Leovic, Lawrence J.
Lepore, Daniel J.
Leverenz, David F.
Lewandowski, Henry M.
Lewis, Jeffrey L.
Lewis, Robert A.
Lewis, Ronald B.
Libbey, Grey D.
Lieggi, Vincent J.
Lillig, Thomas S.
Lindahl, John C.
Link, Wendell R.
Link, William P.
Linz, Edwin R.
Liska, Robert B.
Lobdell, Ralph S.
Lockwood, Wayne E.
Lodzieski, Ronald E.
Loehr, David D.
Logan, Henry W., III
Londot, Klaus
Long, David F.
Long, Gary L.
Loosbrock, Thomas L.
Lough, Dennis E.
Lowe, Bobby W.
Luckard, Joseph J., Jr.
Luecke, John M.
Lumianski, Peter J.
Lumpkin, Claude C.
Lund, Gerald C.
Lupton, William L.
Luther, Donald E.
Lyall, Gerald J.
Lynch, Robert B.
Lynn, Kyle T.
Lyon, Edward T.
Lyons, Richard L.
MacDonald, Ronald C.
Macechko, Myron D.
Maciejewski, Marvin J.
Mack, Lawrence J.
Mackay, William A.
Mackey, William C., III
Macmichael, John L.
Maddox, John D.
Maddox, Richard W.
Madison, William R.
Magee, Thomas H.
Mager, George L., Jr.
Magera, Anton C., Jr.
Maher, Thomas R., Jr.
Mahood, James N.
Mairs, Lee S.
Major, William E., II
Malinasky, George A.
Maloit, Robert J., Jr.
Malone, John C.
Manger, Charles C., III
Manko, Michael B.
Manlove, Dexter I.
Manning, Amon W., Jr.
Marcinko, Richard
Margolis, Sheldon L.
Markowicz, John C.
Marks, Earl M.
Marshall, John P., Jr.
Marshall, Paul E.
Martin, David L.
Martin, Frederick K.
Martin, George R.
Martin, Norman C.
Martin, Robert J.
Martinez, Jose M., Jr.
Martinson, Raymond F.
Marvin, Edward L.
Marymont, John A.
Maslowski, James I.
Massey, Frederick T.
Massey, Robert
Mastin, Thomas N.
Matous, John J.
Matton, William G., III
Matyas, Carl E.
Matzie, Regis A.
Mauney, James P.
Mayer, Edward A., Jr.
Mayetani, Gary M.
Mayfield, William T.
Maynard, Robert P.
Mazurek, Neil M.
McAlees, David G.
McAlexander, Elroy A.
McAllister, Arthur W., Jr.
McAlpin, Joseph R., III
McBride, James R.
McCann, Edward F., II
McCarty, Douglas J.
McComb, Dennis N.
McConkey, Robert F., III
McCool, John J.
McCormack, James E.
McCoy, Norman K., Jr.
McCreary, Richard A.
McCrimmon, Norman T.
McCrory, Seaborn M., III
McElwee, Neil J.
McFarland, Robert S.
McGaraghan, Michael J.
McGeorge, Glenwood W.
McGinley, Thomas P.
McGrath, James M.
McGruther, Kenneth R.
McIntyre, Charles R.
McJunkin, Theodore
McKelvie, Robert A.
McKenna, Nicholas V.
McKinney, John W.
McKinney, Michael P.
McKinnon, Harry A., Jr.
McKnight, Lawrence L.
McLaughlin, George T.
McLyman, Edward J., III
McMahon, John A.
McMahon, Robert T.
McMeekin, Theodore C.
McMurry, Larry J.
McNabb, Lloyd J.
McNamee, Frederick M.
McNicholas, William E.
McPartlin, Raymond P.
McPheters, Robert D.
McPike, James B.
McQuaide, Arnold C., Jr.
McStravick, Leo J., Jr.
Meck, Norman C.
Meier, James D.
Melody, Robert A.
Melody, John D.
Memolo, Joseph S.
Menikheim, Jerry E.

Merrill, Dennis O.
Merrill, Grant E.
Messinger, Ray M.
Meyer, William P.
Micele, Charles K.
Mickelson, Paul F.
Middlebrook, Robert K.
Miers, Wayne E.
Miles, Kenneth K.
Millar, Gary R.
Miller, Charles R., III
Miller, David L.
Miller, David
Miller, Dennis P.
Miller, Donald C.
Miller, Gary R.
Miller, Harry J., Jr.
Miller, Kenneth M.
Miller, Lawrence E., Jr.
Miller, Russell F.
Miligan, Patrick J.
Millikan, Jack R.
Millis, Joseph D.
Mills, Sumner P., III
Millward, John E.
Milner, Scott F.
Minderlein, James L.
Minnick, Steve A., Jr.
Mitchell, John B., Jr.
Mitchell, Thomas R. I.
Mitchell, William R.
Mittelstaedt, Robert E., Jr.
Mixner, Frank L.
Mladineo, Stephen V.
Moffett, Carl L.
Moll, William L.
Molnar, David L.
Moni, Wayne J.
Moninger, Edward G., Jr.
Monroe, Vanstephen
Moomey, Thomas W.
Moore, James K.
Moore, Kenneth A., Jr.
Moore, Michael K.
Moore, Patrick N.
Moore, Randall J.
Moore, Raymond E., III
Moore, Richard L.
Moore, Seley E.
Moore, Thomas S.
Moran, Thomas E.
Morehouse, Stephen A.
Morford, James R., III
Morgan, Edward L.
Morgan, Franklin A.
Morgenfeld, Thomas A.
Moritz, Dennis M.
Morren, Christopher J.
Morris, Thomas E.
Morrissette, Eric P.
Morrow, George P.
Morse, James L.
Morton, Sperry
Moscovis, Michael J.
Mott, Ralph T.
Mouw, John B.
Moyer, Clyde T., III
Muehler, Dean L.
Muffley, Ned E.
Muhsam, Mark M.
Mulcahy, John M.
Mulford, Rand P.
Mulholland, Wayne T.
Mullert, Michael A.
Mullet, Sanford A.
Mullican, Robert W.
Mullowney, Penn E., Jr.
Murphy, Patrick J.
Murphy, Thomas P.
Murrell, Gregory L.
Musitano, John R.
Musolf, David M.
Myers, Gustavus A., II
Myers, Kenneth R.
Nagl, John M.
Nahr, Ernest V., Jr.
Namtvedt, Roland F.
Nanz, Theodore G.
Napp, Edward T.
Naro, Edward L.
Neal, David L.
Neary, Jon L.
Neely, Eugene G., III
Neesley, Raymond L.
Nelson, Bruce E.
Nelson, Donald C.
Nelson, Jerome G. S.
Nelson, John A.
Nelson, Larry H.
Nelson, Paul L.
Nemura, Dennis J.
Neubauer, James A.
Newberg, Carl J.
Newlon, Arthur W., Jr.
Nicewander, Merrit H.
Nichols, Gordon M., Jr.
Nichols, Peter D.
Nichols, Ronald N.
Nichols, Timothy B.
Nicholson, Douglas F.
Nicholson, Michael J.
Noe, Paul F., Jr.
Nolan, Hartwell E., Jr.
Nolan, Patrick H.
Norman, Robert J., Jr.
Norris, Lewis H.
Norton, Douglas M.
Notari, Anthony F.
Nunn, Dwight E., Jr.
Oakley, William M., Jr.
Oberg, Jon H.
O'Brien, Denis E.
O'Brien, Robert H.
O'Connor, Edward F.
O'Connor, Peter E.
Odell, William H.
Odom, John S., Jr.
O'Dwyer, John J.
Offutt, Randall E.
Ogrinz, Alexander J., III
O'Hanlon, James P.
O'Harrow, Patrick R.
Olds, Richard N.
Oldson, Dennis R.
Olsen, Charles E.
Olson, Gaylord C., Jr.
Olson, Jack L.
O'Neill, James G., III
Onorato, James R.
Orlob, Carl W.
Orr, Edward A., Jr.
Orr, Lawrence B.
Osband, Michael C.
Oswald, John S. L.
Owens, John C.
Pace, Gary L.
Pacek, Robert D.
Pachuta, Roger J.
Padgett, John E.
Padgett, Norman R.
Paige, Gordon C.
Palermo, Joseph S., Jr.
Pallai, Dennis J.
Palmer, Jerry D.
Panagakos, William C.
Pappas, Peter P.
Parker, Alan M.
Parker, John J.
Parodi, Richard S.
Parrett, Gaylord S., Jr.
Parrott, Robert C., Jr.
Pasqua, Ronald A.
Pate, David B.
Patterson, Joe D.
Patterson, James W.
Paul, Michael E.
Paulsen, Paul E.
Payne, Richard W.
Payton, Kenneth F.
Peak, Jack R.
Pearson, Orin F., III
Peck, Bruce H.
Pekar, Paul J.
Pelton, Ronald L.
Perkins, Ralph B.
Perkins, Thomas M.
Perry, Clyde M.
Perry, William E.
Perry, William Ed.
Peters, Dennis H.
Petersen, Richard J.
Peterson, Arthur V.
Peterson, Gordon L.
Peterson, Michael C.
Petitjean, George H. R.
Petrovic, James R.
Pettersen, Erik G.
Phaneuf, David R.
Philbin, Patrick J.
Phillips, Donald B., Jr.
Phillips, Gary Q.
Phillips, Jackie L.
Phillips, James A., Jr.
Phillips, William S.
Pickering, Richard H.
Pierce, Quinten A., Jr.
Pierson, Richard L.
Pike, Dennis S.
Pike, Earl C.
Pilger, Eric C.
Pilling, Donald L.
Pine, Donald W.
Pinney, John M.
Pliska, Michael W.
Ploof, Elden L., Jr.
Plotz, Louis R.
Plowman, James E.
Plum, Jerry E.
Pollock, John C., III
Pool, Willard O., Jr.
Poole, Bradley C.
Poole, Robert D.
Porter, Charles W.
Potter, David G.
Potts, Ronald L.
Pou, Robert L.
Powell, Douglas R.
Powell, Legh R., IV
Powers, Michael H.
Prather, Richard F.
Pratt, Edmund L., Jr.
Presnell, Larry W.
Previty, William H.
Price, Harry J.
Prickett, Frederick G., Jr.
Prince, Andrew S.
Pritchard, Paul E.
Proctor, James R.
Prydybasz, Andrew M., Jr.
Pryor, Edwin R., III
Ptucha, Frederick F.
Puckett, Lanny J.
Purdy, Robert F., Jr.
Purdy, William H.
Purtzer, Don L.
Pyecha, Timothy D.
Quinn, Donald A.
Quinn, Henry B.
Quisenberry, John N.
Rackowitz, Marion R.
Ragsdale, John O.
Railsback, Donald C.
Rairdan, Eugene J.
Raleigh, Harry S., Jr.
Rambo, Robert P.
Ramsdell, Steven U.
Ramsey, Gerald F.
Ramsey, William R.
Rantschler, Robert D.
Rapp, Stephen L.
Rasmussen, Craig M.
Raup, John D.
Reade, John M., IV
Reason, Joseph P.
Reaume, Norman S.
Reck, Joseph D.
Recknor, Norman D.
Rector, James O.
Redenbaugh, Roger W.
Redwine, Bobby K.
Reece, Lawrence E.
Reed, Gordon T.
Reed, Michael P.
Reed, Phillip L.
Rees, Frederick D., Jr.
Refo, Carter B.
Reinger, Peter D.
Remmers, Edward H.
Remus, Thomas A.
Repasky, Richard L.
Rerko, Frederick J.
Rester, Marshall D.
Reynolds, George B.
Reynolds, Gary W.
Reynolds, John P., Jr.
Rezeau, Gary L.
Rhodes, Donald R.
Riccio, John L.
Richards, James J.
Richardson, Forney N., Jr.
Richardson, Terence E.
Richardson, Willard D.
Richt, Harvey F.
Rickard, Ralph E.
Riedel, Charles T.
Rietzel, Willard P.
Riley, Gerald J.
Riley, Michael J.
Riley, Michael F.
Rinaman, William C., Jr.
Rinker, Ronald L.
Rish, Edward C.
Ritchey, David G.
Roach, Charles A.
Robbins, Robert C.
Roberts, David L.
Roberts, Dennis E.
Roberts, Gary L.
Roberts, Joel H.
Roberts, Stephen S.
Robertshaw, Donald G.
Robertson, William N. L.
Robins, Leon E.
Robinson, David W.
Robinson, Gary N.
Robinson, Gerard F.
Robinson, Michael F.
Robinson, Peter S.
Robinson, Paul M.
Roddy, Francis M.
Roderick, Clinton O.
Rogers, Floyd E.
Rogers, Geoffrey S.
Rogers, Kevin G.
Rogers, Paul F.
Rogers, Roland L.
Rogers, Stephen T.
Roletter, George J., Jr.
Roorbach, James A., III
Roose, Robert W.
Rorabaugh, Dale A.
Rose, Edward J.
Rosintoski, Lawrence J.
Rossley, William F.
Roth, Richard E.
Rouse, James R.
Roush, Calvin T., Jr.
Rowe, Frederick S., III
Rowlands, Richard E.
Rowley, Charles W.
Ruben, Richard C.
Ruberg, Ronald N.
Rudloff, Stephen A.
Rudolf, Chester D., III
Ruedy, Ralph H.
Rule, William M.
Rumble, Edmund T., III
Rumbley, Daniel L.
Rummler, David C.
Runyon, William E.
Rush, Stephen K.
Rushing, John M.
Russ, Norman E.
Rutkowski, John E.
Ryan, James P.
Ryder, Dan H.
Sack, Brian P.
Sadler, Lester H.
Saft, Burton M.
Sanbron, Philip M.
Sandway, Karl M.
Sapp, Charles N., Jr.
Sappington, Merrill A.
Saul, Carlton W.
Saul, Joseph W.
Savard, James F., Jr.
Scales, James R., Jr.
Scarborough, Oscar D. III
Scardigno, Peter F.
Schafer, Donald R.
Schalde, John A.
Scherzinger, Victor L.
Schildknecht, Kurt
Schineller, Frederick J., III
Schleicher, Harold C., Jr.
Schmauder, Robert W Jr.
Schmidt, Joseph H.
Schneider, Henry J., Jr.
Schofield, Lee N.
Scholl, Russell C., Jr.
Scholz, Ferdinand A.
Schrader, Francis E., II
Schrader, Richard H.
Schroder, John D.
Schrodt, Clair J.
Schroering, Michael S.
Schueman, Gerald M.
Schuler, Michael F.
Schultz, David H.
Schultz, Roger F.
Schuster, Thomas F.
Scott, Donald J.
Scott, Michael R.
Scott, Norman S.
Scott, Thomas F., Jr.
Scovill, Judson L.
Scuba, Richard J.
Secrest, David E. H.
Sedjwick, Dean L.
Seffel, Joel S.
Segal, Victor D.
Seibert, Peter K.
Seidel, David W.
Seigle, Thomas R.
Seim, Wayne A.
Self, John C.
Sellers, Ronald L.
Selman, Richard J., Jr.
Sermier, Robert F.
Setser, Raymond H., Jr.
Settle, Frank L.
Setzer, Alvah E.
Sexton, James R.
Sexton, Ormond G.
Seymour, Harry A., Jr.
Shackelford, Harry L., Jr.
Shaffer, Jesse S.
Sharp, Erwin A.
Sharp, Walter E.
Sharp, William J.
Sharpe, Richard J.
Shaw, John E.
Shaw, Myron J.
Shaw, Ralph H.
Shaw, Robert J.
Shaw, Tommy
Shealy, William P.
Sheats, David C.
Sheldon, Gerald E.
Shenton, William T.
Shepherd, Patrick M.
Sherman, Roger, III
Shinabarger, Jon A.
Shipley, David H.
Shipway, John F.
Shuman, Paul D.
Siebe, Alan E.
Siegel, William M.
Sikes, Rufus R.
Silliphant, Leigh D.
Simard, Paul J.
Simkins, Gary B.
Simmons, Guy J.
Simmons, Samuel M.
Simon, James R.
Simons, Thomas E.
Simons, William E.
Simpson, Wayne F.
Sipe, Allan K.
Sirota, Richard S.
Sisk, Charles E.
Skambraks, Herman L.
Skoog, Mark C.
Slaton, Charles P.
Sloan, Charles E., Jr.
Slusser, Ronald M.
Small, James A.
Smallman, David H.
Smelker, Gaylord W.
Smith, Alan A.
Smith, Bernard J.
Smith, Clarence E.
Smith, David H.
Smith, David O.
Smith, Harold D.
Smith, J. Palmer
Smith, Jeffrey F.
Smith, Jerry L.
Smith, Richard L. W.
Smith, Richard K.
Smith, Stephen R.
Smith, Terry D.
Smith, William C.
Smithson, William B.
Smock, John S.
Smyth, Warren T.
Sneed, Albert L., Jr.
Sneed, Henry L., III
Sneidar, Sylvester
Snelling, Robert J., III
Snider, William A.
Snyder, Darrell P., Jr.
Snyder, Glen D.
Snyder, Paul J.
Snyder, Peter B.
Sohlberg, Dag
Solan, John M.
Soley, Francis E.
Soltas, Gerald J.
Sorbie, Andrew
Spalding, Walter C., Jr.
Spangler, Carl R., Jr.
Spiegel, David A.
Spies, Robert H.
Sprague, Jay W.
Springman, Joseph W.
Spurgeon, Dennis R.
Spurway, Aaron R.
Staats, Preston W., Jr.
Stallings, Tellmon S.
Stamm, William A.
Standrich, Elvin B.
Stanfield, Robert A.
Stanley, Norman G.
Stark, James R.
Starkey, Robert L.
Steenburgh, Frederick L.
Stein, John H., Jr.

Stein, Paul P.
Stella, Mark E.
Stephan, Charles R.
Stephenson, Robert B.
Stevens, Jack L.
Stevens, Robert E.
Stevens, Wyne A., III
Stevenson, Robert D.
Stewart, Eugene A.
Stewart, Finlay J., III
Stewart, George C.
Stewart, Lawrence L.
Stewart, Michael E.
Stewart, Robert G.
Stewart, Van N.
Steyaert, Louis T.
Stiger, Clinton N.
Stiles, Hallett R.
Stockton, Idus L.
Stoddert, Robert W. B.
Stolt, Robert D.
Stone, Laurence L., Jr.
Stone, William C.
Stoner, Keith D.
Storck, Theodore S.
Stover, Richard L.
Strahm, John F.
Straw, John E.
Stringer, John L.
Stromberg, Merle J.
Strong, David W.
Stryer, Thomas B.
Stryker, Steven H.
Stubbs, Frederick M.
Stuckey, Robert W.
Stueck, Phillip G.
Sudigala, John P.
Sudikatus, George H., Jr.
Sullivan, Allyn F., Jr.
Sullivan, James J.
Sullivan, James E.
Sullivan, Jerry M.
Sullivan, Timothy B.
Summers, James E., Jr.
Sutcliffe, James A.
Swanson, Barry G.
Sweatt, John L., Jr.
Sweeney, Toney M.
Swenson, Larry G.
Swiney, Merrill F.
Swink, Harley H.
Syrko, Thomas M.
Szubski, John M.
Szymanski, Robert F.
Tabaka, Lawrence P.
Tackett, Richard F.
Talaasen, Barthol E.
Tamny, Peter D.
Tanner, John C.
Tarrant, Yancey N.
Taylor, James L.
Taylor, James L., Jr.
Taylor, John E., Jr.
Taylor, Marcus K.
Taylor, Patrick E.
Tedeschi, Ernest F., Jr.
Tedford, Timothy W.
Teichgraber, Walter M.
Tesoriero, Anthony R.
Teubner, Alan L.
Texeira, Antone, Jr.
Thiel, James S.
Thomas, George B.
Thomas, Jerry L.
Thomas, Lewis C.
Thomas, William S., Jr.
Thompson, David R., Jr.
Thompson, Grove G., Jr.
Thompson, Hugh L., Jr.
Thompson, John A.
Thompson, Melvin E., Jr.
Thompson, William G.
Thorley, James E.
Thorne, Henry F., Jr.
Thornton, Roger N.
Thornton, Thomas J.
Thorsen, Paul A.
Tibbetts, Charles F.
Titus, Jerry L.
Topping, William R., Jr.
Tower, Philip W.
Towner, Paul D., III
Tozier, Jack A.
Trego, Eugene, I.
Trickett, James R.
Tripp, Philip B.
Troutman, John L.
Trowbridge, Lynn D.
Trump, Peter A.
Tucker, Edmond G.
Tucker, James E.
Tulodieski, Donald B.
Turner, Howard S.
Turner, John D.
Turner, William A.
Tyng, James
Uber, Brian D.
Uhlemeyer, Fredric L.
Underwood, James P.
Unipan, John T.
Urban, Jack
Utley, Wallace R.
Vajda, Thomas C.
Valentine, Wendell R.
Valovich, Paul J., Jr.
Vanecek, Michael T.
Vanheertum, Bruce
Vanhorn, Gerald J.
Vanhouten, Paul E.
Vanlobensels, Peter D.
Vanpelt, Richard, Jr.
Vantine, Stuart M.
Vanwolkenten, Raymond V., Jr.
Varnagaris, Kim G.
Varriano, Patrick G.
Vaughan, Robert C.
Vaughn, William C., III
Vernon, William H.
Veronda, George A. S.
Vesey, Richard L.
Villandre, Paul P.
Vinsavich, Anthony D.
Voelkel, Ronald E.
Vogel, Timothy J.
Vogt, James A.
Vomastic, John E.
Vorce, Richard A.
Waddell, Howard E.
Waggoner, Clifford I.
Wagner, David A.
Wagner, Dennis L.
Wagner, James A.
Wagner, Richard H.
Wahlfeld, Robert A.
Waiss, Alan J.
Waits, Wood D.
Walker, Donald E.
Wallis, Donald A.
Walters, Earl A.
Walters, George R.
Ward, Jerry D.
Warfield, James D.
Warner, John K.
Warner, Kenton D.
Warnken, Wayne L.
Warren, Edward O.
Wasson, William M.
Waters, James L., Jr.
Watkins, Edison L., III
Waylan, Cecil J.
Webb, George J., Jr.
Webber, John A., Jr.
Weber, Dennis R.
Weber, Gary W.
Webster, David W.
Webster, William C.
Wedekind, Dennis L.
Weeks, Glen A.
Weeks, Paul, II
Wegner, Lynn A.
Weidauer, Darrell E.
Weiler, George W.
Weinel, Thomas R.
Weittenhiller, Larry K.
Welch, Glenn E., Jr.
Wendt, William A.
Wentzel, Kendrick W.
Wessinger, Hall B., Jr.
West, Howard V.
West, Richard D.
Westmoreland, Jimmie D.
Wetherell, David L.
Wettack, Timothy G.
Wheeler, Neil L.
Whelan, John D.
Whisman, Carl L.
White, Steven J.
Whitehead, Robert M.
Wicks, Guy W.
Widener, Ray L.
Widhelm, William J., Jr.
Wieland, Billie, W.
Wiggins, Edwin G.
Wiley, Armando A.
Wiley, James W.
Wilhelm, Glennon J.
Wilkes, Marshall J.
Wilkes, Robert B.
Wilkins, Ronald G.
Wilkinson, John
Wilinson, Raymond O., II
Will, Thomas J.
Williams, Gary A.
Williams, George L.
Williams, Herbert B.
Williams, John G.
Williams, Lyndon D.
Williams, Richard C., III
Williams, William F., Jr.
Williams, Walter K.
Williamson, Robert R., Jr.
Williamson, Forest D.
Willis, Henry T., II
Wilmot, Richard B., II
Wilson, Francis E.
Wilson, George E., Jr.
Wilson, James H.
Wilson, Larry N.
Wilson, Lyndel W.
Wilson, Wayne K.
Wilson, Woodrow O., Jr.
Wiltshire, Kenneth J.
Winkler, William H.
Winters, Doyle E.
Wise, Ronald K.
Witham, Donald C.
Witherspoon, William W., Jr.
Witt, Douglas M.
Wittig, Arthur W.
Witzenburg, Dennis L.
Wohlfiel, John E.
Wojdyla, Michael J.
Wolfe, Ronald D.
Wolff, Richard E.
Wolovick, David A.
Wood, Charles M., III
Wood, Grover E.
Wood, Robin C.
Woodring, George B., Jr.
Woodward, Kenneth M.
Woodward, Robert U.
Worthington, William B., Jr.
Wright, Charles T., Jr.
Wright, Donald A., III
Wright, Douglas S.
Wright, Francis D., III
Wright, Harold E.
Wright, Jay K.
Wright, John D., Jr.
Wylie, John O.
Wyserpratte, Christian Y.
Yachanin, Joseph C.
Yaeger, William L.
Young, Daniel L.
Young, Thomas R.
Young, William W., Jr.
Young, William C.
Zafran, Robert
Zardeskas, Ralph A.
Zayicek, James S.
Zealey, Gilbreath B.
Zerr, John J.
Zettle, Charles E.
Zick, John T., Jr.
Zimmerman, Bruce A.
Zimmermann, Richard P.
Zimny, Stanley M., Jr.
Ziolkowski, Ronald W.
Zocher, Joseph A., Jr.
Zodiaco, Vincent P.
Zschock, Charles W.
Zumwalt, James D.
Zuna, William F.
Zunich, Ralph E.

Robert C. Lesher, Medical Corps, U.S. Navy, for temporary promotion to the grade of commander in the Medical Corps, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Bruton, Orin H.
Cianci, Paul E.
Ervin, James F., II
Hall, Larry J.
Linville, James J.
Payne, John H., III
Rainforth, Douglas W.

CHAPLAIN CORPS

Pedersen, Henry A.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Sprague, Thomas O.
Whitehead, Kenneth L.
Williams, Charles R., Jr.

SUPPLY CORPS

Sutton, Richard A.

Delbert E. Franck, U.S. Navy, for temporary promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Billings, Leland R.
Clark, William S.
Gionet, Laurence J., Jr.
Hamilton, Stephen H.
Smith, David B.
Stamm, William A.
Sweatt, John L.

SUPPLY CORPS

Allega, Timothy J.
Brainerd, Robert P., Jr.
Hancock, Charles M.
Kincaid, Bruce D.
Shirley, Joseph G.
Smith, James L.

The following-named officers of the U.S. Navy for permanent promotion to the grade of chief warrant officer, W-4 subject to qualification therefor as provided by law:

Doss, Edward H.
Lyle, Frank E.
Mitchell, Hammett

The following-named officers of the U.S. Navy for permanent promotion to the grade of chief warrant officer, W-3 subject to qualification therefor as provided by law:

Barger, Paul K.
Stephens, Frank, Jr.
Wasson, Willard F.

The following-named (Naval Reserve Officers Training Corps candidates) to be permanent Ensigns in the line or staff corps of the Navy subject to the qualifications therefor as provided by law.

Dale D. Abelson
Dale A. Achenbach
Daniel C. Adams
Michael E. Adams
William K. Adkins
William M. Adney
William F. Adolfson
Joel W. Aiken
Robert P. Airgood
Roy Jonathan Alcott
Daniel R. Aldridge
Charles B. Alexander III
Jeffrey A. Alexander
Michael A. Algiers
Nicholas J. Ali, Jr.
Bruce L. Allen
Charles T. Allen
James Evans Allen
Richard F. Andersen
David W. Anderson
Ferdinand A. Anderson
Gordon Scot Anderson
James S. Anderson
Marc E. Anderson
Michael J. Anderson
Robert L. Anderson
William J. Anderson, Jr.
William N. Anderson
Henry W. Anthony III
Kenneth G. App
William E. Armstrong
Clyde E. Arnette, Jr.
Thomas N. Arnett, Jr.
Andrew J. Arnold
Gerald B. Arnold
Michael J. Arnold
Dennis R. Arter
Stephen C. Artus
Patrick E. Arwood
Glenn M. Ashe
Andre S. Asselin
James B. Atherton
Lewis K. Athow
Alexander L. Austin
Roger G. J. Austin
James A. Avery
James H. Avery
Dennis R. Baber
William R. Babington, Jr.
John H. Bailey III
Bruce C. Baker
Joseph R. Baker III
Larry A. Baker
Mark A. Baker
Craig J. Baldridge
John M. Baldwin
William L. Ball III
Robert C. Ballard
William T. Ballew
Albert M. Bandman
Purvis W. Bane, Jr.
Christopher T. Barber
John T. Barber
Richard A. Barley, Jr.
William E. Barnard, Jr.
Jerry D. Barnes
Terry L. Barnes
James R. Barnett
Michael D. Barrett
Donald J. Barrus
Christopher J. Barry
Anthony C. Basilio, Jr.
James W. Bass, Jr.
Joseph E. Bass
Joseph M. Basso
Charles L. Battle
Albert E. Bauman, III
Christian E. Beattie
John M. Beaulieu
William J. Beck
Thomas J. Becker
Thomas H. Beckett
Jerry R. Beduhn
Thomas F. Beeckler
Dennis A. Behm
Edward J. Bender, Jr.
Loren D. Bengtson

Stephen F. Beninghove
Rodney L. Benson
Thomas D. Benson
James A. Bertelson
Zigurd J. Berzins
Thomas E. Bettcher
Bernard M. Bianco
Albert H. Bickmore, III
Peter A. Birnbaum
Weller S. Bishopp
James F. Blackstock
Jay A. Blewett
Stephen D. Blodgett
Richard J. Blom
Robert A. Bobulinski
Jim B. Bock, Jr.
Stephen W. Bodner
Edward L. Bohannon
David C. Bollech
William R. Bond
David L. Booher
Michael L. Boreing
Conrad R. Borsting
Kenneth M. Botham, II
John F. Bowers, Jr.
Melvin N. Bowers
John R. Boyarski
Marshall D. Boyd
Robert L. Braddock, Jr.
Robert W. Bradfield, II
Theron M. Bradley, Jr.
Michael H. Braid
Daniel H. Braine
Malcolm P. Branch
Paul F. Brayton
Thomas J. Breckon
Robert A. Brennan
Stephen A. Brenneman
Robert S. Brent
Donald C. Brewer, Jr.
Edward G. Bricker, Jr.
Steven E. Briggs
Thomas P. Briggs
Girard T. Broaddus
Theodore H. Broman, III
Robert W. Bronson, II
Mark S. Brothers
Charles P. T. Brown
Don M. Brown
John A. Brown
Lynn E. Brown
William B. Brown, Jr.
John W. Bru
Richard E. Bryant
Wayne R. Brydon
Dennis M. Budzik
Marcus J. Bumm, Jr.
John R. Burd, III
John J. Burke, III
Thomas K. Burkhard
Jeffrey S. Burnett
Granville W. Burns
Jerry O. Bush
Thomas D. Bussing
Robert C. Butler
Bruce V. Butterworth
Kenneth E. Buzzell
Robert D. Byard
Terrance L. Byers
Edward A. Cahill, III
David G. Camp
Carroll E. Campbell
Richard T. Campbell
James Carbone, Jr.
Carl E. Carden
Eugene R. Carlson
Raymond F. Carney, Jr.
William R. Carey, Jr.
Francis W. Carpenter, Jr.
Robert R. Carpenter
William T. Carreiro
Alden R. Carter
James A. Carter
John B. Carter, Jr.
John M. Carter
Raymond M. Carter
Arthur G. Carty, II
John N. Carver
John F. Cashman
Carl A. Caskey
Edward T. Cassidy, Jr.
John A. Cassidy, Jr.
Francis R. Cate
William K. Cavender, Jr.
Stephen D. Caviness
Barry H. Chalfant
Carter S. Chapman, Jr.
Richard K. Chapman
Frank G. Charlton, III
Peter L. Chatellier
Steven C. Chatfield
Calvin L. Crisman
William J. Christensen
Guy D. Clifton
Francis R. Cobb
Marshall G. Colcock
Charles G. Cole
Ford R. Cole
James D. Cole
Steven L. Collins
John A. Condon
Douglas E. Congdon
Wilder L. Conley
Hugh D. Connell
John M. Conner
Richard W. Conway, Jr.
Michael L. Cook
George A. Cooke, Jr.
Randall F. Cooper
Robert T. Copeland
Colin D. Corcoran
Richard J. Cordier
Arthur Corsano
Robert W. Cosgriff
David E. Cowell
Barry J. Coyle
James D. Crabb
Scott M. Crandall
Daniel M. Crane
David J. Crannell
Julius F. Craynock, III
Bruce E. Crellin
Grover J. Cronin, III
Daniel A. Crooks
Roger D. Cross
Thomas C. Crouse
Robert L. Cummings
Forrest E. Curran
James J. Curran
James A. Curtin
Dalton B. Curtis, Jr.
Dana S. Curtis
Charles F. Dameron, Jr.
John H. Daniel, III
Donald C. Danysh
William S. Daubin, Jr.
John C. Davis
Francis L. Davidson
James D. Davidson
Raymond A. Davidson
Christopher M. Davis
Patrick C. Davis
Bruce E. Deacon
Thomas R. Dean
Jennings B. Deans, Jr.
Robert F. Deantonio
Michael P. Debaggis, Jr.
Nyal D. Deems
Stephen W. Delaplane
James M. Delhamer, II
Glenn E. Delong
John Deluca, Jr.
Richard E. Deneut, Jr.
William M. Despain
Richard M. Detwiler
John C. Devanney
Stephen P. Devine
Donald W. Dickey
Daniel H. Diller
Robert Dimario
Bruce L. Dockstader
Gerald A. Dodd
Neal R. Donahue
Clark D. Doran, Jr.
Robert H. Dobrow
Rhett P. Dove, III
James R. Dover, Jr.
Jerry L. Dover
Geoffrey N. Doyle
Terence P. Driscoll
Robert M. Duff
Jonathan B. Duke
Robert W. Dunford
Carl B. Dunn
Ralph P. Dupont, Jr.
Manuel Y. Durazo, Jr.
Leo E. Dusenbury, Jr.
James P. Dvorak
James R. Dyer
Thomas J. Dyer
Ewell E. T. Eagan, Jr.
Robert A. Ebner
William J. Eckert
James L. Economou
Robert F. Ege
Jack L. Edgemon
Daniel D. Edwards
Gerald D. Ehrlich
Jeffrey J. Elder
Lloyd P. Eller
Robert G. Elston, II
Ronald D. Eminhizer
Frederick R. Emmons, Jr.
Edward A. Erdmann, III
Richard A. Erhardt
Lief W. Erickson
Robert C. Erwin
Perry H. Eubank, Jr.
James P. Euliss
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Steven R. Evans
David P. Evansin
Robert K. Ewing
Lawrence J. Fagan, Jr.
Irl R. Farlow
Roger A. Farmer
David G. Fassnacht
Basin L. Ferrell
Vincent C. Ferenbach
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Jeffrey J. Fink
Lee Fink
Michael J. Finley
Edward J. Finnegan
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Edward J. Fitzgerald
John E. Fitzhugh, II
Philip A. Fitzpatrick, III
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Stephen J. Fletcher
Arthur B. Flick
Michael L. Flood
John B. Foley, III
Edward W. Forscher
Bruce F. Forte
Percy E. Foster, Jr.
William F. Fouse
Arthur H. Fowler, III
Richard F. Fox
William P. Francis
Robert A. Franicola
Douglas M. Franks
Bruce D. Freeman
Thomas L. Freeman
Spencer L. French
Harald Freybe
Edward R. Friedrich
John R. Frondorf
William A. Fuson
Steven B. Gabriel
John J. Gallagher
Richard Gallarno
William P. Galvani
Thomas C. Cannon
Gregory L. Gardner
William L. Garlic
Robert B. Garman
Robert R. Garnett, Jr.
Aaron D. Garrett
William S. Garrett, Jr.
John C. Garske
James L. Garvin
George R. Gaumond
John A. Gauss
James J. Geagan
Norcross D. Geary
Eugene R. Genna
Frederick L. George
Ronald N. Gerer
Milton F. Gerlach, III
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Richard R. Getz
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Francis L. Giuliana
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Ardin F. Goss
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William G. Green
William E. Greenlee
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Roland L. Griffin
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David M. Groos
Albert C. Gross
William F. Grun
Mitchell D. Gurk
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Steven L. Guthier
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Ronald C. Haas
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James R. Heckman
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Richard A. Hedin
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Michael A. Hendricks
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Andrew B. Hoxie
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Ronald R. Hudson
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John W. Hutton
Paul C. Hvidding
Michael J. Ian
William R. Illing, Jr.
Daniel S. Isbit
Jon P. Inglis
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Brian F. Iuvone
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George W. Jackson
Steven M. Jackson
William A. Jackson
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Martin D. Jacobson
David E. Jahr
Gary B. James
Stephen A. James
Stephen Jameson
Jordan R. Janak
Robert W. Janda, Jr.
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Wade C. Johnson
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Edwin M. Kakesako
Richard W. Kalb
Thomas B. Kalish
Thomas C. Kanitz
Robert M. Kanze
Stephen A. Kase
Ray S. Kawaguchi
Merle A. Keeney
William A. Kehoe
Gary A. Keibler
Jerry E. Kelley
Kevin P. Kelley
David L. Kelly
Richard E. Kelly
Floyd D. Kennedy
Kraig M. Kennedy
Richard A. Kennedy
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Byrd C. W. Kempe
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William J. Kley
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William N. Koch
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Paul F. Koffend, Jr.
Raymond R. Konen
Robert W. Kopprasch, Jr.
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Thomas W. Koster
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Michael A. Kowalczyk
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David J. Kral
Keith S. Kramer
Lynn T. Krause
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Alan S. Kuentz
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William C. Kummert
Daniel G. Kuttner
John V. Kutys, Jr.
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Ronald S. Lakatos
Ray B. Lancaster
Walter N. Lange
Ralph V. Lanning
Edwin F. LaPlace
Leslie D. Lapointe
Thomas A. Larsen
Steven C. Larson

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Robert F. Law
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Randall L. Lemke
Robert P. Leonard
Ronald O. Leonard
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Kenneth B. LeVan
Wesley J. Leverich
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Thomas E. Lewis
Thomas J. Lex
Herbert E. Libbey
John U. Liles, Jr.
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Henry O. Little, Jr.
Timothy W. Llewellyn
John S. Locke
Stanley D. Lockhart
Lincoln C. Loehr
Norman A. Lofgren
Lyle K. London, Jr.
Robert F. Long, Jr.
Tarrant H. Lomax
James J. Lorkowski
~~Paul O.~~ Lortz
~~Richard~~ A. Loshbaugh
James H. Lowry
John M. Lowry
John F. Lucas
Eric W. Ludwig
Walter A. Lunde, Jr.
Roy A. Lundeen
David Lung
Hollis E. Lunsford
Jeffrey J. Lunstead
Robert P. Lynch
Rustin D. Lynde
Freddie L. Lynn, Jr.
Paul C. Lynskey
Mark J. Lyons
Stephen P. Lyons
Joseph B. MacDonald
Joseph M. MacDonald
John A. MacEvoy
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Joseph H. Magruder, Jr.
David J. Magyar
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Albert S. Makl, Jr.
Theodore S. Malachoski, Jr.
Conrado Mangapit, Jr.
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Douglas G. Markley
Jay H. Martin
Frederick K. Martin
John W. Martin, II
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Paul K. Mayfield
Allan D. McAllister
Paul A. McAllister
James E. McAvoy
Lawrence L. McBee, Jr.
William C. McCauley
Roger W. McClung
Ryan J. McCombie
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James M. McCoy
Timothy J. McCoy
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Martin P. McDonough, Jr.
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James F. McFillin, Jr.
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Willie E. McGee, Jr.
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Andrew F. McKown
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John H. McLees, Jr.
Charles M. McManuis
Joseph L. McNamara
Michael T. McNamara
Dirk L. McNeely
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James J. McTigue
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Clarke H. Meredith
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Gary L. Metzger
Roger A. Metz
Charles Metzger
Robert S. Meyer
James D. Michael
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Andrew J. Miller, Jr.
David V. Miller
James P. Miller
John B. Miller
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Michael L. Miller
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Richard S. Miller, Jr.
Robert E. Miller, Jr.
Robert F. Miller
Robert W. Miller, Jr.
Carl E. Mills
Dawson A. Mills, Jr.
George M. Milner
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David S. Minton
Peter A. Misslin
Charles J. Mizejewski, Jr.
William B. Mogoey, Jr.
Ian J. Molineaux
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Richard W. Moore
Thomas R. Moore
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Stephen G. Morris
Orrin D. Moses
Donald A. Motson
Ronald M. Mrowczynski
Stephen L. Mueller
Steven Muhlhauser
William L. Mullica
Michael E. Mulvaney
William M. Murray
Robert D. Murphy
William A. Musser
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Steven E. Muzzo
Dwight E. Naset
Bradford V. Navarro
Terry J. Neely
Jerry S. Neibert
Douglas C. Neilsson
Irwin H. Nelson
Richard D. Nettesheim
Walter A. Newport, III
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Thomas B. Nichols
Gerald K. Nifontoff
William J. Nissen
Terry R. Nolan
David J. Noland
Richard F. Noll
John J. Norkus, Jr.
Jerry W. North
Chad E. Norton
William H. O'Connor
Ronald S. Odegard
Robert B. O'Donnell
Edward P. Offley
Alan L. Offner
Stephen P. O'Hara
John P. O'Hearn, Jr.
Michael S. O'Leary
Edwin H. Oliver
Charles C. Olsen, Jr.
Olav V. Olsen
Dennis O. Olson
Donald C. O'Meara
John O'Meara, Jr.
Richard P. O'Neill
Alan M. Oshima
Robert E. Ott
Richard A. F. Otto
Sheldon C. Otto
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John B. Pace
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Walter J. Parker, Jr.
Stanley J. Patch, Jr.
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Gary E. Payne
David G. Payte
Robert S. Peck
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Lloyd W. Peterson
Philip A. Peterson
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Roger T. Picquet
Karl K. Pieragostini
Randall L. Pierce
Richard D. Pierce
Hal W. Pike
Richard D. Pingel
Lawrence C. Piro
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Martin E. Plante
Bruce A. Platt
Adrian G. Player
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David J. Purkrabek
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Richard A. Quinn
Stephen E. Quinn
James C. Radke
Brenton L. Ramsey
Phillip G. Ramsey
Richard P. Randall
Kerry O. Randel
Gerald P. Rappaport
Alfred A. Rasmus
Nicholas R. Rasmussen
John D. Rausch
David G. Rawlings
Gerald E. Raynes
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Joseph A. Rees, III
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John M. Renfroe, Jr.
Robert F. Renuart
Stanley R. Resinger
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William A. Rhoades
Nicholas L. Richards
Richard N. Richards
Thomas R. Richards
George R. Rickley
Calvin B. Ridenhour
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Denis G. Riley
Stephen E. Riley
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James S. Robinson
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James G. Rogers, III
Robert W. Rogers
Carlos D. Rose
Jeffrey I. Rosen
Joel H. Ross
Frederic N. Rounds
Terrance W. Rounds
Henry M. Rowett
Michael G. Roy
Dion W. Rumney
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Karl J. Runstrom
Zbigniew T. Rurak
Ernest C. Rushing, Jr.
Scott N. Russell
Thomas G. Russell
Lloyd D. Ruth, Jr.
David L. Rutherford
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Michael C. Ryan
Robert J. Ryan
Ronald E. Rydel
Alan G. Ryder
Edward G. Sabatini
William H. Sadler, III
Marc P. Saltzman
Lee O. Sanborn
Paul M. Sanborn
Kenneth M. Santoro
Michael J. Saunders
Richard A. Schafer
John M. Schardein
Alexander L. Schiffelbian
Karl F. Schmidt, Jr.
William B. Schmidt
Roger J. Schmidt
Michael K. Schmitt
Norman F. Scholes
William A. Schreck, Jr.
Phillip W. Schreiner
Douglas C. Schultz, Jr.
Michael J. Schwaebe
Bruce A. Schwan
Kenneth A. Schweers
Eric C. Scoredos
William B. Scott, Jr.
Michael J. Seaman
Richard A. Searles
David L. Sears
Michael R. Sedmak
Benjamin R. Sellers
Michael B. Sellman
Michael D. Serotta
Patrick G. Seslar
James D. Seymour
Hubert E. Seymour, III
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Paul L. Shafer
Terry E. Shaff
Frank X. Shannon, III
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Edward F. Shaver
Jeffrey C. Shaw
Robert L. Shaw
Michael M. Sheldon
Thomas L. Shelton
Scott H. Shepard
Dennis D. Sheppard
Peter K. Shields
Gary H. Shirk
Charles C. Shirley, Jr.
Kenneth P. Shrum
Tommy L. Shubert
Don B. Shuster, Jr.
Robert W. Sefker
Charles M. Sievert, Jr.
Joseph A. Silvoso, II
Victor A. Simpson
Francis M. Siri
Robert W. Sitz
David L. Skelton
Patrick B. Sloan
Winfield S. Slocum, IV
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Alan C. Smith
Daniel E. Smith
Dirk M. Smith
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Judson L. Smith, Jr.
Roger W. Smith
Ronnie W. Smith
Samuel P. Smith
Steven G. Smith
Thomas M. Smith
Tracy R. Smith
Dennis A. Snell
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Jack R. Snyder
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Richard B Solli
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Richard A. Spencer
Monroe A. Sprague
Perry E. Sprague
Gregory V. Springer
Richard M. Stanger
Timothy D. Stanley
Bruce W. Stanton
Donald R. Stark
Thomas W. Steffens
Robert D. Sterusky
Robert J. Stevens
Timothy L. Stewart
William D. Stewart, Jr.
Peter E. Stiff
Daniel Stone
Larry C. Strongoski
Robert M. Stallman
Alan J. Stonewall
Richard L. Stow
Daniel J. St. Peter
James H. Suddeth, Jr.
Edward J. Sujdak, Jr.
Richard D. Sullivan
Bruce E. Sundermann
Henry A. Surpless
Carl F. Susong
Robert L. Swain
James E. Swanson
John R. Swanson
Perry W. Swanson
David D. Swartling
Howard D. Swingle
William G. Sykes
Stephen J. Szender
Keith R. Talmadge
Michael S. Tate
John M. Taylor
Moses Taylor, Jr.
Richard A. Taylor
Robert B. Taylor
William Taylor
Joel R. Terry
Joseph L. Thimes
James W. Thomas
Robert P. Thomas
Bruce E. Thompson
Charles D. Thompson
John N. Thompson, Jr.
Mark M. Thompson
Robert E. Thompson
Robert W. Thompson
Dwayne A. Tieszen
Charles F. Tipton
Edmund B. Titcomb, Jr.
Steven E. Titunik
Robert L. Todd
William T. Todd
Carl E. Toft
James R. Tomanelli
Charles M. Toomey
William H. Torrence, Jr.
Barry D. Toth
George W. Tovrea
John H. Townsend
Michael B. Trainor
Gordon W. Trask, II
David P. Troup
Daniel S. Truman
Ace L. Tubbs, Jr.
James A. Tuller
Harry G. Turner
John T. Turner, II
James L. Turnipseed, Jr.
Kevin M. Twomey
Samuel D. Updike
Claude Valles
Dennis J. Vanbuskirk
Martin T. Vanderberg
Wayne J. Vanderslice
Carl W. Vernon
Roger S. Vincent
Frank A. Vizzini
George Y. Vogt, Jr.
Richard G. Vollaro
Joseph B. Vrbancic
Daniel J. Waldmann
Henry G. Walker
Wayne A. Walker
William H. Walker, III
Donn C. Walklet
Laurence L. Wall
James Y. Wallace, III
John D. Wallace
Michael J. Wallace
James M. Walley, Jr.
Patrick S. Walsh
Thomas D. Walt
Robert G. Walton
Stewart W. Walton
Thomas G. Warner
Clement H. Ward
James C. Warrenfells
Theodore J. Wathen
John M. Watkins

Timothy F. Watrud
Michael A. Watson
Thomas R. Watson
John F. Watters, Jr.
John R. Webb, Jr.
Donald J. Weber
Robin Y. Weber
Bruce D. Webster
Michael C. Wein
Michael W. Weir
Albert L. Wellman, III
David M. Wells
Robert R. Wells
Rodney R. Welsh
Alvin E. Wendt
Albert B. Wenzell, Jr.
Clifford C. Webster, Jr.
Albert F. Westerlund, Jr.
David G. Whall
Thomas P. Wharton, Jr.
Roy R. Whiteside
Roger N. Whiteway
Marland H. Whitman, Jr.
David M. Whitney
Joel M. Wiessler
Michael R. Wilcox
John F. Wilkinson, Jr.
James F. Willey
James S. Williams
John F. Williams
Lawrence J. Williams, Jr.
William R. Williamson
James F. Wilson
James T. Wilson
Larry D. Wilson
Phillip H. Wilson
Robert L. Wilson, Jr.
William P. Wilund
Donald L. Winchell, Jr.
Richard B. Windeguth
Douglas E. Winters
George J. Wolf
Ralph R. Woodman, Jr.
Millard J. Wooley
Charles W. Woomer, III
Cris A. Worley
Stephen D. Wretlind
James C. Wright
Myles E. Wright
Thomas C. Wyld
Dan R. Young
William D. Young
John D. Yoxtheimer
Fort A. Zackary, Jr.
Mark E. Zenner
William L. Zimmerman
Glenn M. Zimny
Dain R. Zinn
Joseph A. Zogby
Gregory M. Zorbach
Donald J. Zurinski

The following-named (naval enlisted scientific education program candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Steven R. Alexander
Samuel K. Anderson
George W. Ashmore
Richard F. Avila
Warren H. Bancroft
Howard E. Barr
George L. Bass
Dennly R. Becker
Ronald E. Becker
Howard L. Birch, Jr.
Robert A. Bishop
James J. Blanchard
Joseph W. Bogstad
Frank Bonacquisti, Jr.
John W. Bonnett
Robert K. Bostick
Leroy D. Brevig
William F. Burdick
Charles J. Capps, Jr.
Wayne T. Carey
Wilson L. Carmean
Kenneth W. Carroll
Ignacio Castro, Jr.
John B. Cavender, III
James E. Chambless
Thomas H. Chance
Roy C. Christian
Allan F. Clark
Joe F. Colvin, II
Daniel N. Cote
David G. Craddock
James C. Culpepper
Donald L. Cummings
Gregory J. Czech
James N. Daniels, Jr.
Robert H. Davis, III
James R. Denzien
Dennis G. Dobbins
Terry J. Douglas
Frederick J. Drummond
James C. Dundas
George E. Duvall
John W. Eason
Bobbie G. Edgington
Sidney L. Erickson
Edward J. Findrick
Maurice F. Fraunfelder, Jr.
Robert A. Fredricksen
Robert E. Frick
Benjamin N. Frith, III
Joseph C. Fuellenbach
Dennis L. Gagliardi
Charles A. Giancola
Robert J. Giannaris
Gary G. Gobel
Alan L. Gordon
William L. Gragg
Richard D. Graham
Leon C. Green, Jr.
Gregory D. Grehawick
Curtis B. Griffith
Douglas H. Gubbs
Edward J. Gunn
Stephen A. Hackney
Richard W. Haight
David A. Harrsch
Terry C. Hart
John M. Hartling
Bruce M. Hartmann
Joseph P. Hoehn
William B. Hornberger
Ronnie R. Horton
Keith W. Huiatt, Jr.
Allen L. Hurley
Douglas C. Isely
Michael D. Ishman
Roger C. Jarman
Charles L. Jeffries
Don M. Johnson
Robin R. Johnson
Carter A. Jones
David L. Jones
Raymond D. Jones
Robert P. Kail
Steven D. Karpyak
Gerald A. Kimble, Jr.
Roger P. Kline
Jerome C. Landers
Robert E. Larock
John J. Lineman
Lonnie F. Lohmeyer
Chester C. Longaker
Cordell F. Longest
Vincent F. Looft
Arthur W. Ludwig
Steven A. Marshall
Peter W. Martin
Albert L. May
David G. McCullough
George T. McKaige, Jr.
Thomas A. McKean
Clinton L. Meek
Charles J. Melchioris, Jr.
Charles G. Meyer
Thomas G. Mickett
Jesse I. Mock, Jr.
Elizabeth L. Morrison
Wesley H. Moore
Thomas P. Mozingo
Millard W. New, Jr.
Hartwig J. Nichols
Russell K. Ningen, Jr.
Roger L. Owens
Paul W. Papineau
John M. Parr
Clarence L. Parsons
Charles C. Peterson
John H. Pinney
Leroy T. Pittet
Joseph A. Poliakon, Jr.
John M. Powers
John E. Provencal
Donald L. Quinn
*David B. Rainsberger
Keith C. Reaves
Laran E. Rhine
Robert P. Riesenmy, Jr.
David G. Riley
Donald F. Rist
Gary R. Roberts
Ralph R. Roggow
Thomas R. Rohland
Franklin T. Ryan
Paul R. Sanger
William R. Satak
Kurtis D. Schroeder
Rodney C. Schroeder
Gary H. Scott
Edward M. Schaefer
Kenneth W. Shafer
Douglas W. Shake
Stephen L. Shelby
Michael J. Shonyo
Robert T. Simril
Jimmie D. Skinner
William S. Slover
Peter B. Smith
Robert W. Smith, Jr.
Roy C. Smith
Robert L. Spath
George C. Spelman, Jr.
Robert E. Stewart
William R. Stout
Larry M. Sullivan
James F. Sweet
David V. Tanner
Lyndon T. Terrell
Vester I. Thacker, Jr.
Thomas L. Thompson
Glenn D. Thomson
Kurt O. E. Tschaepe
Douglas K. Turner
Richard M. Uttich
Steven A. Vaughan
John W. Waddell
Michael P. Waite
Robert W. Walsh
Ronald L. Welling
Gilbert A. Wendt
Richard H. Westray
William J. Wheeler
Thomas E. Wilbricht
David P. Wilson
Freddie R. Wilson
John R. Wilson
Donald A. Wilt
Donald R. Yockel
David A. Zerbian

Weldon L. Harper (naval enlisted scientific education program candidate), to be a permanent lieutenant (junior grade), in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law.

*James V. Sharp, Naval Reserve officer, to be a permanent commander and a temporary captain in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

*Frances V. Viola III (Naval Reserve officer), to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*"T" James Guzik
*Rufus B. Jennings, Jr.
*Donald J. Sass
*William B. Wright

*McWilliam H. Davis (Naval Reserve officer), to be a permanent lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*Grady G. Barnwell, Jr.
*Peter W. Brown
*Samuel R. East
*Warden H. Emory
*John V. Ferrazzano
*Frank E. Forsthoefel
*David A. Gortner
*Richard G. Greco
*Charles L. Ham
*Leonard K. Lamberty
*Peter A. Lodewick
*William A. McGill
*John B. McMullan, Jr.
*Nicholas R. Mabry
*Michael P. O'Brien
*James P. O'Hara
*Howard G. Pritham
*Walter J. Reynolds, III
*William C. Robertson, Jr.
*Gregory K. Roduner
*Lee A. Sheffer
*Douglass L. Stringer
*Gilbert W. Templeton
*John P. Walsh
*Richard Woodburn
*John A. Yauch
*Thomas K. Young

*Jon A. Walker (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to qualifications therefor as provided by law:

*Ernest C. Fletcher
*David C. Garre
*Anton K. Lequire
*David L. Tagge

*Robert G. Lamarche (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

*Ned Naffah, U.S. Navy retired officer to be a permanent lieutenant commander in the line of the Navy, pursuant to title 10 United States Code, section 1211.

*Wayne I. Egger, U.S. Navy retired officer, to be a permanent chief warrant officer W-4 in the Navy, pursuant to title 10 United States Code, section 1211.

*Albert W. Hayward, U.S. Navy retired officer to be a permanent commander in the line of the Navy, pursuant to title 10 United States Code, section 1211.

*Walter T. Pryor, temporary chief warrant officer to be a permanent chief warrant officer W-3, and a temporary chief warrant officer W-4 in the Navy, subject to the qualifications therefor as provided by law.

*Albert A. Groah, temporary chief warrant officer to be a permanent chief warrant officer W-3, in the Navy, subject to the qualifications therefor as provided by law.

The following-named temporary chief warrant officers to be permanent chief warrant officers W-2, in the Navy, subject to the qualifications therefor as provided by law:

*Bouchillon, James D.
*Nowak, John P.
*Sijersen, Erick J.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander, in the staff corps, subject to qualification therefor as provided by law:

SUPPLY CORPS

Anderson, Floyd R.
Anderson, Thomas
Antolini, Richard C.
Arendell, Russell W.
Armstrong, William G.
Bailey, Edwin H.
Baker, Kenneth D.
Barber, John E.
Barcus, Charles C.
Baum, Kenneth A.
Beal, John S., Jr.
Beeman, Ray N., Jr.
Bergman, Richard H.
Bessenger, Frank L., Jr.
Bingemer, Charles E.
Bishop, William C.
Blair, Bryan E.
Bloxom, Donald A.
Booth, William L.
Borders, Deforrest, Jr.
Bosworth, Paul R.
Boyette, James B.
Brand, Herbert F.
Brennan, Anthony C.
Bruton, Lawrence L.
Burden, David G.
Burns, Reuben D.
Cairo, Robert F.
Callaghan, Robert W., Jr.
Carlson, John O.
Chism, David M.
Christopherson, Duane A.
Clark, Paul D.
Clark, Richard M.
Collette, Royal G. C.
Cook, Bennie W.
Cook, John M.
Cooper, Robert A.
Cornett, Kenneth H.
Cox, Bobby W.
Cox, Joseph M.
Crabtree, William H.
Cramer, James R.
Culbertson, Morris D.
Cullen, Donald D.
Dachman, George W.
Demaio, Robert M.
Dempsey, Robert J.
Dent, George F.
Desmarais, Norman D.
Dickinson, Robert A.
Difilippo, Angelo E.
Ditmore, Carl A., Jr.
Doersch, Kirt D.
Dolina, John R.
Dowling, John P., Jr.
Dropp, Robert A.
Eason, David G.
Endzel, Edward W.
Ervine, Donald M.
Farnsworth, David L.

Paul, David C.
Fenwick, Charles L.
Fickling, Thomas N., Jr.
Fitzsimmons, Ted R.
Francis, Thomas M.
Frasher, Burton K., III
Frazee, Sammy G.
Frost, Don J.
Gahm, Jacob H.
Ganz, James G.
Gartrell, Cecil E.
Gau, Lawrence G.
Gear, James R.
Geary, Richard S.
Gentile, Ronald P.
Gibfried, Charles P.
Gillies, Tearle A.
Goodman, James C., Jr.
Gould, George A., III
Gregorich, Kenneth J.
Gregory, Robert T., Jr.
Guenther, Richard G.
Halderman, Jerry J.
Harms, Ralph J., Jr.
Hayes, Alan G., Jr.
Hayes, Charles W.
Hellauer, James C.
~~Henry,~~ William E.
Herberger, Charles E.
Hoffmann, Wilbur E., Jr.
Huddleston, Roy L.
Huneycutt, Herbert K.
Inman, James E.
Isenhour, Thomas H.
Jaap, Joseph D.
Jacroux, Paul E.
Jarman, Cecil A., Jr.
Johnson, Jerry E.
Johnson, Paul N.
Johnson, Roy L.
Kee, William D., Jr.
Kenly, William R.
Kiger, Charles R.
Kipping, Dan G.
Kirwan, Kevin C.
Kittock, Kenneth E.
Klockow, John D.
Kramer, George W.
Krieg, William C.
Kuopus, Karl J.
Lavely, Lawrence W.
Lindberg, Warren E.
Lingenbring, Robert A.
Lingle, Terry K.
Lovett, Heyward M., Jr.
Mabie, Marshall L.
Maginniss, Christopher M., Jr.
Maguder, Henry J., Jr.
Mahelona, George L. P.
Majors, George W., Jr.
Marshall, Clyde M.
Matais, Joseph A.
McClanahan, John P., Jr.
McClurkin, David K.
McGee, Bernard J.
McGee, William C.
McGrath, Joseph G., Jr.

McKenna, Theodore R.
McWhorter, Roy G.
Medlin, James W.
Meininger, Willard R.
Mikkleson, Jerry D.
Miles, Darrell R.
Mitchell, Willis A.
Mitchell, William J.
Monza, Joseph D.
Moore, James C., Jr.
Moore, Robert M.
Morgart, James A.
Moroney, Charles B.
Moscoe, Donald E.
Muenster, William S.
Murphy, Henry T., Jr.
Nissalke, Alan J.
Nopper, Donald N.
Osmon, Robert E.
Parker, Jimmie R.
Paskowitz, Selwyn S.
Paszly, Alexander K., Jr.
Percifield, William L.
Peters, Richard D.
Pierce, William L.
Piper, James Y., Jr.
Pool, Harold A.
Prehodka, Theodore H.
Prest, Robert F., II
Reavis, Peter A., Jr.
Rech, Charles L.
Reeves, Malcolm C., II
Reuscher, Edward J.
Riddell, William B.
Robinson, James E.
Rush, Spencer
Russell, Scott C.
Saidak, Paul A.
Sauer, Gary O.
Scaramozzino, Emanuel
Schlenker, Robert L.
Schroeder, James A.
Schuerman, John E.
Selgelid, Larry C.
Severance, George G.
Shughart, James N.
Simcox, John D.
Simmons, Charles J.
Simon, Jack E.
Smith, Charles T.
Solomon, John H.
Spage, Basil A.
Spratt, Thomas J.
Stevens, Steven K.
Stewart, Robert B.
Stigliano, Carmen N.
Stilgebouer, Larry R.
Strain, Oscar R., Jr.
Swanson, John L.
Talbot, Patrick J., Jr.
Tribbie, Arthur S.
Vandoren, Harry K.
Vanhouten, George W.
Vanpatten, David G.
Waller, Billy G.
Walsh, Martin J.
Weatherson, Harvey D.
Weaver, Milton W.
Wild, Thomas R.
Williams, Wayne M.
Withrow, Edward W., Jr.
Yim, Calvin K.
Young, Adrian R.

CHAPLAIN CORPS

Bowes, David, Jr.
Campbell, Eli H., Jr.
Carroll, Richard F.
Collins, John M., III
Frazier, Joseph R.
Grubbs, Roy D.
Holland, Kilian T.
Loughman, Kenneth M.
Mayou, Robert L.

Nolan, John J.
Oregon, Hugh H.
Perdew, James R.
Purdham, Aldon E.
Roberts, Malcome H.
Roswog, Paul E.
Toner, Edward R.
Willard, Melville F., Jr.

CIVIL ENGINEER CORPS

Arcuni, Albert A.
Bell, Warren M.
Bonham, Paul W., Jr.
Brewster, William L.
Briselden, Don J.
Butler, David E.
Cameron, James J.
Carricato, Michael J.
Ciocca, Michael A.
Davis, Harry P., Jr.
Doebler, James C.
Eber, Richard D.
Edelson, Bruce H.
Ellis, William E., Jr.
Falk, Norman D.
Fermo, Louis A., Jr.
Forney, David L.
Frankel, John A.
Frazier, William F.
Greenwald, James M.
Hayes, Robert C.
Hazucha, Paul C.
Hendrick, Larry F.
Johnson, Wayne E.
Jones, Robert S.
Kintz, John A.
Klein, Eugene R.
Lewis, Herbert H., Jr.

Marts, George A.
Maskell, Charles M.
McGee, George D.
Mehlhorn, Peter F.
Otis, Philip S., Jr.
Parker, Robert D.
Peechatka, Farley
Poole, Arthur S., Jr.
Porter, Michael D.
Prather, James T.
Purinton, Lucian B., II
Reynolds, Ralph R.
Rinnert, Henry J.
Robinson, George S., Jr.
Smith, Myron E., Jr.
Stangl, Herbert E. A.
Ster, John W.
Strode, James D., Jr.
Strong, Samuel O., Jr.
Truesdell, Richard C.
Tucker, Tracy C.
Vasilik, Kenneth J.
Vaughn, Kenneth A.
Vogel, Lawrence W.
Weir, Charles E., Jr.

JUDGE ADVOCATE GENERAL'S CORPS

Brant, Kirby E.
Campbell, Hugh D.
Cronin, George F., Jr.
Donato, Dan, Jr.
Gormley, Matthew J., III
Krieger, Walter W., Jr.
Pichinson, Donald J.

Schneider, Warren A., Jr.
Transeau, Alvin S.
Vanderlugt, Robert W.
Warwick, Howard R., Jr.

DENTAL CORPS

Albright, Jimmy E.
Alexander, Roger E.
Allen, John M.
Andrzejewski, David A.
Barron, Don M.
Blake, James H.
Branham, Gerald B.
Bryant, Frederic S.
Buchholtz, William J.
Burk, Jimmie L., Jr.
Cash, Allan H., Jr.
Crowell, Nelson T.
Dertinger, John A.
Fields, Marion S., Jr.
Foster, Dennic C.
Foster, George S.
Gardner, Donald R.
Grace, Edward G., Jr.
Hillenbrand, Dennis G.
Hunter, Thomas A.
Isaacs, Jerome E.
Kobes, Peter

Koenics, Joseph F.
Kosobud, William O.
Lawton, Robert A.
Lineberger, Luther T.
Magers, Stephen M., Jr.
McCallum, William C.
Mincey, David L.
Newell, Thomas J., III
Roberts, William W.
Ross, George R.
Schiff, Jon E.
Seck, Dale W.
Shafer, Robert T.
Sharrow, Barry E.
Shelton, James D.
Smith, Maurice M.
Thetford, Oris H.
Thompson, David H.
Walker, Jon A.
Whittaker, James F.
Wilson, Noel C., Jr.

MEDICAL SERVICE CORPS

Acord, Loren D.
Bacon, Norman F., Sr.
Bogdan, Raymond R.
Cicero, Joseph D.
Cooper, Max L.
Craig, Donald R.
Dains, Clarence A.
Darr, Kenneth L.
Despiegler, Gary D.
Doll, Richard E.
Erile, James R.
Foster, Harlan D.
Furry, Donald E.
Garner, Howard E.
Grice, Ruddle L.
Hagstrom, Verne W.
Henderson, Jack T.
Holcombe, James E., Jr.
Horrigan, David J., Jr.
Kenlon, Robert R.
Kennedy, Robert S.

Levandowski, Thaddeus F.
Lovin, Aubin H.
Metcalf, Lawrence P.
Moran, Robert F.
Mulrennan, John A., Jr.
Neill, George S.
Parrish, William R.
Ray, Paul T.
Reid, Donald H.
Robertson, James M.
Ruppe, James R.
Scott, Jimmie D.
Scrom, Earle B.
Smith, George E., Jr.
Smith, Jewel T.
Smith, Robert D.
Stalnaker, Mervin L.
Steinberg, Aaron
Weems, Bailey E.

NURSE CORPS

Banks, Audrey E.
Barbarick, Donna L.
Campagna, Ann K.

Chibas, Frances P.
Dunham, Carla R.
Emal, Janice A.

Frawley, Shirley M.
Grey, Filomena L.
Johnston, Georgia F.
Koza, Kathryn K.
Kozare, Carol A.
Lockwood, Lavon R.
Luisa, Caroline M.
Majak, Patricia L.
McIntyre, Joan
McLaughlin, Margaret I.
Miller, Barbara E.

Mills, Arlene E.
Moyer, Alice A.
Olson, Loa G.
Purinton, Ruth E.
Shaw, Patricia P.
Sommer, Irene C.
Sovich, Patricia A.
Spencer, Peggy R.
Stammer, M. Ellen
Strange, Rita B.
Weitzel, Elizabeth H.
Williams, Betty M.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the staff corps, as indicated, subject to qualification therefor as provided by law:

SUPPLY CORPS

Adelgren, Paul W.
Artherholt, Michael L.
Attanasio, Joseph V., Jr.
Auerbach, Robert C.
Baker, William J.
Becker, Barry A.
Beebe, Donald E.
Bennett, Robert B.
Berzins, Aivars T.
Bishop, Henry H., II
Bleakley, William P.
Borchardt, Paul D.
Brainerd, Robert P., Jr.
Brewer, James G.
Brush, William E.
Burley, Frank I., Jr.
Burris, Gary M.
Byrne, Allan C., Jr.
Cain, John M.
Carroll, James M.
Cheney, James C.
Chiomento, Thomas V., Jr.
Claar, Robert C.
Clark, Craig W.
Clark, Gerald D.
Cosgrove, Patrick M.
Davies, David A.
Davis, Joseph M.
Douglas, Bruce L.
Eager, Donald R.
Eaton, Roy W., Jr.
Eichmann, Fred C.
Fabry, Steven E.
Fine, Everett E.
Fitzgerald, Preston H.
Fleuriet, Edwin R.
Foley, James W.
Free, William T., Jr.
Freeman, James K.
Fulkes, Duane S.
Fuller, John A.
Fyfe, John K., Jr.
Gamel, Don M.
Garber, Charles S., Jr.
Giardina, Joseph A.
Gidiere, Philip S., Jr.
Gilbertson, Richard E.
Glace, Kenneth W., Jr.
Glover, Nicholas W.
Golden, James E.
Gordon, Jeffrey L.
Gosnell, Robert A.
Groves, Floyd A.
Guild, Thomas A.
Hall, David W.
Hancock, Charles M.
Harrell, William H.
Hatfield, James E.
Hegenbart, Joseph J.
Henderson, Ronald R.
Hiltbrand, Jon H.
Holland, Donald R.
Humphrey, Charles E.
Jackson, Alfred C., III
James, William B.

Johns, Anthony W.
Johnson, Larry E.
Jordan, Douglas S.
Kasdorf, John C.
Kauffman, David C.
Keenan, James C.
Keeney, Gerald F.
Keiser, Edward L.
Kennedy, Hunter L.
Kiernan, Ralph J.
Kincaid, Bruce D.
King, Lawrence A.
Kitch, William C.
Kleckley, Frederick N., Jr.
Kohl, Jack E., Jr.
Kohlmann, John T.
Krause, Ben A.
Laakso, Larry B.
Lamm, David V.
Larson, Robert J.
Leise, Lawrence M.
Lerner, Kenneth W.
Lessa, Joseph G., Jr.
Lewers, Freddie R.
Lewis, Richard E.
Lovett, Stephen M.
Lund, Larry T.
Lycett, Roy G.
Madril, Richard J.
Margeson, John T.
Marlin, Frederick R., Jr.
Marshall, Terry L.
Martelle, Joseph R., Jr.
Martin, Craig H.
Martin, Kenneth E.
Martin, Patrick E.
Martin, Royal S.
Marx, Gerald E.
Mason, Theodore W.
Mayer, Carl M.
McCaffrey, Edward B., Jr.
McCosco, Charles F.
McKechnie, Arnold W., Jr.
McLaughlin, Michael J., Jr.
McNabnay, James R.
Meehan, Clement T., Jr.
Metzger, Douglas P.
Meyer, Fred L.
Minard, Alan L.
Moir, Ronald L.
Moise, Richard W.
Molishus, Joseph, Jr.
Monahan, Frank J.
Moore, Thomas J.
Muir, Brian E.
Muller, Anthony R.
Nelson, Ronald C.
Neutze, Dennis R.
Newton, George E.
Novak, Wayne F.
O'Connell, Daniel P.
Okurowski, Leon P., Jr.
Patt, Ira F.
Paul, John W., Jr.
Paulson, John J.
Peddicord, James L.

Peiffer, Robert H.
Perkerson, John A., Jr.
Pope, Geoffrey W.
Price, Donald E.
Pulliam, Nelson B.
Rice, Frank W., Jr.
Rock, William J.
Sanders, Donald G.
Sarver, Gordon J.
Schandel, George W.
Schmahl, John A.
Schmidt, Todd W.
Schooley, Robert A.
Schreier, Russell J., Jr.
Schutte, Robert J.
Schwartz, Robert G., Jr.
Schweitz, James J., Jr.
Seufer, Stephen J.
Sheffo, Donald G.
Shirley, Joseph G.
Smith, James L.
Smith, Roger J.
Squire, Stanley R.
Stalnaker, Delbert K.
Stanford, William A.
Staubach, Roger T.
Stawitz, William E.
Strack, Beetem H., Jr.
Sweaney, Stephen E.
Swenson, Donald W.
Thompson, Fred C., Jr.
Trimpert, Eugene C.
Turner, Harry L., II
Valenty, Patrick P., Jr.
Vanhaaren, Cary G.
Vanrooy, Lester A., Jr.
Vargo, Joseph F.
Vigrass, David H.
Waldron, Andrew J., Jr.
Walton, William H., Jr.
Warmington, Allen R.
Watts, James T.
Westbrook, Charles S.
White, Gordon R., Jr.
Wiese, Robert D.
Wiles, Clarence D.
Williams, Gary D.
Williams, Patrick D.
Wilson, Charles A.
Winget, William P.
Winkler, Richard A.
Wise, Clinton E.
Withington, Richard B.
Wright, Harry N.
Ziegler, Lee A.
Zimmerman, James H.
Zitzewitz, Robert F.

CIVIL ENGINEER CORPS

Ariko, John G., Jr.
Bogert, Richard P.
Brown, Harry J., Jr.
Cain, James R., III
Clare, Joseph F.
Coley, Gordon B.
Conroy, John F.
Cook, Roy H., III
Corcoran, Anthony E.
Covington, William L.
Crowe, Jerry D.
Cugowski, Ralph M.
Dames, Thomas A.
Dodson, James W., Jr.
Donnelly, William P.
Emory, Bruce B.

Fucile, Eugene P.
Gagen, Robert E.
Gant, James B.
Gottsman, John J.
Grover, William B.
Harada, Theodore I.
Henrick, Joseph W.
Hopper, Mark A.
Hubbard, James D.
Johnson, William E.
Kelley, Timothy C.
Kopecky, William F.
Krebs, Gary L.
Long, Noah H., Jr.
Macdermott, John T.
Meeks, Kenneth W.
Mier, Robert E.
Miller, Robert E., Jr.
Ortenstone, Ronald E.
Peters, Thomas J.
Phillip, Jary J.
Piosila, Thomas W.
Poythress, Philip L.
Regan, Thomas J., Jr.
Rosenquist, Max L.
Schlesinger, Francis D.
Scott, Patrick, III
Smith, William V.
Susswein, Harvey I.
Taylor, Ernest T.
Thurner, Lee F., Jr.
Thurston, Benjamin E.
Vizza, William K.
Walters, Victor Y.
Weston, James E.
Wood, John F.
Woodhull, Roger L., Jr.
Zabor, William F.

JUDGE ADVOCATE GENERAL'S CORPS

Reisch, Richard J.

MEDICAL SERVICE CORPS

Arnold, Leroy E.
Ashburn, James H.
Baker, George F.
Barbee, Benjamine D., Jr.
Barnhill, Russell W.
Bell, Gerald M.
Belter, Lyle E.
Blanton, James R.
Bobola, Edward
Bradford, Dale E.
Bruhn, John E.
Butler, Raymond A., Sr.
Carpenter, Gordon L.
Charland, Normand L.
Closson, David E.
Coleman, Robert C.
Cooper, Furman K.
Cote, Robert R.
Crumbley, Thomas N.
Cunningham, Orlin E.
Curran, Raymond M.
David, Dennis D.
Davis, Donald M.
Davis, Donald R.
Dodson, Jerrold H.
Evans, Patricia R.
Fisher, Stephen T.
Franklin, Douglas W.
Goodhartt, William H.
Graham, James H.
Greear, John F., III
Gutshall, Richard B., Jr.
Hamas, Michael, Jr.
Hammons, Johnnie D., Jr.
Hansel, George J.
Hayes, Charles H.
Hays, Elwin J.
Hazelton, Terrial L.
Hickey, Myron J.
Hill, Charles R.
Hmel, Leonard J.
Hostetler, Melvin G.
Hurder, Richard J.
Jeffs, Robert A. A.
Julius, Leonard J.
King, Glen M.
King, William G.
Loos, Ernest J.
Ludwig, William C.
Maas, John A.
Maassen, Leland R.
Mann, Charles F., Jr.
Markley, Edward G.
Martin, Donald G.
Mathewson, Gordon W.
McDonald, John L.
McGrath, William P.
Medlock, Thomas P.
Milliken, Paul R.
Mincer, Arvin A.
Moore, Leonard L.
Moore, Patrick H.
Murray, John L.
Nacrelli, Walter A.
Narut, Thomas E.
Newman, Reginald E.
Owens, Kenneth L.
Potter, Duane E.
Price, Darrell L.
Rausch, Jack L.
Raymond, Lawrence F.
Reynolds, Richard D.
Reysen, Richard H.
Rice, Edward A., Jr.
Riley, Michael T.
Robinson, Ralph E.
Sander, Dale F.
Schlegel, Elvin L., Jr.
Schroll, John E.
Sherwood, Walter O.
Sides, Alfred L.
Smith, James L.
Smith, James P., Jr.
Smith, Robert E.
Snow, Kenneth S., Jr.
Spencer, Robert F.
Sperry, Douglas R.
Stewart, Gene N.
Taylor, Lloyd C., Jr.
Thome, Carl D.
Thorson, Donald D.
Thrall, Allen M.
Turco, Ronald F.
Wain, William E.
Watko, Laurence P.
Wilson, Everett L.
Wolff, Lavern V.
Wooll, Earl R.

NURSE CORPS

Nye, Margaret C.
Peace, Shirley A.
Snider, Stephen E.

Kathleen A. Hammel, Supply Corps, U.S. Navy, for permanent promotion to the grade of lieutenant in the Supply Corps, subject to qualification therefor as provided by law.

(*) Indicates appointments issued at interim.

HOUSE OF REPRESENTATIVES—*Thursday, January 16, 1969*

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

JANUARY 16, 1969.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

Mr. ALBERT assumed the Chair as Speaker pro tempore.

PRAYER

The Reverend Harper Shannon, First Baptist Church, Dothan, Ala., offered the following prayer:

Eternal God, our Father, we thank Thee for the sunshine that reminds us that Jesus is the light of the world, and for the stars that remind us that Jesus is the bright and morning star.

We thank Thee for the rain that reminds us Jesus is the living water and the water of life that alone can quench our spiritual thirst.

We thank Thee for the food we eat that reminds us Jesus is the bread of life, the living bread come down from heaven—this bread which alone can satisfy our spiritual hunger.

Our Father, we invoke Thy blessings upon this House. Impart wisdom and discernment to these men of law and government. Protect our leaders from harm, and grant us the grace to live as the grateful recipients of Thy divine blessings. In Jesus' name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 10. An act to increase the per annum rate of compensation of the President of the United States.

The message also announced that the Vice President, pursuant to Public Law 85-874, appointed Mr. YARBOROUGH as a member, on the part of the Senate, to the National Cultural Center Board.

AUTHORIZING PAYMENT OF COMPENSATION FOR CERTAIN COMMITTEE EMPLOYEES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-4) on the resolution (H. Res. 96), authorizing payment of compensation for certain committee employees, and ask for immediate consideration of the resolution.

The Clerk read the resolution as follows:

H. RES. 96

Resolved, That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the compensation for services performed during the period beginning January 3, 1969, and ending at the close of February 28, 1969, by each person (1) who, on January 2, 1969, was employed by a standing committee or any select committee of the Ninetieth Congress and whose salary was paid under authority of a House resolution adopted during the Ninetieth Congress, and (2) who is certified by the chairman of the appropriate committee as performing such services for such committee during such period. Such compensation shall be paid such person at a rate not to exceed the rate he was receiving on January 2, 1969.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE REVEREND HARPER SHANNON

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Speaker, it was a great privilege for me to invite a friend of mine, the Reverend Harper Shannon, of Dothan, Ala., to open the House with a prayer this morning.

Dr. Shannon has been pastor of the First Baptist Church of Dothan for the past 7 years. This is a big church, with 3,200 membership. He is a graduate of Southern Baptist Seminary in Louisville and was a classmate of our colleague, JOHN BUCHANAN, of Birmingham.

I thoroughly enjoyed the prayer.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I would like to join the distinguished dean of the Alabama delegation in welcoming to this Chamber Dr. Shannon and in expressing my appreciation for his leadership in our State and as a church member through these years.

Mr. ANDREWS of Alabama. I thank the gentleman.

ARRANGEMENTS BY INAUGURAL COMMITTEE FOR INAUGURATION DAY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of making an announcement on behalf of the distinguished Speaker, the distinguished majority leader, and myself as members of the House of Representatives Inaugural Committee.

Mr. GERALD R. FORD. Mr. Speaker, I am informed by the Inaugural Committee that there will be delivered to each Member of the House today or tomorrow a packet containing tickets for free admission as follows:

First. Two tickets to the parade stands in front of the White House. These are not transferable.

Second. One pass for admission to the distinguished ladies' reception, two passes to the Governors' reception, and two passes to the Vice President's reception.

May I add one other comment with reference to transportation. There is extremely limited parking at the Ellipse. In order to facilitate the transportation of Members from the Capitol Grounds to the parade stands in front of the White House, we have arranged with the Secretary of the Department of the Army to provide buses, seven in number, which will shuttle back and forth from the Capitol Grounds to the White House for the benefit and use of the Members and their wives. There will be sufficient buses available after the ceremonies in front of the Capitol for the swearing in ceremonies which will be available to all Members and their wives prior to, during, and subsequent to the parade.

NATIONAL CEMETERY CRISIS REQUIRES PROMPT ACTION

(Mr. BROWN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, both law and tradition dictate that every veteran of our Armed Forces be eligible for burial in a national cemetery. Yet, over the past 10 years, increasing shortages of available national burial space have arisen.

Since 1966, uncommitted gravesites at seven national cemeteries have been exhausted, and according to Army estimates given a few years ago in a Veterans' Affairs Committee hearing, another 21 national cemeteries will become inactive over the coming decade.

Government policy restricting expansion of national cemetery space dates back to the late 1950's; in turn, the Eisenhower, Kennedy, and Johnson administrations have opposed legislation dealing with cemetery expansion. As was pointed out in the hearings mentioned earlier, the Defense Department says its policy regarding national cemeteries is for the most part, to fill them up and then go out of business.

Even the minute expansions approved in 1967 for five national cemeteries—including what was then the only two open cemeteries in California—have not taken place. The result was the closing down of both California national cemeteries, one in San Diego, the other in San Francisco. Now, there are no available gravesites in all of California—in a State which holds well over 10 percent of all veterans in the country. In the Los Angeles area alone, there are more than 1.7 million veterans—which is greater than the total number of veterans living in every other State except New York—but there is no national cemetery in the Los Angeles area. Earlier this week, I reintroduced my bill to establish a national veterans cemetery in Los Angeles County.

Two years ago, President Johnson announced establishment of a new group which would undertake a comprehensive analysis of all veterans' benefits programs. That group, the U.S. Veterans' Advisory Commission, made known its findings and recommendations in a report issued last March. On the national cemeteries issue, the Commission proposed:

First. That the entire Federal cemetery function, with exception of the Department of the Interior cemeteries, be reassigned to the Veterans' Administration;

Second. That, without delay, the Administrator of Veterans' Affairs conduct a study on methods of providing burial grounds for all veterans convenient to their homes;

Third. That the Administrator establish criteria for eligibility for burial in the Federal cemetery system;

Fourth. That Arlington National Cemetery be reopened to all eligible veterans until it is completely filled;

Fifth. That the burial allowance for veterans be increased to $400, $100 of which shall be reserved for payment toward a gravesite for those not buried in national cemeteries; and

Sixth. That the burial allowance not be denied to any veteran because of the existence of any other burial or death benefit, public or private.

I endorse all these recommendations by the Commission; indeed, I feel that some provisions could even be strengthened. Now, it is up to Congress to act to implement these recommendations.

As a first step, I am reintroducing my bill to establish within the Veterans' Administration a national veterans' cemetery system. Already, in the first session of the 90th Congress, jurisdiction over national cemeteries was shifted to the Veterans' Affairs Committee from the Armed Services Committee. The current session is the appropriate time to put our national cemeteries under the agency to which they rightfully belong—the Veterans' Administration.

VOTE FOR 18-YEAR-OLDS

(Mr. FRASER asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include a copy of a joint resolution.)

Mr. FRASER. Mr. Speaker, a constitutional amendment to lower the voting age to 18, deserves priority consideration by this Congress.

I have today introduced this amendment, House Joint Resolution 260. My desire to extend the franchise to young people between the ages of 18 and 21, is a reflection of my confidence in their education and maturity.

Our educational system prepares young people to shoulder the responsibilities of full citizenship. And the length as well as the quality of education has been greatly improved. In 1920 less than 20 percent of the high-school-age population were in high school and only 17 percent graduated. Today more than 85 percent of that age group are in high school and 75 percent are graduating.

Besides being equipped by their education, young people today are prepared for full citizenship by the responsibilities they already bear. More than 6 million people under 21 work and pay taxes. More than 3 million people under 21 are married. Today by age 21 more than half of the women and more than a quarter of the men in our country are married.

I do not mean to say that marriage is a qualification for voting itself. But allowing young people to marry does reflect our confidence that they possess the maturity to raise children, to buy or rent a home, to buy a car, and to manage a family. Credit buying by young single and married people is often encouraged—businesses have confidence in their maturity.

The tradition of conferring the franchise at age 21 is rooted in the history of the Plantagenet kings who brought from Normandy to Britain the custom of conferring knighthood at 21. The legal precedent for granting the franchise at age 18 is more relevant:

First. School attendance is not compulsory in any State after the age of 18, and by 18 most people have completed their high school education.

Second. Criminal courts generally cease to consider men and women as juveniles after their 18th birthday.

Third. Federal assistance for dependent children is generally suspended at age 18.

Fourth. The child-labor provisions of the Fair Labor Standards Act do not apply to those over 18.

Fifth. Marriages are legal without the consent of parents in many States at the age of 18.

Sixth. The minimum age for the draft is 18.

Seventh. One is eligible for permanent employment by the Federal Government at age 18.

The law recognizes the 18-, 19-, and 20-year-old as an adult in many ways. The franchise is not the sole characteristic of the full citizen, but it is an integral part of the whole. In a democracy, "legal" responsibility consists of both obedience to the law and participation in its formulation. A nation in which these millions under 21 are performing the duties of mature and capable citizens should extend to them the right of participation in the electoral process.

The arguments against lowering the voting age are the same arguments that were used against giving women the right to vote. The suffragettes of the early 20th century were told that women were too idealistic and had not been tempered by practical experience. They were told that they would be easily swayed by their parents, husbands, or handsome and demagogic candidates. But the prophets of doom were wrong and the American system has benefited enormously from the full participation of women.

Four times our Constitution has been amended to extend and protect the right to vote. On each occasion the result has been the infusion of new vitality into our national life. The four are the prohibition of racial discrimination, the addition of women to the suffrage, the extension of the franchise to the residents of Washington, D.C., and the elimination of poll taxes.

The experience of States which have lowered the voting age confirms my hope for revitalization again. In 1960 at the University of Kentucky, 80 percent of the students voted in the election. Statewide only 59 percent of those eligible voted.

I have an additional concern in proposing this constitutional amendment. In a closely contested election of the President of the United States, whether the present electoral college system is retained or not, the outcome could well be decided by citizens under the age of 21 in those States—Georgia, Kentucky, Alaska, and Hawaii—which have already granted them the right to vote. We are effectively denying the young people of other States equal voting rights. A national uniform voting age will be a step toward equal citizenship.

The legal precedents and statistics on education and maturity suggest that the voting age be lowered. But perhaps the greatest reason is the need of our democratic system for the full commitment of every young person in our Nation. We cannot any longer demand that people exist in a state of limbo between 18 and 21. We must not encourage a search for identity and participation outside the democratic system if we wish to instill respect for it.

Full and responsible participation in the democratic process by those between 18 and 21 will be a commitment and boon to the Nation.

Mr. Speaker, the text of House Joint Resolution 260 follows:

H.J. RES 260

Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States eighteen years of age or older to vote

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States eighteen years of age or older to vote shall not be denied or abridged by the United States or by any State on account of age.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

HIJACKING OF AIRCRAFT TO CUBA

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. I understand that some 40 U.S. aircraft have been hijacked to Cuba. This has occasioned anxiety and inconvenience, but, to date, neither injury nor death. What prompts me to mention the matter is not only the concern we all share, but the hope that our Government in transition has some plan calculated to reduce if not terminate such incidents, as well as a contingency plan for dealing with the first one which does not enjoy the "happy ending" to which we have grown all too accustomed. I am told the bullet which pierces the fuselage of a high flying jet can bring disaster upon it. As the identity of the hijacker could remain inconclusive in such case, there would be some reason at least to suspect political conspiracy. Our people still remember the *Maine*, the *Lusitania*, and the *Pueblo*. Our Government would do well therefore to pursue with imagination measures to prevent a recurrence of such incidents and their consequences. Considering the volatile nature of our relationship with Cuba, I would think the Cuba Government would be no less concerned.

REPRESENTATIVE HENDERSON INTRODUCES BILL TO PAY TWO CIVILIAN MEMBERS OF THE U.S.S. "PUEBLO'S" CREW

(Mr. HENDERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HENDERSON. Mr. Speaker, last year, the Congress enacted Public Law 90-510 which authorized the payment of special pay for duty subject to hostile fire for each member of a uniformed service who was aboard the U.S.S. *Pueblo* at the time of her capture by military forces of North Korea. Such payment to be made from the date of their capture to the date of repatriation at the rate of $65 per month.

Under authority of this law, the Secretary of the Navy has approved payment of $850 each to all military personnel of the crew.

There were, however, two Navy civilian employees also aboard the vessel who were not members of the uniformed military service and consequently are not covered by the provisions of Public Law 90-510.

As chairman of the Subcommittee on Manpower and Civil Service, I feel that these two civilian employees, who underwent the same risks and suffered the same hardships as the uniformed military personnel should be provided equal hazardous duty compensation.

I am consequently today introducing a bill which would authorize the payment of $845 each to the two civilian members of the *Pueblo*'s crew: Harry Iredale III, and Dunnie R. Tuck, Jr. I invite other Members to join me in sponsoring similar legislation.

THE LATE ROY HALLBECK

(Mr. HANLEY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HANLEY. Mr. Speaker, I was shocked and stunned to learn of the sudden death this week of my close friend, Roy Hallbeck, president of the United Federation of Postal Clerks. As a member of the Post Office and Civil Service Committee, it has been my distinct pleasure and privilege to work with Roy over the last 4 years in shaping postal legislation. There is no question in my mind but that both the social and economic gains made by postal employees and indeed all Federal employees over the last few years would not have been possible without this dedicated man. Every major piece of postal employee legislation bore his imprint. That in itself is a tribute to the man.

But, Mr. Speaker, Roy Hallbeck was first and foremost a warm human being. I knew him as an honest, dedicated family man. I knew him as a gentle wit and a compassionate friend.

I extend my profound sympathies to the members of the UFPC, who have lost one of their greatest leaders, to the labor movement, which has lost one of its most valiant allies, and mostly, to Elizabeth Hallbeck, who has lost the one dearest to her.

Mr. Speaker, we will miss Roy Hallbeck a great deal, but the memory of his dedication should inspire us to continue the pursuit of those goals which he cherished—dignity, respect, and decent working condition for the men and women of America.

THE 86TH ANNIVERSARY OF THE SIGNING OF THE ORIGINAL CIVIL SERVICE ACT

(Mr. TIERNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIERNAN. Mr. Speaker, today the Civil Service Commission celebrates the 86th anniversary of the signing of the original Civil Service Act.

Many men and women have taken a part in advancing the life and spirit of the Civil Service Act of 1883. Many attempts at reform of Federal service had been made prior to 1883. In 1868, the final report of the Joint Select Committee on Retrenchment which had been directed to inquire into, among other things, the question of examinations for appointments to Federal jobs was filed with the Congress. One of the most important members of this committee, and a leader in the civil service reform movement was Congressman Thomas A. Jenckes from my State of Rhode Island. This committee recommended the introduction of competitive examinations for Federal service jobs. The studies, reports and bills that Mr. Jenckes introduced provided valuable information and ammunition for later reform leaders and eventually became an integral part of the civil service.

What Congressman Jenckes dreamed of and fought for is now a reality. The Civil Service Commission under the leadership of John W. Macy has come to stand for competence, stability, equality, and equity.

It is fitting that on this the 86th anniversary, we take cognizance of the principles upon which the Civil Service Commission was founded and also give recognition to the thousands of men and women whose able and often selfless public service is a credit to the highest standards of American citizenship.

SAFETY STANDARDS IN THE UNITED STATES

(Mr. O'HARA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, the National Safety Council is a nonpartisan organization, devoted to developing facts about accidents in the United States, and to helping reduce accidental death and disability.

It is not an alarmist organization, nor is it given to exaggeration. Furthermore, its data is derived in the most part from its member firms, which are among the most safety-conscious companies in the Nation.

I say this to underscore the fact that the facts set forth below are a conservative and responsible estimate of the occupational safety problem in the United States.

Within those limitations, Mr. Speaker the data available to us now indicates that in 1967, 14,200 American working men and women lost their lives to industrial accidents. In 1967, 2,200,000 Americans suffered disabling injuries on the job. The accident frequency rate rose in 1967 to 7.22 injuries per million manhours worked—the highest figure I might point out, since 1954.

I am reciting these disturbing figures because they indicate to me the continuing urgency of legislation to establish tough and effective nationwide safety standards and enforcement mechanisms. Last year, when the Committee on Education and Labor was considering occupational safety legislation, we were told that the situation was constantly improving, that private industry and the States had things remarkably well in hand, and that the workplace was just as safe as it could be. I expect we will be told the same thing this year, Mr. Speaker, but I am left with the feeling that these glib assurances do not wipe away the fact of 14,200 deaths in 1967. These statistics, carefully selected to show that 1966 was safer than 1926, do not alter the fact that accident frequency rates demonstrate a sharp and continuing increase in every year from 1963 on.

Today, the gentleman from New Jersey (Mr. THOMPSON) and I, with 33 other Members of this House, have introduced new legislation in the field of occupational safety and health. The new bills we are introducing today are, frankly, tougher than the bill that the Education and Labor Committee managed to report to the House last year.

Last year's legislation was the focus of extensive hearings by the Education and Labor Committees, and of a very intensive and well-organized pressure campaign, directed first at weakening some of its key provisions, and secondly and simultaneously, at defeating it altogether. In spite of this opposition, the committee reported a bill which, with all its weaknesses—and there were some serious weaknesses in it—would have been a step forward in the direction of making the working environment safer for the workingman. Unfortunately, the House did not consider the bill we reported last year. I hope that the committee will move to early hearings on this proposal, as well as on other bills which will cover specific segments of the economy such as the construction trades and coal mining. While there is some overlap among these several bills, I think they should all be considered and I hope we can call for early action on this floor.

Mr. Speaker, we will no doubt hear from opponents of the bill as we heard last year, that it will "drive small business to the wall," that it involves "dictatorial Federal regulation," that it is all part of a plot to give the Secretary of Labor "unprecedented powers to interfere with business," and the like. These charges are not new, and the occupational safety act of last year was not the first proposal against which they were leveled.

One novelist discussed this perennial phenomenon in a very dramatic passage, which ought to sound familiar to most of us who have read mail from trade associations. He said:

> Surely there never was such fragile chinaware as that of which the Millers of Coketown were made. Handle them ever so lightly and they fell to pieces with such ease that you might suspect them of having been flawed before.
>
> They were ruined when they were required to send laboring children to school: They were ruined when inspectors were appointed to look into their works: They were ruined when such inspectors considered it doubtful whether they were quite justified in chopping people up with their machinery: They were utterly undone when it was hinted that perhaps they need not always make quite so much smoke.
>
> Whenever a Coketowner felt he was ill-used—that is to say, whenever he was not left entirely alone, and it was proposed to hold him accountable for the consequences of any of his acts—he was sure to come out with the awful menace that he would 'soon pitch his property into the Atlantic.'
>
> This had terrified the home secretary within an inch of his life on several occasions.
>
> However, the Coketowners were so patriotic after all, that they never had pitched their property into the Atlantic yet, but, on the contrary, had been kind enough to take mighty good care of it.
>
> So there it was in the haze yonder, and it increased and multiplied.

That novelist, Mr. Speaker, was Charles Dickens, and the book in which that passage appears is "Hard Times," published in 1854.

I do not know, Mr. Speaker, that we will ever reach the situation in which the National Safety Council can report a year without occupational deaths. That may be too much to hope for. But I do feel that we can, if we have the will, and if we are willing to develop the tools, at least arrive fairly soon at a place where the present rate of industrial deaths and disabling injuries will again begin to move downward.

That industry can be safer, I do not doubt. That it is in the immediate short-range interest of the American businessman and industrialist to cut his own losses to industrial accidents and disease seems to me beyond debate. That it is in the interest of working men and women to make their jobs safer is self-evident. That, in short, we can and ought to do this job does not seem to me to be debatable. I will, therefore, be optimistic, and assume that we will do it, this year.

Under unanimous consent, Mr. Speaker, I place the text of the bill at this point in the RECORD, together with the names of the cosponsors:

H.R. 3809

Messrs. JAMES G. O'HARA, JOSEPH P. ADDABBO, JONATHAN B. BINGHAM, GEORGE E. BROWN, JR., PHILLIP BURTON, HUGH L. CAREY, JOHN CONYERS, Jr., JOHN H. DENT, BOB ECKHARDT, DON EDWARDS, JOSHUA EILBERG, MICHAEL A. FEIGHAN, WILLIAM D. FORD, CORNELIUS E. GALLAGHER, JACOB H. GILBERT, AUGUSTUS F. HAWKINS, KEN HECHLER, and JAMES J. HOWARD.

H.R. 3810

Messrs. FRANK THOMPSON, JR., JOSEPH E. KARTH, SPARK M. MATSUNAGA, LLOYD MEEDS, ABNER J. MIKVA, JOSEPH G. MINISH, Mrs. PATSY T. MINK, Messrs. WILLIAM S. MOORHEAD, EDWARD J. PATTEN, BERTRAM PODELL, Benjamin S. Rosenthal, William F. Ryan, James H. Scheuer, Fernand St Germain, Louis Stokes, and Charles H. Wilson.

H.R. 3809

A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1969".

CONGRESSIONAL FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that personal injuries and illnesses arising out of work situations which result in death or disability impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.

(b) The Congress declares it to be the purpose and policy, through the exercise by Congress of its powers to regulate commerce among the several States and with foreign nations and to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions—

(1) by establishing mandatory occupational safety and health standards applicable to businesses affecting commerce;

(2) by providing for the effective enforcement of such safety and health standards;

(3) by providing for research relating to occupational safety and health;

(4) by providing for training programs to increase and improve personnel engaged in the field of occupational safety and health;

(5) by more clearly delineating the responsibilities of the Federal Government and the States in their activities related to occupational safety and health;

(6) by providing grants to the States to assist them in identifying their needs and responsibilities in the area of occupational safety and health, to develop plans in accordance with the provisions of this Act, and to conduct experimental and demonstration projects in connection therewith; and

(7) by providing for appropriate accident and health reporting procedures which will help achieve the objectives of this Act.

STANDARDS

Sec. 3. (a) For purposes of this section:

(1) The term "occupational safety and health standard" means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary to provide safe or healthful employment and places of employment.

(2) The term "national consensus standard" means any occupational safety or health standard adopted under a consensus method by a nationally recognized standards producing organization.

(3) The term "established Federal standard" means any occupational safety or health standard already established by any agency of the United States, or contained in any Act of Congress in force on the date of enactment of this Act, but before the exercise by the Secretary, with respect to the issues covered by such standards, of his authority under section 13.

(b) Except as provided in section 12(h) of this Act, each employer engaged in a business affecting commerce shall comply with occupational safety and health standards promulgated by the Secretary. Such standards shall be promulgated, modified or revoked by the Secretary by rule in accordance with subsection (c), (d), (e), or (f).

(c) The Secretary may by rule promulgate any occupational safety and health standard which is a national consensus standard. If the nationally recognized standards producing organization, which adopted the national consensus standard upon which an occupational safety and health standard promulgated under this subsection was based modifies or revokes such national consensus standard under a consensus method, the Secretary may by rule modify or revoke the standard promulgated by him to the same extent. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection.

(d) The Secretary may by rule promulgate any occupational safety and health standard which is an established Federal standard. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection. Subsection (f) shall apply to the modification or revocation of any standard promulgated under this subsection.

(e) The Secretary may by rule promulgate an interim occupational safety and health standard which is a standard proposed by a nationally recognized standards producing organization by other than a consensus method, whenever he finds (and incorporates) the finding and a brief statement of the reasons therefor in the rule issued) that such rulemaking without the notice and procedures provided by subsection (f) of this section and by section 553 of title 5, United States Code, is necessary in the public interest. Such a standard may remain in effect for not more than six months from its effective date, except that the Secretary may extend such interim standard for an additional twelve months if at the time he originally promulgates such a standard he commences (by appointing an advisory committee) a proceeding under subsection (f) dealing with the same subject matter as the interim standard, and such additional occupational safety or health issues as he deems relevant. If an interim standard is promulgated under this subsection, no additional standard dealing with the same subject may be promulgated except in the manner required by subsection (c), (e), or (f) of this section.

(f) The Secretary may, by rule, promulgate, modify or revoke any occupational safety and health standard in the following manner:

(1) Whenever the Secretary is of the opinion such a rule should be prescribed, he shall appoint an advisory committee under section 4(b) of this Act, which shall submit to him within two hundred and seventy days from its appointment or within such longer period as may be prescribed by the Secretary, its recommendations regarding the rule to be prescribed, which recommendations shall be published by the Secretary in the Federal Register, either as part of a subsequent notice of hearing or separately.

(2) After the submission of such recommendations, the Secretary shall schedule and give notice of a hearing on the recommendations of the advisory committee and any other relevant subjects and issues. In the event that the advisory committee fails to submit recommendations within two hundred and seventy days from its appointment (or such longer period as the Secretary has prescribed) he may schedule and give notice of a hearing on any proposal relevant to the purpose for which the advisory committee was appointed. In either case, notice of the time and place of any such hearing shall be published in the Federal Register thirty days prior to the hearing and shall contain the recommendations of the advisory committee or the proposal made in absence of such recommendations. Prior to the hearing interested persons shall be afforded an opportunity to submit comments upon the recommendations of the advisory committee or other proposal. Only persons who have submitted such comments shall have a right at such hearing to submit oral or written evidence, data, views, or arguments.

(3) Upon the entire record before him, including the advisory committee recommendations and any evidence, data, views, and arguments submitted in connection with the hearing, the Secretary may issue a rule promulgating, modifying, or revoking an occupational safety and health standard. The rule shall not become effective for at least thirty days after publication in the Federal Register.

(g) This Act shall not apply with respect to employment performed in a workplace within a foreign country or within territory under the jurisdiction of the United States other than the following: a State; Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act; American Samoa; Wake Island; Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone.

ADMINISTRATION; ADVISORY COMMITTEES

Sec. 4. (a) In carrying out his responsibilities under this Act, the Secretary is authorized to—

(1) use, with the consent of any Federal agency, the services, facilities, and employees of such agency with or without reimbursement, and with the consent of any State or political subdivision thereof, accept and use the services, facilities, and employees of the agencies of such State or subdivision with or without reimbursement; and

(2) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, except that contracts for such employment may be renewed annually; compensate individuals so employed at rates not in excess of $100 per diem, including traveltime; and allow them while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

(b) The Secretary shall appoint advisory committees to recommend occupational safety and health standards under section 3(f)(1) of this Act. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of the employers involved, and of persons similarly qualified to present the viewpoint of the workers involved, as well as one or more representatives of health or safety agencies of the States, one or more representatives of professional organizations of technicians or professionals specializing in occupational safety or health, and one or more representatives of nationally recognized standards producing organizations. An advisory committee may also include such other persons as the Secretary may appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee, but the number of persons so appointed to any advisory committee shall not exceed the number appointed to such committee as representatives of State agencies, professional organizations, and standards producing organizations. Persons appointed to advisory committees from private life shall be compensated in the same manner as consultants or experts under subsection (a)(2) of this section. The Secretary shall pay to any State which is the employer of a member of the committee who is a representative of the health or safety agency of that State, reimbursement sufficient to cover the actual cost to the State resulting from such representative's membership on the committee.

(c)(1) The Secretary shall appoint a National Advisory Committee on Occupational Safety and Health (hereafter in this subsection referred to as "Committee") consisting of sixteen members appointed without regard to the civil service laws and composed equally of representatives of management, labor, occupational safety and health professions, and the public. The Secretary shall designate one of the public members as Chairman. The members shall be selected upon the basis of their experience and competence in the field of occupational safety and health.

(2) The Committee shall advise, consult with, and make recommendations to, the Secretaries of Labor and Health, Education, and Welfare on matters relating to the administration of this Act. The Committee shall hold no fewer than two meetings during each calendar year.

(3) The members of the Committee shall be compensated in accordance with the provisions of subsection (a) (2) of this section.

(4) The Secretary shall furnish to the Committee an executive secretary and such secretarial, clerical, and other services as are deemed necessary to the conduct of its business.

INSPECTIONS AND INVESTIGATIONS

SEC. 5. (a) In order to carry out the purposes of this Act, the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized—

(1) to enter upon at reasonable times any factory, plant, establishment, mine, construction site, or other area, workplace, or environment where work is performed by an employee of an employer or on a contract described in section 10(a); and

(2) to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such area, workplace, or environment, and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question any such employee.

(b) For the purpose of carrying out his duties under this Act, the Secretary may delegate his authority under this section to any agency of the Federal Government with or without reimbursement, and, with its consent and with or without reimbursement and under conditions the Secretary may prescribe, to any appropriate State agency or agencies designated by the Governor of the State.

SEC. 6. (a) (1) If, upon inspection or investigation, the Secretary determines that any employer has violated any standard promulgated under section 3 or that any person has violated any regulation prescribed under subsection (b) of this section or any contractual requirement of section 10(a), he shall hold a hearing (in accordance with section 554 of title 5, United States Code, but without regard to subsection (a) (3) of such section), and shall issue such orders, and make such decisions, based upon findings of fact, as are deemed to be necessary to enforce such standard, regulation, or requirement. The Secretary shall give such person the information required by section 554(b) of such title at least 15 days prior to hearing. The Secretary shall have the power to issue orders requiring the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy, failure, or refusal of any person to obey such an order, any district court of the United States or the United States courts of any territory or possession, within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which such person is found, or resides or transacts business, upon the application by the Secretary, shall have jurisdiction to issue to such person an order requiring such person to appear to produce evidence if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(2) If an inspection or investigation discloses (A) that an employer has violated a standard promulgated under section 3 or that any person has violated a contractual requirement of section 10(a), and (B) that conditions or practices in such place of employment are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated, the Secretary may (notwithstanding the provisions of paragraph (1) of this subsection) issue an order providing for the immediate cessation of such violation and for the prohibition of the employment of any individuals in locations or under conditions where such violations exist, except to correct or remove the violation. Such order may remain in effect during the pendency of any proceeding under paragraph (1) of this subsection.

(b) Each employer shall make, keep, and preserve, and make available to the Secretary such records concerning the requirements of section 3 of this Act, and shall make reports therefrom to the Secretary, as he may prescribe by regulation or order as necessary or appropriate for the enforcement of this Act.

JUDICIAL PROCEEDINGS

SEC. 7. (a) The district courts of the United States shall have jurisdiction to enforce (by restraining order, injunction, or otherwise) any order of the Secretary under section 6(a) of this Act. Any person aggrieved by an order issued under section 6(a) may obtain review thereof by such courts based upon the record before the Secretary.

(b) If the Secretray arbitrarily or capriciously issues an order under section 6(a) (2) and the person to whom the order is directed is injured in his business or property by reason of such order, such person may bring an action against the United States in the Court of Claims in which he may recover the damages he has sustained.

CONFIDENTIALITY OF TRADE SECRETS

SEC. 8. In connection with any proceeding under this Act no witness or any other person shall be required to divulge trade secrets or secret processes.

PENALTIES

SEC. 9. (a) Any employer who violates any standard promulgated under section 3 of this Act or any person who violates any regulation prescribed under section 6 or any contractual requirement of section 10(a), may be assessed by the Secretary, pursuant to an order issued under section 6(a) (1) of this Act, a civil penalty of not more than $1,000 for each violation. Each violation shall be a separate offense. When the violation is of a continuing nature, each day during which it continues after a reasonable time specified in an order issued under section 6(a) (1) shall constitute a separate offense except during the time a review of the order under section 6(a) (1) may be taken or such review is pending, and during the time allowed in the order under section 6(a) (1) for correction. The Secretary may compromise, mitigate, or settle any claim for civil penalties. In assessing the penalty, consideration shall be given to the appropriateness of the penalty to the size of the business of the person charged and the gravity of the violation.

(b) Any person who willfully violates or fails or refuses to comply with any order issued under section 6(a) of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $5,000 or by imprisonment for not more than six months, or by both such fine and imprisonment; except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine of not more than $10,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of inspections or investigatory duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of inspecting or investigating duties under this Act shall be punished by imprisonment for any term of years or for life.

(d) Any person who gives advance notice of any inspection to be conducted under this Act, without authority from the Secretary, or his designees, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

GOVERNMENT CONTRACTS

SEC. 10. (a) Each contract exceeding $2,500 and requiring or involving the employment of any person (1) to which the United States or any agency or instrumentality thereof, or the District of Columbia is a party, (2) which is made for or on behalf of the United States, any agency or instrumentality thereof, or the District of Columbia, or (3) which is financed in whole or in part by loans or grants from, or loans insured or guaranteed by, the United States or any agency or instrumentality of the United States, shall include the requirement that no part of such contract (or any subcontract thereunder) will be performed in any place or under any conditions which do not meet the applicable occupational safety and health standards. The applicable occupational safety and health standards shall be the standards promulgated by the Secretary under section 3 of this Act, except that, to the extent that the contract will be performed in a State in which there is in effect a State plan approved under section 12(d) which provides for the development and enforcement of safety and health standards relating to one or more occupational safety or health issues, the applicable occupational safety and health standards relating to such issues shall be those developed and enforced under the State plan rather than those promulgated by the Secretary under section 3.

(b) In promulgating standards under section 3 of this Act, the Secretary shall to the extent feasible conform such standards to those occupational safety and health standards established under other laws administered by him.

(c) In addition to the remedies otherwise provided in this Act, the Secretary may declare ineligible to receive any contract described in subsection (a) of this section any person or firm, or any firm, corporation, partnership, or association in which such person or firm has a controlling interest, which is found to have disregarded its obligations under this section until such person or firm has satisfied the Secretary that it will comply with the requirements of this section.

(d) In addition to the remedies otherwise provided in this Act, the Secretary may recommend to the appropriate contracting agency that such agency cancel, terminate, suspend, or cause to be canceled, or suspended, any contract made by any contracting agency for the failure of the contractor to comply with an order of the Secretary issued under section 6(a) (1) of this Act for the breach or violation by such employer of the requirements under subsection (a) of this section.

VARIATIONS, TOLERANCES, AND EXEMPTIONS

SEC. 11. The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business. The Secretary shall keep an appropriately indexed record of all variations, tolerances, and exemptions granted under this section, which shall be open for public inspection.

EFFECTIVE DATE: FEDERAL-STATE RELATIONSHIP

Sec. 12. (a) (1) Except as otherwise provided in this section, this Act shall be effective on the first day of the first month after the date of its enactment.

(2) Sections 6, 7, 9, and standards promulgated under section 3 shall not take effect until July 1, 1970. Section 10 shall not apply to contracts entered into before July 1, 1970.

(b) Nothing in this Act shall be deemed to prevent any State agency or court from asserting jurisdiction over any occupational safety or health issue with respect to which no standard is in effect under section 3.

(c) Any State which, at any time, desires to assume responsibility for development and enforcement in such State of occupational safety or health standards relating to any occupational safety or health issue with respect to which a Federal standard has been promulgated under section 3 shall submit a State plan for the development of such standards and their enforcement.

(d) The Secretary shall approve the plan submitted by a State under subsection (c), or any modification thereof, if such plan in his judgment—

(1) designates a State agency or agencies as the agency or agencies responsible for administering the plan throughout the State,

(2) provides for the development and enforcement of safety and health standards relating to one or more safety or health issues, which standards (and the enforcement of which standards) are or will be substantially as effective in providing safe and healthful employment and places of employment as the standards promulgated under section 3 which relate to the same issues,

(3) provides for the effective right of entry and inspection of all workplaces subject to the Act,

(4) contains satisfactory assurances that such agency or agencies have or will have the legal authority and qualified personnel necessary for the enforcement of such standards,

(5) gives satisfactory assurances that such State will devote adequate funds to the administration and enforcement of such standards, and

(6) provides that the State agency will make such reports to the Secretary in such form and containing such information, as the Secretary shall from time to time require.

(e) If the Secretary rejects a plan submitted under subsection (d), he shall afford the State submitting the plan, due notice and opportunity for a hearing.

(f) After the Secretary approves a State plan submitted under subsection (b), he may, but shall not be required to, exercise his authority under sections 5, 6, 7, and 9, with respect to comparable standards promulgated under section 3, for the period specified in the next sentence. The Secretary may exercise the authority referred to above until he determines, on the basis of actual operations under the State plan, that it meets the criteria set forth in subsection (d), but he shall not make such determination for at least one year after the plan's approval under subsection (d). Upon making the determination referred to in the preceding sentence, the provisions of sections 5, 6, 7, and 9, and standards promulgated under section 3 of this Act, shall not apply with respect to any occupational safety or health issues covered under the plan.

(g) The Secretary shall, on the basis of reports submitted by the State agency and his own inspections make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

RELATIONSHIP TO OTHER FEDERAL PROGRAMS

Sec. 13. When the Secretary promulgates a set of occupational safety and health standards applicable to an industry and he determines (and so certifies) that such standards will be substantially as effective in providing safe and healthful employment and places of employment as other safety and health standards applicable to such industry which were promulgated under authority of other Federal laws, then such other standards shall be deemed repealed and rescinded on the effective date of the standards promulgated under this Act, except that proceedings already begun may be carried on to completion.

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

Sec. 14. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated by the Secretary under section 3. The head of each agency shall (after consultation with representatives of the employees thereof)—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 3;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action; and

(4) make an annual report to the President with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e) (2) of title 5, United States Code.

(b) The President shall transmit annually to the Senate and House of Representatives a report of the activities of each Federal agency under this section.

RESEARCH AND RELATED ACTIVITIES

Sec. 15. (a)1) The Secretary of Health, Education, and Welfare, after consultation with the Secretary and with other appropriate Federal departments or agencies, shall conduct (directly or by grants or contracts) research, experiments, and demonstrations relating to occupational safety and health.

(2) The Secretary of Health, Education, and Welfare shall from time to time consult with the Secretary in order to develop specific plans for such research, demonstrations, and experiments as are necessary to produce criteria enabling the Secretary to meet his responsibiilty for the formulation of safety and health standards under this Act; and the Secretary of Health, Education, and Welfare, on the basis of such research, demonstrations, and experiments and any other information available to him, shall develop such criteria.

(b) The Secretary of Health, Education, and Welfare is authorized to make inspections as provided in section 5 of this Act in order to carry out his functions and responsibilities under this section.

(c) The Secretary of Labor is authorized to enter into contracts, agreements, or other arrangements with appropriate public agencies or private organizations for the purpose of conducting studies related to his responsibilities for establishing and applying occupational safety and health standards under section 3 of this Act. In carrying out his responsibilities under this subsection, the Secretary shall consult with the Secretary of Health, Education, and Welfare in order to avoid any duplication of efforts under this section.

(d) The Secretary, after consultation with the Secretary of Health, Education, and Welfare, and with the appropriate official in each State as duly designated by such State, shall establish such accident and health reporting systems for employers and for the States as he deems necessary to carry out his responsibilities under this Act.

TRAINING AND EMPLOYEE EDUCATION

Sec. 16. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of Labor and with other appropriate Federal departments and agencies, shall conduct, directly or by grants or contracts (1) education programs to provide an adequate supply of qualified personnel to carry out the purposes of this Act, and (2) informational programs on the importance of and proper use of adequate safety equipment.

(b) The Secretary is also authorized to conduct (directly or by grants or contracts) short-term training of personnel engaged in work related to his responsibilities under this Act.

(c) The Secretary, in consultation with the Secretary of Health, Education, and Welfare, shall provide for the establishment and supervision of programs for the education and training of employers and amployees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions in employments covered by this Act, and to consult with and advise employers as to effective means of preventing occupational injuries and illnesses.

GRANTS TO THE STATES

Sec. 17. (a) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health, (2) in developing State plans under section 12, or (3) in developing plans for—

(A) establishing systems for the collection of information concerning the nature and frequency of occupational injuries and diseases;

(B) increasing the expertise and enforcement capabilities of their personnel engaged in occupational safety and health programs; or

(C) otherwise improving the administration and enforcement of State occupational safety and health laws, including standards thereunder, consistent with the objectives of this Act.

(b) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States for experimental and demonstration projects consistent with the objectives set forth in subsection (a) of this section.

(c) The Governor of the State shall designate the appropriate State agency, or agencies, for receipt of any grant made by the Secretary under this section.

(d) Any State agency, or agencies, designated by the Governor of the State, desiring a grant under this section shall submit an application therefor to the Secretary.

(e) The Secretary shall review the application, and shall, after consultation with the Secretary of Health, Education, and Welfare, approve or reject such application.

(f) The Federal share for each State grant under subsection (a) or (b) of this section may be up to 90 per centum of the State's total cost.

(g) The Secretary is authorized to make grants to the States to assist them in administering and enforcing programs for occupational safety and health contained in State plans approved by the Secretary pursuant to section 12 of this Act. The Federal share for each State grant under this subsection may be up to 50 per centum of the State's total cost.

(h) Prior to June 30, 1971, the Secretary shall, after consultation with the Secretary of Health, Education, and Welfare, transmit a report to the President and to Congress, describing the experience under the program and making any recommendations as he may deem appropriate.

EFFECT ON OTHER LAWS

SEC. 18. Nothing in this Act shall be construed or held to supersede or in any manner affect any workmen's compensation law or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, occupational or other diseases, or death of employees arising out of, or in the course of employment.

AUDITS

SEC. 19. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of any grant under this Act that are pertinent to any such grant.

REPORTS

SEC. 20. Within one hundred and twenty days following the convening of the first session of each Congress, the Secretary and the Secretary of Health, Education, and Welfare shall jointly prepare and submit to the President for transmittal to the Congress a biennial report upon the subject matter of this Act, the progress concerning the achievement of its purposes, the needs and requirements in the field of occupational safety and health, and any other relevant information, and including any recommendations they may deem appropriate.

APPROPRIATIONS

SEC. 21. There are authorized to be appropriated to carry out this Act not to exceed $20,000,000 for the fiscal year ending June 30, 1969, not to exceed $50,000,000 for the fiscal year ending June 30, 1970, and for each subsequent fiscal year such sums as the Congress shall deem necessary.

DEFINITIONS

SEC. 22. For the purposes of this Act:

(a) The term "Secretary" means the Secretary of Labor or his duly authorized representative.

(b) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(c) The term "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized groups of persons.

(d) The term "employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States or any State or political subdivision of a State.

(e) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEPARABILITY

SEC. 23. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

THE ELECTORAL COLLEGE—CONSTITUTIONALLY REPRESENTATIVE

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, Mr. Howard S. Spering, attorney in private practice in Washington, D.C., authored a paper on the electoral college which appeared in the August 1968 American Bar Association Journal.

Mr. Spering's conclusions are that the most sound and constitutionally representative system for election of the President is for the various State legislatures to establish by State enactments provisions for selecting all electors—except two per State at large—to be "Representative" electors of each congressional district.

Mr. Spering's work is sound in judgment and analysis and represents an effort to work reform within the framework and intent of the U.S. Constitution.

Mr. Speaker, I place Mr. Spering's paper at this point in the RECORD:

HOW TO MAKE THE ELECTORAL COLLEGE CONSTITUTIONALLY REPRESENTATIVE

(By Howard S. Spering)

The gross distortions produced by the present operation of the electoral college can be cured by state legislation establishing a system for the selection of approximately four fifths of the electors from the Congressional districts, Mr. Spering urges. The district system would eliminate the winner-take-all procedure under which all the electors from a state go to the state-wide winner regardless of the fact that the state-wide loser might have won some Congressional districts. It would, Mr. Spering declares, follow the scheme for the electoral college envisioned by the founding fathers. He opposes a direct, nationwide, popular election of the President.

Gross distortions that exist in the present operation of the electoral college would be eliminated if "constitutionally representative" electors were required to be elected. No amendment of the United States Constitution would be necessary to accomplish this. The state-wide general ticket system of electing Presidential electors imposed by state election laws is the chief cause of the distortions. That system should be ruled unconstitutional and enjoined by the courts.

Prior to 1836 many Presidential electors were elected by popular vote from and by districts within a number of the states in many national elections.[1] Each district elected its own elector, whose party affiliation and vote might be different from those of electors in some other districts within the same state. District electors represented the choice of the people within their respective districts, who had an elective independent voice "as citizens of the United States". The people were not regimented, as they are today under the general ticket system, into voting solely in their capacity "as citizens of their state", having their votes counted on a state-wide basis only and having only one voice expressed uniformly by all of the electors from the state.

Under the Constitution it is population, or people, that determines the whole number of Presidential electors to be elected in each state. Article II, Section 1, provides:

> Each State shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; . . .

Thus, each state is entitled to the two (but only the two) electors who are the counterparts of the two United States Senators to which it is entitled as a state.[2] The number of additional electors from a state is the number of Representatives in Congress to which the people of the state are entitled. The national apportionment of Representatives among the states is based on the proportion of the total population of the nation in each state, calculated from the latest national census, with 435 now being the total number of Representatives. Each Representative is elected by the people of his Congressional district. The only exceptions to this system are the five states (Alaska, Delaware, Nevada, Vermont and Wyoming) whose population entitles them to only one Representative, and the two states (Hawaii and New Mexico) whose two Representatives are elected at large. It is, of course, possible to have a state-wide at-large election of Representatives if there has been a failure to provide for properly constituted districts.

Congressional districts are now required to be essentially equal, or as nearly equal as is practicable, under the rule in *Wesberry* v. *Sanders*, 376 U.S. 1 (1964).

When the proportion of the national population residing in one state increases or decreases substantially enough, that state correspondingly gains or loses one or more Representatives. As a result, California's number of Representatives in Congress grew from twenty-three in 1948 to thirty-eight in 1964. On the other hand, New York's Representatives in Congress diminished from forty-five in 1948 to forty-one in 1964. The number of Presidential electors to which a state is entitled fluctuates with these figures.

It is, therefore, clear that the right to elect one elector, who is the counterpart of a Representative in Congress, lies in the people of each Congressional district. No contention to the contrary can reasonably overcome the effect of all the words in context in the above quoted portion of Article II, Section 1, of the Constitution.[3]

The dual character of persons as "citizens of the United States" and as "citizens of a state" is clearly established in our Constitution. The great compromise established dual representation in a bicameral Congress, providing: (1) for equal representation of states as states, regardless of population or any other measure of size, in the Senate and (2) of representation of the people by Representatives in the House of Representatives, elected directly by the people and apportioned among the several states according to population.

This difference in the character of the representation in the two houses of Congress is sharply drawn in the provisions of Article I relating to qualifications, which specify that a Representative shall be "an Inhabitant of the State *in* which he shall be chosen" and that a Senator shall be "an Inhabitant of that State *for* which he shall be chosen" (emphasis added).

This balanced and symmetrical structure of dual citizenship and dual representation in Congress applies consistently in the parallel structure of dual representation estab-

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Footnotes at end of article.

lished for the electoral college. Thus, the election of two electors on a state-wide basis is an election *for* the state by persons acting in their capacity as "citizens of the state", and the election of additional electors by each Congressional district would provide separate elections *in* each state by persons acting in their capacity as "citizens of the United States".

Under the state-wide general ticket system, however, all Presidential electors, whether they are counterparts of Senators or of Representatives, are elected by the same state-wide count of votes by which the two electors who are counterparts of the state's two Senators are elected. Many objectionable results flow from this system:

1. All those who vote for the nominee, party or block of electors that receives less than the highest number of votes in the individual state are deprived of representation in the electoral college (a) even if their votes aggregate as much as 49 per cent of all votes cast in the state, and (b) even if their votes constitute a majority, or the highest member, of the votes cast in one or more of the Congressional districts in the state.

2. The weight of each voter's vote will inevitably either (a) be magnified or distorted, when on the winning side, from a plurality, however narrow the margin, to 100 per cent of the total electoral votes of the state, or (b) be completely ignored and destroyed, when on the losing side, and be invidiously misrepresented as if supporting the winning plurality.

3. Different weight is given to the votes of residents of one state from the weight given to the votes of residents of another state. For example, a citizen in New York votes for the election of forty-three electors, while a citizen in Virginia votes for the election of only twelve electors.

4. Many times as many citizens must vote for a particular nominee in large states as in single-Representative states before their voting can have any effect or weight whatsoever in the election of the President.

5. A substantial premium is placed on fraud in the larger states because the small margin that achieves a plurality carries 100 per cent of the large electoral vote of the state.

6. Small splinter parties also can affect the whole electoral vote of a state by controlling the small margin that achieves a plurality in the state. For example, in 1948 Henry A. Wallace drew 509,000 votes from President Truman, thereby throwing the forty-seven electoral votes from New York to Thomas E. Dewey, who had a plurality of only 61,000 votes out of the total of about 6,100,000 votes cast in the state.

7. The "one-man, one-vote" principle[4] of the equal protection clause of the Fourteenth Amendment is breached in almost every conceivable way.

CONSTITUTIONALLY REPRESENTATIVE ELECTORS

When two electors equivalent to a state's two United States Senators are elected on a state-wide basis, the people are acting in their capacity as "citizens of the state". To this extent, the electoral college system cannot be made to conform to the "one-man, one-vote" principle. The 102 electors so elected, however, constitute only approximately 19 per cent of the total of 538 electoral votes.[5]

The other 436 electors, 81 per cent of the total, if elected one in and by each Congressional district,[6] would be "constitutionally representative" of the people acting in their capacity as "citizens of the United States" in essentially equal districts. Each voter in the United States, without regard to the state of his residence, ordinarily would vote for three electors: one "Representative" elector elected in his Congressional district and two "Senator" electors elected on a state-wide basis. The inequalities of voting in the national elections that now exist between citizens of different states and the gross distortions and misrepresentations of the votes of citizens within the same state would oe eliminated with respect to the election of 81 per cent of the electors.

The "one-man, one-vote" principle would be met fully with respect to these electors. The substantive right of the people as citizens of the United States to elect one elector in and by each Congressional district, based on their numbers, would also be satisfied.

The Twelfth Amendment clearly contemplates that the electors of a state may be divided as to the persons voted for as President and Vice President.[7] The district election of "Representative" electors would be fully compatible with this amendment. The general ticket system, on the other hand, precludes any possibility of division of the electoral votes of the state and, therefore, is contrary to the divisibility principle of the Twelfth Amendment.

ADVANTAGES OF REPRESENTATIVE ELECTORS

It is a mathematical fact that the greater the number of units in which elective pluralities are determined and are effective to elect an elector, the smaller will be the population of each unit, the greater will be the citizen's opportunity to have an effective voice in the national election, the smaller will be the number of voters in each unit who are adversely affected by being on the losing side, and the more limited in ultimate effect will be any local election fraud, any splinter party or group, any severe weather condition or other occurrence affecting voter turnout, or any local misinformation that misleads citizens. Thus, election of one elector in each of 436 Congressional districts is more desirable in all of these respects than the present system.

By the same token, one nationwide direct popular vote for the election of the President, without the use of electors, creates the greatest possible premium for election fraud in any area, the greatest potential effect of any splinter party or group, the greatest potential effect of any severe weather condition or other occurrence affecting voter turnout in any area and the most serious consequence of any local misinformation that misleads citizens.

The single nation-wide direct popular vote is somewhat like fungible goods. All the materials put into the large bin or tank from many areas lose their identity completely. There is no pattern of recognizable elements of the people articulated on the basis of local districts in which the voters have an awareness of their problems and interests with respect to national issues and have an effective voice through a district elector.

James Wilson of Pennsylvania, the highly respected lawyer-framer of the Constitution at the Federal Convention in 1787, did not propose the direct election of the President by the people without electors, as has been stated.[8] Wilson's first motion on the mode of appointing the President proposed an electoral college system for the naming of electors by districts. *Madison's Notes* reported on Saturday, June 2, 1787, the following:

"Mr. Wilson made the following motion, to be substituted for the mode proposed by Mr. Randolph's resolution, 'that the Executive Magistracy shall be elected in the following manner: That the States be divided into —— districts; & that the persons qualified to vote in each district for members of the first branch of the national Legislature elect —— members for their respective districts to be electors of the Executive magistracy, that the said Electors of the Executive magistracy meet at —— and they or any —— of them so met shall proceed to elect by ballot, but not out of their own body —— person in whom the Executive authority of the national Government shall be vested in.'

"Mr. Wilson repeated his arguments in favor of an election without the intervention of the States. He supposed too that this mode would produce more confidence among the people in the first magistrate, than an election by the national Legislature."[9]

There is another important element inherent in the principle of representative government that the founding fathers uniformly adopted throughout the Constitution. With Congressional districts of essentially equal population, a Representative or a Presidential elector from that district represents all of the people residing in the district. His effective weight within the particular framework of government should be, and is, measured by the essentially equal number of persons residing in each such district.[10] He stands on a par with each other Representative or elector, as the case may be. His effective weight is not, and should not be, measured by the number of people who voted for him as against the number of people who voted for a Representative or elector from another district. Neither should his effective weight be, nor is it, measured by the total number of people who voted in his district (whether for or against him) as against the total number of people who voted in another district in the election of a Representative or elector.

DISTRICT SYSTEM PROVIDES FAIRNESS

In any district there are under-voting-age children, resident aliens not permitted to vote and many persons confined to institutions or homes because of illness or other disability. Under our representative system of government, those people are entitled to representation on a basis of equality with all other persons residing in districts of essentially equal population. Because of their large numbers across the nation and the failure or inability for other causes (such as weather, business or whatever) of other qualified persons to vote, only about 37 per cent of the nation's total population voted in the 1964 Presidential election, and only about 38 per cent voted in 1960.

Under the polling concept, it is generally accepted that if only 25 per cent of the population in any district vote in an election, the plurality established by their votes will reach the same elective result that would have been reached by the plurality of the voters if any other percentage of the population had voted.[11] This concept, of course, depends for its validity on the complete freedom of opportunity of all qualified and qualifiable persons in the district to vote and to have their votes properly counted. We take strong measures to secure and protect that complete freedom of opportunity for all citizens to vote by secret ballot and to have their votes properly counted.

Thus, given a fair and representative system of election, it is not so important or meaningful that a President shall have a majority or a plurality of all of the popular votes cast. If the President is elected by a majority (as required under the Twelfth Amendment) of the whole number of the electors, 81 per cent of whom shall have been elected by a plurality of the votes in their Congressioal districts, each of essentially equal population, his election will more accurately reflect, and more assuredly represent, the choice of the majority of all of the "people", even if, by chance, it does not also reflect the choice of the majority or plurality of those who actually voted in the election.

It is important that the new President shall enter office with a broad base of support demonstrated in the election. The representation of states in the electoral college by the inclusion of 102 electors elected on a state-wide basis adds significant support for the elected President, since the states are important and effective political entities on the national scene. These electors, along with district-elected "Representative" electors,

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Footnotes at end of article.

form the President's constituency to which he is responsible—the same as the basic constituency of the national government established by the Constitution.

The present state-wide general ticket system and the proposed direct popular vote on a nation-wide basis each create different effective constituencies for the President, and both are in conflict with the basic constituency grounded in dual citizenship and dual representation.

TO ACCOMPLISH CHANGE

To provide for election of "Representative" electors by each Congressional district does not require an amendment of the Constitution. Each state could amend its election laws to provide for "Representative" electors, and the new election laws would clearly be constitutional. The United States Supreme Court so ruled with respect to a Michigan statute in 1892.[12]

The practical obstacle has been that political leaders in some of the larger states have felt that they can carry more effective weight in the election of the President if all of the electoral votes of their states are cast for one person for President. In fact, it was this practice by dominant political forces in the larger states that forced other states, which had initially used the district system, eventually to adopt the state-wide general ticket system in order not to be placed at a disadvantage by a possible division of their strength.

Many attempts have been made to amend the Constitution to require election of Presidential electors by districts.[13] On occasion a majority of one house or the other of Congress has supported these proposed amendments, but not the two-thirds of both houses at the same time that is required to submit an amendment to the states. A number of other amendments to the Constitution have been proposed over the years, including those for election of the President by direct nationwide popular vote without intervening electors. But none of these appear to have made any significant progress in either house of Congress. It seems almost impossible to obtain the necessary two-thirds vote of both houses on this subject in view of the factional strength in Congress of some of the political leaders from some of the larger states.

What, then, can be done to improve the system of electing the President? Mass actions by citizens of the United States could be brought against the states of their residence to attack as unconstitutional the state election laws that provide for the state-wide general ticket system and prevent the election of one "Representative" elector by each Congressional district. These legal actions, brought in the federal district courts, should have a good chance for favorable rulings in view of the significant decisions of the United States Supreme Court on election laws in recent years.[14]

Fundamental principles of the Constitution are breached and defied by the statewide general ticket system for the election of electors. These state election laws cannot find authority or justification under the Constitution when exposed to critical analysis.

FOOTNOTES

[1] Maryland, for example, elected its electors by districts in all Presidential elections prior to 1836, except the first two, for a total of ten of the first twelve Presidential elections. See PAULLIN, THE ATLAS OF THE HISTORICAL GEOGRAPHY OF THE UNITED STATES 89 (1932). See also the extended historical discussion in *McPherson* v. *Blacker*, 146 U.S. 1 (1892).

[2] Each state is also entitled as a minimum to one additional elector, since each state is entitled to one Representative in Congress, even though the state's entire population may be less than the number otherwise represented by each Representative in Congress under the national apportionment system.

[3] It may be noted that the words "in such Manner as the Legislature hereof may direct" relate to procedure, and it is believed that the acts of the state legislatures under such procedural provisions should be limited to conform with, and not to defeat, the substantive rights inherently created by and actually operative in the full context of the provisions of Article II, Section 1.

[4] A fair statement of this principle is: Whenever and wherever voting by any of the people is provided for in state or federal elections, citizens of the United States are entitled to be fairly and equitably represented and effectively weighted, by district units fairly related to their numbers, in the outcome of such election. They are entitled to have their right to vote protected against being abridged, debased, diluted, cancelled, destroyed, discriminated against because of place of residence, or otherwise made ineffective or unrepresentative, by or under any laws or practices of any state, or by any acts of any officials of the state or of any other persons. See *Reynolds* v. *Sims,* 377 U.S. 533, 554–568 (1964).

[5] The District of Columbia now has three electoral votes, two of which I have regarded as equivalent to two United States Senators although the District does not have any Senators, and the other one I have regarded as equivalent to a Representative in Congress, although the District does not have a Representative. This explains my reference to 436 electors elected by districts, although there are only 435 Representatives. It also explains my reference to 102 electors as equivalent to Senators, although there are only one hundred Senators from the fifty states.

[6] Of course, among these 436 electors would be (1) five elected in at-large state-wide elections in the five states that are entitled to only one Representative, (2) four elected in at-large state-wide elections in the two states that are entitled to only two Representatives and that have not established districts for their election and (3) any electors who might be counterparts of Representatives elected at-large because proper Congressional districts were not established.

[7] The amendment provides that the Presidential electors "shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of *all* persons voted for as President, and of *all* persons voted for as Vice-President, and of the number of votes for *each,* which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, . . ." (emphasis added).

[8] Gossett, *Electing the President,* 53 A.B.A.J. 1103 (1967), cites James Wilson as authority for stating that "direct 'election by the people'" was the ideal of the framers of the Constitution for electing the President. The original source materials, *Madison's Notes,* are contained in *Documents, Formation of the Union,* published by the Government Printing Office in 1927. The two partial quotations of Wilson's remarks set forth on the first page of that article appear to be derived from Wilson's first comments on June 1, 1787, in opposition to Mr. Randolph's proposal that the executive magistracy "be chosen by the National Legislature". See pages 134 and 135 of *Documents.* Read in this context, his remarks did not advocate that the President be elected by "direct" election by the people without electors. Wilson's motion the next day, June 2, makes this clear, for it contained the first proposal of an electoral college to be made at the convention. See page 136 of *Documents.* When the subject was reached later, on August 24, Gouverneur Morris of Pennsylvania also opposed election of the President by the national legislature and moved that he "shall be chosen by Electors to be chosen by the People of the several States". This was seconded and supported with four "ayes" (Pennsylvania, Virginia, Delaware and New Jersey) and opposed by six "noes". See pages 611 and 612 of *Documents.*

[9] All quotations are from *Madison's Notes,* see footnote 8 *supra.*

[10] James Wilson is reported in *Madison's Notes* for Saturday, June 9, 1787, as follows:

"He [Mr. Wilson] entered elaborately into the defense of a proportional representation, stating for his first position that as all authority was derived from the people, equal numbers of people ought to have an equal number of representatives, and different numbers of people different numbers of representatives. . . . Representatives of different districts ought clearly to hold the same proportion to each other, as their respective Constituents hold to each other."

[11] Computer predictions of election results from very early returns are based on this polling principle.

[12] *McPherson* v. *Blacker,* 146 U.S. 1 (1892).

[13] See the review of these efforts in *McPherson* v. *Blacker, supra.* See also Ames, "Choice of President and Vice President", in *Proposed Amendments to the Constitution of the United States During the First One Hundred Years of Its History, Hearings on Senate Joint Resolutions 3, 9, 10, 27, 30, 31 and 53 Before a Subcomm. of the Senate Comm. on the Judiciary,* 84th Cong., 1st Sess. 227–252 (1955).

[14] I am informed that class actions of this type are being encouraged by the American Good Government Society, a nonpartisan, nonprofit organization located in Washington, D.C. I wish to acknowledge the substantial assistance on background and source material provided to me by J. Harvie Williams, executive secretary of the society.

THE RENT SUPPLEMENT PROGRAM NEEDS INCREASED CONTRACT AUTHORITY

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, since it was first authorized in the Housing and Urban Development Act of 1965, the rent supplement program has been starved for funds, and each year its supporters have had to fight valiantly to help keep it alive. The administration's fiscal year 1969 budget request was cut by over 50 percent from $65 million to $30 million. The effect of that drastic reduction was predictable. The Department of Housing and Urban Development has informed me that within 60 days—4 months before the end of this fiscal year—its authority to enter into contracts for annual rent supplement payments will have been exhausted. This should not be permitted to happen. Therefore, today I have introduced a bill to increase the annual rent supplement payments which may be contracted for through fiscal year 1969 by $35 million.

Although the 1968 Housing and Urban Development Act, in restating and totaling the 4-year rent supplement contract authorization of the 1965 act, provided a contract authorization of $150 million for fiscal year 1969, the Independent Offices and the Department of Housing and Urban Development Appropriations Act, 1969, set a ceiling at $115 million. My bill would amend the appropriation act, increasing the contract authority by $35 million to the full $150 million.

The rent supplement program was originally presented to Congress as a private sector complement to low-rent public housing. It was argued that it would enable private enterprise to take a direct hand in meeting the housing needs of our low-income population living in substandard housing. Unfortunately, because of the low level of funding, the program has hardly made a dent in the critical need of our urban population for low-income housing. As of January 1, 1969, only 4,500 rent-supplement units in 146 projects had been completed and occupied; 28,000 units were ready for, or under, construction; and another 27,000 units were under program reservation. The figures show that the program is finally gaining momentum. Yet, it will soon be without contract authorization to expand during the remainder of the 1969 fiscal year. Of the $115 million in contract authorization available for fiscal year 1969, only $12 million is uncommitted. And of the $12 million, HUD requires $3 million for contingency purposes; and $9 million is mainly earmarked for units in the model cities program. By March 1, with 4 months remaining in the fiscal year, the rent supplement program will have no more contract authority. At a period in our history when the need for decent low-income housing is overwhelming, it would be unconscionable not to provide HUD with the full rent supplement authorization.

The original request from the Department of Housing and Urban Development for fiscal year 1969 was for additional contract authority of $65 million, making the total $150 million—the full authorization. Unfortunately, the Congress set the appropriation ceiling at $115 million and provided only $30 million additional contract authority. The $35 million increase in contract authority, which I am urging, will produce an additional 35,000 units of rent-supplement housing for fiscal year 1969.

Even with 35,000 additional rent supplement units, the program would fall far short of the national needs for low-income housing. To take New York City as an example, there are 220 rent supplement units in 10 projects completed; 231 units in 11 projects ready for, or under, construction; 518 units in eight projects under program reservation—a total of 969 units in a city where, according to the 1960 census, there are 550,000 units "deteriorated, dilapidated, or lacking in essential facilities."

Throughout the country there are now only 59,500 rent supplement units at some stage in the program.

Mr. Speaker, I should also point out that many needy low-income families are not eligible to participate in this program because HUD has determined administratively that the maximum income limit to be eligible for the rent supplement program is $6,100 anywhere in the country, despite the fact that the statute provides that the income of qualified tenants shall not be higher than the income eligibility limits for public housing in the locality. As a result, in New York City the highest income of any rent supplement tenant is an income of $5,450 per year with a family of seven.

Under the rent supplement program the tenant pays 25 percent of his income per month toward the rent. The Federal Government pays an amount equal to the difference between 25 percent of the tenant's monthly income and the total market rent. The average rent supplement payment in the city of New York is $49.40 a month. For New York City low-income families the rent supplement program should make the difference between living in substandard, overcrowded housing and decent housing provided through the private market. However, because Congress has not provided sufficient contract authorization and HUD has administratively determined that $6,100 is the maximum income limit in New York City, the rent supplement program is an empty promise for most low-income occupants of slum housing.

If the rent supplement program is to gain more momentum in tackling the needs of low-income housing, then it should have the $35 million increase in contract authorization for fiscal year 1969 which is provided for in the bill I have introduced.

FINANCIAL REPORT FORMS AVAILABLE

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Illinois. Mr. Speaker, the staff of the Committee on Standards of Official Conduct has mailed to all Members of the House of Representatives forms and instructions for reporting certain financial interests and outside income as required under House rule XLIV. These reports are due to be filed with the committee not later than April 30.

The forms have gone also to the officers of the House and to some "principal assistants" of members and professional staff members of committees. The mailing to "principal assistants" and committee staff members has not been completed because our committee has not yet received the names of all in these categories.

As chairman of the Committee on Standards of Official Conduct, I should like to take this means of urging all Members and officers who have not done so to let our committee have, as soon as possible, their designations of "principal assistants." I direct the same plea to chairmen of committees and subcommittees with respect to designation of professional staff members of such committees and subcommittees who are not so shown on the latest payroll records.

The financial reporting requirement, as adopted by the House last year, applies to Members, officers, principal assistants to Members and officers, and professional staff members of committees.

Our committee will be glad to answer any questions relating to the forms.

CONSIDERATION OF A DEPARTMENT OF SCIENCE

(Mr. DADDARIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DADDARIO. Mr. Speaker, many Members of the Congress are aware that proposals are being made for a more centralized organization of science activities in the Federal Government. As chairman of the Science, Research, and Development Subcommittee of the House Committee on Science and Astronautics, I have followed these developments with interest because of our own concern that the science resources of the United States be organized for an optimum contribution to the needs of society. Although the current suggestions are varied and lacking in detail, the central theme is consideration of a Cabinet-level Department of Science.

The involvement of the Federal Government with science and technology has reached such dimensions and complexity that a position with respect to reorganization is difficult to formulate. The definition of terms is important. The implications for both the Government and the scientific community are dependent on exactly what is meant by a Department of Science. I intend to devote the necessary effort in this session of the Congress to elaborating the issue of organizational structures so that alternatives can be compared in detail.

As you know, Mr. Speaker, our subcommittee has, since its inception in 1963, made substantial investigations into all phases of science policy. One result is that recently the Congress passed Public Law 90–407 amending the National Science Foundation Act to strengthen the ability of that agency to act as a balance wheel among the plurality of support sources in the executive branch. The testimony taken by our subcommittee over the 3 years of consideration of this legislation has clarified many of the questions of Federal patronage of science.

In another related issue, the recent hearings on the national laboratories operated by several different agencies showed that there was a great opportunity to use these interdisciplinary organizations in the solution of public interest problems outside their primary mission. It seems possible that some laboratories would move quickly into these areas by Executive action as an alternative to reorganization.

We have also studied the problem of interagency coordination in research and development as exemplified by the environmental quality issue. Our continuing review of the efforts in managing this complex field of science by the Federal Council for Science and Technology and the Office of Science and Technology has revealed the limitations and accomplishments of the White House science superstructure.

Yet another subject under study by our subcommittee is technology assessment—the capability to deploy technology without the costs of unwanted, unintended, and unanticipated consequences.

I intend to review our findings in these investigations for information which is pertinent to the Department of Defense question. Further information and opinion will be necessary for judgment in this matter and my subcommittee will use every appropriate means to secure the facts and present them to the Congress.

USER CHARGES: A SOLUTION TO THE AIRPORT CRISIS

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, the Nation's airport crisis becomes more critical every day we delay or put off the obvious solution. Experts estimate that up to $5 billion is needed to bring the Nation's airport system up to date, and to anticipate needs in the immediate future.

Yet the Congress in the face of this need has cut Federal aid to airport funds from $70 million a year down to a piddling $30 million a year.

We must act, and we must act now, to pass a user charge bill so that we can start building these critically needed airports.

Mr. Speaker, I am reintroducing this year a bill to finance airport construction through a trust fund derived from aviation fuel taxes and airline ticket surcharges. I introduced this bill at the last session.

I believe that is the only fair way to finance the construction of airports, just as we do with highways, because it is not fair for every taxpayer to shoulder the burden of paying for airports.

The important thing, however, is to start now, because the crisis becomes more critical as each day passes.

THE FUTURE OF U.S. PUBLIC DIPLOMACY—II

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, yesterday I took the floor of the House to describe a report on "The Future of U.S. Public Diplomacy," issued recently by my subcommittee.

I also put into the RECORD our findings and recommendations. These are the findings of the Subcommittee on International Organizations and Movements which I have the honor to chair and which is comprised of Representatives L. H. FOUNTAIN, DONALD M. FRASER, BENJAMIN S. ROSENTHAL, EDWARD R. ROYBAL, ABRAHAM KAZEN, JR., H. R. GROSS, PETER H. B. FRELINGHUYSEN, EDWARD J. DERWINSKI, and PAUL FINDLEY.

Today I want to describe the initial reaction to our report on the part of private individuals who are both informed and deeply concerned about the key issues of our foreign policy.

Nearly 80 business and foundation executives, educational specialists, and other civic leaders, have shared with us their thoughtful comments about the issues discussed in the report—comments which are reprinted, in part, in the appendix to that document.

All of those distinguished Americans agreed with the subcommittee that there is an urgent need for a thorough, systematic reappraisal of the entire information policy of our Government—preferably by a bipartisan commission of outstanding national leaders and experts in communication and in the social sciences.

Such a reappraisal is necessary if our Government is going to respond effectively to the challenge confronting us on the world scene—challenge arising from the phenomenal revolution in communications technology and in the art and practice of public diplomacy.

The leaders who have endorsed the concept of such a review include:

Archie E. Albright, Kuhn, Loeb & Co., New York City;

Hon. George V. Allen, Director, Foreign Service Institute, Department of State, former Director, USIA, Washington, D.C.;

Karl R. Bendetsen, chairman and chief executive officer, U.S. Plywood-Champion Papers, Inc., New York City;

Dr. Edward L. Bernays, president, Edward L. Bernays Foundation, Boston, Mass.;

Nora R. Booth, associate secretary, International Affairs Division, American Friends Service Committee, Inc., Philadelphia, Pa.;

Edward W. Borgers, chairman, Department of Telecommunications, University of Southern California, Los Angeles;

John W. Brooks, president, Celanese Corp., New York City;

W. Randolph Burgess, the Atlantic Treaty Association; the Atlantic Council of the United States, Washington, D.C.;

Alford Carleton, executive vice president, the United Church Board for World Ministeries, New York City;

W. C. Clark, dean, School of Journalism, Syracuse University, Syracuse, N. Y.;

John T. Connor, president, Allied Chemical Corp., former Secretary of Commerce, New York City;

S. S. Cort, president, Bethlehem Steel Corp., Bethlehem, Pa.;

E. F. Curtis, president, Deere & Co., Moline, Ill.;

E. P. Curtis, Jr., special assistant to the general counsel, Eastman Kodak Co., Rochester, N.Y.;

Hon. C. Douglas Dillon, former Secretary of the Treasury, former Under Secretary of State, New York City;

H. D. Doan, president, the Dow Chemical Co., Midland, Mich.;

Edwin D. Dodd, president, Owens-Illinois, Toledo, Ohio;

Stanley Dreyer, president, the Cooperative League of the USA, Chicago, Ill.;

Robert G. Dunlop, president, Sun Oil Co., Philadelphia, Pa.;

Alex S. Edelstein, professor, School of Communications, University of Washington, Seattle, Wash.

Samuel E. Ewing, vice president, Washington, Radio Corp. of America, Washington, D.C.;

Richard C. Fenton, president, Fenton International, Inc., Denver, Colo.;

Charles A. Foster, Jr., vice president, public relations, Shell Oil Co., New York, N.Y.;

Lloyd A. Free, president, the Institute for International Social Research, Washington, D.C.;

N. W. Freeman, president, Tenneco Inc., Houston, Tex.;

Arthur Z. Gardiner, executive director, International Voluntary Services, Inc., Washington, D.C.;

Peter Grace, president, W. R. Grace & Co., New York City;

Edmund A. Gullion, dean, the Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass.;

W. P. Gwinn, chairman, United Aircraft Corp., East Hartford, Conn.;

Samuel L. Haber, executive vice-chairman, the American Jewish Joint Distribution Committee, Inc., New York City;

Howard C. Harder, president, Corn Products Co., Englewood Cliffs, N.J.;

J. G. Harrar, president, the Rockefeller Foundation, New York City;

H. Field Haviland, Jr., the Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass.;

Harry Heltzer, president, Minnesota Mining & Manufacturing Co., St. Paul, Minn.;

E. B. Hinman, president, International Paper Co., New York City;

John Hohenberg, professor of journalism, Graduate School of Journalism, Columbia University, New York City;

Warren M. Huff, executive director, National Association of the Partners of the Alliance, Washington, D.C.;

Joseph E. Johnson, Carnegie Endowment for International Peace, New York City;

W. W. Keeler, chairman of the board, Phillips Petroleum Co., Bartlesville, Okla.;

Josef Korbel, dean, the Graduate School of International Studies, University of Denver, Denver, Colo.;

R. Stanley Laing, president, the National Cash Register Co., Dayton, Ohio;

A. E. Larkin, president, General Foods Corp., White Plains, N.Y.;

Carl E. Larson, assistant professor of Communications, University of Wisconsin-Milwaukee, Milwaukee, Wis.;

Ralph Lazarus, chairman, Federated Department Stores, Inc., Cincinnati, Ohio;

Norval Neil Luxon, alumni distinguished professor of journalism, University of North Carolina, Chapel Hill, N.C.;

James MacCracken, executive director, Church World Service, New York City;

David C. McClelland, professor of psychology, Department of Social Relations, Harvard University, Cambridge, Mass.;

Gilbert S. McInerny, vice president and general counsel, American Home Products Corp., New York City;

William R. Merriam, vice president, International Telephone & Telegraph Corp., Washington, D.C.

John M. Mitchell, executive vice president, Aluminum Co. of America, Pittsburgh, Pa.

Joseph A. Neubauer, president, PPG Industries, Inc., Pittsburgh, Pa.;

Peter H. Neumann, senior vice president, Addison-Wesley Publishing Co., Reading, Mass.;

Waldemar A. Nielsen, president, the African-American Institute, New York City;

George L. Parkhurst, director and vice president, Standard Oil Co. of California, San Francisco, Calif.;

Thomas L. Phillips, president, Raytheon Co., Lexington, Mass.;

George Piercy, director and vice president, Standard Oil Co. of New Jersey, New York City;

Lucian W. Pye, professor of political science, Massachusetts Institute of Technology, Cambridge, Mass.;

John Richardson, Jr., former president, Free Europe Committee, New York City;

Irving Salomon, owner, Racho Lilac, member, Foreign Policy Association Board, Escondido, Calif.;

E. E. Soubry, chairman of the 50th Anniversary Committee of the Foreign Policy Association, New York City;

Frank Stanton, president, Columbia Broadcasting System, Inc., New York City;

Donald C. Stone, dean, Graduate School of Public and International Affairs, University of Pittsburgh, Pittsburgh, Pa.;

Francis X. Sutton, deputy vice president, International Division, Ford Foundation, New York City;

Arthur B. Toan, Jr., Price Waterhouse & Co., New York City;

C. William Verity, Jr., president, Armco Steel Corp., Middletown, Ohio;

Edward L. Waggoner, relations manager, International Division, Mobil Oil Corp., New York City;

Dr. Wesley H. Wallace, chairman, Department of Radio, Television & Motion Pictures, Communication Center, University of North Carolina, Chapel Hill, N.C.;

William B. Walsh, M.D., president, Project HOPE, Washington, D.C.;

Harry B. Warner, president, the B. F. Goodrich Co., Akron, Ohio;

Leslie H. Warner, president, General Telephone & Electronics Corp., New York City;

Haydn Williams, president, the Asia Foundation, San Francisco, Calif.; and

Henry M. Wriston, president emeritus, Brown University, New York City.

NO PRIDE IN PRIDE, INC., IN THE DISTRICT OF COLUMBIA

(Mr. BROYHILL of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROYHILL of Virginia. Mr. Speaker, the General Accounting Office has been investigating PRIDE, Inc., in the District of Columbia. PRIDE, as we all know, is the multimillion-dollar experiment by the liberal element in the community which is convinced that permissiveness and coddling of criminals and back alley creeps is the sure-fire shortcut to peace and safety on our streets.

The GAO has now completed its investigation, Mr. Speaker, and the report is being shuffled from desk to desk among the higher echelons of that agency in the hope, I assume, that it will disappear and save all the PRIDE lovers of our city the eventual embarrassment of learning that they have been dead wrong. Youth PRIDE, Inc., as this crime-ridden nightmare of forged checks, phony vouchers, and kickbacks is now known, has had three transfusions of taxpayers' dollars—$6 million worth in round figures. The GAO report to which I refer covers the first two cash handouts. PRIDE was awarded a third handout in August of 1968 by the leading exponent of Great Society appeasement to lawbreakers, the Secretary of Labor.

I charge that the third handout of tax funds to PRIDE, $3.8 million, is vanishing as fast and as deviously as the cash handed over in the first two contracts. I believe Congress and the American people are entitled to know why PRIDE spent more than $500 for gasmasks.

Why PRIDE uses public funds for attorney fees for those charged with criminal acts.

Why PRIDE uses public funds to pay traffic tickets accumulated by employees.

Why PRIDE employees are entitled to rent fancy cars for Christmas holiday joyriding, charging off tankfuls of gas on unofficial business trips.

There are more questions the GAO investigators must answer before the full story of PRIDE is laid on the record. I asked a few in a letter I have directed to the Comptroller General to be used as a starting point for his agency's employees who are charged with the responsibility of keeping employees and agencies of the Federal Government honest.

The integrity of the GAO is at stake, Mr. Speaker. The charges I have made to the Comptroller General must be answered. The report of the GAO on phase one and two of PRIDE, Inc., will establish whether or not these new charges will be effectively investigated. I hope they will be and when substantiated, as I am certain they will be, there should be no further doubt about the stupidity of those who believe that law and order can be restored to our community by handing millions of our taxpayers' dollars over to criminals, free-booters, thugs, and juvenile delinquents.

Mr. Speaker, I include at this point in the Record the full text of my letter to the Comptroller General, and a letter I also directed to Secretary of Labor Willard Wirtz under whose protection PRIDE has operated:

January 13, 1969.

Hon. W. Willard Wirtz,
Secretary of Labor,
Department of Labor,
Washington, D.C.

Dear Mr. Wirtz: Enclosed is a copy of my letter of this date to the Comptroller General concerning Youth Pride, Inc.

I understand that information set forth in the letter was furnished to Department of Labor personnel last week.

I would appreciate your comments concerning these most recent charges when the Department of Labor personnel have had an opportunity to check them out.

With best wishes, I am,
Sincerely,
Joel T. Broyhill,
Member of Congress.

Congress of the United States,
House of Representatives,
Washington, D.C., January 13, 1969.

Subject: Youth Pride, Inc.

Hon. Elmer B. Staats,
Comptroller General of the United States,
General Accounting Office,
Washington, D.C.

Dear Mr. Staats: The following information has been brought to my attention concerning the administration of the affairs of Youth Pride, Inc., under the third contract awarded by the Department of Labor in August 1968:

(1) Pride's Director of Administration resigned last week because the Board of Directors and top administrators of the program have refused to comply with Department of Labor and General Accounting Office instructions concerning adequate record keeping procedures.

(2) Despite the requirements that Pride institute and install adequate bookkeeping procedures, there has been no general ledger recording the fiscal activities of the organization established to date.

(3) The journal account for the third contract has not been reconciled.

(4) The petty cash account under the third contract has not been reconciled.

(5) During the pay period December 20, 1968–January 3, 1969, Pride officials granted a general holiday to all members of the staff and all enrollees. Prior to December 20, 1968, time and attendance reports for the pay period were constructed in advance and all employees and enrollees subsequently were paid in full, even though they were not onboard during this period. It is estimated that the gross payroll for Pride during this period was approximately $65,000.

(6) During November 1968, approximately $504 of Pride funds were spent to purchase gas masks, to be used presumably should confrontations with the Metropolitan Police Department take place.

(7) Records of Youth Pride, Inc., indicate that salary advances to employees are made on a regular basis. Amounts up to $8,000 have been advanced, including substantial advances to top officials of Pride.

(8) Pride funds have been used to pay attorney's fees for staff charged with criminal violations.

(9) Pride funds have been used to pay for traffic tickets issued to Pride employees.

(10) Excessive expenditures have occurred for rented autos which have been used for personal business. During the Christmas holidays, one official purchased a tank of gas daily for a rented car which was paid for by Pride.

(11) Payroll irregularities and errors have persisted during the administration of the third contract.

The identity of the individual furnishing the foregoing information has been withheld at the request of this source.

It is requested that the GAO take appropriate steps to corroborate or disprove the foregoing allegations.

Copies of this communication are being forwarded to the Secretary of Labor and Senators Robert C. Byrd and John L. McClellan because of their interest in this matter.

With best wishes, I am,
Sincerely,
Joel T. Broyhill,
Member of Congress.

PAY INCREASE FOR MEMBERS OF CONGRESS

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, the President's recommendation yesterday of a $12,500 pay increase for Members of Congress comes as a very unpleasant shock to the Nation's taxpayers and Members of this House of both parties should unite to defeat it. Not only is a congressional pay increase unnecessary; it would seriously undermine all efforts to curb inflation by holding the line on Government spending. How in the world will Congress be able to resist the demands of others for higher wages, profits and Government handouts if it has just voted itself a fat pay increase?

No doubt some Members will be tempted by the pleasant prospect of getting more money, but I respectfully submit we have a much higher responsibility here than the alleviation of any Member's personal financial needs. The Nation is watching to see whether those of us who have voted for economy in government when others' pocketbooks were involved, will now turn our backs on economy when our own pocketbooks are involved. I have joined a number of colleagues in filing a resolution which will block the proposed pay increase. I urge all Members to support us in this effort to prevent the Congress from making a tragic mistake. Allowing the President's recommendation to go into effect would deal a staggering blow to public confidence in the Congress at a time when congressional prestige very much needs strengthening, not weakening.

This will be compounded if Members fail to take affirmative action to insure a rollcall vote on the resolution. Certainly those who sincerely believe this increase is justified will agree the American people are entitled to have their representatives stand up and be counted on this very controversial issue.

TENURE RECORD ESTABLISHED BY HON. E. Y. BERRY, SOUTH DAKOTA

(Mr. REIFEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REIFEL. Mr. Speaker, it is my pleasure to bring to the attention of the Members of the U.S. Congress the tenure record established recently by my good friend and colleague in representing South Dakota, the Honorable E. Y. Berry.

With the beginning of the 91st Congress, E. Y. Berry has completed the longest record of service in the House of Representatives for any South Dakota Congressman.

Congressman Berry was first elected in the fall of 1950 and began his service on January 3, 1951. Now he has surpassed the service record of the late Royal C. Johnson, of Aberdeen, who served for nine terms from March 4, 1915, until March 4, 1933.

In these 18 years E. Y. Berry has fostered successfully legislation for the development of South Dakota's water resources.

Throughout this period of nearly two decades he also has been a vigorous and effective advocate of programs for the improvement of farm income, domestic mining production, Indian affairs and in the wise use of our natural resources.

His seniority on the Committee for Interior and Insular Affairs will enable him to continue his effectiveness on behalf of South Dakota as well as the Nation.

CENSUS REFORM HAS 71 SPONSORS

(Mr. BETTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BETTS. Mr. Speaker, the need for early action to repeal criminal penalties on all but questions essential in determining the population count in the 1970 decennial census has 71 sponsors in the 91st Congress. I know of several more of my colleagues who endorse this legislation, identical to or patterned after H.R. 20, who plan to introduce separate bills in the near future. The momentum for a reexamination of the census has grown steadily and I believe will result in final action by the Congress this year.

In the 90th Congress the proposal to limit the number of mandatory questions was given a hearing by the Census and Statistics Subcommittee of the Post Office and Civil Service Committee but no action followed. The Senate last year saw fit to unanimously approve the repeal of the offensive 60-day jail sentence penalty representing a significant recognition of a need to change present census laws. Upon the foundation laid last Congress which included 47 sponsors of census reform bills we must press for early hearings leading to floor consideration of this legislation.

The core of the census reform controversy is this: The threat of invasion of privacy by a totally mandatory and harassing form containing 67 subjects, the dubious justification for including as many as 120 questions—in view of the constitutional purpose of the census, and prospects of a significant undercount due to the complexity of the forms, require remedial action by Congress. On January 6, I presented a detailed description of the public concern over present decennial census plans.

Mr. Speaker, this is a bipartisan effort encompassing Congressmen of divergent philosophies which illustrates the wide recognition of the census problem. Let me include at this point a list of all sponsors of census reform bills. I encourage the many Members of the House of like mind on this matter to introduce similar legislation.

List of Cosponsors of H.R. 20

Joseph Addabbo, of New York.
John B. Anderson, of Illinois.
Walter S. Baring, of Nevada.
Benjamin B. Blackburn, of Georgia.
Edward P. Boland, of Massachusetts.
W. E. Brock, of Tennessee.
Garry Brown, of Michigan.
J. Herbert Burke, of Florida.
Earle Cabell, of Texas.
Frank M. Clark, of Pennsylvania.
Del Clawson, of California.
Jorge L. Córdova, the Resident Commissioner of Puerto Rico.
Glenn R. Davis, of Wisconsin.
John R. Dellenback, of Oregon.
David W. Dennis, of Indiana.
Edward Derwinski, of Illinois.
William L. Dickinson, of Alabama.
John J. Duncan, of Tennessee.
Paul Findley, of Illinois.
O. C. Fisher, of Texas.
George Goodling, of Pennsylvania.
Charles H. Griffin, of Mississippi.
Martha W. Griffiths, of Michigan.
James R. Grover, of New York.
James A. Haley, of Florida.
Durward Hall, of Missouri.
Seymour Halpern, of New York.
John Paul Hammerschmidt, of Arkansas.
Frank Horton, of New York.
Carleton King, of New York.
Thomas Kleppe, of North Dakota.
John Kyl, of Iowa.
Peter N. Kyros, of Maine.
Robert L. Leggett, of California.
Donald E. Lukens, of Ohio.
Catherine May, of Washington.
Thomas J. Meskill, of Connecticut.
Robert H. Michel, of Illinois.
Lucien N. Nedzi, of Michigan.
Howard W. Pollock, of Alaska.
Adam C. Powell, of New York.
David Pryor, of Arkansas.
Robert McClory, of Illinois.
Howard W. Robison, of New York.
Paul G. Rogers, of Florida.
Henry C. Schadeberg, of Wisconsin.
Herman T. Schneebeli, of Pennsylvania.
Fred Schwengel, of Iowa.
J. William Stanton, of Ohio.
Charles M. Teague, of California.
Vernon W. Thomson, of Wisconsin.
John V. Tunney, of California.
James B. Utt, of California.
Charles A. Vanik, of Ohio.
Jerome R. Waldie, of California.
G. William Whitehurst, of Virginia.
Charles Wiggins, of California.
Lawrence G. Williams, of Pennsylvania.
John M. Zwach, of Minnesota.
Robert Taft, Jr., of Ohio.

SPONSORS OF SIMILAR CENSUS REFORM LEGISLATION

John M. Ashbrook, of Ohio.
James F. Battin, of Montana.
William S. Broomfield, of Michigan.
Charles E. Chamberlain, of Michigan.
Glenard Lipscomb, of California.
William E. Minshall, of Ohio.
Richard L. Roudebush, of Indiana.
John R. Rarick, of Louisiana.
William L. Scott, of Virginia.
Edward Hutchinson, of Michigan.
Jack H. McDonald, of Michigan.

COMBINED POSTAGE RATE FOR FIRST CLASS AND AIRMAIL

(Mr. DULSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DULSKI. Mr. Speaker, in his budget message to the Congress on Wednesday, President Johnson proposed that the first-class mail and airmail be combined into one rate of 7 cents an ounce.

This is a proposal that will require much careful study, as I pointed out in a statement on the House floor yesterday.

In order that the proposal of the President and his Postmaster General will be before our Committee on Post Office and Civil Service for consideration, I am today introducing appropriate enabling legislation.

WINTER CLOTHING NOT ISSUED BY ARMY AT SOME INSTALLATIONS

(Mr. LONG of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG of Maryland. Mr. Speaker, I was dismayed to learn last week that some soldiers at Aberdeen Proving Ground in Maryland had not been issued winter clothing. Since my inquiry to the Army as to the reasons for this, reports have come to me of similar instances where warm clothing was not issued to soldiers at Fort Dix, N.J., Fort Riley, Kans., and Fort Holabird, Md. These failures to provide soldiers adequate clothing suggest poor supply management by the Army at a number of bases. The Congress has voted sufficient money to clothe the members of our

Armed Forces properly, and the Army should act immediately to make sure that this is done.

ESTABLISHMENT OF A NATIONAL OCEANOGRAPHIC AGENCY

(Mr. BOB WILSON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. BOB WILSON. Mr. Speaker, today I am reintroducing my bill to establish a National Oceanographic Agency, to get our Nation off dead center and embarked on a program of productive exploration and exploitation of the seas.

I first introduced this legislation 5 years ago. In the interim, oceanography has made some progress but still without much Federal coordination. Its importance is attested to by the fact that both military and civilian agencies have undertaken undersea, environmental or atmospheric studies and programs. Private industry has been far ahead of Government in pursuing oceanography. Now it is time that the Federal Government asserts a position of leadership with a positive program, with goals and with cooperation and coordination to reach them.

There were some who said 5 years ago that a full-fledged oceanography agency was premature. Perhaps it was then but it is not now. Today we have the report of the President's Commission on Marine Science, Engineering, and Resources, which recommends that a new, independent Federal agency devoted to oceanography be established, to direct a sound program of exploration, analysis of sea resources and of uses of these resources in the national interest.

As we look at the United States today, and ahead to our own and world problems in the future, the need for oceanographic progress becomes increasingly apparent. Experts have predicted a world food shortage, yet we have not begun to harvest the food resources of the seas which comprise 75 percent of the area of the globe.

The United States is now importing 66 of 77 strategic materials, yet each cubic mile of sea water contains tons of dissolved minerals. We should be developing processes to retrieve these metals so that we do not have to be dependent upon whims, revolutions, or other threats to our supply from other countries.

In our own country there is a need for more fresh water. We must move ahead rapidly on desalinization so that we can supply our arid areas and help redistribute our population which is oversaturated in urban areas.

We need to know more about the tides, about the ocean currents which flow by our shores, about navigation, and about the oceans' effect on our weather. Sea space must come to occupy a major role in our national effort. We can no longer ignore the wealth that lies off our three seacoasts.

We must act quickly to preserve our estuarine areas which are the breeding grounds for many species of ocean life. As leisure and recreation become more important in our economy, we must assure a supply of fish, plus good harbors, clean water, and public access to the ocean shores. Oceanography offers the vista of thousands of new jobs, new processes, new vehicles, new products, new industries.

The Soviet Union is devoting much effort to oceanography. While we are concentrating on outer space, the Soviet Union has quietly been stepping up its work in inner space. We can all be justly proud of our celestial accomplishments. Now we should make a similar commitment toward making the United States No. 1 in oceanography.

I commend the President's Commission on recognition of the need for a coordinated attack on the unsolved problems of oceanography. We could make no better investment of the taxpayers' money than in oceanographic programs which will yield huge returns, provide greater understanding of our environment and help further raise our national standard of living.

To move ahead in oceanography we cannot continue to have 22 bureaus in nine Federal agencies each going its own way. We must unify this effort, mesh it with the efforts of private industry and the many institutions that are conducting research work. It is only commonsense that data must be shared to achieve its full value. The space program bears witness to the progress that can result from unification.

The bill I am introducing today calls for establishment of an independent agency to be known as the National Oceanographic Agency. It would set up a coordinated Federal program, set goals, assign projects, evaluate information and results. It would consolidate under one umbrella all the many and diverse elements of oceanography that are being worked on by unconnected units in the field of oceanography today.

There are 335 million cubic miles of water in the seas. They offer us untold wealth and the challenge of exploration and study. We no longer as a Nation can afford uncoordinated half-hearted efforts in this field. It is time that we move forward into this challenging future with a full-scale program, with a sizable commitment in programing and financing. It is time for sea space to take its place of importance and priority in our national purpose.

SPIRITUAL TONE OF INAUGURATION ACTIVITIES

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, I am certain that we are all pleased to note that the religious observance subcommittee of the 1969 Presidential Inaugural Committee is making a concerted effort to set a spiritual tone to the inauguration activities next Monday. The call for spiritual renewal, issued by Judge Boyd Leedom, reads as follows:

> On the established days of worship immediately preceding the inauguration of our 37th President, Richard M. Nixon, we call upon our fellow citizens across the Nation to hold in all places of worship, appropriate services of prayers for the President and his cabinet, of thanksgiving to Almighty God for His mercy and blessings on America, and of rededication of our people to the ideals of responsible freedom, human dignity, and the brotherhood of all men.
>
> We further urge that on the day of inauguration, January 20th, *prayers be said in all places of worship, bells be rung, chimes be played* and *lights to be kindled* in Houses of worship across the Nation for a period of *three minutes, at one time;* that is, 11 a.m., EST, at 10 a.m. CST, etc., to commemorate with joyful reverence this peaceful transfer of authority, and to proclaim to all the world our faith in God, and our spiritual rededication. Thus in these times of a new birth of freedom we shall, "proclaim liberty throughout all the land to all the inhabitants thereof" as did the liberty bell in 1776.

Mr. Speaker, I commend the religious observance committee for this admittedly late effort, and I hope that all Members of this body will give them both moral and active direct-word and telephone support. I have urged the leaders of the Southwest Missouri Religious Advisory Council to respond to the request to the maximum extent possible. They are working actively through heads of denominations, ministerial alliances and religious councils.

OIL IMPORT PROGRAM—ACTIONS OF MR. THOMAS SNEDEKER, ASSISTANT ADMINISTRATOR OF THE OIL IMPORT ADMINISTRATION

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I want to take this opportunity to bring to the attention of this House and to the general public a matter which deeply concerns me.

On December 11, 1968, an article appeared in the Washington Post concerning actions taken by Mr. Thomas Snedeker, Assistant Administrator of the Oil Import Administration. According to this article Snedeker had written a letter to people in the oil industry, the very industry which he was publicly charged with overseeing, soliciting their support for promotion to position of administrator of the Oil Import Administration in the new administration. The letter asked that any support which could be obtained, either through Members of Congress or through other people, should be sent to Mr. Harry Flemming, office of the President-elect.

The article stated that Snedeker had admitted writing the letter claiming it was sent mainly to people in the trade associations.

In the letter Snedeker stated he had long been in favor of strict controls under the oil import program without the all too numerous exceptions which had been granted by the Interior Department in recent years. This, I might point out, is the view held by most American oil producers.

Mr. Speaker, I consider Mr. Snedeker's actions in soliciting support for this important position of trust and responsibility from the very industry which he is supposed to be overseeing to be highly improper. I believe he has evidenced a lack of understanding and respect for the responsibilities of both the Administrator's position he has been trying to obtain as well as his present position as Assistant Administrator. His actions, I believe, call for his disqualification from any further service with the Oil Import Administration.

I have expressed my views concerning this subject to both the present Secretary of Interior and to officials in the new administration. I intend, furthermore to shortly be in contact with Secretary-designate Walter J. Hickel regarding this matter.

The Office of the Secretary of Interior in responding to me has taken the position that Mr. Snedeker, while showing poor judgment in sending this letter, should not be removed from his present position. They state that there has been no suggestion that during his long service with the Oil Import Administration Mr. Snedeker has performed his duties other than fairly and impartially.

They continue that in light of this background, it seems that Mr. Snedeker's regrettable action does not bespeak an incapacity to continue to perform his duties in an evenhanded manner, although it raises question as to the soundness of his judgment.

Mr. Speaker, I cannot agree with the position of the Office of the Secretary of Interior that Mr. Snedeker should not be removed. I believe his actions have compromised his position as an official in the Oil Import Administration.

It is vitally important for the people of this country to be able to have complete confidence that the governmental department with which they are dealing is being operated in a fair and impartial manner. In light of Mr. Snedeker's action I do not believe that this can be the case any longer with respect to his operation of his office.

Mr. Speaker, for these reasons I believe that Mr. Snedeker's relationship with the Oil Import Administration should be ended. I bring this matter to the attention of my colleagues for their knowledge and in order to give them an opportunity to express their thoughts on this situation.

ARRANGEMENTS BY INAUGURAL COMMITTEE FOR INAUGURATION DAY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, at the outset of the session I indicated that there would be buses available for the transportation of Members and their wives to and from the Capitol and the inaugural stands. I have just now been informed that the buses to the inaugural stand in front of the White House will be available on First Street, Southeast, east of the Cannon House Office Building between Independence and C Streets. They will be there prior to, during, and after the swearing-in ceremony.

THE FUTURE OF SUPERSONIC TRANSPORT

(Mr. BOW asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BOW. Mr. Speaker, the future of the supersonic transport project should be a matter of great concern to the Congress, and I sincerely hope that H.R. 15, my bill providing a sensible system of financing the remaining phases of the program, will have serious consideration.

Redesign of the aircraft is now in progress and may continue for several months. For this reason the 1970 budget does not request additional SST money. This provides an interval during which it would be most appropriate to determine how future funds are going to be provided. I continue to believe that it is both unnecessary and inappropriate to continue financing of the SST out of appropriations. I believe that we must try to shift to other methods of financing whenever a particular project or program is susceptible to that treatment. This is one important way to reduce the demands upon the taxpayers of this country and hold the Federal budget down to reasonable levels.

Col. W. S. Whitehead has prepared at my request a report on the SST program to date particularly as it relates to problems of finance. In preparation of this report he was assisted and advised by the Honorable W. Sterling Cole, our former colleague, and F. J. O'Hara, Jr., both directors of the firm.

This extremely interesting and valuable document will serve as background information for all who are interested in the SST program, and I insert it at this point as a part of my remarks, along with the text of H.R. 15, to provide for the construction of the SST with maximum involvement of the investing public rather than tax funds:

TASK FORCE REPORT

For: Hon. FRANK T. BOW and Hon. CLARK MACGREGOR, Members of Congress.

Subject: Evaluation-Supersonic Transport Program.

INTRODUCTION

(1) This report recites key developments that have transpired in the SST program during the past eighteen months, and includes pertinent comments thereon as well as suggested recommendations for future legislative and executive actions. The factual contents set forth herein have, for the most part, been obtained from available official and quasi-official sources.

(2) During the period involved the program was, (a) Forced to undergo substantive airframe design changes, (b) Faced with the realization that the commercial aircraft production optimum level would necessarily be sharply curtailed under conditions of sonic boom flight restrictions, and (c) Confronted with a Congress during its second session, which refused to appropriate new money for FY 1969.

BACKGROUND

Program phases

(3) Phases III, IV and V of the proposed program remain to be completed. The activities currently intended to be accomplished during each phase are briefly described hereunder, but future possible revisions and variations may be anticipated.

(4) Under phase III, the prime contractors, The Boeing Company (airframe) and the General Electric Company (engine) are committed by the Government (Federal Aviation Administration), under agreements dated 1 May 1967, to complete their respective designs, construct and flight test for approximately 100 hours, two prototypes of the same model.

(5) Phase IV, certification by FAA of the constructed aircraft, and the initial portion of phase V, commercial production of the transport, are intended to run concurrently and may overlap to some degree the anticipated activities under phase III.

(6) The last two phases are intended to include the building and testing of static and fatigue articles, redesigning the production aircraft, building production tooling, fabricating the first production aircraft, and testing the prototype and production aircraft during the certification process.

Funding plans

(7) Phase III is being funded on the basis of the Government sustaining 90 percent of allowable contract costs until total spending reaches an overun point, after which the cost reaches an overrun point, after which the cost sharing percentages for the amount of overrun becomes 75 percent-Government and 25 percent-contractors.

(8) The Government intends to invest about $1.3 billion in the program through prototype construction and certification (phases III and IV); however, it currently is not contractually committed to fund costs in connection with the certification of the prototype models.

(9) It is expected that the Government's anticipated investment of $1.3 billion will be recouped through royalty payments from receipts on sales of transports constructed by the manufacturers. The amount of actual recoupment depends upon the number of transports sold, and FAA estimates that if 500 aircraft are sold at the price of $40 million each, the return on such investment will be 4.1 percent.

(10) The agreements provide that G.E. will pay royalties on the first engine sold commercially, whereas Boeing has the option of designating any one of the first 101 airframes sold as the initial royalty-bearing airframe.

(11) Various domestic airlines have contributed *risk* capital for the development phase in an amount of $52 million, repayment of which is to be made through royalties on transports sold. In addition, each of the 122 domestic and non-domestic reservations for the commercially built transport were accompanied by a token purchase payment of $100,000, or a total of $12.2 million, which FAA has turned over to the airframe contractor.

(12) The basis and means by which phases IV and V are to be financed have not as yet been determined. In July, Boeing and G.E. each filed with the FAA for review, suggested plans to finance the costs of these phases and concurrently therewith, the Agency announced that such plans did not necessarily reflect its philosophy or policy.

Key developments

(13) Subsequent to Boeing and G.E. submitting proposed design changes to FAA in late 1967, the Acting Secretary of Transportation determined that the "aircraft must have substantially improved range and carrying capacity if it is to serve as a solid foundation for the production of a successful transport".

(14) At the request of the House Committee on Interstate & Foreign Commerce, the U.S. Comptroller-General reviewed reports relating to the economic feasibility of the SST, which had been prepared both by the FAA and certain private consulting firms, and rendered his report (B–159151) thereon.

(15) Legislation (PL 90–411) was enacted requiring aircraft noise abatement regulation. The statute directs the FAA, after consultation with the Secretary of Transportation, to prescribe and amend standards for the measurement of aircraft noise and sonic boom.

(16) The House banned the FAA 1969 fy

request for new money in the amount of $223 million for the program, but authorized that Agency to expend $186 million in unobligated authority during this period, and rescinded the remaining unobligated $30 million thereof. The Senate concurred.

BASIC FACTS

Design changes

(17) When it was concluded that the program must be delayed in order that the aircraft have substantially improved range and carrying capacity, the Acting Secretary of Transportation wrote, "The airlines stated that although the production airplane as now visualized did not fully meet their requirements, they recommended that the prototype program proceed. The General Electric engine development for the SST was judged to be making satisfactory progress."

(18) The Secretary further wrote that Boeing's effort was "being funded entirely from airline risk contributions and Boeing's money" and the airline funds were considered "sufficient to carry the Boeing program until fall without the need for further Government expenditures". The G.E. engine program was being "funded by the Government and G.E. on a cost-sharing basis."

(19) The Administration's estimate of the length of the forced retardation brought about in redesigning the airframe was "that the first flight may be delayed by about one year and would occur approximately at the end of calendar year 1971".

(20) A representative of The Boeing Company publicly announced in October, that this contractor's controversial movable wing design for the SST had been scrapped in favor of the conventional fixed wing, and that the new design would be submitted to FAA for approval early in 1969.

Comment.—The Director of the SST Program, FAA, informed the Transportation Subcommittee of the House Committee on Appropriations on 24 May 1967, that "We did have serious problems in our configurations. We have now resolved these problems," and "We have successfully completed the detailed design problems". The FAA Administration added, "I think the 18 month design competition * * * was a wise move. I think as a result we are going to have a much better airplane, a safer airplane, and a more profitable airplane".

No doubt, these reassuring utterances from the top FAA officials were strong determinants for the Subcommittee and the Appropriations Committee members to approve the fy 1968 budget request of $142 million for the program's continuance. Yet, almost unbelievably, less than 7 months later the touted "successfully completed design" for the airframe was found to require "substantially improved range and carrying capacity", and thus was scrapped.

The additional 12 month redesign delay might, in the final analysis, displace the USA from its formidable competitive position over the Concorde, which is due to fly in early 1969. Our already acute position certainly will be aggravated if the Boeing redesign to be submitted is determined to be unacceptable by the Government.

Feasibility variances

(21) The GAO report (B–159141) reflects in limited detail the contents of FAA's Economic Feasibility Report (EFR) in areas concerned with, (a) Commercial transport sales potential with and without boom restrictions, (b) Recoupment of the Government's investment based on these potentials, (c) Development and production costs, (d) Transport operating costs, (e) Passenger and aircraft demand, (f) Airport and enroute service costs, (g) Balance of payments impact, and (h) Financing for production phase.

(22) The report likewise highlights the findings of private consultants who were engaged by the FAA to evaluate the determinations in its EFR. Their findings in several areas are at wide variance with those reflected in the FAA study. For instance, the Agency estimates the development and certification costs to run $2.1 billion (Government's share $1.3 billion), whereas a private group estimates such costs to amount to $3.36 billion, with the resultant differential of $1.22 billion between the two analyses.

Comment.—It is believed unnecessary for this report to go further into the details of variances existing in respective conclusions arrived at in other of the above mentioned areas, except to note that impressive differences do appear. A difference of opinion in the amount of $1.22 billion, in the phases of development and certification, is suffice to portend confrontations in follow-on phases and thus contaminate the conclusions the FAA has arrived at throughout its EFR.

Sonic boom impact

(23) During the period 1956 through early 1967, about 35,000 claims totaling over $19 million, were filed against the Air Force for damages resulting from sonic booms emanating from military supersonic aircraft flights in this country. As of the latter year, the Air Force had approved in whole or part, over 12,000 of such claims and had paid out in damages $1.3 million.

(24) The Secretary of Interior sponsored a sonic boom study group made up of experts on environmental problems. Its report has just been released and the basic thrust of its findings is that the American people should determine whether the probable SST noise levels are acceptable to their well-being and comfort; and, that the decision about overland flights should not be made purely on the basis of program economics or how much physical damage the sonic boom would do to property and persons.

(25) The 90th Congress enacted PL 90–411, which requires aircraft noise control and abatement regulation by the FAA. A strong effort was made in the Senate to include a provision in the proposed legislation, which would actually have banned sonic boom caused by supersonic transports, but this was defeated.

Comment.—In late 1967, the FAA Administrator publicly acknowledged that the SST might never be able to make land flights because of the sonic problems that persist. A number of Government sponsored studies are now under way to reduce the boom, etc., but the results probably won't be available for a number of years.

The erstwhile optimum production level for the commercial transport has been 1200, which figure was arrived at before intense pressure against the program was built up because of the boom effects. Thereafter, the 500 level was established and in the FAA's feasibility study report, statistics are based on 500 aircraft (boom restricted) and 1200 aircraft (boom unrestricted). It is understood that current FAA decisions on the program are based on a market outlet of the lesser number.

Contractor financing

(26) Boeing, in its report on the development of a plan for financing phases IV and V, generally states that its objectives are, (a) Maximum utilization of private capital, (b) Assumption by the manufacturers, suppliers and airlines of risk commensurate with total resources each could be expected to commit, (c) Minimum utilization of Governmental financial support consistent with (a) and (b), (d) Earnings levels commensurate with the amounts and types of resources employed and risks assumed, (e) Maximum maintenance of a normal manufacturer-supplier-customer-financial relationship, and (f) Minimization of any adverse effect on the financing plan on the program's viability.

(27) The G.E. financing plan report reflects criteria which embraces, (a) Maximum private participation, (b) Return of Government's investment, (c) Reasonable return to the manufacturers, (d) Acceptability by Congress, (e) Limitation of risks to manufacturers, (f) Adequate sources of funds, (g) Program continuity, (h) Program which is simply administered, and (i) Customary management responsibilities such as decision making, pricing, and program changing.

(28) Boeing believes that financing concepts to pursue phases IV and V, such as the Comsat type financing corporation, joint venture, or limited partnership do not appear to offer significant possibilities, but it states that further studies thereof will be pursued. It discards the direct Government procurement and ticket taxing methods of financing the program. Boeing concludes that it believes the production phase can be financed in the private sector with support by the Government in the form of direct, guaranteed or insured loans.

(29) G.E. believes that several features of the program make it unlikely that private risk capital could be attracted to provide adequate funds without Government risk protection. It feels that the Comsat type approach based on financing solely through private risk capital, probably is not practical. Three potentially attractive methods for financing which G.E. believes merits further study are, (a) Commercial G.E. relationship with Boeing and the airlines, (b) Comsat type management and marketing corporation, and (c) Government agency or corporation, each of which entail the application of some form of Government guarantee.

Comment.—Both contractors, in their respective reports, remain silent with regard to money requirements to complete phase III. This would infer that each expect the Government to provide its remaining part of investment of at least $700 million from appropriated funds, in order to complete this stage of the program.

Each contractor anticipates that some form of Government guarantee will be required to complete phases IV and V, even though the FAA officials have informed the Congress of their hope that the program will revert to a "normal commercial operation * * *" at the end of the prototype phase.

Both contractors, in their desire to follow a normal commercial relationship during phases IV and V, alerted the fact that the airlines would be required to "provide advance payments". The current *net* operating income levels of many domestic air carriers are less than favorable. In addition, some carriers are having problems in connection with the financing of new aircraft whose deliveries will occur long before that of the SST.

Boeing estimates that through phase III, the cumulative cost (risk) sharing by the airlines will amount to $75 million, out of an estimated total cost of $1.47 billion, or about 5 percent thereof. At best, any future "advance payments" by the airlines to the contractors for this program, can be expected to be minimal.

Boeing estimates that cumulative gross expenditures during phases IV and V will be in the $3 to $5 billion range (in constant 1968 dollar terms), by delivery time of the first commercial airplane. FAA officials have testified by a Congressional Committee that "a gap (deficiency) of about $1 billion" appears to exist in the amount required to be advanced by Boeing, G.E. and the airlines in order to conclude these phases.

It appears incongruous to be considering financing for a commercial transport when, at this time, an acceptable prototype airframe design is not yet off the drawing board, and production cannot possibly commence for at least several years. Yet, it is highly important to note that the prime contractors, even at this date, anticipate the requirement for extensive Government financial assistance during the last two phases of this huge undertaking.

Money needs

(30) Through fy 1969 (30 June 1969), the Congress appropriated funds in the amount of $653 million to prosecute the program into phase III. Of this amount, $30 million in unobligated authority was rescinded by the 90th Congress, second session. Also, it appropriated no new money for the program for the current fiscal year, even though the Administration requested $223 million.

(31) If the estimate of $1.3 billion, as estimated by the FAA in its EFR, is applied as the Government's share of costs through development and certification, then an additional $700 million will be required for these phases. Further, if the "gap of $1 billion" for the production phase is sustained by the Government, the present foreseeable minimum amount it must raise for the program through production, is $1.7 billion.

(32) The private consulting firm engaged by the FAA to estimate total costs through development and certification, as computed by the GAO in its report, found that such figure would run to about $3.3 billion vs. the $2.1 billion estimated by the FAA. Thus, the costs estimated by the private firm, exceed that of the FAA by $1.2 billion, or an increase of about one-third.

(33) If the Government's cost sharing estimate is increased by one-third, then the remaining $700 million required in the future, must accordingly be increased at least to that extent, or to $935 million. Adding this latter figure to the so-called "gap of $1 billion", the revised upward amount the Government may be called upon to sustain is about $2 billion through the production effort.

Comment.—Admittedly, costs for a program the magnitude of the SST, with long lead time alive during both the development and production phases, hardly can be calculated except on a demonstrated basis. For example, the Concorde prototype cost in 1962 was estimated to run to about $500 million, whereas the venture costs to date approach the $2 billion figure.

The recent disclosure of a possible increase of $2 billion more than the original contract ceiling of $3 billion for the development of the military aircraft C5A, shocked both the Congress and the public. This presents a classic and vivid example of costs ballooning out of conceivable proportions where many measures of doubt appear along the rough road leading to the perfection objective.

It is believed that the most important aspect regarding further money needs rests in whether, in this strictly commercial program, the ultimate costs for the research, development and production of the transport, will have adverse impact on, (a) The program's economic feasibility and, (b) the Government's receiving a realistic return, if any, on its investment.

Legislative status

(34) In early 1966, the recipients of this Task Force Report introduced proposed legislation in the 89th Congress, second session, to fund the costs of designing, constructing and certifying two SST prototypes of the same model, with long term private investment capital. Such legislation was reintroduced in the 90th Congress, first session, as H.R. 12 and H.R. 4495.

(35) The provisions of the bills reflect concepts which will relieve the Congress from the necessity of appropriating money for the program, and will permit its direction within the best principles of management technique. No precedents will be established in Government operations and procedures, if these bills were to be adopted.

(36) The proposed legislation has lain dormant in the House Interstate and Foreign Commerce Committee since its original introduction in 1966. In spite of repeated requests for public hearings on the bills by its authors and other Members, no open discussions have been set down during the past three year period. Furthermore, so far as is known, no reasonable nor sensible explanation has been provided by the majority, for this position having been assumed.

Comment.—The ranking majority member of the House Commerce Committee, Mr. Samuel N. Friedel, stated in 1967, both publicly and privately, that hearings on the SST should be held before any more money was appropriated for the program. The late Mr. J. Arthur Younger, a then ranking minority member of the same Committee, stated that the least they (the majority) could do would be to hold open hearings on the above mentioned bills.

During the past three years, the authors of this Task Force Report have personally contacted over 100 House members (or their staffs) in support of the pending legislation. This included members of the Commerce Committee, a majority of whom indicated thier approval for open hearings on the program.

In retrospect, the pitfalls the program has encountered since its inception provide strong justifications for the need of full disclosure of its many ramifications. "Bottling up" legislative measures which assuredly are in the public interest hardly can be justified, and the Members should be provided an opportunity of either voting up or voting down pending bills pertinent to the program.

Ancillary facts

(37) Some of the major subjects collateral to those reported and discussed hereinbefore, might be mentioned briefly as being, (a) Budget priorities, (b) Balance of payments, (c) Airport facilities, (d) International production reciprocity, (e) Sterling and franc weakness, and (f) Soviet TU–144.

Comment.—To varying degrees, these subjects must carefully be weighed in any overall evaluation of the program. Topics (a) through (c) refer to domestic matters and carry importance so far as our internal operations and well-being are concerned. The remaining subjects are matters over which we do not have unilateral action and control and, of necessity, must involve determinations with other countries.

The forthcoming fy 1970 and 1971 budgets probably will be stringently designed and rigid priorities for item expenditure may very well be imposed, if our monetary soundness is to be assured. Likewise, this country's foreign credit and investment programs should continue, after some revisions, under close supervision. Finally, new and enlarged domestic airport facilities, on land and offshore, must become realities long before the SST comes into being.

The possibility of establishing an international reciprocity plan for the production of both the Concorde and the SST, should be thoroughly explored. Foreign sales of the SST might be jeopardized if continued weakness in the sterling and franc blocs exists, or if devaluations occur. While the Soviet TU–144 appears to pose no serious threat to our overseas sales at this time, any impact arising in multilaterally friendly countries might have an adverse affect.

SUMMARY

(38) The conclusions based on the facts and findings set forth herein may be summarized as follows:

(a) The program cannot, in the foreseeably near future, be justified as a vital national requirement having a high priority for Government spending, in view of the critical and pressing needs for the war and other more important domestic projects.

(b) If the legislation sponsored by Congressmen Bow and MacGregor had been enacted, and the advice in the Black-Osborne report regarding the selection of industry personnel to direct the program had been heeded, perhaps the past ineptness displayed by the Government's management could have been avoided.

(c) The Boeing airframe redesign, when submitted, must thoroughly be exposed to the fine analysis entirely by fresh technical expertise, if it is desired to avoid repetition of indeterminable program delay such as experienced over the past 24 month period.

(d) The prime contractors should not anticipate the Government providing financial assistance into the production phase, unless it is finally determined impossible or impractical to raise such requirements privately through normal, usual and acceptable joint business arrangements.

(e) For reasons of national economic and social progress, the Government's investment of over $600 million must be protected and the program continued strictly within the framework of legislation introduced by Congressmen Bow and MacGregor, notwithstanding obviously substantial limitations.

RECOMMENDATIONS

(39) The following recommendations for action, none of which will unduly delay the program, are suggested for implementation by the 91st Congress, first session, and the Administration of the President-elect:

(a) That Congressmen Bow and MacGregor reintroduce their proposed legislation (that contained in H.R. 12 and H.R. 4495) and, concurrently therewith, urge the President-elect to support immediate public hearings on such measures.

(b) That Congressmen Bow and MacGregor request the President-elect to favorably consider the establishing of a select panel to consist of not more than nine industry and economic members for the purposes of:

(1) Evaluating the effectiveness, suitability and economic feasibility of the airframe design to be submitted to the Government by Boeing next year,

(2) Considering the possibility and means of broadening the prime contractor production base so as to assure adequate private financial resources of net worth and working capital necessary for the production phase, and thus obviate the necessity of the Government providing financial assistance during this stage, and

(3) Exploring and determining the extent of possible impact of any other important aspects on the program, particularly those outlined under the heading, "Ancillary Facts", in this report.

H.R. 15

A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

FINDING

SECTION 1. The Congress of the United States hereby makes the following finding concerning the commercial supersonic transport airplane, hereinafter referred to as the "SST": The proper development of the SST is a vital factor in the interstate and foreign commerce, the balance of monetary payments and budgetary soundness, the foreign relations and national security of the United States.

PURPOSE

SEC. 2. It is the purpose of this Act to effectuate the policies set forth above by providing for:

(a) A program for the development of an SST through the manufacture of one or more prototypes.

(b) A program whereby the development of an SST prototype(s) may be achieved at a minimum cost to the United States and industry.

(c) The establishment of a United States Supersonic Transport Development Authority to immediately initiate and supervise the building of an SST through the prototype development and flight-testing stages.

(d) The maximum participation of private industry in the program for the development and commercial production and sale of the SST.

(e) The maximum participation of the investing public through normal investment channels, in the programs for financing the development and commercial production and sale of the SST.

(f) The use of principal and interest payment guarantees by the United States to encourage the maximum participation of private industry and the investing public in the program for the development of the SST.

(g) A program for the commercial production and sale of the SST subsequent to the development and acceptable flight-testing of the prototype(s).

(h) The establishment of a private and nongovernmental corporation, subsequent to the development of the SST, to be responsible for the commercial production and sale of such type airplane.

IMPLEMENTATION OF POLICY

SEC. 3. In order to achieve the purposes of this Act (a) the President shall—

(1) aid in planning, encouraging, and fostering the development of the SST;

(2) provide for continuous review of all developmental activities pursued by the SST Authority established under this Act;

(3) coordinate the activities of governmental agencies having responsibilities in the field of the SST, in order to insure full and effective compliance with the policies and provisions of this Act;

(4) exercise such supervision over relationships of the SST Authority with foreign governments and foreign entities, and with international bodies as may be appropriate to assure that such relationships are consistent with the national interest and foreign policy of the United States;

(5) insure that timely and proper arrangements are made to facilitate the purchase of commercial versions of SST by the foreign governments and foreign entities.

(b) The Department of Defense shall—

(1) Make available to the SST Authority, within national security limitations determined by the President, such flight experience of the SR–71, XB–70, F–111, as may be pertinent to the development, manufacture, operation, and maintenance of supersonic aircraft;

(2) cooperate with the SST Authority in the research and development programs to the extent deemed appropriate by the President.

(c) The Federal Aviation Agency shall—

(1) transfer to the SST Authority its responsibilities, contracts, appropriated and committed funds, and certain of its personnel, which are directly and primarily required by the SST Authority to support and conduct the development of the SST;

(2) maintain liaison with the SST Authority and provide that agency with all available information pertinent to the SST.

(d) The Civil Aeronautics Board shall maintain liaison with the SST Authority and provide that agency with all available information pertinent to the SST.

(e) The National Aeronautics and Space Administration shall maintain liaison with the SST Authority and provide that agency with all available information pertinent to the SST.

DEFINITIONS

SEC. 4. As used in this Act—

(a) "Supersonic transport airplane" means an airplane designed to carry passengers and cargo at a speed faster than the speed of sound.

(b) "Prototype" means the earliest, or one of the earliest, full-size supersonic transport airplanes constructed at the end of the development period and designed primarily for full-scale testing of the airplane in flight.

(c) "SST Authority" means the Supersonic Transport Development Authority, established by section 21 of this Act.

(d) "SST Corporation" means the Supersonic Transport Production Corporation, to be established pursuant to this Act.

(e) "Bonds" includes bonds, notes, and other evidences of indebtedness.

TITLE II

SUPERSONIC TRANSPORT DEVELOPMENT AUTHORITY

SEC. 21. (a) There is hereby established a wholly owned Government corporation to be known as the Supersonic Transport Development Authority.

(b) The SST Authority shall be responsible to the President for the development of one or more SST prototypes.

(c) The responsibility of the SST Authority for the development of the SST shall terminate upon the assumption of the functions with respect to the manufacture and sale of supersonic transport airplanes by the SST Corporation, but not later than one year after the Federal Aviation Agency shall have certificated one of the prototypes for use by the United States domestic or international airlines.

(d) The SST Authority shall continue only until its outstanding bonds shall have been paid in full at maturity or otherwise.

ADMINISTRATION

SEC. 22. (a) The SST Authority shall be administered by a Chairman who shall be appointed by the President, by and with the advice and consent of the Senate. He shall receive compensation at the rate now or hereafter provided by law for level III of the Federal Executive Salary Schedule.

(b) The Chairman shall be assisted by two Deputy Chairmen who shall be appointed by the President, by and with the advice and consent of the Senate. They shall perform such tasks as the Chairman may assign, and perform the duties of the Chairman in his absence or disability, as he may specify. The Deputy Chairmen shall receive compensation at the rate now or hereafter prescribed by law for level IV of the Federal Executive Salary Schedule.

(c) Either the Chairman, or one of the Deputy Chairmen, shall have had scientific or technical aeronautical training and shall have been directly involved in the SST development program before his appointment.

(d) The Chairman and the Deputy Chairmen shall serve in their respective capacities, and hold such offices without specific tenures.

ADVISORY BOARD

SEC. 23. (a) There is hereby established an Advisory Board to continuously advise the Chairman of the SST Authority regarding the development of the SST. The Board shall consist of five members, one each from the airframe, the air engine, the investment banking, and the air carrier industries; and one from the general public. Each member shall be appointed by the President, by and with the advice and consent of the Senate, and hold such office without specific tenure.

(b) The members of the Advisory Board may serve as such without regard to the provisions of section 281, 283, or 284 of title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation from a source other than a nonprofit educational institution in respect of any particular matter which directly involves the SST Authority or in which the SST Authority is directly interested.

(c) Each member of the Advisory Board shall receive compensation at the same rate as hereinbefore provided for the Chairman of the SST Authority.

POWERS

SEC. 24. The SST Authority shall exert every reasonable effort to maintain its staff and property at a minimum. The SST Authority shall have power to—

(a) have succession in its corporate name;

(b) sue and be sued in its corporate name;

(c) adopt and use a corporate seal, which shall be judicially noticed;

(d) enter into agreements with the Department of Defense, Federal Aviation Agency, National Aeronautics and Space Administration and Civil Aeronautics Board in order to utilize on a reimbursable basis the personnel and facilities of those departments and agencies presently interested in the development of the SST;

(e) enter into agreements to transfer to the SST Authority any personnel and facility presently used by the Federal Aviation Agency in the research and development of the SST;

(f) utilize the personnel and facilities of any other agency on a reimbursable basis;

(g) enter into contracts, grants, or other financial arrangements with private or public corporations or agencies, whether operated for profit or not for profit, and in entering into these contracts, grants, or other financial arrangements, the SST Authority shall be guided by provisions of the Armed Services Procurement Regulations, and shall be authorized to make advance payments, progress payments, and guaranteed loans to contractors and subcontractors;

(h) establish intergovernmental advisory committees to advise with and make recommendations to the Chairman on any matter relating to the SST Authority, provided that the Chairman shall issue regulations setting forth the scope, procedure, and limitations of the authority of any such committee;

(i) make such studies and investigations, obtain such information, and hold such meetings or hearings as the Chairman may deem necessary or proper to assist him in exercising any authority provided in this Act, and for such purposes: (1) he is authorized to administer oaths and affirmations, and by subpena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place, (2) no person shall be excused from complying with any requirements under this subsection because of the privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893, shall apply with respect to any individual who specifically claims such privilege, and (3) witnesses subpenaed under this clause (i) shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States;

(j) appoint and fix the compensation and duties, including such duties as the SST Authority may desire to redelegate, of such officers and employees as may be necessary to carry out the functions of the SST Authority, and such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with the Classification Act of 1949, as amended, except that to the extent that the Chairman deems such action necessary to the discharge of his responsibilities, personnel may be employed and their compensation fixed without regard to such laws: *Provided, however,* That no officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel up to a limit of the highest rate of grade 18 of the General Schedule of the Classification Act of 1949, as amended) whose position would be subject to the Classification Act of 1949, as amended, if such Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility.

(k) to conduct or contract for research and development relating to the SST, and in this connection to purchase or otherwise acquire, rent, take, hold, lease, sell, exchange, transfer, or otherwise dispose of such real and personal property, and to construct, purchase, or otherwise acquire such buildings and other facilities as, from time to time, the Chairman may deem appropriate;

(l) supervise and conclude negotiations for the establishment and ultimate operation of the SST Corporation, under such terms and conditions as the SST Authority may deem necessary, appropriate, and proper in the public interest and consistent with the provisions set forth in title III of this Act;

(m) determine and establish the sources from which revenues may be obtained from the commercial production and sale of the SST (which revenues may include those derived from (1) a predetermined part of the profits earned by the SST Corporation, (2) royalty charges added to the sales price of the SST, and (3) service charges added to the established tariffs for flights utilizing the SST), and the amounts thereof which shall be applied to the payment of the outstanding indebtedness of the SST Authority;

(n) have such other power as may be necessary or appropriate for the exercise of the powers specifically conferred upon the SST Authority;

(o) make such rules and regulations, consistent with other rules and regulations, as may be necessary or desirable to carry out the provisions of this Act.

CONTRACTING LIMITATIONS

SEC. 25. (a) In carrying out the purposes of this Act the SST Authority shall avoid as far as possible the use of the cost-plus-percentage-of-cost method of contracting.

(b) No moneys available to the SST Authority for the purposes of this Act shall be available for payments under any contract with the SST Authority, negotiated without advertising (except contracts with any foreign government or any agency thereof and contracts with foreign producers), unless such contract includes a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment, have access to and the right to examine directly all pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of, and involving transactions related to such contracts or subcontracts: *Provided, further,* That no such moneys shall be available for payments under any such contract which includes any provision precluding an audit by the General Accounting Office of any transaction under such contract: *And provided further,* That nothing in this section shall preclude the earlier disposal of contractor and subcontractor records in accordance with records disposal schedules agreed upon between the SST Authority and the General Accounting Office.

(c) The President may in advance, exempt any specification of the SST Authority in a particular matter from the provisions of law relating to contracts whenever he determines that such action is essential in the interest of the common defense and security, or of the utmost importance to the development of the SST.

(d) The SST Authority shall engage in effective competition in the procurement of services, material, and equipment, up to and including the development of the prototype(s). The SST Authority shall consult with the Small Business Administration and solicit its recommendations on measures and procedures which will insure and establish that qualified small business concerns are given an equitable opportunity to participate as subcontractors in the procurement program of the SST Authority.

FINANCING

SEC. 26. (a) The SST Authority is authorized to create, issue, and sell bonds in an amount not exceeding $2,500,000,000 outstanding at any one time to finance the development of the SST which shall be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, and to refund such bonds. The SST Authority may, in performing functions authorized by this Act, use the proceeds of such bonds for its expenses in developing the SST, including operating expenses, capital expenses, and payment of the interest on bonds authorized by this section, and for other purposes incidental thereto. The issuance and sale of bonds by the SST Authority and the expenditure of bond proceeds for the purposes specified herein, shall not be subject to the requirements or limitations of any other statute.

(b) Bonds issued by the SST Authority hereunder shall not be bonds of the United States, but the United States will guarantee the payment of both the principal and interest thereof. Proceeds realized by the SST Authority from the issuance of such bonds and from its development program and the expenditure of such proceeds shall not be subject to apportionment under the provisions of Revised Statutes 3679, as amended (31 U.S.C. 665).

(c) Bonds issued by the SST Authority under this section shall be negotiable instruments unless otherwise specified therein, shall be in such forms and denominations, shall be sold at such times, in such series and in such amounts, shall mature at such time or times not more than twenty years from their respective dates of issuance, shall be sold at such prices, shall bear such rates of interest, may be redeemable before maturity at the option of the SST authority in such manner and at such times and redemption premium, may be entitled to such relative priorities of claim on the SST Authority's income and assets with respect to principal and interest payments, and shall be subject to such other terms and conditions, as the SST Authority may determine: *Provided,* That at least fifteen days before selling each serial issue of bonds hereunder, the SST Authority shall advise the Secretary of the Treasury as to the amount, proposed date of sale, maturities, terms and conditions and expected rates of interest of the proposed issue in the fullest detail possible and, if the Secretary shall so request, consult with him or his designee thereon, but the sale and issuance of such bonds shall not be subject to approval by Secretary of the Treasury except as to the time of issuance and the maximum rates of interest to be borne by the bonds: *Provided further,* That if the Secretary of the Treasury does not approve a proposed issue of bonds hereunder within seven business days following the date on which he is advised of the proposed sale, the SST Authority may create, issue, and sell to the Secretary interim obligations in the amount of the proposed bond issue, which the Secretary shall forthwith purchase and pay for. In case the SST Authority determines that a proposed issue of bonds cannot be sold on reasonable terms, it may create, issue, and sell to the Secretary interim obligations which he shall forthwith purchase and pay for.

(d) Notwithstanding the foregoing provisions of this subsection, such interim obligations issued by the SST Authority shall not exceed $250,000,000 outstanding at any one time, shall mature on or before one year from date of issue, and shall bear interest equal to the average rate (rounded to the nearest one-eighth of 1 per centum) on outstanding marketable obligations of the United States with maturities from dates of issue of one year or less as of the close of the month preceding the issuance of the obligations of the SST Authority. If agreement is not reached within eight months concerning the issuance of any bonds which the Secretary has failed to approve, the SST Authority may nevertheless proceed to sell such bonds on any date thereafter without approval by the Secretary in an amount sufficient to pay the interim obligations issued to the Treasury and such interim obligations shall be paid for from the proceeds of such bonds.

(e) The SST Authority may sell its bonds by negotiation or on the basis of competitive bids, subject to the right, if reserved, to reject all bids; may designate trustees, registrars, and paying agents in connection with said bonds and the issuance thereof; may arrange for audits of its accounts and for reports concerning its financial condition and operations by certified public accounting firms (which audits and reports shall be in addition to those required by sections 105 and 106 of the Act of December 6, 1945 (59 Stat. 599; 31 U.S.C. 850–851)); may, subject to any covenants contained in any bond contract, invest the proceeds of any bonds and other funds under its control which derive from or pertain to its development program in any securities approved for investment of national bank funds and deposit said proceeds and other funds, subject to withdrawal by check or otherwise, in any Federal Reserve bank or bank having membership in the Federal Reserve System; and may perform such other acts not prohibited by law as it deems necessary or desirable to accomplish the purposes of this section.

(f) Bonds issued by the SST Authority hereunder shall contain a recital that they are issued pursuant to this Act and such recital shall be conclusive evidence of the regularity of the issuance and sale of such bonds and of their validity. The annual report of the SST Authority filed with the President and the Congress shall contain a detailed statement of the operation of the provisions of this section during the year.

(g) Bonds issued by the SST Authority hereunder shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of any officer or agency of the United States. The Secretary of the Treasury or any other officer or agency having authority over or control of any such fiduciary, trust, or public funds, may at any time sell any of the bonds of the SST Authority acquired by them under this section. Bonds issued by the Authority hereunder shall be exempt both as to principal and interest from all taxation now or hereafter imposed by any State or local taxing authority except estate, inheritance, and gift taxes.

(h) It is hereby declared to be the intent of this section to aid the SST Authority in discharging its obligation for the development of the SST by providing it with adequate authority and administrative flexibility to obtain the necessary funds with which to assure the development of the SST by issuance of bonds and as otherwise provided herein, and this section shall be construed to effectuate such intent.

TITLE III

SEC. 31. Pursuant to the provisions of section 24 of title II of this Act, the Chairman of the SST Authority shall, subsequent to successful flight tests of the developed SST and Federal Aviation Agency certification, and prior to arriving at a point of production determination, initiate action for the planning of an orderly transition from the status of Government development of the SST to that of production and sale of the SST by the SST Corporation: *Provided,* That the Chairman of the SST Authority may initiate such transitional action at an earlier stage during the SST development phase, if he so determines and stipulates that it is appropriate and expedient in the public interest.

SEC. 32. In order to effectuate the orderly transition from the development to the production phases of the SST, and the continued use of trained personnel with technical knowledge and the further effective application thereof, the Chairman of the SST Authority shall assure that the service of the prime and principal tier subcontractors and personnel identified with the development of the SST, will continue in the various respective capacities of responsibility, in the commercial production and sale of the SST by the SST Corporation.

Sec. 33. At such time as the Chairman of the SST Authority determines that planning for the production of the SST is feasible and practicable, the SST Authority shall invite the prime and principal tier subcontractors engaged in the development phase, to organize the SST Corporation for the purpose of commercially producing and selling the SST, and to arrange necessary financing required to commence production: *Provided*, That the investing public shall be assured maximum possible participation, through normal investment channels, in all issues of bonds and stocks issued and sold publicly for such purposes.

Sec. 34. The Chairman shall oversee the incorporation of the SST Corporation and assure that it is established pursuant to the applicable requirements contained in this Act and shall, likewise, insure that all charter provisions, bylaws, organization, and proceedings proposed to be adopted by the SST Corporation are equitable, and meet the usual and ordinary requirements of a corporation intending to do business under the laws of any State of the United States.

Sec. 35. In effectuating the responsibility set forth in section 34, the Chairman of the SST Authority shall insure, (1) that all usable real and personal property residuals owned and leased by the SST Authority which may be utilized in the commercial production of the SST, shall be transferred, at a properly depreciated value, to the SST Corporation: *Provided*, That in consideration therefor the SST Corporation shall offer and issue its mortgage bonds to the SST Authority in a principal amount equal to the value placed on the property transferred: *Provided further*, That the SST Authority shall then offer to exchange with holders of its bonds the bonds of the SST Corporation and cancel the principal amount of its bonds exchanged for mortgage bonds of the SST Corporation pursuant to such offer, and, (2) that the ownership and title of all the designs, drawings, patents, patent rights, prototypes, and other perfections of value developed, invented, and perfected by the prime and subcontractors engaged by the SST Authority during the development phase, shall rest with the United States: *Provided further*, That the SST Authority shall assign to the SST Corporation the exclusive rights and use of such designs, drawings, patents, patent rights, prototypes, and other perfections of value developed, invented, and perfected by the prime and subcontractors engaged by the SST Authority during the development phase: *Provided further*, That in consideration therefor the SST Corporation shall agree to allocate to the SST Authority a predetermined percentage of the profits that the SST Corporation earns each year from the commercial production and sale of the SST: *And provided further*, That, upon payment of the total outstanding indebtedness of the SST Authority, the ownership and title to all the designs, drawings, patents, patent rights, prototypes, and other perfections of value developed, invented, and perfected by the prime and subcontractors engaged by the SST Authority during the development phase, shall become the property of the SST Corporation.

TITLE IV

SANCTIONS

Sec. 41. (a) If the SST Corporation created pursuant to this Act shall engage in or adhere to any action, practices, or policies inconsistent with the policy and purposes declared in section 2 of this Act, or if the SST Corporation or any other person shall violate any provision of this Act, or shall obstruct or interfere with any activities authorized by this Act, or shall refuse, fail, or neglect to discharge duties and responsibilities under this Act, or shall threaten any such violation, obstruction, interference, refusal, failure, or neglect, the district court of the United States for any district in which such SST Corporation or other person resides or may be found shall have jurisdiction, except as otherwise prohibited by law, upon petition of the Attorney General of the United States, to grant such equitable relief as may be necessary or appropriate to prevent or terminate such conduct or threat.

(b) Nothing contained in this section shall be construed as relieving any person of any punishment, liability, or sanction which may be imposed otherwise than under this Act.

(c) It shall be the duty of the SST Corporation to comply, insofar as applicable, with all provisions of this Act and all rules and regulations promulgated thereunder.

REPORTS TO THE CONGRESS

Sec. 42. (a) The SST Corporation shall transmit to the Congress annually and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act as long as there are any SST Authority bonds outstanding.

(b) The President shall transmit to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments during the preceding calendar year under the national program, for the development of the SST, together with an evaluation of such activities and accomplishments in terms of the attainment of the objectives of this Act and any recommendations for additional legislative or other action which the President may consider necessary or desirable for the attainment of such objectives.

(c) Any agreement by which the prototype airplane developed by the SST Authority will be manufactured and sold by the SST Corporation or any private organization shall be presented to the Congress and lie before the Committee on Interstate and Foreign Commerce in the House of Representatives and before the Committee on Commerce in the Senate for a period of sixty days while Congress is in session (in computing such sixty days, there shall be excluded the days on which either House is not in session because of an adjournment of more than three days), before it becomes effective.

Sec. 43. Paragraph seventh of section 136 of the Revised Statutes (12 U.S.C. 24), as amended, is further amended by inserting after the words ", nor to bonds, notes and other obligations issued by the Tennessee Valley Authority" the following: ", nor to bonds, notes and other obligations issued by the SST Authority".

Sec. 44. This Act may be cited as "The Supersonic Transport Airplane Development Act of 1969."

DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **SPEAKER** pro tempore. The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. **KYL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

Mr. **MORGAN**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 11]

Abbitt
Abernethy
Adams
Addabbo
Anderson, Tenn.
Annunzio
Barrett
Bates
Battin
Bell, Calif.
Biaggi
Bingham
Bolling
Brasco
Brooks
Byrne, Pa.
Cahill
Carey
Cederberg
Celler
Chappell
Chisholm
Clancy
Clark
Collier
Conyers
Cramer
Daddario
Daniels, N.J.
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Downing
Dwyer
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Farbstein
Fisher
Flowers
Flynt
Foley
Ford, William D.
Gallagher
Gaydos
Gray
Griffin
Grover
Haley
Halpern
Hansen, Idaho
Hansen, Wash.
Heckler, Mass.
Hicks
Hosmer
Howard
Hull
Jarman
Joelson
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kee
Keith
Kirwan
Kyros
Laird
Landrum
Langen
Lipscomb
Long, La.
Lowenstein
Lukens
McClure
McDade
McEwen
Macdonald, Mass.
Madden
Mailliard
Marsh
Martin
Meeds
Miller, Calif.
Minish
Monagan
Moorhead
Morse
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Pepper
Philbin
Podell
Pollock
Powell
Quillen
Randall
Rees
Reifel
Reinecke
Riegle
Rivers
Ronan
Rooney, Pa.
Ruth
St Germain
St. Onge
Sandman
Satterfield
Saylor
Scheuer
Sebelius
Shipley
Smith, Calif.
Smith, Iowa
Staggers
Stephens
Sullivan
Teague, Calif.
Teague, Tex.
Tunney
Utt
Watkins
Watts
Whalley
Wiggins
Wilson, Bob
Wolff
Wright
Wydler
Yates

The **SPEAKER** pro tempore. On this rollcall, 295 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Note: The following Member has not yet taken the oath of office: Hanna.

DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 91–15 PT. II)

The **SPEAKER** pro tempore. The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and, together with the accompanying papers, without objection, referred by the Speaker pro tempore to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

I am transmitting the budget of the District of Columbia for the fiscal year beginning July 1, 1969.

In reviewing the recent past and the immediate future of the Nation's Capital, Congress can take great pride, as I do, in the achievements of this city and its people.

A historic beginning has been made toward self-government for the people of the District. For the first time in more than a century, Washington has a Mayor and a City Council. And recently, the people of Washington elected their own school board. This new form of government, made possible by the last Congress, has increased citizen participation in local affairs, and has made City Hall more responsive to the needs of the people.

At City Hall and in the neighborhoods, the City Council is inviting citizens to attend public hearings, to discuss their complaints and needs, to share in public decisions. Not only does all this activity demonstrate an intense commitment to good government; not only is it vital to the success of public programs in the District; it is helping to build a firm basis for our goal of self-government in Washington.

This budget—the second formulated by the Mayor and the City Council under the new government—recommends appropriations of $702 million in 1970—a 16% increase over the estimate for the current year.

Existing sources of revenue, and proposed new taxes—including an increase in the property tax—will provide $445 million of this total. The Federal payment to the District, which I again urge Congress to set at 30% of local tax revenues, would provide an additional $112 million. Federal loans of $92 million will be necessary to finance the city's public works program. The remaining balance of $53 million represents available funds from prior years, and other financing adjustments.

I hope—and I urge—that Congress will continue, next year and in the future, the high level of support which it has provided in previous years for the city. The Federal payment to the city has increased from $30 million in 1963 to $90 million, the authorization for 1969.

That increase in funds, along with new programs and other resources which have become available to the District, has yielded rich dividends in a short time:

—The City has raised the salaries of its most important public servants, teachers and policemen.

—Washington has been chosen for participation in the Model Cities Program, and its plans for neighborhood improvement are well along.

—The new Federal City College and the Washington Technical Institute promise a future of richer educational and economic opprotunity to the city's young people.

—The Fort Lincoln project—a balanced "new town in town"—is emerging as a model of creative urban development.

—The city has authorized an additional 1,000 positions in the Metropolitan Police force, and new policemen are being recruited.

—Neighborhood Health Centers, new education programs, and new recreation efforts are flourishing in the city.

Much remains to be done. Washington is still not yet the vibrant and viable city which it can become—and which it must become if the Nation is to have the capital it deserves.

In this budget, the Mayor and the City Council have addressed themselves to the goal of fulfilling the city's enormous potential. They have given needed emphasis to the most basic problems of the city.

The budget, if it is approved, will bring great improvement and strength to:

—Public schools and higher education;

—Crime prevention programs, including the courts, correctional institutions, and the Police Department;

—Economic development and community improvement programs;

—Health care and other social services;

—Municipal services at the local level, through Neighborhood Service Centers; and

—Educational, recreational, and job opportunities for the young people of the city.

Finally, this budget provides for the District's contribution to the building of a regional rapid rail transit system. The transit funds include $18.7 million to be requested in a 1969 supplemental and $22.9 million for 1970. Prompt action by the Congress on the supplemental funds will permit groundbreaking within 75 days from the time of approval.

I urge that in acting on these and other proposals, Congress consider the high aspirations of the citizens of our city.

Solutions to the problems of our Nation's First City will require an increasing level of public support in the years ahead. I am confident that we have established a strong foundation of local government for the city. The dedication, hard work, and judicious actions of the Mayor, Deputy Mayor, and City Council clearly demonstrate that the District of Columbia is no longer an ignored stepchild of the Federal Government.

We can express our support and understanding of the District Government by continuing to invest heavily in its future. The dividends promise to be bountiful. They will be reflected in the well-being of the hundreds of thousands of people who live here, and in the increased stature of our Capital City which should be a source of pride to all Americans.

The specific requests in the 1970 budget are set forth in the transmittal message of the Mayor. The proposals are reasonable, responsive, and realistic. I recommend that the Congress approve the District of Columbia budget for 1970.

LYNDON B. JOHNSON.

JANUARY 16, 1969.

ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR FISCAL 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

To the Congress of the United States:

It gives me great pride to transmit the Annual Report of the National Endowment for the Arts for Fiscal 1968—the second full year of its existence.

Guided by the imaginative and expert recommendations of the National Council on the Arts, as well as by outside panels of cultural leaders across the country, the National Endowment for the Arts lists among its Fiscal 1968 programs some outstanding accomplishments:

—The American Film Institute was created, placing America at last alongside other leading nations in nurturing the art of the film. The Institute was further aided by a $1.3 million gift from the Ford Foundation, and an additional $1.3 million from member companies of the Motion Picture Association of America.

—The first major national artists' housing center has been launched through the cooperation of the Endowment, the J. M. Kaplan Fund, Inc., the Department of Housing and Urban Development, and New York City municipal authorities.

—The first issue of *The American Literary Anthology*, the first such anthology ever published in this country, has been printed. It contains the best writing from nearly 300 literary magazines of limited circulation, and marks the first official recognition of the invaluable role played by these small magazines in encouraging literary talent across our country.

—A new partnership has been launched between labor unions, community arts organizations, and the Federal Government. An Arts Endowment Grant will enable the AFL/CIO Council for Scientific, Professional and Cultural Employees to develop arts demonstration projects in four American cities.

—Last summer, the Arts Council, in cooperation with the President's Council on Youth Opportunity, drew thousands of inner city residents into arts activities and workshops, many for the first time, in 16 of America's largest cities.

—The Endowment has strengthened its ties and its cooperation with official State arts agencies which utilized Endowment grants to launch 1,100 projects in Fiscal 1968. These projects were conceived and directed by the State agencies, with their own particular knowledge of their States' cultural resources and needs.

When I transmitted the Arts and Humanities bill to Congress in 1965, I stated:

"This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization."

The impressive record established during the short lifetime of the National Endowment for the Arts and the National Council on the Arts surely serves to underline and emphasize that statement. I know that the Congress shares with me great pride in having launched this historic new program which has already done so much to enrich the quality of American life.

Through the efforts of the Endowment—for the first time in the history of the country—the Federal Government has joined with industry, private foundations, individuals, labor unions, and State and local governments in an unprecedented effort to aid America's creative talents. Such a partnership deserves your continued support and encouragement, and I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 16, 1969.*

THE 18TH ANNUAL REPORT OF THE NATIONAL SCIENCE FOUNDATION FOR THE FISCAL YEAR 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–49)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

There has never been a time in our history when scientific research, applied science and the teaching of science were more important than they are today.

Science has become a national concern. It has, therefore, become a concern of government.

The results of scientific investigations affect our personal lives, our social and economic progress, our relations with nations around the globe.

Our lives are touched in a thousand ways by the discoveries of science, in public health, medicine, environmental control, food production, the development of new towns and the redevelopment of old cities.

Both the Congress and the Executive Branch have, over the years, recognized their responsibilities for the support and advancement of science.

Government funds have today become a major source for research, experimentation and improved science teaching in schools and colleges.

The National Science Foundation which has grown in prestige and stature each year is the instrument through which a large share of government funds are channeled to basic scientific endeavors.

The work of NSF has a special importance for government as we seek to enlarge the Nation's fund of scientific knowledge as well as its pool of trained scientific manpower.

I am extremely pleased to note that the Congress has recognized the critical role of the National Science Foundation by this year enlarging its mandate to include support for the applied sciences.

In the Fiscal Year which ended June 30, 1968, the Foundation invested $236.5 million in scientific research.

It assisted 6,000 scientists doing research in colleges and universities.

It made grants of $124.8 million to improve science instruction throughout our educational system. Approximately 9,000 students were helped to move up the ladder of science education with fellowships and traineeship grants.

About 41,000 secondary school teachers and 5,000 college instructors were given further training to improve the quality of science education in our schools.

Recognizing the changing needs of science and science education in institutions of higher education, the National Science Foundation has, since 1964, expanded its efforts to develop and improve science capacities at institutions of higher learning. About 500 institutions received approximately $83 million for this purpose in fiscal year 1968. The results were higher quality of instruction, better planning, and an increased ability to attract funds from sources other than the Federal Government.

Special progress was made in the use of electronic computing equipment for education and research. Some 173 grants totaling $22 million were awarded in this area.

Some of the highlights of scientific accomplishment achieved with the aid of NSF grants during the past fiscal year are:

—Improved understanding of the mechanism of light conversion in the eye and the causes of color blindness.

—Development of synthetic DNA, the material which controls the heredity of all living substances.

—The simulation of the evolutionary process in the test tube.

—Improved techniques for studying vaporized metal samples, which will make it possible for metal manufacturers to achieve higher product quality standards.

—New capabilities for the complete laboratory synthesis of wonder drugs like terramycin.

—The discovery of new pulsating radio sources in space which may give us more information about the universe.

I am, therefore, pleased to submit to the Congress the Eighteenth Annual Report of the National Science Foundation for the fiscal year 1968.

Public understanding of science will be increased by the attention given to this story of scientific achievement, management and development.

I commend this report to the Congress as graphic evidence of the scientific and educational progress this nation must sustain if we are to continue to move forward in the years ahead.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 16, 1969.*

SECOND ANNUAL REPORT OF THE UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–48)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

I am pleased to send to you the second annual report of the U.S.-Japan Cooperative Medical Science Program.

This joint program, undertaken in 1965 following a meeting between Japanese Prime Minister Sato and myself, is directed against serious diseases still too prevalent in Asian countries: cholera, tuberculosis, leprosy, virus diseases, parasitic diseases, and malnutrition. These are diseases which plague the people of that great region, and which threaten our armed forces stationed in Southeast Asia.

Although the Cooperative Medical Science Program is not yet three years old, we can point to substantial progress in research on leprosy, cholera, and nutrition.

This report outlines that progress in detail.

It is heartening testimony to all of us who are committed to a better life for the world's people, and who believe that in broader international cooperation lies mankind's best hope for peace.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 16, 1969.*

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91–28)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Joint Economic Committee and ordered to be printed with illustrations:

To the Congress of the United States:

> I regard achievement of the full potential of our resources—physical, human, and otherwise—to be the highest purpose of governmental policies next to the protection of those rights we regard as inalienable.

I cited this as my philosophy in my first Economic Report in January 1964. I reaffirm it today.

In the past 5 years, this Nation has made great strides toward realizing the full potential of our resources. Through fuller use and steady growth of our productive potential, our real output has risen nearly 30 percent.

Most important of all are our human resources. Today the vast majority of our workers enjoy productive and rewarding employment opportunities. For those who lack skills, we have made pioneering efforts in training. We have improved education for the young to enhance their productivity and their wisdom as citizens of a great democracy.

Our capital resources—plant and equipment—are being used intensively and have been continually expanded and modernized by a confident business community.

This has all been accomplished in an environment that preserved—indeed, enlarged—the traditional freedom of our economic system. In today's prosperous economy, our people have more freedom of choice—among jobs, consumer goods and services, types of investments, places to live, and ways to enjoy leisure.

I look upon the steady and strong growth of employment and production as our greatest economic success. In recent years, prosperity has become the normal state of the American economy.

But it must not be taken for granted. It must be protected and extended

—by adopting sound and prudent policies for this year and

—by improving procedures for fiscal and monetary policymaking to meet our needs for the long run.

I shall discuss these tasks in this Report. I shall also consider how we might deal with some of our key unsolved economic problems.

—We must find a way of combining our prosperity with price stability. Reconciling these two objectives is the biggest remaining over-all economic challenge facing the Nation.

—We must more fully secure the foundations of the world monetary system and of our own balance of payments. The international monetary system has undergone important evolutionary improvements, but we must seek more effective ways of coping with the stresses that can still develop.

—We must fulfill our many unmet public needs such as good education, efficient transportation, clean air, and pure water. Quality as well as quantity is the key to a better life.

—We must share more equitably the fruits of prosperity among all our citizens. A Nation as prosperous as ours can afford to open the doors of opportunity to all. Indeed, it cannot afford to leave any citizen in poverty.

The achievements we have made and the lessons we have learned point the way for further progress.

THE RECORD OF ACHIEVEMENT

The Nation is now in its 95th month of continuous economic advance. Both in strength and length, this prosperity is without parallel in our history. We have steered clear of the business-cycle recessions which for generations derailed us repeatedly from the path of growth and progress.

This record demonstrates the vitality of a free economy and its capacity for steady growth. No longer do we view our economic life as a relentless tide of ups and downs. No longer do we fear that automation and technical progress will rob workers of jobs rather than help us to achieve greater abundance. No longer do we consider poverty and unemployment permanent landmarks on our economic scene.

CONTRIBUTION OF POLICY

Our progress did not just happen. It was created by American labor and business in effective partnership with the Government.

Ever since the historic passage of the Employment Act in 1946, economic policies have responded to the fire alarm of recession and boom. In the 1960's, we have adopted a new strategy aimed at fire prevention—sustaining prosperity and heading off recession or serious inflation before they could take hold.

—In 1964 and 1965, tax reductions unleashed the vigor of private demand and brought the economy a giant step toward its full potential.

—In 1966 and 1967, restrictive monetary and fiscal policies offset the strains of added defense spending. The adjustment was far from ideal, however, because of the delay in increasing taxes to pay the bills for the defense buildup and for continuing urgent civilian programs.

—In 1968, our Nation's finances were finally adjusted to the needs of a defense emergency. The Revenue and Expenditure Control Act strengthened the foundation of prosperity.

GAINS IN 5 YEARS

Aided by these policies in the past 5 years, the Nation's total output of goods and services—our gross national product—has increased by more than $190 billion, *after* correcting for price changes. This is as large as the gain of the previous 11 years.

The prosperity of the last 5 years has been accompanied by benefits that extend into every corner of our national life

—more than 8½ million additional workers found jobs,

—over-all unemployment declined from 5.7 percent of our labor force to 3.3 percent,

—unemployment of nonwhite adult males dropped particularly dramatically, from 9.7 percent to 3.4 percent,

—the number of persons in poverty declined by about 12½ million—progress greater than in the entire preceding 13 years,

—the average income of Americans (after taxes and after correction for price rises) increased by $535—more than one-fifth and again more than in the previous 13 years combined,

—corporate profits rose by about 50 percent,

—wages and salaries also went up by 50 percent,

—net income per farm advanced 36 percent,

—the net financial assets of American families increased $460 billion—more than 50 percent, and

—Federal revenues grew by $70 billion, helping to finance key social advances.

Meanwhile, a solid foundation has been built for continued growth in the years ahead.

—*Through Investment in Plant and Equipment.* In the last 5 years, the stock of capital equipment has grown by nearly a third. Only 5 percent of manufacturing corporations report that their capacity is in excess of currently foreseen needs.

—*Through Investment in Manpower.* More than a million Americans have acquired skills in special training institutions or on the job—as a result of new Federal efforts.

—*Through Investment in Education.* College enrollment has risen by 2¼ million since 1963. Expenditures on all public education have increased at an average of 10 percent a year; Federal grants have almost quadrupled.

—*Through Investment in Our Neighborhoods.* Our urban centers are beginning to be restored as decent places to live and initial steps have been taken to help ensure construction of 26 million new or rehabilitated housing units by 1978.

DEVELOPMENTS IN 1968

Our economy had an exceptionally big year in 1968.

—Our gross national product increased by $71 billion to $861 billion. Adjusted for price increases, the gain was 5 percent.

—Payroll employment rose by more than two million persons.

—Unemployment fell by 160,000.

—The after-tax real income of the average person increased by 3 percent.

—An estimated four million Americans escaped from poverty, the largest exodus ever recorded in a single year.

—Our balance-of-payments results were the best in 11 years.

In some ways, 1968 was too big a year. Even our amazingly productive economy could not meet all the demands placed upon it. Nearly half of the extra dollars spent in our markets added to prices rather than to production. The price-wage spiral turned rapidly.

—Consumer prices rose by 4 percent and wholesale prices by 2½ percent.

—Both union and nonunion wages increased about 7 percent—responding to higher costs of living and causing higher costs of production.

—Some of the extra demands for goods were met out of foreign production, and imports soared 22 percent.

The main source of the overheating was the excessive and inappropriate stimulus of the Federal budget in late 1967 and the first half of 1968. In January 1967, I pointed to the need for a tax increase. In the summer, when the upsurge was even more clearly foreseen, I urged immediate enactment of a 10-percent income tax surcharge. The subsequent delay in enactment resulted in a massive budget deficit of $25 billion for fiscal year 1968, which

—accelerated the economy beyond safe speed limits,

—weakened confidence in the dollar abroad, and

—placed a heavy burden on credit markets at home, pushing interest rates sharply higher.

Ultimate passage of the Revenue and Expenditure Control Act of 1968 at midyear brought a much needed swing to fiscal restraint. The budget now shows a surplus of $2.3 billion for fiscal 1969. Because of both greater revenues and reduced expenditures, this picture has changed dramatically since last January when we estimated a deficit of $8 billion.

Just as the overly stimulative effects of the huge budget deficit of fiscal 1968 were unmistakable, so there can scarcely be doubt that the reverse swing—of even larger size—will improve balance in our economy. But just as inappropriate fiscal stimulus took a while to cause obvious problems, so needed fiscal restraint is taking time to work its full beneficial effects on the economy.

By the time the surcharge was enacted, the forces of boom and inflation had developed great momentum. Our economy continued to advance too rapidly throughout 1968—but growth did slow from a hectic 6½ percent rate early in the year to about 4 percent at year-end. The budget is now in harmony with the needs of the economy, and its welcome effects are gradually emerging.

THE PROGRAM FOR 1969

The challenge to fiscal and monetary policies this year is difficult indeed. Enough restraint must be provided to permit a cooling off of the economy and a waning of inflationary forces. But the restraint must also be tempered to ensure continued economic growth. We must adopt a carefully balanced program that curbs inflation and preserves prosperity.

THE BUDGET

My final budget is designed to meet this demanding assignment. It is a tight and prudent program for fiscal 1970.

—It holds total Federal expenditures within the bounds of available revenues, yielding a surplus of $3.4 billion.

—It finances our continued military efforts in Vietnam while we strive to bring about peace.

—It provides funds for our continuing national campaign against poverty, injustice, and inequality.

—It limits increases in expenditures to programs of highest priority: the encouraging JOBS program and other manpower training, Model Cities and key housing programs, law enforcement, and education.

—It trims lower priority programs wherever possible.

The budget calls for the extension of the income tax surcharge at its current rate of 10 percent for 1 year from July 1, 1969 to June 30, 1970. My economic and financial advisers unanimously agree that this fiscal restraint is essential to safeguard the purchasing power of the dollar and its strength throughout the world. Indeed, the need for continued fiscal restraint is agreed upon by all informed opinion in both of our political parties.

In today's economic and military environment, an immediate lowering of taxes would be irresponsible. The American people would be poorly served by a small short-run gain that would endanger their enormous long-term stake in a steady and stable prosperity. I hope and I believe that Members of the Congress of both parties will support timely action on taxes to continue on the course of fiscal responsibility which we have worked together to achieve.

I asked for the surcharge as a temporary measure and that is the way I regard it. My proposal for a 1-year extension preserves the option of the new Administration and the Congress to eliminate the surcharge more rapidly if our quest for peace is successful in the near future. It is my conviction that the surcharge should be removed just as soon as that can be done without jeopardizing our economic health, our national security, our most urgent domestic programs, or international confidence in the dollar. Clearly, that time has not yet arrived.

The extended surcharge will continue to take 1 percent of the income of the average American—less than half of the tax cut he received in 1964–65. In return, he will receive improved protection against the ravages of inflation, world financial crisis, and neglect or mismanagement of our priorities. It is the best investment in responsible fiscal management that the United States can make in 1969.

Including this budget, I have been responsible for 6 years of fiscal planning. From fiscal 1965 to fiscal 1970, the Federal Government will have spent $969 billion on programs and received $936 billion in revenues. The total deficit for that period amounts to $33½ billion. The bulk of that total deficit occurred in fiscal 1968, when action on taxes was long delayed.

By comparison, these six budgets

—provided $35 billion of net tax reductions, even allowing for higher social security taxes, and

—carried $109 billion of outlays to cover the special costs of the war in Vietnam.

ECONOMIC OUTLOOK

With this budget and appropriate monetary policy, our gross national product for 1969 should rise about $60 billion.

—Increased expenditures on new plant and equipment will help expand and modernize our productive capacity.

—State and local governments will continue to increase their spending rapidly to meet public needs. But Federal purchases will rise little.

—Consumer spending and homebuilding activity should advance less than last year.

—The over-all gains will not and should not be as large as those in 1968, but they will still make for a highly prosperous year.

—For the fourth straight year, unemployment should be less than 4 percent of the labor force.

Because fiscal policy is soundly planned, monetary policy should not be overburdened. It will need to support firmly the objective of moderating economic expansion. But homebuilding and other credit-sensitive areas need not be subjected to the sharp and uneven pressures of a credit squeeze. Monetary policy should be flexible and prepared to lessen restraint as the economy cools off.

As pressures of demand moderate, our trade performance in world markets should improve. We should also see a gradually improving trend in prices and costs, although the wage-price spiral will continue to be troublesome.

TOWARD PRICE-COST STABILITY

The immediate task in 1969 is to make a decisive step toward price stability. This will be only the beginning of the journey. We cannot hope to reach in a single year the goal that has eluded every industrial country for generations—that of combining high employment with stable prices.

There is no simple nor single formula for success. But this combination can and must be achieved—by the United States and within the next several years. Now that we have learned to sustain prosperity, we can surely not allow inflation to erode or erase that victory.

THE ROADS TO AVOID

We stand at a critical turning point for national policy. We can meet the challenge, or we can try to evade it.

Price stability could be restored unwisely by an overdose of fiscal and monetary restraint. This has been done before, and it would work again. But such a course would mean stumbling into recession and slack, losing precious billions of dollars of output, suffering rising unemployment, with growing distress and unrest. It would be a prescription for social disaster as well as for unconscionable waste.

Or we could conceivably travel the route to mandatory controls on prices and wages. But the vital guiding mechanism of a free economy is lost when the Government fixes prices and wages. We did not impose such regulations on our businessmen and our workers during the recent years of military buildup and hostilities. We surely must not turn down this path—a dead end for economic freedom and progress.

Or we could throw up our hands and allow the price-wage spiral to turn faster and faster. This counsel of despair would eventually undermine our prosperity and our financial system—wrecking the strong international position of the dollar and imposing unjust burdens on millions of our citizens.

THE ROADS TO FOLLOW

Price stability in a prosperous economy must be pursued by a coordinated program involving a wide range of actions.

The fiscal and monetary program I outlined earlier is our first line of defense against inflation. The Nation has surely learned that inflation will emerge unless responsible budget and credit policies keep demand within the bounds of the economy's productive capacity.

Even then, advances in prices and wages at high employment can prove troublesome. No free economy can escape these tendencies entirely. But it can keep them from developing when unemployment is too high, and it can moderate the pressures that do emerge. To do so effectively requires reinforcing other important measures to reinforce fiscal and monetary policies.

PRODUCTIVITY AND EFFICIENCY

First, although the productive efficiency of our industries and of our workers is already the envy of the world, we must keep striving for further improvements.

Productivity can be raised even more rapidly and manpower can be employed more effectively through many methods in which Government can lend a hand—by training programs that better match skills to job requirements, by developing the potential of the disadvantaged, by using the wasted abilities of those who are out of work seasonally or intermittently, by providing better information about job opportunities, and by encouraging research and investment in better technology.

Government, business, and labor can work together to improve industrial efficiency. We can strengthen our dedication to the competitive principles and practices that have made American industry preeminent. Impediments to efficiency must be identified and tackled, industry by industry, wherever they exist—as they do particularly in medical care and construction.

The Government should look at its own programs and policies to ensure that they do not add an unnecessary penny to the costs of production. To fulfill this goal, public policies must be reviewed continually in many areas—procurement, regulation, international trade, commodity programs, and research and development.

VOLUNTARY COOPERATION

Second, both in their own interest and in the public interest, business and labor should exercise the utmost restraint in price and wage decisions. It is understandable that, with living costs rising sharply, labor cannot now accept wage agreements limited to the rise in productivity. It is also understandable that, with production costs increasing, business cannot now hold prices entirely stable.

But the process of deceleration must take hold for both prices and wages. The demands for incomes by business and labor combined must be brought more closely into line with the amount of real income the economy can generate. A decisive step toward price stability in 1969 requires labor and business to accept some mutual sacrifices in the short run to preserve their enormous long-term interest in prosperity and a stable value of the dollar.

In recent years, business, labor, and Government have been discussing the big economic issues—sometimes debating, but often agreeing. The dialogue should go forward and should explore new forms of labor-management cooperation to ensure greater fulfillment of common interests.

A year ago, I established the Cabinet Committee on Price Stability to coordinate efforts within the Administration to help improve efficiency, enlist voluntary restraint, and contribute to public education and discussion on the wage-price problem. In its recent Report, the Committee made many important recommendations which deserve the most serious consideration. The work of the Committee has proved its value, and should be continued in some appropriate form.

The stakes are enormous in our efforts to combine high employment and price stability. We can sacrifice neither goal. The challenge can be met if we have the will.

REINFORCING THE FISCAL-MONETARY FRAMEWORK

The unparalleled economic expansion of the past 8 years testifies to the accomplishments of our fiscal and monetary policies. Yet the blemishes on that record show plainly that further improvements are needed.

BUDGET POLICY AND PROCEDURES

The budget is the keystone of Federal Government operations. It is a plan developed within the Executive Branch and a recommended program for action by the Congress. It is a blueprint for fiscal and economic policy.

In my many years in Washington, I have worked intensively on the budget on both the legislative and executive sides. I know the difficulties of

- —coordinating a host of appropriation requests into a total program that accurately reflects national priorities,
- —making the dollar sum of the parts equal a whole that remains within prudent bounds, and
- —ensuring that decisions on tax revenues go hand in hand with those on expenditures.

The Executive Branch coordinates its budgetary decisions through the Bureau of the Budget, with extensive cooperation from the Department of the Treasury and the Council of Economic Advisers. The Congress has no parallel process. I urge the Congress to review its procedures for acting on the annual budget and to consider ways that may improve the coordination of decisions among Federal programs and on Federal revenues in relation to expenditures.

My experience has thoroughly convinced me of the fundamental wisdom of our system of checks and balances. The system works well because both the President and the Congress subject their own operations continually to careful scrutiny and review in light of experience.

Costly delays in enacting recent tax legislation demonstrate the need for a review of procedures in this area. Congress should ask: How can a prompt response to a Presidential request for tax action be assured?

When such a recommendation takes a simple form (like the current income tax surcharge) and when it is made to head off a threat to prosperity, the Nation is entitled to a prompt verdict.

To provide the fiscal flexibility needed in our modern economy, the Congress might be willing to give the President discretionary authority to initiate limited changes in tax rates, subject to Congressional veto. I believe that the President should have such authority. Alternatively, the Congress might choose to establish its own rules for ensuring a prompt vote—up or down—on a Presidential request for tax action.

The Nation should never again be subjected to the threat of fiscal stalemate.

MONETARY POLICY

Our institutions allow monetary policy to adjust promptly and smoothly, and the value of this flexibility has become evident. When fiscal action has been delayed, monetary policy has been able to continue the battle against inflation. But tight credit, soaring interest rates, pressures on homebuilding, and nervous financial markets are the unhappy results of an overburdened monetary policy. Greater fiscal flexibility would help to ensure that monetary policy is not asked to carry an undue share of the load in restraining—or stimulating—the economy.

The Administration and the Federal Reserve have learned to work together closely and to coordinate effectively, while preserving the appropriate independence of the Federal Reserve within the Government. Our monetary institutions are working well, and I see a need for only a few reforms to enhance their effectiveness.

- —The term of Chairman of the Federal Reserve Board should be appropriately geared to that of the President to provide further assurance of harmonious policy coordination.
- —The rigid requirement that no more than a single member of the Federal Reserve Board may be appointed from any one Federal Reserve District should be removed so that the President, with the advice and consent of the Senate, may choose the very best talent for the Board.
- —The Congress should review procedures for selecting the presidents of the 12 Reserve Banks to determine whether these positions should be subject to the same appointive process that applies to other posts with similarly important responsibilities for national policy.

AFTER VIETNAM

Despite some encouraging signs of progress toward peace, hostilities in Vietnam continue. In planning our budget, we must assume continuation of the war. But we must also be ready to adjust to peace whenever that welcome day arrives.

Early in 1967, to ensure our readiness for peace, I established the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities.

The Report of that Committee emphasizes the demanding task that will confront fiscal and monetary policies once a secure peace permits demobilization. The resources freed from war must not—and need not—be squandered in idleness. Rather, this manpower and material should be promptly enlisted in the service of peaceful progress.

In addition to its immeasurable human benefits, peace will provide an economic dividend to the Nation and to the Federal budget. But that dividend is dwarfed by the urgent needs of our society. The Nation will have to weigh the priorities among attractive programs carefully and wisely to take full advantage of this dividend. High on the list of priorities is the commitment to provide equal and full economic opportunities for all our citizens.

THE INTERNATIONAL ECONOMY

BALANCE-OF-PAYMENTS ADJUSTMENT

Our international accounts were in balance in 1968—for the first time since 1957. Much of the improvement came from the program I announced in an atmosphere of world financial crisis a year ago. The contrast today is striking and gratifying.

The excellent results of last year were aided by temporary factors. Hence, we cannot relax our efforts to achieve fundamental improvement—especially in our disappointing trade performance. To strengthen our trade surplus and achieve a healthy balance of payments, we must

- —restore price stability at home,
- —encourage our farms and factories to become ever more competitive in quality and price so that they can export more,
- —intensify efforts to secure the removal of barriers to freer trade,
- —bring more foreign tourists to our shores to enjoy America with us, and
- —minimize the foreign exchange cost of our military commitments and economic aid overseas.

Our temporary programs to restrain capital outflows worked well in 1968. American businesses showed remarkable ingenuity and cooperation in pursuing their activities abroad while drastically cutting the drain on the Nation's balance of payments. These programs clearly aided in preserving the strength of the dollar.

Capital restraints should never become permanent features of our economy. They should be ended as soon as possible.

But the war continues and the movement toward noninflationary prosperity has just begun. We cannot now scrap our defenses against large capital outflows. For the present, we must

—renew the Interest Equalization Tax before it expires on July 31,
—maintain the direct investment control program in the more flexible form recently announced, and
—continue the Federal Reserve program of voluntary restraint of foreign lending.

To maintain our gains, ever closer international cooperation is needed among the highly interdependent nations of the world. Countries in deficit must meet their responsibilities. And countries in surplus must also pursue appropriate policies—striving especially for rapid economic expansion and giving world traders greater access to their markets.

WORLD MONETARY SYSTEM

The international monetary system was strengthened in 1968. An historic international agreement was reached, creating in the International Monetary Fund a new reserve asset—the Special Drawing Right.

We spent 3 years studying, exploring, and negotiating with our commercial partners in order to reach this agreement. I eagerly await the day that actual distribution of SDR's will begin. They can meet the future needs of the world for international liquidity—in the proper amounts and in a usable form. I am proud that the United States acted so promptly to ratify this agreement with such overwhelming bipartisan support in the Congress.

Some did not believe that such an agreement was possible, arguing that a rise in the official price of gold was the only way to increase international reserves. We and our trading partners rejected this futile course; it would have offered a ransom payment to speculators and would have failed to provide for the orderly growth of reserves. I have carried out my pledge that the United States would sell gold to official holders of dollars at $35 an ounce. There is clearly no need to change that price.

Myths about gold die slowly. But progress can be made—as we have demonstrated. In 1968, the Congress ended the obsolete gold-backing requirement for our currency.

Another major step in freeing the international monetary system from disturbances by gold speculators was taken in March, when the United States and the other active gold pool countries agreed to cease supplying gold to the private market. The resulting two-price system for gold is working successfully.

The international economy has made major strides in the past. But we must recognize the problems that remain. The financial crises of 1968 stimulated constructive discussion of many proposals for further evolutionary improvements in the international economic system.

These proposals are not an agenda for action in a week or a month or even a year. The issues posed cannot be resolved in a summit meeting or by a superplan. But they can be tackled effectively with the same kind of careful study and negotiation that led to the successful SDR plan. The United States should actively participate in such a procedure in order to strengthen the foundation of the world economy.

TRADE

World trade has continued to expand briskly—virtually unaffected by the sporadic crises in financial markets. Tariff barriers that once stifled international commerce have been substantially lowered—most notably by the Kennedy Round reductions which began in 1968 and will continue until 1973.

We must reinforce this success by devoting equal energy to the removal of nontariff barriers. On our part, Congressional action to rescind the American Selling Price provision is essential for achieving reductions of nontariff barriers offered by several of our trading partners.

Other nontariff barriers also need revision.

—Agriculture has been the stepchild of trade negotiations, and deserves prompt and proper attention.
—The international rules governing border tax adjustments should be revised so that they no longer give a special advantage to countries that rely heavily on excise and other indirect taxes.

While we work to reduce trade barriers, we must not drop our guard against the advocates of protectionism at home and abroad. We will never neglect the legitimate concerns of any citizen. But the only real solutions are ones that improve our economy—not ones that erect new barriers that could provoke retaliation, or insulate producers from the invigorating force of world competition. To provide the right kind of aid to those seriously hurt by import competition, present provisions for temporary adjustment assistance must be liberalized, as I have repeatedly recommended.

AID

Important economic progress is being made in the world's less developed countries. The beginnings of spectacular advances in world agriculture are now clearly evident. Family planning is gaining widespread support.

The United States can and should help to promote further progress in world agriculture and family planning, and the achievement of more rapid economic growth in the less developed countries. Only if funds for foreign aid programs are restored to an adequate level can we do our part.

The United States has long supported multilateral assistance as an equitable and efficient means of channeling aid from wealthy to poorer nations. We must reaffirm this support by promptly authorizing the U.S. contributions to the replenishment of the International Development Association and to the Special Funds of the Asian Development Bank.

KEY AREAS OF FEDERAL GOVERNMENT RESPONSIBILITY

The bountiful output of the American private enterprise system has made our high standard of living possible. Yet this same abundance has created a growing need for public action to improve the quality of life in our cities, towns, and countryside. The Federal Government must continue its partnership with the private sector and with State and local governments to provide better public services.

Increased efforts are needed to

—improve the environment by ensuring clean air, pure water, and the conservation of natural resources,
—assist in community development and in education,
—protect the consumer against unfair practices and unwholesome products,
—ensure safe employment conditions, and
—provide a more comprehensive social insurance system to protect against the financial impacts of retirement, unemployment, job accidents, and long-term illness of a breadwinner.

QUALITY OF THE ENVIRONMENT

More than ever, Americans realize that purposeful action is required to ensure an environment we can all enjoy. In the last 5 years, legislation has been enacted to abate air and water pollution and to control the disposal of solid wastes. Despite progress, many of our rivers still are open sewers, our atmosphere often unfit to breathe, and much of our land littered with discarded junk. We must

—develop new methods for financing water treatment plants,
—attack oil pollution of harbors and beaches,
—strengthen laws for clean air and solid waste disposal,
—stop the ravages of strip mining, and
—preserve more parks and wilderness areas.

COMMUNITY DEVELOPMENT AND HOUSING

Rapid population growth in our cities and rising living standards have created a backlog of community and housing needs.

Local governments are finding it increasingly difficult to finance essential community facilities—schools, parks, hospitals, and transportation systems. The Federal Government must develop new ways to help communities raise capital for public facilities.

The capacity of the housing industry must be enlarged and updated to meet the Nation's goal of adding 26 million decent homes and apartments over the next decade.

To improve our communities and meet our housing needs, I recommend

—an independent, federally established, Urban Development Bank to provide low-interest loans to State and local governments,
—increased Federal research and development to improve construction technology,
—a Federal program to test housing materials and to improve building standards and practices,

—the training of more construction workers through federally assisted manpower programs in cooperation with trade unions and contractors, and
—an urban mass transportation trust fund, financed by a portion of the automobile excise tax.

EDUCATION

Providing good education is a national responsibility in which the Federal Government must do its part. Great progress has been made in recent years toward our goal of providing every child all the education he wants and can absorb. But continued and expanded efforts will be needed. This Nation must strive to
—provide every child with year-round opportunity for preschool education,
—offer every teacher assistance for continuing education,
—bring the cost of higher education within the means of every qualified student through expanded loans and grants, and
—provide funds for higher education adequate to ensure instruction of finest quality.

CONSUMER PROTECTION

The confidence of consumers in the American marketplace is vital for a healthy economy. In the past 5 years, the Congress has ushered in a new era of consumer protection by enacting 20 major measures in this field. We have made great strides toward our goals of
—ensuring that all products are safe and wholesome,
—providing full and fair disclosure in the marketplace, and
—eliminating fraud and deception by the few who prey on the unsuspecting, the elderly, and the poor.

To carry on the work so well begun, legislation is needed to
—prevent deceptive sales practices by giving new authority to the Federal Trade Commission,
—reduce the likelihood of massive electric power failures which can paralyze our cities,
—ensure that the small investor shares in the benefits of our thriving mutual fund industry, and
—complete the circuit of Federal inspection for foods commonly served at the family dinner table.

WORKER PROTECTION

American workers are the most productive in the world and they have made our high standard of living possible. They and their families deserve a safe working place and adequate protection against the loss of income from on-the-job accidents, disability, and unemployment.

SAFETY

The human costs of accidents are immense—14,000 people killed on the job each year, 2.2 million workers injured. The monetary cost alone is a staggering $5 billion. Recent tragedies in our factories, mines, and other work places have dramatized once more the need for better safety practices. Must we wait for tragedy to strike again?

The Congress failed to act last year on an urgently needed Occupational Safety and Health Bill and on the Coal Mine Safety Bill. We can delay no longer. This Nation must put an end to this senseless waste from job accidents—through comprehensive legislation that will ensure the best job safety and health practices in all American work places.

WORKMEN'S COMPENSATION

Workmen's compensation should ensure that no victim of a job-related accident lacks the funds to pay his medical bills and support his family. Currently, one employee in five has no workmen's compensation protection. Benefit levels are too often tragically low. The Federal Government should act now to ensure that the States provide adequate workmen's coverage and benefits.

DISABILITY INSURANCE

Today disabled workers wait as long as 6 months before receiving benefits—and their disability must be expected to last more than 1 year. In addition, disabled workers are too often unable to pay for the medical care they need. To meet these shortcomings, I recommend that
—the waiting period for benefits be reduced from 6 to 3 months,
—the minimum duration of qualifying disability be reduced to 3 months, and
—the totally and permanently disabled be eligible for Medicare.

UNEMPLOYMENT INSURANCE

Even in the height of prosperity during 1968, two million workers were out of work for a period of 15 weeks or longer. About a million workers spent at least half the year fruitlessly looking for work.

Congress should strengthen the Federal-State Unemployment Insurance system by
—extending coverage to five million more workers,
—raising benefit levels,
—lengthening payment periods, and
—providing special federally financed benefits for the long-term unemployed, with recipients required to accept job training and other employment services under appropriate circumstances.

SOCIAL SECURITY

Social security is one of the oldest and best social programs. Currently, 25 million people—one out of every eight Americans—receive a social security check every month. Largely because of social security, two-thirds of the beneficiaries—the elderly, widows, orphans, and the disabled—are above the poverty line. Yet we need to do more. I recommend an average increase in benefits of 13 percent, including
—a rise of at least 10 percent for every beneficiary,
—a 45 percent increase from $55 to $80 for the five million Americans receiving the minimum benefit,
—a $100 monthly minimum benefit for those who have contributed to social security for 20 years or more, and
—a liberalization of benefits for the elderly who choose to work.

OUR COMMITMENT TO ELIMINATE POVERTY

No achievement gives me greater pride than the advances in the war on poverty. No social challenge gives me greater concern than the elimination of poverty.

Since the passage of the Economic Opportunity Act, which established the Nation's commitment to eliminate poverty, the number of poor Americans has been reduced by about 11 million. Still, 22 million Americans remain poor.

The effective programs of the Office of Economic Opportunity must be preserved and strengthened. For this purpose, I am recommending a 2-year extension of the Economic Opportunity Act.

EMPLOYMENT OPPORTUNITIES

In recent years, our national prosperity has rapidly expanded job opportunities for the poor. To maintain progress, we must not retreat from high employment. The doors to opportunity are bound to be locked to the disadvantaged and to new workers if senior and skilled employees are being laid off.

At the same time, we cannot count on normal economic growth to create as many jobs for the poor as were created when we moved out of a slack economy. We must therefore increase the emphasis on manpower programs in order to provide effective aid to the disadvantaged.

In 1968, we launched a major new partnership with private industry—the National Alliance of Businessmen. Job Opportunities in the Business Sector is a promising route for providing jobs and training for the hard-core unemployed. The JOBS program has reached its initial target 6 months ahead of schedule. My budget provides for major expansion of this program.

The experience with JOBS encourages us to develop a similar program for employment in the rapidly growing public sector.

EDUCATION, HEALTH, AND NUTRITION

The poor are often handicapped by inferior education, ill health, and inadequate diets. Federal Government programs have begun to attack these roots of poverty. Head Start, Follow Through, and Title I of the Elementary and Secondary Education Act help in educating disadvantaged children. These should ultimately be expanded to meet the needs of all poor children.

Medicaid has a high proportion of poor beneficiaries and should ultimately free the needy from the bonds of inadequate health care.

Good health is essential for a good start in life. Expectant mothers and infants in poor families should be provided comprehensive health care.

America, blessed with agricultural abundance, should not tolerate hunger among its people. The Food Stamp program should be expanded and a cooperative Federal-State effort launched to protect all Americans against hunger and malnutrition.

HOUSING

With the Housing and Urban Development Act of 1968 we set the goal of eliminating all substandard housing in the next decade. We must back that commitment with the needed resources—financial, technical, and human. First priority must be given to the needs of the poorest of the poor through the Model Cities program, rent supplements, home ownership, and public housing. And all families must be assured full and fair access to housing—with no discrimination.

INCOME SUPPORT

No matter how well we succeed in other efforts, cash assistance will be needed by many of the poor—the elderly, the disabled, and some mothers with sole responsibility for the care of young children. Although such funds do not directly remove the causes of poverty, they sustain life and hope and help prevent poverty from being bequeathed from one generation to the next.

Income support programs need a thorough review. The public discussion required to illuminate this area is well under way and will benefit from the report of the Commission on Income Maintenance, due at the end of this year. Americans will soon have to decide how best to help those who cannot earn enough to escape from poverty.

Whatever strategies we choose, the effort to reduce poverty must be redoubled. Victory in the war on poverty can be won with only a modest share of the Nation's income gains. The total shortfall of income below the poverty line amounts to only 1 percent of our gross national product—one-fourth of our normal growth in a single year. A fully effective antipoverty program would initially cost more than that—but would not be out of range. Surely Americans will make the investment needed to eliminate poverty.

CONCLUSION

The American economy has been steadily on the march in the 1960's. It has shattered all records for progress toward the Employment Act's goals of "maximum employment, production, and purchasing power." It has bestowed great blessings of abundance on the vast majority of Americans in all walks of life.

Economic growth has provided the resources for urgent defense needs and has still permitted a major expansion of civilian production—both public and private. It has allowed us to send a youngster to Headstart and a man to the moon.

When our economy was less prosperous, many of our social problems were neglected—eclipsed by the struggle of families to make ends meet. The plight of the poor was fatalistically accepted when the majority of Americans were vulnerable to unemployment and deprivation. Our needs for improved schools, better cities, and a healthier environment were pushed into the background.

As the average American's standard of living soared, we could afford to focus on new challenges. Facing these issues squarely has in itself been a great accomplishment. We have marshaled our determination to provide a good job, a decent standard of living, quality education, and a pleasing environment for everyone.

We have begun to make progress toward these new aspirations. But we have *only* begun. And because we have so far to go, many of us are impatient. This feeling is in the great American tradition. High aspirations and impatience have constantly spurred us to greater achievements.

And they will again. Our economy will not rest on the laurels of the 1960's. We will not relax to count or consolidate our gains. We will not retreat from the unprecedented prosperity we have achieved. This Nation will remain on the march.

LYNDON B. JOHNSON.

JANUARY 16, 1969.

NEED FOR MORE EFFECTIVE AND EFFICIENT LAW ADMINISTRATION

(Mr. McCULLOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCULLOCH. Mr. Speaker, the growing crime problem which grips our Nation can only be solved by making the administration of law effective and efficient. The apprehension of criminals must be swift, their trials must be speedy, their punishment must warn and deter others.

Today, I have introduced for myself and for the House minority leader, GERALD R. FORD, and 10 other Republican members of the Committee on the Judiciary, legislation which we hope is a beginning in making the administration of law more effective and efficient. The bill would allow Federal law enforcement officers to make field interrogations in preventing, detecting, and investigating crimes.

The bill strikes a proper balance between the need for better law enforcement and the rights of individual citizens. The bill is carefully drawn and, hopefully, will serve as a model for the States in their war against crime.

The legislation which we introduce today would allow a Federal law enforcement officer who reasonably suspects a person of criminal activity to stop, detain, and interrogate such person for 20 minutes. If the officer reasonably believes that he is in danger of bodily harm because he has made the stop, he may protect himself by "frisking" the suspect for dangerous weapons.

We should never lose sight of the importance of law enforcement officers in our society. It is their function to prevent, detect, and investigate crimes. This function must be recognized as separate from that of the judicial process.

Today some argue that all investigation is accusatory in nature and that, thus, the safeguards of the judicial process carry over to the investigation of crime. But surely we have reached an absurd and senseless state in our legal development when we argue that a law enforcement officer must accord every person with whom he has contact the safeguards that are accorded the accused in the courts.

When a law-enforcement officer begins to investigate a crime, he does not know who the criminal is. To say then that he must advise every person he questions that whatever that person says may be used in court would be both unnatural and illogical.

The legislation which we introduce today draws a line between the investigative and accusatory stages in the administration of justice. If we have erred in drawing the line, we believe it is in the overzealous protection of individual rights rather than in the disregard of those rights.

There are situations which a law-enforcement officer encounters every day which require the stop-and-frisk powers of this bill. When an officer sees a man in the dark shadows of the night crouching down by a basement window, or sees a man casing a jewelry store, can we deny the officer the right to approach, to interrogate, to investigate?

On June 10, 1968, the U.S. Supreme Court upheld the use of stop-and-frisk authority in Terry against Ohio. Thus the Court followed the unanimous judgment of the State courts on this question as well as the recommendations of the American Law Institute and the President's Commission on Law Enforcement and Administration of Justice.

However, the Terry decision demonstrates the need for clear guidelines. This is where the investigative detention bill plays its critical role—in guiding the policeman in this most sensitive area. The Court rightly criticized the simple approach of a State statute that authorized the stop-and-frisk practice without laying down the limitations on such activity.

I believe that the discerning reader of the Court's opinions will find that the investigative detention bill has become vitally necessary.

Statutory guidelines are still lacking.

Policy decisions must be made which only a legislature can make.

We cannot afford to allow the policemen of our country to be forced to make these difficult policy decisions in the dark.

Effective and efficient law enforcement require that we act now.

NEEDED REFORMS IN THE FEDERAL ESTABLISHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Delaware (Mr. ROTH) is recognized for 30 minutes.

GENERAL LEAVE

Mr. ROTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to insert their comments or to revise and extend their comments, and include extraneous matter, on the subject matter of my special order today.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, today, along with more than one-third of the membership of the House, I have introduced two pieces of legislation to provide a two-pronged attack aimed at providing some needed reforms in the Federal Establishment. The first bill on which 165 Members of this body have joined in cosponsoring, is the Program Information Act, which would require the creation of a single, comprehensive compendium of all Federal programs. The need for, and full significance of, such a document, updated on a frequent basis, I shall discuss in detail in a few moments. The product of this bill would provide a needed building block for the implementation of the second bill, the Executive Reorganization and Management Improvement Act, on which 155 Members of this body have joined in cosponsoring. It would create a modern Hoover-type commission to review the organization, operation and management of the Federal Government, as well as the relationships of the partners in the federal system: our local, city, State and Federal Governments.

PART I—A CALL TO ACTION

I would like to use this moment and this speech on the floor of the House of Representatives today to issue a call to action. A call to action by the Members of this House and of the other body, and to the membership of the appropriate committees and subcommittees into whose jurisdiction these bills will pass. I believe the number of cosponsors of these two bills, combined with widespread editorial support received by these two bills from newspapers across the country, are evidence of the growing concern by public leaders, Democrats and Republicans, liberals and conservatives, of the need for reform, of the need to recast the forms and types of Federal programs and activities, and the need to inform ourselves of how best we can convert our activities and energies into the creative forms needed to meet the challenges of our day and those gathering in storms on the horizons of the future.

This call to action challenges us to find new approaches to such critical domestic problems as bringing the poor into the mainstream of American life, assuring a good education for all our people, and revitalizing our urban and rural areas. It requires checking out our Federal machinery and finding new and more creative ways of running it. It commands that we innovate, simplify, and strain to the limits the imagination of our best thinkers and doers. It demands that we find the means to effectively utilize the resourcefulness of the private sector. It charges that we must not only find ways to strengthen the present Federal structure, but we must point out a new direction and we must redress the balance in our federal system and preserve our decentralized form of government.

This call to action recognizes that reassessment and reorganization are not panaceas and alone offer no promise of success in meeting our challenges and responsibilities. But it recognizes also that at a minimum they would allow us to make more intelligent decisions about the approaches and routes we have been taking and more intelligent forecasts about approaches and routes we must begin now to structure for the future. It takes into consideration that we do not have at the present time in our Nation the financial resources to do everything that might be desirable. Therefore we must begin now to marshal our resources into areas of most urgency, we must begin to redirect our attack in others; but we must do it on the basis of factual evaluation rather than emotional reaction.

BACKGROUND

On June 25, 1968, I came to the House floor and discussed at length a massive, 8-month research effort conducted by my staff and me to study the current form of the Federal Establishment. Specifically, we sought to find out how many Federal assistance programs there are, to obtain meaningful information about what they do, and to learn how and where they are administered. We did this with an eye toward determining whether the concepts of assistance and organization under which our federal system of government is currently operating are adequate to the task of solving the problems that now confront us, and to the tasks that will be set before us by the problems of the coming decades.

The findings of that study, which were reported to the U.S. House of Representatives on June 25, 1968, and appear in the RECORD of that date, have fortunately stirred substantial new interest in the House concerning the need to create a modern Hoover-type commission to make an objective analysis of the Federal Government and provide recommendations on how it can operate more effectively, efficiently, and creatively. The findings suggest to many political leaders that we may be trying to force the future into the molds of the past, with the unfortunate effect of fostering waste and inefficiency both in terms of money, time, and talent spent and results achieved.

Below, in capsular form, are some of the study's findings.

We found that no one, anywhere, knows exactly how many Federal programs there are.

We found that nowhere is there a central repository where meaningful information on all operating programs can be found.

We found that at the very least, the Federal Government is spending $20 billion a year administering in excess of 1,000 programs, yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about programs for which they qualify and from which they might gain benefit.

We found that the Congress does not have available to it enough meaningful information on all programs to allow it to effectively determine desirability or need for new programs that may be proposed in the future.

We found that the executive branch does not have available to it enough meaningful information on all programs to allow it to compare one with another in order to find whether overlap, duplication and lack of coordination exist, or to unify and streamline its operations.

We found that the present system often advantages the advantaged and disadvantages the disadvantaged because only the largest cities and universities, for example, have the necessary resources and staff required just to keep abreast of new programs and changes in old programs from which they might gain benefit.

We found, in cataloging programs of the Federal Government, that as many as 10 Cabinet-level departments and 15 agencies have programs devoted essentially to the same area of activity.

A review of the study's findings, contained in the CONGRESSIONAL RECORD for Tuesday, June 25, 1968, as well as House Document No. 399, indicates—to the layman's eye—many examples of potential overlap and duplication. In making these comparisons, I do not wish to indicate that all duplication and overlap is per se undesirable. However, if any duplication is to be maintained, it must be justified in light of current needs and the cost it entails.

EDUCATION PROGRAMS: STUDY FINDS 470 OF THEM

The study indicates that in the area of education there are more than 470 programs operated by 25 different departments and agencies. For college undergraduate and graduate students alone there are at least 211 operating programs operated by 15 departments and agencies.

In the area of natural resources, the study indicates there are some 117 programs spread among 12 departments and agencies, and that there are 112 programs providing assistance of direct relevance to the poor. In the CONGRESSIONAL RECORD for July 16, 1968, I listed 43 programs that relate to child health and welfare, and 74 that relate to economic and business development.

Recent findings by the Government Operations Committee of the U.S. Senate have cast further light on the amount of potential overlap that may exist. For example:

At last count there were 150 separate Federal departments, agencies, bureaus, and boards in Washington, plus more than 400 regional and field offices.

Eight Cabinet departments and 12 agencies are involved in health.

Eighteen separate agencies are conducting programs to improve the natural environment.

Eight departments and four agencies are operating major credit programs and thereby affecting monetary policy.

Ten agencies in three departments are managing manpower programs.

PART II. FEDERAL ASSISTANCE PROGRAMS COULD DO A BETTER JOB

Most of us are in agreement, I believe that our Federal assistance programs could be doing a far better job; that the problems of our schools, the crises of our cities, and the plight of the poor demand action, and action now.

To participate in most aid programs, action by local officials is required. But they cannot act without adequate information. And as I pointed out earlier: no one, anywhere in the Federal Government—not in the White House, in the departments or agencies, or in the Congress—knows exactly how many programs there are, or exactly what assistance is currently available to our schools our cities, the poor, or anyone else. I have found that very few local officials have all the information they require to make effective decisions requiring Federal aid. There is no question but that the present lack of complete, accurate, and timely information on the scope, requirements and availability of Federal aid represents a major barrier to the effective use of Federal assistance by local governments and significantly retards the potential effectiveness of Federal programs.

This major barrier of lack of information is much like a locked gate. The gatekeepers are the information disseminators and gatekeepers, and as we all know, are very important. If one cannot get past the gatekeeper, he cannot see the important man behind the gate, much the same as if one cannot get past a private secretary, he cannot see the important man behind the paneled door.

When citizens or local officials are dealing with Federal assistance programs, the gatekeepers are the information disseminators. At the present time these individuals may publish at their own will such information as they deem necessary. They may publish complete factual data on which potential beneficiaries, such as mayors and local officials, may make hard decisions; or they may publish something more on the order of public relations brochures. They may publish nothing at all, or they may inundate us with so much information that it becomes confusing.

ADEQUATE INFORMATION IS NOT BEING PROVIDED

But the question is not who is publishing adequate information and who is not. The question is: Is the Federal Government currently publishing adequate information about its domestic assistance programs? The answer is an emphatic, "No."

I think the issue has become what the individual agency is providing, or is willing to provide, on the one hand, and the amount and kind of information the State and local officials need, on the other.

On October 11, 1968, during the second session of the 90th Congress, I discussed this issue before the House, and met also the problem of what must be done about it.

I believe strongly that the Congress must, itself, on a statutory basis, deal with this issue and information crisis that has arisen from it; we cannot rely on the executive branch. For example, on August 30, 1968, the Bureau of the Budget issued an announcement that it will soon publish a comprehensive catalog—yet I find from the Bureau of the Budget's own guidelines for that catalog that it will be highly inadequate and will not correct the existing information crisis. In fact, as far as I can tell, and I hope I am wrong, the new "comprehensive" catalog will be only an updated version of the present OEO Catalog of Federal Assistance Programs. I outlined the inadequacies of that publication in a floor speech June 25, 1968.

A careful study of the Bureau of the Budget guidelines and the task force report on which the guidelines are based indicates no hard decisions on specifics, such as defining what a Federal assistance program is. The task force report itself is characterized by generalities. I surmise this is because the report is a compromise of the Federal agencies represented on the task force, some of which are loathe to give full information which might result in the elimination of unnecessary or overlapping programs and force the raising of the bureaucratic screen behind which some departments are now operating. I pointed out in detail on the House floor, October 10, 1968, some of the obstacles raised by the Department of Health, Education, and Welfare, from which I and others have had such difficulty extracting program information.

Besides not providing a definition of what a Federal assistance program is, the guidelines for the new catalog require no funding information, no estimate of processing time, no periodic updating, no central comprehensive reservoir of information. All these are required in the Program Information Act.

Perhaps one reason for these shortcomings is that the task force had no representative from either State or local government—the very people who know best what information they need. As is pointed out in one study undertaken by the Midwest Research Institute, one reason better Federal program information is not available is the misunderstanding on the part of Federal programs administrators as to what local officials need to know. I believe the Bureau of the Budget task force membership is evidence of how this misunderstanding can come about.

To help alleviate this misunderstanding, my staff and I have spent considerable time in the past several months attempting to determine from State and local officials, as well as other interested individuals and groups, the exact types of information they feel they must have in order to better participate in Federal aid programs. We are currently in the final phases of this study and I will report my findings to the House when they are available.

NEED CENTRAL, COMPREHENSIVE CATALOG

There should be, there must be, one central complete and accurate catalog of Federal aid. All other Federal publications of this type should be eliminated as unnecessary and uneconomical. An overwhelming conclusion of the Midwest Research Institute's study is that: "more of the same" simply will not do the job. People in local government today are often deluged by pound after pound, foot after foot, of printed matter, all of it telling only a part of what they must know to manage intelligently.

It is critically important, in this most crucial day and time, that adequate information be made available to our State and local officials so that they can make sound judgments on hard, factual, and complete information. And what this points up is the need for legislation to make it mandatory that the executive branch prepare a single source catalog of all Federal assistance programs.

THE PROGRAM INFORMATION ACT

The Program Information Act would provide just such legislation. It requires the publication annually of a compendium of all Federal programs and requires that the President annually recommend procedures for simplifying and streamlining guidelines, access requirements and programs. The compendium would contain the kind of information most needed by our State and local officials as well as private individuals. I think all of us agree that time is our enemy in solving some of the major problems our assistance programs came into being to solve. Yet, tragically, it is time that we are losing because of the communications gap between a well-intentioned Washington and the communities at home.

This legislation is not a cure-all. But it is, I believe, a building block to make our Federal assistance programs more effective, more manageable and more creative.

Aside from aiding our State and local officials this legislation would be of great benefit to the Congress and to the executive departments. It would make a giant step toward giving the Congress meaningful information to better determine the relative worth of programs in order to set priorities in the allocation of Federal resources and to which we can refer when trying to determine the desirability or need for any new programs that may be proposed.

It would also provide to the executive branch meaningful information it needs to determine whether duplication, overlap and lack of coordination exist; and to better unify, coordinate and streamline its activities.

Perhaps one indication of the interest in and need for such a catalog as required by the Program Information Act is given by the many hundreds of requests that have been received by my office since our findings were published in the RECORD of June 25. Also, the supply of that day's RECORD was quickly exhausted. The findings were subsequently reprinted by the Library of Congress, but that supply of reprints was quickly exhausted also. The findings have now been reprinted in House Document 399, which is on sale at the Government Printing Office.

PART III. THE EXECUTIVE REORGANIZATION AND MANAGEMENT IMPROVEMENT ACT

The Federal Government will spend more money this year than it spent during the first 153 years of its existence. And in recent years there has been a strong tendency toward ever greater spending on the vast proliferation of Federal programs. Yet little effort has been made to evaluate the overall effectiveness of such spending or of Federal programs and structure, as was done by Presidents Truman and Eisenhower with the Hoover Commissions of the late forties and early fifties.

During the 13 years since the second Hoover Commission made its final report, the United States has undergone some of the most rapid and profound changes in our history. In that period, the number of Federal programs has risen dramatically, civilian personnel rolls have grown by half a million, the Federal budget has doubled, and domestic spending has increased by 170 percent.

AGREEMENT OR NEED FOR REASSESSMENT

We are fortunate that there is growing agreement on the part of many political leaders of every persuasion that there now exists a demanding need for reassessment and reevaluation of the activities and programs and changes that have come to pass in the past decade and a half.

Not only is there general agreement on this, there have been numerous proposals offered as patters for such reassessment and reevaluation. One such proposal was passed on voice vote in the other body in the second session of the 90th Congress. It places its greatest emphasis on improving management efficiency within the Federal Government. It would create a commission which would be charged with the responsibility of finding out how well the executive branch is carrying out the policies laid down by the Congress.

Another proposal would create a commission to study the substance rather than just the efficiency of each Federal activity. It would also be required to recommend a set of hard priorities, downgrading some programs, suggesting fresh approaches to others.

Both proposals have great merit. It is my belief that the scope of a modern Hoover-type commission should not only include both these areas of study, but should also include an even more penetrating and complete analysis of the usefulness, scope, substance, and management of all Federal programs and activities.

Because daring, imaginative approaches must be found in the use of resources of every level of government to more effectively marshal attacks on our growing problems, I believe such a commission must be charged not only with the traditional Hoover Commission role of studying the Federal Government on a horizontal plane, but also with studying the entire federal system on a vertical plane. Such a commission should be charged with studying the impact and effect of Federal programs and activities upon the interrelationships of all other levels of government. Also, it should be charged with going beyond just reshuffling and restructuring agencies and programs to making recommendations on how the resources of our national and local levels of government can be better marshaled. Ways and means must be found to redress the balance in our federal system, to preserve our decentralized system of government, and to restore decisionmaking to the local level.

For example, the commission should study such concepts as broad block grants and revenue-sharing with State, county and city governments, and the use of public and semiprivate corporations, on national and regional bases, as tools for stimulating private resources and private enterprise in the solutions of today's and tomorrow's problems.

I am, and many other Members of Congress are, concerned not only with the immediate problem of government reorganization, but also with the long-range need for the Congress and the executive branch to have complete, accurate and timely information on government and public needs. This information is essential from the standpoint of strong, efficient management. It is equally important to the Congress to enable it to properly evaluate the relative effectiveness of Federal programs; the need for developing new programs and consolidating or eliminating the old; and to establish a basis for determining the cost-effectiveness of Government operations. For that reason, any new Hoover-type commission should be responsible for exploring the use of modern, computerized management systems that would supply current, standardized data that cut across the lines of Federal agencies and programs.

Any Hoover-type commission established to study Government effectiveness and efficiency, should be charged with considering the creation of a permanent "Little Hoover Commission" to assist Congress in evaluating, on a continuing basis, the relative priority and effectiveness of Government programs and activities.

Notwithstanding the potential of various Federal grant approaches, for example, there are difficult questions with regard to each that a Hoover-type body should explore and attempt to answer.

Specifically, in what areas of activity—such as education, medicare, rebuilding cities—should categorical concepts of aid be phased out, and in what areas should they be retained? What guarantees should the Federal Government require to insure Federal funds are not merely used as a substitute for local revenue? How can we insure that Federal funds will be used in a positive manner to lift up the poor of every race and background?

How can the initiative and resourcefulness of the private sector be better harnessed into solving our problems? What role should public or private corporations play through direct participation or otherwise? How can tax incentives be used to insure full participation of private enterprise?

Clearly, in the past dozen years, the Federal Government has assumed new roles and involved itself more and more in activities that traditionally have been the domain of other levels of government, an which have direct effect on virtually every person in America. The Congress has a great responsibility now to begin to better organize for the future if America is to fully achieve her full potential and promise. And clearly the first step to be taken is that of reassessment of our highest institutions of government at each level, and of their interrelationships, with a view toward organizing them into a modern and effective system for achieving our national goals and purposes.

ENDORSEMENTS OF THESE LEGISLATIVE PROPOSALS

Finally, Mr. Speaker, I believe it relevant to point out some of the broad-based support for these two legislative proposals. Each has been cosponsored by more than one-third of the membership of the House in both the 90th and 91st Congresses. I have on file in my office correspondence from scores of State and local officials, educators, nonprofit associations, and others on record as favoring passage. Each bill has received the unanimous endorsement of the State Governors attending the 1968 National Governors' Conference in Cincinnati. Each bill was unanimously endorsed at the 1968 convention of the National Association of Counties in Washington, D.C. And each was unanimously endorsed at the 1968 meeting of the Conference of State Legislators in Miami.

Editorial support has likewise been outstanding. Following is a list of newspapers across the Nation from which I have received clippings of editorials and/or columns which endorse, call for passage of, or favorably discuss one or both of the legislative proposals reintroduced today:

ALABAMA

Birmingham Post-Herald, July 4, 1968.
Tuscaloosa News, July 9, 1968.
Mobile Register, July 20, 1968.
Mobile Press, July 26, 1968.
Birmingham News, August 8, 1968.
Dothan Eagle, October 7, 1968.
Birmingham Post-Herald, October 22, 1968.

ALASKA

Fairbanks News-Miner, September 13, 1968.

ARIZONA

Phoenix Gazette, July 2, 1968.
Douglas Dispatch, July 22, 1968.
Kingman Mohave Miner, August 22, 1968.

ARKANSAS

Arkansas Democrat, July 28, 1968.
Texarkana News, August 23, 1968.
Texarkana News, September 10, 1968.
Texarkana News, November 6, 1968.

CALIFORNIA

Sacramento Union, July 10, 1968.
San Diego Union, July 26, 1968.
Culver City Star-News, July 27, 1968.
Alhambra Post-Advocate, July 31, 1968.
San Pedro News-Pilot, August 1, 1968.
Sacramento Union, August 3, 1968.
Bakersfield Californian, August 6, 1968.
Los Angeles Times, September 2, 1968.
The Sacramento Bee, October 6, 1968.
The Fresno Bee, October 6, 1968.
The Modesto Bee, October 6, 1968.
Glendale News-Press, November 26, 1968.
Oakland Tribune, December 2, 1968.

COLORADO

Denver Rocky Mountain News, July 7, 1968.
Boulder Camera, September 2, 1968.
Denver Rocky Mountain News, October 22, 1968.

CONNECTICUT

The New Haven Register, July 18, 1968.
Norwich Bulletin, July 24, 1968.
Naugatuck Daily News, July 25, 1968.
Middletown Press, August 31, 1968.
Willimantic Chronicle, September 6, 1968.
Hartford Courant, October 19, 1968.
Hartford Times, November 26, 1968.

DELAWARE

Numerous editorials and news stories in my home District.

FLORIDA

Fort Lauderdale News, July 18, 1968.
Winter Haven News-Chief, July 25, 1968.
Pensacola Journal, July 26, 1968.
Leesburg Lake News, August 14, 1968.
Tampa Times, August 19, 1968.
Key West Citizen, August 21, 1968.
Jacksonville Times-Union, September 8, 1968.
Florida Times Union, October 18, 1968.
Cocoa Today, October 31, 1968.

GEORGIA

Atlanta Journal, July 20, 1968.
Augusta Chronicle, August 4, 1968.
Augusta Herald, November 26, 1968.

HAWAII

Honolulu Advertiser, September 19, 1968.

ILLINOIS

Chicago Tribune, July 11, 1968.
Chicago Tribune, July 14, 1968.
Chicago Tribune, July 21, 1968.
Kankakee Journal, July 22, 1968.
Chicago Tribune, July 28, 1968.
Waukegan News-Sun, August 22, 1968.
Chicago Sun-Times, September 5, 1968.
Jacksonville Courier, September 5, 1968.
Jacksonville Journal, September 6, 1968.
Waukegan News-Sun, September 21, 1968.
Danville Commercial-News, November 13, 1968.
Chicago Medicine, November 23, 1968.

INDIANA

Indianapolis News, June 29, 1968.
Kokomo Tribune, July 10, 1968.
Evansville Press, July 11, 1968.
Anderson Herald, July 18, 1968.
Shelbyville News, July 24, 1968.
Indianapolis Star, August 4, 1968.
Muncie Star, August 8, 1968.
Richmond Palladium-Item, August 9, 1968.
Terre Haute Star, August 21, 1968.
Terre Haute Tribune, September 8, 1968.
Anderson Bulletin, September 11, 1968.
Indianapolis News, September 19, 1968.

Shelbyville News, October 4, 1968.
Indianpolis News, October 21, 1968.
Evansville Press, October 21, 1968.
Muncie Press, October 22, 1968.
Indianapolis Star, October 27, 1968.
Muncie Star, November 1, 1968.
Logansport Pharos-Tribune & Press, November 24, 1968.
South Bend Tribune, November 30, 1968.

IOWA

Des Moines Tribune, July 13, 1968.
Council Bluffs Nonpareil, July 15, 1968.
Davenport Times-Democrat, July 19, 1968.
Davenport Times-Democrat, September 12, 1968.

KANSAS

Parsons Sun, November 26, 1968.
Salina Journal, November 26, 1968.

KENTUCKY

Paducah Sun-Democrat, July 16, 1968.
Louisville Courier-Journal, August 4, 1968.
Ashland Independent, August 20, 1968.
Madisonville Messenger, August 26, 1968.
Ashland Independent, September 6, 1968.
Paducah Sun-Democrat, November 28, 1968.

LOUISIANA

New Orleans States-Item, July 15, 1968.
Batan Rouge State Times, August 22, 1968.

MAINE

Portland Press-Herald, July 14, 1968.
Portland Press-Herald, September 6, 1968.
Waterville Sentinel, October 23, 1968.

MARYLAND

Cambridge Banner, July 17, 1968.
Baltimore News American, July 22, 1968.
Baltimore Sun, August 5, 1968.
Baltimore Enterprise, August 15, 1968.
Baltimore News American, August 26, 1968.
Hagerstown Herald, December 5, 1968.
Salisbury Times, December 6, 1968.

MASSACHUSETTS

The Christian Science Monitor, July 6, 1968.
The Christian Science Monitor, July 9, 1968.
Pittsfield Berkshire Eagle, July 9, 1968.
Lawrence Eagle-Tribune, July 20, 1968.
Boston Herald Traveler, August 5, 1968.
Salem News, August 20, 1968.
Lowell Sun, September 12, 1968.
Quincy Patriot-Ledger, September 25, 1968.
Springfield News, November 26, 1968.
The Christian Science Monitor, December 6, 1968.

MICHIGAN

Bay City Times, June 29, 1968.
Monroe News, July 17, 1968.
Ypsilanti Press, October 17, 1968.
Saginaw News, November 26, 1968.

MINNESOTA

St. Paul Dispatch, August 5, 1968.
St. Paul Pioneer Press, August 11, 1968.
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MISSISSIPPI

Jackson Clarion-Ledger, July 9, 1968.
Natchez Democrat, August 29, 1968.
Corinth Corinthian, October 7, 1968.
Biloxi Herald, October 9, 1968.

MISSOURI

St. Louis Globe-Democrat, July 13–14, 1968.
Crane Stone County Republican, July 18, 1968.
St. Louis Globe-Democrat, July 30, 1968.
St. Louis Globe-Democrat, August 11, 1968.
Joplin Globe, September 12, 1968.
Jefferson City Post-Tribune, October 22, 1968.
Jefferson City Capital News, October 23, 1968.
Jefferson City Post-Tribune, November 15, 1968.
Jefferson City Capital News, November 16, 1968.

MONTANA

Helena Independent, July 10, 1968.
Butte-Anaconda Standard, August 12, 1968.

NEBRASKA

Omaha World-Herald, July 4, 1968.
Lincoln Journal, August 27, 1968.
Fremont Tribune, September 2, 1968.
Scottsbluff Star-Herald, September 24, 1968.

NEVADA

Las Vegas Sun, August 8, 1968.
Nevada State Journal, September 29, 1968.

NEW HAMPSHIRE

Dover Foster's Democrat, July 20, 1968.
Manchester Union Leader, August 22, 1968.
Portsmouth Herald, September 5, 1968.

NEW JERSEY

Newark News, July 8, 1968.
Trenton Trentonian, July 22, 1968.
Lakewood Ocean County Citizen, July 25, 1968.
Garfield Messenger, July 25, 1968.
Plainfield Courier-News, August 5, 1968.
Elizabeth Journal, August 5, 1968.
Asbury Park Press, August 6, 1968.
Newark Evening News, August 7, 1968.
Union City Hudson Dispatch, August 8, 1968.
Lakewood Ocean County Citizen, August 22, 1968.
Union City Hudson Dispatch, September 20, 1968.
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NEW MEXICO

Albuquerque Tribune, July 5, 1968.
Albuquerque Journal, August 30, 1968.
Carlsbad Current-Argus, September 17, 1968.
Albuquerque Tribune, October 21, 1968.
Roswell Record, November 26, 1968.
Hobbs Daily News-Sun, November 26, 1968.

NEW YORK

Mount Vernon Argus, July 10, 1968.
White Plains Reporter Dispatch, July 10, 1968.
Yonkers Herald Statesman, July 10, 1968.
New Rochelle Standard-Star, July 10, 1968.
Wall Street Journal, July 12, 1968.
Peekskill Star, July 12, 1968.
Rochester Times-Union, July 29, 1968.
Rome Sentinel, August 30, 1968.
New York Times, September 8, 1968.
Wall Street Journal, September 20, 1968.
Tamestown Post-Journal, October 2, 1968.
Peekskill Star, November 22, 1968.

NORTH CAROLINA

Charlotte Observer, July 14, 1968.
Asheville Citizen, July 18, 1968.
Rocky Mount Telegram, October 23, 1968.

NORTH DAKOTA

Minot News, October 14, 1968.

OHIO

Elyria Chronicle-Telegram, June 26, 1968.
Columbus Dispatch, June 29, 1968.
Columbus Citizen-Journal, July 2, 1968.
Dayton Journal Herald, July 18, 1968.
Painesville Telegraph, July 19, 1968.
Youngstown Buckeye Review, July 19, 1968.
Ashtabula Star Beacon, July 20, 1968.
Chardon Times Leader, July 24, 1968.
Van Wert Times-Bulletin, July 26, 1968.
Lima News, September 10, 1968.
Ravenna Record-Courier, September 14, 1968.
Cleveland Plain Dealer, October 14, 1968.
Elyria Chronicle-Telegram, October 16, 1968.
Zanesville Times Recorder, October 29, 1968.
Columbus Dispatch, November 4, 1968.
Columbus Citizen-Journal, November 6, 1968.
Greenville Advocate, November 20, 1968.
Columbus Dispatch, November 26, 1968.
Dayton Journal Herald, November 28, 1968.
East Liverpool Review, November 29, 1968.
Steubenville Herald-Star, November 29, 1968.
Portsmouth Times, November 29, 1968.

OKLAHOMA

Enid News, July 16, 1968.
Altus, July 24, 1968.
Oklahoma City Oklahoman, July 27, 1968.
Lawton Press, July 30, 1968.
Oklahoma City Oklahoman, August 31, 1968.

PENNSYLVANIA

West Chester Daily Local News, July 2, 1968.
Chester Delaware County Times, July 16, 1968.
Reading Times, July 16, 1968.
Pittsburgh Press, July 20, 1968.
Wilkes-Barre Record, July 25, 1968.
Canonsburg Notes, July 26, 1968.
Shenandoah Herald, August 3, 1968.
Drexel Hill Upper Darby Press, August 15, 1968.
Philadelphia Bulletin, August 15, 1968.
Reading Times, August 21, 1968.
Lewistown Sentinel, August 27, 1968.
Lebanon News, September 5, 1968.
Shenandoah Herald, September 9, 1968.
Bloomsburg Press, September 25, 1968.
Pennsylvania Road Builder, October 1968.
Brookville Jeffersonian Democrat, October 3, 1968.
Lewistown Sentinel, November 18, 1968.
Lebanon News, November 22, 1968.
Shenandoah Herald, November 22, 1968.
Reading Eagle, November 22, 1968.
Pittsburgh Press, November 23, 1968.

SOUTH CAROLINA

Anderson Independent, August 2, 1968.
Greenville Piedmont, August 20, 1968.
Orangeburg Times & Democrat, October 23, 1968.
Aiken Standard & Review, October 25, 1968.

SOUTH DAKOTA

Huron Plainsman, August 20, 1968.

TENNESSEE

Knoxville News-Sentinel, July 2, 1968.
Johnson City Press-Chronicle, July 23, 1968.
Knoxville News-Sentinel, September 3, 1968.
Memphis Commercial Appeal, September 7, 1968.
Knoxville News-Sentinel, October 21, 1968.
Memphis Press-Scimitar, October 23, 1968.

TEXAS

El Paso Herald-Post, July 1, 1968.
Fort Worth Press, July 2, 1968.
Houston Chronicle, July 8, 1968.
Waco Times-Herald, July 15, 1968.
Lubbock Avalance-Journal, July 29, 1968.
Dallas Morning News, August 10, 1968.
Austin Statesman, August 22, 1968.
Dallas Morning News, September 4, 1968.
Austin-American, September 7, 1968.
San Antonio Express, September 9, 1968.
Kilgore News Herald, October 3, 1968.
El Paso Herald-Post, October 21, 1968.
Fort Worth Press, October 22, 1968.
Fort Worth Star-Stelegram, October 24, 1968.

UTAH

Salt Lake City Desert News, October 28, 1968.
Salt Lake City Desert News, November 27, 1968.

VIRGINIA

Richmond Times-Dispatch, June 27, 1968.
Richmond Times-Dispatch, July 15, 1968.
Suffolk News-Herald, July 15, 1968.
Richmond Times-Dispatch, July 29, 1968.
Lynchburg Advance, July 30, 1968.
Lynchburg News, July 31, 1968.
Roanoke Times, August 4, 1968.
Alexandria Gazette, August 5, 1968.

Norfolk Ledger-Star, August 10, 1968.

Staunton Leader, August 13, 1968.

Richmond News Leader, August 17, 1968.

Richmond Times-Dispatch, August 19, 1968.

Charlottesville Progress, September 5, 1968.

Fredericksburg Free Lance-Star, September 13, 1968.

Danville Register, November 22, 1968.

Norfolk Ledger-Star, December 7, 1968.

WASHINGTON

Yakima Herald-Republic, June 27, 1968.

Spokane Spokesman-Review, July 20, 1968.

Olympia Olypian, July 30, 1968.

Aberdeen World, August 28, 1968.

Spokane Spokesman-Review, October 17, 1968.

WASHINGTON, D.C.

Washington Post, June 26, 1968.

Washington News, July 1, 1968.

Washington Star, July 8, 1968.

Washington News, August 2, 1968.

Washington News, August 19, 1968.

WEST VIRGINIA

Elkins Inter-Mountain, July 23, 1968.

Clarksburg Telegram, July 24, 1968.

Charleston Mail, July 25, 1968.

Weirton Times, August 1, 1968.

Clarksburg Telegram, August 2, 1968.

Welch News, August 24, 1968.

Morgantown Dominion-Post, August 26, 1968.

Charleston Mail, September 16, 1968.

Wheeling News-Register, September 29, 1968.

Williamson News, October 2, 1968.

Weirton Times, October 5, 1968.

WISCONSIN

Milwaukee Sentinel, July 10, 1968.

Madison Wisconsin State Journal, July 19, 1968.

Wausau Record-Herald, July 22, 1968.

Milwaukee Journal, August 20, 1968.

Green Bay Press Gazette, September 8, 1968.

Appleton Post-Crescent, September 9, 1968.

WYOMING

Sheridan Press, November 25, 1968.

SINGAPORE

The Straits Times, July 5, 1968.

Below are listed cosponsors of the Executive Reorganization and Management Improvement Act:

HOUSE OF REPRESENTATIVES

Adair
Adams
Anderson of Illinois
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Burton of Utah
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Button
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Cordova
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Derwinski
Donohue
Dulski
Duncan
Edwards of California
Edwards of Alabama
Esch
Eshleman
Feighan
Findley
Fish
Fisher
Ford, Gerald R.
Frelinghuysen
Fulton of Pennsylvania
Fulton of Tennessee
Gallagher
Giaimo
Goodling
Green of Oregon
Griffiths
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Halpern
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Heckler of Massachusetts
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Kuykendall
Kyros
Leggett
Lennon
Lipscomb
Lloyd
Lujan
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
MacGregor
May
Mayne
Meskill
Michel
Mikva
Miller of Ohio
Mills
Mize
Mollahan
Montgomery
Morse
Morton
Mosher
Nelsen
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Patten
Pepper
Perkins
Pettis
Pirnie
Podell
Pollock
Price of Texas
Pucinski
Quie
Railsback
Rees
Reid of Illinois
Reifel
Riegle
Robison
Rogers of Florida
Rumsfeld
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Sandman
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Smith of California
Smith of New York
Stanton
Steiger of Wisconsin
Taft
Talcott
Teague of California
Thompson of Georgia
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Below are listed cosponsors of the Program Information Act:

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Burke of Florida
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Byrnes of Wisconsin
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Corbett
Cordova
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Cowger
Culver
Cunningham
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Devine
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Feighan
Findley
Fisher
Flood
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Frelinghuysen
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Fuqua
Gallagher
Giaimo
Goodling
Griffiths
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Halpern
Hamilton
Hammerschmidt
Hansen of Idaho
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Horton
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Ichord
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Koch
Kuykendall
Kyros
Langen
Leggett
Lennon
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McClory
McCloskey
McClure
McCulloch
McDade
MacGregor
Mathias
Matsunaga
May
Meskill
Michel
Mikva
Miller of Ohio
Mills
Mize
Mollohan
Montgomery
Morse
Morton
Mosher
Moss
Myers
Nelsen
Ottinger
Patten
Pepper
Pettis
Pirnie
Podell
Pollock
Price of Texas
Pryor
Pucinski
Quie
Railsback
Rees
Reid of Illinois
Reifel
Riegle
Robison
Rumsfeld
Ruppe
Sandman
Saylor
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Smith of California
Smith of New York
Stanton
Steiger of Arizona
Steiger of Wisconsin
Taft
Teague of California
Thompson of Georgia
Tiernan
Tunney
Utt
Vander Jagt
Wampler
Watkins
Whalen
Whitehurst
Williams
Charles H. Wilson
Winn
Wold
Wylie
Wyman
Zion
Zwach
Bevill
Green of Oregon

SENATE

Boggs
Williams of Delaware
Bennett
Cotton
Goodell
Javits
Kennedy
Mathias
Montoya
Scott
Case

Mr. DENNIS. Mr. Speaker, will the gentleman from Delaware yield for a question?

Mr. ROTH. I will be happy to yield.

Mr. DENNIS. The gentleman from Delaware mentioned the press comment on his bill. The Richmond, Ind., Palladium-Item, a newspaper printed in my hometown, commented last summer that even after an 8-month study of this problem the gentleman from Delaware found that no one, absolutely no one, was absolutely sure how many Federal aid programs were actually in existence. I was wondering if the gentleman could tell me whether my hometown newspaper's statement was extreme or whether it was actually an accurate statement.

Mr. ROTH. I can assure the distinguished gentleman from Indiana that the statement contained in the newspaper was absolutely correct. We did make an 8-month study of the Federal assistance programs and found that there is an information crisis in the Federal Government today. No one but no one—and that includes the executive branch and the Congress—nor any other group knows exactly how many programs there are available. For that reason I believe it is most important that we have legislation making it statutorily mandatory on the agency to publish full and complete information.

Mr. DENNIS. Will the gentleman yield for one additional question?

Mr. ROTH. I will be happy to yield.

Mr. DENNIS. In view of the problem which the gentleman pinpointed and the two companion bills he mentioned, one to get the information and one to appoint a commission to do something about the information after it has been obtained, what possible objections are there to this salutary legislation and does the gentleman have any information as to what attitude the new administration has on this legislation?

Mr. ROTH. I can say in all frankness that I believe there is a growing consensus from all political wings in support of this legislation. Personally I think it is very difficult to object to this, because all we are trying to do is to make our Federal Government's services a little more efficient. That is the only purpose of this program. I think also it is perfectly clear that there is a need and a right to know among the American people as to what programs are available to them for assistance and aid. I am confident from my discussion with the people on Mr. Nixon's staff and with Mr. Nixon in the past that he is sympathetic to the objectives of both programs from the standpoint of gathering the information as well as the so-called Hoover Commission.

Mr. DENNIS. I thank the gentleman from Delaware. I am pleased to have the opportunity with many other Members of cosponsoring his legislation.

Mr. ROTH. I thank the distinguished gentleman.

Mr. CONABLE. Mr. Speaker, will the gentleman yield to me?

Mr. ROTH. I shall be happy to yield to my distinguished friend, the gentleman from New York (Mr. CONABLE).

Mr. CONABLE. Mr. Speaker, I think that we owe a debt of gratitude to the distinguished gentleman from Delaware who now is in the well for the ingenuity and the creativeness that brought him to make this very extensive and significant effort. It is my opinion that few of us realize how much work the gentleman has put into the bills which are the subject of this special order. It is my further opinion that now it is even more incumbent upon us to express appreciation to him for his efforts than it was when the results of his studies were first announced.

Mr. Speaker, this is the time to be making a major reorganization effort in the executive branch. I hope the gentleman from Delaware will have the broadest base of support in both Houses of Congress.

It would not be possible for us to be as prepared as we are at a time of change in administrations if the gentleman in the well had not started earlier and had not worked hard to prepare the way.

The disclosures which the gentleman has made as a result of his very thorough digging make it possible for us to build upon a solid base. I am personally grateful to him and I am sure the country is far better off and will be in the future as a result of his work coming to greater fruition.

At this time I trust that the full power and support of the administration for this effort will be forthcoming. I have great confidence that it will end in the long run the very substantial jurisdictional overlapping, and the resulting waste which is so unnecessary.

Many fine programs exist in the Federal Government today but we have no room for waste and the gentleman's effort will be a major step toward eliminating waste and inefficiency.

Mr. ROTH. I thank the gentleman from New York for his most generous remarks.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I yield to the gentleman from Illinois.

Mr. MICHEL. Mr. Speaker, I would like to thank the gentleman for yielding to me at this time and to join in the sentiments expressed so well by the distinguished gentleman from New York (Mr. CONABLE).

Mr. Speaker, before beginning my own remarks, I want to commend him and his staff for the great work that they have done in compiling a list of Federal assistance programs. This was an important first step in bringing order out of chaos.

If the executive branch is to be charged with the responsibility of reestablishing and maintaining law and order at home, securing and preserving peace abroad, and carrying out the multitudinous tasks that the legislative branch has assigned it, we will have to streamline the bloated bureaucratic monstrosity that has been accurately described as the fourth branch of the Federal Government. We ought to find out just how big the executive branch has become and how we can make it less cumbersome and more efficient.

I have joined the gentleman from Delaware in introducing H.R. 338, the Program Information Act, which would, if enacted into law, create a catalog of Federal assistance programs. Such a catalog would be a continuation and extension of the monumental labors of the gentleman and his staff.

The catalog that would be created would list all Federal grants, loans, mortgage loans, mortgage and other insurance, scholarships, other financial assistance, property of any kind, services, technical assistance, expert information, and other benefits that are available to States, counties, cities, or other political bodies, profit or nonprofit corporations or institutions, and individuals. The catalog would identify and describe the programs, state the level of funding, state the costs to the recipients, identify the officials to contact—in both the Washington and local areas—describe the mechanics of application, and identify related programs.

Once such a publication became available, those who are entitled to any form of assistance from the Federal Government will save time and money and receive quicker and better service.

As important and necessary as such a catalog would be, its publication would be but one part of the streamlining program. I have also joined my colleague from Delaware in introducing H.R. 340, which would, if it becomes law, establish the Commission for the Improvement of Government Management and Organization.

The Commission that would be established by this measure would study and evaluate all Federal programs, including their projected expansion, and proposals to create new programs. It would, among other things, define each existing program and its organizational structure and determine their total costs and effectiveness; evaluate the effect of Federal assistance programs upon the interrelationship of Federal, State, and local governments and upon our system of private enterprise; evaluate the need for simplification of Federal programs through broad block grants and revenue sharing with State, county, and city governments, and through the creation of broadly based public corporations; eliminate and consolidate wherever there is duplication and overlapping in Federal programs; reduce expenditures to the lowest amount consistent with effective performance; improve communication services and coordination to insure accurate, comprehensive, and timely information on all Federal programs both to the public and to all levels of government; establish standard, governmentwide criteria, systems, and procedures to assist Congress in determining priorities for Federal programs; determine measures to assist Congress in evaluating the relative priority and effectiveness of all Federal programs; and evaluate the techniques and methodology for establishing a management information system adequate to evaluate all Federal programs, supported by a cost-effective data base founded on uniform Government-wide standards, criteria, and definitions.

I am hopeful that the House of Representatives will pass H.R. 340, the Executive Reorganization and Management Improvement Act, as there is a definite need for the Commission for which it provides. At a time when the national debt is about $360,000,000,000, when the Federal budget is dangerously close to the $200,000,000,000 mark, and when over 3,000,000 civilians are employed in the executive branch of the National Government, it is imperative that the bureaucratic monstrosity be brought under control.

There is a precedent for the type of Commission that my bill would set up. The first of the two groups headed by former President Herbert C. Hoover was created by the act of Congress of July 7, 1947, during the administration of Harry S. Truman. In a statement of policy, Congress directed the Commission to find ways of: limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions; eliminating duplication and overlapping of services, activites, and functions; consolidating services, activities, and functions of a similar nature; abolishing services, activities, and functions not necessary to the efficient conduct of government; and defining and limiting executive functions, services, and activities.

The second Commission on Organization of the Executive Branch of the Government was created by the act of Congress of July 10, 1953, during the administration of Dwight D. Eisenhower. This Commission sought the following objectives: to preserve the full security of the Nation in a disturbed world; to maintain the functioning of all necessary agencies which make for the common welfare; to stimulate the fundamental research upon which national security and progress are based; to improve the efficiency and eliminate waste in the executive agencies; to eliminate or reduce government competition with private enterprise; and to strengthen the economic, social, and governmental structure which has brought us, now for 166 years, constant blessings and progress.

While the goals and objectives toward which the two Hoover Commissions worked are not identical in every detail and not necessarily the same in scope as that of the Commission contemplated by my bill, I am confident that my colleagues and I can benefit from a careful consideration of those goals and objectives. The Hoover Commissions saved the taxpayers billions of dollars; the savings would have been much greater had the Congress translated more of their recommendations into law and had the executive branch put more of their suggestions into effect through administrative actions.

Mr. Speaker, efforts to make the executive branch efficient instead of unwieldy, economical instead of wasteful, and cooperative instead of hostile should not be partisan. Democrats, Republicans, and those who are independent of party should work together to bring the executive departments and agencies under control. If they fail to work together in this worthwhile endeavor, the bureaucracy will cease to be our servant and will instead become our master.

Mr. RUMSFELD. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Speaker, I, too, am privileged to join the gentleman from Delaware and to support his fine leadership in this matter.

As a member of the Joint Economic Committee and the House Committee on Government Operations, I have had an opportunity to see firsthand some of the problems toward which these two pieces of legislation are directed. Certainly, the work which the gentleman from Delaware did in the last Congress in documenting the need for this legislation will be of great importance in speeding up the legislative process.

Mr. Speaker, I am happy and privileged to join with my distinguished colleague, the gentleman from Delaware (Mr. Roth), in sponsoring both the Program Information Act, and the Executive Reorganization and Management Improvement Act. These two measures could do much to help provide a more efficient, better unified Government to serve the people of the United States.

The Executive Reorganization and Management Improvement Act is similar to a bill I introduced in two previous Congresses to establish a Commission on the Organization of the Executive Branch of the Government, H.R. 80 in the 90th Congress, and H.R. 11381 in the 89th Congress. The need for a Commission to study the executive branch of the Government, in the great tradition of the two Hoover Commissions, is clear. One of the two bills we introduce today would establish a Hoover-type Commission to study the executive branch, recommend and propose improvements in the current administration of Federal programs, and also consider the interrelationships of the Federal Government, State government, and local government.

The more efficient management tools developed since World War II must be applied to governmental programs so that the Congress can effectively perform its oversight function. We must have better information regarding the costs of these programs, present and future, and we need the analytical data to determine whether programs already underway are accomplishing their goals. The innovations, progress, and potentials of the planning-programing-budgeting system, examined during the 90th Congress by the Subcommittee on Economy in Government of the Joint Economic Committee on which I serve, highlighted the need for the comprehensive study called for by this legislation.

The proposed Congressional Reorganization Act takes into account and provides for the much needed establishment of standard, Government-wide criteria, procedures, and systems analysis necessary for Congress to make definite, careful judgments regarding our national needs and goals. The work of this Commission would be a useful ancillary research and development arm for the approach included in the Reorganization Act.

The administration of President-elect Nixon is dedicated to improving the machinery of Government. New solutions must be fully considered in the search to provide effective, working programs for our citizens. The Commission for the Improvement of Government Management and Organization would have as one of its duties the evaluation of "the effect of Federal assistance programs and activities first, upon the interrelationship of Federal, State, and local governments, especially from the standpoint of preserving and strengthening our decentralized system of government, and second, upon our system of private enterprise."

This is a much-needed, long-overdue study. The Congress will, in the near future, have to consider such proposals as revenue sharing, and the community development corporation concept which might mobilize still further the creative, problem-solving energies of the private sector. The findings of this Commission could help us with our consideration of these problems.

The second bill which I cosponsor today is the Program Information Act which would provide for a compendium of Federal assistance program information to be updated monthly. This compendium would place the complete program descriptions of all Federal assistance programs in one place, and would eliminate the multitude of overlapping program catalogs which only confound the citizens trying to deal with the Federal Government. Mr. Roth's excellent earlier study of over 1,050 operating Federal assistance programs, published in the June 25, 1968, Congressional Record, and later reprinted as House Document 399, 90th Congress, second session, persuasively documented the need for such a comprehensive catalog. The rate of change in our society, and therefore in the programs of our Government demands that the catalog be updated monthly, and the bill requires this.

The informational needs of the Congress, the executive, the State and local governments, and the individual citizens require this Government-wide compendium. The Bureau of the Budget is the agency with the capability to perform the operation and, unless otherwise authorized by the President, the Bureau is the agency designated to do the compilation.

This legislation will remove another obstacle in our effort to provide the freest, most open government possible.

As a Representative serving on the House Committee on Government Operations, the committee to which these measures were referred in the 90th Congress, I look forward to assisting in moving them through the legislative process. I again want to commend the able gentleman from Delaware for the able leadership he is providing.

Mr. PATTEN. Mr. Speaker, will the gentleman yield?

Mr. ROTH. I am happy to yield to my distinguished colleague, the gentleman from New Jersey (Mr. Patten).

Mr. PATTEN. Mr. Speaker, I am happy to join with the gentleman in the well in the sponsorship of this proposed legislation. I do hope we can make some progress. The fact is that in the new budget, one-fifth of all the money that the States and the cities will spend will come from the Federal Government. I do hope the Members will bear in mind that we must do everything possible to avoid duplication of effort.

Mr. Speaker, we have heard so much, about the "think factory" downtown making a study, designed to unify and simplify this problem.

The gentleman from Texas (Mr. Pickle) who is now present in the Chamber is all set to tell us about his bill, a new Reorganization Act.

It is my hope that we can review what the executive department is doing in order to meet the problem of bringing order out of chaos in grants and loans to local and State governments.

I thank the gentleman for yielding.

Mr. ROTH. I thank the gentleman from New Jersey for his contribution.

Mr. ZWACH. Mr. Speaker, one of the common fallacies in too many ventures today is that size is the all important needed factor for success. As we are beginning to learn, size, in itself can become very destructive. This is especially true in government because no one is positively able to know or supervise all of the various branches, agencies, bureaus, or commissions that spring up like weeds following a gentle rain.

I am pleased to be a cosponsor of the bill known as the Program Information Act because for the first time it requires the Federal Government to list and publish annually all of the Federal programs. An excellent start has been made by the perseverance and conscientious work of one of my colleagues. Such a listing is necessary in order to develop any efficiency in the sprawling, duplicating efforts of our Federal Government.

I urge prompt action by this Congress to equate size and efficiency with our government and to this end I have also joined in sponsoring the bill to provide a study of the reorganization that should be the first step following the collecting and publishing of the entire bureaucracy.

Mr. SCHERLE. Mr. Speaker, it is with a great deal of pleasure that I join today with my colleague Congressman Bill Roth, of Delaware; and others in the reintroduction of the Government management and organization bill.

The work that was done by Bill Roth in the area of confusion last year earned him nationwide praise. His research in this field of conglomeration will develop new modern techniques.

The Hoover Commissions of the 1940's and 1950's represented an effort to keep tabs on the threat that the Federal Establishment might become an uncontrollable and unmanageable bureaucracy. As all students of government know, many fine recommendations resulted from these Commissions.

However, mostly as a result of the rapid expansion of the executive branch during the past 8 years, we have reached the point where we must overhaul the Federal machine or it will collapse.

The plain fact is that there are so many agencies, bureaus, commissions, boards, projects, and programs that create overlapping and duplications that it is impossible for any department to operate efficiently.

For example, in the area of education there are more than 470 programs operated by 25 different departments and agencies. For college undergraduate and graduate students alone, there are at least 211 operating programs operated by 15 departments and agencies. In the area of natural resources, there are some 117 programs spread among 12 departments and agencies and 112 programs providing assistance of direct relevance to the poor. Forty-three programs relate to child health and welfare, and 74 relate to economic and business development. Sixty-one of 73 Federal agencies, a little more than 30 percent, are using approved Federal bookkeeping systems set up under the Budget and Accounting Act of 1956. This means that neither Congress nor the Federal Government knows just where and how Federal money is being spent, which leads to waste and inefficiency. Furthermore, a Library of Congress study contends that—

> The Federal Government spends nearly $4 billion annually on research and development in its own laboratories; but it does not know exactly how many laboratories it has, where they are, what kinds of people work in them, or what they are doing.

With budget deficits in the multibillions and tax levels at their maximum, we cannot afford to let this matter continue unchecked.

In a few days we will begin a new administration. There is not a better time to open the doors of the thousands of "Federal closets" in a genuine effort to find out what they contain.

It has been said that crisis produces centralization. While this may be true, it seems that if the product of our headlong plunge toward centralized government becomes totally unmanageable, we have a built-in crisis forever preventing a reversal of this trend. That is the point we have reached today.

It is within our power to begin the overhaul of this machine; and the longer we wait, the greater the disservice to our country.

My compliments to our outstanding colleague, the gentleman from Delaware, Congressman Bill Roth.

Mrs. DWYER. Mr. Speaker, government in the United States at all levels is in serious danger of stagnating in the face of enormous needs and opportunities from the sheer number, weight, and complexity of its activities.

We have reached the point where, in order to accomplish anything significant at any level of government, a disproportionate amount of manpower, time, coordination, study, consultation, review, and paperwork is required. By the time action has been obtained, the problem often exceeds the dimensions of the proposed solution.

Government is rapidly becoming unmanageable. Never before has the need for governmental assistance been more necessary to contribute to the solution of public problems. But never before has it been so difficult to translate available resources into specific help. Never before have Federal, State, and local levels of government been required to work so closely together. But never before has intergovernmental cooperation faced so many obstacles—from the number of governing bodies and agencies which share jurisdiction over a common problem to the basic failure of so many officials and the people they represent to understand that common problems require cooperative action.

At a time when we have a vast array of Federal programs designed to help States and local communities meet their needs, we have so complicated the programs and bound them up in bureaucratic redtape that the programs can not produce the results they promise.

At a time when efficient program management is so vitally important, we have denied the administrators the tools and techniques they need to make programs work.

At a time when uniform standards and simplified procedures are required, we persist in equipping each program with its own set of complex requirements and criteria.

At a time when every government official is buried under mountains of information, we have failed to make that information meaningful and useful.

For all these reasons, therefore, I welcome the initiative being taken this afternoon by our distinguished colleague, the gentleman from Delaware (Mr. Roth). His proposed Program Information Act can make a major contribution toward unraveling the tangled net of Federal programs, and I am grateful for the opportunity to join with the gentleman in sponsoring the legislation.

Mr. Speaker, the problem to which our colleague from Delaware has devoted his very considerable talents is one part of what has become a genuine crisis affecting the capacity of government in the United States to do its job. It has many ramifications and our continued failure to take the necessary corrective actions can only have the most harmful consequences to the entire Nation. Unless we take comprehensive action to improve the operating effectiveness of government, especially at the Federal level, then a substantial part of the taxpayer's dollar will continue to be wasted. And more than that, we shall be denying to the people who most need help the very benefits and services for which Congress has authorized programs and appropriated funds—and at a time when visible progress in rehabilitating urban areas and in renewing the ability of disadvantaged people to live more fruitful and productive lives has become the country's principal domestic necessity.

In brief, both for those of us who believe in economy and efficiency and for those of us who believe in the urgency of restoring the quality or urban life, immediate attention to the unwieldy and inefficient structure and procedures of government is absolutely essential.

This is not just theory, Mr. Speaker, or the insistence on an abstract ideal of governmental efficiency; it is hard fact. In common with many of our colleagues, I have seen the problem from the vantage point of both Washington and City Hall. As a member of the Committee on Government Operations and the Subcommittee on Housing, for example, I have seen the harmful effects of poor coordination, the lack of an overall urban policy, programs so complex that the responsible Federal officials themselves do not fully understand them. And as a Congressman seeking to help local officials utilize Federal programs, I have seen frustration, delay, and disappointment; the numberless telephone calls where only one should do; the endless round of meetings and conferences that produce nothing; the volumes of information and reams of paperwork that hinder instead of help.

I could cite many examples—including the Federal agency which designated a different official to consult a local government agency on five successive occasions on the same subject without a single one of those officials having been briefed on the community's problem or given the community's proposal in advance. A complete waste of time for all concerned. And our colleagues could cite many more such experiences.

Some of these problems, of course, are not subject to legislative correction. They require more careful administrative supervision. But the more fundamental deficiencies must be attacked through a combination of legislation and administrative regulation.

In an effort to focus attention on the overall problem and help make it more manageable, I have put together a package of legislation which I have termed the "more for your money program," composed of bills I have authored myself and others I have cosponsored with colleagues. The package is designed to meet the following needs:

To secure a comprehensive and continuing review of the structure and operations of the executive branch, we need a permanent commission of expert officials representing Congress, the executive branch, and State and local governments, together with private citizens, patterned after the old Hoover Commission.

We need a similar body to find ways of utilizing more effectively in the Federal Government the most up-to-date techniques of systems analysis and management planning and control which have been developed in the business community.

To take the very first steps in controlling costs and evaluating programs, we need legislation to force Federal departments and agencies to conform to the 1956 congressional mandate that GAO-approved cost accounting systems be installed.

To simplify program requirements, to permit the packaging of programs to meet individual community needs, and to encourage greater creativity and effectiveness in using Federal assistance, we need to pass the Joint Funding Simplification Act.

To allow Congress to make a more rational determination of spending priorities, we should provide a means of transferring funds from less important budgetary items to higher priority programs.

To reduce Federal delay, indecision, and the restrictions of the categorical grant system, and to encourage greater State and local responsibility in meeting their own needs, we should institute a system of revenue sharing with lump-sum appropriations going to State and local governments for priority purposes but subject to minimum Federal limitations.

Finally, Congress must reform itself by enacting the long-delayed Legislative Reorganization Act which could greatly streamline and modernize our own rather creaky apparatus.

The Program Information Act proposed by our colleague from Delaware will make a sizable contribution toward accomplishing many of these important objectives.

Mr. QUIE. Mr. Speaker, I join in commending the gentleman from Delaware (Mr. ROTH) for taking this special order today to explain the Government streamlining procedures that would be instituted under the provisions of the Program Information Act and the Executive Reorganization and Management Improvement Act.

It is a pleasure for me to serve as a cosponsor of these measures, H.R. 338 and H.R. 340.

I am sure that President-elect Nixon wishes these two bills already had been enacted. If so, how much more simplified would be his task of surveying our vast and complex Government machinery to determine what should be retained and what should be altered.

For that matter, any Member of Congress would welcome a catalog describing the purpose of Federal programs, who administers them, application procedures and other data such as that contemplated in the Program Information Act.

These programs have proliferated so rapidly that none of us in the Congress, let alone in the general public, can keep up with them or the changes.

Many of us have contended that we must establish a system of priorities to bring about better effectiveness in Government programs. This would be accomplished by the Executive Reorganization and Management Improvement Act through the establishment of a Commission for the Improvement of Government Management and Organization.

It would tell us where we have been and where we are going with these programs.

So again I commend the gentleman from Delaware for his leadership in trying to eliminate confusion and overlapping and to enhance understanding and effectiveness in Government efforts to achieve a wide variety of objectives.

I hope that his efforts are rewarded by prompt hearings and legislative action to enact these measures into law.

Mr. SCHWENGEL. Mr. Speaker, it is a real pleasure to join my distinguished colleague from Delaware in sponsoring these two bills. It is almost inconceivable that something in the nature of the Program Information Act was not established a number of years ago. Over the past few years a maze of Federal programs has developed. It has become increasingly difficult to find what programs are relevant to what projects. No one anywhere knows exactly how many Federal programs there are. There is no central repository where meaningful information on current operating programs can be found. This, despite the fact, we are spending more than $20 billion on these programs. Members of Congress do not have available to them the sufficient information to allow them to effectively determine the desirability or need for new programs which may be proposed.

Even the executive branch does not have all of the information on all of the programs to permit it to properly evaluate their effectiveness, to see if they overlap or if there is duplication.

Those who wish to benefit from the programs find it necessary to engage expensive consultants to find out what programs they qualify for and how they can benefit from those programs. This catalog will be of invaluable assistance to all parts of the executive and legislative branches of the Federal Government. More importantly, it will greatly simplify matters for local governments and others who are making application under the various programs of the Federal Government.

With respect to H.R. 340, I have long advocated a new Hoover Commission. It is merely good business judgment to utilize the services of an outside group to review and evaluate the procedures currently being used in any organization. This is particularly true in the case of the Federal Government where the "stockholders" are so far removed from the day to day operation of their "corporation." This bill does not visualize any sweeping redirection for various Federal programs or even the abolition of any large number of the programs. It is designed to evaluate the operation and effectiveness of these programs, thus permitting both the executive branch and the legislative to evaluate the need for these programs on a rational basis. I think it is significant too, that we are discussing these bills at the same time, inasmuch as they are interrelated and the results of the Program Information Act will be very helpful to the personnel of the new Hoover Commission.

Mr. BEALL of Maryland. Mr. Speaker, I am happy to join with Congressman ROTH, of Delaware, in the cosponsorship of the Program Information Act and the Executive Reorganization and Management Improvement Act. Hopefully, this will be the start of a movement in the 91st Congress to consolidate and simplify the many Federal grants-in-aid programs now in existence. The first step, of course, in bringing order to the confusion surrounding Federal programs is to identify them so that the potential beneficiaries can take advantage of the programs. As a recent member of a State legislature, I know from first-hand experience the confusion caused by the inability of those at the State and local level to identify the programs. In the State of Maryland many departments have hired people who do nothing but keep track of Federal programs so that the people of our State do not lose the benefits of their tax dollar.

Likewise the Executive Reorganization and Management Improvement Act would allow us to begin a study of the executive agencies and start planning for a modernization and consolidation of them. Through this mechanism we may be able to give an infusion to our federal system and give back to local and State government the responsibility for setting their own priorities without constant direction from Washington on all details.

I think Congressman ROTH should be commended for the time and effort spent on one of our most important areas of concern at this time.

Mr. KLEPPE. Mr. Speaker, I am happy to join with my colleague from Delaware (Mr. ROTH) and others, in supporting the Program Information Act, and the Executive Reorganization and Management Improvement Act. I commend the gentleman from Delaware (Mr. ROTH) for his leadership in this field. He has portrayed vividly the need for such legislation, and the groundswell of congressional support illustrates well the timeliness of his appeal.

During the last session of Congress, I was a sponsor of both bills, and in hopes of their early consideration and passage by this Congress, I reintroduced them this month. I consider both bills "must" legislation, and urge that hearings on them be held as soon as possible. The background of activity in the last session of Congress, when 122 Congressmen introduced the Program Information Act, and 131 Congressmen introduced the Executive Reorganization and Management Improvement Act, certainly shows a broad base of support for this legislation. I am pleased to note that these figures are now being surpassed in the 91st Congress. With this interest being shown in Government reform, I think the bills should be heard and acted on with all necessary speed.

PROGRAM INFORMATION ACT

The Program Information Act would require the President to publish a comprehensive compendium of Federal assistance programs yearly, and to update the compendium monthly. Annual recommendations on simplifying and consolidating program guidelines and access requirements are also required of the President. The study would be prepared by the Bureau of the Budget, and presented by the President to Congress on an annual basis.

Passage of this bill would bring about a number of benefits. It would give Congress a meaningful tool to use in determining the worth of the various Federal programs already in operation. Such a tool is of vital necessity in allocating priorities of the Federal Government. It would also give us a good guideline for use in assessing the value of future programs.

A common request that I receive from people throughout my district is for information on Federal assistance programs that may be of some help of them. The answer to that question often requires a long and tedious search, and one can never be sure that he has covered the entire field, simply because there are so many programs available. We have needed a single concise and indexed catalogue of programs of Federal assistance. Until the Roth study was published, none was available. Passage of the Program Information Act would be of great benefit to all people seeking more knowledge about our governmental assistance programs.

EXECUTIVE REORGANIZATION AND MANAGEMENT IMPROVEMENT ACT

The second bill that I want to discuss, Mr. Speaker, is the Executive Reorganization and Management Improvement Act. In effect, this bill would create a new Hoover-type Commission to sift through more than one thousand Federal aid programs involving expenditures of more than $20 billion. It was my thought last session when I introduced this bill—and I have not changed my thinking—that there is almost unbelievable duplication and overlapping of Federal functions. It is not only virtually impossible for State and local governments to keep abreast of new programs and program changes, but even the Federal agencies involved are not fully aware of competing activities.

For example, according to my latest count, there are 56 water conservation and control programs in seven different executive departments and agencies. There are 470 programs of an educational nature in 20 different jurisdictions; 69 manpower training and vocational education programs in eight agencies; 112 programs related to helping the poor; and 43 programs involving child health. There are 74 economic and business development programs spread among 10 separate departments and agencies.

Mr. Speaker, I am not seeking wholesale elimination of programs by introduction of this bill. However, I am looking toward consolidation and coordination of duplicating functions, with a huge potential saving. Recommendations of the earlier Hoover Commissions, even though they were never fully implemented, brought substantial savings and streamlining to the Federal Government structure. The tremendous growth of Government in recent years calls for a new look.

We in the Congress have evidenced a deep desire to cut the costs of our huge Federal Establishment. For some time, Congress has been discussing, and acting upon, proposals for revenue sharing, block grants, and the whole field of Federal-State relations. The new budget for fiscal 1970 again brings these issues into sharp focus. But we cannot sensibly discuss these matters until we find out what the facts are. I feel certain that the new Administration will want an immediate and in-depth consideration of these problems. Passage of these two bills would be a good beginning.

In conclusion, Mr. Speaker, the congressional support is in evidence, and the public response to these bills has been overwhelming. We now need immediate hearings on the bills. The 91st Congress will be off to a record of outstanding progress with passage of this legislation. I urge swift consideration of both the Program Information Act and the Executive Reorganization and Management Improvement Act.

Mr. FISH. Mr. Speaker, I rise in support of the bill introduced by the gentleman from Delaware. I am honored to be a cosponsor of the Executive Reorganization and Management Improvement Act, which I believe is long-overdue legislation to carry out an important responsibility of the Congress.

The tremendous expansion and number of Federal assistance programs in recent years has created duplication of effort. The findings of wasteful duplication is based on a documented study of over 1,000 existing programs. Today's demand on our Nation's financial resources are unparalleled. Careful study and evaluation of Federal programs to establish priorities and to improve effectiveness and economical administration is clearly in the public interest.

This bill would establish a bipartisan Commission to determine program effectiveness by modern system analysis and modern management techniques. Elimination and consolidation of overlapping programs is one purpose of the Commission's study. Importantly, the Commission would evaluate the effect of Federal assistance programs on the interrelationship of State and local governments with the Federal Government, and upon the private sector. An additional objective is to reduce expenditures to the lowest amount, consistent with effective performance.

The objectives of this legislation—to obtain a better return on our money spent, better solve our national problems, and better help our localities—are admirable. It is the responsibility of Congress to be vigilant on behalf of the taxpayer. I believe this is sound legislation and a long needed step toward efficiency and economy in Government.

Mr. MIZE. Mr. Speaker, I am pleased to cosponsor, and speak in strong support of the two bills introduced by the gentleman from Delaware (Mr. ROTH).

MANAGEMENT IMPROVEMENT STUDY

The Executive Reorganization and Management Improvement Act is essential legislation for this Congress. Calling for a comprehensive Government-wide study of programs and procedures, this bill would establish a Commission to undertake the task using modern management analysis and technique.

Recommendations of the Commission would provide the Congress with independent views on restructuring our government for the challenge of the decades ahead. Congress today, as we know, is overly dependent upon the executive branch for analysis of this nature. Without independent resources for exhaustive study, the Congress can only hope to continue to simply react to major executive reorganization plans. With the envisioned Commission analysis, the Congress could independently proceed with meaningful legislation designed to improve efficiency, and establish priorities, within the Federal bureaucracy.

PROGRAM INFORMATION ACT

The second bill we cosponsor today provides for annual transmission to the Congress of a catalog of Federal assistance programs, together with a report of measures taken by the President to simplify the various application forms and guidelines.

Mr. Speaker, every mayor, every city councilman, every county commissioner knows the staggering job it is to apply for a Federal assistance program that the taxpayers of his constituency have already paid for through their taxes.

Federal guidelines are, to the minds of many, Federal obstacles impossible to overcome without expert assistance unavailable locally. Thus the purpose of a program is often frustrated by its administration or overadministration.

Further, no single local or State official could hope to have at his fingertips a comprehensive tabulation of Federal programs which are supposedly available for his benefit. Assistance to education alone is fragmented into at least 470 different programs, administered by at least 20 different Federal agencies and departments. There may be more, but 470 is the number the gentleman from Delaware (Mr. ROTH) and his staff, on their own initiative, assembled last year to make the point.

This bill simply calls for an updated compilation of all Federal assistance programs. No doubt such a catalog would increase public awareness of almost certain duplication in the Federal effort, by pinpointing such duplication.

The catalog would provide a basis for study and analysis by the Congress. Federal priorities would be more obvious, both to the President and the Congress. In short, this publication would be certain to ultimately save money.

Mr. Speaker, from 1789 through 1860, inclusive, the Federal Government of the United States spent a grand total of $1,731,000,000. Today, this sum is expended in a mere 78 hours by that same Federal Government. Times have changed.

The very burden of Federal expenditures demands that the Congress enact this legislation. If Federal savings result, it will have been worth the effort.

Mr. DELLENBACK. Mr. Speaker, it is not uncommon for those of us who try to assist our constituents and our State and local governments in their attempts to receive assistance and services from Federal agencies to become confused and frustrated by the labyrinth of agencies, and the difficulty of trying to correlate the needs of the constituent and the programs available.

The rapid expansion of Federal assistance programs has resulted in a pyramiding and duplication of programs, leading to waste, confusion, and inefficiency to the point that the barriers imposed before the public have deterred many individuals from involving themselves and many institutions from participating.

In the last decade new management and organizational techniques have been developed and employed with great success in the private sector. The success of the techniques utilized by corporations and other large institutions whose budgets are large, but not nearly as large as the Federal budget, appears to have been lost on those agencies, commissions, boards, and other bodies responsible for carrying out Federal programs.

H.R. 340 would establish a commission which would consider those problems that have grown with the unprecedented expansion of programs which has unfortunately been characterized by inadequate coordination, jurisdictional overlapping and a failure to develop consistent and nonduplicative objectives.

I need not stress for my colleagues the nature and extent of these problems. I do believe that these problems are paralyzing the effectiveness of our assistance programs and the functioning of the executive branch in general. Before we consider extending existing programs or legislating new ones, I believe it to be imperative that hearings be held to determine the merits of establishing the Commission for the Improvement of Government Management and Organization.

I would like to compliment the gentleman from Delaware for his painstaking research which led to the introduction of H.R. 340.

Mr. HAMMERSCHMIDT. Mr. Speaker, it is a pleasure for me to join in cosponsoring this legislation. My colleague, the gentleman from Delaware (Mr. ROTH), and his staff are to be commended on their gigantic research effort to provide Congress and the American public with a truly comprehensive current guide and description of all Federal assistance programs.

It has become increasingly clear that with the rapid growth and complexity of Federal programs, no one knows exactly how much overlapping and duplication exists in the various agencies of the Government. The comprehensive guide proposed in the bill will help us in cutting Federal redtape and in reducing the heavy cost of administering the programs of Federal assistance.

We have an obligation and the American taxpayers have the right to know how tax dollars are being spent and we must insure the wisest use and greatest service possible of tax dollars.

Presently the potential beneficiaries of these programs have no hope of finding out whether Federal aid is available, whether they qualify, and how to go about applying for such assistance. Their only recourse is the employment of a consultant or through Members of Congress.

I urge that immediate action be taken to approve this legislation.

Mr. BUSH. Mr. Speaker, I want to commend my colleague, the Honorable WILLIAM V. ROTH, JR., for the tremendous effort he has put behind spearheading this effort to achieve a Hoover-type Commission that would study ways to streamline Federal aid programs so as to give more flexibility to State and local governments and to give us all a more comprehensive knowledge of what services our Federal Government is providing.

BILL ROTH has correctly realized that people want a voice in what goes on and that the ability of the Government of the 1970's to function efficiently will depend upon our making it a more flexible, decentralized, responsive system.

The work that BILL ROTH has done to achieve this deserves our thanks and our support. I hope that we shall see action on this kind of legislation this Congress.

Mr. HUNT. Mr. Speaker, I appreciate the opportunity afforded me by the gentleman from Delaware (Mr. ROTH) to add my remarks to those of my colleagues who are cosponsoring two interrelated pieces of legislation which I consider to be of the utmost importance and urgency.

The Program Information Act, which in my estimation should have been enacted long ago, would require the President to have published annually, and updated monthly, a complete catalog of all Federal assistance programs. It is virtually beyond belief that the Congress should be called upon annually to appropriate almost $200 billion of taxpayers' money when not one individual, agency, commission, committee, or whatever knows how many Federal programs are actually in existence. Because of this, the loss of potential benefits to the public is inestimable, not to mention the imponderable task of securing meaningful information about Federal programs which all too often ends in a maze of redtape and frustration. In addition, I believe the many long months of research which promulgated the introduction of this legislation effectively document the vast amounts of waste of financial and manpower resources resulting from the overlapping and duplication of essentially similar programs.

The Executive Reorganization and Management Improvement Act, on the other hand, would establish a Commission to study Federal organization and programs with particular emphasis on the interrelationships among all levels of Government. Not only would such a Commission be called upon to make recommendations on restructuring, decentralization, and priorities, but it would establish standard, Government-wide criteria, systems, and procedures to assist Congress in determining, in light of national needs and goals, the priority that should be assigned to all Federal programs and activities. I can think of no more pressing a task than to provide Congress with the means to evaluate the effectiveness of programs on a continuing basis and to establish realistic, relative priorities within the limits of the Nation's available resources and current capabilities.

It is equally essential there must be an in-depth study and evaluation of the interrelationship of Federal programs and activities with State and local efforts with a view to preserving and strengthening our decentralized system of government. It is well established that State and local taxes are increasing at a more rapid rate than Federal taxes which clearly indicates the necessity to vastly improve coordination of program efforts, redefine relative responsibilities, and seek imaginative new methods of financing governmental programs and activities at all levels. Federal assistance programs, both in their administration and financing, must be simplified so as to assure the optimum results from every dollar spent as the alternative to uncoordinated program expansion financed by higher taxes.

Mr. Speaker, I am anxious to lend my efforts to those of my colleagues cosponsoring these bills in seeking the consideration of this vital legislation at an early date. I am firmly convinced our taxpaying constituencies are deserving of nothing less than our dedicated and concerted efforts to allay the prospects of prohibitive taxation.

Mr. BIESTER. Mr. Speaker, I wholeheartedly support the Program Information Act which directs the President to transmit to Congress annually a catalog of Federal assistance programs together with a report detailing the measures taken by the President to simplify the various application forms and guidelines and consolidate them. This catalog would include a description of the program, the administering office, the eligibility requirements, funding information, application prerequisites, Washington and regional contacts, mechanics of application, and related programs. All this information would be extremely valuable to the Congress, the executive branch, and especially to the public. With this catalog, a potential beneficiary could determine whether particular assistance or support sought might be available to him to use for the purposes he wishes.

The act would require that the catalog be updated monthly to reflect program termination, consolidation, expansion or reorganization, and changes in Government organization. The monthly revisions would provide current funding information and other information of direct, immediate relevance to potential beneficiaries.

The Bureau of the Budget would be designated as the sole agency to which the President's authority under the act may be delegated and section 10 of the act specifies that the catalog required under the act shall be the only such catalog published by the Federal Government "except as otherwise authorized by the President." The function of operating the Federal information system and preparing the Government-wide program catalog is transferred from the Office of Economic Opportunity to the Bureau of the Budget.

This bill would be especially helpful in eliminating the present confusion we now have in the area of Federal programs.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of the Program Information Act and the Executive Reorganization and Management Improvement Act as they have been reintroduced into the Congress today by our respected colleague, Congressman William V. Roth, Jr., of Delaware.

The administrative overlapping and confusion within the Federal bureaucracy is like the morning traffic jam—both have become facts of American life and both are the brunt of disgruntled American humor. But the important thing is that we realize that the situation within the Federal bureaucracy is not in reality humorous and that things need not be as they are. In fact, the present situation within the Federal bureaucracy stands as a potential threat to the very institutions of representative government upon which this Nation has been built.

It is the bureaucracy which has the responsibility of effecting the decisions of our representative institutions. Representative government can, therefore, be no better than the mechanisms by which decisions made by this body are transformed into effective action.

The Congress can legislate in the vital areas of social concern such as housing, civil rights, and employment opportunity. It can as well deal with air and water pollution, tax reform, and changes in the electoral process. But all this will come to naught if the administrative arm of our Government is unable to effectively execute these decisions on the practical level.

Mr. Speaker, the majority of those of us in this body have grown up under the reality of a large Federal bureaucracy with all of its weaknesses. But we must not let the fact that we are accustomed to that situation numb us into doing nothing about it. I therefore urge the Congress to give these measures as reintroduced by Congressman Roth today the urgent and serious consideration which they deserve.

Mr. McCLORY. Mr. Speaker, I am pleased to join in sponsoring the Program Information Act and Executive Reorganization and Management Improvement Act legislation introduced today under the leadership of my distinguished colleague from Delaware (Mr. Roth). I further commend the gentleman on his successful efforts in seeking and obtaining wide support for his proposals to enhance the effectiveness of the executive branch of the Federal Government.

The post-World War II proliferation of Federal departments and agencies has made it necessary for Congress, and the American public, to have a stricter accounting for all information relating to Federal programs. It is likewise imperative that such information be made available in catalog form to the President and the Congress in order to enable the making of recommendations for simplifying and consolidating programs, guidelines, and access requirements. This is the basic thrust of the Program Information Act which we introduce today.

The Program Information Act authorizes and directs the President to transmit to Congress, during the first days of each regular session, a catalog of Federal assistance programs together with recommendations for simplifying and consolidating such programs. This legislation also requires that the catalog be updated monthly and that the Bureau of the Budget be designated as the sole agency to which the President may delegate his authority for the cataloging and updating of Federal program information.

Mr. Speaker, I believe that the necessity and desirability of such a Federal information system is apparent. As a former member of the Government Operations Committee, I can well appreciate the value of such a catalog system in effecting meaningful reorganization of the Executive Branch, as well as improving program effectiveness. Indeed, my interest in seeing that Congress acts with full knowledge in the area of governmental reorganization and program improvement explains my support of the companion bill—also introduced today—the Executive Reorganization and Management Improvement Act.

The bill would establish a revitalized version of the Hoover Commission of the 1950's to comprehensively study the functions of the Federal Government and make recommendations for operational reforms. The Commission established by this legislation differs from the original Hoover Commission in two important respects. First, interrelationships of Federal, State, and local governmental activities would be examined in greater detail, with particular attention being given to preserving and strengthening the decentralization of government. Second, special emphasis would be given to the marshaling of Federal resources to meet critical problems on a systematic basis, that is, the setting of priorities to be considered in improving the administration of the Federal Government.

Mr. Speaker, I wholeheartedly endorse and support both measures introduced today and urge their immediate consideration in order to insure that the new administration, and this new 91st Congress, may fully meet their ever-widening responsibilities at a most crucial time in our Nation's history.

Mr. ROBISON. Mr. Speaker, we are indeed indebted to our colleague from Delaware (Mr. Roth) for undertaking the monumental task last year of trying to make up a complete list of Federal aid programs. His study sharply pointed up what he has accurately called an "information crisis" on what Federal assistance programs are available at any given time. His documentation of over 1,091 operating programs has already been of invaluable assistance to his colleagues, but more important, prompted many of us, including myself, to join him in sponsoring a Program Information Act which would direct the President to provide Congress annually, with a catalog of Federal assistance programs together with a report detailing the measures taken by the President to simplify the various applications forms and guidelines and consolidate them.

The lack of adequate information to the beneficiaries of the numerous Federal programs should be quite apparent to all Members when their constituent school boards, colleges, city and county governments, and private concerns turn to them for help in receiving Federal aid. This lack of information is only compounded by the duplication and overlapping of programs, which is not only frustrating but costly at a time when our fiscal and urban crises should force us to cut unnecessary government spending and reevaluate our national priorities.

I am extremely pleased to join with the gentleman from Delaware (Mr. Roth) again today in cosponsoring the Program Information Act, and to urge immediate congressional action, for the time and money saved by the implementation of this program will be of great importance to those concerned about governmental efficiency and fiscal responsibility.

Mr. Speaker, for the past 4 years I have been promoting the establishment of a new Hoover Commission to make a thorough survey of the Federal Government and its activities and to recommend consolidations and eliminations where necessary in order to avoid the confusion and overlap which now exists. I was pleased to join with my colleague from Delaware (Mr. Roth) in sponsoring additional legislation in the summer of 1968 to further emphasize the need for a commission, outside of Congress, to review both existing and proposed Federal programs, and to attempt to determine whether the expenditures they involve can be justified on the basis of their benefits, as well as to evaluate them all in terms of their relative priorities.

The need for a commission to study and propose improvements in the existing system of Federal program administration is even greater now, particularly from the viewpoint of strengthening our decentralized system of government. We must exercise a determination to strike the balance between what is doable and what is desirable. I am pleased to join with the gentleman from Delaware (Mr. Roth) again today in sponsoring legislation to establish the Commission for the Improvement of Government Management and Organization, and I strongly urge immediate congressional action to allow, for the first time in a long while, a serious examination of Federal, or national, priorities.

Mr. FUQUA. Mr. Speaker, it was only several days ago I received from a constituent a letter which began:

> The County Commissioners have asked that I get information relative to any Federal grants or matching fund plans which might be available for the enlargement and improvement of our vehicular safety program as well as other related safety programs.

As all of you know, this letter is written with a request not unlike the hundreds we receive during a year from individual constituents, local governments, and organizations. What may appear on the surface as a simple request can sometimes result in hours of inquiry on our part or a member of our staffs.

So simple an example as this gives me one reason for cosponsoring and enthusiastically supporting legislation to create a catalog of Federal assistance programs as directed by the proposed Program Information Act. But, the more substantive reason lies within the purpose of the proposal to better acquaint and assist individuals, our local officials, and State and county agencies who can be given a better opportunity to receive the benefits of our Federal assistance programs.

Adequate information through such a system can eliminate conflicting information, out-of-date information and the overlapping of like or similar programs being administered by more than one Federal department or agency. We need so desperately to continue to take steps leading to economy within this complex and comprehensive Federal Government. I am certain the cost factor even beyond the Federal Government resulting from those seeking assistance is an astonishing figure. This is apparent from reading the remarks of our able colleague, the gentleman from Delaware (Mr. Roth), in the Congressional Record, volume 114, part 14, page 18605.

What Federal assistance is available? How can we best help our congressional districts and our constituents? Furthermore, how can we best help ourselves and other governmental officials in comprehending and realizing the potentiality of assistance programs of the Federal Government? How effectively are our tax dollars being used?

I believe we have the answer in the proposed Program Information Act.

Mr. HORTON. Mr. Speaker, it is a pleasure to join with my good friend and colleague from Delaware (Mr. Roth) in cosponsoring a bill making available to Congress and the public a comprehensive catalog of Federal assistance programs.

As the gentleman from Delaware (Mr. Roth) found out in his extensive study on the subject, it is extremely difficult, if not impossible, for anyone to locate all the operating programs which might be of assistance.

The Program Information Act proposes that the President transmit each session of Congress a current catalog of all available Federal assistance programs.

The catalog would identify and describe each program, state the level of funding, and set forth the costs. It would also list the names of appropriate officials to contact, describe the qualifications and mechanics of application, and identify all related programs.

This information would serve as a valuable tool to weigh the relative merits of each Federal assistance program. To the taxpayer, who spends approximately $20 billion a year for Federal assistance funds, this comprehensive catalog would serve as a window to view how and where Federal assistance tax dollars are being spent.

States, local governments, and communities would also benefit. For the first time all Federal assistance resources could be tapped and effectively used to benefit the public.

Lack of communication between administering agencies of Federal assistance programs and State and local governments has been a major problem in dissemination of information to the grass roots level.

The Federal catalog of assistance programs would help eliminate this "communications gap" between Federal, State, and local governments.

For the first time Congress would have a total picture of Federal assistance programs. Funding and effectiveness could be evaluated. Duplication and waste could be eliminated. Long-range planning would be possible and available resources could be tailored to specific needs. The people would be able to get the most out of their tax dollar.

Mr. Speaker, what has been missing in the Federal Government is a comprehensive guide to the programs we fund. The Program Information Act provides us with this guide so essential for us to accomplish the task of effective and efficient government. Only with a complete picture can the Congress effectively analyze and evaluate.

To make the most use of our resources and best provide for the Federal assistance needs of the American people, I heartily endorse the speedy passage of the Program Information Act in the 91st Congress.

Mr. MILLER of Ohio. Mr. Speaker, I am pleased to join in introducing the Executive Reorganization and Management Improvement Act. The need for such a Commission to review the organization, costs, and benefits of the Federal Government is apparent to anyone who has worked with the present systems.

There has been unprecedented expansion of Federal assistance programs during the past few years. These new and expanded programs have resulted in overlapping in many areas of Federal bureaucracy. In the interest of good government it is time we reevaluate these programs to determine how to achieve efficient and effective government.

The present Federal aid system is frequently wasteful in that great amounts of bureaucratic redtape have been created. The machinery of government, in turn, requires increasingly more money and personnel. The overall result is a rising cost to the taxpayer without appreciable increase in benefits. Not only is the federal system unwieldy and inefficient, but it frequently requires creation of similarly ineffective and costly administration at the State and local levels.

During the second session of the 90th Congress more than 130 Representatives in Congress joined in cosponsoring legislation similar to that proposed in the Executive Reorganization and Management Improvement Act. This in itself attests to the widely known need for establishment of a Hoover-type commission to study and propose improvements.

Elimination of duplication, overlapping, and inefficiency in the Federal Government operations is one of the best methods the Congress can use to help preserve the taxpayers' dollars. I urge prompt consideration of this measure.

Mr. KOCH. Mr. Speaker, as a freshman Member newly arrived from the "silk stocking" district of Manhattan, I have been stuck by the massive proliferation of papers, reports, documents, programs, and services available from the many Federal agencies—any aggregation of which is truly baffling to the newcomer. I can well see how one can remain unaware of activities which are on-going, since there seems to be no central point of information.

In this regard, I am pleased to add my support to the efforts of my colleague from Delaware (Mr. Roth) and have joined in the cosponsorship of his bill, the Program Information Act.

This proposal is designed to make readily available a thorough listing of programs through which Federal grants or loans may be obtained. A catalog on all Federal assistance programs would be published annually and updated monthly to incorporate any program revisions.

Every year Congress appropriates billions of dollars for such activities, but those who would benefit most know the least about them. This compendium of Federal assistance programs would greatly aid local officials and private citizens in their dealings with the Federal Government. It would also assist Congress in better knowing the aggregate grant activities of the various Federal agencies and departments. Members would be equipped to better serve the needs of their constituency in assessing the relative worth of available programs and the desirability of proposed new ones.

Mr. BENNETT. Mr. Speaker, it was my pleasure to join with our colleague, Mr. Roth, of Delaware, in the 90th Congress in introducing the Executive Reorganization and Management Improvement Act. I congratulate him again on introducing this legislation in the 91st Congress and I am a cosponsor for his bill, which would establish a new Hoover Commission in the Federal Government.

I strongly believe we need a new Hoover Commission to study existing Federal

programs and activities to determine if full advantage is being taken to benefit the American people at the lowest possible cost. The bill would establish a Commission for the Improvement of Government Management and Organization. This group would make detailed studies of Government functions and recommend necessary changes.

Twenty years ago when the Hoover Commission reported ideas for updating the Federal Government, I was successful in sponsoring and passing several money-saving bills suggested by the Hoover Commission.

It is my feeling our federal system needs such a study now. We must have greater efficiency and cut the red tape of bureaucracy throughout the Federal Government, including the Congress. That is why I have sponsored for the last several Congresses a measure to provide for a Congressional Budgetary Information Service, giving Congress computer ability.

There is a great need in our country for all of us to fully understand our complex Government. We are still in the "horse and buggy" era in many respects, although we are living in the space age. A new Hoover Commission is needed and I hope the Congress will act to put on the books, H.R. 340, which I am pleased to cosponsor.

LYNDON B. JOHNSON, AN EXTRAORDINARY PRESIDENT

The SPEAKER pro tempore (Mr. GIBBONS). Under a previous order of the House, the gentleman from Oklahoma (Mr. ALBERT) is recognized for 60 minutes.

(Mr. ALBERT asked and was given permission to revise and extend his remarks, and include newspaper editorials and other extraneous matter.)

Mr. ALBERT. Mr. Speaker, the prolonged and heartfelt ovation which President Lyndon B. Johnson received in this Chamber on the occasion of his final state of the Union message Tuesday night renders anticlimactic any comments which I might make about his Presidency.

History books will record what he had to say but only those who were present can understand the love and enthusiasm with which he was greeted by his former colleagues in this and the other Chamber.

No one can anticipate the judgments which history will later make.

Time alone will tell us whether the methods we have used to attack the problems of our generation were the best methods.

But no man can deny that the objectives of the President of the United States were right when he put almost unprecedented energy into a battle to replace human futility with human opportunity—discrimination with justice—disease with health—destruction with conservation—indifference about our countryside with beauty—danger with security—and the incessant threat of imposed tyranny with the blessings of liberty in one of the most dangerous ages that mankind has experienced.

The Presidency of the United States is the most important office in the free world. No man carries the burdens, no man has the responsibilities of the occupant of that office.

All Presidents have been good men; all Presidents have been devoted men; all Presidents have been honest men; some Presidents have been great men; a few Presidents have been extraordinary men.

In my judgment, Mr. Speaker, Lyndon B. Johnson, in the perspective of history, will join the ranks of those extraordinary giants headed, of course, by George Washington and followed by only a few others.

The President's address on Tuesday was a forceful statement of the strengths—and the problems—of our Nation. The President recited, with justifiable pride, some of the many accomplishments of his administration. He spoke, with deep concern, of some of the problems still faced by this great Nation.

As the President ends his long career of public service—38 years he has served this Nation as Representative, Senator, Vice President, and President—I think it more than fitting that we who participated in the great accomplishments of the Johnson years reflect on the nature and measure of those accomplishments.

I, for one, believe that the legislative product of the Johnson Presidency will, for decades to come, be the benchmark by which the success of future administrations is measured.

During his 5 years in office, Lyndon B. Johnson enjoyed a relationship with the Congress known to few, if any, Presidents in the history of this country.

Although, in some instances, as is proper, accommodations were made on the part of both the administration and the Congress, no President has in my opinion ever obtained so much of what he requested.

The legislative achievements of the Johnson years have been many. None can deny that they have also been magnificent. The legislative product of the years between 1964 and 1969 will, without doubt, have an impact on this Nation for generations to come.

It is impossible to mention more than a few of the major policies and programs enacted during President Johnson's administration. In 1964 there was a $11.5 billion income tax reduction which was directly responsible for our revitalized economy and our unprecedented economic growth. Also that year came the passage of the most far-reaching civil rights measure of the century. That year, too, saw the enactment of the Economic Opportunity Act of 1964 which established 10 basic programs, including Headstart, the Job Corps, and VISTA, which amounted to the first concerted attack on poverty since the New Deal days.

In 1965 we had medicare and as the President so correctly stated when he signed that bill into law:

> No longer will older Americans be denied the miracles of modern medicine.

The first session of the 89th Congress also brought the Elementary and Secondary Education Act, providing the first comprehensive program of Federal aid to grade and high school students, and the Higher Education Act which provided scholarships and loan programs for college students.

That same year saw the enactment of the Public Works and Economic Development Act and the Appalachia regional development program. It saw the passage of the Voting Rights Act of 1965 which finally implemented the guarantees of the 15th amendment to the Constitution and the passage of a new immigration act eliminating the outmoded and racist quota system in effect since 1921. The Congress that year also established the Department of Housing and Urban Development and provided rent supplements to help provide housing for low-income people.

The second session of the historic 89th Congress saw the creation of the Department of Transportation, the enactment of the Automobile Safety Act, the partnership for health program, the model cities program, and the raising of the minimum wage to $1.60 per hour.

In 1967, the 90th Congress passed the Public Broadcasting Act which will promote the development of educational television and radio broadcasting. Also, the Air Quality Control Act authorized $428 million for Federal air pollution control. A number of far-reaching consumer protection acts including the Federal Meat Inspection Act, the Flammable Fabrics Act Amendments, and the National Commission on Product Safety, were enacted.

In 1968, the food stamp program was extended by a 2½-year authorization. A monumental civil rights act was passed to insure equal assistance and housing for all of our citizens. The Truth-in-Lending Act required the disclosure of credit costs and annual rates of financing on loans and installment credits. The Omnibus Crime Control Act was passed and designed to aid State and local police forces.

The Housing and Urban Development Act provided new programs of housing for moderate-income people and established national flood insurance and the Revenue and Expenditure Control Act provided a curb on Government spending and a moderate increase in taxes to combat inflation.

Now let us look to his own statements as evidence of the magnificent leadership of this unusual man. In the course of his fight to destroy poverty in our land, and abroad, he said:

> Hunger poisons the mind. It saps the body. It destroys hope.
>
> I propose that the United States lead the world in a war against hunger.

In urging the Congress to update our program of foreign assistance, he stated:

> Abroad, as at home, the true national interest of the American people goes hand in hand with their sense of freedom, justice and compassion.

In justification of our defense of democracy in Vietnam, he said:

> We cherish freedom—yes, but the key to all we have done is really our own security.

He sought to control nuclear weapons and to save mankind total destruction.

In support of the nuclear nonproliferation treaty, he said:

> History will look on this treaty as a landmark in the effort of mankind to avoid nuclear disaster—this treaty will be a testament of man's faith in the future.
>
> In that spirit to all, I commend it to all.

He also said:

> Uneasy is the peace that wears a nuclear crown.

In the field of economic policy, and in support of economic stability, he insisted:

> The task of economic policy is to create a prosperous America. The unfinished task of prosperous America is to build a great society.

And, he added:

> The war against poverty has begun; its prosecution is one of our most urgent tasks in the years ahead.

In his pursuit of the goal of consumer protection, he told the Congress:

> Truth in packaging will help to protect consumers against product misrepresentation. Truth-in-lending will help consumers more easily to compare the costs of alternative credit sources.

When he signed the truth in packaging bill, and the child protection bill, he said:

> We are here to defend truth. We are here to avoid tragedy.

When he urged Congress to attack the problem of hard-core unemployment, he said·

> Each one of these waiting Americans reprepresent a potential victory we have never been able to achieve—until now.

When he signed the medicare bill, our President declared:

> Every older American must have the opportunity to live out his life in security without the fear that serious illness will be accompanied by financial ruin.

In his message to Congress on crime and law enforcement, our President, in one of his finest hours, eloquently stated:

> For the first time in our history, an Administration has pledged to the American people that the growth of crime—local, state and national—will be checked—the safety and security of its citizens is the first duty of a government.

When he wrote to Congress of conservation, these were his words:

> Our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration and innovation—its object is not just man's welfare, but the dignity of man's spirit.

On the subject of revitalizing rural America, he said:

> I propose that we show how broad-based planning can inspire the people of rural America to unite the resources of their rural governments.

Mr. Speaker, time forbids a complete statement of his magnificent accomplishments. They are too many, too far flung, too broad, too all encompassing—justly to be eulogized in the time which is now available. I feel certain that friend and foe can unite today and tomorrow, in agreement with President Johnson's own words in his final state of the Union message:

> I believe it will be said that we tried.

No one will ever deny that President Johnson tried. I believe the verdict of history will proclaim that he also succeeded.

In every success one of the loveliest First Ladies of all time was by his side, one whom we affectionately refer to as Lady Bird. She was there to help with every problem, to share in every sorrow. So were the two fine and beautiful daughters of the President and Mrs. Johnson who have blessed their parents with lovely grandchildren and who, like thousands of other young patriotic American wives, have asked no quarter while their husbands have defended the ramparts of freedom in Vietnam.

God bless the President and his family. America is a better place because they have lived and served their Nation.

Mr. Speaker, I yield to the distinguished gentleman from Texas, the dean of the Texas delegation (Mr. PATMAN).

Mr. PATMAN. Mr. Speaker, first I want to thank the distinguished majority leader for obtaining this time and allowing the Texas Members to express themselves with reference to our great President, Lyndon B. Johnson, during his 5 years as President.

Mr. Speaker, when the President gave his sixth and last state of the Union message in this Chamber, I felt a deep sense of abiding pride in the accomplishments of Lyndon Johnson, as a man, and as the leader of his country during 5 difficult years. For me, there is no question or doubt as to his rank among the array of America's Presidents; I do not need the further tolling of years or of decades to make up my mind. I am surely decided, as I speak to you today, that the Honorable Lyndon Baines Johnson stands among the honored few whose thoughts, words, and actions have had a special significance in making this country productive, powerful, and preeminent among nations. In my opinion, it is more fitting for Americans at this time to ask whether they have fallen short of the mark of greatness in their support of their President, than to quibble about the precise adjectives that most properly describe him. Yes, I firmly believe that my friend and fellow Texan, Lyndon Johnson, leaves office as one of America's truly great men.

If I may be permitted a personal reminiscence, I would like to go back almost half a century to the year 1921 when I shared a desk in the Texas Legislature with my great and good friend, Sam E. Johnson, Jr. Mr. Sam had a son, nearly 12 years old and nearly 6 feet tall even then, who liked to visit his father and observe the proceedings. He was precocious in his desire and ability to observe all that was going on around him. When he came to the House of Representatives, and later went on to the Senate, he was still learning; when he became Vice President, and in tragic circumstances took over the duties of President, he never closed his mind or his heart to new knowledge or new aspirations.

But, though he has gained steadily in knowledge and stature, Lyndon Johnson remained basically a Texan, and for this I am not about to condemn him, although others may have done so, and at this point I would like to quote from Britain's most distinguished and respected weekly, the Economist:

> President Johnson's trouble is that he is the last of his kind. He is the last frontiersman who will sit in the White House; the last real westerner, born of the old west and the old south. He has the defects of the frontier breed . . . He also has its virtues. He has roots, he is resourceful, he has courage in adversity and enough will-power for ten men . . . The United States will never again have a president quite like Mr. Johnson, from a background like his, and with a temperament like his, because the United States has changed. It has left the frontier behind. It has bred a different kind of people. If there ever was such a thing as a log-cabin president, Mr. Johnson is the last of them.

Indeed, the Economist so strongly believed it was taking the pulse of the American people that it later reported:

> He (LBJ) came from a state that fits into none of the American regions. Texas is not really a part of the south, or of the west, and much less of the north; it is a maverick . . . His (LBJ) background is alien to the majority of modern, urban, middle-class Americans. His accent is queer . . . part of the European suspicion of Mr. Johnson springs from the fact that he comes from Texas and talks like a Texan.

If I may generalize from these comments, and others that have appeared in the American press, it seems that Lyndon Johnson merits the following critical judgments: Some of his contemporaries find his personal characteristics and background too plain—as was very much the case with President Abraham Lincoln. His Great Society social legislation was sweeping and stupendous—like the New Deal of President Franklin Roosevelt. His ideals of world democracy were outgoing and orderly like the programs of President Woodrow Wilson. His resistance to Communist aggression is as strong, direct, and unrelenting as under President Harry Truman. Mr. Speaker, I submit that any President who calls forth comparisons in these terms cannot fail to share the mantle of greatness with Lincoln, Wilson, Roosevelt, and Truman. This does not have the ring of failure or of lost causes, this is the accolade of a tremendously successful Presidency.

And I would like to say, Mr. Speaker, that I wholeheartedly and completely endorse the judgment that recently appeared in Life magazine regarding Mrs. Lyndon Johnson, known to her millions of admirers as Lady Bird, who incidentally, was born and reared in Karnack, in the congressional district I am privileged to represent. Life stated:

> Quite possibly she is the best First Lady we have ever had.

Mr. Speaker, today I pay tributes again to Lyndon Baines Johnson and his beloved wife, Lady Bird, in the absolute belief that history will pay its highest tribute to them tomorrow, a great and noble President, a great and noble First Lady.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for his comment.

Mr. Speaker, I am happy to yield at this time to the distinguished gentleman from New Jersey (Mr. PATTEN).

Mr. PATTEN. Mr. Speaker, I thank the gentleman, and I appreciate his yielding.

Mr. Speaker, I think at this point we ought to say that President Johnson has always occupied a warm spot in the hearts of the people of New Jersey. If we reflect a bit, we remember President Johnson carried our State the last time he ran by 903,000 votes plurality. In my opinion, that mark will stand a long time. Since then, our Governor, Richard J. Hughes, and our National Democratic Committeeman, David T. Wilentz, and our two U.S. Senators, Democrat Senator WILLIAMS and Republican Senator CASE, and the entire New Jersey delegation, Democrat and Republican, have supported the President's program, especially in the field of economics.

We have a great industrial State. Lyndon Johnson earned his fame in our State over 20 years. We believe he brought a balance between labor and management in this country, which has been understated. I think the President should be much better appreciated for things that he did not do—for the many times he said no—that were beneficial to our country, and that are not often mentioned. The Chief Executive never recommended any radical changes that disturbed the balance of our free enterprise system. If we look at Europe and some other areas, that is saying a great deal. So the people of New Jersey have had the opportunity of growing in many ways with Lyndon Johnson.

We express our profound thanks to President Johnson for his leadership and service to our country.

Mr. ALBERT. Mr. Speaker, I thank the gentleman from New Jersey for his very fine statement.

Mr. Speaker, at this time I yield to the chairman of the Committee on Appropriations, another great Texan (Mr. MAHON).

Mr. MAHON. Mr. Speaker, I am grateful to our majority leader for asking for time for Members to pay a parting tribute to the outgoing President of the United States.

Those of us in government always seek to do well. We want to do a good job. We want to be accepted by our fellow Americans for the work we do. We like to see our friends in government do well.

I along with millions of other Americans have taken special pride in the way President Johnson has demonstrated his true character and leadership in the closing months of his service here. It has been a refreshing thing. His state of the Union message on Tuesday last measured up to the very highest traditions and revealed Lyndon Johnson at his best.

I was at the White House yesterday when the President signed the new budget. He paid high tribute to the so-called "little people," the career people, who had worked so diligently and faithfully over long days and nights for weeks and months assisting him in producing the budget. It was good to hear him warmly thank them.

The way in which the President has conducted himself during this transition reflects a gracious and keen appreciation of the importance of orderliness and stability under a system of government by laws.

The President more or less turned over to the incoming administration the use of the White House telephone service and abundant office space in the Executive Office Building. He has cooperated to the fullest extent. He has demonstrated statesmanship of the highest order. He has created an atmosphere of good will and cooperation which has been uplifting and wholesome for the country. He has done things in these days that have caused Americans to be prouder of themselves and their system of government and happier about their country and the progress the country has made, and is making.

There are critics who have complained of the forceful leadership of the President. They have complained that he liked to get things done.

I have always been glad that he tried to get things done. I have not always approved of some of the things he has tried to get done, and that he has been able to get done, but I was glad to see him try to exert the power of his office for what he felt was in the best interests of the people of the United States. And that is what he has done. And he has done it magnificently.

Mr. Johnson has tried to be the best President in the Nation's history. I believe he was right in so doing. And I believe Mr. Nixon should also try to be the greatest President this country has ever had. What is wrong with the President trying to provide leadership to our huge and powerful Nation?

There are those who say the President has spent too much in some respects. I have been among them. There are others who have complained he has not spent enough. But the President has been keenly aware of this fact: that the problems of poverty, the problems of living together in communities and urban areas, many of the problems of the present have been with us in some form for centuries, and there is not enough money in the United States or in the whole world to solve all the problems through the expenditure of public funds. And, besides that, many of the problems which confront us do not lend themselves to solution by the expenditure of money. The President would be the first to agree wholeheartedly to this conclusion.

He has not asked in his budget, this year or in previous years, for the vast sums which many of his advisers would have liked for him to request, because he has recognized we must preserve the economic stability of this country and that there has to be a limit on expenditures. He has gone as far as he dared go in the field of expenditures; and in some cases I think too far. But he has tried to strike a balance, not as a representative of Johnson City and the hill country of Texas but as a representative of 200 million American people.

The President recognizes that you and I come from different areas. We have problems which differ widely from the responsibilities of the President. The President well recognizes the fact that we cannot always say "amen" to every proposal which he makes. His experiences as a Member of the House and Senate equipped him to fully understand the problems of Members of Congress. The President has been understanding and fully cooperative.

Yes, some did not like the way, and do not like the way he has run the war. I am sure he does not like the way he has run the war in every particular. But he has given the fullest measure of devotion to the discharge of his awesome responsibilities.

I am sure that the President has had in mind that he wanted to be well remembered by history. But why should he not? I hope the next President will have that in mind. One is going to be remembered in history by what one does during his tenure of office. Only good can come, it seems to me, from thinking of the verdict of history on the quality of our service. I believe historians will conclude that President Johnson has measured up. I believe the verdict will be returned in his form.

The President is always mindful of his friends. He has been all these years. At times, I think, he has spent too much of his energy trying to be thoughtful of his friends. He and Mrs. Johnson have gone overboard in order to be gracious and cooperative with Members of the Congress.

It is the nature of the man to be grateful. It is the nature of the man to want to have approval of his course of action. He has tried to present an image that would be best for this country at home and abroad. He has received many foreign officials, and he has done everything he could to create good will and generate opportunities for peace. His work for the cause of peace needs no elaboration from me.

And, yes, the President and Mrs. Johnson have conducted themselves as though they felt the White House belonged to the American people—and so it does. For this they have the gratitude of all Americans.

I have no doubt that long after the pages on which columns of violent criticism have been written are forgotten, the accomplishments of Lyndon B. Johnson, made possible through his leadership and through the Congress, will endure as a monument to the Johnson years.

The conduct of the President and Mrs. Johnson in the closing days of this administration has been exemplary. They have reflected great credit upon themselves and the Nation. All of us have cause to be proud of such a demonstration of statesmanship and good will.

These words are inadequate, Mr. Speaker, but I could not say less.

Thank you very much, Mr. ALBERT.

Mr. ALBERT. I thank the distinguished gentleman from Texas (Mr. MAHON).

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Texas, who is the Representative in Congress of our beloved President.

Mr. PICKLE. I thank the majority leader for yielding.

The 10th District of Texas sent to Washington in 1937 a young Congressman who has distinguished himself perhaps as no other Texan has in the history of our State and of our Nation. It is difficult for us in the central part of Texas to realize all of the things that this man has meant to our district and in turn what he has meant to the State and to our Nation. Whether we are talking in terms of the great series of dams and lakes that were built on the Colorado River that harnessed the electric power that was necessary for the building up of our area; whether we talk in terms of the education of our children or the health of all of our citizens, it is safe to say that any child born in central Texas or anywhere else in America, for that matter, today or tomorrow has a better chance, more opportunities and more privileges than he had before this great man, Lyndon B. Johnson, came to the Congress.

Mr. Speaker, there have been many of us associated with Lyndon B. Johnson over the years. Many of us have been in every single campaign in which he has engaged. Many of us have, in effect, had our lives molded because of his leadership. It is significant to point out that after 30 years of service in the interests of the Nation it is fair to say that perhaps every major item of legislation passed by this Congress in the last 30 years bears either the direct imprint or the influence of this great man, Lyndon B. Johnson.

I am one who has been privileged to work with him over the years, and I am amazed at the constant thoughtfulness and kindness that this man has given so much to his friends and to the Nation. What more can be asked of a man that has given completely of himself—every minute of the day and far into the night—to help his fellow man. This our President has done, magnificently and unselfishly.

Now that he is on the verge of returning to Austin and to central Texas, I know the people of our district will be just as proud to see him come home and live among them as their neighbor and friend as they were proud to see him first come to Washington 30 years ago.

He rendered a great service to our people and to our Nation. Collectively we say that we are proud of his service and will be proud to be working with him as individual friends and neighbors in the years ahead.

Both he and Mrs. Johnson have been great leaders for our country. We of the central district of Texas are proud of his leadership.

Mr. ALBERT. Mr. Speaker, I thank the gentleman from Texas.

I now yield to the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. Poage).

Mr. POAGE. Mr. Speaker, it is said that:

> A prophet is not without honor, save in his own country.

I think that applies as to the question of time as well as to the question of distance and miles.

The gentleman from Texas (Mr. Pickle) just pointed out that those of us from central Texas find it hard to understand the worldwide impact of Lyndon Johnson's services over the last three or four decades. This is because we have been so close to him. He is our neighbor. So it is as to time and has been ever since the founding of this country. We cannot appreciate greatness when it is too close to us in time.

I believe that three of the greatest Presidents of the United States were Jefferson, Jackson, and Lincoln. Certainly, all three of them were very bitterly abused during their tenure in office and for some time after their death or retirement.

Mr. Speaker, I came to the Congress while President Roosevelt—Franklin Roosevelt—was President of the United States. I can remember full well how bitter many people felt toward the President. It was not for a good many years after his tragic death that many could really appraise his services to the country.

When I came here, possibly the most despised man in the whole United States was ex-President Herbert Hoover. I did not serve under Mr. Hoover, but Mr. Hoover was without question subjected to the most violent criticism for a long time after he went out of office. However, he lived to die as one of the most respected elder statesmen of our country.

The next President of the United States was Harry Truman who is still with us and who is recognized today all over the world as one of the great leaders of his time, one of the finest men that this country has produced, and applauded almost universally.

He, of course, was followed by General Eisenhower. Many of us were critical of the General during his administration. However, since he has gone out of office his advice, his help, his counsel has been sought by Presidents and lesser officials alike. Now the country looks toward him as one of our great heroes.

Of course, at the time John F. Kennedy was assassinated, he was a subject of the most bitter criticism and it was obvious that there was violent hatred toward the President. Of course, after his assassination it brought the people to the realization of his many outstanding attributes and contributions and it was not until then that they realized what they had lost. The people of this Nation have now very generally come to recognize the wonderful services of President Kennedy.

Now, 3 months ago Lyndon Johnson was so disliked in a great many places that many advisers felt that he should not be active in the political campaign. But, fortunately, I think we are seeing a recognition of his work much more rapidly than we have seen a like recognition of the work of former Presidents. This is good—good for our country and the world.

As the term of President Johnson speeds to a close next Monday, I believe that there is a far wider recognition of his capabilities and achievements than there has been of any of our previous Presidents at that stage of their administration. I think it is even now generally recognized that he has rendered worldwide service, that he has provided the leadership that has been absolutely essential in these troubled times, and that he has, as my colleague, the gentleman from Texas (Mr. Mahon), so well pointed out, acted and been willing to take responsibility which, in my book, after all, is the crux of greatness. No man can ever provide leadership who is not willing to take responsibility. Lyndon Johnson has taken this responsibility, oftentimes in contradiction to what I thought was possibly the better course, but he has not hesitated, he has not faltered, he has not vacillated, and refused to accept that responsibility. Only those who accept responsibility will ever attain greatness.

I do not believe any of us can ever determine the greatness of public servants simply by how well or how close the views of those public servants coincide with our own. If Lyndon Johnson's views coincided 100 percent with mine, he would be no greater than I. I do not believe any man ever reached greatness simply by conforming to the views of the masses.

Lyndon Johnson has not conformed. He has moved forward, and I am glad that he has. He has made mistakes, as anyone who acts will do, but he has not let the fear of making mistakes deter him from action. I think some of his actions have been ill advised, but I admire his efforts.

I believe it is true that in the future he will go through the same process that we have gone through with other Presidents, and that as the years move on there will be a far greater recognition of the fact that Lyndon Johnson belongs in the class of exceptional Presidents which my colleague, the gentleman from Texas (Mr. Patman), mentioned, not simply, great Presidents, but outstanding and exceptional Presidents—Presidents who have changed the course of history.

Therefore, I believe that my people, and the people of the United States, would want me to join with my colleagues today in paying tribute to the services of a great man whose services are soon to be denied us in an official capacity. I anticipate that we will look to Lyndon Johnson for a long number of years as one of the great leaders of the United States, but the mantle of authority and the responsibility for action is passing into other hands—and I would join my colleague, the gentleman from Texas (Mr. Mahon), in expressing the hope and the belief that the new President, Mr. Nixon, will accept those responsibilities, exercise that authority, and continue to move this country forward in the coming generations.

Therefore, Mr. Speaker, it is my privilege and my honor to here testify to my appreciation for the work not only of Lyndon B. Johnson, but of Lady Bird Johnson as well, because, as has been so well said, she certainly has contributed as much to this administration as has the wife of any President throughout the history of our great country. The people of Texas—all Texas—are proud of Lyndon and Lady Bird Johnson.

He may well be the last of the "frontier" Presidents but I think this country is losing a great deal as it loses the frontier. Certainly this loss raises many new and yet unanswered questions, but of one fact I am especially proud, the transition of power takes place without a ripple. No one suggests today that our new President should not be seated because perchance he did not receive a majority of all of the votes cast. Our Constitution does not require it. Nor does anyone question his election because his lead was less than one-half of 1 percent. President Kennedy's lead was almost as small. We have faith in our institutions and we have faith in the men who administer them. We accept the voice of the people when expressed in the constitutional manner and no one has done more than President Johnson to assure the orderly continuation of these processes. He has thus again proven his faith in and America's acceptance of democratic institutions.

Mr. ALBERT. Mr. Speaker, I am pleased to yield to the distinguished gentleman from Iowa (Mr. SCHWENGEL).

Mr. SCHWENGEL. Mr. Speaker, I am glad to take these few moments to add a word to the tribute being paid to our President.

The leadership is to be commended for making this opportunity possible.

I want to pay tribute to the Members of Congress from his home State for the fine statements and observations they are making on this occasion in citing the virtues and values of the work and talents of their favorite son.

Mr. Speaker, I have known the Johnsons since I came to Washington. I have become personally very fond of them. They are basically good folks.

Mr. Speaker, many of you know of my interest in history. I, with you, have lamented the fact that we have not done more to recall the history of the United States that is made here in the Capitol.

Without the cooperation of every Member of the Congress and especially without the cooperation of the leaders on both sides, it would not be possible to have the Historical Society that I have the honor of heading to make the record that it is making in telling the story of the Capitol and the great work that has been done here.

There was a critical time for the Historical Society at its beginning to make the project of publication and objectives successful. We had to break a precedent and vary from past practices. We wanted a picture of the House and Senate in session for our book. This was not easy. But when, finally, with the help of the then Democratic leaders and the Republican leaders, our desires for appropriate pictures was made possible. Since that time we have been very successful in the operation of the society in our efforts to tell the story of America as it was unfolded and made here. President Johnson, then Senator Johnson, along with other leaders, has made that possible.

I think we should note that Lyndon Johnson was a great leader and that he had great influence. His experience is an example of the greatness of our country. Where else in the world, I ask, can a doorkeeper become a Congressman, a Senator, and then become an effective leader of his party in the Senate—then Vice President—and then President—as he said, "through a tragedy"? Which he regretted and all of us did, of course.

But I think this ought to be noted—he had great influence in shaping history. Most students of government will recognize that but for Lyndon Johnson being on the ticket, the Democratic Party would not have been successful in the White House bid of that year. His influence definitely determined the successful outcome of that election for the Democratic Party.

There may have been others who could have been as strong politically, but most people agree that there probably were not.

So I think this ought to be noted and made a matter of history—that he had influence. I am willing to admit that, although I hasten to add that I have not always—in fact, a lot of times, mostly I did not agree with the approach to the solution of problems. But I never disagreed with the objectives. So far as I know the fact that I disagreed with him made no personal difference, for when I went to the Senate with matters that needed consideration in which the people in the First Congressional District were interested in, I got just as much consideration from the leadership over there on the Democratic side as I did on the Republican side.

It ought to be noted too—the other night, although I questioned the wisdom at the time of his personally delivering his address, and breaking with tradition, now I am glad he did.

Maybe he set a precedent that will be a good one, for had he not been here, he would not have been able to observe a great truth that we ought to think about as a Congress. At the beginning of his address, you will remember, he said:

> Every President lives not only with what is but what has been and what could be.

What he said for himself needs to be noted by us, for this is a worthy admonition in our opportunity as we assume our responsibilities as Congressmen. He said:

> But if the Nation's problems are continuing, so are this great Nation's assets: our economy, the democratic system, our sense of exploration, symbolized most recently by the wonderful flight of the Apollo 8 in which all Americans took great pride, and the good common sense and sound judgment of the American people and their essential love of justice.

That was a wonderful observation. It needed saying. It needed saying because our people in all walks of life have been spending too much time being critical of ourselves, and because we spend so much time criticizing ourselves, we forget to recognize our assets. There are many. So I am glad that he made that statement.

As a Republican I was glad that he said what he did about the man who will succeed him. His admonition to Democrats and to Republicans was to work with the new President and not to try to make his job more difficult, for at best he has—and those of us in Government know he has—the most difficult chief executive office to fill and the gravest responsibility and the heaviest load of any chief officer of any nation. That needed saying, for us on this side and for you across the aisle. I am glad he was here to say it.

So I am glad he came. I have changed my mind about the retiring President making his state of the Union message in person. I think it was a good precedent and I hope it will be continued.

I must not sit down before I pay tribute to his good wife. Through my interest in history and the part I have played in the society, I have had an association and relationship with the White House Historical Society. That made it necessary for me to be with Mrs. Johnson very often. I have come to believe—and maybe I read history more than most, but at least more than some—that Mrs. Johnson was one of the most gracious, one of the most adequate, and one of the most dedicated First Ladies this Nation has ever had. So I predict as an amateur historian that the President and his wife will look good in the history books of the future.

Criticisms that have come—and many of them have been little and some have been unfair—will fall away and some of the good things he stood for—whether or not we agree with the ways and means he tried to implement them is another point—but the things he stood for, the objectives and ambitions he had for his country were good and right.

So I wish to join with our colleagues here in paying tribute, and to personally salute this man and his wife, to wish him well, long life, good health, and as a Republican, I will welcome them back here in this area as often as they want to come here.

Mr. ALBERT. Mr. Speaker, I thank the gentleman from Iowa.

At this time I am pleased to yield to the great Speaker, who used to be Lyndon Johnson's floor leader. I think the President would say the gentleman from Massachusetts is still the floor leader.

Mr. McCORMACK. Mr. Speaker, this is the end of an era, a flourishing and highly productive era dominated by a man of great talent, extraordinary insight, and remarkable abilities, and outstanding courage—President Lyndon Baines Johnson.

In stepping down from the pinnacle of authority, President Johnson leaves behind an exemplary record; a record worthy of the highest praise; a record that shall stand forever as one of the greatest in our country's history.

The Johnson administration has been concerned, above and beyond all other matters, with the plight of the underprivileged, the persecuted, the sick, afflicted, the handicapped in the United States. Programs designed to do away with poverty or alleviate the suffering of the underprivileged have been the principal product in Washington throughout the Johnson years, and thousands and thousands of Americans have benefited.

It is not surprising, really, that Lyndon B. Johnson should have devoted his attention to problems of this kind, because he has a long and clear memory; he has not forgotten the economic adversity he witnessed in his youth. As a child, he witnessed economic adversity on every side. As a young school teacher, his pupils were the victims of poverty-stricken conditions. And when the great depression came, in the late twenties and early thirties, his home State of Texas was seriously affected. In this last instance, he sought and obtained the position of director of the National Youth Administration program in Texas. From this vantage point he, of course, again encountered the bitter realities of widespread poverty. His mission then was to get young men off the street corners and onto a payroll, and at this he proved exceptionally competent. Working long hours at a grueling pace, he moved swiftly and effectively in putting young people to work or getting them back in school. The pattern of life then established by this superb young administrator was the same pattern he took with him to Congress, in 1937, and to the White House in 1963.

Lyndon B. Johnson brought to Washington a burning determination to right a thousand wrongs in American life. His declaration of a "war on poverty" in January 1964, and the subsequent congressional approval of that declaration, can be regarded as a direct outgrowth of one man's contact with human suffering, and his Christian response to that experience.

Many kinds of people enter the field of public service, for many reasons, not all of which are admirable. Public service itself, however, is the noblest and the highest form of endeavor, and those who apply themselves in the proper spirit to that service deserve the applause of all intelligent citizens everywhere. Lyndon B. Johnson has so applied himself during a very long and distinguished public career.

In the process, the man became a master of the art and science of politics, that is to say, the master of all the intricacies and diplomatic moves and countermoves of political activity. Traditionally, the master politician is not supposed to be a man of conscientious vigor and moral stamina. But Lyndon B. Johnson could not be confined within the bounds of such a tradition. He brought to politics a conscience as big as the State of Texas and a moral stamina to match. There have been those who have complained, in their ignorance and irritation, about a "credibility gap," in Washington. The charge is impertinent, on the one hand, and incorrect, on the other. Let them show us, if they can, the existence of a "credibility gap" in the devotion of Lyndon B. Johnson to the struggle for the absolute extinction of human suffering and human destitution, and in his dedication to the cause of peace.

Elevated to the Presidency by the tragedy and outrage of assassination, Lyndon B. Johnson proved at once his value and ability in the Presidential role. His record, as Chief Executive, is comparable to that of any other man who yet has occupied that great office.

Although primarily concerned with alleviating the suffering of the poor, President Johnson also was vitally concerned with all other aspects of American life and all other needs of American society. And in dealing with them, he proved himself, again, the master of every crisis.

During his incumbency, Lyndon Baines Johnson strengthened the standing of American business and industry in the eyes of all the world. He bolstered our national security; provided for better housing on a national scale; improved the national economy; provided for the welfare of our long-neglected senior citizens; improved the political position of nonwhite Americans of every kind; inaugurated a mighty and responsive war on poverty; came to the defense of the consumers; and fostered new and vital conservation legislation to protect our natural resources, and under his leadership the greatest educational programs in the history of our country.

Business and industry thrive upon the interest and participation of the small, independent entrepreneur, as well as the large corporation. In 1965, President Johnson proposed and Congress created the Economic Development Administration, to help private individuals and companies through Federal grants and loans. To accompany this program, regional action planning commissions were established throughout the country, to provide financial assistance, jobs, and business opportunities. More than 1,300 areas were included under the program, at the beginning, but, within 2 years almost half the number were removed from consideration in consequence of better employment conditions and an overall improvement in economic conditions.

So far as national security is concerned, President Johnson has proposed, supported, and signed into law a greater volume of significant legislation—in matters concerning our military posture—than any Chief Executive in this century. He has not been one merely to talk about defense; he has actually provided it.

In the matter of housing, the President sponsored creation of the Department of Housing and Urban Development and the model cities program, and urged the large-scale investment of private funds in construction of low-rent public housing. In August 1968, he signed into law the unprecedented Housing and Urban Development Act, reaffirming our national commitment to a decent home for every American.

Economically, we have progressed to a remarkable extent in this decade, in which the word, "recession," has been all but banished from the dictionary. Without question, the key factor in our economic growth has been the wise and flexible use of fiscal policy and tax changes to give direction to the economy. As a result of his foresight, tireless effort, and unwavering determination, President Johnson has been the principle architect of our present prosperity.

Under the Johnson administration, the Congress, for the first time, took steps to serve the senior citizens of the country, by enacting the medicare program. Long attacked and criticized as "socialized medicine," by those who simply did not know what socialized medicine was all about, the medicare program has proven a true blessing to the older people of our country.

Because our senior citizens rely for sustenance upon social security payments, the increased payments in recent years provide a good measure of how our senior citizens are faring at any given time. During the past few Johnson years, cash payments to social security beneficiaries have risen from $15.6 billion to $25.3 billion. And this last figure does not include payments made under medicare. For the worker now receiving the average retirement benefit, the cash payment has been increased more than 20 percent.

In the matter of civil rights, President Johnson proposed the Voting Rights Act of 1965 to guarantee the franchise to all Americans everywhere. The results have remedied the failure of the 15th amendment to the Constitution, enacted a century ago. In the five States in which nonwhite voters were virtually denied access to the polls, 4 short years ago, nonwhite voter registration has gone up more than 90 percent and the increase continues.

Another Johnson measure, the Civil Rights Act of 1964, resulted in the racial integration of public accommodations, drastic reduction in racial discrimination in the hiring of job applicants, and the integration of many southern school districts.

President Johnson also has appointed more Negroes to high Government positions than any other President.

The war on poverty has given hope and encouragement to many thousands of poor Americans who never before had reason, seemingly, for faith in the future.

The truth-in-packaging law and the truth-in-lending law have served the millions of consumers throughout the land as no legislation ever has before. These, too, were the products of President Johnson's policies, as was also the President's Committee on Consumer Interests. At no other time in history has the consumer been accorded such benefits as under the Johnson administration.

Regarding the conservation of our national resources as a basic responsibility of the Government, the President encouraged and approved the passage of several vital conservation measures: The Wild and Scenic Rivers Act, the National Trails System Act, the North Cascade National Park and Recreation Area Act, and an act establishing the Redwood National Park. No businessmen made any money out of this legislation, but the American people in general will benefit from its effects for centuries to come.

The Johnson administration has accomplished more, in less time, than almost any other since that of Abraham Lincoln. It will have to be judged among the greatest of all time.

I want to say more about President Johnson. We know about his great leadership in the field of domestic affairs. Other Members have correctly referred to the great achievements brought about under his leadership in the field of education, conservation, civil rights, water and air pollution, extension of the minimum wage laws, extension of social security laws increasing the benefits, and in so many other fields, but I also want to speak about President Johnson in the field of foreign affairs.

President Johnson has given to our country outstanding world leadership. He has never been an appeaser. He knows what appeasement means in the world when an arrogant aggressor is on the march. He saw it in the thirties, as I did in this body, when Hitler came across the horizon of history. Hitler got away with taking over the Ruhr, and then followed up by taking over Austria. Chamberlain and Britain hoped Hitler would be satisfied—but they should have known he would not be satisfied. Then came the take-over of the Sudetenland. Then that was followed by the rest of Czechoslovakia. That is when we lost the Czechs to the Communists, because the people of Czechoslovakia, a westernized people in Eastern Europe, through mass disillusionment, then turned to the Kremlin, because they had been let down by Britain in the solemn agreements that had been made. Then came Poland and World War II.

In all that period there was a man by the name of Churchill in England who was like a voice in the wilderness, trying to awaken the people of his country to the meaning and significance and dangers of nazism under the leadership of Hitler. But, as I said, he was a voice in the wilderness—as there were many in America during those years. Finally, with Poland, they turned to Churchill in despair. Churchill was the inspiration that awakened the life and spirit of the the people of Britain. Then the Japanese even attacked us at Pearl Harbor, and on the following day I offered on this floor the resolution declaring war.

In America we had appeasement flourishing. I would say 75 percent of the people of America were violently opposed to our even preparing our defenses in those years in case we were attacked. Some of the biggest names of the country were included among those.

There were a few of us in this well who saw the dangers of nazism and Hitlerism, but we were like voices in the wilderness. We were the "warmongers." I remember well, on more than one occasion, Members taking this floor and accusing those of us who were fighting for the passage of legislation and for the making of appropriations for the defense of our country. It was said that we were "warmongers." But the real "warmongers," as it later developed, were the appeasers.

We had better learn the lesson of the history of that day. I am referring to a history of a little more than 30 years ago, not 400 or 500 years ago.

The same basic forces exist today—arrogant aggression bent and determined on world domination. The purpose has never changed. The tactics and methods have changed because of expediency.

Lyndon Johnson has never been an appeaser. He has striven as hard as he could for peace, but peace with justice and not peace at any price.

So I want to pay tribute to him not only as one of our great Presidents on the domestic level but also as one of our great Presidents on the international level.

Even those who disagree with him—and I know they are honest—have to admit he has courage.

I know one thing. Under Lyndon Johnson, as long as he was President, there never would be a Communist-imposed coalition government upon South Vietnam; such as was imposed upon Czechoslovakia, which rapidly became a Communist-controlled government; such as was imposed upon Hungary, then rapidly to become completely Communist dominated and controlled; such as was imposed upon Poland, and even upon North Vietnam and other countries.

So in the field of international affairs, of world affairs, when the historians are able to write dispassionately and to appraise rationally the period of Lyndon B. Johnson's service as the Chief Executive of our country, they will appraise his leadership decidedly on the favorable side. Involved not only is the prestige of America throughout the world, but also the national interest of our country, our whole Far Eastern defenses, and the word of America.

I eulogized President Eisenhower for his leadership. I did not always agree, but I did 90 percent of the time, in respect to foreign affairs. I would never criticize the President. I might disagree, but I do not criticize, because I am not going to make his leadership more difficult by my criticism. I will express my views at a leaders' meeting, as I have, and then when a decision is made, a policy prescribed and established, I am not going to become a critic, making the leadership of the President of the United States, whether he is elected as a Democrat or a Republican, more difficult, particularly in the field of foreign affairs.

So when the historians of tomorrow write about the era of Lyndon B. Johnson they will appraise his leadership as one of courage; not one of weakness, not one of appeasement, but one of a man who recognized the deeper implications involved and who constantly strove for peace with justice but not at any price.

I am respectfully and enthusiastically saluting my dear friend, my former colleague in the House, my party's leader, and my country's President, Lyndon Baines Johnson. I also pay my high regard and deep friendship for Mrs. Johnson. There is no wife of any President, who enjoyed more the respect, admiration, and esteem of the American people than Mrs. Johnson.

Mr. ALBERT. I thank the distinguished Speaker.

I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, it is a privilege to follow the Speaker of the House in paying tribute to President Lyndon Baines Johnson.

Mr. Johnson said the other evening that he hopes history will say of him: "He had tried."

I submit history will be vastly more generous in its appraisal of Lyndon Johnson's contribution to America and the world.

No American has done more for his country than President Lyndon B. Johnson.

He gave living meaning to democracy. He restored our people's faith in the institutions of freedom. Lyndon Johnson proved to the entire world that indeed free enterprise and the capitalistic system are the wave of the future.

And, above all, Lyndon Johnson proved to the Communists that they cannot and shall not conquer small nations through aggression.

Lyndon Johnson gave our Nation its highest sense of achievement, its highest sense of dignity, its highest sense of opportunity, and its highest standard of living ever achieved by man.

Lyndon Johnson dared to be different. His could have been an easy and comfortable administration. He could have flowed with the tide and set an example for conformity.

But not Lyndon Johnson. To know him is to know an individual who would never compromise with mediocrity—who would never waver where the cause of freedom and justice was at stake.

Lyndon Johnson gave meaning to the philosophy of Benjamin Franklin who once said that his philosophy in public life is to do what is right and leave the consequences to providence.

Lyndon Johnson's stubborn defense of freedom in South Vietnam has turned the tide in the world. With unprecedented courage, President Johnson demonstrated that the free world will not tolerate and must not tolerate aggression in any form. He alone proved to the smaller nations that their determination for freedom would be honored by the United States.

Despite tremendous pressures and despite his own deep desire for peace, President Johnson courageously defended the cause of freedom in South Vietnam.

His determination has helped turn the tide against Communist terrorism and subversion and the free world shall always honor him for his courage.

Lyndon Johnson was blessed with a good wife who was his closest adviser. Mrs. Lady Bird Johnson has brought a sense of gracious dignity to the White House. She has set an example for all Americans and brought a new meaning of majesty to the glory of America.

Mr. Speaker, much could be said and will be said of the tremendous record of Lyndon Johnson.

He has made every American proud of his country and grateful for his freedom.

May I conclude by stating as honestly and precisely as I know how—it has been a great privilege and an honor to serve in this House under the dedicated leadership of President Lyndon Johnson.

Mr. Speaker, he has had the courage to reach for the highest stars and dream the most inspiring dreams. The glory of his presence as President of the United States has made those dreams come true.

Lyndon B. Johnson shall have passed by here but once but the impact he leaves on the altar of freedom and human achievement shall remain forever without precedent.

His successors throughout the future of our Nation will have a monumental record to match or surpass.

This Nation should thank Providence for giving us Lyndon B. Johnson and his lovely wife.

The SPEAKER pro tempore (Mr.

HUNGATE). The time of the gentleman has again expired.

Mr. ALBERT. Mr. Speaker, the gentleman in the well of the House is cognizant that there are other special orders, but in view of the fact that several Members are standing and in view of the fact that the distinguished minority leader is seeking recognition, I ask unanimous consent that my time may be extended for 10 more minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I thank the gentleman from Illinois.

I now yield to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am deeply grateful that the distinguished majority leader yielded to me at this time for the purpose of making my deep and heartfelt observations concerning the President of the United States.

As I sat here last Tuesday night and heard the fine address and farewell of President Johnson it ran through my mind more than once that President Johnson is a living example of the great opportunities that exist in America for an individual to rise from one status to another in our society. As the President said himself, he started as a doorkeeper in the House of Representatives and attained the highest office in the land. I hope and trust that young people today will take a page from this book. I believe that we must convince the young people that if they work hard, if they have convictions, if they participate constructively in our system and believe in the system, they can do what the President of the United States has done over the last four decades.

Not everyone can achieve that success; not everyone can accomplish as much as he has sought to accomplish and achieve, but the opportunity is there. I believe President Johnson by his rise from the ranks to the position of Chief Executive of the Government of the United States ought to give inspiration to the youth of America. President Johnson has been a fine example to all Americans but especially to the youth and to those born in less fortunate circumstances.

Mr. Speaker, over the last 4 years the President and I have worked together on many problems, although we have had some differences from time to time. However, I can say without hesitation or qualification that despite any differences that might have existed I think that his record as our President will stand the test of close scrutiny and be a good one as far as the country is concerned. How it will be finally appraised is a matter on which each individual must pass judgment. But it cannot be denied; in fact, it must be said affirmatively, that President Johnson is a man of deep convictions, he is a man of great diligence, he is a man of courage, he is totally and wholeheartedly dedicated to the principles upon which this country is founded.

Mr. Speaker, may I conclude with this final observation: I hope that the President after he leaves office on next Monday will always come back and join us who still may be here in the House of Representatives where he started and where he will always be most welcome.

Mr. ALBERT. I thank the distinguished minority leader for his very appropriate remarks.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina (Mr. RIVERS).

Mr. RIVERS. Mr. Speaker, I have to agree thoroughly with the distinguished minority leader and those others who have spoken before. I want to say of Lyndon Johnson that he is leaving the Presidency as strong as any man has ever departed that difficult office. He is leaving with the best wishes of all of us, because he came from this House of Representatives.

I, myself, served with him at least 10 years on two committees. I know the man. He is an ageless enigma, he is a limitless source of information, he is an everlasting refuge of thoughts and ideas.

Mr. Speaker, then, when the historians have written about this man, they are bound to say that he had more ideas, more projects, more reasons for legislation than the Congress would accept. But no one will say that he did not try and no one can question the man's integrity. I will say that the qualities of greatness were so mixed in him that we in the Congress must say with pride, "There was a man."

Mr. ALBERT. I thank the distinguished gentleman from South Carolina.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to join in this tribute to President Johnson. I believe he has been a good President and has given good leadership during very difficult times in our country. I believe the country has progressed well during the last 5 years, and will continue good progress during the next 4 years.

I would also like to compliment Mrs. Johnson for her fine efforts and effective leadership in bringing about highway beautification as well as the beautification of our towns, villages, and cities and our countryside generally. These programs must be continued, and I do hope she will continue her excellent efforts.

During these difficult 5 years of change and upset at home and abroad we Americans have certainly progressed with President Lyndon Johnson's fine leadership. As contemporaries said of Theodore Roosevelt, "While he was President, he was President." Lyndon Johnson has been such a progressive. And do not think that Teddy Roosevelt had it easy, either.

As a former Member of this House and a Senate leader, Lyndon Johnson felt always a close association with the Congress. His friendships and close personal ties are reflected not only in the success of his legislative programs, but also in the high esteem in which he has been held by members of both parties on Capitol Hill. I have known Lyndon Johnson since his service in the House and have valued sincerely the friendship.

I think there is one point especially that should be made here, and that is the good leadership of both JOHN MCCORMACK, Speaker of the House of Representatives, and President Johnson in the exploration of outer space. The recent success of Apollo 8 reminds us that Lyndon Johnson was one of the earliest pioneers advocating space exploration. During the early years of 1956, 1957, and 1958, space exploration was not popular. Congress was having trouble moving ahead to see what should be done. Lyndon Johnson along with the Speaker and many of us persevered and worked for U.S. space progress under much criticism. Later as majority leader in the U.S. Senate and Vice President of the United States and President of the National Aeronautics and Space Council, it was Lyndon Johnson who worked to raise our U.S. horizons so that today the U.S. people have our fine outstanding and successful space program. Both the Speaker of the House of Representatives and Lyndon Johnson certainly deserve our thanks for their work through the years toward the development of our U.S. national space capability to rank first among all nations. It has been a pleasure to be on this space team in Congress through the years.

We Americans should also remember that President Johnson is leaving office with not only a balanced budget but a surplus during the current fiscal year. He had the courage to call for a Federal surtax increase which has been necessary to avoid inflation and large deficits in the Federal budget. This is a good start for the new administration. This accomplishment is all the more to be commended as our country is operating under wartime conditions.

The United States has over 500,000 U.S. Armed Forces men in South Vietnam, as well as military forces assisting in the defense of South Korea and U.S. military forces in Europe to serve under the North Atlantic Treaty in NATO. The United States has ships, bases and planes, crews, ground equipment, and forces in most vital and strategic areas around the world protecting the freedom of the seas and of the air routes, while permitting the small nations of the world to develop their resources and economies unmolested.

Another good accomplishment has been the cooperation of business and labor as well as the American people under the leadership of President Johnson to increase the U.S. gross national product during 1968 by over 9 percent. This remarkable increase is not only one of the best in U.S. history but is also the largest value GNP increase of any nation in the world.

As President and Mrs. Johnson return to private life in Texas, we hope they will remember not only the hard fights, the successes and failures, wars and trials, but also remember the warm friendships and loyal support for progress when we all worked together as the American team on the field.

Mr. ALBERT. I thank the gentleman from Pennsylvania for those remarks.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished majority whip, the gentleman from Louisiana (Mr. Boggs).

Mr. BOGGS. Mr. Speaker, I could take all of the available time during which to talk about our President. There are so many things about him that are so closely and intimately associated with my own life, that I scarcely know how to begin or how to end.

I have known President Johnson since he served here in the House of Representatives.

I remember so well the day that we had to declare war on Germany.

I believe we were sitting right there, where the distinguished gentleman from North Carolina (Mr. Taylor) is now sitting, and I was sitting next to him, and we tried to project our minds into what was coming for our Nation and the rest of the world, and we knew it would involve, in the words of Winston Churchill, "blood, sweat and tears."

Both of us were to be in that war. And in a sense President Johnson has always been in a battle of some kind or other.

He has fought the things that he felt needed fighting to keep this country great and free and strong.

I have seen him use every honorable device known to mankind in order to accomplish what he considered right and proper for our country, and while of course many may have disagreed with his policies, I believe no one will conceivably disagree with the dedication of Lyndon Johnson to this country.

It can be said of some men that when the going gets rough they retreat, and they say, "Well, let somebody else do it." This could never be said of President Johnson, either as a Congressman, as a U.S. Senator, or as the President of this country of ours.

He was always looking for ways to solve problems. He would recognize a problem, and then seek to do something about it. I believe when the record has been written of the years that he has spent both in this body, in the other body, and in the Presidency, the song that all of us love so much, "The Impossible Dream," will be entirely fitting and applicable to the President of the United States who now leaves that office.

Reared in the American tradition in a small town, growing to young manhood with love of country and imbued by his family with the ideal of public service, he has dedicated his entire life to that ideal, and to this country and all of us have been better off because of it.

Mr. Speaker, I must conclude with just one personal note. His lovely wife who, in my judgment, has brought a grace, a dignity, and a charm heretofore unequaled to the White House, and my wife, and our respective families, have been very close for many years. His two daughters have stayed at our home many times. We glory with them in their new, precocious, intelligent, and growing grandchildren.

To us it has been a family relationship that we have treasured and will continue to treasure. Mrs. Johnson, I believe, has epitomized the role of a good wife, a devoted spouse, and yet at the same time always conscious of what the First Lady should be—and she has been that.

So, Mr. Speaker and Mr. Majority Leader, I am sure that we only say "farewell" to President Johnson, because, in my judgment, as long as there is breath in that great big body of his he will be a tremendous force and a tremendous factor in the Democratic Party which he loves, in this country which he loves even more, and in the lives of all of us who have been privileged to be closely and intimately associated with him.

As he leaves I say God bless him and keep him and his family, and all that he has stood for.

Mr. ALBERT. I thank the gentleman for his fine remarks.

The SPEAKER pro tempore (Mr. Hungate). The time of the gentleman from Oklahoma has again expired.

Mr. ALBERT. Mr. Speaker, with the indulgence of those who have other special orders, I ask that I may have such time as is necessary to yield to the gentleman from Ohio (Mr. McCulloch) to whom I promised to yield, and then I will surrender the floor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, I should like to join with our distinguished majority leader, the gentleman from Oklahoma (Mr. Albert), and others in paying tribute to President Johnson as his administration is concluding its term of service.

On Tuesday night the Congress in joint session and the Nation on television saw Lyndon Baines Johnson at his best, reviewing the accomplishments of his great administration—and they are manifold—and recalling with nostalgia his 38 years in Washington which began when he was appointed as an employee of the House.

President Johnson has had a long and illustrious career in public service and his eloquent farewell was a fitting and appropriate conclusion to the climax of his career as President.

President Johnson served in the House, in the Senate as Democratic majority leader, as Vice President and finally as President. It is my view that he will be recorded in history as one of our great Presidents.

The Johnson administration has recommended legislation passed by the Congress that has contributed greatly to progress in education, employment, economic development, assistance for our elderly, progress in our cities, large and small; assistance to our farmers, conservation and resource development and in many other areas of growth and progress.

It was my honor and privilege to manage the Johnson-for-President campaign in Tennessee in 1964. President Johnson not only carried Tennessee but he polled in the Nation the largest popular vote ever recorded by any man elected to the Presidency.

President Johnson has sought diligently to achieve an honorable peace to end the conflict in South Vietnam.

And today President Johnson has announced that the United States and North Vietnam have agreed on ground rules and procedures for the negotiation in Paris to end the Vietnam conflict. No President has worked harder for peace—and if the initial steps toward peace in Southeast Asia can be taken before he leaves office, this will be a just reward for his untiring efforts to achieve an honorable peace.

President Johnson is a product of the Congress—and his knowledge of the Congress was most important in the enactment of his record-breaking legislative program.

Lyndon Baines Johnson, a great President, has left his mark on history. Our Nation is greater today because Lyndon B. Johnson served as President. He has built a foundation for further growth and progress—the Nation is deeply indebted to President Johnson for his great work.

In this connection, Mr. Speaker, I have introduced in the House a resolution making it possible for former Presidents to serve in some capacity in the House or Senate. The tremendous energy, talent, ability and experience of our former Presidents should be utilized and brought to bear on the problems of the Nation.

With the passage of the resolution, the great and considerable talents of President Johnson and other former Presidents would still be utilized for the good of the Nation.

As a new era begins in Washington, I want to take this opportunity to wish President Johnson, Mrs. Johnson and other members of the family the very best of good luck and success and happiness.

Mr. BURLESON of Texas. Mr. Speaker, I join with my colleagues in leaving a a record of comment on President Lyndon Johnson.

Of whatever may be said by historians, I think all would agree with that line with which the President concluded his state of the Union address on last Tuesday evening:

> I hope it may be said, a hundred years from now, that by working together we helped to make our country more just, more just for all of its people—as well as to insure and guarantee the blessings of liberty for all of our posterity. That is what I hope, but I believe that it will be said that we tried.

The Presidency of the United States has simply become an almost impossible task. It is impossible in the sense of the myriad demands, the necessity for constant watchfulness to direct the affairs of a nation which inevitably became the leader of the world. In the meantime, the world shrank. It did so by communications and transportation, and the great leaps forward in technical events have moved so rapidly in the last few years that it has taken a man with unbounded energy, talents with which few are possessed, and a will to sustain the pace. President Johnson is possessed of these characteristics.

The history of Presidents of the United States reveals extreme contrasts. In their statements and their actions, historians have classed them as weak, strong and in between. President Johnson could never be described other than a strong leader and one who has met present-day problems head on.

Whether we have always agreed with him or not, there can never be any question but what he was a "do something" President. Probably no man's popularity has been more mercurial because he was a man of action.

There is little doubt that, after final appraisals have been made, he will be found as one who met the issues in the open and dealt with them as he thought proper and necessary.

My warm good wishes go with Lyndon Johnson and his wife Lady Bird as they leave the hectic life of the White House. It is my hope that they will find great satisfaction in their future activity. There doubtless will be great activity in the lives of both because it is their nature to give of themselves and to be a part of life which goes on around them.

Mr. YOUNG. Mr. Speaker, it was a delight and a matter of great pride to all, to have with us Tuesday night in this Chamber, Lyndon Johnson, an All-American President for all the American people. Our pleasure and pride are understandable. The meaningful legislation and programs which he has sponsored and supported through nearly 38 years in our Government read like a chronicle of man's progress down through the ages. That he could have accomplished this in the relatively short span of his adult life must be the zenith of governmental achievement.

We hear a great deal of what history will say of this great American President. I think history said it Tuesday night in this Chamber when all branches of our Government and all representatives of foreign governments, regardless of party or race or nationality, received him with an acclaim unparalleled in the annals of this historic building. The spectacular spectacle of Tuesday night's great host rising spontaneously and repeatedly in honor of this great American President must indeed have stirred the spirits of his predecessors who, too, had been received in this great hall. Many with many crises, but not quite as many as his; many with many problems, but not quite as many as his; and many with much acclaim for a job well done, but not quite as much as his. Yes, Mr. Speaker, I think history's verdict of approval was given here last Tuesday night with all the Nation and all the world looking on—and likewise approving.

Yes, Mr. Speaker, it was an honor and pleasure to all of us to be associated with President Lyndon Johnson, and the Nation and the world are immeasurably better off for his having been with us for these past 38 years.

Mr. EDMONDSON. Mr. Speaker, I welcome this opportunity to join in a tribute to President Lyndon B. Johnson and our First Lady, Lady Bird Johnson.

The Johnson years in America have shared with the rest of the world the turbulence and strife that seem to be part of our century.

At the same time, these years have been years of growth for America—growth not only in a material and economic way that is unprecedented in our history, but also growth in terms of justice and opportunity for all Americans.

I was proud to hear Congressman FRED SCHWENGEL's statement that President Johnson will look good in the history books of the future.

Beyond that, I believe he will look great—and many historians of today already acknowledge this fact.

I am proud to have been in this Congress during the Johnson years—and proud of the President who has provided strong and tireless leadership during this difficult time.

Mr. COLLINS. Mr. Speaker, through all the years I have heard of all the Presidents that came from Virginia. Today we can all point with pride to our first Texan who served with such distinction as President.

Lyndon B. Johnson will go down in history as America's most dynamic man of action. He is a man on the move who never waits for tomorrow.

Republicans all admire him as an aggressive adversary. He has courage and fights hard for his cause.

When I came to Washington, I admired his ability to get his legislative program enacted into law. As I sat on the Republican side of the aisle, I could see his forceful leadership. As a President he had a feel for Congress that has no equal.

All Texans, Republicans and Democrats, are proud of our native son, Lyndon B. Johnson. We welcome him home back to Texas.

Mr. PURCELL. Mr. Speaker, our President gave to the Congress and the Nation a most fitting and eloquent farewell Tuesday night. To me, it was a gracious speech for a man who has probably been more maligned during his tenure in the White House than any other President, with the possible exception of Abraham Lincoln.

President Johnson has guided this Nation through some of its most perilous days. He entered the White House at a time of great national tragedy and shock. He took firmly in his capable hands the reins of the most powerful government on earth, and gave its citizens the reassurance of his strength and ability.

He did not let the Nation slow down its pace in striving for national goals. He moved forward with great skill and determination to write the best and most comprehensive legislative programs of any President in history.

Those he helped most have vilified him the worst. The public attitude toward this public man has been an amazing paradox.

But Tuesday, as he came back to this Chamber where he began his Washington career more than a third of a century ago, he was both proud and humble, a man with no rancor or vindictiveness, a man thankful for having had an opportunity to serve his country.

He was characteristically nonpartisan as he looked to the future and as he thanked those he had worked with in the Congress. He had praise for the leadership in both national political parties. He had a strong hope for the Congress and the Nation to give his successor understanding and support.

President Johnson clearly showed once again that he is an American first and a Democrat second. He showed that, although the war has been his political downfall, he is a dedicated disciple of peace.

With all the criticism that has been heaped on him, it is fitting that he reminded the Nation of the great legacy he leaves for Mr. Nixon.

After 5 years in the awful and burdensome office of the Presidency, Mr. Johnson leaves an unemployment rate of 3.3 percent with more than 8½ million jobs created in the last 5 years.

Our economy has shown a steady and uninterrupted growth throughout his administration. The balance of payments in 1968 showed a surplus, and we have done better in this regard last year than at any time in a decade.

The President announced a budget surplus for the current year estimated at $2.4 billion. His new budget, which we received yesterday, anticipates another surplus of $3.4 billion.

Mr. Speaker, our friends in Texas should not fail to note that the latest figures show that Texas today receives about $2 for every dollar it sends to Washington.

Our President leaves office with the war still going, but with long strides having been made down the narrow and torturous path toward peace.

Typically, the President urged us to finish the job of attaining the national goals set under his leadership.

The problems, he said, were there before he took office. His administration and the Congress have made real headway, but much of the job remains to be done. He urged the reorganization of the poverty program, recognizing the opportunity we can gain from admitting and dealing with past mistakes.

Mr. Speaker, our beloved President leaves public office, but his mark has been made on the Nation he loves. And he will influence what we do here for a long time to come.

His concern for the Nation rising above his personal feelings, he has prepared the way for all of us, Republicans and Democrats, to work together for the betterment of our Nation and all mankind.

I am glad he came to see us Tuesday evening. I want to say thank you and well done, Mr. President. May God richly bless you.

Thank you, Mr. Speaker.

Mr. CELLER. Mr. Speaker, when President Johnson was encased in the awesome loneliness of his office, he could not know how many millions of Americans there were who watched in silent gratitude his challenges to inertia, apathy, indifference, his challenge to bigotry, prejudice, and insensibility. Under his leadership, that which had long been unacceptable was accepted. Issues such as medicare, aid to education, open housing, and gun control; issues that had lain inert waiting to be called into being, were raised and settled, such as consumer protection and safety, water and air pollution, exploration of the sea.

For 40 years there had been the struggle to remove the national origins system from our immigration law and, under Mr. Johnson's leadership, it was done. He attacked the great social evils of our society, the spoliation of our resources, the crumbling texture of our cities, the deprivations of our old, our sick, and our poor.

It is not my purpose to list all the measures which add up to one of the most constructive eras in American history, but to illustrate the vision of a President who saw America and saw it whole with its grandeurs and its deficiencies, with its blessings and with its ills. As President Johnson has put it, he tried.

This parting fills me with sorrow. He is my President. He is my friend.

Mr. BROOKS. Mr. Speaker, as the administration of Lyndon Johnson draws to a close, we already know quite a bit about how history will treat the gentleman from Texas. Clearly these were exciting years. They have also been troublesome, in fact had there been a lesser man than Lyndon Johnson in the Presidency, they might have been disastrous.

These were productive years—so productive that it would be impossible to catalog his accomplishments in any brief fashion. These were also trying years—times that saw victories and frustrations, triumphs and failures.

Since November 1963, many things have happened to our President—both happy and sad things. Although I am sure that the burden of office has been heavy and wearing, he has borne it well. If there is any change, other than a few deeper lines and slightly grayer hair, they have been an even greater drive, a faster pace, and deeper dedication.

Those of us who have been fortunate enough to know him more closely are aware of his many facets. He is Lyndon Johnson, the politician—hard, driving, and demanding. He is Lyndon Johnson, the Texan—who walks with pride, who often resorts to homespun rhetoric. He is also Lyndon Johnson, the husband, father, and grandfather—devoted to his wife, to his daughters and his grandchildren. This mosaic all comprises Lyndon Johnson, a man—a big man.

History will recall many things about Lyndon Johnson, but my own recollections will be more personal. I will never forget his many kindnesses to me and my family. He is a warm and true friend. I will always cherish the relaxed times we shared when he could be just Lyndon Johnson, a big warm Texan with an even bigger heart.

By any rightful standard of this or any age, our President, Lyndon Baines Johnson, has demonstrated that he is a truly great leader. Historians need not be kind to him for if they are but fair, he is assured a lofty place among our Nation's greatest heroes.

Mr. SISK. Mr. Speaker, I am sure that all of us have had occasion to witness the departure of a friend and wished that we had taken more time to express our appreciation for the many kindnesses he has shown us, or wished that we had worked a little harder or in some way done more to express our own feelings of friendship and support for him or wished we had been more outspoken in our praise of his many virtues.

That is the way I feel today on the last legislative day during the Presidency of Lyndon B. Johnson, who came into office at a time of grave national crisis and in a matter of days steadied the nerves and buoyed the spirits of the entire free world by the calm and courageous way in which he took the helm of Government in those dark days of November 1963.

No matter what any of us say here today, the real eulogy to the administration of Lyndon B. Johnson will be written in history, and it will be a eulogy to a man of determination and humility, steadfastness and patience, courage and compassion.

I am sure that when history evaluates the administration of Lyndon Johnson it will find that no President in the history of the Republic has ever been responsible for a legislative program as far-reaching and forward-looking as the program of the Johnson years. It was a program of daring, in some cases striking sparks from some of the most hallowed symbols of the status quo. But it was a program aimed at the goal of bringing justice and dignity to every American of every race, religion, and station in life.

I join millions of people all over the world in wishing President and Mrs. Johnson the best of times in a well-earned respite from the burdens they have borne so well so many years.

Mr. STEED. Mr. Speaker, nothing we can say here today can add to or subtract from the tremendous impact of President Lyndon B. Johnson on our Nation during 35 years of public service.

Like all of us, he has experienced failures as well as success, but his monumental capacity for effective work has brought him a constructive record equalled by few.

When I came to this House as an assitant in 1935, he was among my first acquaintances, and since then I have seen him develop through experience, dedication and responsibility into an outstanding Chief Executive.

I believe that James A. Farley, one of the most astute practitioners and observers of American politics in our century, was right when he gave this judgment of Lyndon Johnson more than 2 years ago:

> If the Biblical phrase, "By their fruits shall ye know them," continues to be as true in the future as it has been in the past the future generations of our country will as gratefully remember President Lyndon Johnson as they now revere the names of Thomas Jefferson, Woodrow Wilson, Franklin D. Roosevelt, and Harry S. Truman.

We all know the many legislative programs he has made reality. Perhaps none of them carries more potential for the future of our country than the acts by which he became the President responsible for more action in behalf of education than all his predecessors combined.

Jefferson emphasized that education is the prerequisite for democracy. Lyndon Johnson has helped to see that it will have a firmer foundation in the future than ever before.

Not too long ago he told the pupils of the school at Cotulla, Tex., where he taught as a young man:

> If your education falters or fails, everything else that we attempt as a nation will fail. If our schools and our students succeed, we will succeed. It is just as simple and just as difficult as that.

He will be remembered for making it possible for education to reach many more and to function more effectively.

The distinguished commentator, Howard K. Smith, has described his legislative program thus:

> Altogether the most fantastic record ever for a single President. Beginnings have been made on every serious problem and great advances have been carried out.

Ours is a world of unprecedented turbulence, and Lyndon Johnson has not solved all its mushrooming problems. But it will be said of him as of President Truman: "He done his damnedest."

The first lady, Mrs. Johnson, once remarked that the White House is like one big, unending seminar. That is the way it should be, and she has helped to mold it in that direction by her active and conscientious part in the public affairs. It was a due tribute when Life magazine described her a fews weeks ago as a first lady with a record excelled by none.

Only history can finally evaluate the Johnson administration. I know that it will be long remembered. Meanwhile we extend all our best to President and Mrs. Johnson for a happy and useful future.

Mr. MOSS. Mr. Speaker, a colorful, intuitive and unusually innovative President now moves from the center of the political stage into the history of this Nation.

Lyndon Baines Johnson, a man of strength, of courage, of deep conviction, will not be judged by those of us meeting here today and expressing our own personal views of his actions during his 5 years of incumbency as the head of this Nation's government. Future generations will make that evaluation, but I am confident when it is made, he will rank high on the list of great Presidents.

A summation of his administration was masterfully given this House just a few days ago by the President himself, an honest, courageous, and articulate appraisal, pointing out achievements, expressing regret over failures, but above all, the remarks were of a man who has enjoyed the infighting of public office.

The Johnson administration has sometimes acted in a fashion with which I might disagree, but it has acted, and far more often, in accord with my own thinking than against it. I am confident that history will find Lyndon Johnson acted with one overwhelming motivation—to find the answer which best met the needs of this Nation.

To President Johnson, to his wife, charming, graceful, and efficient, deserving really of a special comment, to their daughters, sons-in-law, and grandchildren, I want to express what I feel is the clear consensus of the people I represent, a wish for many happy, busy, and productive years, years in which Lyndon

Johnson and his charming wife can continue to make contributions to this Nation, as I am confident they will.

Mr. ROGERS of Florida. Mr. Speaker, few Presidents in American history served their Nation during such critical years as did Lyndon Johnson. Fewer still were as well prepared, or more dedicated and hard working.

The situation in Asia, Latin America, Europe, and the Middle East, as well as violence here at home, called for the full energies of an exceptionally energetic man. A noted TV commentator reflected the other night that many people will criticize President Johnson for one or two developments on which they disagreed with his actions, and fail to take note of dozens of important developments with which they did agree. Perhaps that is human nature. History has a way of brushing aside these short term considerations, however, and looking at the overall accomplishments of the occupants of the White House. And history will undoubtedly look on these 38 years of service by Lyndon Johnson somewhat differently than today's critics.

Here in the Congress, where he himself served as an employee, Congressman, Senator, and Vice President, Members will long remember his Presidency. Like others, I found myself in agreement with some legislative proposals, and in disagreement with others. At all times, however, there was a deep understanding by the President of the independent role of the Congress, and its individual Members. And there was at all times a genuine interest in mutual problems, as well as a friendship with each Member.

Mr. President, as Liz Carpenter said last night, there will soon be two parades through the streets of Washington—one toward 1600 Pennsylvania Avenue, the other away and toward a quiet riverbank in Texas. I think that parade watchers should observe the smile on both leaders. That on the face of the new resident of 1600 Pennsylvania Avenue who is obviously proud and full of expectation; and the face of the former resident, who can just as proudly know that for 38 remarkable years his successes outnumbered his disappointments, because "we tried."

Mrs. HANSEN of Washington. Mr. Speaker, as I join my colleagues today in a salute to our President, who is leaving us, my first thought is, "Thank you for the privilege of serving with you here in Washington during these great and challenging years of change."

The second thought I have is that no one has been more responsible for change on the face of America or in its aspirations during this second half of the 20th century than Lyndon Baines Johnson.

But I would like to remind my colleagues that change has been so sharp and change has been almost so unexpected that the drumbeat of its transition has perhaps been louder than the measure or successes from the trumpets of accomplishment.

We have known frustrations, we have known rebellion, dissent, anger, hate. We have also known success, the pride of knowledge that we have made a beginning for solutions.

Yes, there will be continuing anger; yes, there will be future frustration. Change itself dictates turmoil. But I am happy that I have had the opportunity to serve with a man who, as President of the United States, faced the challenges and did not turn his back for political expediency but acknowledged the problems and tried to do something, unpopular though many efforts appeared.

Almost as a testimonial to this service is an article by a college student from the University of Maryland, who has said in his editorial, "Two Cents Worth—A Farewell." I would like to place this in the Record for my colleagues to share and contemplate:

Two Cents Worth—Farewell to the Ugly Old Man

(By Dave Bourdon)

> We called him a nigger-lover.
>
> We called him a lot of other things, too: he was a racist, a liar, a fool and a murderer. It is probably fair to say that no man in history was ever so openly reviled as Lyndon Baines Johnson.
>
> And why not?
>
> To begin with, we didn't want him. We had the president we wanted: he was young, he was good-looking and, most important of all, he was (after he was killed, of course) loved by the people.
>
> And then, just like that, he was gone. And in his place was a slow-talking ugly old man.
>
> We were fair; we gave him a chance. But the ugly old man didn't produce. He didn't obliterate racism, he couldn't stop crime in the streets and, perhaps worst of all, he chose to fight a war that almost all of us backed in the beginning and then he didn't win it.
>
> Maybe he tried. Time after time he begged us to forgo violence. Time after time he pleaded with us to destroy racism. Time after time he ignored the tremendous pressure to either surrender to or completely demolish the enemy overseas.
>
> But God, he was so awful on TV! He'd come on the tube with that ugly puppy-dog face of his and he'd drawl out all this gibberish about his dreams for a great society.
>
> From a Kennedy it would have sounded dynamic. But from the ugly old man it was just so many words, and we'd flip the switch wondering who the hell he was trying to fool. Take him seriously? Don't be ridiculous!
>
> We elected him in '64, but it wasn't our fault. After all, wasn't he "the lesser of two evils?" Well, maybe we put him in office, but that didn't mean we had to support him.
>
> But we didn't sit still. No sir. We hit him and we hit him good. Lady Bird wanted to beautify America? Ha-ha! Start in the family! "Where are you, Lee Harvey Oswald, now that we need you?" Yeah, that was a good one.
>
> A game company put out a dart board with his face on it. When the ugly old man had the audacity to go to church, a minister gave him a sermon on the immorality of his war (it was his now). And we came up with nifty cheers like "Hey, Hey, LBJ, how many kids did you kill today?"
>
> But he deserved it, all of it. Because we were ready to go at it at this time, we were choosing up sides. Black vs. white, liberal vs. conservative, poor vs. rich, hawk vs. dove, young vs. old.
>
> And where was the ugly old man at a time like this? Where was our leader, in this time of crisis?
>
> I swear to you, there he was, standing in the middle of the road! Pleading for reason! Begging for temperance! Asking that we work together for justice!
>
> He never had a chance.
>
> He even went so far as to say that he wouldn't accept the presidential nomination because he wanted to work for peace and unity. It caught us by surprise, but we recovered quickly enough.
>
> There he was again, lying as usual. Peace and unity, my eye! The only reason he wasn't running was because he knew he couldn't win. And a lot of us knew damn well that it was all a big hoax, that he'd run again. Anyway, the whole plan backfired on him.
>
> So he's gone now, and we're free, free at last! Free to fight! Free to hate! Free to rip the guts out of each other! Because the ugly old man is finally leaving.
>
> One thing is for sure, a country like this didn't deserve to get stuck with a president like that.
>
> Or maybe it's the other way around.

As I conclude my remarks, I would also like to quote from a recent newsletter which I have sent out.

> On Tuesday night President Johnson delivered his State of the Union message or I might call it his Farewell Address to Congress. The House Chamber was full to overflowing and every inch of standing room in the galleries was occupied.
>
> The White House and the Capitol are a mile apart, and sometimes a thousand miles apart, yet, because of the unique interrelationships of the Federal Government, the stability of this Government and our constitutional system, there always remains a rapport between the White House and the Congress, regardless of party. It is a feeling, a sense of American unity. It is not the divisive sword of hate.

It is built of the little moments when I, as a Member, lost my mother and within a few hours the President of the United States picked up the telephone and said: "This is Lyndon Johnson calling, to express my sympathy." It is the moments when we have a young person with difficulties in some particular area and we call the White House, asking for assistance and receive an answer.

Yes, the White House was interested. It was all these and more. It was the President, who was also an American with a warm sense of love for his fellow human beings.

I salute this President and this American. He has served us well and used dignity, in spite of columnists, with a style that comes from human love and not fashion catalogs.

My best wishes, Mr. President, and my best wishes, Mrs. Johnson. You have been and are great Americans, indeed.

Mr. ZABLOCKI. Mr. Speaker, it is indeed a pleasure to join with my colleagues in paying tribute to Lyndon Baines Johnson, the 36th President of the United States.

Last March, when President Johnson announced that he would not be a candidate for the Presidency in 1968, I was in Wisconsin working as chairman of the Johnson committee in the State's presidential preferential primary. It was a labor and a responsibility which I had taken on—and would take again—because of my high regard for Mr. Johnson's qualities of leadership, in the present era of crisis.

Under the most trying circumstances, he has been responsible for a broad range of achievements, both domestic and foreign. The final estimate of President Johnson's stature must be left to the future, but we may be confident that he will rank high in the order of greatness among those who have held the highest office in the land.

When Lyndon Johnson took office under the tragic circumstances of 1963 there

was pending before the country much unfinished business, some of it decades old. Within 3 years, he had accomplished tasks which his predecessors had been unable to enact.

To 20 million elderly Americans suffering from a lack of proper medical care, President Johnson brought an excellent, comprehensive program of hospital and medical insurance under social security.

To the children of this Nation, he gave the Elementary and Secondary Education Act of 1965, a program for quality education, including textbooks for public and private schools.

To our black citizens, he gave three major civil rights laws, guaranteeing their rights as Americans to vote, to equal employment, to public accommodations, and to fair housing.

To the poor, the President gave a new chance and a better hope for decent jobs, homes, health care and education for themselves and their children.

To the American worker, he helped bring an unprecedented 8-year period of steady economic expansion and low unemployment.

In the fields of national defense and foreign affairs, President Johnson was equally productive.

To deter the outbreak of nuclear war, he saw to it that America maintained its nuclear superiority. At the same time he worked toward the development of a balance between nuclear and conventional forces in order to increase the Nation's readiness to meet any threat of aggression.

His most difficult test came in Vietnam where he determined that there must be no victory by armed force over an American commitment forged under three Presidents. His determination has prevented the war from spreading beyond Vietnam, and he has led the way toward peace in that conflict.

It was the deep and passionate desire for peace that led Lyndon Johnson to join with our allies in talks with the Soviet Union and other nations—talks which have led to agreements on banning the proliferation of nuclear weapons, banning the use of nuclear weapons in outer space and forbidding bases and fortifications on the moon.

In addition, he began the work—which the new administration hopefully will carry forward—for discussions with the Soviets on the limitation of all offensive and defensive weapons systems.

President Johnson has not had an easy time in the White House. He has been the object of abuse from many quarters Mrs. Johnson and his family were not spared the barbs of irresponsible critics. Despite all of this abuse, he has demonstrated the strength of his character in carrying on in what he has believed to be the national interest.

Now he has well earned a rest from the burdens of office. With his devoted helpmate, Lady Bird, and his family, he can enjoy the fruits of life spent in the service of his country and the American people.

It would be a mistake, however, to see Mr. Johnson's contributions to our national well-being as having come to an end. A man as vigorous, as intelligent, as dynamic as he is, can be counted upon to answer his Nation's call in time of future need. Therefore, it was comforting to learn the Johnsons will be back. Although we wish him well as he leaves office, there is no finality to our farewell. There are other chapters to be written in the life of Lyndon Johnson, 36th President of the United States.

Mr. WRIGHT. Mr. Speaker, Lyndon Johnson will be recorded in history as one of the strongest and greatest of American Presidents. Certainly he made more significant contributions to the Nation's economy and through his leadership inspired more long-range reforms in public policy than any President in modern times. And unquestionably he gave of himself to the office, unstintingly, in a manner scarcely precedented.

Lyndon Johnson's public career has spanned a third of a century, and his personal contributions to the national weal—as Congressman, Senator, Senate majority leader and Vice President—are legion. They need no special elaboration here. May it suffice merely to point out that no man ever came to the Presidency better grounded by background, experience, and intimate familiarity with the myriad public institutions of the Republic.

Lyndon Johnson's great respect for the exalted office which he was destined to assume was evident in many ways long before it became his lot to serve as Chief Executive. That Franklin Roosevelt shared with Johnson, when the latter was but a young Member of Congress, some rare insights into the office of the Presidency is well known. That Mr. Johnson treated those insights with a respect bordering upon reverence is also true.

Later, his deep and profound respect for the Presidency served him and the Nation well when, as majority leader of the Senate, Lyndon Johnson did so much to make the task of President Eisenhower easier and more harmonious. As congressional leader and spokesman for the "loyal opposition," Lyndon Johnson performed truly significant contributions by his constant and conscious insistence that the opposition be first of all truly loyal. Without in any manner sacrificing the rights and privilege of responsible dissent, Mr. Johnson directed that dissent in such a way that he did not add to the personal problems of President Eisenhower, but quite frequently helped the President in creating a workable solution.

That Lyndon Johnson, effective Democratic advocate that he is, instinctively places patriotism above partisanship has been seen again most recently in the elaborate pains to which he has extended himself and his entire administration to make certain that nothing by way of help or information should be denied Mr. Nixon in the transitional period preceeding the Nixon inauguration. Longtime Washington observers and historians of the Presidency have remarked that this is the smoother and most thoroughly amicable transition from one party to the other in the history of the Presidency. Surely Mr. Nixon has benefited from this spirit of generosity and helpfulness. And to the extent that it has benefited the new President, it clearly benefits the Nation.

The years of the Johnson Presidency are without parallel in the volume of truly major legislation enacted in response to his compelling leadership. To touch but briefly upon only a few of the truly monumental legislative landmarks, the Johnson administration has made reality of such long-established but elusive national goals as medical care for the elderly and truly general Federal assistance to all of the educational institutions of the land. These had been dreams, debated in the political arena for more than a generation and sought by a long line of national leaders. It remained for Johnson to make the dreams come true.

In the field of civil and individual rights, it must be recorded that Lyndon Johnson has achieved more than any other American since President Lincoln. Critics of the Johnson style from time to time have complained to the effect that he may not have articulated the goals of equal rights as eloquently or as immaculately as others. But such complaints are rendered specious and superficial by the irrefutable record of accomplishment.

No man has given more to the cause of conservation and preserving the environmental quality of American life than Lyndon Johnson. The sheer statistical magnitude of goals achieved and new offensives launched in the field of public parks, land reclamation, air and water pollution abatement, and improvement in the esthetic values of the environment during the Johnson Presidency stagger the imagination to contemplate and defy the orderly mind to assimilate the scope of their results.

In all of this, the full impact of the Johnson personality and leadership upon the culture and quality of the American society cannot be fully appraised from so short an historic range. History will write its verdict. In field after field of public policy, as new horizons of public service expand in the sunlight of a new day to reveal benefits now only faintly dreamed, historians will be forced to record. It began with Johnson.

May it also be recorded then, that this public record so filled with superlatives owes a generous share of its laurels to the patience, the faith, the understanding and the rare devotion of that wise and exemplary lady, Mrs. Johnson, who has been by his side throughout these incredibly eventful years.

His has been, in a unique sense, a remarkably personal Presidency. It is consonant with his temperament and personality that Lyndon Johnson would have devoted intense personal attention to an almost limitless variety of details in the administration of this job whose scope and magnitude today almost defy the capacities of any man. It must be said in fairness, I believe, that no man has respected the Presidency more, no man has devoted more of himself to its insatiable demands, and few indeed ever have achieved so much for the Nation they loved through its powers and its responsibilities than has Lyndon Baines Johnson.

Mr. MINISH. Mr. Speaker, I am honored to associate myself with our distinguished majority leader and our other colleagues in paying a respectful, fond farewell to the 36th President of the United States.

This last week of this epoch-making administration is a poignant, moving period. It marks the close of a tragic, turbulent era filled with crises at home and abroad, but brightened by tremendous social reforms that have indelibly altered the character of our society and have immeasurably advanced the promise of our Constitution to render to every citizen his birthright as a member of a free democracy.

Whatever may be the verdict of history on Lyndon Johnson's administration, those of us who have served in the Congress during his tenure can agree that this extraordinary man has driven himself as unrelentingly, as unsparingly in trying to create a great society in a world at peace as did his forebears who opened the West. He has exulted in the sweet taste of unparalleled victory; he has drunk deep of the bitter dregs of frustration and rejection. Yet through it all Lyndon Johnson has maintained his iron resolve, his indomitable will. All of us, friend or critic, must marvel at his prodigious endurance, tenacity of purpose, strength of mind—his complete commitment to the goals which he believes are in the best interests of the Nation to which he is so dedicated, the people for whom he cares so deeply.

In his state of the Union message on January 14, President Johnson directed a few personal words to the Congress. He said:

> Most all of my life as a public official has been spent here in this building. For thirty-eight years—since I worked on that gallery as a doorkeeper in the House of Representatives—I have known these halls and I have known most of the men pretty well who walked them. I know the questions that you face, I know the conflicts that you endure, I know the ideals that you seek to serve.

If I may be permitted a personal reference, I can testify to the truth of those comments. From the day I entered Congress in January 1963—and the then Vice President, Mr. Johnson, in his characteristically thoughtful and human manner, visited my office and then gave my wife and me a ride downtown to the IUE reception in my honor—until now, I have found him invariably accessible, ready to listen to counsel, and conscious of a Member's obligations to his constituency. I shall remember with gratitude his many kindnesses which reveal his warm and understanding nature just as his magnificent leadership to a nation in travail following President Kennedy's assassination showed the qualities that had made his beloved predecessor once declare that no man was better suited to be President than Lyndon Johnson.

Again, in his state of the Union message President Johnson exhibited his magnanimity of spirit in his words:

> President-elect Nixon in the days ahead is going to need your understanding, just as I did. He is entitled to have it. I hope every Member will remember that the burdens he will bear as our President will be borne for all of us. Each of us should try not to increase these burdens for the sake of narrow personal or partisan advantage.

That spirit must animate each of us as the mantle of the highest office in the land falls upon the 37th President of the United States on January 20.

A man endowed with President Johnson's dynamic force does not go into retirement. He will transfer his remarkable gifts to other pursuits, always with the national interest at heart. His fellow citizens wish him and his wife, who has in her own right made an invaluable contribution to improving our human and natural environment, the fulfillment of their hearts' desire in the years ahead. They richly merit it.

Mr. TEAGUE of Texas. Mr. Speaker, I want to join with my colleagues in the House in paying tribute to President Lyndon B. Johnson and his lovely wife Lady Bird. Publicly, I as a Congressman, an American citizen, and a friend, want to express my personal appreciation for the tremendous job he has done for all the people of this country. There is no question in my mind but what history will show his administration as one of the most productive in our history and will rank him as one of the most, if not the most, courageous and effective of all Presidents to date.

As Mr. Johnson is well aware, there were times when our thoughts on certain policies did not coincide. However, when these disagreements took place, they were not charged with rancor, nor did they in any way dilute the warm regard in which I held him, both as a statesman and as a human being. There has never been a moment when I was not personally proud of our mutual friendship.

It is ironical, and perhaps typical of our somewhat hysterical times, that those who should be eternally grateful for his wisdom and his compassion are inclined to show gratitude the least. History will record that during the past 5 years more Americans have discovered hope for the first time, more national injustices have been remedied, and more of our citizens have improved their economic status than during any comparable period since the foundation of the Republic. Dispite unreasoned and unreasonable criticism, both abroad and at home, Mr. Johnson has courageously met the Nation's moral commitments and has refused to accept easy and less honorable alternatives.

As President Johnson and Lady Bird prepare to leave the White House, I can assure them that the esteem and admiration of their friends are even greater than they were when they entered. I wish for them many years of peace and relaxation.

Mr. CABELL. Mr. Speaker, my association with our President, Lyndon B. Johnson, covers a great many years and has not been entirely legislative. As a businessman in our native State of Texas, I knew him even before he became a Senator, the majority leader of the Senate, the Vice President, and the President of this great Nation.

I was permitted to play a small role in the 1948 senatorial campaign, when he was first elected to that high office, and it was an investment that has paid this country many dividends in my opinion.

As mayor of my city of Dallas, I was instrumental in obtaining approval of the city council for affixing to a magnificent freeway circling the northern end of our city the name of Lyndon B. Johnson, even though he was only Vice President at the time. It is a source of pride to me today, though it was not any part of my planning at the time, that this throughway as presently completed cuts through the heart of my district and is contributing greatly to the convenience and well-being of those citizens.

It was only after he became President that I decided to run for Congress and I am proud to say that we both carried Dallas County by wide margins. I was the first Democratic Congressman from the district in 10 years, and he was the first Democrat to carry the county for President since Harry Truman turned the trick in 1948.

As President, Lyndon B. Johnson has left a record that will be difficult, if not impossible, to equal and he will be missed by the entire Nation.

You can measure the greatness of a man as much by what he has done as by the enemies he has made and the record in both of these fields by Lyndon Johnson has been monumental. As time passes, much of the individual criticism that befogs his record will dissipate and we can see more clearly the outlines of the new Nation he has been building.

Whether this is entirely the Nation any of us might have desired is beside the point. The details are not important. What is important is the deep concern felt by Lyndon Johnson for our youth, for our elderly, for our disadvantaged, for our uneducated, and for our underprivileged. He has embarked us on a course of compassion that cannot be altered.

His heartbreak—the unresolved war in Vietnam—has been our own. But the manful efforts he has made on the behalf of peace will silence and erase those who tried to paint him a man of war.

Already we can see that the verdict of history will be far kinder than has been the strident opinion of those who marched close beside him, and who tried to destroy him.

Lyndon Johnson and his wonderful family are returning to Texas. There they will receive a rich, warm welcome. Those who remain behind him here in Washington will miss him greatly. The world will never forget him and will not soon see a man who can match him.

Mr. FRIEDEL. Mr. Speaker, to fill the high office of the President of the United States is to be assured a place in history. But to fill the hearts of a nation with gratitude for what was accomplished by an incumbent of that office is even more important.

In the history of our great Nation there were up to today, 37 Presidents. Few people can name them all and most people can name but a few who achieved greatness. Washington, Jefferson, Jackson, Lincoln, Wilson, Roosevelt, Truman, and Kennedy are the best remembered. I believe that the verdict of history will be that Lyndon B. Johnson is to be included among this select group, not because he is the most recent, but for his truly superb accomplishments to make this Nation of ours an even greater and better country than ever before.

Some people might call President Johnson the "war President" without remembering that he inherited the Vietnam war. However, it should not be forgotten that he did declare total war on poverty, on deprivation, on disease, and on ignorance. He pointed the way to fight those evils and ills that have persisted for generations and the Congress followed his leadership and helped to forge appropriate weapons to be used to combat such afflictions.

Medicare, medicaid, financial assistance for all levels of education, equal rights and equal justice for minority groups, consumer protection, some control of firearms, conservation programs, and other measures, are but a few of these weapons in our arsenal to be used to create a better and healthier America.

Those who might mention Vietnam should remember had he not acted to keep our foreign commitments and if the evil forces of communism had made gains in the Far East, in Malaya, in Thailand, in Burma, or elsewhere what would historians have said? At present it is too early to render a completely objective evaluation; but we do know that peace was his sole objective at all times. Happily it seems this conflict will soon be resolved and peace restored to that sorely troubled part of the world, largely through his efforts.

We shall never forget the shattering tragedy of the day 5 years ago when President Kennedy fell, a victim of an assassin's bullet and a great man was cutdown in his prime. Fortuntely for our country and for the world, Lyndon Baines Johnson was our Vice President who immediately took over and helped a grief-stricken Nation pull itself together. Here in that exalted office he exercised the lonely responsibilities and arduous duties that fall upon the head of our country.

No one can deny that President Johnson tried as hard as any man who ever occupied the White House to do what his brilliant and alert mind and his immensely compassionate heart dictated to be in the best interest of the United States and its people. At all times he sought the greatest good for the greatest number. That he was inspired by the noblest motives can be gathered from his indefatigable endeavors on behalf of the poor, the sick, and the disadvantaged.

As the Nation's leader in the conduct of our international relations, President Johnson sustained the hopes for progress for free men and peace for all mankind. I need but mention our agreements with the Soviet Union to begin discussion on limitations of all offensive and defensive weapon systems and banning proliferation of nuclear weapons.

At the same time Lyndon Johnson brought to the office of President the experience of more than 20 years service on the House and Senate Armed Services Committees. He worked tirelessly to make clear to all the world that America's ultimate goal is the attainment of genuine world peace.

President Johnson merits full well our recognition that through his leadership our land enjoyed an unprecedented period of prosperity with record lows of unemployment.

In his youth, Lyndon Johnson was a teacher and in his years as President, he made education of the people a matter of overriding importance. The many laws enacted during his terms of office bear eloquent testimony that education in the United States will reach a new high due to his efforts.

President Johnson said:

> Good health is the birthright of every American. Let us leave none behind.

In implementing this statement, the Congress enacted 40 measures to help heal the ill, protect the population against disease, and improve medical education and public health services, most of them strongly urged and supported by President Johnson.

To give new dignity to our ever increasing number of senior citizens, appropriate legislation was enacted. In the field of housing and urban development and for rural America, substantial gains were made possible.

In practically every area of human activity, progress was achieved through President Johnson's leadership to such an extent that he was unfairly criticized for attempting to do too much too fast.

I shall ever deem the most rewarding years of my life to be those which I had the honor of being a Member of Congress during the administration of Lyndon B. Johnson as President of the United States.

The years ahead, we all pray, will be kind to Lyndon Baines Johnson, for I am sure he will continue his interest in public affairs. May he enjoy many years of life, good health, and happiness. I join my colleagues in their best wishes to this truly great American and to his dear family. All Americans owe him a debt of gratitude which can never be repaid.

Mr. **KAZEN.** Mr. Speaker, the young, tall, and promising editor of the campus Star at the Southwest State Teachers College in San Marcos, wrote prophetically on February 1, 1928:

> The statesman is upheld in his forming of laws by a vision of ideal government. Behind all constructive work is a vision, a dream, a plan. It is the great compelling force that puts forth the first efforts of the worker that sustain him in discouragement and cheers him in consummation of the task. Vision is the soul of work.

Forty-one years later, almost to the day, this promising and prophetic Texas campus editor, Lyndon Baines Johnson, had just delivered his last state of the Union message to the Nation in a sentimental farewell to his beloved Congress—this was his last chapter on 37 years of loyal and faithful service to his country as a distinguished and extraordinary public servant.

I think that if one word would fit the compelling force of Lyndon Johnson, it would be vision, the dream that guided him. He often said that he could not go on without that dream, that hope for people.

Those of us who have known Lyndon Johnson well over the years—and I can recall his early political days and even his efforts in behalf of projects when he was NYA director in Texas—have seen a consistency of purpose in the man. He has, above all, sought to improve the lives of people. He has, in the years of his Presidency, shown a rare dedication to peace.

Lyndon Johnson served in the Presidency in the most trying of circumstances, more trying probably than any President since Abraham Lincoln. He was personally villified. He was cursed. He was castigated. And he was condemned. But, as we say in our part of the world, he "stayed the course" and he is being proven right. History will affirm it.

He put his desire for peace above his own political ambitions, refusing to become a candidate again in order that his actions in seeking peace would not be misunderstood. This same sincerity was apparent in his many programs. Some of these, the President admitted, have not been administered properly or shown hoped-for results, but the concept and the ideals and the vision which were reflected remain true. And his stamp as the President who passed more landmark legislation than any other will remain indelible. He was one of history's most outstanding Presidents, and one of history's most productive Presidents.

It has been my rare privilege to have worked with him even before my coming to Congress. I called on him many times after I came to Washington to represent the 23d district. He was kind in his advice and generous in his help.

We shall miss Lyndon B. Johnson—one of this Nation's truly great Presidents. Johnson is the Texan who was President for more than 5 years and whose presence was felt on the national scene for more than 3 decades as Congressman, Senator, Vice President, and President. Now he has returned to his beloved hill country in the Lone Star State, where he will be our neighbor.

There is now little doubt that historians will treat Lyndon Johnson's Presidency with a great deal more kindness than did many contemporary writers who just could not adjust to his Texas style and his Texas ways. Even these critics, in the final days of the Johnson Presidency, realized what a really magnificant job our Texas President had done when they took a retrospective view.

The President, in his last address to the Nation, said that some of his visions had not been fulfilled, some of his dreams had not come true—but many, many had, and he was grateful. Whatever history's judgment, he said, he believed that those who review his administration would say that he tried.

I want to add that I think, to a large degree, he succeeded. At times he made unpopular decisions, but none that he did not feel were in the best interests of his country.

I feel I speak for the vast majority of my constituents—and of Texas and the Nation—when I say: Thank you, Mr. President, for a job so well done. We will not say goodby but so long or, as we say in south Texas, Hasta Luego.

Mr. **OLSEN.** Mr. Speaker, there is probably very little that I can say in tribute to Lyndon Johnson that has not been said before, so considerable has the praise for this great President been. Still, at the risk of repeating what has already been said, I speak today in tribute to this man who has been so much a part of my life as a Congressman.

Lyndon Johnson has an understanding of the Presidency that many Presidents have not had. Certainly all have exercised the leadership inherent in the office to some degree and all have recognized the power that goes with the office. Some have chosen to use it while others have not. Lyndon Johnson, more than any other President, used the power that was his.

Lyndon Johnson sees the office as one vested with unlimited potential for leadership. In his turn he made full use of that potential. As President he was not only the practical leader of the country but the moral leader as well. No other President has tried so hard to rectify wrongs centuries old. No President has put his whole heart and the Nation's resources into the doctrine of giving the underdog a fighting chance. No President has ever given so much of himself to the thankless task of eradicating poverty, prejudice, and ignorance.

It is staggering, really, to contemplate the amount of Johnson-sponsored legislation that became law in the last 5 years. For the most part it was legislation that brought to fruition the social doctrines that have nagged at the Nation's conscience for two generations. Such concepts as equal rights for everyone, medical care for the needy and the elderly, a good education for all, decent housing, minimum wage, the list goes on and on. All these goals were implemented through the orderly process of legislation. They were brought to life by a leader who fully recognized that they could be accomplished in an orderly fashion. What greater comment on a single man's capacity for leadership can one make than by pointing to these monumental achievements that highlight Lyndon Johnson's search for a better life for his fellow men.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask that all Members desiring to do so may revise and extend their remarks, and that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FEDERAL-STATE PARTNERSHIP BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 30 minutes.

Mr. PICKLE. Mr. Speaker, today I am introducing a bill known as the Executive Reorganization and Management Act of 1969.

This bill is identical to one I sponsored late in the session last year, and I am pleased to say today that a number of cosponsors have joined with me in this bill, which takes a genial Hoover-type approach.

With three exceptions, the bill is identical to a measure which passed the Senate late last year. The original Senate bill provided that a study commission be created to find ways to improve the efficiency and economy of the operations of the executive branch. In this sense, the bill is not unlike numerous other measures which have been introduced over the past few years.

But I have added three new items to the original Senate bill and have attempted to address the growing concern for improved Federal-State relations.

In briefest terms, the three new additions to the bill will direct the study commission—

First, to evaluate the effect of Federal assistance programs and activities on the interrelationship of Federal, State, and local governments;

Second, to consider and make recommendations on ways to simplify Federal programs and services through utilization of a mixture of categorical grants-in-aid, bloc grants resulting from consolidations of existing specific grants-in-aid and general support payments; and

Third, to evaluate the merits of administering through a single State agency for each State, all Federal aid programs which benefit a general functional area.

As is indicated from my remarks up to now, the bill actually has two distinct but related points. They are, first, to try to find ways to improve the operations of the executive branch of the Government and, second, to attempt to find ways to promote and improve Federal-State relations.

On the first point, I would like to say that I am not in agreement with those who feel that the operation of our Government has gone to ruin. I do not agree with those who say that in order to increase the efficiency of our Government, we must largely reduce the size of it.

This is not going to happen. There is an increasing need for governmental services, and rather than concentrating our efforts on unrealistic approaches, we should be finding ways to combine, simplify, and streamline our efforts.

Comparing our past performance with the size of the operations undertaken, I believe that the record to date is generally a favorable one. Certainly, I am not by this bill criticizing any person or office. In fact, if criticism were to be made, we in Congress would be among the first to come under scrutiny in connection with our administrative oversight responsibilities under the Reorganization Act of 1946.

It is not, in my view, responsive to the problem merely to say that because there are so many programs the entire system is bad. The point is that we have done so much over the past 30-odd years, and we have built so many new areas of endeavor, that we now must continually strive to examine the efficiency and effectiveness of the administration of the programs.

Mr. Speaker, the second major point of my bill deals with Federal-State relations. As I indicated earlier, I believe this topic is related to the question of the operating efficiency of the executive branch, since we seem to be moving to the point at which our State and local governments are willing and able to assume a greater role in administrating programs.

A great deal of valuable, productive work has already been done in the field of Federal-State relations.

In 1965, President Johnson designated the Director of the Office of Emergency Planning to serve as liaison officer with the Governors for the purpose of establishing and maintaining better understanding, cooperation, and communication between the President and the State governments, and between the executive agencies of the Federal Government and the State government.

Also, over 10 States, mostly the larger ones, have established their own offices in Washington to improve the reciprocal flow of information between State government officials and their Washington counterparts.

The Advisory Commission on Intergovernmental Relations has continually performed valuable research chores in the field, particularly in their 1968 study recommending a more varied approach in Federal financial assistance programs.

And, even last year under the guidance of my distinguished colleague, the gentleman from Minnesota (Mr. BLATNIK), Congress passed the Intergovernmental Cooperation Act of 1968 providing, basically, that each State government be given a more complete understanding of the Federal programs being channeled into their State, as well as a stronger voice in assuring that these programs do not conflict with existing State programs.

All of these steps have been good. But they point the way to a need for even more changes, and judging from the sentiments I increasingly have heard expressed over the past several years, we certainly are moving in this direction.

I believe that one of the soundest ways we can both improve the operation of our Federal Government, and promote our relations with the States is to give the States a greater responsibility in administering many of our programs.

In many cases, I believe the States can do this job. And in some ways, since they are geographically closer to the needs served by the programs, they may even do it better.

During the adjournment this last fall, I was fortunate to have the opportunity to visit in Austin, Tex., with a diverse group of men interested in the relations of the States with the Federal Government. This group included representatives from the Governor's office, from university faculty, from the field of journalism, and from nonprofit research foundations.

There was almost an unanimous agreement among this group that more should be done to involve the States in the operation of programs.

There was an uneasiness about the difficulty in obtaining information about Federal programs and in making proper application for them.

Last year when I remarked upon introducing this bill, I noted that there were increasing examples of the same kind of assistance being available through different Federal agencies, with each program having different requirements and priorities.

One of the examples I cited concerned the fact that a town may obtain water and sewer assistance either under HUD or under the Farmers Home Administration.

The hypothetical example I gave then came into sharp focus last month when years of local effort to obtain Federal assistance proved to have been an exercise in futility.

A small community in my district over 3 years ago decided on its own to seek out assistance for a water and sewer project. They first went to the Farmers Home Administration and submitted an application. FHA eventually decided that the community fell under the metropolitan umbrella of a larger nearby town, and forwarded their application to HUD.

The Department of Housing and Urban Affairs required that the application be reworked—which was done. Then HUD directed that the community would have to appoint a local water and sewer authority—which was done. Finally, the community's plan did receive a workable program approval, but funds for the fiscal year had expired.

By the time funds were available late in the following fiscal year, the community was notified that their workable program had expired and that funding would be withheld until a recertification could be issued.

This last straw broke the community's back. The local authority fell apart; the local citizens became disgusted with all the efforts; and the community is still without a water or sewer system.

It is for this reason that I have included in my bill a provision asking that the study commission consider the possibility of having a single administrative State office in each State to coordinate similar programs available through several Federal agencies. In this way, a small community, such as the one mentioned above, would not have to exhaust its resources merely in the preplanning stage. They would have available a single office where they might present their problem and receive complete, accurate advice.

Initially, perhaps this office may be merely informational in nature. But eventually, I see no reason why such an office could not assume even more of the administrative tasks, including the balancing and priority-fixing among competing applications.

In further connection with the Federal-State relations aspect of the bill, I would call your attention to that portion of the bill asking for specific recommendations on the possibility of using more types of grants in distributing Federal assistance. I feel that the method in which assistance is rendered plays a large role in determining the character of the administering State office.

We have already made some progress toward implementing categorical general purpose grants, and perhaps some day we will see bloc grants, or some revenue sharing with the States. We have not gone to this extent yet. But finding the best combination of these methods will be one of the objectives of the study called for in this bill.

It is timely and important that we consider these issues. In my estimate, the two questions of the efficiency of the executive branch and of Federal-State relations are closely related, and I feel they should be considered together.

Our long-range goal will be to provide the simplest, soundest method of government—not just at the Federal level, but all across the board. What we do here in Washington has a strong influence on other levels of government. We must realize this fact, and seek to strengthen the partnership among our governments. If we do this, I believe we all will find things greatly improved.

A TRIBUTE TO DEAN RUSK, 54TH SECRETARY OF STATE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. MORGAN) is recognized for 15 minutes.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MORGAN. Mr. Speaker, in a few days, Dean Rusk will leave the Office of Secretary of State, an office which he has occupied for 8 years. I would like to express in some small measure today the gratitude which I personally feel, and which I believe the country owes, to this extraordinary American and public servant.

Of his 53 predecessors as Secretary of State, only one—another great American, Cordell Hull—will have carried for a longer term the heavy burdens of our senior Cabinet post. In fact, on January 20, Secretary Rusk's tenure will be second only to Secretary Hull's, for he will have served 1 day longer than William H. Seward and 4 days longer than Hamilton Fish, both of whom held their commissions when our foreign affairs were less extensive and less complicated than they are today. A half-century before that, James Madison and John Quincy Adams came to within 2 months and 6 months, respectively, of 8-year terms. Of all the 48 other Secretaries of State, not one remained in office for as long as 7 years, however calm, however uneventful their service may appear in the hindsight of today.

The average term of office for a Secretary of State is little more than 3 years. This high turnover is a telling reflection of the demands of a position which a Rockefeller Foundation study, a few years ago, concluded was "an almost impossible office."

It is instructive to compare the long Secretaryships of Dean Rusk and Cordell Hull. For even though Mr. Hull's term included most of World War II and the eventful years which immediately preceded it, it is doubtful whether his responsibilities were so painfully exacting, so impossibly intricate, as they have become just a single generation later.

For most of his term of office, Secretary Hull had to conduct relations with fewer than 60 nations, which compares with more than 120 today. Hull could draft his own messages to our Ambassadors abroad; while now a thousand telegrams, each signed "Rusk," leave the Department of State on every working day. Secretary Hull could meet the needs of the information media by talking to a small group of reporters in his office, sometimes merely assuring them that matters they raised were "under active consideration." Today, Department spokesmen face scores of newsmen at daily news briefings, and Secretary Rusk has spent a large fraction of his time under the bright lights of television and newsreel cameras, at jam-packed press conferences, and in a variety of other forms of dialogue with the public. While Secretary Rusk has traveled nearly 850,000 miles on the duties of his office, mostly by jet airplane, Secretary Hull took his first airplane trip in 1943 after 10 years on the job.

These are some outward signs of the enormous changes in the world in the few short years between the Roosevelt and the Johnson administrations—changes which have multiplied geometrically the difficulties and the dangers confronting a President and his Secretary of State. Since 1944, when Hull left office, we have entered the nuclear age. Only the last three Presidents, and their three Secretaries of State, have had to live with the realization that the price of error could be the end of a civilization. Since 1944, we have seen a world war of massed armies give way to a persistent and intractable cold war, with its recurrent outbreaks of so-called "wars of national liberation." We have seen scores of former colonies emerge as independent nations, with an array of urgent problems and urgent demands on the more developed countries, and in particular on our own. We have seen the rate of population increase rise so drastically that the resource of birth has become a threat to our very existence.

And the same scientific and technological skills which took us in these years from the propeller-driven aircraft to the space capsule and manned voyage to the moon have caused such abuse to our national environment that they may have created still another threat to the survival of the human species. In the light of these awesome problems, one wonders whether Secretary Hull or any of his predecessors would have been willing to exchange his cares for those of Secretary Rusk.

It should go without saying that this comparison in no way diminishes the achievements of Cordell Hull, whose distinguished place in the diplomatic history of this country is secure. Quite to the contrary, my purpose is to illuminate, by comparison with the great stature and achievement of a Cordell Hull, the size of the load which Dean Rusk has carried, and the significance of his own outstanding achievement.

It is scarcely an exaggeration to say that the 8 years since January 21, 1961, when Dean Rusk entered on duty as Secretary of State, have been years of almost unrelieved crisis. As one indicator, Secretary Rusk's staff computed more than a year ago that there had been some 64 changes of government by coup d'etat during his term to that date; and there have been a half-dozen more since then. As he took the oath of office, war was already in progress, in Southeast Asia, and spreading—a fact which too many perhaps are prone to forget. In Europe another Berlin crisis lay ahead. In the Congo an incipient civil war was building, which could have been used to create a Communist beachhead for operations throughout Africa. In Cuba, the new Castro government talked openly of inciting rebellion throughout the hemisphere. In the Middle East, Soviet intervention was stirring the coals of regional hostilities and increasing the danger of outbreaks which could lead toward a confrontation of nuclear power.

In 1961 Nikita Khrushchev was threatening that "hundreds of millions of people would die in a nuclear war" unless the West signed a peace treaty with East Germany or got out of West Berlin, in a test of the courage and competence of the new young American President and his Secretary of State. In 1962 the Soviet effort to implant in Cuba nuclear-armed missiles capable of wiping out many American cities had imposed on the world the most dangerous moment of confrontation in history. For a week, Secretary Rusk and a very few other men in Washington and in Moscow lived in uncertainty whether either capital would awake to the next day's dawn.

Since that time, we have had crises in Panama, in the Congo, in the Dominican Republic. We have had war in the Middle East, and the threat of war between NATO allies over Cyprus, a threat which American diplomacy was instrumental in averting. We have had the continuing agony of the Vietnamese war, including a period in 1965 when South Vietnam all but succumbed to the combined pressure of the Vietcong and the North Vietnamese Army. Most recently, we have the crisis in Eastern Europe caused by Soviet invasion of Czechoslovakia, and by the Soviet Union's assertion of a right to intervene at will in the smaller countries of the Communist camp. And these recurring crises are only the more visible and dramatic fraction of the vast scope of our foreign relations—a work which now involves for example some 600 multilateral international conferences and more than 200 new international agreements in the course of a year.

In sum, it would be hard to devise a more rigorous test of physical and spiritual stamina than the past 8 years have imposed on the Secretary of State.

In these punishing conditions, what have been the achievements?

Perhaps the best answer is the one Dean Rusk himself has given when the question has been put to him. The most important achievement, he says, is the fact that we have extended by 8 years the period in which there has been no nuclear exchange. This statement suggests the grim challenge of the time as vividly as it does the modesty of the man.

In the last 8 years, we have added no new alliances to the defense commitment of the Nation—another fact too often forgotten by critics of our foreign policy. But our Government and its Secretary of State have stood firmly behind the pledges and alliances made in earlier years; and no nation or people which had put its trust in us, has lost its land or its liberty in these years of ever-present danger. In Berlin, in Korea, in Southeast Asia, and elsewhere, we have continued to demonstrate our belief that an enduring peace can come only through cooperative effort by law-abiding nations, and that potential aggressors must be left in no doubt of the determination of the United States and its allies to defend their vital interests.

If the effort for collective security has been a hallmark of these 8 years, an active and tireless search for more positive approaches toward peace has been equally marked. No man has worked harder to lower the temperature of East-West exchange and to explore every possible avenue of agreement than Secretary Rusk. During his term, the phrase and the idea of "bridge-building" to the East have entered into common currency.

Despite the crises, important steps have been taken to reverse the cold-war trend and to make a start toward arms control. We have negotiated a Consular Convention and a Civil Air Agreement with the Soviet Union, and have worked to make possible increased trade with Eastern Europe. More importantly, we have put into effect a Nuclear Test Ban Treaty, which greatly curtails the atomic pollution of our environment. We have put into operation a "hot line" between Washington and Moscow, to reduce the danger of war by miscalculation or misunderstanding. We have joined in a treaty prohibiting the placement of weapons of mass destruction in outer space, and in another treaty which, when ratified, will prevent the proliferation of nuclear weapons among presently non-nuclear nations. We have agreed in principle with the Soviet Union to discuss the limitation and reduction of strategic missiles systems, both offensive and defensive—a development which could be the turning point in the arms race which so taxes and threatens us all. In no other period has more been done, or perhaps so much to bridge the gulf which has separated East and West for a quarter of a century.

In this hemisphere, the past 8 years have brought inter-American cooperation to its highest achievement. The great effort of the Alliance for Progress has been launched and has surpassed its initial goals; above all, it has helped to create new attitudes and hopes which are the key to a still larger success. We have worked successfully to strengthen the Organization of American States. In the Dominican crisis of 1965, action by the OAS led to restoration of order in that country, and made possible what is now by far the longest period of freely elected constitutional government there since the 1920's.

Castro's Cuba has been progressively isolated, politically and economically, and Communist guerrilla movements have been dispersed or increasingly contained in Bolivia, Colombia, Venezuela, and elsewhere, to free the energies and resources of the Americas for productive attack on the pressing problems of their peoples.

In Western Europe, we and our Atlantic allies have overcome the massive problems caused by the French decision to withdraw forces from NATO and to ask for NATO's removal from France. The transfer of military headquarters to Belgium, the Netherlands and Germany was smoothly effected; strategy was updated and made more flexible, and the responsibilities and difficulties of nuclear planning have been shared. Today the north Atlantic partnership is more vital and effective than ever before. In addition, our efforts for more equitable sharing of the burdens of assistance to the developing countries have been so successful that several European countries now contribute a greater proportion of their national income to foreign aid than we do.

In Asia, the situation has been transformed, in part by American sacrifice and resolve. Eight years ago, the war in Southeast Asia was widening, and many wondered if Communist China's way indeed was the wave of the future. Today, it has been demonstrated that the United States and its Asian-Pacific allies are not going to allow Southeast Asia to be overrun by force; and, in the last 2 years, the military and political situation in South Vietnam has sharply improved. As a result, confidence has been spreading throughout non-Communist Asia. Indonesia, which was on the brink of collapse under Communist pressure and intrigue, has reversed its course, and under enlightened leadership is working energetically to lay foundations of progress. Economic growth rates at a booming 7½ to 8 percent and more are being recorded in Thailand, Korea, Taiwan, and Japan. The new Asian Development Bank is a going concern; the Asian and Pacific Council, and the Association of Southeast Asian Nations, have both got off to promising starts, in a kind of regional cooperation never before known in the area. The pace of progress is quickening, and an exciting new era has begun.

In Africa, too, we have made a positive contribution to progress through our aid, information and Peace Corps programs. We have played an important role in the efforts for peace in the Congo and Nigeria, in the relief of suffering in the Biafran-held area of Nigeria, and in encouraging the nations of the continent to work together, through such channels as the Organization of African Unity, to seek African solutions to these African problems.

In Secretary Rusk's term we have been leaders in support of the peacekeeping and development activities of the United Nations. Many other important American contributions to the international community during Secretary Rusk's term could be mentioned.

I recite these achievements by our country in no spirit of partisanship. I recognize, too, that we have had our share of mistakes and reverses along the way. But I hope I have said enough to indicate what I believe to be the essential fact; namely, that our country in these years has met its international responsibilities in a manner, and to a degree, in which every citizen can take pride. And in this difficult task, for 8 years under two Presidents, the man in the middle of the action has been Dean Rusk.

The work that Dean Rusk has done is no more admirable than the way in which he has done it, and the kind of man he has shown himself to be.

Very soon after he became Secretary of State it began to be written and said that he was "the most professional" of the men who have held this office. I agree. His performance reflected the skills he had acquired under three previous Secretaries: James F. Byrnes, George C. Marshall, and Dean G. Acheson. It reflected the breadth of his knowledge and the clarity of his thinking. And, not least, it reflected certain personal qualities. Among these are:

Courteousness: He has always been a gentleman—and one particularly considerate of his colleagues. In his relations with friends and adversaries alike, he has been impeccably courteous.

Restraint: He has preferred understatement to overstatement, quiet thoughtfulness to flamboyance, prudence to venturesomeness.

Steadfastness: He has been steady on course; he has stood firmly for the policies and programs which he believes would best serve the national interest.

Composure under fire: No public servant of our time has kept his temper more successfully under severe provocation. It was only half a joke when a cartoonist depicted a man awaking from a nightmare, terrified that Dean Rusk had "lost his cool."

Discretion: He has been not only prudent and tactful but scrupulous about preserving the confidences essential to the successful conduct of government and diplomacy. He has never been the source of an embarrassing leak.

Patience: He once said that diplomats need "patience almost to the intolerable point." He has shown it.

Dedication and integrity: Just as clearly as was the man he long ago chose as his model, General Marshall, he is a man of the highest integrity, a selfless patriot, completely dedicated to the security and welfare of the American people.

As Secretary of State he has worked long hours, often well into the night, 6 and 7 days a week. His annual leave has never been longer than 1 week. His stamina is remarkable.

Yes, he is a truly selfless man. In circumstances which would cause another Cabinet officer to resign or to return the fire of irresponsible critics and rumormongers, Dean Rusk has done neither. What is important to him is not his personal "image"; it is "the way the story comes out," as he puts it—for the United States and for the world.

With these qualities Dean Rusk combines historical perspective, an encyclopedic knowledge of world affairs, and a remarkable capacity for quick but balanced analysis.

From the professionals in this Government and others—friendly, neutral, and unfriendly—he unanimously and unreservedly has won the highest respect as a diplomat.

In the Congress, after some 500 hours of consultation in his 197 formal appearances as Secretary before our committees—and many, many other contacts—we have come to appreciate Dean Rusk's candor, his respect for the legislative role in our foreign relations, and his practical and persistent effort for close and friendly working relations between the two branches.

Even Members of Congress who have disagreed with him on matters of policy have recognized his integrity, professional competence, and high motives. In 1966, 34 members of the Foreign Affairs Committee joined in signing a special "Resolution of Commendation and Esteem" attesting to his "great ability as a public servant, a diplomat and statesman of the highest order" and urging him to remain in office as Secretary of State.

An appraisal of Dean Rusk's service as Secretary of State would be incomplete without a word of appreciation for the contribution of his wife, Virginia. No wife of a Secretary of State has ever worked harder than she has. She has faithfully attended embassy dinners and receptions and is a charming hostess. Many hundreds of womenfolk in the diplomatic missions in Washington have come to regard her as a warm personal friend.

To come to know Dean Rusk, as I believe the country has gradually come to know him, is to be reassured about this Nation and its future. No Secretary of State has done more to keep clearly before us the enduring purposes of the American people. Nothing is more important to our foreign relations, he testifies, than the kind of society we are striving for at home. He has been a stalwart champion of human rights and fundamental freedoms. He has always remembered that since its birth the United States has been committed to those rights and freedoms. He recently said that he was leaving the Secretaryship of State profoundly convinced that the great ideas set forth in the first part of the Declaration of Independence—such as that governments derive "their just powers from the consent of the governed"—are the most powerful political force in the world.

His paramount purpose, the overriding objective of American policy as he has envisaged it, has been peace—the organization of a reliable peace safe for free institutions. He often has said that every action proposed by the Department of State should be tested by whether it would contribute to building a lasting peace. In his words, our goal is "the sort of world community sketched in the preamble and articles 1 and 2 of the United Nations Charter—a world of independent nations, each with the institutions of its own choice, but cooperating with one another to promote the mutual interests of their citizens; a world free of aggression, a world in which human rights are secure; a world of better life for all of mankind."

Though a man of vision, Secretary Rusk is no visionary. Real peace is not a slogan, he warns; it has to be worked for—in his phrase, "organized."

It demands a continuing effort of cooperation with many others; it exacts a price which can be high. In a time when too many statements about peace offer more propaganda and rhetoric than reason, Dean Rusk asks us to face the central question of our time: By what concrete steps do we achieve peace and preserve it in a dangerous world? He believes, with the Charter of the United Nations, that the maintenance of international peace requires conciliation and cooperation, but also readiness to use force to suppress acts of aggression and other breaches of the peace. He has asked: If we are to abandon the collective path to security which we have followed for 20 years, what better alternative do we now have ready to replace it?

He has also been keenly interested in the consequences to international relations of the ever wider and more rapid advances in science and technology. He has seen in these advances both enlarging opportunities and urgent requirements for cooperation across national frontiers and ideological boundaries in the interest of the survival and well-being of man as man.

Power implies responsibility, he reminds us, and an America of great power and wealth cannot but be an America with great responsibilities. But if we meet those responsibilities, we can move into the future with confidence for "we are moving in the right direction," and "the goal we seek is the goal of a great majority of mankind." "Peace cannot be had merely by wishing for it—an enduring peace in which free societies can survive and flourish requires infinite patience and perseverance." No man has demonstrated more patience and perseverance in its pursuit.

These too are surely times that try men's souls; and few have been more sorely tried than our Secretary of State's. He himself would not find this remarkable. He once said:

> Of course there are burdens to bear, but who ever thought that there were not burdens to be borne for freedom? And who ever thought that a decent world order could be built without effort?

No Secretary of State has borne a heavier burden than Dean Rusk. As he leaves office after 8 trying and momentous years, I feel sure that colleagues on both sides of the aisle, and the American people generally, will wish to join me in a heartfelt expression of gratitude to our 54th Secretary of State: for his splendid personal qualities, for his unsurpassed skill as a diplomat, for his selfless service to his country, for his eloquent vision of the peaceful world we seek, for his stalwart defense of liberty, for his inspiring faith in the dignity of man.

At this point I would like to close my remarks by reading an editorial which appeared in the January issue of the Foreign Service Journal, reflecting the views of the professionals of the Foreign Service:

FAREWELL TO SECRETARY RUSK

When Dean Rusk surrenders the seals of his high office on the 20th of this month, he will have served longer as Secretary of State than any of his predecessors except Cordell Hull. Eight years ago he remarked that during his tenure the Foreign Service and the Department of State would be his "constituency." We are proud to have been both his constituents and his colleagues. He leaves with our best wishes for the peace and happiness he so richly deserves in the years ahead.

The Service will remember Secretary Rusk with admiration and respect. No chief could have set higher professional standards for those whose life work is the conduct of the Nation's foreign affairs. The great personal qualities that have so distinguished his performance as Secretary of State are, after all, the qualities of the diplomat; patience, perseverance, composure, integrity, loyalty and courage under fire. As a true professional himself, he has been a superb representative, negotiator and spokesman for our country.

We will also remember Dean Rusk for the courtesy and consideration with which he treated those who worked with and for him. He has brought to his office the dignity it deserves—but dignity without pretension or affectation. With all the immense pressures on him, he has somehow been able to carry himself with calm steadiness and unfailing good spirit. Many in the Service, high and low have been touched by the Secretary's kindness and warmth. For this he leaves with our gratitude and affection.

These sentiments apply equally to his wife. In the best tradition of our Service, Virginia Rusk has given unsparingly of herself to help her husband. No Service wife has ever worked harder or with more devotion—and none has made so many friends for the United States in the process.

We wish them both Godspeed.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Mr. Speaker, I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania for yielding. I compliment him on this fine tribute to a great American. No one is in a better position than the gentleman from Pennsylvania to assess the importance of the office of Secretary of State or to describe the arduous duties of that office in this era of our history.

I join the gentleman from Pennsylvania in his belief that Dean Rusk is one of our greatest Secretaries of State. I take personal pride in the fact that I have known Dean Rusk since 1931. I knew him as a student. He was outstanding then as now. I join the gentleman from Pennsylvania in wishing Dean and Mrs. Rusk Godspeed and a well-deserved rest.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from Pennsylvania (Mr. Fulton).

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to rise with my good friend and longtime associate, Congressman Thomas Morgan, on a nonpartisan basis, to give testimony to the fine service U.S. Secretary of State Dean Rusk has given to the country and to the American people. These 8 years have been difficult, discouraging, and challenging—prewar, wartime, and postwar years for many countries, particularly South Vietnam, South Korea, and the United States.

It is a pleasure to remember that on two separate occasions I have seen the Members of the House at the finish of meetings consulting with Dean Rusk on Vietnam, twice on Capitol Hill and in the East Room of the White House, rise and give Dean Rusk a standing ovation. This is bipartisan support and teamwork in times of war, in the best sense. Secretary of State Dean Rusk has worked hard for the good of our country in one of the two most difficult jobs in the word in this era. He has represented the United States abroad and at home with a quiet dignity and a calm strength that reveal sound philosophy and good judgment.

As a longtime Member of the House Foreign Affairs Committee, I have been present on many occasions when Secretary Rusk testified before our committee. His presentations have been well prepared, concise, and directly stated. I have always admired Dean's quiet good humor combined with an unflappability that has given us all patience in trying and adverse times. To have been part of the bipartisan U.S. foreign policy team under the leadership of Secretary of State Dean Rusk has been rewarding to me, beyond words or price, in our service to our good country, and for the security of our American people.

For Secretary of State Dean Rusk's tenacity, his courage, and his personal devotion to the service of the people of the United States, we Americans owe a vote of thanks to Dean Rusk, one of the outstanding Secretaries of State of all times. We many friends join in wishing Dean and his lovely wife well as he returns to his work with the Rockefeller Foundation.

PROPOSED REVISION OF BAIL REFORM ACT OF 1966

(Mr. McCULLOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. McCULLOCH. Mr. Speaker, on Thursday of last week, the minority members of the Committee on the Judiciary along with eight members of the Republican task force on crime and our minority leader, the gentleman from Michigan (Mr. Gerald R. Ford), joined with me in introducing a bill, H.R. 2781, which would revise the Bail Reform Act of 1966. The comprehensive measure would permit Federal courts to order limited pretrial detention of persons charged with crimes who pose a danger to the community.

In these stressful times of increasing crime rates, this bill would give to the Federal courts a significant tool to cope with the problem of providing the utmost safety to the community while honoring the basic rights of the accused.

Of course, this measure raises questions of a highly complex and controversial legal nature. For this reason, I believe it would serve a useful purpose to insert here in the Record a memorandum to which I referred in my remarks in the Congressional Record on Tuesday of this week. This analysis of the constitutional and policy issues involved in the proposed revision of the Bail Reform Act was prepared for me by the minority staff of the Committee on the Judiciary. The memorandum follows:

PREVENTIVE DETENTION AND THE CONSTITUTION

THE EIGHTH AMENDMENT

While the Eighth Amendment states that "excessive bail shall not be required", it does not explicitly provide a right to bail. The Supreme Court has not ruled squarely on the question of absolute right to bail, probably because federal statutory law has provided that right. Thus, the constitutional question has been avoided. The nearest the Supreme Court came to deciding the issue was in 1951 in *Stack* v. *Boyle,* 342 U.S. 1, where the Court based the requirement that bail be granted on the statutory rather than the constitutional right, and noted that under statutory law, the only purpose for bail was to assure the appearance of the accused. During the same term, the Court also decided *Carlson* v. *Landon,* 342 U.S. 524 (1954), where the Court suggested *in dictum* that the prohibition against excessive bail applies only in cases where the judge exercises his discretion in granting bail at all. That reasoning was supported by the Court's notation that bail has historically been denied in capital cases. The Court explained that the English Bill of Rights Act, the basis for the Eighth Amendment, was never thought to provide a right to bail in all cases, but merely that "bail shall not be excessive in those cases where it is proper to grant bail." The Court went on to note that the Eighth Amendment does not say that all arrests were bailable and that the legislature may define the class of cases in which bail shall be allowed. Those few words of guidance seem to be all that the Supreme Court has given us on the subject.

In a somewhat related case, *Carbo* v. *United States,* 82 S. Ct. 662 (1962), Justice Douglas, sitting as a circuit justice on an application for bail pending appeal, held that demonstrated danger of harm to a witness who would testify at the new trial if the appeal were successful justified the denial of bail. It should be noted that the right to bail on appeal may be somewhat different than the right to bail prior to conviction, but, as the ABA report argues, where the denial of release turns on the safety of witnesses, the distinction between release prior to trial and after trial "becomes somewhat tenuous". Although it is not crystal clear that pre-trial detention is without constitutional question, it does seem crystal clear that such preventative detention is not clearly unconstitutional.

DUE PROCESS

In addition to satisfying Eighth Amendment requirements, pre-trial preventative detention must also satisfy constitutional due process. Due process, however, is a concept not easily described. It is perhaps helpful to examine what kind of detention satisfies due process in somewhat analogous situations. In cases where the granting of bail is a matter of discretion rather than of right, detention does not offend due process. Thus, in capital cases where pre-trial release is discretionary, prior detention does not violate due process. Similarly, detention of those who are incompetent to stand trial and of those undergoing civil deportation proceedings does not offend due process. Moreover, considerations as to potential dangerousness to the community have been recognized as valid bases for such detention.

It is clear that due process does not require a conviction as a condition precedent to detention or interference with liberty. Probable cause is sufficient to arrest and detain persons for the temporary period necessary to effectuate such arrest and necessary to process the arrestee within the judicial system. Furthermore, due process does not require the release of persons whose probable return for trial cannot be assured. With those distinctions in mind then the crucial question comes into focus. Since there is no absolute prohibition on detention not pursuant to conviction, and since such detention, under certain circumstances as seen above, is permissible, then under what additional defined circumstances can limited prior detention satisfy due process? Therefore, it seems to be merely a question of legislative wisdom translated into precise language carefully defining those circumstances and carefully limiting them to reasonable necessary implementation of the administration of justice.

This view is further supported by the fact that courts possess the inherent power to safeguard the judicial system. Courts may revoke bail if defendants threaten witnesses to the detriment of justice. (*Carbo* v. *United States, supra*) Courts may compel attendance of defendants in courts even if detention is required to do so. Courts must necessarily possess the power to assure the orderly operation of the judicial system.

In the last analysis due process is that which is reasonable. It is that balance between the individual and society and their respective rights and interests. To draw a distinction between detention to prevent flight and detention to prevent further criminal conduct and detention in capital and certain civil cases set out above is rather tenuous. In each instance detention is not based on conviction but is in fact prior to conviction. In each instance detention is based on predictions of future conduct. Thus, each prior detention should stand in the same posture of satisfying due process.

A reasonable conclusion to be drawn from the foregoing is that of the ABA one that it "seems likely that a limited provision carefully hedged with adequate safeguards would survive attack."

PROPOSED BAIL REFORM ACT AMENDMENTS

The accompanying draft bill would have the effect of amending the Bail Reform Act of 1966 (P.L. 89–465) to allow the courts, including the U.S. Commissioners, greater discretionary power in dealing, prior to trial, with persons charged with crimes.

The most far-reaching aspect of the amendment is the provision for preventative detention. Under the proposal, when a defendant is charged with a crime, the judicial officer could take into consideration whether or not such person poses a danger to the community or to persons or property in the community in determining conditions of pretrial release. When no condition can be applied that will assure either return for trial or safety to the community, the judicial officer is empowered to detain persons charged with certain specified crimes (including crimes of violence, narcotics or crimes committed while on pretrial release).

When such detention is ordered, the judicial officer shall set forth in writing the grounds or reasons for such detention, shall order the defendant's trial to be expedited and shall include in the order provisions assuring the defendant a reasonable opportunity to prepare for this trial. The order shall also provide that if the defendant is not tried within 60 days and the defendant is not responsible for the delay, he shall be released on such conditions as the judicial officer may, in his discretion, impose.

Similarly, persons released pre-trial under the Bail Reform Act who are subsequently charged with committing a crime during such release period shall have their release reviewed, and if no condition of release set out in the original Bail Reform Act will assure either the defendant's return for trial or the safety of the community, he may be detained. Note that any crime committed while on release may result in revocation of release and subsequent detention whereas only certain specified crimes may result in original detention. Also, persons violating conditions of release are subject to the same review, determination and possible detention. Persons detained as a result of release revocation or violation of release conditions are also guaranteed the same safeguards as those who are originally detained.

The proposal further provides that persons who are ordered detained, either originally or by revocation of release, may immediately move the court of original jurisdiction over the offense (the District Court) to amend the detention order. If, after such motion is determined, the defendant continues to be detained, an immediate right of appeal is provided.

An additional amendment suggested by the Hart Committee provides that in capital cases or on appeal after conviction, where persons are detained, the standard for review of the detention order shall require affirmance of the order if it is "supported by the proceedings below". This conforms with the existing standard applicable to appeals from § 3146 detention.

Another Hart Committee recommendation included in the draft creates a rebuttable presumption that persons who fail to appear when released under the Act will be presumed to have *willfully* failed to appear.

The Hart Committee also suggested that the provision be included that terms of imprisonment imposed for failure to appear or for a crime committed while on release should run consecutively with any other term of imprisonment.

The Hart Committee also recommended that persons convicted of an offense while released under the Act should be sentenced to an additional term of imprisonment of up to one year. The D.C. Crime Commission recommended that twice the penalty for the crime committed should be imposed for crimes committed while released. My draft provides a more stringent penalty provision and similar to that of the Poff amendment to the Firearms Control Act of 1968.

In light of the conclusion by the Hart Committee that preventive detention would be constitutionally permissible for riot-connected offenses during the period of an emergency, and for defendants who commit crimes during release, in view of the D.C. Commission's conclusion that carefully proscribed preventive detention is constitutionally permissible, and in view of the ABA's conclusion that a "limited provision carefully hedged with adequate procedural safeguards would survive attack", the carefully prescribed safeguards listed below should support the constitutionality of the proposal. The following safeguards are provided:

Written findings by the judicial officer based on reasonable grounds that alternatives to detention will not protect the community;

Original pre-trial detention only for specified crimes;

Review by the court of original jurisdiction;

Appeal immediately available;

Limited period of maximum detention (60 days);

Expedited trial;

Opportunity to prepare defense;

Credit for time served.

THE FORCED CLOSING OF CAMPGROUNDS OPERATED BY NATIONAL PARK SERVICE

The SPEAKER pro tempore (Mr. HUNGATE). Under a previous order of the House, the gentleman from North Carolina (Mr. TAYLOR) is recognized for 15 minutes.

Mr. TAYLOR. Mr. Speaker, I am alarmed to learn that the National Park Service has now been forced by budget and personnel restrictions to close most of the campgrounds in the Nation that are normally kept open in the winter, is not planning to open them until about next June 1—and then only if they can be leased to concessionaires—and is curtailing other needed services. The primitive and undeveloped campgrounds may not be opened at all this year.

This is a tragic step backward. It is shortsighted economy. It is a colossal mistake which was not contemplated by Congress when the $6 billion reduction in spending was ordered.

For nearly a hundred years the Federal Government has been able to operate camping and picnic areas in national parks. Now when the need and the demand for these facilities are greater than at any other time in our Nation's history, we would close them and reduce services in our national parks.

The Federal Government, pursuant to congressional authorization, is spending $200 million each year for new national parks and seashores, and recreation areas. Why spend this money for more areas if we are unwilling and unable to continue operating the Government-owned facilities in our existing national parks? If private enterprise can operate these campgrounds profitably on a fee basis, why cannot the Federal Government do the same?

The problem is that fees collected for camping now go into the land and water conservation fund and cannot be used for operating costs. By leasing camp sites to private operators we ease the operating problems of the National Park Service; but, on the other hand, we take millions of dollars away from the land and water conservation fund, which is taking it away from the U.S. Treasury.

It has been estimated that the annual tourist expenditures to private business generated by the national parks amount to $6.5 billion. We are crippling one of the best revenue-producing agencies owned and operated by the Federal Government.

Under restrictions imposed as a result of the Revenue and Expenditure Control Act of 1968, the number of authorized permanent staff employees in the national park system will be cut within the next 2 years from the 6,290 of June 20, 1968, to the 5,998. The loss of 292 positions is seriously crippling the National Park Service in carrying out its responsibilities to the public.

A few Federal agencies have been exempt by Congress from provisions of the act and the field operations of the National Park Service should be given similar treatment.

At a time when the Congress had added more new areas to the park system than ever before, 48 in the last 5 years, park personnel are being sharply reduced. Congress has authorized a greatly expanded program of historic preservation, and the number of park system visits has increased from 103 million in 1963 to 153 million in 1968, a gain of nearly 49 percent. Yet, the Park Service permanent staff increased only 13 percent in that period.

Never have so many millions of the people streamed into our national park system. In 1967, the visitation figure was 139 million. This year it almost surely will exceed 162 million. The faster the parks gain in attendance the more the National Park Service must struggle merely to hold its own, much less improve services and open new parks, seashores, lakeshores, and recreation areas.

Many of our parks are virtually national institutions which enrich American life. Restrictions on the public's enjoyment of them after years of access is difficult for people to accept. Let me cite the changes at a few of the better known parks:

Gettysburg National Military Park, Pa.: Formerly open daily; now open 5 days a week.

Blue Ridge Parkway, Virginia-North Carolina: Closed 259 miles of parkway to March 1; campgrounds and picnic areas closed to May 14; visitor centers to April 30.

Rocky Mountain National Park, Colo.: Closed two of three visitor centers entirely; main visitor center open only 5 days a week.

Yosemite National Park, Calif.: Visitor center reduces 10-hour, 7-day schedule to 8-hour, 5-days.

Smokey Mountain National Park: All camping areas closed until June 1, 1969, and then opened only if they can be leased to concessionaires.

The National Park Service has closed facilities, reduced visiting hours and postponed the opening of many new areas authorized by Congress for the people's enjoyment because of a shortage of personnel and funds. The situation will get worse unless Congress acts, so it is imperative that Congress take action to restore the National Park Service field operation to an acceptible level.

I, as chairman of the House Subcommittee on National Parks and Recreation, today introduced legislation which would exempt the field operations of the National Park Service from the manpower limitations imposed by Congress last year. I am pleading with the National Park Service, the outgoing Secretary of the Interior, the incoming Secretary of the Interior, and the White House to send to Congress a supplemental budget request sufficient to continue the operating of campgrounds in the national parks and national forests of America and to restore other field operations to a satisfactory level. I urge other Congressmen to join me in this effort.

SUBSCRIPTION TELEVISION

(Mr. HARVEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, in the most recent hearings held on the subject of subscription television during October 1967, before the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce, there was ample warning that the advent of subscription, or pay, television would result in the siphoning away of stars, programs, and sports events from free television as we know it today. The hearings are replete with the testimony of witness after witness who testified that, despite the best intentions of the FCC, who might seek to prevent such siphoning from happenings, it could not be prevented.

Mr. David Adams, senior executive vice president of NBC, in answer to one of my questions, testified on page 192 as follows:

> Mr. HARVEY. If Elizabeth Taylor and Richard Burton decide only to appear on subscription TV they have the right to make that decision and not the FCC; is that correct?
>
> Mr. ADAMS. That is true.

In answer to a similar question, as to whether such stars are not themselves the ones to control whether they appear on subscription TV or on free TV, Mr. Joseph S. Wright, president of the Zenith Corp., and the strongest proponent of subscription TV, agreed, saying on page 355:

> Yes, sir; there is no question about that. That is the way it always has been and I assume it will always be that way.

Later in the hearings on page 364, Mr. Wright, referring to a prize fight that had been shown in the Hartford experiment on subscription TV and banned from free TV, made clear his own view, saying:

> If you are suggesting really that the public has some right to see anything on free television regardless of whether the owner of that property wants to exclude it from television or not, you are suggesting something that goes pretty far under the present system.

Another witness, Everett H. Erlick, vice president and general counsel of the American Broadcasting System, warned in no uncertain terms that such siphoning would take place. He said on page 393 of the hearings:

> Consequently, it is clear that pay TV would have detrimental effects on the present free system. Given the opportunity, it would inevitably result in the "siphoning off" of attractions such as the world series, professional and collegiate football games, as well as some of the most popular entertainment programs. While the siphoning might not occur overnight, in time much of the most popular fare on free television would be removed to pay TV.

Repeatedly during these hearings, it was warned that sporting events, such as professional football, would be siphoned away from free TV to pay TV. Undoubtedly, the distinguished gentleman from New York (Mr. CELLER) summed it up best in his testimony on page 381, when he said:

> I believe it is inevitable, for example, that despite the initial restrictions conceived by the Subscription Television Committee, professional sports would sooner or later find a pathway to toll television, for the additional pot of gold at the end of the rainbow, which this multimillion-dollar institution hardly needs.
>
> I do not regard the regulations set forth in the fourth report as effective to prevent destructive siphoning of programs from free television.

Mr. Speaker, it is apparent that the siphoning of talent and sporting events, about which so many witnesses warned, is about to begin. In last Saturday's edition of the Washington Post there appeared two stories, both written by Dave Brady, Washington Post staff writer. In the first article, entitled "Different TV Setup Studied," Mr. Brady stated that Pete Rozelle, commissioner of major professional football, "speculated that one network would not be able to handle all the telecasts on a Sunday once the two leagues are merged. He (Rozelle) admitted that pro football might contract to put its telecasts on the independent Sports Network, Inc., recently purchased by multimillionaire Howard Hughes."

The second article in the Saturday, January 11, 1969, issue of the Washington Post, appearing on page C–3, is headed "Viking Stock Brings $250,000—Huge Profit Made by Van Brocklin." The story by Mr. Brady went on to explain how Norm Van Brocklin, coach of the Atlanta Falcons, received more than a quarter million dollars for his stock in the Minnesota Vikings for which he paid only $11,900 8 years ago. The reason the purchaser was willing to pay so dearly for this stock was, according to the Post, because the purchaser "thinks multimillionaire Howard Hughes will win the bidding for pro football telecasts in 1970 and will eventually put them on pay TV."

It is apparent that the regulations promulgated by the FCC to prevent this sort of siphoning of sporting events away from free TV have been judged by the industry to be as meaningless and as easy to evade as they were described at the hearings.

I believe that the American people deserve better than this, Mr. Speaker. They at least deserve the right to have their elected Representatives in the Congress consider and debate whether such a fundamental change in Americans' viewing habits on TV should be permitted to take place.

I am convinced that if the American people were alerted to what the FCC intends for them, or in any event, is willing to condone, they would rise up in wrath. As objectionable as the average American may often find commercials on TV today, I do not believe he would look favorably upon the necessity for paying outright to see a sporting event that he has been watching for free. The FCC would, of course, deny that this will come about. But the testimony at the hearings, coupled with events described in the articles to which I have referred, makes clear that professional football on pay TV is indeed what is in store.

In closing, Mr. Speaker, I note only how ironic it is that this past administration, now in the twilight of its existence, which has sought recognition as a "friend of the consumers of America," now encourages the growth of a system designed to exclude viewing by the masses of the poor and underprivileged, and to favor the rich. It is difficult, if not impossible, to reconcile these inconsistent aims.

Following my remarks are set forth the two articles referred to in the Saturday, January 11, 1969, issue of the Washington Post:

[From the Washington Post, Jan. 11, 1969]

DIFFERENT TV SET UP STUDIED: ROZELLE HOPES TO DROP PLAYOFF BOWL, MAINTAIN IDENTITY OF BOTH LEAGUES

(By Dave Brady)

MIAMI BEACH, FLA., January 10.—Vince Lombardi is emerging as a prophet with his knocks against the Playoff Bowl as a "game for losers, played by losers."

Pete Rozelle, Commissioner of Major Professional Football, said today the Playoff, or Runnerup, Bowl "is not a meaningful game." He would like to drop it and consolidate postseason games after the contract expires with next January's game.

Rozelle also said the contract to play the annual game against the College All-Stars in Chicago ends with this summer's game.

FORMAT TO BE SET

The commissioner said realignment of the National and American Football League for the 1970 season would determine the format of postseason games.

He insisted there were more intra-league differences over a complete mixture of NFL and AFL teams than inter-league disagreements.

He pointed out that a complete mixture would end many old team rivalries, and more importantly, eliminate established league rivalries in post-season games such as the Super Bowl.

POSSIBLE SOLUTION

In hopes of coming up with a "more meaningful" game than the Playoff Bowl he said that perhaps a game between the runnerup teams of the NFL and AFL would be a solution.

Rozelle indicated that a game between all-stars representing the NFL and AFL already is in the works for 1971.

He said some favor scheduling regular season games between NFL and AFL teams rather than a complete mixture of the clubs.

Rozelle said that under such a formula the leagues would retain their identities and rivalries.

THREE-QUARTER VOTE

A three-quarter majority vote will be required in each league to resolve the realignment problem, he said, and "We will keep voting until we work out something."

Rozelle speculated that one network would not be able to handle all the telecasts on a Sunday once the two leagues are merged.

He admitted that pro football might contract to put its telecasts on the independent Sports Network, Inc., recently purchased by multimillionaire Howard Hughes.

OVEREXPOSURE MINIMIZED

The commissioner said there was no danger of overexposure but he would like to have more games on Monday nights to reach a broader audience. He said pro football might lower its monetary demands to a network which would offer Monday prime time.

He predicted that all major stadiums will have artificial surfaces within ten years and said this would ease scheduling because baseball teams would not have to worry about football teams chopping up fields.

[From the Washington Post, Jan. 11, 1969]

VIKING STOCK BRINGS $250,000—HUGE PROFIT MADE BY VAN BROCKLIN

(By Dave Brady)

MIAMI BEACH, FLA., January 10.—Norm Van Brocklin, coach of the Atlanta Falcons, has received more than a quarter of a million dollars for Minnesota Vikings' stock which he purchased for $11,900 eight years ago, it was learned here today.

Dave Weiner, who said he owns the largest egg-dehydrating business in the world and the fifth largest mink farm, confirmed on the telephone from Marshall, Minn., that he bought 119 shares of Vikings' stock which Van Brocklin had to dispose of when he took the Atlanta job.

The 29-year-old Weiner said he purchased the stock because he thinks multimillionaire Howard Hughes will win the bidding for pro football telecasts in 1970 and will eventually put them on pay-TV "An existing National Football League franchise is worth about $15 million," Weiner said. "But based on my minority interest (among about 6000 shares) I evaluated the stock as worth about $12 million."

At that rate Weiner paid Van Brocklin $2000 a share for stock which cost the coach $100 a share.

Weiner said he has also talked with Robert E. Short, new owner of the Washington Senators, about buying Short's 399 shares in the Minnesota Twins.

INTRODUCTION OF RESOLUTION DISAPPROVING INCREASES FOR CONGRESSMEN AND OTHER FEDERAL OFFICIALS

The SPEAKER pro tempore (Mr. HUNGATE). Under previous order of the House the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 10 minutes.

Mr. SCHWENGEL. Mr. Speaker, I have joined in the introduction of a resolution disapproving of the increases for Congressmen and other Federal officials.

Let me say at the outset that I certainly agree that many Federal officials today deserve a pay raise. I supported the increase in salary for the President, because I believe his compensation should more adequately reflect the awesome responsibilities he has. Since the pay for the President has not been increased since 1949, there can be no doubt as to the justification of the action taken by the House earlier this month.

It has been reported in the press recently that the new administration has on occasion had difficulty in recruiting the people it needs to fill positions available because of the tremendous financial sacrifice one must make to take Federal employment.

For this reason and because I do not believe that present salaries adequately reflect the demands made upon Cabinet officers and other high ranking officials, I could support pay raises for these positions.

However, I cannot, in all good conscience support the proposed pay increase for Congressmen.

There are several reasons for my position—all of which revolve around the failure of Congress to reform itself, so that it can become more effective and adequate as it seeks to meet the problems of our time.

So as long as Congress refuses to take the action needed to make itself more effective and efficient, I cannot support a pay increase.

Congress, which is supposed to be one of the three coequal branches of the Federal Government simply is not equipped today, to fully and adequately meet its obligations. It clings too long to traditions and the precedents of the past no longer relevant to or adequate for today.

We do not have the equipment or staff to effectively evaluate current legislative proposals or programs now in effect. Too often we legislate with insufficient knowledge of the extent of the commitment being made, the cost involved, and the effects of the proposals. We suffer from an "information gap."

The congressional reorganization bill which languished in the House Rules Committee last year would, if enacted, take significant steps toward closing that "information gap."

As passed by the Senate it provided for automatic data-processing hardware for the Legislative Reference Service. At the very least, the development of programing for utilization of the AP equipment would help provide the Congress with background information on legislative proposals. The development of more sophisticated information retrieval systems for legislative committees and Members of Congress would be of immense value.

In addition, the reorganization bill provides for a legislative review specialist for each congressional committee. This would fulfill a pressing need. Not only has the Congress initiated new programs without sufficient information, but it has extended, modified, or even ended previously enacted programs without the benefit of adequate analysis of the effectiveness of these programs.

A full-time legislative review staff for each legislative committee could provide this kind of information. For the most part, Congress must rely now on the executive branch for its information on program effectiveness. This means we hear from administrators who have a vested interest in presenting their programs in the most favorable way possible. Obviously, Congress has difficulty obtaining independent and unbiased evaluations of most Federal programs.

A significant handicap exists today for the minority party in Congress. The minority party does not have adequate committee staff help available to it to study and evaluate majority party proposals. When I began the fight for minority staffing in 1962 the ratio of committee staffers favoring the majority was 10 to 1. Our fight on this problem has resulted in some improvements in the last few years. But the situation still is far from satisfactory. The minority party is still at a distinct disadvantage if it takes seriously its responsibilities to constructively criticize majority proposals and to suggest reasonable alternatives to those proposals.

The lack of adequate minority staff, the lack of adequate evaluation of programs proposed and in operation, and the lack of needed information retrieval systems constitutes a serious "information gap." It should not be tolerated.

Frankly, there is still another reform needed in Congress. That is a change in the seniority system. This system, deeply inbedded by congressional tradition, is unworthy of the Congress. No conceivable rationale can justify the automatic placing of the most senior members as committee chairmen and ranking members. Obviously, experience is helpful and necessary for leadership positions. But to preemptively put Congressmen with the longest period of service in chairmen positions is not good management. Too often the Congress has been handicapped by having less than the best as committee chairmen. To continue to tolerate this situation is almost unthinkable. I have proposed a revision to the seniority system which should be considered.

For these reasons, I cannot support an increase in congressional salaries. If Congress seriously tackles the matter of congressional reform, I will reconsider my position. Until then, I shall oppose the President's proposals.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SATTERFIELD (at the request of Mr. MARSH) for Tuesday, Wednesday, and Thursday, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to the following Members (at the request of Mr. SCHWENGEL) to revise and extend their remarks and to include extraneous matter:

Mr. HORTON, for 1 hour, on January 22.

Mr. HORTON, for one-half hour, on January 23.

Mr. SCHWENGEL, for 10 minutes, on January 16.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

(The following Members (at the request of Mr. SCHWENGEL) and to include extraneous matter:)

Mr. ASHBROOK in two instances.
Mr. DERWINSKI in two instances.
Mr. MCCLORY.
Mr. CONTE in two instances.
Mr. CRAMER.
Mr. NELSEN.
Mr. CHAMBERLAIN.
Mr. STEIGER of Arizona.
Mr. MILLER of Ohio.
Mr. SCHWENGEL in two instances.
Mr. RUMSFELD in three instances.
Mr. MORTON.
Mr. FULTON of Pennsylvania in five instances.
Mr. MIZELL in five instances.

(The following Members (at the request of Mr. TAYLOR) and to include extraneous matter:)

Mr. PEPPER.
Mr. PURCELL in three instances.
Mr. DADDARIO.
Mr. ROONEY of New York.
Mr. MURPHY of New York.
Mr. CELLER.
Mr. BOLAND in two instances.
Mr. STOKES in two instances.
Mr. VANIK in two instances.
Mr. RARICK in three instances.
Mrs. SULLIVAN in four instances.
Mr. MOORHEAD in two instances.
Mr. PICKLE.
Mr. DULSKI in four instances.
Mr. CAREY in two instances.
Mr. RYAN in three instances.
Mr. ULLMAN in five instances.
Mr. GONZALEZ in four instances.
Mr. ASHLEY in two instances.
Mr. RIVERS.
Mr. OLSEN in two instances.
Mr. COHELAN in three instances.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 10. An act to increase the per annum rate of compensation of the President of the United States.

ADJOURNMENT

Mr. TAYLOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock p.m.), the House adjourned until tomorrow, Friday, January 17, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

237. A letter from the board of trustees of the Federal hospital insurance trust fund, transmitting the fourth annual report of the board for the year 1969, pursuant to the provisions of section 201(c) of the Social Security Act, as amended (H. Doc. No. 91–45); to the Committee on Ways and Means and ordered to be printed.

238. A letter from the board of trustees of the Federal old-age and survivors insurance and disability insurance trust funds, transmitting the 29th annual report of the board for the year 1969, pursuant to the provisions of section 201(c) of the Social Security Act, as amended (H. Doc. No. 91–46); to the Committee on Ways and Means and ordered to be printed.

239. A letter from the board of trustees of the Federal supplementary medical insurance trust fund, transmitting the fourth annual report of the board for the year 1969, pursuant to the provisions of section 201(c) of the Social Security Act, as amended (H. Doc. No. 91–47); to the Committee on Ways and Means and ordered to be printed.

240. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for continuation of authority for regulation of exports; to the Committee on Banking and Currency.

241. A letter from the Attorney General, transmitting a draft of proposed legislation to establish in the House of Representatives the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

242. A letter from the Acting Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to provide for the immunity from taxation in the District of Columbia in the case of a communications satellite system; to the Committee on the District of Columbia.

243. A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Income and Franchise Tax Act of 1947, as heretofore amended, so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes; to the Committee on the District of Columbia.

244. A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

245. A letter from the assistant to the Commissioner of the District of Columbia and the Chairman of the Board of Directors of the Washington Metropolitan Area Transit Authority, transmitting a draft of proposed legislation to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324); to the Committee on the District of Columbia.

246. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

247. A letter from the Attorney General, transmitting a draft of proposed legislation to further promote equal employment opportunities of American workers; to the Committee on Education and Labor.

248. A letter from the Secretary of Labor, transmitting a report covering activities during 1968 pursuant to the Age Discrimination in Employment Act of 1967; to the Committee on Education and Labor.

249. A letter from the Secretary of Labor, transmitting a report on fair labor standards in employment in and affecting interstate commerce, pursuant to the provisions of section 4(d) of the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

250. A letter from the Acting Director, Office of Economic Opportunity, transmitting a draft of proposed legislation to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

251. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting a draft of proposed legislation to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba; to the Committee on Foreign Affairs.

252. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend chapter 9 of title 5 of the United States Code relating to executive reorganization; to the Committee on Government Operations.

253. A letter from the Attorney General, transmitting a draft of proposed legislation to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes; to the Committee on House Administration.

254. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation on the Potomac National River in the States of Maryland, Virginia, and West Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

255. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the cooperation between the Secretary of the Interior and the States with respect to the future regulation of surface mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

256. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

257. A letter from the Acting Secretary of Commerce, transmitting the annual report of activities for the fiscal year 1968, pursuant to Public Law 89–755; to the Committee on Interstate and Foreign Commerce.

258. A letter from the Attorney General, transmitting a draft of proposed legislation proposing an amendment to the Constitution of the United States relating to the elective franchise of citizens 18 years of age or older; to the Committee on the Judiciary.

259. A letter from the Attorney General, transmitting a draft of proposed legislation, to prohibit business enterprises of gambling; to the Committee on the Judiciary.

260. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Federal Regulation of Lobbying Act, and for other purposes; to the Committee on the Judiciary.

261. A letter from the Attorney General, transmitting a draft of proposed legislation to authorize appropriations for the Civil Rights Commission; to the Committee on the Judiciary.

262. A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

263. A letter from the Attorney General, transmitting a draft of proposed legislation to provide improved judicial machinery for the selection of juries, and for other purposes; to the Committee on the Judiciary.

264. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

265. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according the beneficiaries third preference and sixth preference under the provisions of the Immigration and Nationality Act, as amended, pursuant to section 204(d) of that act; to the Committee on the Judiciary.

266. A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend title 18, United States Code, relating to conflicts of interest, with respect to the members of the District of Columbia Council; to the Committee on the Judiciary.

267. A letter from the Chairman, the National Commission on Reform of Federal Criminal Laws, transmitting a draft of proposed legislation to amend the act of November 8, 1966; to the Committee on the Judiciary.

268. A letter from the Secretary-Treasurer, Congressional Medal of Honor Society, United States of America, transmitting the 1969 annual financial report of the society, pursuant to the provisions of Public Law 88-584; to the Committee on the Judiciary.

269. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

270. A letter from the Postmaster General, transmitting a draft of proposed legislation to merge first-class mail and airmail into a single class of mail; to the Committee on Post Office and Civil Service.

271. A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend title 5, United States Code, relating to dual compensation, with respect to members of the District of Columbia Council; to the Committee on Post Office and Civil Service.

272. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

273. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

274. A letter from the Attorney General, transmitting a draft of proposed legislation to provide an income tax credit for certain political contributions; to the Committee on Ways and Means.

275. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954, as amended, to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

276. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to amend the Tariff Schedules of the United States with respect to articles in part of reprocessed wool or reused wool; to the Committee on Ways and Means.

277. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 96. Resolution authorizing payment of compensation for certain committee employees (Rept. No 91-4). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BETTS (for himself, Mr. Addabbo, Mr. Anderson of Illinois, Mr. Baring, Mr. Blackburn, Mr. Boland, Mr. Brock, Mr. Brown of Michigan, Mr. Burke of Florida, Mr. Cabell, Mr. Clark, Mr. Del Clawson, Mr. Cordova, Mr. Davis of Wisconsin, Mr. Dellenback, Mr. Dennis, Mr. Derwinski, Mr. Dickinson, Mr. Duncan, Mr. Findley, Mr. Fisher, Mr. Goodling, Mr. Griffin, Mrs. Griffiths, and Mr. Grover):

H.R. 3778. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BETTS (for himself, Mr. Haley, Mr. Hall, Mr. Halpern, Mr. Hammerschmidt, Mr. Horton, Mr. King, Mr. Kleppe, Mr. Kyl, Mr. Kyros, Mr. Leggett, Mr. Lukens, Mrs. May, Mr. Meskill, Mr. Michel, Mr. Nedzi, Mr. Pollock, Mr. Powell, Mr. Pryor of Arkansas, Mr. McClory, Mr. Robison, Mr. Rogers of Florida, Mr. Schadeberg, Mr. Schneebeli, and Mr. Schwengel):

H.R. 3779. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BETTS (for himself, Mr. Stanton, Mr. Taft, Mr. Teague of California, Mr. Thomson of Wisconsin, Mr. Tunney, Mr. Utt, Mr. Vanik, Mr. Waldie, Mr. Whitehurst, Mr. Wiggins, Mr. Williams, and Mr. Zwach):

H.R. 3780. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 3781. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 3782. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 3783. A bill to amend the Public Health Service Act to provide for the making of guaranteed loans for the modernization of hospitals and other health facilities and otherwise to facilitate the modernization and improvement of hospitals and other health facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 3784. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. DON H. CLAUSEN:

H.R. 3785. A bill to establish fishing zones of the United States beyond its territorial seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DON H. CLAUSEN (for himself and Mr. Mailliard):

H.R. 3786. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 3787. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. de la GARZA:

H.R. 3788. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 3789. A bill to merge first-class mail and airmail into a single class of mail service; to the Committee on Post Office and Civil Service.

By Mr. FASCELL:

H.R. 3790. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FISHER:

H.R. 3791. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. FLOOD:

H.R. 3792. A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GETTYS:

H.R. 3793. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income subsistence allowances received by police officials; to the Committee on Ways and Means.

By Mr. GONZALEZ (for himself and Mr. Brown of California):

H.R. 3794. A bill to amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

By Mr. GONZALEZ (for himself, Mr. Reuss, Mr. Wolff, Mr. Conyers, Mr. Gilbert, Mr. Adams, Mr. Podell, and Mr. Brown of California):

H.R. 3795. A bill to prohibit the use of draftees in undeclared wars without their consent; to the Committee on Armed Services.

By Mr. HALL:

H.R. 3796. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 3797. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 3798. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 3799. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 3800. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3801. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

H.R. 3802. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

H.R. 3803. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 3804. A bill to provide for the establishment of a Commission on Negro History and Culture; to the Committee on Education and Labor.

By Mr. McCARTHY:

H.R. 3805. A bill to require air carriers to inspect for destructive substances all articles taken aboard certain aircraft operated by them in air transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Poff, Mr. Cahill, Mr. MacGregor, Mr. Hutchinson, Mr. McClory, Mr. Smith of New York, Mr. Roth, Mr. Meskill, Mr. Sandman, and Mr. Wiggins):

H.R. 3806. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 3807. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 3808. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. O'HARA (for himself, Mr. Addabbo, Mr. Bingham, Mr. Brown of California, Mr. Burton of California, Mr. Carey, Mr. Conyers, Mr. Dent, Mr. Eckhardt, Mr. Edwards of California, Mr. Eilberg, Mr. Feighan, Mr. William D. Ford, Mr. Gallagher, Mr. Gilbert, Mr. Hawkins, Mr. Hechler of West Virginia, and Mr. Howard):

H.R. 3809. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey (for himself, Mr. Karth, Mr. Matsunaga, Mr. Meeds, Mr. Mikva, Mr. Minish, Mrs. Mink, Mr. Moorhead, Mr. Patten, Mr. Podell, Mr. Rosenthal, Mr. Ryan, Mr. Scheuer, Mr. St Germain, Mr. Stokes, and Mr. Charles H. Wilson):

H.R. 3810. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; to the Committee on Education and Labor.

By Mr. NEDZI:

H.R. 3811. A bill to amend title XVIII of the Social Security Act to provide for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 3812. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to finance and participate with State and local interests in the financing of recreational enterprises and industrial establishments needed for the economic development of rural areas, and for other purposes; to the Committee on Agriculture.

H.R. 3813. A bill to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified who were reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis; to the Committee on Armed Services.

H.R. 3814. A bill to require U.S. military establishments and installations to purchase wines and distilled spirits in compliance with, and conformity to, systems, procedures, and requirements established in the several States, and to limit the quantities of such beverages to be sold distributed, or acquired within Federal enclaves; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 3815. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 3816. A bill to aid in the protection of the rights of vessels of the United States engaged in the fisheries and related activities in international waters, and for other purposes; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 3817. A bill to direct the Federal Communications Commission to establish regulations prohibiting certain broadcasting of advertising of cigarettes; to the Committee on Interstate and Foreign Commerce.

H.R. 3818. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting of any advertising of alcoholic beverages between certain hours; to the Committee on Interstate and Foreign Commerce.

H.R. 3819. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3820. A bill relating to taxation by States of the income of Members of Congress, members of their staffs, and certain officers of the United States; to the Committee on the Judiciary.

H.R. 3821. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3822. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committtee on Post Office and Civil Service.

H.R. 3823. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 3824. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. PICKLE (for himself, Mr. Blatnik, Mr. Derwinski, Mr. Duncan, Mr. McCloskey, Mrs. Hansen of Washington, Mr. Hechler of West Virginia, and Mr. White):

H.R. 3825. A bill to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

By Mr. PODELL:

H.R. 3826. A bill to clarify the liability of national banks for certain taxes; to the Committee on Banking and Currency.

By Mr. PRICE of Illinois:

H.R. 3827. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 3828. A bill to amend section 220(b) of the Interstate Commerce Act to permit motor carriers to file annual reports on the basis of a 13-period accounting year; to the Committee on Interstate and Foreign Commerce.

H.R. 3829. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3830. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. Udall, and Mr. Steiger of Arizona):

H.R. 3831. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to cooperate with States, local agencies, and individuals in the planning and carrying out of practices for water yield improvement, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS:

H.R. 3832. A bill to provide the grade of general for the Assistant Commandant of the Marine Corps so long as such office is held by the present incumbent; to the Committee on Armed Services.

By Mr. ROBERTS:

H.R. 3833. A bill to create a public works program for the purpose of reducing unemployment; to the Committee on Public Works.

By Mr. RODINO:

H.R. 3834. A bill to amend sections 320 and 321 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3835. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. ROUDEBUSH:

H.R. 3836. A bill to retain November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. RUMSFELD:

H.R. 3837. A bill to expand and improve the provisions of the Oil Pollution Act, 1924; to the Committee on Merchant Marine and Fisheries.

H.R. 3838. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 3839. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 3840. A bill to amend the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969, to increase annual rent supplement payments which may be contracted for through the fiscal year 1969 under section 101 of the Housing and Urban Development Act of 1965; to the Committee on Appropriations.

By Mr. RYAN (for himself, Mr. Biaggi, Mr. Dent, Mr. Derwinski, Mr. Donohue, Mr. Dulski, Mr. Gilbert, Mr. Gonzalez, Mr. Koch, Mr. Mikva, Mr. Pike, Mr. Powell, Mr. Rosenthal, Mr. Stanton, Mr. Taft, Mr. Vigorito, and Mr. Yatron):

H.R. 3841. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 3842. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 3843. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 3844. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear or rubber or plastics; to the Committee on Ways and Means.

H.R. 3845. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 3846. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 3847. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

By Mr. BOB WILSON:

H.R. 3848. A bill to establish the National Oceanographic Agency; to the Committee on Merchant Marine and Fisheries.

By Mr. CHARLES H. WILSON:

H.R. 3849. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay comparable wages; to the Committee on Education and Labor.

H.R. 3850. A bill to amend the Federal Airport Act to provide for Federal financial assistance for noise abatement with respect to certain schools located near public airports; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLD:

H.R. 3851. A bill to provide for the issuance of a special postage stamp in commemoration of the Territorial Centennial of Wyoming in 1969; to the Committee on Post Office and Civil Service.

H.R. 3852. A bill to provide for the issuance of a special postage stamp in commemoration of the work of Esther Hobart Morris for her role in women's suffrage in Wyoming and nationally; to the Committee on Post Office and Civil Service.

By Mr. DON H. CLAUSEN (for himself, Mr. Cramer, Mr. Blatnik, Mr. Harsha, Mr. Wright, Mr. Cleveland, Mr. McEwen, Mr. Edmondson, Mr. Johnson of California, Mr. Roberts, Mr. Duncan, Mr. Schwengel, Mr. Schadeberg, Mr. Snyder, Mr. McDonald of Michigan, Mr. Kee, Mr. Hammerschmidt, Mr. Miller of Ohio, Mr. Wyatt, Mr. Kleppe, Mr. Pollock, Mr. Burton of Utah, Mr. Battin, Mr. Denney, and Mr. Brown of Ohio):

H.R. 3853. A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas; to the Committee on Public Works.

By Mr. OLSEN:

H.R. 3854. A bill to amend section 16 of the Soil Conservation and Domestic Allotment Act, as amended, to extend the Great Plains conservation program; to the Committee on Agriculture.

By Mr. ROTH (for himself, Mr. Gerald R. Ford, Mr. Adair, Mr. Adams, Mr. Anderson of Illinois, Mr. Andrews of North Dakota, Mr. Arends, Mr. Ayres, Mr. Baring, Mr. Bates, Mr. Battin, Mr. Beall of Maryland, Mr. Bow, Mr. Brock, Mr. Broomfield, Mr. Brown of Michigan, Mr. Buchanan, Mr. Burke of Florida, Mr. Burton of Utah, Mr. Bush, Mr. Button, Mr. Byrnes of Wisconsin, Mr. Carter, Mr. Cederberg, and Mr. Don H. Clausen):

H.R. 3855. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Cleveland, Mr. Collins, Mr. Corbett, Mr. Cordova, Mr. Coughlin, Mr. Cowger, Mr. Culver, Mr. Cunningham, Mr. Dennis, Mr. Dent, Mr. Dulski, Mr. Edwards of California, Mr. Edwards of Alabama, Mr. Esch, Mr. Findley, Mr. Fish, Mr. Fisher, Mr. Frelinghuysen, Mr. Fulton of Tennessee, Mr. Goodling, Mrs. Green of Oregon, Mrs. Griffiths, Mr. Grover, and Mr. Hammerschmidt):

H.R. 3856. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Hansen of Idaho, Mr. Harvey, Mr. Hicks, Mr. Howard, Mr. Hungate, Mr. Hutchinson, Mr. Johnson of California, Mr. King, Mr. Kuykendall, Mr. Kyros, Mr. Leggett, Mr. Lipscomb, Mr. Lloyd, Mr. Lujan, Mr. McCloskey, Mr. McCulloch, Mr. McDade, Mr. MacGregor, Mrs. May, Mr. Mayne, Mr. Mikva, Mr. Miller of Ohio, Mr. Mills, and Mr. Mize):

H.R. 3857. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Mollohan, Mr. Montgomery, Mr. Morse, Mr. Morton, Mr. Mosher, Mr. Nelsen, Mr. O'Konski, Mr. Patten, Mr. Pepper, Mr. Perkins, Mr. Pollock, Mr. Pryor of Arkansas, Mr. Railsback, Mr. Rees, Mrs. Reid of Illinois, Mr. Reifel, Mr. Riegle, Mr. Robison, Mr. Rogers of Florida, Mr. Rumsfeld, Mr. Ruppe, Mr. Sandman, Mr. Schadeberg, and Mr. Scherle):

H.R. 3858. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Schneebeli, Mr. Scott, Mr. Skubitz, Mr. Smith of California, Mr. Smith of New York, Mr. Taft, Mr. Teague of California. Mr. Thompson of Georgia, Mr. Tiernan, Mr. Tunney, Mr. Utt, Mr. Vander Jagt, Mr. Wampler, Mr. Whalen, Mr. Whitehurst, Mr. Wiggins, Mr. Winn, Mr. Wold, Mr. Wylie, Mr. Wyman, and Mr. Zwach):

H.R. 3859. A bill to establish the Commission for the Improvement of Government Management and Organization; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mrs. Dwyer, Mr. Adair, Mr. Anderson of Illinois, Mr. Andrews of North Dakota, Mr. Annunzio, Mr. Arends, Mr. Ashbrook, Mr. Bates, Mr. Beall of Maryland, Mr. Bell of California, Mr. Bevill, Mr. Broomfield, Mr. Brotzman, Mr. Brown of Michigan, Mr. Buchanan, Mr. Burke of Florida, Mr. Byrnes of Wisconsin, Mr. Carter, Mr. Cederberg, Mr. Chamberlain, Mr. Don H. Clausen, Mr. Cleveland, Mr. Corbett, and Mr. Cordova):

H.R. 3860. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Coughlin, Mr. Cowger, Mr. Culver, Mr. Cunningham, Mr. Denney, Mr. Dennis, Mr. Dent, Mr. Devine, Mr. Dulski, Mr. Edwards of California, Mr. Edwards of Alabama, Mr. Esch, Mr. Feighan, Mr. Findley, Mr. Fisher, Mr. Flood, Mr. Frelinghuysen, Mr. Fulton of Tennessee, Mr. Fuqua, Mr. Goodling, Mrs. Green of Oregon, Mrs. Griffiths, Mr. Grover, and Mr. Gubser):

H.R. 3861. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Hammerschmidt, Mr. Hansen of Idaho, Mr. Harvey, Mr. Hicks, Mr. Horton, Mr. Hungate, Mr. Hutchinson, Mr. Ichord, Mr. King, Mr. Koch, Mr. Kuykendall, Mr. Kyros, Mr. Langen, Mr. Leggett, Mr. Lloyd, Mr. McCloskey, Mr. McCulloch, Mr. McDade, Mr. MacGregor, Mr. Matsunaga, Mrs. May, Mr. Mikva, Mr. Miller of Ohio, and Mr. Mills):

H.R. 3862. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Mize, Mr. Mollohan, Mr. Montgomery, Mr. Morse, Mr. Morton, Mr. Mosher, Mr. Moss, Mr. Myers, Mr. Nelsen, Mr. Ottinger, Mr. Patten, Mr. Pepper, Mr. Pollock, Mr. Pucinski, Mr. Railsback, Mr. Rees, Mrs. Reid of Illinois, Mr. Reifel, Mr. Riegle, Mr. Robison, Mr. Rumsfeld, Mr. Sandman, Mr. Scherle, and Mr. Schneebeli):

H.R. 3863. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. ROTH (for himself, Mr. Scott, Mr. Skubitz, Mr. Smith of California, Mr. Smith of New York, Mr. Steiger of Arizona, Mr. Taft, Mr. Teague of California, Mr. Thompson of Georgia, Mr. Tiernan, Mr. Tunney, Mr. Utt, Mr. Vander Jagt, Mr. Wampler, Mr. Watkins, Mr. Whalen, Mr. Whitehurst, Mr. Charles H. Wilson, Mr. Winn, Mr. Wold, Mr. Wylie, Mr. Zion, and Mr. Zwach):

H.R. 3864. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. TAYLOR:

H.R. 3865. A bill to authorize the filling of vacant positions in the National Park Service; to the Committee on Ways and Means.

By Mr. CORMAN:

H.J. Res. 256. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 257. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. de la GARZA:

H.J. Res. 258. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 259. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. FRASER:

H.J. Res. 260. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. Blatnik, and Mr. Karth):

H.J. Res. 261. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. FUQUA:

H.J. Res. 262. Joint resolution calling upon the President to proclaim as "Circle K Week" the period March 2 through March 8, 1969; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 263. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.J. Res. 264. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HARVEY:

H.J. Res. 265. Joint resolution to create a joint congressional committee to review, and recommend revisions in, the laws relating to industrywide collective bargaining and industrywide strikes and lockouts; to the Committee on Rules.

By Mr. HECHLER of West Virginia:

H.J. Res. 266. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.J. Res. 267. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PRICE of Illinois:

H.J. Res. 268. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. RHODES (for himself and Mr. Steiger of Arizona):

H.J. Res. 269. Joint resolution directing the Secretary of State and the Secretary of the Interior, through the Bureau of Reclamation, to study the economic and engineering feasibility of acquiring riparian rights from the Republic of Mexico to water in the Gulf of California for the piping and pumping of water from the Gulf of California to Arizona for irrigation purposes; to the Committee on Foreign Affairs.

By Mr. ROBERTS:

H.J. Res. 270. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. STEPHENS (for himself and Mr. Pepper:

H.J. Res. 271. Joint resolution authorizing the President to proclaim the period March 2 through March 8, 1969, as "Circle K Week"; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.J. Res. 272. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in Federal elections; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H. Con. Res. 88. Concurrent resolution calling upon the President to implement the foreign economic policy of the United States by terminating controls on foreign direct investments; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California (for himself, Mr. Reuss, Mr. Brown of California, Mr. Stokes, Mr. Rosenthal, Mrs. Chisholm, Mr. Kastenmeier, Mr. Charles H. Wilson, Mr. Fraser, and Mr. McCarthy):

H. Res. 134. Resolution to abolish the House Committee on Un-American Activities and enlarge the jurisdiction of the House Committee on the Judiciary; to the Committee on Rules.

By Mr. GONZALEZ (for himself and Mr. Brown of California):

H. Res. 135. Resolution creating a special committee to conduct an investigation and study of procurement and construction for the national defense and the national space programs; to the Committee on Rules.

By Mr. HENDERSON:

H. Res. 136. Resolution disapproving the recommendations of the President with respect to the rates of pay of Federal officials transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. KLUCZYNSKI:

H. Res. 137. Resolution establishing a Committee on the House Restaurant; to the Committee on Rules.

By Mr. MAYNE (for himself, Mr. Mize, Mr. Miller of Ohio, and Mr. Roth):

H. Res. 138. Resolution disapproving the recommendations of the President with respect to the rates of pay of Members of Congress transmitted to the Congress in the budget for the fiscal year ending June 30, 1970; to the Committee on Post Office and Civil Service.

By Mr. SKUBITZ (for himself and Mr. Hunt):

H. Res. 139. Resolution disapproving the recommendations of the President relative to the rates of pay of certain Federal officials; to the Committee on Post Office and Civil Service.

By Mr. WOLFF:

H. Res. 140. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 3866. A bill for the relief of Cedric Quesada Fadul; to the Committee on the Judiciary.

H.R. 3867. A bill for the relief of Peter Takis Paraskevopoulos (also known as Peter Takis Pappas); to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 3868. A bill for the relief of Giuseppe Calafiore, his wife, Anna Calafiore, their son, Salvatore Calafiore, and their daughter, Beatrice Calafiore; to the Committee on the Judiciary.

H.R. 3869. A bill for the relief of Salvatore Calafiore, his wife, Aida Calafiore, their son, Giuseppe Salvatore Calafiore and their daughter, Salvatrice Calafiore; to the Committee on the Judiciary.

H.R. 3870. A bill for the relief of Dr. Seung Chul Karl; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 3871. A bill for the relief of Rosalie Banc and Iosif Banc; to the Committee on the Judiciary.

H.R. 3872. A bill for the relief of Battista DiPinto; to the Committee on the Judiciary.

H.R. 3873. A bill for the relief of Antonio Rinaldo; to the Committee on the Judiciary.

H.R. 3874. A bill for the relief of Amaden and Cecilia Simoes; to the Committee on the Judiciary.

H.R. 3875. A bill for the relief of Maria Augusta Simoes; to the Committee on the Judiciary.

H.R. 3876. A bill for the relief of Ivo Herbert Christopher Thomas; to the Committee on the Judiciary.

H.R. 3877. A bill for the relief of Iris Elisabeth Mensing; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 3878. A bill for the relief of Paola Bellanca; to the Committee on the Judiciary.

H.R. 3879. A bill for the relief of Ignazio Bono, Rosetta Caterina DiPiazza Bono, and Santina Bono; to the Committee on the Judiciary.

H.R. 3880. A bill for the relief of Salvatore Cracchiolo; to the Committee on the Judiciary.

H.R. 3881. A bill for the relief of Rosarin De Camillis; to the Committee on the Judiciary.

H.R. 3882. A bill for the relief of Attillio Di Francia; to the Committee on the Judiciary.

H.R. 3883. A bill for the relief of Salvatore Di Liberto; to the Committee on the Judiciary.

H.R. 3884. A bill for the relief of Giovanni

Di Maggio; to the Committee on the Judiciary.

H.R. 3885. A bill for the relief of Andrea DiStefano; to the Committee on the Judiciary.

H.R. 3886. A bill for the relief of Leonarda Domingo and her son, Francesco Domingo, and her daughter, Caterina Domingo; to the Committee on the Judiciary.

H.R. 3887. A bill for the relief of Giuseppi Felice; to the Committee on the Judiciary.

H.R. 3888. A bill for the relief of Salvatore Fiorello; to the Committee on the Judiciary.

H.R. 3889. A bill for the relief of Angelo Giambalvo; to the Committee on the Judiciary.

H.R. 3890. A bill for the relief of Francesco Grimaudo; to the Committee on the Judiciary.

H.R. 3891. A bill for the relief of Vito Gullo, Giuseppae Gullo, and their child, Baldassare Gullo; to the Committee on the Judiciary.

H.R. 3892. A bill for the relief of Vincenzo Licata; to the Committee on the Judiciary.

H.R. 3893. A bill for the relief of Antonio Milazzo; to the Committee on the Judiciary.

H.R. 3894. A bill for the relief of Loreto Mancino and Gennaro Mancino; to the Committee on the Judiciary.

H.R. 3895. A bill for the relief of Rosalia Mannino; to the Committee on the Judiciary.

H.R. 3896. A bill for the relief of Antonio Massamuto; to the Committee on the Judiciary.

H.R. 3897. A bill for the relief of Andrea Parrino; to the Committee on the Judiciary.

H.R. 3898. A bill for the relief of Vincenzo Penta; to the Committee on the Judiciary.

H.R. 3899. A bill for the relief of Francesco Randazzo; to the Committee on the Judiciary.

H.R. 3900. A bill for the relief of Giuseppe Sassano; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3901. A bill for the relief of Nick Stamatios Daphnis; to the Committee on the Judiciary.

H.R. 3902. A bill for the relief of Refugio Cerda Fuentes; to the Committee on the Judiciary.

H.R. 3903. A bill for the relief of Purificacion Panganiban; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 3904. A bill for the relief of Sang Ok Cha; to the Committee on the Judiciary.

H.R. 3905. A bill for the relief of certain aliens; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 3906. A bill for the relief of Mariangela Losinno; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 3907. A bill for the relief of Mario Milloz; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 3908. A bill for the relief of Elizabeth B. Borgnino; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 3909. A bill for the relief of Mrs. Amy M. Allen Haqq; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 3910. A bill for the relief of Angelo Appio; to the Committee on the Judiciary.

H.R. 3911. A bill for the relief of Antonio Capasso; to the Committee on the Judiciary.

H.R. 3912. A bill for the relief of Maria Amelia dos Santos Caria; to the Committee on the Judiciary.

H.R. 3913. A bill for the relief of Vincenzo Citro; to the Committee on the Judiciary.

H.R. 3914. A bill for the relief of Alda Vergano Fracchia and Angelo Fracchia; to the Committee on the Judiciary.

H.R. 3915. A bill for the relief of Wuen Yeung Hung and King Hung Luk; to the Committee on the Judiciary.

H.R. 3916. A bill for the relief of Giuseppa Imme; to the Committee on the Judiciary.

H.R. 3917. A bill for the relief of Vincenza Incorvaia; to the Committee on the Judiciary.

H.R. 3918. A bill for the relief of Mrs. Teresa Iesce; to the Committee on the Judiciary.

H.R. 3919. A bill for the relief of Wei Tack Lick; to the Committee on the Judiciary.

H.R. 3920. A bill for the relief of Beverly Medlock and Ruth Lee Medlock; to the Committee on the Judiciary.

H.R. 3921. A bill for the relief of Ruth Lee Medlock; to the Committee on the Judiciary.

H.R. 3922. A bill for the relief of Anne Reale Piptrandrea; to the Committee on the Judiciary.

H.R. 3923. A bill for the relief of Rocco and Lucia Pocetti; to the Committee on the Judiciary.

H.R. 3924. A bill for the relief of Mrs. Marietta Scata; to the Committee on the Judiciary.

H.R. 3925. A bill for the relief of Michele Simonetta; to the Committee on the Judiciary.

H.R. 3926. A bill for the relief of Gee Ping Yee; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3927. A bill for the relief of Maria Bouloudakis Bounatsos; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3928. A bill for the relief of Li Fo Shi; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 3929. A bill for the relief of Dr. Antonio Gomez Hernandez; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 3930. A bill for the relief of Robert J. Beas; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 3931. A bill for the relief of Col. and Mrs. Harvey H. Hewitt; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 3932. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, and William A. Anders; and to Astronauts Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee; to the Committee on Armed Services.

By Mr. FULTON of Tennessee:

H.R. 3933. A bill for the relief of Dr. Silverio Agujar and his wife, Teresita Agujar; to the Committee on the Judiciary.

H.R. 3934. A bill for the relief of Mrs. Marina Munoz de Wyss (nee Lopez); to the Committee on the Judiciary.

H.R. 3935. A bill for the relief of Yveline Marcelle Jouhault and her daughter, Veronique Jouhault; to the Committee on the Judiciary.

H.R. 3936. A bill for the relief of Chavalit Ariyant Manjikul; to the Committee on the Judiciary.

H.R. 3937. A bill for the relief of Dr. Hector Elfredo E. Planas-Pina; to the Committee on the Judiciary.

H.R. 3938. A bill for the relief of Dr. Kallaiah Mata Rajashekaraiah; to the Committee on the Judiciary.

H.R. 3939. A bill for the relief of Dr. Sisir Kumar Sen; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 3940. A bill for the relief of Amado Buenconsejo Budy and Sonia Lin-Budy; to the Committee on the Judiciary.

H.R. 3941. A bill for the relief of Lu-Yin Chen, Julie Chen, Edward Chen, and Susie Chen; to the Committee on the Judiciary.

H.R. 3942. A bill for the relief of Paul Martin Preston; to the Committee on the Judiciary.

H.R. 3943. A bill for the relief of Paul Russo; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3944. A bill for the relief of Amutta Gabriel; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 3945. A bill for the relief of Muhammad Anwarul Haq and his wife, Mythili Krishnaswamy Lakshminara Yanan Haq; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 3946. A bill for the relief of Harry Iredale III, and Dunnie R. Tuck, Jr.; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 3947. A bill for the relief of Peter K. Newman; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 3948 A bill for the relief of Leonne Louis; to the Committee on the Judiciary

By Mr MEEDS:

H.R. 3949. A bill for the relief of Erlinda T. Mijares; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 3950. A bill for the relief of Jadwiga Sobon; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 3951. A bill for the relief of George O. Jiries Saleh; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 3952. A bill for the relief of Fransisca S. Cisnero; to the Committee on the Judiciary.

H.R. 3953. A bill for the relief of Girolomo Hartino G. Grillo; to the Committee on the Judiciary.

H.R. 3954. A bill for the relief of Bronislaw Turek; to the Committee on the Judiciary.

H.R. 3955. A bill for the relief of Placido Viterbo; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 3956. A bill for the relief of Iftikhar Ahmad; to the Committee on the Judiciary.

H.R. 3957. A bill for the relief Enrico A. Amico; to the Committee on the Judiciary.

H.R. 3958. A bill for the relief of Manuel Correia; to the Committee on the Judiciary.

H.R. 3959. A bill for the relief of Guiseppe Cucinotta; to the Committee on the Judiciary.

H.R. 3960. A bill for the relief of Antonio Malheiro Ferreira de Silva; to the Committee on the Judiciary.

H.R. 3961. A bill for the relief of Maria Digirolamo; to the Committee on the Judiciary.

H.R. 3962. A bill for the relief of Nicola Femia; to the Committee on the Judiciary.

H.R. 3963. A bill for the relief of Domingos Casanova Fidalgo; to the Committee on the Judiciary.

H.R. 3964. A bill for the relief of Guiseppe and Acursia Friscia; to the Committee on the Judiciary.

H.R. 3965. A bill for the relief of Mariano Gerbaudo; to the Committee on the Judiciary.

H.R. 3966. A bill for the relief of Gerardo LoPilato; to the Committee on the Judiciary.

H.R. 3967. A bill for the relief of Ana Pimentel Medeiros; to the Committee on the Judiciary.

H.R. 3968. A bill for the relief of Giovanni and Maria Rita Morello and their minor children, Maria Concetta, Salvatore, and Vincenzo; to the Committee on the Judiciary.

H.R. 3969. A bill for the relief of Michele Pernice; to the Committee on the Judiciary.

H.R. 3970. A bill for the relief of Sebastiano Ragusa; to the Committee on the Judiciary.

H.R. 3971. A bill for the relief of Rosalia Romano; to the Committee on the Judiciary.

H.R. 3972. A bill for the relief of Paolo Rosolia; to the Committee on the Judiciary.

H.R. 3973. A bill for the relief of Gilfroia Sacco; to the Committee on the Judiciary.

H.R. 3974. A bill for the relief of Guiseppa Serra; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 3975. A bill for the relief of Chiu On Chiu and his brother, Kin On Chiu; to the Committee on the Judiciary.

H.R. 3976. A bill for the relief of Hersh Michael Glazer; to the Committee on the Judiciary.

H.R. 3977. A bill for the relief of Falesca Knight; to the Committee on the Judiciary.

H.R. 3978. A bill for the relief of Maria Pinazzi; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 3979. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of certain oil and gas leases; to the Committee on Interior and Insular Affairs.

By Mr. PURCELL:

H.R. 3980. A bill for the relief of Reubenstein D. Landreth; to the Committee on the Judiciary.

H.R. 3981. A bill for the relief of Thaddeus L. Michalski; to the Committee on the Judiciary.

H.R. 3982. A bill for the relief of Cleopatra A. Palmejar; to the Committee on the Judiciary.

H.R. 3983. A bill for the relief of Earl F. Werner; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 3984. A bill for the relief of Arnand Prakash Agarwal; to the Committee on the Judiciary.

H.R. 3985. A bill for the relief of Marwan Khaled Kamalmaz; to the Committee on the Judiciary.

H.R. 3986. A bill for the relief of Sook Myung Pak; to the Committee on the Judiciary.

H.R. 3987. A bill for the relief of Adele Romanelli; to the Committee on the Judiciary.

H.R. 3988. A bill for the relief of Lucia Tortorella; to the Committee on the Judiciary.

By Mr. RHODES:

H.R. 3989. A bill for the relief of Vladko Dimitrov Denev; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 3990. A bill for the relief of Harvey E. Ward; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 3991. A bill for the relief of Ben Zion Cohen; to the Committee on the Judiciary.

H.R. 3992. A bill for the relief of Lea Lazar; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 3993. A bill for the relief of Marie Denis Champana; to the Committee on the Judiciary.

H.R. 3994. A bill for the relief of Alice Muriel Job; to the Committee on the Judiciary.

H.R. 3995. A bill for the relief of Albina A. Parisi; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 3996. A bill for the relief of Giuseppe De Santis; to the Committee on the Judiciary.

H.R. 3997. A bill for the relief of Giacomo Ferrara, wife, Caterina Ferrara, and daughter, Vincenza Ferrara; to the Committee on the Judiciary.

H.R. 3998. A bill for the relief of Mario Gagliardi; to the Committee on the Judiciary.

H.R. 3999. A bill for the relief of Pietro Giordano; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 4000. A bill for the relief of Do Sung Deuk; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 4001. A bill for the relief of Anna Elsa Bayer; to the Committee on the Judiciary.

H.R. 4002. A bill for the relief of Chu Yi Chang; to the Committee on the Judiciary.

H.R. 4003. A bill for the relief of Jose Maria Sousa Costa; to the Committee on the Judiciary.

H.R. 4004. A bill for the relief of Giovanni Finocchiaro; to the Committee on the Judiciary.

H.R. 4005. A bill for the relief of Nan Wong; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 4006. A bill for the relief of Giacomo Famularo; to the Committee on the Judiciary.

H.R. 4007. A bill for the relief of Hiroko Saito; to the Committee on the Judiciary.

H.R. 4008. A bill for the relief of Arpi L. Vartian; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 4009. A bill for the relief of Doctor Abbas Rahnema; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 4010. A bill for the relief of Abe and Yetta Borczuk; to the Committee on the Judiciary.

By Mr. YOUNG:

H.R. 4011. A bill for the relief of Mr. and Mrs. Gino Ricci; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

AIR AND WATER POLLUTION MEASURES

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. RUMSFELD. Mr. Speaker, for centuries the people living on this earth did not have to worry about the two basic necessities of life—air and water. Today, an adequate supply of clean water is an important national concern. The pollution of the air we breath is on the verge of constituting a national health hazard. The U.S. Congress, in my judgment, has failed to confront these absolutely vital problems adequately. We have not worked out effective solutions to control and eliminate the growing air and water pollution we have in our country. Polluted air and water need not and cannot be allowed to remain the hallmarks of our society.

The air pollution problem, most experts say, will worsen before it improves. During the next decade it is expected that the number of motor vehicles using our roads and highways will increase from 90 million to 120 million. The need for electrical power will more than double, and much of that additional power will be generated by combustible fuels. Thus, we can expect that the atmospheric problems we face will increase severely during the next decade.

Programs to halt the polluting of the air and waterways must be pursued vigorously. It is clear that Government cannot do the job alone. An interdependent, coordinated approach to the problem is required.

The three measures which I am introducing today were also introduced during the 90th Congress. They are not a total solution. They could, however, provide a beginning. These measures will encourage the private sector to play a more substantial role in helping the Nation reclaim and cleanse the environment in which we live.

The first proposal authorizes an incentive tax credit against the cost of constructing air and water pollution control facilities.

The second would expand the Oil Pollution Act to impose stronger penalties for the dumping of oil in our national waterways.

The third will prohibit dumping certain materials into navigable waters of the United States by the Federal Government.

It is particularly important that consideration be given to the legislation which deals with the dumping of oil and other matter into the Nation's waterways. One of the bills amends the Oil Pollution Act of 1924 by empowering the Secretary of the Interior and appropriate Federal prosecuting agencies to take action against those responsible for oil pollution. A single instance of oil dumping can adversely affect wide areas bordering on our Nation's lakes. This legislation provides severe penalties, but certainly no more severe than the consequences caused by the dumping.

The Pollution Abatement Incentive Act of 1969 provides for tax credits for the partial cost of facilities and equipment to control air pollution or water pollution which have been approved by the appropriate State agencies.

THE LATE JUDGE FREDERICK OSCAR BOWMAN

HON. B. EVERETT JORDAN

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, January 16, 1969

Mr. JORDAN of North Carolina. Mr. President, ever so often there passes across the scene a man who has lived so fully, so richly, and so well in the true sense of those words that the end of that life warrants the attention of even those not privileged to have known him.

Such a man was Frederick Oscar Bowman, who died a few weeks ago in North Carolina.

I knew him and his wife Sally as dear friends, admired his legal talent, but most of all deeply respected him for his devotion to his family and to people and worthwhile causes.

An eloquent testimonial to the sort of man he was is contained in an article by former University of North Carolina Chancellor Robert Burton House appearing in the Chapel Hill Weekly shortly after his death, and I ask consent at this point that the full text of that tribute be printed in the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the article

was ordered to be printed in the Record as follows:

Judge Bowman

(By Robert B. House)

Frederick Oscar Bowman was known through the length and breadth of North Carolina as Judge Bowman, not only for his sagacity as a lawyer, and his artistry in counseling the bottlers and druggists of the State and his invaluable help in developing the Division of Health Affairs at the University, but for his sound judgment of the values that go deeper into life than the legal, the economic, and the political. Born at the foot of Mt. Mitchell, he seemed to take that great eminence as a watch-tower from which to observe the full tide of people and events in this commonwealth for his full life of 77 years.

But, while he was a shrewd observer, he was also a powerful participator. He associated himself with things that stirred with life; e.g., the rise of the bottling industry to a great business association, the rise of druggists to a high moral profession, the rise of this University, not only in Health Affairs, but in all that makes it the sparkplug of education in the State and nation. Education was in his blood. He was born and educated in his father's academy in Bakersville, he went on to graduate from that unique school of mountain schools, Berea in Kentucky, and to graduate from the Law School of this University. Law was in his blood. In addition to his counseling two tremendous business and professional associations, he conducted a modest law office that was particularly kind and helpful to the poor and distressed.

He knew and delighted in every variety of person and every level of occupation in the commonwealth. He was interested in people, he loved them; he awakened interest in people, and they loved him and delighted in him. He was said to be the best political prognosticator in the State because he knew the emotions and the motives of the voting people.

He was a loyal and devoted son and brother in a large family of sisters and brothers of whom eleven survive him with distinction in North Carolina, Kentucky, Maine, New Jersey, and Colorado. He was happy in his marriage to Sallie Sanders of Johnston County. In them, mountain joined with plain, west with east, ruggedness with beauty and grace. They evolved a beautiful healing of a schism that had long separated east and west in North Carolina. He was happy in his son and daughter. I speak with assurance on this point, for it was given to me to be chauffeur, companion, and listener to them through the schooling, car-pooling, tooth-straightening, and scouting period of their childhood, along with my own children.

And in his last days of pain and sickness he was happy in himself and an inspiration to those about him in his granite patience and fortitude. He was a mountain peak, sturdy in storm, benign in sunshine.

GROUNDBREAKING CEREMONIES FOR THE JOSEPH H. HIRSHHORN MUSEUM AND SCULPTURE GARDEN HELD JANUARY 8 AT THE SMITHSONIAN MALL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. SCHWENGEL. Mr. Speaker, on January 9 I participated along with many prominent citizens in an important ceremony held at the Smithsonian Mall. The occasion was the groundbreaking ceremony for the Joseph H. Hirshhorn Museum and Sculpture Garden. It was an impressive ceremony presided over by S. Dillon Ripley, our very genial, capable, and highly respected Director of the Smithsonian. The principal speakers were Mr. Joseph H. Hirshhorn and the President of the United States, who were eloquently and appropriately introduced by other prominent citizens including Chief Justice Warren of the Supreme Court.

Because of what Mr. Dillon Ripley said in his opening remarks and the eloquent responses by the principal donor and the wholesome insights by the President, I have deemed it in the public interest to have the statements of this ceremony placed in the Congressional Record so it could be made available to the Members of Congress who may want to share it with their constituency and so this event could be properly and appropriately recorded in the Congressional Record, an official Government document.

So that this significant event, this meaningful gift, and the eloquent response by national leaders may be made a part of the permanent Record, I ask permission for the statements of the participants to be included herewith:

Remarks by S. Dillon Ripley, Secretary of the Smithsonian Institution, at Groundbreaking Ceremonies for the Joseph H. Hirshhorn Museum and Sculpture Garden, January 8, at Washington, D.C.

In July, 1848, Joseph Henry, first Secretary of the Smithsonian, surveying the newly created Smithsonian park, wrote in his pocket diary:

"The idea has occurred to me that the Mall might be made one of the most delightful places in the United States by filling up the canal, planting the ground with clumps of native ornamental trees and making a broad gravel road entering around the whole, extending from the foot of Capitol Hill to the Monument. This would be one of the finest 'drives' in the world."

Can you hear the clopping of the hooves? Can you visualize, through all the years, the later plans of Downing and Olmstead, and now of Owings; you perceive through the panorama of time itself, vestiges of *delight?*

How right Henry was, and how right Mrs. Johnson's beautification plans have been! We cannot live with magnificence and grandeur alone. Let the Mall be an inspiring heartland for all America but let it never be sterile and dull. It must be lively, vigorous, varied, and, yes, restful too, and above all, beautiful.

The Smithsonian Institution has been charged for many years by the Congress with planning and initiating a kind of Tate Gallery, a sort of Luxembourg Gallery, to act as a foil for the magnificent Mellon collections. As the National Gallery arose, and now is to be added to through more Mellon munificence, it has become more than ever obvious that if this Institution is to live up to that charge, it should be responsible in two areas, a panoramic history of American art, now formulating itself in the National Collection of Fine Arts, so beautifully housed in the Old Patent Office, and a continuing survey of the trends of contemporary art, both American as well as foreign.

No private individual has done the latter more splendidly than Joseph H. Hirshhorn whose sculpture collection alone is incomparable. Few men that I know have been, as a collector, better friends with artists themselves, for he has never buffered himself with dealers or agents. He has always cut through to the artist, often young and little known, and has expressed his own vigorous confidence, and essential kindliness, overlaid by his sometime bristling exterior. In this world of art, as John Rothenstein has described it, "where denigration and division, faint praise and rivalry are usually so conspicuous", Joseph Hirshhorn himself has remarkably few detractors. For Mr. Hirshhorn to have given his collection to the nation is a genuine act of faith. For us to be honored here at this gathering today by the Johnson family is a mark of the faith that they too have expressed all their lives in this traditional setting.

When Gordon Bunshaft and I talked about a building for this site, I reminded him that the varied, elegant small buildings along this side of the Mall, silhouetted against a backdrop of monolithic government building behind to the south on the other side of Independence Avenue, are in a certain scale, like tiny figures in a Bayeux tapestry, each different, each representing an era; the turrets of the original building, the castellated towers, banners flaunting of the exposition building, the cool austerity of the Freer. To create delight, to match the harmonious cacophony of the other buildings, I asked him if he could not create something equally different to all the others. I suggested a balloon ascension. Mr. Bunshaft has indeed provided us with something brilliantly different. It will be gay and delightful, and certainly in today's parlance, it is not "square." This elegant museum with its accompanying sculpture garden, stretching across the Mall to express the L'Enfant-planned cross-Mall axis will be a perfect foil, one of a pair, to match the National Gallery. History has been served, a garden will be created, and the vision of architects and planners of the past will become reality.

Art today, like museums, represents far more than legacies of defunct cultures to be mused over in one's spare time. Today we know that we must know more of everything in order to be able to formulate some personal synthesis, some approach to life, indeed in order to be able to survive. In 1780, in the beginnings of our republic, John Adams wrote to his wife;

"I must study politics and war, that my sons may have liberty to study mathematics and philosophy, natural history and naval architecture, navigation, commerce and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain."

That's the way it used to be. Shirtsleeves to shirtsleeves in three generations. Let us labor at war or commerce so that our children can reflect our basic urge to culture by indulging in the pleasures of cultivated tasks at leisure supported by the wealth or security we have created for them. Today in the refinements of the technological world which is upon us, I submit that this is true no more. Narrow specialization is not appropriate to the scene. To survive one must be skilled not only in "politics and war", but also in poetry, music and mathematics, lest the urgent stresses of our environment deafen us to the very meaning of life itself. We risk being dehumanized in one generation, so that every generation must be all things to itself. We can no more afford to ignore art than we can afford to ignore technology. We must be trained for life at all levels of integration.

In this setting there is more than mere symbolism to the juxtaposition of our buildings, the greatest library in the nation next to the Congress, buildings representing vast areas of policy and decision making next to museums, offices next to laboratories and all the busy life itself mirrored in the pools of the Mall, the "finest drive in the world" a place to be made a delight by the very necessities of existence. No building presently planned could add more to the spirit of the place than this one, a fortunate and humane partnership of Joseph Hirshhorn, and our enlightened government.

Remarks by Joseph H. Hirshhorn

Mr. President, Mrs. Johnson, Dr. Ripley, Chief Justice Warren, Congressmen, Honored Guests, Friends, Loved Ones, Ladies and Gentlemen: There are special occasions that celebrate a lifetime of effort and commitment. Even when they are formalized to fit the pattern of ceremony, these are the golden moments that have the greatest significance. They are very, very rare. Today is such an occasion for me.

I have spent the greater part of my life with art, with artists, and as a collector of art. When I began to collect, it was considered absurd to believe that American art could ever achieve international significance, that it could ever become a vital world art. I am proud that I began by collecting American artists. I am proud that I believed in them and championed them and stayed with them. I guess I felt from the beginning that American art had an explosive energy that would one day affect and influence art all over the world. The past twenty years have proved it.

This is a proud day for me. I feel most fortunate that I should be here sharing this podium with such distinguished Americans, to initiate the construction of a great new museum. Mrs. Hirshhorn and I are grateful to all of you who have taken the time on a chilly day to help us celebrate this occasion. It was an honor for me to give my art collection to the people of the United States. I think it is a small repayment for what this great nation has done for me and others like me who arrived here as immigrants. I repeat, it was an honor for me to give my art collection to the people of the United States. I think it is small repayment for what this great nation has done for me and others like me who arrived here as immigrants.

Ladies and Gentlemen, I want you to know that we Americans are a great, wonderful, generous, kind people and I am proud to belong to the family of Americans. I was six years old, 63 years ago, when my Mother brought me here from Latvia. I am grateful to that Momma of mine and I hope she is here in spirit. What I have accomplished here in the United States, I could not accomplish anywhere else in the world.

I want to express my deepest thanks to President Johnson, whose interest and encouragement have made this day possible. He championed not only the creation of this museum, but also the cause of all the arts in America. In my memory, he is the first President of the United States to have been so deeply concerned with our national culture, and his administration was the first to recognize the importance of art in American life and to legislate in its favor. This is a matter of record. All of us who are concerned with the cultural heritage and future of our nation recognize the magnificent contribution President Johnson has made.

The President is fortunate in having at his side a great, darling and charming lady. Mrs. Johnson's concern for beautifying our nation and our capital made her an indispensable ally to our cause. Her unique personality, vision and lofty purpose have brought a new significance to the title of "First Lady."

Dr. Dillon Ripley was instrumental in bringing my collection to Washington. I want to pay my respects to this amiable diplomat who conducted the entire proceeding with exceptional grace and courtesy. It is not easy to work out the details of a gift of such proportions, but Dr. Ripley was persistent, cooperative and a charming seducer throughout.

There are several others who deserve my deepest thanks: Mr. Roger Stevens was one of the first to speak to me regarding a museum in Washington. As head of the Nation's art programs, he has earned the respect and gratitude of all our citizens for his unstinting efforts in behalf of the arts and the wise manner in which his programs were accomplished. He has destroyed the myth that government in art means censorship and bureaucracy.

My friend, Justice Abe Fortas, that wise, good and gentle man, did much to shape my decision. His lively interest in the arts and his sympathy for what we are trying to accomplish make him a particularly valued and understanding friend.

Mr. James Bradley, assistant secretary of the Smithsonian Institution, who helped work out the details of our agreement, was an angel throughout: My attorney and good friend, Mr. Sam Harris, was a key person in my decision to bring my collection to Washington. He worked hard to bring this about: Mr. Abram Lerner, my former curator, the first Director of the Joseph H. Hirshhorn Museum. His dedication and help over many years have made him a cherished friend and an invaluable associate: Mr. Gordon Bunshaft of the architectural firm of Skidmore, Owings and Merrill, has designed a beautiful Museum building, an exciting structure that will contain an equally exciting assemblage of art. It is my great hope that this Museum will dedicate itself to public service, that it will be the Nation's showcase for the widest range of contemporary artistic expression, that it will become involved with the community as well as the nation, and that it will be a productive center of recreation, education, and study for all our people.

Thank you.

Remarks of the President at the Groundbreaking Ceremony for the Joseph H. Hirshhorn Museum and Sculpture Garden, Smithsonian Mall

Dr. Ripley, Mr. and Mrs. Hirshhorn, Mr. Chief Justice and Members of the Supreme Court, the Cabinet and the Congress, Distinguished Friends:

Today and tomorrow are memorable days for our capital and for this country. Tomorrow, we will celebrate the marvels of science and the spirit of adventure. We will greet, here in Washington, three voyagers who can describe for us sights that have never been seen before by human eyes. Today, we celebrate the enriching power of art and the spirit of creation. We honor a most remarkable man and a most magnificent gift.

Each of the events we commemorate in these two days—the flight of Apollo Eight, and the birth of the Hirshhorn Museum—tells us something about this country and its people. We are in love with science, with progress, with change, with adventure, with technology. Our reach into space expresses that enthusiasm and determination. We are restless, questing, deeply moved by art and symbols, that are concerned with inner things. And the establishment of this place of beauty expresses those qualities in us.

So today and tomorrow, we affirm our people's intention to voyage in both directions of human discovery: toward the outer reaches of space, and to the inner territory of the human heart.

It gives me a great deal of pride and personal pleasure to be here with you today. Pride, because I love this capital, I love Washington. And I am interested in any event that seems to make this a better place to live and seems to improve this city. Mr. Hirshhorn, with one handsome gift, has assured that the Nation's Capital will always be a center of art almost unrivalled in the world.

To be here gives me pleasure, for other personal reasons. Two years ago, Mrs. Johnson and Lynda Bird went to Connecticut to see the Hirshhorn Collection. They returned to the White House, enthusiastic about this great treasure house of art—and I might say, even more enthusiastic about the man who is its father, Joseph Hirshhorn.

They told me of its magnificence. They told me of its size and they told me of the possibility, just the bare possibility that we might be able to bring it to Washington.

It was almost too big to give any encouragement—except when I was a little boy selling magazines and papers in the streets of my home town—I never forgot the paper and the crusading editor had a slogan. He said, "Minnows are safe. I am out after whale."

So, that is where we started and here is where we are.

I want to say publicly that I share Mrs. Johnson's great respect and affection for Joseph and Mrs. Hirshhorn. This splendid American—an immigrant; the twelfth of thirteen children, a half-orphan, a child of poverty—symbolizes the breadth of opportunity in our America. His story is an American story.

In future years, this gallery and its contents will remind us not only of the man and his generosity, but of the possibilities which our land offers its people. I hope that Congress will show a generosity and a foresight which match Mr. Hirshhorn's—and will provide, in years to come, the means to enlarge and develop the collection he has begun.

To Mr. Bunshaft and Dr. Ripley and his great staff, to the Chief Justice and his board, I express the Nation's gratitude.

To Mr. Hirshhorn, on behalf of all of your countrymen, I thank you and Mrs. Hirshhorn once again.

I shall take great pride in turning the first spade of earth—and in dedicating this new museum to "the increase and diffusion of knowledge among men."

Thank you.

THE NEW SOVIET THREAT AT SEA

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Thursday, January 16, 1969

Mr. JACKSON. Mr. President, my senior colleague (Mr. MAGNUSON) is justifiably known as "Mr. Maritime." For over three decades there has been no stronger voice in the Halls of Congress, no more determined advocate of a strong U.S. merchant marine than my esteemed and beloved colleague.

In recent years he has been increasingly concerned with the steady decline of our merchant marine, a condition that he and I both feel is in a large part due to the failure of those in the executive branch of Government to recognize the American-flag fleets' transcendental importance to both national security and the American economy.

During this period of decline, Soviet Russia has been steadily building a large, modern merchant marine fleet that has catapulted that nation into a challenging position among world maritime powers. If the U.S.S.R. continues its maritime growth at the present rate, it can well play the predominant role in the management of world shipping within a decade or so.

Senator MAGNUSON has called attention to this alarming situation in an article titled "The New Soviet Threat at Sea" in the October issue of the Eagle, official publication of the Fraternal Order of Eagles. The article is well written, thoroughly documented, and cogently sums up the Soviet challenge to both our military and economic security at sea. It should be must reading for every Member of Congress and for those in the executive branch of Government concerned with this problem. I ask unanimous consent that Senator Magnuson's article be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russians Are Determined That Their Maritime Might Will Be No. 1 on the High Seas—The New Soviet Threat at Sea

(By Senator Warren G. Magnuson, chairman, Senate Commerce Committee)

Through the Nineteenth Century the famed clipper ships sliced through the oceans of the world as a muscular young United States merchant marine carried the products of a fledgling industrial colossus to all five continents.

These tautly hulled ships with their swelling canvases represented America's resolve to become a leading maritime power.

By the end of World War II, that dream was realized: The United States reigned supreme in the maritime world. The merchant marine, from the Murmansk run to the South Atlantic, had made a prodigious contribution to winning the war, and its postwar future seemed assured.

Today, less than a quarter century later, the United States has slipped far down the ladder as a maritime power. One startling statistic can sum up the story. In 1946, American ships carried 67.6 percent of our foreign trade. Today, we carry but 5.6 percent of this trade in American-flag bottoms. This is why we are suffering a balance of payments deficit; if we carried 30 percent of our own trade, the problem would be eliminated.

If this trend continues, as it has over the last 20 years, the United States merchant marine can well disappear soon as a positive national force.

Our active fleet has declined from 2,332 to fewer than 900 ships in 20 years. Only 311 of these ships, according to the Committee of American Steamship Lines, can be classified as modern. The rest are over-age World War II "rust buckets."

Let me shock you further by telling you what the Russians have been doing during most of this period. At the end of World War II, the Soviet merchant fleet was insignificant. When Stalin died in 1953, Russia's 500 ships totaled but 1.5 million tons. Then Soviet maritime policy was accelerated and within five years that figure was almost doubled.

From there the Russians have embarked on a policy of maritime expansion that has brought them to sixth place among world maritime powers. And what is even more ominous is that their vessels are modern and technically advanced to cope with the complex and different seas and ports of the world.

Early this year, *Time* magazine concluded a cover story on Soviet maritime development with these challenging words:

"The West, and especially the United States, has no alternative but to accept the Soviet challenge on the seas, because the welfare of the United States—and of the entire free world—is so solidly tied to the sea and to the untrammeled flow of trade. It would be an historic error if a nation as powerful as the United States allowed a crisis elsewhere, no matter how troublesome, to distract it from its determination to retain the mastery of the sea. . . ."

What are the dimensions of the Soviet maritime threat?

Last fall I requested the Library of Congress to carefully examine the U.S.S.R.'s achievements in the maritime field. That distinguished institution responded with a well-documented 35-page analysis titled *The Soviet Drive for Maritime Power*. The analysis made the following factual points:

1. The Soviet merchant fleet has doubled in tonnage during the 5-year period 1961–65.
2. By 1970, the Soviet fleet is scheduled to expand by another 50 percent namely from 9.5 million to 14 million tons;
3. Within a single decade of sustained growth at a forced pace, the Soviet has projected itself dramatically from a position of near obscurity in ocean shipping to take its place as the *sixth leading* maritime nation in the world;
4. In outstanding orders for dry cargo vessels, the Soviet Union is now leading all competitors, with an average figure of 2.5 million deadweight tons, or 28 percent of all world ships on order in this category.

What is behind this Soviet drive for maritime power? The experts at the Library of Congress list four basic reasons:

1. *Foreign Aid.* The Russian commitments to the undeveloped uncommitted nations around the world require additional seagoing tonnage to carry large cargoes.
2. *Increased Movement of Soviet Armament Shipments.* The U.S.S.R. shipments of arms to North Vietnam and the shipments to the Arab nations of the Middle East have occupied the headlines for some time. These shipments would not have been possible without the greater expansion of the Russian merchant marine.
3. *The Long Supply Line to Cuba.* Since 1960, the U.S.S.R. has contributed well over $1 billion in economic aid to Cuba. The bulk of this has been carried in cargo shipping.
4. *The Quest for National Prestige.* Soviet Minister of Sea Transport Victor Bakayev has boasted that "the present opposing U.S. merchant marine is smaller in tonnage than the Soviet fleet," and "its ships are also inferior to Soviet vessels in terms of quality." The plain fact is that the Russians, as a matter of national prestige, are determined to be number one on the high seas.

We obviously cannot continue to ignore the Soviet maritime achievement. Because, in our age of great air and space competition, a greater threat may yet be the swift growth of Russian sea power and the long-term prospect that the U.S.S.R. may dominate world shipping within a decade or two.

Take our neighbor Canada. With no merchant navy of her own and as one of the largest per capita importing nations, she is at the mercy of unstable world shipping rates. The Russians, who already have a heavy passenger and cargo trade between Montreal and Leningrad, might come to dominate this area by offering Canada a seemingly attractive large, low-cost and permanent sea-cargo service.

The Russians recognize that merchant ships represent crucial political and economic instruments, as well as a military arm. The Soviets already send ships to more than 90 nations and are opening new routes to the under-developed nations of Africa and South America—a cold-war development of foreboding significance. Our response has been to abandon routes.

Time is running out. We can no longer afford the luxury of our ostrich-in-the-sea maritime posture. We have to act. But what to do?

The first step is legislation to revitalize the U.S. merchant marine. Along this line my committee has held hearings on S. 2650, a bill introduced by Senators E. L. (Bob) Bartlett of Alaska and Daniel Brewster of Maryland and me to accomplish this purpose. A companion measure, H.R. 13940, introduced by Representative Edward A. Garmatz of Maryland is before the House.

These bills can start us on the right track, with funds to build 30 to 35 new merchant ships a year, a start on our promising nuclear ship program, research and development money to explore new maritime techniques, plus a number of technical measures to improve our overall maritime operations.

The greatness of the United States in the coming decades may depend on how well the oceans are made to serve the American people. Our nation is no longer self-sufficient. The vital raw materials we no longer have at home must come across the seas. Back across them must go our exports and the aid we send abroad, as well as the supplies for our military. If the United States is to remain the foremost nation of the world, it must have the merchant ships to do these jobs. This is sea power, and we do not have it now.

We also must recognize that what is under the ocean may even be more important that what is on its surface. In the significant field of oceanography—the wealth that is in the ocean—we are again allowing the Russians to out-distance us. Recently a leading expert made a study of our efforts in this field compared with those of the Soviets and concluded: "Russia is clearly surpassing the U.S."

The situation is ominous and calls for action. We cannot afford to continue playing Russian roulette at sea.

WELFARE: A FEDERAL TASK

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. BOLAND. Mr. Speaker, the public welfare system in the United States verges on chaos. Enacted piecemeal over the past 100 years, welfare laws in the 50 States have grown into a snarl so complex that only the Federal Government can untangle it. Welfare payments in some States—Mississippi, for example—are so cruelly small that the impoverished families living there are driven north to States offering payments that seem utopian in comparison. This striking disparity in welfare payments has played a major role in the migration of the rural poor to our giant northern metropolises, creating teeming ghettos where life is characterized by despair and degradation.

It is clear that the Federal Government must take over the States' welfare systems, establishing just and uniform national standards that will grant to the poor comparable living conditions no matter what part of the country is involved. The need for such a comprehensive program has been emphasized once again by this week's task force report to President-elect Nixon urging a major Federal role in the public welfare system.

Two newspapers in Springfield, Mass., the Springfield Republican and the Springfield Union, have just finished publishing a series of thoughtful and searching articles collectively entitled "Crisis in the Welfare State." With permission, Mr. Speaker, I would like to put in the Record at this point a Springfield Republican editorial summing up the series' conclusions and pointing out the need for a Federal welfare program:

Welfare Federal Task

The exodus from the South over the past 30 years has made a national problem out of human misery. The urgency has reached the stage where a federal takeover of all Medicaid and welfare costs and administration must be set in motion.

The misery still exists. It has not been eased significantly by its relocation. The sum of it is vastly greater than it was a generation ago. Some states have taken the humane approach to the problem. Others, particularly those where the poor have remained despite the lack of jobs, have continued to neglect the needs of these citizens.

All this has encouraged more and more migration to the states with "fat cat" welfare programs. The trend has produced poverty pockets in the larger cities, along with social and economic problems. Out of the confusion emerges the moral question: Should the overtaxed citizens of one state bear the burden of poverty that was incurred, but not underwritten, elsewhere? That's what's happening in New York, California and Massachusetts today. These three states are paying for the sins of states like Mississippi.

The humane approach, "to promote the general welfare," is a big reason for uniform eligibility standards for welfare with the federal government coordinating the equal treatment attack. Low standards would be raised and there would be an equality in sharing the burden.

But today, in Twentieth Century America, there is no uniformity or constitutional ground for forcing any state to provide aid to the poor, or aged. There are more stringent restrictions on states regarding the transportation of domestic shrubbery or the operations of interstate moving vans. Yet the aged and poor are left to shift for themselves.

An example of the benefits gap is in a comparison of payments under Aid to Families with Dependent Children in Mississippi ($9.30 per person per month) and New York State, admittedly high—($62.50 per person per month). Citing the difference, Gov. Rockefeller of New York proposed last month that the federal government take over all welfare costs because the poor and aged in some states don't get enough aid.

In the Northeast, at least, factors other than the migration from the South play some part in the welfare burden. Reverses suffered by the textile industry, for instance, have created economically depressed areas. Changes in economy, technology, philosophy, style of life make it necessary for the federal government to run welfare or at least pay for it. The loss of other industry—much of it to the South—has meant hardship for many communities. New technology has changed employment patterns. Legislatures overgenerous with welfare aid have added to the pressures on taxpayers.

Perhaps it would be better for America if equal health opportunities were available to all, a sort of Social Security of health. That would obviate the need for the taxpayers of a state to provide over-liberal benefits for a part of the population. The cost of medical services is frequently a burden for middle class families, too.

Massachusetts taxpayers are supporting a program that is among the most liberal in the nation since they are paying now for Medicaid benefits far in excess of what is approved for federal participation in that program.

As pointed out in our recent series, "The Crisis in the Welfare State," the Legislature tacked two expensive amendments onto the basic measure adopting the Medicaid program for Massachusetts. Between them, the amendments made about 160,000 more people eligible for medical assistance benefits than Congress had approved for federal participation.

State Sen. Beryl W. Cohen, chairman of the Legislative Committee on Public Welfare and an avid proponent of the costly Medicaid bill as it was enacted in 1966, now points to his committee's recent report on Bay State welfare excesses as a warning to be heeded.

Atty. Gen. Elliot L. Richardson announced Friday that his office, after careful study, had found no grounds for undertaking criminal or civil proceedings "at this time" as a result of the legislative report. But criticism has centered on the unwarranted liberality of welfare legislation and not on any suspicions of law violations.

Actually, the period of operations most probed by the committee—and discussed in our series—ended July 1 last year, at which time the state took over all welfare costs from the cities and towns. But while the state needn't bear the brunt of criticism for what happened before July 1, it has found that the administering of welfare statewide will require considerably more in personnel and equipment than it now has.

State Auditor Thaddeus J. Buczko this week called the state's welfare laws "irresponsible." He pointed out serious departures from sound accounting practice in the system. Normal controls over distribution of funds to districts and their disbursement to recipients are not observed in the legislation that established the system, he said. Sen. Cohen, incidentally, has since filed a bill intended to remedy these shortcomings.

U.S. Sens. Edward M. Kennedy and Edward W. Brooke of Massachusetts both said, after the series, "The Crisis in the Welfare State," had appeared, they expected further action on Medicaid in the coming session of Congress. Both senators also are having staff members study proposals that include the federalizing of all welfare.

Secretary of Health, Education and Welfare Wilbur J. Cohen says a uniform federal program would ease hardship and reduce migration from rural areas to cities already overburdened. While President-elect Nixon indicated last fall he might favor some such move, the matter of cost may influence his decision. The federal government is already paying about two-thirds of the $6 billion spent annually on welfare in this country.

California Lt. Gov. Robert H. Finch, who will succeed Secretary Cohen, has said of the federal role in welfare, "Down the road we will probably have to assume a greater share of the burden. The question is how."

The question must also be: How long can we wait? The concentration of the poor in the larger cities, with attendant misery and unrest—and heavy financial burdens on the states whose welfare policy is the most humane—is a continuing and growing circumstance. The threat to the vitality of a great and powerful democracy is obvious.

Welfare is a federal task.

CRISIS IN THE MIDDLE EAST

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Thursday, January 16, 1969

Mr. GRAVEL. Mr. President, I have recently sent a letter of cosponsorship to my distinguished senior colleagues, Senator MONDALE and Senator JAVITS in connection with their joint statement on the crisis in the Middle East. I ask unanimous consent that the full text of my letter be printed in the Extensions of Remarks in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 8, 1969.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I have studied the text of your recent statement on the crisis in the Middle East. I share your concern over the volatile situation in that area and its grave implications for world peace.

On that account I wish to associate myself with the four-point program which you recommend as the basis for U.S. policy on a permanent peace settlement in the Middle East.

We must make it clear that we will accept nothing less than the full implementation of the Security Council resolution of November 22, 1967 which recognizes the basic principle of the sovereignty and territorial integrity of every State in that area. Israel must be free to live in peace within secure and recognized boundaries; she should not be required constantly to guard against threats or acts of force perpetrated by her Arab neighbors and their Soviet mentors. She must be guaranteed open access to international waterways—particularly the Gulf of Aqaba and the Suez Canal.

As a matter of policy we cannot live with the less fortunate Security Council resolution of December 31, 1968 which condemns Israel for her so-called aggression against Lebanon, when in truth Israel is the victim of daily harassment by guerrilla bands harbored in the Arab countries on her periphery. What choice has Israel but to resist the incursions of her sworn foes who persist after 20 years in their arrogant refusal to recognize her right to exist?

The United States must work for the implementation of the Jarring Mission whose goal should be a permanent peace without Israeli withdrawal from the occupied territories as a necessary pre-condition for that peace. Israeli withdrawal can be conditioned only on specific and enforceable guaranties, never in return for idle promises.

The United States must continue to supply Israel with adequate weaponry and jet aircraft to offset the mounting Soviet military presence in the area, at the same time that we seek to negotiate with the Kremlin a mutual cessation of arms shipments to the combatants.

While recognizing Israel's embattled position, we must also give urgent attention to the tragic plight of the Arab refugees, especially those who were driven from their homes in the aftermath of the six-day war. The refugee problem continues to be a major source of friction between Israel and her Arab neighbors and it would seem that the United Nations through UNWRA or a new agency has a major role in the alleviation of human suffering and therefore in the achievement of more stable conditions in the Middle East.

Finally, United States policy must take into account the need for greater economic and technical assistance to the Middle East; even more significantly we can work toward the establishment of genuine economic cooperation among the several states in the area as a prelude to the political cooperation which is almost bound to follow. Whether an arm of the U.N. or a purely regional organization is best equipped to serve this end remains an open question.

Once again I reiterate my support for your position and would be happy to join with you in sponsoring a resolution if you wish to offer one.

Sincerely,

MIKE GRAVEL.

A BILL OF RIGHTS FOR THE AGED

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 1969

Mr. WOLFF. Mr. Speaker, the Honorable Wilbur J. Cohen, Secretary of Health, Education, and Welfare has written an excellent article, entitled "A Bill of Rights for the Aged," for the current issue of International, the magazine of the Seafarers International Union.

Secretary Cohen's article sets forth in detail the need to provide a wide range of opportunities for 20 million senior citizens. This article and its proposals display the same kind of compassion and reason that has marked the Secretary's years in public service.

I feel strongly that Secretary Cohen's thoughts are worth the attention of my colleagues and all Americans and, for that reason, wish to include that article and a related article in the RECORD at this point:

A BILL OF RIGHTS FOR THE AGED

(By Wilbur J. Cohen, Secretary of Health, Education, and Welfare)

One of the greatest challenges of our time is to offer a growing aged population the opportunity to continue to share in the many benefits of an affluent, dynamic society. At the beginning of this century, only one out of every 25 Americans was 65 or over; by 1960 the proportion had grown to one of every 10.

Life expectancy at birth has nearly doubled since the 1800's—reaching about age 70 today. Dramatic breakthroughs in medical science hold the promise of extending many more lives. Major advances against cancer, stroke and heart disease, for example, could add months, perhaps years, to the life span of the average American. Although a larger aged population is a dramatic tribute to the nation's unprecedented living standards and modern medical science, longer lives create many problems, accompanied by the challenge to make these lives more meaningful to the older individual and society.

During this decade, the nation has become increasingly aware of and concerned with the problems of the older population. Reflecting this concern, a number of significant steps were taken by the Congress to solve these problems and to use the skills and knowledge of older citizens.

The 1965 and 1967 Amendments to the Social Security Act which increased the value of the average social security benefit, including Medicare, thirty-five percent in four years.

The establishment of Medicare which provided health insurance for 20 million older Americans.

The Older Americans Act, which stimulated a nationwide program of community planning to bring new and expanded services and facilities to older people in their own communities.

The inauguration of the Regional Medical Program, designed to attack heart disease, cancer and strokes—diseases which cause 70 percent of all deaths among older people.

The Amendments to the Manpower Development and Training Act, authorizing services to meet the special problems of older workers.

Amendments to the Vocational Rehabilitation Act, enabling the states and communities to assist the mentally and physically handicapped, including the aged, to return to independent living.

A rent supplement program and amendments to the Housing Act, providing more acceptable housing arrangements for the aged.

The Age Discrimination in Employment Act of 1967, outlawing age discrimination in employment.

Much progress has been made in the past decade, but much remains to be done. A bolder, broader, more dynamic program for Older Americans must begin. The plight of many of the aged is deplorable. Thirty percent of them live in poverty. Many are confronted with serious health problems and the cost of drugs has become a tremendous financial burden for many of the aged who have low incomes. Many live in dilapidated, unsafe housing. And too many of our older citizens are lonely and live meaningless lives.

The United States, the world's greatest democratic nation, must show greater concern for the well-being and happiness of its elder citizens. The nation must commit itself to a Bill of Rights for Senior Citizens which should include the assurance of these fundamental requirements for a decent life:

1. Adequate retirement income.
2. Modern and comprehensive health care.
3. Adequate and appropriate housing for an acceptable price.
4. Comprehensive rehabilitation services.
5. Opportunities for employment.
6. Better understanding of the problems of aging through medical and social research.
7. Meaningful participation in all institutions in society.
8. A wide range of leisure time activities.
9. Conveniently located and accessible community services.
10. Free and independent choices by Senior Citizens of what they wish to do with their lives in a healthy dynamic society.

INCOME

The first step in fulfilling this Bill of Rights must be to improve the incomes of the aged. The incomes of many of the aged are too low to allow them to live decently.

The Social Security program, the main source of income for the majority of the aged, must be improved. In spite of the significant increases in Social Security benefits over the past four years, 5.4 million aged social security beneficiaries are still poor.

As quickly as possible, the general benefit level should be raised at least 50 percent with an increase in the minimum benefit to $100 a month. These actions would eventually take 4.4 million persons out of poverty, including 3.2 million aged persons. An immediate 15 percent across-the-board increase in social security benefits with a $70 a month minimum benefit would immediately move about 900,000 aged persons out of poverty. Urgently needed, also, is the adoption of a method of automatically increasing benefits to reflect price increases. Retired people should be entitled to share in the rising standard of living provided by an expanding economy.

These improvements in social security benefits would make possible a reduction in assistance payments for 1.1 million social security beneficiaries who are also getting old age assistance because their Social Security benefits are too low. About 125,000 beneficiaries would be removed from the old-age assistance rolls altogether. The social security program must be steadily improved to keep pace with the nation's economic growth, which has been proceeding at an average annual rate of about five percent for the past few years.

Improvements in the social security programs would be sufficient to help most of the aged out of poverty. There are, however, people who may, for one reason or another, still require public assistance. Two million men and women are receiving old age assistance today, and their needs are not being met adequately. In addition to inadequate payments, residence and other restrictive measures, eligibility requirements are barriers to meeting their needs. Radical changes must be made in our welfare program.

One way to approach the problem would be to establish a Federally financed system of income payments with eligibility, the amount of payments and appeals determined on a national basis. This would overcome many of the problems of inequity and State-by-State variations and fiscal inadequacy which plague the present welfare system.

Through a combination of public and private programs, the retired worker should be entitled to an income related to his needs which permits him and his family to participate fully in the community without being required to work and without the stigma of charity. For those who prefer to work and to supplement their basic retirement income with earnings, the economy should find a place for their continued services.

EMPLOYMENT OPPORTUNITIES

Improved health and longer lives require a change in attitudes toward mandatory retirement. The period of man's productivity is being extended, and the longer period of retirement that can be anticipated requires increased financial resources. Given the opportunity, many older persons would elect a longer working lifetime. Employers should be encouraged to replace rigid retirement age restrictions with flexible policies for hiring and retaining older workers.

Many persons aged 65 and over have difficulty finding satisfying employment within their skills or physical capacities. For these workers, the development of new and expanded opportunities in the service occupations offers great promise. Others may be helped to return to work through new and expanded education and training programs designed to meet the needs of older workers and older handicapped workers.

HEALTH AND REHABILITATION

Although older Americans have protection today against health care costs through Medicare, serious health problems still confront the aged. They spend proportionally three times more for drugs than persons under age 65. A high proportion of the aged suffer from chronic conditions, arthritis, heart disease; many are blind. Others are confined to their homes or need help in getting about. A broad program of comprehensive health services must be provided to meet these problems.

The extension of Medicare to include the cost of prescription drugs would relieve the aged of a heavy financial burden. The aged would also be helped if the entire Medicare program were put on a social insurance prepayment basis by combining the medical insurance and hospital insurance parts of Medicare, financing both from social security contributions of workers and employees and matching contributions from the Federal Government. Eventually consideration should be given to a broader Medicare program including periodic health examinations, disease detection and related services. The development of out-of-institution health services should be accelerated to enable more of the aged to remain in their homes for care and treatment.

Some older persons require comprehensive rehabilitative services to help them return to productive lives. About 7.8 million persons age 45 and over have one or more chronic conditions partially or totally limiting their major activity. About 2 million of them need vocational rehabilitation services in order to return to work. The remaining 5.8 million probably could not or would not want to be rehabilitated for employment. However, they could be helped into a greater degree of self help and independence through modern comprehensive rehabilitative services. An expansion of out-patient, home health services and protective services, for example, would permit older persons who face institutional care to remain in their own homes if they so desire.

HOUSING

One of our society's greatest needs is for decent housing within the financial reach of all older persons. In 1960, the Census Bureau reported nearly a half million Senior Citizen households lived in dilapidated housing. Over two million more houses were deteriorating or lacking in plumbing facilities. Many homes were unsafe, too large, physically difficult or too expensive for older people to maintain.

Housing designed for the aged must take

into account the many individual differences and needs of the aged. Some may wish to stay in their own homes. Others may wish to live in a high rise apartment. Some want the companionship offered by a church-related home. Some may require institutional care. No matter what their income, they require more housing options.

There must be a vast expansion of housing to insure a wide range of choice to include single family dwellings, apartments, retirement villages and hotels, personal care facilities and homes for the aged. Through an extension of a combination of approaches, mortgage insurance rent supplements, public housing, property tax exemptions and low cost loans, the housing needs of the aged could be met more effectively.

SOCIAL SERVICES

The development of appropriate social services would greatly increase the aged person's choices of suitable living arrangements. Expanded homemaker services, meals on wheels, visiting and telephone services would permit many of the aged to remain in the comfort of their homes. The expansion of other community services, legal aid, and consumer information and counseling services would also help them remain independent.

PARTICIPATION

Too many of the aged withdraw from community life and suffer loneliness and social isolation, partly because of the lack of social and recreational opportunity, and partly because of society's unwillingness to allow them to participate meaningfully in its institutions. We cannot permit the existence of a large group of forgotten older Americans.

Through expansion of senior citizen centers, adult education courses and volunteer activities, the aged would have more meaningful choices of what they wished to do with their leisure time. They would have the opportunity to participate fully in community life. They should be encouraged to continue to be active in community organizations, in government, and in politics. Many of them have had long experience in these areas and they can contribute a great deal.

THE FUTURE

Bold, new, imaginative approaches are needed if we are to meet our obligations to the people who have contributed so much to this nation's progress. Their wisdom, their skills and their interest are still essential to the well-being of the nation.

In the past decade, a remarkable reawakening of concern for the aged has occurred. The foundations for providing basic economic, social and medical services have been laid. Now we must continue to build an enriched healthy environment for all the aged. They should have every opportunity and the help to take advantage of these opportunities to live freely and independently in a healthy, dynamic and progressive society.

New Horizons for Senior Citizens

"Let the elders that rule well be counted worthy of double honor," says the book of *Deuteronomy*. From Jerusalem to Antioch, Rome to Alexandria, in the ancient walled cities dotting the Mediterranean coast, elders guided the affairs of the community. Those who were not in the position of advisors were nevertheless accorded respect and honor.

Whatever dispute arose, whether over the theft of a calf or a case of libel, the matter was submitted to the venerable elders who sat in judgment at the city's gates. Their verdict was binding.

Eventually though, with the relentless onslaught of time, the walls and gates crumbled and disappeared. So did the judgment seats of the elders.

In modern society, respect for the elderly has dwindled to indifference. Experience, the accumulated knowledge of years, has given way before the "productivity" of younger generations, and the aged are left without place or purpose.

Today, with a world population of approximately three and a half billion, the problems of the unwanted and displaced elderly assume immense proportions. People over 65 now comprise some ten percent of every industrial nation, and with increasing life expectancy their number is mounting steadily. The situation has intruded itself into the forefront of national and international problems, and every civilized people in the world is addressing itself to the problem.

Many nations now try to place the elderly in useful, productive positions, permitting them to remain in the mainstream of society. A number of countries have developed far-sighted and creative programs for the aged.

Sweden has led the way in caring for its aged. With a thoughtfully planned, comprehensive system of services and institutions, the Swedes have come closer than anyone to meeting this ever-increasing challenge.

To meet the housing needs of the aged, special pensioners' residences are built with government subsidies and equipped with the most modern conveniences, including assembly halls, hobby rooms, restaurants or central kitchens, and medical services. Equally important, they are located within housing projects accommodating younger families so that, in effect, three generations live under the same roof in separate quarters.

The Swedish pension system is unique in that it enables the elderly to compete for apartments in the open market, because pensions are automatically adjusted to the consumer price index each month and are payable whether or not the pensioner continues working after the retirement age. If the older person has little income apart from the basic pension, he is entitled to a housing increment.

The Swedish National Labor Market Board has organized training courses for "home aides," usually housewives whose children are grown and who want a part-time job. For a minimal fee, they provide companionship and personal services to the elderly, helping the infirm bathe and dress, shopping, and cooking midday meals. The service is subsidized by the municipalities and in many cases is free of charge to the recipients.

The Swedish senior citizen is not pushed aside when it comes to jobs, and the Swedish Labor Exchange welcomes all applicants, regardless of age. Those past the retirement age of 67 are urged to continue working. The Swedes do not accept the adage that old people are like Chinese porcelain—to be kept on the shelf lest they be broken. Job retraining courses offered by the Labor Market Board have no age limits. Small workshops, where materials for handicrafts can be bought or tools borrowed, are popular meeting places for Swedish senior citizens.

Social insurance reduces the price of prescribed drugs for the elderly, but many medicines considered vital, such as insulin for diabetics, are free. Earphones for the hard-of-hearing not only are free but are delivered at the expense of the state. The bulk of hospital expenses is paid by the government and there is no extra charge for doctor's care, operations or drugs.

Despite all these services, the Swedes feel that they have not yet mastered the problems of the aged. They continue to search for new ways to help the elderly adjust to modern society.

ISRAELI TOWNS FOR THE AGED

The Israelis are also inveterate pioneers in the field. Twenty years ago, the American Joint Distribution Committee established Malben, a network of medical services and institutions for the needy, handicapped and aged in Israel. One of Malben's most interesting projects involves the building of entire villages geared to meet the needs of the aged. One of these villages, Neve Avot, built on 75 acres of land within the town of Pardess Hanna, has a population of 1,100 aged men and women. Although the concept of such a community is unique in modern social planning for the aged, Neve Avot is only one of 11 such communities built by Malben throughout Israel. The surrounding village of Pardess Hanna supplies the community with all the usual municipal services.

Three-quarters of the community's residents are active in some way. One man, well into his 80's, insists on working in the shoe repair shop. An elderly woman, a recent immigrant from Eastern Europe, works at a loom, industriously turning out masterful Persian rugs.

A visitor to Neve Avot once asked, "Why do these old people continue to work?" A Malben staff member replied, "When a newcomer arrives, he sees everyone working and getting satisfaction out of it. He sees people leaving at 8:00 a.m. for the weaving shop, the ceramics shop, the sewing circles, or gardening and coming back at lunch time, pleased and enthusiastic."

At Neve Avot a newcomer can choose to work full time, part time or not at all. He can practice whatever he did previously for a living, if facilities are available, or he can learn a new craft. One elderly citizen, a former small tradesman from Rumania, decided to try his hand at mosaics. Today, people from all over Israel come to see his celebrated mosaic sundial.

A first-rate physiotherapy center was opened at Neve Avot in the spring of 1966, providing everything from wax baths for rheumatic joints to machines that stimulate paralyzed muscles. Its director comments, "All we ask is to make the physically handicapped independent again."

At Natanya there is another old-age community, consisting of pleasant cottages laid out among gardens and landscaped grounds. Among its 650 residents, it boasts an 80-year-old doctor who makes emergency visits at night, a 90-year-old pharmacist who keeps up with the latest in drugs, and a nurse in her 70's who sterilizes instruments in the dispensary.

Many of Israel's elderly, however, do not wish to reside in villages such as Neve Avot, but prefer living in the cities in their own apartments. Malben has developed several ways of serving them, the most outstanding being the Batei Avot, a system of apartment houses with specially-designed equipment for the elderly, such as handrails along the walls and easy-to-reach shelves.

Malben also helps the aged get ground-floor apartments in regular apartment houses. One elderly family, needy immigrants from North Africa, was determined to stay together—and in their own home. Through Malben and a state welfare fund, they obtained a two-bedroom, ground-floor apartment in Tel Aviv, rent and tax-free. In addition, they receive housekeeping and financial aid. Malben teams of a doctor, nurse and physiotherapist make regular visits to such families.

The desire to provide useful work for older citizens underlies all efforts on their behalf, and the Ministry of Labor has created a special employment agency for this purpose. The jobs it locates run from watchman to baby-sitter.

BRITAIN BUILDS ANEW

In Britain, a system of national insurance, including industrial injury insurance, allowances for large families and national income assistance, has been in effect for over 20 years. After the bombardment of London and the English countryside during World War II, the British literally rebuilt from scratch and in doing so, made unique innovations for the elderly. Some of the new services are imaginative, to say the least.

A system of S.O.S. cards, sponsored by one community's Old People's Welfare Committee, began operation in 1952. Its purpose is to enable older citizens living alone to contact someone outside their home in an emergency. The card reads "S.O.S." on one side and on the other the name and address of the person to whom it was issued, together with the name of his doctor. In emergencies it is placed in a window or dropped into the street.

A mobile chiropody unit, in a specially equipped bus, stops at farmhouses and on side streets of villages and towns. Authorities feel that foot care restores the confidence of old people to use their legs and, therefore, to remain mobile. The service is limited to people of pensionable age and costs about 35 cents.

In coping with the problem of keeping the elderly out of institutions and of providing them with a better way of life, one Rural District Council built "warden-supervised" bungalows. The project includes six bungalows and 12 apartments, all with central heating, electricity and hot water. Each unit has its own little garden. The warden is a nurse, and although her husband works elsewhere, he services the boiler and does odd jobs for the bungalow residents. The warden and her family live rent free. The Council takes care of the grounds.

England is divided into ten regions by the National Council of Social Service, each with an old people's specialist officer. The officer, along with regional representatives of the Old People's Welfare Committee, helps arrange funds for such services as chimney sweeping, the lending of wheelchairs and even a birthday gift plan for those over 90.

Notable is the attempt to create a normal and even a club-like atmosphere in a Nottingham geriatric day hospital. The inmates are not called patients, but rather "members."

SMALL NATIONS—BIG PROJECTS

Across the English Channel, tiny Denmark makes prodigious efforts for its aged. While Denmark is predominantly an agricultural country, more than one-fourth of its population lives in metropolitan Copenhagen. The consensus of opinion among Danish physicians is that institutionalization reduces the capacity of the elderly for coping with the problems of daily living. In Copenhagen, therefore, a great proportion of older citizens live in their own homes and flats and are assisted by the government and by voluntary agencies. Medical treatment is provided through sick benefits clubs, to which 90 percent of Denmark's adult population belong. If hospitalization is required, it costs less than two dollars a day.

A cooperative housing project for all ages has been built recently by the National Society for the Handicapped. One of its many special features is a kitchen designed for the wheelchair-bound housewife or lone male. As in Britain, chiropody units travel about the countryside.

Belgium insists that its local governments make provisions for the aged in every building program they undertake. "Maisonettes" for old people in Antwerp are connected by a continuing porch so that residents can visit with neighbors in all weather, and no one is isolated. The League for the Aged gives every elderly patient in Belgian hospitals a small cash gift twice a year, and Red Cross volunteers provide them with entertainment, coffee, wine and beer.

The Netherlands, with a booming economy and an increased demand for labor, has taken a leaf from Sweden's book and is urging workers to stay on the job beyond the 65-year retirement age. Many older workers are quite happy to remain active.

The Russians put a great deal of emphasis on physical culture programs for the elderly. Small groups of old people are being encouraged to perform calisthenics in the morning, to take part in some kind of sport, to swim in the sea or simply to take walks. Gymnasiums, athletic fields and pools are sometimes put completely at the disposal of the elderly.

Japan's programs for its elder citizens have been expanding at a rapid pace. Local social welfare councils promote older people's social clubs (there are over 10,000 of these today), whose membership includes more than a tenth of the population over 60. On September 15th, officially designated as Old People's Day, the annual National Congress on the Welfare of the Aged meets, with the participation of social workers and professionals from all the social sciences.

UNITED STATES—A LATE ENTRY

The United States entered the field of social welfare on a meaningful basis relatively late, with Franklin Delano Roosevelt's New Deal. In essence, the welfare programs of the United States are comparable to Sweden's objectives in quality, of administration and in the determined effort to make the elderly self-sufficient. Sweden's traditional leadership in building modern homes for the aged is now rapidly being challenged by the United States. The task of providing for the aged in this country assumes gargantuan proportions, however, given the sheer weight of numbers. Every 24 hours the number of United States citizens over 65 increases by 820. They now constitute every tenth American.

One problem is simply locating the elderly. Project FIND, dedicated to locating elderly people, assisting them in whatever way possible and finding them employment, is funded by the government and conducted by the National Council for the Aging in cities and towns from Watsonville, California, to Washington, D.C.

What it does is exemplified by the transformation of Cedar Lakes, Indiana. Twenty years ago, Cedar Lakes was a popular vacation spot, but eventually the tourist grounds grew shabby and the water polluted. Many permanent residents were old people who had sold their Chicago homes for a lakeside retirement. They were in the low income bracket and their small pensions were eaten up by medical bills.

By the time Project FIND discovered them, the isolated old people were in a sad plight. Then the FIND team swung into action. Team aides were recruited in the community from among the elderly poor themselves. who knew the problem and what needed to be done about it. They brought their charges valuable information concerning altered pension benefits and the provisions of Medicare, and enlisted the support of the local Methodist Church and the Cedar Lake Civic Club. A holiday party for the old folks sponsored by the Civic Club led to the founding of a Senior Citizens' Club. Life for Cedar Lake's elderly is brightening.

UNIONS LEAD THE WAY

The AFL–CIO has not only been a leading force in the struggle for improved social security benefits for senior citizens, it has also encouraged and participated in the search for new and unique projects which could serve the special needs of the elderly.

Some unions have led the way in training programs, such as the vocational rehabilitation project in the men's clothing industry undertaken by the Amalgamated Clothing Workers Union's Sidney Hillman Health Center in New York.

Unions have also spurred education for retirement. Since 1958, dozens of local union pre-retirement programs have been conducted and thousands of members have learned to plan for their later years. One project in Connecticut won such acclaim that its leaders were invited to present the program before the Canadian National Conference on Aging in Toronto.

Two union retirement centers, operating in Cleveland for four years, are open to everyone in the community. Attendance figures show that close to 15 percent of the retirees who use the facilities never belonged to the union.

The Food and Drug Administration, working in consultation with the Administration on Aging, is conducting widespread conferences on "The Older Citizen in Today's Marketplace," with the aim of alerting the elderly to new medicines, new foods and even the new hazards of the marketplace.

Rent supplements, although admittedly inadequate, are now available to those over 62 whose income is below the maximum allowable for public housing. The Model Cities Program has special significance for the old, as 58 percent of the citizens over 65 who live in urban areas live in the central cities. Newly proposed grants would include such projects as specially designed cooperatives for the elderly in California, a mobile day-and-night care program in New Hampshire, and a garden park in Honolulu where the elderly can raise flowers.

All this is just a start society is making toward giving meaning to the added years science has presented to us.

CHAIRMAN DULSKI HONORED BY SOCIETY OF PHILATELIC AMERICANS; POSTMASTER GENERAL HONORS ADVISORY COMMITTEES

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. DULSKI. Mr. Speaker, I was honored today to receive a special citation from the Society of Philatelic Americans.

The award was in recognition of my sponsorship of legislation in the 90th Congress which finally gave philatelic and all other publications the right to reproduce our U.S. postage stamps in full color. I am indeed grateful for this award which was made by Dr. James J. Matejka, Jr., of Chicago, society president.

The presentation to me came in connection with an award ceremony in which Postmaster General W. Marvin Watson honored members of the Post Office Department's Stamp Advisory Committee, as well as members of the Department's Advisory Board for "outstanding contributions to the furtherance of major postal programs."

Those honored included:

CITIZENS' STAMP ADVISORY COMMITTEE

Hon. Wilbur J. Cohen, Secretary of Health, Education, and Welfare.

Reuben K. Barrick, Chief, Office of Engraving, Bureau of Engraving and Printing.

Stevan Dohanos, artist, Westport, Conn.

Belmont Faries, news editor and stamp columnist of the Washington Star.

Roger Kent, San Francisco attorney and philatelist.

Dr. Elsie M. Lewis, head, history department, Howard University, Washington, D.C.

Mrs. Albert D. Lasker, New York City philanthropist.

David Lidman, makeup editor, New Times and stamp news columnist.

Dr. James J. Matejka, Jr., of Chicago, president, Society of Philatelic Americans.

Dr. John P. Roche, educator of Waltham, Mass.

Roger L. Stevens, Special Assistant to

the President on the Arts, and chairman of the John F. Kennedy Center for the Performing Arts, Washington, D.C.

Norman Todhunter, California artist and art director.

John Walker, Director of the National Gallery of Art, Washington, D.C.

Kurt Wiener, president of the H. K. Press of Washington, D.C.

POST OFFICE DEPARTMENT ADVISORY BOARD

Frederick C. Belen, Deputy Postmaster General, Vice Chairman of the Board.

Victor Bussie, president, Louisiana AFL-CIO, Baton Rouge.

Charles H. Earl, attorney at law, Little Rock, Ark.

Victor Frenkil, chairman, Baltimore, Md., Contractors, Inc.

Robert L. Hardesty, Assistant to the President of the United States.

John H. Johnson, president and editor, Johnson Publishing Co., Chicago.

Honorable Paul J. Perocchi, special justice, Lawrence District Court, Lawrence, Mass.

Dr. Robert L. Sumwalt, president emeritus, University of South Carolina.

William H. Snyder, Executive Secretary of the Advisory Board and Department official.

The Postmaster General presented to Mr. Dohanos an award for the Society of Illustrators, of which Mr. Dohanos is a member, for the society's special assistance in the development of "stamps of unusual beauty and excellence of design."

Carter Brown, Assistant Director of the National Gallery of Art, also received a citation from the Postmaster General for his work on the furtherance of the Department's philatelic programs.

Department staff members responsible for working closely with the stamp advisory group were also honored. They are Bill McSweeny, Special Assistant to the Postmaster General for Public Information, and Mrs. Virginia Brizendine, Director of the Philatelic Division in the Office of the Special Assistant.

In making the awards, Postmaster General Watson said:

> May I join in congratulating Chairman Dulski for the richly deserved award he has received. Certainly, he has been a tower of strength concerning every aspect of the postal service, and I wish to take this opportunity to thank him for the assistance he has given so generously to the Department and to me personally.
>
> A Postmaster General has to learn many lessons in a short time.
>
> One of those lessons is the need to work closely with Congress, particularly with men such as Congressman Dulski.
>
> Another lesson is the fact that he has available to him in two major citizens advisory groups—the Advisory Board and the Stamp Advisory Committee—some of the finest experience, talent and dedication in the nation.
>
> A lesson that has in the past been painful is that the colorful and increasingly beautiful gummed pieces of paper called postage stamps . . . can also be dynamite.
>
> I discovered that there's practically no stamp that will satisfy everybody.
>
> And there have been times when it seemed that there were many stamps that satisfied practically nobody.
>
> In a situation such as this, dealing with a substance as potentially dangerous as stamps, a Postmaster General needs protection. And, fortunately, that protection has been provided by the individuals and groups that will be cited here this afternoon.
>
> In addition, of course, the American public also deserves to get stamp designs of highest quality.
>
> Stamps are the symbolic expression of the quality of a nation's art and civilization.
>
> Stamps are silent diplomats, reaching across barriers of space and language and ideology to bring vivid messages from people to people.
>
> And so, our stamps should be nothing less than the best. There should be but one standard, and that standard must begin and end with the superlative.
>
> Fortunately, our designs have recently arrived at that level of excellence.
>
> Appropriate subjects brilliantly depicted have become the rule rather than the fond hope, or occasional exception.
>
> Our postage stamps have begun to gain acclaim rather than a rich harvest of complaints.
>
> And we are now at a level of design that reflects our artistic and technical excellence.
>
> These gains are not the result of accident or good luck.
>
> Rather, they are the result of hard and dedicated work. And today I wish to recognize that dedication, that work, and the excellent product that the combination has produced.
>
> For their efforts in behalf of philatelic excellence I will present Public Service citations to the members of the Citizens' Stamp Advisory Committee, to the Society of Illustrators and to Virginia Brizendine, Carter Brown and Bill McSweeny.
>
> After Mr. Murphy (Assistant Postmaster General Richard J. Murphy) has read the names of those whose achievements in behalf of our stamp program are being recognized, I would like to say a few words about the awards being given to the Department's Advisory Board.
>
> (Following the presentation of the special award to Mr. Dohanos.)
>
> Mr. Dohanos, I am especially pleased that you are accepting this award for the Society of Illustrators . . . who have done so much to improve the quality of our stamp designs since the inception of the Citizens Stamp Advisory Committee.
>
> Next, I would like to recognize the achievement of those who serve the Post Office Department Advisory Board.
>
> This Board is charged by Federal law with consideration of methods and policies for improving the Postal Service, and with advising and making recommendations to the Postmaster General.
>
> Though charged by Federal law with these responsibilities, the effective operation of the Board depends on the degree to which private citizens are willing to devote time and talent to the betterment of the postal service.
>
> And I am delighted to say that the high degree of effectiveness of the Board fully reflects the American tradition of progress through citizen action.
>
> Most recently the Board has made a vital contribution to postal productivity through its study of employee motivation. And only yesterday it presented me with a study of equal employment opportunity that I feel will have a major impact on the climate of employment democracy for years to come.
>
> I am, therefore, very pleased to present these awards to those who have served so well on this important Board.

THE BEAST THAT STALKS OUR LAND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. RARICK. Mr. Speaker, Frank Capell, in the Herald of Freedom for December 27, 1968, documents his case that RAM, Black Panthers, and the New Africa leaders are one and the same—a small but militant and destructive anti-American minority.

Of paramount interest is the itemized list of systematic sabotage already perpetrated against the United States—overt acts against our Nation's security and the safety of our citizens.

Mr. Speaker, I place Mr. Capell's work, "The Beast That Stalks Our Land" at this point in the RECORD:

THE BEAST THAT STALKS OUR LAND

A headline story which is carefully being kept out of the headlines, by those who decide what they want the American people to know and what they don't want them to know, is the nationwide conspiracy of sabotage, arson and guerrilla warfare which is raging across the country. A recent report of the House Committee on Un-American Activities confirms this and its chairman has stated: "There can be no question about the fact that there are mixed Communist and Black Nationalist elements in this country which are planning and organizing guerrilla-type operations against the United States." Officials have stated that there is nationwide coordination and believe that some of the saboteurs are followers of Robert F. Williams, Chairman-in-exile of the Revolutionary Action Movement and President of the Republic of New Africa to be established by seizing part of the United States.

Muntions factories have been blown up, ammunition trains derailed, radar installations dynamited; draft board offices, induction centers and police stations are prime targets. Among the targets have been the Naval Reserve Training Center in Eugene, Oregon; cables leading to a Nike base near Arlington Heights, Ill.; the U.S. Navy Submarine base in Groton, Conn.; a Strategic Air Command base near Charlevoix, Mich.; a parachute storage warehouse in Fort Bragg, N.C.; the Air National Guard's equipment warehouse in St. Louis; the Army's secret Rocky Mountain Arsenal near Denver, Colo.; the Atlantic Research Corporation's building in Hanover, Mass. (anti-personnel mines for Vietnam); an Army munitions plant near Burlington, Iowa; the Olin Mathieson Chemical Corporation building in East Alton, Ill., used to dry gunpowder; an Army munitions plant near Minden, La.; many electrical power plants and cables; oil and natural gas pipelines.

Systematic sabotage has forced utility companies in California to employ armed guards and helicopter patrols to protect their equipment. In one six-week period saboteurs dynamited electrical power plants or towers nine times in the Berkeley-Oakland area. In Tampa, Fla., saboteurs severed three cables used by the Strategic Air Command to connect the defense system responsible for detecting hostile missiles approaching the United States and the base used to deploy missiles designed to intercept and destroy them. The missiles which could then come unannounced would be those now based in Cuba.

The politicians, who are not only allowing the sabotage and guerrilla warfare to go unchecked but actually encouraging it and financing it, are obviously not quite ready to have the general public become aware of the extent of the threat to our security. These weapons are the tools of the Communists and are used to create anarchy and terror in the general population of the country whose government they seek to destroy. The high-level plotters are not ready for the terror to begin but all the elements necessary to produce it are there.

Stalking the land, deriving their name from the jungle beast whose name they have taken, are the Black Panthers who have already brought terror to many communities and are an important element in the terror that is to come when the plotters are ready to unleash it. Although the official attitude seems to be "if we pretend it is not there and don't tell anyone about it, it will go away," unfortunately this is not so. The Black Panthers and the hundreds of militant organizations, black and white, have no intention of going away and are becoming stronger and stronger, bigger and bigger, more and more dangerous.

While many of these groups do not call themselves Communists, they openly support and work with the Communists and whether they are "Moscow-oriented" or "Peking-oriented," they are subversive and should be treated as such. One of the worst groups is the Revolutionary Action Movement, founded in Philadelphia, Pa., in the winter of 1963 under the direction of Max Stanford, a Negro militant. House Report No. 1351 states: "Stanford has retained his leadership position as field chairman in RAM and since 1966 has also been head of the New York Black Panther Party, a creation of the Student Nonviolent Coordinating Committee and RAM.

"Although RAM is under the control of Stanford, it takes its lead from Robert Williams . . . literature lists Williams as 'chairman in exile' of the organization. Williams has also publicly admitted his role in RAM. . . ."

On August 29, 1966 Max Stanford, Stokely Carmichael and William Epton spoke to a rally of the Black Panther Party in New York. Stanford was quoted as stating that "black men" must unite in overthrowing their white "oppressors," but must do it "like panthers—smiling, cunning, scientifically . . . striking by night and sparing no one." The Black Panther Party has officially been called a RAM front, and its importance to the revolutionary movement was evidenced by the dominant role it played in the recent Hemispheric Conference in Montreal, Canada.

The Black Panther Party was reportedly founded by Huey Newton and Bobby Seale when both were students at Oakland, Calif., Merritt College in 1966. However the Black Panther was also used as the symbol of the Lowndes County (Ala.) Freedom Organization which was therefore known as the Black Panther Party. The Governor of Alabama, George C. Wallace, officially complained on July 19, 1966 about the use of federal "poverty" funds to aid this segment of the black power movement:

"A few days ago the Poverty Office in Washington announced approval of a grant of $241,604 to an organization known as the Lowndes County Christian Movement for Human Rights, Inc. . . .

"This office finds that the grant in question amounts to the Poverty Office in Washington financing the revolutionary 'Black Power' movement in this country. The Lowndes County Christian Movement for Human Rights, Inc., is an adjunct of the 'Black Panther Party' and was formed by the leadership of the 'Black Panther Party' in Lowndes County. The founders and leaders of the 'Black Panther Party' constitute the leadership of the 'Black Power' movement in this country. This grant was made on the recommendation of the instigator of the 'Black Power' movement in this country, Stokely Carmichael, and we have in our possession copies of the letter of recommendation signed by Carmichael, James Forman, John Lewis and Cleveland Sellers, all of whom are people who are well known for having fed the seeds of discord and strife throughout this country. Stokely Carmichael is associated with the Lowndes County Christian Movement for Human Rights, Inc., and recently stated on nationwide television that he planned to make Lowndes County, Alabama, his base from which to launch his campaign for 'Black Power.' Carmichael and other SNCC (Student Nonviolent Coordinating Committee) workers formed the 'Black Panther Party' in Lowndes County, Alabama, last year. . . . R. L. Strickland, Vice President of The Black Panther Party, is the Staff Director of the grant made by the Poverty Office. Robert L. Strickland is a convicted murderer and has served time in the penitentiary. . . . This is one small but alarming example of what is going on in this Nation today. We have evidence here of the federal government financing those who advocate actions which border on treason. . . ."

In recommending the funds which the federal government so obediently granted, the Student Nonviolent Coordinating Committee stated in the letter signed by Carmichael and the others:

"This is to certify that the Student Nonviolent Coordinating Committee supports the Anti-Poverty Action Committee of the Lowndes County Christian Movement for Human Rights, Incorporated. It is our considered opinion that this Anti-Poverty Action Committee ably can perform the functions of a county-wide coordinating committee for the purpose of initiating and coordinating anti-poverty programs . . . SNCC supports this application because the applicant agency has been organized at the grass roots level with maximum and feasible participation of the poor in Lowndes County. SNCC believes in helping people to help themselves to work out their problems . . ."

Unfortunately as it has worked out, the poor themselves have very little to say about the use of "poverty funds." Under the headline of "Militants Terrify Poor," columnist Victor Riesel wrote recently:

"As confidential FBI reports of 'political' executions, assassination conspiracies and black-jacketed terrorism seep into the multi-billion-dollar antipoverty headquarters here in Washington, the puzzlement is how to get hundreds of millions of dollars to the deserving poor without the money sticking to the trigger-happy, karate-trained, newly arrived militants?

"Explosions in the San Francisco Bay area, lethal bullets in Boston, a conspiracy to murder black leaders Roy Wilkins and Whitney Young, an order for the riddling of a PRIDE official here, have black community moderates understandably jittery."

An Office of Economic Opportunity official has stated that only about two percent of the poor participate in the voting for directors of the money funneling units, leaving the power in the hands of the local machines set up specifically to grab the poverty funds. Organizations such as the Black Panther Party set up shop in the "ghettos" and the local populace is terrified. An article about the Black Panthers in the N.Y. Times of December 7, 1968 stated that a man watching teen-aged youths selling the Black Panther newspaper told the reporter: "A lot of people are afraid not to buy it. They don't want any arguments or anything so they just buy the paper . . . It's a funny thing. Everyone gets excited because the Panthers scare white people but what they don't know is that they scare some of these blacks around here too."

The article stated that the Black Panthers are growing in numbers and influence:

"Its membership has swelled from a few hundred to several thousand (our sources indicate far greater numbers—Ed.) with chapters in major cities. The movement's leaders have also acquired influence in black communities and among white radicals and students across the country."

Although Black Panther leaders laugh at the idea of white Panthers, they are willing to consort with white radicals and are warmly welcomed by them. The so-called Hemispheric Conference to End the War in Viet Nam was held in Montreal from November 28 to December 1, 1968. Black Panther leader, Bobby Seale, participated after a bitter fight with the arrangements committee and was given a standing ovation when he entered the hall and an equal ovation when he ended his speech, the theme of which was "People's Power." The conference, which was attended by assorted Communists, Maoists, Trotskyites and other Marxist-oriented individuals, produced the Declaration of Montreal, a unanimously passed resolution:

"Sternly to condemn the criminal war the U.S. government has been carrying out over the last fourteen years against the Vietnamese people.

"Wholeheartedly to support the heroic Vietnamese people's struggle for their fundamental national rights. . . .

"The fact that the U.S. government has had to stop unconditionally its bombing of the whole territory of the Democratic Republic of Vietnam and to hold talks with the N.L.F. of South Vietnam . . . is a big victory of the Vietnamese people. . . .

"It is however an initial victory because at present the U.S. government still continues to intensify its war of aggression in South Vietnam, daily committing barbarous crimes against the Vietnamese people. . . .

"In face of the present situation the conference calls on people in the Western Hemisphere and those in the United States to mobilize all forces for the struggle for a total end to the U.S. war in Vietnam. . . ."

The conference also adopted a resolution unanimously to heighten the struggle against "racism," declaring that "the suppression of communism is used to justify racism and oppression around the world." The conference was sponsored by such American leftists as Dr. Benjamin Spock and David Dellinger; and convicted Soviet spy, Raymond Boyer of Canada was an adviser to various workshops. Telegrams of good wishes were reportedly received from a high U.S. official and Mrs. Martin Luther King.

According to an article in Human Events, Black Panthers dominated the conference. "Clad in their black berets and black boots, the Panthers prowled the convention, at times arbitrarily seized the platform and assumed charge of security measures. When a minority faction wanted to denounce the Soviets for the Czech invasion, a clutch of Panthers, given moral support by the North Vietnamese, threatened the faction into silence.

"It was Panther pressure, furthermore, which enlarged the scope of the program to include not only the Viet Nam question, but 'imperialism' all over the world, including that which 'the United States practices against its own black minority.'

"On the last day of the session, Bobby Seale electrified the audience when he told the gathering that the American police were occupying the black ghettos with the same brutality that American soldiers were trying to occupy Viet Nam. And, he added, the police would be resisted in the same fashion as the Viet Cong have resisted the United States."

The front page of the Communist Daily World of December 3, 1968 carried a picture of "Solidarity: A member of the NLF delegation to the conference embraces a Black Panther while others give a clenched fist salute." The clenched fist is the Communist salute and by some strange coincidence it is also the salute of the Black Panthers.

The central headquarters of the Black Panther Party is in Oakland, California (P.O. Box 8641, Emeryville Branch). They reportedly have "at least two headquarters" in Oakland, one where business is openly transacted and the other where "anything from guns to guerrilas may be found." The Central Committee of the Black Panther Party consists of Huey P. Newton, Minister of Defense; Bobby Seale, Chairman; Eldridge Cleaver, Minister of Information; David Hillard, Chief of Staff; George Murray, Minister of Education; Melvin Newton, Minister of Finance; H. Rap Brown, Minister of Justice; Stokely Carmichael, Prime Minister; Kathleen Cleaver (Mrs. Eldridge), Communications Secretary; Emory Douglas, Minister of Culture; and some unknown Field Marshals who are underground. Rules are listed by which every member "throughout this country of racist America" must abide. The Black Panther Party Platform and Program is as follows:

1. We want freedom. We want power to determine the destiny of our Black Community.

2. We want full employment for our people. We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income . . .

3. We want an end to the robbery by the white man of our Black Community. We believe that this racist government has robbed us and now we are demanding the overdue debt . . .

4. We want decent housing, fit for shelter of human beings. We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives . . .

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

6. We want all black men to be exempt from military service. We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. . . . We will protect ourselves from the force and violence of the racist police and the racist military by whatever means necessary.

7. We want an immediate end to police brutality and murder of black people. We believe we can end police brutality in our community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality . . . We therefore believe that all black people should arm themselves for self defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails. We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

New York Police Department reports link the Republic of New Africa's "Black Legion" to the Black Panthers now operating in the Ocean Hill-Brownsville area where a school strike has been seething since the beginning of the school year last September. The RNA has reportedly helped organize the Panthers into tightly controlled gang-like military units and has been distributing pamphlets showing how to make bombs from chemicals. The RNA plans to take over five southern states in a series of well-planned steps, the first of which is to arm the black communities of the North and West. They plan to start their take-over with Mississippi, shipping in about a million well armed blacks to seize the local government by ballot; then moving on to Alabama and the other states (Louisiana, Georgia and South Carolina) and repeating the process.

The new nation expects to be set up in business by the United States paying it $400,000,000,000 in damages (for the years the black people have been kept in slavery) and they would also float loans from foreign nations. The planners feel quite sure Red China would help them. The government of the new nation is already in existence. They have "consulates" in most of the larger cities and meet once a week in every consulate. They expect to organize a Congress soon. All this may sound fantastic, but it is deadly serious business, and we do mean deadly.

The main target of the Black Panthers, one of the activist arms of the new nation, is the police ("Kill A Cop A Day!") Two Panthers in San Francisco were indicted early this month, having been involved in a shooting with the police. Police stations have been attacked, one in Jersey City machine gunned recently with three Panthers arrested for the act. Panther literature states that the Panthers have made a "special project of curbing police excesses in the ghettoes" and that the "Black Panther Party has developed a sophisticated approach to organize the ghettos, including a political challenge to the two-party system, in coalition with the Peace & Freedom Movement."

Panther "Minister of Information," Eldridge Cleaver ran for President of the United States on the Peace & Freedom ticket and received 195,134 votes. He reviles the police, calling them "pigs" as did the "kids" in the Chicago riots at the time of the National Democratic Convention. Cleaver, now a fugitive from justice, was the subject of much controversy when he was scheduled to give a series of ten lectures at the University of California at Berkeley this fall. Many protested the selection of this radical revolutionary rapist ex-convict to teach their children. Students and the ACLU rallied behind Cleaver of course.

No official attempt has been made on other than local levels to stop the rampaging Panther movement. Although it is a nationwide subversive conspiracy, with international connections, Attorney General Ramsey Clark has closed his eyes to it and is taking no action. Will the new Attorney General cage the beast that stalks our land?

TURNING CRIMINALS LOOSE

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. McCLORY. Mr. Speaker, the Washington Star published a most valuable survey of the problems created by the 1966 Bail Reform Act in an article which appeared in Sunday's Star, written by John Fialka. The consequences of enabling criminals to be released on personal bond were described in detail and with alarming statistics.

In editorializing upon this subject in the Tuesday, January 14, Evening Star, this valuable information medium made reference to the Republican proposal for amending the Bail Reform Act to authorize the "preventive detention" of dangerous criminals. The text of this significant editorial is reproduced as follows:

TURNING CRIMINALS LOOSE

The sudden show of awareness that something must be done to protect the public against criminal repeaters in this city is late in coming. But it is welcome nevertheless.

In recent days a group of Republican leaders in the House submitted legislation to authorize the "preventive detention" of dangerous criminals. North Carolina's Senator Ervin, heretofore an ardent supporter of the 1966 Bail Reform Act, is having some second thoughts, and has scheduled hearings next week to see what can be done to remedy weaknesses in that law. Finally, Mayor Walter E. Washington has announced that the District government is drafting legislation to amend the Bail Reform Act in the hope of keeping dangerous offenders off the streets while they are awaiting trial.

It would be misleading to suggest that there is any easy answer to the problem. Constitutional difficulties may arise. What criteria can be used to decide which accused felon can safely be released on bail—money or personal bond—between his arrest and his trial, and which ones in the larger interests of public safety should be committed to jail during that interval? The fact that the problem is a difficult one, however, must not be permitted to serve as an excuse for not finding or trying to find an answer.

As matters stand, a judge or a committing magistrate is supposed, under the Bail Reform Act, to consider two and only two factors in deciding whether to release an accused criminal on bail. These are the nature of his community ties and whether he can be expected to show up for his trial. As far as the public interest is concerned, this has resulted in flagrant abuses and unconscionable threats to the public safety.

For example, a survey by The Star's John Fialka told of a recent police study which showed that of persons indicted for armed robbery some 34 percent committed other felonies while free on bail. This has hit especially hard at banks and other financial institutions. But the corner grocer and the woman waiting at a bus stop have suffered too.

According to Assistant Police Chief Jerry Wilson, there is an average of 20 robberies a day in this city. One out of every three bank robbers has been found to be a heroin addict. The addict needs from $60 to $80 for his daily "fix." Where is he going to get that kind of money? By knocking off another bank if he can wangle a release on bond after a first offense.

This suggests one starting point for preventive detention. If the indicted robber is also an addict, that fact alone should argue strongly against releasing him on a money bond and certainly not on personal bond. Another starting point cries out for a speeding up of criminal trials for serious offenses. No suspect should be held in jail indefinitely, unless the delay results from his own dilatory moves, while the processes of justice pursue their cluttered and leisurely way. Prompt trials are a must.

Then there is a third factor. There is a tendency in our District Court to give concurrent sentences to repeaters. In other words a robber knows (and the word does get around) that if he commits one or more additional robberies while out on bond, he still may face the prospect of a jail sentence for only one offense. This slack practice should be tightened up, if necessary by new legislation requiring mandatory additional prison sentences for offenses committed by a criminal while free on bond.

Finally, there is still another remedy for which we have argued on numerous occasions in this space. Any person convicted of a felony in which a dangerous weapon is used should face, and should be made to know that he faces, a stiff mandatory jail sentence, even in a first offense. We think this would do more than anything to cool off the punks and hopheads who now make the Nation's Capital their happy hunting ground.

THE CHANGING STRATEGIC NAVAL BALANCE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. CHAMBERLAIN. Mr. Speaker, the House Armed Services Committee has recently printed a special report prepared for it by the American Security Council entitled "The Changing Strategic Naval Balance: U.S.S.R. versus U.S.A." It deals with the Soviet thrust for dominance on the high seas, both in terms of its merchant marine and military capabilities. I commend the attention of my colleagues to this report and its findings for they deal with a challenge that clearly presents the 91st Congress with a demand for urgent action.

Adm. H. D. Felt, U.S.N. (Retired) who served as Cochairman of the National Strategy Committee of the American Security Council which made this study, has presented, in summary fashion, its findings in two editions of the Council's "Washington Report" dated December 23, 1968, and December 30, 1968, respectively, and I take this occasion to insert them in the Record in order that this information may have the wider attention that it deserves.

Having served as a member of the U.S. delegation to the North Atlantic Assembly meeting at Brussels this past November, I am satisfied that the growing Soviet Navy is recognized by our NATO allies as a matter of utmost concern, particularly with respect to the maintenance of peace in the Mideast. It is my hope that this Congress will finally face up to the problems that have been ignored or postponed for so long and determine to check the decay of our merchant marine fleet and start to build a truly modern U.S. Navy. The reports follow:

THE CHANGING STRATEGIC NAVAL BALANCE: CHALLENGE ON THE OCEANS

In the years ahead, the United States undoubtedly will be confronted with a variety of military challenges. None of them is likely to be more serious than the challenge on the oceans posed by the Soviet Navy.

For the first time in its history, the Soviet Union is developing an offensive maritime strategy and is seeking supremacy at sea. In the past, Soviet naval forces were basically defensive in character. Today, however, the Soviets have an oceanic vision. They know that the sea is the major artery giving life to the free world, and they are determined to create forces capable of cutting that artery. To this end, they have built a powerful fleet of missile-firing submarines and classes of rocket-armed surface ships that the Soviet naval command believes will revolutionize naval warfare in the future.

Government leaders and the general public, in acquainting themselves with this ominous development, should benefit from a reading of *"The Changing Strategic Naval Balance: USSR vs. USA,"* a report prepared by the American Security Council at the request of the House Armed Services Committee. This report sets forth the dimensions of the naval challenge facing the United States in the 1970's.

I was privileged to serve as chairman of the special sub-committee of the National Strategy Committee of the American Security Council that submitted the report to the House of Representatives. Members of the committee included distinguished academic leaders and retired senior military leaders with the widest experience in major commands and technological development.

The ASC committee found that even as the Soviets have armed themselves for warfare in space, they are striving to dominate the oceans.

The study points out that "the existing and programmed strength and composition of U.S. and Soviet naval forces was rooted in the respective national objectives of the two countries. The United States is the leader of an alliance of an inter-oceanic community of free nations that have major maritime interests and that depend on freedom of the seas. To uphold the cause of freedom whether in Southeast Asia, Europe or Latin America, it is imperative that the United States have unrestricted use of the world's oceans and that it be able to exercise naval supremacy in a variety of possible war situations.

"Thus if the United States fails to maintain a clear lead in all significant forms of naval power, if the strategic naval balance is not in its favor, the United States will be unable to fulfill its role as a leader of the free and independent nations of the world. Furthermore, as the Soviets are strongly emphasizing strategic naval forces—shifting much of their increasing missile power to sea—it is imperative that the United States have superior naval forces with which to deal with the new Soviet threat.

"If the United States intends to maintain the sea power supremacy it gained during World War II and has held to the present, it will have to significantly augment its naval forces for the contests ahead."

The *Strategic Naval Balance* report states that "the Soviet fleet now includes 250 attack submarines, 100 missile-firing submarines (50 of their submarines are nuclear-powered), 25 surface-to-surface missile-equipped major warships, 86 conventional destroyers, approximately 300 minecraft, 150 missile-armed fast patrol boats, three helicopter carriers and many other types of warships."

In the absence of a general war situation, Soviet naval forces have politico-military missions to perform, plus support of "wars of liberation" and various interventionist operations. The meaning of the Soviet moves at sea is that the USSR plans a global employment of its naval forces. It seeks control of what geopolitical thinkers refer to as the "world ocean." To many Americans, this strategic picture may come as a shock; heretofore it has been assumed by many that the USSR's naval forces were simply for coastal support of the Red Army.

The *Naval Balance* report warns that "if the United States is to accomplish the aims for which it creates and maintains the naval forces, nuclear power for surface ships and other progressive developments must be accented in the years ahead." The potential of innovation in naval ordnance must be exploited to full advantage. Deep submergence vessels must be designed and constructed for the undersea warfare of the 1970's and 1980's. American restraint in naval construction in the 1960's has failed to bring any slowdown in the USSR's naval construction program. The Soviet sea power drive shows that disarmament by restraint won't work.

The study states that "The principal American aims in maintaining strong naval forces are: 1) protection of the territory and independence of the United States; 2) deterrence of World War III; 3) protection of the territory and independence of allied and friendly nations; 4) preservation of the vital overseas interests of the United States; and 5) maintenance of normal oceanic trade so that the United States and other peaceful states may receive and ship raw materials and finished goods.

"To accomplish these aims, the United States has maintained the largest navy in the world with powerful offensive and defensive capabilities in its surface, sub-surface and aerial forces.

"Because of the global commitments of the United States, the United States Navy has to be prepared for a great variety of naval contingencies including amphibious operations, riverine warfare, anti-submarine warfare, protection of vital sea lanes, heavy air strikes against inland targets and strategic ballistic missile attacks against pre-assigned targets."

Of all elements of Soviet naval strength, the most alarming is the growth of its submarine force. The *Naval Balance* report states "the chief naval threat comes from the USSR's huge undersea fleet of 250 attack submarines and 100 missile-firing submarines, the largest forces of submarines ever created."

Of special significance is the fact that the Soviet Union now possesses submarines with an underwater launch capability, indicating that the USSR's submarine builders have mastered the kind of technology pioneered by the United States in the development of the Polaris fleet ballistic missile submarines.

While the Soviets are rapidly expanding their submarine missile force, they also are consolidating their lead in attack submarines. With at least 250 attack submarines, the Soviet navy has more than a 2 to 1 numerical advantage over the U.S. Navy in this area of sea warfare. Almost all of the Soviet attack submarines have been built within the last 13 years, whereas only 45 of the 105 U.S. attack submarines are of post-World War II construction. Though 31 of the 41 Polaris submarines will be equipped with the more sophisticated Poseidon missile, no new U.S. missile-firing submarines are under construction or authorized. The *Naval Balance* report pointed out that "the cut-off of U.S. fleet ballistic missile submarine construction, while the Soviet continues to build missile submarines, should be a matter of deep concern. The halt in American missile submarine construction gives the Soviet Union an opportunity to take the lead in this type of warfare."

Underscoring the Soviet shift to an offensive maritime strategy is its concentration on advanced types of surface warships. Among the new types of surface warships is the "Kresta" class cruiser, or rocket cruiser as they are termed by the Soviets. The *Naval Balance* study reports that these "are equipped with missiles having a 450-mile range." In all, the USSR has 25 major warships equipped with surface-to-surface missiles. This is a type of missile that the U.S. is only now getting aboard its warships, having concentrated on surface-to-air missiles.

The *Naval Balance* study also calls attention to the USSR's fleet of 150 missile-armed patrol boats of the "Osa" and "Komar" classes. In the words of the report, these "interesting new naval craft represent a remarkably economical maritime striking weapon. Never before has so much power been packed into so small a craft. They are the true pocket battleships of the missile era. These boats introduce into Soviet naval forces short-range rocket capabilities in a manner comparable to the introduction by the Soviets of intermediate-range ballistic missiles into their system poised against NATO."

The USSR's construction of large, modern landing craft and the reestablishment of naval infantry further confirms the offensive character of the naval forces of the Soviet Union. They are a tool that suits the expansionist goals of the Soviet state.

The *"Naval Balance Study"* points up one area in which the United States holds an important advantage:

"Although the Soviets are pushing with great vigor to obtain superiority in many areas of sea warfare, they have not thus far seen fit to develop the mobile air power for strike operations afforded by attack carriers. Their reasons for this are not clear in the light of the tremendous role that carrier-based aircraft are playing in the Vietnam War. Carriers will continue to play this role in future military confrontations over the sea, beach and inland areas anywhere in the world where adequate air bases do not exist. The United States must not falter in maintaining the presently unique advantage she holds in aircraft carriers.

Not only are the Soviets building a strong fleet, but they are showing the flag in remote regions. Today, they have a powerful squadron operating in the Mediterranean, which gives the USSR a credible presence in that area that it never enjoyed before. The Soviets have indicated that their presence in the Med will be "permanent." Their ultimate aim is to push the United States out of the Mediterranean and to turn that sea into a closed sea.

The *Naval Balance* report also made clear that the threat posed by the Soviet Pacific

Fleet should be spotlighted. The Soviet Pacific Fleet, with deep water capabilities, is equipped and trained to exercise influence not only in the Western and Northern Pacific but also in the Indian Ocean as well. The United States must be alert to the possibility of the Soviets obtaining naval bases in the Pacific.

The USSR is using its new naval power in characteristic fashion, resorting to harassment at sea. The Soviets are trying rough stuff in ship handling in an effort to intimidate U.S. naval commanders to pull back their vessels. From the Mediterranean to the Sea of Japan, the Russians have engaged in obstructive maneuvers. They have cut into formations and steamed on collision courses. The *Naval Balance* study noted, for example, that "the most successful example to date of 'psy' war at sea is North Korea's hijacking of the electronic intelligence-gathering ship *Pueblo* in January, 1968. The units of North Korea's 'pinprick' navy, in effect acting as proxies of the Soviet Union, seized the lightly-armed American vessel and thereby inflicted humiliation on the United States."

What also is of concern is the broad gauge character of Soviet interest in the oceans. Nowhere is this more evident than in the field of ocean studies. The *Naval Balance* report discloses that "the United States has 3,700 people engaged in ocean studies or only a little more than a third of the manpower the USSR has assigned to this field of studies. The U.S. has fewer than 50 ships engaged in oceanographic work and only 1,000 oceanographers as compared to the 1,500 in this profession in the Soviet Union."

What the Soviet Union's development as a naval power means is that the strategic naval balance is changing in the world—to the advantage of the USSR.

It is evident that the leaders of the Soviet Union have made a far-reaching decision to enormously increase the USSR's strategic mobility. The sustained growth of their naval forces indicates that within another five years the Soviets will have the capability for naval intervention in the most distant regions, including the landing of the newly activated force of black-bereted marines or naval infantry.

A decade ago, few Americans even considered the possibility that the Soviet Union would become a major sea power. U.S. control of the seas seemed beyond dispute. Five years ago, no one expected the Soviets to progress in submarine design and construction at a very rapid rate. But now Soviet missile submarines patrol off our coast. The Soviet submarine construction rate far exceeds what was anticipated a few years ago.

The USSR's transformation from a land power to also being an aggressive oceanic power is bound to produce new aggressiveness. If the Soviets conclude that they are in the driver's seat in world affairs, the Soviets also may deduce that naval power offers the ultimate advantage—the final means of tipping the world power balance heavily in their favor. Furthermore, after a nuclear exchange naval power would be the principal residual power available.

In considering the Soviet sea power surge, Americans need to be aware of the fact that any decisive change in the strategic naval balance of the USSR vs. USA is as threatening to the security of the United States as a relative U.S. decline in deliverable megatonnage versus the Soviet Union. This is the central finding of the *Naval Balance* study made available to the House Armed Services Committee by the American Security Council subcommittee.

The critical factor in the future is the nature of the response the U.S. makes to the growth of Soviet naval forces. The United States has the naval experience and technological ability to leave the Soviet Union far behind in terms of sea warfare forces. The real issue is whether the U.S. is determined to maintain its supremacy on the oceans by building a larger and more completely modern fleet.

The American Security Council report *"The Changing Strategic Naval Balance: USSR vs. USA"* concludes with this key statement:

"The Soviets have respect for strength, and contempt for lack of it. Thus, if the United States proceeds at full speed to augment its naval forces, the Soviet Union will not be able to wrest the trident from America's grasp."

It is to be hoped that the American people understand this truth. Their security depends on the strength of the United States on, under and above the seas.

Adm. H. D. FELT, USN (Retired),
Co-Chairman, National Strategy Committee.

THE STRATEGIC NAVAL BALANCE: THE MERCHANT MARINE COMPONENT

One of the best ways to describe the free world is in terms of a maritime confederation. By happenstance, the majority of the nations which are committed to the ideals of liberty and independence are nations with sea frontiers and sea-trading interests. Perhaps it has been the influence of the sea, a realm of openness, that has conditioned these nations to the concepts of freedom.

It is vital, therefore, that the free, maritime nations of this planet continue to communicate easily across the oceans and engage in ocean-trading in healthy fashion. In short, it is tremendously important that the free nations have vigorous merchant fleets.

A strong merchant marine is especially important for the United States because it is the leader of the free world. The U.S. discovered this in World War II when it was necessary to build a bridge of ships to carry war materiel and food to beleaguered countries and embattled armies over vast distances. America's merchant fleet played a major role in the triumphs of the forces of freedom over the forces of tyranny.

Today, however, the U.S. merchant marine is in a condition that should alarm all thoughtful citizens. When the new Congress convenes next month, it will be faced with doing something positive to strengthen the U.S. merchant fleet. Fortunately, it will have perspective on the state of the U.S. merchant marine vis-a-vis the Soviet merchant fleet. In recent weeks, a special subcommittee of the American Security Council prepared a report for the House Armed Services Committee entitled *"The Changing Strategic Naval Balance: USSR Vs. USA."* One part of this report deals with the merchant marine situation.

As chairman of the ASC subcommittee, I can state that there is much for Americans to be concerned about. The Soviet maritime establishment is a vital ingredient in the USSR's drive for world domination. The expansion of the Soviet merchant marine is posing a security threat to the U.S. and other free nations. As the USSR's merchant fleet is developed, it serves to enhance the country's attainment of strategic objectives. This expansion is a major development in the history of our era.

Americans should look back over the last two decades, and review what has happened. The *Naval Balance* report reveals that in 1950 the Soviet Union's merchant marine ranked 21st among such fleets. By 1966, it ranked fifth. And by next year, it is expected that the Soviets will have 12 million tons of shipping, as against 1.9 million in 1950. This growth has political and military significance that cannot be ignored.

Consider these facts: Today, the USSR has approximately 1,400 ships of 10.4 million tons. The U.S. has fewer than 1,100 ships aggregating 14.8 million tons. Between 1950 and 1966, the U.S. active merchant fleet *contracted* from 1,900 ships totaling 22 million tons. This is a sad comedown for the nation that was the maritime leader of the world in the years immediately after World War II. But these figures don't show the full extent of Soviet ambitions. Of all the ships on order throughout the world, 24 percent (456 vessels) are for the Soviets, whereas the U.S. has only 51 merchant ships on order.

The Soviet effort is significant in other ways as well. The USSR's merchant fleet is as distinctive qualitatively as it is quantitatively. Four out of five Russian merchant ships, the *Naval Balance* study states are less than 10 years old, whereas four out of five of the U.S.-flag vessels are of World War II vintage or older!

Obviously, this huge expansion of their merchant marine gives the Soviets a powerful new weapon in the cold war. It is a weapon that Moscow has only begun to use. The Soviets fully understand what they have accomplished, however. Victor G. Bakayev, the Soviet minister of the merchant marine, has written in *Red Star:*

"The fleet has been joined by hundreds of new and improved vessels of various types. . . . Today the Soviet Union can deliver any cargo to any point on earth, using high-speed Soviet ships."

Evidence supporting Minister Bakayev's assertion may be found in the record of the number of Soviet ships transporting war materiel to North Vietnam between 1964 and 1967. In 1964, 47 Soviet merchant ships reached North Vietnam. In 1967, the number of Soviet ships in the military sealift reached the record of 433.

It is increasingly clear that one of the USSR's ultimate goals is the domination of ocean trading. To this end, it is pushing ahead with all types of ship construction and improvements in maritime facilities, including new ports and cargo loading gear.

The Soviet fishing fleet also enjoys a high priority in state planning. Since 1954, for example, the Soviet Union has invested $4 billion in its fishing fleet and fishery facilities ashore. Whereas owners of American fishing vessels are hard-pressed to find funds, and the industry as a whole is undercapitalized, the Soviets have constructed many trawlers costing more than $2 million each. The investment is proving worthwhile to the Soviets, for in 1964—the last year for which figures are available—the USSR landed 5.4 million metric tons of fish. This was almost twice the U.S. catch. And it should be noted that the Soviets have set a goal of 8.5 metric tons for 1970.

In the late 1950's, when the Soviet Union began its big build-up at sea, it relied heavily on shipyards in Eastern and Central Europe. This capacity is still being used. But the *Naval Balance* study points out that "today the Russians themselves are constructing large numbers of ships of different types, including tankers and ice-breakers. The Soviets have pioneered in the development of the nuclear-powered ice-breakers *Lenin* and *Arktika.*

The merchant fleet which the Soviet Union has built enables Moscow to expand Russian foreign trade enormously. In 1952, Soviet foreign trade amounted to only 4.7 million rubles. "By 1963," according to the *Naval Balance* report, "this trade totaled 13 million rubles, and the regime has set a 1980 goal of 52 billion rubles."

While constructing new ships at home and buying others abroad, the Soviets also have been vigorous in developing and expanding port facilities. They have built a new oil port in the Black Sea at Il'icjevsk. The piers at that port can accommodate tankers of 100,000 tons. In 1966, by the way, the Soviet government announced that it intended to expand the capacity of its ports 40 percent by 1970.

Much attention has been devoted in the press to the arms the USSR has delivered to North Vietnam, but little has been said about the way in which it was delivered. The Applied Physics Laboratory at the University of Washington has reported, however, that the Soviet merchant fleet has been supplying all types of cargo with its merchant fleet, including oil, machine tools, coal, fertilizer and trucks. The stream of Soviet ships has been one of the truly decisive factors in the reinforcement of North Vietnam. The Soviet merchant fleet also has been a key factor in the maintaining of the USSR's position in Cuba.

While the Soviets are fully aware of the importance of a strong merchant marine, the U.S. apparently has lost sight of the significance of a merchant marine. This is all the more remarkable and tragic in view of the fact that more than 98 percent of all war materiel moved to aid the forces of freedom in South Vietnam has been transported by ship. Any further erosion of the strength of the U.S. merchant fleet could gravely affect America's capability for projecting power into remote regions of the world. A "flag of convenience" merchant marine is not a satisfactory substitute for a U.S.-flag merchant marine, for the former may not be available when America needs ships to move goods into a war zone.

The American Security Council's report on *The Changing Srategic Naval Balance* rightly focuses on the implications of the USSR's merchant marine, pointing out that "the Soviet Union has in its maritime establishment a powerful instrument of international pressure and economic warfare. The Soviet ships can be used by Moscow to drive the Western countries out of traditional markets and to disrupt free world economies."

The growth of the Soviet merchant fleet, and the relative decline of the U.S. merchant marine, amounts to a tremendous reversal of role. Historically, Russia has been a country with no understanding of the seas, whereas the United States clearly grasped the importance of oceanic supremacy. From the days of the clipper ships down through World War II, America sought to be a leader in ocean commerce. But in more recent years, the feeling has grown that the merchant marine is expendable or that it is too expensive for the U.S. to maintain. Yet this is dangerous thinking. As the *Naval Balance* report warns, "the free world countries grew strong and stayed free through control of the seas, including leadership in global commerce. The Soviet Union now is being allowed to move into the position of maritime supremacy that hitherto has belonged to the sea-voyaging free nations of the West."

The time has come for the United States to rebuild its merchant marine, to pioneer again in ship types and in propulsion systems and automation at sea. It must vigorously seek world markets and reassert its traditional and historic role as a maritime leader. The alliance of free, maritime nations cannot long endure if the Soviets are allowed to gain supremacy on the shipping lanes of the world. The U.S. must manifest its will to win by a bold program of merchant marine renewal in the years ahead.

Adm. H. D. Felt, U.S. Navy (Retired),
Co-Chairman, National Strategy Committee.

VFW HONORS CHAIRMAN TEAGUE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. DULSKI. Mr. Speaker, on March 4, the Veterans of Foreign Wars of the United States will pay well-deserved honor to our esteemed colleague and my chairman, the Honorable Olin E. Teague of Texas, chairman of the House Committee on Veterans' Affairs.

The gentleman from Texas (Mr. Teague) has been named to receive the sixth annual Congressional Award, presented by the VFW "for outstanding service to the Nation." The presentation will be made at the annual VFW Congressional Dinner, climaxing the annual 4-day conference here of national officers and department commanders.

A much decorated veteran of World War II, the gentleman from Texas (Mr. Teague) came to Congress in 1946 and became chairman of the Veterans' Affairs Committee in 1954. He has an outstanding record of service to veterans and to their families and it is a great honor and pleasure for me to serve with him on this important committee.

In announcing the award, VFW Commander in Chief Richard Homan said:

> The Congressional Award is the highest honor given by the V.F.W. It was established in 1964.
>
> By awarding this honor to one of our national legislators, the V.F.W. seeks to dramatize the importance of the role of a freely elected legislature to serve the great ends of this Republic, maintaining true allegiance to the United States of America and fidelity to its Constitution and laws, the fostering of true patriotism, maintaining and extending the institutions of American freedom, and preserving and defending our country from all her enemies, at home and abroad.

1968—YEAR OF INFAMY

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. STEIGER of Arizona. Mr. Speaker, Mr. Philip Goldberg, the author of this letter is an American Jew—with the emphasis on American. His views on this country's posture are especially impressive.

The letter follows:

1968—Year of Infamy

January 10, 1969.

Mr. Joseph E. Patrick,
Radio Station KUPD,
Phoenix, Ariz.

Dear Mr. Patrick: I would like to express the opinions of a private citizen regarding the current affairs in Israel.

Yesterday is dead. Tomorrow, may never be born. For American Diplomacy—American Ideals—for the human struggle to be free. 1968 was a year of infamy—unrivalled since the highwater mark of Hitlerism and the tragedy of Pearl Harbor.

In Paris, American maitre d's, masquerading as statesmen, bow and scrape as they debate peace table seating arrangements with the Viet Cong, while American youth shed their blood on the battlefields of Viet Nam.

In North Korea, American sailors sustained cruel abuse. Their Government finally rescued them in the eleventh hour of 1968, only by admitting guilt and apologizing to a vicious and ruthless foe—the refuting words it had accepted. North Korea was unconcerned with Geneva Conventions and International Law.

Czechoslovakia? For the second time in a generation, America turned its back on a people longing to be free—raped of their freedom—and gave a green light to continued Communist suppression of captive peoples in Iron Curtain lands.

At the United Nations, Israel, an American ally, is betrayed as the United States joins the Soviet Union in bitter denunciation of a nation fighting *only* for its very survival.

America, obviously unequal to controlling violence and gangsterism on the streets of its own cities, condones the murder of innocent people, citizens of Israel, women and children, by gangsters who extol these fedayeen—Arab Commandoes—as "heroes". Each Arab nation vies with the other to honor these monsterous acts. And the United States rushes to the defense of the very Arab and Communist governments who support and incite these wanton killings.

And, so it is that the nations which spit on our Flag, stone our Embassies, burn our Libraries and hang our Presidents in effigy, are the nations we defend and give money and assistance to while a trusted ally, whose very position on the banks of the Suez Canal requires Russian ammunition ships, bound for North Viet Nam, to take two and a half weeks longer to get there, is pilloried for the crime of fighting for its life.

Is this not a double standard? But then, there is no justice for the Jew! Pity—always pity—for the Jew. But never justice. Why is it that the world prefers to pity the Jew—rather than respect him?

A generation ago, an American President, and his State Department, adored for devotion to humanitarianism and the cause of freedom, cynically permitted millions of Jews to be massacred because politically he was unprepared to make a deal, even a gesture, to save their lives.

No nation would give these homeless and wandering Jews even a patch of land where they could settle. But pity!!—Pity. There was much, much pity! Available—copious amounts of tears, grim faces and shock. . . . .

Today, the story remains the same. In the words of an Israeli Ambassador, Jewish lives are worth more than a pile of scrap metal.

Later, another American President finds it politically useful to flay the Israeli people in order to curry favor with Arab Communist governments who, like their communist allies, maintain their people in feudal bondage.

If Israel were destroyed tomorrow, the world would wrap its guilt in endless breast beatings of pity. But the Jew who fights to survive is hated, feared and condemned.

There are militant blacks in this country who are asking for their own nation and half the wealth of America, as compensation for 400 years of slavery, persecution and discrimination. . . .

If we used this as a device of measurement, the Jew must claim half the world as compensation for more than two thousand years of pogroms, Cosak raids, persecution, inquisitions and mass murder.

Yet, the Jew asks only to live and let live in peace—for those who have made Israel their home, to maintain and build that homeland. For those who are citizens of their native lands, to enjoy freedom and quality in the nations which they are a part, and be allowed to worship in the faith of their fathers, the one God who incidentally is the God of all men everywhere.

And the United States—the standard bearer of man's fight for freedom—proclaiming to the world that it fights a lonely and fearsome war in Vietnam, to preserve the freedom of those people, cynically betrays it's lofty ideals when it condones the suppression of persecuted captive peoples struggling for freedom. Condones acts of violence and disrespect to its own integrity. Condones the murder of Israeli Jews by Arab terrorists. But condemns the reprisals against the very governments which succor these terrorists and proclaim their mission of murder to be sacred.

America talks about freedom with tongue, but not with heart. It espouses a selective freedom, where some have the right to be more free than others, depending on the politics of the situation. Hungary, Vietnam, Korea, Czechoslovakia, Israel. As we retreat from our ideals in one instance after another, where are the glorious slogans that made us great. Slogans that fired the imagination of our weary people to fight for what they believed in—that great ideal—Democracy.

Liberty or Death! The Alamo! 54–40 or Fight! Don't Give Up the Ship! We Have Just Begun to Fight! Make the World Safe for Democracy! Over There! Don't Tread on Me!

Cornball? Perhaps! Perhaps it is, in this so-called modern day—corny to feel a chill of pride when the Star-Spangled Banner is played; or the Flag passes by!

But, of these things was built the America that is the greatest and freest of all nations! And now stands threatened to be engulfed by cynicism, indifference, and the game of international politics. Historically, we have never been good at *The Game*—We have only been successful when we stood up for right, held our ground, and fought for our ideals.

Awaken America! Rise from your fitfull slumber! It is not too late to *return* to those ideals. *But*, if we continue indifferent, cynical, hostile, reluctant to be steadfast in support of these ideals and those peoples and nations who share them with us, we shall assuredly see our friends defeated and destroyed. And, ourselves, *alone* and friendless in a world dominated by the communist tyranny.

Awaken America! If we do not go to the Mountain, the Mountain will come to us.

Instead of Allah and the Prophet, Mohammed, who has brought glory through the centuries to the Sword of Islam, the Arabs today worship the fedayeen terrorists, and their religion is the murder of Jews.

We Americans who yearly in December recall in mourning the infamy of Pearl Harbor and the loss of 1200 Americans on the U.S.S. *Arizona*, have this December joined with the zealots of the left—Russia, and the Arab countries in denying an ally the right to protect its citizens against murder in the middle of the night.

Today's Jews will not stand by—as did their counterparts in the thirties and forties—and watch the ruthless extermination of their co-religionists. Today's Jews will not stand by—as the rights of Israel as a nation are violated under the UN Charter.

Today's Jew stands on the motto "Don't Tread on Me".

Thank you very much for your attention!

Sincerely,

PHILIP J. GOLDBERG.

EXTENDING GREAT PLAINS CONSERVATION PROGRAM

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. OLSEN. Mr. Speaker, the Great Plains conservation program was authorized by Congress through Public Law 1021 in 1956. Its purpose was to provide needed financial and technical assistance to accelerate the stabilization of the vast plains area of the Nation. The public was concerned about the rapid deterioration of the area because of serious wind and water erosion taking place. The program authorization is scheduled to expire on December 31, 1971.

The basic objective of the Great Plains conservation program is to provide assistance to farmers and ranchers in applying complete conservation programs on individual units. Special emphasis is placed upon converting land unsuitable for sustained crop production into permanent grass.

The program provides cost sharing assistance to farmers and ranchers based upon complete conservation plans. The plans developed with farmers and ranchers include schedules of land use adjustments and conservation measures considered essential for safe operation in an area that suffers from extended drought periods. Technical assistance is provided by the Soil Conservation Service for the planning and installation of the needed conservation measures.

The farmer or rancher enters into a contract with the Secretary of Agriculture for a period from a minimum of 3 years to a maximum of 10 years, to carry out the needed conservation treatment.

The program provides cost sharing for the permanent type practices according to the schedule agreed to in the contract. This provides the farmer or rancher assurance that he will receive agreed-to Federal cost sharing assistance as he progresses with the installation of practices. This permits him to plan and install the conservation treatment program over a period of years at a rate he can afford. The plan also provides that the farmer or rancher will install and maintain needed management practices without cost sharing.

In the 421 counties in the 10 States operating the program over 31,000 contracts have been entered into with farmers and ranchers on slightly over 57 million acres of land. Of those contracts about 21 percent of the cropland has been or is scheduled for conversion to permanent vegetative cover. Just over $110 million has been obligated thus far.

The program operates in the 37 hazardous erosion counties in Montana. Just over 1,350 long-term contracts have been entered into with farmers and ranchers involving over 6.5 million acres. About $7.4 million has been obligated in Montana to assist farmers and ranchers in the installation of needed conservation treatment on their units.

The program has established permanent cover on 123,000 acres in Montana to date. In addition, 20,000 of range reseeding has been accomplished along with the establishment of excellent water and other management facilities to bring about proper grazing.

The stabilizing effect this program has had on farm and ranch units has been instrumental in preventing many from having to give up their operations.

EIGHT SPONSOR GONZALEZ BILL TO PROHIBIT THE USE OF DRAFTEES IN UNDECLARED WARS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. GONZALEZ. Mr. Speaker, last September I introduced a bill to prohibit the use of draftees in undeclared wars without their consent. The response to this legislation from my constituents was wide and favorable.

In reintroducing this bill today, I have been joined by seven colleagues. Listed as cosponsors with me are Mr. REUSS, Mr. WOLFF, Mr. CONYERS, Mr. GILBERT, Mr. ADAMS, Mr. PODELL, and Mr. BROWN of California.

My bill amends the Military Selective Service Act of 1967. It states:

> Except during the period of a war declared by Congress, no person inducted for training and service in the Armed Forces under this title shall be required, without his express consent, to serve in any area of armed conflict in which the Armed Forces of the United States are engaged.

I have felt keenly about the fundamental inappropriateness of conscripting citizens to fight in undeclared wars, ever since Korea. This unaddressed issue was a principal reason I was one of nine who voted against the extension of the draft last year. I believe the issue is at the root of much of the travail in this country.

The use of draftees in Vietnam is a prime constitutional question that must be eventually confronted by the American people and the Congress. Executive fiat should not displace the constitutional prerogative placing the responsibility for the declaration of war on Congress.

I favor the concept of a volunteer army. We should upgrade military service to the point that the draft is not needed during peacetime. But during a shooting war, some draft system would still be required. It remains incumbent upon us, therefore, to revise the draft and levy its burdens fairly.

But even with a volunteer army and an equitable draft, a fundamental injustice still remains. How can we send out reluctant warriors to a large-scale foreign war on which there has been no declaration of war as required by the Constitution? I believe the framers of our Constitution intended that only Congress should initiate wars, after formally debating the threat of aggression to our national security, after weighing the national interest in war and after assessing the burdens of war upon our people.

The Senate Foreign Relations Committee concluded in 1967:

> A careful study of the Constitution and of the intent of the framers as set forth in the extensive documentation which they bequeathed to us leaves not the slightest doubt that except for repelling sudden attacks on the United States, the founders of our country intended decisions to initiate either general or limited hostilities against foreign countries to be made by the Congress, not by the executive.

Is warfare now so esoteric that even the initial decisions must be made deep within the recesses of the executive branch? Are the citizens of a modern democracy unable to determine, through their elected representatives, whether the protection of their national interests require war? I think not. The constitutional requirement of a declaration of war by Congress is still the wisest course.

I also think our young men realize the vast disparity between the legal standings and the appeal rights of the men whose material is procured for our war machine and those of our men whose bodies are conscripted to man the machines. In a sense, the cannon fodder has less rights and privileges than the cannon.

Other nations seem to recognize the injustice of sending unwilling soldiers to foreign wars. The French Parliament had a long-standing law prohibiting the use of draftees in Vietnam. The British had a professional army and did not resort to the use of conscripts to defend the empire. They employed the draft only when the homeland was attacked in World Wars I and II.

It is difficult to say, even after years of involvement, at what stage Congress should consider a formal declaration of war in Vietnam. But it is clear that the war has gone through major changes since the Gulf of Tonkin resolution. Bombing of the North that began at a tit-for-tat retaliation for terrorist raids in the South has become an integral part of our military strategy. First our ground troops were advisers, then they became reinforcements holding Government positions along to the coast in order to free the South Vietnamese for offensive operations, and now they carry out the bulk of the fighting under the tactics of search and destroy.

I recognize that Congress has declared war in only five of the 11 major conflicts of our history, and then in response to the urging of the Chief Executive. Certainly the President, as Commander in Chief, has wide powers and duties in the conduct of foreign affairs. But only Congress can stamp a conflict with the character of war, thereby engaging certain legal consequences of a state of war and, I assert, effectively engaging the national will.

We have backed into a major armed conflict which is testing our national character, by steps largely outside the constitutional process. I feel strongly that somewhere along the line Congress must reaffirm its constitutional duty to decide whether a state of war is justified.

Several facts seem uppermost. First, our country is greatly divided over whether the effort of slugging out a ground war in Asia is securing our vital national interest. Our youth facing the draft is understandably alienated. Extremes on both the right and the left have rejected the politics of the possible for the disruptions of anarchy.

Second, the war in Vietnam has changed greatly since the Gulf of Tonkin resolution of August 10, 1964. We jumped from 21,000 soldiers in the war zone at the end of that year to over 550,000 now, with as many as 562 American fatalities a week. The majority of my constituents who have been killed were draftees.

The draftee has been hard hit by this war. My studies show that the incidence of Vietnam casualties among Texans of Spanish surname is more than twice their incidence in the general Texas population. The majority of my constituents who have been killed were not advantaged enough to go to college.

Most significantly, although doubts about the war have spread across the land and although the war has been greatly expanded, the debate on the course of the war has not gained any measure of relevance since 1964. The presidential election of 1968 proved only that the course of the war in Vietnam was unpopular enough to contribute to the repudiation of the administration in power.

I cannot say with certainty what is the proper stage of hostilities after which a democratic assembly should formally declare war, but I wish to suggest that it might be when conscripts are needed to wage the hostilities. I cannot say with certainty that a congressional debate on a declaration of war would silence any of the dissent rampant in our Nation, but I wish to suggest that it would provide a valuable forum which is within our democratic system. It is for these reasons that I introduced my bill to prohibit the use of draftees in undeclared wars.

Recently, Economist Milton Friedman argued that it is "feasible" as well as "desirable" to stop sending draftees to Vietnam at our present level of involvement.

Central to the practicality of waging the war in Vietnam without unwilling draftees is the 360,000 Army men needed there now—the remainder of our 540,000 servicemen in Vietnam are in the Marine Corps, Air Force, and Navy, which have a negligible amount of draftees. The current strength of the Army is 1,500,000 men; 900,000 are volunteers and 600,000 are conscripts.

Arithmetically, it seems easy for the Army to meet its present Vietnam requirement for 360,000 men out of its 900,000 volunteers. But the situation is not that simple. Mr. Friedman points out that if draftees did not have to serve in Vietnam, the number of "reluctant volunteers" of all services would begin to fall off. Reluctant volunteers are young men who join the service under the pressure of the draft.

But Mr. Friedman believes it is entirely feasible to stop sending draftees to Vietnam under two main conditions: First, if combat pay for Vietnam duty was raised by $1,000 a year, at an estimated cost of half a billion dollars, thereby attracting more volunteers. This would be about a 40-percent raise in the pay of enlisted men, and indeed the raise should be concentrated in the grades filled by volunteers. And, second, if the tour of duty in Vietnam were lengthened, in effect providing more manpower.

There may be objections to some of Mr. Friedman's figures, but I believe he has demonstrated that it is far from impractical to stop sending draftees to Vietnam.

Let me emphasize that my bill is not a proposal for an all-volunteer Army, which some believe this Nation could not possibly afford. My bill would simply prohibit the Army from using its draftees in an undeclared war unless they consent.

However, Mr. Friedman would have the Nixon administration stop sending draftees to Vietnam by Executive action. He concludes that—

> There is no other measure that they can take that will do more to unify the country and at the same time increase the effectiveness of our military forces in Vietnam.

I agree with the value of sending no more draftees to Vietnam, but I desire more than an expedient response. That approach would simply alleviate by Executive fiat an unpopular situation gotten into by Executive fiat. It would be a much long-delayed response to months of dissent and to a national election which is unclear about the conduct of the war in Vietnam.

We need a more lasting solution to the constitutional issue which the use of draftees in Vietnam has raised. I believe that enactment of my bill would prevent future fiascos by providing a national debate on the single question of whether to engage in an armed conflict large enough to require draftees. And enactment of my bill would help restore to Congress its constitutional mandate to declare war.

Mr. Speaker, under unanimous consent, I wish to include Mr. Friedman's column, from the December 30, 1968, issue of Newsweek, at this point:

No Draftees to Vietnam

President-elect Nixon is committed to ending military conscription and establishing an all-volunteer armed force as soon as manpower needs in Vietnam decline substantially. That is a consummation devoutly to be desired. But, in the interim, the new Administration could reduce enormously the bitterness, dissention and division arising from the Vietnam conflict by taking a major first step toward an all-volunteer army: sending no more draftees to Vietnam.

This proposal raises two basic questions: Is it desirable? Is it feasible?

The first question hardly needs discussion. Men who agree on little else about Vietnam would agree on the desirability of not using conscripts to fight the war.

The key question is, therefore, whether it is feasible to man the Vietnam war with volunteers. I believe the answer is, Yes. Will it be easy to do so? The answer is clearly, No. But that is hardly decisive. The aim of national policy should not be to make life easy for government officials, whether civilian or military.

THE FACTS

Here are the base facts. Currently, about 540,000 men are in Vietnam: 360,000 in the Army, the remaining 180,000 in the Marine Corps, Air Force and Navy. The Air Force and the Navy use no conscripts; the Marines, a negligible number. Hence, only the Army raises a problem.

The strength of the Army worldwide is about 1.5 million. Only about 600,000 are conscripts; the other 900,000 are volunteers.

On a purely arithmetic basis, it seems clearly feasible to provide 360,000 men in Vietnam out of the 900,000 volunteers plus any conscripts who might waive their exemptions. But this is misleading. The problem is harder than these numbers suggest.

1. The adoption of the new policy, if nothing else were done, might well reduce the number of "reluctant volunteers"—those who volunteer mostly under the threat of conscription. To offset this reduction, it would be highly desirable to raise substantially the pay of men who serve in Vietnam—a step that is called for in any event on grounds of equity.

Even substantial increases in combat pay are clearly feasible on budgetary grounds. A rise of $1,000 a year for all men in Vietnam would cost around a half billion dollars. Yet this rise, even if flat and across the board, would raise the pay of enlisted men by something like 40 per cent. And the rise should not be across the board. It should be concentrated on the positions for which volunteers are fewest.

2. Currently, the term of service of enlisted men in Vietnam is limited to twelve months. Disregard officers, and suppose that all of the nearly 900,000 volunteers in the Army enlisted for a single term of three years. Then each could spend only one-third of his service in Vietnam, so that a maximum of 300,000 men could on the average be in service in Vietnam.

The policy of limiting the term of service in Vietnam to twelve months has been strongly criticized on strictly military grounds as highly unsatisfactory and inefficient. It takes several months for men to learn their jobs; their last several months are homeward-looking; at most, six out of the twelve months are useful service. In addition, the perpetual rotation makes it impossible to establish those informal lines of communication that are at least as important in every large administrative structure as the formal channels. Lengthening the normal term of service would cut sharply the number of men needed in Vietnam and thus doubly facilitate a policy of no draftees to Vietnam.

3. A third possible difficulty is that the Army needs units rather than individual men in Vietnam and it is undesirable to segregate all Army recruits from the outset into conscript and non-conscript units. However, this difficulty is not relevant. Initially, units as a whole were sent to Vietnam but currently men rather than units as a whole are sent as replacements.

THE CHALLENGE

The difficulties are real. But they are far from insuperable. They offer a challenge to the men who run the armed forces, not a reason for rejecting a policy that offers so many advantages. President Nixon and Secretary of Defense Laird should set a definite and near date after which no more draftees will be assigned to Vietnam—unless they volunteer for that duty. There is no other measure that they can take that will do more to unify the country and at the same time increase the effectiveness of our military forces in Vietnam.

GUN CONTROL

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ASHLEY. Mr. Speaker, today I am again introducing legislation which would require the registration and licensing of firearms. I believe more firmly than ever that this is absolutely necessary if we are to come to grips with the rising violence and the alarming increase in use of deadly weapons in our country.

Opponents of gun control legislation say that statistics do not tell the whole story and that restrictions will not prevent the use of deadly weapons for illegal purposes. But FBI reports reveal that from 1961 through 1967, there were 33,491 persons in the United States murdered with firearms. These were more than statistics. These were individual human beings whose lives were taken in the most reprehensible manner known to man.

During 1967 alone, more U.S. citizens were killed or assaulted with guns in American streets and homes than were killed in battle during the entire Korean conflict. According to the FBI, the situation is worsening markedly.

J. Edgar Hoover has said:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

I know of no one more qualified to speak to this point and the facts certainly support Mr. Hoover's conclusion. Guns are far and away the most lethal weapons used in assaults to kill—seven times more deadly than all other weapons combined. Death comes to the victims in 21 percent of the attacks in which guns are used, while death occurs in only 3 percent of assaults to kill with all other weapons.

The time has come to acknowledge that there are between 50 and 200 million operative firearms in this country—surely far more than the number of sportsmen and those interested in keeping a weapon for defense of the home. The precise number of firearms is difficult to determine, according to the FBI, because no one has the slightest notion who has them or where they are. It is known that more than a million foreign weapons a year have been coming into the country and that American producers add an additional 2 million to the private stock of firearms each year.

In a country in which one finds virtually unanimous support for licenses and permits for a myriad of products and pursuits, it is noteworthy that in the last 36 years Congress has made only three efforts—in 1934, 1938, and 1968—to control firearms.

Mr. Speaker, the progress made last year in the development of these controls must now be continued. This Congress must proceed with the unfinished agenda for the regulation of firearms. I am convinced that my legislation, which would require the registration and licensing of all firearms within a reasonable period of time, offers added protection from the death and destruction that are accomplished hourly with these deadly weapons.

Specifically, my bill would require the national registration of virtually every gun in America. Computer technology has made it possible to feed into a computer bank at the National Crime Information Center the name and address and other pertinent information with respect to the owner of a firearm, the manufacturer, caliber and gage, model and serial number of the gun, and the date, place, and the name and address of the person from whom the firearm was obtained. Through this system, any weapon anywhere in the country can be traced and identified in a matter of seconds.

The bill provides a 180-day grace period, from the time of enactment, during which gun owners must register their weapons with the Department of the Treasury. Thereafter, possession of an unregistered gun shall result in punishment by fine or imprisonment or both.

The bill also establishes minimum standards to be followed by States or their political subdivisions in establishing a permit system for the possession of firearms. An adequate permit system must include identification of the permit holder, including name, address, age, and signature or photograph; denial of permits to persons under indictment or who have been convicted of a felony or to persons who by reason of age, mental condition, alcoholism or drug addiction cannot be relied upon to possess or use firearms safely and responsibly.

The initiative for licensing would rest with the States but Federal licensing provisions would go into effect in any State failing to meet the minimum Federal standards.

ACHIEVING CLEAN AIR

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. DADDARIO. Mr. Speaker, my Subcommittee on Science, Research, and Development has, for some time, studied the effectiveness of science and technology in bringing a rapid and substantial improvement to the quality of the air we breath. The Federal legislation to combat air pollution calls for a sequence of events which is highly dependent on science to establish a factual basis for pollutant-damage relationships; and on technology to provide economically feasible methods for abatement.

Our hearings in the past 3 years have shown without doubt that emissions to the atmosphere from many sources—industrial, municipal, and individual—are excessive. The contaminated air does damage crops and materials, visibility is often decreased, and many human health problems are aggravated. Further, we have found that currently available abatement technology is effective at a cost commensurate with the air quality improvement it can bring about.

Therefor, cleaner air is possible now. We need not wait for the refinement of health effects data or for better abatement technology in order to begin action programs. Of course further research and development will provide the base for additional future improvement, but much can and should be done now.

For this reason, I am concerned about the progress being made under the Air Quality Act of 1967 and the ambient air quality standards which are called for by that legislation. These standards are set by the States after the publication of criteria by the National Air Pollution Control Administration. The first criteria are just now being issued in tentative form although the Congress first placed this requirement on the Secretary of the Department of Health, Education, and Welfare in December 1963. I do not fault the agency personnel who have been laboring with this problem. It is a very difficult task and that is just the point.

My concern is that we may be delaying the control of air pollution. The present law may be calling upon science to provide evidence that is not obtainable, that is, precise relation of air pollution effects to the presence of individual pollutants.

Dr. Eric Cassell, associate professor of community medicine, Mount Sinai School of Medicine, New York, has written a thoughtful article in the December 1968 issue of the Journal of the Air Pollution Control Association. He states:

> If legislation is based on overstated, over-simplified, or inappropriate statements of the evidence then the legislation stands a very good chance of being equally over-simplified and inappropriate. . . . The ability to provide positive evidence of the effect of air pollution in the natural setting disappears when the individual pollutants are looked to as the unique or direct cause of the illness or mortality.

I believe we should emphasize the maximum use of presently available technology to prevent pollutant emissions. Much more could be done without threatening economic harm to industries or without overburdening municipal budgets. We should not wait for precise health related criteria and standards to get on with the job.

Mr. Speaker, the article is pertinent to the continued interest in the Congress in clean air and I insert it at this point in the RECORD:

ARE WE READY FOR AMBIENT AIR QUALITY STANDARDS

(By Eric J. Cassell, M.D.)

(NOTE.—The legal basis for the control of air pollution has progressed from nuisance law to the statutory regulation of specific substances as the sophistication of the sciences involved has progressed. But, the control of air pollution by pursuing air pollutants one by one as evidence accumulates against them seems clearly inadequate to a technology producing new pollutants at an almost geometric rate and inappropriate to the gathering body of evidence relating air pollution to health effects. To understand the need for changed control concepts it is necessary to understand the biological problem and the evidence that has been accumulated.)

The philosophy of the health professions in the twentieth century, and increasingly the philosophy of our whole society is that a clean environment contributes to health and well being. From this philosophy and from the scientific evidence that has fathered it, it is not necessary any longer to prove harm to health from air pollution in order to insist upon its control. But control is a joint effort of the public, industry, the academic and other research institutions, and government. When air pollution control is not a joint effort, but rather a battle between opposing forces the ultimate aims are delayed and the final solutions frequently poor and costly.

The air quality standards that have been proposed or enacted into legislation in varying parts of the United States clearly represent the desire of the people to have air that is as clean as can be obtained in our industrialized society.

The paramount question is whether these standards, written into law, will be effective in cleaning the air. And even more, the question might be, will they possibly delay effective air pollution control? It is my opinion that the setting of fixed standards for individual pollutants, one at a time through the range of known pollutants may signify the desire of a community for clean air but does not rest upon sound evidence nor promote effective air pollution control.

We use the research on the health effects of air pollution to do two things. First, to make us aware of the dangers of fouling our environment and second, to provide a basis for effective control legislation. The precision of the information required for these two aims is quite different and it is important not to confuse the two when legislation is drawn.

It is sometimes difficult to realize how much progress has been made toward the goal of air pollution control in the past decade. An aroused public, an increasingly responsible industry, and responsive government have marked this progress. These changes have been brought about largely through an awareness of the dangers to health of uncontrolled pollution. If these dangers have been overstated on occasion no harm was done, since the purpose of the statement of dangers was to produce a supportive and aware public. If undue emphasis has been given to some pollutants over others in the statements of danger, on the mechanisms of action that were portrayed were inaccurate, again, no harm was done in making the public aware of the need for action. However, if legislation is based on overstated, oversimplified, or inappropriate statements of the evidence then the legislation stands a very good chance of being equally oversimplified and inappropriate. Note clearly that the problem is not should there be air pollution control—but rather, what is the most effective way of achieving control.

The evidence on the health effects of air pollution strongly supports the view that the health effects are not due to a single pollutant acting alone, but rather from the complex interactions of air pollutants and weather in the atmosphere. I would like to discuss at some length the nature of the research problem of determining the effects of air pollution on man. This is a problem in toxicology, determining for humans, the relationship between the dose of the noxious agent in the atmosphere, and the adverse response in man.

Several important factors complicate the research. The examples that follow are based primarily on sulfur dioxide but the generalizations are true of the other pollutants as well. First of all, the dose, sulfur dioxide, except under the most bizarre and rare circumstances is present in the urban atmosphere in very low concentrations and over a very narrow range. The peaks are rarely ten times the daily averages. The peaks themselves, are usually not above one part per million. One part per million is about the bottom of the range frequently used in the laboratory. The highest level to which populations are exposed therefore, are so low that they are seldom used in the laboratory. Second, sulfur dioxide or any other pollutant, does not exist alone in the atmosphere. When it is present, numerous other substances which may or may not have an effect on man are also present. Concentrations of the other substances will be increased at the same time that the sulfur compounds are increased. It is difficult, therefore, for the scientist to know whether an effect he has observed was caused by the sulfur compounds or by the other materials present.

The third, and related complication of such studies is that all the various substances do not coexist without interaction. We are now well aware that the atmosphere is a dynamically active chemical retort in which substances change themselves and react with other materials to produce new and sometimes unknown substances, with this atmospheric chemical factory variously affected by wind, sun and humidity. Fourth, how do we really know what is in the atmosphere? We know about sulfur dioxide, for example, because we have instruments to measure it, and have had for some time. But we all know that there are substances in the atmosphere of whose nature and presence we know nothing, and that the number of such substances probably is increasing as our technology expands. For example, what happens to a plastic bag when incinerated; and what is the effect in the atmosphere of the catalytic metals used as gasoline additives?

The fifth complication is the meaning of what pollution measuring instruments say. When a study reports that the population was exposed to, for example, 0.25 parts per million of sulfur dioxide, what does that really mean? Generally the instrument did not even really measure sulfur dioxide. If it was of the conductivity type commonly in use, the instrument only reflects sulfur dioxide when that gas exists alone—but that ideal is rarely met in the atmosphere. The measurement is interfered with in numerous ways that cast serious doubt on any interpretation of experimental results that are presented as though the exposure were really to sulfur dioxide. In our studies, at one point, we had two instruments side by side, one measuring "true" sulfur dioxide (by the West-Gaeke) and the other employing the conductivity method; not infrequently their readings bore no relationship to each other! In our publications we carefully used the words "whatever is represented by the measurement of sulfur dioxide" but when we are quoted, that important note of caution is left out or forgotten. Similarly, in some studies the average sulfur dioxide of one area is compared to that of another and then the research findings are said to be related to sulfur dioxide. But sulfur dioxide levels are an index of many things: the weather, fuel patterns, degree of industrialization, socio-economic level of the population, crowding; and probably a host of other factors all of which have a bearing on disease. But legislation which proposes a numerical standard for sulfur dioxide does not deal with "whatever is represented by the measurement of sulfur dioxide," it deals with the *gas sulfur dioxide*.

Finally, the effect of sulfur dioxide on man is further complicated by the effect of the atmosphere itself. Temperature and humidity have an unquestioned and well known effect on health quite apart from the effect they may have on the pollutants in the atmosphere. The most sharply defined mortality peaks in New York City between 1962 and 1965 occurred during heat waves on two successive summers; and in that three year period there were more than a dozen air pollution episodes. These research difficulties are not blocks to the revelation of the truth, they are a part of the truth itself and they cannot be disregarded in the search for rational air pollution control.

The problems that beset the epidemiologist in trying to determine the degree of exposure of his study population to the pollutant in question are no greater than the problem of trying to determine the responses of the individuals in the population.

There appear to be no responses in man or animals that are solely caused by or unique to the common air pollutants. The effects are primarily the result of irritation of the mucous membrane and as such are shared by a host of other disease determinants: cigarette smoking, infection, allergy, stress, emotional factors, etc. The problem is further complicated by the fact that there has been no way thus far to get experimental populations who are alike in all respects except their exposure to air pollutants.

The markers we have used to determine an effect of air pollution on health have varied from the certitude of death to the faintest physiologic change. Interference from other hazards to health is inevitable and the interpretation of results is consequently difficult. To disentangle the multiplicity of factors at play we use mathematical tools provided by our statistical colleagues. These tools, so helpful where a single factor, or a few factors are at play, are in their infancy in the interpretation of complicated multifactorial problems. Thus they too add weakness where we would like strength.

These are, in brief, a review of the difficulties that stand in the way of research meant to support the objectives of air quality criteria and the standards based on them; that is, to establish a quantitative relationship between a concentration of a specific pollutant and a specific and reproducible effect in man.

Recognizing these complexities will not weaken air pollution control if it forces us to find contingency solutions that take them into account rather than returning repeatedly to approach more appropriate to public health problems of the past such as typhoid and tuberculosis where cause and effect seem clear. If simplistic research approaches have failed so probably will simplistic legislative approaches.

Despite all the difficulties and weaknesses in the research, sufficient evidence has accumulated over the past years to allow certain very meaningful conclusions.

The air pollution disasters, laboratory studies, studies on chronic pulmonary disease, and the epidemiology of air pollution in normal populations have been the four main sources of evidence on the effect of air pollution on health. Although the air pollution disasters have been few in number and perhaps over-publicized, they provide inescapable evidence that uncontrolled air pollution may be extremely harmful or fatal.

While initially the air pollution disasters seemed to indict sulfur dioxide as the cause of their health effects, more recent and careful review of the data has seemed to indicate that a complex of factors, including sulfur dioxide, particulate matter, and certain weather phenomenon must be present for the fatal potential to be realized. Higher concentrations of sulfur dioxide occurring in the absence of the other factors has apparently not been associated with mortality. Virtually every common pollutant has been studied in the laboratory to determine its effect on animals and man. Almost all of these studies have shown that the pollutants had adverse effects on health. However, in such studies before an effect could be demonstrated a concentration of the pollutant well in excess of the concentrations found in our dirtiest urban atmospheres has been required. These experiments have shown, for example, that sulfur dioxide, the gas, existing alone is really quite innocuous in the usual atmospheric concentrations The paradox of an apparent effect in the urban atmosphere and yet little effect in the laboratory has troubled us all. However, in reviewing the evidence relating sulfur dioxide to health, one is forced to conclude that for an effect of atmospheric sulfur dioxide on health to be demonstrated epidemiologically, particulate matter must also be present in the atmosphere. This conclusion finds support in the work of Dr. Mary Amdur and her group, who, over the years, have provided increasing evidence of the mechanism by which sulfur dioxide, sulfuric acid, and certain particles act together to produce adverse physiologic responses in animals. In some of her more recent studies the levels of sulfur dioxide required to produce an effect when the proper catalyzing particle was present have approached those found in our urban atmosphere. Findings from our own Cornell Family Illness Study illustrate the interactions at play. Early analyses of the data repeatedly showed relationships between respiratory symptoms in a normal New York City population and certain air pollutants, but the same symptom was associated with more than one pollutant or meterologic variable. Recently more sophisticated analysis has shown how a symptom or symptom complex may be associated with one group of pollutants during one kind of weather and the same symptoms associated with very different pollutants during different weather conditions.

From all the lines of evidence we must come to the same general conclusion:

Air pollution, as a generality, has an unquestionably adverse effect on health varying from the association with symptoms at normal urban concentrations to the association with death during disasters. But the mechanism is complex, and the effect of the whole appears to be greater than the sum of the parts. The ability to provide positive evidence of the effect of air pollution in the natural setting disappears when the individual pollutants are looked to as the unique or direct cause of the illness or mortality. In the face of the foregoing one can understand the difficulties that arise in attempting to set air quality standards. Let us not forget that the biological sciences have provided a firm basis for the belief that air pollution is harmful to health and that therefore there is a rational health basis for the control of air pollution. They have also begun to make clear the multifactorial nature of the relationships and thus cast considerable doubt on individual ambient air standards as a basis for control in the present state of knowledge. The health effects evidence clearly supports air pollution control; it clearly points up areas for further research; but it does not support individual quantitative air quality standards at the present time—no matter how desirable that goal might be. The research has done something else as well. It has provided the basis for a change in public attitude that would not be hard to document. A public apathetic at first and difficult to arouse has now remained interested and active at hearing after hearing in city after city. It has become less necessary to produce marked evidence of the harm caused by individual pollutants while gradually there has been an acceptance of the fact that pollution is bad in and of itself. I think that the evident and growing desire of society for an improvement in the total environment provides a mandate for newer control philosophies and methods. However, the proliferation of air quality standards continues and any person or group that suggests higher numbers would be accused of suggesting dirtier air, and there can be no seemingly effective argument for dirtier air.

But the argument is persuasive that individual standards will not achieve clean air but may well delay effective air pollution control. Standards frequently create a climate of misunderstanding between industry and government; often require local variances that are self-defeating; may lull public opinion into quiet, believing that something has been achieved at the very time when continued effort toward cleaner air is required. They are, as has been pointed out, at odds with the scientific realities of the problem.

Meanwhile, other knowledge has grown, allowing considerable sophistication in fuel, combustion process, and emission control as the basis for air pollution abatement if only control philosophy can change sufficiently to allow them free play. But there must be an alternative to control based primarily on ambient air standards and I think that the rise in these abatement technologies plus the other social and scientific change has provided that alternative.

I have suggested in the past that air pollution control be based on the concept of the control of pollutant emissions to the greatest degree feasible employing maximum technological capability. Do not be deceived by the apparent simplicity of this concept. The key words are feasible, and the use of maximum technology. The degree that is presently feasible; what could be done with present knowledge and technique, is quite good, and if this degree were met in all industries, the air would be very much cleaner without necessarily threatening the economic structure of an industry. In addition determining feasibility and technological capability for any process although difficult, is vastly easier than determining the level in the atmosphere at which an individual pollutant may be safe or unsafe. Furthermore, the statements feasible and maximum technological capability have built into them continued progress whereas fixed standards are notably difficult to change. In addition these concepts provide a focus for research and process development, improved fuel and control devices. Industry, the academic community, and government can join together in their pursuit. They are forced apart by the present pursuit of numerical standards. If you think about it, it is actually the method we use. When an ambient air standard is set, it must be translated into an emissions standard to be useful. Where the emission standard is feasible it is forced into effect. When it is not feasible because of the lack of technological capability or real economic pressure then, generally speaking, a variance is granted or the industry given further time to meet the standard. The problem is, that each pollutant must be dealt with separately awaiting its ambient air standard. It is inconceivable that we will ever develop standards at a rate equivalent to our development of pollutants.

The justification for a change in underlying control philosophy is evident from the nature of the biological problem and research evidence; from the realities of pollutant production and the spawning of new pollutants; and from the increasing mandate from society for a cleaner and healthier environment as the right of man in an affluent state.

AFTER THE HOLIDAYS: CAMPUS TURMOIL IS REKINDLED

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, at the request of one of Pittsburgh's outstanding citizens and community leaders, Col. Edwin Hodge, Jr., I am inserting in the CONGRESSIONAL RECORD today the excellent editorial by Mr. John Troan, editor of the Pittsburgh Press published on Sunday, January 12, 1969, entitled "After the Holidays."

Mr. Hodge serves as a trustee of Thiel College in western Pennsylvania in addition to his duties as president and chairman of the board of the Pittsburgh Forgings Co. He is a trustee of the Children's Hospital in Pittsburgh and serves on the executive committee of the Salvation Army. His concern for our young people is further evidenced by membership on the executive board of the Allegheny Trails Council of the Boy Scouts of America. A graduate of Virginia Military Institute in Lexington, Va., Mr. Hodge has well served his company and our community.

It is a pleasure to call the attention of the Congress and the American people to the following editorial regarding the turmoil among our students today:

AFTER THE HOLIDAYS: CAMPUS TURMOIL IS REKINDLED

(By John Troan)

Well, the holidays are over. And the college students have gone back to school.

Unhappily, some of them have gone back only to the campus and not to the classroom.

As a result, there is turmoil at a number of colleges. Including some very highly respected institutions of higher learning.

And so in 1969, as in 1968, we are witnessing the sorry spectacle of students seizing school buildings, damaging property, provoking violence, disrupting education. Of students doing everything but learning—which is what they're supposed to be doing in college.

I just can't understand what's wrong with college administrators and public officials who permit a small minority of mindless mobsters to tyrannize the vast majority of decent young men and women who are earnestly seeking an education.

But it must boil down to one of two things:

No brains.

Or no guts.

OBEY THE RULES

I think it's time for every college to tell every student something like this:

"You are welcome to come to this school if you meet our requirements. But if you do come here, you must abide by our rules.

"You may not agree with some of these rules. If so, you should go somewhere else. After all, nobody is forcing you to come here.

"If you find you dislike some of our rules after you get here, you certainly will have the right to make your views known. You might even convince us that we are wrong.

"But if you fail to get those rules changed by persuasion, you do not have the right to change them by force.

"We assume that you are coming here because you think we can teach you something. That means you are coming here to have us guide you—not to have you direct us.

GO ELSEWHERE

"If you do not share this view, you should not waste your time and money here. You should go some place else and make room for some other qualified student who is anxious to purchase and pursue the educational opportunities we have to offer.

"Above all, we want to make this clear: You are free to leave this school any time you wish. But as long as you are here, you must abide by our rules—and by the laws of this land.

"If you don't, you must face the consequences—up to and including expulsion. And we don't mean maybe."

Some folks, of course, might protest that this language is too tough. Frankly, I don't think it's tough enough for the belligerent boneheads who are being encouraged by pussy-footing numbskulls to convert our schoolgrounds into battlegrounds.

BARTH CORP. HONORED FOR SUPERB PERFORMANCE

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. FEIGHAN. Mr. Speaker, it was my pleasure recently to participate in a very significant ceremony at a major industrial plant in my home city of Cleveland.

Three hundred workmen gathered in a corner of the great machineshop of the Barth Corp. to receive a rare honor for precision craftsmanship and reliable delivery.

The Quality Supplier Award was presented to the Barth Corp. by the Martin-Marietta Corp. for "a perfect record of zero defects in a 6-month period on components manufactured for the Shillelagh missile."

Martin-Marietta is the prime contractor manufacturing the Shillelagh, which is a major new missile system for our national defense.

The Shillelagh, now being deployed throughout the world, is one of the Army's top priority new weapons. It is designed to destroy enemy tanks and to provide close-in support for frontline troops.

I might add that the Shillelagh missile is now standard armament on the new General Sheridan tank, which is manufactured in the tank plant at Cleveland Hopkins Airport, only a few miles from the Barth plant.

It was pleasant to hear John J. Murphy, deputy director of materiel for the Martin-Marietta Corp., compliment the Barth employees for their superb production performance.

I thought that Robert A. Barth, president of the Barth Corp. was extremely eloquent when he said that "this award is a result of excellent and effective teamwork, with management and employees working together to achieve precision and perfection."

Teamwork is the key to successful performance and achievement in every field, and I am happy to report that we have teamwork on a massive scale throughout the great industrial complex of Cleveland and the other great industrial complexes of these United States.

Every employee of the Barth Corp. can take pride in the company's outstanding achievements as a producer of special machinery and parts for many major industries during the past 54 years. The skilled mechanics and planners of this company have, in fact, been responsible for many modern miracles.

During World War II, the Barth Corp. did the tooling which made possible mass production of the famous Norden bombsight. The Norden bombsight helped shorten and win the war by permitting accurate strikes from high-flying aerial bombers. The lives of many wartime pilots were saved because this bombsight allowed bombers to drop explosives from high altitudes without running the dangers of antiaircraft fire.

At the time, this accomplishment of the Barth Corp. was "top secret," and the company never received the acclaim to which it was entitled.

The Barth Corp. has also participated in many developments which have changed the daily lives of millions of people. Its products range from computer and aerospace parts to machines that can split a hair into 30 parts and spin marble into fiberglass. The Barth Corp. has contributed to the development of new razors, copying machines, and instant photography film packs.

The list of other companies which have sought the assistance of the Barth Corp. to develop special purpose machinery reads like a bluebook of American industry.

The Barth plant, at 12650 Broookpark Road, contains millions of dollars worth of equipment. However, the company's most valuable asset is the skill and dedication of its employees.

The determination of the men and women of the Barth Corp. to take whatever pains are necessary to do a job right is what won them the Quality Supplier Award.

I wish to congratulate them—and all the other expert craftsmen and mechanics who are the backbone of our modern civilization—for their achievements and accomplishments.

REPRESENTATIVE WILLIAM S. MOORHEAD EVALUATES 1970 BUDGET

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. MOORHEAD. Mr. Speaker, the 1970 budget is a fitting tribute to President Lyndon Johnson's long and distinguished career of public service. Similarly, Budget Director Charles Zwick can be proud of his role in helping to shape a budget that is responsible in every sense of the word.

The budget plan for fiscal year 1970 is the epitome of fiscal responsibility. As a member of the Joint Economic Committee, I have studied the budget and the forthcoming Economic Report carefully. My considered judgment is that the 1970 budget is well suited to achieve the national goals inscribed in the Employment Act of 1946:

Full employment of our vast productive resources;

Economic growth, paving the way for continued economic well-being and national strength; and

Movement toward reasonable price stability, so that our gains are not consumed by the cruelest of all taxes—inflation.

We are proud of the performance of our economy in the past 8 years of unparalleled economic prosperity. The record since 1960 is nothing short of brilliant—with an increase of 31 percent in our standard of living—as measured by real disposable personal income per capita—a concept only an economist could love; a spurt of 45 percent in our gross national product; the creation of 10 million new jobs, and a consequent drop in unemployment to 3.3 percent—the lowest level in more than 15 years.

With this progress, we have been able to help 17 million Americans to escape the bonds of poverty, while at the same time all Americans have enjoyed its benefits in higher earnings.

However, we are also painfully aware of the unfortunate quickening in the tempo of price increases. We must recognize that our problems and our progress are related. For inflation and balance-of-payments problems are but the prices of a rate of progress that has been too rapid for our economy to bear.

The 10-percent surcharge on personal and corporate incomes, and the reduction in budget outlays in 1968 and 1969, were designed to stem the tide of rising prices and restore our economy to a more sustainable path of progress. The continuation of this policy of fiscal and budgetary restraint is evident in the 1970 budget. From a deficit of some $25 billion in 1968, the budget will move to a surplus of $2.4 billion in 1969 and to a surplus of $3.4 billion in 1970. This reversal from fiscal stimulus to restraint is being accomplished without any deleterious effects on the economy, and should reduce pressures which the Federal Government places on both the economy and financial markets. If there is any change in the economic outlook due to a long-sought peace or other causes, the President has recommended that the surcharge be lowered in a flexible manner to accord with the needs of the economy.

These are reasons for my endorsement of the 1970 budget as a fiscally responsible plan of action. Fiscal responsibility is not the only measuring rod for responsible budgeting, however. Too often in the past we have coupled fiscal responsibility with something verging on program insanity. I am pleased to reassure my colleagues that this 1970 budget is responsible in programs, as well as in its economic policy. While paring away lower priority activities, it provides increased activity in programs to combat poverty; efforts to rejuvenate our cities and community environment; manpower training activities, to help all Americans to make their maximum contribution to their own security and to national growth; education and health care for the disadvantaged to enable them to achieve their full personal growth and development.

It is for these reasons that the 1970 budget represents "the responsible path." It carries this Nation along the high path of achievement which was forged by those who went before us. It will move us to a still higher path of personal and national development.

JACK KEMP'S QUARTERBACKING EXCELS AT BARGAINING TABLE, TOO

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. DULSKI. Mr. Speaker, professional football fans across the Nation know of Jack Kemp, who quarterbacked the Buffalo Bills to American Football League championships in other years.

But few outside the profession know of his competence as a negotiator on behalf of his fellow football players.

Ed Kelly, the very able and experienced labor affairs reporter for the Buffalo Evening News, has written a most revealing article on the special labor-management problems in professional football and the leadership of Jack Kemp in the interest of the players.

Following is the text of Ed Kelly's article from the January 11 edition:

LABOR COMMENT: JACK KEMP'S QUARTERBACKING EXCELS AT BARGAINING TABLE, TOO

(By Ed Kelly)

Just when it seems there's nothing new under the collective-bargaining sun, along comes Jack Kemp.

All know him as the cool, capable quarterback who's led the Buffalo Bills to American Football League championships. Few realize he's also the astute, articulate negotiator who last year led fellow league players to an historic bargaining agreement with AFL team owners.

It's this other Kemp—the negotiator and just re-elected president of the American Football League Association—who has considerable of interest and importance to contribute to modern labor-management dialogue.

Bargaining in professional sports—which Kemp described for a fascinating hour at a recent meeting of the Industrial Relations Research Association of Western New York—is probably one of the newset and most unusual developments in the field of collective negotiations.

In some ways, Kemp makes clear, it's like no other bargaining anywhere—and in other ways its like all bargaining everywhere.

Differences stem principally from the uniqueness of the industry itself, he feels. And this uniqueness creates some unique problems calling for unique approaches to find unique solutions.

Pro football's most singular aspect, which heavily colors its employer-employee relations, is, in Kemp's opinion, competition—"fierce and fantastic," on the field, in the training camps, among the players.

This factor, he says, makes the game as attractive as it is, and insures that the player's product—his and his team's performance—will always be in demand by consumers—the fans.

Because players want a share of the profits of the mushrooming professional football industry they're helping to build, they've got to be interested in making sure the profits are there to share, Kemp says.

Accordingly, he explains, member of the AFL Players Association (which he helped to organize, incidentally) want their employers' teams to be successful business ventures so, as he puts it, "the owners can continue to afford to employ men, my teammates and all the men who play on all the other teams."

There's thus a mutuality of interest between players and team owners, Kemp notes. He believes both parties recognized this at the outset of their negotiations and that the recognition was at least partially responsible for them reaching a satisfactory accord amicably.

"We knew," says Kemp, "there had to be a correlation between common sense and what could be afforded."

Biggest difficulty in pro football bargaining—and in other professional sports—is what Kemp calls "walking the thin line" which separates areas "in which you legitimately can bargain collectively for all," and those areas in which the individual player must have the right to bargain for himself on the basis of his own "ability and productivity."

The pact signed last July by the Players Association and team owners not only left a player free to individually negotiate his own salary, above a collectively-negotiated "floor," or minimum, but also provided through collective negotiations improved pensions and medical protection for all.

Some of Kemp's bargaining philosophy may arch eyebrows of labor-management's hidebound traditionalists who view negotiation as head-on collision between implacable enemies, with battle inevitable and victory going to the party exercising the greater economic muscle.

They might find it hard to swallow Kemp's clear concern for an employer's ability to pay or his stress on bilateral recognition by the parties of their common interests and interdependence.

However, so rapidly changing is today's collective-bargaining world, that Kemp probably will find more union officials agreeing (if not publicly, at least privately) than differing with him.

And only a union or management still in the dinosar age of bargaining would quarrel with some moves which Kemp believes helped AFL players and team owners reach a good agreement benefiting both—early fact-finding for quicker, more informed dialogue; continuous talking to avoid last-minute crisis bargaining, and private negotiations to give both parties greater flexibility.

Good plays, all of these, and signal-calling as shrewd and effective at the bargaining table as on the football field.

CALLS FOR LEGISLATION PROHIBITING ISSUANCE OF PERMITS FOR DEMONSTRATIONS ON PUBLIC LANDS IN NATION'S CAPITAL

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. CRAMER. Mr. Speaker, on January 14 I addressed a letter to Attorney General Ramsey Clark, Secretary of Interior Stewart Udall, Smithsonian Institution Director S. Dillon Ripley, District of Columbia Mayor Walter E. Washington, and General Services Administration Chief Counsel Harry R. Van Cleave, Jr., in which I urged that no permits be issued to the antiwar demonstrators for any counterinaugural activities including the erection of a tent or any other facilities on any land in the District of Columbia owned by or under the control of the U.S. Government or the government of the District of Columbia pending consideration of legislation by the Congress.

In that letter I refer to legislation favorably reported last year by the House Committee on Public Works which would have had the effect of preventing the issuance of permits for the very type of activities now being planned by demonstrators during this year's Presidential inauguration had it been enacted into law.

On January 3 of this year I introduced H.R. 1035, a copy of which follows, which is similar to the bill favorably reported last year by the House Committee on Public Works. I have asked the chairman of the House Public Works Committee to immediately schedule hearings on H.R. 1035.

I feel the time has come when this Congress must take steps to prohibit purposely disruptive activities involving the use of public lands and public facilities and I am hopeful that action on this or similar legislation will be considered.

Following is a copy of my letter on this subject as well as a copy of H.R. 1035:

JANUARY 14, 1969.

Hon. RAMSEY CLARK,
Attorney General.
Hon. STEWART L. UDALL,
Secretary of the Interior.
Hon. S. DILLON RIPLEY,
Director, Smithsonian Institution.
Hon. WALTER E. WASHINGTON,
Mayor, District of Columbia.
Hon. HARRY R. VAN CLEAVE, Jr.,
Chief Counsel, General Services Administration.

GENTLEMEN: The news media has reported that the National Mobilization Committee to

End the War in Vietnam wishes to stage a rally at the Sylvan Theatre near the Washington Monument, march down Pennsylvania Avenue to the Capitol, and hold a second rally at the Supreme Court Plaza, on January 19, 1969. Also, according to the press, the anti-war demonstrators want to hold a counter-inaugural ball in a 300 x 100 ft. tent on the Washington Monument grounds the night of January 19.

It is my understanding that Mr. Harry Van Cleave, Chief Counsel of the General Services Administration, has been loaned to Attorney General Ramsey Clark for the purpose of negotiating, in behalf of government agencies, with representatives of the anti-war demonstrators. I assume that in addition to representing the Attorney General, Mr. Van Cleave is representing the National Park Service of the Department of the Interior, inasmuch as lands under their jurisdictions are probably involved in the planned demonstrations.

Last year the House Committee on Public Works favorably reported H.R. 16981, with amendments, to prohibit any officer or employee of the United States or of the District of Columbia from issuing a permit for use of real property within the District of Columbia, owned by or under the control of the United States or the government of the District of Columbia, for camping, sleeping, sitting in, or other overnight occupancy, or from constructing or erecting any temporary building, structure, or appurtenances to such property for any such activity or any similar activity. It was thought that enactment of this legislation might be necessary to prevent the renewal of a permit issued to the Southern Christian Leadership Conference for the establishment and maintenance of a shanty town, known as Resurrection City, upon the Mall in the vicinity of the Reflecting Pool. Apparently because of the deplorable conditions existing at this shanty town and the threat its existence created to the health, safety, and welfare of occupants of the campsite and the entire community, the permit was not extended and the occupants of Resurrection City were ultimately forcefully evicted. The dismantling of Resurrection City and restoration of the area removed the need for immediate enactment of H.R. 16981.

On January 3, 1969, I introduced H.R. 1035, which contains provisions similar to H.R. 16981, as reported, to prohibit the issuance of certain permits and to require the posting of a bond or insurance, in connection with the issuing of other permits. In light of the negotiations now being conducted by the United States Government with the anti-war demonstrators, in response to their request for permits to stage rallies upon government-owned property and to erect a tent, the size of a football field, on the Mall, today I asked the Honorable George H. Fallon, Chairman of the House Committee on Public Works, to immediately schedule hearings on H.R. 1035, and similar legislation.

The Poor People's Campaign and Resurrection City resulted in much suffering by the participants, highly unsanitary conditions, violence, and damages to government property and restoration costs greatly in excess of the small bond required to be posted for which the Government has not been paid. In view of this past experience, I strongly urge that no permit be issued to the anti-war demonstrators for any "counter-inaugural" activities and also for the erection of a tent or any other facilities on any land within the District of Columbia owned by or under the control of the United States Government or the government of the District of Columbia pending consideration of legislation by the Congress.

Sincerely yours,

WILLIAM C. CRAMER,
Member of Congress.

H.R. 1035

A bill limiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in the case of any real property within the District of Columbia which is owned by or under the control of the United States Government or the government of the District of Columbia, no officer or employee of the United States or of the District of Columbia shall issue a permit for or authorize or otherwise permit the use of (including any renewal or extension of any such permit, authorization, or permission) any such real property for camping, sleeping, sitting in, or other overnight occupancy, or for constructing or erecting any temporary building, structure, or appurtenance to such property for any such activity or any similar activity.

(b) In issuing permits or in granting permission for any other use of such real property (including any renewal or extension of any such permit, authorization, or permission) any officer or employee of the United States or of the District of Columbia having power to issue a permit or to give such permission shall, where he has reason to believe that damage may occur, require that the applicant post a money or surety bond or furnish insurance, in an amount determined by such officer or employee to be reasonable, to indemnify or insure the United States for the cost of repairing any damage or restoring the premises to its condition immediately prior to such use and to save the United States harmless from any injury to property or persons caused by the applicants' use of such real property.

THE TRAGEDY OF TIBET

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ASHBROOK. Mr. Speaker, several years ago the noted newsman, author and world traveler, Lowell Thomas described in an article the barbaric devastation committed against the Tibetan people by the Chinese Communists. Mr. Thomas has long had an interest in Tibet, having visited that area a number of times. Unfortunately, the systemic annihilation perpetrated by the Communists has all but been forgotten or ignored, especially by those who would admit Red China to the United Nations.

As of September of last year, the calculated program of elimination continues, according to a report in Time magazine of September 13, 1968. The cultural and religious traditions of the people have been targets marked for extinction. An estimated 300,000 of Tibet's 1,300,000 people have been exterminated, many by savage methods, according to the Time report. Most of Tibet's 3,000 monasteries have been destroyed or converted into barracks. To eradicate the racial identity of the Tibetans, many of them have been sterilized to cut the birth rate and thousands of teenagers have been sent to China for brainwashing.

Years ago when the extent of Hitler's butchery of the Jewish people was revealed, the reaction of people the world over was one of horror and revulsion, and justifiably so. Yet the tragedy of Tibet and the genocide of millions of Chinese people by the Chinese Reds is either rationalized or glossed over by enlightened politicians, diplomats and foreign policy "experts" who would grant diplomatic recognition or bring into the U.N. this latter-day successor to Hitlerian inhumanity.

Under unanimous consent I include the article "Himalayan Hell," from the September 13, 1968, issue of Time for inclusion in the RECORD as follows:

TIBET: HIMALAYAN HELL

Despite Moscow's grim new repression in Eastern Europe, Communism's Asian face still wears the harsher visage. Distracted by the rush of events in the West, the world has all but forgotten the continuing torment of Tibet, which was first invaded in 1950 by the Communist Chinese army and again two years ago by screaming Red Guards. Those successive onslaughts have transformed the land of Shangri-la into a nightmarish Himalayan hell.

An estimated 300,000 of Tibet's 1,300,000 people have been exterminated, many by savage methods, since the first Peking general moved into Lhasa's Palace of the Gods. In a few cases, entire villages have been machine-gunned. So many still seek to escape the reign of terror by suicide that the Chinese have strung barbed-wire barricades along the banks of the Kyichu (River of Happiness) to keep people from throwing themselves in. At least 80,000 Tibetans, including the god-king Dalai Lama, have chosen exile. Another 200,000, including his deputy, the Panchen Lama, have been imprisoned or enslaved in forced-labor brigades.

STARVATION AND STERILIZATION

Most of Tibet's 3,000 monasteries have been destroyed or converted into barracks and their priceless art treasures carted off to China. Not long ago a rampaging band of Red Guards smashed the sacred 1,300-year-old Avalokiteshvara, the eleven-headed image of the Buddhist god of mercy. It was cast into the gutter behind Lhasa's ravaged Tsukla-khang (Central Temple) amid burning sutras and tantric scriptures. The last 400 of Tibet's former 150,000 monks and lamas, who were kept on as window dressing, have now been stripped of their russet robes. All forms of religious life have been harshly suppressed. Red Guards relentlessly destroy household altars. Their favorite punishment for Tibetans caught practicing religious rites is to lock them in a room, tell them that "your God will supply you food," and abandon them.

Even the Tibetans' racial identity is threatened with extinction. Many have been forcibly sterilized to cut the birth rate, and hundreds of Tibetan girls have been compelled to marry Chinese soldiers to further assimilation. Children are sent to distant schools. Visiting such youngsters is out of the question, since no Tibetan may travel more than two miles without a permit. Moreover, tens of thousands of Chinese have been imported to colonize the land, and some 16,000 Tibetan teen-agers have been deported to China for cultural and political brainwashing.

HOPE IN CHAOS

The International Commission of Jurists has branded this systematic annihilation of Tibetan life as "genocide." Three times the United Nations has censured Peking for "violating fundamental human rights and freedom." The Dalai Lama told Time Correspondent Dan Coggin, who journeyed to the god-king's exile in the Indian Himalayas at Dharmsala, that "Tibet still exists despite all the Chinese have done. But I don't know for how long. Another 20 years like this and there will be no Tibet."

The Tibetans have bravely tried to resist their destruction. Fierce mountain tribesmen staged bloody rebellions, and Tibetans forcibly recruited into the army have on occasion turned their weapons against the Chinese. Peking's puppet "Tibet Autonomous Region" collapsed because Tibetan "collaborators," including Mao's own Peking-groomed leader, the Panchen Lama, refused to cooperate with their Chinese overlords any longer. The Chinese had to establish a military dictatorship, and last fall Peking formally abandoned all pretense of Tibetan self-rule.

Tibet's slim hope for survival resides in the chaos that has overtaken Mao's Cultural Revolution. The Red Guards have split into rival factions and are warring among themselves and with the military, though last week Peking claimed that the Maoists were in full control of all China's provinces, including Tibet. Earlier, the longtime army commander in Tibet was replaced, and battles among the Chinese occupiers were reported to be raging sporadically in Lhasa. Essential services, including transportation, communications and food shipments, have broken down. Taking advantage of the turmoil, Tibetans are issuing anti-Chinese leaflets. Some bolder Tibetans have been seen throwing stones at Chinese civilians and turning wall poster Mao portraits upside down. The Red Guards have sacked virtually all of the Peking-trained Tibetan civil servants for "regional nationalism." Says the Dalai Lama: "There is so much chaos now that it is definite that a change must come about. The Tibetan people may yet get an opportunity to throw off the yoke of oppression." That was probably wishful thinking, especially if the Maoists have indeed succeeded in bringing their own factions to a truce in ravished Tibet.

REAL PARTICIPATION POLITICS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ULLMAN. Mr. Speaker, while I wholeheartedly concur with the arguments of my colleagues who would abolish the electoral college and provide for a direct election of the President, I believe we must go one step further if we are to honestly bring about the electoral reforms this country needs. I agree that the introduction of a direct general election would start a trend for broader public participation in presidential politics and this eventually would lead to participation in the nomination process. For these reasons, I included provisions for a national presidential primary in my proposal for electoral reform which would also abolish the electoral college and establish a direct general election.

In an article which appeared in the Christian Science Monitor on January 4, 1969, Roscoe Drummond writes of this issue and presents a persuasive argument for "Real Participation Politics." I include this article in full in today's CONGRESSIONAL RECORD:

REAL PARTICIPATION POLITICS

(By Roscoe Drummond)

WASHINGTON.—When Congress begins its hearings this month on how to improve the way we nominate and elect the president, we ought to focus first on what we want to accomplish, not on the means.

If we get where we want to go and fix our gaze on the high goal we will have a better prospect of getting there.

Just tinkering with the electoral college—or doing away with it—isn't enough. More is needed.

To see what is needed one must look at what went wrong with the electoral process this past year.

The voters had little to say about the choice of either the Democratic or Republican presidential nominee. This is not to suggest that the nomination of Richard Nixon and Hubert Humphrey did not reflect majority opinion within each party, but the fact is that there was—and is—no adequate means by which the voters can register authoritatively and visibly their choice for the nominations.

I submit that if the American people do not democratically determine the presidential nominees, it cannot be said that we democratically choose the President of the United States.

What happened?

In a smattering of scattered primaries a small percentage of Democratic voters had the opportunity to choose between Senator Eugene McCarthy and Senator Robert F. Kennedy and the Democratic convention chose Vice-President Humphrey on whom the Democratic voters had no chance to pass in any primary. This is why pollster Louis Harris described Humphrey as having "the stamp of 'machine choice' all over him." although the Gallup Poll showed that a majority of Democratic votes wanted him nominated.

On the Republican side the voters had the opportunity in a few primaries to choose between Nixon and nobody. That's a pretty limited choice. It is possible, even probable, that Nixon would have won decisively in the primaries even if others had been entered, but what is clear is that the voters of either party had any authoritative and full opportunity to make anything approaching a democratic choice of the nominees.

The result was that the voters were dissatisfied with what they got. Both the Harris and Gallup polls showed that a majority of them found the choice of candidates presented to them disappointing.

And in consequence more voters than usual registered their dejection by not voting at all. A lower percentage of eligible voters went to the polls last November than in either 1964 or 1960.

What, then, should we do about it? It is evident, I think, that more voters urgently want to participate in the whole decision-making process by which we nominate and elect the president—and Congress as well. They want in, and we ought to lay hold of the means to democratize the whole electoral process.

There are three ways it can be done—and if there are better ones, let's hear about them:

1—The national parties should be required to open their doors to all who wish to participate not just in electing the president but in choosing the nominee. By party rule if possible and by law if necessary, it should be mandatory that the delegates to local, state and national conventions be democratically chosen. Unless this is done, the democratic decisionmaking process is stunted where it starts. This is the most important reform of all.

2—The voters must have a full, easily accessible opportunity to register their preference for their party's prospective nominees. I think the best and most prudent means is a *national advisory* primary leaving the final decision to the more democratically chosen conventions which would not lightly reject the voters' recommendations. No run-off would be needed since the primary would be advisory and could permit voters to mark a second preference which would make the primary even more revealing.

3—The American Bar Association, the U.S. Chamber of Commerce, the AFL–CIO, the Democratic and Republican leaders of the Senate, Mike Mansfield and Everett Dirksen, and the great majority of the American people believe the time is at hand to remove the electoral college and elect the president and vice-president by direct popular vote.

The foregoing three measures comprise the package of electoral reform which would permit meaningful "participation politics."

QUEEN ANNES COUNTY FREE LIBRARY DEDICATED

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. MORTON. Mr. Speaker, progress has been made throughout rural America in the development of libraries in our small towns not only through the participation and help of government, but through the active interest of leading citizens and civic groups. These libraries are basic to the opportunities which must exist, and which we must continue to develop, in order that every citizen can fully realize his potential and can fully participate in the cultural development of this Nation.

It is therefore with a sense of pride that I congratulate the Queen Annes County Free Library, and all those connected with it, at the dedication of their new facility in Centreville. I include for the interest of my colleagues in Congress and my fellow citizens the appropriate remarks of the distinguished Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, at the dedication ceremonies:

A DEDICATION TO THE PURSUIT OF KNOWLEDGE

(By Wilbur J. Cohen, Secretary of Health, Education, and Welfare)

It is indeed a pleasure for me to participate in the dedication of the Queen Annes' County Free Library. This is a most important occasion and I am happy to have the opportunity to share it with you.

This beautiful new building, the result of so many peoples' plans, hopes and dreams can well be a source of pride for your community. Your library is more than a handsome structure. It is a place of knowledge and a storehouse of ideas.

This building is also a tangible expression of a community's efforts to improve the quality of its citizens' lives; a community that is responding to the dynamic changes that are taking place in the world; and a community that has resolved to meet the challenges of our time.

I am pleased that the Department of Health, Education, and Welfare was able to assist through the Library Services and Construction Act in this venture. The improvement of library services has been an active concern of the Federal Government since 1956. However, in the past decade the Federal effort has been greatly expanded.

Federal funds have been matched by State and local funds to build and remodel libraries throughout the nation. Bookmobiles have been purchased to bring services to people where they live. Millions of new books have been purchased. An estimated 85 million persons are now living in areas receiving new or improved library services.

The improvement of library services throughout this great nation of ours is part of a monumental effort to attain an important national goal: "As much education for every citizen as he wants and can absorb."

Our Nation has long been dedicated to the ideal of education for all—education of the highest quality, enabling the individual to go as far as his ability and desire will take him. In recent years we have moved more vigorously toward that goal. A host of imaginative new programs has been set in motion. In the past 5 years, the Congress has enacted 63 laws in support of education at all levels. After a century of debate, the Federal role in education has been established. The Federal investment in expanding and improving American education has more than tripled over the past 5 years.

But, despite this recent progress, we are barely keeping pace with our nation's rapidly growing and constantly changing educational needs. In the labor market, the quick tempo of technological progress has rendered job-oriented training more important than ever before. At the same time, technological change is challenging our abilities to keep job-oriented education current and relevant.

It has been predicted, for example, that by 1975, some three-fourths of our labor force will be producing goods and services that were not in existence ten years previously. The productive citizen cannot afford to stop learning. He must keep up with new opportunities; he must keep his skills abreast of the times. In our rapidly changing world, a person's livelihood, and indeed, the very essence of the life he leads, depends upon his education. His ability to discard much that he has learned as it becomes obsolete or irrelevant, and to acquire new knowledge—most of it not yet discovered—will determine, to a large extent, his success in an uncertain future.

The problems facing our country today call for an educated and adaptable society, and a growing, dynamic, and healthy economy. If future generations are going to have the capacity to deal with our constantly changing environment, they need to get as early a start as possible. But the follow through to this head start should be, quite literally, a lifelong pursuit. And the library can and must be central to this pursuit of knowledge.

Although the impact of the Library Services and Construction Act programs has been far in excess of the amounts of Federal funds involved, there is still much to be done. Millions of people are still without access to adequate public library services. This is an intolerable situation in an age which ever increasingly depends on the intellectual growth of the citizenry of the Nation.

The age in which we live is most trying. We are confronted with monumental problems and pervasive paradoxes. The sweeping changes brought about by science and technology, communications and rising expectations confuse, frustrate and unsettle us.

Although we have been able to unravel the genetic code, transplant human hearts, send men to the moon, transmit instantaneously pictures around the world, mass produce goods and services on a scale never dreamed of by our forefathers, we are not able to cope with the social implications of these dramatic developments. We must learn to direct, for human betterment, the vast resources of this difficult, but wonderful world, which is so full of promise. Our ability to realize the full wonders of our age will depend on the degree to which our people are educated and trained for work and leisure.

Nearly everyone agrees that we are rapidly approaching an age of leisure. To different people this means different things. Some people view such a situation with anxiety, a situation full of boredom. To others it means an opportunity for greater freedom to grow and to elevate the quality of life. Regardless of how the situation is viewed we have to face up to the fact that more leisure is inevitable.

In a nation of growing wealth and greater productivity which enables us to shorten working weeks and working lifetimes we are challenged to assure that leisure is creative and freedom giving, elevating the quality of life.

Libraries are one of society's most important institutions. For they are clearinghouses of ideas. They bring together seekers of knowledge and the materials that contain and promote knowledge. They are vital to the total educational process. They are essential to the retrieval of the proliferating scientific knowledge of the 20th Century. But equally as important they are a resource which assists man to grow intellectually and to enrich his personal life—to help him fill his increasing leisure time with satisfying, creative pursuits.

Today, libraries probably touch the lives of more Americans than any other cultural institution. In 1966, total circulation from public libraries exceeded one billion books. Fifty-five million Americans used public library facilities that year. About one person out of three voluntarily used public library services.

Yet library services in the United States are grossly inadequate. There are shortages of books on the shelves. Librarians are desperately needed in all parts of the country. To correct these deficiencies will involve a far greater investment that what we are making today. New ways must be found to finance libraries. Today too many of our libraries, along with our schools, are in trouble because they are financed by a property tax which is incapable of producing the revenue needed to pay for high quality facilities and services. New funds or more funds must be found to provide adequate financing. This is one of the most important investments that the Nation can make, for the vast potential of the library has been barely tapped.

The library has changed over the past few decades. No longer are books expected only to decorate the shelves. The libraries are reaching out to their communities. The librarian is no longer a custodian, but rather a promoter of knowledge. He seeks to make the library an attractive place to learn, to relax and to be stimulated by books and ideas. He takes his books to the places where people are. He envisions his library as a community center where families can enjoy being together, learning and creating together.

In urban communities, the libraries are going into the slum areas, to bring books to children and adults—some of whom may have never before even held a book in their hand. In rural communities, the bookmobile travels to isolated poor families who have never had the opportunity to even walk through a library door. Today the librarian is in pursuit of the total population and tries to offer something for everyone.

Some of the methods being used today, would no doubt shock the librarians of the past. But they are proving effective in the war against poverty and ignorance.

In one community, for example, the library's Sidewalk Service, an auto van with a loudspeaker, travels through a ghetto area announcing, "It's the latest, it's the greatest, it's the li-ber-ee," as it carries books, display materials, library information, and storytellers to the ghetto dweller.

In my home community of Milwaukee, a librarian drives her car full of books into the inner city and is helped by teenage volunteers to check out and receive books. The librarian shows films, tells stories or organizes games and does just about anything else that make children respond to ideas in new forms.

In Baltimore, where the Enoch Pratt Library is under contract to the Community Action Agency, small library rooms are set up in 16 of the 29 community centers located in row houses, stores or ground level apartments in the housing projects. The centers have a steady traffic of community residents who come to confer with social workers. The libraries seek to encourage visitors to the centers to use paperback books and free pamphlets on display, as well as to come to movies shown outdoors on summer evenings.

In other communities the libraries are offering more than information and entertainment. They are offering jobs. Young women who are members of ghetto communities—a number of whom are on welfare—are serving as librarians, conducting story telling hours and performing administrative tasks.

The innovations of today hopefully will be the accepted standards of service in all of our libraries of tomorrow. They are an indication that the libraries are no longer going to wait for the patrons to come to them but they will reach out to their communities and particularly to those who have been farthest from their advantages.

These innovations are but a harbinger of things to come—a new era of learning.

I hope and expect to see your efforts here duplicated widely and enthusiastically throughout our Nation. For I believe that in the decade to come we shall see the library become a growing force in our society for elevating the quality of life.

Adequate library facilities will be accessible to all citizens regardless of where they live or how much they earn.

Libraries will be open 18 hours a day, every day of the week.

Books and other materials will circulate freely without the deterrent of harsh fines.

Books will be openly and attractively displayed.

Reading rooms will be attractive and pleasant places to be. And noisy rooms will offer reading aloud programs, family film programs and opportunities for community discussions.

And the librarian will be a respected community leader and organizer.

There will be unlimited possibilities for cooperation between all types of libraries. Local, regional, State and Inter-State cooperative networks of libraries will provide for the systematic and effective coordination of the resources of school, public academic and special libraries and special information centers.

New and improved services and special materials will be available to the institutionalized and the physically handicapped.

I believe that we can continue to build on the progress that has been made in recent years to make the library a strong, vital institution. Here in Centreville you have taken a major step in that direction. I commend you for helping to create a better society, a greater society in which the individual will have the opportunity to grow intellectually throughout his lifetime and a society in which life will be a creative, rewarding experience for all citizens.

HOSPITAL MODERNIZATION AND IMPROVEMENT ACT OF 1969

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. CELLER. Mr. Speaker, I am today introducing the Hospital Modernization and Improvement Act of 1969. A companion measure is being introduced in the Senate by Senators JACOB K. JAVITS, Republican of New York, and RALPH YARBOROUGH, Democrat of Texas, in the Senate. Senator JAVITS and I had joined in sponsoring similar legislation in the 90th Congress. A section-by-section analysis of the bill follows:

SECTION-BY-SECTION ANALYSIS

SECTION 1—SHORT TITLE

"Hospital Modernization and Improvement Act of 1969"

SECTION 2

Authorization of loan guarantees

The new section 621 of the Public Health Service Act would authorize the Secretary to guarantee the payment of principal and interest to non-Federal lenders who made loans to public and other nonprofit agencies for projects for the modernization of medical facilities. The amount of a loan guarantee with respect to any modernization project under this part, when added to a grant or a loan under part A, could not exceed 90 percent of the cost of such modernization project.

Allocation among the States

The new section 622 would authorize the Secretary, after consultation with the Federal Hospital Advisory Council, to allot the amount available for loans which might be guaranteed under this part among the States in a fair and equitable manner after considering relative population, financial need, and need for modernization of facilities. Any amounts allotted for the guarantee of loans, but unobligated by a State at the end of the fiscal year would remain available for the next fiscal year.

Applications and conditions

Under the new section 623, loans would be guaranteed only upon an application submitted to the Secretary through the State agency designated under section 604 as the sole agency responsible for the administration of the State plan. An application would have to meet certain specified requirements. First, the application would have to meet the requirements under clauses (1) through (5) of section 605(a). These requirements relate to the inclusion in the application of a description of the site for the project, plans and specifications for the project, assurance that the applicant has proper title, assurance of adequate financial support to complete and operate the project, and assurance as to compliance with the prevailing wage provision in the Davis-Bacon Act.

The application would also have to contain a certification by the State agency of what it determines the cost of the modernization project will be.

In order for an application to receive approval, the Secretary would have to find that four requirements were met. First, a sufficient amount to cover the cost of the project would have to remain in the State's allotment under new section 622. Second, the Secretary must make the findings required under clauses (1) through (4) of section 605(a). These required findings are that the application contains assurance as to title, financial support, and payment of prevailing wages, that the plans and specifications are in accord with regulations, that the application is in conformity with the State plan approved under section 604, and that the application has been approved and recommended by the State agency and has priority over other projects. (Under this part, the finding by the State agency that an application has priority over others would be based on appropriately modified regulations.) Third the Secretary must obtain assurances that the applicant will keep records and make reports which the Secretary reasonably requires. Finally, the Secretary must determine that the terms and conditions of the loan are reasonable and in accord with regulations.

The Secretary could not disapprove an application without affording the State agency an opportunity for a hearing. Amendments to an approved application would be subject to approval just as if they were original applications.

The United States would be entitled to recover from the applicant the amount of any payments made under a guarantee under this part. (The Secretary for good cause could waive this right of recovery.) The United States would be subrogated to the rights of the applicant upon its recovery of payments from the applicant. The Secretary would be authorized to subject guarantees under this part to the terms and conditions that he might determine to be necessary to carry out the purposes of this part. In order to protect the financial interest of the United States, the Secretary would be authorized to modify any of the terms and conditions of the guarantee.

Neither the applicant on whose behalf a loan guarantee is made nor any other person who made a loan to the applicant could contest any guarantee made by the Secretary, with one exception. Fraud or misrepresentation could make the guarantee contestable.

Payment of interest on guaranteed loans

The new section 624 would create a contractual right to each holder of a loan guaranteed under this part to receive from the United States (a) one-half of the interest rate which becomes due and payable, or (b), if lower, the interest which would become due and payable at a rate of 3%. Such amounts as might be necessary to carry out this section would be authorized. Contracts to meet the payments provided for in this section could not amount to an aggregate greater than the amount provided for in appropriation acts.

Limitation on amount of loans guaranteed

The new section 625 would establish a limit on the cumulative total of loan guarantees under this part that could be outstanding at any one time. For fiscal year 1970, the maximum allowable limit of outstanding loans guaranteed would be $400 million; for fiscal year 1971, $800 million; and for fiscal year 1972, $1,200 million. These limits would apply unless appropriation acts specified a lower limit.

Loan guarantee fund

Under the new section 626, a separate loan guarantee fund for loan guarantees for the modernization of hospital and medical facilities would be established within the Treasury. The fund would be available without fiscal year limitation. Such amounts as might be necessary to provide capital for the fund would be authorized to be appropriated.

The Secretary would be authorized to borrow funds to discharge his responsibilities under guarantees issued under this part. In order to borrow funds, the Secretary would be authorized to issue notes and other forms of obligations bearing interest at a rate determined by the Secretary of the Treasury. The Secretary of the Treasury would be authorized to purchase these obligations issued by the Secretary. The amounts borrowed under this part would be deposited in the fund. The Secretary would also redeem, from the fund, the notes and obligations issued under this section.

SECTION 3

Expansion, if not in excess of 10% of existing facilities and if in conformity with the State plan, is also eligible for loan guarantee and interest payments.

SECTION 4

Where it is determined that the need is equal between two or more institutions, priority will be given to teaching hospitals. A teaching hospital is defined as a hospital that allocates a substantial part of its resources to conduct, in its own name or in formal association with a college or university, formal education program(s) or course(s) of instruction in the health disciplines that lead to the granting of recognized certificates, diplomas, or degrees, or that are required for professional certification or licensure.

SECTION 5

Amends the new section 631 to provide that the Federal Hospital Council will evaluate the effectiveness (including the innovation of new methods) of modernization under the Public Health Service Act and report at least annually to the Secretary of Health, Education, and Welfare and to the Congress with its findings and recommendations.

SECTION 6

This section of the bill would amend section 302(c)(2)(B) of the Federal National Mortgage Association Charter Act (added by the Participation Sales Act of 1966—Public Law 89-429), which authorizes FNMA to establish trusts for HEW with respect to certain loans by the Commissioner of Education, so as to authorize such trusts also with respect to loans under these new provisions of the PHS Act.

GOVERNMENT REFORM MEASURES INTRODUCED

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. NELSEN. Mr. Speaker, I am today introducing two measures designed to improve the operation of the Federal Government. One, which should be considered absolutely top priority, would establish a Hoover-type commission with broad authority to study Federal organization, programs and activities. The commission would then propose improvements to modernize and simplify Federal operations, and ways to cut present costs and duplication.

The Federal program explosion of recent years has created near chaos for both the public and Federal personnel. The sudden proliferation of countless agencies, boards, and commissions has resulted in incredible confusion, excessive costs, public dissatisfaction to the point of disillusionment and sadly inefficient service.

Local and State administrators kept endlessly waiting for uncertain attention have often found the Federal Government to be the ship which never comes in from the sea of redtape. Somehow, this cumbersome and baffling system of loose ends must be tied up into a comprehensible and serviceable Federal package. The commission recommended, to be called the Commission for the Improvement of Government Management and Organization, is therefore a sound first step.

The commission would also be instructed to examine the desirability of block grants and revenue-sharing with State, county and city governments. Additionally, it would assist Congress in setting sounder priorities through its assessment of program costs and effectiveness.

The second measure introduced today would permit production of a single, comprehensive catalog—presently nonexistent—containing complete information about all Federal assistance programs.

Disclosures last year indicate that present information on Federal aid programs is entirely inadequate to assist those they are intended to benefit. The proposed catalog would include, therefore, such basic information as a description of the program, the administering department, eligibility restrictions, benefits available, current level of funds available, officials to contact, mechanics of application and identity of related programs.

"WELL DONE, BETTY"—TRIBUTE BY CONSUMER COLUMNIST SIDNEY MARGOLIUS TO BETTY FURNESS IN THE MACHINIST

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mrs. SULLIVAN. Mr. Speaker, one of the most effective battlers for consumer causes over the years, and the first person to bring vital consumer information to the general public through a regular newspaper column devoted to this subject, is Mr. Sidney Margolius, whose column has been appearing for years in the newspaper of the Machinists Union, and is now published in a great many other periodicals. His books on consumer issues are widely sold. Mr. Margolius is also serving the consumer cause as a member of the National Commission on Product Safety created by the 90th Congress. His judgments are knowledgeable, critical, and fair, so those of us who have been steady readers of his column respect his integrity.

Therefore, of all of the compliments and praise heaped on Betty Furness as she leaves her White House assignment as Special Assistant to the President for Consumer Affairs, in a column by Mr. Margolius today will undoubtedly be regarded by her as among the most meaningful tributes she has received, for it is written by probably the foremost professional in the field of consumer education.

Mr. Margolius, incidentally, was one of the best witnesses to appear before my Subcommittee on Consumer Affairs of the House Committee on Banking and Currency in August 1967, in support of strong truth in lending, garnishment, and other provisions of my Consumer Credit Protection bill, H.R. 11601, which became Public Law 90–321. I am therefore particularly pleased to call to the attention of all of the Members of Congress who believe in the consumer cause the excellent article by Mr. Margolius about the able woman who now leaves the Federal Government after performing an outstanding job as the voice of the consumer in Government. As Mr. Margolius points out, Betty Furness and her pioneering, innovative, and imaginative predecessor in that job, Assistant Secretary of Labor Esther Peterson, both brought determination and ability to a terribly difficult assignment and did a fine job.

In company with Mr. Margolius, I am sure most of us would also say, "Well done, Betty."

Under unanimous consent, I herewith include the article referred to above, as follows:

WELL DONE, BETTY

(By Sidney Margolius)

One of the biggest surprises to many people was the highly effective job Betty Furness did in representing consumers as the President's consumer assistant.

And one of the main concerns now is that there probably won't be anyone with the determination and ability of Betty or her predecessor, Esther Peterson, to represent at the White House the cheated or even just disappointed consumers. Our new President, Richard Nixon, so far has shown no interest or understanding of the real extent and seriousness of consumer problems today.

OUTSPOKEN AND SYMPATHETIC

When Betty was appointed consumer assistant to President Johnson two years ago, a lot of people thought she was just a glamorous actress. Actually, as we pointed out at the time, she was much more—a highly-intelligent, outspoken woman with a great deal of sympathy for the underdog (exactly what the consumer is nowadays).

As the government's top consumer representative, Betty spoke her mind frankly at Congressional hearings. She took to the road to tell business organizations what was troubling consumers, and to tell consumer groups what they needed to do to get protective laws. She made 90 speeches in less than two years.

Congressmen especially were surprised. They had not expected such expert testimony from the former movie and TV star. In all, Betty Furness helped get 11 consumer bills passed in the time she was in office.

In an interview before she left Washington, she told this writer: "The most important insight I got is that consumer problems are bigger, deeper and more complicated than I, and probably most people, had realized," she confided.

"In the beginning I honestly thought that industry was trying to please the consumer. I am not so sure any more. Now I think there is more manipulating than pleasing.

"I did not have a full concept of the degree of frustration many consumers undergo, like the family that buys a car, finds serious defects, but the dealer won't make good and the family is left with half a car."

Are consumer complaints on the whole justified? "Totally," Betty answers with conviction. "Manufacturers tend to blame product difficulties on consumers themselves. They say. 'Did they read the instructions? Are they doing it right?' But the difficulties most often are not the fault of the consumers."

She has told manufacturers the unvarnished truths as she found them. In one of her last speeches, to the National Association of Manufacturers, she warned: "You may be rejoicing over the approach of a Republican Administration, but I can tell you if consumer problems are left unattended over the next four years—and I hope and assume they won't be—the remedial action taken by some future Administration and some coming Congress will be even more severe than it would be if the problems are solved as they come up."

She also points out that most of the consumer-minded Senators and Congressmen like Magnuson, Proxmire, Hart, Nelson, Patman, Sullivan, Foley and others, are back in Congress. In fact, some like Leonor Sullivan and John Dingell, who campaigned on consumer issues, got 73 and 74 per cent of the vote in their districts.

COMPLAINTS HELPED

But Betty Furness believes that it is the aroused consumers themselves who are going to make it impossible for any Administration now to turn its back on consumers.

"It's this new voice that's so startling," she says. "It's the fact that consumers used that voice articulately and vigorously that helped us pass the bills in the first place, and helped give the consumer more and more representation in state and local government, and helped the Federal Government to be more diligent in forcing consumer protection, and helped awaken industry to the fact that the consumer won't settle for an unsafe or unsound or dishonest marketplace."

Complaints about home appliances, their warranties and repairs brought the most letters into her office, Betty reports. Many warranties or guarantees tell the consumer what the manufacturer will do, but not what he won't do. Some warranties put an "unreasonable" time limit on the manufacturer's responsibility.

Sometimes, too, the warranty can be invoked only by "unreasonable effort or expense on the part of the buyer," Betty says.

Since she has left office, she has turned down a fortune in offers from manufacturers and sellers to do commercials and sponsor their products. She refuses to be involved in automatic payoffs.

"I won't do it," she told me. "I want to be free to comment. I wouldn't sponsor any product I could not investigate myself."

Betty Furness is going to lecture, and is considering doing some writing. She probably also will be back on the air.

When she does, we'll all be listening.

STATEMENT ON THE MIDDLE EAST

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. MURPHY of New York. Mr. Speaker, on Friday, January 3, 1969, I joined a number of my colleagues in the House of Representatives in signing a statement to the effect that the United Nations Security Council's censure of Israel was one-sided, and ignored the Arab terrorism which has been rampant in the Middle East. It is in our highest national interest to continue to pursue an honorable Arab-Israel peace, and I feel that the Security Council's action was harmful to our efforts to secure peace. Under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the text of that statement:

STATEMENT ON THE MIDDLE EAST

The United States must continue the pursuit of an honorable Arab-Israel peace in her highest national interest. Accordingly, we believe that the one-sided decision of the United Nations Security Council to censure Israel and to ignore Arab terrorism is prejudicial to the attainment of a genuine peace. It is difficult to understand why the international community remains mute when Arab terrorists commit murder and finds its voice only when Israel undertakes to put an end to such atrocities.

The recent unfortunate incidents at Athens and Beirut have been torn out of context. *Since the cease-fire* after the six-day war of June 1967 to last December 20, there were 1,002 incidents of guerrilla attacks against Israel; 259 Israelis were killed, one-fourth of them civilians; and 1,005 wounded, all of whom required hospitalization. Since the United Nations Security Council resolution, six more Israelis have been killed by terrorist attacks.

In a parallel war against Israel's economy, the Arab states have maintained their boycotts and blockades, have tried to deny Israel the use of international waterways and to divert her life-giving water supply. Arab terrorists hijacked an El Al plane and forced it to go to Algeria. Last week, Arab terrorists from Beirut attacked the same El Al plane in Athens with guns and Molotov cocktails, killing one of the passengers, wounding another, and endangering the lives of 49 others, including some American citizens.

Three days later, the Israel air force struck back at Arab airlines, destroying 13 planes at the international airport at Beirut. Great care was taken by the Israelis to protect human life. This has been described as a retaliation. In truth, this was a dramatic effort by Israel to inform the Arab governments, which have been supporting the terrorists, that Israel was prepared to defend her skylanes to the outside world, and that she would not allow her enemies to isolate and strangle her.

Both Israel and Lebanon complained to the UN Security Council. But the world body was silent and indifferent when the El Al plane was attacked. It was vociferiously indignant when Israel replied. The Israelis have been unable to win UN Security Council support for their complaints because the Arabs are twice protected: the Soviet Union vetoes any resolutions directed against them and there are six members who do not have diplomatic relations with Israel.

In Jerusalem several weeks ago, 12 Israelis were killed and scores wounded, as a truckload of dynamite exploded in a crowded market street. We were astonished that this outrage evoked no echo from the world's civilized capitals—neither sympathy for the victims, nor condemnation for the criminals.

The Arab governments have taken pride publicly in aiding and abetting the guerrillas. Lebanese Premier Abdullah Yaffi has recently reaffirmed his country's support for terrorist activity against Israel, calling it "legitimate and sacred." By relocating in Lebanon, which enjoys the reputation of a pro-Western moderate, allegedly aloof from the Arab-Israel conflict, Arab terrorists—such as the Palestine Liberation Organization, which used to have its headquarters in Cairo—obviously felt that here they would be immune from Israeli counter-terrorist measures.

The UN resolution will encourage, we fear, the Arabs to intensify their terrorism, secure in the knowledge that a sympathetic Security Council will protect them by punishing anyone who tries to resist them. Since the UN Security Council decision, Israel has counted more civilian casualties, and has buried six more dead. Some of the dead lost their lives to terrorists whose weapons were aimed and fired from Lebanon, a few hours after the UN censure vote.

So the threat to the peace will grow and there are ominous signs that the Soviet Union will exploit the censure of Israel to whip up international opinion against Israel and to intensify pressures for a Soviet-dictated settlement which would force Israel to withdraw from occupied territories, without requiring the Arab states to enter into a genuine peace with her.

We hope that our government will not participate in a dangerous collaboration with Israel's enemies which will prove subversive to the peace and inimical to the best interests of our own country. It is in America's interest to insure that the Soviet Union does not gain a dominant influence in the Middle East, and it is in America's interest that Israel be strong enough to insure her independence.

There must be no retreat from the struggle for a genuine Arab-Israel peace in the Middle East. Arab terrorism is gaining ground in Arab countries and if it continues to intimidate Arab rulers, then the Arab peoples themselves will be the worst victims. We owe it to the Arab peoples, as well as to the Israelis, to take strong measures to curb terrorism and to bring Arabs and Jews to the peace table.

We have not given up hope for an Arab-Israel peace. We believe that there are peace-loving Arabs who would welcome mutual cooperation. We must help the Arab peoples to strengthen the hand of those who will vote for Arab-Jewish cooperation and peace.

SIGNERS OF STATEMENT

Addabbo, Joseph P. (N.Y.).
Annunzio, Frank (Ill.).
Ayres, William H. (Ohio).
Barrett, William A. (Pa.).
Bell, Alphonzo (Cal.).
Biaggi, Mario (N.Y.).
Bingham, Jonathan B. (N.Y.).
Brasco, Frank J. (N.Y.).
Burke, James A. (Mass.).
Burton, Phillip (Cal.).
Button, Daniel E. (N.Y.).
Byrne, James A. (Pa.).
Carey, Hugh L. (N.Y.).
Celler, Emanuel (N.Y.).
Clark, Frank M. (Pa.).
Cohelan, Jeffery (Cal.).
Conyers, John (Mich.).
Dent, John H. (Pa.).
Diggs, Charles C., Jr. (Mich.).
Edwards, Don (Cal.).
Eilberg, Joshua (Pa.).
Farbstein, Leonard (N.Y.).
Fascell, Dante B. (Fla.).
Fish, Hamilton (N.Y.).
Fraser, Donald M. (Minn.).
Friedel, Samuel N. (Md.).
Fulton, James G. (Pa.).
Garmatz, Edward A. (Md.).
Gilbert, Jacob H. (N.Y.).
Green, Edith (Oreg.).
Green, William J. (Pa.).
Halpern, Seymour (N.Y.).
Hays, Wayne L. (Ohio).
Helstoski, Henry (N.J.).
Horton, Frank (N.Y.).
Joelson, Charles S. (N.J.).
Kluczynski, John C. (Ill.).
Koch, Edward I. (N.Y.).
Lowenstein, Allard K. (N.Y.).
McCarthy, Richard D. (N.Y.).
Madden, Ray J. (Ind.).
Mikva, Abner J. (Ill.).
Minish, Joseph G .(N.J.).
Moorhead, William S. (Pa.).
Murphy, John M. (N.Y.).
Nix, Robert N. C. (Pa.).
Ottinger, Richard L. (N.Y.).
Patten, Edward J. (N.J.).
Pepper, Claude (Fla.).
Podell, Bertram L. (N.Y.).
Price, Melvin (Ill.).
Rees, Thomas M. (Cal.).
Rodino, Peter W., Jr. (N.J.).
Rosenthal, Benjamin S. (N.Y.).
Ryan, William F. (N.Y.).
Scheuer, James H. (N.Y.).
Stratton, Samuel S. (N.Y.).
Symington, James W. (Mo.).
Tiernan, Robert O. (R.I.).
Vanik, Charles A. (Ohio).
Wilson, Charles H. (Cal.).
Wolff, Lester L. (N.Y.).
Yates, Sidney R. (Ill.).

BILL BAGGS: A VOICE STILLED; A MAN REMEMBERED

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. PEPPER. Mr. Speaker, 9 days ago today a respected and resourceful voice for racial tolerance, international understanding, and quality journalism was prematurely stilled in this Nation. Bill Baggs, editor of the Miami News, died at the early age of 48 in the city of Miami, the city he shaped and loved.

But Bill Baggs was much more than a local man. The tributes to his memory and the causes for which he dedicated his life and his work have poured in from all over the world. They are ready testament to the global influence of the man.

His family, friends, and associates mourn him; the famous and those he befriended will miss him; those whose lives he touched and whose lives touched him will be the better for having met him along the way.

Bill Baggs, journalist, was more than a recorder and interpreter of events. He was involved and active in the causes and crusades of his day—he nudged history and left his imprint in an all too brief lifetime.

Bill made two trips to Hanoi as an unofficial peace envoy from the United States because he was concerned with the ever-increasing loss of life and daily suffering in that tragic war. Should the Paris peace talks end in a settlement of the Vietnam War, there is growing speculation that Bill Baggs will be known to have lent a hand in bringing the principals together.

The editor had political enemies who disagreed with his approach to and interpretation of domestic and world problems. Yet I knew of no personal enemies of Bill Baggs.

To those with the ready solution to complex problems, Bill often quoted a favorite phrase:

> This is not a simple world, my friend, and there are no simple answers.

To those words I would add a favorite quotation that I keep on a small inscribed bronze plaque on my desk. The words are attributed to Etienne de Grellet—1773–1855—who immigrated to the United States from France:

> I shall pass through this world but once; any good thing therefore that I can do or any kindness that I can show to any human being, let me do it now, let me not defer it, or neglect it, for I shall not pass this way again.

The greatest tribute to Bill Baggs was written by the man himself—he lived those words.

Mr. Speaker, I include at this point in the Record the announcement of Bill Baggs' death as reported in the New York Times of January 8, 1969.

Following the notice, I include the testimonial to the memory of Bill Baggs as written by his long-time friend and companion, the Honorable Fuller Warren, former Governor of the State of Florida.

And, because he so clearly captured the character and qualities of the man, I include the January 8 article by Miami News columnist John Keasler:

[From the New York Times, Jan. 8, 1969]

William C. Baggs, Miami Editor Who Was Liaison in Hanoi, Dies

Miami, January 7.—William C. Baggs, the editor of The Miami News, who visited Hanoi in 1967 and 1968, and served as an unofficial peace envoy, died today in the Miami Heart Institute of viral pneumonia. He was 48 years old.

Mr. Baggs was stricken about 10 days ago with influenza, which worsened into pneumonia. He was hospitalized on Dec. 29.

On his second trip to North Vietnam last spring, Mr. Baggs and Harry S. Ashmore, executive vice president of the Center for the Study of Democratic Institutions at Santa Barbara, Calif., brought out of Hanoi the initial aide memoire that set forth North Vietnam's position on negotiations with the United States.

The aide memoire was turned over to Ambassador William H. Sullivan in Vientiane, Laos, on April 6. It stated that North Vietnamese representatives were prepared to meet those of the United States for "contacts," but that no business of substance would be transacted until a bombing halt had been announced.

Mr. Baggs and Mr. Ashmore, former editor of The Little Rock Gazette, had published last October a book called "Mission to Hanoi: A Chronicle of Double-Dealing in High Places," an account of their intermediary role in the negotiations.

Although their two trips—Mr. Ashmore also accompanied Mr. Baggs in 1967—were made with the knowledge and assistance of the State Department, the two editors believed that their efforts had been undercut by officials in the Johnson Administration.

A "CONCILIATORY" CONVERSION

After their first trip in January, 1967, the editors brought back reports of a "conciliatory" conversation with President Ho Chi Minh of North Vietnam and were subsequently given a State Department message to send to Hanoi. Mr. Ashmore later that year charged that President Johnson had "effectively and brutally canceled" the peace feeler by sending an uncompromising letter to the North Vietnamese leader. The Johnson Administration denied the charge.

Mr. Baggs' dispatches from North Vietnam on both trips appeared in his paper, The Miami News, and were distributed by The Associated Press. He had the first interview given by Ho Chi Minh to an American newspaperman in several years in 1967.

He described Ho Chi Minh as "obviously well-informed about political and economic events in America . . . cordial, even friendly, but he was politely firm in expressing the policy of his country. At times he became impatient with the translator and he turned and addressed his American visitor in faultless English."

Mr. Baggs was one of a few Southern newspaper editors who crusaded for Negro rights. His columns and editorials won numerous awards from human rights organizations. They also brought him the enmity of the South's right wing, and a number of threats upon his life.

A colorful editor in the early American newspaper tradition, he was more apt to answer his critics with barbed humor than with invective.

Regarding the Ku Klux Klan, he once wrote: "Of an estimated Florida population of 3.8 million, we have not quite 1,450 peeking out from behind the pillow case. This is encouraging. I would suppose that the ratio of philosophical idiots is higher in New York City."

Mr. Baggs, a lanky man over 6 feet tall, liked to tell people that he was "just a small town boy from Georgia." Early in his career he appeared regularly on a Miami television program, on which he dressed in rural clothes and played the backwoods philosopher.

WROTE ON MANY SUBJECTS

That image faded in later years, however, as his writings revealed his depth of interests on a wide range of subjects. In addition to his daily columns and editorials, he wrote articles for The American Scholar, the Encyclopaedia Britannica and The New York Times Magazine.

William Calhoun Baggs was born in Atlanta on Sept. 30, 1920. His parents were an Atlanta automobile dealer, the late C. C. Baggs, and the former Kate Bush of Colquitt, Ga.

He did not attend college, but he once told a friend that he began his real education when he became ill after he finished high school and was confined to bed for a year. He devoted the time to reading history and literature.

His newspaper career began in 1941 when he worked on the copy desk of The Panama Star and Herald in Panama.

EDITOR SINCE 1957

During World War II he served with the 485th Bomber Group of the 14 Air Force in North Africa and Italy.

He worked briefly for The Greensboro (N.C.) News in 1945 and joined The Miami News as a reporter in 1946. He became a columnist in 1949 and was promoted to editor in 1957.

Among the many awards won by his paper during his editorship were three Pulitzer Prizes.

Mr. Baggs had appeared seriously fatigued since he returned from his second trip to Hanoi last March. He was hospitalized for a brief period in the fall for tests and observation.

Mr. Baggs is survived by his widow, Joan, and two sons, Craig and Mahoney.

[From the Miami (Fla.) News, Jan. 11, 1969]

Bill Baggs: His Good Deeds Will Live On Miami.

To the Editor:

"He is gone and no man can fill his place." Of few men can this be truthfully said. But it can be truly said of Bill Baggs. He achieved a unique and useful place in this community that is unlikey ever to be filled.

It is hard to understand why he was taken at the meridian of his usefulness. Like another greatly gifted native Georgian, Henry Grady, Bill Baggs died just when Florida and the nation needed him most. All that is mortal of Bill has left this life, but the great good he did while here will live on for a long time.

Bill Baggs and John S. Knight did more than any other two newspapermen to expose the senselessness of the most senseless of all wars, which has already killed more than 30,000 American men and boys. They turned the revealing light of truth on this senseless slaughter. When peace comes, they will be entitled to some credit for bringing it about.

Henry Grady did more than any other American of his time to heal the wounds that festered in the hearts of Southerners after the Civil War. Bill Baggs did much to heal the wounds that hatred inflicts upon the human heart. He was the living embodiment of brotherhood. He believed all of us are children of the same Creator and, therefore, entitled to be treated as equals. And he was an eloquently articulate evangelist of his deep and abiding belief in the brotherhood of all mankind. Napalming a Vietnamese infant was as sad and horrible to him as a similar atrocity to an American baby.

Perhaps most attractive of all the qualities that endeared Bill Baggs to so many friends and admirers, was his seemingly exhaustless sense of humor. He never caused anybody to cry, but he brought wholesome, healing, relaxing, uplifting laughter to many thousands of people. His imaginary dialogues between the racoon and the turkey gobbler out in the Everglades were as funny as Joel Chandler Harris' classic conversations between Brer Rabbit and the Fox.

On a December day in 1889, the South's greatest newspaperman, Henry Grady, 39, was buried in Atlanta, Ga. A sorrowing friend said of him:

"If I should seek to touch the core of all his greatness, I would lay my hand upon his heart. I should speak of his humanity—his almost inspired sympathies, his sweet philanthropy and the noble heartfulness that ran like a silver current through his life. His heart was the furnace where he fashioned all his glowing speech. Love was the current that sent his golden sentences pulsing through the world, and in the honest throb of human sympathies he found the anchor that held him steadfast to all things good and true. He was the incarnate triumph of a heartful man."

This must also be said of Bill Baggs.

Farewell forever to a friend—a friend of mankind and a personal friend of mine and many others!

Fuller Warren.

[From the Miami (Fla.) News, Jan. 8, 1969]

". . . The Man—Littered, Literate, Unique; Waystop Between a Wild Irreverence and a Deep Belief"

(By John Keasler)

The start of his last column is still in his typewriter, marked "Baggs for Friday," and nobody thought of moving it, for it was unthinkable he wouldn't return. None of us could imagine that.

Now the long, yellow sheet of wire-service paper he favored hangs blankly in his office, which is so like the man—littered, literate, unique; waystop between a wild irreverence and a deep belief.

We weep he didn't get to finish. But we fear his sardonic editing of the maudlin more.

And all we know for sure, or begin to grasp in this bad time, is that it's not just every lifetime you get to meet and learn from a gentle maverick who somehow led the herd . . .

Empty is a word with more dimension now to those who knew Bill Baggs, newspaperman, always the stylist, most gregarious loner in the world; Georgia boy who became an intimate of the great and of the lowly, throwback editor of eerie agelessness, who had unbelievable hordes of friends and who drove his enemies further frantic because they sensed he rather loved them. And who prized individualism above all.

"Damn it, don't call this a product!" he exploded mildly—he could do that—to a young journalist who once, in innocence, had referred to our newspaper as "the end product." Baggs pointed from his window down to the interminable lines of cars fretting along MacArthur Causeway, in the rush-hour. "Those are products," he said, and then waved a copy of The News. "This is a newspaper."

He meant it was alive. Certainly his was. He pridefully called it a writer's newspaper, a reporter's paper. All he asked of a staffer was that he be a pro. Over that, personal eccentricities in his people were no liability. If anything, he treasured them. The staff seldom disappointed him in this respect. Baggs always liked the comparison made by another editor, the late Stanley Walker when he was city editor of The New York Herald Tribune. He said running his staff was like getting up every morning and volunteering to be locked in a boxcarful of wild stallions.

"Can you imagine what a terrible shape the world would be in without newspapers?" Baggs would ask, looking around the shop. "Newspaper people would be unleashed upon the world, and, surely, this would create havoc in both factions."

Baggs puzzled people who saw baffling paradox in a man who, on the one hand, was weighted with solemn honors and, on the other hand, once bemused an important civic gathering by driving up in a tractor and giving an exhibition of barefoot toe-typing for an encore. The puzzlement was pardonable in those who did not understand his fine simplicity, that he was simply big enough to have and show so many facets. Big enough to make the emptiness of now the worse.

He was my friend and he puzzled me. He had an eerie elegance of the past within. I could never fully figure this, and gave up trying, but I know this: It came from the days of Henry Grady, William Allen White and all the rest. And it showed up in his mannered style of writing, where he could and did use phrases like "ink-stained wretches" and so many of the cadences of yesteryear that it could not have sounded quite so right when he wrote it if something wasn't going on.

Millions of words he wrote, and caused good action, but one of the hurts we have left now is the knowledge that, like a column started on yellow paper for a Friday that won't come, it was, even with all that only the beginning.

And many words were written about him. I think our calm acceptance of his accomplishments is itself a mystery. What happened there, that a skinny kid reporter booming around stopped in Miami, helped change the face of a city and state and the thinking of a nation, was among other things nominated for a Nobel Peace Prize and left so many persons empty and simultaneously more fulfilled, as he moved on?

In all the old clips we fumble through, a sentence from a 1958 announcement of his coverage of the national political conventions jumps out at me.

"Baggs knows all the Democrat and Republican candidates personally," blithely state the facts, "and is respected by them for his integrity and knowledge of national political affairs."

I think the calm acceptance of what is, when you think of it, a true statement of startling scope, is the strangest thing of all.

(But, of all the clips on Baggs, my own favorite will forever remain the single sentence in a 1951 cutline of a picture showing Baggs at a political meeting. It says only, "Bill Baggs, in striped suit, appears unconvinced.")

The multi-faceted man comes through in the varied tone stops of his typewriter and he never used a broadax if a scalpel nick would do; he did not find humor ineffective and had that in his quiver, too, and could say this about what looked like a political stampede, seeing the contrived landslide beneath:

"These political demonstrations are not to be taken seriously. They are as coldly calculated as a bank robbery and, indeed, the ends of both are similar."

Take this, for wrapping up a crowd story with local color:

"For a Florida-Miami football game in Gainesville it was a relatively quiet day with only six fist fights noted before the half, and times seem to be getting better as many of the whisky bottles have federal stamps on them."

Yet, this was the same man who, scrawling his copy in pencil aboard an airplane toward Washington hours after John Kennedy was killed, and that day looking as oddly old as most days he looked oddly young, wrote:

"John Fitzgerald Kennedy had learned a great sorrow, which was that the soaring optimism of bold young men cannot quickly batter down the ramparts of old prejudices within the country or suspicions among nations . . . you guess, or you believe, there is wisdom in such sorrow . . . for those who live on. Mr. Kennedy has left an obligation to finish what he began."

And I remember the cold Washington drizzle and walking with him through it, after he talked to the late Mayor Robert King High, and the late Sen. Robert F. Kennedy, and all he said, as we later drank silently, was, "This seems a waste of good liquor." And he wrote on the plane all the way home.

That memory sears itself in two, and short circuits into a better time—to the Baggs who puzzled pomposity and walked the streets of the Miami he loved, the city he called an air plant flourishing only on nerve and vision; walked its streets with the flair and air of a riverboat gambler striding the Texas deck of the Southern Queen, and the time a moocher hit us on the bottom part of Flagler. "Bill!" shouted the wino, happy for a friend indeed.

Baggs gave him some change, but suddenly remembered a gent we had just greeted—a banker, back down the sidewalk. (The moocher called Baggs "Bill" and the banker had called him "Mr. Baggs.")

"Hey!" Bill called back to his dignified banker friend, who paused and turned as Baggs propelled his smelly buddy back and introduced the two.

"My friend so and so," said Baggs, introducing the panhandler by name, "would like to negotiate a $5 loan and I have recommended you. Give him $5. I am his co-signer."

Confused, and rather alarmed, the banker gave the panhandler five singles; Baggs wrote his own name on a matchbook cover and gave it to the banker, and all went on their way.

"Keeping funds in circulation is what builds a sound economy," Baggs told me solemnly as we strolled. And a Miami stroll with him was adventure. Once we met a merchant prince who bade us to his "private club" for lunch.

"I insist you come to my club" Baggs said, "and as my guest."

Straight-faced he led the tycoon to a hole-in-the-wall hotdog joint, a place devoid of ostentation and named with fine understatement "Sloppy Joe's."

Courtly, always, Baggs sweepingly ordered us a round of a red confection called fruit punch, and each a chili-dog topped with raw onions. I'll say this for the tycoon—he tried to eat his chili-dog, like a little man.

Baggs said happily, exuding raw onion: "You should have seen this place before we enlarged and remodeled it."

Who can wonder, then, at the bafflement of those who couldn't reconcile the "radical" infuriating them, and the country boy who seemed so true-blue safe; the hopeless practical joker with the serious crusading editor, who wrote one day of turkeys and racoons who were downright garrulous, and the next day flayed the falseness of a civic pride that played like ghettos were not there?

"We must know the social despondency of each other as well as the ambitions of each other if we are to end the despondency and reach for the ambitions," he wrote, knowing full well the wrath and woe involved in saying unpopular things.

Liberal, he loved race jokes, if they were funny. Truly a bonedeep Southerner, his views, obversely, outraged tradition. Secure in knowing men were brothers, he could josh dead-serious crusaders by forming his own National Conference of Anti-Christians and Anti-Jews and name Harry Golden as pope. In an age of ruthless do-gooders he could be tolerant of bigots, and I think the thing that kept him young was that his head and his heart were friends.

The seersucker suit was his trademark. He found it cheap and cool and the image followed practicality. His good friend Fuller Warren, former Florida governor, described it excellently in a letter to the editor which appeared in The News:

"Bill Baggs' selection of Miami's 10 worst dressed men is a sartorial sensation," Gov. Warren wrote. "The only way he could have improved it would have been to select himself . . .

"His immoderate modesty . . . should not eliminate him . . . he could make Brooks Brothers best suit look like a crocus-sack thrown loosely over a scarecrow . . . his lopping side-wise gait gives his garments a certain aspect easier seen than described . . . hatless, he is a haberdasher's nightmare and with a hat on his head, the effect is greatly accentuated. Clothes-wise, Bill Baggs is in a class by himself."

Anything-wise, as Fuller knew, that was so often true, and the terribly empty office now is also in a class by itself, as was Baggs, newspaperman.

A marmalade jar full of pencils on the cluttered desk that also holds a penny gum ball machine and—all sorts of things.

On the wall a framed, embroidered motto of his editorial creed:

"A Nervous Man Shouldn't Be Here in the First Place."

Another sampler sums up a lot about Bill Baggs.

"Feel Free," it says.

Pictures cover the walls with no regard to precedence or pattern. Staffers in unflattering poses, personally inscribed pictures from presidents of the nation, personal friends, famous statesmen, lacerated politicians, other newspapermen.

Framed is a letter from Bernard Baruch, a typed note of H. L. Mencken's, and one stark graph in the typewriter, of what was to have been a humorous column of mythical cables intercepted in the basement of the CIA.

In this era when even many newspapers show a buttoned-up trend toward the organizational mind, Bill Baggs was an editor like this: His idea of breaking up the eternal poker game in photography was to get dealt in and bankrupt the participants.

Over the years he was markedly unsuccessful in this. It wasn't that he didn't know poker. He always knew the odds, but he hated to throw his hand away while the action was going on . . .

In a saddened city room, we think of his wife and sons and other loved ones. Phones ring from other city rooms and across the nation newspapermen know that Bill Baggs is gone.

When we moved into this building from the other News building in 1966, Baggs wrote an editorial explaining editorial independence of The News was not affected, and part of it said this:

"Words come hard when you take leave of old friends and colleagues. Many of the ladies and gentlemen here at The News are going to be working in the new venture, but many others are going to be moving to other newspapers or other jobs.

"And saying goodby is very unpleasant. Friendships not often found in the working life of modern society are rewards for spending your years inside a newspaper . . ."

Reward enough, for us. Bill Baggs.

THE RIGHT TO STRIKE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ASHBROOK. Mr. Speaker, the Washington Star of January 13 carried a column by the nationally syndicated columnist and author, William F. Buckley, on an issue which has become a subject of increasing concern. Entitled, "Labor Experience and Reform," the author explored the possibilities of corrective action to counter recent union strikes which, in effect, paralyzed large cities. In this area, strikes by municipal and public employees have been especially disruptive as far as the welfare of the community is concerned.

In October, 1967, a Harris poll indicated that the American people were "firmly opposed to strikes among schoolteachers, firemen, policemen, and workers in defense industries."

In Atlanta, Ga., several years ago 500 firemen walked off their jobs in a strike for immediate pay raises. City officials moved fast and suspended the strikers without pay. Shifts were lengthened for firemen who stayed on their jobs. Policemen helped man fire stations, while the city began hiring replacements for strikers.

In Detroit, Mich., when a pay raise for policemen was rejected, hundreds of officers called in sick and used other subterfuges in what amounted to a general strike.

New York City, is, of course, the best illustration of the public welfare taking second place to the demands of public employee unions. In 1966 the subway strike crippled the transportation setup in the city. Later there followed the teachers' walkout and that of the sanitation workers. Untold hardships were experienced by the very taxpayers who footed the bill for the strikers' salaries.

It is quite evident that the right to strike has its limitations. In this era of increasing crime, for instance, the right of the community to adequate police protection surely supersedes the demands of law-enforcement officers for pay increases. This is all the more reason why adequate salaries for those providing vital municipal services should be given high priority in community budgets.

I include the above-mentioned article by William F. Buckley, Jr., appearing in the Washington Star of January 13, in the Record at this point.

Labor Experience and Reform

When the big thinkers met recently at Princeton University to arrange solutions for the galactic problems of the world, George Kennan rose and asked meekly whether they shouldn't also concern themselves with some problems seemingly minor, for instance the failure to devise means of protecting cities from paralysis by striking labor unions.

I wasn't there but I can imagine the hushed horror that greeted this sober restoration of hierarchy: We ought to figure out what to do about Albert Shanker before we can confidently dispose of the problem of Mao Tse-tung.

And indeed there are stirrings on the horizon. Gov. Nelson Rockefeller, who superintended the passage of an anti-strike law (the Taylor Law) through the legislature in Albany a couple of years ago, immediately went on to ignore his own law in settling the New York City garbage strike last winter.

That law, as originally contemplated, would have permitted a judge to set a fine hefty enough to deter a defiant union engaged in an unlawful strike. But the State Assembly, controlled by Democrats sensible of the implications of "anti-union" legislation, balked—and directed that the maximum penalty should be $10,000 a day. Spread that out among 55,000 schoolteachers, and you have the most exiguous deterrent in legal history.

The new idea is that an effort would be made to compute the daily value of the services denied, and let that figure set the limit. Applied to the school situation, the statisticians figure that the cost of the services denied to New York schoolchildren was about $1.5 million per day. Impose a fine of such a dimension and, presto!—no strike.

But will the law pass? And in the current mood, is effective legislation possible? If you cannot get professors at Berkeley to obey the law, can you get schoolteachers in New York City to obey the law? You cannot legislate compliance.

It is a worldwide problem. The big news out of Great Britain is that Barbara Castle, the minister of productivity and employment of Harold Wilson's Labor government, has proposed legislation which would seriously hamper just any old anybody's right to strike just any old time.

One can imagine the shock. Barbara Castle comes from the left wing of the Socialist Party. It is as though John Kenneth Galbraith came out for a balanced budget, and Eugene McCarthy for the resumption of the bombing of North Vietnam.

Among the proposals of Mrs. Castle is the cooling-off period introduced in the Taft-Hartley Act, denounced at the time as the "slave labor act," and vetoed by President Truman who incidentally won re-election a few months later.

The proposal with the biggest clout would make work contracts legally enforceable by either party, so that if Management A contracted with Union B to do work over a two-year period, and Union B struck before that two-year period, A could go to the courts and ask for damages.

It would appear elementary, except that one needs to remind oneself that elementary rights have simply not existed in the labor union field for years, and it is taking a long hard experience with reality (conservatism's best friend) to bring on reforms, which, ironically, are now evolving in a labor government.

The psychological ramifications of reform at this level are enormous. I learn that on arriving at a particular campus in California, the Negro student is ordered to join the Black Students Union. If he declines, he is beaten until he changes his mind. Mutatis mutandis, that is the way we are all treated in states that do not preserve the right to work.

It is not surprising that those who favor compulsory unionism are as disposed to disregard the rights of the community as they are the rights of the individual. Why not? On the general subject, we should hear from Mr. Nixon. Let us, however, give him a cooling-off period, say 90 days?

FOREIGN AID: A SHELL GAME

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. RARICK. Mr. Speaker, the taxpayers' resentment against the wasteful extravaganza called foreign aid has all but driven the program underground. A con artist's reflex would be that what the people do not see or keep up with, they will not worry about.

So foreign aid is now passé—the giveaway program must be dressed up; that is, revitalized for easier acceptance by the public as a responsible program for the new President.

The question is: Will it be different, or merely the same Fabian redistribution of the wealth by different people, using a new approach to be called "loans to the poorest countries," utilizing Mr. McNamara's World Bank.

Yet, this ambitious program commits the U.S. taxpayers' dollars to 40 percent of the aid loans given to "poverty nations."

Why such minimal publicity to the terms and interest rates and what countries are eligible? Who will define a "poorest country?" By what criterion? Mr. NcMamara?

Will foreign aid be "revitalized," or like a shell game using sleight of hand merely be passed on to the American people under a different name?

Mr. Speaker, I include Richard Halloran's two articles from the Washington Post for January 10 and 12, 1969, as follows:

[From the Washington (D.C.) Post, Jan. 10, 1969]

Nixon Urged To Revitalize Foreign Aid

(By Richard Halloran)

A presidential advisory committee of influential bankers, businessmen, educators, and prominent private citizens yesterday urged President-elect Nixon "to reorganize and revitalize U.S. development assistance" to foreign nations.

The committee, chaired by Cornell University President James A. Perkins, warned that "in America today a mood of malaise and withdrawal is enfeebling U.S. development assistance efforts."

A committee report said that "reestablishment of the U.S. role as a pace setter in peaceful development cooperation is a historic imperative."

"The essential condition for strengthening the U.S. development assistance program," the committee said, "is that the new President commit himself to it as a key instrument of his foreign policy."

NIXON NONCOMMITTAL

Mr. Nixon so far has been somewhat noncommittal on his foreign aid views. He has said: "Neither abroad nor at home can we expect our civilization to be secure in a sea of angry exiles."

But he has also indicated that he intends to be selective. "Let us help our friends who help themselves," he has said, "but let us not help any who help our enemies."

The presidential committee, appointed by President Johnson in March 1965, includes Ford Foundation Vice President David E. Bell, a former aid administrator; former World Bank President Eugene R. Black; Tuskegee President Luther H. Foster; Rockefeller Foundation President J. George Harrar; Notre Dame University President Theodore M. Hesburgh; and Hewlett-Packard President William R. Hewlett, associate of Undersecretary of Defense-designate David Packard.

Bank of America President Rudolph A. Peterson, Chase Manhattan Bank President David Rockefeller, and Columbia Broadcasting System President Frank Stanton.

LABOR NOT INCLUDED

AFL–CIO President George Meany and Communications Workers of America President Joseph A. Beirne disassociated themselves from the report. There was no public explanation why.

The committee recommended that Mr. Nixon adopt a seven-point program.

The first called for a "streamlined successor to the present Agency for International Development," possibly to be called the Development Cooperation Fund. It should be authorized, the committee said, to make long-term loans on liberal terms for capital assistance, to grant funds for technical assistance, and to make grants for reconstruction and emergencies.

The committee recommended that three present features of AID policy be carried forward—comprehensive country analyses and encouragement of self-help, integration of capital and technical assistance, and coordination of agricultural assistance with other aid.

Secondly, the committee urged that contributions to multilateral agencies be expanded as rapidly as they can handle it. "The U.S. should welcome the leadership of a strengthened World Bank" the report said.

LIMITED MILITARY AID

The separation of military from development assistance was the committee's third recommendation. Further, it urged that military assistance be limited to countries where there is an emergency and then only for a limited period.

The committee's fourth suggestion was the establishment of an Overseas Investment Corporation to take over investment guarantee and investment promotion functions from AID.

The new corporation would also "undertake new initiatives for more rapid extension of private investment in less developed countries." Mr. Nixon has strongly endorsed this principle.

The committee, fifthly, recommended that U.S. support focus on assistance in agriculture, population control, strengthening scientific and professional institutions, education, and broadening popular participation in development.

The report's sixth point strongly urged that funds for economic aid be restored at least to the share of national income reached in 1965, before the foreign aid program was slashed. It said further that the U.S. should "expand assistance in the future as our income and tax revenues rise."

Lastly, the committee called for long-term innovations, including more access to funds from the International Monetary Fund, the International Development Association, and the World Bank.

[From the Washington (D.C.) Post, Jan. 12, 1969]

WORLD BANK SET TO PUSH AID FOR POOR NATIONS

With economic aid efforts among the richer nations faltering, the World Bank will be among the main, perhaps the major, sources of aid to developing nations this year.

Robert S. McNamara, former Secretary of Defense who became Bank President last March, has set an ambitious program. He has spent his first months in office feeling his way along, formulating procedures, reorganizing the bank staff, trying to open up new sources of capital and turning the bank into new functions related to development.

Now, having been on the job for almost a year, he is ready to push ahead, aides say. In contrast, American economic assistance programs are a question mark, as are those of other advanced nations.

President-elect Nixon has been cautious in comments on aid. The mood of the Congress promises to be no more enthusiastic than it has been the past couple of years when it cut the relatively modest aid proposals of the Johnson Administration.

AID NEED MOUNTS

Yet, the need for huge amounts of economic aid appear to be mounting in geometric proportion. The English novelist and scholar Lord C. P. Snow, said in a recent speech a sea of famine in less developed nations will put the richer nations in a state of siege by the end of the century.

He foresaw this unless richer nations make concerted efforts to assist poor countries, the poor countries revolutionize their agricultural production and the enormous rise in world population be checked.

Among the foremost tasks of the World Bank, officials say, is to make the rich nations, and particularly their financiers, realize the enormity of the developmental problem and how it is in their best interests to attack it vigorously.

CHANGE IN OUTLOOK

This will require some changes—a widening, perhaps—in outlook, getting away from the strictly investment-return attitude and undertaking projects that may be riskier than those in past years.

One official uses the city of Calcutta as an analogy. It has about 35 per cent of Indian real capital but is in grave danger of being choked to death because of the starvation and poverty surrounding it.

If the owners of this real wealth do nothing about over-all economic development, they stand to lose everything.

Some responsibility for persuading the richer nations of the magnitude of the problem and the urgent need for large-scale action will fall on the Pearson Commission.

Organized by McNamara in 1968, it is headed by former Canadian Prime Minister Lester Pearson. It is making a long-range study how young nations develop to mark out guidelines that will be valid to the end of the century.

During 1969, the Bank intends specifically to determine whether it can raise more funds in world capital markets, and be less dependent on the U.S. This has already started with a loan last fall from West Germany.

The Bank will be looking at capital sources in other European countries and Japan. The Bank borrowed $1.63 billion, for a net increase (after repayments) of available funds totalling $600.6 million.

The Bank will try to increase the figures, though it declines to say how much, in 1969. McNamara said he wants to double the Bank's lending by 1973. In 1967 it lent $1.224 billion.

Another major problem is replenishment of funds for the International Development Association (IDA), the Bank's arm for long-term, low or nominal interest loans to the poorest countries, as opposed to the more conventional, stricter terms of the Bank itself.

IDA is running low on funds and 18 countries have promised to put up $1.2 billion to refill the coffer. Of this, the U.S. is committed to 40 per cent. Congress, however, has not appropriated the money and whether or when it will remains IDA's major concern as it heads into 1969.

Eight other countries have put up their shares without waiting for the U.S. The agreement will remain in effect only if 12 come through and if total pledges come to $950 billion. The U.S. share is necessary for this.

Still another major concern of the Bank is to discover ways to break strangleholds that stop economical development. Financing projects, says one official, is just not enough. The Bank must find ways to help entire economies to expand.

A VALUE-ADDED TAX FOR THE UNITED STATES—A NEGATIVE VIEW

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ULLMAN. Mr. Speaker, there has been considerable comment lately regarding the benefits and the drawbacks of the value-added tax. This is particularly relevant today because of the wide use of that taxing system among the European Common Market countries and its effect on international trade policies.

Assistant Secretary of the Treasury Stanley Surrey has contributed to the dialog on the value-added tax in his remarks before the 73d annual Congress of American Industry of the National Association of Manufacturers in New York City on December 6, 1968. Although his statement is essentially critical, it contains information of value to proponents as well as the opponents of the proposal. I commend it to my colleagues, and insert it at this point in the Record:

A VALUE-ADDED TAX FOR THE UNITED STATES—A NEGATIVE VIEW

(Remarks by Hon. Stanley S. Surrey, Assistant Secretary of the Treasury, before the 73d Annual Congress of American Industry of the National Association of Manufacturers, New York, N.Y., December 6, 1968.)

Tax meetings this year have found a new topic for discussion—or what is advertised as a new topic: Should the United States have a value-added tax? The question appears to be a new one when so phrased, especially since some speakers seldom bother to explain what a value-added tax is and how it functions. But if the topic were phrased more accurately "Should the United States have a national sales tax?", then we would at once perceive we simply are carrying on a discussion that has been with us for three decades or more—and posing a question to which the answer has consistently been in the negative.

The value-added tax properly comes in only as a subtopic: If the United States is to have a national sales tax, should it take the form of a value-added tax or some other form, such as a retail tax, a wholesale tax or a manufacturers tax? Nor, really, when put this way, is the subtopic a new one. Treasury Department files contain a lengthy analysis of the value-added tax made in 1941, when consideration was being given to the choice of tax measures to finance military expenditures.

BACKGROUND—EUROPEAN USE OF VALUE-ADDED TAXES

What is new today is that the European countries are in the process of adopting value-added taxes—France has had one for many years, Germany adopted one this year, the Netherlands, Sweden and Belgium will do so next year, and so on. But a word of perspective is in order. All of these countries have had a national sales tax of one form or another for many years, usually the inefficient turnover tax. Hence the main topic for them therefore was not whether to have a national sales tax but whether—in order for them to harmonize their tax systems under the European Economic Community—they should adopt the value-added form of sales tax as the common denominator. For reasons growing out of their political and tax histories, which in some countries involved the inability to effectively collect a mass income tax, they had already chosen to utilize high rate sales taxes. The significant point is that they were concerned with the subtopic, i.e., the form of a sales tax to achieve harmonization, and not the main topic, should there be a sales tax at all. They had answered that question, as I have said, many years before, for their national sales taxes go back at least to post-World War I days.

Now we all know what is a retail sales tax—forty-four States and some cities have this tax. We also know what is a wholesale sales tax and we know what is a manufacturer's sales tax. What then is a value-added tax? A value-added tax is merely a complex method of collecting a retail sales tax.[1] Using the recent German tax as a model, let me explain how it works:

The German tax is imposed at a 11 percent rate on almost all sales of goods (and some services) by any business. Let us start with

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Footnotes at end of speech.

a manufacturer: He applies an 11 percent rate to his total sales to find the preliminary tax due. From this he subtracts the taxes he has paid on his purchases and the net is payable to the Government. In essence, the tax is thus on the "value-added" by him as represented by the difference between the value of his total sales and the value of his total purchases. "Purchases" include all types of goods (and some services)—components either as raw materials or semi-processed goods; capital goods, such as plant machinery and equipment; goods used up in manufacture; business furniture, etc. The manufacturer, of course, will bill his wholesale customer for the 11 percent tax on the sales price of the articles he sells, just as the manufacturer was earlier billed 11 percent on his purchases from his suppliers. The tax is invoiced separately on all sales and is thus not hidden in the sales price.

The process is repeated at the wholesale stage—the wholesaler pays the Government 11 percent of his sales less the taxes paid previously by the wholesaler on his purchases—and the wholesaler then bills the 11 percent tax to his customers. But of course no pyramiding should occur since the taxes paid by the wholesaler are kept apart from the price of the goods he purchased and he can subtract this tax cost. The process is repeated once again at the retail stage—the retailer pays the Government 11 percent of his sales, less the taxes the retailer paid—and of course the retailer charges his customer for the 11 percent tax. The process ends there if the retail sale is for personal consumption—food, an automobile, furniture, clothing. But if a business concern buys the article for use in its business—say an automobile or a desk—the process begins again as the concern will subtract the tax on the automobile or desk from its tax bill .

There is one additional important facet to note: Under the German system, tax is due each month. Suppose a concern has paid more tax on its purchases than is due on the sales to its customers—its sales may be slow, for example. The Government then makes a refund each month of any excess tax paid, so that the cost of carrying the value-added tax is not borne by the concern beyond a month or two.

All this adds up to an 11 percent retail sales tax on personal consumption—the 11 percent value-added levy is designed to be passed along from concern to concern until the consumer is reached and he is left with the tax. The 11 percent tax is not intended to enter into the price structure until that final sale—until then it is a tax item that accompanies each sale, is kept separate on the books, and is so indicated. If the tax item is not promptly moved along the business chain, the Government refunds it promptly. (If a concern has to finance the tax during this month or two, this financing cost would enter into the price structure.)

SHOULD THE UNITED STATES HAVE A NATIONAL SALES TAX—DOMESTIC CONSIDERATIONS

Against this background, let us return to the main question. Should the United States have a national sales tax? Proponents of the idea have two courses of action open. One is to argue that our tax system should bring in more revenue and the added revenue should come through a sales tax. They seldom take this route however. What arguments there are for higher tax revenues come from those seeking greater Federal expenditures to meet social problems, and the proponents of value-added sales taxation are usually not in this camp, but rather most likely to be in the camp of reducing Federal expenditures. Moreover, if we need higher revenues, our Federal income tax system is capable of producing those revenues.

The other course of action is to say the sales tax should be substituted for part of the income tax, generally the corporate tax. So the general question comes down to: Should we reduce, for example, our corporate tax to about 30 percent and make up the $15 billion in revenue through a 3 percent sales tax?

What would the United States gain through this change? Those who support Federal use of a value-added tax generally start by stating that the United States should derive a larger portion of its revenue from indirect taxes, that is, sales taxes. This view is often supported by resort to foreign experience. If certain foreign countries relying heavily on indirect taxes are growing relative to ours, the conclusion is drawn that the faster rate of growth is the result of the emphasis on indirect taxation. This argument in turn is usually associated with the idea that substitution of a tax on sales to raise part of the revenue now derived from the corporate income tax would stimulate growth through enhancement of the profitability of investment in corporate equity. If foreign examples are not favorable, the enhancement of corporate investment to stimulate growth is presented alone.

But if one looks at the tax systems of various industrialized nations over a period of time and relates them to the rate of growth of their economies, there seems to be no relationship—or one strong enough to be observed in the total effect of all factors—as is sometimes claimed to exist between the components of the tax system of a country and its economic growth. Of course, the tax systems of countries do have economic consequences or President Johnson wouldn't have proposed the recently enacted surcharge to help restrain our overheated economy.

But to say that heavy reliance on indirect taxes compared to direct taxes is a significant factor in economic growth is a naive view of a complex problem. As a matter of fact, one would be just as naive to say that the reason the United Kingdom has had a relatively slow rate of growth in recent years is because it raises a high proportion of its revenues from indirect taxes. France is another country with a high interest tax ratio—the highest in Europe—which has had considerable problems in maintaining an adequate growth rate over the years.

On the other hand, we have been doing pretty well in the United States as far as growth is concerned—at least for the past eight years—and we do not have a national sales tax. While there were significant changes in the Federal income taxes and excises in the last eight years, the emphasis of our Federal revenue system on individual and corporate income taxes was not changed. We believe the revisions made, especially the investment credit and the depreciation guidelines, are in considerable part responsible for our eight years of economic expansion. During the period from 1960 to June 1968 employment increased by 13 million persons or 20 percent. Unemployment declined from 6.7 percent of the labor force in 1961 to less than 4 percent today. Business investment for new plant and equipment increased from less than $36 billion in 1960 to the current level of $65 billion. And gross national product grew by 46 percent in terms of constant dollars between 1960 and the third quarter of this year. The business profits picture has been bright indeed these eight years. Corporate profits *after* taxes were less than $27 billion in 1960—the annual level for the third quarter of 1963 was $51 billion. So it is hard to see how one can complain about the absence of a sales tax on grounds of economic growth here in the United States.

Such facts as these naturally have required the more sophisticated proponents of greater reliance on indirect taxation to minimize pure growth as an argument for changing the character of our Federal tax system. A more subtle variation of the growth argument then is that the corporate income tax leads to tax induced distortions in the flow of capital that lowers the total efficiency of the economy. Then there are those who merely stand by the old assertion that the corporate income tax is so high as to be unfair to corporate equity owners.

The arguments as to the "fairness" of taxing corporate income and the incentive and distributional effects of such taxation will continue as long as there is a corporate tax. Far be it for me to try to deny that a separate tax on corporate profits does not have capital distributional and incentive effects. It does—and some could be corrected by appropriate revisions in our corporate tax rules. But the real question is whether there are advantages to corporate profits taxation which offset the disadvantages. I believe so. The history of corporate income taxation in this and other industrialized nations has shown that there is a significant tax-paying capability inherent in the corporate structure. And the taxation of corporations and their dividends hardly seems to noticeably dampen the advantages that investors find in corporate equities. Moreover, if we desire to adjust our income tax structure to tilt it, or rebalance it, or what you will, so as to favor investment, there are ways to accomplish this—witness the investment credit—without having to resort to an entirely new tax.

Since proponents of a value-added tax for the United States so often refer to the tax system of foreign countries as a precedent or model for the use of indirect taxes, I wonder why, if they are so worried about the level of our corporate tax, that they so conveniently ignore the corporate tax rates in the same countries. Heavy reliance of a country on indirect taxation does not mean low corporate rates. Both Germany and France have a rate of over 50 percent on undistributed corporate profits. The United Kingdom's rate is in the 40's. Moreover, we have reasonable assurance from United States firms with international operations and through our data on the foreign tax credit that the effective rate of European corporate income taxes is quite comparable to that of the United States.

One is tempted to deduce from this that there is a type of Parkinson's law in taxation, to wit, for every type of taxation used by a Government the legislators will find expenditure needs that require raising the tax rates to the maximum politically tolerable level. In any case, anyone interested in substitution of a value-added tax for part of the corporate income tax should very carefully consider the overall tax burden in foreign countries. He will find that every European country (with Switzerland the only exception) raises a far higher amount of taxes, in relation to GNP, than does the United States. Is it because they have *both* income and sales taxes at the national level and we have only the income taxes?

Certain virtues have been claimed for the value-added tax in the name of "neutrality". Neutrality means a great many things to different people and it is surrounded with a highly favorable semantic aura. As best I can judge, the claim for neutrality comes down on final analysis to the contention that all end-products and services would be taxed at the same rate. This only means that the value added tax like any other sales tax may theoretically be designed—although this doesn't happen in practice—not to be selective and not to discriminate among goods and services. For the business sector, the neutrality of the value-added tax simply means the neutrality of the nontaxpayer—for the value-added tax is not designed as a tax on business, but merely casts the business unit in the role of a collector of taxes from the ultimate consumer.

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Let us take a closer look at the supposed advantages of neutrality. The value-added tax is claimed to apply equal burdens on businesses in both profit and loss positions, thus removing the corporate tax immunity of a loss enterprise. The claim is also made that with a value-added tax, unlike the corporate income tax, industries presently enjoying a preferred tax position as well as those not occupying a preferred tax position will begin to pay the same tax. These claims obscure what is now happening under the corporate tax and what would happen in the event of a switch to a value-added structure.

The corporate tax now applies with different weight among firms and industries depending upon their profit status and the tax rules that have evolved. These differentials would be reduced *pro tanto* wth the lightening of the corporate tax. Instead of being corporate taxpayers these businesses would all be intended to become, under the structure of the value-added tax, as I have just indicated, tax collectors from final consumers.

In the same way a switch from the corporate tax to value-added taxation would result in different benefits as between corporate and noncorporate sectors and activities, the benefits of course going to those activities now predominantly conducted in the corporate form. There would be no relief for those now operating in the noncorporate form. All, however, would become collectors under the value-added tax as distinguished from actual burden bearers.

We might also look more carefully from the standpoint of neutrality at what would happen to different industries and business units in their new role as tax collectors under the value-added tax system. Elasticities of demand for different goods and services are not the same, so that even a flat rate of value-added tax is not neutral except in a highly formal sense. In practice, consumer response and sales volume changes will vary as between industries, and this consequence might not appeal to many who may have been initially beguiled by the neutrality argument.

In practice, also, "neutrality" in the various value-added tax countries has yielded to a structure of preferential rates, so that even the equal consumer tax rate claim of neutrality would seem highly problematical. If we look at the political realities and the use of the value-added tax abroad, they discriminate among types of product and exempt some activities. In view of this background and the trend in State retail sales taxation, we would foresee some type of exemption for food and medicine along with medical and hospital services, education, and similar activities in the event of any value-added tax experiment in this country. No matter how desirable we may consider these exemptions, they detract from the purported neutrality of the value-added tax for a significant proportion of consumer expenditures.

European value-added taxes reveal, as I have suggested, important departures from "neutrality." The German tax, probably in large degree because of technical problems, exempts financial institutions. The French tax exempts them, but includes a special tax on part of their activities. Small firms are another special aspect. In France, small businesses can pay a flat sum instead of computing tax on value added. The French tax has four rates: a normal rate; an increased rate for luxury items; an intermediate rate for certain utilities, hospital care, certain food stuffs, etc.; and a reduced rate for widely consumed foods, tourist hotels, etc. The German tax has two rates: a general 11 percent rate and a 5½ percent rate for agricultural products in general.

One should not overlook the fact that the changes involved in adapting to a value-added tax structure would have differing impact on different sectors of the economy and would require some time to complete the resulting economic adjustments. The initial effects of substituting a value-added tax for part of the corporate income tax could thus be far from "neutral" as between different business firms and industries.

Another argument for a value-added tax used by some—indeed, it seems to be the only argument that Professor Harberger strongly advances for the tax [2]—is its potential as an instrument of flexible fiscal policy. The claim is made that there is only one way to change its effect—raise the rate up or down—while there are many ways in which income taxes can be adjusted and thus controversy and delay are bound to ensue if the latter are used for countercyclical adjustments. But this view underestimates the ability of legislators to find ways in which to vary a tax—one can readily imagine some legislators insisting that only the value-added rates on "luxury goods" should be raised when a temporary tax increase is needed, and so on. (Witness the recent French changes in which each of the four different rates in the French value-added tax was changed by a different amount.) Moreover, the statement that necessary adjustments would be effected more speedily for a value-added tax than for an income tax because the character of the income tax adjustments—should it be the individual tax or the corporate tax, should the progression be altered, should exemption levels be changed?, etc.—is always controversial and hence involves delay is simply wrong. The history of the 10 percent surcharge clearly demonstrates this.

The lengthy legislative gestation period for that surcharge was caused by differences of opinion as to the economic outlook and fiscal policies, especially expenditure policy, and not as to the details of the change as such. Indeed, in the whole period of eleven months in which the surcharge was before the Congress, the Tax Committees spent less than one-half hour on the details of the surcharge recommendation, and this was on the last day of the Conference Committee discussion. Moreover, the final product varied hardly at all from the form recommended by the President. The debate was entirely over the need for the surcharge and whether it would be accompanied by expenditure restrictions—and any consideration of a comparable change in a value added tax would have been subject to exactly the same debate. Our problems relating to the use of the income tax for counter-cyclical purposes are not problems of technique or mechanics.[3] They are issues of fiscal policy at the political level—differences between Presidents and Congresses over the fiscal policies to be pursued—and the nature of the tax involved will not alter those issues.

I thus can find no persuasive reasons to shift to a national sales tax. The Conference Report of the National Bureau of Economic Research and the Brookings Institution in 1964 on the subject of "The Role of Direct and Indirect Taxes in the Federal Revenue System" ends with the same conclusion: "It is hard, then, to find much support for more reliance on indirect taxation in the record of the conference, even though some participants came, and left, with a disposition toward this view."

Indeed, there are a number of persuasive reasons against such a shift. It would mean the substitution of a regressive tax for a progressive tax and on equity grounds this would be a distinct step backwards. Value-added tax proponents meet this objection in three ways. One course is to argue that the corporate tax itself is shifted forward, so no change in regressivity would be involved. This argument of 100 percent forward shifting of the corporate tax is of course difficult to sustain, and if true would undermine the argument by some proponents that shifting to a value-added tax would increase after-tax corporate profits. Another course is to acknowledge some increase in regressivity but consider this a lesser disadvantage than the purported advantages of the tax in fostering economic growth and giving corporate investors more "reasonable" tax treatment. But this defense is only as good as those "purported advantages" and as shown above they do not carry the needed weight.

A third course is to minimize the regressivity objection, either by arguing that the degree of regressivity would not really be burdensome or by suggesting that it could be removed by appropriate exemptions, particularly one for food. There also is another "anti-regressivity" approach to sales taxation which could be used, although I personally have not seen it mentioned in connection with value-added tax proposals.

This is the annual income tax credit (or refund if no income tax is due) that has been introduced by six of the States with sales taxes. But a food exemption, or a personal credit or refund system, would only roughly compensate for the regressive feature of a value-added tax. The device of a food exemption, for instance, would give a large advantage to the family which, for whatever reason, spent a larger proportion of its income on food than another unit with the same income. The device of a per capita credit or refund system would benefit most those units which put a larger portion of their income to nontaxable uses, such as savings.

As a practical matter, any measure instituted to minimize or remove the regressive effect on consumers of a value-added tax would still leave the tax less progressive than the corporate tax which it is intended to supplant. Here, of course, I am assuming that a considerable portion of the corporate income tax is not shifted forward.

The addition of a new mass Federal tax also has its costs in taxpayer compliance and administration. The proponents of a value-added tax tend to gloss over this factor—and indeed they would be well advised not to discuss it. They admit there will be the start-up problems associated with any new tax. Since this is an admitted problem, I will not elaborate on it except to say that putting into effect a tax which is as pervasive as a value-added tax could be a real administrative task because of the large number of units involved.

Let us skip over the initial process and assume that the tax is in working order. The first aspect to be noted is that the number of returns to be handled would run between 25 and 30 million a year, about a 25 percent increase in the present level of returns now processed by the Internal Revenue Service. This figure assumes quarterly returns (as in the case of excises) with exemption for farms, medical services, and certain financial services. Without these exemptions, the number of returns would be increased by another 15 million. Taxpayers would be burdened with a number of new tasks. If we followed our present excise tax procedure for current payment, and I see no reason why we would not, they would have to compute and pay their tax liability to bank depositories twice a month. Internal bookkeeping of firms also would be increased by the need to keep records of the tax paid on purchases.

The United States all in all probably has the world's most carefully structured and administered income tax. Is it because it is essentially our only national tax and therefore we work hard at continually improving it? The European countries must spread their efforts over both an income tax and a sales tax. The more children in a family, the less attention each gets.

To sum up this part of the discussion, from a domestic point of view it is hard to see how a national sales tax has anything

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to offer for our Federal tax system. It would add another large layer of work for taxpayers and the Internal Revenue Service without any reduction in current workloads. There seem to be no offsetting economic benefits to be gained that cannot be accomplished without that step.

Substitution of a sales tax for part of the corporate income tax (or the individual income tax for that matter) would lessen the equity of our Federal tax system.[4] And our experience in recent years shows that the necessary degree of economic growth can be assured within the structure of our income tax system.

Clearly, a proposal for a value-added tax would involve a political battle of the first order. The Democratic Party platform for 1968 stated:

"The goals of our national tax policy must be to distribute the burden of government equitably among our citizens and to promote economic efficiency and stability. We have placed major reliance on progressive taxes, which are based on the democratic principle of the ability to pay. We pledge ourselves to continue to rely on such taxes, and to continue to improve the way they are levied and collected so that every American contributes to government in proportion to his ability to pay."

The AFL–CIO platform proposals presented to the two conventions in 1968 were specific on this issue:

"All efforts to make inroads on the progressivity of the federal tax structure should be repulsed. These include proposals for a national sales, transaction, or value-added tax."

Many business groups and businesses would also oppose the tax. Our country would not be well-served by provoking such a political battle for a tax that has so little to offer to our tax system.

All in all a sales tax is a second-best tax to an income tax, and why do we need a second-best tax?[5]

A RETAIL TAX IS PREFERABLE TO A VALUE-ADDED TAX

So, as to the major topic, "Should the United States have a national sales tax?", I would answer in the negative. But even if the answer were yes, why should a value-added tax be chosen as the form of the sales tax? Why not a retail sales tax?

In the United States, forty-four of our States have retail sales taxes. So do some of our cities. Over 97 percent of our population live in States with sales taxes. Over 97 percent of our retail establishments are located in States having such taxes. Thus, today, a retail sales tax is being administered in the United States—and successfully administered. Therefore if the Federal tax system is to have a national sales tax, why not simply use the retail tax structure we already have. We could adopt a national retail tax and allow a uniform credit of so many points for State sales taxes. States that wanted a higher rate than the credit could "ride" the Federal tax.

What is gained by having a value-added tax rather than a retail sales tax? As far as I can see, the answer is more paper work and administrative chores—and greater temptations for exemptions and special rates.

As pointed out earlier, the end result of a value-added tax is that the retailer collects the tax from his customers.

Let us assume a 5 percent rate. Under a 5 percent *retail sales tax*, a retailer collects 5 percent of the sales price from its customers and pays the full 5 percent to the Government. That's the end of the matter. Under a *value-added tax*, a retailer first pays 5 percent to its wholesaler on goods purchased, then collects 5 percent from its customers on the retail price and pays the net difference to the Government. Thus, if the wholesale price is $70 and the retail price is $100 before tax, the retailer pays the wholesaler $3.50, collects $5 and pays $1.50 to the Government. Clearly the retailer is worse off, since it has had to carry the cost of paying the $3.50 until it makes the sale to its customer, whereas under the retail tax the retailer pays nothing until a sale is made.

Clearly the Government is worse off because it is collecting the $5 in bits and pieces: $1.50 from the retailer; say $1.00 from the wholesaler (suppose the manufacturer's price is $50—the wholesaler collects $3.50 from the retailer but has paid the manufacturer $2.50, leaving a net of $1.00); say $1.50 from the manufacturer and the rest from various suppliers of the manufacturer. While the Government gets part of the $5 in earlier, it has the administrative problems of dealing with all the other units in the productive process. These units in turn—wholesalers, manufacturers and suppliers are all involved in paper work under the value-added tax whereas they are free of it under the retail tax. The retailer itself has an additional burden under the value-added, for it must keep track of purchases and sales alone whereas only sales records are involved in a retail sales tax.

Hence it is really nonsense for a country with an already functioning retail sales tax structure to add a value-added structure that collects in more complex and burdensome fashion the amounts that could be collected under the retail sales tax procedure.

Proponents of the value added tax like to say the tax is a "form of tax on business." This is pure obscurantism. It is a tax on household and other non-business customers and all the rest is paper work and accounting imposed on business to end up with the retailer collecting the tax from the customers. Maybe a country that can't collect a retail tax successfully takes out insurance against too much revenue being lost in poor compliance at the retail level by collecting a tax at least at the wholesale and manufacturer's level. But a country that can collect a retail tax doesn't need all this wasteful paraphernalia.

INTERNATIONAL CONSIDERATIONS

Let us now return to our main topic—Should the United States have a national sales tax? The discussion above states my view that on the basis of domestic considerations such a step would not be desirable and would not be an improvement in our Federal tax system. The next question is whether, if we accept this conclusion, should the answer nevertheless be altered because of international considerations? Many proponents of a value-added tax would reply in the affirmative, and indeed rely on international considerations to differentiate the present discussion of the need for a sales tax from the previous debate on that subject in this country. This reliance on international considerations is based on the structure of a value-added tax as applied to international trade.

In examining this structure, let us first consider exports. A country with a value-added tax, while recognizing the effect of the tax on domestic prices, will attempt to prevent the tax from increasing export prices. It does so by not requiring a manufacturer (or other exporter) to pay the value-added tax on its exports. It also rebates to that manufacturer (or exporter) the value-added taxes it has paid to its suppliers so that it does not incur those tax costs for its exports. Step two, however, is not unique to exports, for the market also receives a rebate of its tax costs. At the same time, the country will see that imports are subject to the value-added tax by imposing a border tax on the imports equal to that tax, thereby making imports subject to the same tax as domestically produced goods. There is nothing mysterious or tricky in this approach. We do the same in the United States for our single stage manufacturer's taxes on automobiles, cigarettes, alcohol, and so on—namely, rebate the tax (if previously paid) on that part of the output which is exported and collect an equivalent excise tax on imports.

Why then is it said that a country having a value-added tax is favored thereby in its international trade. Some business concerns and groups have a simple, first level answer—they say that a German exporter of machine tools, for example, is exempted from an 11 percent value-added tax if it sells for export but not if it sells domestically, so that exports are favored by the 11 percent differential.

This simply means, however, that a German exporter of machine tools does not pay a sales tax in Germany—but neither does a United States exporter of machine tools pay a sales tax in the United States. Hence both in this respect are on the same basis. They also say a German exporter receives a rebate of 11 percent of the cost of its purchases, while the American exporter does not. But the German exporter has paid taxes equal to that 11 percent rebate, while the American exporter did not. So in this respect they also end up on the same basis.

And so it is with imports—machine tools coming into Germany must pay an 11 percent tax because machine tools produced in Germany pay that tax. Machine tools coming into the United States do not face a border tax in the United States because machine tools produced in the United States do not pay such a tax.[6]

Clearly we must look beyond these first level contentions to find an international trade effect. Some proponents of a value-added tax assert that while this system of border tax adjustments keeps that tax from affecting international prices, we in the United States—who do not have a sales tax but do have a corporate tax—do not have comparable border tax adjustments to reflect that corporate tax. But this argument has validity only if the corporate tax is shifted forward in prices and thus, without the rebate, would affect the export price—a point we can consider in a moment. At any event, since the principal European countries also have corporate taxes at about the same effective level, they are in the same posture in this regard and this argument thus has no weight.

Let us move from these clearly inadequate first level arguments of the proponents of a value-added tax to a further analysis, in the context first of an increase in United States tax revenues through a value-added tax.

If we assume that a newly imposed value-added tax is fully reflected in domestic prices—an assumption that is strengthened if the tax is introduced under full employment conditions since the monetary policy accompanying such a tax change would presumably be designed to permit that result—but refunded or rebated on exports, there would be no change in export prices, and imports will be subject to a border tax adjustment in the same percentage as domestic prices have been increased. This should leave the overall terms of international trade as neutral as possible, although equal percentage increases in prices of all domestic and imported products and services may cause some shifts in demand between various types of products and services.

Now we have to work into our analysis the possible effects of reducing the corporate income tax and substituting the value-added tax which, of course, is really the major objective of the value-added tax proponents. In order for this substitution to advance our trade we must assume that the corporate tax was shifted forward to an appreciable extent and the lack of rebate for that tax on exports keeps the forward-shifting in the export price. On the other hand, the price-increasing effect of the value-added tax through the forward-shifting of that tax is kept out of the export price under the exemption and rebate process. We here reach the unsettled controversy as to whether the corporate tax is and if so, to what extent,

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shifted forward in prices. I still take the consensus of economic thought as favoring the view of a less than full shifting, and for many economists considerably less, so that the possible benefit for trade would be related to the degree of shifting.

Let us try another avenue of analysis. The value-added tax, as we earlier noted, is passed forward in an accounting sense and expected also to be shifted forward in an economic sense through a price rise. But suppose it is not fully shifted forward in prices due to market conditions. Then a manufacturer forced to absorb some of the tax effects on its domestic sales and thus reduce its profits, but not having that consequence on its exempted export sales, could well turn more of its energies to exporting its product and thereby enlarge the country's international trade. Similarly, foreigners exporting the same product to the value-added tax country will suffer lower profits and be less induced to push those exports.

If this be so, a country with a value-added tax would have some trade advantage through such an incentive to exports and the disincentive for imports. The situation can vary from product to product depending on price elasticities. Moreover, as respects the European tax systems, the advantage can have disappeared under earlier exchange rate and other international adjustments.[7] We could also add the comment that given full employment, the absence of full forward shifting would presumably be due to a reasonably tough monetary policy. If it takes such a policy to produce a trade advantage, then presumably the advantage could also be obtained by the same monetary policy without the accompanying resort to the value-added tax. And finally, for the trade advantage to be significant the rate of value-added tax must be quite high, at levels commensurate with the European rates. But a value-added tax applied in the United States at such levels would swamp our existing tax system—even a 10 percent rate would mean a revenue yield considerably greater than our total corporate tax.

In this view, to complete this discussion, there can be some trade advantage in having a value-added tax in a tax system. What then should the United States do? In considering this question, we should note that the advantage would not be unique to the value-added tax. It would exist, under this analysis, for any type of sales tax where that tax—be it a value-added tax, retail tax, wholesale tax, or manufacturer's tax—could not be fully passed forward in price. Business groups asserting there are trade advantages for the European countries with value-added (and formerly turnover) taxes have not fully perceived this and hence have often excluded the British who have a wholesale tax, or the Canadians who have a manufacturer's tax, from the list of trade-favored countries. But the presence of the paraphernalia of border tax rebates and compensating import taxes under a value-added tax and its absence under a retail sales tax or any other single stage tax (since all the explicit paraphernalia are not needed but are implicit in the single stage system) should not prevent them from recognizing that if indirect taxes do produce a trade advantage, then that advantage will exist whether the structure of the indirect tax be a multiple or single stage sales tax.

Now, back to the question of what the United States should do to offset the trade advantage considered to accrue to a country with a relatively high sales tax system. Some Europeans say the answer is simple—let the United States adopt a sales tax. But this answer would mean that those countries with a sales tax would be imposing their tax will on the rest of the world—and in effect intervening to affect the free domestic choice of a country's tax structure.

Remember, our hypothesis here is that absent international considerations the United States should not adopt a sales tax.

We in the United States want to retain our freedom of action to maintain a tax system of our own design. We are glad to take ideas from other countries. However, we are, and rightly should be, independent in wanting to select the types of taxes, rates, exemptions, and other features, and the division in our Federal system of taxing powers and tax decisions between the various levels of government. After all, the American Revolution was fought in part to win the right to determine our own tax system.

On the other hand, we do live in a world economy. Our balance of trade is important. We need to be aware of the extent to which the tax systems and nontax measures of other countries can affect our exports and imports and our general trade position.

The question then comes down to this: How can the United States—or other countries—continue to exercise full freedom in the design of our domestic tax system, consistent with our notions of tax equity, tax efficiency, proper economic growth and all the other relevant considerations, and still live on trade competitive terms with countries which, exercising a similar freedom, choose to have high rate sales taxes?

Under these circumstances, an appropriate solution for us would be to adopt border adjustments, limited to charges on imports or rebates on exports or both, rather than to overturn and revamp our existing tax system which has evolved over many decades to meet our needs. These border adjustments would *not* be part of a value-added tax or other sales tax, and would *not* involve any changes in domestic taxes. Rather, they would simply be border adjustments at the rate thought appropriate in the existing international setting. Since there would be no change in the domestic tax system and hence in the domestic price structure, a border charge on imports would tend to raise the prices of imports to American buyers or reduce the profits of foreign sellers, thus improving the competitive position of United States producers and discouraging imports. On exports, the rebates would tend to lower the prices of United States goods in world markets or increase the profits of American exporters and thus tend to increase exports. These border adjustments could be administered by the Customs Bureau.

It is interesting to note that Germany in the converse situation—when it desired to dampen its trade surplus—has recently done just this. It has adopted border adjustments—independent of its tax system—by taxing its exports at a 4 percent rate and reducing the compensating import tax from 11 percent to a net 7 percent (though still allowing an 11 percent credit to the importer on his resale).

Under the German view of its tax system, with its 11 percent value-added tax, "neutrality" as to exports and imports—in the sense of attempting not to have its domestic tax system affect the prices of exports of favor imports—existed at an exemption for exports (and an 11 percent rebate on purchases representing taxes paid) and an 11 percent tax on imports. A 4 percent tax on exports and a 7 percent tax on imports—in effect a 4-point burden on exports and a 4-point benefit to imports—is thus an unneutral posture favorable to other countries. In the United States national tax system with the absence of a national sales tax, "neutrality" in the indirect tax area exist at a zero tax on exports (and no rebate) and a zero charge on imports.[8] If we were to adopt a 4 percent export rebate and a 4 percent import charge, then we would achieve an unneutral posture vis-a-vis our domestic indirect tax system to protect our trade.[9] (We would be taking such a posture because we felt our trade position was adversely affected by the existence per se of high indirect taxes in other countries, the assumption we are here making in this part of the discussion.)

Under present GATT rules, border adjustments are permitted for indirect taxes—sales and excise taxes—but not for other taxes. The United States this year asked for and obtained the establishment of a Working Party to reexamine the whole aspect of border adjustments under GATT.

One aspect of the re-examination could well be to permit countries not having a high indirect tax system permanently to adopt within limits border adjustments independent of their domestic tax structure if they so desire. It could result also in imposing some upper limits on the total border adjustments countries with indirect tax systems could make. This approach would provide an appropriate international accommodation to the basic question we are considering, that of freedom for domestic tax action without prejudicing a country's trade position.[10]

CONCLUSION

Our existing Federal tax system, in varying degrees, provides equity, incentives, certainty, and familiarity. It is by no means perfect but any change should be in the direction of improvement, balancing the various goals it seeks to achieve. Viewed from the standpoint of domestic considerations the addition of a national sales tax would clearly not improve our present Federal tax system. And, *if* a national sales tax were ever thought desirable, it should take the form of a retail tax and not a value-added tax. In this light, to change major parts of our tax system and adopt a value-added tax or other form of national sales tax for the primary purpose of encouraging exports or discouraging imports would mean incurring severe losses as to several other equally or more important objectives.[11]

Such a change is clearly undesirable. It is also unnecessary because there exists an alternative which permits accomplishment of both goals—preservation of our existing tax system and improvement in our trade position if we consider it disadvantaged because other countries have high indirect taxes. That alternative consists in adopting limited border adjustments for the United States that are not dependent on our adopting a value-added tax. The present GATT review is one way of reaching an international trade accommodation that would produce this method of achieving world-wide tax harmonization combined with freedom of choice and absence of trade disadvantage in structuring domestic tax systems.

FOOTNOTES

[1] The authorities recognize the value-added tax for what it is—a sales tax. For example, a publication entitled *Tax Harmonization in Europe and U.S. Business* published this year by the Tax Foundation contains the flat statement "The consumption type of value-added tax (one in which capital equipment items are deductible) can be described as a retail sales tax" A look at the index of a recent public finance book (Modern Public Finance by Bernard P. Herber, Richard D. Irwin, Inc., Homewood, Illinois, 1967) for value-added tax encounters the familiar instruction, see "Sales taxes."

[2] Harberger, A Federal Tax on Value Added, in The Taxpayers Stake in Tax Reform (Chamber of Commerce of the United States, 1968), p. 21.

[3] The recent Brookings book, Agenda for the Nation, contains in an article by Herbert Stein a proposal to use systematically a positive, negative, or zero surcharge on income taxes as a countercyclical device.

[4] If we are looking around for taxes to be substituted for, it would seem more appropriate to offer the Federal payroll taxes as a candidate rather than the income taxes.

[5] Professor John Due, an acknowledged authority on sales taxes, has concluded: "On the whole, the same tax must be regarded as

a second-best tax—one to be employed only if various circumstances make complete reliance on income and other more suitable taxes undesirable. A carefully designed sales tax is not perhaps as objectionable as it was once regarded; it offers definite advantages over widespread excise tax systems, with their inevitable discrimination among various consumers and business firms and their tendency to distort consumption patterns; and it is definitely superior to high rate 'business' taxes with uncertain incidence and possible serious economic effects. But it must be regarded as secondary to income taxation, in terms of usually accepted standards of taxation." Due, Sales Taxation (1957) 41.

[6] See the statement of Roy A. Wentz, Chief Counsel, Federal and Foreign Tax Division, E. I. du Pont de Nemours & Company, to the National Foreign Trade Convention, Nov. 20, 1968, pointing this out.

[7] The Europeans could be deriving a present advantage in substituting value-added taxes for their existing turnover taxes. Thus, the export rebates under the prior turnover taxes probably undercompensated exporters for the costs of those taxes, so that the introduction of the full compensation possible under the value-added tax structure, without a concomitant change in the domestic price level, could assist those exports. And in countries (Sweden) where the existing retail tax did not exempt sales of goods consumed by businesses, substitution of a value-added tax would have a similar effect.

[8] The text here oversimplifies the U.S. tax system. We do have selective national excises, e.g., on gasoline, automobiles, telephone use, and State and local retail taxes, and the like. In many cases these taxes enter into the cost of doing business and hence affect export prices and favor imports. On the *average* an export rebate around 2 or 2½ percent would reflect these tax costs and keep them out of world prices; there could also be an equivalent 2 or 2½ percent import tax. The impact of these tax costs on the various product lines differs of course, with the range running from about 1½ percent to 4 percent of export sales prices. Similar situations exist for some other countries.

[9] The recent French change is of a different order from the German action. The French repealed a 4¼ percent payroll tax paid by employers, which had gone to general revenues, and increased the value-added tax rates from 1 to 5 percentage points on various goods to make up the loss in revenue. The purpose was to stimulate French export trade. Initially, the payroll and value-added tax changes would aid French exports and dampen imports *provided* businesses adjust prices to reflect repeal of the 4.25 percent wage tax. If the wage tax repeal reduces costs by, say, 2 percent and the value-added tax is raised on the average by the same percent, the result would be that prices in France of domestically produced products would be unchanged, the price of imports (assuming no backward shifting to the foreign supplier) would increase by 2 percent, and prices of products exported would decline by 2 percent.

Actual results could be much less favorable than the above. The chances of French businessmen (faced with cost increase pressures) reducing prices by the full amount of the wage tax repeal are problematical, even though pressured to do so by the Government. The transportation, gas, and electricity price increases also imposed will be offsets to part of the wage tax repeal. (British exporters picked up a lot of the pound's devaluation by raising their export prices in British money units.)

[10] In essence the GATT discussion comes down to the United States asserting that if the existence of a high indirect tax per se helps the trade position of a country, then GATT should permit a country without such a tax a method of defending itself without having to change its domestic tax structure. If the existence of a high indirect tax per se does not so help the trade position, then there is no point to our considering a value-added tax or urging a GATT change.

[11] Foreign trade, although of substantial importance, represents only a small part of U.S. gross national product. U.S. exports, for example, have accounted in recent years for about 5.8 percent of GNP. Exports for most other industrial countries represent much larger percentages of their GNP's—between two and four times as large as the U.S. percentage for Britain, Canada, France, West Germany, Italy, Japan, and Sweden, for example. Thus these other countries have stronger reasons to tailor their basic tax systems to reflect their dependence on foreign trade. Even so, the origin of their reliance on high indirect taxes traces to domestic tax considerations.

LAWRENCE F. O'BRIEN STEPS DOWN

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. BOLAND. Mr. Speaker, Lawrence F. O'Brien, the remarkably able and astute assistant to Presidents Kennedy and Johnson, is leaving political life to assume the presidency of a New York financial house. As an intimate and trusted Presidential adviser over the past 8 years, as White House director of congressional relations, as Postmaster General, Mr. O'Brien has played a major role in the achievement of major administrative and legislative goals since 1960. I take pride in my personal friendship with Mr. O'Brien and his family. I extend my very best wishes to him, his charming wife, Elva, and his son, Lawrence, Jr., for continued success.

The Washington Post yesterday published an editorial paying tribute to Mr. O'Brien and outlining his distinguished political career in Washington. With permission, Mr. Speaker, I include this editorial in the RECORD, as follows:

MR. O'BRIEN STEPS DOWN

So much history—painful, tragic, and rewarding by turn—has been crammed into the past eight years, that it is sometimes difficult to remember that *only* eight years, or two presidential terms, have gone by since John F. Kennedy was sworn into office. For those Democrats who came to town in 1961 and who stayed, the more gratifying recollections must be of legislative and executive accomplishment beyond what anyone thought possible at the time. The darker memories are obvious too: the murder of the President and his brother, the deepening morass of the war, the turn in the country at large toward racial and political violence, and the development of savage conflict within the Democratic Party. Lawrence F. O'Brien, who yesterday ended his service as Chairman of the Democratic National Committee, witnessed all these events—but he was more than a witness. Mr. O'Brien contributed greatly to the achievements of his Party in two administrations, and he also distinguished himself by his response to its setbacks and sorrows.

It is tempting—but unthinkable—to become a little bit sentimental about this tough, amiable and dedicated charter member of what used to be called the Irish Mafia. Still, without too much hearts-and-flowers or accompaniment by the Mantovani Strings, it can be observed that no one performed more creditably (and more consistently so) in the past eight years than Mr. O'Brien. Consider first his unenviable assignments. Congressional relations, over which he presided, were especially difficult in the Kennedy years; Democratic Party affairs, which he sought to straighten out, were a desperate mess in the autumn of 1968; and the Post Office Department, where he served as Postmaster General, is a desperate mess at any time. However, in these three areas of responsibility, Mr. O'Brien managed to prod the Kennedy-Johnson programs along, to restore the Party to an unexpected measure of health, and to undertake the first serious work in living memory on the reform of our postal system.

Underlying these accomplishments, and perhaps accounting for them, there has been a special quality to Mr. O'Brien's service. When he came to Washington, he was identified primarily as a political aide to John F. Kennedy, but for all his loyalty and canniness in this cause, he also proved over the years and under the most trying of circumstances that he had a strong sense of duty both to the Presidency and to his Party and that his ambitions were firmly associated with the success of those two institutions as instruments of government. Others among the slain President's entourage viewed their role and their obligations differently—which is not to judge which was better or worse, but only to acknowledge a difference of approach and one for which Larry O'Brien took a lot of heat (and some abuse) when he stayed on to help President Johnson in 1964. He agonized over the decision to join Robert Kennedy in his primary campaign last year after President Johnson had bowed out, and he took heat for that too. He ended up serving Hubert Humphrey well. Mr. O'Brien, in short, distinguished himself by behaving as an honorable and disinterested professional politician. Not the least of his contributions to his Party and to government in general has been to help enhance the meaning of that term.

FINANCIAL PROBLEMS OF SMALL COLLEGES

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. SCHWENGEL. Mr. Speaker, the financial problems faced by small colleges were recently discussed in an excellent guest editorial in the Davenport Times-Democrat by Msgr. Sebastian G. Menke, president of St. Ambrose College.

Monsignor Menke emphasizes the fact that enrollment in Iowa's private colleges has not kept pace with enrollments at the State's public institutions. One phase of the problem, as he points out, is the fact that increasing tuition rates have the tendency of excluding students from middle- and low-income families. I have long been concerned about this very problem, and have offered legislation in the form of the Iowa plan. The Iowa plan would help to meet some of the needs of the private colleges through a combination of a savings program with tax credit for funds invested in the program, and a loan program through our private lending institutions. I will shortly be reintroducing this legislation.

Because of the importance of this problem, I would like to share Monsignor Menke's article with you, and under unanimous consent insert it in the Record at this point:

Problems of the Small College

(Note.—Today's guest editorial is by Msgr. Sebastian G. Menke, who is in his fifth year as president of St. Ambrose College, Davenport. He is president of the Iowa Association of College Presidents and also of the National Associtaion of Diocesan Colleges.)

In the fall of 1968 there were 30 private four-year colleges in Iowa. With one exception these could be described as small in comparison with the state universities. These colleges had an enrollment of 36,124 students. There were six private junior colleges that enrolled 3,590 students. Since the public universities enroll 46,665 and the area community colleges 12,405, the private colleges enroll about 40 per cent of the total number of 100,000 students in the state.

Since 1966 the increase in enrollment at the private colleges has not kept pace with that at the public institutions. The reason for this change is basically economic. Since the tuition at private colleges accounts for 70–75 per cent of the total cost of education in contrast to 25 per cent at the public institutions, the increasing costs of education have resulted in accelerated tuition rates at the private colleges. Apparently in 1966 these tuition rates had reached a level which made many students decide they could not afford the cost of education at a private college.

The problem of increasing costs of higher education is one that affects all institutions both public and private. It reflects itself in the increased budgetary requests of the part of the public institutions, that is, $77 million for the public universities and $4 million for the area community colleges. The request of $15 million for tuition grants to the students in the private colleges seems like a modest proposal in comparison.

Because of increased tuition costs the private colleges have been forced to spend more money for recruiting students. Since many of these students come from out of state, these recruiting efforts become more difficult as neighboring states develop their own programs of scholarship and grants.

Because of the high cost of tuition, private colleges are in danger of becoming exclusive schools since only families from the higher income group can afford the costs at these institutions. This situation is highly undesirable in a democratic society. The private colleges have tried to avoid becoming exclusive by giving extensive grants and loans to students from lower income families. Last year the private colleges gave more than $6 million in grants and loans of this kind.

In order to remain competitive in recruiting faculty members, the private colleges must continue to increase faculty salaries. Because faculty salaries generally were lower than those for comparable skills, they needed to be increased more rapidly. The recommendation of the American Association of University Professors has been a 7 percent annual increase. Since the cost of living increased about 4.5 percent during the past year, the real increase becomes less by that amount. If the private colleges do not employ and retain qualified personnel, they weaken their program and become less attractive to prospective students.

Changes occurring in the educational world have made it necessary for colleges to provide services they did not formerly provide. Counseling services, computer services, etc., have added considerably to the cost of operation without increasing the income.

To raise the 25 percent of the cost of education which is not derived from tuition has become increasingly more difficult. Even though business and industry have increased their giving to private colleges, their contributions have not kept pace with the increasing costs. Most college endowments are not large enough to provide even a small part of the cost. Some foundations have turned to other causes with the result that their share of support has decreased.

What all these statements imply is that it is becoming progressively more difficult for the private colleges to continue providing education for a large percentage of the students of Iowa. In the past they have provided higher education at no cost to the state to citizens in practically every area of the state. The variety of traditions in these institutions has provided great diversity in higher education in the state. The fact that they are small has made it possible for many students to successfully complete their college degree who might not have been able to do so at larger institutions.

The question is: Do the citizens of Iowa want the private colleges to continue providing the services they have provided in the past? We hope for reasons of variety and economy they will do so.

THIRTY-SEVEN YEARS OF GOOD WORK

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. GONZALEZ. Mr. Speaker, recently in my hometown of San Antonio a significant event took place. It was an event that had both personal as well as community significance to me. It has to do with a group of men who more or less belong to my generation, men whom I have known well and with some of whom I went to school. It has to do with a group of men who are of modest circumstance, in fact, of humble and poor origin and condition. But they are men who are setting a pace that can well be emulated throughout our country.

In a day and time in which we look for governmental leadership to elicit community self-help it is most gratifying to see these members of the community, through their initiative, reverse this trend and provide not only leadership but practical and feasible joint effort in raising the community standards and helping our youth.

Last week, in the popular San Antonio Light, one of San Antonio's three great dailies, Harold Scherwitz, a widely known and read sports commentator and columnist wrote a splendid article about this group.

Mr. Speaker, without further ado, I insert the article by Harold Scherwitz, appearing in the San Antonio Light edition of January 9, 1969, in the Record at this point:

Thirty-Seven Years of Good Work

(By Harold Scherwitz)

There'll be a semi-formal dance at Agudas Achim Hall on Donaldson at 8:30 p.m. Saturday and thereby hangs an unusual tale. The organization that puts it on is not a social group. Over 37 busy years the social angle has been practically non-existent. While the members and their wives, organized into an auxiliary, have been close, the accent has been entirely on community service, largely through sports, all those years.

The organization is the Prospect Hill Yellowjackets Athletic Club.

It started with four boys, meeting under a street light at Travis and Navidad on a cold night Jan. 20, 1932. There are now 25 members, not counting the ladies' auxiliary, with an athletic setup on Dartmouth that served 300 boys between six and 16 during 1968 and which promoted and operated 12 Little League baseball teams, 19 junior soccer teams and two Pop Warner junior football clubs.

Since 1958, when the Yellowjackets got out out grubbed mesquite, smoothed athletic fields and built a concession and equipment house and stands, uncounted thousands of youngsters in that area, where the kids loved to play but needed a place and supervision, have grown up under the wings of the Yellowjackets.

TWO CHARTER MEMBERS ACTIVE

Two of the four original members of the athletic club are still extremely active. Fernando Arellano and Blademar Torres have been officers at various stages and have been ramrods in all club activities. Gilbert Cerda and Margil Hernandez were the other charter members. Hernandez now lives in California.

Fred Herrera is the current president, George McWilliams and Mario Guillen vice presidents, Johnny Zepeda secretary, Frank Sierra treasurer, with Albert Alvarado as his assistant.

Lionel Medina handles public relations—to give you an idea how this group has expanded and modernized. Eulalio Gamboa is sergeant-at-arms, Alex Johnson club custodian. Torres is senior member of a board that includes Leonard Ybarra and Albert Preciado.

The unusual departure of the Yellowjackets into the social whirl was prompted in part by the need to get everybody together and review the club's work over the years, under relaxed and pleasant condition, says Arellano. Admission will be by invitation only. Alfonso Monteleone will be master of ceremonies. The Anselmo Martinez orchestra will play. There will be a lot of reminiscing on the sidelines.

The nice part of it all is that the club is still fulfilling the intent of that first meeting: To provide boys with an opportunity to participate in sport.

BLOSSOMED OUT AFTER THE WAR

The original Yellowjackets quickly expanded their club, forming teams and participating in basketball, baseball, soccer and football, joining leagues such as the city recreation, Spanish-American and various Sunday School leagues active in those days. The charter members recall that their opponents included teams whose names ring a bell with a lot of San Antonio sports followers of the era: Prospect Hill Triangles, Arbor Aggies, Moonglow A.C., Riverside Cats, Prospect Hill Collegiates, Prospect Hill Rattlers, Woodlawn Mudhens, Twin Parks Tigers, Red Bridge Aces, Denver Heights Tigers, Maverick Cubs, Flying Mustangs, East Side Rockets, Roosevelt Cubs, Roosevelt Tigers and many others.

World War II interrupted activities, with most of the boys in the service. Those who came back did so with a keener sense of community responsibility and a desire to help the youngsters of their neighborhood. The Yellowjackets bounced back into business with a slogan "Youth Development Through Sports." Leagues were started, a Little League charter secured and, after months of hard work in spare time and a lot of personal sacrifice, a beautiful playground loomed in the lonely mesquite brakes on Dartmouth.

Members take great pride in that park and in their club's work, which now includes a scholarship fund to help boys go to college and such community projects as a Christmas basket drive. Thirty-five bushel baskets of groceries were distributed to needy families last Christmas.

Says public relations director Medina:

"This celebration should bring back many pleasant memories. The whole thing shows how much can be accomplished without fanfare by a few."

The Light's sports staff, which followed the building of the athletic plant on Dartmouth closely and came to know these dedicated men of the Yellowjackets well, adds its congratulations on 37 years well spent. And may the good work go on and on!

POSTMASTER GENERAL WATSON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. DULSKI. Mr. Speaker, Postmaster General W. Marvin Watson's term of office in the President's Cabinet expires this weekend, and he will head back to private life.

During his relatively short tenure at the head of our postal system, General Watson has dug into his job with enviable vigor and enthusiasm.

An example of the respect and commendation which he has earned is evidenced in an article in the January 1969 issue of the Postal Record, the official journal of the National Association of Letter Carriers.

NALC President James H. Rademacher has this to say:

> If the new Postmaster General does choose a model upon whom to fashion his performance, he would do well to consider his immediate predecessor, retiring Postmaster General W. Marvin Watson.
>
> General Watson came to the Post Office from the White House, after a successful career in private industry. When he took office, there were widespread rumors that he was unfriendly to labor.
>
> As it turned out, the rumors were untrue and unjust. Marvin Watson, during his nine months in office, proved himself to be an eminently fair man and a most competent administrator. If he had been given the time and a little more running room, he would have made a record second to none.
>
> It may seem a little incongruous to compare a devout and active Baptist to a Pope, but the comparison with the late, beloved John XXIII is irresistible.
>
> Like Pope John, Marvin Watson's appointment was thought to be an interim one. It was generally believed that his purpose would be merely to hold the office down until the end of the President's term and then hand it over to his successor, reasonably intact.
>
> Instead, Marvin Watson turned out to be very much of a doer, a mover and shaker. No Postmaster General ever took the job more seriously, or worked harder to improve the service and the condition of those who worked under his direction.
>
> "We have many reasons to be grateful that Marvin Watson spent the last nine months as chief of the Postal Establishment, but letter carriers will always be thankful for the masterful way in which he resolved the ridiculous and potentially disastrous problem of widespread labor-management impasses throughout the field service.
>
> He acted with great boldness and common sense and, in doing so, saved the postal service from imminent catastrophe.
>
> During our many consultations with Postmaster General Watson, we never came away unsatisfied. This is not to say that we always got what we wanted. Far from it. But we always got a fair and compassionate hearing and a straight answer.
>
> If he could not do all that we wanted him to do, he told us why, without evasion or equivocation. He decided in our favor far more often than he decided against us, and always we were able to salvage something of value, even from an adverse decision.
>
> Postmaster General W. Marvin Watson returns this month to private life with the warm good wishes of the National Association of Letter Carriers and all its 210,000 members. We wish he had come earlier, and stayed later.

IN FIGHTING TRIM

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. GONZALEZ. Mr. Speaker, on Saturday, January 11, 1969, at Kelly Air Force Base in San Antonio, an outstanding and memorable event took place.

First, the 149th Fighter Group, of the Air National Guard was awarded the Outstanding Air Force Unit Award. This was no surprise to those of us who have followed the work and heroic performance of the 149th Fighter Group.

Also, it was the occasion to inaugurate the spanking brandnew building that houses its headquarters. The story of this construction is a most interesting and valuable one. Using the in-house talents of its architects, engineers, and so forth, that the fighter group counts among its members it has constructed a modern, highly functional, and attractive edifice at a great saving.

Mr. Speaker, I include at this point a résumé of the history of this patriotic and efficient group of American fighters and defenders:

HISTORICAL RÉSUMÉ OF THE 149TH FIGHTER GROUP

The 149th Fighter Group, a direct descendant of the 396th Fighter Squadron, was reorganized as the 182d Fighter Squadron in 1947, and received federal recognition on October 6th of that year. Three years later, the 182d was ordered to active duty in Korea. The first Air National Guard outfit to reach combat and to down a MIG 15, the 182d holds the distinction of also being the first unit to use inflight refueling techniques under combat conditions.

On returning from the war zone, the 182d was back to the "leather and dust" of the F–51 Mustang, and the business of the citizen airman. In 1955, the unit transitioned back to jets with the acquisition of F–80 Shooting Star Fighters. Then in 1958, the 182d moved to the faster, more complex F–86D, with a promise of bigger and better things to come. 1959 saw still another move; a move to West Kelly AFB and the modern present 72 acre facility.

A new decade, a new aircraft, a new mission, and another reorganization. It was in 1960 that the 182d Fighter Squadron was increased in size, becoming the 149th Fighter Group, assigned the mission of Air Defense and the supersonic F–102 Delta Dagger interceptors.

One year after receiving the F–102, the 149th won second place honors in the annual William Tell Gunnery and Missile Meet at Tyndall AFB, Florida.

The years following brought many additional honors for the 149th, which includes:

1964: The Spatz Trophy (Outstanding Flying Unit).

1964: The National Guard Outstanding Unit (Operational Readiness).

1966: Missile Safety.

1967: ADC "A" Award.

1968: Outstanding Air Force Unit Award.

The year 1968 began with the 149th laying claim to still another outstanding honor. Three of the unit's F–102 pilots attained ratings of "Master of Air Defense", the highest attainable in the Aerospace Defense Command. Thus, the 149th became the first Air Guard unit ever to have within its ranks three of only eight such qualified pilots in the Air Force.

Today, the unit commanded by Colonel Charles A. Quist Jr., still maintains the never ending surveillance of the South Texas skies as an integral link in the Aerospace Defense Command. Twenty-four hours a day, the men and planes of the 149th proudly displaying the red-white and blue outstanding Air Force unit citation, are ready, willing and able, and assume any task demanded of them in the defense of our Nation.

CITATION TO ACCOMPANY THE AWARD OF THE AIR FORCE OUTSTANDING UNIT AWARD TO THE 149TH FIGHTER GROUP

The 149th Fighter Group, Aerospace Defense Command, distinguished itself by exceptionally meritorious service from 1 January 1967 to 15 June 1968. During this period, the members of the 149th Fighter Group displayed extreme dedication and outstanding performance in the accomplishment of their mission. Every officer and airman acted decisively and efficiently in support of the defense of the United States. The initiative, resourcefulness, and devotion to duty displayed by the personnel of the 149th Fighter Group reflect great credit upon themselves and the United States Air Force.

VIETNAM CASUALTIES

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, January 16, 1969

Mr. BYRD of Virginia. Mr. President, the U.S. casualty figures in Vietnam during 1968 do not support the widespread belief that there has been a reduction in Vietnam fighting.

Our combat casualties in 1968 exceeded the combined total for 1966 and 1967. The figures are as follows:

In 1966: 5,008 deaths, 30,093 wounded.

In 1967: 9,378 died in combat while 62,025 were wounded.

In 1968: 14,592 killed, 92,820 wounded.

To state it another way, total U.S. casualties averaged 1,000 per week during the 2-year period 1966 and 1967. During 1968, the weekly average was 2,000.

The United States has suffered more than 59,000 casualties since the preliminary peace talks began in Paris on May 13.

These facts, I feel, should be known and emphasized.

HOUSE OF REPRESENTATIVES—*Friday, January 17, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Be of good courage, and He shall strengthen your heart, all ye that hope in the Lord.—Psalm 31: 24.

We open our hearts unto Thee, our Father, and pray that Thy Presence may become increasingly a reality within us, giving us strength for this day, wisdom for the decisions we must make, and understanding for every relationship.

May we be of one mind in producing justice, in promoting good will, and in providing for the welfare of all our people. Enable us to rise above self-seeking and to walk the nobler ways of the common good and human brotherhood.

Cleanse the thoughts of our hearts and renew a right spirit within us, making us a people devoted to our country, dedicated to Thee and to the coming of Thy kingdom. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

HOUR OF MEETING ON MONDAY, JANUARY 20, 1969

Mr. ALBERT. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 141

Resolved, That when the House adjourns on Friday, January 17, 1969, it stands adjourned until 10:30 a.m., Monday, January 20, 1969; that upon convening at that hour the House proceed to the east front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stand adjourned until Thursday, January 23, 1969.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK TO RECEIVE MESSAGES NOTWITHSTANDING ADJOURNMENT UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday, January 20, 1969, the Clerk be authorized to receive messages from the President and the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Ther was no objection.

INAUGURAL EXERCISES

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I have requested this time for the purpose of making a statement to my colleagues.

Mr. Speaker, I desire to alert my colleagues that when we adjourn today, we will meet on Monday at 10:30 o'clock. I urge all the Members to be here promptly because the procession for Members of the House will leave in a body promptly at 10:35 a.m., so that the inaugural exercises on the platform at the east front might start precisely at 11 o'clock. There will be no opportunity for Members to join the procession after it leaves the House Chamber.

Members must display their official tickets in order to get a seat on the platform. There are no seats available for former Members on the platform. Therefore, former Members may not join the procession.

The seats to be occupied by Members of the Senate and House of Representatives have no cover. Members are urged to wear overcoats and take hats to protect themselves from the cold.

No children will be allowed upon the platform, and there will be no seats except for Members actually holding tickets for their own seats.

So, if you expect to be in the procession and get a seat on the platform, you must be in the Chamber at 10:30 a.m., on Monday.

The procession will be headed by the Speaker pro tempore, then the chairmen of committees, and then the other Members in order of seniority.

Following the inaugural ceremonies on the east front, shuttle buses will be available on First Street SE., east of the Cannon House Office Building, between Independence Avenue and C Street SE., subsequent to the ceremonies on the east front, to take Members and their wives to the parade reviewing stands at the White House. The buses will also be available to bring Members back to the Capitol after the parade.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the Honorable Emanuel Celler, of New York, to act as Speaker pro tempore on Monday, January 20, 1969.

PRESIDENT JOHNSON PROPOSES STEPS TO BRING FEDERAL RESERVE CLOSER TO CONTROL BY THE PEOPLE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Joint Economic Committee is today holding hearings on the Economic Report of the President, but I want to call particular attention to some of the report's comments on monetary policy.

In this report, President Johnson has taken a step in the right direction in proposing that the presidents of the Federal Reserve banks be approved by the Congress.

While it is true that this is a relatively small step, it does represent Presidential recognition of the need to return the Federal Reserve System to the control of the U.S. Congress. The Congress should now enlarge on this precedent and enact legislation which would give the people's elected representatives full review of the Federal Reserve System and monetary policy.

I also commend the President for urging, in the Economic Report, that the term of the Chairman of the Federal Reserve Board be coterminous with that of the President of the United States.

This, too, is a step in the direction of providing the people and their elected representatives the control over monetary affairs as provided in the U.S. Constitution.

President Johnson has pointed to the right direction and it is now up to the 91st Congress to carry through and to make this monetary reform meaningful.

TREASURY NOMINEE SHOULD DISPOSE OF COMMERCIAL BANK STOCK

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the news stories of David Kennedy's stockholdings in the Continental-Illinois National Bank raise serious questions about his qualifications as Secretary of Treasury in the Nixon administration.

Judging from his public statements, it appears that Mr. Kennedy has little or no concept of the seriousness of the type of conflict of interest involved in these stockholdings.

Mr. Speaker, today I issued a statement urging that the nomination be rejected unless Mr. Kennedy seeks fit to dispose of these extensive holdings of commercial bank stock.

I place in the Record a copy of this release:

Washington, D.C., January 17.—Chairman Wright Patman (D., Tex.) of the House Banking and Currency Committee today urged that the nomination of David Kennedy as Secretary of the Treasury be rejected unless the nominee dispose of all stock in commercial banks.

"The retention of the stock, through direct or indirect means, would create one of the most monumental conflicts of interest that has ever been perpetrated on the Federal Government," Mr. Patman said. "As things stand now, it is obvious that Mr. Kennedy has every intention of bringing his Continental-Illinois National Bank into the Nixon Administration with him."

Mr. Patman said that no cabinet officer more directly affects the day-to-day operations of commercial banks than the Treasury Department.

"As Secretary of the Treasury, Mr. Kennedy will be in a position to render decisions which will directly bear on the worth of his bank stock and on the operations of the Continental-Illinois National Bank—the nation's eighth largest bank!"

Mr. Patman said he assumed that the Treasury nominee was "only making a bad joke" when he proposed that he place his bank stock in trust with his own bank serving as trustee.

"Surely, he could not be serious about such a patent and paper-thin device to delude the public and the Congress," Mr. Patman said.

Mr. Patman noted that published reports of the Kennedy trust plan indicated that the Treasury nominee planned to continue to buy and sell bank stock through this trust arrangement while he served in the Treasury Department.

"In short, he would just transfer the home office of Continental-Illinois from Chicago to the Treasury Department on Pennsylvania Avenue in Washington," he charged. "Before his nomination is considered further, I hope that the United States Senate will be able to disabuse Mr. Kennedy of his notion that what is good for Continental-Illinois National Bank is good for the country."

TRIBUTE TO RETIRING POSTAL OFFICIALS

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. OLSEN. Mr. Speaker, on the 20th of January two distinguished public servants, Postmaster General W. Marvin Watson and Deputy Postmaster General Frederick C. Belen, leave the Post Office Department.

When General Watson took over the reins of the Post Office Department in April of last year there were many who felt that the Department was in for a change-of-pace, a slowdown in its hectic activities of the past few years. Those who thought this did not know their man. For under General Watson the Department actually picked up the pace in its search for solutions to the problems that have been plaguing its operation.

General Watson brought to his office the maximum of skill and experience. Immediately prior to coming to the Post Office he was a key adviser to President Johnson, daily taking part in decisions crucial to the Nation. Before that he was an eminently successful businessman in Texas, making his mark at a very early age.

Perhaps no Postmaster General ever impressed the rank and file as did General Watson. In an incredibly short period of time he visited all the major and many of the lesser postal installations, stopping to chat with employees at each one. In this way he gained an insight into the character and attitudes of his employees which, in turn, made him a compassionate and fair employer.

The country has much for which to be grateful to the State of Texas. The Lone Star State has given us our great President, Lyndon B. Johnson, and has given the Post Office, for a far too fleeting moment, a great Postmaster General, W. Marvin Watson.

Fred Belen retires from Federal service after 30 outstanding years. He is as knowledgeable on postal matters as anyone in the country. He has a rich background that includes service in the hierarchy of the Post Office Department and 15 years spent as counsel, then staff director, of the House Post Office and Civil Service Committee. He is the expert whose imprint is found on every piece of postal legislation enacted over the past 22 years. That is an illustrious achievement.

Shortly after I entered Congress in January of 1961 Fred became Assistant Postmaster General in the Bureau of Operations. In February of 1964 Fred moved from the Bureau of Operations to the place of second-in-command to Postmaster General John Gronouski, the office of Executive Postmaster General. In these two positions he has been extremely helpful to both myself and other Members of Congress.

Fred's retirement plans include the practice of law here in Washington. I am very happy about this because it means that Fred will be nearby and it is hoped that he will continue to make known his views on postal matters and offer his guidance and counsel where they are needed.

So, although Fred will continue to work actively here in Washington, he has freed himself from the burdens of public officialdom by his voluntary retirement from Federal service. We will all miss Fred at the Post Office Department but he well deserves the forthcoming tranquillity and peace and I wish him good luck and Godspeed.

THE FUTURE OF U.S. PUBLIC DIPLOMACY—III

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, in yesterday's CONGRESSIONAL RECORD, I listed the names and professional affiliations of nearly 80 distinguished Americans who have endorsed an appeal for a thorough, systematic review of the U.S. Government's information policy, particularly as it affects our communications with other countries and other peoples.

This appeal was issued on December 22, 1968, by my subcommittee, the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, in a report entitled "The Future of U.S. Public Diplomacy."

The list of names of the people who have seconded this recommendation reads like a "Who's Who" of the leaders of American commerce, industry, banking, education, communications, and philanthropic activities.

I shall not repeat those names but I would like to quote some thought-provoking excerpts from the comments which were made about our report; about the issues discussed in it; and about the whole range of factors involved in the pursuit of our Nation's foreign policy objectives.

I believe that those excerpts will prove of great interest to all Members of Congress who agree that we urgently need some new directions and new approaches in our foreign policy undertakings.

This is what some private American citizens said about our subcommittee's report on "The Future of U.S. Public Diplomacy":

Frank Stanton, president, Columbia Broadcasting System:

> Your report . . . is a most comprehensive document, and a truly amazing record to have been compiled in so short a time. I concur not only readily but eagerly to the conclusions set forth in Part II.

Archie E. Albright, of Kuhn, Loeb & Co., New York:

> I am pleased to see this kind of frank and open discussion of a problem which most of us have been reluctant to admit even exists.

Hon. C. Douglas Dillon, former Secretary of the Treasury and Under Secretary of State:

> I am in general agreement with your findings and recommendations, and particularly endorse the idea of an in-depth study of the problem by a qualified blue ribbon group.

W. P. Gwinn, chairman, United Aircraft Corp.:

> I find myself in complete agreement with your Subcommittee's conclusion that there is no single, or for that matter combination of reforms or procedures that will catapult the United States Government into a strong position in this area of international communications. Instead, I feel that you are correct in concluding that a reappraisal of the entire structure on which we have built our communications abroad is vital.

J. G. Harrar, president, the Rockefeller Foundation:

> From our experience, we could only agree with the importance of communication, diplomacy, and trade as primary channels of foreign affairs.

Floyd A. Free, president, the Institute for International Social Research:

> Congratulations to you on your report. . . . It is an extraordinarily able document and I concur 100% with everything that is said, including the recommendations in Part II.

N. W. Freeman, president, Tenneco Inc.:

> The report is timely and presents problems which should be of concern to every citizen of the United States.

Joseph Korbel, dean, the Graduate School of International Studies, University of Denver:

> I fully share the Subcommittee's conviction that the breakthrough in the international communication system presents new challenges and opportunities. I feel that the Subcommittee's findings and hearings are of utmost importance and provide a sound basis for further exploration of the problem and for action.

A. E. Larkin, president, General Foods Corp.:

> I commend your Subcommittee for the thorough and thoughtful deliberations they are giving this problem, and I encourage you to continue this important work.

James MacCracken, executive director, Church World Service:

> Your Subcommittee is making an important contribution to the continuing evaluation and restudy of the image of the United States around the troubled world of our times.

John Richardson, Jr., former president, Free Europe Committee:

> This brief report is of seminal importance for our national security, our hopes for peace and the prospects for the cause of freedom.

William R. Merriam, vice president, International Telephone & Telegraph Corp.:

> We in ITT note with interest the many references in your report to the importance of communications in diplomacy . . . I believe this type of report to be of such im-

> portance that it could well serve ITT and other American corporations as a basic handbook in their daily efforts to improve the U.S. image abroad.

Mr. Speaker, I could go on and on. The comments which we have received contain many thoughtful criticisms of the existing state of affairs, and many very worthwhile suggestions for improvements. Because of this, we have included as many of them as we could in the appendix to our printed report on "The Future of U.S. Public Diplomacy."

In my next remarks, I shall deal with the reaction of the mass media to the issues raised in our report.

THE NEW REGULATIONS UNDER THE BANK PROTECTION ACT OF 1968

(Mr. FASCELL asked and was given permission to extend his remarks in the body of the Record at this point.)

Mr. FASCELL. Mr. Speaker, last Monday I spoke on the floor about the increasing numbers of bank robberies, and expressed the hope that the Federal bank supervisory agencies would soon take steps, under the Bank Protection Act of 1968, to attempt to lessen such crimes. The regulations have now been issued, but serious questions are raised about their adequacy.

The Bank Protection Act was passed by the Congress in an effort to stem the growing incidence of crime against financial institutions over the past 15 years. The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, held public hearings on the problem 5 years ago. At that time the Comptroller of the Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and the Federal banking supervisory agencies, testified in the subcommittee's inquiry to ascertain the causes of the increase in crimes against banks and savings and loan associations and to reduce the incidence of such crimes. The subcommittee also obtained the assistance of industry representatives at such hearings.

In the report which followed, House Report No. 1147, 88th Congress, second session, entitled "Crimes Against Banking Institutions," the problem was summed up and various specific remedies suggested.

We confirmed, as the FBI had indicated, that many banking institutions, in suburban areas are considerably more vulnerable to bank robberies than regular banking establishments. These generally have fewer security features and less police protection, and escape routes usually are better. Even modern downtown banks have largely removed bars, grills, and tellers' cages in favor of large expanses of plate glass, low tellers' counters and open spaces. While these are designed for a warmer, friendlier atmosphere in which to carry on banking business, the testimony showed that this environment tends to heighten their exposure to daylight holdups.

We pointed out that despite rising bank crimes the attitude of some bankers was that they just could not be bothered with taking security measures against such crimes, because they are insured against any loss. Many banks did not even have alarm systems which could be surreptitiously sounded by tellers. We also discussed the various devices and procedures which experts agreed could be used to thwart bank robberies.

The new regulations issued by the banking agencies contain quite a few of these protective procedures. For example, they call for the designation of a security officer by each bank and savings and loan association, and for the drawing up of security programs by each institution to protect its offices from robberies, burglaries and larcenies and to assist in the identification and apprehension of persons who commit such crimes. These programs are to provide for the testing and servicing of all security devices; the keeping of currency at reasonable minimums, with currency that is in excess to needs to be kept in protected places; the maintenance of "bait" or marked money at tellers' cages, to aid in the apprehension of robbers; the training of employees in responsibilities under the security program; for other procedures for the safeguarding of currency, securities, and other valuables.

The mandatory provisions as to physical security, however, are extremely weak. The only three devices made applicable across the board are the requirements for illuminating the vault areas that are visible from the outside of banking and savings and loan offices; the use of tamper-resistant locks on exterior doors and those exterior windows which are designed to be opened; and the providing of an alarm system or other appropriate device for promptly notifying the nearest responsible law enforcement offices of an attempted or perpetrated robbery or burglary.

These need not be provided until January 1, 1970, or within 30 days after the opening of a new bank, or after the grant of Federal insurance of accounts to savings and loans.

Under the regulations the security officer of each institution is to provide for such other security devices—after seeking the advice of law enforcement officers—as he determines to be appropriate for discouraging bank crimes and for assisting in the identification and apprehension of persons who commit such acts.

In other words, except for vault lights, basic alarm systems and tamper-proof locks, all other security devices are left to the discretion of the security officer of each institution. In determining the appropriateness of other devices he is to consider the incidence of crime in the area, the amount of currency and valuables exposed to such crime, the nature of the banking structures and surroundings, their location with regard to law enforcement facilities, and the cost of security devices. A list of "minimum standards for security devices" is contained in an appendix to the regulations, dealing with standards for surveillance camera systems, more advanced robbery and burglary alarm systems, and construction standards for walk-up and drive-in tellers' windows—bullet-proof glass—and for vaults, safes and night depositories.

However, these security devices are not mandatory requirements for any banking institution regardless of its size, location, structure, or vulnerability to robbery. They are discretionary with each security officer, and apparently need not be provided in part or in whole if in his discretion and in the opinion of management an institution has a general level of protection equivalent to the standards that are printed in the appendix.

Perhaps the banking supervisory agencies intend to exert their influence to see to it that most institutions adopt these additional devices, consonant with the size of assets at stake and the degree of risk at particular offices, but if they are, that is not clearly spelled out in the regulations.

In passing the Bank Protection Act, Congress had in mind that not all institutions encounter the same dangers from bank robbers, and, of course, that some security devices are quite costly. It, therefore, left it to the banking supervisory agencies to allow in their regulation for the varieties of risk involved. The big question that arises, however, is whether the agencies have not bent too far backward in minimizing their requirements of security devices. Certainly they backtracked from some of the proposed requirements that they contemplated when the regulatory proposals were published in the Federal Register for public comment last November. For instance, at that time some of the regulations contemplated mandatory requirements of surveillance cameras, and the protection of windows, skylights, and doors by steel bars or grating. The regulations, as promulgated, however, put surveillance camera systems into the "discretionary" class, and make no provision whatsoever for protective bars on openings.

While a specification is stated in the appendix for bullet-resistant glass for walk-up and drive-in windows—if such glass is to be used at all—there is no provision for the use of such glass to separate tellers from the customers' lobby. The FBI has long advocated protected tellers' cages as a valuable device to discourage robbers. Our committee report discusses that safeguard, and a report in the Baltimore Sun, on January 13, 1969, confirms the value of such enclosures. Under an article entitled "Bank Holdups, Money Lost Showed Big Increase in 1968," it states:

> Recently, however, some smaller banks and savings and loan companies have tried to make holdups impossible.
>
> They are installing a new type of bulletproof glass enclosure, extending from counter tops to ceilings combined with steel cash drawers similar to those on the exterior of drive-in banks. It is impossible for a robber to get over, around or through the plexiglass to the teller.
>
> In the March 6, 1968, attempt to rob the Clifton Savings Bank branch of Broadway and Gay Street, employees stupefied three gunmen when they just walked away from their places behind a bullet-proof enclosure."

Because too many banks have refused or failed to take adequate safeguards on

their own—and indeed may have encouraged the rise in bank robberies through their attitudes—it is highly questionable whether they will voluntarily and without great suasion adopt the regulations' security standards, except for their rudimentary mandatory requirements.

I am extending my congratulations to the Federal banking supervisory agencies for adopting many of the procedures that were recommended in our committee report, even though 5 years have elapsed since that report was issued, and bank robberies have doubled—to 1,806 in 1968—in that time. I am also, however, calling upon those agencies to advise the Legal and Monetary Affairs Subcommittee why they refused to make mandatory the utilization of other security devices that experts have said would go a long way toward lessening bank robberies.

STATE OF THE UNION MESSAGE COMMENTS BY CHET HUNTLEY

(Mr. SISK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SISK. Mr. Speaker, one of our most distinguished and well known news commentators, Chet Huntley, on Tuesday evening after the state of the Union address, made some comments which I think will be of interest to my colleagues in the Congress and to all Americans. He looks into the future as to how history will judge one whom I believe to be one of our greatest Presidents.

Therefore, I offer Mr. Huntley's remarks for your consideration.

Comment After President Johnson's State of the Union Address, January 14, 1969

(By Chet Huntley)

Not since Andrew Jackson has this country known a President quite like him . . . this earthy, rough-edged frontiersman, Lyndon Baines Johnson. He saw cities, industries, incredible wealth and himself rise out of the unlikely soil of Texas, and his goals . . . for this nation were audaciously Texas size. Pursuing the populist creed, this 36th President set out to recruit *all* the people. He reserved no enemies. He wanted a universal mandate.

And for a while he had it, leaving a permanent mark on this nation. Three times . . . Congress, responding to the lead of the President, affirmed and reaffirmed equal rights and equal justice for Negroes. Medicare and Medicaid, financial assistance to all levels of education, consumer protection, control of firearms, indirect assistance to parochial schools, conservation programs, war on poverty, government reorganization, and more, were written into law. Many of these programs will be restructured, but few, if any, are expected to disappear.

Then there was the War in Vietnam—Johnson's war some called it. It, and the violence in the streets, according to the instant historians, drove him out of office. But the more leisurely historian will hesitate to call it "Johnson's folly." He will have to take into account what we might be saying of this President in this farewell week had he *not* acted and if communism were now pushing at the frontiers of Malaya and Thailand and Burma.

And violence? How *should* we have started redressing 300-year-old grievances and wrongs without an inflation of expectation and bitter impatience with the inequalities that remained? Could it be that the flames of Watts and 14th Street and Detroit were not signal fires for the future but funeral pyres for the past?

We and the President learned some things about poverty in America . . . that it was overwhelmingly black, for example. The war against it has gone far from well, but we are committed to it, and there is no going back.

It is said that this President had no style—that he lost us in awkward phrases. Yet, he re-read that speech to a joint session of Congress, March 15, 1965. "Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome." No President had ever said words like that.

Andy Jackson, have we forgotten and so outgrown our frontier past? Are we all form . . . and little substance?

But he tried to do too much, it is said. Perhaps. How many projects . . . Texas size . . . can we manage all at once? But he goes home convinced we *could* have done it . . . you and I.

Proud? Vain? Cantankerous and difficult? Egocentric and egotistic. Unpredictable, contradictory . . . complicated to the point that deviousness was more fun than directness. It was his stud poker and it belied his simple tastes.

Mr. President, the nation's interest will follow you. We Americans must comprehend you more precisely and we must determine where in our history you have taken us. We have followed other Presidents home . . . to Mt. Vernon, Monticello, the Hermitage, Oyster Bay, Independence and Gettysburg. Now we follow you to Johnson City on the Pedernales.

JOHN O. CROW AWARDED CITATION FOR DISTINGUISHED SERVICE

(Mr. REIFEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. REIFEL. Mr. Speaker, his extraordinary executive ability and diversified administrative and management expertise have won John O. Crow the Department of the Interior's Distinguished Service Award. Before becoming the Associated Director of the Bureau of Land Management, he served with distinction for over 30 years in the Bureau of Indian Affairs. As Acting Commissioner in 1961 he was the first person of American descent to assume such responsibility since 1871.

Crow recently served on the special committee which drew up the constitution and selected the first board of trustees for a proposed American Indian Athletic Hall of Fame at Haskell Institute in Lawrence, Kans.

Mr. Speaker, under unanimous consent I insert Secretary Udall's citation to John O. Crow for distinguished service at this point in the Record:

Citation for Distinguished Service: John O. Crow

In recognition of an eminent career with the Department of the Interior.

Mr. Crow is an outstanding Public Land Administrator who has received recognition throughout the Department for his service to the Nation at the highest levels of administrative responsibility. He became Associate Director of the Bureau of Land Management in November 1965. Mr. Crow possesses extraordinary executive ability and demonstrated diversified administrative and management expertise in the Bureau's management and conservation of the public domain and its natural resources. Associate Director Crow recently served on a special committee which drew up the constitution and selected the first board of trustees for a proposed American Indian Athletic Hall of Fame at Haskell Institute in Lawrence, Kansas. The Hall will memorialize the achievements of great Indian athletes and will inspire young Indians to develop rewarding and productive lives. Mr. Crow served with distinction in various roles with the Bureau of Indian Affairs and was Superintendent of the Mescalero, Fort Apache, and Uintah and Ouray Agencies. He was an aggressive leader in the field of program administration. As Realty Program Administrator, he was outstanding in his direction of all activities involving approximately 55 million acres of Indian trust and Government-owned land. Mr. Crow was serving in this capacity when President Kennedy appointed him as Acting Commissioner of Indian Affairs. A Cherokee Indian, he was the first person of American descent to assume responsibility as Commissioner since 1871. As a tribute to his superior service, Mr. Crow is granted the highest honor of the Department of the Interior, its Distinguished Service Award.

Stewart Udall,
Secretary of the Interior.

THE LATE DR. COURTNEY C. SMITH

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, it is with the deepest sadness that I report to the House the passing yesterday of a great American, Dr. Courtney C. Smith, president of Swarthmore College, at the age of 52. Dr. Smith was stricken in his office above the college admissions office which was still occupied after more than a week by members of the Swarthmore Afro-American Society.

He has been under great strain during the occupation and suffered a heart attack while waiting to meet with a faculty committee to consider the demonstrators demands on admissions and policymaking.

Courtney Smith was a steadfast champion of academic freedom and of civil rights throughout his life. As American Secretary of the Rhode Scholarships since 1953, he worked effectively to insure fair treatment for minority groups in the Rhodes selection process. He had pioneered in efforts to recruit Negroes for the Swarthmore student body. This did not divert him from the American goal of achieving the highest possible educational standards, and he was determined that neither students nor faculty should be reduced to the lowest common denominator.

When Dr. Smith became president of Swarthmore in 1953 at the age of 36, he was one of the youngest college presidents in the country. In the ensuing years an already first-rate college has become great under his inspired leadership. Proud as he was of a most successful building program, his greatest accomplishment has been a truly remarkable strengthening of faculty and student body.

In the crisis of confrontation at his beloved Swarthmore during the past 8 days he refused to compromise his faith in the education process in order to appease those who resorted to force and disruptiveness. In the end, this cost him his life.

Mr. Speaker, it has been my great honor to claim Courtney Smith as a friend since we entered college together as freshmen in the fall of 1934. All true friends of education will mourn his passing. I offer my deepest sympathy to his beloved Betty, his son, and two daughters who survive.

LEGISLATION TO ESTABLISH BANK TO PROVIDE FEDERAL SOURCES FOR RURAL TELEPHONE SYSTEMS

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I have today introduced legislation establishing a bank to provide new supplemental financing from both private and Federal sources for rural telephone systems.

An identical measure was approved by a 23-to-5 vote of the House Agriculture Committee, of which I am a member, during the last session of Congress. The House Rules Committee, however, voted to defer action on the bill.

This legislation, which I supported, is designed primarily to bring funds from the private money market into the rural telephone program. It authorizes sales of RTA debentures up to an amount not exceeding eight times the capital subscribed by the Government itself.

The Government would furnish capital to the telephone bank at a rate of $30 million annually, not out of U.S. Treasury funds but from repayments of outstanding rural telephone loans, until the total reached $300 million. The bank would pay 2 percent interest on money provided by the Government.

Bank loans would be made to both cooperatives and privately owned telephone systems which previously received REA 2-percent loans, at a rate reflecting cost of money. This would be a blend of the cost of Government-advanced capital and the funds derived from the sale of debentures in the private money market.

The legislation does not change present authority to make direct 2-percent loans to qualified borrowers operating in areas with a low density of telephones.

TRIBUTE TO HON. LYNDON B. JOHNSON

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, it is with mixed emotions that I join in the just and wholesome praise we heap today on our fine President and my fellow Texan, Lyndon B. Johnson. Mixed because for me, personally, an era is passing. I cannot imagine Texas not having Lyndon Johnson in Washington. He has been here for most of my life. When I was a young fellow in 1948, I nailed his campaign posters to the telephone poles and from his first visit to my area after being elected Senator, until his last day as President, he was always available to me personally for all the problems of my district, first, when I was in the Texas Legislature and more so since I came to Congress.

I hate to seem him leave the Nation's Capital. But I know the Nation will always profit from his advice, his counsel, and the legacy of accomplishment he leaves behind. His state of the Union message was the report of a man who had given his all to the country—and I know of no Member of this House who was not moved by the nostalgia with which he spoke of his service here.

For my part of the country I say to the President with deep fondness, not adios, but hasta la vista—Vaya con Dios, Señor Presidente.

RECESS

The SPEAKER. The Chair understands that the President is sending some messages to the House which will be here shortly. Without objection, the House will stand in recess subject to the call of the Chair.

There was no objection.

Accordingly (at 12 o'clock and 11 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALBERT) at 12 o'clock and 24 minutes p.m.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

SECRETARY OF STATE DEAN RUSK CLOSES OUT 8 BRILLIANT YEARS IN OFFICE

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, I take this time this morning just to comment on the fact that on Monday next a great American who has occupied with great distinction a position of great responsibility in this country for a period of 8 years, longer than all but one of his predecessors, will be stepping down from office. Of course, I am referring to Secretary of State Dean Rusk.

Mr. Rusk has been under attack from time to time in recent years by those who have opposed our policy in Vietnam. I do not think, though, that the people who have attacked him because of their feeling on the policy our country has followed really recognize Mr. Rusk's unique and tremendous abilities. The President referred to him the other day as "the greatest," and I would certainly subscribe completely to that appellation.

I have known Mr. Rusk for a long time. I knew him when he came to the Department of State in 1947 as an assistant to General Marshall whom he had also served brilliantly as a colonel in the Pentagon. I can remember in the days when I was associated with the Far Eastern Commission seeing this young former colonel coming in to a meeting of diplomatic officials and in a few minutes, in a very quiet and dispassionate way, summing up all of the complex issues very clearly and simply, and indicating what the course of action or the alternatives should be. It takes a superior intelligence to make complex problems clear and simple. As Secretary, Mr. Rusk has often employed that same clear, quiet, unflappable ability to summarize, to explain—before the television cameras, before Senate committees, and in regular Wednesday morning briefings to Members of the House.

In fact, last fall in his final appearance to brief House Members before the 90th Congress adjourned, Republican and Democratic Members gave the Secretary a warm standing ovation in tribute to his patience and his clarity on these complex issues of war and peace with which he has had to wrestle for 8 years.

Besides his exceptional intellectual qualities, one other aspect of Dean Rusk has stood out consistently, his strength and his steadfastness. With all the unfair attacks, all of the needling, he has never lost his cool. In spite of all the pressure from different sides, and all the winds of political change, he has never switched his position for the sake of expediency. That was because his position was not just a pragmatic policy of the passing moment, but was based on a deep philosophical conviction of what was right and what was wrong for this country and for the future of our world.

I realize that it is hard for people who did not live through those turbulent years before World War II when our efforts to maintain peace and prevent all-out war went for nought; but those of us who did live through them know that no task is more vital today than finding the means for preventing a recurrence of the drift toward world war that took place before 1941.

This has been Dean Rusk's primary and overriding objective as Secretary; and I agree with him that one of our greatest achievements during his 8 years in office has been our continued success in preventing world war III. We are all indebted to him for his devotion and his steadfastness under the leadership of Presidents Kennedy and Johnson.

In his steadfastness, in his calm fortitude, in his repeated refusal to be swayed or altered by the shifting winds of political expedience, Dean Rusk reminds us of another great world statesman of this century, Sir Winston Churchill, who was sneered at in the popular press and relegated to the back benches of his party in Parliament, all because he had never tempered his opposition to the appeasement of Adolf Hitler in the days before 1939.

Mr. Speaker, I have no doubt about what the ultimate judgment of history will be on the career of Secretary Rusk. The other day the press quoted the senior Senator from New York (Mr. JAVITS)—who has in recent years been a persistent critic of our Vietnam policy—as acknowledging very candidly:

> Who knows, history may decide that those of us who opposed the war were wrong and those who supported it were right.

That is precisely what I am convinced history will show, and when that story is written large on the annals of history I know Dean Rusk's name will be in the foremost rank.

We are all proud that Dean Rusk has been our Secretary of State in this turbulent period. We wish him and his very able wife good luck and Godspeed in the years ahead. A man who started out as a schoolteacher in a small if distinguished women's college in the Far West, and then later a top staff officer in the U.S. Army, Dean Rusk, in discharging a top leadership position in the Nation with great distinction, has indeed become in his lifetime the embodiment of the intellectual in politics, the fulfillment of the ancient ideal of the philosopher-king, of whom Plato wrote so eloquently that:

> Until philosophers are kings, or the kings and princes of this world have the spirit and power of philosophy, and those commoner natures who pursue either to the exclusion of the other are compelled to stand aside, cities will never have rest from their evils, no, nor the human race, as I believe; and then only will this, our State, have a possibility of life and behold the light of day.

SALARY INCREASE FOR CONGRESSMEN AND FEDERAL EMPLOYEES

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, on Wednesday I introduced House Resolution 133 disapproving the proposed salary increase for Members of Congress as well as the executive and judicial branches of the Government. It is an unconscionable and outrageous pay increase. Today I introduced another resolution, which I trust will go to the Committee on Rules. I have introduced that resolution because I fear the House Post Office and Civil Service Committee will not give consideration to House Resolution 133, which calls for rejection of these outlandish pay increases. I suggest that any Members who are interested also introduce one or both of those resolutions.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to my good friend, the gentleman from Florida.

Mr. HALEY. Does the gentleman from Iowa take the position that the Members knew what the salary of a Member of Congress was when they ran for office last fall, and, therefore, should at least postpone this until a new Congress is elected?

Mr. GROSS. That is exactly right. Certainly they knew, and I thank the gentleman from Florida for his observation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ALBERT). The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present, in view of the Presidential messages.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. MONTGOMERY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 12]

Abbitt
Abernethy
Adair
Addabbo
Andrews, Ala.
Annunzio
Arends
Ayres
Baring
Barrett
Battin
Bell, Calif.
Biaggi
Biester
Bingham
Blackburn
Blatnik
Boggs
Bolling
Brademas
Brasco
Brown, Calif.
Brown, Mich.
Burleson, Tex.
Byrne, Pa.
Cahill
Camp
Carey
Casey
Celler
Chappell
Chisholm
Clancy
Clark
Clausen, Don H.
Clay
Collier
Conte
Conyers
Cramer
Cunningham
Daddario
Daniels, N.J.
Davis, Ga.
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Downing
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Fish
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gilbert
Green, Pa.
Grover
Hagan
Halpern
Hansen, Idaho
Hansen, Wash.
Hastings
Hays
Hébert
Heckler, Mass.
Helstoski
Hogan
Holifield
Hull
Ichord
Jacobs
Jarman
Joelson
Jonas
Jones, N.C.
Kee
Kirwan
Koch
Kyros
Laird
Landrum
Langen
Long, La.
Long, Md.
Lowenstein
Lukens
McClory
McCloskey
McClure
McDade
McKneally
McMillan
Macdonald, Mass.
Mailliard
Martin
Mathias
Miller, Calif.
Minish
Mize
Monagan
Morgan
Morton
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Patten
Pepper
Philbin
Pike
Pirnie
Podell
Poff
Powell
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Quillen
Rees
Reid, Ill.
Reifel
Reuss
Rivers
Robison
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
St Germain
St. Onge
Sandman
Satterfield
Scherle
Scheuer
Sebelius
Shipley
Skubitz
Smith, Calif.
Smith, Iowa
Springer
Staggers
Steiger, Wis.
Stephens
Stuckey
Symington
Taft
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Ullman
Utt
Vigorito
Watkins
Watson
Watts
Whalley
Wilson, Bob
Wold
Wolff
Wright
Wydler
Yates
Young

The SPEAKER pro tempore. On this rollcall 241 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Note: The following Member has not yet taken the oath of office: HANNA.

FIRST ANNUAL REPORT OF THE SECRETARY OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-53)

The SPEAKER pro tempore. The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and, together with the accompanying papers, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

To the Congress of the United States:

I transmit herewith the first annual report of the Secretary of Transportation.

The importance of transportation to the economy, security and welfare of each American makes this report an important document which deserves careful reading.

In his report, the Secretary of Transportation reviews the state of the transportation system of the United States and described the initial efforts of the Department to aid in the improvement and development of the system.

Secretary Boyd has made gratifying progress in organizing the new Department, and has assembled a fine team to help him confront the many challenges arising out of the mission assigned the Department of Transportation by the Congress in Public Law 89-670.

The Department, during the period of the report, carried out its direct services to the public through five operating administrations, each headed by an Administrator reporting directly to the Secretary. The Department has five Assistant Secretaries, four of whom have substantive responsibilities, with one Assistant Secretary in charge of Administration. In addition, the Department has a General Counsel responsible for legal affairs.

As a result of the efforts of the Secretary and his staff, the Department reports a number of achievements during the three months in which it was in operation during fiscal year 1967. These achievements are set forth in the pages of the report, but I invite your attention especially to these:

A special effort was made to foster safety in transportation since the Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, and the Federal Railroad Administration all have significant responsibilities in the field of safety. New programs in highway and automobile safety were successfully supported by the Department.

Both the Coast Guard and the Federal Aviation Administration have made important contributions to the Vietnam war effort. They have supplied skilled men and needed equipment in support of the efforts of our other forces.

Development work continues to improve the safety capacity of the nation's airways. New techniques and equipment have been developed and in many instances are in the process of installation.

A new approach has been adopted for the planning of federally supported highways, especially in cities, with a view to assuring that highways reflect design features and routings conducive to sound urban development as well as improved transportation.

New regulations have been developed and issued concerning safety features on automobiles, and work has been initiated to help States and communities establish highway safety programs.

The National System of Defense and Interstate Highways continued to receive

Federal assistance, and tangible progress was made toward completion of the Interstate System as authorized by the Congress.

Both the National Motor Vehicle Safety Advisory Council and the National Highway Safety Advisory Committee began their operations.

Progress continued in the development of high speed passenger trains in spite of many technical and management problems.

A new record was set for tonnage transiting the Saint Lawrence Seaway, the United States portion of which is operated and maintained by the Department.

By these achievements in improving our national transportation system, I am pleased to report that the Transportation Department has shown a deep concern for the needs of the traveler and the shipper.

The Department has also moved to advance the welfare of our citizens by making certain that transportation is provided with due regard to its impact on our environment: land, air and water.

I commend these accomplishments and the enclosed report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

NINETEENTH SEMIANNUAL REPORT OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-54)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

I am proud to transmit the Nineteenth Semiannual Report of the National Aeronautics and Space Administration, covering the period January 1 through June 30, 1968.

This was a period of gratifying progress in the Nation's space effort. Project Apollo was within sight of its first manned flights—culminating in the magnificent flight of three brave astronauts in Apollo 8. At the same time, our satellites continued to provide meteorlogical and weather information to be used for the benefit of people all over the world, and to maintain channels for expanding and hastening communications among all nations.

I am pleased to bring this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

RECOMMENDATIONS OF THE COMMISSION ON EXECUTIVE, LEGISLATIVE, AND JUDICIAL SALARIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-51)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

The Congress, the Executive Branch, and the Federal Judiciary are the vital nerve centers of government. Whoever mans them is involved in activities so momentous and far-reaching that they touch the lives of all our citizens—and indeed of people the world over. Our national interest demands—and our national survival requires—that America summon its best men and women to assume the power of decision and the responsibility of leadership for government in action.

Central to this concern is the matter of compensation at the top echelons of Government. Today, the salaries we pay our top officials are clearly inadequate.

THE KAPPEL COMMISSION

The record of the past has been one of inadequate and fragmentary adjustments in top-level compensation—always too little, often too late.

I believed in my administration that the time had clearly come to re-examine the entire top Federal salary network. To this end, I asked the Congress to create a bipartisan commission to:

—Recommend any changes its study found necessary

—Review top-level Federal salaries every four years.

The Congress responded. In December 1967, I signed into law a measure which gave life to the Commission on Executive, Legislative and Judicial Salaries—the first such body in our Nation's history.

The Commission was composed of nine distinguished Americans:

Three were appointed by the President:

—Frederick R. Kappel, former Chairman of the Board of Directors of the American Telephone and Telegraph Company, who served as the Commission's Chairman.

—John J. Corson, Consultant and Corporate Director.

—George Meany, president, American Federation of Labor and Congress of Industrial Organizations.

Two were appointed by the President of the Senate:

—Stephen K. Bailey, Dean, Maxwell Graduate School, Syracuse University.

—Sidney J. Weinberg, Senior Partner, Goldman, Sachs & Co.

Two were appointed by the Speaker of the House of Representatives:

—Edward H. Foley, Attorney, Former Under Secretary of the Treasury.

—William Spoelhof, President, Calvin College, Grand Rapids, Michigan.

Two were appointed by the Chief Justice of the United States:

—Arthur H. Dean, Attorney, Chairman, U.S. Delegation, Nuclear Test Ban and Disarmament Conference.

—William T. Gossett, Attorney, President, American Bar Association.

After a comprehensive study of top Federal salaries, the Commission concluded that:

—Present compensation levels are not commensurate with the importance of the positions held.

—These levels are not sufficient to support a standard of living that individuals qualified for such posts can fairly expect to enjoy and in many instances have long established.

—Action should be taken to modernize, without delay, the top pay structure of the Executive, Legislative and Judicial Branches of government.

THE RECOMMENDED REFORMS

Any recommendations the President might make for salary reform must be included in his budget. In preparing my budget for Fiscal Year 1970, I carefully reviewed the full report of the Kappel Commission. Their proposals served as a valuable guide as I weighed the recommendations the law requires me to make—recommendations which will become effective 30 days after they are submitted unless the Congress disapproves them during that period.

I agree with the recommendations of the Kappel Commission Report. If I alone had the power to put its recommendations into effect, I would do so. But in our proposal to the Congress and in the law passed by the Congress creating the Commission, final action on the report was to be a joint enterprise between the executive and legislative branches. I have therefore found it necessary to modify some of the Kappel Commission recommendations—particularly with respect to congressional salaries, and also with respect to the pay of certain executive positions.

I do recommend that the Kappel Commission proposals be put into effect for the top officials of the Federal, judicial and executive branches. For them, I recommend the following pay scales:

Chief Justice: $62,500;

Associate Justices of the Supreme Court: $60,000;

Cabinet Heads: $60,000.

Of all the salaries, Congressional compensation posed the most difficult problem of all and was the hinge on which my recommendations turned. As the Commission pointed out:

"Members' salaries should be adjusted to compensate for the substantial and unique responsibilities they bear, to meet the cost peculiar to elective rather than appointive office, and to minimize the need to rely on other means of augmenting income."

The Commission then recommended that Congressional pay should be set at $50,000.

Congressional salaries have been raised in slow and piecemeal fashion, far outpaced by pay increases in the rest of the economy. Over the past three decades, Congressmen have received only three pay increases—an average of one pay raise every ten years—to the current level of $30,000, a salary which by today's standards is woefully inadequate.

I do not think that the American people want to see their elected representatives—who must bear the awesome burdens these critical times demand—serve their Nation at the price of financial hardship. I therefore believe that the $50,000 Congressional salary recommended by the Kappel Commission can be justified.

A proper concern for history and tradition, however, suggests that the President should consult the leaders of Congress before he makes any recommendations concerning Congressional salaries.

I have done that.

These discussions and consultations revealed that Congress would be reluctant to approve a $50,000 salary. When it comes to a pay increase, Congress puts its own Members last in line. Instead, an increase to $42,500 was considered preferable and more likely to receive the necessary support. I respect the desires of the leaders of the Congress. I therefore now recommend a $42,500 salary for the Members of the House of Representatives and the Senate.

The Congressional salary I am recommending today represents an 89% increase over the level of compensation in 1955. I must point out, however, that during this same period salaries of the highest Civil Service career grade increased by well over 100 per cent.

Civil Service salaries, moreover, will be adjusted periodically to keep them comparable to those in industry—while Congressional salaries must, under current law, remain unchanged for the next four years.

Projections indicate the following salary increases between 1955 and 1972:

—88.9%: Congressional salaries;

—90%: Postal workers;

—94%: Average Federal worker;

—94%: Factory workers;

—101%: Government Wage Board employees;

—109%: GS-15 Career Civil Servant;

—135%: GS-18 Career Civil Servant.

Thus, even with the recommended pay increase for our lawmakers, the increase in Congressional salaries will lag behind those of other Government workers and employees in the private sector.

Since the weight of custom and a sense of fairness require that we maintain and preserve proper pay relationships at the upper echelons of Government, the proposed $42,500 Congressional salary requires that I make certain adjustments in the Kappel Commission's proposals for other top level salaries. Accordingly, I recommend the following pay scales:

Level II (Heads of Major Agencies): $42,500;

Level III (Including Under Secretaries): $40,000;

Level IV (Including Ass't. Secretaries): $38,000;

Level V (Including Heads of Boards): $36,000.

My recommendations for the other top level positions covered by the Kappel Commission are set forth in my budget in accordance with the requirements of Public Law 90-206.

The salaries of the Vice President, the Speaker of the House, the Majority and Minority Leaders of the House and Senate and the President Pro Tem of the Senate were not, as such, covered by the Kappel Commission's charter. For this reason, I am submitting separate pay legislation embodying my recommendations, as follows:

Vice President: $62,500;

Speaker of the House: $62,500;

Majority and Minority Leaders of the House and Senate and President Pro Tem of the Senate: $55,000.

CONGRESSIONAL ALLOWANCES

The burdens imposed by Congressional service are unique. They often require members to bear extra expenses in connection with their official responsibilities.

Most lawmakers, for example, must maintain two homes for themselves and their families—one among the people in the district or state they serve; the other in or near the Nation's capital.

Recognizing these facts, the Federal tax laws have allowed deductions of up to $3,000 a year for living expenses at the seat of our national government.

That maximum deduction has remained fixed for 15 years now—while sessions of the Congress have grown longer and longer under the pressure of increasing workloads and crowded legislative calendars.

I believe we should increase the maximum deduction so that Members of Congress will not be required to use any new pay increase to defray some of the essential living expenses incurred in the pursuit of their official duties.

Accordingly, I recommend that the maximum Federal tax deduction for congressional living expenses be raised by $2,500—from $3,000 to $5,500 for each member of Congress.

EXCELLENCE IN THE PUBLIC SERVICE

The proposals I make today are long overdue and urgently needed salary reforms at the upper levels of our government. But they are more than pay recommendations, for they cut to the heart of what modern government is all about—excellence in the pursuit of the public's business.

This moment of decision provides a unique occasion to strengthen the sinews of American government. We can do this by offering to our best and ablest citizens fair compensation for the job they must do in guiding America forward in the years ahead.

Just as these public servants—in the Congress, in the Cabinet and in the Judiciary—have a responsibility to the Nation, so the Nation has a responsibility to them.

The total amounts involved in my pay proposals are relatively small. But they will be wise investments in our future.

I urge the Congress to grasp the opportunity presented to it and to respond favorably to the recommendations I am submitting today.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore (Mr. ALBERT). For what purpose does the gentleman from Missouri rise?

Mr. HALL. To propound a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, as I understood the reading of the President's message, he is submitting today separate pay legislation for the Vice President, President pro tempore of the Senate, Speaker, and others. Without any question of the merit of the proposal at this time, assuming there will be adequate time for discussion, where is the proposal by the Commission that the President in his message today said "must be in the budget"?

The SPEAKER pro tempore. The Chair will state to the gentleman that is in the budget. The budget was submitted Wednesday, the 15th, and the budget message was referred to the Committee on Appropriations, and that proposal is in the budget presently.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, I received a copy of the budget in the regular distribution from "downtown." I have procured a copy from the Committee on Appropriations. Subsequently the document room supplied another one. Could the Speaker or the Parliamentarian tell us wherein, in the voluminous budget, this was contained as distributed to all Members?

The SPEAKER pro tempore. The Chair is unable to give the gentleman the page in the budget at this time. But if the gentleman will bear with the Chair, the Chair will try to get that information for the gentleman.

Mr. HALL. Certainly, Mr. Speaker, the gentleman will bear with the Chair in this effort.

I am trying to determine whether this was an insert in the official transmittal of the budget that was omitted in the distribution to the other Members, and if so for what purpose? Further, how can we work our will if we are not supplied a copy thereof—that is the Commission's proposal.

As long ago as last Tuesday, I reviewed the budget and I did that again on Wednesday with the general distribution, and I did it again this morning and am not able to find the nine-man Commission proposal which the President admits in his message today must be submitted with the budget.

The SPEAKER pro tempore. The salary recommendations were in the budget message. It was in a supplemental recommendation from the President. It was also referred to on page 54 of the budget itself—the Chair has now been able to find the document to which the gentleman made reference.

Mr. HALL. In this additional supplemental proposal—does the gentleman from Missouri understand that this is some kind of "insert" in the official budget, which was transmitted to the Chair, and which was not included in the disposition to the Members?

The SPEAKER pro tempore. It was included in the budget as a supplemental part of the budget.

Mr. HALL. Mr. Speaker, if the Chair will entertain a further parliamentary inquiry; am I to understand that had I looked thoroughly, I would have found the reference on page 54, and that supplemental part of the budget in the copies that were available to the Members?

The SPEAKER pro tempore. That is the right page.

Mr. HALL. One further inquiry, Mr. Speaker—and I am perfectly willing to accept that, although I thought I looked for it thoroughly—was it at any time as received and printed, included in the CONGRESSIONAL RECORD, to which we all have easy access?

The SPEAKER pro tempore. It is on page 54 of the budget.

Mr. HALL. It is only a reference to the papers?

The SPEAKER pro tempore. The gentleman is correct.

Mr. GROSS. Mr. Speaker, I wish to propound a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the parliamentary inquiry.

Mr. GROSS. Mr. Speaker, the law provides for 30 calendar days in which to disapprove—that is, by either House of the Congress—to disapprove this pay increase proposal.

My question is this, Mr. Speaker: When does the time start to run—that is, the 30 days?

The SPEAKER pro tempore. From the day that the budget is received and read.

Mr. GROSS. And that was the day before yesterday; was it not?

The SPEAKER pro tempore. On this past Wednesday, the 15th of January.

Mr. GROSS. Yes; on Wednesday of this week.

The SPEAKER pro tempore. The gentleman is correct.

Mr. GROSS. Was the Commission proposal in that budget? Was it in that budget report to the Congress?

The SPEAKER pro tempore. The President's recommendations are based on the Commission report and are in the budget—but not the Commission's report.

Mr. GROSS. So far as being read to the Congress and being placed on the Speaker's desk, what was the formal procedure; if I may ask the distinguished Speaker?

The SPEAKER pro tempore. The message was laid before the House and was read and ordered to be printed with illustrations and was referred to the Committee on Appropriations.

Mr. GROSS. I thank the distinguished Speaker.

Mr. PASSMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. PASSMAN. In the event the salary increase for Members of Congress should become effective, could the Members who feel that they are not worth the increase turn the difference between what they think they are worth and what they would receive with the increase back to the U.S. Treasury? In my opinion, Members who feel that they are not worth the salary increase should be permitted to return the increase to the Treasury.

The SPEAKER pro tempore. That is a matter for the conscience of the Members. It is not, I will say to the distinguished gentleman, a parliamentary inquiry.

ACHIEVEMENTS IN AERONAUTICS AND SPACE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–55)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science and Astronautics and ordered to be printed with illustrations:

To the Congress of the United States:

This report summarizes a year of significant achievement in aeronautics and in space—culminating in the epochal APOLLO 8 flight in December, in which three astronauts orbited the Moon ten times and returned safely to Earth. A courageous, pioneering exploration!

The outstanding success of the APOLLO 8 mission attracted world acclaim and greatly enhanced the prestige of the United States as the leading spacefaring nation. The capability of the astronauts and the integrity of their space equipment justified our highest hopes.

The APOLLO 8 flight was preceded by the very successful 11-day orbit of the Earth in APOLLO 7—the first manned flight test of the APOLLO spacecraft.

These great missions bring us nearer to reaching our national goal of landing men on the Moon in this decade.

Our astronauts have now flown 18 manned space missions, during which they experienced 3,215 man hours in space flight. Together with the activities of the Soviet Union, this makes a total to date of 28 manned flights and 3,846 man hours in space.

Through this investment we have obtained new products, services, and knowledge; we have enhanced our national security; we have improved our international relations; and we have stimulated our educational system.

Our Nation is richer and stronger because of our space effort. I recommend that America continue to pursue the challenge of space exploration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

MARINE SCIENCE AFFAIRS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–56)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed with illustrations:

To the Congress of the United States:

The sea holds new promise for the enhancement of men's lives—for economic and social betterment and for world peace and understanding.

Since enactment of the Marine Resources and Engineering Development Act three years ago, the United States has embarked on a concerted national enterprise to realize that promise. We engaged the ideas, encouraged the participation and focused the investments of our Federal Government, States, industry and universities on more effective and intelligent use of the marine environment.

We sought to:

—Enhance the many uses of our seashore and coastal waters by directing national attention to the need for skillful management of this Coastal Zone;

—Expand our knowledge of the seas by launching the International Decade of Ocean Exploration;

—Promote world order and understanding by strengthening the framework of international law and cooperation governing ocean activities;

—Foster national security by advancing the Navy's technological capabilities to operate within the ocean;

—Stimulate the economy by encouraging development of marine energy and food resources;

—Combat malnutrition in developing countries by extracting new sources of protein from the sea;

—Protect the life and property by safer maritime practices and measures to prevent pollution;

—Strengthen our base of research and education in marine sciences by supporting Sea Grant and other university programs.

While modern science and technology afford powerful means to translate marine potentialities into realities, the economic, social, legal and political considerations are equally decisive in utilizing the seas to achieve the goals and aspirations of our society. To this end, the National Council on Marine Resources and Engineering Development under the chairmanship of the Vice President has illuminated goals, formulated priorities, and coordinated and advanced our Federal marine policies and programs.

The Council's Third Report on Marine Science Affairs relates the sea to our people's diversified endeavors, summarizes progress during the past years and sets forth major recent accomplishments of the eleven Federal agencies engaged in marine sciences. In Fiscal Year 1970, I am requesting that $528 million be provided to build on these achievements.

The report is commended to all who look to the future for ways to reinforce our country's vitality and strength.

As our population crowds along our coast, as many nations extend their interests toward distant seas, as new scientific discoveries reveal more of the world around us, we must take bold and imaginative steps to enable this and future generations to enjoy the full bounty of the sea.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

MARVIN WATSON, POSTMASTER GENERAL

(Mr. STEED asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STEED. Mr. Speaker, it has been

my privilege over a great many years to know and work with several outstanding Postmaster Generals. All distinguished themselves in their service and all left some permanent worthwhile contribution to the U.S. postal service.

But for a truly effective and long range contribution to the solution of some of the postal services' most pressing problems, even though he served only a brief span of a few months, none has excelled or made greater contributions than the Honorable W. Marvin Watson, the retiring Postmaster General. As he leaves the service I want to be the first to express to him appreciation for a public service of the highest excellence, and gratitude for the genius he provided his Government in one of its most important and critical areas. I know he can have no greater sense of reward or satisfaction than the knowledge that he served in such praiseworthy and remarkable fashion.

During his tenure one of the sharpest criticisms leveled at the postal service, by the President's Commission on Postal Organization, was the lack of training facilities for postal employees and postal management.

Since the report of the Commission appeared, a number of significant and wide-ranging steps have been taken to close the "training gap" that has existed for too long, and which has hindered the opportunities open to employees.

These steps were the result of the commitment to excellence of this one man, the remarkable Texan, who has been stirring things up at the Post Office Department.

All of Marvin Watson's experience and background joined together in reinforcing his commitment to improved efficiency through training.

His professional career, for example, includes positions in the educational, public and private sectors.

His experience as a college teacher of economics certainly supported his view that progress results from the vigorous application of trained minds.

His experience with the Lone Star Steel Co. convinced him that training must be practical as well as theoretical.

And, of course, his close working relationship with the President in the key position as special assistant gave him an intimate insight into the realities and needs of Government operations.

As a result of this strong conviction that the postal work force could be made more effective through training, he has given his unstinting effort to upgrading and strengthening the new Postal Service Institute. He has warded off every effort to downgrade this vital new force for postal excellence.

Under his leadership, the Postal Service Institute has grown from infancy into a major force which during the past year was responsible for training 30,000 postal managers, from supervisors to postmasters.

In addition, the Postmaster General was responsible for the most extensive craft training program in the Department's history.

This new program will guarantee thousands of beginning clerks, letter carriers and other career employees the opportunity for standard, on-clock training in the skills of their respective postal occupations. In addition, new employees will receive standard orientation, including a specially prepared handbook on the postal service, its mission, traditions, and operation.

Previously, training had been left largely to local post offices which devised their own programs and administered them as the availability of funds, time, and instructors allowed.

The program establishes course outlines, curriculum and model schedules for postal trainees; instructors will have access to films, handbooks, and other prepared material.

A major portion of the program is devoted to mail-sorting training for postal clerks. New career clerks will receive standard on-job instruction in the sorting of mail according to destination and routing. Such capability is vital to the efficient dispatch of mail.

Another large segment is the training for city delivery service. New career letter carriers must learn to do the final sorting of mail as well as the street delivery and collection duty itself; carriers also must learn to redirect improperly addressed mail.

Other standard training procedures have been developed for motor vehicle service employees, for mail handlers responsible for the movement of mail within the installation, for maintenance employees, special delivery messengers, and rural letter carriers.

In still another major development, Postmaster General Watson's personal commitment to training was his decision to locate a postal training center at the University of Oklahoma. This training center will include the headquarters for operations of the Postal Service Institute together with a National Technical Training Center capable of accommodating 4,000 postal students annually, and a facility for managerial study that will offer high-level, practical training to an estimated 2,500 postmasters and supervisors a year.

W. Marvin Watson, an effective administrator, certainly.

W. Marvin Watson, a great Postmaster General, certainly.

And now, W. Marvin Watson, the greatest exponent of postal training and education, certainly.

His impact on the postal service has been major. It will last for generations. And all Americans will benefit.

TRIBUTE TO MILTON R. YOUNG OF NORTH DAKOTA

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, I wish to call to the attention of my colleagues what I feel is a splendid and well-deserved tribute to one of the most hard-working and effective Senators this Nation has ever had—MILTON R. YOUNG, of North Dakota.

Andrew Freeman, manager of Minnkota Power Cooperatives, Inc., Grand Forks, N. Dak., in a letter to his board of directors, outlines the reasons for naming their new generating plant after the honored senior Senator from North Dakota. In it, he points out the great contribution MILT YOUNG has made to agriculture, our State, and our Nation.

An indication of the esteem with which MILTON YOUNG is held in North Dakota is found in the fact that he has lost only a total of three counties in nine statewide elections, carrying 474 out of a possible 477 counties in the nine campaigns. That is a truly remarkable record.

In the letter I wish to insert at this time, Mr. Freeman outlines some of the reasons why we are proud of MILT YOUNG in North Dakota and reasons why all America can be proud to have such a dedicated servant of the people in the U.S. Senate. The letter follows:

MINNKOTA POWER COOPERATIVES, INC.,
Grand Forks, N. Dak., January 7, 1969.

The HONORABLE MARK ANDREWS,
Washington, D.C.

DEAR CONGRESSMAN ANDREWS: I would like to recommend that the board give consideration to naming our new Center plant the Milton R. Young Station in honor of our Senior Senator from North Dakota.

There are a good many reasons why I think so and among them would be the following:

1. He is an honorable man.
2. He is a farmer.
3. He was a North Dakota State Senator prior to becoming a United States Senator. As such he worked for the adoption of the REA Act in North Dakota and the 2% Gross Income Tax Law, which has saved the rural electric cooperatives of North Dakota millions of dollars.
4. He has served in the United States Senate continuously since 1945.
5. He has recently been reelected to a new 6 year term by an overwhelming majority.
6. He is a very highly regarded man. Many Democrats and Republicans think well of him. He is highly regarded by people in the labor movement, the Farmer's Union, the Farm Bureau, as well as by people in educational and other professional circles.
7. He is the Senior Republican and a Ranking Member of the powerful Appropriations Committee of the United States Senate.
8. He is a very influential member of the party that will be in power the next four years. President-elect Nixon has publicly stated that he will rely heavily upon the advice of Milt Young.
9. He serves as a member of the Senate Committee which deals with highly secretive work of the C.I.A. This indicates the great confidence and high regard in which he is held by his colleagues.
10. He is the leading spokesman for agriculture in the Congress of the United States and few are considered to be his equal when it comes to knowledge of farm problems.
11. His record in behalf of REA is outstanding. NRECA rates him as having voted favorably on 70% of the subjects they favored.
12. During his period in office, REA has appropriated money for 4 large plants including our own Center unit.
13. He has effectively worked in behalf of Garrison Dam, along with his other colleagues from North Dakota.
14. He has helped and worked with numerous rural electric cooperatives in North Dakota to secure for them many of the missile, radar and air base electric loads in North Dakota, which they now serve.
15. He has recently been instrumental in getting Lockheed to announce a North Dakota Assembly plant.
16. For the last three years, he and a fellow Senator have been successful in getting REA

appropriations substantially increased. He has done this same thing several times previously over the years when funds were short

17. He has worked in cooperation with other Senators to free funds when the Bureau of the Budget sought to tie them up.

18. He was singularly instrumental in getting restrictive language removed from a Senate memo intended to regulate REA appropriations. This came at a very critical time and it proved to be a key factor that led to the approval of our loan.

19. He has worked for the construction of key Bureau lines, as well as elimination of some of them whenever it was shown they were to have a detrimental effect on the rural electric coops.

20. His interest in the farmer and the farmers problem is unmatched by anyone. His interest in the REA program has been a continuous one.

The rural electric cooperatives of this nation and Minnkota in particular, are indebted to a great many men for help which they have been given. These include other Senators and Representatives, Directors, Managers, key personnel and employees of the Rural Electrification Administration. However, none can match the many and great contributions of Senator Milton R. Young.

At the present time our rural electric program is in serious trouble. It is on the threshold of undergoing serious changes. It is facing a new Administration in which Senator Young is a key figure. Senator Young, with or without our recognition, will continue to work for and protect the interest of the rural electric cooperatives. However, if we are to ever recognize and honor a man for his work, I can think of no one more appropriate, no one more deserving, than Senator Young, and no time more appropriate than today to do it.

If you could see your way clear to do this, I would consider it a very great personal favor and as an action which grants honor and recognition to a man to whom honor and respect are due.

Yours very sincerely,
ANDREW L. FREEMAN,
Manager,

PROPOSED INCREASED SALARIES FOR MEMBERS OF CONGRESS

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, I hope all Members were here when I posed my parliamentary inquiry a while ago. I simply wanted to know on what basis the proposal of the Commission for the increased salaries—as created by this Congress—against my vote—was submitted with the budget, as stated as "a must" in today's Presidential message.

Members present heard the ruling of the Chair. They heard the answer to my parliamentary inquiry. I am not appealing that answer. But, I am very upset by the information provided.

Indeed, I feel some great and circuitous stratagem is being employed or some hanky-panky is being used, because since I posed that parliamentary inquiry and received my answer, I have been shown a copy of the "Supplement" inserted in the back of the budget as delivered by the document room to the Chair. Mr. Speaker, I have ordinary acuity and visibility and I do my homework. I searched well, and there is no way that I could have missed this supplement had it been available in any of the three budgets on 3 separate days that I examined in detail—and indeed asked my staff to research. Subsequent information from the Bureau of the Budget, of the executive branch indicates the "Supplement" will be delivered to Members on request.

I believe the question should concern Members. When a proposal comes down like this in two parts, how can we exercise our will, and how can we use the ordinary protection of the minority rules, when decisions or rules are being bended severely, if not fragmented according to precedent? I personally resent this, if it has happened as I suspect.

I fear it does damage to the representative system of our Republic. I know it harms our House.

IS OIL IMPORT CONTROL PROGRAM TO BE CIRCUMVENTED?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, the Nation's defense structure cannot be compromised to oblige New England political leaders who want to circumvent the oil import control program by setting up a foreign trade subzone with a refinery that would be served with foreign crude.

No State or political bloc can be granted economic advantage at the expense of national security. The proposal to establish reliance upon Libyan oil at a time when uncertainty and tension shroud the Middle East is defiant of U.S. safety. Oil imports are already so high that defense production on the east coast would be impaired in the event of a cutoff of ocean shipments.

Nothing has transpired to assure a continuing availability of oil from abroad since the import control program was created by President Eisenhower as a security measure. In addition to establishing a submarine base in Cuba, Russia has become shamelessly involved in the affairs of most or all of Africa's oil-producing countries.

America's overall interests dictate against permitting domestic fuel capacity to be reduced as an accommodation or convenience to sectional interests. With Soviet long-range underwater craft infesting the waters of the world, tankers would be easy prey under wartime conditions.

Unless and until the potential for international conflict is forever laid to rest, the United States cannot place dependence upon foreign oil any more than on airplanes or munitions, food or promises.

As for New England's claim that it must pay more for fuel than do other parts of the country, I would expect such a condition to persist in an area so far removed from fuel-producing areas. The cost of transportation is a recognizable item in the delivered price of commodities. It is the item which accounts for differentiations in the consumer costs of automobiles, oranges, lobsters, coconuts, and the Sunday New York Times. If price variances of this nature were to be made the base of developing import policy, we would have to employ so many more persons in the State and Commerce Departments and would have so many Americans out of work as a consequence of foreign competition that I question whether a single section of the country would experience economic improvement.

A great deal has been written about the machinations inherent in the plan to establish a foreign trade zone in Maine. I shall not refer to the political ramifications at this time. The Wall Street Journal editorial of last December 20 is a succinct description of the scheme.

At the same time, the Journal evidences a new concept with regard to quotas and subsidies. The editorial's title, "Turnabout," would seem particularly apt, in view of the newspaper's traditional policy on subsidies. The editorial follows:

TURNABOUT

In a way it's appropriate that the Government should be leaving the Maine oil refinery dispute to the incoming Nixon Administration. Oil import quotas, after all, were a legacy to the Democrats from the Eisenhower years.

The Maine situation is really a tangled mess. In case you haven't been able to stomach all the details, here's a highly simplified account of what's happened up to now:

Occidental Petroleum Co. wants to build a refinery at Machiasport, Me. That's simple enough, but from there on the going gets rougher. Occidental wants to put its plant in something called a "foreign trade zone," which isn't part of the U.S.—or rather, it is but it isn't. When governments start monkeying around with trade, things can get frightfully complicated.

If the Government will agree to put the Machiasport zone out of the Union, more or less, Occidental can bring in, tariff-free, foreign crude oil—which happens to be a lot cheaper than the U.S. variety—and process it. Nobody appears to object to that idea very much.

The trouble stems from the fact that Occidental wants to sell some of its refinery's products—heating oil and gasoline—in the undetached portion of the U.S. And that, if you listen to other oil companies and many Southwestern politicians, would destroy the oil import quota program.

Though other explanations are offered, the purpose of the quota program is to protect domestic oil producers from the competition of cheaper foreign oil. Even if such a subsidy is deemed a worthwhile aim of Government, it seems a clumsy idea to finance it by forcing all consumers—rich, poor or whatever—to pay more for oil. It seems even more questionable to involve the Government in distributing quotas to a favored few—each of whom is guaranteed significant profits when he sells cheaper foreign oil at the high U.S. price.

The setup is ready-made for controversy, and that's what's breaking out all over. Massachusetts Sen. Edward Kennedy, who thinks New England needs the refinery, hints none too subtly that the opposition may be breaking the antitrust laws. Maine's Gov. Kenneth Curtis says his state will go to court to force the Johnson Administration to act, whether it wants to or not. On the other side, spokesmen for the Southwestern states and the other oil firms are equally bitter.

It just simply won't do for the Nixon Administration—or the Johnson Administration, if it has a last-minute change of heart—to dispose only of this single dispute. If it approves the project the Government will be deluged with similar proposals from elsewhere, each of which will stir wrathful opposition. If, on the other hand, Washington rejects the refinery, the best it can hope for is long-drawn-out and angry court disputes.

So we're glad to see that the incoming Administration plans to thoroughly examine the quota setup itself. If Washington insists on subsidizing domestic oil firms, it would be more honest to do so openly instead of hiding the scheme in higher prices to consumers. Direct subsidies, undesirable as they are, tend to be easier to end than those built into the price system.

It's fashionable these days for politicians to express deep concern for the welfare of consumers. Here is a chance for them to do something about it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Satterfield (at the request of Mr. Marsh), for January 17, 1969, on account of illness.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Saylor, today, for 15 minutes; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Madden.
Mr. Bray in two instances.

(The following Members (at the request of Mr. Miller of Ohio) and to include extraneous matter:)

Mr. Ashbrook.
Mr. Rumsfeld.
Mr. Springer.
Mr. Carter.
Mr. Shriver.
Mr. McClory.
Mr. Hosmer in two instances.
Mr. Keith.

(The following Members (at the request of Mr. Pettis) and to include extraneous matter:)

Mr. O'Konski.
Mr. Miller of Ohio in four instances.
Mr. Springer.
Mr. Cahill.
Mr. Reinecke.

(The following Members (at the request of Mr. Daniel of Virginia) and to include extraneous matter:)

Mr. Green of Pennsylvania in three instances.
Mr. Ronan.
Mr. Podell.
Mr. Rarick in four instances.
Mr. de la Garza in two instances.
Mr. Rogers of Florida in five instances.
Mr. Moss in five instances.
Mr. Pickle in two instances.
Mr. Hébert.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 10. An act to increase the per annum rate of compensation of the President of the United States.

ADJOURNMENT TO MONDAY, JANUARY 20, 1969, AT 10:30 A.M.

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Monday, January 20, 1969, at 10:30 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XX, executive communications were taken from the Speaker's table and refered as follows:

278. A communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal years 1968, 1969, and 1970 (H. Doc. No. 91–50); to the Committee on Appropriations and ordered to be printed.

279. A letter from the Secretary of the Treasury, Chairman, National Advisory Council on International Monetary and Financial Policies, transmitting the annual report for the period July 1, 1967, to June 30, 1968 (H. Doc. No. 91–52); to the Committee on Banking and Currency and ordered to be printed.

280. A letter from the Secretary of Agriculture, transmitting a report on control of agriculture-related pollution; to the Committee on Agriculture.

281. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the establishment and maintenance of strategic reserve stocks of agricultural commodities by producers and the Commodity Credit Corporation for national security, public protection, meeting international commitments, and for other purposes; to the Committee on Agriculture.

282. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that various appropriations have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

283. A letter from the Secretary of the Air Force, transmitting a report on the progress of the Reserve Officer Training Corps flight training program for the calendar year 1968, pursuant to the provisions of 10 U.S.C. 2110(b); to the Committee on Armed Services.

284. A letter from the Secretary of the Air Force, transmitting a report of the number of officers assigned or detailed to permanent duty in the executive part of the Department of the Air Force at the seat of the Government as of December 31, 1968, pursuant to the provisions of 10 U.S.C. 8031; to the Committee on Armed Services.

285. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

286. A letter from the Assistant to the Director, Selective Service System, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

287. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of corundum from the national stockpile; to the Committee on Armed services.

288. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of chrysotile asbestos from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

289. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of type A, chemical grade manganese ore from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

290. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of type B, chemical grade maganese ore from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

291. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of platinum from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

292. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of tungsten from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

293. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend and extend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

294. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the International Development Association, and for other purposes; to the Committee on Banking and Currency.

295. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the appropriation of $200 million for a U.S. contribution to multilateral special funds of the Asian Development Bank; to the Committee on Banking and Currency.

296. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines, and for other purposes; to the Committee on Education and Labor.

297. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to assure safe and healthful working conditions for working men and women; to assist the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; to the Committee on Education and Labor.

298. A letter from the Secretary of Labor, transmitting a draft of proposed legislation, Federal workmen's compensation bill; to the Committee on Education and Labor.

299. A letter from the Secretary of Labor, transmitting a draft of proposed legislation for a Welfare and Pension Plan Protection Act of 1969; to the Committee on Education and Labor.

300. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to reinforce the federal system by strengthening the staffing of State and local governments; to improve the administration of grant-in-aid programs; to

improve intergovernmental cooperation in the administration of grant-in-aid programs; to provide grants for improvement of State and local personnel administration; to authorize Federal assistance in training State and local employees; to provide grants to State and local governments for training of their employees; to authorize interstate compacts for personnel and training activities; to facilitate the temporary assignment of personnel between the Federal Government, and State and local governments, and for other purposes; to the Committee on Education and Labor.

301. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

302. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Military Sales Act; to the Committee on Foreign Affairs.

303. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History; to the Committee on Foreign Affairs.

304. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to enable the United States to organize and hold a Diplomatic Conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty and authorize an appropriation therefor; to the Committee on Foreign Affairs.

305. A letter from the Chairman, Interageny Committee on Mexican-American Affairs, transmitting a draft of proposed legislation to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

306. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5724(e) of title 5, United States Code, with respect to the payment of travel and transportation expenses of civilian employees who transfer from one agency to another after satisfactorily completing an agreed period of service outside the continental United States; to the Committee on Government Operations.

307. A letter from the Administrator, General Services Administration, transmitting the Annual Report of the General Services Administration for fiscal year 1968; to the Committee on Government Operations.

308. A letter from the Attorney General, transmitting a draft of proposed legislation to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

309. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract under which Fred Harvey, Inc., will be authorized to continue to provide concession facilities and services for the public on the south rim of Grand Canyon National Park, Ariz., for a period of 30 years from January 1, 1969, through December 31, 1998; to the Committee on Interior and Insular Affairs.

310. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations from the highway trust fund for motor carrier safety functions of the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

311. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes; to the Committee on Interstate and Foreign Commerce.

312. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Interstate and Foreign Commerce.

313. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide an improved and enforceable procedure for the notification of defects in tires; to the Committee on Interstate and Foreign Commerce.

314. A letter from the Secretary of Transportation; transmitting a draft of proposed legislation to authorize appropriations for the fiscal years 1970 and 1971 for the purpose of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966; to the Committee on Interstate and Foreign Commerce.

315. A letter from the Chairman, Federal Trade Commission, transmitting a draft of proposed legislation to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act; to the Committee on Interstate and Foreign Commerce.

316. A letter from the Attorney General, transmitting a report on the activities of the Community Relations Service for fiscal year 1968, pursuant to the provisions of section 1004 of the Civil Rights Act of 1964 and Reorganization Plan No. 1 of 1966; to the Committee on the Judiciary.

317. A letter from the Attorney General, transmitting a draft of proposed legislation to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices; to the Committee on the Judiciary.

318. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

319. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to repeal the laws authorizing limitation of shipowners' liability for personal injury or death; to the Committee on Merchant Marine and Fisheries.

320. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation, to require a radiotelephone on certain vessels while navigating upon specified waters of the United States; to the Committee on Merchant Marine and Fisheries.

321. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels; to the Committee on Merchant Marine and Fisheries.

322. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine Fisheries.

323. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for additional positions in grades GS–16, GS–17, and GS–18; to the Committee on Post Office and Civil Service.

324. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to provide for non-Federal operation and maintenance of recreational small-boat harbors constructed by the United States; to the Committee on Public Works.

325. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter; to the Committee on Public Works.

326. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend certain authorizations for carrying out the provisions of title 23, United States Code; to the Committee on Public Works.

327. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend title 23, United States Code, to extend the authorizations for the highway beautification program through the fiscal year ending June 30, 1971, and for other purposes; to the Committee on Public Works.

328. A letter from the Administrator, General Services Administration, transmitting prospectuses for public buildings construction and alteration, pursuant to 73 Stat. 480, as amended; to the Committee on Public Works.

329. A letter from the Federal Cochairman, Appalachian Regional Commission, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965, as amended; to the Committee on Public Works.

330. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations to carry out the Standard Reference Data Act; to the Committee on Science and Astronautics.

331. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study; to the Committee on Science and Astronautics.

332. A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81–507, as amended; to the Committee on Science and Astronautics.

333. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to make interest income on water and waste disposal loans sold out of the agricultural credit insurance fund subject to Federal income taxes, and for other purposes; to the Committee on Ways and Means.

334. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude specified sum from the computation of excess in the employment security administration account in the unemployment trust fund as of the close of fiscal year ending June 30, 1970; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account for fiscal year ending June 30, 1971, by the amount so excluded, and for other purposes; to the Committee on Ways and Means.

335. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the imposition of additional airway user charges, and for other purposes; to the Committee on Ways and Means.

336. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide additional revenues for the highway trust fund, to finance additional programs from the highway trust fund, and for other purposes; to the Committee on Ways and Means.

337. A letter from the Secretary of Trans-

portation, transmitting a draft of proposed legislation to provide for the imposition of waterway user charges, and for other purposes; to the Committee on Ways and Means.

338. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide an extension of the interest equalization tax; to the Committee on Ways and Means.

339. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend chapter 18 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

340. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation amending the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

341. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to eliminate the requirement for a finding of practical value and abolish the distinction between commercial licenses for facilities and certain research and development licenses for facilities and for other purposes; to the Joint Committee on Atomic Energy.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 4012. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 4013. A bill to amend the Internal Revenue Code of 1954 to tax cigarettes on the basis of their tar and nicotine content; to the Committee on Ways and Means.

H.R. 4014. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 4015. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged, and to amend such part and all the public assistance titles of such act to require that drugs provided under the programs involved must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 4016. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. FALLON (for himself, Mr. Blatnik, and Mr. Edmondson):

H.R. 4017. A bill to provide for the renewal and extension of certain sections of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. FALLON (for himself, Mr. Jones of Alabama, and Mr. Kee):

H.R. 4018. A bill to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. KARTH:

H.R. 4019. A bill to amend the Social Security Act to increase OASDI benefits and raise the earnings base, with subsequent adjustments as the cost of living rises, to increase widows' and widowers' benefits, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, to finance the medical insurance program entirely from general revenues, and to cover prescription drugs; and to provide for a study of child health care; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 4020. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 4021. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4022. A bill to amend section 212(b) of the Immigration and Nationality Act to exempt from the literacy requirement of section 212(a) (25) certain additional relatives of U.S. citizens and permanent resident aliens; to the Committee on the Judiciary.

H.R. 4023. A bill to authorize the Attorney General to adjust the status of certain aliens from Western Hemisphere countries who are physically present in the United States; to the Committee on the Judiciary.

H.R. 4024. A bill to amend section 27 of the Merchant Marine Act, 1920, in order to exempt from the provisions of such section the transportation of merchandise between points in the State of Alaska and points in the State of Hawaii; to the Committee on Merchant Marine and Fisheries.

H.R. 4025. A bill to authorize the construction of the Kokee project, Hawaii; to the Committee on Public Works.

H.R. 4026. A bill to make the provisions of section 232(b) of the Trade Expansion Act of 1962 inapplicable to propane gas; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 4027. A bill to establish the Government Programs Evaluation Comission; to the Committee on Government Operations.

H.R. 4028. A bill to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

By Mr. POLLOCK:

H.R. 4029. A bill to provide grants-in-aid to States for gold mining subsidies; to the Committee on Interior and Insular Affairs.

H.R. 4030. A bill to provide tax incentives to encourage gold mining; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 4031. A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SAYLOR:

H.R. 4032. A bill to amend title 38 of the United States Code to provide that the Veterans' Administration shall provide complete medical services for any veteran totally disabled from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 4033. A bill to amend title 38 of the United States Code so as to provide that public or private retirement, annuity, or endowment payments (including monthly social security insurance benefits) shall not be included in computing annual income for the purpose of determining eligibility for a pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

H.R. 4034. A bill to amend section 110 of title 38, United States Code, to provide for the preservation of total disability ratings under laws administered by the Veterans' Administration where such ratings have been in force for 18 years or more; to the Committee on Veterans' Affairs.

By Mr. SCHADEBERG:

H.R. 4035. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 4036. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 4037. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. SNYDER (by request):

H.R. 4038. A bill for the relief of Pendleton County, Ky.; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 4039. A bill to prohibit deceptive packaging or display of nondairy products resembling milk; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 4040. A bill to amend title 10, United States Code, to provide that the Chief of the Medical Service Corps and the Chief of the Biomedical Science Corps in the Air Force serve in the grade of brigadier general; to the Committee on Armed Services.

By Mr. ZION:

H.R. 4041. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4042. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 4043. A bill to amend the Social Security Act to provide that future increases in social security, railroad retirement, veterans', and other Federal benefits shall be disregarded in determining an individual's eligibility or need for aid or assistance under any of the Federal-State public assistance programs; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 4044. A bill to authorize the Secretary of the Navy to provide shoreside facilities for the education and convenience of visitors to the U.S.S. *Arizona* Memorial at Pearl Harbor; to the Committee on Armed Services.

H.R. 4045. A bill to amend the Internal Revenue Code of 1954 to provide that limited retail dealers may sell distilled spirits and to provide that their special tax shall be $4.50 a month for each calendar month in which they sell distilled spirits; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 4046. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. PERKINS (for himself, Mrs. Green of Oregon, Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Daniels of New Jersey, Mr. Brademas, Mr. O'Hara, Mr. Carey, Mr. Hawkins, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Hechler of West Virginia, and Mr. Slack):

H.R. 4047. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

By Mr. CARTER:

H.J. Res. 273. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS of Colorado:

H.J. Res. 274. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 275. Joint resolution authorizing the President to proclaim the period February 9 through February 15, 1969, as "Active 20–30 Week"; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 276. Joint resolution proposing an amendment to the Constitution of the United States relating to the right to vote of citizens who have attained the age of 19 years; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.J. Res. 277. Joint resolution requesting the Department of Defense to use butter in its rations; to the Committee on Armed Services.

By Mr. GROSS:

H. Res. 142. Resolution relative to consideration of House Resolution 133; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 143. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies, including personnel, pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

3. By the SPEAKER: Memorial of the Legislature of the territory of Guam, relative to the warm appreciation and deep gratitude of all the inhabitants of the territory for the enactment of the Guam Development Fund Act of 1968; to the Committee on Interior and Insular Affairs.

4. Also, a memorial to the Legislature of the territory of Guam, relative to the Ninth Guam Legislature, does hereby on behalf of the people of Guam express deep gratitude and sincere commendation to the President of the United States, to the Congress of the United States and to all those Federal officials responsible for the enactment of the amendment to the Guam Rehabilitation Act, increasing the funds authorized thereunder; to the Committee on Interior and Insular Affairs.

5. Also, a memorial of the Legislature of the territory of Guam, relative to the territory of Guam to welcome and support any movement of defense facilities from the Ryukyu Islands to Guam and the other islands of the Marianas; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California (by request):

H.R. 4048. A bill for the relief of Raymunda Ann Miguel; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 4049. A bill for the relief of Bienvendia Bautista, Ben Ezra Bautista, Ben Dann Bautista, Dulce Olivia Bautista, Ben Hur Bautista, Ben Bor Bautista, and Paisy Belle Bautista; to the Committee on the Judiciary.

H.R. 4050. A bill for the relief of Dionisio Bautista; to the Committee on the Judiciary.

H.R. 4051. A bill for the relief of Isidro C. Cautivar; to the Committee on the Judiciary.

H.R. 4052. A bill for the relief of Adejar Graciano; to the Committee on the Judiciary.

H.R. 4053. A bill for the relief of Rufinita Atil Jaurigue; to the Committee on the Judiciary.

H.R. 4054. A bill for the relief of Rosario Pallavicino; to the Committee on the Judiciary.

H.R. 4055. A bill for the relief of Maria Lucy Villalovos; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 4056. A bill for the relief of Quazi Ahmed; to the Committee on the Judiciary.

H.R. 4057. A bill for the relief of Charalambe Zafiris Sandras; to the Committee on the Judiciary.

H.R. 4058. A bill for the relief of Carmelo Taranto; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 4059. A bill for the relief of Marino Del Frate; to the Committee on the Judiciary.

H.R. 4060. A bill for the relief of Roberto A. Marcos; to the Committee on the Judiciary.

H.R. 4061. A bill for the relief of Lee Seung Woo; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 4062. A bill for the relief of Salvatore Fontana; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 4063. A bill for the relief of Alexander Tripodes; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 4064. A bill for the relief of Ana Mae Yap-Diangco; to the Committee on the Judiciary.

By Mr. EVANS of Colorado:

H.R. 4065. A bill for the relief of Candida E. Melchor; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 4066. A bill for the relief of Bruna Cestaro; to the Committee on the Judiciary.

H.R. 4067. A bill for the relief of Francesco Paolo La Franca; to the Committee on the Judiciary.

H.R. 4068. A bill for the relief of Maria Giovanna Lojero; to the Committee on the Judiciary.

H.R. 4069. A bill for the relief of Boris Spaleta; to the Committee on the Judiciary.

H.R. 4070. A bill for the relief of Carmello Stancanelli; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 4071. A bill authorizing the President of the United States to award Congressional Medals of Honor to Astronauts Frank Borman, James A. Lovell, Jr., and William A. Anders; to the Committee on Armed Services.

By Mr. FOLEY:

H.R. 4072. A bill for the relief of William J. Williams; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 4073. A bill for the relief of Ugo Ambra; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 4074. A bill for the relief of Mrs. Maria Isabelle Liebena Caldwell; to the Committee on the Judiciary.

H.R. 4075. A bill for the relief of Mr. and Mrs. Ben Elfline; to the Committee on the Judiciary.

H.R. 4076. A bill for the relief of Ah-Ram Kotikula; to the Committee on the Judiciary.

H.R. 4077. A bill for the relief of Mae Lama Mining Co., Ltd.; to the Committee on the Judiciary.

H.R. 4078. A bill for the relief of Mi Ja Rhee Park; to the Committee on the Judiciary.

H.R. 4079 A bill for the relief of Dr. Jesus Ortiz Ricote; to the Committee on the Judiciary.

H.R. 4080. A bill for the relief of Lila Everts Weber; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 4081. A bill for the relief of Marcelo Joao Meiro Baeta; to the Committee on the Judiciary.

H.R. 4082. A bill for the relief of Vitorino da Costa Cabral; to the Committee on the Judiciary.

H.R. 4083. A bill for the relief of Idalina do Rego Perry; to the Committee on the Judiciary.

H.R. 4084. A bill for the relief of Maria da Conceicao Teixeira; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 4085. A bill for the relief of John Lee Adams and the estates of his wife, Altheia J. Adams, and of his sons, David John Adams and Mark Edward Adams; to the Committee on the Judiciary.

H.R. 4036. A bill for the relief of Dr. Ardriano A. Agana and Consuelo R. Agana; to the Committee on the Judiciary.

H.R. 4087. A bill for the relief of Constanin Demetre Caralis; to the Committee on the Judiciary.

H.R. 4088. A bill for the relief of Ottavio Farness; to the Committee on the Judiciary.

H.R. 4089. A bill for the relief of Jozef Lugosi (also known as Jozef Lipt); to the Committee on the Judiciary.

H.R. 4090. A bill for the relief of Juraj Mikan; to the Committee on the Judiciary.

H.R. 4091. A bill for the relief of Magdaline Takacsova; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 4092. A bill for the relief of John Peccerillo; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 4093. A bill for the relief of Adelina Pacheco Feleja Arruda; to the Committee on the Judiciary.

H.R. 4094. A bill for the relief of Manuel daSilva Bettencourt; to the Committee on the Judiciary.

H.R. 4095. A bill for the relief of Raimundo da Silva Bettencourt; to the Committee on the Judiciary.

H.R. 4096. A bill for the relief of Antonio Malheiro Ferreira da Silva; to the Committee on the Judiciary.

H.R. 4097. A bill for the relief of Eustachio V. Favia; to the Committee on the Judiciary.

H.R. 4098. A bill for the relief of Domingos Casanova Fidalgo; to the Committee on the Judiciary.

H.R. 4099. A bill for the relief of Mamigon M. Garabedian; to the Committee on the Judiciary.

H.R. 4100. A bill for the relief of Giovanni, Malfada, Cinzia, and Lucio Paolini; to the Committee on the Judiciary.

H.R. 4101. A bill for the relief of Ana Pimentel Medeiros; to the Committee on the Judiciary.

H.R. 4102. A bill for the relief of Guiseppe Garofalo, Gino and Guiseppe Rullo; to the Committee on the Judiciary.

H.R. 4103. A bill for the relief of Gulabchand K. and Anila Shah; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 4104. A bill for the relief of Dr. Benjamin T. Barlizo, Jr.; to the Committee on the Judiciary.

H.R. 4105. A bill for the relief of Dr. Emil Bruno; to the Committee on the Judiciary.

H.R. 4106. A bill for the relief of Demetrio Carinci; to the Committee on the Judiciary.

H.R. 4107. A bill for the relief of Alice Georges; to the Committee on the Judiciary.

H.R. 4108. A bill for the relief of Aurora Sulpizi; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 4109. A bill to authorize the Secretary of the department under which the U.S. Coast Guard is operating to cause the vessel *Lloyd B. Gore* to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. POWELL:

H.R. 4110. A bill for the relief of Procerdino Alipio; to the Committee on the Judiciary.

H.R. 4111. A bill for the relief of Wellesley C. Burns; to the Committee on the Judiciary.

H.R. 4112. A bill for the relief of Dr. and Mrs. Manuel A. Cacdac; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 4113. A bill for the relief of Carmelo G. Garofalo; to the Committee on the Judiciary.

H.R. 4114. A bill for the relief of Ah-Chiu Pang; to the Committee on the Judiciary.

H.R. 4115. A bill for the relief of Agostino Vazzana and Maria Vazzana (nee Stracuzzi); to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 4116. A bill for the relief of Hilkka Irene Ruuska; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 4117. A bill for the relief of Giuseppa Ferraro; to the Committee on the Judiciary.

By Mr. WATTS:

H.R. 4118. A bill for the relief of Niam Farhat; to the Committee on the Judiciary.

SENATE—*Friday, January 17, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met in executive session at 10 a.m., on the expiration of the recess, and was called to order by Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, we thank Thee for the labors of the Chief Executive of this Nation, Lyndon Baines Johnson, who with high purpose, firm resolution, sensitive spirit, and indefatigable industry has been the servant of this people.

Grant unto him now and henceforth the fullness of Thy grace, serenity of soul, health of body, and abundance of sacred memories, and the grateful affection of all the people. In the days to come let him see the fruition of his labors for justice and peace, and may he go from strength to strength in his knowledge of Thee. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 17, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DANIEL K. INOUYE, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, January 16, 1969, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the proviso that I do not lose my right to the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the tributes to the President, which are about to be made, be considered being made as in legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTES TO LYNDON BAINES JOHNSON, PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, on last Tuesday, the Senate assembled with the House in joint session to hear a final state of the Union message from President Lyndon Baines Johnson. There were, I am sure, varied reactions among us to that meeting. Yet, I dare say that some feelings the other night were universal.

In that final confrontation between the President and the entire Congress, there was clearly the warmth of a personal farewell as well as the poignancy of a last official goodbye. There was an awareness, too, that the Nation's leadership would be diminished by the withdrawal of Mr. Johnson; for more than 5 years he has given a complete personal dedication, an immense energy, a sensitive heart, and a great political experience to the Presidency of the United States.

For some of us the association with Lyndon Baines Johnson is many times his 5 years as President. It is an association which is remembered as the political enthrallment of a young Congressman from Texas, and, then, as the intensity of a vigorous Senator from Texas. It is remembered as the exhortations of a Democratic whip and a majority, a minority, and, again, a majority leader of the U.S. Senate. It is remembered as the din of a Democratic Convention in Los Angeles and, with John Fitzgerald Kennedy, as a national political victory and a change of chairs in the Senate. It is remembered, too, as a day of shattering tragedy and a long night of grief, with a stricken nation pulled together again by the steadfast determination of the 36th President of the United States.

That is how a long association with Lyndon B. Johnson is remembered. And it is remembered, too, in the context of these 5 years of his Presidential incumbency. In the exercise of the lonely responsibilities which were his. Lyndon Baines Johnson has tried as hard as any man who has ever occupied the White House to bring his decisions into conformity with the welfare of the whole of the American people. He has sought with all his heart and with all his mind for the course best calculated to preserve this Nation and its high purpose.

We ask much of our Presidents. We make of them the focus of our national hopes and anxieties. When the hopes are fulfilled, we applaud and forget. When the anxieties persist, we criticize and remember. So it is with the Presidency of Lyndon B. Johnson.

History's judgments, however, will be made by history. When the story of these years of our times is written, the pieces will fall into place—all of the pieces. What is now fragmented will become whole.

I am persuaded that in that perspective, President Johnson will be seen to have linked the past with the present and kept open the essential communication between the present and the future. In so doing, he has preserved unbroken the links of the Nation's continuity. In so doing, he has kept alive the promise of equity and justice for all which is the heartbeat of the Constitution of the United States.

Whatever our differences or accords with the President, whatever our predilections respecting the great issues of these 5 years—and there have been great issues—I know that we are joined, today, in esteem for Lyndon B. Johnson, 36th President of the United States, and in gratitude for his unwavering devotion to the Nation. I know, too, that we are joined in wishing him every personal contentment and fulfillment in all the days to come, in his library, at his lectern, and with his beloved family.

Mr. President, I ask unanimous consent that the table of contents, and the contents, of a special set of statements bearing on the Johnson Presidency, given to the President at the nonpartisan farewell dinner in New York City on January 13, 1969, be printed at this point in the RECORD, in large print.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NEW YORK,
January 13, 1969.

The Presidency: James MacGregor Burns.

Foreign affairs: McGeorge Bundy.

National defense: Robert S. McNamara.

The economy: Walter Heller.

Civil rights: Ralph Ellison.

Poverty: Carl B. Stokes.

Education: John W. Gardner.

Health: Michael E. DeBakey.

Housing and urban development: Edgar F. Kaiser.

Farming and rural America: Herschel D. Newsom.

Older Americans: Wilbur J. Cohen.

Transportation: Ben W. Heineman.

Law and justice: Tom C. Clark.

Excellence in government: Kermit Gordon.

Federal-State partnership: Nelson A. Rockefeller.

Business-government partnership: Henry Ford II.

Labor-government partnership: George Meany.

Quality of the environment: Laurance S. Rockefeller.

Protecting the consumer: Leonor K. Sullivan.

Space: James Webb.

The arts and humanities: Roger L. Stevens.

THE PRESIDENCY

Last winter I stepped out onto the balcony of the White House in the company of the President of the United States. In the distance the figure of Thomas Jefferson gleamed like a jewel in his marble pantheon—and I thought of the greatness of the first Democratic President of the United States and of the littleness of some of those who attacked him. We were standing on "Truman's balcony"—and I remembered the absurd criticism by those who were dead set against any kind of change, whether of architecture or of policy.

History has a way of siphoning into oblivion the petty and the irrelevant and of measuring up the real stature of a man. History does not supply one final verdict but many assessments. Those assessments add up to as final a judgment as a man can receive on earth.

Some historians will remember Lyndon B. Johnson as the man who declared total war on poverty, deprivation, disease, and ignorance—and who threw himself, day and night, into the leadership of that battle with every ounce of energy he possessed.

Other historians will remember him as the man who—like Jackson and Wilson and Truman—suffered criticism because he stuck to the course that he believed was right; a man who endured attacks with the patience and tolerance of a Lincoln; and as a man who risked the consensus he cherished because he put duty and conscience over an easy popularity.

Still other historians will remember him as the man from the South and from the Senate who made a personal and political commitment to full opportunity for black Americans—a commitment that stamped him as truly the President of all the people and a symbol of hope for the whole Nation.

Students of government, like myself, will remember Lyndon Johnson for a further and special reason. He was the first President to recognize fully that our basic social ills are so rooted in encrusted attitudes and stubborn social structures that no single solution or dramatic crusade will solve them; the first President to see clearly that only a total attack across the widest front, with every possible weapon, would bring a breakthrough; and the first President to propose basic institutional changes to make a total attack possible.

No one defined the problem better than the President himself: "Our democracy cannot remain static, a prisoner to the past. Government itself has the continuing obligation—second to no other—to keep the machinery of public participation functioning smoothly and to improve it where necessary so that democracy remains a vital and vibrant institution."

JAMES MACGREGOR BURNS,
Williams College.

FOREIGN AFFAIRS

The United States-Soviet Consular Convention, 1964.

The United States-Soviet Civil Air Agreement, 1966.

The Glassboro summit talks, 1967.

Agreement with Soviet Union to begin discussions on limitation of all offensive and defensive weapon systems, 1967.

Agreement with Soviet Union and other major nations to treaty banning proliferation of nuclear weapons, 1968.

Treaty with Soviet Union and other major nations banning nuclear weapons in outer space and forbidding bases and fortifications on the moon, 1968.

The food-for-freedom program: to help fight starvation and undernourishment throughout the world.

The revised Agency for International Development program: to emphasize health, education, agriculture, and self-help.

Contributions toward a just peace in strife-torn areas: Cyprus, the Middle East, and parts of Africa.

Preservation and strengthening of the North Atlantic Treaty Organization, jointly with our European allies.

Reformation of international monetary system, jointly with our European allies.

Promotion of stability and progress for the Western Hemisphere through the Alliance for Progress.

Prevention of Communist expansion in Dominican Republic and throughout Latin America, jointly with our allies in the Organization of American States.

The Asian Development Bank, 1966: to join with other Asian nations in fostering regional development in Asia.

Fulfillment of our obligations to defend Southeast Asia against aggression.

The Paris Peace Conference, 1968.

Succeeded in containing Communist aggression throughout the world; not one democratic government replaced by Communist regime.

As his Nation's leader in the conduct of foreign affairs, President Lyndon B. Johnson has sustained the hope of progress for free men, and peace for all men. He has met tests of war and openings for peace with equal courage and dedication.

Coming to the Presidency at a time of shock and sorrow, he swiftly reestablished confidence in the authority of Washington.

In the face of division in Europe he has upheld our great Atlantic connection, unprovoked by the provoking, and sharing America's strength with all in their hours of need.

He has brought effective action against hunger abroad, not stinting in the hours of vital need, but using our help to multiply self-help.

Among the American States, he has made his country's best friends and his own among the progressive and democratic. He dealt with a moment of turmoil in Panama and a moment of anarchy in Santo Domingo; he then dealt constructively with the aspirations of Panamanians and Dominicans. Where American troops have been, and gone, there is more freedom than before.

Understanding the compelling need to reduce the danger of conflict with great adversaries, he has insisted upon a steady effort to strengthen understanding and respect between the United States and the Soviet Union.

Faced with dangerous errors of Soviet policy in the Middle East and in Czechoslovakia, he kept open the channels of communication and used them to prevent still more dangerous miscalculations. By negotiating the Nonproliferation Treaty and by clearing the way for limitations on the contest in strategic weapons, he has strengthened our hopes for safety in the nuclear age.

His hardest test came in Vietnam, and he met it. He determined that there must be no victory by armed force over an American commitment deepened through three administrations by each President, each Congress, and the opinion of the Nation. His determination has prevented the war from spreading beyond Vietnam. With equal courage and understanding he has now led the way toward peace.

His friends and admirers share his readiness to leave this record to the judgment of history.

MCGEORGE BUNDY,
President, the Ford Foundation.

NATIONAL DEFENSE

Maintenance of superiority in nuclear weaponry: to deter outbreak of nuclear war.

Development of balance between nuclear and conventional forces: to improve readiness to meet any threat of aggression.

Support of research programs: to insure lead in military technology.

Reorganization of Department of Defense: management procedures to control planning, programing and budgeting.

Vigorous cost-reduction programs.

Improved military pay.

Special recruiting—Project 100,000—and job finding—Project Transition—programs: help for the disadvantaged serviceman.

As Commander in Chief, President Johnson brought to his office the experience of more than 20 years' service on the House and Senate Armed Services

Committees. Thus prepared, he charted bold new Defense programs to meet new requirements. He recognized that the safety of the United States demanded a truly secure second-strike strategic force, and he made certain this vital element of national survival was achieved and maintained. Simultaneously, he directed the imaginative task of forging powerful, combat-ready, mobile and well-balanced conventional forces to restore to our Nation the widest possible choice of responses to aggression, short of nuclear war.

While he worked so tirelessly to safeguard our Nation from any attack, he has, with great vision and indomitable spirit, worked as tirelessly to make clear that the ultimate goal of our military strength is the attainment of a new order of world peace. In this crucial area of national defense, he has given the world a priceless and challenging opportunity—the fateful option to reach toward new horizons of human understanding.

History will acclaim his accomplishments under great duress and under personal sacrifice in striving to reverse a seemingly inevitable dash toward nuclear holocaust. Few men have had a keener insight into the essence of security in the nuclear age; yet none has known better the futility of a nuclear arms race. He initiated the action which all the world hopes will lead to agreement between the United States and the Soviet Union, first to limit and then to reduce the levels of both defensive and offensive strategic nuclear forces.

The fact that we have a force today which can withstand any attack and destroy any aggressor, and that, yet, with this calculated strength, President Johnson has provided the opportunity and the hope for peace in the world, is the greatest tribute to his military leadership.

ROBERT S. MCNAMARA,
President, International Bank for Reconstruction and Development.

THE ECONOMY

Unprecedented 8-year period of steady economic expansion.

Unemployment rate 4 percent or below for 3 consecutive years.

A gain of 8 million civilian jobs.

A gain in output of $180 billion.

An increase of more than 20 percent in the real income of the average American family—the equivalent of over $2,000 a year for a family of four.

Growth in corporate profits of nearly 50 percent.

Gain in annual Federal tax revenues of $65 billion, at lowered tax rates.

Realization of the Employment Act's goal of "maximum employment, production and purchasing power."

Demonstration that all sectors of the economy can share the dividends of economic growth.

Lyndon Baines Johnson has presided over an economic expansion that knows no parallel in history for duration, for strength, and most important, for advances in human well-being.

He may rightly take pride in the material gains achieved during his Presidency: the 28-percent gain in the Nation's real output; the creation of 8 million added jobs; the more than 50 percent in corporate profits after taxes.

But the Nation knows he takes far deeper satisfaction in the resulting improvements in the human condition: the great advance in living standards, as per capita consumption—in constant prices—rose 450, or 22 percent; the fourfold expansion of Federal programs in health, education, and welfare, side by side with a large cut in Federal income taxes; the more than 12 million Americans rescued from poverty by strong growth and the new programs to give the poor a chance in life.

Indeed, history will record that in the Johnson administration positive policies for economic expansion finally prevailed over the economics of boom and bust, slack and slowdown, and the economy was boosted into a substantial full-employment orbit, freeing the American people at long last from the fear of recurring slumps in income, output, and jobs.

The world will remember that such economic advances came not by accident but by design, not by standing idly by but by bold and active pursuit of policies that bore out the prophecy that in Lyndon Baines Johnson's Presidency, the American economy would have no recession—it would not dare.

In driving through the tax cuts that completed the job of arousing the American economy from the economic doldrums;

In leading the world toward a long-needed expansion of international reserves;

In prodding a reluctant Congress to put on the fiscal brakes after Vietnam overheated the economy;

In laying plans for a smooth economic transition after war ends in Vietnam;

In all these ways, Lyndon Johnson put the power of the Presidency on the line for economic growth and prosperity—with his vision always extending beyond the immediate economic gains to the ultimate social gains that spell a better—and greater—society.

WALTER HELLER,
University of Michigan.

CIVIL RIGHTS

The Civil Rights Act of 1964.

The Voting Rights Act of 1965.

The Jury Selection Act of 1968.

The Fair Housing Law of 1968.

The Equal Employment Opportunity Commission.

Vigorous enforcement of the laws by all Federal departments, to attack segregation in education and housing, to eliminate discrimination in job opportunity, to guarantee the right to vote, and to insure the right to fair trial.

Each American President enters office under the shadow of an accusation directed toward him by history. "The United States," this accusation holds, "has defaulted endlessly on its promise to create a free and just society and you, as the inheritor of its leadership, shall likewise default." And with this accusation goes the insidious political question, "What do you not intend to do about civil rights?"

For a Texan risen to the Nation's highest office, the importance of this question has been inescapable, and it has been our national good fortune that President Johnson has questioned his goals and options before the difficult problem of civil rights more strenuously than any President since Abraham Lincoln. Perhaps his southern background has helped the President in realizing that the freedom of countless Americans has been swamped by the indifference and antagonism of their fellow citizens, and that the negative effects of racism upon the social and moral health of this Nation has been profoundly destructive. Yet knowing this, he has acted forthrightly to correct the injustices and inequalities wrought by the past, and often at great cost to his own political fortunes.

So as we pay him our respect let us also recognize something of what is involved: That it is always possible for a President to die in carrying out his responsibilities but that the Presidency also carries with it the possibility of an even greater sacrifice—one which is seen most dramatically in the relationship between the problem of civil rights and Presidential power. For here a President is called upon to act in the best interest of the Nation, even while facing up to the eventuality that his action might well invite the destruction, not of his life, but of his powers to govern.

This is a tragic knowledge before which only the truly heroic individual persists in acting, and few Presidents have risked such destruction. Thus President Johnson's great achievements and his fate remind us of a national truth which we are apt to forget as we try to consolidate his advances: That for the politician of highest ideals, the Presidency of the United States becomes a testing ground for heroes. So now let us pay our highest tribute to Lyndon Baines Johnson, a master of the art of politics who has proved himself to be a rare, heroic type of man and who, in vindicating the Presidency against history's old rancorous accusation, has not only extended the basis of American freedom but has resuscitated the Nation's honor.

RALPH ELLISON.

POVERTY

Twelve million Americans rescued from the ranks of the poor.

Forty new laws to give the poor a better chance to find decent jobs, homes, health care, and education for themselves and their children.

The Economic Opportunity Act of 1964.

The Civil Rights Act of 1964: ban on discrimination in employement.

The Headstart and Headstart Follow Through, Upward Bound, and VISTA programs, the Job Corps and Neighborhood Youth Corps, neighborhood health centers, and legal services programs.

The Elementary and Secondary Education Act of 1965.

The Manpower Development and Training Amendments of 1965.

The JOBS program of the National Alliance of Businessmen.

The Social Security Act of 1967.

Presidential Commission to undertake long-range study of welfare systems, 1967.

Proposed overhaul of welfare laws in the 50 States.

The Civil Rights Act of 1968: bill of rights for the American Indian.

The Fair Housing Act of 1968.

The model cities program.

The National Housing Act of 1968.

The Presidency of Lyndon Baines Johnson will be remembered as that moment when the most powerful office in the land declared and waged all-out war on poverty.

For the first time in American history the President of the United States developed a massive coordinated drive on deprivation; mustered the support for unprecedented national legislation; and then carried out the largest commitment ever made to improve the lives of all Americans.

President Johnson was driven by the realization that despite America's unmatched material resources our Nation has not fulfilled its whole promise. His dedication has been to heal the needy and to join with them to build a great society.

Poverty is a pervasive enemy that cannot be fought on any simple, single battlefield or won in a generation. There are too many factors: lack of jobs, poor schools, bad housing, discrimination. And each aspect of the problem supports the others.

Victories against such an enemy are hard to come by and even harder to measure. Yet despite all this President Johnson lost no time in coming to grips with his foe.

Through new and innovative education, employment, and self-help programs, approximately 12 million people have moved out of the poverty category to become self-sufficient Americans.

Lyndon Baines Johnson is my President and my inspiration.

I recall John Kennedy once saying of him, "He really cares about this Nation as I want a President to care."

I believe historians will record that here was a man who did more than care. Here is a man who accomplished more for the destitute than any other single man of our time.

CARL B. STOKES,
Mayor of Cleveland.

EDUCATION

Sixty new laws to support education from preschool projects to adult education; a tripling of the Nation's investment in education.

The Elementary and Secondary Education Act of 1965; aid for quality education, including textbooks for public and private schools.

The Headstart, Headstart Follow Through, and Upward Bound programs.

The Teacher Corps: Act of 1965 to train teachers.

The Higher Education Act of 1965: loans, scholarships, and construction funds.

The Vocational Rehabilitation Acts of 1965 and 1968.

The Education Professions Development Act of 1967.

The Public Broadcasting Act of 1967.

The Adult Education Act of 1968.

The Educational Opportunity Act of 1968: to help poor go to college.

Very soon after he became President, Lyndon Johnson made it clear that he intended to place education at the top of the Nation's agenda. The declaration had significant consequences. It inspired the members of his administration to set their sights high in this field. It mobilized school and college leaders all over the Nation to redouble their efforts in support of Federal action on the educational front. And it led eventually to an unprecedented flood of educational legislation.

In this field, as in so many others, the deeper consequences will be slow to emerge. Each of the 60-odd education laws enacted in the Johnson administration was the planting of a seed; it will be years before the full fruits are visible.

But the beginnings have been made; the fruits will come. Lyndon Johnson's achievements in education may well be remembered as his most important and most enduring work.

In 1967 he expressed this thought in the closing lines of his message to Congress on education: "Which of our pursuits is most worthy of our devotion? If we were to choose, I believe we would place one item at the top of the list: fulfillment of the individual."

The education laws that bear his name stand as eloquent testimony to that conviction.

JOHN W. GARDNER,
Chairman, the Urban Coalition.

HEALTH

Forty new health bills; a tripling of the Federal health budget.

Medicare: insurance for 20 million senior citizens.

Medicaid: medical care for the needy.

The Health Professions Educational Assistance Acts of 1963–5: aid in the education and training of doctors.

The Hospital and Medical Facilities Amendments of 1964.

The Nurses Training Act of 1964: loans for schooling.

The Heart-Cancer-Stroke Amendments of 1965.

The Clean Air and Air Quality Acts of 1965–7.

The Solid Waste Disposal Act of 1965.

The Social Security Amendments of 1965: extensive enlargement of health services for children.

The Partnership for Health Act of 1966.

The Child Health Act of 1967.

The Mental Health and Mental Retardation Programs; the amendment of 1967: centers provided for treatment and training.

The Health Manpower Act of 1968.

Improvement and Protection Act of 1968 for prenatal and postnatal care.

The mass immunization programs.

Modernization of the Public Health Service.

"Good health is the birthright of every American. Let us leave none behind." This entreaty by President Lyndon Baines Johnson embodies the health ideals that have emerged naturally from his deep compassion and concern for humanity. Through his incisive perception, inspiring leadership, and political wisdom, he has converted many of these ideals to reality, despite numerous other formidable domestic and foreign issues which confronted him. His administration has witnessed unprecedented health legislation, with enactment of more than 40 measures, dealing with almost every aspect of medical care, education, and research.

Special beneficiaries of President Johnson's efforts in health have been the elderly and the indigent, who have found previously unknown security and protection in medicare and medicaid, the mentally afflicted, the physically handicapped, the young, and the previously neglected segments of American society. It is in their happier and healthier lives—rather than in any cold statistics—that the true significance of his accomplishments lies.

President Johnson's administration witnessed establishment of the regional medical programs, a National Center for Urban and Industrial Health, and a Center for Population Studies and Human Reproduction; the doubling of expenditures for control of communicable diseases; and the first nationwide attack on air and water pollution.

We must await the passage of time for history to record the full significance and impact of President Johnson's achievements, but today we pay homage to him for his recognition of the importance of health to the integrity of the Nation and for his brilliant career of public service, devoted to the welfare of mankind.

MICHAEL E. DE BAKEY,
Baylor College of Medicine.

HOUSING AND URBAN DEVELOPMENT

The Department of Housing and Urban Development.

The model cities program.

The rent supplements program.

The "turnkey" approach to public housing.

The Omnibus Housing Act of 1968: 26 million homes in 10 years.

The homeownership program for poor families.

The private National Mortgage Association.

The National Housing Corporation.

Start of building of entire new communities on Federal surplus lands.

Aristotle conceived the city as a political unit in which all citizens could meet in a single assembly. For this reason, he believed the ideal city should not contain more than 10,000 residents. Today we have cities up to 1,000 times Aristotle's ideal size. And these giant cities have the problems Aristotle foresaw—and many more.

For some time, the need to rebuild our cities and to improve the quality of urban life has been all too clear. National leadership was necessary to begin this enormous task. That leadership has been provided by Lyndon Baines Johnson.

By conceiving new institutions and new programs, and revitalizing the old, he has provided the funds to help our cities rebuild their inner cores and the Cabinet posts which give them a voice in the councils of National Government, while allowing the poor to share directly the responsibility for reshaping their own destiny.

Lyndon Baines Johnson has established a national 10-year goal to build or rehabilitate 26 million homes and wipe out substandard housing in America. He has initiated and fought for a series of housing programs—rent supplements, homeownership, turnkey, moderate income rental—to encourage the private sector to provide decent housing to those who could not otherwise afford it. He has launched the first meaningful research program to reduce housing costs and the first program to foster the creation of entire new towns.

We therefore salute President Lyndon Baines Johnson—the Nation's first "urban President." Under his leadership we have begun to rebuild our cities on Aristotle's model—as living monuments of what men can achieve when together they build.

EDGAR F. KAISER,
Chairman of the Board, Kaiser Industries Corp.

FARMING AND RURAL AMERICA

Net income per farm increase of nearly 50 percent over 1960.

Price-depressing farm surpluses totally eliminated.

Loans for development of rural America—housing, recreation, irrigation—tripled.

The Wheat-Cotton Act of 1964.

The Food Stamp Act of 1964.

The Agriculture Act of 1965.

The Child Nutrition Act of 1966: expanded school lunch program, using surplus milk and butter.

Record $7 billion of farm exports, 1967.

The food-for-freedom program.

The agriculture export expansion program.

Proposed food reserve bank to protect the consumer against food scarcity, and the farmer against falling prices, 1968.

President Johnson came to the White House with an enlightened and determined interest to bring the farmer and the rural American into a just and sound relationship with their fellow citizens.

Born in the rural hill country of Texas, Lyndon Johnson knew firsthand the farmer's hardships. He has been a lifelong friend of the farmer, a relationship that matured in his almost four decades of public service as a Member of the House of Representatives, as Senator, as Vice President, and finally, as our President. More than any other President before him, Lyndon Johnson has brought a sympathetic understanding and a driving determination to meet the problems of agriculture: America's first and most basic industry.

Through the years, he had witnessed the accumulation of mountainous surpluses—over a billion bushels of wheat and 85 million tons of feed grains—and the taxpayers' burden to support the more than $6 billion in surplus farm commodities. He was determined to see these surpluses reduced. And through consistent action he has achieved success.

Part of that success flowed from the Wheat-Cotton and the Food Stamp Acts of 1964, the 4-year Agricultural Act of 1965, and the Child Nutrition Act of 1966. These are landmark legislative milestones. They benefited not only the farmer but all Americans.

President Johnson's great leadership in developing programs has raised farm income for 1968 to a level of 20 percent above that of 1963; and more than 25 percent above that of 1960. Net dollar income per farm increased to over $5,000 for 1968—nearly 50 percent over 1960.

Through these and other legislative triumphs, President Johnson worked unceasingly to improve the quality of life on American farms and in the rural towns that are the heartland of our Nation.

But the President recognized and acted upon this fundamental truth: that American agriculture could no more be isolated from the rest of the world than the United States itself. Through humane programs, such as food-for-freedom, the President has brought a new era of hope, in his words, "hope and progress for that one-third of mankind still beset by hunger, poverty, and disease."

The Johnson administration now becomes a chapter yet to be fully appraised in the annals of American history. Any appraisal, however, must surely reflect the proud legacy to the people of the Nation in the impetus and the energy President Johnson has brought to the challenge of the American agricultural revolution. President Johnson has been a doer and a mover. He has helped the men who toil to produce the food and fiber for us all to share more fully in the prosperity that has benefited us all.

HERSCHEL D. NEWSOM,
Past Master of the National Grange.

OLDER AMERICANS

One million older Americans rescued from the ranks of the poor.

Medicare.

The Social Security Acts of 1965, 1966 and 1967.

The Older Americans Act of 1965.

The Foster Grandparents program.

Operation Green Thumb: volunteer beautification.

Project FIND: counsel and aid by senior citizens to the elderly poor.

Seven hundred community service projects: employment, recreation, nutrition, and health services for the elderly.

As President of the United States for 5 years, Lyndon B. Johnson has been responsible for the enactment of more far-reaching progressive social legislation than any other President in American history.

The depth, the range, and the importance of these remarkable legislative achievements have touched all the people of our great country, of whatever age or sector or station in life.

But to one who, like myself, has labored for so many years in the effort to bring meaningful help to our older citizens, no tribute to President Johnson would be complete without a special word for his great breakthrough on their behalf.

In five brief and tempestuous years, when other demands were crowding in, Lyndon Johnson never forgot the older citizens who needed and deserved his help. At the end of those 5 years, he could look back on medicare, the Social Security Acts of 1965, 1966, and 1967, the Older Americans Act, and community service projects throughout the Nation, and count more achievements on behalf of older Americans than ever before in our history. And in the Foster Grandparents program, volunteer beautification assistance, aid of the elderly to the elderly, and in many other ways, he gave meaning and purpose, and pride and dignity, to countless of the elders among us.

Another less impatient President, had he been able to celebrate such an achievement as medicare, might have felt it possible to rest on that alone; it was a mighty work. But President Johnson made medicare only the centerpiece of his efforts. Now, not only 20 million older citizens, but their children and grandchildren, are the beneficiaries of his concern.

"We should look upon the growing numbers of older citizens not as a problem or a burden for our democracy," the President said in 1967, "but as an opportunity to enrich their lives, and, through them, the lives of all of us."

It is Lyndon Johnson's achievement that he saw that opportunity, seized it, and truly did enrich the lives of all of us.

WILBUR J. COHEN,
The Secretary of Health, Education, and Welfare.

TRANSPORTATION

The Department of Transportation.

The Urban Mass Transit Acts of 1964 and 1966; the Urban Mass Transit Administration to work with cities to develop new solutions to urban transportation problems.

The Traffic and Highway Safety Acts of 1966.

The high-speed ground transportation program.

The aircraft noise control law of 1968.

Extension of Interstate Highway System: new programs to finance parking and other related needs of highway users.

Beautification in highway development.

The highway relocation assistance program.

Initiated major research programs to develop advanced modes of air transportation, and new concepts in all transportation systems, from ships to safe cars.

From the beginning of his administration, President Lyndon Baines Johnson has recognized the urgency of finding answers to the pressing problems of transportation.

Always conscious of the interrelationships of all forms of transportation, he has been primarily concerned with a national transportation policy. Thus, he has consistently taken steps to strengthen the entire transportation system rather than any one of its components. The establishment of the Department of Transportation and the initiation of major research programs are among the visible manifestations of this interest.

President Johnson's deep involvement in the problems of our congested cities has resulted in creative efforts to relieve this congestion by strengthening and encouraging mass transit and high-speed transportation through our urban corridors. At the same time, his sympathy and understanding of human needs resulted in increased assistance for those forced to relocate and in broad efforts to enhance human safety.

Through programs for beautification and abatement of transportation noises, among others, President Johnson has given imaginative expression to his ever-present concern for the preservation of the environment in which we all must live.

And while utilizing his vast powers to resolve the problems of today, he has not failed to take steps to protect the transportation of tomorrow.

It may truly be said, therefore, that President Lyndon Baines Johnson, through his strength, courage, and vision, has laid the foundations for the national transportation system of the future.

Ben W. Heineman,
President, Northwest Industries, Inc.

LAW AND JUSTICE

The Federal Judicial Center.

The Law Enforcement Assistance Act of 1965.

The Juvenile Delinquency Control Acts of 1965 and 1968.

The Bail Reform Act of 1966.

The Gun Control Law of 1968.

The Safe Streets Act and Crime Control Act of 1968: grants to improve State and city law enforcement.

The Dangerous Drugs Act of 1968.

Special task forces on organized crime.

A new Bureau of Drug Control in the Justice Department.

The National Advisory Commission on Law Enforcement and Administration of Justice.

Protection of right of privacy by banning of wiretapping, except in cases involving national security.

Our first President described the administration of Justice as "the firmest pillar of government." Our 36th President has worked as none before to strengthen this indispensable support.

In 5 years under Lyndon Johnson, the Federal Government has done more in securing to citizens the equal enjoyment of rights than any President since Abraham Lincoln.

Racial barriers in education, employment and public accommodations have fallen through his 1964 Civil Rights Act, the 20th-century Magna Carta of human liberty; the Voting Rights Act of 1965 is the strongest vindication of voting rights since the 19th amendment; and the right to secure a home regardless of race was finally established in 1968.

These historic triumphs for man's equality before the law stand as monuments to Lyndon Johnson's leadership and his commitment to human dignity and the welfare of mankind.

In law enforcement, Lyndon Johnson has been imaginative and effective. His Bail Reform Act modernized bail practices; the Juvenile Delinquency Control Act curbed recalcitrant youths; the Federal Judicial Center Act brought modernization to Federal justice; the Presidential Crime Commission sparked special aids to State constabularies; the Dangerous Drug Act and the Bureau of Narcotics and Dangerous Drugs streamlined narcotics prosecution; and his war on organized crime resulted in more convictions than in the entire preceding decade. Still, Lyndon Johnson preserved individual rights as well as State functions under our Constitution. At the heart of his strategy was the Safe Streets and Crime Control Act, one of 30 major crime control acts, ranging from the Prisoner Rehabilitation Act of 1965 to the gun control law of 1968.

Through these milestones of progress, Lyndon Johnson has brought America within sight of its cherished goal, "equal justice under law."

Tom C. Clark,
Associate Justice of the Supreme Court of the United States, 1949–67.

EXCELLENCE IN GOVERNMENT

Executive orders of 1965 and 1967: to widen the opportunities in Government for women and minority groups.

Overhaul of recruitment machinery: to attract more young people into public service.

Modern government for the Nation's Capital: reorganization plan of 1967.

The Education for the Public Service Act of 1968.

Five successive pay increases for Federal employees.

New Government-wide programing-planning-budgeting system, and cost reduction program.

Proposed reform of electoral college.

Proposed 4-year term for Members of the House of Representatives.

Proposed legislation to close loopholes in lobbying laws and provide greater disclosure of campaign contributions.

Good laws alone do not assure good government. Only when good laws are administered with integrity, efficiency, frugality, and sensitivity, does government redeem its trust.

Heeding the constitutional injunction that "he shall take care that the laws be faithfully executed," President Johnson worked steadfastly to improve the performance of Government. In the first weeks of his administration, he called on all Government employees to observe three paramount principles of public service:

"First, complete fairness in the administration of governmental powers and services;

"Second, scrupulous avoidance of conflicts of interest; and

"Third, a passion for efficiency and economy in every aspect of Government operation."

From his very first days, President Johnson directed, prodded, and beseeched in the interest of better governmental performance; he sought to curtail obsolete and wasteful government programs in order to free the funds for more productive use; he pushed for the wider use by government of the powerful tools of modern management; he instituted and supervised closely a government-wide cost reduction campaign; and he made giant strides toward the modernization of the organizational structure of the executive branch, including the establishment of two new Cabinet departments.

He worked unceasingly for a personnel system which would bring the best people to Government, train them to their highest potential, and reward them fairly—through a more efficient system of recruiting new Government employees, through a series of pay increases which greatly narrowed the pay gap between the civil servant and his private sector counterpart, through the introduction of new machinery to bring salaries of Government executives into line with their heavy responsibilities, and through a number of imaginative programs to improve training opportunities for civil servants and to allow the ablest among them to rise to high policymaking positions.

President Johnson's steadfast pursuit of excellence in Government won him few headlines, but his achievements will be a proud chapter in the evolution of the Federal Government toward greater efficiency and responsiveness.

Kermit Gordon,
President, the Brookings Institution.

FEDERAL-STATE PARTNERSHIP

New Federal-State liaison established in the Executive office.

Periodic White House conferences with the Governors.

The Intergovernmental Cooperation Act of 1968.

Grant-in-aid simplification program: to aid and expedite Federal grants to the States.

The Education for the Public Service Act of 1968.

Prefinancing to expedite local projects.

One-stop Federal centers: to bring to the States and to the public better information on Federal programs.

Lyndon Johnson's sensitive awareness of the complex relationships that make American government work has been a major force for strengthening our federal system.

I am sure I speak for my fellow Governors in saying of the Johnson years that never has Washington treated us so well.

Never has the White House made more effort to inform and consult the Governors—with frank and frequent briefings on the great foreign and domestic problems—and with solicitation of our views on solutions.

As Governors, we have been highly conscious of a cooperative approach by the President himself, by former Gov.

Farris Bryant and Price Daniel in their Presidential liaison roles, and by many others in the Johnson administration.

The President's message on "Quality of Government" in 1967 recognized the need for restructuring and strengthening Federal-State relations.

The Advisory Commission on Intergovernmental Relations, under President Johnson's leadership, has produced landmark recommendations for meeting this need.

This has not only contributed to current cooperation among various levels of government, but has also held our great hope for major future progress in this respect.

Lyndon Johnson's contributions to a more effective federal system are important and enduring.

These include the Partnership for Health Act of 1966, and the Executive order of November 11, 1966, which assured Governors and local chief executives a voice in drafting regulations for Federal programs affecting State and local governments.

Other important Johnson administration contributions included efforts to improve the collection and dissemination of data on Federal assistance programs.

And in 1967 alone, Farris Bryant and members of the Johnson administration visited 40 State capitols, to promote a full and frank exchange on problems in Federal-State relations.

History will record that Lyndon Johnson was a President who understood these relations to a rare degree—and did much to improve them.

NELSON A. ROCKEFELLER,
Governor of New York.

BUSINESS-GOVERNMENT PARTNERSHIP

Creative new partnership with private industry in meeting problems of economic policy, balance of payments, regional economic development, and trade expansion.

The JOBS program of the National Alliance of Businessmen.

The "turnkey" approach to public housing.

The billion-dollar insurance fund for business development and expansion in the center city.

The Kennedy round tariff negotiations.

The Job Corps.

The national housing partnership.

Support of international trade centers and trade fair for more than ten thousand American firms.

The Small Business Administration program of 1966: expanded help for the small businessman.

The Small Business Administration program of 1968: encouragement for members of minority groups to own their own businesses.

As President Johnson prepares to lay down the awesome burden of his great office, he leaves behind a record of magnificent achievement in meeting human needs and aspirations. None have had better reason to understand and to applaud his leadership than the members of the business community.

The forging of a new relationship between American Government and American business will be counted among the most important of his many enduring achievements as President. History will note that his 5 years in the White House have been years of both uninterrupted business expansion and unprecedented business commitment to the building of a better society.

Two developments are especially symbolic of his role in the emergence of this new partnership. In the opening days of his tenure as President, his vigorous advocacy of corporate and personal income tax reduction demonstrated his deep belief in the free enterprise system, his understanding of the incentives that make it grow and his recognition of the benefits that business growth brings to all citizens.

His manpower message to the Congress in 1968 issued a clear challenge to the American business community to work hand in hand with all levels of government to solve the urgent problem of hard-core unemployment. Business responded by joining in support of the JOBS program and of the National Alliance of Businessmen. His initial target of one hundred thousand job placements will have been met—far ahead of schedule—by the time he leaves office.

Under his leadership, business and Government have shown that, by working together, they can succeed in helping the least fortunate members of our society become productive and self-reliant citizens. This is a major step toward the goal of a healthy and peaceful society based firmly on justice and equality. It is an achievement in which he may justly take great pride and satisfaction, because it is a living testament to his concern for the welfare of all Americans now and in the years ahead.

HENRY FORD II,
Chairman of the Board, the Ford Motor Co.

LABOR-GOVERNMENT PARTNERSHIP

Partnership with American labor to build the legislative framework for a more prosperous, more just America.

Over 8 million new jobs created and unemployment reduced to lowest level in 15 years.

The Vocational Rehabilitation Acts of 1965 and 1968.

The Social Security Act of 1965, 1966, and 1967.

The Minimum Wage Act of 1966.

The Age Discrimination in Employment Act of 1967.

The manpower development and training programs.

The JOBS program of the National Alliance of Businessmen.

Proposed increased benefits under unemployment insurance system, 1967.

The Educational Opportunity Act of 1968.

Proposed legislation to make mines and factories safe and healthy, 1968.

Lyndon Baines Johnson, first citizen of the Nation; teacher, legislator, statesman, leader; advocator of freedom for all humanity; contender with catastrophe and warrior for peace; friend of all workers everywhere; a man who devoted his life without stint to public service, attaining the highest office, yet holding common bond with those he served.

He answered destiny's call to the Presidency, leading this Nation from deepest tragedy to highest accomplishment—guiding a shattered people from the shadows of sorrow to the brightness of a new era.

He labored ceaselessly to promote progress for all his countrymen and freedom for his fellow citizens of the world.

For the poor, he fought unceasingly to bring more jobs, better wages, a better life. He made education a Federal responsibility and brought its bright promise nearer for all children as their birthright in a democracy. He brought medicare to life, thus protecting America's older citizens from threat of catastrophic illness in their final years. He launched the greatest legislative war against poverty ever undertaken. He brought a measure of dignity to lives of the working poor through stronger, expanded minimum wages.

His legislative program and labor's legislative program were all but identical and, working in close harmony with him, goals became realities and dreams were achieved. The fond gratitude of millions of workers, who now know a better life, testify to a record of domestic accomplishments unsurpassed in all of history.

His selfless courage and firm statesmanship in the defense of freedom, is certain to be inscribed on history's most glorious pages.

His deeds are indeed his praise.

On behalf of the American Federation of Labor and Congress of Industrial Organizations, it is my honor to convey the affection, deepest appreciation, and the highest regard of America's working men and women to a great American, Lyndon Baines Johnson.

GEORGE MEANY,
President, American Federation of Labor and Congress of Industrial Organization.

QUALITY OF THE ENVIRONMENT

The Water Quality Act of 1965.

The Clean Air and Air Quality Acts of 1965 and 1967.

The Solid Waste Disposal Act of 1965.

The Highway Beautification Act of 1965.

The Clean Water Restoration Act of 1966.

The National Water Commission.

The Scenic Rivers and Trails Acts of 1968.

The International Decade of Ocean Exploration: a program for the 1970's.

The central Arizona project.

Vest pocket parks for congested areas.

Over 2 million acres added to the national park system.

There yet may be doubt about the general history of the 1960's, but in the fields of conservation, outdoor recreation and concern for the environment, the verdict is already quite clear.

The facts and figures are impressive. Over 100 major conservation laws have been enacted by the Congress. The Wilderness Act, the land and water conservation fund, water and air pollution control acts, scenic rivers and a trails system have been translated from long-sought goals to reality. The Redwoods National Park, Fire Island National Seashore, Assateague Island, the Guadalupe Mountains, and the North Cascades have become a part of our national treasure of parks.

But in some ways even more important than the legislative record is a great Johnson legacy for the land. By example and dedication, President Johnson and his inspired, most able partner, Lady Bird Johnson, have instilled a new spirit and faith that we can build a better and more beautiful America.

During their stewardship, concern for the quality of the environment has become a major goal of the American people. Through their leadership, our aspirations as a people have been raised to reach for new, nonmaterial objectives. They have shown us that healthy land, water, and air cannot only add to the health and welfare of man, but the dignity of the human spirit as well.

There is still much to be done, but I believe that it will be recorded that it was in this time of Lyndon and Lady Bird Johnson that the American people made the decision that the quality of their environment is a major component of their dignity as a people—a decision that will bring a new sense of purpose, progress in productivity and greater joy of life for future generations of Americans.

LAURANCE S. ROCKEFELLER,
Chairman, the Citizens' Advisory Committee on Recreation and Natural Beauty.

PROTECTING THE CONSUMER

The Truth in Securities Act of 1965.

The Traffic and Highway Safety Act of 1966.

The Fair Packaging and Labeling Act of 1966.

The Child Protection Act of 1966.

The Flammable Fabrics Amendment of 1967.

The Product Safety Commission Act of 1967.

The Fire and Safety Research Act of 1967.

The Truth-in-Lending Act of 1968.

The Meat and Poultry Inspection Act of 1968.

The Gas Pipeline Safety Act of 1968.

The Hazardous Radiation Act of 1968.

Establishment of consumer representation in White House and Justice Department.

From the standpoint of the well-being of the American people as consumers, the past 5 years have been the most dramatic and productive in our entire history. And the credit for this remarkable change in the consumer's long-neglected status belongs entirely to President Lyndon B. Johnson. The results will stand always as a tribute to his deep concern for people, and his determination to assure a better, safer, healthier, happier life for all Americans.

From his first days in the White House, President Johnson initiated a drive for far-reaching and long-needed consumer laws which was as effective as it was unrelenting. Furthermore, through establishment of the White House office of special assistant to the President for consumer affairs, he brought the voice of the consumer into the highest counsels of government. To this office, he named first Esther Peterson and then Betty Furness, dynamic women of outstanding ability, who succeeded in creating throughout the Federal Government, and in the States as well, a new sense of public agency awareness of government's obligations to consumers.

As one who has made consumer causes my main concern in the Congress, I am convinced that without President Johnson's wholehearted leadership in this field, the impressive catalog of landmark consumer laws of the past 5 years could never have been achieved. These are laws in which all Americans can take pride.

LEONOR K. SULLIVAN,
Chairman, Subcommittee on Consumer Affairs, House Committee on Banking and Currency.

SPACE

Support of space program which orbited astronauts around the earth for more than 2,000 hours in Gemini and Apollo, culminating in manned lunar orbit flight.

Construction of vast space complex of facilities and laboratories.

Treaties and agreements with 80 other nations: cooperative ventures in space.

Programs to photograph the surface of the moon and to sample its soil—Surveyor; to map the moon—Lunar Orbiter; to examine the atmosphere of Venus—Mariner II; and to photograph Mars—Mariner IV.

Development of operational satellites to improve world communications, long-range weather forecasting, and navigation over land and sea.

On November 25, 1957, Lyndon Baines Johnson, as chairman of the Senate Armed Services Preparedness Investigating Committee, issued the first official call of the United States to enter the space age: "With the launching of Sputniks I and II," he said, "our supremacy and even our equality have been challenged. We must meet this challenge quickly and effectively in all its aspects."

Today, less than a dozen years later, the United States, as the result of a truly national effort, has achieved the status of a great spacefaring nation. The moving force that has brought this about has been the dedication of one man, Lyndon Baines Johnson.

He was the architect of the Aeronautics and Space Act of 1958, which provided an imaginative and far-sighted legislative base for the needed research to increase knowledge of the air and of space. As the majority leader of the Senate, as the first chairman of the Senate Committee on Aeronautical and Space Sciences, as Vice President, as Chairman of the National Aeronautical and Space Council, and as President, he has provided the leadership and direction that has made possible, despite severe constraints on the national budget, the accomplishment of the major goals set by President Kennedy and the Congress at the beginning of the decade and the carrying forward of the balanced developmental program that is essential for future advances.

Lyndon Baines Johnson has done more than lead the United States forward in space. He has stamped on our program its significant characteristics: that it be conducted in the open for all the world to see; that it be carried out so as to strengthen and not to undermine the basic institutions and values of our society; that it be dedicated to the cause of peace and the benefit of all mankind.

Of all the debts the American people owe President Johnson, none is likely to loom larger over time than that he started them on the road to mastery of this new, unlimited environment by means of the new rocket technology. Down through the course of history, advances such as this have profoundly affected the future of nations, their relative strength and security, their relations with one another, their internal economic, social, and political well-being, and the intellectual and spiritual vigor of their people. It is the lasting tribute to Lyndon Baines Johnson that he has seen from the beginning that accomplishments in space and the capability which can sustain and increase these accomplishments constitute a new barometer of the stature of our Nation.

JAMES WEBB,
Former Administrator, National Aeronautics and Space Administration.

THE ARTS AND HUMANITIES

The National Foundation on the Arts and Humanities.

The John Fitzgerald Kennedy Center for the Performing Arts.

The Public Broadcasting Act of 1967.

Development of art agencies and programs in 50 States.

Sponsorship of nationwide tours of outstanding American artistic groups.

Support of experimental theater companies bringing classic drama to high school students.

Initiation of summer arts programs for disadvantaged children.

Encouragement of creative efforts by young painters, sculptors, choreographers, and writers.

Promotion of public appreciation and educational improvement in the humanities through workshops on history and culture.

Award of fellowships to develop excellence in the humanities.

When the Congress passed the bill establishing the National Foundation on the Arts and the Humanities in the late summer of 1965, President Johnson said he felt that this one legislative act would serve as a monument to the 89th Congress.

As we look back some 3 years later, I now believe strongly that the future will note and history will long remember that more was achieved on behalf of the arts and humanities by the Federal Government during the administration of Lyndon B. Johnson than during the entire previous history of the United States.

These many accomplishments, which range from the establishment of a National Council on the Arts in 1964 to the Joseph H. Hirshhorn Museum soon to be built on the Mall in Washington, will unquestionably serve as a collective monument to the good works of the President and Mrs. Johnson, for those of us who worked closely with them realize that none of this would have been possible without their firm and constant support.

If, as President Johnson once observed, we shall be remembered by the works of our creation, the men and women of America will surely remember the President and his Lady as one of the most creative couples ever to have lived in the White House.

ROGER L. STEVENS,
Chairman, the National Council of the Arts.

Mr. DIRKSEN. Mr. President, when Lyndon Baines Johnson leaves the Nation's Capital we shall miss him. He will also miss us. He will miss the familiar scenes. He will miss the legislative battlefield. He will miss the give and take of everyday life where Government is involved.

Probably no President had so good a combination of physical drive and conviction on big matters as Lyndon Johnson. I have known him for 34 years.

I remember when this lanky man from Texas, perhaps hardly a man but a stripling boy, was a doorkeeper on the third floor of the House of Representatives. I had been elected to Congress. At that time he did not mean very much to me. I am not sure that anybody from Texas meant much to me at that time, with the possible exception of John Nance Garner, and, a little later, Jesse Jones, who became head of the Reconstruction Finance Corporation.

With John Nance Garner it was a matter of sentiment because I entertained a deep affection for him. With Jesse Jones it was more practical. We were in the throes of the depression which began in 1929. Mr. Jones was at the head of an agency that ladled out money, and obviously I tried to get a little of it for my constituents. So my interest in him was a very practical interest.

But I took account of Lyndon Baines Johnson. He became a secretary to a Congressman. When a vacancy developed, he became a candidate for Congress, and he won. Then, through the years, by a very narrow margin, he won the Senatorship, then the Vice-Presidency, and finally the Presidency.

There was an amazing consistency in his course, always with that relentless drive to get things done, but as I said last night, in all the give and take, all the caterwauling, and all the fussing, fretting, and stewing, he never lost sight of the fact that the Senate had to be a viable working institution and that it was our duty, as officeholders, to make it that way; and we tried to do so.

Sometimes we had some rather heavy words over the issues that confronted us from time to time. Those were not just manifestations of an unhealthy spleen; they reflected, after all, a deep conviction in the matter that was before us and how it might affect the welfare of this great, free country.

He had going with him one circumstance that probably was not true of any other President. Having served in the House and in the Senate, when the leadership of his party went to consult with him he probably had served with everybody in that leadership. When the joint leadership was asked to come and consult he had served with everybody in the joint leadership.

I recall on one occasion at the White House when the joint leadership was present, starting with that great patriarch from Arizona, Carl Hayden, I took account of everybody who was there and I think every one of them had served with the President either in the House of Representatives or in the Senate. That imparted a kind of camaraderie in those meetings and it had this blessed effect: Everybody and anybody could and did speak freely on any subject that developed. That was a wholesome situation and it was in the interest of our country.

No matter where he may roam, whether it be in academic and professorial halls, or whether it be out on the ranch, or any other place, he will doubtless keenly miss this center of the universe, Washington, D.C., where he spent so much of his life.

I can only say hail and farewell, and Godspeed.

(At this point, Mr. WILLIAMS of New Jersey assumed the chair as Presiding Officer.)

FAREWELL TO THE CHIEF

Mr. YARBOROUGH. Mr. President, not often in the life of the Republic have we had such a paradox of historical events as have occurred this last half of a decade.

President Lyndon Baines Johnson came into the Presidency meek as a lamb, during a period of national grief, tragedy, and mourning, a President by virtue of tragic events beyond his control. From that tragic beginning, his rise in popular esteem was meteoric. Within less than a year, he had won the Presidency in his own right with a majority unparalleled in American history.

During his Presidency of 5 years and 2 months, he has never paused in his drive for legislation for a better America, better schools, better medical care, better civic rights, better roads, better parks, better opportunities in life for all Americans.

For 5 years legislation has poured through the Congress to achieve those goals for a better America, at a rate without parallel in American history. The critics said, "Slow down." He went forward with renewed drive. Many said, "Too far, too fast." He speeded the drive forward. He never looked backward; always it was forward, faster and faster and faster.

The divisive war in Vietnam caused rioting in the streets, and the Nation's attention was diverted to more showy and violent things than the great pace of national progress in the Halls of Congress and in the executive branch. But those more violent and attention-compelling events never slowed the drive of Lyndon Johnson for a better America. Long after the irritant riots are small specks on a page of history, the war is analyzed as the beginning of the era of American adult analysis of foreign policy, the domestic progress achieved in the last 5 years will mark these years as the "Johnson Era."

Never before in our history has so much progressive, beneficial, forward looking domestic legislation been signed into law in one 5 year period. During this 5 years, Americans have begun to realize that we can end poverty and want, hunger and malnutrition, disease and ignorance, if we truly make ending them a national goal.

From violent rejection of these ideas at first, America has now, within a short period of 5 years, begun to accept them, and is regretting today the departure of the man who pushed them so far so fast.

In 1965, following his overwhelming victory at the polls in 1964, so much was done legislatively that men said that never again could so much be done in 1 year.

But 1968, his last year in office, is one of the two most productive of his 5 years, both in volume and importance. Far-reaching bills whose effect will be felt for generations were pushed through with the vigor of 1965. It is one of the three most productive years legislatively in all the history of the American people.

Lyndon Johnson is being lionized this month. As was the case with Washington, Jefferson, and Jackson, the eyes of the people are more on the departing than the incoming President. The people now realize that a giant has moved through the White House.

It is improbable that any other President will ever chalk up the record of legislation achieved that Lyndon Johnson has signed into law these past 5 years.

The first Texan President has come, astounded the Nation, and now departs. History will never forget him.

Lyndon Johnson goes out like a lion. He does not have to ask or act the part; the people are furnishing him that earned exit.

Mr. GOLDWATER. Mr. President, I rise on the occasion of this testimonial session to President Lyndon Baines Johnson in the firm belief that the hour would not be complete without a word from the man who single handedly confirmed the 36th President of the United States in the title of "Landslide Johnson."

As you doubtless realize, Mr. President, I have mixed emotions when I think about Lyndon Johnson. I have had the privilege of knowing Lyndon Johnson for something like 17 years. There have been in our relationship some extremely warm moments and some not so warm. I might say that I cannot attribute to our one-time Senate colleague credit for the most exhilarating moments of my political career. However, we are both men who understand the workings of partisan politics and enjoy an appreciation of the human qualities that enter in.

When I think back on the career of Lyndon Johnson, one thing stands out from all the rest. It was the superb performance that he put on in those sad and tragic hours immediately following the assassination of President John F. Kennedy. I have always felt, and I said so at the time in my newspaper column, that Mr. Johnson provided a shaken and saddened nation with a confidence and reassurance it sorely needed. The way he took hold of the reins of state at that crucial moment in our history should, if nothing else does, assure him of an enduring place in the history of our great country.

One of my warmest memories of President Johnson is a very recent one. I had the opportunity to spend an hour with him several days ago at his office in the White House. We spent that time reminiscing and talking about past events, and I told the President that I felt he had performed his job to the very best of his ability under very trying and difficult circumstances. This is my honest assessment of his tenure. I do not mean to imply that I hereby endorse all of the policies which he pursued. I am sure all Senators realize that my opposition to many of them is fundamental and lasting. However, I credit Mr. Johnson with a different viewpoint and with honestly striving to make it applicable both at home and abroad. None of us, I am sure, realize the tremendous loneliness and burdensome nature of the Presidency of the most powerful nation on earth. Mr. Johnson has borne this loneliness and this burden with credit and honor. I believe the Nation thereby owes him its gratitude and its thanks.

Mr. PASTORE. Mr. President, as I join today—this Friday, January 17, 1969—in our parting praise to President Lyndon B. Johnson, I have something of a feeling of anticlimax.

The real valedictory was given in the joint session of the Congress on Tuesday evening last. We spoke our feelings in our spontaneous applause for a real leader whose value and valor, whose stature and stamina, we truly realize as he lays aside the robes of responsibility.

We cheered his every presentation—his every sentiment—almost his every sentence. We warmly applauded his performance of the past in which he spoke generously of our part.

Personally, I felt very proud as I thought of my 18 years of association with this great American.

In the shorter purview of his 5 years in the White House I concur in the editorial judgment of the New York Times—

> Lyndon Johnson has no reason to fear history's judgment.

And so that this reasoned judgment of "the Johnson era" may be part of our permanent history, I ask unanimous consent that it be inserted in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. Mr. President, the editorial emphasizes the fulfillment of the pledge Lyndon Johnson made in his first Presidential address to the Congress in that somber hour of November 1963—when his plea was: "Let us continue."

The achievements on the domestic front—often over mountainous roadblocks—meant an age of progress beyond any historic comparison, is the estimate of the editorial.

Continuity in Vietnam does not escape criticism. But it will be for history to reveal the detour—if detour there was—from the remembered pledge of a brighter January day:

> Let every nation know—whether it wishes us well or ill—that we shall bear any hardship—support any friend—oppose any foe—to assure the survival and success of liberty.

Whether President Johnson and his advisers exaggerated the importance of South Vietnam and our investment in its independence is not in my power to judge.

"Let us continue" was, indeed, the theme of Tuesday night. Especially I liked his plea for President-elect Nixon.

He will need your understanding said President Johnson, just as I did—and he is entitled to it. Each of us should try not to increase his burdens for the sake of narrow personal or partisan advantage.

I recall that was the belief and behavior of Lyndon B. Johnson when he was our Senate majority leader and the White House, once before, was in Republican hands.

I chanced across a newspaper account of those days—the time was May 25, 1955—and I select some of the sentences only because to many of us—it is a candid camera recollection of Lyndon Johnson in this Chamber.

It is Stewart Alsop commenting:

> This session of the Congress has passed a good deal of important and controversial legislation—quietly with a minimum of fuss and bother—the most efficiently run session in recent memory.
>
> It is interesting, therefore to visit the majority leader and ask him how he does it.
>
> Johnson gives most of the credit to the chairmen of the Senate committees—getting controversial issues thoroughly settled in committee before they ever reach the floor—and before anyone has a chance to get all flustered up about nothing.

I especially like this passage in the commentary:

> Anyone who wants to see in action the best professional floor leader of our time need only visit the Senate gallery at a tense legislative moment—and keep his eye on the tall, lanky slow-moving form of the Majority Leader as he ambles about on the floor below. The Senate is in his bones and blood.

If I were to add any more quotes to my remarks today I would go back 4½ years to the thoughts of the keynote speech I was privileged to deliver at the Democratic Convention of 1964 preceding the nomination of Lyndon B. Johnson for the Presidency in his own right.

I spoke of America's pride in the Kennedy-Johnson years—the tragic hour of Presidential transition—and the nine miracle Johnson months that confirmed the wisdom of our fallen leader—as the hopes of John F. Kennedy crystallized into actuality in our laws.

With all the sincerity of my soul I said then that God did bless America that day of 1960 at Los Angeles when John F. Kennedy said, "I need you, Lyndon Johnson."

Four years later my faith is all the firmer—for this man who has borne superhuman burdens—with all their blessings—with all their blame.

Tuesday night I felt that the President spoke with modesty about the past—and with meaning for the future.

Most of all, I felt it was a sentimental journey.

The President pointed to the door in the House gallery where 38 years ago he began his apprenticeship in statesmanship.

Then his gaze moved to the opposite gallery—to his loved ones who stand for the sweetness and sanctity of the home—the real reward for any man's labor—the sanctuary of his love.

Let me call them—as they are affectionately known—the "Johnson women."

It was their night, too—and they deserved the warm welcome they received.

Mrs. Johnson is a great American in her own right. By her labor of love—by her true dedication to a lovelier land—she has given a finer meaning to a phrase that echoes in our hearts—"America the beautiful."

And the lovely daughters—now lovely mothers in their turn—proud wives of husbands serving far off in the violence of Vietnam.

This is how we know Lyndon Johnson the best—not in the heroic dimensions of the distinctions and demands of the Presidency—but in the human attributes of the family man—with a heart to match his Texas height—with a simplicity—a sincerity—a sentimentality—and a charm that gave the White House the natural warmth of the good neighbor's greeting.

I find that I have wandered from any original purpose I might have had—merely to say goodbye to a great President who has been a good friend.

Perhaps I have indulged in reverie to recapture treasured memories rather than to fashion a farewell.

Perhaps I have been trying to postpone farewell.

I might be grasping at a thought in a Washington Star editorial of Wednesday—saying:

> There have been proposals that an ex-President should have a seat and a voice in the Senate. Watching Mr. Johnson last night—

The editorial says—

> you couldn't help feeling there is something to the idea.

For myself, I say that it couldn't happen to a better man—this Lyndon B. Johnson who has made our land a better America.

Perhaps I will just borrow from the press—their gracious phrase of parting—and say from the bottom of my heart—"Thank you, Mr. President."

Exhibit 1

The Johnson Era

As Lyndon Johnson nears the end of his five years and two months in office, he can look back with both satisfaction and disquiet on a pledge fulfilled. In his first address to Congress in November 1963, President Johnson set the theme of his Administration when he said, "Let us continue." Continuity and fulfillment of past policies have indeed marked the Johnson era, with consequences good and bad.

In domestic affairs, Mr. Johnson has presided over a new age of progressivism. Under his leadership, the nation has completed policy initiatives begun as far back as the Administration of Franklin D. Roosevelt; translated into law many proposals first set forth by the Truman and Kennedy Administrations, and greatly extended the scope and effectiveness of still other programs, including many Johnson initiatives.

Education has been the interest closest to the President's heart, and a national leader could have no more important concern. He has signed into law more than forty separate pieces of legislation to support education, from preschool projects to graduate education. The Federal Government has nearly tripled its investment in education. The President's most skillful legislative achievement in a field where race, religion, and ideology have been formidable obstacles to progress was the Elementary and Secondary Education Act of 1965. By tying Federal assistance to the poverty of the children, this law circumvented racial and religious obstacles and, for the first time, brought Federal money directly to the slum schools which need it most.

In moral symbolism, the high point of the Johnson era came on the evening of March 15, 1965, when the President addressed a joint session of Congress and asked for approval of what became the Voting Rights Act. Referring to the demonstrations then under way in Selma, Ala., Mr. Johnson said: "What happened in Selma is part of a far larger movement which reaches into every section and state of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

"Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome."

Those words are an inspiring credo by a white Southerner who became a leader of all Americans and who backed up his words with executive deeds. They are also a standard of conduct by which to measure his successors in the White House and a reproach to all those in the nation, black or white, who espouse the ugly creed of racism.

Many other accomplishments by the Johnson Administration in the domestic field could be cited, such as Medicare and vastly expanded health programs, new protection for consumers, increased investment in manpower training and modernization of the Government, including the creation of two new Cabinet departments.

Of outstanding importance has been this Administration's leadership in protecting natural resources and striving to keep the environment livable. New programs have been enacted to combat air and water pollution, to provide for the disposal of solid wastes, to beautify rivers and to establish new national parks, seashores and lakeshores. Mr. Johnson has a genuine love of the land, and his record in the White House as a conservationist reflects that abiding commitment.

Although the urban riots of recent years have been dismaying and the antipoverty programs have encountered frustrating difficulties, the over-all domestic record reflects worthy aspiration and high accomplishment. It is easy now to sneer at these laws and programs as merely the unfinished business of the 1930's, but that was not the prevailing attitude when Lyndon Johnson took office five years ago. Then the roadblocks sometimes seemed mountainous. Mr. Johnson on many issues had important help from members of Congress and from his liberal predecessors in the White House who educated public opinion. But his own energy, idealism and political skills were crucial.

In foreign affairs, continuity was also the central theme of the Johnson years but with much less happy results. Retaining his predecessor's principal advisers and applying what he regarded as the bitterly learned lessons of collective security, President Johnson made the serious mistake of intervening with a half-million troops in South Vietnam. It was a mistake because Mr. Johnson exaggerated the importance to the United States and the rest of the world of a possible fall of South Vietnam to the Communists and invested more there than the results could possibly justify.

The diversion to the Vietnam war of the time and energies of President Johnson and of the Secretaries of State and Defense made it impossible for the Administration to maintain and improve upon the foreign policies which it inherited. The Alliance for Progress faltered badly because Mr. Johnson was never able to give it the personal attention he might otherwise have devoted to it. The foreign aid program suffered from Presidential neglect. Relations with the principal European allies deteriorated and the erosion of NATO went unrepaired.

Passivity and lost opportunities were the price of America's Vietnam obsession, an alienation of many of the country's youth and loss of resources desperately needed at home. But the Johnson Administration negotiated the nonproliferation treaty, kept the lines open to Moscow, and for more than five years maintained the nuclear peace. In a world so uneasily balanced on the edge of nuclear terror, these were no insignificant achievements.

The men that a President chooses to advise him are one measure of his capacity. This newspaper has often disagreed with Dean Rusk's judgment, particularly in Asian affairs, but we have never had occasion to doubt his intelligence, industry and unfailing devotion to his duty as he saw it. Robert S. McNamara and Clark Clifford have been outstanding Secretaries of Defense.

President Johnson was not afraid to retain able officials inherited from his predecessor such as Secretary of the Interior Stewart Udall, Secretary of Labor Willard Wirtz and Secretary of Agriculture Orville Freeman. Nor was he reluctant to seek out distinguished men in private life such as John Gardner who served as Secretary of Health, Education, and Welfare (and was well succeeded by Wilbur J. Cohen) or to entrust responsibility to a relatively young man like Attorney General Ramsey Clark. The latter's quiet integrity and fidelity to civil liberties in these difficult years have done honor to his office and to the President who appointed him.

A final word has to be said about Lyndon Johnson himself. He has been subjected to as bitter criticism as any President in history, some of it deserved. He has been the victim of vulgar snobbery because of his Texas origins and manner, all of which was undeserved. He is unquestionably a complex, difficult, unduly sensitive and sometimes unattractive man. But his contemporaries need not defer to the nebulous verdict of future historians. It is possible to observe today that he merits the respect and, for many reasons, the gratitude of his fellow citizens. He labored mightily on behalf of this nation and always tried to serve the best interests of all the people. He had failures of understanding but never of intent or effort. He has no reason to fear history's judgment.

Mr. TOWER. Mr. President, I feel priviliged to rise this morning and say a few words about my fellow Texan, Lyndon Johnson. Lest I sound like a hypocrite, I think I must first confess that I have spent all of my adult life in political opposition to President Johnson. That does not obviate the fact that I have a very high respect for the President, and indeed have even developed an affection for Lyndon Johnson. I was never privileged to serve in the Senate with him. Indeed, I succeeded to his place in the Senate. He left some very large shoes for me to fill, and I am not sure I am man enough to fill those shoes.

He was certainly a skilled parliamentarian and a skilled politician, and I do not use the term "politician" with any implication of evil connotation, because I think politics is a worthy profession. Certainly there was no more skilled practitioner than Lyndon Johnson.

I disagreed with many things that President Johnson did while he was in the White House. I was in the position of opposing most of his domestic programs. I think the volume of legislation that he succeeded in getting through this body set a record, and it required great skill and great leadership to accomplish this.

I always stood up for my President in what I construed to be right, and I do not think I ever let narrow partisanship get in the way of expressing honest opinion on the postures and policies taken by Lyndon Johnson.

I think that he was hounded for the wrong reason by a lot of people in this country. I think the United States made mistakes that let us enter the war in Southeast Asia, but I think the President's decision to attempt to secure the territorial integrity of South Vietnam and to arrest Communist aggression in Southeast Asia was eminently correct.

I think the free world can well thank Lyndon Baines Johnson for his decision to meet Communist aggression and for his resolve; and I am hopeful that we can now press this war on to a successful conclusion.

Mr. President, I will sorely miss the presence of President Johnson in Washington. He has been more than kind to me. He has always been a real gentleman to me, even on occasions when I have not been so gentlemanly to him. I think he is a man who is capable of getting his differences to people, and I appreciate that quality in him.

As he goes back home, I can only say: "Welcome back to Texas, Mr. President. We shall sorely miss you in Washington."

Mr. BYRD of West Virginia. Mr. President, I rise today briefly to speak a few words about a very warm friend. Lyndon B. Johnson was the majority leader of this august body when I came to the Senate 10 years ago. He was gracious and helpful to a large class of new Members who were sworn in as Senators at that time. He sought to give new Members assignments on the major and more important committees in which they could serve their country. As a result of Lyndon Johnson's philosophy at that time, I, as a new Member, was appointed to the Appropriations Committee and the Banking and Currency Committee.

The then Senate majority leader, Mr. Johnson, served on the Appropriations Committee. So I had an opportunity in my committee activities to come to know Mr. Johnson very well.

He was always fair to me and to those other new Members who came into the Senate that year. He gave us every opportunity to perform services for our States, and he assisted us in rendering services to the electorate of the States from which we came. I recall, upon one occasion, his saying that he was the third Senator from the State of West Virginia; and I have no reason to doubt that he meant it, and that he meant the same for every other Senator in this body. He was a third Senator from a Senator's State.

I pledged my support for Lyndon Johnson when it became known that he was receptive to the idea of serving as

President of the United States. I was among the very first in West Virginia to declare my support for him. I never doubted that I supported a great man, and I have never been sorry that I gave my support to Lyndon Johnson.

When the late John F. Kennedy and Mr. Johnson were nominated at the convention in Los Angeles for the Presidency and the Vice-Presidency, respectively, I went into the northeastern counties of Texas and made 26 speeches in behalf of Mr. Kennedy and Mr. Johnson. My wife and I also traveled the length and breadth of West Virginia and campaigned in behalf of the candidacies of these two men.

I was happy to see their election. Upon the election of Mr. Johnson to the Vice-Presidency, he, of course, relinquished his seat on the Armed Services Committee, a seat which I was fortunate enough to be given by the steering committee at that time.

I was close to Mr. Johnson when he served as Vice President of the United States, and, later when he became President, that close association continued.

As a member of the Senate leadership, elected to that post by my peers and my colleagues on the Democratic side of the aisle, I continued to associate with Mr. Johnson in the weekly meetings, which I shared with my able and revered majority leader, Senator MANSFIELD, and the then majority whip, Senator LONG. I always enjoyed those meetings at the White House—meetings in which Mr. Johnson would speak to the leadership about the problems of the country; and it was always very apparent that he was greatly concerned about the profound problems, domestic and international, facing our Nation.

He was a man who gave all that he had, and he had much to lay upon the altar of sacrifice. He was a man who gave unstintingly, unhesitatingly, and always willingly and gladly. He was the object of vituperation, criticism, and abuse as well as the object of affection and praise. I was among those who praised him at times, and I was among those who criticized him upon occasions. And I would do both again if the past 10 years could be relived. But at all times, I respected Lyndon B. Johnson—not only as a great President, not only as a statesman, but also as a man. He was always courteous to those who disagreed with him. There were occasions when I disagreed with him at the breakfast table at the White House. He was always patient. He listened, and then, if he chose to disagree, he did so. But he was courteous. He was always forgiving of those who misunderstood or differed with him.

Mr. President, Lyndon Johnson was a great Senator. He was a great majority leader, and he has been a great President. His record as President—in bringing to fruition the far reaching programs embracing and advancing education, social security programs, health programs, public housing programs, and other forward-looking, beneficial, humanitarian programs—is a clear record of high leadership.

There were failures, of course, as there must always be failures in any human endeavor. But to make the effort is the important thing.

Robert Louis Stevenson, whom I have read and loved, said:

> To travel hopefully is a better thing than to arrive.

Every man who has ever striven to reach some goal knows the great truth implicit in those words. None of us is likely ever to reach all of the goals that we might wish, and, despite all of the great and significant achievements of Lyndon Johnson's administration, he did not. But he "traveled hopefully," and from his concept of what America can be, all Americans can draw strength and renewed hope for the future.

He has been a courageous President. He has been a strong President; and history, I am sure, will regard Lyndon Johnson as one of the truly great and patriotic Americans of all time.

It is not within the power of every man to build for himself a great shaft of granite, or to engrave his name upon a plate of bronze. But it is within the reach of every man to so live and to so act, in the interests of justice, liberty, and duty, as to plant an ever-blooming flower in the hearts of his fellow men. I believe that Lyndon Baines Johnson has done this. I feel that his work will go on, as the years and the decades roll by, to benefit the millions of men, women, and children, who walk the streets and hills not only of America but also of the world.

Perhaps the lines by W. A. Dromgool might better exemplify the kind of service rendered by Mr. Johnson to the people who will come after him, and so, in closing I recall them for the earnest reflection of all who hear and read these tributes to a deserving American.

An old man traveling a long highway
Came at evening, cold and gray
To a chasm vast and wide and steep,
With waters rolling cold and deep.
The old man crossed in the twilight dim;
The sullen stream held no fears for him.
But he turned, when he reached the other side,
And he built a bridge to span the tide.

"Old man," said a fellow pilgrim standing near,
"You are wasting your strength in building here.
Your journey will end with the passing day,
And you never again will travel this way.
You have crossed the chasm deep and wide;
Why build you a bridge at eventide?"

The builder lifted his old gray head.
"Good friend, in the path I have come," he said,
"There followeth after me today
A youth whose feet must pass this way.
This chasm, which was but naught to me,
To that fair youth might a pitfall be.
He, too, must cross in the twilight dim.
Good friend, I am building this bridge for him."

Mr. SPARKMAN. Mr. President, I wish to join briefly with my colleagues in saying something about the man who is retiring from the Presidency of the United States.

I believe I know Lyndon Johnson about as well as anybody in this body. He was here on Capitol Hill before I came to Congress, serving first as a Doorkeeper in the House of Representatives, and later as Secretary to Representative Richard Kleberg, of Texas.

About 4 months after I entered the House of Representatives, Lyndon Johnson was elected, as a young man, to serve his district in Congress following the death of Representative Buchanan.

I served with him in the House of Representatives for 10 years. Two years after I came to the Senate, he came over. I served with him in the Senate as a Senator, as minority leader, and as majority leader. Then he became Vice President, and then President of the United States.

He has had a career that can be equaled by few people in the history of this country, and he has benefited, along the way, by the experience that he has had. Lyndon Johnson has been in the Presidency for 5 years, during which time some of the knottiest problems that have ever confronted our Nation have been his to deal with.

You know, often, from short range, it is difficult to measure the true value of men, and especially of public officials in positions such as that of the Office of President of the United States.

I remember Harry Truman, whom I knew when he was a Senator, when he was Vice President, and when he was President of the United States. He had some of the most world shaking, difficult problems to confront of any President in the history of the country. I believe the Nation has recognized the greatness of the service of Harry Truman.

I can say the same thing about Herbert Hoover. Herbert Hoover found a place in the Nation and in the warmth of the hearts of his fellow countrymen after his Presidency that even exceeded that while he was President of the United States.

It takes history to tell the story. I believe that even looking at Lyndon Johnson at short range and remembering the things that he has done while he has been President of the United States, we are inevitably driven to the conclusion that he is one of the outstanding Presidents of the United States.

I predict that history will so record him.

I regret to see Lyndon and Lady Bird Johnson, and their family, leave Washington. We shall miss them around here. You know, both President and Mrs. Johnson have had strong ties with my State of Alabama. Mrs. Johnson has retained extensive property holdings in the State. Alabama is proud that it has played a part in the lives of these great people, and that they are a part of her history.

President Johnson has well earned the retirement that he will now get, and also the warm feeling that will prevail toward him among the people of the United States. We shall miss him, and we wish him well.

Mr. FONG. Mr. President, on this day set aside for tributes to America's outgoing President Lyndon Baines Johnson, I am grateful for the opportunity to express some of my thoughts and to wish him and his family well as they embark on a new chapter of their eventful lives.

It is not easy to summarize or capsulize the life, career, and character of Lyndon Johnson. There is such a long span of time to cover, there are so many noteworthy episodes, and there are so many complexities in his person. So I shall confine my remarks to a few personal observations.

It has been my privilege to know Lyndon Johnson when he was our colleague and majority leader in the Senate, when he was Vice President and Presiding Officer here, and when during the last 5 years he served as our 36th President.

I came to the Senate in August 1959 as one of Hawaii's first two Senators after statehood was granted. I soon observed firsthand the qualities that elevated Lyndon Johnson to top leadership positions: his tremendous capacity for works, his thorough grasp of government and issues, and his ability to get things done. Time after time, he demonstrated his persistence and perseverance in completing what he set out to do.

And who can gainsay his sterling conduct when Lyndon Johnson was thrust into the Presidency under the tragic circumstance of the assassination of John F. Kennedy? I well recall that black day in Dallas in November 1963. Congress was still in session, and I was in my office in Washington, D.C. The awful news of the assassination stunned and shocked me, as it did all Americans. With composure, skill, and steadfastness, Lyndon Johnson calmed our people and restored national self-confidence throughout those traumatic days. Under his leadership, America pulled itself together and buckled down to cope with the unfinished business facing us.

During his 5 years as President, no one can dispute that Lyndon Johnson was one of America's hardest working Chief Executives. Never sparing himself, he worked mankilling hours on the Nation's business. Many expressed anxiety that he was overworking and overextending himself to the detriment of his health. But he refused to slacken his efforts in behalf of the American people. He will be remembered not only as he wishes, as a man who tried, but as a man who tried very, very hard.

No one can deny that Lyndon Johnson was an ardent advocate of social reform in America. The supreme irony for him must be that those for whom he tried to do the most were most unkind to him.

Subjected to vicious personal vilification, Lyndon Johnson was cut by the raspy edge of extremism that plagues our times. A man would have to have a heart of stone not to be hurt by such vile abuse. But Lyndon Johnson has a warm heart and a big heart, and to be the target of a torrent of personal attack must hurt him deeply.

I would hope that all Americans, in the interest of national unity and national progress, will forgo the temptation to continue personal tirades against any man who holds the office of President. Such behavior solves no problems and only contributes to dissension and divisiveness in our land.

No one can deny real progress under Lyndon Johnson in civil rights, education, conservation, and other areas. President Johnson can rightly count with satisfaction a number of substantial accomplishments, many of which we in Congress helped him to make possible.

Yet, as President Johnson himself noted in his valedictory state of the Union address to Congress last Tuesday evening, not all that he set out to do was accomplished.

But then no President, confined by our Constitution to limited tenure, has solved all the problems that face our people.

No President starts with a clean slate, and no President leaves with one. He inherits problems, and he bequeaths problems to his successor.

Every President learns in office—if he did not know it before taking office—that no matter how great his powers, no matter how influential this great Nation, there are forces in this world that defy us. There are problems too stubborn, too unmanageable for instant or even short-time, solution.

Vietnam proved for Lyndon Johnson the toughest problem of all. Undoubtedly, his biggest disappointment is that the war in Vietnam continues, despite his best efforts to attain peace. For above all, Lyndon Johnson desires peace.

I deplore those who question his sincerity in this goal. And I applaud him because, despite the enormous pressures exerted upon him, Lyndon Johnson did not succumb to peace at any price, a kind of peace that history teaches us is phony and illusory.

As Lyndon Johnson leaves office, it is too early to attempt a valid evaluation of his Presidency. Judgments made now are bound to be tinged with subjectivity rather than objectivity. We who have served simultaneously in Congress and in Government have participated to some degree in many of the policies and events that have taken place.

Besides, a valid judgment must await the passage of time. The final outcome of actions and policies is not known to us today. So it would be premature to judge whether many decisions or policies were right or wrong. Only the future can give us the answers and allow us proper perspective.

In addition to knowing Lyndon Johnson in his various official capacities over the past 9 years, it has been my privilege to know him on a social basis. I found him to be a warm, gracious, and likable person.

It has been my pleasure, too, to know his wonderful family, Mrs. Johnson and their two fine daughters, Lynda and Luci. As the Nation's First Family, these ladies earned our wholehearted respect for their grace and charm, their devotion to duty, and their sense of involvement in the tide of events flooding America these past 5 years.

During all the turbulence and tumult, these ladies were a credit to America. Lyndon Johnson has every right to be very proud of them, as we are proud of them. Certainly they have been a tremendous source of comfort and inspiration to him in these trying times.

As the Johnsons leave the White House to resume private life, I want to express best wishes in behalf of my wife, Ellyn, and myself. We wish you health, happiness, long life, and a rewarding and gratifying future. We have no fear that time will hang heavy on your hands, for all the Johnsons are activists, doers not watchers.

As Mr. Johnson has announced he plans to return to the field of teaching, I would like to recall for him what Daniel Webster once said:

> If we work upon marble, it will perish.
>
> If we work upon brass, time will efface it.
>
> If we rear temples, they will crumble to dust.
>
> But if we work upon men's immortal minds, if we imbue them with high principles, with the just fear of God and love of their fellow men, we engrave on those tablets something which no time can efface, and which will brighten and brighten to all eternity.

Godspeed, Mr. President, Mrs. Johnson, Lynda, and Luci, and warmest aloha.

Mr. KENNEDY. Mr. President, I want to join with my colleagues in expressing the gratitude the Nation feels at this moment for the efforts that have been made over the last 5 years by President Johnson and by the leaders of his administration.

The Presidency of the United States is the repository of the support and the criticism, the hopes and frustrations, the advice and the prayers of all of us. None of us agrees with all that President Johnson did. On some issues, our disagreements ran deep. But we all realize that while he filled the office of President, he gave leadership to this country, promoted its economic growth and its security, inspired an historic record of legislation, and gave the best of his talents and his judgment to the overwhelming responsibilities of the office he has held. By any measure, the effort that was begun in 1960 to bring new strength to the United States and opportunity to all its people has made tremendous strides in this decade.

I would like to express the gratitude of the Nation to those who served with him:

To the Attorneys General Nicholas Katzenbach and Ramsey Clark who have acted with courage to protect the liberties of all Americans at a difficult time.

To Secretaries John Gardner and Wilbur Cohen whose Department has written an outstanding record of social progress and human concern.

To Secretaries Henry Fowler and Douglas Dillon who worked so long and diligently to achieve the tax program that was necessary for this country.

To Secretary Stewart Udall whose leadership has helped us to reclaim our Nation and its beauty for all Americans.

To Secretary Orville Freeman who worked on behalf of the Nation's farmers, most of whom do not have an easy time.

To Secretary Robert McNamara, one of the most brilliant and dedicated men ever to serve in Government who made such an enormous contribution to the security of the United States.

And to Secretary Clark Clifford who has had so much to do with turning our policies in Vietnam in a more hopeful direction.

And finally to Dean Rusk, with whom I disagreed but always respected.

I would add one personal note. The circumstances which brought President Johnson to the office he has held made it inevitable that there would be speculation about strained relations between him and my family. President Johnson was a loyal lieutenant of John F. Kennedy, who had chosen him as his constitutional successor. He campaigned hard and effectively for the election of Senator Robert Kennedy and myself to the U.S. Senate. He was extremely gracious and understanding to all of us after the events of November 1963. The differences that developed later on came not from personal grievances but from the obligation of men in public life to discharge their responsibilities to the people of the United States as they saw them and from what at the time were fundamental differences over important public policies. I know that President Johnson understood this, and history will as well.

And so as he leaves us for the land he loves and for what we know will be a very active retirement, President Johnson has our good wishes, our gratitude for his service to the Nation, and our prayers for a long, happy, and satisfying life.

Mr. SCOTT. Mr. President, the day after Pearl Harbor, several young lieutenant commanders in the Naval Reserve volunteered to serve on active duty in the Armed Forces of their country.

Those three lieutenant commanders were the distinguished senior Senator from Washington (Mr. MAGNUSON), this speaker, and Lt. Comdr. Lyndon B. Johnson. We were advised by the then President of the United States that he wished us to remain in Congress; and being respectful and obedient, but somewhat dissatisfied, we did. But those three officers volunteered in the next year for some temporary active duty in the Pacific.

So my acquaintance began with Lt. Comdr. Lyndon Johnson in those days, and I have known him and worked with him ever since, in sunshine and in rain, and have grown, over the years, to have respect and affection for him and to regard his great services to the United States as having erected a landmark in our time.

It has been said that unless above himself he can erect himself, how mean a thing is man.

Lyndon Johnson has stood tallest among his peers, a giant in the authority which he has wielded, a man of great stature in the influence of his leadership and in the exercise of his persuasive powers—often, as many of us recollect with some amusement, exerted at the closest possible range.

We have all had occasion at times to agree with him, which was pleasant, and to disagree with him, which was difficult but always forgiven.

In the hard decisions made by our President in connection with the commitment of our forces into a very-far-off, swampy, miasmic Asian region, I found not only that my sympathies were enlisted, but also that it was essential, at least for this Senator, to volunteer again to do the same sort of thing that Lt. Comdr. Lyndon Johnson had done—to enter the commitment to another war with him; and in this case, both of us in our respective stations—he in the White House and I as one of those in the legislative train.

I never found it possible to be too critical of the President's difficulties, because it seemed to me that those of us in the Senate could easily make a ready headline by disagreement, but could, by doing so, often add to the deep burdens of the Presidency. So the record will show that time and again, in the Senate, on television, on radio, and in press conferences, I supported the decisions of the Commander in Chief and resisted the temptation to assert reservations which might have been of some passing advantage to me but would have been of a further disadvantage to the Commander in Chief in the assessment and carrying out of his policy.

I have not regretted this. I believe that the Presidency is a difficult enough job; so that while we must, in the domestic area, assert our own goals, often in line with the Executive, at the same time, we may differ in the means, and at times, indeed, with the goals.

In the foreign field I have felt that we have every right to express, privately or in the councils of our committees and in other proper places, our disagreements, but that it was not, in my mind, seemly to wage another war on the homefront on the war which was going on in Asia.

The time is drawing near for the sunset of another Presidency, and my mind reverts to the words of the poet, Goethe, who said:

> That which we have inherited from our forefathers we must earn again in order to deserve.

So the Presidency of Lyndon Johnson has earned again for us the priceless heritage of our freedom, earned in the beginning and in the Revolution and fought for and won and rewon on battlefield after battlefield, in the halls of debate, in conferences, and in the places near and far of our enterprises.

A new President will take office on Monday. He, too, will have to earn again the heritage of our forefathers in order that our freedom may be deserved. He, too, will be entitled to our prayers, our concerns, our cooperation, and our legitimate differences. But I am sure that the new President, having served with our outgoing President within the House and within the Senate, as I have, will often reflect on the parallelism and the similarity of the problems which confront and will not go away from the executive realm.

So, with warmth and affection for a man who has been good and generous to me, who has been fair to me, who at all times has been considerate in this recognition of my problems and the problems of my constituency, I join in wishing continued service and long life and happiness to Lyndon Baines Johnson, President of the United States, and to his wife and to his family. I join with him in the common and universal prayer that the sound of battle shall cease and that peace again may spread its blessings upon our good land.

Mr. McINTYRE. Mr. President, Woodrow Wilson said shortly before his death that he was not "one of those who have the least anxiety about the triumph of the principles I have stood for."

Today, I believe we can say the same about the great American whom we honor in this Chamber. Lyndon Baines Johnson need have no fear that he has seen or will see the triumph of the principles he has stood for during his 5 years of service as President and his 38 years of service to his Nation.

We determine a man's success by many measures—by his deeds, his actions, his thoughts and his opinions of mankind. We measure a man, too, by his dedication, by his willingness to pick up and carry the burdens of his fellow man.

But, most important, the success of a man lies in the world he leaves behind when he retires. Someone once said that he felt his life had been a success, if, when he departed, he left the world just a little bit better off than when he had arrived.

Lyndon Johnson has done more than that.

For Lyndon Johnson has given our Nation new purpose and new goals and new concern for all our fellow citizens.

When Lyndon Johnson entered the White House after the tragic death of President John F. Kennedy, he found a nation which, in many ways, was on the verge of a new awakening. He saw immediately that President Kennedy had set the Nation to thinking about itself and where it was going in the next 20 years. He molded this new awareness into a program—a program, a purpose, and a concern—to finally do something about the age-old problems of hunger, disease, and neglect that were blighting this Nation and this world.

The Nation needed Lyndon Johnson, it needed a man of dynamic ability to shape our new concern into a plan of action. Concern about hunger and poverty took shape as the war on poverty; our new awareness that many of our citizens were being denied equal rights took shape in a dramatic civil rights program, going far beyond anything that had ever before been attempted. The plight of our forests and rivers was met by a concentrated program of water and air pollution abatement and a sense of purpose and immediacy to our efforts to protect the great beauty of our land. The hopelessness which had settled into our large cities was transformed into a plan of action through the formation of the Department of Housing and Urban Development, the model cities program, and countless measures aimed at making the city, once again, a decent place to live and work.

For Lyndon Johnson, it was not a question of showing concern or merely talking about the problems which have plagued our Nation. For Lyndon Johnson, the time for talking was over. It was time to try and do something.

Everything that was tried was not successful. But that, in no way, diminishes the value of trying to find solutions to problems which many Americans once considered unsolvable.

And, when the history books are written, Lyndon Johnson will be remembered as the man who showed the Nation and the world that, no matter how tough the problem, there is a solution.

Lyndon Johnson showed this by example. He tried; and he succeeded. And he made all of us determined to do more than wring our hands in despair. He gave us the hope and the promise that we can succeed in making this Nation just a little bit better when we leave.

(At this point, Mr. CRANSTON assumed the chair as Presiding Officer.)

LYNDON BAINES JOHNSON—THE PRESIDENT WHO HAD TO BE

Mr. MONTOYA. Mr. President, in a few short days Lyndon Baines Johnson will become a private citizen of the Nation he loves so much and has led so well. Called to the highest office in a moment of stark national tragedy, he responded as he had to in the name of the Republic and for the sake of the world. Too few have recognized just what he accomplished just by being able to make this transition. History and our world could not afford even the most temporary of vacuums then. None came to pass. For this alone we owe him much.

From that time on he began to do what had to be done in order to make America advance as she had to. He had the courage to attack the festering sores upon the body politic that had become suppurating wounds. Rising above accusations of sectionalism, partisanship, and politics, he began a long tide of progress that has reached into the farthest corners of the land. The lives of millions have been upgraded as a result. Old wrongs have been righted and the dark corners of America have been illuminated.

Every older American in the Nation has had the blight of illness and surgery eased by medicare. Generations yet unborn will praise the hand that signed that measure, which was long overdue. Ignorance, which sits like mankind's personal raven, has been attacked with stupendous vigor by this old schoolteacher, and those whose educational needs were neglected in the past have found that they matter today.

In the past 4 years Lyndon Johnson has overseen the founding of a college each week in this Nation. Almost 10 million educationally underprivileged children have had their lives changed in an educational and social sense.

Those who have carried the burden of poverty have had it eased by a recognition of their condition and a national effort to change it.

The shackles of discrimination are falling one by one into the limbo of our country's past as a result of the landmark pieces of human rights legislation he has been mainly responsible for.

All in all, no President since Franklin Delano Roosevelt has created more for the people and their future well-being than Lyndon Johnson. In his ears the voice of suffering has been a loud cry. In his heart the call of despair has been heard. In his breast the demand for justice has stirred a response. Of few men in history can it be said that did or heard or strove or accomplished half as much in a lifetime as he has in his incumbency.

Yet he has been attacked, pilloried, vilified, and rejected by some. All this in the name of conscience and dissent. Let it be remembered that through it all, this President of the United States remained true to our national tradition of reverence for civil rights and dissent. Not once did he use Presidential prerogatives to suppress disagreement, even when it took violent and vicious forms.

By such an attitude, he added to the prestige of the Presidency, making it even more of an institution in the eyes of the people and the watching world than it was when he entered upon that office.

He has not backed away from the challenges of technology, yet at the same time he has tirelessly pursued peace, as few men have ever done.

Those who pursue peace and practice compassion are most truly blessed. If two human virtues have characterized Lyndon Johnson as President, they have been the pursuit of international tranquillity and the desire to help lift those who have fallen.

Mr. President, "compassion" is a beautiful word. I am fond of calling it the most beautiful in the English language. It it not pity. Rather, it is a reaching out on the part of one human being to another. It is the simplest, yet noblest expression of man's nature. Lyndon Johnson has shown, even as the holder of the most awesome power on earth, that his life epitomizes compassion.

Mr. President, history is an absolutely objective judge. In times to come, when men come to judge, they will seek the monuments to this man's deeds. They will have to seek the parks he has created, lives he has upgraded, and hope he has given millions. Let us always seek to keep deeds such as these in our minds as we continue the tasks he has left for us to complete.

America will miss President Lyndon Baines Johnson. May his years be full and his life enriched by the gratitude of his countrymen.

Mr. YOUNG of Ohio. Mr. President, I join with my colleagues paying deference and devotion to President Lyndon B. Johnson. No President in the history of our Nation has worked harder for the welfare of all Americans nor has tried harder to bring more of God's sunlight into the lives of men, women, and children.

Lyndon Johnson is one of the truly great men of our time. All Americans in every part of the Nation should reflect upon the accomplishments of this great public servant. I am sure they wish to join with us today in manifesting our great affection and admiration for our President, Lyndon B. Johnson.

I had the privilege of serving with him in the House of Representatives and in the Senate of the United States. Over the years his advice and counsel have been invaluable to me whether on matters large or small. I have held him in high admiration as a personal friend from the time we served together in the House of Representatives to this good hour. I supported enthusiastically and wholeheartedly in their entirety his great domestic programs for the welfare of the American people. It caused me great distress that I could not in good conscience go along with him in his policies in recent years involving us in a major war in Southeast Asia.

As Chief Executive of the greatest and most powerful Nation that ever existed under the bending sky of God, President Johnson not only has demonstrated world leadership but in our own Nation he has exerted magnificent leadership in bringing about the greatest social revolution ever accomplished in any nation in a similar limited period of time.

All of us know the magnificent and massive contributions he has made in these perilous times to the welfare of our country. Historians of the future will chronicle his administration as one of the greatest in our history.

They will certainly identify Lyndon Johnson as the man who first saw and persuaded Congress to conclude that this earth has become just a tiny star in the vastness of space and who guided our steps into space—giant and peaceful steps in the exploration of outer space. They will write that he was born in the Deep South, but that he made it crystal clear to everyone in this Nation that all men are equal and must be granted equal opportunity. No President—no man—has done more to assure that all Americans receive complete civil rights and civil liberties which are guaranteed them in the Constitution of the United States. Few Presidents have been as concerned and have done as much to help the poor and underprivileged, the forgotten Americans who had been living below the poverty level, the hopeless and despairing. His deeds have been marked with understanding and compassion and will stand out as a permanent mark in our history.

The greatest tribute to him will be for this Congress and future Congresses to help fulfill his dream of America—a land where all are truly equal and where all can partake of the fruits of our Great Society.

So, to you Mr. President, and to your lovely wife, Lady Bird, to whom the Nation owes a debt of gratitude for her efforts to beautify our country, and to all members of your family we wish Godspeed and happy landings in all things.

Mr. HOLLAND. Mr. President, it would be rather hypocritical of the Senator from Florida to contend that he has supported many of the domestic policies of our distinguished President. At the same time, I could not let this occasion pass without speaking of the qualities he possesses, which I think are outstanding and will always be remembered, and which I think deserve the affection of our country and the affection of the Senate. History will pass upon the soundness of the policies of the President.

In the first instance, let me comment that, as in the case of his distinguished predecessor, John F. Kennedy, his election as President broke a precedent and established a new precedent which I think is helpful to our country.

When John F. Kennedy was elected, we were all happy because it did away with a fetish from which our country had suffered a long time in the field of religion.

When Lyndon Johnson was elected President, it did away with a similar fetish that an outstanding public figure from the southern portion of our country could never be seriously considered as a candidate for our Presidency.

But, speaking of his own personal record and qualities, the quality which has impressed me most from the national standpoint has been his great loyalty to the Nation regardless of what the situation might be.

I remember that as a leader in the Senate of the Democratic minority and the Democratic majority, he made it abundantly clear that he proposed to stand by the international decisions of the President then of the other party. He was frequently criticized for that but, nevertheless, he realized—and I think properly—that the President is the leader of this Nation in foreign affairs and that he is deserving of the backing and support of the men and women in the Senate and House of Representatives.

He showed that quality in a very strong way throughout his period of leadership in the Senate. His thinking was in behalf of the Nation and the Nation's good.

I remember that, when the transition came, from the time when he was Vice President to the time when he succeeded as President under the most tragic conditions which I can remember in my lifetime affecting our Nation, he bent every effort to make that transition orderly, to make it abundantly clear that our Nation would proceed strongly along the lines of foreign policy already adopted by his predecessor.

I sat at the funeral obsequies in St. Matthew's Cathedral in Washington, opposite the group of distinguished foreign guests who came, and I could see, throughout that ceremony, a feeling of increased confidence showing itself on the faces of the presidents, kings, princes, and other leaders from all over the world, as they realized that our Nation was to carry on and there was to be no break but, instead, that a strong man had succeeded who proposed to put his nation's course and policies first, and to stand by that course which had been set by his predecessor.

At the time of the removal of himself from future political ambitions, I thought he did the very same thing. I was surprised, almost shocked, that night as I listened to him over TV, but I realized almost at once that he was putting his Nation's problems as they existed in the Far East and elsewhere ahead of personal ambition, of personal aggrandizement, and that he was doing what I thought was a sound, right, and decent thing in support of the finest traditions of this Nation.

Mr. President, let me say that in his cooperation in recent weeks and months with the distinguished gentleman who will succeed him to the Presidency, I think President Johnson has again shown his feeling that the life of the Nation must continue to flow on uninterrupted, and that that principle is one which he intended to serve regardless of what else he did.

I salute him for the way in which he has shown such cooperation with the new President who will succeed him, and with the others who will represent the new President and the new administration in important posts. This has redounded to the best interests of our Nation.

Enough about national problems.

May I, in closing, just say that I think Lyndon Johnson is above all a decent man and an honorable and a good family man, and his showing of affection for his gracious wife and two lovely daughters and for other members of his family is something that has been a fine thing for our Nation. He has always shown them as participants in his own life of high prestige and high responsibilities.

I think he has done many very, very worthwhile and lasting things for our Nation and in our Nation's life, and I would not let this opportunity go without saluting him, as I believe him to be a very great American who has, in many respects, greatly served our Nation. For Mrs. Holland and myself I wish for our outgoing President and his family every happiness that life can bestow.

Mr. AIKEN. Mr. President, I have known a good many Presidents, but I have never known one yet who was a saint or a superman. He certainly could not represent us well in that high position in the land if he were as good as that. But when any man is elected to the Presidency, he acquires a sense of responsibility for the office to which he has been elected, a sense of responsibility which perhaps he has not had up to that time; and that applies to all the Presidents I have known, and there have been a good many of them.

When one becomes President, campaign statements are subordinated to dealing with realism. He finds then that he is representing what are now 200 million people; that the image he presents to the world is the image which all of us present to the world.

Lyndon Johnson certainly has been like every other President in this respect: He wanted to be a good President. He has been a good President, in my view. Perhaps he has been like the others, only more so, because he has been better known to us.

He has made great progress in the consideration of the poor people of this country. In rural development, he perhaps has made more progress than any other President we have ever had. We should understand that, realize it, and appreciate it.

He may have made some mistakes. He could not represent me if he did not make mistakes. And I do not believe, Mr. President, he could represent you or any of us if he did not make mistakes. But, in my opinion, his mistakes have been honest mistakes.

He has wanted to bring peace to the world, and I am sure he felt the course he was following would bring peace to the world. Peace has not been achieved as yet, but it now appears hopefully on the horizon.

I think we must leave it to history to balance his virtues against his errors, which we have to do with any man in public life, including ourselves. It is my personal opinion that history will be kind to Lyndon Baines Johnson.

So at this time I simply wish to say that I know all of us here wish him and his family well for the future. We appreciate all he has done and all that Lady Bird has done for the good of this Nation while he has been President.

I could go on and speak at length, except we are having a meeting of the Foreign Relations Committee, trying to carry out his desires to bring peace to the world. So with this statement, I simply conclude all I have to say. I know he understands.

Mr. HART. Mr. President, I have been on the floor for a considerable time. That has enabled me to hear some of my colleagues voice their appreciation to Lyndon Johnson and express their regret at his departure and their very best wishes for his future.

I had come prepared to speak perhaps at a much greater length than I now wish to, because I realize that just about all that need be said or could be said has indeed been said.

I have noticed that often the particular interest of a Senator is reflected in the analysis that he makes in the administration of President Johnson. Clearly, then, I would want, as his administration is about to be delivered into the hands of the historians, to underscore the leadership he gave this troubled Nation as it seeks to deliver on its old promise of equal opportunity. In no area of that long Johnson record will more dramatic achievements be found, but those were achievements not easily gained. There is no need to list the legislative actions which, after intensive effort, which included the very careful attention of the President himself, were put on the statute books. Historians need not be reminded to look into that chapter of this dramatic record.

With an interest in conservation and the environment of this country, it is natural that I should comment also on the leadership he and his delightful First Lady gave in awakening Americans to our obligation to stay the hand of progress until it is assured that that progress show values greater than those that may be lost under the caption of the progress that is sought to be achieved. This is no easy place to make progress. It seeks to respond to the constituency of the President which is not yet born; hence it is an element of the constituency which has no "muscle." It must contest against those who live now and who will be required to pay the bill for discharging their responsibility to the unborn constituency. But Lyndon Johnson clearly understood that responsibility, and I hope all of us will learn more fully our own responsibility from the example he has given us.

I doubt if any Member of the Senate will rise who will not indicate that on occasions he found himself in disagreement with President Johnson. Small wonder. The issues that crowd us as a people are complex, and the only person to worry about is the one who insists that with respect to each of them he has the answer.

I think history will note, as others before me on the floor this morning have commented, that there were very bitter personal attacks directed at President Johnson. The cries were shrill. Dissent is fine. Dissent is necessary. But when it boils over into personal abuse, it is not only out of bounds, but it serves poorly the objective that that dissent seeks to attain.

With others before me, and with colleagues who shall follow, I rise this morning to thank this man from Texas who became literally a citizen of the

United States. The accident of geography which marked him as a Senator from Texas, and understandably, was eliminated when he became the President of all of us.

I sense that that is not an easy transition. I am grateful that he succeeded in making it.

If a society is judged by the concern it demonstrates for the very youngest and the very oldest of its citizens, then Lyndon Johnson has persuaded this society of ours to perform just a little better, because included in the achievements of this administration which is about to go into history's book are the medicare program and massive support for primary education. Here is a very tangible demonstration of his concern for the oldest and the youngest among us.

With my colleagues, I wish President Johnson and his family good health, satisfying days, and long lives.

Mr. THURMOND. Mr. President, in this period set aside to honor President Lyndon B. Johnson, we would be remiss if we did not also take note of the record of dedicated service of the First Lady of our Nation, Lady Bird Johnson.

Mrs. Johnson is a devoted wife and mother, and more recently, a grandmother. Constantly in the public eye, whether she wished it or not, Mrs. Johnson has handled her duties to her family with great charm and devotion. As for her duties as First Lady she has conducted herself with warmth and dignity and has been tireless in her travels across the nation in support of numerous projects to benefit our Nation. Her efforts in the campaign to beautify America are a tribute to her energy and ability. Trees, gardens, and playgrounds all over this Nation will continue to remind us of her devotion to her country and her concern for the lives of its citizens.

For any President's wife the experience of serving as First Lady must certainly be difficult. For Mrs. Johnson, who has held this position in a time of great public dissension over the war in Vietnam and domestic disorders in our Nation, her courage and her courtesy in the face of public rudeness has inspired the Nation. She must have been a tremendous source of support to President Johnson and to his fine family, for she possess both loyalty and intelligence. As President and Mrs. Johnson prepare to leave the White House, I know that my Senate colleagues and the American people want Mrs. Johnson to know of our appreciation of her many fine qualities and the manner in which she has put these to work for the good of the Nation and for her family.

Mr. PELL. Mr. President, this is the last day we shall be in session prior to President Johnson turning over the chieftainship of our great Nation to President-elect Nixon.

When we look at the domestic record of President Johnson, I believe it would be hard to find any match throughout our history for the legislative accomplishments that have been achieved under his leadership or with his support.

Specifically, we must recognize that under no other President has as much legislation been enacted which sought to elevate both the spiritual and material levels of American life. President Johnson's lasting memorials are the civil rights, education, housing, job training, health, arts, and humanities bills. His Presidency was one which labored for human values.

And, in foreign policy, while many of us have disagreed with his interpretation of where our national interests lead, no man could have stood firmer, fought harder, or spoken more vigorously for the causes that Lyndon Johnson thought correct.

I believe history will be far kinder to President Johnson than have been contemporary commentators, and that he will rank among our stronger and most effective Chief Executives.

As he leaves Washington, I extend to him and his gracious family all good wishes.

Mr. STENNIS. Mr. President, I shall not undertake to review the senatorial career nor the Presidential career of President Lyndon Johnson. I do want to emphasize that I feel that I know, of my own personal knowledge, because I was in enough of the conferences to know, that we have never had a President who was more concerned about any war than he has been.

He put in long, sleepless nights, one following another, many times, over what our men were faced with on the battlefield, and the contradictions of policy and problems that were presented by this conflict. Do not ever let anyone believe for one moment that he failed to have his heart and soul in this problem and in the seeking of a solution. I do not know that anyone has suggested that he failed in that respect, but I speak with emphasis on a point that I feel as though I had a chance to know something about, and do know something about.

He always had the welfare of the servicemen at heart, and seemed to have a sense of personal responsibility as to every man who went into battle. Also, he had his mind upon the long-range policy, the influences on future generations as well as this one, that were tied in with this war. Time after time, there would come from a new direction another complication of consideration of additional policy, which has made this situation, and still makes it, without any visible solution; but we have never had a Commander in Chief who worked harder and tried harder than he did.

I sat beside President Johnson, when he was a Senator, on the Armed Services Committee for 12 years, I think it was. We also went on the Appropriations Committee at the same time, and spent about 8 of those years together on that committee. We had identical committee assignments in the Senate. He was also on Space, as was I.

I saw in him a man of fine action and unlimited ideas, and when I learned that he had become President of the United States, my first thought was, well, he will certainly be a man of action. But even I did not anticipate, by a great deal, all the action that he did bring about through this high and responsible office.

I differed with him greatly on many of his policies, but at the same time I think his vigor and his action in the war and in other matters gave the Nation strength that it needed at this particular time.

I must state also that I have never known, I think, a finer lady nor one more sincere than Mrs. Johnson. She has borne the burdens of public life all through the years, not only with dignity, but with relish and considerable understanding, and with sound, clear suggestions and ideas, that have been of benefit not only to the President but to the rest of us here who have carried some Government responsibility. I commend her highly as a mother, as a homemaker, as an official's wife, and as First Lady. There is no reason for me to say that, except on the merits as I judge her. She certainly has a place in history, and has been, I think, a wonderful First Lady. No one could have been more typically American in outlook and in action and devotion to duty than Mrs. Johnson.

Mr. President, though I could say much more, I yield the floor.

Mr. SYMINGTON. Mr. President, the progress that has been made in many fields in the past 5 years, perhaps especially with respect to the advancement in education, civil liberties, and civil rights, is now a matter of record for the people of America; and it is clear that the one person who is the most responsible for this progress is President Lyndon B. Johnson. Those of us who have had the privilege of knowing President Johnson over the years know also of his great ability, his tireless energy, and his strong desire to maintain a prosperous and secure Nation.

We also know of the many accomplishments that he has achieved to that end. Other Senators have detailed those accomplishments with an accuracy and ability far greater than could I. But I should like to join Senators this morning in wishing President Johnson and his gracious and lovely wife the very best of everything in the years to come.

Mr. MATHIAS. Mr. President, in this time that has been set aside by the Senate for eulogies of President Lyndon Johnson, in the sense of a word of farewell to the President, I would hope that neither the word "eulogy" nor the word "farewell" would ultimately be applied to what is said here, certainly not to what I am about to say.

Instead, I should like to express my sense of appreciation and gratitude to a man who has borne the ultimate responsibility of being the Chief Magistrate of this Republic, a responsibility that has never been equalled by any public or civic responsibility that has ever been placed upon the shoulders of a single public official.

My time of service in Congress began when Lyndon Johnson left the Senate to become Vice President. During the 8 years that I have served in Congress, I suppose that I have on many occasions differed with the positions that Lyndon Johnson has taken, and on a number of occasions I have agreed with the positions he has taken. I have no idea of what a statistical analysis of the times I agreed and the times I disagreed would be; but my feeling for Lyndon Johnson was summed up in the visit I had with him last week—a very personal visit—in which I think he displayed the qualities that have made him a figure of large proportions in our time and in our country.

His personal hospitality and his personal graciousness transcended any political differences that might lie between us. The welcome he extended; the hand of friendship which he offered, both for today and when he could help in the years to come; the interest he expressed in the country and in the success of the new administration for the country's sake; his invitation to come to Texas—these all bespeak a warmth of heart and a largeness of mind which I think are qualities typical of men who occupy the Presidency. Lyndon Johnson has that heart and mind.

I would certainly want to include in this appreciation Mrs. Johnson, whom all of us as Members of Congress have known as a hostess and as a First Lady who has graced the White House and has done so much to bring to life a sense of civic responsibility in all the country, and who, on her own part and for her own self, deserves our appreciation.

Mr. MUSKIE. Mr. President, I should like to join in the tributes to President Johnson, an unusual and complex man, a compassionate and warmhearted human being.

This marks, I think the 10th anniversary of my personal association with Lyndon Johnson. Looking back upon that association, I recognize now as much as I did at the time that the beginning of that association was not auspicious from my point of view. But I recognize that since that time our relationship has developed in ways which have been most reassuring to me, which have produced some of my most cherished memories during my 10 years in the Senate, and which have contributed something to some of the policies which have marked his administration.

Not many Presidents have had the responsibility of presiding over so traumatic a period of transition in our country's history as has President Johnson. I think that the hallmark of his administration has been his willingness to come to grips with the difficult, complex, and frustrating problems of this period of transition in a way which has been a tribute to his courage and his understanding of what is at stake, and to his willingness to make personal sacrifices in the interests of the country, notwithstanding its effect upon his political fortunes.

We have reached a point in our country's history when our domestic and foreign priorities must be reexamined. We have reached this point at a time when the pressures on our society never seem to be relaxed; and when none of us can see clearly the goals or the milestones toward which we are moving in our society, nor what they may mean for individuals or for our relationships to one another as Americans. So we are all under pressure to see our country as it is, to understand the meaning of what is going on, and to make some decision and judgments about what we must do.

But the man who has really been the focal point of that pressure in the past 5 years is the President of the United States. He has not run away from it. He has recognized it. He has listened to the challenge, and in the words of his state of the Union message this year, he has tried. He has been willing to try, willing to take the criticism which was a response to his efforts, willing to risk the failures of which he has been accused, and willing to meet the test of history and the judgment of history upon his efforts. It has been our privilege in Congress to participate in those efforts.

The President's effort to build a Great Society has been referred to in many quarters as just another political label assumed by an administration for the purpose of identifying its goals and for the purpose of justifying its efforts. But the basic characteristic of the label "Great Society" is that it has meant more than that. We have really been working in this country toward a great society since the beginning, a great society which is based upon the concept that a society achieves its fulfillment as each of its members achieves fulfillment.

I think this is really what the President had in mind when he set this objective. I think he understood that he was not beginning something new but, rather, that he was continuing a 180-year-old American experiment to create that kind of country and that kind of society for average citizens. This is why he has, with courage and determination, initiated legislation which has provided for better health care, more adequate housing, a more livable environment, more jobs at better wages, and greater educational opportunities for all our citizens. He understood and still understands that the fulfillment of individuals depends upon the extent to which we can break down the barriers which inhibit the full flowering of the potential of every individual citizen.

To make these kinds of demands on the American people is to risk criticism, is to risk failure, is to risk the harsh judgment of one's contemporaries. The President has been willing to take those risks. He has taken them. He has paid out his political capital. I believe history will give him a high place for his willingness to do so.

His great problem has been the Vietnam war, a problem which he has not been able to resolve within the period of his administration, a problem which has frustrated him, which has divided his countrymen, and which has cost him the highest price of all in terms of his political capital. I am convinced that at the root of his efforts to deal with this problem, to come to grips with it, and to solve it has been a great inner drive, the urge for peace. If he has not been given the wisdom to do it as he would have liked, neither have the rest of us been given that wisdom. The problem has been ours as well as his. And if he has failed to come up with the answer to it, so has his country. So he leaves office with the problem unresolved, and we continue in office, with the problem still at the top of our agenda for effective action.

I should like to add a personal note, Mr. President. From that inauspicious beginning, I have found our relationship always a two-way relationship, a cooperative relationship, a relationship in which he listened as well as talked. I have found him always sensitive to my views and to my problems. He has been generous and warm in all these 10 years toward me personally. I appreciate it. I shall never forget it. It is one of the cherished memories of these 10 years.

Several Senators have spoken of Mrs. Johnson. I have regarded her always as a great lady, motivated by the finest of instincts, contributing in the most admirable way to the discharge of her husband's responsibilities and his office, while still maintaining a warm family life in the White House. I cannot find the words to speak highly enough of my regard for her, my appreciation of her as a human being, and my appreciation of the contribution she has made to our country and to our country's sense of values.

I have spoken too long, which has not been my custom in the Senate, but I suppose as the years go on I gradually acquire some of those well-known habits of Senators. I am sure I have not stated as well or as precisely as I would like this tribute to President Johnson.

Mr. BIBLE. Mr. President, there is no doubt that a balanced assessment of Lyndon B. Johnson's Presidency must be left to the detached scrutiny of future generations who will measure the impact of his achievements on the march of history. But we are only human, and the temptation to offer a contemporary judgment of the man and his deeds is overpowering.

And who are more qualified to make such a judgment than the gentlemen in this Chamber? We knew him well and, in several respects, we knew him perhaps best of all. To many of us here today, he was a warm and intimate friend, a wise counselor, a courageous leader. To others, he was a formidable political adversary. But all of us, regardless of partisan convictions, respected and admired his polished skill as a legislator. Truly, he was a giant of the Senate.

I take deep pride in the years of friendship I have enjoyed with Mr. Johnson. Our relationship has been very deep and very personal, and I would not trade it for all the riches of the earth. So it is very difficult for me to speak dispassionately and objectively about a man who has devoted his entire energies to the betterment of America and the American people.

My friendship with the President dates to 1954, when I was elected to this body to complete the unexpired term of the late, great Senator Patrick McCarran. I was undecided about seeking a full term in the 1956 elections, and I can say with complete honesty that one of the factors influencing my decision to do so was my relationship with Lyndon B. Johnson. And I was gratified that my victory in 1956 was a factor in assisting him to become the majority leader of the Senate by a 49-to-47 margin.

That same year—1956—I publicly predicted in a speech before Nevada constituents that Lyndon B. Johnson, health permitting, would one day become President of the United States. And when he sought that high office in 1960, I offered him my full and enthusiastic support. I did so because of our personal friendship, because of my respect and admiration of his ability, and because of his tremendous support for legislative programs vital to Nevada. So valuable was his support in this respect that I many times introduced him to my constituents as the "third Senator from Nevada."

All citizens of this generation will forever carry the ugly scars inflicted by the tragic events of a November day in Dallas. But we can be thankful that a man of consummate ability and dedication occupied the Nation's second highest position of leadership. In those dark and melancholy days, Lyndon Johnson's inspirational example of courage and resolve insured an orderly transition of power and reassured the entire free world. The heartbeat of democracy never faltered.

And what of the years since? What assessment will be made of the Johnson administration by future scholars?

I believe he will be remembered as one of our truly great Presidents when his achievements are weighed in the context of history. If he could not secure a final settlement of the war in Vietnam, at least he prevented a takeover of Asian democracies by totalitarian forces. And if he could not solve all of our complex domestic problems—what mortal could—at least he achieved a great deal; more, in fact, than any other President in our entire history.

Under the leadership of Lyndon B. Johnson, this Nation made its greatest strides in eradicating poverty and hunger, in guaranteeing human rights, in extending benefits to the aged and disabled, in opening up educational opportunities and in providing the highest standard of living ever enjoyed by any people on earth. These are not ordinary achievements. They represent extraordinary accomplishments, reflecting the extraordinary ability of Mr. Johnson and his close relationship with this Congress.

Mr. President, Thomas Jefferson once described the Nation's highest elective office as "a splendid misery." He said it required a man to give everything in his reservoir of resources—his wisdom, his judgment, his intellect.

President Johnson gave everything—more, probably, than any of us will ever know. He devoted every waking hour to the interests of the American people and our allies abroad. He guided us with a firm hand and he left a legacy of landmark legislation that will benefit millions of citizens now and in the years ahead.

In his final state of the Union message, President Johnson said he hoped he would be remembered as a man who tried. He will be remembered for more than that. He will be remembered as a man who succeeded. His footprints in history will be very large indeed.

Mr. FULBRIGHT. Mr. President, so many eloquent and well-deserved tributes have been paid to President Johnson that I hesitate to further burden the RECORD, but due to our long association I would like to say a few words.

During approximately one-half of the quarter century I have been in the Senate, I served with Lyndon Johnson who was a distinguished member and leader of the Democratic minority and majority in the Senate. Without any question in my mind, Lyndon Johnson was an especially effective leader of the Senate and the Democratic membership of the Senate. He had the unusual capacity to be able to persuade Senators, many of whom had different attitudes and interests, but he persuaded them to minimize their differences and maximize their common interests which was beneficial to the well being of our country.

Although it is inevitable that public officials have different views on important controversial measures, and I have had such differences with President Johnson, nevertheless he has promoted a great many measures of profound importance to our country, and which I was very pleased to support. The record is well known that I supported him in his nomination for President, and I supported him when he was running for the Presidency in 1964. Regardless of any differences about the policies of our Government I may have had, I always had and still have the greatest respect and affection for President Johnson and his family.

President Johnson and his very lovely wife, Lady Bird, his children, and grandchildren, leave the White House with the affection of all his colleagues in the Senate and with best wishes for many happy years in his retirement in private life to which I am sure he will lend great luster, and we certainly have not heard the last of Lyndon Baines Johnson.

Mr. JAVITS. Mr. President, I, too, would like to join in the tributes of Senators to the President of the United States as he leaves office.

Last night President Johnson said something at a reception which impressed me tremendously, and that is that he felt finally that he should refuse to run again because he thought it would contribute the most to the possibilities of bringing about a peace in Vietnam. Just as Vietnam was the albatross that hung around his neck as President in these last years, so I think he ennobled his own relationship to the issue by making that statement, which is the first time I had heard him make it and which is apparently something very deep in his heart.

I served with him when he was the majority leader of the Senate. I encountered both his skill and advocacy as an opponent and proponent. He is formidable in both positions and has been for years. As President he showed nothing but complete courtesy to me as a Senator and friendship on occasion when it was required.

Whatever may be the verdict of history shown President Johnson, it certainly must include the landmark Civil Rights Act of 1964, the landmark medicare program, and the landmark historic war on poverty. It is high time the American people undertook that responsibility. Vietnam will be hotly controverted. I have devout hope. Perhaps the best thing we can wish for the President is that it will work out all right now that he has it on the track toward a conclusion, and that with the aid of the new President, Richard Nixon, and ourselves, it may be brought to a speedy conclusion with a cease fire and a peace, and that the verdict of history may be that it was worthwhile and that all of this sacrifice was meaningful.

Mr. President, that will probably be the greatest thing that President Johnson could leave the country.

I join Senators in saluting President Johnson and wishing him all health and happiness and expressing appreciation for his graciousness and charm, and the wonderful idealism of Mrs. Johnson, and speaking nothing but the best for the President and his family in the coming years. I know that reflects the sentiment of everyone here. It is a privilege to be able to join in these tributes to President Johnson.

Mr. WILLIAMS of New Jersey. Mr. President, it is something special to know Lyndon Johnson personally; it is a rare privilege to have had the opportunity to serve with him in the U.S. Senate and under his Senate leadership.

Leadership has many qualities. Lyndon Johnson has them all. A guide, counselor, formulator of opinion, he led our Nation to its achievement of more progressive social legislation during his term as majority leader and the Presidency than at any comparable time.

A demanding sternness was never his hallmark. Kindly, thoughtful consultation, blended necessarily with persistence in reaching objectives—these were his hallmark. Today's generation and tomorrow's are the grateful beneficiaries of his greatness. A family filled with love and personal warmth helped him so greatly to carry the crushing weight of almost unbelievable responsibilities that were his through most of his public life.

In a most tragic hour, he said to the Nation, "Let us continue." We did. And the mark of Lyndon Johnson's greatness will insure that he will continue.

LYNDON JOHNSON LEAVES LEGACY OF GREAT ACCOMPLISHMENT

Mr. PROXMIRE. Mr. President, seldom in the long history of our great Republic have we had in the Presidency a man who had the remarkable combination of attributes that Lyndon Baines Johnson has. He combined in the Presidency great passion for the causes he believes in, tremendous energy, immense resourcefulness, one of the shrewdest and keenest minds the White House has known and an unparalleled skill to get what he wanted from Congress—a skill that was aided by his sometimes larger-than-life powers of persuasion. Few men have taken up the burdens of the Presidency with such awesome credentials.

> How fortunate we are—

President-elect Nixon is said to have remarked following that tragic day 5 years ago when President Kennedy was killed—

> to have a man like Lyndon Johnson there to take over.

John Kennedy himself once said that no man was better suited to be President than Lyndon Johnson.

While it is true that Lyndon Johnson's Presidency was marked by great turbulence and numerous crises, by a bloody war in Vietnam and some of the most vicious press criticism ever leveled at a President, I think history will deal most kindly with Mr. Johnson. And that applies with particular force to his administration's domestic accomplishments especially in the field of education, civil rights, conservation, health, care of the aged and poverty.

The editorialists in recent weeks as the end of the Johnson era draws closer have suddenly become quite kind to the President. Not since Andrew Jackson, some have said, have we seen a President like Lyndon Johnson. They are finally catching up with what many of us have known all along—that Lyndon Johnson has been a most creative and effective President.

Lyndon Johnson gave to his country 38 years of extrordinary public service beginning as a congressional aide, going on to become a Congressman, then a Senator, Vice President, and finally President.

He was one of the most powerful and dominant Senate majority leaders in the history of the Senate. In many ways I thought he was too dominant in that role and I said so on the floor of the Senate. There were some times we disagreed even after he became President. But the very attributes which made him overdominant in the Senate made him ideally suited for the Presidency.

The great assurance and inner strength that Lyndon Johnson displayed to the Nation and the world in those first days after the assassination of President Kennedy should have earned him—even if he had done nothing else of note—the everlasting gratitude of the American people. And it surely will bring the generous praise of historians in generations to come. For President Johnson's ability to carry on without missing a step demonstrated to the world, as nothing else could have, that our form of government had the strength and resilience to withstand almost any test.

Mr. BROOKE. Mr. President, for almost 32 years, the voice and personality of Lyndon Baines Johnson have been a part of this Capitol building, a part of the Government of the United States, and an ever-increasing force in the affairs of this Nation and of the world.

From his staff days through the Presidency, Lyndon Johnson's tireless dedication to the betterment of human life has been the hallmark of his career. The expansiveness of his native State was mirrored in the vastness of his dreams. Justice, prosperity and peace are not perfectly attainable goals, but they molded and guided his efforts throughout all his years of public service.

Great accomplishments were his, in the field of civil rights, welfare, education, and employment. Great progress was made in the direction of developing a community of understanding among the nations of the world. While it may never be said of any man or administration that success was theirs, certainly it may be said of Lyndon Johnson, more than of most men, that he tried. For this he has earned our lasting commendation and respect.

I wish, finally, to extend to Lyndon Johnson my personal gratitude for his interest and attention to the views of a freshman Republican legislator. As he enters a new stage of life as a private citizen, my deepest best wishes are with him, Mrs. Johnson, and their family.

Mr. MUNDT. Mr. President, I think it is highly appropriate that we have decided to set aside this time today to permit Senators to express their feelings in connection with the fact our former majority leader, our popular and valued former colleague, President Johnson is about to retire from the Presidency to private life. I emphatically desire to associate myself with the well wishes and the salutes being conveyed to the good friend we all know as Lyndon on this historic occasion.

Increasingly, it seems, the U.S. Senate is becoming the spawning ground for candidates for the Presidency and next Monday we shall inaugurate another outstanding former Senator to become President of the United States. Incidentally, this will make the fourth Senator out of the last five Presidencies who has held this high office. Up to now, all have acquitted themselves well and I am sure President Nixon will carry on this fine tradition of distinguished public service as did Dwight D. Eisenhower who served as President for 8 happy, productive, and peaceful years in between this succession of former Senators.

Lyndon Johnson and I came to the Congress within a few months of each other. Thus, I have known him as a friend and associate in public service for just about three decades. I have always valued that friendship and respected his abilities throughout this era.

As President, I have frequently supported his public policies just as I have frequently felt called upon to oppose some of them. Whether in support or opposition to Johnson's policies, I have found in Lyndon Johnson a man who thoroughly understands and appreciates the legislative process and our representative form of government which necessarily on occasion causes honest men to disagree whether because of political or sectional reasons or for reasons of personal conviction.

Thus President Johnson did not expect complete compliance with his positions from his friends and did not resent the fact that disagreements at times understandably and rightfully develop. As Lyndon said in a recent personal farewell letter to me—

> No man knows better than I the value of different opinions in a democratic society and no man more admires an independent spirit.

I am sure this is an honest and abiding conviction of Lyndon Johnson's and, in fact, he practiced much of this same independence of thought and action as a Member of the Senate.

Mr. President, Lyndon Johnson has been an active, vigorous, and determined President of the United States. He served his country well and historians some decades hence will assign him to his rightful place in history. Nothing any of us say here today will either add or detract very much from the unerring judgment of history. However, we can and I am sure we do bespeak for him a happy personal future and a judgment by history which will do justice to his many attributes and achievements.

Mrs. Mundt joins me in wishing good health and good cheer to Lyndon and Lady Bird Johnson and their two lovely daughters, together with their respective families. We hope to see them all many times in the future as they return to visit their many friends in Washington.

Mr. COOK. Mr. President, it was typical of Lyndon Johnson that even in his last state of the Union message, he looked to the future. He was not satisfied to recount the accomplishments of his administration as he saw them, but he humbly admitted certain failures and issued challenges to the new administration to strive on to complete the unfinished business of the Nation.

Lyndon Johnson's career epitomizes the American dream. From rural Texas and humble beginnings, to the House of Representatives, the Senate, majority leader of that body, Vice President, and then President of the United States is certainly a success story unparalleled in American history. He stands as an example for Americans of the years to come that this is a land of opportunity, a land where it can be said by every mother who looks down at her newborn son, "He can become President of our country."

The President said in his farewell, "I believe it will be said that we tried," and I say to you, Mr. President, that historians will say you not only tried but succeeded. On behalf of all Kentuckians, I salute you and wish you continued happiness and success in the years to come.

Mr. ELLENDER. Mr. President, President Lyndon Johnson represents one of America's greatest success stories.

Born near Johnson City, Tex., 61 years ago, his parents had no idea he would fulfill the American dream of rising to the Presidency of this great Nation. After his early schooling was completed in one of the small towns in rural America, Mr. Johnson attended and earned his bachelor's degree from the Southwest Texas State Teachers College at San Marcos. That was in 1930.

Money was scarce when the President began his college studies. He worked his way through college as a janitor and as secretary to the college president. The year 1928–29 was spent teaching elementary school in Cotulla, Tex., and in August 1930, the President achieved the credits needed for his B.S. degree and was graduated from the State teachers college, where he had majored in history and social science. I am informed that while in school, the President was a debating star, edited the campus newspaper and founded a new campus political group. Here we have the first premonition of things to come. The President attended school here in Washington in 1934; I believe it was during this time that the young Lyndon Johnson served as a doorkeeper in the House of Representatives.

It was his early experiences on both sides of the educational process that did so much to influence his own views of American education in later years. His views in turn have done much to shape and influence American public policy toward the educational process from the 1950's to this date. I might add that the President's own background in rural area education closely paralleled my own, and I have been pleased to support his efforts aimed at making it possible for all of our children to receive an adequate education according to their capabilities, no matter in what part of our country they resided.

The President was first elected to Congress at a special election held in 1937 and thus joined the U.S. House of Representatives the same year that I joined the Senate. He served in the House through the 80th Congress and was elected to the Senate in 1948, in the famous "Texas landslide."

His story from there on is well known, and I shall not dwell on it. All too often the facts of a man's life do not tell the story of the man. It seems to me that the names and dates are not so important as the energy, attitude, and outlook which have shaped his career. I am proud that a boy from one of our rural areas grew to attain such success, but that is America for you. In a day when we see increasing concentrations of population, with the increasing attention being given to the problems of our great cities, it is well to remember that the open country and small towns are still an important influence in American life. I am sure that his early experiences benefited the President greatly, as he himself has often pointed out, and, of course, through him, they have benefited the Nation as a whole.

"What a far cry from a country schoolteacher to the Presidency."

Here is a parable that schoolchildren will be studying for years into the future and I am sure will be an inspiration to them.

Before closing, may I say that no President had a more gracious First Lady, nor a more devoted family than our President. To all of them I wish a fond farewell and may all enjoy long and useful lives.

Mr. PROUTY. Mr. President, the triumphs of Lyndon Johnson's presidential years were all too often overshadowed by tragedy and turmoil. Yet perhaps from the vantage point of history our present tensions will diminish and the positive accomplishments of the past 5 years will move to the forefront.

These 5 years saw a massive infusion of Federal aid to education, a major assault on poverty and urban decay, the enactment of medicare, and the expansion of civil rights laws.

In less-troubled times, a President may have been content with these accomplishments. Tuesday night, however, President Johnson declined to boast of successes. Instead, he talked of what remains to be done. He left us a full agenda.

The measures of success cannot be applied easily to a particular period of time or term of office. Such assessments must be left to history. Likewise, measuring a man is a task for historians.

They should discover that Lyndon Johnson was truly in his element in Congress. As a staff member, Representative, and Senator, he served Congress with unbounded energy, masterfully translating commitment into action with his powerful presence.

He came personally to deliver a final message Tuesday night, and we were moved by his emotional plea that this country press on in the search for peace and keep its promise to the poor and ill-treated.

Significantly, he asked that we give our understanding to his successor, who also has deep roots in Congress. In this way, President Johnson seemed to express the harsh contrast between congressional camaraderie and the lonely burdens of the White House.

He assumed these burdens in sorrow and passed them on in a time of stress. In his first state of the Union message he said:

> Our time is necessarily short and our agenda is already too long.

In his final message he admitted that much remains to be done. Indeed, our time remains short, and the agenda is long, but during his Presidency, Lyndon Johnson has strengthened the framework for action.

As Lyndon Johnson retires from office, it seems appropriate for those of us who have been his friends and confidants over the years to cast ourselves in the role of the senior reporter at the end of a press conference and say: "Thank you, Mr. President."

Mr. BURDICK. Mr. President, when I entered the Senate on August 8, 1960, Lyndon Johnson though still the majority leader of this body had already achieved legendary fame. He had already served this body ably as Democratic whip and as minority leader.

I listened proudly to President Johnson's final state of the Union message last Tuesday evening with my colleagues here and in the other body. And as I listened I could not help but recall the rare qualities of the man who had obtained so much even before he assumed the highest office of the land. Above all, I suppose personal devotion best characterizes the quality of the man—devotion to public service, devotion to the institutions he served, and devotion to the Nation and to all of her people.

I need not relate the achievements that have grown out of this devotion. It is enough to say that during his Presidency the Nation has realized the many goals in human welfare and dignity that it had sought for so long. I think also that it was a measure of his success that as these achievements were obtained the continuity of the Nation was fully preserved.

A little more than 5 years spanned last Tuesday's final farewell and the first occasion Mr. Johnson addressed the Congress when he became the 36th President. His message at that time—a time of tragedy and uncertainty—was "Let us continue." His final message I am proud to say was that we did continue and we achieved. We did, I think, in large measure, because Lyndon Baines Johnson led the way.

Mr. MONDALE. Mr. President, I join wholeheartedly in our salute to President Lyndon B. Johnson. He has been a magnificent President. He has had the instinct, the guts, and the skill to reap for the Nation a huge legislative harvest in his 5 years in the Presidency.

I have had the great honor to work for and support the largest part of his program—medicare, aid to education, the war on poverty, the Voting Rights Act of 1965, the air and water pollution bills, Social Security increases, and the Fair Housing Act of 1968.

President Johnson has been a living example of the capacity for growth in the Office of the Presidency. It is said that in times of crisis, the true nature of each man is tested and revealed. The President has been sorely tested and revealed as a great humanist, a great man, and an adroit and skillful President.

He has been criticized and vilified—often for narrow political and partisan advantage—but it has not embittered or disheartened him. His generosity in asking understanding and respect for his successor in office is a true measure of his greatness as a man.

I am deeply proud to have served in the Senate for most of his term—and privileged to have played a part in the great legislative program he has compiled. In my opinion, historians in future years will give him very high grades and will go much beyond saying merely that he tried.

I ask unanimous consent that an editorial published in the New York Times of January 12, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE JOHNSON ERA

As Lyndon Johnson nears the end of his five years and two months in office, he can look back with both satisfaction and disquiet on a pledge fulfilled. In his first address to Congress in November 1963, President Johnson set the theme of his Administration when he said, "Let us continue." Continuity and fulfillment of past policies have indeed marked the Johnson era, with consequences good and bad.

In domestic affairs, Mr. Johnson has presided over a new age of progressivism. Under his leadership, the nation has completed policy initiatives begun as far back as the Administration of Franklin D. Roosevelt; translated into law many proposals first set forth by the Truman and Kennedy Administrations, and greatly extended the scope and effectiveness of still other programs, including many Johnson initiatives.

Education has been the interest closest to the President's heart, and a national leader could have no more important concern. He has signed into law more than forty separate pieces of legislation to support education, from preschool projects to graduate education. The Federal Government has nearly tripled its investment in education. The President's most skillful legislative achievement in a field where race, religion and ideology have been formidable obstacles to progress was the Elementary and Secondary Education Act of 1965. By tying Federal assistance to the poverty of the children, this law circumvented racial and religious obstacles and, for the first time, brought Federal money directly to the slum schools which need it most.

In moral symbolism, the high point of the Johnson era came on the evening of March 15, 1965, when the President addressed a joint session of Congress and asked for approval of what became the Voting Rights Act. Referring to the demonstrations then under way in Selma, Ala., Mr. Johnson said: "What happened in Selma is part of a far larger movement which reaches into every section and state of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

"Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome."

Those words are an inspiring credo by a white Southerner who became a leader of all Americans and who backed up his words with executive deeds. They are also a standard of conduct by which to measure his successors in the White House and a reproach to all those in the nation, black or white, who espouse the ugly creed of racism.

Many other accomplishments by the Johnson Administration in the domestic field could be cited, such as Medicare and vastly expanded health programs, new protection for consumers, increased investment in manpower training and modernization of the Government, including the creation of two new Cabinet departments.

Of outstanding importance has been this Administration's leadership in protecting natural resources and striving to keep the environment livable. New programs have been enacted to combat air and water pollution, to provide for the disposal of solid wastes, to beautify rivers and to establish new national parks, seashores and lakeshores. Mr. Johnson has a genuine love of the land, and his record in the White House as a conservationist reflects that abiding commitment.

Although the urban riots of recent years have been dismaying and the antipoverty programs have encountered frustrating difficulties, the over-all domestic record reflects worthy aspiration and high accomplishment. It is easy now to sneer at these laws and programs as merely the unfinished business of the 1930's, but that was not the prevailing attitude when Lyndon Johnson took office five years ago. Then the roadblocks sometimes seemed mountainous. Mr. Johnson on many issues had important help from members of Congress and from his liberal predecessors in the White House who educated public opinion. But his own energy, idealism and political skills were crucial.

In foreign affairs, continuity was also the central theme of the Johnson years but with much less happy results. Retaining his predecessors' principal advisers and applying what he regarded as the bitterly learned lessons of collective security, President Johnson made the serious mistake of intervening with a half-million troops in South Vietnam. It was a mistake because Mr. Johnson exaggerated the importance to the United States and the rest of the world of a possible fall of South Vietnam to the Communists and invested more there than the results could possibly justify.

The diversion to the Vietnam war of the time and energies of President Johnson and of the Secretaries of State and Defense made it impossible for the Administration to maintain and improve upon the foreign policies which it inherited. The Alliance for Progress faltered badly because Mr. Johnson was never able to give it the personal attention he might otherwise have devoted to it. The foreign aid program suffered from Presidential neglect. Relations with the principal European allies deteriorated and the erosion of NATO went unrepaired.

Passivity and lost opportunities were the price of America's Vietnam obsession, an alienation of many of the country's youth and loss of resources desperately needed at home. But the Johnson Administration negotiated the nonproliferation treaty, kept the lines open to Moscow, and for more than five years maintained the nuclear peace. In a world so uneasily balanced on the edge of nuclear terror, these were no insignificant achievements.

The men that a President chooses to advise him are one measure of his capacity. This newspaper has often disagreed with Dean Rusk's judgment, particularly in Asian affairs, but we have never had occasion to doubt his intelligence, industry and unfailing devotion to his duty as he saw it. Robert S. McNamara and Clark Clifford have been outstanding Secretaries of Defense.

President Johnson was not afraid to retain able officials inherited from his predecessor such as Secretary of the Interior Stewart Udall, Secretary of Labor Willard Wirtz and Secretary of Agriculture Orville Freeman. Nor was he reluctant to seek out distinguished men in private life such as John Gardner who served as Secretary of Health, Education and Welfare (and was well succeeded by Wilbur J. Cohen) or to entrust responsibility to a relatively young man like Attorney General Ramsey Clark. The latter's quiet integrity and fidelity to civil liberties in these difficult years have done honor to his office and to the President who appointed him.

A final word has to be said about Lyndon Johnson himself. He has been subjected to as bitter criticism as any President in history, some of it deserved. He has been the victim of vulgar snobbery because of his Texas origins and manner, all of which was undeserved. He is unquestionably a complex, difficult, unduly sensitive and sometimes unattractive man. But his contemporaries need not defer to the nebulous verdict of future historians. It is possible to observe today that he merits the respect and, for many reasons, the gratitude of his fellow citizens. He labored mightily on behalf of this nation and always tried to serve the best interests of all the people. He had failures of understanding but never of intent or effort. He has no reason to fear history's judgment.

Mr. BAKER. Mr. President, as the end of this administration approaches, I believe it is particularly fitting that we should set aside time to honor President Johnson here in this body where he served so long and so well.

Throughout his long career, first as a Member of the House of Representatives, then as a Senator and majority leader, and later as Vice President and President, a great many of Lyndon Johnson's most impressive victories have been scored here in this building.

It was as a legislator that Lyndon Johnson first carved a place for himself in the archives of American political history, and it is, I believe, through his legislative expertise that he has built the monuments by which he will be best remembered.

While I have on many occasions disagreed with the President and have opposed his policies forcefully and energetically from time to time, I have never questioned his courage, nor have I once doubted his patriotism and concern for the best interests of America.

As he himself observed on Tuesday evening, there is no way to know how history will judge Lyndon Johnson's Presidency. But there is one thing of which we can be sure—Lyndon Johnson tried.

Mr. CASE. Mr. President, as President Johnson takes leave of his office and its burdens, he can take justifiable pride on the domestic achievements of his administration—in education, social security, health and civil rights.

His obvious disappointment in the pursuit of peace is shared by most Americans who acknowledge the sincerity of his effort and regret the failure of that effort as he does.

It is a privilege to join my colleagues in expressing high personal regard for Mr. Johnson and best wishes to him in his new career.

Mr. BAYH. In concluding his sixth, and final, state of the Union message to the American people, President Lyndon Baines Johnson stood before the Congress he knows and loves and spoke of his hope that historians 100 years hence would look back upon the days of his administration and say that:

> Together we helped to make our country more just for all its people—as well as to insure the blessings of liberty for our posterity. I believe—

The President concluded—

> it will be said we tried.

Mr. President, I believe it will be said you succeeded.

Lyndon Baines Johnson became President of the United States on one of the darkest days known to this generation. When President Kennedy was slain, it was Lyndon B. Johnson's fate that law and duty would bring to him the title and tremendous burdens of the office of President of the United States. When the word "President" still meant John Kennedy to millions around the world, Lyndon Johnson was dutybound to step in and lead his countrymen.

There have been times, during these perilous last 5 years, when President Johnson has been required to make decisions before the people were ready to accept them. But that is the responsibility of leadership. It has not been an easy time in history to be President of the United States, but Lyndon B. Johnson has never shirked a responsibility. He has accepted the challenge as an opportunity, and he spoke of that challenge in his historic speech at Ann Arbor, Mich., before 80,000 Americans.

> The challenge of the next half century—

He said—

> is whether we have the wisdom to use our wealth to enrich and elevate our national life . . . to advance the quality of American civilization . . .

Our late beloved President John F. Kennedy said of Lyndon Johnson:

> He really cares about this nation as I want a President to care.

As President, Lyndon Baines Johnson has shown that he deeply cares about his country, about the world, about people. He has shown us that he cares about the poor, the sick, and the aged in America. He has been concerned about our natural resources, about our economy, our educational system, and our minority groups. With unbounded intensity, he has tackled the many problems of this huge land, undaunted by their complexity or by their number, and by years of neglect. As a result, 5 years after Mr. Johnson first became our President, something has been and is being done to restore to America and her people that sense of hope that marks our progress as a nation.

Today, thanks to the war on poverty, the poor people of America have hope for the future. During the administra-

tion of President Johnson, the Economic Opportunity Act of 1964 was passed, a Department of Housing and Urban Development was established, and the Omnibus Housing and the Manpower Training Act signed. Today, 10 million fewer Americans are poor than in 1963. Is the war on poverty effective? Ask Olympic champion George Forman about the value of the Job Corps. Ask the mother of a happy first-grader about the effects of Operation Headstart.

In education, we have seen the Teacher Corps established, the landmark Elementary and Secondary Education Act passed, the Higher Education Act approved, and additional medical schools built. For the elderly, medicare was passed, social security benefits increased, and an act passed to outlaw discrimination by age in hiring.

Under President Johnson, the landmark Civil Rights Act of 1964 and the Voting Rights Act were passed. Discrimination in housing was outlawed by Federal statute last year. President Johnson was the first Chief Executive to appoint a Negro to the Supreme Court and to the Cabinet. He has also appointed many women to positions of importance. Finally, during the Johnson years, the immigration laws were changed to make our entrance requirements truly consistent with the American ideals of democracy and equality between men.

Lyndon Baines Johnson has cared about the people of the United States and the world. A study of his messages and addresses shows his deep concern for decent housing for all Americans, decent jobs, education facilities, opportunities, and environment.

It fell to his lot to conduct the Presidency in a time of widespread public dissent. He withstood public criticism, willingly denied himself some of the popularity that any leader craves, and forged ahead, doing what had to be done. Supporters and critics alike have praised him as the modern President who has devoted his entire being to the Presidency. There are few Americans, whatever their political beliefs, who doubt that President Johnson tried—and to a degree unparalleled in our history, succeeded in making America a better place to live. He has been a strong, determined, and courageous President. The country that he loves, after his 5 years at its helm, is a better Nation for his leadership.

Mr. TALMADGE. Mr. President, I join my colleagues in the Senate today in saluting President Lyndon B. Johnson on the eve of his stepping down from the Presidency to return to his beloved State of Texas.

Lyndon Johnson leaves behind him a record of almost four decades of unflagging dedication to his State and country and to his fellow man. This is a career that began as a humble doorkeeper in the U.S. House of Representatives some 38 years ago and reached the highest pinnacle that can be attained in the United States of America.

Lyndon Johnson served with distinction in the House of Representatives, and he was elected to the U.S. Senate in November 1948, and in this body he rose to the highest rank of leadership. As our majority leader, he was without peer. He proved himself to be a master of parliamentary procedure and unmatched in dedication to his senatorial duties.

As Vice President, Johnson was given many important assignments which he discharged with great ability, and in terms of national security and foreign policy, he was the best-informed Vice President in the history of the United States. This background and experience eminently qualified him for ascension to the Presidency, probably more so than any other Vice President before, upon the tragic assassination of President John F. Kennedy.

No other man has given so much of his spirit or so many years of his life to national public service. He especially earned widespread respect as a champion of the underdog.

Lyndon Johnson served as President at a time when both the world and our Nation was deeply troubled by social and economic strife, and with a costly and frustrating war going on in South Vietnam that has been like no other war in the history of our Republic in terms of the difficult problems it presents. Because of the unsettled state of world affairs and domestic crises, many of his accomplishments have probably been obscured.

Lyndon Johnson and Lady Bird are returning to Texas Monday, and my wife, Betty, joins me in wishing them health and happiness and every future success.

Mrs. SMITH. Mr. President, I join my colleagues in paying tribute to one of our former colleagues who is retiring as President of the United States.

Not only did I serve with him for more than 20 years in the House and Senate but never in the history of the Congress have two Members served on the same committees together as we did—on the Naval Affairs and Armed Services Committees in the House and on the Appropriations, Armed Services, and Space Committees in the Senate.

I came to know Lyndon Johnson very well—perhaps better than anyone else with respect to committee work—and I can say without the slightest equivocation that no one in my experience in Congress ever matched his dedicated drive in his work.

Many things can, and will be, said in praise of Lyndon Johnson, but nothing more accurate and important can be said about him than that no one, but no one, ever tried harder to achieve the goals in which he believed than did Lyndon Johnson.

Mr. RIBICOFF. Mr. President, last Tuesday evening Lyndon Johnson came to the Hill to give his sixth and final message on the state of the Union.

It was a moving experience—especially for those of us who have served in the Congress during the last 5 years.

For as President Johnson recalled the achievements of his administration, we could share in his justifiable pride.

Working together, the executive branch and the Congress have written programs into law that bring greater justice as well as more meaningful lives to millions of Americans.

But it has been the President's leadership, foresight, energy and strength that have shaped and often determined the outcome of these constructive measures.

Recently, 10 eminent presidential scholars, rating the 36th President as he leaves office, agreed that he deserves high marks for his administration's domestic accomplishments.

Our judgment is surely the same.

Medicare now brings relief from fear of burdensome medical bills to older citizens and their families. And increased social security benefits bring greater comfort and independence at the time in life when they are needed most.

New manpower training programs prepare large numbers of the unemployed for jobs, while model cities programs will bring new life and form to communities in need.

The commitment of the Congress, strongly reinforced by the commitment of the White House, has resulted in the enactment of three far-reaching civil rights measures within the past 5 years.

President Johnson is a conservationist with a deep attachment to the land. His leadership in preserving natural resources and his concern for the health of our environment have been vital elements in securing new programs to fight air and water pollution, to clean and beautify our rivers, to stake out new national parks.

And Lyndon Johnson is also a teacher. Of all his administration's accomplishments, none are more important or of greater personal pride than those in the field of education. More than 40 separate pieces of legislation relating to education have become law during the past 5 years, and the programs they support run the gamut from preschool to graduate education. Roughly 90 percent of America's 51 million schoolchildren have benefited from Federal funds in the 2½ years since the passage of the Elementary and Secondary Education Act. To make this law a reality, formidable obstacles had to be surmounted. It took the President's impressive legislative skills, gained by long experience in the Congress, to accomplish this.

Let us be especially grateful for the Johnson administration's progress in the limitation of nuclear arms: the successful negotiations that brought about the Outer Space Treaty of 1967 and the Non-Proliferation Treaty of 1968.

Next week the President will leave Washington. With his gracious wife—who has also given generously of her energy and talent to our Nation—he will return to Texas and the ranch he loves so well.

Along with the burden of fatigue that must accompany any man after 5 exhausting years in the White House, the President takes with him the pride of great accomplishment.

He also takes the warm wishes of his countrymen for a long future filled with good health and happiness.

Mr. PERCY. Mr. President, in the course of President Johnson's years in the White House, I have had occasion to disagree with him over both policy and programs, abroad and at home, in my capacity as a private citizen and as a U.S. Senator from the opposition party. At no time, however, have I ever questioned his love of country, his devotion to building a better and stronger America. I have admired his capacity for work, his knowledge of government, and his understanding of the political process.

His remarkable wife, Mrs. Lyndon Johnson, has, to my way of thinking, been a perfect First Lady for our country. She has been most importantly a source of comfort and support to her husband in times that would put a severe strain on the strongest of men. She has in every way undertaken to represent the best long-range interests of the country and has thus caused us to look at and begin to change many areas where we need to build at home.

Together the President and his wife are a most remarkable couple. All America owes them a debt of gratitude for their many years of public service. All of us join in wishing them the fulfillment, accomplishment, and happiness that they so richly deserve as they return to their beloved State of Texas.

Mr. McGEE. Mr. President, Lyndon Baines Johnson came to Washington as a young man 38 years ago. Shortly he leaves this town, this Capital, this bastion of democracy, as a still young man. He leaves us with the knowledge that he is a vigorous man whose dedication to people will cause him to continue an active life and contribute many more years of service to this country. He leaves us with much more than that, however.

If Lyndon Johnson's career had ended at almost any point it would still have stood as a great record of achievement, for he served in five Congresses as a Member of the House of Representatives, was elected three times to the Senate, served as whip and as both minority and majority leader in this body, as Vice President and as President—the highest office this land, indeed this world, has to offer. It is a remarkable record of achievement which President Johnson has established. Only a remarkable man could have done it.

For myself, I count myself fortunate to know and to have worked with Lyndon B. Johnson, not alone because he has held power, but because he is, as a man aside from the positions of great influence which have marked his career, truly a remarkable person. I know that I am not alone in holding Lyndon B. Johnson in great esteem and affection, for he has been a friend to all of us—a dedicated friend to all the people of the United States. We know this whether or not we have agreed with our President on specific issues of the past. He himself, addressing us in his farewell state of the Union speech just this week, said it best:

> I hope it may be said, a hundred years from now, that by working together we helped to make our country more just, more just for all of its people—as well as to insure and guarantee the blessings of liberty for all of our posterity. That is what I hope, but I believe that it will be said that we tried.

Certainly, it will be said that Lyndon Johnson's leadership of this country was met by turbulence as well as progress, by hate as well as affection, by fear as well as faith. But never will it be said that he gave less than a total effort to doing what, as Chief Executive, he saw as necessary, and I do suspect that 100 years from now historians will agree that this era did see America advance as a just country, just for all its people, and strengthened liberty for the future.

Lyndon B. Johnson has a rather special place in the State of Wyoming and in the West in general, not just because he was known to wear boots and raise white-faced cattle on his beloved ranch—though that did not hurt him any—but because he understood us and was, in real measure, one of us. He has enriched our country's democratic tradition immensely. A young man from the Texas hill country, a graduate of Southwest Texas State Teachers College, a teacher himself, he became our leader. And he led us.

Mr. President, I wish Lyndon Johnson and the great lady who is his wife and has been such a grand First Lady to all of us, Godspeed as they return to their Texas home.

Mr. PEARSON. Mr. President, I, too, desire to pay tribute to our departing Chief Executive, Lyndon B. Johnson, who without doubt is one of the most remarkable men I have ever known.

I am a Republican, and he is a Democrat. But in his service to his country over the past 30 years, Lyndon Johnson has often laid aside partisan interests to advance the national welfare. Nowhere was this devotion to duty more evident than during his term as President. In every sense of the word, Lyndon B. Johnson tried to be the President of all the United States. Beset with difficulties that would crush a lesser man, President Johnson carried his duties without complaint. Almost always optimistic, he worked to solve thorny problems of domestic and foreign policy that at times threatened to innundate the Government.

Mr. President, I am sure we all hope that the remarkable service of this remarkable man is not at an end. His renunciation of his party's nomination to another term because he felt that in this way he would best serve the cause of peace will not terminate his service to the Nation. We shall all be in need of his counsel and his tireless energy in the trying years that lie ahead.

Lyndon B. Johnson has left an indelible imprint on the face of this land. His executive and legislative accomplishments are legion. He has known failure, too, but he has borne it with courage and dignity. And no one will ever doubt the truth of his observations when he spoke to us all in joint session just a few days ago, for as he said, he tried. He tried as hard as he knew how to fulfill the heaviest responsibilities in the world. And we all are eternally in his debt as a result.

Thank you, President Johnson, and Godspeed.

Mr. ANDERSON. Mr. President, it is with deep feeling that I rise to pay tribute to an old friend, a loyal colleague and a dedicated public servant.

Yesterday, after the President's visit with us here in the Senate, I thought of my long association with him. We first became acquainted 34 years ago when we were serving on the National Youth Administration for our respective States. This was to be the first encounter in a long series of events in public service.

Our paths crossed occasionally during the few years after 1935, but it was not until 1941, when I entered the Congress as a Representatve from New Mexico, that our association blossomed. He had come to the Congress 3 years earlier after winning a special election to fill a vacancy in his district, and he was always willing to give assistance to a freshman Congressman.

The year 1948 was another big one for both of us when we were elected to the Senate. The freshman class that year was a large one—19 of us. Evans and Novak in their recent book wrote of that class:

> Seldom has so colorful, so varied, and so exceptional a band of new Democratic Senators come at once into the Senate as the Democratic Class of '48—freshmen Democrats swept into the Senate in the first postwar presidential election of 1948.

In reminiscing I discover that there are only four of us left from that Democratic group in elective office: Lyndon Johnson, HUBERT HUMPHREY, RUSSELL LONG, and myself. In history I think few men have been as fortunate as I in spending 20 years of close association with such distinguished and talented men as these.

The mastery that Lyndon Johnson has displayed in the political arena is legend. Historians still write with awe about his career as Senate majority leader. He understood the mechanisms necessary to produce action. He worked untiringly to bring harmony. He has been called the greatest majority leader in the history of the Senate.

Yet with his great success as a leader and having accumulated immense power, he never lost the common touch of friendship and loyalty. He knew the needs of his colleagues. He was quick to remember intimacies.

On one occasion when Mrs. Anderson and myself were guests at the Johnson ranch, I admired a new plastic float in his swimming pool. A few days later an identical float was delivered to my door.

My wife remembers when as Vice President the Johnsons lived near us in Spring Valley. When social events came along that involved Senate wives, Mrs. Johnson would round up all the wives living in her area and take them with her in the chauffered limousine she was provided.

I am reminded that Lyndon Johnson was the first chairman of the Committee on Aeronautical and Space Sciences that I chair today. His keen insight and hard work laid the organizational groundwork that benefits that committee and the Senate today.

It should be recalled that Lyndon Johnson played a fair game when dealing with his colleagues. Although he played to win, he was sensitive in seeing that all had an opportunity to present their case.

There has been mention of his propensity for hard work. I would say that this was the major factor in his successful career. His day would seldom end until he had finished his work and was on top of whatever project that confronted him at that moment. Few men have been willing to dedicate the tremendous amount of time that has been necessary to attain the accomplishments of Mr. Johnson, and few have matched his accomplishments.

In paying tribute today to the President, I am reminded of the words of another President, Theodore Roosevelt, who wrote:

> Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat.

May it be said of Lyndon Johnson that he dared mighty things. He will not soon be forgotten in this body. Nor will his accomplishments soon be forgotten by the Nation. I take pride in the fact that I have been a friend and a colleague of this distinguished man.

Mr. JORDAN of Idaho. Mr. President, I would like to add my voice to the many that have been raised in tribute to our distinguished President Lyndon Baines Johnson.

It is a tribute to the man, that of those of us who did disagree on occasion with his philosophy, not one questioned his dedication to duty, his sincerity of purpose, or his devotion to the principle of representative government.

As a Representative, as a Senator, as Vice President, and as President, this leader's career clearly reflects the ultimate dedication of one's life to the role of public servant. His decision to take himself out of the presidential race in order to better achieve our Nation's goals marks him as a man willing to put country above self. A lesser man might not have been so dedicated.

I am proud to join with my distinguished colleagues today in an expression of gratitude to President Johnson for his years of tireless effort on America's behalf. May the ensuing years be as rewarding for him as the example of his leadership has been for us.

Mr. NELSON. Mr. President, I want to join with my colleagues in expressing tribute to our outgoing President on behalf of myself and the people of Wisconsin, and also for the future generations who will benefit from the great works he achieved while serving as our President.

Pick up any newspaper today and you will read the principal tribute which is made to President Johnson for his tremendous achievements in the fields of education, civil rights, the war on poverty, and the effort to improve the health and welfare of all our citizens. Certainly he has made breakthroughs in these areas which will improve the lives of hundreds of millions of people for all the years into the future. And these achievements alone have earned him a place in history alongside our greatest Presidents.

Personally, as a person deeply concerned about the serious threats facing the environment in which we live, I should like to call attention to the historic accomplishments of President Johnson in the field of environmental protection.

Assisted by a visionary Secretary of the Interior, who sees the environmental crisis in its broadest implications, and bolstered by a remarkable wife whose crusade for environmental beauty has captured the imagination of the Nation, President Johnson has set in motion a great new thrust forward in the field of natural resource preservation.

Under his leadership the war on pollution has at long last become a really serious nationwide effort to establish strict standards of water quality and stop the destruction of our lakes and streams, regardless of the source from which the pollution comes. Under his leadership we have made a great new investment in the future by setting aside millions of acres of land and water for national parks, national lakeshores, and national seashores which will enrich the lives of the Nation. With his determined assistance, we have finally established a national wild and scenic rivers program which will some day be viewed as an accomplishment as historic as the establishment of the national park system. With his backing we have managed to establish a national hiking trail system which will bring high quality, low cost recreation to millions of people.

President and Mrs. Johnson have made conservation, preservation, and beautification of the American environment mean something in the lives of average citizens, which is the only way great things are ever accomplished in a democratic society. With courage and with great political skill President Johnson has set us on a new course, which, if we have the will and courage to proceed, will enable us to save this land of ours and make it a place where its citizens can live a life of quality and beauty. I hope the great thrust forward in conservation which took place during the Johnson years is appreciated by this Nation and that its momentum is not lost in the years to come.

Mr. LONG. Mr. President, mortals can measure men only by comparing them with others they have known. It has been my privilege to know four great American Presidents. Of the men I have known in public life, no one has devoted himself more diligently to serving the Nation and the world than Lyndon B. Johnson.

Future historians will compare Lyndon Johnson to Thomas Jefferson, Andrew Jackson, Abraham Lincoln, Woodrow Wilson, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, John Kennedy, and others. They will reach varying conclusions.

Those of us here today do not possess the perspective to pass proper judgment. It was my opinion, and I stated it several years ago, that Lyndon B. Johnson had both the capability and the desire to make America its greatest President. He may well have done exactly that.

President Johnson once said to me that the people of America would be 20 years in discovering all that had been achieved in the 89th Congress. It was the most productive Congress in the history of the Nation. It passed the basic Johnson program.

It was my privilege to be first the ranking member and then the chairman of the Committee on Finance during the 89th Congress and to steer through the Senate the President's principal recommendations on the subject of tax reductions, tax incentives, trade expansion, medicare, social security, unemployment insurance, and veterans' compensation. It was also my privilege to serve as majority whip during the same period and to see the President frequently and discuss his problems, his program, and his aspirations. It was my privilege to see the manner in which Lyndon B. Johnson bore the crushing burdens of the office of the President of the United States.

Had he been confronted merely with domestic problems, the mind can hardly conceive of all that he would have achieved to provide the better life for Americans; to improve the face of the Nation; to provide opportunities and equal rights and to eliminate poverty. The relentless Communist conspiracy, in its efforts to subjugate this earth to its domination, piled upon President Johnson a heavier duty and responsibility than any man should be asked to accept. Yet, President Johnson cheerfully, and with indefatigable zeal, devoted himself to all of the Nation's problems, both at home and abroad—and indeed to the world's problems—with more effort, greater attention to detail, and more direct decisionmaking than any President in our history.

America tends to think of its greatest Presidents as those who saw this Nation through a major war successfully. That seems to be the trend in history. The greatest President of the 20th century will be the President who was able to avoid a major war to save mankind from extermination in an atomic holocaust, while maintaining the position of this Nation and the free world against those who would destroy our liberty and the liberty of other free peoples.

President Johnson prevented the spread of communism in this hemisphere. He prevented the armed takeover of the Dominican Republic by the type of action which, if pursued in timely fashion, would have saved freedom in Cuba.

President Johnson carried the burden of resisting Communist aggression in other places—especially in Southeast Asia. The criticism was great; the war was not popular. But the President did what national honor and his own conscience dictated when he made good America's commitments and went beyond that point to prevent Southeast Asia and eventually the entirety of Asia from falling to Communist aggression and subversion.

As Lyndon Johnson so well pointed out in his final state of the Union message, the conduct of the Nation's affairs under one President has its roots in the administration of his predecessor and even the predecessor's predecessor. The final result of this Nation's domestic commitments and its efforts in international affairs will depend upon the administration of President Richard M. Nixon and those succeeding his administration.

After carrying the Nation's burdens for more than 5 years, President Johnson leaves this Nation with greater strength than it ever possessed before. It has those elements which can make it prevail in its quest for peace and international justice. Everything President Johnson fought to achieve can still be accomplished if we but have the will to see it through.

In those gloomy days when the superpatriots were saying they would rather be dead than Red, the late John F. Kennedy inspired Americans with the statement that we shall be neither dead nor Red, but alive and free. And today we are stronger and wealthier—with greater freedom and greater justice—than ever before. With America in a posture envied by all nations of the earth, having achieved more than any nation in history, Lyndon B. Johnson turns the helm of the ship of state over to his successor.

As he and Mrs. Johnson prepare to retire for a well-earned rest in Texas, I wish them many wonderful years ahead in which to receive and enjoy the gratitude that surely will be forthcoming from the people they have served so long and well.

LYNDON JOHNSON, HUMANITARIAN

Mr. McGOVERN. Mr. President, several years ago, a friend recounted to me a conversation he had had with Lyndon Johnson in which the then Senator Johnson had described himself as "basically still a social worker." It was an allusion back to his early days as a state official in the NYA, the National Youth Administration of New Deal days.

I have had sharp disagreements with the President on the Vietnam war. I opposed our deepening involvement, which has cost $100 billion and 30,000 American lives. I have also opposed the 10-percent surtax to finance that war as not a proper or just manner of financing wartime operations. I still do. The just and proper way is still an excess war profits tax, patterned on the taxes of that nature which served so well in previous wars.

Throughout my opposition on these issues, however, I have been aware that no President has ever worked harder at the job than Lyndon B. Johnson, and no President has more consistently pressed for solutions to the problems of deprived citizens in this affluent society. He has consistently manifested his deep commitment to "social work" and to improving our social structure at the level where it most needs improvement: providing care and opportunity for those who have not shared in our affluence but have been shockingly neglected.

The glory of the Great Society has been its accomplishments in four fields related to correcting wrongs to the underprivileged: health, education, civil rights, and conservation.

The fourth of those areas of achievement is an automatic reminder that the President's gracious and energetic wife, Lady Bird Johnson, is also entitled to great recognition and to our sincere thanks for her contribution—especially in conservation and beautification beyond the usual obligations of a First Lady of this land.

In my judgment, the two Departments that will come off best in historical perspective on the Johnson administration are the Departments of Health, Education, and Welfare, from Secretary Abe Ribicoff to Secretary Wilbur Cohen, and the Department of the Interior under Secretary Stewart Udall. Their programs and initiatives in both instances reflect the concern of the President with social well-being.

I have had great admiration for the President's consistent attention to the programs of the Federal Government which effect people—health, housing, civil rights, education, job opportunities, recreation, and the environment.

It is a privilege to join my colleagues in thanking the President for the tremendous energy he has given to the discharge of his duties, for his devotion to the social well-being of Americans and his many initiatives in that area, and to express the hope that in the years ahead he will continue to work as a distinguished leader in the same field which he entered early in life with the NYA.

Mr. MOSS. Mr. President, we are not trying here today to decide how history will judge Lyndon Baines Johnson, but only to indicate how we who have perhaps known him best now judge him.

Whether history is kind to President Johnson on Vietnam will depend mostly on the outcome of the peace talks in Paris, and how the final settlement of the war affects our relationship with the Communist world, including China.

Even the verdict on what is undoubtedly one of the most creative legislative records in history will depend, to some extent, on how and when the social reforms are universally accepted—how and when the backlash and discontent in the country disappear—how widespread is the change of heart in America as well as the change in laws.

But history will, I am confident, credit President Johnson with enormous insight, wisdom, and generosity in setting his legislative goals, and with enormous skill, energy, and intelligence in reaching them. He believed that no American should be denied the advantages that have made some Americans rich, and others great, and have given the vast majority a life of comfort and fulfillment. He set out to expand opportunity to all. Some may feel that he moved too fast and too far, but all will agree he sensed the brevity of the moment to act, and took advantage of it.

In so doing, he had to change national thinking. It was one thing for Franklin Roosevelt, in the depth of the depression, to propose and get through Congress a vast program of social and economic adjustment. The majority of the people then were either jobless or hopeless or frightened. It was easy to win their support.

But Lyndon Johnson chose to try to help a minority who were suffering at a time when the vast majority was rich and comfortable, and in many ways, heedless and unthinking. He had to convince them that there was need—that there were problems to be met. Then he had to try to grasp the mentality of the disadvantaged, and to study the large and almost forgotten areas of human blight to find the remedies. Once he began to see things as the least fortunate of Americans sees them, he tried to make others see it the same way. That he has not been wholly successful in a time of plenty is not too surprising.

Yet I believe that most Americans are now committed to the proposition that a nation as rich and powerful as the United States can and should wipe out poverty within its borders. I believe that most people are now committed to the proposition that all young people should be given the opportunity to get a good education, that our elderly have a right to expect good health care, and that all Americans, regardless of race, color, or creed should have equal opportunity. There may be some question as to the methods by which these goals are achieved, but there is no real quarrel about the goals themselves.

Nor can there really be any doubt about the magnitude of the Johnson legislative accomplishments. The basic laws are on the books—civil rights, medicare, aid to education, war on poverty, conservation of our natural resources, protection for the consumer, and many others. They are a monument to Lyndon Baines Johnson, which will endure.

The rapport between the Congress and the President during the height of these legislative battles is also something which history cannot ignore. Perhaps no President was ever in greater concert with his Congress. Many of those outside Congress have never really understood what happened—or perhaps they chose to misunderstand.

But I for one grew very tired of the constant references to "White House pressure" and "arm twisting" as the answer to why bills were passed. Many of the measures in the Johnson legislative program had been before Congress in one form or another since the Truman days. Many of us had sponsored or cosponsored them in one form or another long before Lyndon Johnson became President. The fact that he took them over, often refining and altering and improving them to make them more palatable to more people, made their passage possible. When we voted for them, we were voting for our own bills or versions of our own bills. We were not voting for them just because President Johnson asked for them; we were not "rubberstamps"; we were voting our convictions. I do not think we can too often take the opportunity to set the record straight on this.

When I think of my association with Lyndon Johnson, I recall also the many times he came to my State of Utah, and what his visits meant to us. There were four visits—the first when he was majority leader of the Senate in 1958. On that occasion he arrived in Salt Lake City on November 2, 2 days before the election. I was the Democratic candidate for the Senate. The words he spoke in my behalf unquestionably helped elect me.

The next time he came to Utah was in 1960, when he was the Democratic vice-presidential candidate. The date was October 28—again a short time before election—and he was effective and persuasive. Utah liked him then, too.

His third appearance was in October 18, 1962, in the congressional campaign of that year, and after his speaking engagement, he visited the venerable president of the Church of Jesus Christ of Latter-day Saints, David O. McKay, at the church office building. Out of that visit a warm friendship sprang up, and when Lyndon Johnson returned to Utah on September 18, 1964, during his campaign for reelection to the Presidency, he again called on President McKay, and the next morning he and Mrs. Johnson were entertained by President McKay and Mrs. McKay at breakfast. As soon as his reelection was assured, the Tabernacle Choir was invited to sing at the Johnson inaugural, and later on President McKay was invited to visit the White House.

The tie between President Johnson and the people of Utah manifested itself again and again in the Utah bills he approved. Each time he signed another Moss bill—Canyonlands National Park, the Dixie reclamation project, the Great Salt Lakebed bill, the Golden Spike Historical Site, the Golden Spike Medal and the Golden Spike Commission bills, the Flaming Gorge Recreation Area bill, and the many others—he made a point of expressing his satisfaction in another advance for the State and its people. He has been a good friend to Utah.

Only time, as I have pointed out, can take the full measure of Lyndon Johnson as the 36th President of the United States. He has been bitterly, and often unfairly, criticized. He has been caught cruelly in a war he never made. But there is no question that he bestrode his times like a giant, and added new dimensions to the Nation. Looking back it has been 5 years of growth and progress, of economic good times such as America has never known before, of social and scientific progress.

Now he "heads back to the ranch" in Texas, with his family and his belongings and 31 million pages of papers. He has deeper lines in his face and his hair is much greyer. I do not think anyone will deny he has given the best he has to the Nation. As we take stock of what has been—of what might have been—we give to him, and his gracious Lady Bird, our thanks and our warm good wishes. My own feeling is that Lyndon Johnson deserves the accolade of history—and that history will give it to him.

Mr. COOPER. Mr. President, President Johnson's final state of the Union message to the Congress as he leaves the Presidency, was in my view, as correct an assessment of his administration and his viewpoint as any that I might make.

His statement of the achievements of his administration domestically, and certainly of his intensely human endeavors in the field of civil rights, health, and education, was modest. And, as we know so well, the frustrations of the Vietnam war with all its problems caused him to make the unselfish and magnificent decision not to seek again the Office of President to provide the best chance for its settlement—removed from the heat of a political campaign.

His statement was without bitterness, was tolerant and generous, an example that all can follow.

And so, we bid him farewell and wish for him and Mrs. Johnson, who has done so much in her own right for the betterment of our country, and for his family a happy and good life, and continuing service for our country of which he is so proud, and for which, as he said, he tried.

Mr. CHURCH. Mr. President, today we honor Lyndon B. Johnson for his Presidency. While his 5 years in the White House were the capstone of a long and illustrious career, it was but a part—and a relatively short part at that—of his lifetime of public service.

There is little I can add to the recounting of the administration of Lyndon Johnson. To avoid repetition, I should like to recall an earlier period in our history, when Lyndon Johnson served us here as majority leader of the Senate.

During his years as majority leader, it was often popular to characterize Mr. Johnson as a parochial Senator wedded to the preservation of the status quo in the U.S. Senate. Few impressions could be more false.

Our debate over Senate rule XXII is a notable example of his willingness to work for change.

We would do well to recall, under present circumstances, that the last liberalization of the rule was achieved under the leadership of Lyndon Johnson. Not only was the requirement for invoking cloture changed from a flat vote of 67 or more Senators to the present requirement of two-thirds of those present and voting, but the requirement that there could be no limitation at all imposed on debate of a rules change was dropped.

And, of particular concern to those of us of the majority party, it was Lyndon Johnson who insisted upon placing each Democratic freshman Senator upon a major committee. This practice has notably improved the leadership potential of our party by insuring a constant infusion of talent into every aspect of the Senate's legislative business.

These are but two examples of the vigorous and progressive leadership Lyndon Johnson gave this body as majority leader. The list could go on but it is unnecessary.

Mr. President, I have reached back into the Senate days of Lyndon Johnson for one reason: As we honor him today as a President, let us also honor him as a great legislator who served his country well throughout his long and distinguished career on Capitol Hill.

Mr. RANDOLPH. Mr. President, it has been my privilege to have served in the Congress under all five Presidents of the United States inaugurated since my election to the House of Representatives in 1932. Each was highly esteemed by me. But I have felt a special closeness to Lyndon Baines Johnson and Lady Bird, as does Mary, my wife, because of our early associations when serving together as young men in the House, and through the years which have intervened, during which he progressively moved upward to the Senate, to the majority leadership, to become Vice President of the United States, and then to be our great President.

In each of these roles we have had the pleasure and benefit of visits by this outstanding American in my native West Virginia. I remember having presented him to campaign audiences during occasions when he was in the midst of vigorous campaigning. I recall his visit to Welch for a Veterans Day address in 1963 when he was Vice President—only a few days before he was to be called under tragic conditions to the highest office in our land. And I especially recall his dedicatory speeches as President during ceremonies at the Morgantown Airport and at Summersville Lake.

The tall man from Texas knew the yearning and the purpose of our mountaineer people. He said at Morgantown on September 21, 1964, to more than 20,000 persons, that—

> America needs a strong and growing and prosperous West Virginia. West Virginia has given much to America. And America must never forget it. It will not forget so long as I am President.
>
> I have travelled through your State. I have talked to your people. I have found strong and willing men. I have found men who want nothing more than the chance to use their minds and hands to provide for their families and build their Country.

The President added:

> We are going to give them that chance.

He told the enthusiastic crowd:

> For three decades you have worked to make this modern airport come true. Your faith and energy have surmounted every difficulty. The people of Morgantown can look forward to a brighter and more hopeful life because of this work.
>
> This airport was not the work of one man or a single group. It was built by the cooperation of civic groups and local officials—of city, state and nation.

The President noted as he equated the factors that created the improved airport as a sky-portal to the world with the factors that have made America the greatest Nation in the history of man:

> And what is true for Morgantown is true for America.

I was happy to present the President to fellow West Virginians, and I recall when he joined me in the U.S. House of Representatives in 1937. It was my privilege to have known him even before that date. When he needed living quarters for himself and Lady Bird at the beginning of his congressional service, I told him that I knew a couple from Charleston who were living in Washington but who are being transferred to Pittsburgh and who only recently had asked me if I knew someone who wanted to rent a furnished apartment.

I gave Representative Johnson the Ourbachers' address and he immediately rented the apartment. There was a four-poster canopy bed in the apartment and when Mr. Johnson became so well-known, the Ourbachers renamed it "the Johnson Bed."

The President also spoke in West Virginia on September 3, 1966, in the beautiful countryside of Nicholas County, near Summersville, and there he declared:

> West Virginia is no longer starting from the bottom in its economic climb. Instead of promises it now has concrete and steel.

He told the crowd assembled for the dedication of the Summersville Lake that new roads and hospitals have brought new industry to the State and that "we tried to see that the poor were fed." He noted that unemployment in West Virginia had dropped 17 percent since 1960 and that per capita income had increased 27 percent.

Speaking of the facility he was there to dedicate, the President called the Summersville Lake a key part of flood control plans for the Ohio and Mississippi River Basins.

He said:

> It would prevent flood damages averaging nearly $3 million a year.
>
> In the dry seasons, water from the Summersville Reservoir will be used to reduce pollution and to meet the ever-growing demands of the industries of the great city of Charleston.
>
> The reservoir will also become West Virginia's newest recreation center—attracting millions of visitors and bringing new prosperity to the region. West Virginia is a great, outstanding tourist attraction of this Nation.

All during his career, as Representative, Senator, majority leader, Vice President, and President, I marvelled at Lyndon Johnson's drive, his awareness of and dedication to the public weal.

Yes, our President tried, as he told us Tuesday night in addressing the joint session of the Congress and delivering his farewell state of the Union message. But I say very emphatically: He succeeded.

To have been at his side, in a sense, in the efforts for progress for all our people, gives me cause to be ever grateful.

We who know our President so well wish for him and Lady Bird and their family the continued success and happiness we believe they so fully deserve.

In these remarks on this significant occasion in this forum, Mary, my wife, joins me in expressions of appreciation and affection for the courageous and devoted President of the United States and his always gracious First Lady and their growing family.

AUTHORIZATION FOR TRIBUTES TO PRESIDENT JOHNSON AND MRS. JOHNSON TO BE PRINTED AS A SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that other tributes to President Johnson by Senators unable to be here today may be printed in the RECORD, that the RECORD remain open for 10 days for this purpose, and that all congressional tributes may be compiled thereafter and printed as a Senate document.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. As an addenda, I make the same request with respect to all tributes to Mrs. Lyndon B. Johnson, that they be incorporated with the tributes to President Johnson and be printed in the same Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 398—INTRODUCTION OF BILL TO REDUCE THE COST OF MUNICIPAL FINANCE

Mr. PROXMIRE. Mr. President, as in legislative session, I introduce today a bill, for appropriate reference, to assist our hard-pressed State and local governments in raising the funds they need in today's capital market. The bill would make it easier for State and local governments to borrow funds at more reasonable rates of interest. At the same time, it would save the Federal Government money by substituting an interest subsidy approach for the existing system. An identical proposal was introduced by Congressman PATMAN and myself in the 90th Congress, but unfortunately the press of other business prevented hearings on the bill. Before explaining the details of the proposal, I believe it would be wise to describe briefly the present status of municipal finance.

TRENDS IN THE MUNICIPAL BOND MARKET

Mr. President, in 1965 the Joint Economic Committee conducted a study of projected municpal bond issues over the next decade. The study showed our State and local governments will require $328 billion to finance essential public facilities such as roads, schools, and hospitals from 1966 through 1975. About half of this investment will be financed through the capital markets in the form of State and local bond issues. The annual volume of bond issues is expected to increase from about $14.5 billion in 1967 to over $22 billion in 1975.

Mr. President, these are truly staggering figures. Capital, of course, is a scarce resource and has many competing uses. If State and local governments are to increase their rate of spending, they must be prepared to pay higher interest rates in order to bid the necessary funds away from other potential uses. This means the interest burden on municipal bonds can continue to grow even more than it has.

Over the past 18 years, for example, the interest rate on high-grade municipal securities has risen from a rate of 1.94 percent in 1950 to a rate of 4.63 percent at the present. The rate of interest has more than doubled in the last 18 years.

Because of rising interest costs, many hard-pressed municipalities cannot afford to finance the needed public facilities required for a growing population. The high cost of borrowing affects the number of schools and new classrooms which can be constructed each year. It limits the number of hospital beds which can become available. It limits badly needed local expenditures for roads and highways, libraries, and parks. It slows down the fight against air and water pollution. It diverts scarce local funds from essential operating needs to nonproductive interest payments.

I might point out, Mr. President, that interest rates now are so high that on many of these issues the interest cost is more than the principal amount. In other words, it costs more to hire the money than it does to build the hospital or the school, or to build the roads that are necessary.

Under our Internal Revenue Code, State and local bond issues are, of course, exempt from Federal income tax. This permits State and local governments to borrow at a somewhat lower rate of interest. However, the escalation of interest rates has affected all issues, including tax-exempt State and local bonds.

The problem of borrowing is particularly acute for our smaller towns. The municipal bond rating services only issue ratings for bond issues above a certain size. Moody's Investors Service rates bond issues larger than $600,000. Standard and Poor's has rated bond issues over a million dollars, although their rating service has been discontinued unless the city itself pays for its rating. Out of the 94,000 bond issues in the last 15 years, only 20,000 issues received a rating.

The consequences of not obtaining a rating are serious for the small municipality. This means that smaller communities are denied access to national or regional capital markets because investors are unfamiliar with the credit rating of the municipality. The market for its bonds are consequently restricted. As a result, our smaller towns and communities are forced to pay higher interest rates regardless of their individual risk experiences.

As a matter of historical fact, the risk on municipal bonds is nearly infinitesimal. During the 20-year period between 1946 and 1965 State and local governments floated approximately 120,000 bond issues. Only 30 defaults were recorded. In other words, the loss ratio is less than three one-hundredths of 1 percent, a truly insignificant amount.

I might point out, Mr. President, that even in these defaults, most of the funds are paid to the bondholders.

Despite the record of this excellent loss ratio, the bond rating services apparently operate on the assumption that a major depression of 1929 to 1933 magnitude is possible and that the interest on local borrowing must reflect this potential risk. I submit that the passage of the Full Employment Act of 1946 and the solemn commitment of the Federal Government to maintain prosperity has precluded the possibility of another large-scale depression of 1929 to 1933 proportions. There are no sound economic reasons why our State and local governments should not be able to borrow nearly as cheaply as the Federal Government itself can borrow.

PROPOSED SOLUTION

Mr. President, the bill I have introduced would reduce the cost of borrowing to State and local governments by providing a Federal guarantee of State and local bond issues together with an interest rate subsidy of 33 percent. In return, the State and local governments would waive the tax-exempt status of such bonds to which they are entitled under existing law. Several bond attorneys have confirmed the workability of this procedure. According to experts on public finance, the Federal cost of providing the interest subsidy would be more than offset—in other words, the Federal Government would be better off—by increased tax revenues. This view is also shared by the U.S. Treasury. In a letter to me dated December 31, 1968, the Treasury indicated that "the Treasury would gain in revenue more under your proposal than the cost of the interest subsidy." At the same time, the cities would benefit by lower interest rates. Moreover, the tax loophole which enables the holders of tax-exempt bonds to avoid Federal income tax would be partially closed.

At present, a man with $10 million could avoid paying any income taxes if he invested in municipal bonds, receiving an income of $500,000 a year, or $10,000 a week, and he would pay no income taxes at all.

This is not, incidentally, Mr. President, just a theory. It has happened in many cases, as we all know. This is one reason, indeed I think the principal reason, why we have many taxpayers with incomes of more than a million dollars a year who do not pay a nickel in taxes, and have not over a period of many years.

This measure would be helpful in plugging loopholes of that kind.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Missouri.

Mr. SYMINGTON. Would the Senator mind repeating those figures about wealthy people who do not pay any income taxes at all?

Mr. PROXMIRE. I repeat them to my good friend from Missouri. The fact is that there are a number of people, and I can provide the number for the RECORD and shall be happy to do so, who have incomes of more than $1 million a year but who pay no income taxes whatsoever to the Federal Government.

One of the big loopholes—the one I am discussing today; there are many others, as the Senator knows better than I do—results from the fact that if an investor invests in municipal tax-exempt bonds, I repeat tax-exempts, he can get them at a 5-percent yield or better today, and they are risk free. If he has, say, an investment of $10 million in municipal bonds, and receives an income of $500,000 a year, or $10,000 a week, he does not have to pay any income tax at all—nothing.

Mr. SYMINGTON. The former chairman of the Joint Economic Committee, who is also the prospective chairman under our system of rotation, is especially capable in this matter he is now discussing. I have just arrived in the Chamber and do not know all the specifics he has brought out. Would the Senator discuss how in general it is possible that we, who are supposed to believe in democracy, put up with conditions under which people with tremendous incomes, who are always careful about the proper financial, fiscal, and monetary regulation of the country, do not pay any taxes at all, especially while the average income person in the United States pays taxes at high rates?

Mr. PROXMIRE. The Senator from Missouri raises a point that I think has concerned all of us for some time. One of the great contributions of the late Senator Robert Kennedy was his proposal that every American, regardless of how he arranged his portfolio, should be required to pay a minimum of, I think he suggested, 15 or 20 percent as income tax if he had an income above a certain figure. This makes sense.

As to how people get in this position, I suppose it is the old story that persons having great wealth, and who are able to hire the best tax brains in the field, can find loopholes in almost any kind of law we can draft.

The proposal I am discussing today would enable States and cities to pay a lower interest rate. That is very good. We all approve of that. But I am suggesting a way in which we can, first, partially close the loophole by providing an opportunity for States and localities, if they so wish, to issue taxable bonds in return for which they would receive a subsidy from the Federal Government. The Federal Government would be better off, and the Treasury has so written me. In return, the revenues to investors in such bonds would be taxable.

On the average, the interest from these bonds is taxed at a rate up to 42 percent. So they would be taxable. Therefore, it would be possible to pay a 33-percent subsidy, and yet provide net income for the Federal Treasury, while at the same time providing a substantial gain for the municipality.

Mr. SYMINGTON. I thank the Senator from Wisconsin and commend him.

Mr. PROXMIRE. Mr. President, I would now like to outline in somewhat greater detail the specific features of the proposal.

FEDERAL GUARANTEE

For those State and local governments which will waive the tax exemption privilege, the Federal Government would be empowered to guarantee their bond issues against potential default. The availability of the guarantee would, of course, make State and local bonds virtually a riskless investment. It should lower the interest on most municipal bonds to a rate equivalent to a triple A rating. Since most municipal bonds fall into AA, A, BAA, or even lower ratings, this would mean a substantial lowering in the rate of interest. Smaller towns and municipalities whose issues are unrated will benefit the most.

I pointed out earlier that the risk is minimal. There has been less than three one-hundredths of 1 percent of default in the last 20 years. So the Federal Government would not be involved in any particularly significant risk. However, the proposal would give the small towns in Montana, Missouri, West Virginia, Wisconsin, Vermont, and other States an opportunity to borrow money at a much lower rate.

The Federal guarantee would be issued by the Federal Government only after a determination that the issue is economically sound taking into consideration the debt paying capacity of the issuer, and the issuer's debt repayment record over the last 25 years. It is expected that virtually all municipal bonds would be eligible for the Federal guarantee.

INTEREST RATE SUBSIDY

In addition to the guarantee, the Federal Government would also be able to subsidize the rate of interest paid by the borrower over the life of the issue. This subsidy would reduce the total interest rate paid by 33 percent. The Federal Government would then enter into long-term contracts to make such payments over the life of the issue. These contracts would be similar to Federal assistance payments under the public housing program which have proved successful in achieving investor acceptance and confidence.

The economic impact of the Federal guarantee, the interest rate subsidy, and the waiver of the tax exemption privilege will result in a combined saving both to the municipalities and the Federal Government. A simple example will illustrate this point. Because of the present tax exempt status of State and local bonds, the Federal Treasury loses 42 cents in revenue for every dollar of interest paid by a State or local government. According to the Treasury Department, the average tax bracket of all investors holding State and local bonds is 42 percent. Thus, every additional dollar of interest income earned by investors in State and local tax exempt bonds result in a revenue loss of 42 cents which would have been earned by the Treasury had the investors invested in nontax exempt securities.

Although the Treasury loses 42 cents on the dollar, the gain by localities is not as great. When the rate of interest charged on tax-exempt State and local bonds is compared to the rate on comparable securities which are not tax exempt, we find the rate on tax-exempt bonds is only 25 percent less. In other words, for every dollar of interest paid, State and local governments save only 25 cents because of the tax-exempt feature.

Thus, in simple terms, the Federal Government loses 42 cents on the dollar while the cities gain only 25 cents on the dollar. The difference represents a healthy tax bonanza which goes to the holders of these bonds.

Under my proposal the Federal Government would subsidize one-third of the interest cost to the municipality. This means that for every dollar of interest paid by the municipality the Federal Government would contribute 33 cents, provided the city waived its tax-exempt privilege. In so doing, the Federal Government would gain 42 cents in additional tax revenue from those who invest in State and local bonds. Thus, the cost of the subsidy would be more than offset by the increase in tax revenue.

The proposal should also be attractive from the point of view of the city. At the present time, it is reducing its interest costs only 25 percent by virtue of the tax-exempt privilege. However, if it waives the privilege it gets not only a reduction of 33 percent, but a Federal guarantee as well. The combined effect of the Federal guarantee and interest subsidy can result in a reduction of as much as 40 percent in interest costs to the municipality.

I do not have to dwell on that point today. We all know what it would mean in the case of building hospitals, schools, and roads and providing all the other essential services that municipalities have to provide.

In addition to reducing the interest costs, the bill would also substantially broaden the market for State and local securities. Because of the tax-exempt status of State and local securities, only certain investors are interested in purchasing them. These tend to be commercial banks, casualty insurance companies, and wealthy individuals. On the other hand, the tax-exempt feature is not particularly advantageous to mutual life insurance companies, mutual savings banks, mutual savings and loan associations, pension funds, and State and local retirement funds, all extremely large potential investors. Thus, if the tax-exempt feature of State and local bonds is waived and the gross interest rate correspondingly increased, the market for these securities will be considerably broadened. Although the gross interest rate will be increased, the net cost to the city will be reduced as a result of the 33-percent Federal subsidy. And once again, the cost of the Federal subsidy will be more than offset by increased Federal tax revenue.

MUNICIPAL DATA BANK

Mr. President, the third feature of my proposal is to establish a municipal financial data bank under the administration of the Federal Government. The data bank would be responsible for compiling and maintaining financial statistics on all American municipalities. Objective, accurate, and timely data would be made available to investors and other Federal agencies operating State and local credit assistance programs. The data bank would not evaluate, interpret, or analyze the information so provided. This would continue to be a responsibility of the user, whether it would be a private rating agency, an investor, or another Federal agency.

The objective would be to assist the rating service and investing public in making wise investment decisions. Hearings before the Joint Economic Committee have shown that while the private rating services have struggled valiantly to keep up with the growing municipal bond market, they have not been able to compile systematically and comprehensively all the data needed to make a sound evaluation. The process is hit or miss. As a result, some cities suffer in their bond rating not because of any intrinsic lack of credit worthiness, but rather because the rating service did not have access to the relevant information or the information used was inaccurate or out of date.

The purpose of a rating system is to measure relative investment risk. Under a free market system, investors demand a higher return the greater the investment risk. The extra return is basically an insurance premium to be available for potentially greater defaults. Thus the additional interest paid by cities on BAA bonds as compared to AAA bonds is actually a risk premium to compensate investors for incurring a higher loss ratio.

One way of measuring the efficency of the rating services and the municipal bond market is to compare the risk premiums charged by investors in response to bond ratings against actual losses.

Assuming an AAA bond is virtually risk free, the size of the risk premium can be estimated as the difference between the AAA rate and the average rate for all State and local securities. When this difference is averaged for the 23-year period from 1946 to 1968, we find a difference of 0.36 percent, or 36 basis points between the average municipal borrowing rate and the AAA rate. Applying this differential to the average amount of tax-exempt bonds over the period and assuming a 15-year average maturity, we find that State and local governments have paid approximately $3.8 billion more in interest than they would have paid if all issues had been rated AAA.

Note that—$3.8 billion more has been paid by municipalities, especially the small cities and small towns.

As I have already indicated, the basic justification for this extra interest is to pay for a high incidence of losses.

When this extra interest of $3.8 billion is compared with losses, the results are startling. According to hearings held by the Joint Economic Committee, only 30 out of approximately 120,000 State and local issues are in default. In terms of dollars, the issues in default add to less than $300 million. Of course, not all this represents a total loss, as State legislatures frequently agree to pay off the holders of defaulted bonds. But even if the entire $300 million is lost, the extra interest collected by all bondholders is still $3.8 billion or nearly 12 times as much. In other words, the higher interest collected by investors on lower rated issues is grossly excessive compared to the actual risk involved. It is at least 12 times too high, and if recoveries are allowed for, it is probably 100 times too much.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. The Senator is delivering an extremely interesting address. I ask the Senator: Who establishes those ratings?

Mr. PROXMIRE. Two organizations have been outstanding. One is Moody's Investors' Service and the other is Standard & Poors. Moody's is more comprehensive, but it will not rate any issue of less than $600,000. Standard & Poors will rate no issue unless paid to do so by the municipality.

This means the small towns really are discriminated against. They have great trouble selling their issues. They have to sell them locally, and this is difficult.

Mr. SYMINGTON. This proposed data bank would rate all issues?

Mr. PROXMIRE. No. It would provide information so that the rating services or other investors, in turn, could rate them. The Government would not say one is better than the other.

Mr. SYMINGTON. Instead of hurting Moody's, it would help Moody's.

Mr. PROXMIRE. Exactly. I understood the two rating services support the data bank proposal. In addition, if the bill is passed, it would be a guarantee of a very small loss. The bondholder would not suffer. All municipalities would be considered to be triple A.

Mr. SYMINGTON. So that if I correctly understand the concepts of the Senator from Wisconsin, his proposal would embrace a lesser charge, and possibly a saving of billions of dollars by the smaller communities. At the same time it would help private industry involved in this area, and would net the Federal Government considerably more income.

Mr. PROXMIRE. The Senator is correct. The Treasury Department has stipulated that.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BAKER. Mr. President, as the distinguished Senator from Wisconsin knows, he and I have discussed this issue from time to time.

Mr. PROXMIRE. The Senator from Tennessee has an extraordinary interest in this matter.

Mr. BAKER. I should like to put two or three questions that I believe are relevant to the inquiry just put by the distinguished Senator from Missouri.

To begin with, is it not true that the net effect of this proposal would be to transfer the traditional indebtedness of municipalities, counties, and States to the Federal Government?

Mr. PROXMIRE. No, and for two reasons.

No. 1, as I stipulate here, the Federal Government would not willy-nilly guarantee all municipal bonds. They would have standards which would have to be applied, and they would only guarantee those bonds if they were reasonably assured that they were sound, and the criteria would be substantial.

I point out that in view of the record of municipal bonds, this would still permit them to guarantee the great majority of bonds. But the prospect of default for the Federal Government would be very slight, indeed.

Under these circumstances, I do not believe the Federal Government would be engaging in any kind of guarantee which would in effect result in any substantial cost to the Federal Government.

Mr. BAKER. But, in effect, the Federal Government would be the unconditional guarantor of a substantial part of the municipal, county, and State bond issues of the future, would it not?

Mr. PROXMIRE. The Senator is correct.

Mr. BAKER. Certainly, the Federal Government on those which the Federal Government decided were worthy purposes or were soundly conceived or were otherwise in compliance with whatever requirements the Federal Government might prescribe for guaranteeing those bonds.

Mr. PROXMIRE. The criteria I provide would not go to the purpose. I think I get the thrust of the Senator's inquiry. I believe he raises an excellent point.

The Federal Government would not be in the business of telling the municipality that it could invest in this and not that; but the only basis on which the Federal Government would turn down a guarantee would be if the municipality were issuing funds in an unsound way and their repayment record had been poor—something of that kind.

Mr. BAKER. The Senator provides, properly, the point I am trying to make. In effect, the Federal Government, by this action, has created the right to decide what is and what is not the proper way to handle the financing at the local level.

Mr. PROXMIRE. No. I disagree with that, for a number of reasons.

No. 1, the Federal role would be confined to determining the soundness, not the purpose. But, much more important—this is the crux of it, and this is the real answer to the Senator—the volition is completely with the local government. They can decide whether or not they want the guarantee and the subsidy or whether or not they want to continue to issue—and they would have every right to do so—a tax-exempt security. It would not interfere with their rights. They would still reserve to themselves the decision as to whether or not they want to take advantage of this.

Mr. BAKER. Could the Senator point out what portion of this proposal would guarantee against the Federal Government granting or withholding this guarantee of municipally issued bonds because of the purpose of those bonds, as distinguished from the repayment schedule or the soundness or solvency of the issue?

Mr. PROXMIRE. Nothing in the bill I propose would enable the Federal Government to exercise such discretion.

Mr. BAKER. Is there anything that would prevent it?

Mr. PROXMIRE. Well, I do not see how they could, in compliance with the provisions of this bill, refuse to guarantee the issue of a municipality if it were financially sound.

I would be delighted to work with the Senator from Tennessee to make sure that we can provide language. Certainly, it is my intent that the Federal Government would have no power over the purpose, and provided they could be assured that the municipality's issue was financially sound. The only basis for their decision would be the soundness of the issue, whether or not it would be repaid.

I do not say that simply as an answer to the Senator from Tennessee. I believe this is a very constructive line of questioning on his part. I think it should be in there. I agree with him wholeheartedly that the municipality must retain complete discretion as to whether or not they invest, and they also should be given the opportunity, if they wish to do so, any way their own charter and their constituency permit them to do so, to make any investment they choose that is legal and proper.

Mr. BAKER. If the Senator will yield further, I should like to say, in conclusion, that I feel that some of the provisions—possibly many of the provisions—embodied in his proposal have much merit. I believe there are substantial and very grave risks. We may materially alter the Federal-State relationship in an undesirable way if we are not careful.

I intend to have further remarks in this field at a later time, and I look forward to working with the Senator in trying to iron out some of the differences we have discussed.

Mr. PROXMIRE. This bill, I understand, would come to the Committee on Banking and Currency and might come before the Subcommittee on Financial Institutions, of which I am chairman.

I tell the Senator that I want very much for him to appear as a witness. We will have representatives of the cities and the counties and will explore the point the Senator has raised. We will do all we can to insure that the language provides for precisely the kind of protection for the integrity and sovereignty of the locality to which the Senator has so properly addressed himself. I might add that the guarantee approach in my bill is the most conservative approach and represents far less Federal interference than a direct loan approach as envisioned by the urban development bank proposal.

Mr. BAKER. I thank the Senator.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. Mr. President, exploring this matter further, especially in light of the questions raised by my able friend, the distinguished Senator from Tennessee, it is true that we have a good many differences as to how financial matters should be handled between the States and the Federal Government.

But I note with increased interest the disagreements arising over the financial relationship of metropolitan areas and the States. If that is true with respect to the metropolitan areas, which are very powerful in their ability to represent themselves to the State governments, certainly it would be at least as true with the smaller municipalities, which do not have a comparable position in presenting their problems to State legislatures and State administrations. Would that be an accurate observation?

Mr. PROXMIRE. The Senator is absolutely correct.

Mr. SYMINGTON. I wish to make one other point. In the Committee on Foreign Relations we consistently approve authorization for the guarantee loans which large and very successful corporations make in foreign countries. If it is in the interest of the United States to guarantee loans of some large corporations willing to take a risk which, if successful, would bring in heavy profits, should we not be willing to guarantee loans to the American people who live in the little cities and towns, who will get no profit from them, but who will have as a result better communities in which to live?

Mr. PROXMIRE. The Senator has made a point which is devastating, and which had escaped me. As I understand the matter, corporations invest abroad and in effect we guarantee the loans to small developing countries.

Mr. SYMINGTON. The Senator is correct.

Mr. PROXMIRE. Maybe it is for a proper purpose. I have concurred in some of those matters. However, if we do that we should certainly guarantee the bonds of our municipalities, especially with the enormous demands that are implicit here. I thank the Senator.

Mr. SYMINGTON. I thank the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, if this situation is permitted to continue, State and local governments will pay an additional $8.6 billion in excessive interest charges over the next 10 years or nearly $1 billion a year. By improving the existing municipal finance data system and by providing a Federal guarantee, most or all of this $8.6 billion can be recouped by our hard pressed State and local governments and put to work for more essential needs. And as I indicated previously, the Federal Government will also save money.

The cost of the data bank would be fully financed by fees charged to the users of the service. It would be a self-liquidating operation and would not cost the Federal Government money. On the contrary, it should save the Federal Government money in other Federal credit assistance programs. By centralizing the data collective activities on municipal finance, it reduces unnecessary waste and supplication. Many Federal agencies are required now to investigate the financial characteristics of municipalities including the Farmers Home Administration, the Economic Development Administration, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare. Access to a central data bank on municipal finance will save these agencies money in their day-to-day activities.

The proposed new program which I have just outlined would be administered by a Federal Municipal Bond Guarantee Corporation. The Corporation would be organized under the Government Corporation Control Act and would be provided with the standard powers and authorities of Government corporations. Its administrative expenses and other costs would be fully paid for out of fees charged for the issuance of Federal guarantees. The cost of maintaining the municipal finance data bank would also be fully funded through fees collected from the users of this service. Thus, the cost of the Corporation would have no budgetary impact.

Although I have proposed a separate Government corporation, I am not absolutely wedded to this principle. If it develops that during the course of the hearings that this Corporation should be under the administration of an existing department or agency, I would be willing to support such an amendment.

Finally, it should be mentioned, Mr. President, that the Federal guarantee and interest subsidy would not be available for industrial development bonds. These bonds are, of course, quite controversial and legislation during the last session of Congress has ended the tax-exempt status of such bonds issued in amounts exceeding $5 million. My proposal deals only with bonds which finance strictly public facilities.

COMPARISON TO URBAN DEVELOPMENT BANK

Mr. President, it might be useful to compare my proposal with the several proposals to establish an urban development bank which have recently come to light. Although the new administration has not yet indicated its preferences, I understand the staff of the Treasury has advocated the urban development bank approach on a number of occasions.

As I understand the urban development bank proposal, at least one of its objectives is identical to my objective—that is, to provide a more efficient financing mechanism for State and local public facilities and to lower the cost of borrowing by State and local governments. Rather than relying upon guarantees, however, the urban development bank approach would involve direct loans to State and local governments for public facilities. The loans would presumably be at a rate below the present tax-exempt rate in order to make such loans attractive to municipalities. Since the bank's borrowing cost would undoubtedly be higher, some subsidy mechanism—presumably appropriations—would have to make up the difference. However, to the extent that the loans from the urban development bank replace the issuance of tax-exempt obligations, the increased revenues to the Treasury would be more than enough to offset the cost of the subsidy. This result is, of course, identical to my guarantee approach.

Since the objectives and results are similar, one might well ask what is the difference between the guarantee and the direct loan approach. I believe there are several important differences. While I am by no means opposed to the general approach outlined in the urban development bank proposal, I believe there are several advantages to the guarantee approach.

First, guarantees represent less of a Federal intrusion into local affairs than a direct loan program. That is the point the Senator from Tennessee (Mr. BAKER) so ably and eloquently raised, and I believe we should consider it with great care. While I believe both approaches are workable, the possibility, however remote, of undue external domination of local governmental functions would seem to be somewhat greater under a loan approach than a guarantee approach.

Second, the urban development bank approach would concentrate the financing of municipal facilities in the New York capital markets. Since the urban development bank would issue its own securities to finance its lending activity, and since such securities would be tantamount to Federal obligations, the underwriting and marketing of such securities would undoubtedly be done by a handful of New York securities dealers who presently underwrite U.S. Treasury obligations. By way of contrast, the guarantee approach would not disturb existing marketing arrangements and would rely upon the 700 or so investment banking firms presently doing business in all 50 States. Under the urban development bank approach, these 700 investment banking firms might very well be put out of business. Should this occur, State and local governments would find themselves highly dependent upon the urban development bank without an adequate alternative marketing mechanism.

Third, to the extent the urban development bank is controlled by the Treasury, the timing of its security issues would also undoubtedly come under Treasury influence. This could mean that the timing of State and local borrowing would be governed, not by market conditions or State and local needs, but by the fiscal needs of the U.S. Treasury. For example, during a period of tight money when the Federal Government is also a heavy borrower, the Treasury might very well restrain the urban development bank from issuing securities in order to hold down the rate on direct Treasury obligations. This, in turn, would result in fewer loans to State and local governments for public facilities. Under the guarantee approach, the decision to borrow or not to borrow would be left strictly up to each local community.

In making these remarks, I do not mean to suggest that the urban development bank approach is unworkable, but rather to indicate that a guarantee approach might be even more workable.

CONCLUSION

Mr. President, in concluding, I want to emphasize that the provisions of this bill are purely optional as far as State and local governments are concerned. The bill does not in any way repeal or alter the present tax-exempt status of municipal bonds. The decision to issue taxable or tax-exempt bonds would be strictly up to each State or local government. State and local governments would be free to waive their tax-exempt status should they determine that the advantages under the Federal guarantee-subsidy program are greater than under the tax-exempt system. If for some reason State and local governments decided not to waive the tax-exempt status of their bonds they would, of course, be perfectly free to do so. They would merely continue to operate as they presently are.

The second important point to emphasize is that this proposal will save money both for State and local governments and for the Federal Government. By reducing the cost of borrowing to our hard-pressed municipalities, we will make it somewhat easier to finance the huge volume of essential public construction needed over the next decade.

This proposal has been discussed with various State and local organizations and officials in the Federal Government Although no formal positions have been expressed, I am hopeful that the hearings on this measure will be able to demonstrate widespread support. The bill is certainly to the advantage of our State and local governments. It will also benefit the Treasury.

Mr. President, I ask unanimous consent that the bill be referred to the Committee on Banking and Currency. I also ask unanimous consent that a copy of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and referred to the Committee on Banking and Currency; and, without objection, the bill will be printed in the Record.

The bill (S. 398) to establish a Government corporation to assist in the expansion of the capital market for municipal securities while decreasing the cost of such capital to municipalities, introduced by Mr. Proxmire, was received, read twice by its title, referred to the Committee on Banking and Currency by unanimous consent, and ordered to be printed in the Record, as follows:

S. 398

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Municipal Capital Market Expansion Act of 1969".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2. (a) The Congress finds that the municipal security market, as now constituted, is forcing the Nation's municipalities and States to pay such a high rate of interest on their securities that they cannot afford to finance many needed public facilities. This high rate of interest is directly attributable to (1) the limited supply of private capital available in the present municipal securities market, (2) the institutional rigidities within such market, and (3) the failings of the existent municipal securities rating system which discriminates against most of the Nation's smaller communities and many of the larger cities and which fails to reflect the infinitesimally low rate of actual security defaults since World War II.

(b) It is the purpose of this Act to expand the municipal capital market and thereby enable State and local public bodies to borrow private capital funds at net interest costs lower than are now obtainable through the issuance of securities and to provide Federal financial assistance to achieve such lower net interest costs at a net gain to the United States Treasury.

DEFINITIONS

Sec. 3. As used in this Act—

(1) The term "Corporation" means the "Municipal Bond Guarantee Corporation".

(2) The term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

(3) The term "State or local public body" means any public corporate body or political subdivision; any public agency or instrumentality of one or more States, municipalities, or political subdivisions of one or more States (including any public agency or instrumentality of one or more municipalities or other political subdivisions of one or more States); any Indian tribe; and any board or commission established under the laws of any State to finance specific capital improvement projects.

(4) The term "needed public facilities" means any public work, public facility, or equipment relating thereto deemed necessary by a State or local public body; but does not include any industrial or commercial facility for private use, by lease, conditional or installment sales contract, or other means of transfer, where such facility is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities.

TITLE I—MUNICIPAL BOND GUARANTEE CORPORATION

ESTABLISHMENT OF CORPORATION

Sec. 101. There is hereby established a body corporate to be known as the "Municipal Bond Guarantee Corporation". The Corporation shall have its principal offices in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia. The Corporation may establish offices in such other places as it deems necessary or appropriate in the conduct of its business.

BOARD OF DIRECTORS

Sec. 102. (a) (1) The Corporation shall have a Board of Directors (hereinafter referred to as the "Board") consisting of 9 members to be appointed by the President, not more than 3 of whom shall be regular full-time officers or employees of the Federal Government. The Board shall be responsible for overall policy-making and general supervision of the Corporation.

(2) The President shall designate a Chairman and a Vice Chairman of the Board.

(3) Each member of the Board shall serve for a term of four years or until his successor has been appointed; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(4) The Board shall meet at the call of the Chairman which shall be not less often than four times a year.

(b) Members of the Board, other than members who are regular full-time officers or employees of the Government, shall receive for their services, as members, the per diem equivalent to the rate for GS–18 when engaged in the performance of their duties, and each member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

EXECUTIVE DIRECTOR

Sec. 103. (a) Subject to the general supervision and overall policymaking of the Board, the management of the Corporation shall be vested in an Executive Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) Section 5315 of title 5, United States Code, is amended by inserting at the end thereof a new paragraph as follows:

"(90) Executive Director, Municipal Bond Guarantee Corporation."

GENERAL POWERS OF CORPORATION

Sec. 104. (a) For the purpose of carrying out its functions under this Act, the Corporation shall have power—

(1) to have a corporate seal which may be altered at pleasure and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner produced;

(2) to sue and be sued;

(3) to enter into and perform contracts,

leases, cooperative agreements, or other transactions, on such terms as the Corporation may deem appropriate, and consent to modification thereof, without regard to sections 3648 and 3709 of the Revised Statutes, as amended (31 U.S.C. 529 and 41 U.S.C. 5), and section 322 of the Act of June 30, 1932, as amended (40 U.S.C. 278a);

(4) to appoint and fix the compensation of such personnel as may be necessary for the conduct of its business in accordance with the provisions of title 5, United States Code, governing appointment in the competitive service, and chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates for individuals not to exceed the per diem equivalent for GS–18;

(5) except as may be otherwise provided in this title, in the Government Corporation Control Act, or in any other laws specifically applicable to Government corporations, to determine the necessity for and the character and amount of its obligations and expenditures and the manner in which they shall be incurred, allowed, paid, and accounted for;

(6) to issue such rules and regulations as may be deemed necessary or appropriate to carry out the purposes of this Act; and

(7) to exercise all powers specifically granted by the provisions of this Act and such incidental powers as are necessary to carry out the purposes of this Act.

(b) All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, except that no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property.

SERVICES AND FACILITIES OF OTHER AGENCIES—UTILIZATION OF PERSONNEL, SERVICES, FACILITIES, AND INFORMATION

SEC. 105. The Corporation may, with the consent of the agency concerned, accept and utilize on a reimbursable basis, the officers, employees, services, facilities, and information of any agency of the Federal Government, except that any such agency having custody of any data relating to any of the matters within the jurisdiction of the Corporation shall, to the extent permitted by law, upon request of the Corporation, make such data available to the Corporation without reimbursement.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 106. Notwithstanding the provisions of any other law, any financial transaction authorized under this Act shall be final and conclusive upon all officers of the United States.

TAXATION

SEC. 107. The Corporation, including its reserves, surplus, and income shall be exempt from all taxation now or hereafter imposed by the United States, or by any State, or any subdivision thereof, except any real property acquired by the Corporation shall be subject to taxation by any State or political subdivision thereof, to the same extent, according to its value as other real property is taxed.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 108. Section 101 of the Government Corporation Control Act is amended by inserting after "Federal Housing Administration," the following: "Municipal Bond Guarantee Corporation,".

ANNUAL REPORT

SEC. 109. The Corporation shall submit to the President, for transmission to the Congress, a comprehensive annual report of its activities under this Act.

APPROPRIATIONS

SEC. 110. Except as otherwise specifically provided for in this Act, there are authorized to be appropriated such sums as may be necessary to enable the Corporation to carry out its functions under this Act.

TITLE II—FUNCTIONS OF THE CORPORATION

COMPREHENSIVE ECONOMIC AND FISCAL REPORTS

SEC. 201. (a) Upon the request of any State or local public body which intends to issue bonds or other securities to finance needed public facilities, or by any bond underwriting firm or bank planning to submit a bid for such bonds or other securities, or by any Federal agency that has received an application from a State or local public body for assistance in financing a public facility under a Government direct loan or loan guaranty program, the Corporation is authorized to provide a comprehensive report detailing the public body's economic and fiscal resources. Such report shall include, but not be limited to—

(1) a review of the economic circumstances of the area served by such body, such as demographic factors, business activity, construction patterns, income, employment, and public facilities infrastructure;

(2) an examination of such body's fiscal position including trends of revenues, expenditures, tax levies and collections, property valuations, Federal and State aids, direct and overlapping indebtedness;

(3) if revenue producing facilities are involved, an analysis of the relevant financial statements, rate schedules and users, and other financial developments; and

(4) appropriate economic, fiscal, and financial ratios, averages, and indices and comparisons of such measures with national and regional averages.

Such report shall exclude qualitative judgments or comparable comments that in any way involve an evaluation of the investment merits of a prospective bond issue or reflect a credit evaluation of the State or local public body concerned.

(b) The Corporation is authorized to charge and collect a fee for reports provided under this section to cover administrative and other necessary expenses. Such fee shall not exceed, in the case of any such report, one-tenth of 1 per centum of the amount of the bonds or other securities to be issued or loans to be made, but in no event shall the fee for any such report be less than $100 or more than $5,000.

(c) All fees received in connection with reports provided under this section, all funds in the form of gifts, bequests, or demonstration grants received from private foundations or associations, Federal agencies, or other public bodies seeking to improve the quality and availability of information relating to the economic and fiscal circumstances of State and local public bodies, and all other receipts of the Corporation in connection with the performance of its functions under this section, shall be deposited in a revolving fund to be established by the Corporation which shall be known as the "Municipal Economic and Fiscal Reports Fund". All administrative and other expenses incurred by the Corporation in connection with the performance of its functions under this section shall be paid from such fund.

(d) Notwithstanding any other provision of law, no application by a State or local public body for a loan under title II of the Housing Amendments of 1955, section 201 of the Public Works and Economic Development Act of 1965, section 306 of the Consolidated Farmers' Home Administration Act of 1961, or the Small Reclamation Projects Act of 1956 shall be approved unless there has been received by the administering Federal agency a comprehensive economic and fiscal report prepared under this section. Any fee paid in connection with any such report, as prescribed in subsection (b), may be included in the amount covered by the Federal loan or loan guarantee.

DEBT SERVICE GUARANTEE CONTRACTS

SEC. 202. (a) Upon the application of any State or local public body, the Corporation is authorized to enter into a debt service guarantee contract to guarantee the payment of principal and interest on bonds or other securities to be issued by such body to finance one or more needed public facilities. Any such contract shall obligate the Corporation, during any period in which the bonds or other securities are outstanding, to pay to a trustee under an indenture securing such bonds or other securities (or to a paying agent where no trustee is provided for), such amounts as may be needed, when added to the moneys available from the taxes, revenues, or other funds pledged by such body as security for such bonds or other securities (including all reserve funds therefor), to make payments of principal and interest when due.

(b) No guarantee contract shall be entered into under this section unless—

(1) a comprehensive economic and fiscal report has been prepared by the Corporation, pursuant to section 201, with respect to the State or local public body applying for the guarantee;

(2) the interest income from the bonds or other securities with respect to which the guarantee is entered into is subject to Federal taxation, and such bonds or other securities are to be issued and sold to persons or entities other than the United States or any agency thereof; and

(3) the Corporation determines that (A) such bonds or other securities contain satisfactory amortization provisions not in excess of the debt paying capacity of the borrower, and (B) the public facility project to be financed is economically sound.

In making the determinations under clause (3), the Corporation shall rely, to the fullest extent possible, upon the data contained in the comprehensive economic and fiscal report referred to in clause (1), and upon the borrower's debt repayment record during the twenty-five-year period preceding the date of application for a guarantee under this section.

(c) The Corporation is authorized to charge and collect an annual fee, as consideration for a guarantee of bonds or other securities under this section, to cover necessary administrative expenses and to provide a reserve for losses. Such fee shall not exceed two-tenths of 1 per centum per annum of the aggregate amount of bonds or other securities covered by the guarantee contract which are outstanding at the beginning of each year.

MUNICIPAL DEBT SERVICE GUARANTEE FUND

SEC. 203. (a) There is hereby established in the Treasury a revolving fund to be known as the "Municipal Debt Service Guarantee Fund" (hereinafter referred to as the "fund") which shall be used by the Corporation in carrying out section 202. Initial capital for the fund shall be obtained through the issuance by the Corporation of debenture notes, and notes so issued shall be subscribed to as follows:

(1) The Federal Deposit Insurance Corporation shall subscribe to such notes in a principal amount of $1,000,000.

(2) The Federal Savings and Loan Insurance Corporation shall subscribe to such notes in a principal amount of $100,000.

(3) Each Federal Reserve bank shall subscribe to such notes in a principal amount equal to two-tenths of 1 per centum of the surplus of such bank on January 1, 1968.

Subscriptions shall be accompanied by a certified check payable to the fund in an amount equal to one-half of the subscription. The remainder of such subscription shall be subject to call from time to time by the Corporation upon ninety days notice. Notes so issued shall bear interest at a rate to be determined in accordance with subsection (c), and shall be repayable in annual installments, commencing not earlier than ten years from the date of receipt of the subscription price.

(b) All fees received in connection with guarantees issued under section 202, all receipts from the issuance of debenture notes, all funds borrowed from the Secretary of the Treasury pursuant to subsection (c), all earnings on the assets of the funds, and all other receipts of the Corporation in connection with the performance of its functions under section 202 shall be deposited in the fund. All payments to trustees (or paying agents) under section 202(a), repayments of debenture notes issued pursuant to subsection (a), repayments to the Secretary of the Treasury of sums borrowed pursuant to subsection (c), and all administrative expenses and other expenses of the Corporation in connection with the performance of its functions under section 202 shall be paid from the fund.

(c)(1) The Corporation is authorized to issue to the Secretary of the Treasury from time to time notes or other obligations for purchase by the Secretary in amounts sufficient, together with moneys in the fund, to make payments of principal and interest on all bonds or other securities guaranteed under section 202 in accordance with a debt service guarantee contract. Such obligations shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Secretary, with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Corporation reflecting the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Secretary and adjusted to the nearest one-eighth of 1 per centum.

(2) The Secretary of the Treasury is authorized and directed to purchase any notes or other obligations of the Corporation issued under this subsection, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act; and the purposes for which securities may be issued under such Act are extended to include the purchase of any such notes or other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

INTEREST REDUCTION GRANTS

SEC. 204. (a) In order to achieve a decrease in the interest cost burdens arising in the financing of needed public facilities, the Corporation is authorized to enter into contracts to make interest reduction grants to any State or local public body in connection with bonds or other securities issued by such body to finance needed public facilities; except that no grant shall be made hereunder in the case of any bonds or other securities the interest income from which is exempt in whole or in part from Federal taxation.

(b) The amount of any grant made under this section shall not exceed the sum of (1) the guaranty fee prescribed in section 202(c), and (2) 33⅓ per centum of the annual interest charge payable each year by the State or local public body on the bonds or other securities with respect to which such grant is made. Any such grant shall be payable for each of the years in which any of the bonds or other securities covered by the contract are outstanding.

(c) No grant shall be made under this section unless (1) the State or local public body has entered into a debt service guaranty contract pursuant to section 202, and (2) the Corporation finds that the interest charges on the bonds or other securities are reasonable, after taking into account the taxable status of the bonds or other securities, the availability of a Government guarantee, and the general level of interest rates then prevailing.

(d) The Corporation may make advance or progress payments on account of any contract entered into pursuant to this section, notwithstanding the provisions of section 3648 of the Revised Statutes.

(e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. Any sums so appropriated shall remain available until expended.

INVESTMENT OF FUNDS

SEC. 205. Moneys in the Municipal Economic and Fiscal Reports Fund and in the Municipal Debt Service Guarantee Fund may be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States, or in obligations eligible for investment of public funds. Such obligations may be sold and the proceeds derived therefrom may be reinvested in other obligations of the type herein prescribed. Income from such investment or reinvestment shall be deposited in the respective funds.

CONFORMING AMENDMENTS

SEC. 206. (a) Section 202(b)(1) of the Housing Amendments of 1955 is amended by striking the comma after "reasonable terms" and inserting in lieu thereof "with due allowance for the debt service guarantees authorized by the Municipal Capital Market Expansion Act of 1969,".

(b) Section 201(a)(2) of the Public Works and Economic Development Act of 1965 is amended by inserting after "on terms" the following: ", with due allowance for the debt service guarantees authorized by the Municipal Capital Market Expansion Act of 1969,".

HUMAN RIGHTS: NOTHING TO LOSE—EVERYTHING TO GAIN—VI

Mr. PROXMIRE. Mr. President, I continue to find myself at a complete loss to understand why the United States has failed to ratify the human rights conventions which embody the most basic and fundamental human freedoms. These conventions would outlaw genocide, outlaw forced labor, and guarantee the political rights of women. I feel certain that not one of my colleagues would quarrel with the principles and guarantees encompassed by these conventions.

But we have not ratified them. In the world community, we have withheld our support for these principles and these guarantees. Why, Mr. President? Ratification would not surrender any of our sovereignty. There are no constitutional obstacles to ratification. I confess I am at a loss to understand why we should fail to act.

At hearings held by the Senate Foreign Relations Committee in 1967 on the forced labor and political rights of women conventions, Ambassador Arthur Goldberg appeared as a witness. Mr. Goldberg testified in his position as U.S. Ambassador to the United Nations. He strongly endorsed ratification of the treaties. He testified that these treaties would not require the United States to do anything it is not already doing. I see no reason why these treaties should not be acted on. We have nothing to lose and everything to gain.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REDUCTION OF COST OF MUNICIPAL FINANCE

Mr. BAKER. Mr. President, in connection with the remarks of the distinguished Senator from Wisconsin today, I would add, respectfully, that I feel we are now confronted with an issue of such basic importance to the design of the future and the welfare of the federal system, at least on the economic side, that I would hope debate would be extensive on the floor of the Senate, that hearings would be complete, and that the good faith judgment and efforts for accommodation of all Members of every persuasion, on every side of this many-sided issue can be brought to bear to insure that we do have something that will assist in the strengthening of the nature of constructive federalism without falling into the pitfall of contributing further, in my view, to unwarranted centralism.

In all candor, let me say that I disagree with the main thrust of the proposal made by the distinguished Senator from Wisconsin. It is, as I understand it, similar if not identical to the measure introduced by him during the last session, bearing the number S. 3170, providing as I further understand it, a reward for local governments who will make a waiver of the tax-exempt status of their securities by guaranteeing the bonds against default and by paying an interest subsidy to the extent of 33 percent in order to reduce the borrowing cost of the local government.

It seems to me that several issues are presented, philosophically and legally, as a result of this proposal. To begin with, I am not convinced that under the income tax amendment of 1913 there is any authority by the Central Government to impose any sort of taxation on the securities of any local government, State, county, or city.

Second, I am not convinced that the proposal would have the effect either of increasing the net revenues to the Treasury of the U.S. Government or of decreasing the ultimate costs of borrowing to the local units of government.

The Bureau of the Budget estimates that State and local governments annually save between $1 billion and $2 billion on interest payments because of the tax-exempt feature of their bonds. The Bureau further estimates that the value of this deduction in terms of tax savings to individuals, which is not necessarily the same as the approximate loss in the Federal Treasury, is $4.7 billion.

Mr. President, my greatest concern in this field is that local governments will fritter away or sell and exchange their economic birthright and freedom for a

Federal guarantee and a Federal subsidy, I am very much afraid that even if the proposal does not specifically authorize the Federal Government to judge what are and what are not desirable purposes for the issuance of debt securities by local governments, the next inevitable step will be, by statute or regulation, for the Government to grant or withhold the guarantee or the subsidy aspects of the proposal in exchange for what the central government thinks the local government should or should not do.

Mr. President, bear in mind that today, as always, the taxing power is the effective governing power and that the Federal Government, the central government has had since the advent of the graduated income tax most of the effective taxing power. The only remaining fiscal tool to the States, counties, and cities for the orderly development of capital improvements and, in many instances, for the orderly operation on a reasonably long term of their housekeeping functions is the issuance of tax exempt local securities according to their own initiative and according to their own requirements and without the intervention of any other government to decide that it is or is not a legitimate function.

I commend the Senator from Wisconsin for reintroducing the proposal, for I think there is much good in it. I think, for instance, that the rating system is to be much desired. I think, for instance, that a debate on the basic issue concerned will result in a better relationship between central government and the other units of government in this federal system.

But I must, in all candor, express my profound opposition to the prospect of offering bait, in the form of guarantees and subsidy, to local governments in exchange for the Federal right to determine that they will or will not issue those securities for.

Mr. PROXMIRE. Mr. President, I want to thank the distinguished Senator from Tennessee for his remarks. Although we may disagree, I really feel that when we get together on this and discuss it and he can understand my viewpoint a little more and I can understand his viewpoint a little more, we will be able to resolve our differences constructively. I want to emphasize with great force that this bill leaves the discretion to act entirely with the municipality. I would trust the municipality to exercise it. It still has a right to issue tax exempts, if it wishes to do so; but for every city and town with a population of less than 20,000 this is going to be most advantageous. It is going to mean $1 billion a year in interest reduction for municipalities all over our country. As the Senator from Tennessee has said so well, we should pay a lot of attention to this problem. I hope we can get together on it, because I think, if we can work together, it will be of much more help to our colleagues.

Mr. BAKER. I pledge to my colleague from Wisconsin and the Senate that we will work together, in good conscience, to try to find a common meeting ground in those areas in which there is agreement.

Mr. MANSFIELD. Mr. President, are we back in executive session?

The PRESIDING OFFICER. The Senate is still in executive session.

POSTMASTERS

Mr. MANSFIELD. I call up the Executive Calendar, beginning with postmasters, but first I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is my understanding that there are three nominations at the desk which should be included on the list; that they have been duly reported. I understand that there is no opposition to their being considered.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the nominations, beginning with postmasters, which will be stated by the clerk.

The assistant legislative clerk proceeded to read sundry nominations for postmasters on the Executive Calendar.

Mr. McGEE. Mr. President, from the Committee on Post Office and Civil Service, I report favorably three nominations.

The PRESIDING OFFICER. The report will be received.

The three additional nominations referred to are as follows:

WYOMING

Casper: Emerick Huber.
Rock River: Eva Mae Emerson.
Osage: Duane L. McKinney.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc, and that the three additional ones now reported be included.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The assistant legislative clerk read sundry nominations placed on the Secretary's desk, in the Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

The assistant legislative clerk read sundry nominations in the Environmental Science Services Administration.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the action of the Senate.

Mr. MANSFIELD. Mr. President, after discussing with the distinguished minority leader the situation that has developed regarding postmasters, evidently we overlooked five names, which the chairman of the Committee on Post Office and Civil Service will now send to the desk, reporting them favorably from his committee.

Mr. McGEE. Mr. President, I report favorably, from the Committee on the Post Office and Civil Service, the names of five nominees for postmasters.

The PRESIDING OFFICER. The report will be received.

The five nominations are as follows:

MASSACHUSETTS

Bedford: Andrew J. Sacco replacing H. A. Thurber, retired.

Boxford: Everett P. Gould, replacing H. D. Moore, retired.

Mattapoisett: Carlos L. Figueiredo, replacing A. M. Corey, retired.

Peabody: John J. Quinlan replacing J. L. Sullivan, retired.

Three Rivers: Edward J. Zerdecki, replacing A. J. Rusek, retired.

Mr. MANSFIELD. I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. SCOTT. Mr. President, I would like the RECORD to show that none of the postmasters under consideration are from the Commonwealth of Pennsylvania.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the Senate action on the nominations.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS TO 10:30 A.M. MONDAY, JANUARY 20, 1969

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask that it be read.

The PRESIDING OFFICER. The unanimous-consent request will be stated by the clerk.

The legislative clerk read as follows:

Ordered, that when the Senate concludes its business today it stand in recess until 10:30 a.m. Monday morning next and that on Monday, after the transaction of routine business and a quorum call, the Senate proceed to the east front of the Capitol for the inaugural ceremonies; that at the conclusion of the ceremonies and subject to the call of the Chair, the Senate return to the Chamber and that it then be in order to receive nominations from the President.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Montana? The Chair hears none, and it is so ordered.

ORDER FOR RECESS FROM MONDAY TO TUESDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday next, it stand in recess until 12 o'clock noon Tuesday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a brief period be allowed for the transaction of routine morning business today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-56)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

The sea holds new promise for the enhancement of men's lives—for economic and social betterment and for world peace and understanding.

Since enactment of the Marine Resources and Engineering Development Act three years ago, the United States has embarked on a concerted national enterprise to realize that promise. We engaged the ideas, encouraged the participation and focused the investments of our Federal Government, states, industry and universities on more effective and intelligent use of the marine environment.

We sought to:

—Enhance the many uses of our seashore and coastal waters by directing national attention to the need for skillful management of this Coastal Zone;

—Expand our knowledge of the seas by launching the International Decade of Ocean Exploration;

—Promote world order and understanding by strengthening the framework of international law and cooperation governing ocean activities;

—Foster national security by advancing the Navy's technological capabilities to operate within the ocean;

—Stimulate the economy by encouraging development of marine energy and food resources;

—Combat malnutrition in developing countries by extracting new sources of protein from the sea;

—Protect the life and property by safer maritime practices and measures to prevent pollution;

—Strengthen our base of research and education in marine sciences by supporting Sea Grant and other university programs.

While modern science and technology afford powerful means to translate marine potentialities into realities, the economic, social, legal and political considerations are equally decisive in utilizing the seas to achieve the goals and aspirations of our society. To this end, the National Council on Marine Resources and Engineering Development under the chairmanship of the Vice President has illuminated goals, formulated priorities, and coordinated and advanced our Federal marine policies and programs.

The Council's Third Report on Marine Science Affairs relates the sea to our people's diversified endeavors, summarizes progress during the past years and sets forth major recent accomplishments of the eleven Federal agencies engaged in marine sciences. In Fiscal Year 1970, I am requesting that $528 million be provided to build on these achievements.

The report is commended to all who look to the future for ways to reinforce our country's vitality and strength.

As our population crowds along our coast, as many nations extend their interests toward distant seas, as new scientific discoveries reveal more of the world around us, we must take bold and imaginative steps to enable this and future generations to enjoy the full bounty of the sea.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

REPORT ON U.S. AERONAUTICS AND SPACE ACTIVITIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-55)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

This report summarizes a year of significant achievement in aeronautics and in space—culminating in the epochal Apollo 8 flight in December, in which three astronauts orbited the Moon ten times and returned safely to Earth. A courageous, pioneering exploration!

The outstanding success of the Apollo 8 mission attracted world acclaim and greatly enhanced the prestige of the United States as the leading space-faring nation. The capability of the astronauts and the integrity of their space equipment justified our highest hopes.

The Apollo 8 flight was preceded by the very successful 11-day orbit of the Earth in Apollo 7—the first manned flight test of the Apollo spacecraft.

These great missions bring us nearer to reaching our national goal of landing men on the Moon in this decade.

Our astronauts have now flown 18 manned space missions, during which they experienced 3,215 man hours in space flight. Together with the activities of the Soviet Union, this makes a total to date of 28 manned flights and 3,846 man hours in space.

Through this investment we have obtained new products, services, and knowledge; we have enhanced our national security; we have improved our international relations; and we have stimulated our educational system.

Our Nation is richer and stronger because of our space effort. I recommend that America continue to pursue the challenge of space exploration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-54)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

I am proud to transmit the Nineteenth Semiannual Report of the National Aeronautics and Space Administration, covering the period January 1 through June 30, 1968.

This was a period of gratifying progress in the Nation's space effort. Project Apollo was within sight of its first manned flights—culminating in the magnificent flight of three brave astronauts in Apollo 8. At the same time, our satellites continued to provide meteorological and weather information to be used for the benefit of people all over the world, and to maintain channels for expanding and hastening communications among all nations.

I am pleased to bring this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

REPORT OF SECRETARY OF TRANSPORTATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-53)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I transmit herewith the first annual report of the Secretary of Transportation.

The importance of transportation to the economy, security, and welfare of each American makes this report an important document which deserves careful reading.

In his report, the Secretary of Transportation reviews the state of the transportation system of the United States and described the initial efforts of the Department to aid in the improvement and development of the system.

Secretary Boyd has made gratifying progress in organizing the new Department, and has assembled a fine team to help him confront the many challenges arising out of the mission assigned the Department of Transportation by the Congress in Public Law 89-670.

The Department, during the period of the report, carried out its direct services to the public through five operating administrations, each headed by an Administrator reporting directly to the Secretary. The Department has five Assistant Secretaries, four of whom have substantive responsibilities, with one Assistant Secretary in charge of Administration. In addition, the Department has a General Counsel responsible for legal affairs.

As a result of the efforts of the Secretary and his staff, the Department reports a number of achievements during the three months in which it was in operation during fiscal year 1967. These achievements are set forth in the pages of the report, but I invite your attention especially to these:

A special effort was made to foster safety in transportation since the Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, and the Federal Railroad Administration all have significant responsibilities in the field of safety. New programs in highway and automobile safety were successfully supported by the Department.

Both the Coast Guard and the Federal Aviation Administration have made important contributions to the Vietnam war effort. They have supplied skilled men and needed equipment in support of the efforts of our other forces.

Development work continues to improve the safety capacity of the Nation's airways. New techniques and equipment have been developed and in many instances are in the process of installation.

A new approach has been adopted for the planning of Federally supported highways, especially in cities, with a view to assuring that highways reflect design features and routings conducive to sound urban development as well as improved transportation.

New regulations have been developed and issued concerning safety features on automobiles, and work has been initiated to help States and communities establish highway safety programs.

The National System of Defense and Interstate Highways continued to receive Federal assistance, and tangible progress was made toward completion of the Interstate System as authorized by the Congress.

Both the National Motor Vehicle Safety Advisory Council and the National Highway Safety Advisory Committee began their operations.

Progress continued in the development of high speed passenger trains in spite of many technical and management problems.

A new record was set for tonnage transiting the Saint Lawrence Seaway, the United States portion of which is operated and maintained by the Department.

By these achievements in improving our national transportation system, I am pleased to report that the Transportation Department has shown a deep concern for the needs of the traveler and the shipper.

The Department has also moved to advance the welfare of our citizens by making certain that transportation is provided with due regard to its impact on our environment; land; air and water.

I commend these accomplishments and the enclosed report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969*.

SALARY REFORMS FOR UPPER LEVELS OF GOVERNMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-51)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

The Congress, the Executive Branch, and the Federal Judiciary are the vital nerve centers of government. Whoever mans them is involved in activities so momentous and far-reaching that they touch the lives of all our citizens—and indeed of people the world over. Our national interest demands—and our national survival requires—that America summon its best men and women to assume the power of decision and the responsibility of leadership for government in action.

Central to this concern is the matter of compensation at the top echelons of Government. Today, the salaries we pay our top officials are clearly inadequate.

THE KAPPEL COMMISSION

The record of the past has been one of inadequate and fragmentary adjustments in top-level compensation—always too little, often too late.

I believed in my Administration that the time had clearly come to re-examine the entire top Federal salary network. To this end, I asked the Congress to create a bipartisan commission to:

—Recommend any changes its study found necessary

—Review top-level Federal salaries every four years.

The Congress responded. In December 1967, I signed into law a measure which gave life to the Commission on Executive, Legislative and Judicial Salaries—the first such body in our Nation's history.

The Commission was composed of nine distinguished Americans:

Three were appointed by the President:

—Frederick R. Kappel, former Chairman of the Board of Directors of the American Telephone and Telegraph Company, who served as the Commission's Chairman.

—John J. Corson, Consultant and Corporate Director.

—George Meany, President, American Federation of Labor and Congress of Industrial Organizations.

Two were appointed by the President of the Senate:

—Stephen K. Bailey, Dean, Maxwell Graduate School, Syracuse University.

—Sidney J. Weinberg, Senior Partner, Goldman, Sachs & Co.

Two were appointed by the Speaker of the House of Representatives:

—Edward H. Foley, Attorney, Former Undersecretary of the Treasury.

—William Spoelhof, President, Calvin College, Grand Rapids, Michigan.

Two were appointed by the Chief Justice of the United States:

—Arthur H. Dean, Attorney, Chairman, U.S. Delegation, Nuclear Test Ban and Disarmament Conference.

—William T. Gossett, Attorney, President, American Bar Association.

After a comprehensive study of top Federal salaries, the Commission concluded that:

—Present compensation levels are not commensurate with the importance of the positions held.

—These levels are not sufficient to support a standard of living that individuals qualified for such posts can fairly expect to enjoy and in many instances have long established.

—Action should be taken to modernize, without delay, the top pay structure of the Executive, Legislative and Judicial Branches of government.

THE RECOMMENDED REFORMS

Any recommendations the President might make for salary reform must be included in his budget. In preparing my budget for Fiscal Year 1970, I carefully reviewed the full report of the Kappel Commission. Their proposals served as a valuable guide as I weighed the recommendations the law requires me to make—recommendations which will become effective 30 days after they are submitted unless the Congress disapproves them during that period.

I agree with the recommendations of the Kappel Commission Report. If I alone had the power to put its recommendations into effect, I would do so. But in our proposal to the Congress and in the law passed by the Congress creating the Commission, final action on the report was to be a joint enterprise between the executive and legislative branches. I have therefore found it necessary to modify some of the Kappel Commission recommendations—particularly with respect to congressional salaries, and also with respect to the pay of certain executive positions.

I do recommend that the Kappel Commission proposals be put into effect for the top officials of the federal, judicial and executive branches. For them, I recommend the following pay scales:

Chief Justice: $62,500.

Associate Justices of the Supreme Court: $60,000.

Cabinet Heads: $60,000.

Of all the salaries, Congressional compensation posed the most difficult problem of all and was the hinge on which my recommendations turned. As the Commission pointed out:

> Members' salaries should be adjusted to compensate for the substantial and unique responsibilities they bear, to meet the cost peculiar to elective rather than appointive office, and to minimize the need to rely on other means of augmenting income.

The Commission then recommended that Congressional pay should be set at $50,000.

Congressional salaries have been raised in slow and piecemeal fashion, far outpaced by pay increases in the rest of the economy. Over the past three decades, Congressmen have received only three pay increases—an average of one pay raise every ten years—to the current level of $30,000, a salary which by today's standards is woefully inadequate.

I do not think that the American people want to see their elected representatives—who must bear the awesome burdens these critical times demand—serve their Nation at the price of financial hardship. I, therefore, believe that the $50,000 Congressional salary recommended by the Kappel Commission can be justified.

A proper concern for history and tradition, however, suggests that the President should consult the leaders of Congress before he makes any recommendations concerning Congressional salaries.

I have done that.

These discussions and consultations revealed that Congress would be reluctant to approve a $50,000 salary. When it comes to a pay increase, Congress puts its own members last in line. Instead, an increase to $42,500 was considered preferable and more likely to receive the necessary support. I respect the desires of the leaders of the Congress. I, therefore, now recommend a $42,500 salary for the Members of the House of Representatives and the Senate.

The Congressional salary I am recommending today represents an 89% increase over the level of compensation in 1955. I must point out, however, that during this same period salaries of the highest Civil Service career grade increased by well over 100 per cent.

Civil Service salaries, moreover, will be adjusted periodically to keep them comparable to those in industry—while Congressional salaries must, under current law, remain unchanged for the next four years.

Projections indicate the following salary increases between 1955 and 1972:

—Congressional salaries: 88.9 percent.

—Postal workers: 90 percent.

—Average Federal worker: 94 percent.

—Factory workers: 94 percent.

—Government Wage Board employees: 101 percent.

—GS-15 Career Civil Servant: 109 percent.

—GS-18 Career Civil Servant: 135 percent.

Thus, even with the recommended pay increase for our lawmakers, the increase in Congressional salaries will lag behind those of other Government workers and employees in the private sector.

Since the weight of custom and a sense of fairness require that we maintain and preserve proper pay relationships at the upper echelons of Government, the proposed $42,500 Congressional salary requires that I make certain adjustments in the Kappel Commission's proposals for other top level salaries. Accordingly, I recommend the following pay scales:

Level II (Heads of Major Agencies): $42,500.

Level III (Including Under Secretaries): $40,000.

Level IV (Including Ass't. Secretaries): $38,000.

Level V (Including Heads of Boards): $36,000.

My recommendations for the other top level positions covered by the Kappel Commission are set forth in my budget in accordance with the requirements of Public Law 90-206.

The salaries of the Vice President, the Speaker of the House, the Majority and Minority Leaders of the House and Senate and the President Pro Tem of the Senate were not, as such, covered by the Kappel Commission's charter. For this reason, I am submitting separate pay legislation embodying my recommendations, as follows:

Vice President: $62,500.

Speaker of the House: $62,500.

Majority and Minority Leaders of the House and Senate and President Pro Tem of the Senate: $55,000.

CONGRESSIONAL ALLOWANCES

The burdens imposed by Congressional service are unique. They often require members to bear extra expenses in connection with their official responsibilities.

Most lawmakers, for example, must maintain two homes for themselves and their families—one among the people in the district or state they serve; the other in or near the Nation's capital.

Recognizing these facts, the Federal tax laws have allowed deductions of up to $3,000 a year for living expenses at the seat of our national government.

That maximum deduction has remained fixed for 15 years now—while sessions of the Congress have grown longer and longer under the pressure of increasing workloads and crowded legislative calendars.

I believe we should increase the maximum deduction so that Members of Congress will not be required to use any new pay increase to defray some of the essential living expenses incurred in the pursuit of their official duties.

Accordingly, I recommend that the maximum Federal tax deduction for Congressional living expenses be raised by $2,500—from $3,000 to $5,500 for each member of Congress.

EXCELLENCE IN THE PUBLIC SERVICE

The proposals I make today are long overdue and urgently needed salary reforms at the upper levels of our government. But they are more than pay recommendations, for they cut to the heart of what modern government is all about—excellence in the pursuit of the public's business.

This moment of decision provides a unique occasion to strengthen the sinews of American government. We can do this by offering to our best and ablest citizens fair compensation for the job they must do in guiding America forward in the years ahead.

Just as these public servants—in the Congress, in the Cabinet and in the Judiciary—have a responsibility to the Nation, so the Nation has a responsibility to them.

The total amounts involved in my pay proposals are relatively small. But they will be wise investments in our future.

I urge the Congress to grasp the opportunity presented to it and to respond favorably to the recommendation I am submitting today.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ENROLLED BILL SIGNED

The PRESIDING OFFICER announced that on today, January 17, 1969, the Vice President signed the enrolled bill (H.R. 10) to increase the per annum rate of compensation of the President of the United States, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATION

The PRESIDING OFFICER laid before the Senate a letter from the Director, Bureau of the Budget, transmitting, pursuant to law, a report that the appropriations listed in the enclosure have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriations (with an accompanying report); to the Committee on Appropriations.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD of West Virginia:

S. 359. A bill for the relief of Dr. G. Sri Rama Gupta;

S. 360. A bill for the relief of Dr. Reynaldo C. Soriano; and

S. 361. A bill for the relief of Chong Tsz Ying; to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina:

S. 362. A bill for the relief of Pooran Chandra Joshi and his wife, Saroj Joshi; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 363. A bill to amend section 406(b) of title 37, United States Code, relating to the shipment of household effects; to the Committee on Armed Services.

By Mr. TOWER:

S. 364. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. TOWER when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 365. A bill to establish a National Commission on Public Health Hazards, and to provide for a program of investigation, basic research and development to find means of protecting the public health by controlling and neutralizing health hazards created by certain drugs and other potentially mutagenetic or lethal chemicals and compounds; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL:

S. 366. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL (for himself and Mr. COOPER):

S. 367. A bill to promote excellence in education, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (for himself, Mr. BENNETT, Mr. CHURCH, Mr. HANSEN, Mr. JORDAN of Idaho, Mr. MCGEE, and Mr. MOSS):

S. 368. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 369. A bill to amend the joint resolution of October 23, 1965, relating to National Parkinson Week; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 370. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Finance.

By Mr. HART:

S. 371. A bill for the relief of Maria Giuseppa Bario;

S. 372. A bill for the relief of Francesco Paolo Billeci;

S. 373. A bill for the relief of Dr. Minoo Bomanshaw Chinoy and his wife, Jeroo Minoo Chinoy;

S. 374. A bill for the relief of Dr. Che-Shen Chiu;

S. 375. A bill for the relief of Marian Cwalinski;

S. 376. A bill for the relief of Maximo A. Galvez;

S. 377. A bill for the relief of Gertrude Grazek Gniatczyk;

S. 378. A bill for the relief of Peter Rudolf Gross;

S. 379. A bill for the relief of Dau-lin Hsu, his wife, Nancy M.Y. Hsu, and their two children, Alex Hsu and Barbara Hsu;

S. 380. A bill for the relief of Telesfora deLeon Parras;

S. 381. A bill for the relief of Dr. Alim Sipahi, his wife, Beria Sipahi, and their children, Mennet and Hikmet Sipahi;

S. 382. A bill for the relief of Lun-Han Tang and his wife, Yi-Hsien Tang;

S. 383. A bill for the relief of Helen Chien Wu;

S. 384. A bill for the relief of Erlinda Zaragosa; and

S. 385. A bill for the relief of Juliana Salmon; to the Committee on the Judiciary.

By Mr. BAYH:

S. 386. A bill for the relief of Manfred Durczak, his wife, Margund Durczak, and their son, Malte Durczak;

S. 387. A bill for the relief of Jeng Shyong Shyu;

S. 388. A bill for the relief of Michael Charalambakis; and

S. 389. A bill for the relief of Yiu Ip Chan; to the Committee on the Judiciary.

By Mr. McINTYRE:

S. 390. A bill for the relief of Tonino (Tony) Mantovani;

S. 391. A bill for the relief of Luis Afonso;

S. 392. A bill for the relief of Americo Henriques Dos Santos;

S. 393. A bill for the relief of Francisco Lopes;

S. 394. A bill for the relief of Jose Maria DeSousa;

S. 395. A bill for the relief of Joaquim Manuel Moreno;

S. 396. A bill for the relief of Joao Resendes Silva; and

S. 397. A bill for the relief of Manuel Sebastio Da Silva; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 398. A bill to establish a Government corporation to assist in the expansion of the capital market for municipal securities while decreasing the cost of such capital to municipalities; to the Committee on Banking and Currency, by unanimous consent.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 399. A bill to establish Capitol Reef National Monument as Capitol Reef National Park;

S. 400. A bill to establish Arches National Monument as Arches National Park; and

S. 401. A bill to establish Cedar Breaks National Monument as Cedar Breaks National Park; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BENNETT when he introduced the above bills, which appear under a separate heading.)

By Mr. MOSS:

S. 402. A bill to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts; to the Committee on Commerce.

S. 403. A bill to amend the Retired Federal Employees Health Benefits Act; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. MOSS when he introduced the first above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 404. A bill to provide for the construction and improvement of a certain road on the Navajo Indian Reservation; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S.J. Res. 18. Joint resolution proposing an amendment to the Constitution relating to the choosing of a President when the choice devolves upon the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. YARBOROUGH when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MANSFIELD (for himself and Mr. AIKEN):

S.J. Res. 19. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older;

S.J. Res. 20. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States; and

S.J. Res. 21. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. MANSFIELD when he introduced the above joint resolutions, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. BENNETT, Mr. CHURCH, Mr. GOLDWATER, Mr. HANSEN, and Mr. MCGEE):

S.J. Res. 22. Joint resolution providing for the designation of the year 1969 as "John Wesley Powell Centennial Year"; to the Committee on the Judiciary.

(See the remarks of Mr. MOSS when he introduced the above joint resolution, which appear under a separate heading.)

S. 364—INTRODUCTION OF MILITARY RECOMPUTATION BILL

Mr. TOWER. Mr. President, I introduce again today a measure providing for the computation of military retirement pay on the basis of active duty pay rates. The bill is identical to the one that I introduced during the last session of the Congress. Today, I wish to renew the efforts to correct this inequity which has existed since 1958.

This measure would repeal the provisions of the law providing for adjustments in retired and retainer pay whenever the consumer price index went up by as much as 3 percent. Substituted would be provisions that retired military personnel would—with a few exceptions—have their retired or retainer pay recomputed to reflect increases in basic pay of persons serving on active duty. In other words, whenever the basic pay of active military personnel is increased, the retired or retainer pay of a retired member would be recomputed on the basis of the new pay rate for the grade in which he was serving at the time of his retirement, rather than on the rate at the time which he retired, which is currently the case.

Section 4 of the bill provides that no change would be made by the bill in the pay and allowances currently being paid to five-star officers. These officers are, by law, considered to be on active duty at all times. That section would also provide that no change would be made in the pay and allowances of certain four-star officers whose pay and allowances are prescribed by special acts of Congress.

During the just completed presidential campaign, there was much interest around the Nation concerning this measure and nearly all groups of retired military personnel came out in favor of the method of recomputation embodied in this proposal. Likewise, President-elect Nixon in a statement supported this proposition and I ask unanimous consent that a copy of that statement be entered at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF A MESSAGE SENT BY RICHARD NIXON TO KEY INDIVIDUALS AND ORGANIZATIONS OF RETIRED AND RESERVE MILITARY PERSONNEL

Because of the concern of your organization with the issues of equalization of retired military pay I want to take this opportunity to share with you my views on this important subject.

For the past several years, our retired military personnel have been unjustly treated because of the failure of the Administration and the Democratic-controlled Congress to remedy the growing disparity between active duty and retired military pay. This unfair discrimination is wholly contrary to the long established principle of equalizing retired pay with existing active duty pay for the same grade or rank. It is a breech of faith for those hundreds of thousands of American patriots, who have devoted a career of service to their country and who, when they entered the service, relied upon the laws insuring equal retirement benefits.

The retired pay of some of our older retirees has slipped more than 30 percent behind that of their younger comrades. In a period of skyrocketing cost of living increases, it is an intolerable and unfair burden for our retired military.

I intend to urge the Congress to remedy this injustice at the earliest possible time by passing legislation along the lines of that introduced by Senator Tower of Texas, Chairman of my Key Issues Committee. General Eisenhower and I worked vigorously to seek legislative relief in 1960. Now, after prolonged inaction the time is at hand to do simple justice and to recognize the great contribution to our nation by those who have served their country with honor and distinction.

Mr. TOWER. Mr. President, also, I would like to have printed at this point a table on the cost of this measure done at my request by the Department of Defense. I urge my colleagues to seriously consider this proposal so that we may correct a glaring inequity and provide a better retirement program for our military personnel.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the table will be printed in the RECORD.

The bill (S. 364) to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Armed Services.

The table presented by Mr. TOWER is as follows:

DEPARTMENT OF DEFENSE—PROJECTED NUMBER OF MILITARY PERSONNEL RECEIVING RETIRED PAY AND ANNUAL DISBURSEMENTS, INCLUDING RECOMPUTATION

[Disbursements in millions of dollars]

Fiscal year	Number receiving retired pay (thousands)[1]	Assuming no future pay or price increases				Assuming future pay and price increases[4]			
			With recomputation for—				With recomputation for—		
		Present law	All persons	Category A[2]	Category B[3]	Present law	All persons	Category A[2]	Category B[3]
1967	567	$1,780	$2,061	$1,188	$1,829	$1,780	$2,127	$1,948	$1,888
1970	722	2,291	2,556	2,393	2,337	2,500	2,925	2,704	2,630
1975	949	2,936	3,171	3,206	2,977	3,603	4,309	3,942	3,818
1980	1,151	3,589	3,790	3,666	3,624	4,996	6,117	5,534	5,338
1985	1,327	4,160	4,324	4,223	4,189	6,616	8,289	7,418	7,127
1990	1,472	4,640	4,767	4,689	4,662	8,485	10,853	9,621	9,208
1995	1,585	5,023	5,114	5,058	5,039	10,621	13,828	12,159	11,600
2000	1,665	5,305	5,364	5,328	5,315	13,052	17,227	15,055	14,326
2005	1,716	5,496	5,530	5,509	5,502	15,819	20,998	18,303	17,400
2010	1,744	5,610	5,626	5,616	5,613	18,958	25,067	21,888	20,823
2015	1,757	5,670	5,676	5,672	5,671	22,520	29,451	25,844	24,636
2020	1,762	5,697	5,699	5,698	5,697	26,554	34,176	30,210	28,880
2025	1,764	5,708	5,708	5,708	5,708	31,109	39,262	35,020	33,598
2030	1,765	5,710	5,710	5,710	5,710	36,212	44,709	40,288	38,806
2035	1,765	5,712	5,712	5,712	5,712	41,878	50,525	46,026	44,517
2040	1,765	5,712	5,712	5,712	5,712	48,102	56,643	52,199	50,709

[1] Number of persons receiving retired pay at the end of the fiscal year.

[2] Category A consists of all personnel retired for disability, all nondisability retirements with 30 years of service, and all mandatory retirements with less than 30 years of service.

[3] Category B consists of all persons retired with 30 years of service and all mandatory retirements with less than 30 years of service.

[4] Pay rates are assumed to increase by 3.2 percent in fiscal year 1967, then by 3½ percent annually to the year 2000, and then to increase at a rate declining to 2¼ percent in 2040. The price index is assumed to increase by 1½ percent annually to the year 2000 and then to increase at a rate declining to 0 in 2040. However, the retired pay of personnel already retired is assumed to increase at the 1½ percent rate beyond the year 2000 to avoid increasing the disparity between the average active and retired pay.

Note: Projections this far into the future can be accomplished only at the expense of a certain amount of rigidity in the technique. The effect of a number of relatively small factors is necessarily omitted. Consequently the results should be taken only as indicative of a general trend.

S. 365—INTRODUCTION OF BILL PROPOSING A COMMISSION TO STUDY UNKNOWN EFFECTS OF DRUGS AND NEW CHEMICALS

Mr. NELSON. Mr. President, today I am introducing legislation to establish a national commission to investigate the potentially harmful effects of certain drugs, cosmetics, food additives, and other chemicals.

Distinguished scientists are gravely concerned that many recently developed substances, such as artificial sweeteners and certain cosmetics, may be unknowingly affecting man's genetic structure or altering his reproductive capability.

The human race could face a genetic disaster as large numbers of people are exposed to chemicals that can change genes or impair fertility.

We cannot afford to wait to observe these potential mutations in future generations. We must take the steps necessary now to determine the genetic effects or the lethal characteristics of chemicals and compounds to which the public is being exposed.

The Public Health Hazards Commission, created by this legislation, would investigate questionable chemicals, develop a register listing mutagenetic substances and formulate a monitoring program to determine chromosome breakdown, genetic damage, and impaired fertility.

The members of the commission would be selected by the President and would include representatives of Government health agencies, the scientific community, and private business.

There have been tens of thousands of new chemical agents isolated or synthesized by man in the past few decades. Distinguished mutation researchers have stated potentially irrevocable genetic damage could be caused without any initial warning by many of these chemicals.

Yet only about 200 of these potentially mutagenetic substances have been tested for their effect on man's genes.

Since this is a complex scientific situation, it is extremely difficult for the average person to protect himself. Continued use of these chemicals could conceivably affect every man, woman, and child in America.

I ask unanimous consent that the text of this bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 365) to establish a National Commission on Public Health Hazards, and to provide for a program of investigation, basic research and development to find means of protecting the public health by controlling and neutralizing health hazards created by certain drugs and other potentially mutagenetic or lethal chemicals and compounds introduced by Mr. NELSON, was received read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 365

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Health Hazards Commission Act of 1969."

FINDINGS AND PURPOSE

SEC. 2. (a) There is growing concern that the public health of the Nation is being threatened by hazards that have been created with the development of certain drugs and other potentially mutagenetic or lethal chemicals and compounds. Not only do many of these chemicals and compounds result in unforeseen and potentially fatal consequences, but they also could cause a genetic disaster by permanently damaging the fiber of the human framework. Future generations could suffer from genetic aberrations caused by mutation-producing substances that are presently being exposed to an unknowing public.

(b) It is necessary, therefore, in order to protect the health, safety, and welfare of the Nation, to take steps to control and neutralize these hazards. It is the purpose of the Act to establish a National Commission on Public Health Hazards to study and investigate problems caused by these chemicals and compounds, to foster and stimulate research aimed at the development of chemicals and compounds that will not be injurious to the health of the Nation, and to develop a register of potentially mutagenetic or lethal chemicals and compounds.

ESTABLISHMENT OF NATIONAL COMMISSION ON PUBLIC HEALTH HAZARDS

SEC. 3. There is hereby established a National Commission on Public Health Hazards (hereinafter referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 4. (a) The Commission shall be composed of seven members as follows:

(1) Four representatives from government appointed by the President, including representatives of the Office of Consumer Protection and Environmental Services and the National Institutes of Health, Department of Health, Education, and Welfare.

(2) Four representatives from private life to be appointed by the President, including two representatives from the National Academy of Sciences.

(3) Four representatives from private life appointed by the President from among persons engaged in private enterprise.

(b) Members on the Commission appointed from private life shall be appointed for terms of three years.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The President shall designate one of the members of the Commission to serve as Chairman and one to serve as Vice Chairman.

(e) Seven members of the Commission shall constitute a quorum.

FUNCTION OF THE COMMISSION

Sec. 5. (a) It shall be the function of the Commission to make a continuing study and investigation of any and all matters relating to potentially mutagenetic or lethal chemicals and compounds. Such study and investigation shall include, but shall not be limited to:

(1) a determination and evaluation of the usage of any such chemicals and compounds, including the total amounts used in any year; and

(2) the desirability of requiring a limitation on the usage of any such chemical or compound based on its toxicity, solubility, and persistence.

(b) It shall also be the function of the Commission to carry out, by its own staff or by contract, a basic research program directed at, but not be limited to:

(1) determining the manner by which potentially mutagenetic or lethal chemicals and compounds degrade, decompose or persist in the environment, and

(2) discovering means and methods by which potentially mutagenetic or lethal chemicals and compounds may be caused to degrade, decompose or otherwise lose their mutagenetic or lethal qualities more rapidly after their introduction into the environment.

(c) It shall also be the function of the Commission to encourage the conduct of research projects which shall include, but not be limited to—

(1) the ascertainment of the toxic or lethal concentrations of chemicals and compounds,

(2) the ascertainment of the synergistic and accumulative effects of such chemicals and compounds on man and other species of life, and

(3) the determination of the feasibility of developing chemicals and compounds not injurious to man.

(d) The Commission shall develop a register of potentially mutagenetic or lethal chemicals and compounds.

(e) It shall also be the function of the Commission to formulate and recommend a monitoring program of the human population and other species for chromosome breakage and increased genetic damage.

COMPENSATION OF MEMBERS

Sec. 6. (a) The members of the Commission who are appointed from private life shall each receive compensation at the rate of $75 per day for each day they are engaged in the performance of their duties as members of the Commission. All other members of the Commission shall serve without compensation.

(b) All members of the Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

STAFF

Sec. 7. The Commission is authorized, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and without regard to the provisions of chapter 51 of such title, relating to classification—

(1) to appoint such personnel as it deems necessary to assist it in performing its duties, and to fix the compensation of such personnel at rates not in excess of those provided in the General Schedule under section 5332 of such title for employees performing comparable functions, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of such title, but at rates not to exceed $75 a day for individuals.

POWERS OF COMMISSION

Sec. 8. (a) The Commission or any committee thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such committee may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any committee thereof.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

REPORTS

Sec. 9. The Commission shall submit an annual written report of the result of its study and investigation to the President and to the Congress not later than March 1 of each calendar year together with such recommendations for legislation or other action as the Commission may deem advisable.

APPROPRIATIONS AUTHORIZED

Sec. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 366—INTRODUCTION OF BILL TO BE KNOWN AS THE HIGHER EDUCATION SCHOLARSHIP ACT OF 1969

Mr. PELL. Mr. President, since my coming to the Senate, one of the major fields in which advances have been made is that of education. Indeed, it is with a great deal of pride that those of us who worked on the education legislation can look upon the last 6 years of remarkable achievement.

With each passing year we have improved the physical plants of institutions of higher education. We have made funds available to improve the curriculum in colleges and universities. We have established scholarship and loan programs which seek to make college within the reach of more people. However, Mr. President, I believe that we have not fully looked at the very real and most basic issue facing higher education today. I am now speaking of the cost of attaining that education.

All the scholarship grants, loan programs and forgiveness clauses merely supplement or defer the phenomenal costs of going to college. In the past years we have heard many ideas put forth which would treat this problem; tax rebates; repayment plans utilizing the Internal Revenue System; and a myriad of other programs, all nibbling at the edge of a growing national concern.

It is with these thoughts in mind that I introduce my Higher Education Scholarship Act which I first introduced in 1965. Basically, this bill provides for an across-the-board scholarship or grant of up to $1,000 to all students accepted at an institution of higher learning for the first 2 years of study. These funds could be applied to tuition fees, books, what have you. The definition of institution includes accredited private, business, trade, technical or vocational schools much like the GI bill.

I view this proposal as the one which clearly meets the problem. The cost of education is dear and it keeps going up. What is needed is clean-cut help—assistance. Simply set forth and simply administered, this proposal does away with formulas, questionnaire and rebates.

Some would call this measure startling, but is it really? Do we not provide free public education for all students, as a matter of right, for 12 years? What then is so unusual to expand this concept to include 2 more years, to bring to 14 years, the free public education available to all our people.

In today's growing technological society there is a vast need for specialized knowledge. The growing junior college movement is providing the educational arena to provide this knowledge. It is time to recognize the importance of this new type of study and provide means to make it available to all.

Mr. President, hearings on a like-type measure were scheduled by the Education Subcommittee of the Senate Committee on Labor and Public Welfare during the last session of the Congress. The tragic death of Dr. Martin Luther King caused cancellation of these hearings and subsequent developments did not allow for rescheduling. It is my hope that by introducing, again, the Higher Education Scholarship Act I am able to generate serious discussion and study of a problem vital to the growth of our Nation.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 366) to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education introduced by Mr. Pell, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Higher Education Scholarship Act of 1967".

Sec. 2. The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is hereby authorized, in the manner hereinafter in this Act provided, to award scholarships to undergraduate students to enable them to pursue their courses of study for not more than two academic years or its equivalent at institutions of higher education.

Sec. 3. The total amount paid to any student awarded a scholarship under this Act shall be based upon the aggregate amount of his costs for tuition, course fees, and books during any academic year or its equivalent, as defined in the regulations of the Commissioner, but in no event shall the amount paid to such student exceed $1,000 for such academic year or its equivalent.

Sec. 4. A student awarded a scholarship under this Act shall continue to be entitled to payments only if the Commissioner finds that such student (1) is maintaining good standing in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution which he is attending, (2) devotes essentially full time to such course of study, during the academic year or its equivalent, in attendance at an institution of higher education, except that failure to be in attendance at an institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines, in accordance with regulations, that there is good cause for his nonattendance (during which periods such student shall receive no payments), shall not be deemed contrary to this clause, and (3) is using payments under such scholarship only for costs of tuition, course fees, and books necessary to pursue his course of study. In no event shall any student receive payments for in excess of two complete academic years or its equivalent.

Sec. 5. In order to carry out the policy of sections 3 and 4, the Commissioner may (1) award a scholarship during any academic year or its equivalent in such installments as he may deem appropriate and (2) provide for such adjustment of scholarship payments under this Act as may be necessary, including, where appropriate, total withholding of payments.

Sec. 6. (a) An individual shall be eligible to compete in any State for a scholarship under this Act if he (1) is living in the State or, if not living in any State, is domiciled in such State; (2) makes application at the time and in the manner prescribed by the State commission; and (3)(A) is enrolled full time in any course of undergraduate study at an institution of higher education or (B) is attending a public secondary school in, or a private secondary school accredited by, any State. The State Commission established under, or designated pursuant to, section 7(a) may, in accordance with regulations of the Commissioner, for good cause waive or modify the requirements of clause (3)(B).

(b) From among those competing in any State for scholarships for any academic year or its equivalent, the State commission shall, in accordance with the provisions of the State plan approved under section 7, select persons who are to be awarded such scholarships and determine the amounts to be paid to them. Within the amounts appropriated for scholarships under this Act, the Commissioner shall award a scholarship to a person so selected, and in the amount so determined, if—

(1) the State commission certifies that such person (A) has received a certificate of graduation, based on completion of the twelfth grade, from any public secondary school in, or any private secondary school accredited by, a State, or (B) in the case of an individual who has not received such a certificate, is determined by such State commission to have attained a level of advancement generally accepted as constituting the equivalent of that required for graduation from secondary schools accredited by such State; and

(2) such person has become enrolled for a course of undergraduate study in an institution of higher education or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate student. In the event the total amount of all such scholarships to be awarded pursuant to this subsection for any fiscal year exceeds the amounts appropriated for such scholarships for such fiscal year, the Commissioner shall proportionately reduce the amount of each such scholarship to the extent necessary so that the amounts so appropriated are sufficient to contribute toward all such scholarships.

(c) In awarding scholarships under this Act, the Commissioner shall endeavor, by advice and consultation with State commissions and institutions of higher education, to promote an equitable distribution of scholarships among the States.

Sec. 7. (a) Any State desiring to participate in the scholarship program under this Act may do so by establishing a State commission on scholarships broadly representative of secondary schools and institutions of higher education, and of the public, in the State, or designating an existing State agency with equivalent representation to serve as the State commission on scholarships, and by submitting, through such commission, a State plan for carrying out the purposes of this Act which is approved by the Commissioner under this section. The Commission shall approve any such plan which—

(1) is designed to carry out the intent of this Act;

(2) provides for certification to the Commissioner of—

(A) individuals selected pursuant to the State plan for scholarships and the amounts thereof, and

(B) the amounts of payments under their scholarships to individuals previously awarded such scholarships;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under subsection (b); and

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this Act.

(b) The Commissioner shall pay to each State such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan) approved under this Act. There are hereby authorized to be appropriated such sums as may be necessary to make such payments.

(c) No school or institution of any agency of the United States shall be eligible to receive any payment under this Act.

Sec. 8. An individual awarded a scholarship under this Act may attend any institution of higher education which admits him.

Sec. 9. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Sec. 10. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

Sec. 11. In administering this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary or the head thereof, and to pay therefor, in advance or by way of reimbursement as may be provided in the agreement.

Sec. 12. Payments under this Act to any institution of higher education, State commission, or Federal agency may be made in installments and in advance or by way of reimbursement.

Sec. 13. As used in this Act—

(a)(1) The term "institution of higher education" means an educational institution, whether or not such institution is a nonprofit institution, which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of this subsection, such term includes any private business or trade school or technical or vocational institution which meets the provisions of clauses (1), (2), and (4), except that if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit any category of such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions as meeting this definition and shall also determine whether particular institutions meet such standards.

(2) For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioners except that it does not include any education provided beyond grade 12.

(c) The term "State" includes, in addition to the several States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

S. 367—INTRODUCTION OF BILL TO BE KNOWN AS THE QUALITY IN EDUCATION ACT OF 1969

Mr. PELL. Mr. President, on behalf of the Senator from Kentucky (Mr. Cooper) and myself, I introduce for appropriate referral our Quality in Education Act, which we first introduced in 1965.

This proposed legislation attempts to insure that our system of public education will be the finest attainable. Let me initially state that the bill recognizes that the States and local communities have the basic responsibility for public education. However, at the same time it also recognizes that Federal assistance and involvement may be desirable to give a basic floor to the quality of our education.

Our Quality in Education Act would attain these goals in two ways. There would be established an award which would be given to each secondary student who passed a national test of academic excellence. This test, to be devised by the Department of Health, Education, and Welfare, would identify students with outstanding aptitudes in the 12th grade of secondary school. There is nothing mandatory about this test. Each local school administrator would or would not, as he chose, make application to the Federal Government for the examination sheets. Only after such application could the test be given to the student.

This achievement test would serve two purposes. It would identify and give recognition to students who have ability and it would also be a useful tool to local school administrators by providing a gage of achievement.

The Quality in Education Act would also establish the President's Advisory Council on Education, composed of eight members and the Commissioner of Education, to advise the Chief Executive on the means needed to improve the quality of education in this country. This Council of distinguished educators would be available for consultation with Governors, State and local officials, and other interested organizations on the means of improving curriculums; raising standards of scholarship, quality and effectiveness of teachings; raising the levels of educational achievement, and determining areas of priority.

The past 6 years have seen great action in the field of education. We have made what I would term quantitative strides. Buildings are being erected, books bought and salaries improved. What is now needed is a study of education itself. Are we making available to each child the best possible instruction? This bill would provide a useful tool in finding an answer to that question.

I see no reason to fear such a method of recognizing talent. And do not we owe such a measure of quality to the students? It is my hope that introduction of this bill will engender national discussion on this concept.

I ask unanimous consent that the full text of the Quality in Education Act of 1969 be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 367) to promote excellence in education, and for other purposes, introduced by Mr. PELL (for himself and Mr. COOPER), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 367

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Quality in Education Act of 1969."

SEC. 2. The Congress declares that education of the highest quality is essential to the security and economic strength of the Nation, as well as to the full realization of the individual capacities of its citizens.

The Congress recognizes that the quality and extent of education must keep pace with the needs of the future.

The Congress finds that public and private studies since World War II have established the need for improving the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of curriculums, on higher standards of scholarship, and on the effectiveness of teaching.

The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educators, and to authorize a nationally recognized certificate for academic excellence.

Therefore, it is the purpose of this Act to promote excellence in education by establishing the President's Advisory Council on Education and by authorizing the award of a national certificate for passing a test of academic excellence.

SEC. 3. (a) The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized and directed, after consultation with the President's Advisory Council on Education, to prepare or approve a comprehensive test of academic excellence designed to identify students with outstanding aptitude and ability who are in the twelfth grade of secondary schools. The Commissioner shall prescribe a passing grade for such tests.

(b) The Commissioner shall establish a program through arrangements with appropriate State educational agencies, local educational agencies, or secondary schools throughout the Nation, whereby the test of academic excellence prepared or approved by him may be given by such agencies or schools, on a voluntary basis, to students described in section 3 of this Act who have filed applications therefor by such time and in such manner as the Commissioner may prescribe. Upon application by any appropriate agency or school by such time and in such manner as the Commissioner may determine, the Commissioner shall pay to such agency or school the cost of the administrative expenses it has incurred pursuant to an arrangement made under this section.

(c) The Commissioner is authorized and directed to prepare a certificate, of such appropriate design as he shall prescribe, and in such numbers as are necessary, for issuance to students who have successfuly passed the test of academic excellence prepared or approved by him and given in accordance with arrangements made under this Act. Each student who has so passed such test shall be awarded such a certificate within sixty days following the date on which he was given the test. Each certificate awarded pursuant to this Act shall be signed by the Commissioner.

SEC. 4. (a) In order to provide a permanent advisory body of distinguished educators which will be regularly available for consultation with the President of the United States and with State and local educational agencies on means of improving the quality of education in the United States, and in order to bring continuing public attention to the importance of academic excellence and higher standards of education, there is hereby established the President's Advisory Council on Education (hereinafter referred to as the "Council").

(b) The Council shall be composed of eight members appointed by the President, by and with the advice and consent of the Senate, who are leaders in the field of education. The President shall designate the chairman from among such members. The Commissioner shall be an ex officio member of the Council.

(c) Each member shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of members first taking office after the date of the enactment of the Quality in Education Act of 1967 shall expire as follows: Two shall expire with the close of the first calendar year which begins after such date of enactment, two shall expire with the close of the second such calendar year, two shall expire with the close of the third such calendar year, and two shall expire with the close of the fourth such calendar year, as designated by the President at the time of appointment.

(d) Members of the Council shall receive no compensation for their services, but while away from their homes or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Council may appoint, without regard to the civil service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

(f) The Council shall meet at the call of the President or the chairman, but not less often than three times each calendar year.

(g) The Council shall transmit to the President and the Congress annually a report of its activities under the provisions of this Act.

SEC. 5. For the purpose of assisting State and local efforts to improve the quality of education in the United States, the Council shall—

(1) be available for consultation with Governors, the chief officials of State or local educational agencies or institutions, and appropriate groups of other interested citizens, on—

(A) means of improving the quality and content of curriculums,

(B) means of raising the standards of scholarship expected of and attained by students,

(C) means of improving the quality and effectiveness of teaching,

(D) determination of areas of priority in education, and

(E) other means of raising levels and increasing the extent of educational achievement;

(2) encourage meetings of, and upon request consult with, regional educational associations and organizations of State education officials held to exchange and disseminate information on means of improving the quality of education;

(3) advise and consult with the Commissioner on the initial preparation or approval and subsequent revision of the comprehensive test of academic excellence authorized in this Act;

(4) examine the results of the comprehensive test of academic excellence in order to identify areas of national concern in the field of education.

SEC. 6. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

SEC. 7. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533), is hereby repealed.

S. 368—INTRODUCTION OF GEOTHERMAL STEAM LEASING BILL

Mr. BIBLE. Mr. President, I introduce, on behalf of myself and Senators BENNETT, CHURCH, HANSEN, JORDAN of Idaho, MCGEE, and MOSS, for appropriate reference, a measure to authorize the Secretary of the Interior to issue leases for the development of the geothermal steam deposits and associated geothermal resources of the publicly owned lands of the United States.

The deposits which are the subject of this bill are potentially an important new source of energy, particularly in the West, and also constitute additional sources for certain minerals. Their development will be of substantial significance to the economy of the area, and will add to the already great revenues from the Federal lands.

In giving the Secretary the requisite authority to make disposition of these publicly owned natural resources, the bill lays down certain specific guidelines and standards for the lease terms and conditions which I believe will be conducive to development. We have had very little experience in this country in the production of energy and byproducts from geothermal steam, and, since a geothermal steam industry will be a new industry, substantially, such congressional standards and guidelines appear necessary at this time.

Also, the bill contains what is popularly referred to as a "grandfather clause." That is, it provides for limited, carefully controlled recognition of the equities of pioneers in geothermal steam—persons who under either a mineral lease or a mining claim have expended money and time in geothermal steam development. Such recognition takes the form of a limited right of conversion by such pioneers of their mineral leases or mining claims to geothermal steam leases.

However, no mineral lessee or mining claim holder can convert more than 12,800 acres in any one State to geothermal leases; he must be otherwise qualified to hold a geothermal lease; and the Secretary must be satisfied that he has in fact made substantial expenditures of time and money on the tract he seeks to convert or on close-by tracts.

Thus, the so-called grandfather clause in no way provides for unlimited conversion. Quite the contrary is true, and the entire process is subject to the control of the Secretary throughout.

I might explain that the grandfather, or conversion, clause in the bill I am introducing today is identical to the provision which was approved by both Houses of Congress in the 89th Congress. I refer to S. 1674, 89th Congress, which was the subject of a most unfortunate veto. This veto was based on the advice of staff members who patently had not read, or at least read with understanding, the version of the bill that had been approved by Congress.

Mr. President, for some 7 years now, beginning with the 87th Congress, I have been sponsoring legislation the purpose of which was to permit development of a potentially very valuable natural resource of our public lands. We have had a long series of inquiries, investigations, hearings, and reports on these various measures. We should be, and are, ready to take affirmative action.

Our country needs the energy and the minerals that enactment of this bill would make available.

I earnestly urge that the Congress and the administration work together to that end.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 368) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes, introduced by Mr. Bible (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 399, S. 400, AND S. 401—INTRODUCTION OF BILLS RELATING TO THREE NEW NATIONAL PARKS FOR UTAH

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, three bills to authorize creation of the Arches, Capitol Reef, and Cedar Breaks National Parks in southern Utah. These bills have been in the hopper since 1961. Unfortunately the Kennedy-Johnson administrations and the Senate Interior Committee have not considered this important legislation. Each of the abovenamed areas is presently a national monument, but all three should now receive the recognition and prestige which come from national park designation.

Under my bills as currently written I do not propose any acreage increases for any of the three areas. However, after proper hearings both in Washington and in Utah it might be determined that some increases are justified.

It is my hope that under the new Nixon administration and the new Interior Department we will be able to gain favorable reports on these proposals which I first introduced July 11, 1961.

However, before any final action is taken on these three bills I want to make absolutely sure that Utah's interests are protected. I will insist on field hearings on my bills and I want to make certain that mining rights and the like are fully protected.

The three areas contain some of the world's most magnificent scenery. All three areas are unique and each is individually spectacular. They comprise in their own way a veritable wonderland of nature.

When he first came to Washington, Secretary of Interior Stewart Udall visited Utah and stated that acre for acre southern Utah contains the "greatest concentration of scenic wonders" in the Nation. He also stated that Capitol Reef and Arches National Monuments should become national parks. To these two, I have added Cedar Breaks because I feel that it, too, merits such recognition.

In spite of the awesome grandeur and beauty of these three national monuments, the number of visitors each year is relatively small. Thus Americans are not taking advantage of the opportunity to see and behold for themselves these truly fantastic and awe-inspiring areas.

I am sure a principal reason for the relatively small number of visitors is the fact that they have not received national park designation. To the public mind national monument status does not carry with it the prestige and grandeur associated with national parks. Such recognition is not only deserved, but long overdue.

ARCHES NATIONAL PARK

Arches is in the heart of the famed Red Rock country of southeastern Utah. Located a short distance north of the picturesque town of Moab, it is separated from Utah's uranium capital by the mighty Colorado River.

Eighty-eight openings that are large enough to be classed as arches have been discovered within the boundaries of this national monument, hence the origin of its name. Other arches are probably hidden away in remote and rugged parts of the area. Spectacular towers, sweeping coves, shapes resembling figures of men and animals, balanced rocks, and other strange and fascinating forms resulting from the ageless impact of running water, wind, rain, frost, and sun form a setting of unprecedented beauty and grandeur. The arches themselves are a majestic culmination of the handiwork of time and the elements.

Arches National Monument was created by President Herbert Hoover on April 12, 1929, and contains 53 square miles of land.

Among the most famous scenic areas are the Windows section, and Devils Garden containing famous Landscape Arch, which is 291 feet long and is believed to be the longest natural stone span in the world. Similarly Klondike Bluffs and Delicate Arch must not be missed in any visit to Arches.

I was pleased to work with the National Park Service in accelerating the construction of a new access road to Arches. It was completed in 1958 and climbs through the sandstone cliffs behind the monument's headquarters and passes through the Courthouse Towers section.

CAPITOL REEF

The striking Capitol Reef Wilderness Area is in the heart of the famed Wayne Wonderland, a vast scenic region in south-central Utah. The National Monument was established by Presidential proclamation on August 2, 1937, and covers more than 61 square miles. Its boundaries are generally in Wayne County. Much of this intricately eroded and bright-colored region has never been explored.

Because it resembles domed capitol buildings, the great, 20-mile-long buttressed sandstone cliff with its cap of white Navajo sandstone, was named Capitol Reef. Early geologists call these cliffs reefs because of their visual resemblance to sea reefs composed of rock, or limestone skeletons of coral.

The monument includes a section of the Waterpocket Fold, a great doubling up of the earth's crust caused by an unusual geological movement. The western edge of this fold—of which Capitol Reef is a part—is exposed as a great cliff of brilliantly colored rock layers. It extends from Thousand Lake Mountain southeastward about 150 miles to the Colorado River. The fold or reef, fantastically eroded by rain and wind, is a barrier to the traveler. It can be crossed in only three places on horseback. One of these passages also allows automobiles to cross.

Because of its peculiar geographical isolation, emphasized by the tilted sedimentary rocks, awesome cliffs and canyons and rock masses carved by the elements into weird and fanciful figures, the Fremont River drainage was the last section of Utah to be explored and settled.

Visitors should never miss Capitol Reef itself, the Twin Rocks, Chimney Rock, and the spectacular Sulfur Creek Gorge. In addition there are Basketmaker petroglyphs and many other spectacular sites.

CEDAR BREAKS

The Cedar Breaks National Monument is located near the progressive city of Cedar City, Utah.

Situated high on the Markagunt Plateau in southern Utah at elevations reaching 10,700 feet, the monument contains within its boundaries a gigantic multicolored natural amphitheater. Inside the steep-walled amphitheater, the visitor will observe limestone eroded into countless fantastic shapes that have been formed by the never-ending forces of rain, wind, snow, and ice. These formations display an amazing variety of color, as constantly changing light accentuates and subdues the vivid hues of the rocks. Attractive wildflowers and sweeping vistas offer superlative scenic values.

The monument is approximately 4 miles long and 2½ miles wide, covering nearly 10 square miles. Two-thirds of the area is composed of high cliffs and the steep talus slopes of the amphitheater. Cedar Breaks is surrounded by Dixie National Forest, which provides many recreational activities for the sportsman and camper.

Early exploration of the Markagunt Plateau began in 1851, after the Mormons had settled in Parowan and Cedar City to the west. In 1852, church leaders explored the headwaters of the Sevier and Virgin Rivers, which rise on the plateau, but they made no reports concerning the cliffs that are known today as Cedar Breaks.

Both the Wheeler and Powell surveys of 1872 made extensive topographic records of the area as well as observations on the plants, animals, and geology. For more than three decades following these scientific surveys, use was made of the grazing and timber resources.

In 1905 this unique area was included as part of the Sevier—now Dixie—National Forest and was administered by the Forest Service of the U.S. Department of Agriculture. The area was accorded national monument status by Presidential proclamation on August 22, 1933, and was transferred to the National Park Service of the U.S. Department of Interior.

Under the Mission 66 program initiated by President Eisenhower, a visitors' center has been built on the rim 1 mile from the south entrance of the monument. At my request, the Department of Interior initiated an accelerated construction of a 5-mile rim drive from Point Supreme to North View, which is a most inspiring, scenic drive.

Among the highlights of any trip to Cedar Breaks is a visit to Point Supreme, Sunset View, Chessman Ridge Overlook, and North View. Each viewpoint presents a scene that furnishes a magnificent color panorama of this spectacular area.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 399) to establish Capitol Reef National Monument as Capitol Reef National Park, (S. 400) to establish Arches National Monument as Arches National Park, and (S. 401) to establish Cedar Breaks National Monument as Cedar Breaks National Park, introduced by Mr. BENNETT, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs.

S. 402—INTRODUCTION OF BILL TO REQUIRE THAT RADIOS BE CAPABLE OF RECEIVING BOTH AM AND FM BROADCASTS

Mr. MOSS. Mr. President, I am today introducing a bill to amend section 303 of the Communications Act of 1934 to require that all radio receiving sets shipped in interstate commerce be capable of receiving both AM and FM broadcasts.

The practical effect of this bill would be to materially broaden the listening possibilities of radio, thus providing improved communications to the widest possible cross section of the American public. It would not only provide greater programing service to the public at large, but it would also have the effect of improving the programing content of all radio broadcasting due to increased competition between stations. At the present time many sets are equipped to receive only AM broadcasts, and the people owning these sets are shut out from the vast world of FM broadcasting—a world which includes educational as well as commercial programs. There are approximately 2,100 FM stations on the air today, 325 of them noncommercial or educational stations. This FM world for broadcasting will become even more important as the Corporation for Public Broadcasting gets into full swing.

There are presently about 4,200 AM stations in the country, some half of which are daylight stations only. Thus many rural areas lack local service at night and must depend on radio stations located in distant cities for news, weather information, and other matters of importance. In these crucial times it is imperative that certain information be made instantaneously available to all Americans. The inclusion of FM bands on all radio receivers would make additional radio available to many people after the daylight stations go off the air, as well as during the day when both types of stations are broadcasting. The net effect would be to make more radio reception available to more people at all times.

UHF television has already received support from similar legislation. One would expect the same advantages to accrue to the radio listener as to the television viewer. It is essential if equality is to be provided for FM radio as has been for UHF in the television field.

At the present time, the receiving sets including AM and FM bands are more expensive than the sets which receive AM programs only. The average factory price for FM–AM sets is $22.95, while the average factory price for AM only runs somewhere between $16 and $18. There are some cheap AM sets on the market which can be bought, of course, considerably below this price.

Undoubtedly, the requirement that all sets carry both AM and FM bands would increase the price of sets at first, but it would also force mass production of these sets which would inevitably result in significantly lower cost per unit to members of the public.

The rationale on this bill is in line with the thinking of the Federal Communications Commission on radio programing generally. For instance, the Commission has recently held that jointly owned AM–FM stations in communities of 100,000 population or over must program separately, in order to give the public a greater diversity and choice. My bill would have the same end result.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 402) to amend section 303 of the Communications Act of 1934 to require that radios be capable of receiving both AM and FM broadcasts, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Commerce.

S. 404—INTRODUCTION OF BILL TO IMPROVE ROAD ON NAVAJO INDIAN RESERVATION

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, a bill which will provide sums needed to improve and blacktop 42 miles of road on the Navajo Indian Reservation in the States of New Mexico and Arizona. The road begins at a junction with U.S. 666 about 6 miles south of Shiprock, N. Mex., and runs west in New Mexico for a distance of 22 miles to the town of Red Rock, and then for 20 miles in Arizona to the town of Lukachukai, where it connects with an existing paved road.

It should be noted that this vast reservation is larger than the State of West Virginia. At the present time, areas of this territory are almost impenetrable, hence forming a natural dam, not only separating the Navajo Reservation from the rest of New Mexico and Arizona, but separating the Indians from their own communities.

The existing dirt road has been inadequate to serve the Navajos for many years. Recently, Government vehicles and other large trucks traveling into nearby oil fields have put this road in such poor condition that it is almost impossible to travel. The ruts are so deep that passenger vehicles cannot move at a speed of over 10 miles an hour.

There are a large number of Indians living in this area. The closest public high school is at Shiprock, N. Mex. The students from Red Rock and surrounding areas have to move into Shiprock because the road is too poor for a school bus to travel. This is working a great hardship on the children and their families, as some of them cannot afford to board in town. If the road were improved, they could be bused in and live at home.

Besides educational needs, the road is important to the Navajos in improving their economic situation and in helping to develop their natural resources. An oiled road will give them better access to job opportunities, provide them ready medical attention, and protect them against natural disasters such as the devastating blizzard of last winter.

This area abounds in natural beauty. A good road will open up tourism, which is a major source of income for these people. It will also provide easier transportation for the sale of their crops, cattle, and handgoods.

The Public Roads Division of the Bureau of Indian Affairs is aware of the dire need the Navajos have for this particular road. Because of limited funds available to that Department, however, they have not been able to schedule sums for its improvement before 1975. This is too long a time to make the Indians wait.

My bill provides relief by amending the Navajo-Hopi Indian Rehabilitation Act to increase by $5 million the amount of money available for priority road construction on the Navajo Reservation and specifying that this increase be allocated to the road described above. It is clear that this road represents a critical area of need for the expenditure of priority funds for the rehabilitation of the Navajo people.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 404) to provide for the construction and improvement of a certain road on the Navajo Indian Reservation, introduced by Mr. Anderson, was received, read twice by its title and referred to the Committee on Interior and Insular Affairs.

SENATE JOINT RESOLUTION 18—INTRODUCTION OF A PROPOSED CONSTITUTIONAL AMENDMENT FOR THE CONTINGENT ELECTION OF THE PRESIDENT IN THE HOUSE OF REPRESENTATIVES

Mr. **YARBOROUGH**. Mr. President, I introduce, for appropriate reference, a joint resolution proposing a constitutional amendment that relates to the election of the President of the United States, should his election become the prerogative of the House of Representatives. I ask unanimous consent that the text of my proposed amendment be inserted in the Record at this point.

The **PRESIDING OFFICER**. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 18) proposing an amendment to the Constitution relating to the choosing of a President when the choice devolves upon the House of Representatives, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 18

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"Article —

"Section 1. Whenever the choice of a President devolves upon the House of Representatives under the twelfth article of amendment to this Constitution, each Member of the House of Representatives shall have one vote, a quorum shall consist of two-thirds of the whole number of Members of the House of Representatives, and the affirmative votes of a majority of the Members present and voting shall be required for a choice of a President.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

Mr. **YARBOROUGH**. I first introduced this Senate joint resolution in the 90th Congress on July 10, 1968. If anything, the need for passage of this resolution is greater now than it was last July when I first introduced it. I submit it again in the hope that it will receive consideration when the Judiciary Committee takes a look at our electoral system.

Inherent in our present electoral system is the possibility that no presidential candidate will receive a majority of the electoral votes. The Constitution anticipates this contingency, however, by providing first in article II and later in the 12th amendment, for contingent election of the President by the House of Representatives.

The danger today of the 12th amendment is not that the House of Representatives is the power designated finally to determine a President's election, but that the mechanics established by the Constitution for making that selection in the House, not only are inadequate, but make a mockery of democratic representation.

It is the mechanics of selection that my joint resolution seeks to change. The 12th amendment provides, just as article II provided that—

> In choosing the President, the votes shall be taken by states, the representation from each state having one vote.

In short, the 435 Members of the House of Representatives do not each cast a vote; rather, there is only one vote for each of the 50 State delegations. My proposal would replace that system with one Member, one vote.

Concern over this feature in our Constitution began to be expressed in the early 1820's when it became evident that no candidate in the 1824 election would receive a majority of the electoral votes. Good Democrat Thomas Jefferson was alarmed by the undemocratic scheme of voting by State in the House of Representatives, and, in a 1823 letter to George Hay, Jefferson called this scheme "the most dangerous blot on our Constitution, and one which some unlucky chance will some day hit." James Madison also was concerned that the mechanics for voting in the 12th amendment would thwart the majority will, and he indicated his hope that the provision might be changed:

> The present rule of voting for President by the House of Representatives is so great a departure from the Republican principle of numerical equality, and even from the federal rule which qualifies the numerical by a State equality, and is so pregnant also with a mischievous tendency in practice, that an amendment of the Constitution on this point is justly called for by all its considerate and best friends.

Our Nation has had two actual experiences with the contingent presidential election by the House of Representatives. The first occurrence came in 1801 when the House chose Thomas Jefferson President over Aaron Burr after 36 ballots. Again, in 1825, the House was called upon to make the choice when four major candidates had split the electoral votes so that no candidate received a majority. The contingent election in the House, which chose John Quincy Adams President, became known as "the corrupt bargain" of 1825. Although the Nation has not experienced such an electoral crisis since 1825, by the very nature of the system the danger has existed any time a prominent third-party candidate has run in a presidential election.

In this century alone, there have been four elections that were in danger of producing no electoral winner, thus leaving final determination to the House of Representatives. In the election of 1912, Woodrow Wilson received 435 electoral votes to 88 by third-party candidate Theodore Roosevelt, and eight by William Howard Taft. The electoral votes in 1924 were split between Calvin Coolidge with 382, John W. Davis with 136, and Robert M. LaFollette with 13. In 1948, Harry S. Truman received 303 electoral votes while Thomas Dewey received 189 and Strom Thurmond, now our colleague in the Senate, received 39.

Less than 2 weeks ago, we were present at the counting of the 1968 electoral votes, which were split between Richard M. Nixon with 301, Hubert H. Humphrey with 191, and George C. Wallace with 46. In none of these elections did a candidate fail to receive a majority of electoral votes, but in all of these, the danger was present and the Nation was threatened with the possibility that the House of Representatives, voting by State, would choose the President.

Again, the danger to the people of the United States is not that the House of Representatives is called upon to make the ultimate choice, but that each of the 435 Members of the House—representing each of the 435 congressional districts of America, and elected by the people of those districts at the time of the presidential election—are not allowed to cast their individual votes for President. Rather, the 50 States delegations are each allowed one vote.

In the elections of 1912, 1924, 1948, and 1968, mentioned earlier, the Nation was fortunate that the House of Representatives was not called upon to be the ultimate tribunal under the existing system. On the first three occasions there were 48 States, and, had the election been held in the House, the votes of 25 would have been necessary for a decision. In the 1968 election there were 50 States, 26 necessary for a decision.

In the 62d Congress—1911–1913—there were 228 Democrats, 162 Republicans, and 1 other. The control of State delegations was: Democratic, 23, Republicans, 22; divided equally, three.

In the 68th Congress (1923–25), there were 225 Republicans, 207 Democrats, and 3 other. The control of State delegations was: Democratic, 24; Republican, 21; divided equally, 4.

In the 81st Congress (1949–51), there were 263 Democrats; 171 Republicans; and 1 other. The control of State delegations was, Democrats, 25, Republicans 20, divided equally, 3. However, of the Democratic State delegations, there were four from the South which it has been speculated would have voted for Governor THURMOND on the first ballot, leaving no party in control of a majority of delegations.

In the 91st Congress—1969–71—which would have chosen the President had the 1968 election produced no winner in the electoral college, there are 243 Democrats and 192 Republicans.

The control of State delegations are: Democratic, 26; Republican, 19; divided evenly, five. However, of the 26 Democratic State delegations, five represent Southern States that gave both their popular and their electoral votes to George C. Wallace. It has been speculated that at least these five State delegations would have voted for Wallace on the first ballot in the House, leaving no party in control of a majority—26—of the delegations. It is even mathematically possible, though not likely, that only 59 of the 435 Representatives—a mere 13.5 percent of the membership, representing about the same small percentage of our total population—could choose the President under the existing system of voting by State in the House. This possibility could occur if the 59 Members necessary to control representation in the 26 smallest State delegations voted together for one candidate.

If majority will has meaning within the context of the popular election of the President, it has meaning within the context of the contingent election of the President within the House of Representatives. If the contingent election of the President is to remain the prerogative of the House of Representatives it is essential that each of the 435 Members of the House of Representatives cast their own vote for the Presidency, and that the majority of those votes determine the selection of the President.

This joint resolution is not introduced as the ultimate solution to our electoral ills. This amendment does not deal with the necessity of reform of our presidential nominating system, nor with the need at least to make the electoral college more responsive to the popular vote. I propose this change in the Constitution with the intention of correcting a very specific fault, but a very dangerous fault, in our electoral system. If the House of Representatives is to remain the final arbiter in our presidential election system, we must be concerned with the mechanics of selection in that body. Voting by States is one of the greatest faults in our total election process. I seek to bring the contingent election of the President by the House closer to the people by allowing each Representative of the people to cast his own vote. I am hopeful that my proposal will receive careful consideration by members of the Constitutional Amendments Subcommittee when they take a look at electoral reform.

SENATE JOINT RESOLUTIONS 19, 20, AND 21—ELECTORAL REFORM—THE AIKEN-MANSFIELD PROPOSALS

Mr. MANSFIELD. Mr. President, 2 days ago, the distinguished Senator from Indiana (Mr. BAYH) introduced a joint resolution seeking to achieve a constitutional amendment to allow the people to elect directly the President of the United States and to permit Congress by law to prescribe a uniform voting age.

Both Senator AIKEN and I are sponsors of that joint resolution, which we approve and support. Today, however, we are introducing a set of joint resolutions covering the entire electoral process, including the provisions in the Bayh resolution, but also covering the term of the Presidency, the abolition of the electoral college, the vote for 18-year-olds, and the national primaries.

As my colleagues here in the Senate know, I have been concerned for some time with the inadequacies and inequities of the American electoral system. I am not alone in this effort. Many Members of Congress share my misgivings. My good friend and colleague, the Senator from Vermont (Mr. AIKEN), has been a stanch defender and sponsor of legislative proposals. The Senator from Indiana (Mr. BAYH), the chairman of the Constitutional Amendments Subcommittee, has taken the lead in scheduling hearings and public discussion on the various proposals. We look to him for his continued leadership in finding a solution to these constitutional problems.

Senator AIKEN and I take no pride of authorship and the joint resolutions we have sent to the desk may have imperfections and certainly they are not original. However, the events of the past year have reinforced our belief that our electoral procedures are in need of change. The primaries of 1968, the conventions in Miami and Chicago, the campaign itself, and the subsequent election have reinforced the need for electoral reform.

If the 91st Congress does little, let us at least give electoral reform a fresh and far-reaching study, a discussion long overdue.

The three joint resolutions concern themselves with, first, lowering the national voting age to 18; second (a), replacing the present nominating process; the primaries and the conventions are outmoded. They should be replaced by a direct presidential primary and each voter should have a part in the election of a President and Vice President, and (b) abolish the electoral college. We are proposing that, third, we change the term of the Presidency—specifically a one 6-year term of office.

The world in which we live has become extremely complex. Mass communication and travel have removed barriers between nations and people. Our young people are better educated, much more aware, and have assumed greater responsibility than at any time in history. Why should they not be permitted to vote in national elections before they are 21? Our State presidential primaries have little relevance to party conventions, which have become cumbersome, confused, and outmoded. A national primary system would be more relevant to the late 20th century. The man on the street is perfectly capable of studying the pros and cons in a presidential election. The individual voter needs to know that his one vote had something to do with the election of a President and Vice President. He doesn't need an intermediary. Also the office of the President merits a reassessment to determine how best one man can serve his people and the Nation without undue disruption.

Although my comments today are somewhat abbreviated, I feel more strongly about this issue than I did in 1968. A great deal has been said. Much more can be done in behalf of electoral reform.

Mr. President, I ask unanimous consent to have the text of the three joint resolutions, just introduced by Senator AIKEN and me, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The joint resolutions will be received and appropriately referred; and, without objection, the joint resolutions will be printed in the RECORD.

The joint resolutions, introduced by Mr. MANSFIELD (for himself and Mr. AIKEN), were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 19

Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens eighteen years of age or older

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if such a citizen is eighteen years of age or older. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

S.J. RES. 20

Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress asembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid for all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years and, together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"SEC. 2. The official candidates of political parties for President shall be nominated at a primary election by direct popular vote. Voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, but, in the primary election each voter shall be eligible to vote only in the primary of the party of his registered affiliation.

"Sec. 3. No person shall be a candidate for nomination for President except in the primary of the party of his registered affiliation, and his name shall be on that party's ballot in all the States if he shall have filed a petition at the seat of the Government of the United States with the President of the Senate, which petition shall be valid only if (1) it is determined by the President of the Senate to have been signed, on or after the first day in January of the year in which the next primary election for President is to be held, by a number of qualified voters, in each of at least seventeen of the several States, equal in number to at least 1 per centum of the vote cast for electors for presidential and vice-presidential candidates of his party in those several States in the most recent previous presidential election; or, in the event the electors for the candidates of a political party shall have appeared on the ballot in fewer than seventeen of the several States in the most recent previous presidential election, it is determined by the President of the Senate to have been signed, on or after the first day in January of the year in which the next primary election for President is to be held, by a number of qualified voters, in any or all of the several States, equal in number to at least 1 per centum of the total number of votes cast throughout the United States for all electors for candidates for President and Vice President in the most recent previous presidential election, and (2) it is filed with the President of the Senate not later than the first Tuesday after the first Monday in April of the year in which the next primary election for President is to be held.

"Sec. 4. For the purposes of this article a political party shall be recognized as such if the electors for candidates for President and Vice President of such party received, in any or all of the several States, an aggregate number of votes, equal in number to at least 10 per centum of the total number of votes cast throughout the United States for all electors for candidates for President and Vice President in the most recent previous presidential election.

"Sec. 5. The time of the primary election shall be the same throughout the United States, and, unless the Congress shall by law appoint a different day, such primary election shall be held on the first Tuesday after the first Monday in August in the year preceding the expiration of the regular term of President and Vice President.

"Sec. 6. Within fifteen days after such primary election, the chief executive of each State shall make distinct lists of all persons of each political party for whom votes were cast, and the number of votes for each such person, which lists shall be signed, certified, and transmitted under the seal of such State to the Government of the United States directed to the President of the Senate, who, in the presence of the Speaker of the House of Representatives and the majority and minority leaders of both Houses of the Congress, shall forthwith open all certificates and count the votes and cause to have pubished in an appropriate publication the aggregate number of votes cast for each person by the voters of the party of his registered affiliation. The person who shall have received the greatest number of votes cast by the voters of the party of his registered affiliation shall be the official candidate of such party for President throughout the United States, if such number be a plurality amounting to at least 40 per centum of the total number of such votes cast. If no person receives at least 40 per centum of the total number of votes cast for candidates for nomination for President by the voters of a political party, then the Congress shall provide by law, uniform throughout the United States, for a runoff election to be held on the twenty-eighth day after the day on which the primary election was held between the two persons who received the greatest number of votes cast for candidates for the presidential nomination by voters of such political party in the primary election: *Provided, however,* That no person ineligible to vote in the primary election of any political party shall be eligible to vote in a runoff election of such political party.

"Sec. 7. Each party, for which, in accordance with sections 2, 3, 4, and 5 of this article, the name of a presidential candidate shall have been placed on the ballot, shall nominate a candidate for Vice President, who, when chosen, shall be the official candidate of such party for Vice President throughout the United States. No person constitutionally ineligible for the office of President shall be eligible for nomination as a candidate for the office of Vice President of the United States.

"Sec. 8. In the event of the death or resignation or disqualification of the official candidate of any political party for President, the person nominated by such political party for Vice President shall resign the vice-presidential nomination and shall be the official candidate of such party for President. In the event of the deaths or resignations or disqualifications of the official candidates of any political party for President and Vice President, a national committee of such party shall designate such candidates, who shall then be deemed the official candidates of such party, but in choosing such candidates the vote shall be taken by States, the delegation from each State having one vote. A quorum for such purposes shall consist of a delegate or delegates from two-thirds of the several States, and a majority of all States shall be necessary to a choice.

"Sec. 9. The places and manner of holding any such primary or runoff election shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. For purposes of this article the District of Columbia shall be considered as a State, and the primary election shall be held in the District of Columbia in such manner as the Congress may by law prescribe.

"Sec. 10. The electoral college system of electing the President and Vice President of the United States is hereby abolished. At a time determined by the Congress there shall be held in each State and in the District of Columbia an election in which the people thereof shall vote for President and for Vice President. In such election, each voter shall cast a single ballot for two persons who shall have been nominated as official candidates for said offices as provided herein.

"The legislature of each State shall prescribe the places and manner of holding such election thereof and shall include on the ballot the names of all pairs of persons who shall have been nominated as official candidates for the offices of President and Vice President, but the Congress may at any time by law make or alter such regulations. The voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, but nothing in this article shall prohibit a State from adopting a less restrictive residence requirement for voting for President and Vice President than for such members of the State legislature, or prohibit the Congress from adopting uniform residence and age requirements for voting in such election.

"The Congress shall prescribe the qualifications for voting and the places and manner of holding such elections in the District of Columbia.

"Within forty-five days after the election, or at such time as the Congress may direct, the chief executive of each State and the District of Columbia shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and for Vice President, together with the number of votes cast for each.

"Sec. 11. On the 6th day of January following the election, unless the Congress shall by law appoint a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates, and the votes shall then be totaled. The persons joined as candidates for President and Vice President, having the greatest number of votes shall be declared elected President and Vice President, respectively, if such number be a plurality amounting to at least 40 per centum of the total number of votes certified. If none of the pairs of persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified, then Congress shall provide by law, uniform throughout the United States, for a runoff election to be held between the two pairs of persons joined as candidates for President and Vice President, respectively, who received the highest number of votes certified.

"Sec. 12. If, at the time fixed for the counting of the certified vote totals from the respective States, the presidential candidate who would have been entitled to election as President shall have died, the vice-presidential candidate entitled to election as Vice President shall be declared elected President.

"The Congress may by law provide for the case of the death of both the persons who, except for their death, would have been entitled to become President and Vice President.

"Sec. 13. The Congress may provide by appropriate legislation for cases in which two or more candidates receive an equal number of votes and for methods of determining any dispute or controversy that may arise in the counting and canvassing of the votes cast in elections held in accordance with sections 2, 3, 4, 5, 6, 9, 10, and 11 of this article.

"Sec. 14. The Congress shall have power to enforce this article by appropriate legislation: *Provided, however*, That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of the submission hereof to the States by the Congress."

S.J. Res. 21

Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"Article —

"Section 1. The term of office of the President and the Vice President of the United States shall be six years. No person shall be eligible for election for more than one term as President or Vice President. A person who has been elected as Vice President for any term shall be eligible for election as President for a later term. A person who has been elected as Vice President for any term, and who during that term has succeeded to the office of President, shall be eligible for election as President for a later term.

"Sec. 2. This article shall take effect on the first day of February following its ratification, except that this article shall not affect the duration of the term of office of

President and Vice President in which such day occurs.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

SENATE JOINT RESOLUTION 22—INTRODUCTION OF JOINT RESOLUTION RELATING TO JOHN WESLEY POWELL CENTENNIAL YEAR

Mr. MOSS. Mr. President, I am today introducing, for myself and Senator Bennett, Senator Church, Senator Goldwater, Senator Hansen, and Senator McGee, a joint resolution to designate 1969 as "John Wesley Powell Centennial Year."

Powell was the explorer, geologist, ethnologist, geographer, and organizer whose pioneer exploration of the Green and Colorado Rivers in Wyoming, Utah, and Arizona gave the Nation the first definite information about these rivers and the vast area they traverse, and "filled in" the last major blank space on the map of the United States.

Powell was also responsible, in some degree, for the establishment of several Federal Government agencies and programs—in some instances they grew out of his observations and concepts and in others they resulted from his direct efforts. Without question, he made a tremendous and lasting contribution to both the scientific progress and the human welfare of America.

Extensive plans are being formulated to celebrate the centennial of Powell's descent and exploration of the canyon-locked course of the Colorado River which began on May 24, 1869, at Green River, Wyo., and ended at the mouth of the Grand Canyon in Arizona 3 months and 6 days later.

Powell was 35 years old at the time, a one-armed Civil War veteran with the rank of major and a largely self-taught schoolteacher and professor of natural history in Illinois. He was accompanied on his ventures by nine other men—hunters, guides, Indian fighters, and sportsmen.

Of the 10 men who entered the river, only six reached the mouth of the Grand Canyon. One abandoned the adventure soon after it began and three were killed by Indians as they tried to make their way back to civilization after they left the party in what has come to be known as Separation Rapids. That the trip was completed at all was due to the enthusiasm and perseverance of John Wesley Powell.

Powell and his party were vastly impressed with what they saw as they proceeded down the Colorado and they named the last and greatest canyon through which they progressed the Grand Canyon. Powell also bestowed on the most prominent of the landmarks in the Canyon the names of dieties of the world—names which have persisted to this day.

None of the party were scientists. Even the major had little formal training in geology. But he was the first to perceive and clearly state the natural conditions that control man and society in the arid lands of the Western States. He realized that much of the land was unsuitable for the kind of settlement that was even then taking place, and he presented his recommendations to Congress in the now famous "Report on the Lands of the Arid Region of the United States." This report clearly showed that water was the key to land use and that shortages of water supplies demanded classification of land for use and management.

Powell's concept of the arid land and its utilization was not accepted during his lifetime; but his vision was later vindicated in the establishment of the Bureau of Reclamation; and the conservation principles that he formulated are even now being used here in the United States and to guide the emerging nations of the world.

Powell's greatest personal contributions to geology were a classification and explanation of the behavior of streams and the processes of erosion. Some rivers cut straight into mountain ranges rather than go around them. Such a one was the Green River where it crossed the Uinta Mountains in Utah. He concluded that the river was older than the mountain and cut through it as the mountain slowly rose across the river's path. Major Powell pictured streams and stream valleys as having originated in three ways. The first he called antecedent when the river was established before the folding or displacement of the rocks; the second he named consequent when the stream's course depends for its location on the folding of the rocks; and, third, superimposed when the river's course was determined by rocks that have since been eroded away.

Powell's second geological principal is that of the "base level of erosion." Given enough time, he theorized, the hills and mountains of any region will be reduced by erosion to a low-lying plain for which the sea is ultimate base level.

The U.S. Geological Survey was established by Congress in 1879 largely through the efforts of Powell. As Director of the Geological Survey from 1881 to 1894, Powell was the principal force in expanding geologic studies and topographic mapping throughout the entire country, and in stimulating investigation of soils, ground water, rivers, flood control, and irrigation.

Powell had a lifelong interest in the Indians of the West. During the winter of 1868–69, he had camped near a tribe of Utes and had made friends with them, studying their language and customs. He saw ruins of their houses and of their campsites on his exploration of the Colorado River. In the fall of 1872 he was called upon to address a great council in their own language. The following year, as a special commissioner, he visited the Indians of Utah and eastern Nevada. He pleaded for greater justice for the Indians and for educating them, although his words were ignored at the time.

The bill establishing the Geological Survey also contained an appropriation for publication of Powell's researches among the Indians. On this basis the Bureau of Ethnology under the Smithsonian Institution was created to collect information on the fast-disappearing culture of the Indian tribes of North America. Powell was appointed its director, a post he held for the rest of his life.

Mr. President, Major Powell was a man who was a hundred years ahead of his time. He believed that science should be the basis for human progress and should serve all of the people. By his efforts and those of the men who worked with him and followed him, science has become the firm foundation for the conservation of our natural resources. Nothing could be more appropriate than that we honor Major Powell in this year—1969—which comes 100 years after he undertook the trip which was not only one of the great adventures of history, but which laid the groundwork for so much that has proved to be good and wise for the advancement of America since that time.

The designation of 1969 as "John Wesley Powell Centennial Year" would add prestige to the Federal, State, and organizational activities now underway appropriately to celebrate the centennial year of his historic journey.

There is a Powell Centennial Committee, which is jointly sponsored by the Interior Department, the Smithsonian Institution, and the National Geographic Society, whose purpose is to foster and coordinate the activities in the Department of the Interior with other sponsors. The chairman is Mr. Charles S. Denny, of the Geological Survey. Most of the Interior Department members of the committee come from the survey, but the committee also includes representatives from the National Park Service, the Bureau of Reclamation, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Sport Fisheries, and the Bureau of Outdoor Recreation.

The Geological Survey is preparing a movie on Powell and the Grand Canyon region and several publications dealing with his life and work, and with subjects or areas of special interest in connection with him.

The Park Service is gathering material to be used in some of the National Parks and Monuments in Wyoming, Utah, Colorado, and Arizona. There will be celebrations at the Powell Monument at Grand Canyon in August, 1969. Descendants of Powell will hold a family reunion at Grand Canyon in the summer of 1969.

The Bureau of Reclamation will devote an issue of their publication "reclamation era" to the Centennial and are cooperating closely with local groups in Wyoming, Utah, and Arizona.

The Smithsonian, under the direction of Dr. John C. Ewers of the Office of Anthropology, is planning a Powell exhibit for next summer in the Museum of Natural History.

The National Geographic Society plans a lecture and a magazine article devoted to Powell and a proposal for a Powell commemorative postage stamp is on the agenda for the Citizen's Stamp Advisory Committee. A bill was introduced last session to authorize such a stamp, and it will undoubtedly be reintroduced in this session.

Gov. Calvin Rampton has designated Dr. Everett L. Cooley, former director of the Utah State Historical Society as

Utah liaison officer to work with Mr. Denny and the Powell Centennial Committee, and Utah is also making many of its own plans properly to commemorate the centennial. The University of Utah, the Utah State University, the Utah Historical Society, the Western History Center, the Utah Travel Council, and many of our local communities are involved.

The Sierra Club plans to reenact the Powell voyage and presumably the boatmen will embark at Green River, Wyo., on May 24. Special events are planned for the arrival of the boating party at Split Mountain within the Dinosaur National Monument on the Utah-Colorado border. This will be largely a Vernal, Utah, celebration. Some type of a celebration is also planned centering around Green River, Utah, and the annual friendship cruise to Moab down the Green and up the Colorado Rivers. The Green River friendship criuse has been designated as the Powell friendship cruise for 1969.

Under the direction of Bates Wilson, superintendent of the Canyonlands National Park, there will be a program provided at Anderson's Bottoms at the confluence of the Green and Colorado Rivers as the Sierra Club boaters spend the night on their way from Green River, Utah. And finally, there will be some observance at Lake Powell, probably at Page, Ariz., in connection with a University of Utah workshop and a Powell trek during the month of June.

The States of Arizona and Wyoming also have some special plans. The year 1969 also marks the 50th anniversary of the establishment of the Grand Canyon National Park and these two celebrations will be coordinated in Arizona.

I am sure I have not mentioned all of the activities planned—but I have said enough, I hope, to indicate that elaborate preparations are underway and that the joint resolution I am introducing today is not only appropriate but important in view of the wide interest in the John Wesley Powell Centennial. I trust that the Congress will take very early action on it.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 22) providing for the designation of the year 1969 as "John Wesley Powell Centennial Year," introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE RESOLUTION 24—RESOLUTION TO STUDY CERTAIN ASPECTS OF NATIONAL SECURITY AND INTERNATIONAL OPERAIONAL OPERATIONS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 24); which was referred to the Committee on Rules and Administration:

S. Res. 24

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1969, through January 31, 1970, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills;

(3) the adequacy of present integovernmental relationships between the United States and international organizations of which the United States is a member; and

(4) legislative and other proposals or means to improve these methods, processes, and relationships.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ, upon a temporary basis, and fix the compensation of technical, clerical, and other asistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 25—RESOLUTION TO PROVIDE CERTAIN FUNDS—REPORT OF A COMMITTEE

Mr. RIBICOFF, from the Committee on Government Operations, reported the following original resolution (S. Res. 25); which was referred to the Committee on Rules and Administration:

S. Res. 25

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of evaluating the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1969, through January 31, 1970, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $155,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 26—RESOLUTION AUTHORIZING COMMITTEE ON GOVERNMENT OPERATIONS TO MAKE INVESTIGATIONS INTO THE EFFICIENCY AND ECONOMY OF OPERATIONS OF ALL BRANCHES OF GOVERNMENT—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported the following original resolution (S. Res. 26); which was referred to the Committee on Rules and Administration:

S. Res. 26

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof is authorized from February 1, 1969, through January 31, 1970, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

Sec. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1969, to January 31, 1970, inclusive, to conduct an investigation and study to the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1969, to January 31, 1970, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State and, further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 4. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1970, to make a full and complete study and investigation of all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety.

SEC. 5. The Committee on Government Operations or any duly authorized subcommittee thereof is authorized and directed until January 31, 1970, to make a full and complete study and investigation of riots, violent disturbances of the peace, vandalism, civil and criminal disorder, insurrection, the commission of crimes in connection therewith, the immediate and long-standing causes, the extent and effects of such occurrences and crimes, and measures necessary for their immediate and long-range prevention and for the preservation of law and order and to insure domestic tranquillity within the United States.

SEC. 6. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1970, and shall, if deemed appropriate, include in its report specific legislative recommendations.

SEC. 7. (a) For the purposes of this resolution, the Committee on Government Operations or any of its duly authorized subcommittees, from February 1, 1969, to January 31, 1970, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) administer such oaths; (5) take such testimony, either orally or by sworn statement; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (7) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee or subcommittee: *Provided further*, That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee.

(b) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1969, to January 1, 1970, inclusive, is authorized, in its or his or their discretion, as may be deemed advisable, to require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents.

SEC. 8. Expenses of the committee under this resolution, which shall not exceed $698,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 27—RESOLUTION AUTHORIZING A STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES—REPORT OF A COMMITTEE

Mr. **MUSKIE**, from the Committee on Government Operations, reported the following original resolution (S. Res. 27); which was referred to the Committee on Rules and Administration:

S. RES. 27

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(j)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959, as amended by Public Law 89–733, approved by the President on November 2, 1966.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $175,211, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 28—RESOLUTION TO STUDY MATTERS RELATING TO MIGRATORY LABOR

Mr. **WILLIAMS** of New Jersey submitted the following resolution (S. Res. 28); which was referred to the Committee on Labor and Public Welfare:

S. RES. 28

Resolved, That the Committee on Labor and Public Welfare or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to conduct such continuing study, examination, investigation, and review of all programs, activities, and matters relating to migratory labor, as may be necessary for such committee or subcommittee to keep currently informed with respect to all such programs, activities, and matters, the practices and procedures employed in connection therewith, and any proposed or suggested changes therein, which study, examination, investigation and review shall include but not be limited to such matters as (a) labor-management relations, wages, working conditions, transportation, housing, education, health, child care, nutritional and dietary needs of rural families, particularly infants and younger children, legal assistance, and the transition problems of rural families moving into urban areas, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ANNOUNCEMENT OF MEMBERS OF JOINT COMMITTEE ON DEFENSE PRODUCTION

Mr. SPARKMAN. Mr. President, section 712(a)(1) of the Defense Production Act, as amended, provides that the Joint Committee on Defense Production shall be composed of 10 members, five of them members of the Senate Committee on Banking and Currency, and five of them members of the House Committee on Banking and Currency. The law provides that these five members from each of the committees are to be appointed by the chairmen of the respective committees, three from the majority and two from the minority party.

The Senate members of the Joint Committee on Defense Production will be Senators Sparkman, Proxmire, Williams of New Jersey, Bennett, and Tower.

NEW JERSEY SCIENTISTS HELP WITH BREAKTHROUGH IN ENZYME SYNTHESIS

Mr. WILLIAMS of New Jersey. Mr. President, man has taken a dramatic leap into the future with yesterday's announcement that enzymes have been synthesized in the laboratory.

Working independently, two teams of researchers—one at Rockefeller University in New York, and the other at Merck Sharp & Dohme Laboratories in Rahway, N.J.—succeeded in blending amino acids into the delicate biochemical mystery known as an enzyme. These gifted researchers have paved the way to a new world of medical discovery and treatment of disease.

Enzymes are the "trigger mechanisms" of man's physical system. They control body chemistry and regulate life's basic processes. Now, with the remarkable accomplishment of the New York and New Jersey groups, science has a chance to unlock the secrets of disease and physical breakdown. I urge the Senate, and all who work for a better life, to salute these men of science.

This is an enormously important step in man's struggle to understand his own system. I am proud that two New Jersey scientists, working within the framework of Merck Sharp & Dohme, have made history with their skill and dedication. The potential benefits to mankind are exciting to contemplate; we may see breakthroughs in congenital mental disorders, blood disorders and imbalances, diabetes, and dental decay. In short, medical science may be on the threshold of a new era in preventive medicine and control of disease.

Mr. President, this morning's—January 17—New York Times carries an excellent article which tells the full and fascinating story of this accomplishment. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

An Enzyme Is Synthesized for First Time

(By Walter Sullivan)

For the first time an enzyme—one of the complex "master chemicals" of life—has been synthesized.

The feat, achieved virtually simultaneously by two laboratories using basically different methods, is expected to open new fields of research into the most intimate chemical processes of life.

"This is probably the beginning of a new generation of therapeutic agents," said Dr. Robert G. Denkewalter, vice president for exploratory research at the Merck Sharp & Dohme Research Laboratories, as the achievements were announced yesterday.

The enzyme ribonuclease has been synthesized not only by the Merck Laboratories, in Rahway, N.J., but also by the Rockefeller University, York Avenue and 66th Street, where yesterday's joint announcement was made.

Ribonuclease, which performs vital functions in almost all cells, has long been a target of research and analysis because of its comparatively simple structure.

Although the Merck researchers spoke of a new generation of drugs, neither they nor the scientists at Rockefeller University expected any immediate applications in medicine. Rather, they said, the door has been opened for research into how enzymes work. Once that has been learned, medical applications will inevitably follow.

As Dr. Denkewalter put it, enzymes are so important to life that "anything we learn about them is likely to be useful in medicine." They have long been a challenge—and "an embarrassment," he added.

They are an embarrassment because they enable the body to perform, in fractions of a second and at body temperature, chemical acrobatics that scientists, with all of their equipment and knowledge, can do only by means of extremely high temperatures, strong acids and other brute force methods.

Enzymes enable us to eat, breathe and exist. With them the body converts sugar and other basic foods into the countless substances needed for our bodily functions. The enzymes are essential to tissue-building, blood cell replacement and the release of chemical energy for muscle movement.

Ribonuclease consists of 124 molecular units, known as amino acids, linked chemically into a continuous chain like a 124-car train. As with other enzymes, ribonuclease belongs to the larger family of chemicals known as proteins.

While there are millions of different proteins, some of them with thousands of amino acids strung out in a chain, all are formed from the same 20 kinds of amino acid. In this sense, all life on earth is closely related, for the same 20 amino acids form the proteins and enzymes of bacteria and men.

The synthesis of such a substance can be likened to the assembly of a very long freight train. Ribonuclease is formed from 19 types of animo acid. Hence it is comparable to assembling a train made up of 19 kinds of freight cars—box cars, flat cars, tanker cars, cement cars and so forth.

It was doing so in the correct sequence that made the synthesis so difficult. This sequence determines the role of the enzyme and also its shape.

The three-dimensional shape of the assembled enzyme is controlled by the locations of the cysteine units along its chain. These units reach out with grasping "electrical" fingers, looking for other cysteine units. When they find one another, they lock together in a chemical bond that produces the tangled shape of the enzyme.

Until a few years ago, despite the basic functions of enzymes within the living cells, they played only a minor role in medical treatment. However, the situation is changing, as was pointed out yesterday by Dr. Max Tischler, senior vice president for research and development at Merck.

He noted that one enzyme, L-asparaginase, is a hopeful drug in the treatment of one kind of leukemia. Likewise, dextrinase is reportedly useful in removing the bacterial "plaque" on teeth that leads to cavities.

One difficulty in the medical use of such enzymes is obtaining them in quantity. It was proposed yesterday that both synthesis methods would help overcome this problem. They also open the way for made-to-order enzymes with properties not found in natural enzymes.

Another problem in the medical use of enzymes is delivering them to the right place in the body. Often they must function at some specific spot, at some specific time, deep in the mysterious interiors of certain cells.

When enzymes misbehave, the results can be tragic, as in the case of phenylketonuria, a congenital disease that can lead to mental retardation. Some believe other diseases, including diabetes, certain forms of anemia and other blood disorders, may be related to improper enzyme function.

It is a peculiarity of enzymes that each one, as a rule, acts only on one substance. Somewhere on the enzyme's tangled surface is a slot that matches some chemical of the life process, much as a lock accepts only one key.

It is this specificity that helps account for the almost magic role that enzymes play within the cell. Ribonuclease breaks down a specific substance—RNA, or ribonucleic acid. The success of the Merck and Rockefeller syntheses was, in each case, shown when the product acted against RNA but not against its cousin, DNA (deoxyribonucleic acid).

Until recently, a number of scientists believed that enzyme synthesis involved a mysterious process that could occur only within the living cell. How, it was argued, could scientists duplicate the can-of-worms structure of something so small it was not even visible in a microscope?

The structure of ribonuclease had been deduced by a variety of analytical techniques, but how could something that complex be put together?

Work at the National Institutes of Health in Bethesda, Md., suggested that enzyme molecules might be surprisingly "cooperative" in this respect. Their self-organizing ability has now been confirmed in both the Merck and Rockefeller work.

It has been found that it is only necessary to assemble the "freight train cars" in their proper sequence. If the chain is then allowed to float free in a solution, it twists and curls on its own, forming the bonds that give it to the proper shape.

This is not only enlightening with regard to what goes on inside the cell. It makes it easier to understand how enzymes were formed in the beginning, when the chemistry of life was evolving on a lifeless world. It is further evidence that life's chemistry, despite its awesome complexity, has its origins in properties of the basic atoms and simpler molecules.

The Merck synthesis was reported by Dr. Denkewalter and Dr. Ralph F. Hirschmann, director of peptide research at the Rahway laboratories. It was achieved over an 18-month period in a multistage process in which a number of short amino acid chains were linked, to form two large units. These were then combined into a full-length molecule of ribonuclease.

WELCOME TO MEDAL OF HONOR RECIPIENTS AND PUBLICATION OF MEDAL OF HONOR BOOK

Mr. KENNEDY. Mr. President, all of the living recipients of the Congressional Medal of Honor have been invited to be guests over the next several days at the events of the Presidential inauguration. Commercial airlines have flown the recipients to Washington free of charge. And the U.S. Congress is picking up the tab for their expenses while here.

As the recent chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I want to express my personal welcome to these respected Americans and to say how fitting it is that they should be invited to the inauguration as such distinguished guests.

For the Medal of Honor is the highest distinction which can be earned by a member of the armed services of the United States. It is awarded by the President, in the name of Congress, to an individual who while serving in the Armed Forces "distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty."

Of 36 million Americans who have served in the Armed Forces since the institution of the Medal of Honor in 1861, only 3,221 have been awarded the Medal of Honor as of this date.

Many Americans, of course, have served with great valor and bravery. The few Americans who have received the Medal of Honor have been most outstanding in this respect, performing above and beyond the call of duty in acts of extraordinary heroism. They have met the standards set down by Congress in authorizing the medal:

> The President may award, and present in the name of Congress, a Medal of honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the [armed forces], distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—
>
> (1) while engaged in action against an enemy of the United States;
>
> (2) while engaged in military operations involving conflict with an opposing foreign force; or
>
> (3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

Mr. President, I wish to announce that several months ago, as chairman of the Subcommittee on Veterans' Affairs, I directed the subcommittee to prepare an updated version of the committee document listing all recipients of the Medal of Honor, along with their citations and a historical background. I am pleased to report that the Medal of Honor book is in the final stages of completion, and that it will be available for distribution by early February.

The present book represents a 5-year updating of the subcommittee document of 1964 which listed recipients from 1863 through 1963. The new document will cover the additional period from 1964 through 1968, listing recipients and all pertinent information. The book includes, of course, those who received the medal by the end of 1968 for heroic action in Vietnam.

I regret that the exigencies of printing make it impossible to include recipients in early 1969 and those who will receive the medal in the near future. To cover these men, I am hopeful that the subcommittee will maintain a yearly supplement to the latest book.

It is appropriate indeed that the Nation should recognize heroic deeds and the soldiers who performed them with the award of a prestigious medal. The book about to be published records the names and the deeds of our Medal of Honor recipients, to be made available to a grateful Nation which owes so much to these few men of highest valor.

I salute the recipients of the Medal of Honor.

WINOOSKI—MODEL CITY

Mr. AIKEN. Mr. President, 150 cities are now planning economic, social and physical rehabilitation programs under the model cities legislation passed by this Congress in 1966. It is hard to express the feeling of hope and progress that has developed in some of these cities as a result of new communication and cooperation among citizens during this planning process. Winooski, Vt., is one of the cities that has undertaken a model cities project, and I believe that the following statement, made by an official of the Burlington Savings Bank in that city on a local radio program expresses both the difficulties and the rewards of this new venture. I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Winooski: Model City

(A current radio talk by an officer of the Burlington Savings Bank)

No recent development in the Burlington area has more encouraging and far-reaching implications than the fruition of Winooski's Model City planning efforts into a cohesive and balanced program of action with initial priorities and allocations agreed on. The planning effort has involved literally hundreds of Winooski citizens, and thousands of hours of their time. Technical advice and assistance have been obtained where necessary, but there can be no doubt that the general acceptance of the plan and the optimistic attitude which is evident in Winooski these days both stem from wide community participation in the planning process.

The accomplishment of this successful and effective planning effort was no easy task, and is in itself a tribute to the quality of the community. A year ago the whole concept of Model Cities was new, guidelines were lacking, procedures were vague, and in many respects undermined. It was easy to be pessimistic about the future and effectiveness of the program itself, about the ability of Winooski citizens to pull together to make the most of it. Many did not understand the opportunity which it offered to the city to create an improved future for itself, to determine for itself what should be done, rather than merely to accept outside dictation as to how the money should be spent. Gradually understanding came—and with understanding there also came, first, a real dawning of hope, next, an increasing enthusiasm and excitement as groups worked together to explore the needs and possibilities from every aspect of the community. As the planning process drew toward its climax, it was obvious that choices and allocations and priorities were necessary. All the programs proposed by the various planning groups couldn't possibly be accomplished at the same time, even if they could be paid for, and it was clear that their total ran far beyond funds likely to be available. So there began a crucial period of evaluation in which the programs proposed by the separate planning groups were measured against each other, practical elements of timing were reviewed, and with a surprising lack of fireworks, the program was hammered into shape, as those who had involved themselves in specific areas of study came to see the whole picture.

Whatever happens to the program from now on, Winooski will be a different city and a better city because it has learned so much about itself in the very process of learning to plan on a broad basis with citizen involvement.

The Burlington Savings Bank congratulates Winooski, its citizens, and its leaders, for the job they have done thus far in facing up to community problems, in achieving initial acceptance into the Model Cities program, and in preparing soundly to take the fullest possible advantage of the opportunity for improvement which this program offers them. On the reocrd to date, Winooski may indeed become a real Model City.

NATO'S FUTURE

Mr. McINTYRE. Mr. President, on November 11–16, 1968, the North Atlantic Assembly of the North Atlantic Treaty Organization met in Brussels, Belgium. The meeting this year was of particular importance for several reasons: it partially coincided with the NATO ministerial meeting; it came in the aftermath of the Soviet invasion of Czechoslovakia; and it was the last assembly meeting prior to the 20th anniversary of NATO in April, after which any member-nation can announce its intention to withdraw from the alliance.

Following the assembly meeting, the junior Senator from Virginia (Mr. Spong), who was a member of the U.S. delegation to the Conference, wrote a comprehensive article on the outlook for the North Atlantic Treaty Organization. I ask unanimous consent that the article, which was originally printed in the Norfolk Virginian-Pilot and the Richmond Times-Dispatch, be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Resurgence of Vigor for NATO

[By U.S. Senator William B. Spong, Jr.]

There is no end in sight—either for the North Atlantic Treaty Organization or for many of the problems which plague it.

As an external threat will often unify a nation, the new menaces to the security of Western Europe will undoubtedly bring a new cohesiveness to NATO.

But, as a unity imposed by external dangers may obscure differences, rather than erase them, so may a similarly achieved cohesiveness only render dormant disagreements within an alliance.

This is the situation in NATO in December 1968, four months before its 20th anniversary.

The Organization, which six months ago appeared moribund, is being revitalized by actions taken in response to the Warsaw Pact invasion of Czechoslovakia, increasing Soviet naval power in the Mediterranean Sea, and potential Soviet aggression in other European areas.

There is unquestionably a new interest in NATO and a desire for increased co-operation among the member-nations.

But, beneath the surface of this co-operation lie many uncertainties and vexations.

NATO, for the moment, has been forced into the position of reacting to events dictated by the Soviet Union and her allies.

SOVIET MOVES

In the invasion of Czechoslovakia, the Warsaw Pact nations of East Germany, Hungary, Poland and Bulgaria, together with Russia, carried out one of the most massive, best organized and most secretive troop movements since World War II. Within a 24-hour period, 25 divisions consisting of 250,000 men were moved—without the knowledge of the NATO members. The invasion brought the troops of a nuclear power—Russia—along the 210-mile border of a Western nation and crushed a spirit of freedom and idea of detente which was emerging in Eastern Europe.

In the aftermath of the invasion, the Soviet Union announced what is now being called the "Brezhnev Doctrine"—a statement detailing the Soviets' justification for their intervention in Czechoslovakia and in any socialist nation where the government is threatened either by internal or external forces. The question left unanswered by the doctrine is how extensively it might be applied. Would it, for example, cover Rumania, which has been severing its ties with the Warsaw Pact; Yugoslavia and Albania, which are communist nations but not Pact members; or the neutral areas of Austria, Switzerland and Finland?

Subsequently, the Soviet Union claimed the right to intervene unilaterally in West Germany under articles 53 and 107 of the United Nations charter, if events such as the Christian Democratic party conference of Nov. 2 and 3 were permitted in West Berlin. Of course, the United States, France and Great Britain, which since World War II have held certain responsibilities for West Berlin, assured West Germany of support against the Soviet threats, the meetings were held and the Soviets did not interfere. But, tensions were heightened and a spectre of insecurity was raised over Germany.

The Soviet naval build-up in the Mediterranean Sea, which first became evident in 1964, continued, with more and more offensive vessels being sighted and Russian ships taking advantage of the welcome afforded them at African ports, such as Mers-el-Kebir, Latakia and Port Said. In addition, the Soviet navy constantly surveyed NATO and U.S. naval operations in the Mediterranean and North Seas.

NATO MEETINGS

In the wake of these developments, NATO headquarters in Brussels became a center of international activity during the week of November 11–16.

First, the North Atlantic Assembly, composed of Congressmen, Members of Parliament and other legislators from the NATO nations, met to exchange views on the problems confronting the alliance and to make advisory recommendations for future alliance actions.

Then, toward the end of the week, the North Atlantic Council convened. The Council, the policy-making body of the alliance, is composed of the member-nations' permanent representatives and Foreign and Defense Ministers. Included in the U.S. delegation to the Council were Secretary of State Dean Rusk and Secretary of Defense Clark Clifford.

As the sessions began, one was mindful of the irony that the opening day marked the fiftieth anniversary of the armistice concluding the First World War. Yet, the chauvinism that so characterized the period leading to that terrible struggle and its resumption two decades later, seemed much in evidence in Europe today. And the battlefields of two centuries—within short distance of Brussels at Waterloo, Ypres, Mons, the Argonne and the Ardennes—served as painful reminders of past failures to maintain peace in Europe.

CONVENTIONAL WEAPONS

The dominant concerns of the Assembly were perhaps most accurately reflected in a resolution calling for the strengthening of NATO's conventional forces and the elimination of current deficiencies in men, materials and training. In addition, the resolution urged each member-nation to bear a "full share of all the financial and other burdens involved" in NATO.

The pledges of support for NATO which later were announced in the Council suggest that the resolution will be carried out. West Germany, Italy and Great Britain in particular will increase their commitments. In addition, the Canadians, who had considered restricting their contribution to the alliance, have apparently adopted a new posture.

All of this gives reason for encouragement, but we must now act expeditiously to meet the commitments which have been made. For years, NATO has been below authorized conventional strength, and the upgrading must now be accomplished, if the alliance is to be a forceful instrument in international affairs.

It is ironic that the U.S.—perhaps unwittingly—first demonstrated the importance of conventional weaponry. The Marine landing in Lebanon in 1958 was a conventional response. So was the Cuban blockade in 1962. And, since that time, the Soviet Union has consistently been improving its conventional capability, while we have tended to allow ours to lag. Czechoslovakia is indicative of the harvest we may reap in Europe if we permit that lag to persist.

INTERNAL PROBLEMS

Despite the recent Soviet moves and the new cohesiveness they have apparently brought to NATO, many potential internal problems remain.

In any multinational organization, there will always be the possibility of disagreement. Nationalism and sovereignty guarantee that, as each country seeks its own well-being. Furthermore, collective policy inherently suggests delayed action as discussions take place.

In any alliance involving the European nations—contiguous and long involved diplomatically, politically, militarily and economically—history cannot be ignored. Three times in a century, for example, Germany has sent its armies across France and once again France sees Germany growing strong. For more than two decades Germans have lived in a divided nation, with part of their people committed to one bloc and the rest aligned with another, and each bloc alone unable to present them with the desired objecive—a reunified Germany.

Economics is currently a serious problem for certain countries, and may restrict some nations' future contributions to the alliance. Although the French do not participate militarily in NATO, the crisis of the franc cannot help but have widespread effect on the European financial scene. The British pound, which was devalued only a short time ago, continues on somewhat shaky ground. Fortunately, the British can increase their current support for NATO by reassigning some of the vessels which are being taken from East of Suez, but this may only be a temporary reprieve. And, the U.S. last year brought troops home from West Germany, mainly because of the balance of payments problems.

It has been over a year since France withdrew from military participation in the NATO alliance. NATO headquarters have been moved from Paris, troops withdrawn from France, new strategies developed. Yet, it is highly questionable how truly effective any defense of Western Europe can be without French participation.

Internally, several of the NATO governments are weak. Italy for months had a coalition government which recently fell, a situation which could lead to a prolonged parliamentary crisis. The military junta which rules in Greece is far from satisfactory to many of our NATO members. And, the potential conflict in Cyprus between Greece and Turkey could erupt without warning.

Finally, there is a European fatalism, submerged by recent events, which could surface again. This fatalism rests on a conviction that the Soviet Union could overrun the continent with conventional weapons or destroy it with a nuclear arsenal almost at will.

Under such circumstances, Europe's best defense—as it has been for over twenty years—is the promise of the U.S.—the foremost nuclear NATO nation and perhaps inevitably the dominant partner—to come to Europe's defense in case of aggression.

Such a situation has, quite naturally, never pleased some Europeans, especially General de Gaulle. This group argues that in an emergency the U.S. would follow a course most beneficial to its own security, regardless of the policy or action favored by the European members of NATO, leaving the European nations with only limited control over policy decisions which could determine their own destiny.

Such an attitude has in the past and could again cause Europeans to adopt the approach which either says (1) the U.S. believes Europe is important to its own security and will defend it against aggression despite European contributions or (2) the U.S. does not consider Europe vital to its defense and would act in its own interest, whether or not there was an alliance.

A conclusion as described above, then, poses a second problem: how should the U.S. react? There are four main choices: The United States can leave Europe to its own defense, it can seek a co-operative agreement among the NATO members, it can carry a disproportionate part of the alliance's requirements, or it can play a delicate balancing game of trying to convince the Europeans the U.S. still will decrease its support unless they contribute more while continuing to convince the Russians and Warsaw Pact nations that the U.S. nuclear arsenal and conventional power stand behind the defense of Europe.

WHITHER NATO?

As the North Atlantic Treaty Organization approaches its 20th anniversary, which it will celebrate next April, these are the problems with which it must deal on an internal and external basis.

It appears unlikely that any of the members will use the 20-year option of announcing an intent to withdraw from the alliance at the end of a year's time.

It is likely, however, that some restructuring and modification will take place.

As I have stated before, I believe the U.S. stands willing to bear its full share of the burden of NATO. But, as many other NATO nations, the U.S. has certain economic problems, including a balance of payments one, and the U.S. has widespread domestic needs, which must be met. Unless the other members of NATO are willing to contribute proportionately to the alliance, I believe the U.S. will find it difficult to justify its expenditures.

The events of August 1968 are, however, a dramatic reminder to Western Europe of the original threat which led to the creation of NATO and of the necessity for maintaining its strength.

A prompt and complete fulfillment of the pledges made at the Council meeting would be a welcome indication of European recognition of that threat and of intent to meet obligations too often abandoned in the past.

CHRISTMAS EVE IN SPACE

Mr. SYMINGTON. Mr. President, the recent success of Apollo 8 brought with it considerable comment on the Christmas Eve reading from space of passages from Genesis.

A recent editorial in the Belton (Mo.) Star Herald properly underscores the views of many concerned citizens and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT'S WRONG WITH GENESIS?

(By Joseph J. Maurer, Editor)

With the accolades of the world being accepted by the United States and our three remarkable astronauts, one dissident note has been sounded.

Mrs. Madalyn Murray O'Hair, the woman who was instrumental in getting prayer removed from public schools, now wants prayer banned from outer space.

After hearing the words from Genesis read by Frank Borman, James Lovell and William Anders while they circled the moon on Christmas Eve, Mrs. O'Hair said she would register complaints with the National Aeronautics and Space administration and that she is getting a mail campaign started with her note to the Manned Spacecraft center.

Mrs. O'Hair said in part. "It seems to me, that when man is expanding human knowledge and attempting to explore so that we can find answers that it is extremely unfortunate for a nation to direct—or persons in a program to assume for themselves—either one way or the other, that they should read portions of the Genesis Bible which is accepted by a very minor number of persons in the total world.

"Christianity, you know, is a minor religion . . ."

Mrs. O'Hair is entitled to her beliefs. However, we too, are entitled to ours. If in some future flight to the moon, the crew does not care to recite a prayer or read from the Bible, that is their prerogative. In the meantime, it seems, we must make our wishes known. Our founding fathers fled to America to escape religious oppression. This country was founded by men who believed every man had the right to believe and worship as he wished. It was not their intent that religion be denied or that those who chose to express it publicly be castigated.

There is an expression (paraphrased) which goes "The only way evil can triumph is for good men to do nothing."

Perhaps it is time we and you, our readers, did something. In addition to writing to the Manned Spacecraft center in Houston, Tex., it might be appropriate to write our representatives: Sen. William Cason and Rep. Frank L. Mickelson in Jefferson City; Senators Stuart Symington and Thomas Eagleton and Rep. William Randall in Washington, D.C.

Christianity may be a minority religion, but the words of Genesis predates the word Christian. The words of Genesis are a part of basic Jewish beliefs and most probably are basic to other religions who also believe in a supreme being who is responsible for the creation of our world.

Surely in an era when the age-old command "Love one another," is so vital to our very existence, we can do no less than to stand and be counted for what we believe in.

Accordingly the following telegram has been sent to astronauts Borman, Lovell and Anders in Houston and copies of this issue of The Belton Star-Herald will be sent to our representatives in Jefferson City and Washington D.C.

"Congratulations for a magnificent job. Your example of courage and faith has been an inspiration to men of all countries and faiths. Your Christmas Eve message of words from Genesis gave hope and solace that all inhabitants of this planet may yet live together in peace."

ASSUMPTION BY SENATOR PELL OF CHAIRMANSHIP OF SUBCOMMITTEE ON EDUCATION

Mr. PELL. Mr. President, it is with a sense of humility that I assume the post of chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare. Humility, because of the fact that the previous chairman of this subcommittee was Senator Wayne Morse, under whom great advances were made in the field of education.

I look forward to the work on this subcommittee. The past 4 years have been landmark ones, during which the Federal commitment to education has grown from $700 million in 1964 to $6 billion this fiscal year. Now we must restudy these programs in a contemplative, but also a creative frame of mind. There is still much to be done so that we can point with pride to an educational system that not only makes available the best possible elementary, secondary, and higher education, but also insures that no citizen is denied education because of economic or racial reasons. It is my intention to vigorously pursue these aims.

FOREIGN TRADE ZONE AT MACHIASPORT

Mr. McINTYRE. Mr. President, the application of the State of Maine for a foreign trade zone at Machiasport is still pending before the Foreign Trade Zones Board. The circumstances surrounding its consideration raise the most serious questions regarding the integrity of Government officials. The history of willful procrastination and delay has been the subject of inquiry before my subcommittee on Small Business of the Banking and Currency Committee. Inquiry into this matter is continuing. I intend to deliver a detailed report to the Senate and the American people on this matter at an early date.

"PUEBLO"

Mr. YOUNG of Ohio. Mr. President, the *Pueblo* affair was another huge blunder of the Central Intelligence Agency. Director Helms of the CIA must take the responsibility for this disaster, which was reminiscent of the CIA ill-conceived and poorly planned Bay of Pigs operation—also a horrendous blunder. It was a great humiliation to our Government and to President John F. Kennedy who at the time said he would like to tear up the CIA and throw the pieces to the four winds. The Bay of Pigs disaster not only resulted in the loss of lives of Americans who participated in it but cost our Government millions of dollars in meeting blackmail demands to liberate Cubans captured in that ill-fated invasion. This was a Central Intelligence Agency operation from its inception to ultimate disaster. Prior to that fiasco, the CIA brought disaster and humiliation to President Eisenhower in the U–2 capture. This incident destroyed the summit conference that President Eisenhower had arranged with leaders of the Soviet Union. It afforded Premier Khrushchev a forum for denunciation and table pounding with his shoe. We Americans felt ashamed about this. President Eisenhower gallantly assumed blame for the U–2 operation, when, in fact, he knew nothing about it. Later, we exchanged the chief Soviet spy, Rudolf Abel, for our spy, Gary Powers.

The United States has fewer than 10 intelligence collecting or spy ships and the Soviet Union an unknown number, but far in excess of ours. It should be the duty of our Government and the President of the United States should immediately direct that all association between our intelligence-collecting or spy ships with the U.S. Navy be severed.

The Soviet Union has a modern navy. Its intelligence-collecting ships are disguised as trawlers. They are not a part of the Soviet Navy nor would any officials in the Kremlin admit that they are commanded by officers and manned by seamen of the Soviet Navy. We should follow suit, and our intelligence-collecting ships and their skippers and crews should forthwith be separated and placed apart from our Navy.

Welcome as the news of the release of the *Pueblo* crew was, the whole affair remains highly messy and unsatisfactory. The *Pueblo* was engaged in an ill-timed spying operation along the coast of North Korea. North Korea has a nonaggression treaty with the Soviet Union. According to the provisions of this treaty the Soviet Union is obligated to send its armed forces to the aid of North Korea in event another nation attacks that country. This nonaggression treaty is similar to that our Nation has with West Germany. That fact, coupled with the fact that more than one-third of our Navy and more than 600,000 of our Armed Forces in addition to the naval personnel off the coast of Vietnam are in Thailand and South Vietnam clearly demonstrate that no spy mission off the coast of North Korea should have been undertaken by the CIA at that period unless there were urgent reasons that such surveillance could not be delayed. I am convinced there was no urgency at that time to undertake the risk involved.

The mission of the *Pueblo* apparently was to drift along the coast of North Korea intercepting messages. We had broken the North Korean code. In drifting with the engines off the CIA technicians on board the *Pueblo* could no doubt better intercept the messages and the closer the *Pueblo* was to the shore the more information could more easily be obtained.

At the time following the seizure of the *Pueblo* it was known and publicly stated by Defense Secretary McNamara that there were 10 days and nights when no messages came from the *Pueblo*, and in this period of radio silence it was assumed and hoped at the Pentagon and at the CIA offices that orders not to intrude further than 13 miles off shore had been followed. North Korean authorities claimed the *Pueblo* had intruded into their territorial waters a distance but approximately 5 miles from one of their islands. The *Pueblo* was seized outside the 12-mile limit. This was an act of piracy on the part of the four North Korean small torpedo or gunboats.

Possibly North Korean officials claim the right to hot pursuit which has been our claim in South Vietnam in pursuing fleeing Vietcong from South Vietnam into the territory of Cambodia and Laos.

The American people have every right to question the behavior of Commander Bucher, his executive officer, and some members of the crew. Ours is a nation whose Navy has a great history and noble tradition. In the entire history of the Republic no U.S. naval vessel ever surrendered to an enemy without firing a shot. No naval vessel was ever boarded without its officers and crew fighting to repel the invaders. The *Pueblo* had two

50-caliber machineguns. Commander Bucher did not even order the covers removed. They were not removed. No warning shot was fired across the bow of any North Korean vessel. Now 82 Americans, members of the crew, and also CIA technicians and radio code experts who are civilians, have finally returned to our country. CIA officials should be compelled to fully disclose to the Senate and House Armed Services Committees the precise orders given the commanding officer of this ship at the outset and all subsequent orders, if any, before it was captured.

Americans rejoice that these men are safe at home. Very definitely, a most thorough court of inquiry will, and should, question the members of the crew, the CIA operatives, and Commander Bucher and his executive officer. Why did he at the time just preceding the capture not offer some show of resistance? Why, instead of directing his ship to proceed at one-third of its speed in the 2 hours from the time the North Korean gunboats commenced harassment operations and before it was boarded did he not either fire at least one of the 50-caliber guns across the bow of one of the North Korean ships or proceed at full speed out to sea away from the North Korean shores? Why was no effort made to scuttle the ship when there were millions of dollars worth of highly secret material and apparatus on board? That Commander Bucher, a Naval Reserve officer, failed to direct any of these operations and during the period of imprisonment reportedly signed a great many statements and reportedly publicly denounced his own Government before North Korean news reporters are questions Americans have a right to have answered.

What would John Paul Jones, Stephen Decatur, Preble, or Lawrence or other officers of our young Navy have done? How would they have behaved? What about admirals like Farragut or Porter? Very definitely, it appears that the skipper and the crew failed to acquit themselves in the tradition of the American Navy from 1775 right down through World War II.

The United States has lost a naval ship filled with electronic devices. This truly was not a warship. It was simply an intelligence gathering factory. Yet, it was flying under the colors of the U.S. Navy. Its skipper and executive officer were U.S. Naval Reserve officers.

No more *Pueblo* incidents should be tolerated. Furthermore, the Commander in Chief of our Armed Forces has an obligation to change the future operations and status of intelligence gathering ships. They must be separated absolutely from our Navy. Russian trawlers, disguised as Russian fishing trawlers, are no part of the Navy of the Soviet Union nor are they ever protected while on their missions by Soviet air power or naval power. It is unfortunate that years ago we failed to separate absolutely our spy ships from the U.S. Navy. The *Pueblo* operation was an unnecessary CIA operation. It was a blunder perpetrated by Director Helms of the CIA and under his direction.

It is certain that both the United States and the Soviet Union will continue to employ spy ships. In view of the *Pueblo* blunder, our Nation must devise a new policy for handling any future incidents like that of the *Pueblo*. Spying is a risky business. The risks ought to be well considered in advance.

Director Helms of the CIA was remiss in the performance of his duties. His is the responsibility for the humiliation and tremendous loss of prestige inflicted on our country. There was a lack of planning in this intelligence collecting operation. The information sought to be gleaned was never worth the risk. Never again should a U.S. naval vessel be permitted to become an intelligence collecting factory, loaded down with highly secret electronic devices.

The CIA should be shaken up and changed from the top down. It is unfortunate that President-elect Nixon has decided to retain Richard Helms as CIA Director. Possibly this was a decision for only a limited period. Helms should be dismissed as head of the CIA, and a halt put to the arrogant policies and operations of the entire Central Intelligence Agency. The CIA is a watchdog that needs a master. The Congress must undertake serious and constant surveillance over its operations.

The *Pueblo* itself, although it cost more than $7 million, is now of no value whatever to us. It is an empty shell. Much highly classified secret material has long since been seized and gone over thoroughly by experts and doubtless ended up in Peking and in the Kremlin. It is certain that all electronic instruments and devices were removed shortly after its capture. The damage done to our country is almost beyond belief. All of our code have been scrapped, and our manner of intelligence-collecting operations halted and changed. If the North Koreans make any use of the *Pueblo* its exterior will be so changed in all probability that it will be unrecognizable.

Last Christmas for all Americans was happier knowing that 82 men taken prisoner by the North Koreans were back with their families after 11 months detention as prisoners of war. We judge that these men were compelled to live on a diet foreign to the American way for 11 months and subjected to brutality, being sometimes kicked or struck by their captors. This was the bitterest sort of captivity far away from home and deprived except on infrequent occasions of Red Cross help and the delivery of letters from loved ones.

We Americans would do well to remember that in South Vietnam our Armed Forces always immediately turn over to the military of South Vietnam all prisoners of war taken by us. Our Nation is signatory to the Geneva agreement for the Humane Treatment of Prisoners of War. Yet, for 5 years in South Vietnam we have in fact been guilty of violating this obligation and have aided and abetted the South Vietnamese soldiers in inhumane treatment of prisoners of war captured by our forces and then turned over to soldiers of the Saigon regime for interrogation and frequently for execution.

Prisoners of war taken by Americans in Vietnam have their arms tied behind their backs, then they are blindfolded and then turned over to the South Vietnamese. Sometimes prisoners of war taken by our Armed Forces have been executed by the South Vietnamese without any trial.

During the TET lunar offensive early in 1968 Americans reading the newspapers of Sunday, February 4, 1968, and looking at television news that day saw a young Vietcong officer, arms tied behind him, being murdered by Saigon police chief Nguyen Ngoc Loan. The pictures on television clearly showed Saigon Police Chief Loan aiming his revolver a few inches from the head of the young Vietcong officer taken prisoner by American soldiers but a few minutes previously. This prisoner of war was at the time blindfolded and his arms were tied behind him.

Doubtless our fellow countrymen were treated very harshly; yet the skipper and crew of the *Pueblo* survived captivity. Not one died in that period of 11 months. Certainly we should insist that Vietcong or North Vietnamese prisoners of war be given at least as good or better treatment than our men received from the North Koreans.

Those of us who served in combat in World War II saw German soldiers, taken shortly before as prisoners of war. Never did we see one with his hands tied behind him nor his eyes blindfolded. Sometimes their hands would be clasped above their heads, directly after their capture while they were being led to interrogation centers, but that is all.

Let us make certain that the *Pueblo* incident becomes an object lesson from which we will profit in the future. These intelligence-collecting factories should not be classed as naval vessels and these CIA operated ships must not be part of the American Navy from now on.

Mr. President, in the Plain Dealer of Cleveland, Ohio, of January 14, 1969, there appeared an excellent editorial entitled: "Set the *Pueblo* Record Straight." I believe this editorial clearly and concisely sets forth the need for a thorough investigation by a court of inquiry to develop the full story of the seizure of the *Pueblo*. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SET THE "PUEBLO" RECORD STRAIGHT

For reasons of military security, the American public may never know the full story of the seizure by North Korea of the intelligence ship Pueblo.

The court of inquiry to be convened Thursday will satisfy the United States Navy's requirement for thoroughgoing investigation of any incident in which a vessel is lost or damaged.

But whether it will answer the public's questions as to why and how the Pueblo was so easily taken by an enemy force is another matter.

There have been too many confusing accounts of the Pueblo's voyage and its end. For that reason and for the reason that a great nation was humbled and made to appear ridiculous by a fourth-rate power, the record should be set straight and assurance should be given that nothing of this sort will be permitted to happen again.

On top of all the conflicting information about the Pueblo's station inside or outside of North Korea's territorial waters comes a late report that the ship, equipped as it was with highly sophisticated detection and communications gear, lacked explosive charges to destroy the equipment or sink the ship before it fell into enemy hands.

Another report holds that the Pueblo crew had only enough time before capture to dispose of "some" secret gear and papers. And still another, that "nearly all" of the equipment and papers were wrecked or thrown overboard.

One more shocker, a statement by a Pueblo crewman, is that no one had been trained to operate the ship's machine guns which remained covered during the attack and seizure. Admittedly the machine guns would have been no match for weapons aboard the North Korean subchaser, patrol craft and airplanes at the scene—but why were they aboard the Pueblo if not to repel boarders or at least delay capture?

The conduct of the Pueblo's crew under enemy fire is not questioned. There are large questions, however, concerning the way the Navy equipped and managed the Pueblo's mission.

The official inquiry into the ship's loss should provide answers for the public as well as for the Navy.

THE PRIVATE INVESTMENT COMPANY FOR ASIA

Mr. JAVITS. Mr. President, I wish to call attention to a growing movement in the world by which private enterprise control is making a tremendous contribution to the economic development of less-developed areas of the world, a really historic development that started with Adela Investment Co. in Latin America, which is now a phenomenal success. I had the honor of starting that program in motion, in association with Vice President HUMPHREY, who was my partner in that matter when he was in the Senate, and with the aid of outstanding and distinguished business leaders.

Primarily I refer to the chairman of the First National City Bank of New York, George S. Moore; the executive vice president of Standard Oil Co., New Jersey, Emilio G. Kollado; and Jacques Maisonrouge, president of IBM World Trade Corp. I did that as an officer of the North Atlantic Assembly.

This great precedent was fabulously successful, and more and more illuminating as the most significant contribution to the economic development of Latin America. The Private Investment Co. for Asia is a similar type organization for Asia. The principal organizers again are George Moore, chairman of the First National City Bank of New York, and Emilio G. Collado, executive vice president of Standard Oil Co., to whom I referred. They are now joined by other distinguished men in the world such as Stanley DeJ Osborne, partner of Lazard Freres & Co.; by the Chase National Bank, with David Rockefeller; and by Kuhn, Loeb & Co., through Nathaniel Samuels their managing partner, as well as by the Bank of America, Rudolph A. Peterson, the president being the operative personalities; including the IBM World Trade Corp., with Jacques Maisonrouge as its president, again taking the leading position.

Then there is the Fuji Bank in Japan with Yoshizane Iwasa, president, being the dominant factor bringing about this development.

I shall report further to the Senate upon this matter, but it is of such enormous significance coming where it is, in Asia, that I call the earliest attention to it that is possible for me—to wit, the first announcement of its formation.

Mr. President, I ask unanimous consent to have printed in the RECORD the article on the subject, published in the New York Times of January 13, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEVELOPING NATIONS OF ASIA TO RECEIVE PRIVATE-CAPITAL AID

(By John H. Allan)

The Private Investment Company for Asia, a new multi-national corporation designed to make private capital investments in the underdeveloped nations in the Far East, announced over the weekend that it has completed its formation.

The first meeting of the board of directors, a blue-ribbon group of international finance and trade leaders, will be held Feb. 12 in Tokyo, the company's headquarters site.

Called PICA for short, the company was formed by a group of prominent financial and industrial concerns in the United States, Japan, Europe, Canada and Australia.

It has authorized capital of $40-million, of which approximately $16.8-million will be paid-in—one-third by American investors, one-third by Japanese and one-third by the others.

About 120 financial institutions and companies have agreed to subscribe PICA's capital.

The board is expected to elect Willem A. van Ravesteijn president of PICA. Mr. van Ravesteijn formerly was managing director of the Industrial and Mining Development Bank of Iran.

Yoshizane Iwasa, president of the Fuji Bank in Japan, is to become chairman of the board.

Stanley deJ. Osborne, partner of Lazard Freres & Co., will be chairman of the executive committee.

The other American directors of PICA will be: Eugene R. Black, former president of the International Bank for Reconstruction and Development; Emilio G. Collado, executive vice president of the Standard Oil Company (New Jersey); Jacques Maisonrouge, president of IBM World Trade Corporation;

Also, George S. Moore, Chairman of the First National City Bank; Rudolph A. Peterson, president of the Bank of America; and Nathaniel Samuels, managing partner of Kuhn, Loeb & Co.

Senator Jacob K. Javits, Republican of New York, was instrumental in interesting a number of the sponsors "in the need and practicality of the undertaking," PICA said.

Senator Javits also helped form ADELA, a similar private investment company organized to make private investments in Latin America.

ROBBING EVERYBODY THROUGH INFLATION

Mr. SYMINGTON. Mr. President, a recent article describes the second-greatest problem facing president-elect Nixon as inflation:

> The American consumer has been caught in a money maelstrom, and the experience is not a pleasant one.

Inflation in this country is now in its steepest spiral in 17 years; and there would appear no signs of a deceleration.

In 1968 alone, the Consumer Price Index—a measure of the average change in prices of goods and services—jumped some 4.75 percent.

Various measures have been taken in an effort to dampen the inflationary pressures; as example, a tax increase, modest reductions in Government expenditures, and now a further increase by the Federal Reserve in the prime interest rate to 7 percent.

In this connection, I ask unanimous consent that three articles dealing with the current "money crisis"—"Nixon Faces Prospect of New Money Crisis," by Richard Dudman in the St. Louis Post-Dispatch of January 5; "A Monetary Maelstrom," by Erich Heinemann in the New York Times of January 9; and "How It Looks for 1969," by Sylvia Porter in the Washington Evening Star of January 6—be inserted at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Jan. 5, 1969]

NIXON FACES PROSPECT OF NEW MONEY CRISIS

(By Richard Dudman)

WASHINGTON, January 4.—The prospect of a new world currency crisis in 1969 is high on the list of problems facing President-elect Richard M. Nixon.

A measure of the anxiety over the future of the dollar was shown last month, when Nixon's nominee for Secretary of the Treasury, David M. Kennedy, touched off a world wave of gold speculation merely by trying to avoid comment before taking office on whether the price of gold should be increased.

If Nixon's campaign promises were as easily carried out as made, the outlook would be much better. Two of his promises, to end the Vietnam war and to curb inflation, would deal with two of the main factors in the uncertainty about the dollar.

AN OPEN SPIGOT

As long as the war continues, it will mean a heavy outflow of resources, an open spigot that makes it hard for the United States to end the deficit in its balance of payments. The continuing deficit in this balance of the outflow of U.S. dollars against earnings and credits received from foreign nations is a continuing threat to the stability of the dollar and to the international monetary system.

Domestic inflation, now in its steepest spiral in 17 years, affects the other side of the scale. Rising prices at home attract foreign imports, and rising costs at home hobble American exports in their competition in foreign markets, increased imports and reduced exports threaten to wipe out the favorable U.S. balance of trade that normally has been an important plus in the over-all balance of payments.

Like the war, inflation promises to be an intractable problem for the Nixon administration, just as it has been for the Johnson Administration. The Morgan Guaranty Trust Co. of New York said last month that practically all forecasters, including its own, had underestimated the inflationary rise. It would not risk a prediction for 1969.

NIXON PLANS

Nixon's plans, as outlined in his campaign, at least, threaten to continue the inflationary pressures. His estimate of a 10-billion-dollar increase in annual military expenditures after the Vietnam war is over will stand in the way of his goal of a balanced budget.

And the encouragement he has given to the steel, textile and tobacco industries for additional protection against foreign imports will contribute to an expected drive this year for import quotas. These, of course, would lead to retaliation by foreign nations, and the result could be a further reduction of the normally favorable trade balance.

A year ago, the international monetary system was in the midst of a crisis, and the dollar was the chief casualty. Devaluation of the British pound on Nov. 17, 1967, had led to heavy speculation in gold, largely by foreign holders of dollars. Newly mined gold could not satisfy the demand, and it was met by active members of the international Gold Pool—the United States, Britain, Belgium, Germany, Italy, The Netherlands and Switzerland.

TWO-TIER SYSTEM

The private demand for gold continued into 1968. The United States, which bore most of the loss, saw a drop of 2.3 billion dollars in its gold reserves.

Members of the Gold Pool met in mid-March and adopted a so-called "two-tier" gold price system. Rather than selling gold to try to hold its price at $35 an ounce, they would let the private commodity price of gold seek its own level. It has been fluctuating from $38 to $42 an ounce. The official price of gold in its monetary role, as a currency base, remains fixed at $35 an ounce.

Secretary of the Treasury Henry H. Fowler has hailed the establishment of the two-tier gold price sytem as one of two major developments that marked 1968 as a turning point in the international monetary system.

The other was the completion of negotiations on a proposal to create "paper gold" through so-called Special Drawing Rights under the International Monetary Fund agreement. When ratified, the new system will enable Western nations for the first time to create international reserves instead of relying on newly mined gold or the outflow of dollars or other currencies from countries with balance of payments deficits.

STRAIN ON MONETARY SYSTEM

In a report last month on the condition of the dollar, Secretary Fowler noted that too much expansion of international reserves could spur world inflationary pressures. But he pointed out that a deficiency of world reserves could strain the international monetary system seriously.

"When there is no increase in global reserves," he explained, "one country can add to its reserves only at the expense of some other country or countries. The resulting competition for reserves can lead to an escalation of world interest rates, and to a cumulative spreading of restrictions on international transactions as countries try to make additions to their reserves."

Fowler said that the "paper gold" system, although it will help the equilibrium of the monetary system as a whole, will not remove the need for equilibrium in the balance of payments of individual countries through policies of their own. He said this remained "one of the most difficult and challenging problems in the field of economic policy and international economic co-operation."

NOVEMBER CRISIS

A new monetary crisis last November grew partly out of the economic aftermath of the strikes and riots in France last May and June. Subsequent labor agreements increased wages by 10 to 14 per cent, about twice the rise that had been expected. An outflow of capital from France reduced the French gold and foreign exchange reserves from 6 billion dollars to 4 billion dollars in seven months.

At the same time, rumors of a possible appreciation of the deutschemark arose from a heavy flow of funds into Germany and a continued heavy German trade surplus.

An adjustment was worked out without revaluation of currencies. Germany agreed to reduce its trade surplus by adjusting its border taxes. France maintained the value of the franc, restored tight exchange controls and revised border taxes to strengthen its trade position. A 2-billion-dollar multilateral credit arrangement was set up to give further support to the French franc.

MULTILATERAL ACTION

Fowler called this group of measures a further step toward establishing the principle of cooperative multilateral action in handling the financial affairs affecting the major countries and the major currencies.

"At many times in the past," he observed, "there has been a tendency to look upon the international monetary problems from a narrow nationalistic and short-range view."

From Fowler's report, it is evident that one of the major requirements for a stable international monetary system, even under the new arrangements, is the long-sought adjustment of the economy of the United States.

The trade surplus, which averaged 5.2 billion dollars a year in 1960 to 1965 and reached a record high of 6.7 billion dollars in 1964, has been declining steadily since then and could drop below a billion dollars for 1968. There were deficits in March, May, June and October. Fowler called this decline "the most disappointing aspect of our recent balance of payments performance."

SECURITIES SALES

On the favorable side has been a continued increase in foreign purchases of American securities, stimulated by the disorders in France and the invasion of Czechoslovakia in August.

Efforts to reduce new American direct investment abroad and loans by U.S. banks to foreign borrowers have been successful.

A major remaining drain is the "tourist deficit," the amount by which foreign expenditures by American tourists fail to match the expenditures in the United States by tourists from abroad. Gross expenditures of American tourists are nearly 4 billion dollars a year, nearly as much as total U.S. military expenditures abroad.

The Nixon administration can be expected to continue the efforts of the Johnson administration to achieve world-wide liberal trading practices that will provide equal access to world markets. Fowler said the United States could no longer be tolerant of harmful trade measures, and Nixon has promised to fight discriminatory practices by foreign countries.

[From the New York Times, Jan. 9, 1969]

A MONETARY MAELSTROM—ROCKETING INTEREST RATES AND RISING PRICES FOR THE CONSUMER

(By H. Erich Heinemann)

The American consumer has been caught in a money maelstrom, and the experience is not a pleasant one. Rocketing interest rates are adding to the cost of doing business, and this is helping to push prices upward. The man who wants to finance a new car or a new house certainly will have to pay more in interest than he would have had to pay a few years ago. Worse yet is the possibility that the money shortage now looming could throw the economy into reverse, and lead to cutbacks in production and higher unemployment.

The roots of this painful problem are many and complex. They reach deeply into the central issue that has confronted Lyndon Baines Johnson throughout his Administration—the Vietnam war.

When the President made his fateful "guns and butter" decision in the summer of 1965—to escalate the Vietnam war without also raising taxes to pay for it—he set in motion economic forces whose legacy will last far beyond his departure from office a week from Monday.

ECONOMY WAS ADVANCING

Spurred by a variety of stimuli, the most important of which was the massive 1964 tax cut, the economy in early 1965 was making a broad and stable advance. Wholesale prices had changed little from the beginning of the decade; consumer prices had been rising at a moderate 1.2 per cent annual rate, and unemployment was moving down toward the long-sought goal of 4 per cent.

Perhaps most important among these was that the economy was close to full employment, the point where any added pressure of demand would certainly lead to an accelerated rate of price increases.

As spending for Vietnam began to pick up, that was just what happened. The President—at least partly because he believed that the Congress would not support a tax increase at that time—disregarded his advisers' counsel that higher taxes were essential to pay for the war.

RESERVE TIGHTENED CREDIT

Starting in December, 1965, the Federal Reserve System, which is responsible for regulating the amount of money and credit in the economy, began to move toward a tighter credit policy. The process continued throughout 1966, leading up to the celebrated "crunch," or near crisis in late summer, when fears of panic began to run through Wall Street.

A "mini-recession" in early 1967 and a marked easing in Federal Reserve policy followed the credit crunch as the money managers began to pump funds into the economy at a high rate.

At the same time, the Administration finally concluded that Vietnam costs were getting out of control and had to be offset at least in part, through an income tax surcharge. But convincing the Congress of this was another matter, and as the debate dragged on, the Federal deficit ran upward.

As a result, the economy entered 1968 under a full head of steam, with prices rising, and interest rates moving upward. The consensus was that restraint—in monetary policy and in tax policy—was the order of the day, but practically everything the Government did was pressing the other direction.

DEFICIT MOUNTED

The Federal Reserve authorities, faced with the need to help the Treasury finance a deficit of more than $25-billion, increased the nation's money supply far faster than even they thought was wise.

Then, last June, when the Congress finally passed the 10 per cent tax surcharge, a major miscalculation was made.

The money managers assumed that the economy would slow down promptly; so they let up on the credit brakes, and encouraged a downward slide in interest rates through most of the summer. But in the Fall, realizing that the slowdown was not coming through on schedule, they reversed their action and started the credit squeeze whose effects are now starting to ripple through the economy.

Wall Street, which has a long memory, is starting to talk about the threat of a credit crunch once again. The banks, trying to protect themselves from demands for loans they cannot meet, are raising their interest rates. That is why on Tuesday they increased the prime, or minimum interest rate charged the most credit-worthy corporate customers to a record 7 per cent.

PERVASIVE IMPACT

The impact of the Federal Reserve's attempt, almost at the 11th hour, to clamp down on the flow of funds into the economic bloodstream, and thus bring inflation to a halt, has been pervasive. Interest rates are on the rise everywhere—bonds sold by major corporations, business loans, consumer loans, mortgage loans—they all cost more.

There's no way out; if someone wants the money he has to pay the price.

In some cases, the crazy quilt of state laws and regulations that set legal maximums on interest rates (which are almost riddled with special exclusions and exceptions) serve to hold back the upward march of interest rates in particular areas, at least temporarily.

In the over-all economy, however, the literally thousands of different rate ceilings in existence all over the nation have had little effect in restraining interest rates.

There are a sufficient number of areas—both business and geographic—where no rate ceilings apply at all (or are so high as to have no practical effect) that when one rate ceiling is too low, funds simply flow elsewhere.

[From the Washington Evening Star, Jan. 6, 1968]

Your Money's Worth: How It Looks for 1969

(By Sylvia Porter)

Because of the failure of the income tax increase to slow the economy and hold down inflation, the Federal Reserve System is returning to a tough tight money policy. Interest rates already have climbed to new highs, the availability of credit is shrinking and a squeeze similar to the one in 1966 is under way.

What does this mean to most of us? What is being done and how will it affect the economy and our everyday lives?

Here are answers to some of the questions asked most frequently.

Q. What is behind the new tight money policy?

A. Simply the fact that inflation and an inflationary psychology have become so deeply entrenched in the economy that neither has yielded to the restraints tried so far: passage of an income tax surcharge in mid-1968 and the turn in our Federal budget from an enormous $25.2 billion deficit in fiscal year 1968 to a minor deficit or even a small surplus in the current fiscal year 1969.

The cost of living, measured by the Consumer Price Index jumped about 4.75 percent in 1968, bringing to 12 cents the loss in the dollar's purchasing power during the Johnson Administration; unemployment among married men practically disappeared and the overall unemployment rate dropped to 3.3 percent, about as low as it can get; wage increases last year averaged more than 6.5 percent; industrial production reached new peaks; instalment credit soared.

This is not just a boom; this is a super-boom. Moreover, while inflation is bad enough, even worse is a spreading idea that inflation is out of control, that authorities have lost the will or the ability to curb the wage-price spiral.

There has been a rush to get out of cash money and into things: goods, buildings, stocks, land, inventories, etc. Businessmen have accelerated their spending on new plants and equipment on the premise that if they wait, the plants and equipment will cost much more; this year, this type of spending is scheduled at 8 percent above 1968. Demands for loans are mounting sharply.

Q. What is wrong with a super-boom?

A. The danger is that a boom that gets out of hand will end eventually in a bust—with all the misery of unemployment, bankruptcies and economic retreat. The psychology of continued inflation also threatens the dollars as the pivot of the world's monetary system.

Q. Wasn't the tax increase supposed to prevent this?

A. Yes. But the tax increase—and the restraints on federal government spending—apparently came too late and were too mild to do the job quickly.

By the time the tax-spending curbs became effective last year, a combination of inflation conditions had taken firm hold. As 1968 ended, the Federal Reserve System was forced to the conclusion that fiscal policy (tax and spending curbs) needed a major assist from monetary policy (credit curbs).

The Federal Reserve Board decided it could not wait any longer for the tax increase to "bite," for the problem of inflation expectations had become too immediate. The governors agreed they had to risk doing too much and tilting the economy toward recession rather than risk doing too little and letting the inflation psychology grow stronger.

The Federal Reserve ended the year by taking major actions to reduce the supply of credit.

The high cost of loans is secondary to the fact that it will be increasingly difficult to get the loans at all. This is what "tight money" means.

TRIBUTE TO ATTORNEY GENERAL RAMSEY CLARK

Mr. HART. Mr. President, during the Johnson administration, many Texans have made important public service contributions. As that administration comes to its end, I want to comment on the record of the "tallest Texan of them all" Attorney General Ramsey Clark.

As the Attorney General of the United States for the past 2 years of tension, turmoil, racial strife, and deep division over American foreign military involvement, Ramsey Clark has stood tall, always faithful to "justice" and the rule of law, despite great strains and sometimes widespread political disapproval.

In every aspect of Federal "justice," Attorney General Clark has shown the way.

In 1968, the Justice Department filed 2½ times as many cases under the equal employment section of the 1964 Civil Rights Act as in any previous year, brought a record number of school desegregation actions, and broadened Federal civil rights law enforcement to a nationwide basis.

Congress in 1968 enacted a far-reaching worker protection and open housing law. Without Ramsay Clark's diligence, wisdom, patience, and perseverance, I doubt if any of these achievements of 1968 would have been possible.

In law enforcement, critics have often confused Ramsay Clark's concern for "justice" with permissiveness and softness toward crime. In fact, however, during the last 2 years, some 125 Cosa Nostra members were indicted or convicted. This figure exceeds the total number of Cosa Nostra members indicted or convicted during the past 14 years combined. In 1967, Attorney General Clark introduced a highly effective anticrime technique, "the Federal strike force." A strike force is a team of attorneys and investigators from key Federal agencies who move comprehensively against organized crime in a single geographic area. In 1968, as a result of Federal strike force efforts in Brooklyn, for example, 71 individuals were indicted. Another Ramsay Clark anticrime innovation was the creation of the Bureau of Narcotics and Dangerous Drugs—bringing increased effectiveness to the control of narcotics and dangerous drugs.

In the area of local law enforcement, past Attorneys General have known few police chiefs; Ramsey Clark worked closely with local police chiefs and conducted numerous police chiefs' conferences on riot prevention and control. Significantly, in 1967, before these conferences, the summer riot death toll was 87; in 1968, it was 19. It is not surprising to hear Quinn Tamm, director of the International Association of Chiefs of Police say:

> Ramsey Clark has done more to help local law enforcement than any other Attorney General.

Or to read the Milwaukee Journal of November 23, 1968:

> Ramsey Clark was probably the most effective crime fighter ever to hold that office.

While amassing this outstanding anticrime record, Ramsey Clark was also constantly pointing out the clear connection between crime and poverty, ignorance, disease, poor housing, lack of opportunity, segregation, injustice, and despair. In criminal rehabilitation, Ramsey Clark also broke new ground: work release, narcotic addict treatment, halfway houses, and other Federal correction programs designed to reduce recidivism.

While making this outstanding anticrime record, Ramsey Clark displayed a genuine concern for civil liberties and the rights of the individual, a course guaranteed to bring widespread criticism. When it was popular to criticize the Supreme Court and its rulings—Mallory, Miranda, Escobito, and others—Ramsey Clark described the Court as "our greatest champion of those who suffer most." When a nationwide public opinion survey showed a clear majority of Americans approved of the actions of the police during the Democratic Convention in Chicago, it was Ramsey Clark who said:

> Of all violence, police violence in excess of authority is the most dangerous. For who will protect the public when the police violate the law?

When General Hershey, supported by perhaps a majority of Americans, attempted to stretch the Constitution to draft Vietnam dissenters, it was Ramsey Clark who upheld due process and the rule of the law.

When anticrime hysteria advocated such doubtful measures as overturning Supreme Court decisions, it was Ramsey Clark who courageously pointed out the threat to our constitutional and individual rights such measures posed.

As Attorney General, Ramsey Clark was a familiar figure on Capitol Hill, testifying some 28 times candidly, directly, and effectively for a wide range of socially progressive measures including open housing, gun control, abolition of the death penalty, and crime control.

All of us here on the Hill will miss Attorney General Clark, his outstanding Deputy Attorney General, Warren Christopher, and their excellent staffs.

Ramsey Clark has compiled an unequaled record of "order with justice."

The Justice Department, the Republic, and each of its citizens are the better for his distinguished service.

INAUGURATION OF GOVERNOR LICHT, OF RHODE ISLAND

Mr. PELL. Mr. President, on January 7, on the south portico of the State house, in a scene reminiscent of Presidential inaugurations, Frank Licht took the oath of office as Governor of the State of Rhode Island and Providence Plantations. His remarks on that occasion had an eloquence that were also reminiscent of Presidential inaugurals.

Later that day, Governor Licht addressed the general assembly meeting in grand committee, endeavoring, in his own words, "to identify our major concerns and give a broad outline of our approach toward their solution."

To my mind, the commitment to excellence evidenced in both these speeches augur well for the people of my State. I ask unanimous consent that they be reprinted in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Remarks by Gov. Frank Licht at His Inauguration as Governor of the State of Rhode Island and Providence Plantations, January 7, 1969

Fellow citizens: Moments ago I made a solemn pledge to the people of Rhode Island. A pledge to uphold our laws faithfully and discharge my duties responsibly. . . .The same pledge that incoming governors of our State have made for over a century. Thus, although today marks the opening of a new chapter in the chronicles of Rhode Island, in a larger sense it is not so much a beginning as it is a continuation.

Since 1636, when Roger Williams struck out in new philosophical directions, our State has had a continuing history of independence, ingenuity and adaptability. Each era has brought new challenges, requiring new kinds of leadership. And it is a new kind of leadership to which I commit myself today.

This is a period of change, of crisis. Government can no longer justify itself either as the guardian of the status quo or the caretaker of public properties. We know we have the material capability of meeting today's demands. The time is now for us to find the heart, the spirit, the courage and the imagination to meet them.

What are some of these concerns? They are the elemental desires of every man to feed, house and clothe his family with dignity; to participate in a society free of the fear of violence and crime and free of the stigma of bigotry and discrimination; to work in a community in which the economic climate provides an opportunity of fair and gainful employment for all; to live in a State that will guarantee the finest education for our children; and to be a participant in a society whose responsibility of providing the "good life" extends not to a privileged few but to everyone.

To fulfill these desires will be the primary task of my administration.

State government, however, cannot find the answers alone. It cannot bring about meaningful change without the active, forceful and total commitment of its citizens.

Today, governing must be a mutual endeavor. This is the spirit in which I approach these next two years. This is why I now call upon you to join with me in forming a Partnership for Progress. A Partnership for Progress to be inclusive not exclusive. A Partnership for Progress to include all branches of government, citizens representing every corner of our community, every segment of our society.

Through our Partnership for Progress, Rhode Island will again demonstrate that it has the imagination and initiative to meet today's new challenges. I suggest that we must have a change in emphasis. Our new Problems are people problems. They concern the development of the individual rather than the expansion of the institution. And Rhode Island can lead the nation in this development.

If we in Rhode Island can't create the climate for participatory democracy, we should ask no State to do it.

If we in Rhode Island can't develop our human resources to their full potential, we should challenge no State to do it.

The responsibilities that lie before us are varied. But the opportunities that beckon are vast.

I ask you this morning to join with me in this Partnership for Progress so that together we can fashion an exciting chapter in our State's continuing history—one that future generations can look to with pride and build upon with promise.

Introduction

To the Honorable, the General Assembly.

I come before you today with a deep sense of responsibility and an equally deep awareness of the challenges that lie ahead. I am proud that my fellow citizens have given me this mandate to serve my State and this opportunity to lead Rhode Island in a new direction.

I would be less than candid if I told you that I have already found a way to resolve all of our State's serious problems. They are too complex to lend themselves to simple or easy solution. But what I can tell you today is that I recognize the magnitude of the task ahead and am prepared to face up to it.

At all times we must recognize that while there are ceilings on our financial abilities, there are no ceilings on the compassion we can bring to bear on the problems which confront us. That while there are limits to the tax burden we can expect our citizens to assume, there are no limits to the imagination and initiative we can expect our men and women in public service to provide. And that while there are statutes to prescribe our duties, there are no laws to bind us in our search for new approaches.

I pledge that this administration will be realistic without being rigid, it will be economical without being insensitive, and it will be progressive without being impractical.

In other words, I intend to exercise the authority of leadership vested in me; to examine every problem facing our State with a view to solving it; to utilize every means of providing better services to our people; and to keep open both my mind and my heart to every possible approach towards our mutual goal—bringing increased opportunities to the citizens of Rhode Island.

ECONOMIC DEVELOPMENT

Although Rhode Island has shared in the general prosperity of the last few years, it is evident that our economic base is still too narrow, making our State particularly sensitive to national economic changes. To stabilize today's employment level and provide new jobs in the future, we must expand and solidify our economic base.

We have in our State a great human resource pool—citizens experienced in the fields of business, labor, the professions and the academic world. To utilize this untapped resource, I propose the formation of a permanent Council of Economic Advisors. This group will be charged with the continuing responsibility of advising this administration on all matters affecting the economy of our State, of studying current economic trends and of preparing long range plans.

We must become more aggressive and imaginative in selling the advantages of R.I. I will ask our present state agencies to utilize all their facilities to attract new industry to our State.

There are many job training programs currently underway in our State, some privately run, some sponsored by the State and some by the Federal government. Because of the scattering and fragmentation of these programs, there is overlapping of effort in some areas and underdevelopment of opportunities in others. To insure that our citizens are afforded the widest possible range of job training programs, geared to the needs of our employers, I shall employ every means at my disposal to develop a truly integrated system of manpower training for our unemployed and our underemployed.

The marine environment of our State is a rich endowment. It is a resource that must be developed for the economic and recreational benefit of this and future generations.

Because the study of oceanology can be of tremendous assistance in helping to develop the potential of Narragansett Bay, in broadening our industrial base, and in producing new foods, minerals and drugs, we should assist the University of Rhode Island to continue to expand its efforts as a leader in this field.

The University and the adjacent Federal government laboratories in Narragansett constitute the nucleus of a Marine Science Complex with great potential for our State. I shall endeavor to build upon this solid foundation by encouraging marine-related industry to join the Rhode Island oceanology community.

The tourist industry has the potential, also, to become a major factor in our State's economic development. Rhode Island has everything in the way of natural beauty, water resources, historical sites, and cultural advantages to make it a sought-after vacation spot. State government, in cooperation with private enterprise, must exert every effort to utilize these assets. As a first step in this direction, I, therefore, will introduce legislation increasing the lending authority of the Recreational Building Authority.

TRANSPORTATION

Ours is a highly mobile society. If Rhode Island is to keep pace with the times, it is essential that our transportation facilities be adequate, up-to-date, and easily accessible.

A special Legislative Commission was established just last year to draw up a comprehensive plan for the full development of our state airport system. I believe such a plan is sorely needed and I shall give serious consideration to the Commission's recommendations.

However, immediate attention must be given to the provision of so-called "people-handling facilities" at Theodore Francis Green Airport. These include vehicle parking and cargo facilities. I shall explore every possibility for providing these facilities through investment from the private sector, thus avoiding the necessity of financing such requirements with public monies.

Despite our increasing orientation toward the airways, we are still dependent upon the railroads for much of our passenger and freight service. Now that the New Haven Railroad is part of the merged Penn-Central System, we will direct all our efforts to the maintenance of our present levels of freight service and an adequate level of passenger service.

URBAN PROBLEMS

Rhode Island is one of the most highly urbanized states in America. It is therefore clear that the economic vitality of our State is closely tied to the health of our cities, and that the arrest of urban decay and blight is essential to the well being of our citizens. State government must take a more active role in helping to solve the problems that beset our urban centers. Therefore:

(1) I shall encourage the fullest possible participation by our new State Department of Community Affairs in our urban affairs. I shall utilize the seed money provided for this department to seek new solutions to our housing problems.

(2) I shall request the Department of Community Affairs, working with the Statewide Planning Agency, to develop a plan establishing statewide minimum housing standards.

(3) I shall encourage the creation of nonprofit corporations to assist in the rebuilding of our inner cities and to provide jobs for their residents.

(4) I shall work toward the creation of a statewide Metropolitan Coalition to channel participation by all segments of our population in a true partnership to save our cities. This group would work cooperatively with the national Urban Coalition in formulating action programs dealing with housing, jobs and racial problems. To this end, I will take steps to call a conference of leaders in Rhode Island to appraise the social problems of our State and to formulate plans for future action.

(5) I shall endeavor to have Rhode Island take advantage of the 1968 National Housing and Urban Renewal Act.

(6) The need for additional housing for the elderly in Rhode Island has been well documented. This administration will look into methods for providing more adequate housing for our senior citizens.

CONSTITUTIONAL CONVENTION

In 1962 the report of the Commission on Revision of the Rhode Island Constitution cited our State's need for constitutional revision. Today, in 1969, that same need exists.

The quality of our 1842 Constitution is manifest by the fact that this document served Rhode Island so well for more than a century. But it has now been amended 36 times, much of its language is archaic, and many of its provisions are inadequate to the needs of today.

The recent rejection of a proposed new Constitution does not diminish the need for constitutional reform. Nor does it invalidate the groundwork laid by the Edwards Commission and the Convention, itself.

I believe that the people of Rhode Island would be receptive to a new attempt to accomplish such reform. It is my opinion that a Convention with a limited number of nonpartisan delegates, meeting for a specified time period, will be able to give us the Constitution we need.

I therefore, shall submit legislation calling for a new Constitutional Convention within such a framework.

CONSUMER PROTECTION

One of the major goals of my administration will be to afford the Rhode Island consumer additional protection. It is my intention to build on the foundation laid by the last session of the General Assembly in this vital area.

(1) The state agency charged with regulating the costs of such essential public services as electricity, gas, and telephone has not been effective. I, therefore, will present legislation creating a three-member Public Utilities Commission which would closely examine, regulate and control all essential public utilities in Rhode Island.

This Commission would maintain strict auditing and supervision of all public utilities operating in our State and would be empowered to conduct independent investigations into the affairs of these companies. The Commission would be authorized to investigate rates and services on its own initiative when circumstances warrant such an inquiry.

(2) The method of handling an application for increased rates by Blue Cross and Physicians Service in Rhode Island is inadequate, in my judgment. I shall present legislation which will require the Director of Business Regulation to conduct a public hearing whenever Blue Cross or Physicians Service requests a change of rate. This legislation will also require adequate notice to be given to the Rhode Island Consumer Council and to any other interested party to allow them to prepare properly for intelligent participation in the hearings.

Furthermore, the Department of Business Regulation, in order to properly supervise Blue Cross and Physicians Service, should have available to it up-to-date financial reports regarding these health plans. I shall submit legislation which would require them to file yearly reports instead of every third year as is now required.

(3) Participation in hearings is only one aspect of the Consumer Council's duties. The other principal function of the Council is to assist actively those individuals who have serious problems with merchants and other suppliers of goods and services. To be effective in this area, the Consumer Council should be empowered to engage in family credit counseling—so desperately needed by those of our people who have been victims of our credit economy and find themselves hopelessly in debt. I shall propose legislation to give the Consumer Council this authority.

(4) To insure our citizens the most competitive prices available, I shall propose legislation to repeal the Fair Trade Laws.

NATURAL RESOURCES

The preservation of our natural resources is important to every Rhode Island citizen, whether he lives in a rural community, a suburban development or an urban metropolis. Just as our resources affect our citizens, so do our citizens affect our resources. The job of State government is to establish that balance which permits the use and enjoyment of our natural resources and prevents their harm and destruction.

With this fundamental concept in mind, I shall:

(1) Encourage the development and management of Rhode Island's great natural resource, Narragansett Bay and its shoreline.

(2) Direct State agencies to work closely with the various towns and cities in all types of resource management from general planning to forest fire control.

(3) Take the necessary steps to preserve our unique natural areas including our inland marshes and ponds.

(4) Maintain and improve the State-operated facilities for outdoor recreation.

LABOR AND STATE EMPLOYEES

We are an industrial society. For years, Rhode Island has been a leader in enacting progressive labor legislation to secure the rights of working men and women. This partnership of labor and industry, working in the interests of all our people, can be of tremendous help in our efforts to diversify and strengthen our industrial base.

In those areas of our labor laws where revision and change are necessary, we shall direct our attention. One immediate concern is the inadequacy of our Workmen's Compensation law. I shall seek revision here, to secure a realistic benefit structure for all the working men and women of our State, and I shall submit legislation to this end.

Across the nation, we see growing difficulties in labor-management relations in the public sector. To help resolve these difficulties in Rhode Island, I shall undertake a thorough study of the problems faced by state and municipal employees in adjusting their grievances.

I also shall implement my pledge to provide an equitable pay raise to our state employees.

HEALTH

The preliminary report of the Special Legislative Commission to Study the Feasibility of Reorganizing the Structure and Programs of the Department of Socal Welfare pointed out that Rhode Island is "still in a developmental state with respect to the provision of health programs and procedures." Because this is so, there is duplication and fragmentation of our present efforts and the need for a comprehensive program of health services in the future. I look forward to the final report of this Commission so that we may avail ourselves of the guidelines it sets forth.

In the interim, however, there are areas in which we can take immediate action. Last year the General Assembly passed legislation establishing a Health Services Advisory Commission and amending that section in our statutes pertaining to the licensing of hospitals. This law is the most comprehensive action yet taken by any state in the development of health facilities.

The Hospital Licensing Agency now has broad powers to regulate the expansion of existing hospitals and the construction of new facilities. The aim of the Health Advisory Council is to cooperate closely with private hospitals to eliminate duplication of services, to encourage cooperative use of facilities, to establish a basic information service, and to set up a general system for hospital development.

As a result of this legislation, the Health Department is presently establishing a single organizational unit for all functions relating to hospitals.

This administration will assist in the development of this agency in every possible manner and will encourage the quickest possible implementation of this progressive measure. Through these steps we hope to make important strides in improving the equality of health care in our hospitals and in controlling the escalating cost of hospital care.

LAW AND JUSTICE

In its responsibility to its citizens, government must guarantee that the minority is protected from the tyranny of the majority, and at the same time to protect the many from the abuses of the few. We encourage diversity of opinion; we support the struggle for equality for all men; and we recognize the right of each man to be heard. But a democratic society can flourish only upon a solid foundation of law and justice. I therefore propose:

(1) The calling of a continuing Governor's Conference on Law and Justice, to be composed of mayors and leaders of local communities, religious leaders, judges, police officers and policemen, social workers, probation workers, poverty program workers, educators, leaders in low-income areas, and other interested citizens, to work together in developing avenues of communication and to prepare an action program designed to renew our respect for law and justice for all.

(2) The establishment of a standardized pre-entry police training program offering 16 to 18 weeks of professional training to all new police recruits, and the creation of a standardized in-service program to give two weeks of concentrated training in modern police methods to all policemen already on the force.

(3) The utilization of federal grants-in-aid under the Crime Control Act, in order to provide the most modern tools available to our local police forces in the fight against crime.

(4) To give all possible assistance to our police in their fight against organized crime, I shall submit legislation authorizing wiretapping. This legislation will provide all necessary safeguards to protect the rights of individuals. In addition, I shall submit legislation dealing with witness immunity and the requirement of proof in perjury cases.

(5) We presently have on the books of the State of Rhode Island what is universally acclaimed as one of the best firearms control statutes in the country. However, it applies primarily to pistols, revolvers and other small arms. Our statute does not affect rifles and guns of that type, nor does it apply to the purchase of ammunition, without which firearms are useless.

I will recommend legislation strengthening our firearms control stature.

(6) While every effort will be made by this administration to seek the full prosecution of the drug peddler, we shall at the same time take steps to rehabilitate the drug addict. To help in the treatment and care of drug addicts, I shall recommend the enactment of a civil commitment law. I shall also investigate the possibility of working with other New England states toward the estab-

lishment of a regional hospital with the proper medical and psychiatric staff for treating drug addicts.

(7) It is my intention to submit legislation to re-organize the court system. A 1966 Task Force made a thorough and exhaustive study of the problems involved. As a result of that group's work, a report was made recommending a legislative re-structuring of the court system. The legislation I shall propose will be fundamentally consistent with those recommendations.

I shall propose the unification of the entire judicial system under one administrative head. I shall propose the establishment of a full-time District Court with increased jurisdiction.

Although the Task Force did not make suggestions in respect to the probate system, here, too, revision is necessary. I shall recommend that a study be undertaken to examine our probate system with a view toward its integration into our re-organized judicial system.

PARTICIPATORY DEMOCRACY

I believe our government must become more personalized. By this I mean we must utilize every resource at our disposal to give our citizens the opportunity to have a more direct voice in the operations and policies of our government.

Therefore:

(1) I propose the establishment of Little State Houses, to encourage our citizens to express their concerns directly to the administrative branch of state government. Such opening of lines of communications can be most helpful in the development of more responsible government. These Little State Houses should be located in appropriate existing buildings in key areas of our state.

(2) In order to allow every citizen to achieve more direct participation in government on a national level, I shall propose legislation to provide for a direct Presidential Primary in which voters could indicate their preference for a delegate pledged to a specific candidate for the Presidency.

YOUTH

What we do for and with our young people today will in large measure determine the future social and economic growth of our State.

There are those young people who are seriously in need of comprehensive rehabilitative services before they can become productive citizens. For these young people, I propose the development of a new Youth Services Division.

This division will coordinate the work of a number of state agencies dealing with youth. In this way we will be able to provide the proper continuing guidance for any young Rhode Islander from the moment he is in contact with any agency of the State, whether it be the Department of Education, the courts or the Department of Social Welfare.

There are other young people who need only our trust and encouragement. We must encourage their enterprise, their idealism and their wish to become involved in our political processes. They are a group which has increasingly in recent years proved their enthusiasm and their ability for responsible participation in the affairs of state. It is time that our democracy acknowledge the contribution of our young people. I believe that all those citizens of our State who have attained the age of 18 should be given the right to vote. This will require an amendment to the Constitution. I will propose such an amendment.

I will also propose the development of a State Leadership Training Program—an internship for youth in all the departments of state government which will provide actual field training for them and encourage them to seek a career in state government. I will ask the cooperation of our colleges and universities in granting credits to students participating in this program.

FINANCES

Rhode Island is faced with serious fiscal problems. Over the past few years our citizens have been witness to a staggering increase in the expenditures of state government. If these expenditures continue unchecked, the fiscal integrity of the State will be seriously threatened.

The facts are these: The State operates under open-ended spending legislation, principally in the areas of aid to local schools, public assistance and medical assistance. Furthermore, the fiscal requirements for higher education have escalated beyond original projections, in addition, as our federal partner in so many programs withdraws support, there is the increasingly serious question as to the ability of the State to go it alone.

For example, both the spiralling cost of health care and the very formula under which the State Medicaid program is administered make it impossible to project an accurate budget in that area. At this point the Medicaid program has become a difficult fiscal burden for our State, just as it has for many states throughout the nation. All our efforts will be directed to the current and long-term management of such problem areas.

The fiscal problems confronting this State make it clear that the existing tax revenue program will be inadequate to meet our needs.

New taxes are necessary. We cannot at this point make a final determination as to the taxes required, but we can and do say that we shall not propose a personal income tax nor increase the sales tax rate. Essentially, the cornerstone of our program will be an investment tax on dividends and interest. Furthermore, we propose to examine all options that are open to us to raise the necessary revenue to meet the State's financial responsibilities.

We must and shall seek economy in the operations of our state government, and wherever possible we shall eliminate waste and inefficiency in these operations.

As one method of achieving efficiency in government finances, I shall propose a more intensive development of a system of program-planning-budgeting, which will involve the determination of long-range goals, a re-ordering of state priorities, and careful planning of capital expenditures and bonding. The Budget Office was asked last year to take preliminary steps toward inaugurating program budgeting. I feel that such a program encompassing all areas of state activity must be implemented as soon as possible. The time is long past when we can allow state programs to mushroom in a hit-or-miss manner, without being able to calculate their final cost, their ultimate value, or their relationship to other programs. Program-planning-budgeting will make comprehensive planning a necessity in every agency of state government.

I shall also issue an Executive Order concerning future hiring policy in state government. All department directors will be instructed that no new jobs are to be created without prior determination of need, and that as job vacancies occur they are not to be filled without demonstrated need. I, myself, have every intention of leaving open positions within my prerogative to fill which I deem non-essential.

Moreover, I believe we must re-examine the operating procedures of every department of state government with a view toward effecting greater efficiency and economy. I shall appoint a Task Force under the leadership of the Director of Administration to undertake this analysis.

SOCIAL WELFARE

If the major obligation of this administration is to our people—and it is—we must focus attention upon our sick, our needy and our disadvantaged. This is so not only because of the concern that one human being has for another, it is so because we cannot progress as a state unless we pay special heed to the rehabilitation of those of our citizens who need help. Our neglect of these problems today will only multiply their severity tomorrow.

Our welfare system today is beset with many difficulties. There is obvious dissatisfaction with the system by both the recipients of welfare services and the over-burdened taxpaying public. We must be concerned with the rapidly increasing numbers of our people receiving assistance, the spiraling cost of providing this assistance, and the overall effectiveness of the programs themselves.

It must be recognized, of course, that it is one thing to question and criticize the existing system, but it is quite another to find an acceptable alternative. Before we do, the whole role of the federal government in assisting the states to provide public assistance will need re-examination.

We shall encourage and support programs such as day care centers which will provide an incentive for relief recipients to find their way to gainful employment.

The Department of Social Welfare is a sprawling agency, trying to do far too much with far too little. Because it is unable to function effectively under a single administrative head, it lacks direct, positive, on-the-scene supervision over its varied activities. It is too much to expect that a single department director can supervise as many different functions as curative and rehabilitative services, all of our correctional institutions, all public assistance including welfare, medicare and medicaid, and many, many other services. I have already recommended the re-organization of this department, to focus more attention on improving our state institutions and to provide more effective service to the thousands of Rhode Islanders who are now served by our Welfare Department.

The La Liberte Commission is presently studying the question of re-structuring this department. I shall await its report before I submit my own proposals.

EDUCATION

The development of community and industrial life in Rhode Island is directly related to the quality of our education.

Several months ago the recommendations of the Commission to Study the Entire Field of Education in Rhode Island were made public. This report indeed deserves the high praise it has received. Its clarity, depth and well-considered proposals bring into sharp focus the whole question of education in our State. I am certain that this study will result in an upgrading of our entire educational system. The studies and recommendations of the Thibeault Report can serve as meaningful guidelines for the future. But the lack of unanimity among substantial segments of our community on specific proposals points up the need for a synthesis of views.

I have already expressed my personal approval of the general concept of a Board of Regents and the concept of regionalization of our school districts.

It is my understanding that legislation incorporating the major recommendations of the Thibeault Commission Report will be introduced during this session of the General Assembly. These measures will be subject to public hearings. Because of the far reaching changes to be proposed I would hope that there would be a great deal of public debate. For my part I shall follow this discussion with great interest. I shall make my own thorough review taking into consideration both the views of the members of the Commission and those who will be most closely affected by the implications of the report. And I shall then make positive recommendations for action on the modernization of our educational system which I conclude will best serve the future educational needs of our people.

The rapid expansion of our pupil population the lag in output of teacher-education programs and the endeavors to heighten efficiency in the use of professional teacher talent require the use of trained teachers' aides. Therefore I shall ask our public institutions of higher education to establish a program for the training of these teachers' aides. I shall also ask Rhode Island College to develop and expand a program of in-service training to enhance the professional growth of our teachers.

As a means of bringing educational opportunities to those people who have been denied the benefits of higher education due to economic circumstances I shall support fully the development of the Urban Education Center. This Center can fulfill a two-fold purpose—it can provide supplementary education and it can serve as a stepping stone to college. Federal aid as well as help from foundations and the business community must play a vital role in this development.

CONCLUSION

It has been said that politics—and I use the term in its highest sense—is the art of the possible. But what is possible is at times limited by our own vision. I call for a larger view—one which will examine each of our problems, not as a difficulty, but as a challenge to move forward.

We do not in this message endeavor or purport to chronicle all of our intentions and goals. We have endeavored, however, to identify our major concerns and give a broad outline of our approach toward their solution.

The time is now for a re-ordering of our priorities, for a re-scheduling of our efforts and our energies to meet and answer the demands and desires of our people.

Members of the Legislature, I say to you most sincerely that to meet these demands and desires we must work as partners, each respecting the other's responsibility, each sharing the other's commitment.

In the words of Archibald MacLish, "For once we had imagined that world we had only to reach out our hands to make it real . . . The defenses have all been written. The time is now for the challenges."

Respectfully submitted,

FRANK LICHT.
Governor.

THE SENATE COMMITTEE ON ARMED SERVICES VOTES UNANIMOUSLY IN FAVOR OF THE CONFIRMATIONS OF THE HONORABLE MELVIN R. LAIRD AND MR. DAVID R. PACKARD

Mr. STENNIS. Mr. President, for the benefit of the Senate I should like to make some comments on the action which has been taken by the Senate Committee on Armed Services today, in connection with the Honorable MELVIN R. LAIRD and Mr. David R. Packard, the nominees-designate for Secretary of Defense and Deputy Secretary of Defense.

The Senate Committee on Armed Services voted unanimously in favor of the confirmations of the Honorable MELVIN R. LAIRD and Mr. David R. Packard, the nominees-designate for Secretary of Defense and Deputy Secretary of Defense. The nominations are not officially before the committee since they cannot be made by President-elect Nixon before January 20. The committee, continuing the practice followed in both 1953 and 1961 of proceeding with hearings before the formal submission of the nominations, held open hearings on January 14 and 15 and received detailed testimony from both Mr. LAIRD and Mr. Packard on all aspects of their nominations.

Both Mr. LAIRD and Mr. Packard are highly qualified to serve in the positions to which they will be nominated. Mr. LAIRD will bring to the Department of Defense his broad knowledge in Defense matters gained through his long experience as a member of the House Appropriations Committee. Mr. Packard is one of the eminent business leaders of the Nation and will bring to the Department his outstanding managerial ability.

CONFLICT-OF-INTEREST MATTER

Due to the emphasis and interest on the conflict-of-interest matter, the proposals of each nominee to resolve this question are set forth in detail below.

ACTIONS TO BE TAKEN BY MR. LAIRD

Mr. LAIRD will instruct the trustee handling his financial affairs to dispose of all securities in any company which has a contract of $10,000 or more with the Department of Defense during the most recent reporting period. The $10,000 formula does not apply to regulated public utilities. Moreover, the trustee will not acquire stock in such companies during Mr. LAIRD's period of office.

Mr. LAIRD holds no memberships on boards of directors or any employment relationships other than his present status in the House of Representatives from which he will resign upon appointment as Secretary of Defense.

ACTIONS TO BE TAKEN BY MR. PACKARD

Mr. Packard will take the following actions to remove any conflict of interest question that might be involved with his own financial interests and that of his position as Deputy Secretary of Defense.

RESIGNATION FROM ALL OUTSIDE POSITIONS

First. He will resign as chairman of the board of directors and chief executive officer of the Hewlett-Packard Corp. and from all other organizations, both corporations and educational institutions, on which he serves as an officer or director.

TERMINATION OF COMPENSATION AND FUTURE RETIREMENT RIGHTS

Second. He will terminate all right of compensation in companies from which he is resigning including the liquidation of future retirement rights under the Hewlett-Packard pension plan.

SALE OF ALL SECURITIES OTHER THAN HEWLETT-PACKARD STOCK

Third. Other than the Hewlett-Packard stock, Mr. Packard will sell all securities owned by him and Mrs. Packard in companies having contracts with the Department of Defense in the amount of $10,000 or more for the most recent reporting period. Neither will securities of such companies be bought during his term of office. In order to comply with this action Mr. Packard will sell stocks with a total value of approximately $2,100,000 in 23 companies. Stocks in 10 companies will be retained since they do not come within the $10,000 formula.

PLACEMENT OF HEWLETT-PACKARD STOCK IN A CHARITABLE TRUST

Fourth. The stock in the Hewlett-Packard Co. owned by Mr. and Mrs. Packard will be placed in a charitable trust. All income received by the trust and any increase in the total value of the stock at the termination of the trust as compared to its initial value will be distributed to charitable institutions. The principal terms are as follows:

First. The trust to which the approximately 3,550,000 shares of Hewlett-Packard stock will be transferred would terminate in 2 years or upon the termination of Mr. Packard's service as a Government official, whichever occurs later.

Second. The trustee for the charitable trust will be the Bank of America, San Francisco. As originally proposed, the trustees would have been three directors of the Hewlett-Packard Co. The committee was of the opinion, however, that a trustee with no relationship with the Hewlett-Packard Co. was preferable. Mr. Packard, by letter, has indicated he will name the Bank of America.

TRUST INCOME

Third. All trust income after expenses will be paid to 15 charitable institutions with the percentage of income for each institution specified in the trust arrangement. Fourteen of the recipients are educational institutions and one a children's hospital.

TRUST APPRECIATION

Fourth. If the aggregate value of the stock in the trust has increased at the date of its termination over the aggregate value at the time of the creation of the trust, the excess or gain will be distributed in the form of Hewlett-Packard shares to charitable beneficiaries to be named by Mr. and Mrs. Packard. These beneficiaries must be qualified under the Internal Revenue Code. In the event Mr. and Mrs. Packard do not name the beneficiaries to receive the capital appreciation, such gain will be distributed to the income beneficiaries in the same proportions as set forth in the trust.

For determining the valuation of the Hewlett-Packard stock at the beginning and end of the trust, the trust contains a formula based on a 5-day average of the closing price of the stock on the New York Stock Exchange.

FAVORABLE COMMITTEE POSITION

The committee in favoring the confirmation of Mr. LAIRD and Mr. Packard is satisfied that the actions to be taken by the nominees remove any possible conflict of interest problem.

It is recognized that committee policy is more stringent than the current statutory provision which requires only disclosure and disqualification with respect to any Government official who acts in an official capacity with a company in which he holds a substantial financial interest. The more strict committee policy is based on the premise that public confidence in the integrity of our officials is a bedrock essential to the operation of our Government. The committee policy is to remove any possible doubt on the conflicts question. The arrangements of both nominees amply meet this test.

In formulating committee policy which extends beyond statutory requirements, it should be emphasized that each problem has been, and will continue to be, considered on its own merits. No committee action will be a precedent for future nominations where all or a part of the elements of the circumstances may be different.

DISCUSSION OF COMMITTEE POLICY

As a general policy, the Committee on Armed Services will continue the practice of requiring Department of Defense nominees to divest themselves of any holdings in companies having Defense contracts of $10,000 or more during the previous reporting period in other than regulated public utilities.

Except for the Hewlett-Packard shares, this policy is being followed with the two nominees. Mr. LAIRD will dispose of all securities under the $10,000 formula.

Mr. Packard will likewise dispose of all securities other than the Hewlett-Packard stock in such companies. Mr. Packard will sell stocks in 23 companies having a total value of approximately $2,100,000.

UNIQUE CIRCUMSTANCES IN MR. PACKARD'S OWNERSHIP OF HEWLETT-PACKARD STOCKS

The combination of unique circumstances surrounding the Hewlett-Packard stock owned by Mr. Packard justifies the charitable trust arrangement and at the same time satisfies any conflict of interest problem.

First, Mr. Packard has removed the possibility of receiving personal gain from his Hewlett-Packard stock during his period of office by providing that all income from the trust and any appreciation in value at the termination of the trust will be distributed to charitable beneficiaries.

Second, the marketability of Mr. Packard's Hewlett-Packard stock is impracticable. Any sale of his 3,550,000 shares which constitute about 30 percent of the outstanding stock of the company would severely depress the market and adversely affect some 20,000 public shareholders.

Obviously, the marketability question would not be presented where a nominee held only a limited percentage of shares and the sale of such stock would not present a similar problem.

Third, the charitable trust arrangement sets forth a simple valuation formula under which the total value of the stock at the time of the creation and termination of the trust can be easily determined. In the case of a family-owned or closely-held corporation where the valuation was not so easily ascertainable, a charitable trust arrangement would not be feasible.

Fourth, the business of the Hewlett-Packard Co. is of such a nature that the duties of Deputy Secretary of Defense should not involve any decisions on matters with respect to that company. In this connection, former Secretary of Defense McNamara as well as Mr. Clifford and Mr. Nitze have indicated that at no time during their periods of office did a matter involving Hewlett-Packard come to their attention.

I would emphasize this point as follows:

The business of the Hewlett-Packard Co., is the manufacturing of standard electronic measuring equipment as distinguished from specialized military hardware. This company does not create or manufacture any specialized military items nor do they manufacture any items specifically designed for the Department of Defense. All of the Government orders of Hewlett-Packard have been for standard items which were also sold to nondefense commercial enterprises. In other words, these sophisticated standard items are sold to the Department of Defense in the same manner that they are purchased by nondefense commercial firms. Their products might be described as electronic catalog items which are purchased by 30,000 customers throughout the world. Out of total sales of $280,000,000 last year, only $34,000,000 were from direct orders from the Department of Defense.

Furthermore, it should also be emphasized that the Hewlett-Packard items procured within the Department of Defense are purchased, not at the Pentagon, but almost exclusively at the various field procurement offices of the Army, Navy, and Air Force. The printed hearings contain a detailed analysis of the various procurement actions at the local purchasing offices.

In addition, the general business of Hewlett-Packard, that of various measuring instruments, is highly competitive which would tend to preclude any advantage to this company.

Fifth, in addition to the foregoing steps Mr. LAIRD has advised the committee that he will issue a memorandum precluding any matter involving the Hewlett-Packard Co., from coming before Mr. Packard for decision.

DISTINGUISHING CIRCUMSTANCES AS COMPARED TO PREVIOUS NOMINEES

Due to the nature of the Hewlett-Packard business, Mr. Packard's problem can be distinguished from that of Mr. McNamara and Mr. Wilson when they were considered for Secretaries of Defense. During the period of the Korean emergency the General Motors Corp. was the No. 1 prime contractor for the Department of Defense with contract awards for a 2-year period totaling $5.5 billion. During the year immediately preceding Mr. McNamara's nomination the Ford Motor Co. was No. 43 on the list of 100 top prime contractors in dollar value for the Department of Defense.

It might be observed that if Mr. Packard held stock in a substantial prime Department of Defense contractor, he might have to disqualify himself to such an extent on particular matters that his capacity to properly fulfill the duties of his office would be affected.

SUMMARY

In summary, the committee has concluded that the arrangements proposed by Mr. Packard will fully protect the public interest and permit the Nation to receive the services and talents of this eminent business leader.

GREATER EFFORT MUST BE MADE TO END STARVATION IN BIAFRA

Mr. YOUNG of Ohio. Mr. President, the bloody and destructive civil war in Nigeria, which has been raging for more than a year and a half, now threatens to cause one of the greatest famines in modern times.

Hundreds of thousands of Biafrans, most of them children, have already died from hunger. It is reported 200,000 Biafrans perished from hunger or disease during October and a like number in succeeding months. It is now estimated that 25,000 will perish by starvation unless leaders of Nigeria and Biafra take determined action to end this civil war, or unless other nations launch a full-scale emergency relief program to provide whatever food and medicine is needed to alleviate this tragic situation.

Too much time has already been lost in bickering, with both Nigerian leaders and leaders of the secessionist Biafran state putting political advantage ahead of people's lives. Millions of people face starvation in the next several months as a result of this callous attitude of their leaders.

Hundreds of villages and towns have been destroyed, factories and farms burned, homes abandoned in the face of advancing armies and people torn from their families and scattered across a barren and desolate land. Children are the major victims—children for whom the consequences of battle mean only loneliness, hunger, fear, pain, and the terror of not seeing a familiar face or of hearing a comforting word. They die by the thousands. They die of starvation, a slow agonizing death. Because of the absence of protein in their meager diets, those who survive have little chance of growing to become healthy adults.

Who can remain impassive when viewing the tragic pictures of Biafran children with listless eyes and swollen stomachs, emaciated bodies, and painfully bony legs? Mr. President, while I have been speaking, 10 children have died of starvation in Biafra.

Our Government has refused to ship arms to either side, has urged a negotiated settlement, and is making an effort to send relief assistance to the unfortunate victims of this war. We have given $23 million in relief assistance—surplus food, medical supplies, vehicles and other logistical equipment—to the international effort to help the starving people of Biafra. Furthermore, the administration has provided eight cargo planes for the International Red Cross relief effort which is delivering 300 tons of food to Biafra each day.

However, the need is for 2,000 tons of food each day. Our efforts and those of the international relief mission may slow the death rate, but do not stop it.

We must make a greater effort, seek any approach, exhaust every idea in trying to find a way to halt this war or, at the very least, to increase the shipments of food to hundreds of thousands of striken children.

It seems incomprehensible that in the last third of the 20th century mankind has not progressed to the point where it can prevent a manmade famine of the coming magnitude of Biafra. While we hesitate, while we ponder, while we negotiate with leaders of both sides, children die of starvation—children who know nothing of politics or of diplomacy but understand only the gnawing reality in their stomachs and the numbing weakness in their arms and legs.

A solution to end this war and the horrible starvation accompanying it must be found—a solution that preserves Nigerian sovereignty and unity, and at the same time guarantees the future safety and development of the Biafran people.

COMMENDATION OF DEFENSE SECRETARY CLIFFORD

Mr. PELL. Mr. President, Secretary of Defense Clark Clifford is departing from office after a scant 12 months. Yet, in that period of time he has been responsible for changing the direction of our country's course and has left an indelible mark on the Department of Defense.

When he came to office, the policy and direction of our Government, borne out by the experiences of the previous months and years, was a seemingly steady, irresistible escalation of our commitments and men and deaths in Southeast Asia.

Mr. Clifford, blessed with intelligence and perspicacity, came into his office with an open mind. He saw the need for change. And he has implemented his thoughts.

He has done a wonderful job and deserves congratulations from every one of us as does President Johnson in having appointed him.

ECONOMIC WEAKNESS OF NATION

Mr. THURMOND. Mr. President, the Honorable Wayne Freeman, editor of the Greenville News, in Greenville, S.C., has published in his Tuesday, January 14, 1969 issue an editorial which deserves the attention of the Congress and the Nation.

Entitled "Nixon Inherits An Economic Mess," Editor Freeman's editorial points to the ruinous financial policies of the past years which have resulted in a record cost of living, runaway inflation and the highest interest rates and tightest credit in this country's history.

These economic conditions have resulted from policies of reckless Government spending of the taxpayers' hard earned money. As Mr. Freeman says in his editorial, it is the old Democratic policy of "taxing and taxing, spending and spending, electing and re-electing."

Mr. President, fortunately we will shortly have a President who will have the courage to attempt to set the Nation's financial affairs in order. Hopefully, it is not too late to save America and her people from the hardships that history has shown result from such imprudent money management.

Mr. President, I ask unanimous consent that this article be printed in the RECORD, at the conclusion of my comments.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON INHERITS AN ECONOMIC MESS

Barring a financial miracle beyond the wildest imaginations, the Johnson administration will go out of office January 20 with interest rates at the highest level in history and credit about the tightest it has been in the memory of most Americans.

That is some prospect for a Democratic administration, since the Democrats pride themselves as being "the party of low interest rates and easy money."

The reversal or defeat of the Democratic party's traditional top priority aim, of course, is due to the Democratic policy of "taxing and taxing, spending and spending, electing and re-electing." This policy was originated and enunciated early in the Roosevelt administration and was brought to full fruition by President Johnson with disastrous results.

Wild government spending on all sorts of inflationary, experimental, giveaway social schemes, even in the middle of a costly war, long ago ran the nation out of hard money. And now the country is running out of credit as well—a sad fact we described and predicted many long months ago.

Federal government borrowing has done two ruinous things:

It has caused rapid inflation, which in turn has forced state and local governmental units, as well as private enterprise, to borrow more.

The federal demand for credit money has pre-empted credit sources once available to local governments and private business.

The combination has produced a chronic strain upon the supply of credit money—a strain which sometimes gets acute, as in the 1966 "money crunch."

As a result a lot of people and businesses cannot find any credit money to finance worthwhile and desirable personal and private enterprise projects and programs, including creation of jobs. Those who are able to find credit must pay outlandish interest rates, the result of the inevitable law of supply and demand in the monetary markets.

A few years ago the idea of seven per cent interest for such things as new houses would have been unthinkable. Now a major bank has set the seven per cent rate on prime loans which go only to blue-ribbon accounts. What the interest rate will be for small businesses and individuals is difficult to determine.

The squeeze affects everybody. It results in higher costs all along the line. It disrupts long range planning by individuals and by industry. It affects adversely the nation's foreign accounts.

This is the disarray brought on by years of mismanagement and profligacy in fiscal and monetary affairs. The new Nixon administration is inheriting a sorry state or affairs and will be put to a severe test as it tries to bring some order out of the chaos.

The central fact is that years of abuse have produced a situation in which the demand upon America's credit resources exceeds the economy's capacity to generate the savings upon which credit has to be based.

Fortunately the Nixon philosophy as enunciated during the long campaign and the new men he is bringing into the government to implement that philosophy offer hope that things can be set straight. It will take much time, patience, and careful management to undo the damage that has been done to the nation's general economic health.

Mr. Nixon and his administration will need the support and understanding of all Americans in the months ahead as they make the necessary steps, some of them painful, to restore economic stability to this nation.

RECESS UNTIL 10:30 A.M. MONDAY

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in recess until 10:30 a.m. Monday morning next.

The motion was agreed to; and (at 1 o'clock and 40 minutes p.m.) the Senate took a recess until Monday, January 20, 1969, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate, January 17 (legislative day of January 10), 1969:

IN THE AIR FORCE

Lt. Gen. Joseph R. Holzapple, FR1897 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of general, under the provisions of section 8066, title 10 of the United States Code.

Lt. Gen. John W. Carpenter III, FR1647 (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10 of the United States Code.

IN THE NAVY

Vice Adm. Charles T. Booth II, U.S. Navy, and Rear Adm. Paul P. Blackburn, Jr., U.S. Navy, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Jerry F. Edmonds, Grant, Ala., in place of J. C. Campbell, retired.

ARKANSAS

Wardell J. Langford, Kingsland, Ark., in place of M. A. McCoy, deceased.

CALIFORNIA

Orvene S. Carpenter, Port Hueneme, Calif., in place of R. L. Van Slyke, retired.

GEORGIA

William F. Rumsey, Athens, Ga., in place of H. C. King, retired.

KANSAS

William L. Hampton, Ulysses, Kans., in place of J. S. Forrer, retired.

MICHIGAN

William J. Nelson, Centreville, Mich., in place of O. L. Thomas, retired.

Allen Lake, North Branch, Mich., in place of L. G. Hohman, deceased.

NEVADA

Carol M. Minto, Gerlach, Nev., in place of H. C. Thrasher, retired.

NEW JERSEY

Edgar A. Archer, Hightstown, N.J., in place of L. P. Ivins, removed.

Robert V. Suydam, Trenton, N.J., in place of John Dawson, retired.

NEW YORK

Mary D. Brown, Silver Springs, N.Y., in place of L. F. Wagner, retired.

NORTH CAROLINA

Sandra D. Bryson, Glenville, N.C., in place of C. B. Reynolds resigned.

James R. Overcash, Woodleaf, N.C., in place of O. M. Click, retired.

WASHINGTON

Kathryn E. Brady, Stevenson, Wash., in place of H. A. Miller, retired.

ALABAMA

Charles R. Henderson, Eutaw, Ala., in place of J. P. Livingston, deceased.

CALIFORNIA

Miguel A. Figueroa, Blythe, Calif., in place of S. C. Avery, transferred.

CONNECTICUT

John E. Victoria, Stonington, Conn., in place of W. J. Farnan, retired.

KANSAS

Joseph R. Ashens, Cherryvale, Kans., in place of H. T. Utter, retired.

MICHIGAN

Harold J. Wescoat, Copper Harbor, Mich., in place of S. D. Wescoat, retired.

NEW JERSEY

Herman W. Meyers, Frenchtown, N.J., in place of P. R. Cronce, retired.

OHIO

Myron A. Bruno, Ravenna, Ohio, in place of F. E. Bisson, deceased.

OKLAHOMA

McMillan Lambert, Ardmore, Okla., in place of M. M. Cassity, transferred.

PENNSYLVANIA

John F. Knipper, Coaldale, Pa., in place of D. J. Gildea, resigned.

PENNSYLVANIA

George C. Smith, Turbotville, Pa., in place of D. C. Chamberlan, retired.

TEXAS

Betty P. Ferguson, Bronson, Tex., in place of O. D. Morgan, retired.

Hilda C. Terry, San Perlita, Tex., in place of M. D. Moore, retired.

WASHINGTON

Verner Hoglund, Darrington, Wash., in place of Melvin LaHammer, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 17 (legislative day of January 10), 1969:

POSTMASTERS

ALABAMA

William R. Roberoson, Alpine.
Bobby W. Enfinger, Black.
George W. Davis, Brundidge.
William H. Huffman, Jr., Carrollton.
Doris R. Black, Daviston.
W. Waite McCorquodale, Jackson.
Lucile S. Moncrief, Letohatchee.
Harold G. Merrill, Red Level.
Clifton A. Stubbs, Satsuma.

ARKANSAS

Jimmy L. Ballenger, Corning.
Joe E. Lindley, Dardanelle.
Eddie Farris, Evening Shade.
William A. Bowden, Everton.
Evelyn M. Erstine, Gillett.
Charles R. Howard, Mineral Springs.
John I. Arledge, Jr., Wabbaseka.
Clara E. Saeler, Watson.

CALIFORNIA

Barbara J. Sciacca, Chicago Park.
Mary M. Thomas, Shingletown.

CONNECTICUT

Robert J. Shannon, Sandy Hook.
Alden F. Victoria, West Mystic.

GEORGIA

Lewis F. Adams, Buchanan.
Howard N. Floyd, Danielsville.
Jackey D. Colley, Portal.
Dallas L. Brown, Rome.
Carl B. Mock, Warrenton.

INDIANA

Richard T. McIntyre, Ambia.
Paul R. Joyner, Arlington.
Kenneth R. Messel, Bicknell.
George L. Judy, Bryant.
Harry R. Ray, Chesterton.
Wendell R. Dougan, Dale.
Leo L. Ponto, Earl Park.
Anna P. Halsema, Fair Oaks.
Billy D. Caudell, Fortville.
Russell L. Hirschy, Geneva.
Hubert E. Samm, Hymera.
Norma A. Brasseur, New Carlisle.
John W. Trout, Jr., New Castle.
Lauretta A. Jaeckel, Roselawn.
Gerald L. Bole, Van Buren.
Robert R. Awald, Walkerton.
Robert D. Crane, West Lebanon.
Richard K. Parker, Wheatfield.
Kenneth L. Chaney, Whiteland.

LOUISIANA

Lloyd L. Priest, Bastrop.
Hazel M. Henigan, Bentley.
Huey T. Fontenot, Palmetto.
Laverne A. Ayers, Ringgold.

MAINE

Wilfred A. Weed, Deer Isle.
Harry A. Turner, Eastport.
Elizabeth K. Champion, East Waterloo.
Robert S. Lash, Jr., Friendship.
Leo J. Ashey, Greenville.
Thomas E. Reeves, Hampden Highlands.
George E. McGillicuddy, Houlton.
Frederick E. Lovering, Litchfield.
Charles W. Bennett, Monroe.
Louise G. Dill, Newagen.
Wallace E. Bragdon, Jr., New Gloucester.
Madeleine C. Belden, Palermo.
Vernon C. Norton, Steuben.
Elsie P. Stormann, Stillwater.
Bernard J. Pagurko, Topsham.
Shirley M. Moore, Woolwich.

MICHIGAN

David Rigozzi, Jr., Bangor.
Emil Knoska, Decatur.
Virginia A. Soulliere, Harsens Island.
Frank J. Rodman, Hermansville.
Lawrence D. Jordan, Oakley.
June A. Noud, Stanwood.
John Douglas, Sterling.

MINNESOTA

Charles F. Ward, Anoka.
James D. Rassmussen, Grand Rapids.
David P. Page, Jr., Hines.
James A. Niles, Merrifield.
James P. Fitzgerald, Monticello.
Alvin W. Erickson, Morris.
Harvey E. Stokke, Newfolden.
Louis P. Chalupsky, Pine City.
Norman D. Milne, Preston.
Elmer A. Goodman, Rockford.
Sarah T. Coffelt, St. Paul Park.
Imelda A. Schuman, Swanville.
Robert J. Stern, Upsala.
Edward E. Rolsch, Zumbro Falls.

MISSISSIPPI

George M. Evans, Brooklyn.
Dewey F. Vance, Lake.
Marks W. Jenkins, Newton.
Francis A. Stanford, Ripley.

MISSOURI

Alva C. Clark, Ballwin.
Robert C. Rudloff, Crystal City.
Emmett C. Washburn, Ewing.
Lowell D. Hale, Faucett.
Jesse H. Crenshaw, Foley.
Emmit P. Hart, High Hill.
Don M. Glaser, Huntsville.
Joseph F. Fish, La Grange.
Vivian K. Morriss, Lanagan.
Earldean O. Henry, Mercer.
Willoughby L. O'Connell, Nevada.
Benjamin F. Marshall, Phillipsburg.
Morris Moore, Rocheport.
James A. Godsey, Tina.
Melvin L. Campbell, Troy.
Robert R. Jones, Vienna.

MONTANA

Anthony L. Senden, Conrad.
Walter D. Bilbro, Dupuyer.

NORTH CAROLINA

Martha S. Seymour, Belcross.
William E. Bazemore, Cofield.
Susie P. Knox, Creston.
Howard A. Gray, Enfield.
Craven M. Sealey, Evergreen.
Richard P. Roe, Lansing.
Sadie M. Paul, Oriental.
Narcie W. Turner, Pink Hill.
Enoch C. Slack, Rockingham.
Bill R. Green, Skyland.
Ernest G. Slayton, Stem.
Thomas H. Isley, Summerfield.

NORTH DAKOTA

Ivan T. Thompson, Esmond.
J. Dale Lohr, Gardner.
Lloyd H. Winkler, Granville.
Alfred H. Borho, Nekoma.
Francis A. Didier, Sanborn.
Selma C. Johnson, Sutton.
Donald F. Babitzke, Wishek.
Leonard A. Spilde, Ypsilanti.

PUERTO RICO

Josefina B. Tort, Aguadilla.
Raul P. Roque-Colon, Guayama.
Pedro J. Monge-Manzano, Rio Grande.

SOUTH CAROLINA

Lucile Carson, Arcadia.

TENNESSEE

Hattie W. Saulpaw, Calhoun.
Lowell W. Linkead, Mountain Home.
Milton J. Perry, Mount Pleasant.

VIRGINIA

Thomas C. Coleman, Jr., Boydton.
Virginia E. DeJarnette, Brookneal.
Robert D. Moxley, Independence.
Ronald M. Taylor, Madison Heights.
Agnes S. Covington, Milford.
Billy G. Zirkle, Quicksburg.
W. George Cleek, Warm Springs.

WASHINGTON

Robert E. Mosher, Asotin.
Arline R. Reid, Carson.
James C. Earley, Enumclaw.
Jerry M. Anderson, Lummi Island.
Earl S. Sasser, Mukilteo.
Lawrence H. Dykers, Oak Harbor.

WEST VIRGINIA

Charles W. Gardner, Belle.
Henry S. Hammett, Belmont.
A. Bernadine Porter, Carolina.
Madeline C. Brown, Cyclone.
Nada L. Miller, Davis.
James E. Morford, Grantsville.
Betty K. Fleming, Harts.
Boyd S. Butts, Hedgesville.
Paul J. La Neve, Newell.
Patricia G. Sidebottom, Peach Creek.
Betty J. Workman, Peytona.
George W. Hartman, St. Albans.

WISCONSIN

Lynn E. Burton, Colgate.
John R. Seefeldt, Granton.
Warren A. Ogren, Hayward.
LaVerne H. Marquart, Knowles.
Charles V. Timm, Mindoro.
James M. Dahl, New Auburn.
Dennis F. Sexton, New London.
Dennis J. Clossey, Jr., Reedsburg.

MASSACHUSETTS

Andrew J. Sacco, Bedford.
Everett P. Gould, Boxford.
Carlos L. Figueiredo, Mattapoisett.
John J. Quinlan, Peabody.
Edward J. Zerdecki, Three Rivers.

WYOMING

Emerick Huber, Casper.
Duane L. McKinney, Osage.
Eva Mae Emerson, Rock River.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE COAST GUARD

The nominations beginning James H. Swint, to be captain, and ending William A. Publicover, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 9, 1969.

IN THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The nominations beginning Donald R. Tibbit, to be commander, and ending Richard M. Mathis, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 13, 1969.

EXTENSIONS OF REMARKS

EMPLOYMENT OF THE MENTALLY RETARDED

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. PICKLE. Mr. Speaker, since passage of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963, we have seen a great deal of progress in the attention being given to the mentally retarded.

One area in which I feel our efforts will yield especially valuable rewards is that of employment of the mentally handicapped.

The President's Commission on Employment of the Handicapped has worked closely with the State mental health departments to promote employment of the retarded, and it is heartening to note that this type of program truly does solve the problem of caring for those persons who only a few years ago were considered destined to permanent institutionalization.

Mr. Speaker, Curtis Lee Smith, with the Texas Department of Mental Health and Mental Retardation, recently called to my attention a warming story of the kind of progress which can be realized if only the effort is made.

At this point in the Record, I include Mr. Smith's article:

Employment of the Mentally Retarded

The most immediate impression on surveying the activity at Thurman Johnson's ranch near Goldthwaite, Texas, is that nothing appears exceptional; unless you consider an abundance of hard ranch work exceptional.

Johnson raises turkeys and lambs; about 100,000 of each per year. A 1955 graduate of Texas A&M University, he is articulate, but not given to lengthy speeches. He, his wife Jane Ann, and their three daughters live on a ranch that is not pretentiously large. In short, there is nothing superficially impressive about the man or the place.

But it is precisely this unexceptional atmosphere of hard work and unspectacular but noteworthy accomplishment that conceals an exceptional significance. Two years ago, Johnson commenced hesitatingly to staff his ranch operations with some exceptional people.

As the result of a growing volume of complaints about the severe farm labor shortage plaguing the Goldthwaite area, Johnson and other ranchers in the vicinity were visited by John Stowe, Vocational Rehabilitation Counselor from Abilene State School. Johnson, alone, was convinced by Stowe to hire three residents from the school for the mentally retarded. The other ranchers were scornful of the possibility that the idea would succeed. There were stipulations attached regarding provision of room and board. Boarding and dining facilities had to be constructed. And, public feeling toward any kind of mental aberration was especially high at that time. Only a few weeks before, a deranged sniper had created an epic of terror from atop a tower in Austin, only 100 miles away.

So Johnson was bucking the tides of popularity, convenience, and prevailing fear when he made the commitment to employ the retarded. And, the commitment has not been entirely without problems. There have been mistakes, difficulties in adjusting to a new environment, and minor disciplinary problems.

But, patience, perseverance, and a dogged determination to make it work have paid handsome dividends for Johnson, for the community, and for "the boys" as he fondly calls his employees. "There are no more problems with them than with any other given group; in fact, I suspect there are considerably fewer problems," said Johnson. Today Johnson employs 34 former residents of schools for the mentally retarded and mental hospitals. Besides performing every imaginable chore relevant to the operation of a sizeable turkey and sheep ranch, they have constructed their own quarters and do their own cooking, cleaning and laundry. They also negotiate routine purchases and repairs in Goldthwaite on ranch business, in addition to banking and conducting personal business. They are more confident and happier than they have ever been.

There have been no community incidents involving these workers, who range from 18 to 61 in age. The small community has gained the not insignificant trade from a new payroll. The state of Texas has gained 34 taxpaying citizens in place of an annual tax outlay of $75,000.

Johnson's ranch operations have not only prospered but, today, pulsate with growing pains. He says the ability of these employees to take on anything I ask of them has given him the confidence to take on ambitious projects, previously beyond the realm of practical consideration. He bestows a lion's-share of credit for the success of the endeavor on his foreman Dan Tyson and his girl-Friday, Mary McClung. "They are just as stubborn as I am," he admits.

On October 26, in Detroit, Michigan, Thurman Johnson was named "Outstanding Employer of the Year" in the U.S. by the National Association for Retarded Children. John Stowe along with Abilene State School Superintendent, L. W. Cain, and enthusiastic supporters of the Texas Association for Retarded Children who gave Johnson the state award and nominated him for the national honor, believe that there could not have been a more appropriate choice.

Johnson regards the award proudly, but he observes, "It has paid off well as a business proposition, which is why I first tried it. But I would be less than truthful if I didn't admit that it has gone deeper than that. Dan, Mary, and my whole family are personally involved with these boys now. They really get under your skin."

Footnote: Robert E. Vassallo, Director of Vocational Rehabilitation for the Texas Department of Mental Health and Mental Retardation, (Box S, Capital Station, Austin 78711) suggests that prospective employers who wish to explore the potential employability of mildly retarded citizens, contact him.

OEO'S FOSTER GRANDPARENTS PROGRAM HIGHLY SUCCESSFUL—PROJECT ENRICHES LIVES OF ELDERLY CITIZENS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, January 17, 1969

Mr. RANDOLPH. Mr. President, the foster grandparents program, initiated and funded by the U.S. Office of Economic Opportunity, has greatly enriched the lives of our underprivileged elderly citizens. The program provides older persons with part-time employment in caring for institutionalized and physically or mentally handicapped children. A new project in Parkersburg, W. Va., employs 30 foster grandparents who will work through the local boys club and through the boards of education in nearby communities and counties.

A recent article by Martin E. Segal for the Huntington, W. Va., Advertiser describes the merits of this and other foster grandparents programs throughout the country. Mr. Segal cites an evaluation of the overall program which was conducted by Greenleigh Associates, Inc., of New York. Their report concludes that the "foster grandparents program has demonstrated great value and should be expanded on a larger scale."

A North Texas State University evaluation reports that "The foster grandparents appear to be proudly involved in meaningful work, which in turn provides them added economic resources for fuller social participation and maintenance of self-respect. The program does enrich the lives of the children it touches, and anyone who is familiar with institutions for retarded children will not judge this to be a minor success."

It is my hope that this worthwhile effort continues and I look forward to the time when all older persons desiring to serve in this program can do so.

Mr. President, I include in the Record at this point, Mr. Segal's feature on this meritorious program, with the hope that it will increase the interest of my colleagues in supporting OEO's foster grandparents program.

There being no objection, the article was ordered to be printed in the Record, as follows:

Foster Grandparents Help

One of the best achievements in the War on Poverty has been the accomplishments of the Foster Grandparents Program. It is a most satisfying program—to those who work in it and to those who benefit from it.

The program recruits, trains and employs persons 60 and over and who fall below an income level of $1,600 a year. They work with neglected and deprived children in various institutions, such as orphanages, charity institutions and hospitals. The work consists of reading to a child, talking with him and playing with him. Mostly, however, it's giving a deprived, a sick, a deformed, a forgotten child the human contact and human love that every child requires and deserves. For this the Foster Grandparents are paid at the minimum hourly wage for some 20 hours of work a week.

Healthy older persons who have the understanding, maturity and patience which only years can bring are given the feeling of being needed. And the income they earn working with the children helps them maintain a minimum standard of living. More than an opportunity for making money, the Foster Grandparents report that it has been one of the most worthwhile experiences in their lives.

An early evaluation of the program conducted by Greenleigh Associates, Inc., of New York, said the "Foster Grandparents Program has demonstrated great value and should be expanded on a larger scale."

A more recent evaluation by researchers at North Texas State University, reported

"The Foster Grandparents . . . appear to be proudly involved in meaningful work, which in turn provides them added economic resources for fuller social participation and maintenance of self-respect."

On the impact on the children, the North Texas State study said, "no matter how fleeting the contact or how limited the carryover, the program does enrich the lives of the children it touches, and anyone who is familiar with institutions for retarded children will not judge this to be a minor success."

When the Foster Grandparents program began, it operated in only a few cities and used only a few persons. Despite the handicap of lack of funds, the program has grown over the three years of its existence. It now employs some 4,000 elderly persons in 63 projects in 40 states. More projects are on the drawing board.

Six new programs have recently been announced. One of the projects, involving the Prince Georges County (Md.) Community Action Agency, is the first of its kind in the country to serve children with cerebral palsy here. It will employ 30 senior citizens, 10 of whom will work in the College Park United Cerebral Palsy Center serving 35 children, all too handicapped for public schooling. Another 10 of the Grandparents will work in a retarded children's day center, and the others in a school serving such children.

New projects in Rockland County, N.Y., and Helena, Mont., will also make it possible for the retarded child to find a new friend and counselor.

Wayne County, Mich., will employ 25 Foster Grandparents to help children at the Plymouth State Home and Training School and the Ypsilanti Hospital. Children in the pediatric ward of a Detroit hospital will also be helped.

In Parkersburg, W. Va., 30 Foster Grandparents will be put to work through a boys club and through the boards of education of nearby communities.

Despite the great success of these programs, they scratch only the surface. Waiting lines of older people who want to participate in the program are long. Some get discouraged when their requests are tabled or turned down. But further expansion of the Foster Grandparents Program is governed by already tight government funds.

These programs have already blazed a trail which is being followed without federal funding by community and church groups throughout the country. These programs also have as their goal the mutual help that the aged and youth can give each other.

LOUISIANA

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. HÉBERT. Mr. Speaker, as you know I represent the First Congressional District of Louisiana, but have always been proud not only of my area in and around New Orleans but of the whole State.

For 28 years during my tenure in Congress, I have exalted the qualities and features of my great State. I have spoken millions of words, no doubt, on this subject.

But now a dear friend of mine has eloquently put all I have been trying to say into a few poetic words in a poem entitled "Louisiana."

Mrs. Clara Flournoy Gay, known to her many friends in New Orleans as "Bootsie," has captured the atmosphere of the State and the attitude of its people with this most beautiful means of communication, which has captured the heart of the people of Louisiana.

Mr. Speaker, you might say I am bragging about my State, but I wanted everyone to read this poem which says so much, in so little, so well.

I am grateful to "Bootsie" for making this work available to me, so I can make it available to you. I insert her poem at this point in the RECORD:

Louisiana

(By Clara Flournoy Gay)

Oh! come to Louisiana,
Where corn and cotton grow,
And sugar cane stands proudly,
Against the man made row.

Oh! come to Louisiana,
Where pine trees touch the sky
And willows line the bayou banks,
As pirogues pass them by.

Oh! come to Louisiana,
Where magnolias caste a light
On colored folk with banjos,
As they sing and dance all night.

Oh! let me live in Louisiana,
Until the day I die.
Then bury me on a hill top
Beneath the Southern Sky.

ELECTORAL REFORM: THE MARTIN PLAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. RARICK. Mr. Speaker, the Honorable Wade O. Martin, secretary of state for Louisiana, has authored a plan to reorganize the electoral college system of our Government.

Mr. Martin's plan would be to retain the electoral college—a protective safeguard to small States—and a necessary aspect to permit ratification by the States.

His constitutional revision would, however, discontinue referral of the election to Congress, if no majority is obtained in the electoral college. In lieu of Congress electing a President, the electors in the electoral college would take a subsequent vote between the two nominees for President who received the highest vote.

Mr. Martin's plan is presently under study by the National Association of Secretaries of State headed by Mr. Martin.

Mr. Speaker, I insert a release from the Daily Iberian for December 21, 1968, as follows:

A LOUISIANA PLAN

Louisiana's astute and administratively able secretary of state, Wade O. Martin, Jr., may go down in the history books as the author of the plan which at long last satisfactorily reorganized the electoral college system of the United States.

His plan would eliminate the "winner-take-all" procedure by which the presidency can be won by a candidate with a minority of the popular vote; or by decision thrown into the House of Representatives, with the attendant public uproar, legalistic wrangles and other dissatisfactions spawned by the latter eventuality.

(In reminder, the plurality winner in popular vote in each state now gets all of that state's electoral vote, regardless of how close the vote. By various combinations of majorities among the states, a nominee can win the presidency while his opponent has a sizeable majority of popular vote. If nobody wins a majority in the electoral college, the selection of the president is thrown into the U. S. House; the vice presidency into the Senate.)

Martin's plan has been taken under study at a level calculated to afford nationwide attention—by the National Association of Secretaries of State. And Martin heads that study.

In sum, Martin would:

Retain the electoral college with its membership equal to the total composition of Congress.

Elect two at-large electors by the total vote in each state, and one member each from each congressional district. These electors would be morally but not legally bound to cast electoral college votes for the nominees of their respective parties.

Discontinue referral of the election to Congress if no majority is obtained in the electoral college. This would be done by providing that if no candidate received a majority of the electoral votes, then a subsequent vote would be taken in the electoral college between the two nominees for president who received the highest vote. The winners of this second, or runoff, balloting would become president and vice president.

"This," said Martin's memorandum to the NASS convention in Anaheim, Calif., "I believe to be more democratic, more effective and more likely to be accepted than total abolishment of the electoral college as such."

The association has appointed Martin to head an interim committee on election procedure, to function until the 1969 national convention.

His group is charged with compiling recommendations for corrective changes in election laws in general, with particular reference to presidential primaries and the electoral college system.

The nation will be hearing more of this plan, one can be sure, at a level and from a professional source in each state calculated to gain attention and interest. Sensible revision of the electoral college may be on its way at last, and with a Louisianian its author.

NORTH KOREA CAN BE HURT

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. PUCINSKI. Mr. Speaker, following the release of the *Pueblo* crewmen who were held captive by North Korea for 11 months, the entire free world was shocked to learn of the tortures and brutalities inflicted upon these American sailors by their Communist captors.

At that time I proposed that the United States lead the free world in imposing an economic embargo against the North Koreans for this inhuman treatment of prisoners.

The Chicago Sun-Times commented on my suggestion and I take the liberty today to include the Sun-Times editorial in the RECORD.

It is my hope that neither the United States nor the free world is going to permit this outrageous violation of all international law to go unpunished. I am mindful that the United States is now in a period of transition between administrations, but I am extremely hopeful that President-elect Nixon will, indeed, seriously consider asking our allies to join in an economic embargo of North Korea.

Failure on our part to take appropriate action against this brazen brutality against our American sailors will constitute an invitation to the Communists to engage in further piracy on the high seas.

The Chicago Sun-Times deserves the highest commendation for its reaction to the suggestion that an economic embargo be imposed against North Korea.

The Chicago Sun-Times editorial follows:

NORTH KOREA CAN BE HURT

The United States has said that North Korea's seizure of the USS Pueblo on the high seas last January was piracy, and thus an international crime. The beatings administered to the Pueblo's crew by their captors are a heinous violation of the Hague Convention on the treatment of prisoners and thus also an international crime.

How to administer justice to a renegade nation is, however, difficult. Armed retaliation, once the answer to international brigandage, is now almost unthinkable. The world is too uneasy a place to risk further upset.

Rep. Roman C. Pucinski (D-Ill.) has suggested to President Johnson that the free world impose an economic embargo against North Korea. Pucinski points out that North Korea exports about 3,100,000 tons of goods annually. About one-third of this total is sold to the free world.

The idea of imposing an economic sanction against North Korea is attractive. North Korea buys so little from the free world that it would not upset the free world economy. Nor would the Communist bloc nations be likely to be able to make up for the sanctions; like North Korea they too need capital from the free world.

President Johnson should give Pucinski's suggestion careful consideration. When it is impractical to hit a bully in the mouth it is sometimes as satisfying to kick him in the pocketbook.

WEYMOUTH JAYCEES

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. KEITH. Mr. Speaker, at a time when there seems to be a greater and greater demand upon the Federal Government to provide funds to cure a multitude of local problems, it is refreshing to find a community group working diligently to solve a pressing problem without aid of State or Federal moneys.

In 1964, the Weymouth Jaycees, a group of young men between 21 and 35 years of age, undertook a project deemed impossible by many citizens of Weymouth. These young men felt there was a need to build a school for the training of preschool retarded youngsters. They began work to raise $60,000 for this project.

At this time, with barely one-third of the funds raised, two-thirds of the building has been constructed. This amazing progress has been made possible through the use of donated materials and labor with most of the volunteer work done on Saturdays after the laborers had completed a regular week's work on their own jobs.

The project was originally proposed to the town with a question: "Doesn't anyone care . . .". Since 1964, the Weymouth Jaycees have indeed found that many people care. The group is now nearing the end of its goal—a nonprofit school for retarded youngsters which is badly needed in the area.

IN DEFENSE OF ISRAEL

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under unanimous consent to insert my remarks in the RECORD, I insert the following article from Time magazine, January 10, 1969:

IN DEFENSE OF ISRAEL

Israel's most articulate advocate is Abba S. Eban, who as Foreign Minister has the task of explaining his country's actions to the world. Last week, in an exclusive interview with Time Correspondent John Shaw, Eban reflected on the reasons and possible solutions for Israel's present plight:

Will the adverse international reaction to the Beirut raid affect Israel's policy of retaliation?

We have no policy of retaliation. We have a policy of survival. If retaliation helps survival, we are for it. If someone could prove we could survive by giving Arab violence a free rein, then we would do so. But nobody has proved this.

The Israeli press has been invoking the history of the persecution of Jews in claiming that there is international discrimination against Israel. Do you think this attitude is justified?

The international attitude toward Israel cannot be entirely detached from traditional relationships betwen Jews and non-Jews. There is a stereotype of the Jews as passive victims of others' violence. Israel gives another picture, the picture of the Jews suffering but also resisting. World consciousness has not fully absorbed this change. I have no other explanation for the fact that the Soviet Union, which invaded Czechoslovakia, can condemn alleged Israeli "aggression" at the U.N. without the public gallery bursting into laughter.

Does Israel still believe in international order, or have you decided to go it alone?

The concept of international order is a Jewish idea we have been trying for 4,000 years to transmit to the rest of the world. It is an idea that works with great strength on the Jewish imagination. It is, however, an idea, not a reality. The U.N. does not express that idea with any effectiveness in its present composition. My view after 20 years of U.N. experience is not far different from that of General Assembly President Emilio Arenales of Guatemala: he recently referred to the "frivolity" and "irresponsibility" of certain majority decisions at the U.N.

There is talk of the big powers imposing a settlement. What do you consider are the prospects for such a solution?

A settlement can only grow from within the region, we believe. Powers outside this region have surprisingly little capacity to make the states here act against what they consider to be their interests. But the big powers can do two things here. They can force Israel and the Arabs to turn to each other by excluding the possibility of an imposed settlement. And if the adversaries make an agreement, the big powers can support such a settlement.

Some of the reaction to the Beirut raid was caused by fear that it might lead to another war. How dangerous is the situation here now?

If the danger of war has increased, it is because of what happened in Athens, not in Beirut. World War II was not caused by Anglo-French reaction, but by Hitler's initial violence. I do not think the sequence of Arab violence and Israeli reaction, however drastic, necessarily means general war. Nations do not get drawn into war; they make general war only by cold decision. In May 1967, President Nasser decided to have a war. I don't think he has made that decision again yet.

What does Israel want or expect from the new U.S. Administration, whose Middle East policy, it is speculated, may be more "evenhanded"?

American policy in the past has never shown bias toward Israel. Thus, if it is evenhanded, it will remain the same, not change. Israel hopes for three things from the U.S. First, that the Administration will see to it that war is not invited by an imbalance of forces here. This means that Israel's defenses should be maintained in the face of the massive Soviet rearming of Egypt. Second, Israel wishes the U.S. to deter the Soviet Union from intervention or intimidation here. And third, we want the new Administration to maintain President Johnson's principle that there can be no Israeli withdrawal from the ceasefire lines except to secure and agreed borders. This principle has been restated to us in Washington recently, and has also been stated by Mr. Nixon on many occasions. We do not expect the Nixon Administration to depart from these three fundamentals, even if the application of them is appraised from time to time.

THE BICYCLE POLICE: LONG BEACH, CALIF.

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. HOSMER. Mr. Speaker, the thought of a policeman patrolling on a bicycle evicts images of the London bobby pedaling through fog-shrouded streets. But the city of Long Beach, Calif., has come up with an imaginative new application for the bicycle in modern American police work.

In a recent issue of the FBI Law Enforcement Bulletin, Chief William J. Mooney, of the Long Beach Police Department, explains how his department is using plainclothes officers on bicycle to combat purse snatching, burglary, and automobile theft.

The bicycle is an ideal vehicle for these specialized patrolmen. It is quiet, easy to maneuver, economical to maintain, and sufficiently fast to overtake suspects fleeing on foot without tiring the officer.

I am including Chief Mooney's article in the RECORD:

OPERATION OF A BICYCLE PATROL

(By William J. Mooney, Chief of Police, Long Beach, Calif.)

In November 1964, street crimes, particularly purse-snatching, in downtown Long Beach, Calif. (population 385,000), were extremely high.

In order to combat these crimes, we made a study to pinpoint the problem areas. In previous months strong-arm robberies, including attempts, were charted as follows: location; day of week; time of day; loss in actual dollars; victim's age group; and age group and ethnic group of suspects.

Our study clearly indicated that a sizable number of these offenses were committed on Friday and Saturday nights between the hours of 6 p.m. and 10 p.m. in the downtown area of our city. The city was divided into sections, and a pin map of the locations of these crimes by sector was kept. The map showed that a large number of the crimes were committed in a relatively small area of the downtown section. With this information we planned to reduce crime on the streets, particularly purse-snatching, by apprehending offenders at the scene.

METHOD USED

The purse-snatcher usually follows an elderly victim from a shopping area to a dimly lighted street, perhaps a block from the main thoroughfare, approaches from the rear, grabs the purse, sometimes knocking the victim down, and flees. The perpetrator is young and fleetfooted and wears tennis shoes.

Identification of purse-snatchers is rarely possible after they have made a getaway because they approach from the rear in dimly lighted locations, and their elderly victims (most are over 60 years) often have poor eyesight.

After studying purse-snatcher MOs and reports on previous crimes, we next had to determine what transportation our officers would use.

Patrol cars were out of the question, as even unmarked police cars are easily detected, and the appearance of a vehicle on the scene of a planned purse-snatching would only delay the action until the vehicle left. Even if not detected, should the officers in the unmarked police vehicle be lucky enough to see the crime committed, they would still have to run a footrace with the suspect. In all probability the suspect would have an ample headstart. A foot patrolman would be in no better situation. If he did observe the crime at the time it was committed, he would likely lose the suspect in a chase.

We decided that for this special enforcement task bicycles would be the best means of transportation for the following reasons: They are quiet in operation; they have sufficient speed to easily overtake fleeing suspects without tiring the officer; they are easy to maneuver and can be ridden in areas inaccessible to larger vehicles; they can be secured and maintained at a low cost. Three special bicycles were selected over other types because of their speed and ease of operation.

Having decided on the transportation to be used in our program, we next directed our efforts toward the selection of officers. Those we chose were experienced, aggressive men capable of strenuous physical exertion. Because of the additional hazards involved in the operation of this detail, they were selected from a list of volunteers.

POLICE PROCEDURE

The officers were briefed concerning the MO of purse-snatchers and the use of bicycles for transportation. They were instructed to wear light-weight (preferably dark-colored) clothing and tennis shoes. (Light-weight clothing was selected, as the exertion in operating the bicycles aids in keeping the men warm.) Officers were further instructed that the bicycles would not be equipped with lights, as part of the success of this program would be based on their not being seen by the suspects. Officers were cautioned to keep out of regular vehicular traffic for their own safety.

AREAS COVERED

Much of the riding was to be on sidewalks and in alleys. The officers were instructed to stay in the shadows and off the main thoroughfares whenever possible. They were reminded that purse-snatchers might have concealed weapons. Because the suspects are usually young and consequently do not tire easily, the officers were advised to ride their bicycles whenever possible when giving chase.

Our officers work in pairs. Each carries his badge, a small flashlight, handcuffs, blackjack, a gun in a holster, and a small transistor radio equipped with a converter for monitoring police calls. If the officers monitor a strong-arm dispatch for their patrol area, they may be able to apprehend the suspects.

METHOD OF PATROL

The two officers patrol their area by riding at an easy pace on separate north-south or east-west streets one block apart. Each will ride two blocks, then crisscross and meet his partner. In the event a partner does not show up, the other officer goes back on his street to assist his partner if necessary.

While patrolling in this manner, each officer is advised to make his approach to alleys and intersections slowly and to check pedestrian movements. The most productive time of operation proved to be in the late evening hours.

Another method of operation is to follow possible suspects. If they appear to have a set destination and pass up potential victims without looking them over, officers should continue their regular patrol. Most suspects, prior to attempting a purse-snatching, generally give some indication of their intention just prior to their grabing the victim's purse. This indication will generally go unnoticed by the victim or a casual observer, but not by the trained police officer. Aside from the fact that the officer can spot possible suspects by their youthful appearance and dress, our officers have spotted them by some of the following methods: No set destination in their travel; loitering around a high crime area; following women on foot with an obvious intent to overtake them at a particular location, usually near a corner or alley; closely watching their intended victims or other pedestrians and vehicular traffic on the street, including a quick glance just prior to the taking of the purse; and movement in adjusting a gun or other weapon.

SUSPECTS ARRESTED

We have not attempted to enumerate the actual number of purse-snatching suspects arrested during our use of the bicycle patrol because such figures would be meaningless without other pertinent information.

Arrests, of course, have not been limited to strong-arm robbery, but also include homicide (committed on the street during a robbery), burglary, assault, malicious mischief, and numerous other offenses.

This department has widened the scope of the bicycle patrol. Now, in addition to the night patrol, we have two officers riding bicycles during the daytime in the downtown business district and through the large public parking lots. They have been successful in reducing thefts from parked automobiles and in arresting thieves at the scene.

PHARMACIST PHILANTHROPIST

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. SHRIVER. Mr. Speaker, Mr. Willis Fankhauser, a small businessman who operates a pharmacy in Lyons, Kans., recently received the good news that he was winner of nearly $5,000 in stocks in a contest sponsored by a drug firm. Mr. Fankhauser is deeply committed to higher educational opportunities for our young men and women, and to further this personal commitment he has decided to use the proceeds from the stocks to provide a scholarship fund for deserving students.

In these times when we are striving as a nation to improve education and assist young people who might not otherwise attend college, it is essential that private giving be encouraged. Mr. Fankhauser has set a fine example.

Under the leave to extend my remarks in the RECORD, I include the following editorial from the Hutchinson, Kans., News which pays tribute to the philanthropy of Willis Fankhauser:

PHARMACIST PHILANTHROPIST

Willis Fankhauser is proprietor of his own pharmacy in Lyons. He has learned that he has won common stocks with a value of just under $5,000 in a contest sponsored by an eastern drug firm that is one of his suppliers.

Fankhauser well could have used his prize money in covering the cost of the education of his two daughters who are now undergraduates. He could have spent it on a long winter vacation trip for him and his wife and he would only have proven a typical man had he done so.

But Fankhauser is an unusual sort of person. For him his prize money will not be a demonstration of easy come and easy go. Rather than using the $5,000 for himself, he will set up a fund with it to help deserving college students.

True it is that with present educational costs the sum he has set aside will provide only token help for deserving students. But the token is important because it represents an act of humanitarianism.

The world would be better off if there were more Willis Fankhausers.

ISRAEL AND THE ARABS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. PUCINSKI. Mr. Speaker, following are excerpts from two editorials on the current Middle East crisis, which appeared last week in, respectively, the British weekly the New Statesman, and the conservative London Daily Telegraph.

I should like particularly to call attention to the London Daily Telegraph editorial which quite properly states that while the Arabs, with full Soviet support, are preparing for the next war of revenge, they have made the various guerrilla organizations their main offensive weapon against Israel.

The excerpts from the two editorials follow:

ISRAEL AND THE ARABS

THE NEW STATESMAN

Israel exists and is entitled to preserve herself from extinction—the avowed aim of the Arabs. Three times they have tried with their regular forces to destroy her, and have failed. Now, unwilling for the present to risk further state-to-state conflict, they permit, in some cases encourage, terrorism. Israel can get no redress at the U.N., which she understandably regards as a hothouse of hypocrisy. . . .

[The raid on the Beirut Airport] unleashed a torrent of international abuse and moralizing on the heads of the Israelis—notably from such countries as Britain, which bears the brunt of the insurance, and America and France, which have large financial holdings in the battered airlines.

It is significant that no such indignation was voiced after the Athens incident, in which an Israeli was killed.

THE LONDON DAILY TELEGRAPH

Given the customary double-dealing at the United Nations, it was a tactical mistake on Israel's part to lash out on quite such a scale against Beirut Airport. As for the bias against her, a comparison between last August's Security Council vote on the abortive resolution against Russia's unprovoked aggression on Czechoslovakia and the present prompt and unanimous condemnation of Israel's reprisal tells its own tale.

The democracies judge each case either in a lofty moral ivory tower or on the basis of their own immediate special interests; the Communist states vote solidly together, supported except on the rarest occasions by the great majority of the Afro-Asian countries.

It is disgraceful that the British and American delegates did not insist on some condemnation in the resolution of systematic Arab terrorism and of the attacks on Israeli aircraft.

The fact is that during the interim period while the Arabs, with Russian help, are preparing for the next war of revenge they have made the various guerrilla organizations their main offensive weapon against Israel.

It should not be necessary to quote Sarajevo as a reminder that governments have always been held responsible for such activities conducted from their territories—or of the dangers of overplaying this particular gimmick. In this case the Lebanese Prime Minister has himself accepted responsibility. Allowance must be made for the strain imposed on Israel.

ALWAYS ON MONDAY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. McCLORY. Mr. Speaker, it was my great honor to sponsor the legislation that became the Uniform Monday Holiday Act of 1968.

By providing that four nonreligious holidays will fall on the same specified Mondays in every year beginning in 1971, this popular law will afford our citizens more leisure and opportunity to visit historic shrines and will benefit schools and businesses.

The merit and wide support of the bill were indicated by the final vote of 212 to 83 for its passage in the House of Representatives and by its passage by voice vote in the Senate. And the President voiced high praise for the bill in signing it into law on June 28, 1968.

However, the Congress deliberately wrote this law, Public Law 90–363, to apply only to Federal employees and the District of Columbia. So—as Pennsylvania did just last month—each of the 49 other States must pass companion enabling legislation to make the same holiday schedule apply to its residents. Hopefully, they will do so before 1971, when the four new 3-day holidays will be observed in most of the country.

These and other important points about this new law are thoroughly spelled out in a brief brochure, "Always on Monday," that has been made available by the National Association of Travel Organizations for distribution in the States. I include the text of that brochure at this point in my remarks:

ALWAYS ON MONDAY: FIVE AUTOMATIC 3-DAY WEEKENDS A YEAR

No more disruptive and disappointing Tuesday, Wednesday or Thursday single-day holidays when Washington's Birthday, Memorial Day, Veterans Day and Columbus Day haphazardly fall in midweek and provide no time for meaningful observance.

Three-day weekend holidays will become a reality for federal employees and residents of the District of Columbia starting in 1971 under provisions of the Uniform Monday Holiday Act which Congress overwhelmingly and bipartisanly passed after thorough hearings and which the President signed on June 28, 1968. However, if residents of your State are to be guaranteed the benefits of Monday Holidays, your State Legislature must now enact a holiday law paralleling the federal legislation.

WHY MONDAY HOLIDAYS?

Creating these automatic three-day holidays will make these non-religious holidays work for people instead of the other way around. Consider just some of the benefits:

Developing a sense of patriotism in America's younger generation by providing additional time for families to take their children to national shrines and historic sites, and time for communities to hold patriotic pageants commemorating these holidays. (Recognition of this benefit led many Congressmen with distinguished military records to strongly support this legislation.)

Providing additional leisure time so people can enjoy fuller participation in hobbies as well as educational and cultural activities.

Encourage family cohesiveness by providing time for families to be together with sons in the service, children at college. Today, school, job, military and social obligations pull family members apart. They need these family get-together breathers.

Reducing industry and school absenteeism which now surround one-day, midweek holidays.

Permitting business and school operation over four consecutive weekdays, thus avoiding costly mid-week shutdowns and start-ups.

Providing substantial sums of extra tax money in towns and cities throughout the United States, in the form of local taxes paid by tourists and travelers on gasoline, cigarettes and other purchases.

At the White House on June 28, President Johnson summed up benefits of Monday Holidays when he said, "The Bill that we sign today will help Americans to enjoy more fully the country that is their magnificent heritage. It will also aid the work of government and bring new efficiency to our economy."

WHAT THE 1971 CHANGE WILL BE

Here's what the federal holiday calendar will look like when the law goes into effect in 1971:

Washington's Birthday on the Third Monday every February.

Memorial Day the last Monday in May.

Columbus Day the second Monday in October.

Veterans' Day the fourth Monday in October.

In addition, Labor Day will continue to be the first Monday in September, making a total of five long weekends each year.

WHAT WON'T BE CHANGED

Such religious holidays as Christmas, Easter, and Thanksgiving, plus Independence Day are not affected. They stay as is.

IS THIS CALENDAR TAMPERING?

Not at all. Already, because of the vagaries of history and the two calendars used during the Christian era, many holidays are celebrated on "wrong" or arbitrary dates having little or no connection with the events they commemorate.

For instance, Washington's Birthday, going by the Julian calendar in use at the first President's time, was actually February 11, not February 22.

Memorial Day was originally set for eulogizing the dead of the Civil War, but since World War I it also has commemorated the dead of other wars. So May 30 is not fully significant to the now broader purpose of the observance.

Veterans' Day was first Armistice Day, marking the end of World War I. But in 1954, it was changed to Veterans' Day to salute veterans of all our wars. So the November 11 date might just as well be May 7 (the German surrender in World War II), September 1 (Japanese surrender) or July 27 (Korean armistice). Moving observance of these events to regularly fall on Mondays represents no lessening of historical significance.

As a case in point, since Canada moved observance of the Queen's birthday and all other holidays except Christmas and New Year's Day to fall on Monday, awareness there of the importance of these commemorative days has increased.

NEVER ON MONDAY FOR YOU?

Remember, this highly popular new law applies only to federal government employees, wherever they work or are stationed, and to the District of Columbia. In other words, federal agencies, their regional and field offices, Federal Reserve banks, military posts, post offices and many other facilities will be closed on these five Monday Holidays every year.

WIDESPREAD ENDORSEMENT

In the comprehensive hearings Congress conducted, support for Monday holidays was voiced by such diverse organizations as: Air Transport Association, Amalgamated Transit Union, American Federation of Government Employees, American Hotel & Motel Association, American Petroleum Institute, American Retail Federation, Chamber of Commerce of the United States, Government Employees Council, AFL–CIO, National Association of Food Chains, National Association of Letter Carriers, AFL–CIO, National Association of Manufacturers, National Association of Motor Bus Owners, National Association of Travel Organizations, National Recreation and Park Association, U.S. Civil Service Commission, U.S. Department of Commerce, U.S. Department of Labor.

WHAT YOU CAN DO

In a spirit of state-federal cooperation, Congress deliberately wrote the law to leave conforming action up to the individual States. Encourage your State Legislature to act now to make your State holiday calendar conform to the new national holiday schedule and the schedule which other States are adopting. Prompt passage of your State law is essential so that all of us will share the same national holidays—and benefits—starting in 1971.

MARIHUANA—A CALLING CARD TO ADDICTION

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. ROONEY of New York. Mr. Speaker, the Law Enforcement Bulletin of the Federal Bureau of Investigation, always an authoritative and informative publication, carried an article in its November issue of extreme importance to all Americans, not just law-enforcement officers. The article, written by the Honorable Henry L. Giordano, Associate Director of the Bureau of Narcotics and Dangerous Drugs of the Justice Department, is entitled "Marihuana—A Calling Card to Addiction." It dispels, with finality and authority, the canard that marihuana is harmless, and that its open sale should therefore be legal.

Under unanimous consent, I insert the article at this point:

MARIHUANA: A CALLING CARD TO NARCOTIC ADDICTION

(By Henry L. Giordano, Associate Director, Bureau of Narcotics and Dangerous Drugs)

Today, America may be "sleeping" while antisocial activity grows in intensity. Certainly this is true concerning the increasing problem of marihuana abuse.

Dozens of news clippings, editorials, and magazine articles in recent months have proclaimed the virtues of marihuana. But most writers fail to present a full and objective discussion of the other side of the coin—the side indicating marihuana abuse is harmful to the health, safety, and welfare of our society. If such writers give a complete distortion, they are indulging our communities in a very dangerous gamble. By presenting only the pro-marihuana arguments, which sell copy, the public has been deprived of the real, vital and objective facts necessary to make an intelligent choice about marihuana.

Law enforcement officers appear to be the sole voice in the wilderness warning that today's growing permissive attitude about marihuana leads to an increase of all types of drug abuse rather than to its control. Law enforcement officers who defend society from the depredations of drug dependence have a responsibility to show to the people what is happening and correct errors and misconceptions about drug abuse.

There is nothing to prevent acceptance of this challenge, and this article will highlight points against marihuana. Marihuana is not only an extremely dangerous drug—it is a menace to public health, safety, and welfare.

When discussing marihuana, it is imperative to define the sometimes confusing terminology. The term "marihuana" embraces all the fancy and vernacular names you hear—the so-called "American type," the so-called "Mexican type," "hashish," "bhang," "ganja," "charas," "cannabis," "cannabis resins," "cannabinol," "cannabidol," "tetrahydrocannabinol," "pot," "tea," or "weed."

The potency of the drugs ranges from the limited effects of poorly harvested marihuana to the severe effects of "hashish" or "charas." Most of the marihuana consumed in the United States is made up of the leaves and flowering tops of the marihuana plant. To a lesser extent, "hashish" is also being consumed by the users in the United States. But whether a person is using the so-called "Mexican-type" marihuana or the more potent "hashish," the potential for abuse is ever present. The only difference is that a user of "hashish" need not smoke as much to reach the desired result.

Marihuana differs significantly from the drugs in the opium family in that it does not produce addiction of the morphine type. Abstinence does not produce a physiological withdrawal syndrome in the user. However, its use does result in a psychological dependence and, according to Dr. David P. Ausubel, chronic users go to great lengths to insure that they will not be without the drug. Deprivation may also result in "anxiety, restlessness, irritability, or even a state of depression with suicidal fantasies, sometimes self-mutilating actions or actual suicidal attempts," which are all symptoms of a psychological withdrawal syndrome. For these reasons, marihuana is more often said to be habituating than addicting, although a recent investigator claims there is little difference from a psychiatric point of view.

NO MEDICAL USE

In the past, efforts to find a proper medical use for marihuana were not successful. As the American Medical Association's Committee on Alcoholism and Drug Dependence indicated, "marihuana has no known use in medical practice in most countries of the world, including the United States."

It is also interesting and significant that the United Nations 1961 single convention on narcotic drugs placed marihuana in a special category with narcotic drugs particularly liable to abuse and to produce ill effects and lacking offsetting therapeutic advantages possessed by less harmful drugs. The decision to include marihuana among other exceedingly dangerous substances was based upon the judgment of drug experts. This same convention established requirements whereby the United States maintains special measures of control over marihuana and prohibits "the production, manufacture, export and import of, trade in, possession or use of the drug except for amounts which may be necessary for medical and scientific research only."

The immediate physiological effects of marihuana intoxification include some loss in coordination of the limbs; an increase in pulse rate; an abnormal lowering of body temperature; an insatiable hunger; and inflamation of the mucous membranes and the bronchial tubes. Other effects include fantasy; exhilaration of mood; the feeling of being above reality; loss of spatial sense; a loss of timing; and an often uncontrollable hilarity over something which is not particularly amusing to a normal person. When larger doses are used, extremely vivid hallucinations often occur; there may be panic and an inordinate fear of death, illusions, and periods of paranoia. A high enough dose can result in a condition resembling toxic psychosis.

PSYCHOTIC REACTION

Marihuana's effects upon the operation of the central nervous system are most profound but have been the least explored by research. Little is known about the psychopharmacological aspects of marihuana, even though it has been one of the most widely used drugs in the world. However, there is still considerable literature revealing its effects are detrimental to the central nervous system. For example, Dr. Donald Louria, in his book *Nightmare Drugs*, states that marihuana may produce all of the hallucinogenic effects of which LSD is capable. Research conducted by Dr. Harris Isbell and associates on human beings using a natural occurring tetrahydro-canabinol of marihuana has led to the conclusion that a sufficient dosage of marihuana "can cause psychotic reaction in almost any individual."

As a result of these findings, marihuana has earned a reputation for inducing criminal behavior. Yet the manner in which marihuana causes or induces criminal behavior is not clear. It seems to vary with the individual, the dosage, and the circumstances, but a general survey of the literature indicates that marihuana may stimulate criminal conduct in any of the following ways: (1) Fortifying the courage of criminals prior to committing crimes; (2) causing general derangement and demoralization with chronic use; (3) lowering inhibitions and bringing out suppressed criminal tendencies; and (4) inducing panic, confusion, or anger in otherwise normal persons.

There are many studies which link criminal behavior with marihuana. One prominent team of researchers in India, where there has been long and widespread abuse of marihuana in all of its potent forms, concluded that "excessive indulgence in cannabis is apt to produce in healthy individuals, and more so in susceptible individuals, mental confusion which may lead to delusions with restlessness and disordered movements. Intellectual impairment as well as disorientation may show itself in various ways, such as weakening of moral sense, habit of telling lies, prostitution, theft, pilfering, sex perversion, and other degrading practices. Sometimes indulgence may release subconscious impulses and lead to violent crimes."

CONDUCIVE TO VIOLENCE

Earlier studies during 1939 in New Orleans disclosed that the number of marihuana users among major criminals was unusually high. Even the LaGuardia report of 1944, which is often cited in support of the harmlessness of marihuana, found that in a number of test subjects "... there were alterations in behavior giving rise to antisocial expression. This was shown by unconventional acts not permitted in public, anxiety reactions, oppositions, antagonism and eroticism. Effects such as these would be considered conducive to acts of violence." The conclusion of this study indicated that with "... the potential make-up and the right time and environment, marihuana may bring on a true psychotic state."

Another significant investigation conducted by Professor C. G. Gardikas, chief of Greece's Criminal Services, analyzed a group of 379 hashish-smoking criminals. He found that 117 of these became criminally inclined only after their habituation to hashish. Within the group there were more than 420 sentences for assaults, woundings, threats, robberies, manslaughters, and sex offenses.

MARIHUANA AND CRIME

The Bureau of Narcotics and Dangerous Drugs recently conducted its own study. It revealed a definite pattern between marihuana usage and crime. City and State police agencies were surveyed to gather and assemble a volume of well-documented instances where criminal behavior was directly related to the use of marihuana. Several of the more poignant examples from this study are:

Seattle, Wash.—A man accidentally bumped into and spilled coffee on another at the old World's Fair grounds. The jostled person began swearing at the man who had bumped into him. He pulled out a piece of log chain and began to beat the man. Officers found the suspect in possession of and under the influence of marihuana when he was arrested for assault.

Detroit, Mich.—A 19-year-old man was arrested for murdering his 3-month-old daughter. His wife told homicide detectives her husband was a constant marihuana user and had been under its influence when he beat their infant daughter to death using his hands.

San Antonio, Tex.—After smoking marihuana for several hours, two defendants decided to settle an argument with a mutual acquaintance. They pistol whipped, beat, stabbed, and finally shot and killed the other man. Police later learned the two murderers smoked marihuana until they became "vicious" and then, immediately, went to "beat" the man.

San Jose, Calif.—During an armed robbery two teenagers, aged 15 and 17, shot the owner of a beverage shop to death. After they were arrested, the two juveniles admitted they had used marihuana before committing the robbery.

It is perfectly clear that the more people experimenting with marihuana, the greater the danger that many will not be able to handle the habit. They will associate with subcultures involved in all types of drug abuse, barbiturates, amphetamines, LSD, and even heroin. Thus, if the apparent increase in marihuana abuse continues unabated, there will be a sharp rise in the incidence of narcotic addiction.

Of course, not everyone who smokes a marihuana cigarette will become a heroin addict. But actual experience leaves little room for doubt that a large majority of addicts first began with marihuana. This pattern of graduation has been observed in the United States, the Near East and Africa, though admittedly the exact causal connection is unknown.

ADDICTS STUDIED

A recent review of this subject was made by a noted psychiatrist, who studied 80 English heroin addicts. He found that all 80 had first used marihuana and apparently considered its effects second only to those of heroin. In studying these patients, the doctor was led to the conclusion that the connection between marihuana and heroin could not be accounted for simply on the basis of the "mutual influence of availability in illegal society. . . ." In an intensive research project conducted by Dr. John C. Ball, chief sociologist of the United States Clinical Research Center in Lexington, Ky., it was found that of 1,759 narcotic addicts examined, 80 percent had used marihuana prior to their addiction.

To many people, the thought of a large portion of our younger generation "turning on," "tuning in," and, finally, "dropping out" is a frightening one. There is no doubt that marihuana can offer some individuals transistory pleasures. But in a world beset with problems, we need the contribution of all because the United States cannot afford to have its greatest resource—youth—dropping into a state of oblivion.

The American Medical Association adroitly summarized the position responsible citizens must take in this crisis. In its August 1968 publication, a commonsense statement about the dangers of marihuana concluded: "Only an aroused and concerned public can create, mobilize, and implement resources to deal adequately with a problem of drug dependence in all its forms. The proper stimulus must come from citizens who are community leaders aware of those needs and from professionals who apply themselves to those needs.

"Frank and forceful public discussions, focusing on the futility and inherent dangers in experimenting with drugs such as marihuana and the consequence of any subsequent psychological dependence, can act as deterrents.

"Marihuana is centuries old, but it represents a constant danger. The responsibilities of the citizen, including the physician, are clearly defined. The time to begin is now."

The challenge referred to must be met by all law enforcement officers.

STATUS OF THE CORONER

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. VANIK. Mr. Speaker, I would like to call the attention of the House to a significant address before the National Association of Coroners, August 20, 1968, by Dr. Samuel R. Gerber, coroner of Cuyahoga County, Ohio. Dr. Gerber who is serving as both the elected official of a county of nearly 2 million persons, which includes the city of Cleveland, and as the executive secretary-treasurer of the National Association of Coroners, addressed the 1968 convention on the topic, "Status of the Coroner."

Dr. Gerber has long been one of the most respected elected officials of the Cleveland metropolitan area. In addition—as this paper demonstrates—he is one of the Nation's most knowledgeable and concerned coroners.

Dr. Gerber makes an eloquent plea for a strong National Coroners Association:

> We must face the fact that we are challenged to prove the worth of the coroner as a public offical.

His idea of the role of the coroner stretches far beyond the traditional idea of a specialized medical officer. The coroner can and should be concerned with more than the individual case. The whole field of public health should be his concern. He should deal with problems such as the cause and prevention of baby deaths, suicide, and accidental deaths. As Dr. Gerber states:

> The limited concept of Forensic Medicine as merely a subspecialty of Pathology applicable only to investigations into deaths from violence or obscure causes has obscured the need for development of other subspecialties concerned with forensic aspects of every area of medical practice.

Dr. Gerber's speech is as follows. I hope that everyone will have the chance to look at this significant statement on the role of these officials who are so important in our system of justice and health:

STATUS OF THE CORONER

(Presentation for National Association of Coroners, Tuesday, August 20, by S. R. Gerber, M.D., LL.B., coroner, Cuyahoga County, Ohio, executive secretary-treasurer, National Association of Coroners)

INTRODUCTION

As we view the status of the coroner I trust that we can acknowledge the weaknesses as well as the virtues. No institution or business can progress without objective analyses of liabilities and assets. On this occasion it is appropriate that we direct out attention to the frailties as well as the achievements of the National Association of Coroners and honestly appraise the status of this organization, its relationship to coroners and evaluate the potentials for improvement of the coroners' functions throughout the United States and Canada.

Some of you are attending your first meeting of the National Association of Coroners. We welcome you to this twenty-seventh meeting held since 1937. (Although the idea for this organization originated at a meeting of physicians and attorneys in Chicago in 1925 and the National Association of Coroners was incorporated in Wisconsin in 1927, no convention was held until 1937. Due to World War II and attendant problems, no meetings were held during the period of 1942 thru 1945. A meeting was held in 1946 but not in 1947. Since that time there have been meetings annually.)

It is hoped that this presentation will provide some background for an open discussion and frank appraisal of the status of coroners and of the National Association of Coroners. We do sincerely solicit suggestions for making the National Association of Coroners more effective and representative of the consensus of coroners in areas of common experience.

There seems to be no reliable index to determine what proportion of coroners are performing their duties with a proficiency appropriate for life and death in the final third of the twentieth century.

During the past 25 years that I have been secretary of this Association I have made several attempts to ascertain some facts that could provide some basis for evaluating the general status of coroners in the United States. For the lack of staff I have not been able to keep up with all of the legislative actions affecting coroners in various states. Very few coroners have volunteered information concerning pending legislation and scarcely any have informed us of legislative actions or of influences affecting the operation of coroner's offices in individual states. This fact plus the vast diversity in laws and practices have made it increasingly difficult to develop and maintain comprehensive files that would provide currently competent information. Compilations published by the National Municipal League and the American Medical Association are affected by the same difficulties and, in addition, are influenced by the viewpoints of the compilers. Therefore, I was pleased when Mr. Ivor Wayne of the Bureau of Social Science Research approached me last December for assistance in conducting a survey of coroners' offices as a step in a study of suicide statistics in the United States.

Objective consideration of the oft expressed opinion that suicide data understate the actual frequency of its occurrence led Mr. Wayne to the recognition that a number of steps occur in the sequence from the event of the individual death until the event is entered in the U.S. mortality statistics and in this sequence, several persons make decisions subject to potential error. Obviously, the first question is: Who decides, and how, whether a given death will be recorded as suicide or nonsuicide? Consideration of the national problem brought recognition that there are generally three categories of *decision-makers:* Coroners, medical examiners and those physicians entitled to sign death certificates on their own behalf.

A nationwide survey of coroners was proposed to furnish information pertinent to the frame of reference or the approach employed by the coroner in these decisions. In the research proposal accompanying the application for a grant, he explained: "We have placed the survey of coroners ahead of the other two groups because we believe that their responses will yield a greater degree of relevant information given the marked heterogeneity of this group. Therefore, data so obtained should be very useful in future planning of similar surveys with the other two groups. The working agreement we have reached with the Executive Secretary of the National Association of Coroners, which will facilitate our approach to this usually inaccessible body of respondents, was a practical factor in assigning priorities."

Three steps were outlined for the method of procedure: (1) A small number of intensive interviews with coroners of relatively small jurisdictions. The intent of such interviews was to assess the extent to which social norms and values in the community influence the decision for or against a ruling of suicide. (2) Pretest of Mail Questionnaire with a relatively small sample (N=50—100) to explore those demographic parameters which might be related to types of reactions to individual questions and the respondent characteristics that might influence the probability of speedy response or stubborn resistance. (3) The National Survey—Quoting directly from the Research Proposal: "As for the mechanics of the survey, we anticipate that several waves of followups will be needed to reach a satisfactory level of response. Only one-sixth of approximately 2500 coroners in the Association's card file are currently paid-up members; in past mailings by the Association, response rates of paid up members would usually run at 65–75% without additional reminders, but was very low among those who had not kept up their dues in the preceding two years. Also, one might expect a higher proportion of addresses to be out of date in this latter group. A projection based on experiences with analogous groups as to probable response might be as follows: ". . . As far as the paid-up group is concerned, we would expect a 90% return after two followup mailings; we are less optimistic about the remaining group . . ."

After a personal interview and telephone consultations with Mr. Wayne, we supplied him with the general mailing list of approximately 2200 coroners, lists of active and inactive members selected to represent a variety of states, and also recommended for personal interviews certain active members who were experienced coroners in rural and urban areas.

On July 25th I received a discouraging report from Mr. Wayne which prompted me to include in the paper I was preparing for this meeting the results of his efforts and experiences since they are relevant to the topic.

The personal interviews were conducted in the second half of March. Following the interviews it was concluded that suitable topics for the questionnaires would be: "cooperation of key individuals, budgetary matters and limitations, satisfaction with salary, the non-reporting of Coroners cases, case load and facilities, opinions about the death certificate and recent changes in it. How decisions are made, where difficulties arise in the decision-making process, what coroners can tell us about community attitudes toward suicide—these areas would be less appealing questionnaire subjects."

In concluding the report of these interviews, it was stated: "In preparation of the pretest questionnaire we spent the better part of an afternoon with a coroner going over the proposed draft, item by item. He supplied the respective responses and, . . . indicated how readily a given bit of information would be available to most coroners of his acquaintance. Several changes were made on the basis of our conversation. This respondent seemed convinced that the revised questionnaire would be a very successful data gathering instrument. Time and pretest showed up his optimistic expectations as somewhat exaggerated."

In a summary of the results of the Pretest questionnaires the following comments were made in Mr. Wayne's report to the Center for the Study of Suicide Prevention, National Institute of Mental Health: "The pretest questionnaires were sent to 51 coroners during the first week in April; by the end of May after one followup reminder and one set of telephone calls, we had in hand 35 returns. . . . The returns came from 19 states covering the full range of jurisdictions, as far as population was concerned; 18 from counties under 100,000, 16 from larger jurisdictions. Only three respondents were full-time coroners; most of the part-timers had a private medical practice (N=18) or fulfilled the function of a funeral director (N=8); three persons combined coronership, practice of medicine and public health activities. Their experience as coroners ranged from 4 to 32 years. "The following numerical findings while not generalizable to the U.S. are suggestive:

"a. Referral rate, i.e., number of cases referred to coroner related to total deaths in county, ranged from 14%–44% with the median being 30%.

"b. On the average (median) coroners admitted 81% of cases referred.

"c. The preceding two statistics were not reported by many respondents, since they did not understand the distinction between referral and admission. But all except one gave the number of coroners cases for 1966 and 1967: one-fifth of all deaths were coroners cases (median): the range of 9%–58% indicates the vast variability on local practice.

"d. The autopsy rate, reported by 31 respondents, showed the almost maximal range of 2%–92% with a median of 17%; this is the proportion of autopsies among coroners cases.

"e. Another impressive variability is found in the relative numbers of suicides; they ran from 19 to 210 per 1000 coroners cases with a median number of 57.

"f. A statistic on which apparently no information is available is of some interest: the relative number of non-residents among cases investigated by coroners varied from 0–36%. The median being 14%. . . . Unfortunately many jurisdictions do not maintain the pertinent data.

"How many cases are not reported to the coroner when the law requires that they should be? . . . Four persons wrote 0 or negligible, 14 rated them below 5%, but the other half stretched out to 25%. The mean was 8 for every 100 cases reported . . ."

"In how many cases did the coroner find the decision between suicide and non-suicide difficult to make? . . . Five did not answer, eight reported no difficult decision cases, the man in the smallest jurisdiction of the group had five such cases in an annual load of 11 coroners cases. Omitting the last cited as unusual but including the zeroes, we get a mean of 1.7% of all coroners cases. (This is remarkably similar to the 2% of Medical Examiners cases considered equivocal but potentially involving suicide, as mentioned by Dr. Mann in my Richmond, Virginia interview.)

"In answering the question whether U.S. statistics understate the frequency of suicide, one-third of the respondents expressed no opinion or believe the figures to be "about right"; three simply checked "should be higher" while twenty coroners rated the official underestimates from 5%–100%; the mean of those who quantified amounted to an underestimate of 19.4% (even if the zeroes are included we get 13.5%). The main point here is that two-thirds of the coroners said that official figures understate the frequency of suicide and not one that they overstate it."

Regrettably, the National Institute of Mental Health grant for the continuation of this project was not renewed and apparently it will be terminated by October unless Mr. Wayne has been successful in his efforts to interest the Health Resources Division of the National Center for Health Statistics in continuing at least that part which he has conducted into updating addresses in 28 states. It seems that the Health Manpower Branch of the Health Resources Division were slightly embarrassed to have it brought to their attention that neither coroner nor medical examiner (in the medicolegal sense) appear in their catalogue or publications concerning professionals in the health field. With the approaching election there will surely be a number of changes in the coroners offices and Mr. Wayne is bemoaning the fact that his tediously checked names and addresses may become obsolete but worse, the newly elected coroners will not be knowledgeable concerning past experience in office.

Our general mailing list is compiled from replies to our requests addressed to the Secretary of State of each individual state. Such requests are sent following general elections quadriennally to all states except where appointed medical examiners function throughout the state and to specific states at periods consistent with designated time for election of coroners as we have been informed of the appropriate time. It should be noted that our membership and general mailing lists do include names of several persons whose official title is Medical Examiner.

Names and addresses of active and inactive members selected at Mr. Wayne's request for the Pretest questionnaire mailing list were chosen to represent the general mailing list and to provide representative sampling in respect to regions and population density of jurisdictions. Reviewing the list of persons to whom the questionnaires were sent we find that it included 33 active coroners whose addresses were known to be correct and 18 who had not paid dues or responded to any recent correspondence. Eight of these had paid dues for only one year—joining when the NAC meeting was held in their own or a nearby state. It is interesting that three of these eight, and one-half of all of the delinquents who were contacted, responded to the questionnaire; this would seem to justify our policy of retaining these names in the file. It was disturbing to learn that two of the addressees in Louisiana and Mississippi were not serving as coroners. We had not been notified of these changes; one had joined the association and had paid dues fairly consistently until 1963 and we had no indication that he was not coroner of the parish. Two others, one in Colorado and one in New York could not be located and one in Illinois did not respond and could not be contacted by telephone.

These factors might provide some insight into the problems of attempting to keep our mailing lists current, particularly when this work must be sandwiched between other pressing duties in a crowded schedule and coroners themselves fail to notify us of changes. This is one of many areas in which state organizations of coroners could assist in strengthening the National Association.

At the annual meeting in 1950 I presented a tentative draft of model legislation drafted by the National Municipal League following a symposium on *proposing a model* law concerning state medical examiners held as part of their national conference on government in St. Paul in 1949. Having attended that meeting I was acutely aware that it would require concerted action of a representative number of coroners to call the attention of zealous reformers to the legal as well as medical aspects of the coroners' duties and to point out some of the practical problems. Accordingly I suggested that the National Association of Coroners should be brought to maturity. At that time I said (quoting from the published proceedings):

"If we would keep apace of the other influences or hope to lead in any changes, we need intelligent effort on the part of every qualified coroner. We must strive to fulfill . . . the purpose of the National Association of Coroners as stated in the charter: 'that there may be the best standard of uniform practice developed in the field of legal medicine; to maintain a central office through which aid, assistance, and expert advice, legal, scientific and otherwise, pertaining to the duties of the office of Coroner may be available; to issue, edit, publish and otherwise circulate a manual or digest containing the abstracts of the Statute law, common law, decisions and interpretations of the law in general pertaining to the office of Coroner and also containing articles in general of value and interest to Coroners.'

"The time has come when we must have a strong national association. The source of strength of any national group rests on the vitality of the units which represent the various sections of the country, therefore we need active state organizations. Coroners must unite to seek legislative reforms and provisions for formal education and training in the specialty of legal medicine, to offset the unfavorable impressions already implanted, and to achieve recognition by the press, the bar associations, medical societies and other molders of public opinions . . .

"We must face the fact that we are challenged to prove the worth of the coroner as a public official. If we do not accept the challenge, others with less practical knowledge and experience on the subject but with greater resources in personnel, finances and contacts will influence the opinions and institute only those changes which they desire. Therefore, if we would have our influence felt, we must have an office organized on a full time basis with a budget which will provide for a paid secretary and traveling expenses for representatives to consult with, advise, and otherwise assist the state groups in legislative reforms."

Obviously, no action was taken on my suggestions. Further attempts on my part at that meeting to stimulate interest in some arrangement for a salaried secretary merely induced a rising vote of thanks for our secretarial work.

The fact that those remarks are equally appropriate today—eighteen years later—and that the conclusions and recommendations contained in a 1944 report of the AMA Committee appointed to Study Relationship of Medicine and Law were essentially unchanged in a 1967 report of the AMA Committee on Medicolegal Problems might be misinterpreted as indications that the status of the coroner has remained unchanged. Most of you attending this meeting are acutely aware that many changes have taken place. Some of those changes were effected by legislation passed, as I predicted, without benefit of practical advice. Statewide medical examiners were designated by law to take over all functions of coroners in some states without any consideration of whether or not physicians were available, trained, inclined or interested in assuming these responsibilities.

Experiences in Oklahoma provide several pragmatic lessons. Legislation passed in 1962 was not implemented until 1967 following the appointment of Dr. James Luke as the first State Medical Examiner for Oklahoma. Speaking before the Academy of Forensic Sciences in February 1968, Dr. Luke after experience of about one year questioned the wisdom of requiring that the administrator of such a program should be a pathologist. His very practical observations disturbed some of the biased advocates of medical examiner "system" to the extent that they requested that he should not submit his remarks for publication. I do not know whether or not he complied with that request but he did write a letter to the Editor of the New England Journal of Medicine which was published in the May 23rd issue. In that letter he pointed out the critical shortage of personnel to implement legislation already adopted to provide for medical examinations to be conducted in cases of death from violence or obscure causes. He estimated that approximately 200 pathologists have been certified in Forensic Pathology by the American Board of Pathology and that 75% of those either did not work in the field of legal medicine or are engaged only part time in performance of such duties. (An editorial in the same issue of that journal stated that actually only 133 have been certified as Forensic Pathologists.)

The conclusion of Dr. Luke's letter should be given consideration by this audience; he wrote:

"The solution to the probelm clearly lies in the education of the public concerning the enormous benefits immediately available to the community in a functional medicolegal system coupled with federal and private support for training stipends. Virtually no such support is at present available. The current situation is appalling and must be rectified immediately. The human worth of doing so would certainly justify any effort and modest expense required."

An editorial commenting on Dr. Luke's letter presented the reason given for abolishing the Department of Legal Medicine at Harvard in 1967 and Dean Ebert's concept of the future of Legal Medicine:

"Dean Ebert gave as the primary reason for the discontinuance the fact that the training of medical examiners should be on a post-graduate level in the teaching hospitals with a close link to the medical schools but not on a separate departmental basis. Dr. Ebert also indicated that as part of the current re-examination of medical education at Harvard, the Medical School was looking broadly at the complexities of modern society and the new demands on physicians in the delivery of medical care on a community basis, the establishment of group practices, federal programs such as Medicare and Medicaid, in research and in the control of our environment. He pointed to new medicolegal problems in such areas as human rights, rights of research subjects, population control and drug abuse. Dr. Ebert indicated that the Medical School intended to deal with these subjects in the curriculum in an interdisciplinary manner, examining co-operatively the interfaces between medicine and law at Harvard." The author of the editorial commented: "Perhaps this is the future for forensic pathology as well: to be united more effectively with its basic discipline, pathology, but also to become more a part of complete examination of the interfaces of the two professions it serves, medicine and law. To continue as a narrow specialty, as Dr. Luke points out, seems a dying cause. The great public importance of the work being done by forensic pathologists cannot be denied. The need for research and for renewed interest in this interdisciplinary field is clear and commands support."

In a subsequent issue (July 4th) Dr. Gilbert E. Corrigan, Assistant Professor Department of Pathology, University of Texas Medical Branch, in a letter to the Editor commented on the editorial reply to Dr. Luke and presented his concept of forensic pathology (quoting from his letter):

". . . My own personal approach to forensic pathology is that it is the *pathology of public health* . . . The matter extends beyond the individual and finds further meaning in its role in the study of society. What better way to assess a society is there than to know how many of its children are dying at home without medical attention, how many of its mothers are dying of septic abortions, and how many of its fathers are dying at work in hazardous environments? Forensic pathology, then, is the study of ecology and nature of human death. It is the study of public deaths and those of concern to the public at large. It is meant to aid the living . . ."

Dr. Corrigan's concept, broader than that of many pathologists, implies that forensic pathology is a specialized application of pathology to the broader field of public health which is served by a variety of disciplines. Dean Ebert's perspective is more extensive and directs attention to forensic aspects areas of medical service for the live patients.

The limited concept of Forensic Medicine as merely a subspecialty of Pathology applicable only to investigations into deaths from violence or obscure causes has obscured the need for development of other subspecialties concerned with forensic aspects of every area of medical practice. Every aspect of living—physical, social, cultural and economic—evokes legal problems. Every branch of Medicine has legal implications and every specialty can assist in effectual administration of justice.

It seems ludicrous that neither medical schools nor law schools, neither the American Medical Association nor the American Bar Association nor any other organization in this country has recognized Forensic Medicine as the concordance of principles and philosophies of Law and expertise of all branches of Medicine. The definition of Forensic or Legal Medicine as the application of medical skills and knowledge to legal problems tends to imply that the discipline of Medicine is servant of Law and frustrates development of Forensic Medicine as a recognized specialty. Coining the word medicolegal did little to foster union of the interests and probably hindered recognition of the utilization of other areas of specialized knowledge and skill.

Neither Medical Schools nor Law Schools are interested in, nor generally do they have access to expertise for, the requisite courses of study and training. There are students seeking such courses. Periodically I receive inquiries from students or graduates of Law Schools or Medical Schools who want advice on pursuit of training for careers in Legal Medicine.

It seems to me that coroners in general and this group in particular should recognize the obvious challenge and accept their responsibilities as persons uniquely qualified to broaden understanding of, and stimulate interesting, the wide variety of skills and knowledge that must be utilized, correlated and converged in coroners' duties. The public, and some coroners, have been more confused than enlightened by emphasis on the medical and legal aspects of coroners' investigations.

Perhaps what is needed is the recognition and development of a multidisciplinary-interdisciplinary supra-specialty in which the common bond would be acceptance and practice of the doctrine of proof established by the standards of Logic and applied by Law and Science; it might be called *Forensology*. Coroners have the opportunity to recognize this need and to foster the development of such a supra-specialty. We have some evidence of this in the American Academy of Forensic Sciences. Members of the Academy are associated according to their specialized interests and experiences in seven sections. The constitution provides for other sections to be formed as sufficient numbers of persons with other specialized interest and experience group together to organize and conduct programs. The seven sections now functioning are: Criminalistics, Jurisprudence, Pathology & Biology, Psychiatry, Questioned Documents, Toxicology, General. Members are free to attend any sectional program meeting. Several of the coroners who are members, regardless of whether or not they are physicians, tend to take advantage of the opportunity to listen to papers and discussions on subjects other than pathology because they know the need to be familiar with developments relevant to a wide variety of nonmedical as well as medical evidence.

The August 3rd issue of Saturday Review contains five articles relating to *Science, Technology, and the Law*. In the first of these, entitled *Drawing the Indictment*, Arthur Selwyn Miller, Professor of Law at the National Law Center, George Washington University, proposes that:

". . . The law schools should be brought screaming and bucking into the twentieth century. . . ." And he concludes: "No one is entitled to be optimistic that the legal profession will make the effort necessary to become relevant to the modern age. Ever increasingly, lawyers seem to be in process of being shunted aside, replaced by those with skills more attuned to the times. What is needed is for the lawyers and the technologists to work together to meet the manifold problems of our day. The challenge is clear, but the response is weak."

It seems apparent that the same recommendations and conclusions apply equally well to coroners in general—present company excepted, of course.

Coroners throughout the United States must utilize the skills and knowledge of medicine and relevant sciences including behavioral sciences. Coroners should be the major force in stimulating interest and fostering development of forensic sciences. Obviously, the fundamental prerequisite is that the coroners themselves as individuals and in organized groups must have a sincere interest in their duties and have a broad concept of the significance of their performances. The challenge is clear, but the response has been minimal.

Let's face it: Too many coroners have been too complacent; too many coroners have been blindly reactionary in attempting to resist changes necessary to adapt to twentieth century life and death; too many coroners resenting the unilateral approach of persons who accentuate the significance of medical examinations fail to direct attention to other aspects of coroners' duties. Too few coroners have directed attention to the proper utilization of medical and technological skills; too few have spoken out before appropriate influential groups concerning the need for specialized training; too few coroners have participated in the training of forensic pathologists; too few coroners have urged recognition of the true scope of forensic medicine. Too few coroners have made serious attempts to overcome lethargy and antipathy in their communities.

Considering the non-recognition of Forensic Medicine as a specialty, the insufficient number of Forensic Pathologists trained or being trained, the inadequate or unreliable sources of information about the vast diversity in laws and practices affecting coroners' offices throughout the United States, is it possible to make any general statements concerning the status of coroners? The fact that the Health Manpower Branch of the Health Resources Division of the National Center for Health Statistics has no listing for coroners and medical examiners typifies the general public attitude of avoidance of facing the problems of death. The fact that the President's Crime Commission Report does not mention Forensic Pathology or the contributions of the coroners investigations reflects the abysmal ignorance of the significance of coroner's duties. Those of us involved in this public service find it difficult to understand why there is so little recognition of its importance to the health, safety, and welfare of the community. Perhaps some insight can be provided by frankly assessing the response to this National Association of Coroners.

Consider the fact that more than 2200 coroners have been notified of each of these annual meetings for more than 20 years and in spite of an outstanding program this year less than 10% are in attendance. It leaves one wondering to what extent this organization has practical significance for the coroners throughout the nation.

As I said before, the challenge and opportunity is presented for this organization to improve the status of the office of coroner and advance the development of Forensic Medicine. Certainly, no one can deny that medical examination is a fundamental factor in the coroner's investigation. The point of contention is the recognition of the need for specialized training. Coroners are the only ones who can direct that training in the broad field of Forensic Medicine and other Forensic Sciences be encouraged and used for the benefit of the health and welfare of the nation. To this end I urge everyone here to activate strong state organizations of coroners.

THE JOHNSON BUDGET

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. MIZELL. Mr. Speaker, as a freshman, I feel compelled to speak on the proposal to increase the salaries of our President, Members of Congress, and other governmental officials. It is my contention that we should do "first things first," and I place balancing the budget high on the list of priorities.

Leading Republicans have labeled President Johnson's farewell budget misleading and meaningless. For instance, Senator JOHN WILLIAMS, the ranking Republican on the Senate Finance Committee, has said that the budget surplus was a "manipulation of figures." A top Republican on the Senate Banking Committee, Senator JOHN WILLIAMS, called the document misleading. Senator JACK MILLER, another Senate Finance Committee member, has said that the Johnson budgets have become "meaningless documents."

So it looks like we will arrive at the end of the fiscal year before we will know if we have a balanced budget or not, or if all the estimates of economic growth and tax revenues are going to total out to a balanced budget.

While I do not believe we should ever permit the salaries of our Government officials to reach such a low that only millionaires can afford to serve our Government—and I think this would be the very worst thing that could possibly happen to us—I think we should make every effort to get our economy back on a sound footing, operate from a balanced budget, and remove the surtax as soon as possible. Then we could consider raising the salaries of our governmental officials.

I hope it will be long remembered that this administration with its fiscal irresponsibility brought about the necessity for a surtax, imposed the surtax, and recommended increasing these salaries while the people are still burdened with the 10-percent surtax.

I feel very strongly that we should not increase salaries until we at least have sound economy, a balanced budget, and the removal of the surtax. If I handled my personal finances in such a manner as this administration has handled these, I am certain I would face bankruptcy immediately.

SENATOR HART'S DETERMINED INQUIRY INTO AUTOMOBILE INSURANCE PROFITS

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. CAHILL. Mr. Speaker, in my judgment the issue of automobile insurance profitability is central to necessary legislative reform of the insurance industry and its regulatory system. The following article by Harry F. Rosenthal examines claims of the automobile insurance industry that it is losing money, and the diametrically opposed testimony recently presented before Senator PHILIP HART's Antitrust and Monopoly Subcommittee by knowledgeable Government officials and academic scholars. This testimony indicates that automobile insurance profits and returns on investment are far greater than those of comparable industries. Mr. Rosenthal's article, in effect, summarizes 8 days of the subcommittee's hearings which were recorded in over 1,500 pages of testimony. I would commend Senator HART's continuing and determined efforts to protect the public's interest and would urge that the Members closely consider Mr. Rosenthal's summary of the subcommittee's hearings on profitability. The article follows:

[From the Utica (N.Y.) Daily Press, Dec. 26, 1968]

PROFIT OR LOSS, IT'S ALL IN THE ACCOUNTING: "AUTO INSURERS CRYING TO THE BANK," HART SAYS

(EDITOR'S NOTE.—Whether the auto insurance business is crying all the way to the bank, or headed for the poorhouse, depends on which of two sets of figures you look at. This report examines both sets.)

(By Harry F. Rosenthal)

WASHINGTON.—In petitioning state regulatory agencies for rate increases, the auto insurance industry invariably reports it is losing money. At the same time, it consistently assures stockholders that it is earning substantial profits.

Which claim is true? From the industry point of view both are. It's all a matter of bookkeeping procedures. By using methods which the industry frankly concedes "differ in some respects from generally accepted accounting principles," auto insurers can legally show both a profit and a loss.

"There is indeed a great deal of discussion on whether or not the auto insurance business is profitable," says Sen. Philip A. Hart, D-Mich., whose antitrust and monopoly subcommittee has scheduled new hearings on the industry next month. "Sometimes the argument turns more on accounting methods than the actual state of health of the companies."

Last year, for example, the 10 largest stock property and casualty companies, using what the industry calls the "statutory method" of accounting, reported an underwriting loss of $273 million. When adjusted to generally accepted accounting methods, Hart said, the figure came out as a $55 million profit. And, he added, neither figure included the net income on investments for the same 10 companies, a total of $1.7 billion.

Hart claims the hearings, begun this year, already have shown a need for major reforms in the business of insuring the nation's 103 million drivers. The industry freely concedes this and has offered its help to the Hart subcommittee and to the Department of Transportation which is just beginning a 2-year study.

Among other things the time-honored liability system itself may be on its way out, to be replaced eventually with a no-fault system resembling that of health insurance.

Abuses in auto insurance—discriminatory rates, unwarranted cancellations, racial discrimination, and pick-and-choose underwriting—have been examined in the hearings.

But it is in the area of profitability a question that arises every time a state is asked to approve rate increases, that the auto insurance business is most controversial and complicated.

In a recent decision upholding a $25-million automobile insurance rate increase, Justice Henry X. O'Brien of the Pennsylvania State Supreme Court commented that "we will not substitute our judgment for that of the (insurance) commissioner . . . even though we have grave doubts that the (accounting) system now used accurately reflects underwriting profits or losses . . ."

Insurance companies claim they lose money on underwriting automobile liability—and frequently they do. But the loss is far overshadowed by profits the companies make investing the premiums they collect from policyholders.

"What bothers me most is a plea of poverty based on underwriting results only," says Hart.

The industry insists that only its underwriting experience should be taken into account in the rate-making process, contending that income from investments is of concern only to stockholders.

United States Fidelity and Guaranty Co., replying to a questionnaire from the Hart subcommittee, put it this way:

"One buys a policy—a contract for protection—and has no rights other than to receive the services contracted for in the policy. Thus neither investment income nor capital gains or losses are properly allocable to any business. They belong to the stockholder who risks his funds to guarantee performance of the policy contracts."

Dr. Richard Norgaard of the University of Southern California testified before the subcommittee that casualty insurance companies are earning greater rates of profit than 90 per cent of 641 major American corporations.

He said the average 15-year rate of return on investment for Allstate Insurance Co., the country's largest automobile underwriter, was 24.6 per cent; for State Farm Mutual 14.6; for Hartford Accident and Indemnity 10.4; Nationwide 13.6; Safeco 41.5; Southern Farm Bureau 39.4 and Geico (Government Employes Insurance Company) 24.3.

The industry countered with a study, which it commissioned, by Arthur D. Little Co. Whereas Norgaard had examined only casualty insurance companies, the Little study covered the entire industry, and concluded that over a 10-year period the companies had an average rate of return of 4.4 per cent.

T. Lawrence Jones, president of the American Insurance Association, asserted the Little study presented a fairer picture than did Norgaard's, which centered on one part of the industry. "To say that auto insurance is special and not like the rest of the property and liability insurance industry," Jones said, "is like saying that a Volkswagen isn't an automobile because it looks so different from all the other cars."

The disagreement between two analysts, studying similar data for the same purpose, points up the difficulty in finding out just how much money auto insurers make or lose.

"One set of figures at our hearings indicated this was a highly profitable business, another that it was dismal," said Hart. "The real truth is probably somewhere in between."

The business can seem to be in the red when actually turning a profit, said Hart, even without taking profits from investments into account.

One way to do this is through so-called "statutory underwriting profit or loss"—the accounting method prescribed by law.

It works something like this:

On Dec. 1 you give your agent $240 for one year's auto insurance. On December 31st, the company closes its books for the year but takes credit only for the premium actually earned—in this case one-twelfth year, or $20. Then the company deducts its expenses in selling you that policy, about 35 per cent—$84 in your case. Thus, while the company actually received $240 from you, it lists a loss on your business of $64.

Best's Insurance Reports, the statistical Boswell of the industry, says "This statutory figure does not completely disclose the underwriting results." But when the insurance companies go before state regulatory agencies to justify a rate increase, the figures presented are the statutory ones.

The Hart subcommittee brought out that more conventional accounting methods are used by the companies to arrive at an "adjusted underwriting profit or loss."

Thus, for example, Continental Insurance Companies of New York reported installments to stockholders that in 1966 and 1967 it lost 28 cents per share, based on the statutory accounting, but had an underwriting profit of $1.61 on an adjusted per-share basis.

Add to that a per-share investment income of $11.29 and total adjusted earnings before taxes is $12.90 per share for the two years. Shareholders were paid $5.85 per share in cash dividends.

Hart says stockholder-owned property and casualty companies showed a statutory underwriting loss of more than $731 million for the years 1958 to 1967—but when this figure is adjusted it becomes a $413-million profit. During the same 10-year period, Hart says, the industry's income from investments was more than $7 billion.

"Except for the policyholder's premium dollar, insurance companies would not be realizing these billions in investment returns," said Dean Sharp, assistant counsel for Hart's subcommittee. "The money set aside for possible claims and return of unused premiums) is financed solely from policyholder premiums. The nub of all this, according to our figures, is that the average return on investment is around 13 per cent for the industry since 1948."

"When someone turns one pocket inside out to show you how empty it is but has over $7 billion in the other pocket," said Hart, "it is difficult to take their claim of poverty too seriously."

Nonetheless, state agencies do take them seriously. Forty states granted auto rate increases in 1965, 23 states in 1966 and 25 states last year. A half dozen states lowered rates last year, but by December the national average cost of auto insurance had risen 45.1 per cent over that for the 1957-to-1959 period.

George H. Kline, vice president and general counsel of Allstate Insurance Co.—largest auto insurer in the country with more than 6½ million policyholders, told the Hart subcommittee:

"I must point out that we do not plan and build highways; we do not train drivers; we do not license them or renew their licenses; we do not arrest them or convict them when they drive 100 miles an hour, or drag race, or tailgate or become the instrument of violence that causes the death of a fellow human."

Barring dangerous drivers from the highways would substantially reduce traffic violence and bring down the cost of automobile insurance, said Kline.

He cited increases in "costs which automobile insurance pays" such as doctors' fees, up 100 percent in 10 years; hospital care up 92 per cent in 10 years, 354 per cent in 20 years; higher costs of repairs and replacements of such things as wrap-around windshields.

The subcommittee countered with figures showing that since 1948, the rate of disabling injury and death per 10,000 registered motor vehicles and 100 million miles driven has decreased by nearly one-third. During that same period, said the subcommittee, insurance company premiums have increased 44 percent more than medical care costs, 36 per cent more than auto repair, and 30 per cent more than the private average weekly earnings in current dollars.

In the 20-year period, the total amount of auto premiums written was $113.4 billion, but the companies paid out losses of only $57 billion.

It is statistics like these that caused the American Insurance Association to propose in October a no-fault plan: one under which a driver's own company would pay his losses no matter who was at fault.

"The present system is a grotesque sham which forces everyone involved—the insurance company, the agent, the insured and the courts—to act out a string of illogical and ludicrous charades in an attempt to show themselves or their insured blameless and the other party totally at fault," Rhode Island's insurance commissioner, Ralph A. Petrarca, told a hearing held by Sen. Warren Magnuson, D-Wash., last March.

Critics of the current system argue that auto insurance came into being to protect negligent drivers from losing assets because of lawsuits. But through the advent of compulsory insurance and financial responsibility laws, now in effect in all states, emphasis has shifted from protecting the negligent driver to compensating accident victims.

That makes the driver financially responsible for his accidents and gives the insurance companies a captive market of more than 103 million drivers, from which they collected more than $10 billion in premium last year, the critics contend.

Since 1948, when antitrust limitations were lifted from the insurers, the companies' surplus accounts have grown 13 times as fast as their capital.

"This is what that means," said Sharp, the subcommittee counsel. "The companies capital has grown by $750 million while their surpluses have grown $9.7 billion. The significance is that the industry's capacity to insure has expanded by constantly pushing for rate increases and thus slowly building surpluses through retained earnings.

"In short, they (the companies) are achieving their wealth and power with other people's money—like any financial intermediary. They are not risking very much of their own."

RICKOVER SEES $2 BILLION ARMS SAVING POSSIBLE

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. CARTER. Mr. Speaker, I have watched the wonderful career of Vice Adm. Hyman G. Rickover over the years. He has been the father of the development of our nuclear submarine fleet. He is one of our most highly intelligent, hard working and effective naval officers.

I wish to include at this point in the RECORD a statement concerning how money might well be saved in the Department of Defense:

[From the Evening Star, Washington (D.C.), Jan. 16, 1969]

RICKOVER SEES $2 BILLION ARMS SAVING POSSIBLE

(By Orr Kelly)

The Defense Department could save more than $2 billion by tightening up its "toothless" laws governing defense contracts. Vice Adm. Hyman G. Rickover told a congressional subcommittee in testimony made public today.

He testified before the subcommittee on economy in government, headed by Sen. William Proxmire, D-Wis., on Nov. 14.

A frequent and caustic critic of the way the Pentagon is run, Rickover told of one case in which the Navy rejected a contract he favored.

Even though the contract carried a profit of more than $1.1 million, it was rejected "because the profit was too low," Rickover, head of the Navy's nuclear propulsion program, testified. When he got that order, Rickover said, he raised the profit by five cents.

"I thought it was worth a nickel of government funds to avoid delaying the contract any further," he said.

The contract, he added, was finally awarded on the terms he originally proposed.

Defense contractors are receiving increasingly higher profits, Rickover said.

He cited examples of a 20 to 25 percent profit on propulsion turbines, 15 to 20 percent profit on nuclear equipment and a 33 percent profit on a piece of equipment recently offered for sale to a Navy shipbuilder.

Because of the increase in profits, he said, prices of military equipment have been rising much faster than items in the civilian economy.

Recent Pentagon officials have expressed concern that if profits are not held at a proper level, important elements of the defense industry may slip into an unhealthy condition.

The biggest loophole in government contracting is the lack of uniform accounting standards for government contracts, Rickover said. Uniform standards could save at least 5 percent—more than $2 billion at the present rate of government spending, he estimated.

Rickover said he supported Proxmire's proposal for a comprehensive study of defense contracting by the General Accounting Office.

Proxmire's committee is scheduled to hold another hearing this afternoon on the increase in price of the C5A supertransport plane which was brought to public attention in hearings by his committee on November 13.

The testimony of Rickover and Air Force officials on the C5A is part of an investigation by the Senator of defense spending.

RICHARD BUELL OGILVIE: 37TH GOVERNOR OF ILLINOIS

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. SPRINGER. Mr. Speaker, on Monday of this week, January 13, Richard Buell Ogilvie was inaugurated as the 37th Governor of Illinois. I have known Governor Ogilvie for a number of years. He is highly qualified for the position to which the people of Illinois elected him in November. He is one of the new breed of men who is alert to the problems of America and especially to the problems of Illinois. He is progressive and forward looking.

I append herewith his inaugural address, which is a memorable one, in order that my colleagues in the House may know the kind of a man that Illinois will have guiding its destiny in the next 4-year period:

INAUGURAL ADDRESS OF RICHARD BUELL OGILVIE, 39TH GOVERNOR OF ILLINOIS, SPRINGFIELD, ILL., JANUARY 13, 1969

Governor Shapiro, fellow citizens of Illinois.

We are gathered here today in the city of Lincoln in a time of paradox, a time that embraces the best and the worst.

We are plagued by a war, by poverty and ignorance, and by increasing violence and crimes against our people.

Yet the words of Theodore Roosevelt still ring true that "no people on earth have more cause to be thankful than ours. We are the heirs of the ages."

For it is true that more Americans than ever before are sharing an unparalleled material prosperity. We are sharing freedom under a unique government which has survived nobly while kingdoms and dictatorships and even other republics have toppled.

And, as seldom before, Americans are exercising a right vital to our way of life—the right to criticize ourselves and our conduct of our government.

Voices are raised in dissent and protest, and there is a crisis of alienation among us.

Within the boundaries which respect the rights of others, the voices must be heard. For there is much to learn to build a better land for all.

But lawless conduct beyond these bounds tears down; it does not build. And it strikes at the foundation of this unique government which is part of our spiritual heritage.

The black man, the youth and the philosopher who protest are demanding change, and they confront our conscience the way slavery, the sweatshops and other hyprocrisy of earlier times stirred Americans.

Change of all kinds envelops us, and change itself seems to be the only certainty we have. The challenge of change is to harness it to bring man into harmony and balance with himself and his world.

Because of scientific change, we can defy age and disease and the heavens. We can fly into space, yet often it takes longer to cross our cities. We can build miraculous computing machines, yet we are balked in our attempt to bring education to all our children. Our minds form concepts of limitless extent, yet we must grope to find solutions to crime.

We should recognize that there is another certainty besides change—the unchanging basis of our unity, our institutions and our common beliefs: And that is our commitment to an America which Judge Learned Hand said may never be "except as the conscience and courage of Americans create it."

This unchanging belief and hope is the root of the present crisis of dissent and alienation.

We can't stand prosperity—when too many are still poor. We cannot fully accept the explosion of knowledge—when it pushes some ever higher and others into deepening ignorance. We are uncomfortable at the gap between what we believe and what we have achieved.

But none of us should forget that we share common traditions and common aspirations, and we shall share a common fate.

We are gathered here today in affirmation of this unity and this common faith in our capacity to achieve our highest aims under self-government.

The occasion of our gathering is timeless and familiar, but the challenge is ever new. It is a time, as President Wilson said, when "men's hopes call upon us to say what we will do."

I am proud to stand before you as your governor. And I am deeply conscious of the demands on the office of governor to serve with equal devotion the hopes of Cairo and Chicago, of young and old, of black and white.

As we begin this new administration in Illinois, let us bow to the past and to those whose time of service has ended. Let us look to the future too, but above all, let us commit ourselves to the present—and to present action.

None of us can predict with certainty the full nature or extent of the problems we will face in the next four years. But we can establish how we will perform.

We can determine now the nature of our conduct, the quality of our response, and the character of our stewardship.

We shall hold no objective more important than to mobilize the full force of this state government against poverty and ignorance.

For these are the twin scourges of our society. They are the roots of crime and of the decay of our cities.

In this effort, we shall take the initiative—searching out problems and solutions, rather than waiting to react when situations have become crises.

As a vital part of our concern for social problems, we shall move to exploit our economic potential for the benefit of all the people, and in so doing we shall improve our already prestigious economic position among the states.

Further, we shall preserve and restore our natural resources. For we are seemingly at war not only with ourselves, but also with nature. We have the power to destroy nature, and we have already done so to an alarming degree. This process must be stopped—in fact, rolled back.

We are not content to stop short of that America which our conscience and courage can create. And our expectations are ever rising.

We expect more of life, and we expect more of government, both for ourselves and for the less fortunate. With your support, this new administration can match its efforts to our collective expectations.

Our goal is simply this: To enlarge the opportunities and satisfactions of life in Illinois.

Bearing this in mind, let us work together, putting aside partisanship in a common effort to achieve common goals.

Let our actions be based always on respect for individual dignity.

Let us re-dedicate ourselves to individual opportunity and to individual responsibility, the great human developers.

For our part, we in this new administration pledge to be responsive to the needs and the will of the people. Our purpose must be to serve.

We pledge to create effective checks on official arbitrariness and abuses.

We pledge to operate this administration in a spirit of full disclosure, assuring public access to public information.

And we pledge to work for diffusion of official power and responsibility so that state and local governments—the governments closest to the people—can succeed in partnership with the federal government.

In state government itself, self-discipline and innovation must go hand in hand.

State government must be reorganized to become a management tool for accomplishment. It must be sharpened to become the agent for constructive change instead of the custodian of an accumulation of separate and unresponsive agencies and programs.

There is no use in shuffling the boxes around on an organization chart if Illinois begs in Washington and quarrels with its own cities.

We must have a strict system of priorities under annual budget controls that will help us do our most important jobs well, while letting other tasks wait their turn.

We have sought—and continue to seek—men in government who are devoted to work, animated by principle, and committed to success.

They must find better ways of doing the traditional jobs of state government, and they must have the perception to recognize new needs and goals.

All of us must discipline ourselves so that we can work effectively with all sections of the state, to avoid bickering our way into stalemate.

We are going to think not in terms of human misery, but in terms of increasing the potential for human happiness.

We are going to attempt to turn life's dead-end streets into new avenues of opportunity.

Our prisons and mental hospitals must not be ends in themselves, but rather they must be means to repair and renew human lives.

Above all, we must put an end to the historic split between Chicago and the rest of the state. This dichotomy has cost us dearly in wasted bitterness and squandered effort.

More than ever before, the different parts of Illinois, like the different parts of the nation, are united in their interdependence. No single section can stand apart from the rest. We are all Illinoisans together, and together we must make progress in the cities, in the suburbs, in the towns, and on the farms.

All our goals, in short, must be positive—to heal where there is hurt, to rebuild where there is damage, to succeed where we have failed.

In the days ahead, we have one special and immense opportunity. And that is to create a new constitution that will help us achieve present and future goals.

The constitutional convention can write a new document that will live and grow, and will provide a rational basis for fair taxation and fiscal responsibility. No other task before us will demand such a moratorium on partisanship and such an exercise in citizen involvement.

In the convention, in new legislation, in all our acts and thinking, we must work together. We must stay together.

And now, on this day of dedication, I ask you all to join in a new partnership for Illinois.

We ask more of government, more of life itself. And we must give more of ourselves for what we seek. This is the sacrifice demanded for success.

For myself, I ask for your prayers. For Illinois, I ask for your time, your talent, your ideas, and, yes, your criticism.

All of us meeting here today might well remember Lincoln's admonition to a clergyman who said he hoped the Lord would be "on our side."

Lincoln replied: "The Lord is always on the side of the right. But it is my constant anxiety and prayer that I and this nation should be on the Lord's side."

So let it be for us today. For what each of us will do will be judged by our consciences and our Maker.

The final judgment will be the sum of each of our days—of what we did, or did not do, day by day.

Together we can seek the best we believe in for Illinois. This is our land, and the people shall prevail. This is our America that Carl Sandburg called—"Seeker and finder, yet ever more seeker than finder, ever seeking its way amid storm and dream."

And now, confident in our dream and in our abilities, let us seek the Illinois of tomorrow. Together, we will not fail.

ASTRONAUT COL. FRANK BORMAN VISITS HIS NATIVE CITY, GARY, IND.

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. MADDEN. Mr. Speaker, on Wednesday of this week the city of Gary, Ind., was host to its native son, Astronaut Frank Borman, the commander of the moon-circling Apollo 8 spacecraft.

This was not only a banner day for the city of Gary, but Gov. Edgar Whitcomb and the State legislature designated Wednesday, January 15, 1969, as Borman Day throughout the State of Indiana.

The Borman Day festivities started at 8 a.m. with an overflow prayer breakfast at the Hotel Gary. This gathering was attended by relatives of the astronaut living in Gary and the immediate vicinity and by those from business, labor, schools, and others representing all segments of our city.

After the breakfast a mammoth meeting of high school students was held at the Memorial Auditorium—a mass gathering of over 6,000. The space hero, after brief remarks, devoted over an hour to answering questions from students. After this, Colonel Borman was taken to a dedication ceremony at one of the city parks, where he was honored by the Gary Park Board designating a beautiful municipal park as Borman Square.

From the park ceremonies the welcome was transferred to the city hall where, in the council chamber, Mayor Richard Hatcher and members of the council presented Colonel Borman with the key to the city and presented both Colonel Borman and Mrs. Borman suitable presents so they can treasure the memory of Gary's Borman Day celebration.

After the city hall ceremonies, a parade through the principal streets of the city gave thousands more in the Calumet region an opportunity to see Astronaut Colonel Borman and his charming wife. After the parade Colonel and Mrs. Borman and relatives were taken to adjacent Crown Point for a visit with Colonel Borman's 93-year-old grandmother, Mrs. Frank Borman, Sr. In the late afternoon Colonel and Mrs. Borman were joined by Lt. Col. William A. Anders and Capt. James Lovell and took off for the space headquarters in Houston.

Wednesday was the second great reception given Colonel Borman by the citizens of Gary, Ind. The first reception was given in January 1966 after he had orbited the globe 206 times in 14 days.

The Gary Post Tribune on Wednesday, January 15 sounded the sentiment of everyone in the following editorial which I hereby submit for the Members to read:

THERE WILL NOT BE ANY PROBLEMS TOO BIG FOR GARY

"There won't be any problems too great for Gary."

Frank Borman said that on his visit here three years ago. He is here again today.

In the interim, Borman has helped prove that same theme insofar as space flight is concerned by going up and around the moon. We say "helped prove" for Frank Borman, great as are his skills and his spirit, didn't do it alone. Nor was it done only by Borman and his lunar traveling companions, James Lovell and William Anders. As all three have emphasized time and time again, their voyage to new horizons was a team effort. It involved the thousands of experts in the National Aeronautics and Space Administration (NASA). It involved the cooperation of science and industry and other branches of government.

To prove that "no problems are too great for Gary," the city and its surrounding area must exhibit that same kind of cooperation. It has demonstrated that ability again in the unavoidably hurried effort to arrange a fitting welcome for its No. 1 hero.

By demonstrating on the home front that NASA spirit of teamwork and determination, Gary can bring its own dreams into realization just as one of our native sons has helped forward the dream of making manned contact with the moon.

In the words of Mayor Richard G. Hatcher, "Let's get ourselves together," and then, in the words of Colonel Borman:

"There won't be any problems too great for Gary."

The city could provide its native son no greater gift.

(EDITOR'S NOTE.—The above editorial is being engraved on the sterling silver plate presented to Mrs. Frank Borman by Mayor Richard G. Hatcher at today's special session of the Gary City Council paying tribute to Col. Borman.)

IMPLICATIONS OF THE SOVIET "PEACE OFFENSIVE"

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. PUCINSKI. Mr. Speaker, the Embassy of Israel has prepared an excellent analysis of the so-called Soviet "peace offensive".

I believe it is important for all Americans—but in particular, the opinion-makers of this Nation—to understand the full implications of the Soviet "peace offensive".

It is for this reason, Mr. Speaker, that I am placing the entire analysis in the CONGRESSIONAL RECORD at this point.

The analysis follows:

THE IMPLICATIONS OF THE SOVIET "PEACE OFFENSIVE"

(1) Recent press reports of Soviet feelers in Western capitals urging a great power initiative for an imposed settlement in the Middle East call for an appraisal of Soviet motives and intentions.

Published reports suffice to show that what the Soviets have in mind is not peace. The intent is to impose a unilateral and unconditional Israeli withdrawal to the Armistice line which existed before the Six-Day War without concluding a peace.

What the Soviets contemplate is a system of arrangements substantially similar to those set up following the hostilities of 1956. In principle, they are proposing a resurrection of the palliatives and fragile arrangements that served as the breeding ground for the 1967 war and which will, inevitably, preserve the roots of the existing conflict intact, setting the scene for more war in time to come.

(2) A formula of total withdrawal is demanded without the slightest reference or allowance for those critical principles which must attend any effort to establish true peace in the area:

(a) explicit Arab recognition of Israel's sovereignty and a permanent end to hostility;

(b) contractual agreements between the parties to the conflict;

(c) boundaries that are both secure and recognized, inevitably different from the old fragile Armistice lines;

(d) freedom of navigation through the Suez Canal;

(e) freedom of shipping through the Straits of Tiran and the means to guarantee its protection.

In sum, the Soviet scheme is designed to exempt the Arab governments from undertaking any act which would constitute a recognition of Israel's rights and national integrity as well as any movement that could lead to the development of normal relations between the peoples of the area. Israel, on the other hand, is expected to renounce interests crucial to its very existence.

(3) The Soviet design for an imposed political settlement is one more effort to impose its own, and the Egyptian interpretation, of the November 22nd Security Council resolution—namely Israel's withdrawal without peace or the conditions and guarantees for peace. It is an endorsement of the Arab summit Khartoum resolution (no recognition, no negotiation, no peace), and of the Egyptian doctrine which opposes any real measure calculated to foster an Israel-Arab rapprochement. At no time has a Soviet spokesman, or any Soviet document, ever expressed the aim of Soviet policy to be the establishment of true peace between Israel and the Arabs. Employed instead are calculated euphemisms designed for Western

> ears, such as "political settlement" or "peaceful settlement," meaning the bringing about of an arrangement by methods short of war. Explicit recognition of the necessity to assist in the promotion of a genuine peace settlement is neither the Soviet intention nor policy, just as it is not that of the UAR.
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> (4) The Soviet version of a "settlement," were it to be acted upon, would inevitably be interpreted as a Communist political victory enhancing Communist prestige in the area. It would offer new encouragement for the Soviet-oriented Arab regimes and pave the way for an even more assertive Soviet policy throughout the Middle East.
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> (5) The Soviet proposal that the political settlement be upheld by a four-power guarantee is of particular seriousness. The very notion of the Soviet design opens up the prospect of direct Soviet intervention under a legalistic cloak. The Russian invasion of Czechoslovakia serves notice on small states what they are likely to expect when the Soviet Union claims for itself the right to act outside its own borders in order to impose a settlement.
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> (6) More than that, it brings into very real focus the potential threat of direct super power confrontation. To be effective, the Soviet-endorsed arrangements would have to be actively guaranteed by the great powers. Practically speaking, therefore, the Soviet scheme would enhance and increase the role directly to be played in the area by these powers and thus heighten rather than reduce the chances of their violent confrontation. For were the arrangements to break down, the powers might find themselves in a situation in which they would be obligated to act, perhaps physically. In doing so, it is inconceivable that they might find themselves on opposite sides.
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> (7) The seeds of a Berlin situation would have thus been transplanted into the Middle East. Given the volatile nature of the Middle East, risks of a super power confrontation would stand to be even greater than in Europe. Is every border incident, however minor, to become the object of big power anxiety and of potential involvement as is true of Berlin? These are the implications of a four-power imposed settlement.
>
> (8) Ultimately, Soviet talk of an imposed settlement must seriously undermine the Jarring mission, whose mandate (the bringing together of the sides) is in total discord with the Soviet intention. Israel's support of the Jarring mission is motivated by the same considerations which have directed American policy since June 1967. The essential principle of that policy was summed up by President Johnson on June 19, 1967: "Clearly the parties to the conflict must be the parties to the peace. Sooner or later it is they who must make a settlement in the area. It is hard to see how it is possible for nations to live together in peace if they cannot learn to reason together."

INCREASE WOULD COST AMERICAN TAXPAYERS $13,400,000

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. **MILLER** of Ohio. Mr. Speaker, I have joined with some of my colleagues in filing a resolution which would block a proposed pay increase for Members of Congress.

The annual pay increase of $12,500 per Member of Congress, as proposed by the President, sounds like a substantial amount.

However, it becomes another staggering Federal figure when the total amount of this pay increase is computed.

This increase would go to each of the Senators and Representatives, and the Resident Commissioner of Puerto Rico, a total of 536 individuals.

It amounts to $6,600,000 annually. This would cost the American taxpayers $13,400,000 during the course of the 91st Congress.

No Member of either the House or Senate was, so far as I know, coerced into seeking office. All should have been, and I am sure were, well aware of the salary long before they began seeking office.

During this period when talk of holding the line against inflation is uppermost it seems almost unreasonable that we could sit by and allow this increase to come about.

This resolution, declaring that the salary of Members of Congress should not be increased should be unanimously agreed to.

These millions can better be used elsewhere in our Nation.

LAYING IT ON THE LINE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. ASHBROOK. Mr. Speaker, while the Paris peace talks with Hanoi continue to drone on, it must be borne in mind that Ho Chi Minh would not be participating if present conditions left him any alternative. In commenting on the talks, Roscoe Drummond, in the Christian Science Monitor of December 31, 1968, stressed that:

> The North Vietnamese leaders have always and openly contended that the conquest of South Vietnam had to be won on the battlefield by military victory, not by half a victory.

Mr. Drummond adds:

> On this crucial objective the Communists have failed. They wouldn't be in Paris at all if they had been winning the war militarily. They accepted negotiations as the only practical alternative when they saw that the massive Tet offensive and the lesser offensives were failures.

In his column of December 25, 1968, in the Washington Post, Columnist Joseph Alsop concurs with the view of Mr. Drummond concerning the military setbacks of the North Vietnamese:

> Militarily, every informed person now agrees that Hanoi's three 1968 offensives were almost unqualified disasters.

In the January 1969 issue of the Veterans of Foreign Wars magazine, VFW Commander in Chief Richard Homan and Ray Gallagher, senior vice commander in chief, after a recent visit to the area of Southeast Asia, state in the article, "Our Men Are Doing Their Job," that the Communists have agreed to the peace talks because they have failed to take over South Vietnam militarily. This is not just the opinion of the two VFW officials:

> We came to this conclusion after discussing the Vietnam war with officials of South Vietnam, Thailand, Malaysia, New Zealand and Australia.

With this fact in mind, it would be indeed tragic if the present peace talks resulted in political concessions to the Communists after their military efforts had failed in South Vietnam. In addition, it would be ironic if the Vietcong gained at the peace table what they had failed to accomplish by the brutal killing of thousands of Vietnamese civilians.

It should also be made plain to the Vietnamese Communists that if they contemplate another offensive against South Vietnam, not only will the bombing be renewed but Haiphong will be closed and the bombing of the dikes and dams along the Red River would be given consideration.

Under unanimous consent I insert the above-mentioned columns and article in the RECORD at this point:

[From the Veterans of Foreign Wars magazine, January 1969]

OUR MEN ARE DOING THEIR JOB

(NOTE.—Far East situation reviewed by VFW leaders after their trip.)

(By Richard Homan, Commander-in-chief, and Ray Gallagher, senior vice commander-in-chief)

The Communists agreed to the Vietnam Peace talks only because they have been beaten in their attempt to take over South Vietnam by military means.

This is not just our opinion, or that of U.S. personnel in Vietnam, but one also held by Southeast Asian leaders we met during our three week visit to the Far East.

We came to this conclusion after discussing the Vietnam war with officials of South Vietnam, Thailand, Malaysia, New Zealand and Australia. These people understand Communism because they live next door to it.

They know the Communists went to the battlefield to force their will upon the South Vietnamese. Even with the use of terror tactics, such as murder to intimidate these people, the North Vietnamese have failed to achieve this aim.

The leaders of Southeast Asia were not surprised by the Peace talks for they knew the Communists had been beaten militarily and that they would want to sit down and negotiate.

Southeast Asians firmly believe the Communists will seek to prolong and delay the talks in an attempt to wear down our country's will to the point where we are ready to settle at their price.

In 1967, we visited Vietnam. On our return a year later, we found both the military and civilian situations vastly improved.

Contrary to what some Americans believe, the withdrawal of the North Vietnamese into Laos, Cambodia and across the DMZ was not voluntary. It was the result of military victory. Our forces have literally cut the Communists to pieces on the battlefield.

The Tet Offensive is an example. We are the only people in the world who believe this infamous attack was a victory for the Communists. But this is not the case, for it was anything but a victory for the North Vietnamese and Viet Cong.

When the Communists launched this act of aggression, they had certain goals in mind. One was to destroy the South Vietnam central government in Saigon. Secondly, they believed the South Vietnamese would rise up in support of them. Thirdly, they hoped to destroy the military capabilities of South Vietnamese, American and Allied forces.

The Communist leaders had great confidence they would achieve their goals. Well, they did not. Just look at the results.

Because they thought they would have the support of the people, local Communist leaders came out of hiding and into the open. The result was that the South Vietnamese literally gobbled them up destroying the local Communist leadership structure. This is one of the reasons for our recent successes in Vietnam.

One must remember that the North Vietnamese and Viet Cong do not operate as we do logistically. We move our forces up and then bring up the supplies to support them. The Communists do not have this mobility. Instead, they have to infiltrate their supplies out ahead so when their forces move out they can pick them up.

For this to be successful, the North Vietnamese and Viet Cong have to locate supply depots in villages and keep the locations secret. In the past, they would threaten everyone in the village. They might say, "If you expose this, tomorrow morning you will be dead," or they would destroy the village.

At one time, it was felt the reason the people did not divulge these locations was that they were sympathetic to the Communists. We have since discovered the actual truth was that they were afraid. They knew the Communists could move back at night and make good their threats.

General Pham Xuan Chieu, President of the Vietnamese Veterans Legion Association, told us that some 85,000 local leaders have been murdered or kidnapped in the past.

But with the destruction of the local Communist leadership, the South Vietnamese are not afraid to tell what they know. As a result, the North Vietnamese and Viet Cong have lost their advantage of sanctuary.

Maj. Gen. Ellis W. Williamson, Commander, 25th Infantry Division, showed us captured documents and reports which support this.

One taken off the body of a North Vietnam trooper said this, in essence: "I can't find the old havens. The security that used to be available to me is no longer here. There is nobody I can trust anymore to hide me or my supplies."

This shows that the practice of intimidation and fear by the Communists is not as effective as it was. This is probably due in large part to the improved local security the South Vietnamese government is providing.

We found that the South Vietnamese have improved greatly as a military organization. Coupled with this has been an improvement in the civilian government. Previously, the latter was situated largely in Saigon with few programs for the rural areas. The government now has extended itself to the province level and has initiated programs to take care of the needs of the local areas.

The South Vietnamese now feel they have the advantage of time with them. They feel that with our remaining for a little longer, they will soon be able to take over the bulk of their own defense.

We left Saigon on the evening of the announcement of the bombing pause. Everyone, especially the leaders, were expecting it but, frankly, were hopeful it would not happen.

But despite this, we found among the South Vietnamese and Southeast Asia leaders a complete understanding of the situation in our country. They all expressed great respect for the President and were aware of the extent of the pressures on him to do something.

They expressed hope, however, that if the North Vietnamese violated the agreement, then the United States would resume bombing immediately.

What made the greatest impression upon us was the American soldiers we met. All Americans can learn something from them, for they are the best men this country has ever produced.

We talked to field commanders who have had experience in three wars and they have nothing but praise for the young men we are sending over there.

Their ability to fight is second to none, but even more important is their attitude. They are not necessarily military in their approach to the situation. Instead, in their off-duty hours they are promoting a host of humanitarian deeds to aid the South Vietnamese. In communities where they are stationed, our men are finding something to do that will assist the community to develop. It might be supplying medical and first aid needs or the building of a hospital or a school. Others use the knowledge of their background to help. A boy from a farm will help them with their agricultural problems, such as teaching them about the use of fertilizer.

Our men are just not military people; they are missionaries in the true sense of the word, for they have won the hearts of the people of South Vietnam.

There is no question about it. We saw it in Hue, which was hard hit by the Tet Offensive. As we drove through the streets, you could see it on the countenances of the South Vietnamese. They all smiled and waved as we went by. It was almost like France during World War II when it was liberated.

The first stop on our three-week trip was in Anchorage, Alaska, where we received a briefing from General F. S. Roberts, Chief of Staff, Unified Alaskan Command. We also toured the air transport operation and viewed the servicing of a jet headed for Southeast Asia.

After a stop in Tokyo, we went on to Korea. We were never accepted more warmly than by the servicemen there. These men feel and know that it was the Veterans of Foreign Wars which helped them get hostile fire pay for those on the DMZ and the awarding of the Armed Forces Expeditionary Medal to those who have served there after Oct. 1, 1966.

These men deserve this recognition, for the DMZ line in Korea is almost as active on some days as it is in many areas of South Vietnam.

While in Korea, we met with General Ill-Wham Kim, Chairman, Korean Veterans Association, and Gen. Charles H. Bonesteel, Commander, U.S. Army, Korea.

From Korea, we flew to Hong Kong and then to South Vietnam. In addition to our talks with General Chieu and General Williamson, we were also briefed by Gen. A. J. Goodpaster, Deputy Commander to General C. W. Abrams; Lt. Gen. Richard Stilwell, Commander, XII Corps, and other high ranking leaders.

After our stop in Vietnam, we went on to Thailand and Malaysia before returning to the United States. In Thailand, we chatted with U.S. Ambassador Leonard Unger.

The character of the people of Southeast Asia left a lasting impression upon us. Those in our country who say that these people do not care for us or for freedom are doing them a disservice. They earnestly seek and desire it and look upon our country as the beacon of hope in obtaining it. We must not let them down.

[From the Washington Post, Dec. 25, 1968]

ALLIES' PROGRESS IN VIETNAM BELIES PESSIMISM OF CRITICS

(By Joseph Alsop)

For months after the Tet offensive, the American public was inundated by torrents of hogwash about the situation in Vietnam. To this day, moreover, the veracity of the hogwash is strongly insisted upon by persons like Prof. J. Kenneth Galbraith, who are great hogwash-fanciers where Asia is concerned.

Thus an attempt to sum up a prolonged, intensive, on-the-spot inquiry in Vietnam must begin, alas, with hogwash clearance. The best method is to ask how the balance sheet stands for the Hanoi war-planners, after the fearful efforts and hideous losses of their three 1968 offensives.

On the balance sheet's plus side, there is the undoubted fact that the hogwash had a powerful political impact in the United States. But right there is where the plus side of the balance sheet comes to an end. Militarily, every informed person now agrees that Hanoi's three 1968 offensives were almost unqualified disasters.

In South Vietnam, moreover, these offensives were also political disasters, mainly for a reason that is barely beginning to be understood. In brief, the offensives gravely weakened the Vietcong—the Southerners serving under Hanoi's orders—who are after all, Hanoi's chief political assets in South Vietnam.

Some proofs and illustrations of the effects on the VC were given in the last report in this space. Briefly recapitulating, what you find from the DMZ down to the border of the Delta is a grim and recent transformation of the only remaining fighting units which formerly deserved the true VC label.

This transformation of the "local forces"—the provincial battalions and district companies under orders from the VC province and district committees—has taken more than one form. Just before this reporter visited the American Division in Quangngai province, for instance, one of the VC local force battalions had been sharply encountered.

This enemy battalion was already at less than half strength, with under 100 troops. In the fight, it lost 15 dead and 16 captured. And among both the dead and the prisoners approximately half were women, who carried arms like the men.

Far more commonly, however, the local force battalions and even the little district companies have been transformed by ceasing to be true VC units. Instead of getting their replacements locally, in other words, they have begun to depend on North Vietnamese replacements. As long ago happened to the larger units of the "main forces" the local force battalions and companies above the Delta are therefore undergoing rapid North Vietnamization. And even in the Delta itself, substantial Northern replacement packets are now required each month.

These, wholly novel developments can only mean that 1968's hemorrhage of manpower left the VC in the South both gravely weakened, as noted, and hence incapable of self-regeneration. There can be no other reason for the widespread transfer of the local forces' manpower burden to North Vietnam, where manpower is the single most acute problem.

These symptoms of grave weakness are not the end of the VC story, either. "Do your hamlet and village chiefs sleep in their villages and hamlets?" used to be the standard question put by anyone skeptical of the government's pacification program. Today, in contrast, in province after province, you find that VC village and hamlet chiefs are quite often the ones who do not sleep at home. Instead they lurk on the fringes, in little, local base areas, whence they make hasty forays to try to maintain their old authority.

Meanwhile, the impact of the 1968 offensives on North Vietnam itself can be judged from still another wholly novel development. In the past, when a Northern soldier came South, it was for the duration; and it did not matter whether or not he was wounded.

But that system has been changed, no doubt because of the dreadfulness of the recent losses. Ant-like processions of porters are now carrying hammock loads of non-ambulatory wounded from Laos to North Vietnam. Study of the reconnaissance photographs recently revealed a flow through the Mughia pass of no less than 2500 hammock loads per week!

That dire statistic in turn explains the withdrawal northwards, or into transborder sanctuaries, of so many of the enemy's largest fighting units. This withdrawal, to be sure, is not necessarily permanent. At the moment, in fact, a renewed push into III Corps is apparently being attempted. But if you add up all these facts, you can easily perceive the really central fact—that Hanoi's options have now been cruelly narrowed.

[From the Christian Science Monitor, Dec. 31, 1968]

WHAT NEXT IN PARIS?

(By Roscoe Drummond)

WASHINGTON.—When the Paris talks get down to the serious business of trying to reach an acceptable Vietnam settlement, it will be well not to expect quick results.

The Communists have never negotiated that way—not on the Berlin blockade, or the Austrian peace treaty, or the Korean war, or anywhere else I can recall. Even when they know exactly what they will settle for, they always begin by demanding the impossible, asking for twice as much as they will accept. Their tactic is to drag out the negotiations as long and as tortuously as possible.

It should be expected that the Paris talks will be the same for two reasons.

One reason is that Hanoi aims to get a significant military victory on the battlefield in order to demand more at the conference. Hanoi has often said that the state of the fighting will determine the shape of the peace, and the North Vietnamese negotiators will not likely be very flexible until they find out that it is not possible for them to mount a successful offensive in South Vietnam. This is why events in Vietnam will be more revealing for a period than the headlines from Paris.

The other reason why the tactic of delay is useful to Hanoi is that its target is the American people. The Communists know that public opinion in the United States wants to end the war, that it would be tremendously helpful to the new president politically if agreement could be soon reached and that, so the Communists believe at least, American opinion will become so impatient at delay that we will take any kind of peace.

It remains to be seen whether this tactic of delay will be as effective with the American people as the Communists hope, but we do need to steel ourselves against its calculated effect.

In watching the Paris negotiations we need to bear in mind that the North Vietnamese leaders have always, and openly contended that the conquest of South Vietnam had to be won on the battlefield by military victory, not by half a victory.

On this crucial objective the Communists have failed. They wouldn't be in Paris at all if they had been winning the war militarily. They accepted negotiations as the only practical alternative when they saw that the massive Tet offensive and the lesser offensives were failures. Unwelcome as it is to South Vietnam and the United States, the present military standoff is hurting Hanoi and the Viet Cong far more than it is the allies. There is, therefore, every reason why we should not be tempted to throw away the peace by yielding to impatience.

Being unable to seize control of South Vietnam by military means, Hanoi's goal in the Paris negotiations is to achieve this end by a kind of settlement which would so weaken the elected government of South Vietnam that a Communist takeover would be the end result. That is why the issue of imposing an unelected Communist coalition on Saigon is the heart of the matter.

What is at stake in this war? Surely at stake is the right of self-determination, the right of the people of South Vietnam to a government of their own choosing. The people of Hungary wanted to exercise that right and the Kremlin sent in the Red Army to deny it to them. The people of Czechoslovakia wanted to exercise that right and the Kremlin occupied their country with 600,000 troops to deny it to them. All the government and people of South Vietnam want at Paris is the right to make their own decisions.

A peace which secures that right will be a good peace.

A settlement which does not secure that right will be no peace.

To remain steadfast in behalf of a just peace will undoubtedly be President-Elect Nixon's most difficult task because the political pressures within the United States for a peace-at-any-price will be vocal and vigorous. If he believes, as I think he does, that such a peace is in the national interest and is essential to preserving the independence of all Southeast Asia, he will have to lead the nation to his view, not just heed the loudest voices.

Nixon wants peace in Vietnam, but he doesn't want a peace which rests on quicksand.

WHAT MY FLAG MEANS TO ME

HON. DANIEL J. RONAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. RONAN. Mr. Speaker, recently Mrs. Roland Barile, South Berwyn service unit, chairman of the Girl Scouts contacted me requesting assistance in obtaining 12 new American flags for use by the Girl Scout troops in her area. I agreed to personally donate five flags and have them flown over the Capitol in honor of the troops designated to receive them. In order to determine which Girl Scout units would have the flags an essay contest was set up and each trooper was asked to write a short essay on "What My Flag Means to Me."

Believing that such examples of good citizenship and patriotism deserve recognition, I am pleased to include in the CONGRESSIONAL RECORD the names of the winners and their winning essays. I am sure their parents and fellow troop members are proud of the efforts of these fine young citizens, and I extend my congratulations to them and to all who participated in the contest.

WHAT MY FLAG MEANS TO ME

(By Francine Klus, Junior Troop No. 31, First Methodist Church, Berwyn, Ill.)

Our flag stands proud
Among any crowd
It deserves a salute
With the band and the flute
And when we say
The pledge each day
You should be proud
That our flag stands out in front of the crowd
In the U.S.A.

WHAT MY FLAG MEANS TO ME

(By Allison Witczak, Junior Troop No. 130, First Presbyterian Church, Berwyn, Ill.)

From dawn to dusk the flag will fly
Across the blueness of the sky.
It tells me of the brave and true
Who lived and died for me and you.
It tells me of freedom's fight.
It tells me of our country's might.
For peace and charity our flag stands,
And when'er I see it, I'll hear brass brands.
And those so very far from home,
Just remember the flag on top the white dome.

WHAT MY FLAG MEANS TO ME

(By Junior Troop No. 75 (joint effort), First Baptist Church, Berwyn, Ill.)

We want this flag with all the heart,
For of our Capitol, it has been a part.
What a thrill it would be to carry this banner,
Proud and privileged, in a true scout manner.
We'll take good care and keep it dear,
And pass it on from year to year.

WHAT MY FLAG MEANS TO ME

(By Kimberly Kral, Junior Troop No. 175, St. Leonard Altar and Rosary Society, Berwyn, Ill.)

My flag means to me a great deal.
When I see our country's flag it makes me feel proud.
Proud of the people who live here and of people of long ago and of people today who die to protect our flag.
The flag reminds me of the beauty of our land and of the trust and loyalty I owe to it.

WHAT MY FLAG MEANS TO ME

(By Lorna Reily, Cadetta Troop No. 235, Concordia Lutheran Church, Berwyn, Ill.)

Our flag gives us many privileges.
But to earn the privileges, you
Must accept responsibility.
Citizenship is both.

A GREAT SECRETARY OF INTERIOR, STEWART UDALL

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. OLSEN. Mr. Speaker, today is a time for farewells. It is time to say a few words of appreciation to and about friends and colleagues who are leaving the Nation's Capital with the Johnson administration.

I particularly want to take this occasion to say a few words about Stewart Udall, who in my own opinion is the greatest Secretary of Interior. We in the West are of course sensitive to the work of the Department of Interior because this Department administers so much of our western public domain.

Today, the last working day of the Johnson administration, is a time for summing up. President John F. Kennedy wrote an introduction to a book by Stewart Udall, "The Quiet Crisis," which best sums up what Stewart Udall set out to do, and I believe accomplished during his tenure. John Kennedy in referring to the need to protect our natural resources wrote:

> The crisis may be quiet, but it is urgent. We must do in our own day what Theodore Roosevelt did sixty years ago: We must expand the concept of conservation to meet the imperious problems of the new age. We must develop new instruments of foresight and protection and nurture in order to recover the relationship between man and nature and to make sure that the national estate we pass on to our multiplying descendants is green and flourishing.

I think that it can be said of Stewart Udall that he kept that promise of John Kennedy to keep our national estate green and flourishing for 8 long years. He was originally part of that band of brothers that helped elect John Kennedy President of the United States. In 1960 he fought Lyndon Johnson on John Kennedy's behalf as hard as he served Lyndon Johnson as President.

The great accomplishments of Stewart Udall as Secretary of the Interior will be long remembered. But it is the personal things from the Kennedy years that I remember best, the fact that it was Stu Udall who brought Robert Frost to the Kennedy inaugural, who, more than any other major national figure kept alive the movement toward physical fitness, and who more than any other man kept the conservation movement in the public eye. But most of all I would like to remind my colleagues that it was Stewart Udall who worked so hard to bring the plight of Appalachia to the attention of the American public and to the White House. It was he who wrote the preface to the book, "Night Comes to the Cumberlands," by Harry Caudill.

Stewart Udall is in every sense of the word a good man. He has fulfilled every expectation and he has fulfilled every promise. I think he has a great future. His country will need him again.

LIBERALIZED TRADE—COMMUNIST COUNTRIES ONLY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. RARICK. Mr. Speaker, undoubtedly many American businessmen rejoice upon hearing plans to liberalize U.S. trade policies.

But apparently not all barriers would be removed—in fact, the policies would become more controlled as to various foreign trade. The liberal trade policies clearly do not extend to Rhodesia and South Africa. Rather, according to the release, the plan would grant full discretion to "the President to enter into agreements with Communist countries of Eastern Europe when he determined commercial benefits would result for the United States."

Past experience does not sound like any liberalization but rather more of the same socialized plan to subsidize defunct Communist countries to prevent their enslaved subjects from becoming disenchanted with the lack of progress under their system.

I place a report from Jeremiah O'Leary from the Evening Star of January 16, 1969, followed by the latest Executive letter dated January 8, 1969, extending full sanctions against Rhodesia, at this point in the RECORD.

[From the Washington (D.C.) Evening Star, Jan. 16, 1969]

UNITED STATES IS URGED TO PRESS LIBERAL TRADE POLICIES

(By Jeremiah O'Leary)

A strong thrust for continued U.S. liberal trade policies is contained in a report received by President Johnson today from William M. Roth, special representative for trade negotiations.

The report, recommending broad outlines for future U.S. trade policy with other nations, was requested by the President and has been in preparation for the past year. Ambassador Roth took into account the recommendations of a Public Advisory Committee on Trade Policy, including 35 business, farm, labor and consumer leaders.

Roth recommended legislation to establish a permanent Special Representative for Trade Negotiations as a statutory agency in the Executive Office of the President and reporting directly to the Chief Executive. The legislation, Roth recommended, should give the office of the special representative primary responsibility for formulating and coordinating trade policy and negotiating most agreements involving the movements of goods.

The report also proposed legislation as soon as possible authorizing the President to enter into agreements with Communist countries of Eastern Europe when he determines commercial benefits would result for the United States.

COMMERCIAL CONCEPT

These agreements, it was said, will have political value but should be negotiated primarily for commercial considerations.

The United States, it was proposed, should continue to participate with other developed countries in the formulation of a system of temporary, generalized tariff preferences for the benefit of less-developed nations.

The report said the United States must reject the quota or market-sharing approach as a general response to the pressure of world competition. U.S. trade policy should continue to be guided by the unconditional most-favored-nation principle by which the United States opposes creation of regional or other preferential arrangements among developed countries that do not comply with the General Agreement on Tariffs and Trade (GATT).

Other recommendations included the following:

The United States should begin to explore in GATT the possibility of negotiating adjustments in domestic agricultural policies and related trade barriers.

The United States should insist on the inclusion in future trade negotiations of removal of foreign barriers to U.S. investments.

[From the CONGRESSIONAL RECORD, Jan. 8, 1969]

TRADE AND OTHER TRANSACTIONS INVOLVING SOUTHERN RHODESIA—A COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES (H. Doc. No. 91-37)

The SPEAKER laid before the House the following communication from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

THE WHITE HOUSE,
Washington, January 7, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: By virtue of my authority under Section 5 of the United Nations Participation Act of 1945, as amended, I issued on July 29 Executive Order No. 11419 relating to trade and other transactions involving Southern Rhodesia. It extends the mandatory selective sanctions imposed in Executive Order No. 11322 of January 5, 1967, which I transmitted to you on February 27, 1967. A copy of Executive Order 11419 is attached.

The current Order prohibits virtually all financial and trade transactions between the United States and Southern Rhodesia. I have delegated to the Secretaries of Commerce, Transportation, and Treasury, in consultation with the Secretary of State, the authority to promulgate such regulations as are necessary to carry out the Order.

The Executive Order implements the mandatory provisions of the United Nations Security Council Resolution No. 253 unanimously adopted on May 29, on which the Representative of the United States voted affirmatively. In this resolution the Security Council determined that the situation in Southern Rhodesia continues to constitute a threat to peace under Chapter VII of the United Nations Charter and decided that all states should apply comprehensive mandatory sanctions against that territory in accordance with Articles 25 and 41 of the Charter. The Security Council thereby extended the selective sanctions imposed by its earlier Resolutions No. 217 of November 20, 1965 and No. 232 of December 16, 1966, taking note that the measures taken under those resolutions had failed to bring the rebellion in Southern Rhodesia to an end. A copy of Resolution No. 253 is attached.

The resolution requires all member states to extend the earlier prohibitions on imports from and exports to Southern Rhodesia to cover all commodities and products except those needed for medical, educational and humanitarian purposes. The resolution also obligates each member state to prohibit activities promoting or calculated to promote such imports and exports, the shipment and transport of such articles in ships and aircraft of its registry or under charter to its nationals, transfers of funds and economic and other financial resources to persons and bodies in Southern Rhodesia, flights to Southern Rhodesia by aircraft of its registry or aircraft owned or chartered by its nationals, and coordinating operations with airline companies constituted in or aircraft registered in Southern Rhodesia.

I am submitting this report to the Congress in accordance with Section 4 of the United Nations Participation Act, as amended.

Sincerely,

LYNDON B. JOHNSON.

GENERAL FARLEY'S ADDRESS BEFORE THE ALFRED E. SMITH MEMORIAL FOUNDATION DINNER

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. CAREY. Mr. Speaker, last October 16, my good friend, the Honorable James A. Farley, delivered a memorable address at the annual Alfred E. Smith Memorial Foundation dinner.

Jim Farley, former Democratic national chairman and Postmaster General, was selected to serve as chairman of the first dinner held in 1945 and has attended all but one of the 23 subsequent events. In his latest address he offers some interesting insights into the lives of both Al Smith and the late Francis Cardinal Spellman, who instituted the dinners in commemoration of the Governor.

I believe all our colleagues will be interested in General Farley's remarks and I include the full text of his address at this point in the RECORD:

ADDRESS BY HON. JAMES A. FARLEY

Your Excellency, Archbishop Cooke, President Johnson, Vice President Humphrey, Mr. Nixon, Your Excellencies, Right Reverend and Very Reverend Monsignori, Reverend

Fathers, Governor Rockefeller, Governor Hughes, Governor Dewey, Mayor Lindsay, Mr. Silver, Mrs. Warner, distinguished guests on the dais, ladies and gentlemen.

My appearance as a speaker tonight can be explained by an incident I witnessed in 1922, when Governor Smith was a candidate for reelection after his defeat in 1920 in the Harding landslide. It was believed that Commissioner Murphy, leader of Tammany Hall, had indicated he favored the nomination of William Randolph Hearst for the Governorship but the county chairmen and leaders north of the Bronx line, and the City too, were most enthusiastically in favor of Governor Smith being the candidate in that election. There was much tension around the hotel in Syracuse where the delegates were congregated because many of the leaders and prominent Democrats feared they would be placed in the position of having to support Mr. Murphy's choice of Mr. Hearst and none of them wanted to face that decision. I was visiting in Governor Smith's rooms in the Onondaga Hotel with several of the leaders when it was announced that Congressman Bourke Cochran of New York was calling on the Governor. I shall never forget the Congressman standing at the foot of Governor Smith's bed, where he was resting, when he delivered the second best oration I ever heard on why Governor Smith, for the sake of the Party on that ticket, should be willing to accept Mr. Hearst on the ticket as United States Senator, because at that time it was apparent that Governor Smith would be nominated. The Governor listened patiently to the Congressman's appeal. When Mr. Cochran concluded Governor Smith delivered the best oration, without exception, I ever heard, in language and voice which shook the walls, explaining why he would not accept Mr. Hearst on the ticket.

The counter-blast of the Governor left the Congressman speechless and he bowed quite gracefully and left the room. Suddenly, however, the door opened and there was the Congressman again, smiling, and he addressed the Governor as follows: "Governor," he said, "I want you to understand distinctly that I did not come here of my own volition"—indicating to the Governor that he thoroughly agreed with the position he had taken in inferring, of course, that he was there to deliver the message although he was wholeheartedly in favor of Governor Smith's position.

His last point is my first point. I, too, did not come here of my own volition. His Excellency Archbishop Cooke indicated that since both Governor Smith and Cardinal Spellman were among my oldest and most intimate friends that I speak as much in the vein of reminiscence of an old friend as of their great statures as a statesman and a religious leader.

I first met Al Smith in 1918, over fifty years ago. As Rockland County Democratic Chairman, I among others urged his candidacy upon Commissioner Murphy and he was nominated at the State Convention in Saratoga. Incidentally, I was a delegate to every State Convention where he was nominated for Governor.

As the 1918 campaign opened, a major epidemic of Spanish influenza raged throughout the country, and of course this State. Only on rare occasions were large public meetings permitted by the State Department of Health, and then only in the open air. We had such an open air meeting in Orangeburg in my own County of Rockland where I introduced him. He made his usual splendid response and it was well received.

At the end of it I said to him, "Al, I'm optimistic." He growled and looked at me and said, "Jimmy, about the campaign or about the influenza?" "Both," I answered.

He was elected Governor and the influenza subsided—but the Republicans didn't.

The Republicans secured control of the legislature in the Harding landslide in 1920 and they abolished my job at Port Warden to which the Governor had appointed me early in 1919, by reducing the number of wardens from nine to five. We were ready again to battle in 1922. Governor Smith won a great victory over Governor Miller. It is interesting to recall that as County Chairman I was unable to get anyone to run for the Assembly on the Democratic ticket in Rockland County that year, and I felt obliged to accept the nomination myself. I was elected and was, of course, a beneficiary of the Smith landslide.

One of the most outstanding pieces of legislation passed in the 1923 term of the State Legislature was the repeal of the Mullen-Gage law. The State was prohibition-minded then and there was much agitation during the 1921 session of the Legislature to pass a law assisting the enforcement of the 18th Amendment and hence the Mullen-Gage Act. Governor Smith was committed to its repeal.

Although I was personally dry I voted wet, but it turned out the voters of Rockland County preferred a candidate who was personally wet but supported prohibition and as a result I was defeated in the next election. When Governor Smith was reelected in 1924 he appointed me to the New York State Athletic Commission where I remained until 1933 when I went to Washington as Postmaster General.

There are a lot of legends arising from the deadlocked 1924 Democratic National Convention when Governor Smith and Secretary McAdoo of California were candidates for the nomination for the Presidency. I shall always remember carrying the New York State banner for Governor Smith, after his name was presented to the Convention, around old Madison Square Garden at 26th Street, for so long a time that I felt like a six-day bicycle rider. The Convention, after 103 ballots, compromised on nominating John W. Davis. The story is that Governor Smith, in agreeing to the compromise, declared, "They say I've got smallpox and McAdoo has diphtheria—so they settled for a case of measles"—I did not hear him say it, and I doubt if he did. John W. Davis was one of the country's most distinguished lawyers and had served as Ambassador to the Court of St. James.

In 1928, I again carried the New York State banner at Houston, where I shall always remember that in ringing tones Franklin D. Roosevelt again nominated Governor Smith as the "Happy Warrior," a name which so suited him that as such he is known to history. I well recall that fateful election evening when Governor and Mrs. Smith came over to Mr. Roosevelt's headquarters in The Biltmore at the time when it was apparent that the Governor was losing his race for the contest for the Presidency. He was in an affable frame of mind when he congratulated Mr. Roosevelt on his successful campaign for the Governorship, and his apparent election by a very narrow margin.

Early in the post-election hours of the 1928 campaign there were many amusing incidents, but one which I shall ever remember was when fearing some upstate shenanigans by the Republicans we alerted the Democratic watchers and workers to be on their toes; the Socialists were screaming like mad that we were telling our watchers not to count their ballots, which, of course, was not so, and Governor Smith ordering the boxes impounded said, "Remember it is not the votes which are cast which win elections; it is the votes which are counted."

For all of the great personal warmth of Governor Smith, he was as rigid as a steel girder about building New York State and he made it a model. He called the best men and women in every field in, and asked them what was best for the people and promised them he would sponsor legislation that would enable them to carry out the program. He did that. From mental health to workmen's compensation, from public education to state highways, he revolutionized the State Government. New York State became and remains a model. Even more importantly, the method of calling experts to assist started with Governor Smith's Kitchen Cabinet. President Franklin D. Roosevelt brought Governor Smith's idea to Washington where a similar group was called the Brain Trust. It has been said that Jimmy Kiernan, a well known New York Times reporter, coined the term.

This deep concern for the Common Man, the man who had to work for a living to take care of his wife and children, was the core and heart of Governor Smith's philosophy. He once said, "I don't want to know what a raise of one cent a quart of milk means to the industry, I want to know how many kids will have to do with less milk."

In a deep sense, therefore, Cardinal Spellman and Governor Smith were alike in mind and spirit. Both devoted their lives to helping the great masses of people build a future for themselves and their children.

I first met Cardinal Spellman in 1933, when my late wife and I had an audience with his Holiness Pope Pius XI.

I recall full well listening to the radio before going over to the nine o'clock mass that Sunday morning in 1946, at St. Patrick's Cathedral, and hearing the announcement of Archbishop Spellman's elevation to the Cardinalate, with three other American Archbishops—Glennon of St. Louis, Mooney of Detroit and Stritch of Chicago. After Mass that morning I called at the Archbishop's residence to offer congratulations and he invited me to join his party for the Consistory. I shall ever be grateful to His Late Eminence for making it possible for me to be present on that never-to-be-forgotten event in history.

With the Cardinal's other guests on that trip to Rome, I was privileged to attend all the ceremonies at St. Peter's and the various functions associated with it. One that will ever remain in my memory was the official dinner in the Quirinale Palace in honor of the newly elevated Cardinals—given by King Umberto II, who was reigning at that time. It was attended by the other members of the College of Cardinals, the Papal Nobility and the Diplomatic Corps in Rome, all wearing their decorations. The impressiveness of that gathering will always live with me; it was the most spectacular grouping I have ever seen. And, I am sure that Dr. Martin Spellman, Mrs. Pegman, Mrs. Gerrity, John C. Kelly and others who may be in this room tonight like myself, members of Cardinal Spellman's party, would have the same recollection.

I feel it can be safely said without fear of contradiction that no member of the Catholic Hierarchy in the United States rendered as much service as Cardinal Spellman not only to the New York Archdiocese but to the State of New York and the country as a whole. His yearly visits overseas to the men and women in the military service will be remembered by those whom he visited, throughout the world where our service men and women were located and also by members of their families and friends.

It was characteristic of Cardinal Spellman to commemorate Governor Smith's devotion to his fellow man and to public service by instituting the Governor Alfred E. Smith Memorial Dinners. I shall always remember that I was Chairman of the first dinner in 1945, and I have attended every dinner except one in 1946 when I was out of the country on business. Down through the years they have resulted in the raising of millions of dollars for St. Vincent's Hospital and the Archbishop's manifold charitable activities.

I count it the greatest of honors, therefore, that Archbishop Cooke in carrying on Governor Smith's and Cardinal Spellman's noble ideals, has permitted me to pay tribute to both my old and dear friends and the causes for which they so untiringly worked. I am satisfied, as I know they are, that the work they started will be carried forward with undiminished vigor by the tremendous energies and clear determination of His Excellency Archbishop Cooke and his devoted assistants. I am confident, too, that the memories and ideals of our late Governor and Cardinal will be carried on by generations as yet unborn.

Your Excellency, I am grateful to you for inviting me to address this gathering tonight in memory of our dear departed friends. And, I hope you will extend to me the same privilege they did—to call upon me as much and as often as you think the efforts of this humble servant can advance the cause of God's mercy—here on earth.

NEW YEAR'S STATEMENT

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. COHELAN. Mr. Speaker, at the beginning of a new year and a new session of Congress, it is fitting to take a look at the past and to see what must be done in the future.

Mr. George Meany, president of the AFL–CIO, in his new year's statement has made these reflections. In his statement he pledges American organized labor to do its utmost to "help solve the tremendous problems which face America's people, her cities, and her future."

Mr. Meany further pledges labor's support to "house the homeless, feed the hungry, succor the sick, protect the consumer, educate the young, provide the elderly with an old age free from fear, continue the march toward equality, and improve the lot of the Nation's workers and their unions."

These are noble pledges and I think they should be of interest to Members of Congress and the readers of the RECORD. Accordingly, I include Mr. Meany's new year's statement in the RECORD at this point:

NEW YEAR'S STATEMENT

(By George Meany, President, AFL–CIO)

American labor faces the new year in a spirit of determination—determination to continue to push for progress at home and an honorable peace in the world.

On the domestic and international scene, the future is uncertain. A new, untried Administration and a legislative branch of different political viewpoint are being called on to work together for the nation's benefit. How effective this division of power will be, only time will tell. But all Americans, no matter what their political beliefs, owe it to their country to support responsible efforts of the new Administration and the 91st Congress to meet the problems of our time.

The labor movement will do so. We will do our utmost to help solve the tremendous problems which face America's people, her cities and her future.

At the collective bargaining table, the unions of the AFL–CIO will be seeking contracts that guarantee to workers their fair share of the fruits of the enterprise.

In the halls of Congress, we will work on behalf of sound measures to house the homeless, feed the hungry, succor the sick, protect the consumer, educate the young, provide the elderly with an old age free from fear, continue the march toward full equality and improve the lot of the nation's workers and their unions.

We intend to support, with all our strength, the efforts of the most exploited workers in our nation—the farm workers—to achieve the protections and benefits that workers have a right to enjoy in a free society. The farm workers and the AFL–CIO will not rest until this goal has been won.

That means we will seek new programs where necessary, urge the broadening of existing programs that are too narrow to be effective and insist upon the adequate and proper financing of such measures.

In the state legislatures, AFL–CIO central bodies will be seeking adequate unemployment and workmen's compensation laws, adoption of state consumer-protection laws, modernization of factory and mine safety legislation, as well as the elimination of election and registration procedures designed to deny the ballot to citizens.

On the international scene, the AFL–CIO will continue its support of this nation's pursuit of peace with honor and its defense of freedom. We will continue to work in the developing countries with free, democratic trade unions secure in the belief that by helping build strong, free democratic institutions we are simultaneously helping building democracy and freedom for all.

It seems to me proper to add to these views of the coming year, labor's high regard for a great American who is about to lay down the burdens of office, President Lyndon B. Johnson.

No President has ever done more for the poor, the homeless, the elderly; no President has achieved more in the fields of education, civil rights or health care; no President has suffered so many unfair, unjustified attacks.

The American labor movement owes President Johnson a deep debt of gratitude and, on behalf of the AFL–CIO, I am honored to acknowledge it.

BOYD L. RASMUSSEN CITED FOR DISTINGUISHED SERVICE

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. ULLMAN. Mr. Speaker, the Department of the Interior held its 37th honor awards convocation on December 11, 1968. In Oregon we are very proud that in a short 2½ years Boyd L. Rasmussen, Director of the Bureau of Land Management, has so distinguished himself in the complex management of land and natural resources that Secretary Udall cited him for distinguished service. Those of us who know him personally and know of his dedication to public service are particularly proud that he has earned this award.

Boyd is from Ontario, Oreg. He is a graduate of our Forestry School at Oregon State College, began his conservation career in Oregon. His mother, Mrs. J. R. Rasmussen, continues to live in Ontario.

As Director of the Bureau of Land Management, he is directing the monumental classification of public lands required by the Classification and Multiple-Use Act of 1964, plays a prominent role in the United States-Japanese log exports situation. He traveled to Tokyo in February 1968. In October 1968 he appeared before the Brazilian Academy of Science in Rio de Janeiro to set forth the American experience in public land management.

Mr. Speaker, I insert in the RECORD at this point Secretary Udall's citation of Boyd S. Rasmussen for distinguished service:

THE SECRETARY OF THE INTERIOR,
Washington.

Citation for distinguished service to Boyd L. Rasmussen in recognition of an eminent Government career in the management and conservation of the Nation's land and natural resources.

Mr. Rasmussen came to the Interior Department as Director of the Bureau of Land Management, one of the Nation's largest land owners. A professional forester and career civil servant of many talents, Mr. Rasmussen brought to the Bureau's operations a wealth of experience in land and resource management with the Department of Agriculture. As an outstanding Public Land Administrator and foremost authority on multiple use management of the public lands, he demonstrated technical competence and extraordinary leadership in the Bureau's varied programs. Under his direction, the testing stage of land classification operations under the 1964 Classification and Multiple Use Act was completed. The land classification program gained wide participation and approval. Department goals have been met and by August 31, 1968, 104 million acres were classified for multiple use management. Mr. Rasmussen received wide recognition for these achievements and has been invited to appear before the Brazilian Academy of Science to explain the objectives of the Multiple Use and Classification Act, and review accomplishments to date. He has a prominent role in the United States-Japan log export crisis. Through his guidance, the Bureau's highly competent participation in meetings, conferences and negotiations became a major factor in coping with the log export issue. He had a most effective part in February 1968, in Toyko, at the second meeting of representatives of both countries to discuss possible solutions to the softwood log export problem in the Pacific Northwest. As a tribute to his distinct contribution to the Bureau of Land Management, Mr. Rasmussen is granted the highest honor of the Department of the Interior, its Distinguished Service Award.

STEWART S. UDALL,
Secretary of the Interior.

PERSONAL EXPLANATION

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, on Friday, January 17, 1969, I was invited by the President, as the ranking minority member on the Science and Astronautics Committee of the House of Representatives, to attend the presentation of the National Medal of Science at the White House. The National Medal of Science was established by Congress in 1959, "to provide recognition for individuals who make outstanding contributions in the physical, biological, mathematical, and engineering sciences."

Because of my attendance at this official ceremony to honor our distinguished scientists for their important contributions to our country's progress, I was not able to be present to answer to my name on rollcall No. 11, a quorum call taken early this afternoon.

ISRAEL RETALIATION POLICY A MUST

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. MOSS. Mr. Speaker, I insert at this time in the RECORD an article from the Washington Evening Star of January 16, 1969, by the distinguished columnist Ralph McGill. I do so because I think it clearly brings into focus the underlying weakness of the position taken by the U.N. in adopting its censure of Israel. I commend to all my colleagues careful attention to the reasoned statement by Mr. McGill:

ISRAEL RETALIATION POLICY A MUST

(By Ralph McGill)

No more transparent mixture of hypocrisy and weakness has been paraded on the international stage than the plea of Jordan and Egypt for peace in the Middle East.

It is hypocrisy because, even as the talk goes on, Nasser, in particular, is building and training his re-supplied army and air force for a "get-even" war against Israel. To a lesser extent, this is true of Jordan, Algeria and Syria. They want peace—for a while—"Give us peace . . . we are not quite ready for war—almost, but not quite."

Their plea is a confession of weakness, because it is an admission that they, first of all, do not themselves wish to halt the commando raids on Israel. And, they are saying that even if they did desire to say "stop" to the commando-guerrillas, they could not enforce the order because of political repercussions.

In the weeks after the humiliation of the Arab military failure in the six-day war, Hussein, Nasser and others encouraged commando actions. That they have financed them and seen to it that these guerrillas had a share of the arms provided by the Soviets to replace those lost is not denied.

Arab governments cannot now give orders to these groups. They would not dare send military forces to crush them, because they—the Husseins and Nasser—consistently have encouraged and assisted such raids. The Arab peoples, glorying in these crumbs of violence, would rise in wrathful street protests if their own governments were publicly to put down commando units.

It is precisely this political impotence and hypocrisy of the Arab countries that has made Israel's program of retaliation necessary and inevitable.

Lebanon certainly knew of the commando group operating from her territory. It would be most surprising if there is not direct communication between the army of Lebanon and the guerrilla staff. This also would be true of similar clandestine fighters operating from Egypt, Jordan and other "neighbors" of Israel. One is reminded of a bit of humor that circulates in Czechoslovakia:

"Israel is a lucky country."

"Why is she lucky?"

"She is entirely surrounded by enemies rather than friends."

And so she is. There was, in retrospect, a little too much of holding up of protesting hands and too much of piety in the comments following Israel's raid at Lebanon's airport.

Arab terrorists, armed and given sanctuary by Lebanon, had attacked an Israeli airliner, killing one person and wounding others.

Where, then, should Israel have turned?

To the United Nations?

To Russia, Britain, France, the United States, or any other nation?

Let's not further pursue so painful a line of questioning. The U.N. is impotent to act in such matters. The world's organization for preventing aggression is impuissant because the powers themselves keep it so.

So much of the deploring was lacking in the essential quality of providing understanding. Israel is surrounded by enemies—not friends. Her friends are caught in the great game of power politics.

So, the candor of reality makes it necessary to admit that if Israel is not to be nibbled to death by raids and terrorists acts, she must retaliate strongly and well.

And, until the world powers attain moral puissance, let us quit being so pious.

LONG BEACH MOUNTED POLICE: A RICH TRADITION

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. HOSMER. Mr. Speaker, during the Inaugural Parade for President Richard M. Nixon on Monday, one of the most spectacular units in the parade will be a group of 30 matched golden palomino horses and their colorfully costumed riders.

This unit is the Long Beach Mounted Police from Long Beach, Calif., and it probably is the world's best-known equestrian parade unit. Every New Year's Day for the past 23 years, the civic leaders, businessmen, and sportsmen who make up the group have had the privilege of leading the Rose Parade in Pasadena. The 30 riders, 30 golden palominos and 30 American flags have become a familiar sight in millions of American living rooms on New Years Day.

As fully deputized auxiliaries of the Long Beach Police Department, the Mounted Police for 34 years have exemplified one of California's great links with the traditions of the State's pioneer days.

It is only fitting, then, that the 30 riders from the 100-plus member organization should represent California here in Washington for the Inaugural Parade honoring President Nixon, whose birthplace in Yorba Linda is only a short drive from Long Beach.

The Long Beach Mounted Police take part in nearly two dozen major parades each year, thrilling countless spectators with the beauty and excitement of their white-maned palomino horses and the gleam of their finely detailed, handcrafted silver and black leather saddles and accessories.

Each rider is colorfully dressed in Western-style outfits—complete with 10-gallon hat, riding boots, embroidered boleros, decorated gauntlets, riding pants, handkerchiefs and silver-decorated gunbelts, holsters and good old-fashioned "six-shooters," while he guides his mount with skill developed in years of riding.

In the parade Monday the total value of the silver equipment will be over $300,000 and the 30 horses are valued at nearly $100,000.

The organization was founded in 1935 by 16 men who combined affection for riding with pride in the city of Long Beach and a desire to help publicize their city by representing it in major spectacles. They also shared a desire to keep alive Western traditions.

Today, the members continue to share the organization's founding ideals. They meet each Sunday morning for an informal breakfast trail ride, unless, as is often the case, 25 or 30 or more members are riding that day in a parade. The men care for their own horses, van them to and from parades personally and then carefully saddle and gear their mounts themselves before beginning their precision marches.

Three charter members remain active in the mounted police, and there are many second generation members. There are even second and third generation palominos.

One of the most memorable rides in the organization's history came in 1953 when the troup had an honored position in the parade marking the inauguration of Dwight D. Eisenhower as President of the United States. Two years ago, the unit toured Latin America on a good will mission on behalf of Long Beach and all of America, and the unit has appeared at least once in virtually every parade held in the West.

Now, the Long Beach mounted police return to the Nation's Capital to help honor Richard M. Nixon on his inauguration. The President-elect is a southern Californian, which makes things absolutely appropriate.

Here is an alphabetical listing of the 30 riders and two alternates of the Long Beach mounted police who will ride in the Inaugural Parade in Washington, D.C., on January 20, 1969, with their residence cities and occupations. Each rider, as a member of the mounted police, is a fully deputized auxiliary of the Long Beach Police Department.

Dr. Charles Booth (Long Beach), orthopedic surgeon.

James Bragg (Long Beach), truck crane rental business.

Ollie Brown (Long Beach), real estate.

Thomas Cole (Long Beach), market chain operator.

Walter E. (Bill) Cozart (Long Beach), beauty salon operator.

Fred S. Dean (Long Beach), wholesale electronics.

Norbert Dean (Long Beach), electronics engineer.

Paul R. Deats (Long Beach), member of Long Beach City Council.

John D. Downing (Long Beach), wholesale auto parts service executive.

M. L. Dunagan (Long Beach), oil drilling company executive.

John J. Dunn (San Fernando), automotive tires sales.

Conrad A. (Connie) Fischer (Rolling Hills), crude oil sales.

John D. Flanagan (Rolling Hills), mortician.

H. G. (Hal) Haney (Long Beach), offshore oil drilling contracting.

Carlton (Carl) Hess (Long Beach), heavy duty truck service.

Chauncey LeValley (Burbank), ready-mix concrete company president.

Mac C. McCoy (Huntington Beach) dredging.

Dean McLeod (Long Beach), Long Beach Police Department officer.

Robert McNulty (Long Beach), taxicab company executive.

George Mitchell (Long Beach), retired former auto dealer.

Earl G. Myers (Rolling Hills), retired former oil tool executive.

Fred M. Riedman (Long Beach), attorney.

Joseph W. Robinson (Long Beach), manufacturer.

Axel Springborg (Corona), operator of Glen Ivy Hot Springs.

Dr. Wilmer Starr (Rolling Hills), Long Beach physician.

Roger H. Stokes (Calmesa), retired former tool manufacturer.

Charles C. Sullans (Santa Ana), retired former polygraph expert for Long Beach Police Department.

*Fred Taylor (Long Beach), display-decorations company president.

William C. Thomas (West Covina), ready-mix concrete company president.

Ward Thompson (Hawthorne), real estate investment.

*James A. Worsham (Long Beach), insurance executive.

Andrew M. Zurick (Anaheim), television sales and service.

A CUBAN REFUGEE ASKS, "WHERE WILL YOU GO?"

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. RARICK. Mr. Speaker, in nearby Cuba within our lifetime free men should have been educated to the lesson repeated often times before in history—one that free men should never forget or forgive—the brutal force of totalitarian communism.

How can we forget so soon with the exiles still living in our midst?

A Cuban refugee here in the United States reminds us:

> I was there. I saw it happen. I was on the list to be killed, for days they gave my name over Havana Radio and announced the price on my head. Today that price has gone up, believe it or not, you see I am a political refugee in Washington. But where will you go?

I include a letter from Dr. Mario Garcia Kohly to us Americans, as follows:

Something Americans Should Read

I was there, I saw it happen: I was on their list to die. For days the Havana Radio spelled out my name, over and over again. Even today there is a price on my head. I am a Cuban Political Refugee.

President Johnson said his greatest regret was his failure to get a Gun Control Bill. You applauded his statement.

You Frighten me when you try to disarm the honest citizens of this great Country of yours. For this Country is Humanities LAST HOPE. I was able to come here, but where will you go? Stop and think.

Let me first point out similarities between this administration and that of Gen. Fulgencio Batista.

Like President Johnson, Batista suddenly became extremely unpopular and subject to the most vicious attacks in speeches, the press etc. Nothing he did was right. It became popular to be anti-Batista, it is popular to be anti-Johnson here today. Almost over night. Who gave the order to force the TWO Presidents out of office?

Havanas University (just like Columbia, Howard and many others here) became a hotbed of rebellion an arsenal for revolution, Sit-ins, strikes, marches, parades and protest meetings about everything. Live Phosphoros was placed on seats in Buses, theatre and church seats, Brutal killings, Fires, Bank robberies all the signs of rebellions were present, just as they are present here today.

President Batista. Just like President Johnson gave orders to the Army to stay in their barracks, and to the Police to be gentle to avoid bloodshed, not to make arrests. This order of Batista was greeted with joy by the communists. Rocks, Molotof cocktails, insults were poured on the defenseless Police. Yet everywhere the cry was heard of "Police brutality" Along with the theme song of "We Shall Overcome" in Spanish it was "Venceremos".

Army hospitals were attacked and sick soldiers brutally murdered. Yet Pres. Batista (like President Johnson) tried to pacify the so called opposition. Don't shoot, don't arrest, conciliation was his "theme" but it was a useless effort against a trained and Russian Communist directed conspiracy. The "mobs" were taught to taunt the Police and men in uniform. "Yellow Bastards" (referring to the color of the armies uniforms) every effort was directed at breaking the principal of Government authority. Of respect for the law. If you don't like any Batista law break it. (Reminds one of Martin Luther King)

Merchants were blackmailed into contributing to Castros, marches, parades and protest meetings under threat of bombing or burning or bodily harm to their wives and children. The Police were powerless to act, because of Pres. Batista's orders and his desire to bring about peace. Aggravated to the limit many resigned, others even joined Castros gangsters as the only means of staying alive (will we someday see Washington policemen doing the same?)

When Batista realized that the Army and Police had taken all they could and had become completely demoralized, that the principal of Authority had disappeared . . he resigned and fled the Country. President Johnson also resigned, feeling he could not be re-elected.

Fidel Castro came to Havana unopposed, not one shot was fired. He was welcomed. Yet his first speech was one asking the people to disarm. Why? "Armas, armas para que" (translated) Arms, Arms what for? We have won the revolution (from within) no more killings, I don't want a single tear to be shed by a Cuban mother or wife because someone tries to take the law into his hands. We shall have "law and order" Register your guns, better yet turn them in, your rifles too. We are a civilized society, we are at peace.

The good citizens did just as Castro asked, they turned in their hand-guns, rifles and shot guns by the thousands. And felt real proud being good law abiding citizens.

Soon as Castro was sure that most arms had been turned over or registered or confiscated, came the forced labor camps, blood baths, collective farms, expropriation, homes and business: Hunger and misery and raping of white women, violent death all the wonders of Russian style communism, this all fell on the good law abiding citizens who disarmed themselves. Is that what you want for the good law abiding citizens of your wonderful United States? I am sure you do not. I am sure you are just as misguided as were most of my people.

Remember that Batista like President Johnson wanted peace, conciliation to unite his people, wanted to go down in History as a Social Reformer an advanced thinker a Liberal President. Wanted to avoid bloodshed .. Castro didn't want a single tear shed by reason of armed citizens.

You see I am compelled to write you about what happened in Cuba when the good people are disarmed or guns registered so that when the Police of a communist "Government" takes over, they confiscate your only means of overthrowing them. Oh they are sweet about it, not a single tear, Hipocrits.

Remember, I was there, I saw it happen, I was on the list to be killed, for days they gave my name over the Radio and announced the price on my head. Today that price has gone up, believe it or not, you see I am a political refugee in Washington. But where will you Go?

MARIO GARCIA KOHLY.

RUSS PAPER TRAPPED IN BIG LIE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. PUCINSKI. Mr. Speaker, Mr. Ted Zierins, one of my constituents, recently did an excellent job of research which shows how the Communist press can be caught in the web of its own lies. I congratulate Mr. Zierins for his ability and his contribution toward defending the proud name of Archbishop Arnolds Lusis, spiritual head of the Latvian Lutheran Church throughout the world.

Mr. Zierins' exposé appeared recently in a letter to the Minot News in Minot, N. Dak.

His letter follows:

Russ Paper Trapped in Big Lie

EDITOR, THE NEWS: While during the Christmas season the members of Latvian Lutheran Church all over the world intend to remember also the birthday of their Archbishop Arnolds Lusis, head of this church, the Soviet newspaper Dzimtenes Balss (Voice of Homeland) has again proved that for Communists nothing is impossible and that they are willing to use even the biggest lies in their efforts to sow distrust and hostility among the people.

In recent months many of us have received this Soviet newspaper with an article about Archbishop Arnolds Lusis describing him as a bloody criminal in the spring of 1919. It reminds the readers that it was the time when Germany tried to destroy the new republic of Latvia. German occupation forces had set up a puppet government headed by Andrievs Niedra with Dr. T. Vankins as secretary of war.

The Soviet paper states that Arnolds Lusis at that time was the personal assistant to Dr. Vankins and helped to send to death hundreds, even thousands, of innocent people without any trial or investigation. The article declares that such a man should have no place in church nor elsewhere among honest people.

No doubt the Communists worked hard to write such a terrible story about our beloved Archbishop Arnolds Lusis, who lives in the free world now. It seems they have forgotten only one thing—Arnolds Lusis was born on Dec. 30, 1908, which made him just 10 years old when, according to the Soviet story, he was the assistant in the puppet government.

Or perhaps the Communists hoped that some people would accept their story as it is told without checking Lusis' age, thus seeing how ridiculous the story is.

To many people who have lived under the Red tyranny, the Soviets send this newspaper with smear articles about the recipients, their friends, or describing their pastors as former criminals. And always the cultural ex-

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*Indicates Inaugural Parade alternate.

change treaty and so-called bridge building between East and West serves the Reds to spread their propaganda lies here.

Tedis Zierins.

Chicago, Ill.

THE NATIONAL MEDAL OF SCIENCE FOR 1968

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, this morning, the President of the United States presented the National Medal of Science for 1968 to 12 distinguished scientists who have served our country through their outstanding contributions in the physical, biological, mathematical and engineering sciences. These medals were authorized by the Congress in 1959 to provide recognition for the important contributions to America's progress made by our scientists.

It is a pleasure to join with the President and the Nation in honoring these 12 men and I am placing their names in the Congressional Record along with a brief description of their accomplishments:

Recipients of the National Medal of Science for 1968

BIOLOGICAL SCIENCES

H. Albert Barker, for his profound study of the chemical activities of microorganisms, including the unraveling of fatty acid metabolism and the discovery of the active coenzyme form of vitamin B_{12}.

Bernard B. Brodie, for pioneering new qualitative concepts which have revolutionized the development, the study, and the effective use of therapeutic agents in the treatment of human disease.

Detlev W. Bronk, for his highly original research in the field of physiology and for his manifold contributions to the advance of science and its institution in the service of society.

Jay L. Lush, for bringing the science of genetics to bear upon animal breeding, and thus helping to remould the flocks and herds of America and Western Europe.

B. Frederic Skinner, for basic and imaginative contributions to the study of behavior which have had profound influence upon all of psychology and many related areas.

ENGINEERING SCIENCES

J. Presper Eckert, for pioneering and continuing contributions in creating, developing, and improving the high-speed electronic digital computer.

Nathan M. Newmark, for contributions to the development of powerful and widely used methods for analyzing complex structural components and assemblies under a variety of conditions of loading.

MATHEMATICAL SCIENCES

Jerzy Neyman, for laying the foundations of modern statistics and devising tests and procedure that have become essential parts of the knowledge of every statistician.

PHYSICAL SCIENCES

Paul D. Bartlett, for his leadership in advancing our understanding of the mechanisms by which chemical reactions take place, and for his success in training younger teachers and researchers.

Herbert Friedman, for pioneering work in rocket and satellite astronomy and in particular for his contributions to the field of X-ray astronomy.

Lars Onsager, for a brilliant variety of seminal contributions to the understanding of electrolytes and other chemical systems, especially to the thermodynamics of systems in change.

Eugene P. Wigner, for his many unique innovations in the physical, mathematical and engineering sciences ranging from quantum chemistry to nuclear theory and from reactor engineering to civil defense.

SENATE—*Monday, January 20, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our Fathers and our God, before whom the generations rise and pass, on this high day when vows are made and dedications reaffirmed, make us indeed "one nation under God with liberty and justice for all."

Give Thy special aid and grace to the President. Be his counselor and defense. Give him faith, wisdom, courage, health, and patience. Keep him in safety and grant that, relying on Thee and seeking to do Thy will, he may inspire and guide the Nation in the way of righteousness and lasting peace.

May Thy special blessing rest upon the Members of the Senate. In times demanding keen minds, compassionate hearts, courageous spirits, resolute faith and willing hands, so may they stand above all trivialities, and petty rivalries, to serve this Nation in the higher order of Thy kingdom.

By the light of Thy pervading spirit bind us together as one mighty people in the unity of Thy spirit and in the bonds of peace. And may the love and loyalty of all the people transcend all lesser loves and loyalties and be given in full measure to Thee.

In Jesus' name. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, January 17, 1969, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under authority of the order of the Senate of January 17, 1969, the following messages from the President of the United States were received by the Secretary of the Senate:

On January 18, 1969:

Two postmaster nominations, which were referred to the Committee on Post Office and Civil Service, as follows:

Noah C. Atkins, to be postmaster at Jackson, Ky.; and

Walter E. Comstock, to be postmaster at Williamstown, Vt.

On January 19, 1969:

Sundry nominations, which were referred to the appropriate committees, and the withdrawal of the nomination of R. Todd O'Flynn, to be postmaster at Philpot, Ky.

(For nominations received above, see the end of Senate proceedings of today.)

ANNOUNCEMENT OF CONSIDERATION OF NOMINATIONS THIS AFTERNOON

Mr. KENNEDY. Mr. President, the majority leader has asked me to announce that this afternoon, at 3 o'clock, the Senate will meet to confirm the noncontroversial nominations of the President. The majority leader has recommended that at 3 o'clock, because of the seriousness of the nature of the business, we have a live quorum.

Mr. President, we anticipate leaving for the inaugural ceremonies at 10:50 a.m., and it is appropriate that Members of the Senate be aware of that procession.

ORDER FOR RECESS TO 3 P.M.

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate proceeds in a body to the inaugural ceremonies, it stand in recess until 3 p.m. today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT ON NATIONAL HOUSING GOALS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am transmitting today the first annual report on National Housing Goals, as required by the Housing and Urban Development Act of 1968.

That Act affirmed the national goal of "a decent home and a suitable living environment for every American family." It determined that this goal can be achieved by constructing or rehabilitating 26 million housing units in the next decade, 6 million of which will be for low- and moderate-income families.

This report lays out a plan for housing production to meet this goal. It also identifies the potential problems that may be faced in the coming year.

- —It notes the sensitivity of residential building to credit conditions.
- —It reviews the long-run need for adequate labor, land and materials to maintain an increasing level of construction.

The housing goals of the 1968 Act are firm national commitments. I urge the Congress, State and local officials, and concerned individuals to give careful consideration to this report.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

REPORTS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

I am pleased to transmit the 1966 and 1967 Annual Reports of the Department of Housing and Urban Development.

The Reports record a number of important events in both years. They were momentous years in legislative enactments as well as in progress toward providing decent housing for all Americans and in the efforts to improve the quality of urban life.

In 1966, Congress enacted the legislation authorizing the Model Cities Program, one of the most important legislative events in the long chronology of Federal actions aimed at curing the physical and human blight in the Nation's urban areas.

During the period, the programs administered by the Department were continuing at an accelerated rate, while at the same time HUD was seeking and finding new directions and redirections in its programs.

We have developed good housing programs spanning the whole range of American economic life—from FHA insurance for moderate income families to rent supplements and low-rent public housing for the poorest families. Urban renewal programs are rebuilding vast sections of our cities. Programs are available and working for whole metropolitan areas to improve transportation and planning, to preserve and create open spaces, to install water and sewer systems.

The Nation can be proud of the beginning steps that have been taken in these past few years to deal with the serious problems of our urban areas. I commend these reports to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

REPORT OF ACTIVITIES AND ACCOMPLISHMENTS UNDER THE COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

Under Section 404 of the Communications Satellite Act of 1962, I hereby transmit the sixth annual report on this program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I am pleased to transmit to the Congress, as required by law, the First Annual Report of the Corporation for Public Broadcasting.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 17, 1969.*

REPORT ON STATUS OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I am pleased to transmit to the Congress the Fifth Annual Report on the status of the National Wilderness Preservation System.

Wilderness is at the heart of America's heritage. It has had immeasurable impact on our nation's character, and on those who made its history. Its beauty and majesty have enriched the nation's spirit.

Forty-three years ago, conservationist Aldo Leopold said:

> Wilderness certainly can not be built at will, like a city park or a tennis court. . . . Neither can a wilderness be grown like timber, because it is something more than trees . . . . if we want wilderness, we must foresee our want and preserve the proper areas against the encroachment of inimical uses.

In 1964, Congress recognized this need and established 54 National Forest areas as the nucleus of the National Wilderness Preservation System.

During the 90th Congress, I submitted recommendations for 30 additions to the System. Action was completed on four of these during the last year. Another was added in connection with legislation for Washington's North Cascades. Altogether, some 800,000 acres were placed under the permanent protection of the Wilderness Act.

I am now sending to the Congress 13 additional wilderness proposals. One would designate about 323,000 acres within the Ashley and Wasatch National Forests of Utah as the High Uintas Wilderness. The remaining 12 proposals would create wilderness areas within several different wildlife refuges. I am also transmitting the results of Interior Department review of the Bear River Wilderness proposal. The Secretary of the Interior does not recommend wilderness status for this area, and I concur in that recommendation.

I urge early and favorable action on the new proposals as well as on those I submitted previously.

The future character of America depends on what constructive actions we take today. We can destroy our country by neglect, just as surely as we can save its great, God-given beauty by showing true concern.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969.*

REPORT ON MANPOWER—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

It is with great pride that I submit this, the final Manpower Report of my Presidency. It describes the most favorable employment record in many years and the policies and programs that have made this progress possible. It also sets forth the agenda for further improvements in the use of the Nation's manpower and for continued economic prosperity.

This Report records the Nation's ability and continuing progress to meet one of the most basic needs of its people and represents a valid gauge of the Nation's essential strength.

The overriding significance of the Report is found in its concern for people, the most precious resource of this Nation—teenagers with futures to build, men and women with families to feed and house and educate, elderly citizens with productive years still ahead.

I commend this Report to your careful attention as the profile of America at work today. It is a record of promises made, of achievements and of hopes aroused. A new sense of dignity, a new chance for fulfillment, a new vision of the future have touched the lives of many millions because of what these pages tell.

Although there is ample cause for satisfaction in this Report, there is none for complacency. What we have accomplished helps to describe the dimensions of what is still undone. But those achievements, incomplete as they are, also serve to show what *can* be done.

With a strong economy as the lifeline, special manpower programs—those we have tried and those still to be tested in the years ahead—can help men and women whom the economy would otherwise by-pass.

The road we are on is a long one. But the milestones we have already passed tell us it is the right road.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 19, 1969.*

REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message

from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit to the Congress this Third Annual Report of the National Endowment for the Humanities.

The Report describes the many ways in which the Endowment, though in operation for only three years, is helping scholars extend the knowledge and wisdom needed for human understanding, and helping teachers develop better ways of making the humanities meaningful to their students. The Report shows that in Fiscal Year 1968 the Endowment supported the Humanities with grants to individuals and institutions in 44 States and the District of Columbia.

I commend this Report to the Congress, with satisfaction that a real beginning has been made in increasing Americans' awareness of their priceless cultural heritage.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969*.

REPORT OF THE APPALACHIAN REGIONAL COMMISSION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

I am pleased to transmit to the Congress the Annual Report of the Appalachian Regional Commission for Fiscal Year 1968.

This marks the halfway point in a six-year development program intended to close the economic gap between the Appalachian Region and the rest of the Nation.

In many ways the Appalachian program has been an experiment. At the end of this third year, it is possible to say that that experiment has proven itself successful—even if it is not possible to fully measure the impact of all its provisions.

Throughout the mountains and valleys of the thirteen Appalachian States, the three-year results of this program are highly visible—not only on the landscape but in the new hopes of its people.

There are 116.5 miles of new highways completed, with another 357.4 miles under construction—drastically reducing isolation and opening up new opportunities to the people of the region.

There are 36 new or expanded airports, assuring many communities of the commercial and developmental advantages of the air age.

More than 160 vocational education schools are training thousands of students who might have been dropouts—giving them modern skills to secure employment.

Over 170 new or improved hospitals and health facilities are providing modern health care to a people who have long been denied the basic health service which most Americans have taken for granted.

There are 127 institutions of higher education which have been assisted—and they are on the way to giving the best education possible to the young people of Appalachia.

All this and more—libraries, low and moderate income housing projects, educational television stations, water and sewer systems: hundreds of separate projects are at work to reclaim lives and enhance the land that was ravaged by erosion, strip mining, underground mine fires and floods.

The story of Appalachia is a story of growing hope.

I hope the 91st Congress will continue and strengthen the Appalachian Program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 18, 1969*.

TRIBUTE TO LYNDON BAINES JOHNSON

Mr. CANNON. Mr. President, I join my colleagues today in paying tribute to President Lyndon Baines Johnson. With compassion and commitment, with intensity and dedication, President Johnson has served our country through times of extraordinary challenge and peril. He leaves to us a distinguished legacy of legislative accomplishments that will enhance his stature in time to come.

Having assumed the Presidency beneath the shadow of national tragedy, President Johnson launched a legislative program unparalleled in scope. The Voting Rights Act of 1965 and the open housing legislation of 1968; medicare and the landmark education legislation of 1965; the Housing and Urban Development Act of 1968; legislation to protect the consumer, to fight poverty and unemployment, and to combat air and water pollution—all of these legislative achievements have taken the immense initial steps toward changing the quality of American life, toward remedying our national weaknesses and invigorating our national strengths. It is my hope that this concept of Federal responsibility will continue to be nourished by future administrations. It is my conviction that the continuation of these priorities is essential to our future.

For the capstones of his career—the stunning success of Apollo 8 and the propitious beginning of the Paris peace talks—I congratulate the President. But it is above all for his human qualities, for his steady and undeviating fortitude, for his compassionate understanding, for his being a caring person in spite of undeserved reproach, that I so much admire the President. He is an uncommon man with uncommon qualities. I am proud to have had the privilege of working with Lyndon Johnson as majority leader of the Senate, and Vice President, and as President of the United States.

A tribute to the President would not be complete without recognizing the contribution of Mrs. Johnson to the Johnson years. To her role as First Lady she brought a rare grace and dignity, a sensitive and resilient intelligence, and a contagious sense of involvement in the issues of our time, especially in conserving our natural resources and beautifying our scarred national landscape.

Mrs. Cannon and I have been enriched by the friendship and inspired by the leadership of both the President and his First Lady. They have won our admiration and our affection. To both of them we extend our warmest good wishes for the fulfillment of their years as private citizens.

THE TIME IS NOW TO RATIFY THE HUMAN RIGHTS CONVENTIONS—VII

Mr. PROXMIRE. Mr. President, in a message to the President's Commission for the Observance of Human Rights Year, President-elect Richard M. Nixon stated:

> The struggles that divide the world today center on questions of human rights. It is America's role and responsibility as the brightest beacon of freedom, so to conduct itself as to provide an example that will truly light the world.

Today we witness the swearing in of Richard M. Nixon as the 37th President of the United States. Today, under the Constitution, great powers to govern this Nation will be given him. Today he will begin to carry out his pledge to move the Nation forward together.

It is fitting, therefore, that we as a Nation reaffirm the principles on which this Nation was founded by ratifying the human rights conventions. It is my fervent hope that President Nixon will place his power and direction behind these treaties.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senate will organize and proceed to the inauguration ceremonies.

RECESS

Mr. KENNEDY. I move that the Senate stand in recess, in accordance with the previous order, until 3 o'clock this afternoon.

The motion was agreed to; and (at 10 o'clock and 45 minutes a.m.) the Senate took a recess until 3 p.m.

PROCESSION TO THE INAUGURAL PLATFORM

The Members of the Senate, headed by the President pro tempore (Mr. RUSSELL), the Secretary of the Senate (Mr. Francis R. Valeo), and the Chaplain, the Reverend Edward L. R. Elson, D.D., proceeded to the inaugural platform and were seated in section 4.

The Members of the House of Representatives, headed by the Speaker, Mr. JOHN W. MCCORMACK, and the Clerk of the House (Mr. William Pat Jennings), proceeded to the inaugural platform, and were seated in the places assigned to them in sections 1 and 4.

The Governors of the States were

escorted by Mr. Brownrigg to the places assigned them in section 3 on the inaugural platform.

The members of the diplomatic corps were escorted by Mr. Kimmitt to section 2.

The members of the Cabinet of the President-elect were escorted by Mr. Dompier to the President's platform.

The Chief Justice of the United States and the Associate Justices of the Supreme Court, preceded by the Court's marshal and clerk, were escorted to their seats on the President's platform.

Mrs. Johnson and Mrs. Humphrey were escorted to their seats on the President's platform by Mrs. Ford.

Mrs. Nixon and Mrs. Agnew were escorted to their seats on the President's platform by Mrs. Dirksen.

Members of the committee on arrangements, accompanied by Mr. William McWhorter Cochrane, escorted to the inaugural platform: the President, the Vice President, Senator DIRKSEN, and Speaker McCORMACK.

(The U.S. Marine Corps Band played ruffles and flourishes—"Hail to the Chief.")

Members of the Committee on Arrangements, accompanied by the Sergeant at Arms of the Senate (Mr. Robert G. Dunphy) and the Sergeant at Arms of the House (Mr. Zeake W. Johnson, Jr.) escorted to the inaugural platform: the Vice-President-elect, Senator DIRKSEN, and Representative FORD.

(The U.S. Marine Corps Band played a fanfare.)

The committee on arrangements, accompanied by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives, and by Executive Director Trice, escorted to the inaugural platform: The President-elect; Senator DIRKSEN and Representative FORD, Senator MANSFIELD, and Speaker McCORMACK; and Senator JORDAN of North Carolina and Representative ALBERT.

INAUGURATION OF THE PRESIDENT OF THE UNITED STATES AND THE VICE PRESIDENT

The inaugural ceremonies began at 11 o'clock and 45 minutes a.m.; with the playing of "Stars and Stripes Forever," by the U.S. Marine Corps Band.

INVOCATION

Senator EVERETT McKINLEY DIRKSEN (chairman of the Joint Congressional Committee on Inaugural Ceremonies). Mr. President, Mr. President-elect, Mr. Vice President, Mr. Vice-President-elect, and my fellow citizens, I present for the invocation the Right Reverend Charles Ewbank Tucker.

The Reverend Charles Ewbank Tucker, presiding bishop, African Methodist Episcopal Zion Church, offered the following prayer:

Let us pray. Non nobis, Domine, non nobis, sed nomini tuo da gloriam.

Not unto us, O Lord, not unto us but unto Thy name, we give the glory.

Our Father, who art in Heaven. Hallowed by Thy name. Thy kingdom come. Thy will be done on earth, as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom and the power and the glory, forever.

Almighty God, unto whom all hearts are open, all desires known and from whom no secrets are hid. Cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy Holy Name.

At this solemn moment, when the sun will soon begin to take its daily trek and will come to rest in the bosom of the western horizon, let all nature by pantomime and silent eloquence proclaim Thy Glory, dominion, and power in Heaven and in earth.

In this grandiloquent silence we lift our voices to Thee in praise and adoration.

In these troubled times of global turmoil and unrest, our Father, we turn to Thee. Give to our Nation a clear vision of the highest good and our leaders a clear judgment as to how the good may be obtained. And at this time we would humbly beseech Thee to bestow a special blessing upon our beloved President, Richard Milhous Nixon, and his family.

We thank Thee for his exemplary life, for his unswerving allegiance, fidelity and devotion to America and the ideals for which he stands: freedom, justice, liberty, and the pursuit of happiness.

We thank Thee for his unstinted service to the Nation in yesteryear. Be his bastion of strength and comfort as he assumes the herculean and awesome responsibilities of the Presidency and the concomitant responsibility as leader of the free nations of the world.

Endow him with spiritual wisdom to make the right decisions that may well determine the fate of mankind, and civilization itself.

God of grace, and God of glory, on Thy people pour Thy power. Give us wisdom, and give us courage for the facing of this hour.

This we ask in the name of the Father, and of the Son, and of the Holy Ghost. Amen.

SELECTION BY U.S. MARINE CORPS BAND

Mr. DIRKSEN. We will now be favored by that incomparable musical unit, the U.S. Marine Corps Band, under the direction of Lt. Col. Albert F. Schoepper. [Applause.]

(The U.S. Marine Corps Band played "God Bless America.")

PRAYER

Mr. DIRKSEN. Rabbi Edgar F. Magnin, doctor of divinity, will now lead us in prayer.

Rabbi MAGNIN. In the beginning, God created the heavens and the earth, and the darkness was upon the face of the deep. God said, "Let there be light," and there was light. This was not the light of the sun nor the moon, nor a billion blazing worlds. It was the Shekinah, the Logos, the Word, the Divine Presence, that was to reflect itself upon the human mind and soul.

This is the light that brought man out of the cave, and endowed him with intelligence, morality, the yearning for freedom, that inspired the prophets and sages of old and through all ages.

This is the American ideal, born at the time of creation itself, cherished by the Founding Fathers, who were practical idealists. They knew history well. They warned against the dangers of ignorance, stupidity, apathy, selfishness, immorality, and dissension within our borders and between nations. They knew full well that patience, courage, good will, and cooperation were preferable to hysteria and emotionalism, and that age-old problems and complex problems cannot be solved with instant answers and simple answers. They knew that there is no substitute in the world for commonsense.

The night is long, and it is still dark as far as civilization goes. We will never be perfect, for man is not perfect; but we are on the way. Our country is still great, and it will be greater, with hope in our hearts, and work and rededication. There are a few faint streaks of pink in the sky. We await the dawn.

Almighty God, bless our country and him who will be our leader and our guide in the coming years.

> Our fathers' God, to Thee
> Author of liberty,
> To Thee we sing.
> Long may our land be bright
> With Freedom's holy light,
> Protect us by Thy might,
> Great God, our King.

Amen.

ADMINISTRATION OF OATH TO THE VICE-PRESIDENT-ELECT

Mr. DIRKSEN. My fellow Americans, it is my honor and my privilege to administer the oath of office to the Vice-President-elect.

Mr. DIRKSEN administered to the Vice President-elect the oath of office prescribed by the Constitution, which Mr. AGNEW repeated, as follows:

I, SPIRO THEODORE AGNEW, solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign, and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

PRAYER

Mr. DIRKSEN. We shall now have a prayer by His Eminence Iakovos.

The Most Reverend Iakovos, primate of North and South America for the Greek Orthodox Church, offered the following prayer:

In true and full realization of the solemnity of this historic moment, we bow our heads while we lift up our hearts in deep humility and thank Thee, O Lord, for gathering the soul of our Nation, united in prayer, and supplication, on this Capitol Hill.

We humbly beseech Thee, O Master of our destiny, to look favorably upon Thy faithful servant, Richard Milhous Nixon, and endow him with holiness of purpose and with total commitment and dedication, and so that he may serve Thee and Thy way for men throughout his years of administration. Illumine the mind of our new President so that through his words, and pronouncements, and deeds he may lead us to a new appreciation of all that is true, honest, just, pure, and of noble intention, both in government and society. Grant him the power to overcome evil with good, injustice with justice, hatred with love, bias with equal treatment, violence with compassion, war with peace, and together with his Vice President and associates, to attain peace and unity at home and abroad, thus healing the wounds of division which cause so much pain and anguish to us all.

Incline Thine ear, O Masterful Prince of Peace and hearken to these agonizing petitions, and the cry of our revived and fervent hopes; for Thou hast said, "Ask and it shall be given you." And unto Thee we put our trust and we ascribe glory and adoration to the Father, to the Son, and to the Holy Spirit. World without end. Amen.

SELECTION BY MORMON TABERNACLE CHOIR

Mr. DIRKSEN. Doubtless the world's greatest and most celebrated singing unit is the Mormon Tabernacle Choir of Salt Lake City, which will now sing "This Is My Country."

(The Mormon Tabernacle Choir sang "This Is My Country.")

PRAYER

Mr. DIRKSEN. The beloved minister-evangelist known in all corners of the earth will now deliver a prayer.

The Reverend Billy Graham offered the following prayer:

Our Father and our God, Thou hast said, "Blessed is that nation whose God is the Lord." We recognize on this historic occasion that we are "a nation under God." We thank Thee for this torch of faith handed to us by our forefathers. May we never let it be extinguished. Thou alone hast given us our prosperity, our freedom and our power. This faith in God is our heritage and our foundation.

Thou hast warned us in the Scriptures, "If the foundations be destroyed, what can the righteous do?" As George Washington reminded us, morality and faith are the pillars of our society. We confess these pillars are being eroded in an increasingly materialistic and permissive society. The whole world is watching to see if the faith of our fathers will stand the trials and tests of this hour. Too long we have neglected Thy word and ignored Thy laws. Too long we have tried to solve our problems without reference to Thee. Too long we have tried to live by bread alone. We have sown to the wind and are now reaping a whirlwind of crime, division, and rebellion.

And now with the wages of our sins staring us in the face, we remember Thy words, "If my people who are called by my Name shall humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from heaven and will forgive their sins and will heal their land."

Help us this day to turn from our sins and to turn by simple faith to the One who said, "Ye must be born again."

So we pray, O God, as we enter a new era, that we as a nation may experience a moral and spiritual restoration.

Thou hast said, "Promotion comes not from the east nor from the west, but from Thee." We acknowledge Thy divine help in the selection of our leadership each 4 years. We recognize, O Lord, that in Thy sovereignty Thou hast permitted Richard Nixon to lead us at this momentous hour of our history.

We beseech Thee that he will have Thy divine guidance and power daily. Help him as Thou didst help Thy servants of old. Our Father, we know his burdens and responsibilities will be overwhelming. He will hold in his hands the destiny of more people than any man in history. O God, our new President needs Thee as no man has ever needed Thee in leading a people. There will be times when he will be overwhelmed by the problems at home and abroad that have been building for many years. Give him supernatural wisdom, courage, and strength for these 4 years. Protect him and his family from physical danger. And in the lonely moments of decision grant him an uncompromising courage to do what is morally right. Give him a cool head and a warm heart. Give him a compassion for those in physical, moral, and spiritual need. We pray that Thou wilt so guide Richard Nixon in handling the affairs of state that the whole world will marvel and glorify Thee.

O God, we consecrate Richard Milhous Nixon to the Presidency of these United States with the assurance that from this hour on, as he and his family move into the White House, that they will have the presence and the power of Thy Son who said, "I will never leave thee nor forsake thee."

What we pray for President Nixon we pray for Vice President AGNEW and members of the Cabinet. May they be given a wisdom and a courage that is beyond their own. Bless them as a team to lead America to the dawning of a new day with renewed trust in God that will lead to peace, justice, and prosperity.

We pray this humbly in the name of the Prince of Peace who shed His blood on the cross that men might have eternal life. Amen.

Mr. DIRKSEN. My fellow citizens, I present now the distinguished Chief Justice of the United States, the Honorable Earl Warren, who will administer the oath of office to the President-elect.

ADMINISTRATION OF OATH TO THE PRESIDENT-ELECT

The Chief Justice of the United States, Earl Warren, administered to the President-elect, the oath of office prescribed by the Constitution, which he repeated, as follows:

I, Richard Milhous Nixon, do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States. So help me God.

(Four ruffles and flourishes, "Hail to the Chief" and 21-gun salute.)

INAUGURAL ADDRESS

President NIXON. Senator DIRKSEN, Mr. Chief Justice, Mr. Vice President, President Johnson, Vice President Humphrey, my fellow Americans—and my fellow citizens of the world community:

I ask you to share with me today the majesty of this moment. In the orderly transfer of power, we celebrate the unity that keeps us free.

Each moment in history is a fleeting time, precious and unique. But some stand out as moments of beginning, in which courses are set that shape decades or centuries.

This can be such a moment.

Forces now are converging that make possible, for the first time, the hope that many of man's deepest aspirations can at last be realized.

The spiraling pace of change allows us to contemplate, within our own lifetime, advances that once would have taken centuries.

In throwing wide the horizons of space, we have discovered new horizons on earth.

For the first time, because the people of the world want peace and the leaders of the world are afraid of war, the times are on the side of peace. [Applause.]

Eight years from now America will celebrate its 200th anniversary as a nation. Within the lifetime of most people now living, mankind will celebrate that great new year which comes only once in a thousand years—the beginning of the Third Millennium.

What kind of nation we will be, what kind of world we will live in, whether we shape the future in the image of our hopes, is ours to determine by our actions and our choices.

The greatest honor history can bestow is the title of peacemaker. This honor now beckons America—the chance to help lead the world at last out of the valley of turmoil, and onto that high ground of peace that man has dreamed of since the dawn of civilization.

If we succeed, generations to come will say of us now living that we mastered our moment, that we helped make the world safe for mankind.

This is our summons to greatness.

I believe the American people are ready to answer this call.

The second third of this century has been a time of proud achievement. We have made enormous strides in science and industry and agriculture. We have shared our wealth more broadly than ever. We have learned at last to manage a modern economy to assure its continued growth.

We have given freedom new reach, and we have begun to make its promise real for black as well as for white.

We see the hope of tomorrow in the youth of today. I know America's youth, I believe in them. We can be proud that they are better educated, more committed, more passionately driven by conscience than any generation in our history.

No people has ever been so close to the achievement of a just and abundant society, or so possessed of the will to achieve it.

Because our strengths are so great, we can afford to appraise our weaknesses with candor and to approach them with hope.

Standing in this same place a third of a century ago, Franklin Delano Roosevelt addressed a nation ravaged by depression and gripped in fear. He could say in surveying the nation's troubles:

> They concern, thank God, only material things.

Our crisis today is the reverse.

We have found ourselves rich in goods, but ragged in spirit; reaching with magnificent precision for the moon, but falling into raucous discord on earth.

We are caught in war, wanting peace. We are torn by division, wanting unity. We see around us empty lives, wanting fulfillment. We see tasks that need doing, waiting for hands to do them.

To a crisis of the spirit, we need an answer of the spirit.

To find that answer, we need only look within ourselves.

When we listen to "the better angels of our nature," we find that they celebrate the simple things, the basic things—such as goodness, decency, love, kindness.

Greatness comes in simple trappings.

The simple things are the ones most needed today if we are to surmount what divides us, and cement what unites us.

To lower our voices would be a simple thing.

In these difficult years, America has suffered from a fever of words: from inflated rhetoric that promises more than it can deliver; from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.

We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices. [Applause.]

For its part, government will listen. We will strive to listen in new ways—to the voices of quiet anguish, the voices that speak without words, the voices of the heart—to the injured voices, the anxious voices, the voices that have despaired of being heard.

Those who have been left out, we will try to bring in.

Those left behind, we will help to catch up.

For all of our people, we will set as our goal the decent order that makes progress possible and our lives secure.

As we reach toward our hopes, our task is to build on what has gone before—not turning away from the old, but turning toward the new.

In this past third of a century, government has passed more laws, spent more money, initiated more programs, than in all our previous history.

In pursuing our goals of full employment, better housing, excellence in education; in rebuilding our cities and improving our rural areas; in protecting our environment and enhancing the quality of life—in all these and more, we will and must press urgently forward.

We shall plan now for the day when our wealth can be transferred from the destruction of war abroad to the urgent needs of our people at home.

The American dream does not come to those who fall asleep.

But we are approaching the limits of what government alone can do.

Our greatest need now is to reach beyond government, to enlist the legions of the concerned and the committed.

What has to be done, has to be done by government and people together or it will not be done at all. The lesson of past agony is that without the people we can do nothing; with the people we can do everything. [Applause.]

To match the magnitude of our tasks, we need the energies of our people—enlisted not only in grand enterprises, but more importantly in those small, splendid efforts that make headlines in the neighborhood newspaper instead of the national journal.

With these, we can build a great cathedral of the spirit—each of us raising it one stone at a time, as he reaches out to his neighbor, helping, caring, doing.

I do not offer a life of uninspiring ease. I do not call for a life of grim sacrifice. I ask you to join in a high adventure—one as rich as humanity itself, and exciting as the times we live in.

The essence of freedom is that each of us shares in the shaping of his own destiny.

Until he has been part of a cause larger than himself, no man is truly whole.

The way to fulfillment is in the use of our talents; we achieve nobility in the spirit that inspires that use.

As we measure what can be done, we shall promise only what we know we can produce, but as we chart our goals we shall be lifted by our dreams.

No man can be fully free while his neighbor is not. To go forward at all is to go forward together.

This means black and white together, as one Nation, not two. The laws have caught up with our conscience. What remains is to give life to what is in the law; to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man. [Applause.]

As we learn to go forward together at home, let us also seek to go forward together with all mankind.

Let us take as our goal: where peace is unknown, make it welcome; where peace is fragile, make it strong; where peace is temporary, make it permanent.

After a period of confrontation, we are entering an era of negotiation.

Let all nations know that during this Administration our lines of communication will be open.

We seek an open world—open to ideas, open to the exchange of goods and people, a world in which no people, great or small, will live in angry isolation.

We cannot expect to make everyone our friend, but we can try to make no one our enemy. [Applause.]

Those who would be our adversaries, we invite to a peaceful competition—not in conquering territory or extending dominion, but in enriching the life of man.

As we explore the reaches of space, let us go to the new worlds together—not as new worlds to be conquered, but as a new adventure to be shared.

With those who are willing to join, let us cooperate to reduce the burden of arms, to strengthen the structure of peace, to lift up the poor and the hungry.

But to all those who would be tempted by weakness, let us leave no doubt that we will be as strong as we need to be for as long as we need to be. [Applause.]

Over the past twenty years, since I first came to this Capitol as a freshman Congressman, I have visited most of the nations of the world.

I have come to know the leaders of the world, and the great forces, the great hatreds, the fears that divide the world.

I know that peace does not come through wishing for it—that there is no substitute for days and even years of patient and prolonged diplomacy.

I also know the people of the world.

I have seen the hunger of a homeless child, the pain of a man wounded in battle, the grief of a mother who has lost her son. I know these have no ideology, no race.

I know America. I know the heart of America is good.

I speak from my own heart, and the heart of my country, the deep concern we have for those who suffer, and those who sorrow.

I have taken an oath today in the presence of God and my countrymen to uphold and defend the Constitution of the United States and to that oath I now add this sacred commitment: I shall consecrate my office, my energies, and all the wisdom I can summon, to the cause of peace among nations.

Let this message be heard by strong and weak alike. [Applause.]

The peace we seek to win is not victory over any other people, but the peace that comes "with healing in its wings;" with compassion for those who have suffered; with understanding for those who have opposed us; with the opportunity for all the peoples of this Earth to choose their own destiny.

Only a few short weeks ago, we shared the glory of man's first sight of the world as God sees it, as a single sphere reflecting light in the darkness.

As the Apollo astronauts flew over the moon's gray surface on Christmas Eve, they spoke to us of the beauty of Earth—and in that voice so clear across the lunar distance, we heard them invoke God's blessing on its goodness.

In that moment, their view from the moon moved poet Archibald MacLeish to write:

> To see the Earth as it truly is, small and blue and beautiful in that eternal silence where it floats, is to see ourselves as riders on the Earth together, brothers on that bright loveliness in the eternal cold—brothers who know now they are truly brothers.

In that moment of surpassing technological triumph, men turned their thoughts toward home and humanity—seeing in that far perspective that man's destiny on earth is not divisible: telling us that however far we reach into the cosmos, our destiny lies not in the stars but on Earth itself, in our own hands, in our own hearts.

We have endured a long night of the American spirit. But as our eyes catch the dimness of the first rays of dawn, let us not curse the remaining dark. Let us gather the light.

Our destiny offers, not the cup of despair, but the chalice of opportunity. So let us seize it, not in fear, but in gladness—and, "riders on the earth together," let us go forward, firm in our faith, steadfast in our purpose, cautious of the dangers; but sustained by our confidence in the will of God and the promise of man. [Applause.]

Mr. DIRKSEN. May I respectfully suggest to our guests on the platform that when the ceremonies are concluded they remain at their chairs until our honored guests have left the platform.

Now we shall be favored by the U.S. Marine Corps Band and the Mormon Tabernacle Choir with "The Star-Spangled Banner."

(The Mormon Tabernacle Choir sang "The Star-Spangled Banner," accompanied by the U.S. Marine Corps Band.)

Mr. DIRKSEN. The benediction will be offered by the Most Reverend Terence J. Cooke, Archbishop of New York.

Archbishop COOKE. O heavenly Father, we thank You on this historic day for all the blessings that You have bestowed upon our country from its very beginning up to the present moment. In Your fatherly care, You have endowed America not only with abundant physical resources but more especially with the spiritual resources of honorable and dedicated public servants who have pursued the noble goal of "liberty and justice for all."

We thank You, O Father in heaven, for the generous spirit in our society that makes possible a peaceful and orderly change of administration. Aware as we are of the challenges that face us and the problems that could divide us, we pray that under Your guidance we may remain a people united, a nation indivisible. We pray that You will ever foster in each of us the breadth of vision, the depth of conviction, and the oneness of purpose which have been the greatest glories of our Nation's history. May we now use this blessed heritage to assure peace, equality, and dignity for every person in our beloved land.

We are aware, O heavenly Father, that our Nation bears a special responsibility of leadership among nations for the future peace of all mankind. Enlighten us to discover Your will for our world today, and strengthen us to be courageous in fulfilling it. May we find our true destiny and our lasting happiness in the loving service of our brother everywhere—in being fellow man to every man.

O merciful Father, bless the devoted men who have led our Nation in the years past and those who will guide it in the years to come. Help them, we humbly pray, to bear the great burdens of their office; be to them a consolation and inspiration. And may each of us daily raise our minds and hearts to You, imploring Your blessing upon our President, his Vice President, his family, and all who will assist him in the work of his great office.

Father of mankind, may President Richard M. Nixon have the wholehearted support of all his fellow Americans in his efforts to serve You, our country and our world. Amen.

At 12 o'clock and 44 minutes p.m. the President and Vice President of the United States, escorted by the Joint Congressional Committee on Arrangements, retired from the platform, followed by the Senate and House of Representatives the Chief Justice of the United States, the Associate Justices of the Supreme Court of the United States, and the other distinguished guests who had been invited to witness the ceremony.

MEETING OF THE SENATE AFTER THE RECESS

At 3 p.m. the Senate reassembled, when called to order by the President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his Secretaries, as follows:

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Walter J. Hickel, of Alaska, to be Secretary of the Interior.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

Charles W. Yost, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

EXECUTIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

There being no objection, the Senate proceeded to the consideration of executive business.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, it is the intention of the leadership to ask for a live quorum and, after the quorum has been ascertained, to seek unanimous consent to proceed to the confirmation proceedings of those members of the President's Cabinet whose names have been reported without objection by the respective committees. That is the intention of the leadership.

I suggest the absence of a quorum.

CALL OF THE ROLL

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 11 Ex.]

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Dirksen
Dodd
Dole
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Goldwater
Goodell
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Mansfield
Mathias
McCarthy
McClellan
McGee
McGovern
McIntyre
Miller
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of Virginia. I announce that the Senator from Washington (Mr. MAGNUSON), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Nebraska (Mr. CURTIS) is absent because of illness.

The PRESIDENT pro tempore. A quorum is present.

CABINET NOMINATIONS

Mr. KENNEDY. Mr. President, I ask that the Chair lay before the Senate a message from the President on the Cabinet nominations.

The PRESIDENT pro tempore. The nominations will be read.

The legislative clerk read as follows:

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Walter J. Hickel, of Alaska, to be Secretary of the Interior.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

Charles W. Yost, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

RICHARD NIXON.

Mr. KENNDEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations individually in the order in which they appear in the President's message, reserving the right of any Senator to object to the consideration of any nomination, as the name is read.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will read the first nomination.

DEPARTMENT OF STATE

The legislative clerk read the nomination of William P. Rogers, of Maryland, to be Secretary of State.

Mr. JAVITS. Mr. President, the home of William Rogers, the Secretary of State, is in Maryland, but as a lawyer he is closely identified with New York, where he was born and where he has practiced law for many years. I wish to congratulate the new Secretary of State and the Nation on his confirmation. He is a seasoned and able lawyer—one of New York's most eminent—with broad experience in domestic and foreign affairs and a cool mind. He is an able administrator. He knows how to learn and handle a brief; and to this highest Cabinet office he brings objectivity and strong intellectual resources. I believe he will make a really distinguished Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF THE TREASURY

The legislative clerk read the nomination of David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Mr. GORE. Mr. President, during the deliberations of the Committee on Finance, I raised certain questions concerning the nomination of Mr. David M. Kennedy to serve as Secretary of the Treasury. I wish to state the basis of my concern.

In approving nominees for Cabinet appointments, the Senate has traditionally sought to remove, to the extent it is possible, the possibility or the appearance of a conflict between the public interest and the private interests of the nominee. Generally, the Senate has gone beyond the strict requirements of the conflict of interests statutes. Essentially, the Senate has required the nominee to so arrange his personal financial affairs as to eliminate, so far as it can be done, the prospect that the nominee's financial position might be enhanced as a result of any decision he might be called upon to make in the high office he is to assume.

Such a policy has not been based on lack of confidence in the personal integrity of the individuals whose names have been submitted. Indeed, I have sought to make clear, and I now repeat, that in raising questions about Mr. Kennedy's nomination, I did not intend in any way whatever to reflect adversely upon his personal integrity. I believe him to be an estimable and able gentleman and I did not doubt his intention to discharge the duties of his office with regard for the public interest.

But this is not the basic question. The efficacy of our form of government rests upon public confidence in those chosen to administer the law and to make policy. Thus, the suspicion of the existence of evil may undermine the Government even though devil does not in fact exist. Confidence in the decisions of Government officials is enhanced when these officials are in a position to act—in their own minds as well as in the minds of the public—free of any suspicion that they are influenced in any way whatever by the impact of their action upon their personal financial position.

This has always been a troublesome problem. As Government has become more complex and its impact upon the economy more direct, it becomes increasingly difficult of solution. We seek men of experience and accomplishment to manage the affairs of Government. The problem is to make it possible for them to serve free of actual or potential conflict of interest without unduly harsh financial strictures.

In the past, the Senate has generally met this problem by requiring nominees to divest themselves completely of stock or other ownership interest in any company doing business with the Government, or which would be directly affected by the Government policies which the nominee would make or participate in making. There may have been some exceptions or modifications, but this has been, I believe, the general practice. It has been argued that this rule has resulted, in some cases, in an unduly harsh financial sacrifice, as a condition of public service and that if it is continued, it would make it difficult to attract top talent for positions of responsibility.

I will not here undertake to discuss the pros and cons of such an assertion other than to observe that, in my opinion, the number of instances in which there has been a declination to serve in the Cabinet for such a reason appears insufficient to establish the validity of the argument.

It seems to me, however, that in an effort to cope with—or, rather, to avoid—this problem, the Senate is about to acquiesce in the use of arrangements which do not meet the problem and which pose potential danger to the maintenance of public confidence in the integrity of governmental processes. I refer to the so-called blind trust device.

As a member of the Committee on Finance I have had an opportunity and the responsibility of examining the proposal of Mr. Kennedy to meet this problem. Mr. Kennedy is to assume the duties of Secretary of the Treasury, a post which is most influential of any Cabinet post in determining the Government's economic policy generally and in which he will have the responsibility of making decisions and policy with far-reaching effect upon the Nation's financial institutions.

In large measure the problem arose because Mr. Kennedy is the owner of a substantial block of stock in the Continental Illinois National Bank of which he was chairman of the board. Moreover, he held an option to purchase an additional substantial block of Continental stock at a fixed price.

Mr. Kennedy proposed to transfer his currently owned stock to a trust, of which Continental would be the trustee. He proposed, later on, to transfer additional bank stock to the trust, provided he exercised his option and after he had held such stock for such time as to make any gains realized eligible for capital gains tax treatment. Income from the trust was to be paid over to Mr. Kennedy periodically and it was to be terminated when he ceased to be Secretary of the Treasury.

For reasons which I stated in a letter to the chairman of the committee and which I inserted in the CONGRESSIONAL RECORD last Wednesday, I felt that this arrangement fell far short of severing Mr. Kennedy's association with Continental and that it did not effectively separate him from the incidents of ownership of bank stock or insulate him from a potential conflict of interest with respect to this stock.

After discussions within the committee, in which Mr. Kennedy participated, several significant changes in the trust arrangement were agreed upon, as follows:

First. The nominee agreed to designate an "independent" trustee, individuals or an institution other than Continental Illinois National Bank.

Second. It was agreed that the trustee would be specifically directed to diversify the portfolio of the trust, acting with prudence but without knowledge of the settlor, to the point that any remaining bank stock, if any, would not constitute, in terms of value, a majority of the corpus of the trust.

Third. It was agreed that Mr. Kennedy would either exercise or relinquish his option to purchase additional Continental stock prior to taking the oath of office, with any stock so purchased to be transferred to the trust not later than 6 months and 1 day from date of purchase, unless sooner otherwise divested, thereafter to be subject to the terms of the trust including the provisions of diversification.

The revised arrangement is, in my opinion, much better than the original proposal from the standpoint of providing safeguards against potential conflict of interest. Prior exercise of any stock option will eliminate the Secretary of the Treasury's direct speculative interest in the market price of Continental stock while he is in office. The provision for diversification will sharply reduce, if not ultimately remove, the Secretary's indirect interest in the profits of the bank. And the concept of a "blind" trust has a much better connotation with someone other than Continental serving as trustee.

With the changes I have enumerated, together with others, I supported Mr. Kennedy's confirmation in the committee, and I support it on the floor of the Senate.

But, Mr. President, I am persuaded that the revised arrangement, though perhaps the best that could be achieved under the circumstances prevailing, does not constitute a fully satisfactory solution of the problem with which the Senate and the Nation are confronted. The Senate, through the appropriate legislative committees, ought to face up to this problem and initiate the enactment into law of proper guidelines with respect to safeguards against conflict of interest in the confirmation of presidential nominees.

The problem is particularly acute when a new President representing a political party other than that of the outgoing administration takes office. The time available for consideration is inadequate and the circumstances which prevail are not conducive to thorough examination and scrutiny.

In the first place, there is the natural desire on the part of the Senate to cooperate with a new President by endorsing his selection. After all, the President himself has just been selected by the people.

When the Senate convenes in January, only about 2 weeks remain before the new administration takes office. After the Senate organizes itself and appoints committees very little time is left if members of the Cabinet are to be confirmed immediately or shortly after the inauguration of the President.

The problem may be even more difficult if, as is the case this year, the majority political party in the Senate is not the same as that of the incoming President. Senators of the majority party may be reluctant to raise questions lest their action be regarded as crass partisanship.

In the absence of legislative guidelines or standardized policies, each committee of the Senate must develop its own, subject to Senate approval. As I stated earlier, I am concerned by the apparent tendency to rely on trusts instead of outright divestiture which has heretofore been required in most cases. From what I have been able to learn the terms of the trusts to be approved for the Nixon Cabinet vary substantially. I have not had an opportunity to study all of them and it is difficult to make generalized observations about their effectiveness for the purposes they are supposed to serve. In my opinion, unless such trust arrangements effectively insulate the nominee from his business assets they create merely the appearance rather than the substance of adequate safeguards. The Congress should examine and deal with this problem substantively before another administration takes office.

I have examined current law dealing with specific prohibitions applicable to the Secretary of the Treasury. While in office a Secretary cannot "directly or indirectly be concerned or interested in carrying on the business of trade or commerce." He cannot own a "sea vessel" or purchase any public land, or buy or sell Government securities. But there is no legal ban on owning a bank. In order to start the process of legislative consideration, I am preparing for introduction a bill, for prospective application, prohibiting ownership of a bank, or stock therein, by the Secretary of the Treasury, who makes decisions and formulates policies affecting our financial institutions. I hope this will generate a realistic examination of the entire problem.

Mr. President, we must find a better way to deal with these matters so vital to the maintenance of public confidence in Government. We cannot afford to continue on an ad hoc basis without a standard policy to guide us.

Mr. LONG. Mr. President, the Committee on Finance was unanimous in its decision to recommend that the Senate confirm the nomination of David M. Kennedy, of Illinois, to be Secretary of the Department of Treasury.

He is admirably qualified to serve in the high office to which he has been nominated.

Mr. Kennedy's success as a banker is well known. His long years of employment by the Federal Reserve Board and his later work as manager of the public debt in the Treasury Department attest to the knowledge of public finance he brings to his new office as Secretary of the Treasury. His role as Chairman of President Johnson's Commission on Budget Concepts reflects a willingness to labor in the public interest. It is a mark of rare achievement that virtually every recommendation of that Commission was adopted by President Johnson and incorporated into the budget he submitted to Congress in 1968 and the budget he submitted just last week.

Mr. Kennedy will assume his new post at a time when interest rates are at their highest point since the Civil War. This, together with continued deficits in our international balance of payments—and an unwanted reversal of our favorable balance of trade—mirror the challenge that faces him as he becomes the principal financial officer of our Government.

Mr. Kennedy submitted confidential data with respect to his personal finances to the Committee on Finance. This material was carefully studied by the committee in executive session and members of the committee were given full opportunity to discuss any question they had with the nominee. As a result of this study and discussion the designee for the post of Secretary of the Treasury advised the Committee on Finance that certain changes would be made in the trust he would create to administer his estate during his term of office. These changes were calculated to lessen the possibility of a potential conflict of interest arising from the nominee's ownership of a considerable number of shares of the common stock of the Continental Illinois National Bank & Trust Co. of Chicago. While the conflicts-of-interest statutes are silent on the point, members of the committee felt that the Treasury Department played such a key role in overseeing the day-to-day operations of the commercial banks—and indeed of our whole financial system—that it would be incompatible for a person—no matter how high his morals—to serve as Secretary of the Treasury and at the same time hold substantial equity interest in a banking corporation.

To his everlasting credit the Secretary-designee understood this proper concern and agreed to modify his trust instrument to direct that the trustee, over a reasonable time, balance his investment portfolio by disposing of bank stock and substituting securities of corporations engaged in other activities. He also agreed to allay fears that his ties with Continental Illinois were not fully severed; he would do this by naming someone other than the Continental Illinois Bank & Trust Co., as his trustee during the period he serves as Secretary of the Treasury.

Finally, Mr. Kennedy advised the committee that he would end any question of speculation by indicating before he assumes the office of Secretary exactly what his intentions are with respect to the stock options he was granted as an employee of Continental Illinois.

The committee was satisfied that these commitments would bar any legitimate conflict-of-interest question from being raised against the holder of the office of Secretary of the Treasury. The cooperative spirit with which these sensitive matters were discussed and settled earned Mr. Kennedy the unanimous approval of the Committee on Finance. Hopefully it foretells of 4 years of amicable relations between the committee and this Cabinet officer.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF DEFENSE

The legislative clerk read the nomination of Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of John N. Mitchell, of New York, to be Attorney General.

Mr. JAVITS. Mr. President, as a Senator from New York, I had the honor to introduce the Attorney General, John Mitchell, to the Judiciary Committee, and to testify there as to his distinction at the bar, his objectivity, and the lawyer-like approach which I feel he will take to the major issues of our times. His close relation to the President is most auspicious as it gives the President the necessary complete confidence in "his lawyer." I feel he will make a splendid Attorney General for the United States.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POST OFFICE DEPARTMENT

The legislative clerk read the nomination of Winton M. Blount, of Alabama, to be Postmaster General.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of William J. Hickel, of Alaska, to be Secretary of the Interior.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the nomination be sent to the Executive Calendar without referral to the committee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, reserving the right to object, I would like to inquire whether this would mean that this matter could be considered tomorrow or at some later date. Can the Senator advise us?

Mr. KENNEDY. It is my understanding that it can be called up tomorrow and it is the present intention of the leadership to do so.

Mr. SCOTT. I thank the Senator.

Mr. MURPHY. Mr. President, reserving the right to object, and I hope I shall not object, it has been very difficult to hear the conversation between the acting majority leader and the acting minority leader. If I may, I would like to have an understanding. What is the reason for the withholding of the confirmation of this nomination?

The PRESIDENT pro tempore. Any Senator can object to the immediate consideration and confirmation of any nomination.

Mr. MURPHY. I understand, but it is my understanding that the acting majority leader had said earlier that all nominations would be presented, and I was wondering if there has been a change since that statement was made.

The PRESIDENT pro tempore. No. The acting majority leader also reserved the right, which is inherent in the Constitution to each Member of the Senate, to object to the immediate consideration of any of the nominations. The acting majority leader responded to the inquiry of the acting minority leader that it was the intention of the leadership to take up this nomination tomorrow at the earliest possible hour.

Mr. MURPHY. I thank the Presiding Officer very much.

The PRESIDENT pro tempore. Without objection, the nomination will be placed on the calendar.

Mr. PASTORE. Mr. President, will the acting majority leader yield?

Mr. KENNEDY. I yield.

The PRESIDENT pro tempore. I apologize to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I merely rise to make a comment on the unanimous consent requested by the acting majority leader. I approve of his action wholeheartedly.

Many of us, of course, are quite disturbed about some of the news reporting in respect to this man's financial background. I am not here to criticize at this time, but I understand the hearings have not been printed. I think they should be printed.

Mr. SCOTT. Mr. President, may we have order?

The PRESIDENT pro tempore. The Senate will be in order. It is rather unusual, but the Chair will ask the Senator from Rhode Island if he would raise his voice.

Mr. PASTORE. Mr. President, we heard a speech today in which we were told to keep it "cool," to keep it in a whisper "so you can hear the words and not hear the noise." [Laughter.]

The Senator from Rhode Island from now on is going to keep it very cool. I repeat: I have nothing against Mr. Hickel. I do not know the man or his background, but there has been certain news reporting that I think should be explored. I think we should have an opportunity to read the record and I think we should give every benefit of a doubt to the appointing authority. I have always felt that. But I think we should look into it to be sure the consumer's interest is protected.

I applaud the Senator from Massachusetts for asking that the nomination be placed on the calendar.

The PRESIDENT pro tempore. The nomination will be placed on the calendar. The clerk will read the next nomination.

DEPARTMENT OF AGRICULTURE

The legislative clerk read the nomination of Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SECRETARY OF AGRICULTURE HARDIN MAKES GREAT CONTRIBUTION TO NEBRASKA

Mr. HRUSKA. Mr. President, I take special pleasure today in the action of the Senate in confirming President Nixon's nomination of Dr. Clifford M. Hardin, the former chancellor of the University of Nebraska, as Secretary of Agriculture.

Dr. Hardin is a man of whom all Nebraskans are proud, not only for the confidence placed in him by our new President, but for his great and dedicated service to the State we both call home.

It was my privilege, Mr. President, to present Secretary Hardin to the Senate Committee on Agriculture and Forestry last week when he appeared before it for his confirmation hearing. I ask unanimous consent to have printed in the Record the text of my remarks on that occasion.

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Senator Roman L. Hruska Before Senate Committee on Agriculture, January 16, 1969

Mr. Chairman, I am pleased to introduce to the distinguished members of this Committee, Dr. Clifford M. Hardin, the man President-elect Nixon has chosen to serve in his Cabinet as the Secretary of Agriculture.

In situations such as this the expectation sometimes seems to prevail that we should rush to the statistics and report in crisp, businesslike fashion that the nominee was born on such and such a date, at such and such a place, and that ever since, year by year and position by position, he has continued to demonstrate an unusual effectiveness and to reflect the finest attributes of his profession.

I could make a beginning like that for Dr. Hardin. I have read from various statistical records, as no doubt some of you have, that he was born October 9, 1915, at Knightstown, Indiana; that he grew up on a farm near there; that he went to Purdue University on a 4-H scholarship and emerged with a Ph.D. in Agricultural Economics; that he has served at the University of Wisconsin as a teacher; that he has been director of the extensive agricultural experiment station program and Dean of Agriculture at Michigan State; that he has been Chancellor of the University of Nebraska for 14 years; that he has fulfilled a number of impressive assignments with educational organizations, with banks and businesses, and with foundations; and that he and Mrs. Hardin are the parents of three daughters and two sons.

But I think you will agree with me that such a recitation gives a rather poor picture of a man. It is somewhat like those mechanical sketches that teletype or data processing machine operators sometimes produce on a dull day: you can recognize who it is supposed to be, but there is no warmth, no depth, no color, and very little conviction in the expression.

I would much rather take just a few moments to tell you about Cliff Hardin and his contributions to the State of Nebraska, the state that we both call home, and where agriculture is the basic industry and where the great majority of the people are related to farm or ranch families.

Cliff Hardin has done as much for Nebraska as any man I know. I tell you this because I think what Cliff Hardin has done for Nebraska is especially relevant to the appraisal this Committee is about to make.

In Nebraska, Cliff Hardin's job has been as the head of our State University. He has led it through a most difficult period of growth and development into a new era in which it ranks as one of the major institutions of higher education in mid-America. His service at the University has been outstanding and his name is known and respected throughout public higher education.

And yet Cliff Hardin's greatest contribution to Nebraska extends beyond the limits of higher education, extensive as those are. His greatest contribution is found in a new spirit and a new drive that prevails in our home state. Cliff Hardin has given us a new respect for our state. He has increased its value in our eyes. He has stimulated our pride in our agricultural heritage and has convinced us that Nebraska can and should be a better place than it has ever been before.

Cliff Hardin has contributed much to a new unity that Nebraska is achieving, a unity that is drawing our rural and urban communities closer and closer together.

Clifford Hardin's early life on the farm, coupled with his academic work in agricultural economics and his career as an administrator has kept him in close touch with agriculture. In our home state, Cliff Hardin has been close to the soil. He has worked with farm people; he has visited farms and ranches; and many of his close friends at home are farm or ranch operators—large and small.

On the national scene, he has been effective as an agricultural leader. He served, as you know, as president of the American Association of Land-Grant Colleges and State Universities.

His membership on the board of the National Science Foundation attests to his national stature. His work with the Federal Reserve system provides him with a background in finance.

He has kept in constant touch with broad agricultural problems and he has developed a strong interest in agricultural problems. He was instrumental in having our own state University establish a brand new land-grant type University in eastern Turkey, near the Russian border, from the ground up. Through his efforts, the University of Nebraska is now engaged in a mammoth project in Colombia, South America, in upgrading the agriculture of that Latin America country.

Cliff Hardin has an intense interest in world food problems. He is the editor of a book on world hunger which has just been published.

Cliff Hardin is ideally suited to be Secretary of Agriculture. His broad background of experience as an administrator and student of the economics of agriculture should be of immense benefit to the country. Furthermore, he comes to the Department of Agriculture without any ties to any specific farm or agricultural group. He will, in my opinion, be able to plan the operations of the Department from a completely objective viewpoint for the benefit of American agriculture.

He is not a hand-wringer nor a doomsayer. Often he has spoken of his faith in American agriculture and of his pride in its tremendous accomplishments. I have never heard him speak of the farmer as one apart from the mainstream of American life or as a member of a vanishing race.

In Nebraska where our agricultural roots run strong and deep, we are proud of Cliff Hardin. We respect his knowledge. We recognise his great talent for leadership. We know him as a man who gets things done.

And so, Mr. Chairman, I am pleased to present to you and the members of the Committee, Dr. Clifford M. Hardin.

Biographical Sketch, Clifford M. Hardin, Chancellor, University of Nebraska, Secretary of Agriculture, Designee

Clifford M. Hardin, 53, chancellor of the University of Nebraska since 1954, has been designated by President-Elect Richard Nixon as secretary of the U.S. Department of Agriculture.

Hardin has been chancellor since 1954, the 12th man to hold the office since the founding of the University in 1869.

He came to the University of Nebraska from Michigan State University, where he was dean of the School of Agriculture and for four years served as director of the Agricultural Experiment Station and its research programs.

Under Hardin's leadership the University of Nebraska has experienced its greatest growth. Thirty-thousand students enrolled in 1968, nearly four times the 1954 enrollment.

The University of Omaha became a part of the University of Nebraska in 1968 and has an enrollment of nearly 11,000 students.

In addition to significant expansion of the University's physical plants, Hardin's administration has established a continuing education program and educational television.

A cooperative aid program to higher education in Turkey led to the establishment of a new Ataturk University. Hardin's administration also has provided technical assistance for agriculture in Colombia and a Latin American and International Studies Program has been inaugurated.

Hardin was president of the Association of State Universities and Land Grant Colleges in 1960 and in 1961 was chairman of the association's executive committee.

He is a member of the National Science Board, a former director of the American Council on Education and a past chairman of the Omaha branch of the Federal Reserve Bank of Kansas City.

Hardin is a member of the executive committee of the Council on Higher Education in the American Republics, a trustee of the Rockefeller Foundation, a trustee of Bankers Life Insurance Co. of Nebraska, former chairman of the Nebraska Council on Economic Education and a director of Behlen Manufacturing Co. of Columbus, Neb.

He was born Oct. 9, 1915, in Knightstown, Ind., the son of James A. and Mabel Macy Hardin.

Hardin was graduated from Purdue University in 1937, financing part of his education with a 4–H Club scholarship. He received a master's degree from Purdue in 1939 and a Ph. D. in 1941.

Hardin taught agricultural economics at the University of Wisconsin 1941–44. He was chairman of the agricultural economics department at Michigan State University before becoming dean.

He is a member of Sigma Xi, national honorary science scholastic society and was awarded honorary degrees by National University of Columbia, Purdue and Creighton University.

Hardin is married to the former Martha Love Wood. The couple have five children.

Mr. CURTIS. Mr. President, as a member of the Committee on Agriculture and Forestry, I would like to join my colleague from Nebraska in placing in the Record the remarks I made about Dr. Hardin at the hearing conducted by the committee on Dr. Hardin's appointment.

We are singly and collectively proud of the job Dr. Hardin did as chancellor of the University of Nebraska, and we are equally confident that he will do an outstanding job for the Nation as Secretary of Agriculture.

In that spirit, I respectfully submit the following remarks which I made before the committee:

Mr. Chairman, my distinguished Senate colleague, Senator Hruska, has made a statement concerning the Honorable Clifford M. Hardin, who has been chosen by President-Elect Nixon to serve as Secretary of Agriculture. I endorse all the fine things that Senator Hruska has said.

It is my belief that Dr. Hardin will be a good Secretary of Agriculture. He is eminently qualified. It was because of Dr. Hardin's high standing as a professor of agricultural economics that he was later made dean of one of the nation's great colleges of agriculture. It was because of his brilliant achievements as an agricultural college dean that he was chosen to be Chancellor of the University of Nebraska.

I believe that Dr. Hardin will serve the farmers and all of rural America in an excellent manner. It need not be argued that the economic plight of rural America must have attention. I believe Dr. Hardin will bring the basic understanding and the leadership to the Department of Agriculture that will cause it to truly serve the people who produce our country's food and all of rural America.

It is my belief that Dr. Hardin will avail himself of the suggestions of Congressmen and Senators who have spent years wrestling with farm problems. It is my belief that he will likewise gather the most usable ideas from farmers and farm families, from our farm organizations, and other rural leaders.

I enthusiastically recommend his confirmation.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Maurice H. Stans, of New York, to be Secretary of Commerce.

Mr. GOODELL. Mr. President, for many years, I have had the pleasure of a close relationship with Mr. Stans. He is eminently qualified to serve as Secretary of Commerce.

Mr. Stans has been an outstanding public servant. He served with great distinction as Director of the Bureau of the Budget under President Eisenhower from March 1958 to January 1961. Before moving to the Bureau of the Budget in 1957, he was Deputy Postmaster General for 2 years. In that position, he took a major part in planning and directing the reorganization of the postal service and modernizing the Post Office Department's management structure and operating practices.

Mr. Stans has an equally impressive record as a leader of the business community. In recent years, he has been president of the major investment banking firm of Glore Forgan, Wm. R. Staats, Inc. He has also been vice chairman and director of the United California Bank and president of Western Bancorporation, Los Angeles.

This unusual background—both in Government and in business—will give him the experience and expertise to deal with the highly complicated and sensitive issues upon which a Secretary of Commerce will be called upon to decide. And it will give him the full confidence of the business community, with which the Secretary will be dealing every day.

In the hearings before the Commerce Committee, Mr. Stans was questioned in depth on a number of extremely important and controversial points of great concern to the members of the committee and to the Congress. His testimony was most impressive, and he has convinced the committee that he is eminently qualified to be Secretary of Commerce.

Of particular importance to me as a Senator from a large urbanized State, he has indicated to the members of the committee his determination to help increase the involvement of the business community in meeting the urgent needs of our central cities.

I am confident that Mr. Stans will work closely with the Senate Commerce Committee, the Senate as a whole, and all the Members of Congress in leading the Department of Commerce to provide the best possible service for our Nation.

Mr. JAVITS. Mr. President, Maurice Stans, the new Secretary of Commerce, is very well known as a leader in banking and finance in New York and throughout the country. His broad governmental experience includes the critically important office of Budget Director in the Eisenhower administration. He will bring to the the office a distinguished professional point of view and a dedication to the public service in an area so critical to the success of the Nixon administration. For there must be heavy reliance upon the private enterprise system for major aid with massive national problems as the new administration sees its role ahead. The new Secretary will be able to attract this kind of private enterprise help and will be especially skilled in encouraging and using it effectively in Government.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of George P. Shultz, of Illinois, to be Secretary of Labor.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The legislative clerk read the nomination of Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

Mr. LONG. Mr. President, the Committee on Finance considered the nomination of Robert H. Finch, of California, to be Secretary of the Department of Health, Education, and Welfare.

Following public hearings the committee discussed the nomination with the Secretary-designee in executive session and agreed unanimously to recommend that the Senate confirm his nomination.

Mr. Finch is well known to most of us on the Hill by virtue of his work as an aide to former Vice President Nixon several years ago. Now serving as Lieutenant Governor of the State of California, Mr. Finch has acquired knowledge and ex-

perience that will serve him well in his new capacity as Secretary of the Department of Health, Education, and Welfare. As chairman of the job training and placement council in California, he has been exposed to the sort of problems he will encounter as one of the Federal officials responsible for the administration of the work incentive program enacted by Congress in 1967 in an effort to lessen reliance of many recipients on public welfare for their livelihood. His membership on the board of regents of the University of California and the stature he gained in that post have prepared him for the tasks that await him as overseer of the many Federal education programs under his Department's jurisdiction.

The challenges he must face in his early days in office concern the welfare programs, including the maddening rise in the Federal costs of medicaid; and the ever-climbing costs of health care which threaten the solvency of the medicare program as we know it today.

I wish him well in his efforts to cope with these, and other matters which will come before him in his new post.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The legislative clerk read the nomination of George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF TRANSPORTATION

The legislative clerk read the nomination of John A. Volpe, of Massachusetts, to be Secretary of Transportation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

UNITED NATIONS

The legislative clerk read the nomination of Charles W. Yost, of New York, to be representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and representative of the United States of America in the Security Council of the United Nations.

Mr. FULBRIGHT. Mr. President, I wish to make a brief statement with respect to Mr. Yost. The Committee on Foreign Relations met a short time ago. We had already set a meeting in the morning at 10 o'clock to hear Mr. Yost and two people who requested to be heard.

We have confirmed Mr. Yost on several occasions in the past. I know of no objection to his nomination, but as a procedural matter the committee believes it would be more orderly and proper that this matter go over until tomorrow, and that we take action on it tomorrow.

The PRESIDENT pro tempore. Does the Senator desire to have the nomination committed to the Committee on Foreign Relations?

Mr. FULBRIGHT. It is before the committee, as I understand the matter.

The PRESIDENT pro tempore. No, not at the present time.

Mr. FULBRIGHT. Then, I request that it go to the committee. We will act on it tomorrow and have a hearing tomorrow.

The PRESIDENT pro tempore. Under the rules of the Senate the nomination is referred to the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, this is not as the result of any objection to Mr. Yost, but it is simply a procedural matter. In view of what happened before, I thought it more orderly to do it in this fashion.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. Mr. President, may I amend the chairman's statement to say that to the best of my knowledge there is no objection to the confirmation of Mr. Yost on the part of any member of the committee. We have people in this Nation, not represented on the committee, who would object to anybody being confirmed.

Mr. FULBRIGHT. The Senator is correct.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order of Friday, January 17, 1969, that the Senate stand in recess, in executive session, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 20 minutes p.m.) the Senate took a recess in executive session, until tomorrow, Tuesday, January 21, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 18 (legislative day of January 10), 1969, under authority of the order of January 16, 1969:

POSTMASTERS

The following-named persons to be postmasters:

KENTUCKY

Noah C. Adkins, Jackson, Ky., in place of J. T. Allen, retired.

VERMONT

Walter E. Comstock, Williamstown, Vt., in place of R. E. Curtiss, retired.

Executive nominations received by the Senate January 19 (legislative day of January 10), 1969, under authority of the order of January 16, 1969:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons for appointment to the offices indicated:

Foreign Service information officer of class 1, a consular officer, and a secretary in the diplomatic service of the United States of America:

John E. McGowan, of New Jersey.

Foreign Service information officers of class 2, consular officers, and secretaries in the diplomatic service of the United States of America:

Robert C. Benedict, of Maryland.
Lowell Bennett, of Arizona.
George N. Butler, of Florida.
Miss Mergot E. Cutter, of New Jersey
Morton Clatzer, of California.
William L. Grenoble, of Virginia.
Russell L. Harris, of Arkansas.
Wilford J. Kramer, of Illinois.
Robert I. Miller, of New York.
Seymour I. Nadler, of the District of Columbia.
Jerome F. Novick, of Pennsylvania.
E. Lewis Revey, of Florida.

Foreign Service information officers of class 3, consular officers, and secretaries in the diplomatic service of the United States of America:

Stanley B. Alpern, of New York.
Michael Barjansky, of the District of Columbia.
Donald E. Boyd, of Missouri.
David M. Burns, of Kansas.
Howard W. Calkins, of West Virginia.
James Carrigan, of California.
Philip W. Carroll, of Maryland.
James L. Culpepper, of Washington.
H. Rowland Dougherty, of Maryland.
John L. Hamilton, of Illinois.
Abraham N. Hopman, of the District of Columbia.
Ivan Izenberg, of New Jersey.
Max W. Kraus, of Texas.
John B. Lanum, of California.
Donald W. Mulligan, of Maryland.
Thomas J. Mulvehill, of New Jersey.
Melvin C. Niswander, of Maryland.
William G. Parr, of Nebraska.
Leon Picon, of Maryland.
Miss Bertha C. Potts, of California.
Barrett M. Reed, of Rhode Island.
Philip A. Turner, of Virginia.
Floyd A. Wade, Jr., of Virginia.

Foreign Service information officers of class 4, consular officers, and Secretaries in the diplomatic service of the United States of America:

Leonard J. Baldyga, of Illinois.
Albert Ball, of California.
Miss Helen E. Beko, of Iowa.
Donald G. Besom, Jr., of Nebraska.
Charles E. Courtney, of California.
Sherwin A. Crowne, of Pennsylvania.
Duane C. Davidson, of Colorado.
Charles R. Dickerman, of Michigan.
Geoffrey Groff-Smith, of Michigan.
John C. Hawley, of Connecticut.
Roy E. Heinecke, of Pennsylvania.
Richard M. Hughes, of Ohio.
W. Allan Jackson, of California.
Miss Elizabeth Ketcham, of Missouri.
Leslie M. Lisle, of West Virginia.
Frederic S. Mabbatt III, of California.
Robert C. McLaughlin, of Massachusetts.
Dale A. Morrison, of Illinois.
Warren J. Obluck, of the District of Columbia.
Collin E. Ostrander, of Virginia.
Alvin Perlman, of New York.
Donald H. Rochlen, of California.
Edwin N. Roman, of California.
Herman Stein, of California.
William B. Stubbs III, of Georgia.
Charles M. Woolfolk, Jr., of Alabama.

Foreign Service information officers of class 5, consular officers, and secretaries in the diplomatic service of the United States of America:

Paul P. Blackburn, of the District of Columbia.
Merton L. Bland, of California.
John L. Bright, of Ohio.
Miss Helen H. Bodurtha, of Ohio.

William A. Buhr, of California.
George Deligianis, of New York.
George A. T. Donely, of New Jersey.
Lawrence D. Estes, of California.
Charles T. Foo, of Florida.
Donald A. Foresta, of New York.
Jacob P. Gillespie, of Connecticut.
Robert D. Jones, of New York.
Joseph L. Marek, Jr., of Texas.
Marcellus P. Murphy, of Florida.
Charles C. Ransom, of New York.
Frank W. Scotton, of Hawaii.
Miss Barbara M. Shelby, of New York.

Foreign Service information officer of class 6, a consular officer, and a secretary in the diplomatic service of the United States of America:

Miss Jean Elizabeth Mammen, of New York.

POSTMASTERS

The following-named persons to be postmasters:

ILLINOIS

Robert W. Buhrke, Glenview, Ill., in place of C. J. Ginaine, retired.

IOWA

Howard L. Snook, Newton, Iowa, in place of Dick Steenhoek, retired.

MARYLAND

Thomas M. Eichelberger, Frederick, Md., in place of J. A. Grove, retired.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 19 (legislative day of January 10), 1969, under authority of the order of the Senate of January 16, 1969:

POSTMASTER

The nomination sent to the Senate on January 13, 1969, of R. Todd O'Flynn to be postmaster at Philpot, in the State of Kentucky.

NOMINATIONS

Executive nominations received by the Senate January 20 (legislative day of January 10), 1969:

CABINET MEMBERS

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Walter J. Hickel, of Alaska, to be Secretary of the Interior.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

UNITED NATIONS

Charles W. Yost, of New York, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 20 (legislative day of January 10), 1969:

CABINET MEMBERS

William P. Rogers, of Maryland, to be Secretary of State.

David M. Kennedy, of Illinois, to be Secretary of the Treasury.

Melvin R. Laird, of Wisconsin, to be Secretary of Defense.

John N. Mitchell, of New York, to be Attorney General.

Winton M. Blount, of Alabama, to be Postmaster General.

Clifford M. Hardin, of Nebraska, to be Secretary of Agriculture.

Maurice H. Stans, of New York, to be Secretary of Commerce.

George P. Shultz, of Illinois, to be Secretary of Labor.

Robert H. Finch, of California, to be Secretary of Health, Education, and Welfare.

George W. Romney, of Michigan, to be Secretary of Housing and Urban Development.

John A. Volpe, of Massachusetts, to be Secretary of Transportation.

HOUSE OF REPRESENTATIVES—*Monday, January 20, 1969*

The House met at 10:30 o'clock a.m., and was called to order by the Speaker pro tempore, Mr. CELLER.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

You shall keep all the commandments which I command you this day, that you may be strong.—Deuteronomy 11: 8.

Almighty and eternal God, we pray humbly and sincerely for our country, the land we love with all our hearts. We thank Thee for the men who founded our Republic and for those who through the years have kept the flame of freedom aglow in our world.

Now we invoke Thy blessing upon our President and Vice President as they take the oath of office and pledge their allegiance to this free land of their birth. Bless them with creative minds, courageous hearts and constructive hands as they endeavor to meet the challenge of these critical days.

Give us, the representatives of our people, patience, wisdom, and understanding during this time of transition. Make us great enough for this day, strong enough for this hour, and good enough for this moment.

Bless all our people and help us as a nation to accept the privileges and responsibilities of sound citizenship, walking in the way of Thy commandments and keeping our faith in Thee. So rule our hearts and so prosper our endeavors that law and order, justice and peace may here and everywhere prevail to the glory of Thy name and the good of our country. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, January 17, 1969 was read and approved.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair desires to announce that Members must display their official tickets in order to get a seat on the platform. There are no extra seats available, so former Members cannot join the procession.

The same holds true for children. They can neither go with the procession nor be seated on the platform.

The seats for Members of the House and Senate have no cover. Therefore, Members are urged to wear overcoats and take hats for protection against the cold weather.

The procession will be headed by the Sergeant at Arms bearing the mace. He will be followed by the Speaker pro tempore, then the chairmen of committees and other Members in order of seniority.

Following the Presidential oath of office proceeding on the east front, shuttle buses will be available on First Street SE., east of the Cannon House Office Building, between Independence Avenue and C Street SE., subsequent to the ceremonies on the east front, to take Members and their families to the parade reviewing stands at the White House. The buses will also be available to bring Members and families back to the Capitol after the parade.

And now, pursuant to House Resolution 141, the House will form in procession and go in a body to the east front to attend the swearing-in ceremonies for the President and Vice President of the United States.

Thereupon, at 10 o'clock and 35 minutes a.m., the Members of the House, preceded by the Sergeant at Arms and the Speaker pro tempore, proceeded to the east front of the Capitol.

ADJOURNMENT

At the conclusion of the inaugural ceremonies (at 12 o'clock and 44 minutes p.m.) the House, without returning to its Chamber, pursuant to House Resolution 141, stood in adjournment until Thursday, January 23, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

342. A letter from the Secretary of Health, Education, and Welfare, transmitting the second annual report on the operation of the medicare program for fiscal year 1968, and recommendations for legislation to improve the medicare program, both pursuant to the provisions of section 1875 of the Social Security Act (H. Doc. No. 91–57); to the Committee on Ways and Means and ordered to be printed with illustrations.

343. A letter from the Secretary of Agriculture, transmitting the annual report of the Federal Crop Insurance Corporation for 1968, pursuant to the provisions of the Federal Crop Insurance Act; to the Committee on Agriculture.

344. A letter from the Secretary of Agricul-

ture, transmitting a report on the activities of the Rural Electrification Administration for fiscal year 1968; to the Committee on Agriculture.

345. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for payment by handler assessments of the administrative costs of the Department of Agriculture; to the Committee on Agriculture.

346. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide a supplemental source of credit to cooperatives serving rural people, and for other purposes; to the Committee on Agriculture.

347. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Army National Guard, pursuant to 10 U.S.C. 2233(a)(1); to the Committee on Armed Services.

348. A letter from the Secretary of Labor, transmitting a report on exemplary rehabilitation certificates, pursuant to the provisions of Public Law 89–690; to the Committee on Armed Services.

349. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide entitlement to round-trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; to the Committee on Armed Services.

350. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation, to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes; to the Committee on Armed Services.

351. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize command of the U.S.S. *Constitution* (IX–21) by retired officers of the U.S. Navy; to the Committee on Armed Services.

352. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

353. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of castor oil from the national stockpile; to the Committee on Armed Services.

354. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July–October 1968, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

355. A letter from the Secretary, Housing and Urban Development, transmitting a report on the progress of the work undertaken in connection with section 109 of Public Law 90–448; to the Committee on Banking and Currency.

356. A letter from the Secretary of the Treasury and the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to establish an Urban Development Bank to assist in broadening the sources and decreasing the costs of capital funds for State and local governments, and for other purposes; to the Committee on Banking and Currency.

357. A letter from the Administrator, Small Business Administration, transmitting a draft of proposed legislation to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

358. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries of certain District of Columbia judges, members of the District of Columbia Council, and U.S. magistrates; to the Committee on the District of Columbia.

359. A letter from the Secretary of Labor, transmitting a draft of proposed legislation, to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes; to the Committee on Education and Labor.

360. A letter from the Secretary of Labor, transmitting the seventh annual report on the administration of the Welfare and Pension Plans Disclosure Act for the year 1968; to the Committee on Education and Labor.

361. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

362. A letter from the Director of the Peace Corps, transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

363. A letter from the general manager, U.S. Atomic Energy Commission, transmitting a report on the disposal of foreign excess property for the fiscal year 1968; to the Committee on Government Operations.

364. A letter from the Secretary of the Interior, transmitting a report from the Office of Coal Research on coal research activities undertaken during calendar year 1968, pursuant to the provisions of Public Law 86–599; to the Committee on Interior and Insular Affairs.

365. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize appropriations for the saline water conservation program for fiscal year 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

366. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

367. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

368. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes; to the Committee on Insular and Insular Affairs.

369. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives; to the Committee on Interior and Insular Affairs.

370. A letter from the Acting Deputy Assistant Secretary of the Interior; transmitting a copy of a proposed amendment to the concession contract under which the S. G. Leoffler Co. will be authorized to continue to operate certain designated facilities for the public in areas administered by the National Capitol region, National Park Service, for 1 year from January 1, 1969, through December 31, 1969, pursuant to the provisions of 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

371. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; to the Committee on Interstate and Foreign Commerce.

372. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

373. A letter from the Attorney General, transmitting the annual report of the Department of Justice for fiscal year 1968; to the Committee on the Judiciary.

374. A letter from the Chairman, American Revolution Bicentennial Commission, transmitting a draft of proposed legislation to amend the act of July 4, 1966 (80 Stat. 259), as amended by the act of December 12, 1967 (81 Stat. 567); to the Committee on the Judiciary.

375. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes; to the Committee on Merchant Marine and Fisheries.

376. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries for the Vice President and certain officers of Congress; to the Committee on Post Office and Civil Service.

377. A letter from the head, congressional and public affairs, National Science Foundation, transmitting a revision of the first page of a draft of proposed legislation submitted January 17, 1969, in Executive Communication No. 332; to the Committee on Science and Astronautics.

378. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to increase the amount deductible by Members of Congress for living expenses; to the Committee on Ways and Means.

379. A letter from the Director, Selective Service System, transmitting the second semiannual report of the operations of the Selective Service during the period January 1, 1968, to June 30, 1968, pursuant to the provisions of section 10(g) of the Military Selective Service Act of 1967; to the Committee on Armed Services.

380. A letter from the Secretary of the Interior, transmitting the second annual report of the Federal costs of water pollution control, pursuant to the provisions of section 16(a) of the Federal Water Pollution Control Act of 1966, as amended; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HECHLER of West Virginia:

H.R. 4119. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general-purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REINECKE:

H.R. 4120. A bill to create a national com-

mission to study quality controls and manufacturing procedures of medical devices, surgical instruments, artificial organs and limbs, therapeutic instruments and devices, and other medical and hospital equipment; to determine the need for, and the extent of, Federal regulation of such medical devices; to recommend to the President and to the Congress methods for determining constructive minimum performance standards, and feasible methods for Federal regulation; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.R. 4121. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

6. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to the allocation of certain imported fuel oil to New England and the establishment of a foreign trade zone and subzone for the purpose of oil refining, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALPERN:

H.R. 4122. A bill for the relief of Herminia Dulay; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 4123. A bill for the relief of Dr. Pedro Jara Obregon; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 4124. A bill for the relief of Maria David; to the Committee on the Judiciary.

H.R. 4125. A bill for the relief of Pasqualina Silvaroli (Linda) Fiore; to the Committee on the Judiciary.

H.R. 4126. A bill for the relief of Maria Librizzi; to the Committee on the Judiciary.

By Mr. HELSTOSKI (by request):

H.R. 4127. A bill for the relief of Victoria Georgina Morena; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

PENDING TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, January 20, 1969

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the address I made before the West Point Society at Fort Myer, Va., on January 15, 1969.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The remarks are as follows:

REMARKS BY SENATOR GOLDWATER BEFORE WEST POINT SOCIETY, FORT MYER, VA.

Needless to say, I am very happy to be back in Washington and the United States Senate. I am also happy that I was put on the Senate Armed Services Committee.

Of course, many changes have been made during my four years of absence and many more, as you all know, are about to be made in the near future. One of the alterations on the Washington scene of particular note to me like you and me is the absence of Robert McNamara from the Pentagon.

I have got to say that this absence does not make my heart grow fonder of Mr. McNamara and his policies. Frankly, I am delighted that he no longer has the right to dictate our Nation's defense policy. I only wish he could have taken with him the legacy which he left behind.

But perhaps I was too fast in assuming that Mr. McNamara has relinquished his voice in the affairs of this Nation having to do with defense. I noticed in the papers not long ago that he visited the Soviet Union and discussed with the leaders of that nation the question of the pending treaty on non-proliferation of nuclear weapons.

And that brings me to the subject of my talk here today. I am deeply concerned at the emotional, oversimplified arguments that are being advanced to bring about a speedy Senate ratification of this treaty. What bothers me is that not nearly enough attention is being given to the technical and practical weaknesses of this diplomatic device, to say nothing of its dangerous psychological implications.

Let me take you back for a moment to another treaty with the Soviet Union. That one, negotiated in 1963, was called the Nuclear Test Ban Treaty. It was promoted to an almost hysterical degree by those advocates of accommodation as a "great forward step" in the never ceasing struggle for world peace. In that instance, all technical and factual consideration were swept aside in a wave of optimism generated by one of the sharpest public relations promotions in our history. I would remind you that I, along with most other members of the Senate Preparedness Subcommittee, voted against that treaty.

In opposing that earlier nuclear treaty, I was swayed by the testimony, a lot of it still secret, of scientists and military experts who believed sincerely that the Russians had an ulterior motive in accepting the treaty. It was pointed out that unlike the United States, the Russians had already conducted a series of high magnitude and high altitude nuclear tests and had gained valuable information about the mysterious problem called EMP (electro-magnetic pulse). By pushing through the test ban treaty, the Russians could make sure that the United States would not solve the problems of EMP in the near future. In fact, there are military experts today who insist that we will never discover how to solve this problem until the testing ban is abrogated.

Now we are being asked to adopt a nuclear non-proliferation treaty with the Soviet Union and other nations. The arguments are familiar. They are all lofty and noble. They say that the greatest way in the world to avoid a nuclear holocaust is to deter the proliferation of the most horrible weapons ever devised. I ask you who, on the surface, could oppose such an appeal? If we want to take this argument at its superficial face value, then the answer is—no one could oppose it.

But I'm sure I do not have to tell most of you here that this question, no more than the test ban treaty, does not lend itself to quick and easy answers.

To begin with, the treaty is meaningless because two present nuclear powers, France and Red China, will have nothing to do with it. In addition, many nations who presently are on the brink of developing nuclear weapons are likewise among the nonsignatories. These include nations such as India, West Germany, and Israel.

Consequently, we see that the most probable sources of nuclear proliferation in today's world are beyond the treaty's reach.

If there is a reason for ratification of this treaty, it has to be nothing but a token. In other words, if we are interested in trying to tell the world that the United States and the Soviet Union are engaging in meaningless gestures of accommodation, then there might be some excusable reason in the area of hope, humanitarianism or good will. This, of course, assumes that there are no technical disadvantages to the United States in the way the treaty is presently drawn. I believe that there are such deficiencies, and I will discuss them.

But my objection to the non-proliferation treaty at this time has to do more with the effect it might have on foreign affairs generally. Look at what has happened in the struggle between East and West since we ratified the test ban treaty and presumably took a giant step toward resolving our differences. The Soviet Union has repeatedly demonstrated that, far from reducing or being interested in a reduction of world tensions, it has actively and aggressively promoted such tensions on a worldwide basis. Vietnam is a case in point. The Vietcong and Hanoi couldn't have kept up the pace at which they are killing American soldiers for six months without the supplies and support sent to them by our partner in the test ban treaty. The Middle East would not today be the tinder box threatening the peace of three continents if it were not for an aggressive policy of Soviet arming of the Arab nations. The Mediterranean would not today be bristling with Soviet naval power. Czechoslovakia would not have been invaded, nor would Rumania and West Germany be threatened.

No, I tell you there can be no case made in fact for the argument that the Soviet Union is mellowing and that we must further that softening process through the ratification of a nuclear non-proliferation treaty. There is reason to believe that ratification of this treaty at this time would in effect place the U.S. stamp of approval on an aggressive and militant move made by Russia to stamp out human freedom. Members of the Senate I believe will have to ask themselves, if they accept a treaty with the Soviet Union in good conscience, whether they don't also ratify Soviet moves in other areas. Do we dignify Soviet policy, in effect, saying that they are honorable enough to sign a treaty with? Do we, in ratifying this treaty, announce to the world that we are ready to forget that the Soviet Union has a long, dishonorable history of broken treaties?

These are serious questions which bear directly on the security of this Nation and which the advocates of the non-proliferation treaty would have us skip over in the interest of a word they love to use called "detente."

They don't seem to understand that there can be no accommodation, there can be no true *detente,* so long as the Soviet Union continues to foment aggression and stir up war. A thousand non-proliferation treaties with the Soviet Union will not wipe out actions such as the invasion of Czechoslovakia.

I presume by this time you understand that I am opposed to Senate ratification of the nuclear non-proliferation treaty at this time.

Now I want to go into some of the technical and practical aspects of this treaty.

A close examination of the possible effect leads to the conclusion that a definite possibility exists that if this treaty is ratified, some 100 non-nuclear nations may construe it as giving rise to a commitment of the United States to provide immediate military support in case of a nuclear attack or the threat of a nuclear attack against any such nation.

It will be remembered that President Johnson and Secretary McNamara declared in 1966 that nations not seeking nuclear weapons can be sure of our strong support against nuclear blackmail.

In addition, during 1968 the United States, the United Kingdom and Russia each issued similar declarations of intent to act immediately through the Security Council of the United Nations to assist any non-nuclear party to the treaty that becomes a victim of nuclear aggression or threat.

Another weakness of the treaty is that it would provide no safeguard which would go into effect simultaneously with the application of the treaty. The safeguards for verification of compliance would not be negotiated nor established until after the treaty enters into force and need not be concluded for two years thereafter.

The inspection phase of the treaty would be entrusted to the International Atomic Energy Agency which has no proven inspection skill. Even if adequate safeguards could be developed, the agency is limited under the treaty to declared nuclear facilities. There is no provision for searching out clandestine facilities. Nor does the treaty impose any penalty or sanction on any nation that violates the treaty.

Another thing the treaty would do would be to surrender our strategic options of placing strictly defensive nuclear devices in the control and custody of our allies. Under this option, our allies both in Europe and Asia conceivably would be able to secure their local defense without immediately triggering the intervention of the United States.

Interestingly enough, the Soviet Union violated the treaty by its invasion of Czechoslovakia while the document was awaiting action in the U.S. Senate. The preamble of the treaty declares that "states must refrain in their international relations from the threat or use of force against the territorial integrity of political independence of any state."

One of the most exhaustive studies of this faulty treaty was prepared by Dr. Walter B. Wentz of Claremont Men's College. He raised this interesting point about article III of the treaty. This is the only article which deals with inspection and control and it applies, Mr. Wentz emphasizes, only to "fissionable" material. He points out that the day is not far off when nuclear explosions will be achieved by direct fusion without the preliminary trigger of fissionable uranium or plutonium.

These are the basic reasons why I plan to oppose this treaty if and when it is brought up for ratification in the U.S. Senate. I believe it contains absolutely no value in the field of deterring the spread of nuclear weapons. I believe it can only place this Nation in a false and uncomplimentary light throughout the world if it is adopted.

IN OUTER SPACE AS ON EARTH PRAYERS ARE NEEDED

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1969

Mr. PATMAN. Mr. Speaker, several hundred of my constituents, 294 to be precise, in Texarkana, Tex., who are also members of the First Baptist Church in that city, a church which I have attended for over 50 years, have sent to me a petition stating as follows:

> In this day of radical theology when God is declared dead, and many people live without a divine point of reference, it is reassuring and inspiring to hear from three brave men, having gone faster and farther than man has ever gone into space, reading the Scriptures and reminding us that the God of today was also the God of the beginning. Our signatures affixed denote our appreciation and express our prayerful concern for every future space venture.

The very fine dedicated man of God, Dr. Lory Hildreth, pastor of the First Baptist Church, transmitted the petition to me with the following message, which I believe highly pertinent and significant:

> Enclosed you will find a petition with several hundred names affixed. This is our way of expressing our commendation for the recent moon shot as well as for the conduct of the astronauts on the same. We were thrilled in their spiritual orientation of the same and we would urge you to discourage any attempt to interpret what they said as a violation of the principle of church and state.
>
> We feel that our freedom under God entitles one to express his belief in God as well as giving the person who believes that there is no God the right to express himself accordingly.
>
> We will be mailing you in the near future two sermons which we preached on the two Sundays following the astronaut's return to earth. This in no way is an attempt to force any kind of religious belief on you, but to register the spiritual inspiration which the flight and the conduct of the astronauts especially gave to each of us.

I would like to add at this time my own name, and that of Mrs. Patman, to this petition, because we, too, firmly believe that in this day of great technological advances, we must always return thanks to God and remember that the works of man are but the expression of His will.

DEAN RUSK—EXCELLENT SERVICE TO THE AMERICAN PEOPLE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the January 18, 1969, edition of the Washington Daily News:

DEAN RUSK'S 8 YEARS

If the job of President of the United States is the most demanding in the country, surely the job of secretary of state comes next.

For eight full years, the aim of Dean Rusk, as he often said, has been to help build "a decent world order" as set forth in Articles 1 and 2 of the United Nations Charter, a community of independent nations, each with its own system, but cooperating on common problems and solving conflicts peacefully, not violently.

The 1960s, however, have seen a continuation of a persistent crisis caused, as Mr. Rusk saw it, by the determination of certain nations to "impose a world of coercion upon those not already subjected to it."

The three chief crises of Mr. Rusk's years—Berlin, the Cuban missile confrontation and the Vietnam war—all pitted him against the forces of coercion, and so far as his role was concerned, he proved himself a man of high intelligence, prudence and persistence. On dozens of other, less bell-clanging issues—disarmament, economic development, free trade, regional cooperation—Dean Rusk also put in long hours toiling to build that decent world order.

His critics complained Secretary Rusk was colorless or inflexible or unimaginative. But his own view was that fireworks and splashy rhetoric had no place in successful diplomacy. He once said the biggest victories for peace might never get into the newspapers; that was all right with him.

Along those lines, one of his accomplishments was to conduct a patient dialog with his Soviet counterparts. The Soviets came to learn where America's vital interests lie and thus were not to push too far. They also came to drop their tiresome ideological cliches and deal in a more straightforward, practical matter. The results show up in the U.S.-Soviet treaties banning atmospheric nuclear tests and proliferation of nuclear weapons, and in the greatest accomplishment of all: the absence of a nuclear war.

Considering Dean Rusk's integrity and good sense, our only complaint is that he did not speak up forcefully enough in the President's highest councils and nudge out some of the obviously faulty advice the President got. But modesty is another Rusk characteristic: He regarded himself as the President's servant.

Adding up these eight grueling years, however, it can be said that Dean Rusk, secretary of state, 1961–1969, under Presidents Kennedy and Johnson, served this nation with devotion and distinction.

THIS IS ANNUAL PRAYER WEEK

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the January 18, 1969, edition of the Washington Daily News:

THIS IS ANNUAL PRAYER WEEK

(By Louis Cassels)

Protestants and Catholics around the world will observe their annual week of prayer for Christian unity for one week, starting tomorrow.

This period of joint prayer is at once a testimonial to how far Christians have come down the road to reunion, and a reminder of how far they still have to go.

After 10 years of dramatic progress, during which Catholics and Protestants moved from a state of cold war to at least the threshold of brotherhood, the ecumenical movement seems to be slowing down.

This may be a necessary and constructive phase—a pause for consolidation of gains.

SYMPTOM

But it also could be a symptom of distraction.

Catholics are preoccupied with internal dissension over birth control and the exercise of authority in the church.

Protestants are embroiled in controversy among themselves over what role the church should play in trying to remedy the ills of the world thru direct political and social action.

Much of the energy and dedication formerly channeled into the ecumenical movement is now being diverted into these intramural disputes.

The ecumenical movement also is being hurt to some degree, perhaps a serious one, by the spirit of anti-institutionalism which is endemic among educated young people today.

Many of the younger clergy and laymen, who might be expected to display the greatest fervor for the ideal of unity, actually tend to be disdainful of moves toward organizational union, which they regard as mere tinkering with institutional machinery.

MERGER PLAN

This attitude is causing particular concern to leaders of the Consultation on Church Union, the forum in which 10 major Protestant denominations are trying to agree on a merger.

After seven years of negotiations, COCU is approaching the day when it can offer to its constituent denominations a detailed plan for coming together in one great new church.

While the plan has been difficult to work out, the greater difficulty will be selling it to the 25 million members of the participating denominations.

Recognizing that middle-aged and elderly people naturally tend to shy away from any change in familiar ways, COCU leaders feel the only hope for putting the merger across lies in enlisting the enthusiastic support of the younger clergy and laity who are receptive to change.

Thus far, however, there is no indication that the proposed merger is generating much excitement among the young.

While indifferent toward the redrawing of institutional lines, many young people are intensely concerned with establishing warm human relationships with members of other denominations.

COMMON GOALS

They have found that Christians can love and respect each other, work together toward common goals, and attain a strong sense of community without wearing the same label.

A large number of them also are convinced that the urgent need right now is to renew the church, all branches of it, with each person working at the task of renewal in the particular corner in which he happens to find himself.

Reunion, they believe, can afford to wait on renewal, and will tend to follow it quite naturally.

The founding fathers of the ecumenical movement saw it the other way around. They looked upon unity as a source of new vitality.

What both views have in common is the institution that reunion and renewal go together. The church can't achieve one without the other.

SPACESHIP EARTH

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1969

Mr. GALLAGHER. Mr. Speaker, the technological triumph of Apollo 8 has confirmed the fact that our planet is truly "Spaceship Earth." Both Colonel Borman, in his graceful speech before the joint session of Congress, and President Nixon, in his inspired inaugural address, borrowed the words of Archibald MacLeish to describe this concept:

> To see the earth as it truly is, small and blue and beautiful in that eternal silence where it floats, is to see ourselves as riders on the earth together, brothers on that bright loveliness in the eternal cold—brothers who know now they are truly brothers.

But how long will the earth retain its "bright loveliness" if we continue our destruction of our physical and psychological resources: Speaking directly to that awesome challenge is Dr. Rene Dubos, professor at Rockefeller University and head of its Department of Environmental Biomedicine. Not the least of the virtues of his article in the New York Times of January 6, 1969, is a quotation of that far-seeing American statesman, Adlai Stevenson:

> We travel together, passengers on a little spaceship . . . preserved from annihilation only by the care, the work, and I will say the love we give our fragile craft.

Mr. Speaker, technology has placed in the hands of man the opportunity to create either enduring "bright loveliness" or the darkest of tragedies. Few men are more eminently qualified than Dr. Dubos to describe the dangers facing our intellectual and environmental heritage and I am pleased to insert his eloquent and profound statement into the RECORD at this point:

IS THIS PROGRESS OR SELF-DESTRUCTION?

(By Rene Dubos)

In his last speech as ambassador to the United Nations, Adlai E. Stevenson poignantly expressed our dependence on the conditions prevailing over the whole earth:

"We travel together, passengers on a little spaceship . . . preserved from annihilation only by the care, the work, and I will say the love we give to our fragile craft."

The expression "Spaceship Earth" is no mere catch phrase. Not only do we live on the earth, we are completely dependent on the conditions of its crust, drawing breath from its shallow layer of air, using and reusing its limited supply of water and other essential resources.

It would be far too easy to show that mankind on its spaceship may be on a course of self-destruction because it behaves as if it were unaware of the social and physical constraints resulting from the limitations of the earth. This is a real possibility.

But it is a certainty that mankind shall experience a rapid degradation of the quality of life if present trends are allowed to continue. We may escape nuclear warfare, widespread poisoning and mass hunger. But unless we act drastically, and very soon, we shall not escape the progressive loss of humanness resulting from life in a closed environment which is every day more crowded, polluted, depleted and desecrated.

NO PLACE TO MOVE

This is not the first time, of course, that men have spoiled their surroundings, but in the past they could move to other parts of the earth and establish new settlements. Very soon, this kind of migration will be impossible: All habitable parts of the globe are now occupied and most of them are already spoiled. Nor is there any chance that we can escape to other worlds.

Despite the irresponsible assertions of a few scientists and the imaginings of science-fiction writers, we are bound to the earth by the exigencies of our biological nature. The range of conditions under which we can survive and function is so narrow that it exists only on the surface of the earth. We may establish stations in outer space or on the bottom of the oceans, but the few persons who will live in these outlandish places will have to remain linked to the earth's crust, as by an umbilical cord. We are wedded to this planet.

Since the birth rate now exceeds the death rate almost everywhere, world population is soaring. This situation is not peculiar to the underdeveloped parts of the world. Admittedly, the birth rate is beginning to fall in industrialized countries, but not fast enough to prevent their populations from continuing to increase.

In the United States, this increase is approximately 2,500,000 persons a year and a similar rate is likely to continue for at least a few decades. Just to accommodate this added population, we would have to create a new large city, or 10 medium cities, every year.

IS OUR PLANET TOLERABLE?

Technologists may brag about nuclear energy, scientific agriculture and ready-made housing developments, but the overpowering fact is that we shall soon be running out of desirable places and essential resources. As Thoreau remarked, "What is the use of a house if you haven't got a tolerable planet to put it on?"

Furthermore, almost everywhere economic and social forces are driving people from the country to urban areas and this trend also is likely to continue. High population density inevitably brings about gross pollution of the environment, by man's own biological processes and particularly by technology. No one knows exactly the maximum size of the population that the earth can support. What is certain is that it cannot be many times greater than at present.

Environmental pollution used to be localized, but it now affects the whole earth.

Smog produced in urban and industrial areas is hovering over the countryside and beginning to spread over the oceans; cities will not benefit much longer from the cleansing effects of the winds for the simple reason that the wind itself is contaminated. Sewage and chemical effluents are spoiling rivers, lakes and coastlines; slowly, but surely, even the best-protected urban water supplies are being contaminated by countless chemical substances. Tin cans, plastic containers, discarded machinery, oil and other indegradable forms of garbage are overflowing from city dumps; they are seen everywhere.

Radioactive products and various forms of pesticides are beginning to accumulate in the soil and in water. They will progressively ruin cultivable land and even the oceans. Furthermore, their concentrations increase along certain food chains.

For example, radioactive products from the fallout of nuclear explosions in the United States were absorbed and concentrated by the lichens of the arctic. From the lichens, they reached reindeer which feed on these plants and eventually the Eskimos who eat the reindeer. Insecticides such as DDT accumulate in earth worms, and in ocean plankton, contaminating and killing the birds that feed on worms or on the plankton.

EFFECT ON BIRDSHELLS

A very recent study reveals catastrophic declines in several bird species, because the accumulation of insecticides thins, to the point of breakage, the shells of their eggs. As to insecticides and human beings, the concentration of DDT exceeds 12 parts per million in the fatty tissue of United States residents.

Excessive sensory stimuli, and especially mind-bewildering noise, are among other forms of environmental pollution which are now so ubiquitous as to be inescapable.

The complexities resulting from technological advances and crowding inevitably engender social regimentation, loss of privacy and other interferences with individual freedom.

Few persons can remain completely unaware of the dangers experienced by man in the technological world. But, on the whole, there is little sense of alarm about them.

We tend to ignore progressive changes until they reach catastrophic dimensions. For example, we no longer notice that the air over urban agglomerations is hardly ever luminous and fragrant. We have learned to tolerate air pollution and foul water, crowding, garbage, noise and confusion in the streets.

Similarly, we can learn to tolerate the sonic boom, invasion of privacy and even the loss of freedom. Adaptability is an asset for survival, but, paradoxically, the greatest threat to the quality of human life is that the human race is so immensely adaptable that it can survive even under the most objectionable conditions.

One might have hoped that the miraculous achievements of science during the past few decades, and the promise of many more to come, would provide easy solutions for the problems now facing mankind. In fact, confidence in the creative and predictive power of science is now so great that several groups of scholars have recently published forecasts of the technological and medical advances that can be expected for the year 2000.

BREAKTHROUGHS FORESEEN

Naturally enough, they predict spectacular breakthroughs in the production of nuclear energy, the development of electronic gadgets, the chemical synthesis of materials better than natural ones, the discovery of drugs and surgical techniques that will delay death and change man's nature. From permanent lunar installations to rebot human slaves and to programed dreams, many are the scientific miracles that have been predicted and, indeed, can be anticipated for the 21st century.

Individual scientists would differ as to which of the possibilities will be converted into reality, but all would agree that scientific research can provide new, powerful techniques for manipulating external nature and man's nature.

Yet it is my opinion that, despite past achievements and promises for the near future, we do not truly live in an age of science. We have great expertise in the technological applications of science, but practically no knowledge, and even less wisdom, concerning the effects of these applications on man and on nature. In particular, we are grossly ignorant of the effects that modern technologies will have on the future of children who are exposed to them during their early development. We know only that some of these effects will be tragic.

ENVIRONMENT STUDY NEEDED

These remarks do not imply a defeatist or anti-intellectual attitude. They are meant rather to emphasize the need for directing scientific research to the study of the effects that the modern environment exerts on man and nature. The social and environmental problems that plague mankind will not be solved until we develop a new kind of science, focused on the fundamental needs of man and on the maintenance of a healthy, well-balanced environment.

Scientists must involve themselves widely in the investigation of the social consequences that will result from their professional activities. The man of flesh and bone will not be impressed by the fact that a few of his contemporaries can explore the moon, program their dreams, or use robots as slaves, if the planet Earth has become unfit for everyday life. He will not long continue to be interested in space acrobatics if he has to watch them with his feet deep in garbage and with smog in his eyes.

The present flurry of predictions concerning the scientific breakthroughs that can be anticipated for the year 2000 is a form of social escapism. Whatever their scientific interest may be, many of these breakthroughs will create new dangers for man and nature. Hardly any of them will help solve such problems as the raping of nature, environmental pollution, urban crowding, the feeling of alienation, racial and national conflicts and other threats to human life.

DEATH OF SHEEP RECALLED

A few months ago, many sheep died of a new kind of disease in valleys near the Army's Dugway Proving Grounds in Utah. Death was caused by minute amounts of a chemical substance that had been deposited by the wind on pastures over the mountain ranges while being tested as a biological weapon inside the proving ground. The Army was publicly criticized for having used the new chemical substance before knowing how it moves through nature and determining all its biological effects.

The same criticism can be leveled against society as a whole. Since we make so little effort to investigate the effects of social and technological innovations on human life, we are practicing—not by intention but irresponsibly—a kind of biological warfare against nature, ourselves and especially against our descendants.

Mr. Speaker, I believe one idea expressed by Dr. Dubos needs amplification. He writes:

> . . . we can learn to tolerate the sonic boom, invasion of privacy, and even the loss of freedom. Adaptability is an asset for survival, but, paradoxically, the greatest threat to the quality of human life is that the human race is so immensely adaptable that it can survive even under the most objectionable conditions.

This is certainly not a description of Dr. Dubos but if one were only a scientist concerned with man solely as an interesting species for dispassionate study, one could accept such a gloomy prospect with resignation. However, since man is an intensely political creature and since those of us charged with the responsibilities of governing and lawmaking have the solemn obligation to promote far more than mere survival, we must specifically consider the impact of often obscure but deeply felt human desires upon our democratic institutions.

Erich Fromm has recently written an extremely valuable book, "The Revolution of Hope: Toward a Humanized Technology." Among his brilliant insights are many which warn legislators and executives of the danger of attempting to insure stability by inhibiting humanity.

> If man were infinitely malleable, there would have been no revolutions; there would have been no change because a culture would have succeeded in making man submit to its patterns without his resistance. But man, being only *relatively* malleable, has always reacted with protest against conditions which made the disequilibrium between the social order and his human needs too drastic or unbearable . . . Man's protest arose not only because of material suffering; specifically human needs . . . are an equally strong motiviation for revolution and the dynamics of change.

Mr. Speaker, I believe the perceptions of Fromm and Dubos are relevant to the political process and they cannot be ignored. If they are, the twilight years of the 20th century will witness the twilight of the America we know and love.

OUR COUNTRY SHOULD BE FOREVER GRATEFUL TO LYNDON JOHNSON

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 20, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the January 17, 1969, edition of the Washington Daily News:

OUR COUNTRY SHOULD BE FOREVER GRATEFUL TO LYNDON JOHNSON

As the tumultuous years of Lyndon Johnson's Presidency come to a close, it will not be disputed that he is leaving an indelible imprint on our country.

With one strong arm he tried to fight what became a giant-sized war in Asia, and with the other he tried to guide a giant-sized revolution at home.

The President himself has said he wants to be remembered as a man who tried.

He tried too much. He crowded the country—and human nature—too fast. He tried for instant success, which is nearly always improbable; and for a national consensus, which is impossible.

A man who grew up in a Jim Crow area, he tried in a single Administration to abolish prejudice and create a smooth-going rapport between the races. A just and humane objective, but not one to be achieved in a flash.

A man who had shined shoes and known the troubles of the penniless, he tried in his brief span in the White House to vanquish poverty—a condition of life which has plagued mankind since the beginning. An overwhelmingly desirable purpose, but not to be accomplished by a blitz from Washington.

More of a political activist than scholar or philosopher, Mr. Johnson seemed to see success for his goals as something to be pursued primarily by exhortation, by merely passing more laws, by spending taxpayer money.

Complex and difficult problems, unfortunately, are never overcome quickly or by simple formula. They are diminished only by long and constant effort, by understanding, by education, by a leadership which inspires wide cooperation.

Our country should be forever grateful to Lyndon Johnson for the magnificent way in which he assumed control of the government when the assassination of President Kennedy thrust that heavy duty upon him.

Because of national appreciation of his conduct in his first year as President he could have ridden the crest of popularity thru the 1964 election without promising anything. But with that exuberant self-confidence which always has been his hallmark, he promised too much.

He promised that American boys would not be called to do the fighting that Asians should do for themselves. He promised quick results in the fields of poverty and civil rights, and many more things.

They were promises which could not humanly be fulfilled, and they bred disappointments, frustrations, angry resentments, violent reactions.

The Vietnam war he inherited has hung like an albatross around his Administration's neck. He and his advisers underestimated the enormity of the conflict and the complexity of the problem.

So much was the war and its costs underestimated that one of Mr. Johnson's early acts was to talk Congress into a reduction in taxes. As the war escalated, so did the federal deficit—and so did inflation.

It was a serious miscalculation of both human and fiscal consequences.

Later, at first half-heartedly and finally with full force, he fought for and eventually obtained a war surtax—three years tardy.

Even as difficulties mounted abroad, they boiled up in this country in angry confrontations and disorders—we became a society which was anything but great.

Mr. Johnson's goals were equal rights, equal opportunity, and peace and abundance. But the harvest was unequal sacrifices and disaffection.

He never balanced the budget in his years and at times seemed to regard this as something not worth trying. But he left for his successor a budget balanced—on paper.

And along with that he bequeathed to Mr. Nixon the enormous problems of ending the Vietnam war and restoring tranquility at home.

There are areas in which the Johnson Administration's contributions have been without parallel in our history:

One is the conservation of resources—such as alerting our people to the pollution of water and air, and to the blight of the landscape; afflictions which are so rapidly diminishing the quality of our life.

Another is the push he has given to education for all who wish it, and the laws and the support he stimulated in behalf of civil rights. And the landmark decision which set up Medicare for the elderly.

Still another is the achievement in space. This was not something he inherited, like the Vietnam war or the racial conflict. As a leader in the Senate, he was the political architect and the driving force in setting up the space program. As vice president, he was chairman of the Aeronautics and Space Council which nurtured the program. So, as President, he was there to see astronauts Borman, Lovell and Anders fly around the moon and lift the horizons of all people.

And this, perhaps more than anything, gave a triumphant ending to his uniquely beleaguered Administration.

SENATE—*Tuesday, January 21, 1969*

(Legislative day of Friday, January 10, 1969)

The Senate met in executive session at 12 meridian, on the expiration of the recess, and was called to order by the Vice President, SPIRO T. AGNEW.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, with whom we walk and for whom we labor, teach us the truth that whoever would be greatest among us must be the servant of all. Receive, O Lord, the love of our hearts and the service of our minds and hands this day that we may be instruments of Thy purpose. Give us strength to walk and work with Thee in fellowship with all Thy faithful people, that Thy kingdom may come and Thy will be done on earth as it is in heaven.

In the Redeemer's name. Amen.

WELCOME TO THE VICE PRESIDENT

(The Vice President was greeted with applause, Senators rising.)

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 1 minute.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, we are delighted to see you assume the gavel in this great body. Having known a good deal about you before you assumed this responsibility, I know that you will carry out those duties with high credit to yourself, to this body, and to the country.

So, we extend to you today the hand of fellowship, as we mark the beginning of another year.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. First, let me say that the rules of the House do not apply in the Senate. As some of the proponents of the pending effort to change rule XXII would state, Senators can speak at some little length on every issue.

I join the distinguished minority leader in extending congratulations to our new Presiding Officer; and if the minority leader would join me, I would like to break a rule of the Senate and ask unanimous consent that, if the Presiding Officer so desires, he may proceed for not to exceed 2 minutes. [Laughter.]

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. SCOTT. Mr. President, before the Presiding Officer proceeds, may I simply join in the good wishes of the Senate and the people, in the fact that we have here a new President of the Senate. And may I add, with some transliteration of the ancient words, "Dominus Vobiscum et Cum SPIRO T. AGNEW."

Mr. ALLOTT. Mr. President, I could not let this occasion pass without adding my congratulations to those of my colleagues.

I think you will find your experience here rewarding. We know that the future here, under your guidance in the chair, will be excellent. Perhaps we still will not always be harmonious within this body, but we will accomplish great things. We bid you welcome.

Mr. KENNEDY. Mr. President, I echo the sentiments which have been expressed in extending a word of welcome to the Presiding Officer.

As our majority leader has said, we look forward to many years of your service here.

Mr. RUSSELL. Mr. President, I wish to associate myself with all of the leadership who have extended their greetings to you as our new Presiding Officer.

One of the unique qualities of the Senate is the fact that we have a member of the executive branch of the Government presiding over the most powerful legislative body in the world.

I welcome you here. I hope that with all of the new duties that the press reports you will assume, it will not mean you will desert the Senate or that chair, and that you will perform as often as possible the constitutional responsibility of presiding over the Senate.

I am glad to greet you here, and I extend my very best wishes and promise cooperation.

The VICE PRESIDENT. The Chair appreciates the courteous and gracious remarks of the distinguished majority leader and the distinguished minority leader, the majority and minority whips, the Senator from Colorado (Mr. ALLOTT), and the President pro tempore of the Senate.

The Chair is fully aware of the limited nature of his participation in these deliberations and does not wish to set a bad precedent by exceeding the time limit so graciously allowed him. He feels a tremor of uncertainty. It is not a personal uncertainty, but awe, because of the honor of presiding over this select and august deliberative body. The Chair will try to discharge the responsibilties of this office adequately and, hopefully, to the satisfaction of the Senate.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into legislative session.

There being no objection, the Senate proceeded to the consideration of legislative business.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, January 20, 1969, be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a brief period be allowed for the transaction of routine morning business, and that statements therein be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, it is not the intention of the leadership to bring up today the nomination of Mr. Walter J. Hickel, of Alaska, to be Secretary of the Interior. The reason is that an objection has been entered because neither the printed hearings nor the committee report is available. That is a courtesy we always extend to any Member.

I am sorry that that is the case, because we had intended to bring up the Hickel nomination today. If the documents are ready, it is the leadership's intention to bring up the nomination the first thing tomorrow.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield. It has nothing to do with the Senator from Rhode Island.

Mr. PASTORE. I want the RECORD to show very clearly that I raised the question yesterday afternoon on this matter; namely, that the hearings had not as yet been printed. I did not do that for the purpose of delay. I merely did it as a predicate to have the members of that committee on the floor to explain to us the pros and cons, their impressions of this man, his financial background, and his philosophical outlook on the consumer interests in the country with reference to oil.

I thought it would suffice, in the absence of the printed hearings, if we could have the members of the committee on the floor to explain the background of this nomination.

I want the RECORD to show that I am not asking for any extension.

Mr. MANSFIELD. The Senator is absolutely correct. He has had nothing to do with the "hold" at present on the nomination of Mr. Hickel.

But, in all candor, I am sorry that the committee report and the printed hearings are not available for the Senate as a whole to discuss.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Will it probably be the intention of the distinguished leader to take up the motion to proceed to consideration of Senate Resolution 11 to amend rule XXII of the Standing Rules of the Senate, in view of the inability to proceed today with the consideration of the nomination of Governor Hickel?

Mr. MANSFIELD. Yes, indeed. It is the pending motion, and I hope that the distinguished Senator from Idaho (Mr. CHURCH), the distinguished Senator from Kansas (Mr. PEARSON), and the distinguished Senator from Michigan (Mr. HART) have been notified to that effect, and that both sides will be ready to resume the debate.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. We have speakers who are ready. We have no disposition to spin out this matter any longer than the leadership and the authors of the resolution may feel is necessary. We are quite prepared to go ahead with the discussion in the event that proves necessary.

The only thing I request is that there be a quorum call when the morning hour is over, since I have guests in the dining room.

Mr. MANSFIELD. There will be.

That concludes that matter.

APPOINTMENT OF SENATOR DOLE TO THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. DIRKSEN. Mr. President, I submit a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 29

Resolved, That Mr. DOLE, of Kansas, be, and he is hereby, assigned to the Select Committee on Small Business.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 29) was considered and agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask that I be recognized as a Senator from Montana.

The VICE PRESIDENT. The Senator from Montana is recognized.

CANADA'S PRIME MINISTER TRUDEAU

Mr. MANSFIELD. Mr. President, last year, in what might be called an adventure in "new politics" Canadian-style, Pierre Elliott Trudeau was selected Prime Minister of Canada. It is a pathetic commentary on the times in which we live that the straightforwardness and the absence of deviousness in the political techniques by which Mr. Trudeau rose to national prominence have generally been labelled as unorthodox or unconventional.

However the Prime Minister of Canada may be described, it seems to me that he has come through to this country as an invigorating breeze from the north. In his politics, Mr. Trudeau has disdained atavistic social attitudes and political platitudes and he has questioned the entrenched policies which derive in many instances from them. This approach has apparently put him in tune not only with contemporary Canadians but with younger people throughout the world.

It is my understanding that as Prime Minister, Mr. Trudeau intends to lead the search for "a just society," with emphasis on the involvement of the Canadian people in government. To this end he has already faced frankly and with great integrity the most difficult of issues in Canada, that is the partial estrangement between the English- and French-speaking peoples. By his personal example as well as by his active policies he expresses an unmistakable desire to see emerge out of a dualistic culture one Canada united, free of the bias and mutual suspicions of the past.

Mr. Trudeau has also unveiled initiatives which are aimed at bringing about new directions in Canada's international relations. In that connection, it is to be anticipated that Canada will take a fresh look, in particular, at policies respecting its neighbors to the south, at the role of the North Atlantic Treaty Organization, and at the somewhat ambiguous Canadian relationship with China. There is no cause, in my judgment, to bemoan this prospect. It would be, instead, the better part of wisdom to take a leaf from the Canadian maple and engage in a similar fresh look at some of our own approaches to the world, including Canada. It is entirely possible that policies might be reshaped in a manner which will better contribute to the welfare of this Nation and to the undergirding of international peace.

That the new Prime Minister of Canada is a modern man of great vitality, high intelligence and creative proclivities is documented by an interview of Mr. Trudeau which was conducted last November by Jay Walz of the New York Times and by an article captioned "Trudeau" which Bruce Hutchison, editorial director of the Vancouver Sun, wrote for a recent issue of International Nickel magazine. Mr. President, I ask unanimous consent that the interview and article referred to be printed in the RECORD.

There being no objection, the interview and the article were ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 29, 1968]

TRUDEAU, IN INTERVIEW, STRESSES FULL POLICY REVIEW

(By Jay Walz)

OTTAWA, November 27.—As he rounds out his first half-year in office, Prime Minister Pierre Elliott Trudeau views his program for Canada, as a plan to excite ideas, challenges past assumptions and involve the people in running their country.

"I especially want people to understand," he said in an interview, "there is no great authority called the Prime Minister who gets messages from God—who makes great laws.

"If we come up with more ideas, they will only be accepted if the people are prepared for them, which means involving them, discussing with them, convincing them."

Accordingly, the 49-year-old Prime Minister explained, all of Canada's policy is given to review. He and his Cabinet are searching beyond past assumptions on such issues as relations with the United States, Canada's role in the Atlantic alliance and recognition of Communist China, which Mr. Trudeau advocates.

In an hour-long discussion last Friday with this correspondent and with Seymour Topping, foreign news editor of The New York Times, Mr. Trudeau made these other major points:

He would welcome a meeting with President-elect Richard M. Nixon, not to take up specific problems but to discuss the major premises of Mr. Nixon's thinking "and to acquaint him with mine."

Although there is danger that the huge United States investment in Canadian resources and industry may lead to foreign economic domination of Canada, he would encourage Canadians to invest in future development rather than try to "buy back" existing American holdings.

Belonging to the North Atlantic Treaty Organization is important to Canada because it "permits us to talk to other people than the United States about global military problems."

Far-reaching alignments in the Communist world may in the long run make it "in the interests of China to be friendly with America rather than with Russia," and improved relations with the United States may be in the Soviet Union's interests, too.

Mr. Trudeau spoke in his office in the Parliament Building. Motioning his callers to chairs opposite, he asked if he might sit at his desk where he would be free to prop his feet up if he wished. A pot of chrysanthemums adorned a side table.

The Prime Minister wore a conservatively cut dark gray suit, a white shirt with buttondown collar and a black four-in-hand tie. Since becoming Prime Minister last spring, he has discarded his ascots, sport jacket and sandals.

Through most of the interview he leaned forward with his elbows on the desk, using Gallic gestures to emphasize a point ("It takes a hell of a lot of time to be Prime Minister") or to shrug off a distasteful idea ("We are not evil men trying to force a diabolical solution" upon the people).

In the tape-recorded discussion, his low voice often fell to the mumble that has become the despair of Canadian journalists. His language, favoring such terms as "postulates," "premise" and "cultural dynamics," often betrayed the classroom approach that some Ottawa politicians find strange in their new Prime Minister. Mr. Trudeau was a law professor at the University of Montreal before he entered politics in 1965 to become a Liberal party Member of Parliament.

Two or three times, Mr. Trudeau interrupted himself to apologize for "a long monologue" for "stating such platitudes."

INTERVIEW EXCERPTS

Following are excerpts from the interview with Prime Minister Trudeau:

Q. In the United States now, you are still something of an enigma; there is a feeling that you have not yet precisely defined your philosophy of government or your program. Is that a fair statement?

A. During the election period and since, I have stated postulates of my thinking, intuitions if you prefer, or directions in which my mind works. But I haven't—certainly in the area of international relations—spelled out any precise policy. In the specific matter of defense and external affairs, we are embarked on a review. It's fair to say there are a lot of unanswered questions.

What do we want to do in international affairs? What do we want to do in defense policy? What do we want to do with our Social Security programs, our monetary policy, and so on?

M'LUHANITE LEANINGS

It's fair to say that I haven't tried to spell out the programs for the next 20 years of Canada. Perhaps I am partially a McLuhanite without knowing it. It's one of the arguments I used in the leadership campaign when they said, "You don't have experience, how can you aspire to be a Prime Minister?"

My answer was, Well, in the rapidly changing world, the experience isn't always very useful. The data are so different from one year to the next that what you learned in a previous context can hamstring you.

I know what the big priorities are, and I hope that we will be able to solve them over a period of four years.

The problem of regional disparities is of extreme importance. The problem of Indian and Eskimo—native populations in general—is a very important one. The problem of urban growth; the problem of our relations with China, with South America, with Europe, with the United States; the attitudes we take toward foreign investments, taxation—these are all very important.

Q. How do you feel Canada's relations with the United States should evolve?

A. I have a very great respect for the United States and its institutions. I think it is an extraordinarily powerful society. It's vital. It's a tough society in the good sense of the word. It has lived through difficult problems, and I'm sure it has the wherewithal to answer difficult questions.

As a student of the law, I would say that I have in particular a very great respect for the legal thought that you have developed there. I'm not talking of public lawmaking but of the institutions which grew out around your political institutions—the Supreme Court, the federal system of government and so on.

So I think we are very fortunate to have as a neighbor this very great country: It has obvious economic benefits, it has obvious technological benefits, it has obvious cultural benefits. Even in terms, I suppose, of peace it has obvious benefits: we are in a sense sheltered by the United States umbrella.

But all these assets obviously are counterbalanced by the fact that it is such a large and strong power that in the kind of good-neighbor relationship that has existed for a long while the little guy always feels the rough edges more sensitively than the big guy does and we have to be careful lest the economic benefits we draw from our relations with the United States lead to atrophy of our political independence.

NON-ORWELLIAN MEANING

We have to make the same assessment in the area of international relations: What we gain by having such a strong big brother—I say that in a non-Orwellian sense—we lose by the fact that we cannot be 100 per cent independent. Of course, no country can—not even the United States—but perhaps the measure of our independence is considerably reduced.

The cultural field—it is an obvious one, too. I believe that the benefits that I have underlined in the legal field can be extended to many other fields: the intellectual presence of the great universities, the cultural dynamism of a city like New York.

It's an extraordinary shot in the arm for a Canadian to be able to take an hour's flight and be in New York City and know what's happening in the biggest city in the world and probably the most exciting one and come back after a short weekend.

Q. Are you worried by the influx of American capital investment, in the sense that this investment might result in an American economic domination of this country? And do you plan any restrictions on American capital investment in Canada?

A. I think the problem of economic domination is somewhat inevitable—not only of the United States over Canada but perhaps over countries of Europe as well, and the problems of the economic domination of Japan over some countries in the Far East, and the problem of economic domination of the Soviet Union over some of the smaller countries around it, and so on.

These are facts of life, and they don't worry me.

I would want to make sure that this economic presence does not result in a real weakening of our national identity. It is obvious, if we keep out capital and keep out technology we won't be able to develop our resources and we would have to cut our standard of consumption in order to generate the savings to invest on ourselves and so on. I think even more important than the capital which comes in from the United States is the technology that comes with it. And we can't have one without the other, and we are willing to take both, but on certain conditions.

NOT AN ECONOMIC NATIONALIST

I'm not an economic nationalist, and I believe that the whole device of nationalism is an impoverishing one—that you should only use it, sparingly, in areas where you can't defend yourself otherwise.

I believe, in the case of American investment in Canada, it is more important—as I have said many times—for us to use our savings to invest in the future rather than to use these savings to buy up the past and to try to buy out the American concerns which are here now. Because if we use our savings to buy the past, then these savings will be reinvested by the very same outsiders in the future and we will be another generation behind.

So I'd like to try and skip a generation and say, Well, they own the automobile factories and many of the pulp mills, and so on; let's not use too much of our savings trying to make these things Canadian; let's make sure that the industries of tomorrow will be Canadian.

This is where Canadians can prove whether they are entrepreneurs or not, and whether their assessment of the future is as good as the Americans'.

You realize that each country wants to keep its identity—or its sovereignty, to speak in legal terms. It has to constantly make assessments, and to select those areas which are important for our independence.

Some examples are quite obvious: our banking and our financial institutions, and the communications media, where we've adopted in the area of radio broadcasting the same kind of laws that you have in the United States which insure that control of the media will not belong to foreigners.

But we have limited resources, intellectual and manpower and financial. Therefore, the great problem for a government of our size is to know where we will invest those resources most—resources for protecting our identity. I believe that in most of the areas I'm prepared to let the consumer decide and to let the forces of the market play.

Q. How do you see military cooperation with the American states within the framework of NATO and the bilateral defense arrangements such as the North American Air Defense Command?

"ONE AMONGST MANY"

A. In the case of NATO I don't see the United States as posing a particular problem. They are one member of NATO amongst many. I believe that the alliance, in a very real sense, is useful to Canada because it permits us to talk to other people than the United States when we're talking about global military problems.

Or, to state that in another way, the political benefits of NATO to Canada are that we have other friends in the same alliance apart from the United States and we can assess, for instance, the events in Czechoslovakia or the happenings over Suez or the developments in Berlin not merely by talking to the United States but by asking what the English and the French and the Italians and the Germans and all of the rest of the NATO members think of a given thing.

I do think that part of our process of reviewing our defense and external policy will be predicated on the reality that probably the greatest force for peace in the past 15 years has been the balance of terror between two nuclear powers.

If Canada decides that the principle of collective security is an important one—and I am inclined to think it is—if we don't want to be completely neutralists, if we want to be in some collective-security arrangements, we can ask ourselves: Which are the ones which are more natural to us? Are they the NATO ones or are they the NORAD ones? And how do you intensify the arrangements which are the most natural to you?

Q. Are you prepared to sustain your present commitment of resources to NATO or do you plan to cut back on them?

A. If I knew it, I would state what our policy is. As I have been saying in the House for several days, the position we took in Brussels was that we weren't prejudging the results of a review which is not yet finished. We were holding the line in NATO; we had decided to delay a reduction in forces which we had made NATO aware of before the Czechoslovakian crisis. As a result of the crisis we decided neither to escalate nor to proceed with the reduction. The information that our ministers have gathered at the recent NATO meeting, along with events in Czechoslovakia, along with the work we have been doing ourselves in our reviews will all be part of the final policy decision we make.

Q. You have said in the past that you feel that the nature of the defense situation has changed because there is no longer a threat in a general sense from a monolithic Communist bloc. What is your feeling after the invasion of Czechoslovakia?

"A MATTER OF EMPHASIS"

A. When you quote me as having said that there is no more danger because of breaking up the monolith, I don't remember having said that; perhaps it is a matter of emphasis. I think that this is very much the French position—that détente would come, hopefully, as a result of the breaking up of the monolith, and there were signs of this in Rumania and signs of it in Hungary and more recently signs in Czechoslovakia.

If that is what you are alluding to, then I would say yes. This is also part of the NATO members' thinking, and they said so, indeed, in the communiqué after Brussels—that we don't want our present decisions to preclude a genuine hope that détente will come. And détente will mean that, I suppose—less of a monolith.

But this being said, do the events in Czechoslovakia and perhaps the Mediterranean lead me to believe that NATO should be strengthened? I'd say you could argue just as easily to the contrary—that because of Czechoslovakia we have concrete evidence that the Soviet Union is weaker now than it was before; it can no longer count on Czechoslovakia as a solid ally in a military conflict.

GENUINE DESIRE POSSIBLE

Movings within the Warsaw Pact countries in the past couple of years have indicated that perhaps there is a genuine desire in those countries to be less part of the monolith. And if that were the case, if they were generally prepared to move toward détente, I think we should also do so in NATO.

So it seems to me that we have to question some of the basic premises that were at the basis of the creation of NATO in the late nineteen-forties. Since then China has developed from what was then a country torn by revolution into an important power.

It's obvious that Russia's greatest fear in the future will be China and not the United States of America. And perhaps there would be something to be said for the United States or for other members of NATO to act more along the lines of this new reality. In the long run, I think, perhaps it is in the interests of China to be friendly with America rather than with Russia.

And if you can develop this line of thinking, then you cease to be as afraid of Russia in Europe as we are now.

Everyone knows that by the year 2000 Japan will be one of the four greats in the world—the United States, Soviet Union, Germany and Japan. It's obvious that this is going to spell a whole new set of realities in the Pacific both in the military and the economic sense. I'd be interested in making sure that Canada, as a Pacific nation, is asking itself questions about that.

Q. You have indicated that it would be advisable for Canada at some time to recognize the Peking Government. Under what conditions would you consider the time right for a step of that kind?

A. I think the time has been right for a great many years to recognize the Peking Government. The difficulty is, What happens to Taiwan if we recognize Peking? I've been on record many times as saying that regardless of the regime in Peking, it is the Government of a quarter of the human race and it is a country that we have to know more about and it is a country with which Canada, as you know, has a very important trade relation. And it is a country with which we should establish diplomatic relations.

The reason why we haven't done it and why we are not doing it now is that before doing it you want to know under what conditions diplomatic relations will exist, you want, as much as possible, to know in advance what treatment our diplomats will get over there, what kind of a basis of operation they will have; we want to know what we will do with our relations with Taiwan or what Peking will want us to do or demand that we do.

We have done a lot of consultation about it, with countries who have relations with Peking and with countries who have not relations with Peking.

Q. Are you encouraged by what you found out?

A. Well I'm encouraged. But I'm an optimist, and this doesn't really mean that the result will be what I hope it will be: establishment of relations.

Q. Do you anticipate that the United States' attitude toward the Peking Government will continue to be a deterrent?

A. Well, I'm encouraged. But I'm an optimist, and this doesn't really mean that the States Government. I am quite sure that several years ago they would have reacted very badly. I am not sure that is true now.

Q. To some extent your change of administration is parallel to what is happening in the United States. Do you intend to meet with Mr. Nixon with a view of reexamining and possibly readjusting relations between Canada and the United States?

A. Well, I have no specific intention to meet with him. There has been no exchange of any kind of information along these lines. But I would hope that Mr. Nixon and I would be able to discuss these questions and many others.

I think the foremost thing I have to discuss when I meet responsible leaders of friendly countries are not so much specifics, and I believe a lot can be left to our diplomatic personnel and to our civil servants in the area of trade and commerce and so on.

I would like to try and understand what the major premises of Mr. Nixon's thinking are, and I would like to acquaint him with mine. I would like to know what he is thinking about the future—not just thinking, because he has talked a great deal, but what his basic postulates or premises are about the future of this North American continent for the next 20 years:

"WHAT ARE THE HOPES?"

What are the dangers? What are the hopes? In what direction is the population moving? What will we do with urban growth? What will we do with problems of economic interdependence? What will we do with the multinational corporation? What will we do with the United Nations?

But not in specifics. How does he see the world? Does he think about China as I do—that it's probably more in their interest to be in the long run friendly with the United States than friendly with Russia.

What does he think about the problem of the black people in the United States and how does he think this is going to be solved in the next several years? Is he very concerned with problems of poverty in the third world? What priorities does he put on international aid and development as against shooting for the moon?

But these are things that I find interesting discussing with anyone; therefore I would find it even more interesting discussing them with the President of the United States.

Q. You have spoken of the Just Society in a visionary sense, as President Johnson has spoken of the Great Society. Can you tell us how you envision the Just Society?

A. Well, what is the definition of justice? It is to give to each man his due. What is due to each man? I suppose it is only each man who can answer that. Most people realize there is a limit to what they can get. So I use "Just Society"—perhaps as President Johnson used "Great Society," but I think the word "justice" is a bit more subjective.

That is why I have talked so much of involvement and participation. For example, it would not be sufficient to make Canada a great society if the Indians or the French Canadians or the Province of British Columbia didn't feel that they were getting their just share of this great society.

And when I say a Just Society I am thinking of letting the people know that the values we are seeking are those that they feel important—not some objective test of greatness but some subjective one of, Are they happy in this society, do they feel that they are getting their due out of society? Because if they don't, then you have all the dropouts, the riots, the anarchists and so on. It's always a sense of injustice which motivates this, whether it be the blacks or the students or the poor people in the slums. It's that they are not getting their fair share.

I think citizens in the society realize that they can have more by living within the society than they could by getting out of it. Therefore it is not an answer to them to say that "This society will be great and you will be proud of it"—it's more important to say that "This society will be just. Perhaps it will be less rich, but it will be more respectful of the values which you esteem important to you."

ANY SIGNS OF CHANGE

Q. You have been Prime Minister now for seven months. Do you feel any different than when you first started out?

A. Well, I feel a little more sleepy when Friday night comes around—probably working harder than I used to do. I don't feel different in any other sense, though. You know, I haven't had any really big crisis or test that sort of made me feel that the burdens of office are terrible—that I'm developing ulcers or that I can't sleep.

I feel it takes a hell of a lot of time to be a Prime Minister, but it is such a lot of fun even in terms of getting the machinery working and feeling that soon you will be able to make decisions and implement them.

Q. You have introduced a new technique in reaching people; that is, you get out and mix with students and talk to them freely. Do you do this as the Prime Minister or as a man who would like to get a point or message across?

A. Basically I do that because I like to exchange ideas. I like to teach, but I like to be taught. I like to learn things. I like to know what people think. I like them to know what I think.

I specially believe—and this is, when you talk of students, what I especially want people to understand—that there is no great authority called the Prime Minister who gets messages from God—who makes great laws. Nor do I go around my office with a listening device trying to take orders from Washington or Moscow or Rome or anything like that.

The ideas that we come up with are basically the ideas of men who yesterday were merchants or lawyers or teachers and today happen to be the ministers of this Government.

That's essentially what I would like the young people to understand—that perhaps our answers are not right as regards Vietnam or Biafra or NATO or the Indians, perhaps they're not right, but we are not evil men trying to force a diabolical solution upon them. We are men who are coming up with answers as best we can, and if they have better answers, I'd like to know what they are.

Especially with students—you know, they say, "It's the profit motive which is driving this society."

Well, what is the profit motive? You know, it is not some mechanism which is imposed on society by evil men. It is something that the society has chosen to use as its mainspring, and if the profit motive is wrong, well fine: let's destroy it or let's replace it by something else.

It's only in discussing with them that you can make them realize that many of their simplistc answers are just that, that they haven't really asked themselves all the difficult questions. And I find that if we come up with more ideas it will only be accepted if the people are prepared for them, which means involving them, discussing with them, convincing them.

[From International Nickel magazine]

TRUDEAU

(By Bruce Hutchinson)

A world which seldom spares a thought for Canada and Canadians is suddenly interested in Pierre Elliott Trudeau as the most improbable of prime ministers. But the significant question posed by his overnight rise to office is not the character of the man but the character of the nation behind him.

What sort of nation chooses its leader from a discontented racial minority, from the higher intellectual elite, the Bohemian set and the young, angry radicals? Obviously not the nation of accepted myth, not the dull, gray folk who are said to be gifted only with competence but no talents, no dreams, no spirit of adventure.

Trudeau's arrival seems to deny all the established Canadian facts but, in truth, confirms them. From the day of Champlain's landfall at Quebec in 1608, Canada has been a company of adventurers, romantics, and dreamers because it could be nothing else and survive. Threatened by their own poverty, by their neighbor's Manifest Destiny, and then by the magnet of the rich, friendly Republic beside them, Canadians could not afford the grand gestures and proud pretensions of most small countries. Yet they never lost their hunger for a distinct nationality, a life of their own, and in Trudeau they found at last a man to articulate it.

His emergence over men far more experienced and better known seemed to be a sheer accident, defying all the laws of a disciplined and closely-knit political system. On the contrary, it was the deliberate expression of Canada's will to start its second century of nationhood with new leadership, new methods, and bolder experiments that would not abandon but would bring the original dream up to date.

Naturally, in his first days of triumph, the new leader is much overestimated. No man could be as good as he looked on June 25th, the night of his sweeping election victory, and no man knows better than Trudeau himself that his brief candle of public worship will soon be extinguished.

As one of his intimates has predicted, he may well find himself the most unpopular man in Canada before the year is out if he does what he has to do in a nation beset by many baffling problems. Meanwhile, despite his frequent warnings against miracles and his refusal to promise any easy solutions, the people expect of him much more than any man can possibly deliver. He knows this, too, and it haunts him.

Already he lives with a personal myth built in less than a year of public exposure and largely untrue; The son born into an affluent Montreal family forty-eight years ago; the lonely, pampered boy taken daily to school in a limousine; the restless teenager who made himself a pugilist, a championship diver, a judo expert, and a master of the ski; the student who ravened through libraries of books and the universities of Quebec, Harvard, the Sorbonne, and the London School of Economics; the prankster who annoyed the police more than once in Paris and other places; the wanderer who paddled Canada's wild rivers, walked across the Middle East, swam the Bosphorus, and explored Russia, China, and southeast Asia; the rebellious young lawyer who attacked the authoritarian government of Quebec on a program of outright socialism; the gay Catholic bachelor who wore bizarre clothes, drove fast foreign cars, and usually had a luscious blonde beside him—these legendary Trudeaus were unknown to the Canadian public when the actual man entered Parliament as an obscure back-bencher in 1965.

The public, if it noticed him at all, saw a physique outwardly small and frail, the core of steel well hidden; a face homely but mobile, often melancholy and then lighted by infectious laughter. Trudeau's voice was quiet, equally fluent in English or French, his language rarely eloquent but always crisp, candid, and sparkling with irony. No man could have looked less like a potential prime minister of Canada—a nation which had chosen its previous leaders for their long training in politics, their sober deportment and air of solid reliability.

But the men who knew the real Trudeau were not surprised when the apprentice politician overleaped his rivals, won the prestigious portfolio of Justice, introduced liberal laws of divorce, abortion, and homosexuality that all his predecessors had considered impossible, and denounced—in his own province—the constitutional demands being put forward by the Quebec Government.

Although these were notable beginnings, they did not challenge the ruling Liberal heirarchy. On Prime Minister Lester Pearson's retirement, the successor, apparently, would be picked from among his half dozen senior lieutenants.

As late as January 1968, Trudeau was not a candidate for the party's leadership, and most Canadians still knew him only as a name. They had yet to discover him as a person. Nor had they read in his printed credo that "I have never been able to accept any discipline except that which I imposed upon myself. . . . The only constant factor to be found in my thinking over the years has been opposition to accepted opinion."

As if this declaration of independence were not blunt enough, Trudeau went on to write that "public opinion seeks to impose its domination over everything. Its aim is to reduce all action, all thought and all feeling to a common denominator. It forbids independence and kills inventiveness, condemns those who ignore it and banishes those who oppose it."

Such heresies were not the stuff of which Canadian prime ministers are made but, as the Ottawa establishment had slowly realized, a Johnny-come-lately was achieving a curious, secret rapport with Canada's two cultural communities, mainly because he expressed their discontent with themselves and the state of the Canadian nation. And because he shares their discontent, understood them both and might reconcile them, Trudeau was persuaded by his friends that he alone could revive a dying government.

To seasoned politicians this appeared unlikely. The Liberal ministry was in deep trouble; the Conservative opposition was led by a new and respected figure, Robert Stanfield; the Canadian public was eager for change. But once Trudeau decided to take the plunge, the prospects of government and nation were instantly transformed.

He had no organization, no handy IOUs for political favors or any power base of his own. He had something, however, that the nation desperately wanted and all his rivals lacked—the look of a man who knew precisely what he was doing and would do precisely what he pleased. Above all, Trudeau represented change, youth, and a new concept of government as everybody's business. "Politics," he said, "is fun," and for the first time a dispirited people began to enjoy the fun. So did he.

The party convention became a kind of coast-to-coast frolic and folk festival, every television set in the land trained on the delegates and mostly on a silent man who seemed careless of the outcome. Trudeau cared, all right. He burned with inward excitement but his public act of composure had been perfected, his air of indifference now as familiar to the nation as his double trademark—the flower in his buttonhole, the thin, sardonic smile on his lips. Ostensibly he was the choice of the convention. Actually the nation had chosen him and the delegates obeyed their unwritten instructions from home.

That choice was a gamble for Trudeau but a much larger gamble for Canada. After all, the Canadian people had formed only a vague idea of his character and knew even less of his intentions.

Within days both man and intention clarified dramatically. Against the advice of timid counsellors, the new prime minister did not wait to settle himself comfortably in power and bid for support with popular programs. Instead, he appointed a temporary cabinet, dissolved Parliament, and called an immediate election. The amateur of politics, so outwardly mild and cautious, was going for broke.

His method of campaigning was as strange and unorthodox as his personality. Where all his predecessors had held formal meetings and delivered long, set speeches, Trudeau flitted about the country by airplane and helicopter, dropped into shopping centers or parks, kissed innumerable girls, and announced his views on government and politics so casually that reporters failed to grasp them.

This was not a campaign by Canadian standards. It was just a series of pleasant happenings, a summer holiday. And if, lacking any promises and the customary election bait, it seemed formless and noncommittal, it moved exactly according to plan—Trudeau's plan.

The amateur had read the Canadian mood better than any of the professionals and the response was instinctive. Headline writers called it "Trudeaumania"—a tiresome word and misleading. The real mania was not for Trudeau. It was for Canada. Like no other politician of modern times, he had made the nation feel proud of itself, confident of its future, aware of its unique problems but determined to solve them. Quite deliberately, the people gave him a House of Commons majority that no other Liberal could have won.

Yet the problems remained. If Trudeau had a mandate to solve them, almost a blank check, he had settled nothing, so far, but his right to make decisions. The deepest of all problems had brought him into politics and will make or break him in the end. A French Canadian, he had not merely condemned a separate Quebec state as lunacy, but had rejected any "special status" for his province in the national constitution. His people, he said, could survive as a people and a distinct civilization only in a single Canadian state, but they must be allowed to feel at home everywhere as the full equals of the English-speaking majority.

Here his thinking went beyond provincial or even national borders. As he saw it, Canada could not endure, or deserve to endure, unless it became a truly dual, bilingual society of two elements, forever distinct but freely associate. If the nation achieved that synthesis, it would set an example to a distracted world and, by its peculiar mission, justify its existence.

To this end, he proposed a constitutional revision and a Bill of Rights which would favor none of the ten provinces but would establish the French Canadians' language, wherever they lived, as an undoubted legal right in schools, courts, and government offices.

By asking the Canadian majority to accept such a revolution—for it was nothing less—Trudeau had asked a lot. Of his own people he had asked even more when most of them wanted a separate constitutional position of some ambiguous sort for their province. But in both communities, as it turned out, he had not asked too much. Both endorsed him at the polls and, because he had carried the election almost single-handed, gave him a personal power denied to his predecessor.

To win such a vote of confidence in a man rather than a government is one thing. To master the ancient racial conflict is another and it will strain all Trudeau's resources. So will the complex bread-and-butter problems now straining the opulent Canadian economy.

How he proposes to grapple with them the nation does not yet know. It does know, however that he fits no conventional pattern either in mind or policy. As a youth Trudeau was an ardent socialist and Utopia-seeker who felt a passionate sympathy for the poor and a secret shame in his inherited wealth. Rebelling against his social class, he preferred to roam the world as a vagabond, and in these wanderings—as later in university and government—he learned that socialism simply would not work.

His disillusionment with all theories and panaceas was complete and typically candid. "Ideological systems," he wrote, "are the true enemies of freedom. On the political front accepted opinions are not only inhibiting to the mind, they contain the very source of error. When a political ideology is universally accepted by the elite . . . this means that it is high time free men were fighting it."

The doctrinaire rebel had become a total pragmatist and, in economics, something of a conservative—or at least a prime minister whose first act in office was to quarrel with powerful labor unions and tell the Canadian people that if they squeezed the lemon of their economy too hard the juice would come out of them, not out of the government.

Every problem, he has said, must be considered on a practical, pragmatic basis and "I don't think we should be frightened by the tag that it is a socialist or capitalist approach." What solution will succeed in each particular case, regardless of theories and catch-words? That is Trudeau's approach, and he calls it the search for a "Just Society."

Such a society does not mean that all men are equal in ability or deserve equal rewards. It means that all should have equal opportunities, or as equal as the human condition ever allows. It means, too, that the harsh disparities between the several regions of Canada should be reduced, if they cannot be entirely closed. More than anything else, it means that the individual man should be protected from the tyranny of the state and freed to express his own talents.

In foreign policy, the youthful Quebec isolationist, who opposed wartime conscription and did not serve overseas, has become an outright internationalist with special concern for the poor nations because he has seen their misery at first hand. But he is also a strong Canadian nationalist, if nationalism means that Canada has something useful to teach the world.

For example, he wishes to recognize Communist China, if he can—despite American objection. Trudeau says that "we can help ourselves and we can help the Western world by doing things of which the United States disapproves."

Given his unconventional private life, his unprecedented rise in politics, and his fearless heresies, the United States and other foreign nations will not always find him easy to deal with. Nor will the Canadian people. Behind his air of outward serenity and his disarming, colloquial speech, Trudeau, as this reporter learned ten years before a prime minister had begun to take shape, is a very tough guy. He will be, I venture to predict, a very great Canadian statesman or a total failure. He will measure the possibilities with caution but, having made his choice, he will always go for broke.

In any case his ministry, like his life, will be a continual adventure. "Let's take a bit of a chance," he told the voters in his election campaign. They have taken that chance. The adventure is under way, the end unknown, but the nation already more Canadian than ever.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in the executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, under rule XX, appoints the Senator from Arkansas (Mr. Fulbright) to the Board of Regents of the Smithsonian Institution.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Appropriations to the National Aeronautics and Space Administration

A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and other purposes (with accompanying papers); to the Committee on Aeronautical and Space Sciences.

Proposed Provision for Payment by Handler Assessments of the Administrative Costs of the Department of Agriculture

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for payment by handler assessments of the administrative costs of the Department of Agriculture (with accompanying papers); to the Committee on Agriculture and Forestry.

Proposed Provision of Supplemental Source of Credit to Cooperatives Serving Rural People

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide a supplemental source of credit to cooperatives serving rural people, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

Proposed Legislation Making Interest Income on Water and Waste Disposal Loans Sold Out of the Agricultural Credit Insurance Fund Subject to Federal Income Taxes

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to make interest income on water and waste disposal loans sold out of the Agricultural Credit Insurance Fund subject to Federal income taxes, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

Proposed Legislation To Provide for Reserves of Certain Crops To Be Held by Producers and the Commodity Credit Corporation

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the establishment and maintenance of strategic reserve stocks of agricultural commodities by producers and the Commodity Credit Corporation for national security, public protection, meeting international commitments, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Proposed Legislation To Provide for Insured Operating Loans, Including Loans to Low Income Farmers and Ranchers

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for insured operating loans, including loans to low income farmers and ranchers, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Proceedings Concluded Under the Indian Claims Commission Act

A letter from the Clerk of the Indian Claims Commission, reporting, pursuant to law, that certain proceedings under that act have been concluded (with accompanying papers); to the Committee on Appropriations.

Report of the Secretary of the Air Force on the Progress of the Flight Instruction Program

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the progress of the Reserve Officer Training Corps flight training program for the calendar year 1968 (with an accompanying report); to the Committee on Armed Services.

Report of the Secretary of the Air Force on the Number of Officers on Permanent Duty at the Seat of Government

A letter from the Secretary of the Air Force, reporting, pursuant to law, the number of officers assigned or detailed to permanent duty in the executive part of the Department of the Air Force at the seat of Government, as of December 31, 1968; to the Committee on Armed Services.

Authorization of Certain Construction at Military Installations

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to authorize certain construction at military installations, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Provide a System of Random Choice for Induction into the Armed Forces

A letter from the Assistant Director, Selective Service System, transmitting a draft of proposed legislation to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act (with accompanying papers); to the Committee on Armed Services.

Proposed Appropriations for the Armed Forces

A letter from the Deputy Secretary of Defense transmitting a draft of proposed legislation to authorize appropriations during fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Authorization of Disposal of Castor Oil From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of castor oil from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Authority for the Disposal of Platinum From the National Stockpile and Supplemental Stockpile

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of platinum from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Industrial Diamond Crushing Bort From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of industrial diamond crushing bort from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Corundum From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of corundum from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Tungsten From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of tungsten from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Type A Chemical Grade Manganese Ore From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of type A, chemical grade manganese ore from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Type B Chemical Grade Manganese Ore From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of type B, chemical grade manganese ore from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Disposal of Chrysotile Asbestos From the National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of chrysotile asbestos from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

Proposed Appropriations for Procurement of Aircraft for the Armed Forces

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize appropriations during fiscal year 1969 for procurement of aircraft for the Armed Forces, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Report of Audit of Exchange Stabilization Fund

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of audit of the exchange stabilization fund for fiscal year 1968 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Urban Development Bank

A letter from the Secretaries of the Treasury and Housing and Urban Development, transmitting a draft of proposed legislation to establish an Urban Development Bank to assist in broadening the sources and decreasing the cost of capital funds for State and local governments (with accompanying papers); to the Committee on Banking and Currency.

Proposed Extension of Laws Relating to Housing and Urban Development

A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend and extend laws relating to housing and urban development, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Regulation of Exports

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for continuation of authority for regulation of exports (with accompanying papers); to the Committee on Banking and Currency.

Proposed Legislation Relating to Small Business Administration

A letter from the Administrator, Small Business Administration, Washington, D.C., drafts of two proposed bills, the first to amend the Small Business Act, and for other purposes; and to authorize additional appropriations to the Small Business Administration for economic opportunity management assistance, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Review of Legislation Relating to the Electric Utility Industry

A letter from the Chairman, Federal Power Commission, reporting, for the information of the Senate, that a review has been undertaken by that Commission relating to the electric utility industry; to the Committee on Commerce.

Proposed Airport Development Act of 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes (with accompanying papers); to the Committee on Commerce.

Proposed Extension of the U.S. Fishing Fleet Improvement Act, as Amended

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Proposed Appropriations for Procurement of Vessels and Aircraft and Construction of Shore and Offshore Establishments for the Coast Guard

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard (with accompanying papers); to the Committee on Commerce.

Proposed Imposition of Additional Airway User Charges

A letter from the Secretary of Transportation, transmitting, pursuant to law, a draft of proposed legislation to provide for the imposition of additional airway user charges and for other purposes (with accompanying papers); to the Committee on Commerce.

Proposed National Traffic and Motor Vehicle Safety Act of 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for the fiscal year 1970 and 1971 for the purposes of carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and to amend the definition of "motor vehicle equipment" in the National Traffic and Motor Vehicle Safety Act of 1966 (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation To Provide an Improved and Enforceable Procedure for the Notification of Defects in Tires

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide an improved and enforceable procedure for the notification of defects in tires (with an accompanying paper); to the Committee on Commerce.

Proposed Repeal of Laws Limiting Shipowners' Liability for Personal Injury or Death

A letter from the Secretary of Transportation and the Acting Secretary of Commerce, transmitting a draft of proposed legislation to repeal the laws authorizing limitation of shipowners' liability for personal injury or death (with accompanying papers); to the Committee on Commerce.

Proposal To Deduct From Gross Tonnage in Determining Net Tonnage Spaces Used for Slop Oil on Board Vessels

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to deduct from gross tonnage in determining net tonnage spaces used for slop oil on board vessels (with an accompanying paper); to the Committee on Commerce.

Proposed Legislation To Require a Radiotelephone of Certain Vessels

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to require a radiotelephone on certain vessels while navigating upon specified waters of the United States (with an accompanying paper); to the Committee on Commerce.

Authorization of Appropriations To Carry Out the Standard Reference Data Act

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations to carry out the Standard Reference Data Act (with accompanying papers); to the Committee on Commerce.

Amendment of International Travel Act of 1961

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes (with accompanying papers); to the Committee on Commerce.

Proposed Authorization of Appropriations for Certain Maritime Programs

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for certain maritime programs of the Department of Commerce (with accompanying papers); to the Committee on Commerce.

Authorization of Appropriations To Carry Out the Metric System Study

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study (with accompanying papers); to the Committee on Commerce.

Appointment, Promotion, Separation, and Retirement of Commissioned Officers of the Environmental Science Services Administration

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Proposed Federal Contribution for a Transit Development Program for the National Capital Region

A letter from the Assistant to the Commissioner, Government of the District of Columbia and the Chairman, Board of Directors, Washington Metropolitan Area Transit Authority, transmitting a draft of proposed legislation to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89-774 (80 Stat. 1324); with an accompanying paper; to the Committee on the District of Columbia.

Proposed Immunity From Taxation in the District of Columbia of a Communications Satellite System

A letter from the Assistant Secretary for Congressional Relations, transmitting a draft of proposed legislation to provide for the immunity from taxation in the District of Columbia in the case of a communications satellite system (with accompanying papers); to the Committee on the District of Columbia.

Proposed Legislation To Establish in the House of Representatives the Office of Delegate From the District of Columbia

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Proposed Legislation To Adjust Certain Salaries in the District of Columbia

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries of certain District of Columbia judges, members of the District of Columbia Council, and U.S. magistrates (with accompanying papers); to the Committee on the District of Columbia.

Proposed Amendment of District of Columbia Income and Franchise Tax Act of 1947

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Income and Franchise Tax Act of 1947, as heretofore amended, so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

Report of Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund

A letter from the Managing Trustee and members of the board of trustees of the Federal old-age and survivors insurance trust fund and the Federal disability insurance trust fund, transmitting, pursuant to law, a report of that board, dated 1969 (with an accompanying report); to the Committee on Finance.

Report of Board of Trustees of the Federal Hospital Insurance Trust Fund

A letter from the board of trustees, transmitting, pursuant to law, a report of the board of trustees of the Federal hospital insurance trust fund (with an accompanying report); to the Committee on Finance.

Proposed Income Tax Credit for Certain Political Contributions

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to provide an income tax credit for certain political contributions (with an accompanying paper); to the Committee on Finance.

Amendment of Tariff Schedules of the United States Relating to Wool

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the tariff schedules of the United States with respect to articles in part of reprocessed wool or reused wool (with an accompanying paper); to the Committee on Finance.

Wagering Tax Amendments Act of 1969

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954, as amended, to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes (with accompanying papers); to the Committee on Finance.

Proposed Waterway User Act of 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the imposition of waterway user charges and for other purposes (with accompanying papers); to the Committee on Finance.

Proposed Highway User Act of 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide additional revenues for the highway trust fund, to finance additional programs from the highway trust fund, and for other purposes (with an accompanying paper); to the Committee on Finance.

Proposed Financing of Certain Highway Programs

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend certain authorizations for carrying out the provisions of title 23, United States Code (with an accompanying paper); to the Committee on Public Works.

Proposed Legislation To Encourage States To Improve Their Workmen's Compensation Laws

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in employment, and for other purposes (with accompanying papers); to the Committee on Finance.

Proposed Legislation Extending the Interest Equalization Tax

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide an extension of the interest equalization tax (with accompanying papers); to the Committee on Finance.

Proposed Authorization of Appropriations From the Highway Trust Fund

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations from the highway trust fund for motor carrier safety functions of the Department of Transportation (with an accompanying paper); to the Committee on Finance.

Proposed Increased Financing of Employment Security Program

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude specified sum from the computation of excess in the employment security administration account in the unemployment trust fund as of the close of fiscal year ending June 30, 1970; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account for fiscal year ending June 30, 1971, by the amount so excluded; and for other purposes (with accompanying papers); to the Committee on Finance.

Proposed Legislation To Increase the Amount Deductible by Members of Congress for Living Expense

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to increase the amount deductible by Members of Congress for living expenses (with accompanying papers); to the Committee on Finance.

Report of National Advisory Council on International Monetary and Financial Policies

A letter from the Chairman and members, National Advisory Council on International Monetary and Financial Policies, Washington, D.C., transmitting, pursuant to law, a report of that Council, for the period July 1, 1967-June 30, 1968 (with an accompanying report); to the Committee on Foreign Relations.

Proposed Establishment of Inter-Agency Committee on Mexican-American Affairs

A letter from the Chairman, Inter-Agency Committee on Mexican-American Affairs, transmitting a draft of proposed legislation to establish the Inter-Agency Committee on Mexican-American Affairs, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

Payment by the United States of Its Share of Expenses of the Pan American Institute of Geography and History

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Institute of Geography and History (with accompanying papers); to the Committee on Foreign Relations.

Proposed Amendment of the International Claims Settlement Act of 1949

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting a draft of proposed legislation to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba (with an accompanying paper); to the Committee on Foreign Relations.

Organization of a Diplomatic Conference in the United States

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to enable the United States to organize and hold a diplomatic conference in the United States in fiscal year 1970 to negotiate a Patent Cooperation Treaty and authorize an appropriation therefor (with an accompanying paper); to the Committee on Foreign Relations.

Proposed Prototype Desalting Plant in Israel

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to participate in the development of a large prototype desalting plant in Israel, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

Increased Participation by the United States in the International Development Association

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to provide for increased participation by the United States in the International Development Association, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

Authorization of Appropriation to Multilateral Special Funds of the Asian Development Bank

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the appropriation of $200,000,000 for a U.S. contribution to multilateral special funds of the Asian Development Bank (with an accompanying paper); to the Committee on Foreign Relations.

Amendment of Peace Corps Act

A letter from the Director, Peace Corps, Washington, D.C., transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended (with accompanying papers); to the Committee on Foreign Relations.

Amendment of Foreign Military Act of 1968

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Military Sales Act of 1968 (with an accompanying paper); to the Committee on Foreign Relations.

Intergovernmental Personnel Act of 1969

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to be cited as the "Intergovernmental Personnel Act of 1969" (with accompanying papers); to the Committee on Government Operations.

Proposed Federal Regulation of Lobbying Amendments of 1969

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Federal Regulation of Lobbying Act, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

Executive Reorganization

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend chapter 9 of title 5 of the United States Code, relating to executive reorganization (with an accompanying paper); to the Committee on Government Operations.

Progress Report No. 4—Quality of Water, Colorado River Basin

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, Progress Report No. 4 on continuing studies of the quality of water of the Colorado River Basin, dated January 4, 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Deferral and Rescheduling of Construction Charges

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, the Department's determination relating to deferment of a portion of the scheduled construction charge installments due the United States during the period 1969 through 1985 on behalf of the Georgetown Divide Public Utility District, El Dorado County, Calif.; to the Committee on Interior and Insular Affairs.

Certain Land Claims of Alaska Natives

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a draft of proposed legislation to provide for the settlement of certain land claims of Alaska natives, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Establishment of Potomac National River

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to establish the Potomac National River in the States of Maryland, Virginia, and West Virginia, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Establishment of Apostle Islands National Lakeshore in the State of Wisconsin

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Encouragement of Travel Within the United States

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Authorization of Appropriations for the Saline Water Conversion Program

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a draft of proposed legislation to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Federal Coal Mine Health and Safety Act of 1969

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to improve the health and safety conditions of persons working in the coal mining industry of the United States (with accompanying papers); to the Committee on Labor and Public Welfare.

Proposed Nonvoting Delegate to the House of Representatives From Guam and the Virgin Islands

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Feasibility Investigations of Certain Water Resource Developments

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (with accompanying papers); to the Committee on Interior and Insular Affairs.

Future Regulation of Surface Mining Operations

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the cooperation between the Secretary of the Interior and the States with respect to the future regulation of surface mining operations, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Legislation To Improve the Economic Conditions of the American Indians

A letter from the Assistant Secretary of the Interior, transmitting four drafts of proposed legislation, (with accompanying papers) as follows:

A bill to provide for the economic development of Indians, Indian tribes, and other Indian organizations, and for other purposes;

A bill to provide for the establishment of Indian corporate entities for the economic development of Indian tribes and other organizations of Indians, and for other purposes;

A bill to provide for the resolution of the Indian fractionated ownership problem, and for other purposes; and

A bill to permit Indian tribes to have greater management over their property, and for other purposes; to the Committee on Interior and Insular Affairs.

Annual Report of the Community Relations Service

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on the activities of the Community Relations Service for fiscal year 1968 (with an accompanying report); to the Committee on the Judiciary.

Report of the Georgetown Barge, Dock, Elevator & Railway Co.

A letter from the president, Georgetown Barge, Dock, Elevator & Railway Co., reporting, pursuant to law, on their financial condition for the calendar year 1968; to the Committee on the Judiciary.

Proposed Legislation by the Attorney General

A letter from the Attorney General, transmitting a draft of proposed legislation to authorize appropriations for the Civil Rights Commission (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Constitution to provide for representation of the District of Columbia in the Congress (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to be cited as the "Federal Gun Registration and Licensing Act of 1969" (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to provide improved judicial machinery for the selection of juries, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation proposing an amendment to the Constitution of the United States relating to the elective franchise of citizens 18 years of age or older (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit business enterprises of gambling (with an accompanying paper); to the Committee on the Judiciary.

Proposed Amendment of Voting Rights Act of 1965

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices (with an accompanying paper); to the Committee on the Judiciary.

Proposed Occupational Safety and Health Act of 1969

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to assure safe and healthful working conditions for working men and women; to assist the States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health; and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

National Commission on Reform of Federal Criminal Laws

A letter from the Chairman, the National Commission on Reform of Federal Criminal Laws, transmitting a draft of proposed legislation to amend the act of November 8, 1966 (with an accompanying paper); to the Committee on the Judiciary.

Report on Age Discrimination in Employment Act of 1967

A letter from the Secretary of Labor, transmitting, pursuant to law, a report pertaining to activities in connection with the Age Discrimination in Employment Act of 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report Relating to Fair Labor Standards in Employments in and Affecting Interstate Commerce

A letter from the Secretary of Labor, transmitting, pursuant to law, a report relating to fair labor standards in employments in and affecting interstate commerce, dated January, 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report on Administration of the Welfare and Pension Plans Disclosure Act

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on the administration of the Welfare and Pension Plans Disclosure Act, for the calendar year 1968 (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Authorization of Federal Assistance Toward Adequate Benefits From Disability and Death of Uranium Miners From Lung Cancer

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Proposed Welfare and Pension Plan Protection Act of 1969

A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled "Welfare and Pension Plan Protection Act of 1969" (with accompanying papers); to the Committee on Labor and Public Welfare.

Proposed Amendment of the Longshoremen's and Harbor Worker's Compensation Act

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Longshoremen's and Harbor Workers' Compensation Act to improve its benefits, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Authorization of Appropriations for Activities of the National Science Foundation

A letter from the Director, National Science Foundation, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81–507, as amended (with an accompanying paper); to the Committee on Labor and Public Welfare.

Promotion of Equal Employment Opportunities of American Workers

A letter from the Attorney General, transmitting a draft of proposed legislation to further promote equal employment opportunities of American workers (with an accompanying paper); to the Committee on Labor and Public Welfare.

Report of the Post Office Department

A letter from the Postmaster General, transmitting, pursuant to law, a report of that Department, for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report of National Aeronautics and Space Administration on Public Law 313 Positions

A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report of the Administration with respect to certain civilian positions established during the calendar year 1968 (with accompanying papers); to the Committee on Post Office and Civil Service.

Proposed Adjustment of Salaries for the Vice President and Certain Officers of Congress

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the salaries for the Vice President and certain officers of Congress (with accompanying papers); to the Committee on Post Office and Civil Service.

Additional Positions in Grades GS–16, 17, and 18

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for additional positions in grades GS–16, 17, and 18 (with accompanying papers); to the Committee on Post Office and Civil Service.

Proposed Legislation Relating to Conflicts of Interest With Respect to Members of the District of Columbia Council

A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation to amend title 18, United States Code, relating to conflicts of interest, with respect to the members of the District of Columbia Council (with an accompanying paper); to the Committee on Post Office and Civil Service.

Payment of Certain Travel Expenses of Civilian Employees

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 5724(e) of title 5, United States Code, with respect to the payment of travel and transportation expenses of civilian employees who transfer from one agency to another after satisfactorily completing an agreed period of service outside the continental United States (with an accompanying paper); to the Committee on Post Office and Civil Service.

Proposed Extension of Authorizations for the Highway Beautification Program

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend title 23, United States Code, to extend the authorizations for the highway beautification program through the fiscal year ending June 30, 1971, and for other purposes (with an accompanying paper); to the Committee on Public Works.

Proposed Public Works and Economic Development Act Amendments of 1969

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Public Works and Economic Development Act of 1965, as amended (with accompanying papers); to the Committee on Public Works.

Proposed Appalachian Regional Development Act Amendments of 1969

A letter from the Federal Cochairman, the Appalachian Regional Commission, transmitting a draft of proposed legislation to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965, as amended (with an accompanying paper); to the Committee on Public Works.

Herbert Hoover Library and Eisenhower Museum

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, prospectuses which propose the construction of extensions to the Herbert Hoover Library at West Branch, Iowa, and the Eisenhower Museum at Abilene, Kans. (with accompanying papers); to the Committee on Public Works.

Apportionment of State and Community Highway Safety Funds

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter (with an accompanying paper); to the Committee on Public Works.

Proposed Legislation From the Attorney General

A letter from the Attorney General, transmitting a draft of proposed legislation to revise the Federal election laws, and for other purposes (with an accompanying paper); to the Committee on Rules and Administration.

A letter from the Attorney General, transmitting a draft of proposed legislation to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes (with an accompanying paper); to the Committee on Rules and Administration.

Amendment of Chapter 18 of Atomic Energy Act of 1954

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend chapter 18 of the Atomic Energy Act of 1954, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

Proposed Appropriations for the U.S. Atomic Energy Commission

A letter from the Chairman, Atomic Energy Commission transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

Increased Penalties for Unauthorized Diversion of Special Nuclear Material and Related Offenses

A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to provide that life imprisonment shall be the maximum criminal penalty for certain offenses, to increase the criminal penalties for unauthorized diversion of special nuclear material and related offenses, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Charles W. Yost, of New York, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 405. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owner or owners of such lands; to the Committee on Interior and Insular Affairs.

By Mr. PROXMIRE (for himself and Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Fulbright, Mr. Gravel, Mr. Hartke, Mr. Inouye, Mr. Jordan of Idaho, Mr. McGee, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Moss, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Young of Ohio, Mr. Kennedy, Mr. McGovern, Mr. Pell, Mr. Hart, Mr. Yarborough, Mr. Dodd, Mr. Scott, Mr. Bayh, Mr. Montoya, Mr. Percy, Mr. Stevens, Mr. Cook, Mr. Tydings, Mr. Eagleton, Mr. Hughes, and Mr. Hatfield):

S. 406. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the rotation of certain property whenever its remaining storage or shelf life is too short to justify its retention, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 407. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, in order to provide additional loan assistance under such act to farmers who have suffered severe production losses as the result of a national disaster; to the Committee on Agriculture and Forestry.

S. 408. A bill to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; and

S. 409. A bill to establish an Urban Development Bank to assist in broadening the sources and decreasing the costs of capital funds for State and local governments, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the last above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 410. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Finance.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 411. A bill to provide financial assistance to candidates for President and Vice President and candidates for the Senate and House of Representatives to assist in defraying their election campaign expenses, and to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Finance.

By Mr. METCALF (for himself and Mr. Mansfield):

S. 412. A bill to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONTOYA (for himself Mr. Anderson, Mr. Bennett, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Eastland, Mr. Hart, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Randolph, and Mr. Yarborough):

S. 413. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself and Mr. Aiken, Mr. Anderson, Mr. Bayh, Mr. Byrd of West Virginia, Mr. Eastland, Mr. Fulbright, Mr. Hart, Mr. Hatfield, Mr. McGee, Mr. Metcalf, and Mr. Randolph):

S. 414. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to subject interest income on loans sold out of the Agricultural Credit Insurance Fund to Federal income taxes, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 415. A bill to provide for a program of mortgage insurance for sheltered care facilities and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

S. 416. A bill for the establishment of a board to review proposed procurements of automatic data processing equipment; to the Committee on Government Operations.

S. 417. A bill to authorize the Secretary of the Interior to convey certain lands in New Mexico to the Cuba Independent Schools and to the Village of Cuba; to the Committee on Interior and Insular Affairs.

S. 418. A bill to authorize the establishment of a National Nuclear Museum; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

S. 419. A bill to amend section 6101 of title 5, United States Code, relating to workweeks and workdays of Federal and District of Columbia employees; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself and Mr. Tydings):

S. 420. A bill to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the Executive Mansion and grounds, and for other purposes; to the Committee on Public Works.

By Mr. MONTOYA:

S. 421. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

S. 422. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

S. 423. A bill to amend the Civil Service Retirement Act, as amended, to provide minimum annuities for employee annuitants and spouse survivor annuitants; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself, Mr. Bennett, Mr. Curtis, Mr. Ervin, Mr. Thurmond, and Mr. Williams of Delaware):

S. 424. A bill to amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising rights under such act or for certain other activities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself, Mr. Bennett, and Mr. Williams of Delaware):

S. 425. A bill to amend the national emergency provisions of the Labor-Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself, Mr. Bennett, Mr. Curtis, Mr. Ervin, Mr. Thurmond, and Mr. Williams of Delaware):

S. 426. A bill to amend the National Labor Relations Act so as to require a board-conducted election in representation cases; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 427. A bill for the relief of Ho Chi Leung;

S. 428. A bill for the relief of Arlie A. Delano;

S. 429. A bill for the relief of Nedja Budisavljvich;

S. 430. A bill for the relief of Leonard F. Rizzuto; and

S. 431. A bill for the relief of Miss Teruko Sasaki; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. Hansen):

S. 432. A bill for the relief of Anka Zdunic; to the Committee on the Judiciary.

S. 433. A bill to provide for the establishment of a national cemetery in the State of Wyoming;

S. 434. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

S. 435. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act; to the Committee on Interior and Insular Affairs.

By Mr. MOSS (for himself and Mr. Montoya):

S. 436. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 437. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; and

S. 438. A bill to amend section 8332 of title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Moss when he introduced the above bills, which appear under separate headings.)

By Mr. McINTYRE (for himself and Mr. COTTON):

S. 439. A bill to amend section 1777(c) of title 38, United States Code, in order to permit, under certain circumstances, the approval of on-the-job training courses which require more than 2 years' training; to the Committee on Labor and Public Welfare.

By Mr. ELLENDER:

S. 440. A bill for the relief of Ante Cibilich; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 441. A bill for the relief of certain individuals employed by the Federal Aviation Agency at Wake Island;

S. 442. A bill for the relief of Mrs. Ryo H. Yokoyama;

S. 443. A bill to confer jurisdiction on the U.S. District Court for the District of Hawaii to hear, determine, and render judgment on the claims of Mrs. Agnes J. Wong against the United States;

S. 444. A bill for the relief of Chiyo Shitanishi;

S. 445. A bill for the relief of Antone R. Perreira;

S. 446. A bill for the relief of the estate of Yoshito Ota;

S. 447. A bill for the relief of Masayoshi Onaka;

S. 448. A bill for the relief of Gus Nihoa;

S. 449. A bill for the relief of Carl H. Carson;

S. 450. A bill for the relief of Chief Boatswain's Mate Benjamin Henry Blakeman, U.S. Navy;

S. 451. A bill for the relief of Captain John H. Beaumont, U.S. Air Force Reserve;

S. 452. A bill for the relief of Dionicia Ulivas;

S. 453. A bill for the relief of Herminia F. Tambaoan;

S. 454. A bill for the relief of Alfredo Moraldo;

S. 455. A bill for the relief of Lenisi Mataele;

S. 456. A bill for the relief of Arturo D. Lagasca Jr.;

S. 457. A bill for the relief of Mrs. Carolina M. Lacsamana;

S. 458. A bill for the relief of Yuka Fukunaga;

S. 459. A bill for the relief of Crispulo C. Cordero;

S. 460. A bill for the relief of Felicidad Calentena;

S. 461. A bill for the relief of Miss Filomena Cabot; and

S. 462. A bill for the relief of Mrs. Julia B. Briones; to the Committee on the Judiciary.

By Mr. TALMADGE (for himself and Mr. HOLLINGS):

S. 463. A bill authorizing the President to proclaim the period March 2 through March 8, 1969, as "Circle K Week"; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 464. A bill for the relief of Dr. Jaime E. Lazaro;

S. 465. A bill for the relief of Dr. Lydia L. Lazaro; and

S. 466. A bill for the relief of Loreta Acdan; to the Committee on the Judiciary.

By Mr. RANDOLPH (by request):

S. 467. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Labor and Public Welfare.

By Mr. GRAVEL:

S. 468. A bill for the relief of Kam Ka Wong; to the Committee on the Judiciary.

By Mr. BAYH:

S. 469. A bill for the relief of Tsoi Chun;

S. 470. A bill for the relief of Yung Yee Ho; and

S. 471. A bill for the relief of Ho Kam; to the Committee on the Judiciary.

By Mr. BAYH (for himself and Mr. BAKER, Mr. CANNON, Mr. COOK, Mr. CRANSTON, Mr. DOLE, Mr. EAGLETON, Mr. FULBRIGHT, Mr. HART, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUYE, Mr. JAVITS, Mr. MAGNUSON, Mr. METCALF, Mr. MONDALE, Mr. PACKWOOD, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SPONG, Mr. STEVENS, Mr. TYDINGS, Mr. YOUNG of North Dakota, and Mr. ALLEN):

S. 472. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. BAYH when he introduced the above bill, which appear under a separate heading.)

By Mr. GORE:

S. 473. A bill to amend section 320 of title 23 of the United States Code, relating to highway bridges on Federal dams, in order to increase the amount authorized in such section; to the Committee on Public Works.

S. 474. A bill to provide for the appointment of an additional district judge for the Western District of Tennessee; to the Committee on the Judiciary.

By Mr. MILLER:

S. 475. A bill for the relief of Hermenegildo M. Kadile; and

S. 476. A bill for the relief of Mrs. Marjorie Zuck; to the Committee on the Judiciary.

By Mr. GORE:

S. 477. A bill to prohibit the holding by the Secretary of the Treasury of stock in any bank, banking institution, or trust company; to the Committee on Finance.

By Mr. McGEE:

S.J. Res. 23. A joint resolution to determine the susceptibility of minerals to electrometallurgical processes, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 406—INTRODUCTION OF MEDICAL STOCKPILE UTILIZATION BILL

Mr. PROXMIRE. Mr. President, once again this year I rise to introduce legislation to provide for the orderly disposal of Government-held, stockpiled medical supplies that would otherwise be destroyed at the termination of their useful shelf life. I introduce this proposal on behalf of my self and Senators BENNETT, BIBLE, BURDICK, FULBRIGHT, GRAVEL, HARTKE, INOUYE, JORDAN of Idaho, McGEE, METCALF, MILLER, MONDALE, MOSS, NELSON, RANDOLPH, RIBICOFF, YOUNG of Ohio, KENNEDY, McGOVERN, PELL, HART, YARBOROUGH, DODD, SCOTT, BAYH, MONTOYA, PERCY, STEVENS, COOK, TYDINGS, EAGLETON, HUGHES, and HATFIELD.

At the present time approximately $158 million worth of medical materials and supplies are stockpiled in the United States in 2,500 packaged disaster hospitals, natural disaster hospitals, medical stockpile depots, and hospital reserve disaster inventory units. Originally these stockpiled items were intended for use in case of nuclear attack, an attack which could result in 75 million casualties, one-third of which would require professional medical care. However, the prepositioned packaged disaster hospitals have also proven extraordinarily useful in dealing with natural disasters such as floods and hurricanes as well as riots, civil disturbances, and other manmade disasters.

While this lifesaving network has contributed to the Nation's security it has also fostered a serious problem—how does the Government handle perishables such as antibiotics and delicate medical instruments when they begin to disintegrate and lose their effectiveness? Until very recently the Government has destroyed these perishable commodities because the authority to dispose of them otherwise has been considered nonexistent or, at best, very unclear.

I am happy to say that since the time I first introduced this legislation back in the 89th Congress the situation has improved somewhat, however. In 1967, General Counsel at the Department of Health, Education, and Welfare, the Department responsible for the medical stockpile, found that items from the stockpile could be declared unsuitable for civil defense purposes because of limited remaining shelflife and disposed of as excess property. This means that the material could be transferred without reimbursement to other Federal agencies. The procedure is still under study by the Office of Emergency Planning. The major problem is simply that of funding the replacement of materials that have been declared excess.

In addition a limited number of agreements have been reached with existing hospitals for the placement of packaged disaster hospitals without charge, with the existing hospital agreeing to maintain the supply and freshness of the disaster items through rotation with medical equipment and supplies that are in use. This has reduced somewhat losses through the deterioration of medical supplies and equipment.

Finally, Federal agencies having requirements for medical materials have used stockpiled items and replaced them with fresh stock. Unfortunately such rotation is grossly inadequate to meet all losses caused by deterioration.

With all of this progress, and prospective progress, the fact remains that deterioration losses will continue at the rate of $4 to $5 million a year as estimated by the Division of Health Mobilization of the Public Health Service. This means that millions of dollars of lifegiving medicine and equipment will be put to the torch unless Congress acts to set national policy by making it clear beyond a shadow of a doubt that these medical items can be transferred, donated, or sold before they become completely useless.

This is exactly what the bill I am introducing today will do. It will permit medical equipment and supplies to be declared excess or surplus by the head of the administering agency if first, their remaining storage or shelf life is of too short duration to justify continued retention; and, second, their transfer or disposal would be in the interest of our Government.

My proposal would also improve substantially the handling of foreign excess property, with particular emphasis on medical materials and supplies. The bill would do this by permitting the return of foreign excess property to the United States for further Federal utilization and donation whenever it is in the national interest. The legislation would also permit medical items located overseas that would be available for donation if they were in this country to be given to nonprofit medical or health organizations for use in foreign lands. One need only turn to the terrible medical needs spawned by the Biafran crisis to recognize the importance of this provision.

I am happy to say that the bill I am introducing today has the approval and support of the General Services Administration, which administers the surplus property disposal program, as well as the concurrence of the Department of Health, Education, and Welfare—the Department in charge of the emergency medical stockpile program—and the Bureau of the Budget. In fact today's legislation represents a substitute suggested by the General Services Administration for S. 1717, the bill I introduced on this subject in the last Congress.

Mr. President, I sincerely hope that the Congress will act quickly to pass this modest bill and thus make sure that vitally needed medical supplies can be made available to heal the suffering before deterioration dictates the destruction of these precious commodities.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, the bill will be printed in the Record.

The bill (S. 406) to amend the Federal Property and Administrative Services Act of 1949 to permit the rotation of certain property whenever its remaining storage or shelf life is too short to justify its retention, and for other purposes, introduced by Mr. Proxmire (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481) is amended by adding at the end thereof the following new subsection:

"(e) Whenever the head of any executive agency determines that the remaining storage or shelf life of any medical materials or medical supplies held by such agency for national emergency purposes is of too short duration to justify their continued retention for such purposes and that their transfer or disposal would be in the interest of the United States, such materials or supplies shall be considered for the purposes of section 202 of this Act to be excess property. In accordance with the regulations of the Administrator, such excess materials or supplies may thereupon be transferred to or exchanged with any other Federal Agency for other medical materials or supplies. Any proceeds derived from such transfers may be credited to the current applicable appropriation or fund of the transferor agency and shall be available only for the purchase of medical materials or supplies to be held for national emergency purposes. If such materials or supplies are not transferred to or exchanged with any other Federal agency, they shall be disposed of as surplus property. To the greatest extent practicable, the head of the executive agency holding such medical materials or supplies shall make the determination provided for in the first sentence of this subsection at such times as to insure that such medical materials or medical supplies can be transferred or otherwise disposed of in sufficient time to permit their use before their shelf life expires and they are rendered unfit for human use."

Sec. 2. Section 402 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 512), is amended by—

(a) inserting, immediately after the section number "Sec. 402", the subsection designation "(a)";

(b) inserting after the words "Foreign excess property" in the first sentence thereof the words "not disposed of under subsections (b) and (c) of this section";

(c) striking out in the first sentence thereof the clause designations "(a)" and "b)", and inserting in lieu thereof the clause designations "(1)" and "(2)", respectively; and

(d) adding at the end thereof the following new subsections:

"(b) Any executive agency having in any foreign country any medical materials or supplies not disposed of under subsections (c) of this section, which, if situated within the United States would be available for donation pursuant to section 203 of this Act, may donate such materials or supplies without cost (except for costs of care and handling), for use in any foreign country, to nonprofit medical or health organizations, including those qualified to receive assistance under sections 214(b) and 607 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2174(b) and 2357).

"(c) Under such regulations as the Administrator shall prescribe pursuant to this subsection, any foreign excess property may be returned to the United States for handling as excess or surplus property under the provisions of sections 202, 203(j) and 203(l) of this Act whenever the head of the excessive agency concerned determines that it is in the interest of the United States to do so: *Provided,* That regulations prescribed pursuant to this subsection shall require that the transportation costs incident to such return shall be borne by the Federal agency, State agency, or donee receiving the property."

S. 409—INTRODUCTION OF BILL TO BE CITED AS THE "URBAN DEVELOPMENT BANK ACT OF 1969"

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to be cited as the "Urban Development Bank Act of 1969." I ask unanimous consent that a section-by-section summary of the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the section-by-section summary will be printed in the Record.

The bill (S. 409) to establish an Urban Development Bank to assist in broadening the sources and decreasing the costs of capital funds for State and local governments, and for other purposes, introduced by Mr. Sparkman, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The summary presented by Mr. Sparkman is as follows:

Section-by-Section Summary of the Urban Development Bank Act of 1969

Sec. 1. This section provides for the Act to be cited as the "Urban Development Bank Act of 1969."

Sec. 2. Findings and Declaration of Purpose: This section states the findings that the sound and orderly development of our Nation's communities requires the timely provision of a wide variety of public works and community facilities and that the present source of capital funds to finance these projects is inadequate, and states the purpose of the Act to establish an Urban Development Bank to make long-term development loans at reasonable interest rates and to provide technical assistance to State and local governments to help them meet needs for public works and community facilities.

Sec. 3. Creation of Bank: This section would establish the Urban Development Bank as a non-Federal corporation and would authorize the Bank to establish regional or metropolitan offices.

Sec. 4. Board of Directors: This section would provide for a 17-member board of directors to consist of the president of the Bank, not more than three Federal officials or employees appointed by the President, three members appointed by the President representative of State or local government, four members elected by local governments holding class A stock of the Bank, four members elected by the States holding class B stock, and two members elected by private persons or organizations holding class C stock. Class C stockholders would elect only one director if their aggregate holdings were less than $50 million, the President to appoint the remaining director. The term of non-Federal members would be one year, and members who were Federal officials would serve at the pleasure of the President. The board would meet at least monthly and would determine general policies of the Bank. The president of the Bank would be appointed by the President and would be chairman of the board of directors.

Sec. 5. Initial Board of Directors: This section would authorize the President to appoint all directors for an initial term until all classes of common stock were represented, but not less than one year. The President's appointments would be representative of Federal, State, local, and private interests.

Sec. 6. Initial Expenses: This section would authorize an appropriation not exceeding $1 million, to remain available for three years, for the Secretary of Housing and Urban Development to pay initial organizing and operating expenses of the Bank.

Sec. 7. Functions: This section would authorize the Bank to make loans, or participations in loans, to a State or local government to finance capital expenditures for public works and community facilities. Loans could not exceed the capital cost of the project, have a maturity exceeding 40 years, or an interest rate less than two-thirds the current average yield on the Bank's outstanding obligations. Projects financed by the Bank would not be inconsistent with comprehensive planning for the community, or disruptive of Federal programs assisting similar or like projects.

Sec. 8. Common Stock: This section would provide for three classes of common stock, class A to be issued to local governments; class B to be subscribed for by the States; and class C to be subscribed for by private individuals and organizations, in a minimum of $10,000. Each share of stock would be entitled to one vote, except that any class C stock held by one person in excess of $1,000,000 would be non-voting. Borrowers from the Bank would be required to make nonrefundable capital subscriptions in amounts of not less than 1 nor more than 2 per cent of the amount of the loan. The Bank would be authorized to impose fees for its services to meet costs and expenses. Dividends declared by the Bank, limited to six per cent annually, could be paid to the stockholders out of any net earnings.

Sec. 9. Obligations of the Bank: This section would authorize the Bank to raise funds through the issuance of bonds or other debt instruments. The Bank's issues would be required to receive the prior approval of the Secretary of the Treasury. Obligations issued by the Bank would state that they are not guaranteed by the United States and do not constitute an obligation of the United States. The aggregate amount of outstanding obligations would be limited to $2 billion, which amount would be increased by $5 billion on July 1, 1970, and by $5 billion on July 1 of each of three succeeding years. In addition to these obligations, the Bank could issue other obligations which the Secretary of the Treasury would be authorized to purchase in order to insure the financial integrity of the operations of the Bank.

Sec. 10. Federal Payment to the Bank: This section would authorize the Secretary of Housing and Urban Development to make, and to contract to make, annual payments to the Bank in amounts necessary to equal the amount by which the dollar amount of interest paid by the Bank on its obligations exceeds the dollar amount of interest received by the Bank on loans made by it. For this purpose, the amount of loans that could be made by the Bank would be approved in Appropriation Acts.

Sec. 11. General Powers: This section would provide the Bank with general corporate powers.

Sec. 12. Technical Assistance: This section would authorize the Bank to render technical assistance to State and local governments in the preparation and implementation of projects, and to gather and facilitate the interchange of advanced concepts relating to municipal development.

Sec. 13. Audit of Financial Transactions: This section would require the financial transactions of the Bank to be audited by the General Accounting Office. The Bank would reimburse the Government for the cost of any audit.

Sec. 14. Audit Report to Congress: This section would require a report of each audit to be made by the Comptroller General to the President and the Congress, with copies of each report to the Secretary of Housing and Urban Development, the Secretary of the Treasury, and the Bank.

Sec. 15. Tax Exemption: This section would generally exempt the Bank and its income from all taxes. However, any real and personal property of the Bank would be subject to taxation and all obligations issued by the Bank would be subject both as to principal and interest to Federal, State, and local taxation to the same extent as obligations of private corporations.

Sec. 16. Obligations as Lawful Investments, Acceptance as Security: This section would make obligations issued by the Bank lawful investments and acceptable as security for all fiduciary, trust, and public funds, and its stock exempt from SEC requirements.

Sec. 17. Preparation of Obligations: This section would authorize the Secretary of the Treasury to prepare, hold, and deliver obligations for the Bank on a reimbursable basis.

Sec. 18. United States Not Liable: This section provides that the United States shall not be liable for any debts, defaults, acts, or omissions of the Bank.

Sec. 19. Annual Report: This section would require the Bank to transmit to the President and Congress an annual report of its operations and activities.

Sec. 20. Amendments Relating to Financial Institutions: This section would permit Federal Reserve banks, national banks, and Federal savings and loan associations to invest in or deal in obligations of the Bank.

Sec. 21. Definitions: This section would provide definitions.

Sec. 22. Separability: This section would make the provisions and validity of the Act separable if any provision is held invalid.

Sec. 23. Authorization for Appropriations: This section would authorize appropriations necessary to carry out the purposes of the Act.

S. 410—INTRODUCTION OF BILL RELATING TO MINK PELT QUOTAS

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to limit the number of mink pelts imported to this country from foreign countries.

The production of mink pelts is a major business in the State of Utah. The bill I am introducing today will protect the interests of our domestic mink ranchers, and still provide for a fair share of our market to foreign competition.

Mr. Richard E. Westwood, a resident of Utah, currently serves as president of Emba Mink Breeders Association, a pelt marketing cooperative.

He informs me that the impact of imports on the domestic mink market is evident in two areas. First, the membership in his organization has dropped from a peak of 5,623 in 1958 to 2,800 at the beginning of 1969.

The second factor is the price Emba members are receiving for their mink pelts. Mr. Westwood is now in New York City attending an auction of mink pelts, and he told me this morning that the price for the 1968 crop is stabilizing at about $14.50. Compare this with the average price of $19.55 received in 1966 for the 1965 crop.

These lower prices are the main reason for the decline in the number of mink producers still in operation. The $14.50 average price of 1968 is actually below the cost most producers encounter in raising the mink. Many producers have not quit, but have been forced to use up reserve funds or have delayed improvements to their facilities. Both measures are temporary and cannot be sustained over too long a period.

Foreign producers have lower production costs and have, therefore, increased their production at a faster rate than domestic producers. According to the U.S. Tariff Commission, the production of the four Scandinavian countries now exceeds that of the United States. The United States consumes 45 percent of the world crop while producing only 27 percent.

Imports account for more than 50 percent of the domestic consumption. The higher costs and lower prices facing the domestic producer give the advantage to the importer, and this means the imports will continue to increase unless some restrictions are placed on these imports.

The bill I am introducing seeks to control the importation of mink pelts while still sharing a substantial part of the market with our foreign friends. I think the bill is fair to the importers and is vitally necessary to protect the existence of the domestic mink producer.

I ask that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 410) to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) schedule 1, part 5, subpart B of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 123.50 the following new items:

"	Whole skins of mink, whether or not dressed (see headnote 5 to this subpart):		
123.60	In each calendar year before the entry, or withdrawal from warehouse, for consumption of the number of such skins which equals 40% of the domestic consumption of such skins during that year, as estimated by the Secretary of Agriculture under headnote 6 to this subpart	Free	Free
123.62	In each calendar year after the entry, or withdrawal from warehouse, for consumption of the number of such skins which equals 40% of the domestic consumption of such skins during that year, as estimated by the Secretary of Agriculture under headnote 6 to this subpart	50% ad val.	50% ad val.
123.65	Plates made of two or more whole skins of mink, whether or not dressed	50% ad val.	50% ad val. "

(b) The headnotes for schedule 1, part 5, subpart B of such Schedules are amended by adding at the end thereof the following headnotes:

"5. The aggregate number of dressed whole skins of mink which may be entered under item 123.60, during each calendar year after 1969 shall not exceed the average annual number of such skins which were imported into the United States during the 5 calendar years preceding each such year. The Secretary of Agriculture, for each calendar year after 1969, shall, before the beginning of such year, determine, publish, and certify to the Secretary of the Treasury the average annual number of dressed whole skins of mink which were imported into the United States during the 5 calendar years preceding such year. In making such determination for any calendar year, the Secretary of Agriculture shall use estimates for any portion of the immediately preceding calendar year for which final statistics are not available. Determinations made by the Secretary of Agriculture under this paragraph shall be final.

"6. The Secretary of Agriculture, for each calendar year after 1969, shall, before the beginning of such year, estimate, publish, and certify to the Secretary of the Treasury the number of whole skins of mink that will be domestically consumed during such year. Estimations made by the Secretary of Agriculture under this paragraph shall be final."

SEC. 2. The amendments made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1970.

S. 413—INTRODUCTION OF COOPERATIVE RURAL FIRE PROTECTION BILL

Mr. MONTOYA. Mr. President, I now introduce a bill for myself, Mr. BENnett, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Eastland, Mr. Hart, Mr. McCarthy, Mr. McGovern, Mr. Metcalf, Mr. Randolph, and Mr. Yarborough, to provide for cooperative rural fire protection.

The United States just recently achieved one of man's oldest dreams. We have sent men to orbit the moon and return safely to earth. This remarkably successful and historic event was the culmination of years of continuing cooperative effort on the part of many men, and the expenditure of great sums of money and materials.

The legislation I am introducing is also a new, forward-looking, cooperative program, though one of modest cost. It is needed throughout rural America to provide the capability to reduce the tragic loss of life and property resulting from fires. Nearly 1,000 rural people lose their lives to fire each year and total farm fire losses in the United States in 1967 amounted to $208 million.

The program provides for the technical assistance, training, and equipping of fire control forces to suppress both structural and wildfires in rural areas which are now under no organized protection or have only limited protection. It is basically a local effort supported by Federal-State cost sharing at a 75–25 percent level.

Potentially capable volunteer firefighters can be recruited in most rural areas and local initiative can usually be counted upon to provide suitable space and storage facilities for apparatus and fire equipment. The program would provide adequate fire protection for rural people living in communities of 5,500 or less. Also affected will be nearly 420 million acres of cropland, pastureland, farmsteads and other farmland, and nonmountainous range areas located in each of the 50 States.

Property and scenic values are high in these areas. Exclusive of land, total direct investments which will be protected by the program approach $195 billion.

Fire insurance benefits will accrue to rural residents whose property is not insurable at the present time due to lack of protection. Farm property insurance is commonly discouraged by high premiums. It is estimated that fire insurance premiums would be reduced as a result of improved, organized protection in rural areas. Better fire protection and reduced insurance rates should attract residents and business and help reduce the migration to urban areas.

Rapid changes in land-use patterns along with soaring resource and improvement values have made the need for adequate fire protection an urgent matter. I know this is true for the State of New Mexico.

Rural civil defense capability to cope with potential threat and devastation problems which nuclear scientific development has created will be strengthened. Most State foresters serve as chairmen of the State rural fire defense committee. This program will make it possible to establish urgently needed statewide protection. A strong rural fire control program is essential if the United States is to effectively meet the threat of nuclear or other fire emergencies.

Significant program effectiveness has already been reflected in the highly favorable reports received from five rural fire defense training projects located in Colorado, Florida, Kentucky, Missouri, and Oregon. Participation and acceptance of the training by local cooperators was excellent. However, these projects did not provide for an equipment component.

I believe that the economic and social gains in rural America will be great from the early enactment of this legislation. A number of Senators have expressed their interest in cosponsoring this measure and I would welcome and invite them to join me.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 413) to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes, introduced by Mr. Montoya (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 413

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to reduce the economic loss to the Nation from fires in rural areas there is a need for the combined efforts of Federal, State, and local governments and nonprofit organizations to facilitate the establishment of adequate systems for the protection, control, and suppression of fires of woodlands, rangelands, orchards, pastures, crops, farmsteads, and other structures in rural areas, including those of a population of fifty-five hundred or less not included in a metropolitan area. To this end, the Secretary of Agriculture is authorized and directed to cooperate with State foresters or other appropriate officials of the several States for the development by States, other public bodies, and nonprofit organizations of effective organizations and systems and to provide financial and other assistance in organizing, training, and equipping forces for the prevention, control, and suppression of fires in rural areas and rural communities.

Sec. 2. The Secretary shall carry out this Act in accordance with cooperative agreements with appropriate State officials. Such agreements shall contain such conditions as the Secretary deems appropriate for the purposes of this Act. No such agreement shall provide for financial assistance by the Secretary under this Act in any State during any fiscal year in excess of 75 per centum of the total budgeted expenditures or the actual expenditures, whichever is less, of the undertakings of such agreement for such year, including expenditures of local public and private nonprofit organizations. Payments by the Secretary under such agreements may be made on the certificate of the appropriate State official that expenditures as provided for under such agreements have been made and funds may be made available, as determined by the Secretary, without regard to the provisions of the Act of July 31, 1823 (3 Stat. 723; 31 U.S.C. 529), concerning the advance of public moneys.

Sec. 3. There is authorized to be appropriated to carry out the provisions of this Act $3,500,000 for the fiscal year ending June 30, 1970; $4,500,000 for the fiscal year ending June 30, 1971; $6,000,000 for the fiscal year ending June 30, 1972; and thereafter such amounts as may be necessary.

S. 414—INTRODUCTION OF BILL RELATING TO GREATER USE OF PRIVATE CAPITAL FOR CONSTRUCTION OF WATER AND SEWER FACILITIES

Mr. MONTOYA. Mr. President, today, I introduce a bill for myself, Mr. Aiken, Mr. Anderson, Mr. Bayh, Mr. Byrd of West Virginia, Mr. Eastland, Mr. Fulbright, Mr. Hart, Mr. McGee, Mr. Metcalf, and Mr. Randolph to provide increased capital for the Farmers Home Administration.

In the closing week of the last session, the Senate unanimously approved a measure for greater use of private capital in moving ahead with the rural water and sewer program which is being carried on through the Farmers Home Administration.

This measure passed the Senate as an amendment to the bill H.R. 2767. Unfortunately, in the adjournment rush of last October, the amendment had to be set aside for lack of opportunity to consider it in conference with the House.

However, in view of the Senate's recognition that this is a wise and necessary action, I now reintroduce it as a bill and urge that the Congress proceed to pass it as quickly as possible. Without this bill we cannot assure even the minimum acceptable rate of progress in building essential public services in rural areas.

Across the rural United States there are over 30,000 communities still deprived of adequate water supply systems and more than 40,000 communities without sanitary waste disposal systems. Recent acts of Congress authorizing the rural program have recognized that this lag between rural and urban standards is long overdue for correction. No family in America should be expected to go on living without a clean and dependable water supply or without protection against the hazards of bad sanitary conditions. Rural communities cannot regain their growth without these improvements. For people who suffer in overburdened cities, the great promise of opportunity in rural areas can never be realized unless rural communities offer real hope for economic progress and decent living conditions.

Congress has authorized the rural water and sewer program to be financed not only with direct Federal loans and grants but also through loans by private lending institutions whose risk is insured by the Farmers Home Administration.

However, the Treasury Department has held that private lenders should not enjoy income tax exemption on insured loans to small municipal governments and other local public bodies whose bond issues are tax exempt. Unless this objection is resolved, thousands of towns and public districts unable to finance their projects by conventional means may die on the vine as they wait for a day when enough Government money will be available.

Private funds can and should be used to sustain this program, and the bill I resubmit today provides for a method that the Treasury endorsed when it was first put before the 90th Congress.

This bill would let the Farmers Home Administration buy tax-exempt bonds from small towns or public districts at interest rates not to exceed 5 percent. FHA then would resell these loans to private lenders, who would receive the higher insured loan interest rate from the Farmers Home Administration. The bonds would retain their tax-exempt form; but under separate agreements with the Farmers Home Administration insuring their investments, the private lenders would agree to pay income tax on their interest received from FHA.

In practical effect at the U.S. Treasury, there would be no net outlay by the Government. The difference between FHA's interest received from the local public body, and its interest paid to the private lender, would be offset by the lender's Federal income tax payments. In fact, the following figures, based on insured loan interest rates in force this fiscal year, show that the Government could more than offset its initial deficit:

First. FHA would collect 5 percent interest from the local public body. This would amount to $5 million on every $100 million of rural water and sewer system financing.

Second. FHA would pay an estimated 6 percent interest to a private investor for funds to cover the loan. Temporarily this would incur a net deficit of $1 million for every $100 million of financing.

Third. Assuming, as has the Treasury Department, that private lenders on the average would be in the 50-percent income tax bracket, lenders would pay $3 million income tax on the $6 million of interest earned from investments totaling $100 million. This tax would be $2 million more than FHA's deficit from the first two transactions described above.

Fourth. The Government thus would net $2 million a year on every $100 million worth of such financing accomplished through the Farmers Home Administration.

Mr. President, nearly every Member of the Senate has seen in his State the tremendous benefits of this rural water and sewer facilities program. In 8 years it has resulted in more than 4,000 projects. But need and demand far exceed by several hundred percent the $75 million or so now available in the national budget for direct loans to communities.

It seems incomprehensible that we would fail to encourage private investment in this program which is so essential to the betterment of life in all areas of the Nation.

I, therefore, urge that the Congress pass this bill to insure that the obstacle to more use of private capital be removed, so that more rural communities can proceed to a decent standard of water and sanitary services for their people.

I know there are a number of our colleagues that face this problem within their own respective States. I would welcome their cosponsorship of this measure.

Mr. President, I ask unanimous consent that the text of this measure be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 414) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to subject interest income on loans sold out of the Agricultural Credit Insurance Fund to Federal income taxes, and for other purposes, introduced by Mr. Montoya (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306(a)(1) is amended by changing the period at the end thereof to a colon and adding: "*Provided,* That when such loans for water or waste disposal are hereafter sold out of the Agricultural Credit Insurance Fund as insured loans, the interest or other income thereon paid out of said Fund to the insured lenders, notwithstanding any other provision of Federal law, shall not be tax exempt for income purposes under Federal law."

S. 415—INTRODUCTION OF SHELTERED CARE FACILITY MORTGAGE INSURANCE ACT OF 1969

Mr. MONTOYA. Mr. President, I introduce, for proper reference, the "Sheltered Care Facility Mortgage Insurance Act of 1969." This is a bill to provide for a program of mortgage insurance for sheltered care facilities.

Mr. President, there appears to be a great need for a program to provide for "sheltered care facilities" for the care of persons who, while not in need of nursing home care and treatment, nevertheless are unable to live fully independently and who are in need of minimum but continuous care provided by semiprofessional personnel. This bill which I am introducing would make possible such sheltered care facilities.

The need for such facilities appears to be based on the need for facilities for those who require less attention than is normally expected in a nursing home. That is, accommodations for persons, who because of incapacitating infirmities, require minimum but continuous care but who are not in need of continuous medical or nursing services. Since there would be fewer "services" provided at such facilities, the cost to those residing in such facilities would be reduced proportionately, making "housing" available to a greater number of individuals.

This need was graphically illustrated by an instance last year in Las Cruces, N. Mex., when 18 welfare patients were asked to move from a nursing home because the nursing home was not able to operate profitably caring for welfare patients under the medicaid program. They reportedly were operating at a loss and had to ask such patients to leave with no place for the patients to go. Some of these individuals needed less than the continuous medical or nursing services which were being provided at the nursing home, but yet they were not able to care for themselves and did require at least minimum and continuous care. Had a sheltered care facility been available to them, their needs would have been met. This is but one example of individuals whose needs could be provided for.

The need for sheltered care facilities nationwide appears to be critical and one requiring our urgent attention. There are presently no Federal programs available to adequately meet the need.

Mr. President, with the assistance of the Department of Housing and Urban Development, and after consultation with the Department of Health, Education, and Welfare, I have drafted this measure which I am introducing today to fill the void. It may well be that modifications may be necessary. If so, I would welcome recommendations. My only interest is to provide necessary facilities for those in need of them. I, therefore, urge that prompt and full hearings be held on this measure in order that we may move forward in the best possible manner with the utmost of speed.

Mr. President, for the further information of my colleagues, I ask unanimous consent to have printed in the Record at this point, a section-by-section summary of the bill, as well as the text of my measure.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 415) to provide for a program of mortgage insurance for sheltered care facilities and for other purposes introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 415

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Sheltered Care Facility Mortgage Insurance Act of 1969".

AMENDMENT TO NATIONAL HOUSING ACT

Sec. 2. Title II of the National Housing Act is amended by adding at the end thereof the following new Section:

"*Mortgage insurance for sheltered care facilities*

"Sec. 243. (a) The purpose of this section is to assist the provision of sheltered care facilities for the care of persons who, while not in need of nursing home care and treatment, nevertheless are unable to live fully independently and who are in need of minimum but continuous care provided by semi-professional personnel.

"(b) For the purposes of this section—

"(1) the term "sheltered care facility" means a proprietary facility, or facility of a private nonprofit corporation or association licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located, for the accommodation of persons, who because of incapacitating infirmities, require minimum but continuous care but who are not in need of continuous medical or nursing services.

"(2) the term "mortgage" means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term "first mortgage" means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty. The term "mortgagor" shall have the meaning set forth in section 207(a) of this Act.

"(c) The Secretary is authorized to insure any mortgage (including advances on such mortgages during construction) in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for insurance of such mortgage prior to the date of its execution or disbursement thereon.

"(d) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated sheltered care facility, including equipment to be used in its operation, subject to the following conditions:

"(1) The mortgage shall be executed by a mortgagor approved by the Secretary. The Secretary may in his discretion require any such mortgagor to be regulated or restricted as to charges and methods of financing, and, in addition thereto, if the mortgagor is a corporate entity, as to capital structure and rate of return. As an aid to the regulation or restriction of any mortgagor with respect to any of the foregoing matters, the Secretary may make such contracts with and acquire for not to exceed $100 such stock or interest in such mortgagor as he may deem necessary. Any stock or interest so purchased shall be paid for out of the General Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Secretary under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount not to exceed $12,500,000, and not to exceed 90 per centum of the estimated value of the property or project including equipment to be used in the operation of the sheltered care facility when the improvements are completed and the equipment is installed.

"(3) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such terms as the Secretary shall prescribe; and

"(B) bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 6 per centum as the Secretary finds necessary to meet the mortgage market.

"(4) The Secretary shall not insure any mortgage under this section unless he has received, from the State agency designated in accordance with section 604(a)(1) of the Public Health Service Act for the State of which the proposed sheltered care facility would be located, a certification that (A) there is a need for such sheltered care facility, and (B) there are in force in such State or other political subdivision of the State in which the proposed sheltered care facility would be located reasonable minimum standards of licensure and methods of operation for sheltered care facilities. No such mortgage shall be insured under this section unless the Secretary has received such assurance as he may deem satisfactory from the State agency that such standards will be applied and enforced with respect to any sheltered care facility located in the State for which mortgage insurance is provided under this section.

"(e) The Secretary may consent to the release of a part or parts of the mortgaged property or project from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The provisions of subsection (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this section and all references therein to section 207 shall refer to this section.

"(g) The Secretary shall prescribe such regulations as may be necessary to carry out this section, after consulting with the Secretary of Health, Education, and Welfare with respect to any health or medical aspects of the program under this title which may be involved in such regulations.

"(h) The Secretary shall also consult with the Secretary of Health, Education, and Welfare as to the need for and the availability of such facilities in any area for which a sheltered care facility is proposed under this section."

Flexible interest rates

Sec. 3. Section 3(a) of the Act entitled "an Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes" approved May 7, 1968, is amended by inserting "243(d)(3)(B)," after "242(d)(3)(B),".

Labor provisions

Sec. 4. Section 212(a) of the National Housing Act is amended by striking from the first sentence of the second paragraph "or 236" and inserting in lieu thereof ", 236, or 253".

The summary presented by Mr. Montoya is as follows:

Section-by-Section Summary of the "Sheltered Care Facility Mortgage Insurance Act of 1969"

The first section provides that the bill may be cited by its short title—the "Sheltered Care Facility Mortgage Insurance Act of 1969."

AMENDMENT TO NATIONAL HOUSING ACT

Section 2 amends title II of the National Housing Act by adding a new section 243 to authorize the Secretary of Housing and Urban Development to provide mortgage insurance for sheltered care facilities.

MORTGAGE INSURANCE FOR SHELTERED CARE FACILITIES

Subsection (a) of the new section 243 states that it is the purpose of this section to assist the provision of sheltered care facilities for the care of persons who, while not in need of nursing home care and treatment nevertheless are unable to live fully independently and who are in need of minimum but continuous care provided by semi-professional personnel.

Subsection (b) defines "sheltered care facility" as a proprietary facility, or facility of a private nonprofit corporation or association licensed or regulated by the State (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located), for the accommodation of persons, who because of incapacitating infirmities, require minimum but continuous care but who are not in need of continuous medical or nursing services; and "mortgage" as a first mortgage on real estate which instrument may also include security interests in the initial equipment of the facility.

Subsection (c) authorizes the Secretary to insure such mortgages on such terms and conditions as he may prescribe.

Subsection (d) provides that the Secretary may, in order to carry out this section, insure any mortgage on a new or rehabilitated sheltered care facility, including equipment, subject to these conditions:

(1) that the mortgage shall be executed by a mortgagor approved by the Secretary;

(2) that the mortgage shall involve a principal obligation not in excess of $12,500,000 or 90 per centum of the estimated value of the property or project including equipment;

(3) that the mortgage shall provide for complete amortization by periodic payments and bear interest at a rate not in excess of 5 per centum or 6 per centum if the Secretary finds it necessary to meet the mortgage market; and

(4) that the Secretary will require a certification by the State agency designated pursuant to the Public Health Service Act as to the need for such facilities and that there are appropriate standards for their operation.

Subsection (e) provides that the Secretary may consent to the release of the mortgaged property in whole or in part from the lien of an insured mortgage.

Subsection (f) provides that the insured mortgage will be subject to subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act.

Subsection (g) provides that the Secretary shall consult with the Secretary of Health, Education, and Welfare with respect to any health or medical aspects of any regulations under this program prior to the issuance of such regulations.

Subsection (h) provides that the Secretary shall consult with the Secretary of Health, Education and Welfare as to the need for and the availability of sheltered care facilities in the area in which any such facility is proposed to be located under this program.

FLEXIBLE INTEREST RATES

Section 3 amends section 3(a) of the Act entitled "an Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes" approved May 7, 1968, to permit higher interest rates under this program until October 1, 1969.

LABOR PROVISIONS

Section 4 amends section 212(a) of the National Housing Act to bring this new program under the Davis-Bacon Act labor provisions.

S. 418—INTRODUCTION OF LEGISLATION TO ESTABLISH NEW MEXICO NATIONAL NUCLEAR MUSEUM

Mr. MONTOYA. Mr. President, today I introduce a measure calling for the establishment and maintenance of a national nuclear museum at a suitable site in the State of New Mexico for the advancement of public knowledge with respect to matters pertaining to the uses and development of nuclear energy.

This measure is identical to S. 3364 which my colleague from New Mexico, Senator Anderson, and I introduced on May 17, 1966, and S. 434 which I introduced on January 17, 1967. I believe it unfortunate that neither of the previous measures were enacted and I, therefore, intend to push for action on the present proposal.

Mr. President, when the first atom bomb was developed, J. Robert Oppenheimer, director of the Los Alamos Laboratory, exulted, "these are heroic days." It was dawn in New Mexico over 23 years ago when, on July 16, 1945, men gathered at a remote section of Holloman Air Force Base, Alamogordo, 120 miles southeast of Albuquerque, to witness another dawn—that of the atomic age. The event they attended on the Alamogordo sands was an unprecedented scientific experiment to test the idea of the atom bomb, the end result of Operation Trinity of the Manhattan Engineer

District. That morning meeting culminated an enormous effort by thousands of people, many of them working in secret places in New Mexico.

Today, with the wisdom that over two decades' hindsight affords, we can know how heroic were those days in New Mexico, how significant were those men and their achievement at Alamogordo. In the Atomic Age they ushered in, mankind possesses a technology of war to destroy mighty nations, to decimate their peoples, to devastate their lands; and a technology of peace to move mountains and furnish energy for our future. During the time since that event, each Member of Congress has had to share the burden of the dread responsibility of providing nuclear weapons for our national defense, while yet restraining their rash use in order to assure our survival as a nation. The men who worked at Los Alamos, and those who followed them there and at the Sandia Base and at ACF Industries in Albuquerque have bought us the time to seek ways for the community of nations to live together without nuclear war.

Since 1945, Los Alamos and Sandia have emerged as great national centers for nuclear research and engineering, with dramatic achievements in military and civilian applications. I hope that someday the history of the Los Alamos Laboratory and Sandia Base and their work on nuclear and thermonuclear weapons can be properly chronicled. In recent years, Los Alamos has extended its research beyond its military functions to important peaceful uses of fission and fusion. The public should know of these civilian applications—of the Rover project in nuclear rocket propulsion; power and heat from fission; illuminating research in radiation biology, biochemistry, biophysics, radiochemistry, metallurgy, and cryogenics.

Perhaps one of the most exciting of the civilian applications of nuclear fission is Project Plowshare. Modern man may yet heed the Biblical admonition to beat his swords into plowshares, for Los Alamos and Sandia now work on peaceful uses for nuclear explosives. One Plowshare project, Project Gasbuggy, was designed to show how nuclear explosives can free enormous quantities of natural gas now trapped in rock. Other Plowshare programs will test the feasibility of recovering copper by in-place leaching of fragmented low-grade ore, and of using nuclear explosives to create underground storage for natural gas.

Nuclear explosives in the future may carve out harbors, blast through mountains for highways, railroads, and other great earthmoving projects such as the proposed sea-level canal from the Atlantic to the Pacific.

The splendid work begun and being continued in New Mexico should, I feel, be commemorated. The awesome achievements of our nuclear scientists, engineers, and technicians makes New Mexico appropriate for a place where men might reflect upon the great physical powers now entrusted to governments, a place where they might study and learn about this nuclear force and the political and social forces which govern its use, and a place where they might reaffirm their dedication to the proposition that the enormous energy unleashed at Alamogordo shall always be used benevolently, beneficially.

A park, a statue, or a plaque could perform the commemorative function. But this is not enough; more is needed. I submit that even more important than public commemoration, is public understanding of the nature of the primordial energy released in the first explosive blast. For this reason I introduce today a bill to establish a national nuclear museum at a suitable site in New Mexico for the advancement of public knowledge of the uses and development of nuclear energy. The initial displays specified in this measure can be an important first step toward a vital and living memorial.

Mr. President, as has been stated many times, knowledge is the only instrument of production that is not subject to diminishing returns. And what better storehouse of knowledge is there than a museum? Today there is a revival of public interest in museums in this country, and I speak not of seedy tourist traps but of real centers of intellectual adventure and ferment. The American Association of Museums, aided by the venerable but lively Smithsonian Institution and the U.S. Office of Education, has found that 300 million persons each year visit the museums of the Nation. Several new museums are founded every week. We in Congress recognize this interest in museums through the National Museum Act of 1966, which expressly stated that museums are cultural and educational institutions of great importance for our people.

Mr. President, a modest museum has already been initiated in Los Alamos as a tribute to, and an explanation of, the contributions which have been made in New Mexico in the nuclear field. I say modest, for although much has been accomplished with resources available, it is still not the quality museum which this Congress should take it upon itself to establish. Mr. President, I ask unanimous consent that an article from the Albuquerque Journal of December 15, 1968, entitled " 'Hill' Museum is Nuclear Physics Primer," be printed at this point in the RECORD as an example of the tremendous educational potential in the proposal which I make. That is, the establishment of a national nuclear museum.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"HILL" MUSEUM IS NUCLEAR PHYSICS PRIMER

(By Bill Hume)

LOS ALAMOS.—Atomic energy—from Alpha particle to Pi Mesons—came of age behind the barbed wire fences of wartime Los Alamos. Today, most of the secrecy is gone.

And the Los Alamos Scientific Laboratory features a unique window into the world of nuclear research in its unique action-filled science museum.

In this museum, working models of most of the projects underway on the "Hill" go bang, make sparks, whir and otherwise simulate what the actual devices do. There is even an electric train in the scale model of the Project Rover site.

"The museum began in 1963 in an old barracks-type building," said Robert Y. Porton, director of community relations. "We moved into the present new building in 1965."

Most popular exhibit, according to a recent public opinion poll, is "Pinocchio," an ingenious device for illustrating a nuclear chain reaction.

Pinocchio looks like a cross between a pinball machine and a large aquarium. Four glass walls enclose approximately one square yard of space over a "floor" with a grid of ping-pong ball sized holes.

When a chain reaction takes place in atoms of Uranium 235, a neutron striking the nucleus of a U-235 atom causes the atom to split in two, releasing two free neutrons. These two, all else being equal, strike two more nuclei, splitting them and releasing four neutrons, and so on.

In Pinocchio, a lone ping-pong ball represents the first free neutron. Each of the holes represents a U-235 nucleus.

The museum attendant drops the "neutron" in the glass box. It bounces around aimlessly, eventually dropping into one of the holes.

Out shoot two ping-pong balls, and these "neutrons" repeat the performance. Soon the glass box is filled with wildly bouncing "neutrons," and the "splitting atoms" sound like a cowboys-and-Indians shoot-em-up.

Community relations staff member Kent Bulloch told of the experience of an Italian film crew trying to film Pinocchio in action.

The ping-pong balls trigger the ejection of their fellows by tripping photoelectric cells, Bulloch explained. When the Italian crew turned on their floodlights and the first ball was dropped in, it fell into a hole and nothing happened.

Bulloch suggested turning off the floodlights temporarily, and "there was an explosion of ping-pong balls," as every tube fired, activated by the flood lights being turned off.

Pinocchio was so named because as his namesake wanted to be a real human, but couldn't, LASL's Pinocchio wants to be a real reactor, but can't.

In an average month, more than 5,000 persons sign in at the museum. The visitors have come from all 50 states and more than 70 foreign countries.

One day last week, for example, persons from six different states toured the facility.

The museum has its serious side, too.

In the patio are ballistic cases like the two which carried nuclear holocaust to Japan in World War II, and two sleeker, more modern looking casings, one from a 20 kiloton nuclear bomb and the other from a thermonuclear hydrogen bomb.

The more peaceful uses of the atom share the patio with the bombs, however. Kiwi-A, the first experimental nuclear rocket reactor is on display.

The museum, the only Los Alamos Scientific Laboratory area in which cameras are welcome, is open from 8 a.m. to noon and 1 to 5 p.m. Monday through Friday, and 9 a.m. to 5 p.m. Saturdays, and 1 p.m. to 5 p.m. Sundays.

One very simple display makes a very startling indication of the difference in densities of various elements. It is a table on which are placed three-inch cubes of various elements.

Each has a handle by which the observer can lift the identically sized cubes and compare their weights.

The weights vary from the magnesium cube, at 1.75 lbs., to the uranium cube, weighing 18.97 lbs.

The most exotic cube by far is one of solid gold, valued at more than $10,000. It is kept locked in a safe when not on display.

In Project Sherwood at LASL, scientists are trying to devise some method of containing a thermonuclear reaction and tap it for its power potential. The problem with the concept is that thermonuclear reactions take place at such temperatures that all known materials on earth would quickly vaporize.

Project Sherwood scientists are working on a Buck Rogers-styled electromagnetic "force field" to contain the reaction.

Even though one of the project scientists compared the method to "trying to contain Jello with rubber bands on a hot day," the physicists hope to solve the problem in a few years.

Scylla II, the portion of Sherwood concerned with the force field, is represented in the museum.

A tube of aluminum foil is inserted into a plastic tube around which two electromagnetic coils are wound. Electricity is fed to a capacitor which, when it discharges, momentarily creates a strong electromagnetic field in the coils.

The electromagnetic fields instantly crush both ends of the foil tube closed, causing a report as loud as a firecracker.

The museum, however, like the city of Los Alamos, is aware that the history of New Mexico didn't begin with the coming of the nuclear age.

The entrance hall of the museum contains cases of artifacts from the Pajarito Plateau's first tenants, Indians who were there back when gunpowder was the "ultimate weapon."

Mr. MONTOYA. Mr. President, a national nuclear museum could take advantage of what Congress already has provided for the development of finer museums. I urge for action on this measure during this session of Congress. Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 418) to authorize the establishment of a national nuclear museum, introduced by Mr. Montoya, was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the Record, as follows:

S. 418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Atomic Energy Commission is authorized and directed to provide for the establishment and maintenance, at a suitable site in the State of New Mexico, of a National Nuclear Museum for the advancement of public knowledge with respect to matters pertaining to the uses and development of nuclear energy. The Commission is authorized to acquire the site for such museum by purchase, gift, condemnation, or otherwise, and to make all necessary improvements thereto. Items displayed in such museum shall be selected to reflect their historical interest and educational value, subject to such limitations as the Commission in consultation with the Secretary of Defense, determines are necessary to the interests of the national security.

Sec. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

S. 419—INTRODUCTION OF LEGISLATION DEALING WITH WORKDAYS AND WORKWEEKS OF FEDERAL EMPLOYEES

Mr. MONTOYA. Mr. President, the Federal Government needs to take another look at its labor-management relations with civil service and wage board employees. It is inexcusable that in this day and age, some Federal agencies are clinging rigidly to practices bordering on the "sweat shop" conditions of a few decades ago.

There are two practices in particular which I find abominable—yet, judging from the number of complaints I have received, they are widely used by some agency executives.

One is the splitting of work-shift schedules without proper notice to employees—causing some to work extremely long hours on a few days of the week, or to work fewer hours but on more than 5 days—all to avoid the payment of overtime. Another, more reprehensible practice is that of scheduling employees to work back-to-back 5-day shifts over 2 workweeks—resulting in employees having to work 10 consecutive days without time off, and without overtime compensation.

In industry, our society no longer accepts such work schedules as being reasonable without the benefit of additional compensation. Yet, these practices are not only permitted by the present law—they are actually condoned by the heads of several agencies. I believe that we should now recognize that the Federal Government has the same responsibility to its employees as has been acknowledged by industry.

Therefore, I am introducing a bill to correct these practices by amending section 6101 of title 5 of the United States Code, relating to workweeks and workdays of Federal and District of Columbia employees. I am proposing that the head of any agency—in addition to recognizing the required basic workweek of 40 hours for each full-time employee—must establish a basic, nonovertime workday not to exceed 8 hours, and must schedule the hours of work within the basic workweek on 5 consecutive days.

Further, my bill would preclude requiring any employee to work more than 6 consecutive days without time off, and would require that employees or their appropriate recognized organizations be consulted on the equitable rotation of shift schedules in the case of night, weekend, or irregular tours of duty.

At the same time, adequate provision is made for alteration of work schedules to protect the public interest during a declared national emergency, or when it can be established that an agency would be seriously handicapped in carrying out its functions, or when costs would be substantially increased. Such alterations of schedule, however, would have to be justified by the head of an agency, with the concurrence of the Civil Service Commission Chairman.

I introduced a similar bill in the last session of Congress, and the response I got was noteworthy. While Federal agencies strongly opposed the bill, every employee and employee organization responding hailed it as a step in the right direction. Several groups suggested constructive modifications, which I have attempted to incorporate in this new bill.

Mr. President, this is a complicated subject that requires serious thought in order to provide for flexibility in operating Federal installations, while at the same time protecting the rights of employees. Therefore, I urge that hearings be scheduled immediately to resolve any serious differences—as I believe that the time is long overdue for positive action to end the abuses. The Federal Government owes this to its employees.

Mr. President, I ask unanimous consent to have the text of my bill printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 419) to amend section 6101 of title 5, United States Code, relating to workweeks and workdays of Federal and District of Columbia employees, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 419

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraphs (2) and (3) of section 6101(a) of title 5, United States Code, are amended to read as follows:

"(2) The head of each executive agency, military department, and of the government of the District of Columbia shall—

"(A) establish a basic administrative workweek of forty hours for each full-time employee in his organization;

"(B) require that the basic nonovertime hours of work within that workweek be performed on five consecutive days; and

"(C) establish a basic nonovertime workday not to exceed eight hours.

"(3) Except during a declared national emergency, or when the head of an executive agency, a military department, or of the government of the District of Columbia determines, with the concurrence of the Chairman of the Civil Service Commission, that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to each employee in his organization, that—

"(A) assignments to tours of duty are scheduled in advance over periods of not less than one week;

"(B) the basic forty-hour workweek is scheduled Monday through Friday when possible;

"(C) the working hours in each day in the basic workweek are of the same duration;

"(D) the two days outside the basic workweek are consecutive;

"(E) no more than six consecutive workdays may be scheduled within any two consecutive weeks;

"(F) the occurrence of holidays may not affect the designation of the basic workweek;

"(G) breaks in working hours of more than one hour may not be scheduled in a basic workday; and

"(H) in the case of night, weekend, and irregular tours of duty, equitable rotation of shift schedules will be established following consultation with employees or their appropriate recognized employee organization."

S. 421, S. 422, AND S. 423—INTRODUCTION OF LEGISLATION TO CORRECT INEQUITIES AFFECTING RETIRED CIVIL EMPLOYEES

Mr. MONTOYA. Mr. President, I introduce three bills which have the support of the National Association of Retired Civil Employees. The membership of this organization exceeds 135,000, and there are over 1,100 local chapters chartered throughout the United States.

The organization serves civil service annuitants and their survivors, and potential annuitants and their survivors. The association has also actively been involved in the problems of the aged and the aging.

Mr. President, I believe that it would be an abdication of our responsibility to those who have served our Government so effectively were we to ignore the National Association of Retired Civil Employees and more than 800,000 Federal retirees and their survivors. I am convinced that the three measures I have introduced are worthy of our careful consideration and study.

I need not remind my colleagues that the rising cost of living has steadily reduced the buying power of those living on fixed incomes. When we consider this factor, along with the realization that most retired civil employees receive monthly annuities in an amount insufficient to maintain an acceptable standard of living, the inequity our retired civil employees face becomes evident. I suggest that we have a responsibility to correct this injustice, an obligation to permit a life of dignity on the part of those who have served us so well.

According to the 1967 report of the U.S. Civil Service Commission, Bureau of Retirement and Insurance, of an approximate 800,000 retired civil employees and their survivors, some 279,000 receive a monthly annuity of less than $100, and 513,000 receive less than $200 per month. To correct this inequity, we must grant these former Federal employees a substantial annuity increase and provide a minimum annuity for them. S. 421 would provide a graduated annuity increase, with the largest increase going to those presently receiving the smallest annuities. These increases would be as follows:

First. Retirees presently receiving an annuity of less than $200 per month would receive an increase of $26 per month.

Second. Retirees presently receiving an annuity of at least $200 but less than $300 per month would receive an increase of 13 percent.

Third. Retirees presently receiving an annuity of at least $300 but less than $400 per month would receive an increase of 9 percent.

Fourth. Retirees presently receiving an annuity of at least $400 but less than $500 per month would receive an increase of 7 percent.

Fifth. Retirees presently receiving an annuity of at least $500 per month would receive an increase of 5 percent.

S. 422 would exclude from the computation of gross income for Federal income tax purposes the first $5,000 received as civil service retirement annuity. Civil service retirees would thus be categorized as are the recipients of social security and railroad retirement annuities for purposes of Federal income tax. It is manifestly unfair to exempt retirement income received as social security and railroad retirement annuities from Federal income tax, while imposing the tax on the annuities of retired Federal workers and retired teachers and municipal workers of the District of Columbia.

S. 423 would establish a minimum of $100 per month for an annuitant with neither spouse nor dependents, and a minimum of $200 per month for an annuitant with a spouse or dependents.

Mr. President, I am convinced that these three bills deserve our immediate attention and favorable consideration, and I ask unanimous consent that the text of my bills be printed at this point in the Record.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Montoya, were received, read twice by their titles, referred to the appropriate committees, and ordered to be printed in the Record, as follows:

S. 421. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the annuity of each person who, on the effective date of this Act, is receiving or entitled to receive an annuity from the civil service retirement and disability fund shall be increased by—

$26.00 per month if now less than $200 per month,

13 per centum if now at least $200 but less than $300 per month,

9 per centum if now at least $300 but less than $400 per month,

7 per centum if now at least $400 but less than $500 per month, or

5 per centum if now at least $500 per month.

Sec. 2. The annuity of a survivor of a retired employee or Member who received an increase under this Act shall be increased in accordance with the formula set forth in section 1.

Sec. 3. No increase provided in this Act shall be computed on any additional annuity purchased at retirement by voluntary contributions.

Sec. 4. The increases provided by this Act shall become effective on the first day of the second month which begins after the date of enactment of this Act, except that any increase under section 2 shall take effect on the beginning date of the annuity.

Sec. 5. The monthly installment of annuity after adjustment under this Act shall be fixed at the nearest dollar.

Sec. 6. The provisions of section 8348(g) of title V, United States Code, shall not apply with respect to benefits resulting from the enactment of this Act.

S. 422. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Finance:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 121 as section 122, and by inserting after section 120 the following new section:

"Sec. 121. Retirement annuities paid by the United States or any agency thereof.

"Gross income does not include the first $5,000 received during any tax year as civil service retirement annuity from the United States or any agency thereof, after the full amount of the annuitant's contribution to the civil service retirement and disability fund has been paid to the annuitant."

Sec. 2. The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out.

"Sec. 121. Cross references to other Acts" and inserting in lieu thereof:

"Sec. 121. Retirement annuities paid by the United States or any agency thereof under Federal Retirement Acts.

"Sec. 122. Cross references to other Acts."

Sec. 3. Section 37(d)(1) of the Internal Revenue Code of 1954 (relating to limitation on retirement income) is amended by striking out "or at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

"(C) under Federal Retirement Acts, or".

Sec. 4. The amendments made by this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act.

S. 423. A bill to amend the Civil Service Retirement Act, as amended, to provide minimum annuities for employee annuitants and spouse survivor annuitants; to the Committee on Post Office and Civil Service:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8339, Title V, United States Code, is amended by adding the following subsection (l) after subsection (k) thereof.

Section 1. No annuity under this section shall be less than $200 per month for an annuitant with a spouse and/or dependents, or $100 per month for an annuitant with neither spouse nor dependents.

Sec. 2. Section 8341, Title V, United States Code, is amended by adding the following subsection (g) after subsection (f) thereof:

(g) No annuity under this section shall be less than $200 per month for a spouse survivor annuitant with one or more dependents, or $100 per month for a spouse survivor annuitant without dependents.

Sec. 3. This Act shall take effect on the first day of the third month following its enactment.

Sec. 4. The provisions of section 8348(g), Title V, United States Code, shall not apply with respect to benefits resulting from the enactment of this Act.

S. 424, S. 425, AND S. 426—INTRODUCTION OF BILLS TO AMEND THE NATIONAL LABOR RELATIONS ACT AND THE LABOR-MANAGEMENT RELATIONS ACT OF 1947

Mr. FANNIN. Mr. President, on behalf of myself and other Senators, I introduce, for appropriate reference, three bills to amend the National Labor Relations Act and the Labor-Management Relations Act of 1947.

These bills are the same as those introduced by me in the 90th Congress. The first bill would amend the national emergency provisions of the Taft-Hartley Act to provide for dissolution of injunctions only upon the settlement of disputes. Under existing law, injunctions are limited to 80 days. The national interest must be protected as long as is necessary. I may point out that unions will, of course, retain the right to strike a particular plant or even a segment of an industry. The injunction, as under existing law, can be enforced only where the strikes are so broad as to jeopardize the national health and welfare.

A second bill would amend the National Labor Relations Act so as to require a Board-conducted election in all representation cases. Thus this bill would prevent voluntary recognition of a union by an employer, a practice which has led to many abuses. I have always believed that it is the right of the worker, and not his boss or a few union advocates, to cast his ballot secretly for or against union representation.

Mr. President, the third bill would amend the National Labor Relations Act by prohibiting the levying by unions of fines against employees for exercising their rights under the act. Under this proposal, for example, a union could not fine an employee for exceeding production quotas set by the unions, crossing union picket lines, filing decertification petitions, nor for testifying in Board proceedings against a union. It seems to me that unions cannot be regarded in the same light as private voluntary associations, which are and should be free to impose on its members whichever rules it chooses. This bill will carry out the intent of Congress that the rights given to unions carry commensurate responsibility and obligations on unions to act in the public interest and in the interests of their members.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. Fannin (for himself and other Senators), were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

By Mr. FANNIN (for himself, Mr. Bennett, Mr. Curtis, Mr. Ervin, Mr. Thurmond, and Mr. Williams of Delaware):

S. 424. A bill to amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising rights under such act or for certain other activities.

By Mr. FANNIN (for himself, Mr. Bennett, and Mr. Williams of Delaware):

S. 425. A bill to amend the national emergency provisions of the Labor-Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes.

By Mr. FANNIN (for himself, Mr. Bennett, Mr. Curtis, Mr. Ervin, Mr. Thurmond, and Mr. Williams of Delaware):

S. 426. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases.

S. 434—INTRODUCTION OF BILL TO REAUTHORIZE THE RIVERTON RECLAMATION PROJECT

Mr. McGEE. Mr. President, I introduce, in behalf of myself and my Wyoming colleague (Mr. Hansen), a bill to reauthorize the Riverton reclamation project.

This measure is not a new one, Mr. President, and, in fact, hearings were held on similar legislation in the 90th Congress by the Interior Committee. It is, however, badly needed legislation which will, among other things, protect a considerable investment of money, time, and dedication. It represents the best thoughts I have heard from all quarters on how to resurrect the deteriorating Third Division of the Riverton project, which was bought back from its former settlers a few seasons ago and has since been leased to farmers of the successful Midvale Irrigation District, who have continued to make the lands produce.

The men on these lands have proven they can work them profitably and the Midvale district has shown it can handle the operation and maintenance of the old third division lands. This bill, then, would put their operation on solid footing by incorporating nearly 9,000 acres of the former third division into their operation, reauthorizing the entire Riverton unit as a part of the Missouri River Basin project, and providing for a single repayment contract with the Government.

Mr. President, the Riverton Ranger is a newspaper which advocates this bill, so vital to its own community. It has editorially supported the measure, and in an editorial published December 30, 1968, it summed up the need. I ask unanimous consent that that editorial be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the editorial will be printed in the Record.

The bill (S. 434) to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes, introduced by Mr. McGee (for himself and Mr. Hansen), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The editorial presented by Mr. McGee is as follows:

Deterioration

Congress should enact, early in the session, the Riverton project reauthorization bill. The needs for the bill cry for prompt action.

The most immediate one is the necessity of returning the Third Division farms to private ownership. Leased out on a year to year basis since the government brought out the Third Division settlers, the 8800 acres in Third Division continue to produce, but the buildings, the fences, the weed control and the general maintenance and upbuilding of the farm suffers.

Deterioration is the word that best describes what's happening in Third Division while the Midvale farmers wait for action by Congress on the Riverton project bill. The lessees have proved the feasibility of the area. Midvale, through its experience, has proved it can handle the operation and maintenance of the Third Division right along with their own lands in the Second Division of the Riverton project.

Progress has been steady, if slow, toward such action by Congress. Hearings have been held by both the House and Senate on the bill. There's been a tour of the premises. The Central Arizona Project, long hailed as the stumbling block impeding action, is now out of the way.

Wyoming's Congressmen McGee, Hansen and Wold present a united front with promises to reintroduce the bill early in the session.

Colorado Congressman Wayne Aspinall is familiar with the needs of Riverton project.

Our request is urgent. It's irresponsible to defer action longer and contribute to further deterioration of Third Division farms. The bills should be passed. The first priority under its several phases should be to sell these farms to farmers who know how to run them and will reverse the tragic downward trend that's been inevitable with the one year leases.

S. 436, S. 437, AND S. 438—INTRODUCTION OF BILLS ON FEDERAL EMPLOYEES' LEGISLATION

Mr. MOSS. Mr. President, during my years in the Senate I have been very much concerned with the problems of people who work for the Federal Government. We want to attract the most competent and best trained people possible for Government service. Once we have attracted them, we want to hold them in their jobs. One of the most important incentives to Government careers is a fair retirement system.

Our present civil service system is one of the best in the world, but it has some glaring weaknesses. Some of these weaknesses grow out of arbitrary action taken by the Congress. For many years, when changes were made in the retirement system, they were made retroactive to provide benefits for those previously retired commensurate with the benefits granted to those who would retire in the future. However, in the last 15 years—during the 1950's and 1960's—when we have liberalized benefits, we have not made them retroactive, and as a result we have a patchwork quilt in which a difference of a year or two in retirement dates can make a tremendous difference in the benefits available and their cost.

I am today introducing three bills which will wipe out some of these inequities and make adjustments in the system to equalize its benefits to all concerned.

The first, which I am introducing for myself and Senator Montoya, is an omnibus bill which deals with eight inequities relating to various phases of the retirement system including such aspects as the formula for voluntary deductions from civil service retirement annuities to provide for a surviving spouse, the provisions affecting the age at which widows of former employees may remarry and not lose their survivor annuities, the rights of deferred annuitants with respect to survivor annuities, the rights of employees to make contributions to the retirement fund after completing service sufficient to earn a maximum annuity, and to many other aspects which I will not take the time to spell out here.

But it is clear that these inequities should be cleared up if we are to keep faith with our retired Government employees. And it is equally clear that unless we make an effort to correlate the benefits awarded prospectively during the past 15 years and the benefits now paid to those who retired prior to the effective dates for such prospective legislation, we cannot give assurance to present Federal employees that they, too, will not be forgotten as soon as they leave the working force.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 436) to equalize civil service retirement annuities, and for other purposes, introduced by Mr. Moss (for himself and Mr. Montoya), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. MOSS. Mr. President, the second

bill I introduce deals with one glaring inequity which is providing a special hardship on a number of retirees. The present law provides that when a retiree is predeceased by the survivor he has named, the reduction he has taken in his retirement continues even though the retiree remarries, and it keeps him from providing a survivor annuity to his second spouse. This is obviously not fair. The retiree has reduced his own annuity to provide for his spouse—this spouse dies, and he remarries, and although he still must take a reduced annuity each month, he cannot provide any security for his second spouse. One can change a beneficiary on an insurance policy—why not on a survivor annuity, which is in itself a form of insurance a person may take out by taking deductions in the amount he receives each month?

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 437) to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. MOSS. Mr. President, the last bill I am introducing would make certain types of employees rendering service to States or instrumentalities of States in Federal-State programs, eligible for inclusion under the civil service retirement system. I have received many letters on this from all over the country—as I am sure my colleagues have also—it is a bill which has been under consideration for several sessions, and I hope it can be enacted in the 91st Congress. Its passage is long past due.

Mr. President, I ask unanimous consent that the text of the three bills be printed in the Record following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bill (S. 438) to amend section 8332 of title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Post Office and Civil Service; and the three above-mentioned bills will be printed in the Record, as follows:

S. 436

A bill to equalize civil service retirement annuities, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law each employee or Member as defined in section 8331 of title 5, United States Code, who retired prior to October 11, 1962, and who elected a reduced annuity in order to provide a survivor annuity for a spouse, shall be paid a reduced annuity computed in accordance with the provisions of section 8339(1) of title 5, United States Code.

Sec. 2. Notwithstanding any other provision of law each employee as defined in section 8331 of title 5, United States Code, who retired prior to July 18, 1966, and who had attained the age of fifty-five and completed thirty years of service at the time of separation from the service, shall be paid an annuity computed as provided in section 8339(a) of title 5, United States Code.

Sec. 3. Notwithstanding any other provision of law each employee as defined in section 8331 of title 5, United States Code, who was separated from the service prior to July 31, 1956, after completing five years of service and who is retired after attaining the age of sixty-two, may elect to receive a reduced annuity computed in accordance with the provisions of section 8339(1) of title 5, United States Code, and designate in writing a spouse to whom married prior to date of separation from service to receive a survivor annuity.

Sec. 4. Notwithstanding any other provisions of law the survivor annuity of each spouse of an employee or member, as defined in section 8331 of title 5, United States Code, who died or retired prior to July 18, 1966, terminated because of the remarriage of the surviving spouse, shall upon attainment of age sixty by such surviving spouse or upon dissolution of the remarriage of the surviving spouse by death, annulment or divorce be resumed pursuant to the provisions of section 8341 of title 5, United States Code at the same rate to which said surviving spouse would be entitled if there had been no remarriage: *Provided,* That (1) said surviving spouse elects to receive such annuity in lieu of any survivor benefit to which he or she may be entitled, under this or any other retirement system established for employees of the Government, by reason of the remarriage, and (2) any lump sum paid upon termination of the annuity is returned to the fund.

Sec. 5. Notwithstanding any other provision of law the provisions of section 8342 (h) of title 5, United States Code, shall be applicable to all employees or members as defined in section 8331 of title 5, United States Code, who were retired prior to July 12, 1960.

Sec. 6. Notwithstanding any other provision of law section 8339(f) of title 5, United States Code, shall be applicable to each employee or member as defined in section 8331 of title 5, United States Code, who retired on account of disability prior to October 1, 1956.

Sec. 7. Section 2 of the Act entitled "An Act to provide increases in certain annuities payable from the civil service retirement and disability fund and for other purposes," approved June 25, 1958 (72 Stat. 219, Public Law 85-465), is amended: By striking out the word "ten" in clause numbered (1) and substituting therefor the word "five"; by striking out the word "five" in line 11 and substituting therefor the word "two"; and by adding after the word "widower" in line 20 the words "but shall be resumed upon the termination of such remarriage by death, annulment or divorce".

Sec. 8. An allowance of not to exceed five hundred dollars to cover expense of last illness and burial shall, upon application to the Civil Service Commission, be paid to the person or persons who bear such expenses of each employee as defined in section 8331 of title 5, United States Code, who retired to an immediate annuity or who retired because of disability, prior to August 17, 1954, and who was not entitled to Federal group life insurance pursuant to the provisions of chapter 87 of title 5, United States Code.

Sec. 9. This Act shall take effect on the first day of the third month following its enactment: *Provided,* That no resulting annuity or increase in annuity shall be payable before the effective date of this Act.

Sec. 10. The provisions of section 8348(g) of title 5, United States Code shall not apply with respect to benefits resulting from the enactment of this Act.

S. 437

A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8339(1) of title 5, United States Code, is amended by adding at the end thereof the following new sentence: "If the designated spouse predeceases the employee or Member making such election the reduction shall be restored to the employee or Member and the annuity of such employee or Member shall be computed without regard to any election made under this subsection, provided that any such employee or Member may elect to designate a new spouse as survivor when such new spouse has attained the age of sixty and all reductions by reason of prior designations that have been restored to such employee or Member have been repaid to the retirement fund."

Sec. 2. Annuities of those employees or Members as defined in section 8331 of title 5, United States Code, predeceased by a designated spouse after the date of enactment of this Act shall be computed pursuant to the amendment contained in section 1 of this Act and be effective the first day of the month which begins after the date of death of the spouse designated at time of retirement or the first day of the month which begins after a new spouse attains the age of sixty. Annuities of those employees or Members as defined in section 8331 of title 5, United States Code, retired prior to the date of enactment of this Act and predeceased by a designated spouse shall be computed pursuant to the amendment contained in section 1 of this Act and be effective the first day of the third month following the date of enactment of this Act.

Sec. 3. The provisions of section 8348(g), title 5, United States Code, shall not apply with respect to benefits resulting from the enactment of this Act.

S. 438

A bill to amend section 8332 of title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8332 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(1) Subject to the conditions contained in this subsection, any employee or Member who is serving in a position within the purview of section 8331 of title 5, United States Code, at the time of his retirement or death shall be allowed credit for all periods of service, not otherwise creditable, performed by him in connection with inspection and grading work pursuant to the authority contained in the annual Department of Agriculture Appropriations Act under the item 'Market inspection of farm products,' under agreements to which the Federal Government was a party, or performed by him (except for those periods in which the record shows he was certified as being eligible for relief) in the employ of a State, or a political subdivision thereof or of any instrumentality of either in the carrying out of—

"(1) the program of a State rural rehabilitation corporation created for the purpose of handling rural relief the funds for which were made available by the Federal Emergency Relief Act of 1933 (48 Stat. 55), the Act of February 15, 1934 (48 Stat. 351), and the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and any laws or parts of law amendatory of, or supplementary to, such Acts;

"(2) the Federal-State cooperative program of agricultural experiment stations research and investigation authorized by the Act of March 2, 1887, as amended and supplemented (7 U.S.C., ch. 14);

"(3) the Federal-State cooperative program of vocational education authorized by the Act of February 23, 1917, as amended and supplemented (20 U.S.C., ch. 2);

"(4) the Federal-State cooperative program of agricultural extension work authorized by the Act of May 8, 1914, as amended and supplemented (7 U.S.C. 341–348);

"(5) the Clark-McNary Act (Act of June 7, 1924, as amended (16 U.S.C. 564–570)); the cooperative forest management program (Act of August 25, 1950, as amended (16 U.S.C. 568 c, d)); and operations under the Forest Pest Control Act (Act of June 25, 1947 (16 U.S.C. 594–1 through 594–5)) and their predecessor programs;

"(6) the Federal-State cooperative program for the control of plant pests and animal diseases authorized by the provisions of law set forth in chapters 7 and 8 of title 7 and in section 114a of title 21 of the United States Code;

"(7) the Federal-State cooperative program of the public employment service authorized under the Deficiency Appropriation Act of October 6, 1917, and as amended (29 U.S.C. 49); and annual appropriation Acts of the United States Department of Labor in subsequent years; the Wagner-Peyser Act of June 6, 1933 (U.S. Stat. 113), as amended (29 U.S.C. 49); and the provisions for employment service and unemployment insurance under title III of the Social Security Act of August 14, 1935, as amended (42 U.S.C. 501 et seq.):

"(8) the Federal-State cooperative program of highway construction authorized by the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented (23 U.S.C.);

"(9) the Federal-State cooperative assistance programs approved under titles I, IV, V, X, and XIV of the Social Security Act of August 14, 1935, as amended and supplemented (42 U.S.C., ch. 7, subchs. 1, 4, 5, 10, and 14), and under agreements entered into under section 221 of the Social Security Act of August 14, 1935, as amended and supplemented (42 U.S.C. ch. 7, sec. 421);

"(10) the Federal-State cooperative program of vocational rehabilitation authorized by the Vocational Rehabilitation Act of August 3, 1954, as amended and supplemented (29 U.S.C., ch. 4, secs. 31–42);

"(11) the cooperative program of fish restoration and management authorized by the Fish Restoration and Management Act of August 9, 1950, as amended and supplemented (16 U.S.C. 777 A–K);

"(12) the cooperative program in wildlife restoration authorized by the Wildlife Restoration Act of September 2, 1937, as amended and supplemented (16 U.S.C. 669–669j);

"(13) the Federal-State cooperative program in marketing service and research authorized by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621 et seq.), and predecessor programs;

"(14) the public health programs authorized by sections 309, 314, and 316 of the Public Health Service Act (Public Law 410) of July 1, 1944, as amended and supplemented (42 U.S.C. 242g, 246, 247a);

"(15) the program of aid to certain public schools for the education of Indian children authorized by the Johnson-O'Malley Act of April 16, 1934, as amended by the Act of June 4, 1936, as amended and supplemented (48 Stat. 596).

The period of any service specified in this subsection shall be included in computing length of service for the purposes of this section of any officer or employee only upon compliance with the following conditions:

"(A) The employee or Members shall have to his credit a total period of not less than five years of allowable service under this section, exclusive of service allowed by this subsection;

"(B) The performance of such service is certified, in a form prescribed by the Civil Service Commission, by the head, or by a person designated by the head, of the department, agency, or independent establishment in the executive branch of the Government of the United States which administers the provisions of law authorizing the performance of such service, or is otherwise established to the satisfaction of the Commission;

"(C) The employee or Member shall have deposited with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the credit of the civil service retirement and disability fund a sum equal to the aggregate of the amounts that would have been deducted from his basic salary, pay, or compensation during the period of service credited under this subsection if during such period he had been subject to this section, except that this paragraph shall not apply to services covered in paragraph (D) below;

"(D) The annuity computed under this subsection is reduced by the amount of any State annuity (including social security benefits) which an employee is receiving, or may receive, toward which the employee contributed during such State service and to which he is entitled by reason of such State service. As used in this subsection, the term 'State' includes the Commonwealth of Puerto Rico, and any political subdivision thereof, or of any instrumentality of either."

Sec. 2. The annuity of any person who shall have performed service described in subsection (1) of section 8332 of title 5, United States Code, as amended, and who on or after June 30, 1942, and before the date of enactment of this Act shall have been retired on annuity then or now payable from the civil service retirement and disability fund, shall, upon application filed by such person within one year after the date of enactment of this Act and upon compliance with the conditions prescribed by such subsection (1) be adjusted, effective as of the first day of the month immediately following the date of enactment of this Act, so that the amount of such annuity will be the same as if such subsection (1) had been in effect at the time of such person's retirement.

Sec. 3. The provisions of section 8348(g) of title 5, United States Code, shall not apply with respect to benefits resulting from the enactment of this Act.

S. 472—INTRODUCTION OF BILL TO LIBERALIZE THE EARNINGS TEST UNDER SOCIAL SECURITY

Mr. BAYH. Mr. President, when the Senate considered the 1967 Social Security Act, I offered an amendment to increase the earnings limitation from the proposed $1,680 to $2,400 annually. The amendment was adopted by a vote of 50 to 23, indicating that the Senate was strongly in favor of modernizing the arbitrary and restrictive test on earnings by the elderly. In the face of this one-sided Senate vote, and contrary to widespread sentiment among House Members in favor of the change, the conference committee was ill advised in deleting the amendment.

Therefore, Mr. President, I am today introducing the amendment in bill form and in the hope that the Senate Finance Committee, under the able leadership of the Senator from Louisiana (Mr. Long) will act quickly and favorable on this proposal—and not delay its consideration pending the new administration's recommendations on a social security package.

Briefly, this bill would permit a social security recipient to earn $2,400 annually before suffering any reduction in benefits. For every $2 earned between $2,400 and $3,600, the beneficiary would lose $1 in benefits. Beyond that, $1 in earnings would result in the loss of $1 in benefits.

Mr. President, as a result of the 13-percent increase in cash benefits voted by the Congress in 1967, the average monthly benefit paid to an elderly couple is approximately $165. Thus, a social security beneficiary who continued to hold employment, and who was paid the average monthly benefit, could receive a combined income for he and his wife of $5,000 annually before continued employment resulted in an equal reduction in benefits. In view of the greatly increased cost of living and the fact that a very large percentage of the elderly's income—about two-thirds—is spent on food, shelter, clothing, and medical care, I believe that the $5,000 figure is a modest one.

As a society, we are today committed to the simple and just proposition that old age should not mean added life without dignity, but added dignity with life. How can we insure that dignity, that feeling of self-respect? The answer is to see that our senior citizens are self-sufficient; that they are not dependent upon welfare payments; that they are not subject to the embarrassments that come from dependence upon their children. And the way to do that, Mr. President, is to provide them with the opportunity for continued employment to supplement social security.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 472) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, introduced by Mr. Bayh (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

LISTING OF COSPONSORS OF S. 14

Mr. SCOTT. Mr. President, yesterday, in requesting that the cosponsors of S. 14 be included at the next printing of the bill, the list of names was incorrectly shown in the Record. Therefore, I make the following request.

I ask unanimous consent that at the next printing of S. 14, my bill to establish a Commission on Afro-American History and Culture, that the list of cosponsors be included. The names of the cosponsors were inadvertently omitted from the draft of the bill. However, I announced the cosponsors at the beginning of my remarks when I introduced S. 14. My statement can be found on page 806 of the Congressional Record of January 15, 1969. The following Senators are cosponsors of S. 14: Senators Bayh, Brooke, Case, Cook, Goodell, Hart, Hartke, Hatfield, Inouye, Javits, McGee, Mathias, Miller, Mondale, Muskie, Nelson, Percy, Schweiker, Williams of New Jersey, and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Illinois (Mr. Percy) be added as a cosponsor of the bill (S. 1) to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I am delighted to announce that Senator Howard Baker has requested that his name be added to the list of Senators cosponsoring Senate Joint Resolution 1, a proposed amendment to the Constitution calling for a direct election of the President and Vice President of the United States. I ask unanimous consent that Senator Baker's name appear on Senate Joint Resolution 1 as a cosponsor at its next printing.

In addition, Mr. President, I ask unanimous consent to place in the Record at this point the text of remarks recently made by Senator Baker on this subject. I believe that they shall be of interest to other Senators and to those persons who are following efforts to reform the present electoral system.

The VICE PRESIDENT. Without objection, it is so ordered.

Excerpts of Remarks by Senator Howard H. Baker, Jr., Prepared for Delivery Before the Annual Convention of the Investment Bankers Association of America, in Miami Beach, Fla., December 5, 1968

Miami Beach.—There has always been a good deal of distance and distrust between the American citizen and "them", "them" being my colleagues and I, the elected and appointed officials of the Government. "Theys" and "thems" get the blame whenever Government does something to you that you don't like. "Theys" and "Thems" are the sufficiently amorphous personalities who make it possible for the officeholders, if we are so inclined, to hide in any number of bureaucratic mazes and avoid being tagged with much of the blame for what "they" did.

But the times are changing. There is quite obviously a growing number of Americans who feel unable to communicate effectively with their government. There is an increasing feeling that the individual is not really relevant enough to the governmental process. And when this really sinks in, my guess is that the average American citizen won't stand for it. More and more in this age of instant communication and superior education, people are insisting that they have a real role in what their government does for them or to them.

The major political figures of 1968 all sensed this simmering among the members of the electorate. Everyone from Governor Wallace to Senator McCarthy called for "more power back to the people." And most candidates this year made a point to do some listening as well as talking.

President-elect Nixon's appeal for a wide variety of views within his Administration reflected this: "We should invite constructive criticism, not only because the critics have a right to be heard but because they often have something worth hearing."

The success of the Nixon Administration will be judged, to a significant extent, upon whether it is able to establish in America better communication between the government and the electorate. And I am convinced that, in order to achieve this reconciliation, some radical changes are going to be necessary.

One such step is the refederalization of our governments, the reversing of the centralizing trends which have dominated our federal structure for 35 years. More of our money should be spent and more of our decisions made at a level of government closer to the people, at a more accessible level where those citizens affected by governmental decisions can get their hands on the elected or appointed officials making the decisions. Refederalization will require as a first step the initiation of a system of Federal Revenue Sharing or Federal Tax Refunds to the states. This is a big, bold, essential and difficult step about which I could say a lot.

But instead, today I wish to discuss the electoral process, where, in my opinion, sweeping fundamental reforms must be accomplished in order to take the first steps in making the government adequately responsive to the electorate it serves in these modern times.

Throughout history there have always been qualifications to the central notion that each citizen in the nation should have a vote to determine who the representatives in government shall be, and that each man's vote, as much as is practicable, should count as much as the next man's. These qualifications, which have had more or less validity depending upon the times and circumstances (although some never had any validity at all), have included age, length of residency, race, property ownership, and accident of geographical location.

The trend of the last few years has been to strip away conditions to full participation in the electoral process except when there are clearly overwhelming considerations. For example, strong and effective efforts in the courts and Congress have virtually obliterated the totally invalid consideration of race as a restriction on an individual's right to vote. A few states already have reduced the voting age below 21 in recognition of the fact that the modern 18, 19 or 20-year old is suitably intelligent, aware and interested in public affairs to vote and that there is no overwhelming reason to deny him that right.

Sweeping strides have been taken in the courts and in Congress during the 1960's to eliminate the dilution of a man's vote by the accident of his geographical location. Reapportionment of state legislatures and redistricting of the Federal House of Representatives according to the one-man, one-vote rule have nearly put an end to instances where one man's vote for a Congressman or a state legislator might be worth more or less than his neighbor's because of unfairly apportioned districts.

Yet there are a number of efforts which need to be initiated or accelerated in this democratizing process.

The most important remaining new area of activity is the reform of the process for selecting the President and Vice-President of the United States. We have all read and heard more than enough this year about all the bizarre contingencies that could arise in a close election under the present electoral college system. We have been asked to imagine the sordid negotiation for electoral votes that might have taken place between November 5 and December 16 if, say, President-elect Nixon had received only 269 instead of 303 electoral votes. We have been presented with the prospect of the United States Representatives electing a man to the Presidency who had placed third in the electoral voting. We were even confronted with the possibility of a third-party vice-presidential nominee being sworn in on January 20, 1969.

There was a time when the concept of an electoral college served a desirable and necessary function. The public at large was poorly educated and had little or no access to the kind of information on which an intelligent choice could be made. It was sound public policy for the citizen to vote for a group of men in his own State who were educated and experienced and capable of choosing wisely men to lead the Nation. But the situation today is radically different from that which made the system appropriate at the time it was devised. The people today are widely educated and, due largely to the advent of electronic communications, generally well informed on the issues that confront our society and the persons who seek to lead it. The machinery of the electoral college remains; its reason for being has passed. The machinery itself must be eliminated. The system is more than a harmless anachronism; it represents a dangerous impediment to the voice of the people, an unnecessary barrier interposed between the voting citizen and the highest office in the land.

So I advocate the abolition of the electoral college and the substitution of direct popular election for the offices of President and Vice President. It is true that this solution gives rise to other questions, primarily the question of what to do in the case of a candidate with a popular plurality but less than a popular majority. In 1860, for example, Abraham Lincoln received 39.8 percent of the popular vote, Stephen Douglas 29.4 percent, John Breckenridge 19.2 percent, and John Bell 12.6 percent. Because Lincoln carried the populous northern states, he received 180 electoral votes, 28 more than the needed majority. He had won the election in strict accordance with the Constitutional procedures but with less than 40 percent of the popular vote. The sectional polarization of the vote, as we know, led directly to secession and Civil War.

It has been suggested that if the electoral college were to be abolished, as I believe it should be, a candidate in order to be elected President might be required by law to win a minimum of 40 percent of the popular vote or some similar figure. Failure to win such a specified percentage, whatever it might be, would mean a national run-off between the two leading candidates. There is much about this suggestion that appeals to me. After extensive study, perhaps the Congress and the States would agree that some version of it would be the wisest course. In any event, the "plurality problem" is definitely soluble and represents a far lesser risk than does the existing system.

Direct election of the President and Vice President is clearly the most urgently needed reform of our election procedures. But there are several other areas that need prompt and insightful attention and remedy. For example, I am firmly committed to the reduction of the voting age to 18 years. Not only is it unfair that today's active and educated young Americans should have no voice in the future of the country, it is also true that the country will benefit from their participation.

I further believe that immediate provision must be made in our national laws to permit the transient citizen to vote in national elections. In today's highly mobile society many qualified Americans are denied the right to vote for the Presidency and Vice Presidency because of residency requirements. This is a patently unjust impediment, and it must be removed.

Another badly needed reform is provision for 24-hour voting coordinated between time zones. In other words, polling places should be open for a full 24-hour period, and that period should begin and end at the same Greenwich Mean Time across the nation. This would have two salutary effects: it would make voting a great deal easier for many Americans who now find polling hours inconvenient or impossible to meet, and it would also eliminate the bothersome question of whether early returns from eastern States and network computer predictions influence voting patterns in the West where polls are still open.

In discussing reform of our election machinery, I want to make immediately and abundantly clear my deep reverence for an independent two-party system and for the fundamental right and privilege of the various States to make their own election laws and determine their own election procedures within the framework of constitutional federalism. The stability and longevity of our political system and the splendid success of our great experiment in democratic government have been largely due to the concept and the fact of federalism on one hand and the existence of two broad-based, popular, partisan political parties on the other hand. I would neither propose nor support any reform that would interfere with or in any way endanger either the right of the States to control elections or the freedom of the two national parties to transact their business.

There is a great deal of intelligent controversy over the proper role and function of the presidential preferential primary election. Thoughtful proposals have been made by good men for nationwide presidential primaries. I myself would prefer to see primary elections held in each of the fifty states. Such a system of state primaries—in which each candidate for the Presidency might enter as an individual and in which delegates to the national nominating conventions would be directly elected by the rank-and-file—such a system would have several advantages over a single national primary. It would reinforce rather than weaken the essentially federal nature of our government, greatly strengthen party structures in each of the States, involve many more citizens in the vitally important work of partisan political activity, and provide clear and unequivocal indicators of a given candidate's merit and of his ability to move the people.

The popular election of delegates would be a meaningful modification of the existing convention system. While ritual and tradition have their places, one clear lesson of 1968 is that national conventions must be streamlined and made more directly relevant to the wishes of the people. A convention made up of popularly elected delegates would be a significant move toward greater public participation in the nominating process. Such a system would do much to dissipate the public image of unscrupulous dealings in a "smoke-filled room," but at the same time it would bolster the two-party system that is so essential to our national life.

Finally, the business of insuring that one man's vote is worth as much as the next man's is not complete, insofar as the Federal House of Representatives is concerned. In the session just concluded, the Congress eliminated at-large districts which tended to discriminate against minority groups whose size would be a more effective political force in a smaller, single-member district. But no final action was taken on either the setting of legislative standards governing the population variance permitted between congressional districts or the outlawing of the shoddy practice of gerrymandering. This effort will be renewed in this Congress.

These are simply some random thoughts that I have on how the two major political parties might enhance public confidence in their nominating machinery. Any and all such proposals require careful and prudent study and discussion before action is taken. But action must be taken soon. I do not believe that we can afford to move into 1972 with party, State, and Federal election machinery as it exists today. It is too great a risk to take.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of the joint resolution (S.J. Res. 19) the name of the senior Senator from New York (Mr. Javits) be added as a cosponsor. The joint resolution proposes an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that at its next printing, the names of Senators Aiken, Baker, Gurney, Jordan of North Carolina, Long, McClellan, Murphy, Pastore, Schweiker, Talmadge, and Williams of Delaware be added to the list of cosponsors already of the resolution (S.J. Res. 6) the proposed constitutional amendment dealing with prayer in public buildings.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 29—RESOLUTION APPOINTING MR. DOLE A MEMBER OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. DIRKSEN submitted a resolution (S. Res. 29) appointing Mr. Dole a member of the Select Committee on Small Business, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

SENATE RESOLUTION 30—RESOLUTION TO PROVIDE LEGISLATIVE AUTHORITY TO THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, on behalf of myself and Senators Allott, Baker, Burdick, Case, Dole, Hatfield, Javits, Magnuson, McGee, Miller, Montoya, Mundt, Murphy, Pell, Randolph, Scott, and Young of North Dakota, I submit, for appropriate reference, a resolution designed to give to the Select Committee on Small Business, the authority necessary for it to receive bills and resolutions relating to the problems of small business and to report bills and resolutions to the Senate for its consideration.

Mr. President, the Select Committee on Small Business does not now have this authority. It is empowered only to investigate and study problems peculiarly affecting the small business of this country. Such limited authority is unfortunate, to say the least, especially when problems are found to exist, can be identified, and yet are prevented from being considered by the Senate because the committee cannot report to the floor in a form upon which we can act.

This resolution does not establish a new standing committee. It does not amend the rules of the Senate relating to standing committees.

Positively speaking, this resolution gives to the Select Committee on Small Business of the Senate the authority to have bills, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises referred to it and the additional authority to report bills and resolutions to the Calendar of the Senate for our consideration on the floor. This additional authority has often been referred to as legislative authority.

It is the feeling of large segments of the small business community that in the give and take of our national economic life there must be built into the structure of the Senate this select committee whose business it would be to consider legislation affecting the small business community.

In 1967 there were over 4.7 million small businesses in the country. They provided employment for over 30 million employees. They comprised 95 percent of the total number of businesses in the country. They generate 40 percent of the business activity in the country.

Small businesses furnish a livelihood for 60 percent of the population and provide employment for 40 percent of the population.

Their retail sales constituted 73 percent of total national retail sales.

Their wholesale sales constitute 70 percent of total national wholesale sales.

They constitute 82 percent of the construction activity in the country and 90 percent of the country's service industry.

They contribute 34 percent of the manufactured value added to the economy each year.

Mr. President, I do not demean any other committee of the Senate by offering this resolution. Most of the small business legislation offered in the Senate is considered by the Small Business Subcommittee of the Committee on Banking and Currency. I know that the members of that subcommittee, including its distinguished chairman, are hardworking, dedicated Senators who have the best interest of small business in view.

But, Mr. President, the Banking and Currency Committee is already overburdened with legislative proposals, highly complex in nature and, many of which, if enacted into law will have a massive impact upon the economic life of the Nation. The members of this great committee are just not in a position to devote the necessary time to the needs of small business.

Mr. President, I think we are all becoming increasingly aware of the plight of small business. If these small enterprises are not permitted to grow and prosper the Nation will suffer an irreparable loss in job opportunities and economic growth. Let us remember that all big business was once small business, and if we wish to maintain the competitive system in this country and expand the national economy small entrepreneurs must have a chance to exist.

The small business community has repeatedly urged the recognition of this legislation. Under the sustained leadership of the National Federation of Independent Business, an organization of independent business and professional men, small business enterprises across the country have sought only the same consideration as are given to other organizations.

It seems to me that there is little merit in the Senate's having for so many years a Select Committee on Small Business which can only suggest, which can only hold hearings, and which can only offer a hope that legislation might be considered. It seems to me that there is no point in our having a Select Committee on Small Business unless it can translate into action in the form of legislation those ideas and proposals which become patently necessary as a result of any hearings or investigations that select committees might make.

Despite the past failure to act on this matter, Mr. President, I believe and I am firmly convinced that this resolution has great merit.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 30) was referred to the Committee on Rules and Administration, as follows:

S. RES. 30

Resolved, That S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, is amended to read as follows:

"That there is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction."

SEC. 2. Subsection (d) of XXV of the Standing Rules of the Senate is amended by striking out in paragraph 2, the words "under this rule".

SENATE RESOLUTION 31—RESOLUTION TO AMEND RULE XXV RELATING TO AN APPROPRIATION FOR THE SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. CANNON. Mr. President, I submit for appropriate reference, an original resolution of $105,000 for the year beginning February 1, 1969, and ending January 31, 1970.

The appropriation is for the use of the Subcommittee on Privileges and Elections in carrying out its jurisdictional responsibilities under rule XXV of the Standng Rules of the Senate.

The amount requested is the same as has been agreed to by the Senate for the subcommittee's use in 1967. In 1968 the subcommittee had more because of the need to be prepared for possible election contests. It is anticipated that this money resolution will be sufficient to meet the current payroll plus the pay raise which will go into effect July 1, 1969, and all of the subcommittee's business for this fiscal year.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 31) was referred to the Committee on Rules and Administration, as follows:

S. RES. 31

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;
(2) corrupt practices;
(3) contested elections;
(4) credentials and qualifications;
(5) Federal elections, generally; and
(6) presidential succession.

SEC. 2. For the purpose of this resolution, the committee, from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and the personnel of any of the departments or agencies of the government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1970.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SENATE RESOLUTION 32—RESOLUTION TO CREATE A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON. Mr. President, I submit for myself and Senator BIBLE, Senator BYRD of West Virginia, Senator CURTIS, and Senator FONG for appropriate reference, a resolution to create a Standing Committee on Veterans' Affairs.

In 1967 I submitted Senate Resolution 13 which was favorably reported from the Committee on Rules and Administration but was not acted upon by the Senate.

Millions of veterans are in need of a Senate committee which will be given jurisdiction over all legislation affecting them instead of the present system of dividing that jurisdiction among the Finance, Labor, and Public Welfare, and Interior Committees. The contents of my resolution pertaining to veterans are exactly the same as those incorporated into the Legislative Reorganization Act of 1967 which unfortunately was not enacted into law.

I am very hopeful that this new resolution will be given the approval of the Senate when it is reported later this year.

All of the major veterans' organizations in the United States have expressed their desire for the creation of a separate standing committee to receive and consider all legislation pertaining to veterans. There are over 24 million veterans living in the United States today, many of whom have problems with respect to veterans' benefits, hospitalization, pensions, and other matters of equal importance.

Senate Resolution 13, which I submitted in 1967, was given the approval of the Subcommittee on Standing Rules of the Senate and subsequently was reported by the Committee on Rules and Administration. I regret that the resolution was not called up for debate on the floor of the Senate because I believe that if it had been considered by the Senate, it would have been approved. This new resolution is identical to Senate Resolution 13 as well as to the provisions pertaining to veterans which were approved during the last Congress as part of the Legislative Reorganization Act.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. HOLLAND. Mr. President, I ask that I be added as a cosponsor to the legislation the Senator has referred to, which I think has been long needed.

Mr. CANNON. I am delighted to have the Senator from Florida join with me as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I ask unanimous consent that the resolution be retained at the desk for 1 week for the purpose of including addition cosponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be held at the desk, as requested by the Senator from Nevada. Under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 32) to amend rule XXV of the Standing Rules of the Senate to create a Standing Committee on Veterans' Affairs, was referred to the Committee on Rules and Administration, as follows:

S. RES. 32

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out items 10 through 13 in subparagraph (h) of paragraph 1;

(2) striking out the comma and the words "and national cemeteries" in item 5 of subparagraph (k) of paragraph 1;

(3) striking out items 16 through 19 in subparagraph (m) of paragraph 1; and

(4) inserting in paragraph 1 after subparagraph (p) the following new subparagraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of services in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."

Sec. 2. The second sentence of paragraph 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Veterans' Affairs".

Sec. 3. Paragraph 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations) is amended by adding at the end of the tabulation contained therein the following new item: "Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The provisions of this resolution shall take effect upon passage.

Mr. CANNON. Mr. President, I withdraw my request that the bill lie on the desk for one week and I ask unanimous consent that it lie at the desk for the remainder of this day for the inclusion of additional sponsors.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I certainly will not object—I just want to inquire whether the Senator has cleared this with the minority side?

Mr. CANNON. I am informed that the reason I am withdrawing my request is that the minority had objected to any unanimous consent request that a bill lie at the desk for a period of time.

Mr. BYRD of West Virginia. I thank the Senator. I did not hear that.

SENATE RESOLUTION 33—RESOLUTION RELATING TO THE ACTIVITIES OF NATIONS IN OCEAN SPACE

Mr. PELL. Mr. President, for some time now I have been attempting to bring to the attention of the people of our country and our Government the dangers inherent in the legal void which exists vis-a-vis ocean space, our extraterritorial marine environment.

For example, in September 1967, I stated on the floor of the Senate:

> As our Nation expands its technology in the marine sciences at an ever-increasing pace, we are moving toward dangerous legal confrontations with foreign nations over the ownership and jurisdiction of the extraterritorial seabed and superadjacent waters.

Pressing this issue further, I noted at that time:

> We stand on the threshold of a vast technological breakthrough which may suddenly advance our Nation's—and other's—ability to carry out every type of oceanologic activity, at an depth, and in an area of the ocean. To date, there is no adequate regime to provide for order when this breakthrough comes.

Since making these observations, Mr. President, substantial progress has been made in the general field of marine technology, but, unfortunately, our advances in this field have not been matched on the diplomatic front, in terms of seeking the establishment of a meaningful legal regime to regulate the development of the ocean space environment. Because of this lag at the diplomatic level, I for one, can find little comfort in our undisputed leadership in the field of applied marine technology.

For the kind of problem we are now encountering in regard to the development of ocean space, the following example will suffice: In a press release dated August 24, 1968, the National Science Foundation reported that the new, specially designed research vessel *Glomar Challenger* had established a new deep sea drilling record with the recovery of core material at 2,500 feet in more than 9,000 feet of water; the previous record, set in 1961, was core recovery at 601 feet into the deep ocean floor. In addition, and perhaps of greater importance, the press release noted further that, while in the Sigsbee Knolls area of the Gulf of Mexico, this same vessel discovered a show of oil and gas in core material taken at 480 feet in almost 12,000 feet of water.

These two events are indeed historic: The first, recording the extraordinary advances over the last few years in drilling technology, and the second, proving—contrary to the general thinking of marine geologists—the existence of deep-sea oil and gas deposits.

Mr. President, these activities and discoveries dramatically raise the question of the legal status of the seabed and subsoil of the deep ocean floor; such incidents raise this question not only in terms of scientific investigation, but also in terms of resources discovered. Moreover, there is the further question, Does exploration carry a preferential right to exploitation? Do the classical rules of acquisition of territory through occupation apply to the ocean floor? If the answer is "Yes," what constitutes occupation, and does occupation carry sovereign rights with it? If the answer is "No," then what rules do apply to this new environment?

In posing these questions, I would hope that my colleagues do not dismiss them too readily, feeling that such questions are attached to one isolated incident; let me remind all of you that last year the Senate unanimously endorsed the proposal for an International Decade of Ocean Exploration, to begin in 1970. This project, which has just received United Nations endorsement, will undoubtedly raise a whole host of questions of the kind to which I already have alluded. Moreover, by 1970, no fewer than eight of our giant business enterprises will have a full range of commercial submersibles available to both industry and the military. Many of industry's advances in undersea technology are undergoing thorough testing during the conduct of the Navy's Sealab III project.

I think it is worth noting also that the Commission on Marine Science, Engineering and Resources, in its comprehensive report to the Congress last week, recommended that the United States adopt as national goals development of capabilities to physically occupy the seabed to a depth of 2,000 feet and to explore to depths of 20,000 feet within the next decade.

Mr. President, all of these activities should serve as a constant reminder to us that man has begun in earnest a systematic probe of the earth's last frontier. As the exploration of the ocean depths gathers momentum, technology will advance accordingly, and man will seek to exploit—if not occupy—the deep ocean floor. Thus, as science and technology conquer greater and greater segments of the marine environment, major political issues will loom larger and larger on the diplomatic horizon.

In fact, science and technology incorporate interrelated processes which cannot be divorced from political and diplomatic considerations to which they give rise. With respect to ocean space, it is clearly evident that the conduct of diplomacy is being outpaced, and international relations are dangerously strained by the speed at which scientific and technological achievements are occurring. Therefore, unless we face this new reality, and face it in terms of the international political setting, the future of ocean space may offer little more than protracted anarchy and chaos.

Mr. President, prompted by these circumstances and possibilities, I am submitting a resolution calling upon the U.S. Representative to the United Nations to place before its newly established Committee on the Peaceful Uses of the Seabed and Ocean Floor a set of detailed principles to govern the activities in ocean space of all the nations of the world. I ask unanimous consent, Mr. President, that the text of my resolution be printed in the Record.

I would like to direct attention again to the recent report by the Marine Science Commission. The report deals in some detail with the problems I have mentioned today. I am heartened by the fact that the Commission considers these jurisdictional questions to be urgent problems requiring immediate attention and am deeply gratified that the Commission report endorses many of the concepts and principles embodied in the resolution I introduced in the 90th Congress and which I am introducing again today.

Finally, Mr. President, I would like to speed up the process between the stages of a U.N. resolution on this subject and the formulation of a final draft treaty on ocean space by suggesting my own views on specific provisions of such a treaty. I plan to offer this treaty proposal shortly.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the Record.

The resolution (S. Res. 33) was referred to the Committee on Foreign Relations, as follows:

S. Res. 33

Whereas the development of modern techniques for the exploration of the deep sea and the exploitation of its resources carries with it the threat of legal confrontation, between nations of the world over the ownership and jurisdiction of the bed of the deep sea and the superjacent waters, and the resources therein; and

Whereas the threat of anarchy now exists in the field of scientific exploration and commercial exploitation of the deep sea and its resources: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should make such efforts, through the United States delegation to the United Nations, as may be necessary to place before the Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction for its consideration at the earliest possible time the following resolution endorsing basic principles for governing the activities of nations in ocean space:

"DECLARATION OF LEGAL PRINCIPLES GOVERNING ACTIVITIES OF STATES IN THE EXPLORATION AND EXPLOITATION OF OCEAN SPACE

"Preamble

"The General Assembly,

"Inspired by the great prospects opening up before mankind as a result of man's ever-deepening probe of ocean space—the waters of the high seas, including the superjacent waters above the continental shelf and outside the territorial sea of each nation, and the seabed and subsoil of the submarine areas of the high seas outside the area of the territorial sea and continental shelf of each nation,

"Recognizing the common heritage of mankind in ocean space and the common interest of all mankind in the exploration of ocean space and the exploitation of its resources for peaceful purposes,

"Believing that the threat of anarchy exists in the exploration and exploitation of ocean space and its resources,

"Desiring to contribute to broad international cooperation in the scientific as well as the legal aspects of the exploration and exploitation of ocean space and its resources for peaceful purposes,

"Recalling the four conventions on the Law of the Sea and an optional protocol of signature concerning the compulsory settlement of disputes, which agreements were formulated at the United Nations Conference on the Law of the Sea, held at Geneva, Switzerland, from 24 February to 27 April 1958, and were adopted by the Conference at Geneva on 29 April 1958,

"Recalling the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, which was unanimously endorsed by General Assembly resolution 2222 (XXI) of 19 December 1966 and signed by sixty nations at Washington, London, and Moscow on 27 January 1967, and considering that progress towards international cooperation in the exploration and exploitation of ocean space and its resources and the development of the rule of law in this area of human endeavor is of comparable importance to that achieved in the field of outer space,

"Recalling General Assembly resolution 2467A (XXIII) of 20 December 1968, which provided for the establishment of a Committee on the Peaceful Uses of the Seabed and Ocean Floor beyond the Limits of National Jurisdiction,

"Recognizing that the problems resulting from the commercial exploitation of ocean space are imminent,

"Believing that the living and mineral resources in suspension in the high seas, and in the seabed and subsoil of ocean space, are free for the use of all nations, subject to international treaty obligations and the conservation provisions of the conventions on the Law of the Sea, adopted at Geneva on 29 April 1958,

"Convinced that international agreement on principles governing the activities of States in the exploration and exploitation of ocean space and its resources would further the welfare and prosperity of mankind and benefit their national States,

"Solemnly declares that in the exploration of ocean space and the exploitation of its resources States should be guided by the following principles:

"I—General principles applicable to ocean space

"1. The exploration and use of ocean space and the resources in ocean space shall be carried out for the benefit and in the interests of all mankind, and shall be the province of all mankind.

"2. Ocean space and the resources in ocean space shall be free for exploration and exploitation by all nations without discrimination of any kind, on a basis of equality of opportunity, and in accordance with international law, and there shall be free access to all areas of ocean space.

"3. Ocean space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

"4. There shall be freedom of scientific investigation in ocean space and States shall facilitate and encourage international cooperation in such investigation, but no acts or activities taking place pursuant to such investigation shall constitute a basis for asserting or creating any right to exploration or exploitation of ocean space and its resources.

"5. The activities of States in the exploration and exploitation of ocean space and its resources shall be carried on in accordance with international law, including the Charter of the United Nations, and the principles set forth in this Declaration, in the interest of maintaining international peace and security and promoting international cooperation and understanding.

"6. States bear international responsibility for national activities in ocean space, whether carried on by governmental agencies or non-governmental entities or nationals of such States, and for assuring that national activities are carried on in conformity with the principles set forth in this Declaration. The activities of non-governmental entities and nationals of States in ocean space shall require authorization and continuing supervision by the State concerned. When activities are carried on in ocean space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization itself.

"7. In the exploration of ocean space and the exploitation of its resources, States shall be guided by the principle of cooperation and mutual assistance and shall conduct all their activities in ocean space with due regard for the corresponding interests of other States.

"8. States shall render all possible assistance to any person, sea vehicle, or facility found in ocean space in danger of being lost or otherwise in distress.

"9. States engaged in activities of exploration or exploitation in ocean space shall immediately inform other interested States and the Secretary-General of the United Nations of any phenomena they discover in ocean space which could constitute a danger to the life or health of persons exploring or working in ocean space.

"II—Use of ocean space except seabed and subsoil

"1. All States have the right for their nationals to engage in fishing, aquaculture, in-solution mining, transportation, and telecommunication in the waters of ocean space beyond the territorial seas of any State.

"2. This right shall be subject to the treaty obligations of each State and to the interests and rights of coastal States and shall be conditioned upon fulfillment of the conservation measures required in the agreement entitled 'Convention on Fishing and Conservation of the Living Resources of the High Seas', adopted by the United Nations Conference on the Law of the Sea at Geneva on 29 April 1958.

"3. Any disputes which may arise between States with respect to fishing, aquaculture, in-solution mining, conservation, and transportation activities of States in the high seas shall be settled in accordance with all the provisions of such convention setting forth a compulsory method for the settlement of such questions. The provisions of Article 27 and Annex 4 of the International Telecommunication Convention, signed at Geneva on 21 December 1959, shall be applicable to any disputes which may arise between States with respect to telecommunication activities in the high seas.

"III—Use of seabed and subsoil of ocean space

"1. In order to promote and maintain international cooperation in the peaceful and orderly exploration, and exploitation of the natural resources, of the seabed and subsoil of submarine areas of ocean space, States shall engage in such exploration or exploitation only under licenses issued by a technically competent licensing authority to be designated by the United Nations, and to be independent of any State.

"2. The natural resources referred to in this Article consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

"3. The activities of nationals and non-governmental entities of States in the exploration of submarine areas of ocean space and the exploitation of the natural resources of such areas shall require authorization and continuing supervision by the State concerned, and shall be conducted under licenses issued to States making application on behalf of their nationals and non-governmental entities. When such activities are to be carried on by an international organization, a license may be issued to such organization as if it were a State.

"4. It shall be the duty of the licensing authority to act as promptly as possible on each application for a license made to it. In issuing licenses and prescribing regulations, the licensing authority shall apply all relevant provisions set forth in this Declaration, shall give due consideration to the potential impact on the world market for each resource to be extracted or produced under such license, and shall apply the following criteria:

"(a) The license issued by the licensing authority shall (i) cover an area of such size and dimensions as the licensing authority may determine, with due regard given to providing for a satisfactory return of investment, (ii) be for a period of not more than fifty years, with the option of renewal, provided that operations are conducted with the approval of the licensing authority, (iii) require the payment to the licensing authority of such fee or royalty as may be specified in the lease, (iv) require that such lease will terminate within a period of not more than ten years in the absence of operations thereunder unless the licensing authority approves an extension of the period of such license, and (v) contain such other reasonable requirements as the licensing authority may deem necessary to implement the provisions of this Article and to provide for the most efficient exploitation of resources possible, consistent with the conservation of and prevention of the waste of the natural resources of the seabed and subsoil of ocean space.

"(b) If two or more States apply for licenses to engage in the exploration of the seabed and subsoil of ocean space or the exploitation of its natural resources in the same area or areas of ocean space, the licensing authority shall, to the greatest extent feasible and practicable, encourage cooperative or joint working relations between such States and be guided by the principle that ocean space shall be free for use by all States, without discrimination of any kind, on a basis of equality of opportunity. But, if it proves impractical for the license to be shared, the licensing authority shall determine which State shall receive the license with due regard given to the encouragement of the development of the technologically developing States.

"(c) A coastal State has a special interest in the conservation of the natural resources of the seabed and subsoil of ocean space adjacent to its territorial sea and continental shelf and this interest shall be taken into account by the licensing authority.

"(d) A coastal State is entitled to take part on an equal footing in any system of research and regulation for purposes of conservation of the natural resources of the seabed and subsoil of ocean space in that area, even though its agencies or nationals do not engage in exploration there or exploitation of its natural resources.

"(e) The exploration of the seabed and subsoil of ocean space and the exploitation of its natural resources must not result in any unjustifiable interference with navigation, fishing, or the conservation of the living resources of the sea, nor result in any interference with fundamental oceanographic or other scientific research carried out with the intention of open publication.

"(f) A State or international organization holding a license is obliged to undertake, in the area covered by such license, all appropriate measures for the protection of the living resources of the sea from harmful agents and shall pursue its activities so as to avoid the harmful contamination of the environment of such area.

"5. Subject to appropriate regulations prescribed by the licensing authority and to the following provisions, a State or international organization holding a license is entitled to construct and maintain or operate on the seabed and subsoil of ocean space installations and other devices necessary for its exploration and the exploitation of its natural resources, and to establish safety zones around such installations and devices and to take in those zones measures necessary for their protection:

"(a) The safety zones referred to in this paragraph may extend to a distance of 500 meters radius around the installations and other devices which have been erected, measured from each point of their outer edge. Ships of all nationalities must respect these safety zones.

"(b) Such installations and devices do not possess the status of islands and have no territorial sea of their own.

"(c) Due notice must be given of the construction of any such installations, and permanent means for giving warning of their presence must be maintained. Any installations which are abandoned or disused must be entirely removed by the State or international organization responsible for its construction.

"(d) Neither the installations or devices, nor the safety zones around them, may be established where interference may be caused to the use of recognized sea lanes essential to international commerce and navigation.

"6. To the greatest extent feasible and practicable, the licensing authority shall disseminate immediately and effectively information and data received by it from license owners regarding their activities in ocean space.

"7. If a license owner has reason to believe that an activity or experiment planned by it or its nationals or nongovernmental entities in the area covered by its license would cause potentially harmful interference with activities of other States in the peaceful exploration and exploitation of such area of ocean space, it shall undertake appropriate international consultations and obtain the consent of the licensing authority before proceeding with any such activity or experiment. Any interested State which has reason to believe that an activity or experiment planned by a license owner would cause potentially harmful interference with activities in the peaceful exploration and exploitation of submarine areas of ocean space may request consultation concerning the activity or experiment and submit a request for consideration of its complaint to the licensing authority, which may order that the activity or experiment shall be suspended, modified, or prohibited. Review of any such order shall be allowed in accordance with the provisions of paragraphs 12 through 16 of this Article.

"8. All stations, installations, equipment, and sea vehicles, machines, and capsules used on the seabed or in the subsoil of ocean space, whether manned or unmanned, shall be open to representatives of the licensing authority, except that if there is objection to this procedure by the licensee, such facilities shall be open only to the Sea Guard of the United Nations as set forth in Article VII of this Declaration.

"9. Whenever a license owner fails to comply with any of the provisions of a license issued to it under this Article, such license may be canceled by the licensing authority upon thirty days notice to the license owner, but subject to the right of the license owner to correct any failure of compliance within a reasonable period of time to be specified by the licensing authority, and, in any event, to request review of the decision of the licensing authority as set forth in paragraphs 12 through 16 of this Article.

"10. Any dispute which may arise under this Article between license owners and the licensing authority, shall first be submitted for settlement by the licensing authority, which shall determine its own procedure, assuring each party a full opportunity to be heard and to present its case.

"11. In all cases of disputes under this Article, whether among license owners or between license owners and the licensing authority, the licensing authority shall be empowered to make awards.

"12. In the case of any dispute under this Article, if the licensing authority shall not have rendered its decision within a reasonable period of time or if any party to a dispute under this Article desires review of the decision of the licensing authority, such dispute shall, at the request of any of the parties, be submitted to a standing review panel which shall consist of not more than three members to be appointed by the International Court of Justice. The decision of the licensing authority shall be final and binding upon all parties to a proceeding before it unless a request for a review of such decision is made under this paragraph within a period of thirty days from receipt by such parties of notice of such decision.

"13. No two members of the panel may be nationals of the same State. No member may participate in the decision of any case if he has previously taken part in such case in any capacity or if he is a national of any party involved in the case.

"14. Members of the panel shall serve at the pleasure of the International Court of Justice. The Court shall fix the salaries, allowances, and compensation of members of the panel. The expenses of the panel shall be borne by each party to proceedings before the panel in such a manner as shall be decided by the Court.

"15. The panel shall determine its own procedure, assuring each party to the proceeding a full opportunity to be heard and to present its case.

"16. The panel shall hear and determine each case within a period of ninety days from receipt of a request for review of such case, unless it decides, in case of necessity, to extend the time limit for a period not exceeding thirty additional days. The decision of the panel shall be by majority vote and shall be final and binding upon the parties to the proceeding; except that if any party to the proceeding desires review of the decision, or if the panel has failed to render its decision within the period prescribed in the preceding sentence, the case shall be within the compulsory jurisdiction of the International Court of Justice as contemplated by paragraph 1 of Article 36 of the Statute of the International Court of Justice, and may accordingly be brought before the Court by an application made by such party.

"IV—Use of seabed and subsoil of ocean space for peaceful purposes only

"1. The seabed and subsoil of submarine areas of ocean space shall be used for peaceful purposes only.

"2. The prohibitions of this Article shall not be construed to prevent—

"(a) the use of military personnel or equipment for scientific research or for any other peaceful purpose;

"(b) the temporary use or stationing of any military submarines on the seabed or subsoil of ocean space if such submarines are not primarily designed or intended for use or stationing on the seabed or subsoil of ocean space; or

"(c) the use or stationing of any device on or in the seabed or subsoil of ocean space which is designed and intended for purposes of submarine or weapons detection, identification, or tracking.

"3. All States shall refrain from the implacement or installation on or in the seabed or subsoil of ocean space of any objects containing nuclear weapons or any kinds of weapons of mass destruction, or the stationing of such weapons on or in the seabed or subsoil of ocean space in any other manner.

"4. All States shall furthermore refrain from causing, encouraging, or in any way participating in the conduct of the activities described in paragraph 3 of this Article.

"5. All stations, installations, equipment, and sea vehicles, machines, and capsules, whether manned or unmanned, on the seabed or in the subsoil of ocean space shall be open to representatives of other States on a basis of reciprocity, but only with the consent of the State concerned. Such representatives shall give reasonable advance notice of a projected visit in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited. All such facilities shall be open at any time to the Sea Guard of the United Nations referred to in Article VII of this Declaration, subject to the control of the Security Council as set forth in such Article.

"V—Regulations on the disposal of radioactive waste material in ocean space

"1. The disposal of radioactive waste material in ocean space shall be subject to safety regulations to be prescribed by the International Atomic Energy Agency, in consultation with the licensing authority referred to in Article III of this Declaration.

"2. In the event of the conclusion of any other international agreements concerning the use of nuclear energy, including the disposal of radioactive waste material, to which all of the original parties to the international agreement implementing these principles and parties, the rules established under such agreements shall apply in ocean space.

"VI—Limits of continental shelf

"In order to assure freedom of the exploration and exploitation of ocean space and its resources as provided in this Declaration, there is a clear necessity that fixed limits must be set for defining the outer boundaries of the continental shelf of coastal States. For the purpose of the provisions of this Declaration, the term 'continental shelf' is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea to a depth of 550 metres, or to a distance of 50 miles from the baselines from which the breadth of the territorial sea is measured, whichever results in the greatest area of continental shelf, (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands. In no case, however, shall the continental shelf be considered for such purpose to encompass an area greater than the area (exclusive of territorial sea) of the State or island to which it is adjacent. Recognizing the desirability of achieving agreement on unsettled questions relating to defining the boundaries of the continental shelf, States shall accept any agreements which may be reached in the event a conference is convened to consider such questions as provided for in Article 13 of the Convention on the Continental Shelf, adopted at Geneva on 29 April 1958; and any agreement so reached shall become effective for purposes of this Declaration when approved by the conference.

"VII—Sea Guard

"1. In order to promote the objectives and ensure the observance of the principles set forth in this Declaration there shall be established as a permanent force a Sea Guard of the United Nations which may take such action as may be necessary to maintain and enforce international compliance with these principles.

"2. The Sea Guard shall be under the control of the Security Council of the United Nations, in consultation with the licensing authority referred to in Article III of this Declaration. Paragraph 3 of Article 27 of the Charter of the United Nations shall be applicable to decisions of the Security Council made with respect to the Sea Guard. The licensing authority shall be responsible under the Security Council for the supervision of the Sea Guard in connection with the performance by the Sea Guard of such duties as the licensing authority may deem appropriate to assign or delegate to the Sea Guard for purposes of the implementation of Article III of this Declaration.

"3. States are encouraged to provide to the Sea Guard such personnel and suitable scientific and sea patrol vessels as are necessary for the establishment and maintenance of the Sea Guard.

"VIII—National laws to apply to crimes in ocean space pending international agreement on code of criminal law

"Pending agreement upon an international code of law governing criminal activities in ocean space and the institution of an appropriate tribunal with jurisdiction over violations of such code of law, personnel of States and non-governmental entities of States and international organizations engaged in activities of exploration or exploitation in ocean space shall be subject only to the jurisdiction of the State of which they are nationals or the State which bears responsibility for their activities in respect of all acts or omission occurring while they are in ocean space, unless otherwise provided for by international law or in this Declaration;

"Requests the Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction established by General Assembly resolution 2467A (XXIII) of December 20, 1968, to prepare a draft international agreement to implement the principles set forth in this declaration;

"Requests the Committee on the Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction to report to the twenty-fifth session of the General Assembly on the progress of its work on such draft agreement."

SENATE RESOLUTION 34—RESOLUTION TO PROVIDE FUNDS FOR THE COMMITTEE ON PUBLIC WORKS—REPORT OF A COMMITTEE

Mr. RANDOLPH, from the Committee on Public Works, reported the following resolution (S. Res. 34); which was referred to the Committee on Rules and Administration:

S. Res. 34

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

Sec. 2. For the purposes of this resolution, the committee from February 1, 1969, to January 31, 1970, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, on a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,400 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable to the Senate at the earliest practicable date, but not later than January 31, 1970.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $240,000, shall be paid from the contingent fund of the Senate on vouchers approved by the chairman of the committee.

HIJACKING, SAIGON STYLE

Mr. YOUNG of Ohio. Mr. President, it seems unbelievable, but the South Vietnamese Government has extorted $1,262,000 from American taxpayers during the past 3 years for permitting a small number of chartered U.S. airplanes to operate from South Vietnamese airports in the interest of the war effort and to maintain the Thieu-Ky administration in power in South Vietnam. The General Accounting Office in exposing this sham termed it "an inappropriate action on the part of the Saigon regime." "Inappropriate"—that is the greatest understatement of the year. It is unconscionable to demand that Americans pay this tribute. More than 228,000 young Americans have been killed and wounded in combat in Vietnam, and additional thousands have suffered from bubonic plague, malaria fever, hepatitis, and other tropical diseases while in Vietnam to maintain the corrupt Saigon regime in power. Did the French require a bribe to permit our troops to land on the Normandy beachhead in 1944? Did the South Koreans extort tribute for GI's who landed at Inchon in 1950? They did not.

This recent incident involved a U.S. military construction unit in South Vietnam applying to charter planes from a U.S. company. The thieving Saigon civil aviation director insisted that Air Vietnam be given the contract unless a bribe was paid him for permits and tower clearance. The tribute hijacked from Americans, Saigon style, amounted to 15 percent of the total amount taxpayers have been paying for air service to help maintain the Thieu-Ky regime. Some months ago our Government made an outright gift of two late model jets to Air Vietnam, following the Saigon threat to cut down Pan American Airway's landing rights. It seems unbelievable that our Government paid out and encouraged payment of blackmail by private American groups using commercial airline facilities to keep our puppet government of Thieu and Ky in office. This at a time when desertions from the South Vietnamese Army are at an alltime high—approximately 14,000 each month.

STARVATION IN BIAFRA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, over 2 million Biafrans—many of them helpless women and children—have died from starvation since last July. The dimensions of that tragedy are barely comprehensible. For the 7 million people remaining in Biafran territory the future offers little hope; they are now almost entirely dependent on outside food aid. In coming months, unless there is a dramatic breakthrough in the international relief efforts, another 4.5 million people will have starved to death.

For those without enough moral imagination to feel the scope of this catastrophe, one might think in terms of what our own and the world's reaction might be if over the past 6 months the total population of the city of Los Angeles had been slowly decimated by starvation, or if the city of New York could no longer feed its people, or if the citizens of Chicago and Houston were doomed to a slow and inevitable death. We could only hope and pray that the outside world would come to their rescue using to the fullest all the human ingenuity, material capability, and superior technology which the advance of civilization has bestowed upon us. Yet, we cannot possibly say we are doing the same for the Biafrans. Our failure is too clear. Over 2 million dead; 4½ million almost doomed.

The United States has loudly and clearly pronounced its humanitarian interest in the Nigerian civil war. As the largest single donor of food supplies and financial assistance, the U.S. Government has contributed more than $22 million to the international relief effort. In addition, the sale of four stratofreighter cargo planes to the American Voluntary Agency will enable the relief forces to increase daily food shipments to Biafra, enough to feed an additional half million people. I am against our becoming militarily involved. Yet, we cannot deny that more could be done without our becoming so entangled.

Admittedly, the Nigerians and Biafrans have thrown up barriers which have made relief efforts more difficult. The Biafrans have been particularly uncooperative on the issue of agreeing to allow daytime relief flights. Many of the frustrations which meet all efforts to launch a truly effective international relief effort have been imposed by the people who should seemingly be most concerned—the Nigerians and Biafrans themselves. As former Under Secretary of State Katzenbach has said:

> The ultimate answers lie in other people, in how they feel and what they are prepared to do or not do, and with whom our influence is most distinctly finite.

Yet, in history's record of this disaster, this moral loophole will be closed, unless we can say that we exerted our influence to the utmost of its limitations. So far, I do not believe that the United States has brought to bear upon the Biafran situation the full weight of its international power and material capability.

One of the greatest problems facing relief workers in their attempts to get food to the starving is transportation. As the most advanced technological society known to history, it is difficult to understand why we cannot utilize some of our great technical know-how and overcome some of these transportation problems. Limited by the Biafran Government to nighttime flights and one landing strip, international relief forces with their present equipment, which includes four C–97's supplied by the United States, can only transport about 150 tons of food to Biafra daily. The estimated need is 2,000 tons. Another Biafran landing strip open to daytime relief flights is clearly needed. Recently Lieutenant Colonel Ojukwu offered to make a site available for the international relief teams to build an airfield to receive daytime flights. The United States certainly could supply the expertise and material to quickly build such an airfield. To overcome the political problems which might accompany the possibility that the Biafrans would also use the new airfield for arms shipments it would seem possible to arrange for the internationalization of the field or the stationing of an OAU observer team at the landing strip to inspect incoming relief shipments.

On the diplomatic level, nothing less than a full frontal assault on the Biafran problem will fulfill our humanitarian obligation to try to stem this tragic wave of death by starvation. The finite nature of our influence is perhaps most obvious in the diplomatic sector but we must not overestimate these limitations. Relentless pressure should be applied upon the Federal Nigerian and Biafran Governments to fully cooperate with the international relief efforts. The Nigerian conflict is an internal matter and a U.S. policy of nonintervention would certainly be in keeping with one of the alleged key principles of our foreign policy—self determination. I say "alleged" in view of the contradiction involving Rhodesia. Yet there has been no plebiscite on starvation; the mass population of Biafra has been given no choice on this life or death issue. We must at least offer the people of Biafra a chance to make a choice by pressuring their Government to make it possible for the Biafrans to receive international relief supplies.

There is even less grounds for limiting our attempt to influence our allies, Great Britain and France, in an effort to change their policy toward arms supplies. Pressure should also be brought to bear on the Soviet Union to cease its supply of weapons. There seems little doubt that the conflict would come to a quicker conclusion if all outside arms supplies were suspended. Nigerian forces have been kept going principally by British and Russian arms while the Biafran cause has been rejuvenated by an infusion of French military equipment. Outside arms aid has only escalated and internationalized the conflict and thus prolonged an already tragic civil war.

One of our great American editors recently commented that it is "those great thrusts of moral indignation that in the end determine a people's place in history." The heart-rending tragedy of Biafra should fire the most creative spurt of humanitarian diplomacy the world has ever seen. Our moral indignation at the thought of watching another 4½ million helpless women and children starve to death should be great enough to inspire us to relentlessly pursue a solution to the Biafran crisis. History will not judge kindly a society which has enough creativity and technological ability to send men to the moon but not enough moral imagination to prevent the genocide of 7 million people through mass starvation.

Mr. RUSSELL. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I am happy to yield to the senior Senator from Georgia.

Mr. RUSSELL. I wish to commend the distinguished Senator from West Virginia for the statement he has just made. Of course, when he made his reference to Biafra's uncooperative attitude, he was surely referring to some three or four running the Government and not the millions of starving people out in the bushes and in the swamps. They have had no method of expressing themselves at all.

My chief sorrow and humiliation about this entire matter has been caused by the fact that this country has had no African policy at all except that policy which is dictated by the British.

If we are to permit Great Britain or any other country to determine our policies throughout the entire, vast continent of Africa, we certainly do not deserve to be considered among the leading nations of the world. When a matter of mass starvation of this magnitude is presented, the United States of America should present its own policy. It should be a humanitarian policy, a policy that looks toward saving lives and not the killing of people in multitudes, as is being done at the present time in Biafra.

Here, Mr. President, we have a case where the British have issued all the edicts and they have supplied the Nigerians with arms. I do not undertake to pass judgment upon the merits of who is right, the Nigerians or the Biafrans. I have some ideas about it from what I have studied, but I do know that the British have dictated our policy in this area. More than that, they have dictated the policy of this country insofar as Rhodesia and South Africa are concerned.

It may or may not be a correct policy; but we are a great enough country to assume the responsibility of making our own policy anywhere in the world. In Africa, we have supinely trotted along behind the British foreign office in anything they have proposed throughout that continent. It is unworthy of a great nation, and it has resulted in brutal treatment, cruelty, and death that are almost incredible in this century.

Mr. BYRD of West Virginia. I thank the President pro tempore.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the senior Senator from Massachusetts.

Mr. KENNEDY. I do not know how much time the Senator from West Virginia has remaining.

The VICE PRESIDENT. The Senator from West Virginia has 1 minute remaining.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 5 additional minutes be yielded to the Senator from West Virginia.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, the comments that have been made by the Senator from West Virginia, and particularly the comments that have now been made by the Senator from Georgia, I think are appropriate and quite factually true. Both Senators have described a situation which I hope will have the immediate time and attention of the new President, President Nixon. As President Nixon indicated yesterday, time is on the side of peace; but, as the distinguished Senator from West Virginia has pointed out and as the distinguished Senator from Georgia has mentioned, time is certainly not on the side of millions of starving people in Nigeria-Biafra.

As the Senator from Georgia has pointed out, really the dilemma in which we find ourselves is the bankruptcy of American foreign policy toward that country. I think, in reading through the background of the Nigerian civil war, we see that the United States felt that the conflict was going to be a very short engagement, and we felt it was, in any case, a British sphere of influence, and therefore we were extremely reluctant to become involved in using our good offices in trying to reach a satisfactory solution to the problem.

One of the points that I think our good friends from Africa have failed to realize, however, is that the deep interest of the people of the United States in the

Nigerian civil war is primarily based on the humanitarian concern for the millions of people who are starving there, and a desire to help them.

Mr. President, I think one of the great tragedies has been that we as a nation often find ourselves in a position, when it looks like there are Communist threats, of interfering in the affairs of other nations; and yet when it comes to humanitarian concerns, the problems of humanity, we find ourselves reluctant to give leadership—even with respect to supporting voluntary agencies which try to cope with humanitarian problems. Certainly this is true regarding Nigeria-Biafra.

In fairness, I think it should be pointed out, however, that there has been a new sense of urgency directed toward this problem in the last 6 or 8 weeks. The most significant action involved the release of some aircraft—C-97G's—for use by the relief agencies operating the airlift into the Biafran enclave.

However, I do want to associate myself with the comments which have been made by my two colleagues in the sense that our concern is really, basically and fundamentally, a humanitarian concern. We hold no brief for those either on the Nigerian or the Biafran side who are using the whole question of starvation for political purposes; and that has been, in fact, the case in this problem.

Mr. President, I would just like, finally, to suggest that our Government, in cooperation with others, request the Secretary-General of the United Nations to convene an International Conference on Nigeria-Biafra Relief, and I hope to comment more fully on this and other matters at a later time.

Despite such specific suggestions, however, it is clear that only a truce and effective cease-fire will save the people caught in this conflict. It is also clear that an important element in bringing this about will be the activities and interest of the new President. I look to him, as do millions of Americans, in this regard; I offer whatever support and encouragement I can give, and wish him well.

Mr. BYRD of West Virginia. Mr. President, I wish to express my gratitude to the distinguished majority whip for his comments this morning. He is one who has expressed repeated and profound concern about this very serious matter, and he has been in the vanguard of Senators urging that our country display and exert great moral persuasion and make a real and effective effort to bring some succor, comfort, and relief to the hundreds of thousands of innocent suffering men and women and children of the Ibo Tribe.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Mr. President, I yield to the distinguished Senator from Kansas.

Mr. PEARSON. Mr. President, I want to associate myself with the comments of the distinguished Senator from West Virginia.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. I yield to the able Senator from Kansas.

Mr. PEARSON. Mr. President, tomorrow it will be my intention to file, with the distinguished junior Senator from Massachusetts (Mr. BROOKE), and I think some 40 other Senators, the Senator from West Virginia being one, a resolution which we hope will form a vehicle for this administration to do much of that which we have discussed today. I shall address myself to it at some length tomorrow. I merely want at this time to indicate my great interest in the problem as defined and delineated here today, and recognize the position of the distinguished junior Senator from Massachusetts, who I think was one of the first to speak on the floor of the Senate about this problem.

Mr. BYRD of West Virginia. Indeed he was.

Mr. GOODELL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Mr. President, if I have any time remaining, I yield to the distinguished junior Senator from New York.

Mr. GOODELL. Mr. President, I want to commend the Senator from West Virginia for his comments. The Senator is aware, I believe, that I led a committee on behalf of the SS *Forra*, the so-called Biafran Christmas ship. As a result of contributions by the Dutch people, not the Government, that ship was chartered for the purpose of bringing relief to the starving people of Biafra. As a result of the mercy collection at St. Patrick's and of the generosity of the thousands of American people who responded to our appeal, more than 3,500 tons of food left last night for Biafran relief.

The ship is plying the seas right now. The amount of food is sufficient only to prevent starvation of 1 million people for 30 days. The ship will land at Sao Tomé. From there, the food must be shipped by air to Biafra.

I do not think this Government should take sides as between Biafra and Nigeria in its conflict, but I think that we cannot permit this tragedy to occur, with millions of people starving, without doing what we can to bring food to prevent starvation in Biafra and Nigeria.

Mr. BYRD of West Virginia. I thank the distinguished Senator from New York.

AUTHORITY TO PRINT PRESIDENT NIXON'S INAUGURAL ADDRESS AS A SENATE DOCUMENT

Mr. DIRKSEN. Mr. President, I ask unanimous consent that President Nixon's inaugural address be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

NOMINATION OF DAVID PACKARD TO BE ASSISTANT SECRETARY OF DEFENSE

Mr. PELL. Mr. President, I rise not to criticize the character, the probity, the intelligence, or the patriotism of David Packard. He has all these qualities in the highest degree.

But, I well remember the warning President Eisenhower gave us in his farewell message when he expressed concern at the increasing role of the industrial-military complex in the leadership of our Nation and the formation of its policies.

President Eisenhower said:

> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

Mr. Packard's entire career has been devoted to the brilliantly successful development and management of a defense industry. What has been good for the defense of this country has been good for his business—and vice versa.

I recognize that Mr. Packard's intimate knowledge of the workings of defense industry can be of great assistance in managing Defense Department affairs. But, I am nevertheless apprehensive about the comity of interest between our Government Defense Establishment and our private defense industries. The community of interest is strong enough, I think, without reinforcement by an interchange of personnel at high policy levels. I would emphasize that I am not speaking of a conspiracy or even a conflict of interests, but rather the dangers of shared common outlook.

For this reason, I would have preferred to see Mr. Packard's great talents used in some other department of the Federal Government. But, I also believe that President Nixon should be permitted to exercise the prerogative of selecting the men he wants to fill the policy posts of his administration.

I shall support the nomination, but at the same time, I am compelled to raise this warning flag and to express my hope that Mr. Packard will recognize the sometimes subtle distinctions that arise between what is good for our defense industry and what is good for the United States. Often these interests coincide. Sometimes they do not.

I am sure Mr. Packard has the intelligence, toughness, and ability to keep a firm eye and hand on our generals and admirals. And, I am confident he will make a conscientious effort to approach defense policies with a broad perspective. But because of his background, it may prove more difficult for him than for someone whose business career had not been so closely related to the growth of the defense industry.

I wish him well.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY FORMER POSTMASTER GENERAL WATSON

Mr. McGEE. Mr. President, last Friday Hon. W. Marvin Watson delivered his farewell speech to personnel of the Post Office Department. It was brief, as was Mr. Watson's tenure as Postmaster General of the United States. But service in such a position cannot always be measured in time. Mr. Watson performed his appointed tasks well and deserves much credit upon leaving his office to his successor, Winton M. Blount, with whom we on the Committee on Post Office and Civil Service look forward to working in the months and years ahead.

Mr. President, I ask unanimous consent that Postmaster General Watson's remarks to the personnel of the Post Office Department headquarters be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON, BEFORE POST OFFICE DEPARTMENT HEADQUARTERS PERSONNEL, WASHINGTON, D.C., JANUARY 17, 1969

I appear before you today a little less than three quarters of a year since I raised my right hand and promised to serve the American people as best I could.

As I glance back over the months, I am surprised by the contradictions of time.

On the one hand, it seems like only yesterday.

On the other hand, the depth of my involvement in postal matters stretches that time into a long vista crowded with people and programs.

It is the people who stand out most vividly in my mind.

Thousands and thousands of them.

The deaf clerk laboring calmly in the roar of machines.

The proud employee being recognized for a job well done.

The slim, dark girl, a summer employee, straining to lift a mail sack.

A labor leader, intent and effective, now no longer with us to share his concern for the postal family.

The faces speed by, and I remember the eyes. The indifferent eyes, the hostile eyes, but for the most part the friendly, committed eyes, the eyes that said "The working conditions are pretty bad, but we've got a job to do."

Yes, I remember those eyes and those faces, good faces, American faces, the faces of the army of men and women who are involved with one of the most crucial tasks of our whole society: moving the mail.

And I remember too the programs that were like mountains, each one had to be climbed, each one presented difficulties, each one advanced the postal service in ways large or small.

Equal employment opportunity, safety training, supervisory examinations, air taxis, standard government envelopes, settlement of labor issues, Postal Forum II, Project Transition, craft training, expanded Postal Service Institute, gun shipment regulations, Vietnam mail, the list is long and stretches far beyond these items I have cited.

But perhaps two actions stand out most strongly in my mind.

One was destructive and could have produced serious injury to the postal service.

The other deals with construction, progress, opportunity.

One action was unrealistic; the other was founded on fact.

The destructive, unrealistic action resulted from an attempt to force the Department to move 8.4 billion additional pieces of mail with 83,000 fewer people.

I suppose this was a kind of backhand compliment to the ability of our workforce to produce miracles. But prudent management does not involve miracles; and the provision of law, if allowed to stand, would have crippled operations. And so we fought that provision, and we won.

So much for the negative end of the spectrum.

The positive end was revealed two days ago, when I unveiled a plan that involves changing the structure of the postal service, the structure of postal rates, and the way wé process the mail.

These plans will require first class leadership and business know how.

I have said before—and I repeat now—"I am convinced that the seeds have been planted to make this the most memorable period for a Postmaster General since Ben Franklin or Jim Farley. Hence, my successor, Mr. Winton M. Blount, will be in the position of being able to make the greatest contribution to the postal service in modern history."

I wish him well. And I know that you will give as freely to him of your talent and time as you have to me.

An incoming Postmaster General always faces many problems, and I hope that each and every person in this room will do what he can to diminish those problems, to smooth the transition, and to help Mr. Blount speed the mail.

As I move toward those last hours as your Postmaster General, I want to thank you for all you have given me.

Though my time in office has not been long, I can recall so many instances of personal sacrifice and personal loyalty and dedication, that I know these months will always have a special claim on my sentiment and a special place in my memory.

I hope I have deserved all your past support and loyalty.

And now, as tradition directs, I will present to you and to the Department this portrait, painted by Deane Keller, whose sister Caroline is here with us today.

I hope this small token of my esteem for you will help to keep alive the memory of one who tried to give you no less than his very best.

AN ELOQUENT TRIBUTE TO A GREAT PRESIDENT

Mr. BAYH. Mr. President, yesterday's papers contained a column by Roscoe and Geoffrey Drummond that represents one of the finest, most eloquent, and most deserved tributes to President Johnson I have ever read.

The Drummonds are not stingy in their estimate of this great President. They do not say he succeeded domestically but failed in the area of foreign policy—or the other way around. They are unhesitating in their praise of both areas.

During his 5 years in office—

The Drummonds assert—

Johnson has confronted more difficult crises than most of his predecessors and most of the time he has made the right decision at the right time for the right reasons.

The columnists believe that history will vindicate Lyndon Johnson and reserve an honored place for him.

I think so, too. And I ask unanimous consent to have this fine tribute to President Johnson inserted in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

GRANT, HARDING, AND L. B. J.

(By Roscoe and Geoffrey Drummond)

WASHINGTON.—There is no need to wait for history's verdict on the Presidency of Lyndon B. Johnson.

During his five years in office Johnson has confronted more difficult crises than most of his predecessors and most of the time he has made the right decision at the right time for the right reasons.

A weaker, less determined President might have faltered. Lyndon Johnson faltered hardly at all and the result today is that in the cause of peace, in the cause of racial justice, in the cause of ending poverty the Nation has at most points been lifted up to a forward road.

This isn't just opinion without proof. And it is a judgment which we believe is shared by the next President of the United States. Richard Nixon is showing he intends to build on the innovative measures of the Johnson years and carry them forward, not undo them at any major point.

At the moment LBJ himself is tending to put a low-key estimate on his record. "We tried," he is saying. The record is far better than that. Johnson not only "tried", he succeeded.

He has done more than any previous President to make better education available to more students from elementary schools to college.

He has done more than any previous President to make racial justice a reality in America and to enable black citizens to lay hold of their civil rights and voting rights.

The anti-poverty program fumbled and faltered in some of its execution but Lyndon Johnson is the first President to focus national attention on the problem of so much poverty in the midst of so much affluence and to galvanize the conscience of the Nation into beginning to do something about it.

The Kennedy-Johnson years have been marked by a longer period of sustained prosperity and high economic growth than ever before. LBJ brought about a tax reduction when it was needed to stimulate the economy and, however tardily, persuaded Congress to increase taxes when it was critically needed to restrain the economy.

In all of these areas and in others Johnson succeeded in persuading Congress to enact the necessary legislation. It was a remarkable achievement, but not LBJ's alone. He was helped by two decades of advocacy and national debate which crystallized public support. Johnson inherited this public support and used it brilliantly.

In foreign policy the achievement to which history may pay the greatest attention is that the Johnson Presidency avoided nuclear war and helped to negotiate the nuclear nonproliferation treaty.

It is too soon to attempt a verdict on the Vietnam War because the wisdom of our defense of South Vietnam will be judged by the kind of peace which emerges from the Paris talks.

Johnson made these talks possible by stopping the bombing of North Vietnam and he did so not because of the pressures from his critics at home but because Hanoi finally accepted the conditions which he said would make ending the bombing possible.

And he gave up running for re-election at a time when there was every probability he would be re-nominated and when most political reporters thought his chances of reelection were better than even. He did so in the cause of peace.

Today Lyndon Johnson is leaving office

under a cloud of animus and hostility, primarily because of the democratic liberals who didn't like his style and his Southern accent and because of the anti-Vietnam war critics who felt that the U.S. did not have enough at stake in Southeast Asia to defend a small country so far away.

But the two greatest Presidential failures of the last hundred years—Ulysses S. Grant and Warren G. Harding—left office in the sunshine of popular praise.

The verdict of history corrected these two misjudgments and will likely correct the other.

A PLEA FOR EQUAL PROTECTION OF FARMERS AND CONSUMERS

Mr. MONTOYA. Mr. President, we shall soon be asked to act upon the nominations of a new Secretary of Agriculture, an Under Secretary, and respective Assistant Secretaries. These gentlemen, I am confident, are loyal, able citizens who comprehend the magnitude and implications of the high offices for which they have been or will be designated, and who conscientiously believe in their ability to discharge these responsibilities with consistency and dedication.

I am certain they share with all of us a sympathetic understanding and a driving determination to meet the problems of agriculture—America's first and most basic industry—and to bring the farmer and the rural American into a just and sound relationship with their fellow citizens.

Much has been said recently about whom the Secretary of Agriculture and his deputies should represent in the hallways of Government and at the crossroads of America. I submit that in actuality there is not, and should not be any basic conflict between our Nation's farmers and their city brethren.

Abundant yet stable supplies of quality food and fiber are as important to our farmers as they are to our consumers. Fair prices for agricultural products are as fundamental to the viability of our urban economy as they are to the economic livelihood of rural America.

Thus, it is upon these premises that I implore these new spokesmen for agriculture not to turn their backs upon urban America—as has been suggested—to become mere one-sided advocates with short-sighted vision. Their new responsibilities include obligations to protect with vigor the interests of American consumers—and by so doing, they will be protecting the best interests of American farmers.

I have followed with deep interest the evolving cause of consumers, and their formation of local, State, and national organizations to more forcefully represent their basic rights in the halls of Government. I am convinced that these emerging voices are here to stay—their goals are not devious, nor are their interests negotiable in any way.

Much has been accomplished in the past 5 years to rid the marketplace of those evils perpetrated by a small minority who seek to take advantage of the shopper's vulnerability. Our food supply—which on the whole is the best and safest in the world today, bar none—unfortunately has not been totally immune to those few who would seek its pollution. Consumers, however, have spoken with distinct clarity that they will no longer tolerate conniving practices and tainted products wherever these occur. This is as it should be

It is my fervent hope, therefore, that the new administration in the Department of Agriculture will insure that existing consumer protection measures will receive equally vigorous attention as do the economic problems of our farmers. Further, I would hope that those consumer protection responsibilities within the new Secretary's purview are fully and fairly implemented—not only for the life and health of all Americans, but for the economic well-being of the Nation as a whole.

I wish the incoming Secretary and his deputies the very best of good fortune. I trust that they will guard the consumer interest as persistently as they do the farmer's. As the author of the Wholesome Meat Act of 1967 and the Wholesome Poultry Products Act of 1968, I can assure them that I shall watch the policies of the Department of Agriculture as they affect consumers with the same deep, abiding interest with which I follow the programs for our farmers and rural America.

THE MISSING PERSONS SECTION OF THE PITTSBURGH POLICE BUREAU

Mr. SCOTT. Mr. President, our law-enforcement personnel perform one of society's most challenging and necessary roles. Sadly, it is often a most unappreciated role.

The January 1969 edition of the FBI Law Enforcement Bulletin contains an excellent article entitled "Service With Compassion" which discusses some of the experiences of the Missing Persons Section of the Bureau of Police of Pittsburgh, Pa. In Pittsburgh, policewomen are primarily responsible for investigating missing person cases and render a unique contribution in this area.

I commend this article to Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SERVICE WITH COMPASSION

(By Capt. Therese L. Rocco)

Although there is widespread recognition of the importance of women in law enforcement, little is known of the various aspects of the specific duties they perform.

In some cities the policewomen are directly under the command of a male chief, and they are assigned to a juvenile bureau or crime prevention division, charged with preventing delinquency among young people and working with women.

In Pittsburgh the policewoman is primarily responsible for investigating approximately 2,800 missing persons cases reported annually. She also participates in other areas of police work relating to crime prevention and apprehending criminals.

Although the old saying, "Never underestimate the power of a woman," might be applied to a policewoman, there is no evidence that ladies of the law are about to take over; but when it comes to handling missing persons problems, there is no substitute for a compassionate and intelligent policewoman who knows something of human nature.

The missing persons section is a division of the city's detective branch, which comes under the direct supervision of Assistant Superintendent Eugene L. Coon. The staff comprises 20 policewomen who are empowered with the same authority as the 1,600 police officers assigned to the Pittsburgh Police Bureau. They are on call 24 hours a day, 7 days a week, and work with the police wherever and whenever a policewoman is needed.

DUTIES EXPLAINED

As captain of the policewomen, I have the responsibility of supervising the missing persons section, in addition to supervising the matrons quarters of the department where seven policewomen are detailed. These seven women handle missing persons and other investigative work whenever they are not involved in their normal duties.

The hundreds of cases which are filed in the missing persons section are broken down into many categories: missing and runaway children; unhappy adults, married or single, who deliberately leave home; senile, mentally disturbed, or retarded people; and those who disappear without any apparent reason.

Many methods and techniques are employed for locating missing people. An evaluation and information form is filled out for each case and teletypes dispatched to all points necessary. Some policewomen are detailed to answer the phones daily, while others conduct the casework. The policewomen check out the various transportation depots, talk to school authorities, check hospitals, and interview members of the family and all other contacts the missing persons might have had.

Missing children naturally receive the most attention. Every case involving a missing child is received with the ever-present possibility of accident, kidnaping, or murder. Many times the missing child may just be visiting in the neighborhood, sleeping in the family automobile, or sulking in the bedroom closet. Sometimes the termination of the case is not a happy one, as in the case of Henry, a 6-year-old boy who left his home on February 27, 1967, never to be seen alive again. His body was recovered from the Allegheny River several days later. It was quite evident that the youngster, who was very much in the habit of playing by the river bank, had met with a fatal accident.

SOME TRAGIC CASES

A horrible tragedy involving another child, 4-year-old Maryann, started with a missing persons report and ended with the police discovering her brutally beaten body under the stairwell in the hall of a neighbor's home. Maryann was reported missing after her mother told the district police that her daughter went to the next door roominghouse to play with two children but did not return home. The mother of the two children emphatically denied having any knowledge of Maryann's whereabouts but admitted to police that the child had been there and had gone.

Police scoured the entire neighborhood, with the assistance of a special service squad and auxiliary police. Our policewomen questioned nearly all the small children in the neighborhood. The search lasted for 6 hours, when the police finally found the body in the roominghouse stairwell. The woman at the roominghouse was asked to come to headquarters for questioning, and she gave three different versions of what happened to the little girl, yet fully maintained her innocence of any involvement. She finally admitted that she was responsible for the child's death, had beaten her in a fit of rage, and accidentally scalded her body. She was convicted of manslaughter.

In 1962 the disappearance of a 10-year-old girl stirred up one of the most intensive manhunts ever conducted in Pittsburgh.

Boy Scouts, auxiliary crews, the canine corps, and others joined with hundreds of police officers in the search. Numerous calls from sincerely interested people were checked out by policewomen, who spent many hours in playing games with friends of the missing child, hoping to pick up clues, no matter how slight. These efforts were fruitless.

This case remains a classic in the missing persons files and is still under active investigation. The tangled circumstances surrounding the disappearance of this child leaves us no alternatives but to believe that she did meet with foul play. The facts that she came from a broken home and was an overfriendly, sensitive, and lonely child channeled the investigation in all directions. This led the missing persons section to try many theories, none of which were successful. The child has not been located.

RUNAWAYS

The work of the policewoman directly involves runaways. An investigation of the youngster's background is generally completed on every case. In situations involving missing children, it is important to obtain recent photographs, names of their playmates and associates, and locations of their hangouts, theaters, and other places of amusement.

In most cases involving females, the policewomen may run into complicated situations which require a tremendous amount of investigative and referral work, as in the case of Carol "X".

In March 1964, Carol—a chunky, brown-eyed girl of 14—disappeared, leaving a note that she was unhappy with her home environment. Her stepfather was known to abuse her from time to time and her mother was on the verge of becoming an alcoholic. Three months later we finally traced her to a plush apartment in Pittsburgh where she had been prostituting for three known criminals. These men had been arrested numerous times on morals charges, all involving young girls. Carol was taken into custody and voluntarily submitted a statement which led to the arrest of seven male adults. All seven were tried, found guilty, and sentenced in Allegheny County criminal courts.

WHY DO THEY RUN AWAY?

When runaways from other cities are picked up, they are always questioned by policewomen before they are turned over to juvenile authorities. The stories they tell often sound reasonable. They say they are of age to be on their own, or they have parental consent, etc. Generally, the policewoman learns that they are away from home or an institution without permission. The policewoman must be careful not to arouse suspicion until their stories can be checked.

On June 16, 1967, Mary Elizabeth "X", while in the company of a known criminal, was taken into police custody. Anyone might have believed her when she said she was 22, but not the trained policewoman. After being questioned, she admitted her actual age, 12, and that she was a runaway from a State institution in Michigan.

The main reason so many youngsters run away stems from the inability of the parents to provide the attention, love, and discipline children require. In Mary Elizabeth's case, she was lonely—her parents placed her in an institution and never even bothered to visit her. This 12-year-old was later turned over to the Juvenile Court in Allegheny County and subsequently returned to Michigan.

Very few parents are able to cope with the anxieties and frustrations they must endure for that period of time when their children are away from home. In a state of panic they call the missing persons section several times a day. Other parents insist that information is being withheld from them or that more can be done on the case. On the other hand, so-called irresponsible mothers and fathers, afraid of what the neighbors might think, wait days or weeks before they file a missing persons report. Others demand that their child's photograph be shown on television, but they fail to realize that the schoolday photograph of the youngster may no longer resemble the scruffy girl or the long-haired, bearded boy of the present.

Surprising as it may seem, parents usually are the ones who know the least about their children. They will make such remarks as: "I can't understand why my Jane does not want to live at home." "This is not at all like Mary!" or "I know my child better than that!" Children generally have very little to say about their parents, but what they do say is most likely to be said in a derogatory manner.

ALSO UNITE FAMILIES

Subjects over 18 years of age are considered adults and, of course, pose an entirely different problem. Many times we find 19- and 20-year-olds living 3,000 miles away from Pittsburgh. These people are working and happy—they just want to be lost.

We will admit that one of the biggest dividends of our section is to unite people. Sometimes both sides need a third party to bring about a reconciliation.

Husbands and wives leave home for a variety of reasons, and we make every effort to locate them, particularly if there are small children involved. When we do locate these people, we must be very confidential and remember at all times that we are dealing with people's lives. We cannot force a woman to return to an abusive husband, nor can we tell him where she is.

In July 1963 a young man whose wife walked out on him came in to file a missing persons report. He demanded that we tell him where she was living. In the interim she contacted us and asked that we not reveal her whereabouts, as she had a dreadful fear of him. She maintained he was unusually cruel to her and had threatened her life on numerous occasions. The woman remained with relatives out of the State while the husband persistently demanded that we locate her. Six months later the young woman returned to Pittsburgh and took up residence with her father. The irate husband subsequently learned of this and shot and killed them both before committing suicide.

MISSING HUSBANDS

Most husbands leave under unusual circumstances, as in the case of Carl "X", who headed his car toward the river Sasilaw in the State of Oregon on December 5, 1965. The car careened down the slope into the river, where it hung on the edge, to be found a day of so later with the doors open. The occupant was presumed to have drowned, and his wife and children accepted the findings of the authorities. A widespread search for him over 13 months did not disclose a trace, until January 1967, when the supposedly "drowned" man was picked up by the Pittsburgh Police and charged with vagrancy. He was turned over to the missing persons section, where positive identification was made. The policewomen then checked with Oregon authorities, and at this point Carl told the policewomen he was happy to stop running and wanted very much to end the mystery surrounding his "death." Ironical as it may seem, he did not only play dead, but he also took another wife under an alias. He was charged with desertion, abandonment, and nonsupport, as well as with bigamy. He was extradited to Oregon to answer to these charges.

Married persons who skip home can be found almost anywhere, yet some are never located. This, of course, depends on how well they conceal their identity and whereabouts. Seven years after a person is reported missing and all efforts to locate him have been unsuccessful, the case can be brought to court and he may be declared legally dead. Policewomen who conduct these investigations are, as a matter of record, subpoenaed to appear in court with their files.

The senile wanderers, amnesia victims, and mentally disturbed are the responsibility of the policewomen, and when handling these cases, they must use as much tact as possible. These people are generally returned to institutions or to their families.

Margaret "X" was unable to remember her identity as a result of amnesia. She came to the attention of policewomen in August 1962. She was a well-dressed, elderly woman who walked up to the Travelers Aid desk at the downtown Pittsburgh bus terminal and asked the clerk on duty, "Who am I?"

PUZZLING AMNESIA CASE

This turned out to be one of the most complicated amnesia cases. Frequently these cases are cleared up in a matter of hours, but this one took almost a month. The missing persons section began an intensive investigation, check of files, hotels, airlines, abandoned luggage, etc. She was detained at a psychiatric hospital while her case was being handled. Though the woman could not remember anything about herself, the missing persons section established that she was possibly a nurse from Chicago.

Publicity and clippings were sent to Chicago. Her landlady recognized her photograph and contacted us. The amnesia victim was a traveling nurse who often took extended trips with her patients; therefore, she was not reported missing in Chicago. Margaret was transferred to a State hospital in Illinois. She has since recovered and resumed her occupation.

Life in the missing persons section can sometimes be hectic, but it is not all grim. The policewomen sometimes may receive a call from a frantic person reporting a dog missing, or a young man who would like us to locate an attractive young blonde he met several years ago at a ballpark.

We work very closely with the Travelers Aid Society, Domestic Relations Court, social workers in hospitals, and many other agencies throughout Allegheny County. The largest part of our work involves juveniles, and we spend most of our time receiving and processing reports of runaways and conducting investigations to locate them.

Perhaps the policewoman's lot would be an easier one if parents would give their children the love and care they deserve. It is my earnest opinion that there would be far fewer incidents of delinquency and maladjustment among our young people if parents would devote more time and attention to their offspring.

ENCOURAGING LOCAL SPENDING

Mr. CANNON. Mr. President, when a small rural community finds that its biggest economic boom of the century is actually reinforcing its economic dependence on another town, what can it do to encourage local spending and keep the money home?

The town of Carlin, Nev., has taken a major step toward solving this problem by successfully attracting a new—and the community's only—bank. Spearheading this venture were the efforts of the 30 members of the Carlin Lions Club, whose project leaders, A. B. "Boomer" Simpkins, Vernon Scott, and John Napoles, worked tirelessly to drum up local support.

Mr. President, the December 1968 publication, the Lion, tells the story of their determination and success. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Carlin Gets Its Bank

(By David Toll)

You'd think that Carlin Lions would know when to quit. For 98 years their small community tucked away in northeastern Nevada had got along without a bank. And when club members set out to attract one, Carlin was at its lowest ebb.

Even during the early years, when Carlin was the bustling end-point for the Central Pacific Railroad Humboldt Division, with most of her population employed in the roundhouses, machine and repair shops, and as operating crews, Carlin got along without a bank.

And when the rich gold and silver strikes were made at Tuscarosa, Cornucopia and Aura to the north, Carlin became the railhead for the ore shipments; she got along without a bank.

If she ever really did need one, local reasoning went, why, a banker would come to town and open one up. In 1880, Carlin's residents could look back happily over the town's first 12 years of life: from home for a solitary settler, Carlin had grown to contain over a thousand people, 17 places of business, "one telegraph office, one express office, one physician and one jail."

But by the turn of the century, the mines to the north had faltered and failed; Carlin's population staggered and fell in sympathy.

There was still the railroad, and for 50 years Carlin survived as a railroad town pure and simple.

Then, when diesel engines replaced steam locomotives, the local economy took a second, deeper plunge. With diesel power, 100-car freight trains made better time than the old 15-car highballing passenger trains. Carlin's roundhouses were dismantled, and her icing plant was torn down soon after. Operating crews were transferred wholesale.

Other advances in technology contributed further to Carlin's decline: with telephones, teletype and radio at his disposal, a single communications specialist can handle more traffic than a dozen telegraphers in the old days. From a 1950 high of 1,800, Carlin's population tumbled to barely a thousand by 1960.

The town was back where it had been in 1880—but instead of a rosy future of growth and prosperity, local residents saw further decline ahead.

Then in 1963, mining took a dramatic upsurge in the area. The Nevada Barth Mine was shipping iron ore to Japanese and domestic mills, and the giant Newmont Mining Corporation opened a mammoth gold mine in the Tuscarora Mountains.

Excitement hung in Carlin's air like ozone! With three large payrolls, Carlin promised to be the most affluent community in the county.

Residents were quickly disillusioned. With no doctor, no dentist, no lawyer—not even a full-time insurance agent—Carlin offered few attractions to the families who came to work the mines. Most of them chose to live in Elko, the county seat 25 miles to the east, even though it meant traveling 50 miles every day to work and back.

And since those who did live in Carlin had to bank in Elko anyway, they did most of their shopping there, too.

Says Lion A. B. "Boomer" Simpkins, "When we realized that our biggest economic boom in half a century was actually hurting the town—by reinforcing our dependence on Elko—we realized we had to get busy and do something about it."

"We" in this case were the 30 members of the Carlin Lions club, the small community's only service organization. The membership decided to give priority to the project of attracting a bank to Carlin.

"We decided that having a local bank would accomplish two major objectives," says Lion Simpkins. "First, it would keep local money right in town, which would in turn encourage local spending and strengthen our economy instead of Elko's.

"Second, it would give us our own source of credit and a banker who would know our situation first-hand. We felt if we could have these things going for us, the other community projects we anticipate would be far simpler to accomplish."

Simpkins was appointed to a project committee with Lions Vern Scott and John Napoles to get the job done. The men went to Elko to talk to the officers of the two major Nevada banks that maintain branches there. Overtures to one of them resulted in an economic survey by the bank and a midwinter meeting at which the request for services was regretfully declined.

"We couldn't really blame them," says Lion Scott. "They already had about half the business in town, and they just didn't see much benefit from investing in a local branch to get the other half."

The committee then turned to the state's smaller banks. Maybe they would relish the opportunity to open a branch in new territory. They wouldn't. For some it was too far from their Reno or Las Vegas headquarters for easy administration. For others the prospect simply wasn't promising enough.

With no immediate expression of interest from the state's bankers, the committee began to explore the possibility of establishing a local bank with the support of the town's business community.

"Starting our own bank was really a last-gap idea," Lion Scott recalls. "We had met or corresponded with every banker in the state, and with government officials on every level. And the more we talked with them, the more we realized how absolutely necessary a bank was to Carlin's future."

Community support for the project alternately glimmered and waned as the months passed without result. Then, eighteen months after the project began, John Napoles received a phone call from Charley Ballew, Elko-headquartered regional vice-president of the Nevada Bank of Commerce.

"John, there's a fellow in town today I'd like you to meet. Could we see you in Carlin this afternoon and have a look at the economic figures you've been gathering?"

They could and did. Ballew's guest was Stuart Webb, a spruce young former Philadelphian who had recently assumed the presidency of his bank. Webb was to the point: "You fellows have an interesting situation here, and I'm inclined to go along with your request for a branch bank. But there are a few things I need to know."

Webb outlined the bank's requirements for establishing a branch, asking the Lions to furnish information about the community, says Napoles. "The bank was pretty well-up-to-date on our situation here and was just beginning their period of growth. The most important element in the decision, I think, was Mr. Webb's feeling that his bank's state charter carried with it the responsibility to provide services once we had shown a legitimate need."

Banker Webb cited two more reasons for his decision to open a Carlin branch: "Any group of men willing to invest the time, energy and patience the way the men in Carlin did can count on a hearing from me. And don't forget, they showed us facts to substantiate a profitable operation, too."

Once Webb's decision was made, the Lions received unlimited support from the town's governing board—to the extent of donating a parcel of municipal land to the bank. The offer proved unnecessary. The bank was willing to purchase the land for the branch.

Immediately, property owners pushed prices up through the roof. And once again the Carlin Lions lent their services to the project, this time by conducting preliminary negotiations which eventually resulted in an equitable purchase.

In September, 1966, just short of two years after formation of the project committee, Carlin had its own branch of Nevada's largest state bank.

Progress to date has more than met the expectations of the bankers. It has eased the worries of town fathers, too. "We were facing a situation as serious as a forest fire here," says a member of the town board. "It just wasn't as dramatic. The Carlin Lions club saved us ten years of fire-fighting—it's as simple as that."

Now, too, there's a safe place to keep money in town. Lions club director Vernon Scott used to bring in large sums of money from Elko to cash paychecks for his customers. He's lost over $7,000 to robbers in cash and damage to his grocery store.

Thanks to the Lions club, Carlin has a bank but still has no doctor, no lawyer, no dentist—not even a full-time insurance agent.

For most residents of this small rural community, the bank's arrival signals more than the end to an economic slump, it means the beginning of a new era of growth.

"Now we'll see what we can do about an overnight trailer parking area," says Napoles. "And maybe we'll be able to tackle the clinic project again."

If they begin the clinic project right now—a project many call hopeless—you'll probably be reading about the Carlin Clinic by 1970.

BUCKS BY BOAT

Mr. MUNDT. Mr. President, a recent issue of Field and Stream contains an excellent article entitled "Bucks by Boat," written by Hank Bradshaw. The article outlines the wonderful deer hunting in South Dakota. South Dakota for years has been known as the pheasant hunting capital of the world, and this article indicates that it is rapidly becoming one of the finest deer hunting areas in the world.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Bucks by Boat

(By Hank Bradshaw)

In the slow sunrise of autumn, the outboard motor puttered our boat along a steep shale slide bordering South Dakota's 200-mile-long Lake Oahe, a huge impoundment on the Missouri River, as we glassed the amber grass ridges and shaded brushy draws of the broken shoreline for mule deer. For a moment, I lowered my binoculars to study the overall picture of this wild, unpopulated prairie which, although the river had all but disappeared in the reservoir, is still known as the "Missouri River breaks."

Not a tree cut the monotony of the rolling skyline; only brush and an occasional stunted juniper dotted the velvety appearance of the knobs. The deep, eroded gashes separating them looked as if they had been made with a gigantic ax which laid the flesh of the land back to burn in South Dakota's warping sun. I felt a sense of wonder at this vacant land, so remote and secretive.

Hunting deer by boat, as we were, was a new experience for me—and was part of the reason I had come to this area since I'm a sucker for new ways to hunt and fish. The other reason was the buildup my hunting companion, Fred Priewert, Chief of Game for South Dakota, had given me. "We will see so many deer in one day," Fred had written, "you'll think it isn't real. We'll have a good chance of getting a trophy buck."

The rest of the dope was that does were legal but so plentiful they wouldn't offer a challenge, so we wouldn't be shooting any of them. The procedure would be to spot the bucks with binoculars from the boat, then go ashore (shooting from a boat is illegal) and stalk them. Hunting would begin thirty minutes before sunrise and end thirty minutes after sundown. The season opened October 28 and continued to November 5, then reopened for three days on November 24. My number had been drawn for one of the nonresident permits in Stanley County, which borders Lake Oahe on the west.

With so much glowing opportunity, there usually is a handicap. This time it was weather. On opening day, a severe cold wave accompanied by high winds hit South Dakota. But early on this miserable morning, we had trailered Fred's 16-foot outboard and 20 h.p. motor (with a 3 h.p. spare) to a bay on the eastern shore twenty-five miles north of his home town of Pierre. With us was Mark, Fred's 15-year-old son, already a veteran deer hunter with a record that could be envied by many adults: he had killed a good buck every season since he was 12, the minimum age for a license.

The Stanley County section Fred had chosen for our hunt lay two miles across the channel of Oahe, on up to Red Woman and Snake Creek bays. Crossing the channel in the dawn light proved to be no lark and I hoped that this would not be the pattern for the ensuing days. The prairie wind bit cold out of the northwest and chilling spray from the churning lake splashed over us all the way. But when Fred entered a sheltered bay, it was like driving into a garage. It was here, while glassing for deer, that I became aware of the fascination and beauty of this open land.

Fred made the first find. "There they are," he half-whispered. Quickly I picked up the deer in my binoculars—thirteen white rumps and throat patches. Standing in the deep shadows of the eastern slope of a hill, they were untouched by the rising sun. Eagerly, I searched for antlers.

"There's a buck," Mark blurted. "See him? Third from left, behind that silver sage."

I saw him, too—a three-point yearling. Not what we wanted, but thrilling. His were the only horns we could spot. Fred decided we would go ashore behind a little ridge that ran up to the crest of the main hill. The ridge would shield us from the deer. Mark, whom we had decided would get the first shot, would sneak on up the hill behind the ridge and survey for a bigger buck. Fred and I would crawl to the ridgetop near the boat to guard the sloping valley in case Mark scared up a good one. "Look good," Fred cautioned Mark. "There should be a big buck with that herd, but he may be lying off to one side."

Fred and I crawled up the ridge and lay down among the small stones and grass and cactus. I was ready with my .30/06. The little buck was about 125 yards away, and if we had been hunting only for the pot, we could have filled our limit from among the deer in this group. But we were after size. I wanted a big buck or nothing; so did Mark. Fred, who has killed many trophies, wasn't that fussy but decided he would try for size for a few days before thinking about a small buck.

The deer must have seen Mark glassing them, for suddenly they all looked toward him, then wheeled and bounded away over the skyline.

Mark came down. "There was nothing worthwhile," he reported. "Only a little forkhorn up there."

In the next bay, I spotted a doe and two fawns sprinting just beneath the crest. "The muleys are moving." Fred told me, "but when the sun gets stronger, they'll be bedding down for the day. The bucks will let us go right by unless we spot them in their beds. Be sure to search the draws and brush clumps for an ear, antler, white throat, or rump. Don't scan, look *through* the brush."

We saw deer in almost every bay and most of them saw us. Some were lying down, some standing, some feeding. One doe with trailing triplets loped away; several had twin fawns. One pack of eight does, big fat creatures, paid no attention to us. With some groups of females ran a forkhorn buck, sometimes two, and occasionally a three-pointer. But no big ones. Even here in the Missouri breaks the big old boys were proving very cagey and difficult to find.

"It may be the big bucks are running alone, not yet with the does," Fred surmised, almost to himself. "Usually the opening comes a bit early for the rut—the bucks are ready but the does aren't. When the does are ready, the big bucks will move in and chase off the little bucks."

It was becoming clear to me that hunting deer by boat is a great way to see a lot of deer. Already we had counted more than forty, almost all within shooting range. I realized, too, that we were covering considerably more ground than we could have on foot or horseback. We had gone about ten miles (west and north) from our starting point and, with the day only beginning, had already worked several bays.

From Fred, I learned that one of the reasons deer are so plentiful along Lake Oahe is that few hunters realize they can be hunted by boat. In the week we hunted, we saw only two other boats, one pickup truck, and one inhabited farmhouse. Access to the breaks by land is a problem; the few roads into them are gumbo. If it rains or snows, even with a 4-wheel-drive vehicle, you are there until the road dries. Of course, there is a catch to boat-hunting Oahe, too. There are no windbreaks and the lake easily whips into a fury. In some places, the almost incessant prairie wind has a 20-mile sweep over water. Waves can be enormous. Fred has spent many nights on protected points waiting for the sea to calm. There is no alternate way out, no havens except the bays. Oahe is not for the inexperienced boatman, nor for a boat any smaller than Fred's. Fred is a master boatman, raised among Wisconsin's lakes.

It was about 11 o'clock when we saw our first good buck. We were motoring close to a cut bank, with a grassy shelf halfway up and a slide above that. Again, Mark spotted the buck first. "See his antlers?" Mark excitedly pointed. "A big one!"

I couldn't pick him out, but Fred did. He whispered that the buck was lying about 20 yards away, in a hole, with only his antlers and part of his head showing.

"Easy, easy," Fred tried to quiet Mark. "Get your rifle ready. When I touch shore, jump out, take your time—then shoot!"

But Mark was already standing in the boat, ready to leap for land. Suddenly, the buck got up, startling me. I wanted to reach out and grab an antler, he seemed so close. Mark jumped to shore, dropped to one knee, and aimed. "I can't find him in the scope!" he yelled. Sweeping through my mind raced the thought that with a buck this close, a scope is a liability. Mark should have my rifle with open sights.

As the buck bounded, I could see he was a big whitetail with four points, maybe five. He was loping, not fast. Mark fired, missed, worked the bolt and his gun jammed. The buck was getting away. Mark never had shot a whitetail—only muleys—and he wanted one badly. Now, with the chance fast disappearing, he desparately clawed out the offending cartridge, aimed again. He shot too quickly. The buck didn't alter his lope. When the deer reached the top of the ridge, Mark fired a third time and missed. The deer disappeared over the ridge.

"Follow him!" shouted Fred. "We'll pick you up in the next bay."

Away we went, motor wide open. Mark, in football condition, ran uphill almost as fast as the deer. But none of us saw the big whitetail again.

What that lone whitetail buck was doing on Oahe will aways be a mystery. Perhaps he was a relic of the time before Oahe Dam was closed several years ago. Then the Missouri River rambled with offspringing chutes and sandbars and all kinds of thickets, and whitetails as well as the muleys called it home.

When the closure came and the countryside flooded, this deer habitat was covered with water. The whitetails disappeared. The muley herd diminished. But now there's a population explosion among the mule deer. In Stanley County, resident deer permits were increased from 150 to 300. An added five percent of this number went to nonresidents. I was one of the fifteen lucky applicants who received a tag.

In all of South Dakota's prairies west of the river, 15,220 resident licenses were authorized and 14,000 sold. A total of 750 nonresident licenses ($35.50) were authorized, but only 400 sold. So you can see that South Dakota's western prairies are not overhunted, despite the fact that mule deer are just as abundant in other areas as along Oahe.

Our next chance at a big buck did not come for three days. This was a calm, warm afternoon when Jim Sprague, of the Game, Fish, and Parks Department, brought the department's big pontoon boat up to hunt with us. With Jim was John Wooley, Associate Press correspondent in Pierre. On the way, Jim had shot a fat three-point buck. We met for lunch and lounged away the deer-siesta hours until 3:30. Then Fred took John with him in the little boat while Mark and I hunted with Jim in the pontoon affair. After the little boat, this was real luxury, and its shallow draft enabled us to work the bays.

The sun was setting when Jim, Mark, and I turned into the last bay we planned to hunt. The bay had several small fingers running off it. As Jim made a turn into the second one, Mark sang out, "There's a whopper!"

I saw the buck, shadowy at the far end, drinking. But at the same time he saw—or heard—us, for he turned and trotted out of sight around the bend of the hill bordering the finger. His rack gave me goose pimples; even in the dimness it looked like a rocking chair.

We had decided that the second chance would be mine, since Mark missed the whitetail. "Grab your rifle!" he called. "Let's go!" He left his gun on the boat and we leaped off the bow as soon as Jim nosed the boat ashore. Uphill we raced to try to spot the big muley from the top. It was a long steep climb and I soon found myself puffing so hard I knew I'd never be able to shoot. So I slowed. Mark raced on, reached the hilltop, peered over, dropped back and practically went crazy. "Hurry! Hurry!" he pleaded, waving an arm wildly for me to come. "He's standing there, big as a barn."

I gave it all I had. Reaching the top, I threw myself to the ground, panting heavily, and leveled the gun across the ridge, looking over the barrel for the buck. The end of the muzzle was wobbling like a feather in a wind. Then I saw him, 200 yards away, trotting now, sharply silhouetted against the yellow sunset sky. His rack—well, hunters dream about racks like that.

"Shoot! Shoot!" begged Mark.

I sucked in my breath and tried to hold it, aimed . . . just as the buck sank beneath the horizon. The last I saw of him were those blank antlers sinking from sight like the stacks of a steamship crossing the ocean.

Mark and I hurried to the spot where the buck had disappeared. Apparently, he had gone down a wide draw, which met the sheer face of a cliff. Had he turned right or left? Mark dashed over the hill to the left, I to the right, coming out at the finger of water where we first had seen the buck. But it was gone for good. We boated home in the dark.

Obviously, we had planned our chances backward. If I had been taking the whitetail with my open sights, chances are I would have got him. If Mark had been taking this buck, he had reached the hilltop in plenty of time to have busted him. But, we decided, this is the luck of hunting—it is never sure.

John Wooley, hunting with Fred, shot a nice three-point buck from 300 yards that afternoon, so Jim told Fred, Mark, and me that we could use the pontoon boat from then on if we wanted. He docked it in the bay Fred used. We took Jim and John home in Fred's car.

But the next day was also calm, so we used Fred's little boat, easier to maneuver in the bays. About 1 p.m., we grew restless at not seeing deer during midday, so decided to move upriver out of the territory we had been hunting and call some coyotes. We had come across a couple, and Fred is an expert caller.

We had scarcely rounded the point into Snake Creek Bay when we saw two bucks loping along the skyline. "Pretty good heads," Fred said. "Shall we go after them?"

We were studying the deer, trying to determine whether they had three or four points, when Mark happened to look down at the lake. Right in front of us, about 100 yards off, heads down and drinking from shore, stood a doe, a fawn, a three-point buck, and a tremendous fourpointer. "There!" Mark whispered hoarsely, pointing.

Fred looked, then spoke easily, "Take your time now (it was Mark's turn again). I'm going to run ashore. They aren't startled. Be sure you plug the big one."

Mark was as excited as a 15-year-old boy can get, but this time he controlled it. He didn't stand in the boat until the nose touched the bank—then he went over the deck beside me like a shot, dropped to one knee on the ground, and took dead aim. But something warned the big 4-pointer. He jumped as Mark shot, and the bullet hit far back. The buck staggered, then ran along shore, leaping as if unhit.

"Lead him!" shouted Fred. Then he whistled, loudly.

The buck stopped, turned broadside, and looked back, trying to spot the whistler. Mark's second shot shattered his heart. He collapsed.

It was a good thing the buck fell so near the water. When we tried to lift him, we guessed his weight at close to 300 pounds. Now that the show was over, Mark's calm came unhinged. He was fit to be tied. The head lacked the brow tines of his buck of the year before, but it had the widest expanse I've ever seen.

During the week, we saw 230 deer. Next evening, Fred took a three-pointer and I chased another four-pointer, but this one, about 400 yards away, also eluded me before I could get a shot. I was satisfied though. Deer hunting by boat on Oahe was everything Fred had told me it would be and more. Let my number be drawn again and I'll be back.

HUMAN RIGHTS CONVENTIONS—WIDE SUPPORT FOR RATIFICATION OF GENOCIDE TREATY—VIII

Mr. PROXMIRE. Mr. President, a tremendously wide and diverse support was accorded the United Nations Convention on Genocide when the Committee on Foreign Relations held their only hearings on this treaty almost 20 years ago. Just a few of the groups whose representatives testified or presented statements in support of Senate ratification at that time were: The American Legion, the American Federation of Labor, the General Federation of Women's Clubs, the National Association for the Advancement of Colored People, the Salvation Army, the Young Women's Christian Association, the Women's Christian Temperance Union, the General Federation of Women's Clubs, and the Congress of Industrial Organization.

This partial sampling represents groups of diverse and frequently conflicting interests. However, each recognized the fundamental precept that the barbaric crime of genocide cannot be countenanced by civilized man.

It is almost unbelievable that for 20 years we have failed to remove the Genocide Treaty from the deep freeze where it was stored many years ago by the Committee on Foreign Relations. Commenting on that committee's position, Chairman Fulbright:

> There appears to be no reason why these treaties should not receive further study. As you know, any treaty tabled can be taken off the table at a later date.

We should ratify this convention now.

UNCALLED FOR LAND GRAB BY INTERIOR DEPARTMENT

Mr. BENNETT. Mr. President, over the past weekend there occurred a series of rather strange, inexplicable events that have caused deep concern in my State of Utah and I think that the Senate should be made aware of what is going on so as to take appropriate action later.

I refer to the last minute land grab by former President Johnson and his lame-duck Interior Secretary Stewart L. Udall who made one last gasp attempt to embalm a lot more land in the West, by placing it into the national park system.

In Utah the Interior Secretary, with no notice whatsoever, without hearing any interested group, without prior consultation with Congress, without consultation or discussion with the State officials arbitrarily and unilaterally decided to add 49,000 acres to the present Arches National Monument and add a total 215,000 acres to Capitol Reef National Monument.

It was with considerable surprise that I learned about these proposals. Only Friday, for the fourth time or so, I introduced legislation making the existing areas of Capitol Reef and Arches into national parks. In the past these bills have been pigeonholed because of opposition from the Interior Department and the Senate Interior Committee.

However, though my bills would create national parks out of the monuments, the boundaries would remain the same. I would like to stress that point, Mr. President, under my bills, there would be no expansion of boundaries, taking in the vast new areas of land.

Frankly, I find this action by the President—and the final signing occurred just 90 minutes before he left office—as a parting slap at my State of Utah. We are a small State. More than 70 percent of our land is owned by the Federal Government. We must rely on our mineral resources, on our cattle and sheep industries for our very survival. To see the Interior Department, in one final gesture, sweep into Utah and withdraw some 264,000 acres of land without any concern for anybody except a few sightseers, to me is the most blatant type of greed that I can imagine.

Throughout the State today Utahans are violently expressing their concern. The executive director of the State Natural Resources Department, Gordon E. Harmstron, has called the action "precipitous."

Dr. William Hewitt, the noted director of the Utah Geological and Minerological Survey, has reported the Capitol Reef area contains rich hydrocarbon deposits and possible oil traps. Other areas at Arches have not been tested for minerals.

Paul S. Rattle, the manager of the Utah Mining Association, has cited a large number of mineral claims including uranium, oil, gas, and tar sands in the affected areas.

Mr. Marcellus Palmer, the executive secretary of the Utah Woolgrowers Association, said:

> This action is going to cause further economic reductions (for sheepmen) and further depletions of towns.

Mr. Daniel G. Freed, first vice president of the Utah Cattlemen's Association said:

> I don't know whether this action is vindictive or not, but Utah certainly has a role other than being a playground for Easterners.

I add to Mr. Freed's statement, Amen.

Mr. President, as one who has advocated national park status for these areas for a number of years, I cannot quarrel with the idea of upgrading them. I do find fault and I object to this withdrawal with no prior hearing. My bills before the Interior Committee should be used as the vehicle for hearings on the action the President has taken. Congress has the right to reset these boundaries and I call on the Senate Interior Committee to exercise this right and to go to the field as soon as possible to conduct hearings on these proposals.

Even a common criminal is entitled to a notice and a hearing. Utah has 1 million persons. Are not they entitled to due process?

COMPLETE DISCLOSURE OF FINANCIAL STATUS OF SENATOR YOUNG OF OHIO

Mr. YOUNG of Ohio. Mr. President, early in 1959 directly after my election to the Senate, I reported in writing to the Secretary of the Senate a complete statement of my financial status and holdings so that citizens of Ohio would be able to judge for themselves whether there is ever the slightest conflict of interest in the performance of my duties. I have followed that policy annually since 1959.

Mr. President, I ask unanimous consent to have printed at this point in the Record a letter I wrote to the Secretary of the Senate on January 6, 1969, containing a complete statement of my financial status and holdings.

There being no objection, the statement was ordered to be printed in the Record, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
January 6, 1969.

Hon. FRANCIS R. VALEO,
Secretary of the Senate,
Washington, D.C.

DEAR MR. SECRETARY: Early in 1959 directly following taking the oath of office as U.S. Senator and to keep a campaign pledge made in denouncing Senator Bricker for conflict of interest in remaining as head of his law firm representing the Pennsylvania Railroad Company and other railroad corporations and then voting as Senator against the St. Lawrence Seaway, I fulfilled my pledge to completely withdraw from the practice of law and to disclose my financial holdings and status.

In filing with your office a complete statement of my financial holdings I became the very first member of either branch of the United States Congress to make full and complete disclosure of my financial status.

The purpose of this letter is to fully disclose my income for the entire year of 1968 and my present financial status including all of my assets and all of my indebtedness. Therefore, citizens are in position to judge accurately whether or not at any time there was, and whether there is, any conflict of interest and whether for selfish personal aggrandizement I yielded to some improper demands and voted or conducted myself as a Senator of the United States at any time other than for the best interests of citizens I represent and of our Nation.

Mr. Secretary, I make the following complete financial disclosure. This is true and correct, and directly after the joint income tax return I shall file with the Internal Revenue Service for the year 1968 has been prepared and filed I shall mail you a copy to be attached to this letter.

During the year 1968 my income was as follows:

Salary as U.S. Senator	$30, 000. 00
Amount received from interest on government and other bonds and dividends on stock holdings in excess of interest paid out on loans with stocks and bonds as collateral	12, 016. 12
Total income from long and short term capital gains on stocks and bonds sold in excess of long and short term capital losses incurred on sale of stocks and bonds	45, 860. 68
Net amount received as honoraria for speeches outside Ohio	1, 500. 00
Total net income for 1968 before making required deductions for Federal and State taxes	89, 376. 80

You will note not one cent was received by me for legal fees. For many years I engaged in the practice of law in Ohio and tried law suits also in some other states. My law practice was very lucrative and satisfying as my financial records and income tax returns over the years disclose.

I withdrew from my law firm December 15, 1958.

In addition to the net income received in 1968 I report financial holdings as follows:

Real estate: Residence in Washington, D.C. and equity in dwelling in Florida, real estate in Ohio and Mississippi. Total valuation $90,000.

Life insurance: Substantial amount paid up life insurance including $10,000 GI World War policy. Total value in excess of $50,000.

Personal property: Including paintings, jewelry, furniture and 1969 Oldsmobile Cutlass. Estimated value $25,000.

Bonds: As of January 1, 1969, I own U.S. Government bonds and bonds of W. R. Grace & Co., Gulf & Western Industries, Lerner Stores, Radio Corporation of America, Tenneco, Inc., Lucky Stores, Inc. and Offshore Co. with a total value of approximately $120,000.

Preferred and common stocks as follows: 100 Ashland Oil & Refining Co.: 200 Atlantic Richfield; 100 Boston Edison; 200 British Petroleum; 200 Continental Airlines; 400 Continental Oil; 400 Delta Airlines; 100 Federal Pacific Electric Co.; 314 ITT Consumer Services; 300 Lamb Communications; 4429 Lucky Stores; 17 Murphy Oil Corp.; 751 Monsanto Chemical; 300 Northern Pacific Rwy.; 202 Occidental Petroleum; 100 Offshore Co.; 1200 Ohio Radio Inc.; 500 Pacific Petroleums Ltd.; 1300 Phillips Petroleum; 100 Radio Corporation of America; 1550 Robbins & Myers; 300 Safeway Stores; 200 G.D. Searle; 156 Seilon, Inc.; 100 Sinclair Oil; 600 Stauffer Chemical; 600 Steel Co. of Canada; 2100 Tenneco, Inc.; 100 Trans World Airlines; 200 Winn-Dixie Stores.

Regarding stocks and bonds I own in oil producing corporations I report that frequently in letters or statements accompanying dividends, officials of oil producing companies suggest "write your Congressman and urge that he vote to retain the present 27½ % depletion allowance for oil and gas producing corporations." I am not about to do that. As a member of the Committee on Ways and Means of the House of Representatives in the 81st Congress, I voted to abolish this depletion allowance. I have not changed my views. As Senator I have repeatedly voted and spoken against this depletion allowance and hope to have an opportunity again this year to vote to reduce this to 15% or to eliminate it entirely. As my views on this subject are a matter of record, there is no reason I should sell oil stock I own.

Indebtedness: I owe no man or any corporation any unsecured loan. I do owe current bills to Ohio and Washington stores in a substantial amount, some representing recent purchases. Also, to Samuel Ready Boarding School, Baltimore, approximately $1100 for balance tuition for adopted daughter.

I am indebted to the Union Commerce Bank of Cleveland approximately $348,000. This indebtednes is secured by deposit of collateral.

The foregoing statement is just, true and correct and includes representing all the assets and liabilities and the entire financial status of Mrs. Young and me.

Mr. Secretary you, of course, have my permission to make this statement public if you wish. It is my intention to follow my custom of reporting it in the Congressional Record.

Sincerely,

STEPHEN M. YOUNG.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXII

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which will be stated.

The LEGISLATIVE CLERK. A motion to proceed to consider Senate Resolution 11, to amend rule XXII of the Standing Rules of the Senate.

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of the resolution.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield without losing his right to the floor?

Mr. STENNIS. I am glad to yield.

ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I thank the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, without losing my right to the floor, I yield to the distinguished Senator from West Virginia.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Rights of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. STENNIS. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan (Mr. HART) to proceed to the consideration of the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. STENNIS. I thank the Chair.

Mr. President, I welcome the chance to speak on the pending business; but before doing so, I wish to make a brief reference to another subject.

NOMINATION OF DAVID R. PACKARD TO BE DEPUTY SECRETARY OF DEFENSE

Mr. STENNIS. Mr. President, I entered the Chamber in time to hear some of the remarks of the Senator from Rhode Island regarding the nomination of Mr. David R. Packard to be Deputy Secretary of Defense. That nomination, I understand, has not yet been sent to the Senate. The Committee on Armed Services has held extensive hearings in this matter and has unanimously recommended to the Senate that the nomination, if it is sent to the Senate, be confirmed.

I spoke about this matter on the floor of the Senate last Friday. My remarks also included reference to then-Representative Melvin Laird, who already has been nominated and confirmed as Secretary of Defense. The remarks to which I refer, which go into this matter on the merits and state much of the facts, are found in the RECORD of January 17, 1969. They begin on page 1261, near the end of the session on Friday. I mention this so that Senators may easily find where the remarks appear.

As I understood the Senator from Rhode Island, he said that even though he had some reservations, he expected to support the nomination. Just to keep the matter in balance and in perspective, I certainly think he is justified, under the circumstances, in supporting the nomination. Each member of the Committee on Armed Services fully understood and had before him all the facts when this matter was passed upon. Those who could not attend the hearing—only two did not attend the hearing—arrived for our executive session. A complete discussion of all the facts took place, around the table, for an hour and a half. Every member of the committee expressed himself, and the committee arrived at a unanimous vote.

Any Senator who is not in favor of it certainly should let it be known at the proper time and should oppose it as he sees fit. I certainly welcome that. That is his right.

I mention this for the reasons I have already given at this time.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. STENNIS. Mr. President, I welcome the chance—this is the first chance I have had—to discuss the pending matter.

I note that Vice President AGNEW, who is President of the Senate, in assuming his duties this morning, said that he appreciated the fact that he was coming in to preside over what I believe he said was the most deliberative legislative body in the world, and one of the most august, or words to that effect.

We feel flattered to have such a compliment from him. If he is correct in that conclusion, it is due more to the provisions of rule XXII than to any other circumstance connected with this body, in my humble opinion.

Those who would change or greatly modify rule XXII would make the Senate an appendage of the House of Representatives. I say that with the greatest deference to the House which I respect highly. The House of Representatives would be the only primarily legislative body in our federal system if it were not for the distinctive characteristic that the Senate has.

The pending proposal revolves around the idea that a bare majority, a temporary majority, or a majority that is produced for the time being—because a Senator is ill or is absent, or even because some member of his family is ill—a transient majority, could force through a measure or a change of rules, or take any action they might see fit. This could be done merely on a previous question being ordered quickly and the matter passed on, without deliberation, without the chance to be heard, without the chance for the people to know what was involved and what was about to happen.

It would tear the very spirit and special life out of the Senate. I once said that it would blow out the light that illuminates this body, which is a powerful instrument in connection with the Federal Government. If there is any good quality about the Senate it is not due to the men who are Members of it. Certainly, Senators are no better than any other group of comparable men. But the opportunity that is here, in the workings of these rules, makes the distinction and makes this body more effective and gives it a power not only in passing laws but also in connection with executive appointments, treaties, and a great many other things on which we must pass.

I say this from years of experience. Perhaps the most valued part of this rule is that it gives the country the time and the chance to find out and to judge what is involved, and the meaning of various measures that are proposed. I love the Senate because of what it has meant to the country and what I see of it in the future.

Mr. President, I wish to comment on this point, also: the so-called filibuster and the proposed changes in rule XXII have been so inseparably bound up with the civil rights bills for the last 12 years that, unfortunately, they have almost become synonymous terms. This matter, under the current status of things, does not have anything in the world to do with so-called civil rights bills. I believe it is rather generally agreed that as many of those bills have been passed as can be absorbed for a good long while—as many as can be adjusted to and followed up by action on the part of those they were designed to benefit. The sentiment that prompted the passage of those bills would prompt the passage of others if they were needed.

So I think it is a great disservice to ourselves and to the people if we do not say now that this is not a civil rights question and that it is not tied to the civil rights issues. Those issues have been decided, and the pending matter has no more bearing on the so-called civil rights matters than it does on any other matter before this body.

I hope that the people of the country will understand and stop thinking in terms of this being just another civil rights fight.

I know that those of us who have defended this provision for a long time might take a prominent part in the debate. But those who love the Senate and have served in it a long time perhaps understand a little better, because of experience, the operations of the Senate, and the need for this great principle.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, the Senator is aware, is he not, that this is a matter which in previous years has been the subject of study in committee, and a committee report, as well as a minority report, so that Senators, and particularly new Senators, could apprise themselves of the arguments for both sides? I would ask the Senator if it would not be appropriate in this case that an appropriate committee should look at the matter so that they could not only review the arguments made down through the years, but also so they could seek to benefit from the experience we have gained in debate.

I do know that in many years we have debated certain measures to the extent that we have been able to come up with suggestions of ways in which a measure could be improved.

As I recall, there was one suggestion made by the distinguished Senator from Mississippi 20 years ago, when I first came to the Senate. It had to do with the so-called minibuster. I believe the Senator suggested several times that we should have a rule which would cover a situation in which 90 percent of the membership wanted to proceed to a vote, as contrasted with a situation where 10 percent were in opposition to a bill. For example, we might have a rule which would provide that where a matter has been debated for more than 3 days, and 90 percent of the Senate wanted to vote on the matter, we could proceed to a vote if 90 percent of the Senators wanted a vote. However, in a situation where 15, 20, or more Senators felt a matter should be debated at great length, there should be a different rule such as the rule we have now.

Mr. President, that type procedure is best developed and explored by a committee where the procedure of give and take would apply more freely than it would in the Senate, where the positions of the two sides are pretty well frozen, and rather than what we sometimes see here of someone trying to run roughshod over the Senate and trying to bring something before the Senate before the Senate has an opportunity to consider it.

Can the Senator tell me how new Members of the Senate are to inform themselves when someone comes in and attempts to bypass the rules to bring a matter of this sort before us without any hearings or alternative suggestions?

Mr. STENNIS. I thank the Senator. I believe I can answer that with an illustration with respect to new Members serving their first term. I thought it was an abuse and a downright lack of consideration toward them that they would have to make a far-reaching decision of this kind on such short notice without any chance to hear witnesses, to read a report from a committee and get the full counsel of men that they knew personally and who had been in contact with this very problem. I thought it was highly unfair to them. That illustrates what the Senator has said.

The soundness of rules and bills that pass certainly should be tempered and tested by hearings, by informed opinion, and in recommendations by experienced Members of the Senate.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. LONG. Since the days when I had the honor of serving on the Committee on Rules and Administration along side of the distinguished Senator from Mississippi, whose views I shared on that committee 20 years ago, a lot of things have happened that should be reviewed by someone. We have had many filibusters. Some of them have served useful purposes, and I have reference to areas other than civil rights, although, there also, those filibusters served the purpose of bringing some compromise and improvement to legislation before us. The Senator knows that we have had filibusters in a number of areas where those opposing legislation have succeeded in extracting concessions or compromises from the majority. I believe it is fair to suggest that those compromises reached in those instances have proved to be wise changes for the better, and more so than the legislation before us.

Mr. STENNIS. I agree with the Senator. Both of us know, because of our years of experience here, that even though legislation that eventually passed was held up for a while by rule XXII, we certainly arrived at much sounder and acceptable legislation in the end and the country was far better prepared to accept it and make it work. The Senator has many wonderful illustrations of what happened during his experience and my experience.

Mr. LONG. The Senator is aware of the fact that a filibuster was conducted against some suggested amendments to the basic atomic energy laws during the Eisenhower administration; and compromises were reached in ending that filibuster on that occasion, which changes and suggestions remain the law to this day. That was a liberal filibuster, one might say, on economic issues. However, the compromises that were forced on the majority by the minority remain the law to this day and they remain the law because they were sound and because they made good sense.

Mr. STENNIS. I thank the Senator for his contribution.

Mr. President, before I leave this subject, I now have the exact words which the President of the Senate used as he occupied the chair the first time this morning. He referred to the Senate as "this select and august deliberative body." We accept that compliment, but I wish to point out to him and others who might have thought about it, that the thing that makes us a real deliberative body is rule XXII, which requires more than a majority just to cut off debate on any pending matter.

Mr. President, may I allude once more to the fact that the vote came so soon after many Senators came here for the first time, and they had to take such a far-reaching vote without the benefit of hearings or a committee report and without the benefit of any of the usual safeguards in legislative channels and legislative work which time has proved over many decades to be an asset and helps the membership to form sound conclusions and to cast a more informed vote.

I trust that the membership which has just joined us—and it is an unusual group of men of great promise, I have been much impressed with them—will not feel irrevocably bound by the vote which they took, but will continue to follow this subject and continue to apply their reasoning and thinking to it from their experiences here as students of government, and also consider whether they reached the soundest conclusion on such short and immature notice, and with so little debate.

I want to point out, too, Mr. President, that I believe changing rule XXII, especially to provide that just a majority vote, could order the previous question, or cut off debate, which would tend to liquidate a nationwide political party. We have an indication of it right here and now where the President of the United States is the nominee of one party and a majority of the Senate are members of the other major party.

Having this majority here—and it is more than a one- or two- or three-vote margin—if the membership should become willful enough to do it, it could stop every major phase of President Nixon's program and recommendations right here. The membership could also bottle up minority Senators and cut them off from debate, cut them off from legislative maneuver, and really stifle or stop the wheels of Government so far as the incumbent at the White House is concerned in most every other major particular, and could let the bare essentials of Government go along and get by with it a long time.

We do not have the English system. President Nixon's term is for 4 years. There is nothing anyone can do about that. It is a fixed term. He has the responsibility to serve for that fixed term. Thus, with a different party here, if we had just the majority rule here, there would be no refuge for more deliberation, more consideration, or more thought. The President's political affiliations on the Hill could be more or less made ineffective, but they do have a position of strength here, under rule XXII as now written, where they cannot be run over or reduced to a cipher.

Thus, I believe that the minority party, whichever one it may be, could well take second and third thoughts about becoming a hand that would cut off its own strength and its own lifeblood.

Mr. President, it has been true for over a hundred years that the two major political parties have largely headed the Government and run the Nation. I expect it will be that way, largely, for another 100 years. Under our system of government, the party system, even though it has faults, has proved to be workable. It has proved to be an effective instrument of government. Thus, I am satisfied in my mind—and I hope others will examine it from that angle—that a great part of that success is due to the terms of rule XXII of the Senate as now written.

Mr. President, I think one fortunate matter has come out of this debate already. The recent vote last week has put to rest the Senate's Presiding Officer being able, in effect, to set aside or ignore a part of the rules of the Senate that he may not favor, and operate under a part of the rules of the Senate that he does favor.

In other words, the vote last week—and I speak with great deference to Mr. Humphrey who was then Vice President and Presiding Officer here—the Senate unmistakably voted with a majority vote of all those elected to the Senate, that the Presiding Officer's ruling, whereby he declared unconstitutional the provision requiring a two-thirds vote to cut off debate, was in error and reversed it, and in effect held that it was a valid provision of the rules and also held emphatically that it could not be changed except by the rules themselves and the Senate as it operates them.

That has been debated back and forth for years. Several Presiding Officers have made remarks about it. But here comes a ruling now with all the force and vigor of that Presiding Officer's personality behind it—without debate, because it was not permitted to have debate. Without debate, the Senate immediately repudiated and totally repudiated that ruling. Of course it did. I am very proud that it did.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. Yes; in a moment. But while repudiating that rule, it confirmed, in the strongest possible way, the validity of the Senate's own rules as written by it.

Now I am glad to yield to the Senator from Florida, who is so well versed in this matter and who has contributed over the years the finest reasoning and logic I have heard on the floor on the nature of the Senate and the rules of the Senate. He has been outstanding again in this debate.

Mr. HOLLAND. I thank the Senator for yielding. I thank him even more warmly for those kind remarks.

I want to ask the distinguished Senator if he does not believe that, besides upholding rule XXII by its exceedingly meaningful vote, the Senate the other day, in reversing the ruling of the former Vice President, also upheld clearly the fact that the Senate is a continuing body, as intended by the Founding Fathers, going on from Congress to Congress, without any cessation or hiatus whatever, so that it always exists, is always able to function, and there is always two-thirds, or more than two-thirds, of the Senate membership in being, there is always a Vice President who presides over it, or a President pro tempore who has been named. Does not the Senator think that that is one of the great meanings that came from the action the other day to which the Senator has so feelingly alluded?

Mr. STENNIS. The Senator is certainly correct. That vote directly sustained, as the Senate rules had stated, the fact that there is a continuing body; that the rules are continued; that we do have a continuing body, we do have continuing rules, and the Senate itself will get around, when it sees fit, to changing any of these rules without an outside ruling.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. HOLLAND. Does not the Senator recognize that one of the great meanings of the vote the other day, to which the Senator has referred, is that specifically the Senate voted to uphold section 2 of rule XXXII, which the Vice President had said was to be overridden, if his opinion was followed, which section specifically holds that the rules of the Senate continue from Congress to Congress, from Senate to Senate, unless they are changed, under the rules of the Senate themselves?

Mr. STENNIS. Yes. The Senator has pointed out the complete picture now. The Senate rules, very wisely, state that, and the Senate knew what it was doing when that clause was put in the rules. The Senator from Florida and I were both here. It was done after several days of debate. I think perhaps 2 weeks of debate had gone on. There is nothing simpler in the English language than the wording of that short, simple rule. That was what was attempted to be stricken down by the ruling of the then Vice President. There is no question about the totality of the issue and the decisiveness of the vote of the majority of all the elected Senators, and without debate. I think it was a historical day and a turning point in the modern history of our great Nation.

Mr. HOLLAND. I thank the Senator. If the Senator will yield further, I have another question I would like to ask him.

Mr. STENNIS. Yes.

Mr. HOLLAND. Does not the Senator recall that section 2 of rule XXXII and the present wording of rule XXII were both offered by the most outstanding group of Senators then in the Senate, including the then Senator from Texas, Lyndon Johnson, as the majority leader, the Senator from Illinois (Mr. Dirksen), as the minority leader, the President pro tempore, the senior Senator from Arizona, Mr. Hayden, the chairman of the Senate Republican policy committee, the Senator from Massachusetts, Mr. Saltonstall, and, in fact, every other leader, both leaders, whips, policy leaders, and conference presidents, on both sides of the Senate? Does not the Senator recall that that was the case at that time?

Mr. STENNIS. I do recall it, and I am very glad the Senator from Florida has brought it out. To add to that picture, as I recall, the Senator from Colorado, Mr. Millikin, was here at that time.

Mr. HOLLAND. That was an earlier one, I think.

Mr. STENNIS. Anyway, the adoption of that rule has worked out in the past. It had no geography tied to it. It had no political party tied to it. It had no subject of legislation tied to it. That was a nationwide movement, based upon the solidarity in the thinking and experience of the men who were then the Senate's outstanding leaders. The Senator from Florida was in on that, too. He did not name himself, but I do. He was very active here, as was the Senator from Georgia (Mr. Russell).

Mr. HOLLAND. I thank the Senator. If the Senator will yield for one more question, does not the Senator recognize the fact that all of the leadership converged together to offer that solution of the problem in order to stabilize the Senate, in accordance with the objectives of those who founded the Senate when they adopted the Constitution? Does not the Senator remember—and this is particularly humorous, as far as the Senator from Florida is concerned—that the then Senator from Minnesota, Mr. Humphrey, was one of the 72 Senators who voted for the adoption of rule XXII as it stands now and for section 2 of rule XXXII as it stands now?

Mr. STENNIS. I recall that he was here. I could not state that he voted for it without looking at the Record, but the Senator from Florida states he did, and I am glad he calls that fact to our attention. It was then found to be a complete consensus of agreement on the issue, and it was stated in simple language that a second-grade student could understand.

Mr. HOLLAND. I thank the Senator. If he will yield for one further question, does not the Senator feel, as does the Senator from Florida, that it would have been the most unstabilizing thing that could have been done, the thing that would have most rendered the Senate a body not continuing, but controllable by a majority of one at the beginning of every Congress in rewriting not just rule XXII, not just section 2 of rule XXXII, but any and all rules of the Senate? Does not the Senator think it would have been about the most unstabilizing thing that we could have done if we had ever adopted such a policy as that, leading to a Donnybrook at the beginning of each Congress if there was a majority of as much as one that wanted to change the rules?

Mr. STENNIS. The Senator is right. It would have broken down the main structure of this body, and that in turn would have changed the entire structure of our system of government. I do not know where we would have turned to find something else to stabilize the situation. We would have found some way, but that necessity has been avoided by the vote to which we have referred. I think the question was in such sharp issue, that, voted as it was, I think it is the beginning of a settling down in the Senate, and I think it will be a long time before the rules are successfully challenged again.

In all deference to our friends, I think we should just keep the debate going on this motion for a little while, to prevent it from being terminated abruptly.

Mr. HOLLAND. Mr. President, I thank the Senator for his sturdily standing by what I regard as the sturdy, sound, bedrock upon which the Senate is founded. As far as I am concerned, I know of no other stable body—and I am using now the words of Mr. Madison and Mr. Hamilton, when they said there needed to be a stable body in our Government.

Mr. STENNIS. Yes.

Mr. HOLLAND. And that to meet that need they were setting up the Senate. The Senate has insisted upon maintaining that quality of stability.

I think it would have reflected upon the credit of every Senator now in this body throughout the life of this Nation, had we surrendered that stable quality which the Senate has been created to subserve, and which the Senate has preserved through all the years of its existence.

Again I thank the Senator, and I congratulate him upon his able remarks.

Mr. STENNIS. I thank the Senator from Florida very much for his contribution to the debate, and for the points he has made in his remarks.

Mr. President, I have a philosophy—not a philosophy of government, but a philosophy of life—that I sum up in this way: I believe the second thought of the American people is sound, and that it is upon the second thought of the people that our system of self-government is founded—not on their first thought, which may be charged with emotionalism, effervescence, anger, or a great many other things.

I believe it is the second thought that brings forth the commonsense of the American people. I believe that is the main basis of the structure of our life, and the main mudsill of our system of government.

Power rests with the people, but there must be some way to get their second thought. I repeat, I call that commonsense. I am talking about the commonsense, now, of the ordinary people, the regular people, sometimes called the common people.

I do not like the term "the common people." There is nothing common or ordinary about the regular people. But it is their thinking of which I speak. They may not be so articulate, but their thinking revolves around their homes and their family responsibilities, and the spiritual values and the nonmaterialistic things we live by, the things that money cannot buy. That is the type of commonsense I am thinking about.

There must be a lot of it, with a chance for it to express itself, or our system of government will topple over. I hope we shall never let the rules be such that a transient majority that happens to be here on a certain day a few days after the convening of this body can sweep aside all the rules and change things up.

Mr. President, continuing with the more formal part of my remarks, I refer again to the motion to invoke cloture, the vote upon which was taken last Thursday.

The vote taken Thursday was 51 to 47 to invoke cloture. However, under the Senate rules, a two-thirds vote of those present is required to close debate. We were faced with the situation that in spite of the clear provisions of this rule, and the portion of rule XXXII to which I have referred, which have been followed by the Senate without exception since its adoption, the Presiding Officer ruled that after a majority had voted to cut off debate, debate was closed.

As I have stated, it was to the everlasting credit of the Senate that the Senate itself, upon appeal from the ruling of the Chair, voted 53 to 45 to reverse the ruling of the Presiding Officer. That vote was taken, unhappily, without debate; but thus the Senate itself has reaffirmed the fact that the Senate is a continuing body and that it operates under its rules from Congress to Congress until the rules are changed as provided in those rules.

It has become customary in recent years for advocates of a new cloture rule to attempt to amend the Standing Rules of the Senate on the first day of a new Congress. The twofold purpose of this move is to bypass the Rules Committee and to circumvent the present rule which requires a two-thirds vote to limit debate on amendments to the rules.

Similar moves were attempted in 1953, 1957, 1959, 1961, 1963, 1965, and 1967. The same arguments were advanced, examined, and rejected. Identical proposals have been introduced, considered, and defeated. Failure, however, has not dampened the spirits of those opposed to the traditional rules of the Senate. Repeated rejection of their arguments has not convinced them yet of their unsoundness. Thus the Senate, as we begin the 91st Congress, is confronted at the outset with one of the most important issues it is likely to face in its relatively brief existence.

The issue has been dangerously oversimplified by those seeking to change the rules. The question has been put in the appealing but misleading form of a choice between majority rule or minority obstructionism. This inaccurate presentation of the issue obscures other basic values at stake and ignores recent experience under the present rules.

In proposing stronger cloture rules, the proponents always contend that unlimited debate frustrates the will of the majority and prevents and obstructs the passage of popular legislation. It is surprising that this tired, old charge should be trotted out again on the heels of a 4-year period during which perhaps more legislation was enacted than during any similar period in our history. The charge has never been very convincing and now it is absolutely unbelievable.

On the other hand cloture has been successfully invoked four times on major legislation since 1962. I served on the Committee on Aeronautics and Space Sciences when the communications satellite bill was before the Senate in 1962. I attended the hearings and participated in the activity of the committee under the able leadership of the late Senator Robert Kerr, of Oklahoma. The committee reported the bill favorably and I expected that after a reasonable amount of debate the bill would be passed by the Senate. Although the debate continued day after day, and even though a small number of Senators participated in it, I never for a moment questioned their motives or grew impatient with their efforts. I knew they were honest and sincere, and I admired them for their steadfast devotion to the principle for which they were contending.

I was proud to see them, as fellow Senators, carry on their fight, in which they believe. They fought courageously in the face of tremendous odds. I was, for the most part, on the sidelines instead of being very much a part of the fight, and I had an opportunity to observe that debate. My appreciation and admiration of the Senate rules increased throughout that discussion, for I knew they were dealing with important fundamentals. That debate involved the right of those Senators to make their fight, to present their case and be heard, and exhaust all of the remedies available to them. Without rule XXII, they would not have had that opportunity and could not have obtained the full hearing to which every Senator is entitled. A right of inestimable value was preserved at a very small expense, for after some delay cloture was invoked under the present rules, and that important legislation was finally passed.

In 1964, one of the most dedicated stands ever made against passage of legislation was made in the Senate in opposition to one of the civil rights bills. Never in the history of the Senate has there been a stronger effort to prevent the passage of legislation which opposing Senators sincerely believed should not be passed. After full and complete discussion, however, cloture was invoked under the present rules, and in their present form, the bill was passed. In the course of the extended debate, there were a great many aspects of the bill discussed and explained that would not have been explored had debate been unduly limited. Despite determined opposition from many Senators who felt that passage of the civil rights bill would be contrary to the Nation's best interest, the bill was brought to a vote and enacted.

The Voting Rights Act of 1965 is another recent instance where cloture was successfully invoked. After days of debate, discussion was terminated under existing rule XXII, and the bill was passed. Again, late in 1967, on the open housing bill, cloture was invoked.

It is true, of course, that a motion to cut off debate on the civil rights bill of 1966 was defeated, and it is to the everlasting credit of the Senate that it was. Debate on the bill began on Tuesday, September 6, and on Monday, September 12, a motion was made to end debate. It is a tribute to the wisdom and fair-mindedness of the men who make up the Senate that the motion was soundly defeated. A bill so vague, covering such a wide variety of subjects, and affecting the basic rights of so many people throughout the country, could not even be understood in so brief a time.

There is no more complete example of the far-reaching complications and implications of a bill that was not even clearly drawn than the bill I speak of in this instance. But due to the existence of rule XXII, the country was saved from legislation which would have brought about the utmost confusion. Only a year later, a bill was introduced which was more precise and definite in form, and groups did have a chance to be heard. That bill was fully debated and was passed. But the 1966 bill could not be weighed and considered on its merits or with the fullest discussion.

Those Senators who undertook the burden of examining that bill publicly on the floor of the Senate performed a great service to the Senate and the people.

An equally important service was rendered by those Senators who, although generally favorable to the bill, recognized the necessity for full discussion of such a far-reaching measure and refused to vote for cloture before it was really known what was actually in the bill. Perhaps if debate had been allowed to continue until all sides had been presented and each Senator was confident of his grasp of the bill, the meaning of the various paragraphs of the bill would have been cleared up, and cloture might perhaps have been voted under the present rules. But the leadership, for good, and sufficient reasons, determined that more important matters demanded the attention of the Senate, so other business was taken up.

It is clear from immediate past experience, therefore, that there is no great need for a stronger cloture rule. I do not think there is any need for it. A veritable flood of legislation has been passed over the past several years. Four times in recent years cloture has been invoked successfully under the present rule XXII as it is now written.

For no good reason then, proponents of the proposed changes in rule XXII would sacrifice the unique identity of the Senate and really undermine its historic place in our system of government. Their claim to amend the rules of the Senate by a bare majority at the beginning of each new session of Congress is based on the theory that the Senate is a discontinuous body, that its rules expire at the end of each session, and must be readopted, and may be amended by a simple majority at each new session of Congress without regard to the amending procedure prescribed by the Standing Rules themselves.

This theory ignores the origin and history of the Senate and denies the Senate's unique place in our scheme of government. I continue to be impressed by the fact that during the Constitutional Convention it was the compromise concerning the Senate which really led to the final approval of the Constitution. During that Convention, Delegate Benjamin Franklin, then a man 81 years of age, rose one morning and addressed the Chair. George Washington was the presiding officer. Franklin pointed out that many weeks had passed in an attempt to agree on the Constitution and that no agreement on essential matters had been reached. He then moved that they open the remaining sessions with a prayer. The motion carried and was thereafter followed.

Out of that new earnestness, with that new start, and with that greater emphasis on spiritual values there came the great compromise which led to the establishment of the Senate, in which each State would be represented by two Senators, regardless of the population of the State. It was provided that only one-third of the Senate would be elected every 2 years, thus leaving two-thirds of the membership always in office to give continuity and stability to the Government.

I might point out that another provision of the Constitution made representation in the Senate unamendable; it provided that such representation should never be changed without the consent of the State involved.

The Senate therefore became a distinct body in the legislative process, different in nature and purpose from any other. It is here in this great continuing, deliberative body of our legislative system that the people of any State, regardless of its geographical size or its population, may be heard with the same strength and clarity as any other State. I fear that this will not long remain true if the Senate imposes a stronger cloture rule, thus making this body subject to what can become the devastating effects of a hastily mounted, fast-moving, temporary public opinion.

It was clearly intended by the Founding Fathers, and it has been reaffirmed many times since, that the Senate should constitute a continuing body, and historically the Senate has acted as such. Officers of the Senate serve no stated term of office but serve until their successors are selected. Senate committees continue to function without regard to the conclusion of a session of Congress.

I am reminded that President Woodrow Wilson, who, I think, came to the office of the Presidency with as fine an understanding of the political philosophy, historical background, meaning, and intent of our system of government, as anyone certainly equal to that of any other occupant of the White House, personally, based on what I have read and studied, was best prepared in that way. I recall that, on a major issue, he called the Senate back into session on the basis of its being a continuing body. Then occurred one of the great debates, just preceding, as I recall, our entry into World War I.

In the performance of its executive duties, such as approving Presidential nominations and ratifying treaties, the Senate acts as a continuing body. Although executive nominations now lapse with the close of the session, before the abolition of so-called lameduck sessions and the advancement of the beginning of the presidential term from March 4 to January 20, many special sessions of the Senate were called for executive purposes. Proceedings regarding treaties sent to the Senate terminate with the end of the session, but the treaties themselves do not die. Under the rules, proceedings are resumed on treaties at the commencement of the new session as if no proceedings had previously been had thereon. If the Senate were not a continuing body, these important duties could not be carried out.

In the adoption of a stronger cloture rule, we would run the grave risk of sweeping away one of the most salutary and essential features of the democratic process. Rule XXII, as it stands, recognizes and protects the right of a substantial minority to a full hearing on matters affecting it.

It is strange, indeed, that at a time when the courts, the executive, and Congress itself are giving increased attention to the rights of various minorities, an effort should be made to deny a minority of States of the Union and the millions of people they represent the basic right even to be heard in the major legislative halls of the Nation. The genius of our Government is that it provides for due regard of the rights of the minority without sacrificing the right of the majority to rule. In our system there are many checks and balances to the will of the majority, but ultimately the majority will prevail unless persuaded by fact and the force of argument, logic, and sentiment to alter its view. In the final analysis, the only defense the minority has to hasty or ill-considered action on the part of the majority is the power to persuade. If the minority is denied the opportunity even to present its case, then truly the minority has no rights in our system but only such privileges as the majority may permit them to enjoy for the moment.

In a system where the right of the minority to be heard is not secured and respected, the majority may suffer as grievously as the minority. If the majority refuses to hear opposing arguments or receive rebuttal testimony, it deprives itself of the right to be informed and denies itself the opportunity to enact the wisest laws for its own benefit. As my experience in the Senate grows, as I learn the lessons that history teaches, I become more concerned about undue haste in the consideration of legislation. I recognize and appreciate the need and the absolute necessity for full and exhaustive debate and study of the many important and far-reaching proposals that come to Congress, and particularly to the Senate, which will affect the very lives and welfare of the Nation and the world.

The fact that for many years we have required more than a simple majority to close off debate in the Senate springs from the long recognition that in a democracy, minorities are endowed with rights which no majority should trample upon. One of these rights is the right fully to explain and to plead one's position. This has been recognized in many ways in the organization and functioning of our constitutional system. One of the reasons which brought the Senate to the conclusion that debate should not be curtailed except by margins substantially larger than a majority, is the fact that although a course of action proposed by the majority may appear to be necessary and proper at that particular time and under the particular circumstances existing at the time, such a course may, in fact, be found unacceptable after the most careful and detailed consideration.

Mr. President, the modern appropriations bill that comes to the floor of the Senate provides for billions of dollars. I am not referring now to the immense sums in the Defense appropriation bill, but to almost any of these bills that provide for $3, $4, $5, $6, $7, $8, $9, or $10 billion. It is true that they have been gone over carefully by the House of Representatives, whose committees do splendid work. But they are passed by the House of Representatives in 1 or 2 days' debate under their rules. The bills come to the Senate near the end of the session. They come in droves. The Senate committee is overloaded with them. A number of subcommittees are operating at the same time, splitting up the membership. They must do the best they can. The members of the committee have to omit a great deal. The bills come to the floor then, with a recommendation made by the committee, but it is impossible to give the matter the fullest consideration.

There can be no opportunity to go into those matters on the floor unless there is a provision in the rules—whether it is used frequently or not—that permits a more minute examination of some particular phase of it—not all of it, because there is not time for that. But if it is a matter of take it or leave it within 1 or 2 days, the total amount of the appropriations could quickly become staggering and really opppressive to the people.

That is true as to the money bills. The policy bills are even more important, because they enunciate a policy and lay down certain fundamentals of rules of conduct for industry, for institutions, for travel. Every phase of our modern life is controlled by Federal legislation now.

The only way in the world to get a full examination of a matter is by virtue of the fact that we have a rule in the Senate which prevents its being railroaded through by a bare majority.

Frequently, it has been our experience that as we go home or as we travel the country, or as time passes, we discover that the opinions held by a majority of the Members of Congress were not necessarily those held by the people back home. We have been compelled to retrace our steps and to find a solution in new legislation. We have learned that one small voice, or several small voices, were more truly representative of the will and the needs of the people than the mood of the Senate, as expressed by the majority of the votes at the particular time the proposal was considered and passed.

All of us have lived long enough to witness the emergence of a minority rule as the one eventually accepted. This has been true in the Halls of Congress as well as in the bright and illustrious history of the law where many a brave dissent has later blossomed into acceptance by a majority of the Court. I do not intend by this to impute any necessary virtue to the majority simply because of its larger acceptance. Perhaps in time it may again become the minority. What I do point out is that this minority is always entitled to be fully heard. It may be the doctrine we eventually accept. Let the pendulum not swing too far in a given direction. If it does, it might also swing too far in the other direction. History teaches us that a sober middle course is not so susceptible of revolutionary change.

Free, full, and untrammeled debate is the very essence of our form of government that has survived so well and against so many attacks. Pondering the question of our strength and our continued solidarity, historians agree that our system of checks and balances within a tripartite form of government has been the very cornerstone upon which our ability to survive has depended. In other countries, one or another of the branches of Government has become all powerful so that either political or military dictatorships have emerged. On the other hand, we have governed as the wise Founding Fathers planned it, so that no particular branch of government would get so strong as not to be subject to the counterforce and the ameliorating influence of the other branches.

An attack upon the rules of the U.S. Senate is, indeed, a frontal assault upon the orderly procedure, the custom and the tradition of our legislative branch of Government. It is a real and present danger to our form of government. While tradition is not sacred, longstanding custom and traditions do not become so without sufficient reason. Tradition is not established by edict or proclamation. It evolves from constant practice and acceptance by those whom it affects. It is not born. It is not created. It results from continued use, dependence, and reliance, and it becomes a foundation and cornerstone. Rule XXII is more than a rule, written and adopted. It is a fundamental part of the basic structure of the Senate. It was placed there because of the good judgment and wisdom of our predecessors. It has remained there because it has, through the years, become a necessary part of our procedure. I have already pointed out that the rule, as now written, is practicable, workable, and does get results.

Under the checks-and-balance system which was so admirably set up in the Constitution and which has been followed during most of the history of our Government, this Nation has prospered and has become the greatest country in the world. Under the systems of checks and balances one branch of the Government acts as a leveling force upon the other, to insure that logic, reason, and sound judgment will control the course of our Government. The idea is to make certain that one philosophy, whether espoused by a majority, a minority, or a single individual, is not overlooked or overrun by those who oppose it. That is the purpose of rule XXII. It is a vital part of the checks-and-balance system of the U.S. Government.

It is my sincere hope that the Senate never reaches the point nor sees the time when legislation can be whisked through this body without full debate, or that rules could be so changed here. God forbid. If this should happen, it could be a step toward a disastrous end of the greatest system of government we have ever known.

The Senate, like the framers of the Constitution, has decided and long followed the proposition, that certain measures call for broad unanimity upon the part of its Members, and has provided rule XXII as assurance that this will be done.

On many occasions, the rights of free men have been preserved because they have been protected under the rule of free debate in the Senate. The continuity of our Government and the perpetuation of our liberty depends in great measure upon the retention of rule XXII. There is no right or liberty more essential and vital than the protection and representation of the minority.

Mr. President, with all deference to every Senator, I think that after all this clamor, this demand for emasculation of the rules to provide for only a majority vote comes more from certain organized groups. I am not referring to civil rights groups any more than any other group, but I refer to certain organized groups that feel they can combine and get control of everything connected with our system of government.

I was never more earnest in warning the country, as well as my colleagues, against the increasing encroachments of these organized and powerful groups. They go across our entire economy and the entire geography of our great land. I think the pressure is undoubtedly increasing year after year. It is a threat to our continued form of government. I believe we will meet that threat. We see the warning. We feel the pressure. We see the implications of these drives, and I believe they will be stopped. I think they had a monumental setback last week. I believe that is the closest they have gotten or that they will get for decades in their efforts to force arbitrary changes to these rules.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. Mr. President, I simply wish to express my deep appreciation and extend my sincere compliments to the Senator from Mississippi for the fine statement he has made. Throughout all the years he has stood up for a stable, continuing Senate that intends to continue to be the stable branch, the stable arm of our Government. I congratulate him for having done that again.

In the hope that I shall not annoy him by comparing him with inanimate objects, I think he is as stable as the Rock of Gibraltar and as sound of heart as the sturdy live oak that stands for 300 years and looks as if it is in better health now than it was ever before.

Mr. STENNIS. I thank the Senator very much. His generous words are a comfort and an inspiration. A great many of my ideas in government came from him.

I yield the floor.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DAVID PACKARD TO BE DEPUTY SECRETARY OF DEFENSE

Mr. GORE. Mr. President, only a firm disagreement, reached after careful examination of the issues and the pertinent facts and available information relative thereto, could impel the senior Senator from Tennessee to rejection of a conclusion or action unanimously taken by the great Committee on Armed Services of the U.S. Senate. The members of this committee are truly outstanding patriots, truly distinguished Senators. The respect and admiration for them held by the Senator from Tennessee but compounds his puzzlement as to how so great a committee, composed of such able Senators, could unanimously reach what he considers a totally erroneous conclusion, entirely unsupported by either logic or fact.

Nevertheless, Mr. President, this is the firm opinion of the senior Senator from Tennessee who now proposes briefly and respectfully to recite the facts and reasons that bring him reluctantly to this conclusion.

The question is the conflict of interest that may exist or that may appear to exist between the official actions of Mr. David Packard, if confirmed as Deputy Secretary of Defense, on the one hand, and his personal interest, on the other, in the fortune and fate of the Hewlett-Packard Co., a corporation in which Mr. Packard holds a substantial financial interest and which corporation has extensive contracts, with and customarily engages in contracting with, the Department of Defense.

This is not to say, and the Senator from Tennessee neither believes nor wishes to imply, that Mr. Packard, if confirmed, would act in preference to his personal interest or in any other manner contrary to the public interest as he would interpret the public interest.

The honor and honesty of Mr. Packard is neither the question, nor is here questioned. This is not the issue.

The issue is rather a prima facie conflict of interest, both immediately real and promising to obtain throughout the term of office for which Mr. Packard is nominated, the effect on public confidence of such a conflict of interest and the inadvisability for the Senate to establish or permit such a precedent.

The distinguished junior Senator from Mississippi, the able chairman of the Armed Services Committee, presumably speaking for the committee, reported to the Senate, as will be found on page 1261 of the RECORD of January 17, that—

> The Committee in favoring the confirmation of Mr. Laird and Mr. Packard is satisfied that the actions to be taken by the nominees remove any possible conflict of interest problem.

Now, Mr. President, a careful examination of the facts and the record now before the Senate relating to Mr. Packard and to his proposed actions leads the Senator from Tennessee to a respectful but diametrically opposite conclusion that said proposed actions have not and would not "remove," or in principle even significantly modify, the clear conflict of interest that would be created by confirmation of Mr. Packard under the prevailing circumstances. Indeed, the conflict of interest is prima facie.

The record shows that the Hewlett-Packard Co., in which the nominee holds an estimated $300 million personal financial interest, has myriad contracts, amounting to many millions of dollars annually, with the Department of Defense, and said corporation customarily engages in extensive and direct contractual relations with the Department of Defense, the very agency for which Mr. Packard is nominated to be Deputy Secretary, with the consequent duties of administration and policy planning. The Hewlett-Packard Co., moreover, has extensive contracts with and customarily engages in contracting with other contractors that, in turn, contract with the Department of Defense.

Mr. President, the existence of the conflict of interest in this stark set of circumstances is unarguable. It is not only inherent in the situation but clear on its face.

Furthermore, it is the conclusion of the Senator from Tennessee that the actions, or rather the proposed actions, of the nominee neither remove this important conflict of interest nor constitute a mitigating circumstance that justify the Senate in virtually abandoning the conflict of interest safeguards with which the Senate has traditionally protected both the Department of Defense and the officials of the vast Department of Defense.

What are these "actions to be taken" that, according to the statement of the distinguished chairman of the Armed Services Committee, "remove any possible conflict of interest problem"? Mr. Packard, according to the record of the committee hearings, proposes to create a trust to which he and Mrs. Packard would temporarily convey their entire stockholdings in the Hewlett-Packard Co. The proposed trust is a singularly simple one, not a so-called blind trust, such as other recent nominees have used, nor one complicated with any other attributes of divestiture, disposition, diversification, or even discretion. Indeed, the extent of the power and permitted action of the trustee of the said trust, as printed in the committee hearings, is so limited that one can fairly term it as only a bookkeeping trust. The trust instrument, for instance, contains no injunction against current and full information being supplied the nominee. Such a "blind" attribute would, in fact, appear entirely useless, since the trustee is by terms of the trust forbidden either to make any sale or to make any purchase, and the value of the stock is, and doubtless will continue to be, a matter of daily New York Stock Exchange quotations and transactions. So, the corpus of the trust will be unchanged during the term of the trust and its value constantly within the knowledge of the Deputy Secretary.

The term of the trust would be for not less than 2 years or for the duration of the nominee's service as Deputy Secretary of Defense.

The nominee proposes that he and his wife retain full reversionary rights to all corporate stock disposed to the trust except that the trustee be instructed to transfer to yet unnamed, or perhaps yet uncreated, organizations or foundations that qualify under section 170(c)(2) of the Internal Revenue Code an amount of stock that equals the appreciation in value, if any, of the corpus of the trust during the term of the trust.

It should be noted that it is under provisions of this section of the code that we have experienced such widespread abuses and proliferation of trusts including family foundations for purpose of maintaining a firm grip on corporate control.

So, the proposed action of the nominee would fully protect against any disposition of his Hewlett-Packard stock contrary to his will, despite a possible appreciation in value, as he specifically reserves the right both to create and to designate the organization or organizations under such section 170(c)(2) of the Internal Revenue Code. This is not said in criticism but only because it bears upon the question of conflict of interest.

Several tax provisions, among them the 2-year provision, unlimited charitable contributions provisions, should be considered in this light. Of course, Mr. Packard would be as entitled to and as subject to the Nation's tax laws as any other citizen and should not be criticized for it.

The nominee, it should be noted, proposes no action to offset a depreciation in value of Hewlett-Packard stock during the term of the trust, if any, but any such loss of value at time of reversion, he says, would be suffered by the nominee.

Does this possibility of loss remove the conflict of interest? Indeed, no.

On the contrary, it exemplifies the conflict of interest, for the maintenance of the value of stock in a corporation that specializes in electronic equipment, and which has huge and long-term contracts with the Department of Defense, will surely be affected by policies, programs, and contracts of the Department of Defense. It follows, then, that the value of Hewlett-Packard stock, up or down, will be affected by actions and decisions, if any, of the Deputy Secretary of Defense, or by his part in such actions or decisions, if any, with respect to programs of procurement and deployment, policies of armament or disarmament, as well as by the terms and the timing of contracts.

Moreover, contracts, programs, and policies of the Department of Defense, vastly as they loom in our national economy, have long-term economic effects.

Even in a narrower sense, a program inaugurated, a policy decision taken, a contract let, during the term of office of the nominee just might have more effect on the value of Hewlett-Packard stock after the term of the proposed trust rather than during the term. And what industry or business is more closely atuned to the missilery and technology of modern sophisicated defense systems than the electronic industry?

So, Mr. President, the conclusion of the distinguished Committee on Armed Services, as stated to the Senate by the able and eminent chairman, does not appear to be supported by fact or justified by reason.

It is the suggestion of the Senator from Tennessee, therefore, respectfully submitted that the nomination of Mr. Packard be reconsidered by the committee or, if pressed under present circumstances before the Senate, be rejected.

Confirmation of Mr. Packard on this record and under these conditions would establish a most unfortunate precedent. It avails nothing to say that it will not be a precedent or that the committee will not regard it as a precedent, this being tantamount to saying that the sum of two and two will not be recognized as four. It would be a precedent, a most unfortunate precedent, of abandonment of conflict of interest safeguards with respect to confirmation of a nominee for Deputy Secretary of Defense with a prima facie conflict of interest.

Perhaps it is not for the senior Senator from Tennessee to suggest means of removing the conflict of interest that would be created by confirmation. That responsibility would rightly rest upon the nominee. Even so, it may be permissible to suggest that a genuine "blind" trust with attributes of both discretion in and instructions to the trustee for diversification or divestiture, and a much longer term trust be considered. The difficulties of divestiture seem to have been maximized. The utilization of an underwriter agency might be considered. But these references are only made to indicate a desire to see the conflict of interest removed.

Information that Mr. Packard is an exceptionally able, honorable, and dedicated man comes from many sources, including a very courteous and pleasant visit from the able and estimable Secretary of Defense, Mr. Laird, who needs and deserves able colleagues.

Yet, Mr. President, public officials must shun even the appearance of evil, public confidence being so essential to the efficacy of our system of popular government.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACCOUNTING PRACTICES OF YOUTH PRIDE, INC.

Mr. BYRD of West Virginia. Mr. President, on Thursday last, the General Accounting Office completed and furnished to the Senate Committee on Appropriations a report of its audit of Youth Pride, Inc. This investigation was initiated by the General Accounting Office on June 5, 1968, at the request of the committee and an interim report was supplied by the General Accounting Office on September 4, 1968. This interim report was reprinted in the CONGRESSIONAL RECORD, volume 114, part 20, pages 25967–25976.

In view of rather widespread interest in the General Accounting Office's findings, copies of the final report have been forwarded directly to those having responsibility for the administration of PRIDE contracts and the protection of the Government's interests in the matter, and will be released to the press later today.

The report speaks for itself. However, I would like to point out the following:

The General Accounting Office did not undertake to evaluate the overall effectiveness of PRIDE in accomplishing the objectives of the legislative acts under which it was funded.

Although the General Accounting Office requested unrestricted access to the books and records of PRIDE's affiliate organization known as Youth PRIDE Economic Enterprises, Inc.—PEE—access was limited only to those transactions between PRIDE and PEE and certain PEE training programs.

Neither did the General Accounting Office undertake to investigate allegations or other evidence indicating a possible violation of criminal statutes.

The General Accounting Office and agencies having responsibility for investigations of a criminal nature have operating agreements that any such information uncovered in the course of GAO investigations will be turned over to the responsible agency for further development and appropriate action. In the course of this investigation, initial information of this type was turned over to the Federal Bureau of Investigation on July 11, 1968. Other information was made available to the Department of Justice by the Department of Labor on August 22, 1968, and to the Department of Justice by the General Accounting Office on October 21, 1968.

As requested by the committee, the General Accounting Office did endeavor to determine whether Government funds utilized under the contract were properly expended and accounted for, and arrived at the following conclusion as contained in the report:

> In view of the significant weaknesses in PRIDE's system of accounting and related internal controls during the period covered by our review, the allegations of irregularities disclosed during our interviews with PRIDE enrollees, and the Department's disclosures regarding internal control weaknesses and questionable check endorsements, we cannot conclude that all funds advanced to PRIDE under its first two contracts with the Department of Labor were properly expended and accounted for.

I repeat:

> We cannot conclude that all funds advanced to PRIDE under its first two contracts with the Department of Labor were properly expended and accounted for.
>
> We believe that the serious weaknesses in PRIDE's system of accounting and internal controls allowed for conditions under which many of the irregularities and improprieties that have been alleged could have occurred. We do not believe that it is feasible to determine now with any degree of certainty the full extent to which funds may have been misused. We believe that the passage of time and other circumstances—

I repeat: "and other circumstances"; the report does not define those so-called other circumstances or make any other explanation whatsoever of what was intended—

> We believe that the passage of time and other circumstances relating to PRIDE's operations would make any attempts at such determinations inordinately costly and the results would probably be inconclusive.
>
> We believe that the improvements that have recently been made by PRIDE to its accounting system and related internal controls should aid materially in providing assurance that contracts funds are properly expended and accounted for in the future. However, in our opinion, no system of accounting and no internal controls, regardless of how well devised, can be expected to provide complete protection against all types of fiscal irregularities, such as kickbacks of pay and collusion to divert funds for unauthorized uses.
>
> We believe that the Department of Labor should have satisfied itself in conjunction with awarding contracts to PRIDE that the accounting procedures and internal controls of that organization provided reasonable safeguards over Federal funds. We believe that, if the Department had required PRIDE to adhere to conventional and accepted standards of accounting and internal control, many of the unresolved questions and doubts concerning the use of funds under the first two contracts could have been avoided.

The Department of Labor's attitude toward its responsibilities in administering the contract is evidenced by the following response to a General Accounting Office question as to the policy to be followed in paying PRIDE enrollees during inclement weather:

> * * * In some instances we know that indoor activities may be inappropriate or unavailable. Where such cases arise we anticipate that enrollees might be dismissed for the day with full pay. In view of the project's effort to provide financial and job security to disadvantaged youths and considering that constructive indoor activities may simply not be scheduled in certain cases, it is felt that the project ought to have the authority in cases of bad weather to judge whether worthwhile indoor activities can be arranged and whether enrollees should or should not be penalized financially for bad weather. This flexibility in operation is consistent with our approach of granting PRIDE wide discretion in formulating and administering their program and consequently, we do not plan to modify our current agreement with Youth Pride, Inc. to include an understanding on inclement weather.

Note that the Department of Labor took the firm position:

> We do not plan to modify our current agreement with Youth Pride, Inc., to include an understanding on inclement weather.

The General Accounting Office report focuses in some detail on time and attendance records and payroll practices as they existed both prior to and following the institution of certain General Accounting Office reforms recommended in a letter by the Comptroller General to the Secretary of Labor, dated September 13, 1968. With all of the effort that has gone into improving recordkeeping and accountability in connection with Government funds expended by PRIDE, it is disappointing to learn of such charges of new irregularities as were reported by Congressman Broyhill on the floor of the House of Representatives last week—Congressional Record, January 16, 1969, page 1087.

Mention is also made regarding contract compliance and accounting for such items as consultant fees, travel allowances, rental of buildings and equipment, purchase of equipment and fixtures, and legal and accounting fees. Also discussed is the confused and often nonexistent payroll and employee data that PRIDE was required to maintain both under its contracts and regulations of the Bureau of Internal Revenue.

It goes without saying that final responsibility for accounting for Federal funds utilized under Government contracts rests with the contractor. It is clearly apparent, however, that at best the Department of Labor was indifferent to its responsibilities to supervise and administer these contracts. There is no better evidence of this fact than the report's statement that as of November 30, 1968, the Department had not completed its evaluation of a draft report of its own auditors, which was submitted over 6 months previous, May 21, 1968. With reference to the second contract ending August 4, 1968, the Department's auditors informed the General Accounting Office that "they intended to complete their review of the contract—No. P2–8901–09—but because of manpower limitations they were not certain when the review would be made."

According to the GAO report, PRIDE repeatedly failed to comply with certain requirements of its contracts with the Labor Department and with certain Government regulations. Such lackadaisical administration, surveillance, and oversight by an established Government agency or department like the Department of Labor is clearly not conducive to tight administration and strict compliance of contract provisions by a new and admittedly inexperienced organization such as PRIDE.

Moreover, it is regrettable that the General Accounting Office did not determine whether the individual, who was paid for working 72 hours for the District of Columbia and 80 hours for PRIDE in the 2-week pay period ending July 31, 1968, was in fact being paid twice for the same hours by both PRIDE and the District of Columbia government. It is also unfortunate that neither the General Accounting Office nor PRIDE's independent auditors have been able to reconcile significant differences in PRIDE's general ledger and payroll summaries supplied pursuant to the committee's request.

PRIDE's certified public accountants, Smulkin, Barsky, Hoffman, and Denton, were retained by PRIDE on October 31, 1967, to "install an acceptable accounting system for PRIDE and train PRIDE employees in implementation of the system." Through September 30, 1968, fees and expenses billed to PRIDE for services rendered by the public accountants totaled $53,991. Note is taken of the following statement in this firm's report, dated October 7, 1969, and covering the period of August 2, 1967, to June 30, 1968:

> As to contributions received and enrollee wages paid, it was not practicable to extend the examination beyond accounting for the receipts as recorded and comparing the wages paid to the underlying supporting documents.

The GAO report states that it was principally on the basis of the additional information that it developed as a result of extending the scope of its review beyond an examination of PRIDE's books and records, that it could not conclude that funds advanced to PRIDE under its first two contracts were properly expended and accounted for.

Mr. President, I hope that the information contained in this report is not indicative of the manner in which Government funds committed to similar projects in other cities have been handled. In an effort to see that this is not the case and that the Government's interests both past and future are fully protected, this report has been forwarded to the chairman of the Senate Permanent Committee on Investigations.

I ask unanimous consent to insert in the Record at this point a copy of the letter of transmittal to the chairman of the Permanent Subcommittee on Investigations (Mr. McClellan).

Mr. President, I ask unanimous consent to have printed at this point in the Record the text of the letter of transmittal to the Permanent Subcommittee on Investigations, to be followed by the text of the General Accounting Office report, to which I have alluded in my brief remarks.

There being no objection, the items were ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Appropriations,
January 18, 1969.

Hon. John L. McClellan,
Chairman, Senate Permanent Subcommittee on Investigations, New Senate Office Building, Washington, D.C.

Dear Mr. Chairman: Enclosed herewith for the information of your Committee is the final report of the General Accounting Office, covering its audit of the first two Government contracts with Pride, Inc.

This report has been furnished directly to the Appropriations Committee, and the information which it contains has not been made available either to Pride, Inc., the Department of Labor, or other interested parties.

You will recall that certain information and allegations relating to this matter were furnished to the Senate Permanent Subcommittee on Investigations on July 24th and September 6th, 1968. The subject was also discussed on the Senate Floor on September 6th (Congressional Record, vol. 114, pt. 20, pp. 25967–25976). Your Committee's strong hand in protecting the Government's interest and seeing that the highest standards are maintained in administering programs of this nature are well known. I, therefore, again urge a most careful investigation and analysis of all of the facts and allegations now available.

It is my understanding that matters relating to the subject of these contracts and certain apparent irregularities growing out of them are presently being evaluated by the United States Attorney for the District of Columbia.

With every good wish, I am,
Sincerely yours,
Robert C. Byrd,
U.S. Senator.

Report to the Committee on Appropriations, U.S. Senate—Audit of Department of Labor Contracts With Youth Pride, Inc., Washington, D.C.

(By the Comptroller General of the United States, January 16, 1969)

Comptroller General of
the United States,
Washington, D.C.

B-164537.

Dear Mr. Chairman: In accordance with your request of June 5, 1968, as supplemented by subsequent instructions, we submit herewith our report on the audit of Department of Labor contracts with Youth Pride, Inc., Washington, D.C.

Pursuant to your instructions, we have not followed our customary practice of obtaining advance comments on the draft of this report by those parties which might be adversely affected by the report. Also, we plan to make no further distribution of this report unless your agreement has been obtained or public announcement has been made by you concerning the contents of the report.

By agreement with you and the Chairman, Senate Permanent Subcommittee on Investigations, Committee on Government Operations, certain indications of criminal violations received by us during the audit have been referred to the Department of Justice.

The report contains several recommendations to the Secretary of Labor which you may wish to refer to him for appropriate action.

Sincerely yours,
Elmer B. Staats,
Comptroller General of the United States.

(Enclosure: The Honorable Richard B. Russell, Chairman, Committee on Appropriations, United States Senate.)

INTRODUCTION

At the request of the Senate Committee on Appropriations, dated June 5, 1968 (see app. II), the General Accounting Office has made an audit of Government funds utilized under the first two of three Department of Labor contracts with Youth Pride, Inc. The Committee requested us:

"To determine * * * That *all* Government funds utilized under * * * [these contracts] have been properly expended and accounted for [see app. II],

"To determine * * * The full name, home address, social security number, and if possible, the period of employment and total amount paid to each employee since the inception of this program." (see app. II) (additional data was subsequently requested),

"To evaluate PRIDE's record keeping and accounting procedures [see app. III], and

"To conduct personal interviews of a selected number of PRIDE enrollees for the primary purpose of seeking information relative to possible misuse of Government funds." (See app. III.)

We also examined into certain facets of the operations of Youth Pride Economic Enterprises, Inc. (PEE), an affiliate organized to provide businesses for dispensing goods and services, because of its relationship with PRIDE.

Our review was begun in June 1968, and fieldwork was substantially completed by November 30, 1968. Our review, which was conducted at the offices of PRIDE, PEE, and the Department of Labor, Washington, D.C., included reviews of pertinent legislation, operating policies and procedures prescribed by the Department and by PRIDE, contract provisions, and financial operations. Income and expenditures from inception of the first contract (August 2, 1967) through termination of the second contract (August 4, 1968) were examined and the system of accounting and related internal controls was reviewed and evaluated. Our review included visits to PRIDE work areas and to selected enrollees'[1] homes for the primary purpose of seeking information relating to possible misuse of Government funds. In addition, we reviewed, and utilized to the extent deemed appropriate, audit work performed by PRIDE's public accountants and the Department's auditors.

We requested unrestricted access to the books and records of PEE but, in accordance with the terms of the Department's contracts with PEE, access was granted only to the directly pertinent books and records involving PRIDE's transactions with PEE. Our examination of PEE was therefore limited to the review of transactions between PRIDE and PEE concerning the training of PRIDE enrollees.

Our examination did not include an evaluation of the overall effectiveness of PRIDE in accomplishing the objectives of the legislative acts under which funds have been provided.

The following reports were previously submitted to the Senate Committee on Appropriations in connection with this assignment.

NATURE OF REPORT

September 4, 1968—Evaluation of PRIDE's recordkeeping and accounting procedures. (Requested by Committee on August 19, 1968.)

September 6, 1968—Interim report on audit of PRIDE and PEE. (Requested by Committee on August 19, 1968.)

Also, in accordance with Senate Committee Report 1484, dated July 30, 1968, we certified to the Secretary of Labor on September 13, 1968, as to the propriety of Pride's then current recordkeeping and accounting procedures.

The information contained in the foregoing documents is summarized in this report.

BACKGROUND

PRIDE was incorporated in the District of Columbia on August 4, 1967, for the basic purposes of (1) giving employment and job training to hard-core, multiproblem, Washington, D.C., youth while at the same time providing neighborhood services, such as street and alley cleaning and rodent control, (2) engaging in activities designed to create and expand employment and job training opportunities, and (3) engaging in educational activities.

The corporation is not organized for profit and has no capital stock, and no part of any net earnings it may realize may accrue to the benefit of any private individual.

PRIDE is headed by an Executive Director—Carroll B. Harvey—who is responsible for directing its overall affairs. Its functions are carried out through three departments. The current director and the principal functions of each department are as follows:

Department	Director	Principal functions
Operations	Marion S. Barry	Neighborhood services program.
Program development	Mary M. Treadwell	Services to enrollees, including education, training, health benefits, legal aid, and recreation; selection and development of skill training opportunities to provide permanent employment.
Administration	Fred Tarpley, Sr	Procurement, personnel, payroll, and accounting.

Carroll B. Harvey is an employee of the District of Columbia Government which regards his annual salary ($18,076) as an in-kind contribution to PRIDE. The annual salaries of the three directors of departments as of November 30, 1968, were as follows:

Marion S. Berry	$15,600
Mary M. Treadwell	15,600
Fred Tarpley, Sr	12,605

We were informed that, as of November 14, 1968, PRIDE's Board of Directors consisted of 41 enrollees and staff employees, including the Executive Director, the Director of Operations, and the Director of Program Development. The Acting Chairman of the Board is Winston Staton and the Secretary-Treasurer of PRIDE is Mary M. Treadwell. The first Chairman of the Board, Rufus Mayfield, was replaced by Winston Staton, as Acting Chairman, in November 1967.

The number of PRIDE enrollees and staff employees on the rolls as of October 5, 1968, according to PRIDE's records, is summarized as follows:

Administrative	110
Painting	17
Neighborhood services	699
Total employees	826

From inception through June 30, 1968, PRIDE employed approximately 2,900 individuals.

Basic information on contracts with Department of Labor and United Planning Organization

In pursuance of its objectives, PRIDE has obtained the following contracts from the Manpower Administration of the Department of Labor, and from the United Planning Organization (UPO).

---

[1] Enrollees are youths participating in PRIDE's employment and job training programs.

Contract No.	Amount	Period From	Period To—	Statutory authority and program
Department of Labor:				
82-09-68-01	$291,525	Aug. 2, 1967	Sept. 30, 1967	Sec. 105, Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2572c, supp. III). (Summer youth demonstration project.)
P2-8901-09	2,037,090	Oct. 1, 1967	Aug. 4, 1968[1]	Title ID, Economic Opportunity Act of 1964, as amended (42 U.S.C. 2763, supp. III). (Special impact program.)
F9-9002-99	2,600,000	Aug. 5, 1968	Aug. 5, 1969	Title IB, Economic Opportunity Act of 1964, as amended (42 U.S.C. 2737, supp. III). (Work and training program.)
United Planning Organization:				
180267	464,368	Sept. 2, 1967	Aug. 31, 1968[2]	Title IB, Economic Opportunity Act of 1964, as amended (42 U.S.C. 2737, supp. III). (Neighborhood Youth Corps.)
Total funds	5,392,983			

[1] Expiration date of June 15, 1968, extended to Aug. 4, 1968.

[2] Expiration date of Oct. 28, 1967, extended to Aug. 31, 1968. Negotiations for a new subcontract had been substantially completed by Nov. 30, 1968.

Contract No. 82-09-68-01 ($291,525)

The initial contract with PRIDE, for the period August 2 through September 30, 1967, was made under section 105 of the Manpower Development and Training Act of 1962, as amended, which authorized the Secretary of Labor to "develop and carry out experimental and demonstration projects to assist in the placement of persons seeking employment through a public employment office * * *."

The specific objective of the demonstration project authorized by the contract was "to explore the feasibility and value of having youth themselves take a major role in organizing and operating a large-scale program to provide disadvantaged unemployed youth with positive motivation and work-experience in needed community-service activities."

The contract provided that PRIDE would:

1. Recruit and select approximately 900 unemployed youths, primarily ages 14 to 18, to be supervised by about 129 team foremen, age 18 and over, three division chiefs, and other authorized staff.

2. Employ youths in neighborhood cleanup, rodent control, and beautification work activities at a rate of $11.20 a day ($1.40 an hour). Team foremen and drivers were to be paid $16 a day ($2 an hour) and area supervisors and division chiefs $20 a day ($2.50 an hour) and $22 a day ($2.75 an hour), respectively.

Contract No. P2-8901-09 ($2,037,090)

The second contract with PRIDE which as amended, ran from October 1, 1967, to August 4, 1968, was authorized under title ID (Special Impact Programs) of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2763). The purpose of this part of the act is:

"To establish special programs which (1) are directed to the solution of the critical problems existing in particular communities or neighborhoods * * * within those urban areas having especially large concentrations of low-income persons * * * and (2) are of sufficient size and scope to have an appreciable impact in such communities and neighborhoods in arresting tendencies toward dependency, chronic unemployment, and rising community tensions."

The contract authorized PRIDE to provide work training experience to enrollees in neighborhood services and various commercial-type programs. Neighborhood services consisted of neighborhood cleanup, beautification, recreation, and rodent control and were to be carried out by PRIDE.

The commercial-type activities organized by PRIDE included a landscaping and gardening company and an art company. These companies were placed under PEE in March and May 1968, respectively. Wages of enrollees who were assigned to PEE for training were paid by PRIDE.

The original contract was due to expire on June 15, 1968. It was subsequently extended to July 15, 1968, further extended to July 31, 1968, and extended again to August 4, 1968. None of these extensions authorized any increase in the amount of the contract.

PRIDE was authorized to employ the following enrollees through June 15, 1968, at the wage rates indicated.

	Number	Wage rates
Financed from departmental funds:		
Part time:		
Workers, in school	320	$1.40
Team captains, in school	100	1.75
Full time:		
Workers, out of school	600	1.75
Team captains	85	$2.00-2.25
Driver/mechanics	36	2.00-2.25
Area supervisors	21	2.50-2.75
Total	1,162	
Financed from UPO funds: Part-time time workers, in school	380	1.40
Total enrollees authorized	1,542	

After June 15, 1968, full-time summer jobs for 1,392 enrollees were authorized. The types of enrollees and applicable wage rates were as follows:

	Number	Wage rates
Financed from departmental funds:		
Workers	768	Up to $1.75.
Team captains	167	Up to $2.25.
Drivers/mechanics	36	$2 to $2.25.
Area supervisors	21	$2.50 to $2.75.
Total	992	
Financed from UPO funds[1]:		
Workers, age 14 and 15		$1.40.
Workers, age 16 through 21	400	$1.60.
Total enrollees authorized	1,392	

[1] Under PRIDE's subcontract with UPO the change in number of enrollees and wage rates was made effective on June 9.

Contract No. F9-9002-99 ($2,600,000)

The third contract with PRIDE runs from August 5, 1968, through August 5, 1969, and was authorized under title IB of the Economic Opportunity Act of 1964, as amended. The purpose of this part of the act is:

"To provide useful work and training opportunities, together with related services and assistance, that will assist low-income youths to continue or resume their education, and to help unemployed or low-income persons, both young and adult, to obtain and hold regular competitive employment * * *."

Under this contract, PRIDE was expected to continue and build upon the program it had operated under the previous contract. It was authorized to employ the following types of youths.

	Number
Youths 16 years of age and above from low-income families:	
Not attending school and unemployed or underemployed	[1] 200
Attending school (to be financed by UPO)	[2] 400
Youths over 16 years of age—until school reopens	250
Total enrollees authorized	850

[1] As of October 5, 1968, PRIDE had 716 enrollees on its payroll although only 600 were authorized by the contract, as noted above. The Department advised us that the excess represented 14- and 15-year-old enrollees who are to be phased out of the program and that the ceiling of 600 had been waived by the Department until the phasing out process was completed.

[2] Contract F9-9002-99 made reference to the employment of 400 enrollees, age 16 and above, who were to be paid from UPO funds whereas the UPO subcontract permitted 380 14- through 21-year-old enrollees to be hired. The Department explained that the provision in contract F9-9002-99 referring to UPO-financed enrollees was for reference purposes only and that the provision in the UPO contract was controlling.

Subcontract No. 180267 ($464,368)

UPO, a nonprofit corporation organized under the laws of the District of Columbia, is the official local agency for implementing various programs under the Economic Opportunity Act of 1964, as amended (78 Stat. 508). UPO operates some programs directly and contracts with certain independent community organizations for the operation of other programs.

In September 1967 PRIDE obtained subcontract No. 180267 from UPO for the period September 2, 1967, to October 28, 1967, under title IB of the Economic Opportunity Act of 1964. Several times the period of the subcontract was extended and the amount was increased. The latest amendment (June 9, 1968) extended the period to August 31, 1968, and increased the amount to $464,368. The subcontract, as amended, authorized PRIDE to provide employment for 13 hours weekly to 380 unemployed and poor enrollees between the ages of 14 through 21 years, who would be able to resume or maintain school attendance as a result of enrollment in the project. UPO was to reimburse PRIDE for the cost of the enrollees' wages at $1.40 an hour from Neighborhood Youth Corps (NYC) funds obtained by UPO under its prime contract No. UPO-NYC-7177-09 with the Department of Labor.

The June 9, 1968, amendment provided funds for full-time summer employment, 40 hours weekly, to 400 in-school enrollees from June 9, 1968, to August 31, 1968. The wage rate for enrollees aged 14 and 15 continued at the rate of $1.40 an hour and the wage rate for enrollees aged 16 through 21 was increased to $1.60 an hour.

PRIDE continued to operate the NYC in-school program after August 31, 1968, without a formal contract, but the negotiations for a new contract had been substantially completed by November 30, 1968. During the interim period PRIDE used departmental funds to pay wages for NYC enrollees.

PRIDE Economic Enterprises, Inc. (PEE)

PEE was incorporated in the District of Columbia on March 29, 1968, as a profit-making corporation, to give employment and job training to hard-core, multiproblem Washington, D.C., youth and other persons and to provide businesses for dispensing goods and services. As of November 30, 1968, PEE had no capital stock outstanding.

PEE is affiliated with PRIDE to the extent that PRIDE's principal officials (see p. 6) serve on PEE's Board of Directors. Also, they are officers of PEE, as follows:

PRIDE Official and PEE Position

Carroll B. Harvey, President.
Marion S. Barry, Vice-President.
Mary M. Treadwell, Secretary-Treasurer.

The Administrator of PEE as of October 31, 1968, was Mr. Nathaniel R. Landry, Sr.

On August 5, 1968, PEE obtained four contracts from the Department of Labor which made funds available for training PRIDE enrollees in the various businesses, as follows:

PRIDE Landscaping and Gardening Co.	$130,000
PRIDE ARTCO (art company)	60,000
PRIDE Painting and Maintenance Co.	255,600
PRIDE Automotive Service Center	726,410
Total funds	1,172,010

These contracts were made pursuant to title IB of the Economic Opportunity Act of 1964. On August 27, 1968, the four PEE contracts were merged into one contract (No. 09–9–5003).

The first business enterprise undertaken by PEE was a landscaping and gardening business which was purchased from Mr. T. P. Brockman, Sr. of McLean, Virginia in March 1968. The business provided on-the-job training experience for 51 PRIDE enrollees through August 4, 1968. This purchase was financed with the proceeds of a $25,000 loan, obtained from the Small Business Administration on April 24, 1968. The loan is repayable in monthly installments, with interest at 5½ percent, over a 10-year period.

PEE also organized ARTCO, a business to commission artists to do original art work and have manufacturers reproduce it in large quantities for a mass market. PEE informed us that it had borrowed $5,000 from a local bank to establish ARTCO as a profit-making business. Sixteen PRIDE enrollees were transferred from PRIDE to ARTCO for training. ARTCO was shut down in September 1968, and eight enrollees were transferred back to PRIDE, six were terminated, and two remained with PEE.

The painting and maintenance company had not been activated as of October 31, 1968. PRIDE employees assigned to painting were being carried on PRIDE's payroll.

In September 1968 the Pride American Service Center went into operation at 14th and Euclid Streets, NW., Washington, D.C.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Review of Pride's financial operations

Our review showed that a number of weaknesses and deficiencies existed in PRIDE's system of accounting and related internal controls, relating primarily to enrollee payrolls. We found significant weaknesses in procedures, involving the distribution of payroll checks to enrollees; preparation, submission, and verification of enrollees' time and attendance reports which form the basis for making payroll payments to enrollees; and verification of payroll calculations.

Also, during interviews with a selected number of PRIDE enrollees, we received numerous allegations of improprieties and irregularities involving expenditures for wages and other matters. Further, we noted that Department of Labor auditors had reported significant weaknesses in PRIDE's internal controls in April 1968 and that Department investigators had thereafter noted a number of questionable endorsements on enrollees' payroll checks.

Under these circumstances and in light of the fact that enrollee wages accounted for about 77 percent of PRIDE's expenditures, we cannot conclude that all funds advanced to PRIDE under its first two contracts with the Department were properly expended and accounted for. We believe that the serious weaknesses in PRIDE's system of accounting and internal controls allowed for conditions under which many of the irregularities and improprieties that have been alleged could have occurred. We do not believe that it is feasible to determine now with any degree of certainty the full extent to which funds may have been misused. We believe that the passage of time and other circumstances relating to PRIDE's operations would make any attempts at such determinations inordinately costly and the results would probably be inconclusive.

Since our examination disclosed information which leads us to believe that Federal criminal laws may have been violated, we have, by agreement with the Senate Committee on Appropriations and the Senate Permanent Subcommittee on Investigations, Committee on Government Operations (see apps. IV and VI), apprised the Department of Justice of pertinent aspects of our examination. Certain documented information was turned over to the Department of Justice on December 4, 1968. Also, with the permission of the Senate Committee on Appropriations, we previously, on July 11, 1968, referred certain allegations of irregularities to the Federal Bureau of Investigation. The Department of Labor has also referred its findings involving questionable payroll check endorsements to the Department of Justice.

We believe that the improvements that have recently been made by PRIDE in its accounting system and related internal controls should aid materially in ensuring that contract funds are properly expended and accounted for in the future. However, in our opinion, no system of accounting and internal controls, regardless of how well devised, can be expected to provide complete protection against all types of fiscal irregularities, such as kickbacks of pay and collusion to divert funds for unauthorized uses.

We believe that the Department of Labor should have satisfied itself in conjunction with awarding contracts to PRIDE that the accounting procedures and internal controls of that organization provided reasonable safeguards over Federal funds. We believe that, if the Department had required PRIDE to adhere to conventional and accepted standards of accounting and internal control, many of the now unresolved questions and doubts concerning the use of funds under the first two contracts could have been avoided. We believe that in the future the Department should monitor PRIDE's accounting and internal control procedures and perform periodic tests of transactions and procedures to ensure satisfactory performance by PRIDE.

The following summary of grants and expenditures was prepared by us from PRIDE's books and records and from the working papers of PRIDE's public accountants. It shows for the period August 2, 1967, through August 4, 1968, (1) total grants authorized under PRIDE's first two contracts with the Department of Labor and the subcontract with UPO, (2) expenditures incurred under the three contracts, and (3) unexpended balances of grants authorized.

		Department of Labor contracts		United Planning Organization subcontract No. 180267
	Total	No. [1] 82-09-68-01	No. P2-8901-09	
Grants authorized	$2,792,983	$291,525	$2,037,090	$464,368
Expenditures incurred:				
Enrollee and administrative wages	2,066,252	232,536	1,479,414	354,302
Payroll taxes	90,831	10,148	65,094	15,589
Consultants' fees	93,696		93,696	
Rental of buildings and equipment	89,965	13,871	76,094	
Purchase of equipment and fixtures	77,372	7,800	69,572	
Legal and accounting fees	57,478	900	56,578	
Insurance premiums	38,390	11,997	26,393	
Renovation expense	31,568		31,568	
Consumable supplies	18,318		18,318	
Publications and advertising	15,405	585	14,820	
Payroll service	12,941	3,069	9,872	
Medical and dental services	12,482		12,482	
Office supplies	11,151	255	10,896	
Telephone and utilities	10,280		10,280	
Other expenditures	47,131	2,373	44,758	
Total expenditures incurred	2,673,260	283,534	2,019,835	369,891
Unexpended balances of grants authorized	119,723	7,991	17,255	94,477

[1] Amounts differ from those shown in the public accountants' report (app. I) because of reclassifications made by us. However, total expenditures incurred—$283,534—agree with the amount in the public accountants' report.

Presented below are more-detailed comments on the results of our review of PRIDE's system of accounting and internal controls and on selected categories of expenditures.

Evaluation of system of accounting and related internal controls

Early in our review we advised the Committee that the Department's auditors had found weaknesses in PRIDE's system of accounting and internal controls and had noted several instances of suspicious endorsements on payroll checks. Also, we informed the Committee of allegations of fiscal irregularities, which we had received from various sources. With the Committee's permission, we referred these allegations to the Federal Bureau of Investigation on July 11, 1968, for evaluation and disposition.

After the receipt of this information, the Committee, in its report on the 1969 appropriation bill (enacted as P.L. 90–557, 82 Stat. 969) for the Departments of Labor and Health, Education, and Welfare and related agencies (S. Rept. 1484, July 30, 1968), expressed concern "at the seeming lack of application of proper accounting and recordkeeping procedures in the operation of Youth Pride, Inc." It stated further that:

"The Secretary of Labor shall report not later than September 15, 1968, to the Congress as to whether the recordkeeping and accounting procedures of Youth Pride, Inc., are in proper order, and that the Comptroller General has so certified to him by letter, and the committee directs that no action be taken on the renewal of the contract beyond September 15, 1968, unless such an affirmative report has by that date been submitted by the Secretary."

On August 19, 1968 (see app. III), the Committee requested us to undertake the following additional work.

1. Submit a report to the Committee not later than September 7, 1968, containing an evaluation of PRIDE's recordkeeping and accounting procedures. (This report was submitted on September 4.)

2. Submit an interim report to the Committee on our audit of PRIDE by September 7, 1968. (This report was submitted on September 6.)

3. Conduct personal interviews of a selected number of PRIDE enrollees for the primary purpose of seeking information relative to possible misuse of Government funds. (The preliminary results of these interviews were included in our interim report of September 6.)

In our report of September 4, 1968, we informed the Committee that, in our opinion based on our review of PRIDE's and PEE's accounting systems and related internal controls prior to September 4, 1968, certain weaknesses would have to be corrected before we could certify that PRIDE's recordkeeping and accounting procedures were in proper order. These weaknesses pertained to (1) distribution of payroll checks to enrollees, (2) preparation, submission, and verification of enrollees' time and attendance reports which form the basis for making payroll payments to enrollees, and (3) verification of payroll calculations. Other weaknesses of less significance had also been noted.

For example, our review had disclosed that time and attendance reports were maintained and approved by the same supervisory personnel who controlled the distribution of paychecks to enrollees and that such a procedure did not provide for adequate internal controls and safeguards to avoid check payments based on time and attendance records approved for nonexistent persons. In our observations of paycheck distributions, we had noted that numerous recipients of payroll checks could not adequately identify themselves. We had concluded that paymasters should be designated to distribute payroll checks independently of the supervisory personnel who maintained and approved time and attendance reports and that payroll checks should not be distributed unless enrollees provided paymasters with appropriate identification.

Also, we had concluded that the payroll office at PRIDE was not performing a sufficient amount of verification work in connection with enrollee payroll preparation, such as comparing information on time and attendance reports with Operations Department morning reports, and testing the accuracy of payroll calculations made by the contractor engaged to prepare enrollee payroll checks. We believed that these procedures needed to be strengthened to ensure reasonable accuracy and propriety in payroll operations.

We apprised the Department of our findings and recommendations, and the Department conveyed them to PRIDE. Prompt corrective actions were taken. These included (1) hiring a Director of Administration, (2) hiring a paymaster, (3) furnishing PRIDE identification cards to all employees, (4) distributing paychecks through only the paymaster and his staff, (5) requiring each employee to present his identification card before giving him his paycheck, (6) testing information on time and attendance reports prepared by supervisors with daily morning reports showing attendance prepared by headquarters personnel, and (7) testing payroll calculations. Other management control techniques, such as daily visits to work areas by supervisory personnel to verify attendance, were also instituted.

Subsequent to the issuance of the September 4 report to the Committee, we ascertained that the recommended corrective actions had been taken and substantially implemented by PRIDE. We concluded that the accounting system and related internal controls were adequate. Accordingly, we certified to the Secretary of Labor on September 13, 1968, that the recordkeeping and accounting procedures of PRIDE and PEE were then in proper order. In our letter to the Secretary, we pointed out that our evaluation was limited to the accounting systems and related internal controls and did not include management controls not related to the accounting system such as those involving performance of operating programs. We made reference to the allegations of irregularities in pay and to other matters that had been disclosed in our interim report to the Committee of September 6 and pointed out that no system of accounting and internal control, regardless of how well devised, could be expected to provide complete protection against all types of fiscal irregularities, such as kickbacks of pay and collusion to divert funds for unauthorized uses.

Enrollee and Administrative Wages
($2,066,252)

Enrollee and administrative wages, which accounted for about 77 percent of PRIDE's total expenditures for the period covered by our review, were as follows:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09	UPO subcontract No. 180267
Enrollee wages	$1,930,601	$231,146	$1,345,153	$354,302
Administrative wages	135,651	1,390	134,261	....
Total	2,066,252	232,536	1,479,414	354,302

In connection with our review of this major item of expense, and in accordance with the Committee's expressed wishes, we interviewed a selected number of PRIDE enrollees for the primary purpose of seeking information relative to the possible misuse of Government funds. We interviewed the enrollees at their homes and at other places as necessary.

In this connection we prepared a list of PRIDE enrollees removed from the payroll after June 15, 1968, or on the June 15 payroll but not paid during the 2-week period ended July 27, 1968. We selected the June 15 payroll because we had received an allegation that this particular payroll included names of individuals who had not worked for PRIDE. We also considered enrollees who, for the most part, might have been involved in irregularities, such as enrollees who could not adequately identify themselves when they received their paychecks. From the aforestated data and other sources, we selected a group of 133 enrollees for interview. All PRIDE work areas were represented in this group.

Since the enrollees selected for interview were those for whom we had some indication of involvement in possible irregularities, the results of our interviews, which are summarized below, may not be representative of results that might have been obtained from interviews of other PRIDE enrollees.

The results of our interview work through September 30, 1968, are summarized below.

	Enrollees	
	Number	Percent
Enrollees interviewed:[1]		
Enrollees alleging irregularities	86	65
Enrollees not alleging irregularities	18	13
Total enrollees interviewed	104	78
Enrollees not interviewed:		
Enrollees not located:		
No address recorded in PRIDE records	1	....
Address recorded in PRIDE records:		
Informed that enrollees had moved	11	....
Informed that enrollees had never lived at address	7	....
No living quarters at address	1	....
Address nonexistent	1	....
Total enrollees not located	21	16
Enrollees located:		
Enrollees in institutions	6	....
Enrollee refused to be interviewed	1	....
Enrollee not available for interview	1	....
Total enrollees located	8	6
Total enrollees not interviewed	29	22
Total interviews attempted	133	100

[1] In 3 instances parents were interviewed instead of the enrollees. Of the 104 interviews made, 28 concerned enrollees employed by PRIDE at the time of the interview and 76 concerned enrollees who had left PRIDE prior to the interviews. 83 percent of the interviews produced allegations.

Our interviews produced 269 allegations as shown in the following tabulation.

Allegations by general categories:	*Number of allegations*[1]
Payroll padding	30
Kickbacks	30
Other allegations involving wage payments	123
Allegations not involving wage payments	86
Total allegations	269

[1] In certain instances this tabulation includes more than one allegation concerning the same irregularity.

Where feasible we attempted to verify the more serious allegations through examination of PRIDE's records and other investigative techniques.

The allegations of irregularities, as determined by us through September 3, 1968, were conveyed to the Committee in an interim report dated September 6, 1968, and on September 9 the Committee requested us to cooperate with the Senate Permanent Subcommittee on Investigations, Committee on Government Operations, with reference to any investigation which it might make of the matters disclosed by our audit.

Following our discussions with the Subcommittee staff, the Subcommittee informed us that it had no objection to our releasing the results of our investigation to the Department of Justice. On October 21, 1968, we notified the Department of Justice that we had been authorized to release the material to it and suggested that its representatives make the necessary arrangements to obtain it. Some of our material was turned over to representatives of the Department of Justice on December 4, 1968.

Payroll Padding

The specific types and number of allegations received involving payroll padding were as follows:

Paychecks issued in names of enrollees after they had discontinued working for PRIDE	13
Paychecks issued to enrollees who never reported for work	6
Paychecks issued to enrollees who worked elsewhere	5
Other allegations involving payroll padding	6
Total	30

The findings of the Department's investigators, discussed herein under the caption "Personal interviews of PRIDE enrollees by the Department of Labor," also suggested the existence of payroll padding. (See p. 29.)

As noted on the tabulation on page 23, we could not locate 21 enrollees, or 16 percent of the 133 enrollees selected for interview. Although we cannot conclude that these 21 enrollees did not exist, in seven instances we were informed that the enrollees had never lived at the addresses shown on PRIDE's records. In another instance the address shown on PRIDE's records was a playground, and in another instance the address was nonexistent. These findings were suggestive of possible further payroll padding in addition to that specified in the allegations noted above.

Included above in the item "Other allegations involving payroll padding" is an allegation that PRIDE enrollees were attending summer school while being paid full time by PRIDE. A cursory review of the records of the Adult Education and Summer Schools for the District of Columbia revealed that at least 13 PRIDE enrollees had attended summer school. According to PRIDE's records all these enrollees were on PRIDE's payroll during the period that they were attending summer school, and the records showed that the hours each enrollee had worked for PRIDE during that period ranged from 24 hours a pay period to the full 80 hours.

Because our examination of the summer school records was made on a test basis, it is possible that there were more than 13 PRIDE enrollees attending summer school. We did not determine whether the enrollees were paid by PRIDE for the same hours that they had been attending school.

In reply to our inquiry as to whether the practice of paying PRIDE enrollees while attending D.C. summer school was authorized by the contracts, the Department advised us as follows:

"With respect to paying enrollees while they attend school, quite obviously, PRIDE is not authorized to pay persons for activities unrelated to the project. Accordingly, if the enrollees you found being paid for attending school were not spending time in activities arranged or approved by the project, they should not have been paid. However, the program flexibility we have accorded PRIDE would permit the project to pay enrollees while they attend classes in remedial education, etc., i.e. activities designed to enhance the job abilities of the enrollees. Of course, such enrollees would also be expected to participate in on the job (as well as classroom) training."

Kickbacks

The specific types and number of allegations received involving kickbacks were as follows:

Area supervisors and team captains reported absent enrollees to be on duty and shared in their wages	23
Individual who had another job was reported as present by area supervisor who shared in proceeds of PRIDE payroll check (this case also classified as payroll padding)	3
Other allegations involving kickbacks	4
Total	30

Other Allegations Involving Wage Payments

The specific types and number of other allegations received involving wage payments were as follows:

Enrollees were paid for full day although they had not reported for work or had reported late	30
Enrollees were paid for a full day although they had been sent home during inclement weather	[1] 27
Enrollees did not receive checks due them	24
Amounts of enrollees' paychecks had been less than amounts due and differences were not adjusted	10
Enrollees had gone home early but were paid for full day	10
Other allegations, such as overpayments and failure to work while on duty	22
Total	123

[1] PRIDE's contracts did not prescribe the policy to be followed by PRIDE during inclement weather when regularly scheduled work plans could not be carried out. PRIDE informed us that on days when the weather was inclement, area supervisors submitted schedules to PRIDE headquarters of the activities conducted in lieu of the work regularly scheduled, including the cleaning of PRIDE headquarters office and places of assembly in the field, private resident garages, and other jobs. PRIDE advised us that, when the need arose because of persistent inclement weather, classroom activities were scheduled.

The Department advised us as follows in answer to our inquiry concerning the policy to be followed by PRIDE during inclement weather.

"PRIDE's inclement weather policy was not spelled out in the Title I-D, EOA agreement which expired August 5 and is not detailed in the current agreement between the Labor Department and Youth Pride, Inc. * * * we had and do have an understanding with PRIDE that every effort will be made to assign enrollees to productive indoor activities during bad weather. For example, we understand that PRIDE's orientation program was held to a minimal schedule during the summer and would be stepped up during the winter months. In some instances we know that indoor activities may be inappropriate or unavailable. Where such cases arise we anticipate that enrollees might be dismissed for the day with full pay. In view of the project's effort to provide financial and job security to disadvantaged youths and considering that constructive indoor activities may simply not be scheduled in certain cases, it is felt that the project ought to have the authority in cases of bad weather to judge whether worthwhile indoor activities can be arranged and whether enrollees should or should not be penalized financially for bad weather. This flexibility in operation is consistent with our approach of granting PRIDE wide discretion in formulating and administering their program and consequently, we do not plan to modify our current agreement with Youth Pride, Inc. to include an understanding on inclement weather."

Allegations Not Involving Wage Payments

Allegations not involving wage payments include weaknesses in management controls and items not directly related to the misuse of Government funds. The various types and number of allegations received were as follows:

Enrollees never received PRIDE identification cards	31
Discrepancies concerning enrollee data recorded on PRIDE's records and data obtained in interviews with enrollees	32
PRIDE officials and enrollees involved in use and sale of narcotics	13
Other allegations	10
Total	86

In September 1968 PRIDE undertook to issue identification cards to all employees and informed us that signatures on identification cards would be compared with employees' signatures each payday before checks were distributed. Our observations of paycheck distributions confirmed that this procedure had been implemented.

In a letter to us dated November 13, 1968, PRIDE stated that a number of PRIDE enrollees had had drug problems and that action had been taken to lessen the problems. However, it denied that any PRIDE official, as distinguished from an enrollee, had been addicted to narcotics at any time since the program had been initiated, had been arrested on narcotics charges, had sold narcotics to an enrollee, or had been fired for being involved in narcotics.

Personal Interviews of PRIDE Enrollees by the Department of Labor

On the basis of information furnished by departmental auditors, departmental investigators interviewed 21 enrollees and members of the families of seven other enrollees.

These interviews indicated that 12 checks, aggregating $900.66 had not been endorsed by the enrollees and that these enrollees had not received the proceeds of their checks. The Department of Labor referred information relative to this matter to the Department of Justice by letter dated August 22, 1968, with the following conclusion:

"The Labor Department's audits and interviews indicate the probability of criminal activity in the payroll area, specifically, with respect to 12 forged checks in the amount of $900.66, and the evidence appears to focus on a few individuals rather than indicating widespread or systematic fraud. It appears likely that a full-scale investigation would disclose additional forgeries in proportion to the original sampling of 500 checks out of 25,000—that is, in terms of the total funding of $2 million, the total fraud would probably be on a very small scale."

Our review of the work performed by the departmental auditors and investigators with respect to questionable payroll checks disclosed the following information.

1. A sample of 478 checks bearing two or more handwritten endorsements was selected by the departmental auditors from a group of about 11,000 checks, not 25,000 as indicated in the conclusion quoted above. We were informed by the auditors that most of the 11,000 checks bore two or more endorsements; the auditors estimated that about 25 percent of the checks contained handwritten second endorsements (the balance was estimated to contain rubber-stamped second endorsements by stores and other organized businesses).

2. Departmental auditors attempted to compare the first endorsements on the 478 checks with signatures on file in PRIDE's personnel office with the following results.

Checks compared with signatures on file:	
Signatures on checks appeared to match signatures in personnel files	299
Signatures on checks for 33 individuals, totaling $2,078.99, did not appear to match signatures in personnel files	35
Total checks compared	334
Checks not compared with signatures on file:	
Signatures on checks for 128 individuals, totaling $6,540.50, could not be compared because no signatures were available in personnel files or the personnel files could not be located	144
Total comparisons attempted	478

3. Departmental investigators attempted to interview 35 enrollees to verify the authenticity of their endorsements on the 35 checks on which the signatures did not match those on file and on three checks on which the signatures could not be compared. They succeeded in interviewing 21 enrollees and members of families of seven others. The results of the attempted interviews were as follows:

	Enrollees	*Number of checks*
Interviewed	21	--
Endorsements considered forged	--	12
Endorsements considered proper	--	12
Total	21	24
Not interviewed [1]	14	14
Total	35	38

[1] Of the 14 enrollees not interviewed, 7 could not be located; the families of the other 7 were interviewed.

We believe that the results of the Department's interviews were significant considering the allegations of payroll padding received during the interviews.

Visits to PRIDE Work Areas

We made two visits to PRIDE work areas to observe work performance and to test payroll procedures.

On July 18, 1968, we visited work areas 39 and 42. We inspected area 39 and observed two teams at work. Repeated efforts by a PRIDE official on that day to locate for us the third team assigned to the area were unsuccessful. We were subsequently informed that this team had been working outside its assigned area without the knowledge of the area supervisor. We inspected also area 42. Of the five teams assigned to area 42, only three were present. We were advised by the area supervisor that the other two teams had not reported for duty. The names of the enrollees present in area 42 were recorded.

On August 8, 1968, we visited areas 34 and 42 and recorded the names of enrollees present in both areas. Some enrollees assigned to these areas were absent from work on that day.

The results of our tests in areas 34 and 42 are summarized below:

	July 18, area 42	Aug. 8	
		Area 34	Area 42
Enrollees assigned to area	33	45	35
Enrollees present	20	41	25
Enrollees absent	[1] 13	4	10
Wages of absentees:			
Unpaid	4	3	8
Paid	9	1	2
Total	13	4	10

[1] Includes enrollees of the 2 teams which were not present at the time of our visit.

We informally advised PRIDE of our findings with respect to the absence of enrollees noted during our July 18 visit and several times requested PRIDE to furnish us with an explanation of why the nine absent enrollees had been paid. A formal request for this information was made on October 3, 1968, and on November 14 we received the explanation that three of the enrollees had been paid wrongly. The other six enrollees, PRIDE stated, had been working in another area (43) at the time of our visit.

We determined that one of the three enrollees who had been paid by PRIDE in error had been employed by the D.C. Government from June through August 1968. PRIDE's records and the records of the D.C. Government show that, during the 10-week period ended August 9, 1968, the enrollee was paid by both organizations for the following hours. We did not determine, however, whether the enrollee had been paid for the same hours by both PRIDE and the D.C. Government.

2-week pay period ended—	Hours reportedly worked		
	Total	PRIDE	District of Columbia government
June 29, 1968	133	53	80
July 13, 1968	152	80	72
July 27, 1968	120	40	80
Aug. 9, 1968	144	64	80

With regard to the three enrollees whose absences were noted during our visit of August 8, who were subsequently paid for that day, PRIDE explained that one enrollee had been in summer school when we visited the area and another enrollee had been working in another area (40) on the day of our visit. The third enrollee, it appeared, may have been paid in error. The propriety of PRIDE's paying enrollees while attending summer school is discussed on page 26.

Observations of paycheck distributions

We made observations of certain biweekly paycheck distributions and reviewed reports of observations made by PRIDE's public accountants and Department of Labor auditors. The purpose of these observations was to test the adequacy of PRIDE's controls to prevent the distribution of paychecks to unauthorized recipients.

Prior to September 1968, division chiefs and area supervisors in PRIDE's Operations Department were responsible for distributing paychecks to enrollees in the four divisions comprising 19 work areas. Also, area supervisors prepared and submitted enrollees' time and attendance reports which were used as the basis for computing the enrollees' pay. Ordinarily, sound fiscal controls require that the function of paycheck distribution should be independent of that of preparing time and attendance reports.

During September 1968, as previously described, the system of paycheck distribution was revised to provide that paymasters independent of the Operations Department would distribute all paychecks. Also, checks would be distributed only to enrollees presenting PRIDE identification cards, and enrollees would be required to sign for their checks. The new procedures were effective on September 13, 1968.

We made the following observations of PRIDE's paycheck distributions during the time that our audit was in progress:

Date	Areas covered	Checks distributed by—
July 19, 1968	32, 34, 35	Public accountant.
Aug. 2, 1968	31, 35, 520	Do.
Sept. 13, 1968	All	PRIDE personnel.
Sept. 27–28, 1968	do	Do.
Nov. 22–23, 1968	All except division III and areas 31, 33, 38, 39, 40, and 48.	Do.

Observations were also made at other dates by PRIDE's public accountants and departmental auditors.

The results of our observations are summarized below:

	July 19, 1968		Aug. 2, 1968		Sept. 13		Sept. 27–28, 1968		Nov. 22–23, 1968	
	Number of paychecks	Percent	Number of paychecks	Percent	Number of paychecks	Percent	Number of paychecks	Percent	Number of paychecks	Percent
Checks distributed to:										
Enrollees who could adequately identify themselves	61	71	32	37	791	91	750	92	412	92
Enrollees who could not adequately identify themselves but were identified by their supervisors	22	25	52	60						
Checks not distributed to:										
Enrollees who did not have PRIDE identification cards or who did not claim their checks on payday	4	4	3	3	75	9	68	8	36	8
Total paychecks	87	100	87	100	866	100	818	100	448	100
Disposition of undistributed checks:										
Distributed after pay day	2		3		65		46		33	
Redeposited in PRIDE general account	2				10		22		3	
Total	4		3		75		68		36	

The improvement in internal control over paycheck distributions is illustrated in the preceding tabulation by the fact that, in observations on September 13 and thereafter, the percentage of employees who could identify themselves increased to about 92 percent and no checks including those distributed after payday, were distributed to enrollees who could not adequately identify themselves.

Payroll Taxes ($90,831)

Social security taxes

Payroll taxes of $90,831 represent our estimate of PRIDE's share of social security taxes under the Federal Insurance Contributions Act (26 U.S.C. 3101) through August 4, 1968. The law requires that an equivalent amount representing the employees' share, be deducted from their compensation.

A summary of PRIDE's and its employees' shares of social security taxes under both contracts as of August 4, 1968, follows:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09 [1]
PRIDE's share	$90,831	$10,148	$80,683
Employees' share	90,831	10,148	80,683
Total tax	181,662	20,296	161,366
Paid	21,092	20,296	796
Amount payable	160,570		160,570

[1] Includes PRIDE enrollees paid from funds received from UPO under subcontract No. 180267.

The estimated total tax under the second contract ($161,366) represents 8.8 percent of total wages paid under the second contract and the UPO subcontract through August 4, 1968 ($1,833,716).

On January 15, 1968, PRIDE filed an application for exemption from Federal income taxes, as a charitable and educational institution, under section 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)). The application was still under consideration as of November 30, 1968. While this application is under consideration, PRIDE is not required to pay social security taxes.

If PRIDE receives an exemption from Federal income taxes it will not be required to pay social security taxes. However, it has the option of applying for social security coverage for its employees. If coverage is approved, the amount due the Government must be paid. Should PRIDE decide not to apply for social security coverage or should an application for coverage not be approved, PRIDE's share of social security taxes that has been charged as a cost to the contracts would be refundable to the Department of Labor and United Planning Organization. The amount that has been deducted from enrollees would be refundable to the enrollees. It appears that the latter action might be difficult to implement in its entirety with respect to terminated employees whose current addresses might not be ascertainable.

We believe that, in order that the availability of funds sufficient to liquidate the full liability for social security taxes be ensured, cash equal to the liability should be set aside in a restricted bank account, for payment of the liability.

Unemployment taxes

Through November 30, 1968, PRIDE had not paid unemployment taxes to the Federal Government or to the D.C. Government. On June 4, 1968, PRIDE requested from the District Unemployment Compensation Board a ruling concerning PRIDE's liability under the District of Columbia Unemployment Compensation Act. This ruling had not been received as of November 30, 1968. PRIDE's contingent liability, as of August 4, 1968, for D.C. and Federal unemployment taxes was estimated by us at about $64,000. If PRIDE is granted an exemption from Federal income taxes, it will be exempt from the taxes imposed by the Federal Unemployment Tax Act (26 U.S.C. 3301).

Consultants' Fees ($98,696)

A summary stating the nature of the consultants' services rendered and the amount of fees incurred under Contract No. P2-8901-09 follows:

Product Planning Associates: Identification and evaluation of business opportunities	$79,349
Elrick and Lavridge, Inc.: Market research	4,903
Morris Gosis and Irene N. Mee.: Market analysis	2,500
Fees under $1,000 each to various consultants, principally for market research and analysis in connection with various business opportunities	6,944
Total	93,696

Product Planning Associates (PPA) was retained by PRIDE to assist in identifying and evaluating business opportunities, such as product manufacturing enterprises and service businesses, which would meet the criteria for a business organized to provide jobs for ghetto youths. Various research reports were prepared and submitted to PRIDE and a decision was made to develop plans for entering a service business. An automotive service and repair business was selected for further study. The firm of Elrick and Lavridge, Inc., was hired to perform a marketing study of selected automotive operations in conjunction with PPA.

Morris Gosis and Irene N. Mee, consultants, were retained to prepare a market survey and analysis of the commercial cleaning business in the District of Columbia and to advise PRIDE on the feasibility of operating such a business.

Rental of Buildings and Equipment ($89,965)

Rental of buildings and equipment comprised the following items:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Rental of building for PRIDE offices at 1536 U St., NW. Washington, D.C.	$19,780		$19,780
Rental of equipment:			
Automobiles and trucks	52,199	$1,750	50,449
Power sweepers	12,000	12,000	
Typewriters	3,048		3,048
Other	2,938	121	2,817
Total rentals	89,965	13,871	76,094

PRIDE leased the building at 1536 U Street, NW., from Murray W. and Edith Latimer for 1 year, beginning November 16, 1967, at a rental of $26,000. The lease has been extended for another year. Prior to obtaining the lease, PRIDE occupied offices in Washington, D.C., at 941 North Capitol Street, NW. and at the Nash Memorial Methodist Church, Lincoln Road and Rhode Island Avenue, NE. Space at both locations was donated rent-free as in-kind contributions.

With regard to rental of automobiles and trucks, PRIDE informed us that certain rental agency charges in dispute had been referred to PRIDE's attorney for settlement.

Purchase of equipment and fixtures ($77,372)

A summary of equipment and fixtures purchased follows:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Power sweepers and accessories	$42,210	$7,800	$34,410
Office equipment purchased from General Services Administration (GSA)	14,953		14,953
Office equipment and miscellaneous items purchased from private vendors	20,209		20,209
Total, purchases	77,372	7,800	69,572

Power sweepers and accessories were purchased for use in PRIDE's street cleaning operations. Purchases from GSA included such items as desks, chairs, tables, bookcases and file cabinets. Office equipment and miscellaneous items purchased from private vendors included various items, such as typewriters, furniture, adding machines, a checkwriter, a duplicator, tape recorders, a camera and a projector.

Legal and accounting fee ($57,478)

An analysis of legal and accounting fees incurred under both contracts follows:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Legal fees	$7,322	$400	$6,922
Accounting fees	50,156	[1] 500	49,656
Total fees	57,478	900	56,578

[1] Does not pertain to accounting fees discussed on p. 64.

The services performed by PRIDE's public accountants are commented on under "Audits performed by PRIDE's public accountants." (See p. 62.)

Legal fees were for various legal services, such as consultations and preparation of papers for incorporation of PEE, and assistance in applying for a Small Business Administration loan for PEE.

The $400 legal fees under the first contract were shown in the June 30, 1968, report of PRIDE's public accountants as being used for consultants.

Insurance premiums ($38,390)

Insurance premiums paid under each contract are shown below:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Workmen's compensation insurance	$32,977	$9,564	[1] $23,413
Bonding of officers	300	300	
General liability insurance (bodily injury and property damage)	5,133	2,133	2,980
Total premiums	38,390	11,997	26,393

[1] After deducting rebate of $4,019.

Renovation expense ($31,568)

Renovation expense was incurred under contract No. P2-8901-09 in connection with the design and construction of office space at the PRIDE office building, as follows:

Architect's fee	$1,991
General construction	13,758
Electrical wiring	6,150
Painting (labor and materials)	1,082
Various other items	8,587
Total	31,568

Consumable supplies ($18,318)

An analysis of consumable supplies purchased under contract No. P2-8901-09 follows:

Consumable supplies purchased from GSA	$3,480
Janitorial supplies and small tools	2,452
Wall panels	2,257
Gasoline for rental vehicles	1,584
Paint and painting supplies	1,576
Photographic supplies	1,022
Miscellaneous	5,947
Total consumable supplies	18,318

Publications and advertising ($15,405)

Expenses for publications and advertising are summarized below:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Publications and business forms	$7,058	$585	$6,473
Advertising layouts	5,481		5,481
Newspaper advertisements	2,866		2,866
Total	15,405	585	14,280

Payroll service ($12,941)

On September 15, 1967, PRIDE retained the services of the Service Bureau Corporation, a commercial data-processing firm, to process its payroll from input data furnished by PRIDE. Fees paid to this firm under both contracts aggregated $12,941.

Medical and dental services ($12,482)

Expenditures for medical and dental services for enrollees, under contract No. P2-8901-09, are summarized below:

To Medical Commission for Human Rights—for physical examinations	$8,000
To various doctors, dentists, and optometrists—for medical, dental, and optical services and examinations	4,093
Miscellaneous, such as medical supplies	389
Total	12,482

Other expenditures ($47,131)

Costs classified as other expenditures are listed below:

	Total	Contract No. 82-09-68-01	Contract No. P2-8901-09
Repairs and maintenance	$9,252	$22	$9,230
Travel[1]	8,960	907	8,053
Recreation[2]	6,436		6,436
Educational materials, such as textbooks and audiovisual aids	4,981	346	4,635
Temporary personnel	3,899	213	3,686
Penalties and interest on late payment of District of Columbia withholding tax[3]	3,188		3,188
Miscellaneous costs totaling less than $3,000 per item	10,415	885	9,530
Total, other costs and expenses	47,131	2,373	44,758

[1] Amounts actually paid for per diem exceeded by $234.50 the $16 rate provided in the contract. Most of the travel expense was for local travel.

[2] This item covers payments for rental of halls for dances, entertainment, refreshments, sports equipment, uniforms, etc.

[3] Costs resulting from failure to comply with Federal, State, and local laws and regulations are unallowable charges to the contract (41 CFR 1-15. 399-14).

Conclusions

In view of the significant weaknesses in PRIDE's system of accounting and related internal controls during the period covered by our review, the allegations of irregularities disclosed during our interviews with PRIDE enrollees, and the Department's disclosures regarding internal control weaknesses and questionable check endorsements, we cannot conclude that all funds advanced to PRIDE under its first two contracts with the Department of Labor were properly expended and accounted for.

We believe that the serious weaknesses in PRIDE's system of accounting and internal controls allowed for conditions under which many of the irregularities and improprieties that have been alleged could have occurred. We do not believe that it is feasible to determine now with any degree of certainty the full extent to which funds may have been misused. We believe that the passage of time and other circumstances relating to PRIDE's operations would make any attempts at such determinations inordinately costly and the results would probably be inconclusive.

We believe that the improvements that have recently been made by PRIDE to its accounting system and related internal controls should aid materially in providing assurance that contract funds are properly expended and accounted for in the future. However, in our opinion, no system of accounting and no internal controls, regardless of how well devised, can be expected to provide complete protection against all types of fiscal irregularities, such as kickbacks of pay and collusion to divert funds for unauthorized uses.

We believe that the Department of Labor should have satisfied itself in conjunction with awarding contracts to PRIDE that the accounting procedures and internal controls of that organization provided reasonable safeguards over Federal funds. We believe that, if the Department had required PRIDE to adhere to conventional and accepted standards of accounting and internal control, many of the unresolved questions and doubts concerning the use of funds under the first two contracts could have been avoided.

Recommendations to the Secretary of Labor

We recommend that the Department monitor PRIDE's accounting and internal control procedures and perform periodic tests of transactions and procedures to ensure satisfactory performance by PRIDE.

With respect to PRIDE's liability for social security taxes, we recommend that the Department require PRIDE to set aside sufficient cash in a restricted bank account to liquidate the full liability.

Review of compliance with contractual requirements and Government regulations

We noted that PRIDE had not complied with certain requirements of its contracts with the Department and with certain Government regulations. These requirements related to the following matters:

Recordkeeping;

Submitting survey reports to the Department;

Submitting property management reports;

Handling project funds;

Obtaining approval from the Department for certain contracts, subagreements, and purchase orders;

Determining the eligibility of enrollees; and

Adhering to limitations on travel allowances.

Need to comply with recordkeeping requirements of Department of Labor and Internal Revenue Service

Our review disclosed that PRIDE did not comply with the requirements of the Department of Labor and the Internal Revenue Service (IRS) with respect to maintenance of payroll and personnel records, employment tax records, and records of in-kind contributions. We found during our audit that effective steps had been taken or were being planned to comply with the applicable requirements.

Need to maintain adequate payroll and personnel records

Both the contracts and departmental regulations applicable thereto required that PRIDE maintain payroll records containing for each employee such information as (1) name in full, (2) home address, (3) date of birth, (4) wage paid, and (5) other information pertinent to the employee's compensation. However, because PRIDE did not maintain all this data in its personnel records, it was unable to furnish complete and accurate information with respect to its employees as requested by us on behalf of the Senate Committee on Appropriations.

In his letter of June 5, 1968, as subsequently modified, the Chairman of the Senate Committee on Appropriations requested us to determine the following information with respect to each employee on the PRIDE payroll from the inception of the organization.

Full first and last names and middle initial, if any, home address, social security number, date of birth, employee number, gross earnings, title or job description of administrative and supervisory personnel.

On June 10, 1968, we orally requested PRIDE to prepare and furnish special listings showing this information and a certification as to the accuracy of such listings. PRIDE initially promised to furnish the complete listings by June 20, 1968, and subsequently established several new target dates; but they furnished only partial listings.

Therefore, on July 12, 1968, we made a written request to PRIDE to submit complete listings by July 16. Partial listings were delivered to us on July 17 and on July 24. PRIDE subsequently estimated that it would supply the remainder of the requested information by August 18. Some additional information was finally received by us on September 16. PRIDE advised us on November 12 that the effort involved to assemble the remaining data would be a poor investment of staff resources and that the submission should be considered virtually complete.

Our analysis of the data on the listings furnished for the second contract showed that about 93 percent of the requested items had been furnished. However, the data contained various inaccuracies including 154 duplications of enrollees' names and numbers.

A further indication of the inaccuracy of the special listings is shown by the results of our attempts to reconcile the gross wages for the calendar years 1967 and 1968 (through June 30) on the special listings with the payroll summaries from which the gross wage information was obtained.

A reconciliation between gross wages as shown by the general ledger, the payroll summaries, and the special listings as of June 30, 1968, follows:

	1st contract	2d contract
Gross wages per general ledger:		
Enrollee wages	$231,145	[1] $1,410,536
Administrative wages	1,390	104,553
Total	232,535	1,515,089
Differences:		
Wage adjustments recorded in payroll summaries, not recorded in general ledger		4,502
Wage adjustments recorded in general ledger, not recorded in payroll summaries	−577	−24,970
Voided checks not deducted from payroll summaries		531
Wages paid under 1st contract but applicable to 2d contract	9,793	−9,793
Advances charged in general ledger not included in payroll summary	−2,068	
Unlocated differences		419
Total differences	7,148	−30,149
Gross wages per payroll summaries	239,683	1,484,940
Differences:		
Wages for employees included in listings but not located in payroll summaries [2]	1,644	237,601
Wages for employees included in payroll summaries but not located in listings	−7,670	−214,744
Net differences between individual items in payroll summaries and comparable items in listings	−4,944	−63,892
Unlocated differences	−520	3,217
Total differences	−11,490	−37,818
Gross wages per special listings	228,193	1,447,122

[1] Includes salaries charged to UPO of $277,145.

[2] 4 pages of the payroll summaries for the 2d contract, listing gross wages of $36,048, could not be located and therefore could not be checked against the listings.

It appeared to us that the principal reason for the incompleteness and inaccuracy of the listings was the failure of PRIDE to accurately maintain payroll and personnel records containing all the information required by the contracts and regulations.

PRIDE's failure to adhere to the recordkeeping provisions of the contracts was explained by PRIDE in a letter to us dated July 16, 1968, as follows:

"Pride started with its prime focus being placed upon putting a large number of the hardcore unemployables to work as quickly as possible to perform needed services to the community. At this point of inception Pride had just four (4) professional staff members aboard. (Few competent people could be hired to work for just one month.) These four people administered a program of over one thousand (1000) people.

"Moreover there was less than a two day gap between the end of the summer demonstration project and the beginning of the current forty (40) week program which involves both in-school and out-of-school enrollees. At the same time, when the first contract terminated PRIDE was forced to move its headquarters operations from 941 North Capitol to donated space in the basement of a church. Simultaneously our field operations in the various areas of the city had to be shifted to 23 new decentralized field offices in various sections of the city. This shift of operational units and the men within those units forced us to totally rebuild our numeric record system. This combination of actions (i.e. the moving of the headquarters, the switching of field operations areas and the men within those areas, the total reestablishment of a record system and the changing of the program from a one month demonstration to a forty (40) week program with both in-school and out-of-school components) needless to say created some administrative problems for the four so-called professionals who were staffing this operation with more than 1000 enrollees. On top of all this the people who had staffed the programs, which had successfully harnessed the energy of the street gang, did not know until the very end that the project would be refunded. With this as a backdrop, the administrators were forced by the existence of over 1,000 enrollees to move to give top priority to smoothing out the operations and catching up on administration a little later down stream. Administrative problem areas were noted and we moved ahead operationally."

During our review, PRIDE's personnel files and payroll procedures were revised to provide for recording the required information with respect to present employees and new employees.

Need to comply with Internal Revenue Service requirements regarding maintenance of employment tax records

Our review showed that PRIDE had not complied with Internal Revenue Service requirements with respect to maintenance of employment tax records.

Regulations of IRS require that an employer maintain certain employment records. These records include copies of the employer's Federal tax returns and withholding exemption certificates (Forms W-4). Employers are also required to maintain a record of social security numbers and of the periods of employment for all employees.

Our review disclosed that PRIDE did not comply with the above requirements, as follows.

1. No Forms W-4 were on hand for many enrollees.

2. Information regarding periods of employment was incomplete for many enrollees.

3. Social security numbers were not listed for about 40 percent of the enrollees who were employed in 1967.

4. PRIDE was unable to show us copies of the following tax returns, applicable to the calendar year 1967, which had been filed with IRS:

Form 941—Employer's Quarterly Federal Tax Return.

Form W-3—Reconciliation of Income Tax Withheld and Transmittal of Wage and Tax Statements.

(PRIDE furnished us a copy of a letter from its accountants stating that the Forms 941 and W-3 had been filed. PRIDE also stated that it had requested IRS to send copies of the returns filed. As of November 30, 1968, the copies had not been received by PRIDE.)

There were indications that the requirements of IRS concerning the distribution of Form W-2, Wage and Tax Statement, were not fully observed. Employers are required to furnish (1) two copies of Form W-2 to each employee from whom income tax was withheld or would have been withheld if the employee had claimed no more than one withholding exemption and (2) one copy of Form W-2 to IRS. Unless employees receive their copies of Forms W-2, they may have difficulty claiming credit for any income taxes withheld or adequately supporting the gross earnings reported on their annual income tax returns.

We found 75 Forms W-2 (Copy A) in PRIDE's files, which should have been transmitted to IRS. Also, we found 85 Forms W-2 which had been mailed to employees and returned as undeliverable. It appeared that another 83 Forms W-2 had never been mailed to the employees.

We discussed the foregoing deficiencies involving IRS requirements with PRIDE, and they informed us that action would be taken to ensure (1) proper maintenance of employment tax records and personnel records and (2) proper distribution of Forms W-2 to IRS and PRIDE employees for calendar year 1968.

Need to maintain record of in-kind contributions

Although required to do so by the terms of the second contract, PRIDE did not maintain a record of its in-kind contributions (contributions of value other than cash). Such a record is needed to ascertain whether 10 percent of project costs are being provided by PRIDE.

Section 155 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2768), provides that Federal grants for Special Impact Programs shall not exceed 90 percent of the cost of the program, including costs of administration, unless assistance in excess of 90 percent is determined to be necessary by the Director of the Office of Economic Opportunity.

Under clause 5 of the second contract, the Government was not obligated to pay any amount in excess of 90 percent of the costs of the project. The estimated total project cost under the second contract was $2,399,160 of which PRIDE was required to contribute 10 percent, or $239,916, in the form of goods, services, or cash.

Clause 9 of the contract specifically stated that the sponsor was to maintain books, records, and documents to reflect properly all costs, including those comprising the sponsor's contribution. For in-kind contributions, departmental directives state:

"The sponsor's in-kind contribution must be supported by a formal set of accounts maintained for each budget line item as contained in the contract. These accounts must be supported by documentation comparable to that required for Federal costs. * * *"

No in-kind contributions were recorded in the formal set of accounts. Pride's public accountant estimated that in-kind contributions, made by the D.C. Government and others, totaled $265,491 through June 30, 1968, as follows:

Rental value of space provided in schools and other buildings	$95,850
Public health personnel	72,000
Trucks and drivers	44,947
Rat poison	17,294
Executive director's services	21,000
Equipment coordinator	14,400
Total	265,491

We brought this matter to the attention of PRIDE and were informed that PRIDE would institute procedures for recording in-kind contributions relating to the third contract. We did not review the reasonableness of the public accountant's estimate.

Need for PRIDE to submit survey reports

PRIDE did not follow the required procedures for self-evaluation of its effectiveness.

Regulations of the Bureau of Work-Training Programs (BWTP) require that:

"At intervals of six months or less, sponsors must conduct surveys of their operations and submit them to the BWP [now BWTP] regional director to ensure that program goals are being achieved. This review should include an appraisal of the effectiveness of the project in improving the attitudes, educational levels, and employability of enrollees; analysis of the degree to which staff performance and management practices and procedures have contributed to or detracted from the attainment of these objectives; and, the development of a course of action designed to correct deficiencies uncovered as a result of the evaluation."

During the period under review, PRIDE did not submit any self-evaluation reports to the Department. A Department official advised us that in January 1968 he had asked PRIDE to submit monthly narrative reports along with the monthly statistical reports but that no narrative reports had been submitted.

In our opinion, self-evaluation reports can be a useful tool to the Department as well as to PRIDE for providing information as to whether program goals are being achieved. We believe that the Department should re-emphasize to PRIDE the need to prepare and submit the required reports.

Need to comply with BWTP regulations on property management

PRIDE was accountable as of August 4, 1968, for Government-owned equipment and fixtures costing about $77,000 acquired under the first and second contracts. Our review showed that PRIDE had not complied with BWTP regulations that the Department be provided with a complete record of its acquisitions and its losses of Government property. Because all property acquired by PRIDE with Government funds or furnished to PRIDE by the Government is returnable to the Government when its contractual relationship with PRIDE ends, it is necessary that BWTP regulations be enforced so that the Government's interest in its property can be protected.

BWTP regulations require that a receipted copy of the invoices for purchased nonexpendable property be forwarded to the Manpower Administration Property Officer. The regulations also provide that the contractor must report in writing all cases of lost, damaged, or destroyed nonexpendable Government property to the contracting officer as soon as the facts become known.

Our review showed that PRIDE had not submitted copies of the receipted invoices for all items purchased to the Manpower Administration Property Officer. We found in addition that PRIDE had not reported its lost or missing property (aggregating about $4,500) to the Department until November 4, 1968. We noted, however, that some stolen items had been reported to the local police and to the Federal Bureau of Investigation.

At the termination of its second contract, PRIDE furnished the Department with a listing of property acquired and a listing of property on hand. In our opinion, submission of these listings is not an adequate substitute for reporting transactions relative to property acquisitions and losses at the time that they occur.

Project funds not handled properly

The contracts between PRIDE and the Department and the subcontract between PRIDE and the United Planning Organization (UPO) provide that the funds shall be used solely for the purpose of making direct payments for allowable costs within the terms of the agreement and that funds advanced for the operation of one project shall not be used to pay the costs of any other project.

Our review disclosed that PRIDE utilized funds advanced by the Department, to pay NYC enrollee costs prior to obtaining reimbursement for NYC costs from UPO. In addition, funds received from UPO, after deposit in PRIDE's bank account for UPO funds, were transferred to PRIDE's bank account for Department funds on the basis of need rather than in amounts which would exactly reimburse the advances for actual NYC costs.

We found that PRIDE enrollees and NYC enrollees were paid biweekly from funds advanced by the Department and transferred to a separate payroll bank account. PRIDE used Department funds to pay NYC enrollee costs for up to 4 months after the costs were incurred. During this period PRIDE did not bill UPO for the amounts due. A PRIDE official informed us that the billings were delayed because PRIDE's accounting department was understaffed. Two of the transfers of UPO funds to bank accounts for Department funds were made to cover overdrafts on those accounts.

We found also that PRIDE used about $200,000 of the funds advanced by the Department to pay the costs of NYC summer enrollees for the period June 9 to August 31, 1968. In October 1968, $142,466 was received from UPO as a partial payment of these costs.

PRIDE's contract with UPO ended on August 31, 1968. Although negotiations for a new contract had been substantially completed, the new contract had not been signed as of November 30, 1968. Therefore, funds advanced by the Department are being used to pay NYC enrollee costs until such time as the contract is approved and funds are received from UPO.

The Department informed us that, although it did not condone PRIDE's use of departmental funds to pay NYC enrollee costs, it did not want to penalize the program by discontinuing the practice, especially in view of the anticipated new agreement between PRIDE and UPO.

We believe that, since the use of funds advanced by the Department for NYC enrollee costs is contrary to the agreement between PRIDE and the Department, there should be some form of agreement between PRIDE and the Department and between PRIDE and UPO authorizing advances between programs until the formal contract is executed. We believe also that PRIDE should make arrangements to bill UPO for NYC enrollee costs as soon as they are incurred and that UPO should reimburse the bank account for Department funds for wages paid NYC enrollees from that account.

Need to obtain prior written approval from Secretary of Labor for subagreements, contracts, and purchase orders

PRIDE did not obtain the Secretary of Labor's prior written approval of certain subagreements, contracts, and purchase orders made under the contracts although such approval was required by the contracts.

The contracts provide that the sponsor shall not enter into the following types of transactions without obtaining the prior written approval of the Secretary:

Subagreements.

Contracts on a cost-plus-fixed-fee, time and material, or labor-hour basis.

Purchases of items of property or equipment from non-Government sources having a unit value exceeding $300.

Purchase orders from non-Government sources exceeding $5,000 or 5 percent of the total estimated cost of the agreement, whichever is less.

Purchases from non-Government sources of any motor vehicle, airplane, typewriter, or similar equipment.

Our examination revealed several transactions, such as procurement of consultants' services and purchases of equipment, meeting the above criteria which were made without prior written approval of the Secretary. These transactions were brought to the attention of the Department and we were informed that some of them had been approved orally.

We believe that the contract provisions requiring prior written approval of the Secretary for transactions of a specified nature should be observed in order that adequate control might be maintained over the sponsor's expenditures of Government funds.

Evidence lacking that enrollees met eligibility requirements

Under the terms of its second contract and BWTP regulations applicable thereto, enrollees were to meet certain requirements as to their age and family income to be eligible for employment by PRIDE. Evidence that the age requirements were met was incomplete and the Department waived the requirement that PRIDE make formal determinations relative to family income.

Age

Enrollees employed under the Special Impact Program (second contract), funded by the Department of Labor, must be 16 years of age or older. In-school enrollees employed under NYC and paid with funds furnished by UPO must be between the ages of 14 and 21.

As disclosed in the section of this report entitled "Need to maintain adequate payroll and personnel records," (see p. 46), PRIDE did not record the date of birth for many enrollees in its personnel records. Therefore, evidence that the enrollees met the criteria for age under the second contract was incomplete.

Also, we received allegations that some PRIDE enrollees were underage and that PRIDE had not determined whether enrollees had obtained work permits as required by District of Columbia law. In connection with the revision of its personnel procedures, we understand that steps are being taken to have enrollees obtain work permits from the D.C. Government, when required.

Family income

Although the level of family income is the primary measure for determining eligibility for enrollee participation in the Special Impact and Neighborhood Youth Corps programs, the Department of Labor did not require PRIDE to formally establish the low-income status of its enrollees.

BWTP regulations prescribe that, for eligibility under its programs, an applicant must be a member of a family with an annual income below the poverty line. The Department has established a poverty index to be used as a guide for determining when a family's income is below the poverty line. In addition, applicants from families receiving cash welfare payments are automatically eligible.

We found that PRIDE in its hiring practices made no formal determination that an applicant came from a family whose annual income was below the poverty line; and we found no formal notification to PRIDE that the requirement had been waived.

In a letter dated October 5, 1968, the Administrator of BWTP, in commenting on eligibility requirements, stated: "* * * Youth Pride Inc., attempts to enroll persons who have not participated in other poverty projects and who presumably have been discouraged from participation by such requirements as formal procedures to establish low-income eligibility. Accordingly, the Labor Department does not require PRIDE to formally establish the low-income status of its enrollees. It is pertinent to note, however, that persons recruiting and hiring enrollees for PRIDE ordinarily come from deprived circumstances and have a personal familiarity with individuals and circumstances in the low-income community which should enable them to make accurate judgments about whether applicants are in fact from sufficiently deprived circumstances to be eligible for enrollment in PRIDE."

Because our review was directed primarily to an examination of PRIDE's receipts and expenditures, we did not undertake to determine whether the Department's waiver of the requirement that PRIDE formally establish the low-income status of its enrollees had an adverse effect on achieving the objectives of the contracts.

Travel Allowance Exceeded

Contract No. P2–8901–09 between PRIDE and the Department provides that per diem for staff travel will be $16. The contract also provides that travel costs will not exceed United States Government standards. These standards provide that the maximum per diem allowable for travel within the limits of the continental United States will be $16.

Our review of all out-of-town trips by PRIDE personnel showed that in 11 of 15 trips per diem allowances exceeded the $16 rate by a total of $236.00.

Conclusions

Our review showed that PRIDE had not complied with certain requirements of its contracts with the Department and with certain Government regulations including regulations of the IRS.

We noted that PRIDE had agreed to take appropriate corrective measures to conform its operations to the various requirements imposed by the Department and by IRS. We believe that the indicated corrective measures, if properly implemented and continually applied, should achieve the desired results.

We believe that the Department should have monitored PRIDE's operations more carefully during the period of the first and second contracts and should have required PRIDE to adhere fully to the applicable contract provisions.

Recommendation to the Secretary of Labor

We recommend that (1) the Department monitor PRIDE's operations on a continuous basis to ensure that PRIDE is complying with applicable contract requirements and (2) the Department reduce all waivers of contract requirements to writing.

Review of audits performed by other groups

In our audit of PRIDE, we reviewed and utilized, to the extent deemed appropriate, the results of audit work performed by PRIDE's public accountants and by Department of Labor auditors.

Audits performed by PRIDE's public accountants

On October 31, 1967, the firm of Smulkin, Barsky, Hoffman, & Denton, Certified Public Accountants, Washington, D.C., was retained by PRIDE to design and install an acceptable accounting system for PRIDE and to train PRIDE employees in the implementation of the system. The firm also was to prepare quarterly unaudited financial statements and to make an annual audit of the financial statements of PRIDE.

The public accounting firm had substantially completed installation of the PRIDE accounting system, as originally designed, by June 1968. It had also trained PRIDE employees in the implementation of the system.

The firm made its annual audit of PRIDE's financial statements as of June 30, 1968. Its examination of PRIDE's books and records was completed on October 7, 1968, its report was issued to PRIDE on November 1, 1968, and the report was made available to us by PRIDE on November 4, 1968.

We were informed in June 1968 that the public accounting firm planned to issue its audit report on PRIDE by August 15. The firm attributed the delay in completing its audit to the following factors.

1. The audit activities of two other audit groups at PRIDE's offices (GAO and departmental auditors) at the same time that the public accounting firm was making its audit had the effect of slowing down the audit. Some duplication of effort was unavoidable. It was necessary to share the books and records as well as the available time of PRIDE officials and employees.

2. Because of unanticipated errors in the payroll tabulations prepared by the service center considerably more time than expected was spent in attempting to reconcile the payrolls with the general ledger.

3. After the numerous implications of irregularities were reported by GAO in its interim report dated September 6, 1968, the firm was compelled to increase the amount of its audit work beyond that anticipated at the time the reporting date of August 15 was established.

4. In essence, the August 15 reporting date turned out to be overoptimistic in the light of subsequent events.

A copy of the public accountants' report is included as appendix I. The report includes (1) a balance sheet as of June 30, 1968, (2) a statement of revenues and expenditures and unexpended balance of nonrestricted funds for the period August 2, 1967, to June 30, 1968, (3) a statement of contract revenues and expenditures for the period August 2, 1967, to June 30, 1968, and (4) an opinion as to the fairness of the financial statements. The report states that:

"As to contributions received and enrollee wages paid, it was not practicable to extend the examination beyond accounting for the receipts as recorded and comparing the wages paid to the underlying supporting documents."

"An employee of our firm has served as a resident consultant to Youth Pride, Inc. since February 10, 1968. He did not take part in our examination."

We reviewed the work performed by the public accountants and utilized it, where practicable, in accomplishing our audit objectives.

As noted above, however, the public accountants, in expressing their opinion as to the fairness of PRIDE's financial statements, pointed out that it was not practicable to extend their examination beyond accounting for the receipts as recorded and comparing wages paid to the underlying supporting documents. Principally on the basis of the additional information that we developed as a result of extending the scope of our review beyond an examination of PRIDE's books and records, we cannot conclude, as explained on page 43, that funds advanced to PRIDE under its first two contracts with the Department of Labor were properly expended and accounted for.

Through September 30, 1968, fees and expenses billed to PRIDE for services rendered by the public accountants totaled $53,991, as follows:

Second contract	$49, 656
Third contract	4, 335
Total	53, 991

An undetermined portion of the above fee was applicable to the first contract.

The firm's fee is computed on a per diem basis at hourly rates ranging from $6 to $30. There is no limit on the fees that can be charged to the contract. From February 12, 1968, an employee of the firm served as a resident consultant to PRIDE in the capacity of Acting Director of Administration until September 9, 1968, when PRIDE hired a new Director. After this date, the employee continued to work at PRIDE as a consultant until November 4, 1968, when he was hired by PRIDE as Deputy Director for Administration.

Audits by Department of Labor Auditors

Contract No. 82–09–68–01

An audit was made of the first contract and a draft report of the findings and recommendations was submitted to the Manpower Administration, Department of Labor, for review and comment on May 21, 1968. The Department informed us that it had not completed its evaluation of the draft report as of November 30, 1968.

In their draft report the departmental auditors questioned costs of $31,821 out of $293,362 of recorded costs. The total budgeted cost was $291,525.

The record costs of $293,362 differ from the total costs of $283,534 reported by PRIDE's public accountants because the public accountants made an adjustment for wages charged to the first contract which should have been charged to the second contract.

A summary of the costs questioned by the departmental auditors and our comments thereon follow:

	Amount
Wages and fringe benefits paid from first contract funds which should be charged against second contract	$18, 012
Purchase of sweepers	7, 800
Workmen's compensation insurance refund applicable to second contract	4, 020
Travel expense involving use of private automobiles	1, 176
Various small items	813
Total costs questioned	31, 821

On the basis of our review of the above-questioned costs and discusions with departmental officials, we believe that most of the items are valid charges under the first contract. Wages and fringe benefits ($18,012) and the workmen's compensation insurance refund ($4,020) merely represent adjustments between the first and second contracts. The sweepers ($7,800), although purchased under the first contract, are for use under subsequent contracts, and appear to be bona-fide purchases. Documentary support for travel expense ($1,176) appeared to be adequate.

Contract No. P2–8901–09

In April 1968 the departmental auditors completed a preliminary survey of PRIDE's accounting system and related controls under the second contract. An interim audit report based on this survey was issued to the Administrator, BWTP, on May 6, 1968. This report, as well as the draft report on contract No. 82–09–68–01 was critical of PRIDE's system of accounting and internal controls.

Comments on the interim audit report were furnished to the Administrator of BWTP by PRIDE in a letter dated May 28, 1968, which transmitted its public accountants' comments. The public accountants disagreed with many of the criticisms in the report. Most of the points at issue related to inadequate control over funds expended under the contracts, including inadequate documentation. We did note, however, that PRIDE acknowledged certain of the criticisms of its administrative system, which included:

1. Placement in the same individuals of the dual responsibility for keeping time records and for paying the employees. While recognizing that this procedure violated principles of internal control PRIDE stated that the procedure was necessary because "The area supervisors, by keeping time and paying the men off, gained more respect and a great sense of responsibility."

2. Existence of too small a number of professional employees and lack of experienced administrative and accounting personnel.

3. Loss or misplacement of records when the office was relocated on two occasions.

During June and July 1968, departmental auditors reviewed PRIDE's expenditures for the period September 15, 1967, through May 31, 1968. They noted that PRIDE did not have on hand 192 invoices to support payments totaling $70,876. Our review disclosed that about 98 percent of these payments were subsequently supported by invoices, contracts, receipts, or paid checks. At the conclusion of our review, support had not been found for 15 payments totaling $1,501. PRIDE informed us on December 5, 1968 that it was continuing its efforts to locate support for these payments. During our review we found two invoices, aggregating $439, which had been paid twice. Payment was stopped on a check issued in payment of one invoice for $381 and credit was received for the other invoice of $58.

Also during their review in June and July 1968, the departmental auditors selected 478 paychecks with two or more endorsements for special investigation. (See section in this report entitled "Personal interviews of PRIDE enrollees by the Department of Labor," p. 29.)

The Department informed us that it considered the first and second contracts as interrelated and that it planned to settle the first contract after the second contract had been audited and was ready for settlement. Both contracts provide for a 3-year period after final payment for audit and settlement.

The departmental auditors informed us in October 1968 that they intended to complete their review of contract No. P2–8901–09 but that, because of manpower limitations, they were not certain when the review would be made.

APPENDIX I

YOUTH PRIDE, INC. FINANCIAL STATEMENTS, JUNE 30, 1968

ACCOUNTANTS' REPORT

SMULKIN, BARSKY, HOFFMAN & DENTON,
October 7, 1968.

THE BOARD OF DIRECTORS,
Youth Pride, Inc.:

We have examined the balance sheet of Youth Pride, Inc. as of June 30, 1968 and the related statement of revenues and expenditures and unexpended balance of nonrestricted funds for the period August 2, 1967 to June 30, 1968. Our examination was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances. As to contributions received and enrollee wages paid, it was not practicable to extend the examination beyond accounting for the receipts as recorded and comparing the wages paid to the underlying supporting documents.

In our opinion, the accompanying balance sheet and statement of revenues and expenditures and unexpended balance of nonrestricted funds present fairly the financial position of Youth Pride, Inc. as of June 30, 1968, and the results of its operations for the period August 2, 1967, to June 30, 1968, in conformity with generally accepted accounting principles. Also, in our opinion, the accompanying schedule, statement of contract revenues and expenditures, is stated fairly in all material respects when considered in conjunction with the financial statements taken as a whole. An employee of our firm has served as a resident consultant to Youth Pride, Inc. since February 10, 1968. He did not take part in our examination.

YOUTH PRIDE, INC., BALANCE SHEET, JUNE 30, 1968

ASSETS	
Current assets:	
Cash	$59,163.18
Receivables:	
Employee advances	1,702.60
Department of Labor	195,387.06
United Planning Organization	74,746.70
Other	1,085.20
Total	272,921.56
Less allowance for doubtful receivables	1,085.20
Total	271,836.36
Prepaid expenses:	
Deposits	2,350.00
Insurance	497.36
Total	2,847.36
Total assets	333,846.90
LIABILITIES	
Current liabilities:	
Accounts payable	24,475.11
Payroll taxes payable	185,697.41
Accrued payroll and unclaimed wages	112,075.65
Refund due to Department of Labor	7,991.37
Total current liabilities	330,239.54
Contingent liabilities (notes 2 and 3) [1]	
Total liabilities	330,239.54
Unexpended balance of non-restricted funds	3,607.36
Total	333,846.90

[1] See notes in text following this balance sheet.

YOUTH PRIDE, INC.—STATEMENT OF REVENUES AND EXPENDITURES AND UNEXPENDED BALANCE OF NONRESTRICTED FUNDS, AUG. 2, 1967, TO JUNE 30, 1968

	Restricted funds	Nonrestricted funds
Revenues:		
Income accrued from Department of Labor	$1,954,785.69	
Income accrued from United Planning Organization	290,283.70	
Contributions, interest and other income	133.81	$2,065.22
Amount received on Clifton Terrace contract		1,995.00
Total revenues	2,245,203.20	4,060.22
Expenditures:		
Enrollee wages	1,641,681.67	452.86
Administrative wages	105,943.18	
Payroll taxes (note 2) [1]	81,467.06	
Rental of buildings and equipment	76,152.46	
Equipment and furniture purchased (note 4) [1]	73,391.77	
Consultants	72,784.85	
Insurance	32,825.65	
Renovation	29,732.96	
Legal and accounting	29,298.79	
Supplies	29,050.39	
Other costs andexpenses	14,175.64	
Publication and advertising	11,941.07	
Payroll services	11,570.15	
Medical and dental services	10,101.38	
Travel	8,026.33	
Telephone and utilities	6,348.11	
Recreation	5,727.32	
Repairs and maintenance	4,984.42	
Total	2,245,203.20	$452.86
Fund balance and unexpended balance of nonrestricted funds		3,607.36

[1] See notes in text following this statement.

YOUTH PRIDE, INC.—NOTES TO FINANCIAL STATEMENT

NOTE 1: PURPOSES

Youth Pride, Inc. began operation in the District of Columbia on August 2, 1967 with a $300,000 grant for a five-week intensive neighborhood clean-up, beautification and rodent control program in Washington, D.C.

The prime purpose of Youth Pride, Inc. was to overcome the void other Federal poverty programs had left in reaching any substantial number of inner city black ghetto youngsters—the hard-core unemployed, the school drop-outs, the ex-reformatory inmates and the functionally illiterate.

The corporation has since received additional funding from the Department of Labor and is currently funded until August, 1969 by a $2,600,000 contract.

NOTE 2: CONTINGENT LIABILITIES

Youth Pride, Inc. currently has an application pending with the District Unemployment Compensation Board for exemption from unemployment taxes. Should this application be denied, Youth Pride, Inc. could become liable for taxes totaling $54,176.37. No provision for this possible tax liability has been accrued in the statements as the expense would be offset by a charge to the funding agency.

Costs incurred under the various Federal contracts are subject to audit by Department of Labor, General Accounting Office and United Planning Organization. Since these audits have not been completed, a final determination of any proposed disallowances of expenditures has not been made. Accordingly, the effect, if any, of such final determination upon the financial statements cannot be ascertained at this time.

NOTE 3: FEDERAL INCOME TAX EXEMPTION

Application has been made under section 501(c)(3) of the Internal Revenue Code for exemption from federal income taxes as Youth Pride, Inc. is a non-profit organization formed to provide jobs for hard-core poverty youth lacking in marketable job skills. It is not known when the final decision will be forthcoming. An unfavorable ruling would not have a material effect on the financial statements.

NOTE 4: EQUIPMENT AND FURNITURE

Equipment and furniture purchased with Government funds are titled in the name of the United States Government and are returnable upon completion of the agreement.

NOTE 5: SUPPORTIVE SERVICES CONTRIBUTED BY DISTRICT OF COLUMBIA GOVERNMENT

In accordance with the terms of the Department of Labor contracts, Youth Pride, Inc. obtained equipment and other services from the District of Columbia valued in excess of ten percent of the total contracts, as follows:

Trucks and drivers provided by the Department of Sanitation	$23,347.50
Trucks and drivers provided by the Department of Highways	21,600.00
Total	44,947.50
Rental value of space provided:	
Personnel office, 19th and M, $5.00 per square foot per year	5,250.00
Nash Memorial Church, $0.75 per square foot per year	1,500.00
Sweeper storage space, $2 per square foot per year	8,000.00
School space, $2 per square foot per year	80,100.00
941 North Capitol Street office, $3 per square foot per year	1,000.00
Total	95,850.00
Rat poison mixtures $1,729.40 per month	17,294.00
Public health men and technicians, $7,200 per month	72,000.00
Equipment coordinator, $1,440 per month	14,400.00
Executive director's services, $2,100 per month	21,000.00
Total services furnished by District of Columbia Government	265,491.50

The above valuations have been estimated by means of Independent verification and confirmation from the donor. Due to the wide public acceptance of Youth Pride, Inc. numerous additional services were contributed by both the D.C. government and District residents. Due to the minor nature and difficulty of evaluating these services, no attempt has been made at valuation other than the major items shown above.

NOTE 6: AMOUNTS DUE ON GOVERNMENT CONTRACTS

Under the terms of a contract with the Manpower Administration of the U.S. Department of Labor, number P2-8901-09, dated September 9, 1968[1] and the modifications thereto, Youth Pride, Inc. was granted the sum of $2,037,090.00 for the period October 1, 1967 to August 4, 1968. As of June 30, 1968, a total of $1,475,865.00 had been received under this contract and additional expenditures had been incurred thereunder in the amount of $195,387.06 making a total of $1,671,252.06 received and receivable under the contract, and leaving a balance of $365,837.94 still to be drawn over the balance of the contract.

Youth Pride, Inc. entered into agreement number 180267 with United Planning Organization which together with the first four amendments thereto, gave Youth Pride, Inc. $319,781.00 for the period September 11, 1967 to June 8, 1968, to cover the employment of 400 fourteen and fifteen year olds. As of June 30, 1968, a total of $215,537.00 had been received under this contract and an additional claim was filed for $37,628.00, making a total of $253,165.00 claimed as of June 30. Also, amendment number 5 to this contract extended it to August 31, 1968, and provided an additional $144,587.00 for this period. As of June 30, claim was made for expenditures of $37,118.70 under this amendment, making the total receivable from United Planning Organization $74,746.70. Additionally, claims made by Youth Pride, Inc. for $31,758.00 for the period ending June 30, 1968 have been disallowed by U.P.O. It is not known at this time what the ultimate disposition of these claims will be.

STATEMENT OF CONTRACT REVENUES AND EXPENDITURES, YOUTH PRIDE, INC., AUG. 2, 1967, TO JUNE 30, 1968

		Manpower Administration of U.S. Department of Labor		United Planning Organization
	Total	Number 82-09-68-01	Number P2-89-01-09, as amended	Number UPO-NYC-R2-7177-09, as amended
Revenues:				
Receipts from Department of Labor	$1,767,390.00	$291,525.00	$1,475,865.00	
Receipts from United Planning Organization	215,537.00			$215,537.00
Interest income	133.81		133.81	
Total revenues	1,983,060.81	291,525.00	1,475,998.81	215,537.00
Expenditures:				
Enrollee wages	1,641,681.67	231,145.35	1,133,390.46	277,145.86
Administrative wages	105,943.18	1,390.00	104,553.18	
Payroll taxes	81,467.06	10,147.79	58,181.43	13,137.84
Rental of buildings and equipment	76,152.46	13,871.28	62,281.18	
Equipment and furniture purchases	73,391.77	7,800.00	65,591.77	
Consultants	72,784.85	400.00	72,384.85	
Insurance	32,825.65	11,996.37	20,829.28	
Renovation	29,732.96		29,732.96	
Legal and accounting	29,298.79	500.00	28,798.79	
Supplies	29,050.39	601.28	28,449.11	
Other costs and expenses	14,175.64	1,098.14	13,077.50	
Publication and advertising	11,941.07		11,941.07	
Payroll services	11,570.15	3,654.27	7,915.88	
Medical and dental services	10,101.38		10,101.38	
Travel	8,026.33	907.15	7,119.18	
Telephone and utilities	6,348.11		6,348.11	
Recreation	5,727.32		5,727.32	
Repairs and maintenance	4,984.42	22.00	4,962.42	
Total expenditures	2,245,203.20	283,533.63	1,671,385.87	290,283.70
Fund balances:				
Credit balances held (accounts payable)	7,991.37	7,991.37		
Deficit balances (accounts receivable)	(270,133.76)		(195,387.06)	(74,746.70)
Total	(262,142.39)	7,991.37	(195,387.06)	(74,746.70)

Note: The accompanying notes in text are an integral part of this statement.

APPENDIX II

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
June 5, 1968.

Hon. ELMER B. STAATS,
Comptroller of the United States,
Washington, D.C.

DEAR MR. STAATS: As you are perhaps aware, the Department of Labor has entered into two Manpower Development Training Act contracts with Pride, Inc. in the total amount of $2,337,090. This Committee has been unsuccessful over a period of weeks in its efforts to obtain minimal information with reference to the expenditure of funds under these contracts. I will therefore thank you to order an investigation to determine the following:

a. That all Government funds utilized under this contract have been properly expended and accounted for.

b. The full name, home address, Social Security number, and if possible, the period of employment and total amount paid to each employee since the inception of this program.

An initial report as to the availability of records from which the above information can be obtained and an estimate of the time involved to complete the project will be required by this Committee no later than the close of business, June 14, 1968.

Yours very sincerely,
CARL HAYDEN,
Chairman.

APPENDIX III

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
August 19, 1968.

Hon. ELMER B. STAATS,
Comptroller of the United States,
Washington, D.C.

DEAR MR. STAATS: Reference is made to my letter of June 5, 1968, requesting you to make an audit of Government funds utilized under Department of Labor contracts with Youth Pride, Inc. and to secure listings showing the full name and other information relative to each employee since the inception of the program.

Confirming an oral request made by Senator Robert C. Byrd and Mr. William H. Jordan, Jr., of my staff in a meeting with your representatives on August 7, 1968, it is requested that your Office undertake the following additional work.

1. With respect to the statement in the Committee's Report No. 1484, July 30, 1968, concerning a certification by the Comptroller General to the Secretary of Labor with respect to PRIDE's record keeping and accounting procedures, you are requested to submit a report to me no later than September 7, 1968, containing an evaluation of PRIDE's record keeping and accounting procedures.

2. You are requested to submit an interim report on your audit of PRIDE by September 7, 1968.

3. You are requested to conduct personal interviews of a selected number of PRIDE enrollees for the primary purpose of seeking information relative to possible misuse of Government funds. This work should be done independently by your own staff and not in conjunction with other investigative groups.

Yours very sincerely,
CARL HAYDEN,
Chairman.

APPENDIX IV

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
September 9, 1968.

Hon. ELMER B. STAATS,
Comptroller General of the United States,
Washington, D.C.

DEAR MR. STAATS: This will acknowledge receipt of your letter of September 4 and the interim report of the General Accounting Office, dated September 6, with reference to Youth Pride, Incorporated.

You are hereby authorized to cooperate to the fullest with the Senate Permanent Subcommittee on Investigations with reference to any investigation it might make of the subject matter relating to your audit and investigation.

No information relating to this investigation, from any source, should be released to any department, agency, committee or individual without written authorization from Senator John L. McClellan, Chairman of the Subcommittee. This is not to preclude or restrict, however, full and free discussion with and assistance to the Department of Labor in improving the accounting and internal controls of Youth Pride, Incorporated, in order that future funds expended by this organization might be safeguarded to the maximum extent possible. This phase of your undertaking expressly relates to the certification mentioned in this Committee's report on the Labor, and Health, Education and Welfare Appropriations Bill.

The Committee, of course, expects you to complete your work relating to the request contained in my letter of June 5, 1968. I will await your final report on or before November 30, 1968.

Yours very sincerely,
CARL HAYDEN,
Chairman.

APPENDIX V

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
November 14, 1968.

Mr. ELMER B. STAATS,
Comptroller General of the United States,
General Accounting Office, Washington, D.C.

DEAR MR. STAATS: I have your letter of November 8 with reference to the General Accounting Office's survey of Pride, Inc., which was initiated last June at the request of this Committee.

I regret to learn of the possibility of a delay of several weeks in the submission of the GAO's final report in this matter. The Committee's expectation, however, is that the report when submitted will be complete and responsive to the Committee's initial request, and that the figures submitted by Pride's auditors shall have been carefully analyzed and tested for accuracy and reliability. I trust also that your report will outline the reasons for the as-yet-unexplained delay of over three months in the submission of the final audit by Pride's accounting firm, Smulkin, Barsky, Hoffman and Denton.

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[1] GAO note: Date of contract shown as September 9, 1968, should be September 9, 1967.

The GAO has correctly interpreted the intent of the Committee in desiring that the report in this matter be submitted directly to the Committee at the earliest possible time after its completion.

Yours very sincerely,

CARL HAYDEN,
Chairman.

APPENDIX VI

U.S. SENATE, COMMITTEE ON GOVERNMENT OPERATIONS, SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS,
Washington, D.C., October 10, 1968.

Hon. ELMER B. STAATS,
Comptroller General of the United States.

MY DEAR MR. STAATS: On September 25, 1968, members of my staff conferred with Messrs. Fred Thompson, Ralph Ramsey, and Henry Eschwege of your office concerning the audit and investigation being conducted into the activities of Youth Pride, Inc. During this conference, reference was made to a letter dated September 5, 1968, from Mr. Fred M. Vinson, Jr., Assistant Attorney General in charge of the Criminal Division, Department of Justice, to you in which he informed you that as a result of a preliminary inquiry conducted by the Department of Labor, it appeared that criminal investigation was warranted because of alleged payroll irregularities.

Mr. Vinson referred to the fact that the General Accounting Office also was investigating Youth Pride, Inc., with respect to other payroll irregularities. Under the circumstances, he said the Department of Justice would be reluctant to undertake any investigation without first informing you of their interest and determining whether the General Accounting Office was in a position to make the results of its investigation available to the Department of Justice.

At this conference, reference was also made to a letter dated September 9, 1968, from Senator Carl Hayden to you in which he requested that no information relating to this investigation, from any source, should be released to any department, agency, committee, or individual without my written authorization. It is my understanding that because of this request, representatives of the General Accounting Office have looked to the Subcommittee for guidance.

I have discussed this matter with my General Counsel and wish to inform you that I have no objection to your releasing to the Department of Justice the results of your investigation in connection with the audit of Youth Pride, Inc., with all documentation that you have in your files to substantiate the alleged criminal violations.

Copies of this letter are being sent to the Department of Justice and to Senators Carl Hayden and Robert Byrd of the Appropriations Committee for their information.

Sincerely yours,

JOHN L. MCCLELLAN,
Chairman.

Mr. BYRD of West Virginia. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

CLARENCE M. MITCHELL, JR.—LOBBYIST FOR THE PEOPLE

Mr. TYDINGS. Mr. President, I was very pleased to see in last Sunday's issue of the Potomac, published by the Washington Post, two excellent articles recognizing Clarence Mitchell's fine record of public service.

I am proud to say that Mr. Mitchell is a Baltimore resident and my constituent. He and his family have long provided responsible and intelligent leadership in Baltimore and in Maryland.

Mr. Mitchell, I am sure, is known to every Senator as the Washington representative of the NAACP. Mrs. Juanita Jackson Mitchell is a former president of the Maryland NAACP, also an attorney, and a vigorous defender of equal opportunity in her own right. The Jackson family also is a leading Baltimore family.

The Potomac magazine articles also describe the leadership activities of State Senator Clarence Mitchell III, and of other members of the family.

The two Potomac magazine articles deserve reading, not only because the Mitchells well deserve this recognition, but also because they are portraits of what Washington representatives—sometimes called lobbyists—can be at their best: intelligent, persistent, humane, dependable, and creative.

Mr. President, I commend the two authors, Harriet Douty and Robert C. Albright, for their perceptive articles, and I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post Potomac, Jan. 12, 1969]

THE 101ST U.S. SENATOR: CLARENCE MITCHELL, JR.—HE STILL BELIEVES

(By Harriet Douty [1])

(NOTE.—"All Americans are in debt to him," editorialized the Washington Post last spring when H.R. 2516—civil rights legislation containing strong open housing provisions—was signed into law. The Post was writing of Clarence Mitchell, Jr. and of his faith and persistence in pursuing through the legislative process so many of his race's important gains in civil rights during the last decade and a half. "He's been the 101st U.S. Senator for a long time," says one of the nation's leading white liberals. "And he's represented his constituency—all the people of the United States—very, very well.")

A block and a half south from the Capitol, in the small but pleasant headquarters of the Washington Bureau of the NAACP, its chief, Clarence M. Mitchell, Jr., sits in a spacious, overheated office lined with civic awards, photographs (mostly of whites), and letters from Presidents, Vice-Presidents, and Congressional leaders.

Mitchell is a burly man with bushy eyebrows, a mustache (a Mitchell family trademark), a hearty voice, and a laugh that could almost be described as a giggle. He wears his hair short and constantly uses the word "Negro" or "colored," rather than "black," as a matter of personal integrity, refusing to be carried along by every "will 'o the wisp" in the civil rights movement.

He dresses conservatively in dark suits with matching vests, and sports, long after the national election, a Humphrey-Muskie button which he says he will never take off. Loyalty is one of his hallmarks. He is so grateful to Lyndon Johnson for pushing civil rights legislation in Congress that he has been jokingly called "the No. 2 hawk in America." With loyalty, to both persons and ideas, comes a touch of its handmade—inflexibility.

Although his name is rarely familiar to cabbies and construction workers and men in the street, Mitchell has been lobbyist since 1950 for the NAACP and legislative representative for the Leadership Conference on Civil Rights. He is considered by those in the know to be perhaps the most singular figure in getting civil rights legislation through Congress—and in prompting Presidents to issue executive orders, like Harry Truman's 1949 ordinance forbidding racial discrimination in the federal government.

Certainly, his ceaseless efforts (it is reputed that he lived in the Capitol for three months) resulted in the no-compromise provisions of the 1964 civil rights bill. The Congressional Quarterly attributes the miraculous passage of the 1968 open-housing bill to Mitchell's persistent and effective lobbying.

For Clarence Mitchell, like all serious lobbyists, the job begins with helping fix the language of a bill and precedes through five general stages: finding a congressman to introduce it; getting enough votes in the proper committee to have it brought to the floor; stirring up interest back home; getting the votes on the floor—and making sure the votes that have been promised actually show up for roll call.

On a typical day when Congress is in session, Mitchell arrives at his office before nine to organize his own agenda. By 9:30, he's ready to knock on doors. The chances are his day won't end for 12 hours more during a session.

Mitchell says he learned his lobbying technique in the early days from Bob Church, a wealthy Tennessee Negro who became a self-appointed lobbyist for civil rights.

Church's technique was to go to a Congressman's office and wait . . . and wait . . . often for four or five hours. Today Mitchell doesn't have to wait. He knows most of the Congressmen personally and is ushered in usually before 15 minutes is up. He makes appointments only with those Congressmen he doesn't know very well.

Although much of his time is spent on the Hill, hardly a day goes by without meeting one or another civil rights group and maybe talking to the heads of several executive agencies or departments. Justice, Housing and Urban Development, the Civil Service Commission and the Lyndon Johnson White House have been the most frequent.

"I try to deal with someone," he says, "who has the power to act. And this usually means the Secretary or the assistant secretary in charge of whatever I'm interested in."

He finds lunch "irritating" and tries to skip the meal. When he does lunch, he seldom discusses business.

"You have to spend half the time in small talk," he says. "And besides they always want to pick up the tab, even though I'm the one who wants something from them—and I find that embarrassing."

Having seen the results of an almost 40-year fight to secure legal equality for the Negro come to fruition in the past four years, Clarence Mitchell, Jr., should be approaching his later years as a Grand Old Man of the civil rights movement, respected and revered by all.

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[1] Harriet Douty is a freelance writer and a frequent contributor to Potomac. Her subject matters have included restaurant owner Blackie Auger, draft resistance and jury duty.

Instead, he and the moderate tactics of the NAACP are bitterly attacked by militants to the left. His most remarkable success—the open housing bill—has been called meaningless. Worse yet, the philosophy by which Mitchell has conducted his life—that there should be a colorfree society with the Negro fully integrated into the mainstream of American life—is not only considered impossible by those militants but is considered undesirable as well.

Instead of being able to rest on his laurels, smiling with satisfaction at a job well done, Clarence Mitchell feels forced to travel around the country on weekends, delivering speeches that counsel against "reverse racism"; against divisiveness in the civil rights movement; against those who "pretend that our problems cannot be solved and counsel violence, destruction, and overthrow of the government"; against, finally, "a small but highly publicized element which has repudiated civil rights and adopted the racist tactics of the Nazi movement and the Ku Klux Klan."

For Clarence Mitchell, the hard fight is by no means over. At 57, still putting in a 12-hour day, plus weekends, Mitchell is faced by a rising chorus of younger voices that considers him passé.

"The sad part about Clarence," says Joseph Rauh, Jr., longtime civil rights associate and friend, "is that he had such a short period of grandeur. The publicity and interest went to the militants so fast."

Some say this has left Mitchell bitter. If it has, he does not show it. Rather, he's outraged—and his rage seems equally directed against the "dangerous ideas" the militants put forth and the mass media which he feels aids and abets them, creating "false leaders and giving an inaccurate view of the Negro community."

As a former newspaperman for the *Baltimore Afro-American* (he covered a lynching on Maryland's Eastern Shore in the early 30's that was instrumental in directing his career toward civil rights), Mitchell is well aware of the press value of dramatic events and of the need to do more and more colorful things to insure coverage—a syndrome he feels SNCC got caught up in, culminating in the expulsion of all white members.

Moreover, he senses a symbiotic relationship between the media and the militants. "For example, at our conference in Atlantic City last summer the TV lights were so hot and disruptive that we asked to have them turned off. Toward the end of the conference, a TV newsman came up and asked if he could turn on an overhead light to film the president as he was reading the results of a vote. I said he could. But when the light went on it wasn't facing the president. It was facing the back of the room, where a group of 'Young Turks,' dressed in African garb, raised their fists and shouted, 'Black power, black power.' Now you know there had to be some collusion.

"There has always been a tiny separatist minority within the Negro community," Mitchell continues, "but it has never been given so much publicity."

Joe Rauh thinks the scare tactics of SNCC helped the passage of the 1964 civil rights bill. Mitchell, a religious man (he's chairman of the board of his Methodist church) with a strong sense of good and evil, believes it solely an example of right triumphant.

Mitchell regards violence—all violence—as evil. He is not opposed to picketing (while integrating Baltimore schools, he carried a sign reading, "I am an American, too!") or direct action (he desegregated the Florence, S.C., railroad station by refusing to enter the "colored" door) to illuminate a problem, "but you've got to know when to stop picketing and sit down at the conference table," where he believes 50 to 70 per cent of all disputes can be settled. Furthermore, he believes that direct action can become a way of life; that "people can become so involved in the act of protesting that they lose sight of the goal."

Mitchell does not stop at condemning the ideas and tactics of the militants. He goes one step further and actually blames Negro frustration as much on black militants as on bigoted whites.

"When we finally do get a bill through Congress as important as the open-housing bill," he says, "these so-called militants say it's nothing and this makes for frustration. When that bill was passed, newsmen called up various prominent Negroes for their reactions and gave large play to those who had unkind things to say."

Charles Evers, Mitchell reports, who said the bill was no good unless enforced, was quoted as saying the bill was no good. Floyd McKissick called the bill insignificant. Mitchell was upset. McKissick had been in on the early stages of the bill.

" 'Floyd,' I asked. 'Did you read the bill?' Floyd told me he hadn't had time . . . Now I can understand that, but what makes me so mad is if these leaders say these bills are nothing, then the poor Negro asks, 'If this is nothing, what is there?' "

For every charge the militants make—"and their demands change as soon as the press value is exhausted"—Mitchell has an answer.

If they say the law is too slow, Mitchell replies that the law is the only true guarantor of equal rights, putting the law above executive orders which can go out of office with the man and are subject to multiple interpretations. The courts are important, but even more important are the law-making bodies. Thus, Mitchell puts at the top of his list voter-registration drives and the seeking of public office. Mitchell's own eldest son, Clarence III, is a Maryland State Senator.

If they call for more direct action, Mitchell points out—somewhat defensively—that every test case brought by the NAACP was the result of a "direct action."

If they insist on black-owned businesses, Mitchell's blood boils. This he considers retrogressive re-segregation.

"We've passed that phase," he says, and cites the prosperous North Carolina Mutual Insurance Co. and the Afro-American newspapers. "We're ready to enter the mainstream of American life. We want Negroes directing the affairs of General Motors, not operating some little store in the ghetto. We see the end of the ghetto."

He does believe that some stop-gap black institutions, such as savings and loan associations that would lend much-needed capital to Negro businessmen, could serve a useful, but temporary, function.

"I think this Black is Beautiful thing is phony," says Mitchell. "I don't see Negroes rushing down to 14th and U Streets for lunch. I don't see Negro leaders staying at colored hotels. Black is Beautiful can be dangerous. If you start evaluating a person's worth by his physical characteristics, you're going to lose. It's a matter of pure arithmetic and the Chinese are going to win."

If, however, they cry for more community participation, Mitchell agrees.

Mitchell agrees, but unlike some militants—Stokely Carmichael, for instance—Mitchell and his wife have remained in the central Baltimore ghetto they were raised in, despite the comfortable income derived from his NAACP job and the law partnership (Mitchell & Mitchell) he and his wife have. He commutes daily to Washington.

In Baltimore, the names Mitchell and Jackson (his wife's family) are synonymous with civil rights and the NAACP. His mother-in-law, Dr. (honorary) Lillie M. Jackson, is the dowager duchess of the Baltimore civil rights movement. With her daughter, Mitchell's wife, she is generally credited with desegregating Baltimore. At 79, she is in her 33rd year as president of the Baltimore branch of the NAACP.

Mitchell's wife, Juanita Jackson Mitchell, a graduate of the University of Pennsylvania at the age of 18, is a former president of the Maryland State NAACP. She was elected to the recent Maryland Constitutional Convention, and, putting in more than 12 hours a day at her law practice, has a reputation in Baltimore for "helping all of us poor people," as one white client in her ghetto office put it.

Mitchell's eldest son, Clarence III, just turned 29, was a founding member of SNCC. He left that organization a year and a half later to "sit-in" in the Maryland legislature. At 22, he was elected to the General Assembly; at 26, to the State Senate, where he helped form a liberal coalition that led to the repeal of the anti-miscegenation law and the enactment of a fair employment practices bill.

Mitchell's youngest brother, Parren, 47, until recently headed up the anti-poverty program in Baltimore and was executive secretary of the Maryland Commission on Interracial Problems and Relations. Licking his wounds after being defeated in a Congressional race by incumbent Representative Samuel Friedel (the Mitchells blame his loss on the rain), he now teaches at Morgan State College while preparing for another challenge.

Despite the fact that the Mitchells and Jacksons have been powers in Baltimore for almost 40 years, a writer for the *Baltimore Sun* reports that the only charges he's ever heard leveled against them was "some grumbling in the ghetto that they used the nickel and dime contributions to the NAACP to finance their political campaigns,"—a charge, he adds, that has never been substantiated.

Younger militants, however, such as Walter Lively, until recently head of the Urban Coalition, feel that "in two or three years their power will wane." An open feud broke out between the Mitchells and the more militant blacks after last April's riots, when the Mitchells were out on the streets trying to calm things down.

More recently, Clarence III attacked a SNCC worker, charging in effect that Black Power was only a coverup for "hate whitey." After this, the factions agreed not to snipe away at each other and an uneasy peace now exists. "Everyone's heard of the Mitchell's," Lively says, "but to young people they're no big deal. They're one of the major black families in Baltimore, but only in terms of the older generation."

There is little doubt that the Mitchells belong to another generation. When Clarence and Juanita were growing up, Negroes were second-class citizens as a matter of law. They went to separate schools and separate restaurants. Negroes in Baltimore could not be policemen, streetcleaners, social workers, or employees at the A&P, to cite a few examples. A Negro arriving at the railroad station was hardpressed to find a taxicab. The Jacksons and the Mitchells helped change all this.

They grew up with the idea that once the Negro secured legal equality, the Great American Dream of upward mobility would be open to him, and to the Mitchells their personal success has borne this out—this is a factor that may account in part for the gulf that exists between the Mitchells and the militants. "God helps those who help themselves," Juanita Jackson Mitchell is fond of saying. But both Mitchells find it difficult to answer Martin Luther King's question—what good is a public accomodation bill if you don't have the price of a hamburger?

Although poor (Mitchell slept on sheets his mother made out of flour sacks) they came from close-knit, church-going families which instilled in them the old-fashioned virtues of "cleanliness, industry, and hard work" and taught them to respect the church, the home and the family.

Parren Mitchell recalls that his mother and father (she was a cashier, he a musician) devoted their whole lives to their children, giving them a sense of security and self-respect so that they "wouldn't let anybody step on" them.

Aware of the value of education, Mitchell's parents conducted "enforced study hours" every afternoon, And although both parents and children had to work to eke out a collective existence, all seven children went on to college—Clarence to Lincoln College, where he graduated in 1932, two years after his long-time associate, Thurgood Marshall.

These values have been handed down to Mitchell's children, and Clarence III, although 29, is considered by some militants as belonging to another generation. All four sons seem to be doing well. Clarence III, when not in the State Senate, co-partners a real-estate firm, Mitchell & Johnson.

Keiffer, 27, is a medical doctor who integrated the staff of the Greater Baltimore Medical Center, a position that would not have been open to him were it not for Title VI of the 1964 civil rights bill. "When we help others, we help ourselves," Juanita Mitchell says.

Mike, 24, is a law student with an eye on politics. And George, at 16, is a top high school student and football player.

For good or ill, the Mitchells are out of joint with the times. In a period of intense nationalism, they have devoted themselves to a colorfree world, where each person is accepted or rejected on his merits. To Clarence Mitchell, the people who threw rocks at white automobile drivers after a white policeman in Washington had killed a Negro were not injured people striking out at "400 years of injustice." They were "hoodlums" who should have been dealt with "fairly but firmly."

Moreover, in an age of stridency, when you have to shout loudest to be heard, Mitchell remains quiet and soft-spoken. He denies the concept of "thinking white" or "thinking black." For him, there's just one way to think—"fairly."

He is a humanist and a liberal who believes that people are basically good and understands human motives and failings. When conservatives in Congress speak out against civil-rights legislation, he says he realizes that they must do this for their constituents back home. He cultivates conservatives and many a time a key conservative has turned around and supplied a needed vote for civil rights legislation.

Clarence Mitchell III, who in some ways lacks the open-hearted ebullience of his father, becomes highly emotional when trying to describe him. "He is a very great man, a humble man who has never tooted his horn and has never received the national recognition he should. He is a fair person, a just person . . . very principled. He puts principle above everything. He's very tough, but at the same time gentle and understanding."

Others note Mitchell for his hard-work, his conscientiousness, his courage, and above all, his optimism—an optimism that took him through the dark days of the 1930's and 1940's when everyone regarded the idea of getting civil-rights legislation through Congress as a joke, at best.

Getting equality on the books was perhaps the easier part. Now he must fight against a trend toward a separatism he feels could lead to resegregation, undoing his life's work. "We have worked too hard and too long to become part of the mainstream. We will not be led down the wrong path."

[From the Washington Post Potomac, Jan. 12, 1969]

THE MITCHELL RECORD: A LIBERAL WHO CAN COUNT

(By Robert C. Albright[1])

Clarence M. Mitchell, chief lobbyist for the National Association for the Advancement of Colored People, is one of those rarities in modern-day politics—a liberal who knows how to count.

Over the last decade, he and his coworkers in the National Leadership Conference on Civil Rights have spent endless hours trudging through Capitol halls in quest of the one thing that counts in Congress. Votes.

During those years, enough House and Senate votes have been buttoned up to help pass six major civil rights statutes and to open a sweeping new horizon of opportunity to the Negro people.

"So much depends on our making use of civil rights remedies now available to us under law, and under the new laws we can write," Mitchell said in an interview. "And so much depends on Negroes voting themselves.

"When you get a law, you have an instrument that will work for you permanently. But when you branch out on a separate line of direct action, you may wind up with nothing."

Mitchell said the Poor People's Campaign "is a good example of what I'm talking about.

"They just say, 'Let's keep marching until we get what we are after,' " he went on. "Of course, there are times you should march. But you should be sure what you are marching about and that there isn't a remedy readily available at law.

"It is clear that many of them did not realize that some of the things they were marching for were already law and some were even then being embodied in the omnibus housing act.

"When you talk about what's wrong, you not only have to get after that sheriff, or this or that legislator, but you have to go to the Negro and tell him to get out and vote.

"That's what the voting rights act was all about. White people can decide to vote or not to vote. But the Negro cannot afford the luxury of staying away from the polls."

Mitchell acknowledges, unabashedly, that he learned his sure touch for legislative vote-counting from an old maestro of the art, President Johnson, in the days when Mr. Johnson was Senate Democratic leader.

"Lyndon Johnson had one rule of thumb, 'You get what you have the votes to get,' " Mitchell said. "I try to follow that rule. In the Leadership Conference on Civil Rights, that is how we work.

"We talk to as many legislators as we can. Through direct contacts of this sort we come to understand where we are, and what is the other fellow's position.

"There are those who say laws are no good, but it seems to me the only foolproof way to operate. Often people you didn't think would cooperate are anxious to find a way to do so. Many will go along after you talk. I even found Barry Goldwater favored one of the provisions of the 1964 civil rights bill barring discrimination with Federal funds."

President Johnson's assistance in passing the 1964 law, with its trailblazing public accommodations and fair-employment provisions, cemented a friendship between the two men which had been at best tenuous before.

"After President Kennedy was assassinated, Mr. Johnson asked me to the White House to set straight where he stood," Mitchell said. "People had been predicting he would backslide (on civil rights) after John Kennedy's death. He didn't."

Mitchell said the acid test came in the late spring of 1964, when he and Joseph L. Rauh Jr., counsel for the Civil Rights Leadership Conference, visited the White House to give Mr. Johnson a vote canvassing chore.

Hanging in Mitchell's office is a framed photograph commemorating the event. It shows Mitchell and Rauh seated with the President around a table.

Mitchell pointed to the photograph.

"Do you see that piece of paper on the table?" he asked. "It has the names of eight Senators on it with Sen. Dirksen leading the list. Joe Rauh and I told the President we had come within eight votes of the two-thirds majority needed for cloture. We said we were counting on him to get those eight.

"He got them and, for the first time in history, the Senate approved cloture on a civil rights bill."

Mitchell has been head of the NAACP's Washington Bureau since 1950, succeeding Walter White, who also served as executive secretary of the organization.

Earlier, he worked in his present, quiet way to remedy, without benefit of legislation, several instances of discrimination in the executive departments.

He cleared up a couple of "ridiculous situations" at the Pentagon. Until Mitchell moved in, the cafeterias had refused to employ Negro cashiers and the Pentagon itself had sought to ban Negro-chauffered cabs from basing there.

A year before the Supreme Court handed down its school desegregation decision, Mitchell complained of discrimination in schools on several military bases. President Eisenhower was furious when he learned of the discrimination, Mitchell said, and quickly corrected it.

Mitchell learned the Government Printing Office was maintaining two cafeteria lines, one for Negroes and one for whites, and that Negroes were banned from the Bureau of Engraving and Printing apprentice training plan. Both situations were corrected after Mitchell protested.

But in those early days, the fledgling legislative lobbyist met with much less success on Capitol Hill. Congress up to that time hadn't passed a civil rights bill since Reconstruction days, and didn't seem likely to break the habit.

Mitchell quickly became familiar with the abortive Congressional civil rights cycle. The House repeatedly had passed anti-lynching and fair-employment practices bills only to see them die in Senate filibusters.

Hope soared briefly in 1949, when Minnesota's Hubert Humphrey, just elected to the Senate, introduced an NAACP-drafted anti-lynching bill as his very first act. The Democratic Convention, at Humphrey's urging, had adopted a sweeping civil rights plank.

Thereafter, the House regularly passed Humphrey's bill every session, but the unreconstructed Senate just as regularly let it die. This year, almost 20 years later, the anti-lynching bill has become law, at last for all practical purposes, as part of the 1968 bill making it a crime to interfere with anyone's civil rights.

The first real legislative breakthrough for civil rights of any consequence in 80 years occurred in 1957; once again Mitchell had a ringside seat.

In fact, Mitchell played a little-known role in setting the stage for the act. The 1957 law had its genesis in a 1947 report. "To Secure These Rights," turned out by a Harry Truman-appointed Presidential commission headed by Charles E. Wilson of General Electric.

The report recommended, among other things: (1) a bipartisan commission to investigate civil rights violations; (2) creation in the Justice Department of a new assistant attorney general in charge of civil rights, and (3) authority for the Attorney General to go into court and bring suit to enjoin interference with anyone's civil rights.

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[1] Robert C. Albright is a veteran Washington Post reporter who specializes in Senate affairs.

Mitchell took a copy of the Charles Wilson report to Attorney General Herbert Brownell in 1956, and peruaded him to draft a bill on the subject.

The bill got nowhere in 1956 but, in 1967, key House and Senate committee leaders promised to get behind it. To the surprise of nearly everybody, Senate Republican Leader William F. Knowland (Calif.) promised Mitchell to lead the fight to break a filibuster—if necessary.

House Democratic and Republican floor leaders said they, too, would go along, but Senate Democratic Leader Johnson made one major reservation.

He opposed authority in Part 3 for the Federal Government to seek civil court relief in civil rights cases.

The controversial title, perhaps the most important single provision, was ripped from the bill following a charge by Sen. Richard B. Russell (D-Ga.) that it could mean "use of bayonets" to enforce the law.

But, watered down as it was when it passed, the new statute was more than a gesture. As Mitchell still calls it, this bill was "the breakthrough."

Omission of authority for the Attorney General to seek civil rights relief through injunctions has long since been remedied. In the 1964 public accommodations law, the 1965 voting rights act and in the recently enacted 1968 civil rights protection and open housing law, Congress has swept on far beyond it to chart new gains for racial minorities barely dreamed of in Mitchell's youth.

"We (the Negro minority) have made some strides because of these laws we have put on the books," said Mitchell.

"Today in Mississippi we have a Negro mayor, a Negro sheriff, several Negro county commissioners and justices of the peace. We've done it there, and we can do it in other states, because there's a voting rights law.

"Some people think you get things done only with strong muscle. Yet it is the law that enables them to get a fair trial if they happen to be Rap Brown. If they want to picket, it is the law that supports them in picketing. When they go into court, if they win their cases, it is because of those statutes we've put on the books.

"I believe the strategy we are following (proceeding through law and not muscle) is the right course for us. I believe it will win for the Negro minority rights already won and enjoyed by other minorities, such as the Italians, the Irish, the Jews and the Catholics.

"Those minorities have grown into the mainstream of American life. We can do so, too, by voting and using the opportunities available to us under law.

ORDER OF BUSINESS

Mr. **TYDINGS**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. CRANSTON in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **THURMOND**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

NOMINATION OF RUSSELL EARL TRAIN TO BE UNDER SECRETARY OF THE INTERIOR

Mr. **DIRKSEN**. Mr. President, from time to time over the past week, there has been mentioned in the press and elsewhere the name of Russell Earl Train who is under consideration as Under Secretary of the Interior.

Senators must know Russell Earl Train pretty well because he has been a very active conservationist; but he has been more than that.

He was admitted to the bar in Washington, D.C., in 1949. He was on the staff of the Joint Committee on Internal Revenue Taxation. Then he was clerk of the Committee on Ways and Means, and also minority adviser; then assistant to the Secretary of the Treasury and head of the legal advisory staff in 1956 and 1957.

Then he was nominated to the U.S. Tax Court, but, in 1965, he became president of the Conservation Foundation; and, in addition to that foundation, also a trustee and chairman of the board, in fact, of the African Wildlife Leadership Foundation; director, American Committee for International Wildlife Protection; and honorary trustee, Kenya National Parks, African wildlife management, Tanganyika National Parks.

He served as a second lieutenant in World War II, and was promoted to major. He is known from one end of the country to the other as a great conservationist.

Mr. President, I should like to haul this out of the rumor stage and merely say that after checking, he will be named as Under Secretary of the Interior, and that this does have the blessing of the President of the United States.

I desire to add a little more biographical data on Mr. Train, and ask unanimous consent to have it printed in the RECORD.

There being no objection, the additional biographical information was ordered to be printed in the RECORD, as follows:

Russell E. Train has been President of The Conservation Foundation since 1965, when he resigned as a Judge of the U.S. Tax Court to take on direction of the 20-year old nonprofit research, education and information organization.

The Conservation Foundation's purpose is "to encourage human conduct to sustain and enrich life on earth." It has been described by the Ford Foundation as occupying "a lonely eminence as the only national organization dedicated to the whole range of conservation concerns."

During the last three years the foundation has strengthened its public policy development work in a broad range of environmental problems. During this period, also, its information and education work has been redirected to stimulate citizen involvement. The foundation's offices have been moved from New York to Washington, its staff expanded, and its financing diversified.

Train defines conservation as the rational use of the earth's resources to achieve the highest quality of living for mankind. He has said that "Conservation has two lines of attack. First, making sure that critical irreplaceable and unique resources are preserved. And second, seeing to it that development processes respect natural resource systems, avoid negative impacts like air and water pollution, and produce amenable, liveable environments."

Under his direction the foundation has taken increased interest in development processes and environmental problems of urban areas. Its current programs include, for example, a series of on-the-ground projects designed to demonstrate the use of ecologically-based planning in integrating natural values in attractive and profitable urban development. At the first of these demonstration projects, at Rookery Bay, near Naples, Florida, the foundation in 1968 recommended ways in which profit-oriented residential shoreline development can be compatible with protection of the bay's natural functions as a nursery and feeding area for marine life and as a fishing area. The recommendations are being tested.

Other recent foundation projects include conferences and books on developmental problems in metropolitan areas, "the future environments of North America," environmental consequences of U.S.-financed international development programs, effects on human behavior of human crowding, and preparation of the basic work document for UNESCO's 1968 conference on The Scientific Bases for Rational Use of the Biosphere.

Born in 1920, Train is a lifelong resident of the District of Columbia. He graduated from Princeton University in 1941; served in the Army from 1941 to 1946; rising to the rank of major; earned an L.L.B. degree from Columbia University in 1948, and was admitted to the District of Columbia bar in 1949.

He then specialized in tax law and served as an attorney for the Congressional Joint Committee on Internal Revenue Taxation and later (1953–54) as Clerk and then Minority Advisor to the House Ways and Means Committee. He was head of the Treasury Department's legal advisory staff (1956–57).

He was appointed to the Tax Court of the United States by President Eisenhower in 1957 and reappointed to a full 12-year term in 1959, resigning in 1965.

In 1961 Train founded the African Wildlife Leadership Foundation, which started the first wildlife management school in Africa, gives scholarships to Africans at U.S. universities, conducts research and education programs in African schools, and is now the major source of U.S. support for wildlife conservation in Africa.

His interests also led him into participation in other conservation organizations in the United States and abroad. In addition to serving as president and a trustee of The Conservation Foundation and African Wildlife Leadership Foundation, Train serves various U.S. and international conservation organizations, including the International Union for the Conservation of Nature and Natural Resources (executive board member); World Wildlife Fund (trustee and vice president); Tanzania, Kenya and Uganda National Parks (honorary trustee), and American Conservation Association (trustee).

Train has served on a number of committees advising government, including a National Academy of Sciences committee on SST-Sonic Boom, a Department of the Interior committee on the International Water for Peace Conference and other international and resources activities.

In 1968 President Johnson appointed Train to the National Water Commission, a seven-man body created by Congress that year. The Commission is to review the nation's long-term water resource requirements and make its final recommendations to the President and the Congress by 1973. Train serves as Vice-Chairman of the Commission, which is headed by Charles F. Luce, Board Chairman of Consolidated Edison Company of New York.

Train is Senior Warden of St. John's Church (Lafayette Square), a trustee of the Washington Cathedral and member of its executive committee; a trustee of Recordings for the Blind, and is active in other civic organizations.

Train is the son of the late Rear Admiral and Mrs. Charles R. Train, U.S.N. He is married to the former Aileen Bowdoin; they have four children.

EXECUTIVE SESSION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there objection?

There being no objection, the Senate proceeded to consider executive business.

AMBASSADOR TO THE UNITED NATIONS

Mr. DIRKSEN. Mr. President, there is only one nomination to be called up, and that is that of Mr. Charles W. Yost to be our Ambassador to the United Nations, which was reported earlier today. I ask unanimous consent that the Senate proceed to the consideration of that nomination.

The PRESIDING OFFICER. The clerk will state the nomination.

The ASSISTANT LEGISLATIVE CLERK. Charles W. Yost, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

There being no objection, the Senate proceeded to consider the nomination.

Mr. PELL. Mr. President, there are few men who have had more experience in looking after and putting forward the best interests of the United States than has Charles W. Yost.

He has had many difficult jobs and has performed them all with imperturbability, skill, and excellence.

The regard by which he is held in his own profession is shown by the fact that he is one of the very few diplomats to hold the rank of career Ambassador.

His experience, particularly in United Nations matters, is unmatched, in or out of our Government. Since 1944 when he was assistant to the chairman of the U.S. delegation, he has followed closely, or been assigned to, United Nations activities.

In the years when I served in the Foreign Service and in all the years I have known him, I have never heard a word of substantive criticism about him. Rather, from those for whom he has worked, from his colleagues and from his subordinates, one has always heard the highest of praise.

This is indeed an appointment of which the United States can be proud.

Mr. DIRKSEN. Mr. President, I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. DIRKSEN. Mr. President, I ask that the President be notified immediately.

The PRESIDING OFFICER. The President will be notified in accordance with the request of the Senator from Illinois.

Mr. HOLLAND. Mr. President, I am glad to have the confirmation of Ambassador Yost's nomination at this time. I would be glad to have the matter of the confirmation of the nomination of Governor Hickel come up. But I am anxious to know whether there is any assurance that it can come up tomorrow, because some of us are arranging for an agenda tomorrow in the event Governor Hickel's nomination will not come up, and it is very necessary for us to know whether or not that nomination will be considered tomorrow.

Mr. MANSFIELD. Mr. President, in response to the inquiry of the distinguished Senator from Florida, all I can say at this time is that every effort is being made to hurry up the Government Printing Office's efforts to complete printing the hearings on the nomination of Governor Hickel and the committee report. I anticipate, as of now, that we will have it tomorrow, but I wish the Senator would allow me a little flexibility, in the event something comes up which I am not aware of. If we have the committee hearings and report tomorrow, the nomination of Mr. Hickel will be the first business after the morning hour.

Mr. HOLLAND. I thank the Senator. That is as far as he could go under the conditions.

LEGISLATIVE SESSION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

AMENDMENT OF RULE XXII

The Senate resumed the consideration of the motion of the Senator from Michigan (Mr. HART) to proceed to consider the resolution (S. Res. 11) to amend rule XXII of the Standing Rules of the Senate.

Mr. THURMOND. Mr. President, such words as "democracy" and "liberty" are used often in discourses concerning American government. They are too often used interchangeably, and taken to mean the same thing. It is necessary, however, that we ponder for a moment just what these words mean, and the difference between them. It is true that these two words refer to similar characteristics of the Government of the United States: Democracy, simply put, being rule by the majority and liberty being the rights of the individual. Both concepts are important to all Americans. Take away either, and the other would probably no longer aptly describe our system of government.

While both democracy and liberty are essential to our form of government, there is a point at which these two ideals conflict, and the fight to preserve both democracy and liberty is often a fight to keep the two in proper balance with one another. If the principle of majority rule is expanded without limitation, the consequences would be severe: Should 50 percent plus one of the electorate decide to ignore the rights of the minority, the justice of the minority cause would become irrelevant. Majority rule would prevail. Liberty, or the rights of the individual, would be abolished. Democracy would, in fact, become mobocracy or tyranny. Similarly, if liberty is allowed to permanently thwart the will of the majority, we would have not liberty but oligarchy and thus tyranny.

Mr. President, we in the Senate have an awesome responsibility. As the world's greatest deliberative body, it is appropriate for us to consider and to ponder the philosophical foundations of our Government. The immediate interest of those favoring particular legislation must not be allowed to further erode the institutions which buttress our Republic. If the desire of a temporary majority conflicts with a principle important to the maintenance of democracy and liberty, then, in my judgment, the duty of the Senate is to side with the long-range good of the Nation. Mere temporary majority support for legislation is hardly the sole criterion for passage of legislation.

Mr. President, this concern for our Republic, and the institutions which keep it free, is the principal motivation for those of us who favor retention of rule XXII in its present form. This rule is one of a number of important rules and procedures which serve to protect our Republic and its free institutions. By allowing extensive debate of legislative proposals, and by allowing an exceptionally determined minority of 34 Senators to speak indefinitely, the Senate prevents passage of unduly harsh or punitive legislation, even though a majority may favor it. In my judgment, this is the strength of the Senate: our goal is not to contrive legislation which pleases a mere majority; rather, it is to attempt to fashion proposals which will consider the desires of the many geographical, ideological, economic, and other interests of this vast country.

Mr. President, rule XXII in its present form encourages this great body to consider the entire Nation when conducting our business. To weaken the rule by allowing three-fifths of the Senators to cut off debate is to discourage this broad approach which is essential to the unity of our Nation. The most able American and South Carolinian, John C. Calhoun, who served with great distinction in this body, is known for expounding the theory of the concurrent majority. Calhoun was a brilliant political scientist, and his analysis of the United States as a pluralistic society was not only original for its day, it has also stood the test of time. This great Senator correctly perceived that our Nation consisted of numerous competing groups—business, agricultural, sectional, religious, and so forth. He contended that none of these groups alone could determine the course of Government, but that the interests would combine—giving and taking with each other—until a given policy was sufficiently broad to receive the support of a majority of the interests in the Nation. The coalition was hardly permanent, but another would be formed on behalf of another policy.

Mr. President, John C. Calhoun, in propounding the theory of the concurrent majority, was presenting an analysis of our body politic, and how it worked. He was not advocating, but observing. However, Calhoun did foresee a danger that the system could break down if safeguards were not provided to insure that major interests, representing a substantial segment of the population, were given a voice on matters vitally affecting them. Indeed, Calhoun at one time advocated several executives—with veto powers—rather than one President, so concerned was he that our system could not sustain the complete alienation of a major part of our Nation. Perhaps Calhoun was prophetic—for indeed the War Between the States was in part the result of the inability of our Government to reconcile opposing points of view within the system.

Rule XXII as presently written, has been criticized by its critics not merely because its use has prevented passage of certain legislation but because the threat of extended debate under the rule works an influence on legislation that is passed. It has been said that the threat of extended debate by small groups of Senators has "diluted" otherwise good legislation. In my judgment, this is not an argument for weakening rule XXII, but a most persuasive one for retaining the present rule. While critics use the term "dilute," in reality they are referring to changes in proposed legislation which accommodate the bill to the numerous points of view represented in this body. This process, far from being harmful, actually helps fashion legislation more acceptable to the entire Nation. The result is not "diluted" legislation but legislation that is designed to do more than satisfy a temporary majority—that is designed to meet the requirements of as large a proportion of the American people as is possible. In a time of increasing bitterness and frustration among the American people, it would appear to be ill-advised to weaken a device which allows a substantial minority to make its views felt on legislation. Let us all remember, particularly those who wish to weaken rule XXII, that today's majority can easily become tomorrow's minority.

Mr. President, some would give the impression that a small and willful minority now have a virtual veto over all legislation because of rule XXII. I think we are all aware that this is not the case. First of all, 34 Senators are required to prevent cloture, if all are present to vote.

I should like to remind my colleagues that there are only 22 Senators from the States of the old Confederacy, and that all 22 seldom vote as a unit. Second, the success of extended debate depends in some measure on the infrequency of its use. It is a technique that would rapidly become ineffective if used often. Extended debate can become physically tiring and mentally exhausting. It can subject participants to the ridicule of a sometimes hostile press. It can place a Senator strongly at variance with a majority of his colleagues. In summary, a substantial minority of Senators will exercise their rights under rule XXII only if they feel very strongly about an issue. When this occurs, there can be no doubt that the issue is important. It is probable that the additional attention focused on the issue as a result of extended debate—both here in the Senate and in the news media—is justified, and might well prevent hasty action that while acceptable to a majority, would be strongly opposed by a minority.

Mr. President, in my judgment, rule XXII in its present form is an important preservative of the rights of the minority point of view. It helps preserve that balance between democracy and liberty essential to the well-being of our Republic. It encourages legislation more acceptable to the entire Nation—and thus provides consideration of all major interests by the concurrent majority of which Calhoun wrote. The Senate—as the world's greatest deliberative body—would be wise to resist those who would weaken its effect.

Mr. President, the critics of the present rule XXII often speak as if a two-thirds majority were required to pass all legislation. It seems clear, however, that extended debate is a technique that is used only sparingly, and then not always successfully. In the last session of the Congress, organized debate occurred twice: The first time was in opposition to passage of the so-called open housing bill. As the Members of this body well know, two-thirds of the Senators present and voting invoked cloture, and the bill became law; the second time concerned the matter of confirmation of an appointment to the position of Chief Justice. On this issue, cloture was not invoked, indeed, had every Senator who expressed his view publicly been present to vote, an absolute majority would have opposed the debate cutoff. If rule XXII had not existed and if a dedicated minority of Senators had not realized victory was possible without a majority under rule XXII, it is questionable that the extensive hearings and debates which led to this close vote would have occurred. On an occasion when a substantial minority of Senators realizes that it has a chance of preventing action on an extremely controversial matter, this chance, provided by rule XXII, encourages both sides to look long and hard at a proposal and give more careful consideration to the issue than would have been given had the rule not existed.

Mr. President, rule XXII demands of the Senate that legislation be carefully drawn. It demands that the views of Senators—and also part of the American public—which may be in an unpopular minority be given both a fair hearing and a due consideration in the provisions of the legislation. Rule XXII stands as a barrier to whim, to radical change which, though temporarily popular, could do harm not contemplated by the proponents of the change.

Mr. President, our Republic has survived and prospered because we have attempted to preserve a balance between democracy and liberty, because our forefathers contemplated the democratic process not as an end in itself, but as a means to an end. The rights of man are held to exist independently of the willingness of a majority to tolerate those rights. For this reason, we have not had government by Gallup, in which the will of the majority at a given time is the sole test of the merit of a given proposal.

This is not to say that there is something wrong with the majority opinion prevailing. Our system of government, while replete with safeguards against majority excesses, is essentially a system whereby majority opinion is translated into Government action. The use of extended debate under rule XXII allows a minority of Senators—who might actually represent a majority of the people—to stand up and yell "Wait a minute." If a sufficient minority of Senators is willing to take such a stand, then there is certainly a serious doubt as to the advisability of the proposal.

Mr. President, it has been said that extended debate delays the Senate in its work. I submit that this is a deliberative body—not a traffic court anxious to clear the docket. Speed may be a virtue in other branches or agencies of Government, but not necessarily in the Senate. Deliberation by its very nature takes time. It is important for the Senate that we consider many aspects of legislative proposals and other matters. Is the bill constitutional? This must be considered by the Senate—not left to the Supreme Court. The Senate, being a reflective body, is well suited to preventing passage of legislation which violates the Constitution—even though the proposal might be otherwise popular.

In addition, the Senate must consider the wisdom of legislation. It is entirely conceivable that a bill acceptable to a majority of Senators—and a majority of the Nation—could work an extreme hardship on a minority. A Senate operating under rule XXII is peculiarly sensitive to such matters—a bill injurious to the interests of a substantial minority naturally runs the risk of extended debate. A Senate with a weakened rule XXII would, in my judgment, be much less inclined to consider a bill from the standpoint of its effect on all Americans—not just a majority.

Mr. President, the proposal to alter rule XXII changes the percentage of Senators required to invoke cloture from 66⅔ to 60 percent of those present and voting. Some of the proponents of this change appear to recognize the advisability of a rule which prevents a cutoff in debate by a mere majority. They apparently believe, however, that 60 percent represents a sufficient safeguard. I should like to remind my colleagues that the 90th Congress began with a Senate composed of 64 Democrats and 36 Republicans. Had a proposal been before the Senate of a highly partisan nature which seriosuly endangered the minority party, the 36 Republicans could have debated the measure extensively and probably guaranteed its alteration or withdrawal, because of the requirements of rule XXII. However, had the proposed change in rule XXII been in effect, with only 60 Senators required to invoke cloture, the minority party would have been powerless to prevent passage of such a measure.

Mr. President, the fortunes of political parties change. At present there are 57 Senators of the majority party and 43 of the minority. In 1970, 25 Democratic seats and eight Republican seats will be up for election. I make no prediction, but those of the majority must certainly consider the possibility that the 92d Congress will find them looking at the rules from the point of view of the minority—whether it be a partisan minority, a philosphical minority, a sectional minority, or some other minority. All of us find ourselves espousing a minority point of view at one time or another. There are times when a minority viewpoint needs the protection which 34 Senators can now provide. As I have said, extended debate is not used capriciously in the Senate. Senators on the losing side of an issue often feel strongly about the matter, yet extended debate is resorted to sparingly. The rigors involved in extended debate are indeed safeguards against its overuse in the Senate.

Mr. President, in attempting to devise a specific number or fraction of Senators necessary to close debate, it is to some extent necessary that the specific figure appear arbitrary. There is nothing magic about the fraction two-thirds or the fraction three-fifths, but, in my judgment, it is clear that a change to the three-fifths rule would weaken the protection offered to the minority under rule XXII. Simply put, it means that where 34 Senators can now prevent passage of extremely harsh legislation, it would take 41 under the proposed change. I believe rule XXII has worked well and that it effectively provides a degree of protection for the minority point of view.

Mr. President, the issue at stake in this debate is one of great importance to all people of this country and should be of the greatest importance to the minority groups of this country. It is most unusual that the Members of the Senate who are proposing restrictions upon freedom of debate in the Senate and, thereby, curtailment of the right of minorities, are the very ones who are the most eloquent in their defense of minority rights in other areas. It is also an anomalous situation in that a number of the proponents of the proposals for greater restrictions upon debate are noted for their loquaciousness on other issues when they feel strongly either for or against them.

While proponents of this change often talk about the rights of the minorities, they are seeking to deny a long-standing right of the Members of the Senate, who happen to be in the minority on a certain issue, to fully debate the issue while representing their constituents in a manner which is consistent with each Senator's pledge to represent the people of their State and to uphold the Constitution. Our Government was not founded on the principle of absolute rule by the majority; there are a number of provisions in our Constitution which refute the idea of absolute majority rule.

Mr. President, while our Founding Fathers, in setting up our Federal Republic, provided for a very substantial increase of political power in the Central Government, they did not abolish the sovereign States and they distributed the newly created powers in a manner which would practically eliminate the possibility of absolute rule by the majority. One of the primary considerations of our Founding Fathers in providing a wide distribution of power was the desire to prevent radical action by a popular majority. The principle of checks and balances which is preserved in our Constitution by the creation of three co-equal branches of Government fully expresses the spirit of our form of government as being opposed to the rule by an absolute majority. The Senate and the manner in which it came into being are proof of the fact that our Founding Fathers were opposed to a form of government which would allow a popular majority to work its will on a powerless minority. The compromise between the large and small States at the Philadelphia Convention to give equal representation to all States in the upper House of the Congress of the United States insured that the large States would not be able to completely dominate our new National Government. This illustrious body stands as a barrier to the demise of the type of government which has made our Nation great; equal representation for every State in the Senate assures that the people of the smallest State will have an equal chance to have their views expressed on any and every issue which is presented to the Congress. The Senate was envisioned by the Founding Fathers as a body where the rights of States and the views of minorities would be given extraordinary consideration. During the course of the debates of the Philadelphia Constitutional Convention of 1787, the delegates reached agreement upon a House of Representatives to be elected by the people every 2 years and based upon a population ratio divided into congressional districts. After this action was taken, the smaller of the participating 13 States wondered how their minorities could be adequately protected from the capricious whims of a majority in the House.

After long debate, which was at times most acrimonious and which actually threatened to break up the Convention, the solution was offered by the wise and venerable Benjamin Franklin; namely, equal representation in the Senate for every State. And, to make sure that that representation would be of a character that would calmly consider and patriotically and unselfishly act on laws under which all the people would have to live, it was provided in the original instrument that Members of the Senate should be elected by State legislators and not by popular vote and given a term of 6 years. The Senate was never intended to be a vehicle to be used by a majority of the large States or by any simple majority as a means of imposing their will on a minority of the States; but it was designed to be a long-term protector of the freedoms which our Founding Fathers fought and died for and sought to preserve in the new Constitution.

Mr. President, the Senators who are making this attempt to change rule XXII are attempting to deny the protection that was given to the small States by our Founding Fathers against domination of the U.S. Senate, the Congress, and our Government by the large States. There is more at stake in this debate than the simple wording of rule XXII. A change in rule XXII could be the first step in a series of maneuvers by a radical popular majority which could result in the loss of many of the freedoms which we have enjoyed for nearly 200 years in this great Nation.

Many of the citizens in the original 13 States were concerned about the extent to which they were submitting themselves to the new Federal law. They had recently freed themselves from tyranny and secured for themselves individual liberty in a great fight for independence. Consequently, numerous safeguards to protect the rights of the States were built into the Constitution. Before they would assent to the ratification of this supreme law, however, they won assurance of early approval of the first 10 amendments to the Constitution. These amendments, commonly referred to as the Bill of Rights, constitute the greatest set of civil and individual rights to be found anywhere.

Probably the most important of these 10 amendments to the present discussion is the first. It reads as follows:

ARTICLE I

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This amendment contains one of the most important restrictions placed upon this Congress, in that Congress is prohibited from enacting any law which abridges the freedom of speech. The importance of free and open debate was foremost in the minds of the authors of this amendment.

The Founding Fathers also wrote into the original Constitution other safeguards against what the advocates of a rules change term "majority rule." They provided in certain instances for votes requiring a majority of two-thirds. Here are some of these provisions as found in the Constitution:

> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).

> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate when choosing a Vice President shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore, does not give recognition in all cases, to the rights of the majority to control, and our Founding Fathers envisioned the Senate as a very real barrier to absolute rule by the majority and as a citadel to protect the numerated rights of the citizens of the new Republic.

Mr. President, one of the most important safeguards of our freedoms established and preserved by the U.S. Constitution is article V, which requires that two-thirds of both Houses must concur on any amendment to the Constitution. Article V reads as follows:

> ARTICLE V
>
> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress: Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State without its Consent, shall be deprived of its equal Suffrage in the Senate.

Not only does an amendment to the Constitution require the concurrence of two-thirds of both Houses or the concurrence of conventions called for by two-thirds of the States, but the Constitution provides that any amendments approved must be ratified "by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof"

Mr. President, the Senate has refused to adopt the proposed changes the last seven times that this matter has come before the Senate. The Senate, in its wisdom, has recognized the importance of preventing absolute majority rule. The Senate has recognized that the wishes of a temporary majority may conflict with the rights of a minority, rights which should be preserved. The Senate has recognized its role as a body peculiarly well suited to giving due consideration to a point of view that may not be popular, but may possess great merit. Let us continue to exercise this wisdom by rejecting once again the proposal now before us.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. THURMOND. Mr. President, I am pleased to yield to the able and distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad the Senator has stated the position that he has just stated. I am reminded, if the Senator will permit me to state this reference for the RECORD—and I ask unanimous consent that I may do so without his losing his right to the floor——

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. That Mr. Walter Lippmann, who frequently announces positions with which I do not agree, and with which I am sure the Senator from South Carolina does not agree, has stated at least twice in his column very strongly this principle, in which I think he was sound. Without attempting to quote it literally, this was the substance: that in his judgment, it was definitely a part of the American genius of government that a majority of less than two-thirds, on a matter in which there was very great controversy and very deep conviction, should resort to persuasion rather than compulsion.

I have always thought that that was a very good way to state the matter. I ask the distinguished Senator if he does not think that our friends who want to compel other Senators to come to their conclusion through use of cloture are trying to substitute compulsion for persuasion, and that that is exactly the wrong course?

Mr. THURMOND. Mr. President, in reply to the distinguished Senator from Florida, I would say that that is also the opinion of the Senator from South Carolina. I regret that some of the Members of this body seem to be willing to pursue such a course of conduct. When any matter is so objectionable to as many as a third of the Members of this body, then there should be strong persuasion rather than compulsion, because evidently the minority would not be so bitterly opposed unless it were detrimental to the citizens of their respective States, or there were some very strong reason to pursue that course.

Mr. HOLLAND. I thank the Senator from South Carolina. May I ask him another question?

I know, of course, that he has on some occasions, as has the Senator from Florida, participated in long debate, because our convictions were deep, even though we knew that we were not in the majority in the Senate.

Is it not true that it is not easy for Senators, who know that they represent a minority—that it is not easy physically, not easy psychologically—to stand on the floor of the Senate day after day and assert their strong conviction, even though they are weary, even though the press is lodging strong complaints against them, even though they are getting through the mail many communications denouncing them for what they are doing? Is it not true that it is not easy for them to take that position, particularly when there seems to be a general public opinion against them in the Nation as a whole? To the contrary, ought it not to be understood that Senators are willing, in spite of adverse rulings, in spite of attacks made on them, in spite of the fact that they know they do not have a majority of the Senate on their side, and feel so deeply on the subject, to stand day after day and week after week to defend their position? Is not that something that ought to be recognized by other Senators and by the rest of the public?

It is something not easy to do; it is very difficult to do, and it is only done because of the depth of the conviction that what is attempted to be done by the majority will be very hurtful either to the people in their States, or to a great region in the United States, or to the principles of the Government under which we live. Is it not true that it is not easy but is difficult to stand up and fight, fight, and fight simply because of that conviction?

Mr. THURMOND. I commend the able Senator from Florida for that statement. For many years, some Members of this body have talked and talked and talked to try to arouse the country to an understanding of the assaults being made on the Constitution on humanitarian grounds or so-called civil rights grounds, or some other terminology that would be popular with certain groups or perhaps with a great many people in the country, especially leftwing news media.

I know how some Senators have been ridiculed because they have stood here and talked to maintain the Constitution of the United States, the greatest document that was ever conceived by the mind of man for governing people, under which this Nation has become the richest Nation on the face of the earth, under which this Nation has become the strongest Nation in the world, and under which the people of this country enjoy the highest standard of living that any people have ever enjoyed under any type of government in the history of mankind.

Those Senators who have stood here seeking to preserve the great document known as the Constitution of the United States ought, in my judgment, to be highly commended throughout the Nation, instead of being condemned by some liberal news media, some leftwingers, because they are standing for the principles that have made this country great.

They have been standing for the bedrock of this country. They have been standing to preserve our Constitution in order that our people may continue to enjoy the freedom, liberty, and justice that our Constitution provides.

I realize that sometimes people who advocate things that are noble are not willing to go through the long, tortuous procedure of amending the Constitution. They wish to reach their goal quickly and therefore seek to pass a statute for which there is no authority, when in reality they ought to offer proposals to amend the Constitution in order to accomplish their goal.

These are Senators who will stand here and fight and do all they can to preserve our Constitution in the face of proposals that would appear to be popular with the public, proposals that would not appear to be popular from a humanitarian standpoint. Those who would fight to preserve the Constitution and persuade the people take steps to amend the Constitution, rather than to accomplish their immediate goals by statute, are to be highly commended.

I thoroughly agree with the able Senator from Florida. I feel that if there had not been in the past 15 years some fights made in the Senate that have been made, there would have been a greater deterioration and a greater erosion of the Constitution.

Furthermore, I was terribly disappointed last week when the former Vice President, Hubert Humphrey, ruled that section 2 of rule XXII and section 2 of rule XXXII were unconstitutional, but that the rest of the rules were not. I know of no authority for a Vice President or any other Presiding Officer of the Senate to substitute his judgment for the entire U.S. Senate and to hold that certain parts of certain rules to which he personally objects are unconstitutional.

Section 2 of rule XXII provides that two-thirds of the Senate are required to cut off debate. Section 2 of rule XXXII provides that the rules of this body shall continue from one Congress to the next, until the rules are changed as provided by the Senate itself.

I abhorred the former Vice President's ruling. I deeply regretted it. I know of no authority that the Vice President has to make such a ruling. It goes in the face of the precedents followed by all the Presiding Officers who have ever presided over this great deliberative body in the history of the Nation. Going back 180 years, no person who has presided where the distinguished Presiding Officer sits today as the Acting Vice President has ever ruled in such a way. In my judgment, the former Vice President's ruling was wisely overruled by the Senate.

I hope that the Senate will now see fit to keep the present rule; namely, that two-thirds of the Senators present and voting are necessary to stop debate. We know that cloture can be obtained, as it has been obtained on many issues, if the public opinion of the country so warrants it. That public opinion will be reflected in the views of Senators.

I feel very strongly about this matter, because every section of the country must be protected. This is the only body in the Government that can protect the country. The House of Representatives cannot protect it. A Member of the House can speak only for a minute or 5 or 10 minutes, perhaps. In the Senate, we are privileged to have unlimited debate. If any proposal is calculated to hurt the people of any State or any region of the country, or to be in violation of the Constitution or to be against the interests of the public, the Senate is the place where views can be aired and the matter taken to the country, because the Senate is the only place in which unlimited debate, as we know it, can be carried on. It is really not unlimited debate, because two-thirds of the Senate can stop it at any time it wishes to do so.

Why change a rule that has served the Nation well, that has served to protect the public and the principles of this great country?

I hope that when the Senate votes on this question again, it will see fit to follow the same course it followed a few days ago, namely, to preserve rule XXII, section 2, and rule XXXII, section 2, in order that this great body which we know as the Senate may continue to be in the future the great deliberative body that it has been in the past.

Mr. HOLLAND. I thank and compliment the distinguished Senator from South Carolina. If he has completed his remarks, I am ready to yield to the acting majority leader, so that he can move to recess the Senate.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 12 noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 59 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, January 22, 1969, at 12 meridian.

NOMINATIONS

Executive nominations received by the Senate January 21 (legislative day of January 10), 1969:

Department of State

Elliot L. Richardson, of Massachusetts, to be Under Secretary of State.

U. Alexis Johnson, of California, a Foreign Service officer of the class of career ambassador, to be Under Secretary of State for Political Affairs.

Richard F. Pedersen, of California, to be counselor of the Department of State.

Department of Defense

David Packard, of California, to be Deputy Secretary of Defense.

Robert F. Froehlke, of Wisconsin, to be an Assistant Secretary of Defense.

Robert C. Seamans, Jr., of Massachusetts, to be Secretary of the Air Force.

John H. Chafee, of Rhode Island, to be Secretary of the Navy.

Office of Emergency Preparedness

George A. Lincoln, of Michigan, to be Director of the Office of Emergency Preparedness.

Department of Agriculture

J. Phil Campbell, of Georgia, to be Under Secretary of Agriculture.

Clarence D. Palmby, of Virginia, to be an Assistant Secretary of Agriculture.

Department of Commerce

Rocco C. Siciliano, of California, to be Under Secretary of Commerce.

Department of Labor

James D. Hodgson, of California, to be Under Secretary of Labor.

Arnold R. Weber, of Illinois, to be an Assistant Secretary of Labor.

Geoffrey H. Moore, of New Jersey, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

Elizabeth Duncan Koontz, of North Carolina, to be Director of the Women's Bureau, Department of Labor.

Office of Science and Technology

Lee A. DuBridge, of California, to be Director of the Office of Science and Technology.

Department of Health, Education, and Welfare

Patricia Reilly Hitt, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Civil Service Commission

James E. Johnson, of California, to be a civil service commissioner for the remainder of the term expiring March 1, 1971, vice John Williams Macy, Jr., resigned.

District of Columbia Commissioner

Walter E. Washington, of the District of Columbia, to be Commissioner of the District of Columbia for a term expiring February 1, 1973. (Reappointment.)

Council of Economic Advisers

Paul W. McCracken, of Michigan, to be a member of the Council of Economic Advisers.

CONFIRMATION

Executive nomination confirmed by the Senate, January 21 (legislative day of January 10), 1969:

United Nations Representative

Charles W. Yost, of New York, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

EXTENSIONS OF REMARKS

LET'S GET UP OFF THE FLOOR

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. ROSENTHAL. Mr. Speaker, Pete Hamill is one of the most readable writers in that very readable publication, the Village Voice.

He recently called upon his audience to recover from the "pox that was 1968" by changing some bad habits which became apparent last year. His criticism of the left is constructive and thoughtful. We all know the excesses of the right are as grievous. I hope they have as articulate a critic.

The article follows:

Let's Get Up Off the Floor

(By Pete Hamill)

The pox that was 1968 is behind us, the bodies have finally gone cold, and the New year looms, virginal and gray. If 1969 is anything like its predecessor, we might as well just cut our throats right now. But even with Nixon and Lodge and Hickel and the other members of the Lawrence Welk audience who shall govern us, there still remains some hope of survival. The big problems might be out of our hands for four years, but it does seem to me that on smaller matters we might have some chance of straightening ourselves out. The following are some suggested beginnings.

1. *An absolute cleaning up of the language.* I mean that all of us should try to use the American language with greater accuracy and precision. For example, in the way we talk about race. A black racist should be called a black racist. If George Wallace is a white racist, then Rap Brown is a black racist. Personally, I would like to see that blurry noun "militant" eliminated from the language. But if rewrite men continue to use it, then it should be used across the board. If a black yahoo like Sonny Carson can be described as a militant, then we should also use the word to describe white yahoos like Rosemary Gunning, Vito Battista, and Albert Shanker.

It would also help if we reduced or eliminated those phrases which no longer have even general meaning: "groovy," "imperialists," "up tight," "white power structure," "piece of the action," "pig" (as applied to all enemies, especially cops), "participatory democracy," "Uncle Tom," "guerrilla" (followed by words like theatre, politics, journalism, painting, etc.), "soul" (followed by food, music, brother, etc., or used alone to connote some exalted sense of self missing in others), "honky," "community control" (as a slab of letters on a page, without elaboration). I realize that this would make it almost impossible for some citizens to talk, but perhaps we would then be forced to talk with some precision about what is happening to us. If the years of Johnson, Rostow, and Rusk have taught us anything, it is the viciousness of the sloppy use of language.

2. *Liberals in general, and intellectuals in particular, should cease functioning as excuse-makers for people who hate them.* If Rap Brown calls me a honky or a racist ———, I have no obligation to make excuses for him; my only obligation is to laugh at him, or to belt him. I certainly have no obligation to say: yeah, Rap, oh you're beautiful, Rap, oh please lash me again, Rap, baby, give it to me some more while I make out the check. The liberals who put up with this sort of racist crap are masochist jellyfish. I realize that Rap Brown is somewhat passe, but I use him as a symbol because I've seen him work: making brave speeches about burning everything down, then disappearing behind his bodyguards while other people are beaten, kicked, arrested, or shot. The Rap Browns hate liberals because they see the liberals they bleat to (for a fee) collapse before Afros and shades faster than a French army collapses before the sight of guns. The Rap Browns have changed numbers of otherwise decent men into people who hate the sight of Negroes; the Brown gloat about this as evidence that all whites are secret racist dogs, and the liberals spend their time agreeing, and excusing Brown's filthy manners by rolling out all the history of the black man in America. The day the Rap Browns get black men into the Ironworkers Union, instead of into the cemetery, then we can believe in their sincerity about their brothers.

3. *As a footnote to the above, it should be made clear that criticism of blacks is not automatically racist.* Criticism equals racism is a beautiful piece of propaganda put forth by people who deserve to be criticized, and has paralyzed us for years. I can understand to some extent why blacks won't criticize other blacks, at least before whites (although there is no white equivalent of "uncle Tom," and no whites have spoken as much filth about people like Bayard Rustin as blacks have). Let us grant for argument's sake that in revolutions there is some need for a united front. Still, if a black man is caught stealing from the poverty program, then he is breaking the law and should be put in the slam. To construct elaborate theories about how the white man's law should not apply to his colonial subjects and how the black man has the right to steal or rob because his great-grandfather was stolen from Africa and robbed of his freedom and his manhood—that is sophistry. The District attorney should not be called a racist because he arrests a thief or an embezzler. If Albert Shanker breaks the law (as he clearly did), he should be put in jail; the prosecutor should not be open to a charge of anti-semitism. A thief is a thief; a lawbreaker is a lawbreaker.

Incidentally, the paranoia about "the white press" should really be described as that: paranoia. There are no conspiracies on newspapers to portray black men-as-raving maniacs, rapists, killers, dummies, or thieves. Paul Sann of the Post does not call Mike O'Neill at the News and Abe Rosenthal at the Times and set that day's line against the blacks. There are some serious inadequacies in the way race is covered, but they are the same inadequacies involved in covering everything else (crisis reporting, lack of depth and nuance, sheer dumbness, the fact that many editors don't even live in the city they purport to be covering). To stage a demonstration and then start beating the bejesus out of the people who come to cover the demonstration (most of whom are favorably disposed to your position) is not only paranoia, but stupidity.

4. *Stop the hypocrisy on inter-racial sex.* One of the great mysteries is why black women don't blow the whistle on some of their black brothers. Everyone in the Village knows this scene: the black cat sitting in the Village bar, a copy of Liberation in his pocket, wearing Afro and shades, practicing his best surly look, nursing a warm beer, and waiting for the first guilt-ridden white chick to tumble in the door. It doesn't matter that the girl is the ugliest white broad since Ilse Koch, or that she is sodden with whiskey, or has a bad case of the crabs. That particular black stud doesn't care. What matters is that she's white.

So, after seven or eight minutes of love talk ("white bitch" etc.), he takes her off and balls her badly on a 6th Street rooftop, and then comes back, muttering about the revolution, and has the nerve to threaten the lives of any black chicks he sees with white men. His manhood reinforced, he goes home, sleeps the sleep of the just, and spends the following morning writing an essay about black pride. Jesus. If blacks or whites have to take guys like this seriously, then we had better start erecting statues to Vincent Impelliterri, Richard Speck, and Simon Legree. They've all had an equally elevating effect on America.

5. *We should finally admit that no serious change in this country will ever be effected through* ———. Abbie Hoffman and Jerry Rubin and the Yippie kids who hang around them can be funny at times, and brave. But basically they are ———. I cherish them for walking into HUAC meetings in costumes out of "Drums Along the Mohawk." but HUAC is an easy enemy; confronting the late Joe Pool is just not the same as taking over General Motors or Litton Industries, or destroying the welfare system. The Yippies are tap-dancers and ——— is therapy, not politics. You don't become a revolutionary by saying you are a revolutionary, and you don't storm the Moncada Barracks with your brains blown apart on drugs.

6. *We should make some small start toward relieving the paranoia of the cops.* God knows, I have plenty of reason to believe that a lot of cops are slightly bughouse, and addled by racism and petty bigotry. But someone has to prove to me that you change them by calling them "pig" or by shooting random members of the force in the back from ambush. Cops, after all, are working class people; they want to be respectable and their ideas about respectability are about 40 years out of date. But if you despise a cop because his hair is short, you cannot expect him to love you when yours is long. I've met cops who are decent, many who are brave, many who are not brutal sadists. They have rotten jobs, but we hired them. And let's face it: we need them. Anyone who thinks that we could survive very long in New York without cops is an innocent. I realize that I sound like Norman Frank; but the fact remains that this is a violent, brutal city, and until the golden day when really basic change is effected in the society, it will remain brutal and violent. You don't start making basic change by eliminating people on the periphery, like the cops.

I don't think we have to start putting statues of cops on every third corner. But we could pay the cop a decent salary. We could pay him a bonus if he gets a college education (a lot of the worst cops are just ignorant). We could give the cop a sabbatical every six years or so, with pay, so he could walk around the world for a year without a gun on his hip (why schoolteachers should get sabbaticals and cops or firemen shouldn't is one of those abiding mysteries best left to some genius like Jacques Barzun). But perhaps we could begin by just once in a while saying good morning to a cop. Just for the hell of it. Just to recognize that we see him as a subject, not an object, a human being, not a uniform, a man, not a pig. (Of course, if he is a member of the TPF, you might get locked up; but until the TPF is finally abolished, it's worth a shot.)

7. *We should immediately do everything possible to pass a new Lyons law.* Under the old Lyons law, which was repealed some years back, city employes had to live within the city limits. Then the law was repealed, the city employes fled to the suburbs, and the result has been near disaster. If a cop wants to be a cop and live in Oyster Bay, that's perfectly all right; just let him join the Oyster Bay P. D. But if he wants to be a cop in New York City, then, by God he had better live in New York City. No one should have the right to affect the lives of people in a community in which he does not live; at present, large numbers of New York cops are functioning like Spain's Guardia Civil. They are what Charles Monaghan describes as "Hessians," taking the money, without the responsibility of paying taxes, improving the city, sharing its pain and its secrets. Anyone who lives with the barbecue-in-the-backyard life style just can't begin to understand 112th Street, the hippies, blacks, or anything else we're made of. And there is something terribly wrong when someone like Albert Shanker can disrupt our city when he doesn't even live here; he should have no more right to close our schools than he has to affect the foreign policy of Canada. The same goes for Rhody McCoy, who lives on Long Island. If they are truly concerned about our schools, let them live among us. Otherwise, to hell with them. (Insular? Sure. But if we keep exporting the middle class, then we're doomed).

8. *We should stop cheering the Romantic Revolutionaries every time they call for blood.* At Columbia, and in a few other places, SDS did a good job of exposing the smugness and hypocrisy (not to mention the corruption) of the people who run our institutions. But we part company on the issues of spilled blood. Talk of heading for the Adirondacks with machine guns is romantic nonsense at best, and Minuteman lunacy at

worst; this is just not Cuba, or Bolivia, or Vietnam.

I remember one brave revolutionary in Chicago, who wanted to broadcast a tape recording from a loudspeaker on a high floor of the Chicago Hilton. The tape would tell the kids in Grant Park that the revolutionary was in the hotel, that they should storm the place and join him. Naturally, the kids would have been slaughtered by Daley's thugs and the National Guard. Naturally, that is what the revolutionary wanted. Naturally, he had no plans to really be in the hotel. I suppose that was a pretty clever revolutionary tactic. (The plan was never put in effect; too many objections from softies.) But personally I'm tired of the sight of blood. I've seen enough blood in the past few years to last me a lifetime; some of the blood I saw last year ran right through America, and the wounds haven't stopped hemorrhaging. For a year, we could do without the sight of blood; it would be even better if "intellectuals" would cease being enthralled at the prospect of seeing it spilled.

If I seem to have spent more time here talking about the sins of the left rather than the right, it is because the left these days seems more riddled with sloppiness, intellectual arrogance, cant, and self-deception than the right. It's easy to laugh at the right, because their shibboleths are so clumsily transparent. But the cliches of the left are more sinister, because the left should be the best hope for this country. If its basic emotions are hate and contempt, then it will get nowhere (consider the posture of Mr. Clean, Eugene McCarthy, so blinded by hatred for the Kennedys that he found it an easy matter to vote for a drunken lout like Russell Long in the contest for Senate majority whip). Above all it should be the duty of the left to talk straight, without clotting its rhetoric with gooey slabs of prose glop, and without accepting every example of paranoid rubbish as revealed truth.

ERNEST PETINAUD'S 64TH BIRTHDAY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 9, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, every 4 years the Nation celebrates Ernest Petinaud's birthday by having a big parade down Pennsylvania Avenue. Yesterday was Ernest's 64th birthday, and the parade was fittingly followed by at least 10 parties.

Mr. Speaker, this is exceedingly proper, but I do not see why we cannot have a parade every year. Ernest Petinaud certainly merits it. As maitre d' of the House Restaurant for the past 32 years, Ernest Petinaud has performed his duties with perfection; some Members have been known to regard his performance as somewhat miraculous. He is one of the most gracious, urbane, and charming men ever to have graced the halls of the Capitol. He is always helpful, and has a manner to make everyone feel at home.

But more than his great service, beyond the call of duty, has been his great friendship over the years. I am honored and delighted to be a friend of Ernest Petinaud. I value his friendship. He is a good, kind, and knowledgeable man. He is never at loss for a kind word, a thoughtful act.

Ernest Petinaud has represented the courtesy and dignity of the Congress for 32 years, both in Washington and abroad. We could find no greater ambassador.

I wish him many, many more happy birthdays.

A TRIBUTE TO THOMAS J. "STONEWALL" JACKSON, HERO OF THE CONFEDERACY

Hon. ROBERT H. (BOB) MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. MOLLOHAN. Mr. Speaker, there is no questioning the military brilliance of Thomas J. "Stonewall" Jackson, a son of Clarksburg, W. Va., and, in company with Robert E. Lee, one of the two outstanding heroes of the War Between the States.

The history of military service contains few examples of military capacity equal to that demonstrated by this remarkable man. Orphaned at the age of six, he set his sights on a military education and, by dint of hard work and perseverance, obtained an appointment to the U.S. Military Academy at West Point. Though woefully deficient in previous training, he fought his way to 17th place in his graduating class, to the utter admiration of his classmates and teachers.

As a first lieutenant and brevet major in the war with Mexico, he was honored for gallantry in action at Contreras, Churumusco, and Chapultepec. Retiring from the Army, he secured a teaching position at Virginia Military Institute, where he remained until the outbreak of the war in 1861.

Thomas J. Jackson was a strongly religious man, and he entered the War Between the States in the solemn belief that the Almighty was clearly on the side of the Confederacy. He never wavered in this assumption, which carried him to glory unsurpassed.

At First Manassas, he attracted attention by nobly resisting the impact of a Federal assault on Henry House Hill. A fellow officer, noting his performance, declared to his men:

> There is Jackson, standing like a stone wall. Let us determine to die here, and we will conquer.

Shortly afterward, the tide turned and the precipitous Federal retreat began. Overnight, the fame of "Stonewall" Jackson spread.

When the Federal forces assaulted the York Peninsula, in 1862, en route to Richmond, Jackson led an extraordinary raid again Federal positions throughout the Shenandoah Valley. Four Federal armies under Generals Banks, Fremont, Shields, and Milroy, pursued Jackson in the hopes of stopping and destroying him. But Jackson evaded them effectively, then turned and struck them down, one at a time, in one of the most masterly military operations of record. By so doing, Jackson forced the Federal authorities to recall troops from the Richmond campaign, thereby destroying its effectiveness and compelling ultimate withdrawal from the York Peninsula. Before the Federal forces left, however, Jackson rejoined the main Confederate Army, in front of Richmond, and assisted in driving back the bulk of the enemy force.

At Second Manassas, Jackson was again brilliant, and was largely responsible for the defeat there sustained by Federal General Pope.

At Antietam, where General Lee was held to a draw by General McClellan, Jackson's personal decision to attack a Federal force threatening the main body of the Confederate Army was probably responsible for saving the day for the Confederates by permitting the successful recrossing of the Potomac, without interference.

In the battle of Fredericksburg, Jackson was again the personification of a "Stone Wall." At Chancellorsville, following some of the heaviest fighting of the war, he was accidentally shot by a Confederate picket. After fighting gamely for his life, he passed away May 10, 1863. It was Sunday and Jackson had often said he wanted to die on Sunday. A true believer to the end, his last words were simply:

> Let us cross over the river and rest under the shade of the trees.

The Confederacy grieved for its fallen captain. Even the Federals mourned the loss of a great American.

It is not often that greatness wins the recognition of everyone, friend and foe alike, but so great was "Stonewall" Jackson that even this occurred.

He was, indeed, a man of the highest caliber. He shall be remembered so long as honor, valor, and spiritual dignity prevail.

"HOPE"—A SHIP AND A SYMBOL

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Tuesday, January 21, 1969

Mr. CASE. Mr. President, the hospital ship SS *Hope* is entering the final weeks of a medical teaching and treatment mission to Ceylon and will return to the United States in mid-March. The ship has visited eight nations in as many years and, at each stop, has helped to build firm foundations of good health and good will.

Hope's remarkable adventure has been warmly praised in an editorial appearing recently in the Hudson Dispatch, Union City, N.J. The editorial will be of interest to my colleagues, and I ask that it be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"HOPE"—A SHIP AND A SYMBOL

To whatever land the sleek, glistening white ship S.S. *Hope* may sail she always departs regarded as the best messenger of goodwill any country might have sent to another nation. In the eight years of her existence, she has visited a different port of call with each change of the calendar. S.S. *Hope* and crew have given so much of themselves, they have been acclaimed on three continents as a symbol of what her name portends.

The ship costs $5,000,000 a year to operate. The money is raised through popular subscriptions and the annual fashionable cotillion ball which this year will be held Sunday night in the grand ballroom of the Waldorf Astoria Hotel in New York. Debutantes from throughout the metropolitan area will be introduced. The first six cotillions, a highlight of the winter social season, raised more than $150,000. Last year approximately $29,000 was realized and it is anticipated another sizeable sum will be raised this year to augment the work of the hospital ship.

During its short history more than 1,000 Americans have volunteered service aboard the craft and there is a long list of doctors, dentists, technicians and nurses eagerly awaiting a turn at serving oppressed and suppressed humans somewhere in the world. More than 10,000 major operations have been performed aboard the *Hope* and some 100,000 persons were treated and more than 4,000 medical personnel trained. Approximately two million others benefited through immunization, examinations and other services.

When the S.S. *Hope* enters a port, she remains in harbor for about 10 months, a symbol of American concern for suffering. Thus far she has visited Indonesia, Vietnam, Peru, Colombia, Ecuador, Guiana, Nicaragua and Ceylon.

Administering to the needs of the unfortunate is not without its barriers. Distrust, skepticism and condescension are among the moods the ship crew must overcome before it really can begin the purpose of the mercy trip—teaching, training and treating natives.

Once the purposes are understood the S.S. *Hope* becomes the most glorious site in a port where medieval methods of medical care still exist and the populace is less literate than is good.

It has been written about the courageous crew, medical and technical personnel and the ship that by comparatively small expenditures the S.S. *Hope* has lighted a tiny, inexpensive candle in the darkness. Imagine America's image, to say nothing of the world's health, if a thousand ships of Hope moved upon the waters of the earth for the alleviation of the ills of mankind. The possibilities of peace in a healthy world stagger the imagination.

The "ripple on a pond" action *Hope* creates spreads over wide areas as those tutored by America's Good Samaritans disseminate their invaluable knowledge among the heretofore neglected peoples.

COMMISSION ON AFRO-AMERICAN HISTORY AND CULTURE

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, January 21, 1969

Mr. SCOTT. Mr. President, on January 15 I introduced S. 14, a bill to establish a Commission on Afro-American History and Culture. The Commission would study proposals in the general area of black studies, and of the dissemination of information on the role played by Afro-Americans in American history.

William Raspberry, of the Washington Post, has written an article suggesting Washington, D.C., as the ideal site for a center on black history. He makes the point that researchers could also take advantage of the National Archives, the Library of Congress, the Howard University library, and the Association for the Study of Negro History and Culture, which are located in the District of Columbia.

This idea is but one of many which should be seriously considered. This country needs a body which is responsible for investigating and determining the merits of such ideas and reporting to the President of the United States.

I ask unanimous consent to have printed in the Record Mr. Raspberry's article entitled "Washington Called Ideal Site for a Center on Black History," which was published in the Washington Post of January 17, 1969.

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington Called Ideal Site for a Center on Black History

It is possible to disagree profoundly with the tactics some black students are using to force college administrations to institute black studies courses. But there can be no denying that American history has been, to a really shameful degree, a history of white America only.

Take a simple matter like the treatment of slavery in the history textbooks. A reader is certain to come up with a far less realistic view of what slavery was all about and what it meant to Negro slaves than he would get from, say, William Styron's *The Confessions of Nat Turner*, whatever the shortcomings of that book.

Our history books have largely been public relations tracts, and for the most part it hasn't been good PR. To deal honestly with this country's treatment of its dark-skinned minorities.

Much of the dishonesty, no doubt, has been unintentional. Most of the historians have been white, and they have tended to view history through white eyes. In addition, most history texts rely on secondary sources, with the result that errors and distortions are perpetuated.

It also must be acknowledged that people write history textbooks in order to sell them. And since school administrators, most of whom are white, learned their history from distorted texts, they are predisposed to accept many of these distortions as fact. And so they order similar works for their own classrooms.

Having said that, it must be observed that much of the so-called black history now being pushed is almost as badly distorted as what it attempts to correct. That might not be so bad if the two distortions resulted in a balanced view of our history.

A more likely result, however, is a good deal of skepticism toward both white history and black.

To say that the history books are distorted is not to say that they must remain that way.

It strikes me that the increasing disposition of private foundations to fund innovative approaches to contemporary problems and the growing interest of black students in their own and America's history could be fruitfully combined.

The foundations, or the Federal Government for that matter, could make available money for a sophisticated center—perhaps in Washington—where black students from all over the country could have the opportunity to do some first-rate historical research.

Washington could be the ideal location, since the researchers would have access to the National Archives, the Library of Congress and Howard University's excellent library.

Washington also is the headquarters of the Association for the Study of Negro Life and History, which for years has been trying to fill in the gaps in American history with little staff or money for research. Perhaps the Association under its director, Charles Wesley, a former college president, could be the nucleus of the research center.

The combination of interested scholars, access to primary information sources and money, it seems to me, could produce a truly excellent history of black Americans—not as pro-Negro propaganda but as unvarnished presentation of facts.

Such a history would be of value not just to black people who want to feel better about themselves, but to all people who want to know what this country is about and how it came to be that way.

It also could be expected to have a profound impact on the general history textbooks—both because it would exert pressure on other historians to tell it as it was and because it would provide the means for doing so.

JOSEPH McCAFFREY SPEAKS TO THE POLICE ACADEMY

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. KING. Mr. Speaker, Joseph McCaffrey, one of Washington's most distinguished news commentators has made many sound recommendations toward improving the Nation's Capital and making our city a better place in which to live. Recently, Mr. McCaffrey had the opportunity to address the graduation class of the Metropolitan Police Academy and in my opinon, his comments merit the attention of my colleagues.

One of the major issues during the fall campaign was crime and disorder and lawlessness in the streets of our cities. While it is my hope that the new Congress, with the cooperation of the new administration will be able to do something about the crime menace in our cities, I believe it is just as important for all of us to support our law-enforcement officers. Too often the everyday acts of courtesy, help, and cooperation which our dedicated police officers perform for the benefit of all our citizens is accepted matter of factly.

I believe Mr. McCaffrey's address to the police graduating class appropriately reminds us that too often we forget that the policeman is our friend and time and time again risks his life in our behalf.

Mr. McCaffrey has performed an outstanding public service in taking the time to speak to these new young officers and to reassure them of the support and cooperation of all law-abiding citizens who sincerely want to see law and order prevail throughout our land.

The address follows:

Remarks of Joseph McCaffrey Before the Metropolitan Police Academy

I am delighted to be invited to take part in your graduation.

This is a proud day for you, as it should be.

I want to say a few words of praise for your Chief, John Layton.

He is one of the best.

Despite unjustified and unjustifiable criticism he does what any good leader should do, he stands by his men.

In this day when attacking—both physically and verbally—seems to be the popular sport, the Chief has had to endure an amazing amount of malicious, perverted criticism from—I was going to say people who should know better. But probably they don't.

You have picked police work as your carrer.

You were not drafted into this job.

Any one of you probably could have chosen another field, and no doubt, an easier field.

But you are willing to accept the challenge offered by law enforcement.

Then you must also accept the criticisms which are so popular today.

Because today in our society, the policeman is caught in the middle.

The population explosion has crammed Americans together in cities which have not been able to provide all of them with proper housing, proper education, and proper medical care.

This has caused bitterness and frustration which, unfortunately, many times is unleashed at policemen because they are the nearest symbol of authority and the closest person on hand who can be identified with what we now call the establishment.

The population crush has also increased the aggressiveness of many men and women: the need to assert ones self the need to fight off every one else in the effort to survive.

You take to the streets, then, at a time when more people have more guns than ever before in our history, and less hesitancy about using them than ever before.

Why, Jesse James wouldn't last one Saturday night in this town.

If he survived, he'd turn himself into Boys Town to hide.

What happens today makes the Wild West look like the Mild West.

But as provocative as times are today this should not, and does not, give a hunting license to any man who legally carries a side arm.

Despite the rise in criminality, and the increasing degree of danger a policeman now finds himself faced with, the real role, the traditional role of the policeman has been that of a helper.

There is not a day that goes by in this city, and every other city in the nation, where every man on the beat doesn't do a half dozen things to help his fellow man.

This concept was more prounounced when this city was smaller, when it was easier for the men on the beat to know the people and—most important—for the people to know him.

Today we are a fluid, transient city, and a much more impersonal one than years ago.

Kids were more careful to stay out of trouble in those days because it wasn't easy to get to the far reaches of the city where they weren't known. In their own neighborhood they knew that if they even hinted at getting into trouble, it would be reported back home, but those built in controls have long since been removed.

This, too, has made the lot of the policeman much harder.

The policeman is much more of a stranger to the citizens than he was a generation ago, and his role as a helper is now not as well known, and certainly not as well known as it should be.

I think it is interesting that those local citizens who are now publicly proclaiming themselves to be anti-police are taking this position because they think that the helping role of the men on the beat and the men at the station house has not been helpful enough. They really want the police department to be turned into a massive social service organization.

I would be the first to say that probably the great majority of the men in the department could do a great deal of good as sociologists, but a police department is not established for this work.

A police department's role in society is to help maintain obedience to the law. It can only "help" maintain such obedience because the real job of obeying the law rests with each of our citizens.

There was never a police department big enough to play a man-to-man defense with every citizen in an effort to force him to stay within the law.

There are citizens today who feel that some of the laws are unfair, are unjust. The place for them to seek redress is not by public confrontation with a policeman or a battalion of policemen. We have courts of law, and God knows, we have plenty of lawyers.

The policeman is neither responsible for the system as it is constructed today, nor is he capable of changing it. If it is changed, and his role in it is changed, then he will adapt to these changes.

But these changes will come about orderly—or not at all.

When you go into the streets you will find that everyone is a believer in freedom. In too many cases it doesn't matter if this desire for freedom is in conflict with the laws and the conventions of society. If it is, then there are those who opt for freedom, scorning the laws.

In the last book they have written Mr. and Mrs. Will Durant have two sentences about freedom which I would like to pass on to you. In Lessons of History they say man has always sought freedom, and he has tried to structure his government so he will be assured of freedom.

But too much freedom, they point out, freedom in the "absolute" means chaos, and this is what many in this country today are flirting with under the guise of freedom: chaos, anarchy.

And you, those of you who leave here today for assignments in this great city, will be faced with this fanatical drive for personal freedom.

What I have been saying may be too depressing.

I certainly don't want to stand up here and talk about things that will make you hand in your badges on the way out.

So let me turn the page, and point out to you that when law enforcement is even-handed, fair and honest, when it is balanced for both the white and the black, when it operates as it should as the strong right arm of justice, then 99 per cent of this community is behind you.

Even though, perhaps, there are moments when it seems as if the shrill voices of that other one per cent seem to be louder.

This department, as it has developed since the early days of former Police Chief Robert V. Murray, and has continued to develop under John Layton, is one of the best departments in the United States.

It is a police department you are priviledged to belong to.

It is a department you will be proud to serve.

Police work, during the next 20 years, will see many changes, and you will be a part of these changes.

For generations we have taken policemen and police work for granted.

Now, with the change in our social structure, and the rise in crime, we are facing up to the fact that police work must have the help of research, of science, that more money must be spent both on policemen and police departments.

The concept of the police department will change with a greater concentration on community activity.

Take advantages of these changes, prepare for them by taking courses in police work at American University or Maryland—or take general courses at any of the local area schools.

There are two things you'll realize as you get older. You have to keep exercising; you have to keep learning.

If you neglect the first, you may not be around long enough to regret it.

If you don't neglect the first, and then pass up the second, you'll wonder why you are still around. Because when you stop learning, you stop growing and you stop enjoying, whether you are a plumber, a policeman or a politican.

You are stepping out now on a great career.

You bring to it your most precious possession, your self respect.

No matter what any one says, he can not strip that from you.

Today you not only have your own self respect, you also have *our* respect.

Guard both well.

We are proud of you.

So walk tall.

Be proud.

And may I now as a citizen salute you, all of you, and wish each of you a fine, rewarding career.

God bless you all!

AGRICULTURAL POTENTIAL OF THE COLUMBIA RIVER REGION

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. ULLMAN. Mr. Speaker, I am pleased and proud to bring to the attention of my colleagues a newspaper article that accurately describes the great agricultural potential of the Columbia River region. This article was written by Mr. Tom Zinn, county extension agent in Gilliam County, Oreg., and appeared in the January 10 edition of the Condon Globe-Times.

Mr. Speaker, the issue of interbasin water diversion has come before the House several times in past years. You will recall that several times during the spirited debate on this issue, I pointed out that the long-range water needs of the Columbia River region are just now being discovered. I hope that all my colleagues will read Mr. Zinn's article which underscores so well what we from the Pacific Northwest have been saying for some time about the great potential of this area.

I insert the article in the CONGRESSIONAL RECORD at this point:

Irrigation Water From the Columbia River Sets the Stage for a "Sleeping Giant" in Gilliam County

(By Tom Zinn)

Agriculture, the largest industry in Oregon, constitutes more jobs than any other single or combined industry that this State has to claim.

In the Willamette Valley this industry is intensive with a large variety of crops being produced. In Eastern Oregon, the sleeping giant is beginning to awaken.

The potential is there and far greater than any other area of the state. What stirs the giant is ranchers, investors and water, and such a combination weaves an intriguing spell in these impatient days.

In the Mid-Columbia Basin along the south side of the Columbia River lays the giant. Rich fertile soils of depths to 30 feet in some areas; a growing season exceeding 200 days in length in some areas; a transportation system including a super highway, excellent barge facilities, and railroads. In addition a source of power from the new John Day Dam sets the stage for one of the greatest agricultural developments in the history of the State of Oregon.

This Basin, although one of the Pacific Northwest's major producers of wheat and livestock, is still really something of an agricultural "sleeping giant." There are estimates that possibly 500,000 acres of grain and sagebrush land in Wasco, Sherman, Gilliam, Morrow and Umatilla counties can be profitably irrigated from the Columbia River and other water sources. Only about 66,000 acres of cropland were being irrigated in the five counties in 1964. That figure is more now because additional wells for irrigation have been drilled in Umatilla and Morrow counties in the past 4 years. About one-half of the 1964 irrigation total is in the Umatilla Irrigation Project which dates back to about 1905.

Interest in moving Columbia River water to the broad expanse of land above the river to wheat and cash crops like sugar beets and potatoes has been mounting in recent years. The first to try it on the Oregon side of the river were Ray Dunn and William McClannahan, who are irrigating in the neighborhood of 1,000 acres of potatoes near Umatilla on both sides of the Morrow-Umatilla county line. They are lifting water to elevations less than 400 feet above the river. Other larger private projects are being considered.

One plan—under study by a group of Sherman County Farmers who organized N. E. Sherman Irrigation, Inc., several years ago to investigate the feasibility of irrigating some of their wheat land with Columbia River water—contemplates irrigating 47,000 acres and lifting the water as high as 1800 feet. Wheat farmer Gordon Hilderbrand of Wasco heads up this group.

Another potential private irrigation undertaking in the Columbia Basin North Gilliam Irrigation Project—has been studied for several years now by some Gilliam County Ranchers, spearheaded by Marion Weatherford, of Arlington, prominent Oregon grain and cattle raiser. This plan considers moving Columbia River water as high as 800 feet to about 25,000 acres in what is known as the Shuttler Flat area south of Arlington. The gently sloping land is covered with reasonably deep fine sandy loam soil. Wheat often responds to the average annual precipitation of nine to ten inches with 30 to 45 bushels per acre.

Delivering Columbia River water to grain in rotation with such crops as alfalfa, sugar beets, potatoes, peppermint is economically feasible in both projects, according to studies the two groups contracted recently with Cornell, Howland, Hayes and Merryfield of Corvallis, an Engineering Firm.

Other private irrigation developments in the Basin are being talked about.

The Bureau of Reclamation earlier this year started a $41,000 preliminary investigation into the possibilities of a 300,000 acre irrigation project along the south bank of the Columbia, stretching east and west from the Umatilla River to the John Day River.

There are many factors contributing to the irrigation interest in the Columbia Basin. Slack water navigation on the Columbia for inexpensive movement of produce to Portland is probably one. The close supply of power to run the pumping plants is likely another. So is the exciting possibility of irrigating crops with the water that may be used to cool nuclear power plants slated for construction along the Columbia. This intriguing aspect of Columbia River irrigation potential for Oregon was thoroughly reported by Oregon State University's Arthur S. King in the June 6, 1968 issue of The Oregon Farmer, "Irrigation-Nuclear Power-Partners In The Future?"

Oregon State University in cooperation with interested ranchers and commercial agriculture are sharing in the applied research initiated as a result of the possibility of irrigating these dry-land wheat lands along the Columbia river.

The Oregon State University Extension Service and the Experiment Stations are conducting a series of experiments on irrigated crops so that information can be available when the Giant awakens.

Experiments conducted in Sherman and Gilliam counties are in their second year. In Gilliam county experiments on irrigating wheat will continue with its third year.

Supervisor of the Experimental applied research project in Gilliam County for 1968 was Thomas G. Zinn, Gilliam County Extension Agent. Art King and James Vomocil, Extension Specialist in Corvallis were responsible for engineering the project this last season.

A field day scheduled in July and the completion of the results of the project this last year are laying some important ground work for future irrigation development in the wheat fields and sagebrush in Oregon's Columbia Basin.

What King, Vomocil and others are trying to do with the Shuttler Flat experimental project is to find practical answers that will make an all-out commercial venture less risky. Bankers are likely going to want to see some records of crop performance if and when irrigation plans move off the drawing boards into the fields. Too, much of the data used in predicting costs and returns for irrigating this land from the Columbia is based on irrigated cropping in Washington's Columbia Basin Irrigation Project.

The information gained from the continuation of the Shuttler Flat project will assist in determining the validity of long range financing and will aid processing plants and other marketing outlets in obtaining advance information on the cropping potential of the Mid-Columbia area when high-lift irrigation projects become a reality.

One particularly significant problem that has been uncovered on Anderson's Shuttler Flat irrigation plots is the soil's reluctance to accept water. It came as a surprise to King. "I thought this land would take all the water we could give it. Even where subsoiling was tried and substantial improvements in penetration of the water were observed, the soil still only takes about one-quarter inch of moisture per hour," King said.

Observers on a field day in July 1968 saw a tremendous variety of crops under irrigation on about 15 acres in Gilliam County.

All the crops looked healthy and vigorous. Some of the visitors were comparing the sugar beets and potatoes favorably to what they have seen in Washington's Columbia Basin.

There are four varieties of potatoes, including Norbold, Kennebec, Netted Gem and Red Lasota; peppermint; sugar beets; Sudan grass; six varieties of dry beans; spring rape; perfection peas (for freezing); Alaskan field peas (for soups and canning); crambe, safflower and sunflowers. Also under irrigation were about 5 acres of alfalfa and 5 acres of wheat.

Why all the oil seed crops? "Some could be a good crop early in the season," said Norman Goetze, OSU extension farm crops specialist. Noting that Oregon livestock producers import much of their protein supplement, Goetze speculated that the by-product feed value of these crops in itself could make an important economic contribution.

"Irrigated alfalfa can not be overlooked as an excellent irrigated cash crop," King said. He cited the thousands of acres in Washington's irrigated basin that are producing alfalfa hay for dairies in Western Washington and Oregon. It's one of their most profitable crops, he said.

WHEAT

Wheat is getting its share of attention in the Shuttler Flat irrigation experiments. Wheat is a crop these Eastern Oregon ranchers know how to grow. They have the equipment to grow it; and they have a market.

Four plots of wheat were included in this experiment this year with varying amounts of fertilizer and water. All four plots were seeded Oct. 28, 1967 at the rate of 100 pounds per acre with 7 inch drill spacing. All received 4½ inches of water in October prior to planting and 50 pounds of phosphorus per acre.

Plot 1 a total of 216 pounds of nitrogen and 16.6 inches of water were applied throughout the season. The yield was 79.1 bushels per acre with a test weight of 57 pounds.

Plot number 2 had 114 lbs. of nitrogen and a total of 5.5 inches of water. The yield was 73.7 bushels per acre with a test weight of 61 lbs.

Plot number 3 had 205 lbs. of nitrogen per acre applied and 9 inches of water. The test weight was 56 pounds.

Plot number 4 had 40 lbs. of nitrogen applied per acre 13.5 inches of water and yielded 89.2 bushels per acre with a test weight of 60 lbs.

POTATOES

Four varieties of potatoes were tested on the experiment this year. The varieties were Norgold, Kennebec, Russet and Red Lasota. Norgold yield was 18.7 tons per acre, Kennebec was 36.6 tons per acre. Russet was 24.5 tons per acre and Red Lasota was 24.4 tons per acre.

The percentage of number one potatoes in each variety was lower than a commercial producer would desire for profitable returns. The lower percentage of number ones was largely due to irrigation timing and water penetration. The potatoes were of good quality and the total yields were very good.

SUGAR BEETS

Two plots of sugar beets were grown experimentally with plot one producing 29.2 tons of beets per acre and a sugar content of 16.86 percent. This plot produced 4.93 tons of sugar per acre. Plot number 2 produced 28.6 tons per acre with a sugar content of 16.3 percent. This plot produced 4.66 tons of sugar per acre.

DRY BEANS

Six varieties of dry beans were planted this year and the yields varied from 8000 lbs. per acre to 1400 lbs. per acre. The quality was excellent and these yields were extremely high.

The experiments, the data and the talk all lead to some exciting changes in a vast area that once produced only dry land grains.

But in a number of areas of these counties it is beyond the talk stage. Each year those who will tour the area will see a number of wells and sprinkler equipment turning hundreds of acres into lush green wheat crops producing three and four times their dry land capabilities. In addition to wheat, one may see such crops as sugar beets, potatoes, peppermint, field corn, beans, and alfalfa. So the Giant is beginning to awaken.

CABINET RANK FOR US SHOPPERS?

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. ROSENTHAL. Mr. Speaker, I will shortly reintroduce legislation to establish a Cabinet-level Department of Consumer Affairs. Last year, over 60 colleagues joined me in introducing this bill. This year I expect to have over 100 cosponsors.

One reason for the increasing interest in this bill is the evidence which is accruing slowly to the Special Inquiry on Consumer Representation, of the House Government Operations Committee, which I head. With each aspect of consumer representation we investigate, it becomes clearer that until the consumer has a Cabinet spokesman, with the staff and budget that implies, he will be only half safe from misrepresentation, fraud, and simple lack of knowledge on how best to spend his money.

Today, the first day of a new administration, the consumer sees most clearly what he needs. The limited consumer protection given by Betty Furness as a White House assistant has vanished. A Cabinet department would not be nearly so easily disposed of.

Jack Kelso, associate editor of Changing Times, summarizes the arguments for the new Department in the January issue in the article "Cabinet Rank for Us Shoppers?" which follows:

CABINET RANK FOR US SHOPPERS?

That's the idea behind a hardy proposal for a "Department of Consumer Affairs" in Washington.

Suppose that you are victimized in the marketplace so flagrantly that you deem it worth the attention of the U.S. government itself. Where would you turn for help?

Depending on your complaint, you could pick from no fewer than 33 federal agencies, departments, bureaus and offices, each with some "consumer protection" obligations.

You could lodge your protests with the President's consumer-affairs adviser, too, though that office has been primarily concerned with advising the President, congressional committees and other groups, not with offering personal help to shoppers. Even the action agencies with consumer concerns, from the Agriculture and Labor departments on downward, all have bigger fish to fry. For most of them, safeguarding shoppers is distinctly a sideline.

Some legislators and some voters are beginning to feel that the consumer will get a fair shake at the federal level only when some of the major scattered consumer-protection activities are pulled together into one new Department of Consumer Affairs. Then, they think, the consumer can swing his weight and enjoy full cabinet rank, just like the farmer and the businessman and the laboring man.

One outspoken advocate of this approach is Rep. Benjamin S. Rosenthal, Dem.–N.Y., who got 58 congressional colleagues to cosponsor a measure to establish such a department in the last session of Congress. The bill died without action at the end of the session, but Rosenthal pledges to bring it up again this year.

Its passage would cause a major governmental upheaval. The new department would take over food grading and classification from the Agriculture Department's Consumer and Marketing Service; home economics and nutrition research from Agriculture's Agricultural Research Service; the price and cost-of-living reporting now carried on by the Labor Department's Bureau of Labor Statistics; the Health, Education and Welfare Department's police work on packaging and labeling and HEW's functions relating to safe food standards.

It would break ground in other ways, too. DCA would go into the courts and before government regulatory agencies and departments to speak for the consumer on tariffs, milk marketing practices, gasoline imports, banking and a host of other pocketbook matters.

Its officials would handle complaints on such topics as exorbitant interest rates, home repair frauds, unsafe automobiles and household products, contaminated foods. When complaints were not directly under the department's authority, they would be passed on to the proper agencies elsewhere in the government.

An Office of Consumer Information would gather everything the government knows about purchasing such items as stoves, refrigerators, flashlight batteries, shoes, floor wax, mops, tires and so on and make that shopping know-how available to the public.

A semiautonomous unit called the National Consumer Information Foundation would run a voluntary product-testing program, under which manufacturers could submit their products to determine whether they lived up to their makers' claims for them. The official test results would be printed on information tags that companies could attach to their products.

The Institute for Consumer Research, which would do the actual testing, would also make recommendations to other government agencies on needs for research in specialized fields.

A permanent Office of Consumer Safety would run continuing checks on the safety of consumer products and publish warnings when it detected hazards. (The present National Commission on Product Safety is a temporary group exploring problems of this kind.)

Economic surveys and special investigations would be made to uncover other problems.

There's been opposition aplenty to this whole idea since the late Sen. Estes Kefauver of Tennessee proposed it in 1959. When Rosenthal introduced a similar bill three years ago, the outcry was long and loud from many groups in business and industry and from some government officials.

Business and industry argued that since everyone is a consumer, be he farmer, laborer or manufacturer, the specialized agencies of the government can deal best with specific problems as they arise. Further, no one can possibly know the viewpoint of consumers on such complex matters as transportation, banking, trade regulation, money markets and tariffs. And, they added, paperwork and red tape would increase costs for consumers.

Government spokesmen remarked that the Federal Trade Commission already has the power to do some of the things proposed for a Department of Consumer Affairs, but Congress has not seen fit to provide the money for the FTC to do them. A consumer department might give other agencies the idea that they no longer had to consider the consumer interest.

Advocates of the proposal countered that consumers, despite their many faces and roles, are an identifiable group that cannot be ignored any more than you can write off the labor movement by saying that all men are workers. And although consumer protection was among the original purposes of the existing regulatory agencies, the consumers' voice increasingly is drowned out by the stronger, better-organized voices of the industries being regulated. Both Norway and Sweden, they noted, have Ministries of the Consumer and Family Affairs.

Even to many of its supporters, however, chances for passage of a Department of Consumer Affairs bill in the next session of Congress appear slim. Some think it will be established eventually, perhaps four, six or eight years hence. Some would settle for less than a full-fledged department, an Office of Consumer Affairs, perhaps, with less power and authority.

The mood of the new Congress and the approach the Nixon administration takes toward consumer problems will determine the fate of the proposal in the immediate future. Even if nothing comes of the idea just yet, the talk about it shows that politicians, some eagerly and some reluctantly, are growing sensitive to consumers as an interest group and to their problems as an issue.

MAYOR WALTER J. SULLIVAN, OF CAMBRIDGE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 21, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, on November 24, the Honorable Walter J. Sullivan, mayor of the city of Cambridge, addressed the Marsh Post of the American Legion in Cambridge. The occasion of the address was the fifth anniversary of the death of the late President John F. Kennedy.

Mayor Sullivan talked about a fitting memorial for John F. Kennedy. He was not talking about statues or buildings—for there are already many of these—he was talking about a rededication of men and their endeavors toward those goals sought by the late President Kennedy. He said, and I agree wholeheartedly, that President Kennedy recognized the unity of the human family and sought to make that unity real and effective.

Mayor Sullivan suggests that present world problems and conditions should be viewed as part of the artificial divisions within the human family. As such, we who want to honor the memory of John Fitzgerald Kennedy, must end those divisions and solve the problems. We cannot allow any one to suffer mistreatment, injustice, or oppression. We must alleviate present problems and prevent future ones.

This would be a fitting memorial to John F. Kennedy.

Mr. Speaker, I urge my colleagues to read and think about the fine and understanding words of Mayor Sullivan.

Mayor Sullivan's address follows:

ADDRESS BY MAYOR WALTER J. SULLIVAN

It seems beyond belief that five years have passed since that Black Friday in November of 1963, when a vibrant young President, with limitless potential and promise, was cut down on the streets of Dallas. In the interlude of time from that day to this, John Fitzgerald Kennedy has been memorialized in a variety of ways. Most of these memorials are in brick and mortar. And while they are laudable attempts at expressing our affection, they are an inadequate expression to the late President. For, the fact is that memorials in stone are superficial. And this was neither the character nor the type of memorial that he would find satisfactory. I would like to suggest today what seems to me to be the enduring memorial to our late President.

I think that you will all agree with me when I say that there was one theme, one idea, one central belief which penetrated and resounded through all the speeches, writings, and decisions of John Kennedy. That pivotal idea was his sensitivity and commitment to the Oneness, the Unity of the human family. He realized with a passion that all of us, however diverse and different, are one. We are one by reason of origin—we are one by reason of destiny—we must be one in the common enterprise of building a human community which will insure the dignity, the value, the decency of every human being.

Might I suggest that if John Kennedy were here today, he would make it abundantly clear that lip service to the Unity of the human Family is not enough. This Unity must be given flesh and blood. It must live in our midst. To insure its presence is your task and mine. Its presence will be the living memorial, the adequate expression of our affection for this fallen leader.

Does any area in the domestic life of this nation cry for the understanding of Human Unity as does the Crisis of our Cities? Initially, the underlying unity of the human family means that whether we be rich or poor; black or white or yellow; whether we be Protestant, Jewish, or Catholic; whether we be Irish, Italian, Polish, Russian, regardless of these accidental barriers, all of us are members of one family. And the time has come to live this fact to the full without compromise and without timidity. That John Kennedy was about to wage war against Urban Blight, in all its human dimensions, is clear from the testimony of his aides who report that just prior to his rendezvous with death, he had read and studied the incisive book by Michael Harrington entitled, "The Other America." That the Unity of the Human Family permeated his total person was made manifest in the response which John Kennedy determined to give to these compelling words of Michael Harrington:

"At precisely that moment in history where for the first time a people have the material ability to end poverty, they lack the will to do so. They cannot see; they cannot act. The consciences of the well-off are the victims of affluence; the lives of the poor are the victims of a physical and spiritual misery."

The problems of the cities are clear to all of us. It is time that we stopped moaning about them and began confronting these human needs with effectiveness. Like it or not, however inconvenient it may be, the fact is that a social revolution is throbbing in the hearts of our cities because a social revolution is throbbing within the hearts of the people who live in the heart of the city. To those in our midst who would close their eyes to this revolution, may I urge you to reflect upon what the late President remarked: "Those who make peaceful revolution impossible are the very ones who make violent revolution inevitable." The present Urban Revolution must be peaceful. Each of us must work to make it so.

A second area where the Unity of the Human Family must be given life is in our determination as individuals and as a nation to secure world Peace. No generation has more to lose through war than do we. Yet, no generation has more to gain through Peace than do we. That John Kennedy saw this was evident in the manner in which he expended his energy in securing the Nuclear Test Ban Treaty. That he recognized that in a Nuclear Age, War was not a means for resolving national grievances was clear when he observed:

"In a nuclear war, the fruits of victory would be but ashes in our mouths".

His sensitivity to the Oneness of the human family compelled John Kennedy to leave no avenue untravelled in pursuit of Peace. Today, you and I and all Americans must continue this pursuit. For we must realize that Peace is much more than the absence of War. It is the determined effort to resolve and diminish those tensions of our day, which if allowed to go wild, would escalate into armed conflict. With this realization in mind, it is for all of us to mobilize public sentiment and urge our President and President-Elect, as well as the Congress, to ratify the next important step in our quest for Peace; Ratification of the Nuclear Non-Proliferation Treaty. To take this next step is a mandate from humanity itself. We must make our support known to our legislative Leaders. This is the type of Memorial to the late President which has enduring value.

My friends, the times in which you and I live are difficult. They are testing us as we have never been tested before. Yet, when I sometimes get discouraged at the seemingly overwhelming needs of today, I reflect upon what Dr. Martin Luther King once said:

"If I were taken to the beginning of time and creation and were given choice of any epoch in history, my preference would be the second half of the 20th Century".

Let History record that you and I accepted the present challenges of Destiny. More than that, let History record that the real memorial to John Fitzgerald Kennedy was the manner in which the people who loved him carried his ideals and made them live in the crucible of the daily life of the nation. This is our task.

I would like to conclude my remarks by asking you to take with you from this hall and make your own a statement which sums up all that we have to do, a statement spoken by the late Senator Robert F. Kennedy:

"In troubled times, there is always a temptation to grow one's own hedge, and cultivate one's own garden. For us to give in to such a temptation would be unworthy of our past and unfaithful to our future".

A TRIBUTE TO SECRETARY OF STATE DEAN RUSK

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 16, 1969

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join with the distinguished chairman of the House Foreign Affairs Committee, Dr. MORGAN, in paying tribute to the Honorable Dean Rusk, 54th Secretary of State.

For 8 years, under two Presidents, Secretary Rusk has discharged the huge burden of carrying on America's foreign affairs. As is well known, his tenure in the difficult office of Secretary of State is comparable to that of Cordell Hull.

Moreover, Secretary Rusk's stewardship has been carried out during one of the most difficult, discouraging, critical periods of world and American history. Crisis after crisis have marked the days since 1960 when he first took office under President John F. Kennedy.

It is the mark of the man that Dean Rusk has proved repeatedly equal to the challenge. Again and again he has helped guide the ship of state through the constant perils which have beset the United States.

Secretary Rusk considers his greatest accomplishment in office the fact that a nuclear war was avoided.

This fact serves to remind us of the life-and-death responsibilities which Secretary Rusk carried as the leading initiator and administrator of American foreign policy. In no small measure Mrs. Rusk has been of great assistance to her distinguished husband in carrying this awesome burden.

While it would be presumptive to assume that the world is more peaceful than it was when Secretary Rusk took office, there can be no doubt that important steps toward that goal have been taken during his tenure.

The treaties which have been signed with the Soviet Union and other major nations for preventing the spread of nuclear weapons, for banning the use of space for nuclear weapons, and for forbidding the use of the moon for military purposes—all have resulted from leadership given by the Secretary of State. Further, important actions have been taken in the past 8 years throughout the Western Hemisphere and in the Western World toward peace through mutual security.

Let us not forget—as Pope Paul has pointed out—that the peace in our time is "development." Secretary Rusk has been a strong proponent of and an eloquent spokesman for our foreign assistance programs which are directed toward peaceful change in the emerging nations.

Some commentators have noted, and not without some wonder, Secretary Rusk's popularity with the Members of Congress, a body more known for its antagonism rather than friendship toward Secretaries of State.

I believe this high regard by Members of Congress reflects the American people's attitude toward this distinguished statesman. He is respected and admired for his patience, perseverence, composure under fire, integrity, loyalty, and courage. Day after day, under constant attacks and provocations, he has continued to speak with the quiet voice of reason and intelligence about and for America and its mission in the world.

With 8 years of hard work and sacrifice behind him, Dean Rusk has amply earned his ease. However, he will not take it. Rather, he has announced plans to reminisce and write about the rich and intense experience of the past 8 years so that future Secretaries of State and American foreign policymakers may have the benefit of his wisdom and suggestions.

Working with Secretary Dean Rusk these past 8 years has been a memorable and rewarding experience for me and, I know, for many of my colleagues on the House Foreign Affairs Committee and in the Congress. Let us hope that soon again he will come center stage in the continuing drama of American progress. Undoubtedly his talents and skills will be available and called upon as one Nation continues in the effort to develop a peaceful world.